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HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 7, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., preceded his prayer with this verse of Scripture:

John 17: 21: *I pray that they all may be one; as Thou, Father, art in me and I in Thee, that they also may be one in us.*

Almighty God, whose mercies outnumber our many necessities, grant that daily we may do good to our fellow men in their struggles and sorrows, their capacities, and opportunities.

Grant that the truth may dawn more fully upon us that our personality has no meaning apart from our fellows but finds its fulfillment in fellowship, for our humanity is a oneness.

We beseech Thee to arise within our minds and hearts as strength and healing and victory and give us a greater concern to find in mankind that which is lovely, lifting them out of weakness into power, and into those heights that they had never dreamed of or imagined.

May we be partners in advancing them toward what is their right and privilege to possess and enjoy as citizens of the kingdom of the spirit.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a resolution, as follows:

S. RES. 126

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. T. Ashton Thompson, late a Representative from the State of Louisiana.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The message also announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 1236. An act for the relief of Salvador Munoz-Tostado;

H.R. 1306. An act for the relief of Loretta Negrin;

H.R. 3634. An act for the relief of CWO Edward E. Kreiss;

H.R. 3638. An act for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel;

H.R. 5184. An act for the relief of the port of Portland, Oreg.;

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors;

H.R. 7847. An act to amend the Small Business Act;

H. Con. Res. 400. Concurrent resolution to provide for printing additional copies of House document entitled "Documents Illustrative of the Formation of the Union of the American States";

H. Con. Res. 411. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y. Area," 88th Congress, 1st session;

H. Con. Res. 412. Concurrent resolution authorizing the printing of additional copies of House Report No. 1739, 88th Congress, 2d session, entitled "Annual Report for the Year 1963, Committee on Un-American Activities";

H. Con. Res. 413. Concurrent resolution authorizing the printing of additional copies of "Violation of State Department Travel regulations and Pro-Castro Propaganda Activities in the United States, Parts 1 Through 5";

H. Con. Res. 414. Concurrent resolution authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area," 88th Congress, 2d session;

H. Con. Res. 415. Concurrent resolution authorizing the printing as a House document of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, together with hearings thereon held by that subcommittee, and of additional copies thereof; and

H. Con. Res. 428. Concurrent resolution authorizing the printing of a revised edition of "History of the House of Representatives," and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 559) entitled "An act to regulate the labeling of cigarettes, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S.J. Res. 1) entitled "Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office."

DELEGATION TO ATTEND NEXT GENERAL MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

The SPEAKER. Pursuant to the provisions of House Resolution 418, 89th Congress, the Chair appoints as members of the delegation to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in Wellington, New Zealand, the following members of the House: Mr. HAYS, of Ohio, chairman; Mr. MORGAN, of Pennsylvania; Mrs. BOLTON, of Ohio; Mr. ADAIR, of Indiana.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 169]

Blatnik
Bonner
Bow
Cabell
Clark
Dawson
Dent
Devine
Edwards, Calif.
Ellsworth
Frelinghuysen
Friedel
Green, Oreg.
Hagan, Ga.
Hanna
Hansen, Idaho
Harsha
Harvey, Ind.
Holifield
Holland
Hosmer
Keogh
Lindsay
Long, Md.
McMillan
Mackie
May
Murray
Passman
Powell
Purcell
Rogers, Tex.
Scott
Thomas
Thompson, Tex.
Toll
Utt
Wilson, Bob

The SPEAKER. On this rollcall 394 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VOTING RIGHTS ACT OF 1965

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6400) to enforce the 15th amendment to the Constitution of the United States.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 6400 with Mr. Bolling in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the gentleman from New York [Mr. Celler] had 3½ hours remaining and the gentleman from Ohio [Mr. McCulloch] had 3 hours and 43 minutes remaining.

The Chair recognizes the gentleman from New York.

Mr. McGRATH. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. McGRATH. Mr. Chairman, our great Nation has just celebrated the 189th anniversary of the signing of the Declaration of Independence, which stated in unequivocal terms that "all men are created equal."

Since the signing of that timeless document, this undeniable truth has been made a part of our Constitution, emphasized by President Lincoln in his Emancipation Proclamation and further emphasized in the 15th amendment to the Constitution.

Yet, today—189 years after this concept was written into the Declaration of Independence, 178 years after it was made a part of the Constitution, 100 years after the Emancipation Proclamation, and 95 years after its reemphasis in the 15th amendment—the undeniable fact faces us that in the United States of America, all men are not treated as equals.

This Congress now has before it still another document intended to close the moral gap between the declarations of the equality of men and the failures of Americans to make these declarations our national way of life. I refer to the Voting Rights Act of 1965, which, I feel, is one of the most important and necessary pieces of legislation this Congress may ever be called upon to enact.

Although the problem of equality within the United States is one we Americans must solve as a matter of our national conscience, it must also be noted that we are, at this very moment, pursuing military activities in widely separated parts of the globe for the very purpose of establishing freedom and equality for citizens of foreign lands, yet here in the United States, this same freedom and equality is still denied citizens of this country.

Mr. Chairman, there can be no doubt that in some of our Southern States, the Declaration of Independence, the Constitution, the Emancipation Proclamation, and the 15th amendment are all being evaded by those who would deprive our Negro citizens of their voting rights. We simply cannot permit this to continue, and by means of new legislation, which is, in effect, a restatement of this basic right, we must insure that discriminatory practices aimed at denying the right to vote to any American will be forever ended.

The Voting Rights Act of 1965 will accomplish this end, Mr. Chairman, and I endorse its passage and urge every Member of the 89th Congress to vote in favor of its enactment.

There are Americans who wish a continuation of the status quo and who claim the Voting Rights Act of 1965 was conceived in haste and is punitive legislation, the purpose of which is to obtain "revenge" on the Southern States and their citizens.

Mr. Chairman, the entire history of the United States as a Nation testifies to the fact that we are not a vengeful people. Many of the difficulties in which our country finds itself today are the result of turning the other cheek throughout our life as a Nation.

To have the issue of equality for all our citizens beclouded by such arguments is unthinkable. Within the past 10 years, incidents have occurred in connection with the civil rights movement which have cried for vengeance—yet no State or individual has been made a target for revenge.

Murders have been committed—murders of small children, dedicated Americans, innocent bystanders, and civil rights leaders—as a result of this struggle to bring the concepts on which our Nation was founded into practice. Those accused of perpetrating some of these murders have been tried, yet none have been convicted. Still, no vengeance has been wreaked either upon the accused murderers or on the States, counties, cities, or individuals who circumvented justice.

Mr. Chairman, I am proud to be able to say that a voting rights measure, H.R. 6979, which I introduced earlier in this session has contributed to the Voting Rights Act of 1965 which we are now called upon to consider. I cannot find words strong enough to indicate my feeling that this measure should be enacted. At the same time, I also pray, from the depths of my being, that it will never again become necessary for the Congress to reemphasize by legislation the basic principle of equality on which our Nation was founded.

If the American "great experiment" is to succeed and flourish, all Americans must receive equal and fair treatment. All other rights depend upon the right to vote, which belongs to all Americans, regardless of race, color, creed, or national origin.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from Colorado [Mr. Rogers].

Mr. ROGERS of Colorado. Mr. Chairman, I rise in support of the voting rights bill of 1965. This is indeed an appropriate title for this bill. However, before I undertake to discuss the provisions thereof, I believe it would be well that we review the history which led up to this proposal.

Mr. Chairman, most of us know that the 15th amendment to the Constitution of the United States was adopted prior to 1870. Also, that the Congress in 1870 passed a statute which is known in the statute books as 42 USC, 1971, which, in effect, stated that any person who is deprived of his rights in any particular had a right to enforce his constitutional rights through a court action. This remains on the statute books today.

Mr. Chairman, in 1957 we passed the first civil rights law. Prior to 1957 if an individual's rights had been taken away from him, his only redress was for him to institute the suit. However, under the Civil Rights Act of 1957 we made the Attorney General responsible for and designated him to appear in behalf of the United States or an individual whose rights may have been taken away from him. That was done with the hope that those who had not been afforded the protection of the Constitution could have adequate legal representation when they came into court.

In 1960 we amended the voting rights provisions of the Civil Rights Act again. This time we said that if the Attorney General went into court and established that a pattern or practice existed whereby people were denied the right to vote, the district court would then be authorized to appoint trustees or voting referees whose duties and responsibilities were to go about and register those who were qualified to vote.

Mr. Chairman, many suits were filed under that act. But in 1964 we amended section 1971 a little further. We amended it in this respect, at least significant for this debate, to the effect that when a literacy test—mind you, a literacy test—was applied at a State level, you would be required to reduce it to writing and maintain that literacy test or the questions and answers in connection therewith.

At the same time we provided that in the event an individual had a sixth grade education, then the presumption was that he was qualified to vote; at least, that he could pass a literacy test. That has been only a rebuttable presumption. Throughout all of this time each of these laws had application only to a Federal election. Not once did we attempt to apply them to anything other than a Federal election.

What was the result of this law and its application? It resulted in a number of lawsuits being filed, particularly in the Southern States of Louisiana, Mississippi, and Alabama, alleging discrimination and a pattern. In most of those cases that have been finally decided the court found in favor of the Government's contention that there was discrimination and that a pattern or practice existed to prohibit individuals from voting.

It is significant that no voting discrimination case has ever been concluded without a finding of racial discrimination. Thus the Department has instituted as an example 12 voting suits in the State of Alabama. To this date there have been findings of a pattern of discrimination in eight of these cases. Four are presently pending. In each of the eight cases discrimination was effected by the use of tests or devices. The statistics show that a large nonwhite voting population existed, large white registration, a low percentage of nonwhite registration, and a low voter turnout in the presidential election of 1964.

With these facts and with the understanding that a small percentage of those of the colored race had not registered to vote, with these facts before us in the committee, and with testimony that was received, there was a determination that we should implement the 15th amendment to the Constitution in every particular to bring about its effectiveness so that if the 15th amendment meant anything when it says no citizen shall be deprived of or denied the right to vote because of race, color, or previous condition of servitude, the Congress of the United States is authorized to implement and make this effective.

It was on this basis that H.R. 6400 was based. And as you will examine section 2 of H.R. 6400, it starts out by naming the qualifications or prerequisite for voting and it reads as follows:

> SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

Understanding that the original of this section 2 as set forth deals with the 15th amendment and bases itself on race or color.

Let us go one step further. You have heard two devices mentioned here. One is the pocket device and the other is a trigger device. The pocket device is section 3 which says that whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the 15th amendment, we bring on the 15th amendment here in the third section to show its constitutionality, as many may challenge it in the future. But when we do, under section 3, bring an action, that is, when the Attorney General brings an action under section 3, the court shall, under any preliminary orders or any final orders appoint examiners as provided in section 6 of this law.

We also put a limitation that makes it necessary for the court, before he can enter such an order, that he shall find that denials are few in number—that is, that the discriminations are few in number, and that the continuing effect of such incidents has been eliminated and there is no reasonable probable cause for recurrence in the future.

In other words, the court must find those things before he appoints examiners.

The next part of this section 3 says that when a device or test is being used for the purpose of, or with the effect of, denying or abridging the right of a citizen to vote on account of race or color, it shall suspend the use of such test in such a State as the court shall determine.

Once the action is in force and effect and once the judge has appointed the examiners, then he can retain jurisdiction and we point out that he must retain jurisdiction so long as he believes it is necessary to carry out the effective provisions of this act. At the same time, we place a restriction on the State or any political subdivision that attempts to set forth the qualifications of voters, that they shall not change their law unless they come to the court, and if by proof before the court that it does not change the situation, then a suit may be instituted—or the court may retain jurisdiction and see that the change is not made if it has the effect of depriving a person of the right to vote because of color or race.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman says it is necessary for anyone who seeks relief from the application of this law as proposed to come to the U.S. district court here in the District of Columbia and seek relief. Is it not also a requirement of this proposal that anyone affected by this law must, in seeking a declaratory judgment against the United States, come to the U.S. district court in the District of Columbia and prove to this court in the District of Columbia that there has been no discrimination for a period of 5 years preceding their application or request for this declaratory judgment? Does this not presume guilt?

Mr. ROGERS of Colorado. I am delighted that the gentleman has asked the question, because it gives me an opportunity to clarify the two sections, sections 3 and 4 of the voting rights bill.

Under section 3, which I have been discussing, one does not have to come to the District of Columbia. That is the pocket section. This involves the action filed in the district court in the State, where the discrimination exists. The judge then makes his determination as to whether he shall retain jurisdiction. That is the first point, in respect to the so-called pocket section, which is section 3.

Section 4 contains the triggering device, as often referred to. This starts out by saying:

> To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizens shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) * * *.

We must understand the meaning of the phrase "test or device." That is covered under subsection (c).

Once the Bureau of the Census and the Attorney General make the determination that a test or device was used as of November 1964, then the Attorney General may, upon the request of 20 people or on his own initiative, cause to be brought about the appointment of examiners. Once the determination is made—and it applies to that particular State or political subdivision—those laws remain the same as they were November 1, 1964, unless and until such time as that State or that political subdivision files an action in the District of Columbia and proves, as was stated by the gentleman from Louisiana a moment ago, that it has not discriminated within 5 years.

We have the further provision that at the same time these discriminations must have been few in number and not likely to be repeated.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. The gentleman, in explaining section 3, covering the pocket device, admitted that the courts and District courts at that can grant relief from discrimination and can be respected because they will do their job.

Mr. ROGERS of Colorado. I always say that the courts will do their job.

Mr. WAGGONNER. If that is the case, why can we not follow the normal judicial process and have all the pleadings made through the normal process, beginning with the district courts?

Mr. ROGERS of Colorado. The gentleman recognizes that since the beginning, with the Civil Rights Act of 1957, in 1960 and again in 1964, in these Southern States, where these actions are filed, it has taken year after year to get them to trial.

What is wrong with a State, which has no desire to discriminate because of race or color, if after all these years they claim not to discriminate, what is wrong with their coming in and proving it? Especially so when the record has been clear and definite that throughout the period of time the ratio of those of the colored race who are registered to vote is low and has continued to be low in spite of the Civil Rights Act.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. Let me yield to a member of the subcommittee.

Mr. RODINO. Might not the gentleman state as a reason why we do not employ the section 3 device in the other situation is because there are hard core areas where this condition has existed and where there has been massive resistance. Therefore, we have employed a different type of remedy. As a matter of fact, going further into section 3 procedure, a State or the government of a State may simply go in by affidavit and state by affidavit that there is no voting discrimination. The burden is on the Government to prove this, and in this way the State and locality can escape the provisions of section 3.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RODINO. I yield the gentleman from Colorado 5 additional minutes.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I appreciate the fact that the gentleman from Colorado yielded to my good friend the gentleman from New Jersey [Mr. RODINO], at the present time, because he has made the admission that this legislation is discriminatory and that it does apply a different set of standards for certain sections of the country. He has admitted it has a different application. Now, you asked me a question. Let me answer the question.

Mr. ROGERS of Colorado. No. Now, wait a minute. If you want to ask me a question, all right, but do not make a speech.

Mr. WAGGONNER. Let me answer your question. You asked what is wrong with having to prove innocence.

Mr. ROGERS of Colorado. I have not asked any question.

Mr. FLYNT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and one Members are present, a quorum.

Mr. WAGGONNER. Will the gentleman yield to me so I can answer the question?

Mr. ROGERS of Colorado. I have not asked any question, Joe. Now, if you have one, ask me it and I will try to answer it.

Mr. WAGGONNER. The gentleman asked me a question. You asked what is right about allowing the courts to take the time that they have been taking to answer suits wherein discrimination was charged or what is wrong about requiring the innocent to prove their innocence.

Mr. ROGERS of Colorado. I never asked you any such question, Joe.

Mr. WAGGONNER. I think, if the gentleman will read the Record tomorrow, he will find out he did, if he does not edit his remarks today. At least you raised this question.

Mr. ROGERS of Colorado. What I am trying to say to you and to the other Members of the House is that under section 3 of this bill—it is known as a pocket section—where an action may be instituted in any Federal court in any State where a test or device is used, and it can be set aside by the court itself if it is used for the purpose of prohibiting a registration for voting because of race or color. If there has been a failure of those of the colored race to be registered and a failure of more than 50 percent of the eligible voting age population to be registered or to vote, then upon that certification by the Bureau of the Census, and the certification of the Attorney General that a test was maintained in November 1964, he may on the complaint of 20 people, or on his own determination, suspend the literacy test and provide for the appointment of examiners who will examine and register people according to their qualifications to vote. That is what the bill does.

In order for a State, once it comes under that triggering device, to get out from under it, it must then come to the District of Columbia and do what the gentleman has said; he must prove that he is not guilty of racial discrimination in the registration of voters. That is all it does. That is a definite and a valid way in which to reach the situation because otherwise, as the gentleman knows and I know, from the beginning of the Civil Rights Act of 1957 and before, the question of the ability of the colored people to register has been a very difficult one. This is one method of making it possible for them to register. That is what you do when you use the triggering device under section 4.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield for a question.

Mr. WAGGONNER. At the outset—and I am going to ask a question—the gentleman said that suits had been filed in certain hard-core States in the South, and he mentioned my State of Louisiana as one of the States where suits had been filed.

Mr. ROGERS of Colorado. Yes.

Mr. WAGGONNER. Does the gentleman feel it is perfectly fair in a case that I am going to cite to make this law apply, wherein, in Ouachita Parish, La.——

Mr. ROGERS of Colorado. Mr. Chairman, just wait a minute.

The CHAIRMAN. Does the gentleman yield to the gentleman from Louisiana?

Mr. ROGERS of Colorado. Mr. Chairman, I do not yield for a speech. I will say, since the gentleman has mentioned his State of Louisiana, if he will read the Supreme Court decision that came down recently, he will find by Supreme Court action they suspended the literacy test in his State, and they did it under the Civil Rights Act that we have heretofore approved. If the Supreme Court has made that determination and a complaint is made that it should not apply statewide as we are doing in this case, or as we will be able to do in this case, the Supreme Court, when they examined the Louisiana statute, which had the interpretation phase in it, as we know it—that is to say, you convince this man what you know about the Constitution of the United States, and if you do not convince him, then you do not register——

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for a question?

Mr. ROGERS of Colorado. Yes.

Mr. WAGGONNER. Does the gentleman feel that it is fair to make this law apply to a parish in Louisiana where complaints have been filed and the courts have said after thorough investigation no discrimination exists and no pattern has been shown to exist? Should this law apply?

Mr. ROGERS of Colorado. The point is this——

Mr. WAGGONNER. Should it apply where the court says discrimination does not exist?

Mr. ROGERS of Colorado. My answer to the gentleman is "Yes," that under these circumstances——

Mr. WAGGONNER. Under what circumstances do you choose to discriminate?

Mr. ROGERS of Colorado. I do not, nor does the bill H.R. 6400 choose to discriminate. Under the circumstances of varying discrimination against the Negroes in the State of Louisiana, I believe prompt relief is needed.

Mr. WAGGONNER. Then we are going to have forced registration and forced voting? The privilege of voting carries with it the privilege of not voting.

Mr. ROGERS of Colorado. The only thing is, let us give them the opportunity to vote; that is all.

Mr. WAGGONNER. They have the opportunity. Most do not even make the effort.

Mr. ROGERS of Colorado. It is very simply stated and I believe the gentleman recognizes it and I recognize it. The question of the registration of those of the colored race in at least the three States that I have mentioned, you say that has no relation because you have picked up in this regard recently.

What are we going to do with the 15th amendment to the Constitution of the United States? Are we going to say that this condition shall continue for year after year when Congress is authorized under the 15th amendment to take definite action? That is what we are attempting to do here in this bill. So, section 4 merely provides a manner and a method in which you can proceed to do it. We in Congress are not compelled to take action one way or the other but we are given a choice.

Mr. Chairman, if after 1957 and again in 1960 and again in 1964 this condition has not improved, what other method would the gentleman from Louisiana suggest by which we could go ahead and register these people?

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield for a question?

Mr. ROGERS of Colorado. I yield to the gentleman from Louisiana for a question.

Mr. WAGGONNER. Does the gentleman from Colorado, for example, feel that it would be fair in principle to enact Federal legislation which would require a death penalty for murder of a President in New York and not require the death penalty for murder in every other State and have an unequal penalty between the States under the law?

Mr. ROGERS of Colorado. That has no application. If the gentleman wants a legal opinion on the subject he can secure one.

Mr. WAGGONNER. If the gentleman will yield further, the principle has an application. Apparently principle is not to be considered here.

Mr. ROGERS of Colorado. It has no application, but as to the question the gentleman asked, the findings and the record are clear that the registration of those of the colored race in those States that I have outlined and mentioned, and particularly the three in question, I again emphasize has been low. Whether or not they want to vote or do not want to vote is begging the question. The question is, Do they have an opportunity to do so without being discriminated against?

We propose in this legislation to give them that opportunity. This is the way to do it. If you do not do it this way, after we have exhausted the approach of first of all permitting the Attorney General to come in and represent them through the 1957 act and then having the pattern and practices established under the 1960 act, and having all of the suits filed, including any number from the gentleman's own State, then is there anything wrong with our going forward and saying that this, in the 20th century, is an interpretation on the 15th amendment which has been in the Constitution for almost 100 years.

Mr. Chairman, that is the thing at which we are trying to get here. That is the only thing. We have tried everything else. If we do not do it this way, how are we going to be able to register these people? That is the objective of section 4 of this act.

The CHAIRMAN. The time of the gentleman from Colorado has again expired. The gentleman from Colorado consumed 30 minutes.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, every indication clearly points to enactment of a proposal to enforce the protections afforded by the 15th amendment. Published barometers of public opinion evidence widespread sympathy for the adoption of legislation to insure that no American citizen will be denied the right to vote. The 15th amendment authorizes—indeed, charges us with the duty—to safeguard this most basic of all rights. I believe that we can do no less than make sure that every American who desires to vote—and all Americans should—is free to do so.

Unlike the 1964 enactment, there is no division in the membership of this House regarding the principle at stake, but on the question of means. At the same time, there is no gainsaying the importance of the means. It is because of the all importance in means that I urge this House to adopt the measure sponsored by many Members on the minority side of the aisle. In sharp contrast with the pending proposal, the bill drawn up by the Republican members of the Judiciary Committee and the Republican Voting Rights Task Force is a model of simplicity and fairness. Discriminatory voting practices would be effectively and swiftly terminated wherever they occur, not just in several States and counties. Unreasonable standards for registration and voting would be terminated without imposing penalties on States and subdivisions which are not guilty of discrimination. Finally, it would abolish any discriminatory application of registration and voting requirements without jeopardizing the constitutional rights of the States to establish reasonable and nondiscriminatory requirements.

The committee reported version of the administration bill falls down in each and every one of these departments. It would outlaw any and all literacy tests in one area because of the operation of totally arbitrary voting percentages while condemning so-called pockets of discrimination to the very processes denounced by its supporters as "slow and cumbersome." Because of the mechanistic nature of this arbitrary standard, it imposes penalties on States and subdivisions where discrimination has never been alleged. In the words of an editorial appearing in the Evening Star of April 4, 1965:

> If enacted, in its present form, this bill would result in a legislative discrimination as bad or worse than the evil the bill is supposed to remedy.

The bill sponsored by Members on the minority side does not make automatic assumption of guilt based on low electoral percentages in past elections. Rather, it is a broadly based bill designed to attack discrimination wherever it exists.

The bill provides for the appointment of a Federal examiner by the Civil Service Commission whenever the Attorney General certifies that he has received 25 meritorious complaints alleging that each complainant is qualified to vote and that within 90 days he has been deprived of the right to register and vote on account of race or color. The examiner immediately determines the validity of the complaints.

In making his determination whether an applicant is qualified to vote under State law, the examiner is to disregard State literacy tests in the case of applicants who have completed the sixth grade of education in a public or accredited private school. The examiner would also disregard any good moral character or voucher requirement.

Any applicant who has not completed six grades would be given the State literacy test in writing, and test and answers are to be included in the examiner's report.

Any challenge by the State can be made within 10 days before a Federal hearing officer appointed by the Civil Service Commission.

The bill further provides that a determination by a hearing officer that 25 or more persons have been denied the right to vote because of race or color shall establish a pattern or practice of discrimination. The Civil Service Commission must then immediately appoint additional Federal examiners to register other persons within the affected area who may be subject to discrimination. Under the terms of the bill, applicants from such an area are not thereafter required to register in the first instance with local officials. After the establishment of the pattern or practice of discrimination, all persons who believe they may be subject to discrimination may register with the Federal examiner.

Appeals from a hearing officer's decisions must be made within 15 days. In the interim, however, all persons found qualified to vote shall be allowed to cast a provisional ballot.

Under the bill, the court could order that such persons be permitted to vote on the day following the election and have his vote counted in the totals.

Finally, the bill lays the foundation for legal proceedings attacking a discriminatory poll tax requirement. It directs the Attorney General "forthwith" to institute a suit testing the validity of such a requirement for the purpose of voting in a State or local election.

As I said at the outset, Mr. Chairman, the need for new voter legislation is widely acknowledged. That legislation should be fair, constitutional, and designed to correct existing problems. The Republican bill fits these particulars in every detail. It follows logically from a finding, not a presumption, of guilt. It imposes sanctions only after the requisite determinations, not presuppositions, are made. On the other hand, the serious deficiencies of the pending amended administration proposal mark it as being of questionable constitutionality, punitive, and so designed as to create more new problems.

In the fall of 1963, President Kennedy admonished the committee to devise a bill, not an issue. I do not think these remarks inappropriate at this time.

Mr. McCULLOCH. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. HUTCHINSON].

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the distinguished minority leader [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Chairman, later in the consideration of this legislation, and at the time a substitute will be offered by the gentleman from Ohio [Mr. McCULLOCH], I do intend to take some time to discuss the merits of the substitute and to explain why we in the minority believe the substitute is infinitely better than the bill that has come from the committee.

At this time, however, it is appropriate for me to say that the gentleman from Ohio and myself over a long period of time have fully supported legislation aimed at doing what we could, legislatively speaking, to eradicate discrimination based on race or color, and to help the civil rights cause in a constructive way.

In 1957 the gentleman from Ohio was extremely helpful in the committee; he was extremely helpful in obtaining the passage of the legislation on the floor of the House. All of us who were here in 1960 and those who were here in 1964 know what a tremendously effective job the gentleman from Ohio [Mr. McCULLOCH] did on the legislation in those two instances. He was an effective advocate of sound civil rights legislation and today plays a similar role.

I say this because I want the record to be crystal clear that the sponsorship of the substitute is another effort on the part of the gentleman from Ohio to do what can be done legislatively to help in a constructive way the problems of those in the minority. The record of the gentleman from Ohio is exemplary in the area of civil rights.

May I add one other observation. In 1957 I voted for civil rights legislation, in 1960 and 1964 I also supported civil rights legislation. I, along with the gentleman from Ohio, am sponsoring the substitute voting rights legislation to be later offered to the members of the Committee of the Whole. His position and my position are consistent with the voting record of the Republican Party in the House of Representatives and in the Senate.

The Republicans have traditionally supported sound and constructive civil rights legislation. We have carried more than our share, percentagewise, and, as a result, we now have on the statute books the acts of 1957, 1960, and 1964.

Let me quote the following statistics which are indicative of the Republican support for the right of the minorities. In 1957, on the civil rights bill—final passage in the House—90 percent of the Republicans voted "aye" while 52 percent of the Democrats voted "aye." On final passage in 1960 in the civil rights vote 90 percent of House Republicans voted "aye" while only 66 percent of the Democrats favored the legislation. In 1964, 79 percent of the Republicans voted "aye" and 63 percent of the Democrats did the same. Consequently, it is my strong belief that the Republicans supporting the 1965 voting rights bill will be carrying out the tradition of the Republican Party in support of civil rights legislation.

I thank the gentleman for yielding.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Chairman, I should like to state to the House it was not a member of the minority party who struck that strong and effective title III from the civil rights bill of 1957 after it had passed the House. I was glad to note the minority leader's statement that the minority Republicans have been consistent in this field since and including 1957, and even before.

I yield to the gentleman from Michigan 5 additional minutes by reason of the fact that some of his time has been taken.

The CHAIRMAN. The gentleman from Michigan [Mr. HUTCHINSON] is recognized for 5 additional minutes.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield for a question?

Mr. HUTCHINSON. I yield for a question.

Mr. ROGERS of Colorado. Did I understand the gentleman from Ohio to say that he was supporting title 3?

Mr. McCULLOCH. I said I supported the bill as it came from the House. Title 3 was in the bill when it left the House and the record unmistakably shows that I supported it.

Mr. HUTCHINSON. Mr. Chairman, I want to address myself to the provisions and the effect of section 10 of H.R. 6400.

Section 10(b) of H.R. 6400 as reported is a statutory abolition of the poll tax. It reads:

> No State or political subdivision thereof shall deny to any person the right to register or to vote because of his failure to pay a poll tax or any other tax.

I call attention to the abolition not so much of the poll tax, as to the abolition of any other tax—every other tax—as a voter qualification:

> No State * * * shall deny any person the right * * * to vote because of his failure to pay * * * any * * * tax.

It is important to note that the language does not limit the scope of the section to poll taxes or to poll taxes by any other name, which might be imposed in lieu of a poll tax to accomplish the same discriminatory purpose. The prohibition reaches every tax.

Nor does the language restrict itself to payments made as a condition precedent to voting. It certainly includes payments required as conditions precedent, but it lends itself to a broader interpretation than that.

Worthy of notice also is that the key word in the phrase is not payment of a tax, but failure to pay a tax.

Therefore, might not the phraseology be construed as meaning that no person shall be denied the right to vote because he is not a taxpayer?

Let me be quick to point out that I am not contending for so broad a construction of this phraseology. I hope so broad a construction goes beyond what a majority of the House would agree to. But we are not the courts which will construe this language in the future, and I say in all seriousness that a Supreme Court imbued with the notion that it has a great social duty to reshape America might seize upon that language of section 10 as a tool with which to strike down every taxpayer voter qualification in the land.

I should not be alarmed at the prospects for so broad a construction, were H.R. 6400 pegged entirely upon the 15th amendment. If that were so, there would have to be a finding in each case of a denial because of race or color, and any taxpayer qualification without a history of racial discrimination certainly could survive.

But section 10(a) rests section 10(b) not only on the 15th amendment, but on the 14th as well. Section 10(a) mentions a poll tax as a method historically used to circumvent the guarantees of the 14th and 15th amendments and was adopted in some areas for the purpose at least in part, of denying the right to vote to persons because of race or color. Section 10(a) continues its statement of congressional findings that payment of a poll tax as a prerequisite to voting is an arbitrary and unreasonable restriction upon the right to vote in violation of the 14th as well as the 15th amendment.

Now the "guarantees of the 14th amendment" to which reference is made and reliance is put in section 10 must be of broader effect than the "guarantees of the 15th amendment," else the section would not be pegged on the 14th. I refuse to believe that the 15th amendment needs any help from the 14th in order to strike down voting discrimination on racial grounds. The 15th contains within itself complete Federal power to base any congressional act exculpating a denial or abridgment of the right to vote because of race or color. The framers of section 10, I submit, by calling upon the 14th amendment, did so because they wanted to go further than the 15th would permit.

I have searched the 14th amendment for guarantees of the right to vote, and come to section 2. There it is provided that when the right to vote in Federal or State elections is denied or in any way abridged, the basis for representation in this House from that State will be reduced accordingly. But section 2 of article 14 does not appear to guarantee any voting rights. Instead, it seems to countenance denial or abridgement, under a penalty. I do not believe the framers of section 10 had this provision in mind when they refer to the guarantees of the 14th amendment.

Instead, I am confident they had in mind the broad and undefined phrases of section I of the 14th amendment: No State shall deny to any person within its jurisdiction the equal protection of the laws. This is not the time to develop the argument that the equal protection clause of section I cannot logically outlaw voter discriminations which are apparently sanctioned, under penalty, by section 2 of the 14th. We all know that in the State apportionment cases the Supreme Court has extended the equal protection clause to mean that the vote of every voter must carry approximately the same weight in the outcome of an election as any other. This, however, has to do with the apportionment of legislators. It does not reach the point of voter qualifications.

By basing section 10(b) on the 14th amendment, this bill, if enacted without change, will invite the court to extend the equal protection clause to cover voter qualifications. Once the 14th amendment is broadened to reach one voter qualification, it can reach all voter qualifications.

The equal protection clause, undefined, means whatever the Supreme Court for the time being wants it to mean. I do not believe the Supreme Court has said yet that the equal protection clause reaches voter qualifications. But I know it is being asked to say that. A case is now at issue on appeal in the Supreme Court—Harper against Virginia State Board of Education—to do that very thing, and by resting section 10 of 6400 on the 14th amendment, as well as the 15th, Congress is approving this extension of the 14th into the field of voter qualifications.

The committee report, in pages 19–22, discusses the constitutionality of section 10. It is significant, I think, that Reynolds against Sims—the State apportionment case—is used as the constitutional underpinning for the statutory abolition of the poll tax—and that silent rider, "any other tax"—as a voter qualification. At page 21 the report argues:

> If the Supreme Court's rule of one-man one-vote as enunciated in Reynolds against Sims is to be meaningful, Congress must act to protect the right of those with the lowest incomes to cast their votes.

It is such warning language as that which impels me to the conclusion that amendment 14 as a constitutional base for section 10 of this voting rights bill is intended to reach far beyond the enforcement of the guarantees of the 15th amendment—far beyond protecting the right of citizens to vote without respect to race or color.

Today there are 17 States which by their constitutions or statutes require voters on certain issues to be property taxpayers. I shall enumerate them. They are Alaska, Arizona, Colorado, Delaware, Florida, Idaho, Indiana, Louisiana, Michigan, Montana, Nevada, New Mexico, Oklahoma, Rhode Island, South Carolina, Texas, and Utah.

Only 3 of these 17 are covered by section 4 of the bill—the automatic trigger. Only Texas among them is a poll tax State. The other 13 are the "any other tax" States which ride along as a sleeper in H.R. 6400. The "any other tax" sleeper in 6400 brings in 13 States which until now had not supposed they were directly involved in this bill at all.

These 13 States have not run afoul of the bill because of any racial discrimination in voting.

Mr. CELLER. Mr. Chairman, will the gentleman yield at that point?

Mr. HUTCHINSON. I yield to the chairman of the committee.

Mr. CELLER. I heard the gentleman just speak about 13 States where there are certain qualifications for voting. Is the gentleman certain that some of those States do not require merely property ownership rather than a tax on the property? For example, your own State of Michigan provides as follows: Article III, section 4, Michigan constitution requires that the electors in an election relating to direct expenditure of money or the issuance of bonds shall own property assessed for taxes. Now, that is not a requirement of prepayment tax. I have a fear that many of the 13 States you speak of, including Michigan, do not have a payment of a tax as a condition precedent for voting. It simply has as a condition precedent the ownership of property, which would not be reached by the terms of section 10, in H.R. 6400.

Mr. HUTCHINSON. I would respond to the gentleman in this way: I believe that the courts can construe, and because of the dominant philosophy of the courts perhaps will construe, the language of section 10 of the Celler-administration bill to be broad enough to reach every taxpayer qualification for voting.

Let me respond to the gentleman further by saying this: In Michigan it is true you have to have property assessed for taxation in order to vote on bond issues, but the gentleman is probably also familiar with the fact that in Michigan and probably in these other States as well, if you do not pay your property taxes, you lose the property.

Mr. CELLER. But you do not lose the rights of both if you pay your taxes.

Mr. HUTCHINSON. You do on these, because if you lose your property, you lose the right to vote on those questions thereafter.

Mr. CELLER. But the mere fact that the ownership of property condition precedent is before one can vote on bonds is not to say that you must pay the tax before you can vote?

Mr. HUTCHINSON. If the gentleman will permit me to observe further, it is not clear to me in the language of section 10(b) as it is written that the tax referred to is necessarily a tax precedent in the same sense as a poll tax is.

Mr. CELLER. Will the gentleman yield further?

Mr. HUTCHINSON. I yield to the chairman.

Mr. CELLER. For example, it might be interesting to note that the 24th amendment of our own Federal Constitution provides as follows:

> The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

That is the language we have in our bill, as it is found in the 24th amendment to the U.S. Constitution.

Mr. HUTCHINSON. I would respond to the chairman in this way with regard to that: the language of the 24th amendment was not disturbing to me or, I do not think, to the country, because it was limited in its effect to voting upon the Presidential electors and Members of Congress. It was certainly not by its language broad enough to reach voting upon issues which go into State elections. This bill does.

The **CHAIRMAN.** The time of the gentleman has again expired.

Mr. McCULLOCH. Mr. Chairman, I am pleased to yield the gentleman 5 additional minutes.

Mr. HUTCHINSON. As I say, these 13 States have not run afoul of the bill because of any racial discrimination in voting. There is no practice of racial bias in any of them on that score.

But all of them have in their statutes or constitutions some property taxpayer qualification in order to vote on bond issues, or the direct expenditure of public money, or the increase of property tax rate limitations.

In 1 State not listed among the 17, the State of New York, it is my understanding that in order to vote at a school election, a voter needs to own property in the school district or be the parent of children attending the schools of the district. I can remember when my State of Michigan had a similar requirement for voting in school elections.

Suppose you live in a State as I do where, in order to vote on a bond issue a qualified voter must additionally own property assessed for taxation in that school district. In the school district there are citizens who have children in school but who do not own taxable property. Perhaps they are renters in the community thanks to the rent supplement bill we passed here last week. They do not own taxable property, but they have children in school, and so they are interested in seeing to it that their children have the very finest of school facilities. In order to build new buildings, the board of education submits a bond proposal to the electorate. Now here is section 10 in statute law. Might not one of our rental citizens contend and perhaps contend sucessfully in the courts that the State is without power to deny him the right to vote on that bond issue, even though he owns no taxable property. The statute reads, "No State shall deny to any person the right to vote because of his failure to pay a tax," and the statute also invokes the 14th amendment to assist him.

Is it farfetched to predict that the Supreme Court, armed with the language of section 10, might hold all taxpayer qualifications in elections on every issue to have been abolished? I think not.

I cannot believe that the Congress intends to go this far; but we must remember that when we pass statute law we provide language which the courts must interpret and we find that sometimes unwittingly we provide tools to accomplish ends which we knew not of.

Now the more careful wording of section 15 in the substitute H.R. 7896 does not lend itself to this broad interpretation. Section 15 of the substitute ties itself completely to the 15th amendment alone. Any attack against the taxpayer qualification under that provision would have to show a denial of the right to vote on account of race or color.

H.R. 7896 is totally a 15th amendment bill. It restricts itself to the problem of racial discrimination in voting. That is the problem that we are paying attention to here. That is what our concern is here, the problem of racial discrimination in voting and the substitute, H.R. 7896, addresses itself to that problem within the scope of the 15th amendment alone. I say again, the 15th amendment needs no help from the 14th to accomplish that purpose. Let us not be persuaded to unwittingly fashion tools which may be used to further break down the Federal Union of States. The law we enact should be sufficient to eradicate the evil we want to root out; but it should not tear down our cherished governmental system in the process.

It is my hope that H.R. 7896 may be adopted as a substitute to H.R. 6400. My purpose in these remarks has been to arouse the "any other tax" sleeper from its silent ride, and in all events I hope that the better, well-thought-out provisions of section 15 of H.R. 7896 may be substituted for section 10 of H.R. 6400 as it stands.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am particularly pleased with the presentation that our distinguished colleague, the gentleman from Michigan [Mr. HUTCHINSON], has just made. I listened with great care to the equally distinguished chairman of our committee, the gentleman from New York [Mr. CELLER] trying to distinguish the Michigan statute from other statutes or to show that Michigan would not be affected by section 10 of the administration-Celler bill.

Mr. Chairman, on May 19, 1965, the Library of Congress, the Legislative Reference Service, made available a study on this subject, and I quote from the second page of that study the following:

> In the constitutions of 14 States there are provisions which require or permit the imposition of additional qualifications, e.g., ownership of real property, payment of taxes—

I repeat, Mr. Chairman, "payment of taxes"—and so forth for eligibility to vote on bond issues, debt increases, and the like.

Mr. Chairman, with reference to the State of Alaska I would like to interpolate not a quote from its constitution but from the Legislative Reference Service:

> Alaska permits municipal corporations to prescribe additional voting qualifications for bond issue elections. In Alaska, statute 295020 requires that public utility districts submit bond proposals to qualified taxpayers.

I repeat, "to qualified taxpayers."

Now, Mr. Chairman, the able chairman of our committee, the gentleman from New York [Mr. CELLER], said that the Michigan statute does not require a voter to be a taxpayer. But how long, I ask the distinguished chairman, can a man be the owner of real property in New York or in Ohio or in Michigan without being a taxpayer? Without paying the taxes assessed thereon?

Mr. Chairman, there shall be more said on this subject with direct reference to constitutional provisions and statutory provisions later in general debate or under the 5-minute rule, but I just wanted to call certain undisputed facts to the attention of the Committee. The statement of my able chairman in attempting to challenge the statement of my colleague from Michigan [Mr. HUTCHINSON] is a distinction without any real difference.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, with reluctance I have to differ with my distinguished leader on the Republican side. I also have the data to which the gentleman referred from the Legislative Reference Service of the Library of Congress. The gentleman very properly read from page 2 thereof that as a condition precedent for voting in some 14 States, I believe he said, there were provisions which require or permit the imposition of additional qualifications.

Illustrative of this the Legislative Reference Service speaks of ownership of real property. Ownership is not a requirement of prepayment tax. Then it speaks of the payment of taxes. Now, where there is the requirement of prepayment of taxes, I agree that that would be canceled out by the terms of section 10 of this bill.

Now, Mr. Chairman, 14 States were named by the gentleman from Michigan. The gentleman mentioned his own State. Certainly the constitution of his own State, as I pointed out when I read from the constitution of the State, simply provides that as a condition precedent for voting on any bond issue that you have to be the owner of property assessed for taxes. It is not necessary as a condition precedent to voting on a bond issue that you pay a tax.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. In Michigan you would have to be more than the owner of property. You have to be the owner of property assessed for taxation.

Mr. CELLER. That is right.

Mr. HUTCHINSON. If you do not pay your tax you lose your property.

Mr. CELLER. But saying that ownership of property which is subject to taxes, is a condition precedent for voting, is not the same as saying that unless you pay the tax you cannot vote. That is quite different.

Beyond that, Indiana was mentioned. Indiana does not speak about the essentiality of the payment of a tax. The same thing in Florida. Florida is one of the States the gentleman mentioned. You only have to be a freeholder; that is, you have to own property which may be subject to taxes. But that is a long distance from the terms that were used which were copied from the 24th amendment and which reads as follows in the Celler bill:

> No State or political subdivision thereof shall deny any person the right to register or to vote because of his failure to pay a poll tax or any other tax.

It does not affect a requirement that you must be a property holder, or that you must be a freeholder. That is all foreign to this section. We say that you cannot impose a tax as a precondition to vote. If you do not put in those words "or other tax," we are realistic, we are pragmatic, you might open the door to all manner and kinds of devices. You would not have to call it a tax, you could call it something else—an "exaction." When a cat will eat her kittens she calls them mice. You could have a situation where in a State you could not vote for the mayor of a city unless you paid your income taxes. You would not want anything like that. That is possible under the suggestion of the gentleman from Michigan. I cannot subscribe to that.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. The point is that the language in section 10 as it is written does not say that the tax payment must be as a condition precedent to voting. It simply says failure to pay a tax. If the language were tightened up to make it clear this was a precedent to voting, it might not be so bad. But I submit that the language is so loose it could be construed much broader than what the gentleman is contending.

I say to him with regard to the 24th amendment, the saving graces of the 24th amendment were that it was very definitive in its scope so far as what it reached. It reached the election of certain prescribed and specified officials and nothing more.

Mr. CELLER. To me it is as clear as a pikestaff. The language is, "The right to register or to vote because of his failure to pay a tax."

I cannot make it any clearer than that and nobody can make that any clearer. We wrangled with that when we had the 24th amendment and we came up with this exact language. I do not know how much clearer it could be made unless a person does not want to see clarity. That language is as clear as the nose on one's face. If you do not pay the tax, you cannot vote. It does not say anything else. The section is limited to where failure to pay the tax bars one from voting. I certainly would not want to patch up the language in the way that the gentleman wants it to be done. I think, indeed, we do have it clear enough.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this exchange in the committee is proof enough that there is a difference of opinion even among members of the Committee on the Judiciary as to this 3-line provision in section 10 of this bill.

I do not wish to prolong the argument but I should say to the distinguished Chairman of our committee that more than one State has a constitutional provision or statute which makes the payment of real estate taxes a condition precedent to voting. The statute of the State of Rhode Island, pursuant to article 29, section 2, and article 33, section 1, and I am quoting this which comes from the Legislative Reference Service of the Library of Congress, provides as follows:

> In Rhode Island the statutory provision which requires prepayment of taxes as a prerequisite to voting is 17 Rhode Island General Laws 1044, which states:
>
> "No person who claims the right to vote upon the payment of a tax or taxes assessed against him upon property, upon any proposition to impose a tax or for the expenditure of money in any town, shall by the board of canvassers be admitted to vote upon said proposition, unless upon the production of a certificate from the collector of taxes, town treasurer or clerk of the town in which he resides, that before the 9th day preceding the day of such voting he has paid such tax assessed against him therein for and within such year."

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to my distinguished Chairman.

Mr. CELLER. Of course I agree that the States of Utah and Rhode Island and a few other States require the payment of a tax as a condition precedent for voting in certain elections. But all 14 States that the gentleman from Michigan mentioned do not have those provisions. There are a number of States that simply require the ownership of property only. That is the point I am trying to make. Finally, I want to say that if States require the payment of tax for voting, it is well that we put this provision in section 10 in order to implement guarantees of the 14th amendment.

Mr. McCULLOCH. Mr. Chairman, I am pleased indeed that the astute and careful chairman of our committee has finally admitted that which I said in the first instance. I could quote from the Utah law and constitution language identical in purpose and effect with the Rhode Island law.

That gets to the very heart of one of the objections to the administration—Celler bill. It seeks to nullify State laws where there is no discrimination by reason of race or color. That is one reason, among others, why we believe the Ford-McCulloch bill is the better bill.

I hope my friends on the other side of the aisle, who joined with me in some of those crucial Civil Rights battles of 1964 and of 1960, when they so desperately needed our help will be as foresighted and as logical and as constructive, when we have so few, as they were when they could have accomplished little or nothing with our effective and sometimes decisive help. This, too, must be historic legislation.

Mr. Chairman, I stand by the statement I made when I rose, unexpectedly, to support the able gentleman from Michigan [Mr. HUTCHINSON].

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, if I may borrow an opening phrase from my esteemed colleague, the chairman of the Rules Committee: Here we are again and he asks appropriately why? My answer is simple. The 15th amendment says, in its first section, that the right of citizens in the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous conditions of servitude. The second section of that amendment says that the Congress shall have the power to enforce this article by appropriate legislation.

The Judiciary Committee is presenting to this House, very appropriate legislation to enforce this amendment.

Before we can ask the House to consider any legislation in this field, we are obligated to establish a need. Is there presently a denial of 15th amendment rights? Is present legislation inadequate to protect those rights?

As to the first question, a review of the statistics offered by Chairman CELLER yesterday makes it abundantly clear that there has been massive, systematic denial of the rights of Negroes to vote in several areas of this country. The gentleman from New York [Mr. LINDSAY] recited some of the factual situations which have been used to bring about these statistics. A review of the findings of the Civil Rights Commission can leave no doubt as to the facts. It is not easy to keep hundreds of thousands of Americans from voting. It takes scheming, deception, dishonesty, intimidation, sometimes cruelty, sometimes murder. All of these have been used in this Nation—not a hundred years ago, not 10 years ago, but this year—for the purpose and with the effect of denying people their constitutional rights under the 15th amendment. This is why our committee urges appropriate legislation to enforce the rights.

The remedy proposed is simple and efficacious. The heart of the bill does two things. It prohibits tests or devices, which have been most abused, in denying 15th amendment rights: the literacy test, good moral character, the voucher. Secondly, it makes it possible for a citizen to go to a Federal official to register if State officials continue to violate the 15th amendment. It does this in a fair, reasonable, expeditious, and constitutional manner.

By adoption of H.R. 6400, this Congress will say: "If a State employs a test or device which lends itself, if improperly used, to racial discrimination, and if less than half of its citizens vote, then we will presume that the test or device ought to be suspended." We go on to say that if the Attorney General decides in those States, or if the court decides any place, that we need Federal examiners to enforce the 15th amendment, then we shall have them. Now that is not very drastic, but it holds promise of being very effective.

The bill provides ample and easy opportunity for a State or separate subdivision to rebutt the presumption which we make. We even direct the Attorney General to enter a consent decree, unless he has reason to believe that the test or device has been used to violate the 15th amendment, within the past 5 years.

In my opinion the committee did improve on the administration's original proposal in several respects. One of them was removing the requirement that an applicant must first present himself to a State registrar before he could be registered by a Federal examiner. That provision sounds reasonable on its face, but what are the facts? In some communities in the South it is almost impossible for a Negro to present himself to a State registrar. In one community, where registration is open 2 days a month, 400 Negroes lined up 1 day to attempt to register. During that whole day, 7 of them were interviewed. The others were told if they left the line, they could not reenter it that day. When civil rights workers attempted to bring them water and food during the middle of the day, the civil rights workers were arrested for disturbing the peace. Conduct such as this by State officials, not in isolated instances, but time after time after time, led the committee to the decision it reached.

Another and most important addition that the committee made to H.R. 6400, is the provision for pollwatchers.

If anyone asks me whether this is to be the final voting rights bill to be passed by Congress, I would have to answer, "I do not know." All this bill does is provide that one may register and may vote. From that point on the process is in the hands of State officials. The State officials may or may not count the ballot cast by Negroes. They may or may not certify accurately as to the outcome of the election. The gentleman from New York [Mr. LINDSAY] and the gentleman from Maryland [Mr. MATHIAS] propose that we ought to provide under some circumstances Federal officials to perform this part of the voting process. I must say that I was inclined to agree with them. There ought to be some backup provision. The committee considered this proposal and, for the time being, rejected this step. We did, however, provide for observers who would be in a position to ascertain any misconduct on the part of State and local voting officials.

Whether future legislation will take additional power from State authority and place it in Federal hands is entirely dependent on whether State voting officials attempt to frustrate the Negroes' right to vote by their conduct after he casts his ballot.

Past efforts to insure compliance with the 15th amendment have failed because we have limited our remedy to the judicial process. Experience has clearly demonstrated that we cannot ask every Negro, who lives in a community which discriminates against him, to go to the U.S. Supreme Court, every time he wants to vote. H.R. 6400 will, in those areas which have been most flagrant in racial discrimination, remove some of the artificial barriers which the Negro has confronted. It will provide him with a Federal official, to register him. It will provide him with a Federal official to watch the counting and certification of his ballot. This is a reasonable and, hopefully, an effective implementation of the 15th amendment.

It appears that the real test, in the House, on the voting rights bill, is going to come on the question of adopting the Ford-McCulloch substitute. This proposal, though it goes beyond the judicial process, in protecting the 15th amendment rights, has some fatal deficiencies. First, the principal deficiency is the complexity of the appointment of Federal examiners. It provides that, in any county where 25 folks complain that they have not been permitted to register, an examiner will be appointed and, if he finds that the complaints are meritorious, then other examiners may be appointed. Now that sounds fair and simple, but what are we going to do in a county where no Negro has ever registered to vote? How about a county where they chop people in two for trying to get Negroes to register to vote? The process is slow and cumbersome. In the areas where it is needed most, it has the least hope for success.

A second shortcoming is that the measure preserves the inequity of registering illiterate whites while refusing the franchise to illiterate Negroes.

The most glaring defect of all in the Ford-McCulloch proposal is that it invites State legislatures to circumvent the Federal statute by its failure to place a moratorium on legislative action. This has been the most controversial, and yet the most important, provision in H.R. 6400. We are asked why a sovereign State must come to Washington, to the Federal court, for approval of changes in its voting laws after November 1, 1964. The answer is very simple; to prevent their escaping the law which this House feels they ought to abide by. Yesterday, the chairman of the Rules Committee said, and I quote:

> You will have the opportunity and I speak particularly to the people from my section of the country to pass another bill that will do all of the things legitimately that should be done.

We are going to ask you to consider that bill and see what is in it and see how it lacks the vengeance and the dripping venom that falls from every paragraph and every sentence of the committee bill. Now I assume, and I hope the gentleman will correct me if I am wrong, that the bill to which he refers is the Ford-McCulloch substitute. Perhaps nothing is less fair than guilt by association. But I must confess that when the venerable gentleman from Virginia espouses a voting rights bill, my overly suspicious nature raises questions. If I may say to my colleagues on the left of the aisle, if all of you join with the gentleman from Virginia and those from his section of the country, you might pass the substitute, and it will "do all of the things legitimately that should be done" according to Chairman SMITH.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman, briefly.

Mr. MACGREGOR. Mr. Chairman, in light of the gentleman's comment that the Ford-McCulloch bill will not reach the situation where no Negroes are registered, I call the gentleman's attention to the fact that in Liberty County, Fla., none of the 240 Negroes are registered. May I ask the able gentleman from California whether it is not true that under the automatic triggering device of the Committee-Celler bill there would be no relief in this obvious case of discrimination, whereas under the Ford-McCulloch bill, 25 of those Negroes, if they complained of their disfranchisement, would put the bill into operation? Is that not a fair statement?

Mr. CORMAN. It is a fair statement as far as it goes, but section 3 of the committee bill makes the provision for appointment of examiners by Federal courts.

I would like to conclude, if I may, and then I shall be pleased to yield further. I was speaking to my colleagues on the left and quoting the gentleman from Virginia as saying that all the things that need to be done will be done by the Ford-McCulloch bill.

Now that might be enough for the party that Barry Goldwater led to victory in 1964 in five Southern States. I do not think it is enough, for those who follow the philosophy, of the founder of the Republican Party, Abraham Lincoln.

Mr. Chairman, there is an ugly but too true story making the rounds these days. It is about the Negro in Mississippi who went down to the courthouse to register to vote. He presented a real challenge to the registrar because he was literate and articulate. He answered all the questions, then the registrar handed him a newspaper printed in Chinese and asked him what it said. The applicant sadly replied, "It says that no Negroes are going to register in this county today."

Mr. Chairman, this House has an opportunity this week to write a happy sequel to that story. By the passage of H.R. 6400, we can reply to the registrar, "Oh, yes, they are."

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. McCLORY. The gentleman has made reference to the Ford-McCulloch bill and to section 3 of the Celler administration bill and he stated that the shortcoming in the Celler administration bill was overcome with regard to the situation in Florida by the addition of section 3 of the Celler bill. Is it not a fact that the Ford-McCulloch bill provides a much more expeditious method of assuring voting rights to these Negro citizens of Florida and to the citizens in the 50 States, through the administrative machinery which is set up? Instead of that, in the Celler administration bill you require an application to the court, and there is laborious machinery which is put in motion which we are trying to avoid in our attempt to assure voting rights.

Mr. CORMAN. One might conclude that section 3 is no more expeditious than the provision of the McCulloch bill, but certainly section 4 is much more expeditious. I would call your attention to the fact that there are 548 counties or independent parishes in States covered by the automatic trigger where you would have to go through the process of finding 25 people brave enough to complain that they are not allowed to vote. It is my view that section 3 is not quite as good as the Ford-McCulloch bill, but that section 4 is much better than either one, and 4 covers the areas where the problems are most severe.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman.

Mr. PEPPER. In view of the inquiry made by the able gentleman from Illinois about the situation in Liberty County, Fla., I would like to say that not since 1937 has Florida had a poll tax, and we have no literacy test or any other device as a condition to voting. I do not know why these people did not vote. You will find in most States that Negroes do vote without the slightest interference. But, as the able gentleman has pointed out, if 25 complain, in the face of whatever intimidation is used to discourage them from voting, the Attorney General under section 3 of the committee bill could easily bring to those citizens the right to vote.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to call attention to the fact that in the so-called substitute offered by the gentleman from Ohio [Mr. McCulloch], on page 4 there is a provision to the effect that 25 or more residents in the voting district must allege that they have been denied or deprived of the right to register to vote on account of race or color.

Mr. Chairman, that is a rather heavy burden for them to assume, and a very difficult burden for them to assume, in certain sections of the country where there is considerable prejudice, bigotry, and boycott. It may be a burden that is almost insurmountable, that is, the burden of proving that their right to vote or to register was denied because of their race. How can that be proven? That is trying to prove a negative. That is very difficult to prove.

So, Mr. Chairman, when the assertion is made that it is far easier to proceed under the substitute than, for example under the 1960 act which is made a part of the Celler-administration bill, I feel that those who make that contention are not aware of the situation. It is far easier in this pocket provision of section 3 to proceed either in Florida or Michigan, New York, Mississippi, Alabama, or what have you, under the pending bill. In other words, the substitute makes it far more difficult for the proceedings to start. The record should be made clear in that respect.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I would like to point out that the language to which the chairman of the Committee on the Judiciary has made reference appears to be identical to the language which is embodied in his bill, the Celler bill, in section 6, in which it states that with regard to these pockets of discrimination to which he has made reference that 20 or more residents allege that they have been denied the right to vote on account of race or color. So the subject of race or color is involved with respect to denial of voting rights in the Ford-McCulloch bill and also in the Celler-administration bill. I believe that is as it should be since what we are undertaking to establish here is the implementation of the 15th amendment which itself states that the right to vote shall not be denied on the grounds of race or color.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. In light, Mr. Chairman, of the contention of the distinguished chairman of the Committee on the Judiciary that page 4 of the Ford-McCulloch bill requires a complainant to prove certain things, I am sure that the chairman inadvertently misquoted the facts. A reference to page 4 of the Ford-McCulloch bill will readily disclose that all the complainant must do is "allege" and not "prove." All he has to do is merely allege that he can satisfy the voting qualifications and that he has been denied the right to register and vote.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yielded to the gentleman from Minnesota [Mr. MacGregor], in accordance with parliamentary procedure, so that he might reply to our distinguished chairman. I now yield to the gentleman from New York.

Mr. CELLER. I say to the gentleman who just responded that he failed to take into consideration that although in section 4 the 25 persons must merely allege and not prove, yet that allegation is subject to criminal penalties and sentences if the allegation is not true. So, an insuperable burden placed upon those 25 complainants who have to allege the truth, that they had been deprived of the right to vote on account of race or color.

Mr. McCULLOCH. Mr. Chairman, I think I anticipate what the very able member of the Committee on the Judiciary, the gentleman from Minnesota, would have said had he had time to reply to the chairman of the Committee on the Judiciary. I believe he would have said: "Mr. Chairman, do you think that people who have not told the truth, or who have not a meritorious claim to be registered, should be registered?"

One further answer I would like to make to the chairman, and that is that these 25 people file their claims with the Attorney General and the Attorney General determines whether or not they are meritorious. What is wrong with that provision, in view of the authority that the administration bill gives to the Department of Justice?

What quicker procedure could one have?

Mr. Chairman, I further say if there are not 25 courageous citizens discriminated against, or 25 citizens not having their right to vote denied or abridged, by reason of race or color, in a political subdivision as large as a county or parish, then our problem is not nearly so great as we were advised it to be.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. Rogers].

Mr. ROGERS of Colorado. Mr. Chairman, may I say to the ranking Member on the minority side that in section 4 of his bill there is the requirement that there must be 25 or more complainants. Each complainant must allege first, that the complainant may satisfy the voting requirements of the voting district; and, second, in addition, that "the complainant has been denied or deprived of the right to register to vote on account of race or color in 90 days prior to the filing of his complaint."

May I ask what grounds he must have for the allegation that he has been denied the right in 90 days, where in fact he may not have been able to find the registrar within the 90 days, or when he moves from one part of the county to the other and he cannot vote. How can he conscientiously say within 90 days he has been denied the right to vote?

There is another weakness of section 4 of your bill. May I point out to the gentleman from Ohio, that his bill requires that each complainant must allege that he was denied the right to vote on account of color. If you cannot find a registrar, and the fellow is running around all over the countryside, how can you say he has been denied the right to vote, or to register to vote, because of color? How could a complainant allege that?

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may require to reply to that question.

Mr. Chairman, I think that question can be easily and correctly answered. Of course, if the registrar is not available to a qualified nonwhite citizen in accordance with law and custom, rules and regulations, he then has been denied the right to vote by reason of race or color.

In support of what I have said generally, but to make assurance doubly sure, paragraph (b), page 2 of the Ford-McCulloch bill provides as follows:

> A person is "denied or deprived of the right to register or to vote" if he is not provided by persons acting under color of law with an opportunity to register to vote or to qualify to vote within 2 weekdays after making a good-faith attempt to do so.

So far as I can see, Mr. Chairman, that is the answer to that question.

The CHAIRMAN. The gentleman from Ohio has consumed 2 minutes.

Mr. McCULLOCH. Mr. Chairman, I now yield to the gentleman from New Jersey [Mr. CAHILL] 10 minutes.

Mr. CAHILL. Mr. Chairman and Members of the Committee, while I am a member of the Committee on the Judiciary, I would certainly like to assure the Members of this Committee that I am not one of the eminent constitutional lawyers. I would say, however, the committee has indeed been fortunate in having outstanding constitutional lawyers on the committee. Led by the chairman and the distinguished minority member, I think there has been a real sincere effort on the part of all members of the committee to provide an answer to what I believe is one of the great problems of America today.

I wonder if we all understand fully why we are here today? And why it is necessary to come back again and again and again and make an effort to give to American citizens the right to exercise a franchise that was guaranteed to them by the Constitution of the United States? You will recall in 1957 and in 1960, and in 1964, and here again in 1965, the Congress of the United States has sought, and is seeking now, by a legislative enactment to grant to American citizens a right guaranteed to them by the Constitution of the United States by the 15th amendment, 95 years ago. Here we are in 1965, 95 years later, finding in a booklet which I recommend to all of you, if you have not already read it, a report of the U.S. Commission on Civil Rights—1965 absolute evidence of the deprivation of that right to vote by the State of Mississippi.

Members of the Committee, I want to talk facts for these few minutes instead of law, because I believe the American people do not fully understand the reason why we keep talking civil rights in this country, and I am afraid are even getting a little tired of listening to it, for the reason that they do not fully understand the reasons or the need. The reason and the need, as I myself interpret it, is because a couple of States of this Union have decided to place their interpretation on what the Constitution of the United States says, and have refused to accept the interpretation placed upon it by the Supreme Court of the United States. Secondly, because the same few States have refused to accept what should be to every Member of this Congress and to the American people the clear intent of this Congress in the passage of civil rights legislation, and that clear intent is to give all American citizens the right to vote. You know America was asleep for a long time and even today I feel that in some areas of our country we find continued evidence of this.

How long have you heard it said as I have heard it—and perhaps I appreciate it more than some of you do because I happen to be a member of a minority group myself—how often have you heard it said, "Why do not the Negroes do the same as the Irish and the Jews and the Italians and the Polish and the Slovaks? Why do they not progress as these groups did? Why are they not more law abiding—why not more educated? Why do they not act the same?"

From my observation, they really have not been given the opportunity. If we look over the ethnic groups of this country, we find it is true that all of them had to struggle. All of them had to live in the tenements and in the slums. All of them were illiterate. All of them had to learn the language. All of them were hard-working day laborers. None of them produced professional men immediately. They had one thing, however in common, and that one thing in common was the thing that gave to them the basis upon which to build everything else. That was the right to vote.

If they did not get, in their communities, good education for their children, they had the right to put out of office the people who refused to give this to them and to put into office the people who would recognize the need for equal education and equal teaching.

If they did not get jobs and if they were not permitted to work, they made sure that the electorate, the people they could influence, their own people, could combine together to become a powerful bloc and could make an impression upon the elected officials of the community. And they got what they wanted.

I say frankly to the members of this committee: Who in this country is better able to or should be better able to understand this fact of life than we, the Members of Congress? Who in this country gets what he wants? It is the people who have the big blocks of votes.

Is it not easy to deprive any group of people who do not have the right to vote of the privileges they want?

A reading of the report of the U.S. Commission on Civil Rights concerning voting in Mississippi is the most convincing proof possible of the need for strong, effective legislation. The report is replete with examples of unfair literacy tests, unjust poll tax assessments, intimidation, reprisal, and fear practiced upon prospective voters, interference by public officials, violence, economic pressures and reprisals, inadequate poorly paid teachers with resultant inferior education, and every device known to the mind of man to prevent American citizens from exercising their right to vote.

One has but to read this report to conclude that the people of Mississippi and their accredited leaders are wreaking vengeance on the Negro of today because of the sins of the white man of the past. The members of the Civil Rights Commission and their past record for integrity and factual reporting recommend this report as a persuasive weapon in supporting the strongest possible legislation.

Mr. Chairman, I was also interested in the recommendations of the Civil Rights Commission and find that they recommend the abolishment of all literacy tests, the appointment of Federal examiners, the abolishment of a poll tax, and the assignment of Federal poll watchers. In addition, they recommend to the President that the resources of the executive branch be utilized in establishing an affirmative program to encourage persons to register and vote. I strongly approve and support these recommendations.

I also find myself in complete agreement with Father Hesburgh in his concurrent statement relative to literacy tests. If the facts contained in this report could be brought forcefully to the attention of the American public, it would understand more fully the need for this legislation and would support, if necessary, even stronger measures to insure the right to vote for all Americans.

So I would just like to leave a thought with you today. It seems to me that the problems of rioting, the problems of criminality, the problems which all of us criticize and all of us regret and all of us want to see eliminated, are in a way interrelated with the first deprivation, and that deprivation involves the right to vote.

Look, if you will, at the earnings of schoolteachers in Mississippi.

Look, if you will, at the education of the adult Negro population of Mississippi.

Look, if you will, at the intimidation and threats and economic reprisals which have been practiced in Mississippi.

I ask, how can any group of people, regardless of any desires they may have, lift themselves up out of the morass? How can they escape from the jungle into civilization if they do not have the right in the first place to evict from public office people who will not give them that opportunity?

It seems to me that jobs, economic opportunity, education, the right to let children go to a good school, so that their lot in life will be better than their parents, are involved.

A man may have worked in the cotton fields, but his boy might be like the boy of the Irishman, Italian, or Pole; someday, if given the educational opportunity, he might advance himself and achieve something perhaps his father was not able to achieve.

Believe me when I say that will never be done until these people have the right to vote. I know and you know that the reason they are deprived of this right to vote is because of the concern—perhaps a justifiable concern, but the concern—that if they get the right to vote they are going to elect their own kind and then they are going to wreak vengeance on the people who have for years deprived them of the right to vote.

I do not really believe that will happen.

I do not really believe that given the right to vote you will see all Members of Congress all officeholders who are Negroes from the Southern States any more than you see all Members of Congress who are whites from predominantly white States. But I do say to you that they should have the right of representation and they should have the right to advance themselves. Advance themselves they have, because no group of people have done so much in so short a time as have the Negro people.

So it seems to me today as we look back to 95 years ago and we read that the Congress of the United States right here, said that the right to vote shall not be denied or abridged by the United States—and these are the key words—or any State to any citizen on account of his race, his color, or previous condition of servitude—when we read that amendment of 95 years ago and when we read this booklet written 95 years later, members of the committee, no one—and I challenge anyone—can say to me that there has been an honest effort throughout this country to implement the 15th amendment.

While I do not personally agree—and I have filed a separate view on this matter—while I do not agree wholeheartedly with the administration and I do not agree wholeheartedly with the bill that is sponsored by Messrs. McCulloch and Ford, I say to you that I am going to support the administration bill. I say that because in my judgment the time has come to end in the halls of Congress the legislative and legalistic gymnastics and to give to the American citizen the constitutional right that was guaranteed him by our Founding Fathers and which was reiterated and confirmed 95 years ago. Until we take this drastic step—and drastic it is—we are going to come back here 2 years from now and 4 years from now and 10 years from now and we will still find two States in the United States who will refuse to grant this by reason of constitutional gimmicks. So I say to you, in spite of my personal objections to certain features of the measure, I am going to support it, and I hope that this will be a guarantee to the minority groups of this country that we mean business.

Mr. CELLER. Mr. Chairman, I yield such time to the gentleman from New York [Mr. Farbstein], as he may desire.

Mr. FARBSTEIN. Mr. Chairman, I want to associate myself with the statement made by the gentleman from New Jersey who just completed speaking.

Mr. Chairman, I rise to lend my wholehearted support to H.R. 6400, the Voting Rights Act of 1965, because I believe passage of this bill may well be the most important accomplishment of this House in the first session of the 89th Congress. To be sure, we have passed other vital legislation—medicare, housing, foreign aid—legislation important to the survival and betterment of our Nation. But this bill is perhaps more basic than any of the others, because it goes to the very heart of preserving freedom in the United States It insures that all citizens entitled to vote under the Constitution will be able to do so without being barred from the franchise by those who tout the hateful doctrines of race prejudice. It permits the Federal Government to take positive, swift action to protect the citizen's rights under the 14th and 15th amendments without being stymied by subterfuge, evasion, and delay. It is a fine, strong, necessary bill, and I urge all my colleagues in this Chamber to vote for its passage.

Mr. Chairman, in certain sections of our Nation today, Negro citizens are being denied their rights under the Constitution of the United States. The 14th amendment says that no State shall "deny to any person within its jurisdiction the equal protection of the laws." And yet how can citizens of the United States receive equal protection of the laws if they are permitted no voice in choosing the lawmakers or the law enforcers? The 15th amendment says that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous conditions of servitude." And yet, as we all know, Negro citizens by the hundreds of thousands are being denied the right to vote in certain parts of our Nation today.

These citizens are without the franchise despite the Civil Rights Act of 1957, despite the Civil Rights Act of 1960, despite the Civil Rights Act of 1964, despite demonstrations and petitions and marches and bloodshed. The laws of the United States have heretofore been evaded and stultified by those who would keep the Negro citizen out of the polling place, and, I might add, out of the schools, out of equal opportunity for employment, out of decent housing, out of places of public accommodation—in fact, out of the mainstream of American life. It is shameful, but is all too true.

If experience teaches us anything, Mr. Chairman, it should teach us that today the law of the land with regard to voting rights is being disregarded, evaded, and violated. At every turn the Negro is being denied the vote, because the laws we have thus far passed hedge and sidestep and allow for differences of interpretation, and for delay. We need a new law, a strong law, one which will close the legal gaps through which the right of the Negro to vote now seeps away. Once the Negro has the franchise and does not fear violent reprisal, he will be able to step into the voting booth and choose men for public office who will count it an honor and a privilege to see that the basic rights of all citizens are fostered and protected.

This Congress has a duty, Mr. Chairman, to give to the Nation what it has promised three times in recent years and yet has failed to provide. Three civil rights bills have passed this body; but they were amended bills, watered-down bills, bills that were good as far as they went, but which did not go far enough.

H.R. 6400, as presented by the Committee on the Judiciary, is a bill which goes all the way. It has no loopholes, no hidden escape clauses to abet what the Judiciary Committee in its report called the "ingenuity and dedication of those determined to circumvent the guarantees of the 15th amendment." It will do just what it is intended to do—to utterly negate any further efforts on the part of anyone to deny under color of law the right of a citizen to vote.

Let there be no doubt even for a moment that the previous civil rights acts have been almost totally ineffective in securing to all citizens the right to vote.

In Alabama today, only 19.4 percent of the eligible voters go to the polls. This represents an increase of only 5.2 percent since 1958. In Mississippi, 6.4 percent of the voting age Negroes were registered in 1964, compared with 4.4 percent in 1954. In Louisiana, 11 years have shown an increase in the percentage of eligible Negroes voting from 31.7 percent to a mere 31.8 percent. Mr. Chairman, it is time for the Congress to ruthlessly eliminate this inequity perpetrated by the forces of bigotry but carried out, for the most part, under color of law.

H.R. 6400, if passed by this House without watering-down amendments which no doubt will be introduced by some of my colleagues, will cancel the debt this Congress owes to the Nation in the field of civil rights legislation. It will represent our commitment to the mandate given us by the electorate.

Let us consider what this admirable bill will do for the Nation. Section 10 will eliminate the obnoxious poll tax, long recognized by everyone to be a segregationist tool used to keep the Negro citizen from voting. The poll tax has never served any other function. No one in this Chamber will seriously defend it as a revenue measure. No one can seriously justify as a voting qualification the possession of, and willingness to part with, $1.50 or $2. Mr. Chairman, it is only the Negro, with a generally smaller income out of which to pay a poll tax, who is hurt by this tactic.

The constitutionality of section 10 has been, and will again be, the victim of attacks from those among us who perpetually caution, "Go slow, beware, hold back!" I think we have held back too long. Who can doubt that the Congress has full authority under the equal protection and due process clauses of the 14th amendment, and the right-to-vote clause of the 15th amendment, to bar forever this weapon of racial prejudice? If the Constitution is to be upheld, Mr. Chairman, the poll tax must be eliminated entirely.

My friends across the aisle will try to substitute a bill which provides that the Attorney General shall determine in individual instances whether the poll tax has been used to deny voters' rights. This provision which, my friends on the other side would foist upon us is not a substantive provision—it serves no function other than to confuse and delay. Knowing what the poll tax is, one can be either for it or against it—hedging can only be interpreted as a shabby political attempt to curry favor on both sides. It is perfectly clear that the poll tax is intended to deny voters' rights in every case, and that it must therefore be struck down.

As we are all aware, one of the prime reasons for the failure of previous civil rights legislation to protect the franchise is that the laws left open the way for procedural, administrative, and judicial delay in finding that tests of various kinds were actually utilized to keep Negro citizens from voting. H.R. 6400 has the effect of cutting through redtape and delay and getting right to the heart of the matter.

The automatic triggering device provided for in the bill would prohibit the use of so-called literacy and other tests upon a finding by the Director of the Census Bureau that less than 50 percent of the potential voters were not registered or did not vote in November 1964. It is, of course, recognized that these devices are widely used in certain regions to deny the vote under color of law to Negro citizens. They are merely another form of harassment. Under H.R. 6400, 20 citizens who feel they have been discriminated against in violation of the 15th amendment can file written complaints with the Attorney General who will then provide for the appointment of Federal examiners and observers to register qualified voters and supervise the holding of elections. The Attorney General is also permitted to act without such complaints if he has reason to believe the 15th amendment is being violated.

Mr. Chairman, opponents of the automatic triggering device claim it presumes the guilt of a State or county to which the formula applies. But, I submit that if 50 percent of an area's eligible voters are not registered, past experience must lead us to believe that something is rotten in Denmark. Under such circumstances, I think presumption of guilt is not unfair. We are not enacting laws in a vacuum, but to meet specific problems. The realities of life can only teach us that the burden of proof of nondiscrimination must rest with the political entity in these cases. No other solution is fair and equitable to the potentially disfranchised voters.

The suggestion in the substitute bill that literacy and other tests be prohibted only after the Attorney General receives 25 valid complaints or after a lengthy proceeding reveals a "presumption of pattern or practice of voter discrimination," will be of no value whatsoever. These proceedings, to be conducted under the substitute bill by Federal examiners who by law are residents of the State involved, would lead to abuses so obvious and so confirmed in past experience that they need not be further detailed. The Attorney General must be free to act of his own accord if disenfranchised Negroes are prevented, as they usually are, by harassment and intimidation, from coming forward with complaints. Lengthy proceedings to certify to the obvious must be avoided. The fact is that the substitute amendment again writes into law the very ills we are trying to eliminate.

The opposition to H.R. 6400 is trying hard to weaken this bill with useless procedural encumbrances. Examples of these encumbrances are rife throughout the substitute bill. The philosophy of my friends across the aisle seems to be that voting rights abuses somehow will correct themselves, that time heals all wounds, that the States and counties who violate the Constitution under color of law must be permitted to continue to do so because of the mythical doctrine of States rights.

I am not such a Pollyanna as to believe this and neither are most of my colleagues in the House. The country is not in a Pollyanna mood. We have discovered from bitter experience that halfway measures are not enough.

The Constitution must be upheld, Mr. Chairman, and it can only be upheld by the passage of strong legislation directed at the heart of the problem. I deplore the attempts of some gentlemen to once again pussyfoot around the issue, to offer decoy legislation with high-sounding phrases, but with specious solutions to the problems which face us.

This Congress may well go down in history as the one which guaranteed to all Americans, regardless of race, the right to vote. That is a simple and a noble ambition, one which can be achieved by the passage of H.R. 6400, without the crippling amendments which will be offered to nullify its beneficial effects.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WHITTEN.]

Mr. WHITTEN. Mr. Chairman, my State is one of the six States that would be automatically brought within the provisions of the pending bill, notwithstanding the fact that the State legislature has repealed all restrictive laws held by the Federal Courts to be unconstitutional, and notwithstanding the fact that the Federal Courts in the area have issued and are enforcing orders directing the registrars to register every applicant, even to the point of helping them to write their names.

Under this bill, because of pressures and a wave of publicity adverse to my area, the Congress is ignoring completely the fact that whatever you may object to in the way of voting in the Southern States is being corrected as fast as the Federal courts can issue orders and mandatory injunctions to the registrars not only to register but to assist in the registration of all who come, followed up with a report directly to the Federal judge who issued the order.

In this drive to meet the demands of the moment, overlooked is the fact that this unheard of power is given to the Attorney General, whoever he may be, who throughout the years has been a political appointee. Overlooked is the fact that the power granted for what to them appears an end which justifies the means, will be granted for all time, with performance subject to all the push and pull of national parties or partisan politics. Under this bill acts of one man, the politically appointed Attorney General, are not even subject to review by the courts. One citizen could tie up an election and keep the outcome in the air for quite a while to come.

Certainly the Constitution provides in the 15th amendment that neither the Federal Government nor any State shall deprive a citizen of his right to vote "on account of" his race or color. That is acknowledged, though there is reason to believe this meant privilege. But it was not then intended to strike down the necessity for qualification standards, necessary if we are to have a responsible government.

The 15th amendment must be read in conjunction with the first article of the Constitution which authorizes the individual States to decide the qualifications of voters in both Federal and State elections, subject only to the proviso that whoever is deemed qualified to vote for "the most numerous branch of the State legislature" is automatically qualified to vote in Federal elections.

Mr. Chairman, this Congress and the Federal courts, after the Civil War, failed to recognize that to have stable government you had to have stable officials who, in turn, were dependent upon a stable electorate. Government by public clamor was the order of the day. Finally it was seen that the South would never recover unless the States were permitted to again have the right to fix the qualifications for voting. Thus the Federal courts and the Congress went along with the Southern States in their efforts to limit the franchise to those who were stable and would maintain government on such basis as would enable the poverty stricken States to recover economically.

It has been a long, hard struggle; but despite its abject poverty following the war the South has made a remarkable recovery. During this long period the area has spent a far larger percentage of its total income on education and, with time, on education of the Negro, than any other section of the Nation. This is true particularly of the last 20 or 25 years. Throughout my State and in many others in the South, the Negro schools in many instances are better than the white schools; they compare most favorably with those in the District of Columbia and, from reading the press, are better than many of the cities of the Nation.

I am proud to say that the Mississippi Valley State College Choir of Itta Bena, Miss., will have a concert at the Metropolitan Baptist Church here in Washington tomorrow night. It is a fine Negro college.

Incidentally, I would like to take this opportunity to express to the membership, and particularly to my colleagues on the Public Works Subcommittee of the House Appropriations Committee, my appreciation for your support in providing a quarter of a million dollars to drain the campus of this fine school. These funds were not in the budget, and the work was badly needed.

Beginning some years ago the Federal courts and the National Congress began once again to demand that the laws which had been held perfectly valid for many years should be stricken down. Step by step these laws have been set aside, culminating in the Civil Rights Act of 1957. The situation which had existed with the approval of the Federal Government changed greatly. A period of adjustment was to be expected. It has not been an easy period, particularly with outside groups agitating and pressing, creating disturbances not only in my State but elsewhere. Unfortunately, we have had a number of most regrettable incidents; we have had a number of serious crimes which cannot be condoned. We regret each of these, not only because they are tragic; but the perpetrators played right into the hands of those who would cause trouble for the people of my State, both white and Negro. I cannot help but add, however, that the total number over a 5-year period are fewer than happen here in Washington on two week ends.

In this connection I want to say that having served more than 8½ years as district attorney of the 17th district, five counties in north-central Mississippi and having served in the Congress, I am proud of my relationship with all the people of my area. Anyone who cares to can check the statutes which were written by our legislature to protect all people from indignities and threats. They might read section 2416 of the Mississippi code. When I was district attorney this was enforced without fear or favor. If interested, the Members might check the case appearing in volume 179 of the Mississippi Reports, page 814, a case in which I was the district attorney, prosecuted not because of race or in spite of race but because the facts were such as to warrant this trial which, of course, is never mentioned by a partisan press.

I wish there were some way to get my colleagues here and the people generally to realize that whatever power you may surrender to a politically appointed Attorney General under the stress of the moment, leading to all sorts of trouble for you and the Nation in the future, will have less ill effect in my section than any other, for different from any other section is the fact that the people of my State, both white and Negro, know and respect each other and, except for a limited number who have identification with agitation groups, get along in peace and harmony and will continue to do so. It is my belief that all these outside efforts will add to the increasing development of my beloved State, Mississippi.

Many of my friends express to me their sorrow at what the present trend of events will bring to my State. Mr. Chairman, to surrender all our power to any central government is dangerous. That has been true since the beginning of time. That is the mistake which, unfortunately, the people and the press tend to make; but I assure you our section will suffer less under it than any other you can name, because we will work together despite the incidents which are played up in the press, the radio, and on television. Such incidents are few, are hard to find, and in most cases are arranged by outsiders.

Mr. Chairman, I close by saying that surely this Congress, before it would grant this tremendous amount of power to anyone to control political elections—and that is what can be done under this bill—would at least review the court decisions which clearly show that as of now the courts are carrying out the very things you seek to do in this legislation, even to the point of requiring registrars to help applicants write their names. Should you go any further in making the privilege of voting into a right? If on the other hand this act becomes the law, such an individual's vote becomes the pawn of a politically appointed Attorney General, subject to being cast and counted at the whim of a Federal official. Tell me how much this differs from the Soviet system.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, it is doubtful that any proposal has ever gone further beyond constitutional limitations and safeguards than the so-called voting rights bill. The Federal Constitution clearly vests in the States absolute authority to determine and stipulate voter qualifications. The power of the States to establish voting qualifications should not be trampled asunder. You are taking a dangerous step that some day will rise to haunt the people of every State in this Union.

Laws governing every segment of the American society differ in every locality, every county, and every State. No two have identical laws on any specific subject, including voting privileges, voting qualifications, or the method of holding elections. In some States the voting age begins at 21 years, in others at 18 years. In some, one must have been a resident for a year, in others 2 years, and in others even less than a year. Many have intelligence tests and such are not confined to Southern States. It is this lack of conformity that has made the United States a great country—so strong and wonderful. Yet the Federal Government in its gradual and now near complete usurpation of State authority and State function has rapidly moved our country toward a status of absolute conformity.

The Federal Constitution does give Congress the right to enact laws forbidding discrimination at the ballot box because of race. But this authority does not extend to Congress the power to strike down qualifications for voting such as age, residence, and intelligence tests.

The voting issue and some events attendant thereto have fired up a wave of emotional hysteria. This same wave of hysteria is solely responsible for the birth of the President's unwise, unconstitutional and dangerous proposal. It is no exaggeration that this bill will lead to the end of local self-government and absolute Federal dictation. Similar hysteria has swept the pillars of freedom from under many free nations of this world. This bill is a clear and complete surrender to mobocracy.

It was a part of the effort to satisfy this hysteria that the President's address was staged for a televised night session. If Cecil B. DeMille, the old Hollywood producer of mammoth extravaganzas, had been alive he could not have done a better job of staging the big show.

This bill is not needed. There is already quite enough Federal authority and law to guarantee the right to vote. Let us take a look at existing law.

In addition to the 14th and 15th amendments, which forbid any State to deny citizens the right to vote, there are on the statute books seven separate laws guaranteeing the right to vote. These laws are as follows:

First, 42 U.S.C. 1983—Any citizen may sue any election official for damages who denies him the right to vote.

Second, 42 U.S.C. 1971—Any citizen who alleges he is wrongfully denied the right to vote may sue in a Federal court without a jury to prevent the denial of that right.

Third, 18 U.S.C. 242—Any election official who denies any qualified voter his right to register and vote under color of law is punishable by fine and imprisonment.

Fourth, 18 U.S.C. 241—Any election official who conspires with another to deny any citizen the right to vote is subject to a fine of $5,000, or imprisonment for 10 years, or both.

Fifth, 42 U.S.C. 1993—The Attorney General may sue in the Federal courts for an injunction at any time any person is engaged or there are reasonable grounds to believe he is about to engage in any act designed to deprive any person of his right to vote.

Sixth, 42 U.S.C. 1971—The 1964 Civil Rights Act provides that all voting cases be expedited; that if less than 15 percent of a race is registered, Federal referees be appointed; and that everyone with a 6th grade education is presumed literate.

Seventh, if a Federal judge finds a pattern of racial discrimination pursuant to the 1960 Civil Rights Act he may appoint Federal referees.

Recently a noted political observer wrote an article about the newest proposed Voting Rights Act entitled, "The Constitution—It's Gone," that declaration being a quotation from a generation ago when it was expressed by Associate

Justice James C. McReynolds of the U.S. Supreme Court. Maybe he was slightly ahead of the times, but only slightly. With respect to the doctrine of States rights so carefully and artfully written into the Constitution, the Constitution is indeed gone.

For example it is tragically humorous to recall the soothing assurances given the American people right here in this Chamber that Federal aid does not mean Federal control, when some of us expounded that theory. But what do we read in the press these days? Executive agencies are forthrightly telling the States they must desegregate public schools in accordance with specifications sent down from Washington or be punished by the withholding of Federal funds.

Thus that part of the Constitution which states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," is gone. Gone, I repeat.

The States have reached the end of the road. Maybe they can hang on but maybe they will be shoved off completely. For a good 30 years the Federal Government has been grabbing more and more power and taking over the responsibilities and rights hitherto "reserved to the States respectively, or to the people."

Washington dictates public school administration.

Washington openly coerces calculated race mixing. Racial balance, they like to call it.

Washington tells businessmen who to hire and how much to pay them.

Restaurants and hotels are told who their guests may be.

And so on. The States have become mere administrative arms of the Federal bureaucracy.

State legislatures no longer set policy for their internal affairs in the areas of schools, highways, and welfare. Soon they will be deprived of their last significant vestige of sovereignty—the right to lay down qualifications for participation in the governmental process—voter qualifications, even though the Constitution specifically grants this right to the States.

It is doubtful that any of the many radical proposals we have witnessed in recent years could have gone further beyond constitutional limitations and safeguards than this so-called Voting Rights Act. Prior to its inception the most shattering blow to fall was the Civil Rights Act of 1964 which, among other things, tightened the Federal purse strings around the throats of the States. But compared to the long-term implications of the Voting Rights Act, the civil rights act seems mild.

In total disregard of the constitutional provision which specifically vests in the States authority to determine voter qualifications and to stipulate criteria, the Voting Rights Act contemplates the abolition of all literacy tests and the use of Federal examiners to sign up the hordes of unqualified or apathetic voters.

There is an interesting side issue here, more philosophical than legal. This is, how far should a free government go to stimulate people to vote? In other words, suppose you have a large, or small, group of citizens who fail to meet registration requirements for any reason or who simply do not choose to vote? Is it sound government to herd them to the polls and intimidate them to vote?

When the last Negro and white voter who up until now has been unable to pass a simple literacy test or who up until now has had no interest in voting—when the last of these is gotten to the polls and cast a ballot, will this be a better country for it? Will we have more freedom? More unity? More strength?

This frantic, fanatical drive to artificially stimulate people to vote may some day result in columns of people being marched to the polls on election day. One thinks of Russia where upward of 99 percent of the adult population goes to the polling places every election day. Does that kind of election participation generate democracy? Obviously not.

The essence of this proposal—the Voting Rights Act—is its strike at literacy tests in the several Southern States with large numbers of unqualified and apathetic voters. It is not incidental that the great majority of these unqualified and apathetic voters are of the Negro race although many whites fall in these categories as well.

The forces at work on our society today are determined to hand over the several Southern States—their governments, at least—as a prize to the Negro race.

A black South. That is the goal of the misnamed civil rights movement. It is not so much a movement as it is an attack on free, representative government. Unwilling to comply with due process, they seek to change the processes.

The Voting Rights Act proposal, my friend, the gentleman from Virginia [Mr. TUCK] has said, is far more punitive than were Grant's terms handed to Lee at Appomatox.

> Each officer and man—

Grant decreed—

> will be allowed to return to their homes not to be disturbed by U.S. authority so long as they observe their parole and the laws in force where they reside.

Grant had more respect for the laws in force in the belligerent, prostrate South than do the spokesmen for the U.S. Government today.

The term, "laws in force where they reside" is a memorable one. Soon it may be a forgotten one so far as our country is concerned. The Federal Government, as represented by the Attorney General and other voices of the administration, has no respect for the "laws in force where they reside" when such laws find disfavor with the civil rights agitators. The time may be approaching when a State or local community will be unable to enforce any law more stringent than a jay-walking violation and even then there will be cries of "police brutality" if the offender is a Negro. I am speaking now of the North as well as the South.

The Voting Rights Act will become law in something like its present form. I have no illusions regarding the power structure of the Congress today. But I only want to warn that, although aimed at the South, its potential effects point in every direction. It will not be the first time for a such to boomerang. The learning process is a slow one.

The Voting Rights Act has at least one built-in boomerang. Granted today it will affect only a few Southern States—Alabama, Georgia, Louisiana, Mississippi, South Carolina, and Virginia. Tomorrow it may affect several Northern States, or all the States, for it effectively nullifies the constitutional right of States to qualify voters.

In New York State they have a literacy test. In New York City this test disqualifies large numbers of Spanish-speaking Puerto Ricans. It so happens that in the 1964 election more than 50 percent of the adult eligible New Yorkers voted. But if that percentage should fall under 50 percent in any future election, the Federal examiners would be compelled under this legislation to purge that great metropolis of its racial discrimination.

In the 1964 election only 38.4 percent of the eligible residents of the District of Columbia voted. Only 42.6 percent were registered although the entire city was subjected to what was perhaps the most intensive voter registration drive ever undertaken in any city, anywhere. In the District there is no literacy test. A person only has to show that he is 21 and a resident. If the District had a literacy test, this bill would require local officials to prove they did not practice racial discrimination. This would be rather ludicrous, as anyone who knows the District would agree.

The whole assumption of the voting rights bill is that literacy tests plus low voter turnout equals racial discrimination. I dispute this assumption and offer the records of the District of Columbia in support of such.

I see no rational connection between the fact that less than 50 percent of the voters of a State or political unit cast their ballots in a particular election and the literacy test.

Many factors enter into voting and the failure to vote. Americans traditionally exercise the right not to vote, to "go fishing," to express their dissatisfaction with the candidates offered. Sometimes they stay at home out of overconfidence in their candidate's victory. Sometimes they forget to go to the polls or just do not want to take the time.

During the Attorney General's testimony before the Senate Judiciary Committee, it was observed that one county in Maine fell under the 50 percent rule. He said:

> A snow storm could have kept the voters away from the polls.

And so it might have. But under the proposed law it would have been presumed that racial discrimination was involved and the officials of Maine would have been obliged to prove their innocence.

Many factors keep voters away from the polls, and maybe these are not traits of good citizenship, but they are characteristics of freedom.

Voting statistics strongly indicate that considerations other than race enter into low voter participation in any given election. They indicate strongly that some individuals and some classes of individuals do not choose to exercise their right to vote, and in so doing are, in fact, exercising their right not to vote. In Communist countries, as I have mentioned, they do not have the right not to vote.

Citizens should have the right to vote. They should feel a duty and responsibility to vote. They should be persuaded and urged to vote. But they should not be intimidated to vote. And that is the practical potential effect of this proposed law. It would intimidate people to vote. Vote, or else you will be hounded to death by Federal examiners and referees.

Everyone recognizes that you have the votes to pass this bill or something comparable. We have reached a time when any bill in the name of civil rights passes overwhelmingly. A wave of hysteria has moved every such bill through this Congress.

The usual wave of hysteria is prevalent now and the usual heavy pressures are being applied. The result is inevitable.

When all has been finished and quiet again returns to Capitol Hill there will be a pompous ceremony at the White House. Various Members will scramble for position around the President's desk. Cameras will be in place. This merry scene will be concluded with the handing out of souvenir pens.

Thereafter you may then return home and tell your folks how you have again put that "bad old South" in its place.

Yes, you have the votes. But the day will come when you will regret the manner in which you have used them.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Chairman, this legislation we have under consideration today has been conceived in a highly emotional atmosphere of stress and strain, and in contravention of time-honored constitutional principles. The proposal is of a most incredible nature.

It is the right, if not indeed the duty, of every qualified person to vote, but the right to vote is not absolute and the States under our system of government have the exclusive power to fix and determine qualifications.

The Federal Government has no power to bestow upon any person the right to vote in any State. All that the Federal Government can do under our Constitution is to exercise its powers under the 15th amendment to guarantee that—"the right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State on account of race, color, or previous condition of servitude."

H.R. 6400 reaches a crest in the flood of Federal intrusions into matters constitutionally reserved to the States. This bill plumbs the depths of constitutional and legislative irresponsibility. The bill is offered in the name of morality, with the asserted purpose of assuring the right to vote, without discrimination because of race or color. But its enactment would immorally undermine other constitutional guarantees, which repose all power to establish voting qualifications in the States and which reserve to the States and the people all powers not delegated to the Federal Government. I shall review some of its most objectionable features.

One of the most iniquitous provisions of H.R. 6400 is that which automatically suspends all literacy tests by retroactive application of a formula or trigger. Section 4 of the bill provides that in any State or political subdivision in which fewer than 50 percent of the persons of voting age were registered on November 1, 1964, or fewer than 50 percent of such persons voted in the presidential election of November 1964, the operation of any literacy test is automatically suspended. There is no requirement that discrimination be shown. The formula is apparently based on an inference that low voting and registration statistics prove that any literacy test in use has been discriminatory in its requirements or its application.

It is amazing that such an insupportable proposition should be seriously advanced. In the first place, the number of persons of voting age does not necessarily correspond to the number of persons eligible to vote. The latter figure is substantially affected by a number of neutral factors, such as mobility of residents, length of residence requirements, ineligibility of locally stationed members of the Armed Forces, indifference, and the like. In the second place, as has been held, literacy tests are not per se illegal discouragements of the right to vote—*Lassiter* v. *Northampton County Board of Elections*, 360, U.S. 45. The literacy test in effect in Virginia, for example, comprises an application to register in the following form:

COMMONWEALTH OF VIRGINIA FORM FOR APPLICATION TO REGISTER TO VOTE

I hereby make application to be registered to vote.

Name: ______________________________

Age: ______________________________

Date of birth: ______________________________

Place of birth: ______________________________

Place of residence: ______________________________

Place of residence for the 1 year next preceding: ______________________________

Occupation: ______________________________

Occupation for the 1 year next preceding: ______________________________

Have you ever voted? ______________________________

If you have ever voted, give State, county (or city), and precinct where you last voted: ______________________________

Dated: ______________________________

Signature: ______________________________
Applicant

It is difficult to understand how any fairminded person can consider this a literacy test, although it does appear that there are those who advocate the right to vote, irrespective of a persons' ability to write his name or to read one word of English.

Even more disturbing is the arbitrary and indiscriminate impact of the formula. Under the bill, the automatic suspension of literacy tests will be effected in Alabama, Alaska, Georgia, Louisiana, Mississippi, South Carolina, and Virginia; 34 counties of North Carolina, and 1 county of Arizona. The Attorney General, as proponent of the measures, has offered no evidence of any discrimination in Virginia and, in fact, the U.S. Civil Rights Commission in its 1961 report on voting found that there has been no voting discrimination because of race or color in Virginia. The total unreliability of the formula as a basis for inferring discriminatory use of literacy tests is demonstrated by the fact that the formula reaches Virginia in which no voting discrimination exists, and also reaches Alaska, which was not even a part of the Confederacy and has not been accused of discriminating.

On the other hand, States and political subdivisions meeting the 50-percent test are immune from automatic suspension of their literacy tests. Apparently the inference is that in the presence of 50-percent-or-better registration and voting, literacy tests are not instruments of discrimination. The bill is highly discriminatory in that it preserves to some States such as New York the right to use literacy tests while denying the right to other States, such as Virginia, even though there is no proof that Virginia has resorted to these tests or any other to deprive persons of their constitutional rights. On the contrary, as above pointed out, there has been no suggestion of voter discrimination in Virginia; yet the Attorney General and this administration, disregarding the facts, would require Virginia to prostrate itself before a three-judge Federal court in a foreign jurisdiction and establish its innocence of discrimination.

In any event, it is difficult to see why it should make a difference to one's right to vote whether 60 percent or only 40 percent of one's neighbors voted in 1964, and this is especially true when we take into consideration factors hereinabove pointed out, as well as the fact that some States, such as Virginia, do not elect their State and local officers in presidential election years.

It seems clear that this ill-conceived formula can only have been arrived at by first determining that literacy tests of certain Southern States should be suspended and then coming up with a mathematical ratio that would accomplish this, with the greatest appearance of objectivity. I agree with the conclusion of the editorial in the Wall Street Journal of March 22, 1965:

> To play with complicated formulas, to measure justice by percentages, and to aim punitive laws at some States, not only violates both the letter and the spirit of the Constitution but buries the real moral question in sophistry.

Equally objectionable from the constitutional viewpoint are the provisions of H.R. 6400 which enable the Attorney General to procure the appointment of Federal examiners or inspectors for any State or political subdivision to which the formula applies. This seems to me to be a peculiarly punitive proposal.

There is no possible justification for permitting Federal personnel to overrun areas of a State or subdivision as intimidating symbols of Federal power, as the bill would permit.

In a startling reversal of the normal presumption that one is innocent until proven guilty, the measure requires States and subdivisions to which the formula applies to prove their innocence if they wish to be exempted. To do this the State or subdivision must convince a court in Washington, D.C., that it has not, in the past 5 years, used its literacy test to deny the right to vote on account of race or color. To require State and local officials to go to Washington is a further unnecessary and unwarranted inconvenience and humiliation to which this bill subjects State and local governments. What is more, it may seriously prejudice them in the preparation and presentation of their proof. No valid reason exists for bypassing Federal judges in the local districts to which such cases would normally go, except that it is intended as a studied insult to these honorable judges and the people over whom they preside. Finally, no provision is made whereunder a political subdivision, however spotless its record, can become exempt from the venom of this bill if it is within a State to which the formula applies. Thus a county of Virginia, even if 100 percent of its persons of voting age are registered and vote, could not apply for exemption. Such a political subdivision under this act is triggered by a spurious formula into guilt, and no forum is provided for it to establish its innocence and exculpate itself from the provisions of this horrendous proposal.

Section 5 of the bill requires States and subdivisions to which the formula applies to obtain the consent of the Federal court in Washington or of the Attorney General for the operation of any voting rules or standards differing from those in effect on November 1, 1964. This would apply to the substitution of machines for paper ballots or to the establishment of a new voting precinct. It would give the Washington court or the Attorney General arbitrary power to nullify legal action by the duly elected representatives of the people of the State or subdivision. The retroactive effect of this provision would alone be enough to condemn it. Together with the authorizations in the bill for the appointment of Federal election examiners, it places State and local governments in virtual receivership to the Attorney General with respect to voting.

Section 10 of the reported bill would outlaw the requirement of the payment of a poll tax as a condition of voting. This is proposed on some obscure theory that poll taxes discriminate against some voters on account of race or color. The proposal was inserted in the bill in the absence of any evidence that where the poll tax exists it is being abused.

When the 87th Congress proposed the measure which, on ratification, became the 24th amendment, striking down the use of poll taxes in Federal elections, it obviously deemed it necessary to resort to the amendment route, even while limiting the impact of the prohibition to Federal elections. Now it is proposed to resort to a mere statute to affect an even more sensitively State-related area. Evidently some former advocates of the constitutional amendment approach have since then reversed their constitutional principles. It seems clear, however, that if an amendment was essential in that instance, it is all the more indispensable when the object is to affect the conduct of State, as distinguished from Federal, elections. In short, I believe that this proposal, if enacted, would be constitutionally indefensible.

The question is pertinent: Are we headed into a political dictatorship determined to abolish or radically change our system of government which is supposed to be obedient to a written Constitution?

The proposed legislation has as its cornerstone and premise the complete violation of the section which clearly lodges with the States the power to fix qualifications for voting. Furthermore, it is in total disregard of article X of the Bill of Rights.

One person can trump up some charge of discrimination and hold up the counting of votes and keep in doubt the result of an election until it has been brought to a Federal court. It is difficult to conceive of a more fantastic or outrageous proposition, or one which so flagrantly tramples upon the rights of the sovereign States to operate and control their election machinery.

A horde of examiners could swarm over a community, order registrations, collect poll taxes, and perform unheard of acts totally foreign to our system and never contemplated under the Constitution. In addition, the appointment of Federal observers at the behest of the Attorney General of the United States is authorized for the nebulous purpose of observing elections in any political subdivision in which a Federal examiner has been appointed. One wonders to what length the Federal Government will go in its zeal to punish certain sections of our country. This proposal is local in application, although general in scope. If enacted, it is also ex post facto in that it applies to acts committed or omitted in the past.

I cannot conceive of a more insensate and reprehensible proposal. This unwarranted slur and smirch upon the fair name of Virginia and other proud States, as well as their political subdivisions, will be resented, as it ought to be, by the lovers of justice and constitutional liberty wherever they may be.

Let me make it crystal clear. I am opposed to all so-called voting legislation at the Federal level, for it is repugnant to the Constitution and to the concept of good government in America. However, if we are to have legislation of this nature, the bill H.R. 7896 [Mr. McCulloch] is far preferable to the bill H.R. 6400 [Mr. Celler].

Among the important differences in the two bills are the following:

First. The Celler bill is clearly discriminatory in that it applies only to a few sections of the country.

The McCulloch bill applies to the entire Nation, North and South, and wherever racial discrimination in registering or voting exists.

Second. The Celler bill attempts to outlaw by statute all taxes, including the poll tax, as a voting requirement in State and local elections.

The McCulloch bill recognizes that such a thing cannot be accomplished by statute, but only by constitutional amendment.

Third. The Celler bill outlaws literacy tests of any kind in the States and localities covered by it.

The McCulloch bill provides that a sixth-grade education raises a presumption of literacy, and those with less than a sixth-grade education may also register if they establish their ability to meet the State's literacy requirements.

Fourth. Under the terms of the Celler bill, any State or locality affected can make no change in the election laws or voting procedures unless approved by the District Court for the District of Columbia.

The McCulloch bill contains no such provision.

The McCulloch bill is relatively moderate in comparison to the Celler bill and drafted more in harmony with constitutional principles. If we are to have any Federal legislation on the subject of voting rights, the McCulloch bill is far more preferable than the Celler bill, although I am opposed to both. A vote against the McCulloch substitute will in effect be a vote for the Celler bill.

Thus I hope that every Member opposed to these so-called voting rights bills will vote for the McCulloch substitute. It is easy to say to our constituents back home that we voted against all legislation along this line, but the plain, unvarnished truth is that, if you vote against the McCulloch substitute, you are voting to foist upon your constituents and upon the people of America this legislation and unconstitutional monstrosity known as the Celler bill.

It is unnecessary to comment exhaustively on the remaining provisions of the Celler bill. Enough has been indicated concerning its dubious foundation in law or logic.

Although the legislation was requested and proposed on a so-called basic principle of morality, and is said to have as its purpose the enforcement of the 15th amendment of the Constitution, it actually constitutes a flagrant violation not only of the Constitution of the United States and the laws of our country as we have heretofore understood them, but of every code of morals practiced by the liberty-loving American people.

I hope that the Members of Congress will not allow themselves to be driven by political expediency, or by the threats of unholy tyrants and synthetic Samsons, but will stand up like Americans ought to for justice and liberty under our great Constitution.

In no effort to be dramatic, but in every sense of the word to be serious, let me quote:

God give us men, a time like this demands,
  Strong minds, great hearts, true faith, and ready hands,
Men whom the lust for office does not kill,
  Men whom the spoils of office cannot buy,
Men who have opinions and a will,
  Men who have honor, men who will not lie,
Men who can stand before demigods
  And dam their treacherous flattery without flinching,
Tall men, sun-crowned, who live above the fog in public duty
  And in private thinking,
For while the rabble, with their thumbworn creeds,
  Their large professions and little deeds,
Mingle in selfish strife, lo, freedom weeps,
  Wrong rules the land and waiting justice sleeps.

Mr. COLLIER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 170]

Ayres
Bonner
Bow
Cabell
Clevenger
Dent
Devine
Edwards, Calif.
Ellsworth
Friedel
Giaimo
Green, Oreg.
Hanna
Harvey, Ind.
Holifield
Holland
Hosmer
Keogh
Landrum
Leggett
Lindsay
Mailliard
May
Passman
Powell
Purcell
Scott
Smith, Calif.
Teague, Calif.
Thomas
Thompson, Tex.
Toll
Utt
Wilson, Bob

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6400, and finding itself without a quorum, he had directed the roll to be called, when 398 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from Georgia [Mr. CALLAWAY] 5 minutes.

Mr. CALLAWAY. Mr. Chairman, amidst the emotion, the arguments, the disagreements surrounding the consideration of this Voting Rights Act of 1965, one fact has stood out to me as crystal clear: that the right of a qualified American voter must never be denied because of race or color. This, Mr. Chairman, is not the issue, as some would have us believe. Responsible men throughout the Nation, East, West, North, and South, cannot and do not take issue with this basic right. We are told that there have been delays or infractions of this right. If this is correct, it is wrong; we cannot endorse it; we cannot condone it. I do not condone it. We have a duty to correct it. But in correcting what may be wrong, when must we create the wrongs embodied in H.R. 6400?

When this bill came before the House Judiciary Committee, I testified in opposition and stand here today to restate my objections to a bill that gives dangerous and unchecked powers to the Attorney General, a bill that bans poll tax by law rather than by constitutional amendment, a bill that forces States to come to Washington to pass their laws. There are other objections, many have been voiced by my colleagues; but in the interests of time, I will confine my remarks to one overriding factor: that H.R. 6400 divides this Nation into two groups of States.

Group 1 consists of States which "the Attorney General determines maintained on November 1, 1964, any test or device and with respect to which the Director of the Census determines that less than 50 percent of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 percent of such persons voted in the presidential election of November 1964." Group 2 consists of all other States.

Under this bill the second group of States may require a voter to read or write. The first group may not. The second group may require a voter to have a sixth-grade education or its equivalent. The first group may not. Group 2 may require a voter to have good moral character. Group 1 may not. This bill would result in dividing our Nation into two different kinds of States, some with more rights than others.

I do not speak at this time on the question of the merits of literacy tests or the tests of moral character, but only on the question as to whether it is right to have different sets of rules for different States.

Obviously, there is no constitutional or moral basis for giving certain States more rights than others. The only claim of constitutionality lies in the contention that the formula in H.R. 6400 is a reasonable way of separating the States that are discriminating because of race in violation of the 15th amendment, from those that are not. I submit, Mr. Chairman, that this is not a valid contention.

The formula separates States where the 1964 presidential vote was more than 50 percent of the persons of voting age from those States where the vote was less than 50 percent. The assumption is that a low percentage of voters must be due to the discrimination that is prohibited under the 15th amendment.

But is this assumption true in fact? Or are there other factors—perhaps even more important factors—contributing to the low voter turnout in the Southern States? I say that there are.

The report of the President's Commission on Registration and Voting in November 1963 discussed psychological and legal causes of a low voter turnout. Particularly significant to me is a paragraph on page 1 of the summary of this report as follows:

> The Commission strongly believes that effective two party competition in all areas of the Nation will build and maintain interest in public affairs and lead to greater voter participation.

In 1949, a Texas scholar, Dr. V. O. Key, former head of the political science departments of Johns Hopkins, Yale, and Harvard, noted:

> The low level of participation in southern voting can by no means be attributed entirely to Negro disfranchisement. Nonvoting by Negroes does not alone produce the low turnout percentages; in most States in the South the rate of participation by whites falls far below the rates of the total voting population in two-party States.

Mr. Chairman, here we have the key. Look at the seven States singled out by the Attorney General as the only complete States affected by the formula—Louisiana, Mississippi, Alabama, Georgia, South Carolina, Virginia, and Alaska. Of these States six are Southern States with a low voter turnout due primarily to the one party system. The seventh, Alaska, has a low turnout apparently because of the problems of cold weather and isolation of voters. We may not like the one party system of the South or the cold of Alaska, but these reasons for low voter turnout have nothing to do with the 15th amendment or racial discrimination.

It is a well-known fact that Democratic primary victories in the South have been "tantamount to election" and that in most instances Democratic primaries far outdraw the general elections that follow. For example, in the last Governors' race in my own State of Georgia, the Democratic primary drew 852,000 voters while the general election for that office drew only 312,000 in the same election.

Similar figures for presidential elections are of course not available, since they are not preceded by popular primaries. But there is ample evidence to show that a two-party system, with its consequence of many contested elections on the same ballot, brings out a much larger presidential vote.

Let me quote again from the President's Commission on Registration and Voting:

> When an election is expected to be close, the strong partisan is even more inclined to vote.

I ask you, gentlemen, how many elections are expected to be close in a State where 90 percent of all candidates run unopposed? The report goes on:

> A great ally in the long-range fight against apathy is politics itself—the two-party system. Effective two-party competition prompts political involvement, spurs interest in politics and campaigns, and strengthens a person's feeling that his vote counts. We believe that two-party competition is essential to build and maintain interest in public affairs, and consequently leads to greater voter participation.

The President's own Commission obviously felt this point to be tremendously important—yet, it was apparently overlooked by the framers of H.R. 6400.

Competition is the basis of active politics. It is a truism to say that with more contested elections—more people vote. But in the Southern States affected by this bill, there were few contested elections. In my own State of Georgia, at the time of the November 1964 presidential election and on the same ballot with the presidential electors, 4 of 10 congressional seats were uncontested; 32 of 54 State senate seats were uncontested; 191 of 205 State house seats were uncontested, and 34 of 35 candidates for solicitor general were uncontested.

There were uncontested State elections for 37 superior court judges, 2 public service commissioners, 3 supreme court justices, and 2 appellate justices. Thus you see in Georgia that in our congressional, general assembly and statewide races 305 out of 348 State elections were uncontested.

Also on the ballots of the various counties were a total of more than 1,000 local officials such as county commissioners, city commissioners, mayors, clerks, ordinaries, and justices of the peace. While no figures are available to me at this time on the number of contested local races, I would estimate that there were no more than 25 of the more than 1,000 local elections.

It does not take a strong imagination to see how many more voters would have presented themselves to the polls in November 1964 if each of these thousands of posts were contested.

Let me return for a moment to the report of the President's Commission on Registration and Voting Participation. Their study found that "it is no coincidence that the growth of the Republican Party in the South has impelled many more voters of both parties toward the polls."

This is true, but our Republican Party in Georgia is still weak. It is still struggling, but the progress of this struggling party has been remarkable.

In the 1960 presidential elections, there were only four congressional Republican candidates and very few local Republican candidates. The total vote in Georgia in this election was 728,759. In 1964 with the increase in the number of contests, both in congressional races and in local races, the total presidential vote rose to 1,139,352. An increase of 56 percent. My own district increased its congressional vote turnout by 43 percent over 1960 when given a good two-party fight in which to vote. By 1968, with the growth of the Republican Party in Georgia, I have no doubt that the figure will rise above 50 percent of those of voting age. But of course, under this bill which is based only upon the November 1964 election, Georgia would still be singled out as a State not having the right to determine its own voter qualification.

Is this, then, the "justice" we seek to enforce through H.R. 6400? Do we seek to correct existing wrongs, or do we seek to punish a State for being the victim of a one-party system?

Mr. Chairman, I ask my colleagues to ponder this, and if there is any gentleman here who feels that a one-party system contributes materially to a low voter turnout, I wish that he would rise and discuss it with me.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. I am happy to yield to the gentleman from Minnesota.

Mr. MacGREGOR. I do not know that what is on my mind is what the gentleman from Georgia had in his mind. I speak as one who represents over half a million people in a two-party State where 77 percent of the qualified voters voted in 1964 in the general election. I know that in Georgia among the white adults only 57.2 percent of the people voted in November 1964 and, of the nonwhite population of voting age, only 25 percent voted. Would not the gentleman admit, in addition to the one-party history of his State and other States of the South, that discrimination played a part in the production of these figures?

Mr. CALLAWAY. I appreciate the question of the gentleman from Minnesota. I would like to say, if there has been discrimination in the past in my own State of Georgia, I believe it has ended. In the last year we registered approximately 300,000 voters in the same proportion of white to nonwhite as we had in our general population.

Let me say further to the gentleman, if there is any apathy among nonwhites, it can be well understood in a one-party State. The Democratic Party which has long controlled Georgia and all Southern States has historically made no effort to appeal to the nonwhite voter and, as a matter of fact, excluded them from office for years and excluded them from all participation in the Democratic Party. Even today in one of the States affected by this bill on the same ballot of the 1964 election that this bill applies to under the heading of Democratic Party are the words "white supremacy." Why should you expect Negroes to vote in a one-party State controlled by the Democrats when the Democrats have not allowed nonwhites to participate in their primaries? I think that is the reason. It is a matter of apathy. And I would be surprised if they did not react that way. With the beginning of a two-party system, this will end.

Mr. Chairman, I have long felt that the formula chosen for H.R. 6400 was deliberately chosen with target States in mind. I have discussed this among my fellow Members—both those who support the bill and those who oppose it—and have found not only that they agree, but that they do not hesitate to admit it.

I am sure that with certain States in mind, any of us here today could have come up with a number of formulas to do the job. I have one here with me that adequately attacks the same States. I submit it not to be facetious, but to prove my point. That a formula can always be found to pick out the States that you want to get. Here is my formula: Let us select all States which have an average altitude of 100 to 900 feet, an average yearly temperature of 68° to 77°, at 7 a.m., average humidity of 80 to 87 percent, and a coastline of 50 to 400 miles. With this formula we encompass all the Southern States attacked by H.R. 6400, but have the added advantage of including all of North Carolina and excluding Alaska.

Therefore, gentlemen, my closing plea is this: Do not attempt to end voting discrimination among the races by setting up deliberate discrimination among the States. Do not support a bill that picks out one section in the country and treats it differently from all others. Remember, as the President said, that those affected by this bill still have to live and work together.

Think, gentlemen, what an opportunity lies before us. Think for a moment what the unanimous passage of an honest voting rights bill could do to solve racial tensions throughout the Nation.

Therefore, let us not again divide ourselves on the issue, let us unite behind a bill that all responsible elements—North and South, Democrat and Republican, white and Negro—can support. By doing this we will see all States and all races united and working together to forever end voting discrimination wherever it is found.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. Mathias].

Mr. MATHIAS. Mr. Chairman, at the outset I reiterate the views that appear in the committee report on the subject of this legislation. I believe, I am convinced, that of the legislative alternatives that are available to us, H.R. 6400, the committee bill, is the more acceptable solution to a critical problem. I shall therefore support H.R. 6400 and shall oppose any effort to vitiate or weaken its provisions.

The gentleman from New Jersey [Mr. Cahill], who spoke this afternoon, has rightfully placed the question of the constitutional guarantees of suffrage in a historical perspective. A very basic constitutional principle is at stake. If we understand the principle our course should not be difficult to discern.

In the first place we have to recognize that this debate this week does not stand alone in the history of this House. It is merely another chapter in a very long struggle for the achievement of constitutional guarantees for all Americans. This Chamber contains many historic echoes, of the great debates on this and on other subjects which have been heard here over the years. But, Mr. Chairman, perhaps among the saddest of all the echoes that could be found in this Chamber by some sensitive device would be the echoes of those soldiers of the Civil War who were quartered here during the divisive struggle of a century ago, men mobilized to fight when words and patience and reason failed.

So, we conduct this debate standing in a long shadow, the shadow of the blood that has been shed in this cause, of the lives that have been lost in this cause, of the constitutional amendments proposed by the Congress to the States—and I think particularly of the 14th and 15th amendments to the Constitution—and of civil rights bills passed by the House and enacted into law.

We are working today on a job that has occupied this Nation for more than a century. I believe the fact that we have been working on it for more than a century should impress us. It has been a very prolonged struggle and it is time to bring it to a lawful and a proper conclusion.

Mr. Chairman, I believe we also have to be impressed by the fact that the strong thrust of history at every climactic point in this struggle has been in the direction of progress toward the achievement of equality before the law for all Americans.

Mr. Chairman, if it is clear that we believe on principle that all Americans should be equal before the law, then our course should be clear.

There is no doubt that we need some legislative action in order to further reduce the injustices that we have inherited from the past and have condoned in our own time.

One of the interesting facets of history is that in the States which statistics show today are discriminating against voters on the basis of race or color, there were no property qualifications for voting, there were no literacy tests, there were no devices to restrict the suffrage in those States between the year of 1860, just before the outbreak of the Civil War. In fact, in the same States which are identified by the statistics made available by the Civil Rights Commission, such tests and devices for the purpose of discrimination have very largely been adopted since the year 1890, and the intent to discriminate by reason of race was never disguised or denied.

If we agree on principle, let us apply it to this situation.

I believe that a poll tax is archaic and wrong and should be abolished. The evidence which was presented to the Judiciary Committee indicated that the purpose of the poll tax is to discriminate racially. There have been many quotations from people largely responsible for the enactment of the poll tax in different States of the Union, which seem to prove this point.

Mr. Chairman, one of the reasons that I am impelled to support H.R. 6400 is because it abolishes the poll tax.

Some people say, "Oh, why do we make such a fuss about the poll tax? It is a small thing. It applies to only a few States and only to a few people in a few States. What is it all about?"

Mr. Chairman, I say in America we do not measure out justice and equality with a coffee spoon. What is right and just for one person in America is right and just for all Americans.

It must follow that it is time to abolish the poll tax.

It has been said here and it has been said elsewhere that H.R. 6400 is a harsh remedy, harsh in the so-called trigger that it provides for suspending State laws and for substituting some form of Federal machinery in the registration process.

This is undoubtedly true. But this is a serious malady that we are treating. I personally believe that the registration machinery which I sponsored in H.R. 7192 was better than that which is provided in the committee bill. The creation of an independent agency which had no purpose other than the impartial administration of voting laws was a better vehicle, in my opinion, to accomplish a great purpose. I regret that H.R. 6400 does not embody that principle, and that it has employed the Civil Service Commission as the machine to improve our registration processes.

But I believe even more clearly that judicial machinery is not adequate for this occasion. By turning to the administrative approach, even if it is a less desirable administrative remedy, I think H.R. 6400 is turning in the right direction.

The committee bill has its weaknesses, but these areas of weakness can be repaired. We can offer amendments here, we can adopt them during this debate. We all know that denial of the right to vote is not limited to the overt acts of voting officials at places of registration. Many forms of repression or intimidation are involved in the denial of the right to vote. This was recognized by President Eisenhower during his administration through his sponsorship of civil rights legislation, which included title III to guarantee rights to all Americans. This House should be proud of the fact that in 1957 the Members recognized that securing the guarantees of the bill of rights is vitally important, and must be protected. The House approved title III as a part of the 1957 Civil Rights Act, and we should do so again.

I welcome the statement that was made yesterday by the gentleman from New York [Mr. LINDSAY] that he would offer an amendment to protect the first amendment rights, and I shall certainly support the Lindsay amendment. I think it will be a significant improvement to H.R. 6400.

This House went further than the mere protection of first amendment rights in 1957. If the will of this House had prevailed, I think some of the difficulties that we are facing today and some of the difficulties we have faced in the intervening years would not exist at the present time.

In this matter of protection of constitutional rights I think we should lead the way again for the other body, and I hope we can prevail this year; and that some form of title II will become law.

I have great respect for all of my colleagues on the Committee on the Judiciary. I have respect not only for their professional ability, but for their integrity. They are faithful to their convictions and the fact that we have several legislative alternatives before us is proof that the members of the great Committee on the Judiciary do act upon their deep convictions.

It is a great thing when we can have debate and when we can have discussions on issues of enormous impact. It is a great thing when we can discuss alternatives. I myself, in my conscience, feel that I must support H.R. 6400. I think it is the bill which will more nearly do the job, the bill which may eliminate the necessity for a Civil Rights Act of 1966, and a Civil Rights Act of 1967, and so on ad infinitum. I hope H.R. 6400 will prevail.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. RODINO. Mr. Chairman, I yield such time as he may require to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, I think we all recognize that the stage is set to pass the so-called voting rights bill. We are conscious of the fact that the Senate has already passed it by a lopsided vote of 77 to 19. This in spite of the fact that under the rules of the Senate a filibuster is permissible while under the more stringent House rules debate is very limited.

We recognize what we are up against here because of the hysteria, the emotion, and, I might add, the political implications that pervade the atmosphere now.

Nevertheless, Mr. Speaker, as one who has a duty to his people and as one who has sworn to uphold the Constitution of the United States, I must raise my voice in protest against this further assault upon the Constitution of the United States and upon the American system of life and government. There can be little question in the minds of the students of the U.S. Constitution that this bill is unconstitutional. But as the distinguished gentleman from Louisiana [Mr. WILLIS], one of the ablest lawyers in the House, said on yesterday, quoting a former eminent jurist, "The Constitution is what the Judges of the Supreme Court say it is."

However, be that as it may, when we recall that members of the present Supreme Court, including the Chief Justice himself, stood in this Chamber in a joint session of the Congress and applauded President Johnson when he advocated the passage of such a bill, there can be little doubt about what this Court will do. Incidentally, I digress to state that I doubt that any such unbecoming performance by a member of the Court has ever heretofore been witnessed.

Mr. Chairman, article I, section 2 of the Constitution of the United States provides that the qualifications of electors—voters—for Federal officials shall be the same as that of the most numerous branch of the State legislature. The 15th amendment to the Constitution provides in substance that there shall be no discrimination of voters because of "race, color, or previous condition of servitude."

The theory obviously of the proponents of this proposal is that the 15th amendment nullified or repealed article I of the Constitution so far as giving the States the right to fix the qualifications of voters.

If this theory is correct, then why is not it equally logical to assume that the 17th amendment, providing for the election of U.S. Senators, did not repeal the 15th amendment. For, here the 17th amendment provides the same qualifications in such elections of Senators as did article I of the Constitution. In other words, the identical right of the States to fix qualifications for the election of Members of the House branch of the Federal Congress are restated in the 17th amendment—to wit; "The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

But, Mr. Chairman, this bill does not stop with violating the constitutional provisions for the election of Federal officers, it further violates the Constitution by providing that election of State officials shall be governed by Federal regulations, yes, even primaries.

Mr. Chairman, we all understand the situation here. Under the rule granted by my Committee on Rules, a substitute bill, known as the Ford-McCulloch bill, is made in order to be considered by the House. While this bill is itself obnoxious, I think we must all agree that it is not as objectionable either from a constitutional point of view or in its practical application.

There are several reasons why the McCulloch substitute is less onerous and less punitive than the Celler bill. Time will only permit a brief reference to some of these provisions as follows:

First. The Celler bill is clearly discriminatory in that it applies only to a few sections of the country.

The McCulloch bill applies to the entire Nation, North and South, and wherever racial discrimination in registering or voting exists.

Second. The Celler bill attempts to outlaw by statute all taxes, including the poll tax, as a voting requirement in State and local elections.

The McCulloch bill recognizes that such a thing cannot be accomplished by statute, but only by constitutional amendment.

Third. The Celler bill outlaws literacy tests of any kind in the States and localities covered by it.

The McCulloch bill provides that a sixth-grade education raises a presumption of literacy, and those with less than a sixth-grade education may also register if they establish their ability to meet the State's literacy requirements.

Fourth. Under the terms of the Celler bill, any State or locality affected can make no change in the election laws or voting procedures unless approved by the District Court for the District of Columbia.

The McCulloch bill contains no such provision.

And while we are opposed to both the Celler and McCulloch bills, I do not think any honest legislator who is interested in preserving the Constitution of the United States and the American concepts under which this country has prospered can fail to come up with the conclusion that I stated earlier; namely, that the McCulloch approach does less violence to the Constitution and is fairer in its provisions.

Take the treatment of the poll tax by the two bills as an illustration. The Celler bill undertakes to outlaw the poll tax by statute. The McCulloch bill would require a judicial decision.

To mention another comparison, the Celler bill, or administration bill, selects an arbitrary and punitive criteria for Federal intervention. It provides that Federal intervention is based upon a retroactive basis. It selects the presidential election returns for 1964 as the criteria. And this is so arranged as to apply only to six or possibly seven Southern States. On the other hand, the McCulloch bill provides that when 25 or more persons within a voting district file written complaints that they have been denied the right to register or vote on account of race or color and prove their case, the entry of the Federal Government by the appointment of Federal examiners is authorized.

Thus, while the administration's bill is aimed at and applies only to these Southern States, the McCulloch substitute applies to all States rather than punishing just a few Southern States.

Possibly one of the most objectionable and punitive provisions of the administration's bill is the requirement that for one of these Southern States to seek relief they must come to a court in the District of Columbia and apply to one of the Federal district courts here in Washington. This is not only an affront to these Southern States but it is also an insult to the fine and outstanding personnel of the Federal judges in these Southern States. Moreover, it is another move toward centralization of Government here in Washington at the expense of the liberties and privileges of the States and the people.

Mr. Chairman, these are just some of the comparisons between the two bills which indicate and bear out our original statement that while both bills are obnoxious, and we believe unconstitutional, nevertheless the McCulloch substitute is the less offensive.

Therefore, Mr. Chairman, bearing in mind my obligation to my people and to my oath of office, I shall vote for the McCulloch substitute and then I shall vote against the bill on final passage whether the McCulloch substitute or the Celler bill is finally adopted.

Finally, Mr. Chairman, it is indeed regrettable that the power of a minority group has become so potent that both the Democratic and Republican Parties feel that they have to vie with one another for this minority bloc vote in order to hold or gain political power. If either President Johnson and his political cohorts or the political leaders of the Republican Party think that even this drastic legislation will satisfy this group, they had better take another look. The agitation and the scramble for power within the Negro groups is such that in the next Congress and in the Congresses thereafter there will be more and more demands by the leaders of these groups for more and more preferential legislation in their behalf. In fact, one might well wonder if the political leaders have not gone so far in behalf of organized minority groups that the unorganized majority of the American people have not in fact become the underprivileged minority.

Mr. RODINO. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. BURKE] such time as he may require.

Mr. BURKE. Mr. Chairman, there is no right more basic, in a government like ours, than the right to a voice in the selection of one's representatives. The right to vote for those who will frame the laws which determine what taxes he must pay, how much police protection he will get and the circumstances under which he will be required to take up arms for the protection of his country; the right to vote for the Governors and the mayors, the right to vote for the sheriffs, who will execute those laws; this is a right which cannot lightly be denied to anyone.

The Constitution gives to the States the power to determine who will be qualified to vote. The power is a broad one. A State may establish qualifications of residence. And, as the Supreme Court has said, a State may establish qualifications of literacy. Broad as the power is, however, it is not an unlimited one. The limit with which we are most concerned today, is the 15th amendment prohibition against establishing any qualification which denies or abridges the right of a man to vote on account of his race or color. That limit has been imposed on the States for almost 100 years now. For almost 100 years, they have been on our statute books, congressional enactments designed to enforce that limit.

In some areas, the Voting Rights Act of 1965 would prohibit the use of literacy tests until the effects of past discrimination have been eliminated.

In some of those areas, the law still requires payment of a tax for the privilege of voting. These laws were adopted many years ago in full consciousness of the fact that any tax would fall more heavily on Negro citizens than on white. In some of those same areas law and custom having the force of law have denied Negro equal employment opportunity. Negroes have been given inferior educational opportunities. The link between level of learning and level of earning has been so well documented that I need do no more than mention it here. Moreover, in these same areas, even well educated Negroes have been excluded from all but the most menial jobs by State and local governments as well as by private employers. I am very happy that H.R. 6400 includes a poll tax prohibition.

In some of those areas, the discrimination against Negroes is accomplished, despite laws which seem fair on their face, by arbitrary decisions of local registrars. In such areas, the Voting Rights Act of 1965 will permit appointment of Federal examiners who will weigh the qualifications of voting applicants objectively.

If the Voting Rights Act of 1965 becomes law, we may at long last see an end of this shocking and unconscionable denial of our Negro citizens' right to vote.

This week millions of Americans celebrated the anniversary of our Nation's independence. The freedoms, liberties, and civil rights therein gained were not easily won. The blood of American boys spilled not only for the original attainment of these rights, but also over the past two centuries for their preservation whenever threatened.

Perhaps the greatest singular achievement which resulted from the struggle was the constitutional guarantee that all Americans would have the right to vote. Intrinsically implied in this right is the very meaning and backbone of our democracy, for only by means of the ballot box can the fulfillment of each individual's will be accomplished in our representative government.

However, today, even with this knowledge, in many parts of our great Nation, hundreds and even many thousands of U.S. citizens are denied this inalienable right. The means used to deny this right may sometimes differ from place to place, but the reasons for its denial remain the same. Prejudice, fear, and a senseless lack of faith in the natural goodness of man has indeed stripped many of our people of their pride and systematically reduced them to the category of second-class citizens. In many parts of our land, voter registration, literacy tests, and the poll tax have become a plague to our citizens instead of a protection. I have often wondered how many of the families of our boys fighting and dying in Vietnam have been affected by this. How many of these boys when they come home or rather if they come home, are going to be asked whether or not they can pass a 23-page literacy test in order to vote in the country that they have so valiantly fought for. No, Mr. Chairman, this situation cannot continue—even in the early days of ancient Rome, amid barbarism and brutality, the sacred status of Roman citizenship was defended and revered throughout the Empire. The protection provided for the guarantee of all their rights was the entire power of Rome itself. To be a citizen meant freedom, pride, and indeed protection. Can we do any less for our citizens in the greatest democracy in the world?

We have before us today a bill containing provisions intended to rectify much of the injustice perpetrated against our people for such a long period of time. I wholeheartedly support this measure with the hope that it will be effective in combating any discriminatory devises designed to impair the right of any American citizen to vote.

However, Mr. Chairman, the shame lies in the fact that this bill is necessary in our land in this day and age. We might well look to ourselves for not this measure or any measure passed here in this Congress can in itself solve the root of this problem.

Only in the mind and hearts of men, with a deep faith in our democratic ideals and a realization of the human dignity of man, can we finally attain a solution. Then and only then can we all truly celebrate the independence of our Nation and of all its citizens in the complete attainment of their civil, human, and natural rights.

Mr. RODINO. Mr. Chairman, I yield to the gentleman from New York [Mr. ADDABBO].

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 6400. I wish to take this opportunity to commend the Committee on the Judiciary for the dedicated, hard work it has put into this legislation to bring before us a bill that can do the job that must be done. On February 4, 1965, I introduced H.R. 4425 "to further secure the right to vote, free from discrimination on account of race or color, through the establishment of a Federal Voting, Registration, and Elections Commission." My bill is similar to the bill before us today.

Before coming to Congress and since, I have worked long and hard to insure that every American citizen regardless of creed, color, race, or national origin receives every right to which he is entitled under our Constitution. In my opinion, no one can argue that all American citizens are receiving all these rights and no place is the discrimination and abuse more flagrant than in the area of voting rights. Events in Selma, Ala., Mississippi, and other places have served to pinpoint the need for Federal legislation to secure for all citizens eligible to vote that right to register and vote without fear.

We sought, in the Civil Rights Act of 1964, to improve the machinery in voting rights cases, but in the short time since this act was enacted we know that its provisions are not adequate in this area. Every discriminatory and delaying tactic imaginable has been and continues to be employed in some areas to keep Negro citizens from registering and voting—there is no need for me to enumerate these practices here as they are well known to all of us. The Congress must take effective steps to enforce article 15 of the Constitution—it is a duty we must not abrogate.

I know that all of us look toward that day when all American citizens can live together in peace and harmony, but that day will not come until all citizens enjoy their constitutional rights. We cannot have peace and harmony until every eligible citizen can exercise the privilege of the free ballot box at every level of Government—this is the basic fundamental right of the American citizen.

Mr. Chairman, I cannot stress too strongly my approval of this legislation, and I urge my colleagues to support H.R. 6400.

Mr. RODINO. Mr. Chairman, I yield to the gentleman from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. Mr. Chairman, I rise on this occasion to express my complete disagreement with and total opposition to House Resolution 6400, known as the administration's voting rights bill.

Never before, in our entire history, has a single piece of legislation been introduced in the Congress that would destroy such traditional and time-honored rights of the several States of this Union as would H.R. 6400, if enacted. I cannot recall the enactment of a single piece of legislation that is so vicious, so evil, or so malignant as this legislation. It is difficult to realize that there is such a high disregard and contempt for the constitutional principles upon which the United States began its very existence; how such a devious bill finds its way into the legislative machinery is almost inconceivable to say the very least.

The most that could be said for House Resolution 6400 is that it is a very bad bill, conceived and given birth in revenge.

I have studied in detail the provisions of H.R. 6400 and find it to be in complete and serious conflict with the U.S. Constitution. To point out and comment specifically on each section of the bill would be to labor the question and I shall address myself to a general discussion of the constitutional and other principles essentially involved in the bill.

First and foremost, Congress is being asked to enact legislation which it has not the constitutional authority to do, under the guise of enforcing the 15th amendment.

The 15th amendment to the U.S. Constitution specifically states:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have the power to enforce this article by appropriate legislation.

Under the 15th amendment, Congress is given the authority to, first, guard against denials or abridgments of the right to vote; and, second, to enforce by appropriate legislation the provision of the amendment, which should mean to prevent intimidation, coercion and undue influence from being exerted over those seeking to vote because of their race, color, or previous condition of servitude. It does not tell Congress that under the amendment it has the power to prescribe the qualifications for the voters of the several States. When the right to vote is denied solely on account of race, color or previous condition of servitude, nothing is to prevent the citizen being so denied from seeking judicial relief by alleging a violation of the 15th amendment.

The 15th amendment does not say that the right of citizens of the United States to qualify to vote shall not be denied or abridged; nor does it say that any citizen of the United States has the right to qualify to vote. It proceeds on the premise that the States shall determine by statute the prerequisites to the exercise of the elective franchise.

There can be no doubt that the 15th amendment did not confer upon any citizen the right to vote. Had it been the aim or intent to confer the right of suffrage, the amendment would have been drafted in terms to state explicitly that all citizens of the United States have the absolute right to vote and Congress shall have the right to prescribe or regulate voter registration by appropriate legislation. The courts have consistently upheld State control of election machinery and the right to prescribe voter qualifications.

After the 15th amendment was adopted, the U.S. Supreme Court, in deciding *United States* v. *Reese*, 92 U.S. 214 (1876), stated:

> The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another, on account of race, color, or previous condition of servitude * * *. The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment. As late as 1959, the Supreme Court ratified *Reese*, supra, in deciding *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45 (1959), by stating: "The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised."

The States, and not the Congress, are vested with the exclusive right to prescribe qualifications of voters under the Constitution because such power was not delegated to the Federal legislature.

According to a journal of the Constitutional Convention kept by James Madison, it was proposed that all electors should be required to be freeholders. The proposal was rejected on the theory that the States were best judges of the circumstances and temper of their own people. A further proposal was raised on Federal control over qualifications of electors. James Madison and George Mason expressed the view that this would be a dangerous power in the hands of a national legislature. And as we all know no such power or authority was given to the Congress.

One of the most alarming features of H.R. 6400 is the broad, sweeping and unlimited power vested in the Attorney General of the United States and the Census Director. The formula set up to determine whether or not the provisions of the bill shall apply to any State or subdivision thereof is purely arbitrary and rests upon the whim or caprice of two Federal officeholders, both of whom serve in reality, at the pleasure of the President of the United States.

Section 4(b) of the bill provides, to wit:

> The provisions of subsection (a) shall apply in any State or in any political subdivision of a State which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964.
>
> A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

Can you imagine why any one person in the United States should have such unreviewable power? This one proviso is sufficient to put an end to free elections in the United States. I know the present bill is aimed at six States, namely: Georgia, South Carolina, Virginia, Alabama, Mississippi and Louisiana, in addition to certain counties in North Carolina and Arizona. But, what is to prevent a convenient extension of the bill to every State, county or municipality within the United States?

I submit to you that under section 4(b) of the bill, a Federal dictatorship is saliently sleeping, awaiting the time when a close Federal election is dependent upon a few votes. And when that occasion shall arise, the wrath and impact of H.R. 6400, if enacted into law, is going to fall upon the people of a given State, or subdivision thereof, with such force that its brutal crush will be heard throughout the United States.

The Attorney General is given further authority to set up a system of Federal registrars, hearing officers, and elections observers. Federal examiners completely take over the duties and responsibilities of the local registrars of voters. Hearing officers are to hear challenges made by citizens who seek to have certain people removed from the eligible list prepared by the Federal examiners while the observers are intended to be skeleton hunters.

It is interesting to note that in order to challenge a person on the eligible list the persons levying the challenge must do so by affidavit and they must further certify that the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence. On the other hand, when any person, in any political subdivision where examiners have been appointed, alleges within 48 hours after the polls close that he was on the eligible list and was not permitted to vote, the Attorney General may then secure from the Federal district court an order declaring that the results of such election are not final until such time as the person is permitted to vote and his ballot counted.

I cannot conceive of a device that is more purely designed to cast aside the will of the electorate of any area. To permit such misuse of the election machinery and Federal judiciary is a flagrant denial of the free elective process. In 48 hours after the polls close, most precincts have counted their ballots and reported the results to proper election officials. Any defeated candidate for public office would have ample time if he was so inclined to round up any number of people who would allege that they were not permitted to vote and could conceivably change the outcome of an election in which the margin of victory was relatively small. Nothing can be further from justice and right. The Attorney General has apparently become the keeper of the king's conscience under this bill and if it is felt that the voting rights bill is just, moral, and equitable, then I do not understand the definition of a dictatorship. Sir Winston Churchill once said:

> One of the disadvantages of dictatorship is that the dictator is often dictated to by others, and what he did to others may often be done back again to him.

And if that statement be true, then it needs no further explanation.

Federal observers are to be appointed to stand over elections commissioners during the course of election day and until the votes are counted and a return made. They are to be utilized as witnesses by the Attorney General on any case that he files on any allegations that are made by those who say they were not permitted to vote.

There is simply no need for a bill such as H.R. 6400. It serves only as a vehicle to carry the Federal fist and hammer into the communities of independent and peace loving citizens. Thus another step in establishing a Federal police state.

In the great Southland, we have always maintained a good relationship among the races. In recent years people, not citizens or residents of the Southern States, have seen fit to come into a peaceful country to exploit and arouse local citizens—to promote hate, offer ridicule, and to violate laws and humiliate entire communities. These outside agitators are indirectly responsible for this vicious and dangerous bill that is today being considered.

SUMMARY

I am unalterably opposed to H.R. 6400 because of its inherent and flagrant disregard for settled and time-honored constitutional principles. Many of the most capable and learned constitutional lawyers in the United States have expressed their opinions as to the unconstitutionality of the bill. Congress has not the constitutional authority under the 15th amendment to prescribe voter qualifications as such right lies exclusively with the individual States. The right as above mentioned was duly reserved at the time the U.S. Constitution was adopted, and, subsequently retained, after the adoption of the 15th amendment.

This is a nation of united states, 50 united states, the official name is the "United States of America." This is not a one-state nation. Some would have us think the name is "State of America." This is not so but it may become so if legislation such as this is enacted into law.

The bill delegates a bundle of powers that are too broad, too uncertain and too impracticable to the Attorney General and the Director of the Census. Free elections are in serious jeopardy. Such legislation creates a Federal police state by placing election machinery at the disposal of Federal officials.

If our generation is prepared to destroy the cornerstone of constitutional government through usurpation of the rights of free, independent and sovereign States, then I want the RECORD to clearly show that I vigorously oppose, with all the means at my command, the efforts of those dedicated to tearing down and deteriorating the institutions of the United States.

Thank you.

Mr. RODINO. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. GILBERT].

Mr. GILBERT. Mr. Chairman, since 1957, Congress has been enacting statutes to implement the 15th amendment to the Constitution, which guarantees to all citizens, regardless of race, color, or previous condition of servitude, the right to vote in Federal and State elections.

I regret to say, Mr. Chairman, that despite three major laws—enacted in 1957, 1960, and 1964—we have not succeeded in enforcing that guarantee in States which have pursued a consistent and determined policy to deny the right to vote to their Negro citizens. Let me point out that between 1958 and 1964, the number of Negroes registered to vote increased by only 5.2 percent to a total of 19.4 percent in Alabama, while the total of Negro registrants increased from 4.4 to 6.4 percent in Mississippi. In Louisiana, the percentage of Negroes registered to vote has remained steady at about 31.8 percent over the past 10 years, while the white registration is 80.2 percent. We all realize that the legislation before us was precipitated by events in Selma, Ala., county seat of Dallas County. The voting population of Dallas County is approximately 14,500 white and 15,000 Negro. Yet, as of 1961, when a voter suit was brought against the county, only 1 percent of the Negroes were registered, compared to 65 percent of the whites. The vain efforts of the Negro citizens of Dallas County to register to vote earlier this year dramatized vividly the need for the legislation we are today considering.

It was long ago ascertained, beyond any doubt, that the deficiency in Negro voting was not the product of mass indifference. On the contrary, the evidence has been increasingly compelling that the Negroes in the South are as anxious as Americans anywhere to exercise their political rights. We know that the deprivation of those rights is the consequence of a massive, stubborn, and skillful campaign waged by certain State governments and their agencies. Were this campaign abandoned, the legislation before us today would be unnecessary. But we have not received the slightest evidence that any such abandonment is in process or is even contemplated. As a result, it has become the obligation of Congress to act once again to safeguard the rights of American citizens under the 15th amendment to the Constitution.

Mr. Chairman, it has not been easy to draft legislation that will close the loopholes that have existed in earlier voting laws and at the same time protect all the other constitutional rights of American citizens. The administration submitted a bill that proposed the basic procedures for this legislation. The Judiciary Committee, under the inspired leadership of its chairman, the gentleman from New York [Mr. CELLER], made what I regard as significant improvements to that bill. The resulting measure, which comes before us as H.R. 6400, is the work of many minds and, in my view, the proposal that best achieves the aim of guaranteeing the voting rights of Negroes without violating the legitimate rights of any other Americans.

The bill makes a distinction between geographical political units in which the denial of voting rights is so severe and so obvious that they deserve to be called pockets of discrimination and geographical political units where the denial of voting rights is practiced but where circumstances call for judicial verification.

To be designated one of the pockets of discrimination, a district must be certified by the Department of Justice as having, first, utilized in the registration process literacy tests or other devices on November 1, 1964; and second, had less than 50 percent of the voting age population registered to vote in the Presidential election of 1964. When such certification is made, the bill provides for the appointment of a Federal examiner by the Civil Service Commission. The examiner would proceed to enroll persons eligible to vote, applying State law but suspending literacy tests and other devices used to deny Negro enfranchisement. Any district which qualifies as one of the pockets of discrimination can exempt itself from such designation and the procedures I outlined above if it obtains a declaratory judgment from a three-judge court in the District of Columbia that no test or device has been used discriminatorily during the preceding 5 years. This provision, Mr. Chairman, constitutes ample protection for any district that might, for reasons having nothing to do with discrimination, fall under the pockets of discrimination standards. But let me add that these standards have not been established arbitrarily. Only after the most careful examination has it been ascertained that any district in which the two key conditions apply almost inevitably has been denying to Negroes the right to vote.

In districts that do not meet the conditions for automatic designation as one of the pockets of discrimination, the bill empowers the Attorney General to initiate an action in a Federal court to demonstrate the denial of voting rights. The court may then authorize the appointment of Federal examiners, pending or after final determination of the suit. The court may also suspend tests or other discriminatory devices, including those instituted after the suit was filed.

The bill provides a variety of additional protections for voting rights, the most significant of which is abolishment of the poll tax as a prerequisite to registration. A great deal of debate has been devoted to the constitutionality of this action, both in committee and in the other body, where a similar provision was rejected by a very small margin. For my part, I am fully persuaded that under the 15th amendment the Congress is empowered to abolish the poll tax as a device used to deny to Negroes the right to vote. As early as 1942, the Senate Judiciary Committee found that the poll tax laws "were motivated entirely and exclusively by a desire to exclude the Negro from voting." The States that continue to levy the tax acknowledge, openly or covertly, that Negro disenfranchisement is its purpose. They have even resorted to discrimination in collecting the tax to avoid Negro voting. They might be expected to use the poll tax more heavily as other obstacles to voting are struck down. Even if the objectives of the States were merely to collect revenue, I would question the constitutionality of the poll tax, in view of the Supreme Court's statement that "a State can no more discriminate on account of poverty than on account of religion, race, or color." I, therefore, see every reason for supporting the committee's decision to include the poll tax ban in the current bill and I hope that, subsequent to its passage, the other body will see fit to accept it.

Mr. Chairman, it has not been my intention to analyze this bill in its entirety. But I do feel that it is incumbent upon me to say that having sat through the hearings on this bill, having studied its provisions, having pondered them carefully, I conclude that this is a good bill which deserves to be passed by an overwhelming majority. The President of the United States and the Congress have fervently and frequently declared that nothing can be more important to the health of American democracy than the assurance of the voting rights of every citizen. We believe this bill will assure those rights. We recognize how adroit and how dedicated are those who in the past have sought to thwart the Negro's right to vote. We would hope that they desist from such practices in the future. We would hope that they recognize now that the Government of the United States will no longer tolerate such discrimination against its citizens. This bill is excellent testimony to the Government's determination. I urge my colleagues to give their support to H.R. 6400.

Mr. RODINO. Mr. Chairman, I yield 15 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman and Members of the House, I am sure that it is evident to all who have kept up with the entire legislative history of this bill that there are very few members of the House Committee on the Judiciary who have consistently opposed it. I am sure, if you have been faithful in your attendance at the debate, you have noticed that we have not been permitted to say much in support of our position. I am not so sure that anything we might say would have much effect upon some of those who are always so willing to commit themselves to anything that falls under the general heading of civil rights.

Let me say at the outset that I come from a congressional district where the arguments that we have heard about the deprivation of the right to vote would not be understood. There certainly has been none of that in any county in my congressional district. As a matter of fact, I have looked at these figures, for whatever they are worth, that the Civil Rights Commission and the Bureau of the Census have come up with and I find that the counties in my district range from over 78 percent voter participation down to 51.1 percent. So there is not a county in my area that would fall under this phony formula that has been created by the authors of this bill for the sole purpose of trying to put a further yoke around the necks of some of the States which are referred to so glibly as parts of the Old Confederacy.

My friends, let me say this, as one who comes from a part of the Old Confederacy, that we are proud of those States and of our individual States just as you are of yours. We are proud of the contribution that we have made not only to preserving freedom in this country but in advancing the interests of the people regardless of their race or color. I am somewhat proud of the fact that I come from a State that has more Negro school teachers than the States of Pennsylvania, New York, and Illinois combined. I am happy that I come from a State in which discrimination at the ballot box is unknown. This has not only been said by a Member of the House of Representatives, but this has been said by the Supreme Court of the United States. One of the more recent cases on this subject was the case of Lassiter against Northampton County, N.C., in which some person of color brought a lawsuit alleging discrimination in registration.

If you look at the hearings, at page 480 you will find that the gentleman from Florida [Mr. CRAMER], requested that the decision be printed in full in the hearings on this particular legislation, and that was done.

In that case the Supreme Court not only said that North Carolina was not using its literacy test as a means of discrimination, but it said something further which should be of concern to those of you who are interested in constitutional government. I read from that decision, the opinion having been written by Justice Douglas, who certainly does not come from the old Confederacy. Justice Douglas said this:

> We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color.

I now omit a part and continue with the quotation.

> The States have long been held to have broad powers to determine the conditions upon which the right of suffrage may be exercised * * * absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So while the right of suffrage is established and guaranteed by the Constitution it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed.

Another decision handed down in March of this year reiterates this same proposition from the pen of the writer of that opinion for the Supreme Court of the United States. And so when we undertake here to strike down the right of a State, which was reiterated as late as 1912 by the adoption of the 17th amendment to the Constitution, to prescribe the qualifications of voters, we have done a very serious thing and we have done it particularly seriously when we take into account that it is done under this phony formula that has been created. I would point out to you—and this is in the record; if you will look at the bill in section 5, page 16, it says, after referring to this formula, and I want you to listen to this carefully:

> A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

That means that when the Attorney General and the Director of the Census have made this determination no court in the land can prevent its going into effect, whether it is supported by fact or not. I would point out to you that the best evidence offered to our committee—and again I direct your attention to the hearings on this very bill printed under the aegis of the Committee on the Judiciary, at page 142—that the figures with reference to the State of Alabama which were furnished to the committee by the Civil Rights Commission has this to say with reference to the number of people registered in the State of Alabama to vote.

Footnote No. 2: Unofficial figures from the Birmingham News of May 3, 1964.

And then when you go to Georgia you will find that on page 176 these so-called official figures—and the type that the Attorney General will be making his decision about the formula on under the number of people registered, the footnote says this as to the source of these figures, that they are supplied as unofficial figures published by the Atlanta Journal and Constitution, April 28, 1963, representing registrations as of December 1962.

Then, Mr. Chairman, on page 193 you will find that the Mississippi figures, one group of them, are estimates of the Department of Justice itself. So, they are going to make up the estimate and then they are going to certify it.

Mr. Chairman, another portion of those figures come from the voter education project of the Southern Regional Council, which certainly is not known for its objectivity. The same source is given for these statistics on the State of North Carolina and a part of the statistics for South Carolina on which the Civil Rights Commission operates come from the Charleston News & Courier, according to this official publication. The figures for Tennessee come from the voter education project of the Southern Regional Council.

Now, my friends, that is the type of statistical matter which will be used as the basis for an administrative determination which, according to the exact language of section 5 of this bill, is not reviewable "in any court."

How far afield can we get?

Mr. Chairman, back in my hometown one of the distinguished trial lawyers there says, "When you do not have any evidence with you, you had better moralize to the jury."

I have heard more "moralizing" here in the last 2 days by those who say they support the bill but are unwilling to discuss its contents than I have heard on any legislation in a good while.

Mr. Chairman, even though I am not from Alabama or Mississippi, I just live in North Carolina, I wish that in some way I had been endowed with the great knowledge that some of our friends from New Jersey, California, and New York have acquired about what is going on in Alabama and Mississippi. We just do not know in North Carolina as much about it apparently.

How often we have heard before or we hear the same old song here today, "Let us pass a bill which will end all of these bills. Let us pass one now which will say to everyone that we are not going to be having to worry about this problem of race relations again in Congress."

Well, Mr. Chairman, in the five terms I have been here I have heard that so often. Yet we have all of this body of law on the books and apparently no one utilizing it.

Let me go further with the language of the bill.

The gentleman from Michigan [Mr. HUTCHINSON] throughout the committee hearings and during the consideration of the bill in the Rules Committee and here on the floor has rendered a great service in pointing out the harmful effects of section 10, particularly with reference to the language, "or other tax." He has rendered a great service. While my State is not concerned with the type thing that Michigan has and with which some of these other States are confronted with reference to the property qualifications for voting on bonds and the requirement of tax-paying status before one can participate in increasing local indebtedness, I certainly do not believe that because my State is not concerned with it I should be a party to upsetting constitutional provisions in the State constitution of Michigan or other States.

I suppose those of us in the old Confederacy are not so determined to meddle in the affairs of Michigan and these other States, as some folks are to meddle in the affairs down our way.

I hope we can do something about that section of the bill. I hope we can strike out the entire anti-poll-tax section because I think it is clearly unconstitutional. I think the Attorney General apprehends it is unconstitutional, and is trying in every way he can to get the Congress to strike it out of the bill. He was successful in the Senate. He has not been successful here.

We passed a constitutional amendment in the 88th Congress, which I supported, to strike down the State requirement of a payment of poll tax as a prerequisite to voting in Federal elections. We said then and some of us say now that it was necessary to have a constitutional amendment to do it. So we supported it. We helped bring it out of the committee. But now some say a year or 2 years later that you can go further than that constitutional amendment by statute and strike down the requirement for the payment of poll taxes in local or State elections.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. WHITENER. Mr. Chairman, I do not know how some of our friends can turn legal principle on and off so glibly. I am not one of these who goes around pulling the record, but I have an idea that if some of you pulled the record including debate in the 88th Congress on the constitutional amendment relating to the poll tax in Federal elections you would be shocked. You would probably find some of the folks who are now telling you we can repeal the poll tax requirements in local and State elections who then contended a constitutional amendment was required. Some of us told you then that it was necessary to have a constitutional amendment in order to strike that down as far as Federal elections are concerned. We now say the same as to local elections. I do not know how some get so pliable in this life. Maybe that is the trouble with some of our colleagues. But, Mr. Chairman, this is a matter which should not be just treated lightly, as some are doing.

I have so many other objections to the legislation. I know there are many who say "Well, just another Representative from the old Confederacy trying to do something to stop the onward march of progress." In my home city we have excellent race relations. I had a representative of the NAACP in my office a couple of years ago to say:

> I do not know whether you know it or not, but your city is the shining light in the Nation on race relations."

I come from a city where we elected a colored member of our city council in a vote at large, with only 12 percent of our population being Negroes, before civil rights ever became an issue. I come from a community where we have had colored policemen on our police force long before racial agitation ever arose, and where our citizens of both races even today have been unwilling to participate in this bitterness and ugliness we see about us. I like to think that as a public official for some 20-odd years I have contributed something to this proposition of good race relations. But I am not going to stand here and say now we should tear down this house of constitutional government which our forefathers in the North and South, in the East and West, built for us. I am not going to say that because some of us have come from what is called the old Confederacy; we ought to tuck our heads in shame, and feel we can be run over just because some folks seem to enjoy casting stones.

I said when we had the civil rights bill back here several years ago that our State of North Carolina would not experience any great travail regardless of what laws were placed upon the books because we have in our States the best race relations of any State in the Union, North or South.

We have in our State the most successful colored business people that you will find in America. We have the great North Carolina Mutual Insurance Co. owned and operated completely, and it has been for over 50 years, by members of the colored race. We have the biggest motor bus transportation organization that is owned by colored folks in the world and it is in North Carolina, owned and operated by them.

The average Negro teacher in North Carolina receives more compensation than the average teacher of the white race receives under our system of increments based upon service.

So we have no apologies to make in the field of racial relations. We love each other in our State but we would not for long if people from other areas of the country, with little understanding of the situation that exists in our State, were permitted to carry on needless agitation and to make such explosive statements as we have heard here during this debate.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. RIVERS of South Carolina. Speaking about giving this Attorney General additional power, I am sure the gentleman remembers, and America should not forget, what the former Attorney General, one ROBERT KENNEDY, did under a statute of the 1800's. When they put troops in Mississippi under some kind of a law, which they did not have, and incarcerated a gentleman by the name of Walker. Furthermore, they committed him to an insane asylum by a long distance call or by some conversation with an alleged psychiatrist. This, in my opinion, is one of the darkest pages in our history.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. WHITENER] has expired.

Mr. RIVERS of South Carolina. Mr. Chairman, would the gentleman give the gentleman from North Carolina a few additional minutes?

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. WHITENER], a hard working member of our committee, 5 minutes in accordance with the principle of even the minority giving every segment of our society an equal opportunity to be heard.

The CHAIRMAN. The gentleman from North Carolina [Mr. WHITENER] is recognized for 5 additional minutes.

Mr. RIVERS of South Carolina. I am sure the gentleman remembers this alleged psychiatrist committing this great and decorated general to an insane asylum. In my opinion, this is one of the most flagrant abuses of power and one of the darkest pages in history of the abuse of one's administrative capacity by any Attorney General since the founding of this Republic. If you go and heap additional power on this Attorney General, God only knows what will happen to this country.

Now you are talking about voting rights and poll taxes. We do not have any such thing as this in my State. We try to have our people register. Many of them will not even vote. That is our problem.

I would like to call to the attention of the House, with the permission of the gentleman, that in my city of Charleston we have had an integrated police department for over half a century. We have uncounted numbers of colored detectives and policemen. We have a whole company—a whole company—and we have had it for practically a century, of colored firemen. Our longshoremen are all colored. We do not know anything about this so-called discrimination that certain people are making capital of. But you people who are determined to destroy your own race to get at somebody else, one of these days you are going to wake up and read what happened to the Roman Empire—this is what is happening to America. Read it sometime and if you do not have the time to read what happened to the Roman Empire, read somebody's summary of it. It will help a lot.

The gentleman from North Carolina has given us such wise counsel. We do not need to do to America what we are trying to do in this bill to give the so-called voting rights.

After this bill, Martin Luther has another program for some of you people and, of course, you will follow that and when this will have been completed, there will be another one. This is not going to stop. This is going to go along as long as his representatives are here. You had better remember that.

Mr. WHITENER. I certainly thank the gentleman.

Mr. Chairman, may I point out to my colleagues that there is a provision in this bill which the McCulloch bill does not include. I think it is absolutely shocking to those of us who believe in democratic government.

That is the provision which says that a challenged vote shall be counted even though it is challenged, and whether legal or not.

My friends, in my home community at one time, with 10,000 voters voting, the control of the city was determined by 1 vote. There have been contests here in the House of Representatives, since I began my service, in which the margin was 40 votes. Sometimes there was not a contest when the margin was as close as 40 votes.

So, you see, this could be putting into the hands of some unscrupulous individual of the future a great tool for taking over a congressional district, or even a city council, because this will apply to local elections, or a drainage district or a school district, merely by going out and corralling unqualified voters and bringing them in. Even if someone challenges them, if the bill becomes a law notwithstanding that challenge has been lodged with the election officials, the Civil Service Commission man sitting there making the decision, will have to say, "under the law these votes count, whether they are legal or not."

I could not have believed, 6 months ago, that any lawyer would recommend that sort of provision, yet it is here in this bill.

Mr. McCULLOCH. Mr. Chairman, will the gentleman from North Carolina yield for a comment?

Mr. WHITENER. I yield to my friend from Ohio.

Mr. McCULLOCH. I am very glad the able lawyer on our committee has caught this provision.

This is the provision, Mr. Chairman, in which I said lies the seeds of revolution. I might have included other officials than those described by the gentleman from North Carolina. This could and would have included everyone from the last man on the ticket to and including Members of Congress without name or number at this time.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 2 additional minutes to the gentleman from North Carolina, since I took that much time.

Mr. WHITENER. Mr. Chairman, I thank the gentleman from Ohio.

We have said all along and have understood that this legislation would apply only to certain States. There is one provision in the bill on which I should like to have the comments of the gentleman from Ohio. If the gentleman will look at the bill, this is on page 12, line 22, in subsection (b). It seems to me a court may well construe this bill to apply to States other than those falling under the formula. I am looking at Union Calendar No. 202.

Mr. McCULLOCH. Is the gentleman looking at the committee bill rather than the Ford-McCulloch bill?

Mr. WHITENER. I am looking at the committee bill, section 3, subsection (b), on page 12 of Union Calendar No. 202.

The language is:

> If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of such test or device.

And so forth.

Does the gentleman apprehend that this could make the bill applicable under previous Civil Rights Acts to some of the States which now believe they are "home free" but have literacy tests?

Mr. McCULLOCH. The paragraph is unlimited. It is possible that the very thing which the gentleman from North Carolina suggests would happen.

Mr. WHITENER. Does the gentleman not further apprehend that this section could be used, in a close district in New York State or some other State outside of the Old Confederacy, to influence an election under the provisions the gentleman and I mentioned earlier, whereby the election examiner would be required to count the election votes merely because they were permitted to be cast?

Mr. McCULLOCH. I think it is entirely possible.

Mr. WHITENER. Mr. Chairman, if I may, in conclusion, let me say that I appreciate the hospitality of the gentlemen on both sides in yielding so much time to me, and I urge all of you to join us in trying to improve or defeat this bill.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. Ashmore.]

Mr. FOUNTAIN. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I will be glad to yield to the gentleman from North Carolina [Mr. Fountain].

Mr. FOUNTAIN. Mr. Chairman, I want to take this occasion to commend my distinguished colleague, the gentleman from North Carolina [Mr. Whitener], for what I believe has been one of the best statements on this legislation that have been made on the floor of this House. I want to associate myself with his views. I would like to say also that the case of Lassiter versus Northampton County to which he referred originated in my congressional district. Notwithstanding that decision, however, the triggering device which Mr. Whitener described as phony, and with which statement I agree, would make Northampton County and the other eight counties in my congressional district subject to the provisions of this act, thus creating a presumption of guilt of discrimination. I understand that approximately 26 other counties in North Carolina would come under this act—66 would not. In other words, the literacy requirements would be valid in two-thirds of the State and invalid elsewhere.

The bill refers to registration and voting, but I wonder if the so-called 50-percent formula was not adopted because it is primarily applicable to Southern States.

Mr. Chairman, in its present form, this bill is vicious and discriminatory.

Mr. Chairman, no qualified person should be denied the right to vote because of his race or color. This right is fundamental to our democracy, but this legislation is an unwise and dangerous approach to the few remaining pockets of discrimination in our country.

I thank the able and distinguished gentleman from South Carolina for yielding.

Mr. ASHMORE. Mr. Chairman, let me say in the first place that I am opposed to this legislation for many reasons, some of which I will analyze in the few minutes that I have been allotted. However, I wish to make it clear that I am not in favor of discriminating against anybody because of race, creed, color or for whatever reason one might give for doing so.

I believe that every citizen should have the same right to vote, regardless of color, when he meets the qualifications set forth in the eligibility rules of his State.

If there is discrimination in this country, it should be stopped without delay, either voluntarily or by enforcement of sound and constitutional laws. But I do not believe that we should try to solve the problem by the enactment of unconstitutional legislation. In fact, the enactment of new laws is not necessarily the answer to such problems as we may have in this area. I have indicated this in various instances in the past and the cold facts of life have proven that new and additional statutes is not the answer. We tried to solve this same question in 1957; again in 1960 Congress enacted another Civil Rights Statute; and in 1964 a third statute was placed on the books, primarily for the purpose of guaranteeing every citizen the right to vote.

I am sure that every Member of this House, whether he voted for those civil rights bills or voted against them, is in favor of a voting bill that provides all citizens a right to vote when they meet legal qualifications. It was said during the debate on the 1964 bill that it must be passed so we could get the people out of the streets and settle their problems in court. Well, the bill was passed and new court procedure was provided to expedite the registration of people who claimed that they had been discriminated against. But here we come for the fourth time asking for more laws to guarantee every citizen his right to vote. The passage of this bill will not satisfy these people who are always demanding more and more from the Congress. They will be back in the streets within the next year just as they have returned to the streets since the 1964 voting rights bill was enacted.

H.R.6400 is a somewhat new approach to the problem of discrimination regarding the right to vote, but it is unconstitutional in many respects and therefore I have no intention of supporting it. This administration bill, drawn by the Attorney General, contains many provisions, but the heart of the bill rests on a formula which prohibits certain States from using literacy tests as a qualification for voting. The effect of this formula would be to suspend or abolish literacy tests in the affected States. And this is clearly in violation of the United States Constitution.

There is absolutely no doubt about the States of this Union having the right to conduct elections and set up eligibility rules for people to register their voters. The only proviso being that these rules or literacy tests must be applied to all people without discrimination. The Supreme Court has passed on this question in several instances. In the Lassiter case in 1959 and the Guinn case the Supreme Court said:

> We do not suggest that any standards which the State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record, are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters.
>
> The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot.

The Supreme Court said further:

> No time need be spent on the question of the validity of the literacy test—its validity is admitted.

But irrespective of the Constitution and the decisions of the U.S. Supreme Court, the Attorney General says in H.R. 6400 that a State may have these eligibility requirements, provided the State also proves a most unheard of thing, in my opinion; that is, that at least 50 percent of its eligible voters have registered in the State. Neither the 15th amendment to the Constitution, nor any other section of the Constitution, says that you must register or vote 90, 60, 50, 30 percent, or any other percentum of the qualified electors in order not to be held guilty of discrimination. And the Supreme Court has likewise never made any such decision. Yet, the Attorney General in this bill says that if you have a literacy test law and do not register 50 percent of your electors then you must come into the U.S. Federal court in the District of Columbia and prove you did not discriminate. In other words, you are presumed to have discriminated in your State if you have a literacy test law and do not register or vote 50 percent of the qualified voters. Any such presumption as this is not only a fallacy but an absolute absurdity. Yet, this unfair, unfounded, and unsupported presumption is the key to H.R. 6400. The 50-percent-voting formula in the bill is the mainspring that sets off the automatic trigger device which turns your State voting machinery over to the Attorney General of the United States. And let me remind you again that the trigger is based on the presumption, not proof, but a presumption that your State discriminated because less than 50 percent of the voters cast their ballot on November 3, 1964.

Mr. Chairman, not but one time in history have more than 60 percent of the people of this country voted for the President of the United States. That one occasion was in 1964 when approximately 62 percent voted in the presidential election.

In my State of South Carolina, the Attorney General presumes that we discriminate against the Negro, simply because we have a literacy test, which is constitutional and which the Supreme Court has held to be legal, and because less than 50 percent of the qualified electors voted in November 1964.

Let us analyze the facts and see what evidence, other than an ill-founded presumption, the Attorney General has for castigating my State as one guilty of discrimination against the Negroes at the ballot box. The South Carolina voter education project, a Negro group organized to get Negroes to register, told the Associated Press on March 16, 1965, in Columbia, S.C., that the problem is to get Negroes interested enough to register and vote. The spokesman said further:

> The project is concentrating on a campaign to accomplish this, and qualified voters are being registered in all counties in the State as far as is known. There was not one charge of discrimination by the man in charge of the Negro voter registration machinery in South Carolina.

This is not only true in South Carolina, but a similar situation exists in the State of North Carolina. In that State a $500,000 voter registration campaign produced 265,000 registrants, almost all of whom were in the city. Dr. Reginald Hawkins, who was in charge of the drive in North Carolina, recently stated:

> You can send an army of Federal registrars down here, but rural Negroes won't register until they become convinced that their leaders are going to guide their voting power wisely.

Mr. Chairman, the reasons for low registration and voting in my State are indifference and apathy, and you cannot change this fact by use of mathematical formulas, such as the Attorney General has devised in this bill. His 50-percent formula does absolutely nothing to fight voter apathy and indifference. Until an answer is found to this problem there will continue to be a low voting percentage among the Negroes in the South.

In the civil rights hearings before the House Committee on the Judiciary in 1963, I asked Attorney General KENNEDY if he had any proof that South Carolina was discriminating against Negroes in their voting rights. Mr. KENNEDY answered me as follows:

> Congressman you are right about South Carolina. There are a couple of areas where there is a potential problem; it is not a problem in South Carolina.

So, there has been no suit brought in South Carolina by former Attorney General KENNEDY alleging discrimination in voting rights of Negroes. There has been no suit brought by Attorney General Katzenbach in South Carolina based on discrimination against Negroes. Nevertheless, Attorney General Katzenbach says South Carolina is one of the States that must come into court in the District of Columbia and prove to the satisfaction of the court that it does not discriminate against Negroes, simply because that State has a legal literacy test and failed to vote half of its qualified electors in November 1964.

On the other hand, the State of New York, for example, which also has a literacy test, would not be covered by H.R. 6400 since it voted more than 50 percent of its qualified electors in November 1964. However, New York's literacy test law is just as harsh, if not more so than the law in South Carolina. Moreover, there are several hundred counties in the United States where discrimination is known to exist, but the Attorney General's formula does not cover these counties because they do not have a literacy test requirement.

If you want a law that sets up double standards for different areas of the country, then you should vote for H.R. 6400. But if you believe in prescribing the same medicine for all people in all States throughout the land, you cannot support H.R. 6400. All lawyers know that if a law is to be constitutional it must apply equally to all people in all States. Thus, there is no escaping the fact that this bill is unconstitutional, because it provides certain rules that apply to some States which do not apply to other States.

Not only is the bill unconstitutional, but it is unfair, unjust, and immoral. The editor of the Wall Street Journal on March 22, 1965, has condemned this legislation as an immoral law. This editor is not a southern conservative or an extremist in any sense of the word. On the contrary he is a man of great ability, clear thinking, and sound judgment who stands for fair treatment, regardless of race, creed, or color.

In discussing the 50-percent formula voting device provided in H.R. 6400 the Wall Street Journal says:

> A strict application of the formula would probably make it applicable to Alaska. However, a way has been devised to exempt it which as much as anything suggests that the intent is not to write a general rule of law but to subject certain States to special laws.
>
> Of more consequence is the fact that if we have this law a citizen, white or Negro, can be entitled to a vote in Alabama no matter how illiterate he is, or for that matter even if he is a moron. But if the same citizen, white or Negro, lives in New York he will not be entitled to vote.
>
> This would create a truly ingenious paradox. This illiterate citizen, Negro or otherwise, would find himself with more "rights" in Alabama and her five outcast sister States than in the great State of New York. More, the educational level of the voting citizens of Alabama, the low level of which is part of the general complaint against it by civil rights leaders, would be further reduced. And this by Federal sanction.
>
> Unfortunately, the irony is not funny. Beneath the paradox lies a serious question. Is it moral that our national laws should apply one rule to one State and another to another, requiring that the people of one State abolish qualifications for voters while the people of another State may uphold their standards?
>
> Nor is that the end of the consequences of that weird formula. Recall that it permits the Federal Government to put all this machinery in motion, the takeover of the whole voting procedure by Federal authorities, only when the voting percentage of a State falls below 50 percent of the voting-age population. If there was ever a device open to what President Johnson calls manipulation, this is it.
>
> So long as a State contrives that one-half of its adults vote, it is free of the formula. This will not be overlooked by ingenious men who can contrive many things when justice is measured by percentages.

The editor concludes his analysis of H.R. 6400 with this sentence:

> To play with complicated formulas, to measure justice by percentages, and to aim punitive laws at some States, not only violates both the letter and the spirit of the Constitution but buries the real moral question in sophistry.

Yes, my colleagues, H.R. 6400 is both constitutionally wrong and morally wrong.

Mr. Chairman, many editors, scholars and lawyers agree with the views expressed by the editor of the Wall Street Journal, and so do a large number of the Members of this House. I trust that we vote in accord with our conscientious convictions.

Section 3(c) presents another unheard of legislative proposal. As far as we know it is unprecedented for Congress to suggest that the Attorney General of the United States should have veto power over State legislation. This bill does that by providing that the Attorney General would have 60 days within which to object to State legislation which provided a qualification, or certain procedure, with reference to voting.

I condemn this proposal. I wish to emphasize my strong conviction that no nonjudicial Federal official should be given the arbitrary power to nullify legislative action by the duly elected representatives of the people in any State. This would be a most dangerous precedent.

Section 5 of this bill would require that a State or political subdivision would have a tribunal to which it could resort other than the U.S. District Court for the District of Columbia. The Federal courts in all districts except the District of Columbia would be barred to any State or political subdivision falling within the "50 per centum formula" which sought to have a legal determination as to the validity of its electoral procedures.

This requirement places an undue hardship upon the local governments involved and constitutes an expression of lack of congressional confidence in the willingness and ability of Federal courts outside the District of Columbia to sit in judgment in cases of this type. It is amazing that such a proposal would be advanced by the Attorney General of the United States, particularly since all Federal district judges are recommended by him. Does he not trust even his own appointees?

Mr. Chairman, it is clear that H.R. 6400 is replete with inequities, injustices, immoralities and unconstitutional provisions, and therefore, it should never be enacted.

This would be a most dangerous precedent.

Mr. Chairman and gentlemen, I will close by stating that the bill, H.R. 6400, is replete with inequities, injustices, immoralities, and unconstitutional provisions; and, therefore, it should never be enacted.

When it comes time to vote, I will cast my vote to substitute the Republican bill because it is not nearly so obnoxious as the pending bill.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield for a question?

Mr. ASHMORE. I shall be glad to yield to my colleague, the gentleman from Ohio [Mr. McCulloch].

Mr. McCULLOCH. You give the voters in South Carolina an alternate approach to qualifying to vote, do you not?

Mr. ASHMORE. The gentleman is correct.

Mr. McCULLOCH. If the gentleman will yield further, if a person is not literate but owns assessable real estate of the value of what—$300——

Mr. ASHMORE. Yes; $300 is correct.

Mr. McCULLOCH. That person may vote without letter of hindrance, is that right?

Mr. ASHMORE. The gentleman is absolutely correct. Yet we discriminate. He says if we do not vote 50 percent we discriminate. Our law is most reasonable. It has never been criticized as some of the laws of other States have been criticized regarding literacy test qualifications.

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. Rosenthal].

Mr. ROSENTHAL. Mr. Chairman, I rise in support of H.R. 6400. By now, the rhetoric and oratory associated with this measure should be exhausted. Ever since the President's historic speech to the joint session of Congress on March 15, the problem has been one of long, hard, and diligent work to prepare the best possible legislation, consistent with the President's proposals and the Nation's needs. I strongly believe H.R. 6400 is the product of such an effort, exercised by the Committee on the Judiciary, by its able subcommittee, and by the gentleman from New York [Mr. Celler], its devoted chairman, and my colleague. Their dedicated labor on this measure deserves the highest praise from the House; they have responsibly and reflectively discharged our constitutional obligations.

I believe there is a profound consensus on this legislation, which overrides honest disagreements between honest men about its particulars. It is the same consensus which operated last year with the Civil Rights Act of 1964. It is the same consensus, I hope, which will operate next year when we extend our efforts still further on behalf of those seeking equal rights under law, custom, and opportunity.

H.R. 6400, I think, can be properly read as the end of the beginning. We have largely eliminated those legal and jurisdictional barriers to civil rights which represented the first barrier to an achievement of our goals. Some barriers still remain. I am thinking particularly of the inadequate trial and jury system in the South, and the difficulty of obtaining fair procedures and verdicts in so-called civil rights cases. Nevertheless, it can be said that major obstacles have been demolished, or will have been, with the passage of the voting rights legislation this session.

This should give us cause for pride. But let me also suggest that our achievement in passing this measure should also reflect some humility. For, after all, what have we done except provide jurisdiction and machinery to enforce amendments to the Constitution which were initially passed in the 19th century? Given the forces of reaction that have so successfully obstructed such an achievement, we have proper reason to commend ourselves and the ingenuity of our legislative imagination. But we are also acting on an overdue agenda, rectifying ancient grievances whose presence has for a hundred years blemished our conscience and our politics.

This is not to say, of course, that virile and relentless voting rights legislation is a trivial achievement. In one measure, we may eliminate the poll tax, the use of literacy tests, the atmosphere of successful coercion and threat in the name of false laws and procedures—in short, the major instruments which have undermined the exercise of the most fundamental democratic right—the right to vote. In that same step, we may fulfill age-old Federal obligations, by authorizing the appointment of voting registrars and examiners to assure that practice and administration satisfy the undisputed authority of law. And what law directs, custom will eventually follow. Just as the public accommodations section of the 1964 act may eventually reform certain areas of social discrimination in this country, so we can hope that a 1965 voting rights bill will cleanse previously corrupt political traditions.

Passage of this bill will be historic. But let me also suggest that we are still operating along the margins of a social problem, the extent and depth of which we have yet to discover. The 1964 act gave American Negroes the right to a room in a motel, and a dinner in its restaurant. But it did not give him the salary to rent that room or buy that dinner, let alone, in many cases, to provide an adequate dinner in his own home. The bill did not intend to, of course. Nevertheless, the deeper problem has always been full opportunity, rather than simple jurisdictional equity. Likewise, the voting rights bill will not suddenly reform politics in areas of this country where politics have been feudal, discriminatory, and elitist for decades. We will have eliminated much of the machinery of such politics, but not its goals and structures. Nor will we have eliminated the accumulated intimidation and cynicism among those people for whom politics has always meant victimization and exploitation rather than opportunity and self-expression.

I urge passage of H.R. 6400 with all my heart. I am impressed by its provisions, and by the hard work put into its preparation, both in the executive branch and by those on the committee. Let those who have participated in that work speak for its particulars. But it is my conviction that the true measure of such action will not only be in the success of its practical application. It must also sustain and energize the overall attack on this country's most basic problem. It should be passed swiftly, not only because it has been on the agenda of our past, but because it must move off our present agenda in order to make way for new measures and new legislation.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 1 minute to the gentleman from Wyoming [Mr. Roncalio].

Mr. RONCALIO. Mr. Chairman, I thank the gentleman from Colorado, Mr. Byron Rogers, and the gentlemen seated with him at the tables for permitting me to speak ahead of members of the Judiciary Committee.

A moment ago the very able and distinguished chairman of the Committee on Armed Services alluded to an incident which occurred several years ago, at which time one General Walker was arrested and detained when the junior Senator from New York [Mr. Kennedy] was the Attorney General of the United States.

The facts of this incident will not sustain the gentleman's charge that Attorney General Kennedy abused orders contrary to powers which Congress has delegated to that Office.

At Oxford, Miss., General Walker was arrested and charged with a number of offenses, including inciting insurrection against the United States and interfering with law-enforcement officials in the lawful discharge of their duties.

This grew out of facts which in retrospect would indicate that rage had succeeded calm judgment of the general in directing attacks upon a U.S. marshal.

Based upon affidavits of a psychiatrist regarding these actions, General Walker was submitted to mental examination in lieu of prosecution. This is a procedure employed by prosecutors in every nation in which legal capacity must be an element necessary to the commission of a crime.

Subsequent examination revealed that the general was not committable and a grand jury failed to return indictments. But the objective facts remain that his actions at Oxford, Miss., most certainly warranted his apprehension and examination.

Any American citizen, be he a great decorated hero of war or the most humble soul of our land, must understand that when he impedes law and order, when his actions are such as to cause a reasonable man to feel he is a fit and proper person for examination because of his actions, then these things must follow.

These are procedures which actually safeguard individual liberties when one is subject to arrest.

I believe the action taken by the Attorney General, therefore, was not an abuse of his delegated authority. It was in fact an action of courage, an act of leadership and is one of the reasons that even his severest critics attribute to him the role of greatness as an Attorney General.

I believe no nation can survive as a nation of free men without law and without strong actions by strong men to insure law and order. I believe the Attorney General served that purpose.

Mr. Speaker, when men in America no longer discriminate against other men because of color; when Members of this august body no longer use the term used on this floor today time and again in derogation of the colored race; when men learn to argue out of calm and logic, rather than on hate and fear, actions like those at Oxford, Miss., a few years ago, and bills like the one before us today, will no longer burden our land.

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 6400. This legislation which will insure every American the right to vote, a right granted under the 15th amendment which states in language easily understood by even the most intransigent election official:

> SECTION 1. The right of every citizen of the United States to vote shall not be abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

It seems a little anomalous that the Congress of the United States should have to spend months fighting to pass legislation in order to protect a right as basic and fundamental as the right to vote.

It is a hundred years since the War Between the States was effectively brought to a conclusion with the surrender of the army of northern Virginia at Appomatox Courthouse. This is time enough for us to guarantee every American the right to exercise his sacred franchise. I am proud to be able to play a part in this great struggle for human rights. Now even those who stand in opposition to this measure know in their hearts that we shall overcome. The evidence of deliberate attempts by Southern officials to deny Negro Americans the right to vote is an ugly page in our history. The record as shown by the Civil Rights Commission is one which indicates the need for legislation to prevent the practice of throwing every conceivable roadblock, legal and otherwise, in the path of potential voters who happen to be members of the Negro race, a standard device employed in certain areas of the Deep South.

This is a good bill not merely because it will permit Negroes in the South to become full citizens in every sense of the word, but because it is good for all the people of the South, white and black alike. It will, I am sure, effectively remove race as the major issue in the politics of several of our Southern States.

President Johnson during the recent presidential election told the story of a certain southern Senator who said that the people of his State had not heard a good Democratic speech for 30 years. The Senator reported that all the people ever heard by way of political oratory was, "Negro, Negro, Negro."

This fact was borne out by our former colleague, Frank Ellis Smith who represented the Mississippi Delta for 12 years in this House. Frank Smith in his interesting memoir, "Congressman from Mississippi," states that race has been the central issue in Mississippi for a hundred years.

When Negro citizens fully enjoy the franchise only political cranks will raise the race issue and never again will this Congress be sullied by the presence of such as Bilbo and Heflin. All of the people of the South of all races will be able to hear candidates for public office who will discuss the issues rather than shout, "Negro, Negro, Negro." America will be a better place when this day comes. When this day comes Americans from every race and section will find high political office open to them. In this century we have seen men of outstanding ability who could have risen to the highest office in this land forced to step aside because they were caught up in the vicious kind of racist politics necessary for political survival in those parts of this Nation where one's attitude toward the Negro minority is the dominant political issue.

Let us move forward into an America where no person is denied the right to vote on account of his race or color. Let us move forward into an America where freedom is enjoyed by all in equal measure. Let us rededicate ourselves to the immortal last line of Samuel Francis Smith's "America"—"from every mountainside, let freedom ring."

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Chairman, I have listened with interest to the debate. As a Democrat, I am always happy to see attention given the words of Thomas Jefferson. As a Missourian, I am proud of Jefferson because one of his greatest acts was acquisition of our area for the Union, together with some other lands out south and west of Kansas City.

The remarks concerning the South and the old Confederacy were of personal interest because Missouri lent her name to the Missouri compromise, bringing slavery to our State. A great Missourian, our former President Harry Truman, has established our claim to a rightful place in the old Confederacy, for we contributed more troops to the Confederacy than we did to the Union, and indeed sent more soldiers to fight for the South than did some States whose southern lineage is never questioned. We had slaves in Missouri. Until 1954, we had a system of segregated schools, and we still raise cotton.

We are a southern State, many of whose people bitterly resented and disapproved the Supreme Court's separate but not equal school decision. But Missouri has another tradition, as great as any referred to herein—we obey the laws, even the ones we do not like—a trait which may distinguish us from George Wallace and Martin Luther King, alike.

We have desegregated our schools and no disasters have followed. We regard obedience to distasteful laws as a mark of civilization for little effort is required to obey laws with which we agree.

In large numbers, we disagree with the Supreme Court's latest one-man, one-vote slogan, but recognize the right to decide includes the right to be wrong. With one added word of caution—we do not think it includes the right to stay wrong very long.

Missourians are proud of our Southern State where there are no poll taxes, no literacy tests, and that in a Nation where 62 percent of those eligible vote, we have a State in which 67 percent of those eligible vote. We urge our sister Southern States and indeed our friends from southern New York, to arise and follow our example.

We are cautioned concerning the dripping venom contained in the committee bill. Again Missouri is pleased to be able to provide an old southern antidote for all forms of snakebite. In the peaceful Platte County hills batch after batch of snakebite remedy is run off and made available to the public.

I have listened in vain for a denial of the statement of the distinguished chairman of the Judiciary Committee that, while several counties are in comparable condition, there is one county in the United States with 4,773 citizens of voting age and 4,800 registered. Does this not dilute the vote of every voter, white or black? Are States rights involved here? Does the State have a right to correct this situation? No one wants Federal intervention, but is it worse to have Federal intervention or is it worse to let this condition prevail?

What of the bill's requirement that States seeking relief must come to the District of Columbia? At present, an individual desiring to vote must prove to his State his right and qualification to do so. This provision would require a State charged with discriminating against individual voters to prove it was not discriminating. The burden of proof shifts from the individual to the State in these cases. As between individual rights and States rights, I opt for individual rights every time and pray for the day when individual rights may outrank States rights in the realm of foreign affairs.

Some have sighted vengeance in this bill. Do we seek vengeance? I think not. Should we seek vengeance for 100 years of disenfranchisement? Let me quote a great former Speaker of this House to that point:

> The mark of vagabondage placed upon the first murderer's brow was a badge of honor beside that which should mar the countenance of him who would tamper with a free ballot, the palladium of human rights.

That Speaker was Champ Clark and that was said over 50 years ago. Let us act favorably upon this bill. One hundred years should be long enough to debate any question.

Mr. McCULLOCH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, the whole world listened last March when the President articulated the need for strong legislative action to protect the right to vote. The whole world will watch us this week to see how that call to action is answered.

I believe our response should be a full, firm, and forceful implementation of the 14th and 15th amendments. I believe that we should show the world that, in America, the right to vote is a precious heritage available to all our citizens.

I would like to take this opportunity to commend the Judiciary Committee for its work in drafting a bill which is broader and more comprehensive than the administration bill. We, in the 89th Congress, have a great opportunity to put on the books a statute by which history may judge us. I want that statute to reflect the quality and the dedication of this Congress. I want it to be a strong, decisive assault on the few remaining bastions of bigotry. Let us not enact a law which can be circumvented and flouted, a law in constant need of revision. Let us rather pass a law to which we can look back with pride in our accomplishment.

If then, we want such a bill, we must take care that it applies wherever it is needed. We must outlaw the poll tax, which, in effect and in design, deliberately discriminates against Negroes in the very areas where little economic opportunity is permitted to exist for them. I disagree with those who contend this provision is unconstitutional. I am confident, Mr. Chairman, of its consistency with our great Constitution.

Also, Mr. Chairman, we must provide close supervision of registration, voting and ballot counting so that those who cloak themselves with "the law" will no longer be permitted to perpetuate devious delaying and obtrusive tactics on those who ask only to vote.

I believe that the bill before us accomplishes these objectives and, to that extent, represents legislation which is both bold and judicious. I am heartened by this frank and forthright foundation which the bill sets forth.

The Senate bill, however, has a provision which I should very much like to see incorporated in this bill. Section 4(e) of the Senate bill implements the 14th amendment by prohibiting States from denying the right to vote to non-English speaking peoples educated in American-flag schools, in which the predominant classroom language was other than English. This provision would enfranchise thousands of New Yorkers who were educated in Puerto Rico and who cannot read and write English well enough to qualify for voting under the present standards. I do not think ability to speak a language or the lack of it is a reflection of political conviction or of fair judgment. Certainly today's methods of communication do not limit or confine an individual's thinking. In New York, there is a Spanish radio station, Spanish programs on other stations, and three Spanish newspapers, all of which cover the issues with which the voter should be acquainted. Because of this and because these people are full U.S. citizens—we do not have second-class citizens in the United States. I believe that it is unfair and anachronistic to assume that one who is less than fluent in English is not qualified to make informed judgments.

In addition, Mr. Chairman, I should like to see incorporated in this fine bill, a measure of protection for those who peaceably assemble in assertion of their right to vote. The recent events in Jackson, Miss., make it poignantly clear that if the people are to petition their Government for redress of grievances without incurring the risk of brutal repression, then an effective form of Federal protection must be interposed.

In conclusion, Mr. Chairman, I think that the elaborate registration system established by this bill indicates clearly our realization of the fact that the right to vote—unaccompanied by the right to register—is meaningless. This is particularly true, for example, in Mississippi where only 6.4 percent of the eligible Negroes are registered. Since registration is crucial to the whole thrust of this bill, I am very glad that safeguards such as civil service observation and criminal sanctions apply with equal force when an individual seeks to register as well as vote. I advocated the adoption of many of these changes when I testified on behalf of the voting rights legislation before the Judiciary Committee, and I am heartened to see these recommendations incorporated in the bill before us now.

Again, Mr. Chairman, let me commend the committee for the splendid work it has done to bring to fruition the promise of America and the aspiration of her people. I am confident that by enacting meaningful voting rights legislation, we shall overcome the hatred, the bigotry and the injustice which has too long deprived our people of their full citizenship. New horizons will be opened where freedom will prevail and where the rights of all our citizens are both protected and respected.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding. I think it is particularly significant that the gentleman has brought out the importance of permitting citizens to vote without necessarily being grounded in the English language and to afford to the Puerto Rican American citizens and others that right. As I interpreted the Ford-McCulloch bill, that authority is already in that bill, but it is not in the Celler administration bill. So in that respect the gentleman is expressing support for the Ford-McCulloch bill. I appreciate his comments and that observation.

Mr. HALPERN. In that respect I commend the Ford-McCulloch bill, and I hope the committee bill will be amended on the floor to include that provision.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. Resnick].

Mr. RESNICK. Mr. Chairman, earlier this year with 13 of my colleagues I journeyed to Selma, Ala., to learn first hand the problems underlying the demonstrations in that troubled city.

Mr. Chairman, through the cooperation of the distinguished Member from that district and other Members from Alabama, a hearing was arranged at the Dallas County courthouse with the board of registrars, the mayor, the county attorney, and most of the other civic officials in that county. We had a hearing at which there were questions and answers. I got the answer from the chairman of the board of registrars that he had nothing against the Negroes, that he wanted Negroes to vote, that he advertised and asked for Negroes to vote. The reason he gave for the fact that they did not vote was because it was the law. He said:

> We are law-abiding citizens. We live by the law. This is the law of the State of Alabama. We uphold the law. We took an oath of office to uphold this law. This is the law we uphold.

When I asked him it was that under this law Negroes could not register and whites could, he just could not understand it. He said:

> If you gentlemen come to us with a law that will permit equal registration, we will uphold the law.

So, Mr. Chairman, I say to my fellow Members today, let us give them that law.

You know, Mr. Chairman, we very often hear about States' rights. We have heard about States' rights for a long time now. I think it is time now to hear about State responsibilities. Certainly the State of Alabama has responsibilities to all of its citizens, Negro as well as white. to see that everyone votes.

Mr. Chairman, I believe with the enactment of the Celler bill we will give all the people of Alabama, the boards of registrars, the law that they asked for, the law that will be fair and equitable to all citizens regardless of color, and permit every qualified citizen the right to vote.

Mr. DENT. Mr. Chairman, I rise in support of H.R. 6400, and commend the chairman of the Committee on the Judiciary for his eloquent remarks of yesterday, and for his unique ability to carefully explain thorough and complex legislation.

Mr. Chairman, this bill, as amended, is designed to primarily enforce the 15th amendment to the Constitution of the United States. It is also designed to enforce the 14th amendment and article I, section 4. To accomplish this objective the bill, first, suspends the use of literacy and other tests and devices in areas where there is reason to believe that such tests and devices have been and are being used to deny the right to vote on account of race or color; second, authorizes the appointment of Federal examiners in such areas to register persons who are qualified under State law, except insofar as such law is suspended by this act, to vote in State, local, and Federal elections; third, empowers the Federal courts, in any action instituted by the Attorney General, to enforce the guarantees of the 15th amendment, to authorize the appointment of Federal examiners, pending final determination of the suit or after a final judgment in which the court finds that violations of the 15th amendment have occurred; fourth, provides criminal penalties for intimidating, threatening, or coercing any person for voting or attempting to vote, or for urging or aiding any person to vote or to attempt to vote. In addition, civil and criminal remedies are provided for the enforcement of the act.

Mr. Chairman, this is not a bill infringing on anyone's rights, as some would have us believe. It is rather a bill to enforce provisions in our Constitution—the document which defines all of our rights. It is also a bill to carry out what the Constitution directs the Congress to do, that is to protect the right of voting against racial discrimination by any State. It is the responsibility of the Congress, therefore, to provide appropriate implementation of the guarantees of the 15th amendment to the Constitution. Adopted in 1870, that amendment states the fundamental principle that the right to vote shall not be denied or abridged by the States or the Federal Government on account of race or color.

The historic struggle for the realization of this constitutional guarantee indicates clearly that our national achievements in this area have fallen far short of our aspirations. The history of the 15th amendment litigation in the Supreme Court reveals both the variety of means used to bar Negro voting and the durability of such discriminating policies.

The effect of the 1957, 1960, and 1964 voting rights statutes indicate again that our achievements have fallen short of our aspirations. Although these laws were intended to supply strong and effective remedies, their enforcement has encountered serious obstacles in various regions of the country. Progress has been painfully slow, in part because of the intransigence of State and local officials and repeated delays in the judicial process. Judicial relief has had to be gaged not in terms of months—but in terms of years.

The tragic history of enforcement experience in voting rights cases goes on and on. The fact of the matter is that this bill is urgently needed and should be passed and enforced without further delay. The time is long overdue where all our citizens should enjoy the basic rights and privileges currently enjoyed by most Americans.

Mr. Chairman, this bill is an example of our constitutional responsibility; yet more than that, it is once again an expression of moral right. Our responsibility cannot be ignored and our moral action must not be compromised. I urge my colleagues to affirm our proved heritage and support this vital legislation.

Mr. DEL CLAWSON. Mr. Chairman, I ask unanimous consent that the gentlewoman from Washington [Mrs. May] may extend her remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MAY. Mr. Chairman, it is regrettable that in this great Nation it is necessary that we must pass laws—more and more of them—in order to protect the constitutional rights that are supposed to be guaranteed to every citizen. I say this is regrettable because in our complex society we find that there are those who with purpose and design, seem intent on doing everything within their power to prevent other citizens from enjoying the same constitutional rights they themselves enjoy and cherish.

During the course of our debate over the Voting Rights Act of 1965, we are, fortunately, offered two choices. The question is not whether new legislation is required. The Congress has no alternative but to recommend enactment of new legislation. The choices, rather, involve the kind of bill we are to pass. I would hope that either one of these bills would put an end to voter discrimination.

Mr. Chairman, I have closely examined the provisions of H.R. 6400 and H.R. 7896. On the basis of merit alone, it is my judgment that H.R. 7896, the Ford-McCulloch bill, is superior. It is important that the legislation we pass is strong, but not needlessly restrictive. H.R. 7896 meets this requirement. It is also important that the legislation we pass is flexible, to meet situations which may not now be anticipated. H.R. 7896 meets this requirement. And H.R. 7896 is clear, concise, and is easy to understand by the people whose rights are to be protected. Nor does it intrude needlessly into unprecedented areas of State responsibility.

In short, Mr. Chairman, it is my view that H.R. 7896 is the superior proposal now before us, and I urge the Members of this body to study the provisions of both proposals before deciding this vital question.

Mr. DEL CLAWSON. Mr. Chairman, I ask unanimous consent that the gentleman from Arizona [Mr. Rhodes] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RHODES of Arizona. Mr. Chairman, I rise to report, as chairman of the Republican Policy Committee, the position of the committee on this bill.

We endorse the Ford-McCulloch voting rights bill, H.R. 7896–7897, as the sensible and effective way to deal with the serious problem of discrimination in voting. We urge its adoption as a substitute for H.R. 6400.

One of the basic rights of free men is that of participation in the affairs of government through the voting process. If a free society is to survive, then, it must structure itself so as to protect this right for all its citizens. The Ford-McCulloch bill does this in a mature and responsible manner.

The committee-Celler bill attempts to remedy discrimination by discriminatory means. It applies only to certain forms of past discrimination in a few States while it ignores possible present discrimination in several of its many forms and in many of our States. The fair and effective enforcement of the 15th amendment calls for precise identification of offenders, not the indiscriminate scattergun technique evidenced in the 50-percent test.

H.R. 6400 automatically suspends any and all literacy tests and devices in States reached by the automatic triggering formula. On the other hand, H.R. 7896 and 7897 attack the State abuse of literacy tests by prescribing a limit, based on congressional finding, which a State may not legally exceed.

The committee-Celler bill makes no allowance for provisional voting, whereas the Ford-McCulloch bill does so, protecting the integrity of the votes of those who have waited so long and fought so hard for full representation.

The committee-Celler bill is most inadequate with regard to voting frauds. The Ford-McCulloch bill punishes any voting fraud wherever in the country it exists.

Finally, the Ford-McCulloch bill employs a clearly constitutional method of dealing with a discriminatorily applied poll tax, whereas the validity of the outright ban contained in the committee-Celler bill is not without serious doubt.

Mr. Chairman, under unanimous consent I include in the Record at this point the statement of the Republican policy committee on this bill:

> The administration's Voting Rights Act of 1965, is supposedly designed to eliminate the disfranchisement of eligible voters because of their race or color.
>
> However, it fails to deal with certain methods by which voters are deprived of their vote and limits its application under a strangely devised formula.
>
> H.R. 7896 and 7897—the Ford-McCulloch bills, on the other hand are straightforward attempts to deal with the problem of discrimination in voting that go right to the heart of the matter without doing violence to the Constitution.
>
> H.R. 6400 contains an "automatic trigger" which arbitrarily assumes that any State or political subdivision where (a) less than 50 percent of the voting age population failed to vote in the 1964 elections and (b) a test or other device is maintained as a prerequisite to voting registration, is automatically guilty of violating the act.
>
> This provision is both arbitrary and discriminatory. It suspends literacy tests in the affected areas leaving them in effect elsewhere. It ignores completely the fact that voter discrimination can exist in areas which do not fall under its narrow definition.
>
> The Ford-McCulloch bills provide for invocation of the act when 25 meritorious complaints of racial discrimination from a voting district are lodged with a Federal court. This provision provides for relief against discrimination in all 50 States rather than in the mere handful that come under the definition of H.R. 6400.
>
> While the administration bill eliminates all tests and devices designed to prove qualification to vote, leaving to the Attorney General the designation of what qualifications are to be substituted, the Ford-McCulloch bills (a) permit valid literacy tests, administered by a Federal examiner, for applicants not possessing at least a sixth-grade education and (b) ban them for all other applicants.
>
> The administration bill permits Federal election observers to be sent into voting districts at the request of the Attorney General. The Ford-McCulloch bills adopt the wiser tactic of permitting the U.S. Attorney to apply to Federal district court for equitable relief to enforce provisions of the act in respect to particular elections.

> One of the most important voting rights is the right of all citizens to have their votes counted properly and honestly. The right to vote without this safeguard can be rendered meaningless as indeed it has been in many instances.
>
> The Ford-McCulloch bills contain definite provisions designed to help prevent future vote frauds in partially or wholly Federal elections. In contrast the administration's bill barely touches upon this vital subject.
>
> The administration bill provides for abolition of State and local poll taxes upon the finding that they are used as instruments of voter discrimination. The Ford-McCulloch bills recognize the dubious constitutionality of such a provision and provides instead for an acceleration of judicial procedures for declaring existing taxes invalid only upon proof that they have been used to abet discrimination on account of race or color.
>
> The Republican policy committee endorses the Ford-McCulloch bill as a sensible and effective method of dealing with this serious problem. We urge its adoption as a substitute to H.R. 6400.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, yesterday I spoke in the committee of the lack of provisional voting and impounding challenged votes. The matter has been discussed today by the able gentleman and member of the committee from North Carolina [Mr. WHITENER]. It is so important that I wish to speak of it again and I wish to support my statement by the hearing record. That is the statement which in effect said that an applicant who was registered and was then challenged might vote and would have his vote counted although the challenge had not been finally determined and although it were later found to be an illegal vote, it would be the basis for winning an election if that vote or that 100 votes were the margin of victory.

Mr. Chairman, I said this yesterday in talking about challenges under the Celler administration bill, and under the Ford-McCulloch bill:

> Up to this point in the challenge procedure, the Ford-McCulloch and H.R. 6400 are basically the same. Here, however, a sharp divergence occurs. In the Ford-McCulloch bill, if a challenge to the eligibility of a listed voter is still pending at the time of the election, such listed voter is allowed to vote. But he votes provisionally, with his ballot impounded until the issue of his eligibility is finally resolved.
>
> The committee-Celler bill has no such safeguard. Under the Celler bill the vote is given to all who have been listed by the Federal examiners and their votes are counted. Incredible as it may be, election results may be certified, despite the fact that challenges to their listing, which are unresolved at the time of the election, could later result in a finding that such vote was illegal.
>
> In enforcing the 15th amendment, is it not our purpose to assure the integrity of the elective process by assuring a vote to each qualified citizen? To count challenged votes and certify the election of officials with votes which may later prove to have been illegally cast is appalling. Certainly an end to voter discrimination need not be bought at the bitter cost of corruption of the vote itself.
>
> To knowingly enact a law which could mean the election of any official, a town clerk, or the President of the United States, who has not received the largest number of legal votes is, to me, unthinkable.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I am happy to yield to the gentleman from Minnesota.

Mr. MACGREGOR. Although, Mr. Chairman, the State of Minnesota has no discrimination on the basis of race or color or on any other basis to my knowledge, perhaps a reference to the Minnesota gubernatorial election of November 1962, would be in point as the gentleman from Ohio is developing this very important aspect of the legislation before us. When the polls closed in Minnesota in November of 1962, and the ballots were counted, it appeared as though the Republican incumbent, seeking reelection, had indeed been reelected by less than 100 votes out of a total of 1.3 million votes cast.

Several days later the canvassing board officially certified that, indeed the Republican incumbent had been reelected by less than 100 votes.

That result was challenged. Under Minnesota law there followed a very careful examination of each and every paper ballot cast and every voting machine in the State. The courts of the State of Minnesota did a magnificent job, as did counsel for both the Democratic and Republican candidates, in seeing to it that only voters qualified to vote and ballots honestly cast were counted. Under the laws of the State of Minnesota everything was done to make sure that no ballot was improperly cast or no person unqualified to vote in fact had participated in the election of one candidate or the other. Because of Minnesota laws the ultimate result in that case and the official result was reversed. The Democratic challenger was declared elected by a margin of 91 votes. This took a great many weeks of careful consideration by officials, by judges, by lawyers, the parties, and their representatives. Minnesotans were proud that in not one single instance was fraud disclosed in that intense ballot-by-ballot and voter-by-voter examination. The point, however, which needs to be made is simply this—had there been in effect in the laws of the State of Minnesota a provision such as is in the committee-Celler bill, it would not have been possible to reverse the improper result of that election as disclosed by the initial count of the ballots certified to by the canvassing board.

I commend the distinguished gentleman from Ohio, the ranking Republican Member of the Committee on the Judiciary for spending time on this particular aspect of the committee-Celler bill. Those of us who lived through the Minnesota situation, the results of which were not particularly pleasing to me as a Republican, nevertheless saw the value of provisional voting and we also appreciate, Mr. Chairman, the great harm that can be done by permitting a ballot improperly cast, and a voter improperly qualified, to actually decide erroneously the result of an election. That would be possible, as the distinguished gentleman from Ohio has pointed out, under the provisions of the committee-Celler bill.

Mr. McCULLOCH. Mr. Chairman, I wish to thank the gentleman from Minnesota for his story of what happened in Minnesota. To be a bit repetitious, I might say that now the chief executive authority of Minnesota is being exercised by the man who received the most lawful votes in the election of 1964.

To resume what I was reading and what I said yesterday:

> The chaos, anger, and possible social upheaval that would occur after a close election, where the change of a few votes could have reversed the final election results would destroy the process we are seeking to preserve. Therein lie the seeds of possible revolution.

Mr. Chairman, to make sure you know that these conclusions are not my conclusions, and not the conclusions of my able colleague, the gentleman from Minnesota, I want to read to you from the hearing record before the Committee on the Judiciary of the House of Representatives. Mr. Katzenbach, the Attorney General of the United States, was on the witness stand and he was being questioned by the chairman of the Committee on the Judiciary, my good friend the gentleman from New York [Mr. CELLER]. I quote:

> The CHAIRMAN. Mr. Katzenbach, is it true that an individual registered by a Federal examiner can vote and have his vote counted even if after the election, (a) this act is found to be inapplicable to the State or political subdivision in an action instituted under section 3(c), page 2, or (b) the individual is found to be ineligible to vote under section 6(a)?
>
> Mr. KATZENBACH. Yes.

I interpolate, no qualifications.

> The CHAIRMAN. In other words, the vote could be counted although it may be found later that he did not have the right to vote.
>
> Mr. KATZENBACH. Yes, that is true.

If the gentleman wishes me to read the remainder of the answer, I certainly shall read it.

Mr. Chairman, I have given the answers which are important. Mr. Katzenbach followed in this way, but I measure what he says against what the gentleman from Minnesota has said:

> This follows in that respect the normal State procedures. If there is a challenge and the challenge is heard and disposed of by a hearing officer as it can be under the act and the hearing examiner decides the person offering to vote is properly on the voting lists, then if the court should fail to make a decision by the time of the election—which is an unlikely event, the hearing examiner having made the decision of eligibility to vote—the person would vote and his vote would be counted.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I asked the gentleman to yield because of the statement made by the gentleman from Minnesota on the question of illegal voting. There is nothing in the Celler administration bill that prohibits a challenge properly made, as I understand it. If that is not true, there is always a question of a challenge of any voter under any State law.

Mr. McCULLOCH. I should like to answer that now.

Mr. Chairman, in many States, if not in all of them, there is such a provision, but the challenge is decided before election day is over. When there is a challenge that is not decided before the election day is over, in few States, if any, would the matter proceed beyond that date, unless votes in question were impounded.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Illinois.

Mr. McCLORY. I believe the gentleman's remarks are particularly significant because of the sweeping provisions of section 4 of the Celler administration bill which, as I interpret it, would discard or would nullify all literacy tests of every kind and character in the States which come under the provisions of that section, and would entitle the Federal examiner to register people to vote provided only that they were not already registered. That is the only qualification which is spelled out in the bill as a qualification for registration to vote. I believe there follows logically the possibility that a great many people, without possessing lawful qualifications to vote, could be registered; and without provisions such as the gentleman has recommended and as are contained in the Ford-McCulloch bill for provisional voting, these illegal votes would be counted and would be utilized in the decision made by the electorate at that election, with all the consequences that could follow from such an untoward event.

Therefore, I think it would be either important for the administration to adopt the recommendations from the Ford-McCulloch bill or preferably that the House follow the Ford-McCulloch bill and support that substitute bill when that time arrives.

Mr. McCULLOCH. I thank the gentleman from Illinois for his pertinent comments.

I have no hesitancy in recommending to the Committee and to the House when the final vote comes the Ford-McCulloch bill, because it will do the job, and it is in accordance with the best legislative traditions of America.

Mr. Chairman, I should further like to say that in 1960 the voting legislation of that very monumental year in the field of civil rights had a provision for provisional voting and impoundment of the votes. Maybe, though, the reason that the chairman described this bill in the Rules Committee and/or before this Committee as a harsh and drastic one is by reason of the very things I have mentioned. I would also add to that description, dangerous.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I will now yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. If, as you indicate in your bill, it develops that a man is qualified and is registered by an examiner, if he were in the State of Alabama and he presented himself for voting, the Alabama law provides a good deal like many others that when he presents himself for voting and he is challenged, then he is authorized to take an oath and after the oath is taken the ballot of the person offering to vote must be received and deposited as are other ballots of qualified voters. The inspector shall require the person making such application to subscribe to and swear to an original and a carbon, which carbon can be treated as an original. Now, this is what I am concerned with. If an individual under your set-up is challenged, then would he be permitted to vote?

Mr. McCULLOCH. Of course he would be permitted to vote.

Mr. ROGERS of Colorado. All right. But where would the provisional voting in the State of Alabama ever arise when the Alabama law is as I have outlined?

Mr. McCULLOCH. It would arise whenever the conditions prescribed by the Ford-McCulloch bill caused it to arise. I think that is one of the fundamental approaches by the Ford-McCulloch bill.

Mr. ROGERS of Colorado. But here your bill says that if a man is qualified by an examiner, why, then, pursuant to the triggering device you use, if somebody challenges him, he could only vote provisionally.

Mr. McCULLOCH. That is right.

Mr. ROGERS of Colorado. But if he took the oath in Alabama, he would not vote provisionally, because under the Alabama law he would make an affidavit and into the ballot box it would go.

Mr. McCULLOCH. He would not under the Ford-McCulloch legislation. There is a provision for provisional voting and impoundment of the ballots, and that is the only way that that person can vote if he is listed or registered by a Federal examiner.

Mr. ROGERS of Colorado. Thank you.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6400) to enforce the 15th amendment to the Constitution of the United States, had come to no resolution thereon.

BLS COST-OF-LIVING SURVEY FOR FEDERAL EMPLOYEES IN PUERTO RICO AND THE VIRGIN ISLANDS

Mr. POLANCO-ABREU. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, today I have introduced a House joint resolution requiring a cost-of-living survey to be made by the Bureau of Labor Statistics before the cost-of-living allowance for Federal employees in Puerto Rico and the Virgin Islands may be reduced.

For the benefit of our colleagues who may not know of the situation which prompted me to introduce this joint resolution, I should like to offer a word of explanation by way of background.

For many years, in order that the Federal employees stationed in overseas areas might receive compensation to give them real take-home pay comparable to Federal employees living in the Washington area, a cost-of-living allowance has been given, over and above their statutory salaries, where it is found that living costs at their stations are, in fact, higher than those prevailing in Washington, D.C.

If, for example, it were found that the cost of living in any given overseas area were 25 percent higher than in Washington, D.C., Federal employees there would receive 25 percent of their salary, in addition to their statutory salary, to compensate them for such higher cost of living.

The theory behind this system was to equalize their real salaries with those of their Federal employee colleagues in Washington, D.C., so that each might be paid equal salaries for equal work.

The relationship of living costs in any particular overseas area with the living costs in Washington, D.C., has been determined by surveys, usually made annually. The surveys have taken into consideration costs of sample items from the grocery-store shelves, rents, services, and such other items as reflect in the day-to-day expenses encountered by the Federal employees.

This system has worked well and has provided an equitable way for Federal employees to cope with unusual financial burdens stemming from conditions in their overseas employment which result in higher living costs through built-in ocean freight rates, scarcity of items for which the consumer dollar competes, and other factors depending on the local situation.

The Civil Service Commission, however, has been endeavoring for several years, to eliminate the system of cost-of-living allowances and substitute what they call the comparability rule. By this the Commission means that all Federal employees living in areas under the U.S. flag, be paid the same salary which finds its level through competition with salaries paid by private enterprise for similar work. The Federal salaries, then, according to their belief, would be comparable to salaries being paid by private enterprise.

A bill to phase out the cost-of-living allowances and substitute the comparability system was proposed by the Civil Service Commission and introduced in the 88th Congress. The bill had hearings but did not receive any further attention from the Committee on Post Office and Civil Service, to which it was referred.

A similar bill, H.R. 8390, has been introduced in the 89th Congress and is pending before the Post Office and Civil Service Committee, where it has received no action to date. Under these phaseout bills the Federal employees now receiving cost-of-living allowances would have those allowances reduced gradually over a period of years, to cushion the shock of elimination. The theory is that during the phaseout period, perhaps increments in the Federal salaries would take place.

Under the law governing the cost-of-living allowances, however, the Civil Service Commission has the authority to adjust the cost-of-living allowance in any particular area according to the findings of the surveys so as to make adjustments for any changes in living-cost relationships between Washington, D.C., and the particular area involved. Under this authority, a cost-of-living survey was completed early this year in Puerto Rico and the Virgin Islands which, according to the Civil Service Commission, resulted in a finding that the cost of living in Puerto Rico is 104.5 percent of the cost of living in Washington, D.C. On the basis of this survey, the Civil Service Commission announced on May 10, 1965, that effective July 1, 1965, the cost-of-living allowance for Federal employees in Puerto Rico and the Virgin Islands would be reduced from 12.5 percent of their salary to 5 percent. Obviously, the Federal employee who has made long-term, inelastic financial commitments based on his income is going to suffer severe hardship and a damaged morale by reason of such a drastic cut in his paycheck. This, I maintain, is not only unreasonable, it is unfair. And I should think from the Government's point of view as an employer, it is unwise.

I have had several conferences on this question with Mr. John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, and other officials of the Civil Service Commission, in an effort to resolve the problem. I have not only been unsuccessful in these efforts, but I have been confused and frustrated by the systems and methodology which were utilized to arrive at the final figures of the survey. I have been unable to obtain actual retail figures for the hundreds of items which have been included in the market-basket list, so that it is impossible to make any comparison of item costs in Washington, D.C., with those in Puerto Rico. Nor have I been able to learn which other considerations reflected in living costs were included. Leaders of Federal union groups in Puerto Rico, as well as the American Federation of Government Employees, have been equally unsuccessful in obtaining this information.

I do know that employees in Puerto Rico and the Virgin Islands were not consulted before the final decision was made to reduce their salaries, either individually or through their employee organizations. Insofar as I have been able to ascertain, the only contact with the people affected by the ultimate decision was through a questionnaire distributed to married, male, Federal employees as to their rents, or mortgage payments.

These people are bewildered in that they were not consulted. They are hurt, and they are angry.

According to the Civil Service Commission, the survey on living costs in Puerto Rico and the Virgin Islands was conducted by a State Department team. The State Department conducts such surveys to determine comparative living costs as related to Washington, D.C., for their employees stationed all over the world. I understand that they take such matters into account as the local availability of items which U.S. citizens are accustomed to having, as well as taking into account certain use factors where the employees would have to employ some other means of accomplishing the services necessary to them that were otherwise available at home in the United States. I should think that these surveys by the State Department would be geared to meet unusual conditions encountered in foreign service, which would not be the case of Federal employees living under the U.S. flag.

The cost-of-living surveys for Hawaii and Alaska, however, were performed by the Bureau of Labor Statistics, and did not result in any reduction on the cost-of-living allowance for employees in Hawaii and Alaska. My resolution, therefore, calls for the setting aside of the reduction of the cost-of-living allowance for Federal employees in Puerto Rico and the Virgin Islands, and for the conducting of a new and realistic survey by the Bureau of Labor Statistics, as was done in the case of Hawaii and Alaska. Certainly, I know of no lowering of prices in Puerto Rico and I am unable to comprehend how any survey, consciously conducted, could arrive at a different conclusion.

Finally, the law under which the Civil Service Commission has been arranging for surveys and gearing them to a cost-of-living allowance is a creature of the Congress, and I believe that this matter is properly one for congressional consideration. In my resolution, I am not asking Congress to give any special consideration to the Federal employees in the Caribbean or to do them any particular or special favor. I am merely asking that the recent administrative order of the Civil Service Commission be without legal effect; that a new cost-of-living survey be conducted by the Bureau of Labor Statistics, as was done in the case of Hawaii and Alaska; and that a new cost-of-living allowance be established for the Federal employees in Puerto Rico and the Virgin Islands, based on the new survey.

This is not an important matter to the U.S. Treasury. There are 4,700 Federal employees in Puerto Rico who would be affected, and perhaps only about 200 in the Virgin Islands. I hope that all of my colleagues will support me in this resolution, including those who have people from Puerto Rico living in their districts, and those who do not. I would most deeply appreciate such support for those people in Puerto Rico who need help at this time.

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, I join with my distinguished colleague from Puerto Rico in introducing a joint resolution with him this morning. The effect of the resolution is to stay an order of the Civil Service Commission which has caused a decrease in the salary of Federal employees in Puerto Rico. This resolution would stay this order and give these dedicated civil servants of the island of Puerto Rico an opportunity to be heard on this question.

"IT'S WHAT'S HAPPENING, BABY"

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, by today, many of the extreme critics of the recent rock and roll television show, "It's What's Happening, Baby," probably wish they had had more time to think about it before they ran off shouting in all directions. Now they are in the ludicrous position of having condemned something which, it turns out, was produced at little cost to the Government, with time and talent paid for by CBS, and which succeeded in its purpose beyond the fondest hopes of the Office of Economic Opportunity.

When we are spending a billion and a half dollars in Federal aid for the impoverished of this Nation, are we in any position to turn down an opportunity to reach and query an enormous cross section of the country at small cost?

The program presented rock and roll. And there are those who think rock and roll is bad and should not be used for any purpose by the Government. I might remind certain critics that the Republican Party used rock and roll for fundraising purposes. The Navy uses it for recruiting. Aiming your program at your audience is—after all—a simple idea. Perhaps it is too simple—so simple that it eludes the understanding of certain gentlemen who are accustomed to dealing only with the complexities of life.

But there is ample evidence that "What's Happening, Baby" got results.

Impoverished kids throughout America wrote on notebook paper and postcards. They said what they needed in the way of jobs and education. They told us what their problems were. They gave us ideas. At last, we established contact with a generation that—let's face it—we had almost lost. And if these kids now feel that they can talk to their Government, even if they think their Government likes rock and roll, then I say we should continue.

Here is a letter from a girl in Detroit. She said:

> When I graduated from Cass Tech High School, I had no idea that a Negro girl could get a job as an accountant. * * * Please do something to lift the age bans on public education so that late starters can have an equal chance with youths that have had the advantages and opportunities all along.

And here is something else that is happening: A boy from New York wrote:

> I would like to know why there is not any jobs for 15-year-old teenagers. We are looking for work or something to do.

A girl in Baltimore wrote:

> I saw your TV show. I have graduated from high school and thus far am unemployed. I know many young people who graduated last year and have not yet been given a real chance in life.

My friends and colleagues, that is what is happening. And that is what the war on poverty is all about.

MAJ. GEN. PERRY M. HOISINGTON II

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, on June 30, 1965, Maj. Gen. Perry M. Hoisington II, Director of the Office of Legislative Liaison of the Department of the Air Force, retired from active duty. He was succeeded by a distinguished Air Force officer, Maj. Gen. Thomas G. Corbin.

General Hoisington became Director of the Office of Legislative Liaison on July 1, 1962, after an outstanding military career which began upon his graduation from the U.S. Military Academy in 1939. The general was born at West Point on March 14, 1916. He is the son of Col. and Mrs. Gregory Hoisington.

In 1940 General Hoisington received his Air Force wings at Kelly Field, Tex. During the early years of World War II he served in the Army Air Corps Training Command. It was his distinction to join the 20th Bomber Command, which was the first B–29 organization.

As a member of the 20th Bomber Command he participated in combat operations against the Japanese from bases in India, China, and the Marianas Islands. General Hoisington took part in the first daylight and night missions of the B–29's against the Japanese homeland.

After the war the general became the first commander of the Atomic Test Center at Kirtland Air Force Base, N. Mex. He was one of the very first officers to be assigned to the Air Research and Development Command when it was activated in 1950.

After a tour of duty with NATO forces at Naples, Italy, General Hoisington was assigned to the Strategic Air Command. For 5½ years he served with this major deterrent to aggression as commander of the 818th, 57th, 820th, and 6th Air Divisions.

In addition to his combat record in World War II and his command assignments since the war, this distinguished officer has attended a number of very outstanding service schools. He has completed both the Air Command and Staff School and the Air War College at Maxwell Air Force Base, Ala.

Mr. Speaker, it was my honor and pleasure to become acquainted with General Hoisington during his service as Director of the Office of Legislative Liaison. I came to know and admire his splendid qualities of military leadership and his deep understanding of problems of the Air Force, particularly those involving the men and women in uniform.

It has been said by both officers and airmen with whom he served, and all of those who have had the opportunity to come to know General Hoisington personally, that he is an "airman's airman." I know of nothing finer that could be said about a member of the Air Force than this wonderful tribute. It adequately sums up the warm personality, devotion to duty, and deep understanding of human nature which has characterized General Hoisington's service to his country.

General Hoisington leaves behind him a record of military service in which the Air Force and the Nation can take pride. I join with his countless friends in extending my very best wishes on the occasion of his retirement from active duty and my sincere thanks for a job well done in the service of his Nation.

THE ST. AUGUSTINE STORY

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, several days ago I had the pleasure of viewing the premiere performance of St. Augustine's historical pageant, "Cross and Sword." Along with nearly 2,000 first-nighters I sat in the beautiful amphitheater in St. Augustine and enjoyed a superb performance.

I invite and urge all of my colleagues to see this magnificent production when they are next in Florida. I call attention to accounts of the premiere performance of "Cross and Sword" as they appeared in the June 28 issues of the St. Augustine Record and the Jacksonville Times-Union:

[From the St. Augustine (Fla.) Record, June 28, 1965]

"CROSS AND SWORD" OPENS TO ENTHUSIASTIC AUDIENCE

(By Philip Brault)

Years of waiting and planning for St. Augustine ended last night as "Cross and Sword" premiered before an audience of 1,800 delighted people at the new amphitheater.

"Cross and Sword," written by famous playwright Paul Green, will be a permanent fixture for St. Augustine, returning each summer. It begins nightly, except Fridays, at 8:15 and will run until September 5 this summer.

From the first brilliant scene a murmur of approval and then a hush came over the audience, which included many of Florida's leaders, critics from newspapers around the Nation, and the people who made the whole thing possible—the residents of this city.

It was a warm, windless, but comfortable night that was pierced by the remarkable lighting effects and the beautiful costumes constructed by Joy Breckenridge.

Ranging from the prison cell of Menendez to his commissioning by King Phillip II, played by James A. Clark, to the final conquering of the Indians in a battle scene of horror, the lighting and sound and flexible stage proved the capabilities of the $250,000 amphitheater.

Pedro Menendez de Aviles was played by William Stock whose powerful voice carried the part convincingly. Opposite him was his wife, Maria, who played Notina, the Indian princess whose lifelong destiny of a lover from across the seas came true with the arrival of Menendez.

Fate also played its part in casting them opposite one another as the original leading man, John Seitz, developed voice trouble last week and left the show.

They are from Pfeiffer College, North Carolina, where Stock is an assistant professor of speech and drama while his wife will receive her A.B. in English drama this year.

Prior to the entrance on stage of Menendez, the first Governor of Florida, present Gov. Haydon Burns extended his compliments to the city on its 400th anniversary.

Father Michael Gannon put the evening in a Spanish cast by reading the Lord's Prayer in Spanish.

Adjutant General of Florida, Henry McMillan, introduced notables who included Governor and Mrs. Burns, former Gov. Farris Bryant and Mrs. Bryant, Superintendent of Schools Thomas D. Bailey and Mrs. Bailey, U.S. Representative BILLY MATTHEWS and Mrs. Matthews, and many others.

W. I. Drysdale, president of the St. Augustine 400th Anniversary, Inc., which produced the play, was given a special introduction as the "sparkplug" of the whole project.

The story of the founding 400 years ago was placed in a theme with strong religious overtones by Playwright Paul Green. The meaning of the play to Green, who was not able to leave his Chapel Hill, N.C., home for personal reasons, is stated in the title. The cross reversed is the sword.

Man has the alternative of living by either and the dilemma of Menendez was the choice of either.

The message of the play proceeds to a climax along these lines as the French under Jean Ribault, played by George Peper, are unseated from their Fort Caroline by Menendez.

The blood of the massacre at Matanzas lies on the Spanish Governor's hands and he rests heavily with his choice of the sword.

But after defeating the French he is able to use the cross in accomplishing his goal of friendship with the Timicuan Indians under their chief, Oriba, played by Michael Beistle.

Beistle's wife, Margaret, plays Eva Gonzales, whose strength is an example of the backbone of settlement efforts. She plays the love interest of Menendez' captain, Joe Albarez, played by James Olmstead.

The Beisteles are from the University of Florida where Michael is working on his doctorate and teaching freshman English. Margaret is a resident counselor at the university.

The religious setting features two priests, Father Lopez, played by James Slaughter, and the first civilized St. Augustine native, Domingo de Florida, played by Marshall Thomas.

Slaughter is a Baptist who attended mass here to learn the Latin. He was coached by Father Gannon who advised on religious ceremony.

Thomas, as Domingo, is a sinewy young man whose physical prowess is used to its utmost as he suffers the yearning to return to his childhood wilderness. The pagan moonlight beams into his heart and he exchanges his frock for a loincloth only to return to his adopted Christianity at the moment of death.

The two-act symphonic drama is climaxed by the conquering of the Indians. This is a terrible decision for Menendez who must again choose the sword. He has burned with friendship for the Indians, but must destroy them.

The superb blending of action and light is witnessed through the smoke of the battle scene where a blood-red hue engulfs the firing of cannon and musket. Men—by the hundreds, it seems—claw at each other in this eerie atmosphere as the smoke from the discharges clings closely to the 100-foot platform stage and gives the scene a ghostly aura of death.

In the words of author Paul Green, "Menendez fails here as a person, for he must attack his beloved Indians with the sword after he has sworn to convert them by the Cross."

"He prays to God for help, but God will not help him in the use of the sword," said Green.

But St. Augustine lived on, even though Menendez soon left for the Old World, never again to return to his settlement.

She lived on under the wing of Captain Albarez and Eva, of Basilio Bonito, the narrator played by Dick Chamberlain, and Sara Solano, played by Elise Hallowes, wife of Duval County State Prosecutor William A. Hallowes.

And the city survived 400 years with Juan Rivas, who, as leader of the mutineers, is excellently played by William Puckett.

W. I. Drysdale could only say, "Beautiful, beautiful."

Governor Burns commented that "It certainly was a most appropriate presentation for the 400th anniversary celebration."

Former Governor Bryant said " 'Cross and Sword' is a marvelous recapture of the romance and adventure of 400 years ago." He pointed out the perfect acoustics and vision and said that he hopes to be down again from his residence in Jacksonville.

President of the University of Florida J. Wayne Reitz was "exceedingly pleased."

"I am proud," he said, "not only of the fine directing of Dr. Zimmerman, Ron Jerit and Dr. Keister, and of the acting of our students, but also of the contribution made by other schools of our State."

Mayor John Bailey said, " 'Cross and Sword' was beyond expectations."

[From the Florida Times-Union,
June 28, 1965]

ST. AUGUSTINE HISTORICAL DRAMA "CROSS AND SWORD" DRAWS 1,800

(By Hank Drane and Leon Shimer)

ST. AUGUSTINE, June 27.—St. Augustine's long-awaited historical drama, "Cross and Sword," opened tonight in a beautiful outdoor amphitheater carved out of a virgin tract of land on Anastasia Island where the Spanish once mined coquina rock.

Included in the enthusiastic audience of about 1,800 first-nighters were Gov. and Mrs. Haydon Burns, former Gov. and Mrs. Farris Bryant, U.S. Representative D. R. MATTHEWS, and a host of other State dignitaries.

The colorful symphonic drama, written by noted playwright Paul Green, will be staged nightly, except Friday, through September 5. It is one of the feature highlights of the city's 400th anniversary celebration.

The amphitheater and drama represent a $100,000 investment of faith by citizens in the future of their city as a great historical shrine.

The colorful drama features a cast of more than 100, many of whom are senior or graduate drama students from the University of Florida and the University of North Carolina.

The drama reenacts the founding of St. Augustine by Spanish Admiral Pedro Menendez in 1565. The sound and dance technique recreate the story of the hardships and struggles of the Spanish colonialists in their attempt to establish a foothold in the New World.

GLITTER OF SPAIN

It ranges in scope from the glitter of the court of Philip II of Spain to the savage Florida wilderness. It is directed by Dr. L. L. Zimmerman, head of the University of Florida Department of Drama.

Although plagued by rain for nearly 2 weeks during rehearsals, the drama got off to a smooth start after a few remarks of congratulations by Governor Burns, the Lord's Prayer in Spanish by Rev. Michael Gannon of St. Augustine and the National Anthem.

Featured in the leading role of Menendez was John Stock of Lakewood, who started as the understudy for John Seitz of Louisville, Ky., who was forced to remove himself from the cast because of voice trouble. Stock, assistant professor of speech and drama at Pfeiffer College in North Carolina, has a broad background of acting experience in the theater, movies, television, and nightclubs.

Other key performers were Capt. Jose Alvarez, played by James Olmstead; Notina, the Indian princess who is Menendez' lover, played by Maria Stock; Dick Chamberlin in the role of the Basilio Bonito as narrator; Eva Gonzales, played by Margaret Beistele, who is the lover of Captain Alvarez.

Moved by the beautiful setting, the audience quickly responded to the drama which opened in Spain.

Governor Burns described the drama as excellent.

"It is certainly the most appropriate presentation that could be conceived for the 400th anniversary celebration," he said. " 'Cross and Sword' should certainly be appreciated by any Floridian or American interested in the history or the founding of the oldest city."

SUCCESS PREDICTED

Burns predicted that in weeks to come the play should parallel or exceed the success of "Unto These Hills" which has earned a position of prestige in this type of theater.

Bryant's comment was equally enthusiastic. "The play unfolds a story of Florida's beginning of which we too often lose sight," he said. "It seems to recapture all the romance and excitement of the first great colonization. I am tremendously proud of the producers and developers for helping to bring this great attraction to Florida."

Representative MATTHEWS said the play was "superb" in the natural setting. "It has exceeded my fondest expectation. Opening night has been tremendous and I envision a very successful run."

Other State officials attending were School Supt. Thomas Bailey, William J. Hamrick, hotel and restaurant commissioner; Dr. J. Wayne Reitz, University of Florida president; Charles Campbell, chairman of the Florida development commission; and Adj. Gen. Henry McMillan and others.

THE SOLID WASTE DISPOSAL ACT

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, each of our 190 million Americans manages to throw away about 5 pounds of solid waste every day of the year. In the past, these wastes have been thrown in open dumps, buried, or burned. In many areas, the use of backyard incinerators has been common practice for reducing the volume of these wastes to a manageable quantity for municipal collection. In 1958, however, it was found that this backyard burning was a major contributor to the Los Angeles smog problem and had to be outlawed in the entire Los Angeles basin. We have found that our large—municipal—incinerators also have a tendency to contribute to the air pollution problems in our ever-expanding cities. Our population is going to increase to possibly 235 million in 10 short years, with each new American throwing away ever-increasing amounts of solid wastes. The greatest population buildup is in our large metropolitan areas where availability of suitable burial sites or land fill sites is becoming very critical. If the refuse is not adequately buried, open dumps will develop with rats, vermin, insects, and numerous other health hazards. Open dumps are burned almost routinely, creating a pall against the sky while decomposition proceeds in a very odorous manner causing the entire process of open dumping to be quite unsatisfactory. In some of our larger cities, we found that incineration is also less than satisfactory. The refuse fed to the incinerators is reduced only 50 to 75 percent by the burning process. Then it must be wet down, and this soaking charred mass must be hauled as much as 50 miles for final disposal.

These are but a few of the problems which face us and they are going to increase at an ever expanding rate unless some sound program is undertaken to correct the situation. In Florida, we are faced with another type of problem, roughly 90 percent of our drinking water is drawn from limestone aquifers beneath the surface of the ground. These porous limestone formations have ready interchange with waters which have percolated through the surface of the ground. Any landfill in Florida has the potential of contaminating our underground water supplies. In several instances this has been shown to be the case. In addition, many of the rock quarries where limerock is mined for road building appear to be suitable landfill sites, so refuse is dumped into the water which fills these pits. The public health hazards of such practice are not to be disregarded.

One of the major difficulties involved in the solid waste disposal field has been that cities find refuse disposal unrewarding. Good garbage disposal does not bring as many compliments as do good parks or recreation facilities. Most sanitation departments have to fight for their lives in budget hearings. Trained personnel are not hired because the budget is the overriding problem. They are unable and unwilling to experiment with new processes which might provide far better disposal.

The number of competent people in the field of solid waste disposal is relatively small. At a conference on solid waste disposal in 1964, it was brought out that only one-twentieth of the amount of research and development monies are being spent for refuse disposal, as are being spent for liquid waste treatment processes. Possibly the number of effective research personnel is even fewer than would be indicated by the disparity in the dollars spent.

Cities are growing so rapidly now that population projections upon which bond issues and municipal facilities such as incinerators, composting plants, or sewage treatment plants are based, become invalid. It has become difficult or impossible to estimate the urban population for any given period in the future. Settlements become towns during 1 year, in 5 years they may be small cities, and in 10 years they are true metropolitan areas. This throws unbelievable loads on the personnel involved in planning municipal services, particularly refuse disposal.

The problem of automobile bodies, refrigerators, stoves, and other large metal commodities which blight our countryside should not be minimized. Bills are being introduced in the State legislatures across the country requiring that automobile junkyards be a minimum distance of say a thousand feet from public highways and have screening, but still we cannot hide the mountain of our wastes. New ideas, new research, new proposals are needed to cope with this problem.

One new approach is of particular significance in that it offers the possibility of converting our waste into useful organic soil builders, thereby returning to the soil much of the organic matter which is now being depleted by intensive cultivation. The basic process of composting organic matter is not new. However, the approach of composting refuse very rapidly under controlled conditions in order to provide a sanitary and useful end product is new. The equipment required to carry out such processing is expensive and at the present state of technology is experimental in nature. Many dedicated people and quite a few charlatans have seen the long-range potential for this type of process. It has been implied in their proclamations that immediate markets of their product will become available. Their financial forecast promised vast fortunes to the investors who underwrote the projects.

I am very sorry to report that in this country many of these projects have failed. These failures were due partly to inadequate technology but, more often, to inadequate funding in order to solve the multitude of problems involved in handling the heterogeneous and abrasive mixture called refuse. It is imperative that adequate money be made available to perform the research in this promising field of high-rate mechanical composting, because this process has the potential of solving a large number of our refuse-disposal problems without causing either air or water pollution while providing a useful end product. The further implication is that these processes could be combined with our present sewage-treatment facilities. When the solids from both the sewage and the refuse are mixed before composting, the quality of organic products so needed in our agricultural pursuits is improved and the cost of sewage treatment is reduced by one-fourth to one-third.

On February 8 this year my esteemed associate, the gentleman from California, the Honorable Mr. James Roosevelt, introduced H.R. 890, the Solid Waste Disposal Act. I have introduced H.R. 8248, an identical bill to the gentleman from California's [Mr. Roosevelt] bill, and propose working with him toward the successful adoption of this legislation which is so vitally needed for our country. This proposal will fulfill several purposes. First, it will spur on or seed the research field in the solid-waste collection, handling, and disposal. Second, it will provide technical and financial assistance to States and local governments in planning and developing effective solid-waste-disposal programs. Third, it will provide demonstration grants for construction and operation of new type process plants in order to gain valuable information concerning full-scale operations of these processes. Finally, it will provide training of professional and technical people to enter the waste-disposal field. Legislation of this type is mandatory if this country is to effectively utilize the waste which it generates each and every day. The Congress through financial and legislative assistance to the Public Health Service has led the fight for air and water pollution in radiological health hazards controls. It is now time to address this latest problem which in many respects could overshadow the others—that of our solid waste disposal. It is time, Mr. Speaker, that we accepted the leadership in this field and meet the challenge of society.

PRUDENTIAL LINES EMBARKS ON UNIQUE TRANSPORTATION SYSTEM

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, this morning I had the pleasure of attending a conference at the Maritime Administration at which Prudential Lines Chairman Spyros Skouras unveiled a unique new concept on oceanborne shipping. The announcement was made in the offices of Maritime Administrator Nicholas Johnson, and the system will be a bold new stroke for America's dwindling merchant fleet.

Prudential Lines will build in American shipyards a fleet or 16 vessels which can each load and unload and transport up to 50 preloaded barges. This system does not require the mother ship to tie up in port for loading, and thereby reduces by as much as 50 to 70 percent the total time lost by conventional vessels while waiting in port to transfer cargoes.

These new vessels represent free enterprise operating boldly in the framework of the national interest. This new concept will enhance the abilities of the merchant marine to strengthen our national defense. It will allow American shippers to recapture the trade flowing through our ports now on an increasing number of foreign-flag vessels. The courage of Prudential Lines in proceeding with this plan, and the vision of Maritime Administrator Nicholas Johnson in encouraging it, deserve the praise of the Congress and the American people.

This system of preloading barges has the potential to make an oceangoing port out of every American community which has access to such craft. It will create more jobs for American labor, and it will bring more ships into the American merchant fleet.

As a member of the House Merchant Marine and Fisheries Committee, I commend those associated with this new concept in America's shipping progress.

CONCORD GRAPE INDUSTRY

Mr. GOODELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, the concord grape industry is presently one of the most stable and profitable segments of agricultural enterprise in the United States.

While many States produce some concord grapes, principal commercial production is limited to areas in New York State, northern Pennsylvania, Ohio, southwestern Michigan, northwestern Arkansas, south-central Missouri, northern South Carolina, and Washington State.

The annual harvest of concord grapes in the United States totals about 250,000 tons, more than 95 percent of which is sold in processed form as juice, frozen grape juice concentrate, grape drinks, jams, jellies, and preserves.

Thousands of our people depend on the quality and size of the concord grape crops for their livelihood.

The concord grape industry warrants attention because much of its current stability and prosperity is the direct result of the efforts of an organization which is currently observing its 20th anniversary—National Grape Cooperative Association, Inc., of Westfield, N.Y.

National Grape Cooperative is a membership organization of more than 2,500 concord grape growers in 11 States. Many experts believe it to be the most effective and successful agricultural marketing organization in the Nation. These experts base their opinion on the conditions which exist now, as compared with conditions in the industry before National Grape Cooperative was organized. Indeed, I know of no other agricultural development of the past quarter century that can compare with it in terms of marketing accomplishment.

I am personally familiar with the remarkable development of this industry, because I live in the heartland of one of the Nation's finest concord grape producing regions, the famous Chautauqua-Erie grape belt which extends for 180 miles along the shore of Lake Erie in New York State, Pennsylvania, and Ohio. Chautauqua County in my district has long been considered the center of the concord grape industry in the United States.

Before 1940 the concord grape growers had a very weak market for their crops. Prices generally did not return enough to permit growers to follow good cultural practices and still earn a living. Because of poor care, grape yields dropped to slightly more than a ton an acre. Much of the fruit rotted on the vines, unpicked, because there was no market.

Dismayed, discouraged, a large number of grape growers gave up as hopeless the task of tending their vineyards. Many uprooted their vines. From a production of 84,000 tons in 1914, the Chautauqua and Erie belt grape crop had slumped to 35,000 tons by 1944.

Today, in my district, the grape industry is the strongest element in the agricultural economy. National's member-growers now harvest an average of 4½ tons of high-quality concord grapes per acre. It is possible today for grape growers to enjoy good returns for their labor and investment, and vineyard farm land is selling at a good, firm price.

National Grape Cooperative was incorporated in 1945 as a marketing organization for the concord growers. From its beginning, the organization was encouraged by Mr. J. M. Kaplan, of New York City and, through his interest and concern, the growers were able to acquire all of the stock and assets of the Welch Grape Juice Co., Inc., in 1956. This acquisition included, in addition to Welch plants in New York, Pennsylvania, Michigan, Arkansas and Washington State, the famous brand name Welch's.

Welch produces and sells only the finest quality concord grape products. Through the employment of outstanding management, production and marketing techniques, Welch has achieved higher sales and greater returns for the grape growers than they have ever received before. By 1959—only 3 years after exercising its option to purchase Welch—National paid off its mortgage.

Net sales of the Welch Co. in fiscal 1964 were $58,450,000 up 64 percent from 1956 and 476 percent from 1945. More than 30 percent of Welch's annual net sales is currently being returned to the grower-members of National Grape Cooperative, giving these 2,500 growers the highest payment for grape deliveries in the industry. Last year National's members received record payments averaging $179.82 a ton in the eastern area and $129.12 a ton in the western area.

Last December National redeemed two complete series of its allocation certificates totaling $6,823,262. These certificates are 20-year promissory notes, one series of which was redeemed at full face value 12 years before the due date and the other at full value 13 years before the due date. This action is believed to be unprecedented among farm cooperatives in the United States and remarkably demonstrates National's strength and success.

The Welch Co. is now in its 96th year. It was founded in 1869 by Dr. Thomas B. Welch, who pioneered the industry of bottled fruit juices in the United States.

Since 1945 Welch has plowed back more than $26,500,000 in capital additions and improvements. The company's product line has grown from the original bottled grape juice, to include tomato juice, frozen concentrated grape juice, and a line of three ready-to-serve drinks: Welchade, apple-grape drink, and Fiesta Punch. In addition, Welch is a major producer in the jelly and preserve industry, packing grape jelly, grape jam, and fruit of the vine, a whole grape preserve. These products are sold nationally in all leading food stores and in several foreign countries.

Since its beginning, the company has created the demand for its products through use of national advertising media and in recent years has been a heavy user of television. The company has introduced five highly successful new Welch products in recent years.

To keep pace with the growing demand for its products, the company is continually installing the most advanced equipment and facilities under a consistent capital improvement program. These improvements mean not only greater production accomplishments and better jobs for Welch's 900 employees, but improved services to grape growers as well. New harvesting and fruit-handling techniques have been developed which have reduced considerably the time, effort, and cost it takes to harvest, press, process, and store the crops.

In 1957 Welch and National adopted the sugar-solids basis for payments to growers which gives recognition to quality factors in grapes delivered to the plants and has proved a more equitable means of compensating growers for their ability to produce high-quality grapes.

A staff of 12 experienced field representatives works closely with growers to assist in producing high-quality grapes. Through personal contact, correspondence, and periodicals the growers are given the best available information about sound horticultural practices and the activities of their cooperative. The development of scientific methods of determining grape maturity and tonnages to be processed have resulted in better planning for harvests and lower costs to the growers in harvesting and delivering their crops.

These improvements—coupled with the talents of the company's highly skilled personnel—have enabled Welch to maintain its position as the Nation's leading producer of concord grape products, and its strong emphasis on quality production, in the vineyard as well as in the plant, has revolutionized the concord grape industry.

What the teamwork of grape growers, on the one hand, and the Welch organization, on the other, has accomplished is unprecedented in the history of agricultural enterprise in this country.

I submit the achievements of National and Welch as evidence of the opportunities, inherent in our free enterprise system, properly and resourcefully used. It is further evidence that farmers who adopt a businesslike approach in the conduct of their affairs can be eminently successful under our system.

I congratulate National and its subsidiary, Welch, on their accomplishments. The cooperative can be justly proud of its 20 years of incomparable success in terms of its marketing accomplishments, its returns to its members, and the great contribution it has made to the success of the concord grape industry.

MISSISSIPPI CHALLENGE

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, I rise today to urge again that the depositions and the petition of the Mississippi Freedom Democratic Party be printed, and that the House be given an opportunity to act on them.

Today we are considering, and I sincerely hope that we will shortly approve, the Voting Rights Act of 1965. No other right has been so long promised or so long denied as this constitutional guarantee of the right to vote. It should be approved as an expression of good faith, of moral right, and of simple justice.

But Mr. Speaker, there is little consistency in reporting and acting on a voting rights bill if we are going to continue to ignore a specific challenge of voting discrimination that has properly been pursued under the rules of this House.

If evidence has been presented, as it has, then certainly the House should have an opportunity to review it, to evaluate its soundness and significance, and to take appropriate action.

I would hope that when the House has concluded action on the voting rights bill, it will proceed to consider this matter without further delay.

THE LATE HONORABLE VERNER W. MAIN

Mr. TODD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TODD. Mr. Speaker, it is with regret that I inform the House of the death of former Congressman Verner W. Main, of 39 Maryland Drive, Battle Creek, Mich., on yesterday afternoon. Mr. Main was elected from the Third District of Michigan in a special election in December 1935. He was defeated in November 1936, by Paul Shafer. Congressman Main was also a Michigan State representative from 1927 to 1928. He had a long and distinguished career as an attorney in Battle Creek.

KREMLIN SOCIAL SNUB TO THE UNITED STATES

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, what has been described as one of the worst social snubs to the United States since the Stalin era was coupled with a blustering statement calculated to induce fear into the American people. A reception in the Kremlin for graduates of Soviet military academies gave top-ranking Soviet Government, party, and army leaders an excuse to boycott the American Independence Day reception at the U.S. Embassy and it also served as a stage for Communist Party First Secretary Leonid Brezhnev's claim that—

> The quantity of intercontinental and orbital rockets at the disposal of the U.S.S.R. is perfectly sufficient to finish off once and for all any aggressor or group of aggressors.

What should our response to this be? Should we, perhaps, develop a national inferiority complex because representatives of a government dedicated to aggression, based on tyranny, and ruled by fear boycotted our own Fourth of July ceremonies in Moscow? Hardly—we could scarcely expect the Soviets to honestly and wholeheartedly wish us well, as they are dedicated to destruction of everything for which we stand.

What, then, of Brezhnev's remarks? He made a cold and naked attempt to instill fear into the American people, and present them with the prospect of nuclear missiles, orbiting above our country, primed and aimed at American cities and ready to be launched against us. We certainly cannot afford to underestimate our adversaries, but at the same time it is equally important that we do not allow ourselves to become swayed by bluff and bluster, and to have our national will paralyzed.

Brezhnev's statement was on the same theme as the Communist Vietcong tactics of selective murder in Vietnam. As the Vietcong seek to paralyze the will of the South Vietnamese to resist by murdering all those who could form effective opposition to them, Brezhnev sought to strike at our will to stand fast and present a united front to Soviet aggression. Terror has always been a Communist weapon.

Brezhnev did not say what he meant by orbital rockets but it is presumed that he means rockets that can be put into orbit and then aimed at a specific target on earth, to be launched by means of a radio signal. Twice before the Russians have boasted of having these, but, of course, they have given no details. Brezhnev's statement was probably in response to the announcement last week that the United States has 800 Minuteman ICBM's in firing position. Our own intelligence estimates that the Soviet Union has about 270 of this type of missile.

An orbital rocket is certainly within the realm of possibility, but it is a highly sophisticated and complex weapons system, and far less reliable than a Minuteman-type ICBM, and far more costly. The problems of aiming and reentry, for instance, are monumental and not easily solved.

Russian implications that they have this type of missile in operation are false and are but another facet of the cold war. Brezhnev quite unwittingly betrayed this facet and pointed out the essence of Communist strategy when he asserted that: "We hate to boast and we do not want to threaten anybody." In this sentence, he blatantly denied what is a matter of longstanding and well-documented historical fact, and what is basic to Communist policy: Boast of what they have and do not have, then threaten to use it, in the hope that the object of these boasts and threats will back down.

The United States should feel proud to bear the brunt of these tactics because it means that our policy of standing firm in the face of Communist aggression is working. As long as we continue to refuse to be intimidated by the boasts, and so prepare ourselves that we need not fear the threats, then we may be sure that our cause—the cause of freedom in the Western World and, eventually, for all mankind—will survive and ultimately triumph over Communist aggression.

SAMUEL C. DUBERSTEIN

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, my longtime dear friend, Samuel C. Duberstein, has retired as a referee in bankruptcy after more than 20 years of devoted service. During that time he sat in judgment in more than 5,000 bankruptcy cases arising in the eastern district of New York under the jurisdiction of the U.S. district court for that district.

Referee Duberstein was born on Manhattan's Lower East Side in 1889, the son of newly arrived immigrants. He attended public school and entered the College of the City of New York and later New York Law School, where he received his law degree in 1909. He became a professor of law at St. John's University School of Law in 1927, where he gave courses in bankruptcy and reorganization.

The judges of the U.S. District Court for the Eastern District of New York named him referee in bankruptcy in 1945.

At the request of the Federal Court Board of Judges, Referee Duberstein compiled an official history of the Federal Court of the Eastern District of New York. It was published shortly after the new courthouse opened at 225 Washington Street, Brooklyn, N.Y., in June of last year. One of his proudest possessions is a complete photographic gallery of all of the judges who have sat in the Federal District Court since it opened in Civil War days.

Sam served as chairman of the Brooklyn Bar Association Committee on Bankruptcy and in 1958 became chairman of the National Bankruptcy Conference—a voluntary organization interested in improving national bankruptcy legislation.

A gentleman and a scholar of the highest integrity, his long and devoted service to his fellow man has earned him the respect of all. We wish him well in all his future endeavors.

RETIREMENT OF COMPTROLLER GENERAL

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOLIFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the Honorable Joseph Campbell, Comptroller General of the United States, will retire from that position on July 31, 1965, after more than 10 years of continuous service. I deeply regret that the state of his health will not permit him to continue as Comptroller General for the statutory term of 15 years.

As you know, Mr. Speaker, the Committee on Government Operations, of which I am a member, works very closely with the General Accounting Office, which is an arm of the Congress. By rule of the House, our committee receives and evaluates the audit reports of the Comptroller General. We monitor agency responses to the Comptroller General's reports, hold hearings on occasion, and take such other action as is appropriate in connection with these reports.

Recently, Mr. Campbell appeared before the Military Operations Subcommittee, of which I am chairman, to present testimony on contract audit procedures and problems in defense and related fields. Some of the General Accounting Office audit procedures, as they have developed through the years, have engendered criticism in the Government agencies with large procurement responsibilities, such as the Department of Defense, the National Aeronautics and Space Administration, and the Atomic Energy Commission; and among the defense contractors who have been the subject of General Accounting Office reports on one or another aspect of their activities. These criticisms were so persistent and widespread that our committee believed it was time to hold a hearing and provide a public forum for full and frank discussions of these problems.

The Comptroller General and his staff have been very cooperative in these hearings, and I deeply regret that Mr. Campbell was not able to complete his testimony before our subcommittee. We expect to wind up this phase of our hearings on Thursday of this week, July 8. The Assistant Comptroller General, Frank H. Weitzel, will appear instead of Mr. Campbell. I know that Mr. Weitzel, who has had a long experience in the General Accounting Office and is widely acquainted with the workings of the executive and legislative branches, will be of great assistance to our subcommittee as we complete our hearings.

After our staff has had an opportunity to analyze the voluminous hearing materials, we will issue a report with constructive recommendations. Our aim is to improve General Accounting Office contract audit procedures in the interest of dealing fairly with people who do business with the Government and at the same time making sure that the Government's interests are fully protected.

Let me say emphatically, to remove any misunderstandings on this score, that our subcommittee recognizes the need and importance of the General Accounting Office as an arm of the Congress. We want the General Accounting Office to be stronger, not weaker. We want the General Accounting Office to be more effective, not less effective. It is in such a spirit of constructive criticism that we are examining the contract audit operations of the General Accounting Office and analyzing the issues that have developed. I have good reason to believe that Mr. Campbell and others of his staff consider the hearings beneficial, as does the Department of Defense and Government contractors generally, and that the General Accounting Office will be responsive to our recommendations and will work with us toward the mutual goal of making the General Accounting Office as effective an instrument as possible in carrying out its statutory duties, assisting the Congress, and promoting efficiency and economy in the public service.

I have known Mr. Campbell since 1953 when he was appointed by President Eisenhower as a member of the Atomic Energy Commission. The Joint Committee on Atomic Energy, of which I have been a member since its inception in 1946, keeps fully informed of the work of the Atomic Energy Commission; and Mr. Campbell had occasion in the past to appear before the Joint Committee. In 1954, I believe, Mr. Campbell was given a recess appointment by President Eisenhower to the post of Comptroller General, and in 1955 he was confirmed for the regular 15-year term, of which he has served better than 10 years.

That same year—1955—I became chairman of the Military Operations Subcommittee of the House Committee on Government Operations, and during the decade of Mr. Campbell's incumbency our subcommittee has conducted many investigations and held many hearings. We have sought and obtained assistance from the General Accounting Office, when required in connection with our inquiries, and we have received and examined many hundreds of General Accounting Office reports.

I know Mr. Campbell will leave his post, which he has served with great distinction, with the best wishes of many, many people. I have the highest regard personally for Mr. Campbell and I sincerely wish him many happy years of retirement. He has been an outstanding public servant, and has rendered a fine service to the Congress, the executive branch, and the taxpayers of this country.

INEQUITIES IN H.R. 6675

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, should the Social Security Amendments of 1965 be enacted as now written in H.R. 6675, as many as 18,000 veterans of World War I, World War II, and the Korean war would face reduction or elimination of veterans pension benefits.

Under present law, a veteran who is totally and permanently disabled for reasons not connected to his military service may collect a pension up to $115 monthly. But his income must not exceed $1,400 per year if he is unmarried, $2,700 annually if married. The Veterans' Administration counts 90 percent of any social security benefits he receives as part of that income.

The loss or reduction of these veteran benefits as a result of enactment of H.R. 6675 would more than offset the proposed 7-percent increase in social security payments.

It is my understanding that Senator Miller, of Iowa, will today or tomorrow call for an amendment to H.R. 6675, now under debate in the Senate Chamber, to correct this inequity. I wish to introduce identical legislation for immediate consideration by the House in the event that Senator Miller's efforts are not successful. If they are, and there is no reason to believe they will not be in view of similar action by the Senate last year, I urge House conferees on H.R. 6675 to approve the amendment.

PORT HUENEME PRAYER DAY ACCORDED NATIONAL RECOGNITION

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Teague] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, the mayor and City Council of Port Hueneme in the 13th Congressional District of California, recently proclaimed Thursday, July 1, as a day of prayer in remembrance of those who have given their lives and those who have suffered wounds in defense of our country.

The proclamation, signed by Mayor Ray D. Prueter, referred particularly to two men from the Port Hueneme Seabee unit who had been killed the week before at Dong Xoai in Vietnam and the six who were wounded in the battle. But the proclamation also gave recognition to "all other servicemen of the United States."

Mayor Prueter and the council asked that all public officials, merchants, businessmen, and citizens join in attending church services of their choice in prayer during the hour from noon to 1 p.m. and that business establishments join the city government in closing during that hour.

The Nation's wire services took appropriate notice of the proclamation in news dispatches, with the result that Mayor Prueter received a great many congratulatory communications from people throughout the county.

Mr. Speaker, under unanimous consent, I am placing in the Record at this point a news article from the Oxnard Press-Courier of June 30 headlined "Nation Responds to Port Day of Prayer":

NATION RESPONDS TO PORT DAY OF PRAYER

(By Murray Norris)

The day of prayer set for tomorrow by Port Hueneme Mayor Ray D. Prueter has caught the heartstrings of the Nation, and persons around the country have written to tell him they will join their prayers with his.

Two weeks ago Prueter set July 1 as a day of prayer for Port Hueneme. He will close city offices for an hour tomorrow and has called on businessmen to close their stores and attend church to pray for peace and servicemen who are giving their lives in Vietnam.

At the time he made the prayer proclamation, Prueter had in mind the two men from the Port Hueneme Seabee base who had been killed at Dong Xoai in Vietnam the week before, and the six that were wounded in the Dong Xoai battle. He recalled that President Abraham Lincoln had proclaimed days of fast, prayer and humiliation during the Civil War, and asked his city to join in emulating this practice.

MESSAGES

Since that time, he has received 50 congratulatory telephone calls, a score of letters from all parts of the Nation, and more than 50 requests for copies of the proclamation, including one from a city councilman in San Luis Obispo County.

One letter which the mayor received from Tulsa, Okla., said:

"One of the Seabees wounded in the recent battle at Dong Xoai was our brother * * * we will join you on July 1 in prayer for those wounded and for the families and loved ones of those who bravely gave their lives in Vietnam. * * *"

KIN WRITES

"Would to God that we were all worthy of the sacrifices made for us."

It was signed "The Seven Brothers and Sisters of John R. McCully."

Prueter said the letters have been coming in rather slowly due to "being routed through the Oxnard City Hall." This is because a story circulated by United Press International identified Prueter as the "mayor of Oxnard."

"One of the letters we received this morning was from a Jewish synagogue," said the Port Hueneme mayor. "The proclamation appeals to people of all faiths."

AT BASE CHAPEL

Tomorrow at noon, Prueter along with his family and other members of the Port Hueneme City Council will attend services at the Seabee base chapel between noon and 1 p.m. Through the cooperation of the Port Hueneme-Oxnard Ministerial Council, the Community Presbyterian Church will hold services in Port Hueneme, and the All-Saints Episcopal Church will hold services in Port Hueneme, and the All-Saints Episcopal Church will hold services in Oxnard.

Prueter said he was closing the Port Hueneme city offices as a gesture of sacrifice to join with the prayers of the citizens to "implore God's clemency and forgiveness."

Robert Howlett, mayor of Oxnard, has issued a proclamation calling for prayers during the noon hour as has Ventura County Executive Loren Enoch. Neither of these governmental agencies will close their offices, however.

ALMOST A PRAYER

The wording of Prueter's proclamation was considered almost a prayer by several ministers, and it will be read as a part of the prayer services in both Port Hueneme and Oxnard tomorrow.

In a letter from Atlanta, Ga., Mrs. Nellie L. Gaudry praised the mayor saying, "I am very proud we still have men like you that believe in God and prayer in these troubled, wartorn times * * *."

Mrs. Margie Caposela, of Cincinnati, Ohio, said, "Your town must be quite proud of you * * *."

A college student in San Antonio, Tex., complimented the mayor for his "pause in the rush of modern living to remember Almighty God and to attribute to Him the homage due. I am convinced that if this practice were more common, our poor world and its inhabitants would be much closer to God and, consequently, closer to all that God is—peace and love."

MOST PROFOUND

Even a former World War II Seabee, Michael Miranda, of New York, who shipped out of Port Hueneme, wrote to say he would add his prayers to those of others on July 1.

One letter from Philadelphia contained only a newspaper clipping about the day of prayer and a Christmas card.

"The meaning of this letter was most profound," said Prueter.

But perhaps letters that touch the mayor most deeply are those like the one he received from a 92-year-old widow, which said: "I asked in my church last Sunday if everyone would join in prayer July 1 when you in Oxnard pray * * *. I wish that the mayors in every city in the United States would see the need of praying to God these days."

A LOSS TO THE NAVY

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, as a member of the Subcommittee on Appropriations for the Department of Defense, I learned to appreciate the service rendered by Ken BeLieu to the Department of Defense and to his country.

I share the sentiments expressed in the July 1 editorial in the New York Times entitled "A Loss to the Navy." Under leave to extend my remarks, I include that editorial:

A LOSS TO THE NAVY

The departure of Kenneth E. BeLieu from Government service today is a loss to the administration, and—more specifically—to the Navy.

Mr. BeLieu, who served President Kennedy and President Johnson for 4½ years as Assistant Secretary and then Under Secretary of the Navy, was, first of all, qualified by experience. He served with the Army in Europe in World War II and was wounded and decorated; later he lost a foot in Korea, and retired with the rank of colonel. He had the moral courage, while still on active duty, to oppose Senator McCarthy in open hearings when McCarthy was attacking the Army in 1954. He was staff director of two Senate committees headed by the then Senator Johnson.

In his service in the Pentagon he was known primarily for three qualities. He understands people, realizing that they are the heart of any military service. He was not afraid to speak his mind and to argue for what he believes. He knows Washington as a political entity and he respects the respective roles of the executive and the legislative branches of Government.

The Navy will remember him with affection—most of all those Navy amputees, hurt in an aircraft carrier accident, who were roused out of deep depression when Mr. BeLieu, in a visit to their hospital, sat down on the edge of a bed, took off his artificial leg and held it up to show them that their lives had not ended.

A ONE-MAN TOWN

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HALL. Mr. Speaker, the June 25 edition of the Washington Post contained a very good column by Mr. Patrick O'Donovan.

The article, more than anything else I have read, illustrates the rigor mortis which has taken hold over our political process.

Surely, Mr. O'Donovan's words should be a cause of concern to every Member of this House and to all who wish to preserve a representative form of government.

The article follows:

A ONE-MAN TOWN: WASHINGTON UNDER L.B.J.

(By Patrick O'Donovan)

The pleasure of reporting on this city used to be its complication. American politics is an art form that grows more fascinating the deeper you penetrate. A serious man could spend his life in a delighted study of this most sophisticated and extravagant system.

There was the subtle interplay of White House and Capitol. Occasionally there was a great gun fired from the Supreme Court to put everyone back on the starting line. There were lobbies and pressure groups crowding the executive and the legislature. There were the great figures, Senators, Governors, or mayors, playing the role that was given to kingmakers or white-haired councilors in Europe.

Even when it was boring it was subtle. The interplay of powerful, squalid, great, and good men fighting to get their way was a spectacle that commanded a decent attention. The working of a democracy, with all its mechanism—good and bad—exposed, this was a privelege to watch. And suddenly all this hubbub is stilled.

This has become a one-man town. It is partly because President Johnson is so effective, partly because there is no rival on any horizon. There is his brilliant parliamentary performance on the domestic scene, the fact that he has completed a program designed by President Franklin D. Roosevelt that up to now had been blocked by political maneuvering.

And there remains the fact that this man, who is above all a domestic politician, is faced with the foreign problem that is more intimately terrible than any that has faced the United States before. And this is a democracy that is not geared to discuss problems of foreign policy. When these arise, the tradition is that the country speaks with a single voice. And the voice today is Mr. Johnson's.

Washington is like an unwatered lawn that is dying from the roots. You can see it in the newspapers. The great reporters have nothing to report. The columnists have either to ratiocinate or else to write on trivial subjects.

It is true the columnists continue to lay down the law in a manner not seen in the British press. It is also true that they are indulging themselves in a sort of intramural controversy. Joseph Alsop, a perfervid defender of the Administration, attacks his enemies as "twaddle merchants," and his opponents talk of the "house-trained" correspondents. It is fun, but it is not the real thing.

And all this time there is this astonishing, ominous silence from the great doomed, lawmaking temple that is set above Washington. The liberal Senators and Members of the House of Representatives, Democratic or Republican, simply do not know what to do. Very, very few of them are happy.

But a silence has been imposed upon Washington.

Once upon a time the White House aids were courtiers, were powers and dominions in their own right. They used to talk and gossip and feed the press in the friendly and enthusiastic service of their master. Now it is more than a man's career is worth for any of these men to say anything to a reporter that matters.

All the talk is about the President. And there is little enough of that. Great and good and responsible politicians simply appear to opt out of one aspect of their public life. They are not frightened. This is not McCartyism, but suddenly the democratic process, under a most democratic President, seems to have shuddered to a halt.

It would be quite unfair to blame President Johnson. He is intolerant, occasionally angry and demanding of agreement. He has at his disposal the greatest and best prepared forces that any free country has ever produced in time of peace, and now, in Washington, it is perfectly plain that he and he alone will make the decision on how these forces will be used.

Washington, for the only time in its history, has become a one-man city and all the ministers and advisers who surround him are only his servants.

LET'S GET THE RECORD STRAIGHT

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. BATTIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BATTIN. Mr. Speaker, on July 1, 1965, an NBC network television program, "Situation Report," dealt with the debate that is going on in the Congress about our Government's policies in Vietnam. NBC news correspondent Robert Goralski was the commentator.

During the course of this program, the following unfortunately inaccurate statement was made concerning the position of the gentleman from Wisconsin, the distinguished chairman of the Republican conference [Mr. LAIRD]:

> The truth seems to be that the consensus the President wants is falling apart * * * with the right and left taking issue with the President. Oregon's loquacious Senator MORSE represents one extreme—a small congressional minority that would withdraw from Vietnam immediately * * * but leaving the United Nations behind to pick up what pieces might be left. At the other extreme are those represented by MELVIN LAIRD, of Wisconsin, and JAMES UTT, of California. These Congressmen are willing to see what's going to happen in the next few months * * * and then lead a campaign to extend the war. Given their way, the United States would pour combat troops into South Vietnam's jungles and planes would destroy everything in sight north of the 17th parallel, including Hanoi itself.

Mr. Speaker, to imply that the gentleman from Wisconsin favors "pouring combat troops into South Vietnam's jungles" is to state a position that is the direct opposite of everything the gentleman from Wisconsin, or the Republican House leadership for that matter, has discussed in recent weeks.

So there will be no mistake about the position of the gentleman from Wisconsin, I include the statement of June 14 by Mr. Laird on the subject of Vietnam in the Record at this point:

Statement by Representative Melvin R. Laird, of Wisconsin, June 14, 1965

We may be dangerously close to ending any Republican support of our present Vietnam policy. This possibility exists because the American people do not know how far the administration is prepared to go with large-scale use of ground forces in order to save face in Vietnam.

The American people deserve an answer to this question. The Republican Party should base its future support on the nature of that answer.

In the absence of this answer, we can only conclude that present policy is aimed not at victory over the Communist insurgency nor at driving Communists out of South Vietnam but rather at some sort of negotiated settlement which would include Communist elements in a coalition government.

If such is the objective of the Johnson administration, then the charge can be leveled that this administration is overcommitting ground forces in this area of the world and needlessly exposing the lives of thousands of American boys.

In several public utterances, administration spokesmen have implied that the ground force buildup in Vietnam is Eisenhower or Republican policy. Such an implication is just the opposite of the truth.

The Eisenhower-Dulles policy scrupulously avoided a large-scale use of conventional ground forces in southeast Asia. As a matter of fact, at the time President Eisenhower left office, there were only 773 members of the U.S. military mission in Vietnam and the situation at that time was much less critical than it is now although we have more than 50,000 American troops there today. Indications are that the American troop buildup in Vietnam could go as high as 100,000 American boys.

Well over 2 years ago, interested free world Asian countries offered to assist U.S. efforts in that area of the world. This aid included the offer of ground troops and other assistance from such countries as South Korea, Formosa, and Thailand. This aid was rejected by the United States at that time.

Today, thousands of American boys are fighting a war and many are losing their lives because the U.S. Government has failed on occasion after occasion to make the right decision at the right time.

If our objective is a negotiated settlement, it is time to use other means than the needless sacrifice of American lives to attain that objective. Once American troops are committed in any situation, a top priority objective must be to take those steps necessary to protect American lives and minimize the number of casualties.

One such step, already long overdue, is to retarget our bombing raids on more significant targets in North Vietnam. A major transportation and supply area is the port city of Haiphong. To continue to allow the unhindered flow of war materials in and out of that area only insures greater American casualties in future Vietcong offensive sections.

Republicans will continue to support President Johnson when his actions in the Vietnamese situation serve American and free world interests and when they do not needlessly waste or endanger American lives.

Mr. Speaker, it is doubly surprising that an NBC news correspondent would err on the position of the gentleman from Wisconsin since his position was restated in a nationally televised interview on the NBC "Today Show" just 3 days after the June 14 statement. Under unanimous consent, I ask that the "Today Show" interview of June 17 with NBC news correspondent Sander Vanocur be included in the Record at the conclusion of my remarks together with the full transcript of Mr. Goralski's "Situation Report of July 1, 1965."

The House leadership, Mr. Speaker, has spoken with one voice insofar as our policies in Vietnam are concerned. The distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], issued a statement last Thursday, the same day on which Mr. Goralski delivered his "Situation Report." Under unanimous consent, I include the statement by Mr. Ford of July 1, 1965, in the Record at the conclusion of my remarks.

Mr. Speaker, it will be apparent to anyone reading over the material I have included in the Record that the statement by Mr. Goralski was in error and that that error should be corrected. If it is corrected in a subsequent "Situation Report," I would be more than happy to read it into the Record as well.

The material referred to follows:

Congressman Melvin Laird Is Interviewed

Hugh Downs. In Washington, Congressman Melvin Laird, chairman of the Republican conference in the House, said that he doubts the wisdom of giving full Republican support with no questions asked, to President Johnson's Vietnam policy. Laird suggests the Republicans should come up with their own policy for Vietnam, rather than following the administration down the line.

Congressman Laird is in our Washington studios this morning with "Today" program's Washington correspondent, Sander Vanocur. Gentleman:

(Congressman Melvin Laird and Sander Vanocur are seen on TV screen, seated in studio.)

Vanocur. Good morning, Hugh. Congressman Laird, why have you come to this position now where you suggest that the Republicans who have supported the President on Vietnam are now, as you put it, perilously close to giving up that support?

Congressman Laird. Well, Sander, I'd just like to say that we in the Republican Party in the House of Representatives I think have gone the extra step to support the President of the United States as far as the southeast Asia war is concerned. Jerry Ford, Les Arends, myself, and the other leaders of the House of Representatives on the minority side, have always gone the extra step to support the President of the United States, and we still support the firm action of the President in Vietnam. There are serious questions, however, as to whether we are fighting the proper kind of war, and there are questions about the future, and I believe that we in the minority party have a responsibility and duty to address to the President of the United States, and discuss from one end of this country to the other.

The President chose, back late last year, to escalate the war as he has done to the use of bombing raids to the north, using air power. Now, the President is choosing to escalate the war on the ground in Vietnam. Personally, I think that this is the poorest choice of escalation that the President could possibly make, because we are choosing the very area where the Red Chinese, whom we are confronted with, and we have a confrontation with them in southeast Asia at the present time, are the strongest. And to imply that this is the policy of the former Republican administration, as a high administration spokesman did this past week, to accelerate and to escalate the ground war in Vietnam, is not the case, because the Eisenhower-Dulles policy was just the opposite, that we should not tie down large-scale ground forces in southeast Asia.

Vanocur. Well, Congressman Laird, your statement of Monday seemed to suggest that the administration was remiss in not seeking total victory. Do you believe there is such a thing as total victory in that kind of a war?

Laird. Well, first I'd like to say that there were three alternatives available to the United States prior to the Baltimore speech of the President. One of them was military victory, the win policy that Secretary McNamara outlined to the Defense Appropriations Committee on which I serve, in March. And this was the objective and the policy of the United States in March in the testimony of the Secretary of Defense.

Vanocur. May I interrupt you just a second?

Laird. Yes.

Vanocur. Did he say in that testimony that the United States could win the war?

Laird. Yes, and that was the objective of the United States in southeast Asia and Vietnam. The second alternative, of course, was a negotiated settlement, and the third alternative was to withdraw. But after the Baltimore speech of President Johnson, in which he said our objective was to negotiate a settlement, he gave that implied implication to the world that that was our objective as far as Vietnam was concerned, then there were only two alternatives left to us: a negotiated settlement or withdrawal. You cannot talk about military victory in Vietnam when you already have established your policy objective as a negotiated settlement, and this is the objective now of the administration, if they have an objective. It seems to me that they have not been fair with the American people, or fair with even those of us in Congress, by not clearly setting forth their short-term aims, and long-term objectives as far as Vietnam is concerned.

Vanocur. What would be the aims of a Republican administration; what would be your aims in Vietnam?

Laird. Well, I personally think that we cannot go back on the established policy set forth by the President of the United States as far as his Baltimore speech is concerned. So we cannot repudiate this position that has been taken by the leader of our country, and I do not want to be in a position at any time where I will cause the Red Chinese or the Soviet Union to miscalculate the intentions of the United States of America to defend freedom throughout the world. Now, our objective as stated by the President in his Baltimore speech now is for a negotiated settlement. It seems to me that the North Vietnamese are not interested in negotiations today, because they feel that they are winning the war. Now if we choose, as the President has chosen, to escalate the war along the ground, I believe we are choosing the area in which the North Vietnamese and the Red Chinese are the strongest, and I do not feel that that is the best way to bring about this objective that has been set forth by the President. Since the President decided to escalate the war in the air back late last year, we have not hit any significant military targets in North Vietnam. We have gotten the criticism throughout the world for our bombing raids that we knew we would get, and we expect this from certain quarters, but we have not hit any significant military targets. We have allowed the Soviet Union to bring military personnel into North Vietnam to establish SAM sites; we have the Haipong port in which large-scale military shipments are coming in at this very time, and we have not done anything about stopping these particular shipments, either by a sea blockade of this particular port or by using any of the raids to knock out this very great movement of military supplies and equipment.

Vanocur. But let's be candid. Doesn't this put you in a very enviable position for 1966, that if the war escalates on the ground, you can say, "We in the Republican Party were against escalating the war, we didn't want American boys killed, and yet we were firmer than President Johnson about opposing the North Vietnamese?

Laird. Well, first I'd like to say that when I talk about these matters I'm speaking as a member, a minority member, of the Defense Appropriations Committee. I do not know what the policy of my party will be in 1966's political campaign as far as this is concerned. But I'm sure that Republicans will be responsible in this area; they will put their country first and their party second, regardless of how that affects the political election. But I believe that discussion and dissent is important today in this area of foreign policy, particularly as we go forward and set future policies as far as it affects southeast Asia.

Vanocur. Now, what does this do to your position vis-a-vis the Senate Republican block. Now, is Senator Dirksen following the policies which you have advocated, have you discussed them with him?

Laird. I do not believe that there is any difference between my position and that of a majority of the Republicans in the House and in the U.S. Senate. I know that I talked with my leader in the House of Representatives, Congressman Gerry Ford, who's doing an outstanding job as our new leader in the House of Representatives, and there is no disagreement between Congressman Ford and myself. As a matter of fact, we work together in this particular area, and I have been in constant touch with Congressman Ford. Today we're filing the Defense appropriation report on the appropriation bill for 1966. We do not feel that the administration has faced up to its responsibilities even in this area. They have cut back on the amount of Defense requests, money requested for fiscal year 1966, so they could fund some other programs and come in with a budget under $100 billion. I know, as a member of this committee, that they'll have to come with supplemental appropriations during this year, to fund this Vietnam situation. They've already had to come with one for $700 million in 1965. They will have to come after January for further supplemental requests. They got the public reaction of a budget under $100 billion, they knew that Congress couldn't refuse to give them the funds to carry on the Vietnam war and we will give them these funds. But I think the American people should be advised of the fact that these supplemental requests for defense expenditures are forthcoming and the $100 billion budget figure was really a phony when it was submitted in January.

Vanocur. Congressman, at what point will the Republican Party in Congress, at what point in commitment of men to Vietnam, do you think the Republican Party will say, we can no longer support this? Will this eventually come to pass?

Laird. Well, this is a very difficult question, Sander, to answer, because when it comes to the point, now is the time to question the commitment of ground forces in South Vietnam. I do not believe we want to be in a position if the President goes forward and commits several hundred thousand men to Vietnam—and it looks now like we're already programing a hundred thousand men there—I do not believe we want to be in the position at any time to cause any miscalculation on the part of the Soviet Union or the Red Chinese as to the intentions of the United States of America. This is important. So, to give you a time element in this area, I think it would be a grave mistake, as far as I'm concerned.

Vanocur. Thank you very much, Congressman Melvin Laird, of Wisconsin, a very powerful member of the House Republican group.

Situation Report, July 1

(By Robert Goralski)

Party labels don't seem to mean very much in Congress when it comes to Vietnam. It's reached a point where you need a scorecard. And it's a good bet that President Johnson has one.

* * * * *

Republican and Democratic leaders on Capitol Hill are joined in an unusual debate. Both sides say they support the President on Vietnam * * * it's the other party that's destroying the spirit of bipartisanship. House Minority Leader Ford today went so far as to warn the President that it would be disastrous if he listened to the advice being proferred by some of his own Democrats. This was in answer to Senate Majority leader Mansfield's statement of yesterday that Republicans are doing the country * * * a disservice by calling for an even greater military involvement in Vietnam. Senator Mansfield likened some elements of the GOP to Genghis Khan.

The truth seems to be that the consensus the President wants is falling apart * * * with the right and left taking issue with the President. Oregon's loquacious Senator Morse represents one extreme—a small congressional minority that would withdraw from Vietnam immediately * * * but leaving the United Nations behind to pick up what pieces might be left. At the other extreme are those represented by Melvin Laird of Wisconsin, and James Utt of Wisconsin. These Congressmen are willing to see what's going to happen in the next few months * * * and then lead a campaign to extend the war. Given their way, the United States would pour combat troops into South Vietnam's jungles and planes would destroy everything in sight north of the 17th parallel, including Hanoi itself.

Then there are elements slightly more moderate * * * but who still sense that things aren't working out too well * * * and feel something has to be done. They're not sure what.

With expressions of discontent from the Hill, the President can't be too happy. He'd prefer the kind of bipartisanship that Franklin Roosevelt enjoyed during World War II. If President Roosevelt had his Arthur Vandenberg, then Mr. Johnson has his Everett Dirksen. Both Republicans could approve the actions of the Democrat in the White House.

Consensus—bipartanship, call what you will, is desirable * * * but then so is honest debate. And the President's policies in Vietnam have received more approval than criticism.

One effect of the extremist talk is to put Mr. Johnson in the position of moderation, where he always feels comfortable. Those who would regard him as impetuous need only look at the saber-rattlers for real impetuosity. Those who think him too willing to pull out need only look at the peace-at-any-price appeals for real pacifism.

But with reports of new setbacks in Vietnam, the two extremes will become more vocal and grow in numbers * * * and the President will have to come up with more answers.

Statement by Representative Gerald R. Ford, Republican Leader, House of Representatives, on Vietnam, July 1, 1965

Republicans will continue to disregard partisan considerations in foreign policy. We will be guided by the national interest.

Like Senator Arthur Vandenberg at the time of the Yalta agreement, we will criticize administration policy when it fails to serve the national interest. We will make constructive recommendations that will bolster the President's firmness. No Republican has called this McNamara's war.

Several House Republicans, including myself, recently made the following points about Vietnam:

1. The objectives of our Nation's policy must be the establishment of conditions under which the people of South Vietnam may live in peace and freedom. This means a government of their own choosing. This means freedom from aggression—from within and from without.

2. We hope for negotiations to end the fighting—to assure the freedom and independence of South Vietnam. Let me clarify one point—the Communists are escalating the war. No American is. Moreover, Peiping and Hanoi spurn the negotiating table.

3. The United States cannot, without violating its word, agree to settlement which involves a coalition government with Communists. Such government makes a larger war inevitable at a later date. History proves a coalition government with Communists gives them unlimited veto power. Veto power scuttles any hope for permanent peace.

4. The administration must not sacrifice the freedom and independence of South Vietnam. To do so makes the loss of American lives purposeless. Some Democrats would abandon the free people of South Vietnam. The President must not yield to them.

5. In this crisis, some Republican leaders believe American air and sea power must be used more effectively in North Vietnam against significant military targets. We advocate greater allied participation. We question the logic of committing U.S. ground forces on a large scale to fight a war in southeast Asia.

THE BLUE REDCAP

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, it is my real pleasure to say today that the Labor Department has agreed to stop harassing the 53-year-old redcap at the Mobile Municipal Airport, Mr. Clarence Robinson.

A spokesman for the Department told my office this morning that at my request the case has been studied and a decision made that Robinson's operation does not constitute employment.

Robinson had been formally notified by the wage and hour branch of the Labor Department that he owed more than $1,100 in back wages to two other redcaps at the airport because they were his employees and Robinson was engaged in interstate commerce.

Robinson said the others were not his employees. He said each of the three men simply come to the airport to carry the luggage of travelers and take their chances on earning enough in tips to make a living.

As the result of two previous comments by me here in the House, and of newspaper articles, many thousands of persons have become interested in the defense of Mr. Robinson against the arbitrary decisions of the Washington bureaucracy.

Had the initial Labor Department action been enforced, Robinson would have had to pay considerably more than he earns to the two other redcaps who are not his employees. The result, of course, would have been ridiculous.

In bringing this matter to a happy conclusion I want to recognize the interest and efforts of Mr. Perry G. Baucum, manager of the Mobile Municipal Airport, who took up the case in support of Mr. Robinson.

He referred to the matter as either an exercise in hyperbole or a raconteur's nightmare. He also patiently tried to explain to the Labor Department that Mr. Robinson was an independent contractor and the municipality had no wish to go into the redcap business. He also determined that the two associate redcaps were perfectly happy with their relationship with Mr. Robinson and would not accept money from him if it were offered.

I also want to say that Mr. Bill Sellers of the Mobile Press Register newspaper has acted in the highest tradition of responsible journalism in helping to bring this to the attention of the public.

In addition, the Birmingham News and the Birmingham Post Herald newspapers have done an excellent job of bringing this story to light.

For example, the Birmingham News on June 30 carried a banner front page headline in red ink: "Feds Move In on Luggage Baron."

Citizens from around the country have notified me of their interest in the case.

This is an example of the final triumph of commonsense over the entanglements of the Washington bureaucracy. The unfortunate thing is that it could ever happen in the first place.

THE HADLEY SCHOOL FOR THE BLIND

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I am today introducing a bill which, if enacted, will grant a national charter to an outstanding organization which has been mentioned in this body many times—the Hadley School for the Blind in Winnetka, Ill. Certainly, the magnificent work which this school has done in providing courses for the blind by mail, from grade school through college, is unique and deserving of the honor of a national charter. I hope that this body will see fit to act upon this measure promptly and favorably.

UMPIRE JOHNSON'S BRAND OF BALL

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one of the interesting political maneuvers of the past few years has been the development of government phraseology which invites broad bureaucratic action. No two words are more prevalent at the present time than "guidelines" and "substandard." We have guidelines for business, for wages, for profits, and so forth. We have substandard this and that. Add them all up and they are a good form of disguise for government control of everything from A to Z. They are good vehicles for taking us further in the direction of government controlled prices, wages, allocation of materials, credit and consumer transactions—virtually everything.

Once in a while, a satirical approach to the whole matter puts it in proper perspective. The American satire has long been one of the best means of puncturing foolishness parading as competence. James J. Kilpatrick, writing in the Washington Evening Star of April 12, 1965 put things in about as good a perspective as anything I have ever read. I certainly commend it to the attention of everyone and the great truths that are inherent should not go unnoticed.

The article follows:

UMPIRE JOHNSON'S BRAND OF BALL

(By James J. Kilpatrick)

It was the opening day of the season, Mets against the Dodgers at Shea Stadium, and the plate umpire, Johnson his name was, had called a little pregame conference down along the foul line.

Most of the new rules had been explained in spring training, not once but a hundred times, and you would have thought the principles of equal strikes and more abundant runs would have been clear by this time. Dr. Stengel couldn't get it straight.

"It is assumed," said the umpire, with great patience, "that any team that wins fewer than 50 percent of its games is the victim of invidious discrimination which is a blatant affront to the conscience of this generation of Americans."

"Quite so," said Casey. "Last season we won 53 and lost one-oh-nine, which is 40 games out."

"The new rules," said the umpire, "will not permit this. The acid of the Cards shall not be allowed to corrode the soul of the Mets. Neither can a prosperous nation tolerate islands of poverty in a sea of plenty. You therefore begin with 15 games in the win column, and each of your hitters will get one extra strike."

Walt Alston had come with a complaint signed by 20 Dodgers, alleging discrimination. Duke Snider started to argue that with an 80–82 record last season the Dodgers weren't all that prosperous and were entitled to the same 50 percent presumption, but the umpire cut him off.

So they took the field, with Al Jackson on the mound for the Mets, and Jesse Gonder behind the plate. In the first inning the Dodgers loaded the bases and Willie Davis clobbered one into the stands. He came trotting around third, while a low moan arose from the Mets.

The umpire stopped him 15 feet from the plate. "The challenge facing us is clear and immediate," said the umpire. "You are flouting the Constitution. You are frustrating the intent of the Mets. The hymns of the oppressed have summoned us to justice. Yer out."

Well, sir, the Dodgers came foaming onto the field. Willie was like a wild man. Alston threw himself down on the ground and Duke Snider howled till they heard him in Brooklyn. The Dodgers had four attorneys suited up. They all charged out yelling that Willie was not guilty of willful denial or abridgement; it was nothing but apathy, indifference, and a fat one down the middle. But the umpire just squinted his eyes and talked them down.

"You are contributing to the creation of conditions," he said, "which are both inimical to our domestic order and tranquility and incompatible with the standards of equal justice and individual dignity on which our society stands. And Duke can go take a shower."

By the end of the fifth, it was Mets 3 and Dodgers 8, which wasn't as one sided as it might appear, considering that in the interests of social justice the umpire had cut the Dodgers down to seven men.

Willie was playing the outfield all by himself, but even with four strikes to the hitter the Mets were looking like last year. The umpire summoned Dr. Stengel to discuss appropriate legislation.

"Unless we act anew," said the umpire, "with dispatch and resolution, we shall sanction a sad and sorrowful course for the future."

"What we need," said Dr. Stengel, "is a few runs."

"The most crucial new instrument in our effort to improve the American pastime is the run supplement," said the umpire. "It now proposes to add to the rules through direct payment of a portion of the score of needy individuals and ball clubs."

So the umpire took two runs away from the Dodgers and gave them to the Mets, which made it 6–5 Dodgers. In the bottom of the eighth the Mets tied it up on Jesse Gonder's homer into short centerfield. It would have been a single in any other game, but the umpire ruled that Jesse had an income under .270 and was entitled to special benefits under the poverty program.

The Dodgers' lawyers charged this was a mere test or device not permitted under the 50 per centum rule. By this time Casey and the umpire were singing "We Shall Overcome" and half the crowd had gone home.

The game finally ended 6 hours after it began, with the score Mets 44 and Dodgers 41, but it wouldn't have ended then if the umpire had not decided that all managers over 65 were entitled to a bonus.

This was the program of "Metcare," and Casey could not have been more pleased. Anyhow, this was how the season began, and it stayed that way all summer. They called it baseball, but what it was, was chaos.

MARITIME ADMINISTRATION TV PRESS CONFERENCE

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, on today, July 7, 1965, the national networks televised and broadcast a Maritime Administration press conference from Washington, at which the Prudential Lines of

New York presented to the Maritime Administration its application for the construction in the United States, and operation under American flag, of 16 new barge-carrying vessels of an advanced design. The conference was attended by Maritme Administrator Nicholas Johnson, Messrs. Spyros P. Skouras and Spyros S. Skouras, chairman and president of Prudential Lines, and other Government and Prudential officials.

This proposed program of the Prudential Lines is one of great significance to our merchant marine and Navy. The new vessel will be exceptionally fast and large—700 feet long and capable of 25 knots. Each vessel loads 50 barges which can carry 250 tons each, or a total of 12,500 tons. In addition, each vessel can load another 5,000 tons of liquid or dry cargo in special wing tanks. The use of the barges, which can be loaded or discharged by the vessel at the rate of one every 15 minutes, will greatly reduce vessel loading and discharging time in port. As a result, vessel port time will be cut from days to hours. This and other advantages of the new ship will enable the American merchant marine to regain its supremacy in our foreign commerce through the use of American-flag ships built in American shipyards. The undertaking will cost about $250 million of which about one-half will be financed by Prudential Lines.

Mr. Speaker, I commend the chairman and president of Prudential Lines for their foresight in initiating this program which will aid American shipping and shipbuilding. I believe the program has great merit and should be given serious thought and encouragement. I take this opportunity to compliment the officers and executives of the Prudential Lines and to wish them success with this enormous and significant venture.

NEW YORK CITY IN CRISIS—PART CXXIV

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article is part of the continuing series on "New York City in Crisis" and concerns the city's role in the poverty program.

The article appeared in the New York Herald Tribune on May 13, 1965, and follows:

New York City in Crisis: Powell Claims Poverty Victory, Declares Truce With Shriver

(By Andrew J. Glass)

Washington.—Representative Adam Clayton Powell declared a truce yesterday with the Johnson administration in his raucous war of words over how to run the war on poverty.

In return for a pledge that neighborhood leaders will have a strong voice in planning big city antipoverty projects, Representative Powell agreed to push President Johnson's $1.5 billion poverty package through his House Education and Labor Committee today.

At the same time the Harlem Democrat intensified his political war against Mayor Wagner. The mayor's new antipoverty program, geared to $18.1 million in Federal help, "means nothing whatsoever," Representative Powell told reporters.

A proposed policymaking board for the Wagner program "violates" Federal standards, Representative Powell asserted, as they have been newly defined in an exchange between him and Sargent Shriver, Director of the Office of Economic Opportunity.

Representative Powell told reporters that he and Mr. Shriver had reached their accord during a 2-hour summit conference Tuesday from which the Republican members of the special poverty subcommittee had been excluded. The meeting focused on administration of community action programs in metropolitan areas—a subject that vitally concerns the Congressman from Harlem.

Representative Powell produced a letter from Mr. Shriver that appeared to settle the issue. OEO policy, Mr. Shriver wrote, calls for setting up community action agencies "having broad representation from local groups, both public and private, including an adequate and substantial representation of the residents of the areas and the members of the groups to be served."

Mr. Shriver had "agreed informally that at least one-third of the policy boards and advisory committees would come from the ranks of the poor." Representative Powell said, adding:

"This means there will be no more monopolistic control by any city of the war on poverty."

The Wagner proposal—the primary target of Representative Powell's dealings—failed to qualify because none of its members represented the poor, Representative Powell maintained:

An OEO spokesman, however, disputed the lawmaker's contention that Mr. Shriver had ever promised a one-third quota from the poor and held that Washington would remain flexible on the matter. "It could be more than one-third, it could be less," the spokesman said.

The Powell press conference was the usual flamboyant televised affair. Smoking a long cigar, the Negro churchman complained that "I'm getting a suntan from all these TV lights."

He used the occasion to denounce a proposal by Representative Emanuel Celler, Chairman of the House Judiciary Committee, for a special House investigation into the poverty program apart from Representative Powell.

"I note unhappily that the only two programs (Representative Celler) singled out as occasioning the need for such an investigation were those being run by and for black people—the program in Harlem, my district, and the program in Bedford-Stuyvesant, the segregated black ghetto in his district in Brooklyn," Representative Powell said.

"It comes at a very untimely moment when Congress, particularly Representative Celler's own Judiciary Committee, is considering extending voting rights for Negroes in the South, that Representative Celler would lead an attack on Negroes in the North," he added.

The Harlem program to which he referred is Haryou-ACT, whose executive director is Livingston Wingate.

The Congressman quoted a YWCA worker as telling Representative Edith Green, Democrat, of Oregon, that Haryou-ACT "is the best antipoverty project in the Nation." But he claimed only a distant familiarity with Haryou-ACT for himself.

"I have never been at the Haryou-ACT headquarters," he said. I've been at the ACT headquarters once with (Small Business Administrator Eugene) Foley," he said.

"I do not know how the members of the staff of Haryou-ACT are except for two or three minor employees. I do not know of any members of the board except some who happen to be friends of mine," the Harlem leader concluded.

The chairman much preferred to talk about the poverty program, which he referred to as "this giant fiesta that will now dwindle down to a ham sandwich."

Despite Representative Powell's claims of victory in the antipoverty tussle, high-ranking OEO representatives asserted that the Shriver letter failed to reflect any change of policy in conducting the program.

At New York City Hall yesterday, Mayor Wagner formally announced the selection of Dr. Arthur Logan as chairman of the New York City Council Against Poverty, Inc., the city's new antipoverty agency. Dr. Logan said he resigned Tuesday as chairman of Haryou-ACT.

At the same time, Mr. Wagner announced that City Council President Paul R. Screvane will become vice chairman of the council and serve as chairman of a second corporation to be known as the Economic Opportunity Corp., which will administer antipoverty funds.

The new Council Against Poverty is taking over the city's antipoverty operations board, which has been headed by Mr. Screvane.

Dr. Logan said, "I think that the establishment of this council represents a significant step toward the goal of reducing municipal governmental control of programs to improve the lot of the poor of this city."

He added that though he had "no illusion that the structure of this council is as representative of the poor as can in time be evolved. I think that it is a move in the right direction."

Mr. Screvane predicted that "within a month" the city's antipoverty program would "be in motion."

NEW YORK CITY IN CRISIS—PART CXXV

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article on New York City's educational crisis.

The article is part of the series on "New York City in Crisis" and appeared in the New York Herald Tribune on May 14, 1955, and follows:

New York City in Crisis: Blueprint for Schools—30 New Districts, HQ Overhaul

(By Joseph Michalak)

A shakeup and reduction of the Board of Education's headquarters bureaucracy in order to bring the schools closer to the people was proposed yesterday by Acting Schools Superintendent Bernard E. Donovan.

If approved by the board, the decentralization blueprint would disperse into the field "practically all"—more than 200—teachers and administrators now assigned to board headquarters. It would eliminate the elementary junior-high and senior-high divisions at 110 Livingston Street, Brooklyn, and place "complete responsibility" over all schools in 30 new districts in the hands of district superintendents. Dr. Donovan, estimated the changes would save the city $1.25 million a year.

The plan, the first basic overhaul of the headquarters structure in 32 years, also eliminates one of the five deputy superintendencies by putting curriculum under the instruction chief, changes the titles of the other four and drops four of eight associate superintendencies. None of the 49 assistant superintendencies are affected.

Dr. Donovan acknowledged in an interview that the proposals would be an answer to long-standing complaints from the public that board officials had congealed into a giant bureaucracy distant from the people and unresponsive to real local needs.

"The basic objectives," Dr. Donovan said in his report, "are to provide some effective local identification with the programs and needs of the schools, and to eliminate as far as possible the remote authority of central headquarters."

He pictured the future headquarters as a "service agency" rather than an "order-giving center," and said the "most important effect" would be to switch control to the districts.

The plan, to be acted on by June 30 for implementation in September, calls for each of the districts to comprise about 28 schools and 35,000 students. At present, there are 25 districts, but their superintendents deal only with elementary and junior high schools. Even in those cases, they take orders from headquarters divisions.

The high schools, "600" schools for the maladjusted, and adult centers are now supervised from headquarters. Under the new setup, the districts will also plan programs for these schools directly with the No. 2 man—Executive Deputy Superintendent John B. King—without having to fight through "intermediate levels of authority."

By moving about 200 of its 560 headquarters people into the field offices and schools immediately, the board hopes to improve classroom instruction, eliminate redtape, and get faster action on local requests for such things as school supplies and building repairs.

District offices will add business managers to handle the deluge of requisitions that in the past have prevented them from paying full attention to education, and specialists to handle the new prekindergarten programs for 3- and 4-year-olds. Reading, science, and mathematics specialists in field offices will be moved back into classrooms.

The only deputy superintendent in the system besides Dr. King will be the superintendent for instruction and curriculum, a $27,500 post that will likely go to Dr. Joseph O. Loretan, the curriculum chief. The deputy for business and administration, Dr. Frederick W. Hill, will become controller at his same salary, $27,500.

The unfilled post of deputy for personnel will become a $27,500 directorship, expected to be filled by Dr. Theodore H. Lang. A former assistant secretary of the board, Dr. Lang is now the city's personnel director and chairman of the Civil Service Commission and earns $25,000 yearly.

The Office of School Buildings will continue under the supervision of Eugene E. Hult, who has the rank of deputy, but will in the future be known as administrator.

VOTING RIGHTS ACT OF 1965

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the great Civil War ended in 1865. That terrible carnage was sustained, basically, to end slavery and give to the Negro race freedom. No other conflict has been more savagely fought to free a segment of any other nation's population.

Since the War Between the States the rights of Negroes have been slow in coming from the shadows into the light. But slow or not, these rights have been painstakingly won for the Negro and by the Negro.

The executive, legislative, and judicial branches of the Federal Government have long led the fight for Negro equality. One only has to look at the decisions of the Supreme Court and read the opinions of the justices to see the philosophy and the feelings of the highest Court in the land.

One only has to count the number of legislative acts passed by the Congress since 1867, and particularly in recent years, to see the active participation of the Congress in helping to gain for the Negro his deserved civil rights. Again, particularly in recent decades, one can easily see the efforts of our Presidents to gain for the Negro race a rightful place. Therefore it seems clear that the Federal Government, consistently elected year after year by a majority of the people, is firmly in favor of giving the Negro complete and equal freedom.

With a recounting of the many and varied efforts of the Government to guarantee equality, many argue that the Washington bureaucrats have done enough. But history has shown that this is a continuing struggle. No one can ever say that the job has been completely finished.

The Supreme Court, for one example, has found it necessary time and again to strike down attempts of States to get around Federal guarantees, and the High Court has never recognized a State's right to keep the Negro in his place. The infamous "Grandfather clauses" of the early 20th century and the equally unfair white primaries of some Southern States were held to be unconstitutional.

These cases demonstrate that there will always be a minority of people who will attempt to subvert the rights of the Negro by devious and sometimes extremely ingenious methods. We, in the Federal Government cannot allow a minority of persons in the South to deny any rights of an American citizen.

Since 1954 the Negro has had a long uphill battle. At times, it has been bloody and hot in every sense of the word. But the times seem to be gone of overt and brutal repression of the Negro. Now, worse repression in the form of covert and secret denial of rights is occurring. Negroes are denied the right to vote, mix socially, buy a house and other normal functions by methods not so blatantly visible to the public eye. This is the hardest discrimination to fight. The Negro race cannot overcome these obstacles by peaceful means without the assistance of the people of the United States. Racial violence must be avoided.

The Civil Rights Act of 1964 helped to end the humiliation in restaurants, the pain of the cattle prod, and to lift the eyes of the Negro from the ground. It was a great step forward. The Negro has almost gained his rightful and long-awaited place alongside the other citizens of our Nation—be they Jew, Chinese, Catholic, Polish, English, Protestant—the place all citizens deserve.

But, Mr. Speaker, there is one area in which the Negro is a comparative outsider. He is denied the basic privilege of participating in the political process of his Nation. In many places he is denied the right to vote.

It is clear that throughout our history voting rights have been more or less consistently denied to the Negro race. Again one only has to look at the cases that have been before the Supreme Court for evidence. It is long past the time that the Negro become, in fact, first class and entire citizens. As human beings, as Americans, we have a compelling task to gladly and with open hearts accept all citizens as equals and afford to all equal rights.

I most earnestly urge my colleagues to support this legislation before us today. I urge you to cast your vote in favor of the American way of life, in favor of the concept that all men are created equal—in favor of the Voting Rights Act of 1965.

HANFORD FISSION PRODUCTS PLANT

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOLIFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, section 107 of Public Law 88-332, the AEC's fiscal year 1965 authorization act, authorizes the Atomic Energy Commission to enter into "contracts * * * for the purpose of making available fission products from Commission reactors * * * for commercial application." Section 107 also requires that before the AEC enter into such an arrangement, the basis therefor be submitted to the Joint Committee on Atomic Energy, of which I am the chairman, and lie before it for 45 days while Congress is in session. This provision was included in the law in order to provide Congress with an adequate opportunity to consider this important arrangement before it became effective.

In accordance with this statutory authorization, the Atomic Energy Commission, Martin-Marietta Corp., and the United States Rubber Co., have been negotiating for several months concerning a joint proposal by these firms to construct and operate a facility at the AEC's Hanford plant near Richland, Wash., for commercial recovery of fission products—strontium 90, cesium 137, promethium 147, and cerium 144. These fission products, which result from the operation of the AEC's reactors at Hanford, have a large number of uses in programs of interest to the Government as well as in private industrial operations. A significant quantity of fission products are currently stored in underground tanks at the Hanford plant.

As a result of these negotiations, the AEC, on July 3, 1965, submitted to the Joint Committee a program justification data sheet setting forth the proposed basis for an arrangement to be entered into by the AEC with Isochem, Inc., a corporation established and jointly owned by the Martin-Marietta Corp. and the United States Rubber Co., covering construction and operation of this plant by Isochem. The construction cost of this plant, known as a fission products conversion and encapsulation—FPCE—plant, is estimated to be about $8 million, all of which will be funded by Isochem. Isochem will also contract with the AEC on a cost-plus-a-fixed-fee basis to manage the AEC's chemical separations and related facilities at Hanford.

Consistent with the Joint Committee's practice in matters of this character, and in order to inform Congress of the pendency of this matter, under unanimous consent I insert the text of the program justification data sheet at this point in the RECORD:

PROGRAM JUSTIFICATION DATA

A. CONTRACTOR

1. Isochem, Inc. (contractor), a corporation established and jointly owned by the Martin-Marietta Corp. and the United States Rubber Co. will construct, own, and commercially operate a fission products conversion and encapsulation (FPCE) plant, develop and expand markets for fission products and sell such products; and manage, operate, and maintain the AEC's Hanford 200 area separations facilities and services on a cost-plus-a-fixed-fee basis.

The parent companies guarantee to the Government the performance of the contractor's obligations to the Government (other than the contractor's obligation to indemnify the Government against claims by third parties) and will provide the contractor the support and resources necessary to assure such performance.

B. DESCRIPTION OF THE PROPOSED PROJECT

1. Objective: The primary objective is the large-scale processing and marketing on a commercial basis, involving minimum AEC participation, of fission products recovered from the stored wastes and, as available, currently produced wastes from the chemical processing of irradiated fuels in the Hanford reservation area. The principal products of interest are: Strontium 90, cesium 137, promethium 147 and cerium 144.

Also, the contractor will manage, operate, and maintain on a cost-plus-a-fixed-fee basis, the AEC Hanford 200 area facilities which involves (1) the chemical separations facilities from the Hanford production reactors and (2) the waste management and fission product purification activities.

2. Location: The FPCE plant will be located on the AEC Hanford reservation area near Richland, Wash., on 10-to-20 acres of land which the AEC will lease, at fair rental value, to the contractor.

3. Plant description: The FPCE plant will be capable of processing each of the four fission products, Sr^{90}, Cs^{137}, Ce^{144}, and Pm^{147}, into appropriate chemical and physical forms and encapsulating them into heat and/or radiation sources. The plant will have the capacity to so process annually 29 megacuries of strontium 90, 29 megacuries of cesium 147, 53 megacuries of promethium 147, and additional capacity to so process cerium 144 to meet market demands, as they develop, up to 200 megacuries of cerium 144. In the absence of cerium 144 requirements, the additional production capacity would be used, as needed, to supplement production capability for other fission products.

The contractor estimates that the FPCE plant and equipment will cost approximately $8 million. It should be noted, however, that the contractor reserves the right to modify the facility in order to incorporate changes which would reduce capital costs and/or operating expenses or to make other improvements provided that the foregoing production capacity is maintained and the general design and construction approach of the plant remain the same as described in the proposal.

If prior to the completion of construction of the FPCE plant, the Government decides to cut back production operations at Hanford so as to result in a major reduction in the generation of fission product waste, upon request of the contractor, the AEC and the contractor shall agree upon an appropriate reduction in the capacity of the FPCE plant, consistent with the amount of fission products that will be available over the period of the FPCE contract.

4. Schedule: The design and construction of the FPCE plant is scheduled for completion within 36 months after execution of the FPCE contract.

C. GENERAL FEATURES OF PROPOSED ARRANGEMENT

1. Undertakings: The proposed arrangement between AEC and the contractor is for the development of a large-scale fission product recovery program at the Commission's Hanford works and operation of the Hanford 200 areas separations facilities and waste management program. The proposed arrangement results from the AEC invitation issued July 8, 1964 and the responding proposal made October 28, 1964 by the Martin-Marietta Corp. and the United States Rubber Co. and related clarifying letters. The arrangement would be provided for in two definitive contracts and a lease agreement. The principal responsibilities of the parties have been stated in a memorandum of understanding, the more significant of which, in summary, provide as follows:

(a) The contractor shall:

(1) At its own expense, design, construct and operate the FPCE plant for the large-scale processing on a commercial basis of the fission products, strontium 90, cesium 137 and promethium 147, and exert its best efforts to operate the FPCE plant in a manner determined by the AEC to be compatible with the AEC's activities in the Hanford reservation area.

(2) Incorporate in the FPCE plant a minimum initial capacity for the processing of cerium 144 and will, to the extent of that capacity, supply the demand for cerium as it may develop.

(3) Exert its best efforts consistent with sound business practice to develop and expand markets on a commercial basis for each such fission product and to sell such products. In this connection, to the extent necessary, the contractor will reinvest the fee derived from its operation of the Hanford 200 area facilities and services for marketing and other development efforts to produce and sell the output of the FPCE plant.

(4) Conduct such research and development work to the full extent it deems necessary to assure operational feasibility of the FPCE plant and to optimize production of the major fission product forms.

(5) Continue and reasonably expand studies regarding long-range potential for new businesses in the tricity, Washington, area, and will exert its best efforts consistent with sound business practice to diversify and improve the economy of this area.

(6) Operate in its own best interests and not for the benefit of the Martin-Marietta Corp. or the United States Rubber Co., except as shareholders.

(7) Except as may be otherwise agreed upon by the parties, procure the feed materials required for its FPCE plant from the AEC to the extent AEC has such material available.

(8) Manage, operate, and maintain, as directed for the account of the Government on a cost-plus-a-fixed-fee basis, the Hanford 200 area facilities and services.

(b) AEC will, in connection with the FPCE contract for the design, construction, and operation of the FPCE plant:

(1) Lease, at a fair rental value to the contractor for these purposes, at least 10 acres, but not more than 20 acres, of land located within the Hanford Reservation area.

(2) Provide as may be agreed upon, utilities and such other similarly basic services, on a full-cost recovery basis or in accordance with established AEC pricing policy, to the extent that they are not reasonably available commercially.

(3) During the period starting on the scheduled date for commencement of start-up tests of the FPCE plant and ending 10 years after the commencement of commercial operation of the FPCE plant, provide feed materials containing strontium 90, cesium 137, promethium 147, and cerium 144 to the extent such feed materials are available and economically recoverable from the wastes generated from operations of the Hanford 200 area separations facilities during the FPCE contract period after commencement of commercial operation of the FPCE plant and/or from the wastes stored in the Hanford 200 area prior to commencement of commercial operation of the FPCE plant.

The Commission is not obligated to operate or have operated at any particular level or at all the Hanford 200 area facilities and services for such generation of wastes containing such feed materials. The Commission intends, however, to process in the Hanford 200 area all irradiated reactor fuels (to the extent such fuels are capable of being processed in the then currently existing 200 area facilities) from all production reactors owned and operated for the account of the AEC in the Hanford reservation area other than such irradiated reactor fuels as the AEC may (i) use to meet its commitment under its contract with Nuclear Fuels Services, Inc. (NFS) to provide a baseload for the NFS plant and to provide an equivalent baseload to another qualified commercial processor of irradiated fuels, and (ii) to the extent it will not impair the operations of the FPCE plant, use for such other purposes as the AEC may determine. In any event the Commission is obligated to provide feed materials containing the guaranteed amount of 100 megacuries of strontium 90 and 100 megacuries of cesium 137.

(4) Impose no charge for the fission products concentrates used in producing the purified feed materials delivered to the contractor prior to and during the first 5 years from the commencement of commercial operations. A charge to cover AEC's full cost of operations not essential in the waste management program, such as purifying the fission product feed materials, will, however, be made. AEC will reserve the right to impose a charge for fission products concentrates after such first 5-year period having given 2 years' advance notice thereof.

(5) Accept from the contractor for disposal, on a full cost recovery basis, radioactive wastes from the operations of the FPCE plant meeting mutually agreeable specifications.

(6) During the period of the FPCE contract subsequent to the commencement of commercial operation of the FPCE plant, withdraw from the commercial production and distribution of the radioisotopes strontium 90, cesium 137, promethium 147, and cerium 144, reserving the right, however, (i) to produce such isotopes for Government use in those circumstances where the AEC determines that the Government is a substantial user, or that the use is of programmatic interest to the AEC, and, where procurement of such isotopes from private industry would result in significantly higher costs to the

Government, (ii) to use existing inventories of such isotopes for Government use, and (iii) to produce and distribute such isotopes for Government and/or private use to the extent that the contractor cannot meet the demand for such isotopes.

(c) AEC will, in connection with the Hanford 200 area contract for management, operation and maintenance of the Hanford 200 area facilities and services:

(1) Pay the contractor a fixed fee based on the estimated annual level of the cost of such management, operation and maintenance. Although the AEC will not assure any guaranteed level of operation during the term of the definitive contract, the AEC will provide a definitive scope of work annually together with an estimated level of costs for management, operation and maintenance during the ensuing year.

(2) reimburse the contractor in accordance with AEC cost reimbursement principles.

2. Term:

(a) The terms of the definitive contract and lease for the FPCE plant will extend for a period of 10 years after commencement of commercial operation of the FPCE plant. The contractor will have options to renew the lease for two additional 10-year periods.

(b) The term of the definitive contract for the operation of the Hanford 200 area facilities will extend for a period of 5 years after the contractor has assumed full operational responsibility, subject to the annual appropriation of funds.

3. Fission product prices: In order to encourage the early development of a market for fission products, the AEC will establish reduced prices for such fission products which will be in effect during the period prior to commencement of commercial operation of the FPCE plant. Such prices will be reviewed annually and will take into consideration the contractor's anticipated initial sales prices and the contractor's marketing forecasts. Six months prior to commencement of commercial operation, the contractor will establish a schedule of price ranges (maximum-minimum) within which the contractor will establish a definitive schedule of prices at which the contractor will offer to sell such products and which will be effective during the first year of operations.

To assure that effective private domestic competition is not precluded and that fission products will be available for Government and private users at reasonable prices, the AEC will have the right, during such periods as there is no effective competition in the United States of America from foreign or domestic fission product conversion and encapsulation plant or plants, to examine the contractor's cost and pricing data to determine that the schedule of price ranges are not unreasonably high or low.

This determination will be made by the AEC within 6 months following submission to AEC of a schedule of price ranges by the contractor. If the AEC determines that contractor price ranges are unreasonable, the contractor and AEC, with the aid of an advisory panel of impartial experts, will consult and if agreement is not reached the Commissioners, will have the right to stipulate a schedule of price ranges.

Should the parties fail to agree and the AEC fail to stipulate a schedule of price ranges, the schedule of price ranges submitted by the contractor will automatically become effective at the end of the 6-month period for the ensuing 6-month period. This procedure will be followed for each subsequent year of commercial FPCE operations in which there is no effective competition in the United States of America from foreign or domestic fission product conversion and encapsulation plant or plants. The AEC will, however, not determine price ranges for any particular foreign market area wherein there is effective competition from fission product conversion and encapsulation plant or plants.

4. Patents: The AEC will receive an irrevocable, nonexclusive, paid-up license in and to any inventions or discoveries which are incorporated in the FPCE plant or used in its operations and which are (1) actually reduced to practice before the effective date of the FPCE contract and are owned or controlled by the contractor, Martin-Marietta Corp. or United States Rubber Co. on the effective date of the FPCE contract, or (2) are owned, controlled, or acquired by the contractor, Martin-Marietta Corp. or United States Rubber Co. during the contract performance. The AEC will have the right to practice or to have practiced such inventions or discoveries in Government facilities similar to the FPCE plan and to use and have used and sell products produced in said facilities and to license purchasers of said producers to use the same.

In addition, the Government shall receive the right to require the contractor, Martin-Marietta Corp. or the United States Rubber Co. to grant to other private parties at reasonable royalty rates, nonexclusive licenses in and to such inventions or discoveries to practice or have practiced such inventions or discoveries in facilities similar to the FPCE plant, to use and have used and sell products produced in said facilities and to license purchasers of said products to use the same.

In addition to the right of the Government with respect to such inventions or discoveries, the contractor, Martin-Marietta Corp. and United States Rubber Co., shall grant to the Government an irrevocable, paid-up license and right in and to any secret process, technical information, or know-how which are incorporated in the FPCE plant or used in its operation, to use or have used such secret process, technical information, or know-how in Government facilities similar to the FPCE plant, to use and have used and sell products produced in said facilities and to license purchasers of said products to use the same.

5. Indemnities: The memorandum of understanding provides that the AEC will apply Price-Anderson protection (if then available under applicable law and regulation of the Commission for facilities of this type) with respect to AEC licensed operations at the FPCE plant. It is expressly understood that should Price-Anderson protection not be available, the contractor shall be under no obligation to execute the definitive contracts or lease. The contractor shall indemnify the Government from any claims or liabilities by or to third parties for injury to or death of persons or injury to or destruction of property owned by or arising out of the activities of the contractor other than such as may be caused by the negligence of the Commission or as to which the contractor is indemnified by Price-Anderson protection.

6. Termination:

(a) For convenience of the Government: The Commission will have the right to terminate both the lease and the contract for the convenience of the Government upon payment to the contractor, without duplication, of the following termination charges:

(1) In the event such termination occurs prior to the commencement of commercial operation of the FPCE plant—

(a) An amount equal to the sums paid by the contractor pursuant to its contracts for the design and construction of the FPCE plant and equipment and for the purchase, lease and/or installation of equipment and reasonable sums expended by the contractor in connection with its administration and supervision thereof less any sums recovered by the contractor for losses or damages to such plant and equipment.

(b) An amount equal to the reasonable costs, less any sum recovered in connection therewith, of FPCE plant process and equipment research and development, product application research and development, marketing development, operational testing and startup of the FPCE plant, and such other preoperational costs as may be agreed upon by the contractor for losses or damages to during the period starting February 9, 1965, and ending on the date of such termination.

(2) In the event such termination occurs after the commencement of commercial operation of the FPCE plant, an amount equal to the unamortized costs of (a) the FPCE plant computed by the straight line method over a useful life of 10 years from the commencement of commercial operation of the FPCE plant, and (b) FPCE plant equipment computed by the straight line method over a useful life of 5 years from the date of installation of such equipment in the FPCE plant or commencement of commercial operation of the FPCE plant, whichever is the later date, less any sums recovered by the contractor for losses or damages to such plant and equipment.

(3) In the event that such termination occurs prior to 2 years after commencement of commercial operation of the FPCE plant, in addition to the termination charges under 2, above, an amount equal to the sum of (a) the reasonable costs incurred by the contractor during the period starting February 9, 1965, and ending on commencement of commercial operation of the FPCE plant, less any sums recovered in connection therewith, of FPCE plant process and equipment research and development, product application research and development, marketing development, operational testing and startup of the FPCE plant and such other preoperational costs as may be agreed upon by the parties, and (b) net operating loss, if any, incurred by the contractor prior to termination; less an amount equal to the fixed fee received or to be received by the contractor during the first 5 years of operation of the Hanford works 200 area facilities and services.

(4) In addition to the foregoing termination charges, the Commission will pay the following:

(a) The reasonable costs of settling (through negotiation or litigation or both) and of paying claims and damages in respect of the contractor's reasonable firm contracts or commitments to supply fission products and/or related services to others and a sum to be agreed upon by the parties as representing the profits earned by the contractor in the performance of such contracts or commitments prior to termination.

(b) The reasonable costs of settling (through negotiation or litigation or both) and of paying claims and damages in respect of reasonable firm contracts or orders placed by the contractor with others for the design and construction of the FPCE plant and equipment, the purchase, lease and/or installation of equipment, and the purchase of supplies or services.

(c) The fair share of termination or severance benefits (and related benefits) paid to employees of the contractor pursuant to the contractor's industrial relations policies.

(d) The costs of the contractor's reasonable supplies and fission product inventory less any sums recovered by the contractor for losses or damages to such supplies and inventory.

(e) Such costs, including managerial, accounting, legal, clerical, and other expenses reasonably incurred by the contractor subsequent to the date of termination in connection with the orderly cessation of operations at the FPCE plant, the preparation of settlement claims, the preservation, maintenance, and storage of property, and the securing of the FPCE plant against health and safety hazards.

(f) Such other reasonable costs incurred by the contractor as may be agreed upon by the parties.

In the event of such termination, the contractor shall upon payment to the contractor of the pertinent termination charges outlined above: (1) transfer to the Government all the right, title, and interest of the contractor to the FPCE plant and equipment, supplies, and fission products inventory located on the leased premises; (2) assign to the Government, in the manner and to the extent directed by the AEC, all the right, title, and interest of the contractor, under the contractor's contracts and/or purchase orders with others for the design and construction of the FPCE plant and equipment and for the purchase, lease, and/or installation of equipment; and (3) execute and deliver all such papers and take all such steps as the AEC may require for the purpose of fully investing in the Government all the rights and benefits of the contractor in such contracts, purchase orders, and/or leases.

The Commission will also have the right to terminate for the convenience of the Government its obligation in whole or in part under the FPCE contract to provide feed materials to the contractor, provided there is an alternate equivalent source or sources for obtaining the feed materials containing the guaranteed amounts of strontium 90 and cesium 137, upon paying the contractor the amount by which its reasonable costs of obtaining the outstanding balance of such feed materials from such alternate source exceeds the costs of obtaining such material from the Commission under the FPCE contract.

(b) Termination for default: The Commission shall have the right to terminate the contract and lease whenever the contractor shall default in performance and shall fail to cure such default. The foregoing right of termination shall not apply, however, in the event that such default results from damage to or contamination of the FPCE plant or plant equipment caused by casualty, accident, nuclear incident or other occurrence (whether or not beyond the control and without the fault or negligence of the contractor or its subcontractors) unless the contractor fails to proceed with reasonable diligence to repair such damage or perform required decontamination. If such damage or contamination results from a cause beyond the control and without the fault or negligence of the contractor or its subcontractors, the Commission shall at the contractor's request, extend the existing term of the contract and lease by a period equal to the period required to complete the repair or decontamination. In the event of such termination for default, the contractor, at the election of the Commission, shall either, (1) upon payment to the contractor of the unamortized costs of such equipment not affixed to the leased premises, and the costs of such supplies and fission product inventories which the Commission elects to acquire: (a) transfer to the Government all the right, title, and interest of the contractor to the FPCE plant and equipment affixed to the leased premises and such movable equipment, supplies, and fission product inventory then located on the leased premises which the Commission elects to acquire; (b) assign to the Government, in a manner and to the extent directed by AEC, all the right, title, and interest of the contractor, under the contractor's contracts and/or purchase orders with others for the design and construction of the FPCE plant and equipment and for the purchase, lease and/or installation of equipment to be acquired by the Commission; (c) execute and deliver all such papers and take all such steps as the AEC may require for the purpose of fully vesting in the Government all the rights and benefits of the contractor in such contracts, purchase orders and leases; and (d) shall remove all supplies, fission product inventory, and equipment not affixed to the leased premises which the Commission does not elect to acquire; or (2) shall remove all supplies, inventories of fission products and personal property not affixed to the leased premises, secure to the satisfaction of the AEC all facilities located on the leased premises against health and safety hazards and transfer title to the Government to such facilities free and clear of any liens or encumbrances.

(c) Patent rights at termination: The Government will receive upon termination for convenience of the Government or for default by the contractor an irrevocable, nonexclusive, paid-up license with the irrevocable right to grant to third parties nonexclusive, royalty-free licenses in and to any inventions or discoveries which are incorporated in the FPCE plant or used in its operations and which (1) were actually reduced to practice before the effective date of the FPCE contract and which are owned or controlled by the Contractor, Martin-Marietta Corp. or the United States Rubber Co. on the effective date of the FPCE contract or (2) are owned, controlled or acquired by the contractor, Martin-Marietta Corp. or United States Rubber Co. during the FPCE contract performance. The Government and third parties shall have the right to practice or have practiced such inventions or discoveries in the FPCE plant or in similar facilities and to use or have used and sell products produced in said FPCE plant or similar facilities and to license purchasers of such products to use the same. Also the Government shall receive an irrevocable, paid-up license and right, with the irrevocable right to grant to third parties nonexclusive, paid-up licenses and rights, in and to any secret process, technical information or know-how owned or controlled by the contractor, Martin-Marietta Corp. or the United States Rubber Co. which are incorporated in the FPCE plant or used in its operations, to use or have used such secret processes, technical information or know-how in the FPCE plant or any facilities similar thereto and to use or have used and sell products produced in such FPCE plant or similar facilities and to license purchasers of such products to use the same.

7. Design, construction, and operation of FPCE plant: The contractor will design, construct, and exert its best efforts to operate the FPCE plant in a manner compatible with other AEC activities at Richland, Wash. The AEC shall have the right to review of the design, construction, and operation of the FPCE plant to assure (a) that such compatibility is maintained, (b) AEC health and safety licensing requirements are met, and (c) that the FPCE plant capacity conforms to the plant specified in part B:3. hereof.

ONE MAN, ONE VOTE

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I was delighted to read in the current newsletter of the National Council of Churches the text of the policy statement adopted by the council's general board on the issue of apportionment of State legislatures.

I hope every Member of Congress will take the time to read this persuasive and very timely declaration of policy. The statement is summarized in the concluding paragraph which reads as follows:

> We believe that equal representation is every person's fundamental right and a necessary adjunct to full political personhood. Therefore, the National Council of Churches records its opposition to the proposals for an amendment to the Constitution or any other moves which would restrict the right of every person to substantially equal representation.

I believe the National Council of Churches has made an important contribution to the debate of this vital issue. I thoroughly agree with the conclusion that it would be unwise and contrary to our national interest to adopt any constitutional amendment or other device "which would restrict the right of every person to substantially equal representation."

Mr. Speaker, under unanimous consent, I insert the article from the July 1, 1965 "Memo From the Washington Office," the newsletter of the National Council of Churches, at this point in the RECORD:

EQUAL REPRESENTATION

(NOTE—At its recent June meeting, the General Board of the National Council of Churches adopted a policy statement, "Equal Representation Is a Right of Citizenship," dealing with the current issue of the apportionment of State legislatures. The full text of the policy statement is quoted below (footnotes omitted).)

The General Board of the National Council of Churches of Christ in the U.S.A. has repeatedly expressed its Christian concern for the maintenance and enhancement of human rights and liberties, most recently for "the right to full participation of the person in political and civic life." The general board has an equal concern for the ever full attainment of a just and open society. Both of these concerns have come to focus in the right to vote.

As our understanding of the God-given dignity of man has developed and matured, most of our fellow-citizens have now realized the urgency of giving all adult members of our society equal access to the ballot. What has not been as widely realized is the necessity of protecting the quality of the ballot. We welcome the action of our Commission on Religion and Race within its special mandate witnessing to the conviction that "every American citizen has, as his inalienable right, not only an equal right to vote, but also a right to an equal vote."

The condition has arisen in our country that many legislatures have refused to reapportion themselves according to the shifting of population, thus permitting the representatives of less populous areas to continue to outnumber the representatives of the growing cities and suburbs, and so to maintain their dominance over the affairs of the several States.

In recent years, the courts have sought to rectify this condition by insisting that the legislatures be reapportioned in proportion to the current distribution of population, so that the votes of all citizens for their legislators would be substantially equal in effect. The Supreme Court's interpretation of the equal protection clause of the Constitution guarantees this personal right of representation for individual voters. This right must not be abrogated by any constitutional revision. But the Supreme Court's decisions have been met by moves to amend the United States Constitution to withdraw this issue from the jurisdiction of the courts and to permit the States by referendum of their present voters or by other means to apportion the membership of one house of a bicameral legislature on factors other than population.

In the light of these circumstances, the general board concludes that many of the causes of civil rights and liberties we have long supported are at stake in the question of equal representation, and now affirms our

Christian conviction that one of the fundamental rights of citizenship is the right of every citizen to representation substantially equal to that of other citizens, regardless of where he lives or what may be his wealth or learning.

We do not find in the nature of men as children of God any distinction of kind such that one man should cast a vote worth more than another's. Neither race nor religious adherence, neither property nor education, neither rural residence nor urban, nor appeal to States' rights, entitles one man or group of men to a disproportionate share in the basic franchise by which their civic affairs are governed. The structures of Government erected upon this base may vary in design and operation according to the development of the techniques of political science, but the right of every person to say his full "Yea" or "Nay" in periodic elections is more than a technical question.

If the right to vote is denied, or if the vote itself is diluted, then to that extent the membership of the voter in civil society is diminished and his political personhood is impaired. He becomes less of a "man" than his fellows, and loses to them some portion of his right to help determine his civic destiny. This is a moral question and ultimately a theological one, concerning which the National Council of the Churches of Christ may not remain silent.

When the founders of our Nation declared, "All men are created equal and are endowed by their Creator with certain inalienable rights," they perceived and expressed a profound truth about the nature of man, which earlier generations had not had the social experience or political opportunity to discover. In the Christian view man is a child of God who is loved by His Heavenly Father, and who is called to love his brother as a member of God's family. As such he is also a son of God who is of infinite value in God's sight and who, in obedient response to His will, values all other human beings as sons of God with the dignity and the freedom of action of such sonship.

Believing, then, that "all men are created equal"—not in their abilities but in their rights among the rest of humankind—we do not know of any proper basis on which that equality can be reduced or the rights which God has given alienated, not even by majority vote of the electorate. Individuals may refrain from exercising their franchise, but it ought not to be kept or taken from them—in whole or in part—by those who presently possess political power in order to perpetuate their possession. Rights guaranteed to persons by the Constitution are not "rights" if they depend on the outcome of elections.

The story of this Nation is in part the story of the extension of the franchise to all adult citizens. The founders of our Nation failed to apply fully their daring insight that all men are created equal. They failed to give women the right to vote, and for the purpose of allocating Representatives to the States counted Negro slaves as three-fifths persons and even then denied them the right to cast these votes themselves.

Ever since that time, we have been striving as a Nation toward a goal which could not then be, and has not yet been, fully attained. For over a century we have suffered as a Nation the continuing consequences of undervaluing the personhood of some of our fellow men. Recently we have begun to perform a national penance for this injustice. But having striven thus far toward achieving a genuine and effective political equality, we should not now change our Constitution in any way that would take our Nation back toward fractional citizenship. Rather we should move in the opposite direction; toward the integrity and equality of every citizen's full belonging to the civic commonwealth of God's children. If our democracy is to function properly, those who are eligible to vote should be encouraged to exercise their franchise and to prepare themselves to vote intelligently on candidates and issues.

We believe that equal representation is every person's fundamental right and a necessary adjunct to full political personhood. Therefore, the National Council of Churches records its opposition to the proposals for an amendment to the Constitution or any other moves which would restrict the right of every person to substantially equal representation.

TO AMEND THE TRADE EXPANSION ACT

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARING. Mr. Speaker, I have long had a deep concern over our national trade policy, and the events of recent years have not changed my mind. I believe along with others that the Trade Expansion Act of 1962 was not good legislation and feel that the time has come when it needs to be changed. I therefore am glad to join with other Members who have introduced legislation to amend it.

When the legislation was passed 3 years ago it was assumed that nearly all American industry could compete with all other industries in the world, and if there were any that could not do so they should be phased out of business or helped into some other area of production than their accustomed line. This was an unrealistic assumption but it prevailed when the votes were cast for the legislation.

No one even stopped to ask how, for example, a silver mine could be converted to producing something else or how ranchmen who were wool growers or cattlemen could change over to something else. What where they to turn to?

Mining centers around the particular mineral that happens to be deposited in the earth. It is a local, special resource and may be remote from other minerals, and the land that has the deposit may be of little use, if any, for anything else. A gold mine does not yield coal. A coal mine does not yield copper; and neither yields nickel or borax.

Land that is adaptable to ranching is often not suitable to crop farming; and if the wool grower is to stop growing wool he has very little leeway. He may turn to cattle-raising, but imports may, as they have done only recently, make a hazardous occupation of that pursuit; and if cattle-raising turns sour he has nowhere to go.

Mr. Speaker, I do not understand a policy that permits our industries, farmers or mining pursuits to be driven from pillar to post for no better reason than the generally much lower wages prevailing in other countries. I do not believe that low wages are to be encouraged or that the higher wages of this country are to be penalized. Yet that is precisely the effect of our trade policy.

Who is better off, the low-wage countries or this country, with its higher wages? If we are better off, I wish someone would explain to me in understandable terms why we should be put not only on the defensive but in economic jeopardy by a policy that would hand the advantage to the low-wage countries while handicapping us.

It makes little difference to me how the economists try to explain the blessings of free trade, taken right out of college texts on economics; the effect of adopting free trade in this country or approaching it too rapidly would close nearly all the mines of the West and would depopulate our ranches of sheep, cattle and goats and turn them back to coyotes, rattlesnakes and jackrabbits. If the college-bred economists do not know this they should try going into business and pay wages two to four times as high as their competitors and then listen to their own colleagues on the sideline accuse them of inefficiency for being unable to compete; and also hear these same colleagues say that they, the new economic cattle and wool growers or miners are marginal producers who would do better to shut down their operations if they cannot find richer ore beds or veins or cannot compete with Australia in beef and wool production.

They would hear it said that their capital should be channeled into something else, but the sideliners would not be able to tell them what the new line of production should be; merely that it should be something else; that their assets, if they are miners, dedicated to mining, their mining equipment, transportation sidings and rail lines or roads should be abandoned. These theorywise colleagues had forgotten that the value of these assets would evaporate if they were offered on the market in distress and there would be nothing left to channel into something else; that debts would more than swallow up the market value of the equipment and other assets; that abandoned towns become ghost towns and that these do not employ anyone; that the workers, trained in mining or some similar pursuit would not soon find employment elsewhere.

Mr. Speaker, it is very easy to lay down from afar economic principles that miners and ranchers should follow in their operations. The miners should find only the richest ore beds or veins so that they could compete with miners from all other parts of the world, no matter what wage-cost advantages these might enjoy. Also, if having begun with rich ores and finding them diminishing in richness, the mines should be abandoned at the point at which it would no longer be profitable to compete with imported minerals produced with low-cost labor—even, mind you, if the foreign mines had no richer ores than what was left in the mines here.

As for the ranchmen, they should breed only the highest grade livestock, graze only the ranges blessed with the greenest and most luscious grass, should be located only where the winters are the mildest and the rainfall most equable.

with never a drought or a cruel blizzard. They might then be able to compete with ranches in Australia, New Zealand, Mexico, and Argentina where they do sometimes have droughts and blizzards, but where wages are so agreeably low that the droughts and blizzards do not matter so much.

If these prescribed conditions cannot be found, mining and ranching should be left to other parts of the world. The mine owners, mineworkers, and ranches and ranch hands should abandon the mountains and the rugged terrain and the valleys of too sparse vegetation, come down on the cities and join the industries thriving there. These would be glad to greet them with open arms, no doubt, but for one thing. The industries might not have openings for them, except perhaps as yardmen, night watchmen, timekeepers, or other unskilled help.

The miners and ranchers should be willing to make the transfer without a murmur in behalf of the great principles of free trade. After all, the other countries do need our markets for their own faster development and prosperity. It would be a small price to pay for such a noble purpose, always provided, of course, that it was not yourself who had to pay it.

Mr. Speaker, the picture I have drawn is not a caricature. We will have to make up our minds on one point one of these days, and the sooner the better: namely, that we cannot have the benefits that this country derives from higher wages and at the same time pursue a trade policy that if carried out at the proposed pace of the Trade Expansion Act, will wreck the industries paying those wages.

Our economists shout endlessly that in order to remain competitive we must become more efficient. They overlook one point. Should we succeed in becoming sufficiently more efficient than other countries, we would not offer them a greater market here. It is only if we cannot outmatch their low wages by an efficiency high enough above theirs, that they can sell more here. It is the purpose of tariff reductions to increase their sales here; but, if in order to remain competitive, we improve our efficiency enough we will nullify the tariff cuts and will be left with unemployment. If we do not become efficient enough higher imports will ruin our industries.

If we will try industry by industry, that is, all sorts of industries other than mining and ranching, to become more and more efficient by turning to the magic of machinery, including the use of computers, we may indeed halt the import rise but we will be sending thousands of our workers out of the mills and factories at the same time. A more likely outcome when we engage in such a race with foreign technology, will be success in displacing our workers without winning the technological race.

This is our problem. If we remain sufficiently efficient or become so under the impact of foreign competition we will nullify the benefit of tariff reductions to other countries. They will not be able to sell more here than before. At the same time we will displace workers and these will have to go to other industries for employment; but many of these other industries will be in the same predicament. The displaced ones will then require retraining for jobs they may never find. Others will increase the load on our poverty program.

Mr. Speaker, to those who continue stubbornly to claim that our difficulty in competing with imports is not the result of the great difference in wages here and abroad, I challenge all of them to point to mines and to ranches that would not be able to survive if they paid wages of a dollar or $2 per day. I think they would have a hard time finding even a single instance. Many of those who are strong for further tariff reductions pose as friends of the higher American wage scale but commit themselves to a policy that would effectively undermine it.

If the tariff cuts authorized in the so-called Kennedy round are carried out, a calamity will befall many of our industries. The present run of prosperity will spend itself, and stagnation will again beset us. There will no longer be further tax cuts available to reactivate business. What will we do then to absorb the unemployed? It would obviously be necessary to press a heavy lid on wages to maintain our competitive position. More automation would become inevitable and this would mean more unemployment.

A year ago the cattle industry was in distress because of imports. Nothing short of congressional action would have halted the damage short of disaster. The situation has improved because of the legislation passed, putting a ceiling over imports. There is, however, a loophole which I hope will not need closing. Meantime the situation has improved because the upward thrust of imports was halted.

Other industries find themselves in similar difficulty or moving in that direction. With a few exceptions they do not have the benefit of a ceiling over imports. At the same time they are now exposed to further drastic tariff cuts. The 50 percent proposed cuts, if carried out, would confront many of our industries with extreme difficulty and discouragement. Let no one believe that it would be disruptive or create only a ripple.

What was a stream of foreign investment would become a torrent. No voluntary effort to stem the flood would succeed. Legislative control would become inevitable, and the free enterprise system would come under increasing regulation, including harsh monetary and fiscal measures.

Mr. Speaker, I feel that the 50 percent tariff cuts now under negotiation in Geneva be moderated to bring them within the bounds of reason. The bill that I am introducing would do so. It would not prevent all tariff reductions; but it would remove from the President's list of products that are already imported in volume and need no further encouragement to capture more of our market. It would also make possible the limitation of imports through import quotas if imports in recent years have increased as much as 75 percent and have already risen to at least 7½ percent of domestic production.

I feel that if we do not make these provisions to prevent extreme damage in those instances where imports are already riding high it would be better to set aside further tariff cuts altogether. The least that we can do is to limit the damage that will be done if the negotiations are carried through.

The Ways and Means Committee should give consideration during the present session to this legislation. Next year it may be too late.

GOOD TEACHING WINS PEOPLE'S HEARTS

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, Mencius, a Chinese sage who lived around 300 B.C., said:

> Good government does not win the people so well as good teaching * * * good teaching wins the people's heart.

I submit the 1965 baccalaureate sermon delivered by the Reverend John D. Verdery to the graduating class of the Wooster School, Danbury, Conn., as an example of good teaching.

The sermon follows:

BACCALAUREATE SERMON—1965

Marcus Aurelius wrote, "Keep true to the dreams of thy youth," implying thereby that it is not easy but that it is worth trying. I too believe that it is not easy, but that it is worth trying.

I. YOUR YOUTHFUL DREAMS

I believe that your present dreams are mostly good, perhaps the best you shall ever have. Yours is the moment of idealism. You are transported by your dreams. Now all things are possible for you. You yearn to save the world and have had few doubts that you can do so. You are champing at the bit, impatient to get going. You want to march. You want to demonstrate. You want to join the Peace Corps. If only it still had its old-time glamour, you might even want to go to war—to be a knight in shining armor. You are raw recruits for the heavenly host, of whom the Lord might well say, "Forbid him not: for he that is not against us is for us."

II. ALREADY TARNISHED

Yet even as I speak you smile, tempted to interrupt and set me straight. "Sir, you misread us. We have begun to wake up. Our dreams are flying. Our eyes are clearing; and as we look about the world around us—and at ourselves—we like little we see. You expect too much of us. We know more than you think. Our idealism is already tarnished. We're skeptical. Some of us are even now disillusioned. We are disappointed and discouraged at the outset. We doubt we have the power and question even that we have the desire. Our awakening has been rude, like all awakenings. The neat patterns and easy solutions of dreams have begun to prove elusive and impractical, in short foolish, and so not worth bothering about. Sir, you misread us. We have already started to be untrue to the dreams of our youth."

III. I AGREE

Yes, of course you are right. And I believe you. You have already had unhappy experiences enough so that you are no longer starry-eyed. The colleges of your choices did not all choose you. The friends of your choices did not all choose you. Some heroes have let you down. Sorrow and suffering are not strangers to all of you. Your awakening has indeed begun—and is already rude. But it is not complete and will be ruder. If you are skeptical now, you shall be more so; if disillusioned you shall be more so, if disappointed and discouraged, you shall be more so. After all you have not yet done anything. If as mere observers, so to speak, your dreams are already somewhat tarnished, wait till you get into the fray.

IV. BUT NOT WHOLLY

Still, I think my point is not wholly wide of the mark. After all, why is it that you are now so quick to challenge me? Is it not because you still have high hopes which you have nurtured, dreams which you have believed in, yearnings and good desires which have possessed you? If you are a little bitter, it is partly because you hate the bitterness that is within you. If you are a little discouraged it is partly because you loathe the feeling. The cynicism that tempts you appeals precisely to that region of your soul where love resides. It is like a prostitute, offering love * * * for sale. You are tempted because you are yearning for love. This is your youthful idealism and it is glorious and far from dead.

I believe, therefore, that Marcus Aurelius' plea is still timely, "Keep true to the dreams of thy youth." As long as you do not capitulate to these other feelings, you remain potential allies of what is good, eligible for draft into the army of the Lord, which at this point welcomes you with but a single qualification: "Forbid him not: for he that is not against us is for us."

V. LATER IT SHALL BE DIFFERENT

Later on it shall be different. You cannot forever enjoy the luxury of the uncommitted.

The lesson I read you this afternoon tells of a healing miracle performed by Jesus. A man was possessed of a demon which had struck him dumb. A battle ensued for this man's soul, between Beelzebub, the chief of the devils, and the finger of God. Looking on as the miracle was performed were some uncommitted people who wondered at what they saw. Some were prejudiced and cynical, attributing what they saw to evil rather than good, to Beelzebub rather than God. Jesus had an answer for them. Others were insensitive and blind, asking for a sign from Heaven, as though what they had just seen were not a sign. Jesus had an answer for them as well. Then he condemned them both, saying, "He that is not with me is against me; and he that gathereth not with me scattereth."

How could he so soon so precisely contradict what he had said before: "Forbid him not; for he that is not against us is for us."? It is, I believe, a matter of timing. There come moments when neutrality is impossible, when commitment—whether by default or decision—is inescapable, when the ally who does not stand up to be counted is no ally but an enemy. One cannot forever enjoy the luxury of the uncommitted.

The dreams of youth are beautiful dreams because they are dreams. All awakenings are rude because they confront us with reality, which demands action, decision, commitment, a price to pay and the chance to be wrong or to fail.

VI. YOU SHALL HAVE TO TAKE SIDES

There are forces loose in the world today, as there always have been fighting for men's souls even as Beelzebub and the finger of God fought for the soul of a mute. Some of them are good, even as some are bad. And by no means does the good always lose. Just now you are bystanders, but not for very much longer. Soon you shall be forced to take sides, by doubting or scoffing or hiding in the crowd, hoping not to be noticed; or by standing up and declaring yourselves. The warning is clear enough: "He that is not with me is against me; and he that gathereth not with me scattereth."

Beware of subtleties and the undramatic. Selma is easy, and so is the Peace Corps. But there are also fraternities that so quietly take no Jews. There are friendships at so little too high a price. There are business propositions just gently tainted. There are conversations that crucify, ever so slightly. There are innocent love affairs, leaving such tiny life scars. There is so much harmless harm.

VII. THE MAJOR MORAL ISSUE

I do not believe the major moral issues of your day will be between communism and democracy; or between black muslims and white supremacists; or between a war of annihilation and peace on earth. I think it will be, as it always has been, between the finger of God and Beelzebub. (Did you know that the English translation of the name Beelzebub is lord of the flies?)

And Beelzebub, the chief of the devils, is subtle. He will not make it easy for you to choose. Nor will he tell you when it is time to stand up and be counted. Nor will he allow you to choose once and for all. He will come back at you again and again and again.

VIII. HOW TO MEET THE CHALLENGE

What can I tell you of how to meet the challenge that confronts you? Nothing new. The challenge is not new. The issues are not new. I can urge only that sometime soon you make the one choice from which all others must be made, between Beelzebub, the lord of the flies, and the finger of God.

Perhaps you will say that you do not believe either in Beelzebub or in God. Today I can answer, never mind. "Forbid him not; for he that is not against us is for us."

But tomorrow it shall be different. You will be in the thick of the battle and the Lord and Father of mankind will say, "He that is not with me is against me; and he that gathereth not with me scattereth."

For those who are with Him there is power. It takes only the mere finger of God to drive our demons and subdue the devil. But it is the finger of God—His very instrument of creation—and so, like the fingers of the sun's rays at the break of day, it bespeaks the dawn of the kingdom of God—within you.

OVERTIME PAY FOR FEDERAL EMPLOYEES

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, I am today introducing legislation to provide for a uniform pay system with respect to overtime, night and holiday work, for the Federal agencies involved in border inspection work. This bill will provide that Agriculture Research Service employees in the Department of Agriculture and Public Health Service employees in the Department of Health, Education, and Welfare who perform border inspection services are compensated in like manner as Bureau of Customs employees in the Department of the Treasury and Immigration and Naturalization Service employees in the Department of Justice, who also perform such inspection services.

The civil servants in all these categories perform comparable duties at our ports of entry and border stations. At this time, however, the Agriculture and Public Health Service employees receive regular pay for Sunday work, this day being considered as a part of the regular 40-hour work week. Customs and Immigration employees, however, are compensated for comparable work on a reimbursable double-time basis. My bill provides that whatever the basis for compensation for the Customs and Immigration officials, this basis shall apply also to Agriculture and Public Health Service employees.

Such standardization is in keeping with the spirit and intent of the civil service system—a system of merit where equal compensation is given for equal work performed.

STATEMENT OF DR. PAUL W. BRIGGS, SUPERINTENDENT OF SCHOOLS, CLEVELAND, OHIO, BEFORE THE SPECIAL EDUCATION SUBCOMMITTEE ON THE MORSE-BRADEMAS TEACHER FELLOWSHIP BILL, H.R. 9627

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. VANIK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VANIK. Mr. Speaker, today hearings began for the consideration of H.R. 9627, known as the Morse-Brademas teacher fellowship proposal. The leadoff witness was Dr. Paul W. Briggs, who has just completed his first year as the superintendent of the Cleveland public school system in my city of Cleveland.

During the close of his testimony, he pointed out that the Cleveland public school system will establish over 100 elementary school libraries. In this connection he expressed his desire that the committee consider the need for promoting library science training under H.R. 9627. As a principal part of that program to emphasize the need, he explained that the Cleveland public school system is in the midst of a national recruiting program of 150 librarians. To date, fewer than 10 librarians have been hired with only 2 months to go before the program is operational. I am proud to say that in the process of establishing this library program, over one-quarter million dollars has been donated by interested businesses and businessmen in Cleveland for the new construction and renovation which will be required to establish this vital library program. As Dr. Briggs has pointed out numerous times, the elementary schoolchildren of our city and the Nation must have at their ready access any books which they require during this critical period of educational development. To assure that such an effort is feasible, the only answer is the establishment of libraries within each elementary school so that the books are readily available.

I am in hearty support of this endeavor to staff such a library program. In addition, I wish to add my voice in support of the Morse-Brademas proposal for teacher fellowship programs for advanced educational degrees for teachers. The continual upgrading of teachers' skill is the only way in which we can guarantee quality education throughout a school district's educational system. The ability of a teacher to participate in such a program should assist a potential teacher in deciding on a teaching career. Under such a program the possibilities of advancement in academic prowess and self-confidence as well as remuneration should be upgraded.

In addition, it would be the hope of this program to begin to meet the critical shortages which now exist on the elementary and secondary school levels. As Dr. Briggs has noted, nearly ten thousand teachers are on an emergency certificate basis in the State of Ohio alone. In the city of Cleveland during the next school year, we will need nearly 350 additional teachers to meet existing school programs.

I wish to point out to this body that under the great leadership which Dr. Briggs has shown and the keen understanding of educational needs evidenced by the Cleveland School Board, a special program will be established this fall for 50 Peace Corps returnees to work as classroom teachers in our school system. This program is potentially useful toward filling the teacher deficit which now exists.

If the important and historic educational legislation which has been passed during the last two sessions of Congress is to have any meaning for the American students, emphasis must now be placed on the recruitment of teachers in our American schools.

It would be well if our national goal would now be to provide adequate teaching staffs so that classes remain in the ratio of 1 teacher for every 25 students. Under the proposal set forth under H.R. 9627 and the testimony by Dr. Briggs, a good start will have been made toward that goal.

Mr. Speaker, the statement of Dr. Paul W. Briggs follows:

STATEMENT OF PAUL W. BRIGGS, SUPERINTENDENT OF SCHOOLS, CLEVELAND, OHIO, TO THE GENERAL EDUCATION SUBCOMMITTEE, JULY 7, 1965

I am Paul W. Briggs, superintendent of the Cleveland Public Schools. I welcome this opportunity to appear before the General Education Subcommittee to testify regarding the Morse-Brademas teacher fellowship bill.

During the last 24 hours I have had an opportunity to study this proposal and to discuss with my colleagues its effect on education in Cleveland and the immediate middlewest. The Cleveland Public Schools have a staff of approximately 5,600 certified personnel. Currently we are enrolling approximately 150,000 children during the regular school year and nearly 25,000 in special summer school programs.

We in Cleveland are especially conscious of the need of attracting more and better teachers. We recognize that the teacher is the key to quality education and we are pleased to note that the proposed legislation deals with fellowships that should increase the number of available teachers, as well as improve their quality.

The director of teacher education and certification for the State of Ohio reported that last year Ohio found it necessary to import 3,854 certificated teachers and, at the same time, issue emergency certificates for 9,603 full-time teachers.

The shortage of teachers is compounded when we consider the student growth. Cleveland is experiencing an increase of approximately 3,500 students each year in grades kindergarten through 12. This is occurring at the same time that the population of the city of Cleveland is decreasing. Student population in Ohio is increasing at the rate of approximately 80,000 students per year.

We find a noticeable trend for students to remain in school for a longer period of time. The Cleveland student dropout rate in the eighth and ninth years has been materially reduced. The introduction of preschool programs calls for additional teachers. If the preschool program is to become a part of the permanent program of education in Cleveland, it will require an addition of 220 teachers. When we add to this number 117 for normal growth, it is evident that the city of Cleveland should attract to the teaching staff next year 337 additional teachers. (Cleveland annually needs to replace approximately 700 teachers who retire or for some other reason leave the profession.)

In order to have sufficient teachers to open school next fall, the Cleveland public schools have conducted an extensive recruitment and public information program. We have also set up a special program with the Peace Corps whereby 50 Peace Corps members will be reporting to Cleveland under a special experimental program.

All of us in education must be concerned not only with the quantity of teachers needed to meet the present enrollment needs but, also, with their quality. Education in this space age cannot remain static. Teachers must be better prepared than ever. The present explosion of knowledge is continually changing the content and programs of American education. In the physical sciences, we are doubling our knowledge twice every decade. Every child should be entitled to the services of an educational staff properly trained, familiar with current advancements in subject matter, aware of student needs and able to use the most modern and effective teaching methods.

New relationships between the various disciplines are now in order. For example, vocational education finds itself closely associated with advanced programs in mathematics and science. If the culture of this generation is to be improved, the teachers of our children must be individuals who are acquainted with good music and the arts, as well as the subjects they teach.

As I read the proposed legislation governing the creation of teacher fellowships, I note with favor that a majority of these fellowships are to be given to those who are or will be teachers of children in elementary and secondary schools. I would assume that the fellowships will encourage individuals to do graduate work under circumstances much improved over the conventional pattern.

I would also assume that, since the fellowships will be for full-time students at properly accredited colleges and universities, this may encourage students to do graduate study in academic subject-matter fields, rather than having to select only methods courses. Many teachers are now forced to do their graduate work in evening classes and on weekends through extension divisions of regular colleges and universities. This results in forcing students into methods courses, since few subject-matter courses are available on a like scale. In a check of the records of the Cleveland public schools, we find that approximately 70 percent of our teachers holding masters degrees majored in methods courses. Extension programs seldom provide the quality of instruction found in a regular campus program, and are usually devoid of adequate library facilities.

I would hope that the distribution of fellowships, as described under section 7, might find a new priority for those teaching or planning to teach the children of the poor and disadvantaged.

Federally subsidized programs of the NDEA variety have effectively focused new attention on institutes and programs aimed at assisting teachers of science, mathematics, foreign languages, library science, and the disadvantaged. These programs have brought new dimensions in education and should be continued. They should supplement the present programs of education and the proposed teacher fellowship program.

I wish to thank you for the opportunity of appearing here today. I would be remiss if I did not acknowledge the great contribution that this Congress has made to public education. I would like to close by reminding you that America cannot remain first if her public schools become second.

CHARLES WELTNER—"ONE OF THE ABLEST"

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Domestic Finance Subcommittee of the House Banking and Currency Committee is currently engaged in the investigation of Federal Services Finance Corp., a worldwide finance and small loan company which deals primarily with military personnel. During our investigative hearings the able gentleman from Georgia [Mr. WELTNER], has played a leading role. This is not the first instance that the gentleman from Georgia has shown exceptional qualities in the affairs of the Banking and Currency Committee. I recently selected him to serve as a member of a special subcommittee to study the currency destruction policies of our Government.

Congressman WELTNER's contributions to the Federal Services investigation have been chronicled by the Pulitzer Prize winning newspaper, the Columbus, Ga., Ledger. I am pleased and honored today to include in the record a copy of the column written by that paper's staff military writer, John Coombes, praising the gentleman from Georgia for his interest and enthusiasm in this investigation. Many fine young Congressmen have entered this body throughout history and it is my sincere judgment that the gentleman from Georgia ranks as one of the ablest:

MEN AT ARMS

(By John Coombes)

WASHINGTON.—There are a lot of servicemen stationed at Army, Navy, Air Force, and Marine Corps bases in the State of Georgia and no one is more acutely conscious of this than Atlanta's young, second-term Congressman, Representative CHARLES L. WELTNER.

A sharp, young member (although he's actually the second senior Democrat) on the important Domestic Finance Subcommittee of the House Banking and Currency Committee, WELTNER is a man who does his homework on issues that arise in Congress—especially those concerning servicemen.

Armed with an excellent knowledge of Georgia law and the State's banking and loan business regulations, WELTNER last week posed some penetrating questions to Defense Department and Army, Navy, and Air Force representatives appearing for the committee's investigation of Federal Services Finance Corp. The firm has been charged with a large number of malpractices in its dealings with servicemen in Georgia and around the world.

It was WELTNER who questioned active and former executives of the firm on its practice of obtaining blank powers of attorney from servicemen. It was WELTNER who brought from executives the admission that soldiers shipping American-made automobiles financed by Federal Services to and from overseas and covered by U.S. Government indemnity were still charged $30 for marine insurance. And it was WELTNER who rapped the finance company's use of commanding officers in the services as collection arms for loans and accounts carrying excessive rates of interest.

After citing instances in the Navy report to the committee where one serviceman had paid close to 50 percent interest on a loan, and another 30 percent, WELTNER told Assistant Secretary of Defense Norman S. Paul: "I am making this suggestion very pointedly * * *. It seems to me totally inadequate to say (in a new loan documentation procedure DOD is considering) what the interest is, unless we have some kind of maximum limitation on the amount of interest that is being charged.

"I, for one, would consider it to be totally inadequate for the military services to lend their procedures and their personnel to assist and aid and abet in extracting and extorting interest up to 30 percent," said WELTNER, who left no doubt he is more concerned about the interests of servicemen in Georgia than some of his seniors who represent Georgia districts in the House.

BILLBOARD BLIGHT AND THE RIGHT TO BE LEFT ALONE

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. UDALL. Mr. Speaker, every American with a sense of national pride in the appearance of his country welcomes President Johnson's program for restoring, enhancing, and preserving the natural beauty of our land. All of us who are eager to bequeath to future generations the beauty we have inherited are grateful to the President.

An important part of the President's program calls for the improvement of our roadside environment. To that end, the President submitted, along with his recommendations, a proposed bill requiring that the erection and maintenance of outdoor advertising signs, displays, and devices be controlled. Identical bills, reflecting the administration's views (H.R. 8489 and H.R. 8490) have been introduced. The bills provide that no Federal-aid highway money shall be apportioned on or after January 1, 1968, to any State which has not made provision for the effective control of outdoor advertising along the Interstate System and primary system highways in areas not commercial or industrial.

There is little doubt that enactment of this legislation would be a great step forward in implementing what President Johnson called the new conservation. This concept includes restoration as well as protection of threatened or blighted natural beauty.

While I support the purpose of these bills I propose to strengthen their provisions for I am convinced that the American motoring public is prepared not merely to win a single battle in the fight against billboard blight but to strike now for total victory. Therefore, I have today introduced a bill which would ask the Congress to declare that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to and visible from the Interstate System and Federal-aid primary system involve essentially a use of such highway facilities; that outdoor advertising signs, displays, and devices must be controlled in order to protect lives, to promote the recreational value of public travel, and to preserve and enhance natural beauty; and that off-premise outdoor advertising signs, displays, and devices must be prohibited in order to protect the highway user from the visual aggression of unnecessary forced viewing and unwarranted interference with freedom and the right to be let alone.

My bill, among other things, would require the States, as a condition to receiving apportionments of Interstate and primary funds on or after January 1, 1968, to prohibit all off-premise advertising in all areas adjacent to Interstate and primary routes, regardless of whether they are zoned commercial or industrial or are commercial or industrial in character. This is in accordance with the majority of the members who were panelists on the Roadside Control Panel of the White House Conference on Natural Beauty last month. In my view, the administration bills would lead to strip zoning, widely viewed as undesirable, and which would surely present enforcement and other legal problems if such a loophole be permitted in the law.

In addition my bill would permit existing signs to remain until 1972, thus providing the billboard interests with an interim amortization period in which to recover their investments.

Under the authorization act of 1958, 25 States have entered into agreements with the Secretary of Commerce to control advertising along segments of the Interstate Highway System. Of the 25, only 8 have actually received bonus payments. My bill seeks to obviate the troublesome, time-consuming and expensive problem of estimating bonus payments by providing an alternative method of payment.

The bill I have introduced also incorporates the mandatory control feature recommended by President Johnson. The President's proposal, as well as the bill I have introduced, would permit the erection and maintenance in controlled areas of only two classes of signs: First, directional and other official signs which are required or authorized by law; and second, on-premise signs; that is, those signs advertising the sale or lease of property on which they are located or activities conducted upon such property.

Mr. Speaker, we must not continue to ignore the evidence of our senses that the face of America is being disfigured. In my own State of Arizona, a land of astonishing beauty, known the world over for its scenic wonders, there are today stretches of highway where the billboard jungle makes it almost impossible to see the landscape.

Quite apart from the protection of the public landscape, the necessity for control of outdoor advertising arises in part from the presence of a form of coercion which seeks to compel travelers not merely to observe but to divert their attention from the safe operation of their vehicles, from their private thoughts, and from the contemplation of the landscape in order to apprehend a commercial message—and to do so without any practical alternative.

The point is, we are dealing here with a new phenomenon: the exploitation of highway travelers through assault upon their virtually unavertible sense of sight; if you close your eyes while driving, they may very well remain closed forever.

MERCHANT MARINE CRISIS

Mr. GROVER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GROVER. Mr. Speaker, the prolonged strike of the Marine Engineers Beneficial Association may be the straw that breaks the back of the tired, sick, and deteriorating American merchant marine.

This strike has cost the ship lines nearly $200,000 a day in lay-up costs and shippers some one-half billion dollars in exports.

And, it may in fact jeopardize the joint Government-industry $4 billion replacement program.

Everyone talks about our fading merchant marine, but no one does anything about it.

Everyone urges that we ship American—if the strike is not settled reasonably soon, there will be no American bottoms left to ship American.

I do not like compulsory arbitration—but we do need action.

I call upon the President to look into this maritime crisis while there is still time.

FROM BEHIND THE IRON CURTAIN

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. Dulski] is recognized for 30 minutes.

Mr. DULSKI. Mr. Speaker, soon we will observe another Captive Nations Week. It is fitting and proper that our country recognize the plight of these unfortunate nations, and let their people know they have not been forgotten.

But at the same time we must also be alert to the divisive forces within our own country which seek to destroy our institutions by resort to mob and community disorder. The street demonstrations which we witnessed during the past year threaten to lead Americans into a different form of tyranny—to the odious tyranny of the mob.

In standing guard against the tyranny of totalitarian communism, we must take care not to fall victim to mob tyranny. Mobocracy is the enemy of all Americans—regardless of race, religion, or creed. And those Americans who advocate or encourage mob action to attain their narrow political ends are undermining the foundations of our Republic.

Nor can there be any doubt that these demonstrations, by dividing the American people and diverting our national energies at this critical time, serve the ultimate purpose of our Communist enemies.

Those who have lived behind the Iron Curtain know the tactics and methods employed by the Communists. We would do well to heed their warnings.

Mr. Speaker, at this point in the Record, I wish to include the following article which appeared in a recent issue of ABN Correspondence—a bulletin of the American Bolshevik Bloc of Nations—entitled "From Behind the Iron Curtain":

From Behind the Iron Curtain

THE INTENSIFIED LIBERATION STRUGGLE OF UKRAINE AND OTHER SUBJUGATED NATIONS

During the Stalinist period, it was not attempted to hush up the opposition. It was used to point out failures. The present rulers, however, conceal opposition to the system and want to weaken it, for example, by the rehabilitation processes and their aftereffects, in order to prove that the system is justified in principle and that former failures were only due to the tyrannical excesses of Stalin.

On February 27, 1957, after the Hungarian revolt, Mao Tse-tung spoke openly about contradictions in the "new society," that is, in the countries controlled by the Communists.

The nationalist liberation movements of the peoples subjugated by Russian imperialism in the Soviet Union and the satellite states are the Achilles' heel of the Russian system.

The second most important problem lies in the field of religion, philosophy, and culture. A third consists of social and economic opposition, the individualist system against the collectivist.

The distress of agriculture gets visibly worse all the time and causes more and more new political complications for the regime. In Ukraine, particularly, the reaction takes the form of political demonstrations. The agrarian problem is not only economic, but also national because the Russian theory upon which agriculture in Ukraine is based is opposed to the Ukrainian principle of private ownership and private initiative.

The revolutionary youth of Ukraine stand in the forefront of the struggle.

NEW METHODS OF OPPOSITION

The last few years are characteristic of the new methods: strikes, street-battles and demonstrations, although brutally suppressed, caused losses in the ranks of the occupiers. The big fights in Novocherkask and Donets Basin in 1962–63 marked the turning point, not only with regard to new tactics and strategy but also with regard to morale. The people lost their fear and found again their courage to fight. As a result of the incidents in Novocherkask and other towns in 1962–63, which aroused morale, the Soviet Government was forced to give up the priority given to heavy industry and the extension of all the branches of industry which serve the needs of the people.

The fillip given to morale after Novocherkask led to the intensification of the struggle against the Russian occupation with different means and under different forms, from the most harmless to armed force. For example, the prevailing grievances are laughed at and a joke is made of the fact that the Soviet Union has several sputniks in space but the population has no shoes. Moreover, after the incidents in Novocherkask and other towns the import of grain from abroad was stepped up.

Others criticize everything. They spread a general scepticism. Embarrassing questions are put to the agitators at meetings. They write scornful anonymous letters to the newspapers and periodicals. Others nourish and stir up hopes of a war. Some people hope for a palace revolt in the Kremlin and spread subversive rumors to this effect; for example, the one about the murder of Khrushchev. Sabotage is carried out on a large scale in the collective farms and in the whole economy in general. In the factories, for example, even Italian strikes are being practiced if the workers make claims for higher wages or they want to get rid of the director of a factory. The school reforms are evaded and here too the Ukrainians create chaos. Another form of the resistance already displays a violent character, that is, certain fighting groups of the Ukrainian Nationalists (OUN and UPA) are in arms against the Russian rulers.

THE YOUTH IN REVOLT

A further factor not to be underestimated is the wide philosophical and cultural offensive of the writers, artists, the intellectual elite of Ukraine and the younger generation, whose average age is 28. The ideas they mainly represent are love of country, truth, God. The young artists flatly reject so-called Socialist realism and look for new forms of artistic expression. One feels the return to tradition, to the idea of an eternal Kyiv, to the history of Ukraine. One perceives an endeavor to reveal the nature of the Ukrainian people, to stir the Ukrainian universe. A cultural renaissance on traditional and historical principles is the dominant motive in which the younger generation is interested. One finds neither dialectical materialism nor negation of one's fatherland. On the contrary, one finds fanatical faith in, and fanatical love of one's country. No internationalism, no Soviet patriotism. Here a novel by the older writer, Sklarenko, should be mentioned: Sviatoslaw, published in 1960. It refers to the legend of eternal Kyiv as an intellectual and political center of Eastern Europe and as a bulwark against the Eastern hordes. The author stresses the Christian mission of Ukraine and vehemently rejects all dependence on foreign church centers and by this he means in particularly the Moscow Patriarchate. From this example, it can be seen how great the courage of the present cultural elite has become.

An article in literaturnaya Gazeta of June 21, 1955, Moscow, by the Ukrainian writer and film director, Alexander Dovzhenko, who was banished for 20 years during the Stalin period, started a great intellectual discussion among the artists and poets of the Soviet Union.

In an incredibly beautiful work, Poem Across the Sea, he extolls the great heroic times of the Cossacks, love of the Dnipro, of his people, of Kyiv, of the "great little people" who have preserved eternal Ukraine.

The young people do not shrink from writing anti-Russian and anti-Communist poetry, even if they are imprisoned for doing so. Philosophical groups and illegal radio broadcasts are organized, as well as illegal poetry-readings, and spontaneous discussions. Official meetings are interrupted. Workers boycott their work-place en masse.

THE REVOLTS OF 1962–63 ARE NOT FORGOTTEN

The Russians issued a strict prohibition in the towns of Novocherkask, Novoshachtynsk, Rostov-on-Don, and others, against discussion of the events which took place in Novocherkask in 1962. Nobody dreamt of observing this prohibition: "Look at the kind of bandits they are. They shoot the population en masse and then on top of that forbid us to talk about it."

What actually happened in Novocherkask? The local garrison commander, a colonel of Ukrainian origin, shot himself because he had refused to give the order to fire on the crowd. From the beginning of June to October 1962, the revolt in Novocherkask was completely sealed off by tanks and KGB divisions. So nobody could get through to it from other towns. However, when the occupation finally came to an end many inhabitants of Rostov and Novoshachtynsk went there and learnt of the atrocities committed during that period. "No one will ever be able to find out how many were killed by the bandits." Hundreds of women and children were massacred. The number of men killed will never be known, as many wounded men fell into the hands of the Russians and disappeared without trace. Besides this, many were simply arrested without anybody being able to find out anything further about their fate. All trials took place behind closed doors so that nobody has any idea who was sentenced or what punishments were imposed. There are many rumors that the regular army units as well as the militia vehemently refused to fire on the unarmed population. From reliable sources we learn that the number of dead and wounded was at least 5,000.

In the collective farms and factories of the Rostov region the events in Novocherkask are well known but people are afraid to mention anything about them. It is whispered here and there that the secret police (KGB) have warned everybody not to talk about this affair.

Throughout the Donets Basin, everybody knows about the happenings in Novocherkask in 1962 and is horrified at the bloodbath brought about by the Soviet authorities. It is emphasized that the number of dead and wounded in Novocherkask is a closely kept secret.

Discussion of the Novocherkask massacre among the professors in the University of Kyiv never stops. The events in Novocherkask in 1962, and the revolts in the Donets Basin in 1962–63 are a daily topic of conversation in the Ukrainian capital, Kyiv, and in the town and district of Cherkassy.

Various rumors circulate in Ukraine in connection with the above events. Thus in the Donets Basin, for example, people say that the revolutionary uprisings in most cases had distressing consequences for the workers. According to these rumors many miners were shot while the rest are out of work due to the closing of the mines. "We were forbidden to strike. So offenders were also shot, just as in Novocherkask and the Donets Basin." Fantastic figures are given of those killed in the Donets Basin. It is even admitted that in some mines literally all the miners were killed. It is not easy to tell where these rumors come from. But it is not improbable that this form of intimidation comes directly from the KGB.

In the Luhansk region it is generally said that in 1963, in the whole Donets Basin the strikes of the miners and factory workers reached fairly high proportions. The strikers claimed a wage increase and an improvement of public utilities. The authorities were forced to raise wages a little and to improve the public utilities in the Donets Basin. Above all, these revolts have forced the Government to import wheat. So that here and there in the Donets Basin one can buy white bread, while in the other industrial areas, where there were no strikes, no white bread was available in the winter months of 1963–64.

In Luhansk itself it was asserted that in 1963, there was a general strike movement of miners and factory workers in the whole Luhansk district. The workers and collective farmers declared that the aim of their struggle was not merely the overthrow of communism but the separation of Ukraine from Russia and the establishment on an independent Ukrainian state.

In March 1963, about 300 students and a few professors of the polytechnical institute in Novocherkask disappeared without trace. There is a rumor that these people were sent to work in the atomic research laboratories in Murmansk in the far north.

Novocherkask is full of anti-Communist posters. Secret newspapers are keenly read and studied. The working class youth and students are considering providing themselves with weapons.

A very informative declaration was made by the First Secretary of the Central Committee of the WLKSM, Pavlov, at a plenary session of the Central Committee in March 1964, that the general dissatisfaction among the youth in Odessa, Kyiv, and other towns had already taken organized forms.

THE POPULATION IS ARMING ITSELF

One can see from the Soviet press that the population is endeavoring to arm itself, especially the young workers and students. The people are providing themselves with weapons by stealing them from the state arsenals, by making them themselves, by illegally purchasing them in the state depots, and by taking them from representatives of the Soviet authorities and even from the military troops.

The newspaper Zaria Wastoka has been alarmed since September 1962, that the state armament factories in the Uzbek SSR have been selling a fairly large number of hunting guns and small-caliber rifles to persons who have no permits for such purchases. "Only 2 months ago," complains the newspaper, "71 small-caliber rifles were sold to persons who had no permits from the militia."

Cases are also known of individual militiamen or auxiliaries (Druzynnyki) who were disarmed. In other cases in Novocherkask and the Donets Basin even soldiers were disarmed.

The KGB chief in Georgia, A. N. Inauri, reported in Zaria Wastoka of February 1, that the troubles over the confiscation of weapons, which the citizens keep in their houses without permits, seem to be extremely important and absolutely necessary because of the prevention of serious political crimes.

SINGLE COMBAT GROUPS

In connection with the arming of the population there is the keen activity of single combat groups of the OUN. It is above all the young people among the workers, collective farmers, and students who began to arm themselves to oppose the attacks of the auxiliary militia (Druzynnyki) and to organize in groups. These groups gradually extended their activity even to representatives of the Soviet authorities in individual towns and finally did not shrink from other operations.

In July 1963, Izvestia reported cases of arson committed in Uralsk, West Kazakstan. The auxiliary militia is so frightened in this town that only a fraction of them dare to perform their duties. Izvestia also reported that at the same time the activists' house in the kolkhoze at Shulinsk "Hammer and Sickle" in the Tambow district and a barn in the farm belonging to the head of the kolkhoze Abakumov, were set on fire. An explosive was also thrown into Abakumow's bedroom. It completely destroyed the room but by chance did not kill him.

During the past 2 years reports on insurgent activity have increased. The insurgent groups are mainly students, young workers, and collective farmers who are by no means inclined to obey the orders of the authorities. These young people leave their families, go into the forests and fight, leaving production in the lurch.

It is commonly known that such armed rebel groups operate in the forests around the famous Ukrainian medieval fortified town of Kamenetzj-Podilskyj. People call them forest dwellers or children of the forest. Sometimes these young combat groups go to the nearest inhabited places and dance with the girls. Militiamen on duty prefer not to notice them. The zealous representatives of the Soviet power find no favor at the hands of these rebellious young people.

Very often these young avengers hold up state lorries, confiscate the corn they carry and distribute it among the population.

Similar combat-groups operate in the forests of White Ruthenia (Byelorussia). Thus special units of the KGB were forced to comb the forests in the neighborhood of Orscha in October 1963 after the combat groups had stolen food supplies from the town supply depot.

In the district of Brest the insurgents venture as far as the workers' settlements and attach posters such as "Down with Communism", "Death to the Communist Tyrants in the Kremlin," etc., to the walls on the houses and in the parks. The local authorities are very much afraid of the partisans, therefore, the local militia does not dare to prevent the posting of anti-Communist slogans. In the early morning these slogans are removed by the militia and auxiliaries (Druzynnyki).

Another example of the courageous activity of the partisans occurred in a small town where the parish priest of the Orthodox Church was arrested and then released. The inhabitants of the town claimed that the rescue of the priest was due to the "children of the forest" for they stuck up a poster after the arrest demanding the priest's release or they would set the building of the town soviet on fire and kill the head of the soviet.

A year ago, the KGB troops combed the woods around the town of Vinnitsa, Ukraine, with dogs. The inhabitants claim that a much smaller number of soldiers and dogs left the woods than had gone into them.

The armed combat groups in the forests of Vinnitsa only operate against the Communist activists. Townspeople who go looking for mushrooms, berries, and firewood in the forests are allowed to pass through unmolested.

The Ukrainian national emblem, the cross and trident, is painted on walls of houses and on the streets as a symbol of the liberation struggle for country and Christ.

As we have already reported, armed partisan groups operate in most parts of Ukraine and in the Caucasus.

The increased self-arming of the population and new forms of armed activity are a direct consequence of the incidents in Novocherkask, the Donets Basin, Dnipropetrovsk, Odessa, etc., in 1962/63.

SECRET RADIO BROADCASTS

A novelty in the underground movement of the Ukrainian people which appeared last year was widespread secret radio-broadcasting.

This uncontrolled broadcasting of news has already spread widely and caused a great disturbance among the Soviet Russian occupiers of Ukraine.

These broadcasts incite the students and young workers and even the officers of the Soviet Army of Ukrainian nationality as the newspaper Krashnaya Zwjezda (Red Star) reported recently.

The Soviet press tries to brand the content of these illegal broadcasts as "stupid nonsense," "musical cacophony," "impertinence."

On the other hand, one is led to other conclusions automatically from reading the press. Thus the newspaper Trud (October 3, 1963) reported that "the radio represents a powerful ideological weapon and therefore one should no longer put up with the contamination of the air."

The newspaper Leninskaya Smyena of July 9, 1963 reported that the inhabitant of Alma-Ata, Turkestan, Waleri Zharow, sent out a "biting satire" with his illegal transmitter.

The "radio-scoundrels" record foreign broadcasts on tape in order to spread them further unobstructed.

Illegal transmitters are used by religious bodies. The press reported that the Jehovah's Witnesses propogate their ideas by radio and the Orthodox Church broadcasts its Easter greetings to its followers.

The Soviet press has already named a few illegal transmitters, those operating in Dnipropetrovsk, Central Ukraine, in the Kyiv area, in the Donets Basin, in the Kazakh SSR and in the Tatar ASSR. It recently revealed a sensational fact: in one town alone, Bila-Tserkwa, southwest of Kyiv, there are more than 100 illegal transmitters in operation.

The newspaper Komsomolskaya Pravda of April 21, 1964, anxiously wrote: "How are we to exterminate these evil-minded air-pirates? Scoundrels of this kind do not parade in the streets with their microphones and transmitters in their hands."

Trud of October 3, 1963, reported that special personnel had been organized to fight illegal transmitters but their activity had proved almost fruitless. "The difficulty is that the efforts of many organizations are not concentrated and the inadequate staff of radio inspectors is very badly supplied with equipment."

When it is remembered that the operators use wavelengths that are hard to control and change their location very often, one is forced to the conclusion that it is very difficult for the authorities to put an end to them.

DIFFERENT COMBAT METHODS

In the past few years the people have won a kind of illegal right to strike. If the strike meetings do not turn into public street demonstrations, the Soviet Government does not always take retaliatory measures. On the contrary, the authorities sometimes try to satisfy the strikers' demands where possible. Here one can already see a fairly open victory of the fighting people.

The arrangement of meetings at which questions of current affairs are discussed and public opinion expressed is of great significance. In this connection the students and young workers have already made great experiments.

This means the attainment of the right to walk the streets with banners and placards containing claims; that is, the right to street demonstrations.

In recent years street demonstrations have been used more as a form of revolutionary activity. In most cases the Soviet authorities answer such demonstrations with retaliatory measures. But a few cases are known where they shrank from using repressive measures. Thus in September 1963, for example, they took no action when street demonstrations on a larger scale took place in many places in the Donets Basin in connection with the threatening famine.

ATTACKS ON INDIVIDUAL RUSSIAN RULERS

Another method of the resistance struggle is slanderous attacks on individual local Soviet rulers. Posters are distributed among the population detailing their crimes.

Then there is the distribution of publications to those persons who have been guilty of disgraceful conduct against the people in which they are warned to discontinue this activity. Indeed people often demand that they should resign from their posts.

Thus in the second largest Ukrainian town, Kharkiv, for example, the insurgents threatened to kill the manager of a large business, a party member, if he did not stop selling the better kinds of goods to the party oligarchy illegally. Less than a month later he received a second warning letter and turned to the militia for help. At night such criminals are afraid to leave their house.

Another form of penetration of the daily life of the people and an important factor in the assertion of the revolutionary forces in their capacity as a revolutionary underground movement is seen in the organization of protection for the population against the despotism of the Soviet Russian authorities.

The people use every conceivable means of defense against the persecution of the Soviet Russian authorities, including mass protests against the administrative and legal decisions of the Soviet.

In Odessa a gasworker, named Kukuruza, was accused of not "living on his own means." The court condemned him as a "tramp" and sentenced him to deportation from the town and confiscated his property. But his workmates and neighbors obtained a modification of the judgment from the Soviet court and the dismissal of a few clerks from their posts (Isvestia, May 25, 1964).

When posters and other anti-Communist propaganda material appeared in summer 1963, in Rostov and the Donets Basin, the existence of underground groups and organizations was very much in the news.

Thus the Organization of Ukrainian Nationalists (OUN) emerges again as the chief organizer of the liberation struggle of the Ukrainian people against Russia.

The OUN organizes the Ukrainian people for the revolutionary struggle for the reestablishment of an independent Ukrainian state and for the dissolution of the Russia empire into independent national states of all the subjugated peoples.

REBELLION IN THE MORDOVIAN ASSR

We have only just learnt that a rebellion arose among the collective farmers in the district around the concentration camp near Potma in the Mordovian ASSR in September 1963, which was put down with armed force and in blood on Khrushchev's orders.

Prisoners were transferred from disbanded camps in other regions of the Soviet Union to the Mordovian ASSR.

There are still numerous, secret concentration camps near Lepley, Potma, which nobody has seen until now and which nobody has left alive. The most dangerous opponents of the Moscow tyrants must be there, including the most important Ukrainian nationalists and captured UPA commanders who have not been murdered.

Many Ukrainian peasants have also been deported to the Mordovian ASSR.

A DEFENDER OF THE RIGHTS OF MAN IN THE CONCENTRATION CAMP MARTYRED

Dr. Wolodymyr Horbowyj, the great champion of the rights of man, who was the lawyer in the trials against Ukrainian nationalists under Polish rule in West Ukraine, died a martyr's death after 18 years in the concentration camp of Lepley, near Potma, in the Mordovian ASSR, murdered by the KGB at the end of 1964.

Dr. Horbowyj had been imprisoned for 18 years without trial, simply on the basis of a decision of the Russian secret police.

Stalin, Khrushchev, Breshnev, Shelepin are all the same—tyrants and murderers.

THE ARMED STRUGGLE

The central Soviet railway newspaper Hudok of October 18, 1964, contains a detailed report of the killing of the Secretary of the Communist Party of the Drabiv district, near Cherkassy, Ukraine. The party Secretary Wakulenko was shot by Ivan Mashkin and the chairman of the riflery club, Sotnyk, was badly wounded. Mashkin managed to escape. Meanwhile, in a letter Mashkin demanded the release of Mrs. Hryshchenko or he would set fire to the petrol store and other installations. The railway police with cunning and guile succeeded in arresting him near the station when he had left the forest. He was armed and it was stated that he had no fingers on his left hand. Therefore, he is either a Ukrainian insurgent or a war invalid. The newspaper does not mention the reasons for the assassination of the party official nor whether a third person wrote the letter nor whether there was a secret organization behind it.

There was a report in the Uzbekistanian newspaper Pravda Vostoka No. 56, 1964, of the arrest in train of the Turkestanian Amirkhan Gumenzow by the Russian militia who had asked him to prove his identity at which he had tried to shoot them down. This happened near the Katakurhan railway station. The KGB considered Amirkhan as a black-marketeer. But it is clear that a black-marketeer would never attempt to shoot down a militiaman in a hopeless situation. Since for black marketing, which is widespread in the Soviet Union, he would receive a few months' imprisonment, whereas for shooting down a militiaman he would get the death penalty. It is, therefore, obvious that the militia had tracked a political freedom fighter to the train.

The newspaper Pravda Vostoka, No. 108, 1964, reported that in Tashkent explosives had been laid under the theater on April 30 and under public buildings on May 7 by a man of the name of Kuzaiv, which in three cases had exploded. It is quite obvious that a freedom fighter wanted to blow up the theater on the eve of May 1 in which the anniversary meetings of the Soviet organizations take place in the capital of Uzbekistan. The other two attacks were also directed against the meetings of some party bosses or other. Kuzaiv was arrested and the Komsomol members and a former Red partisan who participated in the arrest were praised and rewarded.

UNITED NATIONS' 20TH ANNIVERSARY: A TIME FOR REDEDICATION

Mr. DOW. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, a moment of reflection is benefiting the occasion as we commemorate the 20th anniversary of the establishment of the United Nations' organization. We all know that it was on June 26, 1945, that the representatives of 50 nations gathered in San Francisco to sign the United Nations' Charter. Since then, the United States has invested much of its prestige in the organization.

The events of the past two decades have certainly taxed the very basis upon which the organization was founded. The rapid increase in the number of new states, with the resultant expansion in U.N. membership, the development of nuclear weapons, the strain of frequent international disputes, some of which have resulted in armed conflict, the divisive nature of the irreconcilable political philosophies of certain of the member states—these and many other happenings have formed the background against which the U.N. has had to function. It is little wonder that many Americans have come to question the effectiveness of this organization which was conceived and nurtured during the closing days of World War II.

We must remember, above all else, that the United States provided the leadership in giving the idea of a United Nations' organization impetus and direction. The future of the organization, therefore, should be a matter of grave concern to every responsible American.

As we reexamine our thinking with respect to this great organization, the thought comes to mind that one of the main purposes of the U.N. is the maintenance of international peace and security. The U.N. has in fact kept many internation disputes and armed conflicts from developing into major wars by acting as a mediator between the disagreeing nations. However, we should also remember that another major function of the U.N. is the achievement of international cooperation in solving problems of an economic, social, cultural, and humanitarian character. If the U.N. has fallen short of our original expectations in connection with the achievement of these goals, then we ought to rededicate ourselves to the early attainment of the objectives of the organization which are parallel to our national goals.

I personally am convinced that the United Nations still holds the greatest promise of being the most effective peacemaking organization among nations. In observing the 20th anniversary of the United Nations, we of the Congress ought to join President Johnson in his declaration before the 18th General Assembly that "more than ever we support the United Nations as the best instrument yet devised to promote the peace of the world and to promote the well-being of mankind."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Hanna (at the request of Mr. Albert), for today, July 7, 1965, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Dulski (at the request of Mr. Dow), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Fino.

(The following Members (at the request of Mr. Dow) and to include extraneous matter:)

Mr. McGrath.

Mr. Hanley.

Mr. McVicker.

Mr. Scheuer.

Mr. Rosenthal.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States relating to the succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

ADJOURNMENT

Mr. DOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p.m.) the House adjourned until tomorrow, Thursday, July 8, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1314. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 19, 1965, submitting a report, together with accompanying papers and illustrations, on a survey of Willow Creek, Oreg., authorized by the Flood Control Act, approved August 28, 1937. (H. Doc. No. 233); to the Committee on Public Works and ordered to be printed with seven illustrations.

1315. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 2091. A bill relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes; with amendments (Rept. No. 591). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN: Committee on Interior and Insular Affairs. S. 2154. An act to amend the act establishing the United States-Puerto Rico Commission on the status of Puerto Rico; without amendment (Rept. No. 593). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 7092. A bill to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes; with amendments (Rept. No. 594). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURKE: Committee on Ways and Means. H.R. 6431. A bill to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; with an amendment (Rept. No. 595). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLUCZYNSKI: Committee on Public Works. H.R. 6790. A bill to increase the limitation on emergency relief for the repair or reconstruction of highways under section 125 of title 23, United States Code; with an amendment (Rept. No. 596). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 728. A bill to broaden the vessel exchange provisions of section 510(i) of the Merchant Marine Act, 1936, to extend such provisions for an additional 5 years, and for other purposes; with amendments (Rept. No. 597). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 729. A bill to amend section 510(a)(1) of the Merchant Marine Act, 1936; without amendment (Rept. No. 598). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 627. An act to exempt oceanographic research vessels from the application of certain vessel inspection laws, and for other purposes; with amendments (Rept. No. 599). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act; without amendment (Rept. No. 600). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 8211. A bill to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance; without amendment (Rept. No. 601). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 4750. A bill to provide a 2-year extension of the interest equalization tax, and for other purposes; with an amendment (Rept. No. 602). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 7378. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; without amendment (Rept. No. 592). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOW:

H.R. 9647. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. DYAL:

H.R. 9648. A bill to provide additional benefits under the Federal Employees' Compensation Act for certain disabled former employees of the Civilian Conservation Corps, and for other purposes; to the Committee on Education and Labor.

By Mr. FOGARTY:

H.R. 9649. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 9650. A bill to establish an Armed Forces Medical, Dental, and Allied Sciences Academy; to the Committee on Armed Services.

By Mr. HERLONG:

H.R. 9651. A bill to provide for judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 9652. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. NIX:

H.R. 9653. A bill to provide certain benefits for Federal civilian employees with respect to premium pay; to the Committee on Post Office and Civil Service.

By Mr. BARING:

H.R. 9654. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 9655. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 9656. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 9657. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WILLIAM D. FORD:

H.R. 9658. A bill to provide fellowships for graduate study leading to a master's degree or doctor's degree for elementary and secondary school teachers and those who train, guide, or supervise such teachers; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 9659. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water and air pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Ways and Means.

By Mr. McVICKER:

H.R. 9660. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 9661. A bill to provide for the control of outdoor advertising along certain Federal-aid highways; to the Committee on Public Works.

By Mr. ROSTENKOWSKI:

H.R. 9662. A bill to amend the Tariff Act of 1930 to suspend the duty on metallurgical grade fluorspar; to the Committee on Ways and Means.

By Mr. RUMSFELD:

H.R. 9663. A bill to incorporate the Hadley School for the Blind, Inc.; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 9664. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. McDADE:

H.R. 9665. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours and service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTEN:

H.R. 9666. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 9667. A bill to establish a National Commission on Oceanography; to the Committee on Merchant Marine and Fisheries.

By Mr. JOHNSON of Oklahoma:

H.R. 9668. A bill to authorize the Secretary of the Interior to lease certain deposits of minerals in the bed of the Red River in Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 9669. A bill to amend section 203(j) of the Federal Property and Administrative Services Act of 1949 to permit the donation of material determined to be surplus to the needs of the national stockpile; to the Committee on Government Operations.

By Mr. MINSHALL:

H.R. 9670. A bill to prevent loss of veteran pension benefits as a result of increases in social security pension payments; to the Committee on Veterans' Affairs.

By Mr. SENNER:

H.R. 9671. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL:

H.R. 9672. A bill to provide for the control of outdoor advertising; to the Committee on Public Works.

By Mr. WHITE of Texas:

H.R. 9673. A bill to correct inequities in the premium pay system of employees of the Department of Agriculture and the Department of Health, Education, and Welfare performing border inspection services, and for other purposes; to the Committee on Agriculture.

By Mr. GILBERT:

H.J. Res. 568. Joint resolution requiring a cost-of-living survey to be made by the Bureau of Labor Statistics before the cost-of-living allowance for Federal employees in Puerto Rico and the Virgin Islands may be reduced; to the Committee on Post Office and Civil Service.

By Mr. POLANCO-ABREU:

H.J. Res. 569. Joint resolution requiring a cost-of-living survey to be made by the Bureau of Labor Statistics before the cost-of-living allowance for Federal employees in Puerto Rico and the Virgin Islands may be reduced; to the Committee on Post Office and Civil Service.

By Mr. TUPPER:

H.J. Res. 570. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H. Res. 445. Resolution that it is the sense of the House of Representatives that oppression of minorities in Rumania through a systematic plan launched by the Communist regime in control of Rumania be condemned and the President of the United States is requested to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities in the controversial Transylvania region of that country; to the Committee on Foreign Affairs.

By Mr. ST. ONGE:

H. Res. 446. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

By Mr. OLSEN of Montana:

H. Res. 447. Resolution authorizing the printing of additional copies of the report of the Committee on Post Office and Civil Service, House of Representatives, entitled "The Federal Paperwork Jungle" (H. Rept. No. 52, 89th Cong.); to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

338. The SPEAKER presented a memorial of the Legislature of the State of Mississippi, applying to Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 9674. A bill for the relief of Ho Ah Ban; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 9675. A bill for the relief of Lenox Winston James; to the Committee on the Judiciary.

H.R. 9676. A bill for the relief of Mavis Nita Lawrence; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 9677. A bill for the relief of John Allunario; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 9678. A bill for the relief of Jose Goncalves Lourenco; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 9679. A bill for the relief of Mrs. Chung Sook Paik; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 9680. A bill for the relief of John Y. H. Lam; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JULY 7, 1965

The Senate met at 10 a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

Rev. Benjamin E. Sheldon, minister, Sixth Presbyterian Church, Washington, D.C., offered the following prayer:

God of all grace, Father of our Lord, Jesus Christ, we sincerely and humbly beseech Thee to look in mercy upon the United States of America, and upon these, Thy servants, gathered here in this sacred Chamber. May wisdom beyond them and power from on high be theirs as they deliberate and legislate for the people of this great land. Grant to them the ability to see beyond the present and the transitory, to the changeless and the eternal, that the good of America and the world may be advanced, and men everywhere may enjoy the blessings of tranquillity and peace. Give them courage to maintain the right and to withstand the evil of this present age. For the sake of Jesus Christ, our Lord, we pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 6, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to the succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office, and it was signed by the Vice President.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

THE CALENDAR

On request by Mr. Mansfield, and by unanimous consent, the following calendar measures were considered and acted upon as indicated:

AMENDMENT TO THE SMALL BUSINESS ACT

The bill (H.R. 7847) to amend the Small Business Act was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 382), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of the bill is to increase by $120 million the portion of the Small Business Administration's revolving fund which may be on loan to small business investment companies and State and local development companies pursuant to the Small Business Investment Act of 1958. This would be accomplished by raising to $461 million the present ceiling of $341 million contained in section 4(c) of the Small Business Act. Thus, the legislation does not appropriate or authorize the appropriation of any new funds for the Small Business Administration. It merely gives the agency authority to utilize funds already available in the revolving account.

NEED FOR LEGISLATION

The limitation which the bill would raise governs SBA programs of financial assistance to small business investment companies and to State and local development companies. Under these programs SBA purchases the subordinated debentures of small business investment companies licensed under the 1958 act, provides loan funds to such SBIC's, and makes loans to State and local development companies.

Hearings were held on the bill on June 18, 1965, at which the Small Business Administrator testified. He informed the committee that the present ceiling of $341 million for these programs will be reached within the next few weeks. Once the statutory limitation is reached, no further loans may be made for these programs, regardless of the amounts which SBA may have available in its revolving fund.

PROMPT ACTION ESSENTIAL

Thus, it is essential to take prompt action to increase the authorization for these programs, to prevent their coming to an abrupt halt. Such a loan cutoff, of course, even if only temporary, would adversely affect SBIC's and small firms receiving assistance from them and would block progress on local development company projects in many communities throughout the Nation.

The amount of the proposed increase is based upon SBA's projection of requirements for these programs through June 30, 1966. It is estimated that loans and commitments outstanding for such purposes would total about $461 million by that date.

Since the enactment of the Small Business Investment Act of 1958, SBIC's have provided needed equity and long-term loan funds to small concerns in a total amount of more than $700 million, comprising more than 15,000 investment transactions. And SBA has made over 650 loans for approximately $87 million to local development companies in 47 States, on projects amounting to about $129.5 million, which have generated an estimated 31,700 jobs. SBA has made 14 loans under the State development company program totaling $10,233,750. The loans have been made to State development companies in Arkansas, New York, North Carolina, Rhode Island, and Wisconsin. The SBIC program and the local development company program at present have a substantial number of pending loan applications, and one application by a State development company for a loan is now pending.

AMENDMENT TO THE NORTHERN PACIFIC HALIBUT ACT

The Senate proceeded to consider the bill (S. 1975) to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission, which had been reported from the Committee on Commerce, with an amendment, on page 2, line 4, after the word "amount", to insert "not in excess of $500,000,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Northern Pacific Halibut Act of 1937, as amended (16 U.S.C. 772–772l), is amended by inserting at the end thereof a new section as follows:

"Sec. 11. (a) The Secretary of State is authorized to provide, by contract, grant, or otherwise, facilities for office and any other necessary space for the Commission. Such facilities shall be located on or near the campus of the University of Washington in the State of Washington and shall be provided without regard to the cost-sharing provisions in the Convention.

"(b) There is authorized to be appropriated such amount, not in excess of $500,000, as may be necessary to carry out the provisions of this section."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 383), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

The purpose of S. 1975 is to authorize the construction of badly needed quarters for the Halibut Commission on or adjacent to the University of Washington campus.

The Halibut Commission has been quartered on the University of Washington campus since 1925; both the Commission and the university have benefited from the relationship. The Commission staff, for example, has contributed to the program of the college of fisheries through participation in seminars and presentation of lectures. On the other hand, the Halibut Commission has benefited from the direct contact it has been able to maintain with the university faculty as well as from the ability of its staff to attend classes and otherwise take advantage of the regular academic work on the campus.

The university is now in the process of designing and constructing a new wing to the fisheries building to house the new fisheries research institute. It is, therefore, both appropriate and urgent that plans be initiated for the construction of new quarters for the Halibut Commission which is currently housed in a wooden structure of 1917 vintage. It should be added at this point that the Commission is international and supported jointly by the United States and Canada; facts indicating the proper role of the Federal Government in providing facilities for the staff.

Canada has recognized this and currently provides office space for the staffs of the International North Pacific Commission—located on the campus of the University of British Columbia—and the International Pacific Salmon Commission. Canada has also indicated its willingness to provide space in Canada for the Halibut Commission.

BACKGROUND AND NEED FOR THE LEGISLATION

The Northern Pacific Halibut Act was originally adopted in 1924 and has been rewritten in 1932 and again in 1937. Its purpose was and is to give effect to the convention between Canada and the United States which was entered into in order to restore and preserve the halibut fishery of the North Pacific Ocean and the Bering Sea. Halibut is a valuable resource but its unregulated taking by nationals of both Canada and the United States during the 1920's and early 1930's had brought it near the point of total elimination. To overcome what would certainly have been a tragic loss, this country and Canada undertook a program of season regulation, equipment restrictions, catch limits, and research which, because of the full cooperation of the Governments and the fishermen and the supporting institutions, has brought halibut back into the forefront of American fishery resources. In short, the program envisioned and made possible by the Northern Pacific Halibut Act is extremely important. Further, the International Pacific Halibut Commission is an integral and essential part of this overall effort to maintain halibut on a sustained yield management basis so that the maximum catch can be taken annually consistent with sound and tested principles of conservation.

INTEREST ON TIME DEPOSITS OF FOREIGN GOVERNMENTS

The bill (H.R. 5306) to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 385), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The bill, as amended, would extend through October 15, 1968, the authority for commercial banks to pay on certain foreign time deposits higher rates of interest than those otherwise permitted by regulations issued by the Board of Governors of the Federal Reserve System and the Federal Deposit Insurance Corporation. This authority would be confined to time deposits of foreign governments, central banks, or other monetary authorities and international financial institutions of which the United States is a member. The present law, enacted October 15, 1962, provides an exemption from the interest rate ceilings on such deposits for a period of 3 years after that date. Without the extension of this authority, under paragraph 14 of section 19 of the Federal Reserve Act (12 U.S.C. 371b), and subsection (g) of section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828(g)), domestic banks would be limited in the payment of interest on foreign official time deposits to the ceiling rates applied to other time deposits.

This legislation and the existing law are parts of the U.S. Government's continuing and strengthened program to improve the international balance-of-payments position of the United States. As recommended by the Secretary of the Treasury, the authority originally granted for a 3-year period would be made permanent. H.R. 5306, as passed by the House of Representatives, however, would be limited to a 3-year extension, and the Senate committee concurs in this limitation.

BILLS PASSED OVER

The bill (H.R. 7997) making appropriations for the sundry independent offices, executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1966, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1727) to provide for strengthening and improving the national transportation system, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

MARIJA MALNAR

The bill (S. 621) for the relief of Marija Malnar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Marija Malnar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 391), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to grant the status of permanent residence in the United States to Marija Malnar. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

ALVA ARLINGTON GARNES

The bill (S. 861) for the relief of Alva Arlington Garnes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Alva Arlington Garnes, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Cecil Edgar Taitt, citizens of the United States: *Provided,* That no natural parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 392), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to grant to the minor child to be adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States. The bill provides that no natural parent of the beneficiary shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

YOM TOV YESHAYAHU BRISZK

The bill (S. 869) for the relief of Yom Tov Yeshayahu Briszk was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(4) of the Immigration and Nationality Act, Yom Tov Yeshayahu Briszk may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act: *And provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 393), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one afflicted with a mental defect in behalf of the son of a lawful resident alien of the United States. The bill limits the exemption to grounds of exclusion known prior to enactment of the instant bill and provides for the posting of a bond as a guarantee that the beneficiary will not become a public charge.

MRS. ELENA B. GUIRA

The bill (S. 971) for the relief of Mrs. Elena B. Guira was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Elena B. Guira, who lost United States citizenship under the provisions of section 349(a)(5) of the Immigration and Nationality Act, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Mrs. Elena B. Guira shall have the same citizenship status as that which existed immediately prior to its loss.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 394), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to provide for the restoration of U.S. citizenship to Mrs. Elena B. Guira which was lost by voting in a foreign political election.

POLA BODENSTEIN

The bill (S. 1111) for the relief of Pola Bodenstein was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Pola Bodenstein may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: *Provided further,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 395), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has suffered a prior attack of insanity in behalf of Pola Bodenstein. The bill provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

CRISTINA FRANCO

The bill (S. 1164) for the relief of Cristina Franco was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of paragraph (1) of section 212(a) of the Immigration and Nationality Act, Cristina Franco may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: *Provided,* That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act: *And provided further,* That a suitable bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 396), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who is mentally retarded in behalf of the daughter of citizens of the United States. The bill provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

SALVADOR MUÑOZ TOSTADO

The bill (H.R. 1236) for the relief of Salvador Muñoz Tostado was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 397), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted for violation of any law or regulation relating to the possession of narcotic drugs, in behalf of the husband of a U.S. citizen and the father of six U.S. citizen children.

LORETTA NEGRIN

The bill (H.R. 1306) for the relief of Loretta Negrin was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 398), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in a nonquota status of an alien child adopted by citizens of the United States.

CWO EDWARD E. KREISS

The bill (H.R. 3634) for the relief of CWO Edward E. Kreiss was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 399), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve CWO Edward E. Kreiss, U.S. Navy, retired, of liability under the act of July 31, 1894 (5 U.S.C. 62), to pay to the United States all amounts received by him as a civilian employee of the Department of the Army from May 1, 1959, through December 14, 1962. The bill would also direct the repayment of any amounts withheld or refunded by reason of that liability.

ROBERT O. OVERTON AND OTHERS

The bill (H.R. 3638) for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 389), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay (1) to Robert O. Overton, the sum of $1,500; (2) to Marjorie C. Overton, the sum of $5,000; and (3) to Sally Eitel, the sum of $10,000, in full satisfaction of their claims against the United States arising out of an accident occurring on December 25, 1946, in Indianapolis, Ind., involving a vehicle of the Army Air Corps for which suit may not be instituted under the tort claims procedure as provided in title 28, United States Code.

PORT OF PORTLAND, OREG.

The bill (H.R. 5184) for the relief of the port of Portland, Oreg., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 400), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to authorize and direct the Comptroller General of the United States to settle the claim of the port of Portland, Oreg., based upon the amount it was required to pay in satisfaction of a judgment secured against it by the State of Oregon, representing a royalty on material removed from the bed of the Columbia River and supplied to the Department of the Army by the port under a negotiated contract. The bill would authorize the payment in full and final settlement of the claim of an amount not to exceed $6,226.80.

EMILIO MAIORANO AND OTHERS

The bill (S. 1113) for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano, children of a permanent resident, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 25(a) of the Act entitled "An Act to amend the Immigration and Nationality Act, and for other purposes", approved September 26, 1961 (75 Stat. 650), Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano shall be held and considered to be aliens eligible for quota immigrant status under the provisions of section 203(a)(3) of the Immigration and Nationality Act on the basis of a petition filed with the Attorney General prior to July 1, 1961.

The title was amended, so as to read: "A bill for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 401), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiaries to qualify for nonquota immigrant visas under the provisions of section 25(a) of Public Law 87-301 as aliens whose third preference petitions were filed prior to July 1, 1961. The amendment is technical in nature.

DR. ORTELIO RODRIQUEZ PEREZ

The Senate proceeded to consider the bill (S. 1120) for the relief of Dr. Ortelio Rodriquez Perez which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Doctor Ortelio Rodriguez Perez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 13, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 402), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Ortelio Rodriguez Perez as of August 13, 1960. The bill, as introduced, would have waived a portion of the residence and physical presence requirements for naturalization. However, the bill has been amended in line with committee policy to grant permanent residence as of the date of a prior admission, rather than waiving naturalization requirements.

CERTAIN EMPLOYEES OF MOUNT EDGECUMBE BOARDING SCHOOL, ALASKA

The Senate proceeded to consider the bill (S. 611) for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska, which had been reported from the Committee on the Judiciary with amendments on page 2, line 4, after the name "Larsen", to strike out "$523.91" and insert "$520.32"; in line 5, after "$1,162.32", to strike out "and"; and in line 6, after "$417.84", to insert a semicolon and "and (8) Eddie J. Padden, $144.00."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following named persons are hereby relieved of all liability for repayment to the United States of the respective amounts listed below, representing overpayments of salary which they received as wage board employees at the Mount Edgecumbe Boarding School, Mount Edgecumbe, Alaska, for the period from July 1, 1962, through January 5, 1963, as a result of administrative error in determining their salary rates upon their reassignment to lower grade positions when the feeding program at such school was transferred from the United States Public Health Service to the Bureau of Indian Affairs: (1) Terry M. Finch, $892.56; (2) Peter P. Jones, $516.40; (3) Helmut Langfeldt, $531.60; (4) Rudolph L. Larsen, $520.32; (5) Francisco Lazanas, $1,162.32; (6) George K. Miyasato, $1,162.32; (7) Richard N. Williams, $417.84; and (8) Eddie J. Padden, $144.00. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the respective amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each employee referred to in the first section of this Act, the sum of any amounts received or withheld from such employee on account of the overpayments referred to in such section.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 403), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill, as amended, is to provide that certain individuals, named therein, be relieved from all liabilty for repayment to the United States of the overpayments of salary received as wage board employees at the Mount Edgecumbe Boarding School, Mount Edgecumbe, Alaska, during the period from July 1, 1962, through January 5, 1963. The overpayments were the result of an administrative error which occurred when the employees were transferred from the Division of Indian Health to the Bureau of Indian Affairs.

BILLS PASSED OVER

The bill (S. 2103) to amend section 271 of the Atomic Energy Act of 1954, as amended, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

PRINTING AS SENATE DOCUMENT OF REPORT ON WATER RESOURCES DEVELOPMENTS IN SPAIN

The resolution (S. Res. 119) authorizing the printing as a Senate document of a report on water resources developments in Spain was considered, and agreed to, as follows:

Resolved, That there be printed with illustrations as a Senate document a report entitled "Water Resources Developments in Spain", prepared by Floyd E. Dominy, Commissioner, Bureau of Reclamation, United States Department of the Interior.

SEC. 2. There shall be printed one thousand additional copies of such document for the use of the Senate Committee on Interior and Insular Affairs.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 405), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 119 would authorize the printing with illustrations as a Senate document of a report entitled "Water Resources Developments in Spain," prepared by Floyd E. Dominy, Commissioner, Bureau of Reclamation, U.S. Department of the Interior, and further would authorize the printing of 1,000 additional copies of such document for the use of the Senate Committee on Interior and Insular Affairs.

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$2,404.00
1,000 additional copies, at $122.45 per thousand	122.45
Total estimated cost, S. Res. 119	2,526.45

Mr. FANNIN. Mr. President, I have no objection to the resolution, but I should not like to see the action taken on the resolution set a precedent.

Mr. MANSFIELD. Mr. President, I am in accord with what the distinguished Senator from Arizona has said, because studies in foreign countries are questionable.

PRINTING ADDITIONAL COPIES OF HOUSE DOCUMENT ENTITLED "DOCUMENTS ILLUSTRATIVE OF THE FORMATION OF THE UNION OF THE AMERICAN STATES"

The concurrent resolution (H. Con. Res. 400) to provide for printing additional copies of House document, entitled "Documents Illustrative of the Formation of the Union of the American States," was considered, and agreed to.

PRINTING OF ADDITIONAL COPIES OF "COMMUNIST ACTIVITIES IN THE BUFFALO, N.Y., AREA"

The concurrent resolution (H. Con. Res. 411) authorizing the printing of additional copies of "Communist Activities in the Buffalo, N.Y., Area" was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HOUSE REPORT NO. 1739, ENTITLED "ANNUAL REPORT FOR THE YEAR 1963, COMMITTEE ON UN-AMERICAN ACTIVITIES"

The concurrent resolution (H. Con. Res. 412) authorizing the printing of additional copies of H. Rept. 1739, entitled "Annual Report for the Year 1963, Committee on Un-American Activities" was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF "VIOLATION OF STATE DEPARTMENT TRAVEL REGULATIONS AND PRO-CASTRO PROPAGANDA ACTIVITIES IN THE UNITED STATES" PARTS 1-5

The concurrent resolution (H. Con. Res. 413) authorizing the printing of additional copies of "Violation of State Department Travel Regulations and Pro-Castro Propaganda Activities in the United States," parts 1-5, was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF "COMMUNIST ACTIVITIES IN THE MINNEAPOLS, MINN., AREA"

The concurrent resolution (H. Con. Res. 414) authorizing the printing of additional copies of "Communist Activities in the Minneapolis, Minn., Area" was considered and agreed to.

PRINTING OF A REPORT ON THE SINO-SOVIET CONFLICT BY SUBCOMMITTEE ON FAR EAST AND THE PACIFIC OF THE COMMITTEE ON FOREIGN AFFAIRS

The concurrent resolution (H. Con. Res. 415) authorizing the printing of a report on the Sino-Soviet conflict by the Subcommittee on the Far East and the Pacific of the Committee on Foreign Affairs, House of Representatives, was considered and agreed to.

PRINTING OF REVISED EDITION OF "HISTORY OF THE HOUSE OF REPRESENTATIVES"

The concurrent resolution (H. Con. Res. 428) authorizing the printing of a revised edition of "History of the House of Representatives" was considered and agreed to.

PRINTING FOR USE OF SENATE COMMITTEE ON THE JUDICIARY OF ITS HEARINGS ON ECONOMIC CONCENTRATION

The concurrent resolution (S. Con. Res. 37) authorizing the printing for the use of the Senate Committee on the Judiciary of its hearings on economic concentration was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of part 1 of the hearings held by its Subcommittee on Antitrust and Monopoly during the Eighty-eighth Congress, second session, on economic concentration and its overall and conglomerate aspects.

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "THE SOVIET EMPIRE—A STUDY OF DISCRIMINATION AND ABUSE OF POWER"

The concurrent resolution (S. Con. Res. 38) to authorize the printing of additional copies of the committee print entitled "The Soviet Empire—A Study of Discrimination and Abuse of Power," was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary five thousand additional copies of its committee print of the Eighty-ninth Congress, first session, entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power," prepared by the Legislative Reference Service, Library of Congress, at the request of the Internal Security Subcommittee.

PRINTING OF ADDITIONAL COPIES OF HEARING ENTITLED "COMMUNIST FORGERIES"

The resolution (S. Res. 113) authorizing the printing of additional copies of the hearing entitled "Communist Forgeries," was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on the Judiciary four thousand three hundred additional copies of the hearing entitled "Communist Forgeries," held by its Internal Security Subcommittee during the Eighty-seventh Congress, first session.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

The ACTING PRESIDENT pro tempore. Without objection, the call of the remainder of the calendar will be dispensed with.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DISPOSAL OF GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN ALASKA

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Secretary of the Air Force, transmitting a draft of proposed legislation to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes which, with an accompanying paper, was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

Three concurrent resolutions of the Legislature of the State of Mississippi; to the Committee on the Judiciary:

"S. CON. RES. 101

"Concurrent resolution applying to Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"Whereas the Supreme Court of the United States has ruled that membership in both houses of a bicameral State legislature must be apportioned according to population and has thus asserted Federal judicial authority over the basic structure of government in the various States; and

"Whereas this rule denies to the people of the respective States the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the Federal Constitution; and

"Whereas this action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective States to designate the manner in which they shall be represented in their respective legislatures thereby depriving the people of their right to determine how they shall be governed; and

"Whereas the implications of this action by the Supreme Court raise serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the States: Now, therefore, be it

"*Resolved by the Senate of the State of Mississippi (the House of Representatives concurring therein)*, That this legislature respectfully applies to the Congress of the United States to call a convention for the proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE—

" 'SECTION 1. Nothing in this Constitution shall prohibit any State which shall have a bicameral legislature from apportioning the membership of one house of such legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by a vote of the electorate of that State.

" 'SEC. 2. Nothing in this Constitution shall restrict or limit a State in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.'; be it further

"*Resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to July 1, 1966, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the President of the Senate of the United States, the Secretary of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Clerk of the House of Representatives of the United States and to each Member of the Congress from the State of Mississippi."

"S. CON. RES. 102

"Concurrent resolution memorializing the U.S. Congress to propose and submit for ratification an amendment to the Constitution of the United States relating to the clarification and intention of the Constitution of the United States regarding operation of the public schools in the several States

"Whereas the Mississippi Legislature, in extraordinary session assembled, most respectfully represents that there is an urgent necessity for clarification and settlement by law of questions relating to the powers and rights reserved in the people and the several States under article X of the amendments of the U.S. Constitution as such powers and rights relate to the operation, management and control of public schools in the several States: Now, therefore, be it

"*Resolved by the Senate of the State of Mississippi (the house of representatives concurring therein)*, That we hereby petition the Congress, under authority of article V of the U.S. Constitution to call a convention, as therein provided, to propose an amendment to article X of the amendments to the U.S. Constitution by adding a proviso thereto as follows:

" 'Among the rights reserved to the States shall be the right to sole, and exclusive jurisdiction of public school systems in the separate States, and all rights, privileges, and immunities of citizens of the separate States, as they relate to public school education, shall be determined solely by State courts. This Constitution shall not be construed in a manner to empower the President of the United States, the Congress or the Federal judiciary to disparage or nullify this inherent right in the States'; be it further

"*Resolved*, That a copy of this resolution be forwarded to the Speaker of the House of Representatives, the Clerk of the House of

Representatives, the President of the Senate and the Secretary of the Senate of the U.S. Congress and to the presiding officers of the separate houses of the legislature of the several States, and to the Governors of the several States, and to the members of the Mississippi delegation in the Congress."

"H. Con. Res. 14

"Concurrent resolution petitioning the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"Whereas all three branches of the Government of the United States have recognized the existence of the world Communist conspiracy and the fact that the Communist Party, U.S.A., operates as an arm of such conspiracy in seeking to bring about the overthrow of the Government of the United States by force and violence; and

"Whereas the operations and activities of the world Communist conspiracy and the Communist Party, U.S.A., have been found to constitute a clear and present danger to the security of the United States; and

"Whereas any totalitarian organization controlled or dominated by the world Communist conspiracy or by the foreign nation controlling such conspiracy, or by any agent or agency of such conspiracy or such foreign nation, and having as its purpose or one of its purposes the overthrow of the Government of the United States by force and violence, might well constitute a clear and present danger to the security of the United States; and

"Whereas the Congress of the United States by various enactments from time to time has sought to control or counteract the threat of the Communist Party, U.S.A., and its operations and activities, and other similar subversive organizations, operations and activities; and

"Whereas the Supreme Court of the United States through various decisions has circumscribed, limited, or invalidated such congressional enactments, on constitutional grounds, with the result that action by the Congress of the United States to counteract or control effectively such clear and present dangers to the security of the United States has been rendered virtually impossible: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Mississippi* (*the senate concurring therein*), That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. Notwithstanding any other provision of the Constitution, the Congress shall have power to declare illegal, or order the dissolution of, or provide for control of, any activity or activities of the Communist Party, U.S.A., or any successor thereto, or any other organization, which the Congress finds (1) is totalitarian in nature, (2) is substantially controlled by the world Communist conspiracy or by the foreign nation controlling such conspiracy or by any agent or agency of such conspiracy or such foreign nation, and (3) has as its purpose or one of its purposes the overthrow of the Government of the United States by force and violence, whenever the Congress shall find that such organization or its activity or activities constitutes a clear and present danger to the security of the United States.

" 'Sec. 2. Notwithstanding any other provision of the Constitution, the Congress may prevent the dissemination within the United States, by or on behalf of any Communist foreign government or any foreign government with which the United States does not have diplomatic relations, of such propaganda as the Congress may determine to be detrimental to the national security or contrary to the national interest.

" 'Sec. 3. The Congress may provide for the summary expulsion from the United States, without judicial proceedings, of any agent or representative of any such foreign government who is not a citizen of the United States and who is engaged in the dissemination of any such propaganda.

" 'Sec. 4. The Congress shall have power to enforce, by such legislation as it shall deem appropriate, the provisions of this article.'; be it further

"*Resolved*, That duly attested copies of this resolution shall be immediately transmitted to the President of the Senate of the United States, to the Speaker of the U.S. House of Representatives, to the Secretary of the Senate of the United States, to the Clerk of the U.S. House of Representatives, and to each Member of the Congress of the United States from this State."

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, without amendment:

H.R. 9497. An act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966 (Rept. No. 425).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RUSSELL of Georgia, from the Committee on Armed Services:

Paul R. Tyler, William J. Van Ryzin, William T. Fairbourn, Bruno A. Hochmuth, and William R. Collins, officers of the Marine Corps, for permanent appointment to the grade of major general; and

John G. Bouker, Norman J. Anderson, Keith B. McCutcheon, Ronald R. VanStockum, Joseph L. Stewart, John P. Coursey, Joseph S. Reynaud, William K. Jones, and Hugh M. Elwood, officers of the Marine Corps, for permanent appointment to the grade of brigadier general.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD:

S. 2246. A bill for the relief of Ekaterini Manda; to the Committee on the Judiciary.

By Mr. PELL:

S. 2247. A bill for the relief of Iolanda Izzo; to the Committee on the Judiciary.

By Mr. JACKSON (by request):

S. 2248. A bill to provide for the recordation of mining claims; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (by request):

S. 2249. A bill to authorize the Secretary of State, acting through the U.S. Commissioner, International Boundary and Water Commission, United States and Mexico, to make and execute on behalf of the United States of America, land leases and concession contracts with persons, companies, and corporations on lands and waters under the jurisdiction of the U.S. Commissioner, International Boundary and Water Commission, at Amistad Dam and Reservoir, Tex., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONDALE:

S. 2250. A bill to amend title 38, United States Code, in order to permit, under certain circumstances, the payment of death compensation or dependency and indemnity compensation to the widow of a veteran even though such widow has been remarried; to the Committee on Finance.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. Bartlett, Mr. Morse, Mrs. Neuberger, Mr. Ervin, Mr. Inouye, Mr. Pastore, Mr. Randolph, and Mr. Yarborough):

S. 2251. A bill to coordinate and consolidate the major civilian marine and atmospheric functions of the Federal Government through the establishment of a Department of Marine and Atmospheric Affairs, to enunciate national policies pertinent to the marine and atmospheric interests of the United States, to further the expanded exploration of marine environs and the use of marine resources, to encourage research and development in the marine and atmospheric sciences and technologies and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 2252. A bill for the relief of Mrs. Chung Sook Paik; to the Committee on the Judiciary.

By Mr. PELL:

S. 2253. A bill to amend the Social Security Act so as to provide for cost-of-living increases in certain benefits payable under such act; to the Committee on Finance.

RESOLUTION

STUDY OF RELATIONSHIP BETWEEN THE SOCIAL SECURITY SYSTEM AND THE COST OF LIVING

Mr. PELL, for himself and Mr. Miller, submitted a resolution (S. Res. 127) to authorize a study of the relationship between the social security system and the cost of living, which was referred to the Committee on Finance.

(See the above resolution printed in full when submitted by Mr. Pell, which appears under a separate heading.)

RECORDATION OF MINING CLAIMS

Mr. JACKSON. Mr. President, I send to the desk for appropriate reference a bill I am introducing at the request of the Department of the Interior to provide for the recordation of mining claims. I realize that this measure is quite likely to be controversial in that it would provide for a change in the mining law of 1872 and in the eyes of some might be thought to impose additional burdens upon small independent miners.

However, Mr. President, the situation with which the measure seeks to deal is a very serious one. Only recently I have had a letter from a constituent setting forth facts which are squarely in point with the purposes of this proposed legislation. I ask unanimous consent that a copy of the text of the measure as submitted by the Department of the Interior, together with the letter of Under Secretary Carver explaining the provisions and the need for the legislation be printed in the body of the Record at this point.

Also, Mr. President, as a case in point, I ask unanimous consent that a copy of the letter I have had from my constituent, Mr. John M. Nelson, superintendent of the department of lighting for the city of Seattle, be printed as a part of my remarks.

The PRESIDING OFFICER (Mr. Harris in the chair). The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the Record.

The bill (S. 2248) to provide for the recordation of mining claims, introduced by Mr. Jackson, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 2248

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2324 of the Revised Statutes, as amended, 30 U.S.C. 28, is further amended by inserting "(a)" prior to the text of the present section and inserting after the text of the present section the following paragraphs:

"(b) The owner of any unpatented mining claim for which application for patent is not on file with the Secretary of the Interior on the effective date of this subsection shall file with the Secretary of the Interior a statement setting forth the name of the claim, the names and addresses, if known, of all persons claiming an interest in the mining claim, the description of the lands so claimed as they are described in the location certificate and as they are identified in accordance with the current official plats of survey, if the land is surveyed, and the book and page of the local record of such location certificate, and of any amendments thereto. If the mining claim is situated on unsurveyed land, the statement shall (1) describe the situs of the mining claim by metes and bounds and with a connection by course and distance to (A) the nearest public land survey corner or United States mineral monument, or (B) at least two permanent and prominent natural objects or monuments; and (2) be supplemented by such further description, map, plat, or survey as the Secretary of the Interior may request in order to identify the land with a reasonable degree of accuracy, and the supplemental data shall be filed within ninety days after request by the Secretary therefor. Statements pertaining to claims located prior to the effective date of this subsection shall be filed within two years from such effective date. Statements pertaining to claims located on or after the effective date of this subsection shall be filed within ninety days from and after the date of location of the claim. Failure to file such statement, or such further identification data as the Secretary may require, within the prescribed period shall terminate any right, title, or interest which the owner may have by virtue of such mining claim without further action or proceedings and all right, title, and interest which he may have shall revert to the United States. Failure to file further identification data shall be noted on the records of the Secretary of the Interior.

"(c) Expenditures incurred in surveying and in the preparation of maps or plats or similar identification data to comply with the requirements of subsection (b) of this section, may be used toward assessment work for the assessment year in which performed or the succeeding assessment year. Within ninety days after the expiration of each and every annual assessment year, the owner of a mining claim for which statements are filed with the Secretary of the Interior pursuant to subsection (b) of this section shall file with the Secretary of the Interior a statement that the assessment work has been performed for the benefit of the claim within that assessment year. Failure to file such statement for two consecutive assessment years, unless excused for good cause by the Secretary of the Interior upon a petition filed within that period, shall terminate any right, title, and interest which the owner may have by virtue of such mining claim without further action or proceedings and all right, title, and interest which he may have shall revert to the United States. Appropriate notations of such termination shall be noted on the records of the Secretary of the Interior.

"(d) Compliance with subsections (b) and (c) of this section shall create no presumption as to the validity of any mining claim."

Sec. 2. Within sixty days after the effective date of this Act, the Secretary of the Interior shall cause to be published in the Federal Register a notice setting forth the requirements of this Act. Within that period, the Secretary shall also cause notices of the requirements of this Act to be published in such newspapers, posted in such public offices, and given publicity by such other means, as he deems feasible and appropriate for the dissemination of information concerning this Act.

Sec. 3. The Secretary of the Interior is authorized to make such rules and regulations as he deems appropriate for the purpose of administering this Act.

The letters presented by Mr. Jackson are as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "to provide for the recordation of mining claims."

We recommend that the enclosed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The U.S. mining laws,[1] Rev. Stat. section 2319 (1875), as amended, 30 U.S.C. section 22 et seq. (1958), with few exceptions (e.g. the act of August 11, 1955,[2] section 4, c. 797, 69 Stat. 683, 30 U.S.C. section 623 (1958) and the act of August 11, 1955,[3] section 1, c. 795, 69 Stat. 679, 30 U.S.C. section 541 (1958)), make no provision for notice to the United States of the location of claims under those laws. Generally speaking, the only records of these claims are those filed and maintained in the county recorders' offices. Unless the claimant files an application for patent, which he is not required to do, the Federal Government may never know that a mining claim has been located on the public lands. Frequently, mining claims are discovered by the United States after the lands have been included within a Federal program area such as a reclamation project. Occasionally, lands may be sold and patented by the Federal Government without knowledge of a claim to the land based upon the U.S. mining laws. *Montgomery* v. *Gerlinger*, 146 Cal. App. 650, 304 P. 2d 93 (1957). In that case, it was necessary for the mining locator to resort to court action to protect his interest in the mining claim.

We believe that enactment of this bill would serve several worthwhile purposes. The record of mining claims, when combined with the other public lands records presently maintained in the Federal land offices, will enable anyone to obtain complete status information about any parcel of public land in one place. A prospector will no longer need to check both the land office records and the county records to determine whether lands are open to prospecting and free from mining claims.

The Government, for the first time, would have an accurate record to use as a basis for determining what rights are claimed in the public lands and parties asserting those rights. This Department would be in a better position to effectively manage the public lands. Under the present laws, a claim can be created against public lands without the knowledge of the land managing agency.

In many instances, Federal agencies interested in utilizing the public lands are forced to spend large sums of money searching county records for mining claims and contesting recorded claims, some of which have been long since abandoned. The recordation with this Department of annual assessment work would permit abandoned and dormant claims to be easily distinguished from those being actively worked, which would result in considerable savings to the Federal Government. For example, we estimate that approximately 6 million mining claims have been recorded since 1872. Only about one-half million of these claims are even semiactive, i.e.; notice of assessment work has been filed for them with the county recorder's office in recent years. Many of the other 5½ million claims are, for all practical purposes, abandoned. However, they are clouds on the title of the public lands. Time-consuming and costly legal proceedings are required to clear title. During the past 10 years, the Bureau of Land Management has spent over $500,000 on contests of mining claims situated on lands needed by other agencies such as the Bureau of Reclamation or the Department of Defense. We estimate that some 75 percent of this cost would have been eliminated if only claims as to which notice of assessment work had been filed for the 2 preceding years had been involved.

We strongly believe that the enactment of this proposal would enable this Department, as the administrator of the mining laws and large areas of the public lands, and the Department of Agriculture, as administrator of the surface resources of public lands in national forests, to manage those lands and resources more effectively and at less cost than is possible under existing law.

Our proposal would require owners of all unpatented mining claims to file a statement and other identification data with the Secretary of the Interior giving information regarding the location and ownership of their claims. Statements pertaining to claims located prior to enactment would be required to be filed within 2 years after enactment, and statements relating to locations made after enactment would have to be filed within 90 days after location of the claim. Failure to comply with such requirements within the time allowed would terminate the rights of the holder to the mining claim.

The proposed bill would also require mining claimants to file with the Secretary, within 90 days after the expiration of every annual assessment year, a statement of the assessment work performed on the claim during that year. Failure to file such a statement for 2 consecutive years would result in the termination of the mining claimant's rights to such claim.

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[1] An earlier mining law was adopted by the act of July 26, 1866, 14 Stat. 251. The present mining laws are, however, substantially based upon the act of May 10, 1872, 17 Stat. 91.

[2] Relating to mining locations on lands withdrawn or reserved for power development or powersites.

[3] Relating to mining locations for valuable source material (uranium) on lands known to be valuable for coal.

The bill would not change any of the present provisions of the mining laws relating to discovery, location of claims, assessment work, or applications for patent, nor would the bill affect in any way the requirements under applicable State laws, including those relating to recordation.

Our proposal would not only be useful to us in the administration of the public lands, but also to private parties seeking to determine lands not already covered by mining claims. Our bill requires that the physical site of a mining claim be clearly identified in terms of the governing official plats of survey. Many mining claims now of record in county recorders' offices simply describe claims in terms of corners tied to a blaze on a tree, rock, and so forth, and the physical site of the claim may be ascertained, if at all, by an actual inspection on the ground. Not uncommonly, the physical location of a claim cannot even be identified on the ground because a tree, to which a corner of the claim is tied, no longer exists or the blaze no longer exists. On the other hand, the description of the location of the claim in terms of the official surveys, where such exist, fixes a definite location. Recognizing that many locations are made on unsurveyed lands, our bill provides an alternative procedure for identifying the locus of such claims.

We wish to emphasize that our proposal is designed to clear abandoned and inactive claims from the records and to permit a more effective management of the public lands. The costs of administration of the bill, in our judgment, would be greatly outweighed by savings resulting from the obviating of searches of county recorders' offices and contest proceedings against inactive or abandoned claims.

We believe that the merits of a recordation requirement can be evaluated adequately on the basis of present information, and that there is no need to delay action until the completion of the study of the Public Land Law Review Commission.

Our proposal directs the Secretary to give widespread publicity to the requirements of the bill, if enacted. This procedure conforms to that imbedded in the act of August 5, 1955 (69 Stat. 534), relating to scrip recordation.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Under Secretary of the Interior.

Enclosure.

S. —

A bill to provide for the recordation of mining claims

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2324 of the Revised Statutes, as amended, 30 U.S.C. 28, is further amended by inserting "(a)" prior to the text of the present section and inserting after the text of the present section the following paragraphs:

"(b) The owner of any unpatented mining claim for which application for patent is not on file with the Secretary of the Interior on the effective date of this subsection shall file with the Secretary of the Interior a statement setting forth the name of the claim, the names and addresses, if known, of all persons claiming an interest in the mining claim, the description of the lands so claimed as they are described in the location certificate and as they are identified in accordance with the current official plats of survey, if the land is surveyed, and the book and page of the local record of such location certificate, and of any amendments thereto. If the mining claim is situated on unsurveyed land, the statement shall (1) describe the situs of the mining claim by metes and bounds and with a connection by course and distance to (A) the nearest public land survey corner or United States mineral monument, or (B) at least two permanent and prominent natural objects or monuments; and (2) be supplemented by such further description, map, plat, or survey as the Secretary of the Interior may request in order to identify the land with a reasonable degree of accuracy, and the supplemental data shall be filed within 90 days after request by the Secretary therefor. Statements pertaining to claims located prior to the effective date of this subsection shall be filed within two years from such effective date. Statements pertaining to claims located on or after the effective date of this subsection shall be filed within ninety days from and after the date of location of the claim. Failure to file such statement, or such further identification data as the Secretary may require, within the prescribed period shall terminate any right, title, or interest which the owner may have by virtue of such mining claim without further action or proceedings and all right, title, and interest which he may have shall revert to the United States. Failure to file further identification data shall be noted on the records of the Secretary of the Interior.

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"(d) Compliance with subsections (b) and (c) of this section shall create no presumption as to the validity of any mining claim."

SEC. 2. Within sixty days after the effective date of this Act, the Secretary of the Interior shall cause to be published in the Federal Register a notice setting forth the requirements of this Act. Within that period, the Secretary shall also cause notices of the requirements of this Act to be published in such newspapers, posted in such public offices, and given publicity by such other means, as he deems feasible and appropriate for the dissemination of information concerning this Act.

SEC. 3. The Secretary of the Interior is authorized to make such rules and regulations as he deems appropriate for the purpose of administering this Act.

CITY OF SEATTLE,
DEPARTMENT OF LIGHTING,
Seattle, Wash., June 7, 1965.

Re Boundary project, Federal Power Commission License No. 2144, unpatented mining claims.

Hon. HENRY M. JACKSON,
Senator, State of Washington,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: In attempting to clear title on Federal lands located within the limits of our project as defined by the Federal Power Commission, we have been presented with the problem of clearing said lands from any possible lien of interest resulting from the location of unpatented mining claims on such areas.

Active, valid, unpatented mining claims can possibly be located on the ground and any problems can then be settled by negotiation with the record owner. This type of claim presents no particular difficulty.

However, in our search of the records we are uncovering a great number of abandoned, inactive, unpatented mining claims which, because of their faulty descriptions, may or may not be located in our project area. Some of these claims were originally located as far back as the 1870's, and each presents a possible lien on project area which should be finally resolved. Much of the area covered by these claims has, in the interim, been relocated by more recent claims and in some instances portions of the areas covered have even gone to patent. Yet, under existing law, these claims must still be treated as valid claims and their interest in the land settled by means of contest. I am certain you will appreciate the enormous amount of detail work possibly involved in clearing out any large number of claims.

As stated above, our problem is not with existing, active, and valid unpatented mining claims that can be located and the owners dealt with. The problem we face is the invalidation, proof of abandonment, and contest of all those underlying, dormant, inactive and abandoned claims which, under existing law, still hold claim to validity—and a lien on Government land—until such time as they are declared invalid or made a matter of contest.

Through necessity we feel that we must proceed with the basic functions of checking and abstracting to the best of our ability all those unpatented claims which we assume to be in our project area. We realize that even under the most diligent search—because of the vagueness prevalent in locating said claims—we will miss some and check out in great detail many others which, in all probability, would not be in our project area if the fact could be established.

We would be extremely interested in the probability of the passage of legislation which would tend to modernize the mining laws and perhaps present a method for the automatic invalidation of all such abandoned claims.

We note that H.R. 894, introduced in the House of Representatives on January 4, 1965, by Mr. JOHN SAYLOR and then referred to the Committee on Interior and Insular Affairs carries just such a provision in section 7(a) of the proposed legislation.

Is there much possibility that this bill, or legislation of a similar nature which might correct this type of situation, could pass within the next 2 years?

Yours very truly,

JOHN M. NELSON,
Superintendent of Lighting.

PAYMENT OF CERTAIN BENEFITS TO THE WIDOW OF A VETERAN EVEN THOUGH SHE HAS BEEN REMARRIED

Mr. MONDALE. Mr. President, the present law on Federal benefits, compensating survivors of veterans dying in action or because of disabilities incurred or aggravated in active military duty, precludes forever the payment of such benefits to their widows upon remarriage. In many cases this works an extreme hardship when the second marriage is terminated by death of the war widow's second spouse.

Since widow's benefits are foregone during the period of remarriage, it seems only equitable to restore her standing as the widow of the veteran, when she is deprived of support by a second death. There would be no question of double compensation from the Veterans' Administration, but only the opportunity to elect to receive benefits as the widow of the former veteran-spouse, if not the latter.

To alleviate some of the financial hardship in these circumstances, I am now proposing a bill to reinstate recognition of the state of widowhood first created for the beneficiary by the death of her first spouse, at such time as she is again widowed.

By such amendment the law would manifest appropriate concern for the widows of our silent heroes when fortune and life abuse them. In this spirit I propose the following bill: To amend title 38, United States Code, in order to permit, under certain circumstances, the payment of death compensation or dependency and indemnity compensation to the widow of a veteran even though such widow has been remarried.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2250) to amend title 38, United States Code, in order to permit, under certain circumstances, the payment of death compensation or dependency and indemnity compensation to the widow of a veteran even though such widow has been remarried, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Finance.

MARINE AND ATMOSPHERIC AFFAIRS COORDINATION ACT OF 1965

Mr. MUSKIE. Mr. President, I introduce for appropriate reference the Marine and Atmospheric Affairs Coordination Act of 1965 and ask unanimous consent that it be printed in the RECORD at the end of my remarks and that it remain at the desk through July 9 in order that Senators who wish to might join as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Maine.

The bill (S. 2251) to coordinate and consolidate the major civilian marine and atmospheric functions of the Federal Government through the establishment of a Department of Marine and Atmospheric Affairs, to enunciate national policies pertinent to the marine and atmospheric interests of the United States, to further the expanded exploration of marine environs and the use of marine resources, to encourage research and development in the marine and atmospheric sciences and technologies and for other purposes, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

Mr. MUSKIE. Mr. President, there is a variety of bills before both Houses of the Congress to enhance and encourage the Federal role in the management of our marine affairs. These bills encompass ideas for the improvement of our merchant marine fleet, review of our interests in the law of the sea, exploration of the Continental Shelf, enhancement of our anadromous fisheries management efforts, import restrictions on fisheries products from those nations practicing poor conservation techniques in our adjacent waters, advisory council proposals for the coordination of our oceanographic effort, the establishment of a massive NASA-like organization for the conquest of the oceans—our "inner space"—and many others.

In addition, President Johnson has now proposed reorganization plan No. 2, consolidating the Coast and Geodetic Survey, the Weather Bureau and the Central Radio Propagation Laboratory to form a new agency in the Department of Commerce to be known as the Environmental Science Services Administration.

All of these ideas have merit and are rooted in the national concern over the conduct and future direction of our marine and atmospheric activities. In my opinion, they are symptomatic of: First, the recognition of the tremendous importance of the oceanic and atmospheric environs to our daily lives and economy; and, second, the fragmentary attention we give these matters in Government policymaking and administration.

The legislation which I introduce today is designed to crystallize our attention on the need to coordinate our work in the interrelated areas of marine and atmospheric environments which so vitally affect our economy, trade, our international relations, strategic posture, natural resource programs and our basic continental climate and weather patterns.

It is my hope that this legislation and my remarks may serve as a catalyst for the Congress in considering the far-reaching implications of our activities—or lack of them—in exploring, understanding, and using the resources of the atmosphere and the ocean.

It is essential for those of us who have been primarily concerned with our interior natural resource programs to turn our eyes to the sea around us. In so doing, we will join the efforts of our distinguished colleagues, Senators MAGNUSON, BARTLETT, and others, who have continued to direct our attention to the implications of an inadequate "national will" concerned with marine and related affairs. It is my hope that the discussion engendered may contribute to the development of a "national will" to move forward in a strong, coordinated marine and atmospheric program.

In reviewing the problems and potentials inherent in our status and purposes in marine and atmospheric use and technology, my thoughts focus on several matters.

First, let me put into perspective the status and present direction of our efforts to conquer the mysteries of the marine environment. The words of Mr. James H. Wakeline, Jr., former Assistant Secretary of the Navy for Research and Development are appropriate:

> For centuries man has looked to the sea as a surface on which to sail to distant lands for exploration and trade, as an arena for naval battles, as a supplementary source of food—but always as a region of mystery with unpredictable and awesome displays of strength. While the world's oceans do, in fact, cover almost three-quarters of the surface of the earth, our real interest lies as much in the volume beneath the surface as in the surface itself. The extent to which we can use this deep domain depends critically upon our knowledge of its boundaries, its properties, and its contents. To obtain this knowledge, we have been working—on a concentrated program in oceanography to study the dynamics of ocean behavior on and beneath the surface, to map the depths and shorelines with much greater accuracy and to access the vast storehouse of food, minerals, and chemicals for future exploitation by mankind. From this program, and others related to it, we will learn much about how to alter and control the tremendous energy developed through the interaction of the air and the sea and released as hurricanes, typhoons, and other storms of great destructiveness. It remains for us now to put this knowledge to work and to find out how we can economically extract the resources from the sea for our use. Before we can fully apply this knowledge, however, we must learn how to live, work, and operate in the ocean depths. Without this capability we cannot effectively use the ocean space for our country's defense or make available its vital materials that we will require for future generations on the earth."

In our national assault upon the marine environment, I see a tremendous historic parallel with that of our country a century and a half ago as we began to unlock the frontiers and rich resources of the western North American continent.

In this earlier day Jefferson and a few others who advocated the opening of our West stood virtually alone. Powerful political and industrial forces sought to divert our energies from westward expansion toward Europe and seagoing trade. John Adams, then Senator from Massachusetts, sided with Jefferson in a display of political courage and vision which brought about his ouster from the Senate and what he then believed to be his political demise.

A few years later another New Englander, Daniel Webster, spoke in questioning terms of our great West saying, "What do we want with this vast worthless area? What use have we for this country?" Although I do not hear specific voices in this day against our national marine program effort, there is a counterpart reelected in apathy, lack of concern and absence of a "national will" to forge ahead.

The role of the Federal Government in opening our West was to explore, to map, and to provide capital and land incentive for the private development of the area. This role was a unique experiment a century and a half ago which staggered the European mind with its audacity.

Are we any less audacious today? I think not. The frontiers of the sea, great lakes, and the atmosphere between earth and space are before us. We need to use their resources and powers. Government can again lead the way through exploration, scientific inquiry, and capital incentive for business and private capital to follow. We need only to channel our energies and coordinate our efforts to lift the curtain of uncertainty over the realm of the little known.

The lifting of this curtain requires recognition of a little realized fact. This fact is that we now possess the technical knowledge and industrial capacity to live, work, explore, and exploit the resources of the marine world. Heretofore, the main thrust of governmental concern with marine and atmospheric affairs has been in the realm of basic scientific inquiry. For a long time scientific knowledge has been ahead of the engineering technology required to accelerate exploration and resource utilization in marine environments. This is no longer the case. We now realize that technology has caught up and even surpassed basic science. We are now ready to pursue a vigorous course of marine resource utilization which will enhance our economy and contribute greatly to our general welfare.

Apparently, this basic fact did not influence the administration in its preparation of the Reorganization Plan No. 2 proposal. This plan is directed essentially toward the coordination of basic scientific inquiry within the interrelated fields of marine and atmospheric affairs. This is a sound proposal as far as it goes—but now is the time for governmental action to go further. Our programs must continue scientific research and inquiry—but this must be in partnership with the technologies of use and development. Our aim must be to encourage the mastery and use of these environs for the benefit of man.

Like the conquest of space, the conquest of the Marine environs requires the development of complicated equipment and specialized systems. These include: Vehicles to come and go from worksites and in which to explore and map, together with the navigational and propulsion systems for these vehicles, underwater construction techniques, unique construction materials, communication systems, power and distribution systems and a wide variety of new techniques for working in an aquatic environment. We have the technical knowledge to develop these systems. In fact, many now exist. We need only to define and coordinate our national efforts and to provide the incentive to attract the interest of those technological industries with the capacity to do the job.

So much for perspective. I would like to draw attention now to some of the effects and problems evident in our present national effort.

First, despite unused fisheries resources in our own waters, we do not catch the fish we eat, expending about $600 million annually abroad for the importation of fisheries products. This represents a substantial part of our dollar drain.

Because our resources are unused, an increasing volume of Asiatic and European fishermen are attracted by our default to use our waters and catch our resources. All too frequently these foreign fishermen utilize exploitive practices in our waters, seriously undermining our resource conservation efforts. All this evades the law of the sea and the Continental Shelf doctrine and causes extreme embarassment to the State Department.

Accenting this international problem is the relatively low status of our representatives in the departments of State, Interior, or Commerce who meet with the ministerial level representatives of other nations relative to U.S. interests in international marine affairs. Other nations, very logically, I think, believe that our Government doesn't care enough about these matters to give them high official attention.

Second, much of our international commitment is concerned with underdeveloped countries and the dietary lack of protein in 60 percent of the world's population. We ship our surplus grain to these nations but do little to attack the basic problem. We know that sustained fisheries resources exceed the world's protein requirements—and further, that great unused resources are available just off the shores of many an underdeveloped country.

Other countries, particularly Russia, capitalize on this knowledge by building up the fisheries capacities of underdeveloped nations and by direct landings of fisheries products by their home fleets. In this way the Russian fisheries and merchant marine make a profit of their activities, and at the same time use their vessels as an adjunct of their defense posture throughout the world in recognition of the strategic importance of the world ocean areas—70 percent of the earth's surface.

Our sick fisheries industry and declining merchant marine do not compete—nor do they add the important strategic element of U.S. occupation throughout the world ocean area.

Third, we are constantly reminded that our continental reserves of strategic fossil fuels and minerals are dwindling—that indeed we are living today on the "savings" required for future generations. Were we to mine more from the sea and the continental shelf we would be, in effect, living on our "income" rather than exclusively on our savings, for every river, every stream, every rain brings dissolved minerals and chemicals from the land to the sea—enriching and replenishing the sea.

By this I do not suggest any abandonment of our interior resources or that we need depend upon the minerals, oil, and gas resources of the sea today and or even tomorrow. I do maintain, however, that we must accelerate our effort, now, to explore, to chart and locate and to use the resources of the marine environment. If we do not, others will. Through use and industrial incentive our technology will rapidly improve.

Fourth, the hearings of the subcommittee on air and water pollution have brought to light some serious problems in the "aging" and deterioration of the Great Lakes, estuarian, and harbor areas. The speed of the "aging" process in such bodies of water is normally measured in millenia. We now have reason to believe that large quantities of nutrients entering our Great Lakes and coastal bays in waste discharges are speeding up this process significantly. Also, we find that even with the overnight elimination of pollutants from these waters—if such were possible—the reversal of the "aging" process, or even its slowing down, appears to be next to impossible under the limitations of present knowledge.

To those in this body from our Nation's heartland, I need not overemphasize the economic impact of water level drops or vegetative concentrations in the Great Lakes.

Shoaling waters, warming waters, and increased vegetation affect shipping, the fisheries industry, recreation, and shore-based industry drastically. We need to learn more about the currents, temperature, and other factors influencing this "aging" process of the Great Lakes. This requires an intensive exploratory and research effort which must be undertaken now before it is too late and economic disaster strikes the heartland of our Nation. In addition we should note the Great Lakes comprise the largest fresh water sea in the world. What we learn in such a microcosm can be of infinite value in our pursuit of knowledge within the world oceans.

Fifth, although the scientific community has recognized the interactions of the air-sea interface in the creation of both broad climatological and local weather patterns, we have as yet scarcely scratched the surface in learning how to modify these phenomena for man's benefit. Among our colleagues, Senator ANDERSON has stressed the importance and future potential for the replenishment and delivery of continental water resources inherent in weather modification techniques.

The needs in this area are legion, but just envision the day when controlled buildup in the snow pack above a western reservoir can replenish that reservoir and help regulate streamflows for power, irrigation, pollution abatement, and so forth, or when controlled weather modification can replenish depleted underground aquifers or transport water in rain over barrier mountains to arid but fertile soils. A dream today? Maybe so—but it can be reality tomorrow.

The work going forward toward more adequate weather warning systems for tornadoes, hurricanes, and floods is fairly well known. But also the Navy and Weather Bureau, in Project Storm Fury, seek to find means to modify, bend, or ameliorate these furious storms of tremendous human and economic impact. The day when we can modify the hands of Nature for man's benefit—when such recent disasters as the Northwest and Mississippi Valley floods are things of the past—is not too far distant—if we accelerate and enforce our "national will" to better understand the interacting marine and atmospheric phenomena which cause them. The costs of such accelerated effort are insignificant in comparison with the potential benefits.

Sixth, the need for power to produce the wonders of our industrial and technological age are apparent to us all. We are all familiar with the disparity of power available to various parts of our country. The potentials for the generation of such power by nuclear energy and by the prospects of obtaining vast oil reserves on the Continental Shelf or from the oil shale deposits of Wyoming, Colorado, and Utah are known. Equal, if not greater power generating potential exists through the harnessing of oceanic power. I have dwelt on the potentials of tidal power at Passamaquoddy between Maine and Canada many times before this Chamber. Similar opportunities exist in Alaska, lower California, and many other parts of the world. The French have just completed the Rance River project on the coast of Brittany making tidal power a reality.

Possibly of even greater importance as a source of oceanic power, since it is not tied to a specific location, is the use of the ocean thermocline as a source of power. In this system electric turbines are powered by steam obtained from water at surface temperature at reduced pressure. Experiments in this area are underway and the technology of the near future should produce a workable powerplant of perhaps 4,500 kilowatts per unit with byproducts of fresh water: fish and plankton and mineral production.

Another significant source of ocean power is wave action. It is believed that wave action rather than nuclear or solar power would best and most economically provide the power source for the thousands of buoys envisaged in the future exploration and development of the oceans. Ocean currents, of which as yet we know little, may provide still another source of power generation.

These then are some of the problems we face today and a few of the potentials we can enjoy tomorrow.

Let me turn now to how our Government is meeting this great challenge in the marine and atmospheric program area. Our main effort is entitled the national oceanographic program. It is one of several governmentwide programs planned and coordinated by the President, with the advice and assistance of the Office of Science and Technology. In the field of oceanography the Director of OST, who also serves as Chairman of the Federal Council for Science and Technology, looks to the Council's Interagency Committee on Oceanography to carry out the program.

As a "committee" in Government this group has been quite successful in their efforts to coordinate the diverse functions of 5 departments, 3 independent agencies, and 22 operating bureaus and offices. Despite their competent work and continual improvement, the Interagency Committee on Oceanography suffers from a number of circumstances with which it is powerless to deal. These are:

First. None of its members is the policy head of the department in which he works, nor is departmental oceanographic policy delegated to him. Whenever ICO makes a decision, that decision is subject to the independent and individual policy review of several department heads. Within the concerned departments marine and atmospheric affairs are relatively minor parts of overall responsibilities.

Second. Each ICO member has his own full-time job. They meet from time to time and give the ICO program a few hours of attention, but their prime attention is devoted to their own daily responsibilities.

Third. The staff of ICO is loaned from other agencies. It receives budgetary support from other agencies. These two situations make it difficult for the most dedicated operation to establish relative program priorities. Even the most objective public servant finds it difficult to judge a project favored by a bureau chief who may soon again be his boss.

Fourth. A program is not a program unless it has a budget with which it may be implemented. The ICO budget for a national oceanographic program is a conglomeration of budgets for marine and atmospheric affairs within 22 bureaus and offices. The ICO considers the budget as a whole but each budget request is contained within the several departments, bureaus, and agencies. Thus each appropriation request is reviewed by a variety of Bureau of the Budget examiners. Each must compete with other agency functions at the bureau and departmental level for "pieces of the appropriation pie" due such agencies. By the time the President's budget is sent to the Congress it is at once unidentifiable as a national effort and bears little resemblance to the thoughtful design of ICO.

Fifth. The many segments of the President's program bearing on marine or atmospheric affairs is presented to at least 32 substantive and appropriation committees of the Congress. Among these committees there is little communication.

The consequence of all this—despite ICO's best efforts—is the lack of a well-balanced national program of marine and interrelated atmospheric affairs or a budget for it. Accordingly, this country does not have a truly national well directed effort in this vital area of concern.

This bill which I introduce today proposes:

First, the enunciation of the broad national purposes, concepts, and objectives required for a coordinated balanced program in marine and atmospheric affairs. In this, it places emphasis on an acceleration and expansion of marine exploration, technology, and scientific endeavor. It outlines a Federal role of full partnership and coordination with State, local government, industrial and academic activity in the marine and atmospheric field. It promotes incentive for private capital investment to follow governmental leadership in the development and exploitation of the marine and atmospheric resources and environmental uses.

Second, it authorizes a marine exploration fund providing for an accelerated exploration program at the Federal level with cost-sharing incentives for the States, academic and industrial communities. Loans and grants are authorized for purposes of developing, improving, and testing the instrumentation, vessels, vehicles, equipment or facilities required to implement a progressive program of marine exploration and discovery.

Third, it authorizes a marine and atmospheric research and development fund for the acceleration of basic research in the component areas of necessary scientific inquiry. This includes: the advance of oceanographic engineering, advancement of knowledge pertinent to the geomorphology and geology of the Continental Shelf, Great Lakes, and deep ocean floors and, similarly, for the biological life, chemical and physical characteristics of such environs. It also provides for research and development related to climatological and meteorological phenomena of the air-sea interface and atmosphere as well as the transmission and generation of electrical energy in such environs.

Fourth, it recognizes that the coordination of our major civilian agencies concerned with marine and atmospheric affairs is essential. It recognizes three basic areas of governmental focus or influence within the framework of our national efforts. These are: First, within the Department of the Navy representing the marine and related military and security interests of the United States; second, within the National Science Foundation and Smithsonian Institution representing the academic interests in such matters; and, third, within a new Department of Marine and Atmospheric Affairs representing the civilian marine and atmospheric interests and industry.

In creating this new department, I believe a moderate, sensible position is taken between the present fragmented operation which we now pursue and the creation of a massive new NASA-like agency for these environs.

Essentially, the new Department would carry the President's reorganization plan No. 2 to a logical conclusion. Included in this new Department would be the U.S. Maritime Administration, U.S. Coast Guard, U.S. Coast and Geodetic Survey, U.S. Weather Bureau, the National Oceanographic Data Center, the Coastal Engineering Research Center, the Sea-Air Interaction Laboratory, the Central Radio Propagation Laboratory—all existing agencies—and a new bureau of marine fisheries formed by the environmental division of the fisheries, responsibilities of the present Fish and Wildlife Service. A new coordinating office of Marine Geology and Mineral Resources would also be established.

These are the major agencies concerned with marine and atmospheric affairs. There are many other agencies such as the Geological Survey, Bureau of Mines, Public Health Service, and so forth, concerned with Missions in the marine environment, but it is thought to be unwise to separate the marine functions from these present agencies at this time.

In addition, this bill does one other thing: it provides for the establishment of a joint committee of the Congress to be the forum for the consideration of the future direction and role of government in marine and atmospheric affairs. This I believe necessary if this vital area of national program need is to be properly communicated to the people. The parameters of discussion, the range and scope of the problems, and the scientific, resource, and social areas of inquiry are too broad for consideration within the framework of existing committee structure in either the House or the Senate.

Mr. President, this then is the direction of the legislation I introduce. In closing, let me emphasize again my intentions. These are to help focus national attention on the problems and opportunities before this Nation in the marine world and lower atmosphere around us.

It is my hope that hearings pertinent to Reorganization Plan No. 2 and on this bill will bring our national purposes into focus for legislative action—action which will coordinate our efforts and infuse them with the strength and imagination inherent in our people.

In closing, may I remind my colleagues of the words of our late President John F. Kennedy as he said, "Knowledge of the oceans is more than a matter of curiosity. Our very survival may hinge upon it." Now I may add that knowledge alone is not enough, our survival may well hinge on our occupation and use of the vast marine world around us.

Thank you, Mr. President.

Mr. SALTONSTALL. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. SALTONSTALL. Mr. President, I have read with a great deal of interest the bill which has been introduced by the Senator from Maine. I am very much aware of the need for the acceleration and coordination of our research efforts in oceanography, and I am pleased that the Senate will now have an opportunity to study this need more closely.

Our underwater resources could immeasurably supplement our interior natural resources.

I am glad to support the intent of the bill introduced by the junior Senator from Maine. My only reason for not joining in cosponsorship of the bill is that I feel these efforts should be coordinated under a presently existing department rather than creating a new governmental department.

Mr. MUSKIE. Mr. President, I appreciate the comments of the Senator from Massachusetts.

The bill introduced by Mr. MUSKIE is as follows:

S. 2251

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION. 1. This Act may be cited as the "Marine and Atmospheric Affairs Coordination Act of 1965."

Declaration of purposes and policies

SEC. 2. The Congress finds and declares:

(1) That the lessons of our history in unlocking the frontiers and resources of the North American continent for the benefit of mankind offers an historic parallel with the situation confronting the Nation today in the virtually unexplored and underdeveloped resources of the marine environments of the oceans, the Great Lakes and the Continental Shelf. That the historic role of federal government in these United States with regard to little known environs and the discovery of potential resources of benefit to its people is primarily one of exploration and survey, of leading the way through geographic exploration for scientific investigation, research and conceptual development by the academic community, private industry and government alike, and by private industrial and capital investment and development to follow. That the expansion and enhancement of governmental exploration efforts for the greater ascertainment and delineation of marine environment and resources is clearly in the national interest.

(2) That the United States acquired under international law on June 10, 1964, sovereign rights to the exploration and development of resources of the Continental Shelf under the Convention of the Continental Shelf adopted at the United Nations Conference on the Law of the Sea. Pursuant to the internationally recognized and exclusive rights so secured, the United States assumes the responsibility of executing an accelerated program of exploration and development of the physical, chemical, geological, and biological resources of the Continental Shelf.

(3) That the expansion of human knowledge of phenomena in and related to the oceans, the marine environment, and the Great Lakes, their boundaries and contents, and to the interaction of sea, earth and atmosphere is of paramount importance to the peoples of the world and particularly of importance to the general welfare and security of the United States and therefore worthy of vigorous pursuit.

(4) That the United States must encourage private investment in the economic utilization of the marine resources on the Continental Shelf and in the Great Lakes and oceanic environs and determine the benefits from the use of these marine resources for increased investment and economic growth.

(5) That the development and improvement of the capabilities, performance, and efficiency of vehicles, equipment, and instruments for use in exploration, research, surveys, the recovery of resources, and the transmission of energy in the marine and atmospheric environments is an integral and prerequisite part of the national effort and is worthy of maximum encouragement.

(6) That the effective utilization of the scientific and engineering resources of the United States, requires close cooperation and coordination among all interested Federal and State agencies and the private industrial sectors of the United States, in order to avoid unnecessary duplication of effort, facilities and equipment, or waste, and further that such cooperation and coordination is only possible when the various agencies and private industries concerned with marine endeavor foster the collection, storing, and distribution of significant data and knowledge acquired as a result of scientific and engineering marine and atmospheric research developments, surveys and technological advances when such are in the national interest.

(7) That the establishment of long-range studies of the potential benefits to the United States economy, security, health, and welfare to be gained from the opportunities for, and the problems involved in the utilization of scientific marine, Great Lakes, oceanic and atmospheric research, investigations and surveys is paramount to the continued enhancement of the national interest.

(8) That it is of paramount importance for the United States to cooperate with other nations and groups of nations, including organizations of the United Nations, in oceanographic, marine and atmospheric development, research and surveys when such cooperation is in the national interest.

(9) That the preservation and enhancement of the role of the United States as a leader in oceanographic, and atmospheric and marine science, technology and development is clearly a national goal and that to this end the advance of education and training in marine and atmospheric science and technology is of basic importance.

(10) That the execution of the purposes and policies heretofore enumerated and the recognition of the vital role of marine resources and oceanographic and atmospheric considerations in the affairs of our national life and the enhancement of our international stature in the conduct of such affairs requires the establishment of an executive department to achieve the best administration of the principal civilian programs of the Federal Government concerned with marine and atmospheric affairs.

TITLE I—ESTABLISHMENT OF DEPARTMENT

SEC. 101. (a) There is hereby established at the seat of Government an executive department to be known as the Department of Marine and Atmospheric Affairs (hereinafter referred to as the "Department"). There shall be at the head of the Department a Secretary of Marine and Atmospheric Affairs (hereinafter referred to as the "Secretary"), who shall be appointed by the President by and with the advice and consent of the Senate. The Department shall be administered under the supervision and direction of the Secretary. The Secretary shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments.

(b) The Secretary shall among his responsibilities, advise the President with respect to Federal programs and activities relating to marine environments of the oceans and the Great Lakes; provide leadership and recommend to the President policies and programs required for the further scientific understanding of the interactions of the sea, air and earth, and between the upper and lower atmosphere with particular application to systems for the warning and modification of severe climatological and meteorological effects upon the national economy, security, health and welfare, and for the marine and atmospheric transmission of energy; develop and recommend to the President policies for fostering the orderly growth and development of the Nation's marine affairs, including exploration and delineation, traffic and trade, the natural resources of the Continental Shelf, the Great Lakes, and the oceans, science and technology, and the safety and protection of the users of marine resources and environs; exercise leadership at the direction of the President in coordinating Federal activities relating to marine resources, their exploration, exploitation, and development; provide technical assistance and information including a clearinghouse service to State governments and industries concerned with the exploration, development, utilization and management of marine resources and allied technologies; encourage comprehensive planning by the State governments and private sectors of the economy with a view to coordinating Federal, State, and private industrial development activities; and conduct continuing comprehensive studies, and make available findings, with respect to the progress and problems of marine exploration, research, development, and technology.

(c) The Secretary shall further, among his responsibilities, pursue the execution of programs which shall provide significant emphasis to the exploration and development of the marine resources of the Continental Shelf and waters above the Continental Shelf. Such programs shall include but shall not be limited to the following:

(1) Marine exploration, expeditions, and surveys necessary to describe the topography and to identify, locate, and economically develop the physical, chemical, geological, and biological resources of the Continental Shelf;

(2) Cooperative expeditions for these purposes with other Federal agencies having missions on the Continental Shelf;

(3) Development of an engineering capability that will permit exploration and development of the Continental Shelf and superjacent waters;

(4) Fostering participation in marine exploration and economic development by scientific institutions and industry, through grants, loans, and cost-sharing arrangements; and

(5) Providing for the widest practicable and appropriate dissemination of information concerning marine discoveries, development of instrumentation, equipment and facilities, and other information as the Secretary may deem appropriate.

(d) The Secretary may, under the foreign policy guidance of the President, engage in a program of international cooperation in work done pursuant to this Act, pursuant to agreements made by the President with the advice and consent of the Senate.

Under Secretary and other officers

SEC. 102. (a) There shall be in the Department an Under Secretary, three Assistant Secretaries, one each designated as the Assistant Secretary for Exploration and Resource Development, Assistant Secretary for Marine Traffic, and Assistant Secretary for Marine and Atmospheric Sciences, and a General Counsel, who shall be appointed by the President by and with the advice and consent of the Senate, who shall receive compensation at the rate now or hereafter provided by law for under secretaries, assistant secretaries, and general counsels, respectively, of executive departments, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(b) There shall be in the Department an Administrative Assistant Secretary, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service, who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time, and whose annual rate of compensation shall be the same as that now or hereafter provided by or pursuant to law for administrative assistant secretaries of executive departments.

Components of the Department

SEC. 103. (a) Except as otherwise provided in subsection (d) of this section, there are hereby transferred to and vested in the Secretary all of the functions, powers, and duties of the United States Maritime Administration, United States Coast Guard, United States Coast and Geodetic Survey, United States Weather Bureau, the National Oceanographic Data Center of the Office of the United States Navy Oceanographer, the Coastal Engineering Research Center of the United States Army Corps of Engineers, the Sea-Air Interaction Laboratory, and the Central Radio Propagation Laboratory of the National Bureau of Standards.

(b) There are hereby transferred to and vested in the Secretary all those functions, powers, and duties of the United States Fish and Wildlife Service and its component Bureaus, the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife which pertain to the administration, utilization, development and management of the fisheries resources of the oceans, Continental Shelf, marine estuaries and Great Lakes including all those fisheries resources of anadromous habit or nature. Such functions, powers, and duties are to be vested in the Department within a Bureau of Marine Fisheries and administered by a Director of Marine Fisheries who shall be appointed by the Secretary.

(c) There is hereby established as a function of the Department an Office of Marine Geology and Mineral Resources which shall direct, and coordinate with the United States Geological Survey, Bureau of Mines, Office of Oil & Gas, Office of Mineral Exploration, Office of Minerals and Solid Fuels, and other functions of the Department of the Interior, other Federal Agencies and Departments, the academic community and private industry, the conduct and development of mineral and fossil fuel exploration, technology and related affairs pertinent to the useful exploitation of the mineral and fossil fuel resources of the Continental Shelf, Great Lakes, and world oceans for the enhancement of the national and international economy and general welfare.

(d) There are hereby authorized to be transferred to the Department and vested in the Secretary any additional functions, powers, and duties as may be now or hereafter vested in any agency or Department of the Federal Government when such is deemed by the President to be in the National interest and is in furtherance of the purposes of this Act.

(e) Notwithstanding the provisions of subsection (c) hereof the U.S. Maritime Commission together with all its regulatory functions, powers, and responsibilities shall remain a separate agency of the Executive establishment unless the President proposes transfer to the Department and such transfer is concurred in by the Congress.

Effects upon the Executive Establishment

SEC. 104. (a) It is the purpose of this Act to orient and consolidate the responsibilities pertinent to the marine and related affairs of the Nation into three categories: (1) The Department of the Navy representing the marine and related military interest and security of the United States, (2) the National Science Foundation and Smithsonian Institution representing the marine, atmospheric and related academic interests, and (3) the Department of Marine and Atmospheric Affairs representing the civilian marine and atmospheric interests and industry.

(b) Notwithstanding subsection (a) hereof the Congress recognizes that numerous additional agencies and Bureaus within the Federal establishment possess and should continue to possess functions, powers, and duties relating to marine and atmospheric environments which because of their nature and scope are legitimate functions of their vested agency or Department.

(c) The transfer of the marine-related functions, powers, and duties of the U.S. Fish and Wildlife Service, and its component Bureaus, the Bureau of Commercial Fisheries, and the Bureau of Sport Fisheries and Wildlife within the Department of the Interior to the Bureau of Marine Fisheries within the Department of Marine Affairs and the retention of inland fisheries affairs within the Department of the Interior is predicated upon the consideration and intention that the fisheries affairs of the Nation are best administered pursuant to the dictates of environment. Pursuant to this intent of the Congress:

(1) The United States Fish and Wildlife Service, the Bureau of Commercial Fisheries, and the Bureau of Sport Fisheries and Wildlife are hereby abolished.

(2) The following positions in the Department of the Interior are hereby abolished:

(a) Assistant Secretary for Fish and Wildlife and Parks

(b) Commissioner for Fish and Wildlife

(c) Director of the Bureau of Sport Fisheries and Wildlife.

(d) Director of the Bureau of Commercial Fisheries.

(3) There is established within the Department of the Interior the position of Assistant Secretary for Inland Fisheries and Wildlife and Parks. Such Assistant Secretary shall be appointed by the President, by and with the advice and consent of the Senate who shall receive compensation at the rate now or hereafter provided by law for assistant secretaries of executive departments, and who shall perform such functions, powers and duties as the Secretary of the Interior shall prescribe from time to time. There is also established within the Department of the Interior two separate agencies for the administration of inland fisheries and wildlife resources, each of which shall have the status of a Federal bureau. One of the bureaus shall be known as the "Bureau of Inland Fisheries" and the other bureau shall be known as the "National Wildlife Service." There shall be a Director of each of said bureaus appointed by the Secretary.

Administrative provisions

SEC. 105. (a) The personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, or other funds held, used, arising from, or available or to be made available in connection with, the functions, powers, and duties transferred by section 103 of this Act are hereby transferred with such functions, powers, and duties respectively.

(b) The Secretary is authorized, subject to the civil service and classification laws, to select, appoint, employ, and fix the compensation of such officers and employees, including attorneys, as shall be necessary to carry out the provisions of this Act and to prescribe their authority and duties.

(c) The Secretary may delegate any of his functions, powers, and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties.

(d) The Secretary is authorized to employ experts and consultants or organizations therefor as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including traveltime, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently, while so employed: *Provided, however,* That contracts for such employment may be renewed annually.

(e) The Secretary is authorized to arrange with the Federal Bureau of Investigation for the conduct of such security or other personnel investigation of the Department's officers, employees, and consultants, as he deems appropriate, and if any such investigation develops any data reflecting that the individual who is the subject thereof is of questionable loyalty there shall be a full field investigation of the matter, the results of which shall be furnished to the Secretary.

(f) The Secretary is authorized to request and the Atomic Energy Commission may authorize any of its employees, or employees of any contractor, prospective contractor, licensee, or prospective licensee of the Atomic Energy Commission under subsection 145(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2165(b)), to permit any member, officer, or employee of the Department to have access to restricted data relating to oceanography and the marine and atmospheric sciences which is required in the performance of his duties and so certified by the Secretary but only if (1) the Secretary or designee thereof has determined, in accordance with the established personnel security procedures and standards of the Department, that permitting such individual to have access to such restricted data will not endanger the common defense and security, and (2) the Secretary or designee thereof finds that the established personnel and other security procedures and standards of the Department are adequate and in reasonable conformity to the standards established by the Atomic Energy Commission under section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165). Any individual granted access to such restricted data pursuant to this subsection may exchange such data with any individual who (A) is an officer or employee of the Department of Defense, or any department or agency thereof, or a member of the Armed Forces, or a contractor or subcontractor of any such department, agency, or armed force, or an officer or employee of any such contractor or subcontractor, and (B) has been authorized to have access to restricted data under the provisions of section 143 of the Atomic Energy Act of 1954 (42 U.S.C. 2163).

(g) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; procurement and management of office space; central service for document reproduction and for graphics and visual aids; and a central library service. In addition to amounts appropriated to provide capital for said fund, which appropriations are hereby authorized, the fund shall be capitalized by transfer to it of such stocks of supplies and equipment on hand or on order as the Secretary shall direct. Such fund shall be reimbursed from available funds of agencies and offices in the Department for which services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and for depreciation of equipment.

(h) The Secretary is authorized to—

(1) adopt, alter, and use a seal, which shall be judicially noticed;

(2) hold such hearings, sit and act at such times and places, and take such testimony, as he may deem advisable;

(3) request directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics needed to carry out the purposes of this Act; and each department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary;

(4) acquire, in any lawful manner, including purchase, transfer, lease, donation, gift or device, any property (real, personal, or mixed, tangible or intangible), whenever deemed necessary or appropriate to the conduct of the activities authorized by this Act; and

(5) prescribe and issue such rules, regulations or orders, pursuant to law, as he may deem necessary and commission employees of the Department for the enforcement of those laws, rules and regulations vested within his authority and for the carrying of firearms in the execution of such duties.

(i) The Secretary is authorized to sue and be sued in any court of record of a State having general jurisdiction or in any United States district court, and jurisdiction is conferred upon such district court to determine such controversies without regard to the amount in controversy; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Secretary or his property. Nothing herein shall be construed to except the activities under this Act from the application of sections 507(b) and 2679 of title 28, United States Code, and of section 367 of the Revised Statutes (5 U.S.C. 316);

Savings provisions

SEC. 106. (a) No suit, action, or other proceeding lawfully commenced by or against the head of any agency or any other officer whose functions are transferred by the provisions of this Act, in his official capacity or in relation to the discharge of his official duties, or by or against any agency whose functions are transferred by this Act, shall abate by reason of the taking effect of the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such taking effect, showing a necessity for the survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the Secretary or such other officer or office of the Department as may be appropriate.

(b) Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. All rules, regulations, orders, authorizations, delegations, or other actions duly issued, made, or taken by or pursuant to applicable law, prior to the effective date of this Act, by any agency, officer, or office pertaining to any functions, powers, and duties transferred by this Act shall continue in full force and effect after the effective date of this Act until modified or rescinded by the Secretary or such other officer or office of the Department as, in accordance with applicable law, may be appropriate.

Separability

SEC. 107. Nothwithstanding any other evidence of the intent of Congress, it is hereby declared to be the intent of Congress that if any provision of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances but shall be confined in its operation to the provision of this Act, or the application thereof to the persons and circumstances, directly involved in the controversy in which such judgment shall have been rendered.

Effective date and interim appointments

SEC. 108. (a) The provisions of this Act shall take effect upon the expiration of the first period of sixty calendar days following the date on which this Act is approved by the President, or on such earlier date as the President shall specify by Executive order published in the Federal Register, except that the President may nominate, and by and with the advice and consent of the Senate may appoint, any of the officers provided for in sections 101(a), 102(a), 102(b), and 104(c)(3) of this Act at any time after the date this Act is approved by the President.

(b) In the event that one or more officers required by this Act to be appointed by and with the advice and consent of the Senate shall not have entered upon office on the effective date of this Act, the President may designate any person who was an officer of any agency or Bureau transferred to the Department pursuant to Section 103 of this Act immediately prior to said effective date to act in such office until the office is filled as provided in this Act or until the expiration of the first period of sixty days following said effective date, whichever shall first occur. While so acting such persons shall receive compensation at the rates provided by this Act for the respective offices in which they act.

Application of Act

SEC. 109. As used in this Act, the terms "State", "States", and "United States" include the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa and the terms "marine affairs" or "marine sciences" shall be deemed to apply also to endeavors in and with relation to the Great Lakes.

Annual report

SEC. 110. The Secretary shall make a comprehensive and detailed annual report to the Congress of his operations under this Act and the related operations of all agencies and departments of the United States in the field of oceanography and marine and atmospheric affairs and science for each fiscal year beginning with the fiscal year ending June 30, 1966. Such report shall be printed and shall be transmitted to the Congress not later than January 3 of the year following the fiscal year with respect to which such report is made. Such report to contain an evaluation of such activities and accomplishments in terms of the attainment of, or the failure to attain, the objectives developed pursuant to this Act and further shall contain such recommendations for additional legislation as the Secretary may consider necessary or desirable for the attainment of the objectives developed pursuant to this Act. No information which has been classified for reasons of national security shall be included in any report made under this section, unless such information has been declassified by, or pursuant to authorization given by, the President.

Public information

SEC. 111. Information obtained or developed by the Secretary in the performance of his functions under this Act shall be made available for public inspection except (a) information authorized or required by Federal statute to be withheld, and (b) information classified to protect the national security: *Provided*, That nothing in this Act shall authorize the withholding of information by the Secretary from the duly authorized committees of Congress.

Appropriation

SEC. 112. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Apropriations authorized under this Act shall remain available until expended unless otherwise provided by appropriations acts.

TITLE II—MARINE EXPLORATION FUND

SEC. 201. (a) There is hereby established on the books of the Treasury a Marine Exploration Fund which shall be available to the Secretary for the acceleration and expansion of programs currently extant or hereafter promulgated for purposes of:

(1) the intensive exploration, survey and delineation of the topography, physical, geological, geomorphological, chemical and biological properties and resources of the Continental Shelf, Great Lakes and superjacent waters; and

(2) the extensive exploration, survey and delineation of the topography, physical, geological, geomorphological, chemical and biological properties and resources of the world oceans.

(b) The fund shall consist of amounts appropriated thereto pursuant to section 203 together with amounts received as repayments of principle and payments of interest on such loans.

(c) The Secretary is authorized to expend appropriated Marine Exploration Funds in support of direct Federal operating, construction and experimental programs, either within the Department or by transfer to other Federal agencies, or pursuant to cooperative or cost sharing arrangements, leases, or contractual considerations with Federal or State agencies, public or private universities, institutions or foundations, business enterprises, corporations or individuals concerned with same, similar or related programs, undertaken in furtherance of the purposes of this Act.

Loans and grants

SEC. 202. (a) The Secretary shall make loans, grants or cost sharing arrangements from the Marine Exploration Fund for purposes of (1) developing, improving and testing the instrumentation, vessels, vehicles, equipment or facilities required to execute the program purposes of the Government, its assigns, cooperators and contractors, designated in section 201(a), 201(b), and 201(c), of this Title, and (2) the conduct, administration and execution of such programs.

(b) The Secretary is authorized to establish terms for loans, grants or other cost sharing arrangements from such fund providing he gives due weight to the benefits inuring to the Government from the activities carried out with the proceeds of such loans, grants or cost sharing arrangements, and providing further—

(1) That interest rates for loans so established shall not be in excess of 5 per centum per annum;

(2) That the borrower of loans so established shall pay such fees and charges as the Secretary may require;

(3) That the period for repayment of loans so established shall not exceed forty years;

(4) That security for loans so established shall be such that in the judgment of the Secretary the equity of the United States is prudently protected;

(5) That no single loan so established shall exceed $5,000,000;

(6) That grants so established shall not exceed 90 per centum of the cost of the project for which the grant is given; and

(7) That no single grant so established shall exceed $2,000,000.

Financing

SEC. 203. There are hereby authorized to be appropriated $500,000,000 annually for the purposes of this title.

TITLE III—MARINE AND ATMOSPHERIC RESEARCH AND DEVELOPMENT FUND

SEC. 301. (a) There is hereby established on the books of the Treasury a Marine and Atmospheric Research and Development Fund which shall be available to the Secretary for the acceleration of basic research in and the development of programs currently extant or hereafter promulgated for purposes of:

(1) the advance of oceanographic engineering including the development and improvement of the capabilities, performance and efficiency of vessels, vehicles, equipment, instruments and facilities required for exploration and discovery, the recovery of resources, the transmission of energy and communication and the enhancement of basic knowledge pertinent to marine environments, air-sea interaction, climatological influences, and weather modification;

(2) the advancement of knowledge pertinent to the geomorphology and geology of the Continental Shelf and deep ocean floors;

(3) the advancement of knowledge pertinent to biological life of the Continental Shelf and deep ocean environs;

(4) the advancement of knowledge pertinent to the hydrological and physical characteristics and movements of the waters of the Continental Shelf and oceans of the climatological and meteorological phenomena of oceanic and continental areas including the modification of such phenomena for the benefit of man;

(5) the advancement of knowledge pertinent to the chemical qualities and characteristics of the marine environment including the waters and submerged bottoms of the Continental Shelf and oceanic areas; and

(6) the advancement of knowledge pertinent to the transmission of electrical energy for the generation of power and the transmission and reception of communications within marine environs.

(b) The fund shall consist of amounts appropriated thereto pursuant to section 303.

(c) The Secretary is authorized to expend appropriated Marine Research and Development Funds in support of direct Federal operating construction and experimental programs either within the Department or by transfer to other Federal agencies or pursuant to grants, cooperative or cost sharing arrangements or contractual considerations with qualified Federal or State agencies, public or private scientific institutions, universities, foundations, corporations, or individuals concerned with the advance of marine, oceanic, atmospheric or related science, technology and understanding.

Grants

SEC. 302. Basic research and development grants or cost sharing arrangements entered into by the Secretary pursuant to the criteria of section 301 shall be subject to such terms, conditions and restrictions which the Secretary may determine to be in the national interest for the maximum benefit of the Government in seeking to achieve an optimum understanding of the phenomena of marine, oceanic, atmospheric, and related environs.

SEC. 303. There are hereby authorized to be appropriated $100,000,000 annually for the purposes of this title.

TITLE IV—JOINT COMMITTEE OF THE CONGRESS

SEC. 401. That for the purposes of considering, evaluating, and effectuating the policies and intentions outlined in this Act for a coordinated, productive national effort in the conduct of the marine and atmospheric affairs of the United States there is established a Joint Committee of the Congress for Marine and Atmospheric Affairs.

SEC. 402. The membership of the Joint Committee for Marine and Atmospheric Affairs shall be composed of the following members of (a) the Senate:

One member representative of the majority and one member representative of the minority as selected by the membership of the following standing committees each from their respective ranks:

(1) Aeronautical and Space Sciences;
(2) Commerce;
(3) Foreign Relations;
(4) Government Operations;
(5) Interior and Insular Affairs;
(6) Public Works; and
(b) the House of Representatives:

One member representative of the majority and one member representative of the minority as selected by the membership of the following standing committees each from their respective ranks:

(1) Government Operations;
(2) Interior and Insular Affairs;
(3) Interstate and Foreign Commerce;
(4) Merchant Marine and Fisheries;
(5) Public Works; and
(6) Science and Astronautics.

SEC. 403. (a) The President pro tempore in the Senate, and the Speaker in the House of Representatives shall designate the chairman and vice chairman of such Joint Committee.

(b) Such Joint Committee may—

(1) make studies of appropriate matters relating to marine and atmospheric program and policy affairs or of such matters related thereto as will promote the purposes of this Act, or recommend any such studies to the appropriate standing committees of either House of the Congress; and

(2) make such reports on marine and atmospheric matters as it deems advisable.

(c) For the purposes of this section the Joint Committee may (1) hold hearings; (2) sit and act at such times and places during the sessions, recesses, and adjourned periods as permitted by the rules of both Houses; (3) require by subpoena or otherwise the attendance of witnesses and the production of correspondence, books, papers and documents; (4) administer oaths; (5) take testimony either orally or by deposition; (6) employ such technical, clerical, and other assistants and consultants and, with the prior consent of the executive agency concerned and the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House, employ on a reimbursable basis such executive branch personnel as it deems advisable.

(d) A quorum in the Joint Committee shall consist of nine members, except that the committee may provide that for the purposes of taking testimony, two members one from the majority party and one from the minority party, shall constitute a quorum.

(e) The expenses of the Joint Committee shall be paid from the contingent fund of each House, on a prorate basis, upon vouchers approved by the chairman.

(f) There is hereby authorized to be appropriated for each fiscal year, such sums as may be necessary, to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman.

MEDICAL CARE FOR THE AGED—AMENDMENTS

AMENDMENT NOS. 312, 313, 314, AND 315

Mr. PROUTY submitted four amendments, intended to be proposed by him to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 317

Mr. INOUYE (for himself, Mr. PELL, and Mr. FONG), submitted an amendment intended to be proposed by them jointly, to House bill 6675, supra, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 326 AND 327

Mr. COOPER submitted two amendments, intended to be proposed by him to House bill 6675, supra, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 328

Mr. GRUENING (for himself and Mr. BARTLETT) submitted an amendment, intended to be proposed by them jointly to House bill 6675, supra, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 329 AND 330

Mr. CURTIS submitted two amendments, intended to be proposed by him to House bill 6675, supra, which were ordered to lie on the table and to be printed.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL — AMENDMENT

AMENDMENT NO. 318

Mr. HART submitted an amendment (No. 318), intended to be proposed by him, to the bill (H.R. 8370) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes, which was ordered to lie on the table and to be printed.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—AMENDMENTS

AMENDMENTS NOS. 316 AND 319 THROUGH 325

Mr. TOWER (for himself and Mr. BENNETT) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. SCOTT. Mr. President, I ask unanimous consent that several additional cosponsors be added to the bill, S. 949, the proposed State Technical Services Act of 1965, so that the list of sponsors reads as follows: Mr. MAGNUSON (for himself, Mr. SCOTT, Mr. BYRD of West Virginia, Mr. RIBICOFF, Mr. MCGOVERN, Mr. PASTORE, Mr. MONRONEY, Mr. LAUSCHE, Mr. BARTLETT, Mr. HARTKE, Mr. MCGEE, Mr. HART, Mr. CANNON, Mr. BREWSTER, Mrs. NEUBERGER, Mr. BASS, Mr. COTTON, Mr. PROUTY, Mr. PEARSON, and Mr. DOMINICK.)

Through an error of the Public Printer, the bill was printed without the names of these added cosponsors.

I also ask unanimous consent that the bill be reprinted showing the full list of cosponsors.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. McGOVERN. Mr. President, on behalf of the senior Senator from Connecticut [Mr. DODD], I ask unanimous consent that at the next printing of S. 2152, Narcotic Addict Rehabilitation Act of 1965, the names of the distinguished junior Senator from Michigan [Mr. HART] and the distinguished senior Senator from Alaska [Mr. BARTLETT] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE IN FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Mr. Livingston T. Merchant, of the District of Columbia, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Harry C. George, of Illinois, to be U.S. marshal, eastern district of Illinois, term of 4 years (reappointment).

James H. Dillon, of Wisconsin, to be U.S. marshal, eastern district of Wisconsin, term of 4 years (reappointment).

Adam J. Walsh, of Maine, to be U.S. marshal, district of Maine, term of 4 years (reappointment).

Claude Vernon Sprately, Jr., of Virginia, to be U.S. attorney, eastern district of Virginia, term of 4 years (reappointment).

Hugh Salter, of North Carolina, to be U.S. marshal, eastern district of North Carolina, term of 4 years (reappointment).

Charles N. Bordwine, of Virginia, to be U.S. marshal, western district of Virginia, term of 4 years (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, July 14, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

RESCHEDULING OF HEARING ON NOMINATION OF JAMES P. COLEMAN, OF MISSISSIPPI, TO BE U.S. CIRCUIT JUDGE, FIFTH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee of the Judiciary, I desire to give notice that the public hearing on the nomination of James P. Coleman, of Mississippi, to be U.S. circuit judge, fifth circuit, has been rescheduled for Monday, July 12, 1965, at 10:30 a.m., in room 2228 New Senate Office Building.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. ERVIN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

FORMER PRESIDENT OF COLOMBIA, DR. ALBERTO LLERAS CAMARGO, TO TESTIFY FRIDAY AT POPULATION HEARINGS ON S. 1676

Mr. GRUENING. Mr. President, I wish to announce that the hearings on S. 1676, my bill to coordinate and disseminate birth control information upon request, originally scheduled for Thursday, July 8, at 10 a.m., in room 3302 of the New Senate Office Building have been postponed until Friday, July 9, at 2 p.m., to permit the Senate Government Operations Subcommittee on Foreign Aid Expenditures to hear the testimony of Dr. Alberto Lleras Camargo.

Dr. Lleras, a distinguished Latin American statesman, is the former President of Colombia. He also has served as the Secretary General of the Organization of American States.

Dr. Lleras has evidenced his concern as to the effect of the population explosion on the economy of the Americas. Long familiar with the problems of Latin America, Dr. Lleras now serves as chief of the editorial board of the magazine Vision.

He comes to Washington, D.C., on a number of errands and has graciously accepted the subcommittee's invitation to appear Friday afternoon.

The subcommittee will also hear testimony from the well-known journalist, Mr. Ben H. Bagdikian. Mr. Bagdikian is author of the book "In the Midst of Plenty: The Poor in America." His reporting of the poverty story in the United States stimulated the dialog in social welfare. Among his concerns is the problem of burgeoning population.

Mr. Bagdikian is a contributing writer for the Saturday Evening Post. He worked for many years as correspondent and columnist for the Providence, R.I., Journal. He was a Guggenheim Foundation Fellow in 1961. Among the honors he has received for his distinguished reporting is the George Foster Peabody Award.

Mr. Bagdikian graciously agreed to change his own plans so that he might appear as a witness on S. 1676 on Friday afternoon.

The hearing will be public and I hope persons interested will find it possible to join with the subcommittee in hearing the contributions these men and possibly others have to make.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 7, 1965, he presented to the Administrator, General Services Administration, the enrolled joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to the succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office.

RIDE INTO YESTERDAY

Mr. BYRD of West Virginia. Mr. President, on Sunday, June 27, I traveled to West Virginia to speak to the members of the 1965 National Youth Science Camp in Pocahontas County, and, while in the area, I took advantage of the opportunity to take a trip on the historic Cass Scenic Railroad.

The ride was truly a memorable experience, and I wish to urge all who can do so to schedule a trip soon for themselves and their family members.

To provide a little of the background of this "ride into yesterday"—the railroad operation is among the projects approved by the Area Redevelopment Administration for development of tourism and recreation in West Virginia, and it has been an outstanding success. The Cass Scenic Railroad is a standard gage line, built by loggers, and for more than

60 years it was used for hauling logs from Bald Knob and Cheat Mountain. Over its rails, more than 1 billion board feet of lumber and an equal volume of pulpwood were hauled from once virgin timber stands.

Today, instead of brawny lumbermen and sawmill operators, sightseeing excursionists fill the open-air cars, seeking to recapture some of the oldtime excitement and nostalgia of the booming logging days, for the railroad operates now only as a scenic route, carrying passengers for breathtaking journeys through wildflower-covered foothills, along the banks of the Greenbrier River, and over wooded crests of Appalachian mountains. The volume of tourists taking the train ride exceeded over 1,200 in 1 day alone in 1964.

The trip originates in the picturesque old town of Cass, W. Va., which still has board sidewalks, and continues for 2 hours over a distance of 8 miles. Youngsters who may never have seen a steam locomotive in operation in our present jet-travel age find the century-old ritual of oiling and readying the antique engine and cars preparatory to starting a thrill within itself. For oldsters, nostalgic memories of a past steam-engine era are evoked as they embark for the exciting trip, aboard cars shoved by a classic gear-wheel locomotive, as, in the authentic tradition of trains operated by Shay engines, the open observation coaches are pushed from behind, up steep grades sometimes exceeding 10 percent.

Along the route, two of the few remaining "switchbacks" in the United States afford a real touch of excitement, as the Cass Scenic Railroad is one of the highest noncog railroads east of the Rocky Mountains. Owned by the State of West Virginia, the railroad provides the spine-tingling round trip for $2 for each adult, with one-half fare for youngsters under 12 years of age. Children under 6 are admitted free of charge.

Three trips per day are made, at 11 a.m., at 1 p.m., and 3 p.m.

Dinner can be obtained in an old-fashioned railroad diner, or a picnic area is available for picnicking in the "layover" area at the turnaround point.

The train trip on the Cass Scenic Railroad, through the unfolding panarama of remote and appealing Mountain State scenery, takes one on a journey through a beautiful region, one which remains much as it was a century ago.

It is truly an unforgettable "Journey into Yesterday."

VETERAN CITES NEED FOR EDUCATIONAL READJUSTMENT ASSISTANCE

Mr. YARBOROUGH. Mr. President, American veterans of cold war military service do not ask for undeserved recognition or reward—they merely assert in unison their request for equal treatment and equal educational opportunity under the law. The success of the GI bills of World War II and the Korean conflict in extending educational opportunities to those who had been forcibly removed from the civilian economy and the immeasurable economic return to this Nation which enlightened minds provided, indicate the wisdom of enacting a new GI education bill. This Congress should no longer delay its consideration of the cold war GI education bill (S. 9), and this Nation can no longer afford to neglect the intellect of the modern-day military man.

I ask unanimous consent that a letter from Martin F. Gufler, of 3909 West 73d Street, Prairie Village, Kans., be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Prairie Village, Kans.,
June 23, 1965.

Senator Ralph Yarborough, *Senator from the State of Texas, U.S. Senate, Washington, D.C.*

Dear Sir: I am a recently discharged soldier who has returned to college and is seeking to earn his degree. My father doesn't make enough money to finance me together with my younger brothers in school, however, so I have had to work evenings all during this last 1965 spring semester. I don't mind doing work, but having to be on the job for 4 hours every night after school and then having to do my homework besides was especially difficult for me during that first semester after 3 years in the Army since I was having a hard enough time just getting adjusted back to university life.

Therefore, Senator, I would like to thank you for introducing the Cold War Veterans Readjustment Assistance Act of 1965. I know that there are many, many discharged soldiers around the country who are exactly in the same situation that I am, and your bill, if you are able to succeed in having it passed, will be a great help and aid for them toward better readjustment to school life.

I am writing to my Congressmen from here in the State of Kansas to encourage them to vote "yes" on your bill.

Very truly yours,
Martin F. Gufler,
Sophomore, University of Missouri at Kansas City.

PLEA TO SOVIET UNION TO END ITS ANTI-SEMITISM POLICIES

Mr. TYDINGS. Mr. President, last month the Baltimore News-American published an editorial which restates the plea of Congress, the President, and all other thoughtful Americans that the Soviet Union terminate its policies of anti-Semitism. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Baltimore News-American, June 7, 1965]

Plea to Moscow

As in the past, Soviet Russia may shrug off President Johnson's renewed appeal, "In the interests of humanity," that Moscow desist from the restrictive pressure that has been imposed on the religious and cultural pursuits of the 3 million Jews in that country.

Though the Communist leaders may ignore the President's plea, expressed in a telegram to a New York rally in behalf of Russian Jews, the message coming from the spokesman of the world's leading real democracy, will add heavily to the volume of protests that for years have emanated from many free areas. The Kremlin may turn its back but it cannot fail to be cognizant of the widespread adverse effect of its anti-Semitism.

The President has urged upon Russia that an easing of its repressive course "would go a long way toward removing a moral and emotional barrier between us and contribute to a relaxation of tensions."

This is a powerful suggestion, reflective of our Nation's abhorrence of interference with religious faith, and indicative of one road toward ameliorating, in some degree, of one of the political antagonisms between the two countries. Russia may not heed. But it should.

WE DARE NOT SLEEP—WE MUST MOVE FORWARD TO THE GOAL OF HARMONY AMONG MEN

Mr. DODD. Mr. President, today across our Nation and all over the world we are witnessing the emergence of the peoples of color to political power. This transition is testing our national and international institutions. How well we respond to the challenge will determine whether tomorrow will be a day of racial harmony and brotherhood or one of racial hatred and violence.

In this connection, I wish to bring to the attention of the Senate a speech delivered by Dr. Thomas P. Melady at the commencement exercises of Canisius College in Buffalo, N.Y., on Sunday, June 6, entitled "We Dare Not Sleep—We Must Move Forward to the Goal of Harmony Among Men." Dr. Melady, president of Africa Service Institute of New York, was honored that day by Canisius College with a doctorate in humane letters, honoris causa, in recognition of the great contribution he is making in the area of interracial harmony and understanding both in America and overseas.

I, and all citizens of Connecticut, are especially proud of Thomas Melady's successful career since he was born and raised in Norwich, which is also my home city. Though only in his midthirties, Dr. Melady is widely recognized in Europe and Africa as well as the United States, as a prominent leader in the area of interracial affairs and an eminent authority on African politics.

He has traveled extensively in Africa many times, knows most of the African leaders personally, and has written several books on African affairs and numerous articles appearing in leading scholarly journals. His writings represent some of the most penetrating analyses of the political, economic, and social changes taking place in the new Africa.

During the several years that I have known Thomas Melady, I have admired his fresh and dynamic approach to the problems of interracial harmony, and I think men of all races would do well to listen to what he has to say.

I shall quote a paragraph or two from Dr. Melady's Canisius College address:

> The presence of 20 million Negro Americans within our borders presents a great opportunity for the future. For no nation has ever been so tested. The world watches as the United States struggles to match ideas with realities, and, if we succeed in demonstrating that white and black can

live as equals and partners, this idealism, translated to reality, can be communicated to the rest of the world.

Ultimately, the problem of color must be solved on an individual basis. It is abundantly clear that this will require a revolution in individual psychology to match the political revolution sweeping the world. We must move quickly to establish closer contact and communication between whites and nonwhites. The wounds of past bitterness are so deep that it is difficult to foresee racial harmony until closer friendships are developed in times of sadness and joy and in deeply personal encounters with life's uncertainties.

I also wish to call to attention Dr. Melady's closing remarks:

We must now thrust ourselves deeply into this movement—

Said Dr. Melady—

especially now, as we attempt to eliminate man's cruelty to man, as exemplified by racial prejudice and hatred which threaten annihilation of man's dreams of universal harmony. We cannot exile ourselves from the human adventure of the search for progress. There will always be change, challenge, problems and dilemmas, but if we remain open to the whole of mankind, the future will bring promise.

Mr. President, I ask unanimous consent to have Dr. Melady's excellent address printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

We Dare Not Sleep—We Must Move Forward to the Goal of Harmony Among All Men

(By Thomas Patrick Melady)[1]

(Note.—Address delivered by Dr. Melady at the 99th annual commencement of Canisius College, Buffalo, N.Y., on Sunday, June 6, 1965, 3:30 in the afternoon. During the ceremonies Dr. Melady was awarded the honorary degree of doctor of humane letters.)

Ninety-five years ago, the first graduates of Canisius College received their degrees from the Jesuit pioneers. It was a stirring moment for the early graduates. This is also an important day for us—an end and a beginning for us in this class, as it was to our predecessors 95 years ago.

The first graduates of Canisius were citizens of a country that had just recently engaged in a great Civil War. The Nation was still growing and moving westward. The era of reconstruction promised many changes in the American scene. There had been revolution in land and sea travel. The mighty machine had emerged to transform the small and local businesses into the powerful and rich nationwide concerns which forged this Nation into the marketplace of the world. Catholicism, still the poor church of the first-generation immigrants, faced the challenges of integrating into an American society dominated by the white Anglo-Saxon Protestant ethic. There were great problems and great promise for these graduates of 95 years ago, just as there are today.

But the promise and the problems are vastly different. Ninety-five years ago, this country still had not entered the ranks of the world's great powers. We had neither the duties nor the rights of power. Furthermore, the world was very limited—dominated and bound of the white Western traditions of Western Europe. These times have passed. We have witnessed the end of absolute domination of the world by a select few. It is the beginning of a new chapter in world affairs. Great masses of civilization, who, for a century or more, slept under the watchful eyes of their colonial dominators, were suddenly seized by an impetuous and compelling thirst for human dignity; and, in the last few decades, the birth pangs of this era have shaken the world with its announcement that the people which constitute more than 60 percent of the world's population and which inhabit the great land areas of Asia and Africa—the two major locations of the peoples of color—have awakened to take their rightful place among the peoples of the world. Here, within our own boundaries, a sizable part of our citizens were ruthlessly separated from enjoying the very rights and dignity which are inherent in mankind. At long last—a hundred years after the Emancipation Proclamation—a significant number of Americans, both white and black, have emerged from their motionless state, and are presently seeking the full brotherhood which we have dared to articulate in the fundamental principles of this Nation.

In the most profound sense, the rise to power of the people of color challenges the fabric of Western society in every aspects of its values and institutions. The challenge and response are manifest on moral, legal, political, and personal levels.

The peoples of color are bringing to judgment the stated beliefs of Western man. They have made it impossible to escape such a judgment any longer. By his actions Western man is being judged; verbal postures are no longer enough. The moral acknowledgment of human dignity and the equality of men is woven inextricably into the cultural and religious commitments of Western man. When Western man turns his back on racial harmony, he is rejecting his heritage in the most self-destructive manner possible. Such rejection leaves him an empty shell, and his emptiness is proclaimed to the world—an embodiment of moral bankruptcy.

The overwhelming principle of love is the cornerstone of Christian morality. The official teachings of the Christian church on race have been quite clear. Yet we know that these principles have been violated and ignored.

Historically, the church cannot escape the revolutionary changes in the world. On the contrary, these changes have already brought to the church the realization of one of its most essential characteristics—its universality. The church, which was drawn westward by the magnetic force of the Roman Empire that dominated the world at its birth, sees the danger of being bound to a white Western cultural context which holds no meaning for the great masses of the world. Thus, when the more than 2,500 cardinals, archbishops, and bishops return to Rome this fall for the third session of Vatican Council II, brown, yellow, red, and black bishops will rub shoulders with their brothers from the white world in proclaiming by example to mankind the universality that has been preached for so long.

These significant political and social changes have occurred simultaneously with the end of distance and physical separation. The races of the world were long separated by time and distance, but we are now next-door neighbors. Doctrines of racial prejudice and superiority have always been morally wrong, but now, when distant points in Africa and Asia are only a few air miles away and tomorrow they promise to be even closer, the United States, out of concern for its very existence, must look for greater harmony with the peoples of color.

The presence of 20 million Negro Americans within our borders presents a great opportunity for the future. For no nation has ever been so tested. The world watches as the United States struggles to match ideals with realities, and, if we succeed in demonstrating that white and black can live as equals and partners, this idealism, translated to reality, can be communicated to the rest of the world.

Ultimately, the problem of color must be solved on an individual basi.s It is abundantly clear that this will require a revolution in individual psychology to match the political revolution sweeping the world. We must move quickly to establish closer contact and communication between whites and nonwhites. The wounds of past bitterness are so deep that it is difficult to foresee racial harmony until closer friendships are developed between members of different races. Such relationships sustain men in times of sadness and joy and in deeply personal encounters with life's uncertainties.

This is a task for the mature. Our degrees, which we have received today, have marked us with this maturity. We, who have lived in the Christian milieu, have learned of the power of love—a power which can enable us to break through the absurd walls of separation to reach the high point of human rapport which can untangle the maze of suspicion and fear that threatens our world.

We do not need to go far for guidelines in our future responsibilities. The glorious traditions of the Jesuit community—an international family which includes 234 universities and colleges in 98 countries—has produced men of vision who have shown the way. Our degrees are immersed in the spirit of the school's patron, St. Peter Canisius. Living in the 16th century, he was very much a man for all times. He had visions, and he implemented them. It is this same spirit that is a part of our degrees, and, therefore, a part of us.

A great Jesuit prophesied this era and the opportunity for man to push to a higher plateau of harmony. The writings of Father Teilhard de Chardin, within 10 years of his death, offer us the inspiration to carry the enthusiastic forward-march doctrine to every fellow human being, wherever destiny may take us after today. Teilhard de Chardin saw the natural evolution toward greater harmony among all races. Certainly, we prefer the harmony of Teilhard de Chardin to the detestable doctrines of separation that only breed suspicions and hatred. His world was an evolutionary one—continually moving up and forward.

Three men, all named John, who died in 1963, while most of us were still here at Canisius, have inescapably interwoven their heritage with our lives.

Pope John XXIII, warm and gentle father of us all, sounded the clarion call in "Pacem in Terris." He committed us to this world, giving us a political philosophy governing relations between the individual and the state, and between states. Pope John, in "Pacem in Terris," called upon us to participate now in the human institutions of the world. You and I are compelled to enter the marketplace of daily activity and implement the social teachings that we learned here, and a fundamental teaching is the equality of all men before God. Any departure from this teaching is clear hypocrisy. Furthermore, ours is not to await uncommitted until the next kingdom, but rather to commit ourselves now, in this world, to implement the Christian ideals taught us, to exert every energy so that they become a part of contemporary society.

Father John La Farge, pioneer in the interracial movement in the United States, devoted five decades to teaching and doing. In those many lonely moments that he had, he knew that he was right—man is man before God, and man must accept man. Against the detestable theories of racial superiority and inferiority and the hatred they developed, he fought. We have his glorious heritage. As he said to a group of us a few years ago: "The truths and teachings have been told to you. The way has been pointed out—you must select the hour."

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[1] Thomas Patrick Melady, B.A., M.A., Ph. D., president of Africa Service Institute of New York, is also lecturer in contemporary African affairs, St. John's University, and an international management consultant. The author of four books on Africa, his articles have appeared in numerous publications. He is a director of five organizations devoted to African affairs, racial or ecumenical harmony.

The third John of 1963 was John Fitzgerald Kennedy, honorary alumnus of several Jesuit universities. President Kennedy, who was completing his first year in office when the members of this class entered Canisius, inspired us with his enthusiasm and zest for life. He spoke to you and me when he said, "Ask not what your country can do for you—ask what you can do for your country." He, too, committed us to participate in the forward movement of our country, and to strive for the elimination of the barriers of racial prejudice that separate man from man. Ask what you can do—ask what you must in justice do for your fellow man—man whatever the color—for man is man.

We have the doctrine; we have been committed. Ours is not to turn back, not to sleep, but rather to join the struggle of man, and, in this way, to serve God.

The graduating class of 95 years ago faced challenging changes. We, too, face changes, although vastly different. The world will continue to experience transformations. Christianity will, at various times, undergo periods of renewal. And, as this upward and onward movement of mankind grows in speed and power, we cannot rest motionless, for we will be crushed. We must thrust ourselves deeply into this movement, especially now, as we attempt to eliminate man's cruelty to man, as exemplified by racial prejudice and hatred which threaten annihilation of man's dreams of universal harmony. We cannot exile ourselves from the human adventure of the search for progress. There will always be change, challenge, problems and dilemmas, but if we remain open to the whole of mankind, the future will bring great promise.

We have the opportunity. The torch has been given to us—we dare not—we cannot turn back. We cannot sleep.

WATER POLLUTION PROBLEMS AND FEDERAL AGENCIES

Mr. BOGGS. Mr. President, it seems plain, to me, that the Federal Government is on shaky ground in pushing for abatement of this country's water-pollution problems, if it does not first make sure that Federal agencies are not among the pollution offenders.

An article published yesterday in the Washington Post indicates that the Federal Government has a long way to go if it is to present a clean record in this area. As the author of the article points out, the Federal Government has apparently been "ignoring a lot of dirty water in its own backyard" at the same time that it has spent $640 million, over the last 10 years, in helping States fight pollution.

From personal experience in my own State, I know that for about 10 years the Dover area has been plagued with pollution problems arising from operation of the Dover Air Force Base. A recent instance of a spilling af highly-toxic sewage into a small river near the base apparently killed 10,000 eels; and at this time I am looking into what steps need to be taken in order to see that in the future such sewage is properly treated.

I am hopeful that the House committee presently considering Senate bill 560, to control pollution at Federal installations, will take prompt action to report the bill to the floor of the House.

In reference to the Post article, I commend Representative Bob Jones, of Alabama, for the valuable study his subcommittee has prepared. In the belief that the article will be informative to Members of the Senate, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, July 6, 1965]

U.S. Bases Guilty in Water Spoiling, Survey Discloses

(By Daniel F. Kelly)

The Federal Government, which has spent $640 million in the past 10 years helping States fight water pollution, has been ignoring a lot of dirty water in its own backyard.

That is the gist of a congressional survey which found that 68 Federal installations, mostly Defense Department bases, are dumping millions of gallons of sewage into streams and rivers daily.

Government economy and bureaucratic foot-dragging apparently are the reasons.

To overcome the first problem, the House Government Operations Committee wants Congress to appropriate annually $5 million earmarked for sewage treatment plants on Federal installations.

ANNUAL SURVEY ASKED

Federal lethargy is another matter. The committee recommends that the Department of Health, Education, and Welfare—headquarters for Government anti-pollution efforts—annually survey each Federal base to find out what it is doing about dirty water and make suggestions for improvements.

The recommendations were made in a current committee report based on a subcommittee report based on a subcommittee's work that included visits to almost 1,000 bases operated by the Federal Government. Representative Robert E. Jones, Democrat, of Alabama, who headed the group, noted that during the past 4 years, the Government had made "significant and accelerating progress" in reducing its water pollution problems at 895 bases.

But the survey pinpointed 68 bases spewing 19 million gallons of sewage and 2.4 million gallons of industrial wastes into streams and waters every day.

Of the 68 offenders, the committee discovered 64 instances of water pollution coming from Army, Air Force, Navy, and Marine Corps posts. The Agriculture Department, Federal Aviation Agency and Coast Guard were blamed for the others.

CONFLICT WITH ECONOMY

The report concluded that a major cause is a conflict in Government policies—"maximum economy in Federal operations" as opposed to "moving forward in the abatement of water pollution."

"Agencies confronted with this conflict apparently chose to mark time instead of forwarding the issue to the Bureau of the Budget, the President, or Congress," the committee added.

As an example of the need for money directly appropriated for Federal water pollution, the committee cited a problem at the Marine Corps Base at Camp LeJeune, N.C.

After the corps found it was daily dumping more than 6 million gallons of waste material into New River, it asked for $1.5 million in 1964 to build a sewage treatment plant. But Marine Corps headquarters overruled the request. It needed the money for military operations, the committee report noted.

The committee said this tendency on the part of many installations has resulted in "continued pollution of many streams, increased costs, and inconvenience to downstream water users and the prospect of more expense to the Federal Government in the long run due to the rising trend of construction costs."

DISCLOSURE BY SENATOR PAUL H. DOUGLAS OF PERSONAL INCOME AND ASSETS FOR 1964

Mr. DOUGLAS. Mr. President, I have long advocated the disclosure by public officials of the salient facts about their incomes and assets. Such a disclosure, it has seemed to me, would be the best safeguard against improper conflicts of interest and, in the process, would raise the esteem in which public officials are held.

I therefore made such a disclosure when I held elective office in Chicago and, continuing this practice, published a statement of income and assets last year.

I felt that I should do the same again this year and that this should be a continuing and not a sporadic review. The following statement is therefore a full disclosure of the income which was received during 1964 by my wife and by me, together with our assets.

Our income for 1964, classified by source, was as follows:

Schedule of salary income

U.S. Senate	$22, 500. 00
Reimbursed travel	604. 05
Reimbursed office expenses	750. 00
Unused stationery allowance	951. 64
Subtotal	2, 305. 69
Total	24, 805. 69
Travel expense	−2, 577. 24
Home office expense	−750. 00
Cost of living, Washington, D.C	−3, 000. 00
Total	6, 327. 24
Net salary income	18, 478. 45
Annuities: University of Chicago	2, 270, 28
Annuities: Teachers Insurance and annuity	793. 14
Dividends	1, 168. 10
Capital gains	1, 300. 19
Interest	146. 84
Book royalties, articles, and honorariums for lectures less travel	4, 780. 84
Total income	28, 937. 84

II

There are two features of this statement which perhaps deserve a fuller explanation; namely, first, the necessary expenses of a public official; and, second, income from lectures. I do not think the general public realizes the necessary expenses involved in holding elected office. I have tried to keep a fairly accurate account of these items and estimate them for 1964 as follows:

1. Travel to and within home State	$2, 577. 24
2. Radio and television program	2, 509. 04
3. Entertainment of constituents and others	2, 019. 35
4. Contributions to political organizations and candidates	1, 405. 00

5. Incidentals:	
Western Union and telephone	[1]$376.43
Subscriptions and memberships	560.00
Petty cash	728.41
Total	10,175.47

[1] This amount was over and above the Government yearly allowance for official telegrams and telephone calls.

Several comments should be made about these items. I receive a mileage allowance at the beginning of each session of Congress of $307. In addition, each year I am allowed actual transportation costs only for two trips to any one point in my home State. I try to make at least two trips a month back to Illinois while the Senate is in session and last year I was in the State for 102 days and visited nearly every county. I spoke at well over 300 meetings in Illinois during the year. I regard this reporting to the people and obtaining their views in return as an essential part of my job. But of course it costs money as well as time.

The coming of radio and television has widened the scope and increased the cost of adequately reporting to the people. Some stations have generously shared these costs with me, but the net expense to me in a normal year is between $2,200 and $2,500.

More and more people are coming to visit our National Capital. This is a very healthy and constructive development. Many naturally expect their Senators to show them attention and offer them modest entertainment. It is not only a duty but also a pleasure to do this and during a large part of 1964 I held two receptions a week. All of this also costs money. In my judgment, my legitimate entertainment expenses are at least double the amounts listed, but I am only counting these sums.

I regard contributions to my party and to candidates in whom I believe to be as much a civic duty as contributions to church and charity. If more of us would share these burdens, then parties and candidates would be freed from a humiliating and sometimes compromising search for necessary funds to wage the campaigns which are essential to the proper functioning of our democracy.

It will be seen that my total expenses for these purposes in nonelection years are around $10,000.

If we add the average political expenses of $10,000, the income tax of $3,880 on the base salary, and the $1,687 for the 7½-percent contribution to the annuity fund, I had left a take-home pay for the year of approximately $7,000.

Considering the other personal costs of living and the heavy burden of election campaigns, it is obvious that it would be very difficult to stay in public life were it not for the lectures which I give and which last year brought in $4,800. I should therefore add a few words of explanation about these. I have made it a general rule never knowingly to accept a lecture or other fee from any organization which to my knowledge seeks national legislation or urges a given foreign policy. I have therefore confined my paid addresses to educational institutions, forums and social clubs, and have tried to guard against being influenced by lecture fees. Moreover, I try to arrange these lectures during periods in which the Senate is not in session and on weekends so as not to interfere with my Senate duties.

III

And now for our holdings of property. Mrs. Douglas and I own jointly our house and adjoining lots in Washington subject to a mortgage of approximately $7,000. I do not know what the precise net worth of these properties is, but I believe it is not far from $50,000. In addition, of course, we own the usual amount of furniture and a fairly extensive collection of books and reproductions of works of art along with a limited number of originals. I am unable to fix a value on these items. Some years ago we sold all our holdings of stock in order to remove any possibilities of conflicts of interest and put the proceeds into investment trusts which have such broadly distributed assets that we cannot identify any sources or be influenced by them. The market value of these stocks in March amounted to $66,664.40. A listing of these is as follows:

Stein, Roe & Farnham Fund, Inc., 316 shares; Growth Industries, 666 shares; Lehman Corp., 475 shares; Adams Express, 127 shares; Niagara Share, 600 shares; National Industries, 353 shares.

The major portion of these shares is owned by my wife, purchased from inheritances which she has received. In addition, we own $10,500 of U.S. Government bonds and about $500 of miscellaneous bonds and stock in public, cooperative, and quasi-cooperative institutions.

Two years ago I inherited $11,316 from the estate of my brother. I gave $2,280 of this to political candidates in whom I believed, used $228 for Illinois travel expenses, and now have $8,791.24 deposited in a special account. My personal bank account as of March 22, 1965, was $2,787.85, and that of my wife $1,962. However, I owe $1,175 for radio and television tapes, but I hope to recoup about $400 of this from certain radio and television stations which have generously offered to pay for part or all of the costs of the tapes furnished them. I, therefore, estimate my net outstanding indebtedness at about $775.

On retiring from the Marine Corps, I was awarded a service-connected disability pension as a result of wounds received in action. I have refused to accept any of this while serving as a Senator. The paymasters told me that I could not turn these checks back to the Treasury and suggested instead that these sums be allowed to accumulate in a special fund until they reached a given maximum. This total of approximately $32,400 was reached some years ago and have since stopped. I shall not draw on this amount as long as I serve as an elected official. After meeting retirement needs and the care of my wife and my youngest daughter, I am providing in my will that the principal revert to the United States for the beneficial interest of the people.

Taken all together, the net value of our holdings of property amounts to approximately $137,622.64 plus the $32,399.60 credited to my account. Our total assets therefore amount to approximately $170,022.24, not counting the value of furniture, books, and works of art or the withdrawal value of my senatorial pension rights. These holdings have been accumulated through lifelong savings and small inheritances. They were increased this year by $7,022.24 because of capital gains, an increase in the price of stocks, and a reduction in the mortgage on our home.

These are the salient facts about our income and holdings as I have been able to compile them. I have had thermofaxed copies made of my income tax statement for 1964, and these are open for inspection at my office.

I report these facts neither to complain about the real income of a Senator nor to justify the recently enacted pay increase for Members of the House and Senate which I opposed and voted against. Speaking for myself, the salary paid to Senators is fair and adequate if one is able and willing to live a modest personal life.

I believe that the people who elected me have a right to know these facts. Primarily, the disclosure of a Congressman's income and assets is the best assurance possible to the people that their representatives are not engaging in possible conflicts of interest. Others apparently do not feel this way and I want it to be clear that my own report is not intended to press on others my personal views concerning disclosure.

NINTH ANNIVERSARY OF THE POZNAN UPRISING

Mr. PELL. Mr. President, June 27 marked the ninth anniversary of the Poznan revolt which occurred in Poland in 1956. It was on that day that a large group of students revolted against their heavy Communist oppression, and demanded the restoration of some of the basic freedoms that Poland had once known, but had lost when the arm of communism overswept that country. It is difficult for those of us who have never suffered a major loss of liberty to realize the hardships involved in shipping away each bit of freedom, under a regime saturated with Soviet troops and surrounded on all sides by Soviet armies.

When Poznan was completely surrounded by troops armed even with heavy tanks, the Polish rebels bravely resisted; and their resistance may be considered successful, in that the Gomulka regime was compelled to grant a greater degree of freedom to the nation; it was forced to recognize that although farmland nationalization might be tolerated in neighboring countries, the Polish farmer would never tolerate nationalization of his land; and it was forced to recognize, as demonstrated by the case of Cardinal Wyszynski, that religious freedom in Poland can never be revoked. As a direct result of that revolt, a series of reforms was instituted. Perhaps those reforms seem slight to us; but they represented a major break in the Communist cloud of oppression.

In the past 9 years we have witnessed, in the Polish Government, further changes allowing the Polish people to regain some of their lost freedoms. But their fight continues. So, on this day, we pause to honor the rebels of 9 years ago, and to pay tribute to their continuing cause.

THE DILEMMAS WHICH U.S. POLICY FACES IN SOUTHEAST ASIA

Mr. TYDINGS. Mr. President, an editorial in the Baltimore Sun has well explained the cruel dilemmas which U.S. policy faces in southeast Asia. On the one hand, we want to continue the quest for peace. We want to build upon the nuclear test ban treaty, the hot-line agreement, and other agreements that have been made with the Soviet Union.

On the other hand, we know that one essential ingredient in our search for peace is our willingness and determination to resist aggression. We are aware that a détente in the cold war is possible only if the Communists know that there is nothing to be gained by war.

President Johnson has tread a careful path between the two horns of this dilemma. He has clearly demonstrated, by word and deed, the determination of the United States to resist aggression. He has also told the world that we have no desire to terminate the quest for peace. While it is difficult to continue the progress toward peace that we have been making with the Russians, at the same time that we are fighting in Vietnam, the President has repeatedly made clear that he wants to try.

I ask unanimous consent that the editorial from the Baltimore Sun of June 7 be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DOOR IS OPEN

The President, as noted by Philip Potter in the Sunday Sun, has consistently interwoven two major themes in his recent public utterances on foreign affairs. One theme is the determination to defend freedom and resist aggression; the other is to continue the pursuit of world peace and especially to continue to seek the cooperation of the Soviet Union toward that end. These are not new themes by any means. They have been the central and consistent purposes of the Johnson administration.

The significant thing about the President's restatements of them in his speeches of the past few weeks has been the way he has given them equal emphasis and linked them as inseparable twin aspects of the country's policy. In stressing their connection he has directed his remarks to Moscow and the United States allies as well as the American public. In the words of an aid, quoted by Mr. Potter, the President has been telling Russia "that an overall struggle between us and the Russians is nonsense, and the Russians stand to lose a great deal by it. We are not going to be pushed out of Vietnam. There is no real reason why Russia should undertake such an attempt. There is no real quarrel between our people."

Mr. Johnson returned to this theme in his commencement address at Catholic University yesterday. "War," he said, "serves no necessary end of any nation on earth" but "peace is still a stranger knocking on the door." The United States is "ready to open that door" and this "is a moment when the opportunity is * * * beckoning for men of all nations to take a walk together toward peace." He made it clear, moreover, that this "invitation," as he called it, was being extended "to the people—and the leaders—of the Communist countries, to the Soviet Union, to nations of Eastern and Western Europe and southeast Asia."

What Mr. Johnson has in mind is in no way difficult to grasp. He is thinking of the progress, slow and piecemeal but encouraging, that has been made in 1963 and 1964 in the direction of better understanding with Russia, the gradual relief of tensions and improvement of relations. He is thinking also of the growing uncertainties which in the past few months have attended Moscow's policy particularly in respect of southeast Asia. The present situation was described by the London Economist: "There are a lot of sensible people who agree that the West should put up a fight in Vietnam but are worried about the effect this will have on the hopes of a stable relationship between the West and Russia. This is a reasonable worry; in preparing for the world of 1975, when China will have nuclear missiles and will not yet have run out of revolutionary steam, it ought to be a major aim of Western policy to keep Russia neutral or, even better, to enroll it in the attempt to contain China. Mr. Johnson would greatly increase the support he gets if he spelled out the connection between his Vietnam policy and his policy toward what we call, for want of a better single word, coexistence."

Latterly the President has been doing just that. Our commitments are to defense and they will not be abandoned; "we want no part of any appeasement or of any aggression." But there is no commitment to militarism any more than there is to isolation. We "invite peace to enter" the troubled, divided world and welcome all joint efforts which have that in view. It is a firm bid to Moscow to resume the efforts to keep the doors open and to use its influence against the closing of them by any nation.

TRIBUTE TO LAWRENCE KNOWLES AND OTHER PEACE CORPS VOLUNTEERS

Mr. PELL. Mr. President, as a cosponsor of the original Peace Corps authorization legislation and one who believes most strongly in this type of program, I have followed as closely as possible the course of the Peace Corps volunteers from my State in their endeavors. I have recently been informed that Lawrence Knowles, a Peace Corps volunteer, and the son of Mr. and Mrs. Lawrence G. Knowles, of 25 Barberry Hill, Providence, R.I., who presently is a faculty member at the College of Business Administration at the Haile Selassie I University in Ethiopia, has been commended, editorially, in the college newspaper, Busi-Body.

Mr. Knowles, who is 26 years of age, has a B.S. degree in mathematics from Harvard, and in 1963 received a degree of Master of Business Administration from the University of Virginia.

The College of Business Administration in Addis Ababa was started in 1963, and then had only 12 full-time faculty members, 8 of whom were Peace Corps volunteers. During 1964, there were 210 full-time students, with 13 faculty members, 9 of whom were volunteers. Mr. Knowles has been teaching business management and accounting.

I am informed that the local people were very skeptical at the beginning of this program. Now, however, it should be obvious from the editorial in the student newspaper that this situation has radically changed.

I ask unanimous consent to have printed in the RECORD an editorial captioned "The Pioneers Leave," from the Busi-Body. I note with great pleasure the statement that the Peace Corps volunteers have made a truly practical contribution to better international understanding. To these students, they have demonstrated both their love of hard work and their unrelenting self-sacrificing missionary spirit.

I am informed that at this time the local business community thinks most highly of this College of Business Administration, and is most pleased with the faculty and the graduates. My fellow Rhode Islander, Lawrence Knowles, is one of thousands of dedicated Peace Corps volunteers who have served as ambassadors of good will throughout the underdeveloped world, for in his mission he has brought to the college wisdom and understanding.

I am sure that the praise received from the Ethiopian student body and the community is far more meaningful to Mr. Knowles than any that I or other Senators could lavish on him from the Senate floor. However, these Peace Corps volunteers have given so much of themselves, that I think all Americans owe them a great debt of gratitude.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PIONEERS LEAVE

The end of the current academic year marks the departure of six faculty members and a secretary—all Peace Corps volunteers—from the College of Business. In all schoolteachers come and go; there is nothing unusual about that. But this is a special case.

The names of Kreuser, Bayorek, Cordasco, Sprague, Tener, Tracy, Knowles and Rachut will always be remembered in the history of CBA. Without their presence here, the creation of the college in October 1963, would have been difficult, if not impossible, due to the lack of teachers. Their contribution to getting the college started is remarkable, especially in view of the difficult conditions under which they had to work. At the time the college opened, there was a shortage of almost everything: suitable classrooms, books, equipment, etc., but they made the best of what was available.

The significance of the work of this dynamic force lies in these two things. In the first place, they have shown that a good lecturer need not be a hunch-backed, grey-haired old man. Though most of them are relatively young, yet their lectures, characterized by careful and thorough preparation, and methodical presentation, have generally been of very high standard. Furthermore, they have shown that an ideal teacher is not required to play the role of a boss all the time. They always maintained a smiling face to all the students even on occasions when this was difficult.

We the students of CBA have got much to learn from these people. Briefly, they have taught us the love for hardwork—hardwork for its own sake. Also, their self-sacrificing missionary spirit should not go unnoticed.

Their stay here has been a true practical contribution toward better international understanding, often on people's lips but rarely translated into action. Again, accept our inadequate word of thanks. We wish you the best of luck, success, and prosperity in all your future endeavors.

STATEMENT BY SENATOR MONDALE ON CONTINUED SUPPORT OF NATIONWIDE CONSERVATION EFFORTS

Mr. MONDALE. Mr. President, the importance of providing continued support of our conservation efforts throughout the country should be of primary concern to every Member of Congress. I ask unanimous consent that my statement before the Subcommittee on Agriculture, of the Senate Appropriations Committee, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MONDALE BEFORE THE SUBCOMMITTEE ON AGRICULTURE, SENATE APPROPRIATIONS COMMITTEE, JUNE 10, 1965

Mr. Chairman, the recent heavy floods in Minnesota and elsewhere in the Mississippi Valley have been a tragic reminder to all of us that the uncontrolled forces of nature can do incredible damage. There is one agency of the Federal Government whose particular function has been to control and harness these potentially destructive forces of nature. For 30 years, the Soil Conservation Service has worked to make nature work for the good of man—and not for evil purposes.

This committee has before it the budget estimates for fiscal 1966 which, I believe, do not give adequate consideration to some of the urgent requirements for soil and water conservation in the United States. I know the committee is well aware of the highly controversial proposal to establish a revolving user fee fund for soil and water conservation practices. I wish to be on record as firmly opposed to the $20 million reduction in appropriations for conservation operations and to the substitution of user fees levied upon farmers.

I oppose this proposal because it denies an established policy that for 30 years has benefited all the people through sound soil and water conservation practices. Many of these advances could not have been made if individual farmers had been expected to pay for the technical services provided by the Soil Conservation Service. Landowners and operators should not be expected to bear alone the financial burden of conserving natural resources, where these measures benefit the public at large and future generations on the land and in urban areas.

I respectfully urge that this committee reject the Budget Bureau's proposal as a backward step that would prove costly to the Nation. I wish to join with my distinguished colleagues in the Senate who strongly support an increase in appropriations to permit more SCS technical assistance in support of local conservation endeavors. I want to see that program strengthened, because it is a sound investment in the future of this dynamic country.

I also ask that the following two letters be made a part of my statement before this committee. The first is a letter to the President of the United States from the Honorable Karl F. Rolvaag, Governor, State of Minnesota, urging that he consider the impact on soil and water conservation in Minnesota resulting from the proposed SCS reductions. The second letter, directed to the President again, from Mr. Alvin Payne, vice chairman of the State of Minnesota Water Resources Board, points out succinctly that conservation is a continuing process, from which benefits may be expected to be realized after many years and for future generations.

Mr. Chairman, I wish to thank you very much for this opportunity to testify in opposition to reductions in soil conservation assistance programs.

MARCH 3, 1965.

Hon. LYNDON B. JOHNSON,
President of the United States,
Washington, D.C.

DEAR SIR: I have recently been reviewing the proposed cut in funds to the USDA and its impact on soil and water conservation in this State. I am dismayed at this possible reduction in services to the farmers of Minnesota and the hardship it would impose on them. This State is fully exerting itself in a program to conserve its natural resources, specific laws have been enacted to cooperate with the Federal service to achieve a balanced program of soil and water conservation, resource and recreational land use planning. The proposed budget cutback would seriously endanger the programs we have and are planning; the wonderful work that has already been accomplished would wither. I personally feel that rather than curtailing these funds, they should be increased in order that we will have a better land for the people of tomorrow.

Very truly yours,

KARL F. ROLVAAG,
Governor.

STATE OF MINNESOTA,
WATER RESOURCES BOARD,
St. Paul, Minn., May 14, 1965.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR SIR: Your budget proposals for soil conservation activities, a departure from past practice, now being considered by the 89th Congress, causes us to comment.

The Minnesota Water Resources Board, in its experience of the past decade in establishing State watershed districts within our State, has witnessed the devotion of the soil conservation district supervisors in carrying out their task of motivating fellow landowners to apply to their land soil conservation practices. It has further observed that this group of community leaders are knowledgeable of soil conservation principles, and more than other groups, soundly aware of related resource problems of their community and of this State.

Soil conservation district supervisors performed their duties with the technical support of the Soil Conservation Service of the United States Department of Agriculture. After a quarter of a century of development, the need for soil and water land use care still remains on much of the Nation's acres. The continued teamwork of a local district governing body and of the above-mentioned Federal agency is still of utmost importance to the public interest of the Nation's urban dwellers, and to the welfare and security of our country.

It appears to us that your proposals of shifting costs of land capital improvements to landowners, will have the effect of killing the existing satisfactory method of placing conservation practices on the land. It must be remembered that the benefits to the landowner from conservation practices applied to the land, do not accrue immediately to the owner, but flow to him over the long run. In recognition of this situation the current governmental program is proper, since there are immediate benefits secured by the public, for its investment as well as a return over the long run.

The board does state its opposition to your new approach to Soil Conservation Service operational needs as well as the innovation of requiring landowners to pay for services. In our judgment an excellent existing public policy in this matter, which you, no doubt, shaped and agreed to in your early political life, should not be changed.

ALVIN PAYNE,
Vice Chairman.

CITATION AWARDED TO JAMES R. YOUNG, OF ANDERSON, S.C.

Mr. RUSSELL of South Carolina. Mr. President, on June 19, James R. Young, associate editor of the Daily Mail, of Anderson, S.C., was awarded, by the editors of Who's Who in the South and Southwest, a citation in recognition of his outstanding contribution in the field of journalism. I wish to insert in the RECORD the full text of the citation made to Mr. Young on that occasion:

James R. Young's own life has contained the elements of which news stories are made—for example, his pre-Pearl Harbor imprisonment by the Japanese for his trenchant articles on military developments. He has remained an authority on the Far East, has done a syndicated column about it, meanwhile concerning himself with the welfare and progress of the southern region. He is a man of mission and purpose and a devotee of southern welfare and progress.

In commenting on the citation, the news accounts added:

He and Mr. Kimbrell, in the early 1950's, inaugurated a series of Savannah Valley Booster meetings around Thomson and Clarks Hill area, and later in support of the Hartwell dam and the comprehensive economic river development. For this, Young later received a citation from the Southern Association of Science and Industry, at Houston, Tex. Another industrial award was from the Southern Optometry Association for his news articles on eye-saving programs and the prevention of blindness in industry.

Two years ago he was named to the Johns Hopkins University Committee of 100 on National Resources among the alumni, to evaluate financial support for the university and the Johns Hopkins hospital. Last year he published an 800-page book on textile pioneers of the South, representing 10 years of editorial research of the industry and its founders.

THE CRISIS IN OUR STATE CAPITALS

Mr. TYDINGS. Mr. President, in my judgment, the most important domestic crisis facing the Nation today is the quiet, but persistent, deterioration of our State governments.

Virtually every serious critic of American government recognizes that State government is a weak link in our Federal System. Many States have simply failed or refused to solve such essentially local problems as education, pollution, welfare assistance, housing and urban development, law enforcement, racial discrimination, and a host of other matters. As a result, Congress has been called upon to legislate in these areas, which once were the exclusive responsibility of our State and local governments.

The reasons why our States have failed to meet the needs of their citizens are complex. The readily identifiable causes are antiquated constitutions; lack of executive authority; short legislative sessions; inadequate staff, salary, and working conditions for the legislature; and an inadequate tax base.

But in my judgment these "causes" are generally symptoms of a more fundamental ailment, and that is the malapportionment of most of our State legislatures. In my own State of Maryland, for example, our State senate—one of the worst apportioned legislative chambers in the country—has consistently blocked constitutional reform, for fear that its own apportionment might be altered.

The Supreme Court decisions requiring reapportionment of our State legislatures are the key that can unlock the door to a renaissance of State government. With reapportionment, the States can come to grips with some of the constitutional and procedural shackles which now render their legislative and executive branches impotent to deal with modern problems.

That is the fundamental reason why I and many others so vigorously oppose Senate Joint Resolution 2, known as "the Dirksen amendment," to permit continued malapportionment of our State legislatures.

Therefore, I was gratified to see that one of the most distinguished members of the American bar, Mr. Charles S. Rhyne, a former president of the American Bar Association and an internationally recognized champion of constructive legal reform, has spoken out on the inadequacy of State governments and the vital role of reapportionment in the rejuvenation of our States. I commend his speech to all Senators and other citizens who are concerned with the role of the States in our Federal System.

I ask unanimous consent that Mr. Rhyne's speech to the annual conference of the National Civil Liberties Clearinghouse be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Dirksen Amendment's Part-Vote Plan To Rig State Elections for Minority Control

(By Charles S. Rhyne)

The most basic right of American citizenship is the right to vote.

In a dramatic climax to days of accelerating national protest, President Johnson has presented a proposal to the Congress to wipe out forever the denial of the right to vote because of the color of a voter's skin.

Today I speak against the Dirksen constitutional amendment—a proposal also pending before the Congress—which would deny a full vote to the newly registered voters under the President's proposed bill, and other voters as well, because of the place they happen to live as well as their color.

It will be indeed ironic if the struggle for apparent voter equality ends up with this constitutional inequality guaranteed forever via Senator Dirksen's amendment.

Reapportionment of State legislatures involves the right to vote. In fact, State legislatures through malapportionment have so diluted votes of some State residents as to render them almost worthless. Minority control of State legislatures is the rule today—a rule the Dirksen amendment seeks to make permanent. State legislatures are so rigged that some rural voters have votes that are worth from 2 to 1 to 1,000 to 1 those of city dwellers. Senator Dirksen's amendment seeks a perpetual freeze of this situation by writing it into the U.S. Constitution. The Supreme Court of the United States has properly held that State legislation providing such malapportionment renders a vote so unequal as to violate the 14th amendment's equality requirements.

This is the subject I shall present to you.

There is another part of this picture you should have before you. A compelling need exists for reform of State legislatures. Antiquated State legislatures are the most out-of-date governmental machinery in our Nation. The Dirksen amendment will imbed this decadent situation by amendment into the U.S. Constitution. This is what his constitutional amendment on State legislative apportionment proposes.

The existing inaction and irresponsibility of most State legislatures is a fact which the Dirksen amendment could cover over forever. This fact was not created by the U.S. Supreme Court's reapportionment decisions. Rather, it is a fact created and maintained by malapportioned State legislatures.

All the screaming about States rights is merely a smokescreen to hide the uncontrovertible fact of State legislative irresponsibility through minority control. The Dirksen amendment allows State legislatures to remain the headquarters for old-style politicians who are bent on applying horse-and-buggy approaches to jet-and-space age problems. Many State legislatures today employ legislative processes and techniques which are over 100 years old. The only persons who stand to gain by the Dirksen constitutional amendment negating equality of voting rights in State legislatures are the State legislators who would be forced out of office and the powerful lobbyists who support such legislators.

That the Dirksen amendment would render State legislatures impotent and shackeled to groups favoring State inaction on modern needs must be brought to the attention of the people and the Congress.

STATE LEGISLATURES HAVE FAILED TO KEEP PACE

To comprehend the Dirksen amendment one must first face the facts as to the evils of the existing situation in State legislatures.

Conditions have drastically changed in the past 176 years when our Federal system was established. Our population has increased over fiftyfold. Our economy has changed from agriculture and handicrafts to a system supported by gigantic industrial enterprises. Most of our governmental bodies have made earnest efforts to reshape their processes in adapting to these changed conditions. For instance, the Federal Congress and the executive branch of Government have been revitalized under reorganization acts. In this very session, Congress is again seriously considering legislative reorganization. All of us are familiar with the Hoover Commission reports and their role in updating the Federal Government. The Federal Judiciary has been modernized in many ways such as by adoption of the Federal Rules of Civil and Criminal Procedure.

On the State level, the Governor's office generally has been increased in staff and the executive departments and agencies modernized. Similarly, some State and local court systems have undergone meaningful reforms. Specialized courts have been created to hear particular types of cases. Most citizens are familiar with these special courts such as the small claims courts, traffic courts, domestic relations courts, police courts, and juvenile courts. Judicial salaries have been increased, and most State courts have modern rules of procedure patterned after the Federal rules.

On the other hand, our State legislatures hobble along employing legislative techniques formulated centuries ago. Consequently, State legislatures are incapable of meeting modern needs. They have shirked their responsibilities in meeting the social, economic, and political needs of the people. For the past 30 years and more the people have bypassed State legislatures and have turned to Washington for solutions to one problem after another: housing, mass transportation, public works, health, airports, highways, crime prevention, education, poverty prevention and on ad infinitum. States today are largely administrative provinces of the Federal Government in carrying out Federal-aid programs. The vacuum created by State legislative inaction has been filled by congressional action.

SOME REASONS FOR STATE LEGISLATIVE STAGNATIONS

What are the reasons for our out-of-date, malfunctioning State legislatures? While part of the answer to this question may vary from State to State, some common evils exist in most State legislatures.

LEGISLATIVE SESSIONS ARE TOO SHORT

State legislative sessions are too short to allow time for a proper consideration of today's pressing needs. Thirty-one State legislatures meet for one short session of 30 to 90 days every 2 years. The other States meet for slightly longer periods, but the length of these sessions is still inadequate when measured against the tasks which should be performed. The vast increase in the number of special sessions proves the need for more regular sessions. Over two-thirds of the State legislatures had special sessions in the last legislative year.

Congress now meets most of each year. This, of course, has not always been the case, as Congress initially was a part-time job. However, with accelerating needs, the day of treating a congressional office as part-time employment is gone. Likewise, the need for responsive State legislation has accelerated. Unfortunately, however, the office of State legislator is still regarded as an incidental part-time function to be performed for a month or so every 2 years. The facts refute this ancient notion. Almost continuous sessions of State legislatures are required if they are to meet the legislative requirements and opportunities of our day.

MANDATORY ADJOURNMENT DEADLINE

A tremendous amount of confusion is engendered by mandatory adjournment deadlines—and only 10 States have no such limitation on the length of their regular sessions. While starting at a snail's pace, the legislature is swamped with proposed legislation during the last fleeting moments of the session. Frequently a "bill a minute" is passed during this time. Take Maryland as an illustration. Some 2,200 bills were introduced, only 200 of which were passed prior to 2 days before the March 30 adjournment deadline. It is obvious that 2,200 bills were considered or ignored in the adjournment rush, although the last count is not yet available.

The legislative process is—and should be—a continuous one. State legislatures should face problems when the need arises and not in short periodic spasms every 2 years. In my opinion, State legislatures should have annual sessions of at least 6 months' duration—but without a fixed adjournment deadline—or they should meet four times a year for shorter periods of time.

STATE LEGISLATORS ARE GROSSLY UNDERPAID: LEADERSHIP COMES FROM OUTSIDE LEGISLATIVE HALLS

The financial sacrifice which legislators are called upon to make is so great that able men and women shun this essential public service. The pay of a State legislator reaches from a low of $100 per year (New Hampshire) to an average yearly salary of $2,500 in 34 States. Some State legislators are paid less than their secretaries—if indeed they have secretaries, which in most instances they do not.

Some States pay their legislators on a per diem basis rather than a fixed yearly salary. And the pay situation is not getting much brighter. In the past November elections, the people of Massachusetts and Oklahoma defeated measures which would have increased the pay of their State legislators. One leading Maryland legislator of great prominence recently told me that he devotes so much of his time to legislative business that his salary figures out to about 50 cents an hour.

Underpaid State legislators are the natural prey of powerful lobbyists with vast sums of money to spend as representatives of big business, big labor, big utilities, and other special interests. Legislative direction and leadership thus comes from outside the legislature. The fact is that in some States more lobbyists register to promote and defeat legislation than there are legislators.

Just recently, Senator Paul Simon, who has served many terms in the Illinois Legislature, stated that:

"A few legislators go so far as to introduce bills that are deliberately designed to shake down groups which oppose them and which will pay to have them withdrawn.

"These bills are called 'fetchers,' and once their sponsors develop a lucrative field, they guard it jealously."

This same State senator also commented that "Budgetmaking is handled by a self-perpetuating clique behind closed doors. Millions of dollars—approximately half the State's total revenue—now are frozen in 'earmarked' funds guarded by special interest lobbies."

To augment their salaries some Connecticut legislators recently collected unemployment compensation insurance—"jobless" pay benefits—during the regular session of the assembly. A bill to curb this practice, while openly unopposed, never even reached the House floor for a rollcall vote.

In 1954 the American Bar Association undertook a national campaign to raise congressional pay from $15,000 on the basis that congressional service was then a full-time job. I served (without compensation) as General Counsel to the Federal Commission on this subject. The salary increase to $22,500 then made has now been further increased to $30,000. The pay of our State legislators should likewise be increased. State government is big business today. Figures recently released indicate that the States spend almost as much as does the Federal Government.

THE LEGISLATIVE PROCESS REQUIRES OVERHAULING

The entire State legislative process of proposing, considering, and adopting legislation requires effective revision and modernization. Never has there been in any State legislature an overall modernization of legislative organization and procedure. Piecemeal palliatives have been adopted by some legislatures, but such measures are too few and too inadequate.

THE COMMITTEE SYSTEM

The committee system in a typical State legislature is laughably archaic. Yet State legislatures rely heavily upon their committees for so-called detailed consideration of bills. Most assuredly effective floor consideration of bills is not given by the legislature as a whole.

It is imperative that a rational committee structure be established to assure that sufficient consideration is in fact accorded to proposed legislation and that bills are expeditiously reported out of committees for a vote by the legislature. As the matter now stands, State legislatures out-do Congress by their arbitrary pigeonholing of legislation.

State legislatures should employ effective steering committees to screen the mass of bills introduced, with an eye toward eliminating duplicate bills and assigning bills to appropriate committees. Many committees can be completely eliminated since they largely duplicate the work of other committees. There are at least 18 States which have 50 or more regular committees in both Houses of the legislature combined. The legislatures of Florida and Mississippi each have nearly 100 committees, while the legislatures of New York and Pennsylvania—both of these latter States having more population than Florida and Mississippi—have only 64 and 51 committees respectively. Likewise, some committees in the North Carolina Legislature have a membership as high as 62 members, while New York's maximum size for a house committee is only 20. These examples could be multiplied again and again.

Considerable time could be saved in the legislative process if the committees would conduct hearings by subject matter rather than by specific bill. Of course, this is not possible in those States—such as Connecticut—which require mandatory public hearings for each and every bill introduced irrespective of whether such bills are duplicates.

Many State legislatures do not have meaningful cut-off times beyond which new legislation cannot be introduced. Indeed, 11 States impose no cut-off time whatsoever. The result is that countless bills are introduced and passed in the final minutes of the legislative session. The consideration given these bills is almost nil. Some legislation is introduced and passed almost instantaneously.

LEGISLATIVE COUNCILS ARE OF LITTLE ASSISTANCE

Legislative councils or similar bodies have been established in 42 States. Originally these councils were established to function as permanent legislative research committees. They are supposed to meet in between sessions and consider and recommend alternative solutions to proposed legislation. If effectively employed, such a body would indeed be a genuine legislative aid. The fact is, however, that many of these councils have become either overly burdened with research staffs or, to the other extreme, have insufficient staff required to get their tasks done. Some are manned by State legislators who use per diem pay from this service to eke out a living. And the size of these councils is unrealistic—from 5 members in South Carolina to 260 members in Pennsylvania. Measured by effective work produced, most of these legislative councils warrant their derisive label—"little legislatures."

EXCESSIVELY LONG, ANCIENT AND UNWORKABLE CONSTITUTIONS

Many State legislatures are hamstrung because they are laboring under excessively long, ancient and unworkable constitutions. Louisiana's constitution contains over 200,000 words, almost twice the length of the Federal Constitution. Over two-thirds of the States operate under constitutions which were adopted or became effective in the 18th or 19th centuries. Lengthy constitutions with vague and numerous amendments (Louisiana's constitution has been amended 439 times) are difficult to understand even for lawyers—not to mention the difficulty encountered by those not trained in constitutional interpretation.

State constitutions should contain only fundamental provisions on the organization of governmental power and the rights of citizens. However, some State constitutions contain provisions completely ill-adapted to such a basic statement of fundamentals. For instance, California's constitution contains provisions relating to the taxing of nut-bearing trees under 4 years of age and the length of rounds in prizefights. And Louisiana's constitution contains a map of the State highways in its texts. There is no justification for these provisions in a State constitution.

When State constitutions specifically earmark a high proportion of tax revenues, the legislature's power to adapt the State's spending policies to pressing needs is seriously handicapped. The consequence is a demand for Federal spending for activities which should have been initiated and financed by the State.

STATE LEGISLATORS LACK ADEQUATE STAFF AND OFFICE FACILITIES

Another obstacle to the effectiveness of our State legislatures is the lack of adequate staff facilities for the lawmakers. This shows up in many ways, from the unavailability of stenographic assistance to help answer their mail to the absence of professionally trained committee staff people to research issues. Obviously, if the legislative branch is to uphold its position as a fully coordinate arm of State government, it must be equipped to give able analysis to the great mass of proposals and supporting documentation directed to it by the executive branch. Yet, although the bulk and complexity of issues coming before the legislatures has multiplied over the years, their staff resources remain meager or nonexistent.

Physical housing of the legislators has an important bearing on their legislative efficiency as well as on their public esteem and stature. However, it is the marked exception for a legislator to have a private office, unless he is a committee chairman or has some other position of leadership. Typically, legislators either are assigned to communal offices or have no office facilities whatsoever. Often they are reduced to looking at their mail and conducting their business from their seats in the chamber, standing in the corridors, or working in any other available space, including telephone booths. Clearly such working conditions provide an undesirable setting for studying legislation or for conducting discussions with constituents or colleagues.

Legislative committees are also deprived of desperately needed office facilities. For instance, the Oregon legislature has 40 legislative committees but only 14 committee rooms.

North Carolina has completed construction of a new legislative building in Raleigh which will provide small private offices for all legislators. California, Florida, and Texas now provide a private office for each lawmaker. Certainly those who write the States' laws require suitable places in which to work; State legislation suffers from this lack of staff and office facilities.

REAPPORTIONMENT—A SHOT OF ADRENALIN FOR INACTIVE STATE LEGISLATURES

To protect their own selfish interests, malapportioned State legislatures have shamefully ignored the decadent conditions which exist. They adamantly refuse to change the status quo as their current leaders depend upon it for their power and all that goes with it. However, the survival of State legislatures as a meaningful part of the governmental machinery of our Nation depends upon defeat of the Dirksen amendment and the adoption of far-reaching reforms. Such reforms must come now. State legislatures cannot afford to do their business in the same archaic way in which they have for the past 100 years and more.

THE SUPREME COURT'S ONE-MAN, ONE-VOTE PRONOUNCEMENT

The Supreme Court of the United States has ruled that both houses of a State legislature must be apportioned according to population—"one man, one vote." The Court's pronouncements in the reapportionment cases have stimulated our State legislatures into action, not only in reapportioning their legislatures but in making at least some meaningful inroads in modernizing the entire legislative process. It is this reform the Dirksen amendment seeks to prevent.

WAVE OF REFORM

Due to the reapportionment decisions, a wave of reform is reverberating nationwide. Since the Court's decision in *Baker* v. *Carr*, in March 1962, either judicial, legislative, or constitutional action has been taken in 42 of the 50 States on the reapportionment issue. Approximately 40 State legislatures are currently in session and some are giving further consideration to legislative apportionment.

However, this wave of reform will be stopped "dead in its tracks" if the Dirksen proposal to provide unequal votes for Americans is written into our Federal Constitution. The only persons who stand to profit by such a constitutional amendment are the State legislators who would be forced out of office. Of course, the powerful lobbyists who support such legislators and who are flooding the Congress with mail urging the adoption of this inequitable measure would also gain by engrafting the principle of voter inequality into our Constitution.

Again, we must remember that the current "mess away from Washington"—our State legislatures—was not caused by the Supreme Court's reapportionment decisions. On the contrary, the "mess" was caused by malapportioned State legislatures. However, the Court's decisions did provide a way to break the barrier preventing reform. They paved the way for urgently needed remedies. Being more responsive to the needs of the people, the newly apportioned legislatures are beginning to clean up their own houses. The American people should not allow the forces of reaction to block State legislative reform; for if such reform is blocked, we might just as well write off our State legislatures as an essential element of our governmental system. We must remember that it is the State legislature which enacts, or should enact, the vast body of criminal and civil law which most intimately affects persons and property. This is why it is so important that State legislatures must be attuned to the needs of the people and be capable of doing a good job.

SENATOR DIRKSEN'S UNEQUAL VOTE AMENDMENT

I wish to discuss specifically Senator DIRKSEN's proposed "unequal vote" amendment which would permit (under the appealing disguise of majority vote) the destruction of the "one man, one vote" principle, I realize that many proposals have been introduced in this session of Congress which are aimed at perverting in one way or another the equal vote principle of the reapportionment decisions. However, since most of the publicity has been directed to Senator DIRKSEN's proposed amendment, I will confine my remarks chiefly to his proposal. Senator DIRKSEN's proposed amendment reads as follows:

"The right and power to determine the composition of the legislature of a State and the apportionment of the membership thereof shall remain in the people of that State. Nothing in this Constitution shall prohibit the people from apportioning one house of a bicameral legislature upon the basis of factors other than population or in apportioning a unicameral legislature, if, in either case, such apportionment has been submitted to a vote of the people in accordance with law and with the provisions of this Constitution and has been approved by a majority of those voting on that issue." (S.J. Res. 2, 89th Cong., 1st sess. (1965).)

THE DIRKSEN AMENDMENT SUBVERTS THE AMERICAN PRINCIPLE OF EQUALITY

By condoning unequal voting rights for State legislatures, the passage of the Dirksen amendment would be the first blow in the history of our Nation chipping away the rock of constitutionally protected rights and guarantees. The right to an equal vote is the bedrock of our democracy. Upon it rests all other rights. And implicit in the Supreme Court's reapportionment decisions, against which the Dirksen amendment is aimed, is the fundamental precept of judicial protection of this personal constitutional right to an equal vote. Under the Dirksen amendment that judicial protection is gone forever.

The great American ideal is characterized by the principle of equality of man.

The Declaration of Independence boldly proclaims: "all men are created equal."

Thomas Jefferson, the author of this great document, stated: "For let it be agreed that a government is republican in proportion as every member composing it has his equal voice in the direction of its concerns."

Addressing himself to the principles of the Declaration of Independence, Abraham Lincoln stated that: "Equality * * * is basic to a consideration of political and economic rights."

In keeping with America's concept of human equality, the 14th amendment to the U.S. Constitution forbids a State to deny any person the "equal protection of the laws."

Today especially, equality of voting rights vitally concerns all citizens of the United States. As stated by President Johnson:

"It is wrong to deny Americans the right to vote. It is wrong to deny any person full equality because of the color of his skin. The promise of America is a simple promise: Every person shall share in the blessings of this land, and they shall share on the basis of their merits as a person. They shall not be judged by their color or by their beliefs, or by their religion, or by where they were born, or the neighborhood in which they live."

That this towering ideal of equality is nonpartisan could be proved by quotes from many Republicans. I choose to quote the greatest leader of that party Richard M. Nixon who said recently: "The Republican Party must support both legislative and other programs that will serve the cause of equal rights for all American citizens. It must not compromise its strong position on civil rights for the purpose of gaining votes in the Southern States."

Adoption of the Dirksen amendment would be the first constitutional provision in the history of our Nation empowering the States to give voters unequal treatment. An equal vote cannot now be denied by a State because of where a voter's home is located. Under the Dirksen amendment it can. An equal vote cannot now be denied by a State because of a voter's religion. Under the Dirksen amendment it can. An equal vote cannot now be denied by a State because of a voter's occupation. Under the Dirksen amendment it can. An equal vote cannot now be denied by a State because of all the other undefined, arbitrary factors contained in the words "factors other than population." Under the Dirksen amendment it can. And, regardless of what some may think, today constitutional rights are the same in all States. Under the Dirksen amendment they can vary from State to State depending on a majority vote of the people of each State.

TYRANNY OF THE MAJORITY

The Dirksen amendment works its evil in destroying the "American promise" of equality under the guise of another American principle—majority rule. But up to now a citizen's constitutional rights could not be infringed simply because a majority of the people choose to do so. The two-thirds vote by both houses of Congress and three-fourths vote by State legislatures or conventions (which are to be chosen by malapportioned legislatures) hardly connotes wiping out of constitutional rights by a majority vote. Moreover, our forefathers were familiar with the power of a tightly organized minority to outvote a majority so they did not write Senator DIRKSEN's proposal into the Constitution of the United States. Constitutional rights are not "rights" if they depend on the outcome of elections. Now a highly organized minority composed of incumbent State legislators and lobbyists who live off of them hope to use the Dirksen amendment to fasten upon the unorganized majority perpetual minority control. Go back and read the Dirksen amendment. It does not allow a revote when the unorganized majority awakens to what the organized minority has done to it. Small wonder the rush act is on. It is hoped that the awakening comes late or never so that the current legislatures controlled by the minority can vote in the Dirksen amendment, thus assuring themselves a veto control over all State legislative action forever. The stakes are high. They always are when such a "fast deal" is attempted.

A full vote should not be dependent upon where a man lives. History has repeatedly warned of the "tyranny of the majority." Let us not close our eyes to history's teachings. The Dirksen amendment contains the seeds of this "tyranny of the majority" by allowing a majority of the voters of a State to debase, dilute, and effectively destroy the most sacred right of equal franchise.

THE GENESIS OF MALAPPORTIONED STATE LEGISLATURES

The precise concept of one house based on population and the second house based on geography or other arbitrary factors was not found in any of the original State constitutions. The original constitutions of 36 States provided that representation in both houses would be based completely or predominantly on population. Congress provided in the Northwest Ordinance of 1787 that: "The inhabitants of the said territory shall always be entitled to the benefits * * * of a proportionate representation of the people in the legislature."

When deviations from the equal-population principle came along they were clearly motivated by considerations of selfish advantage to particular interest groups. With the shift and concentration of population in the urban areas, the politicians representing the people in sparsely populated areas did not want to lose their offices or the power and other benefits that go with them. This is the genesis of our malapportioned State legislatures. It is a false idea to assert that it is the tradition of America to have one house of a State legislature malapportioned. America's tradition is equality. Ours is a government "of, by and for the people." We should never define "equality" to mean "inequality."

By not providing for judicial review the Dirksen amendment allows the malapportionment of both houses of a State legislature; sanctions discrimination based on race, religion, sex, or other arbitrary criteria in determining the composition of State legislatures; and permits the freezing of the status quo.

The very first sentence of the Dirksen amendment provides that "The right and power to determine the composition of the legislature of a State and the apportionment of the membership thereof shall remain in the people of that State." This sentence may be construed to allow the malapportionment of both houses of a State legislature, and Federal and State courts would be powerless to interfere. While there may be some question as to whether judicial review is denied under the first sentence of the Dirksen amendment, under the second sentence no judicial relief is available once a particular apportionment scheme has received the approval of a majority of the people of a State.

Thus, absent judicial review, States would be at liberty to sanction discrimination based on race, religion, sex or other arbitrary criteria in determining the composition of their legislatures. Moreover, State legislative apportionment would undoubtedly revert to the pre-*Baker* v. *Carr* era where less than one-tenth to one-third of the rural voters controlled one, or in many instances, both houses of the legislature. You will recall that pre-*Baker* v. *Carr* was an era in which 27 States had not been reapportioned in 25 years; 8 States had not been reapportioned in 50 years—even though their State constitutions required decennial reapportionment. Indeed, under the Dirksen amendment, State legislators could have a "field day" knowing that they could apportion and determine the composition of their legislatures without fear of judicial review.

Once a majority of the people in a State had approved an apportionment scheme under the Dirksen amendment, the apportionment may never be changed. Senator Dirksen's amendment does not provide for change ever. Regardless of how effectively the malapportioned legislature might function or how long a majority might be frustrated, the majority would be powerless to alter the existing apportionment setup. Thus, by denying judicial review, by not providing for the subsequent submission of an approved apportionment plan to the people, the Dirksen amendment permits a perpetual freezing of the status quo. That is why I say the stakes are high—very high—for the current political bosses of State legislatures and their lobbyist friends.

MAJORITY VOTER APPROVAL OF A MALAPPORTIONMENT PLAN IS MISLEADING

The Dirksen amendment expressly provides for the malapportionment of one house of a State legislature so long as a majority of those voting express their approval of the plan.[1] I have already stated that an American's basic right to an equal vote is not now and never should be dependent upon elections. However, voter approval of a reapportionment plan does not necessarily mean that the majority approves apportionment based on nonpopulation factors. To the contrary, the "approval" may indicate only that the plan offered is an improvement over the existing manner of apportionment. In other words, the Dirksen amendment does not require that the people of a State be given a fair choice of voting upon a system of representation based upon population or upon some other basis of representation. It is only commonsense that the voters who are being discriminated against would approve any proposal which would even minutely increase their voting rights.

How the majority may react is proved by the recent vote of the majority in Colorado for a malapportioned legislature when other advantages for that majority were provided in the same referendum. The U.S. Supreme Court properly ruled that a majority vote in one State cannot now amend the Constitution of the United States. Senator DIRKSEN's amendment would change that.

THE DIRKSEN AMENDMENT FAILS TO PROVIDE STANDARDS FOR THE MALAPPORTIONED HOUSE

Under the Dirksen amendment it is provided that: "Nothing in this Constitution shall prohibit the people from apportioning one house of a bicameral legislature upon the basis of factors other than population."

It is readily apparent from this provision that standards are totally lacking in governing the apportionment of the malapportioned house of a State legislature. Thus, the Dirksen amendment allows for legislative districting based on racial or other factors. And the courts would be powerless to interfere.

THE DIRKSEN AMENDMENT IS NOT JUSTIFIED BY THE SO-CALLED FEDERAL ANALOGY

Some supporters of the Dirksen amendment seek to justify it on the ground that the apportionment of one house of a State legislature on a nonpopulation basis is analogous to the manner of representation provided by the Constitution for the Congress. Of course, this "justification" has always been the rural politician's first line of defense in opposing any change in the status quo. The fact is, however, that the so-called Federal analogy is misleading and false.

The underlying rationale upon which representation in the U.S. Congress is based is that the United States is a federation of independent sovereignties. The presently existing manner of representation provided for under the Federal principle was demanded by certain of these independent sovereignties before they would agree to relinquish a portion of their sovereignty to establish a central government.

On the other hand, a State is not truly a federation of counties and political subdivisions in the sense that the latter preceded the former. To the contrary, the State is the creator and the local government units are the created. Moreover, representation in some State legislatures is based upon an artificial division of the State into senate or house districts. Certainly these districts have no independent significance and are not, by any stretch of the imagination, sovereign or quasi-sovereign entities. To speak of federalism within a State is to reduce a great principle to an absurdity.

The equality required by the 14th amendment to the U.S. Constitution is equality of people—not geography. Reliance on a so-called Federal analogy is simply an after-the-fact rationalization offered in defense of the indefensible, grossly malapportioned State legislatures.

CONCLUSION

The Dirksen amendment to provide voter inequality and minority control of State legislatures should not be adopted. It denies the most basic right of citizenship—the right of every American to a full or equal vote. It also indirectly spells the death knell to real responsible action ever by State legislatures on modern needs by inserting a minority veto over all legislative action into our Federal Constitution.

The next chapter in the struggle for voting rights in our Nation, after adoption of President Johnson's voting rights bill, should not be such a backward step. How ironic that those who will be led to believe they are getting the vote by virtue of that bill will awaken one day and find out how badly they have been deceived if the Dirksen amendment is adopted.

Equality of man is the great ideal upon which our Nation was founded. It is also the towering ideal on which our leadership of the free world depends.

We must not allow the issue here to be so beclouded by politicians and politics as to mislead the unorganized majority into enslaving themselves to well organized self-interest minority control forever. We deplore such tightly organized minority control in other nations. Yet it could happen in our Nation for many who say they are for President Johnson's voting rights bill say they are also for the Dirksen amendment. In fact, they may be linked as a package either openly or secretly by supporters of the Dirksen amendment. But, in reality, the two are totally at war in fact and principle. In all good conscience I urge that in the words of President Johnson, "It is wrong to deny any person full equality because of the color of his skin" and "It is wrong to deny any American full equality for any reason." Denial of equality denies all that America stands for. Again quoting President Johnson: "Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to insure that right."

The Dirksen amendment is contrary to what President Johnson here states. Every American should have not only an equal right to vote but also an equal vote.

I urge you to do all you can to insure the defeat of the Dirksen amendment.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

SOCIAL SECURITY AMENDMENTS OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, ordinarily the procedure would be to consider the remaining committee amendment. However, Senators who wish to oppose the committee amendment desire more time in which to prepare their case and discuss their position. That being the case, I ask unanimous consent that the remaining committee amendment be passed over at this time, so that other amendments may be offered and considered.

The PRESIDING OFFICER. Is there objection? None is heard, and it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> On page 171, following the language on line 12, it is proposed to insert a new paragraph as follows:
>
> "(23) provide that any individual entitled to medical assistance may obtain such medical assistance from any institution, agency, or person qualified to perform the service or services required who undertakes to provide him such services."

Mr. WILLIAMS of Delaware. Mr. President, this amendment is consistent with the policy that has been enunciated in the proposed legislation; that is, that the patient under medical care programs should be afforded freedom of choice in obtaining health services from any qualified institution, agency, or person. This policy is set forth in section 1802 for both the basic hospital insurance and the voluntary supplementary programs. I believe it only fitting and proper that a similar declaration be placed in title XIX—the third layer of the cake—the new medical assistance program for the needy and the medically needy.

I believe that the people who must rely on this program because of insufficient income and resources are entitled to the same prerogatives as those who come under the other two health insurance programs provided in the bill. The choice of one's own doctor and other provider of health services is a right which should be enjoyed by all Americans.

I understand that the Senator in charge of the bill is willing to take the amendment to conference to see if a solution cannot be reached.

Mr. LONG of Louisiana. Mr. President, in the consideration of the measure in committee, the Senator from Delaware was most helpful in urging, even though he opposed certain parts of the bill and, as I recall, voted against the bill itself, that we should undertake to proceed expeditiously with the consideration of the bill. It was understood in committee that in the event some matter we might have overlooked should subsequently come to light, it would be considered and that we would confer and see if we could agree on it and offer it on the floor of the Senate.

The amendment the Senator from Delaware has offered was agreed to by the Senate in a previous Congress when offered by the former Senator from Minnesota, Mr. HUMPHREY. The amendment was taken to conference, but the House would not accept it. I know that the Senator from Delaware realizes what the problem will be in conference. He has indicated that in the event the House is adamant and will not accept the amendment, we might have to yield on it after it had been considered and an effort had been made to persuade the House to accept it. With that understanding and on that basis, I am happy to accept the amendment, and shall urge the House to consider and accept it.

Mr. WILLIAMS of Delaware. I thank the Senator from Louisiana.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JAVITS. Mr. President, I again suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 160, line 13, before the semicolon, it is proposed to insert the following: "or provide for distribution of funds from Federal or State sources, for carrying out the State plan, on an equalization or other basis which in the judgment of the Secretary will assure that the lack of adequate funds from local sources will not result in lowering the amount, duration, scope, or quality of care and services available under the plan."

Mr. JAVITS. Mr. President, the purpose of the amendment is to deal with the Kerr-Mills matching problem in States where both counties and the State government supply the non-Federal funds.

In New York State, and in other States, that is the situation. The bill as presently worded, however, would oblige the States alone to supply this matching money after 1970. My amendment has been worked out, insofar as its technical detail is concerned, with the Department of Health, Education, and Welfare. The amendment would allow—subject to the appropriate discretion of the Secretary—a State to share this burden with local governments so long as the program was not jeopardized. The amendment affords an opportunity to the local government to participate and vests discretion in the Secretary.

Therefore, if the counties are able to contribute and the Secretary is satisfied, that they will contribute the State ought to be in a position to make that arrangement.

I have submitted the amendment to the distinguished Senator in charge of the bill, the junior Senator from Louisiana. I hope very much that he feels justified in accepting the amendment.

Mr. LONG of Louisiana. Mr. President, the amendment raises a problem that exists in New York State and other States. I do not believe that the situation exists in Louisiana or in a majority of the States. However, the department has examined the amendment and finds merit to it. I believe that the amendment should be considered in conference. I am willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum——

Mr. LONG of Louisiana. Mr. President, will the Senator withhold that request?

Mr. JAVITS. Yes.

Mr. LONG of Louisiana. Mr. President, this bill has been before the Senate since July 1. In certain respects there is an urgency involved, because this is the same measure that died in conference last year between the Senate and the House. It involves many persons who have children in school, and many other persons, for whom increases are provided retroactively, because Congress has been slow to act in this matter. It should have acted before now.

The committee has acted expeditiously in the matter of bringing the bill to the floor. It did so as rapidly as it could. We are ready to legislate. We have been ready since July 1. I urge Senators who have amendments to offer to come on the floor and offer them, so the Senate may act.

I am on notice that unanimous consent requests to limit time will not be granted even as to amendments offered by individual Senators, which seems to me to be ridiculous, because if a Senator offers an amendment, he has complete control of it. He can withdraw it if he so desires, or debate it and bring it to a vote. So I hope Senators who have amendments to offer will do so.

We are willing to consider and agree to certain amendments. If we agree to them, we will take them. If we cannot agree, we will fight them. At any rate, Senators should be present.

I am hopeful that Senators who have amendments to be considered will offer them and let them be considered, and not ask the Senate to take a great deal of time next week doing things it should be doing now. It may make the difference between adjourning in August or in November.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DOUGLAS. At the present moment when we are considering amendments, there are only five Senators in the Chamber. Without considering the question of whether we are facing a sitdown strike or not, one way to proceed is to have a third reading of the bill.

Mr. LONG of Louisiana. The Senator knows that that would be objected to. There will be quorum calls and speeches. The bill will not be passed today. But there are Senators right now working on amendments which they believe have merit.

I hope Senators who have amendments to offer will bring them in today. I hope they will not ask us to wait 2 or 3 days, and that they will not object to unanimous-consent agreements even when they control the amendments. I hope they will permit us to do our business and to get through with this session, and enable us to get home and see our constituents and get to see our families, rather than keep the Senate here until December.

Mr. DOUGLAS. I will request the Chair to make a ruling that, if there are no further amendments to be offered, the Senate proceed to the third reading of the bill.

Mr. LONG of Louisiana. That will not happen, because there will be objection.

Mr. DOUGLAS. Let us see if there is objection and where the objection comes from.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I suggest that the Senate proceed to the third reading of the bill.

Mr. BYRD of West Virginia. Mr. President——

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDEMENT NO. 307

Mr. BYRD of West Virginia. Mr. President, I call up my amendment No. 307.

The PRESIDING OFFICER. The amendment offered by the Senator from West Virginia will be stated.

The LEGISLATIVE CLERK. On page 349, between lines 12 and 13, insert the following:

REDUCED OLD-AGE BENEFITS, WIFE'S BENEFITS, HUSBAND'S BENEFITS, WIDOWER'S BENEFITS, PARENT'S BENEFITS AT AGE 60

SEC. 342. (a)(1) Paragraph (1)(B) of section 202(f) of the Social Security Act is amended by striking out "62" and inserting in lieu thereof "60".

(2) Paragraph (3) of such section (as amended by section 333(b)(2) of this Act) is amended by inserting "and in subsection (q)" after "(5)".

(3) Paragraph (5) of such section (as amended by section 333(b)(1) of this Act) is amended by striking out "62" and inserting in lieu thereof "60".

(b)(1) Paragraph (1)(A) of section 202(h) of the Social Security Act is amended by striking out "62" and inserting in lieu thereof "60".

(2) Paragraph (2)(A) of such section is amended by inserting "and in subsection (q)" after "(C)".

(3) Paragraph (2)(B) of such section is amended by inserting "and in subsection (q)" after "(C)".

(c) The heading of section 202(q) of such Act (as amended by section 304(b) of this Act) is amended to read as follows: "REDUCTION OF OLD-AGE, DISABILITY, WIFE'S, HUSBAND'S, WIDOW'S, WIDOWER'S, OR PARENT'S INSURANCE BENEFIT AMOUNTS".

(d)(1) Paragraph (1) of section 202(q) of the Social Security Act (as amended by section 307(b)(1) of this Act) is amended by striking out "or widow's" each place it appears and inserting in lieu thereof ", widow's, widower's, or parent's".

(2)(A) Paragraph (3) of such section 202(q) (as amended by sections 304 and 307 of this Act) is amended by striking out "or widow's" each place it appears and inserting in lieu thereof ", widow's, widower's, or parent's".

(B) Such paragraph is further amended by striking out "a widow's" each place it appears and inserting in lieu thereof "a widow's, widower's, or parent's".

(C) Such paragraph is further amended by striking out "such widow's" each place it appears and inserting in lieu thereof "such widow's, widower's, or parent's".

(D) Such paragraph is further amended by striking out "she" each place it appears and inserting in lieu thereof "he".

(E) Such paragraph is further amended by striking out "the age of 62" in subparagraphs (F) and (G) and inserting in lieu thereof "the age of 60".

(3) Paragraph (6) of such section 202(q) (as amended by sections 304 and 307 of this Act) is amended by striking out "or widow's" and inserting in lieu thereof "widow's, widower's, or parent's".

(4)(A) Paragraph (7) of such section 202(q) (as amended by sections 304 and 307 of this Act) is amended by striking out "or widow's" and inserting in lieu thereof "widow's, widower's, or parent's".

(B) Clause (E) of such paragraph (7) is amended by striking out "widow's" and inserting in lieu thereof "widow's, widower's, or parents's"; by striking out "she" each place it appears and inserting in lieu thereof "he"; and by striking out "her" and inserting in lieu thereof "his".

(5) Paragraph (9) of such section (as amended by section 307(b)(8)) is amended by striking out "a widow's" and inserting in lieu thereof "a widow's, widower's, or parent's".

(e)(1) Clause (A) of the first sentence of section 215(b)(3) of the Social Security Act (as amended by section 302(a)(2) of this Act) is amended to read as follows:

"(A) in the case of a woman who has died, the year in which she died or, if it occurred earlier but after 1960, the year in which she attained age 62,".

(2) Such first sentence is further amended by redesignating clauses (B) and (C) as clauses (C) and (D), respectively, and by inserting after clause (A) the following new clause:

"(B) in the case of a woman who has not died, the year occurring after 1960 in which she attained (or would attain) age 62,".

(f) Paragraph (2) of section 202(a) of the Social Security Act is amended by striking out "age 62" and inserting in lieu thereof "age 60".

(g) Subparagraphs (B), (H), and (J) of paragraph (1) of section 202(b) of such Act (as amended by section 308(a) of this Act) are each amended by striking out "age 62" and inserting in lieu thereof "age 60".

(h)(1) Paragraph (1)(B) of section 202(c) of the Social Security Act is amended by striking out "age 62" and inserting in lieu thereof "age 60".

(2) Paragraph (2)(A) of such section is amended by striking out "age 62" and inserting in lieu thereof "age 60".

(i) Paragraph (3)(A) of section 202(q) of such Act (as amended by sections 304 and 307 of this Act) is amended by striking out "age 62 (in the case of a wife's or husband's insurance benefit) or age 60 (in the case of a widow's, widower's, or parent's benefit)" and inserting in lieu thereof "age 60".

(j)(1)(A) The heading of subsection (r) of section 202 of the Social Security Act is amended by striking out "or Husband's" and inserting in lieu thereof ", Husband's, Widow's, Widower's, or Parents".

(B) Such subsection is amended by striking out "or husband's" each place it appears therein and inserting in lieu thereof ", husband's, widow's, widower's, or Parent's".

(2) Paragraph (3) of section 202(q) of such Act (as amended by sections 304 and 307 of this Act) is further amended by striking out subparagraph (E) and redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively.

(k) The amendments made by this section shall apply with respect to monthly insurance benefits under section 202 of the Social Security Act for and after the second month following the month in which this Act is enacted, but only on the basis of applications filed in or after the month in which this Act is enacted.

Mr. BYRD of West Virginia. Mr. President, it now seems clear that measures to ease the plight of our older citizens have unquestionably been given more time and attention by this Congress than by any other Congress since the passage of the Social Security Act three decades ago. The legislation now before us has already been recognized as perhaps the greatest and most far-reaching piece of social legislation ever enacted by any Congress. We have before us the critical issues of medical care for the aged, of an appropriate increase in benefits across the board, and of the establishment of three new medical care programs for the American people: the basic hospital insurance plan; the voluntary supplementary medical services plan; and the greatly expanded Kerr-Mills medical care plan which unifies, combines, and extends existing medical care programs for our needy and near needy.

I am deeply concerned about all of these problems. Today, however, I shall confine my discussion to one which has, I am afraid, been largely overlooked—the problem of what to do about, and for, those older people who because of their years are unable to work, yet unable to retire because they have not reached the age specified by the Social Security Act. It is true that the bill would provide actuarially reduced benefits for widows at age 60. But by adding legislation to reduce the social security retirement age from 65 to 60 with actuarially reduced benefits available at the earliest age for all eligible people, Congress could do much to solve this problem, and round out the great bill now before us to face up to an important economic and human reality of our times.

Despite the fact that many Americans are living longer, they are not necessarily working longer. Many have physical disabilities which prevent them from participating in our fast-moving industrial process. Many more, although willing and able to work, find themselves the victims of discriminatory employment practices and technological changes which favor the young—as they should. The net result is that many older men and women are forced into retirement years before they are able to collect their retirement benefits.

I do not believe that everyone will suddenly decide to retire at age 60 if Congress makes it possible for them to draw reduced retirement benefits at that age.

There are statistics to support my views. The National Committee on Aging, which made a study not long ago of a small number of companies with mandatory retirement, reported that about 40 percent of the male employees aged 64 expressed a preference to continue working at their regular jobs after age 65. Needless to say, I also believe that the low average retirement benefit of around $80 a month is scarcely an incentive for voluntary retirement. The actuarial reduction at age 60 would further reduce this amount.

The basic object of reducing the retirement age to 60 is to free the worker at that age so that he may make an independent decision, based on his own situation, as to whether he can, with dignity, continue to work. For it is high time that we faced up to the reality that a great many people are forced off the job as they approach age 60 because of the kind of work they must perform. As they grow older, they often find themselves exposed to working conditions of heat, intensity, pace, load, risk, and responsibility which are beyond their physical ability. No matter how anxious such a man or woman may be to stay on the job, neither he nor his employer, can overlook the fact that his ability to perform this particular kind of work is not what it was. Many people, particularly those who have worked all of their life at hard physical labor, suffer injury and chronic ill health during their later working life. They are in the twilight zone—being unable to qualify under the strictly administered definition of permanent and total disability, but so handicapped that they are unable to find a job which provides them with a reasonable standard of living. Their plight is particularly distressing inasmuch as they have exhausted their unemployment compensation benefits and must look forward to many years of privation before they reach the present retirement age.

Once a worker loses the job he has held all of his life, his chances of obtaining another less strenuous job paying a decent wage, are remote. This situation becomes much more acute in times, such as these, when unemployment is rising. Employer prejudice, which is strong against hiring people who have barely passed 40, increases markedly with each additional birthday.

But this story cannot be told by statistics alone. Even more significantly, it is the story of the machine tool operator who, at 60, is laid off because his plant has been retooled in this age of automation. It is the story of the faithful telephone operator who has worked for just one firm all her life and, for the first time in 25 years, finds herself looking for a job. It is the story of the housewife, widowed at age 60 by the untimely death of her husband, who has never had any experience in the job market, and now must seek some means to support herself until she reaches the present eligibility age of 62.

I believe that our startling gains in productivity in this century have made it inevitable that the shorter average work life—which has been steadily declining during each decade—is here to stay. This revolution in productive capacity also means that the opportunity to retire at age 60 will not, as has sometimes been suggested, result in a reduction of our power to make the goods necessary for a prosperous economy and an effective national defense.

In this age of increasing mechanization and automation, we must always remember that job opportunities are being continually shifted and, in many cases, limited. The heaviest sufferers in such realinements will inevitably be the older worker who has lost some of his flexibility to cope with the changing industrial scene. It is a blow to a man nearing his sixties to have his job eliminated or changed to such an extent that the skills he has built up during a long working life are no longer needed. I am heartily in favor of the efforts to retrain and reemploy these men and women, because I am fully convinced that most of them would rather stay on the job than retire. But I am also convinced that this is not the answer for many of these tragic cases and that a more realistic social security retirement age must go hand in hand with efforts at reemployment if a real solution is to be found to this perplexing problem, and if job opportunities are to be made available to younger workers who need them badly.

Anyone who honestly looks at the present situation will, I believe, recognize that there are a number of factors which are acting inexorably to lower the retirement age—whether we like it or not. First of all, as I have pointed out, the best evidence shows that many men and women between the age of 60 and 65 are simply unable to work. Secondly, it is also quite clear that workers in this age group who are able to work experience extreme difficulty in finding suitable employment. And finally, it is becoming increasingly evident that our new productivity is shortening the length of our working life just as certainly as it has shortened the length of the working week.

The amendment I am now proposing is a very modest effort to recognize, in our social security law, the particular problems which are facing workers in the "twilight zone" between the ages of 60 and 65. The actuarial reductions it contains grow out of cost considerations. Because of cost considerations, however, the amendment provides for actuarial reductions so that a worker who, at age 62, now gets 80 percent of the full benefit to which he would be entitled at age 65, would get 66⅔ percent of the full amount if he voluntarily retires at age 60. Similarly, a wife or dependent husband, now entitled to 75 percent of the full benefit at age 62 would get 58⅓ percent of that amount at age 60. A widow, widower or parent, now entitled to a full benefit at age 62, would get 86⅔ percent of this full amount at age 60. These are not amounts, as I have said, which would encourage early retirement, but they would provide much-needed help in a time of great need. According to estimates furnished to me, and assuming an effective date of November 1, 1965, some 3½ million persons not presently eligible would be entitled to benefits under my amendment, and it is estimated that about 900,000 persons would apply by the end of 1966. As to the cost, there would initially be an outgo effect of about $500 million more annually than under the bill, but this would be counterbalanced in later years.

I am convinced that legislation which reduces the social security retirement age to 60 is consistent with the economic realities of our times. Therefore, I urge the support of members of the committee for my amendment.

Mr. LONG of Louisiana. Mr. President, a similar amendment was agreed to some years ago by the Senate. We went to conference with the House and fought hard for the position—at least I know that I fought hard for the position taken by the Senator from West Virginia. I regret to say that we were not successful at that time. In that same conference we had a measure sponsored by me which would have provided that people with mental illness would have done better. We lost both those amendments in conference. I believe that was the occasion when I kept the Senate in session almost the whole of 1 weekend in protest over the fact that the Senate committee had yielded. I felt that the conferees had yielded too easily.

I told the Senator that if he would offer his amendment in committee, I would support it. However, the Senator was busy on the floor as a member of the Appropriations Committee at that time, discharging his responsibilities, and he was not able to present his amendment to the committee.

The Senate has agreed to this type of amendment before. I feel confident that the Senate would wish to have the amendment considered. I would be happy to support the amendment. I have discussed the amendment with members of the committee who feel the same way about it, and I would hope the House would agree to it. I hope the Senator will understand that, although we are undertaking the same type of struggle as we did before, I cannot guarantee him that we can persuade the House conferees to agree to the amendment, but I will see to it that it will be seriously considered. I shall urge that the House conferees take a good look at it, and we hope to have it agreed to.

Mr. BYRD of West Virginia. I thank the distinguished Senator from Louisiana for this assurance. I believe that in the instance to which he has referred, there were some difficulties which are not involved in the present situation. I have today talked with Mr. Robert Myers, the Chief Actuary of the Department of Health, Education, and Welfare. He has indicated that there is ample money in the fund, and that although there would be an increased amount of disbursements in the early years of operation, there would not be any long-range cost impact involved over the years.

Mr. LONG of Louisiana. The pending amendment has particular merit with regard to persons so unfortunate as to be displaced by automation or through loss of their jobs as they reach the age of 60. Such persons have great difficulty in obtaining other jobs, and when their unemployment insurance money is all gone they have no income. If they were 65 years old, they would be able to retire, but because they are not 65 yet, they cannot retire. Such people are therefore in a most unfortunate and penurious situation. The amendment the Senator from West Virginia is offering seeks to enable those persons to collect what would be due them, but to collect a smaller amount because, presumably, they would be collecting it over a longer period of time.

Mr. BYRD of West Virginia. The able Senator is correct. My amendment as drawn would provide for actuarial reductions which, as I have already indicated, would not encourage persons to retire at an earlier age if they were able to find employment. But there are those people, who have not reached the age of 65 or even 62, who are out of work or who may be disabled physically to such an extent that they cannot find employment, but not to the extent that they can qualify for disability benefits under the social security law. My amendment would provide a choice for them, and enable them to have some income if they choose to retire at 60 rather than wait until 62 or 65.

Mr. LONG of Louisiana. In the State of Louisiana, our welfare department has almost stultified itself in trying to make a determination that such persons are disabled, so that they can be provided with public assistance. It would be a far better solution to allow them, as a matter of right, to start drawing retirement payments at the age of 62. In my State—I do not know about other States—their income would increase when they reached the age of 65, because at that date the Public Assistance Act would enable the public assistance program to supplement what they receive. They would be receiving about the same as they would have received had they had a larger income.

Mr. BYRD of West Virginia. The Senator is correct. The recipient will have a choice of waiting and drawing higher benefits over a shorter period of time, or he can elect to retire earlier and draw decreased benefits over a greater period of time. In either event, the impact on the fund would be the same in the long run. There would be no additional cost to the fund over the years. Moreover, my amendment would not require any additional tax on either the employer or the employee.

Mr. LONG of Louisiana. As the Senator indicates, with respect to many such persons, they will be able to supplement their social security income when they reach the age of 65. But they need something to hold hide and hair together until they reach that age.

I believe that the Senator from West Virginia has a meritorious amendment. I voted for a similar amendment when it was previously before the Senate. I was disappointed when the House conferees refused to accept it. The Senator will recall that I obtained permission for him to go before the conference committee and explain his position, at which time he made a magnificent and at the same time touching statement on behalf of the people concerned.

I am happy that the Senator is offering this amendment, and I shall be pleased to accept it.

Mr. BYRD of West Virginia. I thank the Senator for his kind consideration and acceptance of my amendment, and I also express my appreciation to the members of his committee.

Mr. HARRIS. Mr. President, I want the RECORD to show that I support the amendment of the Senator from West Virginia [Mr. BYRD].

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia.

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, I send an amendment to the desk and ask that it be printed.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed; and will lie on the table.

Mr. JAVITS. Mr. President, I have not said anything about the bill as yet in the way of a considered presentation, which I believe would be very unhappy and unwise, considering the fact that I am so deeply involved in what is being done here. It represents the fruition of many years of work so far as I am concerned, in association with others. We should not be distracted at this final hour, in this momentous and historic bill now before the Senate, by the fact that there are imperfections, and amendments of a specialized character which need to be considered.

The measure for health care for the aged is probably as historic a piece of domestic legislation as will be passed in Congress for many decades to come. It represents a great struggle between various points of view. It has arranged the trade unions against the doctors. It has involved a vast struggle between liberal and conservative philosophies. It has also involved the problem of whether to expand the social security system to include a system by which services rather than money would be provided.

It represents a great advance in taking cognizance of the extension of the life span of all Americans.

It is also the second historic measure which, to my mind, forecasts the way in which the world is going to go, because this measure includes not only a basic hospital insurance plan which will be operated by the Government under social security financing, but also includes a supplementary voluntary insurance plan giving fairly full health coverage on the basis of a payment by the beneficiary and a payment by the Government, with medical care to be provided largely by private enterprise.

This concept is a voluntary supplementary insurance plan which I had the honor to offer first in 1949, when the bill was introduced in the other body, of which the supporters were essentially the members of my own party, including such distinguished Republicans as Christian Herter and THRUSTON MORTON, as well as the former Vice President of the United States and candidate for President on the Republican ticket, Richard Nixon.

The developments since that time went through the hotly contested 1960 postconvention session of the Senate when our tragically departed and highly revered President, John F. Kennedy, was here as a Senator, and almost as his final act in the Senate fought to put through a bill which contained half of what is contained in the pending bill, namely, essentially the hospital care plan with social security financing. In my judgment, he failed, because of the failure to include a complete health care program, which required the addition of the second half, the voluntary supplementary insurance plan.

Then, a year later, joined by a number of colleagues in the Senate, I had the honor, as the Senator from Illinois [Mr. DIRKSEN] has said, of carrying the flag, but without success in the Senate, and that whole program failed. It was deferred for almost 5 years, until now, when we have formally accepted the entire program, instead of only a part of it.

In the course of that period the Senate had two occasions to consider this subject of supplementary insurance for health care. On one occasion it turned it down. On another occasion it adopted it. Unfortunately, the measure, although it was passed in the Senate, based upon the sponsorship of the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. GORE], and myself, did not get anywhere in the House.

Today, we look back on this monumental struggle, really fought on two fronts, one for the concept of expanding the social security system to encompass health care for the aging, and the other for adding to the Government plan, a so-called supplementary plan, which would give really complete health coverage. Both struggles have taken all these years to be fought.

It is a great tribute to the American system that, after this monumental effort, so deeply involving the passions and ideas of individuals, we should be back here with a bill which has remarkable areas of agreement and shows every indication of sweeping through the Senate with not too much opposition. I am sure there will be a number of votes against it, but on the whole it is taken for granted that this is the year in which medical care for the aging will become a reality.

It represents a high tribute to what we call the free market in ideas.

I have personally had a number of debates with some of the most distinguished opponents of this proposal, including Dr. Annis, former president of the AMA, and probably the most distinguished opponent of this proposal in the medical profession, and still a very potent force in this field, even though he has ceased to be president of that organization.

In the process of debate, and the effort to add to the Government plan the voluntary supplementary plan, answers to the arguments which were made against the plan, including the catchwords "socialized medicine," which became, first, a slogan, and then an obsolescent term, almost in the same class with isolationism, in disfavor with the American people—all these arguments and debates were endured, answered, discussed, refined, and considered. The bill before us now represents as close as American Government can get to a consensus, arrived at after full debate and discussion. It bears, in every one of its parts, the marks of improvement which have resulted from full and free debate.

For example, the bills which I introduced time and time again, contained no deductible provision as an item for the patient to pay, even during the early days of his hospitalization, under the Government hospitalization plan. A deductible provision is now contained in almost every section of the pending bill, including posthospital care and outside diagnostic services. The consensus of opinion, though I did not previously share it, obviously is that a deductible is a sound principle which will prevent the overuse of facilities when it is not necessary to use them. It will also assist in keeping the patient ambulatory, which, based upon many seminars and other discussions which I have personally conducted, is the best way in which to deal with the health problems of the aged.

It is felt, after all these refinements, that the use of a deductible, requiring the patient to pay something as his own contribution, is essential and sound.

That provision is incorporated in the bill, both in the governmental part and in the voluntary supplementary section, which relates to the action of the beneficiary himself, joined by the Government.

There is another aspect of the subject which is quite important. It was recognized from the very beginning that to give the governmental aspect of the plan vitality, it was necessary somehow or other to raise money through adequate social security taxes.

There was a great deal of argument about the figure of 10 percent as being the roof on social security taxes for both employer and employee. That was almost a sacred cow. It was not to be even considered that that ceiling of 10 percent could be broken.

It is very clear, again, after this free and extensive debate throughout the country, that that ceiling need not be broken if the taxable earnings base is made realistic.

Therefore, the $6,600 base represents again what we have learned in the course of free debate and discussion.

I am pleased also that the Senator from Illinois [Mr. DOUGLAS] won his fight with respect to the services rendered by radiologists and other specialists being included in the hospital part of the bill. It was a strange anomaly, indeed, that it should have been excluded in the first place. It is almost as strange as the anomaly of characterizing, for purposes of social security, waiters and waitresses as people who are in business for themselves. I hope the Senate will correct that situation.

The Senator from Illinois again profiting from open discussion and free debate, won his fight in which so many of us supported him and has included the proper provision in the pending bill, to the effect that these services represent a part of the hospital costs. I hope very much that the fortitude displayed in committee will be displayed in conference, and that this provision will remain in the bill.

Again, a tribute to the process of free debate and discussion is that part of the health care program of the bill which is contained in the voluntary supplementary insurance plan. Here again the battle was fought. The Senate last year took a position very strongly in favor of including this supplementary provision. It really rounds out the program, as a mere reading of the services to be rendered indicates.

The fundamental concept involved in the supplementary plan is that it takes care of many of the health needs of the aged, without all the inducements to use hospital facilities when it might not be essential that they be used, following the basic principles of geriatrics to keep the older person on his feet.

By including the voluntary supplementary insurance plan, first and foremost, physicians' services will be made available to the individual. It is true that it will be on an annual deductible $50 basis, with only 80 percent of the patient's bill covered. As I said before, that is a tribute to fair debate, which apparently has led to the conclusion that deductibles are essential in this field and that it is wise to retain them.

By making available physicians' services, a very much larger proportion of the health care needs of the aged will be covered—probably something in the area of 60 percent or better. That begins to look much more like a health care plan for our aging citizens. I have little doubt that the overwhelming majority of our older people will take this supplementary coverage. It will be the cheapest and best form which will possibly be available to them. It still will not deal with those who are chronically ill and need continuous care, but it is still a very, very long way in the direction of a full health care program.

The estimates, based upon income figures, are that somewhere between 85 and 95 percent of our older people will take this care. About 90 percent of the people can afford to take that supplementary care. It must be borne in mind that it will not even be a financial strain, because we shall be increasing social security by $4 a month minimum, and the costs of the voluntary coverage for the individual will be $3 a month. So it seems to be a very logical carrying out of our intention that supplementary coverage should generally be practically universal.

Mr. President, one other realistic aspect of the bill represents a long standing campaign of my beloved friend and colleague the Senator from Vermont [Mr. AIKEN]. I am sorry that he is not in the Chamber at the moment. He always insisted that in the transitional period, until social security coverage really covered practically all of our citizens over 65, those who were not now under the social security system, variously estimated at 2 million to 3 million, would have to be taken into any medical care program. We, on this side of the aisle, contended for that principle in the bills we introduced. I speak with reference to the Senator from Kentucky [Mr. COOPER], the Senator from New Jersey [Mr. CASE], the Senator from California [Mr. KUCHEL], the Senator from Maine [Mrs. SMITH], the Senator from Hawaii [Mr. FONG], and the former Senator from New York, Mr. Keating, when he was in the Senate. All of them were deeply concerned with the problem.

The bill now covers that aspect and provides general revenue funds to cover those of our older citizens—estimated at about 2 million during the transitional period—who are not under the social security system.

In addition, in rendering available voluntary and supplementary coverage, mainly physicians' services, I note with the greatest interest that the Federal Government will contribute from $500 to $650 million, depending on how many take advantage of the plan, in order to facilitate the plan, pretty much as it does for Government employees.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. Is it not correct that the first bill which was introduced, the so-called Anderson-King bill, upon which we voted in 1960, did not cover those 2 million older persons who were over 65 years of age and not under social security?

Mr. JAVITS. The Senator is exactly correct. That was one of the major points made by the Senator from Kentucky [Mr. COOPER], and myself, and others. We said that the bill fell short of what it must cover.

Mr. COOPER. I remember that the distinguished Senator from New York took the lead in submitting an amendment. I was one of the sponsors of that amendment. The Senator from New York was the chief sponsor. That amendment would prescribe for the first time that the 2 million or more persons over 65 years of age and not under social security must be given this protection, the same as other persons over 65.

Mr. JAVITS. The Senator is exactly correct. A very great service was rendered by the Senator from Kentucky [Mr. COOPER], the Senator from Vermont [Mr. AIKEN], and other Senators who insisted that that concept had to be incorporated in the bill if it were to be truly a medical-care-for-the-aging bill. I am grateful also to my colleague from Kentucky and to other Senators whom I have named for the constancy of their support in this effort through the years and the struggle which has now matured in the acceptance of the concept of a voluntary plan for which we fought, with a very marked difference, to which I shall call attention insofar as its private enterprise character is concerned. The Federal Government will be obligated for something in the area of $1 billion for medical care, quite apart from Kerr-Mills care. But let us see the unbelievably great achievement which will have resulted from this development. Our older people will be covered, in my judgment, for something in the area of two-thirds of their medical care costs, with relatively little financial strain upon them.

As a return for years of working in our society until age 65, the question as to whether one might live a life based upon new drugs and a new type of health care will no longer be based upon one's financial ability to pay the bills. That great protection will be realized, and the lifespan which has so dramatically improved, will be a blessing available to practically every one of our citizens over 65. That will be a great boon to the Nation. It will bring us abreast of the most advanced concepts of medical care and of welfare anywhere in the world, and it should represent in every way a vast source of satisfaction to the American people.

I point out that one of the big things which the Communists in return for the slavery which they have fixed upon those whom they govern have bragged about for years is the availability of medical care. We should show by the bill that a free society can do, in this area at least, as well—probably a great deal better, considering the enormous range of the facilities and professional skill which we have available—as any Communist society, and at the same time we shall preserve freedom and all of the other advantages which go with a free society.

I find one note of disappointment in the bill, and that is the failure of the American insurance industry to see the great opportunity which beckoned to it and to take advantage of it, at least so far.

Mr. President, instead of the supplementary coverage plan, the so-called voluntary plan, being an insurance company plan, which it ought to be and which it was under the bill which the Senator from Tennessee [Mr. GORE], the Senator from New Mexico [Mr. ANDERSON] and I sponsored, and which passed the Senate, the proposal is now Government insurance with Government contracting with carriers to carry out, in the words of the bill, the major administrative functions relating to the medical aspects of this voluntary supplementary plan.

I should have infinitely preferred to see the whole program carried by private enterprise. The 65-plus plans, which the insurance companies, inaugurated in recent years, were a proper precursor for just such a responsibility.

The supplementary coverage under the Senate version of the bill will not take effect until January 1, 1967. That will give a year—indeed, a little more than a year, because I believe the bill will become law within the next 60 days—for the insurance companies of the United States still to get together for the purpose of realizing the responsibilities and the great advantages which can apply to them and the credit which can flow to them when they undertake to discharge their responsibilities. This they could do by taking over the whole program for supplementary, voluntary health care for older citizens, which would not be possible were there not a governmental hospital insurance program as the base, but which becomes highly practicable with the governmental hospital insurance plan, which is the first part of this program.

I believe—and I express my opinion as a Senator—that if the insurance companies of the country should at long last propose a plan to take over the whole responsibility, thereby integrating it into the total insurance concept of their business, and giving them a strong talking point to every individual who buys health insurance when he is under 65, that it would fall properly and naturally into the same insurance channel when the person was over 65.

I still express the hope that the insurance companies may come forward with a plan to carry out the purpose of the second part of the bill which we are now considering. I believe that if they should do that, Congress would be sympathetic to amending the legislation in such a way as to allow them to do so, even exempting them from the antitrust laws, as we are exempting those who cooperate in the program with respect to the imbalance in international payments, in order to permit the great public responsibility to be discharged through the private enterprise system.

I address an appeal to the insurance companies of the United States to realize this opportunity and possibility. It will require the cooperation of a number of great insurance companies even to carry out the supplementary program as contained in the bill.

Mr. PASTORE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. Surely.

Mr. PASTORE. When the recipient of tips declares the tips and pays a social security tax on them, does that entitle him to greater benefits than if he had not declared them?

Mr. JAVITS. I am sorry; I did not hear the last few words.

Mr. PASTORE. When the receiver of tips declares them as a part of his income and pays a social security tax on the tips he declares, is he automatically entitled to greater benefits than if he had not declared them?

Mr. JAVITS. Very definitely.

Mr. PASTORE. Is it to his advantage to declare his tips, if later in life he wishes to receive greater benefits, because social security benefits would be predicated upon his compensation including tips?

Mr. JAVITS. Certainly, particularly since he knows he is going to have to pay income tax on the tips anyhow. But the social security tax in the case of waiters, waitresses, and other tipped employees will be enforced on them by withholding. I have heard from them and their unions. They desire that this be done, notwithstanding the public impression in some circles that this is a great way in which to avoid the income tax. These employees want it that way.

Mr. PASTORE. Therefore, the mere fact that an employee declares tips means that they should be treated as any other income and the employer should make a contribution.

Mr. JAVITS. The Senator is exactly correct. The Senator is always refreshing, because he brings us out of the astral regions in which we are inclined to wander. The Senator knows that when the proprietor of a given restaurant employs a waitress, he pays her what he knows will, when added to her tips, be the salary she would work for. He does not pay her as a salary what he knows she would work for. She does not receive her earnings on that basis. Everyone knows that it is a part of the compensation to have an opportunity in that particular establishment to serve patrons and receive tips.

The employer has a clear idea as to what the waitress will earn, and he tells her when he employs her, "I am going to pay you so much, but you will actually earn so much, because the standard practice, for as many years as I have been here, is that when you work so many hours, you will receive so much in tips." Tips are an accepted part of the compensation.

Mr. PASTORE. When an employee declares his or her tips as a part of his or her income, what is the obligation of the employer to withhold income tax?

Mr. JAVITS. He is obliged to withhold it at that time, or even to advance it, based upon the estimate of tips. He has to advance the amount of the withholding, because the income tax affixes at the same time the social security tax obligation affixes.

Mr. PASTORE. Therefore, the position taken by the Senator from New York is that when tips are considered as a part of the income, they ought to be treated as in any other case?

Mr. JAVITS. As in any other case; it is just as broad as it is long. A waitress, for example, could find herself suddenly in business for herself, the way the committee reported the bill. She would be under the jurisdiction and control of the employer in everything else; but when it came to the social serurity tax, she would suddenly be in business for herself, as though it were her establishment.

Mr. PASTORE. How is the unemployment compensation figured?

Mr. JAVITS. Unemployment compensation is paid entirely by the employer and is paid upon that basis and computed accordingly.

Two things are happening—and I am sure the Senator from Louisiana will correct me if I am in error: One is that where tips are accounted for to the employer as salary—and there are some cases in which a person who is working is supposed to account to the employer for tips as salary—the whole situation remains as if the tips were salary.

Another situation, which is being dealt with in a kind of letter agreement between the Commissioner and employers, involves an estimate by an employer as to what the tips will probably amount to.

Mr. PASTORE. Mr. President, will the Senator from New York yield, so that I may direct a question to the Senator in charge of the bill, who can speak to it?

Mr. JAVITS. Of course.

Mr. PASTORE. I should like to know at this point, by addressing an inquiry directly to the manager of the bill, the answer to the following: If an employer, under the committee amendment, is not required to pay the social security tax, who is expected to pay the other half, which ordinarily would be charged to the employer? In other words, under what rationale are we proposing to exempt the employer, if tips are to be considered as a part of income?

Mr. LONG of Louisiana. A tip is paid by a patron, a person who is waited on in a restaurant. It could be said that since he paid the tip—since he said, "Here is a $1 tip," the waiter could say, "One minute, Mr. Patron; if you are going to pay me $1, you will have to pay 4 cents to pay the social security tax on the tip."

Mr. PASTORE. That is a ridiculous situation.

Mr. LONG of Louisiana. But it is the patron who is paying the tip. The waiter could say, "Give me 4 cents to pay the social security tax on the tip." But the patron could immediately say, "I did not tip you $1; I tipped you 96 cents. You take care of the 4 cents."

Then the employee would take 4 cents and match it with 4 cents; or instead of getting a tip of $1, he would get 92 cents. If the man who gave the tip were to pay the tax, the employee would pay 4 percent for that patron and 4 percent for himself, which would make 8 percent or 8 cents of $1.

We propose to give the employee a better break than that. We propose to say: "You report the tips and pay 6 percent."

The House bill would appear to create a presumption that the employer paid the tip. The employer did not pay it. He may not know anything about it. He neither paid the tip nor received the tip.

It is said in this case that the law creates an irrebuttable presumption. That is not true. It is a downright falsehood. It puts the employer in the position of Mr. Bumble, about whom Dickens wrote:

> If the law supposes that, the law is a ass, a idiot.

That is what it amounts to when it is said that there is an irrebuttable presumption that the boss pays the tip. It is not true. He neither pays it nor knows anything about it.

Mr. PASTORE. Mr. President, the Senator from Rhode Island asked a question and received a speech.

Mr. LONG of Louisiana. Mr. President, I went into detail to answer the question.

Mr. PASTORE. Mr. President, I ask the question again. If the employee must pay social security taxes on tips because it is a part of his taxable income under the Internal Revenue law, by what justification would we exempt the man who gives the tips and especially the employer? Why should there be a vacuum?

Mr. LONG of Louisiana. Mr. President, this is a matter which is extremely difficult to handle. We say that the logical way to handle tips is to make them self-employment income.

Mr. PASTORE. Nontaxable or taxable?

Mr. LONG of Louisiana. Taxable income.

Mr. PASTORE. If we were to make it taxable, then we would consider it income. If it is income, it is income, and if it is income, the employer is responsible.

Mr. LONG of Louisiana. Why would the employer be responsible? He did not pay it. He did not receive it. He has no knowledge of it.

Mr. PASTORE. That is exactly the point. We cannot escape the realities of life. The reality of life is that tips are paid to employees. The tips have been taken into consideration in fixing the salary to be paid by the employer. That is just as evident as the noses on our faces. We know that is true.

In a case in which a person receives tips, usually the pay is only nominal because the tips are considered as part of the employee's pay. That happens all the time with waiters, hat check girls, and shoeshine boys. It happens with almost everybody. The pay is nominal because tips are expected. That is the reason that the Government has said that the tip is part of the income, and therefore taxable as income. In order to be consistent, if the tips are income, then they ought to be considered and treated as would be the case with any other income.

Mr. LONG of Louisiana. Mr. President, it is income to the employee and not the employer. The employer did not get anything and he did not pay anything.

Mr. PASTORE. He got the benefit of it in that he was paying a nominal salary for the services he was receiving. Somebody else helps him to pay the salary. That is how simple it is.

Mr. LONG of Louisiana. Not necessarily. There are all sorts and shades of differences. For example, I have a man who works for me. From time to time he drives an automobile or does odd jobs. He waits on tables and does other chores. From time to time somebody will give him a tip. As far as I am concerned, I would just as soon that they did not tip him. However, sometimes they do. They are pleased to do it and he is happy to receive the tip.

It is none of my business. It would be ridiculous to say that that is income to me. I had no knowledge of it. I was not in favor of it in the first instance. The law should not require me to pay a tax on it. There is no reason for burdening the employer. As far as the employee is concerned, he can report his tips on the high or the low side. However, when he reports the tips, he then owes income taxes and social security taxes. If the employee wants to pay taxes on the low side, he reports less tips.

Mr. PASTORE. There is one error in the argument of my dear friend, the junior Senator from Louisiana. It is not what the Senator considers to be income. It is what the Government considers to be income. The Government of the United States has brought cases against people who have received tips and not reported the tips as income. The Government has said that it is income and taxable.

It is not what the Senator considers it to be. It is not what I consider it to be. It is not what the employee considers it to be. It is what the Government has determined it to be.

The Government has said time and again that tips which are received by employees in the performance of their duty is part of their income, and therefore taxable under the internal revenue law. Once the Government has said that, it must remain consistent. Therefore, if it is taxable income and we propose to allow an employee to pay the social security tax on those tips, then the employer who receives the benefit of paying less money in salary because of the receipt of tips, ought to be compelled to contribute.

There is a great moral issue here. We are telling people: "Declare your tips and pay income tax and social security tax on them." We ought to go all the way.

I believe that we have reached a point that if a person who receives a quarter, a half dollar, or a dollar tip is willing to put it on the line and pay an income tax and social security tax on that money then he ought to be treated the same as any other employee.

Mr. LONG of Louisiana. If we were to adopt the House provision on tips, which I presume the Senator is supporting, even in that case, we would have to take the employee's word for it. A man says, "This is how much I received. I want to pay on that much money." Suppose that man is not telling the truth. Why should the employer be required to be a party to that?

The employee reports according to law and conscience. The man's own self interest would require him to report the money as self-employment income. If an employee does not report it, do not hold the employer responsible for it. The employer did not receive the money. He did not pay it. The employer does not necessarily have any knowledge of it.

There are many cases in which the employer would have a substantial idea as to how much an employee receives in tips. However, he does not know precisely in any case.

Mr. PASTORE. That is correct. However, the Senator does not expect for 1 minute that a young man or woman at the age of 30 would pay income tax or social security tax on tips, which would be perhaps 20 percent or 25 percent, and thus declare more income than he has actually received in tips, in the hope that when he reaches the age of 60 or 65 years, he might receive an additional small amount per month in social security benefits. That would be ridiculous.

I do not believe that anybody is overestimating his tips. If we can get people to fairly, squarely, and honestly declare tips and pay income tax and social security tax on those tips in their young age, so that they can receive a little more when they reach the age of 60 or 65, let us do it and let us keep society honest.

Mr. LONG of Louisiana. I assume that the Senator supports the House provision. How would the Senator propose to handle the problem under that measure?

Mr. PASTORE. Mr. President, I do not propose to handle any problem. I say that if we can get an employee to pay income tax and social security tax on the tips he receives, somebody else ought to pay the other half. As far as I am concerned, the somebody else is the employer who receives the benefit of the services of the employee.

Mr. LONG of Louisiana. Mr. President, I do not know of any area in the law in which we are more completely at the mercy of the taxpayer when it comes to declaring his income than we are in the area of tips. We are completely at the mercy of the taxpayer. If he wants to report more tips than actually received and pay more tax on that income, as self employment income, let him do it. However, why should we make the employer approve an outright lie with respect to the amount of tips an employee receives. Why should we require the employer to take the word of the employee and give him no discretion about it at all?

Why should we make the employer certify to something that he knows is not true? Why should we make the employer a party to the misstating of the income of an employee, when he did not have anything to do with it, did not pay it, did not receive it, and, in some cases, did not have any knowledge of it at all?

Mr. PASTORE. Does the Senator from Louisiana really, honestly believe that an individual of 30 years of age will overestimate the amount of tips he received and pay income tax and social security tax on those tips so that he will receive a little more income when he becomes 65 years of age?

Mr. LONG of Louisiana. I honestly believe he would do that in his own self-interest. Instead of thinking about people being totally honest—as many people are in this country, I am convinced that if a person is 30 years of age, he is going to report his tip income on the low side and pay social security and income tax on the low side; and when he gets to be around 60, and starts thinking of retirement pay and income taxes, inasmuch as he may drop the low 5 years, then he is going to pay on the high side and pay the high tax.

Mr. PASTORE. I have a little more confidence in the American taxpayer, the American citizen, and the American voter. I think this is one case where we can keep people honest, because they are willing, from the beginning, to declare what their tips are. We can tell what tips are, in a logical way. We are in the age of the computer. I recently met a man who was a seatmate on my plane. He was the manager of a hotel. He told me he could tell me what the take would be in a certain dining room in that hotel 5 years later. From the fact that a barber may earn $70 or $80 a week, or even $100 a week, we should be able to tell pretty much what his tips will amount to. We know that from the practice that has developed over many years.

The idea that people are going to engage in a system of cheating by reporting a low income when they are at a certain young age, and when they get older then overestimate the income, does not seem logical to me. If we are going to be consistent, let us be consistent. If we are going to be fair, let us be completely fair. If it is income, the employer should pay the other half.

Mr. LONG of Louisiana. So far as this Senator is concerned, it is all very simple. If the employer did not pay it and did not receive it, he might have some knowledge of it and he might not, but he should not be required to certify to it when he knows it may be incorrect.

It makes much better sense that the employee have the responsibility, as he does under the law, to report the income and pay on it. When he pays the income tax on that income, he can also pay the social security tax which self-employed persons pay.

Whether we have the House language or the Senate language, in my judgment neither one will be a final answer to this problem.

The matter of taxing tips is one of the most troublesome problems in the whole tax law. The Treasury Department has been trying to arrive at some formula to determine how much people receive in tip income so the Department can collect taxes on that income. The Department is making headway, but it is one area that will have to be explored further. The committee was of the opinion that this proposal is the best answer we can provide under existing circumstances.

In my judgment, it is manifestly unfair to require the owner of a little restaurant or a cafe, or a shoeshine parlor, or a barbershop to run around trying to ascertain what somebody else received in tips, and to presume under that law that an employee received a certain amount of tips. To so declare would be an outright fraud, when an employer did not pay it and had no knowledge of it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Was the committee unanimous on this matter?

Mr. LONG of Louisiana. I shall seek to provide that information for the Senator.

Mr. PASTORE. I do not want to make an issue of it——

Mr. LONG of Louisiana. There were some members who voted for the House position, but the large majority was for the position adopted by the committee.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JAVITS. I shall yield to the Senator from Massachusetts in an instant, but first I wished to completed this argument by pointing out that 19 States either include in the operative minimum wage law an allowance for tips or apply lower minimum wage authority for tipping employment, showing very clearly that at least 19 of the 50 States follow exactly what the Senator from Rhode Island and I have been arguing. However, I shall pursue this argument a little later.

I now yield, for the purpose of having the Senator from Massachusetts offer an amendment, and I ask unanimous consent that I not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, I offer amendments, which are at the desk.

The PRESIDING OFFICER. The clerk will state the amendments.

The legislative clerk proceeded to read the amendments.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with, and that they be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. SALTONSTALL are as follows:

On page 13, lines 9 and 10, strike out "post-hospital".

On page 14, lines 2 and 3, strike out "or post-hospital home health services".

On page 17, lines 6 and 7, strike out "hospital and related post-hospital services" and insert "hospital, related post-hospital, and home health services".

On page 17, beginning wth "post-hospital" on line 20, strike out all through line 23, and insert in lieu thereof "home health services for up to 175 visits during any calendar year; and".

On page 19, beginning with "Payment" on line 16, strike out all before the period on line 23, and insert in lieu thereof "Payment under this part may be made for home health services furnished an individual only for the first 175 visits during any calendar year".

On page 20, line 5, strike out "post-hospital".

On page 25, lines 23 and 24, strike out "post-hospital".

On page 26, beginning with "therapy" on line 5, strike out all before the semicolon on line 10, and insert in lieu thereof "therapy".

On page 80, line 4, strike out "subsections (1) and (n)" and insert "subsection (1)".

On page 81, line 16, strike out "subsections (1) and (n)" and insert "subsection (1)".

Beginning on page 94, line 15, strike out all through page 95, line 2.

On page 147, line 9, strike out "post-hospital".

Mr. SALTONSTALL. Mr. President, I am offering amendments, which I have discussed with the acting chairman of the Finance Committee. I understand, from what he has said, that he is willing to take it to conference.

The amendment eliminates the 3 days required to be in a hospital before a person can get home nursing care. This would not be in a nursing home, but would permit payments to be made for visiting nurse and related health services when furnished in accordance with a plan established and periodically reviewed by a physician.

The proposed payments would be made only for a patient who is under the care of a physician and confined to his own home—except when he is taken elsewhere to receive services which cannot readily be supplied at home. Since the nature and extent of the care a patient would receive would be planned by a physician, medical supervision of the home health services furnished by paramedical personnel—such as nurses or physical therapists—would be assured.

Up to 175 visits by home health personnel would be paid for during a spell of illness, and any subsequent period before a new spell of illness begins. A visit would be defined in regulations.

The purpose of the amendment is simply to eliminate the requirement of being 3 days in the hospital before he may be subject to the benefits of this act.

Mr. LONG of Louisiana. Mr. President, the Senator's proposal would save money and provide for a better program insofar as a person does not really require hospital care, but only home care. It is perhaps desirable—and the Department estimates that it will save money under the program—to make sure that people are receiving money for home care who are not properly entitled to hospitalization and who are not sick enough to require that they be provided hospital care under the measure.

The idea of requiring a person to be in a hospital for 3 days is to make sure that the person is sufficiently ill as to be entitled to care under the program. On the other hand, it does not make sense to keep him in the hospital once it is determined that he is eligible for nursing home care and treatment.

The matter should be studied. The amendment will be in conference between the House and the Senate.

I imagine in this area we can work out an agreement to accept the amendment or that portion of it which seems to make the best sense.

Inasmuch as the matter will properly be in conference, I am willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from Massachusetts.

The amendments were agreed to.

Mr. JAVITS. Mr. President, I now ask unanimous consent that I may yield to the Senator from Ohio [Mr. LAUSCHE] without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I send to the desk an amendment, and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. LAUSCHE. This amendment contemplates making mandatory upon the social security officials the responsibility of releasing the last known address of a father who has fled from his responsibility to provide for his children.

Under the law, such information cannot be given. A system has now been adopted in which, occasionally, the last known address is provided; but the record shows that 6 to 9 months elapse between the time a request is made and the time the last known address is provided to the courts or welfare agencies.

My amendment reads in substance:

> Upon the request of a welfare agency of a State or a political subdivision thereof, or of a court of competent jurisdiction, the Secretary of Health, Education, and Welfare shall disclose promptly the most recent address contained in the files of the Department of the husband and father who has fled his legal responsibility to take care of his children.

Mr. President, I believe this to be a good amendment. The Government is paying the cost of maintaining the children. The father, whose responsibility it is, has fled and keeps himself in concealment.

From two standpoints the amendment should be adopted—first, to relieve the Government of the unfair burden imposed upon it through an irresponsible father running away from his responsibilities, and, second, to make the father understand that the Government is concerned that his obligations to his wife and children shall be performed.

I hope that the Senator in charge of the bill will consider the amendment. I believe that the amendment is sound. Courts need it. Welfare agencies need it. As I have already stated, the law does not now make mandatory the release of this information.

Mr. RIBICOFF. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. RIBICOFF. I would hope that the Senator in charge of the bill would consider accepting the amendment offered by the Senator from Ohio, because I believe that the Senator from Ohio has placed his finger on the hole in the law which should be filled. There is no question that many fathers desert their families, their wives and children, and go to parts unknown. Consequently, the welfare burden continues to rise and rise because it is impossible to locate the father and require him to make his contribution for the support of his children.

I believe that the Senator from Ohio has offered a most pertinent and worthy amendment to the welfare employees who seek to locate a missing father. The only way they can find a missing father is through his social security number and the social security system. If the welfare authorities make the application, as I understand, to a court of competent jurisdiction, it would make it mandatory for the Secretary of Health, Education, and Welfare to furnish the information to the proper State authorities.

I believe that the amendment is most worthy of adoption, and I hope that the Senator in charge of the bill will consider accepting the amendment offered by the Senator from Ohio.

The PRESIDING OFFICER. Does the Senator from Ohio intend to offer his amendment at this time?

Mr. LAUSCHE. Mr. President, I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment submitted by Mr. LAUSCHE is as follows:

> On page 266, between lines 22 and 23, insert the following:
>
> "DISCLOSURE, UNDER CERTAIN CIRCUMSTANCES TO COURTS AND INTERESTED WELFARE AGENCIES OF WHEREABOUTS OF INDIVIDUALS
>
> "SEC. 328. Section 1106 of the Social Security Act is amended by adding at the end thereof the following new subsection:
>
> "'(c) Upon the request of the welfare agency of a State or a political subdivision thereof, or of a court of competent jurisdiction, the Secretary of Health, Education, and Welfare shall disclose promptly the most recent address contained in the files of the Department of Health, Education, and Welfare for any individual who is certified by such agency or court as failing, without lawful excuse, to provide for the support and maintenance (1) of his wife in destitute or necessitous circumstances, or (2) of his or her minor child or children under the age of 16 in destitute or necessitous circumstances. Such disclosure shall be made only if the request is made by the agency or court on behalf of such wife or such child or children; and the address so obtained shall be used by the agency or court only on their behalf. The provisions of subsection (a) with respect to penalties for unauthorized disclosure, and the provisions of subsection (b) with respect to payments for the cost of obtaining information, shall (under such regulations as the Secretary of Health, Education, and Welfare shall prescribe) apply to the disclosure of any address under this subsection.'"

Mr. LAUSCHE. Mr. President, I have here a statistical report prepared by the U.S. Department of Health, Education, and Welfare, showing the number of families from whom the fathers have fled their responsibility of caring for the children. The number for the year 1961 was 164,698. This figure does not include families which nevertheless were able to take care of themselves without Federal aid.

The statistical record further shows that the cost to the U.S. Government in caring for the abandoned children is $18,747,242 a month, as shown in the payments made in December of 1961.

These records pertain to December of 1961, and are the latest records on the subject.

Mr. LONG of Louisiana. Mr. President, the Department has sought to insist upon the confidential nature of social security records. I have been informed by the Department of their position on this matter.

There is merit in the argument of the Senator from Ohio; and, with the understanding that we would seek to work out the best arrangement we could to meet the problem the Senator has discussed in his amendment, and also to meet departmental objections, and in view of the fact that the committee did not consider the amendment, I am willing to take the amendment to conference.

Mr. HARRIS. Mr. President, I would like the RECORD to show that I support the amendment of the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. The Senator from New York proposes the following amendment:

> (c) The Secretary shall make a study of methods and procedures that could be employed in providing payment under part B of this title for prescription drugs, including methods of assuring the high quality of drugs for which payment is made, methods of avoiding unnecessary utilization of drugs and methods of controlling costs. The Secretary shall transmit to the Congress, on or before June 30, 1966, a report of such study, including his recommendations as to the best approach to covering drug costs under part B and the feasibility of adopting this approach.

Mr. JAVITS. Mr. President, my amendment, which I have already submitted to the Senator in charge of the bill, represents a modification of an amendment which I had printed, No. 299, which sought to bring prescription drugs under the coverage of the supplementary voluntary section of the medicare part of the bill, on the theory that they represent 25 percent of the medical costs of older people.

I believe this to be a deserving and important change, which would result in increasing the cost of the voluntary package by 75 cents a month each for the Government and the individual covered.

I was impressed with the strong view of the Department of Health, Education, and Welfare that this question had to be researched rather carefully, even to write the correct definition. For example, the Department made the point that common use drugs, could they be made available by prescription for older persons, might conceivably be abused as a privilege. Very few persons would do this, but it is possible. It is possible to make them available to a whole family by purchasing an excessive amount of such drugs, as the whole supplementary aspect of the bill will not take effect until January 1, 1967.

I was persuaded that we should perhaps proceed in a more orderly way by having the Department study the question carefully, including questions which involve "name" drugs, which are often much more expensive than the same drugs without a trade name.

As to the question of how prescription drugs could best be handled, I agree that the Congress should get the report of the Department in order to act on it in an intelligent way, and I am persuaded that this approach has the sympathy of the Senator from Louisiana and, given practicality, it is the kind of improvement which he would like to see made.

For those reasons, I agreed with the Department and the Senator in charge of the bill to begin in a somewhat lower gear by calling for a study and giving an exact date of the report; namely, 6 months before the bill would take effect, in the expectation that, based upon that report, we could legislate much more authoritatively and much more wisely.

Mr. SALTONSTALL. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. SALTONSTALL. I heartily approve the Senator's recommendation. As the Senator knows, in the original medicare bill—which he filed, and I joined him and took it over at a later date as my bill—was the same question of drugs which he now brings up.

What he is doing and saying is that it is wiser to study what the effect is and what the cost is. I am glad that he is doing it that way. I certainly wish to join him.

Mr. JAVITS. I thank the Senator. I should be glad to join the Senator as a cosponsor of the amendment, if he wishes.

Mr. SALTONSTALL. Yes; I am happy to be a cosponsor.

Mr. JAVITS. I ask unanimous consent that the Senator from Massachusetts [Mr. SALTONSTALL] may be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, there is quite an interesting precedent for this action. I believe I mentioned it to the Senator from Louisiana. I started a similar campaign to extend the minimum wage to restaurant and hotel workers, and did it with the same technique. We called for a report.

The report was rendered. The provision is now included in the bill before us.

I believe that based upon that experience this is the solid way to proceed. I hope very much that the Senator from Louisiana will agree to accept the amendment.

Mr. LONG of Louisiana. I am happy that the Senator from New York has offered the amendment in this form. He raised this question yesterday. I pointed out to him at that time that this is a subject which requires a great deal of study. Neither our Government nor other governments have been able to reach a satisfactory answer to the question involved. We have had reports on studies made in other countries, and they have had great difficulty in administering this phase of the program. There is too little experience to start off on a new program with drugs prescribed to patients outside of institutions. The recordkeeping and papershuffling is of major proportions when you are reimbursing patients for drug expenditures and the chances for abuse are much more common than as to other medical benefits.

The experience of other countries indicates that "drugs" is an area which should be thoroughly studied before undertaken. Utilization rates and prices are particularly difficult to estimate. Physicians are likely to prescribe high priced drugs when they know a third party and not the patients will bear the expense.

New Zealand Government health scheme between the years 1943 and 1960, showed that the number of prescriptions per capita rose from 2.1 to 5.9 per annum—and the average price of each prescription more than doubled. In other words, they were paying 6 times as much, after 17 years of experience, than they had paid at the time the program was initiated. These increases occurred when much more stringent limits were being placed on the benefit.

In Australia utilization rates have increased from 1.09 in 1953 to 2.40 in 1960, while the average price prescription has increased by 36.7 percent for the 7-year period.

Under the National Health Service in Britain between 1949 and 1957 the average price approximately doubled and a deductible was imposed on first the prescription and then each item in the prescription. The imposition of this charge has been one of the hottest political battles in England.

In Norway, early experience with the provision of drug benefits resulted in costs which made it impossible to underwrite the provision of all drugs. Consequently, at the present time the sickness funds pay only for a limited number of drugs required for long-term illnesses.

In the United States, State public assistance plans have wrestled with the problem of drugs. California is, perhaps, typical. Originally, the California medical care programs paid for substantially all drugs.

This resulted in such large drug costs that an advisory committee was soon established to develop a formulary of drugs which would be "lifesaving, whose withdrawal would do irreparable damage and, to a limited degree, for the relief of pain." On April 1, 1959, the formulary became effective for two of the three California medical care programs: old-age security and aid to the blind. The effect of the formulary was to reduce, almost immediately, drug expenditures under the two programs to a point where surpluses began to accrue. The formulary was extended somewhat beginning July 1, 1960. These are some of the problems we run into in this field.

Therefore, I am happy that the Senator from New York makes it possible to study the subject. I will cooperate with him, so far as I am able to do so, to see that the subject is thoroughly studied. Drugs are a serious part of the expenses involved in the program, particularly with respect to patients who are not in a hospital but are out of a hospital, and those are areas where great abuse can take place if the program is not properly administered. If it is properly administered, great benefits can come from it.

Mr. JAVITS. In view of the fact that we are being rather modest in trying to do this in a substantial way, will the Senator from Louisiana extend his best efforts to see that the provision stays in the bill, and that it is not excised?

Mr. LONG of Louisiana. I shall be glad to do whatever I can. The Senator knows that the House conferees are outstanding Members of Congress, and their feelings must be considered too; but I shall use my best efforts to see that the study is made.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. WILLIAMS of Delaware. I believe that the amendment of the Senator from New York embraces a constructive suggestion. I may not be one of the conferees, but if I am, I assure the Senator that I shall do my best to keep the amendment in the bill, because I believe it is a worthwhile amendment.

Mr. JAVITS. I thank the Senator from Delaware.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. I believe that there has been a great deal of misinformation and misunderstanding about what is covered by the bill, particularly with respect to drugs. It would be well if the Senator from Louisiana, the Senator in charge of the bill, would describe the place of drugs in the bill.

Mr. JAVITS. The Senator from Louisiana is absent from the floor temporarily. What I tried to do with my original amendment was to apply the same provision with respect to the administering of drugs to a patient in a hospital to the supplementary voluntary coverage with respect to a patient who is not in a hospital. The drugs which are given free to a patient in a hospital are defined under the first part of the bill. Those same drugs are not made available to a patient who is not in a hospital, and who is under the supplementary voluntary coverage. I have tried to include those drugs that are given outside a hospital.

When that proposal ran into the argument that it would be abused, I decided that the best way to go about it would be to have an authoritative study made of the problem, in the hope that if it resulted in a feasible plan, it could be incorporated before the supplementary program went into operation, so that 6 months before the supplementary plan took effect it could be made a part of it. We thought this was a most constructive procedure, in that it answers what is in the bill and what we are trying to do.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. JAVITS].

The amendment was agreed to.

Mr. RIBICOFF. Mr. President, I rise in support of H.R. 6675, the Social Security Amendments of 1965.

For me this occasion marks the end of a long journey that began when President Kennedy asked me to serve in his Cabinet as Secretary of Health, Education, and Welfare. From that day—and even before—the national goal of enactment of legislation to provide social security-financed health care for our older citizens has been my personal goal. In 1961, as Secretary of HEW, I said:

> The high costs of medical care for the aged are going to be paid for in this country. The issue is not whether to pay for these costs. The only issue is how to pay for them.

That remains my conviction today. And today, with the passage of this bill, we are about to settle this issue.

BASIC PRINCIPLES OF SOCIAL SECURITY REAFFIRMED IN H.R. 6675

Mr. President, it is fitting that we should act on this historic legislation on the eve of the 30th anniversary of the signing of the original social security law. The enactment of that legislation one generation ago established the Nation's basic program of protection against poverty and dependency in old age. Reliance on public and private charity is only a fraction of what it would have been in the absence of social security.

In 1950 we reaffirmed the basic decision of 1935. The Social Security Amendments of 1950 reaffirmed the basic principle that a contributory system of social insurance in which workers share directly in meeting the cost of the protection afforded is the most satisfactory way of preventing dependency among older people and other economically disadvantaged groups.

I submit that once again we need to reaffirm this basic principle. In 1950 the situation was one in which more older people were on public assistance rolls than were eligible for benefits under social security. The drain on public revenues—Federal, State, and local—was large and growing larger every day. Faced with the choice of improving the social security program or expanding the role for assistance, the Congress decided that the social security system should be extended, brought up to date, and made more effective as a means of preventing dependency.

The situation we face today is similar to that faced in 1950. At that time, large numbers of older people had to go on the assistance rolls to meet everyday living costs for food, clothing, and shelter. We now find that a large and growing proportion of people must turn to public assistance because they are not able to meet their health costs. Today 40 percent of the money being spent for public assistance to older people is spent for medical care. Our enactment of a social insurance program providing protection against the major and unbudgetable costs of serious illness is needed to prevent increasing numbers of our elderly citizens from having to turn to public assistance to get the medical care they need.

To avoid high costs to the general taxpayer at local, State, and Federal levels and to protect the dignity and independence of older people, we must once again place our main emphasis on social insurance to prevent indigency.

NEED FOR HEALTH INSURANCE PROTECTION

There is no question but that there is a basic need to help our senior citizens meet the heavy burdens of medical care. More than 10 percent of the population of this country—more than 18 million people—are today 65 years of age or older. That group is increasing by 1,000 persons every day. By 1980 they will number nearly 25 million. But we know far more about these older citizens than just their number.

We know they are not wealthy. Fourteen million of them have incomes so low that they pay no Federal income taxes.

We know they need medical care. Nine out of ten will go to the hospital at least once after reaching 65. Two-thirds of them will have to go to the hospital more than once. Half the married couples must expect that, between husband and wife, they will have to pay the cost of four stays in the hospital after age 65.

We know that they require more extensive medical care than younger people. Their hospital stays will be longer; the period of recovery more prolonged; the need for extended posthospital care will be greater.

In sum, we know that our older citizens need a great deal more medical care than the general population, but that they are far less able to pay for it. Through our genius in the medical sciences we have discovered how to prolong life—but in the social sciences we have not yet moved to enable the older citizen to enjoy those twilight years without the crushing burden of high medical costs.

We all know of cases where the years of security and independence that an aged person had hoped for and planned for were turned into insecurity—and finally dependency on their sons and daughters or on the public. We also know of cases where the inability to pay large medical bills has deterred the older person from seeking needed medical treatment to the detriment of his health.

HEALTH BENEFIT PROVISIONS OF H.R. 6675

The program proposed by the bill is built around the idea of bringing into play the several resources that can contribute the most, each in its own way, to combating the insecurity that stems from illness in old age. The present social insurance program provides a system toward which almost everyone makes contributions during the working years, so that reliance on social insurance will assure that practically everybody has basic hospital insurance in old age.

Those relatively few people for whom the social security system was enacted too late—those already in advanced years and not eligible for social security benefits—would be afforded the same protection, but it would be paid for out of general revenues.

The proposed hospital insurance constitutes the most needed and the most basic protection, comprising benefits to pay hospital costs and the cost of certain organized services that are provided, following hospitalization, in extended care facilities and at home. Just as social security cash benefits provide only basic protection and thereby serve as a base on which the individual is encouraged to build additional retirement income through savings plans, annuities, and other programs, both public and private, this hospital insurance protection would serve as a base on which the aged could build supplementary health insurance.

Under the bill, a voluntary supplementary medical insurance program covering physicians' services and other health costs would be provided through another new element of the Federal social insurance system, a plan of voluntary insurance that would be underwritten by the Federal Government and would be open to virtually all older Americans who choose to enroll. This supplementary plan would be financed, in equal shares, by enrollees and by their Government.

This is, for the most part, a well-balanced bill, which makes use of these two separate, but coordinated, programs of health care insurance, and provides increases in cash social security benefits as well. It deals with the several threats to the independence and security of the aged, each in a way most appropriate from the standpoint of benefits, of financing, and utilization of our health resources.

The basic protection is provided in part A of the new title XVIII which H.R. 6675 would add to the Social Security Act. This basic plan will provide protection against the costs of hospital and related care. It will offer protection against the single largest source of expense in illness among the aged.

This is the approach to protecting our aged citizens against the high cost of illness which I have consistently advocated.

This plan of basic protection against the costs of hospital and related care will be financed through a payroll tax, levied equally on employers and employees. The taxes collected will be earmarked, and paid into a separate trust fund established in the Treasury. There is thus no basis for any argument that this program can in any way endanger the actuarial balance of the old age and survivors insurance trust fund.

Benefits under the basic plan will be available to all persons who are 65 or over and who are now or who will be eligible to receive social security or railroad retirement monthly benefits. Coverage will also be extended, financed out of general revenues, for almost all other people who are now 65 or who will reach age 65 before 1968.

Beginning July 1, 1966, benefits covering inpatient hospital services, diagnostic and certain specialty services, and posthospital home health services will be available under the basic plan; posthospital extended care—in skilled nursing homes and other facilities—will be available after January 1, 1967.

Payment would be made under the basic plan for inpatient hospital services for up to 120 days in each spell of illness, subject to an initial deductible amount of $40 to be paid by the patient, and a contributory rate of $10 a day for each day beyond the 60th day. All services normally furnished by the hospital to its inpatients would be covered.

Outpatient hospital diagnostic services would be paid for under the plan, subject to a deductible amount of $20 for diagnostic services furnished by the hospital in a 20-day period. The amount paid for outpatient diagnostic services would be credited against the $50 deductible amount for physicians' and other services under the voluntary supplementary plan.

Two kinds of post-hospital care would be paid for under the basic plan. First, payment would be made for nursing home care after an inpatient hospital stay of at least 3 days. Coverage is provided for between 20 and 100 days of post-hospital nursing home care, with the patient contributing $5 a day after the 20th day. Second, the basic plan would provide payment for post-hospital home health services for up to 175 visits, after an inpatient hospital stay of at least 3 days, or upon discharge from an extended care facility. Home health services would have to be furnished under a plan established by a physician within 2 weeks after discharge from the hospital or extended care facility. Covered home health services would include intermittent nursing care, therapy, and the part-time services of a home health aid.

CATASTROPHIC ILLNESS AMENDMENT

If the bill is lacking in any particular it is that it does not provide full benefits for aged people requiring extremely long periods of care in a hospital or extended care facility or the long continued services of a home health agency. Despite the extension of inpatient hospital coverage to 120 days—60 days more than proposed by the other body—and the extension of limits on benefits for extended care and home health visits, the older person suffering an illness that necessitates even further care will see his life savings disappear if his benefits run out.

As the senior Senator from Indiana and I stated in our supplemental views to the Finance Committee's report on H.R. 6675:

> Having included in the House-passed bill additional coverage at a first-year cost of $140 million, we should not lose this opportunity to do the whole job—to cover the most tragic cases—those cases of catastrophic illness which few individuals are equipped to handle alone. We can accomplish this for an additional $110 million first-year cost, giving us the truly comprehensive health insurance protection our older citizens need and deserve.

Mr. President, I will introduce an amendment to H.R. 6675 to assure all older people that they need not fear the crushing economic burden of catastrophic illness—the truly tragic long-term costs of sickness in old age.

As reported the Senate bill takes a step in this direction by adding to the House bill an additional 60 days of inpatient hospital care for which the patient pays $10 a day over and above the initial $40 deductible. Also, the Senate bill provides additional nursing home care with a $5 a day coinsurance feature and 75 additional home health visits. These improvements in the bill over the House version were proposed by the Senator from Indiana [Mr. HARTKE] and adopted by the full Committee on Finance.

The estimated first-year cost of the Hartke amendment is $140 million over and above the House bill.

My amendment takes the Hartke amendment one further step and establishes a program of complete insurance protection for the aged against truly catastrophic illness. It does so by removing the limitation in the present bill on the number of days of coverage for inpatient hospital services and posthospital extended health services and eliminating the coinsurance features on such care. In other words, it says to an individual that if an illness extends beyond 60 days or 120 days or any period beyond that, he is protected against the high costs of such long-term, catastrophic illness.

I am pleased to say that the Senator from Indiana [Mr. HARTKE], who authored the benefit extension now in the bill, joins me as a cosponsor of this amendment, along with the Senator from Rhode Island [Mr. PELL] and the Senator from Rhode Island [Mr. PASTORE].

Mr. President, I submit and send to the desk for printing the amendment.

The amendment was received, ordered to be printed, and to lie on the table.

Mr. RIBICOFF. Mr. President, this is a simple amendment directed at a basic weakness in the basic health insurance provisions of the bill. The amendment carries an additional first-year cost of $180 million. Initially we calculated that the additional cost would be in the range of $110 million based on a memo which was furnished to the Committee on Finance on June 17 by the Department of Health, Education, and Welfare. I asked the HEW experts to recalculate the first-year cost of the amendment to be absolutely certain of its effect on the bill. They now inform me that this amendment will add $180 million to the first-year cost of the reported bill. Under the amendment, the additional cost will be financed out of general revenues.

ADMINISTRATION OF PROGRAM

The Secretary of Health, Education, and Welfare will be responsibe for the administration of both the basic and the supplementary plans. The Secretary will use State agencies and private organizations to perform major administrative functions in carrying out these responsibilities. Conditions for participation will be applied to the institutions by the State agencies.

Bills will be paid to those providing services under the basic plan on the basis of the reasonable cost of caring for the beneficiaries. Hospitals and other institutions may elect to be represented by a private organization, and to deal through it. The bill would also authorize the Secretary to delegate to such an organization the functions of making payments from the hospital insurance program. If any group or association of institutions receiving assistance wishes to have payment made through a third party, the Secretary is authorized to enter into an agreement with the third party to act as a fiscal agent for the purpose of determining the amount of payments to be made to the providers of services.

IMPROVEMENTS OVER PREVIOUS PROPOSALS—SUPPLEMENTARY BENEFITS

Mr. President, we have considered, reflected upon, and debated the subject of hospital insurance for the aged under social security for 20 years.

When the administration's proposal was laid before the Congress at the beginning of the session, there were those who contended that it was defective; they said it offered only partial protection because it failed to cover the costs of physicians' and surgical services, and the cost of other services likely to be associated with serious illness in old age.

Out of that disagreement came a stronger, a better bill. As it stands before us today it offers not only the basic plan of coverage for hospital and extended care benefits, it also offers a voluntary supplementary plan of protection against most of the major costs of serious illness not covered by the basic plan.

By paying a monthly premium of $3, which will be matched by the Federal Government out of general revenues, an individual will be insured against a wide range of health care costs. The voluntary, supplementary plan will provide coverage, subject to a deductible amount of $50, for 80 percent of the costs of physicians' services, home health services, prosthetic devices, and other health services furnished both in and out of medical institutions. Federal financial assistance would thus be made available to cover the costs of physicians' and surgical services, wherever they are furnished—in the hospital, the clinic, the doctor's office, or in the patient's home; the costs of home health services—but without regard to a prior period of hospitalization, as required under the basic plan; the costs of X-ray, radium, and isotope therapy; the costs of dressings, splints, braces, and other prosthetic devices; and the costs of laboratory and diagnostic services. This coverage, provided under part B of the new title VIII, will be available to all individuals who are over 65 and residents of the United States.

The $3 monthly premium will not place an added burden on our older people, because other portions of H.R. 6675 provide for a 7-percent across-the-board increase in cash social security benefits. The 7-percent increase will amount to a larger monthly payment of at least $4 for an individual, or $6 for a man and wife over 65, and the beneficiaries can elect to have the premiums for the voluntary, supplementary coverage deducted from their monthly cash benefit payments.

States will be permitted to elect to have some or all of the aged who receive cash payments under their public assistance programs covered by the supplementary plan, and the State would then pay the premiums in behalf of the individuals.

Enrollment and reenrollment in the supplementary plan will be limited to specific periods of time, and the bill provides for increased premiums in the case of those who drop out of the program and reenroll, or who enroll late. These limitations are necessary to safeguard against the possibility of people enrolling in the program only when their health has deteriorated to the point where the prospect of payment is no longer an insurable risk, but a virtual certainty. For the insurance program to be soundly based, it must cover essentially all members of the group in periods of good health, as well as in illness.

The supplementary plan provides a comprehensive package of benefits, buttressed at the appropriate places by safeguards against overutilization.

A separate trust fund will be established for the supplementary plan so that the old age and survivors' insurance trust fund can in no way be endangered by the existence of health care insurance.

ADMINISTRATION OF THE SUPPLEMENTARY PLAN

With the supplementary plan, just as with the basic plan, the overall responsibility for administration of the program will rest with the Secretary of Health, Education, and Welfare. But the detailed administration and supervision of the supplementary plan, will be performed by intermediaries. The bill provides that, to the extent possible, the Secretary shall enter into contracts with carriers to perform the major administrative functions relating to the medical aspects of the program. Thus, it would be the carrier's responsibility under the contract to see that payments of Federal financial assistance were made to institutional providers of services on a cost basis, and that the charges for services rendered by physicians are reasonable. It would be the carrier, pursuant to the contract, that would audit records and determine compliance with utilization review requirements. The Secretary's job, essentially, would be to see that the carriers do their job.

ROLE OF THE PHYSICIAN UNDER MEDICARE

The physician is the key figure in these health care plans. He is the one who will determine in the first instance whether a patient should be admitted to a hospital; he will determine what drugs, what tests are necessary; he will determine how long the patient should remain in the hospital, whether the patient should be transferred to an extended care facility, and whether home health services are necessary to rehabilitation or recovery. The physicians will be the key figure in utilization review. There will be no change in the form or organization of medical practice as a result of this bill.

Doctors will not change; hospitals will not change; the patient's free choice of doctor and hospital will not be altered. The Government will not tell physicians how to practice their profession. The Government will not provide any services to patients under the health care plans.

Under the supplementary plan, which, as I have said, will be administered by the private sector—by private carriers—physicians will have the same responsibility and authority for treating their patients as they do today when they treat patients who participate in privately financed insurance plans. Under the basic plan, the physician will have basically the same experience that he has when the patient's hospital bills are paid through Blue Cross.

For most general hospitals, the only thing new that the law will require—since most hospitals will already have rejected racial discrimination—will be that they have a utilization review plan. Apart from that condition, the law will adopt professionally established standards generally recognized as necessary by the professional health associations, as necessary to insuring safe and adequate care in the facilities which will receive Federal financial assistance under this legislation.

STANDARDS OF HEALTH CARE

Far from attempting to dictate conditions to the health professionals, the implementation of this law will support their most responsible, forward-looking efforts to raise the standards of health care. The legislation provides that hospitals accredited by the Joint Commission on Accreditation of Hospitals will be conclusively presumed to meet all the conditions necessary for participation, except utilization review. The joint commission is a voluntary association composed of representatives of the American Medical Association, the American Hospital Association, the American College of Physicians, and the American College of Surgeons. At the present time, hospitals having 594,000 of the 698,000 general hospital beds are accredited by the Joint Commission.

If the Joint Commission should adopt a utilization review requirement, then its accreditation of a hospital could be made conclusive on that matter also. Both the American Medical Association and the American Hospital Association have recommended that hospitals initiate utilization review plans. The AMA statement on utilization review said that:

> The judicious use of hospital facilities by the public and physicians is essential to the efficient and economic functioning of the prepayment and voluntary health insurance systems.

That statement applies equally no matter what the source of payment is—whether the patient's bills are paid out of a privately financed insurance fund, or out of a contributory social insurance fund, as they will be under this legislation. I think it is fair to say, then, that to the extent that the requirement of utilization review is something new to some institutions, it is a step forward, and one desired by the health professionals themselves.

IMPROVED NURSING HOME CARE

The conditions set out in the legislation for the participation of extended care facilities are necessary to assure that covered services will provide high quality convalescent and rehabilitative care to patients once the acute stage of their illness has passed. These conditions are also intended to carry out the intent of this legislation to provide essentially medical, rather than custodial care in these facilities. Thus, the bill requires that the extended care facility have an agreement with a hospital for the orderly transfer of patients; that its policies be determined by a physician, registered nurse or medical staff; that it maintain clinical records on all patients; and that it maintain around-the-clock nursing service, and require that each patient be under the care of a physician.

The conditions for participation will be applied by State agencies, not by the Federal Government.

Each State, under an agreement with the Secretary of Health, Education, and Welfare, will determine whether the hospitals, extended care facilities, and home health agencies within its jurisdiction meet the conditions for participation in the program of Federal financial assistance. The bill also authorizes the Secretary to enlist the aid of the State agencies to assist institutions in establishing and maintaining the necessary records and utilization review procedures for participation in the program.

Beyond these conditions, necessary to assure safety and high quality of care, and to avoid improper or excessive utilization of facilities, hospitals and other institutions have only to enter into an agreement not to charge patients for services paid for under the hospital insurance program, and to abide by title VI, of the Civil Rights Act. That agreement could be terminated by the hospital on relatively brief notice at any time; and the hospital is protected by right of hearing and judicial review against arbitrary termination of the agreement by the government.

Hospitals will be receiving payments through third parties of their own choosing; the supplementary plan will be administered by private insurance carriers; conditions for hospital participation will be determined by State agencies. Doctors will continue to treat their patients as they always have; patients will continue to choose their doctors.

STATE MEDICAL ASSISTANCE PROGRAMS

Mr. President, the health care programs I have been discussing, together with the strong, underlying foundation of the basic social security program offer the means of allowing people to plan and provide for secure retirement. These programs are the means of preventing impoverishment by maintaining a source of usable income in those later years.

Unfortunately, in our society as in every society, there will always be among our population those who must to some degree depend upon the other members of society to provide them some measure of support. Some are blind, or disabled. There are others who are indigent, but who can be made self-sufficient. Some are too old to work; others are helpless children.

With humanity, out of conscience, in compassion, we provide for those who cannot provide for themselves.

With great good sense, in recognition of mutual advantage, we seek to rehabilitate and to make self-sufficient those who can be made able to provide for themselves.

We do this through our public assistance programs.

The Federal Government has helped the States meet their welfare responsibilities in these programs since 1935.

In 1950, the Social Security Act was amended to authorize the States to make vendor payments to provide medical care to the needy aged, to the blind, to the disabled, and to dependent children. And, since the enactment of the Kerr-Mills law in 1960, 40 States have initiated programs to provide medical care to aged persons who are basically self-sufficient, but whose incomes are not adequate in the face of serious illness.

At the present time the authority for these medical assistance programs is provided in five separate titles of the Social Security Act. H.R. 6675 would combine these five medical assistance programs into a single program, with uniform standards, in a new title XIX of the act. The new, consolidated program will reach a total of about 8 million needy persons. It will involve additional Federal expenditures of about $200 million.

Whether a particular State wants to include the new medical assistance program in its public assistance programs would continue to be up to the State. But if it elected to provide medical assistance, the program would have to make medical assistance available on a reasonably equivalent basis to all needy persons receiving assistance under the dependent children, blind, and permanently and totally disabled programs.

This bill, H.R. 6675, sets new standards with regard to determinations of need—the use of means tests—by the States in their medical assistance programs. The bill would require that the means test for medical assistance be the same as that applied to applicants for cash benefits under other State public assistance programs; it would require that income disregarded in determining eligibility under other public assistance programs be disregarded in determining an individual's need for medical assistance. The bill would also require that only income and resources actually available to an applicant may be considered in determining need, and that contribution may be required only from spouses, or from parents for their minor or disabled children.

The bill would allow a State to require an individual to contribute toward the cost of his medical care, but only insofar as his income exceeded the level at which he would qualify for cash public assistance payments. It is the intention of this latter provision to avoid the absurdity of restoring an individual's health only at the expense of his self-sufficiency.

Finally, the bill would require States to apply means tests on a flexible basis, so as to take into account not only the individual's income, but also the cost and extent of the medical care he requires.

I think there is no question that these changes which H.R. 6675 will make in the way that means tests are applied by the States are sound. They strike a sensible balance.

It is reasonable to allow States to make determinations of need and eligibility for public assistance programs; but it is unreasonable to allow the standards of eligibility to be applied in such a way that they prevent assistance from reaching those who may need it most.

It is unreasonable to allow them to be applied in such a way that families are driven apart by fear or humiliation, or that human dignity is diminished, or self-sufficiency destroyed.

There have been other aspects of the State medical assistance programs, quite apart from the determination of eligibility, which have been less than satisfactory. Frequently, there has been much unevenness in the benefits provided in the various programs; frequently, the benefits provided, particularly to the aged, have not been sufficiently comprehensive to guarantee adequate care. To meet some of these objections, H.R. 6675 will establish minimum benefit requirements for the combined medical assistance program under title XIX, and, by making Federal funds available on a more liberal basis, it will encourage the States to enlarge and improve their programs.

Under new provisions, beginning July 1, 1967, those States which choose to operate under title XIX would have to include at least six services in their medical assistance programs: Physicians' services—wherever they are furnished; inpatient hospital services; outpatient hospital services; laboratory and X-ray services; dental services for children under 21; and skilled nursing home services. In addition to these minimum, required services, States may elect to include a wide range of other services, such as home health care, other dental care, prescription drugs, prosthetic devices and physical therapy.

Under other provisions, Federal matching funds will become available to the States on a more liberal basis. First, there will be no limit on the amount of State expenditures for medical assistance that will be matched by the Federal Government. Second, the range of Federal matching payments would be raised from the present 50 to 80 percent to a new level of 55 to 83 percent. Third, the bill provides 75 percent matching for State expenditures for training and compensation of skilled professional medical personnel and staff. Finally, there are provisions in the bill to insure that no State will receive less because of the new formula.

I think there is no question that the revisions made by H.R. 6675 will greatly strengthen the State medical assistance programs. We can expect more logical and accessible, more fair and more effective, medical assistance programs. The States are given ample incentives to upgrade and expand their programs. The quality of care will be higher and more uniform. And barriers to effective distribution of services, and unfair and unreasonable elements of administration will be removed.

These three great health care programs which are included in the first part of H.R. 6675—the basic social security-financed hospital plan; the voluntary supplementary medical care plan; and the improvements of the State medical assistance programs—are sufficient in themselves to be the subject of a bill which would deserve to be called a legislative monument.

And yet, they are only a part.

Only by recognizing that this is so can one truly appreciate the scope of this legislation, and the place that it will occupy among the laws enacted by this or any other Congress.

HEALTH CARE NEEDS OF THE YOUNG

This bill is a bill for the health of the aged; for the health of young children, and of children unborn. Some persons may say, in talking about the bill, that all we are dealing with is the problem of health care for the aged. However, in my opinion, the bill is the broadest-range bill in the entire field of social welfare ever to be conceived and passed by Congress. It is a bill for the sound development of those who have built our society, and a bill to assure the contributions of those who must tomorrow be her builders.

And let us not delude ourselves; let there be no mistake about it; our world is day by day, more and more, a world which will be moved and shaped by the young. It is our young people who will be called upon to give direction and leadership to our fast-changing society.

The children of today—the leaders of tomorrow—must be prepared for this challenge.

The second great part of this bill concerns itself with providing for the health care needs of the young. The costs of allowing these needs to go unattended are immeasurable. The costs are reflected in the needless loss of infant life when mothers and children do not have access to proper health care, in the wasteful loss of talent when handicapped children are not rehabilitated, and in appalling deterioration of our national strength when great numbers of our young men cannot qualify for military service.

H.R. 6675 would make three important changes in the existing child health programs, and would also begin a significant new program to prevent and identify child health problems, and to provide special care for emotionally disturbed children.

First, the bill would increase the authorizations for the maternal and child health programs under title V of the Social Security Act by $5 million in fiscal 1966, and $10 million in each of the succeeding fiscal years, thereby raising the annual ceiling to $60 million. The States contribute more than three times as much as the Federal Government to the support of these programs. In 1964 alone, the States spent $92 million, which was matched by a Federal contribution of $28 million. These funds support prenatal and well-child clinics, infant immunizations, and diagnosis and treatment of mental retardation. While the programs have in the past contributed importantly to the reduction of maternal and infant mortality, the job is getting bigger and costlier, and there are wide variations in the availability of these services both among the States and within States.

Second, the bill authorizes identical increases in the annual authorization ceiling for crippled children's services, and broadens the kinds of services which States can make available under their programs. In 1964 two-thirds of the $89 million spent on the crippled children's program came from the States. The program has been highly successful, but it needs to be enlarged.

Third, the bill authorized an important program to train professional personnel for the care of crippled and mentally retarded children. It authorizes $5 million in fiscal 1966, $10 million in fiscal 1967, and $17.5 million in 1968 and succeeding fiscal years for such training. The effects of the long-awaited and long-needed growth in programs for handicapped and mentally retarded are being felt in an increasing shortage of adequately trained personnel. As the States plan for and implement comprehensive mental retardation and other mental health programs, the need for trained personnel will continue to grow. It makes no sense to increase the availability of clinical facilities without providing for adequate professional staffing. It makes no sense to construct community and university centers if the lines at the doors are to grow longer every day.

If we are to progress in the direction charted by the maternal and child health and mental retardation planning amendments, and by the Community Mental Health Centers Construction Act, it is essential that we begin now to develop the needed human resources, because no aggregation of bricks and mortar, nor any sophisticated piece of machinery, can by itself rehabilitate a handicapped child. Trained people can. And this bill will make it possible to train those people.

Finally, the bill authorizes the beginning of a new 5-year program of special project grants to provide comprehensive health care and services for school-age and preschool children, and to give special care to emotionally disturbed children.

These projects will be carried out largely in areas with concentrations of low-income families. These poor children do not have access, in any genuine sense, to necessary health care and services. Children in families with incomes of less than $2,000 visit a doctor only half as frequently as those in families with incomes of more than $7,000. Children from families with incomes under $2,000 are hospitalized at the rate of 42.4 per 1,000; when family income is $7,000 or more, the hospitalization rate rises to 67.7 per 1,000. These figures cannot, of course, mean that poor children are healthier. The draft-rejection statistics prove exactly the opposite.

Rapid increase in the child population is steadily overcrowding the clinics which are now available to low-income families, and poor children are not getting adequate preventive health services. As a result, many go through life unnecessarily handicapped; many suffer unnecessary impairments which diminish their capacity to benefit from education.

This is waste. It is a waste of lives, a waste of talent, and an economic waste.

We can, and will, through the projects that will be financed under the new program set up by section 532, put an end to some of this waste. The projects will provide screening, diagnosis, preventive services, treatment, correction, and aftercare for poor children. And, in communities where there are school health programs, but where diagnostic and treatment services are inadequate, the program will make it possible to maximize community resources and to provide adequate followup to the school health program. They will also bring, for the first time, as a result of an amendment I proposed, hope to the families of thousands of emotionally disturbed children.

The Federal Government will provide up to 75 percent of the cost of these projects. The funds will be made available to the State health agency or to local agencies or teaching hospitals with the State agency's consent. Over the 5-year period, the legislation authorizes appropriations increasing from $15 million in fiscal 1966 to $55 million in fiscal 1970—a total of $200 million.

The bill also authorizes the National Institute of Mental Health to survey available resources for dealing with the problems of emotionally disturbed children.

I say to each of my colleagues that we will never vote for money better spent. I will go further. I say that money is not spent, but invested, and ultimately saved. Healthy, educated children will not become burdensome figures on the welfare rolls—they will be strong, straight, useful, contributing participants in America's future.

I think that not only in America but everywhere around the world, in every society, people give particular consideration, they exhibit a special compassion for children. That is based on more than some kind of universal emotional reaction. For every society is mirrored in its children. Their faces—the joy, or the sorrow—reflect much of the character of their society. Orderliness or dislocation, freedom or restriction—in short, the vitality and strength of a society is seen in its youth.

So if we are here paying particular consideration to the children of this country, it is proper. If we are especially concerned—and concerned about the children of the poor—that too is proper. The stability, the strength, every aspect of this country's future, depends upon our expressing that concern today and renewing it tomorrow, next year, and in the years to come. America can have no better defense, and indeed there is no more certain guarantee of future greatness, than healthy and educated young people generation after generation.

PUBLIC ASSISTANCE IMPROVEMENTS

A third part of H.R. 6675 makes important changes in the public assistance programs. One such change will result in about $150 million in additional Federal funds being paid out through the State public assistance grants. The matching formulas for the assistance programs are amended by the bill to provide increased Federal participation of about $2.50 a month per recipient in the programs of aid to the needy aged, blind, and disabled, and about $1.25 a month per recipient in the programs for needy children.

Another change which H.R. 6675 makes is the removal of the restriction on Federal participation in assistance programs where the recipients are in mental or tuberculosis hospitals. Years ago this limitation might have been reasonable. At one time, people institutionalized as psychotics or tuberculars were virtually given up as hopeless. Tremendous advances in medical techniques for the treatment of these conditions now make the outlook far more hopeful. The original limitation in the law was based on the assessment that these patients required long-term institutional care—which was a State responsibility.

BASIC SOCIAL SECURITY COVERAGE EXPANDED

Finally, Mr. President, in the fourth part of this monumental piece of legislation, we perfect and expand the basic social security coverage.

Most important, we increase social security benefits, across the board, by 7 percent.

This increase has been long overdue. It would have been enacted last year, if the conferees had been able to reach agreement on a medicare program. I think it is, therefore, wholly proper that the increase is made retroactive to January 1, 1965. This will mean an additional $1.2 billion in benefits paid during fiscal 1965. The 20 million people who are receiving social security benefits face rising living costs with a fixed income. For most of them, their social security benefits constitute their major source of support.

Certainly it is true that social security benefits are intended to furnish only a basic floor of income security to the aged. For many aged persons, these benefits are only a supplement to earnings from limited employment. Many of the aged continue to be productively employed long after their official "retirement." The social security program has from the very beginning been designed to encourage individuals whenever possible to regard the program as a supplemental, rather than a substituted source of income after retirement. Other provisions of this very bill enlarge that concept by substantially raising the amount of income that an individual may earn without a reduction in social security benefits.

But for the largest number of the aged, social security benefits are very near to being their only source of support.

Our goal is to maintain their security, their dignity, and their self-sufficiency. We cannot do that by consigning them to live at levels we condemn as unacceptable.

In addition to the 7-percent cash benefit increase, the legislation makes a number of other significant and desirable changes in the OASDI program.

It will make benefits payable to children of deceased or disabled workers until the child reaches age 22—so long as he is a full-time student at a public or accredited vocational school.

This change in the law will make it more fair and more realistic. There are about 295,000 children 18 to 21 years of age who have suffered the loss of parental support and who would qualify for $195 million in benefits annually. If one of these young people is attending a vocational school or college full time, he is just as surely dependent, in any reasonable sense of the word, as he was before he reached 18. If we expect these young men and women to become self-reliant citizens—and to do so in spite of the heavy burden imposed by the loss of a parent—we must do everything in our power to insure their opportunity for full and complete education. This provision is an excellent step in that direction.

The bill will also make actuarially reduced benefits available to widows at age 60. If these benefits are claimed by 185,000 widows, as estimated by the Department of Health, Education, and Welfare, about $165 million will be paid out in 1966. It also liberalizes the definition of disability and the conditions for payment of disability benefits; and it will make limited benefits available for a transitional period to persons over 72 who have met at least half of the present requirement for minimum coverage. Finally, it will bring 170,000 self-employed physicians under the coverage of the social security system.

Mr. President, this is a great, a monumental piece of legislation and I urge its adoption.

Mr. President, I cannot close without paying great tribute to those in the Department of Health, Education, and Welfare. I pay tribute to my successor, Secretary Anthony Celebrezze, for his hard work and energetic efforts in behalf of this measure.

I pay tribute to Wilbur Cohen, Under Secretary of the Department of Health, Education, and Welfare, who has labored so hard and faithfully over these many years for improved social security. I pay tribute to Robert Ball, Commissioner of Social Security, to Bob Myers, the actuary whose figures we rely on in the Committee on Finance and in Congress, to Charles Hawkins, Sid Saperstein, Michael Parker and all those who have labored long hours, and sometimes around the clock day in and day out over these many years in the effort to accomplish this monumental piece of legislation in the Department.

And let us never overlook the massive contribution made by our colleague, the Senator from New Mexico [Mr. ANDERSON] who will be remembered in history as the coauthor of this measure. His years of patient, unflagging leadership and devotion to this cause has resulted in the victory he is about to achieve.

Mr. President, personally, I take pride in the fact that I have long and consistently urged the enactment of these measures into law, and I do so once again.

I believe that within the next day or so, all of us, as we vote on the pending bill, will earn a debt of gratitude from the 19 million people over the age of 65, from the many children who will be benefited, and from the future generations who will thank this Congress for having enacted this landmark piece of legislation which will mean so much for all the people of the United States.

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from Illinois is recognized.

Mr. DOUGLAS. Mr. President, I wish to pay tribute to the Senator from Connecticut [Mr. RIBICOFF] for the magnificent work which he has done to achieve adequate hospital and medical care for the aged and proper care for children in need.

The Senator was a magnificent Governor of Connecticut. As the Secretary of Health, Education, and Welfare, he moved these programs along very markedly. Now, as Senator, he has worked with the Senator from New Mexico [Mr. ANDERSON] and others in developing the present legislation. The Senator is perhaps the most knowledgeable man on this subject, along with the Senator from New Mexico [Mr. ANDERSON] in the entire Senate.

I wish personally to express my thanks to him. I am sure that the country in due course will realize the great contribution which the Senator has made.

Mr. RIBICOFF. Mr. President, I thank the senior Senator from Illinois for his gracious remarks. I have always been deeply impressed with the depth of knowledge and dedication to principle shown by members of the Committee on Finance, and especially the senior Senator from Illinois.

As Secretary of the Department of Health, Education, and Welfare and now as a member of this committee, I have watched the care and diligence with which legislation, which comes to us from the executive branch, is scrutinized I have observed the independent action, marking up, discussion, and introduction of new ideas from the members of the Committee on Finance.

I know of no greater committee than the Committee on Finance. It is a great honor and privilege to be a member of it.

I welcome the privilege of associating with men like the senior Senator from Illinois. I am pleased with the great courtesy and grace of our chairman, the Senator from Virginia [Mr. BYRD], and and every other member of the committee, whether the member is in an agreement with the proposed action on a measure or not.

I cannot conceive of any committee in any legislative body working harder on any measure than has been the case with the pending measure.

Mr. DOUGLAS. Mr. President, I thank the Senator from Connecticut. I know that the Senator from Virginia, when he reads these words in the CONGRESSIONAL RECORD tomorrow morning, will be greatly pleased at the deserved tributes which the Senator from Connecticut has paid to him.

Mr. President, I can agree with most of what the Senator from Connecticut has said in his substantive suggestions. There is one suggestion, however, which I reluctantly, and after long consideration, have concluded would not be in the public interest. That is the proposal that there should be, as I understand, an unlimited amount of hospital care without coinsurance. I believe that this would entail excessive costs and would lend itself to an abuse of hospital facilities.

I believe that we have already gone extremely far to help the aged in the pending measure. The bill would provide for 120 days of inpatient hospital service in each spell of illness. This was 60 days more than was provided in the bill which came to us from the House.

For the days of entitlement used beyond the first 60 days and up to 120 days, there would be a coinsurance feature, with the patient paying an amount set initially at $10 a day. This is approximately one-quarter of the average daily hospital cost in the country, which is now approximately $40 a day.

We have also provided coverage under the hospitalization insurance plan of the services of the hospital specialists by means of an amendment which I submitted, and which I am very glad was adopted in committee. This amendment would permit coverage under the basic hospitalization plan of the hospital services of radiologists, anesthesiologists, pathologists, and physiatrists where these services are arranged for and billed through a hospital. Therefore, we would provide a much wider range of services than would have been provided in the House bill, which was stripped down almost to custodial care. We would extend hospital care for 60 additional days, subject to the patient paying an additional $10 a day. In addition, we have extended nursing home care, after hospital care, up to 100 days. This would be 80 days more than was provided for in the House bill. These additional days would be subject to coinsurance, with the patient paying $5 a day for all days over 20. Therefore, in any spell of sickness, we would provide for up to 120 days of hospital care, subject to the initial deductible of $40 and the payment of $10 a day for the days in excess of 60, and up to 100 additional days of nursing home care, subject to a deductible of $5 a day for the days in excess of 20.

In addition, we have added what I believe may turn out to be one of the most valuable features of the bill. This amendment would provide for up to 175 posthospital home health visits by visiting nurses and therapists, and home-health aids. I regard this provision as extremely important.

We have virtually provided complete coverage in one form or another for each spell of sickness. What the Senator from Connecticut would now propose to do would be to provide unlimited hospital care.

In the long development of this program, we may come to that. It is most appealing to our emotions and to our sympathies. The actuaries inform me that the present provisions would care for between 97 and 98 percent of all cases. I grant that the remaining 2 or 3 percent may be very serious cases. However, I do not believe that we can expect the initial bill dealing with this subject to meet every contingency.

Thirty years ago, when we were working on the problem of unemployment insurance and as a citizen I was taking some part in suggesting and drafting legislation, we freely granted that we could not start with a system which would care for all the unemployed. But we did wish to erect a first line of defense against unemployment, and then, we believed, public assistance, voluntary efforts, and private savings could erect an additional bulwark. But we proceeded on the principle that we should not from the start try to provide for unemployment compensation which continued for prolonged periods of time.

We have improved the unemployment insurance laws gradually—but not as much as they should be improved. I would like to see the adoption of the proposal by the Senator from Minnesota [Mr. McCARTHY], but I say that in the initial steps of a new program we cannot try to take care of everything at once.

We followed the same principle in connection with the social security system. We first provided rather modest benefits and covered employed persons, whether wage earners or salaried, but we did not include the self-employed. As time went on, however, we brought additional people into coverage, and we added benefits for wives, children and widows. Supplementary voluntary insurance plans also came into being. So while we do not have a unified system of old age security, by any means, we have a variety of efforts which have supplemented the original plan.

I think this is a safer path to follow in this untried field of hospital and medical care insurance for the aged.

I am very happy indeed that we have added the voluntary plan B to the basic plan. The basic plan covers hospital, nursing home, and home care. The supplementary voluntary plan covers medical and surgical care.

We are taking on a tremendous load, and I hope very much that we shall not be burdened down with unlimited hospital care. Mr. Myers, to whom the Senator from Connecticut has paid just tribute, estimates that, on the basis of past experience, the added cost in the initial year of this amendment would be $200 million. That is in the first year. Its level cost would be about $275 to $280 million. This would amount to about one-tenth of 1 percent of payroll.

But I point out that this estimate, like all estimates, is primarily based on past experience. There is a big factor in unlimited hospital care which I think actuaries cannot probe, but which needs to be taken into account. If people are assured of unlimited hospital care, many of them will want to stay in the hospital and not be moved into nursing homes or into their own homes even though there is no medical justification for their remaining in the hospital and their doctors recommend that they be discharged.

Mr. President, a hospital is a very pleasant place, if one becomes adjusted to it. If I may mention a personal experience of my own, it so happens that I was wounded in the concluding days of the war and found myself, about 2 months after I was wounded, in the Bethesda Naval Hospital. I had a series of operations and stayed there more than a year.

One morning, after I had been there nearly a year, had breakfast served in bed and had read the morning newspaper, the thought went across my mind, "This is a rather pleasant life. It would not be too bad for me to stay in the hospital."

It so happened that my future was not hopeless. I had many things to look forward to, and a life outside that was interesting and worthwhile. I loved my family and wanted to lead an active life. The fact that the mere thought of remaining in the hospital had crossed my mind frightened me severely. I realized that I might acquire a "hospital psychology," and so I immediately started to work to try to get out of the hospital.

I think we should reflect on the likely feelings of many people over the age of 65 who are in the declining arc of their lives, with not much to look forward to, but to whom, as to me, there would open up a very pleasant prospect of staying in the hospital. Under those conditions there would be great reluctance to get out of the hospital on the part of a very large proportion of elderly patients.

The Senator from Connecticut will say, "But the doctors would get them out." Doctors are subject to pressures, too. While doctors can order people out of a hospital, nevertheless, if those who are in the hospital want to stay in and put up a struggle, they can become quite expert in discovering and perpetuating illnesses, and it will be hard to get them out.

So this estimate of an initial cost of around $200 million, and an ultimate cost of perhaps $275 million, to my mind is very much less than what the actual cost would be.

There is another point involved. The vast majority of persons can get sufficient hospital care in 60 days—certainly in 120 days—and this is the most expensive type of care that can be given. The average hospital cost in the country as a whole is $40 a day.

The average nursing home cost is about $10 a day. Most people who need custodial care should be in a nursing home rather than in a hospital. A hospital is for grave emergencies, for operations and the like; but we should not make our hospitals warehouses for the senile aged, nor should we make them warehouses for those who are indisposed.

The bill which is now before us, by putting an upper limit on the amount of hospital care which can be given, will tend to stimulate the patients to get out of the hospitals—not onto the street, but into the nursing homes, and also into their own homes, where medical and nursing attention can be given sufficient to meet the needs of the patient.

I believe that this is highly essential in any hospital-nursing-medical-surgical program, that patients should receive social insurance protection which will be adequate in the overwhelming proportion of cases, but which will be far less costly than if beneficiaries are granted perpetual occupancy of costly hospital beds, which probably 98 percent will not need.

Mr. RIBICOFF. In reply to the Senator from Illinois let me say, first, that I am sorry he and I are on opposite sides of this issue, because in most votes in the Finance Committee and on the floor of the Senate we are together on almost every issue that comes along.

Mr. DOUGLAS. That is true.

Mr. RIBICOFF. Philosophically, I believe, we are rather well attuned. I am sorry that the Senator from Illinois opposes this particular amendment. Let me point out that the bill provides for the expenditure of $6,797 million. We hope, by adoption of this measure, to take care of the basic health costs of persons over 65 years of age.

To me, it seems most unfortunate that having come as far as we have, we have still failed to take that additional step and provide protection against catastrophic illness.

It is true that we are talking about 2 percent of those over 65. That 2 percent happens to represent 380,000 Americans. Any one of those 19 million Americans over 65 could be one of that 380,000.

What do we seek to achieve? A person over 65 is stricken with cancer, heart disease, or needs a serious operation. Under the bill as reported, after 60 days he must pay a coinsurance charge of $10 a day for an additional 60 days or a total sum of $600. The additional 80 days in a nursing home will cost the patient $5 a day. That is $400, or a total of $1,000 cost to the aged patient—14 million of whom pay no income tax, whose means are liquid, who do not even have the means to pay so large an amount. But above that, we have the tragic and high cost involved in a long and serious illness which can strike every older person. This is the great fear that hangs over the minds, hearts, and spirits of all those over the age of 65.

I have listened to the figures quoted by the Senator from Illinois. Let me point out that the figures I have cited were given me by the Department of Health, Education, and Welfare. We have leaned over backwards in rechecking these figures. The first cost estimates was $110 million, arrived at by applying the estimated cost of $250 million which was the cost of the amendment first offered before the Senate Finance Committee.

The Senator from Indiana [Mr. HARTKE] introduced his extension, which would cost $140 million. Therefore, there was a difference of $110 million. Before appearing on the floor on this measure, I called the office of the Secretary of HEW to determine again the actual cost and have them recheck the figure. They said that the figure would come to $18 million, out of general revenues, to pay for the first year's cost of the additional protection provided in the amendment.

If we have a measure which will cost $6,797 million how do we say to the 19 million persons over 65 years of age that if they suffer with the major tragedy of a long-term illness, while we are willing to spend $6,797 million we will not spend another $18 million to help them? How do we explain to our constituents—how do we explain to the folks back home—when Mary Jones is in the hospital seriously ill with cancer, or with heart disease, that after 120 days she must get out of the hospital if she cannot pay the bill?

I believe that we have reached the stage of a bill so extensive and so wide that today we must take this additional step.

It is ironic that the author of the amendment, the Senator from Illinois, defends—the Hartke amendment, has joined as a cosponsor of the Ribicoff amendment for catastrophic illness because he recognizes, too, that his amendment while going a step further—does not take that needed step in order to assure the aged of the proper health care which they need.

The Senator from Illinois talks about persons going to a hospital and staying longer than they ordinarily would. It is ironic, as I listen to his argument, which happens to be the argument of the administration as well, that this is exactly the same argument used against the original King-Anderson bill, when we talked about giving persons 60 days hospital care. Our argument was that we could not do that because people would overutilize the facilities and would go to hospitals and would not leave, and therefore they would be there for 60 days.

In order to protect the hospital facilities, the fund, and the program, there was carefully worked into all those bills a hospital utilization provision under which each hospital would appoint a committee composed of the doctors serving on that hospital staff, plus those from the hospital administration, to examine the patients, and to examine the stays, to make sure that a person does not remain in the hospital longer than necessary.

Therefore, we come down to the final days of the bill, after a decade of argument and decade of debate, to decide now what we are going to do.

The Senator from Illinois asserts that he recognizes the argument to this issue next year or the year after.

I say that the time is now, because we will pass the bill within the next 24 to 48 hours, and we should take this additional step by making provision for a catastrophic illness.

The time has come when we should take this step. I would hope that the other Members of this body would recognize the problem and would go along with the additional step to provide protection against catastrophic illness as it strikes our senior citizens.

Mr. PELL. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. PELL. I rise to ask the Senator from Connecticut if his approach to this matter is not similar to that which is practiced in Australia, where emphasis is placed upon the catastrophic illness as opposed to initial illness.

I have always believed that there is only so much money which can be spent in this direction, and that it should be spent on catastrophic illness. True, they are fewer in number, but they are also far more devastating in their effect upon an individual family than an initial illness.

If there is any question of paring down the benefits, then benefits should be pared down in the earlier periods and not in latter periods. If, as the Senator from Connecticut proposes, we can do both, so much the better. It is for that reason that I am pleased, indeed, to support the Senator's amendment and would hope that if there is any compromise to be made, we shall not compromise on the catastrophic illness portion but rather on the earlier portion.

Mr. RIBICOFF. I thank the Senator for his contribution. This proposal is a little different than the Australian situation, because my understanding is that in Australia the great burdens come on an individual in the early stages of an illness. The bill takes care of the early stages, but fails to go along on the catastrophic basis. It is my contention that if we are to take care of this problem we should not overlook the most serious part, when a catastrophe strikes.

Even considering the cost of $180 million, basically we have added to the bill $700 million to $800 million more than is contained in the House bill. Even in conference we could anticipate that the Senate would have to recede in certain instances on some of its expenditures over and above the expenditures in the House bill. If the conferees should have to recede to the extent of $180 million, we would still have funds to take care of this additional coverage.

However, not relying on that situation, I have always felt that we in the Senate have a responsibility, and that responsibility is that if we propose an expenditure we should be candid with ourselves and indicate where we are to get the money.

We make it clear that these people will not get something for nothing, because whatever the expense, we shall have to pay for it, and it will be $180 million.

The point I make is that since we are spending $6,797 million in connection with the pending bill, $180 million is a very small sum in comparison with the overall expenditures involved, especially when we consider what we are giving to the people of this country.

I thank the distinguished Senator from Rhode Island for joining me as a cosponsor of the amendment. I have so listed him on the amendment which has been submitted.

Mr. PELL. Mr. President, I should like to ask one other question of the Senator. Not being a member of the Committee on Finance, I do not know the thought processes that went into the development of the bill in committee. Why was not the catastrophic illness considered as the prime problem with which to deal, and then work out the other problems? Why was not the first effort devoted to that problem, rather than putting it at the end? If there is only so much money to be spent, why was it not thought best that the initial 4 or 5 days be paid for by the individual, but on a catastrophic illness the first day should be covered, and then move forward?

Mr. RIBICOFF. The basic reason, I believe, is that the program basically is patterned on the program that has been advocated for a long period of time. The feeling is that the average person goes into the hospital for a comparatively short stay, such as 5 or 6 days, and that therefore we do not wish to burden him with taking care of his basic illness, because a person could not pay for the initial stages. It was asked at that time, how much he could be asked to spend. Of course, over the years, the King-Anderson bill did not contain part B of the pending bill, which is the supplementary part, which has to do with the payment of physician's services.

It is interesting to note that most of the opponents of medicare have always talked about catastrophies, and not about taking care of the initial stages. It is ironic, now that we are ready to pass a bill with an amendment before us covering catastrophic illness, that the people who complained because we were not taking care of catastrophic illnesses are now saying we are taking care of too much.

If we are to do the job at all, we should do it right.

I understand that on many measures we take one step at a time. We have been dealing with this measure for many years. I have been involved with this program since 1961. Various provisions have been debated prior to 1961, for approximately 5 or 10 years before that. After long debate, after bitter arguments have been waged for or against on this subject, there is no question in my mind that there is a consensus concerning the bill.

If I may paraphrase the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], who time and time again on the floor of the Senate has said that there is nothing to stop an idea whose time has come, my contention is that the time has come for medicare.

This could be seen in what happened to the bill in the other body. It will be seen by the overwhelming vote by which this measure will pass in the Senate within the next few days. If the idea has now come, let us make it a good idea; if the idea has come, let us make a full idea; if the idea has come, let us not do a patchwork job, if we can do a really good job. I say the time to do that job is now.

That is why I propose this amendment. I have thought about the problem for many years. There are many parts of the program that one does not advocate or advance because one is not in a position to do so. However, I have always felt in my heart and mind that it would be tragic not to provide protection against catastrophes. When we add up the entire cost of the bill, and realize that we can take care of the catastrophic illness and give assurances against that great sword of Damocles hanging over the head of our people, and can do it for $180 million, we would make a great mistake if we failed to do so.

I hope that when the amendment is called up, we shall be able to convince a majority of our colleagues in the Senate that this is the course we should follow.

Mr. PELL. Mr. President, I congratulate the Senator from Connecticut. In my opinion, the first and most important step is the catastrophic step, and that the other steps follow thereafter. I hope this idea will also appeal to Senators.

A TRIBUTE TO SIR WINSTON CHURCHILL BY FORMER PRESIDENT EISENHOWER

Mr. KUCHEL. Mr. President, on last January 30, in the mournful and moving hour, when the remains of the incomparable English giant were being committed to his God, an eloquent tribute to the late Sir Winston Spencer Churchill was broadcast to the people of the United States, the United Kingdom, and the world by our own American giant, Dwight D. Eisenhower.

With characteristic modesty, the general said that he could speak, not for his countrymen, but for himself alone. Yet he was uniquely qualified to speak for America, and this he did, with an elegance of spirit and of the English language, in the Churchill manner.

I have just read General Eisenhower's tribute. I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A TRIBUTE TO WINSTON SPENCER CHURCHILL DELIVERED OVER THE FACILITIES OF THE BRITISH BROADCASTING CO., AT THE TIME OF SIR WINSTON'S FUNERAL, JANUARY 30, 1965

(By Gen. Dwight D. Eisenhower)

Upon the mighty Thames, a great avenue of history, move at this moment to their final resting place the mortal remains of Sir Winston Churchill. He was a great maker of history, but his work done, the record closed, we can almost hear him, with the poet (Tennyson) say:

> "Sunset and evening star,
> And one clear call for me,
> Twilight and evening bell,
> And after that the dark.
> And may there be no sadness of farewell
> When I embark."

As I, like all other freemen, pause to pay a personal tribute to the giant who now passes from among us, I have no charter to speak for my countrymen—only for myself. But, if in memory, we journey back two decades to the time when America and Britain stood shoulder to shoulder in global conflict against tyranny, then I can presume—with propriety, I think—to act as spokesman for the millions of Americans who served with me and with their British comrades during those 3 years of war on this sector of the earth.

To those men Winston Churchill was Britain—he was the embodiment of British defiance to threat, her courage in adversity, her calmness in danger, her moderation in success. Among the Allies his name was spoken with respect, admiration, and affection. Although they loved to chuckle at his foibles, they knew he was a stanch friend. They felt his inspirational leadership. They counted him a fighter in their ranks.

The loyalty that the fighting forces of many nations here serving gave to him during the war was no less strong, nor less freely given, than he had, in such full measure, from his own countrymen.

An American, I was one of those allies. During those dramatic months I was privileged to meet, to talk, to plan, and to work with him for common goals.

Out of that association an abiding—and to me precious—friendship was forged; it withstood the trials and friction inescapable among men of strong convictions, living in the atmosphere of war.

The war ended, our friendship flowered in the later and more subtle tests imposed by international politics. Then, each of us, holding high official posts in his own nation, strove together so to concert the strength of our two peoples that liberty might be preserved among men and the security of the free world wholly sustained.

Through a career during which personal victories alternated with defeats, glittering praise with bitter criticism, intense public activity with periods of semiretirement, Winston Churchill lived out his 4 score and 10 years.

With no thought of the length of the time he might be permitted on earth, he was concerned only with the quality of the service he could render to his nation and to humanity. Though he had no fear of death, he coveted always the opportunity to continue that service.

At this moment, as our hearts stand at attention, we say our affectionate, though sad, goodby to the leader to whom the entire body of freemen owes so much.

In the coming years, many in countless words will strive to interpret the motives, describe the accomplishments, and extol the virtues of Winston Churchill—soldier, statesman, and citizen that two great countries were proud to claim as their own. Among all the things so written or spoken, there will ring out through all the centuries one incontestable refrain:

He was a champion of freedom.

May God grant that we—and the generations who will remember him—heed the lessons he taught us; in his deeds; in his words; in his life.

May we carry on his work until no nation lies in captivity; no man is denied opportunity for fulfillment.

And now to you, Sir Winston—my old friend—farewell.

HONORARY LIFE MEMBERSHIP IN VETERANS OF FOREIGN WARS AWARDED TO OUR "GEMINI TWINS" IN CALIFORNIA

Mr. KUCHEL. Mr. President, the bold and dramatic feat of America's "Gemini twins," Maj. James A. McDivitt and Edward H. White, awed the entire world and won the plaudits of peoples around the globe for their dedication, courage, and efficiency.

For taking another gigantic stride in the direction of pushing back frontiers of the unknown and carrying the United States forward into a new phase of spatial exploration, these modern Gullivers have received a variety of merited honors.

A signal dictinction has been conferred on this pair of proficient, patriotic astronauts by a California organization of men who answered the Nation's call to duty in less spectacular fashion. The Veterans of Foreign Wars Post 2323 of Chatsworth, Calif., deemed the service of Majors McDivitt and White as commensurate with the response of earlier generations of servicemen who—like the astronauts—discharged an obligation to their country outside the continental boundaries of the United States. Accordingly, the Chatsworth post has made the Gemini team honorary life members of the VFW.

The telegram sent Majors McDivitt and White advising them of the honor, reads as follows:

CAPE KENNEDY, FLA.

Maj. JAMES MCDIVITT,
Maj. EDWARD WHITE,
Gemini Project:

Veterans of Foreign Wars Post 2323 of Granada Hills, Calif., bestow honorary life membership upon astronauts Major McDivitt and Major White for serving with distinction outside the continental United States and for exemplifying the highest traditions of the Veterans of Foreign Wars. Confirm acceptance. Space Center please relay message.

BILL KLEM, JR.,
Vice Commander, Membership Committee Chairman, Veterans of Foreign Wars Post 2323.

STRENGTHENING OF AMERICA'S FISCAL, SOCIAL, AND ECONOMIC FOUNDATIONS—THE BERKELEY, CALIF., BANK FOR COOPERATIVES

Mr. KUCHEL. Mr. President, the tribulations and despair which weighed on tremendous numbers of Americans more than three decades ago during the depths of the depression thankfully in most cases are little more than vague memories which sometimes haunt dwindling numbers whose lives at the time were arduous and discouraging. A great variety of instruments fashioned and conceived to lift the United States out of economic doldrums is regarded as commonplace and taken for granted in the present era when gross national product and national income figures are at levels which seemed fantastic in the thirties.

For this reason, I believe it is meaningful to take stock periodically of the way in which America's fiscal, social, and economic foundations have been strengthened and secured by some of the novel and experimental devices employed to end the depression.

A significant event occurring in California this week provides graphic proof that a determined American people can overcome virtually any obstacle and stride forward to new heights.

The Berkeley, Calif., Bank for Cooperatives this week completed repayment of the Government capital which originally primed the institution at its foundation 32 years ago. This is a tribute to sound management, a monument to integrity, a heartening demonstration of human responsibility.

When the 13 banks for cooperatives were inaugurated to help rescue American agriculture and the Nation's farmers under the Farm Credit Act of 1933, Federal funds were made available for initial capitalization. Because of their experimental role, no provision was made for repayment of funds advanced from the National Treasury. Not until 1955 did Congress lay out a course whereby the original investment might be returned to the Government and ownership ultimately turned over to the cooperatives which use their services.

The Berkeley Bank for Cooperatives promptly developed a 10-year program for reimbursing the Government and began in 1956 to repay the $10,200,000 of capital on which it was built. This year, with a final installment of $1,100,000, this California institution becomes the first of the 13 banks to complete the program of retiring Government capital.

Deeply involved in far-reaching changes in western agriculture and business, the Berkeley bank has played a major function in California's phenomenal growth and advancement. Cooperatives which have used its services and purchased stock in it are among the most impressive and successful enterprises of their kind in the country. Numbered among them are names which are almost household words: Sunkist Growers, Calavo Growers, Sunmaid Raisin Growers, Norbest Turkey Growers, Cal-Date Growers, and Diamond Walnut Growers, along with numerous wineries, cotton gins, olive processors, and other similar associations.

I believe this event merits wide recognition and the highest commendation is due to the board of directors, the management, and the staff of the Berkeley Bank for Cooperatives for their services and faithful performances of the program of cooperative ownership in the brief span of 10 years.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KUCHEL. Mr. President, I send an amendment to the desk and ask that it be read. After it is read I intend to suggest the absence of a quorum, so that the distinguished majority whip, the Senator from Louisiana [Mr. LONG] may be present when it is taken up.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 285, line 15, insert before the period the following: "; except that, for purposes of this subsection, in applying subparagraph (C) of paragraph (1) of such section 105(b) the date of enactment of this Act shall be considered to be the date on which the organization filed its certificate under section 3121(k)(1) and any reference, in paragraph (4) of such section, to such paragraph (1) shall be considered a reference to the preceding provisions of this subsection."

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum and that at the conclusion of the quorum call I may be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BASS in the chair). Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, the plain English of the amendment I offer, and the reason for it, occur in a paragraph or two of a letter which Vallejo General Hospital has written to one of my colleagues in the House of Representatives, Hon. ROBERT L. LEGGETT, under date of November 1, 1963. I ask unanimous consent that the entire letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

VALLEJO GENERAL HOSPITAL,
Vallejo, Calif., November 1, 1963.

Hon. ROBERT L. LEGGETT,
House of Representatives,
Washington, D.C.

DEAR BOB: Hello from Vallejo.

I hate to add to the many problems which I know you are burdened with, but we have a problem here at the Vallejo General Hospital which concerns a rather large portion of our employees and, I might add, voters of Vallejo.

I am sending you all the information I think would be of interest to you concerning this problem and don't want to repeat myself in this communication, so will try to be as brief as possible in outlining this problem.

This matter pertains to social security coverage for employees working for a nonprofit corporation. It would seem that in 1952, prior to my coming here, when the hospital went nonprofit a certain requirement was not met, wherein the employees should have signed a certain form indicating they wished to be covered under social security. However, all through the years the employees had social security withheld from their wages and the hospital contributed its share of the tax, the money was paid to the Internal Revenue Department, until 1958, when it was called to our attention (6 years after we became nonprofit) that our employees were not eligible to be covered under social security unless they elected to do so.

Under the guidance of a representative of the Internal Revenue Department we completed all of the forms he requested us to and met all of the requirements he laid down, and were guided by the fact that we only had to have a certain percentage of our employees sign up in order to have all employees covered. Our big problem at the time in getting 100 percent signatures was that some people had left us and had gone to other parts of the country, some people were away on sick leave, some on vacation, and we had a limited period of time in which to get the report back to the Internal Revenue Department.

We completed all of these forms and thought that we were in good standing and everything was settled, but to our dismay, a number of years later, in the early part of 1962, it was brought to our attention that a large number of our employees would not be covered because they had not signed the forms in 1958. Actually, one former employee who was on social security was dropped because this was brought to light, two other employees who were about to go on social security and were inquiring as to their status, were advised that they had none because the money was not credited to their account, although the money had been paid to the Internal Revenue Department in San Francisco. In addition to this, we then discovered that some 17 employees who were still working for us were not covered. We proceeded to work through the local social security office on this matter with a Mr. Macler and have spent approximately 2 years in having hearings and doing what we could to convince the social security department that we had complied with all of the requirements imposed upon us by the Internal Revenue Service. However, one employee was used as a test case and the hearing examiner, Mr. Pope, found against that employee.

Subsequently, some eight employees have banded together as a group, hoping to obtain a more favorable hearing by virtue of appearing as a group. Mr. Pope has heard these people, but has not as yet rendered a decision. His statement to me, however, was that he did not see any way in which he could find favorably for these people because the law was pretty specific on this matter.

I have written to the American Hospital Association, the California Hospital Association, the Department of Social Security, the Department of Internal Revenue—all to no avail.

I did receive from the American Hospital Association's representative in Washington, a Mr. Bernstein, a telephone call advising me that this type of thing has happened to numbers of people throughout the United States over the years and that it is not too difficult to have an adjustment made in the social security regulations and have these people covered—or perhaps I'm wrong in saying social security, it perhaps is an amendment to the Internal Revenue Act—I'm not sure. I do know that reference was made to the social security amendments of 1960; however, they were not actually a part of the permanent record, but appeared as a footnote because it pertained to the fact that there was a certain date established under which these people would be covered or not covered. As I understand it, it merely is a matter of changing this date under which these people are covered, since all money has been properly paid; these people do want to be covered, they do want to retain the benefits they have earned by virtue of paying over all these years.

I am submitting to you the correspondence I had with Mr. Pope, plus the original correspondence I had with the Internal Rev-

> enue Service and a copy of the Hearing on the one test case of Ruth Donato.
>
> Anything you can do to help these people of Vallejo to be covered under social security will be greatly appreciated, not only by myself and the hospital, but by the employees, who are quite anxious to have this coverage.
>
> My best regards to you and Barbara.
>
> Sincerely,
>
> LOUIS P. FUNK,
> *Administrator.*

Mr. KUCHEL. Mr. President, I quote from the letter, for the information of those who may care to read:

> This matter pertains to social security coverage for employees working for a nonprofit corporation. It would seem that in 1952, prior to my coming here, when the hospital went nonprofit, a certain requirement was not met, wherein the employees should have signed a certain form indicating they wished to be covered under social security. However, all through the years the employees had social security withheld from their wages and the hospital contributed its share of the tax, the money was paid to the Internal Revenue Department, until 1958, when it was called to our attention (6 years after we became nonprofit) that our employees were not eligible to be covered under social security unless they elected to do so.

In the light of that problem, which I may say is not unique to one hospital of the State from which I come, the Department of Health, Education, and Welfare prepared an amendment for Representative Leggett, dated July 1, 1965. In its covering letter, the Department said:

> Enclosed, in accordance with our conversation in your office on June 30, are several copies of a draft of a technical—

I stress the word "technical"—

> amendment to the provision of H.R. 6675, which the Senate Finance Committee added to the bill in order to take care of situations such as that involved in the case of the Vallejo Hospital. This technical amendment is necessary to remedy a defect in that provision which, in turn, resulted from oversight.

I stress the word "oversight."

> With this change the provision in H.R. 6675 will more effectively carry out its intended purpose.
>
> Also enclosed is a brief explanation of the provision in H.R. 6675 and of the enclosed amendment.

Thus I am in a position to say to the able and distinguished Senator from Louisiana, the Senator in charge of the bill, that the amendment was prepared by the Department of Health, Education, and Welfare, is approved by the Department, and constitutes a change, technical in nature, to remedy the situation by providing that after a waiver has been filed on the part of a nonprofit corporation, and the appropriate consents have been filed by the employees, their social security may include benefits previously paid for by them, benefits which would not be included under the wording of the bill as it was reported by the committee.

Mr. President, I ask unanimous consent that the statement by the Department of Health, Education, and Welfare be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Under section 316 of the Senate bill (as under present law), a nonprofit organization must file a certificate waiving its exemption from social security taxes in order for its employees to obtain coverage under social security. For the certificate to be effective in respect to any employee, he must concur in writing.
>
> Section 316(d) of the Senate bill is intended to apply to a situation where a nonprofit organization filed the waiver certificate, and thereafter reported some employees as covered who had inadvertently failed to signify their concurrence in writing. Most of the noncovered period resulting from this failure by these employees was taken care of under a special provision enacted in 1960 by the Congress, and this provision of the bill was intended to take care of a small hiatus in reported wages which still exists for some of these employees and with respect to which the necessary taxes have been paid. However, the language of section 316(d) is not technically adequate to accomplish this purpose.
>
> Section 316(d), as presently written, requires certain stated conditions to be met for the validation to be effective. These conditions were written to be applicable to situations where employees lack coverage only for a period before a waiver certificate is filed, and they are therefore not applicable to the type of situation section 316(d) is meant to take care of. The proposed amendment would add language to section 316(d) which would assure that these conditions are applicable to situations where employees require coverage for a period after a waiver certificate is filed—which is the purpose of section 316(d).

Mr. LONG of Louisiana. Mr. President, the amendment has merit. I know of no reason why it should not be agreed to, so I do not resist it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KUCHEL].

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. I thank the able Senator from Louisiana. His cooperation is in accord with his constant dedication to the principle of obtaining a bill which is completely meritorious.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Secretary of the Senate, in the engrossment of various reported amendments to H.R. 6675, be authorized to make printing corrections in the amendments so that they read to strike out certain language and insert new matter instead of inserting matter at various places and then striking out certain relative language in each instance.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read as follows:

> On page 324, line 1, strike out "1965" and insert "1966".
>
> On page 324, line 16, strike out "1965" and insert "1966".
>
> On page 349 between lines 12 and 13, insert the following new section:
>
> "SEC. 342. (a) Clause (B) of section 1402 (e)(2) of the Internal Revenue Code of 1954 (relating to time for filing waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out 'his second taxable year ending after 1962' and inserting in lieu thereof 'his second taxable year ending after 1963'."
>
> (b) Section 1402(e)(2) of such Code (relating to effective date of certificate) is amended by adding at the end thereof the following new subparagraph:
>
> "(D) Notwithstanding the first sentence of subparagraph (A), if an individual files a certificate after the date of the enactment of this subparagraph and on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1963, such certificate shall be effective for his first taxable year ending after 1962 and all succeeding years".
>
> (c) The amendments made by subsections (a) and (b) shall be applicable only with respect to certificates filed pursuant to section 1402(e) of the Internal Revenue Code of 1954 after the date of the enactment of this Act; except that no monthly benefits under title II of the Social Security Act for the month in which this Act is enacted or any prior month shall be payable or increased by reason of such amendments.

Mr. LONG of Louisiana. Mr. President, as Senators know, ministers can have social security coverage only if they elect to participate within 2 years of ordination. Public Law 88-650, enacted October 13, 1964, opened up the period of the election for existing ministers who had not previously elected to participate, if they did so before April 16, 1965.

Although it would be, in general, undesirable to reopen this election period because of antiselection against the system by ministers waiting to join until they are older, there are certain special circumstances that argue for a reopening at this time.

First, the period permitted by Public Law 88-650 was short, approximately 6 months.

Second, and much more important, many younger ministers did not choose to participate when only retirement and survivor benefits were available, but now, when health insurance would be provided, they would be forever barred from coming in under present law.

My amendment would provide for an extension of the period of election to April 15, 1966, by the addition of a new section 342 to the bill. The only other change that would be needed would be the striking out of "April 15, 1965" wherever it appears in section 331, and the insertion, in lieu thereof, of "April 15, 1966."

The necessary amendments could possibly be adopted as a committee amendment during the floor debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Louisiana.

Mr. COOPER. Mr. President, has this amendment been cleared on both sides?

Mr. LONG of Louisiana. I do not believe so. However, I do not believe that there would be any objection. I would be glad to withdraw the amendment if the Senator thought there would be any objection.

This amendment would provide a little more time for the ministers who elect to participate. I shall not move to reconsider.

Mr. COOPER. I am in favor of the amendment. The election period was reopened several years ago. I offered the amendment to reopen the period. I am sure that there would be no objection to the amendment.

Mr. LONG of Louisiana. The amendment would merely extend for a longer time the period of election for ministers. I do not believe that there would be any objection.

I shall not move to reconsider if the amendment is agreed to, so that a motion to reconsider may be made later.

Mr. COOPER. I am in favor of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Louisiana.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I send to the desk an amendment, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment offered by the Senator from Montana will be stated.

The legislative clerk read the amendment, as follows:

On page 116, following line 7, insert the following:

"The term 'medical care' does not include amounts paid for facilities, devices, and services customarily used primarily for purposes other than those specified in subparagraph (A)."

On page 117, strike out lines 12 through 22 and insert in lieu thereof:

"(d) Section 213 of such Code (relating to medical, dental, etc., expenses) is further amended—

"(1) by striking out subsection (c) of such section, and

"(2) by striking out paragraphs (1), (2), and (4) of subsection (g) of such section."

Mr. MANSFIELD. Mr. President, it is my understanding that my distinguished colleague, the Representative from the Second District of Montana, Mr. BATTIN, proposed to offer this amendment when the present legislation was before the House, but, unfortunately, the answers which he required did not arrive in time. It was his intention because certain serious cases had been brought to his attention by some of our constituents in Montana. We of the Montana delegation share his concern and feel this amendment should be adopted.

Therefore, I am offering this amendment now.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana [Mr. MANSFIELD].

Mr. LONG of Louisiana. Mr. President, as I understand the amendment, the purpose of it is to allow taxpayers to deduct the cost of hiring nurses and doctors for some of the cases in which very high medical expenses are involved.

The general argument for the amendment is that, if the Federal Government is to pay the expense for medical services for American citizens, many of whom have made no contribution for it, it is only fair that those who must have nurses around the clock and very high medical expenses, far beyond that which is provided by the bill, should be permitted to deduct the expense of this very high medical cost.

The Senator from Louisiana was a sponsor of a piece of legislation, some years ago, providing that a person of 65 or over who had very high medical expenses could deduct those expenses against his income for tax purposes. The Finance Committee had approved that principle on a number of occasions when it had been very closely limited.

I understand that the cost of this amendment would not be very great. It would seem only fair to this Senator that if a citizen pays a large amount of medical expenses, it should be a deductible item.

So I would have no objection to the amendment. I would hope the distinguished ranking Republican member of the committee would take a good look at it and see if there is any objection to it on his side of the aisle. In the meantime, I state that I am willing to take it to conference.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President——

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. Mr. President, today, we are considering one of the broadest and most complex collections of social security amendments ever brought before this body. We must pass judgment on a new plan of basic hospital insurance benefits under social security, a new voluntary supplemental plan of medical insurance for the aged, major changes in the social security benefit structure, new Federal guidelines on and participation in Kerr-Mills programs and a general streamlining and strengthening of a myriad of programs in the areas of child health, public assistance, and mental retardation. Each of these topics merits extensive study and debate. However, the one clear and overriding issue before us today is undoubtedly those portions of the bill known collectively as medicare.

I doubt whether any of us here will ever have the opportunity to vote on a more important piece of domestic legislation. The program we are going to pass in this body will be a declaration of economic independence for millions of Americans. This hospital and medical insurance plan will, I am fully confident, put an end to the folly and the waste that has characterized this Nation's treatment of its senior citizens throughout the 20th century.

There is, in my view, nothing more hypocritical than to encourage citizens to work to earn homes, to raise and educate children, to pay taxes, to spend their lives contributing to an economy and a way of life unequaled anywhere in the world and then, when they are too old to contribute further, subject them to the humiliation and planned poverty of means-test medicine. I am hopeful that the proposed legislation will put an end to that hypocrisy for millions of Americans.

By so doing, we will be fulfilling a prophecy made nearly three decades ago by Franklin Delano Roosevelt. He said:

> We have accepted * * * a second Bill of Rights under which a new * * * security and prosperity can be established for all—regardless of station, race, or creed. Among these are—the right to adequate medical care and the opportunity to achieve and enjoy good health; the right to adequate protection from the economic fears of old age.

The fulfillment of that prophecy is not solely the work of this body or of Congress, but the victory in a battle that has ranged across all those years and involved some of the finest men ever to enter this country's service.

I am particularly proud of the proposed legislation, not so much for myself but for the many fine men and women from my home State of Michigan who have contributed so mightily in shaping its form and its victory.

My senior Senator and wonderful friend, PAT MCNAMARA, has been the outstanding spokesman for the aged, and has given immeasurable help to the formulation and success of this plan. Its enactment will be one more dramatic achievement to the credit of PAT MCNAMARA. My longtime friend and adviser, Wilbur Cohen, has worked diligently as the principal architect of this legislation and has been invaluable to Members of both the House and Senate in hammering out a workable, financially responsible program.

In addition, such people as Dean Fedele Fauri, of the University of Michigan's School of Social Work, Dr. Wilma Donahue, of the university's institute for human adjustment, and Mr. Charles O'Dell, the able director of the retired workers division of the UAW, have worked long and diligently for the interests and the dignity of our senior citizens so well promoted by the proposed legislation.

I am sure that all of these good people share my joy in seeing the fine product of the Finance Committee's deliberations.

Last year, most of us supported a program of hospital insurance for the aged through social security as a major step toward first-class citizenship for the aged. I, for one, could not be more pleased that we now have the opportunity to support a voluntary medical insurance program also.

In addition to the new economic independence it will create, I am hopeful that the bill will promote first-class citizenship in another fashion also. We decided last year, and wrote into law, that Federal tax funds collected from all the people may not be used to provide benefits to institutions or agencies which discriminate on the grounds of race, color, or national origin. This principle will, of course, apply to hospital and extended care and home health services provided under the social security system, and will require institutions and agencies furnishing these services to abide by title 6 of the Civil Rights Act of 1964.

Although the hospital and medical insurance programs are major strides forward in this proposed legislation, there is another facet of health protection which is far more important to many; namely, the incentive for improvement in State Kerr-Mills plans. We must reluctantly realize that there are still among us those unfortunate few who experience poverty and illness beyond the scope of any economically feasible social insurance program. This bill not only provides incentive for better health care for the independent aged, but also offers strong guidelines for a new streamlined approach to comprehensive health services for those on welfare programs serving the blind, disabled, and dependent children.

It requires an offering of more comprehensive care to receive greater Federal support, and prohibits many of the sad practices such as relative responsibility tests which have plagued Kerr-Mills programs in the past.

Mr. President, many of us remember the fears that were expressed when the social security system was first proposed and debated 28 year ago—that it would regiment Americans, be administratively unworkable, financially unsound, cripple and impede private life insurance and pension programs. We know today how unfounded those fears were. The medical profession has expressed great fear for the health of the people, the quality of medical service and the future of the medical profession if this program is established. I remind the Senate that 30 or so years ago tremors of apprehension ran through the medical profession when voluntary health insurance plans were being started. Then, also, cries of "socialized medicine" were heard from many physicians.

In starting anything new we must study the problem and situation carefully, and consider equally as carefully the views of those who believe the proposed step is unwise—there are always those who believe that anything new or different is unwise—and if we are sure that we are on the right track, go ahead. I believe that the proposed program will be a godsend for the aged—and, in due course, all of us will be aged—I believe that it will be a boon for the country, for the hospitals, and—though they cannot imagine it now—for the medical profession.

Mr. PASTORE. Mr. President, I compliment the distinguished Senator from Michigan for an excellent statement. I am proud to associate myself with everything he has said.

Mr. HART. Mr. President, I am very grateful for the remarks by a man who has been sensitive to this problem and has given national leadership to it for many years more than I have.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I also ask unanimous consent that I may speak on an extraneous subject for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC OPPORTUNITY ADMINISTRATION TELECAST

Mr. ALLOTT. Mr. President, last week I discussed on the floor of the Senate certain matters pertaining to a television program which was shown last week on one of the networks. At that time I expressed myself in what I believe to be fully justified and righteous indignation, and even anger.

The remarks pertain particularly to a show, sponsored either by one of the networks or by the so-called poverty program—the Office of Economic Opportunity—and at that time, I was under the impression—apparently at least partially false—that the show had been sponsored and paid for in its entirety by the Office of Economic Opportunity. I was extremely critical of the Office for that reason. I am still critical of it.

In order to set the record straight, I believe I should state the facts upon which I based my remarks last week.

On the evening of the show I called the president of the broadcasting network. I identified myself and asked if the broadcast was being sponsored by his system. The reply was "No."

I said, "Is this a public service program?"

The answer was, "Yes."

To me, the only reasonable conclusion that anyone could draw from these two questions and answers was, first, that it was not being paid for by the Columbia Broadcasting System; second, that the broadcasting system was donating its time for the purpose of the program; and, third, that the program itself, that is, the production, and the payment to the participants—I will not dignify most of them by calling them artists—was paid for by the Office of Economic Opportunity.

After I had made my remarks on the floor of the Senate, the vice president of the network called upon me in the reception room outside the Chamber and explained the facts as he understood them. He said that during the month of May the Office of Economic Opportunity decided that it had a really hot subject in the way of selling poverty, and that they were not reaching the dropouts. They came to the network and asked for time and cooperation in the production of a program which would be slanted toward this particular group.

He further told me at that time that the network had picked up all of the production costs and had paid, at regular union scale, all the participants in the program.

I wish to make perfectly plain that I am not casting a blanket indictment against all the participants in the program. I excepted one in particular that I happened to know by sight and by recognition last week—Johnny Mathis. I except another one whom I have since identified, a man by the name of Cosby, who made the only rational appeal, and who probably was the only excuse in the whole program for what is claimed to be the purpose of the program.

In looking over my remarks of last week, I described this as a shameful and disgraceful exhibition. I said that the intelligence of the people of this country was insulted and degraded by this particular program. I see no reason to retract either one of those statements. Neither do I, for that matter, see any reason to retract any portion of the statement made by me last week when I said that the program was decadent in the extreme.

I should like to go back to the question of who was responsible for the program. The president of the broadcasting company wrote me a letter which, although it is dated July 2, was just delivered to me today. In that letter he falls into the same trap into which almost everyone else has fallen in this situation.

As soon as the present administration could get its manager out here at WTOP and the rest of some of its columnists and commentators on the ball, they immediately picked this up and said, "Well, the Senator from Colorado is sort of old fashioned. You cannot expect him to like this kind of business—this rock and roll stuff. He doesn't like this particular kind of music."

Mr. President, that is not the issue at all. That has nothing to do with it.

First, if radio and TV stations had only programs which appealed to one individual in the United States, they probably would not even exist.

Second, I am the last person in the world who thinks that every program which goes on TV in this country should be slanted to suit the tastes of myself or any other individual. In fact, for 6 or 8 years I have carried on a running battle with the FCC to keep them from doing exactly that sort of thing. With the advent of Newton Minnow in 1961, the FCC became colored with the concept that they had a bunch of brilliant people—and thank God, this is not uniform throughout the FCC, I must say—but the majority felt that they had a bunch of brilliant people who could somehow select for us better than we could select for ourselves the quality, the kind, and the type of entertainment that went over the TV's and the radios of this country.

So, to the contrary, rather than being a critic of a particular type of program because it does not suit the Senator from Colorado, the Senator from Colorado is trying to look at the basic issues which are involved. I say again that my own legislative record for at least 6 years has been in exactly the opposite direction. The FCC should keep its hands out of programing and keep them out of telling individual stations what they should put on for the benefit of the people.

I happen to have a very firm and great belief that under our system of running our telecommunications and our radio communications in this country, where they are sponsored by business interests, the people will tell them soon enough and quick enough if the type of program they are offering is not the type that they desire.

Getting back to the proposition as to who sponsored the program, the president of that particular broadcasting system, in his letter to me, indicated that while he is not particularly fond of this particular "musical idiom," as he calls it, he thought it appealed to many people. I understand that some of the commentators have been a little critical of my own remarks, and that is perfectly fine with me. I understand further that the Office of Economic Opportunity has stated that they had received 4,000 letters. Well, if I could only generate 4,000 letters from the teenagers of this country with the whole system of the Democratic Party at my back, I would think that I had done pretty poorly. I am running pretty close to a thousand letters myself, and I have done nothing to try to generate letters.

Mr. President, in order to be fair, I ask unanimous consent that there be printed at this point in the RECORD the entire letter I received from the president of the broadcasting system.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., July 2, 1965.

The Honorable GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: I have your letter of June 29 in which you confirmed your telephone call to me of June 28, expressing your strongly adverse reaction to "It's What's Happening, Baby" broadcast over the CBS Television Network on June 28, 9:30 to 11 p.m., e.d.t.

I am sorry indeed that you and Mrs. Allott were shocked and angered. I am aware that some other viewers shared your reaction, although all the evidence available to us indicates that people for whom the program was intended—the teenagers and young adults who are, or are potentially, school dropouts without economic opportunities—did watch it and were enthusiastic.

The program in question was conceived by the Office of Economic Opportunity as a means of communicating with the teenagers and young adults with whom the OEO is concerned. Late in May, officials of the OEO met with the president of the CBS Television Network and outlined their problem and program proposal. In brief, the OEO representatives stated that their problem was to communicate with this special group of Americans and that their studies had shown that to do so it was necessary to devise the kind of program, and select the kind of performers, who had a following with this segment of the population and whose messages would be accepted by such viewers. The OEO studies had shown that this special group of viewers had particular respect for Murray Kaufman and a particular fondness for the current popular music idiom that was featured on the program.

We made it clear that the program must meet our general standards of taste and that the messages could not in any way be used for lobbying or legislative purposes but must be confined to the particular problems with which the OEO was concerned in respect to dropouts. The OEO agreed to these conditions and, hence, we felt that since the OEO was an agency dealing with an important social problem, it was in the public interest for us to broadcast the program as described.

While the basic concept and the production of the program were the responsibility of the OEO and its representatives, the CBS Television Network's Department of Program Practices was present during production and also viewed the completed program before it was aired. All phases of the program was subject to approval; and were approved, by the department of program practices for standards of taste and other standards.

While we respect your judgment, we cannot, in all candor, agree that the program was in bad taste or was shocking. Of course, this program, like many others on the CBS Television Network as well as other networks, did not appeal to my personal tastes. But I do not believe that the test of whether or not we should carry a particular program is whether it is designed for my personal tastes. There can be no question that the kind of music and choreography featured in "It's What's Happening, Baby" has an extremely wide appeal among teenagers and young adults. We of the older generation tend to react against it just as my parents reacted against my attraction to the Charleston and the Black Bottom more years ago than I like to admit.

But this new kind of music and choreography have become a part of the American scene, and so a program devoted to them provides the vehicle for reaching the precise audience with which the OEO was concerned. And while the singing, the instrumentalists, and the choreography may not have been to my taste, I am persuaded that there was nothing obscene, suggestive, lewd or in bad taste about any aspect of the program.

I am reminded of a wise injunction by George Bernard Shaw: "Do not do unto others as you would do to me. Our tastes may not be the same." In this case, the problem was to reach an important group of Americans whose tastes were not the same as yours and mine. And all the evidence is that without offending appropriate standards, the program succeeded.

I want to assure you that we take full responsibility for having approved of the concept of the program and for having broadcast it. We felt that providing time and facilities for the broadcast was justified in a worthy cause, and was in the public interest. The decision was entirely voluntary—and our own.

With all good wishes.

Sincerely,

FRANK STANTON,
President.

Mr. ALLOTT. I wish to quote from that letter:

> The program in question was conceived by the Office of Economic Opportunity as a means of communicating with the teenagers and young adults with whom the OEO is concerned. Late in May, officials of the OEO met with the president of the CBS television network and outlined their problem and program proposal. In brief, the OEO representatives stated that their problem was to communicate with this special group of Americans and that their studies had shown that to do so it was necessary to devise the kind of program, and select the kind of performers who had a following with this segment of the population and whose messages would be accepted by such viewers.

The president of the broadcasting company said further on in the letter:

> While the basic concept and the production of the program were the responsibility of the OEO and its representatives, the CBS television network's department of program practices was present during production and also viewed the completed program before it was aired.

Then he goes on to discuss the other phases involved.

Mr. President, one of our distinguished writers in Washington wrote an article which appeared in the Washington Daily News on Wednesday, June 30. I ask unanimous consent that it be printed at this point in the RECORD:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, June 30, 1965]

WHO DREAMED UP "DEPRAVED" TV SHOW USED TO LURE TEENAGERS INTO POVERTY PROGRAMS?—ANTIPOVERTY APPEAL WASN'T APPEALING—GOP "INCANDESCENT" OVER OEO TV SHOW

(By Jack Steele)

The Senate GOP policy committee launched a probe today to find out who was responsible for what it called a "depraved" 90-minute TV rock-'n-roll show used to lure teenagers into the Government's antipoverty program.

Republican Leader EVERETT M. DIRKSEN, of Illinois, said some of his colleagues were "almost incandescent" in their assaults on the show. The program, titled "It's What's Happening, Baby," was run by a diskjockey known as Murray the K (the K stands for "King"). It was carried Monday night by the CBS network.

Senator GORDON ALLOTT, of Colorado, was one of the burned-up Republicans who took the Senate floor to denounce the show, which he said "made me want to regurgitate." He said Murray the K's "commercials" invited teenagers to tell the antipoverty agency "how to spend our money."

The program featured an all-star cast of Beatle-like singers and musicians whose rhythms are beloved by teenage dancers of the frug and the jerk. Its performers included the Supremes, Herman's Hermits, Cannibal and the Headhunters and the Righteous Brothers.

HOT POTATO

Officials of the Office of Economic Opportunity and the CBS TV network, meanwhile, bounced credit for the program back and forth like a red-hot potato.

Holmes Brown, OEO's top press agent, insisted the program was mostly the idea of CBS and said he simply couldn't understand why the network didn't want to claim all credit for its "success."

John Snyder, head of the CBS TV network, insisted that Murray the K dreamed up and ran the show as an OEO "consultant" and that its producer and director also were picked by the antipoverty agency.

They did manage to agree on two things:

CBS picked up the tab for the program, providing the hour and half of prime network time as a "public service" and paying the production costs and union wage scales to the performers.

OEO officials promoted the show in an effort to "reach" teenagers who do not read newspapers or listen to news programs and recruit them for the Job Corps, Neighborhood Youth Corps and other antipoverty programs.

MYSTERY

Just why the antipoverty agency has to recruit poverty-stricken youths remained a mystery. The OEO claims it has more than 275,000 applicants for the Job Corps, for example, and only 8,000 in its camps spread around the country.

Mr. Brown, a onetime Ford Motor Co. publicity man, offered this explanation:

"It's like army recruiting or selling Ford cars, you want to keep pressure on your market."

He added:

"This program reached more of the indigenous poor than anything that's happened since Valley Forge."

Mr. Snyder agreed that, audiencewise, the show was a rocking success. He said ratings showed the program drew almost as many listeners as the NBC and ABC networks combined while it was on the air from 9:30 to 11 p.m. Monday.

DIFFERENT VIEW

Senator Allott took a slightly different view of the program's success.

"For an hour and a half the intelligence of the people of this country was insulted and degraded by the program put on by Sargent Shriver and his group," he told the Senate.

"If I were a Communist, I could ask nothing better than to use this as a tool, having it sent to every country in Africa and the Far East.

"I can't think of anything that could show our lives and our art in worse form."

Mr. Brown denied that Murray the K is a "paid consultant" to OEO. He said the diskjockey had volunteered his services to the antipoverty agency to help it make contact with poverty-stricken teenagers.

The diskjockey invited the program's listeners to send their suggestions or applications for antipoverty jobs to "New Chance" in Washington.

Mr. Brown explained that this was a new name used for the antipoverty program so that the response of teenagers to the show could be measured by their letters.

Mr. ALLOTT. I wish to quote from the article by Mr. Jack Steele. He refers to various things. I quote parts of his article:

> Officials of the Office of Economic Opportunity and the CBS TV network, meanwhile, bounced credit for the program back and forth like a red-hot potato.
>
> Holmes Brown, OEO's top press agent, insisted the program was mostly the idea of CBS and said he simply couldn't understand why the network didn't want to claim all credit for its "success."
>
> John Snyder, head of the CBS TV network, insisted that Murray the K dreamed up and ran the show as an OEO 'consultant'—

Who announced the show.

Then finally:

> CBS picked up the tab for the program, providing the hour and a half of prime network time as a "public service" and paying the production costs and union wage scales to the performers.

The real questions are as follows:

Shall the money of the taxpayers of this country be used for this kind of production? I still say that the production does not belong in anything that the Government of the United States should be spending money for. It is not anything that anybody wants their own tax money spent for. We have been told over and over again that we have hundreds of thousands of people who are poverty stricken, and if there is a young man or a young woman in this country today who does not know about the poverty program, there is nothing in the poverty program by which we can teach him or her.

The poverty program, as I have said before, was ill-conceived and should never have been passed. It is not that we do not have sympathy for poverty-stricken people; but we could have trained adequately, under the poverty program, hundreds of thousands where only a thousand will benefit under the present concept. When the bill was under debate, ways were discussed and pointed out how that could have been done.

Dropouts under the poverty program are now becoming a matter of national concern. Why should a former public relations man for a large corporation say in explanation:

> It is like Army recruiting or selling Ford cars. You want to keep pressure on your market.

Is it the plan to keep pressure on our market and spend Government money by trying to get more people into a poverty program?

How absurd and how ridiculous can we get? He continues:

> This program reached more of the indigenous poor than anything that's happened since Valley Forge.

I always thought that Valley Forge was one of the great turning points, one of the great courageous acts of the Revolutionary War; I never before knew that it had anything to do with the poverty program. The man has mixed his syntax and similes a little.

The question comes down to this: If all the young people we have talked about say that this is the first thing that has ever been done for them, then is not the Government equally obligated to provide opera for those who enjoy opera? To provide classical plays for those who like classical plays? To provide sporting events for those who like sporting events, and so on, ad infinitum?

The point of it all is that this is not for the program. We are not talking for the program itself; we are talking about what was intended to be accomplished by the program. The Federal Government took a long step backward if it spent the taxpayers' money for that program. It was a disgrace.

When was the decision made for the Columbia Broadcasting System to pick up the whole tab? Was the decision made before or after the program was criticized from the Senate floor? I do not know. I must say that the letter from the president of the broadcasting company does not exactly coincide with the statements made to me by his own vice president. I do not believe they are trying to bamboozle me or confuse me. I think that they themselves are confused about what actually happened.

The whole purpose of many of the people who have commented on the program—and many other comments also have been made in line with the position that the Senator from Colorado has taken—has been to disguise the issue, to befuddle it, to reduce it to the fact that one person did not like this particular type of program.

Mr. President, I have a little appreciation of music. It extends over the period of my life and over almost every area of the world. I once sat for 3 hours listening to the National Symphony of Thailand. I enjoyed, perhaps not all of the 3 hours, but at least 2 of them. For a person who is uneducated in the five-note octave of the East, it was a little difficult. So the idea of confusing the real issue should not be accepted by the American people.

I do object to the quality of the program. With the exception of two or three artists, none of the persons on the program had a good voice or musical ability which would extend past the present rock and roll range. They will be long forgotten and long lost. So I do object to the quality of the program.

The question is: What was the program designed for, and are we going to acknowledge, by keeping quiet, that the Federal Government has an obligation to promote every program that is passed by Congress by insisting to a television network that they carry a program which will promote it? We are taking a long step in the wrong direction if we attempt to do that.

No one has bothered to explain why it is necessary to sell such a program as this to the American people. The question is not whether a particular program appeals to any particular individual in the United States. But whether taxpayers' money should be spent in any way to promote such a program.

I am not yet clear, especially after having received the letter from the president of the broadcasting company, about who paid for what. I have Mr. Steele's article before me. I also have an editorial entitled "Bicarbonate Was Clearly Called for," which was published in the Denver Post of July 1, 1965. I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Denver Post, July 1, 1965]

Bicarbonate Was Clearly Called For

We can understand the digestive difficulties that must have afflicted Senator Gordon Allott, of Colorado, Senator Everett Dirksen, of Illinois, and an undetermined number of other adults when they were brought eyeball-to-eyeball with rock-and-roll on a TV antipoverty program Monday night.

Dyspepsia appears to be the inevitable fate of an older generation whenever it is confronted with the tastes of a younger one. In this case, however, the discomfort must have been particularly acute because the teenaged tastes were associated with an important undertaking of the Government of the United States.

Some of our friends who watch this kind of thing—but are otherwise reliable—have reported that the CBS special, "It's What's

> Happening, Baby," was not conspicuously different or conspicuously worse than other rock-and-roll shows that are run regularly on television. That is hardly the sort of news that will settle one's stomach.
>
> We recognize that CBS put on the show free to help acquaint dropouts and other teenagers with the opportunities that are available under the antipoverty program. We recognize too that the rock-and-roll format was chosen because of its special appeal to the audience antipoverty officials in Washington were most anxious to reach.
>
> One would hardly expect to attract teenaged dropouts with the New York Philharmonic or an uncut version of Parsifal. What CBS and the antipoverty officials set out to do showed imagination and intelligence. The trouble was that it was not done effectively.
>
> The rock-and-roll came across, but the antipoverty message didn't. The message, in fact, appeared to be forgotten during much of the show and it was generally drowned out by the noise. What came across was too vague and inconsequential to justify associating the Government with entertainment of this type.
>
> In studying the unpleasant effect the program unquestionably had on the adults who tuned in to find out about the antipoverty program, we were intrigued once again by the special problems of Senator Allott.
>
> Only a few years ago, when Newton Minow, former Chairman of the Federal Communications Commission, was trying to raise the cultural level of television, Senator ALLOTT objected vigorously to FCC interference and accused FCC of promoting pseudointellectual tripe.
>
> "I am nauseated," the Senator said, "with these pseudointellectual programs that have been forced down the throat of the American people."
>
> The pseudointellectual stuff only nauseated him. But Monday night, when TV pursued its freedom to go to the other extreme, Senator ALLOTT called up the president of CBS and informed him, "I am about to throw up."
>
> We hope the Senator's stomach will settle down and that TV will settle down, too. We'd like to see both TV and the Government pay more heed in the future to the adult stomach of the Nation.

Mr. ALLOTT. Mr. President, in looking at the whole matter, it seems to me that those who have commented on it and have taken an opposing point of view have begged the question. They have tried to divert attention by saying that some persons do not like that kind of music. But that is not the question. The question is whether we should appropriate money for a program and then use the same money to build up the amount of appropriations and the amount of expense necessary to produce that kind of program.

This is the great issue, the issue that the Senate ought to decide. The master of ceremonies has, on the one hand, claimed to be a paid consultant to the Office of Economic Opportunity; on the other hand, he has denied that he is a paid consultant of the OEO. The network denies that he is a paid consultant of theirs. When I see a man like that, wearing a beatnik hat, saying to the whole world, "Help us to spend our money," every taxpayer ought to rise up in righteous wrath and indignation and be heard. Later in the program he said, "Tell us what you need." Is that what we need to sell programs which Congress has passed because it felt people were in dire need of help and of training or retraining.

I cannot ignore one situation that occurred at the time the program was in progress. I called Station WTOP and asked for the manager, after I had identified myself. The operator asked, "Is this in relation to the program now going on?"

Mr. President, I could not even get the name of the manager of that station from the operator. Even after I reidentified myself, I still could not get the name of the manager of the station. I understand that scripts are provided, but I understand they do not show anybody the courtesy of providing scripts of what is said about them. I understand an editorial was presented on this matter, attempting to justify themselves, the other evening.

I am happy to discover that the station does have a manager. I was unable to contact him. I still do not know who he is or what his name is to this day.

Mr. President, no one is more aware than is the Senator from Colorado of the problems that face our country. However, if we have so much money in the poverty program that a master of ceremonies has to appear on television before several million viewers and say: "Help us spend our money," then I believe that instead of worrying for a day or two here about whether we shall let people have a tax exemption on $50 or $100 worth of goods brought back from abroad, we should balance our budget and do a great deal more toward stopping the outflow of gold than we would do by permitting the people to bring back a few dollars' worth of goods from abroad tax free.

This is a serious question. It presents a serious, basic problem. Among the statements contained in the letter from the president of the broadcasting company is the statement:

> We have made it clear that the program must meet our general standards of taste and that the messages could not in any way be used for lobbying or legislative purposes, but must be confined to the particular problem for which the OEO was concerned in respect to dropouts.

If that particular program was not destined to reach legislative and lobbying purposes ultimately, and even political purposes ultimately, then I do not know what the program was designed for. That is exactly what it was designed for and nothing else.

If we are to appropriate money to enable agencies to lobby for other legislation and to ask for more money, then we would be appropriating money to lobby against ourselves and against the interest of the American people.

This is a matter which calls for clear thinking. The question is not whether one person liked the program. The question is whether a basic element and a principle of our Government, and the way it should be run, has been violated.

I think that it is fair to ask why any particular television or broadcasting system would devote an hour and a half of prime time to the promotion of a program of this kind when the program is already tinged with so many criticisms, and justifiably so, that I believe this administration's program will be marked as one of the most unsuccessful governmental programs that has ever been instituted.

"THE COALITION" WORKS TO RE-ELECT NEW IOWA DEMOCRATS IN CONGRESS

Mr. MILLER. Mr. President, in yesterday's issue of the Des Moines Register there was an article entitled "'The Coalition' Works To Reelect New Iowa Democrats in Congress," written by the able reporter from the Register's Washington Bureau, Nick Kotz.

The article lays bare the partisan political activities of certain national associations which, until now, have stoutly maintained their nonpartisan character.

According to the article, these groups include the National Association of Rural Electric Co-operatives, the National Education Association, the Co-operative League of the U.S.A., the National Association of Land Grant Colleges, and the National Council of Senior Citizens. They, along with the AFL–CIO and the National Farmers Union, comprise the coalition. The article states that their political action is being coordinated by the Democratic National Committee in constant liaison with the White House.

In my own State of Iowa, there are State association counterparts of several of these national associations, such as the Iowa State Association of Rural Electric Cooperatives and the Iowa State Education Association. It has been my personal observation over the past 12 years that the membership of these associations in Iowa consists of a substantial number if not a majority of citizens who generally support the Republican Party and Republican candidates. It has been my further observation that the policy of the board of directors of these associations has consistently been completely opposed to a partisan position. I would hope that when this article is brought to the attention of these boards, they will take appropriate action to put a stop forthwith to the coalition activities of the national associations.

Most Republican Members of Congress from the Midwest have consistently supported the appropriations needed by the Rural Electric Cooperatives in their States, including the 2-percent interest money policy for REA loans to these cooperatives. As a result, the local REC's in Iowa, for example, under capable and efficient management, have performed outstanding service to the people in their communities. In the face of this record, it would be most inconsistent and unfair for the national association to seek to play partisan politics with the money paid in by these local cooperatives for what should be the legitimate activities of the national association.

Many Republican Members of Congress have been among the leaders for better education legislation. Indeed, the recently passed education bill, which will provide needed assistance to local school districts throughout the Nation for the purpose of improving the facilities and instruction for the educationally deprived, was born, not in the Great Society drawing room of the White House, but in the Republican section of the 1964 Joint Economic Committee Report, unanimously subscribed to by the Republican members. It is true that a good many Republican Members of Congress have been opposed to Federal aid to primary and secondary education where Federal bureaucratic control over local education would accompany such aid. However, there are numerous Republican Members of Congress who recognize the need for Federal aid because either State legislatures are unwilling to act or because State revenues are inadequate to provide sufficient State aid to relieve local property taxes from the ever increasing costs of education. We support a return to the States of a percentage of Federal revenue collections to assist the States in this regard—without accompanying Federal controls. This policy is completely in accord with the wishes of the vast majority of teachers who, I am sure, would be most unhappy to learn of the partisan political activities of their national association.

Mr. Kotz, with his timely and careful research, and the Des Moines Register have performed a real service by bringing these facts to the attention of the public.

Mr. President, I ask unanimous consent that the article published in the Des Moines Register of July 6, 1965, entitled " 'The Coalition' Works To Reelect New Iowa Democrats in Congress," be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"The Coalition" Works To Reelect New Iowa Democrats in Congress

(By Nick Kotz)

Washington, D.C.—A new coalition of interest groups is working quietly behind the scenes in Washington and throughout the country to reelect Democratic Congressmen and to lobby for Johnson administration legislation.

The membership of what has been labeled "The Coalition" by political insiders includes traditionally open supporters of the Democratic Party, such as the AFL–CIO labor organization and the National Farmers Union.

Added to this traditional farmer-labor alliance are organizations which in the past have been ostensibly nonpartisan.

These include the National Association of Rural Electric Cooperatives, the National Education Association, the Cooperative League of the U.S.A., the National Association of Land Grant Colleges and Universities, and the National Council of Senior Citizens.

Members of "The Coalition" hesitate to speak publicly about their joint operations. This silent front is maintained because of their backstage political role, and because some must maintain a nonpartisan public image.

The new political action coalition is coordinated by the Democratic National Committee and maintains constant liaison with the White House through Lawrence O'Brien, special assistant to the President for congressional relations.

GOLDWATER THREAT

Primary impetus for the alliance came from the presidential candidacy of Barry Goldwater. His possible election presented a frightening threat to both the individual and common liberal legislative goals of these organizations.

Following the election, the organizations were drawn together formally at the national level by their common interest in such legislation as medicare and aid to education.

This interest has been translated into two basic activities: Cooperative lobbying on Capitol Hill, and joint efforts to reelect the new Democratic Congressmen.

"The coalition" has mapped a drive to help the reelection campaigns of 61 of the 71 freshman Democrats, including all five from Iowa. The 61 congressional districts were picked as marginal ones which could most easily be recaptured by Republicans.

These new Congressmen have provided a large enough Democratic majority in the House, 293–141, to crack the longtime Republican-Conservative Democrat blockade against such legislation as medicare and Federal aid to education.

NO COATTAILS

"Many of these Congressmen rode into office on President Johnson's coattails in 1964," explained one coalition member. "There won't be any coattails to ride in 1966."

As primary assistance to the freshman Congressmen, the coalition seeks to promote expense-paid trips back to their home districts. Speaker's fees or honorariums also are encouraged. Trip expenses are to be paid by local branches of the organizations which request the Congressmen to speak.

"We decided that the first problem facing many of the new Democrats was to become better known in their districts," said a coalition member. "Our purpose is to help the Congressmen get home often and early both to make themselves known and to explain their votes on legislative issues while the issues are hot."

These expense-paid trips are most welcome, as Congressmen receive few campaign contributions in a nonelection year. Congressmen receive Federal reimbursement for only two round trips home a year.

Regular national meetings of the coalition have been held here under the chairmanship of Donald Ellinger of the Democratic National Committee. With regard to legislation, the organizations exchange information and attempt to combine their lobbying efforts when all support a particular bill. They have been particularly effective at building grassroots political support for legislation.

The coalition format for congressional support was organized in this fashion:

Each organization compiled lists of its own members who would support Democrats in the 61 congressional districts. Then, individual Congressmen, along with a national representative of the coalition, would meet in the congressional district with local members of the various organizations.

From these meetings hopefully would emerge a steering committee, which would work with the Congressman's district representative to plan speaking engagements and organize for the 1966 campaign.

Steering committee meetings were held early this year for four of the new Iowa Democratic Congressmen: Bert Bandstra, of Pella; Stanley Greigg, of Sioux City; John Hansen, of Manning; and John Schmidhauser, of Iowa City. A meeting was scheduled for John Culver, of Cedar Rapids, but it had to be canceled.

Coalition participants report that the Hansen and Schmidhauser steering committees are among the most successful organized to date.

An example of a coalition-organized trip was Schmidhauser's speech last weekend to the Davenport AFL–CIO organization. At this stage, the Iowans reportedly have received few of the expense-paid trips envisioned by "the coalition."

DELICATE AFFAIR

Participation in the coalition of such groups as the Rural Electric Cooperatives and National Education Association is a delicate affair. In Iowa, for example, a majority of members in many local co-ops and education associations are Republicans.

For this reason, national organizations participating in the coalition have compiled lists of their local members who are willing to help Democrats. By this means, the national organizations seek to minimize friction within their own groups.

FOREIGN ECONOMIC MEASURES MAY DAMAGE U.S. ECONOMY

Mr. MILLER. Mr. President, in yesterday's issue of the Wall Street Journal there appears a timely and the usual "in depth" article by William S. Rukeyser, entitled: "Common Market End of Progress Would Hit United States, Global Economies."

The author calls attention to the recent action by France in calling home its key officials in the Common Market at a critical time in the effort of the "inner six" at unification. He describes the dangers that lie ahead if this effort should come to a standstill—dangers to not only the members themselves, but to other countries in Europe and to the United States.

Another article in the same issue of the Wall Street Journal, this one by Norman Sklarewitz, entitled "Japan's Businessmen Try Novel Cost Cuts as Recession Grows," calls attention to developments in the Far East which can have damaging effects on the economy of the United States.

I ask unanimous consent that these two articles be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Common Market End of Progress Would Hit United States, Global Economies—Crisis Is Threat to Some U.S. Exports, Trade Talks, May Worsen European Slumps—France Pulls Out Its Officials

(By William S. Rukeyser)

London.—A decision by French President de Gaulle to block further unification of the Common Market would have repercussions far beyond Europe.

The possibility of such a decision grew yesterday when France withdrew key officials from Common Market activities at the organization's Brussels headquarters. Jean-Marc Boegner, France's Ambassador to the Common Market, was called back to Paris for urgent consultations. Since all major business of the trade group requires a unanimous vote by its six member nations, this was a sign that Common Market progress, at least for now, was at a standstill.

The possibility that President de Gaulle would block further unification of the Common Market first arose last Thursday. The crisis was triggered then when France's effort to dominate the group—this time on agricultural policy—was challenged by her five partners. At the heart of the crisis is France's fear that the Common Market is evolving toward a supranational organization with wide political as well as economic powers.

WIDESPREAD RAMIFICATIONS

Should France decide not to take part in any more Common Market activities, thus making the standstill permanent, the ramifications would be widespread. Among them:

Uncertainty over the future of the projected six-nation internally tariff free mass market of 180 million Europeans would aggravate the economic slowdowns already taking place in some Common Market countries. Since the Common Market is the world's biggest customer for foreign goods—it spent $26.8 billion on imports in 1964—this could help cause a worldwide recession.

U.S. industrial exports to the six Common Market nations—France, West Germany, Italy, Belgium, the Netherlands, and Luxemburg—would be jeopardized. These exports, which amounted to $4.5 billion last year, help substantially to reduce America's balance-of-payments deficit.

A Common Market breakdown would be a mortal blow to the already beleaguered world tariff negotiations in progress at Geneva. The European Economic Community, as the Common Market is formally known, is bargaining as a unit, and it must make progress in setting its own internal farm policy before it can negotiate seriously with other countries on agricultural trade. The United States is pledged to reject any agreement at Geneva that doesn't provide for freeing of agricultural as well as industrial trade.

Doubt over the EEC's future would cause trouble for U.S. companies that have invested heavily in the six nations in expectations of selling freely to the huge market. Such investment by U.S. firms stands at nearly $5 billion, up from only $1.7 billion when the EEC was started in 1957.

Britain would have vastly diminished hopes of obtaining further backing for its pound sterling from Common Market countries. European central banks provide about half the $3 billion credit that helped rescue the pound last November. But the uncertainty that would follow any freeze on Common Market progress would make the bankers more loath than they already are to give new support to Britain.

FRANCE'S ANGRY POSITION

The threat that the EEC could come to a standstill or collapse completely arose last Thursday when the policymaking Council of Ministers failed to agree on a new plan for financing the joint agricultural policy to replace the financial regulations that expired June 30. France, which as the EEC's major food producer stands to gain most from an EEC-financed farm program said angrily that it would not participate "for the moment" in future Common Market meetings. This was followed by the announced pullout of French officials.

But the real issue goes much deeper than how farm subsidies should be paid for. The commission and France's five EEC partners are using the farm issue to push for their larger goal of closer political integration of the six nations. They would have all customs duties collected by the six—around $2.3 billion a year—paid into an EEC fund, which would then allocate funds for farm subsidies and other community needs. (At present the farm-support bill is paid by the six national treasuries according to an agreed percentage plan.)

POWER TO EUROPEAN PARLIAMENT?

Under the commission plan, the EEC fund would be administered by the European Parliament, the political, and largely advisory, EEC arm at Strasbourg. President de Gaulle is violently opposed to giving any such power to this supranational body, and some observers think he is ready to torpedo the Common Market on this point regardless of the serious consequences to French farmers.

A new Council of Ministers meeting had been scheduled in Brussels July 26 and 27. It has been expected that the EEC executive commission would present compromise proposals on farm financing before then. But with yesterday's announcement by France that none of her officials would any longer partake in working groups on current problems, it seemed unlikely that the proposals would be acted on. The commissioners met yesterday for the third time in 4 days and diplomatic efforts were underway in the six national capitals to keep channels of communications open.

Meanwhile, jitters are spreading throughout the six nations on the possibility of a breakdown in Brussels. Representatives of French farmers urged their government over the weekend to remember the benefits French agriculture draw from the Common Market. Patronat, the federation of French industrial associations, said "failure of the EEC would have most grave repercussions for all."

"DO EVERYTHING POSSIBLE"

The German Federation of Industries in Cologne issued a statement calling "on all governments to do everything possible to resolve the Common Market crisis." In Brussels, H. M. Claessens, secretary-general of the Union of Common Market Industries, said his group will meet soon to discuss the crisis. "We consider the situation very serious," he declares.

Legally the EEC can't break up; there is no termination or escape clause in the 1957 Treaty of Rome, which is the Common Market's "constitution." But if President de Gaulle, who faces a French election in December, really decides to have nothing to do with the EEC, he could cripple it.

As one option, he could practice the "empty chair" technique, which would freeze the community at its present stage of progress. This would mean tariffs on industrial trade among the six nations would stay at 30 percent of their 1958 level, with internal farm tariffs around 65 percent of their 1958 level. Some French officials have even talked of returning to the 1961 situation, when industrial tariffs still were 70 percent of the 1958 level.

Under such a freeze there could be no single commodity prices or a single market for agriculture in the Six since these still have to be approved by the national parliaments. There would be no common external tariff and therefore no common trade policy toward the rest of the world.

FRANCE COULD SQUEEZE IMPORTERS

Many observers doubt whether France would be willing for long to let West German industrialists continue to benefit from sharply lowered industrial tariffs among the Six, since a freeze would end hopes of winning offsetting farm benefits for France. Even if France felt itself bound by the Treaty of Rome not to increase tariffs against the rest of the Six, it still could squeeze importers by making it harder for them to obtain credit.

Such a credit tightening would invite retaliation from other countries and could hasten a Europe-wide economic slump. The European boom has been fanned since 1958 by the existence of the Common Market; industrial trade among the Six has risen 70 percent.

One group that wouldn't suffer from a freezing of the Common Market at its present stage is U.S. farmers. Western Europe has been one of America's best markets for farm exports, but the threat of higher and higher Common Market tariff walls against farm products from nonmembers has dimmed the outlook for this market. Indeed, the EEC had been evolving a farm policy so protectionist that U.S. tariff bargainers at Geneva have begun to feel they would be doing well simply to get assurances that in the future the EEC won't take less than the approximately $1 billion of U.S. farm products it has been importing annually.

A freeze of the trade bloc at its present stage would end the Common Market's plans for harmonization of transportation, energy, and tax policies. It would nip European industrialists' new enthusiasm for creating vast international mergers to help their companies compete with the United States.

If France's five EEC partners found themselves cut off from the French market of 45 million customers, they might look for a replacement by holding a quick round of tariff talks with the European Free Trade Association (EFTA), which consists of Austria, Britain, Denmark, Norway, Portugal, Sweden, Switzerland, and associate member Finland. Over the weekend, Danish Foreign Minister Per Haekkerup stressed EFTA's interest in "building bridges" to the EEC.

IMPACT ON AFRICAN NATIONS

In such circumstances, the remaining 5 EEC partners might want to review their "association" agreement with 18 African nations, most of which are former French colonies. The 18 countries, which do most of their foreign trade with France, currently are sharing $730 million in a 5-year development program paid for by the Common Market. The program expires in 1969; renewal would be unlikely if the Common Market were dead or dying.

Another casualty would be the European Investment Bank, run by the Six, which by the end of 1964 had spent $465 million aiding southern Italy and other underdeveloped areas of the EEC. Trade agreements currently being negotiated with Austria, Nigeria, Tunisia, Morocco, and Algeria probably would end. Association agreements with Greece and Turkey—aimed at helping them to reach Western European economic standards and to become full EEC members within a decade—would be empty. Trade agreements with Iran, Israel, and Lebanon would expire with little hope of renewal.

Within the EEC, Belgium and Luxemburg would be particularly hard hit by a Common Market collapse. Both have poured millions into real estate development and other facilities for the expected burgeoning of centralized European administrative bodies. For example, a $30 million building financed jointly by the Belgian Government and private developers is rising about the Brussels skyline for eventual occupancy by the EEC Commission.

THREAT TO "EUROCRATS"

Some 7,000 "Eurocrats"—staff members of the Common Market and associated bodies—could be thrown out of work. Airlines, hotels, and restaurants in Belgium and Luxemburg would feel the pinch.

Some seasoned observers of the Common Market in Brussels find it hard to believe the community will founder on the farm-financing issue. They point out that periodic crisis seems to be the Common Market's method of locomotion from one stage of progress to another. Memories still are vivid of the all-night meetings and despairing statements when President de Gaulle vetoed British membership in the EEC in 1963 and when ministers were struggling to set a common grain price in 1963 and 1964.

But no one pretends he can read Mr. de Gaulle's mind. And even if the Common Market eventually pulls through this crisis, a prolonged period of uncertainty would have serious effects. Worried businessmen would be likely to cut back ordering so as not to carry big inventories while their markets are in doubt. Expansion plans would be postponed.

On the political front, the crisis is almost certain to be an issue in the West German election September 19, and the French December vote. German industrialists depend on the Common Market for sales just as much as French farmers do.

Clearly, what happens next depends on how much each side is willing to compromise. Will France give in to some delayed, vague agreement about strengthening the

European Parliament—the goal of its five partners? How far will the others, notably West Germany and Holland, allow parliamentary strengthening and political integration to fade into the background? Not very far, answer many observers to the last question. The Dutch have given into de Gaulle time and again in hope of eventual political integration, and indications are they are ready to make their stand now. European integration is a popular dream in West Germany. Some think Chancellor Ludwig Erhard could be out of a job in September if he appears to be yielding on this.

Japan's Businessmen Try Novel Cost Cuts as Recession Grows—Economy's Dip Spurs Savings on Pencils, Geisha Parties; But Saving Face Comes First

(By Norman Sklarewitz)

Tokyo.—There is grumbling in the geisha houses and gloom in the executive suites of Nippon. Hard hit by a wave of cost-cutting and austerity moves, many a high-living Japanese businessman is being forced to pinch yen as never before.

He is drinking cheaper green tea on the job, entertaining fewer expense-account customers at traditional geisha parties, and worrying about how to get maximum mileage out of a lead pencil. Once he was whisked to work in a chauffeur driven company car. Now he's jostled on the subway with the rest of the herd.

These are some of the more visible signs of deepening economic distress in Japan, distress which has compelled the nation's business community to make all sorts of unaccustomed concessions to frugality. This alone may not be enough to turn the tide for, after a decade of unparalleled prosperity, Japan is now mired in a recession.

Bankruptcies in May, the latest month for which figures are available, totaled 526, compared with 282 in the same month of 1964. A survey of 258 manufacturing concerns showed profits for the fiscal year ended March 31 were down nearly 7 percent from the previous year. Though production gains are still being posted in the chemical, shipbuilding, and steel industries, important producers of cameras, electrical appliances, glass, cement, and textiles are lagging. Japan's manufacturing index in May dipped to 171.5, down from a record high of 178 last October.

SECURITIES FIRMS FLOUNDER

Japan's stock market plods along with prices and trading volume still at depressing lows after a near collapse last fall. Small investors have almost deserted the market, further alarmed by recent news that Yamaichi Securities Co., one of the nation's biggest brokerage firms, had overextended itself so seriously that authorization of Government-backed loans and debt waivers by bank creditors were needed to save it from ruin. Other brokerage houses are floundering, too.

American companies also will feel the impact of this economic slowdown. Last year the United States sold Japan $2.3 billion worth of goods, including major purchases of new production machinery. With industrial modernization now nearly complete and demand lagging, Japan will almost certainly buy less production gear from the United States this year. At the same time, Japanese concerns are feverishly trying to raise exports, and promise to be stiffer competitors for American concerns in such markets as southeast Asia and South America. Japan also is pushing more aggressive sales campaigns in the United States, aiming to boost the $1.8 billion volume it did there in 1964.

Some of the belt-tightening moves on the homefront, however, range from the irrelevant to the irritating. In fact, many Japanese executives don't seem to know how to save money. "Even major firms here don't really understand or apply cost accounting methods," says Antonio de Grassi, Jr., an American management counsel. "They miss the heart of the problem, which is improving efficiency, and instead, worry about the frills."

One major rayon producer, nicknamed "stingy rayon" by disgruntled employees, labeled the office water cooler "for guests only." Employees are expected to drink tap water to save on the costlier bottled supply used in the fountain. A Tokyo concern now serves a cheaper grade of tea to employees and orders business letters to be written on both sides of a single sheet of paper. Calling for fortitude in times of duress, one of its competitors orders workers to climb stairs to their offices rather than run up the electric bill by using the elevator.

ENTER THE 2-INCH PENCIL

One company ran a cost-cutting suggestion contest and awarded first prize to an employee who proposed that two 1-inch pencil stubs be taped together end to end, creating a usable pencil. A supervisor at another concern, a ruler taped to his desk, measures the length of stubs turned in by workers before he'll issue new pencils.

Sometimes, though, saving face proves more important than saving money. One company ordered its management to ride in second-class train coaches, but quickly rescinded the order when an executive discovered a labor union rival traveling in first-class comfort on the same train.

However, cost-cutting measures do extend beyond the save-that-paper-clip stage in many concerns. Takeshi Mitarai, president of Canon Camera Co., has ordered a sweeping "Retreat and Counter Attack Maneuver" on unnecessary spending, which includes abandonment of five floors of a posh office building on Tokyo's Ginza; displaced office workers will move into far cheaper space in the company's plant at the city limits, saving an estimated $200,000 annually. Mr. Mitarai hopes Canon will draw new strength from present adversity. "A stalk of bamboo without a gnarl is weak," he observes.

One maker of heavy machinery has reduced permissible overtime per month from 70 hours to 35. Traditionally, office workers were permitted to linger at their desks after hours, chatting and playing mah-jong while the time clock ticked away and paychecks grew fatter. Now this has been restricted, and the company has ordered that on 2 days a week all employees leave the office together.

The economy ax is also falling on Japan's legions of free spenders. This will hurt, for many executives here run up monthly expense accounts far above their base salaries. Already, personal allowances for housing, entertainment and special transportation have been reduced 20 percent and more by many concerns.

Fuji Film Co. has forbidden its executives to do any expense-account entertaining during the last week of the month, when by custom most business dining and drinking takes place. Fuji hopes this will reduce its monthly party bills by about 40 percent.

Salaries of top officials are being reviewed, too. In June, one leading producer of synthetic fibers slashed directors' salaries 30 percent; automatic salary increases due April 1 for executives of giant Toshiba Electric were postponed "until business picks up." Other concerns, such as Tokyo's Takashimaya department store, have declared 1-year moratoriums on raises for all senior executives.

All this frenzied cost-cutting leaves Japan's big labor unions cold. Now in their annual "Spring Labor Offensive," union officials charge that top-level pay freezes and other tactics are merely propaganda devices designed to take the steam out of their demands for higher wages. For the fourth consecutive year, Japanese labor won raises in 1964 averaging 10 percent and unions indicate they will settle for no less this year.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Montana [Mr. Mansfield].

Mr. SMATHERS. Mr. President, I ask unanimous consent that the pending amendment, which, as I understand it, has been offered by the majority leader, be temporarily laid aside and that the junior Senator from Rhode Island [Mr. Pell] be recognized to offer an amendment.

The PRESIDING OFFICER (Mr. Harris in the chair). Is there objection to the unanimous-consent request? The Chair hears none; and it is so ordered.

AMENDMENT NO. 283

Mr. PELL. Mr. President——

The PRESIDING OFFICER (Mr. McNamara in the chair). The Senator from Rhode Island is recognized.

Mr. PELL. I call up my amendment No. 283 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

COST-OF-LIVING INCREASE IN BENEFITS

Sec. 328. Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"Cost-of-Living Increase in Benefits

"(w) (1) (A) for purposes of this subsection—

"(i) the term 'price index' means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

"(ii) the term 'base period' means the calendar year 1964.

"(B) For purposes of determining under this subsection the per centum of increase (if any) of the price index for any year over the price index for the base period, the price index for the base period shall be regarded as 100 per centum.

"(2) As soon after January 1, 1966, and as soon after January 1 of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. For each full 3 per centum of increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this paragraph over the price index for the base period, there shall be made, in accordance with the succeeding provisions of this subsection, an increase of 3 per centum in insurance benefits payable under this title.

"(3) Increases in insurance benefits provided under this subsection shall be effective, in the case of monthly benefits, for benefits payable with respect to months in the one-year period commencing with April of the year in which the most recent determination pursuant to paragraph (2) is made and ending with the close of the following March, and, in the case of lump-sum death benefits, with respect to deaths occurring during such one-year period.

"(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded), amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

"(5) Any increase to be made in the monthly benefit or lump-sum death payment payable to or with respect to any individual shall be applied after all other provisions of this title relating to the amount of such benefit or payment have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10.

"(6) Whenever the Secretary determines that the application of the foregoing provisions of this subsection will result in an actuarial deficit to the trust funds established by section 201 of this Act, he shall report the matter to the Congress together with such recommended changes in social security tax schedules or such changes in the wage base, or both, as may be necessary to offset such deficit."

Mr. PELL. Mr. President, my amendment, which I submitted on June 17, is intended to link the social security system directly to the cost of living, which is compiled monthly by the Bureau of Labor Statistics. This is a very uncomplicated amendment—if the Bureau determines that the cost of living has gone up 3 percent, then social security benefits will be adjusted upward by the same percentage.

Although my bill does provide that if the cost-of-living increases result in an actuarial deficiency in the trust funds, the Secretary of Health, Education, and Welfare shall report this to Congress with recommended additional financing, this provision should not be necessary.

It has been pointed out many times that social security cash benefits are conservatively financed. One reason for this is the actuarial assumption of a constant earnings level projected into the future, even though our past economic history has shown a rising earnings level. This is all explained on page 129 of the committee report which is before the Senate.

If earnings do rise, as can be confidently expected, a "savings" will result in the system because of the weighted benefit formula. This "savings" should be more than enough to finance the cost-of-living increases my amendment provides. The proposal I am making, is then, self-financing. As wages and prices rise—wages usually at a faster rate—the savings from advancing earnings level will finance the cost-of-living increases.

I recognize, Mr. President, that the Senate Finance Committee did not have the opportunity to consider my amendment when it conducted hearings and markup sessions on H.R. 6675. I am gratified that the committee did act favorably on a proposal that I and other Senators supported—to raise the income limitation placed on beneficiaries from $1,200 per year to $1,800 per year.

I now return to the cost-of-living amendment, and would ask the Senator from Florida if he would consider the amendment, whether it would be appropriate to have a vote on it at this time, or how he would feel concerning it.

I should like to mention that there have been staff-level discussions on the amendment with the Senator from Louisiana.

Mr. SMATHERS. Let me say to the able Senator from Rhode Island that I believe he has in many respects a worthwhile amendment, in that it is the kind of problem which he seeks to answer and which we will have to wrestle with, obviously, in the future.

As I understand the Senator's amendment, what he is talking about has nothing whatever to do with medicare.

Mr. PELL. The Senator is correct.

Mr. SMATHERS. It refers to social security payments. The argument is that as the cost of living goes up, or goes down, social security benefits will be increased if the cost of living goes up at a certain fixed rate, and if it goes down, social security benefits would also go down, if we run into a deflationary period.

Mr. PELL. If I may correct the Senator, there is no provision for the cost of living going down, because never in our history, thus far, have we gone into any deflationary period. It provides for going up, and would also pay for it going up, in that the Secretary of Health, Education, and Welfare would determine how much additional funds were necessary, if there were an actuarial deficiency. If by chance there should be a deflationary period, the Secretary of Health, Education, and Welfare would then have the authority to report to Congress any changes needed in the tax rate or the taxable wage base.

Mr. SMATHERS. Has the Senator from Rhode Island received the assurances of the Senator from Louisiana?

Mr. PELL. No; no assurances from the Senator from Louisiana. This was done at the staff level.

Mr. SMATHERS. It would be my hope if he got assurances from us, that this matter would be looked into. It will have to be looked into in the future. If the Senator should insist upon voting either up or down on his amendment at this particular time, I have the feeling that probably, at the moment, we could defeat his amendment——

Mr. PELL. I would not disagree with the Senator on that.

Mr. SMATHERS. Which I believe would be doing an injustice to what is a very good thought.

Rather than have that occur and made a matter of record, it seems to me that on the basis of this colloquy, and the assurances that we could get from the Senator from Louisiana, this matter would be looked into. We need to get the technicians on it so that we can always keep the beneficiaries of social security enjoying a level of income which it is the intention of Congress that they should always have.

Technically, how we do it will have to be given a great deal of thought and study. With the assurance that that would be done, I hope the Senator from Rhode Island would not insist on a vote on his amendment and that he withdraw it temporarily.

Mr. LONG of Louisiana. Mr. President, will the Senator from Rhode Island yield?

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Does the Senator from Rhode Island yield to the Senator from Louisiana?

Mr. PELL. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, this amendment presents some problems, of which I am sure the Senator is aware, one being that if we add cost of living automatic increases to the bill, it will be argued that we should do the same thing to the Federal pay raise bill, and then it would be argued that the same principle should be extended into other fields.

It is necessary that there be as many restraining elements as possible placed upon an inflationary spiral. Naturally, we must increase social security benefits when the cost of living goes up, but if we rush to increase them automatically, the result could be that it would be adding to an inflationary spiral and rushing the whole trend.

However, the Senator from Rhode Island has a meritorious amendment. Part of the reason why we have this 7-percent increase is that there has been an increase in the cost of living.

As the Senator knows, I have not had an opportunity to study the amendment in committee. I would welcome an opportunity to study it and see if we could not work out something; but I do not believe we could do so on the floor of the Senate and do the subject justice.

Mr. PELL. I understand that. Let me make the point that I realize it would be intellectually dishonest to call for an increased benefit without providing for the funds with which to pay for it. That is why, in my amendment, I have specified that whenever the Secretary of Health, Education, and Welfare determines that the applications of the amendment would result in an actuarial deficit in the trust fund, he shall report to Congress and recommend needed changes in the tax rate or wage base. It might be the wisdom of the Finance Committee that it should be tightened up further to provide for an actual schedule of changes, or an increase in the base upon which social security taxes would be paid. It would seem to me to make sense that the base should be increased rather than the rate increased, because in an inflationary period it would mean that more people would be paying on a wage base of $6,600.

I would hope that there might be some sort of thought that we might even have hearings held in the Finance Committee on the subject.

Mr. LONG of Louisiana. I would be happy to hear witnesses on the subject at the next opportunity to consider a social security bill. On that basis, I hope that the Senator would not insist on his amendment at this time.

Mr. PELL. Mr. President, with that understanding, I am glad to withdraw my amendment, and I hope that adequate hearings will be held.

The PRESIDING OFFICER. The amendment of the Senator from Rhode Island is withdrawn.

Mr. LONG of Louisiana. I thank the Senator.

Mr. MANSFIELD. Mr. President, I send to the desk a revised amendment for the amendment which I originally offered, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. The Senator from Montana proposes a revised amendment. On page 137, strike out lines 22, 23 and 24 and on page 138 strike out lines 1 through 8 and insert in lieu thereof:

(b) Section 213 of such Code (relating to medical, dental, etc., expenses) is further amended—

(1) by striking out subsection (c) of such section, and

(2) by striking out paragraphs (1), (2), and (4) of subsection (g) of such section.

Mr. MANSFIELD. Mr. President, after discussing the original proposal with the distinguished Senator from Louisiana [Mr. Long] and the distinguished ranking minority members of the Committee on Finance, the Senator from Delaware [Mr. Williams], I find that it is advisable, in view of the law as it now exists and the position taken by the House Ways and Means Committee and by the Senate Finance Committee, that the revised amendment be presented as is, because it is more in accord with the thinking of the two committees concerned and more in accord, in reality, with the objectives desired by those who are plagued with terminal and other kinds of illness.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS of Delaware. I thank the Senator from Montana for modifying his amendment. As one member of the committee, I have no objection to the amendment as modified. I believe it achieves a worthy purpose.

Mr. SMATHERS. Mr. President, I congratulate the able majority leader for presenting his amendment. It is a very desirable and useful amendment. I am certain that if a Senator had thought of it and presented it to the committee, the committee would have almost unanimously been in favor of it. I hope the Senator from Louisiana will be willing to accept the amendment.

Mr. LONG of Louisiana. I have discussed this matter with the Senator from Montana, and it has been discussed also with the Senator from Delaware, who probably understands tax law as well as anyone. The staff has studied it. We believe it is a good amendment. The Treasury Department believes it is a good amendment. I hope the Senate will agree to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Montana.

The amendment, as modified, was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, the Senate has already approved the Mansfield amendment. I ask unanimous consent that an analysis of the amendment be printed following the vote on the amendment.

There being no objection, the analysis was ordered to be printed in the Record, as follows:

Mansfield Amendment to H.R. 6675

The Mansfield amendment deals only with the maximum limitation on deduction of medical expenses (income tax deduction).

Existing law places maximum limitations upon the total amount of the medical expense deduction which a taxpayer can be allowed in any 1 year. Generally, the ceiling is fixed by multiplying $5,000 by the number of the taxpayer's exemptions (other than those for blindness or age), subject to upper limits of $10,000 (for a single taxpayer), and $20,000 (for one who is married). Where the taxpayer or his spouse or both have attained 65 and are disabled, however, upper limits of $20,000 and $40,000 become applicable under a special set of rules.

The House bill removed all reference to attainment of the age 65 in the rules governing the $20,000 and $40,000 limitations so that these rules would apply to all disabled taxpayers and spouses without regard to their ages. The House bill retained the regular $10,000–$20,000 maximum limitations for the nondisabled.

The Finance Committee approved the higher limits of the House bill for the disabled under age 65.

The Mansfield amendment, as modified, eliminates all maximum limitations on the medical expense deduction. Thus taxpayers under age 65 will be allowed to deduct all their medical expenses which are in excess of 3 percent of their adjusted gross income. Those age 65 or over will be able to deduct all their medical expenses. The 3 percent floor under existing law does not apply to taxpayers aged 65 or over and the Mansfield amendment does not change this.

Mr. RIBICOFF. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that the text of the amendment be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 17, lines 15 and 16, strike out "for up to 120 days during any spell of illness".

On page 17, lines 17, 18, and 19, strike out "for up to 100 days during any spell of illness".

On page 17, lines 20 and 21, strike out "for up to 175 visits".

On page 18, strike out lines 2 through 16, and insert in lieu thereof the following:

"(b) Payment under this part for inpatient psychiatric hospital services furnished to an individual shall not be made after such services have been furnished to him for a total of 210 days during his lifetime."

On page 19, strike out lines 8 through 15.

On page 19, line 16, strike out "(d)" and insert "(c)".

On page 19, line 21, strike out "for the first 175 visits".

Beginning with the word "The" on page 19, line 23, strike out all through line 2, on page 20.

On page 20, line 3, strike out "(e)" and insert "(d)".

On page 20, beginning with the word "subsections" on line 3, strike out all through line 5, and insert in lieu thereof "subsection (b), inpatient psychiatric hospital services".

On page 20, line 10, strike out "(f)" and insert "(e)".

On page 21, beginning with the word "Such" on line 1, strike out all through line 6.

On page 22, strike out lines 3 through 8.

On page 29, line 21, insert "psychiatric" after "inpatient".

On page 29, line 22, insert "psychiatric" after "any".

On page 36, line 2, insert "(1)" after "(a)".

On page 36, line 13, strike out "(1)" and insert "(A)".

On page 36, line 24, strike out "(2)" and insert "(B)".

On page 37, between lines 19 and 20, insert the following:

"(2) In addition to the amounts that are appropriated (under the provisions of paragraph (1)) to the Trust Fund, there are authorized to be appropriated to the Trust Fund from time to time such sums as the Secretary deems necessary for any fiscal year in order to place such Trust Fund in the same position at the end of such fiscal year in which it would have been if payment under part A for services furnished an individual during a spell of illness could not be made for—

"(A) inpatient hospital services (including inpatient psychiatric hospital services and inpatient tuberculosis hospital services) furnished to him during such spell after such services had been furnished to him for one hundred and twenty days during such spell, plus the amount of one-fourth of the inpatient hospital deductible for each day of such services furnished after the sixtieth day and before the one hundred and twenty-first day per person;

"(B) post-hospital extended care services furnished to him during such spell after such services had been furnished to him for one hundred days during such spell plus the amount of one-eighth of the inpatient hospital deductible for each day of such services furnished after the twentieth day and before the one hundred and first day per person; and

"(C) post-hospital home health service furnished to him during any one-year period described in section 1861(n) and after the beginning of one spell of illness and before the beginning of the next after he had received one hundred and seventy-five visits during such period."

On page 111, lines 21 and 22, strike out "(a)(1), (a)(2), or (a)(4)" and insert in lieu thereof "(a)(1) or (a)(2)".

Mr. RIBICOFF. Mr. President, the bill before us is an outstanding bill, but lacks one feature to make it a great bill. It fails to take into account one of the great problems facing our older citizens, and that is, What happens to people over 65 who are faced with a catastrophic illness?

The bill as it came to us from the other body provided for hospital benefits up to 60 days, and benefits for nursing home care following that hospital stay for 20 days, plus 100 home health visits.

During the discussions in the Committee on Finance an amendment was added, under the auspices of the Senator from Indiana [Mr. HARTKE], which would extend these benefits for an additional 60 days in the hospital, with the patient paying $10 a day, and 80 additional days in a nursing home at an additional payment by the patient of $5 a day.

This would mean that a person who had a serious illness, after the first 60 days, would be charged with a potential liability of $1,000.

The cost of the Hartke amendment would be $140 million added to the House bill.

The proposal that I am making for hospital and nursing care would add an additional cost over the present bill of $180 million. I have made provision in my amendment for the payment of this additional cost out of the general revenues.

When we consider that the total amount involved in the bill before us is in the sum of $6,797 million, I believe it is shortsighted on our part not to authorize $180 million in addition, to take care of the tragic circumstances when an individual might have to go to a hospital because of a serious illness, such as cancer, or heart disease, or a serious operation.

With the acceptance of this amendment by the Senate we could make it possible to take care of the great fears that overhang our aged.

It is true that it does not cover the overwhelming majority of the people of this country. However, it involves some 2 percent of persons over 65. This means that approximately 380,000 people every year suffer from an illness that goes far beyond that provided for in the bill before us.

It would be a tragedy of the worst kind if we were to leave these 380,000 people over 65 faced with a serious illness without the means of paying the costs of that illness.

Under the circumstances, I have offered my amendment in behalf of myself, the Senator from Indiana [Mr. HARTKE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], and the Senator from New York [Mr. KENNEDY]. It is my intention to ask for the yeas and nays.

Mr. LONG of Louisiana. Mr. President, I hope the Senator from Connecticut will not insist at this time on asking for the yeas and nays, because the managers of the bill are discussing the attitudes and positions that they would like to take on the amendment. There is some division of opinion among us.

I hope the Senator will discuss his amendment further. We will not deny the Senator his rights, he can be sure.

Mr. RIBICOFF. Mr. President, when we consider what is involved, I hope that Senators will realize the great mistake we would make if we failed to agree to the amendment. When we analyze the amount that is being spent, we find that $4.813 million comes out of the trust fund. Out of the General Treasury, this bill provides for expenditures of $1,384 million. Therefore we see that the bill already specifically provides for a substantial expenditure to be paid out of the general revenue.

While $180 million is a large sum, it seems very small when we place it in proportion to the $6,797 million in expenditures called for in H.R. 6675.

Let us consider the individual who is concerned in this respect. It is true that the average person who becomes ill and goes to the hospital might stay there 5 or 10 or 15 days. The bill certainly takes care of the person who stays for such a period of time.

Let us say the person stays more than 60 days. Under the bill, he is required to pay $10 a day for an additional 60 days, or $600. If that person goes to a nursing home for an additional 80 days, he is required to pay $5 a day, or an additional $400; or a total of $1,000.

The figures show that 14 million of these 19 million people pay no income tax. The average person over 65 certainly does not have the means to pay $1,000. Above that, there is the question of humaneness. What do we say to Mary Jones, Any City, U.S.A., who suffers from cancer? She and her husband exhaust their savings in trying to cure her. Under the present bill she goes to the hospital and remains there for 120 days. She must pay $40 when she enters the hospital and another $600 for the remaining 60 days. Then, if there is a question of going to a nursing home, she has another 80 days, for $400, which means $1,040. By this time the average person over 65 has completely exhausted his savings.

The argument which has been used against the proposal is that we would overburden the hospitals of this country. However, in writing the bill, all of us were very careful to make sure that there would be no overutilization. In order to do that we have provided that it is absolutely essential for every hospital, as a condition for being authorized to come under this program, to have a utilization committee appointed from among the doctors on the staff and from the hospital administration. These doctors would examine into every stay of over 10 days. If the stay is over 10 days, the hospital review committee will determine whether the person is overutilizing the facilities.

The ironical part of that argument is that this is exactly the argument that was made by the opponents of the original King-Anderson Act. When the bill was first introduced in 1961, the opponents of even the 60-day proposal said that this was a terrible thing, because the result would be that everyone would go to the hospital.

Everyone over 65, whether he needs attention or not, will not go to a hospital. The same people who opposed the program used the argument of overutilization in the element of catastrophic illness. If the argument was a bad argument then, the argument is a bad argument now.

Mr. President, the amendment is most worthwhile. It takes care of a basic need. It would make it possible for us to write a truly great medical bill that would provide basic health protection for 19 million people over 65 and all the older people who will follow.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am pleased to yield to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. I could not agree with the Senator more that the argument that the facilities would be overutilized is completely beside the point, because unless the provisions in the bill which would set up committees in every hospital to see that the facilities are not overutilized were strictly adhered to and enforced, then there would not be enough hospital beds in America even to begin to take care of the patient load that would be imposed by the bill as it now stands.

The only way under heaven that we could have enough hospital beds to look after the people for whom the bill would provide would be to have the committees say that when a person had been in a hospital for 5 or 6 days and the hospitals and doctors had done all they could for him, he would be moved out. They might either move him into his home or into a nursing home. But they would not keep that person in the hospital when the hospital had done all that a hospital is intended to do. Such a person would be taken into a nursing home or into a private home for home care.

Mr. RIBICOFF. The Senator is absolutely correct. Those who use that argument have much less faith in the medical profession than I have. I am convinced that the medical profession will have a key role to play once the bill is passed. I am further convinced that the medical profession will discharge its obligation under the provisions of the bill to the credit of the profession and to the benefit of the people of this country. I am convinced that the utilization committees in the hospital will take their duties seriously.

I am further convinced that the hospitals will not be overburdened, and that there will be most careful scrutiny to be sure that a person who should be in a nursing home will not be in a hospital, and a person who should be in a hospital will not be in a nursing home. There should be that protection. Those who have lived and fought for the type of program which I advocate recognize that it would be a tragedy if we should overlook that means to make a good bill a much better bill.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. RIBICOFF. I yield.

Mr. LONG of Louisiana. Let us look at the kind of case in which a patient has a terminal illness. Let us say that he has cancer and will die. There is no way to save him. The young people of this Nation will be paying for all the medical expense that will be involved. They will not be getting the benefit of that expense directly. They will be paying for it. It seems to me that the least we could provide for them is that if their parents or grandparents had a terminal illness, somebody must look after them until God calls them home. Under those circumstances, it seems to me that the young people are entitled to expect that their parents or grandparents would be cared for in a hospital as long as the hospital might have a chance to do them some good, and when the hospital could not do any more good they might be moved to a nursing home.

There is no point in putting those people into private homes when they need to have constant medical attention and somebody to look after them during a terminal illness that might run for an extended period of time.

If the position of the Senator from Connecticut is rejected, disappointment will spread across the land. People will say, "Yes; only 1 percent of the cases have a long illness that might last beyond the 60 days or beyond the 120 days." But I again point out the disappointment that will go across the land. The people have heard speeches in which it has been said, "We are going to see you through." There has been talk about how the old people are worried about having all their resources consumed with a long and serious illness—perhaps an illness that might take their lives; and if it did not take their lives, at least it would leave them with no resources on which to live. After all the campaign oratory they have heard, I say to Senators that though there may be only a few cases involved, in every major city in America there will be at least one case, and when Senators go out to campaign, they will find their opponents in every crossroads of America talking about cases involving someone with a prolonged illness who was put out of the hospital because of an inadequacy in this bill.

I believe I could defeat any Senator in any area of the Nation by showing that old Grandpa Jones had been thrown out for the vultures to take care of after he had exhausted his resources and the benefits available to him under the bill. After all the fine campaign oratory we have heard to the effect that we shall look after those people, we shall never hear the end of it until we provide for the serious catastrophic cases. My thought is that most people who heard the speeches made in the election campaign this last year and 4 years before that thought that was the first thing that we would take care of.

Mr. RIBICOFF. The Senator is absolutely correct. I have lived with the issue most intimately for 5 years. While the bills have always provided and spelled out the limited care and services that would be given, there is no question in the minds of the people of America and there is lodged in them a sense of security in feeling that their catastrophic illness would be provided for in the bill.

The Senator is absolutely correct. Speaking of percentages, 1 percent is 190,000 people; 2 percent, which is actually the percentage involved, would be 380,000 people. But each of the 19 million people over 65 could be one of the 380,000 people, because when we reach that age, serious diseases do strike. When serious diseases strike, they keep the person stricken in a hospital or a nursing home beyond the 60 days or 120 days specified.

Under those circumstances, let us face up to the problem. We are now writing a major bill. I believe that it is the biggest, most important, and broadest piece of social legislation ever passed by the Congress of the United States. If we are passing that kind of bill, let us pass a bill that really has meaning, without leaving dangling in the minds of the people the problems of a catastrophic illness forcing us to come back to it next year or the year after that.

We, as U.S. Senators, shall be hiding our heads in the sands if we do not face up to the issue now. The Senator from Louisiana appreciates the problem, and I appreciate the problem from the many conferences I have had and the many speeches that I, both as Secretary and as Senator have made across the land. I recognize how the average person in America would feel if his mother, father, or he or she, over 65, were in a hospital for cancer and after 60 days or 120 days he would not be moved out if his own doctor and the hospital utilization committee say to him, "You have to stay here to save your life. You have to stay here to be cured, and under no circumstances can we put you out of your hospital bed, because if we do, it means death."

If we are a humane people writing a major piece of legislation, we should certainly give great consideration to that grave problem.

Mr. LONG of Louisiana. Mr. President, what the Senator is advocating would increase the cost of the bill about 3 percent. There are things in the bill which, in my judgment, while meritorious and good, would have a much greater financial impact on the cost of the program than the present proposal.

For example, there is a meritorious provision under which people over the age of 65 would draw their full retirement benefits and earn $1,800. But as between a case involving a person who has a prolonged illness and who sees all of his resources going and who is not able to work, and the case of another person who is drawing retirement benefits, who is healthy, and who is able to work and earn $2,000 or $3,000 in addition to his social security payments. It makes a great deal more sense that if we must economize somewhere, we should economize in favor of benefiting the former.

So as between a person who has, so to speak, an income of $3,000 before his social security check is reduced on a $1 for $1 basis, and the person who has no income to speak of and who has exhausted all of his resources, it makes all the sense in the world that we should provide whatever care is necessary for the catastrophic illness type of case, the type of case every aged person worries about.

Suppose I become sick and have a long illness which lasts a year, 2 years, or longer. Suppose I get sick and do not get well, and I hang on for a long time before God calls me home. What will happen to me? Those are the cases that people really worry about. There will be a great disappointment. It will be discussed in every home and in every hamlet in America. Every time one of these catastrophic cases arise, the question will be asked, "Why did not Congress take care of this type of illness?"

The Senator is completely correct in raising the issue.

The Senator from Connecticut, the Senator from Louisiana, and any other Member of Congress, trying to defend themselves for maintaining an act that would cause these pitiful cases to be put on the streets, would find themselves in a defenseless position. Any one of us would be ridiculed at election time when he tried to explain why he would do so much for so many who need so little but so little for so few who need so much.

Mr. RIBICOFF. One of the basic arguments that has always been made for hospital care and medical care under social security is that those who are self-respecting ought not to be placed in the position of asking for charity. We want them to feel that their needs will be taken care of without their having to go to the welfare department. But by refusing to add to the bill a provision for catastrophic illness, we are making it necessary for millions of people in America who are over 65 years of age, and who cannot afford it, to go to a hospital and apply to the charity department for assistance under the medical program or the Kerr-Mills Act, in order to have their bills paid. That will come out of the General Treasury, because these are open end appropriations out of State or Federal funds, and we are constantly appropriating matching dollars to take care of people who cannot afford to pay.

But we are doing it under the same social security system in this landmark bill. In part B, we provide for $600 million, to pay $3 a month for every person who is out of work, to take care of his other expenses. That will come out of general revenues.

We are doing that because we realize that the cost of medical care involves not only the hospital cost. In addition, it is necessary to pay the doctor or the surgeon. So we have added part II. If we do this to take care of the basic needs and can say to the individual, "If you have a scratch or a blemish removed from your skin, you can go to a hospital for 3 or 4 days, and the Government will pay for it; but if you have cancer or heart disease and have to go to a hospital for 6 months or a year, the Government will not pay for it," where is the commonsense, where is the humanity in refusing to make such provision in the bill? For the life of me, I cannot understand it.

The only basic weakness in the bill—and it is a great bill; I am enthusiastically for it—is the failure to understand the great tragedy, the great fear that hovers over each home in America where someone is over 65. What will happen to mother, father, grandpa, or grandma if a catastrophic illness strikes? When people talk about social security hospital care, they are not thinking of short stays. In everyone's mind is the memory of a long stay. Not only in the big city, but in every hamlet, village, or town, everyone knows about a person over 65 who in order to be cured had to go to the hospital for a long stay.

It would be a tragedy if it were necessary to turn such persons down.

I should like to see this provision added, because I think we can then say that we have passed a really great bill.

Mr. President, I ask unanimous consent that the junior Senator from New York [Mr. KENNEDY] be added as cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am pleased to yield.

Mr. MILLER. First, the Senator from Connecticut recognizes, does he not, that catastrophic illness is covered, or at least can be covered, under the Kerr-Mills law?

Mr. RIBICOFF. That is correct; but the Kerr-Mills law is not in effect in every State.

Mr. MILLER. That is so; but my State of Iowa has an excellent medical assistance program for the aged. I believe Iowa can carry its head high in the realization that catastrophic illness of the kind the Senator has described is already taken care of. I see no reason why it cannot be taken care of in Connecticut.

Mr. RIBICOFF. Although such cases are being taken care of in Iowa, they are being taken care of in part by the Federal Government, which provides substantial matching funds to Iowa. Basically, when we talk about a person having his bill paid under the Kerr-Mills Act, such bills are being paid for from the State and Federal Treasury. So there is no difference.

But we are now establishing a basic system to take care of the sort of hospital care needs and medical needs of the people of the country by means of a system that will be nationwide under social security.

This could be a most peculiar program. A person would go to a hospital for 60 days, and he would receive care under the basic provision. For the next 60 days he would pay $10 a day for hospital care or $5 a day for nursing home care. After 120 days, he would have to go to the State, under the Kerr-Mills law, for welfare. The welfare department would then check his finances, his wife's finances, his children's finances; he would be asked if he owned an automobile and how much money he had in the Main Street savings bank.

Mr. MILLER. I was merely wondering what the difficulty is with respect to asking about property. In my State of Iowa, as I am sure is true of Connecticut, there are persons who have resources. What is wrong about asking them about their resources?

Mr. RIBICOFF. The Senator from Iowa and I disagree. I do not know how the Senator has voted on or felt about such bills in the past. I have always felt that one of the reasons for advocating the social security approach to problems of health needs is that in that way people are able to maintain their self-respect and dignity. People, as a matter of right, earn over the years social security benefits. Now we are extending the social security benefits from cash payments for retirement to the field of health insurance.

I do not believe that a person having a small farm in Iowa or a retired worker from one of the Connecticut factories, who has spent a lifetime paying for his home, ought to lose his home, whether he be a farmer in Iowa or a factory worker in Connecticut. There may be a difference of opinion or difference in philosophy; but so far as I am concerned, I want to save the home and the little savings the person has worked all his life to acquire, whether in Iowa, Connecticut, Louisiana, Mississippi, or Missouri.

Mr. MILLER. There is no difference between us on that last point. I am quite sure that the Senator from Connecticut will admit that he does not have a monopoly of concern for catastrophic illnesses among the people. The Senator talks about building up social security. But what are we going to do about 17 million people who are over 65 and have never built up the social security needed to finance them? Some of them have never paid a cent of tax money for social security benefits. Now it is proposed to make every one of those benefits automatic. It seems to me it is little enough to ask them whether they have adequate resources to pay for the benefits.

Mr. RIBICOFF. With all due respect, the Senator's figures are incorrect. We are talking about 19 million persons who are over 65. Seventeen million are covered by social security. Two million are not covered by social security.

Recognizing basically that this is a problem, and that the program is important for all the people, we are providing for the 2 million persons out of general revenues in the amount of $285 million. There are 2 million persons who are uninsured, not 17 million, as the Senator said.

Mr. MILLER. Take the 17 million who are under social security and the 2 million who are not under social security, who are already over 65 years of age. They have never paid a cent of tax money for those benefits. They have paid tax money for social security pensions, but not for the benefits.

Mr. RIBICOFF. Would the Senator like to offer an amendment to exclude the 2 million who are not included?

Mr. MILLER. No. This is one of the objections the Senator had to the original administration proposal to protect 17 million.

Mr. RIBICOFF. I am at a loss to understand. First the Senator says he is against bringing in 2 million persons who have not paid a cent. Now he says that the administration was wrong not to include them.

Mr. MILLER. No; I said no such thing. I said there are 17 million persons who are under social security and 2 million who are not under social security, all of whom are over 65 years of age and are covered by the bill, none of whom paid any money for the benefits.

The Senator is asking why we should not be concerned about the resources of these people since they would all have a free ride. I would have no objection to the free ride for those who are without resources. However, I suggest that social justice does not mean that we should provide coverage for everybody regardless of ability to pay.

I believe it is a strange concept of social justice that is being advanced.

Mr. RIBICOFF. Mr. President, the Senator is entitled to his opinion. I respect that opinion.

We have now debated this measure for some time. I have been personally interested in the measure for 5 years. I believe that the die is cast. The decision will be made within some 24 hours. The decision will be made on past history.

I believe the debate has indicated that the American people, as represented in Congress, have felt that the time has come to do something under social security for the health care of the 19 million people who are at present over the age of 65. The Senator from Iowa and I are diametrically opposed in our thinking and basic philosophies.

Mr. MILLER. We may be diametrically opposed over whether people who can afford to pay for these things ought to pay for them. The position of the Senator from Connecticut is that people, regardless of their resources, are entitled to a free ride. The position of the Senator from Iowa is that people, if they have adequate resources, are not entitled to a free ride. To that extent, the Senator from Connecticut and I are indeed diametrically opposed.

I point out that the Senator and I are in complete agreement over our concern about catastrophic illnesses of people, and especially those who cannot afford to pay their bills.

The amendment of the Senator is a humane amendment. However, I believe it goes beyond the demands of social justice. It also overlooks another area of social justice.

The Senator painted a very dim picture about some of those who suffer catastrophic illnesses over the age of 65. I have had relatives in that position. However, what about people under the age of 65? Is the Senator from Connecticut not as concerned about a husband under the age of 30, who has a family and suddenly comes down with multiple sclerosis and drags on for 6 or 7 years, when he does not have the wherewithal to pay the bills?

If the Senator from Connecticut is concerned about humanitarianism, why does he not provide for those people in his amendment?

Mr. RIBICOFF. The Senator constantly reminds me of people who are always against doing something positive. They will always bring up another point which has nothing to do with the issue, in an attempt to rationalize as to why they are not for something. I would rather be for something 50 percent than not be for anything "zero" percent.

I do not understand the point that the Senator makes. Would the Senator now want to cover all persons?

Mr. MILLER. The Senator from Iowa would like to provide for catastrophic illness suffered by people who cannot afford to pay for their bills, regardless of age.

Mr. RIBICOFF. There is nothing that would prevent the distinguished Senator from Iowa from offering an amendment to the bill, if he wished to do so.

Mr. MILLER. Would the Senator from Connecticut support such an amendment?

Mr. RIBICOFF. Very few measures are offered by the distinguished Senator from Iowa with which I find myself in agreement or able to support. I doubt that I would support many measures offered by the Senator from Iowa. If the Senator from Iowa feels very deeply about something, he should offer an amendment to make such a provision.

The Senator from Iowa has the prerogative of offering a measure on the floor and debating it, rather than merely asking questions. When I believe in something, I offer a measure to accomplish that purpose and take my chances of winning or losing. If the Senator from Iowa feels the same way, why does the Senator not do the same thing?

Mr. MILLER. The Senator from Iowa might not have to do the same thing if the Senator from Connecticut would modify his amendment.

Mr. RIBICOFF. The Senator from Iowa knows the parliamentary procedure. He knows how to amend an amendment or to offer a substitute amendment. My amendment, which is the pending business, is the Ribicoff, Hartke, Pell, Pastore, Kennedy amendment.

Mr. MILLER. The Senator from Iowa is quite aware of that fact. However, the Senator from Connecticut has been around long enough to know that quite often those of us who are trying to move forward in a constructive manner offer a suggestion to a Senator who has a constructive amendment, and the Senator will modify his amendment. The Senators then move forward together.

If the Senator from Connecticut is so concerned about his humanitarianism, let him modify his amendment along that line and I shall support it. Let us not talk about any past history.

Mr. RIBICOFF. I do not look forward to the support of the Senator from Iowa on any measure that I offer. Therefore, I would not accept his suggestion and incorporate it in my amendment.

If the Senator from Iowa believes very deeply about something, he can offer his own amendment. I do not seek the support of the Senator from Iowa. Our philosophies are diametrically opposed.

Mr. MILLER. Mr. President, I am sorry that the Senator has taken such an attitude in reply to a suggestion. The Senator well knows that I have supported some of his measures. I happen to be a cosponsor of one of his major proposals. Although the Senator and I may differ on other things, I believe that the Senator should still consider suggestions made by the Senator from Iowa on their merits and nothing else. Those are the exact qualifications on which I consider the proposals of the Senator from Connecticut—on their merits and nothing else. That is the way we ought to operate in the Senate.

I do not care whether a Senator is from Mississippi, Alabama, Connecticut, or Maine. If the Senator has a measure that deserves consideration, I will support it. If I believe that a Senator, from my own State or any other State, has a measure that I believe is wrong, I will fight it.

We ought to proceed in the Senate on the basis of merit, rather than personalities. I have genuinely tried to support the Senator from Connecticut when I believed that he was right. I am sure that the Senator does not want me to violate my conscience and support him when I think his position is wrong.

I have made a constructive suggestion. If the Senator does not want to accept it, that is his privilege. However, let us not proceed on the basis of personalities.

Mr. RIBICOFF. Not on the basis of personalities; but if the Senator from Iowa has an amendment, he should draft it and offer it, as all of us do when we have a proposal that we would like to have considered by the Senate.

UDALL ATTEMPT TO BLOCK DUKE POWER PROJECT IN SOUTH CAROLINA

Mr. THURMOND. Mr. President, on June 30, 1965, I presented to the Senate various articles, resolutions, and other materials illustrating the public disdain and disgust with another action by Interior Secretary Stewart Udall.

Mr. Udall's latest action against the public interest is concerned with a petition of intervention he filed on June 21 before the Federal Power Commission. In brief, Mr. Udall would have the FPC deny to Duke Power Co., a license to construct a $700 million electric power complex on the Keowee and Toxaway Rivers in Oconee and Pickens Counties in South Carolina.

The absurdity and arrogance of Mr. Udall's position is best summarized by a report in the July 2 issue of the Republican Policy Committee memo:

> An incredible account of how the Johnson administration actually is attempting to prevent almost immediate progress in an area it has declared poverty stricken under the Appalachian program was revealed to the Senate June 30 by Senator STROM THURMOND, Republican, of South Carolina.

Briefly: First, the Duke Power Co. has almost three-quarters of a billion dollars of its own money ready to build an electric power complex in two South Carolina counties; second, hundreds of persons would be employed; third, the company would pay $29 million—the correct figure is $20 million—annually in State and county taxes and $24 million in Federal taxes; fourth, the Federal Government had made no plans or surveys for any dam or power project in the two counties; fifth, but Secretary of the Interior Stewart L. Udall filed papers with the Federal Power Commission in opposition to the proposed power dam, declaring the Government planned to build a dam; sixth, the Federal dam would not be built on the same river, nor in the same area of the two counties; seventh, Secretary Udall has not even received congressional authorization, much less any appropriation for his dam, which would take 23,000 acres of land off tax rolls while Duke Power already owns its land; eighth, Mr. Udall said Duke Power was not accurate in estimating its future electric power needs; ninth, the power company said "to the best of our knowledge this is the first time that the Secretary of the Interior has ever suggested that he knows more about our future power needs than we do"; tenth, Duke Power has been successful in business since before Mr. Udall's parents were born.

After being presented with an overwhelmingly unfavorable reaction throughout South Carolina to his intervention, Mr. Udall has now pushed himself out further on the limb against this $700 million private enterprise development in a poverty-stricken area of the country. On last Sunday's "Meet the Press" program, Mr. Udall attempted to mislead the public by giving the impression that this power project is in competition with a proposed Federal power project. Mr. President, there is at present a deadlock between a proposed Federal power project at Trotters Shoals on the Savannah River and a proposed Duke project at Middleton Shoals on the Savannah. This project now put in dispute by Mr. Udall's baseless intervention is many miles away on two other small rivers in other counties. Mr. Udall contends, however, that this private power company must be forced to get its power supply from his proposed Federal power project on a 5-year contractual basis even though there is no assurance the Federal power project many miles away will ever be built. In fact, Mr. President, the State of South Carolina is on record as being opposed to this proposed Federal power project, and this position has not been changed.

In this situation we do not have a conflict between public and private power. Rather, what we have is the case of Stewart Udall putting this administration on record as being against the best interest of the people of South Carolina, the President's Appalachia development program, and the great American free enterprise system. Stewart Udall has shown by his intervention in this matter that he is a Socialist in his heart and a political blunderbuss in his head.

Mr. President, I wonder how long President Johnson can keep such a man in his Cabinet. This is a question the President himself must ponder intently because every Udall action must necessarily bear the L.B.J. brand just as surely as if it were made down on the ranch in Texas. The President cannot escape the responsibility for Mr. Udall's actions, particularly if he keeps this liability in his Cabinet.

Last week I placed numerous inserts in the RECORD showing the strong public reaction to the Udall intervention. Now, Mr. President I present many more for inclusion in the RECORD. They are as follows: an editorial from the Seneca Journal and Tougaloo Tribune dated June 30 and entitled "We've Been Slapped in the Face"; an editorial from the Keowee Courier of July 1 entitled "Somebody Up There"; a front-page editorial from the Pickens Sentinel of July 1 entitled "Unwarranted Intervention by Udall"; an article from the Monitor of Liberty, S.C., dated July 1 and entitled "Commission Protest Secretary Udall's Stand"; an editorial from the Easley Progress of June 30 entitled "The Major Issue in Duke Fight"; an article from the Greenville News of July 1 entitled "Pickens Planning Board Terms Udall Action on Duke Project 'Ruthless' "; another article from the Greenville News of July 1 entitled "Anderson Group Asks Petition's Withdrawal"; an editorial from the Lancaster News of June 29; an editorial from the Spartanburg Herald dated July 2 and entitled "By Whose Consent, Mr. Udall's or Ours?"; an editorial from the Anderson Free Press dated July 1 and entitled "Not Really a Surprise"; an editorial from the News & Courier dated July 5 and entitled "Udall Versus South Carolina"; an editorial from the Greenville News of July 5 entitled "Giving Mr. Udall 'The Word' "; letters from the Seneca Chamber of Commerce to the FPC and Mr. Udall; a letter from the South Carolina State Chamber of Commerce to the President of the United States; a letter from the Clemson Junior Chamber of Commerce to Mr. Udall; letters from the South Carolina Industrial Developers Association to the President, Mr. Udall, and the FPC; a telegram to Mr. Udall from the city of Seneca; an editorial by station WJAY entitled "Another Dose of Socialism"; a response by Duke Power Co. to the Udall petition of intervention; an editorial from the Greenwood Index-Journal entitled "Incredible—That's the Word"; an editorial from the Times and Democrat dated July 6 and entitled "Only Time Will Tell."

Mr. President, the people of South Carolina—and I believe of this Nation—will not permit arbitrary Big Brother-type government to impose Mr. Udall's unreasonable will on the public. If Mr. Udall had any sense of responsibility or political judgment left he would retract his petition of intervention and admit his mistake. What he has done is to particularly arouse the ire of the Northwest corner of South Carolina, long considered a Democratic stronghold in South Carolina politics.

Regardless of Mr. Udall's future actions in this matter, Mr. President, I am confident that the Federal Power Commission will extricate Mr. Udall from his latest political faux pas by ignoring his baseless objection as a socialistic grab for more power without any merit or substance.

I ask unanimous consent, Mr. President, that all the material I have cited be printed in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Seneca Journal and Tougaloo Tribune]

WE'VE BEEN SLAPPED IN THE FACE

There's been a saying for many years that people of the Western World just don't understand the way Asiatics think.

It's supposed to explain the odd actions of the people of those Far Eastern countries.

People in high places in Washington remind us somewhat of these strange people who think differently.

In fact, for a long time now, many folks who have been raised on the capitalistic system, are being hard put to understand certain bureaucrats in the Federal Government.

A case in point:

The statements made by Secretary of the Interior Stewart L. Udall in his petition to intervene in the application by Duke Power Co. to the Federal Power Commission to build a $750 million power complex in Pickens and Oconee Counties.

Secretary Udall indicates that he feels the Federal Government should develop the Oconee-Pickens area and that Duke Power should buy its energy from the Government.

The socialistic leaning sound of the Secretary of the Interior indicates that he would sacrifice the taxes that a private developer, such as Duke, would pay out to both local and Federal governments.

He would develop this area—the Lord only knows when—at taxpayers' expense and without realizing any tax return from the lands or the production of electrical energy once steam generators are built, if ever.

It has been said over and over that the United States is on the road to socialism. It's time for us to wake up—we're not only on the road, the end is in sight. When the Government takes the position that the Secretary of Interior takes, it means that private initiative, inherent in the capitalistic system, is being squashed.

The Secretary of the Interior is openly exhibiting a grab for control of rivers and waters in Oconee and Pickens Counties. The wishes of people of these counties and the people of South Carolina to the contrary.

This is an open seizure of power unheard of until the last few years—the years of L.B.J. and strong-armed centralized government.

How can the Secretary explain to the people of Oconee how he can sit in Washington and take away from the county some $5 million in taxes that Duke eventually will pay into our general treasury? These taxes could make our school system what we've dreamed of. They could build roads, parks, libraries, and in fact, take Oconee out of the Apalachia category, altogether.

But instead, the Secretary of the Interior protests this private development—advocates developing the Keowee area with Government funds in a project that has yet no timetable for action. He would take these thousands of acres of land out of private hands and the loss in tax revenue to Oconee County would be staggering.

The Secretary of Interior's protest adds up for a tremendous loss to Oconee—and an actual slap in the face to the people of this area who have been trying so valiantly to pull themselves up by their own bootstraps.

[From the Keowee Courier, Walhalla, S.C., July 1, 1965]

SOMEBODY UP THERE

The title of a book several years back was "Somebody Up There Likes Me."

"Up there" in this case meant heaven.

Do you get the feeling at this stage of the game that somebody "up there" doesn't give a hang about us?

"Up there" in this case meaning Washington, D.C.

Comes now one Stewart Udall, who just happens to be a rather powerful force in the national administration * * * because he happens also to be the Secretary of the Department of the Interior.

Mr. Udall is contending that Duke Power Co., which makes its living producing electric current, doesn't know what it is about because it wants to build a $700 million power complex in Oconee and Pickens Counties and a portion of North Carolina.

You can bet that Mr. Udall about this time is looked upon by South and North Carolinians in a somewhat similar vein as smallpox.

The Interior Department boss entered an objection to Duke's building the huge project before the Federal Power Commission. His reasoning for the statements he made were rather thin by any measuring stick * * * and his outlook for the future seems deeply contrary to the outlook being painted by others in the administration.

The President and most other Cabinet members brim over with enthusiasm for a bustling future that even rose-tinted glasses can't do justice. On the other hand, Mr. Udall is saying that Duke and the people it serves won't be needing the power that the project will produce. If he wants to keep in step with others in the Government (and certainly we hope they are right), he should be heralding the fact that we need all the electricity both the Government and private enterprise can make to keep ourselves expanding and progressing.

* * * * *

It seems durned odd to us that any representative of the U.S. Government—knowing full well that the national debt is so big it can actually never be paid—would turn down the opportunity to have a private company build at its own expense a project that would each year pay in $24 million worth of taxes toward catching up that Federal debt.

In addition (and this is important to Oconee County, Pickens County and the State of South Carolina) the project would also be paying each year about $20 million in State and local taxes.

Compare this with the fact that a Government power project has to be paid for with the taxpayers' money and there are no taxes ever paid to anybody.

Duke Power Co. is not in the habit of throwing money away. The Federal Government has been known to do just that. Therefore, it seems more logical to us to take Duke's word on that score. And besides (and this too is important), it is Duke's money.

Although logic has had little to do with Federal activities in recent years, it would rightly seem that the Government has no business telling any company it cannot expand its facilities when such a move is to the advantages of the people and not the disadvantage.

It is tantamount to telling an industrial plant it cannot build a new wing and hire more people because some department head in Washington doesn't think the public will be buying its products 6 years from now. It is like refusing a county or city the right to enlarge its hospital because a Federal official says people will stop getting sick in 1971.

This may sound silly, and it is, and so, for our money, is Mr. Udall.

We remember laughing at a statement made in recent years by Norman Thomas, who each 4 years was the Socialist Party candidate for President of the United States.

He commented that the Socialists were not going to put up a candidate any more because another political party had not only stolen its platform, but was beginning to go further with it than even the Socialists felt was wise for the country.

We wonder, today, for the life of us, why we thought his statement was funny. In light of Secretary Udall's action, it may be apparent that Mr. Thomas knew exactly what he was talking about.

[From the Pickens Sentinel (S.C.), July 1, 1965]

UNWANTED INTERVENTION BY UDALL

Not much can be added to the logical and strong opposition to the ill-advised intervention of Secretary of the Interior Stewart Udall into the proposed Duke Power Co.'s Pickens-Oconee power project than is voiced on this page by Duke President McGuire, Congressman W. J. B. DORN and Senator E. E. Morris, Jr. This much is apparent: these statements are the combined sentiments of almost 100 percent of the people of this area of the State.

There can be only one conclusion to this unwarranted intervention and it can only lend a more sinister application to the word politics unless this objection is withdrawn.

[From the Monitor, Liberty, S.C., July 1, 1965]

COMMISSION PROTEST SECRETARY UDALL'S STAND

The Pickens County Planning and Development Commission has filed a complaint with the office of Stewart L. Udall, Secretary of the Interior concerning his intervention in the Duke Power Keowee-Towaway project, as of June 29.

Over the name of D. H. "Pete" Davis, as chairman of the commission, the complete protest was furnished to the Monitor Tuesday, but since we already had Duke Power's and Congressman DORN's protests in this issue the entire protest by the planning and development commission will be carried in the next issue of the Monitor.

The protest is pertinent to the situation and is of the same opinion of the majority of South Carolina's citizens.

Everyone seems shocked at a government that declares an area poverty stricken and then objects to a $700 million project for the area.

[From the Greenville (S.C.) News, July 5, 1965]

GIVING MR. UDALL "THE WORD"

Senator DONALD S. RUSSELL has gotten Interior Secretary Udall to agree to sit down and discuss the latter's astounding intervention into the petition of Duke Power Co. to build a multimillion-dollar power complex in Dickens and Oconee Counties.

Mr. RUSSELL is a persuasive man and we hope and pray that his talents will be sufficient to overcome Mr. Udall's predilections for Federal, as opposed to private, enterprise in this most important field.

But he will have his work cut out for him. The political influence of the public power advocates, especially with Democratic officeholders, is potent. Working in conjunction with the electric cooperatives and the Army Corps of Engineers, this vast lobby has succeeded in expanding the network of tax-free subsidized power projects even in a day when their need is less than ever manifest.

Their urge for expansion knows no bounds. In various parts of the United States they have destroyed valuable lands, recreation sites, scenic wonders, and historic areas.

In the case of the Pickens-Oconee site, it is the free enterprise system that is at stake. Duke's plan for development of the area will do everything that the Federal Government's proposal would do and then some. It would provide far more power, permit development of recreation sites, and would give both counties, the State, and the Federal Government additional sources of tax revenue.

The facts on all this are plain. But they were plain when Secretary Udall moved to block the Duke proposal. If the Secretary should change his mind now, it will be an admission of ignorance on his part.

Perhaps Senator RUSSELL and the others whom he has invited to sit in on the discussion will be able to enlighten Mr. Udall. It is conceivable that matters of practical politics will be brought to his attention. This may, in fact, account for the rather strange omission of Senator STROM THURMOND thus far from the list of those invited to meet with the Secretary.

A solution on a political basis of this important matter would be only partially satisfactory, however. We Greenvillians have reason to know how tenuous such agreements can be.

What is needed is acceptance on the part of the administration of which Mr. Udall is a member that development of the Nation's natural resources should, in every case possible, be the task of private enterprise and that the Federal Government should intervene only when absolutely necessary.

We wish Senator RUSSELL luck in bringing that message to Mr. Udall. There are others in Washington who are in need of similar lectures.

[From the Easley (S.C.) Progress, June 30, 1965]

THE MAJOR ISSUE IN DUKE FIGHT

It has been almost a week since the news break on the petition filed by the U.S. Secretary of the Interior in opposition to the proposed $700 million Duke Power Co. project for this area.

During the time, we have attempted to ponder the move with complete objectivity.

The petition filed by Secretary Stewart Udall was read, and his action considered from the perspective of a granted need for greater governmental growth and regulation, in keeping with population increase and complex competitive conditions.

The final analysis, however, has to be the same as the initial reaction—here is an incredible, bureaucratic attitude completely in conflict with the principles on which this country was founded and developed.

It's a bureaucratic attitude that must not be permitted to stifle an action so basic to the growth and future, of this immediate area and this Nation.

It wasn't surprising that Mr. Udall's department filed objections to the proposed project, since the Federal Government years ago indicated plans for development of the Savannah River Basin back through the Keowee River area.

What was surprising, even shocking, was the scope of the intrusion into the field of private enterprise—the audacity of the dictatorial attitude as the Department presumed to tell a business firm what its future needs would be.

It is always our position that there is a need for long-range planning, regulation, and development in many facets of the Nation's growth. These include power development and natural conservation, and when there is evidence that private enterprise is not doing the job it should in these areas, they are abdicating the responsibility, creating a need for governmental action.

In the Toxaway-Keowee project, however, Duke has plainly indicated that here is an area where private enterprise is ready to live up to its responsibility for both power development and natural conservation.

Its attendant tax yield—$20 million annually in local and State taxes and $24 million to the debt-ridden Federal Government—is too important to all levels of government to be overlooked or to allow the Duke project to be overridden.

As vital and as attractive as these tax dollars are, however, they are pale in comparison to the major issue.

That question, of course, is the public-private power fight and the true stakes of a Socialist future for this country.

Should the Government, through the Secretary of the Interior, succeed in its petty action and block this Keowee-Toxaway project, we will have lost the fight and all it represents in the vital struggle.

If a firm promising so much to the economy of an area and a Nation—a Nation whose Government is more than $300 billion in debt—is not allowed to develop in this instance, the final refusal will stand indelibly on our pages of history as the day we turned the corner on our wandering search for socialism.

If it happens, if we turn the corner, there can be no reversal until we go full circle and suffer all the evils, the blights, and the setbacks. We will have to experience the full cost before being willing to pay the price for returning to the course which made the country so great.

It is up to the people of this area to see that this does not happen. It will take more than passive opposition on our part to see that it does not.

[From the Greenville (S.C.) News, July 1, 1965]

PICKENS PLANNING BOARD TERMS UDALL ACTION ON DUKE PROJECT "RUTHLESS"

PICKENS.—The Pickens County Planning and Development Board, in a letter to Secretary of the Interior Stewart L. Udall, expressed "disbelief that the Federal Government would enter into competition with private enterprise in such a ruthless manner" as Udall's opposition to a Duke Power Co. application for approval of the projected $700 million Keowee-Toxaway generating complex.

The letter called shock an understatement in the board's reaction to "the incompatabiltiy of such arbitrary action with the principles of local determination."

And the letter's tone accused Udall of reversing his own policy by intervening before the Federal Power Commission to oppose approval of the private power complex proposed for development on streams between Pickens and Oconee Counties.

Following, in part, is the letter signed by D. H. (Pete) Davis, development board chairman:

"Regardless of relatively minor decisions of the Interior Department which sometimes engender adverse public reaction, your attitudes on conservation and development in general are greatly appreciated. Your stanch defense of open space and recreational areas against unwarranted encroachments and your comprehension of the values of these vast outdoor areas have given us reassurance. We believed that your Department did comprehend its purpose as custodian of the Nation's natural resources, but we did not believe that this purpose included the destruction of free enterprise. Herein lies one reason for amazement at your Department's decision to intervene.

"The fact that the Federal Government would prevent a privately owned company from development of a portion of the Savannah River Basin is inconceivable. Throughout the Southeastern River Basin Study Commission's reports are assertions that non-Federal development of our resources was a basic consideration. We do not believe that a private corporation can morally be deprived of its property in order for Federal development of a facility exactly like that proposed by such a company. Duke Power Co. does own the land in the proposed Keowee-Toxaway development, and it has owned parts of this area for many years. Furthermore, this company has already put into effect a portion of the long-range plans for the areas adjacent to the proposed impoundments. Other uses (recreation, fishing, hunting, industrial development, and water supply) would be furnished as development progresses. Federal development promises nothing more than that which Duke Power would also furnish, and which it already has started to furnish, including tax appreciation. At a Seminar on Organization and Methodology for River Basin Planning at the Georgia Institute of Technology in 1963, Mr. Clarence M. Conway made the following statement:

"'The plan was formulated on the basis that free enterprise will continue to exist in the area and in the Nation, with Federal and State Governments undertaking those talks which are beyond individual or voluntary group capacity.'

"Mr. Conway further stated that the division between Federal and non-Federal principal responsibility for the general programs and projects made on the basis of ownership of the land or area involved. This basis should still be valid.

"The Southeastern River Basin Study Commission throughout its deliberations, and in subsequent statements by former members, emphasized that local viewpoints should be considered in any planning and development. Indeed, this Commission went to great lengths to enlist understanding and support for its endeavors. Similar consideration for local plans and preferences are not now evident, for there is unanimous approval by State officials, the State legislature and local legislative delegations, and the people for the development of this facility by Duke Power Co. The decision of your department to intervene completely disregards the wishes of the people who will be most affected by it.

"You made the following statement in your letter to Mr. Woodruff, Chairman of the Southeastern River Basins Study Commission, in reviewing this agency's plan of development of these basins:

"'With respect to the Commission's assignment of Federal and non-Federal responsibility for certain multipurpose projects including hydroelectric power, the Department of the Interior reserves its privilege of differing from these assignments in the interest of integrated power development, when such projects are being considered for specific authorization by the Congress or approved by the Federal Power Commission.'

"We applauded your stand at that time and admired such an objective approach by the head of an important and larger department of the Federal Government. We cannot understand the reasons for a change of attitude in 1 short year.

"We submit that development of the Keowee-Toxaway project by Duke Power Co. will provide the same benefits as proposed by the Federal Government; that the advantages of non-Federal development are manifestly greater and closer to reality; that the people affected desire development by Duke Power Co. and that their wishes should be respected. This is not a matter of whether or not the impoundment will be made, but a matter of who will make them. We prefer Duke Power Co.

"We, therefore, earnestly request that you evaluate your stand on the matter of intervention and that you withdraw the instrument of intervention."

[From the Greenville (S.C.) News, July 1, 1965]

Duke Project: Anderson Group Asks Petition's Withdrawal

Anderson.—Interior Secretary Stewart Udall was urged by the board of directors of the Anderson Chamber of Commerce by telegram Wednesday to withdraw his intervention in the proposed Keowee-Toxaway project of Duke Power Co. in Oconee and Pickens Counties.

The text of the telegram follows:

"The board of directors of the Anderson, S.C., Chamber of Commerce unanimously regrets and deplores sincerely your action in intervening in the Duke Power Co. of Keowee-Toxaway project in Oconee and Pickens Counties in South Carolina.

"We are convinced beyond all reasonable doubt that private development of the area will yield far greater economic, recreational, and other benefits than could be provided in any other way.

"We sincerely and respectfully urge you to withdraw this intervention and afford private industry the opportunity to do without cost to the taxpayers the things the administration has been advocating in their Appalachia and similar programs.

"This development as proposed by Duke Power Co. will develop power they will need for their customers, develop vast recreational areas, create jobs and payrolls, all of which will be taxpaid.

"These benefits cannot and will not be provided now or ever by the Federal Government.

"Pray tell us why we should further extend the national debt in order to provide Federal Government competition for taxpaying private enterprise."

[From the Lancaster (S.C.) News, June 29, 1965]

Off the Record

This is not our day to be happy. The transition of the United States from a healthy democracy into a monolithic welfare state has been too gradual to resist, too saddening to ignore. Creeping socialism is more than just a phrase. It is a fact.

The Duke Power Co. has run into it because Secretary of the Interior Stewart L. Udall, egged on by the Rural Electrification Association lobby, does not want private enterprise to do more for the Piedmont Carolinas that he can do with a lavish expenditure of tax moneys.

If Duke President William McGuire had announced his plan for spending $700 million to develop the Keowee-Toxaway generating complex in Pickens and Oconee Counties 10 years ago he would have been summoned to Washington to receive a medal for meritorious public service.

Today he is just a villain who would offer $44 million a year in Federal, State, and local taxes, plus unsurpassed recreational and industrial development for an area staked out by the Federal Government for its poverty program.

It is too bad Secretary Udall has lost faith in the ability of this country to do for itself. It is worse that the bureaucracies of our Government in Washington have decided that their tenure and increment on the public payroll depend on the elimination of free enterprise from the United States.

But that is the way the ball bounces when you have an emasculated Congress, completely unaware of national trends, slaphappy with the power to appropriate unlimited funds, and subservient to an administration that can bring forth the idea of a Great Society without any reckoning of its moral and financial cost to this Nation.

[From the Spartanburg (S.C.) Herald, July 2, 1965]

By Whose Consent, Mr. Udall's or Ours?

Government derives its just powers from the consent of the governed.

So says probably the most fundamental premise of American democracy.

It is self-government as we have been taught to believe and to practice.

Government, though, has a natural tendency to gather unto itself more and more power—until finally comes the time when consent of the governed is no longer an essential ingredient.

And each subtraction of consent is another chip off the self-determination that is democracy.

Across the whole spectrum of Federal Government, the United States is getting close to losing that element of consent. In some important segments, this self-determination is already demolished.

Both the problems and their solutions are determined, not by the people, but by national bureaucracy.

South Carolina is experiencing a striking example of this nationalization in Stewart Udall's arrogant intervention against Duke Power Co. plans for a mammoth power-recreation complex.

The Government, as represented solely in this case by Udall and his Department of Interior, wants a big dam project on the Savannah River.

South Carolina is the State primarily affected. Its legislature, its Governor, its two U.S. Senators, its Congressman representing the particular district—all have taken vigorous positions against the Federal plans.

Now Duke Power Co. proposes a $700 million development that would generate millions of dollars annually for local, State, and Federal tax treasuries.

South Carolina's Legislature, its Governor, its two U.S. Senators, its Congressmen, its local leadership—all are strongly in favor of the plan.

But Udall is opposed. He declares that the Duke project might hamper his plan for development of the Savannah River valley.

Let us dismiss the overwhelming economic facts that support Duke. Let us not argue private power versus public power. Do not mention Udall's empire building.

Instead, let's dwell solely on the principle of Government involved.

By whose consent should matters pertaining to South Carolina be governed—Udall's or ours?

[From the Anderson (S.C.) Free Press, July 1, 1965]

Not Really a Surprise

Apparently under pressure by highly paid lobbyists retained by the free-loading rural electric cooperatives, the Department of Interior, over the name of Secretary Stewart L. Udall, has filed an intervention with the Federal Power Commission protesting plans of Duke Power Co. to build a $700 million power complex in Pickens and Oconee Counties.

The action is not really a surprise. The "stand tall" cooperatives, aided and abetted by a small pack of Federal dam addicts, have lone fought private power developments. In fact, the tristate committee, which represents electric cooperatives in Georgia and the Carolinas, filed an intervention protesting the Duke complex 3 months before the Interior Department showed its hand.

An amusing factor in connection with the intervention by the Interior Department is that the reasons given for protesting the Duke project are almost identical to the absurd claims the electric cooperatives have been making. Secretary Udall, with absolutely no foundation, boldly asserts that Duke Power has no need for steam electric power from a plant located on the Keowee Reservoir because its need for steam power "will be satisfied by Congress' permission to build a 2 million kilowatt steamplant below Hartwell concomitant with the Trotters Shoals authorization."

In that connection, Duke Power President W. B. McGuire remarked, "To the best of my knowledge this is the first time that the Secretary of Interior or any other officer of the Federal Government has ever suggested that he knows more about our future power requirements than we do. It also is the first time, to my knowledge, that any agency of the Federal Government has ever taken the position that we should not build our own generating plants, but should buy our hydroelectric power from Federal Government plants."

In effect, McGuire charges, the Secretary of Interior is saying that Duke Power should make itself dependent upon the Federal Government for supplying the future power requirements of its customers. Yet, under Federal law, preference customers have the first claim on power produced by Federal plants. Only after the Secretary of Interior has sold all the power he can to preferred customers—mainly the electric cooperatives and some municipalities—would Duke Power have an opportunity to purchase power.

McGuire added that the Secretary of Interior predicates his intervention upon "forcing the will of the Federal Government upon the State of South Carolina." If Duke Power Co. and its customers became dependent upon the Federal Government for the supply of electricity needed by its customers, then the will of the Federal Government would be even more broadly imposed upon the people of the State, he said.

If Secretary Udall should accomplish his stated objectives, McGuire continued, not only would Duke Power's ability to plan and prepare for the future be thwarted and the area subjected to further Federal direction and control, but in addition local and State governments would be deprived of considerable tax income provided by the projects.

It should be noted that Congress is yet to approve authorization for Duke Power to construct a steamplant at Middleton Shoals on the Savannah River, which is in Anderson County. The electric utility has been trying to get the necessary authority to build at Middleton Shoals since 1961. McGuire said his company's customers would be in a "sorry fix" today if the utility's sole reliance for its power depended on congressional authorization to construct the plant. And if authorization is granted to build the plant at Middleton Shoals, the plant would supply the power needs of the Piedmont Carolinas only a relatively short period of time.

The action taken by the electric cooperatives and the Secretary of the Interior is a nauseating affair, to say the least. It is a plain case where a small minority is using the might of the Federal Government to attain its purpose. If there were a public vote on whether Duke should proceed with its plans without further obstruction, there wouldn't be a handful of votes in opposition.

The only real opposition to the Duke Power's plans in Anderson County and in the Oconee-Pickens area has come from the electric cooperatives and a few Government dam addicts who would deprive this area of millions of tax dollars in order to get another unwanted and unneeded Federal dam on the Savannah River.

In the end, efforts by the electric cooperatives and the Secretary of the Interior to block private power developments in this area may turn out to be a blessing in disguise. A flurry of protests has resulted since the Interior Department took its action. It is extremely difficult to sooth the ire of the public. Before the matter is brought to a head, the freeloading, tax subsidized electric cooperatives may wish they had let well enough alone.

[From the News and Courier, Charleston, S.C., July 5, 1965]

UDALL VERSUS SOUTH CAROLINA

The South Carolina State Chamber of Commerce has added its voice to the chorus of protest against Secretary of the Interior Stewart Udall's attempt to force the unwanted Trotters Shoals Federal power project on this State.

"Incomprehensible" was the word the chamber used to describe the project that would deny South Carolina millions of dollars in tax revenues. If South Carolinians have their way, the Duke Power Co. will be allowed to build a $700 million, taxpaying hydroelectric power complex in Pickens and Oconee Counties.

Supporting the Duke project over the Federal Trotters Shoals plan are the Governor, both U.S. Senators, all Congressmen, and the counties involved. The only backers of Trotters Shoals are Mr. Udall and the electric co-ops.

The Secretary of the Interior isn't doing the Johnson administration any good by refusing to listen to the voice of the people and their representatives.

SENECA CHAMBER OF COMMERCE,
Seneca, S.C., June 30, 1965.

Mr. JOSEPH C. SWIDLER,
Chairman, Federal Power Commission,
Washington, D.C.

DEAR MR. SWIDLER: We are writing to you regarding the Keowee-Toxaway project of Duke Power Co.

The citizens of Seneca have long depended on Duke Power Co. and we welcome this expansion of Duke Power. They have demonstrated in the past their interest in the progress of our State. The Keowee-Toxaway project will greatly benefit the city of Seneca and the surrounding areas.

The Seneca Chamber of Commerce earnestly requests that the Federal Power Commission dismiss the intervention filed by the Department of the Interior protesting Duke Power's application for a license for the Keowee-Toxaway project.

Again, we urge your prompt approval of the Keowee-Toxaway project.

Cordially,

HENRY J. FIELD,
President.

SENECA CHAMBER OF COMMERCE,
Seneca, S.C., June 30, 1965.

The Honorable STEWART L. UDALL,
The Secretary of the Interior,
Washington, D.C.

DEAR SECRETARY UDALL: We are writing to you regarding the proposed Keowee-Toxaway project of Duke Power Co.

The citizens of Seneca have long depended on Duke Power Co. for their skill and capacity in providing local power. Duke Power Co. has indicated their interest in the progress and future development of our State.

We, as citizens of Seneca and as members of the Seneca Chamber of Commerce, welcome this expansion of Duke Power Co. The Keowee-Toxaway project has created a spirit of enthusiasm and encouragement among our people.

The Seneca Chamber of Commerce, having a membership of nearly 200 business and industrial firms and individuals respectfully, requests that the Department of the Interior withdraw its protest filed with the Federal Power Commission against Duke Power Co.'s application for license for the Keowee-Toxaway project.

Cordially,

HENRY J. FIELD,
President.

SOUTH CAROLINA STATE
CHAMBER OF COMMERCE,
Columbia, S.C., July 1, 1965.

The PRESIDENT,
The White House
Washington, D.C.

DEAR MR. PRESIDENT: We in the State chamber of commerce were shocked at the intervention before the Federal Power Commission of Interior Secretary Udall against the proposal of Duke Power Co. to build a $700 million power generating complex in northwestern South Carolina and southwestern North Carolina.

According to our study, the Duke Power Co. project will ultimately pay millions of dollars in local, State and Federal taxes, provide employment, attract new industries and afford recreational facilities.

In view of the economic advantages that will accrue to this entire region, it is incomprehensible to us that Secretary Udall takes the position that Duke should not construct its own generating facilities but should purchase electric power from Federal Government plants built at the expense of all taxpayers.

The overall function and purpose of our organization, comprised of over 2,500 businessmen and industrialists in all sections of our State, is to promote good government and a good business climate in South Carolina and to protect and strengthen our free enterprise system. We are therefore, unalterably opposed to the Federal Government undertaking programs when taxpaying corporations are able and willing to do the job.

The State chamber of commerce respectfully requests your cooperation in seeing that Secretary Udall's intervention in the Duke Power case is withdrawn.

Respectfully yours,

JAMES A. CHAPMAN, Jr.,
Chairman of the Board.

CLEMSON JUNIOR
CHAMBER OF COMMERCE,
Clemson, S.C., July 1, 1965.

The Honorable STEWART L. UDALL,
Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: The Clemson Jaycees wish to protest your opposition to Duke Power Co.'s Keowee-Toxaway project. Believing, as we do, that "economic justice can best be won by freemen through free enterprise," we cannot help but feel that the proposed project would stimulate industrial growth and economic health in this area. We further feel that preventing Duke from undertaking this project in order to leave the development of these streams to Government agencies would not only fail to provide these benefits but would deprive the State and local governments of a source of tax revenue needed to build and maintain adequate schools and highways, and would be incompatible with the American free enterprise system.

For these reasons, we believe your position is contrary to the best interest of all the people of this area and the Nation as well, and strongly urge you to reconsider it.

Sincerely,

BILL GLADDEN,
President.

SOUTH CAROLINA INDUSTRIAL
DEVELOPERS ASSOCIATION,
July 1, 1965.

The Honorable STROM THURMOND,
Senate Office Building,
Washington, D.C.

DEAR SENATOR THURMOND: We are enclosing a copy of the telegrams sent by our organization to the President of the United States, the Secretary of the Interior, and the Federal Power Commission.

We reiterate to you our very firm opposition to Secretary Udall's intervention in the Keowee-Toxaway project. This intervention is definitely not in the best interests of the industrial development of our State, and we urge your assistance in this matter.

Yours very truly,

KAHN-SOUTHERN.
LEE R. MCCLURE,
Secretary-Treasurer.

FEDERAL POWER COMMISSION,
Washington, D.C.:

The South Carolina Industrial Developers Association, the organization of South Carolinians engaged in industrial development, hereby expresses its opposition to the petition of intervention filed by the Secretary of Interior in the Keowee-Toxaway project. Our opposition is based upon the more desirable effect the Keowee-Toxaway project will have on the economic development of South Carolina, as compared with the Trotters Shoals project. The proposed Koewee-Toxaway project will provide for: (1) greater industrial and other types of economic development of the area, (2) a tremendous tax gain to the State, Federal, and local governments, and (3) consistency with the President's plan for the development of the Appalachian area of South Carolina. It is the will of the industrial development leaders of our State that the license to construct the Keowee-Toxaway project be granted and we urge your favorable consideration of the application now awaiting your approval.

THOMAS J. FORD,
President.

The Honorable STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.:

The South Carolina Industrial Developers Association, the organization of South Carolinians engaged in industrial development, hereby expresses its opposition to the petition of intervention filed by you on behalf of the Department of Interior with the Federal Power Commission in the Keowee-Toxaway project. Our opposition is based upon the more desirable effect the Keowee-Toxaway project will have on the economic development of South Carolina, as compared with the Trotters Shoals project. The proposed Keowee-Toxaway project will provide for: (1) greater industrial and other types of economic development of the area, (2) a tremendous tax gain to the State, Federal and local governments, and (3) consistency with the President's plan for the development of the Appalachian area of South Carolina. We urge your support of the Keowee-Toxaway project which represents the will of the industrial development leaders of our State, by withdrawing your petition of intervention.

THOMAS J. FORD,
President.

The Honorable LYNDON B. JOHNSON,
President of the United States,
Washington, D.C.:

The South Carolina Industrial Developers Association, the organization of South Carolinians engaged in industrial development, is appalled at the action taken by the Secretary of the Interior in filing a petition of intervention with the Federal Power Commission on the Keowee-Toxaway project. We strongly oppose this action. Our opposition is based upon the more desirable effect the Keowee-Toxaway project will have on the economic development of South Carolina as compared with the Trotters Shoals project. The proposed Keowee-Toxaway project is consistent with the plan you have endorsed for the development of Appalachia and provides for greater industrial and other types of economic development for the State and generates tremendous tax revenues for the Federal, State, and local governments. We, therefore, request that you consider the adverse effects of this action on the Appalachian and other areas of this region and ask that you urge the Secretary of Interior to withdraw his petition of intervention.

THOMAS J. FORD,
President.

TELEGRAM

THE CITY OF SENECA,
Seneca, S.C.

STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.:

Please be advised that the Seneca City Council on July 1 resolved to oppose your views that are in opposition to the Keowee-Toxaway project of Duke Power Co. in Oconee County, S.C.

J. C. CREWS, *Mayor.*

ANOTHER DOSE OF SOCIALISM

In the news in the past few days has been another story about the power generation controversy on the Savannah River between Georgia and South Carolina.

This matter may seem miles away to folks in Marion County but it is a story that should be of interest to anyone who believes in the free enterprise system of government.

Duke Power Co. has petitioned the Government for permission to build a power generating station on the upper reaches of the Savannah River. This facility would cost around $700 million * * * it would give the State of South Carolina around $20 million in taxes * * * and pay the U.S. Government about $24 million a year in taxes.

The other side of the controversy concerns the advocates of socialized power who want to see the Government build a federally financed and owned facility at Trotters Shoals * * * many miles further down the river.

This development would pay no taxes and would flood thousands of acres of woodland which could be used by private industry. Practically all of the South Carolina legislative delegation has opposed the Federal effort and supported the Duke Power Co. proposal.

Until a few days ago * * * a sort of gentleman's agreement was in effect between both sides of the controversy. It seemed that if Duke power did not oppose the Federal project at Trotters Shoals * * * then the Government social planners might permit Duke power to go ahead with its construction. While this arrangement would not seem the best for the people of South Carolina and Georgia * * * it did represent what seemed a workable compromise.

Now in the past week a new development. Interior Secretary Stewart L. Udall has come out with a statement saying he will oppose the Duke construction plans at hearings before the Federal Power Commission. This is where the sparks are now being touched off and the battlelines are forming again.

Senator THURMOND took the Senate floor and described Udall as an unreasonable man who is determined to socialize America. Congressman ROBERT ASHMORE has stated that Udall has made what he says is "a constant attack upon the private enterprise system in favor of broadening Government controls." Congressman ALBERT WATSON has also been quite outspoken in his displeasure at the moves by Government social planners to substitute Federal projects for private enterprise endeavors.

The effort toward more and more Federal control is being openly advocated by those same forces who would like to see not only power facilities under Federal planners, but who would also like to see Government-owned buses and rail lines, Government-owned communications, federalized medicine, and goodness knows what else.

Only one thing is going to stop the continued movement of Government into fields of private enterprise, and that's an angry citizen. We would like to see a flood of letters protesting Secretary Stewart L. Udall's involvement in the public power versus private power hassle.

Or why not write to Senator THURMOND, Congressman WATSON, Congressman DORN, Congressman ASHMORE and others in the South Carolina delegation. Tell these men you fully support their actions in opposing Federal moves to block the Duke power construction. Let them know that you are with them all the way in halting further moves toward a socialistic government.

We can only bring these matters to your attention * * * but you'll have to give us your help in fighting the issues involved.

If we continue to stall * * * we're certain to receive larger and larger doses of pure socialism that kills personal initiative and builds a welfare state dependent on government.

ANSWER TO PETITION FOR INTERVENTION—PROJECT NO. 2503

(Before the Federal Power Commission in the matter of Duke Power Co.'s application for license for the Keowee-Toxaway project on the Keowee, Whitewater, Toxaway, Thompson, and Horsepasture Rivers in Pickens and Oconee Counties, S.C., and Transylvania County, N.C.)

Applicant (hereinafter referred to as "Duke" or "Duke Power Co."), in the above-captioned matter, answering the Petition of Stewart L. Udall, Secretary of the Interior (hereinafter referred to as "Secretary"), for Intervention, served on Applicant on June 22, 1965, alleges:

1. The allegations of paragraph 1 are admitted.

2. The allegations of paragraph 2 are admitted.

3. The allegations of paragraph 3 are admitted.

4. Answering the allegations of paragraph 4, it is admitted that Senate Document No. 97, 87th Congress, which is a report to the President by the Secretaries of Interior, Agriculture, Army, and Health, Education, and Welfare, entitled "Policies, Standards, and Procedures in the Formulation, Evaluation and Review of Plans for Use and Development of Water and Related Land Resources" does give the Secretary of the Interior "broad responsibilities in regard to the formulation, evaluation, and review of plans for use and development of water and related land resources."

5. The allegations of paragraph 5 are admitted.

6. Answering the allegations of paragraph 6, it is admitted that the Secretary has participated in the study of the proposed Trotters Shoals project which would be located between the Federal Government's existing Clark Hill and Hartwell projects on the Savannah River. It is denied that Trotters Shoals is the "next logical step in the Congressionally approved plan of comprehensive development of the Savannah River Basin"; it is further denied that Trotters Shoals was a part of the plan of comprehensive development of the Savannah River Basin selected by the Corps of Engineers and approved by Congress in the Flood Control Act of 1944. It is admitted that if the Trotters Shoals project is ever constructed, the Secretary of the Interior will, if he follows his present practice, dispose of power and energy produced therefrom through the Southeastern Power Administration.

7. Answering the allegations of paragraph 7, it is admitted that the Applicant Duke Power Co., wheels to public bodies and cooperatives approximately one-half of the capacity and all of the dependable energy from Hartwell which Southeastern Power Administration has allotted to the Duke service area, and purchases from Hartwell the remaining

one-half of the capacity and such surplus energy as becomes available from time to time. As to the Secretary's allegation that "It is anticipated that a portion of the output of the Trotters Shoals project will likewise be disposed of in the applicant's service area * * *", Applicant has no knowledge or information as to whether the Trotters Shoals project will ever be constructed and therefore denies this allegation for lack of information or belief.

8. Answering the allegations of paragraph 8(A), it is admitted that in passing upon Duke's application for license for its Keowee-Toxaway project, FPC project No. 2503, the Commission is to consider the comprehensive plan for the development of the Savannah River Basin set forth in House Document No. 657, 78th Congress, to the extent that this plan was approved by Congress in the Flood Control Act of 1944, as subsequently construed by the U.S. Supreme Court in *U.S. ex rel. Chapman* v. *Federal Power Commission*, 345 U.S. 153, 97 L. Ed. 918, 73 S. Ct. 609 (1953). It is denied that "It is incumbent upon the Federal Power Commission to accept" every detail of plans of the Corps of Engineers as set forth in H.D. No. 657, 78th Congress. It is denied that the comprehensive plan and its approval by Congress in the Flood Control Act of 1944 is subject to the restrictive interpretation placed upon it by the Secretary in his petition for intervention. It is further denied that Duke's Keowee-Toxaway project "is not best adapted to a comprehensive plan for improving or developing the waterway . . . within the meaning of section 10(a) of the Federal Power Act," the fact being that Duke's Keowee-Toxaway project, with provisions for hydroelectric and pumped storage peaking capacity, steam-electric generating plant cooling water, soil conservation, municipal water supply, flood control and public recreation, all being developed by private capital which will produce millions of dollars of additional tax revenues to local, State and Federal governments, is far better adapted to a comprehensive plan for the development of the upper reaches of the Savannah River Basin than was the single Newry-Old Pickens project proposed 21 years ago in H.D. No. 657, 78th Congress, as the eleventh and final stage of the Savannah River development. The fact that Applicant's Jocassee pumped storage project above Lake Keowee was not considered by the Army Corps of Engineers in H.D. No. 657, 78th Congress, is no bar to the Commission's licensing authority.

9. Answering the allegations of paragraph 8(B), it is denied that Applicant's Keowee development "is contrary to the basic policy adopted by Congress in the Flood Control Act of 1944 for the systematic development of the Savannah River Basin," and further denied that Congress "decreed that the other projects included in the plan were to follow Clark Hill in the order approved." It is further denied that Congress has made any decision as to the "order of construction" of other projects on the Savannah or that the Army Corps of Engineer's report is "* * * binding upon the Commission, as to 'the desirable order of construction.' * * *" The case cited by the Secretary, *U.S. ex rel. Chapman, supra,* as authority for this conclusion indicates exactly the contrary, as do subsequent court decisions and the subsequent legislative history of Congressional authorizations for projects originally mentioned in the Flood Control Act of 1944. Note the following language of the United States Supreme Court:

"In so interpreting the language Congress has used, we gain some light from the action Congress has taken to set projects in motion following enactment of statutes 'approving' a comprehensive plan and 'authorizing' certain projects set out in the plan. For the Roanoke River Basin itself, although Buggs Island and Philpott were specifically 'authorized' in the Flood Control Act of 1944, separate steps were taken by Congress to complete the authorization; 'planning money' was appropriated, a 'Definite Project Report' was received for Buggs Island, and then funds for construction of Buggs Island were appropriated. Equally illuminating is the procedure by which Congress recently set in motion plans to build a project 'approved' exactly as was the Roanoke Rapids project. At approximately the same time as the engineering reports on the Roanoke River were submitted, a comparable report was submitted concerning the Savannah River, Ga., and recommending a comprehensive plan much like the Roanoke River Basin plan. Like Buggs Island and Philpott in the Roanoke plan, Clark Hill in the Savannah plan was recommended for immediate authorization, 'as the initial step.' See H.R. Doc. No. 657, 78th Cong., 2d sess., 6. As the demand for power increased, other projects included in the plan were to follow, the first to be the Hartwell site. The Senate report accepted this recommendation, S. Rept. No. 1030, 78th Cong., 2d sess., 9–10, just as it had the Roanoke Basin recommendation, and called for 'approval of the comprehensive plan and authorization for construction of the Clark Hill project.' Id., at 10. Section 10 of the Flood Control Act of 1944 contains a corresponding provision. 58 Stat. 894. Thus, the background as well as the precise terms of the provisions relating to projects in the Savannah River plan are closely parallel to those relating to the Roanoke projects. Recently, when further construction on the Savannah River was proposed and authorization of Hartwell, the next site in line, was recommended, neither Congress nor the Engineers treated the earlier 'approval' of the comprehensive plan as a final step making unnecessary other than automatic appropriations for Hartwell. Rather, hearings were held, see Hearings before House Committee on Public Works on H.R. 5472 (title II), 81st Cong., 1st sess., 37–85 (May 16, 1949), and a separate authorization for construction was included in the Rivers and Harbors Act of 1950, 64 Stat. 171.

"Respondents further point out that at the same time hearings were held on the Hartwell project there were also hearings on further construction in the Roanoke Basin, and the Corps of Engineers proposed the authorization of Smith Mountain, a project with minor flood-control benefits but not next in line under the plan as approved in the Flood Control Act of 1944. That plan had put the Roanoke Rapids site here involved and the Gaston site ahead of Smith Mountain.

"Whatever light these subsequent proceedings in Congress afford, both as to the Roanoke Basin and as to the comparable Hartwell site in the Savannah River plan, we find no solid ground for concluding that Congress has taken over the entire river basin for public development with such definiteness and finality so as to warrant us in holding that Congress has withdrawn as to this whole river basin its general grant of continuing authority to the Federal Power Commission to act as the responsible agent in exercising the licensing power of Congress." *U.S. ex rel. Chapman,* supra.

See also *National Hell's Canyon Assn.* v. *F.P.C.*, 237 F. 2d 777, cert. den. 353 U.S. 954.

That the congressional approval of the comprehensive development of the Savannah River Basin contained in the Flood Control Act of 1944 is not so rigid, inflexible and restrictive as the Secretary of the Interior now contends, is proven by the manner in which the Secretary of the Interior and the Army Corps of Engineers have themselves departed from the comprehensive plan set forth in H.D. No. 657, 78th Congress:

(1) Constructing Clark Hill with a capacity of 280,000 kilowatts rather than a capacity of 223,000 kilowatts as specified in H.D. No. 657, 78th Congress.

(2) Constructing Hartwell with a capacity of 264,000 kilowatts initially and 330,000 kilowatts ultimately rather than a capacity of 177,300 kilowatts as specified in H.D. No. 657, 78th Congress.

(3) Abandoning plans for the Middleton Shoals and Goat Island projects which were a part of the comprehensive plan for the development of the Savannah set forth in H.D. No. 657, 78th Congress, and proposing instead the Trotters Shoals project, which was considered by the Army Engineers in H.D. No. 657, 78th Congress, but was rejected in favor of the Middleton Shoals and Goat Island projects.

(4) Proposing pumped storage units for Trotters Shoals and Hartwell, pumped storage units not having been considered or evaluated in the Army Engineers report to Congress in H.D. 657, 78th Congress, and therefore not having been approved in the Flood Control Act of 1944.

It is unreasonable to suppose that Congress intended, in the Flood Control Act of 1944, to foresee 21 years into the future (1) the exact locations of future load growth, (2) technological developments in pumped storage, conventional hydro and steam plant design, and high voltage transmission, (3) changing costs, (4) postwar developments in flood control and soil conservation, (5) changing patterns in public recreation, (6) increasing demands for municipal water supply, and (7) changing patterns in electric consumption, and to "freeze" the order of construction of projects on the Savannah River, thus depriving the Federal Power Commisison of discretion to consider these changing conditions.

10. Answering the allegations of paragraph 8(C), it is denied that Trotters Shoals is "the next step in the comprehensive plan for the development of the Savannah River Basin" for the reasons set forth in paragraph 9, subparagraphs (3) and (4), supra. It is further denied that the comment of the Federal Power Commission on Trotters Shoals has any more legal effect on the Commission's decision in Project No. 2503 than the U.S. Supreme Court said was the effect of a similar recommendation by the Federal Power Commission in connection with the comprehensive plan for the development of the Roanoke River Basin. *U.S. ex rel. Chapman* v. *Federal Power Commission,* supra.

11. Answering the allegations of paragraph 8(D), the Applicant denies that it has no need for the hydro power which will be produced by F.P.C. Project No. 2503 in 1971 and further denies that it can ever rely upon hydro power from: (a) Trotters Shoals, (b) a fourth unit of Hartwell, or (c) the four proposed Federal plants on the Chattooga River in Georgia, for the following reasons:

(1) The proposed Trotters Shoals project has been opposed by the Governor of South Carolina, the South Carolina General Assembly, the South Carolina Development Board and a number of business and civic organizations. It is extremely doubtful whether the project will ever be authorized by Congress. The House Public Works Committee, after hearings, has once refused to recommend its authorization.

(2) Applicant is now wheeling and purchasing Hartwell power under a contract limited to a 5-year term because the Secretary of the Interior would not agree to a term longer than 5 years.

(3) Under the Flood Control Act of 1944 the Secretary of the Interior is required, in the marketing of Federal power, to give preference to public bodies and cooperatives. Pursuant to an interpretation of this statutory requirement, it is his present practice to sell all of the dependable energy from the Hartwell project allotted to the Carolinas to these preference customers. Thus, the Applicant would have no assurance of being able to purchase dependable capacity or

energy from any future federally constructed plants on the Savannah River.

Because of its close proximity to rapidly growing heavy load centers on Applicant's system, and in view of its special suitability for several types of economical generating capacity complementing one another, Applicant's project is needed regardless of when or whether Trotters Shoals is ever built. The net integrated one-hour peak on Applicant's system in 1964 was 3,523,000 kilowatts, at which time Applicant had hydro capacity of 778,000 kilowatts to help meet this peak. Load forecasts indicate an expected peak of 5,860,000 kilowatts in 1971 and 7,229,000 kilowatts in 1974. It is clear that Applicant can effectively use additional peaking capacity of 140,000 kilowatts from Keowee in 1971 and 310,000 kilowatts from Jocassee in 1974.

12. Answering the allegations of paragraph 8(E), Applicant denies that it "has no need for steam-electric power from a plant located on the Keowee reservoir about 1972 or later" because (the Secretary asserts), Congress will give Applicant "permission to build a 2,000,000 kilowatt steam plant below Hartwell concomitant with the Trotters Shoals authorization." This allegation by the Secretary is no more than speculation. Congress has once refused to enact statutory authority for Duke to build a steam plant at its Middleton Shoals site below Hartwell.

The following conditions would have to be met before Duke could construct a steam plant below Hartwell:

(1) Duke's re-regulating dam would have to be constructed before any impoundment of the free flowing water now existing between Hartwell and Clark Hill;

(2) Any impoundment downstream of Duke's plant could not exceed elevation 475 feet above sea level;

(3) A firm commitment by the Government that there would be no pumped storage unit in the Hartwell plant;

(4) A long term agreement between the Government and Duke guaranteeing minimum water releases from Hartwell;

(5) Passage by Congress of an act authorizing Duke's construction under the foregoing conditions. Even after the passage of such an act by Congress, two other conditions would have to be met before construction could proceed:

(a) Conclusion of negotiations with the railroads over coal freight rates to the site, to determine whether the plant would be designed to use coal or uranium as a source of energy.

(b) Army Corps of Engineers approval of Duke's plans and specifications.

The unlikelihood of being able to resolve all of these problems in time to have a plant in operation by 1972 was one of Duke's considerations in acquiring 100,000 acres of land in the Keowee-Toxaway area and applying to the Federal Power Commission for a license as quickly as possible. Even if Duke were given the immediate authority to proceed with construction of its Middleton Shoals steam plant below Hartwell, this would not remove, but would only postpone, the need for using the cooling water of the Keowee Lake for an additional steam plant. Duke expects to have a total generating capacity of 6.3 million kilowatts by May 1970. At that time, the total capacity of the Carolinas-Virginias Power Pool, of which Duke is a member, is expected to be 16 million kilowatts. From 1967 on, Duke will be adding generating capacity for its share of the total load of the CARVA Pool. Between 1970 and 1980, the CARVA Pool will require between one and two million kilowatts of new capacity each year.

For a further answer to the Secretary's petition for intervention, applicant alleges:

1. The contention of the Secretary of the Interior, that Duke Power Company should forego the construction of its own hydroelectric plants in order to purchase power from Federally constructed plants, is contrary to the basic policy of the Federal Power Act. The legislative history of Part I of the Federal Power Act clearly shows that it was designed to encourage the private development of hydroelectric sites. It reserves to Congress the decision as to where and when there will be Federal development, and, by Section 7(b), it appoints the Federal Power Commission, not the Department of Interior, as Congress' expert advisor on this question.

Trotters Shoals is simply a power project, with no flood control benefits assigned to its costs. Congress has never authorized it, and it is opposed by the governing officials and the legislature of South Carolina.

The Secretary's petition for intervention contains no statement that he wishes to see the Keowee-Toxaway project built by the Federal Government. In the comprehensive plan for the development of the Savannah River set forth in H.D. No. 657, 78th Congress, and approved by Congress in the Flood Control Act of 1944, the Newry-Old Pickens site (located at the same site as Applicant's Keowee development), is projected as the last development on the Savannah. The Army Engineers made it clear that the other projects (after Clark Hill) will be recommended only "when there is a definite indication of a suitable market for the power." The Army Engineers, in their comments on Applicant's Project No. 2503, did not oppose Applicant's construction of the Keowee-Toxaway project.

From these facts it is clear that the Secretary's opposition to applicant's Keowee-Toxaway project, on the sole ground that its absence will create a market for power from the highly controversial Trotters Shoals project, is contrary to the letter and spirit of the Federal Power Act.

2. The Secretary's position that Applicant should be denied a license because it can purchase hydro power from Government plants not yet authorized by Congress and produce steam power from a plant once turned down by Congress is contrary to the basic conclusions of the Federal Power Commission's National Power Survey, especially to its admonition to electric utility companies to plan now for the 1980's.

3. The Secretary's effort in this proceeding to force upon the State of South Carolina a Federally constructed project which the State officially opposes, and to block the construction of an entirely unrelated development by private capital which the State officially supports, is contrary to the policies relating to water resources planning which the Secretaries of Interior, Agriculture, Army, and Health, Education, and Welfare established for their Departments. See S.D. No. 97, 87th Congress, 2nd Sess., Section III, "Planning Policies and Procedures," especially Subsection A, "National, Regional, State and Local Viewpoints," paragraph 1, and Subsection E, "Coordination Within the Federal Government and with Non-Federal Interests," especially paragraphs 1, 3 and 4 of this Subsection. S.D. No. 97, 87th Congress, is the document cited in paragraph 4 of the Secretary's petition, as bearing upon his interest in this proceeding.

4. In order to determine the effect that its Keowee-Toxaway project will have on the Federal Government's Hartwell and Clark Hill projects downstream on the Savannah River, and on the proposed Trotters Shoals project, if built, applicant employed independent consulting engineers, Chas. T. Main, Inc., Boston, Mass. This firm recently reported to applicant that using the general procedure outlined in FPC order No. 268, dated April 23, 1963, for computation of headwater benefits, it is estimated that the Keoway-Toxaway project will confer benefits on Clark Hill and Hartwell amounting to $925,000 annually, and if the Trotters Shoals project is ever constructed between Clark Hill and Hartwell, the annual benefits conferred on the three Federal projects from the Keowee-Toxaway project will amount to $1,085,500 annually.

Wherefore, having answered the petition for intervention of the Secretary of the Interior, the applicant prays that the Commission treat the petition as a statement of the position of the Secretary of the Interior and proceed to render a decision on the application for license. In the hope of obtaining a favorable decision in time to meet the original construction schedule set out in its application for license, the applicant does not in this answer request a hearing. However, in the event that the Commission elects to set this matter for hearing of its own motion, or at the request of any other party, the applicant respectfully requests that all or some part of the hearing be conducted either in Pickens, S.C., the county seat of Pickens County, or Walhalla, S.C., the county seat of Oconee County (these being the two counties in which the great majority of the project would be located), or in the city of Columbia, the capital of the State of South Carolina, in order that the presiding officer may obtain firsthand the views of the public officials and the people of South Carolina with respect to the Keowee-Toxaway project.

This 30th day of June, 1965.

DUKE POWER CO.
By: W. B. MCGUIRE, *President*.
GEORGE W. FERGUSON, JR.,
CARL HORN, JR.,
CHARLES W. SMITH,
Attorneys for applicant, Duke Power Co.
STATE OF NORTH CAROLINA,
County of Mecklenburg.

W. B. McGuire, being first duly sworn, deposes and says that he is president of Duke Power Co.; that he has read the foregoing answer to petition for intervention and knows the contents thereof; and that the same are true to the best of his knowledge and belief.

[SEAL] W. B. MCGUIRE.

Subscribed and sworn to before me this 30th day of June 1965.

SUZANNE S. CARTER,
Notary Public.

My commission expires August 3, 1966.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the following-named parties of record in this proceeding, by delivering a copy thereof in person, or by mailing a copy thereof properly addressed, to each of the parties named or, where indicated, to the attorney of record of a party named Mr. E. V. Lewis, chairman, Tri-State Power Committee, 880 Knox Abbot Drive, Cayce, S.C.; Hon. Stewart L. Udall, Secretary, Department of the Interior, Washington, D.C., dated at Charlotte, N.C., this 30th day of June 1965.

GEORGE W. FERGUSON, JR.
(Of counsel for Duke Power Co.).

"INCREDIBLE"—THAT'S THE WORD

Trotters Shoals has been used for several years to prevent Duke Power Co., from building its Middleton Shoals plant in Anderson County. Now it is being used as an excuse to keep Duke from proceeding with its huge Keowee-Toxaway project in Oconee and Pickens Counties.

"Incredible" is the only word to describe Secretary Udall's intervention with the Federal Power Commission to protest the Duke program. It simply makes no sense.

It makes no sense to say that Duke will have sufficient power without it. There is hardly such a thing as too much power. Industry naturally gravitates to those areas where there is power, particularly the constant and almost limitless power that a company such as Duke can provide.

South Carolina, and every one of its governmental units, desperately needs tax revenue to provide the schools, hospitals, and other facilities in which this State is lagging. The Duke plant in Anderson County would pay $1 million a year in taxes. The Keowee-Toxaway project would eventually pay some $20 million of taxes annually to local and State governments.

Congressman Dorn has pointed out that the area where the Middleton Shoals and the Keowee-Toxaway projects are planned is part of Appalachia, for which the Federal Government has authorized the spending of $1 billion to combat poverty. Duke plans to spend almost that much on these two projects alone, and they would cause millions of tons of coal to be purchased from the Appalachian region.

"Incredible" is the only word to describe the opposition of Secretary Udall of the Department of the Interior.

Only Time Will Tell

From what we read and hear, only Secretary of the Interior Stewart Udall is in favor of Federal Government development of the Trotter Shoals damsite on the Savannah River in the western part of South Carolina.

Both South Carolina Senators, the entire congressional delegation, Gov. Robert E. McNair and others, politicians and nonpoliticians alike, favor the $700 million development plan proposed by the Duke Power Co., which would add millions and millions of dollars to both the State and National treasuries in taxes when it is completed. Federal development would remove thousands of tax-producing acres from the assessment books of the State and counties involved.

Latest to protest Udall's action in filing an intervention with the Federal Power Commission is the South Carolina State Chamber of Commerce, an organization representing thousands of the State's able businessmen.

Instead of appealing to the Power Commission, the State chamber has appealed directly to President Johnson. Whether its words will fall on deaf ears is a matter of conjecture.

We believe the State chamber has strongly and forthrightly stated its case. Here is what it wrote:

"According to our study, the Duke Power Co. project will ultimately pay millions of dollars in local, State and Federal taxes, provide employment, attract new industries and afford recreational facilities.

"In view of the economic advantages that will accrue to this entire region, it is incomprehensible to us that Secretary Udall take the position that Duke should not construct its own generating facilities but should purchase electric power from Federal Government plants built at the expense of all taxpayers.

"The overall function and purpose of our organization, comprised of over 2,500 businessmen and industrialists in all sections of our State, is to promote good government and a good business climate in South Carolina and to protect and strengthen our free enterprise system. We are, therefore, unalterably opposed to the Federal Government undertaking programs when tax-paying corporations are able and willing to do the job.

"The State Chamber of Commerce respectfully requests your cooperation in seeing that Secretary Udall's intervention in the Duke Power case is withdrawn."

Unfortunately, Secretary Udall is one of the liberal breed who believes that the individual and the State should be subservient to the all-encompassing Government. We're inclined to believe that the President wears the same colors. Only time will tell.

NEED FOR LEGISLATION TO PROVIDE FEDERAL FELLOWSHIPS FOR TEACHERS WHO SEEK MASTER'S DEGREE

Mr. CASE. Mr. President, as a longtime supporter of legislation to improve the education of our Nation's teachers, I was pleased to read on Saturday that the President is giving his support to creation of a graduate fellowship program for elementary school and secondary school teachers.

Early this year, I introduced proposed legislation to provide a system of 1- and 2-year Federal fellowships for teachers, in both private and public elementary and secondary schools, who want to obtain a master's degree. My plan is similar in many respects to a proposal by the Senator from Oregon [Mr. Morse], who, as chairman of the Senate Education Subcommittee, has a special competence in this area.

Numerous authorities have emphasized the need to improve the competence of teachers in their subject areas. New concepts in mathematics and science, to name only two subjects, have made it extremely difficult for teachers whose training was limited to the preatomic age to pass on the new learning.

My bill would help remedy this situation. It is encouraging to note that the President has promised to give his support to proposed legislation which will achieve this purpose.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. MANSFIELD. Mr. President, I have heard from the distinguished senior Senator from New Mexico [Mr. Anderson], one of the parents of the legislation now under consideration, and he has relayed me his views relative to the Ribicoff amendment, as follows:

Statement of Hon. Clinton P. Anderson, a Senator From the State of New Mexico

Recently, President Johnson presented a first retirement check to the 20-millionth beneficiary of our social security system. Under this program, 20 million elderly widowed, orphaned, and disabled people now receive a regular benefit check. The benefits under the old-age, survivors and disability titles of the Social Security Act will total nearly $17 billion in 1965. I am sure all my colleagues in the Senate share a deep sense of satisfaction in having a part in fashioning such a massive program for human welfare.

We are today considering vast improvements in that system—improvements in benefits payable from the trust funds amounting to $4.81 billion; the added costs of public assistance payments will require outlays of an additional $1.38 billion from the general treasury.

The sense of pride and satisfaction we share in developing such a program is only tempered by our awareness of all the unmet needs that remain. Huge as the additional outlays are, we all know they do not—they cannot—meet all the needs of all our citizens who look to these programs for economic security in time of need.

I fully share the feelings of my distinguished colleague from Connecticut and those who join him in support of his amendment to provide additional hospital care under the basic hospital insurance program. The problem that confronts us all is that there are so many appealing and worthy needs that call upon our sympathies. The cash social security benefits we are now paying to retired workers average only about $78 per month, those for the disabled about $92 and for the widows of deceased workers less than $70. With the increases provided in H.R. 6675, these will be raised to about $83.50, $98.50 and $75 respectively. Does anyone in this Chamber think these are adequate? Of course not. Every one of us would like to see them increased by more substantial amounts.

And so it is with the days of hospital care to be provided. The bill which came before your Finance Committee first proposed 60 days of care in a hospital—recognizing that this met all the need for the great majority. We are now proposing 60 more days on a shared-cost basis, with additional nursing home and home health care. We know that even with these generous additions, the care provided will not meet every last bit of need for every single individual with exceptional needs, but it will prevent catastrophe befalling millions of our elderly. The issue is one of proportion and priority. Our Nation is indeed wealthy—but resources are not unlimited. The arguments for unlimited care for the exceptional case are appealing and have been eloquently presented. But they are no more appealing than those that can be made for every other category of benefits.

We all know there will remain cases of need that are not fully met by the insurance provisions of this bill. There will, of course, be a few—a very few—who will need more than 60, or even 120, days of care in a hospital. But there are also many retired workers for whom $80 or $85 a month is insufficient—many widows for whom $75 is far too little. A reasonable limit on the hospital stay provided under this bill is consistent with the purpose of our social security system, which has never been to meet all of every person's need. The purpose of this program has rather been to provide for all persons a basic floor of protection to which the individual can add by his own efforts, acting individually or with others of his group. The durational limits on hospital care provided in the bill as reported by your committee are consistent with that principle.

Next month we celebrate the 30th anniversary of the Social Security Act. When he signed it, on August 14, 1935, President Roosevelt said:

"Today a hope of many years standing is in large part fulfilled * * *. We can never insure 100 percent of the population against 100 percent of the hazards and vicissitudes of life, but we have tried to frame a law which will give some measure of protection to the average citizen and to his family. * * * This law too represents a cornerstone in a structure which is being build but which is by no means complete."

Today we are adding to that structure as we have from time to time in the past 30 years. We know we are not completing it, even now. But as we build, I trust the Congress will, as it has for 30 years past, build with compassion and with wisdom.

Mr. President, I am fully in accord with the views of the Senator from New Mexico.

Mr. SMATHERS. Mr. President, I yield to the Senator from Tennessee [Mr. GORE] for such time as he may require.

Mr. GORE. Mr. President, I am elated that the proposed legislation is nearing enactment.

It was only last year that the bill was considered to be highly controversial.

Fortunately, the Senate passed the bill at that time. The wisdom that either body had approved the proposal.

Because of the illness of the distinguished senior Senator from New Mexico last year, it fell to my lot an opportunity to play a leading role in obtaining approval of the bill by the Senate. Fortunately, the distinguished Senator from New Mexico is in better health this year and has been able to take the lead.

Nevertheless, I have aided in drafting the bill and have supported it to this point. I regret that the amendment offered by the able, distinguished, and dedicated senior Senator from Connecticut [Mr. RIBICOFF] is before us. It has much merit. It has great appeal. The danger is that the program will be loaded beyond capacity in the initiation of the program.

Unquestionably, in the future the benefits will, of necessity, be increased and, perhaps, the coverage and scope of the program accelerated and broadened.

Nevertheless, I believe that at this time the adoption of the amendment would be unwise.

Mr. President, much as I dislike disagreeing with my good friend, the junior Senator from Connecticut, I must object to his proposal that we remove the durational limitations. The bill already provides benefits for up to 120 days of hospital care in a spell of illness—twice as long a period as proposed by the House—plus an additional 100 days of posthospital care in a skilled nursing institution. This adds up to more than 7 months of care during a single spell of illness, not including the health care that the person could receive in his home under the home health care provisions.

Mr. President, virtually every case of catastrophic health costs would fall within the durational limits provided in the bill.

In the case of older people, covering hospital and extended care services for unlimited durations might well result in substantial overutilization of hospital and extended care facilities. In extending protection for the probably less than one in a thousand who would really need institutionalization for more than the 220 days provided in the bill, it would be very difficult, at least at the beginning of this new program, to prevent others who would not need hospital care from staying in the hospital longer than necessary. One of the problems involved in covering long-term institutional care is determining whether the care is really needed for medical reasons, or whether it is being provided because of a need for custodial or domiciliary care. In many cases, long-term stays in institutions result from a need for services, such as room and board, and help with dressing, bathing, and other forms of personal care, and not from a need for medical and related services.

Custodial care is essentially a problem of financing the costs of housing, rather than a problem of financing health care costs. Much of the real solution to this problem, it seems to me, lies in providing low-cost housing facilities for the aged. On the other hand, the only proper objective of the proposed health insurance programs is to provide coverage of medically necessary care that will cure and rehabilitate the patient. It is extremely difficult in long-stay cases to draw a clear-cut line between the point when medically necessary care terminates and custodial care begins. Removal of limitations on the benefits would severely aggravate this problem. Let me point out, Mr. President, that distinguished physicians who testified before the House Committee on Ways and Means earlier this year expressed the view that even 60 days of hospital insurance benefits—the duration proposed by the House—may well be excessive. They pointed out that one of the problems in providing benefits of long duration was that there was an unconscious tendency on the part of physicians to wish to keep their patients in the hospital during the whole period of benefits. To the extent that longer stays than now will be encouraged, the proposed amendment would introduce new cost factors which are impossible to evaluate with any degree of certainty. Virtually no insurance for the aged now written provides hospital benefits beyond the 120 days provided under the bill.

Because of the need for better housing and the need for custodial care among the aged, the number of older people seeking and obtaining care in medical facilities might very well increase greatly if benefits were provided for unlimited institutional care.

CONCLUSION

Let me remind Senators that the Committee on Finance has already given consideration to the possibility of removing the limits on paying hospital benefits and posthospital extended care and home health benefits. The amendment was rejected for the very good reason that it could open the way for a significant degree of overutilization and introduce new cost factors which would be impossible to estimate with any degree of certainty. I believe that we should not take on all these problems. It just does not make sense to expose the program to overutilization and excessive costs for the very few cases—probably fewer than one in a thousand—in which older people really have to be institutionalized for longer than 220 days to receive needed medical care.

I believe that we should start out prudently and build up experience administering the benefits now in the bill, before undertaking so broad a program as that proposed by my good friend, the junior Senator from Connecticut. If and when experience warrants it, and only then, should action be taken to extend or eliminate the limitations on the duration of stays.

For these reasons I urge Senators to join me in voting against the proposed amendment.

Mr. McNAMARA. Mr. President, I associate myself with the remarks of the Senator from Tennessee [Mr. GORE] and the statement of the Senator from New Mexico [Mr. ANDERSON], made in his behalf by the majority leader.

In the proposed legislation, we are principally trying to deal with the short-term illnesses of older Americans. These illnesses are dealt with rather well in the bill as it came out of the Finance Committee. I do not question the motives of those who would expand further. The expanded benefits may well be much needed, as pointed out by the distinguished Senator from Connecticut. It would change the basic purpose of the bill, as I see it. The purpose of the bill is to take care of short-term illnesses. Some short-term illnesses can be catastrophic, too.

The types of illnesses which would be covered under the terms of the present bill can be considered catastrophic.

When we consider that the average hospital stay is 15 days and that the average hospital bill is $650, not including doctors' bills and other fees, and that the average annual income of these persons whom we are trying to help is approximately $1,275, we can see how serious and catastrophic a short-term illness can be. The average income of nonmarried persons over 65 years of age is $1,275.

I believe that the committee bill does a good job in meeting the needs and expenses of short-term illnesses. I believe that the committee should be complimented on the fine work it has done. When the Senate goes to conference with the House, a large number of differences will have to be ironed out, and if we start adding amendments such as the one now pending before the Senate we will be imposing an even greater burden. I am sure that many Senators have ideas as to provisions of the bill which they believe should be better and which would improve the lot of people generally, but somewhere along the line we must stop. I believe that the committee bill is the place where I would recommend that we stop. I believe that this is enough to put in a conference. If we go much beyond that, I believe there is a good chance of jeopardizing the proposed legislation, which is so badly needed at this time.

Mr. SMATHERS. Mr. President, as the Senator in charge of the bill temporarily, let me say that I have contacted as many members of the Finance Committee as possible, and I am prepared, on behalf of the committee, to accept the amendment and take it to conference for further study.

Mr. JAVITS. Mr. President——

The **PRESIDING OFFICER.** The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I believe that the number of Senators who have expressed themselves on this issue may have some influence on the conferees. I understand that, because I have inquired as to the reasons why the amendment is being taken to conference. I have had enough experience in the Senate to know that it is unprofitable, sometimes, to try to run roughshod into matters which the

Senator in charge of the bill might feel to be best for the ultimate fate of a bill.

I shall not do that at this time, but I cannot sit silent without identifying myself with the views of Senators who feel that by adoption of the pending amendment the basic concept of the bill would be changed.

Mr. President, I do not know what straw will break the camel's back. I hope it is not this one. But, it could be. The contemplation of these measures—and I have been among their most ardent advocates—has always been that they would provide a care package which was essentially carried by the social security tax. I believe that the addition of the supplementary coverage was an excellent addition. I like it very much. If the proposal, for example, were to expand supplementary coverage which was voluntary to deal with catastrophic illness, I would have a different view concerning it, but to load this problem onto the back of the Government plan makes me feel exactly as the Senator from New Mexico [Mr. ANDERSON] has expressed it—and he has been a longtime partner in this matter—that is, that we would be overloading the bill beyond its purpose, beyond its intent, and not necessarily for the best good of having the whole package accepted.

Mr. President, enactment of the bill will be a historic breakthrough. Therefore, I hope that when the amendment is taken to conference, the Senator in charge of the bill will bear in mind that many of us view the situation with deep disquiet, and that at the very least they will make some other disposition of the idea. Putting it into the supplementary package would be, in my judgment, the sound way to approach the particular problem. That is the package which is based upon a voluntary contribution by the beneficiary and the Government. That would not only cut its cost, but would also put it where it belongs, on the voluntary side, over and above the minimal program for which the Government is, for all practical purposes, the underwriter as financed by social security taxes.

I point out, too, that this program, in its basic part, is substantially viable and is, in fact, producing an excess in social security taxes over and above its costs, except for roughly 2 million, who are not under the social security system, for whom the Federal Government pays the bill.

I hope that the managers of the bill, when they go into conference, will understand that if they bring back some reasonable resolution of this problem of catastrophic illness, preferably on the side of the bill which this amendment unfortunately does not affect, there are many of us who will support it. However, we see the bill going out with this amendment on it with the greatest disquiet. It is my intention to vote "No" on the voice vote that will ensue.

Mr. SMATHERS. I thank the Senator. I should state that I share the sentiments that have been expressed by the Senator from Tennessee and the Senator from Michigan. Under the circumstances, however, I am prepared to take the amendment to conference for further study.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut [Mr. RIBICOFF].

Mr. COOPER. Mr. President, I ask for a division.

The Senate proceeded to divide.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays.

Mr. GORE. Mr. President, I should like the floor.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. RIBICOFF]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana (after having voted in the affirmative). On this vote I have a pair with the senior Senator from Virginia [Mr. BYRD]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished senior Senator from New Mexico [Mr. ANDERSON]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Wyoming [Mr. MCGEE], are absent on official business.

I further announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], and the Senator from Indiana [Mr. HARTKE], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. GRUENING] and the Senator from Idaho [Mr. CHURCH], would each vote "nay."

On this vote, the Senator from Indiana [Mr. HARTKE] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Indiana would vote "yea," and the Senator from Wyoming would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Nebraska [Mr. HRUSKA] are absent on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] would vote "yea."

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from Wyoming, [Mr. SIMPSON]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from Wyoming [Mr. SIMPSON]. If

The result was announced—yeas 39, nays 43, as follows:

[No. 165 Leg.]

YEAS—39

Bartlett
Bayh
Boggs
Brewster
Burdick
Byrd, W. Va.
Clark
Curtis
Dodd
Fong
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McGovern
McIntyre
Mondale
Montoya
Morse
Morton
Mundt
Murphy
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, Ga.
Smith
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—43

Allott
Bass
Bible
Cannon
Case
Cooper
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Harris
Hart
Hickenlooper
Hill
Holland
Inouye
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
McCarthy
McNamara
Metcalf
Miller
Monroney
Moss
Muskie
Robertson
Russell, S.C.
Saltonstall
Scott
Smathers
Sparkman
Stennis
Symington
Tydings
Williams, N.J.
Young, Ohio

NOT VOTING—18

Aiken
Anderson
Bennett
Byrd, Va.
Carlson
Church
Cotton
Dirksen
Gruening
Hartke
Hayden
Hruska
Long, La.
Magnuson
Mansfield
McClellan
McGee
Simpson

So Mr. RIBICOFF's amendment was rejected.

Mr. SMATHERS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORIZATION FOR PRINTING OF MOTION TO RECOMMIT

Mr. CURTIS. Mr. President, I ask unanimous consent that should I choose to offer a motion to recommit to the committee with instructions, the bill H.R. 6675, such motion to recommit may be printed as amendments are printed. I make the request merely so that Senators will have information as to what might be involved.

The PRESIDING OFFICER (Mr. MONDALE in the chair). Is there objection? The Chair hears none, and it is so ordered.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KENNEDY of Massachusetts. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 120, line 10, it is proposed to strike out "$1,000" and insert in lieu thereof "$100".

Mr. KENNEDY of Massachusetts. Mr. President, under all the laws passed by Congress dealing with public assistance and social welfare Congress has never included any limitation upon the right of a citizen to appeal an administrative decision by the agency involved. In public assistance statutes we have always provided for the right of the beneficiary to question a decision made in his specific case, on the basis that the rules and regulations established to administer such laws cannot account for every possible situation where a real inequity may arise. While it may well be that many appeals will arise under public assistance laws as a result of misunderstanding of the benefits available and their amounts, we have nevertheless considered it important to keep the appeals route open so that valid complaints could be found and heard.

I was surprised to note, therefore, that under section 1869 of H.R. 6675 there has been placed, for the first time, a limitation on the beneficiary's right to appeal on the sole basis of the amount in controversy. Section 1869(b) of the bill states that where the amount of benefits due to a person under the compulsory hospitalization plan—part A of medicare—is in question, the usual appeals procedure that exists in our social security laws, including final judicial review of the Secretary's decision, will be allowed only where the amount in controversy is $1,000 or more. I find this provision to be inequitable and my amendment is designed to strike out this exceedingly high limitation and to substitute the lower figure of $100.

I can fully realize the concerns that the Social Security Administration may have over the number of cases that may arise under this new statute, but I am convinced that until the medicare program has been in operation for some time we should not place administrative ease above the rights of our elderly to question adverse decisions. To the majority of the elderly the amount in question may well involve a substantial part of their income or savings.

When a person over 65 enters a hospital, receives posthospital care, outpatient diagnostic service, or posthospital home health services he is eligible for the benefits prescribed in the basic medicare plan. The Secretary of Health, Education, and Welfare will have to establish rules and procedures governing these various services. The decision to admit such a person, determine his stay, order his tests, drugs, and treatments, rests with the physician who must certify that the services are necessary and proper. Utilization review committees are also provided for in the bill and each hospital must have a review plan. While these wise provisions will be instrumental in controlling the amount of benefits due the patient, there is no doubt that there will be instances of controversy. In fact, Mr. President, it is often the case that the rules and regulations employed to administer such laws are perfected in the long run by the ability of beneficiaries to appeal adverse decisions.

Mr. President, I have asked representatives of the Social Security Administration and other experts to explain the rationale for a $1,000 limitation on beneficiary appeals. The only explanation is one of concern over administrative caseloads as well as concern over the number of cases that may pile up in the courts. I have investigated all the other programs under our social security laws and have not found one instance where a beneficiary's right to appeal has been conditioned upon the amount in question. Under those titles of public assistance where administration is relegated to the States I have found that in each instance it is stated in our laws that the Secretary will only approve a State plan if rights of appeal are provided for, regardless of the amount in question. The grants to States for old age assistance and medical assistance for the aged contains such a clause, as does the program for aid and services to needy families with children, or the grants program to States for aid to the blind, or aid to the permanently and totally disabled.

Moreover, under our basic Federal old age, survivors, and disability insurance benefits, section 205 clearly lays out the appeals procedures that must be followed, again regardless of the amount in question. Section 205(b) of the Social Security Act directs the Secretary to make findings of facts on decisions as to the rights of any individual applying for payment under the Social Security Act. He is required to give such a person reasonable notice and opportunity for a hearing with respect to any decision made concerning a person's eligibility or the amount of benefits in question, and after such a hearing the Secretary will affirm, modify, or reverse previous findings of facts and previous decisions. Under section 205(g) of existing law it is stated that any individual after a final decision of the Secretary may obtain a review of such a decision by a civil action commenced within 60 days after the notice of the Secretary's decision. This action will be brought in the district court of the United States and the court will have the power to enter a judgment affirming, modifying, or reversing the decision of the Secretary, with or without remanding the case for rehearing. It is this section of the social security laws which section 1869 of the medicare bill will change by providing that only when the amount in controversy is $1,000 or more would this appellate procedure be open to the individual.

I have also looked into the appeals procedure under the Federal employees health benefits program—the health benefit program for civil servants—and I have found that where there is a dispute between the civil servant and the carrier concerning the amount of benefits received, that dispute could be brought to the Civil Service Commission, and the Commission will contact the carrier. I am informed that between 250 and 300 such complaints come up each month and that approximately 100 of those cases are such that the Civil Service Commission contacts the carrier for a review.

I have contacted representatives of the Social Security Administration to find out what their caseload is under the old-age survivors and disability insurance provisions of our social security laws. In 1965, some 20,000 hearings were held under the administrative procedures established by section 205 of the Social Security Act. But it also should be pointed out that in cases involving disability insurance alone, approximately 30 percent of these hearings resulted in reversals of prior adverse decisions, and in other cases approximately 23 percent of the hearings resulted in reversals. Also, only about one-twentieth of all the cases that came to hearings wound up as new cases filed in the district court.

So I am convinced, Mr. President, that new legislation as complex as medicare, with the express purpose of assisting the elderly to meet their medical expenses from their meager incomes, should not disregard a beneficiary's appeal because the amount in question is $1,000 or more. These citizens have incomes of only $2,000 a year; a disagreement in benefits of only $200 represents 10 percent of their income. Should they not be able to appeal in this situation involving so much of their income? Could it not be true that the most equitable and worthy case may be one involving only $150?

I hope that this measure will not be passed with such a built-in inequity. I feel that if experience shows us that the administrators of the program do meet an exceptional caseload, we could place a limit on appeals at a later date. But until this is a problem, I am opposed to any provision that places a burden on the elderly rather than on program administrators.

Mr. LONG of Louisiana. Mr. President, I have read the amendment and have discussed it with the Senator from Massachusetts. The proposal was not considered in committee, but the amendment is worthy of consideration. It would be in conference. I shall be pleased to take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. KENNEDY].

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I desire to associate myself with the remarks of the very able and distinguished Senator from Louisiana and other Senators who support the pending bill entitled "The Social Security Amendments of 1965."

Today's legislation is proof that strong medicine need not be bitter because this measure steeped for long years in the legislative kettle the harsh additives have been removed. We now have a good bill—one that will do the job and one which will be palatable to the majority of Americans.

This measure, without doubt, is one of the most significant pieces of legislation to come before the Congress. Standing in this historic Chamber I recall the struggles which have occurred in the past to seek the enactment of legislation designed to achieve the objective of helping our senior citizens live out their days in dignity and peace which they have so richly earned.

In those past years I opposed various medicare proposals that undoubtedly had fine objectives because I felt they did not provide for an effective and adequate medical care program for our older Americans. Many of these proposals in the past, in my opinion, held out much more to our senior citizens than they in fact would have accomplished.

Our late President John F. Kennedy said that to meet the health problems of our senior citizens would take determination, dedication, and hard work. In addition he pointed out that it would take will and effort, as well as vision and boldness.

President Lyndon Johnson also believed this way and demonstrated the fact by making medicare one of the major issues he wanted to come before the Congress and to be disposed of this year.

The pending proposal without doubt is the most important piece of legislation in behalf of older Americans which has come before us in 30 years.

It has been forged by determination, dedication, and hard work by Members on both sides of the aisle. It is, in my opinion, a good compromise that will provide an effective and workable program for our senior citizens.

The most pressing problem faced by our older Americans today is the unpredictable costs of health care and the low incomes with which they have to meet these costs.

The pending bill meets this problem for its major change is to enable people to contribute from earnings during their working years for protection against the costs of hospital and related care after age 65 when their incomes generally decline.

It will affect virtually everyone of the nearly 19 million people in this country who have passed their 65th birthday. Their numbers as we all know are increasing by 1,000 every day.

In 1960 of the nearly 5 million people living in the State of Florida, over 550,000 were aged 65 and over. Today over 5½ million persons are living in my State and over 700,000 persons are age 65 and over.

I feel confident that good results will flow in the passage of the pending measure.

No longer will our aged be required to shoulder the heavy burden of fear which has plagued them for years—the fear that their lifetime savings which enable them to meet their day-to-day living costs will be wiped out by the heavy cost of a major illness.

Passage of the pending measure will relieve our senior citizens of these fears and enable them to live out their retirement years in dignity and independence.

Under its provisions 19 million older Americans will be eligible under the basic hospital insurance plan. Approximately 700,000 of the age of 65 and over living in Florida alone will be eligible for benefits when the program goes into effect on July 1, 1966.

In Florida, hospital insurance payments would be about $88 million in 1967, the first full year of the operation of the program.

The supplementary medical insurance program, that would be available to most older people who choose to enroll and pay the required premium, would greatly benefit our senior citizens. For example, if seven out of eight of the eligible aged in Florida are enrolled in the program in 1967, benefits would total about $28 million in that year.

While the health insurance provisions are important, let us also remember that we are making many other important changes in social security.

Today's legislation will fill the gaps that the limited hospitalization bills of yesteryear failed to do. For nearly 19 million Americans this bill will mean that when illness knocks at the door it need be only a rap, not a dreaded alarm.

One of the most important, of course, is the 7-percent increase in monthly benefits for the 20 million social security beneficiaries—the aged and the disabled and their families and orphaned children and their widowed mothers.

The last general social security benefit increase was enacted in 1958 and was effective with benefits payable for January 1959.

Since that date there have been changes in wages, prices, and other aspects of the economy that indicate very clearly the need for this increase. It is estimated that $91 million in additional old-age, survivors, and disability insurance benefits will be paid in the State of Florida alone in 1966 due to the increase in benefits provided for in this bill.

Though the pending proposal is a good step forward, I believe there are certain areas in which it could be better.

One of the changes which many of the committee members felt was needed was a change in the amount of earnings an individual age 65 and over may have and still receive all of the social security benefits to which he is entitled.

Under present law, a person may earn $1,200 each year without having his benefits reduced and there is a $1 reduction in benefits for each $2 of earnings above $1,200 and up to $1,700. Benefits are reduced by $1 for every $1 of earnings above $1,700.

I introduced an amendment to liberalize this retirement test which would have enabled an individual to earn $2,400 yearly without a reduction in benefits and provide a $1 reduction in benefits for each $1 earned above $2,400.

The committee, however, did not go as far as I would have liked. The committee bill increases the $1,200 figure to $1,800 so that a beneficiary under age 72 may earn $1,800 in a year without any reduction in his benefit amount. If his earnings exceed $1,800, $1 in benefits would be withheld for each $2 of earnings up to $3,000 and for each $1 of earnings thereafter. I accept the committee decision. This is a part of the democratic process.

I introduced an amendment under which widows, age 60 or over, could remarry and be entitled to benefits in an amount equal to the benefit from her former husband or her current husband, if he is a social security beneficiary, whichever amount is greater. If her husband is not a beneficiary, her benefit from her former husband would continue. Under existing law, it would terminate. The committee accepted this amendment, and it is included in the bill.

I introduced an amendment to include payment for Christian Science nursing home services under the extended care provisions and for payment for Christian Science visiting nurse services under the home health provisions of the basic hospital insurance plan. The committee accepted this amendment, and it is included in the bill.

While this bill is a good bill, I expect that in the future we will see it continually changed for the better. The measure provides for the establishment of a National Medical Review Committee to study the utilization of hospitals and other medical care and services and to make recommendations for changes in the law.

This Committee will include representatives of organizations and associations of professional people in the field of medicine. It will also include people who are outstanding in the field of medicine or related fields. A majority of the Committee are to be physicians and at least one member will represent the general public. Thus, we will have the benefit of the advice and counsel of those most intimately concerned with the effective operation of these two new programs.

Prof. Arnold Toynbee, the distinguished world historian who settled in Florida as resident and teacher has concluded that the quality of a society can best be measured by the "respect and care given its elderly citizens." With this bill we are saying to this great Nation that age will be a time of dignity and decency and that ill health need not be a scourge.

I mentioned at the beginning of my statement the concern that two great Americans, the late President Kennedy, and President Johnson had of our responsibility to our senior citizens. Both of them saw, as many of us have, the heartbreak and despair which occur when illness threatens. The story is a living story, not merely statistics. It is burned deeply into every city and town, every hospital and clinic, every neighborhood in America.

I urge the adoption of the pending proposal because it meets the challenge of today, does not and will not interfere with the free practice of medicine or the doctor-patient relationship and it will not bring about the socialization of medicine or the destruction of our free enterprise system.

CENTENNIAL ANNIVERSARY OF THE MAGAZINE THE NATION

Mr. MORSE. Mr. President, July 6 was the centennial anniversary of the Nation, the oldest continuously published weekly of opinion in the United States.

The voice of dissent is the surgical knife of progress. During the last century our Republic has grown in population, wealth, and power. During its headlong rush forward it has sometimes taken the wrong route. It has sometimes gloried in the towering forest arching skyward above it, but at the same time ignored the dark, sticky mud clinging persistently to its feet. During the past century each part of our country has contributed to the advancement and reform of American life. A multitude of varied groups have offered great moral and spiritual riches for the benefit of all Americans. At all times we have needed courageous voices to cut open the decaying portions of our society and expose them to public examination. That operation is essential for the healthy growth of our country.

I am mentioning the anniversary of the Nation, now edited by Carey McWilliams, because it has consistently devoted itself for a century to the honest criticism of inequities and mistaken policies followed by powerful institutions, both public and private, and has maintained its integrity in the face of severe financial and political pressure.

The Nation first was issued on July 6, 1865, under the editorship of E. L. Godkin. During its lifetime it has attacked imperialism, racism, corruption in government, and other pressing social evils. Among its contributors have been H. L. Mencken, Henry Wadsworth Longfellow, and William James. Now, at this most gratifying moment, its publisher George Kirstein has announced the preparation of a special 400-page issue.

My hope is that in the future the Nation, as well as all other outstanding publications of dissent, will continue to offer the constructive criticism of American life which it has so valuably offered in the past.

Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "Nation Magazine Marks 100th Year," written by Paul L. Montgomery, and published in the New York Times of July 6, 1965.

There being no objection, the article was ordered to be printed in the Record, as follows:

Nation Magazine Marks 100th Year—New York Times Editor Says Future Issues Will Be Aimed More Than Ever at the Eggheads

(By Paul L. Montgomery)

The Nation, a weekly magazine of dissent that its editor describes as "unique, anomalous and preposterous," is entering its second century, with an eye more than ever on the egghead.

The first issue of the magazine—its format very like the one that will come out this week—appeared here 100 years ago today.

In the time since, it has acquired a reputation for contentiousness and iconoclasm that has given it a special place in American liberal opinion. Now, its editor says, it may have to take a new direction to maintain that place.

The editor, Carey McWilliams, a doleful-looking Californian who has directed the editorial staff of six since 1955, observes that the audience for magazines like his is increasingly to be found in the academic community.

MORE STRESS ON VALUES

"Like our audience," he said in an interview last week, "we will have to become more eggheadish than we have been." This means less emphasis on specific issues or abuses and more concentration on "values, outlooks and perspectives," Mr. McWilliams added.

As an example, the editor cited a recent piece with the thesis that the Postal Savings System is an anachronism. It drew attention in Government "but was not of the slightest interest to academics," he said. An article on the oil-depletion tax allotment would no longer create a stir in the university sector, he added, because the reader "assumes it exists."

"We have done our share of muckracking pieces," Mr. McWilliams said, "but I suspect that in the future these kinds of pieces will not fit in quite as well."

The Nation, which has a circulation of about 30,000, was founded with the aim of making "an earnest effort to bring to the discussion of political and social questions a really critical spirit, and to wage war upon the vices of violence, exaggeration, and misrepresentation."

Its first editor was E. L. Godkin, an Anglo-Irish journalist who came to America in 1856 to write a series of articles on the South. Among its other founders were Frederick Law Olmsted, the architect of Central Park; Charles Eliot Norton, the Harvard scholar; and James Miller McKim, the Philadelphia abolitionist.

The second editorial of the first issue of the Nation was concerned with civil rights, an issue the magazine has continued to emphasize.

"The Negro's success in assuming a prominent position in the political arena, seems to be in the inverse ratio of the earnestness with which it is sought to suppress him and put him out of sight," the editorial said. "Everybody is heartily tired of discussing his condition and his rights, and yet little else is talked about, and none talk about him as much as those who are most convinced of his insignificance."

A later Nation editor, Oswald Garrison Villard, was one of the founders of the National Association for the Advancement of Colored People. The group's first headquarters was at the Nation's old offices at 20 Vesey Street.

The publication's offices now are in a flatiron-shaped loft building at Sixth Avenue and West Fourth Street that it shares with an accordionmaker, a purveyor of novelty hats, and other enterprises.

The magazine has received many messages of congratulation on the anniversary from writers and public figures, including Vice President Humphrey, Bertrand Russell, Charles Chaplin, and Dr. Ralph Bunche.

"That such a publication could endure for a hundred years," Adlai E. Stevenson wrote, "is proof indeed that age need not stale pursuit of the new and untried, nor blunt the goals that puncture our complacencies."

A principal feature of Mr. McWilliams' cluttered office is a framed letter from President Theodore Roosevelt—who was not an admirer of the magazine—to another writer.

"I see you quote the Nation as an authority," the letter concludes. "It is always possible that what the Nation says is true, but there is never any inherent probability of it, and I think it is about the most unsafe guide in American politics that there is."

SUMMER OFFENSIVE FOR PEACE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "A Summer Offensive for Peace," published in the St. Louis Post-Dispatch of June 18, 1965. Again, I congratulate the objectivity of the St. Louis Post-Dispatch for its editorial courage in taking the position it has in criticism of the war that the United States is conducting in Asia, conducting, in my judgment, as the Senate knows, most unfortunately and illegally.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Summer Offensive for Peace

The key question about the 21,000 additional American troops that are now on their way to Vietnam as part of the previously planned buildup is the precise nature of their mission. If their assignment is to escalate the war another notch, in the sense of actually enlarging the theater and scope of combat as the bombing of North Vietnam did, then we deplore it. If their mission is to checkmate the Vietcong's summer offensive, to help the South Vietnamese stave off total defeat with a view to opening serious peace negotiations in the autumn, then there is hope.

Some reason for thinking that the latter may be the case exists in Senator Fulbright's important speech on Tuesday to the Senate, which we publish on this page. The chairman of the Foreign Relations Committee delivered this speech after a lengthy talk with President Johnson, in which it may fairly be surmised that an understanding was reached. Senator Fulbright has made no secret of his opposition to the Vietnam adventure. He evidently now believes that the administration's objective is the same as his. We would like to believe he is right.

The danger is, of course, that the American buildup may simply provoke a corresponding degree of intervention by the North Vietnamese, with or without Chinese and Russian help, and that the military balance will remain unchanged. Then the pressure would be on for another expansion of the war, another deepening of our commitment.

President Johnson appears to have convinced Senator Fulbright that he is determined to resist such pressures, and again we hope very much the Senator is right. It is good news that some administration policymakers now seem receptive to the possibility of another suspension of the bombing attacks, and are apparently modifying their refusal to consider negotiating with the Vietcong's political arm. The word is being passed that the United States might not object if National Liberation Front leaders were included in peace talks as part of the North Vietnamese delegation. This could remove one major obstacle to getting talks started when the time is right.

What would be the American objective in peace talks? That is the crucial question, the answer to which may well determine whether any talks occur at all. Secretary Rusk and the President at times have seemed to be saying that we want a peace under which the Vietcong will simply fold up and go away, leaving South Vietnam as an armed American dependency. The Communists are not going to negotiate any such peace, any more than the United States would in their place. There will have to be major concessions on both sides. In our view, as in Senator Fulbright's, the best hope for a settlement lies in a return to the 1954 Geneva agreements.

This means accepting the military neutralization of North and South Vietnam, Laos, and Cambodia, the ultimate withdrawal of all foreign forces from the whole area, and provisions by which each state can freely decide its own future. It means being prepared to accept an ultimately reunified Vietnam under a Communist, or coalition, or democratic government if that is what the people of both areas decide they want.

The President mentioned the 1954 agreements as a peace aim once, but whether he seriously supports Senator Fulbright's view is not clear. It was the United States, at the prompting of John Foster Dulles, which first violated the spirit of those agreements, and President Johnson would find strong opposition within his own administration to the change of basic policy involved in Senator FULBRIGHT's position. But if the President really wants peace, and really wants self-determination for southeast Asia, he will have to recognize past mistakes and resolve to avoid them.

So also the hard decision will have to be made that it is impossible to arrange a consensus by which his policy wins support both from Americans who want peace in Asia and those who want an expanded war. Republicans in Congress who are beginning to criticize him for failing to aim at total victory will simply have to be told that their policy demands costs and risks which the United States cannot justify. We are confident that the great majority of Americans would overwhelmingly support the President if he leaves it to the Goldwater Republicans to become the war party.

Those Americans who prefer a peace based on the 1954 agreements to hopeless entanglement in an Asian land war must continue to make their feelings unmistakably known. They must conduct a summer offensive of their own to assure the President, their Senators, and their Representatives, that a peace settlement involving major concessions on both sides is the honorable, realistic, and politically stronger objective for American policy.

KEEPING OUR SHIRT ON

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Keeping Our Shirt On," written by Ronald Steel, and published in the magazine the New Leader of July 5, 1965. I am pleased to associate myself with the contents of the article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KEEPING OUR SHIRT ON

(By Ronald Steel)

The middle of a hurricane may be an inopportune place to call for relaxation, but perhaps it is not a bad idea to do so when there is a tendency to panic. Foundering in the sea of its own ineptitude, the administration is thrashing around desperately in all directions, reacting spasmodically to every wave that breaks over its head and seemingly incapable of making calculated judgments. From the banks of the Potomac, where crisis diplomacy appears to have become a way of life, the world looks very black indeed.

In Vietnam, as we defend a regime which could not exist 5 minutes without our military support, we are isolated from many of our allies and condemned by virtually everyone else. Our client states in southeast Asia are crumbling, China refuses to be quarantined, the Japanese are restoring their broken ties with the mainland, and India totters on the brink of anarchy. To make matters worse, Peiping's atom bomb eventually will be able to neutralize ours by holding Formosa and the Philippines as hostages.

Nor is the situation much brighter anywhere else. In our own backyard, as we call it, the Alliance for Progress has become a bad joke, Castro is in Cuba to stay, the occupation of Santo Domingo has been a humiliating fiasco, and Latin America seems doomed to a decade of revolution and dictatorship—if not of U.S. occupation. To round out a sorry picture, the U.N. has ceased to furnish an obedient stamp of approval for our actions, demagoges from Egypt to Indonesia tell us to go to hell, NATO is dying on its feet, and an exasperating De Gaulle plucks the fruits of his independent diplomacy in Europe and the churning tiers monde of poor but aspiring states.

No wonder frustrated generals and impatient advisers urge the President to do something to stop this appalling state of affairs. No wonder that they—puzzled by the chasm between our awesome military might and our limited political power over other nations—ponder instant solutions that will somehow solve all our problems once and for all. They are disturbed, even angered, by the fact that the United States, with its atomic arsenal, can neither push its allies into line nor smother revolutions. When faced with stalemate, they strike out with bombs and Marine brigades to relieve the intolerable sense of frustration. The world is not going the way they would like it and at times like these almost any kind of random activity seems better than sitting tight.

But if we take a few minutes off for a calm look at the world and remove our cold war spectacles, we can see a strange gap between what we think is happening and what is really happening. All our cold war habits tell us that we are engaged in an endless struggle with an international Communist monolith dedicated to our destruction—a struggle to which there can be no limits because the very soul of mankind hangs in the balance. We have been thinking this way ever since the days of the Truman Doctrine in 1947, and—despite everything that has happened in the world since then—we are loathe to think otherwise. It flatters our ego and inspires us with a sense of purpose. Yet for all its familiarity, this is not a very accurate view of the world as it is.

That Communist monolith which used to give us so many sleepless nights has been blasted full of holes as Moscow and Peiping squabble for the mantle of Saint Marx and conduct what looks suspiciously like an old-fashioned power rivalry. The cold war call to arms, with its lurid picture of Cossacks swarming from the Indian Ocean to the English Channel, no longer sets anybody's pulse going. Indeed, how could it at a time when Washington and Moscow are virtually conspiring to keep the lid on the turbulent third world? A beleaguered Berlin, which once threatened to set off a world war, has now all but disappeared from the headlines, and even its wall has been punctured full of doors. The NATO alliance, which was designed to contain Russian aggression in Europe, is falling apart precisely because no one any longer believes such aggression is likely. It has become a victim of its own success, impervious even to the artificial respiration of the MLF applied periodically by an impatient Washington.

For all practical purposes, the cold war in Europe has already been won—by the West. What now remains is the unfinished business of working out an arrangement with Russia for a nuclear-free zone in central Europe and a gradual reunification of the Continent based on the withdrawal of both the Red Army and the U.S. Army. But instead of using the détente to work out a European settlement—one of de Gaulle's objectives, although he doesn't have the power to pull it off—the administration has become so infatuated with the military arrangements of NATO that it cannot contemplate the thought of giving them up.

Even while we congratulate ourselves on our pragmatism, we are still the victims of a cold war mentality. In Latin America, for example, this attitude has led us to transform Fidel Castro from an irritant into a source of torment. By mistaking Fidelismo for an instrument of Russian power rather than recognizing it as a Caribbean caudillismo with a Marxist veneer, we glamorized Fidel, turning him from a small-time demagogue into a symbol of antivanquismo for all Latin America. We made him a hero for those who have little use for his politics but are dazzled by his defiance of us. Most ironical of all, by insisting that Cuba is a Russian satellite, we made it difficult for the Russians to extricate themselves from their foolish overextension in the Caribbean. We turned Cuba, in short, into the Kremlin's South Vietnam.

We did this because we have not been able to make any real distinction between the half-baked Marxism that animates much of the "third world" and the Russian imperialism that seemed so threatening to Western Europe. This is why we threw ourselves into the tribal warfare of the Congo, why we are fighting a war in behalf of a succession of doomed regimes in Saigon, and why we have virtually invaded Santo Domingo, brandishing, like McCarthy, a list of 55 "Communists," and decreeing our right to combat any insurrection in Latin America which does not suit our standards of propriety.

It is this obsession with labels, this simpleminded assumption that Moscow, or Peiping, or both, must inevitably benefit from any change in the status quo anywhere, that brought the Marines back to the Caribbean and took us into a war against Asians in Vietnam. We have assumed all the obligations of a colonial power without any of its historical justifications or economic benefits. Equating communism with nationalism, we have made Peiping, of all places, seem like the protector of national independence in southeast Asia, and have convinced much of the world that we are simply imperialists trying to replace the French empire with our own.

In this struggle of white men against Asians it is not surprising that the Communist-led Vietcong are considered as patriots in a second anticolonial war—this time against us rather than against the French. In order to win a civil war in the south, we bomb the north. And unless the Saigon regime is saved, we are told, all of Indochina will "go Communist," whatever that means in a Communist world split by feuds.

That is little more than sounding the bell for Pavlov's salivating dog. Most of the nations in the great arc from Pakistan to Korea via Indonesia, like the rest of the "third world," are likely to turn eventually—where they have not already done so—to some variety of authoritarian socialism. They may label it communism or "guided democracy" or any number of phrases designed for maximum public confusion. We can call it communism if we like, but under whatever label it need not be any more hostile to American interests than is a Communist Yugoslavia in central Europe.

If we are trying to immunize Indochina against the Marxist theories in vogue in the ex-colonial world, we are wasting our money, our prestige, and the lives of our soldiers. If, however, we are trying to contain Chinese power, that can only be done by encouraging the creation of strong and independent states in east Asia whatever their political complexion. A Communist Vietnam need not become a party to the quarrels between the Chinese and ourselves. If Ho Chi Minh, with a long record of crafty nationalism, can be a better barrier to Chinese expansion than the revolving generals in Saigon, then more power to him. It would be to our advantage, not to Peiping's, if he were to become, in effect, the Tito of southeast Asia.

But such a prospect is still unthinkable in Washington, where a blood-dripping Chinese dragon has replaced a domesticated Russian bear as the new inspiration for cold war slogans that never die, and rarely even fade away. These slogans, inherited from central Europe in the late 1940's, are about as useful a guide to the mid-1960's as a map of Cincinnati is on the streets of Barcelona. Stumbling around with our old maps and our dark cold war glasses we have not noticed that the postwar world that preoccupied our energies for the past 20 years is now a thing of the past. It has been succeeded by a state of semipermanent revolution throughout the ex-colonial world that neither we nor Russia can control—and which perhaps we would be better off not trying to suppress.

So much of the panic and despair in Washington today is rooted in a vision of the world which for some time has been obsolete. If we can keep our shirt on and make a cold assessment of our real interests, if we can relieve ourselves of an archaic vocabulary, we might discover that the world is surprisingly different from the way we have grown used to describing it.

THE WAR IN VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article concerning the war in Vietnam, written by David L. Graham, and published in the Brunswick, Maine, Record of June 18, 1965. I associate myself with the comments of the article in criticism of the policy of the United States in making war in Asia.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON THE CONTRARY

(By David L. Graham)

What is war? Nowadays it is difficult to say.

Americans have died by the hundreds in Vietnam, and thousands more seem likely to join them—skewered on steel, shot to death, blown to bits. But don't call it war. Don't let on to the American people that they are at war. War is too terrible a word.

THIS IS WAR

War conjures up images of homes laid waste and loved ones lost forever, of the wounded screaming with pain and the dead heaped up like garbage. War is not bands playing and the flag to April's breeze unfurled. War, modern war is sudden death from the sky, the stench of burned flesh, and the dust of cities razed to the ground. Modern war is a mutilated child limping through the ruins of its village, a fire-bombed woman twisted in agony.

But nobody says we are at war. Nobody in Washington has declared war. It is just that the American commander in southeast Asia has been given authority to commit his ground forces to battle. By Presidential decision, that is, the Vietnam tragedy has moved into its third and final phase—total war.

The fiction that we are there as trainers and advisers has collapsed totally. American servicemen are there to fight and die. Contributions of aid and braid have proved inadequate. Ambassador Taylor, former Chairman of the Joint Chiefs of Staff, sees hard fighting ahead.

For our troops' sake, let us hope that the former general is as wrong in this as he has been wrong in the past. Like Secretary of Defense McNamara, another sponsor of the Vietnam nightmare, Mr. Taylor's chief contributions to the campaign have been cheery predictions and gross miscalculations. In this way the pair have become President Johnson's most trusted advisers.

In other respects, last week was the week that was. Last week the South Vietnam generals were back in Saigon reshuffling the power. For the ninth time in 2 years the Government collapsed and with it, let us hope, the fiction that American troops are in South Vietnam at the request of its Government. What Government? Take any number from one to nine—only American support has kept them propped up like dummies in the driver's seat. The Vietnamese people have had no more to say about their Government than you or I. American democracy is not for export, either to Vietnam or to the Dominican Republic.

Well, at least we are containing communism, people say, keeping it from spreading across southeast Asia. Do they really think so? Not only are we driving North Vietnam, China, and Russia into an unwilling unity, but the more power we pour into South Vietnam, the stronger grows the Communist Vietcong. They now have 47,000 troops, we estimate, the largest number ever. They now control more than half the country. Recently they have wiped out whole battalions of South Vietnamese troops.

You cannot impose "freedom," least of all upon people who are of an alien culture and a different race. But militarily we were all powerful, we thought, and so we chose to ignore the political and social realities. Our effort to suppress the Vietcong revolution accordingly failed. But instead of learning our lesson and withdrawing, we doubled the stakes. We struck at North Vietnam, whose aid to the Vietcong rebels has been a mere trickle compared with the men and military hardware we have flooded the country with.

When a prudent man's investments go bad, he cuts his losses, gets out. Our loss in Vietnam has been some $5 billion, but instead of getting out, we doubled our investment, threw good money and good men into a worse gamble; we bombed North Vietnam.

This gamble, too, has now gone sour. Far from "persuading Hanoi that this (war) is a losing proposition," to use Ambassador Taylor's unhappy phrase, our bombing of North Vietnam has only hardened the enemy's will—as anyone but a presidential adviser could have predicted. Slapping a battle-hardened man in the face is no way to crush his spirit.

By our air attacks on a nation without air power, we have lost most of our friends and all but united our enemies. In the larger sense, our bombs have been duds. It is at this point that we have decided to again double the stakes and commit our ground forces to combat. A full-scale war is on and we, the American people, are in it.

DEATH OF MOSHE SHARETT, FORMER PRIME MINISTER OF ISRAEL

Mr. JAVITS. Mr. President, Moshe Sharett, Israel's first Minister of Foreign Affairs and its second Prime Minister, died today from cancer at the biblical age of 3 score and 10. Since 1960 Mr. Sharett had been chairman of the World Zionist Organization and the Jewish Agency.

Coming to what was then called Palestine from his native Ukraine in 1906, Moshe Sharett grew with his country and helped it grow. He studied in Tel Aviv, in Istanbul, and at the London School of Economics. He worked as a journalist and as a public servent, serving from 1933 to 1948 as head of the political section of the Jewish Agency.

When Israel gained its independence in 1948, Moshe Sharett became that new nation's first Minister of Foreign Affairs. And when David Ben Gurion stepped down from the post of Prime Minister in 1954, Moshe Sharett succeeded him as his country's second Chief Executive, a post he held until the next year. He then resumed his duties as Foreign Minister until he left that office in 1956.

Mr. Sharett's death marks the passing from the world scene of a battler for his nation's independence and a striver for peace. For many years he was arrayed against Great Britain, the mandatory power in Palestine, but once Israel's independence was gained he had the maturity and statesmanship to work as a friend with Britain for his nation's good. Mr. Sharett symbolizes the revolutionary who, when the aim has been achieved, becomes a great leader of his people. The people of the United States, I feel, join the people of Israel in mourning his passing.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. LONG of Louisiana. Mr. President, it is my hope that Senators who have amendments will offer them. I have discussed a number of amendments with Senators. We would be willing to accept some of those amendments if they would offer them.

We would like to debate some amendments and vote tonight, because we could do that just as well as doing it tomorrow. We might have a long weekend instead of a short weekend, if we could proceed to vote on these amendments.

EARLIER EFFECTIVE DATE OF PUBLIC ASSISTANCE PAYMENT INCREASES IS IMPERATIVE

Mr. YARBOROUGH. Mr. President, the provisions of title IV of House bill 6675 increasing Federal payments under the public assistance titles of the Social Security Act are—although a persuasive case for still greater increases can be made—a small, though significant, step in the direction of more adequate payments. I question, however, the wisdom of delaying the effective date of the increases until January 1, 1966, especially when the effective date of the OASDI increases is retroactive to January 1, 1965. Because of the existence of a means test in the administration of the public assistance programs, retroactive payments would be extremely difficult to administer. A person's means changes from time to time; and it would be hard to go back and figure what a person should have received in relation to his needs during a past period. To make OASDI retroactive, all that the administrator need know is whether a person was alive or not; so this provision would be relatively simple to administer in the OASDI.

There is no reason, however, to delay until the beginning of next year the effective date of the public assistance amendments. I have been advised by the Bureau of Family Services, which administers the public assistance programs, that it is administratively possible to begin the increased payments in the third quarter of 1965. The effective date could then be October 1, 1965, rather than January 1, 1966.

There is no reason to delay. There is every reason to make these increases operative as soon as possible.

OLD AGE ASSISTANCE

Based upon information released by the Bureau of Family Services in April

1964—the most recent complete data I have been able to find, the following statistics document graphically the need for immediate increases:

A 1960 study revealed an average old-age-assistance monthly payment of $77.03 per recipient. In the same year, the OAA recipients had an average of $18 in monthly income from sources other than public assistance. This compares with a figure of $3,047, or about $254 per month, for a "modest but adequate" retired couples budget in Washington, D.C. in 1959—Source: Monthly Labor Review, August 1960. The "modest but adequate" budget is of course higher than the mere subsistence budget intended for old age assistance purposes, but the large difference is nevertheless instructive.

By February 1965, the average OAA payment had risen to only $79.15; so the 1962 amendments cannot be said to have made much of an impact. Part of this problem stems from the tendency of some State governments to reduce their own payments when Federal payments increase. Fortunately, this will no longer happen. since this bill contains a maintenance-of-effort provision. Thus, we can be sure that the full increase will be passed on to the recipient.

Another problem with OAA is that considerably more than half the States fail to make OAA payments adequate to meet their own income tests of financial need. For the country as a whole, according to the 1960 study, the unmet financial need averaged $4 a month per person receiving OAA. The total amount of unmet need represented 5 percent of the total amount budgeted for requirements.

Much the same story of inadequate payments can be recited for the other public assistance programs. In the face of documentary evidence of insufficient financing, and with assurances from those who administer the program that an effective date of October 1 is administratively possible, how can we justify delaying aid to millions of the elderly, to dependent children, to the blind, and to the permanently and totally disabled?

I ask unanimous consent that a table showing the average payment per recipient, for all assistance, by program and by State, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Average payment per recipient for all assistance, for money payments, and for vendor payments for medical care, by program and State February 1965 [1]

State	Old-age assistance			Medical assistance for the aged	Aid to the blind			Aid to the permanently and totally disabled			Aid to families with dependent children (per recipient)		
	All assistance	Money payments to recipients	Vendor payments for medical care		All assistance	Money payments to recipients	Vendor payments for medical care	All assistance	Money payments to recipients	Vendor payments for medical care	All assistance	Money payments to recipients	Vendor payments for medical care
Total	$79.15	$62.44	$16.71	$184.54	$86.27	$75.51	$10.76	$81.04	$61.69	$19.35	$33.65	$30.96	$2.70
Alabama	67.86	57.55	10.31	288.99	68.87	65.88	2.99	46.87	41.78	5.09	11.78	11.77	.02
Alaska [2] [3]	91.89	69.95	21.94	(4)	82.01	82.01	---	111.47	67.35	44.12	34.46	34.45	(5)
Arizona	63.32	58.21	5.12	(4)	71.20	71.20	---	67.33	67.33	---	28.44	28.44	---
Arkansas	62.33	51.12	11.20	54.92	70.16	60.25	9.90	59.21	38.76	20.45	16.66	15.34	1.31
California	111.40	97.56	13.84	289.33	140.02	119.32	20.70	114.51	97.33	17.18	44.71	42.34	2.37
Colorado	96.01	80.79	15.22	(9)	85.75	71.59	14.16	76.14	61.73	14.41	36.27	33.73	2.53
Connecticut	80.73	62.40	18.33	197.43	122.44	65.65	56.80	82.19	44.03	38.15	46.80	40.54	6.26
Delaware	76.33	52.81	23.52	306.55	87.81	80.37	7.43	75.91	75.91	---	28.17	28.17	---
District of Columbia	87.93	63.86	24.07	313.90	79.03	76.54	2.49	82.62	71.36	11.26	32.76	32.64	.12
Florida [3]	66.32	49.56	16.76	346.46	69.08	59.77	9.31	70.26	56.43	13.83	16.05	15.36	.69
Georgia	57.11	47.27	9.84	(4)	59.75	55.76	3.98	60.56	54.40	6.16	22.11	22.11	---
Guam [7]	31.83	29.01	2.82	(8)	(8)	(8)	---	25.18	25.18	---	12.98	12.98	---
Hawaii [3]	73.60	59.23	14.37	234.47	101.38	72.41	28.97	131.67	48.10	83.57	36.62	30.92	5.70
Idaho	73.55	60.93	12.61	152.98	75.45	74.82	.62	56.74	49.00	7.74	38.66	38.66	---
Illinois [3]	93.66	47.30	46.36	429.73	94.26	64.13	30.13	96.51	68.18	28.33	44.86	38.75	6.11
Indiana	83.37	44.95	38.41	(9)	83.55	62.59	20.96	129.50	48.69	80.81	28.94	24.33	4.61
Iowa	93.51	55.41	38.10	73.19	101.77	91.21	10.57	81.73	81.73	---	38.63	34.78	3.86
Kansas [3]	91.10	69.90	21.20	146.71	94.03	76.37	17.66	113.66	88.55	25.11	39.05	33.04	6.01
Kentucky [3]	64.72	49.91	14.81	39.76	72.85	62.67	10.18	77.75	62.54	15.21	26.11	21.94	4.17
Louisiana	85.06	67.41	17.66	174.28	81.36	78.50	2.87	58.66	52.90	5.76	23.38	22.96	.42
Maine [3]	82.56	53.07	29.50	243.67	82.60	72.10	10.50	89.21	69.72	19.49	28.80	27.43	1.37
Maryland [3]	73.39	62.13	11.26	[10] 34.69	81.34	71.02	10.32	79.80	68.49	11.31	33.30	33.30	---
Massachusetts	89.67	70.34	19.33	168.95	133.25	125.65	7.61	138.24	67.33	70.91	48.19	43.32	4.87
Michigan	97.83	79.87	17.96	408.83	95.82	80.49	15.33	112.89	85.98	26.90	36.01	34.19	1.82
Minnesota	83.74	52.85	30.89	199.75	110.70	66.68	44.02	61.48	48.27	13.21	50.61	42.95	7.67
Mississippi	39.28	37.14	2.13	(4)	44.45	43.47	.98	43.41	43.41	---	9.93	9.93	---
Missouri	66.80	58.50	8.30	(4)	75.00	75.00	---	70.40	67.53	2.86	24.18	23.84	.34
Montana	71.98	71.80	.18	(4)	86.64	84.44	2.20	78.57	78.26	.31	36.17	36.09	.08
Nebraska	92.77	40.26	52.52	334.47	109.74	54.62	55.13	95.98	46.74	49.24	31.40	28.09	3.31
Nevada	89.64	65.97	23.67	(4)	114.42	96.11	18.31	(4)	(4)	(4)	31.12	29.09	2.04
New Hampshire	101.82	80.09	21.73	51.03	105.78	85.42	20.36	93.24	77.20	16.04	43.58	36.44	7.14
New Jersey	86.76	62.43	24.33	244.50	88.35	76.22	12.14	98.27	68.52	29.76	49.48	46.77	2.71
New Mexico [3]	79.88	58.61	21.27	(4)	96.04	74.19	21.86	92.22	70.14	22.08	34.09	29.59	4.50
New York [3]	91.86	73.42	18.44	290.86	111.46	85.99	25.47	126.25	73.52	52.74	45.36	40.84	4.53
North Carolina	60.18	52.68	7.50	304.81	69.57	63.74	5.82	66.69	60.29	6.40	24.09	22.89	1.20
North Dakota [3]	103.68	77.91	25.77	218.60	94.43	80.96	13.47	128.98	70.55	58.43	45.40	38.82	6.58
Ohio	86.59	65.79	20.80	(4)	84.08	69.69	14.38	78.82	63.65	15.17	31.62	28.70	2.92
Oklahoma [3]	96.39	76.81	19.58	155.88	122.10	102.44	19.66	112.16	92.65	19.51	32.63	32.38	.25
Oregon	71.55	57.54	14.01	151.89	91.33	78.57	12.76	68.94	45.96	22.98	39.10	35.78	3.32
Pennsylvania	78.93	63.66	15.26	243.91	75.84	71.80	4.04	77.50	57.93	19.57	31.11	29.10	3.01
Puerto Rico [3]	9.51	8.82	.69	31.56	8.48	8.48	---	8.63	8.63	---	4.10	4.10	---
Rhode Island [3]	94.83	77.71	17.12	205.27	92.90	75.40	17.50	94.94	75.71	19.23	41.11	35.94	5.17
South Carolina	52.16	40.07	12.09	193.01	62.44	54.54	7.90	53.08	45.19	7.89	15.64	15.14	.50
South Dakota	84.98	69.98	15.00	49.83	69.57	69.57	---	69.36	69.36	---	31.47	31.47	---
Tennessee	57.51	45.10	12.41	35.45	55.84	54.04	1.80	54.50	52.30	2.20	22.61	21.95	.65
Texas	70.13	57.55	12.57	(4)	69.56	69.56	---	57.12	57.12	---	18.65	18.65	---
Utah	68.60	56.32	12.28	112.17	71.96	56.30	15.67	67.25	38.97	28.28	32.87	28.31	4.56
Vermont [3]	84.67	47.47	37.20	353.82	73.60	60.81	12.79	84.87	59.60	25.27	29.75	29.75	---
Virgin Islands	40.95	37.95	3.00	8.87	(8)	(8)	(8)	40.37	39.37	1.00	18.82	18.69	.13
Virginia	64.20	45.46	18.74	79.69	70.57	59.02	11.55	68.90	55.64	13.26	24.75	23.75	1.00
Washington	80.47	61.15	19.32	150.72	87.42	66.06	21.36	60.72	31.25	29.47	34.98	30.72	4.26
West Virginia	49.92	39.05	10.86	29.22	47.96	41.98	5.98	51.07	40.20	10.86	26.08	23.15	2.93
Wisconsin	111.77	31.16	80.61	156.55	98.70	50.89	47.81	122.22	37.77	84.45	48.42	41.40	7.01
Wyoming	90.45	68.68	21.77	(9)	94.71	72.76	21.95	89.29	69.45	19.84	39.97	36.50	3.47

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[1] Averages based on cases receiving money payments, vendor payments for medical care, or both. Money payments may also include small amounts for assistance in kind and vendor payments for other than medical care. Averages for general assistance not computed because of difference among States in policy or practice regarding use of general assistance funds to pay medical bills for recipients of the special types of public assistance.

[2] Except for aid to families with dependent children, data for each program represent average payments for recipients of the specified type of assistance under program for aid to the aged, blind, or disabled or for such aid and medical assistance for the aged.

[3] Partly estimated.

[4] No program in operation.

[5] Less than 1 cent.

[6] Estimated.

[7] Data for September; later data not available.

[8] Average payment not computed on base of fewer than 50 recipients.

[9] Program in operation but no payments made in February 1965.

[10] Data for January; data for February not received.

Source: Welfare in Review, April 1965.

Mr. LONG of Louisiana. Mr. President, if the Senator would offer his amendment and make it applicable as of July, perhaps we could persuade the House to compromise on October.

Mr. YARBOROUGH. Mr. President, I accede to the suggestion. It is a very fine suggestion.

Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 360, line 17, strike "December 31," and insert "June 30."

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to add the name of the distinguished Senator from Oklahoma [Mr. HARRIS] as a cosponsor to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, the amendment has merit. We had the same provision in conference last year, to increase the matching funds for public welfare, right up to the first day of this year, when Congress expired.

I was the Senator who had the amendment placed in the bill in an effort to attempt to get the aged people a little increase for those who are being helped by public welfare.

Under my amendment of last year, they would have received the increase as of January this year, had we been able to agree to a conference report.

This controversial medical provision was in conference. The House would not yield. The Senate would not back down. The result was that the aged people who were on public welfare received no assistance, and would not receive anything until January 1 unless the amendment was agreed to.

We have provided that social security payments will be increased retroactive to January 1. What the Senator is attempting to do is to get the matching funds to the States at the earliest possible moment so that the States could give assistance to people on public welfare.

The problem would be an administrative one. The Department would want adequate time within which to obtain records and administer this provision in cooperation with the States. It would require some time to do that.

If the Senate would agree to that date, perhaps we could reach agreement with the House so that the date could be changed. There is great equity in the amendment. Those under public welfare would not receive their proposed increase retroactive to January 1, but their counterparts under the social security system would.

Mr. YARBOROUGH. Mr. President, I am hopeful that the Senate will agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

AMENDMENT NO. 139

Mr. MILLER. Mr. President, I call up my amendment No. 139 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. After line 12 on page 349, add a new section 328 to title III of said act as follows:

Mr. MILLER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

After line 12 on page 349, add a new section 328 to title III of said Act as follows:

"INTERRELATIONSHIP BETWEEN VETERANS' BENEFITS AND INCREASED SOCIAL SECURITY BENEFITS

"SEC. 328. (a) Section 503 of title 38, United States Code, is amended by inserting '(a)' after '503', and by adding at the end thereof the following:

" '(b) Notwithstanding the provisions of subsection (a), in the case of any individual—

" '(1) who, for the first month after the month in which the Social Security Amendments of 1965 is enacted, is entitled to a monthly insurance benefit payable under section 202 or 223 of the Social Security Act,

" '(2) who, for such month, is entitled to a monthly benefit payable under the provisions of this chapter, or under the first sentence of section 9(b) of the Veterans' Pension Act of 1959, and

" '(3) whose insurance benefit referred to in clause (1) for any subsequent month is increased by reason of the enactment of the Social Security Amendments of 1965,

there shall not be counted, in determining the annual income of such individual, so much of the insurance benefit referred to in clause (1) for any subsequent month as is equal to the amount by which such insurance benefit is increased by reason of the enactment of the Social Security Amendments of 1960.' "

Mr. MILLER. Mr. President, there is a memorandum on the desk of each Senator which very briefly explains the purpose of the amendment.

I believe that there is a defect in the bill in that there is no provision which would prevent a cutback in veterans' pensions on the basis of an increase in social security pensions. For example, a veteran receiving social security payments of $105 per month, under the present law would receive $112.30 a month under the bill as a result of the 7-percent social security increase, or an increase of $88 a year. However, his veteran's pension of $100 per month would be reduced to $75 a month, or a loss of $300 per year. I do not believe that there is any intention in the bill to provide for such a loss in veterans pensions as a result of social security increases.

My amendment would provide that the increase of 7 percent in the social security payments, as provided in the bill, would not deprive a veteran of any portion of his veteran's pension.

Illustrative of this problem is a letter which I received a few moments ago from a veteran in Pennsylvania. In this letter, the veteran points out that he would receive an increase of $8 40 a month in social security benefits, but that it would cost him $32 a month in veteran's pension benefits.

I ask unanimous consent that a letter from Mr. John G. Veatch, of 972 Second Street, Beaver, Pa., be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BEAVER, PA.,
July 6, 1965.

Hon. JACK MILLER,
U.S. Senate,
Washington, D.C.

DEAR SIR: There was a piece in the Pittsburgh, Pa. Press, Sunday, July 4, concerning your efforts to prevent the proposed increase in social security benefits from adversely affecting thousands of veterans' pensions.

I am vitally interested in this matter, and have been corresponding with my Congressman FRANK M. MILLER and Senators HUGH SCOTT and JOSEPH S. CLARK ever since January of this year calling their attention to this situation. My own situation is that an increase of about $8.40 in monthly social security benefits will cost me $32 monthly on my veteran's pension; in effect, I will be paying the Government $32 for every $8.40 I receive.

I have written my Congressmen and Senators today asking them to support your amendment.

I speak for myself, and doubtless thousands of other vets when I say please accept my thanks for your efforts.

Sincerely,

JOHN G. VEATCH.

Mr. MILLER. Mr. President, I ask unanimous consent that an article entitled, "Social Security Rise To Cut Vet Pensions," published in the Cleveland Press of Saturday, July 3, 1965, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY RISE TO CUT VET PENSIONS

(By John Troan)

WASHINGTON.—Thousands of war veterans face an actual cut in Federal benefits when their social security checks are boosted soon by Congress.

The reason: The pensions these ex-servicemen now draw from the Veterans' Administration will have to be reduced or stopped—because the increase in their social security checks will raise their incomes above the ceilings set for such VA benefits.

The VA estimates 12,000 to 18,000 veterans of World War I, World War II, and the Korean conflict will feel the pinch.

However, Senator JACK MILLER, Republican, of Iowa, will try to amend the social security bill in the Senate next week to relieve the vets of this squeeze.

Here's the problem:

A veteran who is totally and permanently disabled for reasons not linked to his military service may collect a VA pension ranging from $43 to $115 a month. But only if his income is below a certain level.

For those who began drawing such pensions before July 1, 1960, the income ceiling is $1,400 a year if the vet is unmarried, and $2,700 a year otherwise.

For those who started collecting such VA pensions since then, the annual income ceilings range from $600 to $1,800 if the vet has no dependents; from $1,000 to $3,000 if he has dependents.

In figuring the vet's income, the VA has to count 90 percent of his social security benefits.

Now Congress is about to boost all social security benefits by 7 percent, retroactive to January 1.

As a result, some vets will be knocked off VA pension rolls. Others will move up from one VA income bracket to another, which will call for a decrease in their VA pensions.

The loss or reduction of the VA benefit will more than offset the rise in the social security check.

Mr. MILLER. Mr. President, I have discussed this amendment with the distinguished junior Senator from Louisiana [Mr. Long]. I believe that the Senator understands the amendment thoroughly. I hope that the Senator will accept the amendment.

Mr. LONG of Louisiana. Mr. President, I have studied the amendment. We do not intend to have any such result as the Senator from Iowa has pointed out, in which a veteran, while receiving a $8.40 increase, would lose $32 monthly in his veteran's pension.

If that were to be the result, we certainly would want to prevent it. I would be willing to accept the amendment, if the interpretation of the Senator is correct. We shall try to see to it that that situation wil not occur.

Mr. MILLER. Mr. President, I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. COOPER. Mr. President, I think that the Senate owes a great deal to the distinguished Senator from Iowa [Mr. Miller] for his close study of the bill and the discovery of this defect in the bill which might have adversely affected many veterans.

As passed by the House and reported to the Senate, the bill evidently contains a defect, for the 7 percent increase in social security benefits could raise the incomes of some disabled veterans above the ceiling established for veterans' pensions, resulting in loss or reduction of pension. The Senator cited the case of the veteran who would receive a social security increase of $88 a year, but lose $300 in his pension, and it has been stated that 12,000 to 18,000 veterans of World War I, World War II, and the Korean conflict could be so affected.

The manager of the Senate bill has stated that such a result is certainly not the committee's intention. I am sure the Senate will agree, and that the House will also want to correct this defect so as to protect veterans from an unintended cutback in benefits.

I am glad to support the Senator's amendment.

Mr. MILLER. Mr. President, I thank my good friend, the Senator from Kentucky, for those kind comments.

May I say that I am quite sure my sentiments were those of all of my colleagues, because with our action last year in improving the veterans' pension situation, I am sure we would not intend now that that increase in social security benefits, which are very much needed, be used to cut off what we did last year in any way at all.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 141

Mr. MILLER. Mr. President, I call up my amendment No. 141 and ask that it be read.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk proceeded to read the amendment.

Mr. MILLER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. Miller (No. 141) is as follows:

On page 169, line 9, insert the following: "Add a new subsection (g) as follows: That section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

" 'COST-OF-LIVING INCREASE IN BENEFITS

" '(v)(1)(A) For purposes of this subsection—

" '(i) the term "price index" means the annual average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and

" '(ii) the term "base period" means the calendar year 1964.

" '(B) For purposes of determining under this subsection the per centum of increase (if any) of the price index for any year over the price index for the base period, the price index for the base period shall be regarded as 100 per centum.

" '(2) As soon after January 1, 1966, and as soon after January 1 of each succeeding year as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall determine the per centum of increase (if any) in the price index for the calendar year ending with the close of the preceding December over the price index for the base period. For each full 3 per centum of increase occurring in the price index for the latest calendar year with respect to which a determination is made in accordance with this paragraph over the price index for the base period, there shall be made, in accordance with the succeeding provisions of this subsection, an increase of 3 per centum in the monthly insurance benefits payable under this title.

" '(3) Increases in such insurance benefits shall be effective for benefits payable with respect to months in the one-year period commencing with April of the year in which the most recent determination pursuant to paragraph (2) is made and ending with the close of the following March.

" '(4) In determining the amount of any individual's monthly insurance benefit for purposes of applying the provisions of section 203(a) (relating to reductions of benefits when necessary to prevent certain maximum benefits from being exceeded), amounts payable by reason of this subsection shall not be regarded as part of the monthly benefit of such individual.

" '(5) Any increase to be made in the monthly benefits payable to or with respect to any individual shall be applied after all other provisions of this title relating to the amount of such benefit have been applied. If the amount of any increase payable by reason of the provisions of this subsection is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10.'

"Sec. 2. In addition to all sums authorized under other provisions of law to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, there are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to each of the aforementioned funds, for the fiscal year ending June 30, 1966, and for each fiscal year thereafter, such sums as may be necessary to place each of such funds in the same financial position as that which it would have occupied if the preceding section of this Act had not been enacted."

Mr. MILLER. Mr. President, I wish to modify my amendment so that, in the title of the amendment, it will read "On page 211, line 2, insert the following: 'Add a new subsection (f) as follows:' "

I ask unanimous consent that my amendment may be so modified.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. MILLER. I yield.

Mr. LONG of Louisiana. Is the Senator going to request the yeas and nays on the amendment?

Mr. MILLER. I should like to do so.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MILLER. Mr. President, my amendment, as in the case of that of the Senator from Rhode Island [Mr. Pell], proposes to grant a cost-of-living increase to social security pensioners.

Two factors brought this matter to my attention. First of all, the committee included a proposed 7-percent increase in social security pensions in the bill. Upon doing some research on this point, I soon discovered why the 7-percent increase was necessary. It is because there has been a constant increase in the retail price index, which means there has been a slow but steady increase in inflation during the past several years.

I have a table which dramatically illustrates what has happened to social security pensions, and I ask unanimous consent that the table be placed in the Record at this point in my remarks.

There being no objection, the table was ordered to be printed in the Record, as follows:

Year	Annual pension	Purchasing power of dollar compared to 1939 dollar worth 100 cents	Real value of pension
		Cents	
1940	$499.20	99.2	$495.20
1950	870.00	57.8	502.86
1952	930.00	52.3	486.39
1954	1,062.00	51.7	549.05
1958	1,140.00	48.1	548.34
1964	1,140.00	44.8	510.72
1965 [1]	1,219.80	44.4	541.59

[1] Proposed by administration, 7-percent increase.

(The annual pension is shown for a worker having a $3,000 annual income base, single at retirement, and fully covered, commencing with 1940, the first year social security pensions were paid, and for each year in which

Congress has enacted an increase; also for 1964. The 1965 proposed pension represents a flat 7-percent increase being proposed by the administration.)

Mr. MILLER. Mr. President, in referring to the table, I point out that a person having a $3,000 annual income base, single at retirement, and fully covered, commencing with the year 1940, when social security pensions were first used, would have received an annual pension of $499.20.

The purchasing power of our dollar back in those days was about 100 cents. It was 100 cents in 1939. In 1940 it had dropped to 99.2 cents. So the real value of the pension was $495.20. I refer to a person with a $3,000 income base retiring in 1940.

Congress has increased social security pensions down through the years. Congress increased them in 1950. So that the same individual in that year no longer was receiving $499.20, but was receiving $870.

Unfortunately, in the intervening 10 years the purchasing power of our dollar had dropped to the point where it was worth only 57.8 cents. So the real value of the pension in purchasing power was $502.86, as against $495.20 of the pension's value in 1940.

Then in 1952 Congress increased social security pensions. By the way, what I am saying has a direct bearing on those at any level; I used the $3,000 base only as an example. In 1952 the pension was increased to $930. Unfortunately, in that 2-year period the purchasing power of the dollar dropped from 57.8 cents to 52.03 cents. So the real value of the pension was $486.39—even less than the value of the pension in 1950 which had just been increased.

Finally, in 1954, Congress increased these pensions, and this same pension would have brought $1,062. Unfortunately, the purchasing power of the dollar had dropped to 51.7 cents. So the pension had a real purchasing power of only $549.05. However, that was substantially above the purchasing power of the pensions in the previous years.

Now today, or in 1964, the pensions bring in $1,140 for the same individual, but the dollar is worth only 44.8 cents. That means the pension has a purchasing power of only $510.72.

Under the pending bill the pension would have an increase of 7 percent. So the same individual, under the bill today, would receive $1,219.80. But the purchasing power would be only $541.59. I point out that the purchasing power is not as good as the purchasing power of the same pension back in 1958.

In other words, the 7-percent increase is desperately needed to enable those people to come back to somewhere near what their purchasing power was in 1958, but even then, it will not be as good as it was in 1958.

I maintain that the cause of inflation is traceable to the Capitol of the United States—in Congress. It is not in the White House, I do not care who the President of the United States is. He does not have the power to legislate appropriations, or to legislate revenue measures. Members of Congress have that responsibility. Down through the years, I regret that a majority of the Members of Congress have persisted in spending many billions of dollars more than the amount of revenue taken in by the Government.

During the past 4 years, 1961 through 1964, the Government went approximately $28 billion deeper into debt. In the present state of monetary and fiscal policy, every time the Government goes $1 billion deeper into debt, it means that we can count on having a billion dollars worth of inflation. It has been a little worse. While we were going $28 billion deeper into debt over the past 4 years, we also had $28 billion worth of inflation. It will be worse this year. During the first quarter of this year we had inflation at the rate of $4 billion a year—$3.5 billion for January, February, and March. That is almost twice as bad as the rate for the past 4 years.

To show how this affects our citizens, especially those living on a fixed income such as a social security pension, let us reduce this to an equivalent in the form of a sales tax. I believe that the parallel is quite appropriate, because just as the sales tax hits every man, woman, and child who makes a purchase, so does inflation hit every man, woman, and child. It does not make any difference whether we are rich or poor, whether we have a large or a small family. The equivalent, in the State of Iowa, or our share in the State of Iowa, is $7 billion of annual inflation for the past 4 years with a 2½-percent sales tax. There is an official 2-percent sales tax in Iowa, but unfortunately the people of Iowa are, in effect, paying a 4½-percent sales tax, because the 2½-percent comes out of the purchasing power of their money. It will be worse this year.

Mr. SALTONSTALL. Mr. President, will the Senator from Iowa yield?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. MILLER. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Do I correctly understand that the Senator is saying that he is putting the man who has a social security pension, and who is getting social security benefits, in a different class from anyone who is, we will say, the holder of a mortgage and who is getting a pension from a private source such as a large industrial company, or who is borrowing money from a bank, or anything else. Anyone depending on the dollar to be paid back to him at a future time is going to have less money. While the Senator is making a clear argument against inflation and unbalanced budgets how can he apply it merely to this one group of citizens receiving social security pensions?

Mr. MILLER. I appreciate having the Senator from Massachusetts ask me that question. I believe that the answer to it is this: As I say, I got to thinking about the pending amendment because I saw the 7 percent increase in social security pensions proposed in the bill, and then I did my research to see what inflation would do to social security pensioners. I found out and pointed out some examples.

The question is, what shall we do about it? I went to the act passed by Congress in 1962. I trust that my good friend the Senator from Massachusetts voted for the bill, which is known as the Federal Employees' Salary Act of 1962. Section 1102 of that act, which was passed in 1962, provided for an automatic 3 percent increase in civil service retirement pensions every time there is a 3 percent increase in the cost-of-living index. Therefore, it seemed to me that if we were going to do that for civil service retirees—which I supported—we should also do it for social security pensioners.

The civil service system is a direct responsibility of Congress. The social security system is a direct responsibility of Congress. We have a closer duty to look after these people than we do those who work in private industry.

We can make the argument concerning the hardship which arises to a person living on a private pension. I would be the first to agree that there is hardship, and it is something for which Congress probably should be blamed; but our responsibility is, first, I believe, to Government employees and their retirement as well as to social security pensioners. What we are about to do today is a realization of a duty to social security pensioners, with which this bill is concerned.

Therefore, I would hope that the Senator from Massachusetts would recognize that if we are going to do this for civil service retirees—and we did it in 1962—in 1965, we should also do it for social security pensioners.

I recognize that there may be additional costs as a result. I would hope that there would not be any further inflation, but I am afraid that so long as Congress continues to appropriate billions of dollars more than we take in, it will continue.

My amendment would provide that if there is any additional cost as a result of the 3 percent increase called for, such as civil service retirement pensions, it would be authorized to appropriate the money out of the general fund of the Treasury.

I believe that the Senator from Rhode Island [Mr. PELL] had a good approach, too, because he provided that if—as a result of an increase in social security pensions from the cost-of-living increase—it was determined that there was an impairment in the social security system, Congress could make some changes in social security contribution.

I believe that the same thing could occur under my amendment, because I would guess that if we did favor an increase, necessitating an appropriation out of the general fund of the Treasury, it would not be long before we would find ways and means to increase the contributions by employers and employees to make up for the difference.

Mr. THURMOND. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. From the standpoint of equity it seems that there is considerable merit in the Senator's amendment. I am wondering, in thinking about civil service employees who are paid out of the general Treasury—social security retirees——

Mr. MILLER. Will the Senator let me interrupt at that point. It is my understanding that civil service retirees are not paid out of the general fund of the Treasury but out of the civil service retirement fund.

Mr. THURMOND. It is out of the civil service retirement fund, yes, but that is provided by the Treasury Department.

Mr. MILLER. The Federal contribution is, indeed. It does come out of the Treasury.

Mr. THURMOND. In approving the increase as to the social security retirees, what method does the Senator suggest to find the increased funds?

Mr. MILLER. As the Senator knows, under the present bill, there will be an increase in the rate of contributions by employers and employees alike. The rate of increase has been computed not only to take into account the 7-percent increase in social security pensions, but also in part, at least, to cover the medicare features of the bill.

My amendment does not add to the bill at all, except that it would provide that if there is a 3-percent increase in the Consumer Price Index for any year over the base year—and the base year is 1964—because the social security pension increases started January 1 of this year. If there were an increase of 3 percent in the Retail Price Index for any year, automatically the amount would be increased by 3 percent. The bill deals to a great extent with the general revenue in meeting the increase. That is the source for the increase.

Mr. THURMOND. Does the Senator contemplate an increase in the rates?

Mr. MILLER. I am sure the Senator from South Carolina recognizes that if there is an increase in inflation in the next few years—let us say 2 years—if we are on the floor of the Senate and there has been an automatic 3-percent increase in the social security pensions, because there was a 3-percent increase in the Consumer Retail Price Index in 1966 over the base year of 1964, the question would come before the Appropriations Committee about where to get the money.

The amount would be $300 million, to take care of that increase. I would suppose, therefore, if this happens, that the Finance Committee would begin to consider whether there ought to be an increase in the contributions by the employers and the employees to take care of the additional cost.

However, that need not necessarily be the case. A strong argument could be made for taking the increase out of the general fund of the Treasury, rather than out of the social security trust fund.

The Senator from South Carolina well knows that the social security trust fund is not in as good a shape as we would like to have it. Have I answered the questions of my friend from South Carolina?

Mr. THURMOND. I was wondering where the money would come from. That is why I asked the questions. If the cost of living increases 3 percent, it is nice to provide an increase to the social security retirees. However, I wished to know how the Senator planned to finance the increase.

Mr. MILLER. The same way in which the social security retirement system is financed. As the Senator from South Carolina points out, that really comes out of the Treasury. That is where the increase would come from too.

Mr. THURMOND. Of course the social security retirees are paid out of a special fund.

Mr. MILLER. The social security retirees are, indeed, paid out of the social security trust fund.

Mr. THURMOND. Yes.

Mr. MILLER. Government employees are paid out of the civil service retirement fund. However, the Federal Government's contribution to the civil service retirement fund comes out of the general fund of the Treasury.

The Senator from Illinois, our minority leader, will very shortly push for legislation to appropriate a billion dollars out of the general fund of the Treasury to the civil service retirement fund, because at the rate we are going, something must be done or the fund will go broke by 1980.

Mr. THURMOND. Both funds are in jeopardy. Both are financially unstable, and something will have to be done to make them sound.

Mr. MILLER. Let me comment in this way: I have not said that the social security fund is bankrupt. I merely say that the social security trust fund is not in very good shape, because it is unfunded to the extent of about $320 billion. The way it will be made up is by contributions from future generations. The younger workers coming into the labor force now, probably 20 or 21 years of age, will be paying, along with the employer, $167 for every $100 in social security that the young worker will get when he retires 40 or 45 years later.

If these young workers went to a private insurance company and paid for a similar annuity, it would probably cost them about $35 a year.

The great difference that these young people will be paying will make up for the unfunded liabilities to which I have referred, which have occurred as a result of Congress down through the years playing a little 3-to-2 game, increasing social security benefits by $3, but increasing the withdrawal to meet the benefits by only $2.

It is a nice game, but some time or other it will catch up. It will catch the young people in the neck, as sure as we are standing here.

This is one reason why I have provided for financing this cost-of-living increase out of the general fund of the Treasury, so as not to further jeopardize the social security trust fund. It is done in exactly the same fashion as the civil service retirement system is taken care of.

I thank my friend, the Senator from South Carolina for his very good questions. I am glad he asked them, because I wished to bring out these points.

Mr. THURMOND. I thank the Senator from Iowa.

UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE ON THE PENDING MILLER AMENDMENT

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. LONG of Louisiana. Would the Senator be willing to agree to a unanimous-consent request to limit time for debate and to have a vote after the morning hour tomorrow?

Mr. MILLER. What did the Senator have in mind with respect to a time limitation?

Mr. LONG of Louisiana. The majority leader suggests that there be a morning hour of 10 minutes, and that then 20 minutes for debate be allowed on the Miller amendment, the time to be equally divided and controlled, respectively, 10 minutes to a side, by the Senator from Iowa and by the manager of the bill. At the conclusion of that time the Senate would vote.

Mr. MILLER. With no time taken out for a quorum call?

Mr. LONG of Louisiana. That is correct. Of course, when the time had been concluded under the unanimous-consent agreement, it would be in order to suggest the absence of a quorum.

Mr. MILLER. After the morning hour there would probably be a quorum call, and I would not want it to come out of the time allotted to either side.

Mr. LONG of Louisiana. Excluding quorum calls.

Mr. MANSFIELD. The vote to be had not later than 12:30 tomorrow.

Mr. MILLER. That is quite agreeable.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Senators will note in the RECORD that the vote will be had at that time, and they will make themselves available.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the order is entered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on Thursday, July 8, 1965, after the conclusion of routine morning business, which is not to exceed 10 minutes, further debate on the amendment by the Senator from Iowa [Mr. MILLER] (No. 141) shall not exceed 20 minutes to be equally divided and controlled by the Senator from Iowa [Mr. MILLER] and the Senator from Louisiana [Mr. LONG], and that the vote thereon be not later than 12:30 o'clock.

Mr. MILLER. Mr. President, the questions asked by the Senator from Massachusetts and the Senator from South Carolina have brought out some of the points that I had intended to bring out.

I recognize that the argument can be made for legislation that might do something about inflation and its impact on various areas of our country.

For example, every once in a while a proposal is made to include a cost-of-living increase feature on the redemption of Government bonds. It is argued that if a person buys a savings bond and puts in a dollar which is now worth 44.2 cents, he should, after 6 or 7 years, when he cashes the bond, get in return a dollar worth 44.2 cents. At the rate we are going, he will probably get a dollar worth 38 cents or 39 cents, as compared with the purchase price.

There is a great deal to be said about providing that Government bonds be repaid in equivalent purchasing-power dollars.

However, I believe it is necessary to take up these matters one at a time. Probably the most important thing that should have been done was what was done in 1962, when we took care of the civil service retirees. This has been done, and the precedent has been established.

I cannot see any justification for not doing the same thing with respect to social security pensioners. There are some areas in the private economy in which persons are already receiving the benefits of the cost-of-living increase. Some of the labor unions have what are called escalation clauses in their contracts. Under the escalation clause, when the retail price index goes up a certain fraction of a percent, the wage earner receives an increase in his wages.

I am not condemning that at all. I can well understand why it is necessary to do that. Wage earners need to have money. They need to have equivalent purchasing power to take care of their family responsibilities, just like anyone else. But the social security pensioner does not have anything like that. For a long time now, since 1958, he has seen the purchasing power of his pension go down, down, and down; he has had nothing to make up for it.

The bill will help to make up for it, only it will be about 6 or 7 years late.

My amendment is necessary to prevent the hardship that arises as a result of the long-time lag between the last social security pension increase and the current one—the long timelag during which the value of those pensions has gone down.

The amendment is equitable. I would certainly hope that the Senator from Louisiana would see fit to take it to conference and see what the conferees think about it. I know that the Senator was quite sincere when he answered the Senator from Rhode Island [Mr. PELL] earlier today that the subject should be studied. But there comes a time when studying will delay things a little too much. The subject has been studied for a long time. It was studied prior to the enactment of the Salary Act of 1962, and as a result we passed a 3-percent cost-of-living increase for civil service retirees. I do not believe that there is need for any further study. The time for action is now. Let us get the job done. The time for study may follow. There is plenty of time to do that. In the meantime, what will we do about people who are suffering from an increase in the cost of living? Perhaps the best answer to the whole problem is for Congress so to operate that we may preserve the purchasing power of our people's dollar. If we should do so, my amendment would be an insurance policy that would never have to be used. That is what I would rather see happen than anything else.

I still feel that at the rate we are going, we had better start doing something about the hardships which have been occurring by having a provision in respect to the cost-of-living increase put in the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota [Mr. McGOVERN] is recognized.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Louisiana?

Mr. McGOVERN. If the Senator from Louisiana has only a few remarks that he wishes to make, I shall be happy to yield.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Rhode Island [Mr. PELL] offered a similar amendment. He agreed to withhold it on the basis that the subject should be studied because a number of things should be considered if the Senate wishes to move in that direction. We assured the Senator that we would take a look at the problem at the next opportunity which the committee might have to consider major proposed social security legislation.

The important point is that the Congress and the executive branch have striven to work together to resist inflation to the greatest possible extent. We should strive, as the President has striven, to keep down any undue increase in wages and try to relate wage increases to the increase in productivity. Our Government should not lead the way in creating an inflationary spiral. So the important thing, and the first thing that the Government ought to try to do, is to have fiscal and monetary policies that would prevent us from having inflation. That is the first thing we ought to do.

If we set an automatic increase in income for the people receiving social security when the cost of other items goes up, that could very well contribute to an inflationary spiral that keeps going up and up. Many people are on fixed income and will not get any automatic increase in income. Some people are living on incomes from stocks and bonds. People are living on incomes from annuities. Various people are living on all sorts of fixed income and they would suffer from inflation. People who have savings in savings banks and in various other investments from which they receive a certain amount of interest income would also suffer very heavily from inflation. People who have insurance policies with private insurance companies would suffer. They would not get more money because of inflation. They would be penalized by inflation. The amendment could contribute to inflation because it would be one more item to keep increasing the cost of everything that people buy by increasing the amount of money in circulation.

So those questions should be and must be considered. It is true that the Civil Service Retirement Act provided that pensioners would automatically receive an increase in their pensions when the cost of living went up. Having taken that action, the Federal Government, if it is to be responsible, would not extend that principle to everything else in Government. If we did that for the civil service retirees, the next move would be to say, "We shall do that for all people on the Federal payroll. They will all get an increase the moment the cost of living goes up."

That being the case, when one item went up, everything else would go up. Then we would have to agree that all those who are working for contractors who have contracts with the Federal Government would receive a cost-of-living increase. Fringe benefits would have to go up in all directions. That could be a step toward an ever-increasing inflationary cycle.

I know that the Senator does not want that to happen, just as the Senator from Louisiana wishes to avoid that result. It is a subject that we could study. It should be considered. But the Congress will have to use its best judgment as to ways to restrain inflation rather than to contribute to an inflationary spiral.

Upon that basis I hope that the Senate will not agree to the amendment, certainly not at the present time. We have not had an adequate opportunity to study it or to consider the proposal. It is an enormously important proposal. It is one that should not be agreed to on the floor of the Senate without study of the various ways in which the powers of the Federal Government might be used to restrain the inflationary spirals that might result. The last cost-of-living increase under social security was in 1958. In the bill we have provided an increase of 7 percent in benefits, in addition to the medical care benefits. So, in effect, we would be allowing for the increase in the cost of living that has occurred since 1958 in the bill that we have before the Senate. So, I point out that, to a considerable extent, between 1958 and 1962 the fact that the social security retirees were on a fixed income was a restraint, an impediment to inflation. If the amendment is agreed to, that no longer would be the case.

The proposal should be considered in the broad overall context of the responsibilities of our Government, and the Congress in particular, in restraining inflation and in protecting the purchasing power of the American currency. If we accept the amendment and then extend this principle to first one area of responsibility and then to another, our Government might be in the position of being irresponsible in not protecting the currency and, in effect, not honoring the obligations that it has made by taking the attitude that no matter how much inflation occurs, we shall automatically adjust all items of government to allow for it.

I sympathize with the purpose of the amendment, but I point out that Congress has not been completely derelict in this area. When the cost of living has gone up, Congress has acted to increase social security benefits and also has provided additional payments. In addition, the amendment would tend to deny the Government flexibility which would otherwise exist. In other words, whenever we would have a 3-percent inflation, which is the point at which the amendment would trigger a change, it might be that some beneficiaries would need help more than the oldsters might need assistance. It might be that instead of needing more help through cash benefits they might need more in terms of medical payments. Those are all subjects that the Congress could and should consider when it is ready to act on the question. It might be that we would prefer to permit people to earn more money and keep more of that money by increasing the amount allowed for such earning under social security. So all these matters should be considered in connection with the problem, if it arises. I suggest that the best answer to the problem is not by way of this amendment but for the Government to maintain constantly the purchasing power of its currency.

Mr. MILLER. The Senator suggests that the amendment, if adopted, might stimulate inflation, because it will be necessary to increase the social security pensions at sometime in the future, if there is continued inflation. But the same argument could be made about the present bill—even more so, because under the present bill there will be a 7-percent increase in social security taxes. I am suggesting that this be handled on a 3-percent basis. The need may be 2 years away; it may be only a year away. We hope the time will never come; but if it should, the increase would be on a 3-percent basis. I do not believe it is consistent to support a 7-percent increase now and then to deny a 3-percent increase later because a suggestion is made that a 3-percent increase might contribute to inflation.

Mr. LONG of Louisiana. Does the Senator's amendment provide for a reduction in social security payments in the event the cost of living goes down?

Mr. MILLER. No; but I would certainly agree to a modification, if the Senator from Louisiana thought that would be helpful. I shall be happy to modify the amendment. I shall have to ask unanimous consent, but I shall be happy to do that.

Mr. LONG of Louisiana. I might be even more opposed to the amendment if the Senator did that. That is one of the items that should be considered if we are to act in this matter at all.

Mr. MILLER. The Senator from Iowa has considered it. The reason why he has not included it in the amendment is that during the past 30 years there has been nothing but an increase in the cost of living. If there were a turndown in the cost of living, if the purchasing power of the dollar went up rather than down, Congress could then take action, because action would be needed to accomplish the purpose.

Mr. LONG of Louisiana. It could well be argued that if the cost of living went down, a deflationary spiral would be created that would tend to result in either a depression or a recession, and that instead of reducing benefits, they should be raised so as to put more money in circulation.

Many things could be said in connection with this proposal, but the floor of the Senate is not the place to raise this important issue, which has to do basically with the responsibility of the Government to maintain a stable purchasing power for the currency.

Mr. MILLER. Mr. President, will the Senator further yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. The Senator said that now that we have taken such action for civil service retirees, we should do it for social security pensioners. The next thing, we shall be doing it for Government employees and Government contractors. But surely he knows that we have already done this. Congress has been increasing the salaries of Government employees in the past few years, ever since I came to the Senate. I am not saying that such increases were not needed. There is a feature of comparability with respect to industry which we passed for civil service employees in 1962. The Senator knows that wages and fringe benefits in private industry have been increased considerably. This is within the wage guideline policy of the administration.

Mr. LONG of Louisiana. There was once a program in which when the cost of living went up, the retirement benefits of civil service pensioners were increased. Now the civil service authorities want an automatic increase when the cost of living goes up. That will not cause them to make any lesser requests. We shall have to pass a bill next year to provide them with something extra in addition to the many cost-of-living increases. If we agree to the Senator's amendment, we shall still be passing a social security bill every year or two to provide some kind of increase in benefits to the social security beneficiaries, whether they get a cost-of-living increase or not.

That ought to be considered when we debate these bills. I cannot recall a Congress in recent years which has not considered a social security bill. It seems to me that at least once every 2 years—once every Congress—we have a social security bill for consideration. It used to be every other year; but in recent years, it has tended to be once every year.

Mr. MILLER. May I suggest that we try this amendment once and see what will happen? There has not been a cost-of-living increase under the social secuity system before; and, as the Senator says, we have a social security bill before us every year. Let us place the social security system on a cost-of-living basis. My guess is that it would not be necessary to have a social security bill every other year. The amendment might be a restraining influence upon social security increases.

At the same time, it would be fair to put people in a position where they were last year and the year before, so that they could meet the increases in the cost of living. I am not arguing for something that I think is overreaching.

Mr. LONG of Louisiana. As far back as I can recall, a social security bill has been considered every other year. I remember, when Dwight D. Eisenhower was running for President, that Harry Cain, a Senator from Washington, was the only Senator to vote against an increase in social security benefits. He ran in the same year that Eisenhower ran. The story goes that one of his colleagues said, "Harry, are you sure you wanted to vote that way?"

Senator Cain replied, "Yes; I am going to be reelected on these terms."

But Senator Cain was defeated in the year when Eisenhower carried the State of Washington by a landslide.

Subsequently there was another social security bill, and, as I recall only one or two Senators voted against it. One of them was Senator Goldwater. He had a deep conviction against it, and he also was defeated for office. Two Senators voted against it, and he was one of the two.

Senators find it to be almost a political death warrant to vote against a social security bill of major proportions. We tend to have a social security bill in every Congress, sometimes every year. This matter comes up time and again, and the cost of living is one factor that can be considered in connection with it.

The Senator and I can wait and see who is the better prognosticator. Whether the amendment shall be agreed to or not, there will be a social security bill in every Congress, so long as the Senator from Iowa and I serve in this body. It will increase the cost of the program every time.

Mr. MILLER. I do not wish to prolong the debate, and I appreciate the indulgence of the Senator from Rhode Island [Mr. PELL].

We have started, first of all, with what I think is fair. It is fair to give an increase to people who cannot roll with the punch of inflation. That is why there has been a socal security pension increase. The trouble lies in the timelag between one increase and the next one. During that time people who rely heavily on social security pensions—and most of them do, because it is the main source of their income—are hurt. That is not fair.

I agree 100 percent with the statement of the Senator from Louisiana that the best way to handle this is by Congress so handling itself that the purchasing power of the dollar will be maintained. I agree to that. But Congress has not been doing it. Meantime, people are being hurt. Some social security pensioners have no bargaining power except their votes. Their votes are important. I do not believe that social security pensioners want to overreach. I know many of them. They all want to have their purchasing power restored to where it was 3 years ago. What good would it do to give them a 7-percent increase today if we do not put ourselves right from a monetary, fiscal standpoint, while they are asking for another 7-percent increase because of inflation?

The adoption of this amendment would have a salutary impact on Congress itself. The Senator talks about triggering inflation. It would trigger changes in the attitude of some Senators who will come here 2 years from now with a proposal for a 3-percent increase in the cost-of-living social security pensions, the money for which will have to be appropriated from the general fund of the Treasury.

Mr. LONG of Louisiana. Mr. President, I believe that I have the floor.

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. I have been yielding quite freely.

The burden of the argument of the Senator is that we are not increasing social security benefits fast enough. When the program went into effect in 1935, the report of the Committee on Finance estimated that in 1980, 15 years from now, the program would cost $3,500 million a year.

Let us see how we are doing. This year, the cash benefits are to be over $17 billion. In the next year, we shall pick up medical expense. For the next year, the cost is estimated to be almost $26 billion for the year 1967, and the cost is estimated to be $27 billion for the year 1968. The cost will be continually increasing.

For 1972, 8 years beyond the date that we are talking about, with the cost still increasing, under the pending bill the cost in 1972 is estimated to be about $34 billion. That would be 10 times as much as was projected when the Senate Committee on Finance brought the social security benefit program to the Senate back in 1935. The costs of living, it is true, have more than doubled since 1935.

Let us allow for that. We would still have five times what was anticipated when the program went into effect. We would still be getting a bill every year or every 2 years to increase the benefits. This will not be the last time that we increase social security benefits.

This is the biggest social security bill in history. The pending bill is almost twice as large in immediate benefits and what it would add to the program, as the original social security report would cost in the year 1980.

Mr. President, on that basis, I believe that we have a big enough bill. It is a tremendous bill. We have never passed a social security benefit bill as big as this bill in the history of the country. The burden of the argument of the Senator is that we are not passing enough bills, but that we should wait a while for the cost of living to go up before increasing the benefits. The record of this Congress and other Congresses not only allowed for the increase in the cost of living, but also provided for benefits on top of such an increase along with that, and wisely so.

The Senator now wants many automatic increases to the benefits while we would also be providing for additional benefits for our senior citizens—as we will undoubtedly do later.

If there was ever a case in which we thought enough about these people to provide for them, this would be the case. Some of the amendments would cost hundreds of millions of dollars. There is no telling what this amendment would cost. However, it is something that we should consider and study, but we should not try to do it in the pending bill.

It seems to me that we have accepted enough amendments that would increase the cost of the program.

These are increases in cost that we could expect. I hope that we do not wander off into the field of increases in costs which we cannot expect. However, Congress should study the proposal.

I yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, there was a little colloquy earlier in the afternoon concerning an amendment which I offered which would have the same objective as the amendment offered by the Senator from Iowa.

I was very impressed with the thought of the junior Senator from Louisiana and the Senator from Florida that this was a matter that had not been studied in committee. I accepted with gratitude the assurance that it would be studied in the committee and that hearings would be held at an early date.

For that reason, I withdrew my amendment. I would now find it very difficult to know what position to take on the amendment of the Senator from Iowa, which is similar to mine. I believe that the Senator from Iowa is correct in saying that the increase in the cost of living, by 3 percent, would probably pay for the cost of this because the base on which the tax is levied would probably be increased in proportion. However, I am rather surprised, because the Senator from Iowa is much more of a New England conservative than I. I believe that my amendment is a little more conservative. I had a provision in my measure to provide that when it would not pay for itself, and there would be an actuarial deficit, the Secretary of Health, Education, and Welfare would be authorized to come to Congress for an increase in either the earnings base or the tax rate. Personally, I should prefer an increase in the earnings base rather than an increased tax rate.

I submit, since the Senate is the marketplace of ideas, that of these two amendments, perhaps my amendment, in which I have an author's pride, has an element of conservatism that would carry out the position or point made by the Senator from Iowa and that the Senator from Iowa would be willing to modify his amendment to take account of the fact that there might be a deficit.

It seems to me that the best approach would be to have a study made. I do not believe that there have been any recent studies on the subject. I believe that the best approach would be to offer a resolution authorizing the Committee on Finance and any duly authorized subcommittee thereof to make a study in depth and report back January 31, 1966. I have therefore prepared such a resolution.

AUTHORIZATION FOR A STUDY OF THE RELATIONSHIP BETWEEN THE SOCIAL SECURITY SYSTEM AND THE COST OF LIVING

Mr. President, I submit a resolution and ask that it be appropriately referred.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 127) was referred to the Committee on Finance, as follows:

S. RES. 127

Resolved, That the Committee on Finance, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation with respect to the question as to how cost-of-living increases should be related to social security benefits so that such benefits will keep pace with such increases. In carrying out such study and investigation the committee or subcommittee shall determine (1) whether the rising earnings level that would accompany any increases in cost of living would be sufficient to finance the increased benefits, and (2) how much the social security tax or wage base should be increased to provide for such an increase in benefits if earnings levels remained static.

SEC. 2. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1966.

SEC. 3. For the purposes of this resolution the committee, through January 31, 1966, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,100 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 4. Expenses of the committee, under this resolution, as may be necessary, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. PELL. Mr. President, I would welcome the cosponsorship of the Senator from Iowa.

Mr. MILLER. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. Mr. President, I have not had an opportunity to study the resolution. However, I shall do so. It may be that I can join the Senator on this measure. However, I point out to the Senator from Rhode Island that this matter of study gives me a great deal of concern.

I introduced a bill which is exactly like the pending amendment, on March 8 of this year. I then introduced, on May 3 of this year, an amendment to the House-passed bill.

I have great regard for the actuaries in the Department of Health, Education, and Welfare and for the Treasury people. I see no reason that there should be any need for more study of the matter.

I believe that the Senator from Rhode Island said earlier this afternoon that there is a great deal of merit to the approach he uses for financing the increases under the amendment which he withdrew earlier. He said that whenever the Secretary determines that the applicable or foregoing provisions, namely, the 3-percent increase, will result in an actuarial deficit to the trust funds, he shall report the matter to the Congress with his recommendations for changes either in the tax schedules or the wage base, or both.

I believe that is a sensible approach. I have not used that approach. I have merely said that there is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, the money necessary to take care of these increases.

I would guess, however, that at the rate we are going, it would probably be about another 2 or 3 years before there would be the increase envisioned by the amendment.

Once that happened, Congress would be authorized to appropriate the money out of the general fund of the Treasury to cover the increase. However, there would be plenty of time between now and then to have the measure studied on an actuarial basis so that when that day arrived, we might have a change made in the law to cover an actuarial condition.

Why wait for another 2 or 3 years to do that? Why not do it now? There would be plenty of time later to figure out whether we want a change in the social security structure itself to finance it or whether we want to go along on the financing out the Treasury.

Mr. LONG of Louisiana. Mr. President, I believe I still have the floor. I simply would like to end my argument by quoting from a letter by the Department of Health, Education, and Welfare in a report on this amendment. The letter reads in part:

> The financing of the social security program contemplates that, if wages continue to rise more rapidly than the cost of living, as they have throughout the history of this country and as there is every reason to think they will continue to do, the law will be changed from time to time to keep benefit amounts up at least with cost-of-living changes; the contribution rates allow for such adjustments. There is much to be said for a provision that would automatically keep benefits in line with changing economic conditions; before such a change could be adopted, however, two problems would have to be resolved. First, we should study the effect which automatic cost-of-living increases for social security beneficiaries might have on the economy and on the Federal Government's flexibility in adopting and formulating appropriate fiscal policies for sound economic growth. Second, serious consideration should be given to how the application of this provision should differ as between people first coming on the rolls, those who have been on the rolls for only a short period, and those who have been on the rolls for some time. There is also the question of whether an automatic adjustment should take into account factors other than cost-of-living increases—for example, changes in earnings levels.
>
> We believe that the adoption of a program of automatic adjustment should be delayed until the implications that these considerations would have for such a program can be further analyzed and evaluated. We are studying these implications as part of our continuing study of the problems of keeping benefits in line with changes in the economy and of other aspects of the social security program which can be improved. With reference to the financing of an automatic adjustment of benefits, it is not necessary to provide for appropriations from general revenues, as amendment No. 141 does, because the social security contribution schedule in H.R. 6675 would cover the cost of such adjustment for many years into the future and, if the social security earnings base is raised from time to time, into the indefinite future. In the light of the foregoing considerations we recommend that amendment No. 141 not be enacted.

That is the judgment of the Department. It recognized the problem. Yet the fact is—and it is indisputably correct—that this has been the whole trend of the social security program: That in the absence of the Senator's amendment, Congress will act to increase benefits, and act for those who are retired and are beyond their earning years. Congress always has done it, and will undoubtedly do it in the future.

Mr. MILLER. I recognize there is some applicability of the statement just read to the pending Miller amendment. However, the comment from the HEW people with respect to financing was not at all responsive to my approach. They were concerned, as the Senator will recall, with changes in the social security base.

My amendment has nothing to do with that. My amendment simply authorizes the appropriations to be made out of the general funds of the Treasury.

Although there is much merit in the approach of the Senator from Rhode Island, and I would have no strong feeling with respect to that method of financing as opposed to mine, my amendment will do something about it now, rather than wait for Congress to act later.

Mr. PELL. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. PELL. Then, the Senator would not want to cosponsor this resolution, because he would not want to go to a vote on his amendment, at the same time supporting the resolution for a study.

Mr. MILLER. Is the Senator offering the resolution as an amendment?

Mr. PELL. No. As proper parliamentary procedure, I believe one of the weaknesses in both of the proposals is that the matter has not been heard in committee. As a matter of appropriate procedure, it should be sent to the Finance Committee for hearing. I am sending the resolution into the hopper for that purpose. I welcome the Senator's support, but I do not see how he can vote for his amendment and the resolution.

Mr. MILLER. If the Senator will ask unanimous consent to have his resolution held at the desk for 24 hours, we can see how the vote on the amendment will turn out tomorrow. If the amendment is defeated, the Senator from Iowa, as well as many other of our colleagues, probably will be glad to join in the resolution.

Mr. PELL. I have already sent it to the desk. I would like to have it done now, because we know what the outcome of the vote will be tomorrow if the managers of the bill are opposed to it.

Mr. MILLER. There was a vote today which was very close. I wonder why the Senator from Rhode Island cannot get consent to have the resolution lie over until tomorrow, until other cosponsors can join in it. I have not read it, but my guess is that I know what the substance of it is. If the Senator does not want to do that, give me a few minutes to look it over now, and perhaps I would like to join in the resolution. I would have no qualms about joining in the resolution for a study, if the Senator from Rhode Island cannot wait until tomorrow, holding the view that the amendment will be defeated. If the amendment is not adopted I do not think holding the resolution at the desk is going to do any harm.

Mr. PELL. I think the Senator has expressed good judgment, so I shall be delighted to request that the resolution lie at the desk for 24 hours. As a custom, I do not ordinarily seek cosponsorship, but in view of the Senator's interest, I will ask the Parliamentarian to have the resolution left at the desk for 24 hours, at which time the disposition of the Senator's amendment will have taken place.

The PRESIDING OFFICER. Without objection, the resolution will lie at the desk as requested.

PRODUCTION TO MEET WORLD FOOD NEEDS

Mr. McGOVERN. Mr. President, a very significant article written by Richard Wilson, head of the Washington Bureau of the Cowles publications, was published on Saturday, July 3, in the Minneapolis Tribune.

Mr. Wilson reports that the administration is seriously considering the possibility of using American agricultural productive capacity to meet world food needs. This would make unnecessary the continuation of many of our present acreage controls designed to limit food production.

Such a policy change would be welcome news to two great groups of Americans; namely, our farmers, who prefer to produce in abundance and do not relish restrictions, and those of us who want to see the United States grasp the opportunity to discharge its moral obligations to its fellow men by eliminating human hunger in the world.

Only 2 weeks ago, I introduced the World Food and Nutrition Act, aimed at using our idle agricultural capacity to close the world food gap. The bill proposes a program, to be directed by the President to expand our food-for-peace efforts by using the idle capacity of the farms in the war against hunger.

It is extremely encouraging to me, and will be to millions who support such an all-out effort to banish hunger in the world, to read Mr. Wilson's report. The views which he reports represent a commonsense approach both to world problems and to our domestic farm problem.

Mr. President, I ask unanimous consent to have Mr. Wilson's article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WOULD UNSHACKLE PRODUCTION—BIG FOOD-FOR-PEACE PROGRAM PONDERED

(By Richard Wilson)

WASHINGTON.—The purpose of this article is to bring to the surface some profound thinking in the Johnson administration on new approaches which may release the largest part of the Nation's agriculture from federally controlled production.

We are not discussing here the complete release of agriculture from Federal control or the restoration of a wholly free and open economy, nor of events which may happen this year or next. But within 5 years, or even less, the development of needs and policy are very likely to bring on new programs of agricultural adjustment which older farmers would find unrecognizable.

This would be doubly significant because it would be the first major withdrawal of the Federal Government from socialized or collective schemes of direct economic control. Freedom of choice would be restored to a large extent in one of the most important sectors of the economy.

Both Vice President HUMPHREY and Agriculture Secretary Freeman are vitally engrossed in this luring prospect. The frustrations and failures of 30 years and much more than $50 billion propping up the most technically advanced part of the economy fade into history as the new prospects are considered.

The world as a whole has run disastrously low on food. Month by month conditions grow worse. Two-thirds of the world cannot produce now, and will be even less able to produce in the future, the food needed for fast growing populations.

Consider now the kind of response to this catastrophe which is being discussed at the highest levels. An international organization representing the richest and poorest nations would determine the needs of the world for food to prevent widespread hunger and starvation in the year ahead and the years after that.

Production in the United States and the other nations—there are only a few of them—which can produce big surpluses of food would be programed to meet so far as possible the most critical needs. All needs could not conceivably be met.

When the United States had determined what part of the world demand for food it could satisfy, goals for production in this country would be announced. Those goals would be greater than existing production. They would permit the release of American productive capacity.

Funds now going into loans and other devices for the support of prices and control of production would be diverted to finance worldwide food distribution to the starvation areas.

Only a minimum floor under prices would be maintained at a low level. The free market and freedom of choice by food producers would operate above the low level of support. This description is greatly oversimplified and impressionistic. Essentially, the billions now being spent for agricultural price support and controlled production would be used for a vastly expanded food-for-peace program.

Existing control programs would be phased out. As these potentials are being discussed, the cost would have to be kept at the same level or below that of existing agricultural programs. There would be no reduction in cost in the purely social problem of relocating the millions of inefficient farmers who will not be able to make a living in the coming years because technology is far ahead of them.

But an area of individual freedom which had appeared lost forever would be restored as the United States used its vast potentials to try to maintain world order in the coming era of famine.

Some may say that the prospects are being overdrawn. The prospects of our response to the problem may be overdrawn but the problem is not. We had better begin to find the response for very practical reasons.

Canada is meeting the demands of Red China for wheat by releasing her productive capacity while we continue to try to hold ours down. Russia, floundering in her agricultural failures, will need more and more food and that need will be filled by others if not by us. These countries are the more advanced of those that will need food in increasing amounts.

Vice President HUMPHREY and Secretary Freeman have not yet reached the point of making concrete proposals which could be considered by President Johnson, who is, of course, familiar with the general trend of the discussions.

But the scope and nature of what is being discussed deserves the most serious attention. When these programs do emerge they will be controversial. Why should we feed the world? Why help hungry Commies? For one thing, we can ease one of our own major problems by doing so.

ADJOURNMENT

Mr. McGOVERN. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 40 minutes p.m.) the Senate adjourned until tomorrow, Thursday, July 8, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 7, 1965:

ASSISTANT COMMISSIONERS OF PATENTS

The following-named persons to be Assistant Commissioners of Patents:

Gerald D. O'Brien, of Maryland, vice Horace B. Fay, Jr.

Richard A. Wahl, of Virginia, vice Ezra Glaser.

COMMUNICATIONS SATELLITE CORPORATION

William W. Hagerty, of Pennsylvania, to be a member of the Board of Directors of the Communication Satellite Corporation for the remainder of the term expiring at the date of the annual meeting of the Corporation in 1967, vice Clark Kerr.

DEPARTMENT OF THE INTERIOR

Harry R. Anderson, of California, to be an Assistant Secretary of the Interior, vice John A. Carver, Jr., elevated.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Livingston T. Merchant, of the District of Columbia, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years, vice John C. Bullitt.

DEPARTMENT OF DEFENSE

Alain C. Enthoven, of Virginia, to be an Assistant Secretary of Defense, vice Eugene G. Fubini, resigned.

Robert N. Anthony, of Massachusetts, to be an Assistant Secretary of Defense, vice Charles Johnston Hitch, resigned.

THE JUDICIARY

Hiram R. Cancio, of Puerto Rico, to be U.S. district judge for the district of Puerto Rico for the term of 8 years, vice a new position.

U.S. ATTORNEY

Donald H. Fraser, of Georgia, to be U.S. attorney for the southern district of Georgia for the term of 4 years. (Reappointment.)

Richard P. Stein, of Indiana, to be U.S. attorney for the southern district of Indiana for the term of 4 years. (Reappointment.)

Thomas B. Mason, of Virginia, to be U.S. attorney for the western district of Virginia for the term of 4 years. (Reappointment.)

Edmund A. Nix, of Wisconsin, to be U.S. attorney for the western district of Wisconsin for the term of 4 years, vice Nathan S. Heffernan, resigned.

EXTENSIONS OF REMARKS

Federal Government and Maine—Partners in Crime

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about the way in which the Federal Government and the government of the State of Maine are joined in promoting crime in Maine by virtue of their ignorant policies of keeping gambling illegal.

Illegal gambling bankrolls organized crime in Maine as elsewhere in the Nation, and the governments which have kept gambling illegal, and thus available as a mob revenue-raising device, might as well be partners in the crime they are thus indirectly subsidizing.

Maine's parimutuel turnover came to $19 million last year, but this was greatly exceeded by illegal gambling figures. Figures presented to the McClellan committee set off-track betting in the Nation at $50 billion a year, which figure is only 42 percent or so of the national illegal gambling total, which would then approximate $120 billion a year. Maine's share of this on a population basis would be $600 million a year. Ten percent of this stays in mob pockets as profit, so Maine is a lucrative potato patch for the syndicates. If the Federal and State governments would wise up to social realities, they would regulate and operate gambling, rather than leave it, inevitable as ever, to finance all shades of criminal activities.

I sincerely hope that it will not be long before the unwise collaboration of the Federal and State governments in ignorance will vanish in favor of Federal and State lotteries.

John K. Dungey

EXTENSION OF REMARKS

OF

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1965

Mr. HANLEY. Mr. Speaker, on June 30, 1965, Mr. John K. Dungey, of Syracuse, N.Y., passed away. With his passing I have lost a good friend and this Nation has lost one of the foremost proponents of the American way of life. John Dungey was a veteran of World War II; a leader in State and local American Legion affairs and chairman of its Un-American Activities Committee, as well as editor of the American Legion publication, "Spotlight." He was a student of world affairs and remained ever alert to situations which would indicate the possibility of jeopardy insofar as the liberties and principles of this Nation were concerned. His philosophy embraced the dignity of man in every instance, and he exerted every possible effort to assert himself accordingly.

Despite the great amount of time he devoted in this area of interest, he pursued his obligations as a husband and father in an exemplary fashion.

If only more people assumed the responsibility of citizenship as did John Dungey I am sure that the problems of this world would be somewhat lighter through the process of better understanding.

A Bill To Control Highway Cluttering

EXTENSION OF REMARKS

OF

HON. ROY H. McVICKER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1965

Mr. McVICKER. Mr. Speaker, I welcome this opportunity to support the President's effort to preserve our country's natural beauty.

Many Americans have long been indignant over the unsightliness that has encroached upon our countryside. We have seen once-beautiful areas deteriorate into appalling unattractiveness.

The postwar years in this country have seen a massive effort to build a highway system sufficient to accommodate the flow of traffic which got such a head start on us during the war. This highway building program has apparently preoccupied us to the extent that we have given little or no attention to the scenic blight that has meanwhile enveloped these roadways.

President Johnson has given us a program which would erase some of that blight and transform our Federal highway system so that it will enhance the natural beauty that lies along our Nation's roads. It is my strong belief that the Congress should give the President's proposal its support.

The need for legislation controlling outdoor advertising along Federal-aid highways is especially evident in my own State of Colorado. Every year thousands of tourists come to Colorado to enjoy Colorado's breathtaking scenery. Tourism is one of the State's fastest growing businesses, and it is certainly in the State's economic interests, at the very least, that billboard advertising be prevented from obliterating the natural beauty.

During the last session of the General Assembly of Colorado, strong antibillboard legislation was sponsored by Representative Richard Gebhardt, of Boulder, and Senator Floyd Oliver, of Greeley. Their proposals would have kept the signboards back 660 feet from the multilane interstate highways and would have been broad enough to enable the State to get the extra highway bonus payments, or one-half of 1 percent of the cost of each section of highway constructed under the terms of the U.S. Bureau of Public Roads.

Unfortunately, the Oliver-Gebhardt bill was killed in the State senate, and a much weaker compromise bill was passed in its place.

The unhappy sequel to this matter was reported in the Denver Post on May 31, when the U.S. Bureau of Public Roads ruled that Colorado's new billboard law would not qualify for highway bonus payments since the new measure contained too many loopholes.

It has been my feeling generally that the Federal Government should assume additional responsibility with greatest reluctance. It should undertake new tasks only when there is a clear and present need, and then only when local authority is unable or unwilling to assume the responsibility itself. With few exceptions, Colorado and the other States of our Nation are in great need of action by the Federal Government. If it is our wish that our citizens "see America first," we should make sure that what they see will make them proud.

Poll of New Jersey Second District

EXTENSION OF REMARKS

OF

HON. THOMAS C. McGRATH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1965

Mr. McGRATH. Mr. Speaker, in May, I mailed to 83,000 homes in New Jersey's Second Congressional District, which I have the honor to represent, a questionnaire in which I asked my constituents to answer 10 questions concerning international and domestic matters of concern to the Nation.

I am pleased to report that as of today, more than 7,500 of the questionnaires have been returned to me—a total equal to 9 percent of those who received them. I believe the views of my constituents in southern New Jersey will be of interest to my colleagues.

On questions concerning international matters, it pleases me to report that 80 percent of the respondents favor our present policies in Vietnam; 73 percent favor our present policies regarding Cuba; 55 percent favor an increase in the amount of military aid we are providing Israel, and 90 percent favor our continued participation in the United Nations.

Regarding domestic matters, my poll showed 55 percent of the 7,500 who replied favor abolishment of the existing national origins' quota system for immigration to the United States; 70 percent favor legislation requiring Federal registration of firearms; 96 percent support truth-in-packaging legislation, and 97 percent favor truth-in-lending legislation.

Fifty-three percent of those in the Second District who participated in my poll opposed repeal of section 14(b) of the Taft-Hartley law, and 55 percent of them are opposed to continued Federal farm price supports.

It is interesting to note, Mr. Speaker, that although I noted it was not necessary for the respondents to sign their names to their ballots and, in fact, I left no space for signatures, 12 percent of the 7,500 who returned their ballots signed their names.

I feel the results of this poll provide an excellent sampling of opinion in my district, and I offer the results to my colleagues for their information and possible guidance.

The 20th Anniversary of the U.N.

EXTENSION OF REMARKS

OF

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1965

Mr. SCHEUER. Mr. Speaker, I would like to address this body today on the topic of the celebration of the 20th anniversary of the United Nations. Today, more than ever, we see the critical importance of this international body as the development of nuclear weaponry proliferates. We see how the complexion of international diplomacy has changed since the time when the German strategist von Clauswitz stated that war is but an extension of diplomacy.

The United Nations has served a vital function during the years since it was set up at the Dumbarton Conference following World War II. It has sent peace forces into Korea, Yemen, the Congo (Léopoldville) and the Sinai Peninsula. Currently, the United Nations is maintaining a precarious peace in Cyprus between the Turkish and Greek communities. These forces have been able to take the heat out of strained situations and give nations some time to cool off before bringing them to the conference table.

In the field of technical and economic assistance, the United Nations has perhaps served its most vital role. By giving help and advice to the developing nations, the United Nations has helped to make these states more economically viable. The work of Paul Hoffman, Managing Director of the Special Fund, has been invaluable in this regard and is worthy of the greatest praise. The Economic and Social Council, the Food and Agriculture Organization and the regional economic organizations of the United Nations have been the sustaining framework for the poorer nations of the world.

Mr. Speaker, today the weaponry of this world includes not only arrows and axes and gunpowder but also the hydrogen bomb. We have enough weapons today for the first time in history to eradicate human life on this planet. The question thus becomes not one of the need for a United Nations but how to increase its effectiveness.

Only through a worldwide effort can we ever hope to avoid the ultimate holocaust. If in 1995 we do not celebrate the 50th anniversary of the birth of the United Nations, it is highly likely that there will not be anyone left to celebrate anything on earth.

American-Israel Affairs

EXTENSION OF REMARKS
OF

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1965

Mr. ROSENTHAL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include at this point an address I made on June 17, 1965, at the annual installation of the Long Island region of B'nai Zion at the Forest Hills Jewish Center, Forest Hills, Long Island, N.Y.

The speech follows:

I am particularly grateful for the opportunity to discuss with you tonight a matter of mutual concern and conviction—American-Israel affairs. For the past 6 months, the growing tensions in the Middle East have been very much on my mind. I must be frank with you and say that recent activities there are not comforting, nor do they promise to be comforting if the pronouncements of Arab leaders are any guideline. But let me also say that events in that embattled area are being followed with utmost care and sobriety by the administration and the Congress. In meetings of the Foreign Affairs Committee, of which I am a member, in briefings with State Department officials, including Secretary Rusk and Governor Harriman, who has recently returned from the area, I have repeatedly communicated my own firm belief that our national commitment to Israel must remain fundamental and irrevocable.

The causes and purposes in which we join with Israel, however, are still very much in jeopardy.

At present, fully consistent with the Johnson plan which was sponsored and supported by the United States, Israel is diverting water from the Sea of Galilee to irrigate the arid Negev Desert and to develop hydroelectric power for the entire country. Water is Israel's lifeblood. But, being conscious that the entire Middle East shares that need, Israel is currently diverting no more water than she is entitled to according to the plan once agreed to by Arab engineers and scientists.

In clear opposition to that plan, Nasser and his allies have announced an Arab program against Israel, which would divert Jordan River water above Israel into Arab countries, and thus deprive Israel of her just claims. Work on this diversion scheme is already beginning in Syria. Arab armed forces are being mobilized to defend such projects and others are being planned.

What are we to say to such tactics? How can Israel and this country relate to action thus conceived in hostility and venom? How are we to respond when Arab leaders pronounce, in repeated speeches, that the day is near when Israel will be pushed into the sea? "We are prepared to march into Israel immediately," says the Syrian President. And, to do so, the Arab league now arms and supports a Palestine liberation organization, which is recruiting refugees and other Arabs for combat against Israel. How should men of peace react to such demagogy? "After waiting 17 years for justice," says the leader of this new army, "we are morally entitled to take the law into our own hands and wage war against Israel." Must Israel, after so many years of lonely tribulation, once again be the victim of men who announce their intention to "take the law into their own hands"?

President Johnson has asserted his own commitment to preserve a just and honorable peace in the Middle East. "We know that you want to live in peace with your neighbors," he told Premier Eshkol last year, "and we believe it not only possible but imperative that these problems be peacefully resolved." My own judgment is that this commitment is dependable and solid, one which all American friends of Israel can rightly acclaim.

There are, moreover, quiet and less public steps the United States is taking to preserve the integrity of the Israeli people. In diplomatic contacts, our officials can privately communicate our strong support of those Arab voices which evince a willingness to accept the permanence and rights of Israel. Likewise, the considerable political influence which accrues from the foreign aid we issue to Arab countries can be, and is being, used in the cause of calming Arab tempers and promoting there a more realistic view of world realities.

My own patience, and that of many of my colleagues in the Congress, however, is severly strained by the abusive behavior of the United Arab Republic, which still receives considerable American aid. Egypt tells us to "jump in the lake," while accepting food shipments. Its arms support Congo and Yemni rebels; its officers train troops for some mythical occupation of Israel, while its Government accepts our generosity. I see no reason why the United States should underwrite aggression and such threats to peace. I have therefore voted, sponsored, and spoken out on the floor of the House of Representatives for a curtailment of aid to the U.A.R., pending some evidence of its willingness to accept the integrity of Israel and live peacefully with its neighbors. I have likewise voted for resolutions opposing any American aid or participation in the Arab economic boycott of Israel.

Meanwhile, the United States must continue its attempts to aid the development of a healthy and prospering Israel. Handicapped by the absence of normal commercial relations with its neighbors, Israel still has made enormous progress in its economy. Increasingly threatened by the efforts of those neighbors to stifle such progress by boycotts, Israel is slowly gaining full self-sufficiency in agriculture and industry.

The accumulated wisdom and skill of a rich tradition are slowly bringing a good life to all Israelis. The willingness of Israel's friends to support with patience such growth has been instrumental in its success. Even now, for example, American and Israeli engineers and scientists are cooperating in the development of a nuclear desalting process to bring limitless sweet and fresh water to the entire country. All this must and will continue.

But without the promise of peace, progress is insecure. Israel's armed strength, however sad its necessity, is the guarantor of the country's integrity. American aid to Israel's deterrent will have to continue. Hawk missiles, provided by the United States and combined with Israel's own land forces guard Israeli integrity. The arms balance in the Middle East already implicates the United States. I am confident that we will allow no alteration in that balance.

But men of peace—Israeli, American, and Arab alike—must all look forward to an ultimate resolution of the explosive situation in the Middle East. Premier Eshkol has repeatedly called for a diplomatic confrontation with progressive Arab leaders to resolve existing problems and disputes. "A day will come when the Arab countries * * * will realize that the true division is not between Israel and the Arabs, but between lovers of peace and aggressors." These are the words of the Israeli leaders—they project a detente in the Middle East, a defusing of the time bomb feared by the entire world.

Such a Middle East, if ever we see it, might thrive and grow with a regional common market. Its security might be assured by nonaggression pacts and treaties banning the development of nuclear weapons, an event this country would particularly welcome. But most important, this should be a region where modest nations can focus their ardor and energy on good works of benefit to poor people, whose lives have for so long been victimized by senseless hatreds and aggressions.

I do not pretend that we here will ever really see such a Middle East, one in which Israel will be free to pursue policies and goals never yet open to her. I merely envisage a solution toward which we might all work, a solution toward which my own efforts on behalf of my country might be responsibly directed.

I do not believe, as do some, that the cause of a secure and growing Israel falls outside the proper responsibilities of any American Congressman or private citizen. I endorse the wisdom of Justice Louis Brandeis who said, 50 years ago, "Let no American imagine that Zionism is inconsistent with patriotism. Multiple loyalties are objectionable only if they are inconsistent."

The lesson of our meeting is that there is no such inconsistency in our loyalties and the loyalties of American foreign policy. We are and will continue to be Israel's best friend. This is the message I bring from Washington. And this is the reason I am here tonight, among you who share my loyalties and beliefs.

SENATE

THURSDAY, JULY 8, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer.

Eternal God, as free people of different religions and persuasions, we bow before Thee, the Creator of all.

Thou hast created us to love and understand each other with peace and good will toward all men. We find that our feverish ways continually lead us in paths of war and distrust. Thus we come to Thee. We earnestly pray for peace among the nations of the world, beginning in our hearts, this moment.

Strengthen and sustain the untiring efforts, deliberations, and decisions of the President and all other men of national and international leadership. Pour upon them spiritual power and guidance that only God can give.

Far above the clouds of life's problems, we see the sunshine of life's blessings.

We are mindful and thankful for the good in life that continues on, without seeking headlines. However, the sensation of the evil and wrong in man captivate our attention. We, therefore, pause in a moment of recognizing and assuring ourselves that the power of good far outweighs the power of evil. Help us to stand on this rock of faith, and permit it to work.

In this day of the thrilling adventures into outer space, teach us not to misuse the space that we already have, in setting a stage for the drama of man's inhumanity to man.

Give us the joy of inner peace and the understanding of the ways of peace, and help us to find new paths of peace on which this world will be able to find itself and its potential. We pray in the Master's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, July 7, 1965, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Fong, and by unanimous consent, the Subcommittee on Labor and the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare were authorized to meet during the session of the Senate today.

STRENGTHENING AND IMPROVING THE NATIONAL TRANSPORTATION SYSTEM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 373.

The VICE PRESIDENT. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1727) to provide for strengthening and improving the national transportation system, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments on page 2, line 20, after the word "State", to strike out "commissioners" and insert "commissions"; on page 3, line 7, after the word "effective", to strike out "insurance," and insert "insurance or qualifications as a self-insurer under rules and regulations of the Commission,"; on page 4, line 25, after "section 209(a)(1)", to strike out the semicolon and "or who shall fail or refuse to comply with any rule, regulation, requirement, or order promulgated by the Commission pursuant to the provisions of section 204(a)(1), 204(a)(2), 204(a)(3), or 204(a)(3a),"; on page 5, at the beginning of line 7, to strike out "continue. *Provided, however,* That nothing in this section shall deprive the Commission of its primary jurisdiction to determine the validity of an operation in dispute under the primary business test" and insert "continue."; in line 17, after the word "this", to strike out "part," and insert "part (except as to the reasonableness of rates, fares, or charges and the discriminatory character thereof),"; on page 6, line 22, after the word "person", to strike out "(not including a motor carrier holding a certificate, permit, or grant of temporary authority issued by the Commission under the provisions of section 206, 207, 208, 209, or 210a of this part)"; on page 7, line 1, after the word "of", to strike out "section 203(a)" and insert "section 203(c)"; on page 8, line 2, after the word "circumstances.", to strike out "Nothing in this paragraph shall be construed to deprive the Commission of its jurisdiction to interpret or construe certificates of public convenience and necessity or permits, or rules and regulations issued by the Commission, or deprive the Commission of its primary jurisdiction to determine the validity of an operation in dispute under the primary business test."; and, after line 8, to insert:

"(3) In any action brought under subsection (b)(2) of this section, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter in a proceeding before the Commission. Upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission."

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ENFORCEMENT AGREEMENTS WITH STATES ON HIGHWAY TRANSPORTATION

That subsection (f) of section 205 of the Interstate Commerce Act (49 U.S.C. 305(f)) is amended by inserting after the second sentence thereof the following new sentence: "In addition, the Commission is authorized to make cooperative agreements with the various States to enforce the economic and safety laws and regulations of the various States and the United States concerning highway transportation."

UNIFORM STATE REGISTRATION OF MOTOR CARRIER CERTIFICATES

Sec. 2. Subsection (b) of section 202 of the Interstate Commerce Act (49 U.S.C. 302(b)) is amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following:

"(2) The requirement by a State that any motor carrier operating in interstate or foreign commerce within the borders of that State register its certificate of public convenience and necessity or permit issued by the Commission shall not constitute an undue burden on interstate commerce provided that such registration is accomplished in accordance with standards, or amendments thereto, determined and officially certified to the Commission by the national organization of the State commissions, as referred to in section 205(f) of this Act, and promulgated by the Commission. As so certified, such standards, or amendments thereto, shall be promulgated forthwith by the Commission and shall become effective five years from the date of such promulgation. As used in this paragraph, 'standards or amendments thereto' shall mean specification of forms and procedures required to evidence the lawfulness of interstate operations of a carrier within a State by (a) filing and maintaining current records of the certificates and permits issued by the Commission, (b) registering and identifying vehicles as operating under such certificates and permits, (c) filing and maintaining evidence of currently effective insurance or qualifications as a self-insurer under rules and regulations of the Commission, and (d) filing designations of local agents for service of process. Different standards may be determined and promulgated for each of the classes of carriers as differences in their operations may warrant. In determining or amending such standards, the national organization of the State commissions shall consult with the Commission and with representatives of motor carriers subject to State registration requirements. To the extent that any State requirements for registration of motor carrier certificates or permits issued by the Commission impose obligations which are in excess of the standards or amendments thereto promulgated under this paragraph, such excessive requirements shall, on the effective date of such standards, constitute an undue burden on interstate commerce. If the national organization of the State commissions fails to determine and certify to the Commission such standards within eighteen months from the effective date of this paragraph, or if that organization at any time determines to withdraw in their entirety standards previously determined or promulgated, it shall be the duty of the Commission, within one year thereafter, to devise and promulgate such standards, and to review from time to time the standards so established and make such amendments thereto as it may deem necessary, in accordance with the foregoing requirements of this paragraph. Nothing in this paragraph shall be construed to deprive the Commission, when there is a reasonable question of interpretation or construction of its jurisdiction to interpret or construe certificates of public convenience and necessity, or permits, or rules and regulations issued by the Commission, nor to authorize promulgation of standards in conflict with any rule or regulation of the Commission."

INCREASED CIVIL PENALTIES

Sec. 3. Subsection (h) of section 222 of the Interstate Commerce Act (49 U.S.C. 322(h)) is amended by striking out the words "shall forfeit to the United States the sum of $100 for each such offense, and, in case of a continuing violation, not to exceed $50 for each additional day during which such failure or refusal shall continue" in the first sentence therein and by inserting in lieu thereof the following: "or who shall fail or refuse to comply with the provisions of section 203(c) or section 206(a)(1) or section 209(a)(1) shall forfeit to the United States not to exceed $500 for each such offense, and, in case of a continuing violation not to exceed $250 for each additional day during which such failure or refusal shall continue."

SERVICE OF PROCESS AND CIVIL SUITS FOR ENFORCEMENT OF INTERSTATE COMMERCE ACT

SEC. 4. Subsection (b) of section 222 of the Interstate Commerce Act (49 U.S.C. 322(b)) is amended to read as follows:

"(b)(1) If any motor carrier or broker operates in violation of any provision of this part (except as to the reasonableness of rates, fares, or charges and the discriminatory character thereof), or any lawful rule, regulation, requirement, or order promulgated by the Commission, or of any term or condition of any certificate or permit, the Commission or its duly authorized agent may apply for the enforcement thereof to the district court of the United States for any district where such motor carrier or broker operates. In any proceeding instituted under the provisions of this subsection, any person, or persons, acting in concert or participating with such carrier or broker in the commission of such violation may, without regard to his or their residence, be included, in addition to the motor carrier or broker, as a party, or parties, to the proceeding. The court shall have jurisdiction to enforce obedience to any such provision of this part, or of such rule, regulation, requirement, order, term, or condition by a writ of injunction or by other process, mandatory or otherwise, restraining such carrier or broker, his or its officers, agents, employees, and representatives, and such other person, or persons, acting in concert or participating with such carrier or broker, from further violation of such provision of this part, or of such rule, regulation, requirement, order, term, or condition and enjoining upon it or them obedience thereto. Process in such proceedings may be served upon such motor carrier, or broker, or upon such person, or persons, acting in concert or participating therewith in the commission of such violation, without regard to the territorial limits of the district or of the State in which the proceeding is instituted.

"(2) If any person operates in clear and patent violation of any provisions of section 203(c), 206, 209, or 211 of this part, or any rule, regulation, requirement, or order thereunder, any person injured thereby may apply to the district court of the United States for any district where such person so violating operates, for the enforcement of such section, or of such rule, regulation, requirement, or order. The court shall have jurisdiction to enforce obedience thereto by a writ of injunction or by other process, mandatory or otherwise, restraining such person, his or its officers, agents, employees, and representatives from further violation of such section or of such rule, regulation, requirement, or order; and enjoining upon it or them obedience thereto. A copy of any application for relief filed pursuant to this paragraph shall be served upon the Commission and a certificate of such service shall appear in such application. The Commission may appear as of right in any such action. The party who or which prevails in any such action may, in the discretion of the court, recover reasonable attorney's fees to be fixed by the court, in addition to any costs allowable under the Federal Rules of Civil Procedure, and the plaintiff instituting such action shall be required to give security, in such sum as the court deems proper, to protect the interests of the party or parties against whom any temporary restraining order, temporary injunctive, or other process is issued should it later be proven unwarranted by the facts and circumstances.

"(3) In any action brought under subsection (b)(2) of this section, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter in a proceeding before the Commission. Upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission."

MOTOR CARRIER REPARATIONS

SEC. 5. (a) Paragraph (2) of section 204a of the Interstate Commerce Act (49 U.S.C. 304a) is amended to read as follows:

"(2) For recovery of reparations, action at law shall be begun against common carriers by motor vehicle subject to this part within two years from the time the cause of action accrues, and not after, and for recovery of overcharges, action at law shall be begun against common carriers by motor vehicle subject to this part within three years from the time the cause of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the carrier within the three-year period of limitation said period shall be extended to include six months from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice."

(b) Section 204a of the Interstate Commerce Act (49 U.S.C. 304a) is amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting immediately after paragraph (4) thereof the following:

"(5) The term 'reparations' as used in this section means damage resulting from charges for transportation services to the extent that the Commission, upon complaint made as provided in section 216(e) of this part, finds them to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial."

FREIGHT FORWARDER REPARATIONS

SEC. 6. (a) Paragraph (2) of section 406a of the Interstate Commerce Act (49 U.S.C. 1006a) is amended to read as follows:

"(2) For recovery of reparations, action at law shall be begun against freight forwarders subject to this part within two years from the time the cause of action accrues, and not after, and for recovery of overcharges, action at law shall be begun against freight forwarders subject to this part within three years from the time the cause of action accrues, and not after, subject to paragraph (3) of this section, except that if claim for the overcharge has been presented in writing to the freight forwarder within the three-year period of limitation said period shall be extended to include six months from the time notice in writing is given by the freight forwarder to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice."

(b) Section 406a of the Interstate Commerce Act (49 U.S.C. 1006a) is amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting immediately after paragraph (4) thereof the following:

"(5) The term 'reparations' as used in this section means damages resulting from charges for transportation services to the extent that the Commission, upon complaint made as provided in section 406 of this part, finds them to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 387), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

INTRODUCTION

S. 1727 contains provisions to strengthen enforcement efforts against illegal carriage and to require motor carriers and freight forwarders to pay reparations to shippers charged unlawfully high rates.

NEED FOR PROPOSED LEGISLATION

Illegal transportation is a major problem requiring action by Congress. Illegal transportation is big business. The Interstate Commerce Commission, on the basis of road checks in 42 States, has estimated that it involves a minimum of $500 million a year. Other experts feel the cost of illegal transportation is even higher, amounting to from $1 to $5 billion a year. These experts base this higher estimate on the obvious shortcomings of the 42 State road checks in which many of the illegal carriers escaped detection.

While the annual cost of a billion dollars or more is a direct measure of the revenue lost by the regulated carriers, both truckers and railroads, to illegal transportation, the problem is more serious than that. The loss is serious in terms of the common carrier industry because these carriers are the backbone of our national transportation industry. These regulated carriers are of crucial importance because of their public interest obligation to serve all of the public, in virtually every community in America, in good weather and in bad, and in good times and in bad. Without common carriers with a universal obligation to serve, transportation would quickly deteriorate into a means of promoting the economic activity of a few. The public interest requires that we protect these carriers against the abuses of illegal carriers who assume no public responsibility.

The presence of highway poachers also penalizes the shipper, the community, and the public more directly. The illegal operator often evades tax laws as well as transportation laws, and the law abiding must pay the difference. The public also pays more for goods, because freight moved illegally takes revenues from the lawful common carriers, causing their rates to be raised to pay the fixed operating costs of labor, maintenance, and equipment. Furthermore, the evidence to date indicates that illegal truckers are far more prone to highway accidents than are the lawful operators.

This problem has been called the "gray area" of transportation. This is a misnomer. The problem is black and not gray. It arises from illegal transportation, although such illegal operations are frequently masked under various disguises and facades to give them the appearance of legality.

Combating illegal carriage is not an easy task, and even with new enforcement tools, the illegal operator will not be driven off the highways. S. 1727 would muster new weapons in this legal fight against unlawful carriage. It would increase the penalties for unlawful transportation activities, ease some of the legal burdens which handicap the enforcement efforts of the Interstate Commerce Commission, and provide new means of legal recourse for those damaged by illegal operations. Furthermore, S. 1727 would clear the way for improved enforcement cooperation between the Interstate Commerce Commission and the various State commissions.

Federal-State cooperation, with primary emphasis on State action, is a sound and effective means of proceeding. The States share with the Federal Government an equal interest in fighting illegal carriage. Only a cooperative, coordinated enforcement effort can end illegal carriage.

Section 1 of S. 1727 would authorize the ICC to enter into cooperative agreements with the States to enforce Federal and State regulations concerning highway transportation. The rapid growth of communication between the ICC and the States would improve enforcement. Section 2 of S. 1727 would assist in the complete implementation by the States of existing operating authority registration statutes. While multistate carriers could comply with uniform standards of registration in a relatively simple operation, the illegal interstate carrier could be subject to State penalties for failure to register.

The approach embodied in S. 1727 has won solid and widespread support from virtually all segments of our highly competitive transportation system. S. 1727 is supported by, among others, the National Association of Railroad and Utilities Commissioners, the Transportation Association of America, the U.S. Chamber of Commerce, the American Trucking Association, the Association of American Railroads, the Interstate Commerce Commission, and the Department of Commerce.

The enactment of S. 1727 would be an effective, positive step toward ending the problem of illegal transportation, and thereby strengthening and improving our national transportation system.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The VICE PRESIDENT. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Dr. Albert H. Moseman, of New York, to be Assistant Administrator of Technical Cooperation and Research, Agency for International Development, which was referred to the Committee on Foreign Relations.

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

U.S. MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

VIETNAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be permitted to proceed for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, at first glance, it seems logical to say, there are missile sites around the Hanoi-Haiphong complex; we are fighting North Vietnamese; we have planes and missiles that can reach the sites and destroy them. Go ahead and bomb. Then there will be no more missile sites. Indeed, one might add, why not go the whole hog and use nuclear bombs to make doubly sure there will be no more missile sites in the Hanoi-Haiphong area. That, too, may have a certain logic.

But on second glance, it is also to be noted that there are missile sites in China and Russia and the Chinese and Russians are helping the North Vietnamese who are helping the Vietcong in the South where Americans are fighting on the ground. Our planes and missiles can reach those more distant targets. Why not go ahead and bomb them too, with or without nuclear weapons? That has, in some ways, a greater logic because the Russian missile sites are a far greater threat than those clustered in the Hanoi-Haiphong complex. The Russian sites are zeroed in on the United States itself, whereas those in North Vietnam, so far as I am aware, cannot even reach our forces in South Vietnam and are not, in themselves, causing any casualties among American forces in Vietnam. The Hanoi-Haiphong missile sites becomes a threat to our forces, in short, only if it is intended to spread the war further and change its nature by massive air attacks on the civilian populations of the Hanoi-Haiphong complex, for then, presumably the sites would be used against our planes. They become a threat, in short, if it is intended to deepen and expand the war.

If that is what is wanted, then the proposal makes sense. But I do not believe it was offered in that sense. As I understand it, the proposal was offered as a war-shortener, as an American casualty reducer, and in that sense, it does not make sense. On the contrary, if it were followed it is more likely, by raising the level of the conflict another notch, to bring on larger American casualties and a much broader and deeper U.S. involvement in Asia. It may be that it will come to that. Circumstances may eventually compel such an action. But let there be no illusion about what the proposal implies. And speaking for myself I cannot understand the urgency in some quarters—the anxiety to speed up the process of a deeper American involvement which can only induce greater American casualties in this Asian war.

But if that is what is sought, this probable consequence of the proposal ought to be recognized outright. Otherwise the proposal is misleading and hardly constructive in its oversimplification of a complex problem. If for no other reason, it tends to stimulate false hopes and unwarranted expectation in this Nation. It implies great results at not too painful a cost.

Simple logic is not often as simple as it seems at first glance in critical international situations such as Vietnam. This situation lies in the shadows of all-out world conflict. The effort is being made by the President, in the interests of this Nation as well as the world, to prevent such a conflict. And I would hope that those who mount the civilian ramparts and cry "Charge!" would bear that in mind.

The proposal which prompted this statement was, undoubtedly, intended to be helpful to the President, for, as stated by the distinguished minority leader of the House on July 1:

> Republicans will continue to disregard partisan considerations in foreign policy. We will be guided by the national interest.

Whatever its intention, however, the issue raised by this undoubtedly innocent and nonpolitical proposal is far larger than whether to bomb or not bomb certain missile sites in the Hanoi-Haiphong complex. From an armchair, it is possible to outline a military strategy in an isolated situation of this kind and then pass on to other problems while the consequences unfold in a deepening crisis. The President does not have that luxury. He must continue to live every minute with the ticking clock of an overwhelming catastrophe, and it is brought closer to midnight with each proposal of this kind, if it is followed, whether it originates here or in Peiping or Moscow or wherever. The fact is that the President cannot afford to be either armchair general or politican in a situation of this kind. He can only be President. He cannot make a decision without a continuing awareness of other decisions which may flow from it. He cannot speak "only for himself." He cannot speak even for his party alone. In each decision, he speaks for the entire Nation. This is one reality which all of us ought to bear in mind at all times if we wish debate on this most difficult and delicate situation to be helpful.

Mr. KUCHEL. Mr. President, this Nation is in trouble. So is the cause of freedom. The clouds on the horizon are darkening, and growing larger. The American people support the President of the United States. No defense needs to be made for the comments uttered by our colleague in the House of Representatives, who is the leader of the Republican minority there. He has demonstrated his patriotism time and time again. I fully associate myself with his comments as quoted a moment ago by the majority leader. Although I have no right to do so, I believe I may speak for my colleagues on this side of the aisle when I approve completely the statement attributed just now to our colleague in the House of Representatives. In the present crisis, the Republican Party acts as a group of Americans dedicated to the security of the American people and to the cause of world peace.

We enjoy free debate in this country; and any time any Senator—on this side of the aisle or on the other side of the aisle—wishes to rise and make a comment criticizing the President of the United States, he has a right to do so. Anytime any Member of the Congress or any citizen of this country wishes to rise and tell the President of the United States what he believes ought specifically to be done in South Vietnam or North Vietnam, he has a right to do so.

I have listened in this Chamber on more than one occasion to some of our colleagues—perhaps I may be excused for saying that they do not sit on this side of the aisle—denouncing the policy of the Government of the United States in Indochina.

I repeat on this occasion that the cause of freedom is in trouble. Grave and dark days are ahead. We passionately pray for peace. Speaking for myself, I completely approve our earnest exertions to try to find a way by which unconditional talk may come about. At the moment, the outlook is somewhat bleak. The newspapers have told us how the Red Chinese and the Ho Chi Minh regime both have rudely and brusquely shunted aside U Thant's suggestion for discussion.

Speaking for myself, I earnestly approve what Dean Rusk said several weeks ago: that all that is necessary for peace in southeast Asia is for people to leave their neighbors alone.

I do not consider that I am qualified to give any advice on military undertakings in the defense of South Vietnam by the Government of the United States. I am a layman; I am a U.S. Senator; I am not a military expert. What I did, and what every other Member of the U.S. Senate, with two exceptions, did, was to approve, last August, a resolution clothing the President of the United States with specific authority to take such action as he deemed appropriate with respect to the gathering storm. I take it that that resolution represents today, as it did last year, the earnest judgment of the representatives of the people, and of the people of the United States themselves, with respect to the responsibilities of the President of the United States as the Commander in Chief. It is our responsibility to let the people of the world know that he discharges that responsibility in time of crisis with the approval of the American people. He will answer to the American people for his conduct in accordance with the constitutional processes. Meanwhile, I am proud that my fellow Republicans in the House and Senate support the action of this Government in defense of peace and freedom in southeast Asia.

NOTICE OF PROPOSED DISPOSITION OF SUBGRADE SMALL DIAMOND DIES AND NONSTOCKPILE GRADE BISMUTH ALLOYS

The VICE PRESIDENT laid before the Senate a letter from the Administrator, General Services Administration, transmitting, pursuant to law, a notice to be published in the Federal Register, of the proposed disposition of diamond dies and bismuth alloys held in the national stockpile which, with an accompanying paper, was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Oklahoma; to the Committee on Labor and Public Welfare:

"H. RES. 603

"Resolution recognizing the need for summer employment for Oklahoma high school and college students—noting the many advantages derived by providing such gainful employment—requesting the Oklahoma State Employment Security Commission and the Oklahoma State Personnel Board to distribute information and material relating to this resolution to Oklahoma employers and personnel officers—directing journal entries—and directing distribution of this resolution

"Whereas thousands of Oklahoma high school and college students have recently completed another academic school year; and

"Whereas a vital and integral part of their education consists of an understanding of the business community and employer-employee relations; and

"Whereas innumerable advantages are derived by both employer and student-employee in providing gainful summer employment to these students; and

"Whereas it is a matter of economic necessity for many of our outstanding high school and college students to secure summer employment in order to continue their education; and

"Whereas a concerted effort on the part of all city, county, and State agencies and private enterprises to find meaningful summer employment for our high school and college students would be in the best interests of the welfare of the State of Oklahoma; and

"Whereas the President of the United States has recognized the need for finding summer employment for American students and has initiated similar requests for aid in securing such employment; and

"Whereas it is both fitting and proper that the House of Representatives of the 30th session of the Legislature of the State of Oklahoma take official notice of the needs for providing summer employment to students and take action toward the accomplishment of this objective: Now, therefore, be it

"Resolved by the House of Representatives of the 38th session of the Oklahoma Legislature:

"SECTION 1. That the Oklahoma State Employment Security Commission and the Oklahoma State Personnel Board are hereby requested to distribute information and material to all city, county, and State agencies and private enterprises suggesting the providing of gainful employment to Oklahoma college and high school students on a nondiscriminatory basis.

"SEC. 2. That this resolution be spread at large upon the pages of the permanent journal of the House of Representatives of the State of Oklahoma and duly authenticated copies be forwarded to the Oklahoma State Employment Security Commission and the Oklahoma State Personnel Board.

"Adopted by the house of representatives the 14th day of June 1965.

"J. D. MCCARTY,
"Speaker of the House of Representatives."

A resolution adopted at a mass meeting of Americans of Lithuanian, Latvian, and Estonian origin, residing in California, relating to the liberation of the Baltic States; to the Committee on Foreign Relations.

A resolution adopted at the convention of the Michigan Federation of American-Lebanon Clubs, supporting the Government's action and policy in Vietnam; to the Committee on Foreign Relations.

A resolution adopted by the Associated Students of Colorado State University, announcing its support of the President's policy in Vietnam; to the Committee on Foreign Relations.

A resolution adopted by the Legislative Committee of the County Officers Association of the State of New York, favoring a distribution by the Federal Government of some of its revenue to the States for local municipalities for general purposes and not earmarked for any specific purpose; to the Committee on Government Operations.

A resolution adopted by the Kentucky Heritage Commission, of Frankfort, Ky., endorsing the President's program to encourage travel throughout the Nation by Americans; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Central Labor Council of Santa Clara County, San Jose, Calif., favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

A resolution adopted by the Executive Board of Local No. 101, an affiliate of the International Ladies' Garment Workers' Union, of San Francisco, Calif., favoring the repeal of section 14(b) of the National Labor Relations Act; to the Committee on Labor and Public Welfare.

REPORT ENTITLED "ORGANIZATION OF CONGRESS"—REPORT OF A COMMITTEE (S. REPT. NO. 426)

Mr. MONRONEY, from the Joint Committee on the Organization of the Congress, pursuant to Senate Concurrent Resolution 2, submitted an interim report entitled "Organization of Congress," which was ordered to be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2254. A bill for the relief of Jesse C. Johnson; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 2255. A bill relating to the composition of the District of Columbia Court of General Sessions; to the Committee on the District of Columbia.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 2256. A bill to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 2257. A bill for the relief of Ellanore Edwards Simone; to the Committee on the Judiciary.

By Mr. LONG of Missouri:

S. 2258. A bill to amend title 28, United States Code (relating to the judiciary and judicial procedure), to establish a court to review certain administrative decisions relating to veterans and to prescribe its jurisdiction and functions; to the Committee on the Judiciary.

By Mrs. NEUBERGER:

S. 2259. A bill to provide for the control of outdoor advertising; to the Committee on Public Works.

By Mr. BIBLE (by request):

S. 2260. A bill to amend the District of Columbia Business Corporation Act and the District of Columbia Nonprofit Corporation Act; and

S. 2261. A bill to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia; to the Committee on the District of Columbia.

COMPOSITION OF DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to increase by three the number of judges on the District of Columbia court of general sessions from 15 to 18. I believe it is important that the Congress permit expansion of this court because at the moment the public's business is not being handled with the dispatch that it should be by this undermanned court.

Additional judges will help in bringing about speedy justice for the criminally inclined charged with misdemeanors. I have been advised over recent months, since the Senate Committee on the District of Columbia continued its hearings into the crime upsurge here, that inappropriate delays between arrest and trial too often prompt those released on bail to carry out other criminal acts in the interim. I believe it is important to refer to testimony given by the Attorney General of the United States in hearings on June 10 before the State, Justice, Commerce, and Judiciary Appropriations Subcommittee of the Senate where Attorney General Katzenbach said:

> At the moment, now, I think in many communities and it is true here in the District of Columbia, a good many cases get nol prossed, not because the case ought to be nol prossed, but because the state of the docket is such that the prosecutor just feels this case is not important enough because it is going to have to wait forever and he would lose all of his witnesses and he feels that it is not important. I don't think that is good for law enforcement here or in any other big city.

My remarks are not in any sense a criticism of the judges of the District of Columbia court of general sessions because my committee and the Congress itself have placed additional and substantial burdens on this court in recent years. Five months ago there were 1,200 pending jury cases before the criminal docket in that court. Chief Judge John Lewis Smith inaugurated a crash program and assigned all available judges to the criminal jury calendar to meet the record backlog. Within 5 months the eight judges so assigned have reduced that backlog to a normal condition. In the interim, however, the civil calendar has suffered and today there is a record 3,333 pending civil jury cases awaiting trial.

During fiscal year 1965 81,307 criminal cases were filed, compared to 78,925 for the previous year, an increase of almost 2,500 cases. Of the 11,049 cases handled by the U.S. attorney's office in fiscal year 1964, I am advised that 3,506 cases were dropped or dismissed for various reasons, including the fact there simply was not enough judges to handle them.

If the District is to deal effectively with its criminal element, and this city ranks first in aggravated assault and robbery in cities of comparable size throughout this country, then the accused parties must be brought speedily before the court not only for the protection of the public but for the protection of the accused parties as well.

The last half of fiscal year 1965 saw a major increase in the entire business of the court with 121,851 new cases filed in both the criminal and civil divisions, an increase of 8,167 cases over the previous 6-month period or an average of 20,309 new cases each month.

The jurisdiction of the civil division of the court was increased by the last Congress in July 1963 from $3,000 to $10,000, increasing the caseload of the court substantially. Additionally, the U.S. District Court for the District of Columbia certified 318 cases to the court of general sessions for trial in fiscal 1965, a substantial increase over 1964. Two bills are presently before the Senate that would increase the jurisdiction of the court of general sessions, both in criminal and civil areas.

I believe it is essential that this court be given more manpower at the earliest time to meet the increasing demands the public is making on it.

Mr. President, I ask unanimous consent that there appear at the conclusion of my remarks a letter from the District of Columbia Bar Association citing the need for this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2255) relating to the composition of the District of Columbia court of general sessions, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on the District of Columbia.

The letter presented by Mr. BIBLE is as follows:

THE BAR ASSOCIATION OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., June 24, 1965.

Re additional judges for the District of Columbia court of general sessions.

Hon. ALAN BIBLE,
Chairman, Senate Committee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: During the administration of my predecessor as president, Mr. Oliver Gasch, as well as for some years the Bar Association of the District of Columbia has been very much interested in the building up of the court of general sessions for the District of Columbia. Because of the increase of the jurisdiction of that court, the workload has increased markedly. A subcommittee of the association, after a number of conferences with the judges and the clerks and after studying the report of Chief Judge John Lewis Smith, Jr., filed this year with the Attorney General of the United States, has come to the conclusion that legislation increasing the judicial strength of that court from the present authorization of 15 to at least 18 is both desirable and necessary. These matters have been discussed at the level of the board of directors of the association, and I have been directed to communicate with you and to urge your cooperation in the introduction and passage of such legislation.

For a substantial period prior to the increase of the jurisdiction of the court and for some months thereafter the judges of this court were able to carry their heavy workload and discharge promptly and without undue delay the duties incumbent upon them. However, the heavy increase in the court's workload, stemming largely from the increase in jurisdiction, has resulted in a serious backlog of untried cases.

Among the statistical matters brought to the attention of the board of directors are the following:

In criminal jury cases, comparing the period July 1, 1949, to June 30, 1950, with the period July 1, 1963, to June 30, 1964, we find that there has been an increase of 279 percent in the number of pending criminal jury trials; there has been a 101 percent increase in the total number of jury trials demanded in criminal cases; there has been a more than 120 percent increase in the number of criminal jury cases disposed of; the monthly average of criminal jury trials demanded has increased 101 percent, and the monthly average of criminal jury cases disposed of increased by 127 percent. Of the 6,049 demands for a jury trial made by defendants before the court of general sessions in the year ending June 30, 1964, only 244 were tried by a jury.

Thirty-three years ago, one judge of the court was assigned to criminal jury trials. Today, despite the tremendous increase in all categories of criminal jury trial activities, only one judge is available and assigned to sit in criminal jury cases. As a result of this grave condition, it is at least questionable whether defendants in criminal actions are being accorded the right to speedy trials guaranteed by the Constitution.

With respect to civil jury cases, and again comparing the 1 year ending June 30, 1950, with the 1 year ending June 30, 1964; the following condition exists.

The number of civil cases in which jury demands were filed increased 60 percent; the new demands for civil jury trials filed during the year increased 119 percent; the total number of civil jury cases requiring disposition at the end of the year increased 93 percent; the number of cases disposed of by trial and/or settlement increased by 75 percent; the number of civil jury cases at the conclusion of the year on the ready calendar increased 77 percent and the number of cases which had not yet come to issue but were pending before the court increased by an overwhelming 204 percent. The monthly average of civil jury trials demanded increased by 118 percent and the monthly average of civil jury trials disposed of increased by 73 percent.

It is noted in passing that the increase in jurisdiction of this court authorizing it to try cases in which the ad damnum is $10,000 instead of the former amount of $3,000 has not only made the court infinitely more important to the people of the District of Columbia, but it has confronted the court with a materially increased caseload. Many of the important civil jury cases tried in this court are transferred to it by the judges of the U.S. District Court for the District of Columbia. In those cases there is no limit upon the amount which can be returned as a verdict, except that which is sued for. This increase in jurisdiction has resulted in cases of greater complexity being assigned to the judges of this court for trial and has, of course, required greater individual attention to the issues on trial.

The Bar Association of the District of Columbia has been highly gratified by the outstanding work of the court of general sessions since its inception and enthusiastically commends Chief Judge John Lewis Smith, Jr., for his efficient and dedicated service in administering the business of the court. We venture to express the hope that the Congress will assist the court to continue its efforts to administer civil and criminal justice within the District of Columbia by increasing the judicial strength of this court from 15 to 18 judges. We, therefore, urge that the enclosed legislation be introduced and considered as expeditiously as possible.

There is an additional circumstance that the board of directors has authorized and directed me to bring to your attention. The findings of the American Bar Association traffic court committee are impressive to all who have time to examine and study them. It is felt that material benefits are to be secured by a continuity of service on the part of the judge assigned to traffic court. It would, therefore, be definitely in the interest of improving the administration of justice if one of the judges selected for these additional vacancies would be selected for his interest in, his knowledge of and his willingness to serve in the traffic branch of the court. Such service would achieve not only a degree of continuity, but also a degree of equality of justice which is not always available when judicial personnel are shifted from month to month in this branch of the court. For these reasons the board of directors suggests that the legislative history in support of this recommended increase in judge power should reflect also that one of the three judges should be selected for service in the traffic branch of the court.

The Bar Association of the District of Columbia wishes to take this opportunity to thank you and the members of the committee for the consideration that you have always extended to us in matters in which the association has appeared to express the association's views.

Sincerely yours,

PAUL F. MCARDLE,
President.

OLIVER GASCH,
Immediate Past President.

District of Columbia court of general sessions (period July 1, 1964, through Dec. 31, 1964, as compared with period Jan. 1, 1965, through June 30, 1965)

	July 1, 1964, to Dec. 31, 1964	Jan. 1, 1965, to June 30, 1965
NUMBER OF NEW CASES FILED		
Criminal Division:		
District of Columbia	17,307	18,681
United States	5,996	5,680
Traffic	15,834	17,809
Total	39,137	42,170
Civil Division:		
Class GS	11,330	12,142
Class C (small claims)	11,999	13,756
Landlord and tenant	48,652	51,232
Domestic relations	2,566	2,551
Total	74,547	79,681
Total cases (criminal and civil)	113,684	121,851
Monthly average of new cases	18,947	20,309
CRIMINAL JURY CASES		
Criminal jury trials pending at end of semiannual period	589	808
Total jury trials demanded in criminal cases during semiannual period	3,332	4,017
Total criminal jury cases requiring disposition	3,921	4,825
Disposed of during semiannual period	3,113	4,060
Criminal jury cases pending at end of semiannual period	808	765
Breakdown of pending criminal jury cases at end of semiannual period:		
Assigned for trial on specified dates	808	765
Unassigned		
Monthly average of criminal jury trials demanded	555	670
Monthly average of criminal jury case dispositions	519	677
Time within which trial scheduled after demand made, as of end of semiannual period	(1)	(1)
CIVIL JURY CASES		
Civil cases in which jury demands were filed pending at end of semiannual period	2,430	2,853
New demands for civil jury trials filed during semiannual period	1,360	1,465
Total civil jury cases requiring disposition during semiannual period	3,790	4,318
Disposed of by trial, settlement, etc	600	985
Jury demands withdrawn, cases dismissed under rule, etc., prior to being placed on Ready Calendar	337	
Total cases disposed of during semiannual period	937	985
Civil jury cases as of end of semiannual period:		
On Ready Calendar	1,943	2,342
Not at issue	910	991
Balance pending at end of semiannual period	2,853	3,333
Monthly average of civil jury trials demanded	227	231
Monthly average of civil jury case dispositions	156	164

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(1) 1 month.

INFORMATIONAL MEDIA GUARANTEE PROGRAM

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to revise the statutory authority under which the U.S. Information Agency stimulates and assists the commercial distribution of selected American informational and educational materials in countries important to the U.S. foreign policy objectives.

The proposed legislation has been requested by the Secretary of State and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter and explanation of draft legislation from the Director, U.S. Information Agency, dated June 29, 1965, in regard to it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, letter, and explanation will be printed in the RECORD.

The bill (S. 2256) to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1011 of the United States Information and Educational Exchange Act of 1948, as amended, is amended as follows:

(1) In subsection (a) by striking out ", in accordance with the provisions of subsection (b) of section 413 of the Mutual Security Act of 1954, of investments in enterprises producing or distributing informational media" and inserting in lieu thereof "of convertibility to dollars of foreign currencies resulting from the sale or licensing abroad of American informational and educational materials which he determines to be".

(2) By changing the first comma of the proviso in subsection (a) to a period and striking out everything thereafter.

(3) By striking out subsection (b) and inserting in lieu thereof: "There is hereby established in Informational Media Guaranty Fund which shall be available without fiscal year limitation for payments under informational media guaranties. The Fund shall consist of all dollar amounts available for guaranties hereunder and other assets on hand and hereafter derived from the program, and shall assume the liabilities and other obligations pertaining thereto.

(4) By striking out subsection (c) and inserting in lieu thereof "Obligations for guaranty contracts under this section shall be recorded against the funds heretofore or hereafter available for such guaranty contracts in an amount not less than 50 per centum of the contractual liability therefor."

(5) In subsection (d) by adding the words "heretofore or hereafter" after the words "Foreign currencies", by striking out "after June 30, 1955,", and by substituting the word "Fund" for "special account."

(6) By striking out subsection (e) and inserting in lieu thereof:

"The Director shall establish a schedule of fees for the issuance of guaranty contracts, or amendments thereto, and all fees collected shall be deposited in the Fund and shall be available for payments under informational media guaranties."

(7) By striking out subsection (g) in its entirety and by redesignating subsection (h) as subsection (g).

(8) By striking out the newly designated subsection (g) (1) and inserting in lieu thereof:

"There is hereby authorized to be appropriated without fiscal year limitation such amounts as may be necessary to bring the U.S. dollar balance of the Fund to $10,000,000 and to restore any impairment to the authorized capital of the Fund."

(9) In the newly designated subsection (g) (2) by striking out the words "and interest accrued on notes" and substituting the word "Fund" for "special account."

(10) By striking out the first sentence of the newly designated subsection (g) (3) and inserting in lieu thereof:

"The Secretary of the Treasury shall cancel all notes issued or assumed by the Director for purposes of payments under informational media guaranties, and sums owing and unpaid thereon, including interest to the time of cancellation."

The letter and explanation presented by Mr. FULBRIGHT are as follows:

U.S. INFORMATION AGENCY,
Washington, June 29, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate.

DEAR MR. PRESIDENT: I have the honor to transmit to the Senate for its consideration a draft of a proposed bill to amend the U.S. Information and Educational Exchange Act of 1948, as amended, and an explanation thereof. This draft bill and explanation have also been submitted to the House of Representatives.

The purpose of the proposed legislation is to revise the statutory authority under which the U.S. Information Agency stimulates and assists the commercial distribution of selected American informational and educational materials in countries important to the U.S. foreign policy objectives.

In many countries of the world, particularly in Asia, Africa, Latin America, and Eastern Europe, the inadequacy of foreign exchange resources seriously interferes with, and in some instances prevents, the commercial importation of important informational and educational materials from the United States. Thus the people of some of those countries are deprived of books, periodicals, films, and other materials which are vital to their social, educational, economic, and technological development. At the same time the United States is denied effective commercial markets in those areas and forfeits opportunities to contribute to the free exchange of ideas and information.

For more than 15 years the Government of the United States, through the informational media guaranty program, has helped to overcome the foreign exchange difficulties which confront American exporters in a few of those countries. The proposed bill would strengthen this program and permit it to make a greater contribution to the achievement of the foreign policy objectives of the United States by modifying the method of financing it and by otherwise improving its structure. It would also simplify the language of the statute by deleting references to obsolete or repealed legislation and by making it the all-inclusive statutory basis for making informational media guaranties, without reference to other statutes.

The Bureau of the Budget advises that it has no objection to the submission of this draft bill from the standpoint of the administration's program.

Sincerely yours,

CARL T. ROWAN,
Director.

EXPLANATION OF PROPOSED LEGISLATION

GENERAL

The purposes of the proposed legislation to amend section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended, informational media guaranties (22 U.S.C. 1442) are as follows:

1. Establish a fund to finance the IMG program, which will include: (a) the dollar balance in the existing special account, (b) the amount remaining for borrowing from the Treasury under the present $28 million limit, and (c) other assets derived from the program;

2. Repeal the present borrowing authority and direct the Secretary of the Treasury to cancel all indebtedness, including interest accrued to the time of cancellation;

3. Fix the ceiling on outstanding guaranties at twice the amount in the fund; i.e., require the Agency to maintain at all times a reserve of not less than 50 percent of the outstanding guaranties;

4. Authorize appropriations sufficient to bring the U.S. dollar balance of the fund up to $10 million and to replace losses to the fund;

5. Authorize the Director of the Agency to establish a schedule of fees for the issuance of guaranties; and

6. Eliminate references in the basic IMG legislation (22 U.S.C. 1442) to other provisions of law which have been repealed or which are no longer applicable.

These legislative proposals are necessary to revitalize and provide for continued capitalization of the IMG program which has operated against $28 million in public debt financing since 1948.

At the beginning of fiscal year 1959 when appropriations were first authorized to restore impairment to the fund the indebtedness to the Treasury was $16,812,390. From that date through June 30, 1964, the Congress appropriated $12,191,680. Expenditures (including interest payments of $4,700,000) during that period, however, exceeded revenues and appropriations by nearly $4,500,000. Consequently, by June 30, 1964, the indebtedness to the Treasury on notes outstanding increased to $21,292,941.

The exitsing IMG revolving fund has no source of income to offset losses or pay interest except the small amount of interest earned on foreign currency deposits and fees collected. The liquidation of the indebtedness which has accumulated since 1949 must, therefore, depend upon action by the Congress. The proposed legislation directs the Secretary of the Treasury to cancel all outstanding indebtedness under the notes, including principal and interest, thus permitting a new beginning for the IMG program under the revised authority.

SECTION-BY-SECTION ANALYSIS

Section I(1): This subsection amends section 1011(a) of the U.S. Information and Educational Exchange Act of 1948, as amended, by making a technical change in the language and by deleting a reference to section 413 of the Mutual Security Act of 1954. That section has been superseded by sections 221 and 222 of the Foreign Assistance Act of 1961, as amended. Both the original section 413, now repealed, and the current sections 221 and 222 are concerned primarily with guaranties of capital investments abroad against confiscation or expropriation, or by reason of war, and guaranties of convertibility of earnings from such foreign investments. They have little relevance to guaranties of foreign currency sales proceeds from the export of U.S. informational materials. Accordingly, the reference to section 413 of the Mutual Security Act of 1954 is deleted from the proposed legislation as being unnecessary and, for the most part, inapplicable. Similar references in other sections of the IMG legislation are also deleted by the proposed legislation in order to bring the IMG legislation up to date and to make it all inclusive.

Section I(2): This subsection restates in subsection 1011(a) that the purpose of making information media guaranties shall be the achievement of the foreign policy objectives of the United States. The proposed language does not include, however, the language of the present section 1011(a) which states that the purpose of making informational media guaranties shall also include the objectives of sections 413(b)(4)(A) and 413 (b)(4)(G) of the Mutual Security Act of 1954, as amended. Such subsections have been repealed and their substance is now included in sections 221 and 222 of the Foreign Assistance Act of 1961, as amended. These sections specifically include economic development of underdeveloped areas as an objective of investment guaranties.

In view of the subsequent repeal and recodification of the referenced sections, and since economic development of underdeveloped areas is not a primary purpose of IMG, such references are no longer necessary in IMG legislation and have been deleted. Moreover, the purpose as stated in the proposed amendment is broad enough to encompass all foreign policy objectives.

Section I(3): This subsection revises the current legislation by creating an informational media guaranty fund to replace both the existing borrowing authority and the "special account." It is expected that immediately prior to the effective date of this bill the Agency will draw down from the Treasury the balance available against notes authorized by the present statute and deposit such drawdown to the special account. Upon enactment of this subsection the special account balance and the market value of foreign currencies on hand will become the initial capital of the fund.

The dollar value of foreign currencies held by the Agency at the time of enactment of the legislation and foreign currencies received thereafter under contracts of guaranty will be included as assets of the fund. These currencies will be sold as rapidly as possible and the dollar proceeds will become available for liquidation of obligations. The present $28 million borrowing authority will be repealed and public debt financing will be discontinued. The proposed language will make section 1011 of the U.S. Information and Educational Exchange Act of 1948 the sole and all-inclusive statutory basis for making informational media guaranties.

Section I(4): This subsection repeals the formula for computing the maximum in guaranties which may be outstanding at any one time and provides a new formula. The new formula permits guaranty contracts to be obligated against the fund in an amount ranging from 50 to 100 percent of the face amount of such contracts. The amount of guaranty outstanding at any one time may not, of course, exceed twice the amount in the fund. This authority will permit the extension of more convertibility coverage with smaller appropriations. Greater operational flexibility will be possible than under the old formula.

Experience shows that due to the revolving fund feature which permits sales proceeds of foreign currencies acquired under the program to be reused, a substantial portion of the payments under each guaranty contract are financed by proceeds from the sale of currencies purchased under that contract.

Section I(5): This subsection deletes a reference to June 30, 1955, which is no longer necessary. This date was included in the legislation in the course of prior amendments to establish the date when assets of the informational media guaranty program were segregated from assets of the investment guaranty program.

The words "heretofore or hereafter" are added to make certain that the dollar proceeds received from the sale of foreign currencies held in the IMG inventory at the time of enactment or acquired through operation of the program under the revised authority will be deposited into the informational media guaranty fund, where they will be continuously available for payment of guaranties. It also substitutes the word "fund" for the words "special account" to maintain consistency of terminology.

Section I(6): This subsection deletes the reference to the Mutual Security Act of 1954, as amended, and the authority of the Director to charge a minimum fee of not more than $50 for the issuance of an IMG contract. The latter authority was necessary when IMG fees were set by law at 1 percent of the face amount of the contract. Since the proposed legislation authorizes the Director to establish a schedule of fees the authority for a minimum fee is unnecessary.

Section I(7): This subsection repeals in its entirety the present section 1011(g) which was a transitional provision covering the segregation of borrowing authority and assets of IMG from the borrowing authority and assets of the investment guaranty program which took place in 1956. The subsection is, therefore, no longer necessary.

Section I(8): This subsection redesignates the present section 1011(h)(1) as section 1011(g)(1) and authorizes no-year appropriations to bring the U.S. dollar balance of the newly created fund up to the authorized maximum of $10 million and thereafter to restore impairment to the fund.

Section I(9): This subsection revises section 1011(h)(2) by redesignating it as 1011(g)(2) and by deleting the reference therein to "interest accrued on notes." With the cancellation of indebtedness and repeal of the borrowing authority there will be no further interest accrual.

Section I(10): This subsection modifies section 1011(h)(3) by redesignating it as 1011(g)(3) and by directing the Secretary of the Treasury to cancel all indebtedness on the effective date of the act, including interest upon notes issued or assumed by the Director for purposes of payments under IMG. Cancellation of indebtedness to the Treasury arising from public debt financing of certain other Government programs has been authorized by the Congress in the past. Obviously there is no way for such internal debt to be liquidated other than by action of the Congress.

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENT NO. 331

Mr. CURTIS submitted an amendment, intended to be proposed by him, to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 332

Mr. BREWSTER submitted an amendment, intended to be proposed by him, to House bill 6675, supra, which was ordered to lie on the table and to be printed.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—AMENDMENTS

AMENDMENTS NOS. 333 AND 334

Mr. TOWER (for himself and Mr. BENNETT) submitted two amendments, intended to be proposed by them, jointly, to the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 335

Mr. TOWER submitted an amendment, intended to be proposed by him to Senate bill 2213, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF BILL

Mr. BARTLETT. Mr. President, last week I introduced legislation to protect our coastal fishery resources by establishing an additional 9-mile protective fishery zone beyond our territorial seas limit. Recently Soviet vessels have violated the 1955 United States-Russia king crab treaty in the restricted grounds off the Aleutian Islands and last week Russian trawlers have been sighted immediately off the coast of Oregon.

In my introductory remarks I noted that this measure has precedent both in terms of U.S. law and with regard to international law. The United States has maintained a 12-mile customs zone since 1799 and more than 80 coastal nations have unilaterally established their territorial sea claims or have claimed wider fishing zones.

At the time of introduction, the junior Senator from Massachusetts [Mr. KENNEDY], and the senior Senator from Washington [Mr. MAGNUSON] joined with me in cosponsoring the measure. Today I ask unanimous consent that the name of the distinguished junior Senator from Maine [Mr. MUSKIE] may be added as a cosponsor to S. 2218.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARINGS ON LAW ENFORCEMENT ASSISTANCE ACT OF 1965

Mr. ERVIN. Mr. President, I wish to announce that a special subcommittee of the Judiciary Committee has scheduled hearings on S. 1825 and S. 1792: bills "To provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes."

The hearings will begin at 10 a.m., on July 22 and 23 in room 2228 of the New Senate Office Building.

There is little doubt that increasing crime is one of the greatest domestic problems facing the Nation today. It is also true, as the President commendably stated in his crime message, that "The principal enforcement responsibility still rests with State and local governments." Therefore, the administration's bill S. 1825, acts to attack the crime problem through training programs and research and demonstration projects to improve law enforcement at the local and State levels.

Witnesses at the hearings will include the Attorney General, Members of Congress, and State and local law enforcement experts. The testimony we receive should be of great assistance to the Congress as we consider these proposed bills.

Any person who wishes to testify or submit a statement pertaining to these bills should communicate with me.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Dr. Albert H. Moseman, of New York, to be Assistant Administrator for Technical Cooperation and Research, Agency for International Development.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ORDER OF BUSINESS

The VICE PRESIDENT. Under the unanimous-consent agreement, morning business is not to exceed 10 minutes. By unanimous consent, that agreement has been exceeded by about 2 minutes.

Mr. MANSFIELD. Mr. President, in the absence of the distinguished Senator from Louisiana [Mr. LONG], the Senator in charge of the bill, I yield 1 minute to the distinguished Senator from Oregon [Mrs. NEUBERGER] and 2 minutes to the distinguished Senator from Ohio [Mr. LAUSCHE].

The VICE PRESIDENT. Without objection, it is so ordered.

ASSISTANCE FOR CONSUMERS IN THE MARKETPLACE

Mrs. NEUBERGER. Mr. President, for several years I have joined the distinguished Senator from Michigan [Mr. HART] in sponsoring legislation to assist the consumer in making meaningful and intelligent choices in the marketplace. It has become known as either the truth-in-packaging bill or the fair packaging and labeling bill.

In this Congress the measure is designated S. 985 and was referred to the Commerce Committee of which Senator HART and I are members. Extensive public hearings were held, most of which I chaired.

The Johnson administration spokesmen, Secretary of Commerce John Connor and Special Assistant to the President for Consumer Affairs Esther Peterson, endorsed the proposal. Mrs. Peterson stated:

> It is clearly time * * * for Government to assist both consumers and business by helping maintain the ground rules which enable the best practices of a free competitive market to flourish; strengthening competition by outlawing shoddy merchandising practices which—if allowed to go unchecked—would interfere with the satisfactory functioning of the competitive system; and making sure that its laws are current with the times, and adequately meet the needs of the modern marketplace.

Unfortunately, the opponents of the legislation have taken a head-in-the-sand approach to this issue, refusing to even acknowledge the existence of a market situation about which every housewife in the country is aware.

At the conclusion of the hearings, Senator HART delivered a brilliant summary statement on S. 985, placing the purposes of the bill in true perspective after the exaggerated and imaginary charges of industry witnesses.

I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PHILIP A. HART, DEMOCRAT, OF MICHIGAN, ON S. 985—THE FAIR PACKAGING AND LABELING BILL

INTRODUCTION

Our Founding Fathers gave to Congress in article I, section 8, of the U.S. Constitution the power and responsibility: to coin money, regulate the value thereof, and of foreign coin, and fix the standards of weights and measures. They knew history taught the necessity in any civilized society for standards of weights and measures.

The prepackaging revolution of the past two decades has made the package the modern-day weight and measure. This new proliferation of package weights, sizes, shapes and their often noninformative labels has played havoc with our traditional system of weights and measures. In effect, these packaging practices now fix the standard of weights and measures.

The truth-in-packaging bill is a response to this condition. It is an opportunity for Congress to reassert its authority for the ultimate benefit of the consumer and the legitimate manufacturer.

This legislation, therefore, is not primarily directed at preventing fraud in the common law sense. It makes little difference to the economy and consumer whether price comparisons are made difficult or impossible because of fraud, deception, or only confusing practices. The seller's intent is not the important point—the practice and its effects are. Rather this legislation is aimed at bringing order out of the chaos of the modern marketplace as it pertains to consumable items—those most affected by the packaging revolution.

PRACTICES

That the practices with which the bill is concerned exist—if not proliferate—in the marketplace is agreed by most witnesses. Volumes of hearings replete with exhibits representing some of our largest and most responsible manufacturers document irrefutably the condition of our marketplace. And if anyone believes that the exhibits are exceptions—"the few bad apples"—he need only visit any supermarket at any time to verify the record.

These practices at which the bill is aimed are:

1. Inconspicuous or nonexistent quantity designations.

2. Deceptive illustrations.

3. Imprinting on the package by the manufacturer of price information implying a retail bargain where the manufacturer has no control over retail price—such as "cents off" and "economy size" designations.

4. Use of adjectives to describe the net quantity that attempt to give the impression of a greater amount than the same quantity of a competitor—such as "giant half quart" in place of "16 ounces" or "pint."

5. A proliferation of weights and measures expressed in odd amounts making price comparisons almost a mathematical impossibility; e.g., 71 quantities of potato chips under three and a half pounds. Or, a consumer, to find the better bargain, must decide between 20 ounces for 35 cents or 24½ ounces for 40 cents.

6. Use of containers of sizes, shapes, and dimensional proportions which give an exaggerated impression of the actual quantity within. This includes nonfunctional slack fill forcing the consumer to pay product prices for air.

7. The use of size designations that have no actual relation to the quantity in order to gain competitive advantage—one manufacturer's "king size" is another manufacturer's "large size" for an equivalent amount. In toothpaste the smallest size often is marked "large."

8. Meaningless serving designations. For the same quantity one package claims it "serves two;" another "serves four."

9. Lack of any useful method of price comparison where weight or count are meaningless. For example, perhaps "a unit of cleaning power" would be more meaningful than weights in detergents.

10. Lack of ingredient or composition information when this may be important, or presenting such information in an inconspicuous manner.

11. Reduction in content while masking the weight loss from the consumer by manipulation of package size and content markings.

NEED FOR LEGISLATION

The prepackaging revolution of the past 2 decades has seen the supermarket replace the neighborhood grocery store, the package replace the brown paper bag; the approximate 8,000 items on the store shelves replace the 1,500 available after World War II.

Passing down the modern supermarket aisle, the consumer-buyer is confronted not by a seller, but by rows of packages and cans, each an inanimate salesman, carrying a message from a remote manufacturer. The package has, in effect, replaced the live salesman. It is with the unfair practices arising from the package's salesman role that this bill is concerned.

The need arises from the fact that when marketing depends on prepackaging, the consumer cannot examine the product itself. He cannot look to the seller and get an assurance from him as to the product. Nor today can he readily compare products and their prices. Thus handicapped, the buyer has found it more difficult, if not impossible, to judge accurately the prices of competing products as a first step to making a rational choice between them.

And, a rational choice does require as a first step the opportunity to compare prices. If two products are of similar quality, or if they are different in quality, price per unit is the initial basic determination that must be made. Is the additional quality, if any, worth the additional cost? This bill is directed at this first consideration for rational choice.

There are three basic benefits flowing from this kind of informed and rational shopping decision.

1. To allow our free enterprise economy to function efficiently and without distortion: The pivotal point on which the American free enterprise system is poised is a marketplace in which price comparisons can be readily and easily made between competing products. Only in this way can the consumer steer production toward the socially desirable goal of the greatest good for the greatest number. It is, in fact, upon the sum of myriad, tiny directional nudges given by the buyer exercising his consumer sovereignty that we all depend for insurance that our resources will be utilized with the best possible efficiency.

However, when the buyer's ability to exercise a rational choice is inhibited, our economic directional sense is confused and the threat of waste and malpractice looms larger. Thus, when a buyer cannot or does not make such an informed choice—as happens when the practices described occur—when he pays more than he need; when he chooses the worst, not the better part, the efficient producer is punished while the inefficient is rewarded.

Certainly, if consumers are unable to compare prices, competition can exert no discipline on rivals to meet the lower prices of competitors, and competition provides no inducement to rivals to seek consumer favor through price reductions.

In short, the free enterprise system fails to function as intended.

This bill by establishing a framework of competition in which it would be more difficult for deceptive and confusing practices to flourish would:

(a) Enhance the integrity of markets in order that they may more accurately direct the productive activities of the economy.

(b) Make it more likely that profits will be channeled to the more efficient producer by promoting effective price competition.

2. Increase the effective spending power of the average family (which spends $80 billion yearly or approximately 25 percent of its income on kitchen and bathroom products covered by the bill): Various estimates have been made as to how much the consumer would save if this bill were passed. The most popular figure is $250 yearly.

Admittedly such estimates can be little more than informed guesses. But no one can disagree that the ability to focus on the best buy will and can save money—no matter what the amount. If pennies saved over a long period of time were not so important, manufacturers would not be continually engaged in the cents-off duel and couponing with their promises of money saved.

And to a substantial share of our population, pennies saved are vital.

Ernest Giddings, testifying for the National Retired Teachers Association and American Association of Retired Persons, said:

"The population aged 65 and over reached 17.6 million at the end of 1963 and the proportion of persons aged 65 and over to the total population has more than doubled since 1900. Today 1 out of 11 persons has passed his 60th birthday.

"The median income of families headed by persons aged 65 or over was $3,204 in 1962, just $200 over the poverty line, and considerably lower than the median income for families headed by younger persons. Three million elderly families live on the wrong side of the poverty line with incomes of less than $3,000 a year. At least 1.9 million aged couples live on less than $2,500 a year. Over 5 million aged individuals live on less than $1,800 a year.

"Seventy-two percent of the population aged 65 or over were receiving OASDI benefits at the end of 1963. The average monthly benefits paid to OASDI beneficiaries in 1962 were as follows:

"Individual benefits

Retired worker	$76.19
Disabled worker (all ages)	89.99

"Selected family groups

Retired workers alone—males	$81.80
Retired workers alone—females	62.60
Retired worker and aged wife	127.90
Aged widow	65.90
Widowed mother and two children	190.70

"Having just made reference to the benefits received by a widowed mother and two children, this is an appropriate time to note that 1 out of 3 persons 65 or over is supporting an aged relative.

"In 1963 over 2 million aged persons were receiving old-age assistance under the Federal-State public assistance programs and the average monthly payment received under those programs in 1963 was $77."

Esther Peterson, special assistant to the President for Consumer Affairs, testified:

"We are justly proud of the fact that food is a bargain in the United States with less than 20 percent of the average worker's paycheck spent for it. But for the poor—and there are about 35 million of them—the percentages are significantly higher. Families with incomes under $3,000 spend around 30 percent for food, according to Bureau of Labor Statistics figures. For these families, particularly, every penny is important."

The 35 million poor, too, deserve our best efforts in their daily fight to keep their heads above the economic waters.

3. To assist the legitimate manufacturer:

The practices with which this bill are concerned do not generally reflect a desire to deceive on the part of the manufacturer. Rather they are a reaction to competitive practices which have made the package the new salesman in the supermarket. If one manufacturer receives a temporary advantage by making his package look bigger while at the same time lowering the content, then the competitor feels he must follow the leader or lose sales. This process has resulted in the follow-the-leader approach to marketing, with the leader sometimes being the least scrupulous in the marketplace. Many manufacturers have said privately that they are on a merry-go-round on which they are not comfortable. But they do not know how to get off without losing sales. By establishing before-the-fact ground rules, this bill would allow the legitimate manufacturer to follow his personal ethical standards without being penalized in the marketplace. It would assist the vast majority of honest businessmen by upgrading the economic value of fair packaging and labeling practices.

Another source of concern to businessmen is legal uncertainty. This uncertainty is written into present law with its vague concepts. Yet neither the Federal Trade Commission Act nor the Food and Drug Administration Act authorize the agency involved to draft substantive regulations that would give meaning to these vague concepts by establishing guides that would be required of all competitors.

A manufacturer then has no ground rules to which he can refer. What the manufacturer can or cannot do is subject to the subjective determination of the agency and this determination is an agency's best guess of a subjective evaluation of a court. This is a bad situation, at best, for the competitor who is putting large sums of money into his packaging and labeling program and who sees his competitor taking unfair advantage of the ambiguity of present law.

The legitimate businessman is entitled in this area to the certainty he seeks and which this legislation would give.

OBJECTIONS TO THE BILL

In reading the industry testimony before the Commerce Committee, it occurred to me that someone must have substituted another bill for the original fair packaging and labeling bill while my back was turned. Certainly the horrible example cited of what could happen to industry and the supermarket if the bill were passed had no relation to any provision of S. 985 as I recalled it. But the bill was the same and dire predictions without foundation as far as I could discover. Therefore, it seems appropriate to outline some of the objections raised contrasted with the facts as they exist.

Objection 1. Present law is adequate: This is simply not true. These practices proliferate under present law. Why? Certainly the vast majority of corporations and executives involved are law abiding. Before expenditures are made, the package and labels generally must be approved by the legal staff. It stretches credulity to believe that any lawyer would give approval to a package or label he believed illegal under present law.

To say that all that is needed is more vigorous enforcement of present law presupposes that the corporations involved are deliberately violating existing law. This I cannot and do not accept.

The truth is that present law is imprecise to a degree that allows these practices to flourish. The corporations, understandably, are marketing their products to the outside limits allowed by such imprecision. And court decisions under the existing law have established legal precedents which do not prohibit the practices observed. An actual showing of deception is required. But to the consumer faced with a shopping decision, ease in price comparison is the important factor—not whether a manufacturer set out to deceive her or not.

What is needed is greater precision in the forms of specific guidelines having the force of law. Enforcement agencies cannot do this under existing law and no one claims that they can.

It is somewhat ironic that industry witnesses tell the committee that what is needed is more vigorous enforcement, not additional law. Yet the agencies charged with enforcement say it is impossible to do the job under existing law. It is not a problem of additional appropriations, it is a problem of additional legal tools.

Certainly, the agencies may and in some cases have issued advisory regulations. But these do not have the force of law. They may be ignored with impunity, and in many cases this is precisely what has happened. Yet the agency has no power to enforce them. It still must fall back to proving actual deception in each case. This bill would require that mandatory regulations having the force of law be promulgated according to specific congressional directions.

This lack of precision easily is seen from the provisions of existing law. The Federal Trade Commission Act provides "Unfair methods of competition in commerce or deceptive acts or practices in commerce, are declared unlawful."

These words give no assistance to the manufacturer who wants specifics as to what he may or may not do in terms of his packaging and labeling. Its failure as a legal tool to correct the practices with which this legislation is concerned was summed up by Paul Rand Dixon, Chairman of the Federal Trade Commission. He testified: "Because of this burden of showing deception as a basis for its actions, the Commission has not found it feasible to issue orders requiring affirmative disclosures on packages of the net contents, or establishing reasonable weights or quantities in which a commodity shall be distributed for retail sale, or defining what constitutes a serving, or requiring labels to disclose information concerning product ingredients or composition."

The pertinent sections of the Food, Drug, and Cosmetic Act are:

"Sec. 343. Misbranded food.

"A food shall be deemed to be misbranded—

"(a) False or misleading label: If its labeling is false or misleading in any particular.

"(d) Misleading container: If its container is so made, formed, or filled as to be misleading.

"(f) Prominence of information on label: If any word, statement, or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use."

But what does false and misleading mean? What does made, formed or filled as to be misleading mean? What does "conspicuousness" mean? It means exactly what a specific court in a specific case says it means. These vague concepts give no specifics or assurances to the manufacturer.

The FDA cannot promulgate mandatory regulations giving content to these concepts.

The practical effect was described by George P. Larrick, Commissioner of the Food and Drug Administration. He testified: "We have faced great difficulty in enforcing the requirements of the Federal Food, Drug, and Cosmetic Act with respect to conspicuousness of labeling and deceptive packaging. Where there is no well-established practice in the industry, most courts have looked with a skeptical eye upon our attempts to bring about correction of practices which we thought involved economic deception."

John Connor, Secretary of Commerce, who has a sympathetic understanding of the problems of industry, testified the bill is needed.

And the President himself through his consumer representative, Esther Peterson, announced that the bill has full administration support.

Faced with this array of testimony by the executive branch of Government, it is somewhat academic to argue about whether present law is or is not adequate. The hard fact is that the required job is not being done. When the agencies involved cite chapter and verse as to why the job cannot be done effectively under present law, it does not solve the problem to say "you can too." It is the responsibility of Congress to correct this situation. It must tell the enforcement agencies what it wants done and how it wants it done. Finally, Congress has the responsibility to give the appropriate agencies the authority necessary to effectuate these directions. This, of course, is what the fair packaging and labeling bill does.

Under the bill Congress gives to the agencies specific directions, specific authority and a specific policy. It does this within a framework of appropriate and specific safeguards. It leaves to the agency the working out of technical details within the expertise of the agencies involved. Certainly these are the kinds of technical problems which Congress ought not to legislate in detail. It would be neither feasible, practical, nor desirable.

To be more specific, testimony clearly establishes the limits of present agency authority.

Under present law, the Food and Drug Administration cannot require that the net weight be on the front panel; it cannot designate minimum type size and face for net quantity of content statements; it cannot forbid qualfying adjectives modifying net weight. These are the first three provisions of the mandatory section of the bill (a) (1), (2), (3). On commodities not subject to the Food, Drug, and Cosmetic Act, no net weight or number is required by law.

Neither the FDA nor the FTC can prohibit the "cents off" promotion or the economy size definitions as is done in the fifth of the mandatory provisions (a)(5).

In regard to the last of the mandatory provisions, which requires regulations prohibiting deceptive illustrations, both the FDA and the FTC under present law could proceed against an allegedly deceptive illustration. But again, they would be faced with the hit and miss process of proving the legal elements of deception on a case-by-case basis taking into consideration the thousands of marketbasket items which would require review. Neither, however, can establish criteria before the fact defining a meaning for deception. Once definitions are established for "deceptive" by regulation, a far more effective and fair job can be done in restricting the use of such illustrations; (a)(6) provides the means.

A comparison of the discretionary provisions, (c)(1–6), with the Food, Drug, and Cosmetic and Federal Trade Commission Acts also indicates the utter inadequacy of present law to cope with this situation. Neither agency can establish "reasonable weights or measures" (c)(1). Neither agency can establish standards to prohibit packages of sizes, shapes, or dimensional proportions that tend to deceive. (The FDA now may establish standards of fill which this subsection also authorizes but the FTC cannot do so in regard to products which are not foods, drugs, or cosmetics. However, the FDA cannot now establish standards governing dimensional proportions or deceptive shapes which this subsection also authorizes (c)(2).

And even its authority to prescribe "standards of fill" would not apply to most of the slack-filled containers presented at the hearings. It is effective only where container sizes have already been standardized. Commissioner Larrick testified: "We would have to make a standard fill of container for every size package that any manufacturer elected to put on the market, and that would be an impossible task. It would take forever."

Neither agency can establish serving standards (c)(3). Neither agency can establish standards for size nomenclature (c)(4). Neither agency can establish standards of meaningful comparisons of quantity when neither weight nor count is significant (c)(5).

The FTC cannot require ingredient or composition information on packages or labels under present law and the FDA may require such information on food and drug packages and labels only to a limited extent. It cannot require such information on cosmetic packages or labels (c)(6).

No protection under existing law would be lost through passage of S. 985 as the legislation specifically provides that it does not repeal, invalidate, supersede, or otherwise limit the Federal Trade Commission Act, the Food, Drug, and Cosmetic Act or the Hazardous Substance Act.

There is a possibility that if the FTC and the FDA were to devote all their resources for the next 15 years to a case-by-case approach to the 8,000 or more items in the present supermarket, some improvement might be noted in some of the more extreme practices. But by then it is estimated there will be 20,000 items in the average supermarket.

The American consumer and the ethical manufacturer deserve a better shake than this. This same "present law is adequate" argument could have been and was made when the various product labeling acts were considered by the Commerce Committee. For somewhat the same reasons, the committee decided that existing law provided too tortuous a path to protect and provide information for the American consumer. Congress wisely enacted those laws; it wisely rejected the present law is adequate theme.

Some question has been raised about the adequacy of State law as it bears on this legislation. This bill specifically does not preempt State law. It sets instead minimum standards for products moving in interstate commerce.

Significantly we have been told by the State officials most concerned with the problem—the National Association of State Departments of Agriculture and the National Conference of Weights and Measures—this legislation is needed. Also noteworthy is the fact that the spokesmen for these associations were from the States of North and South Carolina, respectively, both of which have strong laws in this area.

Nevertheless, they detailed why they and their fellow State officials considered this Federal legislation necessary.

Objection 2. The consumer only can be fooled once: There are approximately 180 million consumers in the United States. The law allows even a dog only one bite. Certainly it should not allow a manufacturer 180 million.

Regardless, this argument is based on two false premises.

1. It assumes that the consumer will discover readily she has been fooled. In scores of the exhibits presented, it would be almost impossible under usual conditions for the consumer to discover she has been taken. Further, the free enterprise system can operate only if the buyer has a great deal of trust in the seller. If consumers do not act on this assumption—that the manufacturer is to be trusted; if all consumers insisted on weighing packages, examining contents; and challenging the validity of prices in the many sizes of packages; the whole system of mass distribution would break down.

Yet if the consumer does not, in fact, begin with the presumption of distrust, then the odds increase that the confusions and deceptions we have seen—most of which are cleverly concealed or in shadows—will not in the usual course of events be discovered.

Further, the consumer may like the product. There may not be reasonable substitutes. Is her only recourse in order to discipline the producer to stop using something she likes? To me, it makes more sense to prohibit the practice or to require adequate information than to require all consumers to act as policemen.

2. The argument erroneously assumes that the offending packager will always have competitors who offer packages which do not follow the offending practice.

The competing manufacturer may be seriously damaged if purchasers reject his package or shift to his competitor's container because it seems a better deal. It may not be economically feasible for him to wait for a subsequent round of purchases when disgruntled buyers of such packages again may choose his product. Instead, the manufacturer may decide to curtail or forestall injury by adopting his competitor's tactics. As an increasing number of packagers do this, whether in response to competition or on their own initiative, the availability to the consumer of acceptable substitutes steadily decreases.

Objection 3. Increase costs: Production and administrative: The fact is that the testimony relating to greater expenditures for line changes, etc., is based on presumptions foreign to this legislation.

1. Production: The only portion of the bill that requires action at the time of passage is the mandatory requirements. These pertain only to labeling. Industry has made no claim whatsoever that labeling changes would increase the costs of production. Labeling changes are constantly being made for most products and the manufacturers anticipate no production cost problems as a result of the mandatory provisions.

All testimony as to increased costs relates to sections (c) (1) and (2) of the bill. The first—(c)(1) would allow reasonable weights and measures to be established in a product line after necessity had been shown, conferences with industry and other interested persons had been held and the provisions of the Administrative Procedures Act had been followed, including formal hearings and court appeal.

The second—(c)(2)—would allow on a product line basis, and after the same procedures had been followed, the proscription of packages of sizes, shapes or dimensional proportions which are likely to deceive consumers as to net contents. However, the Administrator could not proscribe shapes designed to exploit the unique advantages of any material for use in packages of distinctive appearance.

The testimony has been directed to horrible examples of what could happen if an administrator ran amuck with the authority contained under these subsections. Most examples were in areas where reasonable weights and measures would not make good sense. These examples were based on the theory that new proposals should be judged not on what a reasonable man would do with them but what an arbitrary and unreasonable man could do if so inclined. If this theory were accepted, our administrative agencies would have to close up shop and go home. In point of fact, the courts are available to strike down an arbitrary administrator.

The point missed is that these subsections were not made mandatory and were put on a product line basis for a good reason. The reason is that there are many product lines where standardization of weights and measures would not make good sense. Certainly Congress is not prepared to study the technicalities involved in the thousands of different product lines and decide which should and which should not be standardized.

Therefore, Congress gives specific directions to the agencies involved and leaves to the Administrator the development of the technical details.

To base cost estimates on an Administrator run riot is like opposing all law because there may be a drunken or incompetent judge.

Law is premised and must be premised on the proposition that the judge, or, in this case—in the first instance—the Administrator will behave in a rational fashion.

But this bill goes even farther. It guards against an irrational Administrator by giving precise directions to him and then building in safeguards which would make virtually impossible the hypothetical situations brought to the committee's attention.

The canners, particularly, have gone to great pains to point out that you can't standardize both can sizes and weights and measures, and that they use standardized containers. These container sizes have been worked out over the years through the offices of the Department of Commerce and are in general use today in the industry.

The bill now provides that no weights and measures can be established in a product line that are inconsistent with these standardized sizes. Thus, it would appear that there is no longer merit in the suggestion of the canners that this bill could cost them great sums of money.

It cannot be emphasized too strongly that mere passage of this legislation standardizes nothing. The committee was shown canned goods strawmen and only strawmen. As they related to other packaged products, the possibility of an Administrator acting in so arbitrary a manner is so remote as to be negligible. And finally, if there were an Administrator so inclined, the built-in safeguards in the bill would make such action an impossibility.

The Department of Commerce earlier was asked to analyze this industry argument. Their answer is attached as an appendix to this statement. Certainly it gives no support to any argument that this bill would raise the cost of production and impliedly the cost to the ultimate consumer.

2. Administration: The cost of administering the provisions of this legislation is not easy to determine. However, the bill's approach of utilizing the expertise of agencies already dealing with the problems instead of setting up a new agency should keep the cost to a minimum.

Both the FDA and FTC have staff personnel working in this area. This bill changes the emphasis from a far-flung enforcement operation to establishing guidelines, thus avoiding increased enforcement staffs. Under this bill both the Government and manufacturer would have a standard against which to measure the package. Thus, both compliance with and enforcement of the law are simplified.

We assume that once a guideline is established, the manufacturer will follow it. Presently, expenditures must be made for costly court proceedings to determine whether a given practice is or is not deceptive. Under this legislation these expenditures would no longer be necessary. Proof would only go to whether or not there is a departure from an objective standard. Certainly this is a simple and less expensive procedure as the experience of the Department of Agriculture in regard to meat and poultry products has proven. A clerk can measure whether the net weight is or is not stated in 10-point type. It takes a team of lawyers to determine whether or not the net weight is in fact "conspicuous."

There is no reason why the mandatory provisions could not be put into effect with present staff personnel.

How much effective work can be done under the discretionary provisions would depend on how much staff personnel the agencies in question would allocate to these problems within their budgetary limitations.

However, this is a decision that can be made at a more appropriate time. The bill would not require additional funds. It could be more effective in some regards if they were available.

The mere fact that the Government can take action in trouble spots, if necessary, should act as an incentive to industry to put its own house in order.

As stated by Commissioner Larrick of the Food and Drug Administration, these guidelines would permit the enforcement agencies to concentrate their regulatory activities against those who disregard rules that have been developed for the industry as a whole. Thus, it should decrease litigation and encourage self-regulation and voluntary compliance.

Objection 4. Curtail product variety and packaging improvement; eliminate or suppress nonprice competition: How this could occur because of this legislation is difficult to understand. The bill relates to packages and labels. It has absolutely nothing to do with the product within. So far as this legislation is concerned, product variety is limited only by the imagination of the manufacturer.

Nor could the bill inhibit package improvement. Colors, designs, imaginative packages are limited only by the requirement that the net weight be easily seen on the front of the package and that the illustration have reasonable relationship to the product inside so it does not deceive.

Some witnesses testified that establishment of reasonable weights and measures could suppress packaging ingenuity. Certainly the attractive package can be designed to hold 8 and 16 ounces as well as 7½ and 15, and package designers have so testified.

Insofar as the provision relating to packages of sizes, shapes or dimensional proportions which are likely to deceive, certainly packages can be designed which are convenient and distinctive without deceiving the consumer. And if deception is likely, they should not be used.

The bill as presently drawn does not allow proscribing the use of package shapes which have been designed to exploit the unique advantages of materials used for packages of distinctive appearance. There is nothing in the bill that would prohibit convenience packaging, unique shapes, handles on bleach bottles or instant cream containers that look like pitchers.

The borderline is "tendency to deceive" which industry witnesses have testified they have no intention of doing. They cannot consistently agree in principle on one hand and take an opposing position concerning implementation of the principle on the other.

It has been testified, too, that the bill will discourage nonprice forms of competition by putting the emphasis on price rather than quality. This testimony misses the point entirely. The bill says nothing about quality, advertising, convenience, service, innovation, or any of the forms of nonprice competition.

It recognizes only that a first step in any buying decision must be the price. It is difficult to understand why any manufacturer would dispute this. Certainly in buying the raw ingredients that go into the finished product, they consider price of great importance.

Indeed, most State agencies purchase through competitive bidding. Price is important and the purchasing agent for a governmental unit or a family has an obligation to take it into consideration when making a purchase.

Objection 5. The consumer is satisfied: If this were true, the legislation would not be where it is today. Letters, newspaper stories, magazine articles, feedback from constituents eloquently present the unrest that is prevalent among American consumers concerning packaging and labeling practices. A steady stream of letters have contained literally thousands of examples of bad packaging practices. Consumer Reports, a leading consumer magazine with 1 million readers, tells us that there is more interest in this subject than in any other consumer issue during the 30-year history of their publication.

Also, industry sponsored a survey it says represents 51 million consumers. The method was to cite the industry views on a question before it was answered. Even at that, 20 percent of respondents—representing 10 million consumers—expressed concern over many of the practices that this bill is aimed at. That is not a negligible amount.

Even if consumers were not concerned, it is vital that they should be. This free enterprise system of ours is based on the assumption of a knowledgeable, rational consumer rewarding the most efficient producer—one who offers the best product at the best price. It is essential in the aggregate that the consumer act in this manner or else there is distortion in our free market system of production and distribution.

To the extent this bill performs the function of assisting and encouraging the consumer to make this kind of informed choice, it assists the free enterprise system to perform properly and efficiently. If the consumer wants to choose one quality over another, fine. But first she must know how much that additional quality will cost her. It may be if the cost is too high, she will prefer an inferior quality. It may be if the cost is slight, she will prefer the superior product. It is elemental, however, that the initial information needed is price. The rest follows.

Quality requires a subjective determination. Computing price is an objective one and is thus suited to legislative assistance for the consumer. This bill admittedly considers price an important factor in any buying decision. To the extent that it is easily computed, more time can be devoted to quality considerations.

SPECIFIC PROVISIONS

I. Mandatory

These mandatory provisions are intended to apply to all commodities covered by the bill regardless of the kind, nature, or form of the commodity or package and label involved. The first three mandatory provisions, (a) (1), (2), and (3), apply to the method of presenting the net quantity of contents of the product involved.

They require, first, that the net weight be stated upon the front panel of the package.

This provision is not intended to limit the manufacturer if he desires to put the net weight on more than one panel. It is intended only as a minimum requirement.

The definition "front" is left with the agencies involved, because of the many sizes and shapes in which products are packaged. Flexibility is thus insured to meet the unusual and differing kinds of packaging which it would be impossible for the Congress to anticipate and delineate in a bill.

The second requirement regarding the net quantity of content statement provides for the establishment of minimum standards with respect to its prominence (including minimum standards as to type size and face) (c)(2). The purpose of this requirement is the establishment of an objective measurement for this basic information as opposed to the subjective requirement of conspicuousness in the present law. It is intended that the size of the net-quantity-of-content statement be reasonably related to the front area of the container or label involved and be of sufficient type size to make it plainly visible to the buyer with normal eyesight.

The Canadian Government has established such regulations and Mr. Roy Zimmerman of IGA Stores has stated that because IGA packages for both American and Canadian markets, it follows the Canadian regulations on many of its packages. He said: "We have not found any difficulty in complying with the Canadian law, and we do feel it represents some improvement in the direction of consumer information."

The third requirement regarding net quantity of content prohibits adding to the net quantity statement any qualifying words or phrases. This section is aimed at such phrases as the "big 6 ounces" or the "giant half quart" (c)(3). It is intended that the net weight statement stand without qualification.

This subsection would prevent a manufacturer from gaining an unfair trade advantage by using adjectives that exaggerate the net contents statement. The extensive use of this practice is eloquent testimony to the undeserved benefits derived by the manufacturer who wishes to gain a competitive edge by suggesting that his "giant" half quarter is larger than his competitor's 16 ounces.

The practice has been uniformly condemned by the National Conference on Weights and Measures, by State officials, and by industry and consumer witnesses alike.

Subsection (a)(4) allows exceptions to the foregoing three requirements relating to net quantity of content. It is realized that flexibility is necessary because of the few exceptional circumstances where the nature, form, or quantity of a particular commodity of the manner in which it has been customarily displayed may not permit reasonable adoption of the foregoing requirements. A small lipstick tube or purse-size perfume bottle, or certain small bottles of spices, for instance, may be of such minute quantity, or so packed, as to make front-panel net-quantity-of-content designation unreasonable.

The fourth mandatory provision (a) (5) requires regulations prohibiting the manufacturer from imprinting on packages printed matter stating or representing by implication that the commodity is offered for retail sale at a lower price than the ordinary and customary retail price, or that a retail sale price advantage is accorded the retail purchaser by reason of the size of the package or the quantity of its contents.

The subsection is concerned primarily with the so-called cents-off promotion and designation on packages or labels of "economy size." Many abuses of this promotion were developed at the hearings, such as "cents off" being used to conceal a price increase, or the cents-off price being in fact the regular price, or "economy sizes" actually being more expensive than noneconomy sizes. Cents-off bargains proclaimed by manufacturers break down in the marketplace. Basically, the manufacturer only sets the price at which the jobber, wholesaler, or retailer may obtain the product for retail sale. He neither sets, controls, nor in most cases has any influence over, the retail prices. Setting the retail price is the function of the retailer. Therefore, in the kinds of practices that this section would prohibit, the manufacturer is promising a retail price advantage on which he cannot deliver. He is, in effect, making a promise to the consumer on which the consumer cannot rely.

It has been suggested that such promotions should not be prohibited, unless they are actually false, and where false they violate existing law.

Inasmuch as there are approximately 274,000 retail outlets for food products in this country, and literally hundreds of cents-off deals and "economy size" designations in each, an army of investigators would be needed to police only this kind of practice. Certainly, the spectacle of an army of Government investigators moving into the markets to enforce the promise of a manufacturer which he cannot control himself is not the answer to this problem.

It cannot be emphasized too strongly that this subsection does not apply to the retailer in his role of selling such commodity to the ultimate consumer. If, at that level of distribution he wishes to put on sale or promote products in his retail outlet in whatever way he chooses, he is not prohibited from doing so under the provisions of the bill. Retail pricing is the retailer's function and this bill in no way intends to interfere with this function.

The question has been raised of whether the provisions of this subsection (c) (15) are applicable to chainstore operations in which the retailer also packages products to be sold in the retail outlet.

To the extent that a retailer packages his own products, he would be covered by the provisions of this subsection to the same extent as any other packager or manufacturer who distributes a commodity in commerce.

To do otherwise would give the chainstore retailer with an integrated operation including both packaging and selling an unfair competitive advantage over the independent proprietor of an ultimate sales outlet. Subsection (c) (5) does not intend to bring about such a disparity.

The last of the requirements under the mandatory subsection is contained in subsection (c) (6), and relates to illustrations or pictorial matter which are likely to deceive retail purchasers in any material aspect. This provision is aimed at deceptive illustrations and pictorial matter. It would require that the picture on the package bear a relationship to what a reasonably prudent consumer could expect from the contents, either as presently in the box or as may be reasonably expected from the finished product if the package contains raw products or ingredients.

DISCRETIONARY PROVISIONS

Subsection (c) contains the six areas where regulations may be promulgated only after necessity has been established. This is intended as a trouble-shooting subsection, giving standby authority to the Secretary of Health, Education, and Welfare (as to any food, drug, device, or cosmetic) and the Federal Trade Commission (as to any other commodity) to issue certain regulations. This may be done only when necessary to: (1) Establish or preserve competition between and among competing products by enabling consumers to make rational comparisons with respect to price and other factors, or (2) to prevent consumer deception. If the necessity is found to exist, the regulations could be issued, but only on a product-line basis and after the safeguards and procedures surrounding the issuance of the discretionary regulations had been followed.

The discretionary authority conferred in subsection (e) (1) to establish reasonable weights or quantities, or fractions or multiples thereof, in which a commodity shall be distributed for retail sale, is a reaction to the state of today's marketplace.

It has been established that some products are sold in so many weights, sometimes of varying fractional ounces, that rational comparisons become almost an impossibility.

Potato chips, according to a survey of the National Conference of Weights and Measures, are marked in 71 weights under 3½ pounds compared to regular coffee which is in 9 weights. Fractional weights are often used and compound the difficulty or comparative price per ounce, and often their use cannot be justified by technological considerations. Comparing pounds, half pounds, quarter pounds, and so forth, removes confusion from the shopping process as opposed, for instance, to comparing three 6⅓-pound containers with two 8⅔ for the same price.

This subsection is also aimed at the practice of reducing contents slightly without making the change clear to the consumer. Harrison Dunning, president of Scott Paper Co., pointed out that there is room for improvement in the field of package sizes where there are slight changes made in content without their being readily discernible to the consumer and suggested as an answer that when there was a change in net contents that it be large enough to be discerned.

This practice also has been referred to as "concealed inflation" because in many instances the price is actually raised on a per unity basis although the consumer thinks the price has been, in fact, lowered. The reason is that the package looks either the same size or larger and the total price is somewhat lower than the old price.

Reasonable weights and measures certainly have not injured the liquor industry.

The purchaser of liquor, for instance, knows that no matter what shape or size the package, he is still buying a pint, fifth, or quart and he can readily compare prices between competing fifths. It has been suggested that the housewife buying soap flakes at the supermarket should have the same protection against unfair and deceptive packaging practices as are now given her husband when he buys whisky at the liquor store.

It should be noted that the advantages of standardization in this country have been recognized since former President Herbert Hoover was Secretary of Commerce in 1926, and the Department of Commerce since that time voluntarily has established with industry cooperation 500 commodity standards. Department of Commerce spokesmen have described the many advantages to the producer, manufacturer, jobber, wholesaler, retailer, and consumer from its standardization program.

In this regard, the bill now provides that weights and measures can be not inconsistent with these standards. As a result, manufacturers adhering to commodity standards need fear no adverse results from this legislation.

The advantages both to the consumer and manufacturer from some standardization of weights and measures long has been recognized by the National Conference on Weights and Measures. Its law and regulation committee pointed out to the 48th annual conference that—"the consumer is best served and true competition exists when it is possible to make easy price comparisons. To facilitate this, the consumer must be able to make comparisons based on packages of like commodities packed in standard units."

Second, (e) (2) would prevent the distribution of commodities for retail sale in packages of sizes, shapes, or dimensional proportions which are likely to deceive retail purchasers as to the net quantity of contents.

This subsection is aimed at three practices: First is the slack filled container—the package that has more empty space than is reasonably necessary considering the nature of the product and the technological problems of fill. It seeks to limit, therefore, nonfunctional slack fill. Next, it is concerned with those packages wherein the dimensional proportions have become so distorted as to be likely to deceive the buyer as to the amount inside. Finally, it is concerned with those containers which are so shaped as to be likely to deceive the buyer as to the amount of content inside. This subsection is keyed to deception. It does not seek to interfere with convenience-packaging in any way, unless the package is likely to deceive.

Some have argued that prominent "net weight" should lessen the need for a provision preventing this type of deception.

But the point has been made that the inclusion of the weight marking should not be a license to permit the manufacturer to cheat the consumer by manipulating the size, weight, and shape of the package.

Because of the difficulty, if not impossibility, of computing price per unit because of some of the practices heretofore discussed, the ordinary purchaser is guided to a considerable degree by a visual appraisal of size by comparative dimensions of a package. J. L. Littlefield, chief, foods and standards division, Michigan Department of Agriculture, has said: "Manufacturers appear to be capitalizing on this knowledge of consumers' purchasing habits by utilizing containers which apparently enhance the size and hence the value of the commodity. Buying by container size, the consumer feels she is getting the most of a product. However, a small package right beside it may hold more product at a cheaper cost per unit."

A Government survey of consumer behavior also has indicated that a significant number of purchases are based largely on container size.

This subsection, of course, does not go so far as to suggest or require standard sizes. But it does provide a means to prohibit these extreme examples that are likely to deceive.

Third, (e) (3) provides for the defining of size nomenclature relating to quantity such as "small," "medium," or "large." It is for instance, concerned with confusions arising when one manufacturer's regular is greater than all of his competitors' "large," as was documented at previous hearings.

One witness testified that in most stores "large" is the smallest size of toothpaste.

The purpose of this section is to make size nomenclature meaningful as between competing products in the same product line so that one manufacturer's "king size" does not represent less than another manufacturer's "large." Should such standards be established on a product line basis, there is no compulsion for the manufacturer to use them if he chooses to use no size designation whatsoever. If, however, he wishes to use size designations, they would have to be those established for the range of quantity into which the amount within his package falls.

Fourth, (e)(4) would allow the establishment of serving standards. Ellen Ann Dunham, vice president of General Foods Corp., has stressed that in certain areas with certain products "servings" were important to consumers.

Yet this serving information can vary markedly between competing brands of the same product even though the content may be the same. The manufacturer who wants to puff up his servings can thus obtain a competitive advantage over one who is more conservative in his claims.

The purpose of this subsection is to make serving information meaningful. For instance, most cookbooks consider a half cup as a serving. If a similar standard were adopted on a product line basis, and within a reasonable range to take into account varying product densities, then the consumer could depend on the serving designation to give him a measure to compare with competing products accurately.

It has been argued that serving information would be impossible to establish because of the varying tastes of consumers. One industry witness stated that what would be a serving to a midget would not be a mouthful to a giant. Aside from the fact that the National Canners Association has successfully established serving standards for scores of products, this argument evades the point.

It makes no difference whether the agency involved, after industry consultation, sets one-half cup or a cup as the standard. The important thing is that, once it has been established, a standard of comparison between the finished product of competing products will be available where none exists now. And the consumer will be assured that "serves two" on each of the competing packages means that the finished quantity of each will be the same. He has no such assurance under present marketplace conditions.

As in the size designations, a manufacturer need use no serving designations at all, if he does not desire to do so, regardless of whether they have been established.

Subsection (e)(5) relates to those products in which it is claimed that net weight or number designations are meaningless. For instance, Albert Halverstadt, vice president of Procter & Gamble, testified that in the field of detergents, a statement of weight is not significant. And this testimony was echoed by E. Scott Pattison, manager of the Soap & Detergent Association.

If net weight or number is not any guide upon which a consumer can base a price comparison, another standard is needed. This subsection would allow the establishment, in those few product lines where net weight or number are not significant, of a standard which would allow a rational comparison between the competing products in that line. For instance, a unit of cleaning powder could be established. Like serving information, it would make little difference whether that unit was keyed to a large wash or a small wash, a slightly soiled wash or an exceptionally dirty wash. The important point is that there would be a meaningful designation available for the consumer to assist in evaluating best buys in terms of price between competing brands.

The last of the discretionary sections, (e)(6), would allow the agencies involved to require that sufficient ingredient or composition information be placed conspicuously on the package, consistent with the Federal Food, Drug, and Cosmetic Act. The reason for this subsection is to allow the consumer to know what he is buying when necessary. The present law requires that information as to ingredients be placed only on food packages (and percentages are not required although in some cases they might be significant) and to a limited extent, active ingredients, on proprietary drug packages. There may well be other classes of commodities covered by the bill where either ingredient or composition information are matters of importance to the consumer who wants to choose intelligently between competing products. (For equally compelling reasons, proprietary trade secrets are exempted from this provision.)

CONCLUSIONS

It is seldom a still wind whips up such sound and fury.

S. 985 is legislation the consumer wants and needs. It is legislation the efficient operation of our economy requires. It is legislation that will benefit every legitimate manufacturer who packages and labels commodities covered by its provisions. It is legislation which will benefit every retailer who is on the firing line for practices over which he has no control, and which cost him money.

Why then does industry protest so much? Some industry spokesmen have said they are not happy with the present state of the marketplace. But fear of antagonizing their corporate brothers; fear of the unknown have forced them to adopt the industry line.

But fear and timidity should not be allowed to suffocate legislation which responds to an important need in a responsible and reasonable manner.

Appendix

Comments of Commerce Department on Cost to Industry of Truth-in-Packaging (S. 387) May 27, 1963

It is difficult to be precise about what costs may be incurred by manufacturers as a result of the enactment of the truth-in-packaging bill. First, no one knows, at this time, what exact regulations will be formulated under the bill, so it is impossible to tell the extent to which present packages do or do not conform to the provisions of the bill. Second, once the regulations are known, undoubtedly it will be found that there will be wide variety in the extent to which packages require change in order to conform to the provisions of the bill and the regulation; some will require no change at all, some will require minor change, some more extensive change. Third, there are many types of packaging used on the products covered by the bill—for example, bags, paperboard boxes, plastic boxes, metal or fiberboard cans, glass or plastic bottles, metal or plastic tubes, aerosol containers, and others, and each of these types of packages has its own cost structure which will determine the cost of changes.

It should be noted that even without passage of the bill, packaging changes at the present are more or less frequent for many of the products covered in the bill. Entirely new products are being introduced regularly, and some older products are being dropped. New advertising appeals are developed for an existing product, and this frequently calls for change in the design of its package. New recipes, special offers, menu suggestions, toys and games, such as on the backs of cereal packages, are being developed frequently and require changes in packages. Sometimes the package changes are merely changes in surface printing, but oftentimes they are complete changes in the type of package, such as the shift from a fiberboard can to a plastic squeeze bottle to an aerosol container.

Any packaging changes required by the provisions of the bill and the regulations might well be accommodated in the above changes which the manufacturer contemplated making in the ordinary course of events for purposes of improving the convenience of the package, or heightening its appeal to the consumer, or tying in with a new advertising campaign. In such a case there would be no special cost to the manufacturer because of packaging changes required by the bill. In any case, the manufacturer would be allowed to run out his present inventory of packages before making any changes so that there would be no loss or wastage.

Section 3A(c), which covers the mandatory provisions of the bill, would require packaging changes in terms of surface printing only. These changes would be of two main types:

1. Minor changes in type only, probably in one color only, to comply with the requirements on how the net quantity within the container must be stated. For those packages not already complying with these provisions, it is conceivable that many of them could achieve compliance by slug changes, which would be made on the printing plates presently being used. While the cost of these slug changes would vary widely and depend upon the package involved, in most cases it can be expected that the cost would be no more than $100 per package type.

2. Changes in the illustrations, which may well be four-color or more process printing, to comply with the requirement that the illustrations not be deceptive. For those packages—probably a small number—not already complying with this provision, this will require a number of new printing plates, plus new design work and probably new color photography work. Here, too, the cost would vary widely depending upon the type of package, but as a general rule, these changes would in all likelihood be accomplished at a cost of $10,000 a package or less.

One of the mandatory provisions of the bill (sec. 3A(c)(4)) could result in savings to the manufacturer. It calls for the elimination of "cents off" printed matter. Companies frequently make up extra printed plates carrying these extra captions and keep them in inventory for use from time to time. Making up such extra plates and maintaining inventory would no longer be necessary if this provision became law.

Section 3A(e) of the bill, covering those products which individually are determined to require further regulation beyond the mandatory provisions, might require additional cost in complying with the provisions of the bill. Some of the requirements under this subsection would involve changes in surface printing only, such as the requirement with respect to the printing of ingredients. In these cases the same cost factors would apply as noted above for compliance with the mandatory provisions of the bill.

Compliance with some of the other provisions of this subsection, however, would require a change in the size and shape of the package itself. If the package were to retain its shape but be made only slightly larger, this might mean slight additional cost in the packaging material itself. On the other hand, it might mean a cost savings if the package were to be made smaller. Costs would be higher if the changes in size or shape required new molds, as in the case of plastic containers, for example. Any change in the size and shape of the package would, of course, require a change in the surface printing, which in all likelihood would require new design, new plates, etc., at the average cost figures noted above under discussion of the mandatory provisions of the bill.

Beyond that, a change in the size or shape of the package would also involve changes in the packaging line, which includes the machinery for sorting, weighing, measuring, filling, package forming, closing, sealing, labeling, and packing into shipping cases.

Where the packaging line is set up for a large volume operation, the line is specifically designed to serve a specific package. The machinery is adaptable to other packages, but the changeover may well require 2 or 3 days downtime and it may involve a cost of $12,000 to $15,000 per packaging line. The impact of this change would, of course, be lessened if it were done in connection with a change which the manufacturer was planning to make in any case for reasons of his own, including product modification, new promotions, new advertising appeals, and so forth. The cost of adopting the packaging line is comparatively low per package because it is amortized over a large volume of packages.

In the case of a low-volume product, the packaging line is much less complex and it is not profitable to design it for use with that one package alone. Therefore, the machinery is adjustable, and with some types of packaging machinery the adjustment can be made by hand in a matter of a few minutes. Here the changeover in the machinery from one package to another would cost almost nothing.

It is our understanding that additional provisions for consultation with industry have been added to the bill since hearings were held. During such consultation, consideration should be given to the extent of change, in printing, in package design, in package construction, and in package machinery operation, that would be required by new regulations. Every effort should be made to establish regulations that are compatible with existing standards for package sizes and shapes and for machinery operation.

We trust that this information is helpful. If the committee has any examples it would like us to analyze, or if it requires additional information we would be pleased to be of assistance.

Sincerely,

DANIEL L. GOLDY,
Administrator.

PRESIDENTIAL SUCCESSION

Mr. LAUSCHE. Mr. President I did not vote for the bill dealing with Presidential succession because I was convinced that it is fraught with provisions that could well in the future jeopardize the security and stability of an incumbent government.

The provisions which caused me to vote against its approval deal with the manner in which charges shall be preferred against a President on the grounds of either his mental or physical incompetency to fill the duties of his office. The bill provides that charges of incompetency can be preferred against a President by the Vice President and either the majority members of the President's Cabinet or by a newly created "body" of the Congress.

Thus the bill gives to the Vice President power to make the declaration although if in the end the President is declared to be incompetent that Vice President becomes the acting President.

It will be observed that the bill then gives either to the majority members of the President's Cabinet or the majority members of a special body created by Congress the responsibility of making the charge. The managers of the bill on the floor of the Senate argued vigorously that this latter provision dealing with the power of the Cabinet Members on the one hand and the newly created "body" of the Congress on the other is intended to mean that only one of the two may act.

If the Congress determines to create a "body" such as mentioned in the resolution, it would supplant the power of the members of the President's Cabinet. It is with this latter provision that I have been compelled to vigorously disagree. Accusations of incompetency against a President ought to be made by individuals who presumptively would be friendly to the President. The members of his Cabinet are appointed by him, thus it could well be anticipated that they would be friendly and would only prefer the charges when they felt certain that the charges were justified.

However, the resolution gives the power to prefer the charges to a newly created "body" of the Congress. It does not tell what the political complexion of that "body" shall be, nor the number of members it shall have, nor whether they shall be members of Congress or otherwise.

I submit that it is a most dangerous technique to place the power of preferring charges of incompetency against the President in such a "body" with all of the vagaries and uncertainties that will attend its creation by the Congress.

I want to set up a hypothetical situation with the view of applying the provisions of the resolution to it and thus demonstrating the dangerous dangers that are attendant.

Assume that we have a President of one political party, a Congress of another, and an ambitious Vice President; and that the President is following a course which is vigorously unacceptable to the Congress and believed by the Congress to be inimical to the welfare and security of the Nation; and assuming further that the Congress creates a "body" to perform the functions contemplated in the Constitution—will not certain hazards arise that ought not to be permitted to exist?

The ambitious Vice President joined by the majority members of the hostile "body" created by a hostile Congress determines to charge the President with mental or physical incompetency preventing him from fulfilling properly the duties of his office. If and when that should occur, the President, of course, can deny the charges. With such charges and denial pending, the matter would then go to the Congress which within 21 days would have to conduct its hearings and if the House and the Senate each did not find by a two-thirds vote that the President was incompetent, he would be restored to his office.

The grave danger, however, in the procedure prescribed by the resolution is that a hostile Congress is a primary participant in the preferment of the charges and then, likewise, becomes the trier of the facts and thus the judge.

It should be remembered that the original resolution of which I was a sponsor vested the power of preferring the charges by a majority vote of the members of the President's Cabinet together with the declaration of the Vice President. The members of the Cabinet presumptively would be favorable to the President and would only act if and when the incompetency were certain.

The President's Cabinet members being friendly to him would have a dissuading force against an ambitious Vice President taking a course that ought not to be followed.

The provision about which I complain mainly as I have heretofore stated was not in the original bill but was inserted as a compromise among the many persons who were advocating their individual views of what the procedure ought to be.

In a matter so grave, it appears unreasonable to me that the people of the United States should grant to the Congress the inordinate power contained in the resolution. If a "body" is to be created, it should be done by specific provisions in the resolution and not by vesting the power in the discretion of the thinking of the Members of Congress. The argument that we should not expect evil things to be done by public officials when the security and the goodness of the country is involved is not sound; that same argument was advanced to the framers of our Constitution back in 1787 and the principle finally emerged that the Constitution must be written so as to envision not only the existence of good but also evil minds. When powers are granted to the Congress by the Constitution, especially in a matter of such dangerous and weighty importance, they should be clearly defined and so drafted as to preclude the temptation of evil minds setting their programs into effect.

I know that I was one of only five who voted against the measure; however, the more I think about it the more convinced I am about the correctness of the vote which I cast.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. MILLER. Mr. President, I yield myself 7 minutes. I send to the desk a modification of the pending amendment and ask that it be read.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The yeas and nays have already been ordered on the Senator's amendment.

Mr. MILLER. I ask that the modification be read. I understand that the yeas and nays have been ordered, but I should like to have the modification read before I ask unanimous consent that the amendment be modified.

The PRESIDING OFFICER. The modification will be read.

The legislative clerk read as follows:

> It is proposed to modify the amendment by striking the period at the end of line 3 on page 4 and by adding the following: "as a

result of the first such increase of 3 per centum in monthly insurance benefits for one year only. As soon as the annual cost of the first such increase of 3 per centum in monthly insurance benefits is computed, the Secretary shall determine the increase in social security tax schedules or changes in the wage base, or both, necessary to finance such increase and report the same to the Congress."

Mr. MILLER. Mr. President, notwithstanding the fact that the yeas and nays have been ordered on the amendment, I ask unanimous consent that I be permitted so to modify my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is so modified.

Mr. MILLER. Mr. President, I shall summarize what the amendment would accomplish. The amendment was discussed at length yesterday. I stated that the amendment provides for an automatic 3-percent increase in social security pensions whenever a 3-percent increase occurs in the retail price index. This, I might add, is in addition to the 7 percent provided by the bill. The base year against which the cost of living is measured is 1964. The reason is that the 7-percent increase proposed by the bill would take effect June 1, 1965. In other words, if the bill is enacted, there will be an automatic 7-percent increase in social security pensions. I am much in favor of this.

As I said yesterday, even with the 7-percent increase, social security pensioners will not be in as good a position from the standpoint of purchasing power as they were in 1958, due to the declining purchasing power of the dollar. However, I do not believe the bill goes far enough. It seems to me that we ought to provide for social security pensioners a cushion against the constantly increasing retail price index as a result of inflation.

Congress is responsible for the multibillion-dollar deficit spending which has provided the foundation for the inflation which has occurred. The arguments made against the amendment were as follows: First, that it would be inflationary. Mr. President, if we are going to worry about giving social security pensioners an increase because to do so would be inflationary, I suppose we had better eliminate the 7-percent increase provided for by the bill. If there were any inflation, it would be the 7 percent, not the 3 percent which my amendment would provide.

My amendment need never take effect if Congress were to practice fiscal integrity and stop the multi-billion-dollar spending and stop inflation. I hope that the 3-percent increase would never go into effect. However, if inflationary conditions continue, the social security pensioners are covered.

A second argument was made that we might as well extend the increased cost-of-living coverage to Federal employees. I point out that we have already done so. In 1962, we passed a comparability statute under which wages and salaries of Federal employees are scaled according to comparable jobs in private industry.

It was also suggested that we might extend this coverage to Government contracts. I point out that we are already doing it. Government contractors have to pay wage increases. The administration has already laid down the wage-price guidelines of about 3 percent a year.

A further point was made that perhaps we do not have a responsibility to increase these pensions automatically. I believe that we have. The Federal Government has a responsibility to its employees. In 1962, the Senate voted for the Federal Salary Act, which provides that civil service retirees will receive an automatic 3-percent increase in their pensions every time there is a 3-percent increase in the cost-of-living index.

My amendment is modeled exactly after the Federal Salary Act of 1962. We have a responsibility to social security pensioners. They must look to the Federal Government for their pensions. This is quite a different thing from private pension funds, with relation to which the suggestion was made that we might also have an obligation.

Congress is basically responsible for inflation. If, as a result of the action taken by Congress, social security pensioners are squeezed out, we have an obligation to them. It would not satisfy the obligation if we were to propose a pension increase every 2 or 3 years, such as the 7-percent increase this year. In the meantime, pensioners are squeezed by the reduced purchasing power of their dollars.

Under my proposed amendment, pensioners would be able to roll with the punch of inflation. A 3-percent increase in the retail price index would mean a 3-percent increase in their social security pension.

I believe that it is a humanitarian amendment. Most of the pensioners must rely upon their social security pensions in order to make ends meet.

This is recognized by the fact that we are providing for a 7-percent increase in order to help them catch up somewhat with the inflation that has occurred. We are providing for that in this bill. However, why must we wait and come here 2 or 3 or 4 years from now and go into another round of pension increases? Let us do it on an automatic basis with a 3-percent increase whenever the retail price index increases.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. SMATHERS. Mr. President, I yield 3 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 3 minutes.

THE CHINESE THREAT—II

Mr. SYMINGTON. Mr. President, last October the Red Chinese conducted their first atomic explosion. Their second occurred on May 14.

These two explosions have gone a long way toward changing the power structure of the world.

The Chinese do not yet have the capacity to deliver nuclear weapons, but in that they used enriched uranium instead of plutonium, we know the explosions were more sophisticated than had been expected. In fact they emphasized in their propaganda that their tests were of better quality than the first ones conducted by the United States.

One of the first congratulatory messages published by Peiping came from Hanoi. The North Vietnamese emphasized that China's progress in nuclear technology was an "extremely important factor in curbing United States imperialistic schemes of war and aggression."

Peiping also continues to emphasize the racial aspect. Their propaganda included a statement that these explosions were "a victory for all Asian, African, and Latin American peoples," and that it "dispels the myth that Western countries are the only ones capable of developing atomic weapons."

Although in the beginning other countries, such as Britain, France, and the Soviet Union were included in Red Chinese criticism of the rest of the nuclear club, recently their hate propaganda has been concentrated solely against the United States.

The influential French paper, Le Monde, stated these explosions can only mean further proliferation of nuclear weapons, added that this Chinese success would harden the Chinese position and encourage the Vietcong to hold firm until the rainy season brought them propitious conditions for heavy attack on the South Vietnam regime. We now know this attack is underway.

Today many experts believe China can have deliverable, medium-range ballistic missiles with nuclear warheads during this decade; that is, by 1970. They also believe that, because of the sophistication of these original explosions, the Red Chinese are only a few years away from production of hydrogen bombs.

Considering first their consistent heavy attacks against the United States; second, their complete commitment to world rule through various means, especially so-called wars of liberation; and third, the impact of these explosions are bound to have on the countries of southeast Asia—including North and South Vietnam—these Red Chinese explosions are fundamental in considering the future security of this country.

As to what should be done in recognition of this dangerous development, I do not know. But one thing I am certain. The foreign policy of the United States should give full recognition to the impact these explosions are bound to have on the world balance of power.

SOCIAL SECURITY AMENDMENTS OF 1965

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The PRESIDING OFFICER. Who yields time?

Mr. SMATHERS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. SMATHERS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator cannot do that other than by unanimous consent.

Mr. SMATHERS. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum with the time for the quorum call being charged to neither side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 minute.

Mr. SMATHERS. Mr. President, I should hope that the Senate would reject the amendment of the able Senator from Iowa. His amendment is identical to the amendment offered on yesterday by the very distinguished junior Senator from Rhode Island.

We prevailed on the junior Senator from Rhode Island to introduce, instead of his amendment, a resolution calling for a study which would be referred to the Committee on Finance. In the Committee on Finance we could look into the matter of fixed 3-percent increases or decreases relating to our cost of living.

I do not believe that if we were to adopt this amendment we would be doing anything but great injury to the public and, in my opinion, to our economy. Once we experience inflation and the cost of living begins to increase, we would have an automatic 3-percent increase in the social security payments every year. We would be like Argentina or Brazil. This is a complicated matter. It requires study.

I hope that the Senate will reject the amendment.

Mr. MILLER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Mr. President, there was debate on yesterday as to the proposal for study. There is not a Senator on the floor who does not realize that when it is suggested that a matter be studied, the suggestion is an excellent means by which to get rid of the measure.

This problem was studied prior to 1962 for our civil service retirees. It was studied very thoroughly. As a result, Congress decided that our civil service retirees should have 3 percent increases in their pensions every time there was a 3-percent increase in the cost of living.

There is no need to study this measure. As far as financing the measure is concerned, my amendment would provide for that also.

Mr. President, if the Senator from Florida is willing, I should be happy to yield back the remainder of my time.

Mr. SMATHERS. Mr. President, I have no time remaining. I do not believe that the Senator from Iowa has any time remaining.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment offered by the Senator from Iowa. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Michigan [Mr. HART], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Wyoming [Mr. MCGEE], and the Senator from Michigan [Mr. MCNAMARA] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH] and the Senator from Pennsylvania [Mr. CLARK] would each vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from California [Mr. MURPHY]. If present and voting, the Senator from Wyoming would vote "nay," and the Senator from California would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Illinois [Mr. DIRKSEN] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from New Hampshire [Mr. COTTON], the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], and the Senator from Pennsylvania [Mr. SCOTT] are detained on official business.

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Virginia would vote "nay."

On this vote, the Senator from California [Mr. MURPHY] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from California would vote "yea," and the Senator from Wyoming would vote "nay."

The result was announced—yeas 21, nays 64, as follows:

[No. 166 Leg.]

YEAS—21

Aiken
Allott
Cooper
Curtis
Fannin
Fong
Gruening
Harris
Hickenlooper
Jordan, Idaho
Kuchel
Miller
Mundt
Pastore
Pell
Prouty
Proxmire
Russell, S.C.
Smith
Thurmond
Tower

NAYS—64

Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Dodd
Douglas
Eastland
Ellender
Ervin
Fulbright
Gore
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Randolph
Ribicoff
Robertson
Russell, Ga.
Saltonstall
Simpson
Smathers
Sparkman
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—15

Byrd, Va.
Carlson
Church
Clark
Cotton
Dirksen
Dominick
Hart
Hruska
McClellan
McGee
McNamara
Murphy
Pearson
Scott

So Mr. MILLER's amendment was rejected.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. CURTIS. Mr. President, I shall oppose the enactment of H.R. 6675. This is the social security bill that includes medicare. In this bill there is a hospital insurance program which has been known as the King-Anderson bill and is referred to as part A. Also, a supplementary medical insurance program has been added which is referred to as part B.

This bill provides for an increase of social security benefits in addition to the medicare portions of the bill. Were the medicare provisions to be deleted, I would vote for the increase in social security benefits. I am particularly anxious to support a bill which would carry a substantial increase for those beneficiaries who are drawing the smallest amounts. However, I cannot support the medicare provisions. My opposition to the bill is because of its medicare provisions and is in no sense opposition to increased benefits, which I favor.

Mr. President, when we add medicare or any other new program to social security, we are legislating for a program that will run in perpetuity. May I illustrate this? It would not be possible to add medicare to social security and provide that the program expire at the end of 10 years, so that at the end of 10 years Congress might decide what kind of program they wish. The individuals who are 55 years of age now would object to a program under which their social security taxes would be raised for 10 years and then have that program expire the date they become eligible for benefits. So would it be with any other termination date that might be selected. This means that when we add a program to our social security program we are legislating for all time to come. The voters, many years from now, will not have the opportunity to make vital decisions on how much they should spend for welfare programs because those decisions are being made now. The far-reaching effect of our decision is such that I cannot vote for the bill. I am satisfied that this proposal is not fair, either to our elder citizens who will receive medical benefits or to our present and future workers who will have to pay the bill.

There is a problem concerning proper medical care for our citizens over 65. The proponents of the bill before us, in my opinion, have neither accurately defined that problem nor have they provided the best solution.

Just what is the problem?

We do not need a government system of medicine or a government medical insurance program to improve the quality of medical care in the United States. We have the finest medical care in the whole world.

Mr. President, a generation ago young doctors and medical students journeyed to Europe—to Berlin, Vienna, London, or Rome—for the best in medical education. All of those countries had some form of government medicine. No longer do the doctors and medical students journey to Europe for the finest medical education. Doctors and medical students from all over the world come to the United States, because here, under the free practice of medicine, we have the finest medicine and the finest medical education of any place in the whole world.

Again I say we do not need a program to improve medical care in this country. The problem is that some of our citizens over 65 do not have the income or resources to avail themselves of all the medical care they should have. This is the problem, to wit: to provide medical care for those who cannot provide it for themselves. Here the problem ends.

It is not socialism for us to be charitable. We should provide medical care for individuals over 65 who have neither the income nor the resources to provide such care for themselves. In determining who needs assistance to secure medical care I want my government to be generous.

I do not believe that recipients of medical care should be required to be paupers or be required to exhaust all of their savings or sell their homes. I do think that some reasonable income limitation should govern. Again I say that to be charitable is not socialism. However, to pay the medical bills and hospital bills of individuals over 65 who are well able to provide the same for themselves is not charity. It is not needed. It is socialism. It moves the country in a direction which is not good for anyone, whether they be young or old. It charts a course from which there will be no turning back.

Under the pending bill, an individual may be worth millions of dollars and have the highest income in his life, and he need not even be retired, but if he is 65 years of age, his hospital bills and his expenses for doctors and surgeons, within the limits of the bill, will be paid. Is there any need for that? Why throw money away like that? Is it fair to the individual who is working hard and supporting a family and buying a home and educating his children, buying life insurance and paying his own medical bills, that his social security taxes be increased to pay the bills of an individual many times more able to pay them?

I know why that provision is in the bill. It is not in the bill by reason of anyone's concern for these people. It is in the bill as a matter of social reform, to have the Government go into fields where it is not needed, to hasten the day when this medical program, if enacted, will take care of everyone from the cradle to the grave. Let no one be misled by it.

The principal objection to this bill is that it will require the taxing of all the employers, the self-employed, and the employees, which includes the young and the middle aged, the low-income groups, the blind, the physically handicapped and those who have heavy family burdens. These people will be taxed to pay doctor bills and hospital bills for many who are better able to pay their own bills, including the well-to-do and the wealthy. This is wrong.

Even if this proposed program were amended to eliminate the requirement that the medical and hospital bills of the well-to-do and the wealthy be paid, the bill still would not be a good one. The enactment of this legislation is to turn our back upon private enterprise. There are ways that assistance for medical expenses can be extended to those who ought to have help without following the pattern set forth is this bill. I will have more to say on the subject of an alternative plan as the consideration of this bill progresses.

There has been printed and is on the desk of every Senator, a copy of my motion to recommit. In substance, it would take all matters pertaining to medicare, in part A and part B, out of the bill, immediately pass the remaining portions, and then, by March 15, bring in an alternative plan.

My alternative plan is a well-established plan, a proven plan. I would extend the plan that is now in operation for retired Federal civil service employees under the Federal Employees Health Benefits Act of 1959, to all our aged, and require an individual to pay the entire premium, except that those people over 65 who are unable to pay the premium would have it paid by the Government in varying amounts.

That is the private enterprise approach. It would not call for the setting up of two Government insurance programs, which the pending bill does. Private enterprise would write the insurance. Private enterprise would carry the risk. Private enterprise would collect the premiums. Private enterprise would pay the benefits. It would provide better benefits than are found in the bill.

The whole world knows that the program for the Federal employees is a just and generous one. Why is it that an individual sometimes has difficulty in getting adequate private hospital and medical insurance for himself? It is usually the individual who does not belong to a large group that is a continuing group. That is the reason. Even though I hope that at least half of our citizens, if this proposal were to be enacted, would pay their own premiums, they would have the great advantage of being included in a large continuing group, so that the averaging process of sharing the burden of medical expenses would actually work.

Mr. President, the measure before the Senate, H.R. 6675, would set up two Government insurance programs. The King-Anderson portion of the legislation relates primarily to hospital care and it adds a hospital insurance program to our social security program. The Government is the insurer. The Government carries the risk. And the Government pays the benefits.

The supplementary medical insurance portion of this bill relates to the payment of the fees of doctors and surgeons. This, too, sets up a Government insurance program. The Government is the insurer. The Government takes the risk. The Government collects the so-called premiums. The Government pays the benefits. The benefits are available to all over 65 including those individuals who are well able to provide for themselves.

Mr. President, it is not necessary that we plung headlong into socialism to be just, generous, and kind to the people who are over 65 who ought to have some help for their medical needs.

This supplementary medical benefits program not only puts the Government in another insurance program but one-half of the premium is a direct Government subsidy. This subsidy is not limited to the people who for economic reasons ought to have it, but is a subsidy for everyone. It is not only socialism—it is brazen socialism.

Social security taxes are going to increase rapidly without medicare added to the program. With medicare added, there will be a tremendous increase in social security taxes. The social security tax both for the present program and what is proposed in this bill is very burdensome for individuals with low earnings. This is because their entire income is taxed. There are no deductions or exemptions allowed. The wage base, which is now $4,800, is raised to $6,600 in H.R. 6675 and this places a heavy burden on the individuals in the middle and higher income brackets as well.

When social security started 30 years ago, the maximum tax that either an employee or an employer could pay was $30 per year. If this bill is enacted as reported out by the Finance Committee, the maximum employee tax for the calendar year 1966 will be $275.55, and a similar amount would have to be paid by the employer.

In other words, for every employee the maximum tax will be over $750, half from the employer and half from the employee. The maximum social security tax on the self-employed in 1966 will be $404.25. As time goes on, these taxes will increase without any additional legislation. By 1973, which is not far off, the maximum tax on an employee will be $363, with a similar amount on the employer—in other words, $726, half on the employee and half on the employer—and the maximum tax on a self-employed person will be $501. By 1987, without any increase over the present bill, the maximum employee tax will be $379.50 and for the self-employed $518.10. Can you Senators imagine that the originators of social security could have anticipated that some 30-odd years later individual citizens would be paying nearly $59 per month for social security taxes? That is where we are headed.

We can illustrate the cost of what is being done today in another way. I would like to quote from the testimony taken during the hearings:

> Senator Curtis. Briefly, it shows this, does it not, that in 1964 the amount of benefits paid out was about $16.223 billion, isn't that right?
>
> Mr. Myers. That is correct, Senator Curtis.

Incidentally, Mr. Myers is the chief actuary of the Social Security Administration.

Continuing to read:

> Senator Curtis. It will take a while to get this program in motion, so the first full year that this bill will operate, so far as benefits are concerned, is calendar 1967.
>
> Mr. Myers. That is correct.
>
> Senator Curtis. And you estimate there that the benefits paid out in 1967 will be $24.498 billion?
>
> Mr. Myers. Yes, Senator Curtis.
>
> Senator Curtis. So if this bill is passed, the amount paid out in social security benefits which were old-age and survivor and disability in 1964 and which for 1967 will include those plus the hospital insurance and the supplementary health benefits will be increased roughly by a little over $8 billion.
>
> Mr. Myers. There would be an increase from 1964 under the present program, and the new program as envisaged by the bill in full operation in 1967.

In other words, we have before the Senate a bill that immediately is a $8 billion bill measured in annual cost. We are experiencing a time when the cost of living is steadily rising. Few people doubt that inflation will continue to plague us. The payroll tax which supports social security will be fully needed to adequately provide social security benefits, without medicare. Raises in benefits will be needed in the future. We should not turn to social security taxes to finance medicare or other programs. This point was clearly emphasized by the distinguished senior Senator from Massachusetts [Mr. Saltonstall] when he testified before the Committee on Finance. The Senator said:

> Just as today we recognize that some adjustments in social security benefits is in order to keep pace with rising living costs, so, inevitably the day will come when the Congress will decide that a further adjustment upward is called for. If H.R. 6675 is enacted, for the first time we will be linking to the social security system a service benefit as opposed to a cash benefit. That is, we will be providing payment for a service such as hospitalization, regardless of what that service may cost; that is something quite different from providing for the payment of a specified amount of dollars at some future date. We must recognize that this will place a strain on the system. A future Congress may not be able to provide increased cash benefits under the social security program because so much revenue from the payroll tax will be going into medical care.

Senator Saltonstall continued and included a quotation from the distinguished chairman of the Ways and Means Committee. Senator Saltonstall said:

> In December of last year, Chairman Mills raised other important questions which relate specifically to the problem at hand and are worth recalling. He said:
>
> "We must remember that the primary needs of our senior citizens are for adequate cash benefits. The amount must be sufficient to produce a dignified standard of living when added to other spendable assets characteristic of the aged. Further, the amount must be raised periodically to keep in step with decreasing purchasing power of the dollar. A payroll tax to pay for health benefits, as I have stated before, should not be added to or harnessed with one to pay for cash benefits. Health expenses are less predictable and they are rising considerably faster. Within a tight coupling, the cash benefit would, in all probability, be compromised and the danger increased of stressing health care at the expense of the root factors of food, shelter, and clothing."

We must look at the social security program as it actually exists. It is not a program of prepaid insurance. It is not a program in which the benefits one receives are the result of his own payments and the interest accumulation thereon. The program would come to a halt for present beneficiaries if it were not for the taxes being collected now from the workers, the employers, and the self-employed. Even though this program is 30 years old, it is only 10 percent contributory. This is not my theorizing. I wish to quote from the hearings:

> Senator Curtis. Here is my first question, and no doubt Mr. Myers will be the one to answer it. This relates to the OASI existing law only, not the disability, and I confine my question to those beneficiaries now on the rolls. What portion of the benefits that they have already received, plus the expected benefits that they will receive have they or their primary beneficiaries paid for?

Mr. President, an astonishing but an honest answer was given—not astonishing as coming from Mr. Myers, because he is one of our best civil servants; but astonishing concerning a program that so many believe is prepaid:

> Mr. Myers. Senator Curtis, of course as you realize the amount that has been paid by the employer and the employee varies widely for individual cases. Some have paid extremely little, and some have paid somewhat more, but on the average I believe about 10 percent of the actuarial value of the benefits that have been received or may be expected to be received in the future by those on the rolls are represented by the combined employer-employee taxes.
>
> Senator Curtis. Now, about 10 percent of what our present beneficiaries have received and are expected to receive in the balance of their days has been paid by the employer and the employee both.
>
> Mr. Myers. Yes, Senator Curtis.

There are many things about social security for retirement purposes that need further attention before we add a program of medicare, which includes medicare for people well able to pay for it themselves. For instance, a great many fine, elderly people now draw only $40 a month which will be increased to $44 under the provisions of the bill. These are the people most in need. The social security planners have contended that the individual pays for his own benefits. This erroneous contention has resulted in a system wherein the highest benefit goes to those most able to provide for their old age and the lowest benefit goes to those who have the greatest need and who had the least opportunity to provide for their own old age. Of all the benefits that are now being paid, and that will be paid during the lifetime of present beneficiaries, 90 cents of every dollar has been paid by others. Greater justice should be done for those receiving the very low social security checks before we embark on two new insurance programs relating to medical care, as this bill does.

We will soon have 20 million individuals in the United States who are over 65. None of them has paid anything in the form of taxes or premiums of any kind for medicare. Not one nickel. The entire burden of the medicare program for the present aged will have to be borne by others. There will be some who will be receiving medical benefits who are far more able to pay their own medical and hospital bills than the people who will be paying the taxes.

The table which follows shows the estimated dollar expenditures under social security for the years 1966–72. The first column shows what the social security expenditures are expected to be if no legislation is passed. The second column indicates what social security expenditures are estimated to be if the present bill is passed but does not include either of the two medicare programs. The third column shows the expected expenditures if the bill is passed with the medicare provisions. This table was prepared by the Chief Actuary of the Social Security Administration.

Mr. President, I ask unanimous consent that the table be printed in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

Calendar year	Present law	Senate Finance Committee bill	
		Without health insurance	With health insurance
1966	$18,363	$21,033	$22,288
1967	19,220	22,169	25,683
1968	20,061	23,150	27,181
1969	20,888	24,117	28,443
1970	21,717	25,086	29,738
1971	22,549	26,064	31,021
1972	23,377	27,046	32,322

Mr. CURTIS. Mr. President, never in the history of social security has a projected schedule of tax rates and expenditures been carried out without subsequent increases. It is not unrealistic to expect that the amounts represented in the foregoing table will be substantially raised a time or two before 1972.

The foregoing table shows, for instance, that when these two medicare programs get started next year they would cost $1.2 billion. Three years later, by 1969, medicare alone would cost $4.3 billion. Three years later, by 1972, medicare would cost $5.3 billion. If this program were to follow the historical pattern, additional increases would be voted about every 2 years from now on.

Mr. President, I again remind the Senate that I shall offer an alternative proposal, under private enterprise, by which a better program could be reached which would save at least $2.5 billion annually. Some people believe that the Federal Government can transact business better than private industry. I wish those people would join the Post Office Department and use their talents to help us get our mail.

Any notion that social security taxes are not an impact upon our economy and upon our individual citizens, as are other taxes, is erroneous. Wages and income taken to pay social security taxes are not spent for other things. They are a drain upon our economy and upon every individual taxpayer, as are our other forms of taxes.

One does not have to be a prophet to recognize that inflation and the ever-increasing cost of living are the cruelest and most difficult problems facing retired people. For more than 5 years this Government has run a deficit of over $5 billion a year. The debt ceiling is at an all-time high—$328 billion. The unfunded liability, or deficiency in Government contribution, of the civil service retirement fund on June 30, 1963, was $36 billion. The comparable liability of the Foreign Service retirement fund as of December 31, 1962, was $203 million.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LAUSCHE. Mr. President, I should like to interpolate that with regard to the Foreign Service retirement fund, even though the Government paid the $203 million, the amount of contributions that would be required to keep the fund actuarially sound in the future would have to be 30 percent under nomal circumstances—15 percent by the Foreign Service worker and 15 percent by the Government.

Thus, if a man were earning $10,000 a year, he would have to pay $1,500 into that fund in order to keep it sound. It is now suggested that the Government pay 22.5 percent and the worker pay 7.5 percent. When we view the matter from that standpoint, we find that the Government, with relation to a $10,000 annual salary, would have to pay $2,250 into the fund to keep it actuarially sound.

Mr. CURTIS. Mr. President, I thank the distinguished Senator from Ohio. In view of circumstances such as those related by the distinguished Senator, is this the time to provide for free hospital and medical benefits for those who are well able to pay for them?

This country cries out for leadership that would save us from inflation and ever-increasing debts and obligations of the Government. Today, a program is being advanced which would propose to take care of matters that many individuals are well able to take care of for themselves.

Mr. President, the unfunded liability of military retired pay as of 1965 was computed as $61.1 billion. Yet in the face of all of these burdens, it is proposed that we start two new Government insurance ventures relating to medical assistance.

I am not so sure that honesty is not on the side of the individual who wants to place the money of the people in private insurance companies, as contrasted with the desire and demand for increasing taxes and building up a bureaucracy to handle a program with which they have never had any experience.

This bill would tax people who cannot afford to be further taxed and it would burden a Government that cannot afford to be further burdened in order to provide benefits for individuals many of whom are well able to provide for themselves. This is the basic issue.

Mr. President, I shall have more to say about this bill as the debate proceeds. This bill ought to be amended so that by means of a deductible, or otherwise, its benefits would not go to people who are well able to pay their own medical expenses.

Mr. President, I shall offer such an amendment. My amendment has already been printed and is on the desks of Senators. I hope that the amendment will not be voted upon today. I shall have an analysis and an explanation of that amendment for every Senator. The analysis shows that everyone whose income falls in the lower 80 percent bracket would not be affected by it. However, the amendment would adequately take out of the program those people who are well able to pay for such care themselves. It is said that the amendment would not constitute much of a saving. It would amount to almost a half billion dollars a year according to the statement of the actuary of the Social Security Administration. The amendment woud preserve an important principle—the principle that we shall not force a Government system of medicine on people when it is not needed. The amendment would be a safeguard against extending this measure to everyone regardless of age.

Let no one pass it off as being of no significance. Some may disagree with the principle. Some may wish to have a bill which would pay for the medical bills of an individual with unlimited capital assets and high income, an individual who is not even retired. If that is the case, they have, in the pending bill, a measure which would do that. However, I shall offer an amendment which, I believe, would be easily administered and would reach that very issue.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LAUSCHE. Mr. President, the Senator has mentioned that he contemplates the offering of an amendment. Does the Senator intend by that amendment to eliminate all provisions dealing with medicare?

Mr. CURTIS. No. I am not referring to my motion to recommit. There would be a rollcall. I refer to an amendment which, by means of a deductible, would eliminate the payment of hospital and medical bills for the individual of over 65 who is well able to pay such bills himself.

Mr. LAUSCHE. Mr. President, does the Senator contemplate imposing upon the individual the responsibility of fully or substantially exhausting his own assets?

Mr. CURTIS. Not at all.

Mr. LAUSCHE. Does the Senator intend to protect the individual?

Mr. CURTIS. It would be accomplished by means of an income test. It would be a generous provision. It would not, by any stretch of the imagination, call for anyone to exhaust their savings or sell their home.

It will mean that if their income is over a certain amount, that the income tax liability is going to be the yardstick. When the time comes, I shall explain why I use it as the yardstick. Eighty percent of our people will not be affected; it will affect 20 percent, and it ought to.

Mr. LAUSCHE. And the 20 percent are in the classification of ample income?

Mr. CURTIS. That is the opinion of the junior Senator from Nebraska.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. BENNETT. I have in my hand the Senator's amendment No. 330, with the title "Alternate Variable Deductibles Under Parts A and B Related to Income Tax Liability." Is that the amendment to which the Senator is referring?

Mr. CURTIS. It is.

Mr. BENNETT. So I would say to the Senator from Ohio that he can see on his desk amendment No. 330 and get the details of the amendment the Senator from Nebraska is discussing.

Mr. CURTIS. I thank the Senator.

The American people are used to the idea of a deductible. It has some connection with automobile insurance, involving policies which contain $100 deductible items, which means that the automobile owner pays the first $100 and the insurance company pays the remainder. Or a holder may have a $250 deductible insurance policy. That principle could well apply in this program.

In the hospital section of the bill there is provided a $40 deductible. It may increase in the future, but as of now it is $40. My proposal provides that there shall be a $40 deductible or last year's income tax, whichever is higher.

I shall have a table prepared to show each Senator how it would work out before the vote on the amendment tomorrow. I will have figures from actuaries showing how many people do not pay any income tax at all; and therefore their benefits would not be affected. I will have figures from the actuaries showing how this proposal would save us from $420 to $480 million every year.

I shall continue and mention some other amendments.

An amendment should be adopted which would limit the direct subsidy for the premiums on the supplemental health benefits to those who need the subsidy.

Part B is a program called supplemental health medical benefits. It was born overnight. The country has never had an opportunity to look at it and debate it. It provides, in substance, that every individual over 65 can send in a $3 premium in order to buy protection against expenses of doctors and surgeons and other related items. Then it provides that out of the general Treasury there shall be paid an additional $3. For individuals in need? Not at all. For everybody.

Here we are departing from the private enterprise road that made us so great and strong. Not only are we establishing a new insurance program called "supplemental medical health benefits," but the so-called premium is subsidized out of the Treasury by the same Government that has not balanced its budget in a long time, by the same Government that would raise the debt limit this year.

We are not doing something for the people today, or this week, if we pass the bill. We are doing something to the people. I am not going to have a part in it. I am not going to let the children of this country point a finger at me and say I led a parade either in committee or on the floor to vote for two socialized insurance programs and robbed the payroll tax to pay benefits to our aged and started a program that will run in perpetuity, that children 50 or 100 years from now will have no choice about. They will either have to pay the obligation or refuse to pay it. Either alternative is bad.

The Senate can best meet its responsibility by striking the medicare provisions from the bill and directing the committee to bring to the Senate at a later time a proposal which, under our private enterprise system, meets the problem we face, to wit, assisting with the medical expenses of those elder citizens who ought to be assisted. This can be done.

As I said a while ago, this program would be patterned after the program for our retired Federal civil service employees under the 1959 act. The benefits are generous. The problem in private health insurance is that an individual finds it difficult to buy insurance within a cost that he would like unless he belongs to a big group, a continuing group. What we would do for our citizens is what we are doing for our retired civil service people now. We would let them in on the same program. As to those who could not pay for it at all, the Government would pay the premium. As to those who could pay a part of it, the Government would pay a part of it. As to those who could pay their own premium—and the cost would be a bargain because it would be such a big group—they would pay for it, and not the Government.

It would give greater benefits to our people. Private enterprise would write the risk. Private enterprise would take the risk. Private enterprise would collect the premiums. Private enterprise would pay the benefits. Private enterprise would administer the program.

Under this proposed program, the biggest confession of failure one can imagine is in the bill itself, and that is that they are not relying on the advice of the medical association or doctors collectively to make the program work. Who are more qualified on the issue of illness than the doctors? Yet for years, as the drive has been on to socialize medicine in America, what have those who have advocated that program done? They have downgraded the medical profession or associations. Just as there are a few scoundrels in politics, there are a few doctors who may not have done what they should have in their practice. But who are the doctors of the country? Who constitute the medical associations?

They include our family doctor. They include my family doctor. They include everyone's family doctor. I believe that they represent today a noble profession. All of us have witnessed the many times when they have gone beyond the last mile in caring for their fellow man. Yet, they have been downgraded and criticized because that was a necessary step in order to socialize the country.

Mr. President, the insurance industry has a remarkable record. The idea of private insurance is an American idea.

It was Benjamin Franklin, acknowledging that America had obtained the concept of fire insurance and other kinds of insurance from England, who said, "Why should we not insure a man's most valuable possession, his life?"

The oldest life insurance company in the United States is a company organized to help Presbyterian ministers. That company is still in existence today.

The insurance industry has made great progress in offering private insurance to the American people. Some policies have been disappointing because medical costs have been going up so high, and policies on hospital insurance which were written some years ago turn out today to be a disappointment. That does not detract from the fact that although those policies are all right, are of less benefit than people expected, there are millions of good policies in existence. After all, we are dealing with an industry which stands out in America.

What was the industry, during the time of depression, which meant so much to so many households because of its financial stability? It was the insurance industry. Millions of Americans obtained loans or received cash benefits on insurance. Many of those same companies are now attacking the problem. Great progress has been made. We use the private insurance company to take care of the retirement of our civil service workers. We should use it here.

Mr. President, the choice is clear. Some time in the march of socialism we shall find ourselves closer to the other shore than the side from which we started.

This country began under the great private enterprise system. If the proponents of the bill plead for the elderly who need help in paying their medical expenses, my answer to them is, Amend the bill so as to limit it to that.

If we wish a program to provide benefits for those who do not need it, we are offering a program of socialism, pure and simple. It is not public welfare. It is not charity. It is not kindness. It is socialism.

Socialism is not the answer to anything.

Mr. President, to enact H.R. 6675 is not the best way to meet the problem of the medical expenses of our elderly people. It is grossly unfair to the individuals who will have to pay the bill. It is wrong in principle. It starts something which cannot be stopped. It should never be accepted or used as a vehicle to raise the cash benefits to our elderly people. Another bill can be and should be passed to raise the ordinary social security benefits, particularly for the people who are receiving the lowest amount.

Mr. President, as I have stated, I shall have more to say concerning the bill as debate progresses, and I shall offer several amendments.

Mr. BENNETT. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I am happy to yield to my distinguished colleague, the Senator from Utah.

Mr. BENNETT. As one of the minority members of the Finance Committee who voted with the distinguished Senator from Nebraska on these problems in committee, I commend him for what has been a historic presentation of the alternatives in this situation, as well as the dangers.

I would be proud to associate myself with all that he has said rather than to try, in my own weak way, to repeat them.

Mr. CURTIS. I thank the Senator from Utah.

Mr. SIMPSON. Mr. President, after reviewing H.R. 6675 as reported to the Senate by the Finance Committee, I was both encouraged and discouraged by the proposed amendments to our social security laws.

Several of the suggested changes in our social security program are well reasoned out and I support them wholeheartedly. One such amendment would increase social security benefits by 7 percent to all beneficiaries with a $4 minimum increase for a worker who retired at age 65 or older.

Another amendment I have been particularly interested in that has been recommended by the Senate Finance Committee will increase the amount an individual is permitted to earn without losing benefits. With the rising cost of living and the inflation that we are experiencing, it would be unrealistic to tie our older citizens to the limits that at one time, but no longer, are reasonable. A social security beneficiary under age 72 will be permitted to earn $1,800 in a year without any reduction in his benefit amount. If his earnings exceed $1,800, $1 in benefits would be withheld for each $2 of earnings between $1,800 and $3,000 and for each $1 of earnings thereafter.

Many of my Wyoming friends have urged me to support an amendment which would extend social security benefits to age 22 for those children attending school who, under the present law, receive benefits because of the tragic loss of their supporting parent. I think this is a good amendment and am pleased to support it.

I am also pleased to note that the committee is recommending the adoption of an amendment which would limit the duplication of disability benefits and those under workmen's compensation.

I am encouraged when I see these amendments presented because the need has been shown and responded to with responsible and intelligent efforts.

However, I am discouraged when I study the amendments which are being put forth as a solution to the problem we are confronted with in giving medical aid and attention to our older citizens.

I am well aware of the need of some of our older citizens. Government assistance to meet the cost of adequate medical care and treatment for them is necessary and I have supported, and will continue to support, legislation which will meet this need. However, no evidence has been presented which would indicate that the suggestion put forward will meet the real need. In fact, the evidence suggests that this is a gigantic proposal that will increase our social security taxes to 11.5 percent of a person's wages; cost about $7 billion per year; give some assistance to many, rich and poor alike, and yet not really meet all the needs of those who are in desperate need of financial assistance.

I oppose any legislation which would derive its financing from a compulsory tax on the first dollars of wages earned by the Nation's working men and women to pay the hospital and other medical bills of the well-to-do and wealthy aged, most of whom are well able to meet such bills from their own resources.

The administration's spokesmen claim that the program will cost about $6.8 billion. This figure will not even cover early-year program costs according to business actuaries and experts with experience in the health insurance and health care fields.

Other governments which have adopted compulsory health programs have found that costs have skyrocketed. Costs in the British social security program have so skyrocketed that some responsible Englishmen prominent in the welfare field in an effort to avoid bankruptcy of their entire welfare system are now advocating a change to that only the needy would be aided.

I am disturbed about the effect this legislation would have upon our economy and upon our private insurance system. The administration and our economic planners are already concerned about the brake this would put on our economic growth because almost $7 billion would be taken from the consuming public. This program could destroy private initiative for our aged to protect themselves with insurance against the costs of illness.

Presently, over 60 percent of our older citizens purchase hospital and medical insurance without Government assistance. This private effort would cease if Government benefits were given to all our older citizens.

I expect that this socialized program will continue to grow and to be extended to additional age groups in our population. In fact, the advocates of this legislation are already pointing out how this bill represents merely the beginning of Government medical care for persons of all ages.

It is interesting to note that the two most knowledgeable groups on the subject in our society—the insurance industry and the medical profession—oppose the enactment of this legislation. It is discouraging to realize that without the cooperation of these two groups the success of this program cannot be realized.

I am proud of our medical system and our medical profession. We have made great strides in research and in understanding the problems of our people, particularly those problems of our senior citizens. Special steps should be taken to perfect and perpetuate the system we now enjoy. We should not be moving in the direction in which this legislation would have us move if we are to remain a physically healthy and sound nation meeting the needs of the young and the old.

The social planners who have dreamed up this socialized medicine program have tied it to amendments to our social security program which are needed and acceptable. By doing this the social planners have tried to put us—those who seek responsible legislation—in an embarrassing position because if we vote as our conscience dictates on the amendments calling for a socialized medicine program, we then are forced to vote against those amendments which are needed in perfecting and broadening the coverage of our present social security program. The hope of the social planners and the administration's spokesmen is to force us to conform to their wishes and desires. I choose not to prostitute my vote in this matter and because portions of this bill are objectionable to me, I am compelled to vote against the total bill, even though I support parts of it.

Mr. FANNIN. Mr. President, I am opposed to H.R. 6675, not because of its objective, but because there is a better way to meet the problem.

I am sure that every Member of the Congress recognizes that hospitalization and medical treatment must be provided for those elderly citizens who cannot afford to pay for this care. There is no argument on this issue.

The advocates of this particular approach have no monopoly on compassion for the aged who need help, nor do they have any monopoly on the soundest and most effective way to provide that help.

We have a responsibility to strive for the most beneficial legislation possible in these areas of demonstrated human need. Medicare falls short in many respects by comparison with the benefits of the eldercare bill which I was privileged to cosponsor.

But the majority has seen fit to dismiss the elder-care approach with virtually no consideration of the bill on its merits. And in so doing, they are disregarding the expert counsel of both the medical profession and the insurance industry.

There is abundant evidence, based on reputable polls, to indicate that millions of Americans are confused about the extent of benefits that medicare will provide.

At best, this bill will cover only about half of the average medical costs for the aged. And it will do this at the expense of providing benefits to millions of Americans who are perfectly capable of meeting their own medical expense problems.

It is this scheme of compulsory financing and benefits for all, regardless of need, that I regard as the bill's chief defect. I am genuinely concerned about its potential weakening effect upon the stability of the entire social security system.

The plain truth is that nobody knows how much this bill will cost the taxpayers. We do know we are talking about nearly $7 billion a year—and that is only the beginning.

The experience of nations in Western Europe and Canada adds up to a sober warning for us. We can surely expect the total cost to skyrocket in the future.

In my judgment, this poses a clear and present danger to the system upon which most Americans depend for the basic foundation of their retirement years. I cannot support a bill to increase the taxes of almost every American wage earner, to pay health benefits to millions of their fellow citizens who are both able and willing to pay for their own care.

Instead of this blanket approach, we should have paid more attention to what the needs really are. In that regard, let me remind you that the Health Insurance Council reported only last month that 79 percent of our population is now covered by some form of health insurance.

There is another weakness inherent in the medicare bill which concerns many of us. All of us know that the people of the United States today enjoy the finest quality of medical care that any nation has ever achieved. Any legislation we pass in this field certainly should aim at strengthening, not weakening, this great national asset.

One of the unique and most important features of our system is the voluntary, private relationship between the individual patient and the physician of his choice. It is one of the principal reasons why our system of medicine is the best in the world.

Some of the organizations and spokesmen who have given such strong support to medicare also have declared that it represents just the beginning step toward a completely federalized and State-dominated system of medical and hospital care.

Surely, none of us wants to see the quality of health care in this country decline from its present unchallenged position of world leadership. Yet there are reasonable grounds to fear the eventual consequences of the first step this bill represents.

I want to commend the minority of the Finance Committee for their able analysis of this bill's limitations. I agree with them that the merits of this legislation are outweighed by its deficiencies.

Mr. GRUENING. Mr. President——

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Alaska yield briefly?

Mr. GRUENING. I am glad to yield to the Senator from Montana.

VISIT TO THE SENATE BY SENATOR FREDERICK RODRIQUES DUHANEY, PRESIDENT OF THE JAMAICAN SENATE

Mr. MANSFIELD. Mr. President, the Senate has the honor to have in the Chamber Senator Frederick Rodriques Duhaney, President of the Senate of Jamaica.

Senator Duhaney was elected to the first Jamaican Parliament in 1962. He is a member of the executive committee of the Jamaican Labor Party.

He was born in Jamaica but went to school in the Boston Latin School, to Dunbar High School in Washington, D.C., and is a graduate of Howard University of this city.

At the present time, he has a nephew at Howard University. Previous to that, his father, his brother, his aunt, and his wife were all Howard University graduates.

By profession Senator Duhaney is a dental surgeon. He is stopping off in Washington on his way back from England, where he participated in the 700th anniversary of the Parliament of Simon de Montfort held in 1265, the first parliament to include representatives of the people.

Mr. President, at this time it is my pleasure and privilege to introduce to the Senate our distinguished guest, the President of the Jamaican Senate, Senator Frederick Rodriques Duhaney.

[Applause, Senators rising.]

Mr. MANSFIELD. Mr. President, I thank the Senator from Alaska for yielding to me.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

AMENDMENT NO. 328

Mr. GRUENING. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from Alaska will state it.

Mr. GRUENING. Is the offering of an amendment in order at this time?

The **PRESIDING OFFICER.** The offering of an amendment is in order.

Mr. GRUENING. Mr. President, I call up my amendment No. 328 and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated for the information of the Senate.

Mr. GRUENING. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment (No. 328) offered by Mr. GRUENING is as follows:

On page 349, between lines 12 and 13, insert the following:

"RECTIFYING ERROR IN INTERPRETING LAW WITH RESPECT TO CERTAIN SCHOOL EMPLOYEES IN ALASKA

"SEC. 342. For purposes of the agreement under section 218 of the Social Security Act entered into by the State of Alaska, or its predecessor the Territory of Alaska, where employees of an integral unit of a political subdivision of the State or Territory of Alaska have in good faith been included under the State or Territory's agreement as a coverage group on the basis that such integral unit of a political subdivision was a political subdivision, then such unit of the political subdivision shall, for purposes of section 218 (b) (2) of such Act, be deemed to be a political subdivision, and employees performing services within such unit shall be deemed to be a coverage group, effective with the effective date specified in such agreement or modification of such agreement with respect to such coverage group and ending with the last day of the year in which this Act is enacted."

VALIDATING SOME ALASKA SCHOOL DISTRICT CONTRACTS UNDER SECTION 218

Mr. GRUENING. Mr. President, my amendment, now before the Senate, seeks to correct an injustice which would befall many school personnel in Alaska because of an error in interpreting the provisions of the Social Security Act.

Many school employees in Alaska are in danger of losing social security benefits because the provisions of section 218 were incorrectly interpreted. Originally, certain city school districts in Alaska were ruled to be "political subdivisions" under the terms of section 218 and agreements with such city school districts were approved by the Social Security Administration.

Now, after 13 years of coverage, and after paying the social security taxes due and expecting to receive social security benefits upon retirement, the school personnel of such city school districts have been informed that such districts cannot be considered "political subdivisions" within the meaning of section 218 of the Social Security Act and that these school employees are not covered under the act.

My amendment simply validates the agreements entered into in good faith by these school districts to cover their school employees under the social security program.

I have been informed that the administration supports this amendment.

I hope that the able and distinguished Senator in charge of the bill will accept this simple amendment.

Mr. LONG of Louisiana. Mr. President, the Senator from Alaska has discussed his amendment with us, and also with those who represent the department, and we believe that the Senator has a good point in his amendment. It was not studied by the committee, but we believe that the Senator from Alaska is probably right about the matter, and we shall be happy to take the amendment to conference.

Mr. ANDERSON. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. ANDERSON. The situation to which the Senator from Alaska refers is similar to the one with which we dealt in Arkansas. Therefore, there is no reason to deny to Alaska what was done for Arkansas.

I agree with the Senator in charge of the bill that the Senator's amendment should be accepted.

Mr. GRUENING. I thank the Senator from Louisiana and the Senator from New Mexico.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment offered by the Senator from Alaska.

The amendment was agreed to.

"HOSPICARE" PROVIDED BY H.R. 6675 NEEDED AND LONG OVERDUE

Mr. GRUENING. Mr. President, I support, in general, the provisions of H.R. 6675 because the program which it provides is long overdue. The legislation has long been misnamed with the title of "medicare." It provides hospital care and should be known as "hospicare."

To my own knowledge, I have known many men and women who have completed successful work careers and who have retired with savings and pensions apparently ample to live in comparative comfort for the rest of their lives. Then these individuals have been struck by severe illnesses and in a very brief period have seen their life's savings drained away in paying for the high costs of medical and hospital care and drugs.

For people in such circumstances, H.R. 6675 marks a milestone and will go far to enable them to meet the overwhelming burden of hospital expenses—and some medical expenses—attendant all too often on old age.

This bill marks a milestone and a crowning achievement for the many men and women who for years have worked tirelessly for its achievement.

President Johnson can rightfully take pride in the enactment of this far-reaching hospital care bill. He worked for its enactment as a U.S. Senator from Texas, as Vice President, and as President. He has at all times indicated that, on his list of needed domestic measures, hospital care for the aged had high priority. Its enactment so early in his administration must be and should rightfully be considered a personal, outstanding achievement for President Johnson.

Another among the many individuals to whom credit and praise should be given for his work in securing the passage of a hospital program for the aged is the very able and distinguished senior Senator from New Mexico [Mr. ANDERSON], who through the years, in the face of great opposition, has fought valiantly for the enactment of this legislation.

Many others deserve high praise for the successful conclusion of this struggle including our distinguished majority leader [Mr. MANSFIELD], the majority whip [Mr. LONG of Louisiana], and the indefatigable Under Secretary of the Department of Health, Education, and Welfare, Mr. Wilbur Cohen.

All these—and many more—deserve the highest praise for a job well done.

In sending his health message to the Congress on January 7 of this year, President Johnson quoted from Thomas Jefferson who wrote:

> Without health there is no happiness. An attention to health, then, should take the place of every other object.

With this statement I heartily concur. With the passage of H.R. 6675, the Congress will be taking a giant step forward to making health "take the place of every other object." It is a step that long needed to be taken.

Mr. McNAMARA. Mr. President, for the past 7 years the problems of our older citizens have been the subject of intensive and continuing study by the Congress. That long and hard work is resulting, at last, in legislation which will significantly contribute to the ability of the Nation's elderly to live independently and with dignity during their retirement years.

Earlier this week, the House of Representatives agreed to the Senate amendments to H.R. 3708—the Older Americans Act of 1965. This important measure—which I sponsored in the Senate and in which I was joined by 23 cosponsors—now awaits the President's signature.

The Older Americans Act—it will be recalled—establishes a new high-level agency—the Administration on Aging—within the Department of Health, Education, and Welfare. The Administration on Aging, headed by a Commissioner appointed by the President and subject to Senate confirmation—will devote its full attention to the problems and potentials of our older population. It is an agency which—among its other responsibilities, will administer a program of grants which will enable the States to support and expand their services in behalf of the elderly.

The Older Americans Act represents a milestone on the road toward a better life for our elderly citizens. We now have an opportunity to enact another landmark piece of legislation—H.R. 6675—the medicare bill. I believe we will take that opportunity.

Although—my interest and activities dealing with the problems of older people predates by many years my service in the Senate, it has been my privilege since 1959 to be deeply involved in the efforts of the Senate to determine and cope with the needs of the elderly.

During the 87th Congress, I was privileged to serve as chairman of the Senate Special Committee on Aging. For 2 years prior to that—I was chairman of the Subcommittee on Problems of the Aged and Aging of the Labor and Public Welfare Committee. Currently, I am chairman of the Subcommittee on Health of the Elderly of the Special Committee on Aging.

During these last 7 years—under a mandate from the Senate—we have thoroughly investigated and evaluated the status of the 18 million Americans who are 65 years of age and over.

We have consulted with the acknowledged experts in the field of aging and have benefited from their research.

We have held public hearings throughout the country to learn firsthand the difficulties and the unique problems facing our older citizens. A long list of committee reports attest to the scope and the depth of this factfinding effort.

And from these years of work, two basic conclusions emerge:

First, the older people of this country have a deep and abiding desire to live their retirement years in independence and dignity;

Second, the greatest threat to this desire for an independent and dignified existence is the pronounced inability of our older citizens to cope with the heavy and inevitable expenses of necessary hospital and medical care.

Other problems, to be sure, trouble people in their retirement years. But completely overshadowing everything else is the haunting fear of financial catastrophe resulting from serious illness.

We cannot, of course, eliminate the likelihood of serious illness among the elderly.

But we can extend to them the hope that when illness does strike, it will not leave them financially destitute.

The legislation we are considering today—a program of hospital insurance through social security and a program of voluntary medical insurance—would offer them that hope.

I believe that we now have before us a bill which would establish a well-balanced program of protection against the crushing expenses of illness. This is a program which will relieve the elderly of the intolerable pressures generated by high health costs on the one side and reduced income on the other. This is a program which will solve the dilemma confronting the young and middle-aged families who are trying to provide for themselves and their children at the same time that they are faced with the tremendous burden of trying to help pay the continuing direct costs of the illnesses of their parents and grandparents.

In evaluating the legislation before us—we must not overlook the substantial and meaningful liberalizations which it makes in the Kerr-Mills program.

Over the years, the Subcommittee on Health of the Elderly has issued three reports on the operation and effectiveness of the Kerr-Mills program. We have never argued against the need for such a program. Our criticism was directed at the idea that Kerr-Mills—by itself—constituted the Federal answer to the problem. Among the specific criticisms of Kerr-Mills made by the subcommittee—for which the present bill now offers remedies were:

First. The family responsibility provisions which imposed hardships on the children and grandchildren of elderly applicants for aid—and which often served to deter otherwise qualified individuals from seeking help. The new bill would limit the application of the family responsibility provision to the spouse, if any, of the applicant.

Second. We had criticized the in-or-out income tests employed by some States in determining eligibility. For example—if a State had a test of $1,500 in income, a person with $1,501 would be ineligible despite the fact that he might have had thousands of dollars of expenses—while an individual with $1,499 in income and only $100 or $200 in expenses would be eligible. The new legislation corrects this situation by requiring the States to relate their income tests to the expenses incurred by the applicant.

Third. We were critical of the fact that the Federal Government would only match up to $15 per month in vendor payments for recipients of old-age assistance while we would match unlimited medical vendor payments for recipients of medical assistance for the aged. It seemed highly unfair to us that we should provide less in money for those who are most in need. Additionally—this imbalance was the prime reason behind the State's switching many of their OAA people to MAA. The present bill authorizes matching on an equal basis for both OAA and MAA and further—specifies that the States may not provide less in benefits under one program than it provides in the other.

Fourth. We were also concerned over the fact that many States provided only the most limited types of health services, for example, a State might provide only hospital care and some services in the outpatient department of a hospital. The new legislation requires that the States include inpatient and outpatient hospital care, other laboratory and X-ray services, skilled nursing home services, and physicians' services.

Mr. President, I should like to stress one other consideration. I believe that proper and appropriate administration of the program is vital to effectuating the congressional intent.

In this regard—and particularly in the case of the basic medicare section of the bill—"part A"—administrative responsibility and operation should, to the greatest extent possible, be assumed by public agencies.

Any administrative tasks which are delegated by the Department of Health, Education, and Welfare should in all instances be assigned to State and local health departments, where these public agencies are willing and capable of performing those responsibilities. The public interest would be fully served by giving preference to public agencies.

In conclusion, Mr. President, I would say that the medicare bill now before the Senate is not perfect. I am positive that we will modify it in future years—as experience exposes defects.

But it does represent an enormous step forward by the Congress in meeting one of the most urgent social needs of our times. Its enactment has been demanded by an overwhelming majority of Americans—of all ages—for many years.

I regard it as both a privilege and an honor to be associated with this legislation as a cosponsor and I shall cast my vote in favor of it with a deep sense of satisfaction and fulfillment.

Mr. JAVITS. Mr. President, I know that some of my colleagues in the Senate wish to speak. I should like to make the remaining committee amendment the pending business, if it is agreeable to the Senator from Louisiana. I wish to announce that the committee amendment is opposed by the Senator from New York [Mr. Kennedy] and myself jointly, in lieu of our offering an amendment. Normally, an amendment would be offered if the committee amendment had been treated as original text. We have undertaken, therefore, to oppose the committee amendment.

If we may have the remaining committee amendment made the pending business, I shall yield the floor and let other Senators speak.

The PRESIDING OFFICER. Does the manager of the bill wish to call up the remaining committee amendment?

Mr. LONG of Louisiana. Mr. President, I ask that the committee amendment be made the pending business.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The legislative clerk proceeded to state the committee amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment is as follows:

On page 267, line 8, after the word "ending", it is proposed to insert "on or"; on page 268, after line 2, to strike out:

"COVERAGE OF TIPS

"Sec. 313. (a)(1) Section 209 of the Social Security Act is amended by striking out 'or' at the end of subsection (j), by striking out the period at the end of subsection (k) and inserting in lieu thereof '; or', and by adding immediately after subsection (k) the following new subsection:

"'(l) (1) Tips paid in any medium other than cash;

"'(2) Cash tips received by employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more.'

"(2) Section 209 of such Act is further amended by adding at the end thereof the following new paragraph:

"'For purposes of this title, tips received by an employee in the course of his employment shall be considered remuneration for employment. Such tips shall be deemed to be paid to the employee by the employer and shall be deemed to be so paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) of the Internal Revenue Code of 1954 or (if no statement including such tips is so furnished) at the time received.'

"(b) Section 451 of the Internal Revenue Code of 1954 (relating to general rule for taxable year of inclusion) is amended by adding at the end thereof the following new subsection:

"'(c) Special Rule for Employee Tips. For purposes of subsection (a), tips included in a written statement furnished an employer by an employee pursuant to section 6053(a) shall be deemed to be received at the time the written statement including such tips is furnished to the employer.'

"(c)(1) Section 3102 of such Code (relating to deduction of tax from wages) is amended by adding at the end thereof the following new subsection:

"'(c) Special Rule for Tips.

"'(1) In the case of tips which constitute wages, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that collection can be made by the employer, at or after the time such statement is so furnished and before the close of the 10th day following the calendar month in which the tips were received, by deducting the amount of the tax from such wages of the employee (excluding tips, but including funds turned over by the employee to the employer pursuant to paragraph (2)) as are under control of the employer.

"'(2) If the tax imposed by section 3101, with respect to tips received by an employee during a calendar month which are included in written statements furnished to the employer pursuant to section 6053(a), exceeds the wages of the employee (excluding tips) from which the employer is required to collect the tax under paragraph (1), the employee shall furnish to the employer on or before the 10th day of the following month an amount of money equal to the amount of the excess.

"'(3) The Secretary or his delegate may, under regulations prescribed by him, authorize employers—

"'(A) to estimate the amount of tips that will be reported by the employee pursuant to section 6053 in any quarter of the calendar year,

"'(B) to determine the amount to be deducted upon each payment of wages (exclusive of tips) during such quarter as if the tips so estimated constituted the actual tips so reported, and

"'(C) to deduct upon any payment of wages (other than tips) to such employee during such quarter such amount as may be necessary to adjust the amount actually deducted upon such wages of the employee during the quarter to the amount required to be deducted during the quarter without regard to this paragraph.'

"(2) The second sentence of section 3102 (a) of such Code is amended by inserting before the period at the end thereof the following: '; and an employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053(a) to which paragraph (12) (B) of section 3121(a) is applicable may deduct an amount equivalent to such tax with respect to such tips from any wages of the employee (exclusive of tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20'.

"(3) Section 3121(a) of such Code (relating to definition of wages under the Federal Insurance Contributions Act) is amended by striking out 'or' at the end of paragraph (10), by striking out the period at the end of paragraph (11) and inserting in lieu thereof '; or', and by adding after paragraph (11) the following new paragraph:

"'(12)(A) tips paid in any medium other than cash;

"'(B) cash tips received by an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more.'

"(4) Section 3121 of such Code is further amended by adding at the end thereof the following new subsection;

"'(q) Tips.—For purposes of this chapter, tips received by an employee in the course of his employment shall be considered remuneration for employment. Such tips shall be deemed to be paid to the employee by the employer, and shall be deemed to be so paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received.'

"(d)(1) Section 3401 of such Code (relating to defintions for purposes of collecting income tax at source on wages) is amended by adding at the end thereof the following new subsection:

"'(f) Tips.—For purposes of subsection (a), the term "wages" includes tips received by an employee in the course of his employment. Such tips shall be deemed to be paid to the employee by the employer, and shall be deemed to be so paid at the time a written statement including such tips is furnished to the employer pursuant to section 6053(a) or (if no statement including such tips is so furnished) at the time received.'

"(2) Section 3401(a) of such Code (relating to definition of wages for purposes of collecting income tax at source) is amended by striking out ', or' at the end of paragraph (6) and inserting in lieu thereof '; or', by striking out the period at the end of paragraph (12) and inserting in lieu thereof '; or', by striking out the period at the end of paragraph (15) and inserting in lieu thereof '; or', and by adding after paragraph (15) the following new paragraph:

"'(16)(A) as tips in any medium other than cash;

"'(B) as cash tips to an employee in any calendar month in the course of his employment by an employer unless the amount of such cash tips is $20 or more.'

"(3) Subsection (a) of section 3402 of such Code (relating to income tax collected at source) is amended by striking out 'subsection (j)' and inserting in lieu thereof 'subsections (j) and (k)'.

"(4) Section 3402 of such Code is further amended by adding at the end thereof the following new subsection:

"'(k) Tips.—In the case of tips which constitute wages, subsection (a) shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053(a), and only to the extent that the tax can be deducted and withheld by the employer, at or after the time such statement is so furnished and before the close of the calendar year in which the employee receives the tips which are included in such statement, from such wages of the employee (excluding tips, but including funds turned over by the employee to the employer for the purpose of such deduction and withholding) as are under the control of the employer; and an employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053 (a) to which paragraph (16)(B) of section 3401(a) is applicable may deduct and withhold the tax with respect to such tips from any wages of the employee (excluding tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20. Such tax shall not at any time be deducted and withheld in an amount which exceeds the aggregate of such wages and funds minus any tax required by section 3102(a) to be collected from such wages.'

"(e)(1) Section 6051(a) of such Code (relating to receipts for employees) is amended by adding at the end thereof the following new sentence: 'In the case of tips received by an employee in the course of his employment, the amounts required to be shown by paragraph (3) shall include only such tips as are included in statements furnished to the employer pursuant to section 6053(a); and the amounts required to be shown by paragraph (5) shall include only such tips as are reported by the employee to the employer pursuant to section 6053(b).'

"(2)(A) Subpart C of part III of subchapter A of chapter 61 of such Code (relating to information regarding wages paid employees) is amended by adding at the end thereof the following new section:

" 'Sec. 6053. Reporting of Tips.

" '(a) Every employee who, in the course of his employment by an employer, receives in any calendar month tips which are wages (as defined in section 3121(a) or section 3401(a)) shall report all such tips in one or more written statements furnished to his employer on or before the 10th day following such month. Such statements shall be furnished by the employee under such regulations, at such other times before such 10th day, and in such form and manner, as may be prescribed by the Secretary or his delegate.

" '(b) For purposes of sections 3102(c), 3111, 6051(a), and 6652(c), tips received in any calendar month shall be considered reported pursuant to this section only if they are included in such a statement furnished to the employer on or before the 10th day following such month and only to the extent that the tax imposed with respect to such tips by section 3101 can be collected by the employer under section 3102.'

"(B) The table of sections for such subpart C is amended by adding at the end thereof the following:

" 'Sec. 6053. Reporting of Tips.'

"(3) Section 6652 of such Code (relating to failure to file certain information returns) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

" '(c) Failure To Report Tips.—In the case of tips to which section 6053(a) applies, if the employee fails to report any of such tips to the employer pursuant to section 6053(b), unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be paid by the employee, in addition to the tax imposed by section 3101 with respect to the amount of the tips which he so failed to report, an amount equal to such tax.'

"(f) Section 3111 of such Code (relating to rate of tax on employers under the Federal Insurance Contributions Act), as amended by section 321 of this Act, is amended by adding at the end thereof the following new subsection:

" '(c) Tips.—In the case of tips which constitute wages, the tax imposed by this section shall be applicable only to such tips as are reported by the employee to the taxpayer pursuant to section 6053(b).'

"(g) The amendments made by this section shall apply only with respect to tips received by employees after 1965."

And in lieu thereof, to insert:

"COVERAGE OF TIPS

"Sec. 313. (a) Section 211(c) of the Social Security Act, as amended by section 311 of this Act, is amended by adding at the end thereof the following new sentence: 'The provisions of paragraph (2) shall not have the effect of excluding cash tips received by an employee in the course of service which constitutes employment under this title, on his own behalf and not on behalf of another person, from "net earnings from self-employment"; except that (i) this sentence shall not apply in the case of tips which constitute remuneration for employment under this title, and (ii) in applying subsection (a) with respect to tips to which this sentence is applicable, only the deductions attributable to such tips shall be taken into account.'

"(b) Section 1402(c) of the Internal Revenue Code of 1954 (relating to definition of trade or business), as amended by section 311 of this Act, is amended by adding at the end thereof the following new sentence: 'The provisions of paragraph (2) shall not have the effect of excluding cash tips received by an employee in the course of service which constitutes employment under chapter 21, on his own behalf and not on behalf of another person, from "net earnings from self-employment"; except that (i) this sentence shall not apply in the case of tips which constitute remuneration for employment under chapter 21, and (ii) in applying subsection (a) with respect to tips to which this sentence is applicable, only the deductions attributable to such tips shall be taken into account.'

"(c) The amendments made by this section shall apply only with respect to taxable years beginning after December 31, 1965."

Mr. MORTON. Mr. President, a national health care program for the needy aged is long overdue in this country. Millions of our senior citizens who are living on very modest incomes have for years faced a serious problem in meeting the costs of health care.

We are all thankful for the fact that the exciting and rapid scientific advances in medicine, surgery and therapy have substantially increased the life span of our people. These advances have obviously led to greater cost to the patient. Treatments have been developed which are very complex involving costlier drugs, operations, hospitalization, specialized nursing home care, and so forth. The healing arts community is to be congratulated on the great progress that it has made and society in general is the beneficiary.

In 1949 as a Member of the House I, along with a group of Republicans, introduced a comprehensive national health care program for the needy aged. One of the cosponsors was my colleague, the distinguished senior Senator from New York [Mr. JAVITS]. As I recall, the Honorable Christian Herter, then a Member of the House, and the Honorable Richard Nixon, at that time a House Member, were also cosponsors.

My interest and concern with this problem go back many years. I introduced a comprehensive measure in 1962 and this year I am a cosponsor of the bill introduced by the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL].

In reality, my interest in this problem dates from my childhood. My father was a doctor of medicine and a general practitioner in Louisville, Ky. One of my earliest memories is spending a year in Europe when my father studied in Germany and Austria to gain specialized training in the general area of heart disease. Today, the doctors of Europe come to this country for specialized training, and many prominent Europeans come to this country for treatment. The Duke of Windsor recently visited Houston for surgery and I think it is commendatory that in one generation we have gone to the forefront in medical science. I know that we all want America to stay in that position.

In spite of my long interest in this problem and my keen desire to do something about it, I cannot support this bill. I have always maintained that if the program is to be successful, it must meet three criteria: First, it must be voluntary. Second, it must be based on need. And third, it must not be financed through a payroll tax.

Those with adequate incomes who happen to be covered by social security and who can well afford their own medical care directly or through insurance, should not be forced to join a program.

A needs clause, I think, is essential. I do not think it proper for a young man going to work and expecting to support a family to have to pay a hospital, or any other bill, for the millions in this country who can afford to pay their own. I do not think a means test should require a so-called pauper's oath. The bill which I introduced in 1962 applied the means test by the income tax return of the individual. Critics of the means test say that its application would force a person to sell his home before he could benefit from the program. This is not the case. Let the income tax return be the only means test.

I vigorously oppose financing so much of this program through payroll taxes. The payroll tax with an arbitrary limit, be it $5,600 or $6,600 a year, is a regressive tax in the same sense that a sales tax or retail excise tax is regressive. Under the terms of this bill a man earning $6,600 a year will pay just as much in taxes as a man earning $66,000. This is certainly not the American way. I can not understand the logic of the labor leaders of this country in their almost unanimous support of this method of financing health care for the needy aged. These same leaders argue persuasively against a sales tax saying that it falls equally on those who can afford it and those who cannot afford it. It seems to me that the same philosophy applies here.

Furthermore, a payroll tax is a direct manufacturing cost. When direct costs go up, prices go up. We are having difficulties today competing in the world market. By increasing these direct costs our difficulties will be compounded. Experience has shown in other countries, especially in Western Europe where we find our keenest competition, that payroll taxes which finance a health program have skyrocketed over the years. In spite of these high taxes Germany and Italy can undersell us on many products because their basic factory or mine wage is far below ours. If wages were comparable, their present higher rate of payroll tax would eliminate them as a competitor.

Our own experience with the social security program, and the discussion of this bill in the Finance Committee, and the debate here on the floor make it obvious that this program will be sharply expanded in future years. I do not think anyone can question this. Benefits will be broadened and taxes increased. For this reason, it is all the more important that we set the proper guidelines at the initiation of this program. In my judgment, the broad guidelines are contained in the three criteria which I have set out. This is going to be a huge program.

Let us set it in the proper framework so that it will enhance and not impair the great American will to produce.

I wish this bill could be amended so that I might support it. I am afraid that is a remote and forlorn hope. If I have properly judged the temper of the Senate none of the three criteria which I have spelled out will be achieved and, I am sorry to say, none was achieved in the bill which the House of Representatives sent to us. Therefore, it seems clear, Mr. President, that my vote on final passage will have to be in the negative.

Mr. FONG. Mr. President, H.R. 6675 is a monumental measure of far-reaching consequences.

It deals with fundamental human needs of millions of Americans.

It extends a helping hand not only to our senior citizens, but also to children, blind, and disabled persons, and needy individuals.

There is general agreement on the humanitarian objectives of this bill although many differ regarding the methods of achieving these objectives, particularly in the field of medical care for the aged.

BRIEF DESCRIPTION OF PROVISIONS

H.R. 6675 has four main parts.

First. In the area of medical care, it provides as follows:

(a) A compulsory hospital-nursing home plan for most persons past 65 financed by higher social security taxes on workers, their employers, and the self-employed; and by payments elderly patients must make toward their care—deductibles and daily charges.

(b) A voluntary supplementary plan covering physicians' services and certain other health costs financed by monthly premiums paid by those past 65; by matching premiums paid by the Federal Government out of general revenues; and by fees patients must pay for care—deductibles plus 20 percent of remaining costs, and

(c) An expanded Kerr-Mills medical assistance program for the needy and medically needy aged, blind, disabled, and families with dependent children. This combines five existing medical assistance programs into a single program.

Second. H.R. 6675 provides expanded services for maternal and child health, crippled children, child welfare, and the mentally retarded, and establishes a 5-year program of special project grants for comprehensive health care and services for needy children, including those emotionally disturbed of school age or preschool age.

Third. H.R. 6675 provides greater benefits and coverage under social security old-age, survivors' and disability programs, including a 7-percent increase in monthly benefits for social security recipients with a $4 minimum increase for an individual and a $6 minimum increase for a couple.

Fourth. H.R. 6675 improves and enlarges public assistance programs.

From this brief description, the scope and breadth of this legislation are merely indicated. I shall not attempt at this point to describe the bill in full, for it is a very comprehensive, very technical bill totaling 387 pages. More details can be found elsewhere in my statement.

SOCIAL SECURITY BILL WILL BECOME LAW

It is very apparent that H.R. 6675 will pass the Senate and that, after differences in the House and Senate versions are resolved, it will receive approval by Congress and will be signed by the President.

It will become the law of the land—and most of the programs, including the new basic hospital insurance plan and the supplementary insurance plan for medical care of Americans past 65, will become permanent programs.

In a far-reaching bill of this complexity and nature, no one is completely satisfied with every provision. I have consistently fought for comprehensive medical care for any aged person who needs assistance in paying his medical bills, with such a program to be financed out of general revenues. Although this bill in part relies on general revenues, the basic hospital-nursing home plan relies on social security taxes and makes limited benefits available to everyone regardless of need.

This legislation has been developed according to established congressional procedure, with all Americans allowed an opportunity to present their views. In particular, the subject of medical care for the aged has been investigated, studied, and debated for a number of years, quite intensively during the past 5 years.

Now the majority in Congress has worked its will and, in the American way, everyone accepts that.

It now behooves all of us to do our best to make these programs as workable and as effective as possible.

Let us put acrimony behind us. Let us bind up our wounds and with malice toward none let us get on with the enormous job of implementing this measure.

LANDMARK LEGISLATION

The inauguration of the basic hospital insurance program and the supplementary insurance program will be hailed as landmark legislation, as indeed it is.

It will unquestionably be important in helping our senior citizens meet their hospital, doctor, and certain other medical expenses.

It is estimated the basic and supplementary plan together will cover just under 50 percent of the average medical costs of those past 65.

Nevertheless, we all have a duty not to oversell these programs. We should not lead those past 65 to believe more is provided than actually is provided.

BILL DOES NOT COVER ALL MEDICAL NEEDS

For example, H.R. 6675 does not provide aid for every kind of medical care an individual past 65 may need.

The basic plan for instance does not pay for private rooms, private nurses, long-term stays in psychiatric hospitals or drugs outside a hospital; nor does it cover very long "catastrophic" illness.

The supplemental plan does not cover routine physicals, extensive psychiatric care, routine dental work, drugs, dentures, orthopedic shoes, eyeglasses, or hearing aids.

BILL DOES NOT COVER ALL MEDICAL COSTS

It is important for Americans to understand that H.R. 6675 is not a free medical care bill. The hospital and other medical services covered by the two plans are not paid in full under these plans.

Under the basic hospital plan, a patient must pay the first $40 of cost during the first 60 days, plus $10 a day for each day after that during the next 60 days. The plan does not pay any hospital costs after these 120 days during one spell of illness. So the patient has to find some means of paying hospital care after 120 days.

A patient sent to a nursing home after receiving hospital care would pay $5 a day beginning with the 21st day through the 100th day in the nursing home. After 100 days of a single spell of illness, the plan pays nothing more toward nursing home care.

Furthermore, if costs of hospital and nursing home services go up, patients may have to pay greater amounts beginning in 1968. Hospital costs have been rising about 7 percent a year over the past few years.

Under the supplementary insurance plan, those past 65 wishing this insurance must pay $3 per month. The Federal Government also pays $3 per month.

Under H.R. 6675, these premiums could be increased every 2 years. If costs of the services covered go up sufficiently, those past 65 can look forward to further increases in their monthly premium.

In addition, under the supplementary plan, patients must pay a $50 deductible, which means they must pay the first $50 of expenses incurred for physicians' services and other health items covered by this insurance. In addition, patients must pay 20 percent of costs above the first $50.

OLDER AMERICANS NEED MORE PROTECTION

I mention these matters so that Americans past 65 will be aware that the two medical plans contained in this bill will not pay all of their health and medical bills.

It is only fair to caution our senior citizens that they should protect themselves against medical expenses not taken care of by the basic plan or the supplementary plan through additional insurance. Otherwise, they may face some costly bills to pay out of savings.

EFFECTIVE DATE OF TWO NEW MEDICAL PLANS

Another very important reminder to those who will be eligible for these medical programs: benefits under the basic plan will not be available until July 1, 1966. Benefits under the supplementary plan will not be available until January 1, 1967.

So, I say to our older Americans, when this bill passes, do not cancel your present health insurance policies. Do not let your health insurance lapse between now and the date when these plans become effective.

Your present insurance company will probably revise its policies so that they will not overlap the benefits of the health insurance plans of this bill. They will, I am confident, devise policies offering coverage and benefits not provided under the two plans of this bill.

Also, most businesses with health insurance programs for their employees will revise these policies to be effective after the basic Government insurance and supplementary insurance plans go into effect.

URGES HEALTH INSURANCE FOR ELDERLY

I say again to our older Americans: Do not leave yourself unprotected during the next year and a half before benefits are available to you under H.R. 6675.

If you do not now have health insurance that will help pay hospital, doctor, and medical bills, I would urge you to obtain such insurance. No one knows when illness may strike. It might be before benefits under either plan in H.R. 6675 will be available to you. So take the sensible precaution of protecting yourself against costly illness.

Here I would like to urge private health insurance companies to do their very best to provide reasonable cost and effective policies to protect older persons against medical costs not covered in the two plans of this bill.

SOCIAL SECURITY IMPROVEMENTS

Now I would like to comment on the social security increase and some of the other improvements in old-age, survivors, and disability programs proposed in H.R. 6675.

SEVEN PERCENT INCREASE

The 7-percent, across-the-board increase in benefits for the present 20 million social security recipients is retroactive beginning with January 1965 benefits.

There is a guaranteed $4 monthly minimum for retired workers who are past 65 in the first month they are paid the increased benefit.

The guaranteed minimum increase is provided to make sure everyone over 65 would receive at least enough to take advantage of the supplementary insurance costing those past 65 $3 per month. The $4 minimum for an individual would cover the premium with $1 to spare. A man and his wife would receive a minimum total increase of $6, which would cover the health insurance premium for both.

Unfortunately, the 7-percent increase does not keep pace with the 8.9 percent increase in cost of living since 1958.

In other words, even with this increase, social security benefits will buy less than in 1958.

SUPPORTS SOCIAL SECURITY INCREASE

I have strongly favored a cost-of-living increase in social security. Last year I voted for the increase provided in the bill passed by the Senate. I deplore the fact that this much-needed increase was allowed to die in conference committee between House and Senate in the dispute over medical care.

On the first day bills could be introduced this year, I sponsored a bill—S. 39—providing for a 7-percent increase. At the time, I urged that consideration be given to an 8-percent increase because I believed the cost of living was heading upward. It did rise and is still rising. The cost of living is now nearly 9 percent more than in 1958.

So in this bill we are not restoring buying power of social security benefits to the 1958 buying power.

WHY COST-OF-LIVING INCREASE NOT HIGHER

It is well understood that social security benefits could have been increased by 8 or 9 percent, had not the hospital insurance plan been added to this bill.

In order to keep social security taxes from jumping too high at this time, the social security increase had to be limited to 7 percent and the hospital benefits had to be curtailed.

Thus, in the very drafting of this bill both the cash benefit program and the hospital insurance program for the aged have had a restrictive impact on each other.

There are those who claim the new hospital program will not endanger the cash benefit programs for retirees, for widows, children, dependents, and the disabled under the existing social security programs—old-age, survivors', and disability insurance.

Those making this claim say the new health insurance trust fund set up in H.R. 6675 would be separate from the present social security trust fund. They point out the bill requires social security withholding for hospital benefits to be deducted from wages separately from the regular old-age, survivors', and disability social security deductions.

Separate accounting will not insulate one program from the other. Both programs have already had and will continue to have an impact on each other.

The reason is that the revenues for the old-age, survivors', and disability benefits and the revenues for the new hospital benefits will be derived from the same source: wages of workers in social security covered jobs and railroad retirement covered jobs.

In a very real sense, the OASDI cash benefits programs and the new hospital benefits program are competing for social security taxes levied on wages.

We cannot put too heavy taxes on wages, or we shall deprive workers of the wherewithal to pay their living expenses.

As employers must match the social security tax for each of their workers, this will raise the cost of doing business and this added cost will be passed on to consumers in higher prices. Higher prices make it more difficult to sell abroad in competition with foreign companies.

So the sky is not the limit when it comes to the amount of social security taxes that can be extracted from wages.

There is no doubt that, at some time in the future, when we want to increase the cash benefits for social security retirees, for dependents, disabled persons and all the rest and when the costs of the hospital program require an increase, we are going to reach a point where we cannot increase the burden on wage earners by hiking social security taxes on their wages or self-employed income, or by making more of their wages subject to the tax—raising the taxable wage base.

Some people think that day is not far off.

Even some ardent advocates of hospitalization through social security taxes have already admitted that future social security improvements may have to be financed out of general revenues.

Endorsement of the supplementary insurance program, which is not financed out of social security taxes, is tacit recognition that a fully comprehensive medical care program should not be financed out of social security. The burden would be too great on one segment of our population, the wage earners.

Of course, there is an alternative. That is to make the elderly patients pay a greater share of the costs of this program. I have already pointed out that the bill provides for automatic increases in the amount patients must pay for hospital and nursing home care, starting in 1968, if costs of these services rise enough by then. A patient hospitalized for 120 days would pay $640. If he stays the full 100 days in a nursing home after hospitalization, he would pay an additional $400, for a total of $1,040.

Under provisions of H.R. 6675, if hospital and nursing home costs rise appreciably, the amount the patient would pay also will rise.

To make patients pay even more than the bill provides would put a greater burden on the elderly, the very people we seek to help under this program.

GENERAL REVENUE FINANCING FORECAST

I predict that eventually the OASDI cash benefit programs or the hospital program will have to be financed, in whole or in part, out of general revenue financing.

Cash benefits for a worker, his survivors, or dependents under the present old-age, survivors, and disability insurance program—social security—are related to wages earned by the worker.

Retirement benefits, survivors' benefits, child's benefits, and disabilty benefits of the existing social security program are of fundamental importance to the economic well-being of Americans.

It is certain this program will have to keep pace with the rising cost of living and necessary further improvements will have to be made in the future.

It seems to me the sensible procedure is to continue the existing OASDI social security programs under the social security tax system.

Hospital benefits under the basic plan of H.R. 6675 are, however, not related to the amount of wages each worker has earned.

Therefore, it makes much more sense to me to finance the hospital program out of general revenues. In this way, the cost of the hospital program can be spread among all taxpayers, according to their income and ability to pay.

Now to return to my commentary on other features of H.R. 6675.

CHILD'S BENEFITS EXTENDED FOR FULL-TIME STUDENTS

Child's social security benefits, which formerly terminated at age 18, are continued by the bill up to age 22, provided the child is attending school full time until then.

I voted for this provision last year in the bill that regrettably died in conference October 3. This year I introduced a bill—S. 498—to extended the age to 22. I fully support this extension, which will help an estimated 295,000 children this year continue their schooling.

I am delighted the provision was made retroactive to January 1, 1965.

DISABLED CHILD'S BENEFITS EXTENDED

Under an amendment—No. 125—which I introduced and which the Senate Finance Committee adopted, benefits are provided for a child disabled before age 22—present law says before age 18—should his parent die, become disabled, or retire under social security.

The mother of the child would also be eligible for benefits so long as she continued to have the child in her care.

Under present law, an individual is considered dependent and is paid child's insurance benefits if he has been continuously disabled since before age 18.

Young persons disabled between ages 18 and 22 ordinarily would not have worked the 5 years needed to qualify under existing law for social security disability based on his earnings. It is likely, even if this person is working, his parent would assume financial responsibility for his support following disablement.

Therefore, it is appropriate to extend child's benefits to those disabled prior to age 22.

I am very pleased the committee accepted my amendment.

An estimated 20,000 persons—disabled children and their mothers—will become immediately eligible for benefits. The effective date of this provision is the second month after the month in which the bill is enacted.

While the number of people affected is small, compared with some other provisions of the bill, the benefit for those eligible is significant.

We cannot ease the heartache involved for these disabled young people and their families. But we can, and do, in this provision help to ease the financial strain.

WIDOWS' BENEFITS AT AGE 60

H.R. 6675 permits widows to receive benefits at age 60, on a reduced basis. Under present law, a widow must wait until age 62 before she may receive any social security benefits. At that time she receives the full benefit. This bill allows her to elect a reduced benefit starting at age 60 if she would prefer, and in this way gives a widow greater leeway in deciding what is most advantageous in her particular circumstance.

BENEFITS FOR SOME PAST AGE 72

H.R. 6675 reduces to a minimum of three quarters the requirement for social security covered employment of certain persons past 72 so that they can qualify for a $35 a month benefit. Wives of those who qualify would receive $17.50 a month and widows $35 a month.

Some 355,000 persons past 72 would be eligible for benefits, effective the second month after the month of enactment.

This is another provision I voted for last year in the bill that later died. This year I introduced a bill—S. 764—providing these benefits. I am delighted the pending bill includes this feature.

EARNINGS LIMIT RAISED

H.R. 6675 increases to $1,800 (now $1,200) the amount a social security recipient may earn without losing any of his social security benefit.

For each $2 earned between $1,800 and $3,000, he would lose $1 of his social security benefit. For earnings above $3,000 he would lose $1 in benefits for $1 of earnings.

Now he loses $1 in benefits for each $2 earned between $1,200 and $1,700; and he loses $1 for each $1 earned above that.

In addition, under H.R. 6675 the amount of earnings a beneficiary may have in a month and still receive full benefits for that month, regardless of his yearly earnings is raised to $150—now $100.

About 850,000 persons would be helped by this feature which is effective beginning calendar year 1966.

Earlier this year, I introduced a bill (S. 765) to raise the annual earnings limit to $2,400 and the monthly limit to $200 without loss of social security benefit.

At least the committee provision is a substantial step in the right direction.

MATERNAL AND CHILD HEALTH AND WELFARE AMENDMENTS

H.R. 6675 increases the amount authorized in present law for maternal and child health services.

For fiscal year 1966, the increase is $5 million and for the succeeding fiscal years, the increase is $10 million a year.

This would raise the 1966 total to $45 million, rising each year until 1970 and thereafter when the total will be $60 million.

Authorizations for crippled children's service and child welfare would also be increased by $5 million the first year and $10 million the following years.

In addition, H.R. 6675 authorizes $5 million for 1967, $10 million for 1968, and $17.5 million yearly thereafter for grants to institutions of higher learning for training professional personnel in health and related care of crippled children, particularly mentally retarded children and those with multiple handicaps.

A new provision added to the bill authorizes a 5-year program of special project grants for comprehensive health care and services for children of school age or for preschool children.

For fiscal year 1966, $15 million would be authorized and this authorization would increase until it reached $50 million for fiscal year 1970.

PUBLIC ASSISTANCE IMPROVEMENTS

H.R. 6675 improves and expands the public assistance programs by such amendments as—

First, increasing the Federal matching share for cash payments for the needy aged, blind, disabled, and families with dependent children;

Second, eliminating limitations on Federal participation in public assistance to aged individuals in tuberculosis and mental disease hospitals under certain conditions; and

Third, allowing States greater latitude in disregarding certain earnings in determining need of public assistance recipients.

These are some of the highlights in the bill requiring special comment before I proceed to discuss the two health and medical care plans.

BASIC HOSPITAL-NURSING HOME PLAN

As I have already stated, the basic plan for hospital, nursing home, and related care would be financed through an increase in the social security tax on wages of workers, their employers, and self-employed persons; by higher railroad retirement taxes, and by charges levied on elderly patients.

The tax increase would go into effect January 1, 1966. But benefits for patients would not be offered until July 1, 1966.

About 17 million persons insured under social security and railroad retirement and 2 million uninsured persons past age 65 would qualify at that time.

Costs of the program for uninsured persons would come out of general revenvues of the U.S. Treasury.

After 1974, anyone wishing to qualify must have sufficient social security or railroad retirement coverage.

Benefits under this compulsory plan are as follows:

First. Up to 120 days in a hospital in each spell of illness. Sixty days must elapse between each spell of illness. Patient pays $40 deductible, plus $10 a day for each day in hospital after first 60 days. No doctors' nor private duty nursing services paid by this plan.

Second. After hospitalization, up to 100 days in a nursing home or other facility having an arrangement with the hospital from which the patient is transferred. After the first 20 days, the patient pays $5 a day toward his care.

Previous bills have limited nursing home care to hospital-affiliated institutions. Since there are not many hospital-affiliated nursing homes in America, this would have helped very few aged persons. The change contained in H.R. 6675 permitting an arrangement with a hospital will make nursing home care available for many more patients.

Third. Outpatient hospital diagnostic service, with the patient paying a $20 deductible amount and 20 percent of the cost above that for diagnostic studies by the same hospital during a 20-day period.

Fourth. After hospitalization, home health services for up to 175 visits after discharge from the hospital or nursing home and before the beginning of a new spell of illness. These services would include intermittent nursing care, therapy, and the part-time services of a home health aid.

COST OF BASIC HOSPITAL-NURSING HOME PLAN

The first full year this plan is in effect would cost $2,358 million out of the health insurance trust fund and $285 million out of the U.S. Treasury. In time the bill provides that all costs would be paid out of the health insurance trust fund.

TAXES FOR HOSPITAL-NURSING HOME PLAN

The social security tax rate would be 0.325 percent on earnings up to $6,600, starting next January 1. The tax rate would rise from time to time to 0.850 percent starting in 1987.

A worker or a self-employed person earning $6,600 would pay $21.45 for hospital insurance in calendar year 1966. His employer would match the tax each of his workers pays.

In 1967, the tax on $6,600 on the worker would total $33, and it would go up until it reached $56.10 a year in 1987 and thereafter.

PREFERS GENERAL REVENUE FINANCING OF HOSPITAL PLAN

As I have already stated, I believe general revenue financing should be used for the hospital-nursing home program, which is a service program, not a wage-related cash benefit program, as existing social security is.

Certainly, this would be a much fairer way to distribute the cost burden. Then each person under 65 would pay taxes according to his income; in other words, according to his ability to pay.

Moreover, before income taxes are levied, a taxpayer is allowed to exempt $600 for himself and $600 for his spouse and $600 for each dependent. He also is permitted to subtract either the standard or itemized deduction from his gross income before the income tax applies.

Not so with social security taxes.

Social security taxes apply to the first dollar of wages earned and to every dollar earned up to the maximum taxable, $6,600 under H.R. 6675. No exemptions and no deductions from gross income are allowed before social security taxes are applied.

Social security taxes are not based on ability to pay. A $6,600 worker pays the same amount of tax as a $66,000 executive.

This is grossly unfair.

Last year Congress enacted an antipoverty program designed to help those in low-income brackets, roughly those with $3,000 or less income a year.

Congress also reduced income taxes last year to relieve lower income-receiving persons of this burden. More than one and one-half million low-income-receiving persons were relieved entirely of paying Federal income taxes.

Yet H.R. 6675 proposes higher social security taxes, which hit lower income groups hardest.

This is very inconsistent to say the least.

But it is plain that a move for general revenue financing of the entire hospital insurance program would be overwhelmingly defeated in the Senate today. Too many are committed to the social security approach in support of the administration.

CONCERN FOR WAGE EARNERS

Nevertheless, I must express my concern for the wage earners of America. For, this hospital program is bound to expand and the burden on wage earners to increase.

Those who pay the hospital insurance tax will be men and women workers under age 65. During their working lives they bear the cost of feeding, clothing, and housing themselves and their families, of paying for an automobile and other necessities, of educating their children, and of buying life insurance and hospital and medical insurance to protect themselves and their families.

These workers will pay taxes for as long as 45 years or more.

Yet no worker will receive any hospital benefits under this bill until he reaches age 65—and then only if he becomes sick and needs hospitalization.

Meanwhile, 40 percent of all income in America subject to income taxes will escape social security taxation to pay for the hospital plan in this bill.

This is most unfair.

SUPPLEMENTARY INSURANCE PLAN

All persons past age 65 would have an opportunity to buy this insurance by paying $3 a month premium. The Federal Government would pay $3 a month to match this.

After paying an annual deductible of $50 toward costs of services incurred, the insured patient would pay 20 percent of any additional cost—the plan would pay 80 percent—of the following services:

First, physicians' including osteopaths and surgeons' services, whether furnished in a hospital, clinic, office, in the home or elsewhere;

Second, chiropractors' services;

Third, podiatrists' services;

Fourth, home health service for up to 100 visits each calendar year—with no prior hospitalization as is required under the basic hospital plan;

Fifth, diagnostic X-ray and laboratory tests and other diagnostic tests;

Sixth, X-ray, radium and radioactive isotope therapy;

Seventh, ambulance services; and

Eighth, surgical dressing and splints, casts, and other devices for reduction of fractures and dislocations; rental of durable medical equipment such as iron lungs, oxygen tents, hospital beds, and wheelchairs used in the patient's home, prosthetic devices—other than dental—which replace all or a part of an internal body organ; braces and artificial legs, arms, eyes, and so forth.

There would be a special limitation on the outside-the-hospital treatment of mental, psychoneurotic, and personality disorders. Payment for such treatment during a calendar year would be limited to $250 or 50 percent of the expenses, whichever is smaller.

SUPPLEMENTARY PLAN IMPROVES BILL

The inclusion in H.R. 6675 of an insurance plan to supplement the basic hospital plan is a definite improvement over last year's bill, which was limited to hospital-nursing home care under social security.

For a number of years, the King-Anderson hospital insurance approach, which forms the basis for the hospital insurance plan in this bill, has been correctly criticized as being woefully inadequate in terms of benefits for the aged.

Earlier versions of the King-Anderson bill would have covered only about 25 to 30 percent of the average medical expenses of older persons.

The skimpy benefits of the King-Anderson bills of 1962 and 1964 were among the main causes of my voting against these earlier plans. Instead, I voted for medical care plans that were more comprehensive and gave greater benefits to those who really need financial help in meeting medical bills.

It is fair to say, I believe, that this criticism of King-Anderson has been very constructive. The supplementary insurance plan in the bill pending today would not be in this bill except for the exposure of the shortcomings of the King-Anderson plan.

America's senior citizens will have far greater financial assistance toward their hospital and medical bills under the two plans in this bill—because in the past many of us revealed King-Anderson to be inadequate.

So those of us who criticized King-Anderson served a useful purpose, for our criticism resulted in the addition of the supplementary insurance plan.

CONSOLIDATED MEDICAL ASSISTANCE PROGRAM

H.R. 6675 consolidates five existing medical assistance programs into one Kerr-Mills program with improvements.

This should greatly simplify administration of medical assistance for the needy, the indigent aged, the medically indigent aged, dependent children, the blind, and the permanent and totally disabled.

In addition, it should make possible better medical care program for them.

In the past, Federal old-age assistance has been available to provide medical care for those who are indigent. In 1960, Congress enacted the medical assistance for the aged program to help those who are normally self-supporting but who lack sufficient funds to pay their hospital, doctor, and medical bills. I voted for this program.

Since 1960, this program, known as the Kerr-Mills program, has been put into effect in 40 States, the District of Columbia, Puerto Rico, Virgin Islands, and Guam. During the brief life of this program so far, it has helped hundreds of thousands of sick people past 65.

Critics have lambasted this program. Yet no one today proposes to repeal the Kerr-Mills program. Instead, the pending bill, H.R. 6675, provides a more effective Kerr-Mills program for the aged and expands its coverage to the other four groups I mentioned, now cared for under other programs.

In order to make sure that certain basic medical care is available under the consolidated program, the bill specifies that, at the option of the State, by July 1, 1967, a State must provide inpatient hospital services, outpatient hospital services, other laboratory and X-ray services, skilled nursing home services, and physicians' services—whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere—in order to receive Federal funds.

Past experience revealed, that despite Federal old-age assistance and despite the Kerr-Mills assistance program, there remain a large number of Americans past 65 whose incomes are too large for them to qualify for these programs and too small for them to buy comprehensive health insurance which would protect them against costly illnesses.

As a member of the Senate Special Committee on the Aging, and as a Senator who has devoted much study to the problem of medical care for the aged, I have long been convinced that one of the greatest fears of older persons is an illness that could wipe out lifetime savings and result in destitution. I cosponsored legislation in the 86th, 87th, and 88th Congresses to provide financial assistance to older Americans for comprehensive health insurance.

One of the major purposes of H.R. 6675 is to reduce these fears of Americans past 65 and help provide them a bulwark against these hazards of illness and impoverishment.

While the bill does not do the entire job, it does a significant and important job.

MEDICAL BILLS ONLY ONE PROBLEM OF AGING

I would like to remind Members of Congress and the executive branch that the health provisions and social security liberalizations in this bill are but steps toward solving the serious problems of our Nation's senior citizens.

We in Congress, Federal departments, and agencies, and our State and local governments must not neglect other major problems of older Americans.

1. BETTER INCOMES

We must search for ways to improve further the income of our senior citizens so that they can live in dignity and self-sufficiency.

One forgotten group among our older people is the group that does not receive social security retirement benefits, nor railroad retirement benefits, nor military pensions, nor Federal Government retirement.

Congress has adjusted annuities for these latter groups of retirees from time to time because this is in the province of Congress. But those retired under many private systems or living off savings received no increases to keep pace with the rising cost of living.

2. HALT INFLATION

We must make far greater efforts to halt inflation, which is steadily eroding pensions and incomes and wages.

Inflation hurts most those with low incomes or fixed incomes. While the cost of living goes up and up, their incomes remain the same and their few dollars buy less.

Inflation is the root cause of the 7-percent social security increase provided in H.R. 6675.

3. BAN EMPLOYMENT DISCRIMINATION

Another problem of our older people demanding our attention is the discrimination against employing those who are ready, willing, and qualified to work.

The U.S. Department of Labor in June issued a lengthy report urging elimination of arbitrary age discrimination in employment.

To deny a person a job solely because of a policy that no one beyond a certain age shall be hired is bad practice. It hurts not only those past 65, but also those in much younger age brackets, even as young as 25.

4. OTHER AREAS

There are other areas of special concern to older Americans: housing; diseases of the aging; frauds, deceptions, and quackery aimed at older persons, and many others which demand our attention at all levels of Government.

So, while the bill H.R. 6675, we are voting on soon, is wide in scope and important, it is not the total answer to the problems of older Americans.

CONCLUSION

Mr. President, I wholeheartedly support the objectives of this bill to help the aged, children, blind and disabled persons, and needy Americans.

I agree existing programs are not meeting fully the need of many elderly people for financial assistance toward their medical expenses.

I believe it is wrong to provide medical care for those well able to pay their own medical bills.

I believe more assistance could be provided elderly people who really need help if the bill excluded those who do not need help.

I believe the tax burden on low-income people for medicare would be far less if medicare were financed out of general revenues, rather than social security taxes.

By tying this program to social security taxes 40 percent of the taxable income in America will escape the burden of helping to pay for a hospital-nursing home plan.

This means the tax burden is that much heavier on wage earners, self-employed, and employers.

But the majority of the Senate and the majority of the House of Representatives through established congressional procedures, have indicated they clearly favor the plan in this bill, which provides limited medical care for the aged, regardless of need, financed by social security taxes on wages, regardless of ability of wage earners to pay them.

Mr. President, I believe a far better medical care plan could be provided, but in view of the legislative situation and in view of the many, many necessary, long overdue, and humanitarian provisions of this enormous and complex measure, I shall vote to pass H.R. 6675.

I shall do so because I believe there is now a gap in protection of America's senior citizens against costly illness. This bill will help to fill that gap.

I shall do so because I believe the 7-percent social security increase is urgently needed by all those millions of Americans now receiving social security.

I shall do so because I believe social security programs need improvement to better help retirees, children, dependents, the disabled, and the blind. The bill has many provisions to improve social security.

I shall do so because I believe that through this legislation America is once again proving we are a Nation with a heart, throbbing with compassion for the sick, the aged, the deprived; that we are a Nation with a conscience that pricks us to meet the human needs of our people; and that we are a Nation with the spirit and the will to make sure all Americans can live in dignity, free from fear of destitution.

H.R. 6675 is a milestone in our Nation's march toward greater progress and well-being for all Americans.

I shall vote for the bill.

Mr. President, I ask unanimous consent that a statement I have prepared on Hawaii beneficiaries and several tables from the Senate Finance Committee report on H.R. 6675 be printed in the RECORD at this point.

There being no objection, the statement and tables were ordered to be printed in the RECORD, as follows:

HAWAII

In Hawaii, it is estimated 3,000 people will receive increased social security monthly benefits, totaling $5 million a year under H.R. 6675.

An estimated 39,000 Islanders past 65 would be eligible to receive hospital-nursing home benefits under the basic plan when effective July 1, 1966. Benefits payments to them are estimated at $2 million a year.

An estimated 39,000 Islanders past 65 would be eligible to buy the voluntary supplementary insurance which would cover physicians' services and certain other medical services. Benefit payments are estimated at $1 million a year.

Total additional payments in Hawaii under these programs are estimated at $8 million a year.

Summary table of full year benefit costs, number of persons affected, and effective date of items with cost importance in H.R. 6675, Finance Committee version

Item	Trust fund	General Treasury	Number of persons affected	Effective date
Health care programs (1967):				
	Millions	*Millions*		
1. Basic hospital	$2,358	$285	17,000,000 insured, +2,000,000 uninsured.	July 1966.
2. Voluntary supplementary		[1] 600	16,900,000 estimated [1]	January 1967.
3. MAA liberalization		200	8,000,000	January 1966.
Health care total	[3] 2,358	1,085		
OASDI amendments (1966):				
7 percent benefit increase	1,470		20,000,000	January 1965 (retroactive).
Child's benefit to age 22	195		295,000 children	Do.
Broader definition of child	10		20,000 children and mothers	2d month after month of enactment.
Child disabled at ages 18–21	10		do	Do.
Reduced age for widows	(2)		185,000 widows	Do.
Special benefits at age 72	140		355,000 aged	Do.
Disability definition	40		60,000 workers and dependents	Do.
Retirement test	500		850,000	Taxable years ending after 1965.
OASDI total	2,455			
Public assistance and child health (1966):				
Increase in formula		150	7,200,000	January 1966.
TB and mental exclusion		75	100,000 to 150,000	Do.
Maternal and child health, crippled children, special project grants, study.		61	No estimate available	Fiscal 1966.
OAA income exemption		1	do	Jan. 1, 1966.
MAA definition		2	do	July 1, 1965.
Mental retardation projects		3	do	Fiscal 1966.
Aid to families with dependent children earnings exemption		1	3,500 children	July 1, 1965.
Aid to the permanently and totally disabled earnings exemption		1	5,000 persons	Jan. 1, 1966.
Child welfare services		5	No estimate	Fiscal 1966.
Public assistance total		290		
Grand total payroll insurance	4,813			
Grand total general revenue		1,384		

[1] Based on an averaging of low- and high-cost estimates, and on averaging estimates of participation (87½ percent). Total benefit expenditure would be about $1,000,000,000 with participants contributing $600,000,000.

[2] 1st year benefit expenditures not reflected in cost table: $165,000,000 for widows' benefit, 1st year (no long-term cost); $600,000,000 in individual contributions for voluntary supplemental health plan.

[3] Excludes administrative cost.

Tax rate, tax base, and tax amount applicable to employers, employees, and self-employed persons under the House and Senate Finance Committee versions of H.R. 6675—Basic hospital insurance program, 1965–87 and after

Year	Tax on employer, employee, and self-employed (each)					
	Under House bill			Under Senate Finance Committee bill		
	Tax rate (percent)	Tax base	Tax amount [1]	Tax rate (percent)	Tax base	Tax amount [1]
1965						
1966	0.35	$5,600	$19.60	0.325	$6,600	$21.45
1967	.50	5,600	28.00	.500	6,600	33.00
1968	.50	5,600	28.00	.500	6,600	33.00
1969–70	.50	5,600	28.00	.500	6,600	33.00
1971–72	.50	6,600	33.00	.550	6,600	36.30
1973–75	.55	6,600	36.30	.600	6,600	39.60
1976–79	.60	6,600	39.60	.650	6,600	42.90
1980–86	.70	6,600	46.20	.750	6,600	49.50
1987 and after	.80	6,600	52.80	.850	6,600	56.10

[1] For each self-employed person and employee with earnings or wage equal to or in excess of the tax base; employers pay same amount on behalf of such employees.

Source: Staff of the Joint Committee on Internal Revenue Taxation.

Tax rate, tax base, and tax amount applicable to employers and employees (each) under present law and under House and Senate Finance Committee versions of H.R. 6675—Old age, survivors, and disability insurance program 1965–87 and after

Year	Tax rate—Employer and employee (each) (percent)			Tax base			Tax per employee with wage equal to base wage under Finance Committee bill [1]							
							Amount of tax			Increase under House bill		Increase under Finance Committee bill		
	Under present law	Under House bill	Under Finance Committee bill	Under present law	Under House bill	Under Finance Committee bill	Under present law	Under House bill	Under Finance Committee bill	Over present law	Over 1965	Over present law	Over House bill	Over 1965
1965	3.625	3.625	3.625	$4,800	$4,800	$4,800	$174	$174.00	$174.00					
1966	4.125	4.000	3.850	4,800	5,600	6,600	198	224.00	254.10	$26.00	$50.00	$56.10	$30.10	$80.10
1967	4.125	4.000	3.850	4,800	5,600	6,600	198	224.00	254.10	26.00	50.00	56.10	30.10	80.10
1968	4.625	4.000	3.850	4,800	5,600	6,600	222	224.00	254.10	2.00	50.00	32.10	30.10	80.10
1969–70	4.625	4.400	4.450	4,800	5,600	6,600	222	246.40	293.70	24.40	72.40	71.70	47.30	119.70
1971–72	4.625	4.400	4.450	4,800	6,600	6,600	222	290.40	293.70	68.40	116.40	71.70	3.30	119.70
1973–75	4.625	4.800	4.900	4,800	6,600	6,600	222	316.80	323.40	94.80	142.80	101.40	6.60	149.40
1976–79	4.625	4.800	4.900	4,800	6,600	6,600	222	316.80	323.40	94.80	142.80	101.40	6.60	149.40
1980–86	4.625	4.800	4.900	4,800	6,600	6,600	222	316.80	323.40	94.80	142.80	101.40	6.60	149.40
1987 and after	4.625	4.800	4.900	4,800	6,600	6,600	222	316.80	323.40	94.80	142.80	101.40	6.60	149.40

[1] Employers pay same amount on behalf of such employees.

Source: Staff of the Joint Committee on Internal Revenue Taxation.

Tax rate, tax base, and tax amount applicable to self-employed persons under present law and under House and Senate Finance Committee versions of H.R. 6675—Old age, survivors, and disability insurance program 1965–87 and after

Year	Tax rate (percent)			Tax base			Tax per self-employed person with earnings equal to base earnings under Finance Committee bill							
							Amount of tax			Increase under House bill		Increase under Finance Committee bill		
	Under present law	Under House bill	Under Finance Committee bill	Under present law	Under House bill	Under Finance Committee bill	Under present law	Under House bill	Under Finance Committee bill	Over present law	Over 1965	Over present law	Over House bill	Over 1965
1965	5.4	5.4	5.4	$4,800	$4,800	$4,800	$259.20	$259.20	$259.20	-----	-----	-----	-----	-----
1966	6.2	6.0	5.8	4,800	5,600	6,600	297.60	336.00	383.80	$38.40	$76.80	$85.20	$46.80	$123.60
1967	6.2	6.0	5.8	4.800	5,600	6.600	297.60	336.00	382.80	38.40	76.80	85.20	46.80	123.60
1968	6.9	6.0	5.8	4.800	5,600	6,600	331.20	336.00	382.80	4.80	76.80	51.60	46.80	123.60
1969–70	6.9	6.6	6.7	4,800	5,600	6,600	331.20	369.60	442.20	38.40	110.40	111.00	72.60	183.00
1971–72	6.9	6.6	6.7	4,800	6,600	6,600	331.20	435.60	442.20	104.40	176.40	111.00	6.60	183.00
1973–75	6.9	7.0	7.0	4.800	6,600	6,600	331.20	462.00	462.00	130.80	202.80	130.80	0	202.80
1976–79	6.9	7.0	7.0	4,800	6,600	6,600	331.20	462.00	462.00	130.80	202.80	130.80	0	202.80
1980–86	6.9	7.0	7.0	4,800	6,600	6,600	331.20	462.00	462.00	130.80	202.80	130.80	0	202.80
1987 and after	6.9	7.0	7.0	4,800	6,600	6,600	331.20	462.00	462.00	130.80	202.80	130.80	0	202.80

Source: Staff of the Joint Committee on Internal Revenue Taxation.

VISIT TO THE SENATE BY MEMBERS OF THE CONGRESS OF BRAZIL

During the delivery of Mr. Fong's speech,

Mr. FONG. Mr. President, I ask unanimous consent that I may yield to the distinguished senior Senator from Oregon, without losing my right to the floor, so that he may introduce a group of distinguished parliamentarians from the Congress of Brazil.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, the Committee on Foreign Relations was highly honored today to have as our guests at a committee luncheon four members of the Congress of Brazil. I ask unanimous consent that biographical sketches of these distinguished visitors be printed at this point in the Record.

There being no objection, the biographical sketches were ordered to be printed in the Record, as follows:

The Honorable Atilio Fontana

Present position: Senator from Santa Catarina, Social Democratic Party (PSD).

Personal data: Born: August 7, 1900, Santa Maria, Rio Grande do Sul; address: Super Quadro 105, Block 7, Apartment 24, Brasilia.

Previous positions: 1954, 1958, elected to Congress; 1962, elected to the Senate.

Objectives of U.S. visit and special interests: The Honorable Atilio Fontana will visit the United States for 35 days with four other members of the Brazilian Chamber of Deputies to observe representative examples of civic activity, industry, and agriculture. He is especially interested in wheat farming and cattle raising, and is known as an expert on these matters. Also, he is a member of the Economic Committee and is most interested in economic and financial matters.

The Honorable Aluisio Bezerra

Present position: Member of the Brazilian Chamber of Deputies from Rio Grande do Norte, Social Democratic Party (PSD).

Personal data: Born: October 24, 1926, Santa Cruz, Rio Grande do Norte, Brazil; address: Rua Manual Machado 356, Natal, Rio Grande do Norte, Brazil; academic training: Mr. Bezerra holds a degree in law.

Previous positions: 1950, elected a State deputy; 1962, elected to Federal Congress.

Travels abroad: Mr. Bezerra attended the Seventh World Youth Festival in Vienna; he has previously visited the United States.

Objectives of U.S. visit and special interests: The Honorable Aluisio Bezerra will visit the United States for 35 days with four other members of the Brazilian Chamber of Deputies to observe representative examples of civic activity, industry, and agriculture. He is especially interested in land tenure and agricultural development and strongly supports agrarian reform. He is highly interested in banking policy and is concerned with Brazil's banking system and the question of a central bank. Community and regional economic development are other interests.

The Honorable Aurino do Nascimento Valois

Present position: Federal Deputy from Pernambuco, Brazil, Brazilian Labor Party (PTB).

Personal data: Born: June 12, 1918, Vitoria de Santo Antao, Pernambuco; address: Avenida 17 de Agosto 698, Recife, Pernambuco; academic training: Law degree, University of Recife, 1964.

Previous positions: 1950, State Deputy, Brazilian Labor Party; 1962, Federal Deputy, Brazilian Labor Party.

Travels abroad: This will be his second visit to the United States.

Objectives of U.S. visit and special interests: The Honorable Aurino do Nascimento Valois will visit the United States for 35 days with four other members of the Brazilian Chamber of Deputies to observe representative examples of civic activity, industry, and agriculture. He is especially interested in agricultural development and agrarian reform, social and developmental problems of Brazil's northeast.

The Honorable José Altino Machado

Present position: Federal Deputy from Acre, Brazil, Brazilian Labor Party (PTD). Member of the Foreign Affairs Committee, Chamber of Deputies.

Personal data: Born: 1930, São Paulo, Brazil; address: Super Quadro 105, Block 2, Apartment 504, Brasilia, D. F., Brazil.

Previous positions: Governor of Acre, appointed by former President, Janio Quadros. (Deputy Machado's father was long active in Acre matters.)

Objectives of U.S. visit and special interests: The Honorable José Altino Machado will visit the United States for 25 days with four other members of the Brazilian Chamber of Deputies to observe representative examples of civic activity, industry, and agriculture. He is especially interested in economic development, and problems of remote and newly developing territories.

Mr. MORSE. Mr. President, as I said at the luncheon, and should like to say on the floor of the Senate, not only is the Committee on Foreign Relations honored, but the entire Senate is honored, our Government is honored, and our country is honored by the visit of these distinguished parliamentarians from Brazil. Brazil has demonstrated that there can be great changes within the body politic without destroying the democratic processes.

I take great pride, as I stated many months ago on the floor of the Senate, in the fact that the Brazilians, in bringing about reformation and changes in their government, neither destroyed their constitution nor their congressional processes. We have four distinguished men here today as witnesses to demonstrate the truth of my comment.

Mr. President, it is my great honor to present to the Senate at this time the following distinguished visitors: The Honorable Atilio Fontana, Senator from Santa Catarina; the Honorable Aluisio Bezerra, Deputy from Rio Grande do Norte; the Honorable José Altino Machado, Deputy from Acre; the Honorable Aurino de Nascimento Valois, Deputy from Pernambuco.

We welcome our distinguished visitors with open arms. It is a great honor and privilege to have you with us.

[The distinguished visitors rose in their places and were greeted with applause, Senators rising.]

The PRESIDING OFFICER (Mr. Montoya in the chair). The Chair welcomes our distinguished visitors, and hopes that their visit will be pleasant and rewarding.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. LONG of Louisiana. Mr. President, it was the hope of a number of us, and it is still my hope, that there may be some prospect of completing action on the bill today. It seems to this Senator that the reason the Senate recently remained in session until December to do a 6 months' job was that it was within the power of any individual Senator to insist on debating a matter in the Senate at great length and keeping the Senate in session an extra day on the matter. By so doing, Senators often lose votes that they might have had in the beginning if they had not prolonged the debate. For example, there are Senators present today who would vote for amendments of a controversial nature who will not be present tomorrow to vote with the sponsors of the amendments.

I know that Senators feel strongly about such matters, and perhaps think that it looks good to their constituents back home to know that they spoke day and night to keep the Senate from doing something. I myself have done it on occasion, so I cannot complain about it. But it is the taking of 2 or 3 days' discussion that could have been done in 1 day that has caused the Senate to stay in session past Labor Day, into the fall, when it could have completed the job during the summer.

I hope Senators will give us cooperation. They are not going to change many votes. Senators know pretty well how they are going to vote on amendments. Senators have been discussing them over luncheon tables, in committee rooms, in the cloakrooms, and elsewhere, and they know how they are going to vote on the amendments. I hope Senators will cooperate in bringing their amendments to a vote as soon as possible.

As the Senator in charge of the bill, I ask Senators, if there are amendments we can discuss, and perhaps agree to accept, that they bring up such amendments. The floor managers have been most generous in accepting amendments that they believed contained merit.

With respect to the pending amendment, it is a committee amendment. It is not an amendment of any particular Senator. With respect to that amendment, I ask unanimous consent that we limit the time on it—I have done my best to clear it on the other side of the aisle—so that the time will be divided, 1 hour to be under the control of the Senator from Louisiana, and the other hour to be under the joint control of the two Senators from New York [Mr. JAVITS and Mr. KENNEDY].

Mr. JAVITS. Mr. President, reserving the right to object, I have only one reservation—and I am sure the Senator will agree—that a quorum call may be had during the debate without its being charged to either side.

Mr. LONG of Louisiana. Mr. President, I include that in my request.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Is there objection to the unanimous-consent request? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

Mr. JAVITS. There has already been some debate upon this question. I have little doubt that Senators know how they feel about it. When we find a provision in the bill which is so grossly inequitable, which is opposed by the Government departments concerned, which is completely out of relationship to the relationship between government and employees in respect of social security taxation, to let this complete hybrid be enacted without trying to do our duty, without trying to change it, would be a great mistake.

Every one of the adjectives I have cited applies to what the Senate Finance Committee substituted for the House provision with respect to tips.

Let us first understand the issue. The bill as it came from the House required—I emphasize the word "required," because it is mandatory on the employee—that income an employee receives from tips must be declared for the purpose of both social security and income taxes every month. These declarations would be made through the returns which the employer already files for social security taxes on the wages he pays the very same employee. An employee invariably receives a stated wage on which he and the employer pay social security tax and added to that, subject to the House provision, is a declaration so far as tip income is concerned.

There is no new return which the employer has to file. He is filing one anyhow, for the particular employee.

The bill also contains provisions to protect the employer against having to pay out money for taxes on tip income not reported to him; and there are other matters with relation to income tax withholding which are not germane to the basic issue.

The basic issue is that as the bill came from the House, tip income is considered a part of the wage of the employee who is receiving the tips and those tips are taxed as wages. The mechanics of how he reports them, and so forth, are not material to this debate.

As the Senate committee has amended the bill, tip income must be declared as self-employed income rather than as a part of the wages. The big difference, insofar as the employee is concerned, is that in the case of the House provision the employer pays his share of the social security tax and the employee pays his share. In the Senate provision, the employee pays the entire amount. That is the only difference.

Thus, under the Finance Committee version, the employee pays 1½ times in social security taxes what he would pay under the House provision. This is the essence of the problem. As a practical matter, as the bill is now written, the employee, under the House provision, would pay 3.65 percent of his tips as a social security tax. Under the Senate provision, he would pay 5.4 percent of his tips as his tax, and that goes up—in 1973—to 4.8 percent under the House version, and 7 percent under the Senate version. Consequently, the employee is more heavily taxed.

In order to arrive at their provision, the Finance Committee adopted the most artificial basis possible; namely, to make tip income self-employment income.

Why do I say that it is the most inconsistent basis possible? In the first place, let us understand that what my colleague [Mr. KENNEDY] and I seek to do is to try to retain the House provision and stop the Senate committee's attempt to strike it out and substitute the self-employment idea.

Not only do we say that the Senate substitute is a complete hybrid and has no relation whatever to the relations of employer and employee with regard to the tips of employees, but it is also opposed by the Treasury Department, the Department of HEW, and the AFL-CIO. In short, the Senate committee amendment flies in the face of everything the Government departments themselves believe should be done about the situation.

Mr. President, I ask unanimous consent to have printed in the RECORD that part of a letter signed by Stanley S. Surrey, Assistant Secretary of the Treasury, dated May 17, 1965, which relates to this amendment and which says, in part:

> The Treasury Department strongly supports this measure—

Namely, the House provision.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SOCIAL SECURITY COVERAGE OF TIPS

Hon. HARRY F. BYRD,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

A second provision of the bill which is of special concern to the Treasury Department is section 313. That section would treat tips received by employees from customers as wages for social security and income tax withholding purposes. Under present law, only regular wages of waiters, waitresses, and other employees whose earnings are principally from tips may be counted toward social security benefits. Since the wages of these employees are usually relatively low, they can qualify only for very limited benefits for themselves and their dependents. Also, the advantages of the pay-as-you-go income tax system are largely foreclosed to them. To deal with both of these problems, the Treasury Department and the Department of Health, Education, and Welfare, after considerable study, developed the measure now contained in section 313 of the bill. The Treasury Department strongly supports this measure. A memorandum is enclosed explaining in greater detail the operation of the section and the reasons for its enactment.

The Bureau of the Budget has advised the Treasury Department that there is no objection from the standpoint of the administration's program to the presentation of this report.

Sincerely yours,
STANLEY S. SURREY,
Assistant Secretary.

Mr. JAVITS. Mr. President, I also ask unanimous consent to have printed in the Record a memorandum on the House provision in which the Treasury Department states, in part, that the Treasury Department is opposed to the provision adopted by the Senate committee as section 313, which would cover tips under social security as earnings from self-employment "because it applies to inconsistent theory in taxing earnings on tipped employees for social security purposes and imposes unfair burdens on these employees."

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

SECTION 313 OF H.R. 6675, COVERAGE OF TIPS

The Treasury Department supports the adoption of section 313 of H.R. 6675, as approved by the House, which would treat tips as wages for purposes of social security and of withholding for income tax. The Department is opposed to the provision adopted by the Senate [1] as section 313, which would cover tips under social security as earnings from self-employment, because it applies inconsistent theories in taxing earnings of tip employees for social security purposes and imposes unfair burdens on these employees.

The House provision recognizes that employers of individuals who receive a major part of their remuneration from tips paid by customers of the employers have an obligation to provide adequate social security coverage for their employees and to assist the Government in the collection of the social security and income taxes due from the employees on their tip income.

The House provision is a rational, equitable and workable method for the coverage of tips under social security. It would not impose any unusual financial burden on employers. Under section 313 employers of tip workers, like other employers, would be liable for only their share of tax on reported tips. As withholding agents, they would, again like all employers, be responsible for the employees' share of social security tax and income tax withholding only to the extent of funds of the employees within their control.

The Senate provision not only increases the social security tax liability of tip employees but it fails to provide for the collection of this tax, as well as of the income tax, on the pay-as-you-go system through withholding from current wages, a privilege which is available to all other employees. This is a double hardship on taxpayers whose individual earnings, on the average, are relatively low and who, because they receive this income from day to day in small cash amounts, find it difficult to budget for their annual tax liabilities.

The Senate provision contradicts long-established common law rules and concepts governing employer-employee relationships. The provision adopts the novel theory that an individual in a master-servant type relationship, while performing the same service, may be an employee for certain purposes and an independent contractor for other purposes.

There is now pending before each House of the Congress a proposal recommended by the President to amend the Fair Labor Standards Act so as to allow employers to take account of tips reported to them by employees in determining whether such employees are being paid the minimum Federal wage. (H.R. 8259 and S. 1986 (89th Cong.).) The proposal on tips in these two bills accords completely with the House provision on tips in H.R. 6675. Also, on June 28, 1965, the House by unanimous vote approved amendments to the District of Columbia Minimum Wage Act which would include tips within the definition of the term "wages" as used in this act.

If the Senate provision treating tips as self-employment income for social security purposes and the proposals to allow employers to treat tips as wages for purposes of the minimum wage laws were both approved, the Federal statutes would contain contradictory definitions of the same term (tips—self-employment income and wages). In each case, that definition most favorable to the employer and most unfavorable to the employee would have been chosen. The principal reason for this inconsistency in the law is to allow certain employers to continue to avoid social responsibilities that have been imposed on other employers for many years. The Senate provision, if adopted, would be a setback in the Government's continuing program for the improvement of the conditions of labor.

Employee representatives testified this year before the Committee on Ways and Means (page 869 of executive hearings on H.R. 1, the social security bill) that it would be better not to have any legislation on tips than to have legislation treating tips as self-employment income for social security purposes.

A more detailed statement is attached which explains why the House treatment of tips as wages is the only fair and workable system to cover tips under social security and the withholding provisions of the income tax.

JULY 7, 1965.

Mr. JAVITS. Mr. President, I also ask unanimous consent to have printed in the Record a digest of the Treasury Department's views entitled "Coverage of Tips," the subject to which I shall be referring in the course of my remarks, together with a copy of a letter from Douglas Dillon, then Secretary of the Treasury, to the chairman of the House Ways and Means Committee, and a memorandum on this subject prepared by the Department of Health, Education, and Welfare.

There being no objection, the digest, memorandum, and the letter were ordered to be printed in the Record, as follows:

TREASURY DEPARTMENT VIEWS ON H.R. 6675, 89TH CONGRESS, SECTION 313: COVERAGE OF TIPS

DESCRIPTION OF COVERAGE OF TIPS IN H.R. 6675

Beginning in 1966, employees who in the course of work with any one employer receive at least $20 in cash tips in a month would be required to report their tips in writing to the employer. This report would have to be made at least by the 10th day of the month following the month in which the tips were received. More frequent reports could be required by employers and the bill would authorize employers to gear these tip reports to their payroll schedules. The employer would add the amount of reported tips to the employee's wages. He would withhold from the wages the employee's share of the social security tax and the appropriate amount of income tax due on the combined amount of tips and wages. The employer's liability for his share of the social security tax on tips would be limited to those that are reported on time and even as to these he would be responsible for his tax only to the extent that he had enough unpaid wages due the employee or funds turned over by the employee to cover the employee share of the tax.

The bill would require employees to turn over funds to the employer to cover the employee share of the social security tax whenever the appropriate amount of tax could not be withheld because of insufficient unpaid wages. This is a most unlikely situation however. See discussion on page 4 regarding adequacy of wages to cover both social security tax and income tax withholdings. In any case in which an employee failed to report tips or failed to make additional funds available if needed, the employee would be required to pay both the employer's and employee's share of the social security tax. With regard to the withholding of income tax, an employee would not be required to turn funds over to his employer to make sure the full amount of tax due is collected from month to month as in the case of the social security tax. The employer, however, would withhold throughout the year whatever he could from wages. The employee would, of course, be responsible to pay the full amount of income tax either in quarterly installments or with his return at the end of the year to the extent that withholding did not cover his full liability.

BACKGROUND

The Congress has considered various proposals to cover tips under social security since 1950. In that year, during the 81st Congress, a bill (H.R. 6000), which later became the Social Security Amendments of 1950, came before the Committee on Finance with a provision which would have treated tips received in the course of employment as remuneration paid to the recipient by his employer. The bill would have required employees to report in writing to their employer by the 10th day after the end of a quarter all tips received during the quarter. The committee stated in its report on the bill that it believed such a change in the law would introduce administrative complications and it did not accept the proposal (S. Rept. No. 1669, 81st Cong., 2d sess., 17).

Since 1950, many proposals on tips have been introduced in both Houses and many of these, at some time or other, have been before one or the other or both of the tax committees. The Treasury Department and the Department of Health, Education, and Welfare have examined and studied carefully all of these proposals. Studies of various other suggestions and alternatives for extending social security and income tax coverage to tips have also been made. In 1958 the Committee on Ways and Means gave serious consideration to a proposal based on a system of reporting by employees similar to that it had approved in 1950. The committee, however, was unable to satisfy itself that the plan would be workable on a national scale and it requested the two Departments to further study the problem (H. Rept. No. 2288, 85th Cong., 2d sess., 7). In 1960 the Departments recommended a proposal which combined a system of reporting of actual tips with a formula for estimating tips when the actual amount was not known to the employer. This plan was also rejected because the committee could not arrive at a formula that it considered equitable when applied to all regions of the country. The extensive discussions of the formula approach in committee convinced this Department and the Department of Health, Education, and Welfare that the only acceptable solution to the problem would be one which used as a base for the tax and benefits computations the actual amount of tips received by an employee and that it had become essential to devise a workable system to accomplish this.

At about this time, employee groups had become interested in getting tips covered under social security because, as the result of tip drives by the Internal Revenue Service, more and more employees were beginning to report their tips for income tax. Employers, as a matter of self-interest, had always urged that tips should be recognized as earnings from self-employment and taxed at the self-employment rate. Tips, however, are in reality remuneration for services rendered in an employment relationship and thus cannot legally be regarded as self-employment income. Moreover, it is common knowledge that in setting wages of employees who customarily receive tips employers take account of the tips. This is apparent from the terms of bargaining agreements covering nontip as well as tip employees. Tips, accordingly, are part of the wage pattern in certain industries and they should be treated as wages for all purposes. (See discussion below of minimum wage laws.) It would also be unfair to tax tips at the self-employment rate, which is one and one-half times the employee rate of tax on wages, if tips are in fact wages.

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[1] The Senate provision refers to the provision adopted by the Senate Finance Committee.

It has sometimes been suggested that, since tips are paid directly to employees, and employers have no interest in knowing how much is received in tips, employees should report the tips directly to the Internal Revenue Service and pay the employee share of the tax due on the tips with this report. The Service would then bill the employer for his share of the tax on the basis of the employee report. Although this system appears simple it has no advantage for anyone. Employees would be burdened with keeping records for 3-month periods, filing quarterly reports and computing their own tax liability. The Internal Revenue Service would be burdened with many more wage reports to process and would have to collect the employer tax 1 year or more after the tips were claimed to have been received. Finally, employers would be at a disadvantage in contesting their liabilities in view of this timelag. Employee groups originally suggested a plan of this type, but they have since realized its shortcomings for all concerned and are no longer urging it.

THE PROPOSAL IN H.R. 6675 IS REALISTIC

In developing the proposal which is now in H.R. 6675, the Department of Health, Education, and Welfare and the Treasury inquired concerning the operations, especially the pay and bookkeeping practices, of businesses where tipping is customary. All the various objections made by employers against the adoption of a system of reporting of tips by employees such as the one in H.R. 6675 have also been considered carefully. Many modifications were made in the original recommendation as the result of these employer comments and studies. The proposal as it now stands makes no unnecessary or unreasonable demand on employers. The system of reporting required under H.R. 6675 is as simple and efficient as it can be in view of the nature of tips and the objectives of the proposal, which are: more comprehensive social security coverage of over a million workers and their dependents and better reporting and easier payment of income tax liability on tips.

TIP REPORTS CAN BE GEARED INTO THE PAYROLL

Employers will have a great deal of freedom in determining the frequency and the manner in which employees report their tips. The only requirement is that at least one report be filed for each month by the 10th day of the following month. Also, within any quarter withholdings for social security and income taxes may be made at a predetermined and constant rate for each pay period, provided that before the end of the quarter the amounts withheld be adjusted to reflect the taxes due on the actual amounts of tips reported during the quarter. This will allow large employers whose payrolls are prepared with the aid of business machines to gear the tip reports into their payrolls. The addition of tips to wages will require some additional recordkeeping, but since employers are already withholding and reporting to the Internal Revenue Service social security and income taxes on wages the basic records are already in existence and the procedures are well established. The additional work required should be manageable.

WAGES ARE ADEQUATE TO COVER WITHHOLDING FOR TIPS

An argument which employers frequently assert against the tip proposal in H.R. 6675 is that wages of tip employees are generally so low that in most cases there will not be enough to cover the social security and income taxes that should be withheld. The facts have been examined carefully and there would appear to be no real basis to this argument. Surveys of hotels and eating and drinking places conducted in 1961 and 1963 by the Bureau of Labor Statistics (Bulletins No. 1328, 1329, 1400, and 1406), show that, although regular wages of tip employees in these industries are relatively low, in the great majority of cases the wages would be more than adequate to cover the social security and income taxes which would have to be withheld under the terms of the bill.

The allegation that wages paid to tip employees will generally not be sufficient to cover the full amount of taxes that would have to be withhheld is based on an overestimation of the amounts of social security and income taxes that are collected on wages. The current combined rate of withholding is approximately 18 percent (3⅝ percent for social security and 14 percent for income tax); next year it would be exactly 18 percent under the new rates proposed in the bill. At the current rate, a weekly wage of only $15 would be sufficient to pay the taxes on $15 in wages plus $75 in tips, or total weekly earnings of $90. A weekly wage of $15 would represent an average hourly wage of 37½ cents (only 9.3 percent of all waiters and waitresses in the United States received in 1963 an average hourly wage under 40 cents) for a 40-hour workweek (84 percent of restaurant workers in the United States work 40 hours or more per week). Weekly tips of $75 represent earnings at the rate of $1.50 per hour during a 48-hour week or $1.87 per hour during a 40-hour week. In the 1961 Bureau of Labor Statistics survey of eating and drinking places, the only survey with tip data, only 40 percent of waiters and waitresses in large metropolitan areas surveyed were reported to earn $1.25 and over an hour in tips. Because the survey was primarily interested in the lower paid workers, tabulations were not made beyond $1.25. These illustrations are submitted to show that even at the lowest end of the pay scale enough wages would ordinarily be available to an employer from which to withhold the social security and income taxes due on tips. A more typical example would have an employee earning a weekly wage of $32 (on the basis of 81 cents per hour, the average wage of waiters and waitresses in the 1963 survey). Such a wage would approximately cover the taxes on combined earnings in wages and tips of $200 a week.

EMPLOYERS KNOW APPROXIMATELY WHAT EMPLOYEES EARN IN TIPS

It has also been claimed that employees want no part of a plan of social security coverage which will require them to disclose the amount of their tips to the employer because, it is reasoned, if employers knew how much tips employees receive they would want to reduce the already low regular salary paid to employees. This argument assumes that employers are ignorant of the amounts received by their employees. This may have been true years ago, but today tipping habits are fairly uniform and well known. Moreover, more and more tips are being paid through employers by users of credit cards so that employers have a fairly accurate knowledge of the sums received by their employees. Another recent development which has contributed to the general knowledge concerning tips has been the publicity attending trials of taxpayers charged with understating their tip income. In these cases, various formulas have been applied by the Commissioner of Internal Revenue to determine the amount of unreported tips and determinations fixing tips at levels between 10 percent and 15 percent of the price of meals served have generally been upheld by the courts.

TIPS AND THE MINIMUM WAGE LAW

Employers have argued that the coverage of tips under social security would be unfair to them so long as they are prevented, under certain State laws, from taking tips into account in determining whether a minimum wage is paid. At present, there is no uniformity among the States on the treatment of tips under State minimum wage laws. Of the 36 States having minimum wage laws, 14 now prohibit the counting of tips. At the last session of the Congress a bill (H.R. 9824) was introduced in the House which reflected the administration's views that tips should be counted toward the minimum wage where they are accounted for by an employee to the employer. It is believed that the adoption of Federal legislation inclding tips under social security would be influential on the States to also modify their laws to permit the counting of tips for minmum wage purposes.

In any event, after tips are covered under social security employers will be in a better position to demand the amendment of State minimum wage laws to take tips into account. This argument was influential in the final decisions made this year by the Ways and Means Committee.

THE TAX RECEIPT ARGUMENT

The inclusion of a provision in H.R. 6675 requiring the withholding of income tax on tips reported to the employer has caused employers to comment that because of the low wages paid to these employees no cash wages will be left after all the taxes are withheld and instead of wages employees will receive, in their pay envelope, only a receipt showing the taxes withheld. The implication in this argument is that employees think of wages only in terms of take-home pay and if no cash wages remain after taxes are collected the employers will be pressed for an increase in wages. This is largely an educational problem which employers and employees must face. It is not at all certain that employees will be unhappy to have their income tax on tips collected on the pay-as-you-go withholding system. It seems almost incontrovertible that employers will find that the majority of their employees would consider the proposed arrangement very helpful. Certainly the current furor over slight amounts of underwithholding for 1964 and the growing consensus for graduated withholding indicate that taxpayers prefer paying taxes on a pay-as-you-go basis. Another answer to this objection of employers is that, as was pointed out earlier, although wages of tipped employees are relatively low, they are not so low that all cash wages of workers will be needed to cover the taxes to be withheld. On the contrary, these cases will be the exception rather than the rule.

WITHHOLDING IS THE ONLY HUMANE WAY OF COLLECTING INCOME TAX ON TIPS

The chief argument in favor of withholding of income tax on tips is that this is the only humane way to collect the income tax from the low-bracket taxpayers. It is expected that once tips are covered for social security there will be better reporting of tips for income tax. In view of this, it seems only fair to afford employees who receive most of their earnings from tips the opportunity available to other employees to pay their income tax currently by having the tax due on the tips withheld from regular wages. Without withholding, tip employees will be forced into paying their tax in quarterly installments. This method of payment is usually reserved for more sophisticated taxpayers, professionals or the wealthy who receive large amounts of income in dividends or interest. For the low-income taxpayer the filing of estimates of income and making quarterly payments would be a hardship which could subject them to penalties. Many of them would find it difficult to budget in order to meet the quarterly payments which can be substantial.

Since tips are an integral part of the compensation of persons engaged in certain occupations, it is reasonable that this form of compensation should be treated as wages and that employers, who take account of tips in setting the wages of these employees, should also be required to assume the burden of withholding on tips. This burden would only be one of bookkeeping since employers would never be required to advance their own funds for the payment of employee tax liability. Their obligation to withhold would always be limited to the cash wages or other funds of the employee under their control. Withholding of income tax on tips will make the payment of taxes much easier on employees. It will increase the revenue collections and at the same time reduce the number of costly administrative and legal collection procedures that are now required to enforce the payment of income taxes on tips.

UNDERREPORTING OF TIP INCOME

Tips are one of the few sources of income which under our self-assessment system continue to escape effective taxation. Enforcement activities of the Internal Revenue Service have been only moderately productive in this area. After many years of continuous efforts to educate tip recipients to their obligation to report and pay taxes on their tips, the Service is convinced that the only recipients reporting tips with any degree of regularity and accuracy are those who, in prior years, have had their returns examined, had substantial deficiencies assessed against them and know that their returns continue to be examined.

Field offices of the Service were contacted recently for information regarding tip-enforcement activity. Reports were received from offices covering the north central, south and southwest States, the only regions conducting special tip drives in recent years. In 1 large northern city in 1964 group examination of employees of 5 restaurants and 2 hotels revealed that of 154 employees who would normally be expected to receive tips practically no one had reported any tips. Following this examination, 40 percent of these taxpayers agreed to deficiencies averaging $460. The other cases involved deficiencies averaging $600. These cases have not yet been settled. At the same time and in the same city, 62 beauticians working in department stores agreed to deficiencies averaging $200 on account of tips received over 2- or 3-year periods. Some 33 others had been assessed deficiencies averaging $400 over similar periods.

In a large city in the South, 552 returns of waiters and waitresses were examined in 1960 and 1961 resulting in deficiencies being assessed in the total sum of $132,222. This represents an average deficiency per return of approximately $240. In the same period, 316 returns of beauticians at downtown shops and department stores were examined and deficiencies were assessed in the amount of $45,234 for an average deficiency per return of about $140. In a city of the Southwest, examinations were made in 1962 of 420 returns of the tip employees at 2 hotels (waiters, waitresses, bellhops, et al.). More than 50 percent of these returns showed no tip income whatever. As a result of this examination, deficiencies averaging $200 per return were assessed against these employees for a total deficiency of $83,614.

MARCH 11, 1965.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I understand that your committee now has provisions in H.R. 1 that would extend social security coverage to tips and would make tips subject to withholding of income tax by employers.

We have examined and weighed carefully comments and objections raised against this and other similar proposals, and we are convinced that the present provisions that your committee is now considering are sound, that they are administrable and that they are fair. Over the years many other alternatives have been considered, and we have found all of them lacking in some important respect.

I believe it is only fair that employees whose earnings are largely from tips should be permitted to have all of these earnings included under social security, like other employees, and that this should be done under the employer-employee systems rather than the self-employment system. I also believe that consideration for the modest circumstances of the majority of tip workers demands that they be granted the advantages of the pay-as-you-go system for paying their income taxes.

For these reasons I am most pleased to hear that your committee is giving this proposal the consideration which I think it deserves.

Sincerely yours,

DOUGLAS DILLON.

MEMORANDUM PREPARED BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ON COVERAGE OF TIPS

House-Senate difference:

House: Covers tips as wages.

Senate: Covers tips as self-employment income.

Department position: Favors House provision.

Considerations:

1. The social security taxes that employees would have to pay on their tips if they were covered as income from self-employment would be substantially more than if their tips were covered as wages. Yet the income to the social security trust funds would be less, because if tips were covered as wages the employer would match the employee's share of the tax.

2. On principle, it does not seem fair to require tipped employees to pay the higher self-employment tax rate on earnings that are related to their services as employees, or to relieve employers of tipped employees of their responsibility to pay their share of the social security taxes due on the earnings of their employees.

3. Many employers of tipped workers favor including tips as wages under State minimum wage laws and under the Fair Labor Standards Act. If tips were counted as income from self-employment for social security purposes it would be difficult to justify treating them as wages for purposes of the minimum wage laws. Requiring employees to report their tips to their employers for social security purposes would overcome a major difficulty in the way of counting tips as wages for minimum wage purposes.

4. If tips were covered as income from self-employment, amounts totaling less than $400 a year could not be reported. Some tipped employees might fail to report their tips as self-employment income if their income was not high enough to require them to pay income tax. Others might file only the short income tax return form, and fail to include the separate self-employment tax return. Requiring the employee to report his tips to his employer at least once a month and requiring the employer to withhold the social security tax on tips is the most effective way to get reports of tips and to collect the tax

5. Employees with tip income ought to have the opportunity to pay their taxes currently on a pay-as-you-go basis, as other employees do. Employees, especially those with relative low income, find it burdensome to pay their taxes in large lump-sum payments.

Cost: To be obtained.

TREATMENT OF TIPS UNDER STATE MINIMUM WAGE LAWS

There are only 14 States that have operative minimum wage laws covering the customary tipping occupations and that do not make any allowance for tips. Another 13 States cover the customary tipping occupations by operative minimum wage laws, but either permit counting tips toward the minimum wage or set a lower minimum wage rate for workers in tipping occupations.[1] The remaining 23 States do not have operative minimum wage laws covering the customary tipping occupations: 16 do not have minimum wage laws; 4 have inoperative minimum wage laws (the laws provide for establishing minimum rates, but no action to implement them has been taken); and 3 have operative minimum wage laws that do not cover the customary tipping occupations.

I. Fourteen States that cover tipping occupations by operative minimum wage laws make no allowance for tips:

1. Alaska.
2. Arkansas.
3. California.
4. Colorado.
5. Hawaii.
6. Idaho.
7. Kentucky.
8. North Dakota.
9. Oregon.
10. South Dakota.
11. Utah.
12. Washington.
13. Wisconsin
14. Wyoming.

II. Thirteen States that cover tipping occupations by operative minimum wage laws do make allowance for tips:

(a) Seven States permit counting tips toward the minimum wage:

1. Connecticut.
2. Michigan.
3. Minnesota.
4. Nevada.
5. New York.
6. Pennsylvania.
7. Rhode Island.

(b) Six States set lower minimum wage rates for tipping occupations: [1]

1. Massachusetts.
2. New Hampshire.
3. New Jersey.
4. New Mexico.
5. Ohio.
6. Vermont.

III. Twenty-three States do not have operative minimum wage laws covering the customary tipping occupations.

(a) Sixteen States do not have minimum wage laws:

1. Alabama.
2. Delaware.
3. Florida.
4. Georgia.
5. Indiana.
6. Iowa.
7. Maryland.
8. Mississippi.
9. Missouri.
10. Montana.
11. Nebraska.
12. South Carolina.
13. Tennessee.
14. Texas.

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[1] The District of Columbia and Puerto Rico also set a lower minimum wage rate for workers in tipping occupations.

15. Virginia.
16. West Virginia.

(b) Four States have inoperative minimum wage laws (the laws provide for establishing minimum wage rates, but no action to implement them has been taken).

1. Illinois.
2. Kansas.
3. Louisiana.
4. Oklahoma.

(c) Three States have operative minimum wage laws that do not cover the customary tipping occupations.

1. Arizona.
2. Maine.
3. North Carolina.

TREATMENT OF TIPS UNDER THE FAIR LABOR STANDARDS ACT

Present law

The minimum wage provisions of the Fair Labor Standards Act do not now generally apply to industries where there are a substantial number of tipped employees. In general, the Fair Labor Standards Act applies to employees engaged in interstate commerce or in the production of goods for interstate commerce, and to employees of certain large enterprises that are so engaged. The types of industries covered by the Fair Labor Standards Act are warehouses, factories, construction companies, transit companies, and department stores. The largest group of tipped employees covered by the Fair Labor Standards Act are railroad terminal employees who carry baggage (redcaps). Although the Fair Labor Standards Act does not contain any reference to tips or gratuities, the United States Supreme Court established the precedent for the treatment of tips under the Federal minimum wage law in the 1942 case of *Williams et al.* v. *Jacksonville Terminal Co.* To the extent that tips are accounted for by the employee to the employer in the industries covered by the act, they are treated as wages under the act. The Federal law does not apply to restaurants and hotels or other small retail establishments.

Bill to cover tips under the Fair Labor Standards Act

On January 31, 1964, Representative JAMES ROOSEVELT introduced H.R. 9824, a bill which would amend the Fair Labor Standards Act of 1938, as amended, to extend the minimum wage and overtime protection of the act to approximately 738,000 workers, over half of whom work in small retail establishments, such as restaurants and food service establishments and hotels, where tipping is prevalent. The bill also contained a provision under which tips would be counted toward the minimum wage if they were accounted for to the employer or received through him.

From February 7 through April 6, 1964, the Subcommittee on Labor of the Committee on Education and Labor of the House of Representatives held hearings on H.R. 9824. At the beginning of the hearings, Representative ROOSEVELT, chairman of the subcommittee, announced, "This bill, of course, is the bill representing the views of the administration and the requests of the administration." On April 9, the subcommittee went into executive session, and on June 25, 1964, the subcommittee ordered a clean bill, H.R. 11838, favorably reported to the full committee. Representative ROOSEVELT introduced H.R. 11838 on June 30, 1964. No further action has been taken on the bill, and the administration has not expressed any views on it.

There are several differences between H.R. 9824 and H.R. 11838. The major change is that a separate administration bill which would increase the rate of pay for overtime work has been incorporated into H.R. 11838. The coverage of the small retail establishments in which large numbers of tipped employees work has been retained in the clean bill. The provision under which tips would be counted toward the minimum wage has been substantially altered. Under H.R. 11838, the Secretary of Labor would determine the average value of tips "for defined classes of employees and in defined areas," and this amount would be counted toward meeting the minimum wage requirement. The Secretary could use amounts set by State minimum wage laws if he deemed them appropriate. Where the employee accounted for tips, or was paid tips through the employer, that amounted to more than the applicable average as determined by the Secretary, the amount reported could be used; otherwise the average would apply.

CONSIDERATIONS AGAINST COVERING TIPS AS INCOME FROM SELF-EMPLOYMENT

I. Tax aspects:

(a) Employees would pay substantially more than the employee rate on the tip part of their income; this would take a significant amount of their pay and be a hardship on these employees who generally have low income.

(b) Income to the trust funds would be less because employers would pay no tax and the amount of tips reported would be less; income tax collections would probably be less than if the tips were covered as wages.

(c) It does not seem reasonable that employers should be relieved of the obligation to pay their share of the social security tax, and they should assist the Government in collecting the social security and income taxes due on tips received by their employees.

(d) Tipped employees should have the opportunity to pay their taxes on a pay-as-you-go basis through withholding from current wages, as is the case for other employees.

II. Amount of protection: Covering tips as income from self-employment would not result in as much protection for tipped employees as would be obtained under the House-passed provision. Many of the tipped workers who wouldn't get full protection would be those who need protection the most.

(a) There would be no withholding of the social security tax; employees would have to pay substantial amounts in a lump sum.

(b) Employers would not have the responsibility of making reports of employees' tips.

(c) Employers would not have occasion to pass on the amount of tips reported by employees.

(d) Some employees would report a small part or none of their tips to minimize or escape paying social security and income taxes; they would find it difficult to pay the full amount in a lump sum.

(e) Some would not need to pay income tax and would not file an income tax return.

(f) Some would file the short income tax form (or long form) without a Schedule C or without including tip income.

(g) Since social security taxes were withheld from regular wages, some would feel they had "paid enough"; this would be particularly true if they were insured and could qualify for an average benefit based on regular wages.

(h) Employees would be required to file a more complicated tax return.

(i) Some employees would be indifferent to filing tax returns; some tipped workers have never filed in past years.

(j) Some would not know to file or would have difficulty filing—many tipped workers are foreign-born or have little education; some would have to pay to have the returns prepared.

(k) Tax enforcement for low-income workers is expensive in view of the amount of tax involved.

(l) Since amounts less than $400 would not be covered, benefits would be less than if tips were covered as wages.

(m) Some employees would find it difficult to distinguish between tips and service charges under the advance agreement ruling.

(n) Employers might be tempted to shift certain payments now wages, such as service charges, to "tip" status.

III. OASDI program philosophy:

(a) Tips received by an employee in the course of performing services for his employer under the usual employer-employee relationship should be defined as wages.

(b) If tips were covered as self-employment income, employees would be paying two types of social security taxes (at different rates) on earnings from the same activity; while performing the same service, they would be an employee for certain purposes and an independent contractor for other purposes.

(c) Tips received by employees should be treated the same as the regular wages they receive for purposes of the retirement test.

(d) Tips received by employees have always been thought of as wages and some tips are now covered as wages. Tips that are now covered as wages should not be covered as income from self-employment.

(e) For income tax purposes, tips have consistently been considered employee income and some tips are wages for income tax withholding; all tips received by employees are reported as employee income on form 1040.

IV. Impact on other employee programs: Tips are considered wages under workmen's compensation laws, unemployment insurance laws, and minimum wage laws.

(a) Covering tips as self-employment income would tend to reduce protection for tipped workers under other programs. It would be a setback in the Government's continuing program for the improvement of the conditions of labor.

(b) There would be confusion if tips were wages under other programs and self-employment income under social security.

V. Administrative problems:

(a) There would be about a million extra self-employment returns (schedules C) to process; if tips were wages, tip income would be included on the same report as non-tip wages.

(b) Since annual self-employment tax returns would be involved, there would be more problems when social security claims were filed.

(c) There would be difficulties in applying the retirement test. Income would be divided between wages and self-employment income; it would be difficult to avoid inequities under the monthly measure of retirement. An employee might object to being assessed deductions under the substantial services test if his total earnings were no more than $100 in a month. Substantial services would require investigation.

(d) There would be an impact on eligibility requirements; employees could get four quarters of coverage by working in one quarter of the year.

(e) There would be difficulties with respect to determining the amount of expenses that could be attributed to tips that would be considered earnings from self-employment. Part of the employee's expenses would relate to earning his regular wages. Some tipped employees work on more than one job and their tips would be covered as wages on one job and as income from self-employment on another.

Mr. JAVITS. Mr. President, in short, the Senate is being asked to adopt a provision notwithstanding and over the objections of the Treasury Department, the Department of HEW, and the trade unions involved.

How often do we hear the Senator in charge of the bill say that we cannot do this by way of amendment because the Government departments say it is impractical?

This is a case where the Senate committee is going in exactly the other direction.

I believe that the argument against the position which is taken in the Senate version of the bill is so persuasive that we just have no business allowing the provision to go uncorrected.

The first point made by the Treasury Department is that tip income represents remuneration of the employee as wages, and that when the employer of a tipped employee arranges for that employee's wages, he invariably considers and includes the fact that the employee will be receiving tips as a part of the reason for setting a certain wage.

The best proof of that is in the recent survey conducted by the U.S. Department of Labor, which has been filed with Congress, dated January 1964. It is clear that the hourly wages of tipped employees as compared with the hourly wages of non-tipped employees are set after taking tips into consideration. The hourly wages—and I refer to the report at page 25—the average hourly wage paid to non-tipped employees in the same establishment where other employees are tipped is $1.34 per hour. The wage for employees in the very same establishments who customarily receive tips is 81 cents an hour—in other words, one-third less.

Mr. President, this makes crystal clear what the Treasury Department has stoutly maintained, namely, that tip income is wage income and is allowed for as wage income when wages in these industries are fixed.

It seems to me that is a conclusive reason for retaining the House language. If any other were needed, I point out that there are some 13 States which take into consideration the tips that employees receive when determining the minimum wage, so that an employer is deemed to be paying an employee the minimum wage when that employee receives both the amount the employer pays him and tips.

This is a critically important fact, because this is the practice, not the theory.

The **PRESIDING OFFICER**. The time of the Senator from New York has expired.

Mr. **JAVITS**. Mr. President, I yield myself 5 additional minutes.

The **PRESIDING OFFICER**. The Senator from New York is recognized for 5 additional minutes.

Mr. **JAVITS**. Mr. President, this is an important point. I point out to Senators who feel strongly about the committee provision that they may very well be fooling themselves, because if this is self-employed income it will not continue to be counted as a part of the minimum wage, even in those States which allow it.

Hence, employers who are now a strong lobby in opposition to the House provision—and I say that from my own personal knowledge, not from anything I have heard—do so under some mistaken notion that if they defeat the House provision, it will save them recordkeeping time, and of course will save them one-half the social security tax. I point out to those employers that in such populous States as my own State of New York and in Pennsylvania, the minimum wage in this industry will have to be increased if tips are to be classified as self-employment income. That applies also to six other States which allow a lower minimum wage for employees who are tipped. Those States include such populous States as Massachusetts, New Jersey, and Ohio.

Mr. President, this is a serious aspect of the situation. The Treasury Department points it out. I believe we would be extremely remiss in our responsibilities, indeed, if we were to fly in the face of that fact.

One other thing that is very important is that the employees, it is said, may prefer the existing system. In the first place, from my own experience with hundreds of tipped employees in the State of New York, that is not so. Every trade union of employees wants the tip business regularized and to have the tips treated as wages, as they should be treated.

Beyond that, we do not want to be parties, after the long, trying period we have had in dealing legitimately with tips, to making it easier for employees who receive the tips to avoid paying not only social security tax, but also their income tax. This is distinctly tied to the income tax, and it is mandatory under both the House provision and the Senate provision.

It is perfectly incomprehensible to me that the Congress should not wish to extend itself very strongly in order to develop a system, now approved by the Treasury Department and the Department of Health, Education, and Welfare, which will, as nearly as we can, make foolproof the Government's not being deprived of either income taxes or social security taxes.

So, Mr. President, it seems to me that the case we make is, for all practical purposes, irrefutable. The only question is, Will the restaurant owners succeed in persuading Members of the Senate, to reject a system which has been developed and approved by the other body and approved by Government departments, and which will at long last regularize what has been so completely irregular?

I believe it is to the great credit of the hotel and restaurant workers and their trade unions that they are fighting for honesty, while the Senate seems to take the attitude, if it lets the amendment stand, that these employees do not want to make their full contribution, as the House contemplated, based upon a plan developed by the Government departments, with the greatest expertise in this field.

I have not undertaken this task lightly. I understand fully what it means to a number of restaurateurs, who may be very unhappy with me. However, in such restaurants I pay my bill, and I think I will still be welcome.

I cannot for the life of me see how we can fly in the face of regularizing what has been so unhappily and miserably irregular, and which is now proposed to us by both the House of Representatives and the Government departments, because we are asked to listen to what I think is a very shortsighted attitude on the part of the restaurateurs.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **JAVITS**. I yield myself 1 more minute.

Normally, logically, and properly, the social security taxes are wages of the employees. The restaurateurs know as well as we do that the tips are included in the wages of the employee, as is shown by the difference between the wages paid to tipped and nontipped employees.

I hope very much that the Senate will not allow itself to be used in this way, and that the committee amendment will be defeated. If it is defeated, it will result in leaving the House provision as it is; and at long last a regularized and honorable plan will be the order in the United States for tipped as well as nontipped employees.

Mr. **CURTIS**. Mr. President, will the Senator yield?

Mr. **JAVITS**. I am on limited time, but I am happy to yield to the Senator from Nebraska.

Mr. **CURTIS**. If the House language is restored, will it not mean that an employee——

The **PRESIDING OFFICER**. The time of the Senator has again expired.

Mr. **JAVITS**. I yield myself 1 additional minute.

Mr. **CURTIS**. Will it not mean that the employer will have to pay a tax on money that never went through his hands?

Mr. **JAVITS**. In the first place, he will actually not have money in his hands, except that he will have in his hands the money with which to pay the employee's social security tax.

Mr. **CURTIS**. He will have also funds belonging to the employees, but he will be required accurately to report income that another person has received and that does not go through his hands.

Mr. **JAVITS**. I do not agree with that at all. He will not be required to report anything that the employee does not certify to him. He is completely accurate under the law if he reports what his employee tells him.

If he has in his hands the money with which to pay the employee's taxes, he will not handle the tips, except to the extent that I have mentioned.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **JAVITS**. I yield myself 1 additional minute.

My case shows that the tips are taken into account in setting the employee's wages. I have figures which bear that out. The Treasury bears that out. It is the same as when an employer feeds an employee. He is not handling the food when he feeds the employee. Normally the employee feeds himself. However, the employer computes that cost in figuring the wages.

Mr. **CURTIS**. It is quite different. The employee does not go out of the establishment.

Mr. **JAVITS**. The employee does not go out of the establishment to get his tips. He does not get them unless he is in the establishment.

Mr. CURTIS. But they never come to the employer. There is no case in which the business community has been called upon to collect taxes on money that does not go through a person's hands.

Mr. JAVITS. The money for the taxes goes through his hands. The other is tantamount to that, because it is a part of the wage.

I yield 5 minutes to my colleague from New York.

Mr. KENNEDY of New York. I should like to ask the Senator one or two questions.

Mr. President, is it not correct to say that the employers claim that the tips that are received by the individual employee are a part of the wages when there is consideration of the minimum wage law?

Mr. JAVITS. Yes. I have given the States in which that is true.

Mr. KENNEDY of New York. Is it not correct to say that, on the one hand, it is claimed not to be a part of the wages under the social security law, but is a part of the wages when considering the minimum wage law?

Mr. JAVITS. The answer is "yes," except that it is now the Finance Committee that is claiming that, although there is an enormous lobby here, too.

Mr. KENNEDY of New York. I appreciate the Senator's comment. It is claimed that it is not income so far as social security is concerned, but that it is income so far as the minimum wage law is concerned.

Mr. JAVITS. The Senator is correct.

Mr. KENNEDY of New York. That is an entirely inconsistent position, is it not?

Mr. JAVITS. Yes.

Mr. KENNEDY of New York. Mr. President, I rise in opposition to the Senate Finance Committee's amendment regarding the status of tips as income for social security purposes. Section 313 of the bill as passed by the House gave tips a status like any other kind of wages, insofar as social security is concerned. The House bill recognized what seems like a most obvious fact—that tips are for practical purposes a part of an employee's wages even though not paid directly by the employer, and that it is unjust not to have both employee and employer contribute to social security benefits on tip income just as they do on the rest of the employee's income. Now the Senate committee seeks to undo this sensible provision and to substitute in its place the fiction that the tip employee is self-employed when he receives tips.

This change will be onerous for the employee, since he will have to pay the entire contribution himself for the social security benefits that are based on his tip income. And of course the Finance Committee amendment constitutes a great boon for employers by relieving them of the obligation which the House version imposed.

There is no justification for this. The tip employee is not self-employed in any sense. Tips are as much a part of his wages as the money he gets directly from his employer. He is always subject to his employer's direction, and never off on an unrelated effort of his own. Tips are directly attributable to his employment, and the certainty that he will receive them means that his employer can get away with paying him less in basic wages. The fact is that tips are always taken into consideration in collective bargaining in the hotel and restaurant industries. It therefore makes very little sense for the employer to contend that these wages are so far removed from the employment relationship as to be attributable to self-employment efforts.

The inequity of present law is clear. The waiter who gets $35 a week in wages and $55 a week in tips—and there are many like this—would receive monthly social security benefits, beginning at age 65, of $74. Under the House provision, he would receive $125. Since the tips he receives are derived directly from his employment, there is no reason not to regard them as wages for social security purposes. And there is no reason not to require the employer to contribute to social security benefits for his employees on that part of their earnings.

It should also be pointed out that waiter's tips are treated as regular income by the Internal Revenue Service. This income is subject to withholding tax under current tax regulations. The waiter must keep records on his income; I think the employer should be able to maintain similar records.

There is one implication of the Finance Committee amendment that is particularly intolerable. That is the possibility that hotel and restaurant employers, armed with a congressional finding that tips are the results of self-employment efforts, will argue that this is a reason for continuing to exclude their employees from the coverage of the minimum wage. Thus the Finance Committee's amendment is not only undesirable because it singles out one class of employee for unfair treatment under social security, but because it could also prejudice later efforts in the minimum wage area.

The employers have taken the position that tips should be included in income for purposes of deciding whether there is any need to extend the minimum wage to hotel and restaurant employees. It is especially anomalous that they are at the same time contending that tips should not be included in wages for purposes of social security. This is inconsistent, and the employers should have to fish or cut bait. If they want tips to be computed as part of wages for purposes of the minimum wage coverage question, they should be willing to have tips included in wages for purposes of social security.

What the Senate Finance Committee's amendment does is to give the employer the best of both worlds. By calling tip income the result of self-employment efforts, employers save themselves the payment of social security on it and also give themselves the argument that there is no need to cover hotel and restaurant employees under the minimum wage since those people have already been adjudged by the Congress—if the Finance Committee amendment sticks—to be self-employed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield another 2 minutes to my colleague.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. KENNEDY of New York. I wish to state categorically that, so far as I am concerned, the self-employment finding is a fiction, of no realistic significance in either the social security or the minimum wage area.

I might also add that we have an opportunity here to eliminate poverty. A significant number of retired citizens have an income that does not meet our minimum standards of support. A waiter retiring at 65 who had only counted his wages towards social security benefits, would receive approximately $74 a month or $888 a year. I know you will agree that this is totally inadequate. By insuring that the waiter's tips are included in calculating his social security benefits, his benefits would be raised to approximately $1,500.

For those reasons, I hope we can act today to restore section 313 as the House passed it.

Mr. LONG of Louisiana. Mr. President, I yield myself as much time as I may require.

The House proposal for which the two Senators from New York are contending would create an irrebuttable presumption that it was the employer who paid the tip, which would be completely contrary to fact. That is a false presumption. The House proposal, for which the Senators from New York contend would presume a so-called fact even though it be a lie.

Mr. President, when we create an irrebuttable presumption that an employer has paid the tips, even though he never saw the money, I say that it is pretty ridiculous. I am reminded of a passage from Dickens in which Mr. Bumble is reported as having said:

> If the law supposes that, the law is a ass, a idiot.

To create an irrebuttable presumption that something is correct when it is not correct is not proper.

Employers do not pay the tips. They do not always know about them. They now have enough trouble with their help without trying to snoop on that help.

The proposal sent to the Senate by the House is subject to all sorts of mischief. A small owner of a restaurant, a barbershop or some other establishment who hires people to serve the public could be victimized, and it should not be that way.

For example, a young working man or working woman who is single would not find it to his or her advantage to report tips at all. They would not report them. By not reporting them, they would avoid the social security tax and the income tax, which we could presume would be a great deal more than the social security tax. It would be to their advantage to avoid such taxes.

Suppose such a person reaches the age of 60. At that point he might decide that he would like to drop out the 5 low years of his earnings in which he had reported no tips at all and to build up his credit in the high years. He decides to report tips on $4,000 when he received only $150 in tips.

What is wrong with that? What is wrong is that he would then impose on his boss a tax of $160 by telling a lie, and the boss would not have any recourse but to go ahead and match what the employee puts up to help that man's social security entitlement when the man by rights would not be due it.

If an employee wishes to engage in that sort of conduct, that would be his privilege under the amendment of the Senator from New York. But why penalize the boss for it? Why should a man who operates a little restaurant have to pay $160 in taxes merely because an employee chose to avail himself of an opportunity to misrepresent his income and to attain a higher entitlement than is his due?

Mr. President, in many instances it is up to the individual to determine whether he wishes to report income from tips. The Treasury is making every effort under the sun to try to collect a tax on tip income. I hope they have success, although a relatively small amount of income is involved.

So the Treasury Department in trying to find out how to collect income tax on tips, attempts to create an irrebuttable presumption that the employer paid the tip and thus require him to snoop on his employees. It would create all sorts of hard feelings between the employer and the little waitress, the barber, or whoever the person might be, as to what the amount of tip income was and about how much of the tax the employer should pay. Then the employer must withhold an equal amount from the employee's wages.

Mr. President, it would create all sorts of bookkeeping problems. Employees want nothing to do with it. We hear talk about people being for the proposal. I know Mr. Nelson Cruikshank speaks for the American Federation of Labor in this field. He started in the Federal Security Administration. He was one of those who helped put the social security law on the statute books. He wishes to apply basic social security concepts to everyone. Labor chieftains have so much confidence in him that they take his word, with reverence. So we have heard that the AFL–CIO is for the proposal. Senators should ask employees if they are for the proposal.

In my State I have not found a waiter or waitress who has said that he or she is for it. Every restaurant, every taxicab company, and every barbershop in my State is opposed to the proposal that the Senator from New York wishes to impose on the American people. They are solidly opposed to it. They say that they do not want to engage in this kind of conduct.

So they do not want anything to do with it; they want to be relieved of it. The committee has made it possible for employees to pay a tax to the Internal Revenue Service just as though they were self-employed people. The employer pays a tax on what he pays the employee. Then the employee has an obligation to report the tips and pay a tax on them.

If we are to follow the general theory of the social security law, we should say that the person who owes the tax on the tips is the employee, on the one hand, and the patron who comes in and pays the tip, on the other.

Suppose we followed the legal fiction upon which the Social Security Act is supposed to be based. The theory is that it is a program of insurance paid half by the employer and half by the employee. In this event, the employer part of the tax would be owed by the patron. What would he do? He would give the waiter, perhaps, a $1 tip.

The waiter would say, "Thank you, sir. Now please hand me 4 cents for the tax on the tip, as your employer's part of the tax."

Mr. President, what would you do if you had handed the waiter a dollar? Would you cash an extra dollar and say, "My friend, I neglected to include the tax in the tip"? No; you would say "When I gave you the tip, I tipped you 96 cents, and the other 4 cents included in the dollar I gave you was to cover the tax due. Just take it out and settle with Uncle Sam."

Upon that basis, the employee would pay 4 cents for himself and 4 cents for the man who gave him the tip—8 cents. We propose to let him pay 6 cents.

In most cases, this employee is going to get the same retirement benefits one way or the other. Suppose his social security benefits are figured only on a low salary and not also on tips, he will supplement the resulting low social security check with public assistance. Thus, it may make little difference what social security tax is paid by such tipped employees. His retirement checks will be the same in amount though they may be welfare checks in part instead of only social security checks.

If Senators think people do not understand this procedure, let me relate to them this personal story. My wife told our maid what a fine thing she was doing; she was paying the social security tax for the maid and for the Long family. The maid replied, "I am going to wind up with $90 whether I have social security or not, because I can get welfare. I do not care whether you pay a tax or not."

That is how many low income, tipped employees look at the situation.

So far as those in the upper income brackets are concerned, their only problem is how to get somebody else to pay something he does not owe.

I suppose waiters at the Stork Club and other high-class places in New York might think it is a fine idea. But the average employee in a cafe, motel, or barbershop could not care less. The committee bill provides them all the social security coverage.

So far as the Treasury is concerned, that is something else. Senators may recall that some years ago the Treasury wanted Congress to provide that every bank, every building and loan institution, and every insurance company should tax the interest and dividends of their patrons at the source and send this tax to the Government, whether the tax was owed or not. Senators may recall that the executive branch pressed for passage of such a law to withhold the tax on interest and dividends whether the persons concerned owed the tax or not. The patrons would then have to worry about getting their money back.

Under the leadership of our distinguished Senate Finance Committee chairman, HARRY FLOOD BYRD, of Virginia, the Congress resisted the Treasury Department and defeated the proposal. Instead, we enacted a law that provided for the assignment of a number to every taxpayer, so that computing machines could ascertain where the income was and how much, so that the tax could be collected. It has worked very well. We avoided the need to make someone pay a tax he did not owe.

In this instance, I hope we shall be successful in avoiding the imposition on a cafe owner, the owner of a barbershop, the owner of a shoe shine parlor, or the owner of any small business of all the bookkeeping, all the responsibility, all the irritation, and all the squabbling with his employees that would result from the responsibility of paying a tax on money the employer did not pay, did not receive, knows nothing about, and does not want to know anything about.

If we want to do what the employees want, those who are employed by small businesses, we can provide that employees be treated as self-employed on tip income, which is what the Committee on Finance has done. But if Senators want to vote for something that in their States will be the most unpopular thing since the bubonic plague, they can vote for the provision to tax all those employers on money they do not know the first thing about and do not want to know anything about.

I hope the Senate will agree with the Committee on Finance and agree with many thousands of owners of small enterprises and will spare them from this proposal and from persecution by the imposition on them of all sorts of paperwork and a responsibility that is not properly theirs.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. BENNETT. A statement was made that the employer takes tips into consideration when he sets wages. Is it the impression of the Senator from Louisiana that all tipped employees, although they may receive the same basic wage in the same establishment, receive exactly the same amount in tips?

Mr. LONG of Louisiana. Of course not.

Mr. BENNETT. What makes the difference between the low-tipped man and the high-tipped man in some establishments? Is it not hard work?

Mr. LONG of Louisiana. It depends on how well the employee does his work. If he gives good service, if he serves extremely well, if he is a good waiter, for example, he will receive more in tips than the person who renders poor service.

Mr. BENNETT. So how can it be said that an employer can take that into consideration when he sets an employee's wages? How can it be said that an employer has any control over the ability of a certain waiter to earn more than another waiter? That is entirely a matter of his personal activity, of his personal ability, of his personal attitude toward his customers. If that is not self-employment, I do not believe we could get a better definition of it. Does the Senator agree?

Mr. LONG of Louisiana. I do. So far as the Treasury is presently concerned, the amount of tips an employee receives is self-employed income. The Treasury is not too happy about it because all the tips are not being reported. The Treasury would like to find some way of collecting more taxes; I understand that. But to create an irrebuttable presumption, to persecute somebody who had nothing to do with the transaction in the first instance, is ridiculous.

Mr. BENNETT. It seems so to me. I offered the amendment in committee which was finally adopted and included in the bill that was reported, because I think that is really the logical approach to the situation.

Mr. LONG of Louisiana. It is the most logical approach to it. This is the way the matter should be handled. Perhaps with better methods of detection, a way could be found to solve the problem. But I am satisfied that to include the House provision on tips would be one of the most unpopular things that ever happened. I should say that we would do well, first, to experiment and see how the self-employment program works before we try to impose on these employers an obligation that is not properly theirs.

Mr. KENNEDY of New York. Mr. President, will my colleague yield me 3 minutes?

Mr. JAVITS. I yield 3 minutes to my colleague from New York.

Mr. KENNEDY of New York. Mr. President, I gather that the Senator from Louisiana is opposed to the proposal of the Senators from New York.

I want to ask whether the argument which the Senator from Iowa made with regard to tips for the employees of the same restaurant is really the relevant point. The amount of tips received may, of course, vary from one employee to another, but is it not also correct that the employers claim that the employees' tips should be counted as a part of their wages for purposes of determining whether they are receiving the minimum wage? If the employers admit tips are a part of wages for this purpose, why will they not admit that tips are a part of wages for purposes of social security?

Mr. LONG of Louisiana. They contend that tips ought to be taken into consideration in determining the income of tipped employees. But the employers do not contend they are paying all of the income of the tipped employees.

Mr. KENNEDY of New York. Mr. President, does the Senator concede that the position of the restaurant owner as to the employees under these circumstances is inconsistent in this area? It is claimed that the tips should be considered as a part of the salary of the employees as far as the minimum wage is concerned. However, on the other hand, so far as social security is concerned, it is claimed that tips should not be considered as a part of the wage.

Mr. LONG of Louisiana. Not in the very least. The employers say: "You want to pass a minimum wage law to require us to pay the employees a certain amount of money. We are not paying him that wage. However, he is receiving income from other sources, so that he is receiving more than we pay him and when these other sources are included, his income is equal to or in excess of the minimum wage being championed."

They are not contending that they pay his tips. They frankly concede that another man pays him. However, they contend that the employee is making more than they pay him in wages.

Mr. KENNEDY of New York. Is the employee not under the control of the employer in that restaurant, or, for example, in a barbershop?

Mr. LONG of Louisiana. It is as simple as if the Senator from New York and I were to get together, hire a waiter, and agree that the Senator from New York would pay half of the man's wage and I would pay the other half of his wage, and that together we should pay him $1.25 an hour. Although I was only paying 62.5 cents an hour, the employee would be still making the minimum wage based on what the Senator and I would be paying him.

Mr. KENNEDY of New York. The employee would be receiving extra compensation, as far as tips were concerned. If we were to argue that this income should be included as part of the minimum wage, we should also concede that he was receiving that income because he was working in the restaurant.

Mr. LONG of Louisiana. It is contended that that tip is income but just because it is income does not necessarily mean that all of the income comes from the same source. The employer does not pay the tip part of the employee's income.

Mr. KENNEDY of New York. I believe that the position is inconsistent. When the Senator describes the situation of the employees in Louisiana—who, he is fearful, will falsify their records and say that they are making much more money in tips in order to force the employer to pay social security—he does not mention that those employees would have to pay income taxes on that extra money.

Mr. LONG of Louisiana. I did not say they would falsify their records for that reason. They would not declare more earnings in tips than they are receiving for the purpose of forcing the boss to pay higher social security taxes. They would do it in order to get a higher benefit under social security than they have a right to receive.

Mr. KENNEDY of New York. Does the Senator recognize that the employees would have to pay income taxes on that declaration?

Mr. LONG of Louisiana. The Senator is correct.

Mr. KENNEDY of New York. Does the Senator realize that those income taxes would be perhaps four times as high as the amount that the employee would have to pay under social security?

Mr. LONG of Louisiana. Yes. However, under the social security system, some people receive in benefits 10 or 20 times the amount that they have paid in taxes. We know of a case in which a man received one thousand times what he paid into the system.

Mr. KENNEDY of New York. People who work in restaurants, hotels, and barbershops in the United States are as honest as anybody else. They are as honest about maintaining their records as anybody in the Senate Chamber or in the gallery.

Some of us say that this will be an unpopular measure in our particular district or State, but the fact is that it would do quite a lot of good. Some people need the benefit of such protection. That should be the criterion. As Lord Acton once wrote:

> Laws should be adapted to those who have the heaviest stake in the country, for whom misgovernment means not mortified pride or stinted luxuries but want and pain, and degradation and risk to their own lives and to their children's souls.

We are talking about employees who need protection and need help.

Mr. LONG of Louisiana. It was the former Senator from Massachusetts, the brother of the present Senator from New York, the late beloved President John F. Kennedy, who made more effort than anybody else to attempt to place a withholding tax on interest and dividends. The argument was made that we were not receiving the proper amount of tax money on such items, that the people were not paying it. The particular area of the law which we are now debating is an area that has been abused more than that area was.

This is an area in which some people would be completely honest. However, some people would be governed by what they think is their own selfish interest. If they want to be governed by their own selfish interest, unfortunately either the House or the Finance Commitee tax on tips provision would give them a good opportunity to do it.

An advantage to the pending amendment though is that it would not give people the opportunity to victimize the employer, and it would not create problems between labor and management.

Mr. BENNETT. Mr. President, I ask the Senator from New York to let me move back into my State of Utah. He moved me into the State of Iowa. If I have the right, I would like to move back into Utah.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, it is easy to be entertained by passionate argument. However, one ought not necessarily to be persuaded by it. I should feel very disheartened if I were to permit the argument made by the junior Senator from Louisiana to stand unanswered, no matter what follows.

We have heard some rather astounding doctrines. One such doctrine deals with taxes. It has been said: "It is up to the individual to do what he wants to do." That is a rather unheard of proposition to be uttered in the Senate of the United States.

Are we encouraging citizens to avoid their tax liability, or are we writing laws to enforce the payment of taxes?

There is another proposition which I have heard advanced here which I must say is rather novel.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, the senior Senator from New York has been an Attorney General. The junior Senator from New York has been an Attorney General. I have never been an Attorney General and I have never been investigated.

The tax collector can investigate all he wants to investigate. I urge him to do so as far as the social security law is concerned.

When an employee reports his tips as income, we would arrange things so that the employer would not be penalized under the social security law. We should not penalize the employer.

Mr. JAVITS. Mr. President, according to the Senator from Louisiana this is a sporting proposition. The tax collector can collect the tax if he is able to collect it, but the Senate of the United States should not help him to do so. It is claimed to be a sporting proposition. We are urged to pit the tax collector against the person receiving the tips and see who comes out ahead.

It is not a sporting proposition so far as I am concerned. We are dealing with 1 million U.S. citizens. As my colleague the junior Senator from New York [Mr. KENNEDY] properly said, most of our restaurant and other employees want to be honest and regular, like every other employee.

The other proposition that I have heard, which to me as a lawyer is astounding, is that notwithstanding the control exercised over the employee by the employer, notwithstanding the fact that that employee is covered by the minimum wage, workmen's compensation, and even the social security law with regard to the wage which the employer pays him—it is nonetheless argued that this would be different from everything else that happens in that establishment because when he receives the tip, it is his self-employment income.

Mr. President, we may hear many things about business practices when it comes to the Federal minimum wage law—which law is now up for consideration before my committee with regard to these very employees. We will see what the restaurateurs say about that one when they have to pay the Federal minimum wage, notwithstanding that which the tipped employee gets in wages right now, as an average, is 81 cents—and not the $1.25 or the $1.50 that would have to be paid by the employer under a minimum wage law.

We know very well that we are not going to enforce any such doctrine in respect of other law. All we are doing is carving out a situation because the restaurateurs say this is more convenient to them, and we are making it unique and anomalous. It does not make any difference; I do not care whether we win or lose on the amendment—it makes no sense.

If it is unpopular for such a tax to be paid, let us remember it is unpopular to pay an income tax. It is unpopular to have to apply for a license. On that basis we would have an anarchical society.

The owner of a barbershop must file reports for every barber under his control with respect to social security. He would have to do no more with respect to tips, because he already has to file reports, for purposes of social security, on whatever wages he pays the barber.

These are very strange, anomalous doctrines, and all we would have done in the Senate, if we should let the amendment stand, would be to lend ourselves to a scheme for the convenience of a group of people—60,000 is the figure which has been given us here—as against 1 million employees. Those latter people should be considered when we are considering the matter of convenience. It is inconsistent with what is provided in the common law and in the statutes, and what is the practice as between employers and tipped employees in other respects.

If the Senate wants to do that now, no one can stop it, except the House of Representatives in conference, but it makes no sense.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BENNETT. Every American citizen makes his own declaration of conscience on his income tax report. That may be a sporting proposition, but the Government has ways of checking on it. But we all control the income that we report. That may be a sporting proposition, but the Government has ways of checking on it. But we all control the income that we report.

Mr. JAVITS. That is not strictly accurate. The employer pays wages. Every time he pays wages, he must tell the Internal Revenue Service what the employee has been paid. So it is not correct that everything we report is within our own control.

Mr. BENNETT. It is within our control. We may misreport, and the Government can check up and find out, but when I report my income, I sit down with my own conscience and my own set of books when I made out my income tax return.

Mr. JAVITS. If the Senate follows the House proposal, fundamentally the tipped employee will sit down with his conscience in the same way and will report what he says his tips have been, and that is what the employer will have to report.

Mr. McCARTHY. Mr. President, will the Senator yield me 3 minutes?

Mr. JAVITS. I yield 3 minutes to the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I support the position taken by the Senator from New York [Mr. JAVITS] and supported by the junior Senator from New York [Mr. KENNEDY]. The procedure provided in the House bill, which we seek to restore, represents a reasonable compromise to a most difficult problem which has been under study by the House Ways and Means Committee and by the Senate Finance Committee since at least 1950.

It provides needed coverage for income which, in substance is derived from tips.

A compelling argument for this proposal is that the income of the workers who will be affected by this provision is generally very low. Such persons, therefore, are most in need of pension income which they will receive at the time of retirement under the social security and old-age pension system.

Various recommendations have been made throughout the years. Some of them have come close to being accepted. Usually at that point it was the view that such proposals should be given additional study.

This year there was a general agreement by the people responsible for the administration of the social security program, perhaps in part because of the development of new electronic equipment, but, at any rate, we had general agreement that this program could be administered. I believe, therefore, that the proposal to restore the provisions in the House bill should be accepted by the Senate.

I do not believe that the Senate committee's proposed solution is adequate. Service employees are not really self-employed. They work at places designated by their employers. They work at times designated by their employers. They work under the direction of the employers and under conditions determined by the employers.

The record is quite clear that those who work for tips have been so recognized under almost every other piece of legislation in which a distinction has been made as between self-employed and those who work for salaries and wages. They are covered under unemployment compensation. They are also covered under minimum wage provisions and workmen's compensation. We do not apply minimum wage standards to those who are self-employed. In every other area, except for the purposes of including tip income under social security, such employees have been regarded as wage earners. So I believe the Senate ought to follow this tradition and accept the recommendation made by the administration and adopted by the House Ways and Means Committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCARTHY. I ask unanimous consent that I may have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. It is my judgment that the House Ways and Means Committee will insist on its position in any case. I urge the Senate to accept its responsibility for action today. Some Members of the Senate may feel they can bypass taking action and be saved by what the House will do in conference; but it is my judgment that, if the Finance Committee and the Senate are to carry out their responsibilities in regard to tax matters, and also in the field of social welfare, the Senate should restore the reasonable procedure provided in the House bill and not hope that, somehow, the House will save the situation. I ask unanimous consent that the views of the Treasury on this matter, as presented to the Finance Committee—hearings, page 524 and following—be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT VIEWS ON COVERAGE OF TIPS

DESCRIPTION OF COVERAGE OF TIPS IN H.R. 6675

Beginning in 1966, employees who in the course of work with any one employer receive at least $20 in cash tips in a month would be required to report their tips in writing to the employer. This report would have to be made at least by the 10th day of the month following the month in which the tips were received. More frequent reports could be required by employers and the bill would authorize employers to gear these tip reports to their payroll schedules. The employer would add the amount of reported tips to the employee's wages. He would withhold from the wages the employee's share of the social security tax and the appropriate amount of income tax due on the combined amount of tips and wages. The employer's liability for his share of the social security tax on tips would be limited to those that are reported on time and even as to these he would be responsible for his tax only to the extent that he had enough unpaid wages due the employee or funds turned over by the employee to cover the employee share of the tax.

The bill would require employees to turn over funds to the employer to cover the employee's share of the social security tax whenever the appropriate amount of tax could not be withheld because of insufficient unpaid wages. This is a most unlikely situation, however. See discussion on page 4 regarding adequacy of wages to cover both social security tax and income tax withholdings. In any case in which an employee failed to report tips or failed to make additional funds available if needed, the employee would be required to pay both the employer's and employee's share of the social security tax. With regard to the withholding of income tax, an employee would not be required to turn funds over to his employer to make sure the full amount of tax due is collected from month to month as in the case of the social security tax. The employer, however, would withhold throughout the year whatever he could from wages. The employee would, of course, be responsible to pay the full amount of income tax either in quarterly installments or with his return at the end of the year to the extent that withholding did not cover his full liability.

BACKGROUND

The Congress has considered various proposals to cover tips under social security since 1950. In that year, during the 81st Congress, a bill (H.R. 6000) which later became the Social Security Amendments of 1950 came before the Committee on Finance with a provision which would have treated tips received in the course of employment as remuneration paid to the recipient by his employer. The bill would have required employees to report in writing to their employer by the 10th day after the end of a quarter all tips received during the quarter. The committee stated in its report on the bill that it believed such a change in the law would introduce administrative complications and it did not accept the proposal (S. Rept. 1669, 81st Cong., 2d sess., p. 17).

Since 1950, many proposals on tips have been introduced in both Houses and many of these, at some time or other, have been before one or the other or both of the tax committees. The Treasury Department and the Department of Health, Education, and Welfare have examined and studied carefully all of these proposals. Studies of various other suggestions and alternatives for extending social security and income tax coverage to tips have also been made. In 1958 the Committee on Ways and Means gave serious consideration to a proposal based on a system of reporting by employees similar to that it had approved in 1950. The committee, however, was unable to satisfy itself that the plan would be workable on a national scale and it requested the two Departments to further study the problem (H. Rept. 2288, 85th Cong., 2d sess., p. 7). In 1960 the Departments recommended a proposal which combined a system of reporting of actual tips with a formula for estimating tips when the actual amount was not known to the employer. This plan was also rejected because the committee could not arrive at a formula that it considered equitable when applied to all regions of the country. The extensive discussions of the formula approach in committee convinced this Department and the Department of Health, Education, and Welfare that the only acceptable solution to the problem would be one which used as a base for the tax and benefits computations the actual amount of tips received by an employee and that it had become essential to devise a workable system to accomplish this.

At about this time, employee groups had become interested in getting tips covered under social security because, as the result of tip drives by the Internal Revenue Service, more and more employees were beginning to report their tips for income tax. Employers, as a matter of self-interest, had always urged that tips should be recognized as earnings from self-employment and taxed at the self-employment rate. Tips, however, are in reality remuneration for services rendered in an employment relationship and thus cannot legally be regarded as self-employment income. Moreover, it is common knowledge that in setting wages of employees who customarily receive tips employers take account of the tips. This is apparent from the terms of bargaining agreements covering nontip as well as tip employees. Tips, accordingly, are part of the wage pattern in certain industries and they should be treated as wages for all purposes. (See discussion below of minimum wage laws.) It would also be unfair to tax tips at the self-employment rate, which is 1½ times the employee rate of tax on wages, if tips are in fact wages.

It has sometimes been suggested that, since tips are paid directly to employees, and employers have no interest in knowing how much is received in tips, employees should report the tips directly to the Internal Revenue Service and pay the employee's share of the tax due on the tips with this report. The Service would then bill the employer for his share of the tax on the basis of the employee report. Although this system appears simple it has no advantage for anyone. Employees would be burdened with keeping records for 3-month periods, filing quarterly reports and computing their own tax liability. The Internal Revenue Service would be burdened with many more wage reports to process and would have to collect the employer tax 1 year or more after the tips were claimed to have been received. Finally, employers would be at a disadvantage in contesting their liabilities in view of this time lag. Employee groups originally suggested a plan of this type, but they have since realized its shortcomings for all concerned and are no longer urging it.

THE PROPOSAL IN H.R. 6675 IS REALISTIC

In developing the proposal which is now in H.R. 6675, the Department of Health, Education, and Welfare and the Treasury inquired concerning the operations, especially the pay and bookkeeping practices, of businesses where tipping is customary. All the various objections made by employers against the adoption of a system of reporting of tips by employees such as the one in H.R. 6675 have also been considered carefully. Many modifications were made in the original recommendation as the result of these employer comments and studies. The proposal as it now stands makes no unnecessary or unreasonable demand on employers. The system of reporting required under H.R. 6675 is as simple and efficient as it can be in view of the nature of tips and the objectives of the proposal, which are: more comprehensive social security coverage of over a million workers and their dependents and better reporting and easier payment of income tax liability on tips.

TIP REPORTS CAN BE GEARED INTO THE PAYROLL

Employers will have a great deal of freedom in determining the frequency and the manner in which employees report their tips. The only requirement is that at least one report be filed for each month by the 10th day of the following month. Also, within any quarter withholdings for social security and income taxes may be made at a predetermined and constant rate for each pay period, provided that before the end of the quarter the amounts withheld be adjusted to reflect the taxes due on the actual amounts of tips reported during the quarter. This will allow large employers whose payrolls are prepared with the aid of business machines to gear the tips reports into their payrolls. The addition of tips to wages will require some additional recordkeeping, but since employers are already withholding and reporting to the Internal Revenue Service social security and income taxes on wages, the basic records are already in existence and the procedures are well established. The additional work required should be manageable.

WAGES ARE ADEQUATE TO COVER WITHHOLDING FOR TIPS

An argument which employers frequently assert against the tip proposal in H.R. 6675 is that wages of tip employees are generally so low that in most cases there will not be enough to cover the social security and income taxes that should be withheld. The facts have been examined carefully and there would appear to be no real basis to this argument. Surveys of hotels and eating and drinking places conducted in 1961 and 1963 by the Bureau of Labor Statistics (Bulletins Nos. 1328, 1329, 1400, and 1406) show that, although regular wages of tip employees in these industries are relatively low, in the great majority of cases the wages would be more than adequate to cover the social security and income taxes which would have to be withheld under the terms of the bill.

The allegation that wages paid to tip employees will generally not be sufficient to cover the full amount of taxes that would have to be withheld is based on an overestimation of the amounts of social security and income taxes that are collected on wages. The current combined rate of withholding is approximately 18 percent (3⅝ percent for social security and 14 percent for income tax); next year it would be exactly 18 percent under the new rates proposed in the bill. At the current rate, a weekly wage of only $15 would be sufficient to pay the taxes on $15 in wages plus $75 in tips, or total weekly earnings of $90. A weekly wage of $15 would represent an average hourly wage of 37½ cents (only 9.3 percent of all waiters and waitresses in the United States received in 1963 an average hourly wage under 40 cents) for a 40-hour workweek (84 percent of restaurant workers in the United States work 40 hours or more per week). Weekly tips of $75 represent earnings at the rate of $1.50 per hour during a 48-hour week or $1.87 per hour during a 40-hour week. In the 1961 Bureau of Labor Statistics survey of eating and drinking places, the only survey with tip data, only 40 percent of waiters and waitresses in large metropolitan areas surveyed were reported to earn $1.25 and over an hour in tips. Because the survey was primarily interested in the lower paid workers, tabulations were not made beyond $1.25. These illustrations are submitted to show that even at the lowest end of the pay scale enough wages would ordinarily be available to an employer from which to withhold the social security and income taxes due on tips. A more typical example would have an employee earning a weekly wage of $32 (on the basis of 81 cents per hour, the average wage of waiters and waitresses in the 1963 survey). Such a wage would approximately cover the taxes on combined earnings in wages and tips of $200 a week.

EMPLOYERS KNOW APPROXIMATELY WHAT EMPLOYEES EARN IN TIPS

It has also been claimed that employees want no part of a plan of social security coverage which will require them to disclose the amount of their tips to the employer because, it is reasoned, if employers knew how much tips employees receive they would want to reduce the already low regular salary paid to employees. This argument assumes that employers are ignorant of the amounts received by their employees. This may have been true years ago, but today tipping habits are fairly uniform and well-known. Moreover, more and more tips are being paid through employers by users of credit cards so that employers have a fairly accurate knowledge of the sums received by their employees. Another recent development which has contributed to the general knowledge concerning tips has been the publicity attending trials of taxpayers charged with understating their tip income. In these cases, various formulas have been applied by the Commissioner of Internal Revenue to determine the amount of unreported tips and determinations fixing tips at levels between 10 and 15 percent of the price of meals served have generally been upheld by the courts.

TIPS AND THE MINIMUM WAGE LAWS

Employers have argued that the coverage of tips under social security would be unfair to them so long as they are prevented, under certain State laws, from taking tips into account in determining whether a minimum wage is paid. At present, there is no uniformity among the States on the treatment of tips under the State minimum wage laws. Of the 36 States having minimum wage laws, 14 now prohibit the counting of tips. At the last session of the Congress a bill (H.R. 9824) was introduced in the House which reflected the administration's views that tips should be counted toward the minimum wage where they are accounted for by an employee to the employer. It is believed that the adoption of Federal legislation including tips under social security would be influential on the States to also modify their laws to permit the counting of tips for minimum wage purposes. In any event, after tips are covered under social security, employers will be in a better position to demand the amendment of State minimum wage laws to take tips into account. This argument was influential in the final decisions made this year by the Ways and Means Committee.

THE "TAX RECEIPT" ARGUMENT

The inclusion of a provision in H.R. 6675 requiring the withholding of income tax on tips reported to the employer has caused employers to comment that because of the low wages paid to these employees no cash wages will be left after all the taxes are withheld and instead of wages employees will receive, in their pay envelope, only a receipt showing the taxes withheld. The implication in this argument is that employees think of wages only in terms of take-home pay and if no cash wages remain after taxes are collected the employers will be pressed for an increase in wages. This is largely an educational problem which employers and employees must face. It is not at all certain that employees will be unhappy to have their income tax on tips collected on the pay-as-you-go withholding system. It seems almost incontrovertible that employers will find that the majority of their employees would consider the proposed arrangement very helpful. Certainly the current furor over slight amounts of underwithholding for 1964 and the growing consensus for graduated withholding indicate that taxpayers prefer paying taxes on a pay-as-you-go basis. Another answer to this objection of employers is that, as was pointed out earlier, although wages of tipped employees are relatively low, they are not so low that all cash wages of workers will be needed to cover the taxes to be withheld. On the contrary, these cases will be the exception rather than the rule.

WITHHOLDING IS THE ONLY HUMANE WAY OF COLLECTING INCOME TAX ON TIPS

The chief argument in favor of withholding of income tax on tips is that this is the only humane way to collect the income tax from the low-bracket taxpayers. It is expected that once tips are covered for social security there will be better reporting of tips for income tax. In view of this, it seems only fair to afford employees who receive most of their earnings from tips the opportunity available to other employees to pay their income tax currently by having the tax due on the tips withheld from regular wages. Without withholding, tip employees will be forced into paying their tax in quarterly installments. This method of payment is usually reserved for more sophisticated taxpayers—professionals or the wealthy who receive large amounts of income in dividends or interest. For the low-income taxpayer the filing of estimates of income and making quarterly payments would be a hardship which could subject them to penalties. Many of them would find it difficult to budget in order to meet the quarterly payments which can be substantial.

Since tips are an integral part of the compensation of persons engaged in certain occupations, it is reasonable that this form of compensation should be treated as wages and that employers, who take account of tips in setting the wages of these employees, should also be required to assume the burden of withholding on tips. This burden would only be one of bookkeeping since employers would never be required to advance their own funds for the payment of employee tax liability. Their obligation to withhold would always be limited to the cash wages or other funds of the employee under their control. Withholding of income tax on tips will make the payment of taxes much easier on employees. It will increase the revenue collections and at the same time reduce the number of costly administrative and legal collection procedures that are now required to enforce the payment of income taxes on tips.

UNDERREPORTING OF TIP INCOME

Tips are one of the few sources of income which under our self-assessment system continue to escape effective taxation. Enforcement activities of the Internal Revenue Service have been only moderately productive in this area. After many years of continuous efforts to educate tip recipients to their obligation to report and pay taxes on their tips, the Service is convinced that the only recipients reporting tips with any degree of regularity and accuracy are those who, in prior years, have had their returns examined, had substantial deficiencies assessed against them, and know that their returns continue to be examined.

Field offices of the Service were contacted recently for information regarding tip enforcement activity. Reports were received from offices covering the North Central, Southern, and Southwestern States, the only regions conducting special tip drives in recent years. In one large northern city in 1964 group examinations of employees of 5 restaurants and 2 hotels revealed that of 154 employees who would normally be expected to receive tips practically no one had reported any tips. Following this examination, 40 percent of these taxpayers agreed to deficiencies averaging $460. The other cases involved deficiencies averaging $600. These cases have not yet been settled. At the same time and in the same city, 62 beauticians working in department stores agreed to deficiencies averaging $200 on account of tips received over 2- or 3-year periods. Some 33 others had been assessed deficiencies averaging $400 over similar periods.

In a large city in the South, 552 returns of waiters and waitresses were examined in 1960 and 1961 resulting in deficiencies being assessed in the total sum of $132,222. This represents an average deficiency per return of approximately $240. In the same period, 316 returns of beauticians at downtown shops and department stores were examined and deficiencies were assessed in the amount of $45,234, for an average deficiency per return of about $140. In a city of the Southwest, examinations were made in 1962 of 420 returns of the tip employees at 2 hotels (waiters, waitresses, bellhops, et al.). More than 50 percent of these returns showed no tip income whatever. As a result of this examination, deficiencies averaged $200 per return were assessed against these employees for a total deficiency of $83,614.

Mr. JAVITS. Mr. President, I yield 2 minutes to the Senator from Ohio [Mr. LAUSCHE].

The **PRESIDING OFFICER.** The Senator from Ohio is recognized for 2 minutes.

Mr. LAUSCHE. Mr. President, in this matter I believe the question posed is whether or not the 1 million workers whose income in part is made up of tips should have the benefit Congress intended be given under the Social Security Act. To me, that is the vital question to be answered in determining how one shall vote on this question.

I believe it is axiomatic that the 1 million workers, a part of whose income is derived from tips, are told by employers, "Your daily or hourly wage is small because your income will be increased by the tips you receive."

When one wraps the factors into one package and looks to the general purpose of the social security laws, he necessarily must ask himself the question, "Is this worker receiving the benefits of what we intended under social security when the employer does not contribute any wage taxes on the tips which the employee receives?"

It has been suggested by the questions which have been put that the employers are in a conflicting position. In one instance they tell the employees, "You shall receive 45 cents an hour, but the main part of your income comes from tips."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask the Senator to yield me 2 additional minutes.

Mr. JAVITS. I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. In the next instance the argument is made that a part of the employee's pay is a contribution which the employer makes to sustain the social security payments.

I believe it is obvious that there is a conflict between those two positions.

Many employers have come to see me, arguing against the proposal of the Senator from New York, as we have heard in the arguments today.

Viewing the question strictly from the standpoint of justice, without considering the pleas of the employers or the employees, we should answer the question, Are these 1 million workers receiving that which is given to all the other workers of the country?

I believe that the answer must be in the negative. Since the answer is in the negative, I will support the proposal that contemplates remedying and removing the disparity in payment which these workers are receiving.

Mr. JAVITS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER (Mr. BASS in the chair). The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, I shall suggest the absence of a quorum, immediately after I have concluded my minute, because I have no further requests for time, and then would hope that as many Senators as possible would come into the Chamber, so that we may conclude debate within a few minutes thereafter.

Let me say in closing that the debate has been thorough. I am grateful to my colleague [Mr. KENNEDY] for joining so ably in it, as well as the Senator from Minnesota [Mr. MCCARTHY], the Senator from Ohio [Mr. LAUSCHE], and other Senators.

The technical situation is such that the vote for our side of the argument, when it comes, must be "nay," because it will mean turning down the committee amendment, which will reinstate the House provision; whereas, a "yea" vote would be a vote for the committee substitute, which is the position we have opposed. By voting "nay," the position of the House of Representatives will be sustained, and that is the position for which we have argued.

Therefore, Mr. President, unless the Senator from Louisiana [Mr. LONG] wishes me to yield him further time, I am about to suggest the absence of a quorum.

Mr. President, pursuant to the unanimous consent agreement, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, I wish to take these 2 minutes to state to the Senate—if I may have the attention of the Senators—that I believe we can complete this debate and be ready to vote within a very few minutes.

First. Let me emphasize that the vote on the amendment, if one wishes to favor our position—which is the position of those who have spoken in favor of the House provision—would be "nay," because we are seeking to defeat the committee substitute for the House provision. A "nay" vote would reinstate the House provision, whereas a "yea" vote in this case would represent going along with what the Senate Finance Committee has reported.

Second. Summarizing the argument, it is based upon two fundamental facts. First, the relationship of employer and employee exists between the employer and those who receive tips, and that for purposes of social security, income tax, and workmen's compensation, they shall be treated as employees. They should not be segregated as independent contractors for the particular purpose of social security alone; second, the 1 million employees concerned should be given the opportunity, which the House provision would give them, to regularize their situation by paying their part of the social security tax, and by paying their income taxes in a way which would be based upon a declaration of what they receive as tips.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 additional minutes.

Mr. JAVITS. The 81 cents an hour which tipped employees receive as wages is contrasted with $1.34 an hour for employees in the same establishment who are not tipped and, therefore, the employer should not have it both ways. He should not be able to profit from the fact that his employees are receiving tips by paying them a lesser wage. He should not be able to profit additionally—as the Senate provision would allow him to do—by calling tips self-employment income when it comes to paying social security taxes.

Finally, in terms of the United States, it is high time we were in balance in treating these employees with equal justice.

We are supported in that respect by the Treasury Department and by the Department of Health, Education, and Welfare, and by the organized trade unions. That view is opposed by the Senate committee.

The plan proposed to us by the House is the right and honest plan, and is proper for employees and proper for employers, although I know employers do not agree. It is a plan fair to the Treasury. We should close this issue now by adopting the House plan. I hope the Senate will vote "no" on the committee amendment, thereby reinstating the House provision.

Mr. LONG of Louisiana. How much time have I remaining?

The PRESIDING OFFICER. The Senator has 46 minutes remaining.

Mr. LONG of Louisiana. I yield myself 5 minutes.

Let us understand this question. The Senate amendment is favored by every restaurant and every shoeshine parlor and every barber shop and every small business in America. Also, the overwhelming majority of the waiters and waitresses themselves favor the Senate committee's position. I will prove that in 1 minute.

Mr. McCARTHY. I hope the Senator will prove it in 1 minute.

Mr. LONG of Louisiana. I will prove it. The Senator from New York has just stated that the average person working as a waiter on tips receives $1.31 an hour. That works out to $200 a month.

So far as the bill is concerned, these people would be drawing $75 a month in social security income, and perhaps less. The overwhelming majority of the States, under their public welfare laws, fix a requirement for income that exceeds $75 a month. Louisiana fixes it at $90 a month. It continues to increase. Those people will go to the public welfare agency and get the amount to bring them up from $65 or $75 to $90, which is regarded as the amount a person needs to get by on. If a person receives $60 under social security, the State will give him $30 in public assistance on top of it. If he receives $40, the State will give him $50 a month, to bring him up to $90 a month.

So far as 75 or 80 percent of the waiters are concerned, their income will be identical, whether they receive more in social security and less in public welfare, or less in social security and more in public welfare. It will be the same thing in any event. It is exactly as my maid explained to my wife, when my wife was paying the maid's part of the social security tax. She said, "Mrs. Long, I will get whatever the maximum is no matter how much I get in social security. All you do when you get me more in the social security check is to cut my public welfare check, but I wind up with the same overall payment."

Those people do not care one way or another. Those who are really concerned are the restaurant, hotel, and barbershop and other small business proprietors. They are wildly opposed to the House provision. They say it would put them out of business. They say it is a terrible thing. I spoke to the restaurant association in Chicago the other day. There were about 60,000 people in that organization. They nearly tore the place apart when I said I was against their paying a tax on money they neither gave nor received.

The Senator from New York says that it is unpopular to pay a tax. Yes; it is. It is even more unpopular to pay a tax when one does not owe it, when one has not received the income on which the tax is due, when one has not received any benefit from it, and when one does not want to know the first thing about the money involved. I agree that it is unpopular.

Another point which can be made is that in many instances an employer can be forced to pay a tax based on mere whim or caprice. For example, let us take a person who is 60 years of age. Let us say that he is not a low-paid employee, but that he is a high-paid employee in the Stork Club in New York.

Let us say that he wants to get the maximum benefit for the minimum amount of taxes. He wants to pay taxes as though he received $5,000 in tips, which is not true. Under the House provision, he pays 4 percent, and his boss matches that 4 percent with his own money. The boss has no choice. By virtue of the complete falsehood told by the employee, the employer must pay 4 percent on the $5,000, or a $200 tax based on a complete falsehood, under a law that is presumed to be correct. There is nothing that the boss can do about it. The first presumption is that the boss paid the employee that $5,000 income and that is a lie; the other is that the man actually made $5,000 in tips and that is a lie. All the boss knows is what the man said.

Another argument against the House provision is that it may cause a reduction in the wages of tipped employees. Some employers because they must pay a 4-percent social security tax for these employees will reduce their employees' wages by a like amount, so that overhead is not increased.

Then there is the tremendous administrative problem that would be caused by the House provision. And it will not be solved by automation. If the waiter is halfway honest, he will report different tips every day and that sort of calculation cannot be done by a programed machine. Thus, the check will have to be made out by hand. Why should we have all this mess, so far as the administration is concerned? It is one more effort on the part of the Treasury Department to get all the help it can.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 more minute.

It is an effort to make one party responsible for taxes owed by another party. It is an outrageous imposition. Some small business owners tell me that this proposal would put them out of business. They beg us not to impose this burden on them.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute; then I shall be prepared to yield back the remainder of my time.

I believe the whole ball game has been exposed by one statement the Senator from Louisiana made. He said that the employer has no benefit from it. If he has no benefit from it the Senate Committee on Finance is right. I maintain, however, that as a fundamental policy he has every benefit from it, because he hires workers for 81 cents an hour instead of $1.34 an hour because the workers receive tips.

I maintain that the Committee on Finance was in error in this respect, that the House is correct, and that we should restore the House language.

Mr. LONG of Louisiana. The Senator's argument makes no sense. The Senator compares the wages of the tipped employee and those of the nontipped employee without comparing their duties and their responsibilities. The tipped employee has just as important a job as the nontipped employee but he works under different conditions and has certain opportunities not available to the nontipped employee.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. McCARTHY. Is this not a self-policing situation? A person would pay more in income taxes and pay more in social security taxes, but eventually the Treasury Department would question what he was doing. A penalty is built in, in other words. It would prevent a man from overreporting his income. Is that not correct?

Mr. JAVITS. I thoroughly agree with the Senator from Minnesota. I believe we have made our case. A vote for our position is a vote of "No." In that way we shall sustain the House provision. I hope very much that the Senate will vote that way.

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, when this legislation is passed we will have raised social security benefits some 7 percent for the 20 million people who now receive social security checks. We have considered ways, and amendments have been accepted, in the course of this debate, to perfect the social security system—again for the benefit of current beneficiaries and those soon to be beneficiaries. We also have an obligation to see to it that recipients of social security receive incomes after age 65 that are in keeping with the standard of living they have enjoyed when fully employed. This to me is the issue that is basic to the question of treating tips as wages for purposes of social security.

It appears to me that the Committee on Ways and Means had at last found the most equitable and workable way to include tips under social security coverage. There is no doubt in my mind that tips are wages, and any attempt to classify them as a form of income much like that received by the self-employed is an empty comparison. A waiter or waitress is not self-employed in the real meaning of that word.

I know that the Committee on Ways and Means had worked closely with experts in and out of Government to devise a way in which tips could be covered under social security with the smallest possible burden on the employer. The employee would simply report tips paid to him in writing to the employer and, as every other wage earner in the country, would then pay his portion of the social security taxes and the employer would match that with an equal amount. The committee provided as a convenience to the employer that he could withhold the employee's share of the social security tax from current wages on the basis of an estimate of the employee's obligation. This allowed the employer to gear this new procedure into his usual payroll reporting periods. The committee explicitly provided that the employer would have no liability with respect to tips not reported to him and if an employee did not report his tips he would himself be liable for the tax due, as well as for an additional amount equal to the tax.

So what we are talking about is a procedure that appears to have been thoughtfully designed so that these employees would no longer be different from any others as regards their obligation to the social security system or the benefits that they would receive. I find little in the arguments of the opposition to convince me that the Senate Finance Committee was correct in continuing to differentiate between tip recipients and other wage and salaried people. Tips are wages for services performed in the employer's place of business. It stretches reality to consider them otherwise, and creates the injustice of calling upon these employees to pay the self-employed social security tax rate. I urge the defeat of this committee amendment.

Mr. JAVITS. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Will the distinguished Presiding Officer state the issue?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment to strike section 313 beginning at page 268 after line 2 and to insert a new section.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. If the committee amendment is not agreed to, the result will be to leave in the bill the House provision. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. Is it correct to state that a vote for the committee amendment is a vote of "yea"?

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. I hope the committee amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MORSE. Mr. President, the Senate has just accepted by voice vote the language proposed by the Finance Committee relative to coverage of tips for social security purposes. It treats this type of income as income from self-employment.

Since the House bill treats it as income from employment by an employer, it will be up to the conference committee to reconcile these two positions.

I have no quarrel with the Senate language, because the employer does not actually pay out of his income this part of his employees' earnings. That is why I supported the Senate committee's language.

I ask unanimous consent to have several telegrams I have received from Oregon on this matter printed in the Record at this point.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

Salem, Oreg.

Senator Wayne L. Morse,
Senate Office Building,
Washington, D.C.:

Sincerely urge your support of provision in bill approved by Senate Finance Committee to treat tip income as self-employment income.

Marion Motor Hotel,
Go. B. North,
General Manager.

Medford, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Urge support to the proposal that the Senate Finance Committee made pertaining to tax on tips.

Sincerely,

Edgar Dahack,
President, Jackson-Josephine Chapter Oregon Restaurant Beverage Association.

Grants Pass, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Our establishment, Larrys Restaurant, Inc., 515 Southeast Rogue River Highway, Grants Pass, Oreg., would like to put in a "No" vote on the proposed bill pertaining to employees being responsible for declaring their tips. This will also cause a hardship on the employer which is more expense to us.

Mrs. Larry Bassett.

Medford, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

We urge support of the proposal that the Senate Finance Committee made pertaining to tax on tips.

Sincerely,

Raymond Zerr,
Browns Cafe, Inc.

Medford, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I respectfully urge you to support the proposal that the Senate Finance Committee made pertaining to tax on tips.

Sincerely,

Don Jordan Manager,
Holland Hotel

North Bend, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

May I urge you to support Senate Finance Committee recommendation regarding waitress tip income aspect of medicare bill.

Frank Snelgrove,
The Broiler

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Fred McKee.
The Grove.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Paul Forchuk,
Mayfair House.

Coos Bay, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

May I urge you to support Senate Finance Committee recommendation on regarding waitress tip income aspect of medicare bill.

Darrell Beaumont,
Chandler Hotel.

Coos Bay, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

May I urge you to support Senate Finance Committee recommendation regarding waitress tip income aspect of medicare bill.

Robert Perkins,
Timber Inn.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Marie Roberts,
Roberts Fine Food.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Tony Pietromonaco,
Milton & Oscar's.

Portland Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Henry Ford
Henry Ford's Restaurant, *Portland.*

North Bend Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

May I urge you to support Senate Finance Committee recommendation regarding waitress tip income aspect of medicare bill.

Wade McDougall.
Hill Top House.

Coos Bay, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

May I urge you to support Senate Finance Committee recommendation regarding waitress tip income aspect of medicare bill.

Pearl Affhalter
Black & White Cafe.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Leo Boyce Porky's.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Roy Smith Sagebrush.

Coos Bay, Oreg.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

May I urge you to support Senate Finance Committee recommendation regarding waitress tip income aspect of medicare bill.

Foster McSwain,
The Courtel.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

John E. Tehan,
Sonnys, 1033 Northwest 16, Portland.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Kenneth K. George,
Kenny's Mural Room.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

Howard Eastman,
Merle's Club.

Portland, Oreg.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

SLIM JORDAN,
SATELLITE & STARLIGHT.

PORTLAND, OREG.

Senator **WAYNE MORSE**,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

ELIO CECCANTI,
MONTE CARLO.

PORTLAND, OREG.

Senator **WAYNE MORSE**,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

LYDIA ROHLOFF,
LYDIA'S.

PORTLAND, OREG.

Senator **WAYNE MORSE**,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

WILLIAM CAMPBELL,
CLUB 21.

PORTLAND, OREG.

Senator **WAYNE MORSE**,
Senate Office Building,
Washington, D.C.:

I urge your support on the Senate Finance Committee proposal pertaining to the tax on tips. This is the type of proposal I hope you will support.

AL R. HARRIS,
THE PORTSMOUTH.

MEDFORD, OREG.

Senator **WAYNE MORSE**,
Washington, D.C.:

Urge support to proposal that Senate Finance Committee made pertaining to tax on tips.

BERNEAL O. SLEAD.

AMENDMENTS NO. 310

Mr. SCOTT. Mr. President, I call up my amendments No. 310 and ask for their immediate consideration.

The **PRESIDING OFFICER** (Mr. TYDINGS in the chair). The amendments of the Senator from Pennsylvania will be stated.

The legislative clerk proceeded to read the amendments.

Mr. SCOTT. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendments are as follows:

Beginning on page 12, line 1, strike out all through page 134, line 2, and insert in lieu thereof the following:

"TITLE I—HEALTH INSURANCE SIXTY-FIVE ACT AND MEDICAL ASSISTANCE PROGRAMS

"Short title

"SEC. 100. This title may be cited as the 'Health Insurance Sixty-Five Act'.

"Part 1—Health insurance sixty-five, and miscellaneous

"Subpart A—Health Insurance Sixty-Five

"Entitlement to benefits

"SEC. 101. (a) Every individual who—

"(1) has attained age sixty-five;

"(2) makes application for benefits under this part; and

"(3) at the time such application is made is the beneficiary of a qualified private health insurance policy with respect to which premiums are payable by him (or on his behalf);

shall be entitled to the benefits provided under the health insurance sixty-five program (hereinafter referred to as the 'program').

"(b) Benefits provided under the program to an individual entitled thereto shall consist of one or more money payments, made with respect to any enrollment year, to assist such individual in defraying the premium costs for such year of a qualified private health insurance policy of which he is the beneficiary.

"(c)(1) The aggregate of the amounts payable to an individual as benefits under the program for any enrollment year shall be equal to whichever of the following is the smaller (A) one-half of the premium costs of the qualified private health insurance policy of which he is the beneficiary, or (B) $90.

"(2) Any payment of benefits under the program to which an individual is entitled shall be made—

"(A) directly to such individual by way of reimbursement, in case there has been paid by or on behalf of such individual the insurance premium on the basis of which he becomes entitled to such payment; or

"(B) to the carrier offering the qualified private health insurance policy with respect to which such premium is payable, in case such individual has authorized (in the manner prescribed by regulations) such payment to be made to such carrier.

"Administration of program by Secretary of Health, Education, and Welfare

"SEC. 102. (a) This part shall be administered by the Secretary of Health, Education, and Welfare (hereinafter in this part referred to as the 'Secretary').

"(b) The Secretary shall have authority to prescribe such rules and regulations as he may deem necessary or proper to carry out the provisions of this part

"(c) Wherever, in this part, the term 'regulation', 'regulations', 'rule', or 'rules', is employed, such term shall, unless the context otherwise indicates, refer to one or more regulations, as the case may be, or one or more rules, as the case may be, prescribed by the Secretary in carrying out the provisions of this part.

"Qualified private health insurance policy

"SEC. 103. (a) The term 'qualified private health insurance policy' means a policy of health insurance which—

"(1) is provided by a carrier or carriers authorized to do business in the State wherein such policy is issued;

"(2) is authorized to be issued within such State under the laws and applicable regulations of such State;

"(3) is approved by the Secretary as providing the benefits described in section 104;

"(4) is provided by a carrier which, in areas served by such carrier, offers such policy to all individuals residing therein who are aged sixty-five or over;

"(5) is offered to individuals aged sixty-five or over on a guaranteed renewable basis;

"(6) contains provisions under which the carrier offering such policy to any individual aged sixty-five or over agrees not to increase, with respect to such individual, the rate of premiums payable therefor for one year following the date such individual subscribes to such policy.

"(b)(1) As used in subsection (a)(5), the term 'guaranteed renewable basis' refers to an insurance policy which is renewable at the time it otherwise would expire at the option of the subscriber of such policy and which cannot be canceled by the carrier except for failure of payment of premiums thereon; except that the reservation by a carrier of the right to terminate an entire policy in a State in accordance with applicable laws and regulations of such State shall not be construed as grounds for disqualifying such policy as being offered on a guaranteed renewable basis.

"(2) No insurance policy for purposes of this part shall be considered to be offered on a guaranteed renewable basis unless increases or decreases in amounts of premiums payable therefor are applied to all subscribers aged sixty-five or over without regard to health condition, health services utilized or claimed, or other personal characteristics of the policyholder.

"Benefits to be provided by insurance

"SEC. 104. (a) No private health insurance policy shall be approved by the Secretary pursuant to section 103(a)(3) unless the Secretary finds that, under such policy, the beneficiary thereof for any enrollment year is entitled to have payment made by the carrier issuing such policy of the costs incurred by him during such year by reason of his having received any or all of the following services which his physician has determined to be medically necessary—

"(1) inpatient hospital services (but not for more than seventy-five days unless such policy so provides);

"(2) nursing home care (but not for more than sixty days unless such policy so provides);

"(3) surgical services (but not in excess of $300 unless such policy so provides);

"(4) outpatient diagnostic services (but not in excess of $90 unless such policy so provides);

"(5) home health services (but not for more than thirty days unless such policy so provides).

"(b) The Secretary shall approve, for purposes of section 103(a)(3), any private health insurance policy which complies with the requirements of subsection (a).

"Definitions of benefits

"SEC. 105. (a) The term 'inpatient hospital services' means the following items furnished to an inpatient by a hospital—

"(1) bed and board (at a rate not in excess of the rate for semiprivate accommodations) and includes any special foods necessary to fulfill any diet requirements prescribed by the patient's physician;

"(2) general nursing services;

"(3) drugs, biologicals, supplies, appliances, and equipment, for use in the hospital, as are customarily furnished by such hospital for the care and treatment of inpatients;

"(4) use of operating, recovery, and other special rooms; and

"(5) use of laboratory, X-ray, electronic equipment, and other related services for diagnostic purposes.

"(b) The term 'nursing home care' means the following items and services furnished by a nursing home to an individual who is an inpatient thereof, after transfer, upon the recommendation of his physician, from a hospital in which he was an inpatient for not less than seventy-two hours immediately prior to such transfer (but only, in the case of any individual, to the extent that the aggregate cost of such items and services does not exceed $15 multiplied by the number of days such individual is an inpatient in such nursing home)—

"(1) nursing care provided by or under the supervision of a registered professional nurse;

"(2) bed and board in connection with the furnishing of such nursing care;

"(3) physical, occupational, or speech therapy furnished by such home or by others under arrangements with them made by such home;

"(4) such drugs, biologicals, supplies, appliances, and equipment furnished for use in the nursing home as are customarily furnished by such home for the care and treatment of inpatients; and

"(5) such other services necessary to the health of the patient as are generally provided by nursing homes.

"(c) The term 'hospital' means a hospital which is licensed as a hospital in the State in which it is located.

"(d) The term 'nursing home' means a nursing home which is licensed as such by the State in which it is located, and which (1) is operated in connection with a hospital, or (2) has medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern the nursing home care and related medical care and other services which it provides, and (3) provides nursing care by or under the supervision of one or more registered nurses.

"(e) The term 'outpatient diagnostic services' means diagnostic services which (1) are furnished by a hospital to an individual as an outpatient of such hospital, and (2) are customarily furnished by such hospital to its outpatients for the purpose of diagnostic study. For purposes of the preceding sentence, a service shall be deemed to be furnished by a hospital if such service is provided by others under arrangements with them made by such hospital, and if the service so provided is provided in facilities operated by or under the supervision of such hospital or its organized medical staff, or, in case the service provided is professional service, is provided by or under the responsibility of members of the hospital medical staff acting as such members.

"(f) The term 'home health services' means the following items and services furnished by a home health agency to an individual in a place of residence used as such individual's home—

"(1) part-time or intermittent nursing care provided by or under the supervision of a registered professional nurse,

"(2) physical, occupational, or speech therapy,

"(3) medical social services, and

"(4) medical supplies (other than drugs and biologicals), and the use of medical appliances.

"(g) The term 'home health agency' means an agency which—

"(1) is primarily engaged in providing skilled nursing services or other therapeutic services,

"(2) has policies, established by a group of professional personnel (associated with the agency), including one or more physicians and one or more registered professional nurses, to govern the services (referred to in paragraph (2)) which it provides, and provides for supervision of such services by a physician or registered professional nurse,

"(3) maintains clinical records on all patients, and

"(4) in the case of an agency in any State in which State or applicable local law provides for the licensing of agencies of this nature, (A) is licensed pursuant to such law, or (B) is approved, by the agency of such State or locality responsible for licensing agencies of this nature, as meeting standards established for such licensing.

"Miscellaneous definitions

"SEC. 106. For purposes of this part, the term—

"(a) 'carrier' means a voluntary association, corporation, partnership, or other nongovernmental organization which is lawfully engaged in providing, paying for, or reimbursing the costs of, health care or services for individuals under health insurance policies in consideration of premiums payable to the carrier;

"(b) 'health insurance policy' means the policy, contract, agreement, or other arrangement entered into between a carrier, and another person whereby the carrier, in consideration of the payment to it of a periodic premium, undertakes to provide, pay for, or reimburse the cost of, health care or services for the individual who is the beneficiary of such policy, contract, agreement, or other arrangement; and

"(c) the term 'premium' means the amount of the consideration charged by a carrier for coverage by health insurance policy offered by the carrier.

"Payment of benefits by the Secretary

"SEC. 107. (a) The Secretary shall not make any money payment to or on behalf of any individual, as benefits provided by this part, until he is satisfied that—

"(1) such individual is entitled (under section 101(a)) to benefits under this part;

"(2) such payment is in reimbursement of, or will be used for the purpose of paying, one or more premiums payable for a qualified private health insurance policy of which such individual is the beneficiary.

"(b) The Secretary shall establish such procedures as he deems appropriate under which interested parties may obtain a finding by the Secretary as to whether or not a particular private health insurance policy is a 'qualified' private health insurance policy for purposes of this part."

On page 135, line 1, strike out "MEDICAL EXPENSE DEDUCTION" and insert in lieu thereof the following:

"Subpart B—Miscellaneous
"Medical expense deduction"

On page 135, line 2, strike out "106" and insert "110".

On page 136, lines 10, 11, 12, and 13, strike out "(including amounts paid as premiums under part B of title XVIII of the Social Security Act, relating to supplementary medical insurance for the aged)".

Beginning on page 138, line 11, strike out all through page 141, line 14.

On page 141, line 16, strike out "109" and insert "111".

On page 141, line 24, and page 142, lines 1 and 2, strike out "the Federal Hospital Insurance Trust Fund, and the Federal Supplementary Medical Insurance Trust Fund".

On page 142, lines 4 and 5, strike out "and the programs under parts A and B of title XVIII".

Beginning with the word "The" on page 143, line 13, strike out all through page 144, line 2.

On page 144, line 9, strike out "110" and insert "112".

Beginning on page 144, line 13, strike out through page 159, line 2.

On page 159, line 9, strike out "XIX" and insert "XVIII".

On page 159, line 12, strike out "1901" and insert "1801".

On page 160, line 4, strike out "1902" and insert "1802".

On page 160, line 12, strike out "1903" and insert "1803".

On page 163, line 9, strike out "1905" and insert "1805".

On page 164, line 4, strike out "1905" and insert "1805".

On page 165, line 8, strike out "1905" and insert "1805".

Beginning on page 165, line 24, strike out all through page 166, line 15.

On page 166, line 16, strike out "(16)" and insert "(15)".

On page 166, line 22, strike out "(17)" and insert "(16)".

On page 167, line 25, strike out "(18)" and insert "(17)".

On page 168, line 14, strike out "(19)" and insert "(18)".

On page 168, line 19, strike out "(20)" and insert "(19)".

On page 170, line 12, strike out "(21)" and insert "(20)".

On page 170, line 21, strike out "(22)" and insert "(21)".

On page 173, line 10, strike out "1903" and insert "1803".

On page 173, line 16, strike out "1905" and insert "1805".

On page 175, line 23, strike out "1905" and insert "1805".

On page 178, line 15, strike out "1904" and insert "1804".

On page 178, line 20, strike out "1902" and insert "1802".

On page 179, line 7, strike out "1905" and insert "1805".

On page 182, line 11, strike out "XIX" and insert "XVIII".

On page 182, line 15, strike out "XIX" and insert "XVIII".

On page 183, line 7, strike out "XIX" and insert "XVIII".

On page 183, line 13, strike out "XIX" and insert "XVIII".

On page 183, line 14, strike out "1902" and insert "1802".

On page 183, line 14, strike out "1903" and insert "1803".

Beginning on page 183, line 15, strike out all through page 184, line 2.

On page 184, line 3, strike out "OTHER".

On page 294, line 8, strike out "titles II and XVIII" and insert "title II".

On page 297, line 9 and 10, strike out "no payments shall be made on his behalf under part A of title XVIII,".

On page 297, lines 16 and 17, strike out "and part A of title XVIII".

On page 303, line 21, strike out "(a)".

Beginning on page 304, line 13, strike out all through page 306, line 3.

On page 306, line 9, strike out "(a)".

Beginning on page 306, line 23, strike out all through page 307, line 24.

On page 308, line 4, strike out "(a)".

Beginning on page 308, line 19, strike out all through page 309, line 20.

On page 142, line 19, strike out "and the Federal Hospital Insurance Trust Fund".

On page 311, lines 5 and 6, strike out "and the Federal Hospital Insurance Trust Fund".

One page 311, lines 16 and 17, strike out "and the Federal Hospital Insurance Trust Fund".

On page 311, lines 18 and 19, strike out "and the Federal Hospital Insurance Trust Fund".

On page 311, line 25, strike out "and the Federal Hospital Insurance Trust Fund".

On page 312, lines 1 and 2, strike out "and part A of title XVIII".

On page 364, line 5, strike out "XIX" and insert "XVIII".

On page 365, line 4, strike out "1904" and insert "1804".

On page 366, line 7, strike out "XIX" and insert "XVIII".

On page 366, line 18, strike out "XIX" and insert "XVIII".

On page 367, line 15, strike out "1903" and insert "1803".

On page 367, line 22, strike out "XIX" and insert "XVIII".

On page 369, line 6, strike out "XIX" and insert "XVIII".

On page 369, line 11, strike out "XIX" and insert "XVIII".

On page 369, line 16, strike out "1903" and insert "1803".

On page 371, line 9, strike out "XIX" and insert "XVIII".

On page 386, line 3, strike out "XIX" and insert "XVIII".

On page 386, line 3, strike out "1902" and insert "1802".

On page 386, line 4, strike out "1903" and insert "1803".

Amend the table of contents to the bill so as to reflect the contents of the bill after the foregoing amendments are made.

Mr. SCOTT. Mr. President, my amendment would substitute a health insurance 65 program for the basic hospital insurance and voluntary supplemental insurance plans provided in H.R. 6675. It would help aged individuals to purchase private health insurance policies which will enable them to provide adequate medical care for themselves.

Under my amendment, any individual aged 65 or over would be eligible to receive from the Government cash payments financed from the general revenues to defray the annual premium cost of a health insurance policy purchased by or for him provided that such policy offers at least the benefits specified therein and meets certain other standards spelled out in the amendment.

Such payments would amount to one-half the annual premium of the policy or $90, whichever is smaller. These payments may be made directly to the individual beneficiary in reimbursement for the Government's share of the premium cost, or, if the beneficiary prefers, directly to the insurance company issuing the policy.

The Secretary of Health, Education, and Welfare would administer the program authorized by my amendment and would disburse the benefits payments provided thereunder.

To qualify for coverage under my amendment, a health insurance policy must contain at least the following benefits during the year in which the policy is in operation: First, 75 days inpatient hospital services; second, $300 worth of surgical treatment; third, 60 days nursing home care; fourth, 30 days home health services—including visiting nurse; and, fifth, outpatient hospital diagnostic services. I have been advised that the gross annual premium cost of a policy containing these benefits would be approximately $175.

My health insurance 65 program is preferable to health plans embodied in H.R. 6675 in two respects: First, it is voluntary; and second, it clearly preserves the fiscal soundness of the social security system because it has no connection with that system.

Mr. President, the health plans which my amendment would replace represent a far-reaching revision and extension of the social security system. This system was designed as a bulwark against the loss of earnings when a worker becomes disabled, retires or dies. H.R. 6675 would depart from this basic purpose.

Chairman Wilbur Mills, of the House Ways and Means Committee, questioned the wisdom of this departure last September when he said:

> The central fact which must be faced on a proposal to provide a form of service benefit—as contrasted to a cash benefit—is that it is very difficult to accurately estimate the cost. These difficult-to-predict future costs, when such a program is part of the social security program, could well have highly dangerous ramifications on the cash benefits portion of the social security system. The American people must be assured of the continued soundness of the OASDI program.

Despite H.R. 6675's establishment of a separate hospital insurance trust fund to be financed by a separate payroll tax, the question raised by Chairman Mills remains valid.

I strongly support the 7-percent across-the-board increase in old-age, survivors, and disability insurance benefits provided in H.R. 6675. I want, however, to be certain the social security system can support such future increases. What bothers me about the health insurance provisions of H.R. 6675 is the addition of a program of service benefits to the existing system of cash benefits because I do not want to jeopardize the prospect of future increases in the OASDI cash benefits.

The successful operation of the social security system depends upon its financial soundness. I earnestly hope that the system will be able to sustain the burden of a health benefits program as well as the present cash benefits program. If not, I am afraid that Congress will be called upon to increase sharply the payroll taxes which finance the system. This would be an unwelcome task since I doubt that the American people favor unlimited taxation in the area of social security. Otherwise, Congress might have to reduce the cash benefits or health benefits in order to preserve the fiscal soundness of the social security system, surely an equally unwelcome task.

The social security system should stick to its basic purpose and should therefore be divorced from any program to provide health benefits to the aged or any other group of citizens. For this reason, I prefer the approach embodied in my amendment to H.R. 6675.

I urge the Senate to adopt my amendment.

Mr. SMATHERS. Mr. President, very briefly, the Finance Committee does not support this particular proposal of the able Senator from Pennsylvania. As I understand the Senator's amendment, it would reverse the whole philosophy of taking care of elderly people in their hospital and medical needs through social security. That is the same argument—and I respect the able Senator for making it—that was made 4 or 5 years ago by the insurance industry itself and by other very esteemed people. But we have passed that stage, and I think it has been rather evident that the majority of the Members of the Senate as well as the House, and certainly the great overwhelming majority of the people of the United States, desire a medical care program under the social security system. For that reason I hope that the amendment will not be agreed to.

Mr. SCOTT. Mr. President, in this Chamber one always lives with the reality of the situation which immediately confronts him. I think it is fairly obvious what would happen if I were to request the yeas and nays and proceed to a record vote. Therefore, I shall not insist upon a record vote. I yield back the remainder of my time.

Mr. SMATHERS. Mr. President, I thank the Senator. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

SOCIAL SECURITY EXEMPTION FOR THE AMISH

Mr. SCOTT. Mr. President, I am deeply gratified that the social security legislation which we are now considering contains provisions which will enable those with firm and sincere religious convictions against insurance benefits, such as the Amish people of my Commonwealth of Pennsylvania, to file application for exemption from the social security program.

These plain people, as they are known in Pennsylvania, have strong religious scruples against receiving any type of insurance benefits, including social security benefits. They prefer to take care of their own older citizens who may be disabled, and have been doing just that for years.

I have long urged the Senate to right this injustice because I do not believe that the U.S. Government should be in the position of levying taxes for insurance against people whose religious beliefs forbid their acceptance of insurance benefits.

Mr. PROUTY obtained the floor.

Mr. PROUTY. Mr. President, I yield to the junior Senator from New York.

Mr. KENNEDY of New York. Mr. President, I submit an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from New York will be stated.

The legislative clerk read as follows:

> On page 108, it is proposed to delete the parentheses in lines 7 and 9 and all matter enclosed therein.
>
> On page 108, line 10, before the period, it is proposed to insert the following: "; except that, in the case of any State or political subdivision of a State which imposes higher requirements on institutions as a condition to the purchase of services in such institutions under a State plan approved under title I, XVI, or XIX, the conditions so prescribed with respect to such institutions in such State or political subdivision, as the case may be, may not be lower than the requirements so imposed by such State or political subdivision".

Mr. KENNEDY of New York. Mr. President, this amendment is designed to insure that funds supplied to hospitals by the medical care for the aged program do not lower the standards of medical care in any area.

The amendment provides that if State or local standards for hospitals are higher than those specified by the Joint Commission on Accreditation of Hospitals, Federal funds will be administered according to the higher standards.

This amendment insures that there will be no downgrading of existing regulations governing hospital standards in States such as California or cities like New York City. The amendment will prevent Federal law from interfering with State and local law and regulation.

I have been informed that this amendment has the approval of the Department of Health, Education, and Welfare.

Section 1861(e)(8) of the bill as drawn—page 81 of the bill—prohibits the Secretary of Health, Education, and Welfare from enforcing any requirements or standards on hospitals which are higher than those imposed "for the accreditation of hospitals by the Joint

Commission on Accreditation of Hospitals." This provision would work a considerable set-back on the efforts of State and local health authorities to upgrade the quality of hospital care.

In New York City, for example, extensive codes have been promulgated for the operation of hospitals; these efforts have been paralleled in California and in certain large cities in other States. An instance of these standards is the New York requirement that only qualified specialists may perform major surgery. The Joint Commission on Accreditation of Hospitals, by contrast, does not attempt to deal with comparable quality standards in more than a minimal fashion.

These State and local health authorities enforce their hospital codes, in the main, by refusing any payments under the medical assistance for the aged program—Kerr-Mills—for services performed in hospitals which do not conform to their codes. This monetary lever—which amounts to about 20 percent of a hospital budget—has been a very effective tool for securing compliance.

But under H.R. 6675, the Federal Government will begin to supply an equivalent amount of money to these hospitals. If the Federal standards are lower than the State and local standards, hospitals will be able to maintain their present volume and scope of operations without complying with the State and local codes—merely ignoring the MAA and other State-controlled payments.

In fact, the following anomalous situation could easily arise: an indigent person over the age of 65 could receive care in a hospital not complying with local requirements, but which did comply with the lower Federal requirements for the 120-day limit provided in H.R. 6675. At the end of that time the money for his care would have to come from the local MAA program—which would insist on his transfer to another hospital.

Moreover, it must be recognized that the Joint Commission on Accreditation of Hospitals is concerned only with minimum standards appropriate for nationwide application. Clearly, however, acceptable minimum standards should vary with resources and with the state of the art: a large metropolitan medical center can and should be held to higher standards of performance than a single practitioner in a health clinic. As cities like New York and States like California develop advanced standards of medical practice, they should be able to enforce them without interference from the Federal Government.

The amendment would deny payments under the basic hospital plan to any hospital in which the comparable service would not be paid for under a State plan for medical assistance for the aged or other federally supported State hospital plans. It would thus coordinate Federal and State action, and allow the States and local authorities to control the quality of medical care in other jurisdictions.

I ask that the Senate accept this amendment.

Mr. LONG of Louisiana. Mr. President, the junior Senator from New York is a stanch advocate of States rights. I join him in his efforts to preserve States rights. I accept the amendment.

Mr. KENNEDY of New York. Mr. President, may I tell the Senator from Louisiana what a pleasure it is to be on his side?

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. PROUTY obtained the floor.

Mr. TOWER. Mr. President, will the Senator from Vermont yield briefly without losing his right to the floor?

Mr. PROUTY. I yield to the Senator from Texas without losing my right to the floor.

Mr. TOWER. Mr. President, I have, in the past, indicated many reasons why the proposed medical care system is unwise. It is expensively inadequate, covering only very limited hospital costs and not dealing at all with the crucial problem of long-term illness. In addition, it provides, at taxpayer expense, this limited care for everyone—be he poverty stricken or millionaire.

But, the most pressing objection to medicare is that its enormous expense will push social security taxation beyond 11 percent on employer and employee, perhaps even higher. Even then, funds likely will not be sufficient to meet all the promises of care. There is a real danger the financial stability of the entire social security system will be undermined.

Medicare can destroy social security as we know it.

In January, I introduced the eldercare bill. It would have provided medical care to needy Americans under careful, State-Federal cooperation—and it would not have been tied to or have endangered social security.

One week later, I introduced a bill to increase social security benefits by a 7-percent cost-of-living factor. I am pleased that the bill now before the Senate includes that 7-percent figure along with other improvements in social security benefits.

I am not pleased that unwise governmental fiscal policies have forced the cost of living up, but I do not think we can any longer penalize our older citizens with inadequate social security payments because of the Government's past fiscal mistakes.

I have supported a sound, useful social security system ever since I came to the Senate on June 15, 1961, and voted just 11 days later for the Social Security Act of 1961.

I continue to support a sound, useful social security system. In that light, I support a cost-of-living benefit increase, but I cannot vote for any bill embodying medicare, for I cannot vote to destroy social security.

I wish to add my commendation to that of many other Senators of the distinguished Senator from Nebraska [Mr. CURTIS] for his excellent presentation and to say that I wish to be associated with his remarks.

Mr. CURTIS. I thank the Senator from Texas.

AMENDMENT NO. 314

Mr. PROUTY. Mr. President, I call up my amendment No. 314 and ask that it be read.

The **PRESIDING OFFICER**. The amendment will be stated.

Mr. PROUTY. Mr. President, I ask unanimous consent that the amendment not be read but that it be printed in the RECORD without reading.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Strike out the table appearing on pages 205 and 206 of the bill, and insert in lieu thereof the following table:

"I (Primary insurance benefit under 1939 Act, as modified)		II (Primary insurance amount under 1958 Act, as modified)		III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—		Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—	At least—	But not more than—	at least—	But not more than—		
	$19.24	$40	$49		$83	$70.00	$105.00
$19.25	24.20	50	59	$84	101	77.00	115.50
24.21	29.25	60	69	102	132	84.00	126.00
29.26	35.00	70	79	133	178	91.00	142.40
35.01	41.76	80	89	179	225	98.00	180.00
41.77		90	99	226	272	106.00	217.60
		100	109	273	319	116.70	254.00
		110	119	320	365	127.40	292.00
		120	127	366	412	138.00	312.80
				413	450	146.00	328.00
				451	496	156.00	346.40
				497	550	168.00	368.00"

SEC. 2. Add at the end of the bill the following new sections:

"SEC. . In addition to amounts appropriated under other provisions of law to the Federal Old-Age and Survivors Insurance Trust Fund, there are hereby authorized to be appropriated to such fund, from time to time, such amounts as may be necessary to equal, with respect to each individual who becomes entitled to a benefit under title II of the Social Security Act by reason of the amendments made by this Act, payments to

such individuals to the extent that they exceed additional contributions to such trust fund provided for by this Act.

"SEC. . Notwithstanding any other provision of the Act no increase in any social security benefit provided for by this Act shall be counted in determining the annual income of an individual receiving benefits under chapter 15 of the Veterans Pension Act of 1959 or under the first sentence of section 9(b) of such Veterans Act."

Mr. PROUTY. Mr. President, I wish to modify my amendment by striking out all the language appearing on page 3.

The **PRESIDING OFFICER.** The amendment is so modified.

The language stricken from the amendment is as follows:

SEC. . Notwithstanding any other provision of the Act no increase in any social security benefit provided for by this Act shall be counted in determining the annual income of an individual receiving benefits under chapter 15 of the Veterans Pension Act of 1959 or under the first sentence of section 9(b) of such Veterans Act.

Mr. PROUTY. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, the great majority of Americans over the age of 65 live in actual poverty or on the brink of it.

To many, luxuries are a thing unknown and necessities items that one must do without.

They do not live, Mr. President, in the full sense of that word. They exist—great numbers barely surviving—while society seems to go on uncaring, unnoticing their plight.

When I say that the great majority of senior citizens live in actual poverty or on the brink of it, I do not exaggerate; I do not mislead; I do not alter the truth one single whit.

For 80 percent of our older Americans, social security is the principal source of income. Half of them have less than $12.50 a month in other income. One-third have no other income at all.

Do you know, Mr. President, that more than 6 percent of social security retirees receive less than $40 a month?

Do you know, Mr. President, that more than 10 percent receive the minimum monthly benefit of $40?

What courage they must have to face the dawn knowing that they must pay their rent, buy their food and finance their clothing out of a pension that amounts to barely more than a dollar a day.

Yes, the situation is a sad one, but what do we intend to do about it?

The social security provisions of the pending bill will do little to stir the hopes of aged Americans who seek to emerge from the rut of financial frustration and despair. For the nearly 2 million retired people who receive $40 or less a month in the way of social security benefits, the bill provides but $4 additional per month—$48 additional per year.

The rafters of this Chamber will ring this week with glowing terms about citizens in their golden years and about the road to the Great Society. But the years are not golden, Mr. President, they are but tarnished brass and the oft discussed road to the Great Society is but an unpaved promise.

I say to you this day that the 89th Congress ought to hang its head in shame if it spends billions for foreign aid, hundreds of millions for questionable new programs, and then tosses out a few pennies to millions of older citizens.

The amendment I now offer will not do everything that needs to be done, but at least it is a modest step in the right direction—a first step that should be followed by more as the Federal budget permits in future years.

The amendment would increase the minimum benefits from the present $40 a month to $70 a month and increases all the rest of the benefits throughout the scale.

The greatest aid from my amendment, however, will go to those at the very bottom of the list—those who need it most—those most severely mired in poverty.

If there is any Senator in this Chamber who contends that $70 is too much for the aged American let him speak now.

If there is any Senator in this Chamber who believes that a retired man or woman should have to live on $40 a month, let him speak now.

If there is any Senator in this Chamber who would contend that the income problem is a problem affecting few older persons, let him speak now.

Yes, let him deny if he can, the fact that nearly half of our social security recipients receive less than $70 a month.

Let him deny if he can the fact that the average benefit for all retired workers under social security is only about $77 a month.

The older people of this land want this Congress to tell them by deed—not by word—that they are no longer the forgotten Americans.

When I went back to Vermont last year after the adjournment of Congress, retired folks asked me, "How could Senators refuse to give us a minimum of $70 a month for rent and groceries?" I could not answer. "The Congress has broken faith with us," they said, and I had to agree.

A number of studies have been conducted to determine the amount of money a retired couple needs to achieve a "modest but adequate budget." Lenore Epstein of the Social Security Administration has written:

> While the criteria may be crude, there is a striking concentration of evidence demarcating the level of about $2,500 as a measure of modest adequacy for a retired couple.

Mr. President, other sources have indicated that $3,000 is a basic income and that anybody living on a salary lower than $3,000 is living in poverty.

If it takes $2,500 a year for a retired couple to live in modest adequacy, what becomes of a retired couple receiving the average social security income of $130 a month, or $1,560 a year?

What becomes of the two-thirds of the retired couples on the social security rolls who receive less than $1,900 a year?

When the modest but adequate budget for individual retirees is $1,800, as the Bureau of Labor Statistics says it is, what becomes of the retired individual who gets the average of $922 a year?

And what becomes of the individual retiree—and there are over a million of them—who gets the minimum $40 a month full benefit, only $480 a year? Is it possible to live on 26 percent of the so-called "modest but adequate budget"?

The question can best be answered by looking at the contents of the modest but adequate budget, and modifying it to show how a retired worker has to live at a token $40 a month.

The budget provides for almost one egg per day per person. Our $40 a month retiree would thus get the privilege of eating one egg every 4 or 5 days.

The budget provides for a new topcoat every 9 years. Our $40 a month retiree could have one every 35 years. Thus if he retires in Vermont at age 65 on this pittance, he would have to make his topcoat last through 35 beautiful but cold Vermont winters. Then he could expect to buy a new one, unless his family and friends presented him one for his 100th birthday.

The modest but adequate budget permits a retiree the luxury of one round trip bus ride a week to the senior citizen center, or to see his friends, or to go to a clinic, or to attend church. If he is getting only $40 a month, he can expect to take one bus ride a month. Perhaps, if he is the systematic type, he can work out a bus riding schedule: January, to see friends across town; February, to church; March, to see his doctor. If he is shrewd, he will save one bus ride every 35 years to go downtown and pick out his new topcoat.

There is no point belaboring the matter, Mr. President. The facts are clear. At present levels of social security benefits, the retired worker cannot live a decent life. He cannot live his remaining years in the dignity and self-respect he so richly deserves. He lives not in the sunshine of security, but in the penumbra of poverty.

The bill now before us, Mr. President, goes part way in recognizing this great need. It provides for a 7-percent increase in monthly benefits. If it is passed, the retired worker now receiving $40 a month would find himself possessed of the great sum of $44 a month. This means that he would be able to buy that overcoat after only 30 years, instead of 35. He will thus, in the warm, well dressed years between 95 and 100, offer praises to this 89th Congress for its generosity.

Of course, this calculation does not take into account the participation costs for the voluntary medical insurance program set up by the bill. If he elects to participate in that, $3 of his $4 a month increase is already committed in premium payments.

Mr. LONG of Louisiana. Mr. President, would the Senator be willing to agree to a limitation of time on the amendment?

Mr. PROUTY. I do not believe so at this point. I say to my good friend the junior Senator from Louisiana that the welfare of 20 million people in this country is involved in this amendment. I believe that it is worthy of considerable discussion, although I do not intend to take much time.

Mr. President, the social security program ought to provide security. That is the thrust, and the whole thrust, of my argument. If the Congress wishes to do less than that, then let us redesignate the program as the partial security program—a name that is more in accord with the facts.

I should like to be able to tell the Senate that my amendment will correct all the injustices of the present situation; yet I must confess that it is barely more than a beginning. It gives $70 a month to those in the lowest bracket, and but $134 to those in the highest category. Yet the adoption of this amendment will put a few extra groceries on the shelf that is bare, and it will mean fuel for the fire or an overcoat for the older citizen who has neither coal nor clothing to stand off the harshness of winter.

When the Secretary of Health, Education, and Welfare, Mr. Celebrezze, appeared before the Senate Finance Committee last year, he was asked whether he would be willing to supply our old folks with enough additional income through social security so that they could afford reasonably adequate health insurance. The Secretary answered and I quote:

> That wouldn't do what we are trying to do, because social security benefits * * * for low-income people—those without significant other income—are hardly enough to buy the bare necessities of life. If you give people additional money, many are going to spend it for everyday expenses rather than for hospital insurance.

And as if this were not a sufficient damning of the inadequacy of the social security program, Mr. Ball, the Commissioner of Social Security, jumped headlong into the fray and added his 2 cents about why retired people would first spend their increased benefits for the bare necessities of life. Commissioner Ball said:

> Senator, half are below the $2,800 (income) figure. Many have incomes of $1,200, $1,300, $1,500, and so on. At such income levels people might well feel—even with the additional amount you suggest—they might feel they couldn't afford to put all of that into hospital insurance as against other expenses—food, clothing, shelter, and other needs.

What Mr. Ball's statement boils down to is the fact that older Americans do not have enough food or decent clothing or even adequate shelter, and that if you gave them a free choice they would put these items ahead of everything else, including health insurance.

Mr. President, the men and women over the age of 65 who now receive $40 in social security benefits would receive $70 under my amendment.

Those who now receive $70 would be eligible for $91 a month under my amendment and those who now get $120 a month in benefits would receive $134 under my amendment.

These retired folks who stand to benefit from my proposal are not mere statistics. No calculator shares their hardships; no computer tells their story. They dedicated their lives to making America a better place in which to live. They built our institutions, fought for our country and many gave up their only son in a remote battleground in the last world war.

What have we ever given up for them?

Not very much, and it is high time that we have the honesty to face up to it.

It is my hope, Mr. President, that one day this Congress will be called the Congress that remembered the forgotten American. Yet, unless we do what we must do, it may be recalled as the Congress that tossed $4 worth of change to the older couple with an empty cupboard.

Let us raise our voices and cast our votes in support of decent pensions for the elder human beings of this great Nation. If we do this deed—and do it we must—we shall some day say, as Sydney Carton said, "It is a far, far better thing that I do than I have ever done."

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. CURTIS. Much is to be said for a substantial increase in the minimum pay. However, as I stated earlier today, on an average the employer and employee have contributed only 10 percent to the amount of the average benefit. Persons drawing very high amounts have contributed 10 percent of the costs; the other 90 percent is borne by persons who work currently. If they are to be taxed, certainly persons having the least opportunity to provide for their old age should have the greater benefit.

However, one part of the distinguished Senator's amendment disturbs me. Would the amendment provide that a part of the benefit be paid out of general funds?

Mr. PROUTY. That is correct.

Mr. CURTIS. I cannot go along with that part of the amendment. Should the Senator decide to eliminate that part, I shall be happy to vote for his amendment.

We are taxing some 60 or 70 million persons and all the employers of the country, and are providing the highest benefits to persons who need help the least, while paying the lowest benefits to persons who need help the most. On an average, no one has paid more than 10 percent of the cost.

I see no reason whatever to reach into the general fund to help pay a poor man a benefit, and then to reach into the social security fund to pay a wealthy man a benefit when, on an average, people pay only 10 percent of the cost themselves—they and their employers, combined.

I hope that the Senator will not offer his amendment. I am not urging the Senator to offer it. However, should he offer his amendment, I will vote to increase the amount.

Mr. PROUTY. Mr. President, I appreciate the comment of the Senator very much. My objection to modifying the amendment is that it deals with a segment of our population which desperately needs assistance.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. COTTON. This is, in essence, the same amendment which the distinguished Senator offered in the last Congress when the bill was before us?

Mr. PROUTY. Yes.

Mr. COTTON. It was my privilege to join and associate myself with him at that time. I think the Senator is to be highly commended for offering it again during consideration of this bill. In my judgment, it puts the money where it is needed, instead of wasting it. It helps those who need help most. I commend the Senator and again wish to say I associate myself with him in support of his amendment.

Mr. PROUTY. I am most grateful. The increase ranges from 75 percent in the low brackets to 7 percent, which is the same percentage as in the bill before us, in the upper brackets. We are not treating all people alike. We are giving more to the people who need it most.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. CURTIS. As a general proposition, I am in sympathy with the idea of raising the limit to $70 a month. May I ask, for the purpose of information, at what point does the increase in the Senator's table equal the increase in H.R. 6675 as it came from the committee?

Mr. PROUTY. At the $91 payment, which the Senator will find in the explanation which he has on his desk.

Mr. CURTIS. At the $91 payment?

Mr. PROUTY. Yes.

Mr. CURTIS. How much of this money does the Senator propose to be paid out of the general funds?

Mr. PROUTY. The only part that would be paid out of the general funds is the excess over what is provided for in the bill.

Mr. CURTIS. I cannot go along with that. I feel that here we are today taking the payroll tax to start a medicare program, which on the face of it will take care of all, and immediately going to the general funds to do the job that we ought to have been doing from the beginning under the payroll tax.

Can the Senator tell me what the cost would be out of the general funds?

Mr. PROUTY. Roughly, $600 million. The increase in the bill as reported from the committee is approximately $1.5 billion. My amendment would cost between $500 and $600 million in excess of that.

Mr. CURTIS. The Senator has every right to offer any amendment he chooses. I would like to say that, if it did not provide for drawing on general funds I would support it, but I fear it would be the beginning of raising social security payments and paying for the raise out of the general funds. I think that should not be done because of the fiscal problems we already have.

Mr. PROUTY. I might say that, personally, I would much prefer to have the social security benefits increased beyond what I am proposing, and the medicare provisions left out of the bill. If people are given enough money to live decently, they can provide for their own medical care. But the committee has not seen fit to do that. So we are faced with the problem of taking care of people who have desperate problems, who need shelter, food, and clothing, which cannot be taken care of under the bill.

Mr. CURTIS. That does not answer the question why we should change the system we have followed up to now, and that is paying for it out of the payroll taxes.

Mr. PROUTY. The tax would have to be raised in order to take care of that situation.

Mr. CURTIS. Oh, no. The amount of expenditures for the first year of operation is going to increase $8 billion. All that has to be done is to take some of that money and do justice to the people who are getting $40 a month. The way to write a good bill is to strike out some of that nonsense and do what the social security program was intended to from the very beginning, and pay a cash monthly benefit. Forty dollars is not enough. It is true that, if everything else were kept in the bill, the tax would have to be raised.

Mr. PROUTY. Let me just put these figures in the bill, so Senators will have some basis of comparison.

Those now receiving $40 a month would, under my proposal, receive $70.

Let me put that in a little different form.

Those now receiving between $40 and $58 a month would receive, under my proposal, $77 a month.

Those receiving between $59 and $68 a month, would receive $84.

Those receiving between $69 and $78 a month would receive $91.

Those receiving between $79 and $88 a month would receive $98.

Those receiving between $89 and $98 would receive $106.

Those receiving between $99 and $108 would receive $116.

Those receiving between $109 and $118 would receive $127.40.

Those receiving between $119 and $127 would receive $138.

Thus, the real and substantial benefits would go to those in the low-income brackets who need it the most; but, when one considers that the average payment is only $77 a month for those under social security, I believe we have a problem which we should face.

Mr. President, I yield the floor.

UNANIMOUS-CONSENT AGREEMENT

Mr. LONG of Louisiana. Mr. President, I should like to ask if we could not get a unanimous-consent agreement to limit debate on the pending amendment, 15 minutes to a side, 15 minutes to be controlled by the Senator from Vermont and 15 minutes to be controlled by me.

Mr. PROUTY. Mr. President, reserving the right to object, there are quite a few Senators who are not in the Chamber at the moment, and I should like to have the opportunity to suggest the absence of a quorum, and after the Senator has finished his remarks, I should like to have the opportunity to speak briefly.

Mr. LONG of Louisiana. Could we not include that in the unanimous-consent request that the absence of a quorum be suggested? We will then have the quorum call, with the time not to be charged against either side, at the conclusion of which debate could be resumed.

Mr. PROUTY. I should like to get as many Senators in the Chamber as possible. This is an important amendment.

Mr. LONG of Louisiana. I would be happy to accommodate the Senator and have a quorum call, but I should like to ask unanimous consent that at the conclusion of the quorum call the time be limited to 15 minutes to a side, so that Senators could know when they are going to vote, because they will already be in the Chamber and will be ready to vote.

Mr. PROUTY. If the Senator is asking for unanimous consent and a quorum call, and after he has finishing speaking, if anyone else wishes to participate in debate, that we have a quorum call, and that I then be recognized for 15 minutes, it is agreeable to me.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that at the conclusion of the statement made by the Senator from Kentucky [Mr. MORTON] there be a quorum call, and at the conclusion of the quorum call that there be one-half hour for debate on the pending amendment, the time to be equally divided, 15 minutes to be controlled by the Senator from Vermont, and 15 minutes to be controlled by the Senator in charge of the bill.

Mr. ELLENDER. Mr. President, reserving the right to object, I am wondering how long the Senate will sit tonight.

Mr. LONG of Louisiana. At this moment, I do not know. It is hoped that we may be able to adjourn at 7 o'clock p.m., but I really do not know. I must confer with the majority leader about that, as to his views on the matter.

Mr. ELLENDER. I have an hour-and-a-half speech which I should like to make this evening if possible, but if an hour is consumed on the pending amendment, then I shall wait until tomorrow in order to deliver it.

Mr. LONG of Louisiana. Let me say to my colleague that we shall make every effort to accommodate him. I am anxious to hear his address, but I hope that he will let us have this unanimous-consent agreement so that we can vote on the amendment at this time, and I would be happy to listen to the Senator this evening, or, if not then, tomorrow.

Mr. ELLENDER. Are we to understand that the Senate expects to adjourn at approximately 7 o'clock this evening?

Mr. LONG of Louisiana. That would be the hope of the Senator in charge of the bill, but I have not had an opportunity to discuss it with the majority leader. At the time we shall be voting on the amendment, I shall seek to obtain that information and provide it to the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and the unanimous-consent request is agreed to.

Mr. MORTON. Mr. President, if the absence of a quorum is going to be suggested, and if the Senator in charge of the bill will give me 5 minutes of his 15 minutes in opposition to the amendment, I suggest that we go ahead with the quorum call. I would just as soon talk to a full house, too.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President. I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 minutes.

Mr. LONG of Louisiana. Mr. President, the objection to the pending amendment is that it will cost $3 billion. I suggest that the Senate start thinking about the fiscal condition of the United States. I am told that next year's deficit will be—and this is an estimate—approximately $4.660 billion. Therefore, if we agree to the proposed amendment which will cost $3 billion to put into operation, that will mean that we will be voting to have a deficit next year of approximately $8 billion.

The pending amendment would provide this money for these people, whether they really need it or not. I assume that a great portion of this increase in the Federal deficit would result in a saving in State budgets because the States would then be able to reduce their welfare payments.

As an example, in Louisiana, if someone is receiving $44, the State will match what the Federal Government will put up and bring that sum up to perhaps $80, with the State making a substantial contribution. In other States, they will bring the sum up to $100, where the State puts up almost 50 percent of the money. Therefore, adoption of the proposed amendment would be a windfall to State welfare budgets to a considerable extent, but it would put the Federal Government hopelessly in debt for a long time to come, without any prospect of correcting the deficit.

Mr. President, with a deficit next year estimated at approximately $4.660 billion, and the $3 billion which would be necessary to spend if the proposed amendment were to be adopted, we would be incurring the biggest deficit since President Eisenhower's $12.4 billion deficit in 1959. We will be voting for this vast deficit and this vast expenditure, whether the people who would receive the benefits of the amendment need it or not.

The situation reminds me of a cartoon I saw, drawn by Bill Mauldin. It shows Old Joe and Willie at Anzio. They are standing in a muddy gun pit. They are shown collecting the brass artillery casings of the discharged shells and using the casings to make a walkway from the gun pit to their dugout. The necessary artillery attack is ended, but because his feet are getting muddy and he wants to make a walkway of brass artillery shell casings from the gun pit to the dugout, Willie says "Joe, let's shoot five more for effect."

And that in essence is what the Senator from Vermont is proposing here today. Let's spend $3 billion more for effect.

We would be spending a great portion of the $3 billion to help people who really have no need for the money whatever, with the Senator from Vermont saying not to worry about it, let us be sure that these people have plenty of money, all that they need or more, and let us not put it on the payroll tax, let us not do it out of the general revenues which are already running a deficit.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 more minute.

It is a fine thing to go home and tell the old folks, "I voted for the higher benefit figure." The Senator from Vermont, in starting with this series of amendments, has taken away my laurels. I have always thought that I had done more than anyone else in connection with this program, but the Senator from Vermont has made me look like a conservative, because I want to give the money to people who need it.

Mr. COTTON. That is the same argument that can be made against medicare. People will get it whether they need it or not.

Mr. LONG of Louisiana. The longer a Senator serves here, I suppose the more he becomes a conservative or tends to be conservative. The Senator from Louisiana tried to add an amendment to the bill to provide for the medical care money to go to the poor man rather than to the millionaire. I lost. So, as a result, we will give these medical benefits to a person who is sick, whether he is a millionaire or a poor man. That is what the Senate will do today.

Now the Senator from Vermont wants to give a big increase in the cash benefits, not out of the social security tax, but by adding it onto the national debt-ridden general revenues. And he would do this whether these persons need the money or not. I have always thought that I was one of the most liberal welfare men in the Senate. I was in error. The Senator from Vermont has absolutely taken my laurels away. He is the new welfare king.

Mr. PROUTY. The increases in the higher brackets are no more than those provided in the bill, which the committee reported, and which, I assume, the distinguished Senator from Louisiana supports. He is a man of compassion. I know he is concerned with the welfare of the people who need help. He is in a difficult position. I am trying to help the poor people who are on social security and who really need this help.

Mr. LONG of Louisiana. The Senator does not even ask the first question, whether they are poor.

Mr. PROUTY. Anyone who is trying to live on $70 a month is poor. The administration claims that everyone with an income of $3,000 or less is poor.

Mr. LONG of Louisiana. I yield myself 1 more minute. I get it from both sides all the time. On one side, the Washington columnists say that RUSSELL LONG will be fired as the majority whip before the sun sets because he is messing up the social security bill, because he has offered an amendment to the bill which related some of the benefits to the needs of the persons involved. On the other side now, the Senator from Vermont says that I am for the administration's position, no matter what the facts show. So no matter what I do, I cannot win. The cost of the program the Senator from Vermont advocates is fantastic. I believe we are doing enough now with the $6.5 billion of benefits already in the bill.

I yield 3 minutes to the Senator from Kentucky.

Mr. MORTON. Mr. President, I find myself in a very difficult position at this time, following this great show between these two talented end men.

However, there are some things I should like to point out. I find myself in opposition to my friend from Vermont. In his argument for his amendment he indicated that if one votes against the amendment he believes that $70 is too much to live on or $40 is not too little to live on. That is not the point. Obviously it is too little to live on.

A person receiving $40 is getting welfare payments from some source or other. What I am afraid is happening is that we are getting welfare into social security. That was never envisaged.

Giving all credit to the merits of the program of the Senator from Vermont—and they are persuasive—that people cannot live on $40 or $70, they could not do that even in 1945. The welfare operation represents an enormous cost. If we are to go into this field, and if the States cannot do it, and the Federal Government must go further, that is an area that we must cover, but not in this bill. A person who is receiving $40 or $50 in social security may have an income beyond that. This often happens. I point out that the proposal of the Senator from Vermont, which is put forward in all sincerity, and is supported by the Senator from New Hampshire, is clearly in the welfare field. I believe that if we once start combining our social security benefits, which come from a trust fund, regardless of the fact that only 10 percent has been paid in, as pointed out, with the welfare program, we might as well do away with social security. I am sure that none of us wants to do that. I am sure the Senator from Vermont does not want to do it. I trust the amendment will be voted down. I am sorry that I find myself in disagreement with my friend the distinguished Senator from Vermont.

I yield back the remainder of my time.

Mr. PROUTY. Mr. President, I am sorry I must disagree with my good friends who have spoken. I am very serious about the amendment. The Senator from Louisiana has suggested that we should have a means test for social security. I would like to take them off the welfare rolls, if it is possible, and put them under a meaningful retirement system.

The Dominion of Canada gives everyone 70 years of age and older $75 a month. The recipients make no contributions to this plan. Our great neighbor to the north puts us to shame.

Mr. MORTON. The Senator points to the Dominion of Canada and says it pays $75 to everyone who is over 70 years of age. Perhaps we should consider such a proposal. That is a matter that should be debated and considered. Perhaps the Senator will wish to introduce such a bill. If he does so, I am sure it will be given serious consideration. However, I do not see why we should take a program that we have had for 30 years and encroach upon the general revenues for this particular social security benefit. I do not know what this cost will be. I have heard mentioned the figure of $600 million. That is what the Senator has stated. I have heard also the figure of $3 billion mentioned by the Senator in charge of the bill. Somewhere in between is the cost.

These matters should be considered on their merits.

The program will erode to nothing in a few years if we start this practice. I am not talking now about medicare. I am against the medicare proposal. I am talking about social security benefits. If we continue this program, it will be out the window within 3 years.

Mr. PROUTY. Mr. President, I am glad that the Senator has shown some interest in the Canadian system, because I may offer a related amendment later. Eighty percent of the older Americans under social security have this income as their only income. Half of them have less than $12.50 in outside income. One-third have no income at all. Six percent of the social security retirees receive less than $40 a month. It seems to me that in the interest of humanity, Congress can do no less than increase these figures. In the higher brackets I do not exceed the figures in the bill. The excess of $600 million that I have mentioned is accurate. It has been obtained from social security authorities. I believe it is fully justified. I do not wish to take any more time.

I point out that under the social security program there was general revenue refunding up to 1950. That was with the approval of the late President Roosevelt. So this is not a novel approach.

Mr. President, once again I plead for the 20 million old people in this country, most of whom desperately need an increase in social security benefits. I very much hope that the Senate will accord them the increased benefits which they so richly deserve and need.

Is the Senator from Louisiana willing to yield back the remainder of his time?

Mr. LONG of Louisiana. I should like to make a brief statement before yielding back my time.

Not only would the amendment change the principle of the social security program, but also it would cost $3 billion of general revenue. It would not be the most efficient way to spend money under the program.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. I should like to know the authority for that $3 billion figure.

Mr. LONG of Louisiana. The estimate is that the proposal would cost 1.1 percent of the payroll. That is the estimate of Mr. Myers, whose word I always take, even if his estimate appears high. He is an honest actuary.

I have heard many people argue about the estimates of Bob Myers. No one has proved him wrong. Most of us believe that Bob Myers is the most honest actuary and the most honest person to estimate the cost of something without fear or favor that we have in government. That is his estimate. He estimates that it would cost a minimum of $3 billion from the general revenue.

Mr. PROUTY. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. Is it not true that the proposal now incorporated in the bill would cost $1.5 billion?

Mr. LONG of Louisiana. Is the Senator asking whether it would cost $1.5 billion?

Mr. PROUTY. Yes. I mean the program presently incorporated in the bill as reported by the committee.

Mr. LONG of Louisiana. The estimate is that it would cost 1.1 percent of the payroll. That works out to $3 billion a year. That is what the actuary estimates it to be. He has been in the business of estimating this kind of thing all his lifetime.

I heard the Senator from Illinois [Mr. DOUGLAS] who at one time was president of the American Association of Economists state that in his judgment the man I have named was the most honest actuary in the entire United States.

So I say that that is what the proposed program would cost—more than $3 billion.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RUSSELL of South Carolina. As I understand, if we vote for the amendment, we shall impose a burden upon the general revenue fund of $3 billion. If we vote for the amendment, there will be an increase of $3 billion in social security costs.

Mr. LONG of Louisiana. That is correct. That is what the amendment of the Senator would do.

Mr. RUSSELL of South Carolina. We are voting not only for the amendment, but at the same time to increase the appropriation of the Federal Government by $3 billion.

Mr. LONG of Louisiana. That would be the authorization.

Mr. PROUTY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Vermont has 11 minutes remaining.

Mr. PROUTY. Mr. President, I only want to add that Mr. Myers, to whom the Senator from Louisiana was referring, said that the same program which I offered last year would cost $2.1 billion. I have that in memorandum form. I believe it was incorporated in last year's RECORD. Inasmuch as the bill now before the Senate would increase the amount by $1.5 billion, I maintain that my amendment would increase it only another $600 million. If Mr. Myers' earlier estimates are correct in that respect, the program would cost not $3 billion, but only $600 million in excess of the benefit increases provided in H.R. 6675.

The PRESIDING OFFICER. Who yields time?

Mr. PROUTY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Louisiana yield back the remainder of his time?

Mr. LONG of Louisiana. Mr. President, I checked with Mr. Myers before the amendment was offered. He is still firm in the estimate he gave me.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment, as modified, of the Senator from Vermont. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of North Dakota (when his name was called). On this vote I have a pair with the senior Senator from Louisiana [Mr. ELLENDER]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Michigan [Mr. HART], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Wyoming [Mr. MCGEE] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD] and the Senator from Wyoming [Mr. MCGEE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Illinois [Mr. DIRKSEN] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

If present and voting, the Senator from Nebraska [Mr. HRUSKA] would vote "nay."

The result was announced—yeas 12, nays 79, as follows:

[No. 167 Leg.]

YEAS—12

Aiken
Allott
Cotton
Dominick
Fong
Hickenlooper
Kennedy, Mass.
Kennedy, N.Y.
Prouty
Scott
Simpson
Smith

NAYS—79

Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Curtis
Dodd
Douglas
Eastland
Ervin
Fannin
Fulbright
Gore
Gruening
Harris
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Smathers
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—9

Byrd, Va.
Carlson
Dirksen
Ellender
Hart
Hruska
McClellan
McGee
Young, N. Dak.

So Mr. PROUTY's amendment, as modified, was rejected.

Mr. MORTON. Mr. President, I move that the Senate reconsider the vote by which the modified amendment was rejected.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NASSER'S ANTI-JEWISH PROPAGANDA

Mr. DODD. Mr. President, on June 21 the administration decided to send $37 million worth of Public Law 480 food to Egypt in order to help President Nasser cope with grave domestic shortages.

I believe that it was a tragic mistake to give this aid to Nasser without conditions of any kind.

I wish to call to the attention of my colleagues a remarkable study, recently prepared by the research staff of the Anti-Defamation League, dealing with Nasser's worldwide anti-Jewish activities.

I heard of the existence of this study last week, and I asked for an advance copy of the document because I felt that this situation has, or should have, a very direct bearing on Public Law 480 shipments, or aid of any other kind, to the Nasser regime.

The document has not yet been published, but I am so impressed by the facts compiled in this study and by their pertinence to the entire question of our relations with the United Arab Republic, that I have asked and have been given permission to insert them into the RECORD for the information of Congress.

I ask unanimous consent to insert into the RECORD, at the conclusion of my remarks, the complete text of the study on "Arab Anti-Jewish Activities in the United States," prepared by the Anti-Defamation League of the B'nai B'rith.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, after reading this study, I can only agree that it constitutes a record of the most malevolent international hate campaign against the Jews as Jews since the Hitler years.

The berserk quality of this propaganda is terribly reminiscent of "Der Stuermer" and Streicher and Goebbels. To rational men, its sheer insanity may appear to render it ineffective. But, as I learned in painful detail at the Nuremberg trials, such malicious nonsense can poison the minds of millions of people; and once they are thus poisoned, they become capable of unspeakable atrocities against the objects of their hatred.

This new Arab anti-Semitic propaganda, like Nazi propaganda in its own day, is nothing less than an incitation to murder. And if, in the interest of avoiding offense to the Nasserite extremists, we close our eyes to the potential consequences, we reduce ourselves to silent abettors of the crime of incitation to violence and even to murder.

> Anti-Semitism, hard core and deliberate in design—

Says the study of the Anti-Defamation League—

> is now, despite pious and often heated denials, a distinct mark of the authorized propaganda of the Arab world. This is the latest conclusion in a continuing study of Arab sources—official government publications, tightly regulated domestic newspapers and magazines, and the voluminous output of worldwide information services.

The study points out that in a pamphlet entitled "Who Benefits From Anti-Semitism?" published by the Arab Information Center and available from the United Arab Republic Embassy in this country, the Jews are assailed with numerous quotations from that most discredited of all spurious documents, the so-called protocols of the Elders of Zion.

The study quotes the following passage from the Scribe—April 1964—a monthly magazine published in Cairo in English, French, German, Italian, and Spanish:

> At the risk of being accused of anti-Semitism (sic), we want, in the single pursuit of truth, to prove that President Kennedy, just like the two American Presidents assassinated before him, was the victim of a Zionist-armed hand. It is no secret that John Wilkes Booth, murderer of President Abraham Lincoln, and Leon Czolgosz, who assassinated President McKinley, were both Jews in the service of the Zionist cause.

It also quotes an article in a Cairo newspaper as saying that "what Hitler did to the Jews was simply revenge for what they did to Christ."

Still another article quoted from an Arab newspaper says:

> The Jews are used to living on the blood of others, and whatever the Jewish people have achieved was mainly arrived at by means of disorders which they themselves provoked to help attain their goal. The Communist revolution in Russia was organized by the Jews for their own ends. World War II against Hitler was a Jewish war.

These are only a few of the many, many exhibits compiled by the researchers of the Anti-Defamation League.

In deciding last month to renew Public Law 480 shipments to Egypt, the administration was unquestionably guided by the conviction that, as difficult as Nasser may be, we must do everything in our power to prevent his further alienation. If we decide to get tough with Nasser, so the argument goes, it may result in a complete rupture of his already tenuous ties with the West and force him into the arms of the Communists.

Out of fear of driving Nasser irrevocably into the arms of the Communists, we have, ever since the Suez crisis, turned the other cheek to each new affront by Nasser and to each violation of the United Nations Charter.

It was only thanks to our support that Nasser was able to survive the Suez crisis. But when we had pulled his chestnuts out of the fire for him by supporting a U.N. resolution calling upon Britain, France, and Israel to withdraw their forces, Nasser responded by imposing a blockade on all Israeli shipping, in violation of international law and in violation of the U.N. resolution on Suez. We have done nothing about this.

When Nasser organized a quisling coup in Yemen, backed up by an invasion of 25,000 Egyptian forces, not only did we fail to demand any action by the U.N., but we hastened to recognize the new Yemeni Government and we even refrained from any statement of official condemnation such as we made at the time of the Indian invasion of Goa.

In response to this show of restraint on our part, Nasser has now increased his forces in Yemen to 50,000 men, and he has mounted campaigns of infiltration and subversion directed against the other countries of the Arabian Peninsula.

Beyond indicating our mild displeasure, or perhaps I should say beyond indicating our strong displeasure mildly, we have failed to react to Nasser's open support of the Congo rebellion, to the massive arms buildup carried out with the help of the Soviet Union and German scientists, and to the unyielding belligerence he has displayed toward the State of Israel.

Even the sacking and destruction of U.S. Embassy installations, with the indulgence and most probably with the inspiration of the Egyptian authorities, brought no reaction beyond an ostensibly stern demand for indemnification—which Nasser was quick to promise.

In February of this year, the Senate voted against continued Public Law 480 shipments to the United Arab Republic. However, the resolution barring such shipments was amended at the request of the administration in a manner which left Public Law 480 shipments to the discretion of the executive branch. I voted against this amendment, because, as I stated on the floor on February 4, I felt that it makes no sense for Congress to pass on the details of our foreign aid program, and then have the executive branch override the intent of Congress whenever, in its opinion, the national interest demands it.

I believe that the stand I took at that time has been borne out by the events of the past several weeks.

As we should have learned from past experience, our new offer of aid to the Nasser regime has brought only more abuse from the Egyptian press and radio, and more praise for Moscow and Peiping.

In this connection, Mr. President, I ask unanimous consent to insert into the RECORD at the conclusion of my remarks an article in the Baltimore Sun for Saturday, July 3, captioned "U.S. Food Aid Disparaged by Egyptians: Radio Stations Belittle Johnson Action but Praise Russ Help."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DODD. Mr. President, this is a very interesting article. I hope that the Senators will read it.

Mr. Paul Ward, the author of the article, quoted the Egyptian Radio as saying:

> We do not get wheat from the United States as charity or aid, as its trumpets make out, but buy it at the full price which, indeed, includes profit. There were favorable payment terms because the wheat, flour, and other supplies were surplus in the United States.

Mr. Ward went on to say that the Nasser radio day after day has been blaming the United States for the United Nations crisis and assailing both the United States and the United Kingdom for their intervention in Vietnam.

I bring these items to the attention of my colleagues because I believe that the time has come for a fundamental reexamination of our relations with extremist dictators like Nasser.

All of our massive aid has given us absolutely no influence with Nasser. On the contrary, it seems only to have fed his contempt for us.

All our attempts to placate and appease him have only resulted in further abuse and more aggression—yes, and ultimately in the growing alienation which we seek to avoid.

If we had forgotten the previous lessons of history on this score, we should at least have learned from our very recent experience with Sukarno.

A policy of firmness from the beginning in our dealings with Sukarno would, in my opinion, have obliged him to pursue a more moderate policy. At the very least it would have encouraged the more moderate elements in his country. But, instead of firmness, we dealt with Sukarno as we are still dealing with Nasser.

We lavished aid on him. We ignored his abuse, ignored the frequent attacks on American Embassy installations, ignored the consistent diplomatic alinement with the Communist countries against the free world, ignored the massive buildup of Soviet weapons. We even went so far as to give him our support for his imperialist grab of West New Guinea.

The momentum of the course he was pursuing has now carried Sukarno almost to the end of the road. He has withdrawn from the United Nations and has virtually severed relations with the free world. Bolstered by the support he was receiving from both the Communist world and the United States, he has moved progressively to undermine the once-powerful moderate elements, employing the salami tactics made famous by the Communists. And now a point has been reached where most Western commentators fear that Indonesia, under Sukarno, has become, or is rapidly becoming, a de facto member of the Communist camp.

Such has been the consequence of the policy of avoiding offense to Sukarno. I gravely fear that, if we persist in the policy of avoiding offense to Nasser, the ultimate consequence may be very little different.

Because we refuse to offend Nasser, we cannot officially oppose or expose his anti-Jewish propaganda.

Because we refuse to offend him, or to openly disapprove of his actions, we cannot clearly demarcate ourselves morally from the many acts of aggression Nasser has already perpetrated against his Arab neighbors, or from the major aggression he is plotting against Israel.

Nasser does not speak for the entire Arab world. He speaks for only an extremist segment of it. I think it would vastly improve our posture before the entire world, including the Arab world, if we made further American aid to Nasser contingent on his peaceful behavior.

I think it would contribute to the peace and stability of the Near East if we spoke up in a strong voice against the crimes of the Nasser regime against its neighbors and against its own people.

We must continue, as I have said before, to offer Nasser the hand of friendship. But we must stop kowtowing to him, or muting our disapproval of his actions.

Only such a combination of friendship and firmness stands any chance of persuading Nasser that it is in his interest and in the interests of his people to abandon his present dangerous path and instead seek a regional settlement that would assure peace to the peoples of the Middle East.

Especially on the question of the vicious anti-Jewish agitation now being carried on by his propagandists, it is important that we let Nasser know where we stand.

Only several months ago, the Senate voted unanimously for a resolution, which I was honored to cosponsor, expressing our moral condemnation of the persecution of the Jewish religion and other religions by the Soviet regime. We took this action because we believed that this was a matter that properly concerned us and that it was incumbent on us to express our indignation to the world.

I consider the massive international anti-Jewish agitation being carried on by extremist elements in the Arab community to be a matter that appeals equally to our conscience. Perhaps this is a matter, too, on which the Senate of the United States should let the people of the world know where it stands.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. GRUENING. I commend the Senator from Connecticut highly for his constructive criticism of dictator Gamal Abdel Nasser.

The statement of the Senator from Connecticut is one additional indictment in a series of acts that we in the United States seem not only to condone but also to subsidize.

The list of these violations, the aggressive acts of this dictator, the waging of war in Yemen, while we pour our money into Egypt for the relief of the undernourished and poor citizens of Egypt, is positively shocking. The list of his other aggressions and planned aggressions, his mutiple acts of violence and hate, are well known to the Senate. However, the indictment should lie not only against Nasser, but also against those in our administration who persist in appeasing him. Such indictment may apply not only to the executive branch.

It may be that we should be somewhat critical also of some of our own colleagues who take the actions of the Senate to conference, after an overwhelming vote that aid to Nasser should cease, and, almost invariably and without exception, the actions of the Senate are deleted in conference.

I believe that it is about time that we had an extended debate on how long we shall subsidize such characters when their every act is a violation of every principle that the United States espouses.

Mr. DODD. Mr. President, I am extremely pleased that the Senator from Alaska made that comment. The comment needed to be made.

I wholeheartedly agree with what the Senator said. I assure him that I will do my best and I know that he will do his best to see whether we can change our policy toward governments that are so hostile to us.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. HARRIS. Mr. President, I associate myself with the remarks of the Senator from Alaska and the Senator from Connecticut, concerning aid to Nasser.

The Senator will recall that, by a vote of 73 to 13, the Senate agreed to an amendment in the foreign aid authorization bill, declaring that no aid should go to either Egypt or Indonesia so long as either of those countries continue their acts of aggression against our country.

We now have a finding by the Senate that these countries are continuing their acts of aggression against our country. Reports filter down to me from the conference to the effect that that section of the bill has been deleted and that the measure will come back to the Senate shorn of the amendment which was agreed to by a vote of 73 to 13. This action in conference would be taken in spite of the fact that the State Department now admits that it has under investigation reports that Nasser is in violation of our 1962 agreement with him and, in violation of the agreement, has been selling rice in excess of the agreed amount to the Communist bloc countries, including Cuba and China, against which countries we have embargoes.

If that particular bill comes back to the Senate without that amendment included therein, with regard to Sukarno and Nasser, I hope the Senate will refuse to agree to the conference report.

I commend the distinguished Senator from Connecticut for his remarks, which further strengthen the position of the Senate.

Mr. DODD. I am grateful to the Senator from Oklahoma.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr DODD. I yield.

Mr. RIBICOFF. I commend my distinguished colleague the Senator from Connecticut for making this case cogently clear and bringing the matter to the attention of the Senate and of the country.

I believe that the Senator has performed a most useful service.

I should like to associate myself with the remarks and comments of my distinguished colleague the Senator from Connecticut.

Mr. DODD. Mr. President, I am pleased that my colleague joins me in this action, as I have joined him.

I believe that we are making progress. I am glad that I was able to bring the matter to the attention of the Senate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LAUSCHE. I associate myself with the remarks made by the Senator from Connecticut. I particularly subscribe to his statement that our policy of helping our enemies and looking indifferently and sometimes with coolness upon our friends, is the main cause of our problems.

There are men in the State Department who believe that we can, by appeasement and by the spending of money, win the friendship of dictators who are basically and philosophically opposed to what we do.

Nasser is a good example. He has flouted our flag. He has burned our buildings. He has challenged the honor of our Nation. And yet those men in the State Department, in the face of these actions, believe that, by pleas and by gentle considerations, we can win Nasser to our side.

The fact is that the more we help him, the more we supply him, the greater is his challenge, because he believes if he threatens to join the Communist forces we will yield still more.

I commend the Senator.

Mr. DODD. I thank the Senator from Ohio.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DODD. I yield to the Senator from Iowa.

Mr. MILLER. I also join the other Senators who have spoken in commendation of the Senator for making this most timely statement. In addition to other violations, Mr. Nasser and his government are very delinquent to the United Nations in their dues and assessments. That is only one of many other factors that ought to be taken into account.

I say to the junior Senator from Oklahoma [Mr. HARRIS], that we have been through this before. We have put amendments in the foreign aid bill in the Senate, and we have seen them taken out in conference. As sure as we are present here in the Senate tonight, Mr. Nasser is counting on action by the State Department with the conferees to take the amendment out of the bill. I hope he will be disappointed, but if previous history is borne out again, he will not be disappointed. I dislike to say this, but that is the way it has been. I think it is most unfortunate. I hope the conferees will stand firm, but do not count on it.

EXHIBIT 1

ARAB ANTI-SEMITISM

Against Arab claims in regard to their writings, broadcasts, and press dispatches—that they are solely anti-Israel and anti-Zionist—stands the documented record of their own words. It is a record of the most malevolent international hate campaign against Jews as Jews since the Hitler years, and it bears the seal of the highest positions of Arab officialdom.

Anti-Semitism—hard core and deliberate in design—is now, despite pious and often heated denials, a distinct mark of the authorized propaganda of the Arab world. This is the latest conclusion in a continuing study of Arab sources—official government publications, tightly regulated domestic newspapers and magazines, and the voluminous output of worldwide information services.

ATTACKS ON JEWS

Though political war against the State of Israel may be the ultimate purpose of Arab propaganda efforts, the means to this end are often vicious attacks on the Jews themselves, regardless of nationality or political belief, and on their religion. In fact, in notable instances the political issue of Israel is so unrelated to the questions involved as to be obviously only the thinnest excuse for open defamation of the Jewish people in all parts of the world. Two well-documented examples—a barrage of scurrilous anti-Semitic canards attempting to cite a Jewish plot behind the assassination of President Kennedy; recent Arab pressure on the Roman Catholic Church to uphold the "guilt" of all Jews in all times for the killing of Christ—serve to demonstrate both the turn to undisguised anti-Semitism in official propaganda and the surprisingly unsubtle techniques involved.

An Arab propagandist in the United States may write that charges "that Arabs are anti-Semitic * * * are not only false but ridiculous"[1]—but in January 1965, English-speaking areas in Africa were flooded with copies of a pamphlet, "Israel, The Enemy of Africa," vilifying the Jewish faith and labeling all Jews as cheats, thieves, and murderers. Its authors cite and quote directly from the "Protocols of the Learned Elders of Zion" and Henry Ford's "The International Jew," two of history's most vicious and most thoroughly discredited anti-Jewish tracts. Released by the Information Department of the United Arab Republic in Cairo, the pamphlet is available from the United Arab Republic Embassy in Washington, D.C.

Such official sources prove undeniable government policy. But the rigorous press censorship practiced in Arab lands, especially in Egypt, points also to government approval—if not to actual government origin—of articles and opinions published in the leading daily newspapers.

"Spot the Jew"—with this headline, Falastin, a Jerusalem (Jordan) daily, began its account of the tragic events in Dallas in November 1963. Emphasizing the fact that Jack Ruby was Jewish, the Arab propagandists discovered a blood conspiracy in far-off Texas, and the winds of hatred were fanned.

On November 25, the authoritative Egyptian daily, Al-Gomhouria of Cairo, reported the assassination's aftermath in a column by Nasser ed-Din An-Nashashibi:

"In the same part of town * * * Kennedy's killer fell in his own life blood.

"All eyes are turned to the new killer—the murderer of the assassin. He is a night club owner named Jack Rubinstein * * * a Jew, of course.

"It has already been proved beyond all shadow of doubt that the new killer is of Jewish origin."

On the 26th, "Al-Hihad Dialog," a daily column in Al-Jihad, published in the Jordanian part of Jerusalem, reported:

"The man who killed Kennedy's assassin was a Jew. The question is, what were these vital secrets which the Jew who killed Kennedy's assassin was trying to cover up? * * * The role of this Jewish killer in the dilemma of Kennedy's assassination moves people to ask whether world Jewry has any interest in this crime, and whether subsequently, for fear of punishment, it got rid of the assassin lest he should disclose vital secrets? How many crimes has world Jewry already committed in history, to attain its ends and further its own interests?"

On the 27th, the same column in Al-Jihad probed deeper into its suspicions of the previous day:

"The Jews are used to living on the blood of others, and whatever the Jewish people have achieved was mainly arrived at by means of disorders which they themselves provoked to help attain their goal. The Communist revolution in Russia was organized by the Jews for their own ends. World War II against Hitler was a Jewish war.

"Rooted in the Jewish character since the dawn of their history, these qualities dominate them in America and Europe just as they did in days gone by.

"When will the Americans become wise to the secret crimes and conspiracies of the Jews—Heaven only knows."

The following day, Beirut's newspaper Al-Hayyat published a letter from Na'if Shablaq, a supporter of the Grand Mufti of Palestine, which added some new Jewish blood to the supposed conspiracy into which only "Rubinstein" seemed to have fit until then. Incredibly, the writer had uncovered "an important point, which the international news agencies—mostly under Zionist influence—apparently tried to cover up; namely, that the assassin, Lee Oswald, is a Jew on both his father's and his mother's side, a Jew by belief and a Jew by religion, who was born a Jew and lived as a Jew."

This revelation continued the vision of the "hidden hand" plot behind all major assassinations—one of the oldest canards of anti-Semitic pamphleteering and one which the Arab ideologies have recently resurrected for worldwide consumption. It was set forth in the Scribe (April 1964), a monthly magazine published in English, French, German, Italian, and Spanish by the National Publications House in Cairo:

"At the risk of being accused of anti-semitism (sic), we want, in the single pursuit of truth, to prove that President Kennedy, just like the two American Presidents assassinated before him, was the victim of a Zionist-armed hand. It is no secret that John Wilkes Booth, murderer of President Abraham Lincoln, and Leon Czolgosz, who assassinated President McKinley, were both Jews in the service of the Zionist cause."

To the names of the three Presidents, the Scribe added those of seven Senators—including Huey Long and William E. Borah—as victims of Jewish killers. The technique is to identify any American Jew as a part of what this Arab monthly referred to as "the Zionist octopus at large," then to insist that the attack is against Zionism rather than Jews as such. And in this case the picture of Jewish terror in America's streets was sharpened with a quote from some even more practiced masters of tortuous propaganda. The editors of the Scribe reported to their readers in five languages:

"The Moscow newspaper Krasnaya Zvezda, organ of the Soviet Ministry of Defense, attributed, in its issue of December 14, the assassination of President Kennedy to Murder Inc., which succeeded the Mafia of sad memory, and which gave rise to all sorts of Israeli criminals, such as Al Capone (real name Isaac Schacher)."

On December 4, 1963, Sa'id Nu'mat Ulla, writing in Cairo's Government-regulated Acher Sa'a, summed up the approved assassination story, brazenly twisting the best evidence and adding a final virulent caricature:

"The Zionist terror * * * and the Jewish gangs are the ones responsible for the crime of President Kennedy's assassination.

"Investigators in America have all come to the same conclusion: this outrage committed in Dallas, which shook the conscience of the world, was not the act of one single man. * * * Jack Rubinstein, the Jew who killed Oswald, had no intention—as he claimed—of sparing Jacqueline Kennedy the anguish of testifying in court.

"All the evidence indicates that an international gang is behind the assassination. Meanwhile, in Dallas jail, Rubinstein is busy writing his memoirs. He has announced that he hopes to fetch a very high price for them.

"Once a Jew—always a Jew, even in jail."

THE ECUMENICAL COUNCIL

The continuing study of Arab propaganda sources establishes that the renewed use of blatant anti-Jewish material, begun after the Kennedy assassination, was greatly increased at the time the Ecumenical Council of the Roman Catholic Church undertook consideration of its schema relating to the Jews—the clarifying statement on responsibility for the crucifixion.

The Arab nations seemed determined to halt the Vatican's efforts to bring about a better understanding between Christians and Jews—this, in an area far removed from any imaginable dispute with Israel or Zionism, could only lead to grave questions concerning the motive for the Arab actions.

"Certainly the Arab Christians have raised their voices against the attempts to alter the Holy Scriptures," declared Arabische Korrespondenz, a German-language newsletter published by the Arab League in Bonn, West Germany, in its issue of October 28, 1964. "As inhabitants of the cradle of Christianity the Arabs are in a better position to be able to judge the history of Christianity. That is why they permitted themselves to oppose the attempts of the council."

ARAB PRESSURE

Suggesting thus that its judgments on matters of Christian doctrine were superior to those of the Vatican itself, the Arab League stepped up its anti-Jewish propaganda. To this its agents added open political pressure on Rome, designed to convince the Council of the Jews' "total and perpetual guilt" in Christ's death.

The following issue of Arabische Korrespondenz (Nov. 20, 1964) announced the League's political orders clearly:

"All Arab Ambassadors in foreign countries have received instructions to keep constant contact with the bishops and cardinals who participate in the council in Rome and to enlighten them about the political background behind the Jewish schema debated by the council. The Arab Ambassadors will also explain the Arabian point of view concerning this document to the Papal Secretariat and other authorities of the Vatican. This action of the Arab nations is to be interpreted as a good-will action, in order to maintain good relations with the Vatican."

The closing threat, though implied, was clear. Indeed, Catholic prelates now expressed openly their concern for the well-being of priests and church in the Arab lands should the schema pass. President Achmed Sukarno of Indonesia made a trip to Rome to warn the Pope of possible diplomatic repercussions. On November 22, Jordan's Foreign Minister Kadri Toukan was quoted in a Beirut newspaper, the Daily Star, to the effect that passage of the proposed church declaration would be disastrous since, he said, "history testifies to Jewish intentions of destroying Christ and Christianity."

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[1] Sami Hadawi, "Who Benefits From Anti-Semitism" (New York: Arab Information Center, 1961) pp. 1, 2.

Ill-disguised assaults of hate from official sources had patterned such analyses as the following—from the Arab Observer, "the nonalined weekly," published in English by the United Arab Republic's General Organization of Publications in Cairo (issue of Oct. 19, 1964):

"What are the facts of the strife between opposing groups of prelates? * * * Some mention would inevitably be made concerning the references in the New Testament to the part of the Jews in the murder of Jesus of Nazareth, and of their total and perpetual guilt in this crime.

"The Zionising Cardinals * * * are the dupes of an incessant power struggle which uses the supposed sufferings of the Jews as one of its principal aids."

In connection with these "supposed sufferings," the Arab League's Bonn voice had sought somewhat startling ties of sympathy with its German readers (Arabische Korrespondenz, Oct. 3, 1964):

"The Council in Rom again occupies itself with Judiaism and Christianity * * *. The question arises whether it is prudent and right to correct history for the sake of Zionism * * *. Would it also not be right if one wants to forgive the Jews their 2,000-year-old guilt also to forgive the Germans their guilt?"

POPE PAUL'S PILGRIMAGE

All restraint seemed to be dropped in the barrage of propaganda attending the historic visit of Pope Paul VI to the Holy Land prior to the council debates on the Crucifixion schema.

"They Will Not Deceive Him, for He Knows Them Well," proclaimed the headline in Cairo's highly-authoritative Akhbar el-Yom on December 14, 1963, over the following diatribe:

"The Jews have already exploited this purely religious pilgrimage to create the impression in world opinion that the new Pope harbors some opinion concerning charges that the Jews killed Christ.

Christianity holds fast to its belief that the Jews killed Christ—because they admitted their guilt and boasted of it, and because the way they treat Christians and everybody else is like that of bloodthirsty murderers.

"And as for the claim these vagrants make—why do they trouble today to clear themselves of something they admitted perpetrating 2,000 years ago. Why are they so anxious to still their conscience over the blood of Christ, when so many fingers have pointed at them to claim the blood of Kennedy?

"We are convinced that this visit will not influence the Pope's belief as to the nature of the Jews, since he knows them quite enough. And once he will have met them, he will get to know them more than enough."

On January 4, 1964, in covering the Pope's arrival at the Emir Abdullah Bridge, Radio Amman (Jordan) broadcast a commentary which declared in part:

"The events of history will fortify his lofty spirit more and more; His Holiness will consider how the Jews behaved at that time.

"Some 2,000 years ago the Jews crucified Jesus, after beatings, humiliations and tortures that heap shame upon mankind everywhere. And 15 years ago, in the most cruel manner, the Jews overran Palestine. They attacked its innocent, unarmed citizens and subjected many of them to the most villainous atrocities.

"Thus do the Jews prove their responsibility for the infamies of their forebears, and for the crucifixion and humiliation of Christ 19 generations ago."

HITLER, AVENGER OF CHRIST?

Among the Ecumenical Council fathers there was deep feeling that distortions of the crucifixion story had spawned many of the slanders that had led to historic persecutions—slanders now heard again, ironically, at the very moment of these deliverations. The propagandists of the Arab world were attempting to turn that hatred which had made the schema necessary into a weapon against its success. Upon Christ's "murderers" should fall a heritage of blood and punishment. And the killing of an American President had provided a fortunate parallel.

Anis Mansur, writing in Cairo's Al-Musawar on December 6, 1962, had turned the trick to the propagandists' satisfaction, setting a pattern for much of the ensuing campaign. Some significant excerpts:

"I am not a man of religion, but I feel bound to broach an old religious problem, for reasons that are new * * * whereupon the connection between this problem and Kennedy's assassination becomes quite straightforward.

* * * * *

"What is new, however, is that there is a definite trend among Catholics to exonerate the Jews completely from the blood of Jesus * * * The Jews have already suffered dozens of times since those days. They pleaded innocence of this dastardly crime hundreds of times. What Hitler did to them was simply revenge for what they did to Christ.

* * * * *

"But the Jews * * * put pressure on the Catholic Church.

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"A congress of Catholic churchmen was held in Rome, which debated a document appealing to brotherhood. * * * A vote was taken on this particular passage, which showed 2,114 for and 40 against. It was thus decided that Catholics the world over should know that the Jews had not crucified Jesus.

* * * * *

"It was strange that this congress was held in great haste, since one would have expected it to take place in December 1964.

"Its decisions—in other words—were due to have been published in the middle of this month, a week before President Kennedy was assassinated.

"Kennedy was a Catholic—and his assassin Jewish. The killer of Kennedy's assassin was Jewish too, and so is the man in charge of the investigation.

"While the Catholics are busy making peace with the Jews—the Jews are assassinating the foremost Catholic personality in the world.

* * * * *

"The capitalist regime in America tolerates the existence of Jewish gangs * * * and America pays the price * * * which this time was high. It is inevitable that anti-Jewish feeling—flickering at present—will turn into an open hatred as cruel as the bullet that struck Kennedy."

On February 24, 1964, the Grand Mufti of Palestine, Mohammad Amin El Husseini, as chairman of the Arab Higher Committee for Palestine, wrote to Pope Paul VI decrying the principles of the Jewish religion—as interpreted, to be sure, in some of the oldest examples of anti-Semitic humbug.[2]

"The Zionist movement," he wrote, "is chauvinistic and reactionary. It is based on the Talmudic principles which consider non-Jews as goyim with no human rights."

The same tactic—an apparent attack against Zionism as an excuse for vicious slanders against a people and their religious faith—is at work in the United Arab Republic's government-sponsored pamphlet, "Israel, the Enemy of Africa," distributed throughout the struggling continent to the south of Egypt since January 1965. An obvious attempt to promote fears among the people of new nations which have received extensive technical and educational assistance from Israel, the United Arab Republic's political pitch has been one of religious hatred—replete with quotes from the notorious protocols of Zion forgery.

A few excerpts from the pamphlet:

Page 8: "Before we examine in detail the racial and religious discrimination practiced by Israel which also sucks the blood of the countries struggling to attain freedom, let us look at what the Talmud says:

"The Talmud considers the Jews equal to God, and as such everything on earth should by right be theirs.

"For instance, the Talmud says: 'If a non-Jew steals from a Jew he must be put to death whereas if a Jew lays his hands on the property of a non-Jew he is not liable to punishment.'

"The Talmud condones the murder of the non-Jew. The Talmud adds that it is forbidden for a Jew to help a non-Jew get out of a hole. It decrees that the Jew must cover the hole with a stone and bury the non-Jew alive.

"Such are the teachings of the Talmud which are binding to the Jews. Therefore, it should not surprise anyone when the Jews * * * cheat and rob. When Israel extends her hand to the Africans, she is extending a hand covered with blood."

Page 19: "The Talmud is full of agitation against the Christians, and insulting words against the Virgin Mary whose virginity is doubted."

Page 22: "The Jew is a materialist and a heathen."

Page 24: "It is laid down in the 14th protocol of Zion which says: 'When rule is concentrated in our hands, any religion other than Judaism would have to be destroyed.'

"Israel is using another manner of weapon in Africa that is spreading moral corruption among the African youth.

"In doing so it is applying protocol 13 of Zion which says: 'In order not to give the non-Jew a chance to think independently, we must encourage him to enjoy himself' * * * This is why the Israeli Government has opened brothels for the Africans and encouraged them to keep company with Israeli girls, in the hope that they may forget their national mission."

But the "Jewish corruption" theme had other ancient versions, and the Arab government propagandists could scarcely ignore them.

On November 16, 1964, El-Kuat El-Muslaha, the official journal of the Egyptian armed forces, published a tired expose of Freemasonry, supposedly a licentious Jewish secret society designed to bring about the "elimination of the Christian religion" by luring young Christians "into the arms of Jewesses" and into moral ruin. Corruption was allegedly introduced into Germany in the 1920's when one of the secret plotters introduced in the Reichstag a bill to legalize sexual perversion.

"Another member who could not restrain his feelings, went up to the rostrum and struck the Freemason a sharp blow which felled him to the ground. All the members in the House applauded with the exception, of course, of the Jews * * *. If that Freemason had survived until the Hitler period, Hitler would have broken every bone in his body."

VICIOUS CARICATURES

Such diatribes of hate are not isolated instances, nor have they gone without consequence in the life of Arab nations.

In the New York Arab Information Center pamphlet mentioned at the outset, Sami Hadawi wrote that "there are no discriminatory laws anywhere in Arab countries; Jews are legally recognized as citizens and exercise full and equal rights with Moslem and

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[2] The Mufti's letter was publicly printed in Beirut 4 days later. It has been distributed in New York by the neo-Nazi National Renaissance Party.

Christian Arabs." Yet on December 6, 1963, the Jews of Iraq were ordered to report to the Department of Travel and Nationalities within 10 days, bringing with them proof of Iraqi nationality. Those recognized as citizens were to receive identity cards; the property of all others was to be impounded.

The significant point is that the law (law No. 161 of 1963) was applicable to neither Moslems nor Christians—nor even to Israelis or Zionists as such—but solely to Iraqi Jews as Jews. If such laws were reminiscent of the Nazi regime, so too was the malignant propaganda which acccompanied them in the daily press.

The leading Jordanian daily, Al-Manar, of November 24, 1964, for example, published the vicious caricature of a Jew wearing the Star of David on his chest and surrounded by bags of money. The caption over it read: "The hungry one who is never satisfied."

The United Arab Republic's armed forces weekly, El-Kuat El-Muslaha, in its article on freemasonary, drew an equally vicious caricature in words:

"The Jew in his very soul and character has not the qualities of a man who bears arms. He is not naturally prepared to sacrifice his life for anything, not even for his son or his wife. If there is today in Israel a man who bears arms he does this because he is sure that there is another man who will precede him, who will stand in front of him not behind him in order to defend him when the time comes. Were it not for that, no Jew in the world would agree to bear arms."

The expressed views of certain Arab leaders, like their propaganda techniques, seem to echo a recent European sound. An interview with President Gamal Abdel Nasser of the United Arab Republic was published on May 1, 1964 on the front page of the Deutsche National Zeitung, an extreme rightist German weekly edited by Dr. Gerhard Frey, who had visited Cairo that spring to bolster his international anti-Jewish alliances. In the interview with Frey, Nasser said:

"During the Second World War our sympathies were with the Germans."

LIE OF THE 6 MILLION

Nasser added that recent policies of the West German Government, including the payment of reparations to Israel, irked and confused him. When Dr. Frey explained that these payments, and other examples of West German accommodation with Israel, were the result of what he called the Jew murders of the recent past, the United Arab Republic's dictator replied: "But the lie of the 6 million murdered Jews is not taken seriously by anybody."

Certainly not by the authorized peddlers of hate. The Arabs, wrote Saleh Joda in the Cairo newspaper Al-Musawar on December 20, 1963, "have always had faith in Germany's friendship, and in the fact that the great German people, which tasted disaster and destruction at the hands of Jewish arms-dealers and bloodsuckers, can trust them no more." The writer added: "There are still a few Jews left in Germany, who are trying once again to raise their viper's head and seize control of economic life, business, and politics."

Events in other countries have been reported in the approved and sometimes government-subsidized Arab press from a similar viewpoint—particularly those events which lend themselves to an anti-Jewish slur. The notorious Profumo affair in England, as described by Ibrahim Sakjaha in the Jordanian Falastin, was headlined "Jewish Scandals," and the writer concluded: "In all this scandal and corruption, one fact stands out. Most of the leading racketeers and vicemongers were Jews * * *. Jews in England who ran these rackets amassed their fortunes by the foulest and most depraved of means."

On August 8, 1963, a venomous analysis of history was offered by "Wayfarer" in the Jerusalem (Jordan) daily, Al-Jihad:

"Of all the dwellers on this planet, if any scholar were bent on counting * * * the nations who hate the Jews * * * and those who are pro-Jewish * * * would he find so much as one single nation that like them? * * * I am sure that on this score everyone feels the same way.

"All of them hate to have Jews in their midst, and all do their best to get rid of them. Obviously this hatred is rooted in world feeling since the dawn of history.

"But why is it that everyone hates the Jews?

"The reason is one and the same * * * with everyone * * * in every age.

"It stems from the mentality of the Jews, and their character, which impels them to live within a nation * * * as a people apart * * * with different aims * * * and feelings * * *. Because of this * * * and because of their spiritual insolationism * * * among whichever nations they dwell * * * they plunder its wealth * * * and are not squeamish over the propriety of their methods.

"This is why the Jews are the root of all creeping corruption, and there is no doubt that this is also one of the main reasons why Jews are detested."

But the persecutions of the past are not all that the Arab propagandists seek to justify. The threat of future anti-Jewish recriminations, even more terrible ones, are often only lightly hidden. In an article called "The Sinister Grasp," in Falastin (Nov. 22, 1962), H. Ibrahim Sakjaha began with a report of Jewish crimes in the Soviet Union, then produced a torrent of analysis and grave prophecy:

"'The mouse is dead but its tail is wagging' runs the well-known Arabic proverb. And it springs to mind, when we read of another band of Jews in the U.S.S.R., sentenced for economic crimes.

"Not only Jews are tried on the charge in that particular country, admittedly. But most of the convicted criminals are Jews—for one of two reasons.

"The Jews try to get control of financial and economic life wherever they are.

"In this attempt they usually tend to employ unscrupulous and illegal tactics.

"Obviously it is not just the Jews of Russia who commit economic crimes, try to get the whip hand, and use underhanded tactics. In Russia, however, they are caught and tried, and some of them get the death sentence, in accordance with the severe laws there. Whereas in the United States, for instance, and other capitalist countries, they pursue their nefarious work unhindered, living a life of pleasure, and seizing all in their clutches, without their deeds being considered a capital crime. On the contrary, some of them are even thanked or decorated for what they do.

"Take for instance the stock exchange crises in New York, London and elsewhere. Most people blame the Jews for profiteering on the stock markets to their own advantage, but all the same nobody takes them to task. In a city like New York nobody can settle accounts with them.

"Yet if the powers that be who yield to Zionist domination because their economies are in its clutches shut their eyes to crimes like these for the while, will the peoples who are lorded over by these Jewish exploiters be able to keep silent forever?

"We do not think so—nor do we doubt that they will square their accounts with the Jews, one day in the not too distant future. This accounting will be cruel and terrible; it will take reckoning of the sinister Jewish domination over the economy of the free world."

THE EXPORT OF POISON

Much of the blatant defamation of Jews produced by the authorized Arab propagandists—that which is paranoid or patently nonsensical—is obviously intended chiefly for internal consumption. For only under a system of rigid press censorship which controls the public's level of awareness could the distortions in the Arab version of the Kennedy assassination, for example, be peddled seriously. But the growing hate campaign has had international elements as well.

So malevolent has been the anti-Semitism of Arab pamphlets published in Germany that the central board of the Jewish community at Dusseldorf pleaded with the Bonn government, on January 11, 1964, to take steps to limit their spread, considering the danger of the possible incitement of resurgent Nazi groups to violence.

In Argentina, there are a number of anti-Semitic groups, many of them Nazi in flavor and beliefs. According to a leading Argentine daily newspaper, El Siglo, an agent of the Arab League named Hussein Triki has been working closely with some of these groups and financing their activities—particularly a banned fascistic organization known as Tacuara. According to the Buenos Aires weekly, Primera Plana, the police have known of Tacuara expenses being covered by Triki. (Triki, a former representative of Algeria's FLN who was known for his openly pro-Nazi sympathies during World War II, publishes an anti-Jewish newspaper, Nacion Arabe, and has fostered widespread distribution of the "Protocols of the Learned Elders of Zion.")

ARAB BLASTS IN UNITED STATES

In the Arab States, Arab propaganda is issued regularly from several special offices. A press release dated March 5, 1965, issued by the Palestine Arab Delegation in New York, was quite in keeping with the official anti-Jewish propaganda abroad—charging that Zionists had started the Second World War in Europe in 1939 and had later "capitalized on the alleged destruction by Germany of 6 million Jews." The release added:

"It is appropriate to point out that according to statistics published by European governments, it is estimated that more than 45 million gentiles lost their lives in the Second World War and yet no one hears about them, no one is capitalizing on their deaths, erecting monuments in their memory, or cashing in through blackmail on their misfortune."

Deliberately or not, the authors had confused the hapless victims of war with those of programed murder. But such confusion fits the divisive purpose apparent in today's Arab propaganda throughout several continents.

In "Who Benefits From Anti-Semitism," the New York Arab Information Center's pamphlet, Author Hadawi quotes proudly from a book by Dov Joseph, who had been military governor of the Israel part of Jerusalem, in order to bolster claims that such propaganda was merely anti-Israel, and purely political in nature. "I have never found among Moslems * * *" the author had written, "any trace of feeling against Jews comparable to anti-Semitism."

If this is so, then the flood of anti-Jewish hate sampled in these pages becomes all the more damning of its perpetrators—all the more tragic to the hopes for ultimate understanding between peoples—for the responsibility then must fall almost entirely upon the officials of the Arab governments themselves.

One such official, King Hussein of Jordan, declared in a speech in Washington, D.C., on April 15, 1964: "It is clearly in the best interest of the adherents of the Jewish faith wherever they live to make a deep, soul-searching, and, perhaps, an agonizing reappraisal of their attitude toward this whole program of Zionism. For if they could only do that they would be able to make a far-reaching contribution toward solving a tragedy which threatens to engulf them and others in a senseless and ruthless calamity."

The threat—against "adherents of the Jewish faith wherever they live"—was, like all threats of its kind, only thinly veiled.

May 17, 1965: Bjorn Lundahl, leader of a group of Swedish Nazis, at whose headquarters police discovered a cache of weapons and a list of Swedish Jewish leaders marked for assassination, was charged with high treason. Lundahl had held at least 30 conferences with the former First Secretary of the Egyptian Embassy in Stockholm.

April 24, 1965: Radio Cairo, commenting on the "necessity of the destruction of Israel and the disappearance of Jewish people from the face of Arab soil," declared: "We find ourselves facing human groups whose nature prevents them from coexistence with other peoples * * *. These groups plan aggression of, and domination over, other peoples."

April 16, 1965: Mahmound Riad, Foreign Minister of the United Arab Republic, in an interview with the "Deutsche National Zeitung and Soldatenzeitung," extreme rightist German weekly, said: "Most nations are not interested in these (Nazi crime) trials and (wish) that these nuisances be stopped. This self-flagellation does not bring honor to Germany. Often, it seems to me as though the Germans were begging to be slapped. What is referred to in Germany as pressure of world public opinion is in reality the pressure of a tiny minority."

April 15, 1965: Hilmi Salem, writing in Al Gemhouria, attacks President Bourguiba for being the first Arab ruler to have nominated a Jew, Andre Baruch, a relative of the famous millionaire, Bernard Baruch, as a member of his cabinet.

March 5, 1965: The Palestine Arab Delegation in New York issued a press release entitled "Germany, the Arabs and the International Zionist Manipulators" stating: "No German leader with any self-respect whatsoever would take such a position (arms deliveries to Israel) knowing as he does about the sinister role played by the international Zionist manipulators to crush Germany in two World Wars. What would it matter to them if millions of gentile lives were sacrificed?"

January 2, 1965: A cartoon in the daily Akhbar al-Yom shows Golda Meir kissing the hand of the Pope and saying: "Thank you for the resolution declaring that the Jews did not hang the Messiah. But next year we will demand a resolution be adopted declaring that it is the Arabs who hanged the Messiah."

January 1965: The United Arab Republic distributed through its Information Department in Cairo and its Embassy in Washington, D.C., copies of a pamphlet entitled "Israel, The Enemy of Africa," replete with quotations from the "Protocols of The Elders of Zion."

November 26, 1964: A radio Baghdad commentator deplores the alleged invasion of the Vatican by Jews who succeeded in "forcing a few Christian clergymen to publish a document which distorts the contents of the New Testament * * *. This way the Jews are murdering Christ and His mission once again."

November 24, 1964: Al Manar, a Jordanian daily carried a cartoon showing a malevolent caricature of a Jew, wearing a Star of David on his chest and surrounded with coins and bags of money. The caption read: "In connection with antipoverty program—the hungry one who is never satisfied."

November 23, 1964: Al-Manar (Jordan) publishes a cable sent to the Pope by the Christian members of the National Council of Jordan. It "strongly deplores the resolution of the Ecumenical Council which acquits the Jews from the murder of Our Lord the Messiah."

November 22, 1964: The Daily Star (Beirut, Lebanon) quotes Jordan's Foreign Minister Kadri Toukan as predicting that the ecumenical declaration would pave the way for "Zionism and Israel to continue their misguided policy. History testifies to Jewish intentions of destroying Christ and Christianity."

November 21, 1964: Over Radio Amman, Kadri Konkan, Foreign Minister of Jordan, commenting on the Ecumenical Council's vindication of the Jewish people, said that the Jews were responsible for the war against Christ and Christianity and that this was proved by history.

November 20, 1964: According to Al-Akhbar, United Arab Republic, Abel-Allah al-Tall published a book under the title, "The Danger of World Jewry for Islam and Christianity."

November 20, 1964: Arabische Korrespondenz, published by the Arab League Office in Bonn, under the heading "The Arabs and the Jewish Scheme," declared that all Arab Ambassadors were to maintain close contact with Vatican authorities "to enlighten them about the political background behind the Jewish scheme."

November 19, 1964: Damascus radio said that while the Jews might have merited mercy before the establishment of Israel or before the Nazis, "Jews certainly do not deserve pity or mercy now, as their hands are still soaked with the blood of Arab Palestinians."

November 16, 1964: El Kuat El Muslaha, journal of the United Arab Republic Armed Forces, carries an article by Mustafa El-Sid entiled "Return to The Black Chamber." It depicts Freemasonry as a Jewish invention and instrument of Jewish international intrigue.

October 1964: Number 5 of "Publications of the League of Arab States—Cairo," German edition, is devoted to the subject "Israel Persecutes German Scientists." On page 3 appears the following comment: "The Federation of German Labor Unions * * * has concerned itself strongly with German foreign policy in the Arabian part of the world. Whether this is really in the interests of German workers * * * or whether this is the work of the Jews who operate in Germany for Israel, cannot be judged easily." (This is an insinuation that Ludwig Rosenberg (Jewish), head of the German Federation of Labor Unions, is an Israeli agent.)

October 28, 1964: Arabische Korrespondenz contains a strong statement against any changes of the Holy Scriptures by the Ecumenical Council and ends as follows: "It is in the interest of the faith to look for the cause of anti-Semitism in men themselves, not in the Holy Scriptures."

October 19, 1964: The Arab Observer published in English by the United Arab Republic's general organization of publications in Cairo, carries a 2-page article, entitled "'I Am Content', says Cardinal Bea." It refers to "Zionising Cardinals" as dupes of * * * a power struggle which uses the supposed sufferings of the Jews as one of its principal aids."

October 3, 1964: Arabische Korrespondenz editorially comments: "The (Ecumenical) Council in Rome again occupies itself with Juddismaand Christianity * * *. The question arises whether it is prudent and right to correct history for the sake of Zionism. Would it not be better to examine one's own shortcomings and not seek them in others?"

Summer 1964: The Arab League representative in Argentina, Hussein Triki, traveled through Argentina delivering lectures sharply attacking Judaism and charging that the Jews were planning a "Zionist America."

May 12, 1964: Nacion Arabe, a newspaper published in Buenos Aires by Hussein Triki, contained a front-page anti-Jewish caricature showing a claw bearing the Star of David attempting to seize Argentina.

May 1, 1964: Deutsche Nationalzeitung und Soldatenzeitung published an interview with President Gamal Abdel Nasser of the United Arab Republic quoting Nasser as declaring: "During the Second World War our sympathies were with the Germans * * *. The lie of the 6 million murdered Jews is not taken seriously by anybody."

April 1964: The Scribe—Arab review, published in five languages in Cairo, contained a four-page article entitled "Was Kennedy the Victim of a Zionist-Armed Hand?" insinuating that the late President Kennedy and American statesmen before him, including Lincoln, were murdered by Jews.

April 27, 1964: The Argentine Arab Youth Movement distributed leaflets inviting the public to a "big demonstration in support of the Arab League * * *. Enough of currency evasion and economic criminals that bring misery to our people. Enough of double nationality * * *." At the meeting, slogans such as "Long Live Hitler," "Nasser and Peron," "Jews to the Crematoria" and "Make Soap Out of the Jews" were voiced by participants, many of whom were identified by their uniforms, as well as by their Nazi salute, as members of Tecuara and Guardia Restauradora Nacionalista, neo-Nazi groups.

April 15, 1964: King Hussein of Jordan, in a speech in Washington, D.C., made veiled threats against "adherents of the Jewish faith wherever they live." He intimated that unless they abandoned Zionism they would be engulfed "in a senseless and ruthless calamity."

March 9, 1964: El Siglio, leading Argentine daily, denounced Arab League agent Hussein Triki charging that he was collaborating with anti-Semitic and nationalist groups.

February 24, 1964: The so-called Grand Mufti of Palestine, Mohammad Amin El Husseini, chairman of the Arab Higher Committee for Palestine, in a memorandum submitted to Pope Paul VI stated: "The Zionist movement * * * is based on the Talmudic principles which consider non-Jews as Goyim with no human rights and with whom Jews cannot live or associate."

February 1964: The newspaper Al Nahar (Beirut, Lebanon), assailing President Johnson, referred to him as "Johnson the Jew."

January 28, 1964: At an Arab League session in Cairo, the Egyptian representative proposed to renew distribution of the "Protocols of the Elders of Zion" in the countries of Asia and Africa.

January 21, 1964: At Dusseldorf, Germany, Dr. Hendrik Van Dam, Secretary General of the Central Council of Jews in Germany, appealed to the Government of the German Federal Republic to take steps against the spread of anti-Semitic pamphlets published by Arab propagandists.

January 8, 1964: Al Anwar of Beirut shows a caricature of a Jew labeled "Cohen" about to collapse, supported on each side by Britain and the United States. The three figures are encircled by cannons with inscriptions of the names of Arab League countries. The caption puts the question in Cohen's mouth: "What? You are leaving me?"

January 8, 1964: Broadcast over Radio Amman referred to the Jews "hostility toward the other cosmic religions, and Christianity in particular. Thus is the truth revealed, and with it the shame of the enemies of God, and of Islam and Christianity. Thus do the Jews prove their responsibility for the infamies of their forebears, and for the crucifixion and humiliation of Christ 19 generations ago."

January 1, 1964: Ad-Difa'a Jerusalem (Jordan) daily, carried a column by Yusef Hanna stating: "The reader would do well to know that Johnson is said to be infatuated with the Jews as Truman was, and that

Mrs. Johnson is said to back Mrs. Roosevelt in her outbursts and Zionist outbursts and Zionist leanings. Mrs. Johnson's daughter is engaged to a young Jew by the name of Rosenberg, who works as a real estate broker in New York."

December 20, 1963: Al-Musawar, Cairo daily, carried a column Pictures Behind the News by Saleh Joda containing the following comments: "The great German people which tasted disaster and destruction at the hands of Jewish arms-dealers and bloodsuckers, can trust them no more * * * There are still a few Jews left in Germany who are trying once again to raise their viper's head and seize control of economic life, business, and politics."

December 14, 1963: Achbar el-Yom, Cairo newspaper, insinuates that the Jews were as much responsible for the murder of former President Kennedy as for the death of Jesus Christ.

December 6, 1963: Al-Musawar Columnist Anis Mansur described Jews as killing Catholics while extracting concessions from the Catholic Church.

December 4, 1963: Columnist Sa'id Nu'mat Ulla writing in Acher Sa'a (Cairo), declared that Jewish gangs were responsible for President Kennedy's assassination.

November 28, 1963: Cairo daily Al-Gomhouria featured a cartoon showing a hangman holding a torch to enable Ben-Gurion to write on a wall, while Uncle Sam stands by indifferent. The wall bears the names: Bernadette, Lord Meyne, Deir Yassin, Lincoln, Lumumba, Hammerskjold, and names of German scientists. Ben-Gurion has just added the name of President Kennedy. The caption reads: "The Page of Precedents."

November 28, 1963: The Beirut Lebanon newspaper Al-Hayyat published a letter to the editor from a supporter of the Grand Mufti, bearing the title, "World Jewry Behind Kennedy's Assassination."

November 27, 1963: The daily column "Al-Jihad Dialog" in the Jordanian publication, Al-Jihad, reiterates typical anti-Semitic charges of alleged Jewish responsibility for mankind's misfortunes, from the Communist revolution to President Kennedy's assassination.

November 27, 1963: Al Gombouria comments: "The killer Jack Leon Rubinstein—Jew and Zionist—is not just a symbol of criminal Zionist domination over public life in the United States * * *. He personifies the subjection of respectable American citizen to machinations of the criminal Zionist gangs * * *. To date the Jews have founded over 70 hospitals, for the use of their own race * * *. Special Jewish institutions * * * for their own advantage * * * for their own patients in the United States."

November 26, 1963: Alakhbar, Cairo paper, commented: "To say this Jew killed Kennedy's killer to defend the reputation of Dallas and Texas, which has been soiled, is pure and utter nonsense * * *. Those who know our Jewish friends well know that they don't get excited or involved unless personal or material interest is involved * * *. All this goes to prove it was a well-planned action to hide the motives of Kennedy's assassination. The removal of details of the crime was to the interest of some gang * * *." The paper went on to say that "when this Jewish killer goes on trial, Zionist elements will try to influence the jury."

November 26, 1963: Falastin, Jerusalem (Jordan) daily, headlines a report about events in Dallas, "Spot the Jew."

November 26, 1963: Al-Jihad's column "Al-Jihad Dialog" stated: "The man who killed Kennedy's assassin was a Jew * * *. The question is, what were these vital interests which the Jew who killed Kennedy's assassin was trying to cover up * * *. The role of this Jewish killer * * * moves people to ask whether world Jewry has any interest in this crime, and whether subsequently, for fear of punishment it got rid of the assassin lest he should disclose vital secrets? How many crimes has world Jewry already committed in history, to attain its ends and further its own interests?"

November 25, 1963: Al Gombouria, in a column by Nasser ed-Din An-Nashashibi, referred to Lee Oswald's murderer as "Jack Rubinstein * * * a Jew, of course."

August 8, 1963: The column "A New Phenomenon" by "Wayfarer" in Al-Jihad deals with the reasons for the world's hatred of the Jew.

July 17, 1963: A column entitled "Jewish Scandals" published in Falastin traced corruption in England to Jews.

July 13, 1963: Falastin headlines a Reuters dispatch from Moscow about alleged profiteering in the sale of Matzeh: "Jewish Crimes in Russia."

December 4, 1962: In an address at the United Nations, Hussein Zulficar Sabry, United Arab Republic Deputy Foreign Minister, said: "I am more Semitic than all the Greens, Zlotnicks, Shkolniks, or Shimonovitches put together—those East Europeans born and reared in the 19th century in Piensk, Poltava, Kiev, Bobrinsk, or whatever it was * * * and they found it expedient to take on Hebraic aliases to make the world believe that they are of Hebrew origin."

November 30, 1962: Ahmad Shukairy, Saudia Arabia's envoy to the United Nations, in an address at the U.N., stated: "Recently in Argentina * * * a national movement under the name of Tacuara has started, for which a gentinal should be saluted. Tacuara has proclaimed a crusade against Zionism. The extermination of Zionism is a master key to the solution of the Palestinian refugees. We hope that Tacuara would spread in Latin America and we propose that Tacuara be adopted by the United Nations."

November 22, 1962: An article in Falastin headed "The Sinister Grasp" by H. Ibrahim Sakjaha repeats the canard that Jews control economic life everywhere in the world, but are being punished for their crimes in Soviet Russia.

June 11, 1962: According to the Ruz al-Yusuf (Cairo), Deputy Foreign Minister of the United Arab Republic Hussein Dhu al-Figar, commenting on the Eichmann trial, denied the fact that 6 million Jews were killed by the Nazis. He declared: "There are documents confirming the existence of Jewish gangs in Germany whose task it was to kill Jews in order to create sympathy for the Jews and Ben Gurion himself was the leader of one of these gangs."

February 1962: The weekly "Al Amghreb Al Arabi," published in Rabat, Morocco by the Popular Movernment, serialized "The Protocols of The Elders of Zion."

December 6, 1961: Ahmad Shukairy concluded a speech at the United Nations by denying there was anti-Semitism in the world but that anti-Semitism was being used as a propaganda "tool" to serve the interests of Zionists, who had "created anti-Semitism in order to justify their demands."

December 5, 1961: Ahmad Shukairy challenging the objectivity of Dr. Joseph E. Johnson, United Nations refugee aid, because he is a U.S. citizen and the U.S. is "in Zionist captivity," demanded that the United States must be "freed, emancipated and liberated from Zionism" before its statesmen can be trusted.

October 1961: The Palestine Arab Delegation sent to all U.N. delegations a formal statement of the Grand Mufti of Jerusalem declaring: "The enmity of Nazis to Jews * * * was based on well-documented research and studies" which showed that the Jews were "a strong factor" in bringing about the defeat of Germany in World War I and dominated the "political, economic, and professional life of Germany."

August 1, 1961: "The Crescent and the Cross," newsletter of the Palestine Arab Delegation, adopted the anti-Semitic canard of the Khazar origin of present-day Jews. It charged that the use of the term "Israel" by Jews was an abomination because only followers of Jesus Christ can be considered "fellow citizens" in the commonwealth of Israel. It added that Zionism was determined to eradicate Christianity and that this "Zionist fanaticism" stems from the Talmud.

Summer 1961: "The Crescent and the Cross" charged that the Jews were responsible for "railroading the United States into World War I * * *" and for contributing "in large measure toward unleashing World War II."

June 6, 1961: In a letter published in the San Francisco Examiner, Mohammed T. Mehdi, then west coast director for the Arab League Information Center, charged "American Jews are Israelis residing in exile and potential Israeli citizens."

April 15, 1961: Il Nahar, of Beirut, Lebanon, published a cartoon depicting Eichmann standing on a heap of skulls with the caption: "Eichmann is being tried for his mistakes. He didn't kill them all."

March 25, 1961: In an address before the American Friends of the Middle East, Sami Hadawi, then charge of the Southern Office (United States) of the Arab Information Center, asked: "Is it in the interest of the United States to allow a minority group to influence its policy, and is it in their interest of the United States to allow tax-free dollars to be used for harmful things to American policies?"

January 20, 1961: Al-Ahram reports: "The Information Department of the United Arab Republic has been able to obtain copies of the protocols of the elders of Zion, of the Talmud and other books * * * The department is now engaged in translating these books into Arabic, French, and English in order to distribute them in African countries * * * The Talmud says that whoever kills a non-Jew will be admitted to Paradise. The Talmud also permits the stealing of gentile property and attacks upon the honor of non-Jewish women."

December 1960: Al Gomhouria announced that one of the last few copies of the Nazi film, "The Windering Jew," had been obtained by the Egyptian Government and would be shown on television in the United Arab Republic. The paper then stated: "All the other copies were seized and destroyed by the Allies, but we succeeded to get a rare copy so that our people will have the privilege of seeing it."

November 25, 1960: Al-Abram (United Arab Republic) carries an article by Salah Darsuki which tries to prove the validity of the "protocols of the elders of zion." The author's crown witness is Sergei Nilus, notorious anti-Semitic forger under the czarist system. Darsuki reiterates the old-Semitic canards that Wall Street, the French, and British economies are dominated by the Jews.

August 29, 1960: In an address before a convention of the Organization of Arab Students in the United States, Mostafa Kamal, United Arab Republic Ambassador, stated: "Zionists in this country organize the Jewish minority in a bloc, powerful, rich, influential, fanatically self-interested and permanently inflamed against the Arabs, against any understanding between the Arabs and the Americans."

June–July 1960: The Jordanian paper Al-Sha'b contains an article by Yuruf Hannah which reads in part: "Genocide and war crimes were invented by the Jews and perfected by the Zionists. The Torah is full of genocide propaganda and blood-thirsty teachings, and the entire Jewish religion is based on hatred, revenge, racial discrimination, intolerance, racial persecution, aggression, murder, looting, and raping."

The Jordanian newspaper Falastin published an article by Yehya Hawwash which contains the following sentence: "Compared to the Jewish gangsters, Hitler and the Nazis were pure saints."

June 23, 1960: Radio Baghdad commented: "Eichmann is a Nazi German Jew who killed Jews—many at that—during the Hitler era."

June 13, 1960: Radio Cairo: "The aim of the kidnapping of Eichmann is to extort money from world Jewry."

June 12, 1960: Radio Damascus: "The Israel propaganda machine in again grinding out the old legend about the millions of Jews who are supposed to have been exterminated by Eichmann. * * * This absurd legend is devoid of all basis in fact, and nobody believes it * * * not more than 150,000 Jews were killed throughout Europe during the Nazi regime."

June 11, 1960: A Radio Cairo commentator declared: "Here is Eichmann who is going to be the victim of world Jewry. Our sympathies are with him, not because he was realistic about the dangers of world Jewry, but also because he will see how injustice is practiced in a country based on injustice and lawlessness."

June 9, 1960: Al-Anwar of Beirut publishes a cartoon with the following message: "Ben Gurion: 'You deserve the death penalty, because you killed 6 million Jews.' Eichmann: 'There are many who say I deserve the death penalty because I didn't manage to kill the rest.' "

June 9, 1960: Falastin, Jordan daily, made this comment: "The Jewish race goes into hiding after every war, like the snake that strikes and then takes cover * * * May the wheel of history turn so that the leaders of Jewry will stand trial for the war crimes they perpetrated against all of humanity."

June 2, 1960: Al-Hayat, Beirut daily, publishes an article by Yunis Bahri, who broadcast in Arabic from Berlin in Hitler's time. Bahri wrote:

"It appears that the Jews, having failed to attain the ends they set for themselves in the Germany of today, looked for some weak and miserable prey such as the fugitive figure of Adolf Eichmann, in order to try him for the crimes of the Hitlerite Nazi regime which, according to their claims, destroyed 6 million Jews * * * The Jewish fabricated stories about the desecrations of their synagogues * * * This campaign, too, ended in failure, but the Jews did not retreat, for after all trickery is their trade."

May 31, 1960: The Saudi Arabian paper Al-Bilad carries an article on the arrest of Eichmann under the headline: "The Arrest of Eichmann Who Had the Honor of Killing 5 Million Jews."

May 26, 1960: Ash-Shaab, Jordan daily, contains the following comment: "Chief Rabbi Niesim's statement on the Eichmann case is a true interpretation of the teachings of the Torah, which are based on the incitement to hatred, revenge, racial discrimination, aggression, murder, looting and other virtues practiced by the heroes of the Bible."

May 7, 1960: Abdul Gamal Nasser, in a statement on financial dealings, referred to "the methods of Cohen."

EXHIBIT 2

U.S. FOOD AID DISPARAGED BY EGYPTIANS—RADIO STATIONS BELITTLE JOHNSON ACTION BUT LAUD RUSS HELP

(By Paul W. Ward)

WASHINGTON, July 2.—President Johnson's June 21 decision to ship another $37 million worth of American foodstuffs to Egypt is getting an unrewarding reaction from President Gamal Abdel Nasser's regime there.

Government-controlled radio stations, on which the regime depends for indoctrination of an electorate that is 70 percent illiterate, are belittling President Johnson's action but simultaneously praising Premier Alexei N. Kosygin of the Soviet Union for having taken similar action 3 days later.

Recordings of the Arab broadcasts that became available in translation here today also contain quotations from Cairo's government-controlled newspapers that show Nasser's press organs being as pro-Soviet and anti-American as his broadcasters in this matter.

STOCKS NEARLY DEPLETED

They show, in addition, that Egypt was within 3 weeks of exhausting its grain stocks when the State Department announced here on June 22 that President Johnson had decided the previous day to resume aid shipments to Nasser's regime.

The decision entailed arrangements to ship 260,000 tons, or $22,400,000 worth of wheat plus $8,900,000 worth of tobacco, $5,600,000 worth of vegetable oils, and $100,000 worth of dried milk to Egypt in completion of contracts made in October 1962, to supply that country with $431,800,000 worth of American farm products at bargain prices repayable in currency spendable only in Egypt.

Three days later Nasser got a note from Kosygin promising an additional 300,000 tons of wheat for Egypt on terms that he left subject to negotiation but vowed would be kept within the means of an Egyptian regime that, according to Israeli publications, had just tried to contract for annual shipments of 1 million tons of wheat from Argentina over the next 5 years but could not meet Argentine credit requirements.

DESPERATE NEED

Egypt's desperate need of grain was also pointed up in Cairo broadcasts about Kosygin's offer. They stressed that it entailed immediate diversion to Egypt of Australian and Canadian wheat in Soviet ships that had been bound for the Soviet Union.

The first of those Soviet ships, northbound, reached the Suez Canal last Saturday. The second, bearing another 11,500 tons of Australian wheat, reached Alexandria Tuesday, and a third, carrying 9,500 tons, is due there Sunday.

Nasser's radio stations, which had forecast President Johnson's decision weeks in advance, treating it as something Arab pressures were certain to extract from the White House, began contrasting Moscow's action with Washington's as soon as Kosygin's note was received.

They have, moreover, used each Soviet grain ship's arrival as excuse for elaborating on their pro-Soviet and anti-American theme and for blasting at "pro-Zionist American Congressmen clamoring for stopping the export of wheat and foodstuffs to Egypt so that its sons may starve and succumb to American policy."

FAVORABLE TERMS

"We do not get wheat from the United States as charity or aid, as its trumpets make out," they add, "but buy it at the full price which, indeed, includes profit. There were favorable payment terms because the wheat, flour, or other supplies were surplus in the United States."

The contrastingly pro-Soviet note is struck in Cairo broadcasts saying Kosygin's promise was accompanied by "a profound diplomatic remark; namely, that the Soviet Union fully appreciates the policy of nonalinement espoused by Nasser.

"The first (Soviet) consignment of wheat reached us," they add, "while discussions were taking place (at Cairo) between President Nasser and Chou En-lai, Premier of the Chinese People's Republic which is contesting the Soviet Government on vital ideological subjects.

"Despite this, neither the Peiping Government nor the Moscow Government sees any strangeness in the supply of Soviet wheat to the United Arab Republic.

GREAT LESSON SEEN

"This is because each behaves within the realm of peaceful coexistence among liberated peoples. This is a great lesson for the U.S. Senators who have often pressed their Government to break the wheat agreement with us.

"We have been able to prove through material evidence that the land of God which produces wheat is wide. We have concluded deals to purchase wheat from Mexico. There are other wheat deals being concluded. These deals will meet our requirements until we produce our own wheat in 2 years' time.

"After 2 years it will be our right to tell those who helped us 'thank you' and those who were hostile to us 'what did you gain by being hostile to us, other than failure?' "

Nasser's radios, which also have been blaming the United States this week for all the United Nations' shortcomings as a peacekeeping organization and simultaneously denouncing both Britain and the United States for their actions in the Vietnam crisis, have just broadcast, in addition, some details about Egypt's present grain stocks and future prospects.

These broadcasts are based on an announcement made at Cairo last Sunday by Deputy Premier Kamal Ramzi Istinu, who said Egypt has managed to "overcome the difficulty of meeting its requirements in wheat, corn, and flour" for the next 10 months.

It had entered last Saturday, he added, into a contract with Mexican authorities for 400,000 tons of wheat and 100,000 tons of corn to be supplied it on an 18-month credit basis.

Egypt, which currently has to import 1,500,000 tons of wheat a year, also has contracted, he said, to buy 55,000 tons from Australia plus 30,000 tons from the United States exclusive of the additional 260,000 tons due it under President Johnson's June 21 decision.

Added to the 300,000 tons promised by Moscow, these figures reach an aggregate of 1,045,000 tons of wheat, or enough, he said, to last 10 months in Egypt, which normally consumes 125,000 a month.

OTHER FIGURES

It has also contracted, he added, to buy 380,000 tons of flour from France, Italy, and Spain and this, added to its stock of 80,000 tons, will cover Egypt's flour needs for 8 months.

He did not project any imports of corn beyond the 100,000 tons from Mexico, saying, instead, that Egypt's Ministry of Agriculture is increasing acreage that will yield a corn crop in September of 1 million feddans (1,470,000 acres).

The United States has been shipping about about 2 million tons of wheat annually to Egypt as part of economic aid allotments to that country which by June 30 last year had reached an aggregate of $943,100 and topped $1 billion at the end on Wednesday of fiscal 1965.

MILITARY AID ALSO

But Soviet economic aid commitments, totaling $1,011,300,000, according to State Department data, have been supplemented by military aid commitments in excess of $1 billion. Some of the latter are, however, not directly attributable to Moscow, being shared by other Soviet bloc members such as Czechoslovakia, East Germany, Hungary, Poland, and Rumania.

According to State Department data, Moscow's foreign aid commitments were trippled during 1964 and a third of the total went to Egypt which got, in consequence, $457,300,000 in credits from the Soviet Union. Communist Chinese credits to Egypt amount, on the other hand, to only $84,700,000 to date, including $80 million granted last year.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent that this brief statement may appear in connection with the statement made by the Senator from Connecticut [Mr. DODD] on President Nasser's anti-Jewish propaganda.

Mr. President, I believe that the Senator from Connecticut has rendered the country a distinguished service in disclosing the facts of what appeasement of President Nasser has come to mean to the United States. I have been trying to disclose these same facts constantly.

The Senator from Connecticut has given enormous aid to efforts to show how misguided the United States has often been in Near East policy, especially with respect to the recent release of wheat to President Nasser's regime.

I hope very much that every Senator will read the remarks of the Senator from Connecticut, as we shall be trying to implement by legislation these policy recommendations.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

AMENDMENT NO. 330

Mr. CURTIS. Mr. President, I call up my amendment No. 330.

The PRESIDING OFFICER. The clerk will read the amendment offered by the Senator from Nebraska.

Mr. CURTIS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with, and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 330) offered by Mr. CURTIS, is as follows:

On page 126, line 13, strike out "programs" and all that follows, and insert in lieu thereof "programs."

On page 123, between lines 13 and 14, insert the following:

"ALTERNATE VARIABLE DEDUCTIBLES UNDER PARTS A AND B RELATED TO INCOME TAX LIABILITY

"SEC. 1876. (a) Except as is provided in subsection (c)(1), the inpatient hospital deductible applicable to an individual under part A with respect to inpatient hospital services furnished to him during any spell of illness shall, if his income tax liability exceeds the amount of such deductible as determined under section 1813, be, in lieu of such amount, an amount equal to his income tax liability, or the amount of the customary charges imposed for the inpatient hospital services furnished him, whichever is the lesser.

"(b) Except as is provided in subsection (c)(2), the deductible applicable to an individual under part B with respect to services provided him thereunder during any calendar year shall, if his income tax liability exceeds $50, be, in lieu of $50 an amount equal to his income tax liability, or the amount of the customary charges imposed for such services, whichever is the lesser.

"(c)(1) The inpatient hospital deductible applicable to any individual—

"(A) who, during any calendar year, has received inpatient hospital services with respect to which the inpatient hospital deductible is subject to increase by reason of the provisions of subsection (a), and

"(B) who, during such calendar year, has received medical or other health care with respect to which the deductible applicable to him under part B has been increased by reason of the provisions of subsection (b),

shall, in lieu of the amount determined under subsection (a), be (i) the amount determined under subsection (a) minus the amount by which his deductible under part B was increased (by reason of the provisions of subsection (b)) over $50, or (ii) the amount determined under section 1813, whichever is the greater.

"(2) The part B deductible applicable to any individual—

"(A) who, during any calendar year, has received medical or other health care with respect to which the $50 applicable thereto is subject to increase by reason of the provisions of subsection (b), and

"(B) who, during such calendar year, has received inpatient hospital services with respect to which the inpatient hospital deductible has been increased by reason of subsection (a),

shall, in lieu of the amount determined under subsection (b), be (i) the amount determined under subsection (b) minus the amount by which his inpatient hospital deductible under part A was increased (by reason of the provisions of subsection (a)) over the amount determined under section 1813, or (ii) the amount determined under part B (without regard to this section), whichever is the greater.

"(d) For purposes of this section, the term 'income tax liability' means, when applied to any individual, the amount of the tax imposed on such individual for the taxable year under chapter 1 of the Internal Revenue Code of 1954, reduced by the sum of the credits allowable under part IV of subchapter A of such chapter (other than the credit allowable under section 31 of such Code).

"(e) For purposes of subsections (a) and (b), an individual's income tax liability shall be determined on the basis of his last taxable year which ends prior to the date he commenced to receive the services with respect to which the deductible under subsection (a), or (b), as the case may be, is being determined.

"(f) In the case of any individual who is married and files a joint income tax return with his spouse, the income tax liability of such individual shall be deemed to be one-half of the joint income tax liability of such individual and his spouse."

Mr. CURTIS. Mr. President, I advise Members of the Senate that I expect to ask for a rollcall on this amendment.

Mr. President, I ask for the yeas and nays now.

The yeas and nays were ordered.

Mr. CASE. Mr. President, will the Senator yield briefly?

Mr. CURTIS. Mr. President, I ask unanimous consent that I may yield to the Senator from New Jersey without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE. Mr. President, I call up my amendment, which is at the desk, and ask that it be stated.

Mr. LONG of Louisiana. Mr. President, reserving the right to object—and I shall not object—I hope the amendment can be agreed to. We have discussed the amendment. It is not controversial. If we can dispose of it now, without the Senator from Nebraska losing his right to the floor——

Mr. CASE. Mr. President, I ask unanimous consent that my amendment may be considered without the Senator from Nebraska losing the floor.

The PRESIDING OFFICER. Is there objection to the request that the amendment of the Senator from Nebraska may be set aside temporarily so that the Senate may proceed to the consideration of the amendment of the Senator from New Jersey [Mr. CASE]?

Mr. LONG of Louisiana. Without the Senator from Nebraska losing his right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment offered by the Senator from New Jersey will be stated.

The legislative clerk proceeded to read the amendment.

Mr. CASE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with and that it be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. CASE is as follows:

On page 141, line 20, insert after "(a)" the following: "As soon as practicable after enactment of this section, the Secretary shall appoint an Advisory Council on Social Security for the purposes set forth in subsection (e)."

On page 143, line 8, after "Council" insert the following: "(other than the Council appointed under the first sentence of subsection (a))".

On page 144, strike out line 5 and insert in lieu thereof: "exist.

"(e) The Council appointed under the first sentence of subsection (a) shall make a comprehensive study of nursing home and other extended care facilities in relation to extended care services under the insurance program under part A of title XVIII, including the availability of such facilities and the types and quality of care provided in such facilities, and shall report its findings and make recommendations based thereon with a view to action necessary to make maximum use of such services and facilities to provide high quality care in extended care facilities under such program. Such Council shall make its report to the Secretary not later than one year after the date of the enactment of this section, which report shall thereupon be transmitted to the Congress, and thereafter such Council shall cease to exist."

Mr. CASE. Mr. President, I have discussed the amendment with the leaders and managers of the bill on both sides. I understand that the amendment is acceptable.

My amendment would establish immediately the Advisory Council on Social Security in order to conduct a comprehensive study of the nursing home field as it relates to the provision of posthospital extended care under the hospital insurance section of the pending bill.

Put simply, the purpose of this study is to tell us how the nursing home can be most effectively used in doing the job we expect it to do under the bill.

As the Senate bill now stands, it would provide for up to 100 days of nursing home care in each spell of illness. The intent of this is to provide curative and rehabilitative care rather than custodial care. A qualifying facility would be required, among other things, to have a transfer agreement with a hospital. The transfer agreement is designed to remove any barriers to admission of the patient to a nursing home as well as to provide that his medical records will follow him from a hospital. In effect, this transfer agreement establishes a new relationship between hospitals and nursing homes, not as close as the requirement in previous bills that nursing homes be affiliated with hospitals.

The nursing home provision of the bill does not take effect until January 1, 1967.

This means that we have an 18-month period in which to make certain that the promise of nursing home care envisioned by the bill is not a hollow one, that adequate space will be made available to patients and that the care provided is of the highest quality.

At present, according to the best information I have been able to get, there are approximately 23,000 nursing homes of all varieties in the United States. These include approximately 9,700 "skilled care" homes which provide a loose combination of convalescent and custodial care. The remainder generally are of a variety that ranges from boarding houses to well-equipped homes for custodial care.

I think it is significant that of these 9,700 "skilled care" nursing homes, according to a Public Health Service survey, only about 50 percent employ a full-time registered nurse on the staff. In this connection, I would like to point out the shortage of both registered and practical nurses which now exists. What will be the impact of this shortage on the nursing home program in view of the fact that all homes would be required under the bill to employ at least one registered nurse full time?

Another point to be considered is that along with the new relationship established between hospitals and nursing homes, accreditation of nursing homes is largely in its infancy. Several groups have been trying to get broad programs of accreditation started in both the proprietary and nonprofit fields. An effective system of accreditation is an essential element in assuring adequate care. Under the bill, the determination of the system of accreditation is given to the Secretary of Health, Education, and Welfare.

These are some of the reasons—plus the basic lack of information in this whole field—why I have introduced this amendment to provide for a comprehensive study of the field to determine both its strengths and weaknesses, and to make recommendations to the Congress as well as the Secretary of Health, Education, and Welfare.

In effect, my amendment would advance the appointment of the Advisory Council on Social Security in order to deal immediately with the problem of nursing home care. The first Council would be established as soon as is practical after enactment of the legislation. It would be required to report to Congress a year following enactment.

The Advisory Council is, I believe, the most appropriate body to do this job. Responsibility for this study would be consistent with the recognition by the last council that "advisory councils review the substantive provisions of the program as well as its financing." The House Ways and Means Committee and the Senate Finance Committee have already responded to that recommendation by directing that the next Council report on all aspects of the program—including the new hospital insurance and supplementary medical insurance programs established under the bill—and on their impact on the public assistance programs.

Mr. President, I should like to make it clear that I fully support the proposed program of extended care provided in the bill. This would be a most timely and beneficial program. But by the same token I want to avoid situations where our people are placed in substandard nursing homes and exposed to the danger of inadequate care, fire, deplorable living conditions, and the atmosphere of hopelessness they breed. By making careful preparations now, we can overcome these problems before, rather than after, the program goes into operation. The study I propose is designed to get the program started on the right foot.

Mr. LONG of Louisiana. Mr. President, this is the amendment which requires the committee to make a study and early report on the program. Is that correct?

Mr. CASE. Especially the Advisory Council, on the nursing home aspects of the program.

Mr. LONG of Louisiana. Mr. President, the amendment is agreeable.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nebraska [Mr. CURTIS].

Mr. HICKENLOOPER. Mr. President, will the Senator from Nebraska yield to me, for the purpose of asking a question of the Senator from New Mexico, without his losing the floor?

Mr. CURTIS. Mr. President, I yield for that purpose, provided it is understood that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, I would appreciate it if I could ask a question of the Senator from New Mexico [Mr. ANDERSON], who I think has peculiar knowledge of this particular matter, about the application of the bill to the situation in Iowa with respect to medical services of pathology and radiology in connection with our hospitals. So far as I know, ours is the only State in the Union that has legislated on this particular situation, providing a means and method by which radiologists and pathologists will serve patients within a hospital and be recognized by law as medical services.

At this point in the RECORD I ask unanimous consent to have printed the Iowa statutes beginning with number 135B.19 through 135B.30, which specifically set out the legislative arrangements which were made as between hospitals and doctors in Iowa with respect to this matter, in order to clarify the situation.

There being no objection, the statutes were ordered to be printed in the RECORD, as follows:

PATHOLOGY AND RADIOLOGY SERVICES IN HOSPITALS

135B.19—Title of division: This law may be cited as the "Pathology and radiology services in hospitals law." (57GA, ch. 92, sec. 1.)

135B.20—Definitions: Definitions as used in this division:

1. "Hospital" shall mean all hospitals licensed under this chapter.

2. "Doctor" shall mean any person licensed to practice medicine and surgery or osteopathy or osteopathy and surgery in this State.

3. "Technician" shall mean technologist as well.

4. "Joint conference committee" shall mean the joint conference committee as required by the joint commission on accreditation of hospitals or, in a hospital having no such committee, a similar committee, an equal number of which shall be members of the medical staff selected by the staff and an equal number of which shall be selected by the governing board of the hospital.

5. "Employees" as used in section 135B.24, and "employment" as used in section 135B.25, shall include and pertain to members of the religious order operating the hospital even though the relationship of employer and employee does not exist between such members and the hospital. (57GA, ch. 92, sec. 2.)

135B.21—Functions of hospital: The ownership and maintenance of the laboratory and X-ray facilities and the operation of same under this division are proper functions of a hospital. (57GA, ch. 92, sec. 3.)

135B.22—Character of services: Pathology and radiology services performed in hospitals are the product of the joint contribution of hospitals, doctors, and technicians, but these services constitute medical services which must be performed by or under the direction and supervision of a doctor, and no hospital shall have the right, directly or indirectly, to direct, control or interfere with the professional medical acts and duties of the doctor in charge of the pathology or radiology facilities or of the technicians under his supervision. Nothing herein contained shall affect the rights of third parties as a result of negligence in the operation or maintenance of the aforesaid pathology and radiology facilities. (57GA, ch. 92, sec. 4.)

135B.23—Agreement with doctor: Each hospital shall arrange for such services and for the direction and supervision of its pathology or radiology department by entering into either an oral or written agreement with a doctor who is a member of or acceptable to the hospital medical staff. Such doctor may or may not be a specialist. The department may be supervised and directed by a qualified member of the staff and specific services may be referred to a specialist, or the specialist may also direct and supervise the department as may be desired. Any contract so entered into shall be in accordance with the provisions of this division. (57GA, ch. 92, sec. 5.)

135B.24—Employees: Unless the department is leased or unless the hospital and doctor mutually agree otherwise, technicians and other personnel, not including doctors, shall be employees of the hospital, subject to the rules and regulations of the hospital applicable to employees generally, but under the direction and supervision of the doctor in charge of the department as set forth elsewhere in this division. (57GA, ch. 92, sec. 6.)

Referred to in section 135B.20.

135B.25—Hiring and dismissal of technicians: The doctor and hospital shall mutually agree upon the employment of any technicians necessary for the proper operation of said department and no technicians shall be dismissed from said employment without the mutual consent of the parties, provided, however, that in the event the hospital and doctor are unable mutually to agree upon the hiring or discharge or disciplining of any employee of said department, the matter shall be promptly submitted to the joint conference committee for final determination. (57GA, ch. 92, sec. 7.)

Referred to in section 135B.20.

135B.26—Compensation: The contract between the hospital and doctor in charge of the laboratory or X-ray facilities may contain any provision for compensation of each upon which they mutually agree, provided, however, that no contract shall be entered into which in any way creates the relationship of employer and employee between the hospital and the doctor, and a percentage arrangement is not and shall not be construed to be unprofessional conduct on the part of the doctor or in violation of the statutes of this State upon the part of the hospital. (57GA. ch. 92, sec. 8.)

135B.27—Admission agreement: The hospital admission agreement signed by the patient or his legal representative shall contain the following statement:

"Pathology and radiology services are medical services performer or supervised by doctors, and the personnel and facilities are or may be furnished by the hospital for said services. Charges for such services are or may be collected, however, by the hospital on behalf of said doctors pursuant to an agreement between said doctors and the hospital, and from said charges I consent that an agreed sum will be retained by the hospital in accordance with an existing agreement between the doctor and the hospital." (57GA, ch. 92, sec. 9.)

135B.28—Hospital bill: The hospital bill shall properly include the charges for pathology and radiology services as long as the name of the doctor is stated and it fairly appears that the charge is for medical services. The said hospital bill shall also contain a statement substantially in the following form:

"The pathology and radiology charges are for medical services rendered by or under the direction of the doctor listed above and are collected by the hospital on behalf of the doctor, from which charges an agreed sum will be retained by the hospital in accordance with an existing agreement to which retention you consented at the time of your admission to the hospital. (57GA, ch. 92, sec 10.)

135B.29—Fees: All fees to be charged by the doctors for pathology and radiology services shall be mutually agreed upon by the hospital and the doctor. In the event dispute shall arise between the parties the matter shall be submitted to the joint conference committee for final determination. (57GA, ch. 92, sec. 11.)

135B.30—Radiology and pathology fees: Fees for radiology and pathology services must be paid for as medical and not hospital services. In all cases where payment is to be made by a corporation organized pursuant to chapter 514, payment for radiology and pathology services shall be made by a medical service corporation and not by a hospital service corporation. (57GA, ch. 92, sec. 12.)

Mr. HICKENLOOPER. If I may ask the Senator from New Mexico a question and receive his answer, because of his familiarity with the matter because of his work on the bill, I would appreciate it. My question relates to the intents and purposes of the Iowa statutes, to avoid any confusion concerning the administration of this bill in Iowa. I wish to ask the question of the Senator from New Mexico, or some other Senator, if he would care to refer it to another Senator; but since the Senator from New Mexico has seen the Iowa statutes and is familiar with them, I am sure he knows the answer.

I have underlined my question so much that I am having trouble interpreting it.

It has been stated by some that if the physician's services under the pending bill are billed to the hospital, they will be paid up under part A. We are told that it is not the intent of this provision to disrupt existing arrangements.

In view of the Iowa statutes, which I have asked to have printed in the RECORD, and which the Senator from New Mexico is familiar with—and which I understand other members of the committee and staff members are familiar with—would the enactment of H.R. 6675, as amended, and as it now appears, to include the services of pathologists and radiologists as inpatient hospital service honor the intents and purposes of both the Iowa law and the bill now before the Senate if it were enacted into law?

Mr. ANDERSON. Yes. I say to the Senator from Iowa, after examining the statutes, the history of the statutes, having had them examined by people from the Social Security Board, and after consultation with the manager of the bill, I can give him this answer:

Whenever the specialist submits his bill directly to the patient the bill is covered under part B—the supplementary program—and not under part A. If he bills through the hospital, it is paid under part A.

Therefore, the Senate Finance Committee proposal would not disturb the situation in Iowa. It is not inconsistent with the Iowa law. Nor would it require any change in the Iowa law or contracts entered into in pursuance thereof.

I believe the Senator from Iowa can confidently rely on that to be the interpretation of the Social Security Board as to what the act means.

Mr. HICKENLOOPER. I thank the Senator for that statement in answer to my question. I am glad to have it as a part of the legislative history of this bill.

I thank the Senator from Nebraska for for yielding to me.

Mr. CURTIS. Mr. President, the purpose of my amendment No. 330 is for the purpose of withholding the benefits of this measure from individuals well able to pay their medical bills. It does so in a very generous way. Four out of five citizens over 65 years of age will not be affected by my amendment. The upper 20 percent in income will be affected. The purpose of the amendment—and an explanation is set forth in typewritten form on the desk of every Senator at the present time—is to reduce the costs of the hospital insurance portion of the bill under part A, and the supplemental medical benefits portion of the bill under part B, by providing for a variable deduction based on the ability of the beneficiary to pay.

There is in the bill as reported by the committee a deductible for hospital expense under part A which for the present is $40 for any spell of illness. This is found on page 22, line 11, of the bill. Under amendment No. 330, the deductible would be the current deductible of $40 or the previous year's income tax liability, whichever is higher.

H.R. 6675, as currently written, provides for a $50 annual deduction for doctor and surgeon and certain related expenses under Part B. This is found on page 45, line 14. Amendment No. 330 would make this annual deductible under part B $50 or the previous year's income tax liability, whichever is higher.

This amendment is so drawn that if a beneficiary has both hospital and doctor expenses that the increased portion of the deductible provided by this amendment shall be applied only once and not twice.

All individuals over 65 who were not required to pay any income tax in the previous year would be unaffected by this amendment.

That is the lower 80 percent. This is most generous. Four out of five individuals over 65 do not pay any individual income tax. This does not affect them. This relates to those who are able to pay.

Mr. SALTONSTALL. Mr. President, will the Senator from Nebraska yield for a question?

Mr. CURTIS. I am happy to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I believe that there is great merit in the Senator's amendment. I should like to ask him this question: On page 2 of his amendment, line 9, he is talking about an amount equal to the income tax liability that will affect only 20 percent of the people, or the amount of the customary charges imposed for the inpatient hospital services furnished him, whichever is the lesser.

What the Senator is saying is that if a man has an income tax of $1,000, or $2,000, he would not pay his income tax amount but he would pay the hospital charges which would be possibly $50 or $60 a day, or what?

Mr. CURTIS. First, let me say that with the husband and wife provision, the two of them would have $15,000 or thereabouts before they would pay a $1,000 tax. The meaning is this: If he is paying an income tax cf $1,000 and he has an illness that costs $10,000, this program would pay only $9,000 of it. He has a deductible of $1,000. But if he has an illness only once of $500, he would have to pay the whole of it. That is where the "lesser" comes in.

Mr. SALTONSTALL. In other words, it is not the whole of his income tax with which he would be charged?

Mr. CURTIS. No. That has nothing to do with the charge. It is the deductibility. We might make a crude comparison to the deductibility clause in automobile insurance. If we have collision insurance, known as $100 deductible, that means that the owner would pay $100 or any damage to his car, and if the amount was more, the insurance company would pay the difference. This is an income tax by using the vehicle of deductibility.

Mr. SALTONSTALL. I am using the wrong language. The Senator has explained what I had in mind. In other words, he pays either the variable deductible or the amount of the customary hospital charges imposed, whichever is the lesser.

Mr. CURTIS. The Senator is correct.

Mr. SALTONSTALL. I thank the Senator.

Mr. CURTIS. If the bill is less than his income tax, he has to pay the whole of the bill.

Mr. President, those individuals over 65 who do have income in such an amount that they pay an income tax will pay a greater portion of their hospital and medical expenses based upon their income tax liability of the year before.

In the case of a husband and wife filing a joint return, this amendment provides that each would be presumed to have a tax liability of one-half of the amount required to be paid on the joint return.

The income tax liability has been used in this amendment instead of the amount of the income.

The income tax liability has been used as a measuring device rather than the amount of the individual's income because it has many advantages. An individual's income tax liability is arrived at under explicit laws and regulations. It is a term that is easily defined. All citizens over 65, or someone acting for them, could readily provide the answer to the question as to whether or not the beneficiary paid any income tax in the previous year and if so, how much.

He comes into the hospital and he is asked, "Did you pay an income tax last year?" the reply might be, "No." Then he would be told, "Then this amendment does not apply to you." He has the $40 deductible he must bear before the benefits would flow to him. If he should say, "Yes, I did pay an income tax, I paid a $500 income tax last year," he would not get anything until his combined hospital, doctor and other bills exceeded $500.

Mr. LAUSCHE. At this point, would he be exempted from the payment of his tax?

Mr. CURTIS. No. This is just a measuring device.

Mr. LAUSCHE. A measuring device.

Mr. CURTIS. Yes, a measuring device to determine whether he should have his bills paid by the workers of this country by increasing their social security taxes. I have used the income tax liability, because that is something which can be easily ascertained. There are no administrative difficulties regarding it.

It is estimated by the Social Security Administration—I obtained this figure this morning from the chief actuary there—that 80 percent of our population over 65 years of age, neither husband nor wife pay any income tax. Therefore, we are talking about the upper 20 percent in income level. This means that the entire group of 80 percent would not be affected by the amendment. This amendment is intended to reach those individuals who are well able to pay all or a greater part of their own medical expenses.

I invite the attention of the Senate to another point. It is estimated by the Social Security Administration—and again I am quoting the chief actuary there—that adoption of my amendment would save at least $420 million, and possibly $480 million, annually.

I happen to be a Member of the Senate who still considers half a billion dollars to be a great deal of money.

Mr. LAUSCHE. Mr. President, will the Senator from Nebraska yield for a question?

Mr. CURTIS. I yield.

Mr. LAUSCHE. Does the principal objective of the Senator's amendment contemplate dealing with persons such as Members of the Senate who have an income adequate to pay their own medical expenses instead of having the Government pay for them through the operation of those financially deficient?

Mr. CURTIS. The Senator is correct. By using the system of deductibles, in the case of an individual with some income who has a catastrophic illness, he will still get something, but the deductible will come first. The trouble with trying to draw a line and saying, "Those under this line get the benefits, and those above the line do not," is that it is unfair to an individual who pays $500 in income tax, by letting a person pay the expenses of his illness if the income does not exceed $500.

Mr. LAUSCHE. Mr. President, will the Senator yield for one question, or would he rather conclude his statement?

Mr. CURTIS. I would rather illustrate a few figures on the table before me. I am about to recite a table showing estimates of tax liability of an individual over 65 years of age at varying levels of income.

Attention is invited to the fact that the social security benefits are not income for the purpose of taxation; consequently, the table relates to taxable income above and beyond the social security benefits.

I ask unanimous consent that this table be made a part of the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal individual income tax liability, 1965 and after—Single person, 65 years of age or over, with standard deduction [1]

Adjusted gross income:	*Tax liability* [2]
$2,000	$58
$2,500	132
$3,000	213
$3,500	297
$4,000	390
$4,500	476
$5,000	557
$7,500	1,031
$10,000	1,580
$25,000	7,430
$50,000	21,270

[1] The above table was prepared by the staff of the Joint Committee on Internal Revenue Taxation.

[2] These figures represent the maximum tax liability of the single person, 65 years of age or over; use of itemized deductions and/or the presence in adjusted gross income of certain types of income, such as capital gains or retirement income (pensions, annuities, interest, dividends, rents), could reduce the tax liability. For example, the presence of retirement income could reduce the tax liability by up to $228.60.

Mr. CURTIS. Mr. President, let us consider the table before us. Copies have been furnished to all Senators. I wish to be absolutely fair in the presentation of the amendment. I do not wish to exaggerate. Therefore, I have stated the maximum tax liability. Actually, the tax would be less, because I have taken the adjusted gross income. If a person has a pension or has income from dividends, or income from rents, which qualifies as retired income, his tax liability is reduced by as much as $228.60.

Perhaps a part of his income is from capital gains. That figure would be further reduced. This is the maximum that could happen. It will be noticed that the maximum which an individual with a $5,000 income and beyond—that is not counting social security—can get is $557. Let us say that a husband and wife file a joint return, and it will be presumed to be half income of the husband and half of the wife. They have an income of $10,000 beyond their social security benefits. If they have an illness which does not exceed in cost $557, they must pay the costs.

That is how simple it is.

Let us suppose that a couple has an income of $4,000 a year and files a joint return. I have stated this on the conservative side. A couple having $4,000 in income beyond their social security have a deductibility of $58. If they have an income of $5,000, each is presumed to have an income of $2,500. In that case each would have a deductibility of $132.

I wish to correct one thing. A moment ago I was referring to the couple who would have a combined income of $5,000. The deductibility would be $557. It would apply to each one. Suppose only one of them becomes ill during the year. They would have to pay the first $557 of that expense.

There is considerable merit to this approach, and I shall try to show why. Suppose someone meets with a disaster and he is in a high income bracket. Suddenly he has no income; he pays no income tax. He will then be protected. Suppose someone who has a few dollars of income pays a tax, and for most of the year his medical expenses are below the amount of the exemption. He does not receive any benefit.

Suppose a catastrophic illness strikes him. I can recite some cases in which individuals have been in hospitals for 30 months continuously. In a case like that an individual in an upper bracket would get something.

An individual having an income of $50,000 a year would have to pay his own bill, unless it exceeded $21,000.

I do not believe that the men and women who work, which include the blind and the physically handicapped, and people who work for low wages, should have their taxes increased to pay the medical bill of anyone who has an income of $50,000.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LAUSCHE. I get back to the objective that I had in my earlier questions to the Senator. The Senator states that his amendment would not affect 80 percent of the present beneficiaries of the social security fund.

Mr. CURTIS. No; beyond that. Eighty percent of everyone over 65 years, whether he is on social security or not.

Mr. LAUSCHE. It would affect only 20 percent, and those are individuals who are considered in the higher income brackets.

Mr. CURTIS. The Senator is correct.

Mr. LAUSCHE. So the purpose of the Senator's amendment is to impose a greater burden on the higher income brackets, and to lessen the burden of medical expenses on the lower income bracket.

Mr. CURTIS. Yes. I wish to be honest. It has another purpose. If we adopt the amendment and pay the hospital and medical bills of men and women in various communities of the country, and that continues for a while, what will happen when an amendment is offered to strike out the age limit?

What will happen when someone mentions a man who is 40 years of age who is supporting children and paying for his home and paying for his life insurance, with some medical expenses to pay. If we have a deductible, it will prevent abuses that we cannot afford. It will prevent abuses that will bring the program into disrepute. It will prevent additional demands being made on the system.

If we wish to have a Government health program to cover the population from the cradle to the grave, we should pass a bill about which the people in the little town in which I live would say, "We will have people whose income taxes will be paid by a government that has not balanced its budget in years and years."

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LAUSCHE. Am I correct in my understanding that the 20 percent in the high income bracket would be permitted to deduct from their income tax——

Mr. CURTIS. No; this has nothing to do with the income tax obligation.

Mr. LAUSCHE. It is only a measure?

Mr. CURTIS. It is a measuring stick to determine whether a person would receive the benefit of any medicare in this bill; and if so, how much?

If an individual pays a $500 tax, which would represent about a $4,600 income, and probably would be more, because I have not allowed for things such as capital gains, he would have an income of at least $4,500 or $4,600, and if he had an illness which cost less than $500, he would have to pay for it himself. It would mean that an individual who could pay something would receive some help on costly illnesses.

I hope that the amendment will be adopted. I can think of only one theoretical argument against it, and that is purely theoretical. It is likely to be made on the floor of the Senate. Someone might say, "What will happen if a wealthy man puts all of his wealth in tax-exempt bonds and pays no income tax?"

That will not happen. People of wealth who have sophisticated ideas about investing in tax-exempt bonds also have other investments, because there is no opportunity for growth in bonds. The record shows that most tax-exempt municipal bonds are held by banks, other institutions, and fiduciaries. I have asked countless taxmen in the field with whom I have discussed the amendment—"Do you have any client who would escape this amendment because all of that person's wealth is in tax-exempt bonds?"

They have said, "No; it does not happen."

Those who are involved in such investments, so far as they know in all their experience, are people who have great wealth, are paying a sizable tax, and have investments in growth stocks, which, of course, are not tax exempt.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. CURTIS. Yes, I yield; then I shall be ready to vote.

Mr. COTTON. By and large, are not the people in the upper 20 percent income bracket those who also have private health insurance, such as Blue Cross, Blue Shield, Aetna, or something else?

Mr. CURTIS. Probably.

Mr. COTTON. Therefore such a person, who pays an income tax of $500 would have to pay the first $500 of his hospital and doctor bills, but a large part of that $500 would be absorbed by his private health insurance. Is that correct?

Mr. CURTIS. Oh, yes. Those who are at least in the upper 20 percent bracket would have funds to buy their own hospital and medical insurance.

Mr. COTTON. Therefore if the Senator's amendment were adopted, the provisions in the bill for medicare would remain completely unimpaired for 80 percent of the people in this country over 65 years of age. It would apply to the upper 20 percent in proportion to the income tax they paid; even though that particular group in most instances would be protected by private insurance; is that correct?

Mr. CURTIS. Not only that, but they would be protected in case a prolonged, costly, and catastrophic illness hit them. After the amount went beyond the deductibility, they would receive benefits, like anyone else.

Mr. COTTON. Therefore the younger people of our country who are striving to support their families, educate their children and buy their homes would not, through taxation, pay so much in order to pay the hospital and doctor bills of millionaires.

Mr. CURTIS. That is correct.

Mr. COTTON. I am for the Senator's amendment. It would meet my objections to the present medicare proposal.

Mr. CURTIS. In closing, I wish to say that the amendment would save $500 million annually—and that is a great deal of money. The program will run from now on, or it will be wrecked. It would save that money, but it would also save a very fine principle, and that is that people who should be paying their own bills will do so. It is not quite as rigid as it ought to be. I have sacrificed that for simplicity in order to establish the principle.

I should like to make one more statement. I hope that the proponents of the bill—and I refer to every Senator who expects to vote for it—will accept the amendment. There is no reason why it could not now be accepted and repealed years later. But if it is now rejected, we shall never be able to put any brakes on who will get the benefit of the bill.

Mr. President, I ask for a vote on the amendment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. CURTIS. I yield.

Mr. LONG of Louisiana. Mr. President, I have discussed the request with the Senator from Nebraska. I ask unanimous consent that further debate on the amendment be limited to one-half hour, the time to be equally divided, half of the time to be controlled by the distinguished author of the amendment, and the other half to be controlled by the Senator from Connecticut [Mr. RIBICOFF].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Who yields time?

Mr. RIBICOFF. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. RIBICOFF. I rise in opposition to the pending amendment. The distinguished Senator from Nebraska introduced a principle today that is contrary to any known principle in either private insurance or under social security insurance.

Mr. CURTIS. Mr. President, will the distinguished Senator yield at that point?

Mr. RIBICOFF. I am pleased to yield.

Mr. CURTIS. I challenge the statement that the principle is not used in private insurance. It is commonly used there. I say that as an individual who comes from a State in which insurance is the second largest employing industry.

Mr. RIBICOFF. I also come from a State that is prominent in the insurance field. I know of no Connecticut company that writes a policy, the premium cost of which is based on a man's wealth or his income.

Mr. CURTIS. No, no.

Mr. RIBICOFF. If one should take out a health policy and pay a premium of $200 a year and that person is a millionaire, and another person who has to pay a premium of $200 a year has an income of $5,000, the benefits that the two people would receive are the same.

Mr. CURTIS. That is something different. Of course, insurance companies do not snoop into how much money a person makes. But the insurance company will sell a person a policy that has the principle of a deductible in it. The company will pay for the catastrophic illness and the insured would pay for the ordinary illness.

Mr. RIBICOFF. Yes; but we are dealing with a proposal under which people would pay the same amount of premium on a social security basis, just like ordinary cash social security. Whether a person is earning $50,000 a year and another is earning $5,000 a year or $10,000 a year, they are having deducted from their wages month-in and month-out, week-in and week-out, whatever the tax payments might be.

Mr. CURTIS. Mr. President, will the Senator yield? I ask him to yield on my time.

Mr. RIBICOFF. I yield.

Mr. CURTIS. That is utterly fantastic. Soon there will be 20 million people over 65 years of age covered by the bill, and not one of them will have ever paid a nickel into the program. The cost will be paid by others.

Under the bill, the benefit would be paid by others. The people will have to work and pay; employers will have to work and pay; people who will never reach the age of 65 will have to pay; and people who never get sick will have to pay. This is not a self-contributory plan.

Mr. RIBICOFF. The Senator from Nebraska is correct in his statement. The program would not be confined merely to those who are currently over 65. We would consider the needs of not only the person who is now over 65, but also those in future years who will become 65. The principle being sought in the amendment of the Senator from Nebraska would apply not only to people over 65 years of age, but also to people who become 65 next year, the people who become 65 the year after that, and those who become 65, 5 and 10 years from now.

Mr. CURTIS. Would the Senator agree to have it eliminated when it becomes 50 percent contributory?

Mr. RIBICOFF. No; I would not accept that. The Senator, who is well versed in the social security law and in social security principles, knows that when a social security bill with additional features, privileges, and rights is passed, those who are already retired under social security become beneficiaries, even though they have not paid any added tax. Additional rights accrue to them as well. All we are doing under the present bill is what we have always done when we have expanded the social security program. We give to the people who will receive the benefits in the future, and those who are receiving benefits now, exactly the same privileges. What the Senator seeks to write into the bill is a provision which is absolutely contrary to something basic in private pension and social security programs.

Furthermore, the amendment of the Senator from Nebraska is not administratively feasible. Suppose a man over 65 goes into a hospital today and remains there during the entire month of July. He would not know what his income tax would be until after the first quarter of the following year. He files his income tax by April 15. Is a doctor to wait for another 9 months to determine what the deductibles will be and how he will be paid?

The second principle is that we have kept inviolate the secrecy of a man's income tax returns. Under the principle being advanced by the distinguished Senator from Nebraska, suddenly a person could find himself required to disclose to hospitals and doctors, in order to determine his deductible, what his income tax was.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. RIBICOFF. I yield myself an additional 3 minutes.

So there is the question of the secrecy of a man's income tax return. There is the administrative unfeasibility of the plan being projected by the distinguished Senator from Nebraska to where it departs from both private and social security principles.

Under those circumstances, I do not believe that there is either feasibility or practicability in the proposal. I hope the amendment will be rejected.

Mr. CURTIS. Mr. President, I yield myself 1 minute.

There is the previous year's income tax liability. It has feasibility. Also, suppose someone said, "I want the taxpayers to pay my medical bill," and he were asked, "What was your income tax last year?"

The poor people of the country are asking for help; and when they do, welfare workers are sent to snoop in their houses. The welfare worker will ask, "Did your son give you $5 last year?" That is provided for in title I of the Social Security Act.

Mr. RIBICOFF. Concerning feasibility, if it is last year's income, then, again, it is unfair, because a man might have a large income this year and go broke the next. A man might have had a large investment in the stock market when it took a dip. He might find himself sick next year at a time when he might be broke. Again, we have an unfeasible feature.

I am sure that the people the Senator is talking about would be unhappy to have their income tax returns examined and disclosed. So we would be departing from sound insurance features, both private and social security. There is no philosophical base for the proposal being advocated by the Senator from Nebraska.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. President, I consented to a time limit, but I did not expect that only Senators who seem to be the leaders should speak, and that all other Senators would be barred from speaking.

Mr. RIBICOFF. Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 5 minutes remaining.

Mr. RIBICOFF. I yield to the distinguished Senator from Ohio the 5 minutes remaining.

Mr. LAUSCHE. No; I will not speak.

Mr. CURTIS. Mr. President, I yield the Senator from Ohio 5 minutes.

Mr. LAUSCHE. Mr. President, to begin with, many Senators who were in the Chamber did not contemplate speaking when we consented to the limitation of time. However, we anticipate that the leaders will not usurp that time and deny to other Senators, who have consented, a fair assignment of the time that is available. With those preliminaries, I desire to make a statement reflecting my thoughts about what has been said.

The Senator from Connecticut said, in effect, that the system of social insurance is predicated upon sound insurance principles. Balderdash. If one begins to examine the whole system, he will conclude that there is no soundness of any character whatsoever in the whole structure of the system. As times goes on, it will be demonstrated that insurance principles have been disregarded. That is evidenced by the fact that 10 percent of the 100 percent of obligation is what is paid in by the participants in the fund.

It is further argued that the principle of the social security fund is that to each shall be given in proportion to the contributions made to the social security fund. I challenge the correctness of that statement. Every aspect of the program indicates that pretenses are made to build it upon insurance principles, but every now and then there creeps into the operation the need of contributions from the general fund.

Now we come to the crux of the amendment offered by the Senator from Nebraska [Mr. CURTIS]. My income is $22,500. I might say it is $30,000. In addition, I have other income. Why should I ask the Federal Government to pay my hospital bills? Why should I ask the Federal Government to pay my doctors? It is different for the man having an income so low that he pays no income tax; he is more entitled to ask for Federal aid. The amendment of the Senator from Nebraska provides, in effect, that those who can pay their hospital and doctor bills shall pay them. I agree with that principle.

I am a veteran of World War I. Proposals have been made to pay every veteran of World War I $100 a month. It would be scandalous, immoral, and indefensible for me to accept $100 a month on the same basis of equality that it is contended I should accept the benefits of social security.

Have I the ability, and are there others in the 20-percent category who have the ability, to pay their own doctor and their own hospital expenses? Undoubtedly there are. Why, then, should we be providing benefits to those who can pay money to defray their hospital and doctor expenses? No basis of moral strength can justify that.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. May I have 2 additional minutes?

Mr. CURTIS. I yield 2 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, this afternoon I have listened to arguments that are most paradoxical. I have listened to arguments of economy by individuals who generally are the most vigorous in supporting programs of spending money. [Laughter.]

I do not know why that has provoked amusement in certain quarters; but obviously, it has struck exactly where I wanted it to strike.

In substance, stripping the argument of the Senator from Nebraska of all the technicalities and details, it reduces itself to this: Shall we require those who can pay their own medical and hospital expenses to pay them? To me, the answer is simple: Yes; they ought to pay their own expenses.

But to those who cannot, the 80 percent of the individuals of our country who are aged 65 years or more, who pay no income tax, indicating the paucity of their positions, help should be given.

That help should be given by the Government to the extent that it is possible through sound insurance principles, and, beyond that, the 20 percent of the people must contribute part of their income to help those who cannot pay.

Mr. LONG of Louisiana. Mr. President, will the Senator from Nebraska yield me 2 minutes?

Mr. CURTIS. Mr. President, I yield 2 minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 minutes.

Mr. LONG of Louisiana. Mr. President, I should like the RECORD to show that I am speaking from my own desk and not from the desk of the leadership from which I have spoken as manager of this bill. My position on this proposal is opposed to that of the administration, of organized labor presumably, of the leadership on this side of the aisle.

Mr. President, the junior Senator from Louisiana offered an amendment in the Committee on Finance which involved this same principle. The amendment was first agreed to by a rather substantial vote, and subsequently disagreed to, after we had heard from our friends in organized labor, and after those in the Department, and various other places, had addressed themselves to us and said that the principles involved in the amendment were violently opposed.

I have been more or less crucified by the press for even offering the amendment. However, I believe the principle involved in the amendment is very important and should be agreed to.

I ask unanimous consent that my views on this subject, printed as additional views, on pages 278 through 282 of the report, be printed at this point in the RECORD.

There being no objection, the additional views were ordered to be printed in the RECORD, as follows:

ADDITIONAL VIEWS

In the course of the committee's consideration of the bill, I proposed certain changes. Initially, these proposals were adopted by the committee; but, by subsequent action, the initial approval was reversed and the proposals rejected. Because I believe these amendments involved matters of importance both for the substance of the program of medical care for the aged at the present time and in the larger context in which further legislation for medical care will be considered in the future, I wish to record these considerations as I see them.

In proposing these amendments and pressing for their adoption in the committee, I was, in fact, merely continuing to support the same principles I have always favored. Last year, in the debate on the floor of the Senate, I stated my position as follows:

"I am willing to vote for more money to provide care for those who have difficulty in paying for it themselves, but this Senator is reluctant to vote for the complete dole.

"The complete dole is a program under which a millionaire might be placed on relief—and that is what it would amount to—when the working people would be taxed in order to provide medical care for the wealthy. The beneficiary would not be required to pay 5 cents of his own money for medical care. We would tax the general public to provide care for people who are ready, able, and willing to pay for it themselves."

Although I had earlier introduced in the Senate a rather broad substitute for the House-passed bill, I concluded that this substitute, despite its merits, had no chance of being adopted. I decided not to proceed with my efforts to obtain support for the substitute proposal, but to propose only limited changes. Accordingly, I proposed to the committee the following two amendments. The second of these amendments is described as it was later modified to simplify its administration, rather than as it was initially considered by the committee.

First, I proposed that the artificial limits in the bill on the hospital care and associated services be eliminated. It makes no sense to me to place such limits on these services unless it is clearly impracticable to provide the needed financing. The need to be hospitalized, or in a nursing home, is not determined by the ability of the patient to pay, or have his bill paid for him; it is determined by his illness and other personal circumstances.

Personally, I shall never agree that the Government is meeting its responsibilities if it is going to assume the major responsibility for insuring that our citizens receive adequate medical care, so long as the operation of the program places a doctor, and a hospital, in the position of having to discharge a patient before, in their professional judgment, he should be discharged. To me, it is as simple as that. All I wanted to have placed in the bill was the provision that a patient, because he was unable to pay his bill, would not be involuntarily discharged from a hospital or nursing home until his doctor concluded that he should be discharged.

Secondly, partly in order to provide the necessary financing without increasing the social security tax, I proposed that the portion of the cost of hospitalization and associated services to be paid by the patient be made more flexible, and related directly to the ability of the patient to pay. Instead of a flat deductible of $40 for everybody, regardless of financial resources, I proposed the following schedules:

Income bracket	Deductible
$1,500 or less	$40
$1,500 to $2,000	60
$2,000 to $3,000	125
$3,000 to $5,000	200
$5,000 to $10,000	300
$10,000 and over	500

I consulted the appropriate actuarial sources within the Department of Health, Education, and Welfare and received assurances that this proposal would provide sufficient additional revenues to make it unnecessary to increase the social security tax at the present time, and provide the protection for catastrophic illnesses which I was seeking under my first proposal.

Despite the care with which I developed my proposals, and these consultations with the HEW officials, I was viciously attacked in the press as soon as it became known that the committee had voted to support them. I should like to record some of the irresponsible and even slanderous statements which appeared in the press. Many of them were on the editorial pages of some of our more prominent newspapers.

The Baltimore Sun, in its June 21 edition, headlined its editorial "Long Versus Medicare." The Washington Post said that it was my purpose to "gut" the bill. In an editorial on June 24, the St. Louis Post Dispatch said my amendments were "apparently designed to kill the health care legislation" under consideration. The New York Times printed a letter to the editor which stated: "The only object visible in Senator LONG's behavior is the destruction of the entire bill."

Another of the efforts of the Washington Post was an editorial in its issue of June 19 entitled "Back to Charity." The Philadelphia Bulletin headed its editorial of June 20 "This Is Medicare?" When my proposals are understood, it will be easy to see that these attacks were grossly unwarranted.

The Scripps-Howard papers, of which I saw only the Washington News and the New York World-Telegram & Sun, titled their editorial onslaught as "Medicare or Monstrosity?" This charge of creating an "administrative monstrosity" was one of the principal criticisms of my proposals, but I deny emphatically that this charge is even remotely true. Let me explain just what was involved. To the extent that additional administrative problems were introduced by my amendments, they involved the difference in the deductible and in determining in which of the six income brackets the individual patient belonged. I gave close attention to these administrative problems, and believe they could be handled readily.

As regards the difference in the deductible, once the amount is determined, I fail to see any serious difficulty. In any situation under the bill, the patient pays a certain amount of his charges; it is a simple matter of arithmetic. It involves the simple accounting process of subtracting the deductible from the total amount of the bill. If it is argued that a complication is introduced because any hospitalization immediately consumes the $40 deductible, while the $500 deductible might mean that the entire amount for a first hospitalization was paid by the patient, thus making it necessary to carry over the amount spent to apply on the next hospitalization, again no problem is posed for the administrator of the program.

The patient has the responsibility of meeting the smaller bills and accumulating them until he reaches a point where the Government should start paying his bill. I see nothing wrong whatever with this, especially as we are talking about a person who has an annual income of more than $10,000 per year, and, as will be noted below, almost certainly has private insurance to cover far more than the amount of $500 in hospital bills.

A more serious problem exists with regard to determining income. If we were dealing with a matter of tax liability, this argument would indeed have some merit, and all we have to do is look at the staggering size of the Internal Revenue Code and all the regulations and rulings which the Internal Revenue Service has built up in seeking to achieve complete equity between individuals under the tax laws. Fortunately, we need not be concerned here with that degree of hair splitting; instead we should turn for a precedent to the many other Government programs which provide benefits to individuals, and into which provisions have been written for determining income for the particular purposes of the program.

What I proposed, therefore, was that the Secretary of Health, Education, and Welfare be given free rein to handle this problem by regulation, thus permitting him to minimize the administrative problems. I have no doubt that he could solve the problems, and am confident that his Department and the other agencies which have administered our social security laws in the past 30 years have solved many that were far more complicated. In this case, however, the signals were set hard against my proposals, and mountains were made out of mole hills.

Once the determinations were made as to what was to be included or excluded in income, horrendous pictures were then drawn about the difficulties of finding out what the truth was about each individual's income in the immediately preceding period. What I propose is what is done throughout the administration of social programs; you accept the statement of the applicant, after the representative of the agency has explained to him what the regulations of the Secretary say should be included. In this case, he would need only to check which one of the brackets his income fell within.

Such statements are made subject to the general fraud statutes of the Federal Government, and violators could be found and prosecuted. Indeed, they could be found more easily than under many other programs. The applicants, for the most part, will certainly have social security numbers and will be asked to record them on their applications. Now that the Internal Revenue accounts are being completely placed under the same number as the social security accounts are under, and the whole process mechanized, all that is required is to feed the number given by the applicant into the IRS machines and press the button. The only violations which we would be seeking would be those who have understated their income, and we can be certain that they are all in the upper five brackets of my proposal and will, therefore, have filed returns. Again, I feel that the administrative problems of enforcement were not a serious obstacle; they were just made to seem to be.

In these efforts to find additional revenues to provide the additional protection which is needed by placing the burden on those most able to pay, I was struck by a rather curious situation. Usually, those who are being asked to pay more complain bitterly. They rage and rant that they are being victimized and discriminated against. In this instance, those who were being handed the bill are those with the most money, and we Democrats have long made much of the fact that the Republicans are the protectors of this group of our citizens. Yet, in the final showdown on the committee, every Republican on the committee voted for my proposals, and no Democrat other than myself voted for them. Those who boast of representing the interests of the little people were being offered benefits for their clients, at the expense of the clients of their political opponents, and they were looking this gift horse in his mouth all the way down to his tail.

As I stated above, I was only partly seeking additional revenues when I proposed that the deductibles be related to the income of the individual patient. There are other reasons why this is justifiable, and desirable in the present circumstances. In this country, contrary to the situation existing in Western Europe when those countries adopted various forms of socialized medical care programs, we have developed under private initiative a truly amazing program of sharing the costs of our medical services on the insurance principle.

There is practically no employer of more than a few people who does not provide some type of hospitalization protection for his employees. For those who do not obtain protection in this way, it is one of their first concerns, especially upon marriage, and individual policies are available in virtually any combination of coverage.

Although the proportion of those over 65 who have such policies, or coverage through union trust funds and other institutional arrangements, is less than those in the more active worker age brackets, the proportion is very high. Almost two out of every three persons over 65 who are not living in an institution of some kind have some type of coverage. According to the Health Insurance Association of America, at the end of 1963, more than 61 percent of those in this group were protected in some measure, and virtually no policy fails to provide less than 30 days of hospitalization. Such a minimum provision, even averaged at $20 a day, will total more than the maximum deductible under my proposal.

If we then consider the fact that virtually half of those over 65 are in the first of the brackets under my proposal, and that they are the ones who do not have protection under the private schemes, it is easy to see why no one was screaming about victimization. Those who would have to pay the higher deductibles under my amendment already have insurance arrangements which would pay the deductible for them, thus providing them with unlimited coverage at no cost to themselves other than to continue to pay the premiums on their existing policies. For those few who might not have this type of protection, the insurance companies would undoubtedly have provided a special policy, and the premium would certainly be well within their means.

At the same time that no injustice would have been perpetrated, and much needed protection would have been provided to our elder citizens, we would also have been acting to avoid the destruction of private arrangements which have thus far carried a burden the Federal Government has not seen fit to assume until now. To me, it is undesirable to thrust aside the results of this private initiative—unless it is clearly not feasible to continue to provide some area for it to operate in. Yet, that is what the present bill will do for those over 65; and, since it appears to be the intention of those who are pressing this measure to extend its benefits under the same formula to those in the lower age brackets, ultimately, the whole of this development may well be swept away.

To summarize, the purposes my proposed changes were intended to serve were:

1. To provide now benefits under the medicare program which are urgently needed, especially by those who are least able to pay. I am certain that it will only be a matter of time until full catastrophic coverage is provided under part A of the legislation.

2. To finance these additional benefits in a manner which is in full accord with the principle of having the burden borne by those who are best able to pay. Under existing circumstances as explained, little in the way of a burden would have been added in actuality.

3. To retain, to the extent consistent with the objectives of the medicare program and to use to best advantage, the private insurance coverage which already exists for hospitalization and associated services. This purpose will become increasingly important as further extensions of the medicare program are considered.

4. To reassure the professional people on whose services and dedication to the welfare of their patients the entire program depends that continuing efforts will be made to keep a major portion of medical care within the private sector. We read almost daily of strikes and other disruptions of medical services in such countries as Great Britain and Belgium, even though these countries did not have the private insurance programs for their protection which now exist here. I believe we should try strenuously to handle the program in this country in a manner which will obtain the greatest degree of cooperation from our doctors and nurses, who are deeply and justifiably disturbed at the prospect of having the Federal Government determine their pay and other conditions of employment.

The committee bill is a good bill as it is being reported, however, and I am in favor of the program which it will initiate. It is, in fact, one of the most important measures to be considered by Congress in many years. It is my intention, as floor manager, to support the committee bill and to see it through to passage by the Senate and by this Congress.

Russell B. Long.

Mr. RUSSELL of South Carolina. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RUSSELL of South Carolina. Mr. President, I have read the statement of the distinguished Senator from Louisiana on this particular point. I thoroughly agree with his argument. I am persuaded by it.

I note that the Senator did come under considerable criticism because of the position he had taken. The indication was given that all of the experts in the field of social security felt that the Senator had violated the principles of the Social Security System by advocating the position which he had.

I read an article published in the Newsweek magazine of May 31, 1965, written by the former head of the Council of Economic Advisors, Henry C. Wallich, on "Medicare."

This article followed the exact line taken by the distinguished Senator from Louisiana.

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Henry C. Wallich on Medicare

At long last, the United States seems about to enact a really comprehensive health insurance scheme for the aged. Among the world's wealthier nations, we are one of the last to do so. With the passage of the medicare bill, a frontal attack will finally be made upon a grim feature of life in our fair land—the combination of sickness and want in old age.

The medicare bill voted by the House is now in the Senate and has the overriding virtue of being almost all-embracing. Not only social security beneficiaries, but almost all other persons over 65 are covered. It provides not only hospital and nursing-home services, but also pays most doctors' bills. It does the job.

For years, we have been trying to decide whether needed health insurance for the elderly could not also be provided privately. If equally adequate, the private way would have been more in keeping with American traditions. Commendable progress has been made by private insurers since the day when the policyholder, shortly after his 65th birthday, could count on getting a letter from the company thanking him for his patronage and announcing that the insurance was canceled. But even now coverage remains far from universal, often incomplete, and generally of least help to those who need it most. Thus, with some sadness, we turn toward the public way of providing health protection for the aged.

DEFECTS

To say that the bill is needed is not to say that it is perfect. Some of its provisions are distinctly bad. There is still time for the Senate to remedy these defects. Otherwise, we shall have to pay for experience, probably dearly, and correct our mistakes later.

One serious shortcoming of the bill is that the benefits of medicare are to be available completely without regard to need. Millionaire and pauper are equally entitled to benefits. To suggest there should be a distinction on these grounds implies, of course, some kind of means test or income test, and that infuriates people. But means tests as such are neither good nor bad; it is their application that makes them so. To demand that a man sell his home before becoming eligible for medicare would be absurd. To exclude or at least demand some partial payment from beneficiaries with incomes above say $6,000 is another matter. The savings could be considerable.

Another defect that will make the bill quite unnecessarily costly is inadequate co-insurance, i.e., the sharing in the cost of services by the beneficiary. For doctors' bills, the beneficiary will pay the first $50 and 20 percent of the rest, but for the hospital bills, which are the larger, he will pay only the first $40. Once the patient has paid this, he is in, and the rest of his stay in the hospital—up to 60 days—is completely free. The natural tendency to overuse a free service should be curbed by co-insurance, which might diminish with the length of stay in the hospital and rise with the beneficiary's income bracket.

HOW WELL FINANCED?

Unless overuse is adequately restrained, it will probably cost more than the Government anticipates. Insurance company actuaries have argued that the Government's cost calculations are overoptimistic. Skyrocketing costs in England and Canada demonstrate these dangers.

Fortunately the finances of the hospital program, although not those of the medical part, which is voluntary, are anchored in the social security system. In contrast to many people I regard social security financing as an advantage, because it compels the program to be self-supporting and therefore self-limiting. It would be frightening to see the program financed from general revenues and become open ended. Financing by the social security system also means, to be sure, that the elderly are getting their medicare virtually free, since retired people no longer pay a social security tax. They are getting it as a gift from the younger people who work, who in turn must hope to be provided for some day by the next generation. This, however, has always been the practice when improvements have been introduced into social security. It is the only practical way to make a beginning, and the important thing now is that a beginning be made.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CURTIS. Mr. President, I yield 1 additional minute to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 additional minute.

Mr. LONG of Louisiana. Mr. President, in my judgment, the amendment has great importance. The amendment would decide the direction in which the medical care program shall be directed. Let us not be misled on this point. What is decided now with regard to medicare will determine what the program will be like in the future.

There are a great number of people who have always advocated the medicare portion of the bill who would like to visit upon the United States the English system of medicine, in which the state pays for all medical care.

In my judgment, if we were to pass the bill as it stands, and these principles were later to be extended to apply to the average working man, without regard to age, we would have the Government paying everybody's medical expenses. I believe that we should seek to avoid that.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. RIBICOFF. Mr. President, have I any time remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 5 minutes remaining.

Mr. RIBICOFF. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 1 minute.

Mr. RIBICOFF. Mr. President, I opposed the amendment of the distinguished Senator from Louisiana in the Committee on Finance because I felt that the Senator was introducing into the social security system something new and something indefensible.

The Senator from Louisiana sought to introduce a variable deductible, which would introduce a means test. The whole social security principle and system decries a means test.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. HOLLAND. Mr. President, is the Senator accurate in his statement?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mr. HOLLAND. Mr. President, is it not true that, from the age of 65 to the age of 72, a person who has paid all his social security taxes is not permitted—like citizens not in the same situation—to draw any social security benefits if he happens to be blessed with a little income beyond and over the limitation fixed by law?

Mr. RIBICOFF. That is not based on income. It is based on earnings. We seek to liberalize this test in the present bill. There would be a range of allowable earnings up to $1,800 a year.

Mr. HOLLAND. Is it not true that, from the age of 65 to the age of 72, a citizen who, in all other respects, is like all other citizens living in the same country, cannot draw any social security benefits merely because he has earnings which are a little over the limitation fixed by the bill?

Mr. RIBICOFF. The Senator is partly correct and partly incorrect. There is a sliding scale. It would depend on the amount of his earned income. The citizen would not lose his benefits completely. If the income were from bonds or stocks, and he was not working, he could draw social security benefits no matter what his income was.

I felt the income limitation was unfair. The distinguished Senator from Delaware felt that this was unfair.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 1 additional minute.

Mr. RIBICOFF. Mr. President, through amendments to the social security law, it has been sought to raise the amount of money that people can earn.

I was pleased to support the distinguished Senator from Delaware every time he brought up such a measure. The distinguished Senator from Delaware has taken the lead in the Committee on Finance to raise the social security limit on earnings. I am for raising the exemption of earnings so that a person can receive social security benefits after the age of 65 regardless of what he earns. However, this is a different principle that we are being asked to introduce at this time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 1 additional minute.

Mr. HOLLAND. Mr. President, is it correct that under the present law, many people between the ages of 65 and 72, who have paid their social security taxes up to that time are not permitted to draw any social security benefits merely because they have earnings which are a little over the limitation set by the law?

Mr. RIBICOFF. The Senator is correct.

Mr. HOLLAND. The Senator states that the amendment of the Senator from Nebraska is entirely different from the system of the social security law, notwithstanding the facts which I have just cited?

Mr. RIBICOFF. That is correct. He is seeking to introduce here a different type of deductible based upon income.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 1 additional minute.

Mr. RIBICOFF. Mr. President, when we receive benefits under the social security system, that benefit is not based upon what our income is.

Mr. President, I shall yield back the remainder of my time, unless some Senator would like to have whatever time I have remaining.

Mr. HICKENLOOPER. Mr. President, will the Senator yield me 1 minute?

Mr. CURTIS. Mr. President, I yield 1 minute to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 1 minute.

Mr. HICKENLOOPER. Mr. President, I congratulate the Senator from Nebraska for his amendment. The amendment seems to me to be one of the most equitable yardsticks by which we can measure the merit or demerit of the proposition as to who should receive medical aid. The amendment is a fair and equitable amendment.

I shall support the amendment in the development of this most defensible provision which I hope will be written into the bill.

The ability of people with large incomes to pay for their own hospital bills should be taken into consideration.

I congratulate the Senator.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CURTIS. Mr. President, I yield 1 minute to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I support the amendment of the Senator from Nebraska, because it strikes at the basic objection to the medicare sections of the bill.

This bill, as reported, is regressive in that it does not properly take into account differing abilities to pay or differing needs for assistance.

If we adopt the Curtis amendment, which will affect only the 20 percent of those over age 65 who have the highest incomes, and will require them to be coinsurers of a greater part of their medical costs, we could then accept the principle advocated by the Senator from Connecticut [Mr Ribicoff], and could take the lid off the number of days of care allowed for the victim of catastrophic illnesses.

Mr. RIBICOFF. Mr. President, I yield back the remainder of my time.

Mr. CURTIS. Mr President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Nebraska [Mr. Curtis]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Michigan [Mr. Hart], the Senator from Arizona [Mr. Hayden], the Senator from Arkansas [Mr. McClellan], and the Senator from Wyoming [Mr. McGee] are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd] is necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd] would vote "nay."

On this vote, the Senator from Wyoming [Mr. McGee] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from Wyoming would vote "nay," and the Senator from Nebraska would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] and the Senator from Illinois [Mr. Dirksen] are necessarily absent.

The Senator from Nebraska [Mr. Hruska] is absent on official business.

On this vote, the Senator from Nebraska [Mr. Hruska] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Wyoming would vote "nay."

The result was announced—yeas 41, nays 51, as follows:

[No. 168 Leg.]

YEAS—41

Aiken
Allott
Bennett
Boggs
Cooper
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Harris
Hickenlooper
Hill
Holland
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Lausche
Long, La.
McGovern
Miller
Morton
Mundt
Murphy
Pearson
Prouty
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—51

Anderson
Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Dodd
Douglas
Fulbright
Gore
Gruening
Hartke
Inouye
Jackson
Javits
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Smathers
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—8

Byrd, Va.
Carlson
Dirksen
Hart
Hayden
Hruska
McClellan
McGee

So Mr. Curtis' amendment was rejected.

Mr. RIBICOFF. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. MANSFIELD. Mr. President. I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 315

Mr. MORSE. Mr. President——

Mr. PROUTY. Mr. President——

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. PROUTY. Mr. President, I call up my amendment No. 315 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. PROUTY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment (No. 315) offered by Mr. Prouty is as follows: Beginning on page 261, at line 22, strike all through line 25 on page 263 and insert in lieu thereof of the following:

MINIMUM BENEFITS FOR CERTAIN INDIVIDUALS WHO HAVE ATTAINED AGE SEVENTY

Entitlement

Sec. 309. (a) (1) Section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"Benefit Payments to Persons Not Otherwise Entitled Under This Section

"(v) (1) Every individual who—

"(A) has attained age seventy,

"(B) is not and would not, upon filing application therefor, be entitled to any monthly benefits under any other subsection of this section for the month in which he attains such age or, if later, the month in which he files application under this subsection,

"(C) is a resident of the United States,

"(D) (i) is a citizen of the United States, and has resided in the United States continuously for not less than eighteen months before the month in which he files application for benefits under this subsection, or (ii) has resided in the United States continuously for the ten-year period preceding the month in which he files application for benefits under this subsection, and

"(E) has filed application for benefits under this subsection,

shall be entitled to a benefit under this subsection for each month, beginning with the first month in which he becomes so entitled to such benefits and ending with the month preceding the month in which he dies. Such individual's benefit for each month shall be equal to the first figure in column IV of the table in section 215(a).

"(2) (A) If—

"(i) any individual is entitled to a benefit for any month under this subsection, and

"(ii) it is determined that a periodic benefit or benefits are payable for such month to such individual under a pension or retirement system established by any agency of the United States or political subdivision thereof (or any instrumentality of the United States or a political subdivision or subdivisions thereof which is wholly owned thereby),

then the benefit referred to in clause (i) shall be reduced (but not below zero) by an amount equal to such periodic benefit or benefits for such month.

"(B) If any periodic benefit referred to in paragraph (A) (ii) is determined to be payable on other than a monthly basis (excluding a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments), the reduction of such individual's benefit under this paragraph shall be made at such time or times and in such amounts as the Secretary finds approximates, as nearly as practicable, the reduction prescribed in subparagraph (A).

"(C) In order to assure that the purposes of this subsection will be carried out, the Secretary may, as a condition to certification for payment of any monthly benefit to an individual under this subsection (if it appears to the Secretary that such individual may be eligible for a periodic benefit which would give rise to a reduction under this paragraph), require adequate assurance of reimbursement of the Federal Old-Age and Survivors Insurance Trust Fund in case periodic benefits, with respect to which such a reduction should be made, become payable to such individual and such reduction is not made.

"(D) Any agency of the United States which is authorized by any law of the United States to pay periodic benefits, or has a system of periodic benefits, shall (at the request of the Secretary) certify to him with respect to any individual such information as the Secretary deems necessary to carry out his functions under this paragraph. For purposes of this subparagraph, the term 'agency of the United States' includes any instrumentality of the United States which is wholly owned by the United States.

"(3) Benefits shall not be paid under this subsection—

"(A) to an alien for any month during any part of which he was outside the United States;

"(B) to any individual for any month during all of which he was an inmate of a public institution; or

"(C) to any individual who is a member or employee of an organization required to register under an order of the Subversive Activities Control Board as a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization under the Internal Security Act of 1950, as amended."

(2) The following provisions of section 202 of such Act are each amended by striking out "or (h)" and inserting in lieu thereof "(h), or (v)":

(A) subsection (d) (6) (A),
(B) subsection (e) (4) (A),
(C) subsection (f) (4) (A),
(D) subsection (g) (4) (A), and
(E) the first sentence of subsection (j) (1).

(3) Section 202(h) (4) (A) of such Act is amended by striking out "or (g)" and inserting in lieu thereof "(g), or (v)".

(4) Section 202(k) (2) (B) of such Act is amended by striking out "preceding".

Reimbursement of Trust Fund

(b) (1) With respect to every individual who becomes entitled to a benefit under title II of the Social Security Act by reason of the amendments made by subsection (a), the Secretary of the Treasury shall transfer to the Federal Old-Age and Survivors Insurance Trust Fund, from the general fund of the Treasury, an amount equal to the sum of—

(A) The total amount of employee and employer taxes that would have been paid under the provisions of sections 3101 and 3111 of the Internal Revenue Code of 1954 (or the corresponding provisions of prior law) if such individual had been paid wages (as defined in section 209 of the Social Security Act) equal to the first figure in column III of the table in section 215(a) in each month of the period beginning with January 1951 (or January of the year after the year in which he attained age 31, if that is later) and ending with December of the year in which he attained age 69 (or, if later, December 1962); and

(B) Interest, compounded at 3 percent per annum, on the total amount determined under the subparagraph (A), for each year in the period referred to in such subparagraph.

(2) The transfer of funds from the general fund of the Treasury to the Federal Old-Age and Survivors Insurance Trust Fund with respect to any individual pursuant to paragraph (1) shall be made not later than the end of the calendar quarter following the calendar quarter in which such individual becomes entitled to benefits under title II of the Social Security Act by reason of the amendments made by subsection (a).

Effective date

(c) The amendments made by subsection (a) shall apply only in the case of monthly benefits under title II of the Social Security Act for months beginning on or after the thirtieth day after the date of the enactment of this Act based on applications filed on or after July 1, 1965.

Mr. MANSFIELD. Mr. President, will the Senator from Vermont yield without losing his right to the floor?

Mr. PROUTY. Mr. President, I am glad to yield to the Senator from Montana under those conditions.

Mr. MANSFIELD. Mr. President, I thank the Senator from Vermont. I should like to have the attention of the Senate. I have tried to touch on as many bases as possible and would like to propound a unanimous-consent request.

ORDER FOR A RECESS UNTIL TOMORROW AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it recess to meet at 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a 1 hour time limitation on each amendment, except the Curtis amendment and motion to recommit, on which there will be 2 hours, the time to be equally divided between the proponents of the amendments and the Senator in charge of the bill; and that there be 2 hours on the bill itself.

The PRESIDING OFFICER. Is there objection?

Mr. PROUTY. Mr. President, reserving the right to object—and I shall not object—do I correctly understand that my amendment will be the pending business tomorrow morning?

Mr. MANSFIELD. The Senator is correct.

Mr. PROUTY. I should like to suggest, inasmuch as many Senators are now in the Chamber, that they take a good look at my amendment. I have been informed that some Senators were not aware of what was in my last amendment and were delayed coming into the Chamber and were therefore unable to be on the floor when I explained it.

My amendment No. 315 merely seeks to bracket into the social security program those persons who are 70 years of age or older who are not now covered by that program, so that they will receive minimum benefits. I merely invite the attention of Senators to that point.

Mr. MANSFIELD. I see no reason why anyone would need to read the Senator's amendment now, because it has just been explained to them.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. When does the Senator wish the unanimous-consent request to go into effect?

Mr. MANSFIELD. Immediately after the prayer.

Mr. ALLOTT. Mr. President, reserving the right to object——

Mr. ELLENDER. Mr. President, reserving the right to object, I gave notice this afternoon that I should like to address the Senate today, and——

Mr. MANSFIELD. The leadership had the speech of the Senator from Louisiana in mind. We recall the statement made by the Senator from Louisiana a short time ago. The Senator can rest assured that he will have all the time needed, even if it means extending time under the bill.

Mr. ELLENDER. I thank the Senator from Montana.

Mr. ALLOTT. Mr. President, reserving the right to object—and I must object, unless certain situations are met—I have some remarks on the bill which I wish to make. I do not know the status of the list which is at the desk. If I am next in order to be recognized, so that I can make my remarks at this time, I shall not object. If there are other Senators who are to be recognized ahead of me, then I shall be forced to object. I make that inquiry of the Senator from Montana.

Mr. MANSFIELD. If the Senate will forbear with me and be tolerant, I should like to suggest that the distinguished Senator from Colorado [Mr. ALLOTT] be recognized at this time. I understand that he has some remarks which will take approximately 10 minutes.

Mr. KUCHEL. Mr. President, reserving the right to object——

Mr. MANSFIELD. I do not make this as a request. I merely make it as a suggestion.

Mr. KUCHEL. I understand. Mr. President, I have no objection except for the fact that I also have an amendment which is not controversial. I believe that other Senators also have.

Mr. MANSFIELD. I am sure that the Senator from Colorado will be most generous.

Mr. ALLOTT. I assure the Senator from Montana that I will be, if I am able to obtain the floor. I have been waiting to obtain the floor for several hours today.

Mr. JAVITS. Mr. President, reserving the right to object, will the majority leader tell us at what time he would expect the first vote tomorrow? I happen to have a problem in that regard. Will it possibly be at 11:30?

Mr. MANSFIELD. I would say approximately 11 o'clock—perhaps a little later. It will all depend.

Mr. LAUSCHE. Mr. President, reserving the right to object——

Mr. MAGNUSON. Mr. President, may we have some order in the Senate at this time, so that Senators who are in their seats can hear what the majority leader is saying. We could join the "mob" in the well, but——

The PRESIDING OFFICER. The Senator is correct. The Senators will please take their seats.

The Senate will be in order.

The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I should like to have assurance that there will be assigned to me 8 minutes on the bill.

Mr. MANSFIELD. The Senator from Ohio has that assurance.

Mr. LAUSCHE. I thank the Senator.

Mr. CURTIS. Mr. President, may we have the unanimous consent request restated at this time?

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall not object—is this all confined to amendments already printed?

Mr. MANSFIELD. No.

Mr. HOLLAND. It applies to any amendments which may be offered?

Mr. MANSFIELD. The Senator is correct.

Mr. HOLLAND. I thank the Senator for his information.

Mr. CURTIS. Mr. President, I should like to ask that the unanimous consent request be restated for the information of the Senate.

Mr. MANSFIELD. One hour on each amendment to be equally divided. Two hours on the Senator's amendment and his motion to recommit, and more time if needed.

Mr. CURTIS. I thank the Senator from Montana for the information.

Mr. YARBOROUGH. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. YARBOROUGH. May it be agreed that the Subcommittee on Postal Affairs may meet tomorrow?

Mr. MANSFIELD. Yes. May we have a ruling from the Chair on that request?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Is there objection to the unanimous-consent request of the Senator from

Montana? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective after the prayer on Friday, July 9, 1965, during the further consideration of the bill (H.R. 6675), to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, to improve the Federal-State public assistance programs, and for other purposes, debate on any amendment (except a motion to recommit to be offered by the Senator from Nebraska [Mr. CURTIS] which shall be debated for 2 hours), motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Louisiana [Mr. LONG]: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 2 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. KUCHEL. Mr. President, I send an amendment to the desk and ask that it not be stated. I also ask unanimous consent that the pending amendment offered by the Senator from Vermont be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the RECORD at this point.

The amendment is as follows:

On page 387, after line 2, insert the following:

"FEDERAL SHARE OF PUBLIC ASSISTANCE EXPENDITURES

"SEC. 412. Title XI of the Social Security Act is amended by adding at the end thereof (after section 1117, added by section 405 of this Act), the following new section:

" 'ALTERNATIVE FEDERAL PAYMENT WITH RESPECT TO PUBLIC ASSISTANCE EXPENDITURES

" 'SEC. 1118. (a) In the case of any State which has in effect a plan approved under title XIX for any calendar quarter, the total of the payments to which such State is entitled for such quarter, and for each succeeding quarter in the same fiscal year (which for purposes of this section means the 4 calendar quarters ending with June 30), under paragraphs (1) and (2) of sections 3(a), 403(a), 1003(a), 1403(a), and 1603(a) shall, at the option of the State, be determined by application of the Federal medical assistance percentage (as defined in section 1905), instead of the percentages provided under each such section, to the expenditures under its State plans approved under titles I, IV, X, XIV, and XVI, which would be included in determining the amounts of the Federal payments to which such State is entitled under such sections, but without regard to any maximum on the dollar amounts per recipient which may be counted under such sections.

" '(b) If the Secretary, upon application by any State, finds with respect to the quarter beginning January 1 or the quarter beginning April 1, 1966, that the medical assistance for the aged and the assistance or aid provided in the form of medical or any other type of remedial care under the plans of such State approved under titles I, IV, X, XIV, and XVI, taken together, substantially meet the objectives and requirements of title XIX, then with respect to expenditures under such plans during such quarter—

" '(1) the total of the payment to which such State is entitled under sections 3(a) and 1603(a) (other than paragraphs (4) and (5) thereof) and section 403(a), 1003 (a), and 1403(a) (other than paragraphs (3) and (4) thereof), or

" '(2) the payments to which it is entitled under such sections (other than such paragraphs) with respect to expenditures as medical assistance for the aged or as aid or assistance in the form of medical or any other type of remedial care, whichever the State may elect for such quarter and (if it is the quarter beginning January 1) the succeeding quarter, shall be determined by application of the Federal medical assistance percentage (as defined in section 1905), instead of the percentages provided under each such section, to—

" '(3) the expenditures under its State plans approved under titles I, IV, X, XIV, and XVI, which would be included in determining the amounts of the Federal payments to which such State is entitled under such sections, if the State has elected payments under clause (1), or

" '(4) the expenditures under such plans, as medical assistance for the aged or as aid or assistance in the form of medical or any other type of remedial care, which would be included in determining the amounts of such payments if the State has elected payment under clause (2);

and such determination shall be made without regard to any maximum on the dollar amounts per recipient which may be counted under any of such sections.' "

Mr. KUCHEL. The amendment is noncontroversial. I understand it will be accepted by the floor managers of the bill.

The amendment which I have offered on behalf of myself and my colleague from California [Mr. MURPHY], I believe, improve and make more effective the public welfare provisions of H.R. 6675. Essentially, it would do two things. During the period that Congress has been considering this bill, legislatures in most of the States have met. Many of these have now gone home or have reached a stage where it is impractical for them to pass legislation permitting States to avail themselves of the many improvements contained in H.R. 6675. I am particularly concerned about the new medical assistance program which is authorized. This represents a major change in public assistance programs and will undoubtedly require legislation in many States, probably including my own. However, some of these States, I understand, believe that they could fully meet the objectives and requirements of the new title by expansion of their existing programs. Insofar as this is possible, it is only reasonable to give such States the advantage of the more favorable matching for medical care expenditures that is available under the new title. If a State can meet the objectives of the legislation, we certainly should give it a reasonable period of time in which to get its own legislation adjusted. My amendment would, accordingly, provide that until July 1, 1966, any State that could substantially meet the objectives and requirements of title XIX through its existing programs taken together could receive the more favorable matching provided under that title.

Second, in title XIX we have provided a simplified formula for participation in medical expenditures of State welfare agencies. In contrast to the very complex formulas that govern payments under the other public assistance titles and which vary from one program to another, we provided in title XIX for Federal participation in total expenditures at a rate of 50 percent for States with per capita incomes significantly above the national average and at somewhat higher rates for the lower income States. I believe that we should make this same offer for States with respect to their money payments so that all assistance and medical care would have Federal participation on a uniform basis. The use of this method of computing Federal participation would be wholly optional with States. I am advised that it would not be advantageous at this time for most States to use it since the existing formulas in most instances provide greater reimbursement. The estimated potential cost of this change is under $5 million a year and it is expected that in the near future the cost would be negligible.

I believe that both provisions of the amendment have substantial merit.

Mr. President, this matter was originally called to my attention by my colleague from California in the other body, Representative PHILLIP BURTON. I have discussed it with members of our State legislature in California. I have discussed it with respresentatives of our State administration and our county supervisors in California. I appreciate their advice.

The amendment has been written by the Department of Health, Education, and Welfare. I have discussed the subject with my able friends, the Senator from Louisiana and the Senator from New Mexico, and other Senators.

Mr. LONG of Louisiana. Mr. President, we have studied the amendment. It is the kind of amendment that we agreed in committee we would accept on the floor if it were necessary to perfect the bill to meet some of the hundreds of problems that are raised by Senators with regard to their individual State problems.

I believe the amendment should be a part of the bill. The subject poses a real problem, which was not considered in committee. The bill is such a complex bill, involving so many factors, that it will probably be years before we shall be able to take care of all the loose ends. This is one that we should take care of now. I hope the amendment will be agreed to.

Mr. ANDERSON. We have checked the amendment very carefully. It is the kind of amendment that we decided we could and should take without damage to the bill.

Mr. KUCHEL. Mr. President, I ask consent that a telegram to me from Paul D. Ward, administrator of the Health and Welfare Agency of the State of California be included at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SACRAMENTO, CALIF.,
July 8, 1965.

Senator THOMAS KUCHEL,
Washington, D.C.:

Our analyst indicates the proposed section 1118(a) would be extremely helpful to the State of California. We would appreciate it's being amended into H.R. 6675. The proposed section 1118(b) would under certain circumstances be helpful. However, it would not obviate the need for additional State legislation since State statutory limitation on expenditures for these programs would still prevail.

PAUL D. WARD,
Administrator, Health and Welfare Agency.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. SMATHERS. I move to lay that motion on the table.

The motion to table was agreed to.

THE GROWING THREAT FROM SOVIET STRATEGIC WEAPONRY ADVANCES

Mr. THURMOND. Mr. President, in this period when our attention is fixed on events in areas of the world where Communist expansion efforts now take the form of shooting war, and particularly events in Vietnam, it is all too easy to overlook or minimize the increasing evidence of the growing threat from Soviet strategic weaponry advances. The immediate, urgent, and pressing need to channel additional resources into our forces designed to deal with the problem of Communist "wars of liberation" must not be permitted to obscure the needs at the other, or higher, end of the spectrum of military threat.

Our Defense officials, and particularly the Secretary of Defense, appear to have minimized the threat of Soviet strategic power. The Secretary of Defense has made it clear that he believes the Soviets are now substantially inferior to the United States in strategic power and and are presently making no serious attempt to catch up. His attitude is accepted, for the most part, and reflected in the public information media, although there is very little treatment of this subject at all by the news media.

On May 9, 1965, the Soviets revealed a number of strategic weapons which the free world had not previously seen. If these weapons are for real, the balance of strategic power is strikingly different from the rather comfortable balance which the Secretary of Defense has described.

Although I have seen no direct comments by the Secretary of Defense on the missiles and equipment displayed by the Soviets on May 9, the press has attributed to defense officials conclusions that imply that the Soviet weapons displayed were largely a propaganda hoax.

In the July issue of Air Force and Space Digest, there appears an article by J. S. Butz, Jr., technical editor, which meets the problem directly. The article is entitled "The New Soviet Missiles—Technological Storm Warning or False Alarm?" The facts presented make a strong case that the Soviet missiles are largely what they purport to be—evidence of rapid Soviet advances in missilery, and particularly in the field of solid propellants.

I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, this presentation by Mr. Butz raises, without specifically phrasing it, the question of whether once again we are officially engaging in the dangerous pastime of self-delusion. Often in the past the U.S. Government has based its actions on intelligence estimates which were wrong, primarily because hard intelligence was discounted in favor of preconceived notions. One of the most recent examples of such mistaken estimates was the denial of the presence of Soviet missiles in Cuba in 1963. There have been numerous others. The Soviet detonation of a thermonuclear bomb on August 12, 1953, came years before our official estimates said it could be done. When Sputnik I was orbited in 1957, it caught our Government still not believing that the Soviets were engaged in any such program or had any such capabilities.

Mr. President, the stakes are too high and the consequences too dangerous, for our Government to once again base its actions on wishful thinking rather than hard evidence. Should the United States forfeit this race because our Secretary of Defense thinks the Soviet Union is not running, it could well be the end of our racing career.

It has been properly suggested by the chairman of the Preparedness Investigating Subcommittee of the Senate Armed Services Committee that the defense budget for fiscal 1966 be completely reviewed by the Department of Defense to make it reflect changed circumstances, such as the escalation of the war in Vietnam, before the legislation is acted on by the Senate. This is a meritorious proposal and the Senate should insist that it be complied with. At the same time, the sufficiency of the budget and the adequacy of our defense program to meet the strategic nuclear threat posed by Soviet advances should also be reviewed and reconsidered. In this area of defense, as well as in the conventional shooting war in Asia, time is of the essence.

Mr. President, the United States can afford the high expense of maintaining adequate defenses to cope with the entire spectrum of the military threat, from insurgency in remote areas to strategic nuclear weaponry. We cannot afford the luxury of a Secretary of Defense who persists in following the policy of an ostrich, never admitting the facts of life he does not see because his head is in the sand.

EXHIBIT 1

THE NEW SOVIET MISSILES—TECHNOLOGICAL STORM WARNING OR FALSE ALARM?

(By J. S. Butz, Jr.)

An unusual opportunity to evaluate Soviet missile hardware was presented to the free world this spring. Russian news agencies have distributed unusually clear photographs (for them) of a series of previously secret intercontinental and midrange missiles.

Examination of these photographs leads to a number of conclusions concerning Russian engineering and manufacturing prowess and the present Soviet strategic military posture. Some of these conclusions are disturbingly at odds with the situation as reported by top Department of Defense officials. Briefly the major conclusions are:

The Soviet Union is intensely interested in large solid-rocket development and has been for many years. The success of the Soviet effort was demonstrated by parading two solid-fueled ICBM's on May 9 in Moscow. It was the initial showing for both. One is about the size of Minuteman I. The other closely approximates an ICBM that could be built from Titan III-type, 120-inch-diameter, solid rockets, which has been mentioned as a possibility for future development in the United States. This rocket, code-named Big Brother, is about 100 feet long, 10 feet in diameter, and should have "several times" the weight-lifting capacity of Minuteman II, according to U.S. experts who have discussed solid-fueled ICBM's in the 120-inch class.

Exhibition of these missiles raises serious questions about Secretary of Defense Robert S. McNamara's evaluation of Soviet strategic might. Mr. McNamara has stated repeatedly, in congressional testimony and elsewhere, that the Russians have succeeded only in building liquid-fueled ICBM's and that this gives the United States a major advantage. One of his most recent categorical expressions of this view was in an interview with U.S. News & World Report published last April 12, less than a month before the May Day parade. He said, "They [the Soviets] have no solid-propellent strategic ballistic missiles, for example. If our force were all liquid propellent missiles, we'd feel severely handicapped."

In the course of a massive and continuing effort to modernize its rocket forces since World War II, the Soviet Union has apparently followed the U.S. pattern and has developed a large number of different missiles. In various parades of military might, the U.S.S.R. has shown:

Three intercontinental-range missiles, two solid fueled and one liquid fueled.

One Jupiter-size, liquid fueled, intermediate-range missile.

One liquid-fueled rocket in the Redstone class.

Two heavy, solid-fueled, intermediate-range missiles on tracked carriages in the mobile midrange ballistic missile (MMRBM) class. This missile has been bypassed for development in the United States even though strongly recommended by the Joint Chiefs.

In addition, the Soviets have shown two solid-fueled naval missiles, one of which resembles the earlier Polaris configurations, and more than a dozen types of heavy antiaircraft and battlefield missiles, all highly mobile.

More surprises are coming in Soviet rocketry. No rocket yet shown is capable of launching the heavy 10,000- to 15,000-pound Vostok and Voskhod vehicles which the Soviets have placed into orbit. The largest of these rockets shown to date, the Big Brother and Fassim, would need considerable modification in the form of strap-on solids or other thrust uprating, to accelerate such large payloads to orbital speeds. At least one launch vehicle considerably larger than any shown has yet to be revealed by the Soviets.

Unfortunately, there is no wide agreement on these conclusions. The Soviets lifted their curtain of secrecy briefly, but the significance of the newly revealed systems has been obscured in a heavy fog of disagreement among Western press and official observers. The confusion over Soviet capabilities is as great today as it was before the photographs were made available.

Even those readers of United States and European newspapers and periodicals who are rocket experts are faced with an almost impossible job in evaluating the new Soviet hardware. Published reports have been contradictory in key respects.

This is a deplorable situation. More information must become available on the vital areas of advanced technology and strategic armaments. Secretary McNamara himself states that strategic nuclear superiority is the "absolute foundation" upon which all our military effectiveness rests. But it is not enough to say bluntly and without elaboration, as he did in the U.S. News & World Report interview, that our quantitative superiority in strategic weapons is three or four to one, and that in qualitative terms our superiority "far exceeds three or four to one."

The recent revelations in Soviet missilery raise the most basic doubts regarding such views. There are positive indications of a far more sophisticated Russian technology than has been conceded by U.S. officials. If these indications are correct it would seem foolhardy to contend that the United States has clearly outclassed Soviet Russia strategically, and will hold this lead for the foreseeable future because, as Mr. McNamara puts it, "There is no indication they are catching up or planning to catch up * * * there is no indication they are in a race at this time."

The newly revealed Soviet hardware definitely is worthy of more than cursory comment. If it truly signals United States-Soviet parity in the design and manufacture of long-range military rockets, this fact is as important to the United States as what is going on in Vietnam or the Dominican Republic.

Obviously no observer can say with certainty just how good these missiles are. Photographs can't tell you what kind of propellant they burn, how much their cases weigh, how light and sturdy their nozzles are, and other key information. Such vital estimates must be made against a background of knowledge about the course of Western rocket development and by comparing major features of the Soviet missiles with known U.S. hardware.

However, some pieces of this Soviet missile evaluation puzzle involve unclassified information—or instance, the heavy Soviet orbital payloads whose weights have been verified by United States and English tracking stations. Another unclassified clue to Russian technical capability is the fact that their spacecraft often have had nearly identical orbits. This has led many Western observers to believe that in the difficult field of building guidance equipment the Soviets are in the same league with the United States.

Many parts of the puzzle can never be fitted together without a new approach to the release of information. For example, it has been widely published that the United States has large radar sets near the Soviet borders and in the Pacific, which can track Soviet missiles during launch as well as during reentry. Such radar could easily tell a solid-fueled ICBM from one using liquid rockets because the solid vehicle would have to accelerate much more rapidly or its range payload efficiency would quickly drop. At least, this is the pattern revealed by U.S. development.

Quite naturally, the U.S. Government has been extremely close mouthed about such tracking facilities and other capabilities for gathering intelligence data. However, Mr. McNamara must be considering the input from such facilities when he says flatly that the Soviets "have no solid-propellent strategic ballistic missiles." Maybe the whole May 9 parade was an elaborate Potemkin Village hoax.

A very real counter to this hoax idea are the many Soviet space accomplishments, which are verifiable, and Mr. McNamara's own assertion that the Russians have developed the capability to destroy the United States presumably with obsolete, liquid-fueled rockets that are overweight by modern standards.

The final question here concerns the difficulty of building solid-propellent rockets. Certainly, the United States has enjoyed great success in developing advanced solid-fuel motors. The Minuteman and Polaris systems, which are to be the backbone of our strategic might for the indefinite future, have been built on this technology.

Very briefly, our advanced solids technology can be said to date from 1957–58. At that time it became clear there were major performance improvements to be had by suspending very small flakes of aluminum and other light metals throughout a charge of elastomeric rubberlike petroleum fuel and ammonium perchlorate oxidizer, which has been in wide use around the world as a solid-rocket propellant. This aluminized propellant increased specific impulse 15 to 20 percent, it suppressed combustion instability, and it provided a "higher solids loading" which, in rocket-engineer terms, means it had increased density and burned hotter. All three of these improvements are important and they have made aluminized propellants a key element in the development of Minuteman and Polaris.

Perhaps the most important point about aluminized propellants in the context of this article is that they have never really been a secret. Their acceptance came rather gradually and was accompanied by extensive reporting in open technical literature on theoretical and experimental studies. Their worth was first proved in the U.S. strategic weapon program. Experience there reinforced the contention of solid rocket experts that aluminized propellants made it practicable to build very large, very reliable, stable combustion, solid motors which could nearly match liquids in payload-carrying capacity.

It is well known that, with the exception of the Minuteman and Polaris programs, the United States has been exceedingly slow in putting the light-metal additive propellant technology to work. At least 3 years of hard selling were required to get a large solid rocket program going in the form of the 120-inch-diameter segmented motors slated for operational duty on the Titan III, and the 156-inch-diameter and 260-inch-diameter experimental motors being developed under joint NASA–DOD cognizance. Several 156-inch motors have been fired successfully and, with the exception of a 260-inch motor case fabrication problem, the program is on schedule. It appears that two 260-inch motors will be fired before the end of the year.

Other critical problems in solid rocket construction involve the case, nozzle, thrust vector control for steering, and precise thrust termination for trajectory control. In case construction, the United States has moved on from the type of steel proven through years of use in aircraft construction to high-strength steels with nearly twice the strength-to-weight ratio, and to even lighter cases made of materials such as titanium and glass fiber. Acceptable nozzles with three basic types of cooling—heat sink, gas film, and internal reservoir cooling—have been developed. A rather broad group of high-temperature materials suitable for the nozzle lining have been developed. Successful thrust vector control systems have been built using gimbaled nozzles and the injection of high-pressure liquids into the nozzle flow. Terminating thrust precisely, with blow-out ports on the forward end of a motor, has become commonplace.

In short, the United States has developed all of the elements of advanced solid-motor technology without a real hitch. And there can be no doubt that the U.S. program has moved at an artificially slow pace. Few people in the rocket business would argue that this country couldn't have large solid rockets, of 120-inch diameter or bigger, in large-scale operation today if it had chosen to do so. Large solid rockets are easier to build in many respects than those of Minuteman size. For example, the critical nozzle heating problems are significantly reduced.

Looking over the requirements for developing large solid rockets, it is difficult to point to any part of the problem that the Russians could not have mastered if they had chosen to try. And, considering the slow pace of the U.S. program, it certainly appears possible for the Russians to be ahead in this field, at least in the size of operational vehicles.

As mentioned previously, this sort of analysis has not been explored by most press commentators and Government officials. In general, Western response to this new opportunity to inspect Soviet hardware has been limited to straight reporting of Soviet announcements. The Pentagon has not commented on the quality of the Russian missiles.

On a more technical level, the aeropsace trade magazines in the United States and Europe made contradictory estimates, not only of the technical excellence, but also of the basic mode of operation and the purpose of the newly revealed Soviet hardware. For example, one U.S. aviation and space technology magazine described the missile code-named Fassim, first as a solid-propellent ICBM and then went on to call it a storable cryogenic propellent missile in succeeding weeks.

This same magazine called Big Brother a liquid-fueled rocket and refuted Soviet press releases stating it was solid fueled. The main basis for this refutation was given as the lightweight construction of the Big Brother's transport trailer, which had only two axles and eight wheels. The magazine stated that the trailer "appeared too light to carry a solid-propellent missile of this class." The immediate question raised by such an analysis is whether or not the Soviets normally truck large, solid-propellent rockets loaded with propellant through crowded city streets, at speeds up to 15 miles per hour on trailers that obviously do not have special shock-absorbing mechanisms. Certainly the United States does not transport loaded Minuteman and Polaris missiles in such a fashion.

In another paragraph, the magazine also raised the possibility of Big Brother's being a fraud. It said some Western observers doubted that the open truss structure connecting the stages could "stand bending moments in pitchover." Another point given in support of this view was the jury-rigged appearance of the Big Brother trailer with a welded tube extension on its girder-type body.

An authoritative English aviation weekly did not express doubts of Russian statements that Big Brother was the rocket that had launched the Vostok and Voskhod spacecrafts. Most U.S. publications took about the same position on this question. But the assertion is highly questionable, for Big Brother is in the size class of the Titan II missile, about 100 feet long and 10 feet in diameter. The Tital II, which is generally regarded as being the most advanced operational U.S. liquid-fueled rocket, can just put the Gemini spacecraft into orbit, and it weighs less than 8,000 pounds. If Big Brother can launch 10,000-pound vehicles such as the Vostok and Voskhod into low earth orbit, Soviet rocketry would be quite advanced over the U.S. state of the art, and this fact would deserve explicit reporting and wide circulation.

In addition, the English magazine also said Big Brother's first stage "reportedly" was powered by four liquid-fueled, K–102 engines, each producing a takeoff thrust of 300,000 pounds. This would be 1.2 million pounds total, nearly three times the first-stage thrust of the Titan II. Since Big Brother must be about the same weight as Titan II, assuming the Soviet missile actually is liquid fueled, Big Brother's acceleration during launch would have to be nearly three times that of the Titan II, a remote possibility for any booster used to launch a manned vehicle.

Quite different views were voiced by the expert observers who were interviewed for this article. This evidence, plus data on U.S. rockets which most closely approximate the Soviet missiles and known data on Soviet missiles, is digested below.

Big Brother: 100 to 110 feet long. About 10 feet in diameter. Compares most closely in size to U.S. Titan II, which is 103 feet long and is 10 feet in diameter.

Most probably Big Brother is strictly an unmanned military rocket weighing more than 400,000 pounds with around 1 million pounds of thrust in the first stage. Photographs show it to have three powered stages giving strong indication that solid fuel is being used. Efficiency of liquid propellants is higher, and two stages are optimum for ICBM and orbital space-launcher roles. If Big Brother had three liquid-fueled stages, it probably would be a very old vehicle burning obsolete propellants.

First-stage motor has four nozzles to shorten stage length and ease high-temperature design problems. This follows U.S. practice as used in Minuteman and Polaris, and Soviet techniques as revealed by Little Sister.

Second-stage motor has same diameter as first stage, using a single nozzle with very large exit diameter to improve performance at high altitudes. Major performance gains for Minuteman II (which Mr. McNamara says is four to eight times more effective than Minuteman I) are achieved by similar design, enlarging the second-stage motor to the same diameter as the first stage and replacing the older four-unit nozzle with a single nozzle. This second-stage configuration of Big Brother is regarded by some observers as a significant clue to Soviet state of the art. The length of its nozzle, for instance, is quite short and its diameter quite large, possibly indicating that it is of the expansion-deflection, or inverse-plug, type. In the United States such nozzles are considered to be quite advanced for, by shortening the nozzle length, they allow the designer to increase the length of the combustion chamber and to get more propellant into a stage of a given length.

Open truss, interstage structure appears to be heavy enough to bear flight loads. It is simple and would allow fire-in-the-hole staging of the type used on Titan II, whereby the second stage is ignited before the first stage drops off. In this case, neither the first nor second stages appears to have blowout plugs on their forward ends to allow a reversal of thrust just prior to burnout. Probably staging is accomplished simply by igniting the stage ahead. Elimination of the blowout plugs would save a little weight.

The large third stage presents many interesting possibilities for speculation in a period when U.S. military rocket designers are concentrating on developing "shotgun" effects with multiple warheads and sophisticated penetration aids to fool ballistic missile defenses. The large volume available on this stage gives one Big Brother the potential of striking simultaneously several major targets scattered across an entire continent.

In pursuing the numbers game type of strategic analysis, one must consider the fact that, by conservative estimate, one 10-foot-diameter solid-fueled ICBM can carry three to four times the payload of a 6-foot-diameter solid-fueled ICBM. That is, one Big Brother, if it is near the U.S. state of the art, can do the work of at least three to four Minuteman II's. For example, it could be highly misleading to draw a comfortable conclusion from a report stating that the United States had four times the strength of the U.S.S.R. in strategic weapons because we had 800 Minutemen and they had only 200 operational ICBM's. If these 200 Soviet ICBM's were Big Brother types, equipped with multiple warheads, the two forces would be essentially equal in military effectiveness.

Actual payload/range performance of any ICBM is critically dependent upon the specific impulse of the upperstage propellants and the propellant loading fraction, or lightness, of the inert parts of all stages. On Big Brother the only clues to excellence in these departments are the relatively short length and semisubmerged appearance of the second-stage nozzle and the monolithic design of the first stage. The one-piece case should be considerably lighter than the segmented case with its heavy joints, such as is used on the Titan III–C, 120-inch motors, which were designed to power launch vehicles of a variety of weights and were not optimized for one specific mission.

As far as the upper-stage propellants go, the Soviets are known to have conducted basic research on the use of beryllium rather than aluminum particles as a high-energy fuel additive. These beryllium propellants have been successfully developed in the United States and are important features of the most advanced military rockets.

Little Sister: About 60 feet long and 6 feet in diameter. Compares most closely with U.S. Air Force's Minuteman I, which is about 56 feet long and 6 feet in diameter. This ICBM probably is an early relative of Big Brother, and is around 3 years old.

Fassim: Two-stage, liquid-fueled ICBM about 85 feet long with a first stage 11 to 12 feet in diameter. Total weight is around 275,000 pounds. The single first-stage engine delivers in the neighborhood of 400,000 pounds thrust, uses "jetavator" type paddles in the exhaust stream for thrust vector control. This vehicle and its powerplant are a direct outgrowth of the Sandal-Shyster and Skean development work. Probably four of the first-stage Fassim engines have been clustered to produce about 1.5 million pounds of thrust in the first stage of the Vostok and Voskhod launch vehicle, which has not yet been shown by the Soviets.

The closest U.S. equivalent of Fassim is the 1½-stage Atlas booster, which is 82 feet long, 10 feet in diameter, weighs 269,000 pounds, and has a thrust of 389,000 pounds from three engines.

Skean: An IRBM-class vehicle which probably can carry a heavy warhead more than 2,500 miles. It is about 85 feet in length, with a diameter of around 9 feet and a launch weight in the neighborhood of 180,000 pounds. This rocket is somewhat heavier than U.S. IRBM's the Thor and Jupiter, both of which weighed 110,000 pounds and were powered by 150,000-pound-thrust engines. The Jupiter, for example, was 60 feet long and 9 feet in diameter.

The Skean engine apparently is in the 250,000-pound-thrust class and uses "jetavators" for steering.

Sandal-Shyster: The Sandal is a Redstone-class rocket, which also has been produced in an up-rated configuration called the Shyster. Sandal is about 75 feet long with a diameter of something over 6 feet. It weighs around 80,000 pounds and is powered by a 110,000-pound-thrust engine. The Redstone, by comparison, is 70 feet long, a little under 6 feet in diameter, weighs 61,000 pounds, and is powered by a 78,000-pound-thrust engine.

The Sandal dates from about 1950, and it probably can propel a heavy warhead nearly 1,000 miles. This would be about equal to Redstone performance, which always was heavily understated in U.S. Army fact sheets.

A number of other relatively long-range missiles paraded by the Soviets are shown in the accompanying photographs. In addition, the Red army is equipped with by far the widest variety of battlefield tactical missiles of any army.

Even the most cursory review of the known elements of this arsenal lead inevitably to four basic conclusions:

First, the development of rockets has received a high priority continuously in the Soviet Union for 20 years, since the end of World War II.

Second, the Soviet effort has been broadly based and produced several generations of vehicles with increasing performance capability. The Russian engineering-industrial community has had an ample number of projects with which to gain experience. They have given a good account of themselves in the space race and the strategic missile race. There is no apparent reason for believing that this engineering-industrial community has to fake its position by showing false hardware in a Potemkin village-type parade. There is no apparent reason for believing that this community is not capable of competing favorably on the newest frontiers of rocketry, including the development of multiple warheads, maneuverable warheads, decoy warheads, and the like as well as the development of vehicles which can take man to the surface of the moon.

Third, solid-propellent rocketry is playing a major role in current Soviet operations and in their future plans. Judging from the favorable experience of U.S. industry in developing large solids, and the appearance of 120-inch Soviet motors, it is certainly possible, if not probable, that much larger solid rockets are available in Russia.

Fourth, U.S. intelligence has suffered a major failure if the Soviet missiles in the May 9 parade were not fake. The top levels of the Defense Department have been operating on the assumption that the United States is in an extremely favorable strategic military position, primarily because we are said to have a monopoly on large solid rockets.

If an assumption of such basic importance has proven to be absolutely incorrect, many other intelligence estimates and other assumptions of U.S. superiority undoubtedly would become suspect. An early review of U.S. intelligence and military planning operations by both the Congress and the administration definitely is in order if the Soviets are operating large solid rockets.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. RIBICOFF. Mr. President, I send an amendment to the desk and ask that it be considered. I also ask unanimous consent that the pending amendment offered by the Senator from Vermont be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be stated.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the amendment be not read, but printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 179, line 12, after the word "who" strike out the remaining words down through and including the word "and" on line 13 and delete the closing parenthesis on line 14.

Mr. RIBICOFF. Mr. President, this bill provides great improvements in existing medical assistance programs for the needy. However, it omits from the benefits it provides, millions of those who live in poverty—especially needy children. There are 5 million such children living in true poverty who cannot be aided under this bill because their father is living and is employed no matter how low his wages may be.

My amendment would solve this problem. It would broaden the definition of medical assistance for which Federal financial participation would be available under title XIX of the Social Security Act. Under the amendment States that wished to provide medical assistance to all needy children under 21 could do so with the Federal Government sharing in the cost—on the same basis as they would for such assistance to medically indigent children, and aged, blind and disabled individuals who would otherwise come within the public assistance categories.

This amendment would in no way affect the right of the States to limit their program to money payment recipients and to persons who would be eligible for money payments. This provision therefore authorizes the States to include all medically needy persons but does not require them to do so.

The Department of Health, Education, and Welfare has stated that the cost of the amendment for the fiscal year 1966 will be about $60 million. Mr. President, I believe that this amendment, which would give the States the freedom to act, with the promise of Federal participation, to care for their medically needy children under their own programs is urgently needed, and I request my colleagues to act favorably on this amendment.

It is supported by a wide group of State officials and social welfare organizations. I ask unanimous consent to insert in the RECORD communications from the Commissioner of Public Welfare of the State of Louisiana, Mr. Bonin, the Governors of New Jersey and California, and the Commission of Social Welfare of New York all in support of this amendment.

There being no objection, the telegrams and letter were ordered to be printed in the RECORD, as follows:

BATON ROUGE, LA.,
July 2, 1965.

Hon. ABRAHAM A. RIBICOFF,
U.S. Senator, Senate Office Building, Washington, D.C.:

This department endorses your amendment No. 198 to H.R. 6675. Current requirement of categorical tie-in would be more difficult and expensive to administer while your amendment would provide more adequately for medically indigent.

GARLAND L. BONIN,
Commissioner of Public Welfare.

TRENTON, N. J.,
July 6, 1965.

Hon. ABRAHAM A. RIBICOFF,
State of Connecticut Senator, Capitol Building Office, Washington, D.C.:

New Jersey appreciates your interest in the amendment to medicare that would permit States to extend assistance to all medically indigent under the new title XIX. Be assured of my support.

RICHARD J. HUGHES,
Governor of New Jersey.

SACRAMENTO, CALIF.,
July 2, 1965.

Hon. ABRAHAM A. RIBICOFF,
U.S. Senator, Senate Office Building, Washington, D.C.:

Under H.R. 6675, California wants to be able to extend medical care to as many as possible of our State's low income, medically indigent families. Present restrictions in the bill which tie eligibility to other categorical aids will limit our ability to provide care of the desirable scope. For that reason, I strongly favor your proposed amendment which would drop the linkage provision and urge your colleagues to support you in this endeavor.

EDMUND G. BROWN, *Governor.*

STATE OF NEW YORK,
DEPARTMENT OF SOCIAL WELFARE,
Albany, July 2, 1965.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.
Hon. ROBERT F. KENNEDY,
U.S. Senate,
Washington, D.C.:

Understand Senator RIBICOFF will offer amendment to H.R. 6675 medicare bill to extend medical assistance to medically needy people. Urge your support. Amendment will enable States to meet medical needs of poor and needy. Currently in New York State cost met solely from State and local funds.

GEORGE K. WYMAN,
Commissioner of Social Welfare.

Mr. RIBICOFF. Mr. President, I have discussed the amendment with the managers of the bill and other members of the Committee on Finance on this side of the aisle, all of whom have agreed to accept the amendment.

Mr. LONG of Louisiana. Mr. President, I have discussed the matter with Members on both sides of the aisle. I believe we should take the amendment. I hope the House will agree to it. Of all the provisions in the bill that relate to children, this may be the most meritorious. It was an oversight that this provision was not included in the bill when it was originally introduced in the House.

Mr. WILLIAMS of Delaware. Mr. President, I hope the Senate will accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut.

The amendment was agreed to.

STRENGTHENING AND IMPROVING THE NATIONAL TRANSPORTATION SYSTEM

Mr. MANSFIELD. Mr. President, earlier today the leadership called up Calendar No. 373, S. 1727, and the bill was passed. That should not have been done.

Therefore, I ask unanimous consent that the action of the Senate today in passing Calendar No. 373, S. 1727, be rescinded and that the bill be returned to the calendar.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill, S. 1727, to provide for strengthening and improving the national transportation system, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

The Chair hears none, and it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

On request by Mr. MANSFIELD, and by unanimous consent, all committees were authorized to meet during the session of the Senate tomorrow.

THE EFFECTS OF THE RECENT EXCISE TAX CUT

Mr. McCARTHY. Mr. President, every Member of the Congress is particularly interested in the effects of the recent excise tax cut. Most are totally convinced that the President and the Congress accomplished something long overdue, but the full effects of the excise cut remain to be seen.

In his message to the Congress when the cut was proposed, the President spoke of the tremendous increase in consumer spending power that would result from this legislation. In signing it into law he assured the American people of its beneficial effect and urged manufacturers to pass along savings to the consumers. It is most heartening, therefore, to read of a survey by the New York Times that shows most positively that manufacturers are following the suggestion of the President and the tax cut is being reflected in lower prices.

The story, written by David Jones, appeared on June 27, less than a week after the President signed the bill. It is a most encouraging report and I believe every Member of Congress will find it informative and interesting.

I ask unanimous consent that the article be printed in the RECORD at this point of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 27, 1965]

TAX CUT BENEFITS GOING TO SHOPPERS DESPITE CONFUSION

(By David R. Jones)

DETROIT, June 26.—Most businessmen appear to be heeding President Johnson's request that they pass along the benefits of this week's excise tax cut to consumers. But a substantial number seem to be increasing their profits with the money.

These are the major findings of a spot survey in several major cities in which the New York Times compared the retail prices of consumers goods before the tax cut with prices prevailing this week after the tax cut.

The survey also showed that there was considerable confusion surrounding the tax cut, leaving open the possibility that consumers might benefit more fully from the reduction later on.

But the survey indicated that, in the meantime, shoppers wishing to benefit from the cut should demand it from their retailers rather than rely upon salesmen to offer lower prices automatically.

President Johnson on Monday signed legislation that will reduce excise taxes by $4.7 billion on a wide variety of goods, ranging from jewelry to automobiles.

The first stage of the reductions, amounting to $1.75 billion a year, took effect on Tuesday and the balance will go into effect at intervals through January 1, 1969.

There was nothing in the legislation to compel businessmen to pass along the reduction to lower consumers in the form of lower prices, but President Johnson urged them to do this so the bill would "make its maximum contribution to our economic health."

The administration plans to study the extent to which the tax cuts are passed along.

The legislation eliminated the 10-percent excise tax levied by retailers on such products as jewelry, cosmetics, luggage, and furs.

It also eliminated the 5-percent tax paid by manufacturers of refrigerators and gas and electric appliances, cut the 10-percent tax paid by automobile makers to 7 percent, and repealed the 10-percent tax paid by makers of such products as air conditioners, radio and television sets, photographic equipment, musical instruments and sporting goods.

RETAIL TAX DROPPED

The survey indicated that retailers almost without exception have dropped the retail excise tax, which usually was added to the sales price of a product at the time of purchase, and were passing the benefits along to consumers. This tax amounted to $550 million a year.

The survey also indicated, however, that many manufacturers, distributors, or retailers so far had failed to pass along to the consumers the benefits of the cuts in the manufacturers' tax on such products as automobiles and major appliances.

The auto tax cut totaled $570 million a year and the other manufacturers' taxes totaled $608 million a year.

More than half of the retailers surveyed were voluntarily passing to consumers some benefit from the tax cuts on automobiles, major appliances, and similar products. But nearly 30 percent were not, and the rest did so only after being pressed by the consumer for the tax cut.

A CAR PRICE GOES UP

J. L. Hudson Co., Detroit's leading department store, has stopped charging the 10-percent retail excise tax on cosmetics and luggage, for instance, but has not lowered prices on refrigerators or most television sets.

A Hudson television salesman explained yesterday that prices had been cut $10 on some Magnavox models to reflect the tax cut. But he said prices remained unchanged on Zenith, RCA, and General Electric models because those makers had not determined their policy. Spokesmen for all three producers, however, said the tax cuts had been passed to distributors.

A salesman at Carroll Collins Ford in Dallas, Tex., who quoted a price of $2,595 on a Mustang before the tax cut, offered the same customer a price of $2,670 for the same car yesterday. He said the higher price reflected a $52 tax cut on the car but explained that improved demand had forced the price up despite the tax cut.

A salesman at Vangan-Anderson Co., an appliance dealer in Minneapolis, Minn., quoted a price of $298 on a Hotpoint refrigerator both before and after the tax cut.

When pressed for information on the tax cut, the salesman telephoned a distributor and found that the price would be reduced $8.52 to reflect the cut. But the salesman still was unable to say when the lower price would take effect.

Some of this no doubt resulted from confusion among salesmen about the tax situation, but there were instances where retailers seemed intent upon keeping the tax cut money. In Seattle, Wash., for example, one auto salesman and two appliance salesmen agreed to give the tax cuts only when pressed by the customer.

CUSTOMER IN DARK

Most customers will be unable to tell whether they are benefitting from the tax cut unless they priced the goods before the tax cut took effect.

Even then, they would need a manufacturers' price list to be sure they were getting the full tax cut because a 10 percent tax on the manufacturers' level may mean only a 5 to 7 percent reduction in the retail price, which includes distributor and retailer markups.

The situation is particularly complex on automobiles, which represent the largest potential for a tax saving.

The auto makers promised Congress they would pass along the tax cut, and they have reduced their suggested retail prices. But few cars are actually sold at those prices, and customers still must negotiate an individual price with their dealers.

For example, a salesman at Jefferson Chevrolet in Detroit offered a customer a Chevrolet Impala sedan with certain options for $2,585 before the tax cut was enacted. But another salesman at the same dealership asked $2,690 for the same car after the tax cut.

The New York Times survey showed that many auto dealers were passing along the tax cut automatically. But the vagaries of the car market are such that many dealers apparently are seeking to keep some of the money for added profit. One Miami, Fla., dealer, for instance, said he intended to keep his margin of profit steady in the months ahead even if it meant dipping into the tax refund.

PRICE RISES FORESEEN

A pricing expert for one of the Nation's largest appliance makers said yesterday that most producers appeared to be passing on the tax cut in the form of lower prices to distributors. But he said that some producers would try to keep the money and that some distributors and retailers might do the same.

He also said some producers might try to absorb the tax money by edging up prices on new models later this year.

Some retailers already have accused producers of failing to pass along the tax benefits to consumers.

Frederick Zissu, chairman of Vornado, Inc., sent a telegram to President Johnson stating that some manufacturers "are taking advantage of the situation to increase their prices." He denounced this as a "self-seeking means of pocketing etxra profit."

Some manufacturers complained in return that the distributors and retailers were the ones who were pocketing the tax money. The manfacturers said that they could not regulate retail prices, and one appliance executive regretted that the tax cut had been related to prices since it "has nothing to do with prices because they aren't legislating prices."

Some appliance producers believe that the tax cut will bring a complete restructuring of appliance prices in the months ahead.

Most retailers contend that the public will benefit more fully from the tax cut when the present confusion subsides and competitive pressures assert themselves.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. INOUYE. Mr. President, I ask unanimous consent that the pending amendment of the Senator from Vermont be temporarily laid aside, and that the amendment that I now send to the desk be stated.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be stated.

The LEGISLATIVE CLERK. On page 28, line 4, it is proposed to strike out "10 years" and insert in lieu thereof "6 months."

Mr. INOUYE. Mr. President, H.R. 6675 is undoubtedly one of the greatest steps Congress will take in the area of social legislation. It will be a proud moment when I am privileged to cast my vote in favor of the bill.

However, there is one aspect to the pending legislation which needs to be corrected. You will note that in order to qualify under both the mandatory and supplementary medical aid programs of H.R. 6675, the applicant must be at least 65 and must either be a citizen of the United States or an alien lawfully admitted for permanent residence who has resided in the United States continuously during the 10 years immediately preceding the month in which he files his application.

It is on this 10-year continuous residence requirement that some thought should be given to possible revision.

Approximately 165,000 of the 2,819,246 permanent resident immigrants who came to this country between June 30, 1955, and June 30, 1964, or during the last 10-year period reported by the Immigration and Naturalization Service, were over age 60, an age bracket which would be directly affected by the 10-year continuous residence requirement.

Based on a reasonable statistical estimate arrived at through previous experience, roughly between 5 and 7 percent of the 165,000 permanent resident aliens have been or will become naturalized. This would still leave between 140,500 and 147,500 of the senior permanent resident aliens ineligible under the terms of the 10-year continuous residence restriction.

Although relatively small as compared to the total number of citizens who will be covered, such a figure is very significant in terms of those who will not be covered under the current eligibility requirements. It is, moreover, very questionable whether any meaningful economy will result from insisting on the retention of the residence clause.

Personally, it is my deep conviction that such a requirement runs counter to our professed humanitarianism. Included in the 140,500 to 147,500 figures are thousands of refugees who came here at our invitation in order to escape persecution in the iron and bamboo curtain countries. To deny such individuals what, in effect, amounts to equal protection under our laws is, in my view, an inconsistent position.

Furthermore, these immigrants have been carefully screened in order to select those who want to contribute to our Nation's development. They are gainfully employed and are assessed income taxes and social security payments like any other American. Many, in addition to the 5- to 7-percent naturalization figure mentioned, will be processing for that status as soon as they can meet certain minimum qualifications.

The damage which can very likely result to our image overseas, as well as in this country, from this well-meaning but imprudent requirement will far offset any economy that can conceivably result.

Although I am in no way inferring that we should follow the examples set by other countries in the matter of determining eligibility requirements for aliens in medical care programs, I think it is interesting to note that in Great Britain, even transient visitors who become ill while visiting in that country are eligible. Furthermore, in Denmark, there is only a 6 month waiting period for aliens who plan to assume permanent residence. In Sweden, there is an annual November 1 registration date for all applicants, including aliens who plan to stay in Sweden. In Norway, there is only a short waiting period of not more than 2 weeks provided an alien has previously applied for a work permit.

It is highly significant to note that in all of these countries, there is nothing approaching a 10 year continuous residence requirement for determining eligibility. As a matter of fact, arrangements have been made between Great Britain and the countries of Denmark, New Zealand, Norway, Sweden, and Yugoslavia under which nationals of these countries may receive treatment under Britain's NHS and British nationals may receive health benefits under the legislation of the countries mentioned.

I, therefore, respectfully request support of this amendment which I have introduced together with Senators CLAIBORNE PELL and HIRAM FONG which proposes to eliminate the 10 year continuous residence requirement for all permanent resident aliens under both the mandatory and supplementary programs and to substitute in lieu thereof a residence requirement of 6 months.

I am pleased to advise the Senate that I have conferred with leaders on both sides of the aisle and with the Senators in charge of the bill, and they concur in the amendment.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. INOUYE. I yield.

Mr. LONG of Louisiana. When the Senator from Louisiana originally saw the 10-year provision, it seemed to him that it could work some drastic hardship on people who are properly citizens and residents of the United States and entitled to the medical assistance provided in the bill. I am glad the Senator raised the point in relation to the 10-year provision. I think it is a question that we should study in conference to see whether a period of 6 months would be more appropriate or whether some period between 6 months and 10 years should be the period of time required for residence. The Senator has a very good argument to support his position. I think the question should properly be in confidence between the Senate and the House. I am happy to support the amendment.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. INOUYE. I yield.

Mr. WILLIAMS of Delaware. I join in expressing the hope that the Senate will accept the amendment. By so doing, it will throw the entire question into conference, where we can examine it further and come up with what we hope will be the proper solution.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Hawaii [Mr. INOUYE].

The amendment was agreed to.

Mr. ALLOTT. Mr. President, I shall not detain the Senate long, but I do wish to comment on the present bill.

We are about to enter into a new era. I do not think that it is a good era, but then I know that the majority of my colleagues will disagree with me. With the enactment of the so-called medicare bill, this country shall have adopted a new philosophy which simply stated is as follows: "In dispensing welfare services, need is no longer a consideration." I suppose that it can be justified on a basis of "equality"—that is, the rich ought to be treated equally with the poor, and therefore they should be entitled to the benefits of welfare programs just as the poor are. And, by the same token, why should not the poor be taxed to pay for the welfare benefits of the rich? It is more equal that way.

Motion is not necessarily progress, traveling in reverse may give the rider the same sensation of motion, but the results may be just the opposite of what he expected. His objective gets further away, instead of closer. I assume that it is still our objective to help our citizens become self-reliant and independent. This program of "Robin Hood in reverse" for financing, with its complete disregard for need in disbursement, will take us further from that objective. If, on the other hand, our objective has changed, and it is now our desire to make every citizen as dependent as possible on his Government for his every need, then this program is a giant step in that direction.

Last year it appeared that we would finally enact the first increase in OASDI benefits since January of 1959. But, this needed increase in cash benefits was sacrificed so that medicare could have another chance. It has become clear that retirees will not receive a long-overdue and much-needed increase in cash benefits unless medicare is attached to the package.

We should not overlook the fact that it is primarily the people who are under social security who have been robbed by the policies of this administration, particularly its financial policies. Do not be misled, because it was the administration that robbed them of their opportunity and right to get an increase in their social security benefits.

The implicit ultimatum in this situation was, "You either take medicare, or forget about any increases in cash benefits for the present." I was both dismayed and disappointed by these developments which denied to our aged a few extra dollars to meet their ever-increasing living expenses. It was cruel and uncalled for.

I personally believe it was immoral. It was absolutely and positively unconscionable. It was cruel and it was uncalled for.

My mail from social security recipients overwhelmingly indicates that they are far more concerned over receiving a little more cash to put bread on the table than anything else.

All of us recognize that there is a need for a program that will insure adequate medical care to our aged. Many can provide it for themselves and are doing so under private insurance programs, and some can afford to pay all their medical bills out of their own resources.

I am extremely disappointed that the Senate a few moments ago turned down the amendment of the distinguished Senator from Nebraska [Mr. CURTIS], which would have provided that those who can afford to do it shall pay their own medical bills. Some are not financially able to make such provisions for their medical needs and must have assistance. The Kerr-Mills Act was a positive step toward filling that void. We had an excellent opportunity to obtain experience in this field, but the program was scuttled by its administrators before it had a chance to go into operation. Even the most carefully drawn program cannot stand up against deliberate efforts of sabotage by the people who are authorized and obligated by law to administer it.

That is exactly what the officials in this administration have done.

Criticism was raised against the "means test." It was said to be too stringent. The position of the administrator was that "means tests" were inherently bad and should be eliminated entirely.

During the hearings on this measure, Secretary Celebrezze made this point several times. On page 135 of the Senate hearings the Secretary said:

> We do not advocate, we do not subscribe to, any program which must meet a needs test.

In the same colloquy with Senator CURTIS, Secretary Celebrezze also indicated that he opposed an income test. This is indeed unfortunate, and I think a bit inconsistent since the Social Security Program has had an income test in it since its inception. Under present law, an aged recipient can only earn $100 per month without having his cash benefits diminished.

I applaud the committee's decision to liberalize the earnings limitation. I joined in recommending similar action in the minority views of the report of the Special Committee on Aging. I ask unanimous consent that that part of the minority report of the Special Committee on Aging, dated March 16, 1965, be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

OASDI EARNINGS LIMITATION

Another badly needed change in the old-age and survivors insurance program relates to present limitations on earnings by a beneficiary.

The present unpenalized earnings limitation of $1,200 a year is totally unrealistic.

It discourages many who would like to supplement their pension funds with income from part-time work.

It virtually prohibits gainful full-time employment by others, often including those whose incomes are lowest.

The provision that a social security beneficiary will only lose half of his earned income between $1,200 and $1,700 a year, is awkward and cumbersome. In actual practice it only gives lipservice to the concept that the $1,200 limitation is too severe.

Unquestionably this Social Security Act provision should be changed. Whether it should merely permit higher unpenalized earnings, or be completely eliminated should be the object of careful study.

One possible way of meeting the older person's need would be to provide that there would be no reduction of old-age and survivors insurance benefits unless earnings and benefits "combined" exceeded a specified amount (i.e., $3,600 per year).

We recommend careful study of all such possibilities concurrently with our proposed review of budgetary requirements of older people.

Congressional action to accomplish these changes to provide higher benefits and greater flexibility under title II of the Social Security Act will vastly strengthen the independent economic position of older Americans.

By better meeting the primary need for income, such amendments would substantially reduce the necessity for special programs directed at specific needs. They would help restrict expansion of Federal controls over the lives of persons past 65.

It must be recognized that even then special problems will remain for many and will require different approaches by Government.

One of these is the problem of income for those who are not recipients of old-age and survivors benefits. Many of these people rely on the old-age assistance programs of the several States under title I of the Social Security Act.

There is evidence that some of these programs are inadequate to the needs of the public assistance clients now on their rolls. Prudence would suggest a careful review of this part of the Social Security Act to the end that the needs of people served by it are adequately and reasonably met. There should be consideration also of extending old-age and survivors insurance benefits under social security to persons age 72 and over who are not now covered.

At the same time that changes are made in social security to improve income of older people, it is most important that the rapidly growing private pension programs be given every possible encouragement.

While future actions toward further stimulation of private pensions may not address themselves to the needs of those now retired, they can significantly affect the income situation of those who will retire in the future.

Mr. ALLOTT. Too long we have legislatively imposed poverty on aged persons capable of earning enough to lift themselves out of their predicament if they were only given the chance to earn more.

The greatest need of our aged is increased income. Increased income will solve most of the financial problems of the aged. The retiree counted upon a certain level of income in purchasing power over the years, but unfortunately that purchasing power has not materialized. It has not materialized because our "Alice in Wonderland" fiscal policies have eroded the value of his benefit dollars to such a point that inflation has made him a victim of poverty. We in Congress have an obligation to see to it that cash benefits are increased commensurate with the loss of purchasing power to the dollar as a result of inflation. Since it has been Government spending, debt, and monetary policies that have robbed the retiree of his retirement income, Congress must see to it that what has been taken from him by irresponsible fiscal policies is returned in increased benefits.

Every time there is a wage increase that is reflected in increased prices, and every time there is a price increase regardless of its cause, it takes money out of the pocket of the retiree. With the social security retired, Congress has the power to make amends. But with the retiree on a private pension plan, Congress can do nothing to make amends. The only thing that Congress can do for the latter is to take strict control of fiscal policies and stop the spiral of inflation.

There has been little inclination on the part of Congress in recent years to lean toward more strict fiscal policies. It has neither been popular nor politically expedient to exercise reasonable restraint in our spending policies. Of course, the last two administrations have gone down the road in the opposite direction as fast as they could.

Deficit spending has become a way of life in Washington. The philosophy has been "buy now, and let the next generation pay for it." I am concerned as to how much of the cost of the medicare program is being loaded onto the next generation; in other words, what is the medicare program going to cost the next generation. During the 1962 debate on the then-conceived medicare proposal, some rather interesting tables prepared by Robert J. Myers, Chief Actuary of the Social Security Administration, were inserted in the RECORD by the Senator from Iowa [Mr. MILLER]. These tables disclose the amount of the deficit that is being passed onto the next generation under the OASDI program. Realizing that the present medicare proposal has incorporated in it many changes, as compared with the measure then being discussed and, that any change in benefits would affect the actuarial balance, I wrote Mr. Myers requesting him to update this information, as I believe such information to be very germane to our consideration of this measure, even though, apparently, the majority on the other side of the aisle did not think it should be considered. Mr. Myers responded and advised me that he was unable to comply with my request because of other heavy workloads imposed upon his staff by the pending legislation. He also stated that they had not updated this information because "they would be relatively unchanged over those published as of January 1, 1962, since the program has not been significantly amended," and suggested that the 1962 figures would be relatively valid.

I think it is this kind of actuarial work that has put social security in the financial position it is in today.

It is difficult to understand, in view of the type of bill reported, how any load arising from this legislation could have been imposed on any actuary anywhere in the Government.

I suppose in the actuarial sense he operates as he did on this bill: he assumes that relatively good is good enough.

I have my doubts about this as it is my understanding that there have been some rather significant changes in the medicare proposal. However, since Mr. Myers is unable to furnish me with up-to-date information, my only recourse is to rely upon 1962 data.

Mr. President, in fairness to Mr. Myers, I ask unanimous consent that our entire exchange of correspondence, consisting of four letters, relative to this matter be printed in the RECORD in full, so that his position, such as it is, may be fully disclosed.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 27, 1965.

Mr. ROBERT J. MYERS,
Chief Actuary,
Social Security Administration,
Washington, D.C.

DEAR MR. MYERS: Some rather interesting and very important statistical data relative to the social security program were developed by you in 1962 and appears in the CONGRESSIONAL RECORD, volume 108, part 10, page 13280. These tables should be updated since the information contained therein is highly pertinent to the upcoming debate on H.R. 6675, amendments to the Social Security Act. I would appreciate it if you would have someone in your office update this information for the following tables as shown on page 13280 of the CONGRESSIONAL RECORD, volume 108, part 10:

"Present value of taxable payrolls."

"Present value of benefits and administrative expenses."

"Present value of scheduled contributions."

"Existing fund."

"Actuarial balance."

"Surplus or deficit."

"Number of present members."

"Deficit for present members."

"Per capita deficit for present members."

"Current taxable payroll."

"Deficit as percentage of current taxable payroll."

I would appreciate having this information as soon as possible.

Sincerely yours,

GORDON ALLOTT,
U.S. Senator.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
SOCIAL SECURITY ADMINISTRATION,
Washington, D.C., May 28, 1965.

Hon. GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: This is in response to your letter of May 27 requesting an updating of the information on the so-called "unfunded accrued liability" of the old-age, survivors, and disability insurance program comparable with what was shown in the

CONGRESSIONAL RECORD, volume 108, part 10, page 13285.

I very much regret to inform you that we have not subsequently updated this information because it would involve a great amount of technical work, and our actuarial staff is too limited to undertake this assignment in view of the relatively artificial nature of this concept and in view of the other heavy workloads imposed upon us by pending legislation. Moreover, even if this were given the prime order of precedence, it would be impossible to perform the vast amount of calculations necessary within such a short period as the few weeks remaining before the upcoming debate on H.R. 6675. I hasten to point out, however, that another important reason why we have not updated these figures is because they would be relatively unchanged over those published as of January 1, 1962, since the program has not been significantly amended.

The concept of actuarial soundness as it applies to the old-age, survivors, and disability insurance system differs considerably from this concept as it applies to private insurance although there are certain points of similarity, especially as concerns private pension plans. In a private insurance program, the insurance company or other administering institution must have sufficient funds on hand so that if operations are terminated the plan will be in a position to pay off all the accrued liabilities.

This, however, is not a necessary basis for a national compulsory social insurance system. It can reasonably be presumed that under Government auspices such a system will continue indefinitely into the future.

The test of financial soundness, then, is not a question of there being sufficient funds on hand to pay off all accrued liabilities. Rather, the test is whether the expected future income from tax contributions and from interest on invested assets will be sufficient to meet anticipated expenditures for benefits and administrative costs. Thus, the concept of "unfunded accrued liability" does not by any means have the significance for a social insurance system as it does for a plan established under private insurance principles, and it is quite proper to count both on receiving contributions from new entrants to the system in the future and on paying benefits to this group. These additional assets and liabilities must be considered in order to determine whether the system is in actuarial balance.

I am, indeed, sorry that I cannot comply with your request, but I hope that you can understand the reasons therefor. As I indicated previously, not only is there the workload matter, but also the figures resulting would be of about the same order of magnitude as those previously published.

Sincerely yours,

ROBERT J. MYERS, F.S.A.,
Chief Actuary.

JUNE 7, 1965.

Mr. ROBERT J. MYERS,
Chief Actuary,
Social Security Administration,
Washington, D.C.

DEAR MR. MYERS: I was somewhat surprised by your response to my letter of May 27, 1965, and I cannot agree with your position that a determination of how much of the burden of H.R. 6675 is being loaded onto the next generation is a "relatively artificial" concept. The "relative artificiality" of a concept depends upon the vantage point of the observer, and to the young entrant who will be paying in his hard-earned dollars for the next 45 years or so, such a concept is far from artificial.

Your statement that "It can reasonably be presumed that under Government auspices such a system will continue indefinitely * * *" negates the argument I have heard in some quarters to the effect that "Let's try the medicare program, if it doesn't work we can always repeal it." You correctly point out that once this program has commenced, it can never be stopped. A logical extension of that statement would be that if this program is a mistake we are stuck with it forever. It therefore behooves us to make the most careful and critical scrutinization of the program before it is irrevocably enacted into law.

I have seen tabulations indicating that a new entrant would contribute in excess of $80,000 to the social security fund, including interest at 4 percent. This, of course, is based upon the assumption that the new entrant pays the maximum annually, and of course that his employer pays an equal amount. It would appear safe to assume that the average new entrant would pay the maximum amount since according to the 1964 Department of Commerce Statistical Abstract the average family income in current dollars in 1962 was $7,262.

The maximum taxable income is presently $4,800 and would increase to $5,600 in 1966 and to $6,600 in 1971. It would seem to me that what the contributions of a young entrant will purchase in the way of insurance for himself and his family as compared to his total contributions including interest is a matter of vital interest and not to be dismissed as being a "relatively artificial concept."

Calling a program "insurance" does not make it an insurance program, particularly when you continue to apply welfare criteria. In your letter you say "The test of financial soundness, then, is not a question of there being sufficient funds on hand to pay off all the accrued liabilities. Rather, the test is whether the expected future income from tax contributions and from interest on invested assets will be sufficient to meet anticipated expenditures for benefits and administrative costs." This is the same test that is applied to other welfare programs financed through earmarked revenues from special tax sources such as Colorado's old age pension and health and medical care program. The only difference is that the source of revenue in this case is a nondeductible payroll tax on the employee plus a deductible payroll tax on the part of the employer.

If medicare is a welfare program then the concept of unfunded accrued liabilities would be somewhat artificial and the level of contribution would be less relevant because it would have no bearing upon the expected returned benefits. But, as a welfare program, medicare flies in the face of the most basic welfare concept, and that is that it be based upon need. H.R. 6675 grants aid to the wealthy and the poor alike.

It is indeed unfortunate that other workload will require us to rely upon figures more than 3 years old..

Sincerely yours,

GORDON ALLOTT,
U.S. Senator.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,
Washington, D.C., June 8, 1965.

Hon. GORDON ALLOTT,
U.S. Senate, Washington, D.C.

DEAR SENATOR ALLOTT: This is in response to your letter of June 7, commenting on my letter of May 28, which dealt with your inquiry of May 27 about the so-called unfunded accrued liability of the OASDI program.

Let me say first that I believe as strongly as anybody does that before enacting any new program—or, in fact, before making any changes in any existing program—we should make the most careful analysis possible of all aspects, including particularly the costs involved. I hope that I need hardly say that over the years I have always attempted to make the best possible cost estimates for any proposed changes to the social security program regardless of the administration's position on the desirability of the changes proposed or, for that matter, regardless of my personal views thereon.

In line with the latter point, I did not mean to imply that any determination of how much of the costs of H.R. 6675 are being placed on future generations is a "relatively artificial" concept, because I believe that the entire cost analysis is most important. Rather, what I was referring to was that the "unfunded accrued liability" concept is subject to serious misunderstanding, and the concept itself is essentially an artificial one. I believe that there are much better ways of measuring the long-range cost impact of legislative proposals, and these ways have been followed in the material contained in the House Report on the bill.

You mention tabulations indicating that a new entrant would contribute in excess of $80,000 to the trust funds under the bill, if interest at an annual rate of 4 percent is included, if the new entrant is covered for maximum earnings each year, and if the employer contributions are included (and, in fact, this figure is $83,440 for a 45-year period of coverage beginning in 1966). In my opinion, the employer contribution for each worker should not be considered directly assignable to that particular person.

There is nothing in the law that so prescribes, and this procedure is not followed under the vast majority of private pension plans. Instead—just as under the OASDI system—the employer contribution is pooled for the benefit of all employees, and more of it goes to the high-cost members (such as those near retirement age when the pension plan began) than to the low-cost members.

In private pension plans, it is customary for the employer to pay relatively larger pensions to those near retirement when the system begins (by granting prior service credit). Accordingly, such employees will contribute, and thus "purchase," relatively small proportions of their pensions. On the other hand, for younger workers, the employer may pay for only a relatively small part of the pension, with most of it coming from the employee's own contributions accumulated over the many years at interest.

I do not believe that it is correct to presume that all new entrants have earnings at the maximum taxable amount. The fact that the average family income in current dollars in 1962 was $7,262 is not meaningful, because many families have more than one worker and because many of the families have income from sources other than earnings covered under the program. Furthermore, even if the average annual earnings of covered individuals were as high as $7,262, there would be many individuals well below the average, since there would likewise be many individuals above the average. As a matter of fact, in 1963 only 31 percent of all wage and salary workers had earnings of $4,800 or more in covered employment, and even of those who worked in all 4 quarters of the year, less than 40 percent were in this category (see the enclosed copy of table 12 from our Quarterly Summary of Earnings, Employment, and Benefit Data for September 1964).

The statement that I made as to the test of financial soundness of a social insurance system does not mean that any other program that meets such a test of financial soundness is also social insurance. In other words, this is a necessary condition, but it is not a sufficient condition. A public assistance program could meet this test of financial soundness if there are definitely earmarked revenues from special tax sources that, over the long-range future, would support the estimated expenditures. I think that this is only a theoretical point, however, because I have never seen any long-range cost analysis of a public assistance program on this basis. There are, however, many features that distinguish social insurance programs from public assistance programs—such as the latter having as a condition for benefit receipt an individual investigation of income and assets.

Sincerely yours,

ROBERT J. MYERS, F.S.A.,
Chief Actuary.

Mr. ALLOTT. Mr. President, according to these tables, a deficit of $4,679 per retiree was being passed on to the next generation. It should be noted that these tables show the deficit as it developed or was increased by each of the liberalizing acts since the 1956 act. The deficit trend shows a marked and persistent increase in every category. We can only conjecture as to the level of the deficit that will result from this measure. I dare say it will be enormous. The trend is clear, the deficit will continue to increase. According to Mr. Myers' table, the unfunded accrued liability of the OASDI program was $321 billion on January 1, 1962. What will it be on January 1, 1968—$600 billion?

I repeat, for the sake of emphasis: The unfunded accrued liability of the OASDI program was $321 billion on January 1, 1962.

I might interpolate and comment on a similar situation which affects every employee of the Government of the United States. Under the Civil Service Retirement Act, the Government is required to contribute to the civil service retirement fund an amount equal to that which the Government employees contribute. According to the testimony given to the Subcommittee on Independent Offices Appropriations of the Committee on Appropriations, that figure was $37.4 billion at the end of June 30, 1964. The figure as of June 30, 1965, is $39.9 billion.

We shall have an opportunity early next week to correct a part of this. Then we shall see where Senators stand.

But in order that there may be no mistake about the Civil Service Retirement Fund—I am speaking to the employees of the Government, including the employees of the Senate and Senators and Members of the House of Representatives, as well—the Government will have to contribute to the Civil Service Retirement Fund $39.9 billion before it will have contributed its share. Unless we start doing that, the fund itself will be broke, based upon present actuarial expenses, by 1980. That is something to reflect on. Now it is proposed to apply the same principle to the people who have paid into the social security fund over a period of years, and which Congress is now moving so rapidly to wreck completely.

Mr. President, I ask unanimous consent to have Mr. Myers' tables printed at this point in the RECORD, so that Senators may reflect on these data.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Balance sheet cost analyses of OASDI system, 1958, 1960, and 1962 intermediate cost estimates at 3-percent interest

PRESENT VALUE OF TAXABLE PAYROLLS

[In billions]

Item	Jan. 1, 1958 1956 act	Jan. 1, 1958 1958 act	Jan. 1, 1960 1960 act	Jan. 1, 1962 1961 act
Present members	$2,876	$3,038	$3,204	$3,279
New entrants	6,795	7,202	7,583	7,747
Total coverage	9,671	10,240	10,787	11,026
PRESENT VALUE OF BENEFITS AND ADMINISTRATIVE EXPENSES				
Present members	$486	$543	$587	$625
New entrants	335	377	404	431
Total coverage	821	920	991	1,056
PRESENT VALUE OF SCHEDULED CONTRIBUTIONS				
Present members	$194	$231	$254	$282
New entrants	563	641	682	719
Total coverage	757	872	936	1,001
EXISTING FUND				
Present members	$23	$23	$22	$22
New entrants				
Total coverage	23	23	22	22
ACTUARIAL BALANCE, SURPLUS (+) OR DEFICIT (—)				
Present members	−$269	−$289	−$311	−$321
New entrants	+228	+264	+278	+288
Total coverage	−41	−25	−33	−33

NOTE.—Present members are all living persons (including beneficiaries) who have earnings credits, as of the given date. New entrants include those participating in the system at any time after the given date who had no earnings credits before that date.

Per capita deficit for present members, 1958, 1960, and 1962 intermediate cost estimates at 3-percent interest

NUMBER OF PRESENT MEMBERS [1]

[In millions]

Item	Jan. 1, 1958, 1956 act	Jan. 1, 1958, 1958 act	Jan. 1, 1960, 1960 act	Jan. 1, 1962, 1961 act
Active workers	56.7	56.7	58.4	[2] 59.0
Retired workers	6.3	6.3	7.9	[3] 9.6
Total	63.0	63.0	66.3	68.6
DEFICIT FOR PRESENT MEMBERS [In billions]				
	$269	$289	$311	$321
PER CAPITA DEFICIT FOR PRESENT MEMBERS				
	$4,270	$4,587	$4,691	$4,679

[1] Active workers taken as average of calendar year average figures for current and previous year (coverage in effect). Retired workers are primary beneficiaries in current payment status as of date given. Although survivor beneficiaries are not included in the count of "present members," all dollar figures include liabilities for survivor benefits.

[2] Average for March, June, and September 1961 (coverage in effect).

[3] Estimated, using 9.4 million actual as of end of October 1961, plus assured 100,000 monthly increase.

Deficit for present members as percentage of current taxable payroll, 1958, 1960, and 1962 intermediate cost estimates at 3-percent interest

CURRENT TAXABLE PAYROLL [1]

[In billions]

Jan. 1, 1958, 1956 act	Jan. 1, 1958, 1958 act	Jan. 1, 1960, 1960 act	Jan. 1, 1962, 1961 act
$181	$181	$202	$214
DEFICIT FOR PRESENT MEMBERS [In billions]			
$269	$289	$311	$321
DEFICIT AS PERCENTAGE OF CURRENT TAXABLE PAYROLL [Percent]			
149	160	154	150

EMPLOYERS AND EMPLOYEES

[Percent]

Years	Now	Bill
1962	3	3
1963–65	3½	3¾
1966–68	4	4¼
Thereafter	4½	4¾
SELF-EMPLOYED		
1962	4½	4½
1963–65	5¼	5⅝
1966–68	6	6⅜
Thereafter	6¾	7⅛

[1] Taxable payroll for previous calendar year, e.g., calendar year 1961 for valuation of Jan. 1, 1962.

Mr. ALLOTT. Mr. President, Mr. Myers says that the concept of unfunded accrued liability is an artificial concept. The reason he gives is that a national compulsory social insurance system can "reasonably be presumed" to continue indefinitely into the future. In other words, he is saying that once we embark on this course, we can never turn back.

It has been made abundantly clear during the course of the debate on this measure that we can never turn back, even though by the passage of the bill we shall make a shambles of the social security program. If we make a mistake with this program; if it is not actuarially sound; or if the concept is wrong; we and future generations will be stuck with that mistake, forever. Under such awesome circumstances, it would seem logical for Congress to seek the best advice possible—to consult with those groups which have the most intimate experience in the field of health care and administration of health insurance programs.

The insurance industry and the medical profession would obviously have the greatest expertise in these matters. However, the proponents of this measure did not seek the advice of the medical profession as a whole. A few select members of that profession were consulted, but the collective experience and judgment was not sought. And when such advice was rendered by both the insurance industry and the medical profession it was not only not welcome, but it was completely ignored. I marvel at this "new-found" wisdom of Congress. An article written by Freeman Bishop and published in the June 7, 1965, American Metal Market, points this out. I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOCTORS' REMEDY FOR MEDICARE

(By Freeman Bishop)

WASHINGTON.—Almost everyone on Capitol Hill has a version of what he believes medicare to be, although nobody knows how anyone could interpret accurately some of the hazily written legislation on this subject.

While the Nation's "informational media" have been full of charges that doctors are obstructionists, not many seem to have gone to the trouble to find out what the doctors think.

The presently pending legislation was written without consultation with the Nation's doctors, apparently on the theory that the doctor needs guidance in how to treat ill elderly people.

WITHOUT CONSULTATION

And chances are future amendments to this legislation designed to put everyone under a Federal health program will be written also without benefit of those who practice medicine.

The undercurrent here implies doctors are more interested in their fees than in medicine. Nobody likes to say this, but it's the essential basis for medicare proposals.

Tax experts have taken over this area of practicing medicine, some charge. But what advocates of medicare won't admit is that the rising costs of health programs under social security will detract a hefty sum from everyone's payrolls.

Dr. Donovan F. Ward, president of the American Medical Association, last week pledged the Nation's doctors would never go on strike against their patients, but he pleaded for some more reasonable understanding of the problems involved.

AMA'S OBJECTIONS

Dr. Ward's reaffirmed medicine's longstanding objections to a federally administered health care program, financed by payroll taxes, and providing aid across the board to an entire segment of the population, regardless of financial need.

"You are being urged here to approve a historic revision of the U.S. medical system," he told the Congress. "The pattern thus established would be the same in all essential particulars as that in other countries whose health care today is marked by precarious financing, controls, overburdened facilities and distracted, frustrated physicians."

Wherever Government-financed, Government-controlled health care programs have been tried, Dr. Ward told the committee, they have been marked by overutilization of facilities and rising costs. Then he added:

"When costs get out of line—and let me assure you, they will—there are three possible courses of action:

"The first is to reduce the benefits; the second is to increase the taxes; the third is to impose Government controls on the services in an attempt to control costs.

"Under our system of medicine as we have always known it, treatment of the individual has come first and financing second. The physician has exercised his knowledge and skill to his greatest capacity in each case.

"But with the emphasis shifting from quality to cost, as it must under a publicly financed program, a deterioration in the quality of care is inescapable."

CONSIDER EACH PART

Terming the measure "an omnibus bill of overwhelming proportions," the AMA president asked the committee to consider its various parts separately.

He noted that the eldercare program (S. 820) remains the only proposal before Congress which was formulated in consultation with the medical profession. He emphasized that it was developed only after long and careful study by physicians, based on their years of experience in caring for the elderly.

The AMA urges, said Dr. Ward, that this program be substituted for the hospital and medical sections of H.R. 6675. It would provide State and local administration while avoiding unwarranted taxation of younger workers to pay for the care of millions of well-to-do and self-supporting.

At the same time, he offered a wide range of modifications and amendments which were suggested by the medical profession for all parts of the bill, including the hospital and medical sections to which the AMA holds fundamental objection.

Mr. ALLOTT. Mr. President, Dr. Donovan F. Ward, past president of the American Medical Association, in his testimony before the Finance Committee pointed out that wherever government health programs have been instituted, there has been a resultant overutilization of facilities. Our experience in Colorado has borne this out. In 1957 Colorado inaugurated its old-age pension medical plan. It required a constitutional amendment, which the people passed. When the proposition was put to the people, the experts assured us that that cost would not exceed $10 million in the foreseeable future. Consequently, a ceiling of $10 million was put on the program on the amendment. In the fourth year, expenditures exceeded $10 million and since that time some of the services have had to be curtailed to keep the cost below $13 million. I ask unanimous consent that a table prepared by the Colorado State Department of Public Welfare entitled "Old Age Pension Medical Expenditures, July 1957 to June 1964" be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Colorado State Department of Public Welfare—Old-age pension medical expenditures, July 1957–June 1964

	1957–58	1958–59	1959–60	1960–61	1961–62	1962–63	1963–64	Total
Hospitalization	$1,577,693.34	$4,953,568.37	$5,943,601.67	$5,008,726.37	$4,938,988.88	$6,836,051.24	$5,803,790.92	$35,062,420.79
Nursing home	418,340.62	1,624,116.58	1,965,924.74	2,454,817.88	2,835,668.36	3,376,662.74	3,916,760.80	16,592,291.72
Physicians' services:								
In hospital	261,577.30	1,182,499.23	1,345,482.23	1,644,616.76	1,319,541.49	1,725,466.88	1,505,518.79	8,984,702.68
In nursing home		23,017.25	90,637.50	105,093.00	114,395.95	122,659.25	84,974.25	540,777.20
Home and office			344,635.00	421,268.45	442,098.41	482,764.50	238,932.54	1,929,698.90
Drugs		77,664.30	241,275.51	323,335.21	388,050.83	451,183.91	463,907.35	1,945,417.11
Transportation	15,678.30	54,635.70	62,931.27	56,993.27				190,238.43
Administration	27,246.00	98,704.00						125,950.00
Total	2,300,535.56	8,014,205.43	9,994,487.81	10,014,850.94	10,038,743.92	12,994,788.52	12,013,884.65	65,371,496.83

Mr. ALLOTT. Dr. Ward pointed out the three possible courses of action that might be taken to put such a program back in financial balance: First, reduce the benefits; second, increase taxes; and third, impose Government control on the services in an attempt to control costs.

In Colorado, we first attempted to put on some controls to keep costs down. They were effective only to a minor extent. Subsequently, services had to be reduced. Since our program was established by constitutional amendment, there has been no real effort to change its financial scheme because it would require another constitutional amendment. The people of Colorado were told by the experts that the $10 million limitation would cover the financing of the program for many, many years; however, as the table discloses, the program went out of its financial bounds in the fourth year.

Mr. President, this is exactly what would happen with this so-called medical problem, as unfounded and wild as it is.

Assuming that we have a similar experience in the medicare program, and indications are that we will, then we can expect the Social Security Administration to follow one or more of the three possible courses of action. The least likely of the three possibilities to be pursued is the reduction of benefits. There are many reasons for this, and some of them are political. This leaves the other two possibilities; namely, to increase taxes, and to impose controls on services.

The experience of other nations with national health programs has been that a distinct deterioration of the quality of medical services follows when rigid government controls are imposed.

Mr. President, I do not believe that it is inappropriate to say that doctors have appeared before the committee many, many times and have consistently testified to the superior quality of the medical services offered to the people of the United States, a service which is superior to that offered to the people of any other nation of the earth. Yet, our country is one of the countries which has retained a completely independent medical service for our people.

I do not think it takes much imagination to realize that this is a natural consequence. But, certainly, a deterioration of the quality of medical services is the last thing we want. The purpose of this bill, according to its proponents, is to insure that every aged person can obtain high-quality medical assistance, and will not be denied it because of financial limitations. Therefore, the only possibility of the three left open is to increase taxes.

Under the present income tax structure and the proposed schedule of taxes under this bill, many persons will pay more in taxes to the social security system than they will pay in income taxes. Under this bill the individual wage earner would pay a maximum of $209.45 per year in social security taxes for 1966, which would increase to $363 in 1973, and eventually to $368.50 by 1987. However, in the history of the social security program, no tax schedule has ever been fully implemented—each has been further increased by legislation before the last scheduled increase became effective. The final scheduled increase under present law was to have become effective in 1968, but this bill changes that. Therefore, if history provides us with any sort of guideline as to what to expect in the future, we can expect an increase in this schedule of social security taxes within a few years. This will be necessary to finance the medicare program. But, what of other increases in cash benefits? Will they no longer be possible because of the demands of the medicare provisions? Experience strongly suggests that they will suffer.

In addition, continued inflationary fiscal policies will place an additional burden on the medicare program through rising costs. According to the majority report, hospital costs have been increasing on an average of 6.7 percent each year. Wages, on the other hand, have been increasing at an average rate of approximately 4 percent. While expensive improvements in facilities must certainly account for some of this increase in hospital costs, nevertheless, a large part of the increase is directly attributable to inflation. Everyone who does any shopping knows that food prices have increased considerably in just the last few months. Living costs are now 130 percent higher than in 1940. Under present policies this trend will continue—it is planned to continue. A new ingredient is evident in proposals that will accelerate this inflationary trend.

Two significant actions have been taken by the Congress this year which accelerate inflation. The first action was to remove the 25-percent gold reserve requirement on Federal Reserve deposits. The second action was the desilverization of our coinage, leaving only a small amount of silver in our half dollar. Mr. President, and Senators, it is now just a short jump to "printing press money."

With a national debt of $328 billion, and upon which the interest alone is $1 billion per month, a slackening of our inflationary trend is the last thing we can expect. These factors will vastly increase the demands of the social security system for additional revenues, which will in turn mean further increases in the tax rate.

Mr. President, it is like a dog chasing his tail and then eating his own tail.

Under this present proposal the wage-earner is already heavily loaded with deductions from his paycheck. The young wage-earner can ill-afford further tax demands upon his earnings. In his early years, the demands of his family are the greatest, and this is the time when he can least afford to finance a health insurance program for the aged. Certainly, he can least afford to pay for a program that gives the same benefits to the wealthy and indigent alike.

Mr. President, our beloved chairman of the Finance Committee, in the individual views, took a position in opposition to this measure. The expertise, knowledge, and objectivity of the chairman of the Committee on Finance in the field of financial matters is well known. I respect his judgment highly, and would not lightly put it aside. It is pointed out in the individual views that this program was conceived contrary to the advice of the two most knowledgeable groups on the subject in our society—our physicians and our insurance industry. He and his colleagues joining in the individual views said:

Ironically, the proponents of the legislation depend upon these two groups to make the legislation succeed.

Because the individual views make these points so eloquently, I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the individual views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS

The undersigned have joined in these following views opposing enactment of the so-called medicare provisions of H.R. 6675 as amended by the majority of the members of the Senate Finance Committee.

We recognize as a fact that some of our aged citizens need governmental assistance to meet the cost of adequate medical care. But we are also convinced that many of the aged are capable of meeting their medical costs without Government assistance; thus the best solution has not been devised. We must oppose any legislation which would derive its financing from a compulsory tax on first dollars of wages earned by the Nation's working men and women to pay the hospital and other medical bills of the well-to-do and wealthy aged, most of whom are well able to meet such bills from their own resources. Such legislation produces an unequitable and unjustified tax burden on gross earnings of wage earners.

In addition, fiscal experts both in and out of the administration concede that a $6.8 billion annual brake will be applied to the Nation's economy. The $6.8 billion increase (to multiply in cost in later years) will not even cover early year program costs according to business actuaries and experts with experience in the health insurance and health care fields. They can prove their contention from health insurance claim experience and by the annual reports of countries which have enacted compulsory government health programs. Saskatchewan, for example, in less than 18 years shows an increase of 200 percent in hospital utilization by its aged. No such estimates were computed in arriving at an expected cost figure in this legislation. Costs in the British social security program have so skyrocketed that some responsible Englishmen prominent in the welfare field are now advocating a change so that only the needy would be aided in an effort to avoid bankruptcy of their entire welfare system.

Some advocates in this Congress, attempting to give assurance that the medicare program won't impair the retirement funds, point to the separate trust fund as though it would vouchsafe retirement dollars. This is illusory. Congress 10 years ago provided a separate trust fund for the disability program and our 10-year experience finds us in this very legislation having to rob the retirement fund. It is unfair that we impair the solvency of a program upon which many retired persons and millions more to retire in the future depend, at least as a retirement foundation.

We deplore the damage this legislation will do to our voluntary private insurance system. Its immediate effect will destroy private initiative for our aged to protect themselves with insurance against the costs of illness. More than 60 percent of our aged now purchase, without Government assistance, hospital and medical insurance. This private effort will cease if Government benefits are given to all aged. We anticipate that a Government health program for the aged will be extended to additional age groups of the population by the same erroneous rationale which motivates the passage of this legislation to the extinction of the private insurance industry. A replacement of private sector activity in the health insurance industry could be repeated; in fact, other nations' experience dictates that it would be repeated regarding private hospitals, private medical schools, ad infinitum. The advocates of this legislation are already at work pointing out how the step taken in this bill represents merely the beginning of Government medical care for persons of all ages.

Compulsory Government health insurance is well along the way through our legislative process against the advice of the two most knowledgeable groups on the subject in our society—our physicians and our insurance industry. Ironically, the proponents of the legislation depend upon these two groups to make the legislation succeed. The insurance industry is to provide the expertise in making the arrangements with the providers of health services and health care, and only the physicians can certify a beneficiary for benefits by declaring his condition as "a medical necessity" requiring hospitalization, nursing home care, diagnostic care, home health services, or physician care.

We have urged the majority of the members of the committee to look to other methods to avoid killing private responsibility, or at least some degree of self-responsibility, including the use of deductibles and coinsurance to hold down the cost and to eliminate the "smack of socialism" implicit in a coverage-for-all program without avail. We have warned against imitating foreign country government type health programs, most of which have already experienced strife, financial difficulty, and a deterioration of the quality of medical excellence. We are proud of our medical system, which has produced the greatest progress in prolonging life and reducing the incidence of disease and sickness.

We plead that though the hour is late, it is never too late to do the right thing. Let's consult with our great medical profession and cease listening to voices of Government witnesses who throughout the world have sung the siren songs which have resulted in mediocre Government quality medicine replacing a far better system under which a free medical profession can continue to produce medical miracles for all mankind.

HARRY F. BYRD.
JOHN J. WILLIAMS.
WALLACE F. BENNETT.
CARL T. CURTIS.
THRUSTON B. MORTON.

Mr. ALLOTT. Mr. President, considering all these factors and many others, I cannot support this measure. I do not wish my vote to be misconstrued, however. It is only a vote against the medicare program. The increase in cash benefits for those persons under social security, although somewhat paltry, is needed and well deserved. Absent the so-called medicare provisions of this bill, it would have my wholehearted support. Although I am convinced something must be done to provide medical care for those of our aged who cannot financially provide it for themselves, I am equally convinced that the so-called medicare proposal is not the way to go about it. I am also equally convinced that it runs against all conscience and sane judgment.

In January of this year I joined in sponsoring a measure that is infinitely superior to the so-called medicare program, in my opinion. This proposal has been given the popular name of eldercare, and is embodied in S. 820. The eldercare plan goes to the heart of the real problem. It would not endanger our social security system with the threat of insolvency, but it would give the kind of aid needed by the elderly when and where they needed it most. Eldercare would have authorized Federal grants to States on a matching basis to help persons 65 years of age and older to pay the costs of health insurance if they could not otherwise pay for it. Such health insurance would be made available through companies which have Blue Cross and Blue Shield type policies. I might add here the evidence is overwhelming that the purchase of such private health insurance under such a financial arrangement would cost much less and purchase far more coverage than can ever be purchased with the money to be taken from our people under the medicare program.

The costs of such coverage would be borne entirely by the Government for these elderly individuals whose income falls below limits set by each State. For individuals with incomes between the minimum and the maximum, the Government would pay a part of the costs on a sliding scale according to income. Individuals with income above the maximum would pay the entire cost of the insurance, but would have the benefit of an income tax deduction for such payments.

No pauper's oath is required under this program. Under eldercare a simple statement of income is all that would be required for someone over 65 to establish his qualification for participation. Income statements to establish eligibility for benefits is not foreign to the social security program. Such conditions have been an integral part of the social security system since its inception. There is ample precedent. The bill before us even modifies the earnings limitation for eligibility for cash benefits. I know of no movement to completely eliminate the earnings test on cash benefits, and I would not support such a movement. I have supported and will continue to support reasonable measures to liberalize the earnings test, but I do not believe they should be completely eliminated. The medicare proposal eliminates all tests, whether "means" or "income," for eligibility of our aged persons for health benefits. The income test serves a useful purpose—it prevents the squandering of financial resources on those who can well afford to take care of their own health needs, thereby preserving these resources to assist those who truly need help.

The eldercare plan would also preserve our private insurance initiative in this country. More than 60 percent of our aged now purchase hospital and medical insurance, without Government assistance. We should not ignore this individual effort, particularly since it has increased year after year.

But more importantly, eldercare would not have irrevocably committed us to a program that can never be abandoned, and which, if pursued, can only lead to socialized medicine, as medicare does. Unfortunately, the Finance Committee was never given an opportunity to consider this measure, and as it now looks, neither the committee nor the Senate will ever have an opportunity to consider it.

One final comment, and I shall conclude this statement. In recent months we have heard much about polls. Many Senators are carrying around the latest polling results in their pockets. The only direct poll that I have is a count of my mail on the subject.

I have received 1,300 letters and other communications on medicare. Of that number 1,253 expressed opposition to it, while only 47 approved the measure. This is a final tabulation made as of July 7, 1965, and includes only mail received during 1965: 1,253 against, 47 for. That is a pretty strong indication of the sentiment of the people of Colorado and how they feel about the medicare proposal. Seldom have I ever received mail on a controversial subject that has been so lopsided. For every letter I received in favor of medicare, I received nearly 27 in opposition to it.

We are being led down the primrose path with a slogan—and the slogan is "Medicare." It does not matter how inadvisable, it does not matter how crackpot it is, we are being taken down the path with the slogan "Medicare," and I use the word "taken" advisedly.

If this is an accurate sampling, and I have no way of proving it absolutely, it would indicate that 96 percent of the people of Colorado oppose medicare, while only 4 percent favor it. However, the overwhelming opposition to the medicare program and a correspondingly overwhelming support of the eldercare program is also supported by a poll conducted by Research Services, Inc., of Denver, Colo.

This is no recent organization which has sprung out of the ground. It is a very respected organization, which has been carrying on its activities for at least 20 years, to my knowledge.

Taken together, these two indications of the opinions of the people of Colorado show that the people of Colorado do not want medicare, and that they would prefer another type of program. They do not want anything which embodies the principles of medicare. They know it is wrong, even if we in the Senate and in the Congress, and the President do not know it is wrong.

With this consensus apparent, I must oppose this measure, for I have never seen any poll which indicates any similar degree of support for medicare. In any event, the people of Colorado have told me they do not want medicare.

Mr. President, I ask unanimous consent that a summary of the Research Services poll be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY

KERR-MILLS

Two of three (66 percent) Coloradans are unaware of any existing plan "to provide medical care for persons 65 years of age or older."

Less than 1 in 10 (7 percent) specifically identify either Kerr-Mills or the Medical Assistance Act.

MEDICARE

In contrast, most (86 percent) of the State's adult residents have "heard or read about medicare." While nearly half (43 percent) of these don't know what medical costs medicare promises to cover—

Fifty-two percent believe medicare would cover all or most hospital costs.

Forty-three percent believe medicare would cover all or most doctors bills.

Thirty-two percent believe medicare would cover all or most nursing home costs.

Thirty-one percent believe medicare would cover all or most doctors' bills.

No more than 1 in 10 anticipate that medicare would pay for eyeglasses (10 percent), false teeth (8 percent), or hearing aids (8 percent).

There is generally broad understanding that medicare would be paid for by either social security taxes, the people, or the Government.

Those familiar with medicare describe themselves as "definitely approving" (25 percent) or "inclined to approve" (28 percent) the proposal. Fewer than 2 in 10 (17 percent) "definitely oppose."

Support for medicare stems largely from the sentiment that "older people need help and we must do all we can."

Opponents express a distaste for "socialized medicine" and a concern for the probable cost of the program.

OTHER MEDICAL PLANS

At the time of this survey only three Coloradans in every hundred exhibited any familiarity with a plan for the medical care of persons 65 years of age or older proposed by doctors or the American Medical Association.

COMPARATIVE PLAN PROVISIONS

Direct comparison of nine specific provisions contained in the respective AMA and medicare proposals shows—in each instance—a statewide preference for the AMA alternatives, especially those relating to benefits, financial need, institutional choice, individual choice, mode of payment and choice of protection agent.

BENEFITS

AMA: A plan that will pay most (in some cases, all) normal doctor, hospital, nursing home, and drug costs, 85 percent.

Medicare: a plan that will pay no doctors' bills and no more than one-third of hospital, nursing home, and drug costs, 5 percent.

FINANCIAL NEED

AMA: a plan that covers everyone 65 years of age or older who needs financial assistance, 77 percent.

Medicare: a plan that covers everyone 65 years of age or older regardless of income, 18 percent.

INSTITUTIONAL CHOICE

AMA: a plan that allows persons 65 years of age or older to go to any hospital or nursing home they choose, 75 percent.

Medicare: a plan that specifies certain hospitals and nursing homes for the care of persons 65 years of age or older, 18 percent.

INDIVIDUAL CHOICE

AMA: a plan that provides coverage for everyone over 65 that wants it, 69 percent.

Medicare: a plan that automatically covers everyone over 65, 21 percent.

MODE OF PAYMENT

AMA: a plan based on the ability to pay so that, for example, an individual 65 years of age or older with an income of less than $3,000 a year pays nothing, 65 percent.

Medicare: a plan that is paid for by a new tax taken from the paycheck of every wage earner, 19 percent.

CHOICE OF PROTECTION AGENTS

AMA: A plan that allows persons 65 years of age or older to have their medical insurance with any company they choose, 64 percent.

Medicare: A plan that gives persons 65 years of age or older only Government-sponsored benefits, 24 percent.

INCOME REVELATION

AMA: A plan that requires individuals 65 years of age or older to sign a statement telling the amount of earnings they have reported on their Federal income tax, 52 percent.

Medicare: A plan that requires no one 65 years of age or older, regardless of income, to tell what their income is, 33 percent.

PLAN MANAGEMENT

AMA: A plan that is run by State governments in cooperation with private insurance companies, 46 percent.

Medicare: A plan that is run entirely by the Federal Government, 33 percent.

DEPARTMENT CONTROL

AMA: A plan for individuals 65 years of age or older that is run by the State health department, 50 percent.

Medicare: A plan for individuals 65 years of age or older that is run by the State welfare department, 16 percent.

Significantly, even those respondents who in the early stages of the questionnaire expressed themselves as "definitely approving" or "inclined to approve" medicare endorse eight of the nine AMA provisions.

The lone exception is plan management. Slightly more than half (51 percent) of the medicare proponents indicate a preference for "a plan that is entirely run by the Federal Government."

PLAN PREFERENCE

When the specific provisions detailed above were grouped together under the titles "Plan 1" and "Plan 2," Coloradans voiced an overwhelming (79 to 9 percent) preference for plan 2, the American Medical Association proposal.

Examination of 31 separate sample groups (age, sex, income, political party preference, labor union membership, old-age pension assistance, etc.) shows that the lowest level of support for plan 2 (70 percent) is in Denver while the strongest backing (86 percent) is in Congressional District No. 4 (western slope and northern Colorado).

More than 8 of 10 (82 percent) of those earlier endorsing medicare choose plan 2 when asked: "Which of these plans do you think of as really being the best from your own point of view?"

RETIREMENT OF MAJ. GEN. PERRY HOISINGTON II AS DIRECTOR OF LEGISLATIVE LIAISON OF THE AIR FORCE

Mrs. SMITH. Mr. President, it is with deep regret that I view the retirement of Maj. Gen. Perry Hoisington II and his leaving the post of Director of Legislative Liaison of the Air Force. His departure is a loss to both the Air Force and Congress and the filling of his shoes will be a very difficult task.

Other Members of Congress have previously lauded General Hoisington and in their laudatory remarks they have detailed his brilliant and remarkable Air Force record, both combat and executive. I shall not repeat the summary of his illustrious achievements.

I think his decorations speak for themselves—the Silver Star in combat—and the Distinguished Service Medal in peace. In fact, there is a very special distinction in his Distinguished Service Medal—for only two of his predecessors as Director of Air Force Legislative Liaison received the Distinguished Service Medal for service in that position.

But I would rather speak of the personal side of General Hoisington—of what I know of him personally in his performance as Director of Air Force Legislative Liaison. I know that for some time he worked under very difficult and trying circumstances and that despite this he never lost his calm balance and never waivered the slightest in his dedication to his duty.

The interests of the Air Force and the Congress are not always the same. In fact, there have been times when the Air Force and Congress differed on means if they did not differ on ends—differed on approaches if they did not differ on objectives. And there have been times when the Air Force and its Department of Defense superiors had deep differences on not only legislation but as well on how Congress should be handled and treated.

In these differences, General Hoisington was right in the middle between the differing parties, whether it be the Congress, the Air Force, the Department of Defense—any two of them or even all three of them. He had the happy and rare faculty of not compromising in any manner his loyalty to either his Department of Defense superiors or to his own service—and at the same time of being honest and effectively diplomatic with Members of Congress.

One might wonder how he could do this—how he could so effectively walk a tightrope between the Air Force, the Department of Defense and the Congress. Admittedly it was very difficult and required exceptional ability.

But General Hoisington had a very simple formula that is too rarely found in the military services. Instead of using the regulations to say "No," he used the regulations to say "Yes" whenever it was possible and reasonable. He did not negatively "live by the book" of regulations and look for reasons to prevent achievements. Instead he looked for positive and affirmative interpretation of the regulations to move forward instead of standing still and holding back Members of Congress with narrow, traditionalistic concepts and applications of the regulations.

General Hoisington has set a very high standard for his successors to emulate. His performance should inspire and encourage them to recognition that while they must always maintain their loyalty to the own Air Force service—and even to individual commands in which they have served, such as the Strategic Air Command—they must recognize that none of us are above making errors or beyond inspection—and specifically that the Air Force itself is not immune to investigation, inquiry and evaluation by Congress, and especially by those committees which handle the authorizations and appropriations for the Air Force.

Yes, the Air Force's last act of recognition to General Hoisington truly characterizes his performance as Air Force Director of Legislative Liaison for the Distinguished Service Medal in this instance is truly descriptive of the "distinguished service" of Maj. Gen. Perry Hoisington II to the Air Force, to the Department of Defense, to the Congress, and to his country.

IN DEFENSE OF AMERICAN POLICIES

Mr. SYMINGTON. Mr. President, last month Assistant Secretary of Labor George L-P Weaver, U.S. Government delegate to the 49th session of the International Labor Organization Conference at Geneva, Switzerland, delivered an outstanding talk before the members of that organization.

All too often one finds representatives abroad who act, in effect, as apologists for the policies and programs of this country. It was particularly refreshing, therefore, to read this spirited and able defense of the position of the United States.

I was especially impressed with Secretary Weaver's statement:

> I think it is time that we—developing and developed countries alike—recognize Communist propaganda and aggression for what they are: forces aimed at the destruction of the "better standards of life in large freedom" that most of us are trying to build.

In the belief that this address would be of interest to all Members of the Senate, I ask unanimous consent that it be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY HON. GEORGE L-P WEAVER, U.S. GOVERNMENT DELEGATE TO THE 49TH SESSION OF THE INTERNATIONAL LABOR ORGANIZATION CONFERENCE, GENEVA, SWITZERLAND

Mr. President, I join those who have preceded me in congratulating you on your election. I also take this opportunity to welcome into the ILA family the newest members: Zambia, Malta, Malawi, and Yemen. This increase in membership again demonstrates the strength and validity of the ideals upon which this Organization is built.

In his excellent report to the Conference, the Director General reviews the major program areas that appear to have the general support of the Conference.

These three major program areas—human resources development, the development of social institutions, and conditions of life and work—encompass the broad spectrum of human endeavor within the competence of the ILO.

The Government of the United States subscribes fully to the central thesis of the Director General's report. Concern for human resources development is no less a factor in my country than in others.

Mr. President, during my tour of duty, I have tried, and will continue to try to cooperate with all groups in this Organization which serves the working men and women of the world. But cooperation is always a two-way street.

I deeply regret that I find it impossible to discuss in the detail I had planned the Director General's report, in view of the provocative course of the debate. Starting on June 7, my cuntry has been subjected to a series of distorted attacks, by speakers from the Communist countries, concerned with matters outside the competence of this Conference, which this organization cannot solve, and which belong in the United Nations.

If these speakers were sincere, and not merely seeking to divert attention from the subversive activities of the international Communist apparatus, they would have utilized the established machinery of the resolutions committee to discuss the issues they raised. Instead, they sought to disrupt orderly debate in this hall by their politically motivated attacks.

While I objected to the statements of these speakers, I abided by the rulings of the president on June 7 and 8, although I disagree with them. I abided by these rulings because of my firm belief in the vital importance of due process of law as well as my deep respect for this house. I have expressed these thoughts many times from this very rostrum. I am satisfied, Mr. President, you have made every effort to guide the debate along appropriate lines. This effort, however, has been largely nullified by the disregard of your ruling by speakers from Communist countries. Therefore, Mr. President, I am constrained to comment on the issues involved and the policies of my Government in the manner suggested by you on June 8.

Mr. President, we believe that governments should derive their just powers from the consent of the governed. We are deeply dedicated to this concept. That is why we have welcomed the new nations of Africa and Asia to full independence. That is why we have deep attachments to other democracies. That is why we are concerned with removing the last remaining barriers to freedom within our own borders, and why we are concerned when freedom is withheld from people beyond our borders.

History confirms that the American people believe in democracy—for themselves as well as for others. And, by democracy, we mean government by the majority; a government in which the supreme power is vested in the people and exercised by them, either directly or through their representatives chosen at periodic free elections where there is a choice of candidates representing varying points of view.

That is the kind of democracy we believe in. I hasten to point out, however, that it is not the understanding of democracy by the Communist countries who label themselves "democratic" and "socialist." I am convinced that they are neither. Why have they stopped using "Communist" in describing themselves?

We have been reminded that Communist words often bear little resemblance to commonly accepted definitions. Such words as peace, aggression, imperialism, intervention, neocolonialism, and liberation—have been sadly distorted—so distorted, in fact, that the so-called "liberators" had to build a wall to retain the "liberated" people.

The Soviet poet Yevtushenko has written: "Comrades, you have to give words back their original meanings." I commend these wise words to the attention of the Communist delegates.

We do not believe any group has the right to impose its system on others by force or subversive techniques.

But what do we see happening today?

We see Communist states engaged in subverting legitimate governments in Asia, Latin America and Africa. It has been said that the new imperialists of today are the Russians and Red Chinese. Communist China's Premier Chou En-lai, standing on African soil, the other day declared that Africa is ripe for revolution. He added that the same "exceedingly favorable situation for revolution" prevails in Asia and Latin America.

As the Kenya Government's spokesman has asked: What kind of revolution has Mr. Chou in mind? Most African states have gained their independence from foreign rule in recent years.

The only answer is that the revolutions Mr. Chou advocates would be aimed at existing African governments, with the aid of those his country has been training for years in guerrilla warfare and subversion.

Of course, the Communists don't call their actions subversion or aggression. In the distorted language of international communism they are "wars of liberation." They begin with infiltration, recruitment of dissidents, propaganda, and go on to guerrilla warfare, establishment of so-called "liberation fronts" and an outright attempt to overthrow governments by armed force.

While the Communist countries pour in assistance to these subversive forces, their propaganda apparatus screams its distortions at the intended victim and at any nation which dares to come to its help, calling them aggressors.

This is precisely what has happened in Vietnam.

We are in Vietnam because we have a commitment to honor. We are not there as aggressors, but to oppose a policy of aggression from the north.

We have no colonial or territorial aims there, or in any other part of the world.

For the past 5 years, Communist North Vietnam has sent increased numbers of trained guerrillas into the south, and more recently, even complete units of the North Vietnam armed forces.

To meet this threat, 38 free nations are sending help to South Vietnam.

We are determined to do everything necessary to preserve the right of South Vietnam to choose its own destiny.

We will not forfeit the battle against Communist aggression in South Vietnam. If we did, the free world surely would soon have to face the same problem in yet another country.

The Communists already have proclaimed Thailand as their next target for guerrilla warfare in southeast Asia. The first stage is well underway with Communist subversives killing Thai rural officials charged with improving the economic life of the people.

We will not quit—but—we will negotiate. Since April, President Johnson has repeatedly invited unconditional discussions on Vietnam. Several other nations have sought consultations. Each effort has met with silence, slander, or the sound of guns.

If North Vietnam will cease aggression, cease its terror and subversion against its neighbor, the free world will be glad to pull its forces out of South Vietnam.

We—like most of the world—want peace in Vietnam. But it must be a peace which preserves the freedom of the South Vietnamese people to choose their own way of life.

Rather than wasting the Conference's time in accusing the United States of waging a filthy war in Vietnam—all wars are filthy and Communist tactics in this one are hardly hygienic—would it not be more useful for Comrade Pimenov and his claimed 70 million Soviet workers to use their influence on North Vietnam to come to the conference table?

Likewise, in the Dominican Republic a crisis arose which the Communists sought to exploit for their own purposes.

When anarchy gripped the Dominican Republic last April the only apparent responsible authority asked the United States to send in armed forces. We answered the appeal. Over 6,500 persons were evacuated. Of these, nearly two-thirds were nationals of 46 countries, from every continent, including Eastern Europeans whose delegates belabor us here.

It was an emergency action, taken to protect lives and to give the Inter-American system a chance to deal with a situation within its competence. And it is dealing with the situation now.

A cease-fire has been effected. The Secretary-General of the Organization of American States and a three-man committee are consulting with all Dominican groups to bring about a political solution acceptable to the people as a whole. An Inter-American Peace Force has been set up and those American troops still remaining are under its command. The OAS will determine when the peace force will be withdrawn.

The OAS is acting against civil disorder, and political chaos—actions incited by Communists, many of whom received guerrilla training abroad. The extent of this involvement is a matter of record in the Security Council.

Eastern European delegates have demanded the complete withdrawal of American forces from the Dominican Republic, but why haven't the same delegates ever called for the withdrawal of the 80,000 Soviet troops still in Hungary 9 years after the Soviet intervention that ruthlessly suppressed the aspirations of the Hungarian people?

Mr. President, I have sat in this hall and listened to speaker after speaker describe the needs of his country—for more rapid economic development, more industries, more training of workers, more cooperatives—all the things that ILO, with the support of governments, employers and workers, can help, and is helping, to provide.

I am proud that my country has shared in the efforts of nation-building taking place around the globe, and we look forward to doing more.

We have also heard many delegates recite the problems they face: the population explosion, hunger, poverty, inadequate schools, etc. These are all grave impediments to progress.

But I submit, Mr. President, that the gravest impediment to progress today is the conspiracy to subvert the developing countries, to steal their hard-won freedoms, and to take over legitimate movements of workers.

Let me ask, Mr. President, how are we to quicken the pace of development enough to meet the needs of the emerging countries, if our efforts are to be impeded by Communist subversion parading as "movements of liberation"?

I think it is time that we—developing and developed countries alike—recognize Communist propaganda and aggression for what they are: forces aimed at the destruction of the "better standards of life in large freedom" that most of us are trying to build.

For our part, our determination and commitment to freedom are without limit.

This has been made amply clear by President Johnson who, by words and deeds, has reaffirmed the concept expressed by the late President Kennedy in his inaugural address, when he stated that Americans are "unwilling to witness or permit the slow undoing of those human rights to which this Nation has always been committed, and to which we are committed today at home and around the world.

"Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty."

TRIBUTE TO SENATOR KUCHEL

Mr. DOUGLAS. Mr. President, men and women in public life have always been subject to unwarranted and often malicious attacks, but since last June the senior Senator from California has been the target of an extraordinarily vicious rumor campaign. Senator KUCHEL's response to these foul smears displayed his characteristic courage and decency. I know that every Member of this body and millions of Americans approve of and applaud Senator KUCHEL's unflinching fight to expose those who made this malicious attack.

It is no exaggeration to say, Mr. President, that Senator KUCHEL's fight to clear his name has aroused the interest and commendation of the Nation, just as the attacks on him aroused its anger and disguest. He is rightly being honored by newspapers in every State. In Chicago the Daily News has recently applauded Senator KUCHEL's victory in an editorial which appeared on July 1, 1965. I wish to commend the Daily News for this deserved tribute. Senator KUCHEL's actions should enhance our faith both in the workings of our legal system and in the high general quality of the men and women in American public life. Mr. President, I ask unanimous consent that this editorial testifying to the courage and integrity of the senior Senator from California be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATOR KUCHEL'S VICTORY

What's wrong with extremism is eloquently demonstrated in the libel victory just won by THOMAS H. KUCHEL, the outspoken moderate Republican who is the senior Senator from California and the minority whip in the Senate.

Last June a former Los Angeles policeman, for reasons which are not entirely clear, made an affidavit vowing that KUCHEL had been arrested in 1950 for being drunk and committing a homosexual act.

A covey of far rightwingers including Francis A. Capell—who once wrote a book accusing Senator ROBERT F. KENNEDY of ordering Communist agents to kill Marilyn Monroe—got hold of the affidavit and circulated copies far and wide. A copy was even entered in the files of Senator JAMES O. EASTLAND's Senate Internal Security Subcommittee. But nobody confronted KUCHEL with the accusation, and months elapsed before a trio of nondescript young men swaggered into the Senator's Los Angeles office, demanded to see him, and on being told he was in Washington, handed a copy of the affidavit to a secretary. She got the word to KUCHEL as swiftly as possible.

A lesser man in the Senator's position might have weighed the damage already done during the months in which the rumor had been quietly but vigorously circulated, and simply given up. It is in the nature of such rumors that they are hard to run down, but deadly in their violence to the victim's reputation, especially when the victim is a prominent public figure.

KUCHEL, a formidable fighter in his own right, struck back hard. He took the whole story to the Federal Bureau of Investigation, which set in motion an investigation that exposed the affair as a complete fabrication. The policeman admitted under oath that the affidavit was false. He was arrested, along with Capell and two other men who had taken part in the conspiracy, and all were charged with libel.

The policeman, Norman H. Krause, made a public apology to KUCHEL last month in pleading guilty to his part in the affair. This week Capell and a third defendant pleaded nolo contendere (no contest) to the charges against them. A fourth defendant's case will be heard next month. All have now signed public acknowledgments of their mistake and apologized abjectly to the Senator.

All of this does not begin to make up to Senator KUCHEL the vicious harm done to him and his family. Nor is there any punishment for the many who accepted the rumor, clicked their tongues self-righteously, and never bothered to question its veracity.

Two things can be adduced, however, that bear upon the current political scene.

One is that extremism is a corruptive virus that warps the very souls of the practitioners.

The other is that TOM KUCHEL is a man with guts.

THE BALANCE-OF-PAYMENTS DEFICIT

Mr. BENNETT. Mr. President, one of the current important problems which we face as a nation is our balance-of-payments deficit. In the Banking and Currency Committee, we have had hearings on this problem, and have heard some of the experts in the international monetary field. These hearings will likely continue to search out answers, as soon as our schedule permits, because the problem continues to be with us, despite the success of the voluntary efforts being made by U.S. businesses and financial institutions to narrow the gap.

One aspect which has received a great deal of attention, because of the expected effects of the voluntary programs which have been introduced, is the international monetary system. It has been criticized as being unable to cope with the problems which some expect within a few years, as a result of insufficient liquidity. Proposals for change range from revisions of the present system to suggestions that it be replaced by entirely new systems, differing greatly in both concept and operation from that which is now being used. Because of the technical nature of the proposals, few are familiar enough with them to make a judgment between the alternatives, without a great deal of analysis and study.

An excellent article dealing with the international monetary system has been written by Henry C. Wallich, a former economic adviser to President Eisenhower, and was published in the June issue of the Manufacturers Hanover Trust Co. monthly publication.

I ask unanimous consent that the article be printed in the RECORD, in order that it may receive widespread circulation and be available to all who are seriously interested in this important problem.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWO SCHOOLS OF THOUGHT EXISTED ON BALANCE OF PAYMENTS EVER SINCE DEFICIT BECAME SERIOUS IN 1950'S

("The World and the Dollar" is discussed by Henry C. Wallich, guest economist for Manufacturers Hanover Trust Co., in the bank's June publication.)

Plans to reform the international monetary system have attracted new interest since introduction of the President's voluntary controls to solve the balance-of-payments problem. It is argued that if only we could find a better system, the U.S. payments deficit would cease to be a problem. The voluntary controls could then be ended. While this proposition is often presented plausibly, it is a siren song and not a new one. Proposals to solve the balance-of-payments dilemma, not by balancing our accounts, but by opening up some new source of credit, are as old as the deficit itself.

Ever since the deficit became serious in the late 1950s, there have been two schools of thought. One school argued, as is now being argued, that world monetary reform should be undertaken immediately. This would provide larger credit facilities for the United States, reduce the urgency of achieving balance. and ease the pains of adjustment.

The other school maintained that to cure the payments deficit and to reform the monetary mechanism were separate problems. First, the deficit had to be ended or at least greatly reduced. Then would come the time, as well as the need, to reform the payments mechanism. For only after the United States was no longer in need of credit could agreement be expected on a new international monetary mechanism, which is, after all, a credit mechanism. And only after the United States had stopped pouring out dollars all over the world would there be a real need to create new sources of liquidity.

The second line of thought remained the official U.S. position until mid-1963. At that time, new measures, including the proposal for an interest equalization tax, were introduced. It was also decided to start negotiations for world monetary reform.

The results of that decision are now apparent. We have achieved a 25-percent increase in the quotas of the International Monetary Fund. While this is worth something, it is little better than routine. As for more fundamental reform, the negotiations revealed a deep split between debtor and creditor nations. This gap was bridged only by the joint statement indicating that the world's monetary system had worked fairly well so far. Basic reform was left to the study of a subcommittee and was not treated as urgent.

Meanwhile, the main thrust of U.S. policy has focused once more upon ending the payments deficit. Present success in this effort is due largely to measures that should remain temporary. The dilemma, therefore, with which we started still confronts us.

This outcome seems to vindicate those who argued that we should first put our balance of payments in order and focus upon monetary reform afterwards. This view seems no less valid today than before. The effort to negotiate, while in heavy deficit, inevitably exposes the United States to the suspicion of seeking additional credit facilities to ease the balance of payments discipline. Meanwhile, creditor countries are bound to be concerned with limiting these facilities precisely in order to tighten that discipline upon the United States. Once the problem of financing the deficit is removed, the common interest in adequate international liquidity can be expected to bring the two sides together again.

GOLD EXCHANGE

The United States has reason to be thankful that it did not, at any time during the last 7 years, go in for reforms that would have weakened the gold exchange standard. That system, under which the dollar serves as a world reserve currency, has proved a remarkably effective means of financing the payments deficit. Of the total deficit of about $25 billion (on regular transactions) for the years 1958–64, about $7 billion have been financed by increases in official foreign holdings of dollars and Roosa bonds (U.S. Treasury obligations mainly in foreign currencies), and about $5 billion by private holdings. It is hard to believe that we could have had anything like these amounts of credit—beyond the $1.2 billion financing so far received through the IMF—from any international institution that might have taken the place of the gold exchange standard. We would have had to act far more drastically against the payments deficit. That would have involved restraining the domestic expansion and would have meant a sharp reduction in private foreign investment and government expenditures abroad. Some measures of this sort might have been adopted in any event. But in the aggregate, they would undoubtedly have been harmful.

Proponents of immediate monetary reform frequently claim that the gold exchange standard has imposed unduly conservative policies upon the United States. This is a complete misreading of recent history. It is a misreading also of familiar doctrine on the subject, which stresses that the gold exchange standard does not impose enough discipline upon the reserve currency country when it is in deficit. This is precisely the complaint of our European creditors, and they are stating their point of views with mounting emphasis. To the extent that we have been able to pay in dollars, we have had more leeway than if we had had to pay in gold.

Does the accumulation of dollars in foreign hands create special dangers for us? These foreign dollar holdings, insofar as they are in the hands of central banks, can be withdrawn in gold. Hence, it is sometimes argued that we should guard against this danger by funding the liabilities. U.S. short-term liabilities (including Roosa bonds) now held as reserves by foreign central banks amount to about $15 billion. If creditors were willing, these could conceivably be funded by converting them into some kind of long-term instrument, or by concentrating them in the International Monetary Fund.

Would the United States gain solid protection against future gold withdrawals by this move? The answer is no. We are vulnerable to gold losses chiefly because the dollar is convertible and not because we have large foreign official liabilities. Dollars held by private foreign holders and dollars that could be transferred abroad by domestic holders could still go into foreign official hands.

If the gold exchange standard were terminated and official foreign dollar holdings accordingly were outlawed, we still would have to pay gold, or borrow from the IMF. With a convertible currency and a fixed exchange rate there is no way of becoming invulnerable.

The proponents of funding sometimes argue that such action would reassure private capital movements and ensuing gold flows would then become less likely. There are grounds to fear that the opposite might happen. One of the reasons often given for ridding ourselves of the responsibilities of a reserve currency country is that we could then solve the payments deficit by devaluation. Recently, this view has been echoed by so respectable a source as the Association of German Economic Research Institutes. If termination of the gold exchange standard should set loose a vocal campaign for devaluation, confidence in the dollar would not increase. Private foreign dollar balances might melt away. With them would go some of our gold, as well as our position as an international financial center. In other words, our ability to attract private holders of dollars may depend to some extent upon our assuming the full responsibilities of a reserve center.

OTHER COUNTRIES COMPLAIN

To conclude that the gold exchange standard has been good to the United States is not necessarily to say it has benefited the rest of the world. Contrary to our intentions, we have made far larger use of our credit facilities under the gold exchange standard than was wise. We have paid out dollars to the point where some of the creditor countries have become unwilling to hold them. In addition, the gold exchange standard has become embroiled in political relations with major allies. It has been effected by mounting sensitivity in Europe to American direct investment. The question is: Have we perhaps strained the gold exchange standard beyond the point where it can continue to serve?

For the rest of the world, as for the United States, the problem is one of available alternatives. What is available to replace the gold exchange standard?

The pure gold standard, whether or not accompanied by a large rise in the price of gold, would be a step backward and is rejected almost universally, except possibly in France.

A system of floating exchange rates, favored by many academic economists, is rejected almost universally elsewhere.

A world central bank, the solution that clearly lies along the line of financial progress cannot be negotiated.

There is little choice but to build upon the gold exchange standard and improve it.

Because the world central bank is so plausible a solution, it is important to see clearly why major countries today will not accept it. Why is it that we cannot do internationally what domestically is done by every nation's central bank? In simplest terms, countries today will not expose themselves to the risks inherent in such a solution. Nobody knows how a world central bank would operate. Would it grant credit generously and increase world liquidity rapidly? Would it lean toward the stingy side? The answer might mean the difference between prosperity or unemployment, stability or inflation for member countries. Few countries would accept such uncertainties without a precise spelling out of rules satisfactory to them, or a veto power. Yet rules that would protect creditors against inflation would expose debtors to unemployment, and vice versa. And how helpful would all-round veto powers be?

As things now stand, each country can reasonably hope that ad hoc solutions will be found should it encounter a specific difficulty. When sterling is in trouble, the central banks of the world make large sums available to save it. Would they, however, commit themselves in advance to do the same if a crisis should strike country X in circumstances Y and Z?

A world central bank will develop when it can act to validate practices that have become familiar and accepted. It could also come out of some great crisis, a route that hopefully will be avoided. To promote a world central bank prematurely poses the risk of interfering with feasible proposals without putting anything in their place.

To make the gold exchange standard attractive to the rest of the world, as well as to the United States, it will be necessary to improve it in several respects. One such improvement is to provide for the creation of reserves at a more stable and reliable rate. In the immediate future it may well be necessary to demonstrate our control over our international accounts by reaching full balance or even a surplus. Over the longer pull, the United States must conduct its balance of payments so as to run a small average deficit and only rarely depart substantially from this average. We could perhaps aspire to supply something like one-third to one-half of rising world reserve needs, leaving the rest to be met by gold and by broader IMF or alternative facilities. Accordingly, our deficit might average perhaps $0.5 to $1.0 billion. Full balance is not normally required; it would, in fact, interfere with the process of reserve creation.

The means to achieve relative stability at something less than full balance are at hand if we will use them. Basic to success is that we maintain and further improve our international competitiveness. With competitiveness assured, we must use interest rates to regulate the international flow of capital. Fiscal policy will have to become more flexible, a process that already is under way. Then domestic stability need not suffer significantly from monetary actions oriented toward the balance of payments.

RESERVE CREATION STABILIZED

Reserve creation via the U.S. payments deficit would be less haphazard than it has been in recent years. Even on this score, it is worth noting, criticism of the gold exchange standard has been much overdone. Reserves under this system do not arise exclusively from payments deficits of the reserve countries. They also can be created by agreement, as under the Federal Reserve swap system. Furthermore, all reserves created by the U.S. payments deficit did not remain reserves. Holders that did not want them could, and often did, convert them into gold. Thus, they achieved a compensating reduction in U.S. reserves. The demand for more reliable reserve creation is justified, however, and can be met in part by better U.S. balance-of-payments policies.

Reserves must rise, although not immediately and not necessarily in direct proportion to the volume of world trade. So long as the United States continues to invest abroad on a long-term basis more than it borrows abroad on a short-term basis, a deficit does not mean a weakening of our overall international position. As a matter of fact, that position has been improving throughout the period of the long payments deficit.

Nevertheless, the United States would face a problem in the rising proportion of its liabilities in the rising proportion of its liabilities to its gold reserve. This thinning out of the gold reserve ratio, if left unattended, would weaken confidence. In assessing the problem, it is important to see that it is not peculiar to the gold exchange standard as has so often been said. The same problem would have to be faced by a world central bank.

The ratio of credit money to gold has been rising for centuries. Given the modest level of gold production, it surely will continue to rise. The role of gold in the world's monetary affairs is bound to diminish over the long pull.

The time is not ripe, however, for an ultimate demonetization of gold. Barring a crisis, this too will develop only through the gradual establishment of practices that minimize the use of gold.

Today, central banks still regard access to gold as an important safeguard. The facts of the matter will lead them gradually to appeal less frequently to this safeguard. Progress can be made principally in two directions. First, reserves obtained from short-term capital inflows should not be converted into gold. Because dollars do not arrive at central banks with a tag indicating the nature of the transaction, this will present some statistical difficulties. But data are improving, and the statistical problem should not be prohibitive. Second, countries should gradually accept a diminishing proportion of gold in their international reserves. This is almost certain to happen in one form or another, since world reserves are almost sure to rise faster than the monetary gold stock. If there are holdouts, such as some of the European countries, they will merely throw a larger burden on the rest. It is important to bring about this gold shrinkage in a fair and reasonably systematic manner.

In the process of substituting paper for gold, a world central bank would have distinct technical advantages over the gold exchange standard. It could establish reserve requirements for the central banks that would be its members and thus limit their ability to obtain gold. But thus far, central banks do not want to see access to gold blocked altogether. Moreover, if some emergency should make it impossible for banks to get gold for the paper they hold, they might prefer the paper of a strong country with an interest in maintaining its solvency to that of an institution whose depositors are staging a run. In any event, limitations on gold pulling are more likely to be established by reason and practice rather than by signed agreements.

To firm up the gold exchange standard further, the United States might take another look at the somewhat discredited device of exchange guarantees. A great deal has been written about the inadvisability of guaranteeing our liabilities against devaluation. Nevertheless, we have guaranteed a small part of them by selling U.S. obligations in foreign currencies. If we were to join a world central bank, we probably would have to guarantee all official liabilities automatically. Seven years of pressure on the dollar have demonstrated, to ourselves as well as to others, that we will not devalue. In some form, that does not stretch quite across the board; guarantees may have their uses.

Within this evolving situation, the International Monetary Fund should play an increasing role.

If the gold exchange standard is to survive, the IMF will have to help make it work. The IMF must continue to meet particular liquidity needs even while world reserves are going up. It will have to operate on a larger scale during periods when that is not the case, because the reserve currency countries are not in deficit. It will have to backstop the reserve currency countries whenever their deficits are too large or they experience abnormal gold demands.

Beyond that, a more basic function may fall to the IMF. Apart from new gold production, the gold exchange standard is not likely to meet all of the world's future reserve needs. An annual increase in U.S. liabilities by $0.5 to $1 billion is about as large as appears compatible with confidence and stability. Some other reserve medium will be needed. This could be either a liability of the IMF, as has been proposed by the United States, or a joint obligation of a small group of financially strong countries, as urged by France.

Use of the IMF for this purpose seems to be along the line of normal evolution of the world's monetary system. Nobody can now say whether or not the IMF will ever become the world's central bank, but the possibility exists. It seems logical, therefore, to use the IMF for whatever tasks need to be done. These would include the provision of additional reserves through larger quotas, freer use of reserves, and possibly other devices.

No single method of creating international liquidity is likely to be satisfactory in the years to come. The United States must be much more conservative in the creation of liabilities than it has been in recent years. A rapid increase in IMF quotas has not proved negotiable. Progress toward a new reserve unit has been slow. Under these circumstances it seems clear that the gold exchange standard will have to play a continuing role. In combination with an evolving IMF, the gold exchange standard seems to offer the most promising pattern for the world's payments system over the foreseeable future.

DEDICATION OF SCULPTURE "THE FLAG RAISING AT IWO JIMA"

Mr. HOLLAND. Mr. President, on Flag Day, June 14, 1965, a most fitting and timely event took place in the Garden of Patriots at Cape Coral, Fla. On that day, Felix de Weldon's classic sculpture of "The Flag Raising at Iwo Jima" was appropriately dedicated.

The monument will ever remind those who visit the Garden of Patriots that there cannot be liberty without courage and that Americans have never wavered in the pursuit of freedom.

On this occasion many dignitaries of the U.S. Marine Corps, State officials, Mr. de Weldon and thousands of spectators were in attendance. I was particularly pleased that Gen. Holland Smith, who was the expeditionary troop commander in the Gilberts, Marshalls, Marianas, and Iwo Jima at the time of the flag raising, made the presentation of the flag, which had been flown over the Capitol, in my behalf.

The Vice President marked this auspicious occasion by an appropriate message, and I ask unanimous consent to have his message printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE VICE PRESIDENT ON THE OCCASION OF THE DEDICATION OF FELIX DE WELDON'S "THE FLAG RAISING AT IWO JIMA"

Felix de Weldon's "The Flag Raising at Iwo Jima" commemorates in lasting form an epic moment in American history—one that has become symbolic of the selfless heroism and dedicated courage that has marked the American fighting man of every generation. It is most fitting that this monument to these brave men, whose devotion to our flag is so indelibly etched in the proud history of their corps and country, be dedicated on Flag Day in Cape Coral's Garden of Patriots.

For each of us an occasion such as this must serve as a sober reminder that the freedom we now enjoy—the freedom we must guard so carefully—was not easily won. It has not been easily preserved.

Our Nation today, and for the foreseeable future, is deeply engaged not only in the preservation of our own freedom, but with equal intensity in the struggle for freedom throughout the world. Free people everywhere look to us for strength and leadership.

The instant of history memorialized here today should serve to renew and refresh in every American faith in our ability to meet any challenge in the defense of freedom. Americans of every era have been tested, even as we are being tested today, Americans of every era have met the test.

Marines who raised the flag at Iwo Jima epitomized the unyielding strength, the firmness of purpose, which have marked America's defense of freedom since the beginning of the Republic. Their courage enriched our heritage for all times.

The memory of their devotion strengthens our resolve that the freedom they fought for will be guarded as firmly in the future as in the past.

A great many Americans will pause before this heroic work in years ahead. Each will experience anew a sense of pride, of humility, of gratitude. Here in the Garden of Patriots, Felix de Weldon had made possible for all who see his work opportunity for quiet contemplation of a moment of greatness from which all can draw inspiration for the future.

HEMISFAIR, SAN ANTONIO, 1968, FOR ALL THE AMERICAS

Mr. YARBOROUGH. Mr. President, on June 21, I introduced a bill, S. 2167, which would authorize a study to be made for the purpose of determining the manner and the extent of the U.S. participation in the HemisFair to be held in San Antonio, Tex., in 1968. I ask unanimous consent that an article on HemisFair from the May–June "Urban Renewal Notes," published by the Housing and Home Finance Agency, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAN ANTONIO'S "HEMISFAIR"

In January 1958, a San Antonio businessman, in a speech before the chamber of commerce, said: "San Antonio needs something dramatic to spotlight its charms." He suggested a World's Fair in 1968 to coincide with the 250th anniversary of San Antonio, "The Cradle of Texas," and proposed the name "HemisFair."

When the HemisFair opens its gates 3 years hence, it will culminate the efforts of all segments of San Antonio's business, professional, and civic leadership. But it is urban renewal that made the undertaking, right in the heart of the city, feasible. The HemisFair 1968 is planned to give expression to Texas' historic role as a bridge between the divergent cultures of the Americas and to demonstrate the history, accomplishments, development, and aspirations of the State of Texas, and Nations of the Western Hemisphere.

San Antonio has begun execution of its civic center urban renewal project, a 140-acre blighted and overcrowded residential area on the edge of the central business district and adjacent to the Alamo. When the area is cleared, the city will acquire the land and 90 acres will be leased to the HemisFair for the duration of the fair and a year afterward. As compensation for the use of the site, HemisFair will turn over to the city all permanent structures on the land. The city will build a convention center on the remainder of the land.

No other city in the country has ever had a World's Fair in the heart of the central business district. The beneficial impact on San Antonio's economy is expected to be substantial and long lasting, making possible the elimination of a badly blighted area in the middle of the city.

GENERAL MOTORS ANNOUNCES SAFE CAR IMPROVEMENTS

Mr. RIBICOFF. Mr. President, yesterday the General Motors Corp. announced that all of its 1966 model passenger cars will include a number of safety items as standard equipment.

These safety devices include rear seat belts, padded instrument panel, backup lights, outside left-hand rear-view mirror, dual-speed windshield wiper and washer, and padded sun visor. This is most welcome news from America's largest car manufacturer. It represents a good start toward making our cars not only the best but the safest on the highways. I want to congratulate and commend General Motors for its recognition of the problem and its timely action.

However, we must keep in mind that the safety devices to be included in all General Motors cars do not include all the safety features the General Services Administration will require in automobiles purchased for use by the Federal Government. Not included in GM's list are recessed dash instruments and control devices, impact-absorbing steering wheel and column displacement, safety door latches and hinges, anchorage of seat, four-way flasher, safety glass, dual operation of braking system, standard bumper heights, standard gear quadrant, glare-reduction surfaces, exhaust emission control system and tire and safety rims, all of which must meet minimum Federal safety standards.

It would be my hope that General Motors would continue its good work and include these other safety features as standard equipment as soon as possible—hopefully in their 1967 models as required for GSA-purchased autos.

With this announcement by General Motors a challenge is presented to the other automobile manufacturers. Together with all Americans I ask Ford, Chrysler, and American Motors: When will you announce your program for a safer car?

I am pleased that the heads and leading officers of the four auto manufacturers have agreed to testify before my Subcommittee on Executive Reorganization concerning the Federal role in traffic safety which will begin on Tuesday, July 13. On that day we will hear from Mr. Frederic Donner, chairman of the board of General Motors, and Mr. James Roche, president, will testify in room 1114, New Senate Office Building. On Wednesday, Mr. Harry Chesebrough and Mr. Virgil E. Boyd, executive vice presidents of the Chrysler Motor Co. will testify at 10 a.m. in room 1114, New Senate Office Building. On Thursday at 10 a.m., Mr. Roy Abernathy, president of American Motors, will testify in room 4200, and Ford Motor Co.'s president, Mr. Arjay Miller, will testify on Friday at 10 a.m. in room 4200.

I am pleased that the automobile manufacturers have taken this opportunity to present their views on what they have been doing and what should be done in the area of traffic safety. It is heartening to see that they are taking an active interest in our traffic safety problem. In a spirit of cooperative and joint action we will be able to make great inroads into the staggering traffic safety problem which confronts us now.

The extent of the problem was brought tragically home to us again over the past July Fourth weekend. In only 78 hours 552 people were killed in traffic accidents. That is 83 more than have died in Vietnam since January 1961. It represents the greatest number of people ever killed in traffic accidents during an Independence Day weekend of comparable length. Fifty thousand people will lose their lives in automobile accidents this year.

The alarming thing, Mr. President, is that these grotesque figures cease to shock. They cease to alarm. They are becoming a part of our routine way of life. When we pause to consider that this year almost as many people will be killed on our highways as were killed in World War I there is justifiable cause for alarm. It is ironic, tragically so, to discover that on this celebration of our Nation's independence we have lost more than 11 times the number of Americans that were killed in the battles of Lexington and Concord which marked the beginning of our struggle for national freedom.

What alarms me most is the fact that our Nation is beginning to assume that the mounting toll of traffic deaths is one of the facts of life by which we must learn to live. We are placidly content to say that there is nothing we can do about this wholesale carnage; we reassure ourselves by thinking accidents are something which always happens to the "other guy." In actual fact, however, the average living American is nothing but a fugitive from the law of averages.

Unless we do something, and soon, one out of every five Americans will be killed or injured in a traffic accident within the next 10 years.

As the toll of traffic deaths continues to rise, as more and more cars are put on the road, as more and more billions of passenger miles are traveled each year, our Nation becomes more conditioned to loss of life on the highways. We respond to these alarming statistics not with positive and corrective action but with the apathetic attitude that nothing can or should be done.

By 1970, 110 million Americans will be licensed to kill, injure, maim, and otherwise harm not only themselves but their fellow countrymen as well. If the upward trend of deaths per year continues at the present rate, 100,000 Americans will be killed in traffic accidents by the year 1975. This says nothing of those who will be injured, and of the misery, the heartbreak, the degredation, and the economic loss—over $8 billion for last year alone—which will result.

When we see and hear the cold and brutal statistics of death on this holiday weekend we respond not with alarm but with the attitude that this is simply something that happens on holidays.

But we are wrong. This rising death toll is not caused by the fact that the weekend is a holiday. Pleas for safe driving are increased by officials and law enforcement officers in anticipation of the holiday about to come. Our roads are more carefully patrolled and law enforcement becomes even more efficient during a holiday than at any other time. The real cause of the galloping holiday death figures is that there are more people and more cars on the road and more miles traveled during a holiday weekend than at any other time.

What does this really mean for us? What kind of future do these statistics portend?

The fact of the matter is that the traffic load of the past Fourth of July weekend is going to be the normal traffic load of the future. It is inevitable that as the number of cars on the road and the number of miles traveled each year increases, the traffic situation of this weekend will be commonplace for average days of the future. In part this means that the traffic jams, the harassed driving conditions and the difficulty of driving from one place to the next will be ordinary.

This is why we need better roads.

In part it means that this weekend's rate of over seven Americans killed per hour on the highways will be commonplace. It means that the 110 million drivers of 1970 will be flooding the gates of our highways. It means that more driving will be done under high-pressure conditions. It means that a far greater percentage of our drivers will fall in the inexperienced age group of 16 to 25.

This is why we need more competent and cautious drivers.

It also means that more cars will be on the highways than ever before. This brings us to the third part of the accident triangle—the car.

We need safer cars.

Hopefully the news from Detroit is our first real breakthrough toward fulfilling that need.

I ask unanimous consent to include in the Record at this point some material relating to the problem of traffic safety.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Star, July 6, 1965]

Traffic Toll at 552 Sets Record for Fourth

Traffic deaths during the Fourth of July weekend reached 552, a record total for a 3-day observance of Independence Day. The previous high of 504 deaths was set last year.

With the tally nearly completed, the count came close to the record for a 4-day Fourth of July weekend, 557 deaths, set in 1963. The Associated Press began its count at 6 p.m. (local time) Friday and ended it at midnight last night.

This year's toll brought a warning from Howard Pyle, president of the National Safety Council.

"Never has driver improvement been more badly needed," Pyle said. "The attitudes and skills of too many drivers are failing to meet the exacting demands of billions of miles of high pressure travel."

Traffic accidents in five States—California, Missouri, New York, Ohio, and Texas—accounted for more than one-third of the deaths. Fifty-three persons were killed on California roads, 31 in Missouri, 35 in New York, 36 in Ohio, and 27 in Texas.

[From the Hartford (Conn.) Courant, July 6, 1965]

The Government Leads in Automobile Safety

The safety features required on new Government cars should have a beneficial effect on those sold to the public. The General Services Administration has announced 17 safety features to be included in the equipment of the 38,000 vehicles it will buy in the 1966 fiscal year. This is only a small part of the Detroit output, but the example may be followed by States and by auto owners who have become safety-conscious.

Auto buyers seem to think of styling and speed when they are choosing from among new models. Most are indifferent to the safety features offered by the makers as optional equipment at extra cost. When cars became so overpowered that they were a danger on the road, attempts were made to bring the horsepower down to reasonable limits. Now that the power race is on again it is accepted that the public wants overpowered cars and will resist any attempts to talk reasonably about the relationship between power, speed, and accidents.

The most expensive safety device now under development is the one for eliminating air pollution by auto exhaust fumes. Large cities are being forced to protect their citizens from the dangers of air pollution by auto fumes and chemical smog. California has led the way with an exhaust control law that takes effect in 1966. If New York follows, Detroit will probably be forced to equip most of its output with the devices.

Government safety rules require a steering wheel that will withstand head-on crashes, strong seat-belt anchorages, safety door locks, safety glass, and a dual braking system. Some of the 17 requirements are already standard on all cars. Others will probably add about $100 to the cost of a car. They will be worth it if they reduce the number of fatal accidents.

[From the New York (N.Y.) Times, July 4, 1965]

THE ACCIDENT TRIANGLE

Automobile accidents are as familiar as the common cold, and far more deadly. Yet their cause and control remain a baffling problem.

The statistics tell a somber story, but they have ceased to shock. Fifty thousand Americans will lose their lives in automobile accidents this year—almost as many as were killed in World War I. Several hundred will be killed this holiday weekend.

Experts have long recognized that this discouraging problem has multiple causes; at the very least, it is a driver-vehicle-roadway problem. If all drivers exercised good judgment at all times, there would be few accidents. But this is rather like saying that if all people were virtuous, there would be no crime.

Improved design has helped make highways relatively much safer. But the tide of accidents continues to rise because of man-failure and an enormous increase in the number of automobiles on the road.

Attention is now turning increasingly to the third member of the accident triangle—the car itself. Assuming accidents are bound to occur, the public wants to know how cars can be built better to absorb the impact and to protect the occupants. Reflecting this public concern, Motor Vehicle Commissioner William S. Hults recently appointed to his staff Dr. John O. Moore, who has been the principal investigator in crash injury research at Cornell University.

In Congress, Senators ABRAHAM A. RIBICOFF and GAYLORD NELSON are pushing for more Federal research and for legislation to impose minimum safety standards for cars and car tires. It is anomalous that cars are the only vehicles not subject to Federal safety regulations; such standards are imposed on ships, airplanes, railroad cars, and interstate buses.

Padded dashboards, crash-resistant door locks, steering columns which telescope under heavy impact, and dual braking systems to provide a backup in case one system fails are some of the safety features that congressional critics want to require by law as standard equipment in all automobiles. In ordering 1967 models, the Federal Government confirmed this week that it will insist on such features in the cars that it buys. Equally important, according to the experts, but not yet included in these Federal requirements, are use of harness-type seat belts and also headrests to prevent whiplash. On the related issue of air pollution caused by automobiles, Government regulations will call for the installation of exhaust-fume devices.

This latest prodding by the Government makes it plain that legislation is sure to come if the automobile industry does not show more initiative in building safer cars. It may be true that "safety does not sell cars," but the industry can put more safety into its cars without necessarily making safety the dominant theme of its sales effort. The responsibility lies with the industry. If Detroit does not exercise it, Washington will—and should.

[From the New York (N.Y.) Herald Tribune, July 4, 1965]

A GALLUP POLL ON HIGHWAY SAFETY: HOW THE PUBLIC GRADES ITS DRIVING

(By George Gallup)

PRINCETON, N.J.—The mounting death toll on highways this Fourth of July weekend serves as a grim reminder of a national problem which is becoming increasingly alarming.

Last Memorial Day weekend was the worst in history in terms of traffic deaths. Each week, an average of 1,000 persons lose their lives in automobile accidents. More than twice as many Americans have been killed in traffic accidents in the period 1900–64 as have been killed in all wars during this period.

What can be done to stop this loss of life? Actually, much is now being done: for example, tougher law enforcement, more careful car inspection, better driver tests, and improved car design.

At the same time, much more obviously needs to be done—not only at the official level, but by the private citizen as well, in strictly observing traffic laws and driving courteously at all times.

Systematic sampling of public opinion can also contribute toward improving the situation—in providing answers to such questions as: Who are the safest drivers? How do people rate themselves as drivers? How many cars have safety belts installed?—and perhaps more significantly—how often are they used?

To find out the answers to these and other questions, the Gallup Poll assigned its nationwide staff of interviewers to talk to people from coast to coast. Out of their interviews, these important facts emerge:

About 2 persons in 3 (64 percent) have been involved in an automobile accident of some kind. Of these, 19 percent have been involved in an accident in which someone was hurt.

Slightly less than half of the persons interviewed in the survey were actually driving the vehicle in which someone was hurt. A far greater proportion of men (63 percent) than women (27 percent) were in the driver's seat, but it should be borne in mind that there are many more male drivers (86 percent) than female drivers (57 percent).

A smaller proportion of persons in their twenties say they have been involved in an accident where someone has been hurt than is the case among older people. However, it should be borne in mind that these younger persons have been driving for a shorter period of time.

Despite the high accident rate, 62 percent of drivers consider themselves of "average" ability at the wheel, and another 36 percent rate themselves as "better than average."

Among persons in the 21–29 age group, the proportion saying "better than average" is 33 percent, which contrasts with the 42 percent of those 50 years of age and older who give themselves a superior rating.

The ratings people give themselves vary little from the ratings they think they would get from friends and family. For example, drivers who rate themselves better than average tend to think others would give them the same rating.

About 4 drivers in 10 (42 percent) have safety belts in their own or their family's car. This is a considerable change from 3½ years ago when a Gallup survey recorded the figure of 12 percent.

Although it has been demonstrated that safety belts reduce the severity of injury in automobile accidents, only slightly more than one out of three, or 36 percent of those who have safety belts, actually use them all the time. Just as surprising is the finding that about one driver in seven, or 14 percent of those with safety belts, say they "never" use them.

Fifty-six percent of all drivers say they would favor a law requiring automobiles now being built to be equipped with safety belts. Fifteen percent say they would be opposed to such a law, but some of this opposition comes from persons who feel that the law would be difficult to enforce—"there won't be an officer around to buckle you in," said one man. A large number of drivers (29 percent) have yet to form an opinion on whether or not safety belts should be required by law.

Following are the questions asked in this survey, and results by major groups in the population:

"Do you have a car?

	"Percent	
	Yes	No
National	71	29
Men	86	14
Women	57	43
21 to 29 years	79	21
30 to 49 years	81	19
50 years and over	59	41
East	66	34
Midwest	71	29
South	72	28
Far West	77	23

"In general, how do you rate yourself as a driver—better than average, average or not up to average?

"[In percent]

	"Better than average	Average	Not up to average	No opinion
National	36	62	2	(1)
Men	40	58	1	1
Women	30	66	3	1
21 to 29 years	33	64	3	(1)
30 to 49 years	31	67	1	1
50 years and over	42	55	2	1

[1] Less than ½ of 1 percent.

"Do you think there should or should not be a law requiring automobiles now being built to be equipped with safety belts?

	"Percent
Should	56
Should not	15
No opinion	29

"Do you have safety belts in your car/your family's car?

	"Percent
Yes	42
No	58

"How often do you use them?

"[In percent]

	"Always	Some of the time	Never	No opinion
National	36	49	14	1
Men	38	48	13	1
Women	34	50	15	1
21 to 29 years	37	52	11	(1)
30 to 49 years	37	49	14	(1)
50 years and over	36	47	16	1

[1] Less than ½ of 1 percent.

"Have you ever been in a car accident in which someone was hurt?

	"Percent	
	Yes	No
National	19	81

"Were you driving?

	"Percent	
	Yes	No
National	46	54
Men	63	37
Women	27	73
21 to 29 years	40	60
30 to 49 years	47	53
50 years and over	47	53"

GENERAL MOTORS CORP. NEWS RELEASE

DETROIT.—General Motors today announced that all of its 1966 model passenger cars will include a number of safety items as standard equipment. The items were previously optional or standard on GM cars.

Standard on all General Motors 1966 cars will be: (1) rear seat belts; (2) padded instrument panel; (3) backup lights; (4) outside left-hand rearview mirror; (5) dual-speed windshield wiper and washer, and (6) padded sun visor.

GM Chairman Frederic G. Donner and President James M. Roche, in announcing the new standard safety equipment, said the program "continues the evolutionary improvement in safety carried out over the years by incorporating as standard equipment a number of items previously available as options."

A JOINT EFFORT FOR PEACE

Mr. BARTLETT. Mr. President, recently President Johnson appealed directly to the Russian people for renewed American-Soviet efforts towards peace, disarmament, and friendship. The importance of the President's appeal has been recognized in newspaper editorials across the country.

I ask unanimous consent that two such editorials may be printed in the RECORD.

The first is from the June 5 Atlanta Constitution, the second from the June 14 Cleveland Plain Dealer.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[Form the Atlanta (Ga.) Constitution, June 5, 1965]

THE PRESIDENT SPEAKS TO RUSSIA

President Johnson's direct talk to the Russian people was considerably more than a slick appeal for revolutionaries to go away so that the injustices in the world can be comfortably sustained.

The President identified the American people instead with the aspirations of the Soviet people and all people.

When he said "no true Soviet interest is served by the support of aggression or subversion anywhere," he did not simply imply that American military firepower will destroy that aggression and uphold any status quo, no matter if the status is tyrannically designed to serve the few and hurt the many.

He specified that "We of the United States stand ready always to go with you into fields of peace—to plow new furrows, to plant new seed, to tend new growth—so that we and all mankind may someday share together a new and bountiful harvest of happiness and hope on this earth."

That American aspiration is no less revolutionary than the Soviet people's.

Chinese communism summons the world to seek through aggression and subversion what the American President summons the Soviet people to seek in union and peace. Mr. Johnson cannot say it too often. If the American and Soviet people can unite their aims in peace, China cannot lead the world to war.

[From the Cleveland (Ohio) Plain Dealer, June 14, 1965]

WHY NOT A QUEST FOR PEACE?

Communist China's latest broadside at the Soviet Union should add impetus to President Johnson's two appeals to the Russian people to join Americans in a common search for understanding.

The Peiping broadcast denounced the new Soviet leaders as "practicing a more covert, more cunning and dangerous revisionism" than Khrushchev and called for a fight "to the very end" to thwart the Russian objectives.

Conversely, President Johnson, on two occasions, has called on the Russians to unite with Americans in a joint quest for the benefits of peace as the desirable alternative to the burdens of an arms race.

The harvest of friendship between the two peoples is there for the gathering. Only the vehicles for accomplishing it are missing.

The President emphasized the importance he attaches to his Chicago plea to the Communists to "let us reason together" by following it up in his commencement address at Catholic University of America with an invitation to "signify to mankind that you are ready, too, to welcome peace to the table of man."

The warmth of the Russian reception given George Szell and the Cleveland Orchestra is but one recent sign of the rapport that exists between Russians and Americans away from the political arena and military muscle flexing.

Russian cultural missions to this country are rapturously received and the standing ovation is common for a Russian performance.

Russian and American scientists accomplish their spectacular feats in a climate of mutual respect marked by open expressions of sincere admiration.

As the President stated, no American interest is in conflict with the Soviet people anywhere.

When the governments have permitted it, joint research has reacted to the benefit of both. The test ban treaty lifted the specter of radiation from the conscience of the Russian and the American man in the street.

In medical and other scientific ventures in which the two nations are pitted in costly competition, broader accomplishment at greater speed might be attained if the missions could be coordinated.

For 20 weary years, Russia and America have stood glaring at each other from behind the most expensive ramparts ever constructed.

Now a leader of America has asked why not a common quest for peace and it is reasonable to expect that the echo from the Russian ranks would be: Why not?

The quest should be more than a topic for a speech. Why not a quest?

GERTRUDE CLARKE WHITTALL

Mr. JORDAN of North Carolina. Mr. President, across the Capitol Plaza to the east stands a gray granite building known to all as the Library of Congress. It is one of the great institutions of this country, one of the great libraries of the world. On its shelves lie the books and manuscripts which form the basis of our civilization, the documents of genius which shape our culture, the mighty tender sentiments which support our spirit. We, the Congress of the United States, do what we can for the Library, knowing full well that it will do what it can for us. But it has long since passed the stage of being ours exclusively. It belongs to America and to the international world of learning, art, and intellect—and in growing to its present stature it has been graced by the help of patriotic and munificent citizens who have added immeasurably to its collection of treasures and storehouse of knowledge.

Such a citizen has just departed from us, and she can never be replaced. She was Gertrude Clarke—Mrs. Matthew John—Whittall, who died in the Nation's Capital on June 29 at the age of 97. If she was old in years, she was young in heart and mind, and her youthful fervor was always evident throughout her 30 years of benefactions to the Library of Congress, which she so rightly and justifiably called her second home.

Born in Bellevue, Nebr., on October 7, 1867, and bred in the Great Plains area that her father helped to develop, Mrs. Whittall absorbed from the frontier strength of character, high individuality, and restless imagination. She married Matthew John Whittall, British manufacturer of quality rugs in Worcester, Mass., in 1906.

Twelve years after the death of her husband, Gertrude Clarke Whittall moved to her final home, Washington, in 1934, unaware that she was to become, in the final third of her life, a noble philanthropist in the fields of two great and satisfying arts. She was a compulsive sharer. She had to approach our Library across the way and offer first her famous and magnificent collection of Stradivari instruments—each with a Tourte bow—masterpieces of skilled craftsmanship and in perfect condition. More than that, the American public had to hear them, and soon she established the Gertrude Clarke Whittall Foundation in the Library to assure to the public this privilege. Frequently, she increased her endowment, thus increasing the number of concerts and the size of the listening audience. The foremost artists in the world have appeared in the Library, which will forever be a center, perhaps the center on this globe, for chamber music.

Music is written by composers, and great music by great composers. Excited by the opportunity to obtain for the Library—which means for America—a fabulous collection of original music manuscripts, Gertrude Clarke Whittall provided the means that accomplished this end. Because of her, the musical autograph collection of the Library is one of the richest in the Western World and one of the finest anywhere.

Gertrude Clarke Whittall's other favorite art was literature. Her interest ranged from Shakespeare to Robert Frost, it transcended national boundaries, it encouraged investigation and interpretation. Like music, literature should be heard, and when it is, it assumes enhanced values and immediacy of communication. So this friend of the Library, in 1950, created the Gertrude Clarke Whittall Poetry and Literature Fund, also augmented several times, which provides to her fellow citizens unique demonstrations of drama and poetry, provocative lectures, and personal representations by the world's great actors, authors, and scholars. And again like musical autographs, literary manuscripts came to abide on the shelves across the street, precious documents that are manifestations of noble thought and inspired sentiments.

Gertrude Clarke Whittall was honored and recognized during her lifetime, but not enough. During that lifetime she made possible about 700 concerts, some 150 literary evenings, and nearly a score of published lectures by notable savants. She shed luster on the Library by bringing it and its resources closer to the people, by expanding its activities, and by augmenting its treasures. She turned her fortune into our good fortune by enriching our experience, cultivating our spirit, deepending our feeling, and broadening our knowledge. She did this modestly, without thought of reward.

On one occasion she said:

> When I die and go to heaven, if I don't like it there, I'll come back to the Library of Congress.

We wish that she could—but in a very real sense she has never left, and can never leave the Library. She is forever part of its fiber, and we now acknowledge our debt to her. We thank her—a gracious, lovely, understanding, and intelligent lady—on behalf of the American people, on behalf of lovers of beauty, on behalf of the Congress of the United States for what she did for all of us.

BIG BROTHER: PRIVACY FOR TELEPHONE WORKER

Mr. LONG of Missouri. Mr. President, today's "Big Brother" item consists of minutes from the recent annual convention of the Communications Workers of America on June 24.

At the meeting, the CWA adopted a strong antiwiretap, anti-eavesdrop resolution and the CWA president, Mr. Joseph Beirne, made some excellent remarks on the subject.

I ask unanimous consent that the minutes be printed in the RECORD, along with the CWA resolution.

There being no objection, the minutes and resolution were ordered to be printed in the RECORD, as follows:

The Chair now recognizes the chairman of the resolutions committee.

Delegate WADE (chairman, resolutions committee). The delegates have the mimeographed copy of resolution 27A-65-17, which was passed out on Monday. Committeeman Jim Tricoli will read.

Delegate TRICOLI. Resolution 27A-65-17:

"ELECTRONIC INVASIONS OF PRIVACY

"We live in an era in which individual rights of privacy are under steadily increasing attack. Not only are Government agencies and private industry stepping up their efforts to pry into the private lives of individual citizens and workers, but the methods used are becoming more sophisticated and subtle;

"The use of personality tests is now supplemented by lie detectors. Old fashioned window peeping can now be conducted over great distances in total secrecy by using laser beams that can cut through walls and transmit sound and pictures of everything taking place in a closed room. The equally old fashioned custom of listening in on someone else's telephone conversation on a party line can now be conducted through sensitive and easily hidden wiretaps;

"Easily obtainable transistorized listening and recording devices can be hidden in a desk calendar, in a rose or even in an olive in a martini glass;

"Recent congressional investigations have uncovered a wide range of deporable eavesdropping practices carried out by industry and government. As workers in the communications industry, we, the members of the Communications Workers of America, are particularly aware of the technical possibilities of various types of electronic eavesdropping and monitoring equipment;

"While such equipment may have a place in such limited areas as national security, when used by authorized Federal law enforcement officers acting under strict court imposed safeguards, their widespread use in industry and government creates a clear and present danger to the privacy, personal dignity and freedom of every American: Therefore, be it

"*Resolved*, That this 1965 Convention of the Communications Workers of America opposes the use of lie detectors in industry, whether in the hiring or in any investigation of employees or other employer-employee relation. We pledge to seek legislation on the local, State, and Federal level to outlaw the use of lie detectors in personnel matters;

"We further pledge to seek legislation licensing the manufacture, regulating the distribution, and outlawing the indiscriminate use of all types of eavesdropping and wiretapping equipment. The skillful invasions of privacy being conducted by snoopers of all types and descriptions must be brought to an end if freedom and democracy are to survive."

Mr. Chairman, the resolutions committee moves the adoption of this resolution.

President BEIRNE. The motion is to adopt the resolution. Do I hear a second?

The motion was duly seconded.

President BEIRNE. Seconded by a delegate from the floor.

On microphone No. 1, Delegate Hart, local 9415.

Delegate ELEANOR L. HART (local 9415). I would like to make an amendment to resolution 27A-65-17, to add to line 33: "*Be it further resolved*, To seek legislation to limit the use of eavesdropping equipment within any industry on their employees while they are performing their respective jobs." [Applause.]

President BEIRNE. I take by the response that this amendment is seconded. Delegate Hart may speak on her amendment for 5 minutes.

Delegate HART. We, in the traffic department are well acquainted with the use of monitoring equipment in the central offices in the Bell System. The use of such equipment has resulted in discharges, suspensions, and coercion. Only through law can it be curbed effectively. The Bell System is a perfect example of being able to use monitoring equipment excessively. The official observing officers in the California Traffic Department are CWA members doing observing for the Federal reports that have to go in on service. But the company goes beyond this and includes monitoring by central office management and supervising operators which causes constant harassment and unrest among the traffic employees. It is a moral issue.

We do not live in a police state, so why should we have to work in a police state?

I urge you to support this amendment. [Applause.]

President BEIRNE. On microphone No. 3, Delegate Watson, local 9430.

Delegate JEAN WATSON (local 9430). Mr. Chairman and fellow delegates, I rise to support this amendment. This is a situation which involves all of our operators across the Nation. This is a tremendous weapon which the company has to use against our CWA traffic girls, which causes a great strain on our girls, tremendous harassment.

This monitoring is said to be needed by the company to offer good service to the public. We maintain the device is not used for this purpose only, but is used as evidence for disciplinary actions against our girls.

I urge you to support this amendment. [Applause.]

President BEIRNE. On microphone No. 3, Delegate Lawson, local 9410.

Delegate ERMA LAWSON (local 9410). Thank you. Mr. Chairman and fellow delegates: I am standing here to ask for your support on the amendment because eavesdropping is a step backward. We, delegates of the Communications Workers of America, know the complex types of electronic equipment on the market today and how easy it is to eavesdrop on someone's conversation with this equipment. So I ask this convention to pass this amendment.

Thank you very much. [Applause.]

President BEIRNE. On microphone No. 3, Delegate Friday, local 9410.

Delegate JACK FRIDAY (local 9410). Mr. President and delegates, I rise in support of this amendment. Coming from a metropolitan local, 50 percent of our members are in the traffic department, toll, and information operators.

As local president, I am consistently having problems with the Pacific Telephone Co. relating to excessive observations—what is called on the box monitoring. The company is harassing the girls by listening in and giving them extensive tests to the point that they are actually being affected in their day-to-day work. [Applause.]

I urge this convention to adopt this amendment. President Beirne is well aware of this problem. He recently testified before a congressional committee with regard to these tactics.

Now it is becoming more and more apparent in the day-to-day working conditions of our traffic members. I urge you to adopt this amendment. Thank you. [Applause.]

President BEIRNE. Microphone No. 3, Delegate Wooten, local 6222.

Delegate LUCILLE WOOTEN (local 6222, Houston, Tex.). Mr. Chairman and delegates, I ask that you support this amendment because it is not only common in traffic, but I would want you to be aware that it is very prevalent in commercial.

In the office where I work there are five different locations where people can listen in on our conversations. This is done primarily for discipline reasons.

In addition to that, in our downtown office, which is about 10 miles from my office, they can listen to us. I understand that they can even listen to St. Louis. In my office alone there are 2 rooms where as many as 12 people can listen to 1 conversation.

This, I think, is carrying it a bit far and isn't necessary to give the customers good service. Our privacy with the customer should be honored.

Thank you. [Applause.]

President Beirne. Anything further on the question? Are you ready for the question?

The question is on an amendment proposed by Delegate Hart: *"Be it further resolved,* To seek legislation to limit the use of eavesdropping equipment within any industry on their employees while they are performing their respective jobs."

All those in favor of the amendment signify by raising their right hand. Down hands. Opposed by like sign. It is adopted. [Applause.]

On resolution 17 as amended, the motion is to adopt. On the question. Are you ready for the question? All those in favor of the motion to adopt resolution 17 as amended signify by raising their right hand. Down hands. Opposed by like sign. It is adopted. [Applause.]

While calling forward the Appeals Committee, I would—now that you have acted on resolution 17—like to make one or two observations, if I may.

Monitoring of employees, at least in the Bell System, is not restricted to traffic. Monitoring takes place in commercial, in accounting, and especially in plant. Having adopted your resolution 17, one matter which may not have been spelled out in there, should be suggested; namely, that when you get home, not only let the foreman, or supervisor, or acting vice president or assistant vice president, or whomever in the telephone company, know of your views, but let your Congressman and let your Senator know.

Part of my testimony, and the real concern in this area is that there is so much apathy in America, there are so many freedoms being invaded that we take these things as a joke, thinking because it is the next guy, or the person next door, or the alleged crook who is being shadowed by the electronic devices, that it is funny. It does not affect us because we are good law-abiding citizens.

Well, looking at it that way means that the men who fought in 1776 to say "you cannot come in my front door without a warrant"—their revolution will have been in vain.

I would urge all of you to read the book by Orwell, entitled "1984," and see the pattern developing now that leads toward "Big Brother," and then get aroused and then get mad, and then get after the governmental leaders to say, "Cut this stuff out," for the use of these devices corrupts the person using them.

A good, decent supervisor in a telephone company can be corrupted by the octopus. He gets to use it so much by saying, "I have got it, and I have a bad one here, so I will listen on this one all the time. I will keep a record" and then do as they did in Michigan after 3 months to suspend and later fire the girl, because they kept the book.

It corrupts the person using it as well as corrupting our freedom.

Write to your Congressmen and Senators. Send it to Long in Missouri. He is standing there all alone, trying to arouse the public on this subject. He can only reach them when he has a picture of an olive in a martini glass. The reaction is funny. Can you imagine that? But the impact of that, the real meaning escapes us for that can be applied against us.

One of the great planks of the American Revolution was the preservation of privacy. [Applause.] It was when the Redcoats came in the door, searching, that this Revolution really started.

Poor Senator Long—I should not say it that way—courageous Senator Long of Missouri is standing there all alone, trying to get the public to get aroused about this thing, and they are not.

So you see, under our resolution 17, which you have adopted, you have an obligation. Do not forget it when you go away. Do not listen attentively now, and when you get home get all tied up with the kids, the wife, and the job, and the park, and the overtime and all that stuff, and you forget to write a single letter.

Get mad at that stuff, because this is basic to the preservation of our institutions in America. This is basic to the preservation of our freedoms. [Applause.]

PARENT PLEADS FOR GI EDUCATION BILL

Mr. YARBOROUGH. Mr. President, the fight against Communist aggression is the fight against ignorance. If this Nation cannot provide an opportunity for the men and women who have fought the physical fight against the threat of communism to further advance their educations we cannot expect to remain strong in future years.

Mr. President, I ask unanimous consent that a letter in support of enactment of the cold war GI education bill (S. 9) be printed at this point in the Record. The letter is from Mr. Alfred L. Hill, 5509 Mapleleaf Drive, Austin, Tex., and is dated July 3, 1965.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Austin, Tex.,
July 3, 1965.

Senator Ralph Yarborough,
U.S. Senate,
Washington, D.C.

Hon. Senator Yarborough: Our country is now waging a war in Vietnam and this is a war which will evidently not be concluded without great cost both in materials and in human life. The war is limited compared with some in which Americans have participated, the Korean war being one in which some 60,000 members of the Armed Forces paid the supreme price.

Our commitments are such that we cannot pull out of Vietnam. We must not give in to the Communists because we know they will take the maximum with the minimum of cost to them. We cannot compromise with the Communists because they only understand force.

I served in the U.S. Navy during World War II, being assigned to Saipan, Marianas Island for more than a year. I am proud that I was able to serve my country in this respect because I, like most men, have a greater appreciation for my country having sacrificed to support it.

I am writing you because I have a son, Jason D. Hill who is assigned to the U.S. Army 173d Airborne Brigade, now holding forth in a courageous manner in Vietnam. My request is simple; I want our Government to pass what may be similar to the Servicemen's Readjustment Act of 1944, which would enable the men who serve in Vietnam to go to college or university at the expense of our Government. This it appears is a responsibility our country owes to the men who risk their lives daily to protect us. I hope you will use your influence to bring about passage of such a bill. Now is the time to pass a measure such as this because after a crisis has passed the public either forgets or becomes apathetic about their debts.

I am principal of the Pecan Springs Elementary School in Austin. I have a great appreciation for the value of an education. My son Jason, dropped out of Southwest State College in San Marcos while enrolled as a freshman. I attribute this dropping out to the tensions of our times. I believe he will want to return to college when his military obligations are fulfilled, provided he returns with his present good health and confident spirit.

I am asking this request to President Johnson and will also write Senator Tower and Representative Pickle.

Sincerely yours,

Alfred L. Hill.

L.B.J.'S IMPRESSIVE PEACE RECORD IN VIETNAM

Mr. PROXMIRE. Mr. President, during the past several weeks a small number of our fellow citizens have seen fit to comment adversely upon the policy of this Government in Vietnam. The freedom to criticize the policies of their Government is the inherent right of every American. The President himself has said that he welcomes the constructive comments of all Americans.

But, Mr. President, an examination of the substance of that policy is one thing, a failure to recognize the reasoned path leading to such a policy is another. I will never understand how the small but vocal group of Americans opposed to the President's policy in Vietnam can ignore realities. The President of the United States, the man with whom they purport to disagree, is exerting every effort imaginable to secure peace in southeast Asia; peace with honor.

At every conceivable juncture the President has presented peaceful solutions to the situation in Vietnam. He never lets an opportunity pass without reminding the Communist leaders that he is willing to discuss peace at any time. He uses all the varied methods at his disposal to communicate the reasonable and honorable position of this Government to the Communists. In short, the President is maintaining a constant flow of alternatives to armed conflict in Vietnam. Those who do not accept the President's refusal to abdicate Vietnam to the Communists might well examine his detailed efforts to bring about a peaceful solution.

Mr. President, the noted columnist, David Lawrence, has outlined the truly monumental efforts of the President to effect an honorable peace in Vietnam. The various groups opposing the President's firm stand should first examine the real facts in this connection.

I ask unanimous consent to insert the column in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

APPEALS FOR PEACE

(By David Lawrence)

(Editor's Note.—This is a syndicated column, not an editorial. The views are those of the writer.)

Washington.—President Johnson has five times in recent days addressed a direct appeal to the people of the Soviet Union to join with the American people not only in a mission of peace but in sharing the economic fruits of a better life for mankind.

While speaking, for instance, at the graduation exercises of Catholic University in Washington on June 6, the President appealed to the leaders as well as to the people of the Communist countries. He said:

"Come now, let us reason together. Our door is unlatched. Our table is set. We are ready—we believe mankind is ready with us."

But the appeals have not been answered. Mr. Johnson, evidently conscious of the silence in the Communist world, mentioned this publicly on June 8. At a ceremonial signing of a bill establishing a National Institute for the Deaf, he said:

"Sometimes it seems that deafness is not simply an affliction of individuals, but an affliction of nations as well."

The President at the same time pointed out that, while communications in space are instantaneous, communications among nations have not kept pace. As a matter of fact, communication between peoples is one of the most challenging problems that face the world today. On April 22 this correspondent wrote in one of his dispatches:

"Oddly enough, the Western countries have not realized that their most powerful weapon today involves communication—to penetrate the countries which have totalitarian governments and to make the people realize how much better their lives would be if they had some of the conveniences and advantages enjoyed by the people in the free countries.

"Millions of dollars are spent annually by Western countries to broadcast news of political speeches or highbrow arguments about ideological questions, but the simple facts of life are not hammered home to the peoples behind the Iron Curtain. The contrast between the life of the average citizen in Britain or France or West Germany or the United States and the life of the people in the Soviet Union has not been thoroughly publicized to points behind the Iron Curtain."

Mr. Johnson has since given plain hints that the United States would be willing to join in economic ventures which would truly benefit the people of the Soviet Union if they had the kind of government that was not a menace to world peace.

Many persons will wonder whether this will ever get through to the Soviet people. But the facts are that, when a President of the United States speaks, the radio carries the message everywhere and public discussion is thereby initiated. It is by word-of-mouth communication that messages of importance to every nation are eventually conveyed to the people even behind the Iron Curtain.

Some of the things that Mr. Johnson has said now should be broadcast repeatedly by the U.S. Information Agency. Excerpts from his speeches need to be read and reread in the Soviet Foreign Office. For instance, President Johnson said June 3 in Chicago:

"No true Soviet interest is going to be served by the support of aggression or subversion anywhere in the world. We of the United States of America stand ready tonight as always to go with you onto the fields of peace—to plow new furrows, to plant new seed, to tend new growth—so that we and so that all mankind may some day share together a new and a bountiful harvest of happiness and hope on this earth."

Mr. Johnson was, of course, expressing in polite language a disagreement with the doctrines of international communism often referred to as "Communist imperialism," which holds that peoples outside the Soviet Union must be made subject to the dictates of Soviet socialism.

This has led to infiltration and intrigue as well as aggression conducted by Communist forces not only in southeast Asia but in Africa, Cuba, the Dominican Republic, and other countries in Latin America.

The Soviet Union needs to be reminded again and again that the United States stood by Russia at a critical time in her life—when, from 1941 to 1945, the military power of the United States was thrown into the balance and helped to defeat Hitler, who had already overrun a portion of the Soviet Union, causing the loss of millions of Russian lives.

Unfortunately, the appeals for a genuine peace which President Johnson has been making have thus far evoked no response from the Kremlin. Perhaps this is because the question of how to reply has caused debate inside Communist Party councils.

It could be, of course, that Russia's internal situation does not permit the kind of response that ought to be made, because there are factions in Moscow which want an even more aggressive course than has been pursued by the Soviet Government. The instinctive wish of the Russian people themselves, however, is for peace with America, and hence nothing is lost by a continuance of President Johnson's appeals to them to manifest their desires in their own way to the ruling authorities in the Soviet Union.

PROPOSAL TO DISPOSE OF ALASKA COMMUNICATION SYSTEM

Mr. BARTLETT. Mr. President, this week the administration sent to Congress an important legislative proposal. By a letter addressed to the President of the Senate, and dated July 6, the Secretary of the Air Force, Eugene M. Zuckert, proposed legislation giving the Air Force authority to dispose of such parts of Alaska's commercial communication facilities presently operated by the Air Force as it believes it would be in the public interest to transfer. The letter and its attached proposal have been referred to the Senate Armed Services Committee under the direction of its able chairman, the distinguished senior Senator from Georgia [Mr. RUSSELL].

Because the presentation of this proposal at this time has great significance for all Alaskans, and perhaps will be of interest to the Members of the Senate, I ask unanimous consent that the letter from Secretary Zuckert, the attached legislative proposal, and a section-by-section analysis be printed at this point in the RECORD.

There being no objection, the letter, bill, and analysis were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., July 6, 1965.

Hon. HUBERT H. HUMPHREY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "To authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes."

This proposal is a part of the Department of Defense legislative program for the 89th Congress. The Bureau of the Budget advises that the enactment of this proposal would be consistent with the administration's program. The Department of the Air Force has been designated as the representative of the Department of Defense for this legislation. This proposed legislation has been coordinated with the Departments of Commerce, Interior, Justice, and Agriculture, the Federal Aviation Agency, and the Federal Communications Commission. An identical proposal (H.R. 3614) was introduced in the House of Representatives on February 7, 1963, and referred to the Committee on Armed Services. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to authorize the Secretary of Defense, with the advice, assistance, and consent of the heads of other agencies of the Government owning long-lines communication facilities in Alaska, to transfer, for adequate consideration, any element of ownership of any or all facilities of Government-owned long-time communication facilities in or to Alaska. No transfer could be made unless the Secretary of Defense, or his designee, determined that retention of the property is not necessary for national defense purposes, that the transfer is in the public interest, and that the facilities would not, directly or indirectly, be owned, operated, or controlled by a person or business entity who would legally be disqualified by the Federal Communications Commission from holding a radio station license under the terms of the Communications Act of 1934, as amended.

A person acquiring any facilities would be required to provide, without interruption, the communcation services involved in the transfer, and to conduct his operations under the regulatory authority of the Federal Communications Commission and such Alaska regulatory bodies as are established.

The U.S. Government-owned long-lines communication facilities in and to Alaska that are offered for transfer are a combination of the communications systems formerly operated separately by the Department of the Army, the Department of the Air Force, and the Federal Aviation Agency. Each agency controlled and operated facilities between various geographical locations in Alaska, but subsequently each agency allocated portions of its individual system to the others, so that the overall long-lines operation in Alaska became an integrated operation.

The responsibility for the operation and maintenance of the integrated Alaska Communication System was for some years lodged in the Secretary of the Army, but was transferred from him to the Secretary of the Air Force on July 1, 1962. This system, using its own, including leased, facilities, and allocated facilities of other Government agencies, acts as a common carrier in providing communication services for the military departments, other Government agencies, and the general public between the rest of the United States and Alaska, between points inside Alaska, and between Alaska and Canada. It installs, operates, and maintains radio, wire, and submarine cable facilities. The services of the system include handling long-distance and rural telephone communications, telegrams, telegraphic money orders, leases of communication channels, press transmissions, broadcast relays, and ship-shore facilities.

Historically, the U.S. Army Alaska Communication System was established by the U.S. Army Signal Corps in 1900 under the Act of May 26, 1900 (48 U.S.C. 310), which specifically provided that "Commercial business may be done over these military lines under such conditions as may be deemed by the Secretary of War, equitable and in the public interests." In subsequent appropriation acts for the War Department and its successor, the Department of the Army, Congress has provided funds for the development, expansion, maintenance, and operation of the system.

The long-lines facilities in Alaska of the Federal Aviation Agency (originally established by the Department of Commerce) and those of the Department of the Air Force were established to meet communication requirements that were not available from the Army's Alaska Communication System facilities.

The procedures of the Federal Property and Administrative Services Act regarding advertised and negotiated disposals of surplus property have been made applicable to disposals under this bill. The bill also requires that the Secretary of Defense or his designee comply with that part of the Federal Property and Administrative Services Act which calls for the submission to the Attorney General of certain proposed property disposals for his advice as to whether such disposals would be inconsistent with the antitrust laws.

The Department of the Interior's Alaska Railroad owns certain communication facilities that are an integral part of the railroad operation. Consequently, these facilities would not be sold, although the bill is broad enough to permit their transfer if later events should make their disposition desirable. Any circuit capacity excess to the railroad's operational requirements could be leased to the purchaser if it is found to the Government's advantage to do so.

Defense activities have made it necessary over the years to develop and expand industrial or commercial-type facilities in Alaska that, under normal commercial expansion, would have been undertaken by risk capital. Periodically since 1913, efforts have been made by the War Department and its successor, the Department of the Army, to dispose of the Army's Alaska Communication System. Private industry has been reluctant to enter the long-lines communication field in Alaska because of the large capital investment necessary and the small return potential. However, the development of Alaska has now progressed to a point where the operation of an integrated communication system would appear to be financially attractive to private enterprise. Furthermore, the citizens of the State of Alaska should not be dependent on the military for necessary commercial communications.

The proposed legislation would authorize the transfer of the Government-owned long-lines communication facilities whose continued ownership and operation by the Government is no longer deemed necessary or desirable. This would permit development of a long-lines communication system in Alaska which would be more responsive to the growing needs of the people of that State. If there had been a commercial communication company franchised to operate in Alaska, the long-lines facilities of the various Government agencies would presumably have been obtained from such a company, as is the normal practice in the rest of the United States. Neither the Air Force nor the Federal Aviation Agency desires to remain in the long-lines communications business in Alaska if required facilities can be obtained from private enterprise under fair rates and with a degree of reliability assured by the proposed legislation.

COST AND BUDGET DATA

The estimated cost to the Government for the total facilities which might be offered for disposal in whole or in part less depreciation was on July 1, 1962, approximately $200 million for the Government-owned communication systems in Alaska. Adequate consideration for the facilities to be transferred can only be determined after a comprehensive appraisal and a review of all other pertinent facts and circumstances affecting the marketability of the facilities.

After enactment of the proposed legislation and the subsequent transfer of the long-lines facilities, the overall cost to the Government for communication services to and within Alaska should be no greater than at present.

There will be administrative expenses connected with this disposal, but at this time it is not practicable to estimate the amount.

Sincerely,

EUGENE M. ZUCKERT.

H.R. ——

A bill to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Alaska Communications Disposal Act.

TITLE I—DEFINITIONS

SEC. 101. In this Act:

(1) "Transfer" means the conveyance by the United States of any element of ownership, including but not restricted to any estate or interest in property and franchise rights, by sale, exchange, lease, easement, or permit, for cash, credit, or other property, with or without warranty.

(2) "Long-lines comunication facilities" means the transmission systems connecting points inside the State with each other and with points outside the State by radio or wire, and includes all kinds of property and rights-of-way necessary to accomplish this interconnection.

(3) "Agency concerned" means any department, agency, wholly owned corporation, or instrumentality of the United States.

TITLE II—TRANSFER OF UNITED STATES GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN AND TO ALASKA

SEC. 201. (1) Subject to the provisions of section 202, and notwithstanding provisions of any other law, the Secretary of Defense or his designee, with the advice, assistance, and, in the case of any agency not under the jurisdiction of the Secretary of Defense, the consent of the agency concerned, and after approval of the President, is authorized to and shall transfer for adequate consideration any or all long-lines communication facilities in or to Alaska under the jurisdiction of the Federal Government to any person qualifying under the provisions of section 202, and may take such action and exercise such powers as may be necessary or appropriate to effectuate the purposes of this Act.

(2) Transfers under this title shall be made in accordance with the procedures and methods required by sections 203(e) (1), (2), and (3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(e)), except that "the Secretary of Defense or his designee" shall be substituted for all references therein to "the Administrator".

(3) The requirements of section 207 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 488), shall apply to transfers under this title.

(4) The head of the agency concerned or his designee shall execute such documents for the transfer of title or other interest in property, except any mineral rights therein, and take such other action as the Secretary of Defense deems necessary or proper to transfer such property under the provisions of this title. A copy of any deed, lease, or other instrument executed by or on behalf of the head of the agency concerned purporting to transfer title or any other interest in public land shall be furnished to the Secretary of the Interior.

(5) No interest in public lands, withdrawn or otherwise appropriated, may be transferred under this title without the prior consent of the Secretary of the Interior, or, with respect to lands within a national forest, of the Secretary of Agriculture.

SEC. 202. No transfer under this title may be made unless the Secretary of Defense or his designee determines that—

(1) the United States does not need to retain the property involved in the transfer for national defense purposes;

(2) the transfer is in the public interest;

(3) the person to whom the transfer is made is prepared and qualified to provide, without interruption, the communication service involved in the transfer; and

(4) the long-lines communication facilities will not directly or indirectly be owned, operated, or controlled by a person who would legally be disqualified by the Federal Communications Commission from holding a radio station license under any of the terms of the Communications Act of 1934, as amended.

SEC. 203. The agreements by which a transfer is made under this title shall include a provision that—

(1) the person to whom the transfer is made shall, subject to the rules and regulations of any body or commission established by the State of Alaska to govern and regulate communication services to the public and of the Federal Communications Commission and all applicable statutes, treaties, and conventions, provide without interruption, the communication services involved in the transfer, except those services reserved by the United States in the transfer; and

(2) the rates and charges for such services applicable at the time of transfer shall not be changed for a period of one year from the date of such transfer unless approved by a governmental body or commission having jurisdiction.

SEC. 204. Transfers under this title do not require the approval of the Federal Communications Commission except to the extent that the approval of the Federal Communications Commission may be necessary under Section 202(4).

SEC. 205. Notwithstanding the provisions of any other law, the gross proceeds of each transfer shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 206. The Secretary of Defense or his designee shall report to the Congress and the President—

(1) in January of each year, the actions taken under this title during the preceding twelve months; and

(2) not later than 90 days after completion of each transfer under this title, a full account of that transfer.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. Except as provided in section 204, this Act does not modify in any manner the provisions of the Communications Act of 1934, as amended.

SEC. 302. There is authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out the provisions of this Act.

SECTIONAL ANALYSIS OF THE BILL "TO AUTHORIZE THE DISPOSAL OF GOVERNMENT-OWNED LONG-LINES COMMUNICATIONS FACILITIES IN THE STATE OF ALASKA AND FOR OTHER PURPOSES"

Section 101 defines, for the purpose of the act, the terms: "transfer," "long-lines communication facilities," and "agency concerned."

Section 201(1) authorizes the disposal of any or all Government-owned long-lines communication facilities in or to Alaska. The Secretary of Defense or his designee is selected to act with non-Government parties in behalf of all Government interests on matters concerning transfers, and to determine whether the provisions of section 202 concerning the public interest are satisfied. Actions with non-Government parties leading to disposal can be facilitated and coordinated if a single agent represents all Government interests. Focusing the responsibility on the single agent to determine satisfaction of the public interest will enhance the opportunity of the most advantageous conditions of sale.

Section 201(2) requires that disposals be made by formal advertising or by negotiation in accordance with the rules and exceptions set forth in the surplus property disposal section of the Federal Property and Administrative Services Act.

Section 201(3) requires that the Secretary of Defense or his designee refer to the Attorney General the probable terms of any proposed transfer for advice as to consistency with antitrust law.

Section 201(4) provides for the execution of documents necessary for the transfer of interests in property, and for the transmittal of such documents to the Secretary of the Interior.

Section 201(5) prohibits the transfer of interests in public lands without the consent of the Secretary of the Interior, and of lands within a national forest without the consent of the Secretary of Agriculture.

Section 202 requires that the Secretary of Defense or his designee determine that (a) the property need not be retained for military purposes, (b) the transfer is in the publice interest, (c) the transfer will not interrupt the communication services involved, and (d) the transfer will not be made to a person or business entity which would be disqualified by the terms of the Communications Act of 1934, as amended.

Section 203 provides that transfer agreements shall include a provision that the transferee shall, subject to rules and regulations of the Federal Communications Commission and such regulatory body as the State of Alaska may establish, continue to provide the communication services involved in the transfer; and a provision that the rates and charges for these services shall not be changed within a year of the date of transfer, unless approved by a regulatory body having jurisdiction.

Section 204 exempts transfers from approval by the Federal Communications Commission except for the determination of qualification of a purchaser under the Communications Act of 1934, as amended.

Section 205 provides that the gross proceeds of each transfer will be covered into the Treasury as miscellaneous receipts.

Section 206 requires that annual reports be made to the Congress and the President by the Secretary of Defense.

Section 206(2) requires the Secretary of Defense to report to the Congress and the President annually, and upon the completion of individual transfers.

Section 301 provides that, except for section 204, the proposed legislation does not modify the Communications Act of 1934, as amended.

Section 302 authorizes appropriations to the Secretary of Defense of such funds as may be necessary to carry out the provisions of the proposed legislation.

URBAN LEGISLATION

Mr. BURDICK. Mr. President, the Board of Commissioners of the City of Fargo Urban Renewal Agency recently adopted a formal resolution in support of President Johnson's urban legislation, including provisions for renewal, rent supplementation, and a Department of Urban Affairs. I ask unanimous consent that a letter from Mayor Lashkowitz and the resolution be printed at this point in the RECORD.

There being no objection, the letter and the resolution were ordered to be printed in the RECORD, as follows:

URBAN RENEWAL AGENCY,
Fargo, N. Dak., July 2, 1965.

Hon. Q. N. BURDICK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BURDICK: At today's regular meeting of the City of Fargo Urban Renewal Agency, I proposed that a resolution be adopted by the City of Fargo Urban Renewal Agency endorsing the legislative program proposed by President Johnson with regard to urban renewal, rent supplementation, and the Department of Urban Affairs. I am pleased to inform you that this agency did adopt such a resolution unanimously by those in attendance, a copy of said resolution being enclosed herein.

Inasmuch as we believe that President Lyndon B. Johnson has a sound and constructive program in the field of municipal legislation beneficial to our Nation, we would appreciate your voting for and actively supporting the proposals as outlined in the resolution relating to urban renewal, rent supplementation, and the Department of Urban Affairs.

I would appreciate, further, that this resolution, including my letter be read on the floor of the U.S. Senate so that your colleagues are aware that we support President Lyndon B. Johnson's program designed to help the American cities and their people.

Yours truly,
Mayor HERSCHEL LASHKOWITZ,
Adviser.

RESOLUTION ENDORSING PENDING LEGISLATION AND REQUESTING THE NORTH DAKOTA CONGRESSIONAL DELEGATION TO GIVE IT THEIR SUPPORT

Be it resolved by the Board of Commissioners of the City of Fargo Urban Renewal Agency, That—

Whereas there is now pending in the Congress of the United States a bill covering urban renewal legislation which has many facets including continuation of the present urban redevelopment program; and

Whereas there is also legislation pending which would establish at the Cabinet level a Department of Urban Affairs which would coordinate and implement the handling of urban programs and project; and

Whereas the city of Fargo has greatly benefited by the urban renewal program through the North Dakota R-1 and North Dakota R-2 project; and

Whereas it is with this in mind and for the benefit of any other cities that may wish to participate in the redevelopment program that we evidence our desire that said legislation be favorably considered: Now, therefore, be it

Resolved, That we do urge the adoption and passage of said legislation as proposed by President Johnson; be it further

Resolved, That we urge our congressional delegation by virtue of copies of this resolution that they give all of the support possible to bring about consideration and passage of this legislation.

PLANNING FOR CONSERVATION AND SCENIC BEAUTY OF THE POTOMAC—STATEMENTS BY GOVERNOR TAWES AND JAMES J. O'DONNELL

Mr. BREWSTER. Mr. President, on Monday, June 28, 1965, the Secretary of the Interior, the Governors of the four Potomac River Basin States, and Brig. Gen. Charles M. Duke, representing the District of Columbia, met to discuss some of the problems related to planning for the Potomac.

This meeting between top Federal and State officials was an important first step in preparing a plan for the Potomac in accordance with a direction issued earlier this year by President Johnson.

In an atmosphere of harmony, Federal and State officials agreed to work together to solve the problems of the Potomac River. It was agreed that State representatives should serve on the Potomac Task Force, the group that is studying the river basin, in order to develop a plan.

I had the pleasure of attending this initial meeting between the Secretary and the Governors. Several other Members of Congress also attended the meeting, and contributed to the discussion.

Two statements of particular importance were made: One by the distinguished Governor of Maryland, J. Millard Tawes; the other, by James O'Donnell, director of the Maryland State Planning Department. The statements by these two gentlemen clearly define the problems that must be dealt with if the Potomac is to be developed to its fullest potential.

Much of what Governor Tawes and Mr. O'Donnell said applies to river basin planning across the Nation. I am sure that my colleagues in Congress will find their remarks to be most interesting, in light of the water-resource problems that are prevalent in so many sections of the country.

I request unanimous consent that these two statements be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY J. MILLARD TAWES, GOVERNOR OF MARYLAND

I am delighted to be a part of this session today to discuss proposed development of the Potomac River Basin. This gathering represents the first time to my recollection that the Governors of the States of the Basin, and a member of the Board of Commissioners of the District of Columbia, together with the congresisonal representatives of the Potomac River Basin States, have assembled jointly to discuss these problems.

Similarly, to the best of my knowledge the April 19 meeting of the Governors and Commissioner Tobriner was also the first time the the chief executives of the respective jurisdictions assembled together to discuss the Potomac. That meeting resulted in the creation of the Potomac River Basin Advisory Committee on which each of the States and the District of Columbia has three representatives working together to coordinate their respective views on the basin development.

As I am sure all in this room know, the Federal Government and the States too, have for many years looked at the growing problems of the Potomac River Basin with increasing concern and expressed hopes. Now, after many studies and much speculation, we are at a point where constructive and implementing action is called for, and I sense Secretary Udall's awareness and interest in this point of view from his letter of May 7, "inviting the Governors of the basin and the Chairman of the Board of Commissioners of the District of Columbia to this meeting. In that letter the Secretary said—"It is our desire to produce the broadest possible basinwide consensus on the use of the resources of the Potomac. This, of course, will require the fullest kind of cooperation by the Federal agencies, the District of Columbia and the four States of the basin."

In response to Secretary Udall's letter, I replied that "Maryland has much at stake in the Potomac River Basin and is vitally interested in actions proposed for solution to the Potomac problem."

I further indicated that "Maryland will supply to the fullest extent possible the cooperation necessary."

I am certain that this is the dedicated intention of all of us here today.

Of course, it is a matter of common knowledge that the Potomac River Basin problems are not simple, nor can they be isolated distinctively one from the others. The diversity of problems in Maryland alone includes three major divisions: those of the estuary; of the metropolitan Washington area; and of the upstream reaches of the river and its tributaries.

The Potomac River Basin covers 40 percent of the land area of Maryland in which about one-third of our population dwells and includes urban centers such as Cumberland, Hagerstown and Frederick in addition to the metropolitan Washington population.

The importance of the Potomac River Basin to Maryland and to the other States in the basin, to the Nation's Capital and local jurisdictions need not here be recounted in detail except to note that the water resources of this drainage area currently supply the municipal, industrial, rural, domestic and agricultural and some recreational needs of more than 3 million persons; the potential of the basin shall have to be carefully planned and developed on a timely basis in order to serve the wide variety of water needs of the area, the population of which in the next 50 years is expected to reach 7 million.

These considerations dictate that we arrive at a practical and balanced development program that copes with the many problems of the Potomac, recognizes financial realities, looks to the total well-being and economic health of the region, and at the same time can be realistically accepted by the people as a whole.

Certainly it goes without saying that the concerted and comprehensive approach to the problems of the Potomac now underway does not imply for a minute that any of us would, or should, lessen our continuing State and local efforts in our various activities realted to these problems. In fact, in actual practice the directly opposite is indicated.

As an example, we at the present time are intensifying the task of developing and applying adequate and effective soil erosion and sediment pollution control procedures. In this effort, I anticipate not only our concerned State agencies will step up current activities, but hope also to have the understanding and cooperation of the various county and local groups as well.

Other similar problems in the areas of water supply, water quality control, recreation, flood control, and the like will continue to get our full attention and understanding and the professionals and technicians working in these areas are prepared to give full cooperation to the Potomac study, working through the Potomac River Basin Advisory Committee.

When the executives of the States in the basin and the Chairman of the Board of Commissioners of the District of Columbia met to form the Potomac River Basin Advisory Committee, we set these as our basic objectives: To coordinate the views of the several basin jurrisdictions on significant matters pertaining to the Potomac; to demonstrate to the responsible Federal agencies the great concern and interest of the States and the District of Columbia in these matters; and to advise the heads of government on the best possible permanent interstate organization for the planning of the development of the Potomac Basin. In pursuing these objectives, we seek full and active participation of the States and the District of Columbia in this program of development.

I am assured that the spirit of cooperation and mutual understanding demonstrated in the initial relationships between our State group and their Federal counterparts augers well for the successful outcome of the work that lies ahead of us.

STATEMENT BY JAMES J. O'DONNELL, POTOMAC RIVER BASIN ADVISORY COMMITTEE OF THE GOVERNORS

Mr. Secretary, Governor Tawes, Governor Harrison, Governor Smith, General Duke, distinguished Members of the U.S. Senate and Congress, Assistant Secretary Holum:

I am highly honored to be a participant in today's program in such illustrious company—an honor I share willingly with the 14 distinguished gentlemen whose representative I am here today.

About a week or so ago, I attended a conference in New York City. On arrival at Newark Airport, one of the first things I noticed was a sign advising that because of the water shortage, the air conditioning had been turned off. And in the restaurants, no water was being served with meals—you had to ask for it. This I think is a novel experience for those of us who live in the East—one that we would prefer not to see often repeated. And certainly one that we don't want to experience here in the Potomac Basin; and yet I noticed a press release in Saturday's paper which said that "the flow of the Potomac River dropped this past week to the lowest June figure in 35 years".

In actuality this is what our focal point on the Potomac really is. Water for man's basic needs; for his health and well-being; for services; for man's desires and wants.

All else we do here in the Potomac Basin, relative to flood control, low-flow augmentation, supply, recreation, natural beauty, and the rest, relates to the basic need for water—to get it where and how we want it in sufficient quantity and quality.

It is a complex problem that isn't going to be solved by preconceived concepts and pressures, or for that matter, solely by technical know-how. What it is going to take is patience, objectivity, and before we're through, some outright statesmanship on the part of all involved.

The problem of the Potomac is one that the Federal Government alone, the States alone, local government alone, and civic groups or technicians alone cannot solve, but one which all these elements working together may solve.

It is the hope and purpose of our Potomac River Basin Advisory Committee to supply at least some part of the ingredient that will encourage the coordination of all of these elements.

Our committee has three representatives from each jurisdiction—Virginia, West Virginia, Pennsylvania, the District of Columbia, and Maryland—representing roughly three basic areas of interest: water supply and pollution; recreation and open spaces; and general planning and development.

Through membership of the Committee and with the support of the Chief Executives of the respective jurisdictions, we expect to be able to bring to the Potomac program the knowledge and experience that is available in our jurisdictions. Toward this objective we will place observers on each of the four major task forces organized by the Federal Government. These representatives will participate in the meetings, discussions, and exchanges of the task forces, contributing their knowledge and points of view on the studies and supplying a ready feedback of information to the parent Committee to relate to or for establishment of policy guidelines.

The work of the Committee and the respective task force representatives we expect to tie together by a staff to be quartered in Washington. In addition to technical defects with task force groups, the Potomac River Basin Advisory Committee will address itself to tackling problems of permanent organization.

Each group of three committeemen from the respective jurisdictions under this arrangement has opportunity and obligation to study and evaluate not only the State point of view, but also the outlook of local government and other local groups within each jurisdiction.

The three Committee members in my State have agreed that we will establish and maintain contact with our counties, cities, towns, and other groups in our part of the basin, to learn of their programs, needs and wishes relative to the Potomac and to try to relate such of these as we can to the study program and ultimate decisionmaking process.

It would be logical in this process to have a meeting or series of meetings within our State to relate in both directions the recommendations and progress.

The Committee members for the other jurisdictions I'm sure will work out similar procedures.

I look upon the work going on here now in the Potomac as not just a program for the Potomac Basin—and as such related to the Nation's Capitol—but in addition, in the nature of a pilot operation for river basin planning and development in general. Here we have all the complexities we could possibly find in river basin problems—all the different administrative levels of Government, all the complexities of estuary, metropolitan area and upstream reaches—and a very high rate of population growth.

If we can solve some of the pressing problems, we will have set a guiding example for the rest of the Nation.

While we are just embarking on our work and studies, the general spirit of cooperation and mutual respect and understanding that has been evidenced in our contacts and meetings with the Federal Interagency Group, under the leadership of Assistant Secretary Kenneth C. Holum and Mr. Henry Caulfield, has been most encouraging and gives hopes for constructive and useful results.

AN INTERNATIONALLY ACCEPTED WAY TO CORRECT A PROBLEM

Mr. BARTLETT. Mr. President, last week I introduced a bill to establish a 12-mile territorial fishing zone.

In Japan, the bill has been criticized as being contrary to international law and to international custom. The facts do not support such statements. There is no international law establishing proper breadths for territorial seas.

In 1956, the International Law Commission did state that it considered 12 miles the maximum limit for territorial seas permitted by international law. In other words, the Commission's position would allow the United States to extend its territorial sea boundary from 3 miles to 12 miles. I am not advocating any such drastic action. I believe in freedom of the seas. For that reason, my bill does not affect present regulations governing U.S. jurisdiction over commerce and navigation. For those purposes, the width of our territorial sea would remain 3 miles.

A major agreement, reached in 1964, supports the legality of a 12-mile fishing zone. Sixteen European nations signed the agreement restricting to signatories of the pact fishing between 6 miles and 12 miles of their coasts.

The same year, the House of Delegates of the American Bar Association called for an international effort to establish a policy on territorial seas, because there was no agreement on the question.

Obviously, my bill cannot be contrary to an international law which does not exist; and even the most cursory look at territorial fishing zones of other nations will show that my bill does not violate international custom. Only 11 nations still restrict their territorial fishing zones to 3 miles.

In short, Mr. President, the United States is out of step with most of the rest of the world, by not extending the limits of its fishing zone.

By being out of step, we are allowing foreign fisheries to exploit a valuable national resource. If this exploitation is not halted, it will soon reach the point of no return. When that point is reached, this nation will have lost an industry which currently does $600 million worth of business a year. About two-thirds of that catch is harvested within 12 miles of our coast. Proper conservation of this resource can triple the $600 million figure.

This figure clearly shows that this nation has a large stake in a 12-mile territorial fishing zone. It will benefit east coast communities as well as west coast communities.

I suspect that the outcry against the bill indicates the value that at least one foreign nation places on the fish resource close to our coast. These critics claim that the bill will adversely affect their fishing operations within 12 miles of our coast. This time, they are correct. By controlling fishing operations within a 12-mile zone, we shall insure that this natural resource is not exploited into extinction. That aim is not only well within international law and international custom; it is also plain, good sense.

MARINE WEATHER SERVICE BY STATION WICC OF BRIDGEPORT, CONN.

Mr. RIBICOFF. Mr. President, on Sunday, July 4, the New York Times published an article on an interesting facet of radio station WICC's extensive coverage. WICC, operating out of Bridgeport, Conn., provides a comprehensive weather service for boating enthusiasts on both the New York and the Connecticut sides of Long Island Sound. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

WICC Broadcasts Aid People on Water—Meteorologist on Service Six Gives Weather Reports

(By William N. Wallace)

Week in and week out, Long Island Sound is a perverse body of water for the thousands who use it as a nautical playground. The problem is the weather. It is hard to know what the sound will be like on any given day, a flat frying pan, a mean tank of froth, or something pleasant in between.

Predicting the idiosyncrasies of this great recreational facility has become the challenging task of Walter Devanas, a 35-year-old meteorologist who deals with his subject at first hand for 12 hours every weekend and holiday through the summer boating season.

Devanas is one half of the crew of a flexible floating laboratory sent to sea by radio station WICC of Bridgeport, Conn. The mother ship is a modest 27-foot Chris-Craft skiff with its name, Service Six, prominently displayed on the topsides.

Bill Conover, a marketing executive from Old Greenwich, Conn., with a solid boating background, is the captain of Service Six. He plots her courses and gravitates to places where he can tap the knowledge of people to whom the sound is a way of life.

ON THE AIR

The sum knowledge of Devanas, the practical meteorologist, and Conover, the knowing boatman, is then given to listeners of WICC (600 kilocycles on the standard broadcast band). This pair comes over loud and clear on a remote relay from Service Six for 3-minute periods at 40 minutes after the hour beginning at 7:40 a.m. on Saturdays and 8:40 a.m. on Sundays, until 7:40 p.m.

WICC, a powerful voice that has a vast audience on both sides of Long Island Sound, is one of a handful of radio stations that seek the boatman's ear. Its service for 7 years was recently cited by the New England Marine Trades Association.

The association, which in 2 previous years had similarly honored the States of Massachusetts and New Hampshire, gave the radio station a safe boating award for promotion of safe and sane uses of the boat.

With Devanas, beginning his first year on the air, WICC is safer than ever. The station is now providing its floating meteorologist, by means of shore-to-ship high frequency radio, the radar advance warning transmissions assembled on a high-speed communications system by the U.S. Weather Bureau.

BAD WEATHER LOCATED

The radar locates and tracks weather fronts, squalls, rain showers and other aberrations, with given and moving azimuths. Armed with this information, plus the standard weather maps and other tools of the meteorologist, Devanas is prepared to stick his neck out.

"We like to believe we can tell the boatman on the sound what he can expect for surface weather in the next few hours," Devanas said. "This is a challenge because what Mark Twain said about New England weather is essentially true: 'If you don't like it, wait a minute.'"

Devanas admits that meteorology, especially when applied to such a localized area as the sound, is an imperfect science as to prediction. "It's also a young science," he said. "We are just beginning to make advances through better communications. I admit I cannot always be right in such a small area. But I call the shots as I see them. From what we can gather through mail, phone calls, and the saluations we receive on the water aboard Service Six, the people like it."

Devanas comes to his vocation with a strong background. He spent 12 years in the U.S. Navy, almost all of the time at sea as an aerographer's mate whose task was to interpret weather for those who steered the ships.

FOR THE GREEN AT SEA

The broadcasts of Devanas and Conover are not overly sophisticated. The pair recognizes the fundamental lack of knowledge among the boating public as to weather and general seamanship. They tuck into their broadcast all kinds of educational fundamentals and only occasionally add something sophisticated, something "in."

"A couple of weeks ago," Devanas said, "we had the effects of a heavy easterly wind which had blown into the sound. I noticed on an oceanographic level that the easterly had brought in a considerable amount of seaweed that is normally only found in the Gulf Stream and in other warm water currents. We had a kind of Sargasso Sea in the sound. I talked about it and a lot of people called in to say how much they appreciated that touch."

FATHER AHAPIUS HONCHARENKO

Mr. BURDICK. Mr. President, today I received a letter from Dr. Anthony Zukowsky, president of the North Dakota Chapter of the Ukrainian Congress Committee of America. The letter is most informative. It deals with the life of a learned and colorful Ukrainian-American, the Reverend Ahapius Honcharenko, or Father Honcharenko, as he was popularly known.

Father Honcharenko came to America in 1865. Inspired by the democratic traditions of Western philosophy, and armed with a perceptive understanding of the American Declaration of Independence, Father Honcharenko left everyone he ever met with a bit more respect for the principles of liberty on which our Republic is founded. To millions of Americans of Ukrainian descent, Father Honcharenko is respected as the most eminent political immigrant ever to come to America from the Ukraine.

I ask unanimous consent that an article entitled "Honcharenko, Patriot, Exile," written by Irvin E. Thompson, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Honcharenko, Patriot, Exile

(By Irvin E. Thompson)

It was a real California morning, that morning, when 19 Epworthians started on their pilgrimage to see Honcharenko. The day seemed made for the trip and the spirits of the crowd mounted higher as they rode around and over the hills 5 or 6 miles in a big bus drawn by four horses. What a view lay before them. The Bay of San Francisco with its silver expanse stretching as far as the eye could see, the acres and acres of orchards and farms, the thousands of hills covered with grazing cattle, until one of the boys exclaimed as his attention was called to it, "Why, that is in the Bible." One could use pages in describing the wonderful scenery but I started out to tell you about Honcharenko.

Who is Honcharenko? The most interesting person in northern California. You do not believe it? Wait then until I tell you about him.

He is a Ukrainian Cossack, a native of Kiev in southern Russia, a regularly ordained priest of the Greek Orthodox Church who was banished from his native land and has lived in exile for over 50 years.

What was his crime? Only that he denounced human slavery in the church and state. For this he has gone through persecution and trials such as would do credit to the early Christians. His motto is the motto of the martyr: "Tribulations are my distinction and poverty my glory."

On the morning of our visit he came hobbling out to the gate to meet us, greeting us with hearty words of welcome, "Come in my children, come in." His long, flowing white beard, his fur cap and somewhat bent shoulders gave him a venerable appearance that recalled the patriarchs of the Bible. He is now nearly 82 years old and his sight is not so good as it once was, but here in this retreat named "Ukraina" he has lived for 41 years, laboring with his hands for food and clothing for himself and wife.

Close to the little three-room cottage with its motto "Liberty" (in Russian), over the door, is a tall pine tree nearly 3 feet in diameter, which Honcharenko brought in a little flowerpot when he came 41 years ago. He still has the flowerpot to show to visitors. Right by the house is a huge grape-vine that came from Mount Lebanon, and in the house souvenirs and clippings that are priceless. Here is the table used when the liturgy of the Greek Church was celebrated for the first time in America by Honcharenko, in Trinity Chapel, New York City, by permission of Bishop Potter. This occurred on March 2, 1865. Here, too, is the printer's "stick" presented to him by Horace Greeley. One could take a long article to describe the interesting relics in this quaint old house, where he and his wife live alone.

When he found that I was the pastor of the Methodist Episcopal Church in Hayward he exclaimed, "I am so glad to meet you. Come and I will tell you what the Methodists have done to me." And leading the way he proceeded to tell of how Dr. Long and others connected with the American Bible Society had employed him to translate the Scriptures into Slavonic, so that the poor people of his country could get God's Word at a reasonable price. Then in 1867 he came to San Francisco, where "Hallelujah" Cox, pastor of the old Howard Street church allowed him to use the Sunday school room of the church, in which to hold services for his people. Here the Methodists collected money enough to help him publish the first tract ever and as he said "to establish Russian printing in the United States." Now there are over 100 Russian papers devoted to the cause of liberty and to the Methodists belongs the honor of starting the noble work.

The first tract published was "Come to Jesus." Only one copy is extant and Honcharenko says he would not take a thousand dollars for that. He later published the "Alaska Herald" in the two languages for a period of 8 years. At the request of the authorities in Alaska he printed a Russo-American primer for the children there. Six hundred copies were issued at a cost of $200, of which the author received $21.75 for his labor. The lessons were original to say the least. No. 3 is a temperance lesson. There is a picture of five bottles in a row and underneath these words:

"Here you see five bottles of whisky. It is strange that wild men will not drink whisky, because they say it is firepoison. A great many men drink it and ruin themselves. Whisky corrupts people and makes them very bad. Good people never take the poison." Isn't that pretty good temperance teaching?

Father Ahapius Honcharenko was educated at the University of St. Petersburg, where he graduated with honors and was sent with the Russian Embassy to Athens. He read to us in Greek and then translated for us the address which he made before King George of Greece, who died only a little more than a year ago. It was while in Athens that he was accused of treason and an attempt made to carry him off into exile in Siberia. Through the intervention of the British Ambassador he was released and given his freedom at Constantinople. Later he had a miraculous escape into Jerusalem, where he had been visiting the Holy Sepulcher. For 2 weeks he was hidden from his pursuers under a bed in the residence of the bishop of Jerusalem. Many times his life was attempted and so he came to America to labor here for his people.

Honcharenko's connection with Alaska and its purchase is very interesting. He was the man more than any other who made it possible for the ignorant Russians to become respectable citizens. One day in Market Street, San Francisco, he was struck down by thugs who wanted some fine gold specimens from Alaska, which were in his possession only a few minutes before. He still has the handkerchief, stained with blood, which was used to stay the wounds. Honcharenko did much to call the attention of the Government to the value of Alaska and has a letter signed by Secretary Seward in regard to the matter. Holding out the blood-stained handkerchief he said, "Upon that blood $300 million in gold has been brought to the United States." His service has been so great that the Government ought to pension him in recognition of his labors.

I wish I had space to tell you all about this wonderful man who speaks and reads 13 and 14 languages, of his connection with the great men of Europe and America, for as Honcharenko says, "I am better known in Europe than I am in Hayward, where I now live. Tolstoi. Yes, I knew him intimately for many months. He was not a good man."

That day, after we had eaten our lunch, we all gathered around and listened as he told the story of his eventful life and exhibited many precious documents. Then we visited the cave in the hillside where the aged priest says his prayer and where he has baptized more than a hundred Russian children and two American children. After this there was a trip to the fine mineral water spring and last of all a visit to the spot where the final resting place of our famous host is prepared, waiting the call into another life.

Time to go home. It came all too quickly and very reluctantly, indeed, we started on the return trip, voting this the finest day's outing ever planned by the department of recreation and culture of the Epworth League.

A few days later Father Honcharenko in the regalia of his office, told the people of Hayward from the pulpit of the Methodist Church how much he and his cause owed to the Methodist people. When that grand old hymn "Faith of Our Fathers" was sung, he explaimed, "55 years ago I heard the same hymn sung in the Methodist Mission in Bulgaria, only in the Bulgarian language. I am so glad I am here." And we were all glad too, for the very countenance of this saintly servant of God seemed to be a benediction and many an eye was moist as the story was related in a straightforward, but simple manner. His life has been full of service for humanity and there is surely a crown laid up for him in that better land, where there is no slavery or cruelty and where truth prevails. One must be better for having come in contact with such a life.

The Reverend Ahapius Honcharenko (1832–1916) first known educated Ukrainian patriot was a neighbor and friend of Taras Shevchenko (1814–61).

He came to America on January 1, 1865, and worked for the American Bible Society in New York, translating the Bible into church Slavonic, into Bulgarian, and into Arabic. He taught at St. Johns Episcopal Seminary at New York and officiated at the first Divine Liturgy at the New York Trinity Episcopal Church on March 2, 1865. Later that year on April 16th, he laid the corner stone for the first Greek Orthodox Church at New Orleans, La.

Moving to San Francisco in 1867, he established a church there. Appointed by Secretary Seward, as an editor of the Russo-English semimonthly Alaska Herald in which he often wrote about his subjugated Ukrainian nation, and his friend, Taras Shevchenko (1868–76).

He was the first man to write a Russian-English grammar book (March 1868) "The Russian and English Phrase Book", which was used by the U.S. Armed Services in Alaska. He was influential in Americanizing Alaska.

He organized the first Slavonic St. Methodius Benevolent Society at San Francisco and helped countless refugees from Russian Siberia.

On his land, following the earthquake at San Francisco, hundreds of people, involved in the tragedy stayed at his ranch "Ukraina" near Hayward, Calif.

He had his own cave on his land, the Pechera, where he served Divine Liturgy daily. Many influential Americans including General Hallack, Secretary Seward, Horace Greeley, and J. Bennet were his personal friends, yet he worked hard, was poor, and died in poverty.

On his land he had many tents where each year hundreds of tuberculosis patients came to be cured.

TRANSFER OF EDUCATIONAL BENEFITS TO CHILDREN OF WORLD WAR II AND KOREAN CONFLICT VETERANS—RESOLUTION OF 442D VETERANS CLUB, OF HAWAII

Mr. INOUYE. Mr. President, the 442d Veterans Club, in Hawaii, is made up of veterans of the 442d Infantry regimental combat team, which fought so well in France and Italy in World War II.

As a member of that organization, I am pleased to report that the board of directors of the 442d Club has adopted a resolution in support of House bill 7531 and Senate bill 1512, which provide that World War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children.

If there is no objection, Mr. President, I ask that the text of the resolution be printed in the Congressional Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the 442d Veterans Club, of Hawaii

Whereas there is pending in the Congress of the United States of America the following companion bills, H.R. 7531 and S. 1512, both entitled "A bill to amend title 38 of the United States Code to provide that World War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children"; and

Whereas although the beneficial educational opportunities under the GI bill were theoretically available to all veterans of World War II and the Korean conflict, the force of circumstances for many of them upon their return to private life were such, whether because of limited educational facilities, family situations which required immediate earning of a livelihood, or other reasons of urgency, that a great number of them were unable to take advantage of the benefits to which they were entitled, and the GI bill became a meaningless document to them; and

Whereas the aforementioned bills are a great step in correcting to some degree the lost opportunity suffered by many of those who performed so valiantly in the service of their country: Now, therefore, be it

Resolved by the 442d Veterans Club of Honolulu, That it vigorously supports said H.R. 7531 and S. 1512, companion bills in the Congress of the United States of America, 89th Congress, 1st session, and favors the passage thereof; and be it further

Resolved, That copies of this resolution be transmitted to the Honorable Daniel K. Inouye, Senator from the State of Hawaii, and the Honorable Spark M. Matsunaga, Congressman from the State of Hawaii, both of whom are distinguished veterans of World War II.

"WE MUST SAVE OUR NATURAL RESOURCES"

Mr. RIBICOFF. Mr. President, it was with great pride and pleasure that I read, in the July 4 issue of Parade magazine, an article entitled "We Must Save Our Natural Resources." The article was written by Donald E. Johnson, national commander of the American Legion.

It is heartening and inspiring when a great, patriotic organization like the Legion takes it upon itself to espouse the cause of conservation. The enlisting of Legionnaires as stewards in the preservation of this lovely country's natural beauty is evidence that we are making headway in our conservation crusade.

With the voices of leaders such as Commander Johnson crying "save our resources," we take a giant step toward the defeat of waste, ugliness, and blight. We have a great President who has pointed the way with his White House Conference on Natural Beauty; we have a dedicated and talented Secretary of the Interior, whose book entitled "The Quiet Crisis" did much to awaken the country; and now we have a ready-made army of volunteers to heed the leadership and take up the many-faceted task.

I commend Commander Johnson for his excellent message and his wholehearted commitment to the preservation of this land for ourselves and for future Americans. With that thought in mind, I ask consent to have Commander Johnson's article, from Parade magazine, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE MUST SAVE OUR NATURAL RESOURCES

(By Donald E. Johnson)

One hundred eighty-nine years ago, on July 4, 1776, our new Nation had less than 4 million people, with millions of acres of beautiful virgin forests, clear streams, clean air and abundant wildlife.

Today we have a population of 190 million; we are a strong and prosperous Nation. But we are daily growing poor as we ravage our forests, pollute our streams, and poison our air. We must take steps immediately to conserve our areas of natural beauty so that our children can be assured that they and future generations will have their rightful heritage of outdoor relaxation. We must preserve for them healthy areas in which they may enjoy the traditions of America—"Let's go fishing," "Let's have a picnic," "Lets go for a hike."

And the demand to enjoy those activities is surging. Figures prove Americans of every age are seeking the outdoors as never before. Visits to State parks leaped from 114,291,000 in 1950 to 254,772,000 in 1960, and outdoor devotees visiting National Park and U.S. Forest Service preserves increased from 33,253,000 to 92,592,000 in the same period of time.

Yet during that explosive period total recreational acreage in these facilities increased only from 209,744,000 to 217,148,000—a marginal increase of land area of roughly 3.80 percent while use of State parks increased over 100 percent and national park visits tripled.

WARNING FROM UDALL

Secretary of the Interior Stewart L. Udall has issued this warning:

"By 1970, about 210 million Americans will be competing for the inner space of our Nation. These Americans, flexing their economic muscles, will press for their place in the outdoor parklands of this country, and Federal, State and local parks will have to bear the main burden.

"The least this Nation can do, before our land patterns become unalterably fixed, is to preserve the few remaining extensive areas of natural open space now, while there is still time."

Our ancestors left us a legacy, the great outdoors, broad lands, open seashores, clean and lovely lakes, rivers and streams. All of these are rapidly disappearing. We cannot do less for our young people than save our natural treasures.

The pattern we establish for outdoor recreation in the next few years is destined to be the pattern forever.

If we continue to permit the destruction of our Nation's natural resources tomorrow's children will never know the feel of grass underfoot, or see a bird on the wing. Even our national symbol, the bald eagle, is today threatened with extinction.

America must be for the youth of tomorrow much more than TV sets, apartment houses, crowded cities and express highways; it must be a land of beauty, a land to be loved for itself.

Senator KARL E. MUNDT, of South Dakota, a champion of conservation, says: "With our country experiencing a tremendous and dynamic growth in both population and economic activities, 'tomorrow' may truly be too late to save valued resources. Not only is there a threat to our wonderful wildlife heritage, but many of our other precious natural resources such as woodlands, seashores, lakes and streams can fall victim to unwise uses or abuses."

If our national legacy of wide open spaces is to be meaningful to our children and their children we must act now—with all the power at our command.

RESIGNATION OF GEN. MAXWELL TAYLOR

Mr. KENNEDY of Massachusetts. Mr. President, it was with great regret that I learned of the resignation of Gen. Maxwell Taylor. He has served ably in most difficult times. His courage and calm judgment have stood the Nation well. His service will be missed.

Long before others, General Taylor realized that America would need a much greater capacity for warfare in the jungles and the fields of far-off nations. As Chairman of the Joint Chiefs of Staff, he led the effort to improve that capacity. He pioneered the development of the special forces, which serve in Vietnam today. As Ambassador, he dealt admirably with the delicate political relationships in that proud and war-torn country. It is largely because of his leadership that we have been able to mount the kind of effort needed—military, political, and economic—for the cruel and difficult war in Vietnam.

Our regret is moderated, however, by the fact that President Johnson has been able to recall Ambassador Henry Cabot Lodge to this assignment. Ambassador Lodge has always answered his country's call, whether in the Senate, in the United Nations, or in his former diplomatic assignment in Vietnam. President Kennedy, who originally sent him there, always had the greatest respect for him. So has President Johnson. His willingness to serve is in the finest tradition of the name he proudly bears and of his State of Massachusetts, which has given so many leaders to the Nation.

Ambassador Lodge has been close to the situation in Vietnam, as it has developed over the last 3 years. Even when he left the Embassy, he was continually involved in the development of our strategy and tactics. He has the respect of the Vietnamese people, won in his tenure there. He has the respect of the American people, born of 30 years of public service. Most important, his appointment will allow the continuity of leadership and policy that is so necessary to the acheievement of our goals.

Our purpose in Vietnam has not changed since his tenure as Ambassador. It is to resist aggression; to negotiate, where we can; to fight, where we must. General Taylor represented that purpose with distinction. Ambassador Lodge has, and will in future months. All of us can be grateful that, once again, the gravest of dangers has called for the finest of leadership.

FOREIGN LANGUAGE LEAGUE SCHOOLS, INC.

Mr. MOSS. Mr. President, today I want to say a few words about an important experiment in international understanding which stems out of my home State of Utah. I am referring to the Foreign Language League Schools, Inc., of Salt Lake City, which comprises the world's largest international high school system.

Last year, this remarkable school, which is incorporated under the laws of Utah, sent over 2,000 students to five different European campuses to study French, German, and Spanish, and to take courses in English, in art history, and in European history and culture. This year, it is expected that over 2,500 students will be located on 15 different campuses: 2 in Switzerland, 5 in France, 3 in Austria, 3 in Spain, 1 in Italy, and 1 in Denmark.

In addition, at the request of the French Ministry of Education, the league has organized an English-as-a-second language school at the University of Rochester, in New York, this summer; and 113 French citizens, teachers and students, are now arriving in the United States, to pioneer this course. It is expected that next year about 1,000 French teachers and students will come to this country, under league arrangements.

Students in this unique high school have come from every State in the Union except Mississippi and South Dakota. There are also students from Canada. One after another of these students has said, upon returning home, that the experience has been a "turning point" in his life, and they agree that traveling and studying in Europe have made better world citizens of them.

The Foreign Language League Schools, Inc., is the brainchild of Winnefred and James DeBry. They got the idea for it several years ago, when they visited with a group of high-school students, from 42 nations, who were studying German at a school in Austria. The DeBrys returned to Utah, and set in motion machinery to make it possible for young Americans to attend schools in Europe. Their undertaking has a double objective: that of improving the foreign-language facility of young Americans, so they can better converse and read in it, and, as a result, can achieve a better understanding of both their own heritage and that of their counterparts in European countries.

During the 6 weeks the American students are on the campuses of their overseas schools, they spend about 3 hours a day in classroom work, under the tutelage of native professors; and the remainder of the day and the evening are spent in participating in varied programs, which include lectures; hikes; films; visits in local homes; studying commercial, civil, and industrial institutions; and generally getting acquainted with the customs and people of the country in which they are studying. On weekends, rich programs of guided tours to nearby cities and countries are offered.

Chaperones are provided; and the full cost of the 6 weeks' experience for each student is about $1,000.

Endorsements of the Foreign Language League schools have come from educators, parents, and other persons, in all parts of the country, who are acquainted with the program. One of the strongest statements came from Dr. Sterling McMurrin, formerly U.S. Commissioner of Education, who now is provost at the University of Utah. Dr. McMurrin said:

> In educating for the world of today and tomorrow, a world in which the barriers that separate men and nations must be torn down, there is no substitute for involvement with another culture. To learn another language is to acquire the vehicle by which we can overcome our provincialism and cultural isolation and achieve an understanding and appreciation of the life of those who before were foreign to us. To learn a peoples' language while living among them, observing their habits and ways, studying their civic institutions, and participating in their daily activities is clearly an ideal method of cultural education.
>
> In examining the program of the Foreign Language League schools, I have been impressed not only by its apparent educational integrity, but as well by the care with which the league has provided for the needs and welfare of the individual student. The unusual success of the league has been due to careful planning, organization, and supervision. Its eventual impact in expanding the experience, knowledge, and vision of the young people whom it serves would be quite impossible to assess.

I take this opportunity, Mr. President, to extend my congratulations to Mr. and Mrs. DeBry for their courage and farsightedness in establishing the league, and for the excellent administration which has made it a success. I also extend a greeting to the French students and teachers who are now arriving in the United States, to study at the University of Rochester.

I am confident that the Foreign Language League Schools, Inc., are making, and will continue to make, a substantial contribution to better world understanding and good fellowship.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT (TAFT-HARTLEY)

Mr. MOSS. Mr. President, few issues before Congress at this session have been submerged in as much emotion and misunderstanding as the President's request for repeal of section 14(b) of the National Labor Relations Act. Today, I should like to discuss that issue.

Section 14(b) is the section, as all of us know, which awards to individual States the power to enact what have been called right-to-work laws. The effect of these laws is to deny to management and to labor the right to negotiate collective-bargaining agreements which contain a union-shop provision—that is, a stipulation that every worker in a bargaining unit or in a plant shall become a member of the union chosen by a majority vote of the workers.

I have made a long and searching study of the effects of section 14(b); and I deeply and sincerely believe that repeal of this section is in the overwhelming best interest of both management and labor in Utah and in the Nation.

Repeal would not, as I see it, abridge personal freedom. Instead, it would give workers a greater control of their personal destiny, as befits every American.

Retention of section 14(b), on the other hand, will continue to restrict collective bargaining in the 19 States which have enacted right-to-work laws, and will make more difficult the achievement of good relations between labor and management.

Many persons do not seem to realize that in order to be established in the first place, a union must have the support of a majority of the workers. The National Labor Relations Board, a Government agency, is charged with the duty of supervising elections by secret ballot, when workers petition to have union representation at a plant or place of employment. By law, strictly enforced regulations surround the election, and prohibit coercion of workers by either labor or management. Only by the free-will expression of a majority of the workers is a union chosen to represent them in bargaining with management. It should be pointed out, as well, that workers may, by secret ballot, vote to discontinue union representation. At the end of any contract period, such an election can be requested.

Under the laws of the United States, once a union wins certification as the bargaining agent, by secret vote of a majority of the workers, it must represent all of the workers in that bargaining unit or plant. It must represent both those who voted for it and those who ignore it. It secures for all of them the contract benefits for hours, wages, safety, and retirement which unions achieve through collective bargaining.

Every employee is free to decide whether he wants the plant in which he works to have a union shop, or, if the plant is already unionized, to decide whether he wants to work there. In this decision, there is complete freedom of choice. However, once a decision is made by the majority, as in any election, all the workers must then abide by that decision.

But if a State has enacted a so-called right-to-work law, workers who wish to do so can refuse to pay their share of maintaining the bargaining agent for contract benefits. Thus, they become free riders. They flout the expression of the collective will, but receive the benefits gratuitously.

Those who argue about the right of the average worker not to join a union overlook the right of a group of individuals to express themselves through their organization, and to benefit by the expression of collective will through the collective bargaining process. Collective bargaining means all members of the group. No one should hold himself as superior or unaffiliated.

Abiding by the will of the majority has never, to my knowledge, been considered a violation of the doctrine of individual freedom. But today, in the debate about repeal of section 14(b), it has become the paramount issue.

Yet, it is no more a violation of human freedom to require a worker to pay dues to a union than it is to require a student to pay his activity fees, or a lawyer to pay dues to the bar, or a doctor to belong to the county medical society before he practices in local hospitals.

The stockholders of a corporation have to abide by what the majority of stockholders decide in choosing directors who manage the money which has been invested. If a stockholder does not like what is being done, he has the freedom to sell his shares, and to invest elsewhere.

There are those who contend that a job is different from a profession or an investment. There are differences; but the basic principles abide. No worker has unlimited freedom. Every job has its conditions: starting time, work rules, job requirements, rate of compensation. Some persons object to them; but they obey them—if they want the job.

Let me make clear that nothing in the proposed legislation would force workers in plants throughout Utah to join a union. This is a decision which the workers in each plant will make for themselves, with complete freedom of choice.

The repeal of section 14(b) would not change in any respect the Federal law governing the conduct of government-supervised, secret ballot elections whenever Utah workers request to be represented by a union. Every worker has a free, unbiased vote. If a majority of the workers in any Utah plant or bargaining unit were to vote against having a union, no union would be established there. Furthermore, if, on majority vote, a union was established, no worker would have to join that union in order to get a job in that plant. But if the employment contract contained a union security provision, then, after a period of 1 month or more, he must accept the contract conditions, including his duty to pay union dues. Of course, he has a right to work elsewhere, if he so chooses.

An interesting situation prevails in Utah: A number of the large corporations which are located there also have plants in other parts of the country. In many instances, these corporations have negotiated union security agreements in other States. I think it is significant that these employers are not opposing repeal of section 14(b). They evidently believe, as do many other corporations and businessmen, that management and labor should have the right to negotiate union security contracts if they wish to do so.

A former Republican candidate for the Presidency opposes section 14(b) on this basis. Gov. Alfred M. Landon of Kansas, who ran for the Presidency in 1936, has stated emphatically:

> Every employer has the right to sign a contract for a union shop if he wants to. Yet, the so-called right-to-work legislation would deprive the employer of that right.

Opposition to section 14(b) comes from many persons in all walks of life, and of all political shades and persuasions. Business, political, religious, and civic leaders throughout the country have spoken out against the ban on union shop agreements. They have declared, in public statements, that the union shop makes for mature labor-management relations, industrial peace, and close cooperation between employers and employees. Let me quote from statements by some of them:

John F. Kennedy:

> Let me make it clear once again, as I have in the past, that whatever office I shall hold—I shall always be unalterably opposed to the so-called right-to-work laws at any level, Federal or State.

W. Willard Wirtz, Secretary of Labor:

> Any logic of the situation and any practical considerations require, suggest, demand, and warrant the immediate repeal of Section 14(b) of the Taft-Hartley Act.

James P. Mitchell, former Secretary of Labor, under President Eisenhower:

> They call them "right-to-work" laws, but that is not what they really are * * *.
>
> In the first place they do not create any jobs at all. In the second place they result in unnecessary and undesirable limitations upon the freedom of working men and women and their employers to bargain collectively and agree upon conditions of work. Third, * * * they restrict union security and thereby undermine the basic strength of labor organizations.
>
> I oppose such laws categorically.

Edmund "Pat" Brown, Governor of California:

> I am unequivocally against legislation which would deny a freedom of choice for employees and their employer to agree or disagree on these matters (a union security arrangement) * * * Government should intrude as little as possible into free collective bargaining.

George Romney, Governor of Michigan:

> These (right-to-work) laws, whether national or State, are not the answer because they deny to workers the same organization right exercised by stockholders. Management and its policies are the result of majority votes by stockholders, and minority stockholders must accept the will of the majority or sell out. In the American economy and political system, workers must have these same rights of organization.

William Scranton, Governor of Pennsylvania:

> I have never been in favor of right-to-work legislation, and am not now * * * I know of no leader in either party in our State who favors right-to-work legislation.

THRUSTON B. MORTON, U.S. Senator from Kentucky:

> It is my deep conviction that decisions relating to the union shop should be determined by collective bargaining between employers and unions and not through right-to-work laws.

MARGARET CHASE SMITH, U.S. Senator from Maine:

> Back in 1948, when I first ran for the U.S. Senate, I publicly stated my opposition to the so-called right-to-work proposal. It was known then as the Barlow bill. I have not changed my mind since, and I am still opposed to the right-to-work proposal.

National Council of Churches, general board:

> To the extent to which labor and management act with a high degree of social responsibility in the process of bargaining, they should be given freedom to deal with issues of mutual interest. One such issue involving this freedom which has come to the forefront of public attention is the right of two parties to include in a bargaining contract the element of union security, as represented by membership as a basis of continued employment. On this point, it is the opinion of the general board of the National Council of Churches that union membership as a basis of continuing employment should be neither required nor forbidden by law; the decision should be left to agreement by management and labor, through the processes of collective bargaining.

Rabbinical Council of America:

> Right-to-work (is) a camouflage * * * to weaken and undermine responsible, democratic unionism. * * * (It) makes the nonunion worker a moral parasite in a democratic labor force.

Catholic Church opinion, as expressed by Rev. Benjamin Masse, S.J., associate editor of America—National Catholic Weekly Review:

> The overwhelming majority * * * of Catholics justify the union shop in theory and practice, and oppose the present campaign to outlaw it. At least a dozen archbishops and bishops have publicly taken stands against State right-to-work laws.

Rev. William J. Kelly, former chairman of the New York State Labor Relations Board:

> Right-to-work laws are immoral according to Catholic social teaching.

John I. Snyder, Jr., chairman of the board and president of U.S. Industries, Inc.:

> As an employer, and from the point of view of what is good for an employer, I am firmly opposed to any so-called right-to-work law. * * *
>
> Once a majority of the employees in any plant have voted for a union, that union then has the right and—equally important—the duty to represent every one of the employees in the plant in collective bargaining. * * *
>
> I know that it has been argued in behalf of the right-to-work law that just as no man should be compelled to belong to any particular church, so, too, he should not be forced to join a union against his will. But no analogy could be more unsound.
>
> Put in basic terms, the issue is simply whether an employee, for reasons, real or feigned, of hostility to the union, should have the privilege of not paying to support a bargaining agent that a majority of his fellow employees voted to have represent all of them.
>
> Some have compared this to the right of a voter for Adlai Stevenson, for example, to be excused from paying taxes because Eisenhower won. * * *
>
> We are not so naive, of course, as to believe that these right-to-work advocates are really interested in correcting abuses within the labor movement. Their plan is simply to weaken and ultimately destroy labor unions, by cutting their source of support.

Peter Drucker, management consultant:

> Union security is also in the social interest. Without it, no union can be expected to accept the responsibility for labor relations and for contract observance which our society must demand of a successful union movement.

Milton J. Shapp, president and chairman of the board, Jerrold Electronics Corp., of Philadelphia:

> I speak as a representative of management—management of industry—and I say that I am opposed, and violently opposed, to a right-to-work law in Pennsylvania or anywhere in the United States.
>
> It would not bring new industry into the State, nor would it raise wages. It would not do labor, or industry, any good. It would not help the individual. * * *
>
> I see nothing in the right-to-work law that helps create good labor-management relationships. In fact, I have a list of big employers and small employers throughout the country who say it does the exact opposite. * * *
>
> It is time we got rid of this phony issue. It is time for all businessmen to look forward to the real needs of the State, and not to look backward to the solutions of a half century ago.

Ed Emerine, Idaho farmer and farm journal editor:

> I believe in God, in the 10 Commandments, and the Golden Rule. And if I thought, or could find any evidence, that a right-to-work law would help the farmer, I'd charge right out like a mad bull and get into the fight for it.
>
> Instead, I'm against it. I've never held a union card in my life. But I don't like to see farmers used by the National Association of Manufacturers and the U.S. Chamber of Commerce to put over schemes that, in the long run, will hurt the farmers most of all.

Joseph W. Rocco, a trade union member in Utah:

> I've been a union member since 1946, and if it wasn't for the union I would be back at the same pay and benefits as when I started.
>
> Section 14(b) of the Taft-Hartley bill hinders the union and union men. The nonunion man wants the union scale and benefits, but won't pay the dues and assessments to keep the union up.
>
> I'm for repealing the bill, 14(b).

It is apparent, Mr. President, that some persons who oppose the repeal of section 14(b) do so because they oppose trade unions generally. Others are sincerely concerned because of the evidence of corruption and of wrongdoing which has been found in some of the unions.

It is true that some unions have misused their power and have flouted the public interest. I deplore dishonesty or violence or destruction wherever it is found, and I will always do everything within my power to stop it.

But unions are growing in maturity; and they are now, for the most part, responsible organizations, run in a democratic manner. They have been formed and have prospered because they meet a need. They are here to stay. Without them, we would have a very different America than we have today.

In 1911, when I was born, only 6.5 million production workers were employed by our country's manufacturing industries. The average wage of those workers was approximately 20 cents an hour. They toiled long hours, under working conditions that permitted no human dignity, no protection against industrial accidents, and no meaningful degree of individual freedom.

The worker's only freedom was the "freedom" to be unemployed if he could not provide for his family at the rate of pay offered by his employer. There were no child-labor laws, no minimum-wage regulations, no protection against joblessness, and no insurance against crippling accidents. Almost everyone worked a full 6-day week. A day of leisure on Saturday for working people was practically unknown. Pensions and social security for workers too old to be gainfully employed were still a dream of the future.

Today, as all of us know, these conditions have passed into history. America no longer has a "laboring class" that is set apart from the rest of our society. Recently, I read that in America there are 20 million individual stockholders—capitalists, if you please. The great majority of these are wage earners—even as you and I. Unions are largely responsible—along with the passage of needed legislation—for the elimination of the type of class society that plagues so much of our world.

Now that many of the reforms are won, organized labor is not sitting on its hands. Today, it is in the forefront of drives to improve our educational programs, to strengthen our national defense, to enact strong civil-rights laws, and to protect our natural resources. It is working for laws that will strengthen and improve America for all of us. This is a picture of unions which many would have us forget.

Mr. President, section 14(b) is the only provision of the Taft-Hartley Act which does not apply uniformly to all of the States. As a result, as I have already pointed out, there are right-to-work laws in 19 of our States. Most of them are in the South, although four Western States—Arizona, Utah, Nevada, and more recently, Wyoming—have such laws.

Six States have repealed right-to-work laws, after enacting them. So a total of 31 States have no such law. The trend is, therefore, away from right to work.

I think this is desirable. In the past, it might have been to the advantage of all of us to have the decision as to whether there should be right-to-work laws made in different ways in different States. But changing conditions in the United States and in the rest of the world have made necessary changes in our thinking and in our policies.

Improvements in transportation and communication and the growing interdependence of one section of the country on another have welded us into a national economic complex. Whenever we have economic decisions to make, the laws under which we make these decisions should be national and uniform.

It is as a great common market, as well as on the basis of what is American and just, that I feel that we should approach the question of the repeal of section 14(b) of the Taft-Hartley Act. Repeal would be both practical and fair.

Right-to-work laws do not guarantee anyone a job or the right to a job.

They restrict collective bargaining, and tend to substitute individual bargaining.

They give workers the right to duck their responsibility, and to refuse to pay their share of benefits they receive—although I have yet to see a nonunion worker who was willing to accept a pay rate lower than the one negotiated between his employer and his union.

They prevent an orderly, uniform system for resolving problems of workers, and for removing the causes of grievances.

They deprive management of the right to negotiate for union security, and they deprive workers of the same right.

They are a threat to the continued expansion of our economy.

Finally, they do violence to the American tradition that the will of the majority prevails; and they go counter to all commonsense rules of our free, democratic society.

THE BALANCE OF PAYMENTS

Mr. HARTKE. Mr. President, the dollar deficit is over. The U.S. balance-of-payments problem has been solved. That is what all the reports on the success of the President's emergency balance-of-payments program are revealing. The second quarter of 1965 ended last week; it is already clear that during the second quarter this Nation ran a payments surplus of at least $250 million. What I and many of my distinguished colleagues have been saying for the past few weeks is vindicated: the problem before us today is not that our payments deficit is too large, but that our payments surplus is becoming so.

For the last 8 years, the United States has sent overseas more dollars than have been taken in at home. But these dollars have been working. Our annual payments deficits have provided the working capital for the European and Japanese economic miracles. They have financed a tremendous expansion in world trade. They have gone to the defense of currencies from London to Brasilia. Now these dollars are no longer available.

The major problem before the world, affecting international trade and finance is not any alleged "weakness" of the U.S. dollar. The dollar has never been stronger. Its strength is based upon the biggest, most productive economy in the world's history, and upon the continuation of the longest peacetime economic expansion in this Nation's history. The dollar's strength is demonstrated by the almost incredible speed with which past working deficits have been transformed into today's dangerous surplus.

Today, the major problem before the world, in the field of international trade and finance, is not the U.S. payments deficits of past years, but the U.S. payments surplus of today, for the end of the dollar deficit means the creation of a worldwide dollar shortage. From Japan to West Germany, the industrialized world is now threatened with dollar starvation. Already, an international money squeeze is in effect, threatening both world trade and the domestic economies of our trading partners.

The achievement by the United States of a payment surplus makes imperative an immediate expansion of international liquidity. On Sunday, the President took one vital step in the direction of international monetary reform, by announcing the appointment of the blue-ribbon Dillon Committee to study international monetary problems. On Tuesday of this week, another major step was taken by Representative HENRY S. REUSS, chairman of the House of Representatives Subcommittee on International Exchange and Payments, who announced that at the end of the month hearings would be held to develop guidelines for improving the international monetary system. All deliberate speed is required in these deliberations if the expansion of international liquidity is to come in time to prevent international deflation and recession.

The swift elimination of the dollar deficit has brought tremendous influence and prestige to this Nation and to its leaders, from the President on down. Now is the time of our maximum bargaining power in seeing that new international monetary arrangements are not made at the expense of the dollar or of the dollar economy. However, two clear and present dangers exist, each threatening the maintenance of our current position of strength.

Threat No. 1. The first threat is that the voluntary program to restrain dollar loans to foreigners will act to cut back privately financed exports and, thus, cut into our historically massive trade surplus. All through the years of balance-of-payments deficits, we consistently proved the competitiveness of our economy by our ability to sell overseas far more goods than we have bought. It would be ironic, indeed, if the elimination of our payments deficit brought with it the collapse of the great pillar of our payments position—our trade surplus The sooner that we realize that the payments battle has been won and that the time has come to consolidate that victory by expanding international credit, the sooner the threat to American exports will be eliminated.

Threat No. 2. The second threat to our hard-won position of international financial strength is at home. It is the continuing restrictive monetary policy of the Federal Reserve Board. This policy, which starves American banks for reserves, even as our payments surplus starves foreign economies for dollars, is aimed at a payments problem which no longer exists, and at an inflation problem which does not yet exist. The Federal Reserve tight-money policy strikes at the heart of the dollar's strength, for it strikes at the great and growing prosperity of the American economy. The money squeeze which the Federal Reserve Board has created at home must be ended, if we are to be in a position to end the money squeeze which our payments surplus is creating abroad.

The strength of the dollar is now clear to all the world, including the President of France. Now is the time to act from strength. Now that we have successfully defended the dollar's integrity, the time has come to defend the world's prosperity. Now is the time for the President to take the lead in calling for an international conference, to meet this year, to expand international liquidity.

ESTABLISHMENT OF TRAFFIC BRANCH IN DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill to establish a traffic branch in the District of Columbia court of general sessions and enlarge the size of the court by five members.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2263) to establish a traffic branch of the District of Columbia court of general sessions, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MORSE. Mr. President, the bill provides that the traffic branch of the District of Columbia court of general sessions shall consist of two judges who shall serve in that branch during their tenure of office. The bill also authorizes the chief judge of the court of general sessions to assign other judges of the court to the traffic branch if the workload requires the assignment.

In addition, the bill provides that the traffic branch shall be open for the transaction of business every day of the year, including night sessions, except Saturday afternoons, Sundays, and legal holidays.

The size of the District of Columbia court of general sessions would be increased from 15 associate judges to 20 associate judges—2 of the 5 additional judges being assigned to the traffic branch.

As chairman of the subcommittee of the Senate Committee on the District of Columbia having jurisdiction over police matters, I have over the past year and a half studied the operations of the Metropolitan Police Department and many of the problems it encounters as a law enforcement agency for the District of Columbia. During the course of my study, I learned that thousands of police man-hours are spent in the District of Columbia court of general sessions which could probably be better spent patrolling the streets of Washington. Mr. President, I am not criticizing the court or the police in regard to this matter. I just do not believe the court has the sufficient manpower to handle expeditiously the cases coming before it for trial action. If this is the case, and I am convinced that it is, it is the responsibility of Congress to provide a sufficient number of judges to handle the cases and the responsibility of the White House to promptly fill vacancies on the court when they occur.

For instance, Mr. President, in fiscal year 1964, police officers spent 41,944 hours of their off-duty time in court, and 59,925 hours of their on-duty time in court. It is estimated that at least 90 percent of the above-mentioned time was spent by police officers in the court of general sessions waiting for their cases to be reached. I am advised that often, after spending a considerable number of hours at the court, the officer is advised that the case is to be continued. This has caused considerable morale problems within the Police Department and has caused internal problems within many of the homes of these officers. It also means that while these officers are sitting the hours away in court awaiting their cases to be reached, they could be on the street during their on-duty time doing police patrol work.

That is where we need them; that is where I wish to keep them during their on-duty periods, for as much of that time as possible. I believe that by doing that, it will be bound to help solve the manpower shortage in the Police Department. I believe that we can take judicial notice of the fact that it would have a beneficial effect in regard to the problem of crime control in the District of Columbia.

I am advised that the average police officer works 1,808 hours per year. This would mean that the courts are tying up more than 56 police officers per day per year. I do not believe that this should be permitted to continue. It appears to me that with a more adequate staffing of the court and the establishment of a Traffic Branch, the cases could be heard more expeditiously. The police officer could be advised to appear in court either for the morning or afternoon session. This, I am convinced, would considerably reduce the number of police man-hours in court. It could also alleviate some of the overtime pay bill problems for police officers presently pending before the Senate Committee on the District of Columbia.

With the serious crime situation in the District of Columbia, every effort should be made to free police officers to patrol city streets. During the course of some recent hearings on crime by the Senate District Committee, I suggested to the District Commissioners and the Chief of Police ways of better utilizing present manpower within the Police Department. The proposal I am offering in the Senate today is another attempt to better utilize police manpower and improve the administration of justice as well.

As I mentioned earlier, my bill would provide that the traffic branch shall be open in the evenings for business.

Mr. President, this is a common procedure in many cities comparable in size to the District of Columbia.

Furthermore, the bill I am offering is not a substitute for the bill offered by the chairman of my committee earlier today, the Senator from Nevada [Mr. BIBLE]. It is a bill that supplements the bill which he has introduced.

I feel that it is very important that this branch be open during the evening hours, so that people who are charged with traffic violations may have their cases heard in the evening after work, so that they will not lose a day's pay. I have a strong suspicion that some people are paying fines, though they are convinced they are innocent and would be found innocent by the court if they went to court, because it is cheaper to pay the fine than lose a day's work waiting for their case to be adjudicated. I see no special problems involved in having the traffic branch open in the evenings. I am informed that the Central Violations Bureau, which is a branch of the court of general sessions, is open in the evenings so that people may pay their fines.

Mr. President, one of the benefits of my bill for the improvement of law enforcement in the District of Columbia would be the diminishing—or should be the diminishing—of traffic ticket fixing in the District of Columbia. If we can supply the people of the District of Columbia with an adequate traffic court to quickly hear these traffic cases, then, it seems to me, some of the fallacious arguments advanced by way of expediency by the office of the Corporation Counsel for the District of Columbia would vanish. For as I have been heard to say heretofore, and will speak at some great length on in the near future, I believe that we must take further steps to stop traffic ticket fixing, even to the degree that it still persists.

Let me also point out that those who believe that my bill may result in all expenditure of public funds and no income, and that it will be an added burden to the taxpayers, had better take a good look at the statistics.

I do not like to put this problem on a money basis, but the fact is that if we have traffic courts available during the hours for which my bill would provide, including evenings, then the Corporation Counsel should have less concern about fixing traffic tickets, violators will be taken to court, and the income received from the fines and penalties imposed on those found guilty will pay many times over for the extra cost of the court which is proposed to be established in the bill.

I have been told that the amount of money flowing into the Treasury of the District of Columbia, which otherwise would have been lost as a result of my campaign to bring to an end or greatly diminish the traffic ticket fixing racket in the District of Columbia, is somewhere in the neighborhood of $300,000.

Take that figure, and we have a rather good idea of how important it was that as chairman of the subcommittee of the District of Columbia Committee with jurisdiction over law enforcement problems and police administration, this abuse should be stopped.

I express my deepest appreciation to the Police Department, and, let me say goodnaturedly, to my colleagues in the Senate—in giving me support, both moral and otherwise, in trying to bring about a cleanup in the traffic ticket fixing racket which had developed in the District of Columbia, with thousands of traffic tickets a year being fixed, a large percentage of them being fixed through what we call "pull"—political and otherwise.

We cannot have efficient law enforcement unless we provide the necessary law enforcement facilities to bring about that efficient and effective law enforcement.

There is no doubt in my mind that the lack of a traffic court in the District of Columbia is part of the cause—I stress the word "part"—for some of our problems in regard to traffic control in the District of Columbia.

I also believe, Mr. President, that with the establishment of a traffic court, there would be a more uniform administration of penalties administered to those persons found guilty than under the present system of rotating judges.

The present system makes possible the practice of some lawyers of shopping around for the "right kind" of judge to hear their clients' case. With the assignment of two judges to the traffic branch, the quality of their work could also be more closely observed by the press and the public. A great deal could be done by these judges in the field of traffic safety and traffic education.

I have precedents galore from other cities of comparable size which carry out the proposal I am now suggesting for the District of Columbia, of having judges on a full-time basis specially assigned to the traffic bench.

As for the need for the other additional judges provided for in my bill, I rest my case on published statistical material showing the serious backlog of civil cases as well as the fact that the jurisdiction of the court has been recently increased. There is no sign that there will be any decline in the number of cases reaching the court in the near future.

I know of the great interest that Senator Bible, the distinguished chairman of our committee, has expressed on the subject of adding additional manpower to the court of general sessions. I pledge my efforts to assist in every way I can to see that additional manpower is attained for this court as quickly as possible.

I wish to supplement his proposals by providing, in addition, for two so-called traffic judges, who would spend their time hearing traffic cases and seeing to it that people get quick, efficient, and fair justice in regard to traffic violation charges.

THE WAR IN VIETNAM—REPLY TO WALTER LIPPMANN

Mr. MORSE. Mr. President, I ask unanimous consent that there be published at this point in my remarks the column written by Mr. Walter Lippmann published in today's Washington Post.

There being no objection, the article was ordered to be printed in the Record, as follows:

Ordeal of Decision

(By Walter Lippmann)

The President must often feel that he is between the devil and the deep blue sea—between the devil of unlimited war and the deep blue sea of defeat. The dilemma is a cruel one, and for some time now, since the rejection in April of his offer to negotiate, he has had no policy for winning the war and only a speculative hope as to how to bring it to a decent end.

He has hoped that a military stalemate would produce an acceptable negotiated settlement. Our present objective is to stave off military defeat in the south and soften up the north by limited bombing. By autumn we ought to know whether the current administration strategy is based on a true estimate of the state of the war, or whether it is, as some of us fear, a device for putting off the evil day of having to decide between unpleasant alternatives.

If the current strategy is successful, it will be a most happy surprise. If, by the autumn, Hanoi with Peiping's consent agrees to negotiate at all, it will at least mean that there is a pause in the relentless movement toward a larger war. But there will still remain the very great question of whether the Vietcong and Hanoi and China will agree to any settlement which bears some recognizable resemblence to the objective of an independent South Vietnam which the President and Secretary Rusk have been talking about.

Were this to become possible in the autumn, it would be a miracle. For we would have snatched a moral victory from the jaws of a military defeat. It seems most unlikely that it will happen. It is unlikely that the Vietcong will be ready to quit if it does not win a military victory during this monsoon season. The Vietcong and its allies have been at war for 20 years, and there is no reason to suppose that they are not prepared to go on for many more monsoon seasons.

As for inducing North Vietnam to pull back, it is significant, as we know from Secretary Rusk, that Hanoi has thus far refused even to talk about some kind of cease-fire in return for a cessation of the bombing. It looks as if Hanoi has taken into account that it will probably be bombed, has discounted its losses in advance, and is prepared to commit its formidable army to the war. From their point of view the stakes are very high.

If the hope of a stalemate to be followed by the negotiation of an agreeable settlement fades out, the President's Republican critics will demand that he win the war by devastating North Vietnam. The Republican activists, Messrs. Ford, and Laird, have taken up where Barry Goldwater left off, that is with the simple-minded notion that this war, and virtually any other war, can be won by bombers. It will not be easy, however, for the President to refuse to try strategic bombing. For if he holds back, he has no way of proving that the policy will not work. This will be especially awkward if large numbers of American infantrymen are bogged down in South Vietnam. The evil consequences of unlimited bombing upon the whole international situation would not be visible until the policy is undertaken.

In order to resist the Republican attack and satisfy our deepest interests, the President will need, I think, to make a decisive change of policy. He needs a new policy which will override the debate about victory, or withdrawal, and will make feasible his hope of an eventual negotiated settlement. The new policy would have to be, it seems to me, a pullback of our forces from the defense of villages and small towns to one or more highly fortified strongpoints with certain access to the sea, and then to advise Saigon that it should seek to make peace with the Vietcong and with North Vietnam.

This would not be a withdrawal from southeast Asia, such as Senator Morse has been advocating, for the American presence would remain, providing a sanctuary against the persecution of our friends and a basis of influence while a new order of things in Asia is being negotiated. There would not be much glory in such a strategic retreat. But it would not be a surrender. It would be honest and honorable; since it would be feasible, it would be credible. It would extricate us from a war that cannot be won at any tolerable cost; it would disentangle us from a political commitment that is grossly overextended and leave us with the possibility of playing a significant part in the eventual settlement with China.

Mr. MORSE. Mr. President, in the course of the column, Mr. Lippmann, for whom I have great respect and admiration—in fact, I point out in the letter, which I shall read momentarily, that I have found him to be a very reliable source of information in connection with America's war of outlawry in Asia—he committed one of the few errors that I have found him guilty of, when he said:

> This would not be a withdrawal from southeast Asia, such as Senator Morse has been advocating, for the American presence would remain, providing a sanctuary against the persecution of our friends and a basis of influence while a new order of things in Asia is being negotiated. There would not be much glory in such a strategic retreat. But it would not be a surrender.

Mr. President, Mr. Lippmann is not the only journalist who has formed the erroneous impression that the senior Senator from Oregon, during the past years in his many speeches here in the Senate and across the Nation, advocates getting out of South Vietnam.

That has never been my position. What I have urged is that the United States change its status in South Vietnam from one of unconstitutional warmaking, which violates international law and treaties, point by point.

I have advocated that we stop our warmaking and join in a multilateral effort with other nations in keeping the peace. There is as much difference between the status of warmaking and the status of keeping the peace as there is between high noon and black midnight.

I wrote Mr. Lippmann the following letter this morning:

July 8, 1965.

Mr. Walter Lippmann,
Washington, D.C.

Dear Mr. Lippmann: I think you know the high regard in which I hold you, both as an individual and as a keen student of foreign relations problems.

Time and time again during the past 2 years, I have used your penetrating articles on the U.S. undeclared war in southeast Asia to buttress my criticisms of unilateral U.S. military action in southeast Asia.

For 2 years, I have urged that the United States, in keeping with its obligations under the United Nations Charter, formally lay before the Security Council a request that the United Nations take full and complete jurisdiction over the threat to the peace of the world in Asia. In those speeches, I have pointed out that if Russia or France or any other member of the Security Council should veto a U.S. resolution calling for United Nations jurisdiction over the threat to the peace in Asia, the United States should then call for an extraordinary session of the General Assembly of the United Nations and lay the issue before the General Assembly. At no time, have I advocated that the United States should withdraw from southeast Asia.

In your column this morning, I was very disappointed to read these words, "This would not be a withdrawal from southeast Asia, such as Senator Morse has been advocating, for the American presence would remain, providing a sanctuary against the persecution of our friends and a basis of influence while a new order of things in Asia is being negotiated. There would not be much glory in such a strategic retreat. But it would not be a surrender."

Contrary to advocating a U.S. withdrawal from southeast Asia, I have, in speech after speech in the Senate and on platforms across our country during the past 2 years, urged that we change our status in southeast Asia from one of warmaking to one of peacekeeping and that we urge other nations to join us in a multilateral peacekeeping operation in southeast Asia in place of our present unilateral military warmaking policy.

In the early months of my rather lonely campaign against our country's military outlawry in Asia, I urged that we formally call upon SEATO to join us in multilateral, peacekeeping activities in southeast Asia. I also, in many of my speeches, urged that we formally call for a reconvening of the 14-nation conference that gave birth to the Geneva accords.

However, from the very beginning of my discussion of this crisis during the past 2 years, I have pointed out, time and time again, that in keeping with out clear international law obligations under the United Nations Charter, we should call upon the United Nations to take jurisdiction over this serious threat to the peace of the world. In speech after speech in support of my position, I discussed the precedents of United Nations peacekeeping action in the Congo, the Gaza Strip, Cyprus, and Kashmir. On some occasions, I pointed out that I thought the multilateral action of the United Nations in Korea was very instrumental in bringing about the final settlement of that war.

It has always been my view that if the United States had continued the fight in the Korean war alone without United Nations intervention, that war would have dragged on for years and years, just as I think the present war in southeast Asia will drag on for many years if we continue following a go-it-alone policy. Granted that Australia and the Philippines are making a token contribution to the war effort at the present time, the fact is that their participation in the action is also completely outside the framework of the United Nations.

For a long time, Senator Gruening and I stood alone in the Senate in our advocacy of the substituting of the rules of international law for the jungle law of military might by which the United States through its administration has besmirched its professed ideals. Recently, a few other Senators have seemed to join us, at least part way, in advocating resort to submitting the Vietnam war issues to the United Nations.

I trust that you will not consider me presumptuous in writing this frank letter to you, but I, of course, owed it to myself to correct your error in stating that I advocate United States withdrawal from southeast Asia. On this point, my major thesis has always been that the United States should stop making war in Asia, and through existing treaty obligations, call upon all other signatories to join in a multilateral effort to keep the peace in Vietnam. We will never know how such an approach will work until we try it. We owe it, not only to our own generation but to future generations.

With best wishes,

Sincerely yours,

Wayne Morse.

P.S. I am enclosing speeches and materials of mine on the southeast Asian crisis that rebut a statement in your column this morning, attributing to me an advocacy of U.S. withdrawal from southeast Asia:

1. A Congressional Record reprint of a speech I made in the Senate on January 6, 1965. You will find a paragraph marked on page 2.

2. A speech I made on January 15, 1965, at the University of Chicago, with statements marked on page 17.

3. A press release for February 8, 1965, which likewise refutes your statement.

4. A press release for May 9, 1965.

5. A speech I made in the Senate on July 1, 1965—see page 12.

6. A speech I gave at Millersville State Teachers College on July 6, 1965—see pages 6, 10, 11, and 12.

Mr. President, I ask unanimous consent that there immediately follow in the Record excerpts from those speeches, press releases, and other material to which I referred in the letter to Mr. Lippmann.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

[Jan. 6, 1965]

I say again that the senior Senator from Oregon has never favored our simply pulling out of Vietnam. The senior Senator from Oregon has taken the position that if the only course open to us is to remain on a unilateral basis, we cannot justify staying there under international law. What I have urged, in speech after speech and article after article, is that we should make use of existing international agencies for the settlement of this dispute, if possible, by way of negotiated settlement, short of war. So I have urged, time and time again, and repeat this afternoon, that we ought to try to use SEATO; but the fact is that a majority of the SEATO nations want no part of it.

[Jan. 15, 1965]

The question now is whether President Johnson can bring himself to do the only thing that can be done in Asia to escape an expanded war: to bring other interested parties into a multilateral political agreement for southeast Asia.

This could take the form of a United Nations jurisdiction along the lines proposed so wisely by President Roosevelt; or it could take the form of seeking a SEATO action that would police South Vietnam while a political solution is developed; or it could take the form of a new 14-nation conference among the same nations that arranged the 1954 Geneva accords.

[Feb. 8, 1965]

We should have called upon the nations who signed the Geneva accords in 1954 and all the nations who signed the United Nations Charter to join with us in taking joint action under one of those treaties to enforce the peace and negotiate an international settlement of this threat to world peace.

Bombing North Vietnam is but a prelude to years of guerrilla warfare against the United States in Asia. We should stop our warmaking and call upon members of the United Nations to join in a program of united peacekeeping in Asia.

[May 9, 1965]

I am not asking, and have not asked, that we get out of South Vietnam. I am asking that our allies come on in and be of assistance to us in Asia, not to make war but to enforce the peace, just as we cooperate with other nations in enforcing the peace in the Gaza Strip, in Cyprus, and in the Congo. Don't forget that there we have insisted that the procedures of the United Nations be followed. But in South Vietnam, we are urging the substitution of American jungle law of military might for the rule of law.

I am only asking that we walk back inside the framework of our Constitution and the framework of the United Nations. I think we ought to first try to work out an honorable negotiated settlement in accordance with the principles of international law.

This is Wayne Morse reporting from Washington, D.C.

[July 1, 1965]

OBLIGATIONS TO SOUTH VIETNAM SECONDARY TO THOSE OF U.N. CHARTER

There is nothing in what I have discussed that would be inconsistent, either, with our commitment of support to South Vietnam.

Article 51 of the charter affirms the right of individual or collective self-defense "until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

If the Security Council declines to take jurisdiction, or if it fails to take action that effectively stops the war, the United States is free to come to the support of South Vietnam, just as other nations are free to come to the support of North Vietnam.

We can continue to help South Vietnam until the U.N. acts to restore peace. But let us not forget that our 1954 commitment to South Vietnam was no treaty, and it pledged only American aid in the form of goods. Even that was to be in return for certain actions on the part of the South Vietnam Government, actions which it has not to this day carried out. Our commitment was contained not in a treaty but in a letter from our President to President Diem, and it extended our foreign aid "provided your Government is prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied."

The Government of South Vietnam has been unable to fulfill its obligations. Yet we have gone infinitely beyond our obligation, into cobelligerency. By so doing, we have become involved in a situation that brings us under those provisions of the United Nations Charter, to which we are treaty bound.

[July 6, 1965]

That is why I believe it is in our interest to stop the war, and to exhaust every possible means of doing that through the United Nations. We cannot stop the war alone. But the United Nations could, if it would, and the United States has more to gain from a U.N.-imposed peace than from a continuation of the fighting that can lead anywhere but to a victory on our terms.

We can place the issue before the U.N. very simply, by means of a letter addressed to the President of the Security Council. That is our primary duty. In so doing, we do not necessarily have to propose a specific action to be taken. But I believe the U.S. Ambassador should address to the President of the Council a letter, declaring that acting under these articles of the United Nations Charter, the United States requests a urgent and immediate meeting of the Security Council to discuss the matter of the war in Vietnam and the extent of the threat it poses to international peace and security.

That would put the issue where it belongs—before the United Nations Security Council. That would achieve what the Senator from Idaho calls soliciting the help of the United Nations in finding a peaceful solution.

POSSIBLE SOLUTIONS THAT COULD BE PROPOSED BY THE UNITED STATES

It could well be that Security Council members who are not directly involved in Vietnam as yet could come up with some proposals for handling the problem that would be more successful than what the United States could promote. But we could offer some resolutions.

One of them might take the form of calling upon the Secretary General to bring together the participants in the Geneva Conference of 1954, to discuss the means by which a cease-fire may be obtained and steps which may be taken to maintain the future independence of and peace among the states of Indochina.

That would provide a means of seeking a political solution and settlement.

But it is even more important that we call upon the Security Council to take action to stop the fighting, and send to Vietnam a peace mission. We could do that through a resolution taking note that the Geneva Agreement of 1954 has been widely violated by signatories and nonsignatories alike, and that as a result a condition of war exists in South Vietnam, North Vietnam, and Laos that constitutes a breach of the peace and threatens international peace and security, and which directs the Secretary General to call upon member states to furnish forces and equipment for a United Nations force to separate the belligerents and maintain a cease-fire in South Vietnam, North Vietnam, and Laos pending a political settlement of their dispute.

Quite possibly the sending of a peace force, and the effort to negotiate through a reconvening of the Geneva Conference could both be proposed. They are not consistent.

SUPPORT OF THE PRESIDENT AND THE WAR IN VIETNAM

Mr. MORSE. Mr. President, writing in yesterday's Washington Post, Columnist Roscoe Drummond is applying the theory that if one says something is so, perhaps it will be so. That is a common device among journalists whose profession is commentary, rather than reporting. Many of them slip over into the realm of trying to manufacture events or situations, instead of reporting them or commenting on them.

Mr. Drummond has consistently supported the administration policy in Vietnam. He has "commented" on criticisms of it just as though the critics were directing their remarks to Drummond's own policy. He has answered the criticism faithfully, and sought to downgrade and dismiss the critics.

Today, Mr. Drummond is trying to end the debate over Vietnam by pronouncing it ended.

Mr. President, I ask unanimous consent that the column entitled "Debate Concluded; Defense of Vietnam Supported" to which I referred, written by Mr. Roscoe Drummond be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEBATE CONCLUDED—DEFENSE OF VIETNAM SUPPORTED

(By Roscoe Drummond)

The debate is over. The verdict is in. By now President Johnson knows he can count on the decisive support of Congress and the country behind his decision to defend South Vietnam.

For a time it looked like touch-and-go and many though the President's public backing was crumbling. The professorial teach-ins crying, "Get out of Vietnam" were contagious. Poets writing L.B.J. about how wrong he was seemed to be getting a better hearing than Rusk and McNamara.

But it was the opposition to the defense of Vietnam that was crumbling, not the support. Although there has been no formal referendum, the national decision is amply clear. Here is the evidence:

Top Republican spokesmen—Senator EVERETT DIRKSEN and Representative GERALD FORD, the minority leaders in Congress, who have given Mr. Johnson strong support over Vietnam from the beginning, have just renewed their bipartisan backing.

Democratic leaders in Congress—like Senators J. W. FULBRIGHT and FRANK CHURCH—who have been sharply critical of the President's course in Vietnam, are now agreeing that for the United States to withdraw or give up would be disastrous.

The public critics of the Government—like Hans Morgenthau, of the University of Chicago, the leading professional teach-in—have talked so much and said so little that the country could not fail to see that they had no constructive alternative.

This undermined their criticism so badly with the public that Professor Morgenthau had to shift his stance and say he was against withdrawal.

Some sincerely say, "Let's negotiate." The United States has offered unconditional discussions, the Communists have refused and you can't negotiate at an empty table.

Some sincerely say, "Quit escalating the war." The fact is that U.S. military power is being used with care and measure. It is the Vietcong who are raising the level of terror and escalating the fighting.

Some sincerely say, "The real struggle in Vietnam is economic, not military." It is both, and Vietnam cannot begin to make real economic progress until the aggression is ended and the fighting stopped. At which time, as the President has announced, the United States will provide general aid.

And what next? There is no certain answer. We don't know how long it will be before the aggressor has had enough. But there is no reason to think that the Vietcong are going to overrun South Vietnam if we are prepared to stay the course. I give you the words—and the faith—of Capt. James Spruill, U.S. Army, written to his wife in the United States a few days before he gave his life in Vietnam.

"I feel there is too much talk of despair. Above all, this is a war of mind and spirit. For us to despair would be a great victory for the enemy. We must stand strong and unafraid and give heart to an embattled and confused people. At the moment my heart is big enough to sustain those around me. Please do not let them, back where you are, sell me down the river with talk of despair and defeat. Talk instead of steadfastness, loyalty, and of victory—for we must and can win here.

"There is no backing out of Vietnam, for it will follow us everywhere we go."

Another American has said: "We will not withdraw. We will not grow tired. We will not be defeated."

That was the President of the United States. It is evident by now that his goal is the goal of most Americans.

Mr. MORSE. Unfortunately, Mr. Drummond's effort is not going to have any more effect than his previous efforts, and those of so many of his colleagues, have had in ending the debate over American policy in southeast Asia. That debate is growing and spreading, and it will continue to grow and spread with every new shipment of Americans into the Asian ground war, with every shipment of coffins with the bodies of American troopers in them as they arrive at the west coast.

Like so many columnists of recent days who reflect administration policies, Mr. Drummond seeks to make much of the fact that President Johnson has the general support of the country, and of the Congress, in his conduct of affairs in Vietnam. But he, too, prefers to ignore the basic assumption of this support, which is that the American people generally do support almost any foreign policy of a President until it proves unwise or disastrous over the long run.

There is not the slightest doubt, for example, that the American people would also express support for President Johnson's handling of Vietnam if he announced that our original aims there are impossible of achievement, and undertook a general withdrawal. So would the American people support President Johnson's handling of Vietnam if he appealed to the United Nations to intervene.

The American public place great, almost unlimited, confidence in their President, largely because they have to, in his handling of international affairs because the administration does not give them the facts.

But the warnings are already visible to those who want to know the depth of this support. It is not a support of a given policy so much as it is support of the Office of the Presidency. We all know that the American people are deeply fearful of the Nation's involvement in Asia. We know they shun the prospect of another ground war in Asia. We know they doubt the validity of the argument that we are defending the freedom of South Vietnam, because they know there is little semblance of freedom for the people of South Vietnam under the procession of military governors we have more or less appointed to rule South Vietnam and have supported as our puppets. The American people at the grassroots are beginning to recognize that there has never been any freedom in South Vietnam from the time that the United States set up its first puppet government in South Vietnam back in 1954.

The American people are already beginning to hold for an accounting the spokesman for this administration who have been misrepresenting to the American people that we are in South Vietnam to uphold freedom.

I have asked for 2 years, and again tonight, what freedom? When was there any freedom in South Vietnam? There has not been an hour of freedom in South Vietnam since the United States took control of that unfortunate country by taking over the South Vietnamese exiled from Washington, D.C., and New York City, militarizing him, financing him, setting him up in power; and when Diem could not deliver, we proceeded to support puppet after puppet.

We are now supporting one of the most vicious military dictators that has ever been imposed upon South Vietnam by the U.S. Government. After I finish a bit of research on that man's horrible and shocking record, I shall address the Senate on the information I am now analyzing.

Here is one Senator who will not tell the American people that we are in South Vietnam to support freedom, because it is not so. It cannot be so, for there is no freedom there. American boys are dying in South Vietnam tonight to support a military dictatorship in South Vietnam. I am satisfied, may I say for the benefit of the apparent lack of information of Mr. Drummond or his willingness to write contrary to information that he knows, that when the American people find out the sordid facts of the kind of government we are supporting in South Vietnam, this administration will hear from them.

I say once again to my President, "Do you think the Republicans will continue to support you in regard to the war in Asia? Watch them when public opinion starts to turn. They will trample each other in trying to get off your ship of state. Mr. President, you are already getting a little taste of what you can expect from Republicans. High leaders in the Republican Party are already publicly advocating the bombing of Hanoi and the Chinese nuclear installations in Red China, and criticizing you because you are not doing it. That is the height of foreign policy of irresponsibility being demonstrated by Republican leaders in this country in these hours."

I repeat, as I discussed at some length only a week ago today on the floor of the Senate, that I am satisfied that the bombing of Hanoi and the bombing and/or bombing of the Chinese nuclear installations would bring Russia into the war, and Russia would not confine her fighting in China.

I say to the President, "We cannot bomb Hanoi without killing Russians, and Russia has as much right in Hanoi as we have in South Vietnam. But if you wish to follow Republican advice, you will lead our country into a massive war in Asia, and the American people will repudiate you, because the American people will learn that there is not the slightest justification for your continuing the unconstitutional war that you are now conducting in Asia."

I respectfully say to my President again, "If you are to engage in making war in Asia, you should get back into the framework of the American Constitution—and you are acting outside of it now—and bring to the Congress a recommendation for a declaration of war."

Only Congress, under article I, section 8, of the Constitution can declare war. Congress cannot delegate to you, Mr. President, the power to make war in the absence of a formal declaration of war. It has almost reached the point where it would appear that Members of Congress are perfectly willing to ignore the language of the Constitution, although each of them walked up to the Presiding Officer's desk in their respective Chambers and swore to uphold the Constitution. I have no intention of violating my oath.

My view is that the war in southeast Asia cannot be supported in the absence of a declaration of war. As I said last Thursday, but wish to repeat again and shall repeat many times in the months ahead, because I want Mr. Roscoe Drummond to know he could not be more wrong than to assume that the debate on the war in southeast Asia has ended, so far as the senior Senator from Oregon is concerned, the debate has only started; and so far as increasing thousands of people in this country, who are being asked to express themselves on the war are concerned, the debate has only started.

There will be those who would like to end the debate. There will be those who will advocate repressive measures to silence those who refuse to rubberstamp the President in the outlawry by our country in Asia. But we are perfectly willing to be judged by history. We have no intention of being a part of the program of concealing from the American people the facts about the war is Asia.

I wish to say a word again tonight, for the RECORD, for the reservationists to read tomorrow, for frequently I speak to the reservationists in the Senate. Do Senators remember them, Mr. President? Not so many weeks ago the President sent to Congress his request for a $700 million appropriation for South Vietnam, but admitted at the very time he sent the message that he did not need the money because he had authority to transfer whatever funds he needed to supply our troops with whatever equipment they needed; and, of course, so long as they are over there, the senior Senator from Oregon wants our troops to have the equipment they need to protect themselves.

But on that occasion the President said, in effect, that he was using that bill to obtain again from Congress a vote on whether it supported his policies in Vietnam. Three Members of the Senate refused to go along with the bill. I was proud to be associated with the Senator from Wisconsin [Mr. NELSON] and the Senator from Alaska [Mr. GRUENING] and seven Members of the House who refused to go along with it.

To me, the most interesting part of that debate was to hear Senators whom I referred to as reservationists claim that in voting for that bill they wanted it understood that they were not rubberstamping the President. They wanted it understood that they expected to be consulted before any decision was made by the President to send any considerable number of additional troops to South Vietnam. They expected to be consulted in regard to our military plans in South Vietnam.

I could not believe my ears. The RECORD will show that my reply was: "You are being consulted now; and this is the last time you will be consulted, if you support this vote of confidence in the President this afternoon, for it is perfectly clear in the language that he is asking for that the President has been perfectly frank, forthright, and honest with Congress in asking for these votes of confidence."

The Senate voted that vote of confidence; and several times since then, as thousands more American boys have been sent to Vietnam, I have, on the floor of the Senate, asked the reservationists: "Were you consulted?" I ask them, for the RECORD, tonight: "Was any Senator who stood here a few weeks ago and said he would vote for the $700 million appropriation to give the President a vote of confidence, consulted? Were they consulted prior to today, when we received the announcement of the latest contingent of several thousand new troops being sent to South Vietnam?" Of course they were not. It sounded good for the record; but the fact is that when the resolution of August, a year ago, was voted, and when the bill of a few weeks ago was voted, the Senate rubberstamped the wishes of the President of the United States. That is my interpretation of the vote. I shall be glad to have my descendants read that I did not vote for it; as I did not, in 1955, seek to vote to the then President of the United States, Mr. Eisenhower, a power that he was not entitled to have under the Constitution in respect to the Formosa resolution; as I refused to vote power to the President at the time of the Lebanon crisis.

But note, Mr. President, that when we considered the Cuba resolution, the Cuba resolution was completely changed. In the Cuba resolution, as to which I spoke at length in the advocacy of this change, in my capacity as chairman of the Subcommittee on American Republics Affairs, no political authority was given to the President of the United States. The Cuba resolution squares with the Constitution.

The Formosa resolution, the Lebonon or so-called Middle East doctrine resolution, and the southeast Asia resolution of last August, and also the bill that was passed a short time ago, cannot, in my opinion, be squared with our obligations under the Constitution.

If Mr. Drummond thinks that the debate has been ended on this vital issue, he could not be more mistaken. I say to him that he has not heard anything yet in regard to the discussion that will take place in this Republic in the months ahead, as more and more American flag-draped coffins come back from southeast Asia. At long last, the American people will be heard from; they are not going to take it in silence. That is why I continue to plead with my President to change our status from warmaking to peacekeeping in southeast Asia, and to live up to our obligations under the United Nations Charter and stop being a violator of the United Nations Charter, as we are 24 hours of the day and night.

Lay the issue before the United Nations in keeping with the procedures of the charter and ask the other signatories to the charter—which countries have exactly the same moral and legal obligations as does the United States—to assume their fair share of responsibility for bringing a peaceful settlement to this war-torn part of the world that, day by day, increasingly threatens the peace of the world.

No, Mr. President; far from the debate being silenced, may I say for the benefit of Mr. Drummond that the debate is growing over the wisdom of the course of action in Asia that commits us ever more deeply to ground action and brings us into closer conflict with the great Communist giants, Russia and China. I do not think I tell Mr. Drummond anything he does not already know if I tell him that there is increasing debate within the administration itself over our policy. Of course, most spokesmen for any administration prefer that all debate over policy take place behind closed doors and not on the floor of Congress or among the general public.

But the public pressure is growing; the continued support for the President is more and more contingent upon his achieving success not only in curbing communism but in keeping a major war from breaking out. If the casualties rise to the hundreds, or to the thousands, then public support and congressional support for the President and his office, and his policy will dissolve overnight.

The American people put Lyndon Johnson in charge of foreign policy last November. They will give him the benefit of a lot of doubts. But if he makes a mistake that costs the American people a lot of blood, they will take the first opportunity on the first election day to put someone else in charge. That means 1968.

I thought that Walter Lippmann, in a recent column, very wisely pointed out to this administration that it has no assurance of reelection in 1968, for much will depend on the course of the foreign policy that this administration takes in the months between now and November 1968.

The only thing under those circumstances that could reelect the present administration, in my judgment, would be for the Republican Party to out-warmonger the Democratic Party, and because some of the Republican spokesmen these days indicate that they would not hesitate to take us into a nuclear war.

I do not believe that President Lyndon Johnson will fall victim to that kind of bad advice. However, I say to him that if he gets an opposition in 1968 that does not advocate a massive war in Asia, but advocates the United States keeping faith with its own ideas and returning to its professed belief in the substitution of the rule of law for the jungle law in military might, he will be in trouble in 1968—and, may I say most respectfully—he should be.

Mr. President, I want to help my administration avoid that eventuality. So do a great many other Members of Congress who are critical of our present policy in Vietnam because we believe it cannot succeed and that it will bring repudiation to the administration if it is pursued to its bitter end.

That is why we are trying to bring out the facts about the United States in Asia. That is why we are trying to show that the United States stands no better chance of remaining on the Asian mainland than have other Western nations before us. That is why we are urging that the help of the United Nations in seeking peace in Vietnam be sought.

As the military buildup continues, as the casualties rise, and as the participation in the war of the Soviet Union and China draws closer, the level and the extent of the debate in this country will also grow, because the American people have never yet relinquished final control over their affairs to any public official, and I am sure they are not going to start with the war in southeast Asia.

In closing this subject matter, for the benefit of Mr. Drummond, I say: "You could not be more mistaken if you think that the debate on the war in Vietnam has ended." One is going to see a growing interest and concern on the part of increasing thousands of Americans in regard to the policy of making war in southeast Asia, and the subject matter will be the subject matter of debate. In discussions in innumerable community and neighborhood groups across the land, one can go into practically no drawing room and stay for more than 10 to 15 minutes without someone raising the issue as to whether we are right or wrong in our outlawry in southeast Asia.

Mr. President, let me say for the benefit of Mr. Drummond that he will observe more and more debate in the editorial columns of this country, for more and more editors in the country are becoming more and more concerned about the justification of the foreign policy that the President of the United States is following under the advice of McNamara, Taylor, Lodge, the Bundys, and the others who have been talking in terms of a preventive war in Asia.

Mr. President, I ask unanimous consent that there be printed at this point in the Record an editorial entitled, "Debate and Vote on Vietnam War," published in the July 6, 1965, edition of the San Francisco Chronicle.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Debate and Vote on Vietnam War

The depth of public division and confusion over Vietnam, even as the American troop buildup in southeast Asia escalates toward 75,000, is revealed by the following statement from the latest Gallup Poll.

"The number of people who would like to see this country stop military action is almost the same as the number who would like to see us step up our efforts—about one in four. One person in three is unable to formulate any opinion."

It certainly should not be surprising to learn that there is no consensus of public opinion on the Vietnam conflict, much as President Johnson would like to feel he has one. The Gallup Poll is merely confirmation of what has been revealed by the teach-ins, by letters to newspaper editors, and by ordinary curbside conversations.

At last Congress seems to be waking up to the disturbed public mood. As one forum where discussion of Vietnam policy ought to be vigorous and voluble, Congress up to now has been relatively and, we think, distressingly apathetic. But last week the opening guns of what we hope will be a genuine debate were heard. It could be healthy; certainly it is desperately needed.

Congressman Melvin R. Laird, the chairman of the House Republican Conference, recently said that the Administration was "needlessly sacrificing" American lives if its objective was a negotiated settlement. Were the administration to persist in that, Laird said, it might lose Republican support. He urged more airstrikes and suggested Haiphong in North Vietnam as a target.

Senator Mike Mansfield, the Democratic majority leader, took out after Laird. He said he was disturbed by demands upon the President to follow a policy of "what can only amount to an indiscriminate slaughter of Vietnamese by air and naval bombardment—a slaughter of combatants and noncombatants alike * * *."

In rejoinder, Representative Gerald R. Ford, the House Republican leader, came strongly to the support of Laird. The President said Ford "must not yield" to some Democrats who would abandon South Vietnam, must not make any settlement involving a coalition government with the Communists, and should force the North Vietnamese to terms by bringing air and sea power to bear on "significant military targets" in North Vietnam without committing ground forces on a grand scale.

Ford's prescription was then attacked by Senator George D. Aiken, of Vermont, second-ranking Republican on the Foreign Relations Committee. He said that, like Mansfield, he was disturbed by Republican statements urging the President "to broaden and intensify" the war in Asia; he feared it might win for the Republicans the title of "the war party." He is entirely correct in this.

Congressmen and Senators returning to Washington today after the weekend celebration of the independence of the United States will best contribute to the preservation of that independence by carrying on a full-scale debate to a conclusion. The rational way to conclude would be to put the question to a vote: Is the United States prepared to declare war?

If that bald proposition were put, it would unquestionably be defeated. And it is not inconceivable that a congressional refusal to declare war in southeast Asia might provide just the impulse to bring about serious negotiations.

Mr. MORSE. Mr. President, a part of the editorial reads as follows:

The depth of public division and confusion over Vietnam, even as the American troop buildup in southeast Asia escalates toward 75,000, is revealed by the following statement from the latest Gallup poll:

"The number of people who would like to see this country stop military action is almost the same as the number who would like to see us step up our efforts—about one in four. One person in three is unable to formulate any opinion."

It certainly should not be surprising to learn that there is no consensus of public opinion on the Vietnam conflict, much as President Johnson would like to feel he has one. The Gallup poll is merely confirmation of what has been revealed by the teach-ins, by letters to newspaper editors, and by ordinary curbside conversations.

I say to Mr. Drummond that the debate is on, and it will continue as long as we follow a military warmaking course of action in southeast Asia.

RESIGNATION OF GEN. MAXWELL TAYLOR

Mr. MORSE. Mr. President, I was asked an hour or so ago by the press for my reaction to the news announcement that Gen. Maxwell Taylor has resigned as Ambassador to Saigon, and that the President has appointed Henry Cabot Lodge to take his place.

I paraphrase what I said to the press. I said that it is good news to learn that Gen. Maxwell Taylor has resigned as Ambassador to Saigon, for he should not have been appointed in the first place.

I spoke and voted against him in the Committee on Foreign Relations. I spoke and voted against him here on the floor of the Senate.

I pointed out before that he was one of the assistant architects, the chief architect being the Secretary of Defense, Mr. McNamara, who drew the blueprint for the escalated war in North Vietnam that has violated one tenet after another of international law. I said before that I knew of no qualification that fitted him for the ambassadorship in Saigon.

The predictions I made at that time have been proven true over and over again under his unfortunate work as Ambassador in Saigon, for the political situation and the military situation have deteriorated under this American Ambassador who at one time was chairman of the Joint Chiefs of Staff of the Defense Department.

A military person should not have been put in that position, and his appointment aroused great criticism and suspicion in many capitals of the world. But, Mr. President, the appointment really in effect telegraphed to the world what our plans were, for this was a military appointment. I have not been surprised at a single military escalation that has taken place under Taylor's ambassadorship.

Mr. President, it was bad news to read that Henry Cabot Lodge was appointed as Ambassador to Saigon to succeed Taylor, because he was one of the triumvirate who was another assistant architect in drawing the blueprint for an escalated war in southeast Asia.

This appointment is most unfortunate, and I shall vote against it when the confirmation vote is called for in the Senate.

As I have said so many times, I do not feel very happy when I have to express these great differences on foreign policy with my administration. But I wish to make very clear that I owe it to the President.

It was said to me the other day, in all good nature, by a very distinguished American that Prime Minister Wilson has his back benchers, but the President of the United States has his Wayne Morses. My reply was that the best friends Prime Minister Wilson has are his back benchers, because if one has sincere and honest differences of opinions with the policies of his government and he sits in a position of trust, such as a seat in the U.S. Senate, he owes it to his President and to the people of his country to express the differences of opinion and let the facts be his judge and let history render the verdict.

The Cleveland Plain Dealer of Monday, July 5, had an editorial which I would suggest that Mr. Drummond and other journalists who seem so bent on getting us into an escalated, massive war in Vietnam read. It is entitled "The Bolero Dance In Vietnam." I ask unanimous consent that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Bolero Dance in Vietnam

On February 18, 1964, Defense Secretary Robert S. McNamara declared that the struggle in Vietnam was a "counterguerrilla war that can only be won by the Vietnamese themselves."

He said, "our responsibility is not to substitute ourselves for the Vietnamese but to train them * * *." The United States, he asserted, "will pull out most of its troops by 1965 even if the anti-Communist drive there falters."

At the time, the United States had 17,000 "advisers" in Vietnam. Today, there are 53,500 U.S. troops there substituting themselves in a counterguerrilla war they presumably cannot win.

This is war, and complete candor cannot be expected from the Defense Secretary or from President Johnson. Military security forbids any revelation of decisions.

But the jump from the 685 U.S. military personnel in Vietnam at the beginning of 1962 to the 53,500 troops there now must come through as a loud and clear announcement to the public that the United States is moving steadily toward a second Korea in which, as Senator Everett Dirksen has mentioned, 150,000 American troops may soon be embroiled.

While McNamara continues to baffle his news conferences with military jargon and vague implications of success, dispatches from the front are telling of the unsuitability of U.S. weapons for jungle fighting, of the inability of U.S. troops to locate the enemy and of the deadly science the Vietcong have made of the ambush.

For what exact information the public has been given about the increasing throb of the terrible Viet bolero dance, news reporters on the scene must be given most of the credit.

They have depicted the Vietcong as the master jungle fighters they are, even better than they were 10 years ago when the humiliated and routed a battlewise French Army led by the best French military brains.

They have reported the preposterous 4,000-mile flight made by 30 B–52's which plastered a Vietcong forest with thousands of bombs, apparently without a single Vietnam casualty.

Like the French, the American supply lines are overextended for this faraway war and, like St. Cyr, West Point does not specialize in jungle strategy.

While information out of Washington remains guarded and confused, the public must get prepared for involvement on a Korean scale.

Any willingness on the part of either Hanoi or Red China to negotiate is out of the question at this time. Why? Because they obviously are winning in their type of war.

These are the facts, regardless of what Washington says.

LEGISLATIVE APPROPRIATIONS, 1966

Mr. MORSE. Mr. President, turning to another matter, I invite the attention of Senators, very briefly, to the report of the Committee on Appropriations on the legislative appropriation bill for 1966, headed by the subcommittee chairman, the Senator from Oklahoma [Mr. Monroney].

It will be recalled that a few weeks ago I deplored in the Senate the fact that the Senate is not the best of employers. It will be recalled that I pointed out, as the chairman of the Subcommittee of the District of Columbia Committee holding hearings on a minimum wage bill for the District of Columbia, that I had evidence that the Senate paid some employees less than $1.25 an hour. I knew that was true of some of our service employees in the Senate restaurant.

I am delighted, and I want to highly compliment the members of the Appropriations Subcommittee that had jurisdiction in making recommendations for legislative branch appropriations this year. Listen to this:

> The committee recommends an appropriation of $246,000 for the Senate restaurants. The deficit in the operations of the restaurants during fiscal year 1966 is estimated to be $121,000. In addition, there is a deficit from prior fiscal years of $25,000. The balance, $100,000, is recommended to provide for a wage increase for the restaurant employees. The General Accounting Office, at the request of the Committee on Rules and Administration, made a detailed study of the Senate restaurant operations, including the wages paid to its employees. As a result, a report has been submitted by the General Accounting Office representatives recommending increases in wages for the employees, which will result in increased cost aggregating $134,000 per year.
>
> Under existing law, it is the responsibility to the Committee on Rules and Administration to supervise the operation of the restaurants. The Committee on Appropriations recommends that the General Accounting Office recommendations be adopted.

Those involved the wage increase recommendation.

> The sum of $134,000 additional was not provided since this sum was based on a full 12-month operation, and because of the late date the full amount will not be required. Furthermore, the committee believes that prices in the Senate restaurants should be increased in order to assist in financing these wage increases. The committee recommends to the Committee on Rules and Administration that price increases and wage increases be effected as soon as possible. With price increases effected, the deficit for fiscal year 1967 should be materially reduced.
>
> In the event the Committee on Rules and Administration does not see fit to order wage increases into effect, the Architect of the Capitol is directed to return the $100,000 to the U.S. Treasury.

Mr. President, that is a wonderful report. I can well imagine that not all my colleagues, and not all the staff members of the Senate, will be too happy about the recommendation that prices of meals be increased in the Senate, but they can still buy cheap dinner buckets or dinner pails. I think it would be wonderful to see them carrying their dinner pails to their Senate offices if they do not want to pay for any increase in the price of meals.

Let us face it—those poor employees, underpaid, and exploited in the Senate restaurant, are subsidizing us in effect by working for wages below the national minimum of $1.25 an hour. I have talked with many of these employees. I did a little investigating. One of the arguments used is that the Senate restaurant is running too large a deficit. I do not care what the deficit is. We have no moral right to pay our Senate employees a wage below $1.25 an hour.

Let me say to those in charge of the service departments in the Capitol that I expect them to supply, through the Sergeant at Arms of the Senate, the facts concerning the wages they are paying.

If the reports made to me are that there are some spots in the service departments of the Senate paying less than $1.25 an hour, I say that they should be corrected forthwith, because we cannot justify passing legislation increasing the minimum wage to $1.25 an hour and not having it apply to Senate employees, because in fact and in effect those employees are the employees of each and every Senator—all 100 of us—and I disapprove of paying below standard wages, which, I am advised, exist under the Capitol Dome and under the roofs of the two Senate Office Buildings with respect to some employees.

THE WESTERN SIDE OF OUR CONTINENTAL STORY

Mr. MORSE. Mr. President, today, the New York Times publishes a book review about the western part of the United States, written by Earl Pomeroy, who is a professor of history at the University of Oregon. His book is entitled, "The Pacific Slope." It is an excellent book. It is a scholarly book.

I ask unanimous consent to have the book review printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

BOOKS OF THE TIMES—THE WESTERN SIDE OF OUR CONTINENTAL STORY

(By Charles Poore)

("The Pacific Slope," by Earl Pomeroy; 413 pages; Knopf; $8.95.)

When he went out West in the 19th century, an indomitable old pioneer once proudly said, "I was worth nothing—and now I owe $2 million."

That may be a pittance by our lavish modern standards. Call it a paltry, twisted status symbol if you will. Yet it gives a truly human scale to those great spacious lands Earl Pomeroy leads us through in "The Pacific Slope," a splendid, scholarly history of California, Oregon, Washington, Idaho, Utah, and Nevada.

Here is no Wagnerian-Spenglerian decline of the West. Rather it is a jubilant pageant of new fortunes, where many things that shouldn't happen do, and many that should, don't.

Imagine an American map. Say its colors are still wet from the printing. Fold it in half, the colors touching. Now open it and see how the Atlantic urban sprawl has been duplicated, as it were, on the Pacific slope, along with our eastern spaghetti superhighway networks—mountains and deserts notwithstanding.

The West was the East's second chance. What it made of it, then, must be blamed on, or credited to, easterners in multitudes who for one reason or another went out there and grew nativer than the natives in no time at all.

The West had sunshine. The East brought along cars and industries that spread what you might call a compensating smog. And instead of bringing the temperature down, that just made tempers go up. The East had big banks, big labor troubles. The West has its own plenty now, in those lines. Anyone who thinks New York's politics are a bit inscrutable at the moment can transfer a taste for confusion and fusion to Mr. Pomeroy's scrupulously documented western political chronicles.

Europe's feverish and alarmingly materialistic search for Eldorado ended triumphantly in the West. Gulches blazed with gold. Conquistadores of a new breed, however, won the big spoils. And Mr. Pomeroy never tires of reminding us that greater riches flowed from more prosaic industries out there.

A lettuce grower on a vast scale got lots of the green stuff. So did an orange orchardist. And so, of course, did the railroad builders, the cattlemen, the lumber kings, the sugar people, the maritime concerns, the incorporated shepherds, the real-estate speculators, the flying machine builders, and transplanted easterners who started as moviemakers and ended, with luck, among the oil millionaires. All sit for their portraits in Mr. Pomeroy's gallery.

The East drove the Mormons away and they found their empire in Utah. Nevada turned out silver in quantities and gave the laws of chance a spectacular demonstration ground at Las Vegas.

Without discernible preliminary planning, the Beats found homes away from home, or, if you like, villages away from Greenwich Village, all up and down the sunset coast. They became even more numerous than Nobel physicists at Berkeley, UCLA, Palo Alto and other famous centers of teaching in and teaching out.

Mr. Pomeroy, descended from wanderers who went West more than a century ago, is Beekman Professor of History at the University of Oregon. He has won the Beveridge Award of the American Historical Association.

He takes pride in mentioning that once complacent eastern universities are becoming "uncomfortably aware that bright young scholars on the coast" no longer regard invitations to serve even temporarily around here "as a command from the throne." Such, ladies and gentlemen, is a significant manifestation of upmanship in the glorious company of learning.

The main fact about the West, Mr. Pomeroy notes, is that its place "as an area separate and different from the rest of the United States is disappearing." Another point he stresses, time and again, is that the West was always rather more urban than heedless people thought: it has from the beginning clustered into towns. But then, I suppose, that is equally true for Sicily.

Writing about the West has decidely matured. All scholars know that the Wild West began to lose luster a long time ago. But think of the electronic gadgetry, the technological art the urban sprawl called Hollywood pours into the production of its simple, homespun, deadly hippic operas.

SOCIAL SECURITY AMENDMENTS OF 1965

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. MORSE. Mr. President, because of the unanimous-consent agreement entered into earlier this evening, the time limitation will not make it possible for me to make my major address on the medicare bill tomorrow. Therefore, I shall do it tonight—and I hope as quickly as possible—for it is a matter which I wish to have in the RECORD for future reference.

Mr. President, I ask unanimous consent to have printed in the RECORD at the end of my speech an article written by a doctor from my own State, Walter A. Noehren, entitled "Now is the Time—a Proposal Concerning Prepayment Medical Care."

I also ask unanimous consent that a sheet headed "Reference No. 1a," from a debate manual written for Sandy High School debate team 1964 be printed in the RECORD along with the article to which I have just referred.

I ask unanimous consent that at the same place in the RECORD there be printed another article entitled "Special Article—Medical Care for Everyman—a Proposal," written by Dr. Walter A. Noehren and Jack R. Hegrenes, Jr., in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I have conferred with Dr. Noehren over the years many times. We have not seen eye to eye in regard to medicare. I have sought to be of help to him, and he has sought to be of help to me as we have tried to clarify our respective thinking in regard to the subject matter.

In fairness to him, it should be said that he is very much opposed to the bill now pending before the Senate—which I shall vote for, because I believe that it represents a great step forward, that it is in keeping with the teaching of the Good Samaritan, and that it is a bill which seeks to put into legislative enactment the principles of Golden Rule.

The pending bill carries out what I have stated so many times is one of our primary obligations as Members of Congress; namely, to work for legislation which will promote the general welfare of all the people, and not permit the selfish interests of any group with our citizenry to prevent the passage of legislation which as a matter of public policy all the people are entitled to have enacted in their best interests.

Nevertheless, I thank Dr. Noehren for his sincerity of purpose, and for his sincere attempts to win me over to his point of view.

However, I believe that the preponderance of the evidence is clearly against him, and, therefore, tomorrow I shall vote with no hesitation for the medicare bill.

Mr. President, in 1958, I introduced the first Senate companion bill to what was known as the Forand bill, providing insurance under social security for certain medical expenses of people 65 and over.

How well I remember the day on which I offered that bill, because I stood alone; but, as Members of the Senate started to contemplate the import of the bill, I gained some support. That support has snowballed. To show what can happen in a 9-year period, we are now about to witness the basic principles of the Forand bill, which was introduced in the House and introduced by me as a companion bill in the Senate finally being adopted and enacted into law.

Since then, the Forand bill gained steady support among the American people. It was revised as to its coverage of expenses and individuals and, in fact, has been revised and amended many times.

But the principle of the bill has remained, and today we are taking one of the final steps toward its enactment into law. It would be hard to find a better example of the necessity, in a democratic system, for new ideas to be offered and discussed, voted on, revised, and debated, until the public is familiar with them and is afforded an opportunity either to accept them or reject them. It has taken approximately 7 years for the Forand bill to be enacted. That is about average for a proposal that breaks as much new ground as this one does. It takes time for politicians to be counted on a given issue, for the voters then to pass upon the judgment exercised by the politicians. Yes, medicare became a political issue. But that is how nearly all changes come about in a political democracy. Before they can succeed, they must first be expounded by the few in order to convince the many.

Now we are very close to achieving success with this measure. I shall always cherish the contribution I made to medicare when it was still in its political infancy, meaning when it was supported by only a small minority of Representatives and Senators.

I believe that the public and most Members of the Congress are persuaded that medicare's benefits are both rational and meaningful in terms of the needs of the elderly. I believe that the public and most Members of the Congress are persuaded that the financing of the program is sound and equitable.

But, I also believe that there is another aspect to this program—apart from meaningful benefits and sound financing—whose implications and opportunities merit the most careful consideration. We have a duty to see to it that the administrative mechanisms employed in implementing medicare are completely consistent with the "public interest" and the principles of public responsibility.

Obviously, to the extent that the administrative functions of medicare are rendered by Federal, State, and local governmental agencies, the overriding public interest is well served. Conflicts of interest may arise, however, where administrative responsibilities may be delegated or assigned by the Secretary of Health, Education, and Welfare to nonpublic agencies. These are nongovernmental agencies whose basic commitment is not to the beneficiaries of the program but to whom medicare is an incidental, profitable, and subordinate supplement to other business.

My concern with the need for properly focused and oriented public administration and accountability lies primarily with the administrative arrangements authorized under part A, the basic medicare portion of H.R. 6675.

The Social Security Administration will have overall responsibility for the program. That agency would maintain records of eligibility; notify providers of services of the status of persons eligible under the program; issue identification cards, answer inquiries, etc. In other words, social security would perform the central recordkeeping function along with its other responsibilities.

It has been suggested that a private agency or agencies such as Blue Cross should control the data-processing equipment, records, and eligibility-determination process in order to insulate the providers of services from direct dealings with Government. The means suggested to attain this goal are, however, incompatible with efficient and economical administration in the public interest.

The size of the investment required to establish a proper system and the need to coordinate the various uses of the computers employed, make it imperative that the datakeeping equipment and operation be handled by the Federal Government. It is only under such auspices that the various agencies concerned with the program—such as the Social Security Administration, and the Public Health Service, including the National Institutes of Health—can obtain the kinds of information they need to fulfill their responsibilities. These new responsibilities include administration of a complex set of benefits, deductibles and coinsurance features, and benefit ceilings that may require repeated determinations of eligibility. At the same time a vast amount of epidemiological, morbidity, and costs information will be available. Responsible public agencies must have quick and unfiltered access to these data so that they may have a continuous check on their efforts and thus assure economical and efficient operation of the program.

Other agencies, public and private might be given access to the data in the central information system. But access should not be confused with direction and operation which should absolutely remain in public hands.

Present computer technology is such that local community computer stations can be tied in electronically with a central system. This arrangement would permit State health departments and other agencies to feed information into the system and to obtain answers relating to eligibility, costs, utilization, and so forth. Current technology thus facilitates the attainment of two desirable goals: Ample means of public officials to oversee the operation of the system, and a decentralized program.

Federal direction of the recordkeeping function is absolutely necessary if maximum benefit is to be obtained from the multiple-use possibilities of computer systems. Federal operation provides the opportunity to establish an information system which would benefit all our citizens and all of the groups concerned with health services rather than functioning largely as the private preserve of a select group or private monopoly.

With regard to other administrative functions under part A, the bill requires the Secretary of HEW to use appropriate State and local public agencies in determining whether providers of services—such as hospitals and nursing homes—meet the requirements for participation in the program. Then, the providers of services may nominate an agent to serve as fiscal intermediary between themselves and the Federal Government. Undoubtedly, Blue Cross plans would be elected as intermediaries in most areas. This would be an entirely appropriate role for Blue Cross which is essentially a creature and instrumentality of the hospitals. But, Mr. President, there are a substantial number of administrative functions necessary in addition to those to which I have referred. Auditing of hospital costs, utilization review, consultative services to providers to assist them to maintain appropriate records and otherwise to qualify, and service as a channel of communication between the Secretary and the providers, are among these additional administrative tasks. The bill, however, assigns performance of these functions to a no-man's land. Nominally, they are the province of the Department of Health, Education, and Welfare. As a practical matter, it is anticipated that they will be delegated or assigned by the Secretary to private or public agencies such as Blue Cross or State health departments.

Mr. President, to the extent that any administrative functions are delegated or assigned, I urge the Secretary, and I am quite sure that many of my colleagues join with me in this statement, to give unequivocal preference to State and local public health agencies willing and capable of performing such functions.

There are at least two solid reasons why State and local health agencies should receive preference in any assignment of administrative responsibility. First. The requirements of public responsibility and public accountability in a program financed with tax funds would be met. The New York Academy of Medicine, a distinguished organization of some 2,000 physicians, articulated this point succinctly in a recent policy statement which said:

> When Federal and/or State and local tax funds are available for purchase of health care, whether for public assistance, social security or other categories or public program beneficiaries, it is the official health agencies, and the official health agencies alone, to which should be delegated responsibility for the administration of such funds. The official health agency is the only unit of Government that can coordinate all governmental health programs and combine public responsibility and accountability and the other functions of public administration with the professional skills, concern, and consultation required for setting standards, and for continuous evaluation of program quality and effectiveness.

Use of State and local health agencies would serve to sharpen their skills and develop their expertise—all of which would benefit the total population and not solely the elderly. This position is consistent with the policy of the highly respected American Public Health Association which urges "that public health departments and personnel within State and local health departments be utilized wherever possible to constantly increase and elevate the quality of health care provided to the citizens of this Nation."

The second reason for giving preference to State and local health agencies in all cases where administrative functions are to be delegated, is avoidance of conflict of interest issues.

As a practical matter, the principal competitor vying with the State and local health departments for these administrative functions is Blue Cross. Blue Cross has testified before both the Finance Committee and Ways and Means Committee as to its very keen—almost hungry—interest in the administration of the program.

As I have indicated, Blue Cross is essentially a creature of the hospitals. The American Hospital Association owns and franchises use of the Blue Cross symbol, and sets the standards which must be met by Blue Cross plans. The majority of Blue Cross plan directors are either directly or indirectly affiliated with hospitals. Thus, while Blue Cross can legitimately serve as the agent of the hospitals in dealing with the Government, it cannot possibly serve as the agent of the Government. Blue Cross simply cannot meet the requirement that it "deal at arm's length." Further, Blue Cross plans may be affected by the amount of payments under the Government program—the larger the medicare payment the less the cost that might have to be met by Blue Cross. For example, hospitals incur substantial expense whether a hospital bed is occupied or not. A portion of the cost of maintaining unused hospital beds is passed on to Blue Cross. Thus, if Blue Cross were assigned responsibility for utilization review, it might be advantageous to approve overlong hospital stays by beneficiaries of medicare as a means of reducing its own cost for unused beds.

There are other conflicts of interest involved in use of Blue Cross as other than the fiscal agent of the hospitals. But, there is something almost as serious arguing against all but the most limited usage of that organization.

Blue Cross is simply nothing more than a fair weather friend of medicare. The irresistible perfume which drew Blue Cross nigh consisted of the heady scent of dollars and power.

Consider, for example, Blue Cross's behavior in 1962. During the height of Senate debate on the King-Anderson bill, Blue Cross issued a press release rejecting and denouncing the bill. A press release which, by the way, was quoted extensively on the Senate floor. Blue Cross said that the 1962 bill was unacceptable for three reasons: first, that the program did not include an income test for eligibility; second, that the benefits were not stated in broad categories; and third, "that the Government's relations with Blue Cross were not on an underwriting basis."

Mr. President, not a single one of those three Blue Cross conditions is met in the bill we are now considering and should not be in the bill. Blue Cross was dead wrong in 1962. In my judgment, its opposition to medicare, its propaganda against medicare, its lobbying against medicare in the past does not qualify it, may I say to the Secretary of Health, Education, and Welfare, for being used in connection with the use that it wants now to apply for. Yet, Blue Cross is suddenly a friend to "medicare." Mr. President, I believe that the "friendship" of Blue Cross for medicare today is as specious as its negative arguments of 1962.

The year 1962 was an interesting one for Blue Cross and medicare. In the fall of that year, Blue Cross undertook a massive national advertising campaign promising the elderly new programs of hospital insurance. That, too, was a specious effort. And it was an effort which took place curiously enough during the height of an election campaign. The Senator from New Jersey [Mr. WILLIAMS] thoroughly exposed this rather shoddy affair in a well documented and detailed speech on October 11, 1962.

Mr. President, I think it is crystal clear that a purely public program such as part A of medicare must be administered to the greatest extent possible by public agencies at the Federal, State, and local levels. Preference should be given in every instance to public agencies willing and capable of performing necessary administrative functions.

Mr. President, finally I should like to say tonight that I voted today in opposition to certain amendments that were offered on the floor of the Senate to the medicare bill. The titles of those amendments were very enticing. In my judgment, the bill was not an appropriate vehicles to hitch them to.

I have no doubt that there will be some in the country who are not familiar with the nature of the debate today who will form their judgments on the basis of the titles of those bills. Senators must expect to have it said that we voted against this or that proposal for improvement of social security.

The position that I took was that we should not jeopardize medicare in a conference with the House. We should take to the House a bill that limits itself very much to medicare issue. I yield to no one in the Senate or in the House or in the country in my belief that the Social Security Act itself needs to be overhauled and revised by some needed amendments. I happen to believe that those amendments ought to be considered separate and distinct from medicare.

I happen to believe that we cannot justify the low social security payments that are being given to those who retire on social security, for those payments cannot maintain the individual or his dependents in health and decency. My record shows that for years I have either cosponsored or offered amendments that seek to improve the payments under the Social Security Act. A few years ago I joined with the great Senator from New York, Mr. Herbert Lehman, in the major reforms that he advocated to social security. Few have been adopted, and we have many more to adopt. But I say to the people of my State and to the country that I believe we ought to handle the improvement of social security payments by way of a separate and independent bill dealing with the Social Security Act itself, and not use the medicare really as a vehicle to which we attach, as a rider so-called reforms on social security.

We ought to have hearings on a set of proposed amendments to the Social Security Act, and when those amendments come before the Senate, the senior Senator from Oregon will be speaking in their support and voting for them.

EXHIBIT 1

REFERENCE NO. 1: NOW IS THE TIME—A PROPOSAL CONCERNING PREPAYMENT MEDICAL CARE

(By Walter A. Noehren, M.D.,
Vancouver, Wash.)

(NOTE.—The following article was written and published in 1947. At that time prepayment health insurance, even though endorsed by the AMA, was as yet not well accepted. Hence a program of compulsory prepayment insurance was recommended to force the pattern, to make it economically feasible. Today—1965—this pattern is more fully developed, so that now it would not be necessary to require compulsion (the Journal of Pediatrics, Vol. 31, No. 6—December 1947—pp. 704–709).)

The development of a medical care program in this country has made considerable progress in the past decade. Progress is too slow however, and we are constantly threatened by possible revolutionary changes in medical care such as proposed in some of the present bills before Congress. It is clear that a change will come that the time is short. It is disappointing to realize that the American Medical Association has fallen into the role of conservative moderator in this problem. The present attempts to provide care by voluntary prepayment plans cannot solve many of the basic aspects of the problem. The present American Medical Association program (1) will not reach low or indigent income groups, (2) will not give complete care, (3) is proving inefficient, (4) does not pay the full cost of hospitalization, (5) is not creating adequate facilities, (6) does not support research, and (7) is not reaching rural and sparsely populated areas.

The American Medical Association, if it wishes to control medical practice in this country, as it certainly does and as is proper, should develop a more comprehensive approach to the problem now. A step forward must be found which will further progress, yet which will allow physicians and patients their proper relationships. The following proposal suggests one possible method of accomplishing this. The proposal is:

That each individual in the country would be required by law to pay, each year, a sum adequate for his complete medical care. He would pay this to a prepayment medical care plan which exists in his area and which is properly incorporated as a nonprofit organization. Those unable to pay such a fee would apply for payment in whole or in part of this fee by government to a medical care plan selected by the individual. These latter persons would be, for the most part, those who are now receiving government care through welfare agencies, but might include also the very low income groups. Evidence that such payment had been made for the current year would be required by the Bureau of Internal Revenue at the time of income tax declaration. Government agencies would not directly handle funds except for those unable to pay. This method or required prepayment would be roughly comparable to preset methods of payment of automobile liability insurance in States where such insurance is required by law.

The laws of incorporation for prepayment plans would be broad enough to allow all of the forms of prepayment plans which now exist except for those which are run for profit. Such plans would include: (1) those of the medical societies, which are a form of producer cooperative; (2) those run by physician groups but not necessarily under medical society sponsorship; (3) those of nonprofit corporations or foundations; and (4) those which are consumer cooperatives. All of these types exist at the present time, and in some areas there is already a wide choice available between various prepayment plans, although almost none offer complete care. The plans should necessarily, to accomplish their full purpose, cover all aspects of medical care including hospitalization.

Under such a proposal, the total amount of money spent in this country for medical care would be only as much more as would be required to produce the extension of care which is demanded by modern standards.

That modern medical care should be available now to all people is beyond question. Each individual would have to pay his annual fee, which would be sizable, but he would derive manifest benefits in return. Many people have already chosen to pay a portion of this fee voluntarily and would welcome the increased efficiency which would result from extension of the insurance principle to the entire population. The private practice of medicine would continue as at present and any person could seek private care at any time with the exception that he could not seek such care from physicians on the panel of his chosen prepayment plan. He could seek such care from physicians on the panels of other plans, or from physicians who would wish to do private practice only. The only fundamental change which would occur in medical practice would be that fewer patients would seek private care since they would have prepayment care by a physician group of their own choosing available to them. The American Medical Association has already endorsed this principle, however, and no other group, except profit groups, could object to such a change. There should be general agreement that medical care should never be conducted with a profit motive. Certainly an intermediary third party, even in the form of an insurance carrier, should never profit from medical care.

Should such a proposal as this be effected, a variety of changes would occur in the present management of medical care. It would seem that the whole evolution would favor the medical profession immensely.

The present wishful thinking about preserving the individual physician as an isolated practitioner would immediately cease, and the medical profession would have to cooperate among themselves in the necessity of proving their contention that medical care should be administered by physicians and not by lay individuals or by government. Because of the complexity and specialization in modern medical care, it is becoming clear that a physician can no longer practice as an isolated individual. Even the general practitioner is becoming a highly trained specialist who must have ready access to experts in a wide variety of fields to give his patients adequate care. He cannot practice alone, but must be a part of a group. Such a group can be as small as 5 or 10 men, or it can be considerably larger. It can be closely organized, or can be a more loose relationship. The medical societies themselves, which exist as county units, are essentially groups, and when such societies sponsor prepayment plans, the physicians on the panels of the plans are working as groups. Failure to realize this fully has been the major fault of the medical society prepayment health plans, for in these plans the physicians are often selfish in the use of prepayment funds.

A physician may order laboratory studies or prescribe therapy which is extravagant and even of questionable value to the patient, or he may see a patient more often than is necessary, and thus use up funds needed for the care of other sick patients. He is thinking in terms of his individual patient and of his individual fee for service without giving proper recognition to the fact that he is one of a group of physicians attempting to provide care to a larger group of patients. The result of this has been an inefficiency which has made it necessary for the medical society prepayment plans either to charge higher fees or to reduce their coverage to the point where the plans have value only for serious or emergency illness.

All of the physicians on the panel of any prepayment plan must work together as a group so that they can give care where it has real value. This may seem to be compromising the judgment of the individual physician toward his individual patient, but this same compromise always exists in the patient-doctor relationship, except in the treatment of the very wealthy. In private practice, the physician cannot order laboratory studies or hospitalization at will, because patients are often unable to pay for these, or because there would be no money left to pay the physician's fee. Medical care is very costly at best, and must be given with economy. Under whatever system, voluntary or compulsory, the medical societies must fully realize this point before prepayment care can succeed. In addition, a considerable education of the general public is required, for many patients attempt to misuse prepayment, largely through misunderstanding. Patients must be reasonable in requests for care, and they must be educated in this reasonableness by the medical profession.

Among the outstanding medical groups in the country are the medical school faculties. A few of these at present are developing participation in prepayment plans. Many others are talking about doing so. The university groups today are faced with problems which will need solution soon. Because of diminishing income from endowments, there is a real need for more money. Because of dependence on indigent patients for teaching material, there is need for more patients in periods of prosperity such as was experienced during the war, and which we all hope may be achieved in peacetime. Under a plan of required membership in prepayment plans, as suggested, the university physician groups could organize as prepayment groups and because of their great prestige, would attract a large patient clientele. They would actually tend to dominate the practice in some areas. This would be proper and in keeping with their excellence. Each might be part of a medical society plan, or might compete with a medical society plan. In any event, the university groups would receive a large income from their work, and would have an increased patient load consisting of patients who, by their joining a university plan, would have expressed their willingness to be used for teaching purposes. It has been well shown that most people do not object to this, but recognize its advantages to them as patients. Students and physicians in training would then deal with patients on a proper level.

The present county, city, and charity hospitals would change their status completely under the proposed plan of required prepayment insurance. These facilities would become, in fact, private hospitals and would accept staffs suitable to their board of directors. There would no longer be the charity or welfare patient, which would be a blessing for all concerned. The inadequate care which patients now receive in many isolated and understaffed county hospitals would be improved because of increased physician economic interest in these patients.

Under a plan of required membership in prepayment plans, as proposed, no physician group would ever be able to relax in its efforts to do good work. The public in the course of time will be an even better judge of medical care, and will express this judgment in its choice of prepayment plan. Monopolization of prepayment would be very unlikely, since groups as small as 10 men would be able to form prepayment plans and could effectively compete in the field. Smaller groups would have to refer some of their more specialized work, such as neurosurgery, to larger centers and would pay fee for service for such work.

The individual patient could be given the privilege of changing groups, but he should not be allowed to do so more than once in a given period of time without special justification. To shop from doctor to doctor is poor and an extravagant way to seek medical care. This shopping about is too frequently indulged in under present medical society plans.

The supplementary use of private consultants would occur and has been experienced under some of the already existing prepayment plans, where it fills an excellent role. Occasionally, in case of serious illness, the patient or his family feels the desire for further opinion. The group caring for the patient under prepayment considers the care already being received completely adequate, but does not object to further opinion. The family, having no expense for the illness, since it has been provided for under prepayment, is able to afford even sizable consultant fees. The consultant is called in and the situation benefits from this added, though usually unnecessary, opinion.

The phrases "freedom of choice of physician" and "fee-for-service," concerning which many physicians argue vehemently in current discussions of medical care, would be properly tested under such a plan as the one proposed. "Freedom of choice" is at best a relative thing and must be understood in its relationships to the number of physicians in an area, proper training for various specialized functions, ability of patients to choose a proper physician, and ability to pay. Certainly as much "freedom of choice" as can be obtained is desirable. Under present circumstances, a large portion of the population has exceedingly limited choice and many have no choice. It is a challenge directly to the medical profession to improve this situation both by making this freedom truly available and by educating the public to the ability to choose.

Under this proposed plan of required insurance, each person would be able to choose a group, and even to choose a "family doctor" by selecting a prepayment group which would make a physician of his choosing available to him. The individual would further be able to change his group at least once in a time period, and he could always seek private care at his own cost. What further "freedom of choice" the medical profession would desire for their patients, they would have to provide and prove valid in group competition. It would not be possible to make allowance for extravagant misuse of "freedom of choice" and "fee for service" by cutting back coverage or by other schemes such as indemnity plans, since complete coverage at proper overall fee would be required of them. What the proper overall fee would be, could be determined accurately in the course of time by the competition between the various prepayment groups, and could be controlled properly by the medical profession. The profession's chance of achieving this proper income level may well depend on its ability to produce a real solution to the medical care problem before some revolutionary and irrevocable scheme is hoisted upon it.

Under the proposed plan of required prepayment insurance, the status of various types of hospital administration would not have to change at first, but one would expect an evolution of ownership and directorship of hospitals by the prepayment corporations which would give the advantage of increased efficiency with closer control of all hospitals by physicians. The fact that hospitals would be controlled by specific groups would not mean that other physicians need be excluded any more than under present methods of hospital control. The Permanente Foundation hospitals for example, which are run by physician groups who give prepayment care, are open staff hospitals and are used by other physicians of the areas for private patients. All physicians associated with prepayment groups would automatically have proper hospital relationships and privileges. This would directly solve the difficulties of the general practitioners who would realize their full importance in prepayment care.

The present status of hospitalization under medical society voluntary prepayment plans contains faults of which many are not aware.

Most of the plans are content to extend limited hospital coverage usually under a separate contract with Blue Cross. The medical profession prefers to concern itself only with medical practice and is happy to have someone else worry about hospitalization. Even now, 70 percent of the hospital beds in this country are in government control yet medical care and hospitalization are inseparable by modern standards and both should be controlled properly by the medical profession. The particular fault of present hospitalization insurance is that it is not adequate to pay for what it attempts to provide, since it depends on private patient income, on hospital endowments, and on government funds to pay much of the costs. If voluntary prepayment succeeds as well as the American Medical Association hopes it will, the private-patient hospital income will diminish. Endowment is becoming increasingly scarce. Government subsidy of hospitalization must then become increasingly important. New facilities will be created only with government help. This phase of medical care can become as unhappily involved in politics as can the practice of medicine itself, and it can interfere considerably with the practice. In its attempts to preserve its own dignity, why does the medical profession lean so heavily in this respect on government and on Blue Cross, a lay corporation? The unity of medical practice and hospitalization must be realized.

Under the proposed plan of required prepayment insurance there would be no excuse for further extension of public health administration into general medical care, and in some fields already invaded, this work could revert back to the practicing physicians where it belongs. Public health administration should continue more or less as it now exists, but should be made available in all areas. All problems of clinical medicine, however, should be handled by the practicing physicians. The public health authority should limit its activity to such work as study of epidemiologic data, enforcement of therapy as prescribed by law, sanitation, pest control, and the like. A closer unity of purpose could be achieved in public health since the health authorities would be dealing with physician groups rather than with a large number of individual physicians. Reporting of infectious disease, poorly done by individual physicians, could be accomplished better through groups. Economic want would never interfere with adequate therapy. The medical profession should welcome a means of stopping the broadening powers of the public health authority, and the public health authority should be happy to be able to administer an effective program without the need to indulge in actual medical care. In a few specialized fields now well established, it might be desirable to continue government administration, as in tuberculosis and in mental illness.

The care of veterans, under the proposed plan could be accomplished by having the Government pay the prepayment fee for nonservice-connected care of the veterans to a physician group of the veteran's choosing. Service-connected disabilities could be handled as at present, either in veterans' hospitals or by special contract with practicing physicians. The huge new veterans' hospitals might better be general community hospitals staffed by local physicians rather than by straight Government employees.

Under this proposed plan of required prepayment insurance, the role of government would be limited even more than it is at present, since all welfare care would be placed back on a patient-physician relationship, government ownership of hospital facilities would be reduced, and public health authority would be limited. The role of government would be limited to writing the laws regulating prepayment corporations (as is done under voluntary plans), arbitration of these laws, investigation of individual income as concerns ability to pay for medical care (as is done for income tax and for present welfare care), and distribution of tax-raised funds to medical prepayment corporations, but always to the corporation selected by the individual citizen, free of political pressure. It is difficult to see how a government bureaucracy could evolve under this type of control, or how politics could have much influence.

The competitive profits motive in practice could be fully maintained, just as in voluntary plans. A large new source of income to physicians would accrue from the establishment of regular fees for patients now treated for substandard welfare fees or as charity patients.

Should such a proposal be effected, it would not be an irreversible move, but could be discontinued with a return to present status. The final outcome of such a plan would depend almost entirely on the ability of the medical profession to produce good care economically and in a form satisfactory to patients. If the physicians themselves failed in their administrative functions, they would possibly become the servants of consumer cooperatives. It is most likely, however, that consumer cooperatives would fall by the wayside because of their indirectness. It is proper that medical care should be administered by physicians, not by physicians sitting in regional or national offices, and certainly not by physicians in government employ or in the cabinet, but by the physicians who are doing the actual competitive practice of medicine.

Under a proposal such as this there would be no basic change in the present status of physicians except for their admission that they practice as groups and not alone. They would have all the patients, plenty of money, and the ability to create proper modern facilities in all areas. In sponsoring voluntary prepayment plans, the physicians have already endorsed the group principle. To hope that voluntary prepayment will solve the medical care problem in this country is unrealistic, even if it may seem the lesser of evils. A middle ground of sound principle must be found. It must be endorsed by the medical profession, and it must be soon.

REFERENCE NO. 1A

From a debate manual written for Sandy High School debate team 1964:

"In a just published book, 'Medical Care in the United States,' Walter J. Lear writes: 'Planning for total medical care is practically nonexistent in government or citizen agencies. And no State or city has a working cooperative relationship among all its health services.' This sort of statement is often expressed. It seems to suggest that what is needed is planning which to most people means administrative design and control or an exterior conformity. But this is not valid, for it fails to understand the inherent administrative, organic nature of medical care. Certainly we need planning, but this must be a creatively conceived design which grows from within and which usually develops best in a pattern of competition.

In medical care, answers must be found from the point of view of the individual patient, the individual doctor, the small community. When these are all satisfied, then the desired pattern will be reached. The point which Mr. Lear has missed is this: that we have almost reached this pattern—we are nearly there. In our private care in America we have reached it. All that remains is to support the low income and the indigent persons so that they can have the same quality and free choice of care as the rest of us. This is best accomplished by support from voluntary funds raised locally, as in United Good Neighbors, and given to qualifying individuals for their own purchase of a prepayment service policy as recommended by their own chosen personal physician.

Also, contrary to Mr. Lear's statement, we have achieved a working cooperative relationship between all health agencies—in Oregon for example. This correlation is achieved by the only person who can possibly do this—the personal physician. This also cannot be learned by looking at care at a national, State, or even at a city level, but by looking at it at the neighborhood community level—about the size of a high school district.

The personal physician no longer needs to be a "general practitioner" or a "family doctor," but he can also be a specialist who is willing to assume comprehensive concern for the patients under his care. Both the generalist and the specialist need the help of each other and of an array of other doctors and of paramedical helpers; each man working as an individual, and also as a member of an ever changing team.

Reference 1 ("Now Is the Time") describes a total national compulsory prepayment health care design. Reference Ia (above) describes a purely voluntary local health care design.

These two might seem very dissimilar, but they are the two sides of the same coin. They are both based upon the same basic principles of:

1. Personal health care by mutual free choice of patient and doctor.
2. Direct subsidy to those who need financial help to buy their own care.

The AMA prefers and recommends the purely voluntary local health care design and is hesitant to accept governmental help, especially from the Federal level. It can be seen, however, that if the basic principles of personal care and of direct subsidy to needy individuals can be maintained, it should not matter where the subsidy comes from.

Only through strict adherence to both of these basic principles, however, can real health care be achieved.

"MEDICAL CARE FOR EVERYMAN"—A PROPOSAL

(By Walter A. Noehren, M.D., and Jack R. Hegrenes, Jr., ACSW)

Resolution 16, introduced to the house of delegates of the American Medical Association in November 1961, and never acted on, is a proposal for the experimental production now of the best possible medical care for the elder citizens of the United States, and for the study of a fundamental method of financing such care. It reads as follows:

"We propose legislation by the Congress of the United States to this effect: that each person whose income is inadequate for the purchase of his own medical care may, upon his voluntary request, and with his eligibility automatically determined by his current income records, obtain assistance from the Federal Government for his own purchase of comprehensive prepayment doctoring in the open, free, competitive market of care."

We believe that if such legislation is recommended to the Congress of the United States by the medical profession of this country, Congress will then have a clear path on which to proceed rapidly. This can then be carried out clearly within the framework of scientific research. If it succeeds, it will not only accomplish the needed care but also produce data of sociologic importance.

PURPOSE

The comprehensiveness of such care will necessarily be limited by the going cost of care in the private market, and by the amount of money Congress will be willing to appropriate. The costs and the effectiveness of care under such a program can be continuously studied by the Congress for periodic evaluation and control.

It is readily apparent that the purpose of resolution 16 is fully in accord with the traditions of the American medical profession, and also with the principles of American democracy as expressed in the Declaration of Independence and the Constitution of the United States.

It has been said, "capitalism is a wonderful theory; it is too bad someone doesn't try it sometime." It is the purpose of resolution 16 to give the theory of capitalism a clear trial in the social area in which it is most possible to achieve a measurable result. It is further our purpose to study, by scientific method, the likelihood that this theory and the Golden Rule are identical, and that this is the social relation that can produce, at the same time, maximal efficiency and maximal freedom for the individual citizen.

It is readily apparent that, to achieve success, resolution 16 will make demands for fine cooperative effort by physicians, hospitals, paramedical personnel, the private insurance industry and all other sectors of the economy, each achieving independently and competitively its necessary function. Basic controls of quality, quantity, and patient satisfaction, it is postulated, will occur automatically within the competitive framework so that governmental or bureaucratic controls, although necessarily outlined by the Congress, will be practically minimal.

The doctors of Puerto Rico are leading the way in this. They have expressed this purpose so clearly that we quote them here in reiteration of our statements above. In a brilliant statement written by Dr. Torres, president of the medical association of Puerto Rico, and signed by physicians of Puerto Rico, the following occurs:

"We are certain that the best physician-patient relationship is that which is based upon the freedom of mutual selection. This principle of freedom of choice is indispensable in guaranteeing the patient the best medical care. Every citizen, regardless of his social or economic position, is entitled to this right.

"The medical profession is against any system whereby medical and hospital services are offered through a monopolistic setup. It is also opposed to any system supported by the imposition of special taxes or quotas upon the people for this sole purpose. Our opposition to such plans, regardless of the name they may be given, is due to the fact that there are other methods of financing medical and hospital services which can solve the health problems of our people with greater efficiency and at a lower cost, while preserving the principle of freedom of choice essential to good quality of care.

"We believe that there is no reason for the continuation of the inequalities of medical care and services received by the different segments of our population, and we insist on the democratization of medical care and services at the fastest possible pace. By democratization of medical care and services we mean the recognition in theory and practice that all human beings are entitled to receive the highest, most efficient, and up to date medical care and services available irrespective of whether they have personally the money to pay for them or not.

"The challenge to accomplish a full democratization of medical care and services is a difficult one and there is no way to make its solution easy.

"We are convinced that the best way to achieve the purpose in which we all agree * * * is through a sensible prepaid voluntary health insurance program in which the insured individuals pay rates according to their incomes.

"We do not believe in compulsory plans because we consider that the individual should exercise a certain degree of personal responsibility in regard to his and his family's health security. A society like ours, which lacks natural riches, has to cultivate the responsibility and effort of the individual to compensate for what the country and its government simply cannot give."

HISTORY OF RESOLUTION 16

Resolution 16 originated in the Clackamas County (Oreg.) Medical Society in April 1961. This is a small society (50 members) with a record of 100-percent participation by its physicians for 24 years in the production of outstanding prepayment care. The resolution was approved unanimously by the Oregon State Medical Society in September 1961. It was first presented to the American Medical Association house of delegates at the Denver midyear meeting in November 1961. At that meeting, and also at the succeeding meeting of the house of delegates in Chicago in June 1962, portions of the resolution were approved, and the resolution as a whole was referred each time for further study by the board of trustees and by the Council on Medical Services. At the Denver meeting, held in November 1961, approval was given to the policy "that any proposed plan of medical care that can provide better medical care more economically should always be given serious consideration by medical associations including experimentation with prepayment under assistance programs." At the Chicago meeting, held in June 1962, approval was given to the following:

"1. The need for the application of the prepayment or insurance principle to protect our people against the costs of medical care is fully recognized and applies to all ages rather than to the aged alone.

"2. See below.

"3. Persons financially able to prepay their own expenses are expected to do so and must be encouraged rather than compelled to do so.

"4. The prepaid system should be devoid of governmental controls.

"5. Dignity and self-sufficiency for the individual should be upheld.

"6. The protection offered must be reasonably comprehensive rather than token in character."

One basic consideration remains, then: to recommend the source of funds to support persons unable to buy their own care, and to recommend practical methods for the implementation of this support. In this, the house of delegates did not yet believe that it could recommend the broad use of general Federal funds, but made the following recommendation: "2. Persons financially unable to prepay adequately their expenses may properly be assisted to the degree necessary by their families, their communities, their States, and if these fail by the Federal Government, but only in conjunction with other levels of government." Resolution 16 differs from this present policy statement in that it recommends that the needed funds be fully from the Federal general fund (equitably collected and equitably distributed, as far as possible, by the Internal Revenue Service).

DISCUSSION

This paper will not enter into any detailed discussion of present methods of financing and their effectiveness. We consider it reasonable to state that, at present, equitable, effective, and adequate financial support of those in need of help has not been accomplished. Progress is being made on State levels in implementing Kerr-Mills legislation for the partial support of elder citizens who need financial help, but, thus far, this has been inequitable, and for the most part inadequate and inefficient.

There are two aspects of resolution 16 to be considered:

URGENCY

Is there any urgency for an immediate better support for those in need of assistance? This is a matter of opinion. If world affairs were more settled, if one could be sure that democracy is understood and admired not only by the free world but also by the Communist countries, certainly one could continue to work toward solution of these problems on local levels. The admitted ideal would be that those in need would be supported by voluntary contributions of family and community, with no need for any governmental money. But this has not occurred. Large sums of State and Federal money are being used at the present time. Present inequities and insufficiencies can certainly be remedied on local levels if each area can somehow show enough interest and ability to bring this about. But progress is very slow for times that move so fast. Too many governmental programs, furthermore, are monopolistic and bureaucratic. They are inefficient and do not allow mutual freedom of choice. Much present care is substandard, with inadequate payment of the producers of care, with the effect that one finds basic inequality, very sharp in many cases, in the medical care and services received by different segments of the population. We believe that all these matters can be corrected literally overnight if sufficient general funds can be made available uniformly throughout the country for the support of those who need help. Present bureaucratic care would be converted to private care. As an added bonus welfare departments would be relieved of the task of arranging for medical care, and caseworkers, in very short supply, would be available to fulfill their proper function in social work.

Although we believe that ideally, and according to American Medical Association policy as stated in June 1962, Resolution 16 should be applied to the entire population, we think that it would be inadvisable and impractical to attempt so large an experiment. Rather, it would be advisable to apply this program in the limited area of elder-citizen care.

SAFETY

Would it be a safe experiment to use Federal general funds for the support of elder citizens who need help for their own purchase of private medical care? Again, this is a matter of opinion. The final answer would await careful study of accurate data. But as a matter of opinion, we believe that it would be very safe. In fact, we believe it would be far safer to try this experiment than to continue the present pattern. We can see no respect in which the proposed use of Federal general funds could cause any serious difficulty. Because of the large amounts of money involved Congress would have to stay on top of the problem at all times. If for any reason, once the program was in effect, this use of Federal funds might prove faulty, it could be discontinued, with a return of responsibility to local levels. Since this would be tried in the limited area of elder-citizen care the support of those in need in the rest of the population would continue as at present, and the two methods of support could be adequately studied side by side. (Allowance would have to be made for the higher cost of elder-citizen care. Comprehensive prepayment care for citizens over 65 years of age costs at present approximately $25 per month.)

The medical profession is justifiably concerned over governmental controls in any program. It is to be emphasized that resolution 16 calls for the use of Federal general funds only for the support of individual citizens in need as determined by income test. Furthermore, it allows each citizen to determine how these funds are to be spent in the purchase of care available in his locality. The only controls necessary would be to protect the citizen against misrepresentation or fraud in what he buys. In areas producing care on a healthy competitive basis practically no enforcement of controls would be required. To prove this point we have excellent data available in the Federal employee health program. This can be considered a model program in many respects. It covers all Federal employees who wish to join (voluntary). The Federal Government pays a portion of the cost as employer. Each employee may chose his own prepayment plan individually from the plans available in his area. In Clackamas County, Oreg., the Federal employee can choose from among 6 plans, including commercial insurance. His best buy is the plan produced locally by the physicians' association as a nonprofit service plan. This plan pays high physicians' fees and still gives the patient a 30 percent better value than the next best competitor. There are controls written into the program, but we have not seen any of these applied during the past year in this area. An excellent description of the Federal employees' health benefits program was given by its director, Mr. Andrew Ruddock, at the Denver meeting of the American Medical Association in November 1961. His concluding statement was: "The Federal employes program offers an unparalleled opportunity to demonstrate that voluntary health care can solve its problems and is here to stay."

SUMMARY

Resolution 16 (November 1961) is a specific proposal for the solution of the socioeconomic problems of contemporary American medical care. We believe that it is practical and safe, and that it is urgently needed. It has been partially approved by the house of delegates of the American Medical Association. It is under continuous study by the association. When fully approved by the house of delegates, it will give the Congress a clear dictate to enact promptly legislation to the following effect: "that each person whose income is inadequate for the purchase of his own medical care may, upon his voluntary request, and with his eligibility automatically determined by his current income records, obtain assistance from the Federal Government for his own purchase of comprehensive prepayment doctoring in the open, free, competitive market of care." Once in effect, experimentally in the area of elder-citizen care, such a program should prove dramatically effective and produce data of general sociologic importance.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 1236. An act for the relief of Salvador Munoz-Tostado;

H.R. 1306. An act for the relief of Loretta Negrin;

H.R. 3634. An act for the relief of CWO Edward E. Kreiss;

H.R. 3638. An act for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel;

H.R. 3708. An act to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging";

H.R. 5184. An act for the relief of the port of Portland, Oreg.;

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors;

H.R. 5874. An act to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education, to amend section 6(a) of Public Law 874, 81st Congress, relating to conditions of employment of teachers in dependents' schools, and for other purposes; and

H.R. 7847. An act to amend the Small Business Act.

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 2262. A bill for the relief of Capt. William O. Hanle; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2263. A bill to establish a traffic branch of the District of Columbia Court of General Sessions; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

SOCIAL SECURITY AMENDMENTS OF 1965—AMENDMENTS

AMENDMENT NO. 335

Mr. **LONG** of Louisiana submitted an amendment, intended to be proposed by him to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 336

Mr. **MILLER** submitted an amendment, intended to be proposed by him to House bill 6675, supra, which was ordered to lie on the table and to be printed.

INDEPENDENT OFFICES APPROPRIATION BILL—AMENDMENT

AMENDMENT NO. 337

Mr. **PROXMIRE** submitted an amendment, intended to be proposed by him, to the bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. **MUSKIE**. Mr. President, I ask unanimous consent that the names of Senators GRUENING, MORSE, PASTORE, RIBICOFF, and SMITH be added as cosponsors of Senate bills 2218 and 2225.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **McCARTHY**. Mr. President, I ask unanimous consent that the name of the Senator from Wisconsin [Mr. NELSON] be added as a cosponsor of two measures I previously introduced: S. 2143, the Great River Road bill, and Senate Joint Resolution 85, the resolution proposing an amendment to the Constitution relating to equal rights for men and women; and that his name be listed among the sponsors at the next printing of the bill and joint resolution.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MORSE**. Mr. President, I ask unanimous consent that the senior Senator from North Carolina [Mr. ERVIN] be added as a cosponsor of S. 2097, providing for judicial review of the constitutionality of grants or loans under certain acts, at the next printing of the bill.

RECESS UNTIL 10 A.M. TOMORROW

Mr. **MORSE**. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate stand in recess until 10 o'clock a.m., tomorrow.

The motion was agreed to; and (at 9 o'clock and 7 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, July 9, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate July 8, 1965:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Dr. Albert H. Moseman, of New York, to be Assistant Administrator for Technical Cooperation and Research, Agency for International Development, vice Dr. Leona Baumgartner.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 8, 1965:

U.S. MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade indicated:

To be major generals

Paul R. Tyler
William J. Van Ryzin
William T. Fairbourn
Bruno A. Hochmuth
William R. Collins

To be brigadier generals

John G. Bouker
Norman J. Anderson
Keith B. McCutcheon
Ronald R. VanStockum
Joseph L. Stewart
John P. Coursey
Joseph S. Reynaud
William K. Jones
Hugh M. Elwood

HOUSE OF REPRESENTATIVES

Thursday, July 8, 1965

The House met at 12 o'clock noon.

Rabbi Herbert W. Bomzer of Young Israel of Ocean Parkway, Brooklyn, N.Y., offered the following prayer:

Behold how goodly and how pleasant, when brethren dwell together.

Our Father in Heaven, we ask Thy blessing upon these Members of our Congress assembled to deliberate and decide the welfare of all the American people. May they successfully carry the awesome responsibilities they have freely assumed in this most scientifically advanced and perilous generation in history.

Grant us Thy inspiration as we seek the solution to political, social, and economic problems: to eradicate prejudice, hatred, suffering, racial tension, hunger, armed conflict, and oppression; to achieve lasting peace and brotherly love.

Teach us, O God, to ever appreciate the priceless heritage of freedom endowed us by our forefathers. From the immortal words of the first emancipator, Moses, "Let my people go," to the biblical command, "Proclaim liberty throughout the land and to all the inhabitants thereof," from the historic demand of Patrick Henry, "Give me liberty or give me death," to the declaration "that all men are created equal," to this very day men have never ceased yearning and dying, for liberty.

Enable us to preserve freedom's holy light as we maintain a government "which gives to bigotry no sanction, to persecution no assistance." Protect and sustain our beloved President, Vice President, and these distinguished leaders, the spiritual heirs of those who proclaimed our independence 189 years ago this week.

May mankind soon usher in the long awaited millenium when the rays of freedom shall enlighten the world, when life, liberty, and the pursuit of happiness shall be the irrevocable right of all men for all times. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 611. An act for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska;

S. 621. An act for the relief of Marija Malnar;

S. 861. An act for the relief of Alva Arlington Garnes;

S. 869. An act for the relief of Yom Tov Yeshayahu Briszk;

S. 971. An act for the relief of Mrs. Elna B. Guira;

S. 1111. An act for the relief of Pola Bodenstein;

S. 1113. An act for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano;

S. 1120. An act for the relief of Dr. Ortelio Rodriguez Perez;

S. 1164. An act for the relief of Cristina Franco;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission;

S. Con. Res. 37. Concurrent resolution authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration; and

S. Con. Res. 38. Concurrent resolution to authorize the printing of additional copies of a committee print of the Committee on the Judiciary entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power."

AN EDITORIAL OF THE WASHINGTON POST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I am sure that I shared the same surprise, if not the amusement of my colleagues, when I picked up the editorial page of the Washington Post this morning, dated July 8, 1965.

I hesitate to take the time of the House to discuss this editorial because I know all Members are anxious to resume our debate, now in its third day, on the voting rights bill.

Mr. Speaker, I have the impression that the procedures of the Committee on Rules are at least as effective and up-to-date as the procedures of the editorial board of the Washington Post. The Committee on Rules reported the voting rights bill 1 week ago today, but I am certain that the editorial which appeared in the Washington Post has been bottled up for a period considerably longer than that.

Mr. Speaker, the Washington Post is a great newspaper and I know that there is not a Member of the House who would suppose for a moment that its editorial board is not in command of all the facts relating to legislation before this House. Indeed that board needed only to refer to the page opposite the Post's editorial page to find in the vicinity of the Art Buchwald column, the solemn announcement that the House was to meet at noon today to continue consideration of H.R. 6400, the voting rights bill.

Mr. Speaker, I can think of only one explanation. Certain forces within the Post's editorial board, most probably reactionary in philosophy and oblivious to what the rest of the Post's staff knows is the public interest, are able to pursue their little game of delay unchecked by the others.

I call upon this great newspaper to update its procedures and to revise its operating rules.

Mr. Speaker, the editorial speaks for itself and I ask unanimous consent that it may be inserted in the Record.

The SPEAKER. Without objection, it is so ordered.

There is no objection.

The editorial is as follows:

Lull on Voting Rights

What has happened to the voting rights bill? Some months ago this measure began its journey through Congress with a great deal of steam behind it. After a long debate the Senate passed the bill on May 26, and the House Judiciary Committee reported out a somewhat different bill on June 1. Since then virtually nothing has been heard of the bill, even though it was supposed to be moving through Congress at an emergency pace.

Experienced observers of the Washington scene who know where to look when they encounter delay will turn at once to the Rules Committee. Their instinct will be entirely right. The supposed traffic director on the legislative highway just sat on the bill for more than 3 weeks. Then it began hearings on June 24, as if it had the responsibility of duplicating the extensive work of the Judiciary Committee.

There are some indications that the bill may emerge the latter part of this week. If so, there may be plenty of time for the House to pass it and for conferees to adjust the serious differences between the two Houses in regard to abolition of State poll taxes and other features before the preadjournment rush begins. But it will be well to keep an eye on the gentlemen who manage the rules. Even in its current reformed status, the committee is capable of mischief on a broad scale. No harm will be done if the country lets the committee know that it is waiting somewhat impatiently for the legislative traffic cop to get the voting-rights vehicle on the road.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. SMITH of California. Mr. Speaker, I congratulate the gentleman from Oklahoma.

I have some remarks to make along the same lines and ask unanimous consent that I may insert my remarks following the statement of the gentleman from Oklahoma.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MISCHIEFMAKING OR IRRESPONSIBILITY?

Mr. SMITH of California. Mr. Speaker, if a day goes by when the Washington Post is unable to find something it does not like for which to blame Congress, or more particularly the House Committee on Rules, it has a capability for manufacturing a cause for indignation.

In today's edition of this newspaper, there appears an editorial entitled "Lull on Voting Rights." It was written to make it appear that the voting rights bill is being held up by the House Rules Committee.

I do not know whether this is calculated mischief to incite the uninformed into one more demonstration or, to be more charitable, if it is just one more example of the Washington Post's capacity for journalistic carelessness.

At any rate, I take this opportunity to enlighten the Washington Post and, hopefully, all those who may have been misled, that the voting rights bill had been debated on the floor of the House for 2 days before publication of this inaccurate editorial. The Rules Committee reported out the voting rights bill on July 1, a week before the Washington Post reported editorially that "no harm will be done if the country lets the committee know that it is waiting somewhat impatiently for the legislative traffic cop to get the voting rights vehicle on the road."

Mr. Speaker, under unanimous consent I include in my remarks the editorial entitled "Lull on Voting Rights" which was published in the Washington Post today, Thursday, July 8.

[From the Washington Post, July 8, 1965]

LULL ON VOTING RIGHTS

What has happened to the voting rights bill? Some months ago this measure began its journey through Congress with a great deal of steam behind it. After a long debate the Senate passed the bill on May 26, and the House Judiciary Committee reported out a somewhat different bill on June 1. Since then virtually nothing has been heard of the bill, even though it was supposed to be moving through Congress at an emergency pace.

Experienced observers of the Washington scene who know where to look when they encounter delay will turn at once to the Rules Committee. Their instinct will be entirely right. The supposed traffic director on the legislative highway just sat on the bill for more than 3 weeks. Then it began hearings on June 24, as if it had the responsibility of duplicating the extensive work of the Judiciary Committee.

There are some indications that the bill may emerge the latter part of this week. If so, there may be plenty of time for the House to pass it and for conferees to adjust the serious differences between the two Houses in regard to abolition of State poll taxes and other features before the preadjournment rush begins. But it will be well to keep an eye on the gentlemen who manage the rules. Even in its current reformed status, the committee is capable of mischief on a broad scale. No harm will be done if the country lets the committee know that it is waiting somewhat impatiently for the legislative traffic cop to get the voting rights vehicle on the road.

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES

Mr. ASPINALL submitted a conference report and statement on the bill S. 21, to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resource council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning; which was ordered printed.

TO ESTABLISH CONTROLS FOR DEPRESSANT AND STIMULANT DRUGS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 17, strike out (A).

Page 3, line 21, strike out all after "4761)" down to and including "organization" in line 23.

Page 3, line 25, strike out all after "shall" over to and including "committees," in line 1 on page 4.

Page 7, line 8, after "household." insert: "In any criminal prosecution for possession of a depressant or stimulant drug in violation of this subsection (which is made a prohibited act by section 301(q)(3)), the United States shall have the burden of proof that the possession involved does not come within the exceptions contained in clauses (1) and (2) of the preceding sentence."

Page 11, strike out all after line 13 over to and including line 24 on page 15 and insert:

"(g)(1) The Secretary may, from time to time, appoint a committee of experts to advise him with regard to any of the following matters involved in determining whether a regulation under subparagraph (2)(C) or (3) of section 201(v) should be proposed, issued, amended, or repealed: (A) whether or not the substance involved has a depressant or stimulant effect on the central nervous system or a hallucinogenic effect, (B) whether the substance involved has a potential for abuse because of its depressant or stimulant effect on the central nervous system, and (C) any other scientific question (as determined by the Secretary) which is pertinent to the determination of whether such substance should be designated by the Secretary pursuant to subparagraph (2)(C) or (3) of section 201(v). The Secretary may establish a time limit for submission of the committee's report. The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsections (b) (5) (D), and the admissibility of their reports, recommendations, and testimony at any hearing involving such matters shall be determined in accordance with subsection (d)(2), of section 706. The appointment of such a committee after publication of an order acting on a proposal pursuant to section 701(e)(1) shall not suspend the running of the time for filing objections to such order and requesting a hearing unless the Secretary so directs.

"(2) Where such a matter is referred to an expert advisory committee upon request of an interested person, the Secretary may, pursuant to regulations, require such person to pay fees to pay the costs, to the Department, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. SPRINGER. Mr. Speaker, reserving the right to object, I would expect the chairman of the committee, the gentleman from Arkansas [Mr. HARRIS] to give an explanation of the amendments.

Mr. HARRIS. Mr. Speaker, if the gentleman will yield, I shall be glad briefly to explain.

Mr. Speaker, the Senate amendments to H.R. 2, the Drug Abuse Controls Amendments of 1965, make three changes in that bill.

The bill provides greater controls over depressant and stimulant drugs and makes possession of these drugs outside of the legitimate channels of trade a criminal offense, except if the possession is for the personal use of the possessor or a member of his household, or for administration to an animal owned by him or a member of his household.

The first amendment which I will discuss provides that in criminal prosecutions involving the possessor of drugs, the burden of proof shall be upon the United States, that the possession is not within the exceptions stated. This amendment is in the nature of a clarifying amendment and is consistent with our intent in passing the bill.

The second amendment which I will discuss involves the use of advisory committees to make scientific determinations with respect to the coverage of drugs under this legislation. Under the bill as passed by the House, advisory committees were required to be appointed upon the request of any interested person and could have been utilized to delay the effectiveness of orders issued by the Secretary.

The Senate amended this provision to make the appointment of advisory committees discretionary with the Secretary, but encouraged the use of outside consultants by the Secretary. It is my understanding that this amendment is not objected to by the industry, and I suggest its approval.

The last amendment of substance made by the Senate deletes the provision of the House bill which provided that the term "depressant or stimulant drug" does not include peyote used in connection with ceremonies of a bona fide religious organization.

Some concern has been expressed to many by the religious groups affected, and by certain civil liberties organizations concerning the possible impact of this amendment on religious practices protected by the first amendment to the Constitution.

Two court decisions have been rendered in this area in recent years. One, a decision by Judge Yale McFate in the case of *Arizona* v. *Attakai*, No. 4098, in the superior court of Maricopa County, Phoenix, Ariz., July 26, 1960; and a California decision, People against Woody, decided August 24, 1964, in the Supreme Court of California. Both these cases held that prosecutions for the use of peyote in connection with religious ceremonies was a violation of the first amendment to the Constitution.

In view of all this, I requested the views of the Food and Drug Administration and have been assured that the bill, even with the peyote exemption appearing in the House-passed bill, cannot forbid bona fide religious use of peyote.

Mr. Speaker, I ask unanimous consent to include the letter from the Food and Drug Administration at this point in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The letter referred to is as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,
Washington, D.C., July 2, 1965.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request we are stating the position the Food and Drug Administration expects to take if H.R. 2 becomes law as it passed the Senate, with respect to the use of peyote in religious ceremonies.

We have been advised by a representative of the North American Church that this church is a bona fide religious organization and that peyote has bona fide use in the sacrament of the church. The representative has agreed to document both of these statements.

If the church is a bona fide religious organization that makes sacramental use of peyote, then it would be our view that H.R. 2, even without the peyote exemption which appeared in the House-passed version, could not forbid bona fide religious use of peyote. We believe that the constitutional guarantee of religious freedom fully safeguards the rights of the organization and its communicants.

Sincerely yours,
GEORGE P. LARRICK,
Commissioner of Food and Drugs.

Mr. HARRIS. Mr. Speaker, in view of the foregoing, I recommend that the House agree to the Senate amendments to H.R. 2.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, did the gentleman from Arkansas say that one of these amendments encouraged the use of outside consultants?

Mr. HARRIS. The bill, as considered by the other body, provided for advisory committees in the discretion of the Secretary. The report suggested to the Department that outside consultants be used. It did not become a part of the amendment or the bill.

Mr. GROSS. In all conscience I cannot conceive of a conference committee or a committee of either the House or the Senate, encouraging any agency or department of the Government to use consultants, because they will do that without any encouragement. Why give them encouragement to put more people on the payroll by this indirect method?

Mr. HARRIS. May I remind the gentleman that on scientific questions it is necessary to obtain information, and advisory committees and consultants are useful for this purpose. But I would also emphasize that it is not included in the House report, nor is it included in the bill. This was a reference in the Senate report which suggested that this action be approved by the Secretary of the Department of Health, Education, and Welfare.

Mr. SPRINGER. Mr. Speaker, I believe the Senate amendments have resulted in the best compromise that we could get. The amendments should be accepted.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PRIVILEGE OF THE HOUSE

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman will state the question of privilege.

Mr. ALBERT. Mr. Speaker, in my official capacity as a Representative and as majority leader of this House, I have been served with a summons issued by the U.S. District Court for the District of Columbia to appear in connection with the case of the All-American Protectorate, Inc. against Lyndon B. Johnson, and others.

Under the precedents of the House, I am unable to comply with this summons without the consent of the House, the privileges of the House being involved. I therefore submit the matter for the consideration of this body.

I send to the desk the summons.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

SUMMONS FROM THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

(*The All-American Protectorate, Incorporated, Plaintiff* v. *Lyndon B. Johnson, Individually and as President of the United States of America; Mike Mansfield, Individually and as majority leader of the U.S. Senate, Everett M. Dirksen, individually and as minority leader of the U.S. Senate; John W. McCormack, individually and as Speaker of the U.S. House of Representatives; Carl B. Albert, individually and as majority leader of the U.S. House of Representatives; Gerald R. Ford, individually and as minority leader of the U.S. House of Representatives, defendants*)

To the above-named defendant, CARL B. ALBERT, individually and as majority leader of the U.S. House of Representatives:

You are hereby summoned and required to serve upon Lovell W. George plaintiff's attorney, whose address 8015 Forsyth Boulevard, Clayton, Mo., an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

[SEAL OF COURT]

HARRY M. HULL,
Clerk of Court.
AMELIA G. SHANNON,
Deputy Clerk.

Date June 25, 1965.

Mr. GERALD R. FORD. Mr. Speaker, I rise for the same purpose as the distinguished majority leader and I would like to read a statement.

Mr. Speaker, in my official capacity as a Representative and as minority leader of this House, I have been served with a summons issued by the U.S. District Court for the District of Columbia to appear in connection with the case of the All-American Protectorate, Incorporated, against Lyndon B. Johnson et al.

Under the precedents of the House, I am unable to comply with this summons without the consent of the House, the privileges of the House being involved. I therefore submit the matter for the consideration of this body.

I send to the desk the summons.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

SUMMONS FROM THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

(*The All-American Protectorate, Inc., plaintiff* v. *Lyndon B. Johnson, individually and as President of the United States of America, Mike Mansfield, individually and as majority leader of the U.S. Senate, Everett M. Dirksen, individually and as minority leader of the U.S Senate, John W. McCormack, individually and as Speaker of the U.S. House of Representatives, Carl B. Albert, individually and as majority leader of the U.S House of Representatives, Gerald R. Ford, individually and as minority leader of the U.S. House of Representatives, defendants.*)

To the above-named defendant, GERALD R. FORD, individually and as minority leader of the U.S. House of Representatives:

You are hereby summoned and required to serve upon Lovell W. George, plaintiff's attorney, whose address 8015 Forsyth Boulevard, Clayton, Mo., an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

[SEAL OF COURT]

HARRY M. HULL,
Clerk of Court.
AMELIA G. SHANNON,
Deputy Clerk.

Date: June 25, 1965.

The SPEAKER. The Chair, in his official capacity as Speaker of this House, has been served with a summons issued by the U.S. District Court for the District of Columbia to appear in connection with the case of the *All-American Protectorate, Incorporated* v. *Lyndon B. Johnson et al.*, civil action file No. 1583–65.

Under the precedents of the House, the Chair is unable to comply with this summons without the consent of the House, the privileges of the House being involved. The Chair therefore submits the matter for the consideration of this body.

The Clerk will read the summons.

The Clerk read as follows:

SUMMONS FROM THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

(*The All-American Protectorate, Inc., plaintiff* v. *Lyndon B. Johnson, individually and as President of the United States of America, Mike Mansfield, individually and as majority leader of the U.S. Senate, Everett M. Dirksen, individually and as minority leader of the U.S. Senate, John W. McCormack, individually and as Speaker of the U.S. House of Representatives, Carl B. Albert, individually and as majority leader of the U.S. House of Representatives, Gerald R. Ford, individually and as minority leader of the U.S. House of Representatives, defendants*)

To the above-named defendant, JOHN W. MCCORMACK, individually and as Speaker of the U.S. House of Representatives:

You are hereby summoned and required to serve upon Lovell W. George plaintiff's attorney, whose address 8015 Forsyth Boulevard, Clayton, Mo., 63105, an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

[SEAL OF COURT]

HARRY M. HULL,
Clerk of Court.
AMELIA G. SHANNON,
Deputy Clerk.

Date June 25, 1965.

The **SPEAKER**. The Chair has addressed a letter to the Attorney General of the United States. The Clerk will read the letter.

The Clerk read as follows:

JULY 8, 1965.

The Honorable the ATTORNEY GENERAL,
Department of Justice.

DEAR SIR: I did on July 6, 1965, accept service of a summons in the case of *The All-American Protectorate, Incorporated* v. *Lyndon B. Johnson et al.*, civil action file No. 1583–65, pending in the U.S. District Court for the District of Columbia. The complaint filed in this action names me, individually and as Speaker of the House of Representative, as a defendant in this proceeding.

The majority leader of the House of Representatives, the Honorable CARL ALBERT, and the minority leader, the Honorable GERALD R. FORD, both of whom are named as defendants in this same proceeding, accepted service of summons on July 7, 1965.

I am including herewith the summons served upon me, and those served upon Representatives ALBERT and FORD, individually and in their official capacities as majority and minority leaders, respectively, in order that you may proceed in accordance with the law.

Sincerely,
JOHN W. MCCORMACK,
Speaker of the House of Representatives.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 171]

Ashley
Ayres
Bonner
Bow
Clark
Craley
Edwards, Calif.
Evins, Tenn.
Friedel
Green, Oreg.
Gubser
Hanna
Harvey, Ind.
Holifield
Holland
Hosmer
Irwin
Keogh
McEwen
May
Minshall
Passman
Powell
Purcell
Scott
Thompson, Tex.
Toll
Wilson, Bob

The **SPEAKER**. On this rollcall, 405 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VOTING RIGHTS ACT OF 1965

Mr. ROGERS of Colorado. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6400) to enforce the 15th amendment to the Constitution of the United States.

The **SPEAKER**. The question is on the motion offered by the gentleman from Colorado.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 6400 with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The **CHAIRMAN**. When the Committee rose on yesterday the gentleman from New York [Mr. CELLER] had 1 hour and 19 minutes remaining and the gentleman from Ohio [Mr. MCCULLOCH] had 1 hour and 43 minutes remaining.

The Chair recognizes the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. GRIDER].

Mr. GRIDER. Mr. Chairman, I rise in support of H.R. 6400.

I hope, however, that this body will accept an amendment which I shall offer at the proper time. The amendment will provide in section 7(a) for a means to require, at the discretion of the Attorney General, that an applicant before a Federal registrar allege that he has been denied his right to vote by the local registrar. This amendment will conform H.R. 6400 in this respect to the bill adopted by the other body.

Mr. Chairman, the purpose of H.R. 6400 is to gain equality of voting for all Americans. As it is presently drawn, section 7 will tend to crystallize ancient patterns of inequality. Moreover, it will appear to many Southern eyes to be punitive in its operations.

I will immediately concede, Mr. Chairman, that there are some communities in which it would be an added indignation to require the disfranchised to again apply to the very official who previously denied him his rights. In such communities there would be no point in requiring such an empty act.

But there are many communities, Mr. Chairman, in which the great majority of the people are now willing to grant the right of equality to all citizens. Yes, even communities that have been guilty of past discrimination. I say that where this spirit exists it ought to be fostered—for how else can the goal be achieved?

I believe, Mr. Chairman, indeed in my mind it is a certainty, that most southerners are now willing to comply with a voting rights law. The contrary impression, which prevails here today, arises from the fact that the majority of my colleagues gain their understanding of us from communities caught up in the flames of racial conflict. The accounts of my colleagues during this debate have made this perfectly clear.

Mr. Chairman, Selma, Ala., during a freedom march, is not the South. There is another South, a new South, preserving the best of our proud past but looking to the future. I speak for that new South today and ask that we encourage it.

Unless this bill is changed, in every community where a Federal registrar appears, those previously denied, and even those who previously feared denial, are going to go straight to the Federal office. The result is going to be that there will be two registration officers—one for Negroes and one for whites.

No matter how willing the local authorities might be to comply and even to accommodate, no Negro is going to go near the local office. How then can the local authorities ever show their good faith and how can the Attorney General ever certify, as required by section 13 that "there is no longer reasonable cause to believe that persons will be deprived?"

Thus the spirit of cooperation will be hampered and a division will be prolonged rather than shortened.

Finally, Mr. Chairman, many southerners will see in this unnecessarily stern and inflexible position—not a desire to end a wrong—but a gesture of spite. They will sense the bitter dregs of Thaddeus Stevens' cup of victory, of which our chairman spoke, rather than the advice of Abraham Lincoln that we conduct ourselves "with malice toward none."

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. TENZER].

Mr. TENZER. Mr. Chairman, I consider it a high privilege to have the opportunity to speak in support of H.R. 6400, the Celler bill implementing the message of the President of the United States to the joint session of Congress on March 15, 1965. H.R. 6400 was considered in 13 public hearing sessions together with 123 other bills all dealing with voting rights.

In executive sessions the subcommittee made five additions to the administration's original bill and the full Judiciary Committee made three additional changes. The main purpose of the Celler-administration bill, and and all the others, with some slight variations, is the granting of voting rights for Negro citizens.

During the debate mention was made of the fact that this is the fourth time in 8 years that the subject of civil rights and voting rights was debated by the Members of this House—the Civil Rights Acts of 1957, 1960, 1964, and now the voting rights bill of 1965. There is no doubt that in the last 10 years more has been accomplished in the field of civil rights through legislation and the orderly judicial process than in the previous 179 years of the history of our democracy. Ours is the greatest experiment in the history of the world of a government by the consent of the governed. It is most regrettable, though urgently necessary, that we at this time are required to further implement the full intent and purposes of our Founding Fathers; namely to grant to all citizens equal rights and equal opportunities under our laws, not the least of which is the right to vote.

Our Founding Fathers were deeply religious men. They and their forebears fled from lands where tryanny and oppression and the denial of human rights was practiced. They came to these shores not to establish a system of government, similar or resembling the system from which they fled, they sought to establish a system which was new, sometimes different, something dramatic—and so it was that the United States was born out of revolution, a revolution which in some measure is continuing to this day. In the process, the rights of some have been violated and the rights of others have been denied. It is the duty of the Congress through eternal vigilance to answer the cries for justice from our citizens. In this session, we have answered the cry for justice of 19 million senior citizens by providing hospitalization and medical care under social security; we have answered the cry for justice from Appalachia; we have answered the cry for justice of the undereducated of our Nation with the Elementary and Secondary Education Act of 1965; we have answered the cry for justice of millions of Americans threatened by hurricanes, floods, and tornadoes; and we have answered numerous other cries for justice which have been heard in this Chamber, not only from the four corners of our Nation but also from other parts of the world.

We, the greatest Nation in the history of the world, compassionately serve as our brothers' keepers.

We, the most highly developed Nation in the world, have undertaken as part of our labors in the vineyard of the Lord, to feed the hungry, clothe the naked, heal the sick, and to relieve want and misery whenever and wherever it occurs and is brought to our attention.

Yet, we have failed to answer the cry for justice of 20 million Americans. A large segment of whom are denied the right to vote—a right guaranteed by the Constitution of the United States—a right denied by those who represent themselves as religious men and as patriotic Americans.

What religion do they practice? What is their definition of patriotism?

The Prophet Malachi—chapter 2, verse 10—in a sublime admonition to mankind regarding the Fatherhood of God and the brotherhood of man, asks:

> Have we not all one Father? Hath not one God created us? Why do we deal treacherously every man against his brother, profaning the covenant of our fathers?

I respectfuly refer my colleagues to page 505 of the hearings and commend to their reading the statement in which the religious bodies of America unite for human rights.

If we believe in God, and it matters not how or where we worship Him—we cannot give only lipservice to His law—it is a denial of divine law and a sign of disrespect to the memory of our Founding Fathers and a complete disregard of the provisions of the Constitution of the United States to deny to any American, otherwise entitled thereto, the right to vote.

And what about patriotism? The denial of the right to vote to so wide a segment of American citizens does not help establish us an "one Nation under God, indivisible, with liberty and justice for all." Today we have a great stake in the maintenance of the United States as the leader of the free world, a world which is constantly being challenged by those who now practice the denial of human rights behind the Iron and Bamboo Curtains. How can we expect to encourage the practice of our American brand of democracy in other lands, when we do not effectively practice it in our own country.

Just as there are no degrees of honesty, there can be no compromise with the full guarantee of civil rights, of human rights, of voting rights. This is the time for men of good will on both sides of the aisle to join in answering the cry for justice from those who have been denied the right to register and the right to vote.

Mr. Chairman, we will be judged not alone by how we voted on legislation to preserve our natural resources or by how we voted to restore the areas damaged or destroyed by hurricanes, floods, and tornadoes.

We will be judged, rather, by how we vote to preserve our greatest natural resource—our people—and by how we vote to restore the rights of our citizens—on how we vote to correct man's inhumanity to his fellow man.

Mr. Chairman, I urge my colleagues to vote in favor of H.R. 6400 and to reject every amendment which seeks to weaken its provisions. Let us pass H.R. 6400 by so overwhelming a majority that we will put an end to divisive talk about "discrimination against States" by striking down "discrimination against its citizens."

Let the message go forth from the floor of this House in clear terms to every section of America, to every corner of the world, that we in America mean what we say and practice what we preach.

Mr. McCULLOCH. Mr. Chairman, I yield 15 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, following the theme of the gentleman who just preceded me I wish to say that I am devotedly interested in trying to make certain that everyone in America should have the right to exercise the privilege of voting.

As a matter of fact, my home State of Florida has registered 67 percent of the Negroes. More than 200,000 Negroes have registered in the past 3 years. As a matter of fact, there is a vote drive on the way now. I am encouraging it. I am hopeful that all who want to and can properly qualify will register and vote and exercise the right of franchise.

I yield to no one—north, south, east, or west—in my desire and in my activities, with respect to this legislation throughout, as to a good faith effort to try to make certain that a bill is drafted and comes before this body that will do the job all over the country—I mean one that will do the job everywhere.

I do not believe this body will do its job if it attempts to pass a bill which is discriminatory against 43 States in its application. I do not believe the Congress will do its job if it focuses its attention on only 7 States and substantially ignores the 43 other States of America.

I brought this out throughout the debate and throughout the hearings on this legislation, which the administration sent up. The administration witnesses, the Attorney General and everyone else, admitted—and there was not any question about it—that the bill as proposed would not even cover 43 of the 50 States in the United States of America, and would have the effect of making second-class citizens out of every Negro in America outside of those 7 States.

I have two major points to make. I want to address these views on these two major points to those who might be tempted to vote against the McCulloch-Ford substitute and vote for the committee Celler bill.

I am not doing this because I am from the South or because I am from a State which is going to be penalized by the committee bill. My State and the Negroes therein are going to be penalized unless the substitute is passed.

Did you hear what I said? That is a fact.

I am one who in the hearings on this bill brought out the fact that the administration bill would cover only seven States. Believe me when I say I want something done in those seven States. Please do not misunderstand me on that.

I am one who said:

> Yes, we should have something adequate and reasonable that will do the job and will not make second-class citizens out of Negroes in other States in America, while doing the job with respect to the citizens of those seven States too.

I do not wish to be in a position of saying, "Yes, I want to do something in 7 States but at the same time I am willing to discriminate against the Negroes in all the other 43 States"—and I mean in the State of Florida as an example.

My State was out of this bill as proposed, and I am one of those who insisted on drafting adequate legislation to make sure that the citizens of Florida and all other States who are being discriminated against would be covered by the bill with equal force.

That is the point. That is the point. With equal force, with equal right, to bring a complaint. Not just to rely on the Attorney General to do it on his own discretion. With equal right to bring a complaint—25 people anywhere in America, anywhere in America, can bring a complaint and get an equal, quick, adequate remedy under the substitute McCulloch proposal. Not so in the Celler bill.

So, what did the committee do? The committee knew full well a mistake had been made. The committee knew full well it could not come before this House with a bill that would solely penalize 7 States and not do something in those 43 other States. I measured my word when I said "something." I say something but not nearly enough.

Now, I will say to any Member on the floor on this House outside of those 7 "massive resistance" States that want to do something about voting rights in America and guaranteeing them to every American citizen, myself included, that if they want to do this, they will not vote for the committee bill, but they will vote for the McCulloch-Ford substitute.

That is what they will vote for, because that does the job. It does the job uniformly throughout the country—yes—in the State of Florida. I will say to my colleagues in the State of Florida, some of whom have said they are inclined to support the committee-Celler bill, that I can understand why those who want to do nothing in this field in Florida would support the committee-Celler bill, because it sure does not give them any substantial relief.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. When I finish my statement I will be delighted to yield, and let me say to the gentleman that I intend to yield to him.

Because it does not give the people of Florida an adequate remedy. Twenty-five people cannot demand that an action be brought and thus to force the Attorney General to act under the Celler bill—they can under the McCulloch bill. The discretion is solely in the Attorney General under section 3. Citizens who are being denied the right do not have any real rights under section 3, but the Attorney General has the only right to bring an action and then only on a limited basis and a very limited basis.

The record is replete with the fact that in the last 4 years, as a matter of fact, since the 1960 act, there have only been 70 cases—only 70 cases—that were filed under the pattern-or-practice section, by the Attorney General, of the existing law. That is all you are making available to the State of Florida and to the other 42 States in America—the pattern or practice existing triggering approach. The Attorney General will not have a right or a power to take an action if 25 citizens in my great State of Florida ask for it under the Celler bill—25 complaints would not constitute a "pattern or practice." As to these other 42 States, where so many other Members say, "Oh, yes, we will vote for the committee bill—a bill that will do the job in those 7 States but not in mine," it will not do the job in the 43 States. That is all you are voting for—you who represent the 43 States—when you vote for the committee-Celler bill and against the substitute.

I say I want an adequate remedy in my State also—an adequate remedy. I want 25 citizens anywhere in my State to be able to force a suit to be brought so that they can be registered immediately and not have to rely on the Attorney General. Past Attorneys General have been recalcitrant, I think, and I say advisedly, derelict in their duty in not fully enforcing the 1957, 1960, and 1964 Civil Rights Act which is already on the books. Do we have any reason to believe the present or future Attorneys General will not be equally ineffective in the future? Ineffective, I say. Only 70 suits throughout America have been brought. And we supposedly have the greatest crying need for the registration of voters in the history of this country today, or else we would not have this bill before us. Is that not true? Yet what kind of a remedy do we give to these people outside of these seven States? I say advisedly and after having deliberated on this from the very beginning of the time when the bill was introduced and having raised the issue in the committee itself, I say to you advisedly and unequivocally under the committee-Celler bill you are making second-class citizens out of all of the Negroes in the rest of America as compared to the McCulloch-Ford substitute where everybody gets equal treatment and an adequate remedy.

Now let me finish the point I was making a minute ago. There is not any denial of this. It is in the bill. Before the Attorney General under this pocket-trigger device can do anything, the only application to the other 43 States, the only application to these 43 other States of the Union that is made and the only time that the Attorney General can bring an action, even if he has 50 people or 100 people complaining, or no matter what the number is, is if he in his own judgment is himself convinced and can convince the court that there is a pattern or practice of discrimination under the 1957, 1960, 1964 acts. There is not any question about that.

So the Attorney General is limited not to 25 people who are complaining—and incidentally, the committee bill has the number 20 people complaining; there is not much difference. I would accept 20 in our bill, 20 or 25 people complaining, and they can immediately bring an action. But not under the 43 States discriminatory section 3 in the committee-Celler bill. The people covered by the bill in those 43 States are being discriminated against, and I am including, interestingly enough, those in the great State of Texas. Texas was not even in the bill that came before our committee, which was recommended by the administration. It was not even included.

Do you know what else can happen under the committee-Celler bill? And there is not any question about this, because it is in the record. Under the committee-Celler bill, any of those 43 States that did not have those tests in existence in November of 1964—and 43 of them did not—any one of them may at any time in the future pass a type of test or device it wants to, and it is not covered by this legislation. Does that make sense? Any of the 43 States may pass legislation for tests and devices at any time in the future and they will not be brought in under this triggering device of section 4. Does that make sense? This is replete in the testimony. I asked the questions. There is not any question about it. That is why I am so disturbed about the fact that the committee-Celler bill will permit any State to pass a device in the future that it wants to so long as the court does not determine that it is inherently discriminatory in itself, as in the Louisiana case. It will stay on the books. And section 4 does not even cover it; I repeat, it does not even cover such a State under the quick trigger section 4.

I brought this issue up but nobody wanted to do anything about it because at that time the only thing they were interested in were those seven States. Now, I am interested in covering them, too. But I am also interested in Florida and Texas and Arkansas and Oklahoma and Tennessee and Kentucky—as well as New York and California for instance, being included in an adequate remedy for minority citizens in those States, so that they may get an adequate remedy, which the substitute bill provides; there is not any question about that. Nobody can possibly deny that. The remedy offered in the 43 States under the McCulloch-Ford bill is much superior to section 3 in the Celler bill which was tossed in as a bait so that those people in the other States who are really pointing to the 7 States may, in those 43 States, go back home and say, "We did something in our State." But they do not dare tell their Negro constituents what they did as compared with the Ford-McCulloch bill which would provide an adequate remedy for our citizens.

Mr. Chairman, I am talking to the Representatives of the great State of New York and the great city of New York who say that they want a bill that is going to help their citizens. Are they going to ignore their own citizens by voting "No" on the McCulloch substitute and "Yes" on the Celler bill? Are they going thus to make second-class citizens of their own? They claim they are supporting their own citizens. They are discriminating against them. Now I am talking about the great State of Texas which was cut out of this bill at the outset and is practically out of it under the present terminology. I am talking to those in Tennessee and Kentucky who happen to be out of the bill except for section 3, the pocket trigger which is wholly inadequate and which, in the substitute bill, is far superior.

I say, and I am from a State that is not adequately covered and will not get an adequate remedy under the Celler bill, I intend to support and to support wholeheartedly, and to be in favor of a bill that will do the job, an adequate bill, to register all the people who are entitled to vote in my State—and in all of America, so that they may exercise the most important of all privileges that they have, the right to vote, and I do not take a back seat to anybody on this issue. And, I say to some of my distinguished colleagues in some of these States, you had better think twice and study carefully what section 3 does not do in your State and as well as what it does do. It makes second-class citizens out of your minority groups, out of your Negroes, as compared to the Ford-McCulloch substitute. So you had better think twice when you contemplate going back home and telling your people by voting against the substitute you voted for a stronger bill, because on examination you will find you did not do any such thing. Insofar as those 43 States are concerned you would have voted for a weaker bill, a bill that will not give your citizens anything but discriminatory treatment.

So, Mr. Chairman, I am against discrimination.

Mr. Chairman, let us get to the second point. The second point I want to make relates to vote stealing, fraud, stealing of votes, buying of votes—an evil cured in the McCulloch bill and largely ignored in the Celler bill.

Mr. Chairman, there is not a Member in this Chamber who has not heard of vote frauds. There is not a Member in this Chamber who is not familiar with what happened in Chicago in 1960. There is not a Member in this Chamber, if he has looked at the record of the debate on this very issue in the other body which took place on April 26, 28, and 29, who does not know what has happened relating to vote stealing and buying.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CRAMER. Mr. Chairman, there is not a Member in this Chamber who has not heard of this. I was utterly shocked. Talk about wanting a strong bill? I was shocked, and it was after the Senate acted and not before. I was shocked when the Judiciary Committee of the House of Representatives told all of America that it was going to get out a bill that was adequate to protect all American citizens with respect to voting. I was shocked when it voted 15 to 19 against the Williams-Cramer clean elections amendment which had just a few days ago—just a few days at that time—passed the other body.

Mr. Chairman, I do not always agree with what the other body does, but I surely did in this instance. Everyone over there could not have been wrong, unanimously.

My gosh, Mr. Chairman, the vote was 84 to 0. Eighty-four to nothing was the vote for the Williams amendment. I offered that amendment on the House side in the committee. I had been pressing for this amendment since the civil rights legislation was first talked about. I offered a similar amendment in 1960 and in 1964 and finally got an amendment adopted relating to the Civil Rights Commission's powers of investigation as to vote stealing, vote fraud, buying of votes, and so forth, but they were too busy investigating other matters. The Commission has not seen fit to do anything about this to implement this power granted by my amendment in 1964. It has been too busy doing other things. It could not take time out and investigate the stealing of votes, the watering down of votes, the voting of gravestones, fraudulent voting, and so forth.

Mr. Chairman, I have had the privilege of serving on the Select Committee on Campaign Expenditures for three sessions. I have seen affidavits come before that select committee that would tear your heart out as to fraudulent voting all over this land, in many places, affidavits filed by persons seeking election to this body and setting out how, in elections for seats in this House of Representatives, votes were stolen from them.

And, Mr. Chairman, there is no Federal law to prohibit vote stealing or vote buying even in Federal elections—there is no Federal law to prohibit it.

So in good faith I offered this amendment, having fought this issue out now for years and being aware of what the problems are—and if there are any questions about what the problems are, just look at the Senate record and you can find citation after citation of vote fraud, votes stolen, absentee ballots improperly cast, and vote buying.

Mr. Chairman, I could list hundreds of examples where this vote stealing and vote buying has gone on all over America. It is not going to do the minority any good to get registered if those people who previously tried to stop them from getting registered, after they do get registered, turn around and steal their vote, water their vote down and make it comparatively useless or less useful than before.

Mr. Chairman, I offered this amendment in the committee in good faith. I did not think there would be much question about it, frankly. How that committee, in view of what happened in the other body just a few days before, and knowing what this problem is to all Americans, could possibly turn down the clean elections antivote fraud amendment, the Williams-Cramer amendment, how they could possibly turn it down. They did though, even after saying they wanted to protect the rights of the minority to vote. Apparently they do not want to protect them against vote stealing or buying those people, after they register, or others registered or those who have been discriminated against in the past.

The amendment is very simple. The wording of the amendment is contained in the Senate bill. Who could vote against this? This is what I offered in committee. Who could vote against this?

> (d) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration or illegal voting, or pays or offers to pay or accepts payment either for registration or for voting shall be fined not more than $10,000 or imprisoned not more than five years, or both: *Provided, however,* That this provision shall be applicable only to elections held for the selection of presidential electors, Members of the United States Senate, and Members of the United States House of Representatives.

There is no question about the constitutionality of the proviso which was adopted on the Senate floor and which I included in my amendment, making this applicable to Federal elections.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman from Florida 5 additional minutes.

Mr. CRAMER. So there would be no question of constitutionality I accepted the Senate amendment, and offered it in amended form before the Judiciary Committee. But, lo and behold, all these people who want to do so much about voting showed pretty clearly they want to do it when it relates to somebody else's back yard, but when it gets to their own they take the attitude "we had better be reserved about Federal powers." That is what happened, that is the story. The committee turned down the Williams-Cramer clean elections amendments 19 to 15.

I know what the answer of the advocates of the Celler bill is going to be, or an attempted answer. I say it is not an answer, however. They are going to suggest we put a vote-protecting section in this bill. I will examine this for a minute. They are not adequate, they will not do the job, and the sponsors know it. They do not cover these questions I raised. The Celler committee bill does not touch the question of ballot destruction or alteration outside of those voting districts in which an examiner has been appointed, which is going to be the vast majority of the areas in America, especially under weak section 3. In the other 43 States we will probably not have an examiner. In those 43 other States under section 3, which is the only section applicable to those 43 States, you will not have examiners in very many areas—very few. Only 70 cases in 4 years triggered with the pattern or practice present law—1960 to 1964—only 70. How many do you think you are going to have by 1970, for instance—70 more? How about the thousands of other voting areas in those 43 States you are going to be asked to look into? They are not going to get any help whatsoever. The Celler bill does not address itself whatever to the giving of false information to election officials for the purpose of establishing eligibility to vote anywhere, where a situation might exist, except on a limited basis only in the few areas covered by action taken under section 3 of the Celler committee bill.

Falsification before examiners or hearing officers is not universally prohibited and similarly, if you please, so, too, accepting payment for voting is not even mentioned anywhere in the committee proposal that is presently before us.

An examination of that bill will prove this.

Now the argument may be made—well, we ought to restrict this bill perhaps to what the examiners do under the bill when we are talking about penalties and when we are talking about my amendment. And they took that attitude on some things, but, they let it go by the way on others.

Look at the observers' section. Look at the observers' section 8 of the Celler committee bill. The Civil Service Commission at the request of the Attorney General is authorized to send observers. And, incidentally, this was added without the request of the administration. Any election held in a subdivision in which examiners have been appointed under this act, and that observer may observe relating to all persons in all elections. All persons. Not related to those people who register through the examiner. You do not even have to have an examiner action registering anybody; he only has to have been appointed. You just have to have him appointed. All persons whether minority or not are then involved in the observer section as in my amendment.

Likewise in Section 12(e)—the proponents are willing to have somebody come in under Section 12(e) where the examiner requests it and a person says he has not been given the right to vote. This has nothing to do with vote frauds themselves. This is where somebody is not allowed to vote—this is where the party involved is not even allowed to vote—or actually they will say, we will allow anybody to come in with a complaint even though it has nothing to do with an examiner's office or functions of registering that individual and nothing to do with Federal elections and nothing to do with discrimination of minorities.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CRAMER. Therefore, this section 12(e) is not limited to Federal elections and is not limited to individuals registered by an examiner. So they contrived a broad remedy where any person is not entitled to vote but lo and behold, they would not give a person a remedy under my amendment if he falsely votes or falsely makes an application and lies to a registrar other than an examiner—no remedy. Outside of the places where the examiners are appointed, there is no remedy relating to lying to a registrar but there is under my amendment. And, therefore, I also say that there is nothing at all in the bill with regard to vote buying. So now if we want to do something all over America relating to everybody and not limited only to certain things and certain areas, you will vote for my amendment. You are going to have the opportunity to do so in the substitute offered, the McCulloch-Ford substitute. So I say for these two basic reasons, if for no others, the Celler committee bill should be substituted for the McCulloch bill. I want the citizens in all States to be first class citizens and not second class citizens. I want them to have the same rights as everybody else and not be discriminated against as it is under the Celler committee bill and under section 3, the pocket trigger.

Now I would be delighted to yield to my chairman.

Mr. CELLER. I would prefer to respond to the gentleman on my own time.

Mr. CRAMER. I want to keep faith with my distinguished chairman for whom I have, obviously, the highest regard in recognizing his request to ask a question. I now yield to my other distinguished colleague of the committee, the gentleman from Arizona [Mr. SENNER], who first asked me to yield.

Otherwise, I yield to the distinguished gentleman from New Jersey [Mr. RODINO].

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Florida for the purpose indicated.

The CHAIRMAN. The gentleman from Florida is recognized for 1 additional minute.

Mr. RODINO. Would the gentleman mind if I attempted to clarify a statement he made relating to section 12(e) where he makes the categorical statement that a person who claims within 48 hours that he has not been permitted to vote is then automatically permitted to vote?

Mr. CRAMER. I did not say that. What I said was that the committee was willing to offer broad relief when votes were not cast or counted but it was not willing to offer broad relief to all other places throughout America with regard to voting frauds, and was willing to broaden their approach relating to this matter of votes not cast, but not relating to my amendment concerning vote frauds.

They would not broaden the bill for my amendment, but they did broaden it for this purpose. That is all I said. I cited it as an example.

Mr. RODINO. I merely point out that there are certain provisions which must be met.

Mr. CRAMER. I do not doubt that. They did provide relief, but would not provide relief when the votes were being stolen or being bought or when graves were being voted.

Mr. CELLER. Mr. Chairman, I yield myself 5 minutes.

Answering the gentleman from Florida, I will say that the gentleman does not evaluate properly the contents of the Celler bill.

Section 3 applies to all States—I say that with every degree of emphasis—to all States where there is a violation of the 15th amendment. It does not apply to merely a few States. It applies to the entire country equally, and it involves a judicial remedy.

But section 4 applies to States where there is the so-called massive and pervasive discrimination and where there is the greatest need for prompt, swift remedy.

In States like Mississippi, Louisiana, and Alabama, where section 4 would apply, there is but token admission of Negroes to the ballot. Most of the actions brought in these States have been, indeed, rendered absolutely abortive by the cunning and trickery involved in new laws and new processes innaugurated by those States after the courts have inveighed against them. Thus, an administrative remedy is required in those States where section 4 applies, and the Celler bill provides administrative remedies without the complicated complaint procedure which is found in the McCulloch-Ford substitute.

Literacy tests in those areas where there is this massive discrimination are suspended in part only in the substitute. My bill would suspend these tests—what the courts have called engines of discrimination—completely, not half-heartedly. And they should be suspended completely, not in a half-hearted manner as is the case with the McCulloch-Ford substitute.

These tests, ladies and gentlemen, we must remember are the very keystone of the wholesale pervasive voting discrimination about which we have been concerned. The real vice is in these tests and their unfair application.

The gentleman from Florida was also critical of the Attorney General, Mr. Katzenbach. I challenge the aspersions he has cast upon him. They are utterly unfair. Attorney General Katzenbach is a painstaking, articulate, erudite, effective Attorney General. He, and his predecessor, constitute two of the most worthy officials ever to hold the high office of Attorney General.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. JOELSON. I merely wished to comment that the statement of the gentleman from Florida was most curious. He started off by proclaiming that in the great State of Florida there is absolutely no discrimination, that people are allowed to register without let or hindrance. Then he proceeded to bemoan the fact that in his opinion this law would not apply to the State of Florida. Then he went on to say that the Ford-McCulloch substitute is the stronger law, although he would ignore completely the sentiment I find here that those Members from the States where there is active massive resistance to registration of Negroes are definitely supporting the Ford-McCulloch substitute.

Mr. McCULLOCH. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. CRAMER] so that he may reply, if he desires to, because his name has been used in the most recent debate.

Mr. CRAMER. Mr. Chairman, I thank the gentleman. As I said earlier, I did not want to decline to yield but, in fact, did yield to the distinguished chairman because of my great respect for him and because I certainly wanted, if I could, to answer any question he might have. I will attempt to do so in this manner in that he failed to yield to me.

I will say to the distinguished chairman it is my understanding when he appeared before the Committee on Rules that he made the observation, when the distinguished chairman of that great Committee on Rules asked him the question, that the section 3 pocket trigger was largely a restatement of existing law. That is what it it. There is not any question about it. It is a restatement of existing law so far as providing a triggering device is concerned. All they do is provide for an interlocutory procedure, but they ignore the necessity for a reasonable new triggering device in 43 of the States not covered by section 4. I repeat in those 43 States you do not have a reasonable triggering device, but only the Attorney General has the discretion to bring a suit as under the present law. I repeat, only 70 such suits have been brought in the last 4 years. I repeat that if in that period of time, those 4 years, only 70 such suits have been brought under the powers presently existing and if there is discrimination in as many areas as we are led to believe—and I am not contesting it, because I have heard the evidence—then why were there not more than 70 suits brought under the existing law, and this being so how will there be a better remedy offered under section 3, which merely restates existing law, so far as the triggering device is concerned?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I will be delighted to yield to the chairman.

Mr. CELLER. Of course, the reason why 70 cases is the limit of the cases brought in that period of time is because they were brought in the hard core areas which complicate such lawsuits and where literacy tests are used and where the strategists and lawyers have tied these cases into knots. The procedures were endless. One case took almost 4 years to develop. And because of these delays we bring in this bill. Section 3, it is true is in part only a restatement of the present law but it goes much further than that. It provides that the courts can authorize the appointment of examiners, which is not in the present law. It provides the the court can retain jurisdiction in these cases, to pass upon the validity of new voting laws passed since the suit was instituted which is also not in the present law. Those two provisions are very important.

Mr. CRAMER. The distinguished chairman ignored the point I made, which is the valid and essential point, that the triggering device under section 3 is the same as the triggering device in existence under present law today. In 43 States, if it is so applied, the only remedy they get is the same present triggering device. That is what I am talking about. You say you are going to do so much with this Celler bill in the 43 "pocket" States but it is the same device as exists in 43 States today. There is not any question about it. And it is discretionary with the Attorney General. He is exercising that discretion very narrowly in those 43 States and, by the distinguished chairman's own statement, he is exercising discretion in the 7 States but not in the 43. We have no reason to believe that he will exercise the discretion in the 43 States thus triggering section 3.

For the benefit of the gentleman from New York who made the statement about it, may I say to him that my statement was that my State was out of the original administration bill. I was complaining about it. The bill as it is proposed by the administration would not include it, and I wanted it in, because I did not want my State or the 42 other States outside section 4 to have second-class citizenship for the Negroes. That is the only reason the committee did anything in this field, inadequate though it was, in section 3. The issue was properly raised and the discrimination in those 43 States was properly shown. I did not want my State discriminated against.

So I will say that my effort was to bring Florida, Texas, Tennessee, Kentucky, and all the rest of the States in America into this so that no second-class citizenship would exist anywhere in this country.

That is what I did, and I am proud of it. And I will say to the gentleman, I did not say that there was no voting discrimination in the State of Florida. I readily admitted in the record of the Civil Rights Commission that there had been some in certain counties. And I said, if that is true, then those people in those counties should have a right to a remedy. This bill does not provide it; neither did the administration bill, but the McCulloch bill does.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

Mr. GOODELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. ANDERSON of Illinois. Mr. Chairman, I have been constrained to ask for this time, and I have prepared these remarks because of what has developed during the course of the general debate on this bill and principally on yesterday.

Mr. Chairman, on great constitutional questions honest men can and do disagree. Constitutional questions of grave import are inherent in our discussion of the legislation now before us. Therefore, it is not strange that in this debate there is disagreement above and beyond that which is normally represented by party lines. In this case the principal author of the Republican substitute, the gentleman from Ohio, has long ago won his spurs not only as a great constitutional authority but as a major architect of the broadest and most comprehensive civil rights bill ever enacted by the Congress—the Civil Rights Act of 1964. It is not an exaggeration to state that without the inspiration and leadership of the gentleman from Ohio you would not have had a bipartisan coalition of support forged for the passage of this bill.

Yet today because the Ford-McCulloch bill, of which the gentleman from Ohio is a principal author, has attracted the support of some erstwhile foes of any civil rights legislation, we have begun to read and hear subtle—yes, not so subtle—insinuations that there has been a rebirth of that allegedly sinister and nefarious alliance of southern Democrats and northern Republicans. The professional civil-righters declaim that an objector to the dubious constitutional approach of the committee-Celler bill is ipso facto a member of that coalition. The inference is that only by swallowing the committee-Cellar bill can one be wholly above suspicion in this devotion to the cause of civil rights. I have heard Members on both sides of the aisle say that "Yes, we dislike certain parts of the Cellar bill very much. We are disturbed by the automatic triggering device for preemption of State action and nullification of State laws. We are disturbed by the gratuitous slur on virtually the whole Federal judiciary when we say that only in a single forum, the District Court of the District of Columbia, and certain rights be adjudicated. But despite all this—we are for civil rights and strong medicine, a bill with real teeth, and so forth, so come what may we are going to support the administration bill."

Mr. Chairman, it is not my purpose for a single moment to impugn either the sincerity or the motives of those who adopt that line of reasoning. But they are wrong if they believe that support of the Ford-McCulloch bill implies any diminished fealty to the cause of civil rights; they are wrong if they view this bill as an attempt to revive a coalition opposed to progress in the field of civil rights; they are wrong if they believe that to stand squarely on the side of voting rights and the full implementation of the 15th amendment one must dismiss as squeamish any concern for other constitutional rights and for the basic integrity of our entire Federal system.

Mr. Chairman, it is true that those of us supporting the Ford-McCulloch bill have new and different allies. They include Members of this body who never before have felt constrained to approve any proposal invoking Federal action in the field of civil rights or voting rights. But if we who support this bill are right; if the provisions of this bill are sound; if they go quickly and incisively to the heart of the problem without doing violence to our constitutional system, then we surely are entitled to welcome their assistance to a noble cause regardless of the motives that may have prompted the support of those who stand with us.

Mr. Chairman, last year those in the majority were glad to accept the support of conservatives like me in what proved to be a most successful coalition; my presence among the supporters of the Civil Rights Act of 1964 apparently did not embarass the framers of that bill. My ideas on other subjects, admittedly quite alien to those who profess liberalism is their political philosophy, was not regarded as any taint on my good intentions. Nor should we now permit the disparagement of those who join with us in offering the Ford-McCulloch substitute. Mr. Chairman, in closing, I have another thought about those who may appear as sudden converts to the cause of voting rights and therefore suspect of some secret and confessed sin of mental reservation. In the white glare of publicity that has attended some of the turbulent events of recent months and years, I am willing to believe that hearts and minds of some of my Southern friends have been changed. This thought is difficult to convey without sounding patronizing or appearing to speak with condescension. Yet I do not mean it to be so. Some who have been asleep have awakened. Some who by tradition, training, and custom, have regarded the Negro in the light of conditions long since passed away do now realize that the process of change must inexorably affect the field of race relations just as it has so dramatically penetrated every other field of human endeavor and relationships. These men in the Congress, our colleagues who now manifest revised attitudes on the subject of voting rights, represent areas of our country where others will stand with them in their changed assessment of the problem and the remedies to be applied. In the spirit of reconciliation we ought to encourage the cooperation of those who come from areas where the problem is the greatest. Instead some among us would challenge their credentials and disdain their help in encouraging the people whom they represent to right the wrongs of a century past and "with malice toward none and charity toward all" seek a new beginning in this area of human conflict.

Mr. Chairman, I believe in the cause of civil rights and voting rights. I love and respect our Constitution, and I am not ashamed to support the Ford-McCulloch bill.

Mr. Chairman, you have heard very ably expounded from members of the committee, particularly by the gentleman from Florida who just preceded me in the well, some very good reasons why this bill, the committee-Celler bill, which is supposed to be a holy writ, and not subject to change should not be passed. I think the gentleman from Florida has demonstrated there are very serious basic defects, indeed, in what has been offered as the committee bill. Those who are interested in voting rights, not just in vindicative action with respect to seven States, but in spreading abroad the mandate of the 15th amendment and making it clear that everywhere, in every county, in every voting district, people are going to have the right to vote should support the Ford-McCulloch bill. That right should not be dependent upon the discretion of the Attorney General, which he may or may not exercise, but proceed on the basis, as the Ford-McCulloch bill provides, of 25 valid and meritorious complaints. Then the Federal Government can come in with examiners and administer the registration of the voting laws of any jurisdiction that is engaging in voter discrimination. I submit this is not only the constitutional way to solve the problem; it is the superior solution.

Mr. Chairman, I include, as part of my remarks, the following editorial taken from the Washington Daily News of Thursday, July 8, 1965:

Improving the Vote Bill

The House has an opportunity this week to make a major improvement in the voting rights legislation now before it.

It can do so by accepting a substitute offered by Representative William M. McCulloch, Republican, of Ohio, in place of the Senate-passed bill backed by President Johnson.

Representative McCulloch's measure is better than the administration plan. It aims at the same objective—ending all discrimination at the ballot box—but goes about it in a superior fashion.

The administration bill, for instance, assumes arbitrarily that a State or locality is guilty of discrimination if it has a literacy test and fewer than 50 percent of persons of voting age registered or voted last November.

This may or may not be true. But it is bad legislation—if not unconstitutional—for Congress to declare it so in the absence of concrete evidence.

Representative McCulloch would replace the automatic triggering of the administration bill by permitting the Attorney General to order Federal voting examiners sent into any area from which 25 or more valid complaints of discrimination had been received. Voting statistics would be disregarded, as would literacy tests if the complainant has received a sixth-grade education.

Representative McCulloch also would eliminate the flat ban on poll taxes written into the House version. He believes such taxes can be abolished only by court test or constitutional amendment. In this, he agrees with the Senate, though not with the majority of the House Judiciary Committee on which he is ranking minority member.

Congress seems certain to pass some form of voting rights legislation in this session. By adopting Representative McCulloch's substitute, it can be sure it will not have to do the job over again later—as might be the case if the courts declared the administration version unconstitutional.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. McCLORY. I commend the gentleman for his remarks. During the early part of the hearings, the Celler administration bill contained no provision or no relief whatever for the 43 other States. It was not until after witnesses came before the committee and complained that the bill did not go far enough, and after recognizing the validity of the Ford-McCulloch type of Federal legislation, that that defect was recognized. While they have taken a much watered-down version of the Ford-McCulloch bill in section 3 of the Celler administration bill, it still is wholly inadequate insofar as an expeditious or effective remedy is concerned. I think the gentleman has pointed out well the comprehensive nature of the Ford-McCulloch bill.

Mr. HALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 172]

Ayres
Blatnik
Bonner
Bow
Craley
Dulski
Friedel
Green, Oreg.
Hanna
Hansen, Wash.
Harvey, Ind.
Hawkins
Holifield
Holland
Hosmer
Keogh
May
Minshall
Passman
Powell
Purcell
Scott
Thompson, Tex.
Toll
Wilson, Bob

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Bolling, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6400, and finding itself without a quorum, he had directed the roll to be called, when 405 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. Fisher].

Mr. FISHER. Mr. Chairman, as a means of protecting the privilege of people to vote, the pending bill is meaningless. That is because we already have, on the books, all the laws that could possibly be needed to protect any American citizen in his legitimate rights to register and vote. Therefore, the only possible justification for this far-reaching invasion of the prerogatives of the people and of the States and local units of government, is to attract gullible votes. The mask should be removed and this legislation considered in the light of its real purpose.

It happens that I represent a district that would not be directly affected by the enactment of this bill. Texas does have a requirement for a poll tax, but that has nothing to do with discrimination because it applies to whites as well as colored. Everyone in our State who is of age, sane, and not a convict, is now eligible and has been for many years. Therefore, in considering this legislation, a Texan has no ax to grind and no weeds to hoe. We can be objective.

Now, what are the facts? Title I of the Civil Rights Act of 1964 contains an array of Federal provisions dealing with the voting privilege. It was designed to prevent discrimination on account of race. It was written by civil rights advocates. It went far beyond anything every proposed in the past. It closed all gaps. It left nothing out that the most violent advocates could think of.

Yet, only 1 year later we are faced with this proposal, which strikes a heavy blow at every concept of local self government as it has been practiced in this country since the Republic was established. Indeed, the clamor for more voter laws arose months ago. The stage was set for it when Martin Luther King invaded Selma, Ala., with his blood-splattered demonstrations.

While in Selma, long before anyone had suggested the need for additional voter legislation, King was quoted in the Christian Science Monitor as saying:

> If Alabama doesn't do right, there will be Federal registrars here. If the registrars don't do right, President Johnson will have to speak to them. And if President Johnson doesn't do right, we'll have to speak to him more.

Thus, Martin Luther King was the first person to suggest that Federal registrars would be included in voter legislation. And that is what we have before us today—a king-sized provision which would allow Federal registrars to strong-arm their way into hundreds of communities, push local officials aside, take over and override all local voting procedures, dictate the terms of holding elections and determine who is eligible to vote—regardless of State laws. This could include the election of mayors and justices of the peace, as well as all other officeholders.

Martin Luther killed two birds with one stone: he not only dictated the terms of voter legislation, but he set the stage for the collection of a sizable amount of money which followed the bloodshed which his demonstrations brought about. The Reverend Ralph Abernathy, treasurer of King's Southern Christian Leadership Conference, was recently quoted by the Associated Press as saying they will take in a million dollars this year.

As to the need for more voter laws, it will be recalled that last February, long before Martin Luther invaded Selma, U.S. District Judge Daniel H. Thomas issued an order—under existing laws—protecting all voting privileges for people living in Dallas County, where Selma is located.

That order included the following:

> It is the order of this court that the defendants, registrars of the voters of Dallas County, Ala., are hereby restrained and enjoined:
>
> 1. From failing or refusing to receive and process expeditiously applications for registration to vote;

> 2. To expedite the registration of voters in Dallas County by receiving and processing at least 100 applications on each registration day, provided that number of persons present themselves for registration;
>
> 3. To provide adequate personnel and facilities for registration of voters so that at least eight applicants can apply for registration simultaneously;
>
> 4. To observe the following procedures for the receipt of applications for registration to vote in Dallas County.

The order then goes into minute detail in spelling out the registration process, to avoid any technical loophole which might prevent the registration from proceeding on schedule. And the court order concludes with this clincher:

> The court also wishes to make clear that any rejected Negro applicant from this date forward may apply to this court for registration in accordance with the provisions of 42 U.S.C. 1971(3).

Mr. Chairman, what more do they want? There have been any number of other court actions, under the existing law, to protect the voting privilege. The Associated Press, in a story from Montgomery, Ala., dated April 30, stated:

> A Federal judge has ordered voter registration boards in three Alabama counties to stop using voter literacy tests.

A recent story, by United Press International, out of New Orleans, dated July 5, 1965, contains this:

> The U.S. Fifth Circuit Court of Appeals has ordered the registrars of Perry County, Ala., to register 36 Negroes rejected by a voter referee appointed by a Federal district court.
>
> The referee, O. S. Burke, was appointed to receive applications from Negroes rejected registrars Joseph T. Scarbrough, Joe E. Bennett, W. F. Harper, and their precessors.
>
> Burke rejected 110 of 209 applicants who sought registration under a district court order enjoining discrimination.
>
> The Justice Department took exception to 82 of the rejections and appealed them. By the time the circuit court rendered its opinion, many of the Negroes had been registered and 36 remained.
>
> The court found the 36 were qualified under standards set down by the district court.

I repeat, Mr. Chairman, what more do they want? There is already on the books every law that could reasonably be needed, and then some, to protect the voting privilege in this country. Indeed, the statutes are replete with provisions, numbering 16 Federal laws—6 criminal and 10 civil, to protect voting rights.

Mr. Chairman, can there be any question in the mind of anyone as to the adequacy of the present laws to protect the voting privilege in America? I have cited but a few instances of court actions, in pursuance of existing laws, to prevent any possible discrimination because of race or color. What more do they want?

As I stated at the beginning, the mask should be removed, and the motivations behind this legislation exposed. This raises the question of whether this Congress is now legislating in response to intimidation, spearheaded by Martin Luther's discredited money-raising publicity-seeking demonstrations staged in Alabama several months ago? Is democracy giving way to mobocracy in America? Just how much significance do sponsors attach to the Negro bloc vote in this country? Is emotional hysteria to become the order of the day? Does the Constitution of our country no longer mean anything?

The Supreme Court has in the past repeatedly held that only the States can, under the Constitution, determine the qualification of voters. For 189 years that fact has been universally recognized and respected. Yet it is completely ignored in this legislation.

That Court, in the Guinn case, in considering the matter of literacy tests for voting—which this bill outlaws—stated:

> No time need be spent on the question of the validity of the literacy test, considered alone, since, we have seen, its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted.

Indeed, as one writer pointed out, there is no authority given Congress by the Constitution to interfere in the way local elections are held or the manner in which voters are declared eligible so long as States do not abridge the right to vote on the basis of race, color, or sex.

Yet, we are now asked to violate these basic and well established principles, and approve a bill which ignores not only the Constitution but any number of decisions confirming the exclusive right of the States to determine voter qualifications.

Mr. Chairman, it is indeed difficult for anyone to reconcile a vote for this Constitution-defying legislation with our oaths to uphold that Constitution. Emotional hysteria has been instrumental in the destruction of other governmental systems in this world. It can happen here.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. FUQUA].

Mr. FUQUA. Mr. Chairman, I believe in the right of American citizens to vote. In my own State of Florida, we do not have a literacy test nor do we have a poll tax.

It might be said that we are exempt from the provisions of this bill. But there is a great constitutional question at stake.

The Constitution clearly gives each State the right to determine voter qualifications and the bill which has been presented by the Judiciary Committee is discriminatory in that it applies only to a few sections of the Nation. It would include Alaska as one of the States that will have to prove that they are not discriminating, although all proponents of the bill have generally said that this is not the case.

This bill would eliminate poll taxes as a voting requirement in State and local elections, although it took a constitutional amendment to outlaw poll taxes from Federal elections. And let me point out that it was a Floridian, Senator SPESSARD L. HOLLAND, who fought for this measure and won his battle in the constitutional manner. I submit that this provision in the bill we are debating is not constitutional.

All literacy tests are outlawed, although they may not be discriminatory. And the bill provides that any State or locality affected can make no change in its election laws or voting procedures unless approved by the District Court for the District of Columbia.

Why is the District Court for the District of Columbia such a superior judicial body?

We should have a bill with universal application, rather than one that seeks to discriminate against only certain areas.

I would call to your attention all of the laws on the books which now guarantee the right to vote. Although they have been pointed out time and again, let us review their basic provisions.

Any citizen may sue any election official for damages who denies him the right to vote—42 U.S.C. 1983.

Any citizen who alleges he is wrongfully denied the right to vote may sue in a Federal court without a jury to prevent the denial of that right—42 U.S.C. 1971.

Any election official who denies any qualified voter his right to register and vote under color of law is punishable by fine and imprisonment—18 U.S.C. 242.

Any election official who conspires with another to deny any citizen the right to vote is subject to a fine of $5,000 or imprisonment for 10 years, or both—18 U.S.C. 241.

The Attorney General may sue in the Federal courts for an injunction at any time any person is engaged or there are reasonable grounds to believe he is about to engage in any act designed to deprive any person of his right to vote—42 U.S.C. 1993.

The 1964 Civil Rights Act provides that all voting cases be expedited; that if less than 15 percent of a race is registered, Federal referees be appointed; and that everyone with a 6th grade education is presumed literate—42 U.S.C. 1971.

And, if a Federal judge finds a pattern of racial discrimination pursuant to the 1960 Civil Rights Act he may appoint Federal referees.

Now there is another bill before the House which is a substitute measure and which is far superior to that which the Judiciary Committee has presented.

This measure, generally titled the McCulloch bill, applies to the entire Nation and wherever discrimination in voting exists. It recognizes that poll taxes may be eliminated only by constitutional amendment, and provides that a sixth-grade education is a presumption of literacy, and those with less than a sixth-grade education may also register if they establish their ability to meet the State's literacy requirements. Further, this bill recognizes the integrity of our judicial system by not including the provision that those areas affected by the bill can make no change in their election laws or voting procedures without the approval of the District of Columbia District Court.

The McCulloch bill is a much fairer bill, it is constitutional, while I believe that the bill which has been reported by the Judiciary Committee is not.

We should not tamper with our basic system of Government for laws which are not needed and which have provisions which are simply not constitutional.

If a bill is needed, then it should be the McCulloch bill and not the one which is being rammed down our throats so vigorously, and without regard to its constitutionality.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. SCHMIDHAUSER].

Mr. SCHMIDHAUSER. Mr. Chairman, the people of the United States of America have long been appalled by the blatant violation of human and civil rights that have occurred in certain regions of our Nation over the past decades. In the original design of the great Constitution of the United States, the framers of that Constitution recognized that the single most critical tenet of democratic government was the right to vote. The experiences of many decades led to additions to the Constitution, one of the most important of which was the adoption of the 15th amendment. The language of this amendment is so clear and so direct that it is not susceptible to confusion. Section 1 of this amendment provides, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." Section 2 of this amendment appropriately provides the simple imperative that the Congress shall have power to enforce this article by appropriate legislation.

H.R. 6400, the bill introduced by the gentleman from New York, Congressman CELLER, is grounded fully upon the clear imperative in this amendment. It is a bill that has been designed to fill a need that has been underscored by careful and objective work done by the U.S. Civil Rights Commission, which has documented systematically the denial of the right to vote on the basis of color which has occurred for so long in certain regions of our Nation. We, Members of the 89th Congress, have a clear challenge before us, to fulfill the great promise and the great hope that has been held forth to our citizens for well over a hundred years, to end the denial of the right and privilege to vote on the basis of color. The voting rights bill of 1965 fills definite needs, and it is particularly important that we pass, this week, in the House of Representatives, the strengthened version which the able chairman of the House Judiciary Committee has incorporated in this bill. The section which extends coverage to denials of the right to vote by use of the poll tax is a particularly important and necessary issue which strengthens this bill over the Senate version.

Further, I believe that the voting rights bill of 1965 should be strengthened and improved by extending its scope to include a strong amendment to enfranchise our thousands of Spanish-American citizens. The cultural heritage of our Spanish-American brothers encompasses a noble and significant heritage which is part of the great development of the entire American Nation. The forefathers of our Spanish-American brothers contributed significantly to the development of the whole North American Continent. Our Spanish-American brothers have assumed the responsibilities of citizenship in the United States with dedication and patriotism of the highest quality. In war and in peace, they have been in the forefront of our national efforts. I feel that the time has come in 1965 for us to extend to them the recognition of their significant cultural contribution, and to insure that our Spanish-American brothers have equality of voting rights with all other citizens of the United States.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I rise in support of the Voting Rights Act of 1965, H.R. 6400, because the right to vote and the right and ability to participate in government is a fundamental guarantee under the U.S. Constitution and is the bulwark and the strength of our democracy and our representative government.

The evidence is beyond question that this right has been arbitrarily, discriminatorily, and capriciously denied American citizens.

It is also clear that existing law and the Civil Rights Acts of 1957, 1960, and 1964 are not adequate to deal with this problem.

Any barrier which prevents any American from the full and equal exercise of the right to vote should be and must be removed immediately. This bill does that, and, therefore, I fully support it.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, to the fullest extent of my ability and with the deepest devotion to the basic principles involved, I rise in support of H.R. 6400, the Voting Rights Act of 1965, to enforce the 15th amendment to the Constitution of the United States.

The crisis in voting rights which reached its decisive stage with the demonstrations in Selma, Ala., and the special message President Johnson sent to Congress on March 17, 1965, has been developing for years. After an exhaustive study the U.S. Commission on Civil Rights reported in 1961 its conclusion that "the franchise is denied entirely to some because of race, and diluted for many others. The promise of the Constitution is not yet fulfilled." Attempts to deal with the problem through court proceedings under previous Civil Rights Acts passed in 1957, 1960, and 1964 have proved ineffective. There has been a growing clamor to enforce the proscription of the 15th amendment against racial discrimination in voting by administrative rather than judicial formulas. The Selma demonstrations and the bitter violence which accompanied them focused national attention on the urgent need for a prompt and effective remedy for such discrimination.

At the very crux of this great American democracy is the principle of representation. It is the representative feature of our Government, at the Federal, State, and local level, that underlies and overshadows its every virtue, its few defects. But we have not had a representative government in some States and in many localities. The voluminous testimony just heard by the Judiciary Committee, the investigations conducted by the U.S. Civil Rights Commission over the past several years, and indeed the eyes and ears of every American who watched dumbfounded and ashamed, the films from Selma, Ala., have been witness that Negroes have been systematically and brutally denied their representation in parts of this land.

Selma, Ala., does not represent a unique condition. I am sorry to say, and most Americans have been appalled to learn, that there is an old and all-too-widespread campaign by State and local officials in some parts of this country to prevent people from participation in government at the local level—and that is where government most affects our daily lives—or fails to. The evidence is in—and it is overwhelming: All too many Negro Americans have been and are today the victims of a vicious cycle in which antagonistic State and local governments are able to remain in power only by denying the Negro the right to vote. This cycle is self-perpetuating—and its effect is wholly destructive of those caught in it.

Our Nation is engaged in waging a great war against poverty—economic poverty. We must now wage war against another form of poverty—democratic poverty. And the first is doomed to failure unless we win the second.

None can argue against the simple purpose of this bill to enforce the constitutional protections of the right to vote—to correct a century of injustice—and to guarantee, once and for all, that no American citizen shall be denied the ballot by ingenious subterfuge, harassment, or intimidation.

What divides us, then, is not what must be done, but how it should be done. I join my many colleagues who have paid tribute to the dean of this body, chairman of its great Judiciary Committee, "MANNY" CELLER. He and the members of his committee have given us a bill that can, and will, do what we all know must be done.

The bill, as amended, is designed primarily to enforce the 15th amendment to the Constitution of the United States and is also designed to enforce the 14th amendment and article 1, section 4. To accomplish this objective the bill, first, suspends the use of literacy and other tests and devices in areas where there is reason to believe that such tests and devices have been and are being used to deny the right to vote on account of race or color; second, authorizes the appointment of Federal examiners in such areas to register persons who are qualified under State law, except insofar as such law is suspended by this act, to vote in State, local, and Federal elections; third, empowers the Federal courts, in any action instituted by the Attorney General, to enforce the guarantees of the 15th amendment, to authorize the appointment of Federal examiners, pending final determination of the suit or after a final judgment in which the court finds that violations of the 15th amendment have occurred; fourth, provides criminal penalties for intimidating, threatening, or coercing any person for voting or attempting to vote, or for urging or aiding any person to vote or to attempt to vote. In addition, civil and criminal remedies are provided for the enforcement of the act.

Upon the basis of findings that poll taxes as a prerequisite to voting violate the 14th and 15th amendments to the Constitution, the bill abolishes the poll tax in any State or subdivision where it still exists.

A vital obligation and responsibility of the Congress is to provide appropriate implementation of the guarantees of the 15th amendment to the Constitution. Adopted in 1870, that amendment states the fundamental principle that the right to vote shall not be denied or abridged by the States or the Federal Government on account of race or color.

The historic struggle for the realization of this constitutional guarantee indicates clearly that our national achievements in this area have fallen far short of our aspirations. The history of the 15th amendment litigation in the Supreme Court reveals both the variety of means used to bar Negro voting and the durability of such discriminatory policies through the grandfather clause, the white primary; the resort to procedural hurdles, to racial gerrymandering, to improper challenges, and, finally, the discriminatory use of tests.

The past decade has been marked by an upsurge of public indignation against the systematic exclusion of Negroes from the polls that characterizes certain regions of this Nation. We, in Congress, responded with the Civil Rights Acts of 1957, 1960, and 1964.

But, what has been the effect of the 1957, 1960, and 1964 voting rights statutes? Although these laws were intended to supply strong and effective remedies, their enforcement has encountered serious obstacles in various regions of the country. Progress has been painfully slow, in part because of the intransigence of State and local officials and repeated delays in the judicial process. Judicial relief has had to be gaged not in terms of months—but in terms of years, for it affords those who are determined to resist abundant opportunity to resist. Indeed, even after apparent defeat resisters seek new ways and means of discriminating. Barring one contrivance too often has caused no change in result, only in methods.

That literacy tests and other devices have been widely used in violation of the 15th amendment is amply shown by evidence and decisions in cases brought by the United States in the past 5 years and by studies of the U.S. Commission on Civil Rights. Many decisions have held that such tests and devices have been used as part of a calculated plan to deprive Negroes of their right to vote.

These cases demonstrate that frequently whites have not been subjected to these tests at all; in many places they are applied only to Negroes. Indeed, Justice Department lawsuits have revealed that large numbers of illiterate whites are registered in many different places in States affected by the bill. Moreover, even the most cursory examination of the content of many of these tests reveals that they are vague, arbitrary, hypertechnical, or unnecessarily difficult, and have little—if any—bearing upon the capacity to cast an intelligent ballot. The inescapable conclusion is that these tests were not designed to be bona fide qualifications in any sense, but are intended to deprive Negroes the right to register to vote. The only real function they serve is to foster racial discrimination. These facts are clear. In widespread areas of several States tests and devices, as defined in this bill, have been effectively and repeatedly used to deny or abridge the right of Negroes to vote.

Further, I strongly oppose the economic barrier to voting represented by the poll tax, and find adequate basis for concluding that since it has been used as an instrument of discrimination, it can stand on no different footing than the literacy tests and other devices.

Mr. Chairman, detailed analysis of the bill convinces me that it is most responsive to the justified outcry of all Americans. The urgency is felt all across this land; our response carefully noted all around the world. Let us be thorough, let us be deliberate. But let us not be deterred from answering now, with this bill, the call of our President when he said:

> We cannot, we must not refuse to protect the rights of every American to vote in every election that he may desire to participate in. And we ought not, we must not wait another 8 months before we get a bill. We have already waited a hundred years and more and the time for waiting is gone. I recognize that outside this Chamber is the outraged conscience of a Nation, the grave concern of many nations, and the harsh judgment of history on our acts.

America can only be truly great, whether in her own judgment or that of other nations or of history, if every American is a part of that greatness. Today, many thousands of Negroes, and members of other minority groups, are denied the right to be part of America. What we do today is not for the Negro. It is not for any minority. It is for America.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, there can be such a thing as too much government. There can be such a thing as a government which supervises and controls every action and every thought of every day that you live. For years we have pointed to communism as the prime example of total control of the individual by government.

But now in our zeal for solving everybody's problems and our enthusiasm for establishing new standards, the United States is treading the same path. There is such a thing as too much government and we are dangerously close to it.

I have stated many times that I do not favor practices or laws which discriminate against voters and which in effect prevent qualified citizens from voting. In Florida we have made it a practice to encourage all qualified persons to vote, and I know of no instance in my district where there has been discrimination.

However, there has been discrimination against voters in some areas. As a result, there has been a widespread demand for federally sponsored voting laws. Some of this demand has appeared to me to be spurious in that it was carefully manufactured and highly publicized. Nevertheless, the desired effect has been achieved and Congress has been called upon by the administration to pass a voting rights bill.

I am opposed to Federal laws on voting. I believe the Constitution is clear in that the States are given control of voting processes and voting standards. Federal laws mean Federal control of voting in America and can lead to some very unwholesome situations. Admittedly, there have been evils in some areas on voter discrimination, but one evil should not be replaced by another, and I am convinced that Federal control of voting processes could result in abuses just as serious as any that now exist.

Nevertheless, during the process of debate, the House will have to choose between the McCulloch bill and the Celler bill. In that choice I shall vote for the McCulloch bill. There are a number of reasons, but primarily the McCulloch bill would apply uniformly to all the States and would utilize the courts to guarantee the rights of the voters. By contrast, the Celler bill applies automatically to Southern States, and obviously is discriminatory. The McCulloch bill recognizes State standards on the literacy qualification of voters which establish a sixth grade education as sufficient proof of literacy. The Celler bill automatically suspends all literacy tests.

The Celler bill would outlaw the poll tax as a voting requirement in State and local elections. This is an unconstitutional provision. By contrast the McCulloch bill specifies that where poll taxes are used to discriminate on the basis of race or color, the Attorney General should bring suits to nullify poll taxes so used.

To my mind the Celler voting rights bill contains provisions, which amounts to bills of attainder, that are aimed arbitrarily at the Southern States but which could be aimed elsewhere at another time by the administration in power. Its obviously unconstitutional sections would judge States, counties, and individuals guilty of unlawful acts by the process of mathematics and would arbitrarily impose punishment. These punishments could be lifted only if the defendents were able to prove their innocence. It would no longer be a requirement that a person is assumed innocent until guilt is proved.

Obviously the McCulloch bill is the better choice since a choice must be made.

The answers to these problems lie in the field of fact and reason, not in emotion and politics. Under the Constitution the Federal Government has no authority to control or supervise or otherwise interfere with the right of the States to establish the qualifications of voters. It has a right to remove discriminations against citizens who are qualified to vote and should be registered. What is proposed in the committee bill goes much further. It allows the Federal Government to take over from the States the control of voting procedures. The proposed law gives the Attorney General the authority to interpret what he thinks should be the voting laws in any State, county, township, or community. Federal registrars could be sent to enforce his interpretation and it is not beyond the reach of the imagination that they could be sent to elect the people of his choice. I am not ready to abandon the processes of law or the principles set forth in the Constitution.

There is neither necessity nor justification to hand over to the Federal Government the control of the Nation's voting processes.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, punitive legislation of any kind is bad legislation. No objective, however high minded or noble, can ever justify the means which are employed to punish a region, and leave unaffected by the same statute other parts of the country and other States where alleged grievances and practices may exist now or in the future.

H.R. 6400 targets in on 6 Southern States, 34 counties in another Southern State, and part of 2 other States thousands of miles removed. My beloved State of Georgia is wrongfully included. It leaves untouched other States where literacy tests form a part of the voting laws, other States which set special qualifications for voting, which would be described by the advocates of this bill as schemes and devices if they existed either in my State or in any other States or counties at which this bill and its provisions are aimed.

The very language of the bill itself is self-defeating. Its draftsmanship is crude. The pocket trigger provision vests in the Attorney General powers which should be vested exclusively in courts of competent jurisdiction. This provision vests the Attorney General with broad discretionary power to selectively choose his targets and employ harassing tactics and procedures against law-abiding State and county officials in whose heart and mind any desire to deny the right to vote may be utterly nonexistent.

The chairman of the Judiciary Committee, an able advocate for his bill, on Tuesday, July 6, 1965, in debate on the rule, said the following:

> The pending bill is much needed. Previous acts have, as a result of legal dodges and subterfuges, been found inadequate. Voting discrimination is still rampant. The pending bill provides an ample, effective remedy, impervious to all legal trickery and evasion.

I must say to the gentleman from New York that if previous acts have been found inadequate as a result of legal dodges and subterfuges, the gentleman from New York himself must accept the responsibility because he is the author of such previous acts, and he had the necessary vote to pass those bills or anything else to which a civil rights label might be attached. If voting discrimination is still rampant, as the gentleman from New York claims, it is an admission from him that previous bills authored by him were ineffective, inadequate, or improperly drawn.

The fact is, Mr. Chairman, that this bill and others which have preceded it are drawn, sponsored, and passed by people who have no knowledge of actual facts and conditions, and little or no curiosity to learn. How long, oh how long, will they seek to scourge us for what took place a hundred years ago.

I speak not only for myself, but I believe for most of the people who live in my district and my State, when I ask in the spirit of charity, faith, and trust to leave us alone, and give us an opportunity to work out our problems where problems exist with peace, good will, and harmony. Where resistance does exist, that resistance is either caused or aggravated and intensified by meddlers, by punitive legislation, by massive and unwarranted use of Federal troops, by some misguided people who believe they are doing the right thing, and, Mr. Chairman, by some whose real purpose is to overthrow and subvert the Government of the United States and all forms of law and order.

Mr. Chairman, H.R. 6400 is clearly sectionally discriminatory. The provision that where less than 50 percent are registered or voting, its automatic trigger is charged and aimed at a group of Southern States without regard to conditions or circumstances that may prevail elsewhere. Its pocket trigger, to which I have previously referred, confers upon the Attorney General broad discretionary power to select his own geographical targets for court action for any reasons he may choose.

The advocates of the bill claim that there is an escape clause. Mr. Chairman, the escape clause provision is a delusion and a deception. A State trapped by the automatic trigger can escape coverage only by journeying to Washington, filing a suit against the United States in the District Court of the District of Columbia, and proving its innocence for the last 5 years. This not only reverses the traditional presumption of innocence, but abandons the doctrine that trial court cases should be heard in the jurisdiction where the accusation was made or the cause of action arose.

In H.R. 6400, State literacy tests are suspended in States covered by the bill, and, by implication, upheld in all other States. Clearly, Mr. Chairman, the same rule should apply throughout the 50 States. No State or locality covered by the automatic trigger can hereafter make any enforceable change in any of its voting laws without the prior approval of the Attorney General or the District Court of the District of Columbia. It nullifies both poll taxes and all other payments prerequisite to voting in State and local elections and referenda. H.R. 6400 grants the right to vote to those registered by Federal examiners and allows the counting of their votes and the certification of election results, even though challenges of their qualifications, unresolved on election day, may later be upheld. This could result in chaos, indecision, and might result in subverting the decision of a majority of the voters to an arbitrary decision of examiners, inspectors, or others.

Mr. Chairman, even if this legislation should be enacted, those who support it and urge its passage will be back again and again and again, declaring that the Voting Rights Act of 1965, like previous acts, has been found to be inadequate. Evidently nothing will ever satisfy certain groups and certain individuals, short of domination and control of election results, not in their own States, districts, and municipalities, but in States, districts, counties, and parishes hundreds, even thousands of miles removed from their own domiciles and residences.

In 1938, a man named Hitler asked the German Reichstag to give him the power to, in effect, control national and local election results. He claimed that it was necessary to strengthen Germany, and when questions were raised, he replied, "You can trust me because I am a good man. I will not abuse the power which I seek." You know the result. The Reichstag docilely complied. It placed into the hands of one man and his small circle of followers the total power to throttle the economic and political life of an entire nation. That control and power erupted in 1939 into World War II, which cost millions of lives and untold billions in destruction. Legislation, punitive in its purpose, targeted in its application to only a part of a country instead of all 50 States, could lead to controlled and dictated elections, and the eventual destruction of all democratic processes. Many who deplored what Hitler did in the thirties now are trying to do the same to you and to me in 1965.

Mr. RODINO. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. McMILLAN].

Mr. McMILLAN. Mr. Chairman and Members of the House, I have listened with great interest to the debate we are having here on the floor of the House during the past 3 days in connection with the so-called voting rights bill. I also had an opportunity to appear before the House Judiciary Committee in opposition to the civil rights bill which in my opinion contains provisions completely foreign to our form of government.

I am certain you will agree with me that it does not take a mastermind or any person with extraordinary intelligence to know that this bill is directed toward the southern white people. No one has mentioned the fact that we southerners have been the best friends the colored race has had since the first colored people entered the United States as slaves.

First, the white people in the South have more sympathy and a greater respect for the average colored person than any group I have met from other sections of the country. History reveals that the slaves were imported into this country by the people from the North and sold to the southern plantation owners as slaves.

After the Civil War the southern people continued to treat the colored people as citizens of our part of the country and the average farmer planted twice as many acres of cotton as he would have ordinarily planted if it were not for the fact that he was trying to create work for the colored people so they could make a decent living, even though cotton has kept the South broke and at the bottom of the ladder so far as finances are concerned.

I was born and raised on a large farm where an average of 100 colored people worked every year during the first 25 years of my life that I spent on our old farm home. Never once did we have any friction or any trouble between the colored and white people on our farm. They worked together and understood each others customs.

I am certain there would be no friction in South Carolina at the present time if it were not for the foreign agitators who are being paid to create trouble in the Southern States between colored and white races.

Some of the best friends that I have ever had are among the colored people and they are always exhibiting a great interest in my future and welfare while I am at home.

So far as the present bill under consideration is concerned, I resent the fact that South Carolina was included in the number of States to be policed by the Federal Government.

During the 14 terms I have spent here as a Member of Congress, I have not received one complaint from one colored person stating that he was prevented from registering or voting in the State of South Carolina. In fact, I have spent more funds during my political campaigns in South Carolina in trying to get both colored and white to register and vote than on any other item in connection with my campaign.

I hope the people responsible for writing this legislation and the supporters of this unreasonable proposal have some magic plan whereby they can compel both the colored and white people to vote on election day. We have been successful in my congressional district and in the State of South Carolina in having hundreds of thousands of people register to vote, however, on voting day they will not take the time to visit the polls and cast their vote. I do not think any legislation we could pass here in Washington would influence this group who seem to be not sufficiently interested in their government to go to the polls and vote.

I would think the Federal judges in the six or seven States designated to be crucified under this legislation would be extremely humiliated by the fact that they expect to transport all the people who will be charged for violating this so-called voting rights law to Washington to appear before the Federal courts.

I certainly am disappointed in the Congress of the United States, a distinguished body which I have always admired and held in the highest esteem. I am certain that every Member of this body, if they speak their mind, could not honestly deny the fact that this proposed legislation is as bad as any legislation that has been created behind the Iron Curtain including Russia and China.

I hope our form of government is strong enough to withstand this type of encroachment upon the rights of the people of our Nation, however, one of these days I am afraid it will be too late to recoup the rights granted to us by our forefathers and salvage our Government which is in my opinion the greatest form of government ever devised by mankind.

I wish that there was some way that I could inform some of the people from the East, North, and West on this subject, however, so many of my colleagues have made up their minds to crucify the southern white people until nothing I may say here on the floor of the House, I am certain, could change their mind on this subject.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. GILLIGAN].

Mr. GILLIGAN. Mr. Chairman, I rise in support of H.R. 6400. This bill, in my opinion, rests upon a realistic appraisal of the problems for which we here are trying to frame solutions and in fact this bill does propose solutions which hold better promise of acuatlly solving the problems than those offered us in the minority's substitute measure, H.R. 7896.

I find it hard to believe that the minority's proposal is seriously intended. If the sponsors and supporters of the minority proposal were really serious, why did they wait so long before introducing it? Why did they not have the measure cosponsored in the Senate, where it could have been debated along with the bill reported by the Senate Judiciary Committee? They must know that their bill differs so much from the measure which passed the Senate that if the House were to adopt it instead of H.R. 6400 the Senate would reject it, and as a consequence we would have no voting rights bill this year.

If we are to have a voting rights bill this year, we in this body must pass a bill as much like the one that passed the Senate. And we must have a voting rights bill this year. The time to act is now.

The minority's substitute measure is faulty in the extreme. For one thing, it makes the right to vote, which is the fundamental right of a citizen, divisible by 25 by requiring that before Federal registrars can be sent into an area 25 citizens must have been illegally denied the right to register and then they must notify in writing the Attorney General of the United States.

Mr. Chairman, the right to vote is not divisible, by 25 or any other number.

The facts supporting the charge of discrimination in voting and registering are incontrovertible. The pattern of discrimination is likewise beyond question. I deem myself a literate citizen, but I sincerely doubt that I could answer questions in some literacy tests that have been used in voter registration. Today the literacy test has as much meaning as the property tax requirement had in the early 19th century, and it is liable to as much abuse. It can no longer be tolerated.

The substitute measure is faulty in these and other respects. Most of all it is a red herring. It has no chance of being accepted by the Senate, and I hope it is rejected by the Members of this House.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. TUNNEY].

Mr. TUNNEY. Mr. Chairman, I rise in support of a legislative ban on poll taxes. The issue is not whether our constitutional democracy will survive if we allow States to impose poll taxes; but whether the spirit of the Constitution is violated by a tax on the most fundamental of all democratic and constitutional rights—the right to vote. I say that the right to vote has been freely given to all generations of Americans and it makes a mockery of the right to impose a tariff on its exercise.

Why, it is asked by some, should the Congress become involved in what is essentially a State or local problem? The question itself belies the answer that is sought. The right to vote is not a State right or a community right. It is a national right which cloaks the being of every citizen as naturally as do the rights of life, liberty, and the pursuit of happiness.

When our States and communities pass laws which, in effect, strip this right from certain of our citizens, it is up to the National Legislature to restore it. The poll tax laws of Mississippi, Alabama, Texas, and Virginia attach a price tag to the invaluable voting right.

Conditioning the right to vote on the payment of money is contrary to everything this country stands for. Such a practice could scarcely be condoned whatever its purpose. But when its admitted object is the withholding of the voting right from our Negro citizens, it has no defense whatsoever and must be found guilty of violating the most fundamental laws of democracy.

Historians tell us that the poll tax, that is, a capitation tax, a tax on heads, is one of the oldest taxes known to man. How odd that its principal use as a condition on the right to vote should be made late in the 19th century in the former slave States, shortly after denial of the right to vote on account of race or previous condition of servitude had been prohibited by the 15th amendment. Well perhaps it is not odd, really. Certainly the legislators who were instrumental in effecting the necessary constitutional or legislative changes made no mystery of their reasons for advocating a poll tax as a condition on the right to vote. They did not want Negroes to vote and they knew that few Negroes could afford the tax since they were so recently freed from slavery. As the Committee on the Judiciary stated in Senate Report No. 1662, 77th Congress, 2d session, 1942:

> We think a careful examination of the so-called poll tax constitutional and statutory provisions, and an examination particularly of the constitutional conventions by which these amendments became a part of the State laws, will convince any disinterested person that the object of those State constitutional conventions, from which emanated mainly the poll tax laws, were motivated entirely and exclusively by a desire to exclude the Negro from voting.

Those who argue that the Constitution does not prohibit States from requiring payment of a poll tax as a condition on the right to vote are quite willing to admit that such poll taxes were conceived in discrimination, were designed to keep Negroes from voting. "But an evil intent on the part of the legislators does not invalidate an otherwise constitutional law," they say. And they cite the Federal case of *Butler* v. *Thompson*, 97 F. Supp. 17 (U.S.D.C.E.D. Va. 1951) to prove their point. It is true that in its opinion the Court said:

> A law that is fair on its face and is also fairly administered is not rendered invalid by the evil motives of its draftsmen.

But this opinion would apply to poll tax laws only if they had been administered fairly and without discrimination. Instances can be cited, however, to prove that this has not been the case. The laws were passed by legislators who intended them to be discriminatory and administered by officials who made certain that they were applied in a discriminatory manner. Negroes in Tallahatchie County, Miss., and elsewhere, tried year after year to pay their poll taxes but could find no official willing to accept them.

Defenders of the poll tax invariably point out cases in which the Supreme Court upheld the constitutionality of the poll tax laws. They would have us forget, however, that none of the cases decided by the Supreme Court involved racial or economic discrimination. The validity of the poll tax laws in face of these built-in abuses has never been tested. In *Breedlove* v. *Suttles*, 302 U.S. 277 (1937) which upheld the Georgia poll tax law, a white male was protesting that the law did not apply equally to older people and to women. The Court has yet to be presented with what I consider to be the strongest argument against the taxes—that the collection of these taxes in the four States which require them today, Alabama, Mississippi, Texas, and Virginia, violates the provisions of the 14th and 15th amendments to our Constitution. These amendments with their equal protection, due process and right-to-vote clauses give Congress the authority to strike down State statutes which restrict these rights. The congressional power to pass any legislation necessary to implement the amendments and to see that their intent is carried out was written into section 5 of the 14th and section 2 of the 15th.

Conditioning the right to vote on payment of a tax which falls more heavily on nonwhites than on whites abridges the right to vote on account of color.

The evidence that any head tax falls more heavily on nonwhite voters than on white cannot be disputed. According to the 1960 census, the average white family income in Virginia was 1.99 times that of the nonwhite family. That multiple rises to 2.02 in Texas, 2.37 in Alabama, and 2.91 in Mississippi.

The proponent of poll taxes admits that poll taxes fall more heavily on Negroes but reminds us that the 15th amendment prohibits only State action abridging the right to vote. The four States, he says, had nothing to do with the fact that Negroes do not earn as much as whites. Therefore the States are not abridging the right to vote on account of color when they condition the right on payment of an equal tax by voters of all colors.

The validity of this argument stands or falls on the truth of his minor premise: "the four States had nothing to do with the fact that Negroes do not earn as much as whites."

Did they not?

Does a State deprive a man of equal economic opportunity when it deprives him of equal educational opportunity? The link between level of learning and level of earning is so intimate and so obvious that there is no need for me to belabor it here. Of course a State deprives a man of equal economic opportunity when it deprives him of equal educational opportunity.

Have these four States deprived Negroes of equal educational opportunities? We know, of course, that they required their schools to be segregated. We know also that the Supreme Court held in *Brown* v. *Board of Education*, 347 U.S. 483, 493, 495, 1954, that separate educational facilities are inherently unequal and that even though physical facilities and other tangible factors provided by these States for Negroes is not equal.

The number of books per pupil in school libraries illustrates one gap between white and Negro schools. In 1940, Texas had 3.9 books per pupil in white school libraries and only 0.9 per pupil in Negro schools. By 1950 the figures had risen 4.4 and 2.1, respectively.

The disparity between current annual expenditures per white and Negro pupil is another index of how unequal the educational opportunities were. In 1940, Alabama spent $41.71 per white pupil and only $7.34 per Negro pupil. Even in 1952, when States began to realize that they would not be allowed to maintain segregated schools unless they were truly equal, Mississippi spent $117.43 per white pupil and only $35.27 per Negro pupil. Are these figures indicative of equal educational opportunities?

Capital outlays per pupil? In 1940, in Alabama they were $6.68 per white pupil and 62 cents per Negro pupil. The Negro pupils were not quite 10 percent equal. By 1952, when the big push for equal though separate was on, the Negro had become just a little better than half equal in terms of capital outlay with $8.55 being spent per Negro pupil and $14.19 per white pupil. The 1940 figures for Mississippi were not available but for 1952 capital outlays per Negro pupil were larger than those per white pupil: $35.23 to $25.48. Remember, however, that in that same year Mississippi was making current expenditures of $117.43 per white pupil and $35.27 per Negro pupil.

Before 1940, things were far worse. In 1915 there were seven Virginia counties in which Negroes constituted more than two-thirds of the school population. The average amount spent for teachers salaries in those counties was $13.46 per white pupil. It was $1.55 per Negro pupil. And let no one argue that inequality in 1915 is irrelevant now. The Negro boy who was 10 years old in 1915 is 60 years old now. He is as capable of voting as his white contemporary but he is less able to pay a poll tax because the State spent much less on his education than it did on that of his white contemporary.

Congress should have no hesitation about prohibiting poll taxes and I strongly urge that it do just that in the voting rights act of 1965. If it does anything less than that, Congress will have done only half its job.

We cannot refuse to act because some persons doubt the constitutionality of our action and shy away from taking a firm stand on this issue.

They use for an excuse the fact that the levying of poll taxes in national elections was outlawed by constitutional amendment rather than by legislative action. How can this method chosen for its expediency be cited as proof that legislative action banning poll taxes is unconstitutional? Five times since 1939 this House has passed anti-poll tax legislation into law. Now that the 24th amendment is part of the supreme law of our land, we are asked to swallow unquestioningly the untenable theory that the only valid procedure open to those among us who desire to eliminate the poll tax and the ugly abuses which inevitably accompany it when it is tied to the right to vote is constitutional amendment. Mr. Chairman, I do not accept this rationalization. I realize that not every legislator who opposes this ban is doing so for selfish reasons.

Many of the most devoted advocates of civil rights are doing so because they honestly believe that our constitutional authority to take such action is open to question. I respect these men and the position they are taking. However, I would ask them to reconsider that position. The House Judiciary Committee is of the opinion that legislative action in this area is not only constitutional but is also very necessary. Many noted lawyers and legislators share this opinion. Until the legislation is actually passed and a test case is before the Supreme Court, this issue can never be settled. In view of recent Court decisions in the field on civil rights, there is little reason to expect a turnabout when the same Court determines the validity of anti-poll tax legislation. In fact, congressional action at this time could do much to strengthen the case against the poll tax. The Justices of our highest Court would not take lightly the position expressed by this Congress. I believe that we as representatives of all the people have a moral obligation to see to it that all the people who desire to vote should have the opportunity to do so. A price tag tied to the voting right obviously restricts that right. It is our duty to tear off that price tag wherever we find it.

To condition the right to vote on the payment of money, however small, is to deny the right to vote to the poor man, to the man who cannot afford to pay it. This is an unreasonable classification, one which bears no relation to a man's capacity to vote. To make it is to deny the poor man equal protection of the laws. Ours is a government of the people, not just the rich people, but all the people.

Someone has said that the power to tax is the power to destroy. Let us assume for a moment that a State really does have the power to impose a tax on the right to vote. Is there any limit on the power? What if the tax were $10 instead of $1—$1,000—$10,000? At some one of these figures, depending largely on the amount which would discourage him from voting, every man will exclaim "But that amount is unreasonable." To deny him the right to vote is to deprive him of the right to participate in a republican form of government. I say to you that Congress will not have done its full constitutional duty until it has prohibited the States from denying the poor man the right to vote because he is poor. And to require the rich man to pay the poll tax, simply because he can afford to do so, is equally unreasonable.

The most abusive and discriminatory practice involved in the levying and collecting of the poll taxes is that of making them cumulative for the entire period of liability. The poor person or the Negro who might be able to pay $1 would very likely be unable to pay $5. If we pass legislation that would eliminate other discriminatory practices, we can expect the States which have tried for years to restrict the voting right to rely more and more heavily on the poll tax as a means of doing so. By raising the tax and making it cumulative they would be able to defeat the purpose of our voting rights bill. It is our job in this session of Congress to outlaw their last alternative—the poll tax. If we do not eliminate it now, we will be faced with it next year and the year after that until finally we take the bit between our teeth and do something about it. And I ask you—why wait when we can do something now? Racial discrimination is like gangrene—if the surgeon's knife cuts out only part of it, the remainder will spread its poison to other parts of the body. If we make the surgeon's mistake and remove only some of the abuses the remainder will fester and spread. We all have a vital stake in the preservation and enhancement of representative government. None of us want to see the essential, political right which makes representation a really operative principle of government be eroded away by discrimination. This right—the right to vote—must be preserved. By passing a voting rights act which includes a prohibition against poll taxes linked to the voting privilege we will do much to secure that right for all of our citizens. I ask you: Can we do less?

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. O'NEAL].

Mr. O'NEAL of Georgia. Mr. Chairman, the supporters of this bill are obviously not interested in voting rights. If they were, a less hypocritical approach would have been taken. This bill, pieced together with baling wire and politics, is designed to persecute the South and appease the power grabbers. That has long been a popular game in Washington.

We do not deny that in some isolated places, North and South, there have been some malpractices in the area of voting rights. But rectification of these rare cases does not require the complete destruction of State powers to establish voting requirements. If the administration is sincere in its desire for voting rights, it would use existing laws to accomplish its goal. Instead the President has asked Congress to arm him with a baseball bat to swat flies.

There is no doubt that the bill before us was deliberately designed to discriminate against certain States. To my colleagues who represent States not affected by this bill, I appeal to your sense of fair play and your ability to reason.

To play with complicated formulas, to measure justice by percentages, and to aim punitive laws at certain States violates both the letter and spirit of our Constitution.

In an earlier statement to the distinguished Members of this body I questioned the constitutionality of this bill. While my questions have not been satisfactorily answered nor my reservations allayed, I will not repeat the same objections. My primary desire is to impress upon you the ramifications involved in supporting such a bill as the one we are now considering.

Do not be deceived by the fact that your State is not directly concerned with this legislation. Remember as you vote that no State is an island. Every State is an interlocking part of the whole. When the constitutional rights of one State are destroyed, the rights of others are exposed to the same erosive forces. When the governing process of one State is weakened, so is the privilege of self-government for the others.

Gentlemen, my State along with selected others in the South is the victim of men with low ambition for retribution. This Congress may well be compared with a lynch mob if the voting rights bill is passed. The majority, burning with emotionalism, is not always right; but the actions of such a group are difficult to rectify. There is agitation for haste, closed minds are evident, and feeble justification is being offered for arbitrary action.

I ask one small favor of those of you who have made up your minds to support this bill. Please do not cheer too loudly when it passes for you signal the loss of a constitutional right by my State. While the rights of only a few States are affected this time, a precedent may well be established to destroy your State's sovereignty on some entirely different issue in the future.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, I rise in support of H.R. 6400 as amended by the committee.

When I introduced H.R. 6539 which is similar to H.R. 6400, I indicated to members of the committee that many of us hoped there would be substantial amendments to improve the original version based upon evidence gathered by the Civil Rights Commission and from testimony before the committee.

I think this hope has been completely justified and a fine bill has resulted. It has been criticized during this debate as too strong a bill, but in my opinion the evidence we have received makes it necessary to produce a law that will guarantee equal voting rights in all of our States.

Many of us hoped that the Civil Rights Act of 1964 would solve the problem of discrimination in voting but this has not been realized. The basic reason for the failure of the 1964 act is that complete and massive resistance to it in certain selected sections of the South has perverted the judicial processes through interminable delay and appeals so that a direct administrative-type remedy is necessary for these selected areas. As a former U.S. attorney for the Western District of Washington State, I have worked with the Department of Justice on these matters since 1961, and I know of the conscientious effort of the Department to make the Civil Rights Act of 1960 and 1964 work. For example, in one lawsuit in one county in Alabama the Department was required to spend 6,000 man-hours analyzing voting records in order to present one suit. In each suit there has been an appeal of the original case and then of the injunction and often thereafter of the enforcement of the injunction.

The basic problem is a simple one. In certain areas of our country, a system has been used to prevent Negro citizens from registering and voting. The report of the Civil Rights Commission and the testimony presented to the House and Senate Judiciary Committee make this very clear. The system has been a flexible one using a series of discriminatory devices such as discriminatory application of literacy tests, intimidation, poll taxes, requiring already registered voters to vouch for a new registrant, and legal interpretations of complex sections of various State constitutions. In many Southern States such as Alabama, registration is permanent and, therefore, white citizens have been registered for many years and have not been required to take new and complicated tests. In many cases in the past, the literacy test has been applied in a cursory manner to white citizens.

To give you some examples, in Dallas County, Ala., of which Selma is the county seat, the Justice Department filed a case on April 13, 1961. Dallas County has a voting age population of approximately 29,500 of whom 14,500 are white and 15,000 are Negroes. In 1961, 9,195 white persons or 64 percent of the voting age total were registered, whereas only 156 Negroes were registered.

The Department of Justice proved discrimination on the part of the registrars and found that exactly 14 Negroes had been registered between 1954 and 1960. The suit that was filed on April 13, 1961, took 13 months to come to trial and the court finally found that a new board of registrars was in office and they were not discriminating and therefore refused to file an injunction. On September 30, 1963, 2½ years after the suit was filed, the court of appeals reversed the decision and ordered an injunction against discriminatory practices, but it refused to hold that Negro applicants must be judged by the same lenient standards that had been applied to white applicants during the past. Since registration is permanent, the white registrants were not required to take new tests. In November 1963, the Department of Justice photographed voter registrations again and showed that the new registrars were blatantly discriminating. Between May 1962 and November 1963, 445 Negro applicants were rejected. Of these applicants, 175 had been filed by Negroes with at least 12 years of education including 21 with 16 years of education and one with a master's degree. In October 1963, when most of the applicants were Negro, the average number of persons allowed to fill out forms each day was only one-quarter of the average in previous years when most of the applicants were white.

A new test was devised in 1964 in Alabama to prevent Negro registration. Applicants in Selma were required to spell such difficult and technical words as "emolument," "impeachment," "apportionment," and "despotism." Applicants were required to give an interpretation of excerpts from the Alabama constitution. On March 4, 1964, the Department of Justice filed another case and on February 4, 1965, nearly 4 years after the Department first brought suit, the district court finally enjoined use of the complicated literacy and knowledge of government tests. We hope this decree will be effective but after 4 years of litigation only 383 out of 15,000 Negroes in Dallas County have been registered to vote.

This was the condition in Selma.

The Civil Rights Voting Acts of 1960 and 1964 set up judicial procedures by which the Attorney General could challenge discrimination in voting. The example I have given above is a small capsule of what has happened in the application of this act of Selma. I want to stress that in many other communities in the South, the Civil Rights Voting Acts of 1960 and 1964 have been successful and Negro registration is proceeding on a fair basis, and I commend these southern communities for their actions.

Hard-core discrimination remains in seven States and certain other counties. This discrimination is apparent by two easily identifiable signs. These two indicators establish a pattern of discrimination when combined. The signs are, first, a literacy test, and second, less than 50 percent of the total eligible voting population being registered or voting in the last election.

We are now dealing with hard-core discrimination and this has required a direct attack on the problem under the Constitution of the United States, amendment XV which states:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Section 2 clearly authorizes the Congress to deal with discrimination in voting because of race or color. I favor the remedy of H.R. 6400 as being absolutely necessary to deal with the problem. I have examined the Republican alternative, H.R. 7896, and from the debate I understand that certain of our southern colleagues are joining with the Republicans to support this bill.

I believe the Republican-southern bill will not do the job, but will only be a cover up for further delay and discrimination. The attack on discrimination by an individual case-by-case court suit method has not worked. We must attack the whole problem where it remains in that limited number of States pursuing a policy of hard-core discrimination. H.R. 6400 has a special section—section 4—which provides for the suspension of discriminatory tests and devices when it is shown that there are such tests or devices, less than 50 percent of the eligible population voted on November 1, 1964, and the Attorney General certifies this State to be practicing a pattern of discrimination.

In my opinion, H.R. 6400, with its administrative remedy, recognizes the patterns of discrimination where they exist and will solve the voting rights problem, while H.R. 7896 will not do this, for the following reasons:

First. The Democratic bill, H.R. 6400, will suspend literacy tests and other devices and allow Federal examiners to register Negroes in those seven States and selected counties where it has been established there are discriminatory literacy tests and less than 50 percent of the eligible voting population was registered or voted on November 1, 1964. The Republican bill, H.R. 7896, which is supported by many of our southern Democratic colleagues, does not operate until 25 written complaints are received by the Attorney General and a successful hearing on those complaints is completed. This exposes the complainants to intimidation and economic reprisals and once again opens the door for delay.

Second. The Democratic administration proposal would abolish literacy tests in those limited States which have used them in a discriminatory fashion until such time as it can be shown that discrimination has ceased. Whereas H.R. 7896 retains literacy tests until the registrant can prove a sixth-grade education. In many areas the permanently registered white citizen—some of whom are illiterate—are already registered, and many literate adult Negroes have no chance in their State of obtaining a sixth-grade education so that the past discrimination is made permanent.

Third. H.R. 6400 bans discriminatory tests or devices as of November 1, 1964, and requires that any new tests or devices must be approved by the U.S. District Court for the District of Columbia, whereas H.R. 7896 abolishes only a few specific tests and fails to provide for new tests or devices. This would mean that States or counties wishing to discriminate would simply establish new-type discriminatory tests such as requiring an already registered voter to vouch for a new registrant, and the evidence clearly shows that registered white voters will not vouch for a Negro registrant in areas of hard-core discrimination.

Fourth. H.R. 6400 abolishes all poll taxes, whereas the Republican version provides for only abolishment of the poll tax on a case-by-case basis by the Attorney General. I favor the abolishment of the poll tax and it only exists in five States as a condition of voting in State or local elections—in Alabama, Arkansas, Mississippi, Texas, and Virginia. Arkansas recently adopted a constitutional amendment to abolish it. The evidence in the record before the Committee is clear that the poll tax has been used to prevent voting and the recent Supreme Court rule of one man, one vote as stated in *Reynolds* v. *Sims*, 377 U.S. 533–558, indicates that Congress must act to protect the right of those with lowest incomes to cast their votes. The poll tax has been coupled with cumulative provisions requiring that the tax must have been paid for several years. This device, plus the registrar's discrimination in applying it to Negroes more stringently than whites, as shown in *U.S.* v. *Duke*, 332 Fed. Sec. 759, CA 5–64, makes me believe that we should abolish the poll tax.

H.R. 6400 permits Federal examiners to be nonresidents of the States in which they operate and provides for Federal observers to watch elections, whereas H.R. 7896 does not do this. There are other provisions more detailed which I will discuss at greater length at a later time. In the total analysis, I favor H.R. 6400 as a direct and honest approach to remove the discrimination in voting that has existed in certain portions of our country.

This voting rights act is important in terms of what should be done with regard to those public officials who have been elected under the type of conditions I have described above. There is no more important right to American Government than the right of each citizen to vote for the government which will control him at each level. This right to vote must cover all people. Our Government must be based on the conscience and consent of all of the governed, not a limited group.

I therefore have taken the position that the election of 1964 in Mississippi should be examined since a challenge has been made that the election was illegal because citizens were deprived of the right to vote. I have supported, and I now support, the printing of the evidence which has been gathered in this case. Our efforts have been successful and I commend the Clerk of the House for his decision in preparing the material.

H.R. 6400 is to me a most important factor in the argument over who should represent Mississippi in the Congress. The only way that anyone can be certain that the proper parties are representing the citizens of a State is to have an election where all citizens are given a fair and equal opportunity to vote. I do not support seating any group by a process other than a free election where the citizens are permitted to register and vote without discrimination or intimidation.

I have repeatedly heard my colleagues, from the North and South, during the course of this debate state they do not want to prevent any qualified person from voting and that they do not want to discriminate on race or color. H.R. 6400 is only designed to correct abuses, and all any State has to do to avoid its provisions is to open its polls to all of its citizens on a nondiscriminatory basis.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. Burton].

Mr. BURTON of California. Mr. Chairman, I rise to support H.R. 6400, the voting rights bill. This measure, to enforce the 15th amendment of our Constitution, is long overdue.

The 15th amendment was adopted in 1870. Yet, today—95 years later—there are still citizens in our land who are denied the right to vote, in violation of the 15th amendment, because of their race. This is an intolerable situation for which this Congress must help supply a remedy. The strongest possible voting rights bill is a step in the direction of providing that remedy.

If democracy is to be made a reality for all the people of the United States, we must assure every citizen the right to register and to cast his vote. This is the very basis of our democratic system.

We must see that effective legislation puts an end to the harassment and intimidation of those who seek to register and to vote. We must make it clear that the violence and brutality worked upon those who seek to exercise their basic constitutional right to vote is the concern of all Americans and of this Congress. This is a mandate which this Congress cannot ignore and which requires the passage of the voting rights bill.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. Meeds].

Mr. MEEDS. Mr. Chairman, I consider my support and vote for this legislation to be my most significant contribution to the cause of civil rights. I consider it thus because this bill strikes at the core of one of the greatest deprivations of civil liberty our Nation has known. It strikes at the core of a right which lies at the base of all rights of freemen.

When it is clear, as it has been made clear by recent events, that people are being systematically deprived of a right to register and vote, the Federal Government has not only the right but the duty to protect this guarantee.

As a lawyer I would rather have seen this matter resolved in the courts, but our experience teaches us that the judicial procedures thus far promulgated are not sufficient to deal with the ingenuity of those who would deny certain segments of our society uninhibited access to the polls. There are many instances in which the courts have found after 4 years that a given individual must be registered.

Mr. Chairman, it seems to me that no Member of this House would stand up and defend a system which requires a person to proceed for 4 years of litigation to obtain a right which is guaranteed by the Constitution and which this Congress has the obligation of preserving.

I have heard some describe this act as an act of discrimination against certain States of our Nation in that it would apply to only a handful. I say this: This is not a discriminatory act, but the States to which it would apply have put on the shoe which fits them. By their activities in the past there can be no question but what all the citizens within those States will never receive their right to vote without the passage of this type of legislation.

It is said by others that we have no right to outlaw the use of literacy tests as a measure of qualification to vote. To this I point out first of all that literacy tests are maintained by only nine States in the United States. Further, literacy tests would be abolished only in those which met the criteria of the bill—less than 50 percent registered or voting.

In three of the States which would come within the triggering device, evidence is overwhelming that the literacy test has been used as a method of denying the right to vote. The Department of Justice has instituted 12 voting discrimination suits in Alabama, 22 in Mississippi, and 14 in Louisiana. No voting discrimination suit has ever been instituted without a judicial finding of racial discrimination by either the district court or the court of appeals. In all cases thus far defined in these three States the courts have found discriminatory use of tests and devices. Perhaps the most sinister aspect of the literacy test, however, is the fact that it is subject to unfair administration. Time after time we see evidence of the objective judgment of the examiner shaded in favor of whites as opposed to members of the colored race. To retain such tests after the passage of this act would merely freeze the present registration disparity created by past violations of the 15th amendment.

One of the greatest arguments made against H.R. 6400 is that it abolishes the poll tax. I have always been opposed to poll taxes and have always felt that placing a monetary value upon the right to vote is indeed a violation of not only the 15th, but the 14th amendments to the U.S. Constitution. It is doubly lamentable that this practice strikes not only at the poor people of this country, but also the colored race. I am evidently joined in my disgust for the poll tax by a majority of the citizens of this United States since 46 States in this Union subscribe to the principle that voting rights are not to be made contingent upon fiscal ability. No one seriously contends any more than poll taxes are used as a revenue measure. In fact, the supreme court of the State of Mississippi candidly admitted in the case of *Ratliffe* v. *Beale*, 74 Miss. 247, 1896, that the poll tax was designed primarily to restrict suffrage in that State. I say emphatically that no State should be permitted to condition the right of suffrage upon the economic ability of its citizenry.

I note with satisfaction that the bill utilizes the judicial process frequently. At the same time, however, the judicial process, under this bill, can never be used as a dilatory weapon. This is a fair bill. This is a necessary bill and it is a bill that must be passed. It does little good for thoughtful Americans to decry deprivations of freedom in other nations when this blemish upon our own freedom remains.

Mr. RODINO. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Chairman, hanging on the wall of my office in the Rayburn Building is a framed photograph of the football team of 1899 of the Benton Harbor, Mich., High School. I am in that photograph and on my right is a Negro teammate and schoolmate and immediately back of me is another Negro teammate and schoolmate.

That photograph was taken 66 years ago, and where I grew up there was no discrimination on the lines of color and race and if there was any discrimination of any sort, except that based upon character, it was so rare and exceptional that it never came to my attention.

I always have been conscious and appreciative of my great good fortune in being raised by parents whose faith was in an everyday democracy in a community where there was none of the prejudices and the visitation of discrimination that operate to close the mind and the heart to the concept of a God and all mankind of all races and all colors His children.

NEGROES ALL VOTED, MOSTLY REPUBLICAN

There were quite a number of Negro men in Benton Harbor and they voted the same as their white neighbors, and the Negro women did not vote nor did the white women because at that time all women were disfranchised. Almost solidly the Negro men of 21 and past voted the Republican ticket, and this was understandable since they remembered Abraham Lincoln as the emancipator and the Democratic strategy was still based on the solid South plus one or two of the larger Northern States.

I am very sure that in those days no Republican Congressman from Michigan would have dared to join with Southern Democrats in watering down a voting bill intended to open the polls to Negro voters in States where now they are all but disfranchised.

NEGRO VOTE KEPT ILLINOIS REPUBLICAN

My adopted State of Illinois for many long years was hopelessly Republican, but this was largely true because the Negro vote was overwhelmingly Republican. It may come as a surprise to some, but it is worth noting, that in all the long years that Illinois was safely in the Republican column the margin of Republican victory as a rule was less than the Negro Republican vote. In those years no Republican Congressman from Illinois would have dared to join with Southern Democrats in watering down a voting bill intended to open the polls to Negro voters in States where now they are permitted neither to register nor vote.

The first political speech that I made was in the African Methodist Church in Benton Harbor when I was a high school boy. I was courteously received and was accorded a bit of applause at the conclusion of my remarks, the sort of encouragement that good hearts give to beginners, but I doubt that I made any converts to the democratic cause.

The Negro vote was loyally, solidly in the Republican column, and it remained there year after year, election after election, despite the fact that Congress after Congress, overwhelmingly under Republican control, did absolutely nothing to change the registering and voting practices of Southern States that closed the door on Negro voters.

BIPARTISAN CRUSADE OF MORALITY

Mr. Chairman, interrupting briefly the continuity of what I have to say, I pause here to remark that in the legislative pursuit of objectives of morality there is no place for the play for partisan advantage.

I deeply regret that in the consideration of the present bill there has been a departure from that which we witnessed in this Chamber in 1964 and which gave thrill and inspiration to all mankind, Democrats and Republicans working side by side for a cause in which all believed and cherished so preciously that none would think to mar with partisan grasping the purity of the crusade of morality.

The plain blunt truth is that the watering down of this bill would mean the defeat of all for which good people of both parties have so long and valiantly been battling. If this were not already apparent to everyone, certainly it became as plain as the hand held before the eyes when opponents of civil rights and voting reforms urged the adoption of the Republican substitute over the administration bill.

You do not have to be smart to see what has been painted out for you in letters as high as a giant.

It is true the legislative medicine in the administration bill is strong, but may I respectfully suggest that ills as deeply rooted as those we attack are not subject to the aspirin treatment.

INFLUENCE OF GROWING-UP YEARS

Now, Mr. Chairman, I shall return to a narrative of the circumstances of my upbringing that afford the reason for my being what I am. In my sincere acceptance of all men as my brothers, I appreciate, too, that others who grew up in a different social climate cling loyally and with the same sincerity as do I to the order and the philosophy of their growing-up years. In time they will come to accept the changes that have come and to know that it is all for the best.

Change, Mr. Chairman, is life. Without motion, which is change, there would be no life.

There is no permanent status quo, although it happens that an established order endures through several generations, its gradual diminution unnoticed, and its adherents come to look at it as a permanent and sacred thing. Then comes the revelation of the change that has been taking form all the years, and it comes as a shock.

The fact is, Mr. Chairman, that what the 88th Congress accomplished in the enactment of the most sweeping civil rights law in history and what the 89th Congress is on the eve of accomplishing with the enactment of a voting law that really and truly will open the ballot boxes to our Negro fellow Americans did not come of a sudden and unannounced.

RIGHT OUTLIVES THE FOOT THAT CRUSHES IT

They were long in coming, but each year brought them closer.

Right is immortal. It may be crushed to earth but it outlives the foot that crushes it. That is the story and the history of mankind. That is the lesson of the ages, illustrated in every upward push of man in his long climb from the caves, after each slipping back, ultimately another forward plunge that reached heights never before attained.

Mr. Chairman, I came to the Congress in 1949. I then was 67 years old and had lived a full life. I resolved that in this body as long as the good Lord gave me the strength and my constituents at home in their goodness returned me I should never spare myself in combat against discrimination in every form and in every manifestation whenever it showed its ugly face.

I have been in every fight for civil rights and for voting equality, for laws against lynching and poll taxes, and all the line of cruel and undemocratic practices, since I have been a Member of this body. In several Congresses I have served with other Democratic and Republican colleagues on bipartisan joint steering committees for civil rights legislation. I always have felt, Mr. Chairman, that the advancement of morality and equality knew no party lines, and, as a rule, such has been the case.

IN JULY 9 YEARS AGO

In the civil rights fight in 1956, now 9 years ago, I made the following remarks, which are as timely now as then, and which I reiterate at this time:

Mr. Chairman, when I walked in the sunshine to the Capitol today I was thinking that there was some seasonal significance in the timing of this historic debate. We are in the last fortnight of July and all the signs are of a summer in its full enraptment. Yet the change came on June 21, when the days started to shorten and since then summer has been on the path of death. That is the way of life. Life is change. There is no enduring status quo. But the change from one order to another is not immediately discernible. Man is reluctant to embrace change until by nature it is forced upon him. He fears the unknown and the untried, but when it comes creeping upon him and engulfing him he finds in the climate of a new order the exhilaration of one who has climbed tediously a mountainside and having attained the peak looks out upon the vista of a new world.

I have listened to my colleagues from the Southland who have stood gallantly on the edge of a lost battlefield fighting for an order that they sense, if they do not know, is gone forever. There have been many such instances in the long history of man's climbing to higher plateaus of human dignity and human contentment.

Because I am older than many of my colleagues, I can look back further. There are two ways of understanding the present as it is related to the past. One way is by reading of the experiences of the yesteryears, another way, understanding through the experience of having lived in those yesteryears.

On this afternoon in late July, when, though the sun be shining, summer is already nearly a month on her path of death, may I take you back with me to the era when the 19th century was rushing onward, to be engulfed by the 20th century. Political philosophers then were saying that wherever the banana grows man is incapable of self-government. A President of the United States publicly proclaimed that he had never broken bread with a Negro. John L. Sullivan disclaimed being champion of the world because he said he would not lower the white race by entering the same ring with Peter Jackson, a Negro.

That was the era in which something transpired that left me with an ineffaceable memory. It was before the turn of the century. The memory that with me is ineffaceable is framed with the vivid background of a gorgeously beautiful sunset in the tropics. My father was talking to a great physician of South America, one of the outstanding physicians of the world at that period. This man had been eloquent in the expression of his affection for the United States. My father remarked that having such great admiration for our country he hoped that this great physician someday would visit our shores. The expression on the physician's face changed. "That I cannot trust myself to do," he said.

"I want always to go on admiring the great contribution that the United States has made to all the world and to all of mankind, but if I went to New York or Chicago and were not admitted to one of your hotels because there is Negro blood in my veins could I understand?"

Later a few years there was another experience. I was on duty with two Cuban Negro soldiers, penetrating within the Spanish lines at Santiago. We were lost in hostile territory. We had one canteen of water and that one canteen of water we passed one to the other without the thought that some of the lips that touched the canteen were white and some were black. Never after that could I understand why in my own country, and in my own northland at the time, the dining rooms and public eating places were closed to those not of the white race.

Mr. Chairman, we have come a long, long way. The old order as far as the North is concerned is all but gone. The old order as far as the South is concerned is in the late July of a dying summer. Industry in the South is expanding. Ahead of the South lies a future of prosperity beyond the rosiest dreams of the old plantation days. The fears of the gallant little band of my colleagues making the last stand for the status quo will be proven as groundless as were the fears of countless other gallant little bands in the long history of the world making the last stand for the status quo. Again change is ushering in new orders advancing the dignity and the contentment of mankind. The bill we in the House will pass this week will mark another milestone in our country's march to meet her destiny as the servitor under God of all mankind.

NEAR THE END OF LONG HARD FIGHT

Mr. Chairman, those remarks were made in this Chamber 9 years ago this month of July. Even 7 years before that we had fought all through the day and all through the night until near 5 o'clock in the morning for some semblance of recognition of the civil rights of all Americans. I was happy and felt privileged that in this it was given unto me to play my part, small though it may have been, I then being in my first term.

It indeed has been a long hard fight. With the enactment of H.R. 6400 I shall have a sense of security that the cause of equality in opportunity, in the enjoyment by all Americans of the blessings, responsibilities, and privileges of running this country of ours, at last is planted on firm ground. This is a good bill and it will open the polling places to all Americans of good repute regardless of race or color.

Mr. Chairman, ours will be a greater and a happier country because of what now we are about to do. Strength that is rested on morality is an enduring strength. A representative democracy in which all citizens share according to worth and without distinction on lines of race, color, religion, station, sex, and may I add age, inevitably must produce the kind of government that never can be wiped from this earth.

No race can live alone. By all of us blessed with American citizenship working together, one for all and all for one, voting together and working together on a basis of equality and mutual respect, all that the Lord of our creation intended for us will fall to our lot.

I think, too, Mr. Chairman, that we have learned that in the world of today, narrowed as it has been by quick means of transportation, no nation can live alone. Surely if we as a nation have set the pattern in unity envisioned in the legislation we are here considering its influence cannot be lost on the world.

JUDICIARY, A HARD WORKING COMMITTEE

I cannot close without adding my voice to the universal acclaim of the great chairman of the Judiciary Committee, Mr. CELLER, whose stout championship of the cause of civil rights during many long years constitutes an epic in the legislative history of our country. I also join in expression of appreciation of the large contribution of the gentleman from Colorado [Mr. ROGERS], the gentleman from New Jersey [Mr. RODINO], and the others on the committee who worked so long and so faithfully in a difficult and complex field, and not forgetting William R. Foley, the able and dedicated general counsel of the committee. While I regret that the distinguished ranking minority member of the Judiciary Committee, Mr. McCULLOCH, loaned his name to the watered-down substitute here offered, I cannot forget, nor should the country forget, that he stood, shoulder to shoulder, with Chairman CELLER in the stirring days in 1964 that ended with the enactment with bipartisan support of the greatest civil rights law of all times.

I think, Mr. Chairman, all my colleagues will agree that the quality and character of the membership both Democratic and Republican of the Judiciary Committee is extraordinarily high, a source of pride to all of us.

Mr. RODINO. Mr. Chairman, I yield to the gentleman from California [Mr. DYAL].

Mr. DYAL. Mr. Chairman, I stand in support of H.R. 6400. As one of those members of this House who visited Selma, I can certify as to the need of this legislation. It should be passed without qualification or amendment, and its passage should do much to bring constitutional freedom to all of our citizens.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentlewoman from New Jersey [Mrs. DWYER] such time as she may require.

Mrs. DWYER. Mr. Chairman, just 1 year ago last week, the President signed into law the most far-reaching civil rights legislation since the Reconstruction era. It was a thoroughly bipartisan measure, and its enactment was an occasion for much congratulation on the Congress' determination to secure and protect the rights of all Americans regardless of race or color.

That bill became law just 2 days before the 188th anniversary of the signing of the Declaration of Independence. Today, just 3 days after the 189th anniversary of our great national holiday, we are faced with the failure of that law and of its predecessor Civil Rights Act of 1957 and 1960 to protect effectively the right to vote—the primary legal right in the system of freedom which was begun in Philadelphia 189 years ago.

It is, therefore, both timely and ironic that Congress should now be considering such fundamentally important legislation as the voting rights bills before us. Timely, in that our continuing dedication to individual freedom compels us, in the aftermath of Independence Day, to make another attempt to fulfill the promise of freedom inherent in the Declaration; and ironic, because nearly two centuries after men fought and died to be free and to bequeath freedom to their survivors there are millions of Americans who have never known what freedom is solely because of the color of their skin.

In the face of past failures, Mr. Chairman, it is absolutely essential that Congress enact a law which can—within the limits of reason, justice, and constitutionality—be enforced swiftly and effectively to secure the right to register and vote in local, State and Federal elections to all qualified citizens. We cannot afford another empty gesture. Caution and compromise must not be allowed again to turn us away from the clearly defined objective which lies directly ahead. How much longer can we expect Negro Americans to accept our assurances of good will in place of effective action?

Fortunately, there is little, if any, dispute about the need for or justice of guaranteeing the right to vote. Nor is there any substantial difference of opinion about charges that qualified citizens, especially Negroes, have been denied that right illegally and unjustly. The facts are, after all, overwhelmingly and depressingly persuasive: Negro citizens have been prevented from exercising their right to register and vote by force and the threat of force, including murder, arson, violence, brutality, and social, economic, and psychological intimidation. We have only to read the extensive documentation provided by the U.S. Commission on Civil Rights and the first-hand accounts of numerous trained and objective observers to be convinced of both the official character of voting discrimination and the inhumane methods used to enforce this form of racial segregation. State and local governments have openly and covertly encouraged the deprivation of the voting rights of their Negro citizens—deliberately, systematically, and often with the full support or protection of State and local law.

Despite almost universal agreement, at least in principle, that the right to vote belongs to all qualified citizens and in the face of solemn legislative determinations and judicial decisions to enforce that right, State and local governments have persistently and ingeniously and, on the whole, successfully exploited the complexities of law and judicial procedure to thwart the intent of the law and the meaning of the Constitution.

They have been so successful, in fact, that they have convinced most Americans and most Members of Congress that we can no longer rely exclusively on case-by-case adjudication of individual voting rights suits. As a practical matter, substantial progress is impossible by this means alone. As a matter of law and the Constitution, it is unnecessary to limit ourselves so arbitrarily. The situation we confront requires the use of administrative procedures, rather than judicial, to overcome the massive resistance to implementation of the right to vote. The parallel with the work of Federal regulatory agencies seems especially appropriate. Congress has the power to enforce the 15th amendment to the U.S. Constitution, just as it possesses the power to regulate interstate commerce, and the administrative processes which we shall provide for that purpose will be equally as appropriate and constitutional as those now employed by the Interstate Commerce Commission and the Federal Communications Commission.

The real question before us, Mr. Chairman, is not whether we shall enforce the voting rights guarantees of the 15th amendment but how. We have before us two basic alternatives: the committee bill and the Ford-McCulloch bill. Amendments will undoubtedly be offered to one or the other in an effort to improve the final version of the legislation.

In common with many of our colleagues, I believe, I have mixed feelings about both of the bills. Each, in my judgment, would be a constitutionally valid exercise of Congress' power to legislate in the voting rights field. But each has its weaknesses. Each could be strengthened by the addition of provisions incorporated in the other bill and in amendments proposed to be offered later in this debate. I regret deeply that the committee, in contrast to its position on last year's civil rights legislation, was unable to agree on a truly bipartisan voting rights bill. We must, therefore, decide for ourselves which of the bills, with which amendments, will do the better job of removing—once and for all—the barriers of discrimination, prejudice and inhumanity which have for generations denied to our Negro fellow citizens their most precious constitutional right.

In doing this, Mr. Chairman, let us resolve to make this bill as effective as possible, as fair and workable as possible, and as quickly and cleanly enforceable as possible. We cannot, in good conscience and in the eyes of history, do less.

Mr. RODINO. Mr. Chairman, I yield to the gentleman from Ohio [Mr. Ashley].

Mr. ASHLEY. Mr. Chairman, the majority of us are agreed, I think, that the pending legislation is necessary, that voting discrimination is rampant in many parts of our country, both North and South. Surely we are aware of the language of the 15th amendment which for 95 years has been an integral part of the Constitution.

Section 1 provides that the right to vote shall not be abridged because of race, color or previous condition of servitude. Section 2 of the amendment specifically states that Congress shall have the power to enforce this article by appropriate legislation. This has been the law of the land for 95 years, Mr. Chairman, but who among us can deny that this law has been flagrantly denied and broken each and every year since it became part of our Constitution.

The legislation before us is no more than the rightful exercise of Congress—long overdue—to enforce the 15th amendment by outlawing voter discrimination.

The real question we are concerned with, I think, is the scope of the remedy to be provided. Surely enough evidence has been presented to justify action by this body which will bring an end to the discriminatory tests and devices which bar Negro citizens from exercising their right to vote, ridding ourselves of so-called literacy tests which in one section of the country require that a dark-skinned citizen be able to recite and interpret the Constitution, while in other sections a man of lighter complexion need know only how to sign his name. And just as surely must we recognize the need for impartial Federal examiners in voting districts where there continues to be a pattern of denial of the right to register or vote.

Nor can we overlook the inconsistency of banning literacy tests as a prerequisite to voting while at the same time leaving untouched the poll tax—which is actually an even more widespread and effective means of discrimination. While the 24th amendment abolished the poll tax in Federal elections, it did not cover State and local elections. The assumption was that this would not be necessary because it would be impractical for a State to maintain separate voter lists for Federal and State elections.

This assumption, unhappily, has proved to have been totally without foundation. Poll taxes continue to be used to circumvent guarantees of the 14th and 15th amendments. In my view, however, it is properly within the purview of the Congress, as a means of implementing these amendments and the language of the Constitution, to say once and for all that failure to pay poll taxes will no longer be a bar to registration or voting.

In closing let me say that there is no issue more fundamental to the preservation of our democratic process than the guarantee that all our citizens have a right to vote without regard to race or color. The time is at hand for us to secure this right for all American citizens for this and all generations to come.

Mr. McCULLOCH. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Chairman, once again, we find ourselves deliberating on the question of providing adequate voting rights for our citizens. Once again, we must offer legislation for adoption to guarantee equal opportunities, free of discrimination, for a qualified individual to exercise his right to express himself in the election booths throughout the country.

The members of the Judiciary Committee have expressed themselves very well on the subject and I believe there is very little that I can add that would alter the final outcome.

I do want to take a moment to single out one member of the Committee for his outstanding work to advance the civil rights cause in America. Quite frankly, I do not believe he has been sufficiently recognized and thanked for his brilliant leadership during the enactment of the Civil Rights Act of 1964. Were it not for his great effort, I doubt very much that the bill would have passed.

I am referring to none other than the very able and distinguished gentlemen from Ohio [Mr. McCulloch]. There has never been a Member of Congress deserving of more respect than Bill McCulloch. He is completely fair, totally honest, and truly must be categorized as integrity personified.

Last year, during the civil rights debate, I listened intently, primarily because it was my first exposure to debate on this vital subject. It was at that time, I became sold on Bill McCulloch and his approach to civil rights legislation. After listening again this year, I see no reason to change my feelings and I will once again follow the leadership of this great and courageous man. I will support his voting rights bill because it is designed to get to the heart of the discrimination problem.

As we seek legislative resolutions and offer recommendations, I believe we must keep two basic aims firmly in mind—first, the bill we adopt must be upheld as constitutional by the courts and secondly, it must serve to win as much voluntary compliance as possible.

There has been suggestions that the voting rights legislation we adopt be confined to only a few States. I cannot agree with this. I'm convinced that we must stamp out discrimination in all the 50 States of the Union.

There has also been suggestions that we eliminate literacy tests. I think this would be a dangerous precedent and should be rejected. This could set the stage for huge blocks of votes to be "bought off" without these people knowing what they were doing or voting for. Certainly we are trying to improve the opportunity for the individual to express himself at the polls and not set the stage for his vote to be "used" by some unscrupulous political professional or group. The dignity and self-respect of the individual must still reign supreme if this democracy in a Republic is to properly function and flourish. The fact that certain minimum literacy requirements are a prerequisite to attainment of naturalized citizenship should be ample justification for holding to the test in our voting rights bill. The Civil Rights Act of 1957, passed with President Johnson's support, when he was the Democratic majority leader included a provision "that a person was not competent for Federal jury duty unless he could read, write, speak, and understand the English language."

Of course, we must all recognize that the States, where illiteracy continues, have a continuing responsibility to see that the educational opportunities of all our citizens are not restricted. But I do believe this problem has to be resolved separately. Once again, I must reiterate very strongly—for those of you who want to preserve States rights, you have no choice but to accept and assume States responsibilities.

In conclusion, Mr. Chairman, the voting right must be provided to every qualified voter in this land, without discrimination on a basis of race, creed, or color—the 15th amendment to the Constitution grants and guarantees this. But, the individuals throughout America should also recognize this right as a privilege and a responsibility.

Rights and responsibilities go hand in hand. One of the reasons I feel so strongly about equal rights is contained in this question, "How can you hold people responsible if you do not give them their God-given rights." But once granted these rights, the individual must then exercise his responsibilities as a citizen, in a manner befitting this great privilege.

One final thought, the challenge to America still remains—we must be continually vigilant and responsive to the task before us, the development of our human resources to the maximum—ever mindful of our role as the leader of all freemen throughout the world. Americanism and our free, constitutional Federal system need to be exported and implemented in the developing nations as rapidly as possible. I believe our future security depends upon it. But, again, we cannot retain the confidence and respect of people abroad if we don't "practice what we preach" here at home.

Let us support the bill that is designed to eliminate discrimination everywhere in this country. For this reason, I intend once again to follow the leadership of Bill McCulloch and vote to enact his Voting Rights Act of 1965.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. Hansen].

Mr. HANSEN of Idaho. Mr. Chairman, I would like to direct a question to the committee chairman, the gentleman from New Jersey. I would like a reiteration briefly of what are the devices being employed for enforcement and for the ascertaining of what is a violation of this proposed voting rights bill.

What are the devices you are using, or attempting to use, or will use, by this law, if it becomes a law, to determine whether there has been discrimination in any given area?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HANSEN of Idaho. I yield.

Mr. ROGERS of Colorado. If you will examine section 3 of the bill you will find that the Attorney General may file an action under any statute of the United States for the enforcement of the 15th amendment. Now, the 15th amendment says that no State or the United States shall deprive a citizen of the right to vote because of race, color, or previous condition of servitude. The same amendment also provides that Congress shall have the right to enforce the provisions of this amendment. Now that is No. 1. And that is section 3.

Section 4 provides a method whereby if a violation of the right has been determined in those areas where less than 50 percent of the people are registered to vote, or less than 50 percent voted on November 1, 1964, then they come within the provision of section 4, the Attorney General, after receiving this information from the Bureau of the Census may, upon the complaint of 20 people, call in the triggering device for the appointment of examiners; or he may, of his own accord, cause him to be appointed.

The appointment is made by the Civil Service Commission. After they are appointed, pursuant to instructions prepared by the Civil Service Commission, after consultation with the Attorney General, they are authorized to go forward and to register those people who claim that they have been denied the right to vote.

Once those people have been registered, then they will notify the proper officials, including the Attorney General, that these are people who are qualified to vote. After that is done, then any person has a right to challenge those individuals. If they are not challenged, then they are placed on the rolls of registration to vote.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentleman from Illinois.

Mr. McCLORY. Actually, under the Celler administration bill, the determination is made in advance. There is no question concerning whether the seven States referred to in section 4 are denominated in advance. The question is already determined that the Federal examiners are going to be authorized there. As a matter of fact, the bill provides that the decision and determination of the Attorney General is not subject to review in any court. It is purely an administrative subject, unless the State involved comes to the District of Columbia and files a suit there under an impossible set of circumstances, it seems to me, to try to get out from under the law.

I believe we can recognize that initially the Federal examiners will go into those States which are denominated in section 4. They might as well have named the States, because everybody knows what the States are.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 5 additional minutes to the gentleman from Idaho.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield to me briefly, for a reference pertaining to his own State?

Mr. HANSEN of Idaho. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. Not only are the seven States covered in their entirety by the application of the so-called 50-percent rule or criterion, but there are also individual counties in three additional States covered. One of them is in the State of the gentleman from Idaho, Elmore County.

Mr. HANSEN of Idaho. I thank the gentleman.

I should like to ask one additional question of the committee chairman or his spokesman. I should like to have an answer in 10 words or less, please.

Do you consider prostitutes to be covered under the 15th amendment?

Mr. ROGERS of Colorado. Will the gentleman repeat the question, please? Did the gentleman say "prosecution"?

Mr. HANSEN of Idaho. Do you consider prostitutes to be covered under the citing of the 15th amendment?

Mr. ROGERS of Colorado. Prosecution for violation of the law?

Mr. HANSEN of Idaho. Do you consider prostitutes to be covered under the 15th amendment, under these considerations?

Mr. ROGERS of Colorado. Prostitutes?

Mr. HANSEN of Idaho. Yes, sir.

Mr. ROGERS of Colorado. Will the gentleman restate his question, please?

Mr. HANSEN of Idaho. Do you consider prostitutes to be one of the categories covered under the terms of the 15th amendment you cited previously?

Mr. ROGERS of Colorado. The 15th amendment goes to race, color, and previous condition of servitude. If this happens to be a prostitute, because of that, that is one thing, but we are going only on the question of the 15th amendment, which covers race, color, and previous condition of servitude and discrimination in that area, as to the elimination of the right to vote.

Mr. HANSEN of Idaho. I thank the gentleman for his answer in 10 words or less.

Mr. Chairman, I should like to say this: The point they are holding against the State of Idaho involves the Idaho Code, section 34–404, which reads:

> No common prostitute or person who keeps or maintains, or is interested in keeping or maintaining, or who resides in or is an inmate of, or frequents or habitually resorts to any house of prostitution or of ill fame, or any other house or place commonly used as a house of prostitution or of ill fame, or as a house or place of resort for lewd persons for the purpose of prostitution or lewdness, or who, being male or female, do lewdly and lasciviously cohabit together, shall be permitted to register as a voter or to vote at any election in this State.

I would like to state at this particular time, if this is what is bothering you, if you who favor the bill also favor prostitution, we have not enforced this law in the State of Idaho, to my recollection nor to the recollection of the Attorney General in office at this time. I would like to say also that the State of Idaho has 386,000 eligible voters and 362,000 registered voters for a 94-percent registration. We have 292,000 voting people for a 76-percent vote, which is the second highest in the Nation. Two States tie for first, Minnesota and the State of Utah, with one point higher, 77 percent.

Elmore County, the one cited a moment ago, had 46.8 percent voting. Why? Have you checked into the military installations and do you know what the population of Mountain Home Air Force Base in Elmore County is and what the population of the dependents of the men stationed there is? Do you know how many of these people voted elsewhere because of transient military status?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HANSEN of Idaho. I do not yield to the gentleman, because I do not have that much time.

The 1964 figures for Elmore County show a population of 16,719. There were 8,909 eligible voters listed in the tables of the committee hearings based on the 1960 census—4,167 are reported to have voted in 1964. However, this does not take into account Mountain Home Air Force Base which listed 4,935 military personnel, 358 civilian employees, and 2,438 dependents in 1964. Thus, the triggering devices in this trigger happy but unrealistic bill will make it necessary for Elmore County and the State of Idaho to crawl to Washington to prove in a District of Columbia court that it was military absentee voting and not discrimination against prostitutes that caused voting in this county to fall below the arbitrary 50-percent figure that has been selected.

And again I ask, where in the 15th amendment or anywhere else in the U.S. Constitution does it refer to good moral character as it specifically applies to prostitution in determining the right to vote?

You have a situation going here where you are actually condemning a county in a State until they can prove themselves innocent. Is this justice in this American Republic, I ask you?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HANSEN of Idaho. No, I do not.

Mr. ROGERS of Colorado. You do not want the answer?

Mr. HANSEN of Idaho. Do you know, again, that you are using 1960 census figures and 1964 election figures? How about it? How much fluctuation can there be in this sort of thing in a nation with a fast growing, fast shifting population? I would say this bill that you would like to have passed is something that is picking out on an ex post facto basis certain areas for arbitrary citation without providing any real means for overcoming discrimination involving any race or group now and in the future in all areas of this Nation that we should continually be working to correct. You are working to correct things of the past.

I could illustrate several other cases such as the celestial or plural marriage situation also cited in the hearings, which is a case that has already been decided on and thrown out by the Supreme Court of Idaho, and yet it is still being included in the consideration of this bill.

I say to you when you were drawing up the bill, it was certainly a hodgepodge, as has been pointed out before, designed in response to emotion rather than to legitimately and constitutionally correct abuses that exist. You have added patchwork on patchwork in trying to satisfy this group and that group and in doing so you are discriminating against certain States and counties and are correcting little or nothing in others.

The **CHAIRMAN**. The time of the gentleman from Idaho has again expired.

Mr. **McCLORY**. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. **CALLAWAY**. Mr. Chairman, will the gentleman yield?

Mr. **HANSEN** of Idaho. Yes. I yield to the gentleman.

Mr. **CALLAWAY**. Did I understand the distinguished gentleman from Idaho to say that his State is covered because the device under which you are covered as a test is the device you read, which is the test of prostitution in your State?

Mr. **HANSEN** of Idaho. It is so.

Mr. **CALLAWAY**. Is that the method under which your State is working?

Mr. **HANSEN** of Idaho. It appears so from the committee report.

Mr. **CALLAWAY**. Did I also understand you to say that this particular county in your district is covered only because it has so many military people in it at a military base, who are not expected to vote there and, therefore, the county falls below the 50-percent figure?

Mr. **HANSEN** of Idaho. This appears to be correct.

Mr. **CALLAWAY**. I would like to say in my district I have a county which, under the rules of this committee and this bill, voted 4.4 percent of the total people there, but that is entirely due to the fact that they have a military situation there which is very similar to that of the gentleman. I pointed out yesterday that many formulas can be devised. I submitted one about humity and temperature covering the same situation. I would like to thank the gentleman and say that this formula has nothing to do with discrimination, as you so ably pointed out.

Mr. **RODINO**. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CONYERS].

Mr. **BARRETT**. Mr. Chairman, will the gentleman yield?

Mr. **CONYERS**. I yield to the gentleman from Pennsylvania.

Mr. **BARRETT**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **BARRETT**. Mr. Chairman, I wish to express my wholehearted support of the Voting Rights Act of 1965 as it has been reported by the Judiciary Committee. H.R. 6400, vigorously executed, should suffice to make effective the guarantee of the 15th amendment.

It is intolerable that any citizen of the United States, qualified as to age, residence, and intelligence, should be deliberately prevented from taking part in the choice of those who compose the Government under which he must live and who make the laws which he must obey. The right to vote is that right which constitutes our system of representative democracy. To deny the right to vote on account of race or color is unjust to persons deprived of this right and it causes our Federal and State Governments to be less than perfectly representative.

Section II of the 15th amendment states:

> The Congress shall have power to enforce this article by appropriate legislation.

In view of the factors necessitating an additional voting rights act, H.R. 6400 is most appropriate legislation.

The Civil Rights Commission and the Justice Department have provided us with abundant evidence that the tests and devices specified in the bill have been used deliberately to nullify the 15th amendment. It is appropriate that such tests and devices be abolished wherever necessary. The Judiciary Committee, in its report, cites "the intransigence of State and local officials." It is appropriate that these officials be superseded by Federal examiners wherever necessary. And we have documentary evidence that the poll tax was instituted in some States deliberately to discourage the Negro from voting. It is appropriate that we abolish the poll tax by statute.

Negro disfranchisement tests our determination to make the Constitution effectively real. Let our response manifest our determination.

Mr. **CONYERS**. Mr. Chairman, this Congress is now demonstrating its determination finally to guarantee to all Americans the right to vote and finally enforce the 15th amendment of the Constitution, incidentally 95 years after its passage. For this reason it will be an everlasting source of pride to me that I was a Member of this 89th Congress, for it is a Congress marked for greatness by the historic measures it has passed. I was particularly honored to be chosen by my colleagues to serve on the Judiciary Committee which has toiled these last few months to fashion fully effective legislation securing the right to vote. What we do today could, for the first time in American history, guarantee the right of all Americans to fully and fairly participate in the democratic process.

President Johnson's speech on March 15 was the most explicit and far reaching ever made by an American President concerning the right to vote. Can Congress do any less than fulfill its own responsibility in this area? The overwhelming national support given the President's speech showed it reflected the sentiments of the great majority of the American people. We have seen thousands of American citizens from all walks of life journey to Selma, Ala., and other places in this country to make personal witness of their determination to support equal rights for all Americans. The great majority of this House, I feel sure, will approve the strongest bill necessary to finally guarantee the right to vote because we know such a measure is vitally needed and long overdue. The American people have clearly shown that they fully support the proposition that "we must overcome the crippling legacy of bigotry and injustice—and we shall overcome."

Over the last 8 years Congress has passed three different laws designed to guarantee the right to vote which primarily relied on the Federal courts for enforcement. However, that method has been painfully slow and woefully inadequate. It is only after this discouraging record of obstructions and delays that we have resorted more far-reaching remedies.

The committee bill establishes a Federal system of administrative enforcement. I readily admit that such a procedure goes against all the normal instincts of the American governmental system which prefers local and judicial instead of Federal and administrative enforcement. However, we have no other choice if we are to pass effective legislation. Surely there can be no doubt, at this late date, about the continuous refusal of local officials in so many areas of our country to enforce the constitutional guarantees of the right to vote.

My concern is that this bill must be fully effective if we are to meet our responsibility to deal with the moral and political crisis facing the country. Even with the 1957, 1960, and 1965 Civil Rights Acts millions of Americans are still denied the right to vote by means both devious and blatant. After three unsuccessful attempts, if our fourth try at drafting legislation guaranteeing the right to vote is not successful, I fear we risk creating a feeling of cynicism and frustration among many Americans regarding the effectiveness and justice of our system of Government.

May I quote to you an example of that deep feeling of cynicism and frustration expressed by one of America's great Negro statesmen, Frederick Douglass, a number of years ago. He said:

> So far as the colored people of the country are concerned, the Constitution is but a stupendous sham, a rope of sand, a dead sea apple, fair without and foul within, keeping the promise to the eye and breaking it to the heart. The Federal Constitution, so far as we are concerned, has abdicated its functions and abandoned the objects for which the Constitution was framed and adopted, and for this I arraign it at the bar of public opinion, both of our country and that of the civilized world. I am here to tell the truth, and tell it without fear or favor, and the truth is that neither the Republican Party nor the Democratic Party has yet complied with the solemn oath, taken by their prospective representatives, to support the Constitution and execute

> the laws enacted under its provisions. They have promised us law, and abandoned us to anarchy; they have promised protection and given us violence.

Such was Frederick Douglass' cry of accusation against the Federal Government in 1886. Today we are assembled to answer and refute this cry of outrage.

CONSTITUTIONAL BASIS OF VOTING RIGHTS BILL

Now much has been said to the effect that we are overreaching the limits of the 15th amendment. I believe that this is not the case. I have no doubt about the firm constitutional basis upon which H.R. 6400 rests. In the year 1939 the Supreme Court indicated the very wide scope of the 15th amendment, in its decision striking down the Oklahoma constitution's grandfather clause:

> The reach of the 15th amendment against contrivances by a State to thwart equality in the enjoyment of the right to vote by citizens of the United States regardless of race or color has been amply expounded by prior decisions. The amendment nullifies sophisticated as well as simple-minded modes of discrimination. It hits onerous procedural requirements which effectively handicap exercise of the franchise by the colored race although the abstract right to vote may remain unrestricted as to race.

But if for any reason it may be unclear that the 15th amendment empowered Congress to guarantee the right to all Americans equal access to the ballot in State and local elections, we need only remember the special responsibility of the Federal Government under article IV, section 4, which has been discussed very little in this debate, for there it says that:

> The United States shall guarantee to every State in this Union a republican form of government.

Surely the essence of a republican form of government is that every citizen is allowed and even encouraged to select his representatives. Otherwise our claim that governments derive "their just powers from the consent of the governed" would be the most despicable form of legal and political sophistry imaginable.

But more than any particular section of the Constitution, my colleagues, this bill implements the promise of the Constitution as stated in the preamble. "We, the people of the United States, in order to form a more perfect union"—this country will never have the unity it so desperately craves and so vitally needs in this troubled modern world in my judgment if any group in America is denied their constitutional rights and the equal protection of the laws; "establish justice"—at that point let me say the Founding Fathers knew so well that in the final analysis the vote is the best guarantee of our concept of equal justice; "insure domestic tranquility"—the outraged sense of justice of so many Americans, both black and white, will never allow us to enjoy domestic peace until the promise of America is fulfilled, "provide for the common defense"—we are weak before our enemies if our goals abroad are so shamelessly ignored and subverted here at home, "promote the general welfare"—to build a great and prosperous nation which will provide a good life for all of our citizens, to do this we must begin essentially by guaranteeing every American equal justice under law; "and finally to secure the blessings of liberty to ourselves and our posterity"—for no person, or for that matter any group, can be secure in their inalienable rights unless all Americans are.

But as we all know, this bill will not end racial discrimination as it is practiced or as it lies dormant in the hearts and minds of all too many Americans in every part of this great Nation.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. RODINO. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CONYERS. However, a firm and enforced declaration by Congress that Negro-Americans are to be treated equally by guaranteeing that most basic democratic right—the right to vote—will go a long way toward dispelling the whole complex of prejudices which form the psychological base for racial discrimination in this country.

Modern science has shown us that it is only a belief in the prejudiced stereotypes of the Negro depicting him as somewhat less than human which allows otherwise compassionate human beings to be unmoved when Americans commit barbarous acts of cruelty and violence against their fellow countrymen. To do these things a person apparently must believe that Negroes, as such, with only few exceptions, are essentially different from whites. This person must nourish and preserve a stereotype depicting Negroes as relatively unteachable, and therefore ignorant; as insensitive to the demands of abstract ideals, and therefore less troubled by discrimination than the white man; as devoid of moral fibers and therefore predisposed to crime; as scornful of cleanliness and personal fitness and therefore susceptible to disease; and as motivated solely by bodily appetites.

H.R. 6400 will not end this kind of prejudice. Indeed, no law, in and of itself, can or ever will. But H.R. 6400 is a beginning, a very crucial, vital, and important beginning, if we are to achieve the promise of "the last best hope of the world."

Throughout this debate runs the theme of recognition by the majority of the heroic role Negro-Americans have played in their country's history. Negro-Americans have fought valiantly and shed their blood in every American war from the Revolutionary War down to the present. Members of this great body—from both sides of the aisle and representing various regions of the country—have spoken eloquently of how, within the brief span of a few generations, Negro-Americans have overcome the crippling legacy of slavery.

This petition for redress of grievances—the greatest ever presented in American history—is, thank God, being heard, understood, and supported overwhelmingly by the American people. And what is sought? Nothing more than freedom in its most elementary political sense—the right to vote. This, then, is what brings us here today. And I for one, my colleagues, am confident that we will acquit ourselves in these deliberations with great distinction.

Mr. RODINO. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona [Mr. SENNER].

Mr. SENNER. Mr. Chairman, in 1961, the U.S. Civil Rights Commission issued its report with the conclusion:

> The franchise is denied entirely to some because of race and diluted for many others. The promise of the Constitution is not yet fulfilled.

Attempts to deal with the problem of voting rights through litigation under Civil Rights Acts passed in 1957, 1960, and 1964 have proved largely ineffective. H.R. 6400 recognizes the need to enforce the proscription of the 15th amendment against racial discrimination in voting by administrative rather than by judicial formulas.

The constitutionality of H.R. 6400 has been undeniably established by my distinguished colleagues on the House Judiciary Committee as well as by many learned individuals who testified during hearings.

The need for H.R. 6400 is clearly self-evident in the tens of thousands of American citizens who are denied a voice in government because of the color of their skin.

Mr. Chairman, American history is the struggle of a Nation to achieve a workable system of democracy; it is the struggle to isolate and refine from the myriad of cross-pressures and opinions those means and ends which will give substance to an ideal. H.R. 6400 is a part of that struggle.

Opponents argue that the laws and statutes of the States affected by the provisions of this legislation are nondiscriminatory, that tests are given to all, that everybody must pay the poll tax. I answer in the words of the late Mr. Justice Felix Frankfurter:

> It would be a narrow conception of jurisprudence to confine the notions of laws to what is found written on the statute books, and to disregard the gloss which life has written on it.

The gloss which life writes, the embedded traditional ways are what give life and immediacy to words on paper. The works are but symbols, dead until they are put to the test of action. In this area in which we are now legislating, it is the action which has failed—or rather, it is the action which has succeeded—succeeded in negating the words:

> The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Opponents argue that this legislation is an invasion of States' rights. I ask them, what is there to fear? If discrimination exists, let there be an end to it. If none exists, then let the truth be known. Again I ask, what is there to fear? Who among us trembles in the presence of justice, equality, honor, dignity?

Mr. Chairman, within my Third Congressional District, one of the counties—specifically, Apache County—has been singled out by the Attorney General as being susceptible to the provisions of this legislation. Let me assure my colleagues that we will welcome Federal examiners if, in fact, the need for them exists. We do not fear the microscope of justice.

Two years ago I circulated a questionnaire throughout my district concerning civil rights legislation. One of the questions posed was:

> Are you in favor of legislation that would prevent discrimination because of race, creed, or color in the right to vote?

An overwhelming 86.8 percent said, "Yes."

I do not intend to take this body through a section by section analysis of H.R. 6400. Instead, the wise and learned chairman of the Judiciary Commmittee the gentleman from New York [Mr. CELLAR], has given me the assigned task of discussing sections 13 through 16.

Section 13 provides the methods by which the tenure of the Federal voter registration examiners may be terminated. It is, in essence, a detriggering device which is activated when the work of the examiners ends.

Method No. 1 applies to examiners appointed under section 6(b) of the act, whenever the Attorney General notifies the Civil Service Commission first, that all persons listed by an examiner within a given political subdivision have been placed on the appropriate voting registration roll; and second, that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in that political subdivision.

Section 6(b) authorizes the Civil Service Commission to appoint as many examiners for a political subdivision as is deemed necessary whenever the Attorney General certifies first, he has received complaints in writing from 20 or more residents alleging they have been denied the right to vote under color of law—that is a literacy test—on account of race or color, and that he believes such complaints to be valid; or second, that in his judgment the appointment of examiners is otherwise necessary to enforce the guarantees of the 15th amendment.

Under method No. 2 of section 13, examiners are terminated by an order of the court that originally authorized their appointment in accordance with section 3(a) of the act. Examiners in this particular classification are appointed by the Civil Service Commission whenever the Attorney General files suit to enforce the guarantees of the 15th amendment in any State or political subdivision. The court determines where the examiners shall serve and how long.

The final detriggering method permits a political subdivision to petition the Attorney General to terminate examiners appointed under section 6(b). This method, in effect, places the initiative in the hands of the people.

Section 14 essentially defines terms and establishes legal jurisdiction. Section 14(a) places all criminal contempt cases arising under the act within the jurisdiction of section 151 of the Civil Rights Act of 1957.

Section 14(b) declares that only the District Court of the District of Columbia will have jurisdiction to issue declaratory judgments, restraining orders, or temporary or permanent injunctions against the execution or enforcement of any provision of H.R. 6400. This subsection is designed to protect against delaying tactics by legal means.

Section 14(c) defines the terms "vote" and "political subdivision" to include all forms of registration for voting and voting itself within the context of this act.

Section 14(d) sets up penalties for deliberate fraud or misrepresentation to an examiner.

Section 15 amends previous civil rights legislation so as to make voting rights applicable to all public elections—Federal, State, county, and municipal.

Section 16 is a clarifying provision which asserts that nothing in H.R. 6400 shall be construed to impair the right to vote of any person registered to vote under the law of any State or political subdivision.

Mr. Chairman, H.R. 6400 is a good bill, a sound bill. I commend my colleagues on the House Judiciary Committee for their outstanding work in developing this legislation. It is one more chapter in the long and bitter struggle for true equality in this great Nation of ours. As each of us believes in the inviolability of individual rights, then each of us has no recourse but to support this vital legislation.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. SENNER. I yield to my distinguished chairman.

Mr. CELLER. Despite the fact that this bill would cover one county of your State, Apache County, I believe the gentleman said, nevertheless you believe that the administration-Celler bill is a salutary remedy for present-day discriminatory conditions in the South?

Mr. SENNER. I certainly do. I think that all counties in all States covered by this section should have no objection, to simply determining whether or not there has been any discriminatory practices in their county or State.

I would like to state, Mr. Chairman, to the Members of this body that some statements that have been made on the floor indicate that the administration-Celler bill advocates the buying of votes. I wish to answer that by stating that in the State of Arizona it is illegal to purchase votes and to cast them. I hope the same is true in all States.

Certainly there are provisions in this bill which are designed to cover each and every individual, to see that all persons are guaranteed the right to have their votes cast, and having such ballots counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. DOWDY], and I ask the gentleman from Ohio whether he will also yield to the gentleman some of his time?

Mr. McCULLOCH. Mr. Chairman, at the request of the gentleman from New York, I am pleased to yield 5 minutes to the gentleman from Texas [Mr. DOWDY].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. DOWDY. Mr. Chairman, this body finds itself in the position of considering what would be designated in a State legislature as a "local" bill, with this distinction: When a State legislature considers a local bill, it gives weight to the opinion and wishes of the representatives from the localities affected by the bill. Here, we find the considered opinions and wishes of the local Congressman wholly ignored and ridden over in roughshod manner.

I believe it is admitted by the proponents of the bill that it was so drawn as to pinpoint the five or six States and localities of its applicability, and specifically so worded as to exclude other States and localities. I am further given to understand that the bill, by its special wording excludes my State—Texas—and my district from its provisions. Therefore, I can speak on the bill dispassionately, as it does not have direct effect upon the people I represent nor upon my State. Our interest lies in the fact that encroachment upon the constitutional rights and privileges of one of the States or people of this Nation is an encroachment upon all of us. There is no discrimination in the right to vote in my district or my State.

First it should be made clear, no qualified citizen should be denied the vote on account of color. This is not a debatable question. The question at issue here is whether the Congress of the United States, under color of the voting rights or civil rights title, is determined to give the Federal Attorney General, whoever he may be, veto power over the legislatures of the various States; whether it is willing to create a police state, with its police under the control of the political appointee who may at any given time occupy the Attorney General's Office; whether it is willing to place in the hands of such political appointee such inordinate power to control the election machinery in States chosen by him—power that no good man would desire or seek—power which no evil man should have. The United States did not become the land of the free and home of the brave by placing such power in any man's hand; if we do it now, we could well forfeit that appellation to become the land of the slave and the home of the knave.

Mr. RUMSFELD. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-eight Members are present. Not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 173]

Ayres
Bonner
Bow
Craley
Fisher
Friedel
Green, Oreg.
Hanna
Harvey, Ind.
Hawkins
Hosmer
Huot
Ichord
Keogh
May
Minshall
Passman
Pool
Powell
Purcell
Roosevelt
Scott
Sikes
Thompson, Tex.
Toll
Wilson, Bob

Accordingly, the Committee rose, and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 6400, and finding itself without a quorum, he had directed the roll to be called, when 404 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Dowdy].

Mr. DOWDY. Mr. Chairman, all of us know why this bill is before us, so sloppily, recklessly, and hurriedly drawn. If it were not so serious a danger to our liberty, the working of the mob psychology, built up behind its "hallelujah" chorus, "We shall overcome," would be downright funny.

We are told that this bill must be enacted because of the demonstrations and the mobs and rioting generated by them; that it will get them off the streets and in the courts. We were told the same thing when the Civil Rights Act of 1964 was being enacted, yet its enactment did not appease; they were stepped up, and the agitation became worse; and the leaders and agitators of the demonstrating mobs have already publicly stated that the enactment of the pending bill will not appease them. Certainly the U.S. Congress, known as the greatest legislative body in the world, should have a sounder base for any action than coercion; the demands of a mob are insatiable. When the mob once learns that its actions will lead to granting of its every demand, there is a multiplication both of its demonstrations, riots, and wanton destruction, and of its demands.

Already, the mob leaders seem convinced that they have the Government of this country on the run; they are quite brazen; they get what they want, or they demonstrate; they break the laws, but give it a fancy name, and call it "civil disobedience."

As President Johnson so aptly stated early in April, "No nation can long endure either in history's judgment, or its own national conscience, if hoodlums defy the law and get away with it;" but Martin Luther King said that he would not pay any attention to a Federal Court order, and that he felt no obligation to obey any law he did not want to obey, and in May, King told an audience, in referring to the pending bill, that after it is enacted:

> If the registrars don't do right, President Johnson will have to speak to them. And if President Johnson doesn't do right, we'll have to speak to him some more.

The Supreme Court has held, in effect, that a participant in a mob cannot be punished for violating the law, because such punishment would infringe on his "right of free speech." The mobs are learning that if they dislike a law, they do not obey it; if they want something, they demand it; if they do not get it, they demonstrate, and practice "civil disobedience."

This reminds me of the child who, not getting his way, throws a temper tantrum; his parent, to appease the child, gives in. The mobs seem to believe that to be the philosophy of the Federal Government—give in, so they will not throw another tantrum. I am not in favor of Congress giving credence to that belief, by passing this bill. I believe that every qualified American citizen should be protected in his vote, but that protection should come in a proper and constitutional manner.

So, as this unprecedented proposal comes on for consideration, it should be recognized that few, if any, would deny the vote to any qualified citizen on account of race, color, or creed. Under the U.S. Constitution, there should be no discrimination at the polls against a person merely because of his color. However, it is quite another thing to defy the constitutional guarantee, as this bill does, that the individual States have the right to establish voter qualifications within their respective boundaries. Article I, section 2 of the Constitution specifically leaves to the States the qualification requisite for electors. This provision was reconfirmed in the adoption of the 17th amendment, in 1913, which was many years subsequent to the adoption of the 15th amendment, which the proponents of H.R. 6400, by rationalization, use as their excuse to ignore article I, section 2, of the Constitution.

I, along with all other Members of the House, took an oath to uphold the Constitution. By that oath, we pledged, as men of honor, to enact only legislation in pursuance of the Constitution; yet, here, a majority of the Committee on the Judiciary, composed entirely of lawyers who should understand this better than most, has favorably reported, and is asking the Members of the House to enact this bill, which is unquestionably not in pursuance of, but to the contrary, is in direct conflict with several specific provisions of the Constitution.

The U.S. Supreme Court has, itself, held that the 15th amendment does not confer the right to vote upon anyone, stating that the amendment only prevents the giving of preference to one citizen over another, on account of race, color or previous condition of servitude; and as late as 1959, that Court determined and upheld the literacy test as being the exercise by a State of lawful power vested in it, and not subject to the supervision of the Supreme Court. As Federal Attorney General Katzenbach has stated, the Court has pointed only "to the power of Congress to protect the right of exemption from discrimination in the exercise of the elective franchise on account of race, color or previous condition of servitude."

It is the law, and rightfully so, that discrimination cannot be practiced in enforcing voter qualification laws, whether they apply to literacy, age, poll tax, or anything else; but this is not to say that the Federal Government, through the U.S. Congress, has authority under the Constitution to deprive the States of their constitutional right to determine who shall be qualified to vote. The Constitution is clear on that issue. It is the States' responsibility, and the Federal Government can intervene only when there is discrimination by reason of race, color, or sex. The Federal Government may act to prevent such discrimination, but in taking such action, there is no justification or constitutional basis upon which it can "suspend" State laws. In taking action, it is limited to the prevention of discrimination.

H.R. 6400 does violence not only to article I, section 2, and the 17th amendment to the U.S. Constitution. An even more flagrant contempt, if such is possible, is shown for article I, section 9, which specifically limits the power of Congress to legislate in several respects, and two respects in particular, namely:

> No bill of attainder or ex post facto law shall be passed.

We fully understand that the Federal Attorney General instructed us that the Supreme Court has followed him in every case he has taken before it, and has assured us that the Court will hold this bill to be constitutional, with the exception of the section outlawing poll taxes in State and local elections, and he thinks the Court may even go along on that.

In spite of this assurance, I cannot believe the Court will overlook the all too obvious unconstitutionality of H.R. 6400 in its many provisions. I have already shown the constitutional provisions relative to the sole authority of the States to fix voter qualifications, and the recent Court decisions confirming such authority. I cannot believe the Court would uphold the ex post facto provisions of this bill, basing its effectiveness on alleged transactions and circumstances not only preceding the enactment of same, but even antedating the introduction of the bill. The proponents of the bill refer to those transactions and circumstances as "triggers."

The proponents admittedly discriminated in molding their "triggers" to be sure their gun—the bill—would only be held to the head of certain States, willfully discriminated against—and the gun is so assembled that the triggers will be pulled and the gun discharged by the very act of its enactment and approval by the President, the Attorney General having revealed by his statements in the committee hearings that he has prejudged all the alleged facts.

Neither can I believe the Supreme Court will hold a bill of attainder to be constitutional. This is a bill of attainder—a legislative act, directed against designated States and localities, pronouncing them guilty of alleged offenses, without trial or conviction according to the recognized rules of procedure, and passing sentence and attainder upon them.

I would not wish to be repetitious of other speakers, but, as time permits, I call attention to a few of the many ill-advised provisions of this proposal, dangerous to the continuation of our Federal system.

In section 3(b), authority is given the courts, on motion of the Attorney General, to suspend the law of a State for such period of time as it deems necessary. My study of the law and the Constitution leads me to believe it is a court's duty to see that laws are uniformly enforced, but that it has no authority to suspend the operation of law, and the Constitution gives no authority to Congress to grant to a court such jurisdiction. Under martial law, the operation of laws, perhaps, may be suspended in certain cases; but the language in this bill is nothing short of the language which might be expected in a police state.

In section 3(c), the Federal Attorney General is given a veto power over an act of a State legislature, by providing that a State legislature cannot change its election laws, without first obtaining the consent of the Attorney General. There is no authority in the Constitution for the Attorney General to have such power, or for Congress to grant it to him. In fact, the words of the Constitution would forbid any such thing.

We are reminded of the words in the Declaration of Independence, 189 years ago, reciting a "long train of abuses and usurpations, pursuing invariably the same object—evincing—a design to reduce—the people—under absolute despotism," including in those abuses:

> He has refused his assent to laws, the most wholesome and necessary for the public good.
>
> He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend them.
>
> For * * * abolishing our most valuable laws and altering fundamentally the forms of our governments.

Section 3(c) most assuredly does fundamentally alter our form of government in placing the veto in the Attorney General.

Section 4 of the proposed bill gives to the Attorney General the arbitrary authority, to bring the election laws and election machinery of any State under his control by a certification which shall not be reviewable in any court and which shall be effective upon publication in the Federal Register. This is a totalitarian authority. There is only a partial escape route, and it would require the officials of the victim State to travel to the District of Columbia, and see a declaratory judgment in the U.S. District Court for the District of Columbia.

This requirement that the victims travel to a foreign jurisdiction, to be heard by a foreign court, reminds us again of the Declaration of Independence, and another of the recited abuses; namely, "for transporting us beyond seas to be tried for pretended offenses."

The offenses with which this is concerned could well be only pretended, because, for good or evil, the totalitarian power given to the Attorney General is absolute, and with his power over the selection of judges, the victims would be helpless when in the hands of an evil man.

Section 5 of the proposal would require a victim State to bring an act of its legislature before the U.S. District Court for the District of Columbia and obtain a declaratory judgment before it could become effective, unless, of course, the Attorney General consents to the act. We have observed that the Attorney General is given veto power; this section effectively makes the U.S. District Court for the District of Columbia a third house of the legislature of a victim State, and I can find no authority within the Constitution for such.

Again, we return to the Declaration of Independence, and find the British King interfered with the right of the American colonists to retain the legislative bodies they had formed. This bill is a like interference, and the requirement of the bill is likened to the abuse recited in the Declaration:

> He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

Further abuses recited were:

> He has obstructed the administration of justice, and he has made judges dependent on his will alone.

This same manner of abuse will be evoked, if this bill is enacted.

In this connection, there was a newspaper article by John Henshaw, in April in this year, reporting that President Johnson had some comments about this section of the bill which provides that a State cannot change its existing voting laws, or pass new voting laws, without the approval of the U.S. District Court of the District of Columbia. The article quotes him as saying:

> After reading the section again, I can't believe it is constitutional. That provision is very discriminatory. If a State wants to regulate its own voting registration on the grounds that it has been free of discrimination, it must go to Washington to seek a judgment there. That has never been required before:

And further:

> If that is going to be in the bill I am sure glad the bill is not going to be known as the Johnson bill.

Finally, I must mention section 10, which recites as a finding of Congress that the poll tax was adopted for and is used for the purpose of denying persons the right to vote because of race or color. Such a finding has no basis in fact, and is ridiculous on its face. I am amazed that reasonable men could have dreamed up and presented such a statement as being a fact. I was not around 60 or 70 or more years ago, and do not know about the situation then, but, if perchance, the poll tax was so used at that time, to now enact a law punishing modern States because of transactions of long ago would be a bill of attainder, and ex post facto.

Today, when we are all around, and know conditions, I believe we will agree that the purported finding in the bill that the payment of a $1.50 or $1.75 per annum poll tax is an arbitrary and unreasonable restriction upon the right to vote is not warranted by the economic facts of life, and that such finding is in itself unreasonable, uncalled for and unwarranted, and should be stricken. Whether or not a State has a poll tax requirement in State and local elections should be, and is, rightfully within the province of the State itself, and has no place in this bill.

For the assigned reasons, and many others, this bill should be defeated. I urge your vote against it. Thereafter, the Committee on the Judiciary, if legislation is deemed necessary, will have a chance to reconsider this question in a reasonable, sane manner, without emotionalism, and vindicativeness, to write a bill to solve this issue in a well-considered and constitutional manner, free from the hysteria which pervaded the atmosphere during the drafting and consideration of the pending bill.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Mississippi.

Mr. COLMER. In light of the gentleman's remarks about the ability of the States to meet the requirements sought under these proposals one wonders if they really want the laws of the States to be in conformity with their stated wishes. I say that in view of the fact that the Governor of my State recently called the legislature into extraordinary session, rightly or wrongly, to repeal some of these voting laws that have been complained about, whereupon the demonstrators to the tune of some 1,500 or more have been demonstrating in front of the capitol, invading the capital of Mississippi in order to prevent the legislature from doing that which they say they wanted. It would appear that they are more interested in having an issue than they are in seeking what they are pleased to call voting rights.

Mr. DOWDY. I have read about that, about the mobs rioting down there and trying to prevent the legislature from doing the very thing that they say they wanted done. I cannot understand it.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. WOLFF].

Mr. WOLFF. Mr. Chairman, I am taking this opportunity to again address this House of Representatives on an issue I have previously spoken and, if need be, will speak again and again.

In the balance rests the unqualified right to vote for 10 percent of the American population. We, in this Chamber, have the power to grant a right—not to aliens, not to visitors, not to residents of foreign countries, but to full-fledged U.S. citizens; this present granting is an anachronism, for it was scheduled 100 years previous.

That this measure is to date 100 years in the process to eventual fruition, is an ignoble tribute to the perspicacious and agile minds that have worked to circumvent the highest law of the land. The agility and dedication to thwart this attack on the Constitution until recently, left much to be desired and thus added to the mockery of the ideas and writings of Paine, Jefferson, and Lincoln, to name but a few. The time has come to negate the gyrations and manipulations of those who deny this unalienable right. We are fortunate today to have legislation before us to see this equality for all Americans attained. I shall not beseech this body with the multitude of available information and statistics on the brutality, hatred, and discrimination in certain areas of the South. What I do wish is that each Member take cognizance of what is truly at stake—the right of all to vote. This fact must not be made inconspicuous by voluble rhetoric, but must stand out for what it is—simply the right to vote.

That the Negro is discriminated against in a plethora of forms is well known, but the denial of his vote is an infamous condition that must be curtailed. That Negroes pay taxes, serve and die in defense of this country is a major incongruity, in a country which 188 years ago justified a revolt against Great Britain on these premises. The rallying calls of that past Revolution are cherished but not adhered to: "Taxation without representation" runs rampant in the South; "life, liberty, and the pursuit of happiness" is a myth in the South; and "all men are endowed by their Creator with certain unalienable rights" would be filibustered against in almost any southern legislature. These ringing phrases are mere facades in most of the South, and this body should commit itself to a rededication of these ideals—these pillars of our democracy.

Democracy is an elusive and arduous system of government, however, when it functions the resulting benefits are enormous and far surpass the results of any other form of government. It is for this reason that I hold this system as a precious heritage. The right to vote is the fulcrum of this democracy and should never be conditioned upon color, creed, or religion. When there is a blatant imposition of these prejudicial standards there is a resulting infringement on our Democratic system which by necessity affects all Americans.

The voting rights bill now provides the procedure to rectify the past and present inequities perpetrated by Americans on Americans.

The difficulties in the South will not be resolved by sporadic excoriations on the floor of Congress, they will be resolved by needed and just legislation. Before us is the voting rights bill, needed and just legislation.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. VIVIAN].

Mr. VIVIAN. Mr. Chairman, I rise in support of H.R. 6400.

Mr. Chairman, I rise to speak in support of the Voting Rights Act of 1965. I support this legislation and I will vote for it because I believe that we can no longer submit to the systematic denial of one of the most basic American constitutional rights to many of our fellow citizens. While I will vote for the bill because of my own personal convictions that it is needed, I am convinced that the vast majority of citizens in my district and in this Nation also believe as I do, that all competent adult citizens have the right to register and vote, and that when this right is denied, it is an unconscionable blight on our cherished democracy.

Mr. Chairman, there has been a great deal of disagreement, during the hours we have debated this bill, over the legislative means by which the goal of full voting rights is to be accomplished—but there also has been evident agreement that action, and action now, is needed. I am proud that Republican and Democratic Members of this body are agreed that the denial of the right to vote is the denial of one of the most sacred American rights.

H.R. 6400 is not a perfect bill; I know of no one that would make that claim. But it is a bill that has received a full and thorough hearing in the Judiciary Committee of this House, and it was reported from the committee with the support of an overwhelming majority of its members. This bill will achieve immediate results in these States where overwhelming evidence makes it clear that discrimination at the polling place is deliberately and systematically practiced against Negro Americans. The Voting Rights Act of 1965 might not be the last action that this body will take to protect the right of all Americans to vote, but it is an effective measure that will attack the problem at its core.

Mr. Chairman, tomorrow this body is likely to pass a voting right bill, and by so doing we will strengthen the Constitution of our Nation and we will broaden the American concept of equity, justice, and equality under law.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, I rise to express full and complete confidence in the honorable EMANUEL CELLER, chairman of the House Judiciary Committee, and to express my full and complete support of H.R. 6400, a bill to enforce the 15th amendment to the Constitution of the United States, which we are now considering.

In this connection, Chairman CELLER has served his congressional district, his State, and our Nation effectively and with utmost credit since he first assumed the responsibilities of office as a Member of Congress in 1923.

During his performance of these additional responsibilities as chairman of the House Judiciary Committee, he has been completely dedicated to this higher responsibility and no Member of this House has the benefit of his experience, firsthand day-to-day knowledge, and complete familiarity with the complicated measures that have been considered over the years by his committee.

Chairman CELLER labored diligently and thoroughly studied the provisions of H.R. 6400 and I feel that under his able leadership, the Judiciary Committee has reported an effective bill that will guarantee all American citizens the right to go to the polls and cast their ballots for public officials of their choice.

Our Nation has been engaged in combat with unfriendly nations—whose desires have been to take away from the American people the right to select their public servants. The right to vote is one of the most sacred obligations of every American citizen and I am most hopeful that the Members of the House will pass H.R. 6400, as reported under the leadership of Chairman CELLER.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I am opposed to this legislation.

Mr. Chairman, the question of whether all qualified citizens should be permitted to exercise their franchise is one which is not subject to argument. Indeed, the right of franchise for every qualified citizen is one which should be protected zealously by our laws and our law enforcement officers. No American who loves his country and its cherished institutions could, in good conscience, advocate the denial of the right to vote to any person solely on the grounds of race or previous condition of servitude. Certainly no prudent or reasonable person could contend that our laws should be administered through a double standard that would differentiate between citizens of all races.

Were the purpose of this legislation to make certain that the voter qualifications in the several States be applied without discrimination to white and Negro alike, it would meet with little, if any, opposition. If, indeed, the real purpose of this legislation were limited to a valid implementation of the 15th amendment, no one could quarrel with its constitutionality.

But here, Mr. Chairman, acting in an atmosphere of hysteria brought about by constant agitation and continuous bombardments of propaganda, Congress appears to be letting itself be blackmailed into enacting a statute more vicious in its nature and more discriminatory in its application than anything ever contemplated, even, during the dark days of Reconstruction.

For nearly 200 years, our system of dual sovereignty and divided authority between the Federal Establishment and the several States has served well the cause of freedom and individual liberty. Our republican form of government has stood the test of time. It stands today as the most significantly successful experiment in self-government ever indulged in by man. Because of our system of checks and balances; because the authority of government has been distributed among many repositories; because government has been kept close to the people themselves; and because our citizens have always been free to direct the course of their own destinies, we have never suffered the threat of a dictatorship nor known the tyranny of an authoritarian regime.

Yet, Mr. Chairman, the legislation presently before us ignores the limits sought to be imposed on the exercise of power by the Federal Government, and is a long step toward breaking down the structure of our Federal Republic. If there are "pockets of discrimination"—and indeed there might be some—where members of minority races suffer arbitrary disenfranchisement through an unequal application of voter registration laws by local officials, ample laws are already on the statute books to deal with that. If additional legislation is needed in order to eliminate these so-called "pockets," then Mr. Chairman, we should concern ourselves with that. But, Mr. Chairman, is it wise to burn down the house to get rid of the rats?

Mr. Chairman, at the turn of the century, writing of the Reconstruction era, the late great President Woodrow Wilson said:

> For several years, therefore, Congress was permitted to do by statute what, under the long-practiced conceptions of our Federal law, could properly be done only by constitutional amendment. The necessity for that gone by, it was suffered to embody what it had already enacted and put into force as law into the Constitution, not by the free will of the country at large, but by the compulsions of mere force exercised upon a minority whose assent was necessary to the formal completion of its policy.

By this legislation, Mr. Chairman, we find a striking parallel to the situation that prevailed in the tragic era that followed the War Between the States. We find a Congress apparently willing to sweep away all vestiges of State sovereignties and to ignore constitutional restraints in order to placate the demands of the militant and lawless mobs in the streets who demonstrate for voting rights. These organized mobs demand civil rights, but never mention civil responsibilities. They refuse to recognize the need for an intelligent electorate, nor does their oratory dwell on character, conduct, or the moral obligations of citizenship which are essential to the success and well-being of any society.

Instead, Mr. Chairman, Members of this body are being fed statistics taken from reports of the Civil Rights Commission, carefully and cunningly manipulated so as to conform to their political desires. Constantly, the House witnesses oratorical contests among its members, each trying to outdo the others in promising more and more of less and less, hoping to reap the benefits of a cohesive minority bloc vote in their respective districts, and thus to perpetuate themselves in office.

In this season of racial antagonism, unrest, and agitation, it is my fervent hope that the cloud of hysteria will soon pass and let the sunshine of reason beam upon those who, in their current mad quest for votes, would place dangerous and unprecedent power in the hands of the Federal Government.

Mr. Chairman, the bill before us is unfair and unreasonable in its approach. Through the application of an arbitrary and unmeaningful formula, it acts as prosecutor, judge, and jury to render a legislative verdict of guilt against six States of this Union, their officials and citizenry. It does violence to their proven structure of government, and saps away their constitutionally reserved powers. It confers upon the Attorney General of the United States dictatorial powers that would make a Caesar burn with envy.

Under the terms of this bill, the Attorney General becomes lord and master of all elections, from the selection of President to the naming of a constable in a Supervisor's beat. It undermines our Federal system and unjustly condemns the elective process, and more than that, paves the way for official mischief by politically motivated enforcers. It invites political corruption, and through invalidating certain State laws requiring payment of taxes as a prerequisite to voting, actually encourages tax violations.

There is no question but that a Federal voting law, particularly as broad and as vicious as the one presently before us, can and will serve as a vehicle for the manipulation of elections by the party in power in Washington, should it see fit to take advantage of the possibilities it presents. Politically motivated and unscrupulous Federal examiners will certainly be able to exercise a powerful influence over the voters they register, for indeed, the bill provides no meaningful safeguards against that kind of activity. Perhaps this is one of the latent purposes of the bill, but I would hope the House of Representatives will not place its stamp of approval on such an evil intent. If the bill must pass, and it appears that enough votes are available to pass it, it would seem that the House should correct that dangerous feature.

Mr. Chairman, on previous occasions the Southern States have been the target of special force legislation. In the present debate, my beloved State of Mississippi has been the primary whipping boy of the liberal elements, and has suffered much unwarranted, unjust, and unfair abuse. It is significant to note, I think, that in spite of all the atrocity stories that have been levelled at my State and its people—most of them the products of fertile imaginations—the fact remains that Mississippi has the lowest crime rate of all the 50 States of the Union. The Civil Rights Commission held hearings in Mississippi recently for the purpose of developing a "pattern of discrimination against Negroes" in the matter of voting, and took testimony from a parade of professional civil rights workers from within and without Mississippi, all of whom told carefully rehearsed stories of alleged intimidation, brutality, economic pressures, and the like, mostly fictitious and all deliberately exaggerated. It is significant that no witness who appeared before the Commission to tell these horror stories was subjected to cross-examination, either by the Commission counsel or by anyone representing the State of Mississippi. No rules of evidence were followed, and these professional witnesses were permitted to tell any kind of cock and bull story that they thought might serve to embarrass the State of Mississippi. Mr. Chairman, that is typical of the kind of claptrap that the Congress is expected to use as the basis for inflicting this punitive legislation on the American people, and the excuse to be cited for overriding the Constitution with the enactment of this bill.

The people of the Southern States have had our faith shaken, but our spirits will not be broken. We are still Americans, and we will abide by whatever laws are duly and legally enacted by the Congress of the United States. But, Mr. Chairman, we do not falter in our determination that honest government shall prevail.

The people of my State weathered the first Reconstruction era, and we will make it through this one. We have long since recognized the inevitability of change, and we are taking the necessary steps that will enable us to endure the impact of transition.

Inasmuch as it appears that our system of government is no longer a partnership of Federal and State powers—a condition which we pray will be merely transitory and of short duration—the Mississippi Legislature has sought to abide by the sentiment of union and nationality now prevailing for the second time in a hundred years—the first of which was described by Wilson as "aggressive and aware of a sort of conquest."

In his address to the Congress, President Johnson said:

> To those who seek to avoid action by their National Government in their own communities, who want to and who seek to maintain purely local control over elections, the answer is simple. Open your polling places to all your people.

The Mississippi Legislature has answered this challenge. It has approved a constitutional amendment to repeal the subjective tests about which the President complained, and undoubtedly this amendment will be ratified by the people of Mississippi when they pass judgment on it August 17. The amendment will repeal the constitutional requirement that applicants for registration undergo a literacy test that might be subject to varying interpretations. Instead, in the future the only requirements for voting will be that electors be 21 years of age, able to read and write, and not have been convicted of a crime involving moral turpitude. The payment of poll taxes is retained as a prerequisite to voting, but it should be noted that this applies without discrimination as to race, and the proceeds from such taxes go directly into the common school fund.

The State of Mississippi has made a good faith attempt to provide the alternative to Federal intervention and control in line with the President's message. I can assure the House that there are no gimmicks or devices contained in the measures passed by the Mississippi Legislature that can be used to circumvent the requirements of the 15th amendment to the Constitution, nor is it intended that any be found, nor will any such thing be tolerated in our State.

Unfortunately, Mr. Chairman, massive demonstrations and unsupported charges of "police brutality" in Jackson dominated headlines across the country, while the productive work of the legislature went virtually unnoticed. Presumably, that is the reason for the failure of the national press to give full coverage in reporting on these actions in the Mississippi Legislature. Therefore, Mr. Chairman, for the benefit of the Members of the House, the press, and the public, I include as part of my remarks an explanation of the voter registration bills to which I have made reference, and which were signed by Gov. Paul B. Johnson on

July 1, 1965. The article is taken from the July 2 issue of the Jackson, Miss., Clarion Ledger:

GOVERNOR SIGNS INTO LAW VOTER REGISTRATION BILLS

Gov. Paul B. Johnson, early Thursday signed into law 10 bills enacted by the Mississippi Legislature to reconcile this State's election statutes with Federal voter legislation now in the hands of the Congress.

The Governor submitted the package of voter acts 3 weeks ago after calling an extraordinary session of the lawmaking body for that purpose.

Senator Merle Palmer, of Pascagoula, chairman of the elections committee of the upper assembly of the legislature, whose committee reported favorably the acts approved by both the house and senate, Thursday handed newsmen a résumé of the legislative package.

He listed also a concurrent resolution just approved by the house of representatives, but yet to be taken up by the senate.

Palmer's itemization of the bills and what they do, follows:

ITEM I

Explanation of House Concurrent Resolution 13: This resolution merely sets up an interim study committee to study all of the election laws in the State of every kind, description and nature and their relationship to the Federal voter registration law and the Civil Rights Act of 1964 with the committee reporting back to the next regular session.

ITEM II

Senate bill 1501 amends section 3209, Mississippi Code of 1942, so as to provide a form of voter registration application blank and includes the name, date of birth, citizenship, and residence and whether or not the applicant has ever been convicted of the crime of bribery, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement, and bigamy. It also provides for the required oath of the applicant.

ITEM III

Senate bill 1502 provides in substance that a person shall not be registered unless he is able to read and write, and provides that the registrar shall file all applications for registration together with any affidavits of disability for a period of 2 years from the date of the application for registration. This amends section 3209.7, Mississippi Code of 1942.

ITEM IV

Senate bill 1503 provides for the simplification of the form of registration books to comply with the above two items and amends section 3210, code of 1942.

ITEM V

Senate bill 1504 amends section 3212, code of 1942, so as to exclude therefrom any reference to section 241-A of the Mississippi constitution and merely provides that "Every person entitled to be registered as an elector in compliance with the laws of this State shall sign his name in the column provided therefor on the registration book and thereupon shall be registered by the registrar on the registration books of the election district of the residence of such person."

ITEM VI

Senate bill 1506 amends section 3235, code of 1942, to require that every citizen who offers to vote shall be able to read and write and amends the present law so as to exclude the obligation now placed on the registrar in the giving of certain tests to the applicant.

ITEM VII

Senate bill 1507 repeals section 3213, code of 1942, which said section of the code provided that a person presenting themself to register and as a prerequisite to voting should exhibit a knowledge of constitutional government and proof of good moral character before he would be eligible to vote. This law which is being repealed by this bill was enacted in 1962.

ITEM VIII

Senate bill 1508 provides for the repeal of section 3212.7, code of 1942, which section repealed by this bill provided that county registrars should publish the names and addresses of applicants to vote and provided a method of challenging the moral fitness of said applicants.

ITEM IX

Senate bill 1509 provides for the repeal of sections 3217-01 through 3217-15, code of 1942. These sections of the code provided a method whereby a third party by way of an affidavit might challenge the good moral character of voter applicants and also contained therein the procedure therefor.

ITEM X

Senate bill 1510 repeals section 3272, code of 1942, which provided that no aid could be given to an illiterate voter. It will be well to note that this does not exclude aid to a person with physical handicaps or disabilities.

Mr. Chairman, had the Mississippi Legislature been in a defiant mood, instead of relaxing voter qualifications it would have revealed section 7 of article 3 of the Mississippi constitution which reads:

> The right to withdraw from the Federal Union on account of any real or supposed grievance, shall never be assumed by this State, nor shall any law be passed in derogation of the paramount allegiance of the citizens of this State to the Government of the United States.

Mr. Chairman, that section has been in Mississippi's constitution for 75 years. The people of Mississippi are honorable, patriotic, dedicated Americans. They will ever be so.

Mr. Chairman, Chief Justice John Marshall once wrote into an opinion that:

> No political dreamer was ever wild enough to think of breaking down the lines which separate the States and of compounding the American people into one common class.

Were he alive today, he could not make that statement, for the political dreamers have taken over the controls of our ship of state, and are charging full speed ahead into unchartered waters without even so much as the benefit of a compass. Where complete federalization will lead us, of course, no one knows. But if the cycles of history can be taken as precedential, unless we return to the deep and pacific waters of constitutionality, the reefs of totalitarianism soon may claim another victim.

Mr. CELLER. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. Chairman, can the gentleman from Ohio yield some time to the gentleman also?

Mr. McCULLOCH. I regret, Mr. Chairman, that we have requests for all of our time. If any of it should be relinquished I shall be pleased to immediately release it to the majority.

Mr. CELLER. Mr. Chairman, I yield 6 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr Chairman, there are, unfortunately for America, a number of people who feel that anyone who dares speak up in opposition to any measure connected with so-called civil rights, is automatically a racist, a bigot, and a hater. I am neither.

There are always two sides to every question. Many different solutions are available to reasoning and reasonable men, no matter how thorny or how knotty the problem may be. I have heard your side of the argument; now hear mine.

The privilege of voting is a precious one and I do not for a moment advocate or condone any practice anywhere in this Nation that would bar any qualified man from the exercise of that franchise.

There are words in that sentence which cannot be changed, cannot be substituted for, cannot be omitted. They are the meat of the coconut. The words are "privilege" and "qualified."

The Constitution and any number of State and local laws in every State in the Union specifically deny that there is any right to vote. There is only a privilege to vote; a privilege which is given to some of the people of this land, but by no means, to all.

For the sake of example, consider these exceptions:

The privilege is not given to children. In all States, save one, voters must be 21 years old before they can vote. So, to those under 21, there is no right to vote. It is a privilege they are not yet old enough to have.

The privilege is not given to the unfortunate insane. To these unfortunate souls, there is no right to vote, through no fault of their own.

The privilege is not given to those convicted of certain crimes. It is held that they have relinquished their privilege of deciding upon matters affecting the law-abiding. To those so convicted, there is no right to vote.

The privilege of voting in a bond issue election is not given to those in many States who do not own property. To the nonowner of property, there is no right to vote in many States on bond issue elections now. This proposal will allow the nonowner to vote.

The privilege of voting in an election in New York is not given to the residents of the other 49 States. To those of us who live in Louisiana, for instance, there is no right to vote in a New York election.

The privilege of voting in New York, as another example, is not given to those citizens who cannot read and write in the English language. To those who do not read and write English, no matter how many years they may have been a citizen, there is no such thing as a right to vote.

This list of exceptions goes on and on, gentlemen, as you well know. I think, however, that I have cited enough examples to prove the point I wanted to make: that there is no right to vote; only a privilege given to the qualified. It is a privilege that we have dearly won and it is as precious to me as any possession I own. It should be to all.

This is one of the words in my statement which cannot be changed, substituted for or omitted: the word "privilege."

The other word is "qualified." I do not believe that the unqualified should be allowed to vote.

I believe that each of the qualifications I have just listed are just, meet, and right.

Children should not be allowed to vote. The unfortunate insane should not be allowed to vote. Criminals whose citizenship has been revoked should not be allowed to vote. Nonproperty owners should not be allowed to vote in bond issue elections. Louisianians should not be allowed to vote in New York. Those who do not read and write English should not be allowed to vote in that State, either, if the laws of that State say they should not. In each of these instances, the applicants are unqualified to exercise this privilege.

And it is on this point that the Constitution and all our State and local laws now stand. It is on this point they should stand and the Federal Government has no moral or legal grounds to hold otherwise.

The argument has been made time and time again that the States have the right to establish the qualifications of its voters. No reasonable man can deny this fact. To deny it is to say that article I of the Constitution does not exist.

During the floor debate in the House last year on the civil rights bill, it was conceded by the advocates of that proposal that the only responsibility resting on the States would be to administer whatever qualifications it did prescribe without discrimination.

I daresay every Member of the Congress knows that article I, section 2, clause 1 of the Constitution explicitly acknowledges the right of the States to set up their own voting qualifications, provided only that any citizen permitted to vote for the most numerous branch of a State legislature be also permitted to vote for the House of Representatives.

But, this is old hat, you are as familiar with this proviso as I am.

The lower courts of the land know it, too; as does the Supreme Court. It has repeatedly and in recent years upheld this right of the States. As late as 1959, in a case involving the State of North Carolina, the Supreme Court decided unanimously that the States do have this right. In this particular case, the decision was unanimous, so each Justice has stated that this is his individual opinion.

Justice William O. Douglas repeats his opinion in his book, "An Almanac of Liberty":

> The privilege of voting is not derived from the United States, but is conferred by the States and, save as restrained by the 15th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

The bill before us, gentlemen, is rooted in discrimination, vindictiveness, and hypocrisy and any law made from such a bill cannot deny its parentage.

Clearly, this bill is a punitive measure aimed at six Southern States, Alabama, Georgia, Louisiana, Mississippi, South Carolina, and Virginia. It is not aimed at the other States which have eligibility tests.

This administration, the ones which have immediately preceded it, the leaders of both major parties, and the Supreme Court have all said over and over again and in every conceivable way that the 14th amendment of the Constitution guarantees equal protection of the laws to every citizen of this land.

Yet, clearly, this bill is designed to accomplish exactly the opposite: to set up one set of standards in 6 States that do not apply in the other 44.

This discrimination, this favoritism, cannot be squared with the much-quoted 14th amendment. Nor can it be squared with section 2 of article IV which states that the "citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

This proposal, at the whim and caprice of someone in authority, has singled out those States which on the arbitrary date of November 1, 1964, happened to have registered less than 50 percent of the persons of voting age residing in the State or in any political subdivision, or in which less than 50 percent of such residents voted in the presidential election last November. You do not understand why Negro registration is low. It is not because of discrimination.

Is there supposedly some magic to the number 50? What States would have been brought under the force of this proposal, had the magic number been 60? Or 70?

Is there supposedly some magic in last November's election? Why not the presidential election of 1960. Or 1954?

If this proposal becomes law, what happens to the American tradition of a man being innocent until he is proved guilty. Under the provisions of this bill, a governmental body not only would have to prove that it was not guilty of an act of discrimination on a specific, arbitrary date, but also that of any other such act on any other date in the preceding 5 years.

This does total violence to the precept of presumed innocence. It must not be permitted.

This bill is riddled with obvious discrimination; the same discrimination that this administration and others which have preceded it have preached against and legislated against. This bill recognizes no reluctance to discriminate against these six Southern States and make them the whipping boys for the Nation. This bill is not concerned with election fraud. It should be when registered votes can be and are stolen.

It is an old adage, gentlemen, but two wrongs do not make a right.

Any citizen has the right to be treated alike when the franchise privilege is at question. If he meets the age, literacy, residence, or any other qualifications laid down by the State in which he resides, he has been given the privilege of voting.

It is hypocrisy to pretend that whether 99 percent or 20 percent of his neighbors vote has anything to do with his individual privilege.

The entire duty of the Congress is to see to it that every man can equally exercise his privilege when he wants to if he wants to. We have no other duty. We have no duty to lay a slide rule alongside voting statistics. We have no duty to abridge the right of the States to set voter qualifications. We have no duty to enact discriminatory legislation of any kind.

It is beneath the dignity of this body. It is beneath the moral sense of this body.

It is time for reasonable men to reason together. A solution can be found to this nationwide problem that is constitutional, that treats each State in exactly the same way and that achieves what all reasonable men want: the privilege of every qualified man to vote.

What can be done to insure every qualified man the privilege of voting?

Enforce the provisions of the 15th and 19th amendments of the Constitution and the Federal laws already in force. Strengthen them, if necessary. Double the penalties. Speed up the process of hearing and deciding cases. There are any number of reasonable means of enforcing these laws. There is no necessity to tear down the Constitution to enforce these laws.

We seem to be able to enforce laws against kidnapping, murder, rape and arson without tearing up the Constitution to do it and each of these crimes must be judged as being worse than any case of voter discrimination. If we can enforce these laws, it is reasonable to believe we can enforce any other this Congress decides to enact.

Too many people, too many Members of the Congress, too many members of the clergy and the news media, have been stampeded by the hysteria of impassioned groups of citizens. We are on the verge of enacting a law that is being decried in private and in public as unwise legislation. This Congress must not pass a bill that is riddled with flaws, faulty reasoning and unvarnished hate. To do so is to invite back the violent days of the Reconstruction, drive the races further apart and, in the end, fail to accomplish the goal every reasonable man can support: the privilege of every qualified man to vote.

Mr. Chairman, it is rare indeed when I can agree with any portion of the editorial policy of the Washington Post, the newspaper of the extreme liberal left, but back in April of this year, in the issue of April 2, the Post stated a position regarding this voting rights legislation with which I could agree. The name of the editorial was, "A Hole in the Bill." This is what it had to say:

> HOLE IN THE BILL
>
> Southern critics of the administration's voting rights bill have properly drawn attention to a significant gap in the legislation. As Senator ROBERTSON put it in a letter to a New York paper, "New York requires voters to be able to comprehend English, which disqualifies thousands of Puerto Ricans who are not helped by the pending legislation." His point is a good one.
>
> There are some 730,000 Puerto Ricans in New York City. According to one estimate, only 150,000 out of 480,000 potential Puerto Rican voters are registered. Thus around 330,000 Puerto Ricans are eligible but not registered. A major reason for this is a New York law requiring literacy in English as a prerequisite for the vote.

> Herman Badillo of the Legion of Voters presented these figures in testimony before the House Judiciary Committee last week. He pointed out that Puerto Ricans have been American citizens for a half century, that most Puerto Ricans are literate in Spanish, and that even under existing laws qualified Puerto Ricans find discriminatory barriers to voting. There is no literacy test whatever on the island of Puerto Rico, where the illiteracy rate is now about 15 percent.
>
> In our view, it would be highly unfair to impose one set of voting standards on Southern States while permitting another in the North. Admittedly, the problem is different. Negroes in the South are denied voting rights not by law but by arbitrary and discriminatory enforcement of the law. Though there may be occasional abuses in New York qualified Puerto Ricans find it far easier to register than do qualified Negroes in Alabama.
>
> The ideal remedy would be State action in New York. But the English literacy requirement is embedded in the State constitution, and the amendment process is complex. Mr. Badillo proposes that the voting rights bill could be broadened to provide relief for Puerto Ricans. He suggests that if the law were to apply to political subdivisions such as an assembly or election district, the 50-percent-registration requirements could protect the voting rights of Puerto Rican citizens.
>
> There are other formulas possible. The point is that consistency, fairness and commonsense indicate that a uniform voting standard should prevail in every region, North as well as South. President Johnson called on local governments to "open your polling places to all people, allow men and women to register and vote whatever the color of their skin. Extend the rights of citizenship to every citizen in this land." Surely Puerto Ricans have a right to take the President at his word.

This editorial draws a precise bead on what I have attempted to point out in the Judiciary Committee, before the Rules Committee, and now, here in the dying minutes of debate before voting of this iniquitous bill: that this measure is inequitable, punitive, and discriminatory.

I have tried in every way I know and with all the meager ability I possess to point out this discrimination. I have done so and I do so today out of love for the Constitution and for equal justice for every man and not out of hatred for the Negro. I would deny no man equal justice before the bar of justice. I would deny and I do deny every man preferential treatment, regardless of his color, his creed, or his race.

Legislation dealing with voting rights has no sacred mandate as some of the proponents would have us believe. It does not deserve passage regardless of its flaws, its faults, and its passages of serious constitutional doubt. But that is what we are being exhorted to do today and I rebel. The end does not justify the means.

I have precisely the same reservations about the minority substitute measure, with but a single exception: at least it has universal application. It does not lay the whip to the South while the North, East, and West escape its purview. It is, in my opinion, a bitter sauce for both the goose and the gander, but it is sauce for every State and every section of the Nation.

Let there be no question about my position on both measures. I am opposed to both. If I could, I would oppose both measures equally and let it go at that. But I cannot and have any respect for myself tomorrow. Because I know and every Member in this Chamber must know that one of these measures is going to pass this House. It would be demagogery for me to fail to do all I can to get the best of these two bad bills. I do not know how any man from Louisiana or any other State can do otherwise. I will vote for the Republican substitute then, not because it is a good bill, because it is not, but because it is better than the discriminatory measure of the administration.

The entire Nation will suffer together if the Republican substitute is passed. Only the South will suffer if the administration bill is passed. Maybe this is a case when misery loves company, but if this body will not be guided by reason, commonsense, and the Constitution, then, at least, let every State be punished alike for the foolishness. I will not vote to discriminate against Louisiana.

Mr. McCLORY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, the great social drama of this century is the struggle for equality of our fellow citizens who are Negroes.

Victims of discrimination in every area of human activity—because of skin color—these men, women, and children are truly the disadvantaged of our democracy.

What is to be the American answer for this problem that pervades every element of human relations? Shall it be constructive action by the lawmakers of this Nation to enforce the guarantees of the Constitution regarding civil rights? Or, shall Government's response be but an eccentric echo of the voices which cry out for freedom from the despairing depths of deprivation?

Too often, those whose hearts and souls cannot accommodate a fundamental belief in the constitutionally guaranteed rights of all Americans seek to blunt the arguments and actions others of us use for this purpose by ascribing emotional overtones to them. The segregationist will say, "Stripped of emotion, you are left with an unjustified attempt to secure special privileges for a certain class of people."

Of course, I deny the charge. My support of the pending voting rights bill rests squarely on the 14th and 15th amendments to the Constitution, legislation subsequently enacted to enforce those guarantees, and court decisions which have upheld the rights of all Americans to enjoy equal protection of the law and to be equal participants in the voting process regardless of extraneous considerations.

But, I do not want to leave out the role emotion does and should have in a contemporary consideration of the legal rights of man. We need an emotional and spiritual intensity coupled with our knowledge of what is legally right and sound. Such a fervor is traditional and has deep roots in the history of this revolutionary Nation.

Let us look to the particular situations at which this legislation is directed. And, let us look into the human indignity and injustice which these shameful practices of voting denial breed. Our examination should convince us that massive numbers of Negroes are being arbitrarily barred from polling places in many sections of the country and that the debasing of American citizens is morally reprehensible.

There is—indisputably—in the findings of every governmental survey an abundance of evidence that Negroes in the Southern States of this country are effectively restricted from voting. The statistics from some areas, when compared with official population counts, are so alarming as to be almost unbelievable. For example, the State of Mississippi has registered to vote more than 12 times as many whites as Negroes. Yet, in the overall population there are fewer than 1⅓ more whites than Negroes. There are some places in these States where no Negroes are registered to vote, even where the Negro population outnumbers the white population.

Beyond our knowledge of the fact that this kind of voter discrimination does occur, we know how it is accomplished. In fact, it is this awareness of the many and ingenious means which local officials practice that are the target of the bill we now have before us.

I believe protection of the voting right in legislative enactment is demanded in this Congress. I believe our product must provide remedies for the patterns and practices of voter denial in as many places as they exist. And, I believe we must express clearly and convincingly to any who would attempt subtle contempt of this new law that Congress has the will and capacity to react responsibly whenever and wherever the rights of American citizens are restricted.

Mr. Speaker, my efforts in behalf of effective protections in this field are as old as my service in Congress. Shortly after being sworn in as a Member of the 88th Congress, I joined with a group of my colleagues in the introduction of a civil rights bill that carried various voting right provisions. A number of these now are law, having been incorporated in the omnibus Civil Rights Act of 1964.

In this 89th Congress, I again have sponsored legislation dealing with Federal enforcement of every citizen's right to the ballot box. On February 24, I introduced H.R. 5402 to provide for the implementation of voting rights through the appointment of Federal registrars.

Later, as events in Selma, Ala., and other places indicated a need for even greater measures to prevent disenfranchising Negro citizens, I introduced H.R. 7259. A multifaceted bill, this measure provides principally for the abolition of the poll tax in all elections, Federal and private "triggers" for the assignment of voting registrars, procedures for registering voters in affected areas, election observers for those districts where Federal registrars are required, protection of first amendment rights and fines and imprisonment for those found guilty of violating these provisions.

The contents of these two bills which I have introduced fairly represent my conviction as to the power and authority which I believe the Federal Government can and should exercise in wiping this blot of vote denial from today's society. I point this out as I feel it is important to record publicly the legislative elements which I have sponsored and which I seek to support in the action of the House.

While the bill which the Committee on the Judiciary has reported for our consideration is not so far reaching in some respects as I would desire, it does not contradict the provisions I have sponsored and support. Therefore, I can and shall vote for passage of H.R. 6400.

Every civil rights matter is basic, because matters which deal with humanity and the rights of Americans to enjoy the protections for which their forefathers fought and died are entwined with the organic structure of democracy. All of these basic rights are precious, and the entitlement to vote and decide the destiny of this Nation is fundamentally so.

Mr. McCLORY. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, as a Member of Congress, as an elected representative of the sovereign State of Alabama and as one who believes in and who is sworn to uphold the Constitution, I am obliged to speak out. I do not rise to defend discrimination against any person on the basis of race or color anywhere in this Nation. Nor do I speak against the rights of any citizen. Rather, I am compelled to speak out this day for the Constitution which safeguards all the rights of all the people, and against a bill H.R. 6400 which I believe to be unnecessary, unconstitutional, discriminatory and therefore wrong. We first had legislation in this area in 1957, then in 1960, then in 1964 and now again comes a call for additional legislation in 1965. At this rate, the next voting rights bill, or civil rights bill, may be demanded before the end of this session.

I challenge the notion that legislation is needed in the area of voting rights as outlined in H.R. 6400, the voting rights bill of 1965, for two major reasons:

First. There already is plentiful and adequate legislation on the books providing for the right to vote of all properly qualified citizens of this country; and

Second. The bill before us, the administration bill, the bill called for by President Johnson and his party, is dangerous in its precedents, unequaled in its attack upon the Constitution, and unwarranted in its discriminatory provisions aimed at my State and that section of the country from which I come.

The following are only some of the adverse features of the bill:

First. The States to which the bill would apply are subject to its provisions because less than 50 percent of the people in the voting age population voted in the presidential election of 1964. That other States may vote an even smaller percentage in future elections does not subject them to the bill. On the other hand, every State subject to the bill will remain so regardless of what percentage of its citizens may vote in future elections. In addition, Arkansas, Texas, and the District of Columbia are exempt from the bill even though less than 50 percent of their voting age population voted in the presidential election of 1964.

Second. It is impossible for four of the States subject to the bill to escape its harsh terms any time within the next 5 years.

Third. After the minimum period of up to 5 years, unless the Attorney General agrees, the States subject to the bill must file a suit in Washington, D.C., to become exempt from its terms, and in such suits the States cannot even compel the attendance of witnesses from within their own territory to appear in their behalf.

Fourth. The Civil Service Commission will set the qualifications for voting and no person will be disqualified because he is illiterate, has no education at all, or is of bad moral character.

Fifth. No person placed on the voters list in a State by the Civil Service Commission may be removed upon evidence from any citizen in that State except under strict, difficult, and sometimes impossible procedures.

Sixth. Any person may be registered by the Civil Service Commission, by agreement with the Attorney General, regardless of whether he is qualified to vote under the applicable State law regarding many qualifications.

Seventh. None of at least six States under the bill may pass and enforce any law changing their voting process or altering the qualifications of voters without the prior approval of the Federal District Court in Washington, D.C.

As I said before, the foregoing are only some of the unfair and unwise features of the bill. In the April 3, 1965, edition of the New Republic, Mr. Alexander M. Beckel described the bill as a Reconstruction measure. Mr. Beckel reported as follows in his article entitled "The Voting Rights Bill Is Tough":

> The administration's voting rights bill is a tough measure, make no mistake, the toughest since Reconstruction.
>
> Furthermore, it is not only the toughest bill since Reconstruction, it is a Reconstruction measure for it applies exclusively—with one or two incidental exceptions—to the hard-core Southern States and Black Belt counties where prospective voters are required to pass various tests.

Indeed, the bill in many ways is worse than a Reconstruction measure. To illustrate that point I will quote from a speech by the chairman of the Joint Committee on Reconstruction, Congressman Thaddeus Stevens. Congressman Thaddeus Stevens declared at the time the 14th amendment was being considered that you could not get five States in the Union to agree to let Congress regulate the qualifications of voters. I quote now from the speech of Thaddeus Stevens of January 31, 1866, which appears at page 536 of the Congressional Globe, 39th Congress, 1st session:

> Now, I hold that the States have the right, and always have had it, to fix the elective franchise within their own States. And I hold that this does not take it from them. Ought it to take it from them? Ought the domestic affairs of the States to be infringed upon by Congress so far as to regulate the restrictions and qualifications of their voters? How many States would adopt such a proposition? How many would allow Congress so far as to regulate the restrictions and qualifications of their voters? * * * Would New York? Would Pennsylvania? Would the Northwestern States? I am sure not one of them would. Therefore, if you should take away the right which now is and always has been exercised by the States, by fixing the qualification of their electors, instead of getting 19 States, which is necessary to ratify this amendment, you might possibly get 5. I venture to say you could not get five in this Union.

You can tell from the speech I have just quoted that Thaddeus Stevens would not have voted for the bill that the committee is now considering. The chairman of the Joint Committee on Reconstruction knew something the authors of this bill must have forgotten. Thaddeus Stevens knew that at the time the Constitution was written back in 1787, the States had diverse qualifications for suffrage, and almost all of them had property qualifications of one sort or another. In the very beginning, article I, section 2, of the Constitution vested in the State governments the power of fixing the qualifications for voters. This section provides as follows:

> The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

How could any language be clearer? It would seem that nothing could be clearer than the language in this section of the Constitution. When we consult Madison's notes, and the other authorities, we find that there were three schools of thought in the Constitutional Convention with reference to the matter of qualifications of electors to vote for Members of Congress.

One school of thought felt that the qualifications should be prescribed in the Constitution itself.

The second school of thought felt that the question should be left to Congress.

The third school of thought, which as we know prevailed at the Constitutional Convention, was that the qualifications for the electors should be those fixed by the States for the most numerous branch of the State legislatures.

Congress was not given any power to prescribe the qualifications for voting and this omission was absolutely deliberate. When the Founding Fathers desired to give Congress power to alter State rules with respect to the times, places, and manner of holding elections for Senators and Representatives, they specifically did so in article I, section 4.

This bill before us is entitled "A bill to enforce the 15th amendment to the Constitution of the United States." But as early as the third paragraph the bill goes completely beyond the authority of Congress granted by the 15th amendment. In section 4(a) the bill outlaws in 6 States and 34 counties of North Carolina plus 2 other counties any and all testing of the ability to read, write or understand any matter and any requirement regarding moral character as a condition or qualification to the right to vote.

Attorney General Katzenbach has testified to the committee that the bill places a premium on compliance with section 4(a). But let us examine that section. There is no way on earth that a State can comply with that section because in every particular it refers to past factual events.

The test which completely exempts some States from the provisions of the bill and which brings other States under the bill is altogether arbitrary and bears no reasonable relation to discrimination against voters in violation of the 15th amendment. In other words, six States, including the State of Alabama, are subject to the bill simply because they maintained literacy tests on November 1, 1964, and less than 50 percent of the persons of voting age voted in the presidential election of November 1964.

No State in the Union so far as I know was under any legal obligation to see to it that more than 50 percent of its citizens of voting age voted in the presidential election of November 1964, nor were any of the States under any duty to see that more than 50 percent of their citizens of voting age were registered to vote at that time. Just look how unfairly the bill applies in this respect. Two States, Texas and Arkansas, and the District of Columbia voted less than 50 percent of their voting-age citizens in that election. Yet they are not under the bill and cannot come under the bill simply because they did not maintain literacy tests in November 1964. In other words, they are free of the provisions of the bill, and can never be made subject to it, simply because they did not maintain literacy tests in November of 1964.

This brings us to the crux of the unconstitutionality and manifest unfairness of this bill. Two States and the District of Columbia are exempt from the provisions of the bill because they did not maintain literacy tests in 1964. On the other hand, six States and a number of counties in three other States come under the bill because they did maintain literacy tests in 1964. However, this is an unreasonable and vindictive boundary line for the scope of the bill because in 1964, and even today, it is perfectly lawful for any State to maintain a literacy test as a qualification for voting.

The Supreme Court has left no room for doubt on this point. In *Dunn* v. *United States*, 238 U.S. 347, the Supreme Court said:

> The establishment of literacy tests for exercising the suffrage is an exercise by the State of a lawful power vested in it not subject to the supervision of the Federal courts.

Attorney General Katzenbach has testified that it is for Congress to set the boundaries. He said that is essentially a legislative function which the courts do not and cannot quibble about. However, the Attorney General is asking Congress to make an arbitrary distinction, without relation to any discrimination. The test relates only to the exercise of a perfectly lawful right that was being exercised at only one point in time; namely, November 3, 1964. Future violators of the test incur no penalty. The bill's provisions attach only as a result of past events.

Let me turn for a moment to the legislative history of the 15th amendment to show without any doubt that the bill before us would have Congress exceed its authority. The joint resolution, H.R. 402, proposing an amendment to the Constitution with respect to suffrage reads as follows:

> SECTION 1. The right of any citizen of the United States to vote shall not be denied or abridged by the United States or any State by reason of the race, color, or previous condition of slavery of any citizen or class of citizens of the United States.

On February 10, 1869, the Senate amended and passed H.R. 402 to include a provision that no discrimination shall be made in the exercise of the elective franchise on account of nativity, property, education, or creed. If the 15th amendment as proposed by the Senate on February 10, 1867, had been concurred in by the House and ratified by the States, the States would have lost their rights to prescribe literacy tests or other educational qualifications for their voters. It is most interesting to note the reaction of the country to this action of the Senate which would have greatly restricted the powers of the States.

For example, I will quote from an editorial which appeared in the New York Times on February 15, 1869. The editorial discloses that this action of the Senate in amending H.R. 402 caused a great storm of protest throughout the country. The editorial reads in part as follows:

> The amendment as reported by the Reconstruction Committee and passed by the House is simple and moderate. * * *
>
> The Senate amendment is sweeping enough to justify the charge of being revolutionary preferred by Mr. Conkling and others, who nevertheless voted for it. The terms used are: "No discrimination shall be made in the United States among the citizens of the United States in the exercise of the elective franchise, or in the right to hold office in any State on account of race, color, nativity, property, education, or creed."

Note that the Senate amendment would have prohibited any State property or literacy test. The editorial has this to say with regard to the great reluctance of the Northern States to part with nearly all their control over suffrage.

> For a change in the laws regulating suffrage, the country is to a large extent prepared. While conceding to the States their full constitutional control over the subject, the desirableness of securing substantial uniformity on a basis harmonizing reconstruction, has forced itself upon the Republican Party. The ability to justify Negro enfranchisement throughout the South depends somewhat upon the readiness of the North to abate its own hostility to Negro enfranchisement. There can be no propriety in insisting that the blacks shall have their full share of power in States where their numbers make them formidable so long as we refuse them the privilege in States where their political influence must always be insignificant.

As to the broad Senate amendment, the Times editorial stated:

> But the Senate amendment travels over new ground, dictates terms for which the country is not prepared, and goes far toward extinguishing the vital forces of State authority. It deprives the States of the power of regulating qualifications for local office, and declares that neither on the ground of color, nativity, education or property shall a citizen be debarred admission to the highest positions of trust and distinction. * * * It aims at objects to which public attention has not been directed, by means which will provoke the most formidable opposition.

Following a great storm of protest throughout the country, the Senate backed away from its amendment restricting the rights of the States to prescribe educational and property qualifications for their voters. To understand the intended meaning of the 15th amendment, it is important to note that between February 10 and February 17, 1869, the Senate did an abrupt about-face and backed away from its amendments which would have restricted the rights of the States to prescribe property and educational qualifications for their voters. The debates in Congress make it absolutely clear beyond any doubt that the 15th amendment was not intended in any way to restrict or take away from the States their rights to prescribe educational or property qualifications of voters. A specific Senate amendment which would have done so was rejected by the House and was withdrawn by the Senate.

The legislative history of the 15th amendment and all of the court cases construing it make it abundantly clear that any enforcement measure pursuant to the amendment must be related to discrimination in violation of the amendment. Yet the force of this bill attaches upon the exercise by a State in only 1 month of 1964, of its lawful right to maintain a literacy test and with respect to the percentage of its citizens who went to the polls in November 1964. Now the question is this: If such a test bears any reasonable relation to violation of the 15th amendment, why is the State not exempted from the bill when it no longer meets this test? As now written, it is impossible for 4 of the States subject to the bill to escape its harsh terms any time within 5 years.

After the minimum period of up to 5 years, unless the Attorney General agrees, the States subject to the act must file a suit in Washington, D.C., to become exempt from its terms, and in such suits the States cannot even compel the attendance of witnesses from within their own territory to appear in their behalf.

A distinguished Member of the other body has aptly described this feature of the bill during hearings, and I could not agree with him more:

> It takes and closes, slams shut the door of every courthouse in the United States to any State or to any political subdivision of a State in which 50 percent of the people failed to vote in the presidential race in 1964, except the District Court for the District of Columbia. This law makes a State or political subdivision establish its innocence, complete innocence.

Not even the initial test of the constitutionality of the statute as a whole can come up in a Federal district court in the South. The test will have to be made in the Federal courts of the District of Columbia.

In addition, no State coming under the bill may continue to apply its literacy test as a qualification for voting. This is true without regard to any proof of discrimination by that State or anyone else. Of this provision, Mr. Beckel, whom I quoted previously, wrote in the New Republic:

> The prohibition against the continued use by State registrars in the region covered of existing tests and devices, including existing literacy tests, is enforced by criminal sanctions. These are not likely to do much good, given the inclinations of southern juries, and they tend to give the bill the appearance of outlawing literacy as a qualification. They constitute, therefore, the most serious threat to the constitutionality of the bill, and for very small gains.

The Civil Service Commission will set the qualifications for voting when a State is under the bill and no person in that State will be disqualified because he is illiterate, has not education at all, or is of bad moral character. Furthermore, no person placed on the voters' list in a State by the Civil Service Commission may be removed upon evidence from any citizen in that State except under strict, difficult, and sometimes impossible procedures.

When a State is under the bill, any person may be registered by the Civil Service Commission, by agreement with the Attorney General, without regard to whether he has ever attempted to register before and also without regard to whether he is qualified with respect to literacy or character.

There are many other bad features of the bill. One of the very worst features of the bill is the section providing that none of the States under the bill may pass and enforce any law changing their voting process or altering the qualifications of voters without the prior approval of the Federal District Court in Washington D.C. Only a few weeks ago at hearings, a Member of the other body asked Attorney General Katzenbach the following question concerning this provision:

> Do you know any act of Congress that has been passed since George Washington took his first oath of office as President of the United States which said a State could not pass a law that would not become effective until that law was approved by a Federal court?

Attorney General Katzenbach answered:

> No, I do not, Senator.

In other words, the revolutionary effect of the section is to join a Federal court to our State legislatures and Governors as an integral part of the State lawmaking process in all election matters. It has been commented that this is an unwise precedent and I entirely agree. It is more than that. It is a dangerous precedent. If such a procedure is adopted it may be emulated through similar procedures covering almost every facet, every subject, of mutual Federal and State concern and responsibility.

Also, I cannot understand why the Attorney General felt free in the bill to alter the State requirements regarding the poll tax, in view of his statement to the committee that the bill does not seek to abolish the poll tax since they have been unable to adduce any evidence that the poll tax has been used to discriminate with respect to the right to vote.

This bill is much worse than the literacy test bill which was defeated in the 87th Congress. Let us make no mistake. This measure like the literacy test bill has been brought to Congress under the pressure of political expediency. It is said that if we pass this bill the Supreme Court will affirm it. But we have a duty to apply the Constitution just as the Supreme Court has. Indeed, with respect to legislation, ours is a more intimate trust for after Congress passes a bill it becomes embellished with a presumption of constitutionality when it comes before the Supreme Court. We cannot ignore our responsibility. Let us renounce this bill now.

Let us support squarely the rights of the people of the United States and the rights of the States of these United States that our form of government may be preserved—that we may be faithful to our sworn duty—that we may remain true to the vows that we have taken for our office, and true to the trust that has been placed in us.

Mr. McCLORY. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, on the evening of March 15, 1965, the President of the United States stood in this Chamber and before the television cameras to say there must be no delay in enactment of voting rights legislation.

His remarks were widely applauded in a way which reflected the highly charged emotion which swept the Nation at that time and continues today.

The emotion had been created as the result of events at Selma, Ala., in the preceding weeks. And though many of the people of this country have developed strong feelings on this issue out of good intentions and a feeling in support of justice for all citizens, it is important that we recognize the background of those demonstrations.

Any discussion relating to legislation which bears directly on constitutional principles should include factual information regarding the events leading up to formulation of the bill.

Columnist Henry J. Taylor has written of the Lincoln project as devised by the Communist Party of the U.S.A. in December 1956. According to Taylor, and I have seen no attempts to refute his story, the Lincoln project directed the Communist Party's Central Committee to send agents into 11 Southern States in January of 1957 to survey 20 counties to determine which of them might be the most suitable targets for disorder in early 1965.

At that time, in December 1956, the Communist Party Central Committee had drafted voting rights legislation which it planned would be asked of Congress in 1965.

That legislative proposal provided for elimination of all educational requirements, including minimum literacy tests, as qualifications for voting in Federal, State, and local elections. It also provided for a system of direct Federal supervision and control of the local, county, State, and Federal elective process.

In 1964 the Congress passed and the President signed a civil rights bill which included a voting rights section. And on February 4, 1965, in Mobile, Ala., Federal District Judge Daniel H. Thomas issued an order, acting under the 1964 legislation, requiring the board of registrars in Dallas County, Ala., where Selma is located, to receive and register all persons who submitted applications.

Further, Judge Thomas ordered that if the requested registrations could not be completed by July 1, 1965, the Federal voting referee would receive and process applications.

The officials of Dallas County, though not in sympathy with the provisions of the court order, proceeded to comply. They recognized the need for transition and prepared to act accordingly.

Even before February 4, in January, the Dallas County Board of Registrars had requested and received approval from the State to stay open and register voters for 10 additional days during the month: that is, 10 days in addition to the regular days of operation previously practiced.

During the first 6 of those 10 days, only 35 applicants appeared for registration. Only 20 of those were Negroes, and so far as anyone can determine, those 20 were registered without any problems.

But Dallas County had been selected as the target for civil rights demonstrations by Martin Luther King, and nothing was going to interfere with the project.

So hordes of Negroes were led through the State to the registration desks. They overwhelmed the physical facilities which were available. It was physically impossible to process their applications at once.

And so the demonstrators thought they had an issue. They roamed the streets in protest, did everything they could to provoke violence so they could bring forth their charge of police brutality, and took every opportunity to disrupt law and order.

With the news media of the Nation focused on the scenes of demonstration, well-intentioned Americans throughout the country developed feelings of sympathy. The fact that Negro voters were being registered was lost. And the emotions were generated which led to the proposal of the bill before us today.

By March 15, the same evening the President demanded action, emotion had reached such a high pitch that we were on the very brink of anarchy. In Montgomery, Ala., that evening, a crowd having no apparent specific purpose or leadership, broke out on the streets with bricks, rocks, and knives, and blocked an emergency ambulance from proceeding on the street.

Police were unable to disperse the mob, and finally mounted deputies had to be brought in. Several deputies were injured and eight horses slashed before the crowd was scattered and the ambulance was able to continue on its mission.

It was only 2 days after the President's March 15 speech that respected newspaper columnists began to cite the dangers inherent in allowing ourselves to be propelled to take legislative action of a drastic kind on the basis of emotions whipped high by public demonstrations.

For example, on March 17 Richard Wilson wrote:

> When a respected clergyman advocates publicly that the President of the United States personally lead Federal force into Alabama, it becomes clear how little the impassioned understand the procedures of law and order.

He also wrote that the voting rights bill is not likely to end racial strife and discontent and so "this may prove to be another case where the risks of demonstrations are greater than the results achieved."

It is important that we recall, then, that the reason why we are here today debating this bill is that headlines across the Nation generated emotion over an issue which was really dead.

Citizens in Dallas County who wished to make application to vote could do so and were doing so. The demonstrations were fraudulent because qualified Negroes, the same as white persons, were going to be registered by the time of the next election; and if not, the court was going to register them.

Mr. Chairman, I believe in the right of all qualified American citizens to vote. It is a basic right and one that should have been better fulfilled over these past years if conditions had been suitable.

I fully recognize how it must seem elsewhere in the country that the South has made little or no progress toward providing equal opportunity for all citizens.

But I want to ask from the bottom of my heart that thoughtful people here and throughout the country take a good hard look at the situation. I think they will find substantially more progress than they expect.

They will find that progress toward equality of opportunity has been made in practically all parts of the South: in schools, in public transportation, in public accommodations of all kinds, in recreational facilities, and in voting procedures.

Progress has been made in spite of difficulties which deserve a better understanding in non-Southern States. Progress has been made because thoughtful and sincere southern people have wanted progress to be made. And future progress will be made for the same reasons and under the same handicaps.

It must seem that 95 to 100 years is a long time. But I respectfully suggest that when we are talking about profound social and economic changes, it is not a long time.

The facts of changes accomplished in the South in past years will be recognized by thoughtful people who also will recognize that profound social and economic changes do not occur as rapidly as many would like.

The demonstrations and emotion over the voting rights issue have not been generated by thoughtful and reasonable people. Much of the hard core leadership is by persons who, as the president of Howard University has said, "are not interested in the civil rights of anyone."

The mayor of Chicago has spoken of it in the past few days. And the columnist Eric Sevareid, not known for his conservative or southern leanings, has written of the "totally irresponsible, the neurotically egocentric who seek to purge their own sense of guilt-by-inaction, the coldly calculating political idealogues, including, it must be said, the disguised young Communists who want to perpetuate disorder for disorder's sake."

Under these conditions of emotionally charged demands for justice, it must have taken some courage for the pastor of a large Protestant church in suburban Washington to say recently:

> We are putting premature pressure on the southerners, forcing them too soon into a situation for which they aren't ready. Integration procedures in the South have been drastic and premature. Southern adults have hardened into their beliefs and can only protest at the sudden influx of Washington and world pressure. There is a need for people to understand not only the lawful but the most expedient methods to be employed. Immediacy is not expediency.

Mr. Chairman, the bill before us today is the product of an emotionally charged atmosphere generated through demonstrations which to a substantial degree are led by people who are not interested in the civil rights of anyone but who strive for disorder for disorder's sake.

The bill is a contrived device which picks out targets and shots at them with buckshot, hitting everything in the target area whether justified or not. The targets are Southern States.

It was a highly respected northern newspaper that referred to the Johnson bill as immoral. The Wall Street Journal says the bill is not designed to assure that literacy tests are administered free of discrimination, but rather to abolish the literacy test entirely in target States while leaving intact the literacy test as a voting requirement in States which are not targeted for control under this bill.

In the first article of the Constitution which authorizes the individual States to decide the qualifications of voters in both Federal and State elections, subject only to the condition that whoever is deemed qualified to vote for "the most numerous branch of the State legislature" is automatically qualified to vote in Federal elections.

The giving to the States of this responsibilty was no casual decision. It has been reaffirmed again and again. But the Johnson bill does not provide that existing State voting qualifications be administered fairly and without discrimination. The bill acts to abolish the constitutional rights of States in this regard entirely, in the target States.

To focus the bill's provisions on the selected target States, a statistical test has been devised. The bill says that its provisions will apply in any State where less than 50 percent of the persons of voting age were either registered to vote or actually voted in the election of November 1964.

In States which escape the 50 percent statistic, nothing happens whatsoever. The Federal Government stays out and literacy tests prevail.

In States which fail to meet the 50 percent test, literacy tests are outlawed, the Attorney General may come in and determine which citizens have been disenfranchised, and add their names to the voting lists.

So we will have the situation prevailing in which an illiterate person, white or Negro, living in New York will be considered as ineligible to vote. The same person living in Alabama will be ruled as qualified to vote by decision of the Federal Government.

While we hear complaints of the general low educational level of voters in the South, the effect of this bill will be to make the level lower.

Is it really moral that we should, under the heat of emotion, enact a bill which imposes Federal voting controls on some States and not on others? Is it really moral that we establish a set of percentages on which to base this kind of action?

And is it really moral that we impose an assumption of guilt on any State on the basis of voting percentages, and then require that to free itself of this assumption the State must convince a Federal court in the District of Columbia that it is not guilty?

As the minority of the Judiciary Committee has pointed out, the District Court for the District of Columbia has a backlog of more than 4,000 civil cases. The median time required from the time of filing an action in the court to the disposition after trial is 28 months. It is clear that this is not the way to seek justice.

The bill before us would also eliminate the poll tax. The constitutional risks of this action have been recognized broadly across the land. Even those who do not say flatly that the action is unconstitutional warn that to include the poll tax ban in the bill is so much open to a constitutional challenge that it should give cause for concern.

The bill contains little or nothing in an area which is essential to any legislation which purports to preserve the sanctity of the ballot in our American democracy. That is a provision for insuring the rightful counting of ballots cast and for insuring against the practices of vote buying which are prevalent in many of the large cities of our Nation.

I want to commend the minority membership of the Judiciary Committee for attempting to add a clean elections section to this bill. I join in their complete dismay that the majority members of the committee refused to support Republican members in the effort to add a clean elections section to the bill.

As the Republicans say in their excellent report:

> It is a cruel deception to give any man the elective franchise and then allow destruction of the effect of his vote through a multitude of corrupt practices.

Mr. Chairman, the real question in this issue before us today is not the existence of qualifications tests for voters. The real question is whether qualifications tests are administered in an impartial way so as to discriminate against persons because of race.

And in the Johnson bill, we are saying several States in the South administer tests so as to discriminate, and therefore, we will establish a statistical basis on which we can assume such discrimination and then impose Federal control over voting qualifications in those States.

And in so doing, we are destroying the Constitution which gives to the States the responsibility for setting voter qualifications.

I want to submit that it would be much better to accept a formula which applies evenly throughout the country regardless of whether a voting percentage was 49 or 51 percent or some other level: a law which retains the constitutional right of States to establish voter qualifications but which insures the nondiscriminatory administration of qualifications tests.

The Republican substitute bill represents an effort in that direction, and therefore, it is my judgment that it deserves our support. It provides machinery for remedial action where qualifications tests have been administered with racial discrimination.

It is in accord with the Constitution, it avoids the kind of punitive action which lies deep within the Johnson bill, it applies evenly throughout the country, and it includes a section insuring clean elections to all voters.

I will support the Republican substitute. And I will oppose the Johnson bill as an unnecessary and dangerous and unconstitutional piece of legislation which, I predict, will come to be recognized as such by a majority of the American people.

Mr. McCLORY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TALCOTT].

Mr. TALCOTT. Mr. Chairman, I asked for this time to ask some questions. I represent four counties in central California, they are sophisticated, knowledgeable, and interested in voting. In three counties some 80 percent of the voting age people voted. But in Monterey County only 55 percent of the population voted in the 1964 elections according to the committee report.

So I would like to ask the gentleman from Colorado [Mr. ROGERS], this question: Are aliens, college students, military personnel, prisoners, migrant laborers, and tourists considered to be persons residing within the district? I would like a very concise and quick answer.

Mr. ROGERS of Colorado. What is the section that the gentleman is referring to?

Mr. TALCOTT. It is on pages 15 and 16 of the bill. We discused this question a few minutes ago. I wonder if the gentleman could give me a quick answer since I have only 1 minute.

Mr. ROGERS of Colorado. The language at the top of page 16 of the bill starts on page 15 and is to the effect that whenever the Director of the Census determines that less than 50 percent of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 percent of such persons voted in the presidential election of November 1964.

Mr. TALCOTT. This is my question: Just who would be considered as residing in the particular State or political subdivision thereof?

The CHAIRMAN. The time of the gentleman has expired.

Mr. TENZER. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. MINISH].

Mr. MINISH. Mr. Chairman, I rise in support of H.R. 6400, the Voting Rights Act of 1965, and to urge its passage without the adoption of weakening amendments. This measure is designed to provide at long last adequate implementation of the guarantees of the 15th amendment to the Constitution that states the fundamental principle that the right to vote shall not be denied or abridged by the States or the Federal Government on account of race or color.

As with the Civil Rights Act of 1964, the legislation before the House today is in response to the American conscience which has been finally aroused to the massive injustice done to citizens due to the color of their skin. The tragic events in Selma and other Southern communities have been eloquent testimony to the shameful fact that millions of citizens are not allowed to exercise their constitutional rights, the most basic of which is the right to vote. The free and secret ballot is the foundation of America. As President Johnson stated in his eloquent address to the joint session of Congress on March 15, 1965:

> Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty to insure that right. * * * The time of justice has now come.

For far too long now, many State legislatures have been playing a cat and mouse game with the courts and with Congress over the 15th amendment guarantee that they shall not deny the right to vote to anyone because of race or color. Some, recognizing the futility, if not the injustice, of their actions, have given up the game and are doing a reasonably good job of abiding by their constitutional obligations. There are others, however, which have been working feverishly on new legislative measures by which they hope to beat the Congress to the punch and maintain their segregated registration rolls. Let me give you a few examples of how the game has worked in these two successful efforts to gnaw away at the Negro's constitutional rights.

We might start with the combined grandfather clause—literacy test which Oklahoma had adopted to keep Negroes from voting. The State constitution required that electors had to be able to read and write any section of that constitution unless on January 1, 1866 they had been qualified to vote under some form of Government or at that time resided in some foreign nation. Lineal descendants of such persons were also exempted from the literacy test. It did not take the U.S. Supreme Court long, when the question was presented to it in *Guinn* v. *United States*, 238 U.S. 347 (1915), to recognize that on January 1, 1866, there were no Negroes qualified to vote in Oklahoma and that few, if any, Negroes would ever be exempt from the literacy test, while few, if any white voters would ever be required to take it. Undaunted by the Court, Oklahoma adopted a new scheme to enjoy the evil fruits of its earlier unconstitutional discrimination. It adopted a law providing that those who had voted in the last election before the grandfather clause had been invalidated would remain on the voting rolls and all others would be required to meet new registration requirements. Those of voting age at that time had a period of 12 days, 12 whole days, in which to register or forever lose their right to vote in Oklahoma. It was not until 1939, in *Lane* v. *Wilson*, 307 U.S. 268, that the Court finally looked at this scheme and held it invalid. This was the case in which Mr. Justice Frankfurter sagely observed that the 15th amendment "nullifies sophisticated as well as simple-minded modes of discrimination." Id. at 275.

Another inning of the cat and mouse game was played in Mississippi in 1960. The Commission on Civil Rights had discovered that it was difficult to prove a registrar's discrimination against Negro applicants unless the applications were retained for a period of time. The Commission recommended and Congress enacted in 1960 a law requiring that such records be retained. In that same year Mississippi repealed an earlier State law requiring application forms be kept as permanent public records and adopted a new rule that registrars no longer need keep any record made in connection with an application to vote unless an appeal is taken from an adverse ruling and no new application is made prior to final judgment. Without such records Mississippi could register unqualified white voters and reject qualified Negro voters without much fear of detection.

The committee bill will put an end to this disgraceful cat and mouse game that has been going on now since 1890. States which are covered by the bill, either because a court has found that they have discriminated by the use of the prohibited tests or devices or because they have been unable to rebut the presumption raised by their voting statistics that they have used such tests to discriminate, cannot use any new tests until the court or the Attorney General agree that the tests will not discriminate or maintain the effects of past discrimination.

With all the evidence that has been amassed by the Commission on Civil Rights and the Department of Justice that local registrars have been using every device they could think of to keep Negroes from the polls, with similar findings made by the courts in some

70-odd cases brought since Congress passed the Civil Rights Act of 1957, there can be no real doubt that it is appropriate for Congress, in enforcing the prohibitions of the 15th amendment, to replace local registrars with Federal examiners in those areas where local machinery has been geared to mass disfranchisement of the Negro. Those who insist that Congress can do no more in enforcing the 15th amendment than to prescribe the methods by which the courts shall punish violations, once it has found them, and that Congress cannot undertake to perform functions like determining whether individuals are qualified to vote, which the Constitution has left in the hands of the States, would do well to read the opinion of the Court in *Ex parte Virginia,* 100 U.S. 339 (1879). Among other things the Court said about the 14th amendment, which are equally applicable to the 15th amendment, was this:

> It is not said that the judicial power of the general government shall extend to enforcing the prohibitions and to protecting the rights and immunities guaranteed. It is not said that branch of the government shall be authorized to declare void any action of a State in violation of the prohibition. It is the power of Congress which has been enlarged. Congress is authorized to enforce the prohibitions by appropriate legislation.
>
> Nor does it make any difference that such legislation is restrictive of what the State might have done before the constitutional amendment was adopted. The prohibitions of the 14th amendment (and the 15th amendment, as well) are directed to the States, and they are to a degree restrictions of State power. It is these which Congress is empowered to enforce, and to enforce against State action, however put forth, whether that action be executive, legislative, or judicial. Such enforcement is no invasion of State sovereignty. Id. at 345–46.

Another important safeguard contained in the bill is the elimination of the poll tax as a precondition to register or to vote. Aside from the fact that no citizen of a democracy should be obliged to buy his right to choose his leaders, poll taxes have historically been used to exclude Negroes from voting. The evidence is clear that the poll tax was designed and administered for the purpose of keeping Negroes from the franchise. It is important that these arbitrary restrictions on the right to vote be struck down.

It is gratifying that the distinguished chairman of the Judiciary Committee has agreed to accept a floor amendment that will prohibit the denial of the right to vote in any election to any person because of his inability to read, write, or understand English if he has successfully completed the sixth grade in a public or accredited private school in any State, territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English. I am happy to support this amendment that will end the disenfranchisement of thousands of American citizens of Puerto Rican origin who have been unable to qualify as voters due to State English-language literacy tests.

The voting rights bill of 1965 is no invasion of State sovereignty. It does no more than Congress should have done years ago. It does no more than make effective a constitutional guarantee that has remained unrealized in some parts of our Nation for almost a century. It does no more than provide necessary machinery to be sure that no Negro is denied the right to vote because of his race.

This week we observed with pride and satisfaction our Nation's 189 birthday. But we must admit that not yet do all Americans enjoy the full blessings of liberty, the right to live in dignity and decency, to participate freely in our political processes. We Members of the House of Representatives have the opportunity to translate the precepts of the Declaration of Independence into reality for millions of our fellow citizens who have been denied the powerful and precious right to vote due to color. Let us end now and for all times the schemes and devices that have served to bar Negroes from the polls. Let us protect fully and completely the right of every single adult American to vote in every election. Let us pass H.R. 6400 without weakening amendments for, as President Johnson said:

> This time, on this issue, there must be no delay, or no hesitation, or no compromise with our purpose.

Mr. TENZER. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Chairman, unfortunately, many citizens of this Nation assume that those who oppose the enactment of certain so-called civil rights measures, particularly proposals dealing with the right to vote, are victims of blind prejudice and bias. Both within and outside the Congress, the notion is advanced without subtlety; it is stated without qualification that no fairminded individual could oppose the right of all citizens to vote. The bill presently under consideration is described as assuring the right to vote, without discrimination because of race or color, and it is, therefore, the moral duty of all to push for its enactment posthaste. Indeed, it is the right, if not the duty, of every qualified person to vote, but the right to vote is not absolute and the States, under our federal system of government, have the exclusive power to fix and determine qualifications. Consequently, the right of the States to establish eligibility for voting purposes, not racial discrimination, is the fundamental question raised by H.R. 6400.

In this, its proper context, the bill stands revealed for what it is: the latest effort to force the long arm of the Federal Government into an area which our Founding Fathers, for good and sufficient reasons, thought best left to the individual States.

Needless to say, Mr. Chairman, I am unalterably opposed to this or any other proposal that would vest a political appointee with the ultimate discretionary authority to control the election machinery for State, local, and Federal elections and the qualifications of electors in sovereign States or in any subdivision thereof merely because he finds that that State has a test as a qualification for voting and that less than 50 percent of the persons in such a State registered or voted in last November's presidential election.

Mr. Chairman, the formula or so-called triggering device of this bill is artfully drawn to affect only a handful of States and to leave the overwhelming majority of the States free to discriminate at random. As presently written, 39 of the 50 States would not be affected in any way under the suspension provision of the proposed legislation.

On March 22, 1965, the Wall Street Journal termed this bill "An immoral law." Truer words were never spoken. We would do well to consider the searching question raised by the writer of this article:

> Is it moral that our national laws should apply one rule to one State and another to another, requiring that the people of one State abolish qualifications for voters while the people of another State uphold their standards?

The true colors of this bill were revealed by one of the friendly critics who described it as a "tough measure" indeed, "the toughest since Reconstruction." The writer, Alexander Bickel, goes on to conclude in the April 3, 1965 issue of the New Republic that:

> It is not only the toughest bill since Reconstruction, it is a Reconstruction measure * * *

And elsewhere—

> this is strictly a regional measure.

The proponents of the measure would force seven States of this Union, and a number of counties in four others, to register and vote all persons in utter disregard of local literacy requirements; requirements designed to insure not just another vote, but a thoughtful, considered, and responsible vote. This, I repeat, will not occur in all 50 States of this Union, but under this measure in only 7.

The voters in 20 States now have to meet literacy prerequisites before their names are enrolled on any voter list. Slightly more than two-thirds of these States will continue to disenfranchise illiterates. Yet, in the remaining seven States, where over 50 percent of the prospective voters fail to register and/or vote, Congress is asked to suspend the right of the States to decide the qualifications of their voters.

The interesting and uneven effects of this bill, as introduced, and as reported from committee, have provoked a great deal of comment. For example, the State of Texas, while maintaining a poll tax, has no literacy requirement. Therefore, the automatic suspension and Federal registration provisos would not apply to that State. However, there are in Texas, according to figures compiled by the Congressional Quarterly, 137 counties in which less than 50 percent of the prospective voters actually voted in November 1964. This is twice the number of counties as there are in the entire State of Alabama. But, if this legislation is enacted into law in its present form, Texas would not be affected by it.

I am not suggesting here in any way that Texas discriminates against any of its citizens. The point is that officials of any county in Texas could discriminate if they wanted to do so, and the only remedy would be that condemned as "too slow and cumbersome" by the Attorney General.

Consider the State of North Carolina. Again, I am not suggesting that there are any practices in North Carolina that discriminately disenfranchise voters. North Carolina, however, does have a literacy test for prospective voters. Yet, in the presidential election of 1964, 51.8 percent of its voters cast ballots, according to the Congressional Quarterly.

Therefore, the so-called automatic provisions of H.R. 6400 will not apply to that State as a whole, only to counties in which less than the minimum voted. Any county in which 50.1 percent of the voters cast ballots can discriminate and the heavy hand of the Federal Government cannot interfere.

In the State of New York, we also find a literacy test. Statistics indicate that, in the State as a whole, 63.2 percent of the voters actually cast their ballots in the last election. However, in New York City alone, thousands of persons of Puerto Rican descent are prohibited from voting because they cannot read and write in the English language.

The ironic discrimination that would be worked by this bill, if enacted, was clearly revealed in the March 22 editorial in the Wall Street Journal which stated:

> Of more consequence is the fact that if we have this law, a citizen, white or Negro, can be entitled to vote in Alabama no matter how illiterate he is, or for that matter, even if he is a moron. But if the same citizen, white or Negro, lives in New York State, he will not be entitled to vote.
>
> This would create a truly ingenious paradox. The illiterate citizen, Negro or otherwise, would find himself with more rights in Alabama and her five outcast sister States than in the great State of New York. More, the educational level of the voting citizens of Alabama, the low level of which is part of the general complaint against it by civil rights leaders, would be further reduced. And this by Federal sanction.

A careful reading of the bill reveals not only its discriminatory, punitive and harsh nature but, equally important, the total absurdity of its major premise. What kind of a right is it that hinges on so little as one-tenth of 1 percent? How was such a palpably erroneous conclusion arrived at? My distinguished colleague, the gentleman from Virginia—Hon. William M. Tuck—directed his attention to these matters in his penetrating dissent. He said:

> It is difficult to see why it should make a difference to one's right to vote whether 60 percent or only 40 percent of one's neighbors voted in 1964.
>
> It seems clear that this ill-conceived formula can only have been arrived at by first determining that literacy tests of certain Southern States should be suspended and then coming up with a mathematic ratio that would accomplish this with the greatest appearance of objectivity.

As observed by the editorial of the Wall Street Journal, to which I have already referred:

> To play with complicated formulas, to measure justice by percentages, and to aim laws at some States, not only violates both the letter and the spirit of the Constitution, but buries the real moral question in sophistry.

Mr. Chairman, it was the practice, until very recent times, to determine the validity of a proposal by laying it alongside the Constitution. Every attempt at the exercise of authority had to be traced to some grant of power within the four corners of that document. Now, however, this time-tested method of reconciling purpose and power has been supplanted by a new standard. The new criteria for determining the constitutional validity of so-called civil rights bills, like the old audience reaction tests of radio, consists of taking soundings of parading demonstrators. The old and secure moorings of a nation under law are in danger of being supplanted by mobs who hold the threat of mob action over the head of the Federal Government and its leaders.

The catalog of defects suffered by this proposal makes it unquestionably unconstitutional.

It would bar a State from using a literacy test for voting.

It would disregard valid State requirements for the payment of modest poll taxes in order to vote in State elections.

It assumes, without proof, that a coincidence of low registration or voting and the use of literacy tests necessarily means that there has been discrimination because of race.

It thrusts the burden of proof upon a State to demonstrate that it has not discriminated; no prima facie case of present discrimination is required of the Federal Government.

It makes past actions, going back 5 years, the basis for the imposition of present coercive reprisals.

It vests virtually all jurisdiction in the U.S. District Court for the District of Columbia to the utter disregard of the authorized and convenient forum.

It gives virtually unlimited discretion to the Attorney General to send Federal officials to superintend State election processes and procedures.

It makes criminal certain acts of private persons in all elections, in clear disregard of judicial precedents which limit congressional power to punish activities not under color of law only in Federal elections.

It would allow any person to request Federal registration without any suggestion of discrimination on account of race or color, the sine qua non for application of the 14th and 15th amendments.

What is the new-found source of power to legislate out of existence the powers so solemnly conferred by the Constitution? The bill states as its purpose the enforcement of the 15th amendment "and for other purposes." The phrase "and for other purposes" was added in committee, doubtless to comfort the disquietudes of many who felt the bill was not appropriate legislation to enforce the 15th amendment. By this technique, proponents hope to set out the largest possible net to bootstrap other possible sources of congressional power, where there are none. Is the 15th amendment the fountainhead of the limitless power presupposed by the sponsors of this far-out proposal? Its founders did not think so.

The chief architect of the Reconstruction period—Congressman Thaddeus Stevens—believed that "the States have the right, and always had it, to fix the elective franchise within their own States." Furthermore, he went on to say that, in his opinion, the States would not and should not allow Congress to regulate the restrictions and qualifications for their voters.

There is nothing in the legislative history of the 15th amendment to suggest that Congress intended to deprive the States of their right to determine voter qualifications.

The House of Representatives took the initial step in adopting the 15th amendment. When it was reported to the Senate, it was amended so as to bar discrimination based on nativity, property, education, and creed. Thereafter, the House defeated this amended version by a vote of 133 to 37—Congressional Globe, 40th Congress, 3d session, February 16, 1869. Rather than delay the passage of the resolution, the Senate receded from its amendment. The final conference report contained the present text of the 15th amendment.

I find it nothing short of remarkable that, having been shorn of a provision banning educational qualifications, the 15th amendment is now cited in support of a proposal to accomplish just such a result.

It is clear that the actions of the 40th Congress in deleting the educational qualifications prohibition closed the door on any congressional action in this area.

The very first article to the Constitution authorizes the individual States to decide the qualifications of voters in both Federal and State elections, subject only to the proviso that whoever is deemed qualified to vote for "the most numerous branch of the State legislature" is automatically qualified to vote in Federal elections.

The March 22 Wall Street Journal editorial further states:

> Making this a State function was no casual decision. It was reaffirmed in identical language in the 17th amendment—adopted, incidentally, more than 40 years after the 15th amendment, which provided that such qualifications should be impartially applied among all citizens.
>
> This principle in the Constitution has been repeatedly upheld and affirmed by the U.S. Supreme Court, not merely in dusty antiquity but as recently as 1959 (1965) by Judges presently sitting upon that Bench.

The Supreme Court declared unanimously in *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45 (1959), that the States may, without violating the Constitution, use a literacy test as a prerequisite to determine the eligibility for voting. The opinion of the Court reads in relevant part:

> We do not suggest that any standards which a State desires to adopt may be required of voters. But there is a wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The ability to read and write likewise has some

relationship to standards designed to promote intelligent use of the ballot.

The Court in the Lassiter opinion quoted from its earlier ruling in *Guinn* v. *United States,* 238 U.S. 347 (1915) as follows:

> No time need be spent on the question of the validity of the literacy test, considered alone, since, as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision and, indeed, its validity is admitted.

On March 1 of this year, the Court in *Currington* v. *Rash,* 380 U.S. 89, confirmed:

> There can be no doubt either of the historic function of the States to establish, on a nondiscriminatory basis, and in accordance with the Constitution, other qualifications for the exercise of the franchise. Indeed, the States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised * * *. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided of course, no discrimination is made between individuals in violation of the Federal Constitution.

It is abundantly clear, Mr. Chairman, that from the beginning down through the present, the Constitution and the Supreme Court construction thereof have uniformly upheld the right of the States to set voter qualifications.

Another section of the bill that merits attention is section 10, which would outlaw the payment of a modest poll tax as a condition for voting. This proposal is premised on the faintly asserted and totally unproved notion that poll taxes discriminate on account of race or color.

Of course, the 24th amendment prevents the States from making payment of a poll tax a precondition to the right to vote in Federal elections. It is clear, however, that that amendment in no way prevents a State from making payment of a poll tax a condition to the right to vote in State and local elections. Although the amendment route was deemed essential to accomplish the former, sponsors of this bill now believe they can secure the latter by majority vote rather than by a constitutional amendment. This assertion is so preposterous that no time need be spent on it. As concluded by the gentleman from Virginia [Mr. TUCK]:

> * * * if an amendment was essential in that instance, it is all the more indispensable when the object is to affect the conduct of State, as distinguished from Federal, elections * * * this proposal, if enacted, would be constitutionally indefensible (H. Rept. 439, supra, p. 75).

Mr. Chairman, I call the attention of the House to the fact that every major problem alleged in the voting rights area can be remedied by legislation already on the statute books. The Justice Department can file suits in any precinct, city, county, or State, and has more than ample power to get any job done. In truth, many of the provisions of existing laws have hardly been used.

But worst of all, this bill, if enacted, would virtually disembowel the constitutional system of State governments. If Congress can do by a majority vote what is proposed here in the indefinite hope of preventing some possible abuse of State power, then we may as well give up the ghost of a written Constitution. Mr. Chairman, I respectfully urge the Members of this House to disregard the emotions of the moment and to vote to uphold the Constitution of these United States—its very life hangs in the balance.

Mr. McCULLOCH. Mr. Chairman, I now yield 37 minutes to the gentleman from Minnesota [Mr. MACGREGOR].

Mr. McGREGOR. Mr. Chairman, we heard in this well earlier today some expressions of dissatisfaction about the performance of both political parties in the field of civil rights. We heard yesterday some comments from the Democratic side of the aisle about the posture of the Republican Party in the field of civil rights. Mr. Chairman, I speak as one who is very proud that Republicans in this chamber in 1957, in 1960, and in 1964 mustered a substantially higher percentage of affirmative votes for the Civil Rights Acts of those years than did the opposition party. I was not a Member of this body in 1957 or 1960, but I found from study of the Civil Rights Acts of those years that they were reasonable in application and were productive of at least some of the desired results. As one who is proud to have had a hand in drafting and passing the Civil Rights Act of 1964, I am gratified to see the degree of compliance with the provisions, the very all-encompassing provisions, of last year's legislation. That act, comprehensive in scope, reasonable in application, applied uniformly throughout our 50 States.

There is substantial agreement on both sides of the aisle that the right of many qualified Americans to vote has been and is being denied on account of race or color, in direct defiance of the provisions of the 15th amendment to our Constitution. There is further agreement that this specific type of discrimination is particularly odious, for the right to vote is the foundation of so many of our other cherished rights and freedoms. On three occasions in the past—in 1957, in 1960, and in 1964—the Congress passed legislation designed to eradicate this evil. However, we again agree that these measures have been inadequate. There is a definite need for further legislation in this area and we are all, I hope, determined to enact legislation that will give prompt and effective remedies against such discrimination wherever it exists and that will help to bring about a final solution to this most pressing national problem.

There is no similar agreement, however, as to the means best suited to accomplish these ends. There is particular disagreement as to the wisdom of the alternative suggestions for triggering Federal registration procedures proposed respectively in committee-Celler and in Ford-McCulloch. It is primarily to this aspect of the proposed legislation that I shall address my remarks.

We have been repeatedly told that the problem with which we are dealing is a national problem requiring a national solution. On February 28, 1963, President Kennedy sent a special message to Congress on civil rights in which he stated:

> The cruel disease of discrimination knows no sectional or State boundaries. The continuing attack on this problem must be equally broad * * * it must be conducted on National, State, and local levels.

President Johnson so eloquently reminded us of this fact on March 16 of this year when he addressed to a joint session of Congress the following exhortation:

> Now let none of us in any section look with prideful righteousness on the troubles in another section or the problems of our neighbors. There is really no part of America where the promise of equality has been fully kept. In Buffalo as well as in Birmingham, in Philadelphia as well as Selma, Americans are struggling for the fruits of freedom.

Ford-McCulloch provides a national solution; committee-Celler does not. This is evident from even the most cursory look at the provisions of the two bills. The supporters of committee-Celler quite frankly admit that the so-called "automatic" trigger of section 4 is aimed only at areas guilty of "massive discrimination" while the "pocket" trigger of section 3 is meant for the rest of the country. Ford-McCulloch provides a single, simple, comprehensive trigger to attack discrimination throughout the country wherever it exists. The committee-Celler only attempts to provide two regional solutions—Ford-McCulloch does provide one national solution.

However, the deficiencies of committee-Celler with regard to national coverage are even more serious, for the "pocket trigger" of section 3 is little more than a weak afterthought. It pretends to give new relief to those suffering from racial discrimination in voting areas not covered by the automatic trigger, but actually does little more than restate the provision of the existing law. The United States Code presently provides that, in suits by the Attorney General to enjoin States or State officers from denying qualified voters the right to vote or register on account of race or color, the court may, upon finding a pattern or practice of discrimination, appoint referees to register qualified voters in the political subdivision affected. Section 3 of the committee-Celler bill requires the court, upon finding a violation of the 15th amendment, to authorize the Civil Service Commission to appoint examiners who will register qualified voters in the area concerned. The differences are without practical significance.

Subsection (b) of section 3 of the committee-Celler bill also purports to give new protections by authorizing the courts to suspend the use of a test or device which it finds has been used to deny or abridge, on account of race or color, the right of any citizen of the United States to vote. However, on March 8 of this year the Supreme Court upheld a decision of the District Court for the Eastern District of Louisiana suspending the use of Louisiana's constitutional interpretation test in a suit brought under the present United States Code. The new section adds nothing to the existing law. Furthermore—and this point deserves emphasis—both the so-called "pocket trigger" of the committee-Celler bill and the existing law follow what has been described by the Attorney General as "the tortuous, often ineffective pace of litigation." The Republican bill applies new and quicker administrative remedies to all parts of the country where discrimination is found, and provides a truly national answer to the problems that face us.

Yet, even within the limited area of its application the automatic trigger of the committee-Celler bill can result only in poor law through faulty policy. We agree with the distinguished members of the majority and the Attorney General that the judicial remedies of the present law are inadequate to cope with the situation with which we must deal. We regret the necessity which forces us to replace the traditional judicial process with an administrative procedure; however, we recognize that this is required by the situations and the times. It is true that hard times can justify harsh laws. Yet it is one thing to pass harsh laws confined to a specific target, tempered by past experience, and harmonized with past procedure. It is quite another to impose harshness apparently for the sake of harshness. Our bill is a strong measure and an effective one, but it is not vindictive. The automatic trigger of the committee-Celler bill smacks of a Reconstruction measure. Our bill provides justice tempered by mercy, and the sternness of the justice does not diminish the sincerity of the mercy. The committee-Celler bill condemns without providing for the possibility of repentance. Added to this fact is the additional injustice that the arbitrary formula of the "automatic" trigger stigmatizes some who are innocent while it lets many of the guilty continue in their ways. The trigger of our bill cannot be actuated unless there is demonstrable discrimination within a given voting district.

Let us compare the triggers of the two bills. That of the committee-Celler bill is released by the mere fact that, in a State or political subdivision using a test or device as a prerequisite to voting, less than 50 percent of the voting age population was registered to vote or voted in November 1964. The immediate effect of the trigger is to suspend the use of any test or device in that State or subdivision and to authorize the Attorney General to require the Civil Service Commission to appoint examiners wherever in the area affected he, at his discretion, deems it necessary. The only way for a State or subdivision to obtain relief from the indictment of the trigger is for it to go before the District Court for the District of Columbia to prove its innocence.

The Ford-McCulloch trigger is activated by only 25 complaints of actual discrimination in a voting district, with the complainant alleging that he is qualified to vote under State law not inconsistent with Federal statutes, and that he has been denied the right to register or to vote within 90 days. If the Attorney General receives at least 25 such complaints and believes them to be meritorious he certifies them to the Civil Service Commission which appoints an examiner to verify the claims. The examiner immediately examines the facts with respect to each complainant. A finding of the examiner that the complaints are valid creates a presumption of a pattern or practice of discrimination. If there is an appeal from the examiner's finding, a hearing officer appointed by the Civil Service Commission rules on the appeal. A favorable ruling by the hearing officer or, in cases where there is no appeal, the lapse of 10 days, establishes a pattern or practice of discrimination and authorizes the Civil Service Commission to appoint as many additional examiners as it deems necessary to register voters in the voting district in which the pattern of discrimination has actually been found. The Republican trigger thus results in the immediate registration of the original 25 complainants and, since an appeal from the examiner's finding is required within 10 days and the hearing officer must rule on this appeal within 7 days, the maximum delay in activating the trigger for other disfranchised voters in the district is 17 days.

A comparison of these two measures makes several points clear:

First. The Republican bill requires actual discrimination to be proven before its mechanics are put into action. The committee-Celler bill relies on an arbitrary and dubious congressional finding that the coincidence of, first, low voter participation, and second, the use of tests or devices as a prerequisite to voting, indicates that there has been voting discrimination. The obviously ridiculous nature of this presumption is shown by the fact that the formula applies to the entire State of Alaska, Aroostook County in Maine, Elmore County in Idaho, and Apache County in Arizona. No one has ever accused these areas of racial discrimination, nor could any such accusation have validly.

The effects of the formula are, however, even more serious than this. The bill suspends all literacy tests in Louisiana where 47.3 percent of the voting age population voted in 1964, but does not touch Texas where only 44 percent went to the polls. Even those areas of Louisiana where literacy tests have not, by the admission of the Attorney General, been used to discriminate, are denied the right to set voting qualifications since the whole State is caught by the automatic trigger. Look at page 103 of the hearings for the following admission by the Attorney General:

> Mr. KATZENBACH. In Louisiana, every parish would be in, although some have not discriminated.

A further comparison of these two States is even more telling. Texas is excluded in spite of the fact that it has a long history of voting discrimination. *Smith* v. *Allwright*, 321 U.S. 649 (1946) and *Terry* v. *Adams*, 345 U.S. 461 (1953)—two of the landmark decisions of the Supreme Court in the area of voting discrimination—arose out of abuses caused by all-white primaries in this State. It is interesting to note in passing that Fort Bend County, the county whose discriminatory practices were the subject of the latter suit, still had less than 50 percent of its voting age population voting in 1964.

Texas, in addition, employs a poll tax which the authors of the committee-Celler bill have themselves found in section 10 of their bill to have been used to deny the right to vote on account of race or color. Yet the combination of a poll tax and less than 50-percent voter participation does not place Texas under the restrictions so unjustly imposed upon those counties of Louisiana, Virginia, South Carolina, and elsewhere that are innocent of any discriminatory practices.

Finally, in Texas it is estimated that only 38 percent of the citizens of Mexican descent go to the polls—transcript, page 647—yet these citizens are given no new relief under the provisions of H.R. 6400.

By this comparison I do not mean to imply that the application of the automatic trigger is inequitable only in these two States. Several counties in Florida, Tennessee, and Arkansas with low voter participation and high minority populations are excluded from the bill's coverage. Many counties in Georgia, South Carolina, Virginia, and other States have been making valiant and successful efforts to register all citizens, yet they will be condemned.

The fact is that the formula of the committee-Celler bill is simply not calculated to root out voting discrimination wherever it exists and to leave alone those who are not engaging in discriminatory practices. If anything, the formula indicates that uncontested elections, a one-party heritage, or cold weather are not conducive to large voter turnouts. It is clear, and it is implicitly admitted by the authors of the bill, that the target was chosen before the formula was devised. Not only is it unwise as a matter of policy and questionable as a matter of constitutional law to attempt to eradicate discrimination by discriminatory means but also, in this case, the attempt will fail. The formula misses the target. The Republican bill, on the other hand, hits discrimination wherever discrimination exists, but leaves alone those who are innocent of any wrongdoing.

Second. A second major difference is that the Ford-McCulloch bill is prospective in its application and has the flexibility necessary to treat discrimination whenever it should arise, while the committee-Celler bill is tied to conditions in the past which may not today, and certainly will not in the future, reflect the true dimension of the problem to be attacked. If, for example, today or tomorrow, or next year, Tennessee—and I choose Tennessee solely as an example—were to purge its voter rolls of Negroes and pass a literacy test designed to exclude Negroes from ever exercising this right to vote, the automatic trigger of the committee-Celler bill would give no relief. It acts only on those States and political subdivisions which fall within the arbitrary range of its formula as of November 1964. The Ford-McCulloch bill would, on the other hand, stand ready to aid those in need. Its provisions would be as effective and as comprehensive in the uncertain future as they would be today.

Third, the Ford-McCulloch bill allows the States to retain their constitutional right to set qualifications for voting so long as they do not use these qualifications to infringe upon the rights protected by the 15th amendment to the Constitution. The committee-Celler bill, on the other hand, suspends the use of these tests in all States and counties covered by the automatic trigger even though a particular test may be fair on its face and applied in many areas in a nondiscriminatory fashion. It is well established that article I, section 2 of the Constitution gives the States the right to set qualifications for voting in both State and Federal elections. The courts have repeatedly upheld this right and in 1959 the Supreme Court, in *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45, ruled favorably on the constitutionality of the literacy test employed by the State of North Carolina.

The pertinent portions of the opinion of the Court are as follows:

> We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color.
>
> The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised, *Pope* v. *Williams*, 193 U.S. 621, 633; *Mason* v. *Missouri*, 179 U.S. 328, 335, absent of course the discrimination which the Constitution condemns. So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarbrough*, 110 U.S. 651, 663–665; *Smith* v. *Allwright*, 321 U.S. 649, 661–662) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed.
>
> We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record (*Davis* v. *Beason*, 133 U.S. 333, 345–347) are obvious examples indicating factors which a State may take into consideration in determining the qualification of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise.

As recently as 1963 this holding was reffirmed in *Gray* v. *Sanders*, 372 U.S. 368, where the Court stated:

> States can within limits specify the qualification of voters in both State and Federal elections; the Constitution indeed makes voter's qualifications rest on State law even in Federal elections (art. I, sec. 2). As we held in *Lassiter* v. *Northampton Election Board*, 360 U.S. 45, a State may if it chooses require voters to pass literacy tests, provided of course that literacy is not used as a cloak to discriminate against one class or group.

If a State uses a literacy test to discriminate, the use of this test can and should be enjoined. This is possible and has been done under the existing law. U.S. against Louisiana, decided this year, suspended the tests of that State and suits of a similar nature are presently pending before the Federal courts in Mississippi and Alabama. However, if the test has not been used to discriminate there is no justification for suspending its use. The automatic trigger of the committee-Celler bill would suspend the use of a literacy test in seven entire States. If Alaska wished to make the long trek to Washington to prove its innocence, it could probably have its test reinstated. However, any innocent county in the other six States could not be released from this restriction even if it could prove its own innocence. In order to obtain relief it would be required also to prove the innocence of every other county in the State—an impossible task. Thus the automatic trigger of the committee-Celler bill would suspend the use of literacy tests—a use that is constitutionally protected—in many Southern counties where the test has never been used to discriminate. This again demonstrates the arbitrary and scattergun nature of the formula devised by the drafters of the committee-Celler bill. The Republican bill would allow, under present law as interpreted by the Supreme Court, the suspension of these tests wherever it is shown that they had actually been used to discriminate. However, it would not interfere with the tests in those areas innocent of discrimination. It would hit the target—voting discrimination—but only the target. It would not condemn the innocent and the guilty alike.

Fourth. The final and perhaps most significant strength of the Ford-McCulloch bill is that it is designed, in line with all of the civil rights legislation which Congress has so wisely passed in prior years, to encourage and promote good faith compliance with the letter and spirit of the 15th amendment. The harsh, arbitrary provisions of the committee-Celler bill can only be expected to encourage widespread resentment reminiscent of Reconstruction days. It is incomprehensible that those who so wisely last year refrained from vindictive measures, and who have seen their restraint reap substantial benefits in the honest, sincere efforts of so many to comply with the provisions of the 1964 Civil Rights Act, should now turn their backs on this approach and let emotion supplant reason. Yet we hear the Attorney General, in answer to a question concerning the intent of the bill, answer:

> Yes; in a sense it says that we really can no longer rely on good faith. (Transcript p. 67.)

Not only does the committee-Celler bill not rely on good faith compliance, it does not even encourage it, nor in many cases does it permit of such an attitude.

Many examples could be given to illustrate this difference in attitude and approach between the two bills. The activities of the examiner under the two provisions is particularly apropos. Under the committee-Celler bill, the Federal examiner effectively replaces the State registrar. He can register anyone "not otherwise registered to vote" whether or not they have made any effort to use the normal State channels. The State channels are bypassed. Federal power supersedes rather than supplements State power.

The Ford-McCulloch bill requires that an applicant before a Federal examiner allege either that he has attempted to register or that there are reasonable grounds for his believing that such an attempt would be fruitless or dangerous. The States are given a chance to show that they can carry out the duties which they rightfully should perform, yet the applicant is protected from any action that might endanger his safety. The proper balance is struck between resolution and restraint. In its primary application, the committee-Celler bill loses its sense of proportion and its sense of balance.

This same distinction is true with regard to the voting requirements previously mentioned. The automatic trigger of the committee-Celler bill suspends all State literacy tests for a 5-year period wherever it applies. In the great majority of the cases there is nothing a State or political subdivision can do to manifest its good intention and escape from the ban of the bill. There is no incentive to encourage compliance since compliance brings no relief or reward by way of early reinstatement of local and State authority. This is contrary to all of our best moral and constitutional principles.

We have never before enacted, nor should we now pass, a law that is not designed to insure and encourage good faith compliance. This could only be justified in cases of dire necessity, but no such necessity has been shown. There is the necessity for a strong bill. There is the necessity for a bill that breaks with past practice and substitutes a speedy administrative remedy for the proper but ineffective judicial process. There is the necessity for a bill that attacks voting discrimination wherever it exists. However, there is no necessity for a bill that singles out one region of the country for inexact and special punishment. There is no necessity for a bill that arbitrarily condemns innocent and guilty alike. There is no necessity for a bill that discourages good faith compliance with the law.

Simple, comprehensive and strong—the Ford-McCulloch bill provides an effective, workable solution to the problem of voting discrimination. Cumbersome, arbitrary, and scattershot in its application, the committee-Celler bill does precisely what our President warned us against—it looks "with prideful righteousness on the troubles in another section or the problems of our neighbors."

Mr. MARTIN of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman.

Mr. MARTIN of Alabama. Mr. Chairman, I am opposed to H.R. 6400, but I certainly want to commend the gentleman for the great statement he has made, regardless of how one feels on either bill.

Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Chairman, I am opposed to H.R. 6400. I want it clearly understood that I believe in the right to vote for every qualified American citizen. This bill does not protect that right for all the people in all the States.

There comes a time in history when it seems necessary to invoke legislative procedures to preserve the basic rights of the people. It is evident that many believe this is one of those times. There have been inequities in insuring the right of all qualified citizens to vote. I would remind you again that these inequities have existed in every State, not just in those six Southern States singled out by this bill.

I say that we should protect all qualified citizens in all 50 States. If the proponents of this legislation are sincerely concerned with the rights of the people, if they sincerely want to remove any inequities which may exist in the voting rights of qualified citizens, then let us remove the hypocrisy of H.R. 6400 and apply its protection to all the people in every State. Let us place on our books a law to stand the test of time—for all men—in all States. We can do this by supporting the substitute bill offered by the gentleman from Ohio [Mr. McCulloch].

Mr. Chairman, I would like to set the record straight and remove some of the misconceptions concerning registrations in my State of Alabama.

An old southern slang expression applies to H.R. 6400 in light of the effect on counties in Alabama, the expression being "stemp down ridiculous."

A State with less than 50 percent of voting-age persons registered is automatically legally declared to have discriminated. This is regardless of the number of illiterates which it has properly and legally excluded from its rolls. Presumably, any State with a literacy law which has discriminated only by registering the illiterate whites could by this device escape the consequences of the act even though they might be much more guilty of discrimination than Alabama which has excluded thousands of illiterate whites from the rolls as required by its constitution.

This is "guilt by definition"—not by trial. Gone is the legal basic assumption of law, the presumption of innocence until proved guilty. The State is to be presumed guilty until it tries to prove otherwise, but to do so it must travel to Washington, D.C., for the convenience of the Justice Department. This is as contrary to all reasonable concept of law as the "presumption of literacy" provisions of the 1964 Civil Rights Act which states that "any person who has completed the sixth grade" is presumed to "Possess sufficient literacy, comprehension, and intelligence to vote in any Federal election." As a matter of fact, any amount of evidence is available to prove that there are many of this "level" who cannot now, if they ever could, so much as write their names. In one county in Alabama, where a literacy test has been given since 1952, using the same standards for all, 34 percent of all rejections have been of persons higher than sixth grade level, and two of every three rejections have been white persons.

Of the total number of persons of voting age in Alabama, a half million are clearly illiterate. If these are subtracted from the total "eligible," then Alabama has both registered and voted more than 50 percent. However, if the total including illiterates is used as a measure, then Alabama would have had to vote 99 percent of all its registered voters in November 1964, in order to escape the "guilt by definition" clause.

I. 18 COUNTIES IN ALABAMA SHOW "DISCRIMINATION DEFINITION" AS CLEARLY RIDICULOUS

First. It declares "guilty" counties which the Justice Department has investigated and not issued complaints against.

Second. It declares "guilty" those counties with more than 50-percent illiterates and convicted, so that the fact they have not discriminated is evidenced by the lack of meeting the 50-percent formula.

Third. It includes counties tried and freed of discrimination charges.

Fourth. It includes counties because the Justice Department has used figures taken from an old newspaper as their statistics instead of actual registration figures.

Fifth. It excludes counties which have been found guilty of discrimination.

Sixth. It rewards (instead of penalizing) any county which has illegally registered illiterates (white or colored) and has thereby cleared the 50-percent hurdle.

Seventh. It brands as guilty a county frequently cited by Negroes as neither discriminating or discouraging Negro registration for voting, but "covered" by the definition due to influx of new residents as shown by a recent special census, and the legal, fully nondiscriminatory exclusion from the rolls of more whites than Negroes who have been rejected due to illiteracy. Had only the illiterate whites been registered in this county, it could have easily escaped falling under the "discrimination definition."

There are 18 counties, of 67 in Alabama, which fall under the proposed 1965 Civil Rights Act definition of "discrimination" either by being counties in which less than 50-percent of those 21 years of age are registered, in which the Justice Department claims less than 50-percent are registered but has given inaccurate figures, or which are operating under court orders after Federal court findings that eligible Negroes were excluded from voting at some time since 1952.

"GUILTY"—WITHOUT TRIAL

Nine counties would become immediately "guilty" by definition alone. They are Greene, Houston, Jefferson, Lowndes, Marengo, Montgomery, Dallas, Russell, and Wilcox.

There is absolutely no need for any further law in any of those counties. In two, literacy as a requirement for voting has been abolished by a Federal court, unless and until these counties strike their voters and hold a reregistration as Louisiana is doing. In two counties, complaints have been on file a long time with the result that one has been cleared in Federal court and the other has never been brought into court because it is charged under the contradictory, impossible to obey, two provisions of the 1964 Civil Rights Act. Five others could not possibly have registered 50 percent of their voters without registering both illiterates and convicted persons and the Justice Department has investigated all of them and has not even issued a complaint against them.

These nine counties are taken up now in the three groups referred to previously:

Dallas and Montgomery: In both these counties, Federal courts made a finding that boards had violated Alabama law in excluding qualified Negroes from voting and in putting on the voting rolls white persons who may not have been qualified but who were not registered "by procedures meeting the minimal requirements of Alabama law." In both counties, Federal judges have issued orders for the boards to register persons without making any literacy requirement at all for Negroes. Thus Negroes even in the hot center of "marches" at Dallas County have seen a Federal court do just what Martin Luther King said that he would do—abolish literacy as a requirement for voting in Dallas County. Grade completion statistics show that in Dallas County in 1960 there were 8,602 Negroes and 1,360 whites who could not pass simple literacy tests, and 5,080 Negroes and 11,304 whites which could be expected to pass them, according to the "presumption of literacy" provisions of the 1964 Civil Rights Act, which is, of course, by no means proof that they are literate. Percentagewise, this means that of the Negroes, 63 percent are illiterate and 37 percent possibly literate, and of the whites that 10 percent are illiterate and possibly 90 percent literate.

This also means that, if mass registration is forced on the county the ultimate potential is 16,000 voters who might be able to read their ballots, but 10,000 which could not be expected to do so.

CHANGE IN POPULATION

Dallas is also a good example of how agricultural changes, largely brought about by the control programs passed by the U.S. Congress, has resulted in an exodus of the better-educated Negroes to areas where industrial job opportunities appeared to exist for them. From 1950 to 1960, Dallas County had a decrease in Negro population of 2,363. It had a decrease in the number of illiterate Negroes from 11,745 down to 8,602, but an increase in literate Negroes of only 780 in 10 years. The county put through school grades 6 or 7 more than the 780 by far but many of these were among those leaving the county.

Figures on the literate—16,000—and the illiterate—10,000—are enough in themselves to show that Dallas County could not possibly register 50 percent of these persons without registering illiterates and convicted because from the total of literates must be subtracted those servicemen from other States stationed in the county and not eligible under Alabama law to gain a residence by being stationed there as well as the convicted and other nonresidents.

NONRESIDENTS COUNTED

In Montgomery County, the Justice Department cites a voting-age population of 105,967 and a registration figure of only 38,500. The facts are that Montgomery has only 86,763 literate persons of voting age and that several thousand of these are college students from other counties and States, are servicemen from other counties and States and are temporary employees of the State keeping voting residence in home counties, while others are convicted persons in prisons there. All such actual nonresidents were counted in the 1960 census as residents of Montgomery County of voting age and the figure is called by the Justice Department the number of "eligible" persons. The number of "eligible" persons, instead of being 105,000, is probably closer to 60,000 of which 42,000 are registered. Nevertheless, literacy has been abolished as a requirement for voting in this county. The judge specified that this was to hold until "the effects of past discrimination are removed." This expression has not been defined by law nor by the judge and, in his ruling, is as vague and indefinite as the charges brought against the requirement in Mississippi that a person "explain" a provision of the U.S. Constitution. Is it not time that the Justice Department explain in terms other than vague and indefinite ones what it means by the orders which it writes out for the Federal judges to sign?

The Montgomery registrars sought to strike the voters on the rolls and hold a reregistration in a completely nondiscriminatory manner, however, they were told that they could not do so until the effects of past discrimination had been removed.

Apparently John Doar explained it in Federal court in Montgomery on March 8, 1965, when he said, in answer to an inquiry, that the Justice Department would not accept reregistration as a solution to the Alabama problem if such were held under the administration of present officials placed in office by a discriminatory system. Asked by another judge if he meant put all present elected Alabama officials out of business, Doar agreed.

In typically timed action, Martin Luther King has now announced that he will see to it that Governor Wallace is thrown out of office; but Doar set up the pattern for action March 8—on the same date that the U.S. Supreme Court released a decision allowing as a solution in Louisiana the carrying out of a reregistration in 21 parishes, using full constitutional requirements and new literacy tests.

Unfortunately, all press service reporters were in Selma that day, not a single one witnessing the statements of Doar—but headlining those of King.

COUNTIES CLEARED BY COURT

Wilcox and Jefferson: Wilcox County, long held up to national ridicule for having no Negroes registered, has finally had some who could read and write to apply—and they have been and are being registered. The voucher or witness requirement is no bar to registering nor has it ever been, except in fanciful propaganda peddled to the public. A district judge heard Justice Department charges against the county and cleared the county of these charges of discrimination. However, this cleared county would come under the discrimination definition for one reason alone: it has 42 percent illiterate residents and convictions among the literate amount to enough to make it impossible for the county to legally and nondiscriminatorily register 50 percent of its voters. Again, this is a county which, if it had discriminated and registered the illiterate whites could have, by that means alone, have escaped the judgment of "guilt by definition."

Jefferson is another where charges have been repeatedly filed but where no case has actually gone to court and the utterly ridiculous charges may be the reason for this. The Justice Department, just as quickly as the 1964 Civil Rights Act was signed, slapped a charge against Jefferson County for using "oral reading" tests. The county, as were all others in the State, was using a very simple form put out by the Alabama Supreme Court in February 1964. Reading aloud of a portion of the U.S. Constitution was required by instructions on the form. As fast as possible, the Alabama Supreme Court changed the form to provide for a literacy test "wholly in writing," so that all parts of the test, questions, excerpts from the Constitution and writing are all recorded. However, just as soon as Jefferson quit using the "oral literacy" form, the Justice Department filed charges against the county for using a "different" form from the one it had used previously. Thus it was charged that it was a violation of the 1964 Civil Rights Act to use the old form and also a violation to change the form to be in compliance with the act. It seems clear now that the 1964 Civil Rights Act was deliberately written to assure that any State with a literacy test would have to be in violation of one or the other of its sections.

As a matter of fact, Jefferson County stopped having anyone read aloud immediately upon passage of the 1964 Civil Rights Act so as not in violation of it in that respect, and certainly not in violation of the act for using a different form if the difference was required by the act itself.

NO COMPLAINTS FILED

Greene, Houston, Lowndes, Marengo, and Russell: These counties have been investigated, photographed, annoyed, and harassed for literally years by the Justice Department, but not a single complaint has ever been brought against any of them. However, they will be immediately guilty of discrimination by definition should the 1965 proposed act be passed. Why? The answer is simple: There are so many illiterates that they could not register 50 percent of voting age without violating the State literacy laws, which they have not done. The rates of illiteracy, respectively, are: 48, 30, 57, 42, and 49 percent.

Here are five counties "guilty by definition" when the Justice Department—by its own inaction—admits they have not discriminated. They fall under the definition ax simply because they have a high rate of illiteracy, and have applied the State literacy law equally to all.

STATISTICAL CHAOS

Nine other counties in Alabama are or will be under the Federal ax if inaccurate figures, as given by the Justice Department in its complaint in the statewide suit filed against Alabama, are allowed to stand and all recourse to courts is blocked for the ridiculous period of 10 years.

It is a ludicrous fact that the U.S. Department of Justice, without apparently any serious attempt to use its vast resources of money and personnel for accurate information, has cited in the court case filed against the State of Alabama the registration figures for each county "based on statistics published on May 3, 1964, by the Birmingham News". Some figures, taken from the actual files of registrars, are as much as 50 percent larger on registration of Negroes and as much as 33 percent larger for registrations within a single county. The source of the figures listed by the Justice Department was not given in the affidavit filed with the State case, but was admitted in an answer to an interrogatory from the State of Alabama.

Mobile, Macon, Sumter and Perry: These four counties are brought under the guilt definition because the figures cited by the Justice Department on registrations are not correct. Oddly enough, three of these counties are operating under Federal court orders and have been allowed to use literacy tests in a fully nondiscriminatory manner and they do not actually come under the proposed act's definition of discrimination using the correct registration figures. However, at the insistence of the Justice Department, the courts have refused to allow these counties to be dismissed from court supervision.

Mobile, second largest metropolitan area of Alabama, has a voting age population of 172,382, according to the Justice Department, with only 82,712 registered. The fact is that there are 95,592 registered out of a total of 139,040 literates, since 19 percent of voting age are in the illiterate class. Thus the county is not properly guilty even by definition and instead of having less than 50 percent registered, really more than 80 percent registered. Records have been repeatedly copied by the Justice Department but no complaints at all have been brought.

Macon County was one of the first to be charged in a Federal court and be placed under a court order on the grounds that one board of registrars had rejected some qualified Negroes for registration. This board had used an oral reading and dictation test for all the years since the passage of the Alabama literacy law of 1952. It was not accused of registering illiterate whites. But some of the results of Justice Department activity in this county include the following:

First. Registration of patients at a Veterans' Administration hospital who admitted on applications that their homes were in other counties of Alabama.

Second. Registration of Tuskegee Institute College students from other counties and other States, with no claim to permanent residence in Macon County. John Doar told board members they must register all students there, regardless of their actual residence.

Third. Court orders to place nonqualified persons including dead persons on the rolls.

Fourth. Registration of more Negroes than the total number completing the sixth grade, clearly indicating that both illiterate Negroes and convicted Negroes have been forced on the rolls there.

Fifth. Registration of more than 8,000 persons to vote in a county with less than 7,000 literate persons.

Thus a county operating under court orders, and with which the Justice Department certainly should be familiar, is listed as having less than 50 percent of its voting age residents registered whereas it has more than 50 percent registered even without subtracting from the figure on so-called qualified Negroes more than 1,500 college students from counties and other States who are present only to attend college. But the Justice attorneys seem determined to force the registration of all Negroes regardless of literacy and regardless of Federal court orders permitting a literacy test because they recently brought contempt charges against the Macon board for using a literacy test different from the oral reading used before, a test which was different only as required by the 1964 Civil Rights Act to be different.

In Sumter County, with an actual literate population of only 5,000, the addition of illiterate Negroes to the voting rolls there has pushed the total registration to 7,500. Still the Justice Department is not satisfied and is accusing the county of having less than 50 percent registered. Furthermore, the U.S. attorneys recently brought a contempt case against the Sumter board, but lost that case. This is further evidence that the Justice Department is not satisfied with the 1964 act only because they have not been able to use it to bulldoze Federal judges into forcing the registration of all illiterate Negroes—as the proposed 1965 act would do.

FORCED TO REGISTER INELIGIBILES

With only 5,068 persons in the literate group in the county, Sumter's voting list now has more than 7,500 names of voting age population of 9,800. With an illiteracy rate of 48 percent and with convictions making approximately 10 percent of these ineligible, according to a study in that county, Sumter has topped the 50-percent mark only by registering those in the illiterate and convicted group but doing it under Federal court orders and pressure. This illegally registered group is composed of Negroes, whose conviction rate for felonies in that county is 10 times as high as for whites. Thus inaccuracy in Justice Department figures unjustly places another county within the "guilty definition," when it in fact should not be under that definition. Thus the only objective which the Department could have in the proposed 1965 act is to force on Alabama the remaining illiterate and convicted Negroes because they have already used the 1964 act to force some of these on the rolls in those counties now in the grip of court orders, such as Sumter. The objective of the proposed act is not to assure the nondiscriminatory registration of Negroes, but, as in Sumter, to prevent any county carrying out the laws of Alabama in a nondiscriminatory manner.

USE OF INACCURATE FIGURES

Perry County is the fourth county which would be brought under the "guilt definition" by inaccurate Justice Department figures, whereas this county has more than 50 percent registered and has done it by following State law and by limiting all registrations to literates and those swearing under oath that they have not been convicted of disqualifying offenses. The Justice Department credits Perry County with only 3,300 registered, whereas the figure is properly 4,600 out of 8,600 total of voting age of whom 42 percent are illiterate. Thus the county is within about 30 of having all persons registered who can be legally registered under Alabama law. Nevertheless, at the instigation of the Justice Department, Perry County has recently been given a ludicrous order by a Federal judge.

Here is the almost unbelievable series of events in Perry County:

First. Court found that for a period of about 3 years, 1959 to 1962, a board had turned down qualified Negroes.

Second. Perry was ordered not to discriminate but to continue using full constitutional requirements of Alabama law in registrations.

Third. New board appointed and they obtained use of a large courtroom and a permanent private office for files to handle the voter registration work.

Fourth. From September 1964 to February 1965, the number of Negroes who made applications to register on meeting days were as follows: 26, 4, 6, 6, 15, 1, 3, and 6.

Fifth. Suddenly on February 1 an organized drive resulted in the appearance of 376 Negroes late in the morning, all wanting to register at the same time. The board issued numbers preceded by A to those who had never applied before, and numbers preceded by B to those who had applied 1 to 10 times before and who, for the most part, could not write their names, or could barely write their names, and very few of whom could even copy their date of birth from a slip of paper brought with them. Of 4,700 Negroes of voting age in the county for whom grade completion statistics are given in the U.S. Census, 3,100 are illiterate and 1,600 have education higher than sixth grade but many of these have shown on applications that they have lost ability to read and write if, in fact, they ever had it. Most appearing February 1 were in the lower educational brackets. The day was completely orderly, and at the end of the day mutual appreciation for the conduct of registration by the registrars and for the conduct of the Negro group were expressed by board members and local Negro leaders.

Sixth. On February 15 hundreds more of the Negro population were issued numbers and applications numbering approximately 150 were taken although one board member suffered a heart attack early in the day and was hospitalized.

Seventh. Martin Luther King arrived on the scene 30 minutes after the board closing time, in a disorderly manner and demanding registrations. The closing time was set out in court orders and it is perfectly obvious that this was known to the riotous group which mobbed the board, halting the completion of registration of those Negroes then seated in the room, and resulting in officers removing from the room the remaining two board members and women clerks.

Eighth. A second board member has now resigned as a result of the constant threat of unpeaceful action on the part of King.

Ninth. Suddenly an order came from the district Federal judge stating that he had found the board in contempt of his 1963 orders, that they must speed up registration, and could no longer use a literacy requirement for voting.

Tenth. No notice of the motion had been given to the registrars. No hearing had been held. Worse than this, the order to speed up ordered the board to do less than it had been doing. The board had obtained the courtroom for use many months previous, had been handling more than 100 persons a day, had obtained clerks to assist—although they had no authority to demand either space or clerks—and were seating far more than the order required in the registration area. The order told them to handle 100 persons a day, seat at least 8 at a time—the board had been seating up to 40 or more when they appeared to register after January—and to keep a book showing those given numbers—which had been done for about 2 years.

ORDERS CONFLICT

Eleventh. It was even more astounding that such an order should be given when the district court had before it a motion by the State for reregistration of voters in that county to remove effects of past discrimination; and rulings of the Fifth Circuit Court of Appeals in a Dallas County, Ala., and a Panola County, Miss., case, and on March 8, 1965, in the United States against Louisiana case by the Supreme Court, all backed up the contention that any order by a Federal court to force a county to register by standards lower than required by a State law must automatically carry with it the right of the county to hold a reregistration.

Twelfth. Had the Justice Department been unaware of the Perry County situation, the seeking of such an order might be understood, but the Department is known to have been fully aware of the situation, including the appearance of only a handful of Negroes each day the board met during the time in 1964, when the Department filed a motion for a speedup order. In 6 months there had been a total of only 67 Negroes to apply so the Perry board could not have handled 100 a day because they did not have that many to try to register. In addition, a representative of the Justice Department visited the Perry County board of March 1, was taken on a tour of the operations, shown the signup and appearance sheets and saw the operations handling up to 40 applicants at a time although a substitute office was in use since court was in progress in the courtroom. Furthermore, this same representative was given a written report of the day's activities and the activities from February 1 following the close of business on March 1.

Thirteenth. Investigation has shown that the State attorney general's office was notified of the Justice Department motion, but the attorney general had pulled out of the case a year earlier and private counsel had been employed for the board. Thus, under the 1964 act it seems that a contempt charge can be brought against a board of registrars and they can be convicted, fined, and even imprisoned without notice of the charges, without a hearing, without an opportunity to present facts in the case, without proper legal counsel being notified, and completely without cause.

A study of the Perry case should be made before any more dictatorial power is placed in the hands of an attorney general who has already taken steps to:

First. Accuse a board of failing to expedite registrations.

Second. Asking—and getting—an order for the board to furnish space and clerical personnel which it has no authority to demand and which it cannot provide on members' pay of $10 per day, but can only request be given them.

Third. Asking and getting a finding of contempt against a board on the basis of a hearing held in April 1964, without, in November 1964, even attempting to bring information up to date.

Fourth. Exposing to fine and possible imprisonment one elderly man with a heart condition and a wife almost entirely helpless in a wheelchair; one younger man retired from the Armed Forces of the United States due to a physical disability which could not withstand imprisonment; and one man in his eighties—all without notice or opportunity for trial, for hearing the so-called evidence against them, or having any of the real rights in the Bill of Rights of the U.S. Constitution, which Bill of Rights does not even mention voting but does hold vital to freedom the rights of the accused—all stomped into the dust using punitive political propaganda whipped up by an unpeaceful, peace-hating, mob-using winner of the now-besmirched Nobel Peace Prize.

Fifth. Seeking and getting an order to abolish literacy as a requirement for voting in a county which has never been accused of registering illiterate whites but which was "found guilty" for using a literacy test "different" from the one used before passage of the Civil Rights Act, but different only in the way that the Civil Rights Act of 1964 required that it must be different—"literacy tests—wholly in writing."

BOARD CLEARED

This last allegation is obvious only when the full facts of this case are studied. The Justice Department had this board brought into court on a contempt charge in April 1964, but the board was cleared of this charge. At that time, the board was using for registration a much-simplified form of application and literacy test promulgated by the Alabama Supreme Court in January 1964, and put into use in mid-February 1964. The Justice Department made no objection to this form of application. It was only after the State in September 1964, switched to use of the new tests "wholly in writing" as required by the 1964 Civil Rights Act that the Justice Department objected to use of the new forms as different and asked for the board to be held in contempt. They actually asked the board be held in contempt because they had obeyed the 1964 Civil Rights Act. Of course, if the board had not changed the form, then a suit would have been filed because they used an oral test on reading.

Sixth. Further bring down national criticism on a board of registrars in Alabama at a time when legislation is being sought in the Congress by ordering a speed up, when the board was already handling more persons than it was ordered to handle, doing it in a more expeditious manner than the order indicates, and in every way doing the best it could in the tangle of State laws, Federal laws and court rulings—all of which are contradictory. And, further, the Department was the instigator of such unjust charges which it knew at the time of the court order were entirely false, even in the face of the 60 days marching on the board in an attempt to embarrass it by turning out more Negroes—including those who could not write their names—than the board could handle in the voter registration process. The Department through its own representative had ample information to show that the charges were false.

Bullock, Elmore, Choctaw, and Hale Counties all have court cases against them, although the Hale case has not come to trial. However, none of these comes under the bill's definition of automatic guilt of discrimination. There are only eight counties under court orders and only two facing complaints, yet three under orders and one facing a complaint do not fall under the definition of discrimination in the proposed act. This gives further evidence that this definition is sheer statistical stupidity. One of two things must be true: either the Justice Department and the courts have under orders counties which have not discriminated since they top the 50 percent requirement, or the definition of discriminiation based on the 50 percent formula has no merit at all.

JUGGLING STATISTICS

Madison County is an example of the stupidity of statistics used in place of reasonable laws. Here the voting age population is around 94,000 with 43,000 registered—although the Justice Department erroneously uses the figures of 64,000 population and 34,000 registered even though this was the first county in the State where photographs were made just after the November election and where full statistics were made available to the Department. This county registered more than 10,000 persons in 1964, handling up to 558 persons a day due to having ample clerical help available under a special legislative act passed years ago and due to having experienced persons handling the operations.

NEGROES REGISTER FREELY

Here the discrimination definition climbs to the height of the ridiculous. The earliest records of the county show Negroes registered freely. The return of Negro servicemen after World War II brought an upsurge in Negro male registration. Females of both races were limited in numbers on the rolls until the poll tax change came in 1953. Since that time, Negro female registration has increased much more rapidly than white female registration.

Here are some of the statements which Negro leaders themselves have made about registration by this board:

1. Early 1950's—"Any Negro who is not registered to vote in Madison County is either too lazy to come and try or he cannot read and write." L. C. Jamar, editor of the local Negro newspaper who has twice been a candidate for Huntsville City Council and who printed the statement above in substance later in his newspaper.

2. In 1964 at public hearing of Alabama Advisory Committee of the Civil Rights Commission: "Everyone is treated just alike. It's just that we can't seem to get many more registered," Robert Adams, head of the local NAACP committee. He admitted that Negroes simply could not qualify under the standards used by the board for all. A member of the board of registrars pointed out later that for every one Negro rejected from 1952 to 1964, two white persons had been rejected.

3. In 1965—Statement in the Huntsville Times: "There is no opposition to Negro registration here. The drive is planned to try to increase interest among the Negroes in registering to vote," Ezekiel Bell, local Negro minister and civil rights leader of the county.

Neither Negroes nor the Justice Department have made any complaints against this board. It has been 6 months since the Justice Department copied the records of the board with the full cooperation of the registrars. James Webb, head of NASA, did make an accusation that someone had been kept from voting by the registrar for 5 years. He made it at the height of the presidential campaign when he was also quoted as threatening to move Government installations if the State did not vote Democratic. Mr. Webb has denied the latter, but his office has refused to give to the solicitor of Madison County the name of the person he claimed was kept from voting. The solicitor and the board have requested the name so that a complete investigation can be made. The name has been requested from the Justice Department which has given no help in the matter. The name was requested from the Alabama Civil Rights Committee and from the Huntsville NASA installation, without any results.

FALSE CHARGES HURLED

This is a prime example of the way in which charges are being hurled against

Alabama without investigation, without the accused being given any chance to defend themselves, and with the full cooperation of the Federal Government intent upon using Alabama as a "whipping boy" to pass additional legislation to further punish and chastise a State and a Governor which dared oppose in any way the program of the present administration. Madison County was listed as one of the 189 counties in the South where "thousands of eligible Negroes are being denied the right to vote," and it was largely on the so-called discrimination of these counties that the Justice Department sought and got passage of the 1964 Civil Rights Act. It has not been able to back up its accusations with fact—as in the case of Madison County—so it now asks to be excused from going to court to prove a charge and asked, instead, that a ballot dictator be set up to rule over any State which falls in the carefully framed—and by this is meant "framed"—definition of discrimination without the necessity of any legal proceedings under law.

The placing of Madison County under the definition results from factors which are not connected in any way with discrimination but which the 50 percent formula simply ignores in order to make the definition apply only to a few States and, thus, garner the votes of those States thus bribed with the promise that the act will not be used in their States. The formula, as applied to Madison County, completely ignores these factors.

First. Increase between 1960 and 1964 from 64,000 to 94,000 persons of voting age, many of whom have not met the residence requirements of 1 year in the State.

Second. Presence of more than 1,000 college students, residents of other counties and other States, and all of them included in the figure of less than 5,000 literate Negroes in the county.

Third. Presence of between 2,500 and 3,000 military personnel and their families of voting age who have only a temporary residence in the county and State.

Fourth. Presence of 1,000 to 1,500 "co-op" students, working at various industries one quarter and attending colleges in various States the other quarter, most of whom are not local residents.

Fifth. Presence of at least 14,000 illiterates, colored and white, in the county.

Sixth. Rejection in 12 years of 360 persons with grade levels above sixth, these accounting for 34 percent of all rejections. While not large, the number of rejections above sixth grade level indicates that all of that level or above are not necessarily literate, some being unable to read or write even the words "United States."

Seventh. Lists of convictions being assembled indicating several thousand persons of various grade levels are disqualified for this reason.

Eighth. Lack of interest on the part of rural women, white and colored, in registering, as evidenced by comparative voting figures, which certainly should not be considered in taking punitive measures against a political subdivision.

Ninth. All the persons registered in the county plus all applying and being rejected amounts to only 44,000 persons out of 94,000 of voting age, still not 50 percent if no one had been rejected since the literacy law went into effect for all in 1952. There have been repeated registration drives by both races. Each time, the registrars have added days and personnel as needed to accommodate numbers turning out in drives.

This board has never closed its doors until all on hand by 5 p.m. and willing to wait their turn have had an opportunity to register. Many night sessions have been held with very small turnouts. Most boards in the State have only 2 meeting days a month and this is all that is needed with a reasonable period of 3 to 6 months before a person can repeat his effort to register. But when Federal courts order the boards to accept reapplications from thousands a month—even those who have applied 24 times and still cannot read or write—it is as impossible as finding the end of a circle to "serve all who apply." The Madison County Board of Registrars has a 3-month waiting period. Whenever copies of the U.S. Constitution are available from Congressmen, they are given to rejected applicants who want them.

FORCING WASHINGTON HEARINGS UNJUST

It is a weak defense to point to the further punitive provisions of the bill which allow a "definition convicted" county to come to Washington to a Federal court—a convenience to the Justice Department and an insult to every Federal judge on a bench in the South—in an attempt to prove that it has not discriminated. This is shifting the burden of proof to the accused, to registrars paid $10 a day for a few days a year when they register and nothing for the extra work they have to do as a service to the community. The burden of proof is not where it should be, on the accuser which is the Federal Government.

But even the "come on your knees to Washington" provisions of the proposed rights act, are a hollow shell, a package of meaningless words. Following through with the Madison County example, let us suppose this county did bring all its files to Washington and prove it had registered without discrimination for the required 10 years set out in the proposed act. It would do this county absolutely no good. This is one of the trick provisions of this vicious act. See line 10, page 3 of H.R. 6400:

> No declaratory judgment shall issue under this subsection with respect to any petitioner for a period of 10 years after the final entry of a final judgment of any court of the United States, whether entered prior to or after the enactment of this act, determining that denials or abridgements of the right to vote by reason of race or color have occurred anywhere in the territory of such petitioner.

Thus if one county in a State has already had a finding made against it by a Federal court, the courts are closed to every county in that State for 10 years, including the court in Washington.

II. USE OF WORD "ELIGIBLE"—PURE POLITICAL PROPAGANDA

First. Misleading use of word calculated to inflame the innocent dupes who have poured into Alabama waving banners of righteous indignation.

Second. Eligibles are the same as in the other 19 States with literacy tests, except some have barriers Alabama has never had.

Third. Approximately 95 percent of all men and 71 percent of all women are registered or are not eligible.

The proposed 1965 Civil Rights Act deals with persons of voting age in a State or political subdivision, but constantly in administration testimony, in demands by the Justice Department for more and more power and less and less law, and in various forms of news media the word "eligible" is used in an attempt to make it synonymous with the term "persons of voting age."

The act will condemn any State where less than 50 percent registered or voted by a carefully selected date in the past, such date being selected and the act being so worded that only those which the administration wished to punish will be included. At the same time, every effort is bent toward making Congressmen and the Nation feel that all persons of voting age are also eligible to vote.

WHO IS "ELIGIBLE" IN OTHER STATES?

All person 21 years of age are not considered eligible to vote in other States. For example, there are barriers against the voting of persons convicted of crimes, against persons who do not hold U.S. citizenship, against persons who receive public aid from any level of Government, against persons who do not own property in the case of tax elections in some States.

The following 19 States, other than Alabama, have a requirement that persons must be literate to vote. However, Alabama has been unable to obtain copies of the tests which they are using since passage of the Civil Rights Act of 1964 requiring that all literacy tests be "wholly in writing." Could it be that these States have not changed their tests to comply with that act, which incidentally, was not written in a manner to apply to three Southern States, but was written to apply to all States?

Literacy tests being used in these 19 States should be immediately put before the congressional committees studying the bill and it should be certified to them by State officials the dates on which the use of these tests started: Alaska, Arizona, California, Connecticut, Delaware, Georgia, Hawaii, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, New York, North Carolina, Oregon, South Carolina, Virginia, the State of Washington, and Wyoming.

The President said he wanted every American to vote. Does he mean to wipe out the literacy requirements of all these States, to wipe out the public-aid disqualification in some of these States, to abolish the almost universal bar to convicted persons being registered, to force on States as voters even those who cannot speak the English language? There is no guarantee in the bill that those States fingered by the Attorney General, and put under its provisions by him regardless of any statistical definition, will even be allowed to require that persons be 21 years of age, be citizens of the United States, be outside of prison walls, or even be mentally competent. The act refers only to persons, not even to persons residing in the political subdivision affected.

Alabama gives a literacy test to all as required by the 1964 act—and the President ridiculed the procedure of Alabama giving a test to all. Does the 1964 act apply to New York, and, if so, does this mean that New York can no longer exempt from its literacy tests persons who in 1922 were 21 years old, persons who voted military ballots during World War II, persons now in military service and other special exempted groups?

Can little Rhode Island expect for long to escape the heavy hammer of the Justice Department if it attempts to keep its barrier against nonpropertyowners voting in tax elections? Can Massachusetts expect to escape punishment if it leaves on its books a law barring paupers from voting—even if it makes the weak excuse that the law is not enforced? Can New Hampshire expect to long keep its barrier against convicts voting if its representatives support a bill for "all persons" to vote?

Alabama has never barred its unfortunates and its elderly from the polls by reason of their having to have public support to survive. Alabama has never built a barrier around the voting machines in tax elections to exclude all but property owners. Alabama has never permanently barred its convicted from voting, nor has it ever required them, if convicted in Federal court, to get a pardon only from the President of the United States as does one of the States.

WHO IS REALLY 'ELIGIBLE' IN ALABAMA

If the literacy law is left in effect and is properly and nondiscriminatorily enforced, how many persons by race and sex would become voters because they are truly eligible under the properly enforced laws of the State?

Using figures from the 1960 U.S. census for those who have never gone to school, for those who went to the first to fourth grade and who are illiterate by the yardstick of the national literacy groups, and using those who went to the fifth or sixth grade all as the illiterate group is clearly justified by years of experience of boards of registrars and U.S. selective service board members in Alabama. There will be some persons who finished the sixth down to the first grade who will pass a literacy test due to their own efforts after leaving school, but at least as many persons with seventh grade or higher education cannot pass the simplest tests such as reading or writing the words "United States," or even writing their own names or birth dates. Thus, this accumulated reading and writing evidence and the almost 100 percent rejection rate for the draft for persons under the eighth grade level both indicate that use of this set of figures as "illiterates" is a conservative one whether the persons are given literacy tests by the method required by the Alabama constitution or the method devised in the State of New York.

Following is a table showing the percentage of illiterates and literates in the State as a whole based on the use of 1960 U.S. census figures, based on the latest available figures on registrations from probate judges and registrars, based on partial returns from a new count of voters being made in Alabama, and based on results of purging of voter lists in many counties of the names of persons dead and nonresident. In round figures, these percentages are based on the following:

	Illiterate	Literate	Registered
White	263,000	1,000,000	800,000
Colored	241,000	200,000	123,000

Eligibility table

	White, male	White, female	Colored, male	Colored, female
Presumed illiterate	23	19	61	50
Presumed literate	77	81	39	50
Percent of all 21 registered	68	51	32	20
Percent remaining of literates	9	30	7	30
Of all 21, this accounts for a total percent of	91	70	93	70
Convicted estimate (percent)	4	1	3	1
Of all 21, this accounts for a total percent of	95	71	96	71

The only reservoirs of unregistered but actually eligible persons are women of both races. The fact is that these women have never even applied to register at all. If all the women registered and all that have applied to register and been turned down were put together, the figure would still not amount to 60 percent for white women or to more than 30 percent for Negro women.

Here again, figures used by the Justice Department are misleading. They treat as a separate individual each rejection by a board, whereas records show that some individuals have tried to register as many as 24 times, and should be counted once, not 24 times, when comparing rejections against the literate numbers of persons. In one case in Dallas County where a figure of 247 rejections was cited, it was proven that only 58 persons were responsible for the total number of rejections.

Two facts in Alabama must be faced, if there is to be any fairness in the consideration of the registration situation in that State:

First, many men are disqualified from voting due to convictions, probably many more than indicated in this table. According to the Uniform Crime Reports of the United States, issued by the Federal Bureau of Investigation, Alabama ranked 16th from the lowest in crime rate, but still for 1963 the rate was 848 per 100,000 population. Other figures indicate a conviction rate, mostly of men, of about 10,000 per year the last 10 years. However, Alabama does not throw up unreasonable barriers to such persons obtaining restoration of citizenship and voting rights, so that any figures on disqualifications by convictions will constantly change. However, Alabama certainly does not make so stern a requirement of the convicted person as New York State, which requires—article 7, section 152(3)—that a person convicted in Federal court cannot ever register unless "he shall have been pardoned or restored to rights of citizenship by the President of the United States."

Second. Lack of interest in registering and voting among women has to be a factor in holding down the total number of persons registered because the educational level of women of both races in Alabama is higher. Correspondingly their rejection rate for registration is in fact lower than for men.

To attempt to penalize the State for the failure of these women to register—and remember that they would not have to pay any poll taxes to vote in Federal elections—is especially unfair and vindictive at this time. This is because registration by white women has been discouraged for a long time in Alabama by the repeated questioning of those who register by persons claiming to represent the U.S. Department of Justice. These questioners have come at night. They have come when husbands of these women were not at home. Some of these women have been frightened by the occurrences and the reports have spread to other white women, causing them to hesitate to register. In addition, the conditions existing around registration offices, where unpeaceful demonstrations have been the rule for a long time has kept white women away from the voter registration lines. Antics of the demonstrators have also kept many self-respecting Negro women away from the registration office who might otherwise have come to register.

Nor has the effect been limited to those counties in which the Justice Department and Martin Luther King have been active. With news media screaming out the most sensational news possible to concoct, registrars in counties where there has been no registration trouble at all report that very few Negroes come to register when there is trouble in other parts of the State, thus again causing women, in this case eligible Negro women, to refrain from becoming voters.

III. INCREASE IN NEGRO LITERATES AND VOTERS

If Alabama has truly not discriminated other than in a few counties for very short periods of time in all the years of the literacy law, then why all the charges against Alabama from the press, television, radio, and the pulpits?

Mainly, it is because in its testimony and in its court actions and public utterances the U.S. Justice Department has misled the Congress and the people.

The Justice Department has said that Alabama has denied Negroes an opportunity for education and is illegally denying them registration as voters.

The facts are:

First. Negroes have made greater strides in improving their educational level than have whites since 1940.

Second. School terms, amounts spent per pupil and other school factors have not differed between races, but differed as between city and rural children. The difference has been due to additional funds being put up by cities for education. No action of the State has made any difference as between rural and city children.

Third. Any Negro in Alabama who can read and write enough to read his ballot and have any idea about the thing on which he is voting can register freely in Alabama. Those being rejected are those who, regardless of grade level completed, either never had or have now lost the ability to read and write with intelligence.

Fourth. The real progress in Negro registration was made before the first Civil Rights Act in 1957 was passed. The progress due to increased interest and military exceptions from poll tax first came after World War II. The second spurt of increased Negro voting came after abolition of the cumulative feature of poll tax in December 1953. This was an equal spur to registration by both white and Negro women, rather than solely on the basis of race, this increase was on the basis of sex.

Fifth. The Justice Department has found for itself that Alabama has been rejecting Negroes because it was obeying its own laws and that illiterate whites are not voting as they had claimed. Most of the qualified Negroes have registered, and the Justice Department has come face to face with the fact that the only way to register the thousands whom they claim are eligible is to abolish the literacy law—which is just what they are trying to do, and discrimination has no part in it. They cannot prove discrimination in courts of law, therefore they must get it out of the courts and make the finding of discrimination rest on a definition, not a hearing before a judge.

NEGROES MAKE PROGRESS

Alabama Negroes have made progress in education in relation to literacy for voting.

In 1940 only 22 percent of Negroes were in the literate group.

In 1950, 32 percent of Negroes were in the literate group.

In 1960, 45 percent of Negroes were in the literate group.

While Negroes were increasing their literacy rate—in spite of the large numbers of the educated leaving the State—from 22 to 45 percent, the whites in Alabama increased their literacy rate from 65 percent up to 79 percent. All figures apply to persons of voting age for whom grade completion levels are given in the U.S. census.

Besides the exodus from the State, Negroes have failed to further improve their educational level because of a high rate of school dropouts, a problem which plagues the entire Nation, not just Alabama.

Now let us return to the years before the passage of the first so-called Civil Rights Act:

In 1950, less than 30,000 Negroes were registered. These were mainly ex-servicemen registering after World War II and older Negroes who had been voting all their lives.

In 1960, 63,179 Negroes were registered. What happened? No counties were under any court orders at this time. The increase was due to the change in the poll tax law. Formerly, all persons had to pay up the tax of $1.50 per year for all the years from 21 through 44, regardless of the age at which they registered. The poll tax change in December, 1953, reduced the maximum payment to $3—$1.50 for one back year and $1.50 for the current year. This was done on the State's own initiative.

In 1961, 74,689 Negroes registered.

In 1962, 77,852 Negroes registered.

In 1963, 97,280 Negroes registered.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Illinois, a very hard working and effective member of the Committee on the Judiciary.

Mr. McCLORY. Mr. Chairman, I want to commend the gentleman for demonstrating the effective nature of the Ford-McCulloch bill, how it will pinpoint the areas of discrimination without sweeping in at the same time areas where an effort is being made or where there has been an effective effort made to eliminate discrimination on the basis of race or color.

I would like to ask this question. In the Ford-McCulloch bill what would be the nature of the proceeding whereby 25 persons would file a complaint with the Attorney General? Is this going to be some public demonstration, or how confidential or private is it going to be?

Mr. MacGREGOR. There are no provisions in the bill which would indicate directly or indirectly that there is any requirement that there be anything public about the manner of presentation by 25 or more complainants to the Attorney General. Let us take a specific example. We talked briefly yesterday about the State of Florida, and again today. In Florida, of course, the "automatic trigger" provides no assistance. Those who are not allowed the right to vote there would get no help from the essential feature of the committee-Celler bill. Let us take Liberty County, Fla., where there are 240 voting-age Negroes and not a single one on the voter rolls.

Under the Ford-McCulloch bill 25 of those, or more, could quietly and privately advise the Attorney General of the facts of their disfranchisement. That would start the process, the administrative procedure that I outlined earlier, that will give them the precious right to vote which the committee-Celler bill cannot give them.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Alaska [Mr. Rivers].

Mr. RIVERS of Alaska. Mr. Chairman, I rise in support of this legislation, H.R. 6400, but—in the course of giving it my backing—I wish to clarify the position of my State of Alaska with respect to certain provisions, because Alaska has been frequently mentioned in this debate.

Addressing the House in regard to House Resolution 440, which embodies the 10-hour rule under which this Committee has been proceeding, the distinguished gentleman from Virginia, the Honorable Howard W. Smith, spoke of Alaska as a State which voted less than 50 percent of its voting-age population in the presidential election of 1964. Similarly classified were the States of Alabama, Georgia, Louisiana, Mississippi, South Carolina, and Virginia—and certain counties in Arizona, Idaho, Maine, and North Carolina. In concluding his remarks, the gentleman from Virginia opined that Alaska was innocent of discrimination but would, in effect, be a victim of this bill. I concur as to Alaska's innocence, and admit that Alaska's position has become somewhat clouded in the premises, but consider the bill too important to oppose for that reason.

Under the bill, H.R. 6400, the use of specified voting qualifications defined as "tests and devices"—aimed at preventing certain people from voting—would be suspended in States and political subdivisions upon the coincidence of two factors; namely, where first, such tests and devices were maintained on November 1, 1964, and second, less than 50 percent of the voting-age population was registered or voted in the presidential election of 1964. I will soon show that these two factors cannot coincide in Alaska under H.R. 6400 as now written.

A third factor which has been alleged to be applicable to Alaska is set forth at the top of page 24 of the bill, as follows:

> No State or political subdivision thereof shall deny any person the right to register or to vote because of his failure to pay a poll tax or any other tax.

Alaska has a head tax charged to all employed individuals for school purposes, but that tax has nothing to do with the right to vote. Alaska has never had a poll tax affecting the right to vote.

I agree with the provision which would do away with further use of poll taxes to prevent people from voting. I do not think that any citizen should be deprived of the right to vote for failure to pay a poll tax, and, referring to various other tax laws, I do not think, for example, that referendums on the question of whether or not a State or local government should issue general obligation bonds for public purposes should be limited only to property owners. Obviously, everyone who lives in any locality either owns his own abode or pays rent and, obviously, every landlord charges enough rent to cover his property taxes as well as the use of his premises. In other words, landlords pass on to their tenants the cost of property taxes on their property, so that indirectly tenants pay propery taxes, which means to me that citizens who pay rent have as much fundamental interest in whether or not a local government bonds itself as do the landlords. I have rented my house in Alaska for 8 years, and have no desire to see my tenant deprived of the right to vote in any election.

Let me now go back to the literacy tests and devices, and the proposition that less than 50 percent of the voting-age population was registered or voted in the presidential election of 1964.

It is important to point out that, since the "test or device" which is proscribed in this legislation is designed to eliminate discriminatory literacy tests in effect in some of the States, the language of Alaska's Constitution should be recognized as the epitome of liberality and not at cross-purposes with any provisions of H.R. 6400. Provisions of other State literacy tests have varied from, "read and speak English" to, "read and write English" to, "the reading and interpreting of the Constitution and other English prose." Obviously, these tests require a varying level of education, intellect and experience, and can perceivably be used for purposes of discrimination.

Compare these tests or devices in various States with the situation in Alaska, where Alaska's State constitutional requirement is that a person registering to vote must only be able to, "read or speak the English language as prescribed by law," and the degree of skill so prescribed calls only for the capacity to communicate by speaking simple words in the English language. For emphasis, I repeat the unique and liberal disjunctive—"read or speak" found in Alaska's constitution. If Congress intends to eliminate as a "test or device" a provision requiring that a person seeking to vote be able to speak simple English, then I would expect it to do so by expressly adding the word, "speak" to the words, "read, write, understand, or interpret any matter" within the definition of "test or device." So far, this has not been done, and I would oppose any move to do so, as I think that every State has a right to prescribe minimal qualifications in connection with the right to vote—so long as discrimination is not involved.

May I now devote a few minutes to the second factor mentioned at the outset of my remarks. I refer to the inference of discrimination contained in the following: "Less than 50 percent of the voting age population was registered or voted in the presidential election of 1964." On this point, let me say that Alaska does not require preelection registration in State elections, and will probably not do so until its population increases considerably.

Therefore, anyone can vote in a State election in Alaska by simply appearing at the polls and indicating in the simplest English that he wants to vote, and he will forthwith be registered and given his ballot for voting purposes. Of a total population in Alaska in 1964 of approximately 250,000—1960 census—226,000—67,259 Alaskans voted. As I have stated, this number has been estimated to be only 48.7 percent of Alaska's voting-age residents. The trouble with this estimate is that the population figure of 250,000 included about 30,000 military, plus wives and children, and that, of this number, most all were of voting age, but on tours of duty—and ineligible to vote in Alaska. By excluding these people from the count of eligible voters, Alaska's secretary of state concluded that about 60 percent of Alaska's eligible voters voted in the 1964 presidential election in Alaska. Let me stress that there is no abridgment of voting rights in Alaska.

To my mind, the mere noting of the administrative misapprehensions thus far occurring as concerns Alaska shows that the desired corrections can and will be made administratively—and that all of you may unqualifiedly vote for this bill, so far as Alaska in concerned, as I feel Alaskans are not fearful of the application of this voting rights bill. I support H.R. 6400 and urge my colleagues to do likewise.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. KASTENMEIER].

Mr. KASTENMEIER. I rise in support of H.R. 6400, the House Judiciary Committee's voting rights bill, a bill designed to provide the constitutional, lawful and institutional means for taking voting rights demonstrations off the streets and opening our voting booths to all Americans. This is a strong, workable piece of legislation which has been carefully considered in hearings before Subcommittee No. 5, extending from March 18 through April 1 of this year. A total of 13 separate sessions of hearings were held. Following that, the subcommittee met in executive session for 4 days to consider the legislation, and later the terms of the bill were considered and deliberated on at length by the full Committee on the Judiciary. In a real sense many of the important provisions of H.R. 6400 were shaped by Subcommittee No. 5 and the House Judiciary Committee. In my judgment, this record of committee action represents the best example of effective exercise of the committee system.

The result is that we have before us today not only the broad outlines of the President's voting rights bill but also many committee-drafted improvements which represent the thinking and conclusions of this committee. In my judgment, the bill is sound and the House should adopt it.

The issue we face is not whether we are going to pass a voting rights bill. Clearly, support for voting rights for all Americans is so basic a duty as to be not subject to challenge. Furthermore, the legislation itself is neither as controversial nor as comprehensive as previous civil rights bills have been. The result is there are fewer matters left by far that are contentious. The bill does not relate to equal accommodation, integration of educational institutions, integration of transportation, or other aspects of the day-to-day life of Americans which previous civil rights bills have dealt with and over which there was strong philosophic disagreement.

Thus, the question before us is simply a matter of what kind of bill we are going to pass. It is my opinion that we must in this hour in the history of the United States enact a thoroughgoing voting rights bill which will fulfill the mandate of the 15th amendment to the Constitution which states:

> SECTION I. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. II. The Congress shall have power to enforce this article by appropriate legislation.

Fulfilling this constitutional mandate is very much part and parcel of our time. We cannot very easily mistake it. There is a human rights revolution occurring in our country.

The revolution we face today stems from a recognition by the Negro that there are protections available to him under the Constitution. This is a revolution of rising expectations of the Negro who properly no longer is content to accept a lot of less than full citizenship.

It is sometimes debated which is the most important in the structure for equality. There are those who contend equal opportunity in education will provide the basis for equality in all areas. Others would say that without equality of economic opportunity, efforts to attain complete equality are illusory. While it is difficult to make a hard and fast judgment in this area, I believe as Justice Black said in speaking for the Supreme Court in *Westberry* v. *Sanders*, 376 U.S. 1,

> No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.

The record is clear; the right to vote has been systematically undermined. It is superfluous to recite the cases which have been decided in the Supreme Court which detail the variety of practices which have been conceived to frustrate the Negro in his attempts to vote. It is superfluous to detail the evidence presented before Subcommittee No. 5 on the near total denial of voting rights to Negro citizens in some of our Southern States. Suffice it to say that during the past decade the publicity these devices have received has provided an upsurge of public indignation against the systematic exclusion of Negroes from the polls that characterizes certain areas of this Nation.

This surge of public indignation has given rise to several civil rights bills in the last 8 years. By the Civil Rights Act of 1957, Congress empowered the Attorney General of the United States to institute suits to protect the right to vote from deprivation because of race or color (42 U.S.C. 1971 (a), (c)). At the same time, the act prohibited threats and intimidations for the purpose of interfering with the right to vote in Federal elections and gave the Attorney General authority to bring suits to protect against such interference (42 U.S.C. 1971 (b), (c)).

A number of lawsuits were brought between 1957 and 1960 under the authority of the new act. The experience with this litigation quickly pointed to the need for further voting legislation. It became apparent at once that voting discrimination suits could not adequately be prepared without full access to the relevant registration papers and documents and that, even where a suit was brought to a successful conclusion, the scope of relief had to be wider than what was being afforded by the courts at that time. In 1960, Congress set out to remedy these defects. The Civil Rights Act of that year granted to the Attorney General full powers of inspection of documents in the custody of local voting registrars. It further provided that where a pattern or practice of discrimination was found a new and more comprehensive procedure for the registration of Negroes was to be employed. This new procedure permits any Negro in the affected area whose application has been rejected by local officials to apply directly to the Federal Court or a Federal voting referee for an order certifying him to vote. The orders of the court so obtained are binding upon State voting officials with respect to both State and Federal elections. The Department of Justice brought 40 discrimination suits between the date of enactment of the 1960 act and the enactment of the Civil Rights Act of 1964.

Despite the improved 1960 legislation, no appreciable dent was made in denying Negroes the right to vote and register. And as the Negro demand for full voting rights grew greater, the threats to his life and livelihood increased.

Additional modifications in the voting laws were made in the Civil Rights Act of 1964. Title I of that act provided for the expedition of voting suits and their trial before a three-judge district court with a direct appeal to the Supreme Court. The 1964 statute also prohibited, with respect to registration conducted under State law for elections held solely or in part for Federal offices, first, the use of voting qualifications, practices, and standards different from those applied in the past under such law to other individuals; second, the rejection of applicants because of immaterial errors or omissions made by applicants filling out registration forms; and third, the use of literacy tests as a qualification for voting unless they are administered and conducted wholly in writing. The statute further established a rebuttable presumption of literacy flowing from the completion of six grades in any recognized school.

The effect of the 1957, 1960 and 1964 voting rights statutes was limited. Although they were intended to supply strong and effective remedies, their enforcement encountered serious obstacles in various regions. Experience under these laws conclusively indicates that the case-by-case approach encourages hard-core southern resistance. The case-by-case approach, no matter how well intentioned, will not end voting discrimination. The case-by-case approach will mean more intimidation, more street demonstrations, and an inconsequential increase in Negro registration and voting.

This brings us to the present bill which is designed to avoid the omissions of 1957, 1960, and 1964 by providing the machinery for a comprehensive program of voter registration and protection throughout the areas of the country where discrimination in voting has been conclusively shown to exist.

An attempt was made in 1960 to include a voter registrar plan in the House bill. After tentative adoption on the House floor it was striken. Some opposed this provision to avoid a Senate filibuster. There are those who suggest we should follow the same route this year, that we should strike various provisions of the House Judiciary Committee bill to avoid a Senate filibuster or even a conference with the other body. We cannot make that same mistake again for if we do, we will be back here next year writing a new law to cover the practices some would have us strike from this bill.

The fact remains that the Senate has adopted a bill which provides for machinery nearly similar to that contained in the House Judiciary Committee bill, although in certain respects, H.R. 6400 is significantly more effective. The basic machinery of the House bill must be preserved if we are to pass an effective voting rights bill in this Congress. I could think of no more effective way of failing in our job and deferring the challenge to next year than to adopt the proposals of the minority. We are sure to face such proposals. However, even as they have been rejected in committee—and by the Senate—they should be rejected again here. We cannot adopt a different triggering device, different means of excusing political subdivisions from coverage, different means of ending the examiners' jurisdiction without requiring the conference committee to redo the entire job of writing a new voting rights bill—an effort that at best will result in severe delays and postpone the right to vote and at worst would be the death knell of voting rights legislation in this Congress.

The House Judiciary Committee bill does vary in some respects from that bill passed by the Senate, however. One major difference is that the House bill contains a poll tax ban in State elections, what we have already eliminated in Federal elections by constitutional amendment. I believe that the adoption of the poll tax provision is critical to an effective bill. We seek in this Congress to make voting rights a reality for all. I do not think that any of us who support this bill would like to see it pass and then see the right to vote again denied because of the failure to pay poll tax. We would not like to see States raise the current tax to $50 or $100 which they might now do to keep Negroes from voting. Let us foreclose this possibility to assure the purposes of the voting rights bill. There can be no doubt that the poll taxes are imposed primarily to restrict Negro suffrage. In 1943 in a Senate Judiciary Committee report, it was observed that:

> We think a careful examination of the so-called poll tax constitutional and statutory provisions, and an examination particularly of the constitutional conventions by which these amendments became a part of the State laws, will convince any disinterested person that the object of these State constitutional conventions, from which emanated mainly the poll tax laws, were motivated entirely and exclusively by a desire to exclude the Negro from voting.

Indeed, the Mississippi Supreme Court, shortly after the enactment of the poll tax in that State, candidly held that the tax was primarily designed to restrict Negro suffrage. The situation in Virginia as reflected by comments in a 1942 Senate Judiciary report clearly sets forth the basis for the poll tax in that State.

Near the beginning of the convention Senator Glass made a speech in which he outlined in a very forceful language what the object was, after all, of the convention. He did this in his usual commendatory method of getting at the real cream in the coconut. Near the beginning of the convention he made a speech in which he said:

> The chief purpose of this convention is to amend the suffrage clause of the existing constitution. It does not require much prescience to foretell that the alterations which we shall make will not apply to all persons and classes without distinction. We were sent here to make distinctions. We expect to make distinctions. We will make distinctions.

Near the conclusion of the convention, Senator Glass delivered another address in which he referred to the work already performed by the conventon. He said:

> I declared then (referring to the beginning of the convention and the debate on the oath) that no body of Virginia gentlemen could frame a constitution so obnoxious to my sense of right and morality that I would be willing to submit its fate to 146,000 ignorant Negro voters (great applause) whose capacity for self-government we have been challenging for 30 years past."

The poll tax was thus conceived in discrimination. Its purpose—to keep Negroes from the franchise—is its fatal infirmity. It can hardly be doubted that Congress, acting to implement the equal protection and due process clauses of the 14th amendment and the right to vote in the 15th amendment, has full authority to outlaw State provisions purposefully dedicated to restricting the right to vote. Clearly we in this House must not, out of expedience, fail to adopt this poll tax provision. There is reason to believe that the Senate would vote to accept the House bill with this amendment in view of the fact that the poll tax amendment proposed by Senator TED KENNEDY was narrowly defeated when it was first considered, particularly since it would place on the Senate the responsibility for rejecting a sound bill and sending it to a conference committee.

In other respects the House bill also is stronger than the Senate version. The length of coverage included in the House bill will assure the presence of examiners for such a length of time as to assure that the right of Negroes to vote will be firmly established and not subject to immediate erosion. The House bill, in addition, provides greater protections against intimidations, including coverage of party officials as well as voters other than those registered by Federal examiners.

Finally, we cannot permit ourselves to be persuaded out of sympathy for colleagues who contend they represent decent people who could not be party to the voter discrimination practices detailed so thoroughly in the committee report on the voting rights bill. With all due respect for our colleagues and in the face of overwhelming evidence that discrimination does exist, we must adopt a complete bill, a bill which will assure the voting rights so long denied. Settling for half a loaf now means only legislating the other half next year. We have the time and the votes to eliminate the last remaining bars to the equal exercise of voting rights. We must respond to the demand that our branch of Government do its duty.

Another branch of Government has taken steps to meet the challenge of the revolution of rising expectations. The Supreme Court's "one man, one vote" decision is equally a part of our times. What we seek to accomplish by this voting rights bill, equal and fair representation in government, would be undone by those who seek to overturn the "one man, one vote" decision. Whereas we seek to give every man an equal voice in government, overturning the Supreme Court decision would give a disproportionate value to the vote of some segments of our population. If not foolish, it is at least inconsistent to condemn vote frauds where fictional people are allowed to vote on the one hand while seeking to set up a system of reapportionment which will permit the votes of two people living in one area to equal the vote of one person living in another. This is the central theme of our time in history—the protection of the integrity of the right to vote and the value of the vote.

I must emphasize again that it is not whether we shall pass a voting rights bill this year but whether the bill we pass will stand up to the challenge of our time—equal voting rights. It is within our capacity and within our duty. We must not let the country down.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. DONOHUE].

Mr. DONOHUE. Mr. Chairman, I rise in support of H.R. 6400.

Mr Chairman, I most earnestly urge my colleagues here to, and I hope they will, promptly and overwhelmingly adopt this historic measure before us, H.R. 6400, the Voting Rights Act of 1965, without any crippling changes or extended delay.

In considering this measure today I believe it is very pertinent to remind ourselves that three times, since 1957, this Congress has attempted to implement the Constitution's admonition that, "the right of citizens of the United States to vote shall not be denied or abridged on account of race, color, or previous condition of servitude."

Although these current laws were designed to project sufficient and effective remedies against any restrictions upon and discrimination in the exercise of the voting right, unfortunately and regretfully, but unquestionably, the history and the evidence of these past 7 years reveals their attempted fulfillment has encountered obstacles, in various regions of the country, of such a serious nature as to practically negate and defeat their primary intent and purposes.

The authoritative testimony to substantiate, beyond any reasonable doubt, this unhappy conclusion was very carefully and exhaustively developed by a Special House Judiciary Subcommittee, of which I am privileged to be a member, during the conduct of 13 public hearings, 4 subcommittee executive sessions, and throughout 10 executive sessions of the full House Judiciary Committee.

The documented evidenced presented before our committee clearly demonstrated that realistic progress in the actual exercise of the voting franchise by great numbers of our Negro citizens, particularly, has been excruciatingly slow, partly because of the intransigence of some State and local officials and partly because of interminable delays in the judicial process.

Throughout the course of our committee hearings it became increasingly and obviously clear that the burdens, upon the majority of Negro citizens everywhere in the country, in lawfully attempting to exercise their constitutional right and civic duty to vote, remain too heavy, the wrong to so many of these citizens remains too grievous and the blot upon our national conscience remains too great for the Congress to justify any further delay in the enactment of more effective voting rights guarantees than are available in existing laws.

To remove these burdens, to undo these wrongs, and to obliterate the blot upon our national conscience, the House Judiciary Committee, after long and dedicated study and application, has presented this bill, H.R. 6400, to the House of Representatives for your determination and, I hope, speedy adoption.

The consensus of conviction within our committee was that repeated presentations to the Congress of this basic national issue cannot be justified and, indeed, should not be necessary. Having dealt with this subject on several occasions, our committee members were naturally very conscious of the fact that time and time again legislative steps have been taken in trying to eliminate various schemes and devices only too obviously designed to deprive Negro citizens of the right to vote but, unfortunately and in too many instances, some of the States and localities in the country still persisted in inventing new ways and new obstacles for the clear purpose of frustrating the intent of the Congress and the will of the majority of the American people.

As a consequence, it was a further consensus of the committee that the Congress, once and for all, and now, should enact a measure to insure and encourage, as fully as is humanly possible, to each and every citizen the free exercise of the guaranteed right to vote in every election.

That is what the bill before you now is designed to do. To do this the bill provides in summary: First, suspension of the use of literacy and other tests and devices in areas where there is reason to believe that such tests and devices have been and are being used to deny the right to vote on account of race or color; second, authority for the appointment of Federal examiners in such areas to register persons who are qualified under State law, except insofar as such law is suspended by this act, to vote in State, local, and Federal elections; third, empowerment of the Federal courts, in any action instituted by the Attorney General, to enforce the guarantees of the 15th amendment, to authorize the appointment of Federal examiners, pending final determination of the suit or after a final judgment in which the court finds that violations of the 15th amendment have occurred; fifth, criminal penalties for intimidating, threatening, or coercing any person to vote or to attempt to vote. Upon the basis of findings, that poll taxes as a prerequisite to voting violate the 14th and 15th amendments to the Constitution, the bill also abolishes the poll tax in any State or subdivision where it still exists.

In addition, civil and criminal remedies are provided for the enforcement of the act.

Mr. Chairman, the record proving the imperative urgency of this legislation has been indelibly written; the just cause involved is basic to the preservation of our democratic form of government; our legislative duty lies clearly before us. Say what we will we cannot escape, as true Americans, facing two fundamental facts. The Constitution of the United States forbids racial barriers to voting. Only 40 percent of our Negro citizens in the South vote. Let us accept these facts and take action to insure that Negro and all other citizens in every section of this country are freely permitted and legislatively encouraged to responsibly participate in their Government by exercising the right to vote in every Federal and State election.

By the enactment of this measure the U.S. Congress, for the people of the United States, will once again and most timely demonstrate to the world that we are unswervingly dedicated to the continuation of this Nation's persevering progress toward our final goals of equal opportunity and equal treatment for all human beings everywhere regardless of race, creed, color, or national origin. That is our destiny, under God, and this is a special opportunity to move ahead in fulfillment of it. Let us speedily and overwhelmingly seize the opportunity.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, almost 100 years after the adoption of the 15th amendment, we are debating whether or not to pass implementing legislation to secure for all Americans the right to vote regardless of race or color. It is common knowledge that the promise of the Constitution has not been fulfilled; it is common knowledge that there has been a determined conspiracy in the South to prevent Negro citizens from voting. Tragically, it has taken violence, brutality, and murder to awaken the Nation to the nature of this conspiracy. Finally Congress realizes that past legislation has not been adequate to deal with the question. In 1957 and again in 1960 civil rights laws were enacted, and last year we enacted the historic Civil Rights Act of 1964. None of these laws fully secured the right to vote. H.R. 6400, confronts the problem more directly than any past bill brought to the floor of the House.

Of course, there are those—some in this House—as the gentleman from Louisiana [Mr. WAGGONNER] told us, who do not believe there is a right to vote. This is a fundamental issue which I thought was settled 100 years ago. However, we would not be here now, debating this bill, if this basic proposition had not been denied, if eight States had not left the determination of a voter's qualifications to the prejudice of local registrars.

From the beginning of my service in Congress, one of my principal concerns has been the guarantee of the basic right to vote. H.R. 7142, which I introduced in the 87th Congress, and H.R. 6028, which I introduced in the 88th Congress, would have provided for the appointment by the President of Federal enrollment officers upon the recommendation of the Commission on Civil Rights. H.R. 6023, which I introduced in this Congress, also would establish a system of Federal registrars.

In each of these Congresses I have also introduced bills to outlaw literacy tests and abolish poll taxes in all elections. The bill before us today, H.R. 6400, embodies many of the proposals incorporated in my earlier bills. I consider them essential to the effectiveness of any legislation designed to correct the voting evils—many of which I have observed firsthand on my visits to Alabama, Georgia, and Mississippi—which continue to exist in a good many areas of the Nation.

Section 10 of the voting rights bill, as reported out by the Committee on the Judiciary, specifically bans poll taxes in all State and local elections—a measure I have fought for ever since I came to the Congress. The bill clearly recognizes that poll taxes are not bona fide qualifications for voting, but are arbitrary and unreasonable restrictions on the right to vote which violate the 14th and 15th amendments. When I testified before the Committee on the Judiciary, I urged that the bill as proposed by the administration be amended to eliminate the poll tax.

The committee has also taken my suggestion to delete the provision of the original administration bill which required that, before a person could apply to a Federal examiner, he first must have been denied the opportunity to register or to vote by the local registrar or have been found not qualified to vote within 90 days prior to his application. As I pointed out in my testimony before the committee:

> In many places Negro citizens are in great peril if they try to register to vote. They face economic intimidation and physical violence. Going to the courthouse to register has been a frightening experience * * *. Why must applicants face harassment and intimidation which in many places surely awaits them?

Mr. Chairman, the definition of the term "vote" as set forth in section 14(c) makes clear that this bill applies to the election of party, as well as public, officials. This is an extremely important point which I have drafted in the voting rights bills which I have introduced. This would cover the election of delegates to a party convention. For instance, in Mississippi, in 1964, Negroes were excluded from the process by which delegates were selected to the Democratic National Convention. The opportunity to participate fully in political party decisions is basic to the effective use of the franchise.

When I testified, I urged the committee to provide protection from economic and physical intimidation and coercion to any person registering, attempting to register, voting, or attempting to vote under State law—as well as to those encouraging others to vote. Section 11(b) spells this out. Unfortunately, S. 1564, which the other body adopted, does not cover persons urging or aiding others to vote.

The instances of physical violence are so notorious that there should be no doubt about the need to provide protection not only for prospective voters but for civil rights workers and others engaged in voter-registration programs. In addition, economic threats and reprisals are weapons used time and again to prevent Negroes from attempting to register.

As Dr. Aaron Henry, president of the Mississippi State NAACP, testified before the Commission on Civil Rights:

> Any step which will bring a Negro into the public view, in an effort to register to vote, will increase the likelihood that an employer, or a creditor, or landlord, will deprive him of the economic necessities of life.
>
> This problem is amplified manyfold by the extreme degree of poverty which exists among the Negro communities of Mississippi. To take an economic risk in Mississippi is to risk life itself.

Mr. Chairman, H.R. 6400 is aimed at correcting evils that have been readily apparent for a long time. The Commission on Civil Rights began pointing them out in its 1959 report and has described them further in its reports for 1961 and 1963. Of particular significance is the 1965 report "Voting in Mississippi." Hearings in Mississippi, which were finally held this year, make abundantly clear the urgency of new legislation.

The affidavits and depositions which were taken in connection with the statutory challenge to the five Mississippi Congressmen are replete with details. When they are finally printed, Members of the House will see a shocking pattern of denial of voting rights in Mississippi.

A good part of the Mississippi situation is told in *United States* v. *Mississippi*, 380 U.S. 128 (1965). In 1890, a majority of the voters in Mississippi were Negroes. By 1899 the percentage of voters who were Negroes had dropped to about 9 percent. Why? Because in 1890, the State adopted a new constitution, designed "to restrict the Negro franchise and to establish and perpetuate white political supremacy and racial segregation in Mississippi." The 1890 constitution required an applicant to be able to read any section of the Mississippi constitution or understand the same when read to him, or give a reasonable interpretation thereof. By the 1950's the number of literate Negroes in Mississippi was growing, despite the fact that educational opportunities offered to Negroes were shamefully inferior to those offered to whites. After a court pointed out that the 1890 constitution gave the applicant one of three alternatives—he could read or understand or interpret—the State changed the constitution to raise higher the barriers to Negro registration. A 1954 amendment to the constitution required each applicant to be able to read and copy any section of the constitution, give a reasonable interpretation of it, and, in addition, demonstrate to the registrar "a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government." Since the adoption of this amendment the registrars have applied these standards so as to make it easy for white applicants to register and most difficult for Negroes to register. In 1960, the registrar was given a new arbitrary power and the evidence is that he has exercised it arbitrarily and capriciously. He can now refuse to register, at his own whim, any applicant who is not of "good moral character." Can anyone seriously argue that Congress has no power to prohibit the use of such a test? Can anyone seriously debate that Congress must prohibit such flagrant discrimination?

The State of Mississippi has deliberately and systematically denied the right to register and vote to a substantial number of American citizens because of their race. It is no accident that there are approximately 500,000, or 67 percent of the white persons of voting age and approximately 20,000 to 25,000, or only 5 to 6 percent of the Negroes of voting age registered to vote.

Similar carefully planned patterns of voting discrimination were brought out by the Supreme Court in *Louisiana* v. *United States*, 380 U.S. 145—1965—in *Divis* v. *Schnell*, 336 U.S. 933—1949—an Alabama case, as well as other cases. These cases present a picture of concerted violation of the Constitution by State governments, in order to deprive American citizens of their legal rights.

Mr. Chairman, H.R. 6400 recognizes that tests or devices have been the principal means used under State law to prevent Negro citizens from voting. I have seen at first hand how the constitutional interpretation test is used to discriminate. I have sponsored legislation to abolish such tests.

The impression was created that, by making the completion of six grades of education presumptive proof of literacy, the Civil Rights Act of 1964 eliminated the effect of discriminatory literacy tests. Nothing could be further from the truth. It merely created a rebuttable presumption in a legal proceeding instituted after the denial of registration.

On March 8, 1965, the U.S. Supreme Court unanimously declared invalid the constitutional interpretation test used by Louisiana. The Court said:

> This is not a test but a trap, sufficient to stop even the most brilliant man on his way to the voting booth. The cherished right of the people in a country like ours to vote cannot be obliterated by the use of laws like this.

H.R. 6400 suspends the use of literacy tests and other "tests and devices" in States and political subdivisions where such tests were required on November 1, 1964, and where less than 50 percent of the voting age population was registered on November 1, 1964, or voted in the 1964 presidential election.

It is on this point that I feel compelled to express my reservations about the approach adopted by the pending bill. Why must we have this formula? The tests and devices outlawed by it are fully as arbitrary in any State. Congress should abolish all such tests, no matter where they are applied. My bills, H.R. 2477 and H.R. 6023, would bar the use of literacy tests in all State and Federal elections. I still prefer the approach of my bill, H.R. 6023, which I outlined in my testimony before the Judiciary Committee.

Section 3 of H.R. 6400, which details judicial remedies available to those discriminated against, is intended to reach States not covered by the bill's formula. Let us hope it will prove adequate. But we should not hide from the challenge. Congress must recognize that literacy tests and similar devices are just as onerous no matter where they are applied. They should be completely abolished throughout the land.

The bill provides for the appointment of Federal examiners to register qualified persons in those areas where tests are suspended. The Civil Service Commission will appoint as many examiners as are necessary in a particular county to prepare and maintain lists of persons eligible to vote in Federal, State, or local elections, whenever the Attorney General receives 20 legitimate written complaints from residents of an area covered by the bill's formula, or whenever the Attorney General determines that Federal registrars are necessary in such areas to enforce the right to vote, or whenever the District Court authorizes the appointment of examiners in those "pockets of discrimination" not covered by the bill's formula.

Any applicant found to be qualified by a Federal examiner would be placed on the list of eligible voters. The principal qualifications would be age, citizenship, and residence. Nondiscriminatory State standards, such as mental competence, would remain in effect.

Any person whose name appeared on an eligible list transmitted to election officials 45 days prior to the election would have to be allowed to vote in any subsequent election until removed from that list. An individual may be removed by an examiner if he has been legally and successfully challenged, or if the examiner determines that he has legally lost his eligibility to vote.

Any person on the eligibility lis would be able to notify an examiner within 48 hours after the polls close in his area if he were not permitted to vote. The examiner, after investigation, would then notify the Attorney General, who would be empowered to go into the district court for an order enjoining certification of the election results, pending an immediate hearing. If the court should find a denial of the right to vote, it would provide for the casting and counting of the previously barred ballot, which then would be included in the total vote.

The use of the Federal examiner procedure would terminate in any county when the Attorney General notified the Civil Service Commission that all persons listed by the examiner had been placed on the county's registration rolls and that there was no longer any reasonable cause to believe that persons would be denied the right to vote because of their color or race. The examiner procedure in those "pockets of discrimination" not covered by the bill's formula would be terminated upon the order of the authorizing court.

Criminal penalties for intimidating any person from voting, attempting to vote, registering, or attempting to register are provided. In addition, penalties are provided for intimidating those encouraging others to vote. These penalties include a maximum fine of $5,000 and/or 5 years in prison.

As I mentioned before, H.R. 6400 abolishes the poll tax in all State and local elections.

Finally, the voting rights bill would extend the Civil Rights Act of 1964 to cover State and local, as well as Federal, elections. This means that the application of uniform voting standards would be required. Disqualification for immaterial errors or omissions would be prohibited. Literacy tests—where they are not otherwise suspended by this bill—would have to be administered in writing. A rebuttable presumption of literacy would be established whenever any applicant can show that he has completed successfully a sixth-grade education.

Mr. Chairman, I have outlined the major provisions of the Voting Rights Act of 1965. All are necessary if voting discrimination is to be truly wiped out in our land.

There is one important omission, however. An amendment is needed to enfranchise American citizens of Puerto Rican origin who are required to take New York State's literacy test. They should not be denied the right to vote merely because they are literate only in Spanish, rather than English. The Senate adopted—48 to 19—an amendment offered by Senator Robert F. Kennedy, of New York, to prohibit the denial of the right to vote in any election of any person because of his inability to read, write, or understand English if he has successfully completed the sixth grade in a public or accredited private school in any State, territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English.

At the outset of this debate, when the House convened on Tuesday, I spoke of the importance of this amendment. Chairman Celler assured me then that the committee would accept it. This will correct a basic injustice to thousands of Spanish-speaking American citizens. I hope it will receive overwhelming support from the House.

Mr. Chairman, the pending bill is before us because we have failed to live up to the Constitution and the 15th amendment. We have permitted racists and bigots to exclude American citizens from the ballot box. We have failed to put human rights ahead of States rights. Now the conscience of America, stirred by the courage and sacrifice of dedicated and committed Americans, has brought Congress to the point of exercising its responsibility. Efforts will be made to kill this bill and, short of killing it, to cripple it. These efforts must be rejected. The time to act is now. Let us pass this long overdue legislation.

Mr. CELLER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. Smith].

Mr. SMITH of Virginia. Mr. Chairman, my good friend the gentleman from Alaska [Mr. Rivers] who just preceded me made reference to a statement that I had made on the floor the other day, that Alaska was one of the victims of this bill and would be caught under the triggering provisions of H.R. 6400.

Let me first say that I do not know whether they are or not. I merely took it from the record that was presented to us in the Rules Committee. The testimony was that there were six Southern States and the State of Alaska who are caught under the triggering provision, because there had been a storm up in Alaska and the people could not get to the polls.

Mr. Chairman, the gentleman's statement that the situation in Alaska was cloudy illustrates just what I was talking about. Not only is the situation of Alaska going to be cloudy if you pass H.R. 6400 as it is, but the situation with respect to a lot of other folks sitting in this Chamber and a lot of other States in the Union is going to be cloudy also.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Chairman, while we have been debating the legalisms and the technicalities of the voting rights bill, my mind kept straying to two constituents of mine. One had the unusual name of Jessie James III. He was a lance corporal in the Marines who was killed in action in Vietnam, and he was a Negro.

The other was named Robert J. Rhodes. He was a second cousin to Corporal James, and he was killed in an airplane crash in California on his way to Vietnam with a contingent of marines. Like Corporal James, he was colored and, like Corporal James, he gave his life for this Nation.

Mr. Chairman, how can anyone deny the basic voting right to a people while still expecting them to risk their lives for their country? It is unfair and inhumane.

The greatest tribute we can pay to these young men and their families is to pass this bill which would make the Negro people full participating partners in democracy. This measure will be a living monument to these lads.

I shall vote for it proudly, and will always thing of it as the James-Rhodes bill.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. Krebs].

Mr. KREBS. Mr. Chairman, during the past few days I have tried to diligently follow the debate on this most important legislation, the voting rights bill, H.R. 6400. Though it is a complex and legal document it has certainly been drafted in a thoroughly competent fashion by the outstanding Judiciary Committee.

Today, there can be little doubt of the need for this legislation. If any such doubts exist, however, I would recommend a thorough reading of the extensive study completed in 1961 by the U.S. Commission on Civil Rights. That report reached the conclusion that "the franchise is denied entirely to some because of race and diluted for many others. The promise of the Constitution is not yet fulfilled."

Mr. Chairman, the promise of the Constitution must be fulfilled without further delay. I strongly adhere to the Constitution in all its provisions including that of the 15th amendment. In subscribing to this great document I subscribe to its provision that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

The bill drafted under the excellent chairmanship of our colleague, the gentleman from New York [EMANUEL CELLER], has as it purpose to carry out the letter and the spirit of the Constitution. This bill is in conformity with section 2 of the 15th amendment which recognizes that "the Congress shall have power to enforce this article by appropriate legislation." The Judiciary Committee, composed entirely of trained attorneys, who diligently worked through weeks of hearings and studies and has, indeed, presented the country with that appropriate legislation called for in the Constitution.

I am honored to be a Member of this 89th Congress which has already distinguished itself in meeting head on the undeniable inequities in voting patterns throughout sections of the country. Moreover, I will long remember that this was the time when statesmanship raised itself just a little bit higher by courageous acts of Congressmen who see their duty and do not hesitate to act, even when such acts may not be popular in their congressional district. I commend the statement of a few days ago by our colleague, the gentleman from Florida, Representative CHARLES E. BENNETT, and salute him for his act of courage in supporting this historic measure that will remove shackles which have, for too long, restricted the voting freedom of some Americans.

Mr. Chairman, America knows the need for this legislation; let us heed her call and vote for the effective Voting Rights Act of 1965, H.R. 6400.

Mr. CELLER. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL of Massachusetts. Mr. Chairman, today our Nation is confronted with the problems of keeping our political process responsible to the people. In an age when bigness has become commonplace in almost every aspect of human activity, it is easy to forget that it is the people, acting in their capacity as voters, who are the sovereigns of this Nation. Many Americans realize the problem of keeping the political channels open exists and are determined to see that no qualified person is prevented from fulfilling his civic duty.

This is not a novel idea dreamed up by Americans of this century. The late Justice Miller writing the opinion for a unanimous court in the case Ex parte Yarborough decided in 1884 expressed similar sentiments when he wrote:

> It is essential to the successful working of this Government that the great organisms of its executive and legislative branches should be the free.

The Congress like Justice Miller wants our political institutions responsible to the people. This was one of the reasons the Civil Rights Acts of 1957, 1960, and 1964 contained voting rights provisions. It is for this same reason that the Congress is considering the voting rights bill this year.

During the month of March I had the opportunity, Mr. Chairman, of being present when a deposition took place in the State house in Boston concerning the voting abuses in Mississippi. The deposition was of a young Negro girl, talented and able, with the following background: She had been graduated from Jackson State Teachers' College, had attended the University of Texas, and was working for her doctorate at Harvard University.

This girl, able, educated, and talented, when she went to register to vote in her town in Mississippi was confronted with the following:

First. She had to go to the registrar and make application to register to vote.

Second. Notice was placed in the weekly newspaper citing her intention to become a voter, and were there any reasons, moral, civic, or judicial, that anybody objected to her as a voter?

Third. She came back the following week. And she was given an intelligence test. She was asked to read and interpret five of the amendments of the more than 250 amendments to the Mississippi constitution, of which Professor Sutherland, an outstanding constitutional professor at the Harvard Law School, said:

> There are amendments to the Mississippi constitution that no person on the face of the earth can interpret.

Then a week later she came back again and she was notified she failed—no reason why she failed—no explanation—just that she failed. Are these the States' rights that you people want to protect? I say to you, Mr. Chairman, now is the time for us to act. Certainly this is aimed at a handful of States, and rightly so, because of an incident just like what I have told you and that you can repeat, and repeat, and repeat similar instances throughout these six States.

The voting rights bill now before this body is based upon the provisions of the 15th amendment. The first section of that amendment states that it is unconstitutional for the Federal Government or the State Government to deny or abridge the right to vote of citizens of the United States "on account of race, color, or previous condition of servitude." The second section grants to the Congress authority to enforce the provision "by appropriate legislation." A reasonable interpretation of this provision of the Constitution holds that legislation designed to protect the voting rights of American citizens is within the scope of this body's authority.

It is unfortunate that all Americans do not realize that by limiting some of their countrymen's rights they limit their own rights—unfortunate but true. Our history since the adoption of the 15th amendment substantiates the need for Congress to act to insure that persons who are qualified to possess the means to exercise their right to vote.

We have but to recall the misdeeds of the Ku Klux Klan after the Civil War and the more subtle techniques adopted later such as the grandfather clause and the white primary to realize that the guarantees of the 15th amendment have at times been disregarded. Nor has this disregard for the rights of some Americans been relegated to the distant past as the recent activities of our Government attest.

The Congress in the last 8 years has passed three Civil Rights Acts which dealt in part with voting rights. Acting in harmony, the Congress and the States proposed and adopted the 24th amendment which forbids the use of the poll tax in Federal elections. Within the executive branch the Attorney General of the United States acting under authority granted him by Congress in the Civil Rights Acts has brought suits before the courts to prevent State and local governments from denying or abridging the rights of Americans to vote.

The right to guarantee 15th amendment rights has not only been waged by agencies of the Federal Government; ordinary men and women who want to see its promise realized have also been active. An outstanding example of these efforts made by private citizens took place in Tuskegee, Ala. In 1957 the Alabama Legislature redrew the boundaries of the city of Tuskegee so as to exclude all but a small number of the city's Negro residents. The U.S. Supreme Court in 1960 in a unanimous decision held that this action violated the 15th amendment. Today representatives of all the citizens of Tuskegee are working to build a better community. With the passage of this bill we will realize the same benefits at the State and National level.

All of these efforts, however, have not eradicated the problem of discriminating voting practices by some public officials as the reports of the President's Civil Rights Commission and newspaper accounts testify. The responsibility to see that every qualified American may exercise his right to vote has been a part of the program of the Democratic Party for many years. The Democratic Party's national platforms in 1960 and again in 1964 contained the promise that the rights of all of our citizens would be protected. Our late, great President, John F. Kennedy, during his successful campaign for our Nation's highest office in 1960, said:

> The Federal Government has a duty to see that the States exercise their authority over the process of voting in conformity with the Constitution of the United States. That Constitution provides that no American shall be denied the right to vote because of his color.

President Johnson addressing a joint session of Congress on the need for a voting rights law asked that the 15th amendment be enforced and said:

> There must be no delay or no hesitation or no compromise.

Commenting on the President's address the Boston Globe contained the following appraisal:

> Few citizens will fail to agree with him * * * at last the official machinery of a representative democracy is in gear.

The Senate heeded this call for action from the President and the Nation. Today the House of Representatives is asked to answer with the same clear response our national conscience requires.

Ninety-five years ago our forefathers agreed that no citizen of the United States should be denied the right to vote "on account of race, color, or previous condition of servitude." Today we are being called upon to enforce this commitment with appropriate legislation. We must not, we cannot, do less and be true to ourselves and our heritage. Let us support H.R. 6400.

The CHAIRMAN. The gentleman from Ohio [Mr. McCulloch] has 2 minutes remaining and the gentleman from New York [Mr. Celler] has 1 minute remaining.

Mr. CELLER. Mr. Chairman, will the gentleman from Ohio [Mr. McCulloch] yield 2 minutes to me so that I may yield 3 minutes to the gentleman from Florida [Mr. Pepper]?

Mr. McCULLOCH. Mr. Chairman, I will yield to the gentleman from New York 1 minute, one-half of the time we have left.

The CHAIRMAN. The gentleman from Florida [Mr. Pepper] is recognized for 2 minutes.

Mr. PEPPER. Mr. Chairman, for decades the American Negro wore the shackles of physical slavery. He was finally emancipated but he could not forget that formerly his body had been a chattel and that he had been bred like cattle for the profit of his proprietors. And for now more than a hundred years the struggle has been waged in this Congress and in this country to give a fuller emancipation to the American Negro so that he might enjoy, as of right he should, all the fruits of citizenship in this great Republic. Now we are engaged in another one of those battles in this long struggle for the most meaningful of his rights, indeed that right which is the criterion of participation in effective citizenship in this country, the right to vote.

Mr. Chairman, I speak not only as an American but as a southerner, and I am proud of it. Born in Alabama of a father of Alabama birth and of a saintly mother born in Georgia, I speak as a citizen of the South in hoping that this measure will help to lift from the conscience of my native and beloved land the burden that it has so long borne.

Mr. Chairman, I wish in the warmest terms to commend the able chairman of the Committee on the Judiciary and his fellow members on that committee for bringing to this House a measure which so nobly advances the high ideal of full Americanism for every American. I commend you, Mr. Chairman, and I hope that our colleagues by this meaningful gesture will advance that noble struggle and I believe we are going to do so in a very short time.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Chairman, we have just listened to a story told by the distinguished gentleman from Massachusetts—a dramatic story—but I suspect that there could be documentation of comparable stories in many, many States, including the State of Texas. I see no reason whatsoever for a voting rights bill aimed at wiping out discrimination based on color or race being applicable in an effective manner only to a limited number of States.

We in this body, on that side of the aisle or on this, do not want the story which the gentleman from Massachusetts mentioned repeated in any State. We believe a bill which is comprehensive, which covers every State—including the State of Texas and including some of our large metropolitan areas—is the kind of legislation that ought to be approved by this body.

Mr. POWELL. Mr. Chairman, I rise in support of H.R. 6400, the Voting Rights Act of 1965. This act is one more necessary milestone in the long road toward equality we all must trod in order to make the Constitution more meaningful for all American citizens—black, white, and Spanish speaking.

I wish to point out that earlier this year—January 13, 1965—I introduced the legislative forerunner of this present bill. My bill, H.R. 2649, which called for the appointment of Federal registrars to protect the right to vote, was introduced as a direct result of a personal visit to me on January 10 by Dr. Aaron Henry, that distinguished freedom fighter from Mississippi.

There are two serious shortcomings in H.R. 6400 which I am hopeful can be remedied. One is the omission of judicial relief for Spanish-speaking Americans who are de facto penalized for their inability to read and write English, even though they may be highly educated in their native tongue and are loyal, hard working and productive citizens in many American municipalities.

The second imperfection of H.R. 6400 is the absence of a provision which would require new elections in those States affected by this act. When I testified earlier this year before the House Judiciary Subcommittee hearings on H.R. 6400, I was joined in the call for these changes by several of my distinguished colleagues including Representative John Conyers, Jr., of Michigan, a member of the Judiciary Committee. I do not think you have ever publicly called for new elections.

As chairman of the House Education and Labor Committee, which has the legislative responsibility for almost $5 billion of aid to elementary and secondary education, aid to higher education, juvenile delinquency control, manpower training and redevelopment, correctional rehabilitation, national vocational student insurance loans, and, of utmost importance, the war on poverty, I wish to emphasize that these giant steps by our Government are disastrously crippled when citizens are unable to vote now and participate in the election of officials who will administer the funds for these programs at the local level.

It does no good to pass a law striking at the hard cancer of poverty in this country when a black man and his family, barely surviving at the tattered edge of poverty, are unable to vote now for local officials who control these funds.

And yet, this is the state of affairs as H.R. 6400 now stands. Federal protection will be available for those seeking to vote in areas which have a history of racial discrimination. But when will they be able to vote? As I pointed out in my testimony before the House Judiciary Subcommittee hearings on March 23, Alabama will not have an election until 1968; Arkansas, 1966; Florida, 1968; Georgia, county offices, 1968—general elections, 1966; Louisiana, 1968; Mississippi, for all offices except municipal, 1969; North Carolina, 1968; South Carolina, county offices, 1968, and Virginia, mayoralty, 1968.

Even though we pass this bill, we provide no immediate remedies for those who have been persecuted and deprived of their right to vote for years. We make no provisions for the economically deprived to enter the political mainstream immediately to redress their grievances. And I submit to you today that the nearly $5 billion worth of Federal assistance the Education and Labor Committee has authorized becomes meaningless in the face of our failure to provide for new elections in those areas affected by this act.

I call upon my distinguished colleagues to seriously consider the void which the act presently contains if no provisions are made for present elections.

Finally, I would ask that our Government take steps now through this act to enfranchise our hundreds of thousands of Spanish-speaking Americans who cannot read or write English and are denied the right to register as voters because they cannot pass an English literacy test.

In California, there is no literacy test for Mexican-Americans. In all States throughout the Union where large numbers of Puerto Ricans live, the requirements that they pass English literacy tests should be abolished. In my own State there are over 750,000 Puerto Ricans, of whom more than 480,000 are of voting age. Yet, there are only an estimated 150,000 Puerto Ricans registered to vote, or less than one-third of those eligible.

This does not stem from any lack of civic interest on the part of these fine citizens, but rather the barrier of English literacy test. They participate fully in our economic and social life. It is time to enable them to enjoy the full blessings of participation in our political life.

I therefore urge that section 4 of H.R. 6400 be amended to provide that, where any person has successfully completed the sixth grade in any State, territory or the Commonwealth of Puerto Rico where the language taught was other than English, he shall not be denied the right to vote in any local, State or Federal election.

With the addition of these two changes in H.R. 6400, we shall bring before the American people a new day in electoral justice and political freedom for all of our citizens—black, white, and Spanish-speaking.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 6400, the Voting Rights Act of 1965. Passage of the Celler bill will prove the determination of this Congress to maintain the integrity both of the Federal Constitution and of the democratic process itself.

The 15th amendment imposes on us the obligation to secure to every qualified citizen of the United States the right to vote. The principle of government by the consent of the governed compels us to restore political liberty to the disfranchised Negro. Officials in some States have succeeded in denying to Negro citizens the right to vote and they must be held responsible for making it necessary that we enact this Celler bill. These officials have threatened the integrity of the Constitution and of the democratic process.

Mr. Chairman, last March 14 and 15 I went to Montgomery and Selma, Ala., along with my colleague, Congressman SILVIO CONTE, and Bill Evans, Administrative Assistant to Senator EDWARD M. KENNEDY. We went to Alabama representing the Massachusetts congressional delegation during the historic march of civil rights representatives from Selma to the State capitol at Montgomery. Also, we investigated voter registration conditions in that State, and talked to representatives of both sides in the dispute. I can report to you that we found conditions exactly as our colleague, Congressman RESNICK, reported to you in his speech yesterday, conditions that he and other Members of the House discovered when they visited the Dallas County Courthouse in Alabama earlier this year.

Mr. Chairman, State officials in some of the States have made use of such tests and devices as those enumerated in section 4(c) of the act in order to fabricate the appearance of legality in rejecting applicants for registration when, in reality, they rejected these applicants on account of their race. All of these tests and devices—literacy and interpretation tests, evidence of good moral character, the requirement that an applicant be vouched for by others already registered—all of these are tests and devices which the Civil Rights Commission has reported have been used as techniques of discrimination.

In the Civil Rights Acts of 1957, 1960, and 1964, we left it up to the Federal courts to determine the instances in which such tests and devices have been used as means, not to determine the qualifications of registrants, but to disfranchise the Negro. We left it up to the Federal courts to enjoin such discriminatory practices whenever they found them.

Official resistance on the State level was too widespread and determined, and it was unrealistic to expect the courts swiftly to abolish all such practices when it came to a test of strength with State and local officials.

Congress must now move swiftly to abolish the use of all such tests and devices wherever they have been used as techniques of discrimination.

On June 19, 1963, President Kennedy asked Congress to enact a provision in title I of last year's Civil Rights Act authorizing the Federal courts to appoint temporary voting referees under certain conditions before a final judgment is reached in voting rights cases. As do voting referees appointed under the 1960 Civil Rights Act after final judgment, referees appointed while a case is pending would have heard complaints of discriminatory denials of the right to vote and would have reported their findings to the courts for the issuance of orders for the registration of those found qualified. Voting rights could have been safeguarded much more expeditiously by referees appointed before final judgment. This provision was deleted. In his message of March 15, President Johnson, speaking of this provision, said:

> And when that bill came to my desk from the Congress for my signature the heart of the voting provision had been eliminated.

That provision had been meant to offset the delay which is inevitable in protecting voting rights through judicial process. Due process of law and the protection of voting rights case by case necessarily entail too great delay.

Voting rights by their nature require to be determined without delay. Delay very often means disfranchisement. The Celler bill resolves the issue in the most effective way possible. It does so by providing for appointment of Federal examiners either by court order before or after final judgment or on request of the Attorney General. And these examiners will not be officers of the courts but of the executive branch of the Federal Government. Federal examiners will take over the registration process wherever necessary and will insure to all who ought to vote the right to do so.

Mr. Chairman, I support the position of the junior Senator from Massachusetts, the Honorable EDWARD M. KENNEDY, to ban State poll taxes in this voting rights bill. The Kennedy amendment was defeated by a close margin in the Senate, but I sincerely hope it will remain in the Celler bill before us. Like the various tests I have previously mentioned, the poll tax was adopted in some States neither as a means of revenue, primarily, nor as a genuine qualification for voters, but in order to disfranchise the Negro. Congress has the clear and certain right, therefore, under section 2 of the 15th amendment, to abolish this means of discrimination by statute. As a deliberate hindrance to voting, we ought to eliminate the poll tax together with other techniques which have been used to deny political liberty to the Negro.

Mr. Chairman, when we have secured the political liberty guaranteed by the 15th amendment, and when we have safeguarded the principle of government by consent, we shall have done our duty as representatives of the American people.

Mr. MOORHEAD. Mr. Chairman, I rise in support of this legislation to insure voting rights to all our citizens. This is one of the most important, most basic problems now facing our Nation. As the President put it, the problem involves "the dignity of man and the destiny of democracy."

It is the destiny of democracy because the right to cast a meaningful vote is the essential right which distinguishes a democracy from other forms of government. It is the "dignity of man" because any democracy which denies to one man an equal opportunity to vote with other men denies his essential human dignity.

This legislation has my support because it is designed to promote the destiny of democracy and the dignity of man.

It has my support despite the fact that it does not include what I consider an important element—a provision for the enforcement of section 2 of the 14th amendment to reduce the proportion of congressional representation of those States which abridge the right of some of their citizens to vote.

The framers of the 14th amendment anticipated the fact that there might be racial discrimination in voting rights in elections in which representatives in Congress were chosen. They provided in section 2, as the remedy for such a situation, that a States representation in Congress be reduced in the same proportion as such discrimination was practiced. Let me read that section of the 14th amendment:

> SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crimes, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

We need legislation that will cause the white power structure to want to register as many Negro voters as possible—an excuse, if you will, which will permit moderate leadership to come to the fore.

Now, despite the absence of provision for enforcement of section 2 of the 14th amendment, the legislation before us today does provide the mechanics whereby the the right to vote can be obtained. It recognizes, too, that attempts may be made to prevent persons from making use of these new techniques and provides criminal penalties for such action.

Events this year in Selma, Montgomery, and elsewhere taught us a clear lesson—that the Civil Rights Acts of 1957, 1960, and 1964 did not go far enough.

It is no secret that the various types of "tests" given voters in some areas of our country have been applied unequally. On frequent occasions white citizens have not been subjected to these tests at all. On many occasions they have been applied only to Negroes. I should like to quote from the excellent report of the Judiciary Committee on H.R. 6400:

> Even the most cursory examination of the content of many of these tests * * * for example, the constitutional interpretation tests, the "perfect form" requirements, and the citizenship-knowledge tests—reveals that they are vague, arbitrary, hypertechnical or unnecessarily difficult, and have little (if any) bearing upon the capacity to cast an intelligent ballot. The inescapable conclusion is that these tests were not conceived as and are not designed to be bona fide qualifications in any sense, but are intended to deprive Negroes the right to register to vote. The only real function they serve is to foster racial discrimination. These facts are clear. In widespread areas of several States tests and devices, as defined in this bill, have been effectively and repeatedly used to deny or abridge the right of Negroes to vote.

I should like to draw emphatic attention also to the conclusion of your Judiciary Committee that this legislation is constitutional: The legislation "implements the explicit command of the 15th amendment that the right to vote shall not be denied or abridged by any State on account of race or color."

And the U.S. Supreme Court in more than one instance has specifically recognized the power of Congress to deal with racial discrimination in voting.

The New York Times, in an editorial on Tuesday, pointed out what I regard as the major defect in the proposal to be offered as a substitute by the Republican minority. I quote from the Times editorial:

> The test is whether (the Congress) passes (a bill) that will do the job and not need amendments and revisions in a year or two.
>
> Under the able leadership of Representative WILLIAM M. MCCULLOCH, of Ohio, the Republican minority has prepared a substitute that approaches the problem of voting discrimination by a different route than that laid out in the administration bill. The Republican substitute provides for Federal action whenever 25 or more citizens in a voting district complained that they had been denied the right to vote by local officials. This is a reasonable approach, but it lacks one of the chief requirements for a good voting bill—namely, that it go into effect automatically. The exercise of Federal authority in rural Mississippi and Louisiana, for example, ought not to depend upon the fear or apathy of local Negroes who are subject to many kinds of coercion and intimidation. On these grounds alone, the automatic triggering provisions of the administration bill make it preferable.
>
> An airtight bill would include a complete ban on the poll tax in local and State elections. If the House votes such a ban, it would enable the Senate to reconsider its adverse decision on this issue.
>
> It is important that the bill contain the provisions recommended by the Civil Rights Commission. These would make it possible for Negroes to register with the Federal examiners immediately without having to apply first to local registrars and also would empower the Federal Government to appoint poll watchers.
>
> The enemies of equal suffrage in the Deep South have repeatedly demonstrated remarkable ingenuity in devising regulations and legal stratagems to prevent Negroes from voting. Congress has a responsibility to write a voting law that will frustrate all such maneuvers in the future.

That is surely our duty here this week: to write a voting law that will frustrate all future maneuvers designed to prevent Negroes from voting. We cannot call ourselves the land of the free, the home of the brave, until we do.

Mr. HUOT. Mr. Chairman, I rise in support of H.R. 6400.

It is unnecessary at this time for me to belabor the arguments in favor of the constitutionality of this bill. The distinguished chairman of the Judiciary Committee has carefully and comprehensively outlined the constitutionality of H.R. 6400 so as to leave no vestige of doubt. In my opinion no one can excuse a vote against this legislation on constitutional grounds. There can be little doubt that the procedures provided in this bill constitute "appropriate legislation" within the meaning of section 2 of the 15th amendment. As the Supreme Court stated in 1921:

> "Appropriate legislation," as used in this section necessarily means such legislation as will tend to make this constitutional provision completely operative and effective.

Obviously this means the Congress cannot be unduly restricted in its choice of methods of enforcing the 15th amendment. The means adopted are a matter of policy resting with the Congress so long as these means are "reasonably adapted to the end permitted by the Constitution." In the past, Congress has adopted other means to enforce the right to vote. Unfortunately history has shown that to date these attempts have not accomplished the desired ends. Throughout the South we find shocking examples of the disparity between the percentages of registered whites and nonwhites. New and different steps must be taken. The bill we have under consideration, containing, as it does the less-than-50-percent "trigger mechanism" will be, I feel, an effective step toward ending discrimination at the polls. The elimination of the poll tax as a condition of voting in State and local elections also represents a significant move toward ending such discrimination.

But, we are told, the States and the States alone have the right to register voters. I submit that no State can raise the barrier of its State boundary to justify discrimination against its Negro citizens. The national interest will not so easily be deflected. Certainly the States have the right to register voters but only if these States will also assume their correlative responsibility of registering voters in an impartial, nondiscriminatory manner in compliance with the 15th amendment. If the States will dilute their rights by discrimination, they cannot now be heard to complain against Federal action.

In closing, I would like to raise a note of caution which has been heard before. Those who believe so firmly in the justice of the bill, those who find discrimination so alien to our principles, must be prepared for disappointments. In February of this year the United States Commission on Civil Rights held hearings in Jackson, Miss. These hearings are replete with examples of the subtle forms of intimidation and harassment employed against Negro citizens who would exercise their right to vote. Arrest on trumped-up charges, loss of employment, physical threats, even murder; all are used against the would-be voter. There are of course provisions against such tactics in H.R. 6400. Similar provisions were in previous acts but these unspeakable practices go on. We in Congress must urge the Justice Department to take every appropriate step to insure the end of such harassment. It may however result that present legislation will prove ineffective and further steps will be necessary to assure that all our citizens can exercise their inalienable right to vote in safety and dignity.

Mr. FARNUM. Mr. Chairman, as President Lincoln observed, this is a nation conceived in liberty and dedicated to the proposition that all men are created equal.

Mr. Lincoln at Gettysburg in 1863 spoke sadly of the fact that the founders' hopes were as yet unfulfilled.

He called on the Americans of his day to be dedicated to the unfinished task of attaining government of the people, by the people and for the people.

As the facts brought out in debate attest, Mr. Lincoln's goal—and particularly his goal of government by all of the people—is still unrealized. It is our historic opportunity in the voting rights bill finally to bring to fruition the aims and aspirations of those who formed our great Nation as well as those who, like Lincoln, guided it toward greatness.

When we give all citizens the right to vote we will be attesting that the star of freedom—the actual belief in equality expressed by the founders—lights the road we travel.

Mr. Chairman, to recall again Mr. Lincoln's words, I believe today is a time to take action that all the world will long remember. It is our proud opportunity—by making a reality of government of all the people by all of the people—to give concrete form to the idealism that motivated our founding.

I ask an affirmative vote in the name of history and our heritage.

Mr. FRASER. Mr. Chairman, I first wish to commend the members of the Judiciary Committee, and particularly Chairman CELLER, for their enlightened and responsible work in drafting and refining H.R. 6400. I am pleased to rise in support of the committee's bill as reported.

Mr. Chairman, there is no question of the need for strong and direct voting rights legislation. As was said Tuesday by the ranking Republican and gentleman from Ohio:

> It is unnecessary, at this late date, to dwell on the particular examples of the denial of the right to vote on account of race or color. They are known to all who read or see or hear.

There are a few people, Mr. Chairman, who say we already have adequate voting rights laws on the books. In response, I would again quote the gentleman from Ohio:

> The judicial remedy takes time; it sometimes demands delay; and it calls for great resources of manpower to successfully prosecute a case which may affect only a limited area. Those whose rights are denied, are justifiably impatient. * * * It is an empty legal victory, indeed, to have one's voting rights vindicated after the election has come and gone.

We have depended upon judicial processes to enforce the 15th amendment since the turn of the century. Yet, we have not secured this fundamental right to vote, the cornerstone of our democratic Republic. I regret that we must use administrative remedies to guarantee this right, Mr. Chairman, but use them we must. The alternative is further delay at a time when any further delay is unconscionable and dangerous.

WHY NOT THE FORD-M'CULLOCH BILL?

A number of members of the minority, as well as some new and welcome supporters of civil rights legislation, are backing what has been named the Ford-McCulloch bill. I would like, Mr. Chairman, to state my support for the committee bill, H.R. 6400, by presenting what I consider to be the major weaknesses of the proposed minority substitute.

Let me recall President Johnson's words in his special message to Congress on March 15, nearly 4 months ago:

> Experience has clearly shown that the existing process of law cannot overcome systematic and ingenious discrimination. No law that we now have on the books * * * can insure the right to vote when local officials are determined to deny it.

Mr. Chairman, the President's words summarize the central weakness of the minority substitute. In certain States and counties, local officials have demonstrated time and again that they will try to subvert the 15th amendment with clever, often cruel, ingenuity. The administration's triggering mechanism provides the means to avoid that subversion; the minority substitute proposes to cut this heart from the bill by offering a delayed-action trigger.

The proposed alternative trigger has two crucial weaknesses—it requires a laborious county-by-county determination by the Attorney General—after 25 bona fide complaints of voter discrimination in each county have been received by him—and it requires that the complainants first subject themselves to the hazards and delays of attempting to register with local officials.

Without direct access to Federal registrars, the trigger of the bill will be almost frozen. I am pleased to note, Mr. Chairman, that the committee adopted the provision included in my companion bill which allows this direct access. I hope that the Senate will concur when H.R. 6400 goes to conference.

The minority substitute is designed to follow Republican and States rights scruples against the dilution of local control. I submit, Mr. Chairman, that we have waited too long for the officials of certain States and localities to follow the national intent embodied in the 15th amendment, buttressed by court decisions and subsequent Federal laws.

Allow me, Mr. Chairman, to point out still more ways by which the minority bill would dilute the effect and intent of the voting rights bill by deferring, temporarily at least, to local control.

First. The minority substitute does not suspend literacy tests in the areas where its administrative remedy would apply. Instead, it proposes that a Federal examiner would administer a locally conceived literacy test "fairly."

Mr. Chairman, this is an empty promise. What guarantees do Negroes have that the white local registrar will require that white registrants must pass the same stringent test given by a Federal examiner to Negroes? Similar procedures have been all too common in the very recent past, and such a situation would amount to dual registration.

Furthermore, Mr. Chairman, Negroes have been subject to economic and educational discrimination for so long that even a fairly administered literacy test will tend to perpetuate the present registration disparity between Negroes and whites.

Second. The minority substitute requires that the federally appointed registrars be residents of the States where they are used. Again, Mr. Chairman, we face misguided localism and the effect of the bill is diluted. The Federal Government must have the freedom to appoint registrars from outside a given State. Otherwise, we allow people much more subject to local bias—and more importantly, local pressure—to administer the registration of Negroes who would vote.

Third. The minority substitute provides no Federal observers of elections. H.R. 6400 does so. Of what use is voter registration if the registrant is subject to intimidation or coercion around the polling place?

Fourth. Finally, in the substitute are a number of other provisions which defer to local control, thus weakening the bill, and I point to only one more of these. The substitute requires compliance with State restrictions as to place of registration and time lapse between registration and voting.

Mr. Chairman, have we not seen and read and heard enough examples of the evasion possible—and practiced—through the unnecessarily long delay I have mentioned? Have we not seen and read and heard enough to know that the local courthouse in too many places is the symbol of cruelty to and intimidation of Negroes? Is there not enough evidence already compiled to show that required courthouse registration is sufficient to deter many Negroes from voting?

Mr. Chairman, we have seen and read and heard more than enough evidence. The answer to all three is "Yes."

POLL TAX REPEAL

One issue of central concern to me is the statutory elimination of the poll tax in local and State elections which was a part of my companion bill. The committee acted wisely in adopting this amendment, Mr. Chairman.

There have been reports that the other body did not choose to outlaw the poll tax so as to broaden the support for a voting rights bill on the north side of the Capitol. There were, of course, serious constitutional questions raised.

Mr. Chairman, the hearings of our own Judiciary Committee and the record of the Senate debate clearly show that the poll tax was a device conceived, used, and still used to reduce Negro registration and voting.

Several committees of the Congress have expressly found that the poll tax has been used to discriminate against Negroes.

This House has, on several occasions, passed anti-poll-tax bills.

Several Republican members of the Judiciary Committee stated their support for the poll tax ban.

The Senate bill, the Ford-McCulloch substitute, and the administration bill, H.R. 6400, all state the poll tax is discriminatory and should be eliminated.

The fact that a previous Congress chose, whatever the reason, to use a constitutional amendment instead of a statute to rid Federal elections of the poll tax does not and should not prevent us from keeping the anti-poll-tax provision in this bill.

I would note again, Mr. Chairman, that the Republican bill is long on principle and promise about the poll tax, but is short on action, thus perpetuating State restrictions on rights guaranteed by the 15th amendment.

THE PROMISE OF AMERICA

Mr. Chairman, in passing H.R. 6400, we are seeking to effectively guarantee the broadened franchise promised 95 years by constitutional amendment. One of the main themes of American history is the progressive enlargement of the franchise—beginning with the elimination of economic qualifications—finally to include all American citizens.

There is no one in this Chamber who would argue that the amount of money in a person's pocket qualifies his right to participate in choosing the men who shall operate his Government.

Let us therefore, Mr. Chairman, pass the poll tax ban with the rest of H.R. 6400 and demonstrate once again that the Congress of the United States and the people it represents do not believe that some people are more equal than others. Let us fulfill the promise of the 15th amendment.

A PERFECT BILL?

We have heard many times, Mr. Chairman, that no bill is perfect. I support the administration bill as amended by the committee although it is not yet a perfect bill. The bill was made better when our chairman accepted the amendment of the gentleman from the West Side [Mr. RYAN], which amendment will effectively enfranchise thousands of Puerto Rican residents of New York City.

I had hoped in addition, Mr. Chairman, that a triggering mechanism similar to the single minority trigger would be used for the pocket areas which deny the right to vote. An administrative remedy is just as appropriate for these pockets as it is for the hard-core areas, and I will support an amendment which has this single intent.

Moreover, although the minority's clean elections section is at least partly a political gesture, I will support a genuine attempt to strengthen that part of H.R. 6400.

THE TIME IS NOW

Mr. Chairman, we have under consideration in this Committee of the Whole House on the State of the Union a good bill. Let us accept only amendments which will strengthen the bill. Let us waste no time while we discuss and debate thoroughly. The first slaves were brought to this country in 1619—before the Pilgrims. We have not asked Negroes to wait only 10 years or even 95 or 100 years. They have waited 346 years, and now is the time to end that wait.

Our President summed up our present situation nearly 4 months ago:

> There is no constitutional issue here. The command of the Constitution is plain.
>
> There is no moral issue. It is wrong—deadly wrong—to deny any of your fellow Americans the right to vote in this country.
>
> There is no issue of States rights or National rights. There is only the struggle for human rights.

Mr. Chairman, let us pass the strongest possible bill, and let us waste no time. The time is now.

Mr. MACHEN. Mr. Chairman, 100 years ago Negro Americans were granted the freedom of the ballot box under the 15th amendment to the Constitution. But within 25 years from the ratification of the 15th amendment in 1870, various States had—by subterfuge and intimadation—successfully resisted the enforcement of this legislation and eventually Congress itself repealed most of the enforcement legislation.

Once more we have come back to the purpose of the 15th amendment. And in so doing, we are not faced this time with the illiterate and inexperienced former slave or the embittered and defeated former rebel. Instead, we have seen Negro leaders arise to focus the attention upon the voting inequities in certain States and we have seen the enlightened descendants of Southern rebels respond with the recognition that the Civil War is over and the South did not win.

We have now completed the full cycle. If we pass this voting rights bill we would demonstrate firmly that no attempt to deny the right to vote will again be tolerated no matter how carefully disguised. It is my hope that the enactment of the voting rights bill would put an end to a century's senseless waste of time, energy, strength and human lives over this issue and free us to turn to the higher social and economic goals set forth in the President's Great Society program.

It would be naive to suppose that the passage of this bill would mean that all would live happily ever after. But without the guarantee of the right to vote—the minimum that a nation owes her citizens—we have no hope of achieving these goals.

In the early days of our country we proved that sectional conflicts between North and South could be dwarfed in the common effort to establish a new nation.

I know that we could do it again.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Voting Rights Act of 1965."

AMENDMENT OFFERED BY MR. M'CULLOCH

Mr. McCULLOCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCulloch as a substitute for the committee amendment: Strike out all after the enacting clause and insert: "That this Act shall be known as the 'Voting Rights Act of 1965'.

"DEFINITIONS

"Sec. 2. (a) The phrase 'literacy test' shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, or (2) demonstrate an educational achievement or knowledge of any particular subject.

"(b) A person is 'denied or deprived of the right to register or to vote' if he is (1) not provided by persons acting under color of law with an opportunity to register to vote or to qualify to vote within two weekdays after making a good-faith attempt to do so, (2) found not qualified to vote by any person acting under color of law, or (3) not notified by any person acting under color of law of the results of his application, within seven days after making application therefor.

"(c) The term 'election' shall mean any general, special, or primary election held in any voting district solely or in part for the purpose of electing or selecting any candidate to public office or of deciding a proposition or issue of public law.

"(d) The term 'voting district' shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

"(e) The term 'vote' shall have the same meaning as in section 2004 of the Revised Statutes (42 U.S.C. 1971(e)).

"FINDINGS

"Sec. 3. (a) Congress hereby finds that large numbers of United States citizens have been and are being denied the right to register or to vote in various States on account of race or color in violation of the fifteenth amendment.

"(b) Congress further finds that literacy tests have been and are being used in various States and political subdivisions as a means of discrimination on account of race or color. Congress further finds that persons with a sixth-grade education possess reasonable literacy, comprehension, and intelligence and that, in fact, persons possessing such educational achievement have been and are being denied or deprived of the right to register or to vote for failure to satisfy literacy test requirements solely or primarily because of discrimination on account of race or color.

"(c) Congress further finds that the prerequisites for voting or registration for voting (1) that a person possess good moral character unrelated to the commission of a felony, or (2) that a person prove qualifications by the voucher of registered voters or members of any other class, have been and are being used as a means of discrimination on account of race or color.

"(d) Congress further finds that in any voting district where twenty-five or more persons have been denied or deprived of the right to register or to vote on account of race or color and who are qualified to register and vote, there exists in such a district a pattern or practice of denial of the right to register or to vote on account of race or color in violation of the fifteenth amendment.

"APPOINTMENT OF EXAMINERS; PRESUMPTION OF PATTERN OR PRACTICE

"Sec. 4. (a) Whenever the Attorney General certifies to the Civil Service Commission (1) that he has received complaints in writing from twenty-five or more residents of a voting district each alleging that (i) the complainant can satisfy the voting qualifications of the voting district, and (ii) the complainant has been denied or deprived of the right to register or to vote on account of race or color within ninety days prior to the filing of his complaint, and (2) that the Attorney General believes such complaints to be meritorious, the Civil Service Commission shall promptly appoint an examiner for such voting district who shall be responsible to the Commission.

"(b) A certification by the Attorney General shall be final and effective upon publication in the Federal Register.

"(c) The examiner shall examine each person who has filed a complaint certified by the Attorney General to determine whether he was denied or deprived of the right to register or to vote within ninety days prior to the filing of such complaint, and whether he is qualified to vote under State law. A person's statement under oath shall be prima facie evidence as to his age, residence, and prior efforts to register or otherwise qualify to vote. In determining whether a person is qualified to vote under State law, the examiner shall disregard (1) any literacy test if such person has not been adjudged an incompetent and has completed the sixth grade of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico, or (2) any requirement that such person, as a prerequisite for voting or registration for voting (i) possess good moral character unrelated to the commission of a felony, or (ii) prove his qualifications by the voucher of registered voters or members of any other class. If applicable State law requires a literacy test, those persons possessing less than a sixth-grade education shall be administered such test only in writing and the answers to such test shall be included in the examiner's report.

"(d) If the examiner finds that twenty-five or more of those persons within the voting district, who have filed complaints certified by the Attorney General have been denied the right to register or to vote and are qualified to vote under State law, he shall promptly place them on a list of eligible voters, and shall certify and serve such list upon the offices of the appropriate election officials, the Attorney General, and the attorney general of the State, together with a report of his findings as to those persons whom he has found qualified to vote. Service shall be as prescribed by rule 5(b) of the Federal Rules of Civil Procedure. The provisions of section 8(d) and 8(e) shall then apply to persons placed on a list of eligible voters.

"(e) A finding by the examiner under subsection (d) shall create a presumption of a pattern or practice of denial of the right to register or to vote on account of race or color.

"CHALLENGES

"Sec. 5. (a) A challenge to the factual findings of the examiner, contained in the examiner's report, may be made by the attorney general of the State or by any other person upon whom has been served a certified list and report of persons found qualified to vote, as provided in section 4(d). Such challenge shall be made by service upon the attorney general and upon the Civil Service Commission as prescribed by rule 5(b) of the Federal Rules of Civil Procedure. Such challenge shall be entertained only (1) if made within ten days after service of the list of eligible voters as provided in section 4(d), and (2) if supported by the affidavit of at least two persons having personal knowledge of the facts constituting grounds for the challenge.

"(b) Upon service of a challenge the Civil Service Commission shall promptly appoint a hearing officer who shall be responsible to the Commission, or promptly designate a hearing officer already appointed, to hear and determine such challenge. A challenge shall be determined within seven days after it has been made. A person's fulfillment of literacy test requirements, if not disregarded by the examiner as provided for in section 4(c), shall be reviewed solely on the basis of the written answers included in the examiner's report required by sections 4(c) and 4(d).

"ESTABLISHMENT OF A PATTERN OR PRACTICE

"SEC. 6. A pattern or practice of denial of the right to register or to vote on account of race or color is established (a) if a challenge to a finding under section 4(d) has not been made within ten days after service of the list of eligible voters on the appropriate State election officials and the attorney general of the State, or (b) upon a determination by a hearing officer that twenty-five or more of those persons within the voting district, who have been placed on the list of eligible voters by the examiners, have been denied or deprived of the right to register or to vote and are qualified to register and to vote. The listing of additional persons prescribed in section 8 shall not be stayed pending judicial review of the decision of a hearing officer.

"JUDICIAL REVIEW

"SEC. 7. A petition for review of the decision of a hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review, but no decision of a hearing officer shall be overturned unless clearly erroneous.

"LISTING OF PERSONS FOUND ELIGIBLE

"SEC. 8. (a) Upon establishment of a pattern or practice, as provided in section 6, the Civil Service Commission shall appoint such additional examiners for the voting district as may be necessary who shall determine whether persons within the voting district are qualified to register and to vote. In determining whether such persons are so qualified the examiners shall apply the same procedures and be subject to the same conditions imposed upon the initial examiner under section 4(c), except that a person appearing before such examiner need not have first attempted to apply to a State or local registration official if he states, under oath, that in his belief to have done so would have been futile or would have jeopardized the personal safety, employment, or economic standing of himself, his family, or his property. Such examiner shall in the same manner as provided in section 4(d), certify and serve lists of eligible voters and any supplements as appropriate at the end of each month, upon the appropriate election officials, the Attorney General, and the attorney general of the State, together with reports of his findings as to those persons listed.

"(b) Challenges to the findings of the examiners shall be made in the manner and under the same conditions as are provided in section 5.

"(c) The Civil Service Commission shall appoint and make available additional hearing officers within the voting district as may be necessary to hear and determine the challenges under this section.

"(d) Any person who has been placed on a list of eligible voters shall be entitled and allowed to vote in any election held within the voting district unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with section 10. If challenged, such person shall be entitled and allowed to vote provisionally with appropriate provision being made for the impounding of their ballots, pending final determination of their status by the hearing officer and by the court.

"(e) Examiners shall issue to each person placed on a list of eligible voters a certificate evidencing his eligibility to vote.

"(f) No person shall be entitled to vote in any election by virtue of the provisions of this Act unless his name shall have been certified and transmitted on such list to the offices of the appropriate election officials at least forty-five days prior to such election.

"APPLICATION AND PROCEDURE

"SEC. 9. (a) Consistent with State law and the provisions of this Act, persons appearing before an examiner shall make application in such form as the Civil Service Commission may require. Also consistent with State law and the provisions of this Act, the times, places, and procedures for application and listing pursuant to this Act and removals from eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission. The Commission shall, after consultation with the Attorney General, instruct examiners concerning the qualifications required for listing.

"(b) Notwithstanding time limitations as may be established under State or local law, examiners shall make themselves available every weekday in order to determine whether persons are qualified to vote.

"(c) Times, places, and procedures for hearing and determination of challenges under sections 5 and 8(b) shall be prescribed by regulation promulgated by the Civil Service Commission, provided that hearing officers shall hear challenges in the voting district of the listed persons challenged.

"REMOVAL FROM VOTER LISTS

"SEC. 10. Any person whose name appears on a list, as provided in this Act, shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list. A person whose name appears on such a list shall be removed therefrom by an examiner if (1) he has been successfully challenged in accordance with the procedure prescribed in sections 5 and 7, or (2) he has been determined by an examiner (a) not to have voted or attempted to vote at least once during four consecutive years while listed or during such longer period as is allowed by State law without requiring reregistration, or (b) to have otherwise lost his eligibility to vote: *Provided, however,* That in a State which requires reregistration within a period of time shorter than four years, the person shall be required to reregister with an examiner who shall apply reregistration methods and procedures of State law not inconsistent with the provisions of this Act.

"QUALIFICATIONS OF EXAMINERS AND HEARING OFFICERS

"SEC. 11. Examiners and hearing officers appointed by the Civil Service Commission shall be existing Federal officers and employees who are residents of the State in which the Attorney General has issued his certification. Examiners and hearing officers shall subscribe to the oath of office required by section 16 of title 5, United States Code. Examiners and hearing officers shall serve without compensation in addition to that received for such other service, but while engaged in the work as examiners and hearing officers shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from their usual place of residence, in accordance with the provisions of sections 835 to 842 of title 5, United States Code. Examiners and hearing officers shall have the power to administer oaths.

"TERMINATION OF LISTING

"SEC. 12. The listing provisions of this Act shall be applied in a voting district until, within any twelve-month period, less than twenty-five persons within the voting district have been placed on lists of eligible voters by examiners.

"ENFORCEMENT

"SEC. 13. (a) Whenever a person alleges to an examiner within twenty-four hours after the closing of the polls that notwithstanding his listing under the provisions of this Act he has not been permitted to vote or that his vote was not properly counted or not counted subject to the impounding provision, as provided in section 8(d), the examiner shall notify the United States attorney for the judicial district if such allegation, in his opinion, appears to be well founded. Upon receipt of such notification, the United States attorney may forthwith apply to the district court for a temporary or permanent injunction, restraining order, or other order, and including orders directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote, (2) to count such votes, or (3) for such other orders as the court may deem necessary and appropriate.

"(b) No person, acting under color of law, shall—

"(1) fail or refuse to permit to vote any person who is entitled to vote under any provision of this Act; or

"(2) willfully fail or refuse to count, tabulate, and report accurately such person's vote; or

"(3) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any such person entitled to vote under any provision of this Act for voting or attempting to vote; or

"(4) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for urging or aiding voting or attempted voting by persons entitled to vote under any provision of this Act.

"(c) No person, acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for exercising any powers or duties under section 4, 5, 6, 7, 8, 9, or 10 of this Act.

"(d) No person shall in any matter within the jurisdiction of an examiner or a hearing officer, knowingly and willfully falsify or conceal a material fact, or make any false, fictitious, or fraudulent statement or representation, or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry.

"(e) Any person violating any of the provisions of subsection (b), (c), or (d) shall be fined not more than $5,000, or imprisoned not more than five years, or both.

"(f) All cases of civil and criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

"(g) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether an applicant for listing under this Act shall have exhausted any administrative or other remedies that may be provided by law.

"INTERFERENCE WITH ELECTIONS

"SEC. 14. (a) No person shall, for any reason—

"(1) fail or refuse to permit to vote in any State any person who is qualified to vote under the provisions of the law of such State which are not inconsistent with the provisions of Federal law; or

"(2) willfully fail or refuse to count, tabulate, and report accurately such person's vote; or

"(3) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any such person for the purpose of preventing such person from voting or attempting to vote; or

"(4) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for the purpose of preventing such person from urging or aiding voting or attempted voting.

"(b) No person shall, within a year following an election, (1) destroy, deface, mutilate, or otherwise alter the marking of a paper ballot cast in such election, or (2) alter any record of voting in such election made by a voting machine or otherwise.

"(c) No person shall knowingly or willfully give false information as to his name, address, or period of residence in a voting district for the purpose of establishing his eligibility to register or vote, or conspire with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pay or offer to pay or accept payment either for registration to vote or for voting.

"(d) Any person violating any of the provisions of subsection (a), (b), or (c) shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"(e) The foregoing provisions of this section shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing presidential electors, Members of the United States Senate, Members of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions.

"RELIEF FROM ENFORCEMENT OF POLL TAX

"SEC. 15. (a) Congress hereby finds that the constitutional right to vote of large numbers of citizens of the United States is denied or abridged on account of race or color in some States by the requirement of the payment of a poll tax as a prerequisite to voting in State or local elections. To assure that the right to vote is not thus denied or abridged, the Attorney General shall forthwith institute in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or other tax or payment, which, as a condition precedent to voting in State or local elections, has the purpose or effect of denying or abridging the right to vote on account of race or color.

"(b) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

"(c) Appeal from judgments rendered under this section shall be to the Supreme Court in accordance with section 1253, title 28, United States Code.

"APPROPRIATIONS

"SEC. 16. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

"SEPARABILITY

"SEC. 17. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

Mr. McCULLOCH (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, and that the amendment be printed in the RECORD and be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the so-called McCulloch substitute and all amendments thereto be limited to 2 hours, and that such time be equally divided and controlled by myself and the gentleman from Ohio [Mr. MCCULLOCH].

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6400) to enforce the 15th amendment to the Constitution of the United States, had come to no resolution thereon.

THE 75TH ANNIVERSARY OF WYOMING'S STATEHOOD

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, as this year marks the 75th anniversary of Wyoming's statehood, I wish to present the first of several profiles of outstanding Wyoming citizens who, through years of dedicated service, have helped to establish Wyoming as the Equality State, a State with a progressive outlook on a bright future but with an acute awareness of the independence and integrity of its earlier leaders.

JOSEPH M. CAREY

Such a leader was Joseph Maull Carey, born in Milton, Del., January 19, 1845, died in Cheyenne, Wyo., February 5, 1924. He attended the common schools, Fort Edward Collegiate Institute, and Union College, New York; was graduated from the law department of the University of Pennsylvania at Philadelphia in 1864; and was admitted to the bar in 1867. He practiced law in Philadelphia for 2 years and then was appointed by President Grant as the first U.S. attorney in the newly created territory of Wyoming. He served on the Supreme Court from 1872 to 1876 and, upon retirement from the bench, engaged in the cattle and ranching business as the owner of the original CY ranch near Casper.

EARLY STOCKMAN

Judge Carey aided in the formation of the Stock Association of Laramie County, which later became the Wyoming Stock Growers Association. He brought to the organization the legal mind it needed in its formative days, helping to hold the group together in trying times, and was president of the association from 1883 to 1887. Judge Carey served as a member of the U.S. Centennial Commission from 1872 to 1876; a member of the Republican National Committee from 1876 to 1897; and mayor of Cheyenne 1881 to 1885. He was elected as a Republican to the 49th, 50th, and 51st Congresses, serving from March 4, 1885, until July 10, 1890, when the territory became a State.

FATHERED WYOMING

Judge Carey introduced the bill providing for the admission of Wyoming as a State, defending ardently and successfully the constitutional clause which conferred suffrage upon women. He was chosen as the first U.S. Senator from Wyoming. During his single term, he secured the passage of an act authorizing the Secretary of the Interior to patent lands to States containing desert areas, provided they would cause such lands to be reclaimed and irrigated. The terms of this act, commonly known as the Carey Act, were accepted by Wyoming in 1895 and large areas were patented to companies.

Although most of his constituents favored the free coinage of silver, Carey supported President Cleveland in securing the repeal of the Silver Purchase Act of 1878, sacrificing his chances of reelection. He then resumed the practice of law in Cheyenne. During President Theodore Roosevelt's administration he became a Progressive Republican, and again paid dearly for his independence, failing to obtain the nomination of the Republicans for Governor in 1910. He was offered the nomination by the Democratic Party and was elected, serving as Governor of Wyoming from 1910 to 1912.

A PROGRESSIVE

He was one of the organizers of the Progressive Party in 1912. Thereafter, he was vice president of the Federal Land Bank and a member of the board of trustees of the University of Wyoming. Judge Carey became a promoter of a development company which by extensive irrigation projects at Wheatland threw open large areas to cultivation. In this undertaking he had in mind a great Wyoming with agriculture as its cornerstone.

In 1877 he married Louise David. The elder of their two sons, Robert D. Carey, also served as Governor of Wyoming and as a U.S. Senator. Robert Carey was the father of the late Joseph Carey II and the late Sarah Carey. Judge Carey's younger son, the late Charles D. Carey, was the father of Elizabeth, now Mrs. Willits Brewster, with sons William and John, of Cheyenne; Louise, now Mrs. Francis J. Bon, with daughter Louise, of Washington D.C.; and Charles D. Carey, husband of the former Margaret Barnes, with children David, Louise, and Elizabeth, of Cheyenne.

Judge Carey never feared to venture into new areas of endeavor. His willingness to serve the common good, despite injury to himself, and his humanitarian ideals are qualities which made Joseph M. Carey one of America's outstanding citizens. His ruggedness, self-sufficiency, independence, and individuality are traits typical of the spirit shown by the people of Wyoming in building a great State over the last 75 years.

Mr. Speaker, the second sketch in this 75th anniversary series of outstanding Wyoming citizens will present Senator Francis E. Warren.

LIST OF ALLIED-FLAG SHIPS TRADING WITH THE VIETCONG

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include certain tables and figures with reference thereto.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, stepped up efforts are needed to halt allied shippers trading with the Vietcong.

The construction of missile sites protecting the port of Haiphong, where the bulk of allied merchant ships call, is proof that the Communists feel shipping is important.

It will be necessary to watch shipping figures into North Vietnam very closely in the near future. Recall that during the Soviet buildup of missiles in Cuba during the summer of 1962, those missiles were transported in Communist ships. However, the normal supply traffic was diverted for hauling aboard vessels of the allied flag. This morning's reports of possible missile-bearing Red-flag ships being spotted in waters around North Vietnam underscores the need to curb free world ship trade with the Vietcong.

Latest estimates by the State Department assess allied ship trade with the Vietcong to account for approximately 17 percent of all nonstrategic goods flowing into North Vietnam. This figure is based on the most recent information available to the Department, as I am advised. Also, the State Department last Friday confirmed a 20-percent drop in the overall free world ship traffic to North Vietnam, however the indication was given that such trade is of little significance.

Clearly, more diplomatic efforts must be made to discourage this trade, whether it goes on now or in the future. From January to June 28 of this year the latest Pentagon figures show 191 American troops killed in battle against the Vietcong. Under these circumstances of rising military action, one allied ship working for the Vietcong is one too many.

I am including in the RECORD a list of those allied ships and shipowners who have engaged in Vietcong trade for the first 6 months of this year. An analysis of this list will show that many of the same ships or owners repeatedly haul Red goods. It should be easier to crack down on these repeat offenders, particularly when many of the cargos are being shipped from the same ports in or near Red China.

Mr. Speaker, I urge greater efforts to end this assistance being supplied the Vietcong by certain of our allies.

Free world shipping to Communist North Vietnam January to June, 1965

JANUARY

Ship	Flag	Ostensible owner	Port of departure	Arrival
Cardross	British	Cronulla Shipping Co., Ltd., Hong Kong	Hong Kong	Haiphong.
Jinsan	do	Jin Hoe Co., Ltd., Kuching, Sarawak, Malaysia	do	Do.
Longford	do	Peninsular Shipping Co., Ltd., Hong Kong	do	Port Campha.
Santa Granda	do	Verder & Co., Ltd., Hong Kong	do	Haiphong.
Wakasa Bay	do	Viking Shipping Co., Ltd., Hong Kong	Kokura (Japan)	Port Campha.
Elbow River	do	River Line, Ltd., Hamilton, Bermuda	Hong Kong	Do.
Golden Zeta	do	The Keystone Shipping Co., Ltd., Hong Kong		Do.
Hakuyo Maru	Japanese	Taiyo Gyogyo K.K., Tokyo	Hong Kong	Do.
Saronis	Greek	Morania Cia. Nav. S.A., Panama	Tokuyama	Haiphong.
Aiolos II	Lebanese	Poseidon Cia. Nav. S.A., Panama	Rangoon	Port Campha.
Panagos	do	Patlem Cia. Nav. S.A., Panama	Hong Kong	Haiphong.
		FEBRUARY		
Bidford	British	Hemisphere Shipping Co., Ltd., Hong Kong	Hong Kong	Port Campha.
Cardross	do	Cronulla Shipping Co., Ltd., Hong Kong	do	Haiphong.
Dartford	do	Peninsular Shipping Co., Ltd., Hong Kong	do	Hongay.
Elbow River	do	River Line, Ltd., Hamilton, Bermuda	do	Port Campha.
Fortune Wind	do	Continental Navigation & Enterprises, Ltd., Hong Kong	do	Haiphong.
Jinsan	do	Jin Hoe Co., Ltd., Kuching, Sarawak, Malaysia	do	Do.
Longford	do	Peninsular Shipping Co., Ltd., Hong Kong	do	Do.
Newglade	do	Waterloo Shipping Co., Ltd., London	do	Do.
Rochford	do	Peninsular Shipping Co., Ltd., Hong Kong	do	Do.
Stanwear	do	Stanhope Steamship Co., Ltd., London		Port Campha.
Wakasa Bay	do	Viking Shipping Co., Ltd., Hong Kong	Tokyo	Do.
Wishford	do	Ocean Tramping Co., Ltd., Hong Kong	Hong Kong	Haiphong.
Cardamalitis	Greek	Strovili Cia. Nav. S.A., Panama	Yokohama	Do.
Syros	do	Hunter, M.C. Fred (London)	Antwerp	Hanoi.
Meiwa Maru	Japanese	Nitto Shosen K. K., Tokyo	Kobe (Japan)	Port Campha.
		MARCH		
Bidford	British	Hemisphere Shipping Co., Ltd., Hong Kong	Hong Kong	Hongay.
Cardross	do	Cronulla Shipping Co., Ltd., Hong Kong	do	Haiphong.
Golden Alpha	do	Corithian Shipping Co., Ltd., Hong Kong	do	Port Campha.
Longford	do	Peninsular Shipping Co., Ltd., Hong Kong	do	Do.
Santa Granda	do	Verder & Co., Ltd., Hong Kong	Yokohama	Do.
Elbow River	do	River Line, Ltd., Hamilton, Bermuda	Hong Kong	Haiphong.
Dukat	Norwegian	A/S Arne Sveen's Rederi	do	Port Campha and Hongay.
Nissos Paros	Greek	Georgopulos, F. C., Piraeus	do	Port Campha.
Rahiotis	do	Strovili Cia. Nav. S.A., Panama	Constantsa	Haiphong.
San Spryidon	Lebanese	Olistim Nav. Co., Ltd., Monrovia, Liberia	Moji	Do.
Hollands Diep	Dutch	Hollandse Vrachtvaard Maats., Amsterdam	Whampoa	Do.
Sambas	do	Koninklijke Paketvaart Maats., Amsterdam	Hong Kong	Do.
		APRIL		
Santa Granda	British	Verder & Co., Ltd., Hong Kong	Yokohama	Port Campha.
Sletfjord	Norwegian	Paulsen, Egil, Fredrikstad, Skibs-A/S Karlander, Oslo	Hong Kong	Haiphong.
Mui Heng	do	A/S Arne Sveen's, Rederi	do	Do.
Grecian Isles	Greek	Cia. Mar. Villa Nova S.A., Panama	Shanghai	Port Campha.
		MAY		
Antarctica	British	Tat On Shipping & Enterprises, Ltd., Hong Kong	Havana, Cuba	Haiphong.
Cardross	do	Cronulla Shipping Co., Ltd., Hong Kong	Hong Kong	Do.
Fortune Wind	do	Continental Navigation & Enterprises, Ltd., Hong Kong	do	Do.
Kawana	do	Willow Shipping Co., Ltd., Hong Kong	Nagoya	Port Campha.
Nancy Dee	do	Red Anchor Line, Ltd	Yawata	Haiphong.
Shirley Christine	do	St. Merryn Shipping Co., Hong Kong	Hong Kong	Port Campha.
Hemisphere	do	Hemisphere Shipping Co., Ltd., Hong Kong	Cienfuegos, Cuba	Haiphong.
Sletfjord	Norwegian	Paulsen, Egil, Fredrikstad, Skibs-A/S Karlander, Oslo	Hong Kong	Do.
Gisna	do	A/S Turid	Shanghai	Do.
Herborg	do	Vaboena Rederi-A/S	Hong Kong	Do.
Nymfea	Greek	United Sea Transports, Inc., Panama	Yokohama	Do.
Phoevos	do	Amphion Shipping Corp., Panama	Gela	Do.
Irena	do	Olissipo Cia. Nav. S.A., Panama	Hong Kong	Do.

BRIGHTER BUDGET

Mr. KREBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KREBS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an editorial entitled "Brighter Budget," from the Newark News of June 21, 1965.

To those of us who look forward to the days when our Federal Government can boast of a balanced budget, the recent editorial from the Newark News was indeed good news. I am sure my colleagues will find this editorial of interest. The Johnson administration not only has forecast a surprisingly low budget deficit of $3.8 billion, the lowest in 5 years, but actually is working toward a balanced budget in the not too distant future. I agree with the Newark News that such a prospect is magnificent.

The editorial follows:

BRIGHTER BUDGET

It is becoming increasingly evident that last year's $11.5 billion income tax cut was not as great a risk as defenders of orthodox fiscal policy feared. With the reduction, which the administration designed to stimulate the economy, it was felt the revenue loss would result in a still larger deficit unless Federal spending were substantially reduced.

In April, President Johnson disclosed the budget deficit for the current fiscal year would be $5.3 billion in the red, not $6.3 billion as he forecast in January. When he sent the excise tax reduction proposal to Congress the deficit was dropped to $4.4 billion.

And now, only a month later, Mr. Johnson has come out with the comforting news the deficit may drop to $3.8 billion. If this becomes a fact, the deficit will be at a 5-year low. In the last fiscal year the deficit was $8.3 billion.

Mr. Johnson's figures, of course, are projections. The actual financial statement will be issued after the books are closed the end of this month. Nevertheless, his Budget Bureau officials have a remarkable record for making predictions on the side of understatement.

The changed budget picture is the consequence, of course, of an unexpected flood of tax collections and the fact that Mr. Johnson has restored some respectability to Government economy. In the case of tax collections, the President estimated they will total $92.8 billion, or $1.6 billion more than he estimated in January and $3.3 billion more than the Government collected last year. As for spending, it will be about $900 million under the $97.5 billion in the current budget and $1.1 billion less than last year's expenditures.

From Mr. Johnson's figures, the Government would still be $3.8 billion from a balanced budget. But now at least we have a basis for looking forward to balance.

Speaking of the budget's prospects, the President happily remarked, "We expect a very unique thing to hapen to us."

Unique? The word is magnificent.

SELECTIVE SERVICE DIRECTOR ANSWERS STUDENTS WHO DESTROY DRAFT CARDS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on June 3, I wrote to the Director of the Selective Service to inquire as to what course of action has been taken with regard to registrants who have deliberately destroyed draft cards.

HOUSE OF REPRESENTATIVES,
Washington, D.C., June 3, 1965.

Lt. Gen. LEWIS B. HERSHEY,
Director, Selective Service System,
Washington, D.C.

DEAR GENERAL HERSHEY: Reports that college students are deliberately destroying their draft cards is highly disturbing. Would you please tell me what action has been taken against the guilty?

If you feel that the selective service law needs revision to discourage such violations, you may be sure that I will be happy to cooperate with you in this matter.

With every good wish,

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

I have received the following letter, dated June 23, from Lt. Gen. Lewis B. Hershey in reply:

SELECTIVE SERVICE SYSTEM,
Washington, D.C., June 23, 1965.

Hon. JOHN P. SAYLOR,
House of Representatives.

DEAR MR. SAYLOR: I have your letter of June 3, 1965, concerning the destruction by some registrants of their selective service registration certificates.

Where it can be established that a registrant has deliberately destroyed his registration certificate he may be declared a delinquent by the local board and his processing for induction accelerated.

The determination of whether an indictment should be sought in any such instance rests with the appropriate U.S. attorney.

In the cases of the reported destruction of registration certificates in California this Agency has suggested that the Federal Bureau of Investigation interview and obtain signed statements of the registrants allegedly involved for the use of local boards in determining whether these registrants should be declared delinquent and their induction accelerated.

I appreciate your offer of support for any legislation which may be necessary in this area. However, adequate authority exists to enforce compliance with the law either through accelerated induction or by criminal prosecution.

If I may be of further service, please call on me.

Sincerely yours,

LEWIS B. HERSHEY,
Director.

Mr. Speaker, because of the serious nature of the actions of those defiant of the selective service law, particularly since the infractions have taken place at a time when loyal American servicemen are exposing their lives to enemy fire in Vietnam and to the guerrilla tactics of die-hard Dominican Republic factions, Congress will be insistent upon checking the progress of the actions of responsible officers and authorities against the guilty parties. For this reason I have today written to General Hershey asking for a full report on what has transpired since his letter of June 23 as well as on future plans and developments as they take place.

I have informed General Hershey that Congress is interested not only in the California cases but in all related instances where violations have occurred. If the selective service system has no record of violations other than in California, then I have promised to cooperate in attempting to determine whether reports of profanations of the draft law elsewhere in the country can be substantiated. I am also interested in learning whether the "appropriate" U.S. attorney automatically undertakes to determine whether an indictment should be sought or if the request for such course of action must come from the selective service system or other appropriate agency of the Government.

Finally, does referral to local boards "in determining whether these"—California cases—"registrants should be declared delinquent and their induction accelerated" indicate that selective service is not considering criminal prosecution as an alternative to accelerated induction?

The answer to the latter question will be important to Congress because it is highly probable that some of the individuals involved would not qualify physically or morally—for military service. If any of the involved offenders resemble some of the degenerates that appear at many of the demonstrations where patriotism and the flag are scorned, a period of incarceration directed at rehabilitation could well be preferable to accelerated induction.

REAFFIRMING SUPPORT OF THE 10TH AMENDMENT TO THE U.S. CONSTITUTION

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, I have introduced today a concurrent resolution which upon passage by the House of Representatives and the Senate will reaffirm our support of the 10th amendment to the U.S. Constitution, which in clear, simple, and precise words states:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

This amendment, 1 of the 10 amendments which comprise our bill of rights, is as important today to the fundamental structure of government upon which our Nation is founded as it was when first proposed by the Congress in 1789.

The resolution which I have introduced is needed now because of the safeguard to individual freedom and the balance which the 10th amendment extends to our Nation and to our people in every part of our land, and the misunderstanding that has been generated in our time as to the purpose and intent of this amendment in relation to the basic principles of liberty which we as Americans hold so dear.

There have been, from the outset, two opposing schools of thought in the United States as to the relative importance of strong centralized Government at the Federal level as opposed to the rights of the States to self-government with the primary responsibility for the solution of local problems remaining in the State and local governments.

The strength of our Nation has been forged through the interlocking authority of Federal and State Governments which, while establishing national guidance for our expanding country, at the same time gave to our individual States the means to develop in accordance with their diversified interests and requirements.

Our national character became that of a people courageous, self-reliant, independent, confident, progressive—a people that could not be intimidated nor persuaded to trade individual liberty for security through dependence upon the Federal Government.

In recent years since World War II we have seen a continuing expansion of Federal power with attendant encroachment into the sphere of State authority as defined in our Constitution.

We exist in an ever-changing universe and accept necessary expansion of Federal functions to keep pace with our population growth and economic development within the limits of authorized constitutional power. But such expansion must not become an instrument to abrogate or nullify the rights of the individual States as guaranteed by the 10th amendment.

The reservation of certain rights to the States has permitted a continuous development of law through State legislatures which in many instance has influenced the direction of national policy. Upon several occasions State laws established a precedent which led to proposed and ratified amendments to the Constitution itself.

The rights of the States as specified in the Constitution is of equal importance to every one of our 50 States. The 10th amendment has given to the American people a framework within which they can work at the local and State levels to create laws which meet the needs of the local community, and to make necessary changes in these laws as required at the local and State levels.

However, as a result of the current trend to expand Federal power in all directions to supersede State authority and to place a limitation upon State jurisdiction through the distribution of Federal funds within the several States, it is obligatory upon the Congress as the representative body of the United States to reaffirm its positive position of dedication to the constitutional provisions which define the scope of Federal authority as well as the powers reserved to the States and to the people.

It is important that through this concurrent action by the House and the Senate, the Congress with a solid unity of purpose proclaims to the nations of the world that while we as a people may differ as to the means by which we bring about certain changes in our internal domestic affairs, we are unified in our faith in our national heritage of freedom and in our absolute support of all of the provisions of our Constitution, which is the foundation upon which our Nation stands firm and strong.

CRASH OF SOVIET TROOP TRANSPORT DEMANDS AN EXPLANATION; RAISES QUESTIONS OF SOVIET INVOLVEMENT IN YEMEN WAR, STATE DEPARTMENT APPROVAL OF GRAIN SHIPMENTS TO NASSER

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Speaker, reports in the press this morning tell of what otherwise might be considered an obscure and relatively unimportant plane crash in Egypt. It involves a Soviet-built Antonov troop transport that crashed into the desert killing all but 2 of the 29 persons aboard.

Although the Nasser government has thrown a tight security lid on the story and has barred newsmen from the crash site, we do know that the aircraft manifest listed 22 Egyptian military personnel and 7 Soviet crewmembers. It seems clear that the aircraft was headed for the Yemen, where at least 60,000 Egyptian troops are deployed in a bloody war of aggression with significant Near Eastern military implications.

Mr. Speaker, as far as I know, this crash represents the first clear proof that the Soviet Union has committed both arms and personnel in support of the war in Yemen. It raises the further question of just how many Soviet airmen and troops are actively involved in the Yemen.

More important, however, is that this latest evidence of Soviet and Egyptian aggression in the Yemen comes less than 2 weeks after the Johnson administration announced that massive shipments of Public Law 480 grain to Nasser would be resumed, in direct conflict with the "anti-aggressor" clause to the 1963 Foreign Assistance Act.

If yesterday's crash is not proof positive of direct military aggression, I would like our State Department to prove otherwise. Moreover, it seems hard to believe that the United States diplomatically recognizes, and helped to create the present Communist government of Yemen which is being militarily aided and assisted by both the Soviet Union and Nasser in its war of attrition against the Yemeni Royalists, whose government we helped to dissolve.

Without the grain provided by the United States under Public Law 480, Nasser could not afford to prop up the Yemeni Communists with 60,000 troops, or finance research in military rocketry. Today's evidence clearly points up the futility of relying on discretionary language to express congressional intent where the State Department is concerned.

Mr. Speaker, yesterday's air crash demands a full explanation by our State Department. The American people deserve, at long last, the facts concerning this war in the Yemen which could reshape the entire balance of power in the Near East.

AGGRESSION BY NASSER IN COLLUSION WITH THE SOVIET UNION

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I want to commend the gentleman from New Jersey [Mr. WIDNALL] for calling the attention of this House to this latest development which points to obvious overt aggression by Nasser in collusion with the Soviet Union.

I have been pointing to Nasser's tyrannical role in Yemen for a long time here on the floor of the House. I have pointed to his illegal actions in that country—to his mammoth expenditures of arms from the Soviet Union to carry out his mass murders there, and subsidized, mind you, Mr. Speaker, by our economic assistance.

What more blatant example do we need as to why we should cut off our aid in any form to the United Arab Republic?

We have a nonaggression clause, as the gentleman from New Jersey pointed out, in our Foreign Assistance Act. What more proof do we need that Nasser is an aggressor? What more reason do we need to implement this provision in our law?

CONTROVERSY BETWEEN AAU AND NCAA

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, you will recall my recently having brought to the attention of the House the running controversy between the National AAU and the NCAA, and what a bad effect it was having upon our young athletes around the country.

This past week I received a telegram from Mr. Don Boydston, chairman of the U.S. Gymnastic Federation, the subject of which I feel compelled to bring to the attention of this House.

It seems the defending AAU National Championship Women's Gymnastic Team from Southern Illinois University was declared ineligible July 1 at the national AAU meet, held last week in Cleveland, Ohio.

The women's team had made the trip to defend their national title, when all but one member was declared eligible for the national AAU competition in a special meeting called by the central AAU in Chicago on June 19. Heading the meeting for the AAU in Chicago and certifying their eligibility were Mr. Paul Fina, a vice president of the national AAU and gymnastic chairman of the central AAU, and Mr. Melvin Thomas, central AAU registration chairman.

Mr. Herbert Vogel, coach of the Southern Illinois girls, represented his team at the meeting. Miss Judy Wills, who had won the world title in tumbling and trampoline in London earlier in the year, had been competing in the same meets as other members of the Southern Illinois team, but the central AAU would not reinstate Miss Wills at the June 19 meeting and an appeal was being taken to the national group on her eligibility when the ruling was made at Cleveland that none of the Southern Illinois women could compete, although they had made the trip and were on hand for the start of the competition.

Mr. Don Boydston stated in his telegram that he believes, "the circumstances of this case indicates not only AAU inconsistency but a complete lack of regard for the individual and our international prestige in sports."

I must subscribe to what he has said.

SUGGESTED SUBJECT FOR TEACH-INS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the celebration of the birth of our Nation recently was marred by a series of riots across the country, one of which occurred at Rockaway Beach in the Seventh Congressional District of Missouri. The chief perpetrators were not impoverished or poverty-stricken youngsters. They were, for the most part, young college men and women. They were living proof that a good education and economic prosperity do not, in themselves, insure morality or high moral character, or good citizens.

Riots and demonstrations in defiance of law and order are always to be regretted. But they are even more shameful when they occur on the solemn occasion of the observance of American independence. They demonstrate that too many young people have little or no conception of the heritage that has been given to them through the sacrifices and hardships endured by their forefathers in order that they might be free.

And free for what purpose? we might ask. To riot? To destroy private property? To mock the law and those who are sworn to uphold it? Free to disregard every vestige of decency and every code of moral behavior?

According to published reports of what happened, I take some consolation in the fact that most of the young men and women, who were involved in the riot at Rockaway Beach, were not residents of the area, or even of that part of the State, but were, instead, from some of the large urban areas, as fas as 200 or 300 miles from there. I cannot help but reflect that it is these same urban areas that will grow in political power, as the result of recent Supreme Court rulings on reapportionment. Does this kind of behavior indicate that the urban masses are ready to assume the responsibility of total political control, which the Supreme Court decision has thrust upon them?

I do not suggest, Mr. Speaker, that Kansas City or St. Louis, or any other area from which some of these students came, are to be condemned, per se, for what happened. But surely this sickness, which evidenced itself on July 4 must be attributed, in some degree, to the lack of parental supervision in the homes and the lack of exposure to principle, discipline, and civic responsibility on the campus.

Nor should what happened be construed as a condemnation of all young people. Indeed, I believe those who ran wild in the streets represent but a small, albeit vocal, segment of our young people, but the very fact that six States experienced these riots shows that they are symptoms of a serious ailment in our society.

Not long ago, I met with representatives of the various high schools in southwest Missouri, and I was tremendously impressed with their knowledge, their alert interest in national affairs, their sense of patriotism. Most, if not all, of these youngsters came from homes where respect for law and for their elders was taught them from the time they were old enough to walk. I am sure that at some time in their young lives they were exposed to temptations to "join the mob," and to let their inhibitions run wild. But their upbringing, their school instruction, their church, their parents, all have helped shape their young lives so that the energy and zest of which youth is possessed are channeled toward constructive deeds. They possess a basic sense of right and wrong, an element of conscience that was sadly lacking in the thousands of young people who found it all too easy to conform to the mob instinct and rule. What lessons did their parents and their teachers fail to teach them?

Uppermost, quite obviously, among the untaught lessons was a basic respect for law and order.

But, let no pious individuals, elsewhere, escape their own responsibilities by assuming that the entire blame rests with parents and teachers.

Have the highest courts in our land contributed to respect for law and order when they summarily release and absolve from blame thousands of street demonstrators, on the basis that the cause they claim to espouse permits them to disregard the law?

Have some of the leading political spokesmen of our Nation contributed to respect for law and order by praising and commending those who would defy existing law, in the name of a good cause?

Is respect for law and order increased by the tendency on the part of some judges to give only token sentences to people who, though still juveniles by legal definition, commit adult crimes?

One of the young men arrested was a 20-year-old—minor—college student from Des Moines, Iowa. According to Taney County Prosecuting Attorney Peter Rea, this young man, who was studying prelaw at a midwestern university, was driving while drunk, had 35 6-packs of beer in his car that he planned to sell to others, and knocked down a rock wall on an elderly lady's property.

This young man, who wants to become a participant in the Nation's legal processes, was reminded by Prosecutor Rea that both he and the magistrate judge "studied prelaw one time, and we both put ourselves through law school. And neither one of us has ever been arrested."

One of the law officers described the scene this way:

> Standing alongside the curb nearly shouder to shoulder with the "beat generation," which has never been taught to comb its hair, to put in its shirttail, nor to wipe its nose.

I cannot comment on these events without offering praise for the actions taken by public officials, those responsible for upholding the law. Every sheriff's office in the surrounding counties responded to the call for help. But for their performance above and beyond the call of duty, the result might have been worse.

Prosecutor Rea was in the crowd when a youth standing nearby picked up a rock and heaved it at a State highway patrol car. This young prosecutor, standing alone in the center of a swirling hostile group, grabbed the youth and arrested him.

When one of the persons arrested complained to Magistrate Judge Crouch that he was a "college man," Prosecutor Rea snapped back: "You a college man? Then start acting like a college man. Stay away from that kind of situation. If you have to run across a mountain top, stay away from it."

The cooperation among law-enforcement agencies was nothing short of magnificent. In spite of the violence and high tensions, there were no serious injuries. As Prosecutor Rea stated:

> I was scared to death that, with all that pressure, something might happen. But the officers all restrained each other and kept each other from losing their heads.

Already plans are being made to make certain that similar riots do not occur in the future. I am confident that the men responsible for enforcing and upholding the law are taking all necessary steps to insure that tourists can continue to visit the resort area and enjoy its facilities without fear of recurrence of what happened last week.

Mr. Speaker, I do not have the answer to all the problems I have described, but I have one very specific suggestion.

Let all the college professors, ministers, parents, and college students who are currently engaging in "teach-ins," change the subject of these "teach-ins" from U.S. policy in Vietnam to the proper behavior for young men and

women who take advantage of the opportunities for higher learning in this country. Instead of telling the Congress and the administration to abandon freedom and liberty in southeast Asia, let the "teach-in" go back to fundamentals and teach respect for law and order, respect for the decent opinions of mankind, respect for private property, respect for public officials appointed to uphold the law, respect for personal cleanliness and appearance, respect for young women, respect for the courts, respect for the country they are about to inherit, and ultimately, let them teach the meaning of self-respect. In the interim, let Congress refurbish and strengthen the judicial backing of law and order and of our enforcement agencies.

I suggest that, if some of the college professors who are now barnstorming as self-appointed experts on foreign policy, would go back to teaching young men and women how to be good, decent, law-abiding citizens, our foreign policy will take care of itself.

GEOGRAPHICAL DISTRIBUTION OF RESEARCH AND DEVELOPMENT FUND

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the Record.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, during recent weeks the House of Representatives has authorized the 1966 fiscal year budgets for the Agriculture, Interior, State, Justice, Commerce, Post Office, and Treasury Departments as well as for the executive department and the Federal judiciary system.

The combined moneys represented in these budgets amounts to more than $15 billion, more than 15 percent of the total Federal budget for the fiscal year which began a few days ago.

These funds will be employed to carry on varied activities in all sections of our Nation. There can be no question of the economic impact of the expenditure of these funds.

With these facts in mind let us consider another area of Government activity. This area of Federal participation requires funds which equal those needed to operate the major governmental departments I mentioned just a moment ago.

Here again we must acknowledge that the expenditure of more than $15 billion has a significant effect upon our entire national economy. This becomes more evident when we realize the great majority of these funds are expended in only a few small areas of our country.

This disparity in the geographical allocation of our Federal research and development funds is a matter of growing concern to the other sections of the Nation bypassed in this distribution. It is not only a matter of concern to the individual sections but to the Nation as a whole.

This matter of the geographical distribution of research and development funds was the subject of a study carried on during 1964 by the Subcommittee on Science, Research, and Development of the House Science and Astronautics Committee.

In his letter of transmittal accompanying the subcommittee's report, the chairman, the distinguished gentleman from Connecticut [Mr. Daddario], had this to say:

> In conclusion, I should like to suggest that the major aim of this report is to help point the way toward the development of useful Federal policies in the support of research and development in the years ahead. We are here studying the past and present in order to help determine what our course should be, not just next year or the year after, but for the decades stretching beyond that. The conclusions contained herein should thus be considered in the light of American society as it will exist in 1970 and beyond. However, preparation should be made now in order to insure that all parts of the Nation possess the technological and scientific quality essential to the welfare of the people during that period.

As the subcommittee chairman pointed out, the report does not represent a complete investigation of the entire geographical distribution area. But the area encompassed in the subcommittee's investigation was more than sufficient to point up the glaring inequity of distribution upon the basis. The methods of comparison included such bases of measurement as per capita dollar value of research and development contracts and grants per State; research and development per industrial employee, per scientist, per scientist employed in educational institutions, per student enrolled in such institutions, per advanced degrees conferred, per Federal tax contributions and others.

Our Nation is often described in terms of regional areas. Each area is defined by several factors such as geographic location, physical similarity and to a great degree by convenience and common usage. These areas are often used to describe broadscale effects and trends. In a breakdown which results in nine regional areas we find only three of the nine regions substantially benefited by the present research and development distribution policies. My own area of the country ranks last. This is a five-State area which saw its manufacturing employment decrease by three-quarters of a million jobs in the 10 years from 1953 to 1963. This shrinkage in industrial employment was close to 15 percent compared to a national average of 3 percent. Fortunately the long-range decline in manufacturing employment was matched by a similar rise in nonmanufacturing employment.

This same area produces more than one-third of all the scientists and engineers in our Nation. It has demonstrated its scientific competence and capability yet it has been bypassed in the distribution of the growing amount of Federal research and development funds.

There is a tendency, a natural tendency for scientific activity to be drawn to and collect around established centers of scientific accomplishment. This effect is greatly magnified when huge sums of Federal research and development funds are concentrated in a relative few of such centers. The location of intensified scientific research activity in a particular city or region provides a focal point for the development of science-intensive industries in the surrounding area.

In a report on "Basic Research and National Goals," prepared by the National Academy of Sciences for the House Science and Astronautic Committee, it is noted that probably the most efficient way of conducting scientific research is to concentrate such activities in established centers of scientific accomplishment. But the report goes further to state:

> From the economic and social point of view, however, and perhaps even from the longer run scientific point of view, there is a strong case for encouraging the development of scientific research centers in the more depressed and lower income sections of the country, as a means of raising the economic and social level of the population in those sections. So long as public funds are allocated to the support of basic research, the geographic allocation of the funds should take account of the social effects of their expenditure.

In the words of the subcommittee:

> We are forced to conclude that without some Federal stimulus, notwithstanding the requirement for local initiative and community and State support, slow progress will be made in the development of new centers of excellence in research with the result that existing centers will tend to become larger at the expense of other regions of the country.

We have reached a point in our history, scientific, economic, and social, where the need for a reevaluation of our research and development fund distribution policies can no longer be ignored.

It is, I believe, the appropriate time to place the recommendations of the Subcommittee on Science, Research, and Development in concrete form. It is for this reason I have introduced the resolution which calls for the convening of a Government-industry conference by the President at the first feasible moment. The purpose of the conference will be to explore ways and means of distributing Federal research and development funds on a more even geographical basis.

VICTORY AGAINST ARAB BOYCOTT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I take great personal satisfaction in noting that Arab harassment of American business has been dealt a severe blow by legislation which I, together with many of my colleagues in the Congress, sponsored.

On June 30, 1965, President Johnson signed into law the Export Control Act Extension—Public Law 89-63—with an

antiboycott provision for which I have fought, and the enactment of which marks a singular victory in my efforts to protect American businessmen and women who seek freedom in their trade relations with foreign countries.

The antiboycott provision of Public Law 89-63 is the climax of a determined legislative effort to protect American commerce from involvement in foreign boycotts and trade restrictions. Enactment of this antiboycott amendment was not easily accomplished. It was vigorously opposed by the Departments of State and Commerce for reasons which I and its other sponsors still neither understand nor accept.

But despite the obstacles, I and the other sponsors and supporters of this significant legislation persisted in seeking its passage. On May 5, 1965, I appeared before the Banking and Currency Committe to plead for consideration of our antiboycott amendments. That was followed by my appearance on May 20, 1965, before the full committee's International Trade Subcommittee to answer the opposition to our amendments. Later I presented a statement to the Senate subcommittee reinforcing our Senate colleagues' support for an antiboycott amendment in that body.

As a result of our determination I am pleased to say that we prevented the shelving of our original antiboycott proposal, succeeded in obtaining public hearings on it, and finally were able to secure House passage of a much stronger and more effective version of the measure than was reported out of committee.

The legislation that emerged from the Senate was even further strengthened thanks to its supporters in that body. And Senate action was coupled with a letter from the Secretary of Commerce to the distinguished majority leader of the Senate in which Secretary Connor affirmed the administration's intent to administer the antiboycott law. The Secretary said:

> The Department of Commerce will have the obligation, and will, in fact, request American business firms not to cooperate in restrictive trade practices or boycotts imposed by a foreign country against another foreign country friendly to the United States. I am expressly authorized by the Secretary of State to say that the Department of State would, if H.R. 7105 is enacted into law, take all appropriate steps through diplomatic channels and other means that may be available to the Department in opposing restrictive trade practices or boycotts by foreign countries against a country friendly to the United States.
>
> It is clear that the language of H.R. 7105, with the suggested addition quoted above would require specfic action by the Executive Departments and the Executive Departments will, of course, follow through on those requirements if this bill is approved by Congress.

Mr. Speaker, now the stage is set. The law is on the statute books. It is not a mere sense of Congress resolution. It is a law that requires the issuance of regulations and that calls for vigilance on the part of the administration in its execution. And the Secretary of Commerce has announced his obligation to execute the law. Behind all this there is a comprehensive legislative history on the subject and the objective of the antiboycott provision.

I hope that a first target of this new law will be the Arab boycott, and its interference with American commerce. There are the questionnaires, the requests for affidavits, and the negative certificates of origin that the Arab boycott has spawned in American commercial life. Public Law 89-63 provides the tools to deal with these instruments of harassment, and to put an end to them.

The pertinent sections of the bill, as enacted are:

> SEC. 2. (4) The Congress further declares that it is the policy of the United States (a) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and (b) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action, including the furnishing of information or the signing of agreements, which has the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country against another country friendly to the United States.
>
> SEC. 3. (a) Such rules and regulations (as the President may prescribe) shall implement the provisions of section 2(4) of this Act, and shall require that all domestic concerns receiving requests for the furnishing of information or the signing of agreements as specified in section 2(4) must report this fact to the Secretary of Commerce for such action as he may deem appropriate to carry out the purposes of section 2(4).
>
> SEC. 3. (e) Rules and regulations required to be promulgated pursuant to the amendment made by subsection (a) of this section shall be promulgated as expeditiously as practicable, and shall be published in the Federal Register within ninety days after the date of enactment of this Act.

Now the law requires that business firms and chambers of commerce receiving requests for these boycott instruments must report such receipt to the Secretary of Commerce for such action as he deems appropriate. Further, the U.S. Government now will officially request American companies to take no action which might foster third-country boycotts or restrictive trade practices, and rules and regulations implementing these requirements must be published in the Federal Register by September 30.

The sponsors and supporters of the antiboycott legislation will observe with great interest as the executive action evolves. We trust it will be fully responsive to the requirements, both letter and spirit of the law. Thus it will provide the long overdue protection for American business concerns.

AMENDMENTS TO THE FAIR LABOR STANDARDS ACT

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, has submitted to the General Subcommittee on Labor a memorandum prepared by the Solicitor of Labor in response to specific queries during public hearings on amendments to the Fair Labor Standards Act.

In conformity with previously announced policy, I am making this information public because of the widespread interest and enormous importance of this legislation.

The memorandum incorporates responses to legal questions raised during the Secretary of Labor's appearances on May 25 and 26, 1965.

Mr. Speaker, I include this material to be inserted at this point:

U.S. DEPARTMENT OF LABOR,
WAGE AND HOUR AND PUBLIC
CONTRACTS DIVISIONS,
Washington, D.C., June 29, 1965.

Hon. JAMES ROOSEVELT,
Chairman, General Subcommittee on Labor, Committee on Education and Labor, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROOSEVELT: I am enclosing a memorandum to me from the Solicitor of Labor incorporating responses to legal questions raised in connection with the Fair Labor Standards Act amendments.

These questions were raised when the Secretary of Labor appeared May 25 and 26, 1965, before the subcommittee to testify in support of H.R. 8259 and related bills.

Sincerely yours,
CLARENCE T. LUNDQUIST,
Administrator.

MEMORANDUM OF U.S. DEPARTMENT OF LABOR, OFFICE OF THE SOLICITOR, JUNE 8, 1965

To: Clarence T. Lundquist, Administrator, Wage and Hour and Public Contracts Divisions.

From: Charles Donahue, Solicitor of Labor.

Subject: Legal memorandums in connection with Fair Labor Standards Act amendments.

I am attaching copies of memorandums prepared in this office on the following subjects:

1. Authority of Congress to extend coverage of the Fair Labor Standards Act to American-owned foreign-flag vessels;
2. Meaning of the terms "extraordinary emergency" and "unusually compelling need";
3. Application of the proposed amendments to nonprofit hospitals.

These memorandums are to be transmitted to the House General Subcommittee on Labor, along with other materials which are to be prepared for the subcommittee.

POSSIBLE EXTENSION OF FAIR LABOR STANDARDS ACT TO AMERICAN-OWNED FOREIGN-FLAG VESSELS

(U.S. Department of Labor, memorandum of law, Solicitor of Labor)

I. BACKGROUND

As requested by the House Labor Subcommittee during hearings on proposals to amend the Fair Labor Standards Act, we have explored the scope of congressional authority to extend the act to seamen on foreign vessels owned by American citizens.

II. CONCLUSION

Neither the Constitution nor the laws of the United States proscribe the application of our laws to American-owned foreign-flag vessels. Therefore, in the absence of overriding restrictions as a matter of international law on our jurisdiction over foreign-flag vessels—and a search indicates there are no such restrictions—the Fair Labor Standards Act can be extended to seamen on those vessels.

III. DISCUSSION

A. Minimum wage requirement as a condition of use of American ports

A vessel voluntarily entering U.S. territorial waters is not exempt from the application of our laws simply because it flies a foreign flag.[1]

While the Supreme Court has said that all merchant vessels have implied consent to enter our ports,[2] this consent can be made subject to conditions which place foreign vessels on notice prior to their entering American waters.[3] On at least four occasions Congress has imposed such conditions to reduce the competitive advantage of foreign shipowners by indirectly requiring them to pay higher wages.[4] Thus, regardless of the nationality of ownership, Congress can impose a minimum wage requirement upon any vessel as a condition of the use of our ports.

B. Extraterritorial application of FLSA to American-owned foreign-flag vessels which are part of an enterprise within the meaning of the act

Under the present "enterprise" concept of the act, Congress also has authority to regulate American-owned vessels operating entirely outside the United States.

Section 3(s) of the FLSA extends the coverage of the act to various categories of enterprises engaged in commerce or in the production of goods for commerce.[5] Section 3(r) defines enterprise in broad terms to include "the related activities performed (either through unified operation or common control) by any person or persons for a common business purpose, and includes all such activities whether performed in one or more establishments or by one or more corporate or other organizational units."

The minimum wage and overtime provisions in sections 6 and 7 of the act are directed to any employee in an enterprise engaged in commerce or production for commerce. Thus, an enterprise which is so engaged would be subject to the act even with respect to its operations entirely outside the United States, as for example, a ship traveling between South America and Europe. Employees of such vessels would be covered without amending the act's present definition of "commerce,"[6] since all employees of an enterprise engaged in commerce are covered, regardless of whether the specific employee is actually engaged in commerce.

Since the foreign conduct of American citizens, including American corporations, may be regulated by Congress,[7] there seems little doubt that Congress has the authority to require an enterprise owning a foreign-registered vessel operating entirely outside this country to comply with the Fair Labor Standards Act.

C. International law does not prevent the United States from asserting jurisdiction over vessels flying a foreign flag

A ship's registry determines its nationality, and the law of the flag usually governs all matters of discipline on a ship and all things done on board which affect only the ship and those belonging to her (*Lauritzen* v. *Larsen*, 345 U.S. 57). It has been recognized, however, that this rule of international law does not foreclose Congress from enacting and applying legislation of a contrary nature. There are numerous court decisions holding that if Congress chooses to exercise its power, the general maritime law, including flag law, must give way to the extent that it is in conflict with a statute.[8]

As the court pointed out in *Tag* v. *Rogers*, 267 F. 2d 664, 666 (1959):

"There is no power in this court to declare null and void a statute adopted by Congress or a declaration included in a treaty merely on the ground that such provision violates a principle of international law."

D. NLRB cases and the "points of contact" theory

In a number of cases, the NLRB has attempted to exercise its jurisdiction over foreign flag vessels, on the theory that the NLRA by its terms applied to such vessels.[9] While the Supreme Court held that the Board lacked such jurisdiction, it did not rule that Congress was without authority to extend the act to foreign flag vessels. There should be a clear indication of congressional intent, in the view of the court, before a statute is applied in a manner inconsistent with the principles of international law. It found such evidence lacking with respect to the NLRA.[10]

The Board has not attempted to apply the act to every foreign vessel which visits American ports. Rather, as illustrated in *West Indies Fruit and Steamship Co.*,[11] it has looked to the guidlines set out in the *Lauritzen* case for determining whether a domestic statute has application to a foreign shipping transaction. The guidlines are for the purpose of "ascertaining and valuing points of contact between the transactions and the governments whose competing laws are involved" and for "weighing * * * the significance of one or more connecting factors between the shipping transaction regulated and the national interests served by the assertion of authority." [12]

The Lauritzen case involved tort law, and the question before the court was the applicability of the Jones Act, a statute which provides a remedy for the injury or death of a seaman arising out of the course of his employment. The court listed seven factors, alone or in combination, which influence the choice of law to govern a tort claim.[13]

E. Conclusion

It is clearly within the scope of congressional authority to require American-owned vessels flying a foreign flag to comply with the FLSA. Such regulation may be based on either or both of two legal theories:

1. Congress has the authority to require all vessels using American ports to comply with American law;
2. Congress has the authority to control the conduct of its citizens and corporations, including those which are part of an "enterprise engaged in commerce," outside the United States.

Jurisdiction might be extended to American-owned vessels in a number of ways, provided that the act was amended to reflect a clear intent to do so. For example, section 9 of the Federal Criminal Code (18 U.S.C. 9) defines "vessel of the United States" as a "vessel belonging in whole or in part to the United States, any citizen thereof or any corporation created by or under the laws of the United States, or of any State, territory, district, or possession thereof." This definition could be adopted to replace the present definition in the FLSA of "American vessel," which is limited to those registered under American law.

If the act was amended to apply to foreign-flag vessels, serious practical problems could arise in enforcing the act, particularly with respect to those American-owned vessels which limit their operations to foreign ports. Additional factors which the Congress would also undoubtedly wish to consider are those relating to the possible effect of such an extension on international relations [14] and our national defense.[15]

(*Opinion of the Solicitor of Labor, U.S. Department of Labor*)

Interpretation of the Terms "Extraordinary Emergency" and "Unusually Compelling Need"

The administration's FLSA bill requires the payment of double time for hours worked in excess of 48 a week—decreasing to hours in excess of 45 over a 3-year period—to employees who received overtime protection prior to the enactment of the 1965 FLSA amendments. However, this double time rate will not apply where overtime work is required "only by reason of a period of extraordinary emergency or unusually compelling need (as such terms are defined and delimited from time to time by regulations of the Secretary)."

It is not possible to outline the precise limits of these terms at this time. The legislative history of the proposal, including not only materials submitted by the Department, but also statements in the Committee reports and statements made during the course of congressional debate, will all be pertinent in determining the scope of this exemption. Interested parties would also be given full opportunity to make their views known during public proceedings. By drawing upon their background and experience, the Department should be in a position to define and apply these terms in a manner which is fair and reasonable to all concerned.

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[1] *Marine Cooks and Stewards, AFL* v. *Panama Steamship Co., Ltd.* (1960, 362 U.S. 365, 372; *Benz* v. *Compania Naviera Hidalgo S.A.* (1957), 353 U.S. 138, 142; *Cunard SS Co.* v. *Mellon* (1923), 262 U.S. 100, 124; *Patterson* v. *Bark Eudora* (1903), 190 U.S. 163, 179.

[2] See *Patterson* v. *Bark Eudora,* 190 U.S. 169, 178 (1903); *The Schooner Exchange,* 11 U.S. (7 Cranch) 116 (1812).

[3] Id. at 136, 140.

[4] 46 U.S.C. 594 requires that a seaman discharged without fault must be paid one month's wages even if not yet earned; 46 U.S.C. 596 provides for immediate payment of seamen after discharge of cargo or seamen. A seaman is entitled to 2 days extra pay for each day of delay; 46 U.S.C. 597 provides that seamen shall be entitled at every port to part of wages earned but unpaid; 40 U.S.C. 599 makes it unlawful to pay wages to seamen in advance.

[5] In the absence of an amendment to section 13(f)—the provision restricting geographical application of the act—the act would, of course, not apply to employment in a foreign country, thus limiting coverage to those periods when ships were outside the territorial waters of the foreign country.

[6] The act presently defines "commerce" as "trade, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof."

[7] *United States* v. *Bowman,* 260 U.S. 94; *Steele* v. *Bulova Watch Company,* 344 U.S. 281; *United States* v. *Timken Roller Bearing Co.,* 83 F. Supp. 284; aff., 341 U.S. 593; *Branch* v. *Federal Trade Commission,* 141 F. 2d 31.

[8] See *The Lottawana* (1874), 88 U.S. 558, 572–573; *The Scotland* (1881), 105 U.S. 25, 29; *Farrell* v. *United States* (1949, 336 U.S. 511, 517; *Evangelinos* v. *Andreavapor C.I.A. Nav. S.A.,* 162 F. Supp. 520, 522.

[9] There is no theory under which it could be argued that the FLSA now applies to foreign vessels since section 13(a)(14) provides an exemption from the act for seamen "on a vessel other than an American vessel."

[10] See *McCulloch* v. *Sociedad Nacional,* 372 U.S. 10 (1963).

[11] 130 NLRB 343.

[12] 345 U.S. at 582.

[13] Place of the wrongful act; law of the flag; allegiance or domicile of the injured; allegiance of the defendant shipowner; place of contract; inaccessibility of foreign forum; and the law of the forum. It should be made clear that the guidelines in no way suggest that there are limits to Congress' power to regulate foreign commerce. The guidelines are merely to assist the court when the congressional intent is not clear. However, they represent factors which the Congress itself would undoubtedly wish to consider in connection with any extension of the FLSA to foreign-flag vessels.

[14] Efforts to assert NLRB jurisdiction resulted in protests from Honduras, Liberia, Panama, Great Britain, and Northern Ireland.

[15] In the NLRB cases, the Department of Justice took the position that jurisdiction over foreign vessels by the NLRB would pose national defense problems.

As the Department views this language in the context of the provision on double time and the objectives sought to be achieved, it would generally preclude the application of a double time rate on overtime work which is outside the control of an employer. Under such circumstances, a double time rate would not further the underlying purpose of increasing job opportunities.

The term "extraordinary emergency" connotes a special occurrence as the phrase itself emphasizes. It is not merely a sudden and unforeseen happening, or unexpected occurrence, or pressing necessity, which terms are ordinarily used to define emergency, but an extraordinary one, i.e., one exceeding the common degree. It goes without saying that the mere requirement of business convenience or pecuniary advantage is not an extraordinary emergency. Specifically, the term "extraordinary emergency" could include broad military operations affecting our national security. It could also include local disaster, such as floods, tornadoes, or earthquakes.

"Unusually compelling need," on the other hand, will generally involve situations affecting only a particular employer or a few employers. It could include situations requiring immediate action to prevent or remove imminent danger to person or property, such as might arise from fire, explosions, broken water mains, or other events of a similiar nature. In no event will it include matters involving simply "the best interests" of the employer, or matters of convenience or mere expediency, or situations that could reasonably have been anticipated.

The characteristics of an event of unusually compelling need would seem to include (1) the unforeseeability of the event, (2) the lack of employer control over the happening of the event, and (3) the need for immediate action to prevent the event or minimize the losses resulting therefrom. Thus, seasonal fluctuations in employment—such as the Christmas holiday rush—do not come within the scope of the phrase since they may be foreseen. A large increase in orders is not an unusually compelling need, since accepting or rejecting orders is within the control of the employer. Routine maintenance, including minor repair work of an incidental nature, would not seem to constitute an unusually compelling need since immediate action is not necessary.

In no case would the exemption apply unless the emergency condition were the only reason for the overtime work. Thus, if the overtime schedule were already effective prior to the arising of the emergency, the emergency would provide no relief because the emergency would not be the only reason for the overtime work.

COMMON BUSINESS PURPOSE OF NONPROFIT HOSPITALS WITHIN THE MEANING OF THE FAIR LABOR STANDARDS ACT

As discussed in the memorandum submitted to the committee last year, we believe that nonprofit hospitals can be considered as engaged in "a common business purpose" under section 3(r) of the act, if the legislative intent to do so is made clear.

As an indication of this intent, the following language might be inserted in the committee report:

"The amendments will provide wage and hour protection for hospital employees, including employees of nonprofit hospitals. The activities of all hospitals, regardless of profit considerations, are sufficiently commercial to be characterized as having a 'common business purpose' under section 3(r) of the act. This construction of section 3(r) is consistent with the Supreme Court statement that the word 'business' is 'one of flexibility; and when used in a statute, its meaning depends upon the context or purpose of the legislation.' *Karmuth* v. *United States*, 279 U.S. 231."

POOR EDUCATION IN THE NATION'S CAPITAL

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WIDNALL. Mr. Speaker, it is widely recognized that education in public schools of the District of Columbia is in pretty poor shape, and a great deal of the criticism has been directed to Dr. Carl F. Hansen, superintendent of schools. Yet one of the major problems of the District of Columbia, that of providing a sufficient supply of permanent teachers of high quality, is a direct result of the fact that the Board of Education—some of the members of which have been critical of Dr. Hansen—has failed to implement the suggestions and recommendations on hiring practices made by distinguished educators including Dr. Hansen, Dr. Rufus C. Browning, assistant superintendent of schools in charge of personnel, and, most recently, Dr. Francis S. Chase, dean of the Graduate School of Education at the University of Chicago.

The question of hiring practices has come to a head as a result of the action taken by Dr. Chase who was hired as consultant on personnel practices. He needed only 3 days to determine that the present practices were deficient and that the means and ideas for correcting them and bringing them into line with modern personnel practices in other communities, including the District's suburban communities, had been readily available since the 1940's. Dr. Hansen and Dr. Chase contend that personnel procedures which were drawn up in bygone days when teachers stood in line for jobs are unrealistic, and deprive the District of highly qualified teachers. Teachers may be hired in an hour for jobs in the fine school systems of suburban communities in Maryland and Virginia. One particularly distressing result of the present system is that the number of permanent highly qualified teachers in the District's schools has steadily dwindled, and the number of temporary teachers has risen to 40 percent.

The Evening Star declared editorially on July 6, that the Board of Education should "begin coming to grips with some of the obviously sensible procedural improvements which already have been placed before them."

According to the Washington Post:

> The reason so little has been done is that some members of the school board have stood adamantly in the way of doing anything. With the best will in the world, no doubt, they have insisted on antiquated and unreasonable tests for teachers, seeking thereby to raise the quality of teaching personnel * * * They have turned hiring into an obstacle course so complicated and tortuous that all the surrounding school districts get the pick of the teacher applicants before the District of Columbia gets around to picking any.

The Board of Education of the District of Columbia is made up of able and dedicated people, and they are faced with a herculean task. I am confident that if they try to improve hiring procedures the Congress, the administration, and the people of the District of Columbia will give them every support. But it is equally clear that the Congress, this administration, or any other administration cannot support the Board of Education if it fails to measure up to the task which it is charged with. I would hope, now that one of the major problem areas has been pinpointed, that the Board of Education will deal with and adopt the needed reform immediately. The situation demands this, and anything less is not acceptable.

The present impasse is again the result of a lack of an effective voice of the people of the District of Columbia in their own affairs. Had the Republican proposal for an elected school board been in effect during the past two decades it is very doubtful that the Board of Education would have failed to respond to the need to adjust personnel practices which have saddled the District of Columbia with antiquated hiring procedures which have failed so miserably to provide the highly qualified teachers needed.

While the teacher situation is only one aspect of the education problem facing the District of Columbia it is a vitally important one. The most modern buildings, the largest libraries in the world will never substitute for the lack of skilled teachers who can supply the personal interest and motivation for learning to our children.

I include here the editorials to which I have referred, and the excellent recommendations made by Dr. Francis S. Chase, and Dr. Rufus C. Browning:

[From the Washington (D.C.) Evening Star, July 6, 1965]

SOUND ADVICE

Dr. Francis S. Chase, the University of Chicago's professor of education, has performed a service for the Washington school system which is not only valuable, it is unique.

Hired as a consultant on how best to revamp our school personnel policies and procedures, Dr. Chase informed authorities that the defects "and appropriate remedies" are so well known to the school administration that "I really do not feel that you have any need of my services."

Among consultants, this sort of conduct must be viewed as something very close to heresy. And if he isn't careful Dr. Chase is apt to be drummed out of the consultant ranks.

For our part, we applaud both his honesty and his forthrightness. His response, however, was not at all what the school board had anticipated, and some members, unfortunately, are crying already for other consultants. What they ought to do is to stop crying, to follow Dr. Chase's sound advice, and to begin coming to grips with some of the obviously sensible procedural improvements which already have been placed before them by Superintendent Hansen.

[From the Washington (D.C.) Post, July 7, 1965]

HIRING TEACHERS

For years the District school system has been handicapped in hiring qualified teachers because its qualifications for teachers have been excessively rigid. This has long been apparent to Superintendent Hansen who has pleaded with the Board of Education time and again to relax the rigidity. It became apparent at once to Dr. Rufus Browning when he took charge of personnel problems and studied the situation in 1964. And of course it was equally apparent to Dr. Francis Chase, dean of the Graduate School of Education at the University of Chicago, when he came here last month to make a quick exploratory study of the problem. "The amazing thing," said Dr. Chase, "is that so little has been done."

The reason so little has been done is that some members of the school board have stood adamantly in the way of doing anything. With the best will in the world, no doubt, they have insisted on antiquated and unreasonable tests for teachers, seeking thereby to raise the quality of teaching personnel. But they have insisted with such obdurate inflexibility on specific subject requirements and particularly types of teacher training that they have ruled out of consideration the teachers best qualified by talent and enthusiasm and professional attainment. They have turned hiring into an obstacle course so complicated and tortuous that all the surrounding school districts get the pick of the teacher applicants before the District of Columbia gets around to picking any. Another unhappy consequence of the excessive qualifications demanded of teachers here is that the school system is obliged to employ large numbers of underqualified teachers as substitutes.

Nearly every other school jurisdiction has already hired its new teachers for next fall. Washington lags pathetically behind them, hamstrung by its own ridiculous red tape. Dr. Chase has rendered this community the best possible service by pointing this out forthrightly. We hope heartily that the Board of Education will at last have learned its lesson.

[From the Washington (D.C.) Post, July 2, 1965]

CONSULTANT ON SCHOOLS QUITS HERE—CHICAGO PROFESSOR CALLS WASHINGTON POLICIES DEFECTIVE

(By Maurine Hoffman)

A University of Chicago professor asked to study Washington's school personnel policies has bowed out with the comment that the policies are defective and should have been corrected 15 years ago.

He is Francis S. Chase, former dean of the Graduate School of Education at the University of Chicago.

Interviewed by telephone yesterday, Chase said he had found during a 3-day exploratory visit here in June that defective personnel procedures handicap Washington schools in their efforts to hire good teachers.

AMAZED BY NO ACTION

Personnel deficiencies were pointed out in the 1940's in the Strayer report, Chase added. "The amazing thing is that so little has been done in that period of time."

A four-page memorandum to School Superintendent Carl F. Hansen, giving Chase's impressions of personnel procedures gained from conversations with school officials, was discussed yesterday at a Board of Education meeting His main points:

"The present organization and administration of personnel services are not conducive to effective operation."

The defects and "appropriate remedies" are so well known to the school administration that there is no reason to employ an outside consultant to suggest improvements.

"* * * I really do not feel that you have any need of my services as a consultant on personnel organization and management," Chase said at the end of the four-page memorandums.

PICKED BY HANSEN

Chase was brought in after 2 years of wrangling by the school board over proposed changes in the complex requirements for teaching here.

Hansen selected Chase, who gained familiarity with local schools as Chairman of the President's Committee on Public Higher Education in the District.

Chase's memorandum backed changes in personnel policies recommended by Hansen but not acted on by the Board.

Hansen contents that the personnel procedures, drawn up in by bygone days when teachers stood in line for jobs, was unrealistic.

Teachers may be hired in an hour for jobs in top-ranked area suburban school systems. But the prospective Washington teacher must travel around to different buildings to be interviewed by various officials, assemble a volume of credentials and wait for months before learning if he will be offered a job.

Meanwhile, the best applicants are snapped up by other school districts while Washington schools are left with those who may have little but persistence to recommend them, a school administrator said.

Also, to become a permanent teacher in Washington, candidates must pass oral and written examinations, not required in suburban districts, and complete courses in educational methods. Since the number qualifying for permanent teaching positions has dwindled each year, the number of temporary teachers has risen to 40 percent.

Hansen's effects to streamline application procedures and make requirements for permanent teachers more flexible met with opposition from Mordecai Johnson, a Board member replaced last month, who charged the administration was not adequately enforcing present regulations.

The Chase memorandums noted that personnel management was only one factor in securing better teachers for city schools. It called for a corps of mobile teachers who could travel from school to school and provide special aid to teachers and pupils alike.

Yesterday the Board directed Hansen again to submit recommendations for improving personnel procedures. As it met, about six pickets marched outside, protesting the appointment of the Reverend E. A. Hewlett to the Board to replace Mr. Johnson.

JUNE 14, 1965.

Re organization and administration of personnel services.

To: Dr. Carl F. Hansen, Superintendent of Schools, Washington, D.C.

From: Francis S. Chase.

The exploratory visit made at your request has produced three distinct impressions:

1. The present organization and administration of personnel services are not conducive to effective operation.

2. The defects of personnel administration are felt more keenly by those involved in personnel management than by the school principals interviewed.

3. The defects in the present system and the appropriate remedies are so well known to you and other administrative officers that I am unable to see how an outside consultant could aid materially in formulating recommendations.

Many of the shortcomings of the existing personnel system are either stated or implied in the report prepared by Dr. Rufus C. Browning, Assistant Superintendent in Charge of Personnel, under the date of March 10, 1964; and the problems requiring solution are stated briefly in "The Superintendent's Recommendations for Changes in Personnel Policies and Procedures," dated October 15, 1964. Moreover, the Strayer survey more than 15 years ago documented weaknesses in Board of Education procedures and other aspects of personnel management and made recommendations for improvement, which apparently led to little or no correction. It would seem, therefore, that the three documents alluded to would be an excellent starting place for the Board of Education Committee on Personnel.

With regard to improvement of personnel management, I believe that the Superintendent of Schools, with the assistance of his staff, can make recommendations of greater relevance to the Washington schools than any outside consultant could make without an extensive study. It seems to me that the Superintendent's proposals of October 15, 1964, which incorporate many of the suggestions made by the Assistant Superintendent in Charge of Personnel, deserve the most careful consideration by the Committee on Personnel and the Board of Education as a whole.

The degree of centralization and the changes in procedures proposed by the Superintendent should speed up the processing of applications, produce greater uniformity in procedures, and provide ready access to information needed for performance of control and audit functions. There is reason to believe that they might also contribute to better selection of teachers for the District of Columbia schools.

The principals with whom I conferred appeared to feel that their requests for teaching personnel are being dealt with sympathetically and promptly under the present arrangement, although they are aware that the procedures tend to be somewhat cumbersome. They were quite explicit in their desire to continue to be consulted about assignments to their schools and, when the situation permits, to have interviews with candidates before assignment.

Personnel management, however organized, is only one factor in attracting to our large cities a sufficient supply of teachers with the qualifications required to meet the needs for education in our society. There was a time when school systems in our large cities represented unusually attractive careers for ambitious teachers. Part of the lure lay in the cultural advantages of the great cities and the escape from the provincialism of smaller districts; part in attractive salary schedules and working conditions; and part, perhaps, in the reputations for excellence which some of our better city school systems enjoyed. Today teaching in the city provides neither a nice comfortable berth for those who wish to revel in the feeling of having arrived or a clear challenge to the imaginative and venturesome. The cure most often offered is to improve working conditions and salaries. Frankly, I see no hope that within the next decade the great cities can compete successfully with the wealthier suburbs and smaller cities in terms of salaries and pleasantness of living and working conditions. I suggest further that the problems of education in our cities are not going to yield to a teaching staff recruited chiefly through the prospect of a dignified and pleasant professional life. On the contrary, I would argue that teaching in city school systems is for those with a taste for adventure, a deep commitment to social ideals, and a desire to pit their ingenuity against the toughest problems confronting education today.

To attract such people, it seems to me a school system must provide considerable freedom for experimentation and adaptation by the faculties of the several schools. This may require more control by the school over the filling of vacancies than is usual in many cities; and it certainly will call for measures which lead teachers to identify themselves with the programs and achievements of particular schools as well as with the system as a whole. However, if a majority of teachers are to develop a sense of identification with particular schools, it may also be necessary to have a staff of "helping-teachers" (or teachers on special assignments) who can supplement school faculties for periods of weeks, months, or years as may be required. These helping-teachers would include specialists with proven competence in working with the socially disadvantaged, providing diagnosis and remediation in reading, teaching mathematics, science, and other subjects, parent education, work-study programs, etc. The helping-teachers would participate in teaching as required, but would also provide demonstrations and in-service training for regular teachers in the schools. Because of the unusual assignments of the helping-teachers, more weight might be given to performance than to formal qualifications. Employment probably should be on a 12-month basis to allow time for the discharge of special responsibilities, including in-service education. Salaries above the regular schedule would be justified—based in each case on the special qualifications and the responsibilities assigned.

The paragraphs on pages 2 and 3 are intended not as recommendations but only as an indication of one of the kinds of ideas which at the moment seem to me to have some promise.

In conclusion, I wish to tell you that I enjoyed my conversation with you, Mrs. Steele, and members of your staff. While I would enjoy an opportunity to work with you and to become better acquainted with the promising programs being developed in the District, I really do not feel that you have any need of my services as a consultant on personnel organization and administration. Moreover, my own major interests do not lie in that direction; but run more toward exploring imaginative approaches to new challenges to education in our urban centers.

FRANCIS S. CHASE.

SUPERINTENDENT OF SCHOOLS,
Washington, D.C., March 12, 1964.
To the Committee on Personnel of the Board of Education:

At a special meeting of the Committee on Personnel held on February 5, 1964, the Assistant Superintendent in charge of personnel was requested to formulate his own evaluation of the existing personnel system with recommendations for consideration by the Committee and report to the Board, as a preliminary step toward a study of personnel procedures by consultants.

A "Report and Recommendations on Selected Aspects of the System of Personnel Administration, Public Schools of the District of Columbia," prepared by the Assistant Superintendent in charge of personnel is transmitted herewith.

Respectfully submitted,

CARL F. HANSEN,
Superintendent of Schools.

Attachment.

Standing on July 6, 1965, in re three major problems:

1. Personnel staff increases: This has been improved.

2. Rule and procedure changes: Little or no changes.

3. Hiring standards (including licensing standards for teachers): Little or no change.

R. C. BROWNING.

REPORT AND RECOMMENDATIONS ON SELECTED ASPECTS OF THE SYSTEM OF PERSONNEL ADMINISTRATION, PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA

I. INTRODUCTION

On January 15, 1964, the Board of Education approved a resolution to seek funds for a review of the personnel administration program of the public schools of the District of Columbia. Documents to seek funds and an outline of a proposed study of the personnel system was presented to the Board by the Superintendent. Members of the Board were in general agreement on the end product desired but there were differences in opinion as to the approach to be used.

On February 6, 1964, at a special meeting of the personnel committee a decision was made to have the Assistant Superintendent in charge of personnel prepare a set of proposals and recommendations. It was agreed by all present that the report was to be prepared independently of members of the Board, the Superintendent, and his staff.

The document in hand is the report of the Assistant Superintendent. It was prepared completely independent of the other school system personnel—and therein may lie some of its weaknesses. There are no brandnew ideas. The report actually represents a selection from among existing ideas and techniques. Hopefully there is cohesion in the package and practicability in the recommendations.

II. NEW SOLUTIONS ARE NEEDED

The educational program of the District of Columbia schools has achieved many notable results. However, there have been a variety of questions and criticisms raised about the system of personnel administration. No attempt will be made to list the various criticisms because the addressees of this report have discussed these matters many times and in many contexts.

Many observers have voiced the opinion that a number of laws, Board rules, and administrative practices which are currently in effect are out of date. It seems apparent that many methods being followed today were designed to meet problems which no longer exist as they did in previous years. Gone are the days when several scores of qualified candidates sought a single vacancy. But still with us is the need for high standards and for a system which generates multiple applicants for every opening. As always we need techniques which identify the persons most fit and of highest excellence.

At least three criteria should be used to judge the proposals made in this report. These are:

1. Does the proposal provide audit and control functions for the superintendent and the board of education?

2. Does the proposal provide services to the staff of the school system, and in particular does it tend to free leaders of the instructional programs from performing unnecessary personnel processes?

3. Does the proposal increase efficiency without sacrifice of standards or merit principles?

III. PROPOSED SOLUTIONS

The proposed solutions are discussed under 19 different headings, ranging from "recruitment" to "records and files." Other topics might have been included, and these may well be added to oral discussions which are expected to follow. Under each heading are the recommendations. Unless otherwise noted the proposals are directed at teaching personnel because these are the key employees as well as the most numerous in the school system.

1. Recruitment: Recruitment consists of the various techniques used to get individuals to apply for jobs. In the District of Columbia schools there is relatively little positive recruitment carried on, except: (1) Every vacancy is announced in a superintendent's bulletin which is circulated among school employees; and (2) recruitment of graduating seniors in college and universities is conducted on about 25 campuses.

Success in today's competition for graduates requires annual visits to a larger number of colleges. The small cost of recruiting is more than offset by the fact that nonexperienced teachers employed by our school system receive smaller salaries than experienced teachers who join us.

We especially need to develop techniques to attract well-qualified, experienced teachers in greater numbers than ever before. Among the things we must do to achieve this is to raise the maximum starting salary, now limited to the sixth step.

Recommendations:

(a) Increase the annual recruiting budget from $1,200 to $2,400 and a consequent increase in actual recruitment by our professional staff.

(b) Annually raise the maximum years of creditable experience for salary purposes by at least 1 year until 9 years can be credited, thereby letting a highly experienced and highly qualified teacher come in as high as the 10th step.

2. Teacher selection: Selection is the process of determining from the pool of applicants the ones who are to be offered employment. Some regard this as the most important problem to be faced. High standards and selection based on merit is espoused by all. How to do this and at the same time avoid handicapping ourselves with inefficient procedures is the problem.

With some exceptions, our problem is not the selection from among fully qualified applicants. We do not have an adequate supply of candidates who meet licensing standards, pass the written test, etc. Currently, the most difficult selection problem is to determine the persons with the highest qualifications from among the pool of nonfully qualified personnel.

Until we are able to recruit more fully qualified candidates than there are jobs available we should seek selection methods which are in consonance with today's highly competitive situation. Slowness in processing and the inability to make job offers often means loss of better candidates to other school systems.

The recommended procedure presented below stresses (1) selection as a joint venture between department of personnel and the department to use the employee, (2) centering and controlling the processing in the department of personnel, and (3) increased use of trained specialists to determine the level of merit of applicants.

Recommendation: The following procedure is recommended for the selection of teachers:

(a) All work in the selection processes is to be coordinated by department of personnel.

(b) As applications are received a qualifications clerk in the department of personnel will assemble credentials and make a preliminary determination of the level of qualification which is appropriate (e.g., candidate for probationary appointment, not qualified for consideration, etc.).

(c) Applicants are interviewed by the elementary or secondary personnel supervisor who is on the staff of the department of personnel. Consideration is given to all important selection factors including the candidate's level, kind, and quality of education and of experience, his knowledge area of education-curriculum-instruction, available test scores such as national teacher examinations and graduate record examination, personal characteristics such as voice, diction, etc. An overall numerical rating and supporting comments will be given on a standard form, using the score of 70 as passing and 100 as top score.

(d) Candidates obviously not qualified will be notified immediately and no further processing conducted.

(e) Persons receiving passing or borderline scores from department of personnel supervisor will then be interviewed by one or more instructional specialists designated by the appropriate Assistant Superintendent. The interviewers will have access to all credentials. The emphasis of the interview will be on the educational-curricular-instructional qualifications of the candidate. An overall numerical score on the 70 to 100 scale and supporting comments will be given on a separate rating form. If desired by the appropriate Assistant Superintendent additional interviews may be conducted and the ratings for the department averaged.

(f) Each candidate's overall score will be determined 50 percent by the department of personnel examiner and 50 percent by the operating agency interviewers. This is performed in Department of Personnel.

(g) When recruiting takes place at out-of-town locations (campuses or professional meetings) only a single interview will be required.

(h) Lists will be prepared ranking candidates in order of merit. There will be the priority list for those meeting all of the qualifications for probationary appointment. There will be the second list of ranking by merit for those who meet the qualifications for temporary appointments. Lists are kept open and new names inserted at the time scores are approved by the Chief Examiner.

(i) Names of those on lists certified by the Chief Examiner will be forwarded by the Assistant Superintendent in Charge of Personnel to the Superintendent. Any name where there is a waiver of the rules requested will be supported by a document detailing the nature of the request and the reason for making the request. The Superintendent will review the list of new eligibles and, if approved, will forward it to the Board of Education for final approval.

3. Written tests: Written tests have value because of their intrinsic validity, the objectivity of scoring, and the capability of ranking candidates based on scores. Their disadvantages stem mainly from three facts: (1) the total profession does not use them; (2) administration poses many difficulties; and (3) the District of Columbia schools lose many good candidates solely because individuals prefer to go elsewhere where a test is not required.

In the section above entitled "Teacher Selection" there is no provision for mandatory tests for classroom teachers. The potential value of tests should be recognized. However, we are handicapping ourselves in the market for teachers by making the test mandatory. I feel that a thorough review of the backgrounds of applicants and good interviews will provide the necessary tools to determine merit and fitness for teaching.

Recommendation: It is recommended that for a period of 1 year no written test be made mandatory for original selection of teachers for the District of Columbia system. At the end of a year of trial an evaluation will be made and results presented to the Board of Education to determine whether tests will be restored to the program.

4. Credentials: When assessment of applicants is largely based on an interview and review of credentials it is of great importance to have good background data on applicants. At present considerable stress is placed on transcripts of college credits. This is sound, particularly for teachers with less than 2 or 3 years of experience. Greater stress should be placed on getting qualitative information on previous job experience. This is especially true for teachers with several years of experience.

Recommendations:

(a) Every experience of an applicant for the previous 10 years must be accounted for by a statement from the principal, supervisor, superintendent or other appropriate official.

(b) Statements must be on forms provided by Department of Personnel or on letterhead stationery.

(c) Applicants will be provided the reference forms and addressed envelopes and will be responsible for contacting previous employers and giving them the forms and envelopes.

(d) Returns will be made directly to the Department of Personnel.

(e) Acceptable reference forms will be used to verify previous experience for salary purposes and to verify the moral-ethical character of the applicant.

5. Letters testifying about an applicant's character: To my knowledge there has never been a candidate in the history of our schools who has not been able to muster two friends to write favorable letters. The idea behind the letters is excellent—as a measure they are worthless.

Recommendation: It is recommended that information from reference forms satisfy the requirement of a character check. If no reference datum is available then other steps should be taken by Department of Personnel (not by the applicant) to determine the moral background of the candidate.

6. Board orders: The term "board orders" refers to a wide variety of administrative activities associated with the induction of new employees and with other personnel actions (e.g., terminations).

At present there are eight different offices where board orders are prepared. For years discussions have been held on the desirability of centralizing this function. The Superintendent and his deputy strongly support centralization in order to provide more controls and greater standardization. Apparently most if not all Assistant Superintendents also favor consolidation. The question is not whether to centralize or not, it is how to achieve it.

(a) Transfer positions, salary dollars, and personnel from various offices now writing board orders to the Personnel Actions and Records Division (PARD) of the Department of Personnel.

(b) The number of positions to be transferred can be determined from job classification data and from statistics on number of board orders prepared annually. These data are already on hand.

(c) Personnel transferred between departments should be given appropriate guarantees concerning their status as employees.

(d) Transfer of the function should be in increments. One important factor in considering transfers of personnel concerns office space available in Webster Annex.

(e) During the transfer period there should be concentrated efforts made to eliminate superfluous orders and to explore labor-saving techniques.

7. Temporary versus probationary appointments: Increasing the percentage of probationary appointments and decreasing the percentage of temporary appointments is desired by all. It is known that many temporary teachers are top quality. But for the best all-around teaching corps it is desired that we select those who meet all of our requirements. The fact of having a temporary category (by this or any other name) is not bad in itself. The real problem which has developed is almost solely the steadily increasing percentage of teachers who fall into this category.

In the context of the temporary-probationary situation there is another problem. Clarification is needed concerning the fact that the probationary period is an on-trial period. There is a widely held notion that once appointed as a probationer an individual automatically has a 2-year trial. In my opinion the probationer should serve only so long as he meets the standards of performance and shows promise of becoming a fully qualified teacher.

On the other hand, in accepting a newly appointed teacher the school organization has an obligation to help the new person over the difficult hurdles which may arise in the first months on the job. Once we have fulfilled our moral obligation of helping, if the person remains below standard or does not respond to help he should be terminated at a reasonable time. This applies to both temporary and probationary teachers.

Recommendations:

(a) Aggressively search for those who will meet all requirements for a probationary appointment.

(b) Provide an additional incentive to attract and retain fully qualified teachers by giving greater salaries to those who are probationary or permanent and lower salaries to those who are classified as temporary.

(c) Biennial review of licensing standards to make certain they reflect current thinking.

(d) Provide some flexibility so as to be able to appoint as probationers those teachers who may lack relatively minor qualifications. Individuals lacking minor qualifications may be required to meet all standards during the probationary period, or the requirement could be waived by action of the Board of Education at the time of original appointment.

(e) Hold in abeyance for 1 year the requirement of a written test for original appointment.

(f) Explore the possibility of establishing a system of issuing teaching certificates and having reciprocity of certification with States having standards at least equal to ours.

(g) Consider giving graduates of National Council for Accrediting Teacher Education (NCATE) approved schools a probationary appointment when the individual is certified by the school as being prepared to teach.

8. The terms "temporary" and "permanent": The two terms "temporary" and "permanent" have acquired bad connotations. Although there are positions which are temporary and this term should be retained for such positions, a new terminology is needed for individuals who do not meet all requirements or who are in a position which is classified as "temporary." The terms "provisional" and "conditional" are often used by various States in a manner in which we use the term "temporary." Our local term "permanent" is also objected to because it is often taken literally by school personnel. Most jurisdictions now use the word "tenure" to denote the status and rights accorded to the fully qualified individual who has demonstrated his competence on the job.

Recommendation: It is recommended that for personnel the terms "provisional," "probationary," and "tenure," instead of "temporary," "probationary," and "permanent" be adopted at such time that other legislation be prepared for approval by the Commissioners and Congress.

9. Licensing: The license committee and its subcommittees have been meeting for over 2 years. Difficulties in finding dates to meet has hindered progress; only about 80 percent of the various licenses have been reviewed. In the meantime, the Conant book and TEPS position paper have stimulated a new round of thinking.

Recommendations:

(a) Continue the current license committee work until the full package is ready for review and presentation.

(b) Increase flexibility by encouraging the licensing of candidates who are otherwise highly qualified when such candidates lack certain specific provisions (e.g., a particular methods course other than reading). The Board of Education would retain the right of approval. The recommendation to the Board would stipulate whether the candidate was to meet the provisions during the probationary period, or whether the requirement was to be waived.

(c) Provide for easier additional licensing at another level (e.g., from junior to senior high) within a given academic area (e.g., history). A committee from the Board of of Examiners could review petitions and make recommendations based on the merits of each case.

10. Condition of employment: In my opinion when we employ a person we do this for the Public Schools of the District of Columbia and not for a specific school or office. The widely held concept that a person is permanent in a given school rather than in the school system has many weaknesses. This inhibits a transfer program in order to maintain balanced strength among schools and to develop individuals.

Recommendation: It is recommended that it be clarified that employees are hired by the school system and do not have any inherent rights of remaining in the school or office where they have been assigned.

11. Original assignments: When there are multiple positions of a given category to be filled (e.g., kindergarten at opening of schools) the assistant superintendent of the department should be given the predominant role in determining where the top listed candidates are to be assigned. The Department of Personnel should participate (1) in an advisory capacity, (2) as the general personnel auditor for the Superintendent, and (3) as the agent who communicates with the individual and who prepares the administrative papers.

To fill positions under this concept a requisitioning system should be developed. A personnel requisition from a department (e.g., elementary) would indicate (1) a vacancy exists or is anticipated at a given school, (2) the nature of the position (e.g., permanent), and (3) the fact that it is an approved position and salary dollars are available. Liaison between the operating department and department of personnel would determine the individual or individuals to be assigned.

Recommendation: It is recommended that departments having position vacancies use a requisition to the department of personnel to obtain the person to fill the position.

12. Role of the board of examiners. Even with changes in techniques there will be need for a board of examiners. The proposed major duties of the board as listed below.

Recommendations:

(a) Review requests and make recommendation for additional licenses among teachers (for example, a junior high license to a holder of a senior high license in the same academic area).

(b) Provide a panel to hear employee grievances and make recommendations to the superintendent for final decisions. A policy and procedure would have to be developed on the method of handling employee grievances. By having a policy and an agency to hear bona fide grievances it will reduce the tendency of individuals to go directly to the superintendent or members of the board of education with problems that can be settled at a lower echelon of the school system.

(c) Act as a special consultant panel on personnel situations referred to it by the administration.

(d) Continue to assist in conducting regular and special examinations.

13. In-service training: There is a great deal of in-service training now being performed. It is each department's responsibility to conduct training with some special assignments given District of Columbia Teachers College. I favor a central coordinator of in-service training who serves in the department of personnel.

Every educator today must keep up with a fast-changing world. In addition we must take special cognizance of the needs of newly appointed teachers for special assistance. The coordinator could help in such programs. He would be responsible for new teacher orientation, for the conduct of new officer seminars, for coordinating with local colleges in seeing that desired courses are offered when needed, for arranging intern programs, for closer liaison with student teacher and their sponsoring colleges, and for working out programs with individuals who are striving to achieve probationary or permanent status.

Recommendation: It is recommended that an unused teacher position and salary dollars be transferred to department of personnel for purposes of establishing an in-service training coordinator on a temporary basis.

14. Men teachers: Practically everyone agrees with the idea that we need more men teachers. In order to attract and retain men we cannot give them preferential salary treatment for this would undo decades of striving for a single salary schedule which reflects equal pay for equal work. In keeping with this principle there are apparently only two ways of getting greater annual salaries for men: (1) Give salary credit for military service (with a 2-year limit) as is done in most of the nearby school systems; (2) give more men employment in the evening and summer programs; that is, extend their paid working period to the equivalent of 11 or 12 months.

Recommendation:

(a) Salary credit up to a limit of 2 years be given for military service of teachers.

(b) A means be developed for encouraging greater participation of men in the evening and summer programs.

15. Officer appointments: In my estimate the most serious drawback in our system for officer appointments is the lack of a design for grooming future appointees. For the most part we leave it up to each individual to prepare himself and advance his own candidacy. Two often we get applicants with far more desire than talent.

Probably the best training for regular officership are the temporary officerships in the evening and summer programs. Services in laboratory schools and in demonstration capacities are also recognized as good training positions. There should be other avenues.

Every September there are several vacancies for principals and assistant prinicpals. Interns who will later fill these positions should be selected at midyear. They could undergo a program consisting of (1) on-the-job training in one or more schools, (2) taking one or two specified college courses as needed, and (3) orientation tours in various central offices.

In the selection of officers and interns there are modifications which might improve our selection techniques. First, it is suggested that for each candidate a background rating be made by two or more independent raters. Stress would be on examining quality and quantity of training and experience. An averaged background score would be determined. When more than a certain number of candidates apply (say six) only a limited number would be admitted to the oral examination; these would be the candidates with the highest scores on the background rating. This should allow the interviewing panel to spend more time with each candidate. The final ranking would be derived from averaging the background and interview scores, each to count 50 percent of the final score.

For certain positions (e.g., elementary principalships) we repeat officer examinations several times each year. For the most part a large percentage of candidates appear time after time. I question if this is a good system of promotional examinations and feel it is damaging for candidates to reappear multiple times.

Recommendations:

(a) An intern system be developed with those selected remaining on the teacher salary scale for a semester during which time they are given appropriate training.

(b) Officer (and intern) examinations include a rating of training and experience and a panel interview, each to count 50 percent of the final score.

(c) Lists from officer examinations of multiple position jobs remain in force for a period not to exceed 6 months.

16. General schedule and wage board employees: Many of the things said about Teachers Salary Act personnel are equally true for our other employees. For example, we need positive recruitment, in-service training, and a recognition that probationary status is an on-trial period, not merely a waiting period.

One step which should be taken would be to give tests (e.g., typing and shorthand) before employment and not after a year of work in a temporary status. If we observe a person on the job this is a far, far better test than anything which merely samples a person's knowledges, skills, and abilities by means of performance or aptitude tests. The best test is a tryout on the job; this is the basic reason for probationary periods.

Recommendation: It is recommended that steps be taken to test classified workers before employment, rather than after a year of temporary service.

17. Reporting to the Board of Education: Board members are entitled to have a wide variety of information on which to base their policies, audit adherence to rules, and make various decisions.

In my opinion fundamental changes will occur in the type of personnel reports requested by the Board if there is centralization of personnel administration. I predict members will no longer feel compelled to audit in detail all appointments; they will only want to audit those where there is an exception being requested or an officer being recommended for appointment.

Board members infrequently ask for overviews and analyses in management style formats. Perhaps the reasons for not asking for such reports are: (1) decentralized personnel administration makes systemwide reports difficult; and (2) preparation of reports on individuals already consumes a significant percentage of staff time.

It is suggested that the Board require more reports on the forests rather than on the trees. Some examples are as follows: What is the status of recruiting and what kind of applicants are we receiving? What is the trend of our teacher turnover rate? What are the reasons given for leaving by teachers who voluntarily terminate? What are the results of the end of year performance evaluations? What is the status of our substitute teacher corps?

Recommendations:

(a) The Board of Education require preparation of summary sheets on two categories of appointments: (1) exceptions to rules and (2) officers.

(b) The Board indicate the type of summary reports they desire so that the Department of Personnel can devise a system for collecting data as transactions are made.

18. Physical location and building: Having the personnel office separated from other organizational elements is a major handicap. For example, requesting a teacher applicant to commute between two or three locations, with no parking and poor public transportation facilities, is a bad situation.

If functions are to be added to the Department of Personnel the additional staff will have to be housed in Webster Annex. In Webster there is little extra room on the first floor. The second floor is occupied by the special school for girls. It would be difficult and discouraging to have to utilize the third floor.

Recommendation: It is recommended that in any consideration to change the functions of the Department of Personnel that decisions on physical facilities be made at the same time.

19. Records and files: There is much work to be done in the personnel records and files activities. Details concerning this cannot be presented in the present study.

Recommendations:

(a) The official papers on each employee should be maintained in one location only, the Department of Personnel.

(b) One full-time employee should be assigned the job of managing the files and providing locator service on individuals.

(c) In developing new data processing systems for the public schools the data on employees should be integrated into the overall system.

IV. ORGANIZATION NEEDED TO SUPPORT CENTRALIZED PERSONNEL FUNCTIONS

Practically all of the functions which have been described (or proposed) in this report are now being performed somewhere in the central office. In each of several offices professional personnel are interviewing candidates and reviewing credentials, clerks are preparing board orders and keeping files current, etc. Consolidating and centralizing these activities should, in time, increase efficiency and improve public relations which are so vital to successful recruiting.

RECOMMENDATIONS

The following organizational structure and staff is needed by Department of Personnel in order to meet the requirements of centralization just described:

(a) Office of the Assistant Superintendent in Charge of Personnel: One Assistant Superintendent, one clerk (stenography), and on a temporary basis, and in-service training coordinator.

(b) Professional Personnel Division: One Chief Examiner (who is division chief), one elementary personnel examiner, one secondary personnel examiner and a staff of eight clerical workers.

(c) Classified Personnel Division: One supervisor of classified personnel (GS and wage board), and one classification specialist, one personnel specialist (for recruiting and examining) and two clerks.

(d) Personnel Actions and Records Division: One supervisor of personnel services and nine clerical personnel for preparing board orders, administering employee records, handling general correspondence, providing centralized files, etc.

Comparison of the present and proposed staff is as follows:

	Present		Proposed	
	TSA	GS	TSA	GS
Office of Assistant Superintendent	1	1	2	1
Professional Personnel Division	1	5	3	8
Classified Personnel Division	------	3	------	5
Personnel Actions and Records Division	------	5	------	10
Total	2	14	5	24

Comparison of rations of personnel staff to total employees (N=8,355): Present ratio, Department of Personnel only (16 to 8,355) 1 to 522 employees; ratio of Department of Personnel, proposed (29 to 8,355) 1 to 288 employees; ratio among District of Columbia agencies (including the public schools) 1 to 154 employees; standard ratio among Federal agencies 1 to 100 employees.

V. SOURCE OF ADDED STAFF TO DEPARTMENT OF PERSONNEL

The proposed plan is based on the premise that almost all of the functions proposed for the Department of Personnel are now being performed elsewhere in the central office. Therefore, as functions are centralized the staff performing the functions are also centralized.

Determination of recommendations for transfers of personnel are based on two sources of existing data: (1) job classification data in which employees and their supervisors have indicated the amount of time spent in performing various functions, and (2) number of board orders written in a full year in a given department, which gives an index of the relative amount of personnel processing which occurs in the various offices.

Recommendation: It is recommended that the following personnel be transferred to the Department of Personnel:

	TSA	*GS*
Office of superintendent or deputy	----	1
Elementary	1	3
Junior-senior high school	1	2
Vocational	----	1
Pupil services	----	1
Buildings and grounds	----	2
Undetermined (unused teacher position)	1	----
	3	10

VI. TIMING OF CHANGES

Changes which are approved should be made in increments rather than all at one time. This phasing is necessary because of the following factors:

1. Space adjustments will have to be made at Webster Annex or elsewhere.

2. New employees will have to undergo a certain amount of individualized inservice training.

3. Procedural statements will have to be developed and revised forms designed.

4. Trial and error situations will consume extra time during the developmental stages.

Recommendation: It is recommended that a three phase transfer plan be adopted, as follows:

1. Phase 1.

(a) A major area of operation (e.g., junior-senior high department) be selected by the Superintendent to be the first group to merge into a centralized personnel operation.

(b) Personnel from the selected major area to be transferred would be identified and the change made between offices.

(c) One clerk from the Superintendent or Deputy's Office would be transferred so that an existing employee in Personnel Actions and Records Division can devote full time to filing and locator services.

(d) An unused teacher position would be temporarily assigned to establish the inservice training coordinator position.

(e) Evaluation of the progress of the changeover would periodically be made to the Superintendent and Board of Education.

2. Phase 2.

(a) This phase would be initiated by the Superintendent at such time that he judges the action to be appropriate.

(b) Another major area would be selected by the Superintendent and action taken in a manner similar to phase 1.

(c) Evaluations would be made from time to time.

3. Phase 3.

(a) The balance of the transfers would be made.

(b) Evaluations would be made, including an overall report on the project to the Board of Education.

VII. OVERALL RECOMMENDATION

It is recommended that this report be reviewed by the Board of Education and the following actions taken:

1. The report be reviewed in detail by the Superintendent, Deputy Superintendent and Assistant Superintendents. Comments and recommendations would be consolidated by a staff person selected by the Superintendent.

2. The Superintendent would make his recommendations to the Board at a meeting of the Personnel Committee.

3. The Board then to make decisions appropriate to the situation.

NASSER OUTSMARTS UNITED STATES AGAIN

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANGEN. Mr. Speaker, Egypt's Nasser has outsmarted us again. This unfriendly dictator must be laughing up his sleeve as he dips one hand into the pockets of the American taxpayer and embraces the Soviet Union with the other.

I refer to published reports that cheering crowds greeted the first Soviet-aid wheat shipment to Egypt last week just a day after silence greeted the unloading of 24,000 tons of U.S. wheat at the same port. The U.S. wheat was part of a $37 million food gift to Egypt and was presented to Nasser in spite of last year's action by Congress condemning such foolish practices.

Now we find ourselves in the ridiculous position of competing with the Soviet Union for the dubious honor of seeing who can dole out the most for a nation that has consistently supported the Communists while kicking Uncle Sam in the shins at every opportunity.

I note that the Russian gift of wheat was originally purchased from Australia while the U.S. gift comes directly from the taxpayers of America, which only proves again that sales of commodities to Russia cannot be depended upon to feed or benefit the Russian people, but might rather be used as competition for markets and favors with other nations around the world.

It is interesting to note that this latest aid to Egypt comes about because the President has decided that it is in the best "national interest." Does the national interest call for us to give aid to a country that professes lasting friendship with Communist bloc nations? We have to draw the line somewhere in our seemingly perpetual willingness to dole out U.S. dollars and products to anyone who stretches out their hand, either friend or foe.

JOHNSON'S HOUSING VICTORY

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. BROCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROCK. Mr. Speaker, the House of Representatives had a most difficult battle last week over the housing bill and I feel the two following articles entitled "Johnson's Housing Victory" and "Speaker Calls Rent Bill Hardest Task in Years" are an excellent summary of the debate. Under unanimous consent, I request that these be placed in the CONGRESSIONAL RECORD so that my colleagues may have the benefit of reading these interesting articles.

WASHINGTON: JOHNSON'S HOUSING VICTORY

(By Tom Wicker)

WASHINGTON, July 1.—Congress is approaching the 4th of July in the usual midsummer mood and that spells trouble for any President. In the case of President Johnson, it spells a good deal less trouble than it has for others and there now is an undercurrent of confidence at the White House that there will be no major setbacks at this session.

RUMBLINGS OF REVOLT

So many things happened that smacked ominously of revolt. The Senate sought openly to remove one of Sargent Shriver's two hats and almost refused to suspend the law to permit Mr. Johnson to name a retired general as administrator of the Federal Aviation Administration. Representative MENDEL RIVER, South Carolina's reply to Secretary McNamara, got his back up on military pay and military base closings. The veterans' lobby and some outraged Members of Congress forced the President to compromise on closing outmoded veterans' hospitals. Mr. Johnson was forced to veto, a minor flood-control bill as a gesture against what he considered congressional incursions on Executive territory.

Some other things might have happened, but didn't. There could have been full-scale Senate debate on Vietnam and the Dominican Republic, or a major setback in either crisis, unsettling the President's grip on his Democratic majorities. The old religious and racial prejudices might have deadlocked the House on the aid to education bill. And the Republicans, finding their first really open target, might have shot down the controversial housing rental subsidy that squeaked through the House yesterday.

CRUCIAL BATTLE

That well may have been the crucial battle of 1965—and it was viewed with so much concern in the White House that Mr. Johnson himself got on the phone to an estimated 30 Members of Congress yesterday. It was his most determined personal effort of the year.

There were three reasons. The rental subsidy was one of the most important, though least publicized items, in the President's entire program. It was one of the most difficult to pass. And it came to the floor of Congress at a time when a major setback might have sharply interrupted Mr. Johnson's legislative momentum.

The subsidy was particularly important to the White House because it was the one genuinely new idea in the entire legislative program and the first major development in years in the housing field.

It was also viewed as the least expensive way, in terms of the Federal budget, to lift low-income families into adequate housing. But it was difficult to get through the House because conservatives in both parties can be mobilized most easily against what appears to be a straight Federal "dole," because even the public housing lobby saw the plan as an invasion of its interests, and—most importantly because it was a new idea, not long debated, long advocated, or well understood in the press or in Congress.

Moreover, there was a troublesome racial aspect. The rental subsidy should work to break down the "ghetto idea." Thus, lower income, all-white neighborhoods, from which Negroes have been excluded because of their economic inability, now may be opened to them through Federal rental subsidy.

Mr. Johnson compromised on details of the plan, but he could not afford a defeat—any more than Representative JOHN LINDSAY, the Republican-Liberal candidate for mayor of New York, could afford to vote against a program with such an impact on urban areas. Not only was it a major White House legislative goal; victory on such controversial issue, coming at this stage of the session, but also was a tactical necessity.

Coming up soon, after all, will be the controversial repeal of section 14(b) of the Taft-Hartley Act; an immigration bill eliminating national origins restrictions; the always difficult farm bill; a doubled authorization for a poverty program riven with political and administrative disputes; and a proposal for regional centers to treat heart, cancer, and stroke that will be far more open to charges of "socialized medicine" than was the medicare bill.

THE DOG DAYS

Members of Congress already have accomplished a great deal this year, enough for most sessions to quit on. Washington is getting hot and muggy, and somewhere the fish are biting and hometown fences await mending. Controversial issues are more unwelcome in the dog days than in the brave early weeks of a session. Mr. Johnson burned up the phone yesterday not just to save a major item of his program but to keep necessary pressure on Congress for the hard work ahead.

[From the Washington (D.C.) Post, July 4, 1965]

SPEAKER CALLS RENT BILL HARDEST TASK IN YEARS

(By Jack Eisen)

For House Speaker JOHN W. MCCORMACK, winning approval for President Johnson's rent supplement program was his toughest legislative task in nearly a quarter century.

After the House turned back the crucial challenge to the proposal with a tense 208-to-202 vote last Wednesday, the obviously weary MCCORMACK went into the lobby to receive congratulations.

Responding, he called the 3 days of argument and persuasion "the toughest one for me since the Selective Service Act was extended by a single vote."

That vote was 203 to 202. At the time—August 12, 1941—MCCORMACK was top aid to Majority Leader Sam Rayburn, of Texas.

On Monday, the first day of debate on the housing bill, one insider said the administration could expect to win by two or three votes.

On Tuesday, the leadership obviously was stalling for time. One report had it that the proposal, as it then stood, would lose by some 30 votes in a clear rebuff to the President, whose party has a 153-member edge in the House.

That day the chief White House lobbyist, Lawrence F. O'Brien, was in MCCORMACK's office talking to recalcitrant Democrats. Next day, one report had it, the President himself telephoned an estimated 30 Members.

In recommending rent supplements to Congress last January, Mr. Johnson had called them "the most crucial new instrument" to fight slum conditions in American cities.

As then proposed, they were intended to help provide modest new housing projects for families just above the income level that would qualify them for low-rent public housing units, and for those in the upper levels of public housing.

HIT BY GOP CRITICS

The original recommendation called for subsidies for qualified families that are unable to rent standard housing for 20 percent of their income. The House Banking Committee's subcommittee on housing amended this to 25 percent.

In the debate, Republican critics hammered at the theme that the whole idea was socialistic, that it centralized more power in Washington and that it would provide semiluxury housing for some and kill the initiative of others.

To help meet this criticism, the leadership drew back somewhat. Its amendment, offered Wednesday, would limit the subsidy to families qualified for public housing.

How many, if any, votes this won over is uncertain.

"To me," said Representative ROMAN PUCINSKI, Democrat of Illinois, who represents a middle-income Chicago area, "this was worse than the original proposal. It completely scuttled the President's great dream of helping the middle-income American."

One of about a dozen Northern Democrats who broke party ranks to vote against the proposal, PUCINSKI cited also the lack of local control over the subsidy-aided projects.

One Democrat from an affluent suburban constituency found the vote a good reverse opportunity to help his voting record. In his view, he just "can't afford to go back home with a 100 percent Democratic voting record."

POLITICAL POISON

An aid to another, Representative LIONEL VAN DEERLIN, Democrat of California, who has a liberal voting record, said shutdowns of defense plants in San Diego have raised housing vacancies there to a critical level, and any vote that might lead to more low-rent construction would be political poison.

Representative THOMAS S. FOLEY, Democrat, of Washington, who comes from conservative Spokane, said the concept of rent subsidies "needs further study." He volunteered that there had been no armtwisting to get his vote. "There was," Foley said, "the mildest and most gentlemanly persuasion."

Even as the rollcall passed the halfway mark on Wednesday, the outcome remained uncertain.

Hastily, the leadership arranged to "pair" the votes of four opponents of the subsidy program with those of four absentee supporters—a move that had the effect of canceling the four votes while still recording opposition.

Three of the four were Democrats from the President's home State of Texas, Representatives OLIN E. TEAGUE, EARLE CABELL, and RICHARD C. WHITE. The other was Representative PAUL H. TODD, JR., Democrat, of Michigan.

Had the four votes stood, rent supplements still would have passed—by a vote of 208 to 206.

In that case, the winning margin would have come from four Republicans from New York State, the only members of their party to endorse the program.

These were Representatives JOHN V. LINDSAY, of Manhattan, who is running for mayor of New York City; Representative SEYMOUR HALPERN, of Queens County; Representative OGDEN R. REID, of Westchester County; and Representative FRANK J. HORTON, of Rochester.

THE 175TH ANNIVERSARY OF THE U.S. COAST GUARD

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **TUPPER.** Mr. Speaker, it is a pleasure to join my colleagues on the Merchant Marine and Fisheries Committee in presenting a resolution honoring the founding of the U.S. Coast Guard. The U.S. Coast Guard, founded August 4, 1790, is the only organization of its kind in the world today; no other country maintains a service in any way like it. A maritime policing organization in times of peace; a part of our Armed Forces in time of war, the Coast Guard has been a source of pride and benefit to each and every citizen of this Nation.

The Coast Guard has served our Nation since the earliest days of the Republic. When custom duties were imposed on imports to raise money to meet Federal expenses, smuggling started on a large scale. To protect this chief source of revenue, the Congress passed a bill in the year 1790 establishing the Revenue Cutter Service to enforce the customs laws. Ships were obtained for this purpose, and before long the coast was being patrolled successfully. As a matter of fact, this predecessor organization served as the only U.S. Armed Force afloat until the establishment of the Navy Department in 1798.

Since the date of its birth under the Republic, the Coast Guard has moved forward keeping pace with the growth of this Nation and assuming ever increasing duties of humanitarian service to the people of this Nation. In 1915 it was combined with the Life Saving Service, and the name was changed to the U.S. Coast Guard. In 1939 the Lighthouse Service was transferred from the Department of Commerce and combined with the Coast Guard. Three years later the Coast Guard took over the duties of the Bureau of Marine Inspection and Navigation, thereby undertaking the supervision of the discipline of crews and the construction and equipment of merchant ships, plus investigation of deaths and injuries on board ship.

The Coast Guard protects the entire American seacoast, the Great Lakes and all the navigable waters. Past events in Cuba and surveillance off our coastal areas by foreign fishing vessels have served to multiply the duties of this gallant force in connection with the protection of our seacoast. The Coast Guard warns shipping of dangers to navigation; it enforces the laws against smuggling and other laws governing the operations of shipping. When a ship is in distress the Coast Guard sends a vessel or even a plane to its aid at once. The service saves thousands of lives and millions of dollars' worth of ships and cargo each year. It gives aid to the sick and injured on ships and fishing boats. Sometimes it gives advice by radio or signals; at other times when necessary, it brings patients ashore by plane. It cares for and transports shipwrecked and destitute persons and carries on relief work during flood, hurricanes, fire and similar disaster. All these functions and many more are performed daily by these unsung heroes of the U.S. Coast Guard.

But—this is not all. Since its inception, the Coast Guard has performed a military function as well. It has taken part in all of our major wars, including the Civil War and both World Wars. And, even as I speak here today, the Coast Guard is preparing to write another chapter in its glorious history by joining with our naval units stationed in Vietnam. Here some 17 patrol craft, and crews, of the U.S. Coast Guard will shortly be assuming duties patrolling the waters off the coast of South Vietnam.

The Coast Guard has been fortunate in having men of considerable ability and competence directing it. Adm. E. J. Roland, Commandant of the U.S. Coast Guard since 1962, has dedicated his exceptional talents to the improvement of this service. The high morale of Coast Guard personnel is an indication of the esteem held for Admiral Roland.

The civilian responsible by law for direction of the U.S. Coast Guard is Assistant Secretary of the Treasury James A. Reed. Secretary Reed has brought to this service tremendous energy, zeal, and capability. During his tenure of office the Coast Guard has made significant advancements. On each occasion he has appeared to testify before the House Committee on Merchant Marine and Fisheries, he has impressed committee members with his broad insight of the needs of the Coast Guard.

At this time Secretary Reed and Admiral Roland are planning a trip to Vietnam to view the Coast Guard operation there.

The traditions of the U.S. Coast Guard are second to none; standing ready to serve in peace or war, the Coast Guard is a part of our American heritage and a service which is richly deserving of the recognition sought to be conferred by this resolution.

Maine is steeped in the tradition of the sea; with this common bond—the people of Maine—salute the U.S. Coast Guard and its valiant men who have performed so dedicated a service for these 175 years.

TWO FACES OF DISCRIMINATION

Mr. **DEL CLAWSON.** Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **QUILLEN.** Mr. Speaker, "Two Faces of Discrimination" is an editorial written by Guy L. Smith, editor of the Knoxville Journal, Knoxville, Tenn., which appeared in the Journal on July 6, 1965, as the lead editorial.

I would like to make this thought-provoking editorial available to my colleagues and to all who read the RECORD:

TWO FACES OF DISCRIMINATION

On July 2 the Civil Rights Act of 1964 became effective. Title VII of this legislation deals with equal employment opportunity and over a 3-year period becomes applicable to every employer in the land.

Among the unlawful employment practices set out under title VII is "to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, and national origin."

This was not only the law, as of 4 days ago, applicable to every employer, but the principle of nondiscrimination was made to apply in other titles of this same act to voting rights, public accommodations, awarding of Federal contracts, and in every other area in which the Central Government is empowered to extend its authority.

The principle embodied in this legislation enacted last year was supported not only by the liberals but by a majority of other Americans who were actually willing to see a law of doubtful constitutionality go on the books as a means to contributing to fairplay where all citizens of this Nation were concerned. The unlawful employment practice quoted above was related, obviously, to the right of all Americans to seek and find employment, regardless of their color or national origin.

But wait a minute. Tennessee Code, section 50–209, also deals with this subject. Under the title, "Contracting for exclusion from employment because of affiliation or nonaffiliation with labor union unlawful," the section reads as follows:

"It shall be unlawful for any person, firm, corporation or association of any kind to enter into any contract, combination or agreement, written or oral, providing for exclusion from employment of any person because of membership in, affiliation with, resignation from, or refusal to join or affiliate with any labor union or employee organization of any kind."

What we have quoted above is Tennessee's right-to-work statute, similar to such laws on the books of 19 States, making it unlawful for a worker to be deprived of his employment either because he chooses to join a union or because he chooses to not join. These are the laws which the big unions expect to wipe from the books through a repeal of section 14b of the Taft-Hartley Act, as recommended by the President.

Examination of the Federal and State statutes quoted above reveal that the Nation's liberals (actually totalitarians) have supported a statute which makes discrimination against a worker because of race or color unlawful but now want to, through repeal of section 14(b) of Taft-Hartley, make it lawful in all States for discrimination to be practiced against workers who do not choose to join and pay dues to a union. Actually, if the person who did not choose to join a union belonged to an ethnic minority, then the 14(b) repealer would discriminate against him despite the provision in the civil rights legislation that bars discrimination on grounds of race or color.

Honestly, we do not see how a legislator can look the public in the eye while taking such contradictory positions on what is essentially the same question—the right of an American citizen to make a living.

What they are saying, in effect, is: "To bar a person from employment because of race or religion is wrong, but it's perfectly all right to bar a citizen, white or black, from employment if he doesn't choose to pay union dues for the privilege of holding his job."

What kind of justice is this?

BILL TO AMEND THE TRADE EXPANSION ACT

Mr. **DEL CLAWSON.** Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERRY. Mr. Speaker, during the past 2 weeks a number of bills have been introduced to moderate the possibly calamitous effects that would be produced by carrying out the 50-percent tariff cut under the Geneva negotiations. I introduced such a bill last year and am happy to associate myself with the legislation recently introduced which goes a little farther.

It is just as well that the Kennedy round, so-called, has not yet been carried out. It is an extreme proposal and goes too far in at least two respects. In calling for a 50-percent tariff cut on top of all the previous cuts, it would slash deeper than in the two previous authorizations combined, which were 15 percent in the 1955 Trade Agreements Extension Act and 20 percent in the 4-year Extension Act of 1958.

In the second place, it sets up such harsh requirements for adjustment assistance that the act has been a dead letter so far. The law has been adequately tested in the almost 3 years it has been on the books. Seventeen cases have gone through the Tariff Commission asking for adjustment assistance and all 17 have been turned down, 16 of them by unanimous vote. This, I say, is a harsh record.

We may be grateful, I repeat, that the 50-percent cuts have not yet been negotiated. It may be possible to save some of the pieces. The legislation which I am joining in introducing would go far to moderate the extreme measures that could be taken under the present law. First, the hope of gaining adjustment assistance would be considerably enhanced by loosening the requirements of the law.

Second. Criteria are laid down by which items can be removed from the President's list of products offered for tariff cuts.

The present bill would go beyond that by providing for import quotas if certain import levels are reached. This part of the bill is not unlike the provision in the meat bill passed last year. It provided a ceiling over imports that if breached would trigger an import quota unless the President should find overriding reasons for not invoking the quota. Already the meat legislation has improved the situation in the cattle areas of this country. Had it not been passed the industry would by this time be on its knees and in great distress.

It is only fair that similar provisions should be made available to other industries that are under pressure from heavy imports. The cattle industry is fully aware that its own welfare depends on the good health of the economy as a whole. Unemployed workers do not provide a good market for red meat, and still less for steaks and rib roasts.

In my district wool and lamb imports also are of great concern. Right now the imports of woolen goods are the subject of intensive efforts to bring them under control. This is naturally a matter also of great interest to woolgrowers. To date these efforts have borne no fruit. We are also concerned over imports of lamb, either on the hoof or slaughtered.

Mr. Speaker, the alarm I have expressed here over another 50 percent reduction in our duties might cause surprise in some quarters. We are told by our official trade figures that our exports in 1964 exceeded our imports by $6.9 billion. This heavy surplus is said to prove conclusively that we can sell all over the world and are competitive in world markets generally. Surely we could stand another tariff reduction without any real fear of injury.

If, however, we look behind the official statistics, any further surprise will vanish.

Let me quote from a recent bulletin of the Department of Agriculture:

> U.S. agricultural exports are one of the major bright spots in the unfavorable U.S. balance-of-payments picture. Farm product shipments * * * reached a peak in 1964.

This appears on page 4 of the July 1965 issue of Foreign Agricultural Trade, a monthly publication of the Department of Agriculture.

Page 8 of the same publication contains a table in which our exports are classified into agricultural and nonagricultural merchandise, as well as being broken down into exports financed by the U.S. Government and those not so financed. I wish also to call attention to the same bulletin for May 1965, page 7.

The statistics in the July 1965 bulletin show that of the total 1964 agricultural exports of $6.3 billion, $1.75 billion were government-financed under the various titles of Public Law 480. Over and above that there were commercial sales of wheat, wheat flour, cotton and dairy products that were exported under the subsidy or export payments; but these are not shown in the July issue of the bulletin but in the May number. These exports are shown for the fiscal year ended June 30, 1964, and amounted to $1.38 billion. If this sum is added to the $1.75 billion of sales under Public Law 480 and related programs for the calendar year 1964, the total amounts to more than $3 billion.

If it may be assumed that during the calendar year 1964 commercial sales under subsidy or export payments were of approximately the same magnitude as in the fiscal year ended June 30, 1964, it follows that the agricultural exports attributable to either governmental finance or export payments—wheat, cotton, dairy products, rice—amounted to approximately $3 billion. This would bring our unsubsidized commercial agricultural exports to the world market down to $3.3 billion or less than our imports of approximately $4 billion a year.

Mr. Speaker, when the export statistics are analyzed in this fashion they lose much of their optimistic jingle. It can only mean that if our farm exports were left to compete in the world market without governmental support they would be cut in half and would be only about 75 percent of our agricultural imports.

It is not surprising that this should be the case because of the higher costs of production in this country. We can hardly expect to have our cake and eat it too. If we demand high prices for our production we cannot expect to remain competitive in low-wage countries. Therefore if we mean to export in large volume from our surplus we find it necessary to subsidize. I do not condemn this. I simply say we should not regard such sales as evidence of our ability to compete in world markets. There was a time when the efficiency of the lower-wage countries was far enough below our level of productivity to offset their lower wages to a considerable degree; but today foreign countries in many cases are coming up very rapidly in their production methods, particularly in industry. Their lower wages therefore give them a real competitive advantage today.

This being the case we would be ill-advised to cut our tariffs another 50 percent, especially on products that we are now importing quite liberally. The fact that imports have already risen to the point of 7½ percent of domestic production is proof enough that the existing tariff is not too high, especially if the imports have risen sharply in recent years. The bill that I am introducing provides that any item on which the imports have increased at least 75 percent since 1958 and have reached the 7½ percent of domestic production must be taken off the list offered for further tariff reduction.

This is a reasonable and moderate requirement in view of the facts of our competitive standing. I wish I could agree with the optimistic official statements that continue to paint a rosy picture about our trade. Unfortunately this is not possible in view of what I have already shown about our agricultural exports.

As for our industrial exports, particularly our exports of manufactured goods, the situation is no better; and for the same reason. Our share of the world exports of manufactured good has been falling startlingly, and even these exports contain AID goods as well as merchandise shipped to our Armed Forces overseas. The exports of some important products depend heavily on AID shipments. In 1964, for example, foreign aid shipments accounted for 45 percent of our exports of fertilizers, 37 percent of our exports of railway equipment, and 30 percent of our steel exports. Undoubtedly, Mr. Speaker, we could run our exports up to much higher levels if we paid for them out of our tax money; but, I repeat, if we did so we would hardly be proving that we are competitive in world markets. Quite the contrary.

The time is past when the United States was by far the world's leader in mass production and advanced technology; but the time is not past when we adhere to the highest wage scales in the world—and by a wide margin. This is the fact that will not go away and it will bedevil our foreign trade and balance of payments for years to come. Until that gap is closed or at least very materially narrowed we will be in trouble in international trade unless we take measures that will place us on a more even basis with the other countries. This can be accomplished through this legislation, a measure that will not have to be financed by our Treasury, which is to say the taxpayers.

The fact that we are not competitive is demonstratable as the trade statistics show. In order for us to maintain our export trade at present levels requires billions of dollars in subsidies of one kind or another.

We should do two things. We should avoid aggravation of the situation through the 50 percent tariff cuts; and this is one of the purposes of my bill. It would perhaps not go as far as it should. I question the wisdom of any further tariff reduction; but the bill would help substantially by providing for withdrawal of products from the President's list. Second, we should regulate imports so that they cannot upset our industries and farming pursuits by taking ever greater shares of our home market away from us.

If we do not do this we will invite more trouble than we have faced so far. Our industries will then continue to expand abroad while cutting down their costs in this country by reducing their dependence on labor. This they are forced to do even now because of the competitive situation. By reducing their dependence on labor I mean introduction of labor-displacing machinery as fast as they can. If they did not have this recourse they would be in deep trouble already; but in having this recourse they add to our unemployment problems, increase the need for retraining, for area redevelopment, and for antipoverty measures. The public cost of these programs can in good part also be charged to our national trade policy.

Mr. Speaker, if we do not act soon the necessary action will become more difficult and more drastic measures will be called for later. The recent so-called improvement in our balance-of-payments position is not basic. It is superficial, and until we meet the disparity in our competitive position in relation to the rest of the world all measures will be temporary and doomed to failure.

I understand that there is little likelihood of a hearing during this session by the Ways and Means Committee. This is their responsibility, and it is not a light one. I trust that the committee will take a second look at the urgency of the situation and call for early hearings.

REAPPORTIONMENT—WILL CONGRESS APPROVE MAJORITY RULE?

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as the question of legislative reapportionment moves nearer to a congressional decision, I want to take this opportunity of presenting my reasons for supporting a constitutional amendment modifying the stark, unrealistic, and potentially harsh ruling of the U.S. Supreme Court in Reynolds against Sims.

Much has been said and written on this subject; some light and more heat has developed. It is something I think we should discuss dispassionately, because of its great importance.

One of the most perceptive scholars currently studying the apportionment controversy, Prof. Robert G. Dixon, of the George Washington University Law School, wrote in the December 1964 Michigan Law Review:

> Fair representation is the ultimate goal. * * * We are a democratic people and our institutions presuppose according population a dominant role in formulas of representation. However, by its exclusive focus on bare numbers, the Court may have transformed one of the most intricate, fascinating, and elusive problems of democracy into a single exercise of applying elementary arithmetic to census data.

FAIR REPRESENTATION THE REAL GOAL

I believe, Mr. Speaker, that fair representation is and should be our goal. I also believe that we shall not achieve it by forcing all States, regardless of their individual characteristics and problems, into one rigid mold so that there is no discretion in the States.

Our traditional system of representation in our State legislature and our national Congress did not spring full grown out of the brow of anyone, let alone the collective brow of a Supreme Court majority. It developed, instead, over many years of trial and error, and modification. The system varied from State to State, but in very few of them did it take the form of sole reliance on population in both Houses.

In the past several years, abuses turned up in a few States where extremely small numbers of people controlled the greater numbers of people of the State. In most instances, I am convinced that careful study would show, alternatives to judicial intervention were available, but in any event, Baker against Carr did promise a curb to those abuses.

MAJORITY OPPOSES SUPREME COURT'S RULING

The promise, however, became an abuse itself on June 15, 1964 with the opinion in Reynolds against Sims and its companion cases. I do not think that by and large the people of this country, urban and rural, approve of those decisions. Julius Duscha, one of the Washington Post's perceptive political reporters, recently wrote in the Reporter magazine:

> There is a widespread feeling throughout the country that the Supreme Court seriously damaged a desirable part of the checks and balances system of American Government. It is a feeling compounded of concern for minorities, of a rural nostalgia that still pervades the thinking of many city people, and of a genuine fear of all-powerful majority government.

I have introduced a proposal, House Joint Resolution 362, for a constitutional amendment which provides:

> Nothing in the Constitution of the United States shall prohibit a State, having a bicameral legislature, from apportioning the membership of one house of its legislature on factors other than population, if the citizens of the State shall have the opportunity to vote upon the apportionment.

CLEVELAND BILL GIVES PEOPLE DIRECT VOICE

This, or a similar amendment, would prevent a recurrence of the occasional abuse of legislative apportionment and would afford each State the opportunity to provide for the recognition of its own needs. Most importantly, it projects the people of each State into the determinitive voice on the type of apportionment they are to have. One would think that the proponents of one-man, one-vote would be heartily in favor of this.

I believe that the guarantee of popular expression upon any apportionment plan deviating from the population principle is our surest guide to fair representation. It is not something to be determined by courts, or philosophers, or people in Washington. It is something that the citizens of each State are best able to determine for themselves.

As for me, I fully agree with Lincoln's expression in his first inaugural address:

> Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?

VOTING RIGHTS BILL—WASHINGTON NEWS BACKS GOP, PUTS ISSUE IN CLEAR, CONCISE PERSPECTIVE

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, this evening's edition of the Washington News, in the lead editorial, flatly endorses the Ford-McCulloch bill as the superior answer to the problem of guaranteeing the right to vote. In concise, clear terms, the editorial sets forth the major differences between this bill and the administration-backed legislation sometimes known as the Celler bill.

While there are additional reasons for supporting the Ford-McCulloch bill not mentioned in the editorial—notably its important addition of a "clean elections" section to guarantee that votes will be honestly cast and honestly counted, I offer the editorial at this point in the RECORD as an excellent statement which may help Members who are still weighing the issue:

IMPROVING THE VOTE BILL

> The House has an opportunity this week to make a major improvement in the voting rights legislation now before it.
>
> If we can do so by accepting a substitute offered by Representative WILLIAM M. MCCULLOCH, Republican, of Ohio, in place of the Senate-passed bill backed by President Johnson.
>
> Representative MCCULLOCH's measure is better than the administration plan. It aims at the same objective—ending all discrimination at the ballot box—but goes about it in a superior fashion.
>
> The administration bill, for instance, assumes arbitrarily that a State or locality is

guilty of discrimination if it has a literacy test and fewer than 50 percent of persons of voting age registered or voted last November.

This may or may not be true. But it is bad legislation—if not unconstitutional—for Congress to declare it so in the absence of concrete evidence.

Representative McCULLOCH would replace the "automatic triggering" of the administration bill by permitting the Attorney General to order Federal voting examiners sent into any area from which 25 or more valid complaints of discrimination had been received. Voting statistics would be disregarded, as would literacy tests if the complainant has received a sixth-grade education.

Representative McCULLOCH also would eliminate the flat ban on poll taxes written into the House version. He believes such taxes can be abolished only by court test or constitutional amendment. In this, he agrees with the Senate, though not with the majority of the House Judiciary Commitee on which he is ranking minority member.

Congress seems certain to pass some form of voting rights legislation in this session. By adopting Representative McCULLOCH's substitute, it can be sure it will not have to do the job over again later—as might be the case if the courts declared the administration version unconstitutional.

COTTON BILL DISGRACEFUL

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the cotton bill approved today by the House agriculture committee is disgraceful.

The cost may surpass the all-time record established by the present program. One provision would legalize Billie Sol Estes-type allotment manipulations, and another sly gimmick is intended to thwart the will of Congress in case an amendment is adopted placing a limitation on gross payments any single farmer can receive.

The bill contains authority for sale or lease of allotments, and therefore would legalize the cotton-allotment monkey business which got Estes into trouble 3 years ago.

Estes schemed with cotton allotment owners to shift to his own Texas land the valuable right to grow cotton.

The new bill legalizes this procedure and opens a big door for abuse and waste of tax dollars. Under one provision of the bill unlimited cotton production is permitted, and nothing in the bill would keep farmers from collaborating to beat the taxpayers.

Here's how: One farmer could sell his allotment to a neighbor, then plant all his land to cotton, later selling it at the market price—expected to be about 23 cents a pound. His confederate would pool his own cotton allotment with the allotment just purchased, sign up under the Government program, and get the full advantage of lavish price support and diversion payments provided in the bill. They could have a prearranged deal for divvying up at harvest time.

The snapback is one of the least attractive innovations in the bill. It would go into effect if Congress should put a ceiling on the gross amount any single farmer could get under the program. Under the proposal, some large-scale farmers would qualify for annual payments totaling hundreds of thousands of dollars. Because of this, an amendment to limit payments is expected when the bill reaches the House floor.

If such a limitation is accepted, the snapback provision would take effect. Under it, the Secretary would be authorized to buy cotton at a high price from the farmer and then sell it at a loss on the market. This device would get around a payments limitation.

The bill is certainly bad news for the taxpayer. It offers no hope for a cut from the present astronomical program cost.

The cost of the program has risen steadily in recent years. In 1962 it was $385.8 million; in 1963 it was $485.1 million; and last year, including the interim payments, it came to $860 million.

According to statistics put together by USDA, the cost to taxpayers of last year's program amounted to 38 percent of the value of the crop. The year before the percentage was 20, up from 16 in 1962.

The shocking rise in farm program costs in recent years is apparent in this tabulation:

CCC cost relationship for specified commodities, 1961–64 crops

Commodity and crop years	Realized loss and CCC costs [1]	Number of allotment farms	Cost per allotment farm	Harvested acres, SRS	Cost per harvested acre	Value of production [2]	Government costs as percent of value of production
	Millions			*Thousands*		*Millions*	
1964 crop:							
Rice	$170.0	14,108	$12,050	1,786	$95	$359.7	47
Wheat	1,470.0	1,730,085	850	49,170	30	2,214.1	66
Feed grains	1,510.0	3,190,653	473	100,161	15	6,740.0	22
Cotton, upland	860.0	605,000	1,421	13,951	62	2,264.8	38
Tobacco	28.0	565,692	49	1,080	26	1,307.4	2
Peanuts	32.0	95,000	337	1,397	23	246.9	13
1963 crop:							
Rice	179.7	14,484	12,407	1,771	101	352.1	51
Wheat	1,835.5	1,721,000	1,066	45,209	41	2,357.8	78
Feed grains	1,395.2	3,199,856	436	107,380	13	6,879.1	20
Cotton, upland	485.1	639,000	759	14,072	34	2,428.3	20
Tobacco	38.8	570,156	68	1,176	33	1,351.8	3
Peanuts	28.3	98,000	289	1,409	20	226.7	12
1962 crop:							
Rice	159.9	14,853	10,766	1,773	90	332.6	48
Wheat	1,832.2	1,772,076	1,034	43,541	42	2,513.2	73
Feed grains	1,149.1	3,258,729	353	103,250	11	6,400.5	18
Cotton, upland	385.8	760,000	508	15,475	25	2,341.4	16
Tobacco	41.0	572,462	72	1,225	33	1,363.8	3
Peanuts	21.2	106,000	200	1,412	15	199.3	11
1961 crop:							
Rice	134.7	15,016	8,970	1,589	85	278.6	48
Wheat	1,568.2	1,651,918	949	51,551	30	2,258.4	69
Feed grains	1,697.5	2,861,000	593	106,346	16	6,206.5	27
Cotton, upland	388.7	800,000	486	15,575	25	2,338.2	17
Tobacco	29.2	573,070	51	1,174	25	1,315.0	2
Peanuts	12.1	114,000	106	1,410	9	190.9	6
1960 crop:							
Rice	157.6	15,394	10,238	1,595	99	248.4	63
Wheat	1,421.9	1,643,237	864	51,896	27	2,365.2	60
Feed grains	955.7	(3)	(3)	127,826	7	5,469.1	17
Cotton, upland	555.6	925,000	601	15,249	36	2,136.4	26
Tobacco	31.6	577,288	55	1,142	28	1,183.8	3
Peanuts	16.7	116,000	144	1,410	12	178.7	9

[1] Fiscal year most closely comparable to crop year listed; e.g.; fiscal 1965 costs relate most closely to 1964 crop year. Includes loss on sales, donations, carrying charges, commodity export payments, gross costs of Public Law 480 programs, and other related costs. For wheat also includes IWA, land diversion, and price-support payments; feed grains also include price-support and land-diversion payments; cotton includes equalization payments. Public Law 480 costs do not include (a) dollar proceeds from sales of foreign currencies under title I and (b) dollar repayments under long-term credit and supply contracts (title IV). Interest and administrative costs are excluded (except for IWA).

[2] Includes Government payments where applicable.

[3] No diversion program in effect—no farm bases established.

MOSHE SHARETT, EX-PREMIER OF ISRAEL

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, I was saddened last night to learn of the passing of Moshe Sharett, one of the Zionist leaders who helped found the State of Israel in 1948.

Moshe Sharett was Prime Minister of the State of Israel from 1953 to 1955 and was Foreign Minister from 1948 until 1956, holding both posts for a time. He was a respected leader of the labor movement in Israel.

Mrs. Rooney and I had the privilege of first becoming acquainted with Moshe Sharett and his lovely wife in a visit to Jerusalem almost a dozen years ago. Subsequently, Mrs. Rooney and I were in the official party in the port of Haifa when Madam Sharett christened the SS *Israel* of the Zim Lines before her initial voyage to New York.

The following editorial published in this morning's New York Times pays

fitting tribute to the memory of Moshe Sharett:

MOSHE SHARETT

When an independent Israel was only a beckoning vision, Moshe Sharett was its firm, persuasive, resourceful advocate before audiences large and small, official and unofficial. He spent 15 years as head of the political department of the Zionist Executive, "nursing the unconquerable hope * * * clutching the inviolable shade." When his vision was realized in 1948 he naturally became his country's first Foreign Minister and later its Premier. He died yesterday, his Biblical threescore years and ten fulfilled and the goal he set himself in his earlier years accomplished. Few dreamers are so fortunate.

Throughout his long struggle Sharett never lost sight of the intimate relationship, enjoined by history and geographic circumstances, between Israel and its Arab neighbors. Fluent in Arabic and proud of his friendships with Arab leaders of an earlier generation, he never gave way to bitterness nor lost his hope of an eventual reconciliation. This affirmative spirit is part of the heritage that this extraordinary man—writer, linguist, and diplomat—bequeaths to the nation he helped to found.

Madam Sharett and her family, as well as the people of the State of Israel have our deepest sympathy in their great loss.

THE RIGHT TO EQUAL REPRESENTATION

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VIVIAN. Mr. Speaker, one of the most basic tenets of democratic government, that of equal and fair legislative representation at all levels of government, is now under strong attack from those who would return our States to minority control.

I was pleased to note that delegates to the recent Midwest Democratic Conference, many of them from rural areas, unanimously endorsed a resolution opposing any attempt to dilute or overturn the effect of the Supreme Court decisions requiring equal representation in both houses of State legislatures.

The district I have the honor to represent contains both urban and rural citizens, and I firmly believe that each one of them should have an equal vote, no more or no less, than another. To give any minority a disproportionate voice in State government will contribute to the atrophy and decline of responsible State government. This, I think, would inevitably result if the Congress were to amend the Constitution to nullify the reapportionment decisions.

Mr. Speaker, I am glad to insert into the RECORD the text of the resolution on reapportionment adopted by the Midwest Democratic Conference on June 26, 1965. The delegates at this conference represented 14 Midwest States, and I commend this resolution to the attention of all my colleagues.

RESOLUTION OF THE DEMOCRATIC MIDWEST CONFERENCE

Whereas the democratic principle of equal representation in State legislative bodies has been eloquently affirmed by the Supreme Court in the case of *Reynolds* v. *Sims*, in which it said that "to the extent that a citizen's right to vote is debased, he is that much less a citizen"; and

Whereas the vast migration of our population has transformed our Nation from a predominantly rural to a largely suburban and urban character, which has brought with it new and different kinds of challenges to our legislative process; and

Whereas the adamant refusal of many State legislatures to reapportion themselves in the face of constitutional mandates has created an indifference to the problems of urban areas and the atrophy of strong State government and State initiative in solving urban problems; and

Whereas the effort to overturn the Supreme Court decision through the dual method of Senate Joint Resolution 2 and State petitions for a Constitutional Convention has imperiled the Supreme Court reapportionment decisions; and

Whereas the provision of Senate Joint Resolution 2 that "factors other than population" may be used to apportion one house of a State legislature is vague and opens the door to discrimination against groups of voters such as Negroes and the poor, and consequently endangers the gains promised by the Voting Rights Act of 1965: Therefore, be it

Resolved by the Midwest Democratic Conference (meeting in Chicago on June 26, 1965), That we oppose any effort to negate the Supreme Court decision on State legislative apportionment and urge all Midwest Congressmen and Senators to oppose and vote against any measure designed to dilute or overturn this historic affirmation of the democratic principle of fair representation.

AUSTIN T. WALDEN

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. WELTNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WELTNER. Mr. Speaker, Austin T. Walden, laden with years and honors, died last week. The child of former slaves, his life is an exciting chapter in the history of his people. It was Austin T. Walden, an officer in World War I, and a graduate of Michigan Law School, who came home, because, as he said he was needed. It was he who stood for many years a lone figure of courage and determination for fair play for his race. He was a great gentleman, a great southerner, and a great American. All of us are in his debt for the life he lived. I wish to insert two editorials of the Atlanta Constitution and an editorial of the Atlanta Journal:

[From the Atlanta Journal]

A. T. WALDEN

A. T. Walden was an infantry captain in World War I, when Negroes among the officer corps were as rare as whites among the valets.

He held higher rank again shortly afterward. In Georgia courtrooms, he became "Colonel Walden."

A lot of people just didn't know what else to call a Negro lawyer, because hardly anyone had ever seen one. Out of some respect for his abilities, some called him Colonel to avoid taking the dread step of calling him Mr. Walden.

In the end, he was given a largely honorary appointment as an Atlanta municipal court judge and although, in his old age, he did not spend time on the bench or draw a regular salary for it, he could be called Judge Walden.

Mr. Walden did not seem disturbed by the fact that many white people could call him Colonel but not Mister, and he really didn't seem very bothered later when some young Negro people called him an Uncle Tom.

By that time he had won so many battles for Negroes (and for Georgia itself) that his determination and courage were beyond reasonable doubt. His life had been on the line before most of his critics' lives had begun.

That it was time for him to yield leadership was clear; but also it was clear that for decades he had provided a kind of leadership for Negroes in Georgia which could move the State when no other kind would have done so.

He worked with the better part of the established leadership of the city and State. It may not have always suited him perfectly. But he was a realist and so could be an effective mover. Years from now, when many Georgians who seem prominent today have been forgotten, he will be remembered because he changed history.

We are saddened by his death but glad that he lived to be honored beyond the Negro community for what he had done for Georgia.

[From the Atlanta (Ga.) Constitution, July 5, 1965]

A. T. WALDEN: A GREAT SOUTHERNER

(By Eugene Patterson)

In the hot August sunshine of 1963 a frail old man climbed slowly up the grassy slope to the Lincoln Memorial in Washington and turned, leaning on his cane, to look out upon one of the most profoundly meaningful sights in American history.

Tears stood in his dim old eyes as he observed the ultimate glory of his lifetime, the Washington march. His people, his race of Americans, had come up from the slave cabins to their national destiny and there they stood, a quarter of a million of them, proud at last and moving on.

The old man was A. T. Walden. He was not even asked to speak that day. He understood that. The younger men up there at the microphones had to take over sometime.

Mr. Walden was perhaps the southern Negro's greatest single soldier manning the gap of history between Booker T. Washington and Martin Luther King. Yet he understood his day was over, his battles won, his sword passed on. He was content to stand there, leaning on his cane, and weep quietly at the great glory of what he saw.

Now the old man, my friend, is dead. There will be no other like him because the days of his battles are dead. But his valor, his commitment, his loyalty and his labors will not die. Mr. Walden was a brave man, a gentleman, and one of the great shapers and servers of the modern South.

He was the son of slaves. His father was poor, black and proud. The father found the industrious boy shining shoes one day on a street in Fort Valley, Ga., and took him home. He told the boy not ever to shine any man's shoes, not ever to get on his knees again except to pray.

The father also told the boy to work hard for the man whose wages he took because if he did not work hard, and still took the wages, that was stealing. The father's pride and strength got into the boy; white men sensed that and gave him respect, not trouble. He was bright and wanted to study law. Nobody encouraged him. "I asked my unlettered parents about it," he recalled.

"Austin," his mother answered, "if you think you can do it, then you do it."

He took his law degree up North, served as an officer in World War I, then came home to Georgia, which lacked Negro lawyers, because, as he said simply, "I was needed."

His client swiftly became the Negro race. In the 1940's it was A. T. Walden more than any other one man who fought through the courts for the Negro's right to vote, fought in the meeting places to get him registered, fought at the polling places to make that vote count.

He was the first great modern organizer of the Negro vote in Atlanta, Georgia and the Deep South, and armed with that weapon he had forged, he fought in the fore of the Negro's march upward toward a more decent life. Often alone, he commanded the formative years, the hard and very dangerous years, of an historic revolution.

He lived to see the day when Negroes did not have to come to him alone any longer. They found many other, younger leaders rising to the breakthroughs. But most important to A. T. Walden—and one of the reasons he wept in Washington—they found themselves. At last the slave's son could fold his steadying hands and go to his rest in peace knowing, in the words of the hymn he loved, Great God, they're moving on.

A. T. WALDEN: HIS LIFE A MONUMENT

Like the rings on a great oak tree, the life of Austin T. Walden was both a history and a monument.

The child of former slaves, reared in material poverty but spiritual richness near Fort Valley, he trod ground never before touched by his race, heard himself denounced as an agent of radicalism, and lived to see the struggles he had begun so succesful that younger Negroes thought him soft and slow.

There was indeed great patience in A. T. Walden; there had to be for him to master the long struggle to work his way through Atlanta University and on to a law degree from the University of Michigan in 1911 and then head back home to Georgia where everyone told him there was no place for a Negro lawyer.

He practiced for a time in Macon, but moved in 1919 to Atlanta. His firm prospered, and his work in the courts was varied; but it was civil rights that drew the headlines and the displeasure of the might. Here he showed the other side of his nature: the unflinching, steel-nerved devotion to equal justice.

Mr. Walden led the fight to open the Democratic primary in Georgia to Negroes, then pushed a registration drive that placed some 50,000 of his race on the books.

He won equal pay for Negro teachers after a 6-year-long fight. He was the first Negro in Georgia to aid in prosecution of white men: two members of the "Blackshirts" hate group who drew prison terms for killing a student near Clark College. And he took part in prosecuting the Columbians on incitement-to-riot charges.

One of his unsuccessful efforts was trying to win admission of Horace Ward to the University of Georgia Law School, but he had the satisfaction of Mr. Ward's later winning a seat in the Georgia senate.

When the students who were beginning to think of him as an "Uncle Tom" were deeply embroiled in demonstrations for open accommodations in Atlanta, it was the steadying hand of Mr. Walden and his respect among the white leadership that won victory at the conference table in 1961.

Nearly 30 years ago, University of Michigan Law School alumni chose Mr. Walden as the man who had achieved the greatest distinction in his profession in the face of the obstacles of his race. But it was not until the shackles of racism began to fall that he received honors at home: membership on city executive committee, one of the first Negro delegates to a Democratic National Convention, a municipal judgeship.

The honors came late, but they were really not all that important. Austin T. Walden was already his own monument.

Atlanta and Georgia are better today for the gentleness and the steel of Austin T. Walden. He will be deeply missed.

DISCRIMINATION IN SOUTH AFRICA

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, in the past 2 months the South Africa Government has attempted to restrict the landing of U.S. naval personnel to "white only," has refused to attend our Fourth of July receptions in South Africa because they are integrated, and has announced that no Negro American personnel would be permitted to man American tracking stations in South Africa. We cannot permit this blatant disregard of the rights of Americans to go unchallenged.

Here at home we are actively engaged in rooting out discrimination. We affirm that all Americans are equal—that they have equal opportunities and responsibilities under the law. Those men serving in our Armed Forces are fulfilling their responsibilities as American citizens. We will not countenance the singling out of any of these men for subservience. Discrimination, of whatever type, by whatever means, wherever it occurs, against fellow Americans is unpalatable and repulsive.

This Congress has already gone on record as rejecting the attempts of the Arab States to circumvent the rights of certain Americans. These actions by the South African state smack of the same foul purpose.

We have gone on record, but the next step must be even stronger. Our representatives abroad must inform the South African regime, and any other governments involved in similar actions, in unequivocal and clear language that such acts will not be tolerated.

WORLD CHAMPION PIPE-SMOKING CONTEST

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HUNGATE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HUNGATE. Mr. Speaker, Washington, Mo., the corncob pipe capital of the world, will be host to pipe smokers from many sections of the United States and Canada at the world champion pipe-smoking contest to be held August 14, 1965.

The contest will be held in conjunction with the 17th Annual Convention of the International Association of Pipe Smokers Club, Inc. Prizes are awarded with a first prize of $100.

This world contest is open to anybody who wishes to participate. The contest is not limited to men. Ladies have entered the contest before and there are sure to be some again this year.

The rules are as follows:

First. Each contestant must furnish his own pipe.

Second. Each contestant shall be supplied 3.3 grams of cube cut burley tobacco with two wooden matches; no more than two matches shall be used by any contestant.

Third. One minute shall be given contestants to light their pipes.

Fourth. Judges will ask contestants from time to time to emit smoke out of their mouths, upon failing to do so they are eliminated.

Among the pipe experts who will be in Washington for the convention and contest will be C. A. "Skip" Piercy, of Schenectady, N.Y. Mr. Piercy is chairman of the board of the International Association of Pipe Smokers Clubs, Inc. He will call the convention to order Thursday morning, August 12, at the Washington Elks Club.

Mr. Piercy was named Pipe Smoker of the Year in 1964 by the directors of the IAPSC.

Mr. Piercy has officiated at every pipe-smoking contest sponsored by the association.

Well known for his pipe collection, Mr. Piercy has over 2,000 pipes, including one Czar Nicholas of Russia used. He also has a pipe used by Jesse James. His favorite pipe in an Algerian briar he made himself.

I invite my pipe-smoking colleagues to enter this contest and enjoy some real Missouri pipe-smoking hospitality.

LOGIC DICTATES RIDGE FOR NATCHEZ TRACE PARKWAY

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, for some time now there has been a great controversy over the location of the final link of the Natchez Trace Parkway which will run through Williamson and Davidson Counties in Tennessee.

We have entered into numerous and lengthy discussions with the National Park Service in an effort to prevent the location of a roadway which we feel would be too costly, historically erroneous, a departure from the expressed will of the Congress, and generally inappropriate.

Last Tuesday we met with the Director of the National Park Service, Mr. George

Hartzog, and officials from his office, along with my colleague, Representative WILLIAM ANDERSON, and representatives from the offices of Senator Ross BASS and Senator ALBERT GORE.

The meeting was very satisfactory. The Park Service agreed to give our proposals further study and consideration before any new determination is made.

On Wednesday, June 23, 1965, an editorial, entitled "Logic Dictates Ridge for Trace Parkway," appeared in the Nashville Banner.

Mr. Speaker, I commend this editorial to the attention of my colleagues:

LOGIC DICTATES RIDGE FOR TRACE PARKWAY

After the Washington Conference on Natchez Trace between Tennessee Congressmen, officials of the city of Belle Meade and representatives of the National Park Service, there appears to be hope for location of the parkway on Backbone Ridge.

The patience of Representatives and Senators seems about to separate the forest from the trees, or vice versa. He didn't put it quite this simply, but a park landscaper said the ridge wouldn't be scenic because the terrain was too much like a wilderness.

Representative ANDERSON, who grew up in the big timber along the Tennessee River, came up with a pretty apt question: "When did trees stop being scenic?"

If there is too much arboreal density, suggested Messrs. FULTON and ANDERSON, then spurs and lookouts could be developed. This would cost much less than cuts and fills in the foothills or river bridges, road overpasses and $1,000-an-acre land for a 900-foot right-of-way, in the lowlands.

Speaking of vistas, from the ridge the traveler could look out over two valleys, that of the Big Harpeth, with Nashville in the distance, and the green, rustic South Harpeth Valley to the west.

The Banner suggests that the Park Service men get out of Washington and cruise some of their parkways. If they inspect the restored trace in Mississippi, they'll see a lot of trees; but there will be clearings, with occasional views of the valleys on either side. The same conditions apply on the Blue Ridge Parkway.

Let's not become impatient. Let's try to overcome the Federal obsession for problems and complications. We must convince the Park Service people they never had it so good.

Up on the ridge the old trail beckons. It's been there hundreds of years. Congressional legislation demands that the parkway be on the uplands. History dictates such a choice. The Congressmen are for it.

And for once the people and the newspapers in this fair segment of middle Tennessee are all in agreement. The Park Service may not know it, but that's a miracle in itself.

It calls for a celebration, a big groundbreaking on Backbone Ridge. Bring on the bulldozers.

CIVIL SERVICE CHIEF WIELDS POWER AS JOHNSON'S TALENT SCOUT

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, I would like to bring to your attention an article which appeared in the June 28, 1965, edition of the New York Times, entitled "Civil Service Chief Wields Power as Johnson's Talent Scout."

Mr. Macy's task is one of the most demanding and difficult in Washington and I believe, based on his record to date, he deserves very high marks for his performance in carrying out his task.

Mr. Speaker, I commend this article to my colleagues for their consideration:

CIVIL SERVICE CHIEF WIELDS POWER AS JOHNSON'S TALENT SCOUT

(By Charles Mohr)

WASHINGTON, June 27.—Historically, the Chairman of the Civil Service Commission has not been notably important in the Washington power structure.

But under Lyndon B. Johnson the current Chairman, John W. Macy, Jr., has become a major power at the White House. He has the large responsibility of helping Mr. Johnson fill such sensitive posts as the chairmanship of the Federal Power Commission, from which Joseph C. Swidler has announced he is resigning.

Since last November Mr. Macy has served as President Johnson's chief talent scout for major appointments. The President has also given him increasing responsibility for examining and improving the whole structure of Federal employment and administration.

It seems ironic to some that Mr. Johnson, a consummate politician, has caused a decline in the patronage power of the Democratic National Committee, and of politicians in general, and has turned increasingly to the apolitical sort of men Mr. Macy favors.

Together the two men have given the administration a distinctive coloration. It is one of primarily merit appointments, almost half of them promotions from the ranks of civil servants. There has been a conscious effort to exalt Government service as a lifetime profession and to look first among career men when a major job is open.

THE BLUE NOTEBOOK

Mr. Johnson is acutely aware that he will be judged as a President partly by the appointments he makes.

The President has Mr. Macy keep up to date a blue-covered notebook detailing all of the major appointments Mr. Johnson has made since November 23, 1963, the first full day of his Presidency.

It shows that Mr. Johnson has made more than 280 "major" appointments, including 34 to the Federal bench. A total of 183 of these were to full-time, nonjudicial jobs. Some of the others went to posts on important but not full-time commissions and committees.

If judges are excluded, 48 percent of the appointees were chosen from the ranks of Government service. The other appointments were shared almost equally among three groups—lawyers, labor and industry, and universities.

Mr. Macy has helped the President make most of these appointments. In most cases, he has, in the end, given the President three or four suggested names for a job, along with an evaluation of each man. Mr. Johnson does the choosing, but he is the first to say that Mr. Macy has considerable influence.

"I am fond of him as a person," says Mr. Johnson.

The Macy-Johnson friendship began when Mr. Johnson, as Vice President, was chairman of the Committee on Equal Opportunity in Federal Hiring. It is apparent that, at a time when Mr. Johnson often felt slighted by some officials of the Kennedy administration, he got courteous and friendly help from Mr. Macy.

"Nobody gives a damn about the Vice President," Mr. Johnson says wryly, "but John Macy worked very conscientiously with me on the equal opportunity committee. He even worked at night."

Mr. Macy, 48 years old, has an almost boyishly youthful air despite a head of gray hair clipped into a crew cut. In Government since 1938, he served as a personnel expert for both the Atomic Energy Commission and the Department of the Army before becoming Executive Director—the top career post—in the Civil Service Commission in 1953.

Mr. Macy has a precise and highly organized mind and applies himself to his extracurricular White House duties in a precise way. He has put together a file of about 20,000 names of persons who have expressed interest in Government service or have been recommended by a wide range of figures in private life.

The file often puts Mr. Macy on the track of men to fill a job vacancy. But the search really begins with a studious examination of the vacant job itself.

Mr. Macy usually writes a "job profile," outlining the qualities and experience needed or most desirable in the job. This profile, which is also studied by Mr. Johnson in many cases, makes the search easier by making clear what it is they are looking for. Finally, as the search narrows, Mr. Macy handles all details.

If warranted, he checks with the Democratic National Committee on political aspects of the appointment (but the importance of this has clearly waned), gathers opinion on candidates and finally gives the President concise evaluations of the reputations of the contenders.

A job like this never ends. Mr. Macy believes there will always be a minimum of about a half-dozen vacancies. At present there are no more than that.

The Treasury Department needs a general counsel, the Community Relations Service needs a director, and one assistant secretary slot is open at the Department of Health, Education, and Welfare. Several appointments to Government agencies expire this month, giving Mr. Johnson the option of reappointing men or looking for new ones.

The most important of these cases was that of Mr. Swidler, whose term officially ended last Tuesday.

STANDARDS OF CONDUCT

In addition to screening and suggesting appointees, Mr. Macy is engaged in even more fundamental tasks. He has already codified and clarified directives on standards of ethical conduct for Government employees and will be the depositor for financial statements by top policymakers and a sort of court of appeals on ethics and conflict-of-interest cases.

He is making the first full-scale study and inventory of some 500 to 600 middle-level policymaking jobs in Government. He is perhaps the most important administration adviser on such questions as Federal pay scales, personnel use, and like matters.

President Johnson recently remarked that he had accepted about 90 percent of Mr. Macy's suggestions in the job field and sent about 10 percent back for further study and reexamination, ultimately accepting some of them.

In the game of advising Presidents that's an impressive batting average indeed.

RIGHT TO VOTE

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, I rise in support of the belief that the right of any citizen to vote should not be abridged under any circumstance in this Nation because of race or color.

It is regrettable that Congress must enact almost annually new legislation to bolster those guarantees which were to be given to all Americans under the Constitution.

I am sorry that this Congress once more is obliged to take legislative action to provide the guarantees of the 15th amendment to the Constitution. Adopted as the aftermath of a bloody war, this amendment states the fundamental principle that the right to vote shall not be denied or abridged by the States or the Federal Government on account of race or color.

But today, fully 95 years later, we are considering still another Voting Rights Act because Negroes have been excluded from the polls systematically in certain parts of our Nation, in defiance of the 15th amendment.

Evidence of the violations of human rights committed against Negroes fills many volumes, and I do not intend to restate a case that has been proved many times.

But the injustice that prevails can be told with one simple statistic: the percentage of Negroes of voting age who have been permitted to register as voters in certain of our States.

In 1964 in all of Mississippi, only 6.4 percent of the eligible Negro voters were registered. In Alabama this figure was 19.4 percent and in Louisiana 31.8 percent. In the latter State, I must point out, more than 80 percent of voting age whites are registered.

Thus, thousands of Americans have been disenfranchised in these States by antagonistic local and county governments interested only in their own perpetuation in office. Their methods have been intimidation, reprisal, interference, violence, and the failure to carry out the responsibilities of public office.

This situation cannot be allowed to continue in these States or anywhere else, for we know there are pockets of prejudice to be found in all areas of this Nation.

The current Voting Rights Act, which we have before us, provides the strongest guarantee yet for the assurance of voting rights for all Americans. It provides the means to empower Federal authorities to register voters where local registrars have averted this responsibility. It also provides penalties for those who would circumvent the voting laws.

The right to vote means more than a chance to cast a ballot for many native Americans. It will also become a strong force in the attempt by minorities to win equality of opportunity in all areas of daily living.

The Voting Rights Act of 1965 may not be the last step—lawmakers on past occasions have thought they had a final solution—but it is a positive step and a necessary one. I support this law and urge all of my colleagues to do the same. We must give a large percentage of Americans the right to vote—something which should have been theirs by birth not by legislative procedure.

OUR LATE COLLEAGUE, T. ASHTON THOMPSON OF LOUISIANA

Mr. TENZER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, I was indeed shocked when I learned on last Thursday evening of the sudden loss of our colleague, the late T. Ashton Thompson, the distinguished Member from the Seventh District of Louisiana. It was only late on the previous afternoon that I had a short chat with "Tommy" Thompson. He was a fine and dedicated gentleman who was admired by all of us on both sides of the aisle. It was my pleasure to have known "Tommy" Thompson since he first came to this House and I found him to be a wonderful friend and a splendid gentleman.

Mrs. Thompson and the children have our deepest sympathy and condolence in their great loss. Not only was his unexpected passing in the prime of life a great loss to them but to the people of the Seventh Congressional District of Louisiana and of the entire State of Louisiana. He was a credit to all of them.

HOUR MEETING ON JULY 9

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentlemen from Oklahoma?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD on the bill H.R. 6400.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXCISE TAX CUTS OF 1965

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, during the past 60 days my staff and I have been making constant studies of retail prices of items affected by the excise tax reductions which were recently enacted into law.

In the course of these studies we made a comprehensive check of retail prices in three categories of stores in Cleveland and Washington, including discount houses, department stores, and small retail outlets. In addition, we have been checking retail prices of various makes of automobiles and automobile accessories.

On June 2, I placed in the CONGRESSIONAL RECORD a complete breakdown for every automobile model, showing the dollar amount of price reductions which should flow from the excise tax cuts. On June 21, I placed into the RECORD a complete table of retail prices on automobile accessories for the shopper to use in connection with automobile accessories purchased. At that time I also pointed out that factory-installed accessories would enjoy an immediate 3-percent tax cut which automobile dealers could not provide. However, after January 1, dealer-installed accessories will benefit by a full 8-percent tax cut.

I also pointed out that because of the operation of the law it should be cheaper to acquire factory-installed accessories until January 1. After that date, it would become 4 percent cheaper to acquire dealer-installed accessories if the full benefit of the tax cut were passed on to the consumer. In hearings before the Ways and Means Committee, the automobile manufacturers made assurances that the full excise tax cut would be passed on to the consumer.

It appears at this time that full benefit of the tax cut is being made available to automobile purchasers on ticketed items, those which appear on the automobile in compliance with the law. However, it must be borne in mind that automobile factory prices to the dealer must be discounted during the progress of the model year. Certainly an automobile cannot cost the dealer the same amount in July near the end of a model year as it does in September when it first appears on the market. Obviously there is a discount procedure which makes it possible for a dealer to either provide a late model year discount which he can reflect in either a lower price or higher allowance for the trade-in. The buyer must be a skillful bargainer to obtain the benefit of the model year discount and excise tax reduction.

In our review of some 60 categories of items subject to excise tax reductions in Cleveland and Washington stores, we found that the excise tax reduction benefit lessened with the smaller sizes and the lesser cost of the item. We found that practically no benefit of tax reduction was passed on to the consumer with respect to phonographs, phonograph records, radios, clocks, sporting goods, and small home appliances. For all practical purposes prices for these items remain substantially unchanged after the tax cut. On inquiry, many merchants stated that they had not yet received new price lists or that they did not know what the tax reduction should be. It was difficult to reconcile these statements with the promises and assurances which were made in long days of hearings before the Ways and Means Committee that all of the benefits of the excise tax reduction would be passed on to the consumer. It is still my hope that these promises will be kept and that the faith of the consumer will not be broken.

One outstanding exception was the air-conditioning industry in which all manufacturers made provision for the refund of the excise tax benefit retroactive to the effective date of the law, May 14, 1965. However, at least one air-conditioning manufacturer has moved in to "wash out the excise tax benefit" by fitting the 1966 model with a new plastic grill which cannot cost more than 75 cents and which carries a new price tag which completely absorbs the tax cut.

My staff shoppers found that toiletries, cosmetics, jewelry, and other items on which the 10-percent tax was separately listed, the sales price was reduced by the proper amount.

My grave concern is that new model changes and prettier packages will come along which will make the benefits of excise tax reduction impossible to identify within the next 90 to 120 days. The excise tax cut bargains are therefore only temporarily available to the prudent shopper who seeks out their identification. For the greater part, the imprudent shopper is at the mercy of the marketplace.

From projections which I made from price studies in Washington and Cleveland, I am distressed to predict that of the $1,750 million tax cut for this year, $750 million will be retained by either the manufacturer or the retailer, more likely the retailer who will seize upon the tax reduction as an area for profit bonanzas.

Price stability has become part of the creed of the Johnson administration. With stable prices, the American people can meet every challenge of these times both at home and abroad. While I must join with those who oppose regimentation and price control, I must speak out fervently for "truth in pricing."

Following are price schedules in the Washington and Cleveland areas before and after tax reduction:

THE MAY CO. (CLEVELAND, OHIO)

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Washers:			
Frigidaire	W1-65	[1] $328.00	[1] $288.00
General Electric	W 850-A	[1] 228.88	[1] 208.00
Do	W 853-Y	[1] 219.88	[1] 219.88
Maytag	D6-500	[1] 229.95	[1] 229.95
Do	A 502	[1] 269.00	[1] 269.00
Frigidaire	WDA-65	[1] 218.00	[1] 198.00
RCA Whirlpool	LMB-46 D	[1] 189.00	[1] 189.00
riers:			
D Whirlpool gas drier	LMG-462-1	[1] 188.00	[1] 174.00
General Electric	DA 1220-X	[1] 214.00	[1] 179.00
RCA Whirlpool	LMG 992-0	[1] 238.00	[1] 218.00
Frigidaire	D1-65	[1] 229.00	[1] 199.00
States:			
Tappan	2DCV	[1] 199.00	[1] 187.00
Do	GSC-24	[1] 179.00	[1] 179.00
Do	2CK-B4	[1] 269.95	[1] 254.00
Magic Chef	3142-35W	[1] 198.00	[1] 198.00
Frigidaire	RD-358	[1] 268.00	[1] 268.00
General Electric	J761-A	[1] 289.95	[1] 262.68
Do	J332-A	[1] 299.95	[1] 291.98
Do	5761-A	[1] 249.95	[1] 219.88
Refrigerators:			
General Electric	TA-12SA	[1] 178.88	[1] 177.83
Whirlpool	ELV-11C	[1] 169.00	[1] 168.00
General Electric	TA-10DA	[1] 159.00	[1] 159.00
Refrigerator-freezer combinations:			
RCA Whirlpool	EL T14N	[1] 299.95	[1] 277.00
Do	EMT 14-J	[1] 309.95	[1] 269.00
Do	ELT-M5	[1] 288.00	[1] 268.00
Frigidaire	FD12-TJ	[1] 248.00	[1] 228.00
Do	FD14-BJ	[1] 338.00	[1] 318.00
General Electric	TC 434-X	[1] 329.00	[1] 329.00
Do	TC 3244	[1] 289.88	[1] 271.57
Clock radios:			
Magnavox	FM 44	[1] 59.95	[1] 54.95
General Electric	C 480	[1] 29.95	[1] 24.95
RCA Victor	RFD 15V	[1] 27.95	[1] 27.95
Zenith	T 315 W	[1] 29.95	[1] 29.95
AM-FM radios:			
General Electric	T 280 A	[1] 49.95	[1] 49.95
Zenith	723	[1] 49.95	[1] 49.95
RCA Victor	3 RC 41	[1] 64.95	[1] 64.95
Zenith	T 350 W	[1] 89.95	[1] 89.95
Magnavox	FM 48	[1] 49.95	[1] 45.95
Do	FM 42	[1] 49.95	[1] 45.95
Do		[1] 69.95	[1] 64.95
Portable TV's, 19-inch screen:			
Zenith	M-2007-LU4	[1] 179.95	[1] 179.95
General Electric	With stand	[1] 144.98	[1] 144.98
Magnavox	IT-127	[1] 179.90	[1] 169.90
Do	T-122	[1] 159.90	[1] 149.90
General Electric	TR-805	[1] 159.95	[1] 149.95
Do	M-111-ASD	[1] 99.88	[1] 89.88
Do	PAN 09 ABG	[1] 89.88	[1] 79.88
TV's, console, 21-inch screen:			
Zenith	M 5335 WU4	[1] 287.95	[1] 266.00
Magnavox	2T305	[1] 199.90	[1] 179.90
Color TV's, 21- and 24-inch screen:			
Zenith	P-CL-3	[1] 774.95	[1] 670.00
Do	5317	[1] 529.95	[1] 469.00
Do	5317-WD	[1] 549.95	[1] 479.00
Magnavox		[1] 479.50	[1] 449.50
RCA Victor	GF 665-W	[1] 540.00	[1] 540.00
Zenith	5346 VR	[1] 649.95	[1] 545.00
Golf clubs:			
Wilson	K-28 (8 irons), right handed only.	[1] 160.00	[1] 160.00
Do	D-1694 (8 irons). right handed and left handed.	125.00	[1] 125.00
Do	1964 model, imperial (8 irons).	[1] 119.99	[1] 119.99
Do	Casper	[1] 89.99	[1] 89.99
Spalding	Worthington	[1] 188.00	[1] 188.00
Burke	Lady Cameo	[1] 144.00	[1] 144.00

See footnotes at end of table.

THE HALLE BROS. CO. (CLEVELAND, OHIO)

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Washers:			
General Electric	WA834Y	[1] $199.88	[1] $199.88
Do	WA830A	[1] 209.95	[1] 199.95
Do	WA850A	[1] 228.88	(3)
Do	WA1255Y	[1] 248.88	(3)
Westinghouse	LAF200	[1] 278.00	(3)
Do	DTF700	[1] 158.00	[1] 158.00
Do	DGF570	[1] 218.00	[1] 218.00
Norge	AWF1010	[1] 149.00	[1] 147.00
Do	OGF1510	[1] 144.00	
Do	DEE150	[1] 188.00	[1] 158.00
Driers:			
Westinghouse	DTF750	[1] 138.00	
General Electric	DA516Y	[1] 119.88	[1] 116.58
Do	DE420A	[1] 97.08	(3)
Refrigerator-freezer combinations:			
Norge	REE2342	[1] 247.00	[1] 247.00
Do	REF2442-3	[1] 259.00	[1] 259.00
Westinghouse	RNE35LW	[1] 222.00	[1] 219.00
General Electric	TCF16DA	[1] 449.95	[1] 437.25
Do	TB4034	[1] 229.00	[1] 229.00
Amana	BFF105	[1] 509.00	[1] 509.00
Do	BR146A	[1] 249.00	[1] 249.00
Shampoo polishers (floor):			
Hoover	5460	[1] 44.88	[1] 44.88
Do	2940	[1] 24.88	[1] 21.88
Electric fans:			
General Electric (floor circulating).	F14F3	[1] 59.90	[1] 54.90
Atkins:			
Breeze-All	E200	[1] 24.00	[1] 24.00
Window	E800	[1] 28.00	[1] 28.00
Large floor	F401	[1] 25.88	[1] 25.88
Air conditioners:			
Westinghouse, 3 speeds	5,000 B.t.u	[1] 149.95	[1] 149.95
Emerson	8F12T	[1] 189.95	[1] 189.95
Frigidaire	A12MJ	[1] 299.00	[1] 299.00
Westinghouse	5,700 B.t.u	[1] 168.00	(3)
Do	8,700 B.t.u	[1] 209.00	(3)
Do	MDE061C	[1] 197.88	(3)
Do	MDE091C	[1] 219.88	(3)
Fedders	SM12F2	[1] 169.88	(3)
Do	SM105F2	[1] 119.88	(3)
Do	SM10DF2	[1] 129.88	(3)
General Electric	REL303A	[1] 169.88	(3)
Norge	1C70-C	[1] 259.88	(3)
Upright stoves:			
Westinghouse	KFF3BXT	[1] 549.00	[1] 549.00
Frigidaire	RCH-630	[1] 588.00	[1] 588.00
Do	RCD-30-J	[1] 289.00	(3)
Do	55-J	[1] 309.95	(3)
Do	RD-207	[1] 269.95	(3)
Freezers: Westinghouse		[1] 279.00	(1, 3)
Clothes driers:			
Westinghouse	DTF700	[1] 158.00	(3)
Frigidaire	DI65	[1] 218.00	(3)
Do	DCI-65	[1] 258.00	(3)
Golf clubs:			
Wilson (8 irons)	K-28	[1] 131.00	(4)
Do	Snead Champs	[1] 84.00	(4)
Do	Snead Bl. Ridge	[1] 55.00	(4)
Spalding (8 irons)	3123-18	[1] 130.00	(4)
MacGregor (8 irons)	570-30	[1] 108.00	(4)
Do	Souchak	[1] 84.00	(4)
Wilson (8 irons)	8 irons	[1] 108.00	[1] 108.00
Do	Casper	[1] 64.00	[1] 64.00
Spalding (8 irons)	R. Jones	[1] 89.00	[1] 89.00
MacGregor	M. Souchak	[1] 56.00	[1] 56.00
MacGregor (9 irons)	Nicklaus	[1] 120.00	[1] 120.00
Heaters:			
Sunbeam	8660	[1] 13.99	[1] 13.99
Arvin	13-H-31	[1] 34.95	[1] 34.95
Color TV's:			
Zenith	5311-RU	[1] 445.00	[1] 412.00
Do	5315-RU	[1] 474.00	[1] 439.00
Do	5319-RU	[1] 489.00	[1] 459.00
Do	6028-R	[1] 478.00	[1] 469.00
Do	6331-WO	[1] 829.95	[1] 599.95

THE HALLE BROS. CO. (CLEVELAND, OHIO)—Continued

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Clock radios (AM-FM):			
General Electric	C503	[1]$39.95	
Do	C535	[1]59.95	
Zenith	727-W	[1]59.95	[1]$49.95
Do	727-L	[1]59.95	[1]49.95
Do	729	[1]69.95	
Radios (AM-FM):			
General Electric	T280	[1]44.95	[1]44.95
Do	T260	[1]79.95	[1]79.95
Zenith	M723W	[1]49.95	[1]39.95
Do	K731W	[1]89.95	[1]89.95
Stoves:			
General Electric	J-344-A	[1]228.77	(2)
Do	J464-A	[1]268.64	(2)
Westinghouse	KFF3A	[1]349.00	(2)
Do	KFF3BXT	[1]289.00	(2)
Magic Chef	GS210303WH	[1]187.00	(2)
Norge	GR1605	[1]149.00	(2)
Do	GR1626	[1]177.00	(2)
Magic Chef	2050-3W	[1]179.00	(3)
Portable TV, 17-inch screen:			
Westinghouse	P3009	[1]138.00	[1]116.00
Zenith	M2004JU4	[1]194.95	[1]184.95
General Electric	M403BEB	[1]149.88	[1]139.95
Do	PM2144G2	[1]144.00	[1]124.00
TV, 11-inch screen:			
General Electric	M113AVY	[1]109.88	[1]99.88
Do	M111-ABC	[1]99.88	[1]89.88
Westinghouse	P8000	[1]99.90	[1]94.90
Zenith	M1250JU	[1]128.88	[1]114.95
Do	1260XU	[1]128.88	
Ironer: Ironrite	95	[1]279.95	

THE HIGBEE CO. (CLEVELAND, OHIO)

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Washers:			
Westinghouse	15-pound capacity	[1]$198.00	(5)
Whirlpool	4 cycle	[1]148.00	(3)
Do	3 cycle	[1]198.00	(6)
Frigidaire	W1-65	[1]289.00	(6)
RCA Whirlpool	LMA-670-0	[1]228.00	(6)
Driers:			
Frigidaire	DCA	[1]198.00	(6)
Do	D1-65	[1]218.00	(6)
Westinghouse	DTF-700	[1]158.00	(6)
Do	DTF-600	[1]178.00	(6)
Portable TV's, 17-inch screen:			
Westinghouse	NP-3062	[1]178.00	(6)
Emerson	T 1800	[1]149.95	(6)
Do	19 PD 3	[1]169.95	(6)
Westinghouse	307-2	[1]155.00	(6)
RCA Victor	AF 125E	[1]188.00	(6)
Magnavox	2MV 146D	[1]149.90	(6)
Do	2W 144	[1]179.90	(6)
Do	ICT 123	[1]159.90	(6)
Color TV, 24-inch screen:			
Westinghouse	CK 6110	[1]555.00	[1]$498.00
RCA Victor	14 G 908	[1]795.00	(6)
Do	FF 565	[1]448.00	[1]448.00
Do	GF 621	[1]528.00	[1]528.00
Magnovox	IV 535	[1]525.00	[1]525.00
Do	IT 509	[1]399.00	[1]399.00
Electric fans:			
AMC:			
Floor circulator	10-13-5	[1]39.88	(6)
Oscillating	10-9-5	[1]21.88	(6)
Upright, floor	10-4-5	[1]16.88	[1]16.88
Upright	CFM 4800	[1]42.88	[1]42.88
Toastmaster, oscillating		[1]19.88	[1]19.88
Ironer: Ironrite		[1]299.95	[1]299.95
Sewing machines:			
White, portable	7013	[1]56.00	[1]56.00
Do	763	[1]86.00	[1]86.00
Clock radios (AM-FM):			
RCA Victor	IRC-31	[1]69.95	[1]49.95
Zenith	G 516	[1]44.95	[1]35.95
Do	L 516	[1]44.95	[1]35.95
Radios, AM only: RCA		[1]29.95	[1]23.00

SEARS, ROEBUCK & CO. CATALOG

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Fans and air conditioners:			
Central air conditioning	20,000 B.t.u., 2 horsepower; 42J81960N3.	$249.00	(7)
Air conditioner	Coldspot, 6,500 B.t.u., 110-120 volts; W4756513N.	164.95	(8)
Attic fan	24 inch; W4256391N	49.95	(8)
Sash window fans	Twin 10-inch fans	22.88	$21.88
Hassock fan	34J8022L; 12-inch	34.88	33.77
Rollabout fan	34J8195; ⅛-horsepower, 27-inch.	62.88	60.88
Tools and lawn equipment:			
Craftsman saw	10-inch radial arm; 99J1309N2Y.	197.99	
Hedge trimmer	16-tooth, double-edge, 100-foot cord; 9J17059.	32.99	31.39
Edger trimmer	3½ horsepower; 99J85642L	87.50	(9)
Lawnmower	18-inch, 3 horsepower; W99J81982.	102.50	(9)
Economy mower	18-inch, 2 horsepower; W99J81101W.	67.50	(9)
Rotary mower	22-inch, 3½ horsepower; W99591292N.	77.95	(9)
Do	20-inch, 3½ horsepower; W99J9142N.	92.99	(9)

See footnotes at end of table.

SEARS, ROEBUCK & CO. CATALOG—Continued

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Tools and lawn equipment—Continued			
Tiller	2-speed, 4 horsepower; 32J5152N.	$159.88	(9)
Tractor-mower	10-horsepower, electric starter; 32J9905N.	609.95	(9)
Do	36-inch cut; 6 horsepower; 32J9988NZ.	449.90	(9)
Sport goods:			
Pool table	7-foot, 2 cues, triangle; 6J2780.	78.88	$73.88
Golf clubs	11 clubs, without bag; 6J8158.	83.95	79.90
Tennis racket	Lightweight, 45/8 grip; 6J1240.	11.44	10.75
Radios and televisions:			
Television, black and white.	19-inch portable; 57J6116	144.95	134.95
Radio	Portable, 13-transistor AM-FM; 57J6228.	46.95	41.95
Do	Portable, 10-transistor AM; 57J6223.	28.95	26.95
Appliances and sewing machines:			
Stove	Electric; 22J93750	189.00	184.00
Washer	Electric; 26J3470	179.95	(10)
Drier	Electric; 26J3874	129.95	126.25
Do	Gas; W26J3774NH	169.95	[11]174.95
Freezer	15.7-cubic-foot electric; 47J2521.	179.88	149.95
Sewing machine with case.	Electric; 20J25892L2	209.95	(12)

WOODWARD & LOTHROP

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Jewelry and Silver:			
Monet charms	Sterling silver religious charms (cross and star of David).	[13]$3.39	[13]$3.09
Men's 10 carat square signet ring.	5560-48042	[14]45.20	[14]39.00
Swank cufflinks	Indianhead pennies	[14]6.60	[14]6.00
Sterling silver knife	Reed & Barton, Cellini engraved.	[14]10.45	[14]9.50
Watches: Longines "all-proof."	Metal band, silver plate	[14]87.45	[14]79.50

THE MAY CO. (CLEVELAND, OHIO)

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Toilet accessories:			
My Sin (spray) by Lanvin.		[13]$5.65	[13]$5.15
Mascara	Revlon "Fabulash"	[15]2.50	2.50
Arden for men	Traveling kit (deodorant, soap, after shave).	6.02	5.50
English Leather	Travel-type kit	[14]5.50	[14]5.00
Leather goods:			
Ladies' purses	Dolfan Co., black, french mode leather.	[16]23.00	[14]23.00
Do	Garay, black plastic	[14]6.60	[13]6.00
Men's wallet	Lord buxton "Statesman" (leather).	[13]5.65	[13]5.15
Ladies' luggage	Lark Custon, palamino tan tote bag; sytle 540.	30.25	27.50
Do	American Tourister, "Little Miss Everything," blue tote bag.	24.90	21.95
Furs:			
White mink	Galle original	214.00	195.00
Gray fox	Le Mademoiselle	108.90	99.00
Sporting goods: Soccer ball	Spaulding, No. 61739	[14]7.00	[14]7.00
Cameras and binoculars:			
Camera	260 Argus Instamatic	[14]55.00	[14]55.00
Binoculars	TASCO 20 x 60 mm., No. T-630866.	[14]55.00	[14]49.95
Pen: Fountain pen	Parker "75"	[14]27.50	[14]25.00
Phonograph records: Stereo LP record.	Patti Page "Hush, Hush Sweet Charlotte."	2.99	2.99
Television: RCA color TV	HF853(m)	769.95	719.95
Appliances and air conditioners:			
Air conditioner	AMC, 8,300 B.t.u.; C837585	229.00	215.00
Dryer (gas), Premier	DG4820	219.00	211.00
Refrigerator, Kelvinator	KS4N	700.00	700.00

KANN'S DEPARTMENT STORE

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Lawn equipment:			
Sit down lawnmower	24 inches BSB Pinehurst Turfinder.	[14]$199.95	[14]$199.95
Electric trimmer	Black and Decker V-278	[14]34.88	34.88
Fans: Roll about fan	Emerson RA181	[14,17]44.95	44.95
Sewing machines	Precision Deluxe (Belgium import).	[14]59.95	59.95
Cameras:			
Movie projector, Revere	8 millimeter	[14]190.50	109.50
Movie camera, Kodak	Instomatic M4	[14]74.50	[14]74.50

LANSBURGH'S

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Jewelry:			
Diamond pendant	1 K	[14,18]$275.00	$275.00
Silver dollar key ring	"Lucky Buck" by Swank	[13]5.17	[13]5.13
Lighter: Cigarette lighter	Zippo 250	[14]4.75	[14]4.75
Toilet accessories:			
Lipstick	Cover Girl	[14]1.65	[14]1.50
Foundation makeup	Revlon Moondrop	[14]3.30	[14]3.00

HECHT CO.

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Sporting goods:			
Golf clubs	MacGregor, putter, 9, 7, 5, 3 irons.	[14] $31.95	[14] $31.95
Pool tables	Sportcrest 81-inch Deluxe Champion.	[14] 169.00	[14] 169.00
Rifle	Winchester No. 300 Magnum	[14] 154.95	[14] 154.95
Tennis racket	Spaulding "Pancho Gonzalez."	[14] 18.99	[14] 18.99
Watches: Ladies watch	Longines white gold, oval face.	[14] 110.00	[14] 100.00
Small appliances:			
Rotisserie oven	RE RT30	[14] 69.99	[14] 69.99
Dehumidifier	Duracrest D-17	[14] 89.95	[14] 85.88
Large appliances:			
Dishwasher, Kelvinator	UP9	[14] 300.00	[14] 300.00
Washer-drier set, Norge	AWF 1536	[14] 239.95	[14] 239.95
	DCF 1536	[14] 162.99	[14] 162.99
Range-oven	Kelvinator RP9	[14] 600.00	[14] 600.00
Lawn equipment: Electric mower.	Sunbeam PRE1500 16-inch, ⅓ horsepower.	[14] 49.99	[14] 49.99
Radios and televisions:			
Color TV, stereo and radio.	Magnavox 2RT562	[14, 17] 1,195.00	[14] 1,195.00
Color TV	Magnavox 21 inch IT550	[14, 17] 498.50	[14] 498.50
Stereo console	Magnavox hi-fi, stereo and radio 1ST682.	[14, 17] 475.00	[14] 475.00
AM-FM transistor table radio.	GE1025	[14] 139.95	[14] 139.95
AM-FM radio	Zenith K731	[14] 79.00	[14] 79.00
Clock radio, AM-FM	Magnavox FM44	[14] 54.95	[14] 54.95

S. KLEIN CO. (ROUTE 236)

Radios and televisions:			
Television:			
Motorola	23BS171A, black and white, 23-inch console.	[18] $229.88	[18] $229.88
RCA	6F637W, color, 21-inch console.	[18] 549.88	([18, 19])
Motorola	23-inch, color, Y23CK38W	[18] 619.00	([18, 19])
Radio, Zenith	FM-AM transistor, 30001	[18] 199.88	[18] 199.98
Do	Clock and table, model 516	[18] 33.88	[18] 33.88
Fans:			
Window fan	Marvin, 10-inch, No. 110	[18] 10.88	[18] 10.88
Do	Hunter 22-inch, W-22	[18] 56.88	[18] 56.88
Floor fan	G.E. 20-inch, W-13	[18] 25.88	[18] 25.88
Table fan	Westinghouse 12-inch, 12L5A.	[18] 19.99	[18] 19.99
Air conditioners:			
Philco window conditioner.	7AC53	[18] 199.88	[18] 199.88
RCA Whirlpool window conditioner.	AMMC6020	[18] 174.88	[18] 169.88
Large appliances:			
Stoves:			
Norge electric stove and range.	ERE 1606	[18] 189.88	[18] 184.18
Norge gas stove and range.	GRE 1306	[18] 149.88	[18] 145.38
Freezers:			
Kelvinator	V707-N, 13.13 cubic feet	[18] 299.88	[18] 291.38
RCA Whirlpool	EMV13SWR, 12.76 cubic feet.	[18] 219.88	[18] 213.28
Refrigerator:			
Kelvinator	777-N. 16.3 cubic feet	[18] 429.88	[18] 399.88
Washers and driers:			
Kelvinator electric washer.	W-527	[18] 209.88	[18] 209.88
Norge electric washer	AWF1220	[18] 189.88	([21])
Norge gas drier	DGF 1536	[18] 179.88	[18] 174.48
RCA Whirlpool electric drier.		[18] 149.88	[18] 145.38
Norge electric drier	DEF 1220	[18] 139.88	[18] 135.68

KORVETTE'S (LEESBURG PIKE, BAILEYS CROSS ROADS, VA.)

Brand name	Style or number	Pre-tax-cut prices	Post-tax-cut prices
Television:			
Zenith	21-inch, color, UHF-VHF, model 5758.	[18] $568.89	[18] $568.89
Do	19-inch, portable, remote control, black and white, No. 2231.	[18] 249.89	[18] 221.89
Admiral	15-inch portable, black and white, UHF-VHF, No. 1539 or 1530.	[18] 109.89	[18] 103.89
RCA	21-inch color, UHF-VHF, GF 703.	[18] 529.00	[18] 529.00
Radio:			
General Electric	AM-FM stereo, T1020A	[18] 82.89	[18] 79.89
Zenith	Clock, M507	[18] 19.89	[18] 19.29
Stoves:			
Roper, gas, 4-burner	1324	[18] 159.89	[18] 154.89
Hotpoint, electric, 4-burner.	RB375	[18] 319.89	([20])
Kelvinator, electric, 4-burner.	RF392 MC	[18] 299.89	[18] 294.89
Clothes washer:			
Norge, electric	Family size, AWF1020	[18] 164.89	[18] 164.89
RCA Whirlpool, electric, 12-pound.	LKA99Z-5	[18] 274.89	[18] 274.89
Clothes dryer:			
Norge, electric, 15 pounds.	DEE152D	[18] 159.89	[18] 152.89
RCA Whirlpool, electric	IKE890-O	[18] 199.89	[18] 192.89
Refrigerator:			
RCA Whirlpool, 15.4 cubic feet, no freezer.	ELR158S	[18] $279.89	[18] $271.89
	ELR15S		
Refrigerator, Philco, electric, 15.7 cubic feet.	16RM46	[18] 299.89	[18] 291.89
Freezer:			
Norge, electric, 15.7 cubic feet.	UFE1640	[18] 249.89	[18] 242.89
Freezer, Kelvinator, 13.13 cubic feet.	V706	[18] 229.89	[18] 222.89
Sewing machines	BROTHER, 211-A	[18] 154.89	[18] 154.89
Do	BROTHER, 151	[18] 118.89	[18] 118.89
Lawnmowers:			
Craft King:			
3-horsepower, 22-inch	524/464	[18] 68.89	([21])
Do	523/264	[18] 56.89	([21])
Sporting goods:			
Tennis racket	Lee "Dreadnaught"	[18] 14.89	[18] 14.89
Golf clubs:			
Wilson	4 woods, D8342	[18] 39.89	[18] 39.89
Spalding	Jones Registration	[18] 74.89	[18] 74.89
Fans and air conditioners:			
Air conditioners:			
Philco	5AC51	[18] 144.89	[18] 134.40
Admiral	455A8	[18] 99.89	[18] 92.60
Fans:			
Capri	Portable, 20-inch; CP20B	[18] 20.89	[18] 20.49
GE	Desk, 12-inch; PG12	[18] 19.89	([21])
Westinghouse	Desk, 10-inch; 10LA4	[18] 13.89	[18] 13.69

ZAYRE DEPARTMENT STORE, SEVEN CORNERS, VA.

Golf clubs	Wilson D6850	[18] $35.88	[18] $35.99
Lawn mowers	Mow-N-Kleen 153	[18] 59.88	[18] 59.88
Do	Mow-N-Kleen L-951	[18] 39.88	[18] 39.88
Do	Mow-N-Kleen M-12541	[18] 74.89	[18] 74.89
Radios	Grundig 2440 (4 channels)	[18] 89.99	[18] 87.18
Do	Zenith T325 (AM-FM)	[18] 52.95	[18] 51.39
Do	Zenith H845 (AM-FM)	[18] 85.88	([22])
Do	GE T285 (AM-FM)	[18] 45.88	[18] 44.50
Do	GE T295 (AM)	[18] 22.88	[18] 22.17
Oven-ranges	GRE 1305 Norge (gas)	[18] 149.95	[18] 149.95
Do	Norge-Gre 7306 (gas)	[18] 149.88	[18] 149.88
Do	Magic-Chef 2140-A7W (Gas).	[18] 159.88	[18] 158.88
Do	GE J325Y (electric)	[18] 218.88	[18] 183.38
Dishwasher	GE SM200Y (portable)	[18] 178.88	[18, 23] 144.00
Clothes washers	Norge, AWF-1010	[18] 158.88	[18] 158.88
Do	Norge, AWF-1536	[18] 224.88	[18] 224.88
Clothes dryers	Norge, DEF-1536 (electric)	[18] 163.88	[18] 163.88
Do	RCA Whirlpool, LME-340 (electric).	[18] 124.88	[18] 121.88
Freezers	Norge, UFE-1150	[18] 189.88	[18] 189.88
Do	RCA Whirlpool, EMV-11C	[18] 169.88	[23] 156.00
Do	GE, CA276Y	[18] 299.88	[18] 292.08
Refrigerators	GE, TB303Y	[18] 222.88	[18] 216.58
Do	GE TB12MA	[18] 189.88	[23] 185.00
Do	RCA Whirlpool, ELT-12-C.	[18] 198.88	[18] 192.41
Do	RCA Whirlpool, ELL-11-C	[18] 159.88	[18] 153.96
Phonograph	GE, RP-2219 (portable)	[18] 66.88	[18] 66.88
Tape recorder	Wollensak, T524	[18] 99.00	[18] 99.00
Television:			
Black and white	Emerson, 19P08 (portable)	[18] 123.00	[18] 123.00
Do	GE, M205AVY (portable)	[18] 139.88	[18] 132.10
Do	Motorola, 23K138W	[18] 198.88	[18] 185.48
Color	Motorola, 23CK303AD	[18] 578.88	[18] 578.88
Do	Motorola, 23CS307BW	[18] 539.88	[18] 539.88
Do	Zenith, 5317WV	[18] 498.88	[18] 471.52
Air conditioner	GE, RF506	[18] 239.88	[18] 227.79
Fans	GE, W18	[18] 28.88	[18, 23] 26.74
Do	GE, W12	[18] 18.88	[18, 23] 17.69
Do	Dominion, 2074	[18] 17.88	17.34
Do	Toastmaster, 5325	[18] 17.88	17.34

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[1] Not including 3-percent Ohio sales tax.
[2] Special price.
[3] Not convenient to get prices.
[4] Prices did not change.
[5] Could not get prices.
[6] Higher prices on electric fans, portable TV's, stoves, washers, etc., not marked down as yet (June 24, 1965). Prices unchanged.
[7] No tax on central air conditioning.
[8] No listing.
[9] The exact excise tax reduction will be determined by the store upon receiving the purchaser's order.
[10] No tax on automatic washer.
[11] Due to change in model and/or cost.
[12] No tax on sewing machines.
[13] Including District of Columbia tax.
[14] Plus District of Columbia tax.
[15] Plus 10-percent Federal tax.
[16] Plus $2.30 and District of Columbia tax.
[17] Already lowered before act signed.
[18] Not including sales tax.
[19] Small reduction.
[20] No price found.
[21] Sold out.
[22] Not in stock.
[23] Put on sale.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Mills, for Friday and Saturday of this week, on account of personal business in the District.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Vanik, to address the House for 15 minutes, today, and revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Roosevelt and to include material provided by the Administrator of the Wage-Hour Public Contract Division of the Department of Labor, in the body of the Record.

Mr. Williams to revise and extend his remarks made in Committee of the Whole today and include extraneous matter.

Mr. Dorn.

(The following Member (at the request of Mr. Del Clawson) and to include extraneous matter:)

Mr. Tupper.

(The following Members (at the request of Mr. Tenzer) and to include extraneous matter:)

Mr. Irwin.

Mr. Murphy of New York.

Mr. Gathings.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 611. An act for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska; to the Committee on the Judiciary.

S. 621. An act for the relief of Marija Malnar; to the Committee on the Judiciary.

S. 861. An act for the relief of Alva Arlington Garnes; to the Committee on the Judiciary.

S. 869. An act for the relief of Yom Tov Yeshayahu Briszk; to the Committee on the Judiciary.

S. 971. An act for the relief of Mrs. Elna B. Guira; to the Committee on the Judiciary.

S. 1111. An act for the relief of Pola Bodenstein; to the Committee on the Judiciary.

S. 1113. An act for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano; to the Committee on the Judiciary.

S. 1120. An act for the relief of Dr. Ortelio Rodriguez Perez; to the Committee on the Judiciary.

S. 1164. An act for the relief of Cristina Franco; to the Committee on the Judiciary.

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; to the Committee on Merchant Marine and Fisheries.

S. Con. Res. 37. Concurrent resolution authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration; to the Committee on House Administration.

S. Con. Res. 38. Concurrent resolution to authorize the printing of additional copies of a committee print of the Committee on the Judiciary entitled "The Soviet Empire: A Study in Discrimination and Abuse of Power"; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1236. An act for the relief of Salvador Munoz-Tostado;

H.R. 1306. An act for the relief of Loretta Negrin;

H.R. 3634. An act for the relief of CWO Edward E. Kreiss;

H.R. 3638. An act for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel;

H.R. 3708. An act to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging";

H.R. 5184. An act for the relief of the port of Portland, Oreg.;

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors;

H.R. 5874. An act to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education, to amend section 6(a) of Public Law 874, 81st Congress, relating to conditions of employment of teachers in dependents' schools, and for other purposes; and

H.R. 7847. An act to amend the Small Business Act.

ADJOURNMENT

Mr. TENZER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 9, 1965, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1316. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 14, 1965, submitting a report, together with accompanying papers and illustrations, on an interim report on the Eel River, Calif., in partial response to resolutions of the Committee on Flood Control, House of Representatives, adopted August 5, 1939, and Committee on Public Works, House of Representatives, adopted June 13, 1956. It is also in partial response to the Flood Control Act approved June 22, 1936 (H. Doc. No. 234); to the Committee on Public Works and ordered to be printed with four illustrations.

1317. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 2 of the International Wheat Agreement Act of 1949, as amended; to the Committee on Banking and Currency.

1318. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Lt. Col. Lawrence F. Bachman, U.S. Air Force; to the Committee on the Judiciary.

1319. A letter from the Chairman, Railroad Retirement Board, transmitting a report of one claim received in fiscal year 1965, pursuant to title 28, section 2673, United States Code; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee of conference. S. 21. An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning (Rept. No. 603). Ordered to be printed.

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. H.R. 8111. A bill to establish the Herbert Hoover Birthplace National Historic Site in the State of Iowa; with amendments (Rept. No. 604). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Joint Committee on the Organization of the Congress. Report on the organization of the Congress (interim) (Rept. No. 605). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee on Education and Labor. H.R. 8989. A bill to promote health and safety in metal and nonmetallic mineral industries, and for other purposes; with amendment (Rept. No. 606). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 9681. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. DANIELS:

H.R. 9682. A bill to provide fellowships for graduate study leading to a master's or doctor's degree for elementary and secondary school teachers and those who train, guide, or supervise such teachers; to the Committee on Education and Labor.

H.R. 9683. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 9684. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 9685. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 9686. A bill to amend the Railroad Retirement Act of 1937 to provide a 7-percent increase in all annuities and pensions payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. KEOGH:

H.R. 9687. A bill to amend section 673(b) of the Internal Revenue Code of 1954 to increase the class of organizations which may be designated as beneficiaries of short-term charitable trusts; to the Committee on Ways and Means.

By Mr. MOELLER:

H.R. 9688. A bill to amend the Railroad Retirement Act of 1937 to provide a 7-percent increase in all annuities and pensions payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 9689. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER:

H.R. 9690. A bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; to the Committee on Education and Labor.

By Mr. RIVERS of South Carolina:

H.R. 9691. A bill to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes; to the Committee on Armed Services.

By Mr. ROSTENKOWSKI:

H.R. 9692. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 9693. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. SICKLES:

H.R. 9694. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. WATSON:

H.R. 9695. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 9696. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H.R. 9697. A bill to amend title 38, United States Code, to provide education and training for veterans who served overseas for 90 days or more after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DENT:

H.R. 9698. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 9699. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and labor.

By Mr. FEIGHAN:

H.R. 9700. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAGAN:

H.R. 9701. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. MORRISON:

H.R. 9702. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OLSON of Minnesota:

H.R. 9703. A bill to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Minnesota to the city of St. Cloud, Minn.; to the Committee on Veterans' Affairs.

By Mr. PEPPER:

H.R. 9704. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. WHALLEY:

H.R. 9705. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 9706. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by firemen for meals which they are required to eat at their post of duty; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 9707. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. BATES:

H.R. 9708. A bill to curb monopolistic control of professional boxing, to establish within the Department of Justice the Office of the National Boxing Commissioner, and for other purposes; to the Committee on the Judiciary.

By Mr. DYAL:

H.R. 9709. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. ROSENTHAL:

H.R. 9710. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. ST. ONGE:

H.R. 9711. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. BOW:

H.R. 9712. A bill to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art; to the Committee on Interstate and Foreign Commerce.

By Mr. ICHORD:

H.R. 9713. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

By Mr. MORSE:

H.R. 9714. A bill to provide certain free mailing privileges for members of the U.S. Armed Forces in Vietnam; to the Committee on Post Office and Civil Service.

By Mr. COOLEY:

H.R. 9715. A bill to amend and extend the cotton provisions of the Agricultural Adjustment Act of 1938, as amended, and related legislation, and for other purposes; to the Committee on Agriculture.

By Mr. PEPPER:

H.J. Res. 571. Joint resolution to authorize the President to proclaim the week beginning October 25 in each year as National Parkinson Week; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 572. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H. Con. Res. 447. Concurrent resolution reaffirming amendment 10 of the U.S. Constitution as it reserves to the States those powers not delegated to the United States by the Constitution; to the Committee on the Judiciary.

By Mr. DEVINE:

H. Res. 448. Resolution amending the rules of the House to prohibit a single appropriation bill from carrying appropriations for more than one executive department; to the Committee on Rules.

By Mr. CAREY:

H. Res. 449. Resolution to authorize the Committee on Interior and Insular Affairs to conduct an investigation and study with respect to changes, improvements, and additions in and to Arlington National Cemetery; to the Committee on Rules.

By Mr. FINO:

H. Res. 450. Resolution that it is the sense of the House of Representatives that oppression of minorities in Rumania through a systematic plan launched by the Communist regime in control of Rumania be condemned and the President of the United States is requested to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities in the uncontroversial Transylvania region of that country; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII:

339. Mr. DADDARIO presented a memorial from the State of Connecticut, relative to a charter for the Italian-American War Veterans of the United States, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 9716. A bill for the relief of Francisco Balint and Elena Kassay de Balint; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 9717. A bill for the relief of Elwyn C. Hale; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 9718. A bill for the relief of Mrs. Esme Tenn Fatt; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 9719. A bill for the relief of Stamatios Stelatos; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 9720. A bill for the relief of Alberto Rey Moran; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9721. A bill for the relief of Joan Royer; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.R. 9722. A bill for the relief of Hak Kyung Kim; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 9723. A bill for the relief of Antonio Laucella; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII:

242. The SPEAKER presented a petition of Department of Connecticut, Veterans of Foreign Wars of the United States, Hartford, Conn., relative to proposed closing of certain VA facilities, which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Making Cities Fit for People

EXTENSION OF REMARKS

OF

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1965

Mr. IRWIN. Mr. Speaker, one of the most significant steps taken by this Congress occurred when the House approved a bill creating a Department of Housing and Urban Development.

The need for such a Cabinet-level department is obvious. More than 70 percent of our population live in urban areas. By 1970 the figure will rise to 75 percent. And it will not stop there. In Connecticut, for example, it is estimated that 98 percent of our citizens will be living in urban centers of 10,000 or more by the year 2000. As one perceptive critic said, the growth of urban areas may qualify the State by the end of the century to be known as "the city of Connecticut."

And just think of what this means in terms of problems for our suburbs, exploding all over the American landscape, and our cities, groping with the problems of decay.

We have programs to deal with many of these problems: Urban renewal, public works, open spaces, public housing, and transportation, to name a few. But when the President meets with his Cabinet and wants to know how the Federal Government is doing overall in assisting areas where 7 of 10 Americans live the agency most concerned, Housing and Home Finance, is not there.

Perhaps the most cogent explanation of why a Cabinet department was offered by Vice President HUMPHREY in the July 3 issue of the Saturday Review. And I know my colleagues, as concerned about the problems of urban areas as I am, will be interested in the editorial. Under leave to extend my remarks, I hereby include the editorial:

MAKING CITIES FIT FOR PEOPLE

(By HUBERT H. HUMPHREY)

Robert Herrick said in the 17th century that great cities seldom rest: if there be none to invade from afar, they will find worse foes at home. We know those foes today. They are slums, crime, a lack of playgrounds and parks, overburdened schools, inadequate transportation, crowding, lack of clean air, and inequality of opportunity.

It was only 45 years ago that people in American cities first began to outnumber people on our farms. By 1960 only 11 States had more rural than urban population.

But most of these States will not remain that way very long. The urban population of North Dakota, our "most rural" State in 1960, jumped 35 percent in the 1950's. Alaska's urban population increased 150 percent, and three other States—Arizona, Florida, and Nevada—more than doubled their urban population during this period.

By 1970 we can expect that three-fourths of our people will be living in towns, cities, and suburbs, compared to 70 percent in 1960. Most of our people will be concentrated in metropolitan areas. At the end of 1964, two-thirds of our population lived in 219 such areas, an increase from 59 percent in 1950. By 1980 that proportion will increase to three-fourths and by the year 2000 to four-fifths.

There have been several patterns of metropolitan growth. One has been mass migration from farm to city. One has been mass migration of Negroes out of the South—virtually all of it to central cities. Another has been mass migration of middle and upper income people from the core city to the suburb. And great growth has come from a higher birthrate and from longer life expectancy.

This growth has imposed new and unprecedented burdens on local government for schools, housing, streets and highways, commercial expansion, transit, and welfare programs.

In the past 10 years, State and local debt has more than doubled, while Federal debt has risen only 15 percent.

State and local government employment jumped from 4,600,000 in 1953 to more than 7 million employees in 1963. During the same decade, State and local public expenditures more than doubled, increasing by 132 percent to $65 billion in 1963. Major among these were expenditures on transportation, education, highways, sanitation, and parks and recreation, with increases from 140 percent to 165 percent during the 10 years. Interest on State and local public debt jumped by 258 percent.

Along with these sharp rises in costs of public services and facilities, the growth of these urban areas has also created explosive racial and economic pressures.

I remember during my two terms as mayor of Minneapolis, at the close of World War II, the strains placed on our city by changing population patterns. Those strains were small compared to those today. Example: In the Minneapolis-St. Paul metropolitan area, nearly three-fourths of the people lived in 1950 within the city limits. Today those cities' populations remain constant, while population in their suburbs has more than doubled. The same pattern is common to nearly all our major metropolitan areas.

The picture is clear: There has been a shift of middle and higher income groups into the suburbs, out of the taxing jurisdictions of the inner city, while too many of the poor and disadvantaged have remained behind or moved in from the poorer rural areas.

Although the suburbs have provided cheaper land and lower-cost housing for many middle-income families, as well as for the more prosperous, they have been populated largely by those able to afford better housing. Those at or near the poverty level have remained concentrated in the slums and poorer sections of the central city. Faced with deterioration and decay, the inner city has found itself with greater tasks to undertake and with fewer ready sources of money. At the same time, the suburbanites have had their hands full creating public facilities and services in communities that were open grass fields a few years ago.

Behind the statistics and population patterns have been thousands of personal and community tragedies, many of them created by those of good intention. There are the impersonal housing projects that in many cases have displaced families and destroyed the traditional fabric of neighborhood life. There are the freeways that have torn through people's homes and businesses, cut through parkland, and done no more than add to the noise in our streets and poison in our air. There are the shortsighted zoning decisions that have blighted neighborhoods and reduced property values.

Because of these discouraging experiences, it would be easy to say that many of our metropolitan problems stem from apathetic or inept local government. In a few places this is true. But in most it is not.

I have been working, at President Johnson's request, with the Nation's mayors, county officials, and city managers. Almost without exception I have found these men and women to be dedicated, competent, and deeply concerned with the problems pressing on their constituencies. Most of them have long since initiated constructive programs of their own in an attempt to keep pace with the urgencies facing their cities. But they have been fighting massive problems with dwindling resources. And they have not had any single place to turn for counsel and assistance.

One of their major difficulties, they tell me, is that no one Federal department or agency has had either authority or responsibility to work with mayors and county officials in areas where they need most help. Our mayors and county officials have not, in many instances, been able to get advice or a rapid answer in Washington—much less Federal funds.

In 1963 the Advisory Commission on Intergovernmental Relations identified over 40 separate programs of aid for urban development, administered by some 13 Federal departments and agencies. Small wonder that the committee reported that "the effect of inconsistencies is felt most keenly in urban areas where programs of all kinds at all levels of government most frequently come together."

It cited particularly inconsistency and conflict between policies, or lack of them, in relocating people displaced by public activities. While a community plans for the relocation of people displaced from a renewal area, not infrequently still another public project, undertaken with Federal help, displaces additional numbers with no rehousing plan—and may even eliminate some of the housing urgently needed to meet the problem.

Jet airports may be announced in residential growth areas, driving down values of homes financed with Federal mortgage insurance or guarantees. A right-of-way for a federally aided highway may be purchased, cutting through an area that another agency is seeking to acquire and preserve as public parkland.

One test of democratic government is its ability to respond rapidly to changing conditions.

In 1953 the Department of Health, Education, and Welfare was created to provide top-level Federal policy and direction in meeting the human and social needs of our citizens. HEW treats, to a large degree, the symptoms of urban disease.

But until recently there has been no similar recognition of the need for a top-level Federal department to help meet the physical and environmental problems of metropolis—in many cases the causes of urban disease.

Today most of the key programs having to do with urban development, improvement, and housing are lodged at a secondary level of Government, in the Housing and Home Finance Agency. This independent agency was created in 1947, under President Truman, to administer the housing programs of the FHA and the Public Housing Administration as continuing peacetime activities.

Since that time all manner of programs have been added to HHFA's responsibilities, including urban renewal, urban planning, mortgage supports, public works, college housing, mass transportation, open space, and housing for the elderly. Its broad major responsibilities now cover at least 10 distinct and definable areas of activity. If you add the many special programs administered under the agency, the number would more than double. Its programs today involve some type of Federal support for more than $70 billion in private and public investment in housing and urban development.

About 77 percent of this—more than $54 billion—is private-housing mortgage investment insured by the FHA. Public housing accounts for about 10 percent—$7 billion—in capital investment by local public bodies, secured by annual contributions pledged by the Federal Government. Federal grants reserved or committed for renewal of our urban areas total about $4.5 billion, and loans for college housing nearly $3 billion. Lesser amounts include loan or grant commitments for such programs as housing for the elderly, public works planning and construction, open space acquisition, urban planning assistance, mass transportation, and mortgage financing support for G.I. home loans.

The Housing and Home Finance Agency was never intended to fill its present job. It is a loosely knit instrument. According to law, three of its officials are appointed by the President and report directly to him. In a legislative sense, at least, there is no one official in command.

When the President meets with his Cabinet he cannot find out what or how the Federal Government is doing overall in assisting towns, cities, and metropolitan areas. The agency most concerned with these areas is not even represented at the Cabinet table.

In the past several years much has been done through executive cooperation and coordination to mesh various urban-related problems throughout Government. Glaring conflicts have been avoided. But this has been done the hard way, through bits and pieces of agreements and consultations among officials and staff at many levels, in many agencies.

Ad hoc committees and interstaff memorandums are no substitute for executive decision and direction.

In 1961 President Kennedy became the first President to propose creation of a Cabinet-level department of urban affairs. Committees of both the Senate and the House of Representatives reported the bill favorably, but it did not reach the floor in time for action at that session of Congress. When the proposal was submitted in 1962 as a reorganization plan, it failed to receive House approval. Much of the opposition expressed, as the record shows, was based on misconception of what the plan would do or considerations unrelated to the merit of the proposal.

Today the reasons advanced for opposing a new department are: that it would be too costly; that it would mean Federal domination over local communities and States; that it would benefit only the large cities; that the Government is already too big, and this department would make it bigger.

I disagree with these contentions.

The Department bill would authorize no increase in expenditures; instead, it would simply mean that the Government's money would be better spent. It would add no authority to the Federal Government it does not now exercise. It is important to the larger cities but, if anything, even more so to the smaller communities less able to cope with their growth problems—indeed, the great proportion of communities using these programs are small towns, down to the village level. And the argument against "big government" gives no consideration to the fact that the country and its urban needs and problems are far bigger than we were able to foresee even a decade ago.

The needs of our urban areas have not diminished; they have become more pressing. President Johnson's proposal for a Department of Housing and Urban Development must be considered in this knowledge.

The President seeks from Congress the authority to bring good management to Federal responsibilities in our metropolitan areas. He asks for coordinated direction of these activities by a single Government department. And he asks for a place at the Cabinet table for the head of that department.

The bill itself says in part that the Department of Housing and Urban Development shall undertake "maximum coordination of the various Federal activities which have a major effect upon urban, suburban, or metropolitan development," and "the solution of problems of housing and urban development through State, county, town, village, or other local and private action, including promotion of interstate, regional and metropolitan cooperation."

Are our metropolitan areas important enough to merit top-level consideration in the Federal Government?

The answer is certainly yes.

We have long since given Cabinet status to our national concern for our natural resources, our agriculture, our trade and commerce, our labor force, and the social health and educational needs of our citizens.

Surely our cities and metropolitan areas—where three-quarters of us live—are worthy of the same attention.

Labels and Packaging

EXTENSION OF REMARKS
OF
HON. E. C. GATHINGS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 8, 1965

Mr. GATHINGS. Mr. Speaker, the consumers of America do not need to be taken by the hand in the purchase of merchandise from retail stores. A letter was received by me from a Jonesboro, Ark., couple giving me their views with regard to a bill now pending in Congress known as the truth-in-packaging measure. The sponsors of the legislation would require distributors of various products and foods to compete "on the basis of price and quality—not on packaging gimmickry and deception." The constituents' letter emphasized that the American housewife is badly underrated and that in fact she will be the final judge in whether or not the size or contents of a package purchased is satisfactory. They wanted to give me the benefit of their opinion and attitude regarding this proposal.

Senator PHILIP A. HART, of Michigan, became interested in the matter because of hearing complaints from employees in his office and from his wife. He had headed an investigation of the problem by the Senate Antitrust Subcommittee. In filing a report of the work of the subcommittee, it was cited what was deemed irrefutable testimony that "the packaging and labeling revolution of the past decade has resulted in competitive practices that are bad for the economy, bad for the businessman, and bad for the consumer." The complaints consisted of use of descriptive words such as as "super" and "jumbo" and "10 cents off regular price." Also, it was contended that the contents' net weight is printed in type that is too small to be easily read. Testimony from various manufacturers contended that the American housewife was well able to choose merchandise from the shelf and that in order to stay in business he had to please the customer.

The bill introduced by Senator HART, of Michigan, and 12 other Senators as the result of the study and investigation of the subcommittee would require the Federal Trade Commission and the Food and Drug Administration to provide regulations that would: First. Make it mandatory on the part of the manufacturer to place a statement of the net weight of the contents on the front part of the package in a particular size type and without using such terms as "full quart." Second. Make it unlawful to place on the package any "cents off" which would indicate that the product is being sold under the regular price therefor. Third. Prohibit the use of pictures or other descriptive matter which would show more ingredients in the particular product than actually existed.

It is hard to believe that legislators would seriously attempt to pass such a bill. It is a search for an excuse to deprive people of freedom of choice. Under the Federal Trade Act "Unfair methods of competition in commerce and unfair or deceptive acts in commerce" are prohibited.

The Federal Trade Commission is enforcing that act and doing a good job of it too. The people who buy are protected by and through the laws that are now on the statute books. The Food and Drug Administration Commissioner, George P. Larrick, and the Chairman of the Federal Trade Commission, Paul Rand Dixon, favor the enactment of the legislation and seek authority to write specific regulations setting standards that will have the effect of law. It is not uncommon for department heads to seek new authority and expand the functions and duties of their organizations. Subdepartment heads like new laws too as they mean added employees under their supervision, which in turn would make them eligible under the civil service laws for increased salaries.

I do not recall an instance in many years of buying groceries where I was misled by a label upon the package. The label clearly depicts what the package contains. The net weight can be found on the label even though it may be on the back of it in some instances. It is not at all objectionable to me to find "Six cents off" written across a can or jar in a store. There is no deception because it means that the price has been reduced by 6 cents. Many times that is the case in the introduction of a new brand, such as instant coffee, or the like. I know what to expect from the name "Libby," "H. J. Heinz," "Campbell" and "Maxwell House." Those names mean a lot to me. The companies that sell the particular product zealously guard the quality of the food or other item contained in the package. Their reputation is at stake. They are engaged in a highly competitive business and seek to establish good will on the part of the buying public.

This added authority sought to be applied at the national level would place additional hardships and harassments upon industry and the American people.

William Jennings Bryan

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1965

Mr. DORN. Mr. Speaker, William Jennings Bryan delivered his famous "Cross of Gold" speech 69 years ago today, July 8, 1896, to the Democratic National Convention in Chicago. Bryan, as a result of this superb address, became the Democratic Party nominee for President at the age of 36. William Jennings Bryan, though defeated three times as the Democrat standard-bearer, paved the way for Woodrow Wilson. Bryan's dynamic personality and progressive platform greatly influenced every Democratic administration in this century.

Independence Day Celebration of Long Island General Assembly

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1965

Mr. MURPHY of New York. Mr. Speaker, on July 5, 1965, I had the pleasure of participating as guest speaker in the annual Independence Day Celebration of the Long Island General Assembly in Prospect Park, Brooklyn. Prior to the ceremonies in Prospect Park there was a parade consisting of contingents of Knights of Columbus, Catholic War Veterans, American Legion, Veterans of Foreign Wars, Boy Scouts of America, Squire Circles of the Knights of Columbus, ladies auxiliaries and numerous other patriotic organizations.

The general chairman of the celebration was Emory F. Buckhaut who is to be commended for the outstanding job he did. I would also like to commend Rev. Edward L. Curran for his excellent oration.

Mr. Speaker, under the leave to extend my remarks in the RECORD, I include my address:

This Fourth of July—the 189th anniversary of our hard-won independence—finds us locked in a bitter struggle to preserve it, and the free world's, against the most implacable foe we have faced in all these 189 years. The foe is communism. Blood is being shed in the current phase of our 20-year war with those who would impose Marxism upon the world, in the rice paddies of South Vietnam, and, to a lesser extent, in the contested streets and alleys of Santo Domingo, yet these are but battles, as Korea was some 15 years past, in a global conflict that offers no hope of an early end.

Our immediate objectives are to halt Communist aggression in South Vietnam, to continue to contain it in Korea, and to prevent it in the Dominican Republic and we are meeting these objectives, carpers and alarmists notwithstanding, yet these are but moves in a grim game of chess in which lives are the pawns and survival of the free world is the stake.

The players in Peiping and Moscow could not care less about thir pawns in Vietnam or in Korea or in the Dominican Republic, despite their professed aim of uniting the world in Communist brotherhood. In the Communist game, the place of the Vietcong, for example, is simply that of cannon fodder to be callously expended upon the true objective—the destruction of the United States.

The Red hierarchy in Peiping and Moscow know their objective. They know that the takeover of Fidel Castro in Cuba was a setback for the United States—that the planned Communist takeover in the Dominican Republic would have been another except for the prompt and courageous action of President Johnson in preventing it—and that a withdrawal from South Vietnam, or a cease-fire except from a position of strength, would be the most damaging setback of all. But I sometimes wonder if we know our objective. Have we become so engrossed in a battle, as deadly and costly as it is, that we have lost sight of the war of which it is a part?

Let us look at South Vietnam. Why should our young men be fighting and dying in a far-away land whose politics and culture are largely incomprehensible to us? Is our position there justified morally? Is it justified militarily in the long-range fight to roll back the tide of Red aggression?

The answer is an emphatic yes on both counts. On the first, we are committed, and have been since the Eisenhower administration, to protect the South Vietnamese from the Red regime in Hanoi which, directed and supplied from Peiping, would bring South Vietnam under Communist control in weeks were it not for the backing we provide. And I leave it to your imagination to picture the fate of thousands of loyal South Vietnamese left to the hands of Hanoi's torturers and executioners. Castro's bloody reprisals against his political foes would be mild in comparison.

Can we now, after extending these people our protection, simply walk away and leave them to be engulfed by tyranny and terror? In all conscience, we cannot and continue to call ourselves the guardians of the free world.

On the second count, our self-interest and the interest of the free world demands that we stay in South Vietnam. Why, you ask, is this largely undeveloped peninsula so important? I'll tell you—the Mekong River Delta is perhaps the most productive agricultural area in the world. Alone, it can produce almost enough rice under planned, intensive farming to feed Asia. Think of what this means to Red China, burdened with a population nearing one billion in a land of worn-out soil that cannot begin to support its hordes.

Even with the monumental task of feeding its people with the meager food supply at its command, Red China has already managed to divert enough manpower and resources to build a crude atomic device, possibly no more advanced than the one we exploded in New Mexico some 20 years ago, but an atomic device nonetheless. With its major problem—food—solved by control of the South Vietnam rice bowl, Red China would be a formidable contender in nuclear arms in only a few years, and a doubly dangerous one because, unlike their coideologists in Moscow, there is evidence that Peiping's rulers have no realistic idea of the holocaust a nuclear war would precipitate. They are fanatics, so obsessed with the destruction of this country that they have lost sight of the consequences that a war of annihilation would bring upon them.

Strategically, South Vietnam is a key position in our far-flung Pacific defense system. The very fact of our presence there blocks Peiping's designs on neighboring Laos, Thailand, Cambodia, and Burma—all of southeast Asia, with its untapped riches. Even India, already threatened on the north by Red China's pressure, derives an indirect security from our forces in South Vietnam.

Directly across the South China Sea from Vietnam lies the Philippines, which has a high priority in Peiping's plan for conquest and even now is infected by Communist infiltration, the forerunner of all attempted Red takeovers. South of Vietnam is tiny, struggling Malaysia, an island of freedom menaced by Sukarno's peculiar brand of satellite communism. And below that stands the free world's most lonely outpost, Australia, resolute yet dependent to a great degree upon our military might.

If we make the tragic mistake of withdrawing from South Vietnam, all this tremendous area, vital to our Pacific lifeline, is put in peril; one withdrawal inevitably leads to another. Do we then withdraw from Korea, from Japan, from Okinawa, and cut Chiang Kai-shek adrift on Formosa to be swallowed by the Red Empire? If so, we lose all of Asia to the Communist world and present Peiping with the people and the resources to build a war machine of monstrous potential, and one dedicated to our total destruction.

Thus, you see, it is not simply a matter of pulling out of South Vietnam, even if that were morally possible. One sandbag in a dike is unimportant until you pull it out and find yourself swept away in a deluge.

Those who urge our disengagement in South Vietnam—and disengagement is an evasive term for the blunter surrender—sometimes give the impression that Red China is an awesomely powerful nation, and that we should not dare to challenge its ambitions in what it considers its private sphere of influence. In manpower, Red China is powerful, but manpower is not the whole story.

Before we press the panic button and flee in terror from this dragon, let us look at our own strength in the Pacific, and take heart. We have amassed enormous air and sea power in that vast ocean. American bases in Japan, Korea, Okinawa, Formosa, the Philippines, Thailand, Laos, and South Vietnam bristle with the latest word in heavily armed strategic bombers, tactical strike aircraft and fighters.

The Air Force has 32 tactical air squadrons stationed on the long defense perimeter from Japan to the Philippines. The Strategic Air Command has two squadrons of atom bomb carrying B-52's based in Guam. The 7th Fleet, one of the most powerful in history, is a huge force of 120 ships, more than 650 planes, and 64,000 men. Three Polaris subs and possibly more by now, are on patrol in the western Pacific with atomic missiles capable of hitting targets 1,500 miles away. These have freed aircraft carriers to support our growing land operations in South Vietnam.

In troops, we quite likely by now have some 100,000 in the Pacific. And because of a rapid, recent increase in mobility, we can now rush whole divisions into that area from this country on a moment's notice. We have 16 combat-ready divisions stationed around the world. Defense Secretary McNamara told Congress not long ago that his estimates indicate that some 22 divisions are needed to deal with the various kinds of limited war situations we are likely to face over the balance of this decade. And the additional eight can be drawn from Army Reserves.

Further down on the balance sheet we find some 600,000 men under arms on Formosa, a tough, well-equipped force of 19 South Korean Army and Marine divisions, an army of 105,000 men in Thailand, which might help us in a pinch—70,000 British troops in Malaysia, another 66,000 in Australia and New Zealand together—in total, a formidable fighting force against which the Red Chinese can throw little more than manpower—provided they can get that manpower to the point of battle through our air opposition.

So, you see, our position is not nearly so perilous as the prophets of doom would have you believe. It might be well if we remember, also, that we are the only Nation in history to have fought a massive, two-front war and supported a third front—the Russian—and won it without ever really straining our domestic economy. That was 20 years ago and we are most powerful, militarily and economically, than we were then.

Remember, too, that there were prophets of doom in 1776, even more than are croaking their gloomy forebodings today. And in that day it required a stout heart to ignore their dire warnings—we were a colony contending with one of the world's great powers outnumbered, outgunned and, in a coldly realistic view, engaged in a hopeless struggle. But we prevailed in a triumph of the spirit and for these 189 years we have held the torch of liberty aloft in the face of repeated and determined efforts by the forces of tyranny to quench it.

Once, the Fourth of July was a day to joyously celebrate our independence. Today, it is far more than that. Our independence and that of the free world are inseparably joined by the constant threat of a remorseless common enemy, communism. If the light of freedom flickers out in South Vietnam or in the Dominican Republic or in any beleagured land the darkness falls upon us, too. So, on this 189th Independence Day, let us celebrate our freedom, certainly, but let us also dedicate ourselves to preserving it with the resources of the spirit, as well as arms, wherever and whenever it is challenged by those who would destroy it. Thank you.

Derogatory Allegations Concerning the State of Maine

EXTENSION OF REMARKS

OF

HON. STANLEY R. TUPPER

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1965

Mr. TUPPER. Mr. Speaker, inasmuch as in yesterday's RECORD our colleague, PAUL A. FINO, saw fit to make certain derogatory allegations concerning the State of Maine, I believe the House may be interested in this rebuttal in the form of a letter to the gentleman from New York:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 8, 1965.

Hon. PAUL A. FINO,
House of Representatives,
Washington, D.C.

DEAR PAUL: I noted in the CONGRESSIONAL RECORD yesterday that you have repeated your allegations of the existence of organized crime in Maine supported by illegal gambling.

If you have arrived at this wild conclusion merely through prorating Maine's population against the total estimate of illegal gambling in the Nation, this is the height of irresponsibility. Surely there is a better way for you to promote your campaign for a national lottery than to make such unsubstantiated charges.

You may remember that I wrote you in a similar vein during the last session of Congress after you had made a similar charge against my State. At that time I requested you to bring to the attention of Maine's attorney general any evidence you had supporting your charges. In checking today with the Honorable Richard Dubord, attorney general of Maine, I find that you have offered nothing whatsoever to back up your allegations.

This hit-and-run technique may be admired in your congressional district, but it is not in mine.

Sincerely,

STANLEY R. TUPPER,
Member of Congress from Maine.

SENATE

FRIDAY, JULY 9, 1965

(Legislative day of Thursday, July 8, 1965)

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. J. L. Chown, minister, Waterloo Road Baptist Church, Wolverhampton, England, offered the following prayer:

O God, our Heavenly Father, to whom we come in the name of Jesus Christ, our Lord, let Thy presence be felt amongst us. Thou knowest the joys and sorrows of our hearts, together with the cares and duties that await us, far better than we do, ourselves; and we would seek Thine aid in the faithful discharge of the tasks to which we have been elected, for without Thee, we can do nothing.

We thank Thee for the great heritage bestowed upon the citizens of this country; and may Thy blessing rest on every home and family in this land. Help us to do all things in accordance with Thy will, through the grace and power of Thy Holy Spirit. Especially would we pray for the bereaved, the wounded, the sick, and all in distress; and let Thy will so prevail, that justice and peace will be with us and with all nations.

These things we ask, to the glory of Thy name, through Jesus Christ, our Lord, who taught us when we pray to say:

Our Father, who art in heaven:
Hallowed be Thy name, Thy kingdom come, Thy will be done, on earth as it is in heaven.
Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil.
For Thine is the kingdom, and the power, and the glory, forever.
Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 8, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States, submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

SOCIAL SECURITY AMENDMENTS OF 1965

The PRESIDENT pro tempore. Under the unanimous-consent agreement, the Senate will resume consideration of the bill (H.R. 6675).

The Senate resumed the consideration of the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BASS in the chair). Without objection, it is so ordered.

Mr. PROUTY. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 10 minutes.

THE LOST BATTALION

Mr. PROUTY. Mr. President, while we stand here today in this historic Chamber, 2 million of our fellow citizens eke out a precarious existence, borne down by the twin burdens of poverty and age.

Who are these people?

Are they a lost battalion?

Are they enemies of the state, condemned for some transgression against public order?

No, Mr. President, these 2 million Americans are guilty of no misdeed. They are victims of misfortune—the misfortune of having been born too soon to come under the umbrella of social security.

As of the beginning of last year, Mr. President, there were over 11.3 million Americans aged 70 or more. Of these, 9.3 million received either social security, civil service retirement, railroad retirement, or State and local pensions. The remainder—2 million of them—did not qualify at all for any of these public pensions.

Many of them, had their health and strength and skills permitted, would have been able to come under social security had they been able to work a few more years. But when they retired from the work force, the act was not broad enough to provide them with even a small retirement income. Today these men and women, 70, 80, 90 years old, must live from hand to mouth, in many cases not knowing where their next meal is coming from.

The present law, as it stands, requires six quarters of covered employment for an older person to be eligible for social security benefits. The bill now before us would decrease this number of quarters, thus making some 355,000 citizens over 72 eligible for minimum social security assistance coverage.

This is a step in the right direction, but only a tiny and hesitant step. It fails completely to come to grips with the problems faced by the remaining 1,648,000 senior citizens over 70.

My amendment would meet this problem and solve it once and for all. It would blanket into the social security system all Americans over 70 years of age not otherwise eligible for benefits.

For these most needy of the aged, the requirement of so many quarters of covered employment would be eliminated altogether. In the case of those who receive some retirement income under a Federal public pension system, the social security check would make up only the difference between the social security minimum payment and the total of the recipient's other public pension income.

Mr. President, one of the most embarrassing facts about the scope of our social security coverage is a situation which now exists in our neighbor to the north. Canada provides a $75 benefit for every one of its citizens attaining age 70. None of the recipients contribute directly to a trust fund. None of the recipients receive less because of their earnings. None of the recipients must plead poverty. Merely because they have attained age 70 the Government of Canada undertakes to assure them a modest monthly income in their last years.

Compare their approach to the amendment I now propose. I ask only that upon reaching age 70 some of our older Americans who could not obtain social security benefits be allowed the minimum benefit, which, if H.R. 6675 is adopted, would be $44 a month. Unlike the Canadian plan, those over 70 who are now eligible for social security and who have contributed to the system would draw what their earnings entitle them to. The some 1 million people with no public income because of their lack of social security coverage would be blanketed in at $44 per month. The funds for this proposal would come from general revenue so that the integrity of the trust fund would be in no way impaired.

Under this plan the number of beneficiaries decreases from year to year as the number of employees covered by social security increases. We would not be confronted with the ever-increasing dollar cost of the Canadian approach.

Let us not be put to shame by the benevolent farsightedness of our neighbor to the north. Let us recognize the need for this amendment. Let Congress not settle for the deception inherent in the transitional coverage provided for in H.R. 6675.

Section 309 of H.R. 6675 blankets in no one. Eligibles for benefits under that section must have had some quarters of covered employment.

So many of our old people are living on public assistance because they are entitled to no social security.

It is these very people who in all probability could never obtain any quarters of coverage entitling them to the benefit—$35 per month under H.R. 6675.

Implicit in the transitional coverage provisions of that bill is a cruel hoax. Those most in need of some benefits—the oldest members of the community and those who have been away from gainful employment for the longest period—would get nothing unless they had some history of covered employment or, at age 80 or 90, could find some covered employment.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. MUSKIE. I entered the Chamber after the Senator began his speech; I should like to ask him two questions based upon what I have heard him say.

First, his amendment presumably would cover persons who are not now covered by social security but who do receive old age assistance under current programs.

Mr. PROUTY. That is true.

Mr. MUSKIE. What would happen, under the Senator's amendment, to the old-age assistance payments which those people now receive?

Mr. PROUTY. If the States determined that they still should receive old-age assistance, I feel certain no State would bar them from it. There is nothing in my amendment to hamper their old-age assistance in any way.

Mr. MUSKIE. But presumably those payments would have to be rejuvenated by the appropriate State agencies, to determine whether they are needed, considering the circumstances of the individual recipient.

Mr. PROUTY. That would be a matter for the State agency to determine.

Mr. MUSKIE. So in some instances, conceivably, some of the payments would be discontinued and others dropped, while others would possibly be continued.

Mr. PROUTY. In very few instances would there be any significant change; most persons receiving old-age assistance are getting so little at the present time that they barely maintain a subsistence standard of living.

Mr. MUSKIE. Nevertheless, recalling my own service in State government as Governor and as a member of the legislature, old-age assistance grants are based upon formulas of need that are geared to specific budget items that are provided by the program. Unless the formulas of need are changed by State agencies, the addition of the social security income would change the requirements of the individual recipient. Is not that so?

Mr. PROUTY. Conceivably, that could be true; but I believe that in relatively few instances would that be the case.

The PRESIDING OFFICER. The time yielded to himself by the Senator from Vermont has expired.

Mr. PROUTY. I yield myself an additional 10 minutes. I should explain to the Senator from Maine that I have only one-half hour.

Mr. MUSKIE. I shall ask one other question. I appreciate the pressure of time. The Senator has covered my first point sufficiently to give me some food for thought.

My second question is this: Would the group of which the Senator is speaking become eligible for the social security payments which the Senator's amendment provides regardless of need?

Mr. PROUTY. That is true.

Mr. MUSKIE. So regardless of income and regardless of resources, the persons in this group would receive benefits.

Mr. PROUTY. I am sure the Senator knows that more than 99 percent will be persons who actually need assistance. Under the present social security program, as the Senator knows, need is not a criterion.

Mr. MUSKIE. The Senator is quite accurate. I merely wanted to be certain what his amendment provided.

Mr. PROUTY. That is true.

Mr. MUSKIE. I thank the Senator for his answers to my questions.

Mr. PROUTY. Make no mistake, Mr. President, the transitional coverage provisions of H.R. 6675 do nothing for the older American who was legislated out of social security coverage altogether. It only applied to those who at some time during their life had some employment covered by social security withholding.

It would do nothing for the thousands of retired teachers whose States participated in the system after their retirement. It would do nothing for those retired people whose jobs were brought under social security after they left work.

The Social Security Act has been amended 11 times since its inception. Many of these amendments have impacted upon eligibility for future benefits. Unless we blanket in all those age 70 and above, we stand a very good chance of doing irreparable harm to those excluded from the operation and benefits of the program through legislative oversight. I can think of no valid reason why we cannot settle this difficult and complex problem with the one easy step I propose rather than going from year to year excluding some portions of our older citizens now and the remainder in subsequent years. In all fairness and equity we ought to once and for all bring within the bounds of this program those for whom the program was intended—older America. The language in H.R. 6675 would not do the job.

I have heard the argument that these people ought not to be eligible for any benefits because they did not contribute to the fund. I remind my colleagues of the gross inequity of legislatively prohibiting a sector of the society from joining and contributing to the system in the 1950's and then continuing this legislative exclusion when it becomes benefit-payment time on the grounds that no contributions were made. Mr. President, how could these people have contributed to the program when the law did not provide for such contributions during their years of employment? In any event, this objection is met because payments are ultimately financed out of general revenues.

I have heard it said that paying these people the minimum benefits would mean that some noncontributory ineligibles would be receiving more than contributory eligibles. May I again remind my colleagues that any one who receives less than the minimum benefit either does so because he or she elects to to take earlier a reduced annuity, or he or she has no earnings record and takes as a relative of the primary beneficiary. Under my plan a person must wait until age 70 to take the minimum benefit. They have no option to take earlier at a reduced annuity. Clearly, the additional 10 years they must wait accounts for more than the actuarial difference.

I have heard it suggested that this plan is too costly, but the hearings before the Finance Committee indicated that it would cost as little as $700 million to blanket all in at age 65. I propose to blanket all in at age 70 which would result in a substantial reduction from this quoted figure.

In a bill of this magnitude the cost of my proposal is wholly insignificant in terms of the equity and justice meted out to those unfortunates shut off from the system. To continue to exclude these people from the minimum coverage could well result in keeping them on the public assistance rolls—a cost we bear in the long run.

If we are sincere in our desires to eradicate poverty, we ought not to be content with a plan which ignores those hardest hit by the ravages of poverty—older America. If we are sincere in our desire to eliminate poverty we ought to wage the war on a forgotten front and fight a good fight for dignity and a decent life for our older citizens.

It is a national disgrace, in my judgment, that we are prepared to fight poverty by spending hundreds of millions to build roads yet are unwilling to build good lives for our old people. It is a national disgrace that we can spend billions to go to the moon but nothing to go across the street with a little bit for food and clothing. It is a national sorrow that we have tarried so long.

Finally, Mr. President, is there something sacrosanct about the medical care portions of this bill? Will we walk an extra mile to initiate a new program which blankets in all over 65 for thousands of dollars of medical expenses and then be unwilling to walk a few feet to put $44 into the hands of all aged 70 and over? For this reason alone I would ask for the adoption of this amendment.

The National Association of Retired Teachers and the American Association of Retired Persons wholeheartedly support and endorse this amendment. I can think of no more significant expression of the public voice on this important matter than this unqualified endorsement by 800,000 retired persons.

For those who have retired and died without the benefit of regular monthly checks, it is too late. But for those walking in the twilight between, there is still hope. It lies in the acceptance of this amendment by the Congress of the United States. Let us act now, and not next year or the year after, when it will be too late to provide a little comfort for the thousands who will pass on while we tarry.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I yield 1 hour on the bill to the distinguished senior Senator from Louisiana [Mr. ELLENDER].

The PRESIDING OFFICER. The Chair advises the Senator that only 55 minutes remain.

Mr. LONG of Louisiana. On the bill.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be extended by one-half hour on the bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The previous unanimous-consent agreement has been negated, and a new one entered into.

The senior Senator from Louisiana will be recognized for 1 hour.

Mr. ELLENDER. Mr. President, I appreciate very much this consideration on the part of the leadership. Yesterday, I was promised some time to discuss this very complicated bill, very briefly.

I sincerely regret that I cannot see my way clear to vote for the bill in its present form. For the past several years many efforts have been made to adopt the so-called medicare provision.

It will be recalled that in past years attempts were made to attach medicare provisions to social security legislation that was then pending. The Senate voted down virtually all of those attempts. Today we are confronted with a bill that has been so drafted that quite a bit of honey has been placed under the beehive in order to attract the bees.

There are many fine provisions in the bill which I would like to vote for, but since those features are presented to the Senate in conjunction with the so-called medicare provision, I cannot in good conscience vote for the bill.

For example, Mr. President, I would be glad to vote for an increase in the present benefit payments to the aged. I think it is needed. It is long overdue.

It appears to me that in order to get the medicare bill through, the administration has somehow been successful in getting the principle of medicare attached to the social security provisions, which by themselves are very attractive. It is rather difficult for a politician not to vote for them.

I happen to be one of those Senators who will come up for reelection next year. If my position on this bill defeats me, good and well. It is all right. But I have faith in my people, and I do not believe they will take offense because I am standing in the Senate today speaking as I did for many years in the past on the medicare proposal.

The social security program has been highly successful; and I, for one, am not ready to do violence to that great program.

Some statisticians say that the program is already in danger, in that we are beginning to pay out a little more than had been estimated. It is said that at some time in the not too distant future, the trust fund may become so depleted that we will not be able to pay the pensions of those who expect them. These funds have been in the Treasury Department for many years. Little or no interest has been paid on them up to now by the Federal Government. At the moment, I do not remember the amount of the interest owed, but it is quite large.

Mr. President, any time we add to the social security program more and more obligations, even though the trust fund as to the medical program is separate from the trust fund which was created for the pension part of the program, someday in the future the two programs will be joined. Let us not be so naive as to believe that the medicare program will not be increased from year to year to the point that the Government will have to impose more taxes on the little man, or else take the necessary money out of the Treasury. The medicare program is bound to cost hundreds of millions of dollars more than is now being indicated by the proponents of the measure.

A glance at what took place only this year will indicate clearly what is to be expected in the future. When this bill was originally presented in the House of Representatives, it carried a price tag of approximately $4 billion. As it progressed through the Congress, it became more and more expansive and expensive, until the measure before this body today envisions a total cost of over $7 billion, and the Senate has not even completed action on it.

The trust fund which is being created for the medicare program will be treated, as I said, separately from the trust fund created under the original Social Security Act. But, in addition to the funds which are provided in the trust fund, we have a sum from the Treasury Department of approximately $600 million as the Government's share to pay for the insurance program, in order to guarantee services not provided for under the medicare bill.

What are those services?

They are for doctors, radiologists, psychiatrists, and other services of that kind.

It is my belief that many of the laboring people who are for the bill do not know the implications involved, nor do they know what benefits will accrue to citizens 65 years and older.

I dislike to say this, but many sons and daughters whose mothers and fathers are growing old are of the belief that under the pending bill they will be able to get the Government to take care of their older parents, in the event they become ill for long periods of time; they are expecting their parents will be able to receive complete medical attention.

Mr. President, when the bill becomes law—as I know it will, because of the way it has been presented to Congress—and the law begins to operate, the recipients will soon find that it does not provide what they thought.

For example, on page 5 of part I of the bill, the medicare provisions are set out. Hospitalization is limited to 60 days. In order to obtain this hospitalization for the first 60 days, it will be necessary for the recipient to pay $40 in advance. Then, if the patient remains ill for a period longer than 60 days, he may remain another 60 days, but in order for that to be possible, he will have to pay $10 a day for hospitalization.

That may not sound like a large amount of money, but when we consider the millions of indigent older people, it will soon be discovered that the bill does not respond to their requirements and what is expected of the Government.

Mr. President, in the course of my short presentation, I hope to lay before the Senate what the great State of Louisiana has been doing in regard to assistance for its poorer citizens, to those below and above 65 years of age. The services rendered to those people are not for 5 weeks or for 2 weeks—although there is a technical 30-day period—but if the doctors who attend such persons indicate that the patient must be hospitalized more than 10 days, more than 30 days, or even for a year, that can be done at no cost to the recipient. The recipient does not pay for the hospitalization, or for the doctor bills, or for the cost of the medicines—as I shall indicate in a few moments.

Under the pending bill, the recipients must provide for the payment of all doctor bills. All that the recipient receives is hospital attention from the regular staff of the hospital. In other words, there will be many interns involved—apprentices in the hospitals of this country who are learning their profession. Insofar as the expenses incurred by the patients are concerned, they will not be charged for that service; but if it is necessary to take X-rays, or do anything other than the ordinary routines performed in a hospital, the inpatients must provide for that in a way different from the hospitalization.

How does that work?

There is in the bill a supplemental insurance plan. In order to facilitate the insurance plan, the recipient must pay, at first, $3 a month. That amount is matched by the Federal Government. Therefore, $6 a month, according to the report, will pay for everything necessary for the recipient of the hospitalization. I ask unanimous consent to place in the RECORD at this point the statement in the report which is found at page 5. It indicates the benefits to be received from hospitalization.

There being no objection, the excerpt from the committee report was ordered to be printed in the RECORD, as follows:

Benefits: The services for which payment would be made under the basic plan include—

(1) inpatient hospital services for up to 120 days in each spell of illness. The patient pays a deductible amount of $40 for the first 60 days plus $10 a day for any days in excess of 60 for each spell of illness; hospital services would include all those ordinarily furnished by a hospital to its inpatients; however, payment would not be made for private duty nursing or for the hospital services of physicians except (1) services provided by interns or residents in training under approved teaching programs; and (2) services of radiologists, anethesiologists, pathologists, and physiastrists where these services are provided under an arrangement with the hospital and are billed through the hospital. Inpatient psychiatric hospital service would also be included, but a lifetime limitation of 210 days would be imposed;

(2) posthospital extended care (in a facility having an arrangement with a hospital for the timely transfer of patients and for furnishing medical information about patients) after the patient is transferred from a hospital (after at least a 3-day stay) for up to 100 days in each spell of illness, but after the first 20 days of care patients will pay $5 a day for the remaining days of extended care in a spell of illness;

(3) outpatient hospital diagnostic services, with the patient paying a $20 deductible amount and a 20 percent coinsurance for each diagnostic study (that is, for diagnostic services furnished to him by the same hospital during a 20-day period); and

(4) posthospital home health services for up to 175 visits, after discharge from a hospital (after at least a 3-day stay) or extended care facility and before the beginning of a new spell of illness. Such a person must be in the care of a physician and under a plan established by a physician within 14 days of discharge calling for such services. These services would include intermittent nursing care, therapy, and the part-time services of a home health aid. The patient must be homebound, except, that when certain equipment is used, the individual could be taken to a hospital or extended care facility or rehabilitation center to receive some of these covered home health services in order to get advantage of the necessary equipment.

Mr. ELLENDER. Mr. President, I also ask unanimous consent to place in the RECORD the statement which appears at page 7 of the committee report, giving a general description of the so-called supplemental insurance plan and the services that are to be made available under it to the recipients in the hospital and out of the hospital.

There being no objection, the excerpt from the committee report was ordered to be printed in the RECORD, as follows:

2. VOLUNTARY SUPPLEMENTARY INSURANCE PLAN

General description: A package of benefits supplementing those provided under the basic plan would be offered to all persons 65 and over on a voluntary basis. Individuals who elect to enroll initially would pay premiums of $3 a month (deducted, where possible, from social security or railroad retirement benefits). The Government would match this premium with $3 paid from general funds. Since the minimum increase in cash social security benefits under the bill for workers retiring or who retired at age 65 or older would be $4 a month ($6 a month for man and wife receiving benefits based on the same earnings record), the benefit increases would fully cover the amount of monthly premiums.

Enrollment: Persons who have reached age 65 before July 1, 1966, will have an opportunity to enroll in an enrollment period which begins April 1, 1966, and shall end on September 30, 1966.

Persons attaining age 65 subsequent to July 1, 1966, will have enrollment periods of 7 months beginning 3 months before the month of attainment of age 65.

In the future, general enrollment periods will be from October 1 to December 31, in each even-numbered year. The first such period will be October 1 to December 31, 1968.

No person may enroll more than 3 years after the close of the first enrollment period in which he could have enrolled.

There will be only one chance to reenroll for persons who are in the plan but drop out, and the reenrollment must occur within 3 years of termination of the previous enrollment.

Coverage may be terminated (1) by the individual filing notice during an enrollment period, or (2) by the Government, for nonpayment of premiums.

A State would be able to provide the supplementary insurance benefits to its public assistance recipients who are receiving cash assistance if it chooses to do so.

Effective date: Benefits will be effective beginning January 1, 1967.

Benefits: The voluntary supplementary insurance plan would cover physicians' services, chiropractic, and podiatrists' services, home health services, and numerous other medical and health services in and out of medical institutions.

There would be an annual deductible of $50. Then the plan would cover 80 percent of the patient's bill (above the deductible) for the following services:

(1) Physicians' and surgeons' services, whether furnished in a hospital, clinic, office, in the home, or elsewhere.

(2) Chiropractors' services.

(3) Podiatrists' services.

(4) Home health service (with no requirement of prior hospitalization) for up to 100 visits during each calendar year.

(5) Diagnostic X-ray and laboratory tests, and other diagnostic tests.

(6) X-ray, radium, and radioactive isotope therapy.

(7) Ambulance services.

(8) Surgical dressings and splints, casts, and other devices for reduction of fractures and dislocations; rental of durable medical equipment such as iron lungs, oxygen tents, hospital beds, and wheelchairs used in the patient's home, prosthetic devices (other devices, other than dental) which replace all or part of an internal body organ; braces and artificial legs, arms, eyes, etc.

There would be a special limitation on outside-the-hospital treatment of mental, psychoneurotic, and personality disorders. Payment for such treatment during any calendar year would be limited, in effect, to $250 or 50 percent of the expenses, whichever is smaller.

Mr. ELLENDER. Mr. President, a Member of Congress would have to be naive indeed to believe that the program of hospitalization can be maintained through the method of financing that is now provided. The method now provided is a tax on the income of the working people.

Today, a very small percentage on the $4,800 maximum income is paid by every employee and every employer, to make up the trust fund, which would become available as benefits to social security recipients after they become 65 years of age. That relates primarily to their pension. A person must reach age 65 before any kind of benefits become available, unless, under amendments which were adopted recently, a person under social security is disabled so that he cannot work. Of course, under another Senate amendment, a smaller benefit will come available to a person reaching age 60, if he so chooses.

Mr. President, not long ago we adopted another amendment to the social security program which I thought was a good one. It provides that a person may pay some money into the trust fund in order to obtain, at the age of 65, or when he becomes totally disabled, a certain stipend, depending on the salary he received before. In that case the trust fund is drawn upon to make these funds available to him.

But, Mr. President, that represented the original fear upon which the social security program was based.

Here we are adding more and more programs which will become very costly to the Government as well as to the taxpayers. When I say taxpayers, I mean those who hold social security cards.

Today they pay on the first $4,800 of their salary. The pending bill raises the base from $4,800 to $6,600, and the rate has been increased.

In the next few years employers and employees under social security will be paying a rate in excess of 10 percent of their earnings up to $6,600.

Anyone who has had experience or who will look into the subject of hospitalization and the paying of doctor bills and nurse's bills, will soon find that the cost is on the increase, and that there is no possibility of discharging all the costs of the future that will be entailed in the hospitalization program now pending.

What will that mean? It will mean that those holding social security cards will have to pay more and more on a larger base, with an increase in the percentage amount; and then the Federal Government will be compelled to come into the picture in order to meet the excess cost.

I speak from experience. I sat in the Louisiana Legislature for 12 years. I was very much interested in hospitalization. I insisted on creating and establishing State-owned hospitalization in my own State for the poor, for the indigent, for those who are unable to pay the bills.

As I shall indicate in a few moments, the program that we have set up in Louisiana, if carried out by other States in the Union, would mean that we would not need the program of medicare that is now before us. The unfortunate thing is that many States of the Union have been dragging their feet, so far as hospitalization is concerned. In Louisiana, we have not been neglectful in assisting the poor. The people of Louisiana have taxed themselves until it hurts, to give assistance where it is needed. Now we are being called upon to further increase their tax burden, and at the same time not give them more benefits—in fact less than they are now receiving. I cannot see my way clear to vote for the bill.

Mr. President, I am conscious of the fact that I cannot change many votes on the floor of the Senate. The minds of most Senators have been made up. I merely wish to speak for the RECORD to indicate to the people what can be expected from the bill. I repeat that what will be provided under the law will be meager in contrast to what the people will anticipate obtaining.

Quite a few programs for which I should like to vote are incorporated in the bill. For example, as I have indicated, the 7-percent benefit increase is long past due. That increase should have been enacted a few years ago.

I should like to increase benefits for crippled children, children with no homes, and disabled children. I should like to give the special benefits to the older people which are provided for in the measure.

But I cannot see my way clear to vote for those provisions with the medicare program attached to them because, as I have said publicly and repeat now, if the medicare proposal is studied carefully, its folly will be evident. People will not receive what they anticipate. If the Congress makes the mistake of adopting the proposal, it will mean that every session of Congress will be confronted with more and more and larger and larger demands. The program will mushroom, because when the people who expect much from the proposed legislation find out that they are not receiving what they anticipated, they will come to their Senators and Representatives, force the issue, and make them propose increases from every direction. Not only will the percentagewise tax on income be raised, but the base will also be broadened, breached, and increased.

We can see that process already in action by examining the figures presented in table 6, found on page 287 of part I of the Finance Committee's report. There it can be seen that under the social security legislation now on the statute books, the combined social security tax on employer and employee would amount to $396 next year. By contrast, it will amount to $487.20 under the House version of this bill, and to $551.10 in the Senate version.

Looking to the year 1987, the disparity is even more glaring. In that year, under present legislation already on the books, employers and employees would make a combined contribution of $444. Yet under the House version of the bill, the contribution is jumped up to $739.20, and under the provisions drafted by the Senate committee, the combined payroll tax has been increased to the sum of $759. Of course, we should bear in mind that 1987 is a long way off, and it is wholly reasonable to expect that even greater increases will be voted before that time.

Mr. President, I ask unanimous consent that table 6 from the committee report be placed in the RECORD at this point.

There being no objection, the table was ordered printed in the RECORD, as follows.

TABLE 6.—*Combined tax on employer and employee under present law and under House and Senate Finance Committee versions of H.R. 6675* [1]*—Old-age, survivors, and disability insurance program and basic hospital insurance program, 1965–87 and after*

Year	Combined tax on employer and employee													
	Old-age, survivors, and disability insurance program			Basic hospital insurance program			Old-age, survivors, and disability insurance program and basic hospital insurance program							
	Under present law	Under House bill	Under Finance Committee bill	Under present law	Under House bill	Under Finance Committee bill	Under present law	Under House bill	Under Finance Committee bill	Increase under House bill		Increase under Finance Committee bill		
										Over present law	Over 1965	Over present law	Over House bill	Over 1965
1965	$348.00	$348.00	$348.00	----------	----------	----------	$348.00	$348.00	$348.00	----------	----------	----------	----------	----------
1966	396.00	448.00	508.20	----------	$39.20	$42.90	396.00	487.20	551.10	$91.20	$139.20	$155.10	$63.90	$203.10
1967	396.00	448.00	508.20	----------	56.00	66.00	396.00	504.00	574.20	108.00	156.00	178.20	70.20	226.20
1968	444.00	448.00	508.20	----------	56.00	66.00	444.00	504.00	574.20	40.00	156.00	130.20	70.20	226.20
1969–70	444.00	492.80	587.40	----------	56.00	66.00	444.00	548.80	653.40	104.80	200.80	209.40	104.00	305.40
1971–72	444.00	580.80	587.40	----------	66.00	72.60	444.00	646.80	660.00	202.80	298.80	216.00	13.20	312.00
1973–75	444.00	633.60	646.80	----------	72.60	79.20	444.00	706.20	726.00	262.20	358.20	282.00	19.80	378.00
1976–79	444.00	633.60	646.80	----------	79.20	85.80	444.00	712.80	732.60	268.80	364.80	288.60	19.80	384.60
1980–86	444.00	633.60	646.80	----------	92.40	99.00	444.00	726.00	745.80	282.00	378.00	301.80	19.80	397.80
1987 and after	444.00	633.60	646.80	----------	105.60	112.20	444.00	739.20	759.00	295.20	391.20	315.00	19.80	411.00

[1] For employee with wage equal to or in excess of the tax base under the Senate Finance Committee bill.

Source: Staff of the Joint Committee on Internal Revenue Taxation.

Mr. ELLENDER. Mr. President, in addition, there is no question that if we vote to protect and provide for the people above 65 and people under that age, many more millions will be required than are provided in the bill we are now considering.

I repeat what I believe will happen. Uncle Sam, instead of the States, will be called upon to carry those burdens. A good deal of the burden rightly belongs on the States. I favor a cooperative effort on the part of the Federal Government and the States in many fields. For example, the Kerr-Mills law works well. In Louisiana that program is mushrooming. But it is being carried out on a cooperative basis with the States.

As I said, from here out we shall have demands from unsatisfied people who will say that they were misled as to what the bill would do for them. I am one who believes that those who are able to pay their medical bills should be made to do so and not let Uncle Sam carry the burden, as will be the case if the bill passes.

In my judgment, unless we can obtain full cooperation between the States and the Federal Government to carry the burden of hospitalization for those unable to pay, the cost of the program will be so immense that the taxpayers will begin to grumble and resist the payments that will be necessary in order to carry the program through.

Mr. President, on September 7, 1964, I delivered an address in the Senate entitled "Louisiana Takes Care of Its Own." That address was made in opposition to amendment No. 1178, the so-called Gore amendment, which would have attached medicare legislation to the Social Security Amendments of 1964, which were before the Senate. In that speech, I documented what the State of Louisiana is doing for all its needy citizens, and particularly for its aged in need of medical assistance. I pointed out that my State was already doing much more than would be provided in the pending legislation, and I now make the same claim as to the measure before the Senate. Since Louisiana citizens had taxed themselves heavily in an effort to assure that no one in need of medical asistance would be without it, regardless of age, and regardless of ability to pay, I could not see my way clear to support the imposition of additional taxes toward this end.

Mr. President, I again maintain that position. The medicare proposal currently before the Senate will amount to nothing short of double taxation of the people of Louisiana to provide a service that is already available to them in a much more extended form.

To bring the data I presented to the Senate last year up to date, I point out that there are currently 268,865 persons 65 years of age and over in Louisiana. Of this number, 129,742 are receiving old-age assistance payments from the Federal and State Governments. A large percentage of the old-age assistance payments is devoted to medical care for the aged, and in the last complete fiscal year for which I have obtained figures, the OAA medical program expenditure amounted to a total of $22,724,440. Many others in my State are participating in the medical aid to the aged or MAA program. In the 1964 fiscal year, a total of $1,200,000 was expended under the MAA medical program. The total payment in Louisiana made under both the old-age assistance and medical assistance for the aged programs, from 1960 through fiscal year 1964, amounts to $92,329,364. The contribution made by the Federal Government amounts to $66,965,641; that made by the State government totals $25,363,723.

Mr. President, two tables I had prepared after consulting with the State welfare and medical authorities show very plainly the high level of participation which Louisiana has achieved through the operation of the Kerr-Mills program, which I have been informed "is not operating in some States." I ask unanimous consent that they be placed in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Data re Kerr-Mills—Louisiana

	Number	Date
Persons 65 years and over	268,865	December 1964.
Total receiving OASI, Louisiana.	157,932	Do.
Total receiving either OASI or OAA.[1]	287,674	
Total receiving OAA	129,742	Do.
Also receiving OASI	54,602	Do.
Total receiving either OASI or OAA or a combination of the 2.	[2] 233,674	
Receiving continued medical care.	44,324	
Potentially eligible for medical aid to aged.	139,123	
Number receiving MAA	[3] 533	February 1965.
Also receiving OASI	[3] 366	Do.

	Total	Federal	State
OAA medical program:			
1960–61	$3,373,216	$2,430,739	$942,477
1961–62	13,773,943	10,105,005	3,668,938
1962–63	21,210,490	15,227,600	5,982,890
1963–64	22,724,440	16,555,194	6,169,246
1964–65 [4]	27,728,927	20,075,743	7,653,184
Subtotal	88,811,016	64,394,281	24,416,735
MAA medical program:			
1960–61	----------	----------	----------
1961–62	359,210	260,607	98,603
1962–63	974,990	707,355	267,635
1963–64	984,148	722,598	261,550
1964–65 [5]	1,200,000	880,800	319,200
Subtotal	3,518,348	2,571,360	946,988
Total	92,329,364	66,965,641	25,363,723

[1] This figure shows more than the total persons 65 years and older in Louisiana because some persons who receive OAA also receive OASI.

[2] 86.9 percent.

[3] 1 month.

[4] Includes April, May, and June 1965 estimate.

[5] Total OAA and MAA, 1960 through 1964–65.

Mr. ELLENDER. Mr. President, before leaving this portion of my remarks, I point out that this high level of Louisiana participation in the cooperative programs enacted by Congress did not come about by accident. When Congress saw fit to follow the lead of the Louisiana Legislature, we were, of course, able to take full advantage of the matching program. I am proud to say that the groundwork for our participation was laid in the 1930's, when I was serving as floor leader of the Louisiana House of Representatives under the governorship of the late Huey P. Long. Under Governor Long's leadership, the State legislature acted to provide liberal pensions for all of our old people. Because of the existence of our pension plan for the protection of our aged, we were ready to participate fully in the jointly financed Federal-State old-age assistance program enacted by the Congress. I am proud to say that this principle of making the necessary aid available to our needy has been carried through by our State administrations since I left the legislature to represent Louisiana in the U.S. Senate.

This can be shown in many ways. The tables I have just inserted in the RECORD will indicate it to a large degree. It can also be shown by the total moneys expended in Louisiana for old-age assistance during the fiscal year ending June 30, 1964. In that year, and including the sums spent for medical payments in the category of old-age assistance, a total of $129,316,000 was received by our needy citizens.

Aside from this, a total of $984,000 was expended last year by the State and Federal Government under the medical assistance for the aged program. It is well to point out here that in the category of old-age assistance total paymens, Louisiana ranks third in the Nation, exceeded only by the large and much more populated States of California and Texas. Of that total of almost $130 million, $33,818,000 or 26.2 percent was derived from purely State funds. I believe that this indicates first, that Louisiana has taken and is taking all possible steps to secure the needed medical care and benefits for her needy people.

It indicates secondly, but just as importantly, that we are doing so at a substantial strain on the taxpayers of our State.

Mr. President, I ask unanimous consent to have printed in the RECORD two tables prepared by the Department of Health, Education, and Welfare which show the nationwide expenditures under the two categories of old-age assistance and medical assistance for the aged.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE 5.—*Old-age assistance: Expenditures for assistance to recipients, by source of funds, fiscal year ended June 30, 1964*

[Dollar amounts in thousands]

State	Total assistance including vendor payments for medical care	Vendor payments for medical care		Total including vendor payments for medical care					
				Federal funds		State funds		Local funds	
		Amount	Percent of total	Amount	Percent	Amount	Percent	Amount	Percent
Total	$2,030,945	$420,887	20.7	$1,321,202	65.1	$620,373	30.5	$89,370	4.4
Alabama	88,736	11,891	13.4	67,603	76.2	21,130	23.8	3	(1)
Alaska [2]	1,425	283	19.9	877	61.6	548	38.4	----	----
Arizona	9,970	450	4.5	7,420	74.4	2,550	25.6	----	----
Arkansas	43,239	8,193	18.9	33,609	77.7	9,630	22.3	----	----
California	347,196	41,429	11.9	168,167	48.4	154,023	44.4	25,006	7.2
Colorado	60,258	12,019	19.9	31,536	52.3	28,722	47.7	----	----
Connecticut	7,928	1,972	24.9	5,007	63.1	2,922	36.9	----	----
Delaware	932	195	20.9	655	70.3	277	29.7	----	----
District of Columbia	2,589	732	28.3	1,627	62.8	962	37.2	----	----
Florida [2]	55,336	13,925	25.2	42,609	77.0	12,727	23.0	----	----
Georgia	61,224	8,469	13.8	47,919	78.3	11,195	18.3	2,111	3.4
Guam	61	8	13.1	31	50.0	31	50.0	----	----
Hawaii [2]	1,012	260	25.7	715	70.7	297	29.3	----	----
Idaho	4,278	645	15.1	3,161	73.9	1,117	26.1	----	----
Illinois [2]	62,105	30,199	48.6	38,394	61.8	23,711	38.2	----	----
Indiana	21,878	9,500	43.4	14,259	65.2	4,571	20.9	3,047	13.9
Iowa	31,227	11,360	36.4	20,205	64.7	11,022	35.3	----	----
Kansas	25,484	5,310	20.8	16,060	63.0	4,736	18.6	4,688	18.4
Kentucky [2]	40,074	5,928	14.8	32,043	80.0	8,030	20.0	----	----
Louisiana	129,316	22,724	17.6	95,497	73.8	33,818	26.2	----	----
Maine	11,089	9,970	35.8	8,072	72.8	3,017	27.2	----	----
Maryland [2]	8,151	1,068	13.1	5,505	67.5	1,556	19.1	1,090	13.4
Massachusetts	58,988	12,838	21.8	35,131	59.6	16,859	28.6	6,999	11.9
Michigan	48,516	6,659	13.7	28,674	59.1	17,215	35.5	2,628	5.4
Minnesota	56,798	35,572	62.6	29,433	51.8	12,848	22.6	14,517	25.6
Mississippi	35,039	1,584	4.5	28,606	81.6	6,433	18.4	----	----
Missouri	83,337	9,366	11.2	57,744	69.3	25,593	30.7	----	----
Montana	4,730	14	.3	3,338	70.6	952	20.1	440	9.3
Nebraska	12,958	6,104	47.1	8,422	65.0	3,375	26.0	1,162	9.0
Nevada	2,693	633	23.5	1,660	61.6	1,033	38.4	----	----
New Hampshire	5,440	1,189	21.9	3,151	57.9	864	15.9	1,425	26.2
New Jersey	13,196	3,130	23.7	8,575	65.0	3,478	26.4	1,144	8.7
New Mexico [2]	9,512	1,889	19.9	7,237	76.1	2,275	23.9	----	----
New York	61,192	13,607	22.2	36,406	59.5	12,439	20.3	12,347	20.2
North Carolina	29,949	4,292	14.3	23,344	77.9	3,633	12.1	2,971	9.9
North Dakota	5,895	1,763	29.9	4,147	70.3	1,577	26.8	171	2.9
Ohio	86,238	19,699	22.8	53,477	62.0	32,760	38.0	----	----
Oklahoma [2]	96,012	19,650	20.5	61,919	64.5	34,093	35.5	----	----
Oregon	4,696	1,651	17.0	6,732	69.4	2,075	21.4	889	9.2
Pennsylvania	42,397	6,859	16.2	27,650	65.2	14,747	34.8	----	----
Puerto Rico	3,673	321	8.7	[3] 1,776	48.3	1,897	51.7	----	----
Rhode Island	6,084	1,118	18.4	3,915	64.4	2,169	35.6	----	----
South Carolina	16,254	3,423	21.1	13,046	80.3	3,208	19.7	----	----
South Dakota	7,281	1,200	16.5	5,329	73.2	1,952	26.8	----	----
Tennessee	28,938	5,175	17.9	23,076	79.7	4,689	16.2	1,172	4.1
Texas	191,948	32,447	16.9	143,044	74.5	48,904	25.5	----	----
Utah	4,371	790	18.1	3,249	74.3	1,122	25.7	----	----
Vermont	5,512	2,339	42.4	3,970	72.0	1,096	19.9	446	8.1
Virgin Islands	221	41	18.4	108	49.0	113	51.0	----	----
Virginia	9,923	2,746	27.7	7,814	78.7	1,308	13.2	801	8.1
Washington	32,889	6,956	21.2	21,073	64.1	11,816	35.9	----	----
West Virginia	8,569	1,785	20.8	6,954	81.2	1,614	18.8	----	----
Wisconsin	36,610	25,060	68.5	19,591	53.5	11,267	30.8	5,751	15.7
Wyoming	2,580	457	17.7	1,641	63.6	376	14.6	563	21.8

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[1] Less than 0.05 percent.

[2] Data for part of period were included in a total reported for aged, blind, and disabled under provisions of title XVI. For purposes of this release these data are distributed to OAA, AB, and APTD on an estimated basis.

[3] Amount less than that obtained by applying formula for computing Federal funds because of the statutory limitation on the aggregate amount of Federal funds for all programs that can be made available for a fiscal year.

TABLE 6.—*Medical assistance for the aged: Expenditures for assistance to recipients, by source of funds, fiscal year ended June 30, 1964*[1]

[Dollar amounts in thousands]

State	Total assistance including vendor payments for medical care	Vendor payments for medical care		Total including vendor payments for medical care					
				Federal funds		State funds		Local funds	
		Amount	Percent of total	Amount	Percent	Amount	Percent	Amount	Percent
Total	$383,648	$381,672	99.5	$196,461	51.2	$116,775	30.4	$70,412	18.4
Alabama	767	767	100.0	600	78.3	167	21.7	----	----
Arkansas	1,603	1,603	100.0	1,282	80.0	321	20.0	----	----
California	80,069	80,069	100.0	40,034	50.0	18,828	23.5	21,206	26.5
Connecticut	13,957	13,948	99.9	6,952	49.8	7,005	50.2	----	----
District of Columbia	1,714	1,714	100.0	857	50.0	857	50.0	----	----
Florida [2]	1,402	1,402	100.0	851	60.7	551	39.3	----	----
Guam	15	15	100.0	8	50.0	8	50.0	----	----
Hawaii	1,657	1,657	100.0	828	50.0	829	50.0	----	----
Idaho	2,910	2,910	100.0	1,962	67.4	948	32.6	----	----
Illinois	5,160	5,160	100.0	2,580	50.0	2,580	50.0	----	----
Iowa [2]	1,375	1,375	100.0	793	57.6	583	42.4	----	----
Kansas [2]	1,446	1,398	97.7	792	54.7	327	22.6	327	22.6
Kentucky	2,108	2,108	100.0	1,585	75.2	523	24.8	----	----
Louisiana	984	984	100.0	723	73.5	261	26.5	----	----
Maine	1,307	1,307	100.0	858	65.6	449	34.4	----	----
Maryland	3,738	3,738	100.0	1,869	50.0	1,869	50.0	----	----
Massachusetts	50,048	48,868	97.6	24,434	48.8	17,076	34.1	8,538	17.1
Michigan	22,142	22,142	100.0	11,067	50.0	8,854	40.0	2,221	10.0
Nebraska [2]	40	40	100.0	22	55.1	18	44.9	----	----
New Hampshire	589	589	100.0	332	56.4	257	43.6	----	----
New Jersey	11,043	10,930	99.0	5,465	49.5	4,447	30.3	2,312	20.2
New York	120,343	119,744	99.5	59,872	49.8	30,250	25.1	30,221	25.1
North Dakota	2,670	2,643	99.0	1,930	72.3	667	25.0	73	2.8
Oklahoma	1,793	1,793	100.0	1,177	65.7	616	34.3	----	----
Oregon	5,865	5,865	100.0	2,933	50.0	2,053	35.0	880	15.0
Pennsylvania	21,081	21,081	100.0	10,538	50.0	6,002	28.5	4,541	21.5
Puerto Rico	970	970	100.0	485	50.0	485	50.0	----	----
South Carolina	1,984	1,984	100.0	1,587	80.0	397	20.0	----	----
South Dakota [2]	4	4	100.0	3	68.9	1	31.1	----	----
Tennessee	2,065	2,065	100.0	1,560	75.5	404	19.6	101	4.9
Utah	2,959	2,959	100.0	1,836	62.1	1,123	37.9	----	----
Vermont	339	339	100.0	219	64.8	119	35.2	----	----
Virgin Islands	26	26	100.0	13	50.0	13	50.0	----	----
Virginia [2]	478	478	100.0	304	63.5	102	21.4	72	15.1
Washington	16,103	16,103	100.0	8,047	50.0	8,057	50.0	----	----
West Virginia	2,842	2,842	100.0	2,040	71.8	803	28.2	----	----
Wyoming [2]	53	53	100.0	26	50.0	26	50.0	----	----

[1] Program initiated in October 1960 under the Social Security Amendments of 1960. States not shown have no program.

[2] Vendor medical program in operation less than 1 year.

Mr. ELLENDER. Mr. President, I invite Senators to compare the amounts paid by Texas, California, and Louisiana with the amounts paid by other States, States which have, in my opinion, been dragging their feet in this area. If the States of the Union had followed the example of Louisiana, many of the aged would have been provided for.

I am proud to recall that from 1928 through 1932, years when I served in the administration of the late Huey P. Long, I was instrumental in assisting or giving a push to make certain that those programs were adopted. I regret to say that many States of the Union are not following the good example that was set years ago by my State of Louisiana.

Not only is it correct that Louisiana ranks third in the States' old age assistance total, but also that there is a substantial break between the third position and those below it. Very few States come close to our effort in this field.

Another method by which it can be clearly shown that the State of Louisiana is acting on its own to care for the needs of its people is by the expenditures to operate our State-owned hospitals. Last year, I presented statistics from the Louisiana Department of Hospitals showing that the 1964 budget for the State of Louisiana contained a total appropriation of $44,607,181 to meet the recurring expenses for the general, mental, and tuberculosis hospitals operated by the State. Contained in the figure from last year were the following:

For the 7 general hospitals maintained by the State Department of Hospitals	$8,911,641
For the 3 hospitals for the mentally ill, exclusive of schools for the retarded	13,133,498

In addition to those sums, last year's State budget included $4,978,919 for the operation of a general charity hospital in Shreveport and $16,301,499 for the operation of a general charity hospital in the great city of New Orleans.

I am proud that during my incumbency in the Legislature of Louisiana I led the fight to construct a great hospital in New Orleans, which has a bed capacity of more than 2,000. The cost of a hospital at that time was between $11 million and $12 million. The annual cost of operating it today is $16,301,000. So it can be seen that the cost of the facility is little or nothing compared with the amount necessary to operate it.

To bring last year's figures up to date and to show the continuing effort being made by Louisiana taxpayers to provide the necessary services and medical care to our needy—and this care is available to all, old or young—I contacted the office of Mr. R. B. Waldren, the director of the Louisiana Department of Hospitals, and ascertained the following:

The State of Louisiana appropriation for the current fiscal year 1965–66 for the recurring expenses at all general, mental, and tuberculosis hospitals amounts to $59,942,858—an increase of $15 million over the 1964 budget. This sum includes funds for the following:

3 hospitals for the mentally ill	$14,505,572
Community mental health treatment center	1,992,540
5 schools for the mentally retarded	6,871,440
1 tuberculosis hospital	1,365,113
7 general charity hospitals (under supervision of State department of hospitals)	9,963,967

These hospitals are operated entirely from funds collected from the taxpayers of my State.

I continue to read:

1 Alcoholism Rehabilitation Center	$90,000
1 Charity Hospital in Shreveport—autonomous	5,979,036
1 Charity Hospital in New Orleans—autonomous	19,275,190

Included in the amounts for the Shreveport and New Orleans Charity Hospitals are two relatively small tuberculosis units, the costs of which are not available.

From the above information, Mr. President, it should be plain that Louisiana is not dragging its heels to provide care and services to its needy citizens. It should also be plain that the social legislation enacted years ago in Louisiana has been expanded from year to year to provide more and more benefits derived from Louisiana taxes. The expenditures which I have just listed do not reflect any Federal contribution, but are entirely

State supplied. In short, this is the result of State and local taxation, or what might be called single taxation, and I cannot understand those who wish to enact a form of double taxation to secure similar benefits.

As a final point in my efforts to show the contributions made by Louisiana taxpayers to enable the State government to "take care of its own," I would like to point out the progress we have made in constructing hospitals and medical facilities under the Hill-Burton Act. I am proud to say that I was a coauthor of the Hill-Burton Act.

Since 1948, 233 hospitals and medical facilities have been constructed at a total of $151,035,489. The Federal share of this cost amounts to $64,210,837, while the local contribution amounts to $86,824,652.

Mr. President, all of these hospitals, with the exception of two or three, are now in operation and being operated by the local people. When we consider that there are three large hospitals for the insane, tubercular hospitals, and nine general hospitals, which, of course, include the famous Charity Hospital in New Orleans—all maintained by the State—we can assess the cost of this. A visit to these institutions would indicate to anyone the effort made by the people of Louisiana to take care of our own need.

Needless to say, the local Hill-Burton contribution of almost $87 million has been raised through local bond issues and other forms of local taxation. Our people have borne this burden cheerfully, for the need was there to be filled, and filled it has been. From this effort have come 8,767 new hospital beds under the Hill-Burton program alone in the last 15 years. In the fiscal year 1965 alone, $9,351,000 was expended in Louisiana under this program and 405 new hospital beds were provided.

Mr. President, we have all heard much and read in the press, about the so-called means test that is a part of the Kerr-Mills program. It is in this area that Louisiana sets a fine example in the implementation of the Kerr-Mills program on the State level. The eligibility requirements set up by the State for recipients of aid under the old age assistance are among the most liberal to be found. For instance, under the old age assistance program, the recipient may own his own home, a car, cash, or the cash equivalent of $500 if single and $1,000 if married, real property, other than a home, valued at not more than $1,500 if single or $2,000 if married, and income-producing assets up to $1,500.

He may also have a gross income not exceeding $5,000 and maintain an insurance policy with a cash or loan value of $1,000 if single, and $1,500 if married. No deductions are made. The recipients obtain complete medical attention without pay. Under this program, approximately 130,000 persons are now receiving services.

As to the eligibility requirements under the medical assistance for the aged—also under the Kerr-Mills program—there are very fair and liberal allowances provided. First, the recipient must be a resident of the State of Louisiana. He and his spouse may own their home and car, regardless of value. He may have $1,000 in cash if single or $1,500 if married, income-producing property other than a home may be owned up to an assessed valuation of $5,000. The recipient can also own a farm or business assets which produce income or insurance with cash or loan value of $1,500 if single or $2,000 if married.

As to his income, the recipient may receive as much as $250 a month if single, or $325 a month if married. This amounts to $3,000 a year if single, and $3,900 a year if married. Such persons are eligible for hospitalization and are required to pay a very small amount out of their income.

Under our formula, if a single person receives income of less than $120 a month, or a married couple with no dependents, less than $175 a month, nothing is paid for hospitalization. If the income is more than the minimum, but less than the maximum amounts above mentioned, the recipients must pay a part of the bill, according to the following formula:

In the case of a single individual, take the monthly income and deduct $100, and in the case of a couple, deduct $150 from the monthly income. The difference is what the patient would pay, with the Government paying all other costs.

To be specific, suppose a hospital bill amounts to $800 for a single person earning $200 a month. The patient would pay $100, and the Government would pay $700. When I mention the Government I mean the State government, as well as the Federal Government, under the Kerr-Mills program. If a person were married and receiving the same salary, his share of the bill would be $50, with the Government paying $750.

In addition to hospitalization, those persons coming within the minimum classifications are also eligible for the services of physicians. A patient may obtain year-round nursing home care and necessary drugs ordered by a physician. However, the maximum amount paid to any nursing home is $165 a month. If charges are higher, then the patient, or his relatives, pay the difference.

All in all, I believe that we in Louisiana have reached a commendable balance by providing the necessary care to those who need it under very liberal eligibility requirements, but at the same time keeping in sight the principle of granting aid based on need and not to those well able to pay their own bills.

Now, we have also heard a great deal about the expansion of benefits that has taken place under the current proposed legislation as opposed to that put forward in the past. It is my contention, Mr. President, that the benefits made available under the pending measure are not yet comparable to those provided under the services and benefits made available in the Louisiana program. For instance, in Louisiana the care is made available at no cost to the recipient; while in the pending measure there is a charge of $40 for the first 60 days of care, plus $10 a day for any days in excess of that 60. Under the Louisiana program there is no deductible amount and free care is made available from the moment the patient enters the hospital, provided his income is within the minimum for eligibility. The hospital stay is governed by a theoretical 30-day maximum, but I am informed that in cases of need or where the doctor certifies the need of a patient to remain in the hospital longer than that, the appropriate arrangements can be made.

In short, Mr. President, my opposition to this legislation is based on three primary points. The first is that Louisiana, through taxing her own citizens over the years, has acted to provide a high level of medical services and care for those in need, no matter what their age. My State started this in the beginning through a system of State owned and operated hospitals and through the enactment of liberal pension plans. Louisiana has not dragged its feet in providing medical care where necessary and needed.

In the second place, we have moved ahead to implement the various Federal programs such as old-aged assistance, medical assistance for the aged, and the Hill-Burton program, thus making our State tax dollars go further. Where necessary the tax burden has been increased through local bond issues for the construction of hospitals.

In the third place, in the light of our policy of using the resources of our citizens and the natural resources of our State to provide for the needy—no matter what age but especially for the aged—the pending measure would amount to nothing short of double taxation to make the same benefits available to the citizens of other States who have not gone so far as we have. I frankly cannot see the justice of it. Under the scheduled medicare tax envisioned in this measure, a young man in my State, going to work next year at the age of 18, would contribute a total of $2,476.65 throughout his lifetime to allow those in other States already 65 or over to draw medical benefits.

Mr. President, in 1964, I closed my Senate speech by saying:

> In the light of the record which Louisiana has made in providing free medical care for all who need it in our State hospitals and under the old-age assistance and Kerr-Mills programs, I do not see that it (medicare legislation) would be in the best interests of my people.

Mr. President, I maintain that view today.

Mr. TALMADGE. I yield 10 minutes to the Senator from Ohio [Mr. YOUNG].

The **PRESIDING OFFICER.** The Senator from Ohio is recognized for 10 minutes.

Mr. YOUNG of Ohio. Mr. President, the pending bill (H.R. 6675), as amended in the Senate Finance Committee, is a historic landmark. The measure represents the greatest advance in social legislation ever presented to the Senate. It is a bill which provides benefits not only to the aged of our nation but also to many of those others who are in need in our society. The 12 members of the Senate Committee on Finance who signed the majority report and reported the bill, as amended, are to be congratulated for the real and needed public service they have performed for the Nation.

Mr. President, next month marks the 30th anniversary of the most humane and advanced social legislation in our Nation's history—the Social Security Act. The man who proposed this legislation and whose signature placed it on the statute books is dead. This is one of the many imprints that Franklin D. Roosevelt left upon the pages of American history which will endure forever.

Since passage of the Social Security Act of 1935, Congress has made changes in the act in keeping with fast-changing times. We have a duty to further expand and liberalize this program, and the Social Security Amendments of 1965—the bill presently before the Senate—will help assure that millions of Americans will enjoy a measure of security and dignity in their old age.

It is my personal recollection, that as a member of the Committee on Ways and Means in the House of Representatives, I helped draft our present liberalized and expanded social security program. Over the years I have always supported and voted for liberalizing amendments to the Social Security Act. I consider it a privilege to vote this week for amendments which are the most far-reaching improvement to our social security program since its original enactment almost 30 years ago.

When the Social Security Act became law, there were fewer than 7 million Americans 65 years or older. Today, there are approximately 19 million men and women 65 years of age or older. By 1970 there will be more than 20 million.

The majority of men and women beyond 65 years old have inadequate incomes. Most do not receive private pensions. The majority cannot afford proper medical care. Many are ill housed and, unfortunately, too many lack proper diet and are undernourished. It is clear that expansion on a broad level must be made now through the enactment of this legislation to avoid a catastrophe of sweeping proportions among our aged in the future.

In the United States we have gone a long way under great leadership since those dark depression days of 1932, when a high-placed Government official said, "Relief is a local problem."

The hope we all cherish is an old age free from care and want. To that end people toil patiently and live closely, seeking to save something for the day when they can earn no more. As age creeps on, there is a constantly declining capacity to earn, until at 65 many find themselves unemployable.

There was no more pitiful tragedy than the lot of the worker who had struggled all his life to gain a competence and who, at 65, was poverty stricken and dependent upon charity. The black slave knew no such tragedy as this. It was a tragedy reserved for the free worker in the greatest nation on earth in an era which now seems remote but in fact was as recent as the late 1920's and early 1930's.

Mr. President, back in 1931, in my home city of Cleveland, in Lorain, Akron, and many other cities throughout the country, there were bread lines and soup kitchens. Unless one lived through and can recall the terrible depression dating back to 1930, 1931, and 1932, he would have difficulty in believing the conditions that existed at that time. Banks in 48 States were closed; many had failed and the savings of some millions of our citizens had been wiped away. In the final months of the administration of President Herbert Hoover, the entire financial structure of the United States had collapsed. Never at any time since the Federal troops streamed back into Washington in panic in July 1861, after the Battle of Bull Run, or Manassas, in the War Between the States, was our Nation and Government so imperiled.

Our farmers were not making enough money to pay their taxes and interest on their mortgages. In fact, at Bowling Green, Ohio, and elsewhere in the Nation, groups of farmers gathered on courthouse steps threatening to hang judges, demonstrating against foreclosures of farms, and interfering with the orderly processes of the law. At that time, 26 million worthy and industrious men and women walked city streets jobless. Time and events have proved that since the enactment of the social security law, under which checks totaling more than $16 billion in social security retirement were paid last year to 19,200,000 beneficiaries, there has been and is no possibility of a cruel depression such as was experienced commencing in 1930. We have, on a few occasions, experienced recessions, but no depression is possible.

Americans know that private charities, bread lines and soup kitchens must never again be the answer of the American intelligence and sense of justice to the problems of unemployment and indigent old age.

The dignity of every individual is involved in what Congress does in providing hospital and nursing home care for the elderly under social security coverage, and liberalizing social security payments. Something deep inside a person is offended if, after a lifetime of productive effort, all he or she gets is a handout.

Mr. President, in this 30th anniversary year, the time has come for a major breakthrough: In supporting the administration's bill termed "medicare," which provides hospital and nursing home care for all our elderly men and women and, in addition, increases and expands social security benefits, we are rendering real and needful service that will strengthen our Nation and give contentment and economic security to many millions of our people. The social security bill amendments of 1965 will bring the social security program up to date in this space age of change and challenge. Its medical, hospital, and nursing home provisions will assure that millions of citizens will not have to live in constant fear that their savings will be wiped out by prolonged illnesses, injury, or needed hospitalization and surgery. Furthermore, it will assure all Americans that when illness afflicts elderly relatives, their families will not be compelled to incur colossal debt or have to pay from savings accumulated for their children's education and other purposes.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. TALMADGE. Mr. President, I yield 2 additional minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 additional minutes.

Mr. YOUNG of Ohio. I thank the Senator from Georgia.

Mr. President, more than 20 million social security beneficiaries will receive a 7-percent benefit increase which is vitally needed to help them maintain a decent minimum standard of living. In four successive Congresses, I have introduced legislation to increase the earnings limitation. I was glad to note that in the Senate bill, the amount which retired persons can earn, without being penalized by deductions from social security benefits, will be raised to $1,800 a year, rather than the outdated $1,200 allowed under existing law. I am hopeful that in the future the earnings limitation will be increased even further, and finally removed altogether.

Almost 200,000 widows will have the opportunity to draw benefits if they wish to retire at age 60 rather than at 62. Thousands of children will continue to receive benefits beyond age 18 while attending school. Enabling many of them, who might not otherwise have been able to do so, to obtain a college education. The bill provides substantial increases in the Federal share of the matching formula for the needy aged, blind, and disabled. These and many other amendments will bring the beneficent social security program in line with the needs of Americans today.

The old-age, survivors, and disability insurance system, termed "social security," is an actuarially sound insurance system. We continue to maintain it as such. The present total surplus exceeds $21 billion.

Mr. President, I am particularly happy that a bill which I introduced in the 88th Congress, and reintroduced in the 89th Congress, has been included in the Social Security Amendments now before the Senate, by unanimous action of members of the Senate Committee on Finance. This amendment authorizes Federal standards of fire safety and protection in nursing homes caring for public assistance recipients. If enacted, no longer will Federal funds be used to pay for care in institutions not meeting standards set by the Secretary of Health, Education, and Welfare. The Nation has experienced periodic shock over one tragic fire after another in nursing homes providing care to elderly men and women. Six patients die in nursing home fires for every one killed in a hospital fire. More than 85 percent of persons whose lives have been lost in institutional fires were in so-called rest homes for the care of our elderly, which in many cases were truly firetraps. I am confident that in conference with representatives of the other body, this and other meritorious amendments adopted in the Senate will be included in the conference report and enacted into law.

The majority of persons in nursing homes are on public assistance with the Federal Government paying more than half of the almost $400 million spent annually for their care. Federal money is being used to maintain older people in firetraps today. The firetrap is all too often turned into a tragic deathtrap.

The medicare segment of the bill authorizes the Secretary of Health, Education, and Welfare to prescribe health and safety requirements. My amendment seeks to apply the same safety standards in "medicare" to institutions providing care to public assistance recipients. It would be completely illogical for us to say to the elderly that we will see to it that they are in safe nursing homes under medicare, but that we permit them to be confined in potential firetraps if they receive nursing home care under public assistance. I am hopeful, indeed confident, that this amendment will be approved in the bill as finally enacted.

Mr. President, I congratulate our colleagues who serve on the Senate Committee on Finance for their outstanding work. The Nation is indebted to them for the social security bill they have reported to the Senate and which we are considering today. It will truly be a great day in our Nation's history when the Social Security Amendments of 1965 are enacted into law.

Mr. TALMADGE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. From whose time shall the time come?

Mr. TALMADGE. I ask unanimous consent that the time may be taken without charge to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the pending Prouty amendment be temporarily laid aside and that the Senator from Iowa may be permitted to offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 336

Mr. MILLER. Mr. President, I offer my amendment No. 336 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. Strike out all of part 1 of title I beginning on line 6, page 12, through line 2, page 159, inclusive, and insert in lieu thereof the following:

Title I of the Social Security Act is amended as follows:

(1) By striking from section 3(a)(1)(C) the words "the Federal medical percentage (as defined in section 6(c))" and by inserting in lieu thereof the words "75 per centum".

(2) By striking from section 3(a)(3) the words "the Federal medical percentage (as defined in section 6(c))" and by inserting in lieu thereof the words "75 per centum".

(3) By striking therefrom all of section 6(c).

(4) By amending section 2(a)(11)(D) to read as follows:

"(D) include reasonable standards consistent with the objectives of this title for determining eligibility for and the extent of such assistance, provided that assistance shall include and be limited to—

"(a) Any unmarried applicant whose income, after deduction of medical expenses incurred by the applicant, does not exceed $1,800 annually, or any married applicant and spouse living together whose combined income, after deduction of medical expenses incurred by the applicant and his spouse, does not exceed $2,500: *Provided,* That said $1,800 and $2,500 standards shall be reduced in the case of those States, the Virgin Islands, Puerto Rico, and Guam whose annual per capita income is less than the annual per capita income of all of the States, the Virgin Islands, Puerto Rico, and Guam, and shall be increased in the case of those States, the Virgin Islands, Puerto Rico, and Guam whose annual per capita income is greater than the annual per capita income of all of the States, the Virgin Islands, Puerto Rico, and Guam. The reduction or increase shall be computed by applying to said dollar standards the percentage which the annual per capita income of a State, the Virgin Islands, Puerto Rico, or Guam bears to the annual per capita income of all of the States, the Virgin Islands, Puerto Rico, and Guam. The percentages for reduction or increase shall be furnished each State, the Virgin Islands, Puerto Rico, and Guam by the Secretary of Health, Education, and Welfare by July 1 of each year for application on January 1 of the following year, and shall be based on per capita incomes computed for the most recent calendar year or fiscal year for which such computations can be made with reasonable accuracy.

"(b) 'Income' for the purposes of the preceding subsection shall mean the adjusted gross income computed for Federal income tax purposes plus the amount of capital gain, interest, annuities, or other retirement payments or portions thereof not included in adjusted gross income. In administering this Act, the probable income for the year during which assistance is applied for shall be taken into account so that assistance for which the applicant would probably be qualified when the income for said year is finally determined can be furnished without delay.

"(c) Any unmarried applicant whose resources do not exceed $2,000 ($12,000 if he does not own real property occupied by him as a residence), or any married applicant and spouse living together whose resources do not exceed $3,000 ($13,000 if they do not own real property occupied by them as a residence): *Provided,* That the value of resources shall be the current market value minus any encumbrances against such resource or resources: *And provided further,* That the following resources shall not be taken into account: real property occupied as a residence by the applicant, household goods and furnishings, one automobile, personal effects and tools necessary for the pursuit of a trade, occupation, or profession, and the cash surrender value of life insurance policies on the life of the applicant or his spouse: *And provided further,* That no lien shall attach in favor of the Federal or State or local governments against any of said resources which shall not be taken into account or against any other resources to the extent of the amount of the exclusion."

(5) Paragraphs (1), (2), and (3) of this amendment shall take effect as of July 1, 1965, and paragraph (4) shall take effect July 1, 1966.

Mr. MILLER. Mr. President, I yield myself such time as I may require.

The great majority of States now have a medical assistance for the aged program enacted by their respective State legislatures pursuant to authority conferred in the Kerr-Mills Act. Many of these programs are only now getting well underway. In some States, including my own State of Iowa, the program is operating fully and very effectively. As I pointed out the other day in my colloquy with the Senator from Connecticut [Mr. RIBICOFF], there are today no people in Iowa over 65 who need have any fear of being pauperized because of the expenses of illness. And, I might add, that even though many individuals may not qualify for medical assistance due to the income limitations in our law, once their medical expenses reduce their annual income below the limitation, all of the medical costs from that point on are covered.

The fact that these programs are being administered locally by local people who are familiar with the situation and the needs of the people being served is one of the most desirable features of the Kerr-Mills program. Older people certainly should have the service of people in their community whenever possible. The pending bill would add greatly to the complex system of State and Federal laws designed to meet the needs of millions of people. It would tend away from rather than toward the local administration concept.

What the Congress ought to do is improve upon the Kerr-Mills program—to take advantage of the administrative machinery which has already been set up on the State and local level while at the same time removing some of the defects which have made their appearance during the relatively short time the Kerr-Mills program has been operating. My amendment is designed to do this.

The State legislatures are already hard pressed to meet the revenue needs to carry out their responsibilities. This is because the major sources of raising revenue have been transferred to the Federal Government down through the years. There is much merit to the idea of transferring back to the States a percentage of the Federal revenue collections to assist the States in carrying out their responsibilities. Meanwhile, however, it is likely that adequate coverage under the Kerr-Mills program will not be achieved unless the Federal Government provides a larger percentage of the assistance. Under present law this percentage varies from 50 to 80 percent, with most States falling in the 50–60-percent area.

I might add that only two States receive 80 percent Federal assistance. My amendment would provide for a uniform Federal contribution of 75 percent of the cost.

One of the defects in the Kerr-Mills law is that there are no uniform eligibility requirements, and the variations of standards of financial need enacted by the various States are so great as to cause inequity among our older citizens. Accordingly, my amendment provides for a uniform standard to be used by all of the States—both as to property and as to income. The property qualification makes it clear that certain property cannot be counted, such as a person's home, auto, cash surrender value of life insurance, home furnishings, and tools of a trade, business, or profession. Additionally, if a person does not own and live in a home, there is an additional $10,000 of property which will be excluded. I believe this additional exclusion in lieu of a private home is needed to do equity among the recipients of this assistance. This provision will eliminate the criticism which is frequently leveled at the present law that an older person who sells his home will be penalized by losing his qualification for medical assistance. My amendment also provides that no Federal or State or local lien can be filed against this exempt property as a result of medical assistance furnished.

The income standard is a uniform $1,800 for single persons and $2,500 for a married couple. But in order to recognize the differences in cost of living and standards of living among the various States, this uniform standard would be raised where the State's per capita income is higher than that of the national average; and it would be lowered in the case of those States where the per capita income is lower than the national average.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MILLER. I am happy to yield.

Mr. LAUSCHE. Mr. President, the Senator has mentioned $1,800 and $2,500 as standards. What is the applicability of those figures to his proposals? How do they apply?

Mr. MILLER. These figures would be a uniform national standard. They would apply in Ohio, South Carolina, Iowa, Oklahoma, and in any other State.

Mr. LAUSCHE. How would they apply? What is the significance of the figures?

Mr. MILLER. Let us assume that a single person had more than $1,800 in income. He would not automatically receive medical assistance. If he had $2,500 in annual income and suffered a catastrophic illness, the first $700 would have to be paid by him, because that $700 would reduce the $2,500 income to $1,800, the qualification limit. From that point on, to the extent that the $1,800 was diminished by medical expenses, he would receive it automatically under the medical assistance for the aged program authorized by the Kerr-Mills Act.

Mr. LAUSCHE. As I have listened to the Senator's presentation, he mentioned two categories of exemption, first, property possessions and, second, income. Is that correct?

Mr. MILLER. The Senator is correct. Both of them are applicable. In other words, a person who might have only $1,800 income but had $50,000 worth of property would not qualify, either.

Mr. LAUSCHE. Does the Senator feel that the figure of $10,000, in lieu of a home, would be adequate?

Mr. MILLER. The Senator can see where that would be adequate in some cases and in other cases it would not. But I suggest that it would be much more equitable than what is now present in almost all the laws that have been enacted on the subject where there is an exception for a home, but there is no exception to make up for the person who sells his home.

Mr. LAUSCHE. I thank the Senator.

Mr. MILLER. Mr. President, the percentage by which there is a variance with the national average would be used as a basis for lowering or raising the $1,800 and $2,500 standard. I might point out that this is the approach now used under the Kerr-Mills law in determining the percentage of the Federal contribution, so the machinery for making the computations is already set up.

The need for such a variable formula should be obvious when one considers the difference between the cost of living in New York State, for example, and Alabama. The uniform standard would naturally be lowered in the case of Alabama residents, and it would naturally be raised in the case of the residents of New York State. If this were not done, of course, some people in New York would not qualify for assistance, while others maintaining a comparable standard of living in Alabama would qualify.

I am sure that those Senators who supported the Kerr-Mills bill when it originally passed the Congress did not intend any inequities. But in any massive social program affecting millions of our citizens, it is inevitable that inequities will arise. We are still trying to remove inequities from the social security system which went into effect 30 years ago. But it seems to me that when inequities show up, we should try to legislate them away instead of doing away with the program or superimposing some other vast program on top of what we have.

Under my amendment the administration's basic hospitalization and nursing home program and its voluntary comprehensive program would be eliminated. There would be no need for such programs. Complete, unlimited, and adequate medical care—hospitalization, nursing home, doctor bills—all would be provided to those who need them. The social security liberalizing features of the bill, including the 7-percent increase in social security benefits, would be retained.

It should be emphasized that the Kerr-Mills program is financed out of the general fund of the Treasury into which tax money is paid on the basis of relative ability to pay taxes. This is the fairest system of raising revenue we have—and it is far more fair than the regressive uniform payroll tax levied on a limited amount of income, which is the system proposed to be used to finance the administration's program. The administration's approach bears most heavily on the large-family low-income groups in the same manner as a sales tax.

In this connection I invite the attention of my colleagues to an excellent article by the distinguished Dr. Harley Lutz, professor emeritus of public finance of Princeton University, entitled "Mistake in Medicare," which appeared in the March 17 issue of the Wall Street Journal.

Dr. Lutz points out that under the administration's bill the present social security beneficiaries, now drawing social security benefits, will have paid nothing toward the cost of the benefits to which they would be entitled, and that for these millions of beneficiaries the medicare benefits would be a pure windfall. The cost would be on the present generation of workers through an increase in the payroll tax. As the years pass, retiring workers will have paid toward the cost a proportion of their benefits varying with the years of elapse before retirement. Only after a generation of workers had come and gone can it be said that the hospital benefits have been fully earned. For some time to come, therefore, the proposed hospital care program for the elderly will be provided without cost to the patients involved, whether covered by social security or not.

Dr. Lutz then says that a health care plan should not be connected with social security in any way. Provision of old age pensions and operation of a general health care program are poles apart in purpose and administrative requirements, he says. The first can be handled reasonably well by the Federal Government, being practically foolproof. Evidence of age and employment record are the only matters to be substantiated. The second involves problems of human relations, requiring consideration of physical, emotional, and psychological factors. Routine bureaucratic methods would suffice to handle an old age pension system but they would be totally inadequate for a good health care program.

Dr. Lutz also points out that catastrophic illness can occur at all ages and it would be difficult to convince a person aged 60, for example, that he should wait until age 65 for hospitalization.

Dr. Lutz cites a further reason for disassociating a general health program from social security; namely, that it would then be possible to use a means test to determine the cases to be given medical care at public expense.

> By using the contributory method the social security system bypassed a means test. In this way—

He says—

> it glossed over the fundamental problem of economic security which was, and still is, the provision of a retirement income for those who do not plan for themselves, whether because of low lifetime earnings, persistent adversity, or an irresistible preference for the present over the future. Bypassing a means test led to the fiction that the retired company president and the lowest paid company employees were on an equal footing at retirement.

Another aspect which has heretofore not been discussed is that if eligibility to hospitalization or to any other aspect of a general health program were tied in with social security, rights to such treatment would be created. Doctors and hospital managers would encounter difficulty in resisting applicants' demands when they are based on Federal law, and they could face suit, or threat of suit, for failure to comply with these demands even though, in their best professional judgment, services were not required.

I ask unanimous consent that Dr. Lutz' article be placed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MILLER. If my amendment is adopted, there would be no need to increase payroll taxes of employers and employees, or the self-employment tax of the self-employed for medicare purposes because the Kerr-Mills program is financed from the general fund of the Treasury.

If my amendment is not adopted, these taxes will be increased very substantially. The table at page 283 of the Finance Committee report reveals that commencing in 1966 the increase in the taxable earnings base from $4,800 to $6,600 coupled with the increase in tax rate will mean an annual increase over today's payroll tax of $80 for the employee and $80 for the employer, who will naturally pass on this additional cost to the consumer. The table at page 284 reveals that commencing in 1966 the self-employed person will have an annual increase in self-employment tax of $123 over today's tax.

But the tax increases will not stop there. In 1969, the self-employed tax will have increased by $183 per year over what it is now; and the payroll tax of employees will have increased by almost $120, as will that of the employer. Instead of an employee paying $174 in payroll tax, as he does today, he will be paying $294.

But the tax increases won't stop there either. Just 8 years from now, the self-employed tax will have increased by $202 per year over what it is now; and the payroll tax of both employers and employees will have increased by $150. The total annual payroll tax for an employee making $6,600 per year will be $323.40 as against $174 today—and remember that this is in addition to his income tax.

Most of these increases in taxes will relate to the medicare features of this bill. And a great amount of these increases in taxes will be used to pay medical expenses of people who can afford to pay for their own insurance and medical expenses. Since when are wage earners, especially in the lower brackets, supposed to pay taxes to finance the medical expenses of people over 65 who have far more income and wealth than those paying the taxes?

Some indication of the trouble that lies ahead if this bill is passed may be found in an article appearing in the London Times for February 17 of this year. The article indicates that a search is now on for an acceptable means test for the social security program in Great Britain—this search by the Labor government itself.

The article states:

> It is the logic of the government's position that any more increases across the board, from which all benefit equally irrespective of need, should be avoided.

Mr. President, I ask unanimous consent that the article be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MILLER. Mr. President, in conclusion, my amendment will improve and strengthen a basically good law which is only now beginning to have a fair chance to work. It will make sure that those who need adequate and decent medical service receive it, be it hospitalization, nursing home, or doctors' care. It will give our older citizens the peace of mind in the realization that no catastrophic illness to them will bankrupt them or throw them into a poverty status. It will be financed out of the general fund of the Treasury, largely on the basis of relative ability to pay taxes, not on a regressive payroll-tax, fixed-income-ceiling basis. It will not give a free ride or windfall to anyone at the expense of burdens on our younger workers and the future generations of America.

Social justice demands nothing more and nothing less than what is provided by this amendment.

EXHIBIT 1

[From the Wall Street Journal, Mar. 17, 1965]

MISTAKE IN MEDICARE—PROGRAM SHOULD NOT BE TIED TO SOCIAL SECURITY, DR. LUTZ SAYS

(By Harley L. Lutz)

The administration's broad national health program contains some sensible suggestions for expanding and improving the Nation's health facilities. To assure availability of and accessibility to good health care facilities for all Americans is a worthy objective. On occasion, both rich and poor will need medical services and it is in the interest of all to have them readily available and accessible.

This ambitious program involves two aspects of cost, namely the captial cost of physical equipment and the operating costs of providing the services. Recruitment and training of the professional staff may be regarded as part of the overall cost of providing the various facilities. President Johnson's January message passed over the question of financing construction but it indicated that Federal grants for training professional personnel would be materially increased. These supply aspects of the program are important. They will be passed over here, however, in order to direct attention to some cost aspects of the operations side. Assuming that the goal of an adequate supply and a satisfactory geographical distribution of health care facilities could be attained, the terms on which the services of these facilities are to be dispensed must be determined.

There are various options. Health care services could be supplied to all without charge, which would be "socialized medicine" in its extreme form; or token payments could be required of patients such as the charge for 1 day in 60 of hospitalization specified in the King-Anderson medicare bill; or the services could be provided without cost only to the indigent while all others would be required to pay at rates designed to cover the cost.

The President's message pointed toward the first option, which is no charge to anyone for anything. This is most apparent in the section of the message relating to hospital care for the elderly. It is a reasonable inference as to the rest of the program from the context and emphasis.

TWO CATEGORIES OF ELDERLY

The elderly fall into two groups for the purpose of the proposed hospital care program, the dividing line being eligibility to social security retirement pensions. Both groups would be given exactly similar protection against the cost of hospital and posthospital care, home nursing services, and outpatient diagnostic services. For social security beneficiaries the cost would be met by "regular modest contributions during working years." For persons not covered by social security, the cost would be paid out of general revenues.

The theory of the social security system is that persons employed in covered industries would pay a tax on a stated part of their wages during their working years which would build up a fund to be returned to them in monthly installments after retirement. The employer would provide an equal amount to the fund and its total would be further increased by interest accruals paid from general funds. Greater longevity, coupled with a series of pension increases, has tended to raise the payout in individual cases above the amounts credited to the respective accounts. However, the overall inflow plus interest has held about in balance with the outflow because of increase of the covered labor force, higher tax rates on a stepped-up taxable wage base, and a rising wage level which has enlarged the total of wages taxable to the maximum amount. This maximum is now $4,800. It is expected to rise to $5,600 in a few years.

From this brief summary it is seen that the present social security beneficiaries will have paid nothing toward the cost of the hospital benefits to which they would be entitled upon enactment of a bill authorizing them. For these beneficiaries it would be a pure windfall. The cost would be on the present generation of workers through the modest increase in the tax rate. As the years pass retiring workers will have paid toward the cost of a proportion of their hospital benefits varying with the years of elapse before retirement. Only after a generation of workers had come and gone can it be said that the hospital benefits have been fully earned, accepting the assumption that the addition to the tax rate will cover the cost.

For some time to come, therefore, the proposed hospital care program for the elderly will be provided without cost to the patients involved, whether covered by social security or not.

The minority members of the Ways and Means Committee have proposed to supplement the hospital care plan by including a new system of Federal insurance to cover doctor bills and drug expenses for the elderly. The cost would be met by a higher social security tax during working years, a Treasury subsidy, and a small voluntary payment by retired social security beneficiaries who elected to accept the insurance plan. Its impact on the budget and on private insurance companies remains to be determined.

Instead of more jerry-building, it is submitted that a health care plan should not be connected with social security in any way.

Provision of old age pensions and operation of a general health care program are poles apart in purpose and administrative requirements. The first can be handled reasonably well by the Federal Government, being practically "foolproof." Evidence of age and employment record are the only matters to be substantiated. The second involves problems in human relations, requiring consideration of physical, emotional and psychological factors. Routine bureaucratic methods would suffice to handle an old age pension system but they would be totally inadequate for a good health care program.

A QUESTION OF ELIGIBILITY

Another reason for keeping a health program separate from social security is that one deals with the whole population while the other is limited to persons of retirement age. The reason for hitching the hospital program for the elderly to social security is to go through the motions of individual payment for the service. This theory is not applied in the case of persons outside social security. Catastrophic illness can occur at all ages and it would be difficult to convince a person aged 60, for example, that he should wait until age 65 for hospitalization. Once hospital facilities are provided it is doubtful that the program could be limited for long to the elderly. There would be strong pressure to eliminate the age requirement for admission and the social security test of eligibility would go by the board.

A further reason for disassociating a general health program from social security is that it would then be possible to use a means test to determine the cases to be given medical care at public expense. By using the contributory method the social security system bypassed a means test. In this way it glossed over the fundamental problem of economic security which was, and still is, the provision of a retirement income for those who do not plan for themselves, whether because of low lifetime earnings, persistent adversity, or an irresistible preference for the present over the future. Bypassing a means test led to the fiction that the retired company president and the lowest paid company employees were on an equal footing at retirement. If the retired janitor needed a pension, therefore, the retired company officer needed it also.

A means test would preclude Federal operation of a general health care program or even any material participation in its management. The President did a good job of pointing up the issues and problems in his message on health care. It was a useful example of Federal leadership. This is as far as the Government should go, for Federal operation would involve the danger of dictation and regimentation. Remote control always tends toward getting results by compulsion rather than by tact and understanding.

Effective application of a means test can occur only at the local level, where case workers can investigate the personal and family circumstances of applicants. The best results would be achieved, also, if the funds were from State and local sources. Experience in other areas of Federal grants has shown that standards are less strict and investigative procedures less diligent when the money being spent comes from Washington than would be the case if it came from nearer home.

Where full discretion as to the operation of a health care plan is in local hands, doctors and hospital managers can more effectively screen out the malingerers, the rest cures, and the hypochondriacs. If eligibility to hospitalization or to any other aspect of a general health program were tied in with social security, rights to such treatment would be created. Doctors and hospital managers would encounter difficulty in resisting applicants' demands when they are based on Federal law, and they could face suit, or threat of suit, for failure to comply with these demands.

THE PRIVATE PLANS

The President's message recommended that there be continued, expanded enrollment in private voluntary health insurance plans, and that States not having adopted the Kerr-Mills program should do so. Voluntary health insurance has been on the increase and the message indicated that more than half of the elderly have such coverage. It is doubtful if the assurance of hospital and other health care at public expense would stimulate further reliance on private, voluntary plans. On the other hand, the assurance of such care in case of need would be likely to induce further private effort in this direction.

In a broad view of the issues dealt with here it is necessary to recognize that health care under public auspices or at public expense is part of the larger problem of dependency. Dependents, that is, those not capable of self-support for any reason, have always been a charge on the workers and producers. Originally, this burden fell on the family, clan, or tribe. In comparatively recent times, as history goes, government entered the field and in our own day public support of dependency has attained large proportions. For various reasons family responsibility for dependents declined and government action was in part a response to this decline and in part a cause of it.

In this age of enlightenment and affluence, no one would seriously propose evasion of the responsibility for the care of dependents, whatever may be the reasons for this condition. Support at public expense means taxation of workers and producers, and it would be equally unjust to increase this burden in order to provide free benefits of any sort to those who are able to take care of themselves.

It is one thing to make available enough hospitals, clinics, laboratories, nursing homes, and other facilities to accommodate all who may have need of their services. It is quite another thing to extend such services at public expense to any persons other than those who are demonstrably unable to pay the cost.

EXHIBIT 2

[From the London Times, Feb. 17, 1965]

LABOR AIM TO RECAST SOCIAL SECURITY—MEANS TEST WOULD DIRECT AID TO MOST NEEDY—SEVERANCE PAY BILL FIRST IN REPLACING BEVERIDGE?

Although a formidable complex of detail questions remains to be answered, intensive government studies now being led by Mr. Houghton, Chancellor of the Duchy of Lancaster, are clearly indicating the broad shape that must be given to social security in the next decade. What the reappraisal has shown can be summed up in a sentence. Beveridge is dead, and something must be immediately designed to put in its place.

It is an emotional subject, particularly on the Labor side, and sooner or later the government will have to begin a process of education about the realities of social security if they are to carry the country, especially organized workers, in the radical changes that are foreseen.

A search is now on, for instance, for an acceptable means test. The increase in retirement pensions and other benefits, already provided to take effect in March this year, have bought time during which Labor Ministers can move away from the Beveridge insurance principle and win acceptance for the new doctrine that social security must be directed to those people who most need it and be denied to those who can manage well enough without it.

PREJUDICE STRONG

It is the logic of the government's position that any more increases across the board, from which all benefit equally irrespective of need, should be avoided.

Social security studies have shown that by the mid-1970's there will be 9 million retirement pensioners, compared with about 6 million today, and if there is then no means test operating, the burden of fulfilling the Labor manifesto pledge to provide an income guarantee for those already retired and widowed will be intolerable.

With an acceptable means test, a guaranteed income for everybody would be possible, and account could be taken both of rising standards of living and of inflation. But the prejudice against a means test of any kind continues to be strong.

There is no present answer to the question what form the means test could take, but there has been examination of a proposal that a statement not unlike an income tax return could be completed, with additional safeguards against fraud.

The phrase "means test" is not alone in rousing prejudice. There is a deepset conviction that in Britain social security is established on an insurance basis, although even on the surface the insurance element can be seen to be illusory. It can almost be taken for granted that any future pensions and benefits increases across the board will cost the Exchequer about £200m.

In the next decade, on the basis of government studies, there will have to be a clear movement away from the pretense of an insurance basis, so that contributions do not necessarily carry the right of benefit without regard to means.

Mr. MILLER. Mr. President, I reserve the remainder of my time.

Mr. LAUSCHE. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I yield to the Senator from Ohio.

Mr. LAUSCHE. Do I correctly understand that the Senator's search indicates that at present, under the Kerr-Mills Act, the Federal Government is paying between 50 and 80 percent of the cost of carrying the program into the States?

Mr. MILLER. That is correct, although I reemphasize that only two States now receive 80 percent. The great bulk of the States fall within a much lower bracket.

Mr. LAUSCHE. Is the Senator of the belief that if the Federal Government increased its amount generally, that would operate as an inducement for the States to act?

Mr. MILLER. I am sure it would.

Mr. LAUSCHE. On that basis, the Senator from Iowa recommends that the Federal Government carry 75 percent of the load of providing hospitalization and medical services in the States?

Mr. MILLER. That is correct; that is one of the changes that my amendment would make. It is a major change. The Senator from Ohio, having been Governor of his State, well knows how difficult it is for State legislatures and the States themselves to raise the revenue needed to fulfill their responsibilities.

Mr. LAUSCHE. Among the exemptions that would be granted to applicants for hospitalization and medical aid in the States are, first, that he would be permitted to own his home?

Mr. MILLER. That is correct.

Mr. LAUSCHE. His automobile?

Mr. MILLER. That is correct.

Mr. LAUSCHE. His household furnishings?

Mr. MILLER. Yes.

Mr. LAUSCHE. His insurance policies, whatever they may be worth?

Mr. MILLER. That is correct.

Mr. LAUSCHE. And the tools of his trade?

Mr. MILLER. That is correct.

Mr. LAUSCHE. That is, the State would not be able to say, "You must sell your home and use the proceeds to take care of yourself"?

Mr. MILLER. Not only would the State be unable to do that, in order to furnish medical assistance to the homeowner, but the homeowner could understand that when he passed on, no lien would be placed against his home or against his property to compensate for the cost of the medical assistance that had been furnished.

Mr. LAUSCHE. Inviting attention to the figures $1,800 and $2,500, that the

Senator used, an aged person, single, having an income of $1,800 would be permitted to retain the $1,800 without any loss?

Mr. MILLER. That is correct.

Mr. LAUSCHE. Would that be in addition to the exemptions of property ownership?

Mr. MILLER. The items have to be taken together. If a single person has a home, an automobile, and home furnishings, and $2,000 in cash, he could not expect to qualify for the medical assistance program if he had $50,000 of income; neither could he expect to qualify if he had $1,800 of income, a home, an automobile, and $50,000 in Government bonds. In other words, he must satisfy both the income and the property limitations.

Mr. LAUSCHE. Let us consider the hypothetical case of a married couple having the property rights which we identified a moment ago, and having an annual income of $2,500. Would that couple have to dispose of the property rights prior to being permitted to obtain aid?

Mr. MILLER. No. I am happy that the Senator from Ohio has raised this question. My amendment provides that in administering the act, the probable income for the year during which assistance is applied for shall be taken into account, so that the assistance for which the applicant would probably be qualified, when the income for the said year was finally determined, could be furnished without delay.

Mr. LAUSCHE. What is the Senator's understanding about the main complaint against the Kerr-Mills Act not having been made effective by the States, in many instances?

Mr. MILLER. I believe there is one important reason; and the Senator from Ohio has already alluded to it: that is that the States are having a hard time raising revenues, and the inducement of the Federal percentage is not adequate.

The Senate has approved legislation providing for a 90-10 matching formula. When most States are receiving from 60 to 63 percent in cash funds, I can understand why there might be some reluctance on the part of legislatures to implement the Kerr-Mills program, such as would be the case if, for example, the Federal Government furnished 75 percent, which my amendment provides for.

Mr. LAUSCHE. Do I correctly understand that most persons of advanced years have felt embarrassed when they were called upon by the States to release their property ownings and to give a lien or a mortgage to the State in order to obtain aid?

Mr. MILLER. I feel certain that there are many people in my own State of Iowa who are unhappy about that. Of course, it is not the aged person to whom that happens; it is the children. They are unhappy that when their mother or father passes on, and about all that is left is their home, the State suddenly files a lien against the home to compensate the State for the medical assistance that has been furnished. That is one reason why I have provided in my amendment that no Federal, State, or local lien may be filed against such property.

Mr. LAUSCHE. In addition to the reasons just given, is it not true that, psychologically, a person of advanced years has deep pride in the home he acquired and wants to keep it? He does not want to give it up?

Mr. MILLER. I am certain that that is correct. However, many older persons, especially single older persons, such as widows or widowers, no longer feel the need or particularly desire to hold onto the home. It may be a substantial home, and they would much rather rid themselves of the burden of caring for it by moving into an apartment or even into their children's home.

However, if they should sell the home now, the money received from the sale would deprive them of medical assistance under the Kerr-Mills program. That is why my amendment provides that in lieu of the home, they may have $10,000 of other property.

Mr. LAUSCHE. I thank the Senator from Iowa.

Mr. MILLER. I thank the Senator from Ohio for his excellent questions. I am sure they brought out clearly some of the points covered by my amendment.

Mr. President, I reserve the remainder of my time.

Mr. RIBICOFF. Mr. President, I yield myself 5 minutes.

I oppose the amendment. This is the first time we have seen the amendment. It was not considered in the Committee on Finance. Various amendments were presented.

The weakness of the amendment offered by the distinguished Senator from Iowa is that it does have a means test. The resources which would make a person ineligible—if a person had in excess of $2,000 if an individual, or $3,000 if married—would seem to me to be a very small amount to disqualify a person from the high cost of serious illness.

In addition, the fact remains that 10 States do not participate in the Kerr-Mills program. Those States are: Alaska, Arizona, Georgia, Mississippi, Montana, Missouri, New Mexico, Nevada, Ohio, and Texas.

That means that millions of elderly citizens who live in those 10 States would be deprived of the benefits that we seek to achieve for them through this particular bill. I would say, with all due credit to the Senator from Iowa, that if the bill were not before us, and if the bill were not about to become law, and if Congress had not been considering the bill, there is no question in my mind that the suggestions of the Senator would be an improvement over the Kerr-Mills program as it now exists.

However, we are substituting a basic landmark piece of legislation. We have a good piece of legislation. Under the circumstances, I see no justification for scrapping the bill that the Committee on Finance has worked so hard to present to the Senate and basically substituting the suggestion made by the Senator from Iowa.

I hope that the amendment of the Senator from Iowa will be rejected.

Mr. MILLER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. Three minutes.

Mr. MILLER. Mr. President, I ask the Senator from Connecticut if he is willing to yield me a few minutes if I need the time.

Mr. RIBICOFF. Mr. President, the senior Senator from New York asked for 2 minutes. I do not see him present in the Chamber.

Whatever time I have remaining, I shall be glad to yield to the Senator from Iowa.

Mr. MILLER. Mr. President, I thank the Senator. I want to make a couple of comments in response to the argument raised by the Senator from Connecticut.

The Senator from Connecticut said that the Committee on Finance has not had an opportunity to see this proposal before. I am sorry to disagree with the Senator from Connecticut. The Committee on Finance has seen the amendment. The amendment is in the same language as was a bill which I introduced on March 15, 1965. That bill was referred to the Committee on Finance. The Committee on Finance has had from March 15 of this year until the present time to study amply what is contained in the amendment.

Granted that there are 10 States which have not as yet undertaken to participate in the Kerr-Mills program. I believe that one reason for that is that the Federal Government has not provided enough incentive for them to do so. If those States were to realize that they may only receive 50 percent in matching funds from the Federal Government—that is the minimum, but that could well be the amount that they would receive—there would be a reluctance on their part to enter into this program.

It is for that very reason that my amendment provides for a flat, uniform 75 percent matching-fund basis. Perhaps it should be 80 percent. However, I believe that 75 percent is a rather good approach. It is the kind of approach that we use in our various matching formulae in other legislation.

The income limitations of $1,800 for individuals and $2,500 for married couples are merely basic standards. I would suppose that in the State of Connecticut this would perhaps be increased, for example, to $3,000 for married couples. I provided in my amendment that the per capita net income of the State would, according to its relationship to the national average, determine the percentage by which these amounts should be raised or lowered. The $1,800 or $2,500 may well not apply in Connecticut, New York, or in many other States. However, at the same time I want it also understood that if a married couple has an income of $3,000, and the $2,500 limitation applies in their State, that would not mean that they would not receive any medical assistance at all. If they had expenses for illness to the extent that that illness brought their income below $2,500, they would receive all of it. If they had $10,000 worth of medical expenses, they would have to pay the first $500. However, after that payment, the remainder of the bill would be paid by the program.

I believe that this is a rather fair and liberal approach.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MURPHY. I have been pleased to hear the debate on this amendment. I find this to be most enlightening. I should like to associate my name as a cosponsor of this amendment.

Mr. MILLER. Mr. President, I thank the Senator for his very kind remarks.

I ask unanimous consent that the name of the junior Senator from California [Mr. MURPHY] may be added as a cosponsor of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I yield back the remainder of my time.

Mr. MILLER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the junior Senator from Iowa.

The amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from Vermont [Mr. PROUTY].

Who yields time?

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I wish to express my deep interest and support for the pending amendment. The Senator from Vermont is to be commended for offering it. It calls for the extension of social security coverage on a minimum basis to those persons 70 years of age or over who do not have coverage now. The cost of their benefits would not come out of the social security trust fund, but out of general revenues.

Ordinarily, many of us are reluctant to dilute the social security program by adding massive new programs to it that are financed by merging the social security trust fund with the General Treasury. If we do that, we will no longer have a social insurance program, but an out and out welfare program for the needs of retirement and disability.

Social insurance is a vital and desirable part of an industrial society. I believe it should be comprehensive in its coverage of individuals, but limited to certain basic social needs that can be financed separately and on an insurance basis. By so doing, we establish certain benefits that are a matter of legal right to all, and not a matter of plunging our hands into the public treasury. Meeting the needs of social insurance by Treasury financing can become a dangerous political practice.

This does not mean that all the desirable programs in this area must be under social security or nothing. The Kerr-Mills program, which should be much broader, is a welfare program which is financed from Treasury funds, and undoubtedly there are others that should be added to the statute books.

However, in the case of medical care, and in the bill now pending, we have recognized that, through the chance of being born too soon, certain elderly Americans do not have coverage under the social security program. We have seen fit, and rightly so, to provide that they will receive the same benefits under medicare as those covered by social security, and will have their benefits paid for out of Treasury funds.

We are doing this because it is recognized that this is a group of citizens that will decline in size with each passing year, because since their active years of employment, coverage of jobs under social security has become almost universal. Many of us believe it is unfair to leave them outside the provisions of medicare purely for the reason of the circumstance of their date of birth. This provision for those lacking social security coverage will cost the Treasury a declining sum with every passing year. It is not a future claim for an unknown and ever-rising contribution from general funds.

But exactly the same principle applies to those who do not receive general retirement benefits for the same reason.

The cost estimate of the Prouty amendment, as I understand it, is approximately $180 million for the first year. As in the case of medicare, which has a much higher cost estimate for the first year for this group, it will decline with each year as fewer and fewer people will reach the age 70 without social security coverage from their own employment.

The amendment extends to this group only the minimum monthly benefit, which will be $44 under the pending bill.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. I need only 30 seconds more.

Mr. MANSFIELD. Mr. President, I yield 1 additional minute to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 1 additional minute.

Mr. MORSE. Mr. President, I believe that all the reasons which compelled us to provide coverage for all citizens under medicare also compel us to extend retirement benefits for all now lacking social security coverage. Yet this amendment provides those benefits not at age 65, but at age 70.

Should this amendment fail to pass today, I hope the Senator from Vermont will continue to press it in the future, because it is a reasonable and desirable addition to the social security system of social insurance with universal coverage.

Mr. President, in my judgment this is merely applying the doctrine of the good Samaritan and the moral law of the Golden Rule.

Mr. LONG of Louisiana. Mr. President, I yield myself 5 minutes.

Inasmuch as the Senator from Vermont is not now in the Chamber, I shall speak only briefly. I should like to have the Senator from Vermont notified, so he may return to the Chamber.

The amendment would cost a great amount of money. Various estimates have been made as to the cost. I have heard the estimate that it would cost $600 million or more. The Senator has made some study of it. Perhaps it would cost $300 or $400 million.

There are all sorts of provisions we could add to the bill that would do some good for somebody. If we had a billion dollars to spend, or $600 million, there are all sorts of things that we could think of to do which would do somebody some good. I am sure that if we asked any of the 100 Senators what he would do to help the people of the country if he had $600 million to spend, each Senator would be able to come up with something.

I am sure that if one were to ask any one of the 435 Members of the House, "If you had $600 million to spend, how would you spend it to help the people?" every one of the Members would have his own idea as to how to spend this money.

This is a bill which came from the House embodying a cost of $5.8 billion. The bill has been amended in the Senate. The last time I looked at it, it had passed the $7 billion mark.

I recall one time when the Senator from New Mexico [Mr. ANDERSON] was in the committee. I said:

> It seems to me we ought to put a bell over there, and every time we pass a provision which provides for another billion dollars, we ought to ring the bell so we can keep up with it.

That is about what we ought to do here, when we bring up amendments that cost $300 million, $500 million, or $600 million. Last night a Senator had an amendment which I call the "Prouty shoot-the-moon amendment." It would have cost $3 billion. The Senator said it would not cost that much, that it would cost only $1.6 billion. Perhaps the answer is somewhere in between.

Any Senator can offer an amendment to put more laws on our books and to spend more money. I respect the right of every Senator to do that. I myself have done things like that. Every Senator has a right to do it. I question whether we do much good by so doing. As I said before, the last time I looked at the bill it had passed the $7 billion mark, and I suggest it is about time to put some brakes on it. Let us pass the bill so the people can get the benefits of some of the $7 billion provided. On that basis, I hope we shall not load the bill with costly amendments. It will be difficult enough to convince the House as it is, without loading the bill with amendments that would cost an additional $600 million.

I am sure every Senator and every Member of the House is capable of coming up with a good idea as to how he would spend another $300 million or another $600 million. One might as well go to the top of the Washington Monument and scatter $3 billion around. That is the image we are going to create if we adopt amendments which provide for another $300 million, $600 million, or $3 billion.

I would hope that as responsible legislators we not adopt amendments that will greatly increase the cost of the measure.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. I suggest that the amendment of the Senator from Iowa went the other way. It would have saved $5 billion. So my amendment was not a "shoot the moon" amendment.

Mr. LONG of Louisiana. I did not say they were all "shoot the moon" amendments, but I said that the one we voted on last night would have cost $2 or $3 billion on top of the $7 billion we have already provided. That was a "shoot the moon" amendment.

In view of the fact that the Senator from Vermont is not in the Chamber and would want to be present when his amendment was being discussed, I ask unanimous consent that consideration of his amendment be set aside so that we may take up an amendment by the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

AMENDMENT NO. 327

Mr. COOPER. Mr. President, I offer my amendment No. 327.

The PRESIDING OFFICER. The legislative clerk will read the amendment.

The legislative clerk read the amendment (No. 327) as follows:

> On page 79, lines 1, 2, and 3, strike out "(other than services provided in the field of pathology, radiology, physiatry, or anesthesiology)".
>
> Beginning on page 43, line 24, strike out all before the word "furnished" on page 44, line 3.

Mr. COOPER. Mr. President, my amendment would strike from the bill the amendment adopted by the Senate Finance Committee, known as the Douglas amendment. The Senator from Illinois will be present. I told him I would inform him and I have done so. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator yield time for that purpose?

Mr. COOPER. Yes.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I hope that the Senators in charge of the bill will respond to questions that I will raise in discussing my amendment.

My amendment goes to a fundamental issue which has been debated during the course of the development of the pending health insurance measure, a measure which has been under development for many years, but particularly since 1960.

The fundamental issue of which I speak is whether this bill, based upon the social security system, will limit in any way the relationship of the medical profession to its patients, either in choice of physician by the patient, the professional decisions that physicians may make with respect to the care of their patients, or even the payment of physicians.

More specifically, my amendment questions whether the relationship between pathologists, radiologists, physiatrists, and anesthesiologists and their patients shall be determined or restricted by legislative enactment such as the pending bill. I believe this is a fundamental issue and that it is of a different nature than issues raised by other amendments which have been discussed and voted on during this debate.

All Senators know that members of the medical profession have generally opposed the pending bill. They have expressed fear and concern that the freedom of their practice may be limited. Whether their fears are justified in every respect, I am not now debating. But it is correct that many have expressed fear and concern that the enactment of the pending bill would ultimately cause the medical profession to be brought under legislative and governmental restrictions—and, some have asserted, compulsion.

This claim of the medical profession has been strongly challenged by the proponents of the bill who have held that such fears are groundless. As a result of this controversy, I believe I am correct in saying that the bill has been developed on the assumption and premise that members of the medical profession would not be brought into its framework, and that the relationship of the physician to the patient treatment, the decisions concerning or even payment for services would not be disturbed.

The bill approved by the Ways and Means Committee of the House bears out and confirms this assumption. If Senators will refer to pages 78 and 79 of the bill, they will note that the House version of the bill excluded from the term "inpatient hospital services" "medical or surgical services provided by a physician, resident, or intern."

That is, compensation for their services could not be paid from the trust fund supported by social security taxes.

The Senate Finance Committee amended section 1861(b)(4) by adding these words: "other than services provided in the field of pathology, radiology, physiatry or anesthesiology."

The maintenance of the Senate amendment will mean that members of these professions—and they are all members of the medical profession—would be paid for services rendered to patients entering hospitals under the provisions of the bill; they would be paid from the trust fund and from social security taxes levied upon employers and employees.

I am informed that the amendment was offered in the Finance Committee by our distinguished colleague the Senator from Illinois [Mr. DOUGLAS].

Knowing him, and knowing his great human qualities, I can understand his concern that necessary medical services be provided to the beneficiaries of the bill.

I recognize also that services performed by members of the professions specified in the Senate amendment are of great value in diagnosis and treatment, and that in some cases they would be indispensable.

Nevertheless, the fundamental issue of whether members of the medical profession are intended to be brought under this bill should be discussed and should be met. The House met it. It maintained the assumption which had been adhered to during development of the bill, that members of the medical profession would not be brought within its framework, and that it would not risk any limitation or restriction or compulsion upon the profession.

I have read the report and hearings on this amendment. It is suggested that the amendment—I am not referring to the Senator from Illinois, but to the report—that this is a measure of procedure and convenience, that certain hospitals have contractual relationships with members of the medical profession; that in some hospitals procedures are in force, under which the hospital bills the patients for services performed by radiologists, pathologists, anesthetists, and physiatrists and the hospitals in turn, pay the physicians. Even from this viewpoint and it does not respond to the issue I have raised, I must say that a rather anomalous and contradictory situation will result from this section of the bill. On one hand a hospital receiving patients under the bill, one where the hospital may have a contractual relationship with specified members of the medical profession, or where it may have a practice of billing patients through the hospital, it would be entitled to secure payment for the services of such physicians from the trust fund, supported by social security taxes, while another hospital, under exactly the same circumstances, with the same members of the profession, would not be entitled to receive payment from the trust fund. The doctors furnishing service would continue to look to the patient for payment.

I am not arguing my amendment upon the basis of differences in method of payment. I wished to raise this question, because I believe it gives some weight to the argument which has been made for 4 or 5 years about this bill, the argument made by the medical profession and many others, that the medical profession may be brought within the scope of this bill.

I speak as one who will vote for the bill. I have voted against it in 1960 and 1964, when it was brought before the Senate after political conventions, when the House had not acted—and it must first act—where there was no possibility of its being passed and we know it was brought out for political purpose. Nevertheless, from my long study of this measure I am convinced of the need. I am convinced that a program such as this will not be supported by appropriated funds, and that the social security system is the best vehicle.

Mr. LONG of Louisiana. Mr. President, this is a very important amendment, and in my judgment it should be the subject of a yea-and-nay vote. In view of the fact that there are only a few Senators in the Chamber, I hope they will join me in requesting the yeas and nays.

Mr. JAVITS. Mr. President, will the Senator withhold that request?

Mr. LONG of Louisiana. Yes.

Mr. JAVITS. I believe that the Senator's suggestion might be a little premature. Perhaps if we could have a little discussion, we might possibly dispel any need for the amendment. The Senator from Kentucky has said that he is raising a question. If we were to freeze it now into a unanimous-consent agreement, we could not move out of that position.

Mr. LONG of Louisiana. I withhold my request.

Mr. COOPER. I believe that the managers of the bill, the committee members who have developed it, who know that these questions have been raised by the medical profession, should shed some light on the situation. Is this a first step which will ultimately and inexorably draw into the framework of the bill the medical profession, and one which will restrict the relationships between patient and physician?

As valuable as this provision is to the patient, in the diagnosis and, in some cases, the treatment of patients, it does raise questions of inequities. Beyond that, it is the one provision of the bill by which doctors—and the named professions are doctors—are to some extent placed under the direction of others who are not physicians and look to the payment of their fees from the Federal trust fund.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MILLER. I point out to my friend from Kentucky that at page 78 of the bill the definition reads as follows:

> INPATIENT HOSPITAL SERVICES
>
> (b) The term "inpatient hospital services" means the following items and services furnished to an inpatient of a hospital and (except as provided in paragraph (3)) by the hospital—

Then it includes the categories to which the Senator has referred.

It seems to me that if professional services are furnished by the hospital, as a result of an arrangement which was entered into between a doctor and a hospital, there should not be any particular difficulty with the professional standing of the doctor. I grant that unless one reads the language as I have read it, it may cause some misgivings.

The key language refers to the services being rendered by the hospital. This must be read in light of an arrangement between the hospital and a doctor. If a doctor and a hospital in State A have an arrangement for the services to be provided by the hospital, and if there is an arrangement in State B that they will not be provided by the hospital but by the doctor, instead, it seems to me the standing of the doctors is protected. Does the Senator have any comment to make on that point?

Mr. COOPER. I thank the Senator. That argument has been made. But I must differ with him. These are not hospital services. They are doctors' services. They result from the professional skill and training of the doctor.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. PASTORE. I have received a great amount of mail on the point that is being raised by my distinguished friend from Kentucky. Frankly, I was quite disturbed about the mail I received, because when I returned to Rhode Island several months ago the hospital directors and administrators of Rhode Island were eager to talk with me with regard to the so-called Douglas amendment. They were very much in favor of it. I told them that I would study it, and that I was inclined to go along with it.

No sooner had I made that statement than I was deluged with mail that came to me from doctors who claimed that all of this process would downgrade the medical profession.

I respect the medical profession, and have a high regard for doctors. But I was somewhat surprised that within the family this controversy should arise because, after all, radiologists and doctors who perform that kind of service within the category of which we are talking could not get very far unless they carried out their services in hospitals. I could not understand why the controversy was being brought to the threshold of my door. I wrote to them and told them that I was very much surprised that if they themselves could not resolve the dignity of the profession that was involved, how did they expect us in the Senate to do so? So we went into the question in considerable detail and this is what developed. I have been told that a legal opinion has been rendered to the effect that the Douglas amendment would leave everything in status quo. Where heretofore the hospitals themselves billed for the services, under the Douglas amendment they would have the right to continue so to bill. But where heretofore the doctors themselves have been billing for those services, if the Douglas amendment were adopted, they would continue to do so. So as far as I am concerned, the Douglas amendment is an act of neutrality. It would leave everything as it has heretofore been. I do not see what we are becoming excited about.

Mr. COOPER. I agree with the statement of the Senator—that two groups are in conflict. Some of the hospitals want the charges of these professions to be cleared through the hospital and paid from the trust fund; the others would not. But some members of the profession are opposed to go beyond these questions of procedure and management, and inquire whether the bill before the Senate would be a first step to bring the medical profession under the operation of social security health insurance system.

Mr. PASTORE. I understand that. They have tolerated it up to now. What is the danger of having the point codified in the law?

Mr. COOPER. It is an entirely different situation. If the bill is enacted, as it will be, the situation with respect to those people would be changed.

Mr. PASTORE. I do not believe so.

Mr. DOUGLAS. Mr. President——

The PRESIDING OFFICER. Who yields time to the Senator from Illinois?

Mr. RIBICOFF. I yield to the Senator from Illinois whatever time he may require.

Mr. DOUGLAS. The Senator from Rhode Island has referred to an opinion which was written by the general counsel of the Department of Health, Education, and Welfare.

Mr. PASTORE. That is correct.

Mr. DOUGLAS. I should like to read the salient paragraph:

> With your amendment the bill will thus preserve complete governmental neutrality as between salaried and percentage compensation of these hospital specialists. It will cover equally all of the forms of practice typical of most of the specialties. It will exclude, however, the majority of anesthesiologists and the occasional pathologist, radiologist, and physiatrist who prefer to work as independent practitioners and to render their own bills directly to their patients, and will remit the services in such cases to coverage under the supplementary health insurance plan.

In other words, the amendment is absolutely neutral insofar as the arrangement which the specialist may or should have with the hospital concerned. Where an arrangement exists under which the hospital bills for the service, that arrangement may be continued, revised, or replaced by wholly independent practice depending completely upon the wishes of the specialist and what he works out with the hospital. In the future, as in the past, when the specialist wishes to bill the patient directly and does not wish to have any other agreement with the hospital, his decision will not be affected either way by the committee amendment. In a case in which the doctor had the billing handled by the hospital, but wishes to change the arrangement to wholly independent practice, his carrying this change out will not be limited by the committee amendment. In other words, complete freedom of choice would be given to the hospital and to the doctors to make these agreements, but their freedom of choice is not limited, as the House provision would limit it, to an individual billing practice. The committee amendment would not place any limitation, restriction, or compulsion upon the specialists or the hospitals, but the House provision would do so. The committee amendment preserves the status quo.

Mr. President, I ask unanimous consent that the complete text of the letter to which I have referred be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 2, 1965.

HON. PAUL H. DOUGLAS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOUGLAS: You have asked me to comment on the assertion by opponents of your proposed amendment No. 156 to H.R. 6675 that it would force or tend to force hospital specialists in the fields of pathology, radiology, anesthesiology, and physiatry to serve as salaried employees of the hospitals.

In my opinion this assertion is without any foundation whatsoever.

The effect of your amendment would be to include the services of these specialists in the definition of "inpatient hospital services" (sec. 1861(b)). Paragraph (3) of this definition embraces diagnostic or therapeutic services "furnished by the hospital or by others under arrangements with them made by the hospital." This wording plainly renders it immaterial whether the service is furnished "by" the hospital through its salaried employees, or "by" a specialist working under lease, concession, or any of the many other forms of contract which now exist between hospitals and specialists or which may be developed in the future. This conclusion is subject only to the condition (sec. 1861(w)) that billing for the service be by the hospital "whether in its own right or as agent" for the physician.

With your amendment the bill will thus preserve complete governmental neutrality as between salaried and percentage compensation of these hospital specialists. It will cover equally all of the forms of practice typical of most of the specialties. It will exclude, however, the majority of anesthesiologists and the occasional pathologist, radiologist, and physiatrist who prefer to work as independent practitioners and to render their own bills directly to their patients, and will remit the services in such cases to coverage under the supplementary health insurance plan.

Sincerely yours,

ALANSON W. WILLCOX,
General Counsel.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. COOPER. Is it not correct that this difference would exist? In hospitals whose procedure is that the hospital bills for the services of the professions specified in the Finance Committee amendment, if the practitioner agreed to it, he would be paid from the trust fund and supported by social security taxes.

Mr. DOUGLAS. He would be originally paid by the hospital, or, in most cases, would receive an agreed upon percentage of the income of that department from its services to all patients, and the hospital would collect for covered services to beneficiaries. But this would only occur if the specialist wanted it that way.

Mr. COOPER. But the payment would come from the trust fund. On the other hand, in hospitals which do not follow such a procedure of billing, although the same type of valuable services would be performed by members of the same profession. That member of the profession would not be paid from the trust fund, although the service would be rendered beneficiaries, under the bill. That would be correct, would it not?

Mr. DOUGLAS. I believe that that is an argument for the position of the Senate Committee on Finance. It is true that where the individual medical specialist and the hospital reach an agreement that the hospital is to collect from the patient and then is to pay the doctor on an agreed basis, whether on a salary basis or on a percentage basis, that practice would continue. Where there is not this type of voluntary agreement, these services would have to be covered under the voluntary insurance program, part B, subject to the patient paying the initial deductible of $50 and 20 percent of the charge thereafter.

Where covered under plan A the source of funds would be the trust fund, but it would be the hospital which would make the payment. Any control by the Department of Health, Education, and Welfare would be minimal, and there would be none attributable to the committee amendment.

Mr. COOPER. It is, then, the one case in the bill in which members of the medical profession would be brought within the framework and scope of the Health Insurance Act.

Mr. DOUGLAS. That would be so only if the medical specialist himself voluntarily should choose to have it so.

Mr. JAVITS. Mr. President, will the Senator yield briefly?

Mr. DOUGLAS. I yield.

Mr. JAVITS. I should like to clarify one thing. It has been stated that no doctors are included in the social security aspect of the program. That is not strictly so, because in lines 6 and 7, page 79, there is an indication that the services of an intern would be included.

Mr. DOUGLAS. That is correct.

Mr. JAVITS. That is very important, because the intern is at one end of the scale. He is in the hospital in residence, in training, but he is a doctor. Excluded are "physician, resident, or intern," meaning that he is in residence—the general physician, not there for the 3 years to practice, as it were.

Referring to the lines from line 25 on page 78 to line 1 at the top of page 79, we find that he would be excluded. The specialist in pathology, et cetera, would fall somewhere in between. I was wondering whether it might not help the Senator from Kentucky and the Senator from Illinois, the author of the amendment, if there were inserted after the words "anesthesiology," at line 3, also the same words that appear in lines 20 and 21 on page 78; namely, "under arrangements with them made by the hospital."

In other words, as the measure is written, unless the provision is tied to pathology, and so forth—to the words which go in another paragraph altogether, but I think clearly refer to it—one might construe this to mean that it is intended that every practitioner in pathology or other specialty must look to the social security plan, whereas that it is not intended.

Mr. DOUGLAS. The Senator is correct that the committee amendment in no way forces coverage of the specialists services under plan A.

Mr. JAVITS. I know that that does not fully satisfy the Senator from Kentucky; but at least it can be nailed down to the colloquy which, I understand from the junior Senator from Iowa [Mr. MILLER] was had between the senior Senator from Iowa [Mr. HICKENLOOPER] and the Senator from New Mexico [Mr. ANDERSON], by making it clear that this is evolutional by the specialists. However it may vary from hospital to hospital, nonetheless it is still within his control. So theoretically if all the pathologists and other specialists got together and said, "We make it a rule that we will not deal with the hospitals in that way," that would be the end of it.

Mr. DOUGLAS. I do not think this additional language is necessary. I have still another letter from the General Counsel of HEW, dated July 1, which states that a suggested similar clarification is not necessary; and states further that as far as this legislation and the committee amendment are concerned the specialist is clearly free to withdraw from such a commitment at any time. I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF THE SECRETARY,
Washington, D.C., July 1, 1965.

Hon. PAUL H. DOUGLAS,
U.S. Senate, Washington, D.C.

DEAR SENATOR DOUGLAS: Your letter of June 29 asked me to comment on a proposal by the executive administrator of the Illinois State Medical Society for clarification of your amendment to H.R. 6675 relating to the inhospital services of medical specialists.

I agree with your view that clarification is not necessary, and that your amendment already accomplishes what the proposed language apparently seeks to accomplish. Your amendment would cover the services of these specialists only when payment for their services is made to the hospital, either in its own right or as agent for the specialists, and such arrangements can exist only with the consent of the specialists. A specialist is clearly free to withdraw from such an arrangement at any time except as his contract with a hospital may limit his freedom, as for example by requiring a fixed period of notice prior to termination.

If a specialist should withdraw from such an arrangement his relation with the hospital thereafter, including his continuance as head of the hospital department, would of course be a matter for negotiation between the specialist and the hospital. If a new arrangement were worked out, the coverage of his services under your amendment would depend on whether the new arrangement provided that payment for his services should be made to the hospital. Thus, the effect of your amendment as it stands is precisely what I understand your correspondent desires.

Let me take this occasion to thank you for your note of June 17. I appreciate greatly your thoughtfulness in writing.

Sincerely yours,

ALANSON W. WILLCOX,
General Counsel.

Mr. DOUGLAS. Mr. President, I call attention also, in part I of the report, at page 27, to the following statement:

> The committee believes that it is not wise to separate the billing for these medical specialities. Therefore, the committee bill provides that where the services in radiology, anesthesiology, pathology, and physiatry are arranged for and billed through a hospital they will be covered under the basic hospital insurance plan. Conversely, where the arrangement is that the specialist is not paid by or through the hospital, reimbursement for the services will be made under the voluntary supplementary plan.

May I say that the Iowa law is also neutral on this question of whether the specialist should have an arrangement with the hospital other than wholly independent practice and this neutrality is continued by the committee amendment; whereas the House bill would interfere with hospitals and medical specialists reaching any other type of agreement on this point or continuing such an existing agreement.

Mr. RIBICOFF. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. RIBICOFF. I have listened to the discussion with great interest. I think I understand the concern of the distinguished Senator from Kentucky. I should like to state the reason for the arrangements that have been made under the Douglas amendment.

First, were we to adopt the amendment of the Senator from Kentucky, we would actually be raising hob with established hospital practices throughout the United States. Hospitals throughout the Nation are deeply upset at the prospect that we are proposing suddenly to upset arrangements that have been in existence for 15 or 20 years.

The hospitals point out the vital difference between the type of services that are included and the general medical practice. We who have had experience with hospitals know that one may choose his own surgeon, if he needs a surgeon, in Louisville, for example. The surgeon is the man with whom the patient has contact. Very few persons will select their anesthetist, radiologists, or pathologist. These are the specialist. Basically, the average doctor practices in a competitive market. If one has an internal problem or a surgical problem, he chooses his own surgeon or internist. But when it come to radiology, pathology, or anesthesiology, he is dealing with persons he does not necessarily know.

Furthermore, the doctors who engage in the specialties do not operate as independent practitioners, because most of them operate within a hospital complex. They have acquired materiel, laboratories, and assistants that are supplied and paid for by the hospitals themselves. Therefore, when a pathologist, radiologist, or anesthetist works on a patient, he does not necessarily do so as an individual, but as a member of a team using technicians to perform services for him.

Every hospital tells us that should the provisions of the Douglas amendment be removed from the bill, the cost of hospitalization would be increased significantly. Consequently, we find almost unanimity among hospital administrators across the country; and the American Hospital Association, which represents the hospitals in this country, has been strongly in favor of the Douglas amendment. They believe that in the absence of the Douglas amendment, there would be virtual anarchy in the proper operation of hospitals.

For a further explanation of the situation, I respectfully refer Senators to page 637 of the hearings, where Dr. Albert W. Snoke, executive director of the Yale-New Haven Hospital and the Yale-New Haven Medical Center, New Haven, Conn., sets forth the position of a hospital administrator.

Dr. Snoke, an outstanding physician, an outstanding director, and also an outstanding teacher at Yale Medical School, in a lengthy explanation and analysis, sets forth what would happen if an individual were cared for by a hospital and then, instead of being billed by two or three doctors, suddenly found himself billed by seven, eight, or nine doctors, thus causing great confusion.

Consequently, the committee gave great attention to this specific point at the hearings because of the controversy that was raised. The amendment offered by the Senator from Illinois [Mr. DOUGLAS], which the Cooper amendment seeks to delete, was adopted by a substantial majority in the committee.

Mr. DOUGLAS. That is true. It has the dual advantage of greatly diminishing administrative costs to the hospital and insuring larger benefits to the aged patients.

Mr. MILLER. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. Yes. My time is running out rapidly, but I am glad to yield briefly.

Mr. MILLER. I wish to emphasize one other point which possibly might help the Senator from Kentucky. He is concerned about that part of the bill which provides that when the services are furnished by the hospital, the proposed action might impinge on the professional standing of doctors. If the furnishing of the service by the hospital were done in such fashion as actually to impinge on the professional standing of doctors, it would probably be ruled by the State in which the action took place, as an unauthorized practice of medicine by a corporation. Therefore, the amendment brings out even further the neutrality of the provision which we are discussing. If in one State the furnishing of such services by a hospital constitutes the unauthorized practice of medicine, such practice will not be allowed. If in another State, it is permitted, why worry about it? The State and the medical board will have been satisfied that the professional standing has been preserved.

Mr. DOUGLAS. If the committee amendment were deleted, this provision of the bill would be in direct conflict with the arrangements expressly permitted by the Iowa State law.

Mr. RIBICOFF. Mr. President, will the Senator further yield?

Mr. DOUGLAS. I yield.

Mr. RIBICOFF. The Senator from Kentucky realizes, as the Senator from Iowa has brought out, that there are varying practices throughout the United States. In the case of a large city hospital, it will invariably be found that the particular specialists have a full time job, for which they receive substantial salaries. Or they may be employed on a fee basis and be paid so much a case. But there may be a situation in which the hospital is located in a small town, where there is not enough work to keep a specialist busy all day. The specialist then works in the hospital under a special arrangement. He may work half a day for the hospital, on either a salary or a fee basis, and the rest of the day practice his specialty privately.

The genius of the Douglas amendment is that it preserves the status quo and reflects the practice that has grown up in every community throughout the United States.

We have been careful in drafting the Douglas amendment to make certain that we are not putting any new practices, new philosophy, or new ideas into the practice that now prevails in hospitals throughout the Nation.

Mr. COOPER. Mr. President, I yield such time to the Senator from North Carolina as he may desire. I expect to withdraw the amendment.

Mr. ERVIN. Mr. President, there is much to be said in favor of the amendment of the senior Senator from Illinois. The position expressed by the Senator from Kentucky is identical with the view that I entertain. For that reason, I wish to associate myself with his remarks and place my approval on what he has had to say on this subject.

I thank the Senator from Kentucky for yielding to me for that purpose.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the senior Senator from Illinois.

"MEDICAL SPECIALISTS" AMENDMENT

Mr. DOUGLAS. Mr. President, the change made in the House bill by the Finance Committee which the Senator from Kentucky's amendment would strike is in fact an important improvement in the House bill. The Senator's amendment would strike the amendment which I offered in committee for myself and Senators MOSS, NEUBERGER, HARTKE, JAVITS, KENNEDY of New York, and McNAMARA. This amendment restores the original provision of the King-Anderson bill relating to the coverage of the services of medical specialists under the basic hospitalization plan.

The Finance Committee adopted this amendment, No. 156, to provide, in the words of the Senate committee report: "that where the services in radiology, anesthesiology, pathology, and physiatry are arranged for and billed through a hospital they will be covered under the basic hospital insurance plan. Conversely, where the arrangement is that the specialist is not paid by or through the hospital, reimbursement for the services will be made under the voluntary supplementary plan."

As the bill came over from the House, the services of these four medical specialists were excluded from coverage under the basic hospitalization plan. The House bill would provide coverage for the hospital services of these specialists only under the voluntary supplementary plan and, therefore, only when a separate bill is rendered for such services.

Although, initially, there was some misunderstanding of my amendment, we later redrafted the amendment to place it in a different line of the bill to remove any possible confusion, I think it is now clearly understood and admitted that the purpose of the amendment is to accommodate the hospital insurance system to all the various arrangements which have been worked out between hospitals and specialists. These arrangements include salaried practice, percentage arrangements of many kinds, leases and other concessions, as well as wholly independent practice. Without this amendment, H.R. 6675 would compel renegotiation of all existing arrangements between the hospitals and the specialists, except those for wholly independent practice.

In addition, H.R. 6675 in the form in which it came over to us denies to the patients protection they otherwise would have against a significant proportion of the customary and essential costs of hospital care in many hospitals. It does this in the following manner: First, those who do not elect to come under plan B are required to pay the entire cost of the services of these hospital specialists. This comes to an appreciable proportion. Second, those who do elect the voluntary contributory plan B will have to pay as their share one-fifth of these costs as their share in coinsurance plus the share which these services may form of the initial deductible under plan B of $50 per calendar year.

In effect, the Federal Government would be interferring in the relationships which the hospitals and specialists have worked out and decidedly would put pressure on the hospitals and the specialists to give up salaried practice—which is estimated by some to include 60 percent of hospital pathologists and 25 percent of radiologists—as well as percentage arrangements, probably including most leases. The Senate Finance Committee rightly concluded, in my judgment, that "The committee believes that it is not wise to separate the billing for these medical specialties."

The amendment adopted by the Senate Finance Committee, therefore, merely restores under the basic hospitalization plan the same practice followed by prevailing medical or hospitalization plans in this country. Private hospital insurance, for example, includes coverage of the costs of the services of the medical specialists where the hospital bills the patients for those services. Blue Cross hospitalization insurance includes the coverage of these costs. The Kerr-Mills plan for public assistance pays for the services of these hospital specialists. Federal employees health insurance programs also pay for these services. The medicare program for the dependents of the members of the Armed Forces pay for these services. It would be highly inconsistent for the hospitalization program for the aged not to continue this practice.

Every element of the legislative history of this amendment, which restores the original provision of the King-Anderson bill, shows that there is no intent, as has been alleged, to have the Government make "hospital employees" of the medical specialists in these four fields. The amendment keeps the hospital care for the aged legislation absolutely neutral with respect to which agreement the hospitals and the medical specialists work out among themselves now or in the future. Additional assurance of this is given in the letter dated June 2, 1965, signed by the General Counsel of the Department of Health, Education, and Welfare, which I have already read into the Record. Mr. Willcox' letter is in response to my request for his official comments on the assertion that this amendment would force or tend to force hospital specialists in the four fields to serve as salaried employees of the hospitals. In it, he has stated the reasons why such an assertion, in his words, "is without any foundation whatsoever."

Assurances are given, also, Mr. President, in the additional reply which I received from Mr. Willcox to a request from the executive administrator of the Illinois State Medical Society suggesting the addition of certain language to the amendment in order to clarify its intent further. It appeared to me, on the face of it, that additional language was not necessary. Mr. Willcox agreed, but has replied with further assurances on the meaning of the amendment. I have added these further assurances to the legislative history by reading the letter into the Record a few minutes ago.

II

Mr. President, my chief concern in offering this amendment was that the action of the House in excluding these services from coverage, thereby making a fundamental change in the King-Anderson proposal, constituted a serious reduction in benefits to many of the elderly people who will be the beneficiaries of this hospital and health care program. The House bill does provide coverage under the basic hospitalization plan for the services of nonmedical technicians in these fields and for the overhead costs of these services, but the exclusion of the services of the medical specialists themselves is estimated to be a reduction in benefits of about 4 or 5 percent of the total hospital costs of a patient. Moreover, the exclusion of these services means, as many witnesses have pointed out, that the patient-beneficiary would be denied coverage for these services which are essential to the care of hospitalized illness unless he had elected the supplementary plan coverage. And, of course, even then he would be subject to the $50 deductible and the 20-percent coinsurance feature for these services. So the action of the Senate Finance Committee, in my judgment, restores an important area of benefits to the basic hospitalization plan.

An impressive statement pointing out the reduction of benefits made by the House exclusion of these services was made to the committee by Mr. Nelson Cruikshank, director of the Department of Social Security, AFL–CIO. He said:

> While the combination of these two plans does indeed provide far more comprehensive protection than that envisaged in any of the previous proposed plans, there are some matters that cause us concern. The first is a reduction of the benefits in the basic plan, as contrasted with the proposals of H.R. 1, and S. 1. This latter measure—as well as its King-Anderson and Forand bill predecessors—provided that all services furnished to an inpatient of a hospital, by the hospital, including services in the fields of pathology, radiology, physiatry, and anesthesiology would be covered among the basic in-hospital services. Under the terms of H.R. 6675, that part of such services that is provided by a physician would be excluded from the basic hospital benefits. Coverage would be limited to partial reimbursement for the physician's fee under the terms of the supplementary program.
>
> In our view, this change results in a substantial reduction in benefits under the basic plan, as a result of shifting coverage of hospital-based specialists' services from the basic program to the supplementary program. Instead of full coverage for these services, the individual would be entitled only to reimbursement subject to the $50 overall deductible for 80 percent of the specialists' fees. And he would be entitled to this only if he were enrolled in the supplementary program.
>
> In actual fact the benefits in the basic plan would be further reduced under this provision because, as a result of changing the terms under which payment for these services could be made, the cost of hospital-based specialists' services could be expected to rise sharply—both for beneficiaries and nonbeneficiaries. Experience with existing plans such as Blue Cross has demonstrated that the total cost to patients, or third-party payers, for these hospital-based specialists' services is substantially smaller when these services are provided as part of total hospital services than when they are provided by the specialists charging on a fee-for-service basis.

Mr. President, the reduction of benefits made by the exclusion in the House bill, which the Senator from Kentucky would again take out, is most clearly shown with respect to hospital outpatient diagnostic benefits. Under the House version, an eligible beneficiary would receive the tests and related services that hospitals ordinarily furnish to patients for diagnostic study but not those performed by the hospital specialists. The deductible applicable to this benefit, as provided in the House bill, is $20 for diagnostic services furnished to the patient by the hospital during a 20-day period. The Senate bill would add a 20-percent copay feature. It is important to understand how this would work in actual practice. The most common hospital outpatient diagnostic studies involve either radiological examination or laboratory tests. Under H.R. 6675 as it came from the House, the hospital would be reimbursed only for its costs exclusive of the compensation of physician-specialists, presumably for the supplies, salaries of technicians, and overhead attributed to the services rendered. Without including any fee for the radiologist to interpret the X-rays or the pathologist to report on the laboratory test, the hospital's reasonable costs are often unlikely to exceed the $20 deductible figure. Hence, many of the eligible aged would have to pay out of their own pockets all of the costs of the outpatient diagnostic services they receive in hospitals.

The alleged compensatory factor is that the eligible aged outpatients who have elected the voluntary medical coverage can have the physician's fee paid by the supplemental medical insurance. But what of those who fail to elect this coverage? Moreover, the deductible under the voluntary supplemental medical plan is $50 a calendar year. Therefore, if reimbursable expenses of less than $50 are incurred by the patient in the calendar year he will receive no benefits for these specialist services under the medical insurance plan. In fact, the hospital deductible of $20 may be added to the medical deductible of $50 to provide an effective deductible of $70. Moreover, the voluntary supplementary plan would cover only 80 percent of the patient's bill above the deductible.

Under the amendment adopted by the Senate Finance Committee, however, the eligible patient would receive both the testing and the services of radiologists and pathologists in the hospital out-patient diagnostic facilities. The hospital would be compensated under the basic plan and the medical specialists would receive remuneration through the hospital if such an arrangement exists. Where the hospital bills for the services of the medical specialists, the patient would face only a $20 deductible, but not an out-of-pocket payment of the $50 deductible plus 20 percent of the bill. Indeed, the patient might be so caught in a combination of plans A and B that in some cases the deductible would be as high as $70 plus 20 percent of the bill. And it should never be forgotten that those who did not choose to come under plan B would bear the full load for the services of the hospital specialists.

III

My second concern from the point of view of the patient-beneficiary of the House exclusion of the services of the hospital specialists from coverage under the basic plan is the unnecessary confusion which would be brought about by this interference in the present established patterns of reimbursement for these services. As the Senator from Connecticut has pointed out, excellent testimony in this regard was given to the committee by Dr. Albert W. Snoke, executive director of the Yale-New Haven Hospital of the Yale-New Haven Medical Center in New Haven, Conn. Dr. Snoke is also a professor of hospital administration in the Department of Epidemiology and Public Health of the Yale University School of Medicine and a past president of the American Hospital Association.

Dr. Snoke cites two patients' overall bills from his hospital files in a summary table to show the complex of separate billings which would face the patients if this exclusion is maintained. One of the patients would have received two separate bills from the physicians who were directly concerned with him as personal physicians, plus nine additional separate bills from physicians who were concerned with professional services involved in his care but who had minimal to no personal contact with the patient. The second patient would have received two separate personal physician bills and in addition seven more professional bills from physicians associated with hospital-based medical specialties. Dr. Snoke correctly suggests that if these examples are confusing to the Members of the Senate they need only multiply this confusion by the some 14 million individuals who will be patient-beneficiaries immediately following enactment of this legislation.

Mr. President, I ask unanimous consent that excerpts from Dr. Snoke's letter, the whole text of which appears at page 637 of the Senate hearings, be printed at this point in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

The provision of efficient and economical hospital and medical care to patients in this country is extremely complex and is growing in complexity daily. It is just as difficult to differentiate precisely between what constitutes nursing care and medical care as it is to differentiate between hospital care and medical care. Hospital and medical services in such hospital-based medical specialties as radiology, pathology, anesthesiology and physiatry are part of the total health care services provided in a hospital and are in sharp contrast to those medical activities in which an individual doctor acts as a personal physician to an individual patient.

This complexity requires the utmost flexibility in the development of professional and financial relationships so as to permit physicians and hospitals at the local level to establish agreements that will provide the highest quality of care to the patient in the most efficient and economical manner.

This understanding is clearly emphasized in S. 1 and H.R. 6675, title XVIII, section 1801, "Prohibition Against Any Federal Interference" in which it is stated that "nothing in this title shall be construed to authorize any Federal officer or employee to exercise any supervision or control over the practice of medicine or the manner in which medical services are provided, or over the selection, tenure, or compensation of any officer or employee of any institution, agency, or person providing health services; or to exercise any supervision or control over the administration or operation of any such institution, agency, or person."

This is an excellent statement of principle—but is inconsistent with the present text of the bill in which traditional, longstanding, and satisfactory financial and administrative arrangements between hospitals and radiologists, anesthesiologists, pathologists, and physiatrists are arbitrarily and markedly changed. Amendment No. 156 would again permit hospitals and individual physicians to develop their own financial and administrative relationships in the same flexible pattern that has obtained in the past and which has resulted in equitable and satisfactory arrangements * * * [will] result from the present bill unless amendment No. 156 is accepted. One can understand the potential chaos that will result under the existing bill only if one analyzes the actual procedures by which hospitals and physicians would have to operate under the present provisions of the proposed bill. The confusion is serious enough for those familiar with hospital and professional billing—it would be virtually impossible to explain the necessary procedures to many of our elderly patients.

I have taken two patients' bills from the hospital files. The first case is a 79-year-old male with cancer of the prostrate gland and with a cardiac complication. The second is a case of a 75-year-old female with a cataract operation but also with a cardiac complication. In both cases, the professional services of many separate individual physicians on the hospital medical staff were involved. The patients also had their own personal physicians.

The following table summarizes the professional fees charged by the personal physicians and also the value of the professional component of the hospital-based medical specialties if separate professional fees based upon costs were to be presented by each of the other physicians:

Individual physicians involved in the hospital care of 2 elderly patients

	79-year-old male, cancer, prostate gland	75-year-old female, cataract operation
Physicians rendering a bill for personal professional services:		
Surgeon	[1] $350.00	[1] $300.00
Cardiac consultant	[1] 50.00	[1] 50.00
Individual physicians providing professional services through hospital-based medical specialties:		
Anesthetist	[2] 60.00	[2] 27.30
Radiologist	[2] 50.00	
Clinical pathologist:		
Blood bank	[2] 5.00	[2] .50
Clinical chemistry	[2] 3.00	[2] .30
Clinical microscopist	[2] 5.00	[2] .30
Clinical microbiologist	[2] 7.00	[2] .70
Pathologist, tissue	[2] 7.50	
Electrocardiologist	[2] 3.00	[2] 3.00
Cardiopulmonary, inhalation therapist	[2] 3.00	[2] 4.00

[1] Actual bills presented to the patient for personal professional services.

[2] Value of professional component of hospital-based medical specialties now covered under hospital bill but for which separate professional bills would need to be rendered under S. 1 and H.R. 6675.

The man with cancer of the prostate gland would have received two separate bills from the physicians who were directly concerned with him as personal physicians plus nine additional separate bills from physicians who were concerned with professional services involved in his care but who had minimal to no personal contact with the patient.

The woman with the cataract operation would also have received two separate personal physician bills and in addition seven additional professional bills from physicians associated with hospital-based medical specialties.

The above illustration of multiple professional bills illustrates the problem that the implementation of S. 1 and H.R. 6675, as currently written, will present. It is almost impossible to outline an understandable procedure by which 9 to 11 separate doctors' bills, ranging from $0.30 to $350, would be presented to one patient in which the patient not only has to decide how to apply the deductible requirement of $50 but also to calculate how much is owed the 11 physicians on the 80- to 20-percent division. If this is confusing to the Senate Finance Committee, multiply this confusion by some 14 million individuals aged 65 or more. Amendment No. 156 would enable hospitals and physicians to continue under present established and satisfactory patterns of reimbursement in this regard.

Unless S. 1 and H.R. 6675 is amended as indicated, the expense to the patient and to the public in general will be substantially increased. Reference to the previous table indicates the costs currently paid by individuals or third parties for the hospital-based professional services received under our present system of reimbursement. It can be categorically predicated that there will be no such individual professional fee charges, especially in the smaller amounts shown in the above table, if submission of individual professional fees is required. The expense of separate billing and collection procedures in addition to minimal professional fee charges will increase the charges and the cost of professional care substantially.

IV

Mr. DOUGLAS. Mr. President, a third general concern of those of us who sponsored the amendment is the effect of the exclusion of the House bill on the quality

of hospital care and efficiency of hospital administration. It is no news to the Senate, I am sure, that the American hospital administrators and their boards of directors are overwhelmingly and vehemently in support of the amendment adopted by the Senate Finance Committee and are opposed to its elimination. I earlier wrote the directors of each of the hospitals in Illinois to ask their view of the exclusion and I have put most of the responses I have received in the CONGRESSIONAL RECORD. Administrators of approximately 60 percent of the hospitals replied to my letter and their opinion was unanimously for Senate action to restore coverage of these services along the lines of my amendment. No Illinois hospital administrator replied to me that he disagreed with the amendment. Even those who were cool to the general purposes of the medicare legislation were strongly for the amendment which the committee adopted.

Mr. President, the American Hospital Association took an early strong stand in support of the amendment adopted by the Senate Finance Committee. Their official statement, sent to me in a telegram signed by Dr. Edwin L. Crosby, executive vice president of the American Hospital Association, is a concise and impressive statement of what the House exclusion would mean to American hospitals. I ask unanimous consent that this telegram of April 5, 1965, be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
April 5, 1965.

Senator PAUL DOUGLAS,
U.S. Senate, Washington, D.C.:

In reply to your wire the American Hospital Association takes the position that radiology, pathology, anesthesiology, and physiatry services in hospitals are essential to the provision of high-quality patient care in the hospital and thus are basic hospital services. Exclusion of these services would seriously retard the continued development, so striking in the past few decades, of the modern hospital as the central institution in our health service system. The association's historic policy position that radiology, pathology, anesthesiology, and physiatry are hospital services was clearly enunciated on February 7, 1957, by our board of trustees when it acted to include these benefits as benefits of prepaid hospitalization benefit plans. Fragmentation of the components of hospital service not only will confuse the public through a multiple billing approach and cost them more, but more importantly could endanger the quality of patient service in the hospital by diminishing the administrative controls necessary for the optimum delivery of these services, coordination of which is so essential to high-quality hospital care.

The association maintains the position that these services, including the professional activity of the specialist, are a proper part of hospital reimbursable costs. In testimony before the House Ways and Means Committee in its hearing on similar legislation in July 1961, we urged that these medical specialist's services be included in the hospital benefits proposed and we argued strongly against the deletion of such specialist's services from the bill.

More recently we expressed our support of the provision of such services as it was incorporated in H.R. 1. We opposed interference by the Congress in the local arrangements developed through the Nation by the individual specialists and the hospitals concerned. We were distressed that the services of these specialists were removed from the definition of hospital services in H.R. 6675. We believe that this interferes with existing relationships between hospitals and physicians and tends to dictate a nationwide pattern prescribed by the Federal Government. The present provisions of H.R. 6675 in respect to these specialists will, we believe, seriously disturb the existing relationships throughout the Nation and may as above noted threaten in certain instances continued efforts to improve the quality of patient care. It is certain to face aged beneficiaries with a substantial reduction in the benefits they will receive under the legislation.

The longstanding arrangements developed by many Blue Cross plans will be imperiled. The administration of the overall program will become enormously more complicated. The required total separation of the particular physician's services involved from the departmental costs of hospitals will require nationwide renegotiation of contracts between hospitals and specialists and between hospitals and third party agencies. The effects will most likely be extended overall to hospital patients. We strongly urge the reinstatement of the services of these specialists as a part of hospital services in the legislation you finally pass.

EDWIN L. CROSBY, M.D.,
Executive Vice President, American Hospital Association.

Mr. DOUGLAS. Mr. President many other witnesses and organizations supplied impressive testimony in support of the adoption of this amendment. I want to call particular attention, however, to the excellent letter I received from Mr. I. W. Abel, then the secretary-treasurer and now the president of the United Steelworkers of America. On behalf of the United Steelworkers of America, Mr. Abel objects to the House exclusion on the grounds, first, that any further fragmentation of health care service must necessarily result in a deterioration of the quality of medical care and, second, that the proposed exclusion will significantly increase costs unnecessarily. It should be noted, that on the basis of studies by Blue Cross, Mr. Abel estimates that excluding these medical specialists from plan A would result in increased costs to the aged of approximately $55 million a year.

I ask unanimous consent that Mr. Abel's letter of May 14, 1965, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STEELWORKERS OF AMERICA,
Pittsburgh, Pa., May 14, 1965.

Hon. PAUL H. DOUGLAS,
Committee on Finance,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR DOUGLAS: The United Steelworkers of America, by resolution of its last constitutional convention, wholeheartedly supports the enactment of legislation to provide Federal health care insurance for the aged. We join the vast majority of labor and the American people in supporting in principle the amendments to the Social Security Act recently passed by the House of Representatives. I am writing to object, however, to the provision of the House bill which excludes payment for the traditional and customary hospital services dispensed by such hospital personnel as radiologists, pathologists, anesthesiologists, and physiatrists. Since these services are as essential and integral part of hospital care they are now typically paid for as part of the hospital's bill for all services rendered—particularly in our older and better hospitals.

My objections to this uncalled-for and radical change in the method of remunerating certain categories of hospital personnel are essentially (1) that any further fragmentation of health care service must necessarily result in a deterioration in the quality of medical care, and (2) the proposed exclusion will significantly increase costs unnecessarily. The only purpose served by the exclusion from the act of payment of these hospital services is to unjustifiably enrich certain categories of physicians at the expense of the public.

There is no evidence that specialists working for hospitals have been treated ungenerously. To the contrary, the years of underproduction of all physicians has resulted in serious shortages of the categories of physicians who traditionally are employed by hospitals and, as classical economic theory would predict, increased competition for the services of these scarce medical specialists has resulted in extremely rich rewards for their services. The exclusion of these specialists from hospital payrolls and the granting of an unregulated monopoly to them by Federal statute is against the public interest.

In the unlikely event the monopoly was granted, only the public regulation of fees charged could prevent vast increases in the costs for these essentials hospital services.

The effect of the proposed exclusion would be to turn hospitals into a mere building of sleeping rooms for the sick and injured, with essential hospital services turned into profitmaking concessions handed over to uncontrolled private individuals who would have monopoly power to determine the quality and type of services, and to charge whatever they pleased. Our hospitals are and should continue to be medical institutions designed to give acutely disabled patients access to the most advanced diagnostic and treatment facilities and personnel. The expansion of hospital facilities and personnel should not be left to the anticipation of profit by business-minded doctors, but should be based on the rational allocation of resources by the hospital's public trustees based on the growth and development of the techniques of medical science, and the growing wealth of communities and the Nation.

Hospitals have developed to their present vast size and importance because where serious illness is involved, present-day medicine cannot be practiced out of a medical bag. What makes a hospital a medical center are its arrays of scientific equipment and its team of medical specialists—doctors, nurses, and technicians—who provide the scientific and technical services to the practicing physicians. If hospital services are to be provided in an effective fashion they must be supplied by professional personnel whose loyalties and responsibilities are exclusively to the hospital medical team. To be part of the hospital team these technical specialists must be paid by the hospital. I believe that the preservation of our present pattern of hospital organization is true conservatism—the conservation of an institution that has proven effective and economic alike to the public, to the hospitals, and to the physicians.

An effort was made several years ago to eliminate from the Western Pennsylvania Blue Cross plan coverage of X-ray, laboratory and anesthesia services provided in hospitals. These proposals were placed before the then Insurance Commissioner of Pennsylvania, the Honorable Francis H. Smith, who decided that the traditional practice of paying for these services as hospital services should not be upset.

In connection with these proceedings, the Blue Cross made a study of the costs involved if the proposed reduction of covered services had been granted. The Blue Cross has updated the study and the figures are as impressive today as they were 8 years ago, when the study was first made. The Blue Cross current estimates for the Nation are as follows:

1. If the hospital X-ray services were to be paid for separately, these costs would be increased approximately $252,500,000.

2. If laboratory services were to be paid for separately, an additional cost of $250 million would be incurred.

3. Separate payments for anesthesia services would increase costs approximately $88 million.

In summary, it is estimated that a change in the method of paying for the services of the doctors of radiology, pathology, and anesthesiology from covered hospital services to individual fees for service would raise the medical expenses of the country by almost $600 million for these three medical specialties alone. If applied only to the aged, such a change would immediately add a cost of $55 million to the bills of persons over the age of 65.

I sincerely hope that your committee will find the proposed change in our present method of paying for hospital services to be against the public interest, and will strengthen, not weaken, those time tested ways of paying for hospital services which have steadily improved the quality of medical care provided in and by American hospitals.

Respectfully yours,

I. W. ABEL,
Secretary-Treasurer.

Mr. DOUGLAS. Mr. President, I think it important to note that amendment No. 156 had the strong support of the administration, as well as of representatives of the group practice plans, the hospitals, and many other groups and authorities.

Now, Mr. President, while it is true that the national associations of the pathologists, radiologists, and anesthesiologists have all opposed my amendment—although those opponents who have come to understand it seems to have modified their feelings—it does not follow that these specialists unanimously have opposed the amendment. The number of individual dissents we have heard may be too small to be statistically important, vigorous though some of them have been. But we must not overlook the fact that virtually all hospital pathologists and radiologists, and considerable numbers of those in the other two specialties, have long been practicing, and are practicing today, under agreements permitting their services to be arranged for and billed through the hospital. This is and has been true even though these specialties are in short supply and their bargaining position is strong.

Here and there, it is true, the matter has become an issue, but when it has, the issue has generally been resolved—as it was resolved in the one instance where the issue went to court—in a manner wholly compatible with my amendment. I find no evidence that the specialists in our hospitals across the country are clamoring for the radical change in their arrangements which the House bill would have forced upon them.

Mr. President, inasmuch as the State of Iowa is the case I have referred to in which this matter became an issue and was settled through court action and specific legislation, and inasmuch as the senior Senator from Iowa [Mr. HICKENLOOPER] raised a question about the effect of my amendment yesterday, I think it appropriate to add this comment to the response made yesterday by the senior Senator from New Mexico.

As I understand it, and I have consulted with the General Counsel of the Department of Health, Education, and Welfare about this, the Iowa law expressly permits hospitals to bill for the services of radiologists and pathologists and permits the hospitals and specialists to agree on sharing the income of the specialist departments. I further understand that this is the prevailing practice in Iowa.

I would point out to the Senate that the Iowa law clearly contemplates that the entire medical and nonmedical services of the specialist departments of radiology and pathology be treated as an entity and billed as a unit.

Now I would add to the comments of Senator ANDERSON yesterday that the House exclusion of these specialist services where the hospital bills for them would interfere in the prevailing practice in Iowa which is specifically recognized in Iowa law.

The House exclusion would undercut the Iowa arrangement insofar as the care of aged persons is concerned and might well force a renegotiation of the existing arrangements. This is so because the House exclusion would permit the coverage of the hospital services of medical specialists only under the voluntary plan and this would require a separate and individual billing arrangement for services which are now included in the hospital bill in many instances.

Further, Mr. President, I would like to observe that one of the purposes of the Iowa law, the text of which Senator HICKENLOOPER inserted in the RECORD yesterday, appears to be to assure that these authorized arrangements with hospitals are not entered into "in any way which creates the relationship of employer and employee between the hospital and the doctor" (sec. 135B 26).

May I say that the amendment which I offered and which was adopted by the Finance Committee to permit coverage of these services under plan A, when they are arranged for through the hospital and the hospital bills for them, does not in any way offend this principle of the Iowa legislation. As I have explained and documented in detail earlier, there is no intent to force doctors into an employee relationship with hospitals in my amendment.

So, Mr. President, I would add to the comments Senator ANDERSON made yesterday to Senator HICKENLOOPER that while the amendment would honor the intents and purposes of the Iowa law, failure to retain the amendment in the bill would definitely offend the intents and purposes of the Iowa law.

Representatives of some of the specialty organizations argued, if I understand them correctly, that the arrangements prevailing today ought to be changed because the specialists are physicians and because most other physicians who practice in hospitals bill their patients directly. This argument, I believe, is unsound because there are important differences between these specialists and the other in-hospital practitioners to whom they compared themselves.

First let me say that I recognize and emphasize the professional status of these hospital specialists. Not only are they doctors of medicine, but they also have completed additional and rigorous specialized training, and generally have passed examinations by specialty boards. Although as heads of hospital departments they may have important administrative duties, their professional skills are a major component of high-quality hospital care. My amendment, which merely preserves the status quo in hospital-specialist relations, does not derogate in the least from the professional stature of the specialists.

These physicians, however, have a quite different relationship to their patients from that of the clinical practitioner. Hospital pathologists and radiologists have been aptly described as "doctors' doctors"; their function—except in radiotherapy and perhaps to a small degree in anesthesiology—is not to treat patients but to help the doctors who do treat them. In doing this, moreover, these specialists have the assistance of staffs of nonmedical personnel who perform by far the larger volume of the work, including some highly technical procedures.

Finally, where they are heads of hospital departments they do not control the volume of their own practice, but commonly have agreed to do whatever work in their respective fields may be generated within the hospital. They are thus by no reasonable description solo practitioners as other physicians who work in the hospital are. Rather, they play an important and integral role in the complex hospital organization, serving the patients chiefly as they serve their fellow physicians; serving them not by the patients' selection but because the hospital has chosen the specialists to serve the entire institution.

Hosptial physiatrists and the minority of anesthesiologists who have chosen to work under these arrangements with hospitals, although they have more direct contact with patients, are in other respects more similar to pathologists and radiologists than they are to the general practitioner, the internist, or the surgeon.

The contention that these four groups of specialists should be treated like other physicians, then, breaks down because they are unlike other physicians in their relations with hospital patients, in the manner in which they function as department heads, in the way their practice is developed and its volume controlled, and in the extent to which their work is shared with lay assistants. It is considerations such as these, I believe, that have shaped the evolution of relations between hospitals and the specialists in the past; it is considerations such as these, rather than a mandate from Congress, that should shape them in the future.

The adoption of our amendment in the Finance Committee, virtually without opposition, was a wise step. I believe it would be an unfortunate mistake to now agree to the motion of the Senator from Kentucky to strike the committee amendment.

It would indeed be unfortunate to revert to the House exclusion of the medical specialists services, for the House provision would interfere with the existing relationships between hospitals and physicians and would tend to dictate a nationwide pattern prescribed by the Federal Government. It would, moreover, significantly reduce the benefits and confuse the beneficiaries. The Federal Government should not be used to bludgeon hospitals and physicians into abandoning the provision of these services as essential elements of hospital service.

Not only should the Senate defeat the motion to strike the committee amendment, it should insist, through its conferees, that the final bill retain the amendment.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. THURMOND. Mr. President, I have followed the debate on this topic with much interest because it has been a matter of concern to me. Is it the position of the floor manager of the bill that the amendment of the senior Senator from Illinois takes a neutral position on the matter?

Mr. RIBICOFF. The Senator is correct.

Mr. THURMOND. If it is presently the practice of the hospital to bill the patient for these services, it would continue to do so, but, if the doctor now did the billing he would continue to do so?

Mr. RIBICOFF. That is the way the matter is handled by the specialties with the hospitals at the present time.

We are retaining the arrangements that various hospitals have across the country. The hospitals do not all have the same arrangement. Various hospitals have different arrangements. We are providing that the arrangements which the hospitals have with these specialties will still prevail.

Mr. THURMOND. Mr. President, I have received some mail on this subject, the same as have all other Senators. I wanted it to be clear that this would leave the situation to be handled in the same manner as it is now handled.

Mr. RIBICOFF. That is correct.

Mr. COOPER. Mr. President, I understand that there is great variation in the treatment of this matter in different States and hospitals. I understand the practical questions that are involved. However, I do not believe that we have reached the fundamental issue at all. The fundamental issue, in my judgment, is whether we can at this time, or gradually, bring the doctors into the system. That is being done.

When it is said that the status quo would be maintained, that would merely mean that the hospitals would be able to collect for the doctors' services from the trust fund.

I am sure that this matter will be considered in conference. I wanted to give my views. I prefer that the House version be sustained.

I ask unanimous consent that I may be permitted to withdraw my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Vermont.

Who yields time?

Mr. RIBICOFF. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To whose time shall the quorum be charged?

Mr. RIBICOFF. Mr. President, the quorum call may be charged to my time.

Mr. LONG of Louisiana. Mr. President, I ask that the Senator withdraw his request temporarily.

The PRESIDING OFFICER. Does the Senator from Connecticut withdraw his request for a quorum?

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont.

Mr. MOSS. Mr. President, I ask unanimous consent that the amendment offered by the Senator from Vermont be temporarily laid aside for the present consideration of my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MOSS. Mr. President, I send to the desk an amendment and ask that the amendment be not stated but printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 349, beween lines 12 and 13, insert the following:

"CONTINUATION OF CHILD'S INSURANCE BENEFITS AFTER ADOPTION BY BROTHER OR SISTER

"SEC. 342. (a) Section 202(d)(1)(D) of the Social Security Act (as amended by section 306(b) of this Act) is further amended by striking out 'or uncle' and inserting in lieu thereof 'uncle, brother, or sister'.

"(b) The amendment made by subsection (a) shall apply only with respect to monthly insurance benefits under title II of the Social Security Act for months after the month in which this Act is enacted; except that, in the case of an individual who was not entitled to child's insurance benefits under section 202(d) of such Act for the month in which this Act was enacted, such amendment shall apply only on the basis of an application filed in or after the month in which this Act is enacted."

Mr. MOSS. Mr. President, this amendment would amend the Social Security Act to provide that if a child were adopted by a brother or sister, this would not disqualify him for monthly insurance benefits to which he might otherwise be entitled.

There are many instances in which such a provision would be in the best interest of a child as well as of the family concerned. Although the Department of Health, Education, and Welfare has not submitted an official report on my bill (S. 1031), I have been assured by letter from Robert M. Ball, Commissioner of the Social Security Administration that the Department would give sympathetic consideration to either a bill or an amendment which would make such an adjustment in the social security law.

I can testify as to the need for this amendment by telling you very briefly about the unfortunate human problem which has arisen in Salt Lake City.

A mother died leaving 5 children and a husband. The husband remarried and died without issue from the second marriage. A contest has arisen over custody of the youngest child, aged 12, between the oldest son, who is married and has a family, and the stepmother.

The judge in the case has awarded custody of the 12-year-old child to the eldest son, providing a petition is filed for adoption.

The petition has been filed, but when the older brother applied for continuation of social security benefits for his young sister, under the father's social security account, he found that his young sister would no longer be eligible.

The older son has a wife and children of his own to support. His income is not high. He wants to assume the responsibility for the care and education of his younger sister, rather than leaving her with her stepmother, but the day he signs the adoption papers, social security payments for the young sister stops.

It is an anomoly of the law that child payments can continue if a minor child is adopted by a stepmother, a stepfather, a grandparent or an aunt or an uncle, but not by an elder brother or sister.

I believe the law should be amended so that brothers and sisters can be kept together after the death of both parents in instances where there is an elder brother or sister in a position to assume responsibility for a younger child.

I urge that my amendment be adopted.

Mr. LONG of Louisiana. Mr. President, I should be happy to take the amendment to conference, study it in conference, and see if something can be arrived at.

Mr. MOSS. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Utah [Mr. MOSS].

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Vermont [Mr. PROUTY].

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum, and ask that the time be taken equally from the time of the two contending sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to dispense with the suggestion of the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. It occurs to me we might make better time today if we could persuade some of our colleagues to make speeches on the bill itself after the final vote. If they do that, I know they would like the speeches to appear in the RECORD before the vote. Therefore, I ask unanimous consent that statements made on the bill after the vote on the bill may appear in the RECORD prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I now suggest the absence of a quorum on the same basis I previously stated.

Mr. PROUTY. Without the time being charged to either side

Mr. LONG of Louisiana. If the Senator would like a quorum call, I now suggest the absence of a quorum, the time to be charged equally to the two sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

How much time does the Senator yield himself?

Mr. PROUTY. Mr. President, I wish to modify my amendment; I send the modification to the desk.

The PRESIDING OFFICER. The modification will be read.

The legislative clerk proceeded to read the modification.

Mr. PROUTY. I ask unanimous consent that further reading of the modification be dispensed with, and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The modification is as follows:

MINIMUM BENEFITS FOR CERTAIN INDIVIDUALS WHO HAVE ATTAINED AGE 72

SEC. 309(a)(1), title II of the Social Security Act is further amended by adding at the end thereof (after the new section 226 added by section 101 of this Act) the following new section:

"MINIMUM BENEFITS FOR CERTAIN INDIVIDUALS WHO HAVE ATTAINED AGE 72

"SEC. 227. (a) In the case of any individual who attains the age of 72 but who does not meet the requirements of section 214(a), and who is a resident of the United States and (i) is a citizen of the United States, and has resided in the United States continuously for not less than eighteen months before the month in which he files application for benefits under this subsection, or (ii) has resided in the United States continuously for the ten-year period preceding the month in which he files application for benefits under this subsection, the 6 quarters of coverage preferred to in so much of paragraph (1) of section 214(a) as follows clause (C) shall, instead, be zero quarters of coverage for purposes of determining entitlement of such individual to benefits under section 202(a). For each month before the month in which any such individual meets the requirements of section 214(a), the amount of his old-age insurance benefit shall, notwithstanding the provisions of section 202(a) be $35. If an individual is entitled to benefits under section 202(a) for any month as a result of this section and also to wife's or husband's insurance benefits under section 202(b) or section 202(c), the amount of the monthly benefit under section 202(a) shall be reduced by an amount equal to such wife's or husband's insurance benefit (but not below zero), and under such circumstances the provisions of section 202(k)(3)(A) shall not be applicable to such wife's or husband's insurance benefit. If an individual is entitled to benefits under section 202, other than under section 202(b) or under section 202(c), for any month, he shall not be entitled to benefits under section 202(a) for such month as a result of this section."

(b) Section 201(a) of the Social Security Act is amended by adding the following sentence at the end thereof:

"There are authorized to be appropriated to the Federal Old-Age and Survivors Insurance Trust Fund from time to time such sums as the Secretary deems necessary for any fiscal year on account of—

"(1) payments made or to be made during such fiscal year from such Trust Fund with respect to individuals who are entitled to monthly benefits under section 227,

"(2) the additional administrative expenses resulting or expected to result therefrom, and

"(3) any loss in interest to such Trust Fund resulting from the payment of such amounts.

in order to place such Trust Fund in the same position at the end of such fiscal year in which it would have been if such section 227 had not been enacted."

"(c) The amendment made by subsection (a) shall apply in the case of monthly benefits under title II of the Social Security Act for and after the second month following the month in which this Act is enacted on the basis of applications filed in or after the month in which this Act is enacted."

Mr. PROUTY. Mr. President, yesterday millions of elder citizens were disappointed at the action taken on an amendment which I offered, which would have increased their social security benefits substantially. Senators who stood with me in the struggle for fair treatment of the aged have my deep gratitude and the thanks of those elderly people who are no longer able to care for themselves. I pledge to every one of those Americans that so long as I remain in the Senate I shall fight to provide them with the necessary comforts for decent living.

There is nothing I can do about the action taken yesterday, but I have now proposed an amendment which will be helpful to a million and a half of our older citizens.

At this point, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, I had hoped that if certain modifications were made to my amendment it might be acceptable to the manager of the bill. Accordingly, I have submitted the modification, which, I may suggest, was drafted by Robert Myers, chief actuary of the Social Security Administration.

This modification meets the prime purpose of my earlier amendment, namely, to provide a floor of protection for a million and a half of the unfortunate members of older America who are not eligible at this time for social security because the system did not provide for their participation while they were employed. It meets the objections of some Senators that my amendment as introduced yesterday was too costly.

This amendment makes eligible for social security benefits all persons 72 years of age or older who are not now eligible for such benefits. It also eliminates the three-quarters coverage provision in the House-passed bill. Those benefiting from my amendment would receive $35 a month. The amendment would give social security benefits to about 1,500,000 persons most of whom would not be protected by the committee-reported bill.

The blanketing-in of all persons 72 years of age or older would be financed out of general revenues, and thus the old age insurance trust fund would not be impaired.

The old folks merit our support in this respect. This is a compromise amendment. I would have preferred adoption of the original amendment; the modification cuts the benefits to $35, the level in the House bill, and raises the age to 72.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. CARLSON. I wish to inquire as to the cost of the amendment. There was considerable criticism as to the cost involved in the amendment offered yesterday. What does the present amendment involve in cost?

Mr. PROUTY. According to the latest figures that have been given by Mr. Robert Myers, Chief Actuary of the Social Security Administration, the cost would be about $385 million over what the House proposed.

I have found in the past that Mr. Myers' figures which have been given to me were always on the high side. I have information on that which I could quote, but I do not wish to do so.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield to me for a comment regarding the cost?

Mr. PROUTY. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. During the hearings before the committee, as appears on page 155 of part I of the hearings, I had asked Secretary Celebrezze a similar question. At that time I asked him the question as to what it would cost to extend these benefits and coverage to all those 65 and over. There was submitted to the committee under date of April 30, 1965, an estimate of the cost of blanketing. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

APRIL 30, 1965.

From: Robert J. Myers.

Subject: Cost estimate for blanketing-in all persons aged 65 and over for cash benefits.

In the hearings before the Senate Committee on Finance today, Senator WILLIAMS requested information on the cost aspects of blanketing-in all persons in the country aged 65 and over for cash benefits in the same amounts as would be given under H.R. 6675 for the transitional-insured group of persons aged 72 or over. These amounts are $35 per month for all beneficiaries except, that when both husband and wife are eligible, the total family benefit is $52.50. The general principle of the blanketing-in proposal would be not only that it applies to persons aged 65 and over, but also that it would not phase out, as does the transitional-insured provision, and rather would be a permanent one. Accordingly, this blanketing-in provision would be financed from general revenues.

Assuming the retention of the transitional-insured provision in H.R. 6675, this blanketing-in proposal would cover an additional 1.75 million persons as of the middle of 1965, with the annual benefit cost being about $700 million (payable from general revenues). In future years, the number of blanketed-in beneficiaries would slowly decrease to a level of about 1.25 million persons by 1990 (although it should be realized that this type of estimate of a residual group is difficult to make and, therefore, is subject to wide variation). The blanketed-in group would not include any individual eligible for railroad retirement or civil service retirement benefits.

Of the 1.75 million persons who would be blanketed-in under this proposal in the middle of 1965, it is estimated that about 1.1 million are receiving old-age assistance. It is likely that the vast majority of these 1.1 million persons would continue to receive old-age assistance, although at a reduced rate so as to reflect the OASDI benefit. The Federal savings in old-age assistance as a result of taking into account the blanketing-in OASDI benefit would be about $275 million for the first year of operation, so that the net Federal cost of the blanketing-in provision would be about $425 million per year.

ROBERT J. MYERS.

Mr. WILLIAMS of Delaware. Mr. Myers points out that this estimate is based on extending coverage to all those over 65 with cash benefits of $35 a month, or $52.50 per married couple.

In the last paragraph of the memorandum he concluded that the cost of blanketing them all in would be $700 million but that there would be a saving of $275 million as a result of the saving in welfare cost, which would reduce the Federal cost to $425 million. I quote from his memorandum, "so that the net Federal cost of the blanketing-in provision would be about $425 million per year." This would be the cost of blanketing-in those over the age of 65.

The House-passed bill goes somewhat to that direction and blankets those with a limit of three quarters, of coverage over the age of 72. So that would be at a cost of $145 million. If that is so, the difference between the House provision and blanketing those over 65 would be $280 million.

However, the Senator's proposal does not cover all those 65 and over, but only those 72 and over. So his cost would be considerably lower than the cost estimates submitted to the committee.

I cannot understand the cost estimate which was given to the Senator from Vermont today. I think his estimate is too high. Either that cost estimate is far out of proportion to what the actual cost would be, or they made a mistake when they submitted to us the cost estimate under date of April 30.

Certainly if it costs $425 million to blanket-in everyone over the age of 65, or $285 million over the House bill, it would not cost $385 million more than the House bill to blanket-in those over the age of 72, because if we combine the two, it will be costing more to extend coverage to the age of 72 than at 65, and we know that would be ridiculous. So the cost estimated by the Senator from Vermont is not only high enough but it is also higher than it should be.

Another argument in favor of the Senator's amendment is this: This same bill provides for a minimum increased benefit of $3 in all social security pensions—married couples would be $6. This increase was for the expressed purpose of enabling them to pay for the social security insurance program under part B.

In other words, under this bill 13 million people will get medical benefits at no extra cost. We will find that everyone over the age of 65 under the pending bill without the Prouty amendment would be getting an extra $3 from the fund so that they can pay the extra medical charges. This group affected by the Prouty amendment and consisting of about 1 million and a quarter people would be getting no benefits.

They are America's forgotten people. If we are to pass a $7 billion bill, why are these people left out?

Are we going to take care of all Americans on the basis of equality, or are we not?

One other point. Under the social security program we have had a large number of aliens coming into the country with no intention of becoming American citizens. Yet they have qualified for social security benefits, paying the minimum of six or eight quarters, and then have returned to their countries and retired. They have been drawing social security checks throughout their lives after having made only token payment into the social security program.

The pending bill would extend that coverage. We will now have more and more men and women who are not citizens of this country, who have no intentions of becoming citizens, and who may or may not be living in this country have gone back and are living abroad, who will be blanketed-in under the provisions of the House bill by reducing from six to three quarters. They will receive their $35 monthly check. Yet at the same time the administration is quibbling over whether we are going to give a similar consideration to our own American citizens.

There is merit in the amendment of the Senator from Vermont, and I shall support it.

I compliment the Senator for proposing his amendment to protect these forgotten citizens.

Mr. CARLSON. I wish to commend the Senator from Vermont for making this adjustment in his amendment. When we reduce it to the age of 72 and qualify these people under the provision, it will, as the distinguished Senator from Delaware has just stated, cost only $255 million. Here is a great group of people who are ineligible to receive the benefits, through no fault of their own—such as farmers, agricultural workers, teachers—persons in many other professions.

Therefore, I sincerely hope that the Senate will give serious consideration to the amendment of the Senator from Vermont.

Mr. WILLIAMS of Delaware. Mr. President, let me say that I am just as concerned about the extra $255 million as anyone else. However, yesterday on a yea-and-nay vote the Senate rejected a proposal by the Senator from Nebraska which would have saved $470 million by providing that those whose income is adequate would pay their own hospital bills.

We would be far better off to go ahead and take care of those who need it. The estimate of the Secretary of HEW, Mr. Celebrezze, was that 1,100,000 of those 1.325 million citizens affected by this amendment are already on relief and therefore the extra cost to the Government would be zero because it would be transferring it from one fund to the other. Therefore we are certainly dealing with a group of people who need assistance if the Senate is going to consider it.

Mr. JAVITS. Mr. President, the Senator from Vermont has very little time, and I should therefore like to ask the Senator in charge of the bill if he would yield me 1 minute to ask a question.

Mr. LONG of Louisiana. Mr. President, I yield 1 minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, there is one point which I believe will need some clarification. We have already attempted to help those not covered under the insurance phase in the medical care part of the bill. Now there are some people who are on Government or railroad retirement, at that age, who do receive a pension and who will, nonetheless, be covered now, notwithstanding that they have no quarters of coverage.

By virtue of the change which the Senator from Vermont has made, would he feel, without commiting himself, that his amendment reflects the fairness of that position? The adjustment might very well take place in the conference, but would the Senator be sympathetic concerning the fairness in the above situation?

Mr. PROUTY. I would have no objection to that. I believe that it would be highly desirable. I point out that there is very little difference between this bill and the House passed bill, which requires only two quarters coverage.

Mr. JAVITS. There were people who had some coverage and who had some insurance coverage. Here we have none.

Mr. PROUTY. Practically none.

Mr. JAVITS. The Senator is correct. Therefore, the duplication might be quite unfair. I would hope that the Senator would make that clear for the Record, although I know that he cannot clear up every little point while he is on his feet. I understand that. But I would hope that he would be sympathetic to the question of fairness which I raise, which could be worked out in conference.

Mr. PROUTY. I agree completely with the Senator from New York.

Mr. President, I reserve the remainder of my time.

Mr. LONG of Louisiana. Mr. President, the pending amendment would call for the expenditure of a large amount of money. How much, I do not know. For my purposes, I do not need to know. So far as the aged people in the State of Louisiana are concerned, the benefits to them would be approximately zero. Anyone who has reached the age of 70 or 72, and has a meager income, is probably drawing a welfare check of $80. If he were blanketed-in by this amendment, his social security benefits would be $35 a month out of the Federal Treasury. All this would mean is that his welfare check would be reduced by $35 so that instead of receiving $80 in one check, he would receive $35 in a social security check, and another $45 from the State welfare agency. He would have two checks to cash instead of one. That is about the only difference it would make.

I assume that if the amendment were adopted, we would then repeal the provision in the bill which requires the States to pass on all the windfall savings to the people by matching more Federal money with it. If we do that, we shall be back where we started, so far as most people are concerned. The only people who really would be benefited would be those not on welfare who have no need for this money, like some aged fellow who was well to do, owned his own farm, say, of a thousand acres, and was receiving additional income from oil and gas. But these people are not entitled to it. They have paid no social security tax. They do not need it. They do not expect to get it.

We might as well take a bale of $100 bills, take the elevator up to the top of the Washington Monument and throw all the money out the window into the high winds, because we left someone out. Out of fear that we did leave someone out, let us blanket them all in.

Mr. PASTORE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. If Senators who are always worried about the national debt will vote for the amendment, how can they expect the Senator from Rhode Island not to vote for it?

Mr. LONG of Louisiana. The Senator from Rhode Island can do so, if he wishes.

The administration sent down a bill which would cost approximately $3.5 billion, but when the House got through with it, it was $5.8 billion. The Senate committee reported it out and the cost went up to $6.8 billion. We have now passed the $7 billion figure for the bill.

The Senator from New Mexico [Mr. Anderson] stated that we should get a gong in the Chamber and every time we add another billion dollars to the bill we should strike the gong so that we can keep up with it.

Every Senator has it within his power to think of some desirable way to spend money. If someone would only give me $300 million to spend, think of all the joy I could spread everywhere I went, passing out money to someone who might need it and who again might not. That is what we would be doing by adopting the pending amendment. Where are we going to stop?

A lower limit of 72 years of age is provided for in the pending amendment. Why wait for the age of 72? Why not blanket-in everyone at 65? Why not at 50? A man might lose his job at 50, so why not blanket him in and hand over to him a check?

How about all the disabled people who are not insured under social security? Certainly something should be done for them. Here is a bill providing over $7 billion per year, and yet we forget about the disabled people who have never been insured to begin with.

Blanket them all in. Give them all a check. Why not at age 35? Or at least why not age 65?

Mr. PASTORE. Then cry tomorrow about the national debt.

Mr. LONG of Louisiana. Yes. I am just as sure as I am standing here that some Senators will vote for the amendment to increase the cost, just as some Senators voted last night for the Prouty amendment to shoot the moon, from $7 billion per year to $10 billion. Then they will go home and talk about the profligate Democrats bankrupting the country, and giving money away in giveaway programs.

There are a million ways we can do that. I know that one Member of the House called me last night and said he had 50 ideas as to how we could do more good for more people. Everyone would be helped. I am sure Senators believe we have a big enough bill. The program as it stands now, according to the committee report, would spend $32 billion a year by 1972. That is not counting the amendments that we have added here on the Senate floor. We have increased that amount by about a billion dollars on the floor. When will we ever stop? I hope Senators will not insist on this amendment.

There will be other social security bills to be considered. We shall have more opportunity to vote for amendments like this. Every President wants to be known as having extended the social security program. Therefore this President and his successors will send us an additional bill. We shall have other opportunities to vote for more cash benefits for more people.

Mr. KUCHEL. I yield 3 minutes to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, in all the years that I have been in the Senate I never enjoyed a speech as much as I enjoyed the one delivered by the Senator from Louisiana [Mr. Long]. I always enjoy hearing him oppose expenditures of the Government and advocate a balanced budget.

I hope in a few minutes, when the Senator from Nebraska [Mr. Curtis] makes his motion to send the bill back to committee the Senator from Louisiana will vote for the motion. That will save $7 billion.

The Senator talks about blanketing in more people. The bill already blankets in those who have between three and six quarters coverage. That means 325,000 people. In return for the approximate $20 that these people paid in they are getting back $35 a month under the bill as reported by the Senate committee. Someone who has worked under three quarters and may have paid $15 or $18, is left out. That will be hard to explain.

Yesterday the committee accepted an amendment on the floor which provides that any alien who has come here and resided in this country for a period of 6 months can qualify under title I and title II for medical coverage. He does not have to pay for it, or at the most he pays $3. If we are to show all this concern for all people such as the Cuban refugees and other aliens, should we not stop and think about some of those who have been in this country for a long time and buying E bonds or who have retired with small savings and now, as a result of inflation find that they are forced to live on welfare?

We can reduce the deficit by assessing some of the cost of the bill to those who can afford it and can pay for it. Why should we pay the medical bill of a man who has an income of $100,000 a year or a million dollars a year income? We are asked to do that merely because he qualifies under social security. Why should we give him free medical coverage? If we are willing to do that let us not argue too much against helping these people who really need some assistance.

Mr. CURTIS. Mr. President, I shall support the amendment of the distinguished Senator from Vermont. It involves people over 72.

In Louisiana, out of every 100 persons, 60 are on the old-age-assistance rolls. About 15 out of every 100 are on the old-age-assistance rolls in Nebraska. We practice self-denial and thrift, and a few other things. Many of them have paid taxes.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. I yield 1 minute to the Senator from Nebraska.

Mr. CURTIS. The difference is only a small amount of tax, and it would not amount to anything in some cases. The Senate will have an opportunity to save not a half billion dollars yearly, as the Senate had an opportunity to do yesterday, but by voting for my motion it will reach into billions of dollars.

My feeling is that we should do justice under the retirement program.

The wealthiest people in America are drawing the maximum amounts in social security.

The Senator from Vermont asks that we consider everyone who has reached 72 and who has no opportunity of adding quarters. He asks that they be included for a minimum amount. It is not a great amount. There will be an opportunity to save more than that. Yesterday or the day before I put some figures in the RECORD which show the total expenditures for 1964.

The **PRESIDING OFFICER**. The time of the Senator has again expired.

Mr. **KUCHEL**. I yield a half minute to the Senator from Nebraska.

Mr. **CURTIS**. We are paying out money to people who do not need it. I will support the amendment.

Mr. **KUCHEL**. I yield 2 minutes to the Senator from Vermont.

Mr. **PROUTY**. I believe this debate has gone on long enough. The cost of the program would diminish with each passing year as more people come under the social security system and others pass to their reward. If being liberal means having concern for older people and giving them enough to eat and clothe themselves properly and provide housing, I plead guilty. I am sorry that we are not doing a great deal more. I have modified my proposal in the hope that I could get more support on the floor. It does not please me to make even these concessions. The rates should be higher than I am proposing. However, I am willing to have a vote on the amendment at any time.

Mr. **LONG** of Louisiana. Mr. President, I find it very difficult to understand the rationale of some Senators. I am sure, of course, that Senators can put their thinking in order. Some Senators propose that we adopt an amendment which, according to the cost estimate, would blanket in 1,500,000 people, at a total cost of $630 million per year, out of which $140 million would represent a saving to the trust fund. There would be a net cost to the General Treasury of a half billion dollars a year after taking into account the savings resulting under the old-age assistance program.

Mr. **PROUTY**. Mr. President, will the Senator yield?

Mr. **LONG** of Louisiana. I yield.

Mr. **PROUTY**. I received the same figures from Mr. Myers. I have literature in my desk showing the figures that Mr. Myers has given me in the past.

He told me definitely that the cost would be $525 million, less the figure of $140 million, which was the increase proposed by the House. Subtracting $140 million from $525 million results in a difference of $385 million. That is approximately $100 million too high, based upon the figures that Mr. Myers has given me at other times in the past. The distinguished senior Senator from Delaware [Mr. WILLIAMS], has developed data which supports my estimates.

Mr. **LONG** of Louisiana. The Senator has modified his amendment. He has changed his amendment. We gave him unanimous consent to change his amendment. We cannot tell from one hour to the next what it will contain.

Mr. **PROUTY**. It did not require unanimous consent to modify the amendment. I did not make such a request.

Mr. **LONG** of Louisiana. I believe the yeas and nays had been ordered. If they had not—

Mr. **PROUTY**. Mr. Myers is the one who, in the Senator's office this morning, as the Senator from Louisiana well knows, figured that cost.

Mr. **LONG** of Louisiana. What the Senator from Vermont is now proposing is not what he proposed previously. He has modified his amendment. I am happy that he did modify it.

Mr. President, I ask unanimous consent that a memorandum giving the cost estimate be printed in the RECORD. It appears that the net cost of the program to the General Treasury would be about $500 million per year.

There being no objection, the estimate was ordered to be printed in the RECORD, as follows:

MEMORANDUM, JULY 9, 1965

From: Robert J. Myers.

Subject: Cost estimate for Prouty amendment to blanket-in at age 72.

This memorandum presents a cost estimate for the Prouty amendment that would blanket-in on a "permanent" basis all uninsured persons aged 72 and over for a benefit of $35 per month. The cost of these benefits would be payable from the General Treasury. Furthermore, this amendment would replace the transitional insured provision in the House bill, which would provide $35 benefits with respect to persons who had three to five quarters of coverage (such benefits being financed from the trust fund).

A total of 1.5 million persons would be affected by this provision in 1966 (including the 355,000 under the transitional insured provision of the House bill).

The general revenue cost for 1966 would be $630 million but $130 million would be offset by savings in old-age assistance, making a net cost to the General Treasury of $500 million. In addition, the trust fund would have $140 million less outgo chargeable to the contributory financing.

The total benefit outgo under this provision in 1970 would be $550 million and the net cost to the General Treasury after taking into account savings in old-age assistance would be $450 million (the reduction in cost to the trust fund by reason of the transitional insured provision being eliminated would be about $110 million).

Mr. **LONG** of Louisiana. Mr. President, there are enough benefits in the bill. They total $7 billion. Can we not reach some time when we shall have enough benefits in the bill? There are some other amendments to which we would like to agree and which would cost only a small amount. The amendment of the Senator from Vermont would cost a fantastic amount. I believe that it should be considered at some future date.

Mr. **LAUSCHE**. Mr. President, will the Senator yield?

Mr. **LONG** of Louisiana. I yield.

Mr. **LAUSCHE**. A moment ago the Senator described how the cost of the program has gone up step by step. Will the Senator from Louisiana repeat the figures which show what the President's program would cost and the increased cost of the bill in its present form? Can the Senator from Louisiana tell us what was added by the House, what was added by the Senate Committee on Finance, and what has already been added by the Senate?

Mr. **LONG** of Louisiana. As I recall what the administration was seeking mostly was the original King-Anderson proposal, which is part A of title I of the bill. That proposal would have cost about $2,358 million per year. Also approximately $285 million per year of general revenue would go into that. So that part would work out to be about $2.6 billion per year.

Some suggestions were made for liberalizing the welfare part of the medical care program, and that would have been about $200 million per year. So we would then be talking about $2.8 billion.

Mr. **LAUSCHE**. What has the figure now reached?

Mr. **LONG** of Louisiana. The Senator from Ohio is well aware of the highly regarded Republican leadership in the House of Representatives. He knows that that leadership originated an amendment that would increase the cost of the program about $1.2 billion per year.

We are now up to $4 billion.

The House of Representatives had some other ideas, and when they had concluded their work they had increased the cost to $5.8 billion per year. They added about $2 billion of additional items that some Representatives thought up over there.

The Senate Committee on Finance had some ideas, too, and when we were through considering the bill, the first-year cost was $6.8 billion per year.

So another $2 billion of ideas were proposed in the Senate. Some of those additional ideas we thought we could consider on the floor of the Senate, which would bring the cost up to about $400 million more per year. The last time we looked we had passed the $7 billion mark and we were still on our way up.

We tried to defend against the first Prouty amendment, which would have increased the cost $3 billion a year, which would bring the total cost up to about $10 billion a year. The present Prouty amendment would not cost as much. I was happy to see the Senator modify his amendment downward. Our best estimate is that the proposal would cost $500 million a year from general revenues.

Where will it all stop? Do we really not intend to pass additional social security bills in some future years? If that is the case, could we not consider the present proposal along with some others that might be made in future years?

Last night I heard an eloquent argument made by the Senator from Nebraska [Mr. CURTIS]. The argument was that we should not provide all of these benefits to people who are rich and do not need them.

The Prouty amendment is now supported by the same Senator. It is proposed to blanket all of those people in the bill and give them money, even though they have not contributed 5 cents to the fund, and even though many of those people would be rich. The Senator turns around and votes now for the opposite principle and to blanket all those people in. Most of those people, if they have any need for the money, are over 72, and are already on public welfare. Insofar as they get more money, that would be a windfall for the State; the State would save the money and the Federal Government would be plunged deeper into debt.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. I have marked down the figures which the Senator from Louisiana stated. Those figures would indicate that we have started on a program which would cost about $2.7 billion. We are now up to the point at which the cost of the program would be $7.2 billion, or $5.5 billion more.

I ask the Senator from Louisiana when we are going to stop.

Mr. ANDERSON. Right here.

Mr. LONG of Louisiana. I hope we shall pause on the present amendment.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PROUTY. I should like to ask the distinguished Senator from Louisiana if the following is not correct:

According to Mr. Myers, one and a half million people would qualify under my amendment. If that number is multiplied by $35, we get $525 million. We would then subtract $140 million, which is the House figure on the cost of the House-passed transitional insurance provision. That would bring the amount down to $385 million. There is no question about that.

Last year Mr. Myers estimated the cost of the same amendment which I offered yesterday, namely, to increase the minimum to $70 and other benefits. Last year he estimated that the cost would be $2.1 billion. I understand that this year he estimated the cost at $3.2 billion. The figure goes up a billion dollars a year every time Mr. Myers estimates—and, presumably, every time a Republican proposes an amendment on the subject.

Mr. LONG of Louisiana. Mr. President, my arithmetic tells me that 1½ million persons receiving $35 a month for 12 months total $630 million for a year. When we subtract the $130 million a year savings in old-age assistance, we get the $500 million a year figure that I quoted previously.

I am sure that the Senator would agree that whatever the figure is, it is a whopper.

Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield 2 minutes to the Senator from Delaware under the bill.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes on the bill.

Mr. WILLIAMS of Delaware. Mr. President, I believe that we should keep our eyes on the true cost of the program. It is true that we have a bill before us involving about $7 billion. Let us get the record straight. It is a fact that 99.9 percent of the $7 billion cost was included in the bill because the administration asked to have it put there. A motion was made in the Finance Committee—and I supported it—to strike title II from the bill. It would have saved an extra $1.5 billion. The administration opposed the motion; they wanted it in the bill. If the Senator does not now desire to have that provision in the bill I suggest that he say so, and I shall help him to take out the provision. Do not come back and say that someone pushed it in. The administration reached out, grabbed all of these multi-billion-dollar programs, and held onto them.

In addition the bill provides for an increase in social security benefits that will cost about $2½ to $3 billion. If the administration does not desire to have that $2 billion added I suggest that some Senator stand up and say so. Those are the totals that make up the $7 billion in the bill. Those are administration proposals which with the $2.3 billion medicare proposal add up to the $7 billion total cost.

The only objection that the administration has made to any of these proposals is in opposition to the suggestion that $35 per month be paid to those over 72 years of age who through no fault of their own are not now covered.

In finagling around on the cost of the pending amendment it has been suggested that the Prouty amendment would bring in 1.5 million of extra coverage. Mr. Myers submitted to our committee statistics showing that, at the moment, 1,750,000 people over the age of 65 were not covered. The House bill would bring in 325,000 of those. That would leave only 1,425,000 over the age of 65 who are not covered. They now claim that the Prouty amendment, which extends coverage to those over the age of 72, will add another 1.5 million. Those figures cannot be reconciled.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. PASTORE. Mr. President, I move to lay the amendment on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island to lay on the table the amendment of the Senator from Vermont [Mr. PROUTY].

Mr. KUCHEL. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion of the Senator from Rhode Island to lay on the table the amendment of the Senator from Vermont [Mr. PROUTY]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ELLENDER (after having voted in the affirmative). I have a live pair with the senior Senator from Missouri [Mr. SYMINGTON]. I understand he would vote as I have voted; therefore, I let my vote stand.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from Oregon [Mrs. NEUBERGER]. If she were present and voting, she would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Wyoming [Mr. MCGEE] and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Missouri [Mr. SYMINGTON] is paired with the Senator from New Jersey [Mr. CASE]. If present and voting, the Senator from Missouri would vote "yea" and the Senator from New Jersey would vote "nay."

I further announce that, if present and voting, the Senator from Wyoming [Mr. MCGEE] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN] is necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

The Senator from New Jersey [Mr. CASE] is detained on official business.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Missouri [Mr. SYMINGTON]. If present and voting, the Senator from New Jersey would vote "nay" and the Senator from Missouri would vote "yea."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Virginia [Mr. BYRD]. If present and voting, the Senator from Nebraska would vote "nay" and the Senator from Virginia would vote "yea."

The result was announced—yeas 55, nays 36, as follows:

[No. 169 Leg.]

YEAS—55

Anderson
Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Church
Clark
Dodd
Douglas
Eastland
Ellender
Ervin
Harris
Hart
Hartke
Hayden
Hill
Holland
Inouye
Jackson
Jordan, N.C.
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGovern
McNamara
Metcalf
Mondale
Monroney
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, Ga.
Russell, S.C.
Smathers
Sparkman
Stennis
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—36

Aiken
Allott
Bennett
Boggs
Carlson
Cooper
Cotton
Curtis
Dominick
Fannin
Fong
Gore
Gruening
Hickenlooper
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.

Kuchel
McIntyre
Miller
Montoya
Morse
Morton
Mundt
Murphy
Pearson
Prouty
Saltonstall
Scott
Simpson
Smith
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—9

Byrd, Va.
Case
Dirksen
Fulbright
Hruska
Mansfield
McGee
Neuberger
Symington

So Mr. PASTORE's motion to lay Mr. PROUTY's amendment on the table was agreed to.

Mr. KENNEDY of New York. Mr. President, I voted as I did on the Senator from Rhode Island's motion to table the amendment offered by the Senator from Vermont [Mr. PROUTY] and on the amendment which the Senator from Vermont offered yesterday, because I think it is time we begin dramatizing in every way possible the need to begin considering financing of social security benefits partially out of general revenues.

Those most familiar with the financing structure of the social security system tell us that, with the increases in the payroll tax which are contained in the present medicare bill, we have come close to the upper limit for obtaining financing of social security by means of a payroll tax. Yet the level of social security benefits remains entirely inadequate, as all of us must realize. The average benefits paid to our retired citizens are so low that millions of them live in poverty.

If we are to provide adequate benefits, we simply have to consider turning partially to general revenue financing for social security. In this connection, I would like to call attention to a speech which I gave before the National Council on the Aging on March 2 of this year, which the Senator from Michigan [Mr. HART] was kind enough to put in the CONGRESSIONAL RECORD on April 13, 1965. In that address, I elaborated on the case for a partial turn to general revenue financing.

The amendments which the Senator from Vermont offered yesterday and today represent the beginning of an answer. Of course, when we begin considering the use of general revenues, we shall have to reexamine the entire financial structure of social security, so that whatever contribution we provide for out of general revenues is made after complete study.

I hope bringing this matter to the attention of the Senate will inspire more widespread support for a complete reexamination of the financing of social security, with a view to getting enough of a contribution from general revenues so that we can assure all of our retired citizens that they will be able to live their final years in dignity and comfort.

AMENDMENT NO. 329

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. CURTIS. Mr. President, I call up amendment No. 329.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk proceeded to read the amendment.

Mr. CURTIS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with, and that the amendment may be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

Beginning on page 12, line 1, strike out all through page 134, and insert in lieu thereof the following:

"TITLE I—MEDICAL EXPENSE DEDUCTION, ADVISORY COUNCIL, MEANING OF TERM 'SECRETARY', AND GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS

"Part 1—medical expense deduction, advisory council, meaning of term 'secretary'

"Medical Expense Deduction"

On page 135, line 2, strike out "106" and insert "101".

On page 136, lines 10, 11, 12, and 13, strike out "(including amounts paid as premiums under part B of title XVIII of the Social Security Act, relating to supplementary medical insurance for the aged)".

Beginning on page 138, line 11, strike out all through page 141, line 14.

On page 141, line 16, strike out "109" and insert "102".

On page 141, line 24, and page 142, lines 1 and 2, strike out "the Federal Hospital Insurance Trust Fund, and the Federal Supplementary Medical Insurance Trust Fund".

On pages 142, lines 4 and 5, strike out "and the programs under parts A and B of title XVIII".

Beginning with the word "The" on page 143, line 13, strike out all through page 144, line 2.

On page 144, line 9, strike out "110" and insert "103".

Beginning on page 144, line 13, strike out through page 159, line 2.

On page 159, line 9, strike out "XIX" and insert "XVIII".

On page 159, line 12, strike out "1901" and insert "1801".

On page 160, line 4, strike out "1902" and insert "1802".

On page 160, line 12, strike out "1903" and insert "1803".

On page 163, line 9, strike out "1905" and insert "1805".

On page 164, line 4, strike out "1905" and insert "1805".

On page 165, line 8, strike out "1905" and insert "1805".

Beginning on page 165, line 24, strike out all through page 166, line 15.

On page 166, line 16, strike out "(16)" and insert "(15)".

On page 166, line 22, strike out "(17)" and insert "(16)".

On page 167, line 25, strike out "(18)" and insert "(17)".

On page 168, line 14, strike out "(19)" and insert "(18)".

On page 168, line 19, strike out "(20)" and insert "(19)".

On page 170, line 12, strike out "(21)" and insert "(20)".

On page 170, line 21, strike out "(22)" and insert "(21)".

On page 173, line 10, strike out "1903" and insert "1803".

On page 173, line 16, strike out "1905" and insert "1805".

On page 175, line 23, strike out "1905" and insert "1805".

On page 178, line 15, strike out "1904" and insert "1804".

On page 178, line 20, strike out "1902" and insert "1802".

On page 179, line 7, strike out "1905" and insert "1805".

On page 182, line 11, strike out "XIX" and insert "XVIII".

On page 182, line 15, strike out "XIX" and insert "XVIII".

On page 183, line 7, strike out "XIX" and insert "XVIII".

On page 183, line 13, strike out "XIX" and insert "XVIII".

On page 183, line 14, strike out "1902" and insert "1802".

On page 183, line 14, strike out "1903" and insert "1803".

Beginning on page 183, line 15, strike out all through page 184, line 2.

On page 184, line 3, strike out "OTHER".

On page 294, line 8, strike out "titles II and XVIII" and insert "title II".

On page 297, lines 9 and 10, strike out "no payments shall be made on his behalf under part A of title XVIII,".

On page 297, lines 16 and 17, strike out "and part A of title XVIII".

On page 303, line 21, strike out "(a)".

Beginning on page 304, line 13, strike out all through page 306, line 3.

On page 306, line 9, strike out "(a)".

Beginning on page 306, line 23, strike out all through page 307, line 24.

On page 308, line 4, strike out "(a)".

Beginning on page 308, line 19, strike out all through page 309, line 20.

On page 142, line 19, strike out "and the Federal Hospital Insurance Trust Fund".

On page 311, lines 5 and 6, strike out "and the Federal Hospital Insurance Trust Fund".

On page 311, lines 16 and 17, strike out "and the Federal Hospital Insurance Trust Fund".

On page 311, lines 18 and 19, strike out "and the Federal Hospital Insurance Trust Fund".

On page 311, line 25, strike out "and the Federal Hospital Insurance Trust Fund".

On page 312, lines 1 and 2, strike out "and part A of title XVIII".

On page 364, line 5, strike out "XIX" and insert "XVIII".

On page 365, line 4, strike out "1904" and insert "1804".

On page 366, line 7, strike out "XIX" and insert "XVIII".

On page 366, line 18, strike out "XIX" and insert "XVIII".

On page 367, line 15, strike out "1903" and insert "1803".

On page 367, line 22, strike out "XIX" and insert "XVIII".

On page 369, line 6, strike out "XIX" and insert "XVIII".

On page 369, line 11, strike out "XIX" and insert "XVIII".

On page 369, line 16, strike out "1903" and insert "1803".

On page 371, line 9, strike out "XIX" and insert "XVIII".

On page 386, line 3, strike out "XIX" and insert "XVIII".

On page 386, line 3, strike out "1902" and insert "1802".

On page 386, line 4, strike out "1903" and insert "1803".

Amend the table of contents to the bill so as to reflect the contents of the bill after the foregoing amendments are made.

Amend the title so as to read: "An Act to provide an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, to improve the Federal-State public assistance programs and for other purposes."

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. CURTIS. I yield.

Mr. MANSFIELD. Mr. President, I ask that there be a clearance of the floor of the Senate so that Senators can recognize one another as they move around.

The PRESIDING OFFICER. The Senate Chamber will be cleared of all those not necessarily present on business.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GORE. I have watched the doors since the majority leader made the point of order. No one has departed. There are 60 persons on the floor who are not entitled to the privilege of the floor. Will the Chair enforce the rule?

The PRESIDING OFFICER. The Senator is correct. The Sergeant at Arms will enforce the ruling of the Chair.

The Chamber will be cleared so that there will be no one on the floor of the Senate not authorized to be there. In that way, the Senate may proceed in an orderly manner.

Mr. CURTIS. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, amendment No. 329 is very simple. It would strike from the bill medicare, parts A and B. It would leave the remainder of the bill intact. The amendment would strike out medicare. The matter has been discussed for a long time.

Part A is the King-Anderson bill. The King-Anderson bill has been kicked around for 10 or 15 years and never passed.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CURTIS. I yield. It has never been passed by both the House and the Senate.

Mr. ANDERSON. The bill was passed by the Senate.

Mr. CURTIS. I stand corrected.

Part B was never heard of until it came from the Ways and Means Committee. Many Senators want to vote for social security benefits and not for medicare.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. JAVITS. Mr. President, before the Senator yields back his time, as Senator Anderson said, we did pass the King-Anderson bill. So we did pass, in effect, part B at the same time. That was the so-called supplementary private enterprise part of the package. The Senate passed that part at the same time that it passed the King-Anderson bill.

Mr. CURTIS. There is not any private enterprise provision in part B now.

Mr. JAVITS. I believe there is. However, we did do it once before.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, the Senator has very kindly limited himself in presenting this amendment. The amendment presents a clear-cut issue: Do Senators want to strike out the medicare provision from the bill? If they want to do so, vote for the amendment. If they want to keep the medicare provision in the bill, vote against the amendment.

I yield back the remainder of my time.

Mr. CURTIS. I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Nebraska. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). On this vote I have a live pair with the Senator from Missouri [Mr. Symington]. If at liberty to vote, I would vote "yea." If present, the Senator from Missouri would vote "nay." I therefore withhold my vote.

Mr. LONG of Louisiana (when his name was called). On this vote, I have a pair with the distinguished Senator from Virginia [Mr. Byrd]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. SALTONSTALL (after having voted in the negative). Mr. President, on this vote I have a pair with the Senator from Nebraska [Mr. Hruska]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Wyoming [Mr. McGee] and the Senator from Oregon [Mrs. Neuberger] are absent on official business.

I further announce that the Senator from Virginia [Mr. Byrd], the Senator from Arkansas [Mr. Fulbright], and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. McGee] would vote nay.

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. Dirksen] is necessarily absent.

The Senator from Nebraska [Mr. Hruska] is absent on official business and his pair has been previously announced.

The result was announced—yeas 26, nays 64, as follows:

[No. 170 Leg.]

YEAS—26

Allott
Bennett
Cotton
Curtis
Dominick
Eastland
Ervin
Fannin
Harris
Hickenlooper
Holland
Jordan, N.C.
Jordan, Idaho
Miller
Morton
Mundt
Murphy
Pearson
Robertson
Russell, S.C.
Simpson
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—64

Aiken
Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Dodd
Douglas
Fong
Gore
Gruening
Hart
Hartke
Hayden
Hill
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, Ga.
Scott
Smathers
Smith
Sparkman
Talmadge
Tydings
Williams, N.J
Yarborough
Young, Ohio

NOT VOTING—10

Byrd, Va.
Dirksen
Ellender
Fulbright
Hruska
Long, La.
McGee
Neuberger
Saltonstall
Symington

So Mr. Curtis' amendment was rejected.

AMENDMENT NO. 332

Mr. BREWSTER. Mr. President——

The PRESIDING OFFICER (Mr. Harris in the chair). The Senator from Maryland is recognized.

Mr. BREWSTER. Mr. President, I call up my amendment No. 332, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. BREWSTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment (No. 332) offered by Mr. Brewster is as follows:

FACILITATING EFFECTIVE ADMINISTRATION

Sec. 342. (a) Subsection (b) of section 505 of the Classification Act of 1949, as amended (5 U.S.C. 1105(b)), relating to the maximum number of positions authorized at any one time for grades 16, 17, and 18 of the General Schedule of such Act and the authority of the President to approve a limited number of such positions for new agencies and functions, is amended by striking out "twenty-four hundred" and inserting in lieu thereof "twenty-five hundred", by striking out "fifty" in paragraph (2) of such subsection and inserting in lieu thereof "one hundred and fifty" and by striking out "created" in such paragraph and inserting in lieu thereof "created or substantially expanded by legislation enacted".

(b) The amendments made by subsection (2) of this section shall be effective notwithstanding subsection (h) of section 505 of the Classification Act of 1949, as amended, or any other provision of law and shall become effective on the date of enactment of this Act.

The PRESIDING OFFICER. How much time does the Senator from Maryland yield himself?

Mr. BREWSTER. As much time as I may use, Mr. President.

The PRESIDING OFFICER. The Senator from Maryland may proceed.

Mr. BREWSTER. Mr. President, this amendment would authorize certain additional physicians in the grades of GS–16, 17, and 18. At the outset, I shall be brief and pursue this only if acceptable to the Senator in charge of the bill.

The committee, at the time of its consideration of the bill and the writing of its report, saw the need for such additional supervisory personnel.

On page 156 of the committee report, it is stated:

> To meet the substantial increase and responsibility and to put the Social Security Administration on a basis more nearly comparable to other agencies the committee recommends a substantial increase in the number of supergrades. The committee is concerned over the fact that the Social Security Administration, which requires a staff of 36,000 people to conduct its operations, has only 15 supergrade positions—a ratio of 2,400 to 1.

The committee goes on to state:

> It is particularly important, therefore, that there be allocation of supergrades to the Social Security Administration commensurate with its duties and responsibilities.

It is my understanding that the committee did not go further, even though it recognized the need, because it thought that another committee of the Senate could do the job.

Subsequently I checked with John W. Macy, Jr., Chairman of the Civil Service Commission; the Assistant Secretary who will carry out the responsibilities of the bill, and the chairman of the Committee on Post Office and Civil Service, the Senator from Oklahoma [Mr. MONRONEY], and all agree that additional supergrades are necessary.

Mr. ANDERSON. Mr. President, will the Senator from Maryland yield for a question?

Mr. BREWSTER. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. Do I correctly understand that the chairman of the committee in the Senate is agreeable to the Senator's amendment?

Mr. BREWSTER. The Senator is correct.

Mr. ANDERSON We left it out of the bill for a definite reason. We were afraid that the chairman was not agreeable to it and that we would be invading his jurisdiction. However, if the Senator assures us that the chairman has been satisfied, Senators should support the amendment, because it is completely right.

Mr. BREWSTER. I thank the Senator from New Mexico. I have checked this point with the Senator from Oklahoma [Mr. MONRONEY] and he has assured me that my amendment is agreeable to him.

Mr. President, as we all know, we are debating today a bill which, if enacted, will be the most significant social security legislation since that original Social Security Act was enacted in 1935.

It is for this very reason that I rise today to recommend that there be added to the bill a provision that I consider essential to the accomplishment of the great good that this bill holds for millions of Americans. I believe that it would be most unfortunate if, in enacting these much-needed and hard-won improvements and additions to the social security program, we failed to provide the means for assuring that the difficult and crucial job of implementing them is carried out in the most efficient way possible.

Even if we take for granted that the Social Security Administration will rise to the challenge as it always has done in the past, it will, unless we take preventive action, face a serious obstacle in effectively administering the expanded social security program that this bill calls for. I refer to the fact that the Social Security Administration will be seriously handicapped by the unrealistic limitation on the number of supergrades—that is, positions above grade GS-15—that is now allocated to it.

The Social Security Administration, which already operates the biggest insurance program of its kind in the world, pays over $16 billion a year to nearly 20 million people, serves tens of thousands of people daily through a nationwide network of over 600 offices, and requires a staff of 36,000 people to conduct its operations today has only 15 supergrade positions, 2 of which are in the scientific and technical excepted group. This means that there is only 1 supergrade position for every 2,400 employees. In comparison, the Railroad Retirement Board, conducting a somewhat similar program of much smaller scope, has 1 supergrade position for every 211 employees—more than 10 times the percentage of supergrades now permitted the Social Security Administration. The Internal Revenue Service has 1 supergrade for every 277 employees. The Civil Service Commission has 1 for every 136, the General Services Administration 1 for every 434, and the General Accounting Office 1 for every 156. None of these agencies has less than five times the percentage of supergrades allocated to the Social Security Administration. It is abundantly clear, as pointed out by the distinguished chairman of the House Committee on Ways and Means, WILBUR MILLS, when he opened the House debate on H.R. 6675, that the allocation of higher level positions to direct the social security program has failed by far to keep pace with the rapid growth of the program.

And now, in enacting this bill, we will be expecting the Social Security Administration to take on a much larger job than it has ever been confronted with before, particularly during the next few years.

To begin with, the Social Security Administration will face a major job of advance planning and preparation to bring the health insurance programs into operation by next year. Extensive negotiations will be required to complete agreements and financial arrangements with fiscal intermediaries, insurance carriers, State agencies, and others. Broad-scale consultation will also be required with professional organizations representing the Nation's hospitals and others who furnish reimbursable health services. Operational policies and recordkeeping procedures will have to be worked out on a national scope—a large task and one never before undertaken in the health field. This will entail, among other things, getting information about the two health programs to 19 million old people, answering the many thousands of inquiries that will be prompted by the enactment of the new voluntary insurance plan, setting up records for those who elect to participate in the plan, and preparing and delivering identification cards for all the eligible aged. In addition to this vast enrollment task, the Social Security Administration will have the tremendous job of taking and developing new claims in order to establish the basic eligibility of the aged who have been uninsured for cash benefits and of all others over 65 who have not yet applied for social security benefits. This will mean a doubling of the old-age, survivors, and disability insurance claims load for a single year, and it will take place at the same time that the many other changes that we are making in the existing social security law will bring a heavy volume of additional activity into Social Security district offices.

If we expect—and we certainly do—the Social Security Administration to carry out its new responsibilities in a manner befitting their importance and the needs and proper expectations of the American people, any unnecessary and inequitable handicaps upon the organization ought to be removed without delay. Effective carrying out of the provisions we are making for the health and security of the Nation's senior citizens, and for helping its widows and its orphans, is far too important to warrant risking impairment of the job by failing to allow the Social Security Administration enough higher level jobs to attract and retain people who have the required talents and skills.

In the light of all these considerations, I propose that the bill now before us be amended to provide that the existing law which allocates supergrade positions to the President for use in administration of new functions be changed so that the Social Security Administration will be assured of a substantial increase in the number of supergrade positions allocated to it. Specifically, I am recommending that 100 new supergrade positions be provided so that the President will be able to give the Social Security Administration a sufficient number of the kind of top management positions needed to do the job.

As you know, the central offices of the Social Security Administration are located in my own State of Maryland and I have first-hand knowledge about both the magnitude of the task now being done by that Administration and the ramifications that the bill now pending before us will have for the size of that task. I have felt so strongly that steps needed to be taken to help the Social Security Administration meet this expanded task that I discussed the problem with my colleagues on the Post Office and Civil Service Committee, and they agreed that an amendment such as I am proposing today is needed. And, of course, the Finance Committee, which conducted extensive deliberations on the provisions of H.R. 6675 and on the administrative implications of these provisions, also recognized the need for additional supergrades in the Social Security Administration and, in its report on the bill, recommended the very thing that I am proposing. The Senate Finance Committee said in its report:

> To meet the substantial increase and responsibility and to put the Social Security Administration on a basis more nearly comparable to other agencies the committee recommends a substantial increase in the number of supergrades. The committee is concerned over the fact that the Social Security Administration, which requires a staff of 36,000 people to conduct its operations, has only 15 supergrade positions—a ratio of 2,400 to 1. Many agencies in the Government with only a fraction of this number of employees have more supergrades.
>
> The allocation of higher level positions to the social security program has not kept pace with the rapid growth of the program. Enactment of this bill would result not only

in further substantial increases in the number who are actually getting benefits but also in an enormous increase in the scope and variety of the benefits payable and in the administrative complexities involved in the operations of the program. It is particularly important therefore that there be allocation of supergrades to the Social Security Administration commensurate with its duties and responsibilities.

I hope that all Senators who are as concerned as I am in the smooth and successful carrying out of the far-reaching programs we are acting on today, will join me in voting for the inclusion of this provision in H.R. 6675.

Mr. President, I should like to propound a question to the Senator from Louisiana [Mr. LONG], the Senator in charge of the bill, to inquire if my amendment meets with his approval.

Mr. LONG of Louisiana. Mr. President, the Senator from Maryland has correctly stated the problem. There is no doubt that if this bill, when it becomes law, is to be properly administered, the Department will have to hire doctors, insurance experts, hospital administrators, and others, to help the Department operate the program efficiently and wisely, and also to set standards for administering the details of the program.

The kinds of persons who will be needed to administer and operate such a program properly are not going to be available for $15,000 a year. We would do well to get them even at supergrade pay. The kinds of persons we need for these jobs are already receiving $25,000 and more in their present employment, so that the supergrades will definitely be needed, and Congress will have to provide them.

The Department feels that it would need, at a minimum, 100 employees at supergrade pay. We did not put that in the bill because the Committee on Post Office and Civil Service, we felt, has jurisdiction over that kind of legislation.

Subsequently, I believe that the Senator from Maryland—in whose State incidentally most of these employees would be working—has looked into the matter and inquired of the distinguished chairman of the committee and of the ranking Republican member, the latter of whom incidentally was the Senator on the Finance Committee who raised the need of additional supergrades. I also understand from him that the chairman of the Post Office and Civil Service Committee would be willing to support the amendment.

If that is the case, I would have no objection to the amendment of the Senator from Maryland. The Finance Committee, did not wish to do this without touching base with the Committee on Post Office and Civil Service.

The distinguished Senator from Kansas [Mr. CARLSON], the ranking member of the Republican side of the aisle, who was former chairman of the committee, is in the Chamber. I know that he has some views on this problem, and I would be very happy to yield to him so that he might explain his views. To that end, Mr. President, I yield 5 minutes to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 5 minutes.

Mr. CARLSON. Mr. President, I am not insensitive to the need for supergrades, but I believe that the Senate should recognize that it would be establishing a precedent which it has refused to do for other agencies of the Government. Supergrades which have been created for the use of various agencies of the Government have come through the regular Committee on Post Office and Civil Service. We assign them to the Civil Service Commission, which allocates the supergrades to the other agencies of the Government. This would be, therefore, an unusual procedure. I remember only one previous occasion when this was done, when the Senate ever voted for a supergrade for any agency.

Accordingly, I shall not oppose the amendment, because I realize the need for it. I believe that the social security operation, under the Department of Health, Education, and Welfare, has been a stepchild of that agency.

Mr. LAUSCHE. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order.

The Senator from Kansas may proceed.

Mr. CARLSON. Mr. President, the——

Mr. ANDERSON. Mr. President, will the Senator from Kansas yield for a moment?

Mr. CARLSON. I am glad to yield.

Mr. ANDERSON. I could not hear the Senator, whether he favored or did not favor the amendment of the Senator from Maryland.

Mr. CARLSON. I do not oppose the amendment. I am not happy about it, for the reason that I believe it would establish a precedent which has been invoked only once during my entire service in the Senate. However, I feel so keenly the need for supergrades that I hesitate to oppose the amendment today. I would be happy if the Civil Service Committee would meet and vote the 100 or more supergrades which will be needed. Let us not legislate in this way. If there were a yea-and-nay vote on the amendment, I would have to vote against it; but, personally, I believe that we should have it.

Mr. ROBERTSON. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 minutes.

Mr. ROBERTSON. Mr. President, I am very much opposed to this amendment. The Senate does not create $20,000 and $25,000 jobs 100 at a time in this way.

The pending amendment proposes to change the Classification Act, which has nothing in the world to do with it. If we had any rule concerning germaneness, it would go out on a point of order, but Senators can bring up almost anything they wish on the floor of the Senate and force a vote upon it.

I do not know how much this would cost, or how many employees of this kind would be needed. I believe that it would set a bad precedent.

Let us take a look at what happens when we are dispensing these "sugar plums."

The President recommended an increase of $3.6 billion. The House increased that to approximately $5.8 billion. The Senate then raised it to $6.8 billion. Now, on the Senate floor, we have raised it to $7.2 billion.

Anyone who has read about the decline and fall of the Roman Empire knows about bread and circuses.

We have provided in the budget for the coming fiscal year for every type of relief we could think of, totaling $44 billion.

The President has sent up a new medicare bill. Everyone wants to add sugar plums, of course. So we add to the President's bill. This is not even an election year. We raise the President's figure to $7.2 billion. What do Senators think will happen in the election year of 1968? It will be double that, because every Senator has some friends to whom to say, "Think what I did for you." I am against it.

Mr. LONG of Louisiana. Inasmuch as the matter has come up, we might as well agree to it and go to conference with it and leave it with the conferees. If the chairman of the Committee on Post Office and Civil Service were objecting to it, I would look at the matter differently.

The amendment, while it would cost some money and provide some high salaried people in the Department to administer the program, would probably save money in the long run. We have a $7 billion program. We shall need some highly competent people to run it. That is what we are setting up. We need competent people. We can either do it now or wait. In view of the fact that the distinguished chairman of the Committee on Post Office and Civil Service, having jurisdiction over the subject, does not object, I would just as soon vote for it.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. ANDERSON. I completely agree with the Senator from Louisiana and the Senator from Maryland in their position. In part (b) we would set up a premium income of $1 billion in the first year. Anyone who is familiar with trying to start an insurance business knows that he does not start with a billion dollars in premium income. That is a very large premium income. We need the wisest insurance experts that we can possibly get to administer the program.

I was a little disturbed by what the Senator from Kansas said. I have the greatest respect for the Senator from Kansas. If FRANK CARLSON believes that this amendment should be kept out, I will vote to keep it out. This is a very complex problem. Those of us who have tried to start an insurance company know how difficult it is to find the right personnel to operate it. I know some people in the insurance business who have started at far higher salaries than are proposed to be paid here. If we pass the bill, we will have some time to see what the other members of the Post Office and Civil Service Committee believe. It might be that they might change their minds before we reach the conference.

I compliment the Senator from Maryland on trying to add the amendment to the bill.

Mr. CARLSON. Mr. President, I believe in this principle as keenly as does the distinguished chairman of the committee and the distinguished Senator from New Mexico [Mr. ANDERSON]. I am sure they will agree that I was the one who brought up the subject in committee. I could sense the need for it. I do not like the method of creating supergrades on the floor of the Senate. I will make this commitment: If the chairman of our committee will call a meeting any day next week, I will try to obtain authorization for the supergrades that the Commission determines it needs. I believe that is the proper way to do it. In that way we would not blanket these people in. I hope the Senator from Maryland will withdraw his amendment.

Mr. LONG of Louisiana. I hope the Senator will withdraw it on that basis. The matter will be considered in the Committee on Post Office and Civil Service. The Senator from Maryland was discussing the amendment with another Senator at the time the Senator from Kansas spoke. The Senator from Kansas has assured us that the committee would meet promptly and recommend the needed supergrades.

Mr. BREWSTER. Mr. President, I thank the Senator from Louisiana and the Senator from New Mexico and the Senator from Kansas for their assistance in this matter. I wished to bring it to the attention of the Senate. The Social Security Administration is located in Maryland. I am acutely aware of the need for the appropriate personnel to carry out the medicare program when it is enacted into law.

With the assurances given by the ranking Republican member of the Committee on Post Office and Civil Service, and also with the support of the distinguished Senators who have spoken for the amendment, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LONG of Louisiana. Mr. President, I have an amendment at the desk. I should like to call it up. It bears my name.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 360, line 23, strike out "January 1, 1966" and insert in lieu thereof "October 1, 1965".

On page 361, lines 5 and 6, strike out "of the first $80 per month of earned income" and insert in lieu thereof "(i) the State agency may disregard not more than $7 per month of any income and (ii) of the first $80 per month of additional income which is earned".

On page 361, between lines 7 and 8, insert the following:

"(b) Effective October 1, 1965, section 402 (a)(7) of the Social Security Act (as amended by section 411 of this Act) is further amended by inserting before the semicolon at the end thereof the following: ', and (C) the State agency may, before disregarding the amounts referred to in clauses (A) and (B), disregard not more than $7 of any income'.

"(c) Effective October 1, 1965, section 1002 (a)(8) of the Social Security Act is amended by inserting before the semicolon at the end thereof the following: ', and (C) may, before disregarding the amounts referred to in clauses (A) and (B), disregard not more than $7 of any income'."

On page 361, line 16, strike out "(b) Effective January 1, 1966" and insert in lieu thereof "(d) Effective October 1, 1965".

On page 361, line 19, strike out "(A) of the first $80 per month of earned income" and insert in lieu thereof "(A) the State agency may disregard not more than $7 of any income, (B) of the first $80 per month of additional income which is earned".

On page 362, line 6, strike out "(c) Effective January 1, 1966" and insert in lieu thereof "(e) Effective October 1, 1965".

On page 363, strike out "and" in line 14, strike out the semicolon in line 19 and insert in lieu thereof a comma, strike out the close quotation marks and the period in line 20, and between lines 20 and 21 insert the following:

"(D) the State agency may, before disregarding the amounts referred to above in this paragraph (14), disregard not more than $7 of any income; and".

Mr. LONG of Louisiana. Mr. President, the amendment is similar to the amendment the committee reported to the Senate last year. The Senate agreed to it, and it was taken to conference. It was an amendment that I had suggested. It provides that when persons get the increase in their social security payments, if the State cares to do so, the State may disregard the $7 increase and the recipients may keep the $7, without reducing the public welfare check. The Senate agreed to it without dissent last year. I have discussed it with other members of the committee, and they would be willing to take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

Mr. HARRIS. Mr. President, I support the amendment of the Senator from Louisiana.

Mr. SALTONSTALL. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG of Louisiana. I yield.

Mr. SALTONSTALL. I have prepared three or four questions on the matter of the administration of the bill by State agencies, and I have submitted them to the Senator from Louisiana [Mr. LONG], who is in charge of the bill. I invite his attention to pages 108 and 109 of the bill, which have to do with the use of State agencies to determine compliance by providers of services with conditions of participation. I also call the Senator's attention to pages 48, 49, and 50 of the committee report with relation to the administration of the health insurance provisions.

As a former Governor and as one who believes the law should be administered to the greatest extent possible by States and localities, rather than by services in Washington, I should like to ask the Senator from Louisiana certain questions for the RECORD:

To what extent does the Secretary of Health, Education, and Welfare intend to use State agencies and private organizations in administering the health care sections of the bill?

Will the major administrative functions be delegated primarily to the Secretary of Health, Education, and Welfare or State agencies and private organizations?

Mr. LONG of Louisiana. Mr. President, I yield myself such time as I may need.

It is intended that private insurance and prepayment organizations would be used primarily in the following ways:

If nominated by a group of hospitals or other providers of service, the private organization, if the arrangement is approved by the Secretary as an economical one, would use approved formulas to determine the costs of individual providers of service.

They would review the bills submitted by providers of services and reimburse them for their costs.

They would be responsible for administering provisions related to control of utilization.

They would also perform audit functions including postaudit reviews.

In the case of the supplementary medical insurance program, private organizations would make a determination of reasonable charges and review and pay doctor's bills.

Local medical societies may also be used in the establishment of utilization review committees.

The Joint Commission on Accreditation of Hospitals would in effect have a primary role in determining what hospitals would qualify to participate in the program. Hospitals which are accredited by the Joint Commission—consisting of AMA, American Hospital Association, American College of Surgeons, and American College of Physicians—would automatically—unless the State determined otherwise—meet all requirements to participate except utilization review, not now a requirement for accreditation.

The Senator also asked about State agencies, I believe.

Mr. SALTONSTALL. I asked about State and private agencies.

Mr. LONG of Louisiana. In regard to State agencies: Under reimbursable agreements with the Secretary, they will make the initial determinations as to whether various institutions qualify for participation in the program.

State agencies will be consulted about qualifications for participation and can recommend to the Secretary that higher than minimum standards apply in the particular State.

Groups of providers of services can, if they wish, nominate State agencies to serve as the "fiscal intermediaries" for the determination of costs of a particular provider and the payment of bills. If they are selected they would also have responsibility for certain audit functions and for administering provisions related to control of utilization.

States would also have responsibility for any planning activities needed to relate the program for the aged to other aspects of health care in the State, with the Federal program paying a share of the cost.

State agencies can be used also to help set up utilization committees in those situations where a provider of a service does not have such a committee.

On a reimbursable basis the State agencies can be used to consult with provider of service for the purpose of helping substandard institutions come up to qualification standards.

It is intended that major administrative functions be divided, with those aspects of administration related to direct dealing with the various providers of services being performed largely by the State agencies and private organizations, and with the tasks related to basic eligibility of individuals, premium collection under the supplementary medical insurance program, and general recordkeeping being performed by the Secretary.

Mr. SALTONSTALL. I thank the Senator. Broadly speaking, what the Senator has said is that the Secretary of HEW will use private organizations in the State as far as he can. He would use the State agencies as consultants and assistants in the administration of the bill as far as he can.

I should like to ask one additional question: Who will be responsible for the auditing and recordkeeping functions of the program?

Mr. LONG of Louisiana. Audits will be performed in the first instance largely by private organizations and State organizations but the Federal Government has also a residual responsibility for auditing on a sample basis.

Some recordkeeping functions will be performed by private organizations and State agencies but it is intended on the basis of present thinking that basic records on individual eligibility and utilization of services, a part of eligibility, will be incorporated into existing socal security recordkeeping operations.

Mr. SALTONSTALL. So that fundamentally private organizations, local organizations, and State organizations under the general overall direction of the Department of Health, Education, and Welfare would carry out the functions of the bill. They would not all be transferred to Washington with an immense increase in bureaucracy. Is that correct?

Mr. LONG of Louisiana. That is our intention.

Mr. SALTONSTALL. Has the Senator any idea of the number of additional employees that would be required in Washington?

Mr. LONG of Louisiana. It is estimated that more than 3,000 employees would be engaged in each of the health insurance programs. I am sure the Senator realizes that this is a very big bill.

Mr. SALTONSTALL. They would be not only here in Washington, but all over the country. Those will be the Federal employees who will help to administer the bill. The State governments, the local authorities, and the various cities and the private organizations, such as private hospitals in Massachusetts, including Massachusetts General Hospital and other recognized hospitals, would be responsible for carrying out and interpreting the act to the best of their ability.

Mr. LONG of Louisiana. The Senator is correct.

Mr. SALTONSTALL. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, since there appears to be no opposition to the amendment, I ask for its adoption

The PRESIDING OFFICER. Does the Senator from Louisiana yield back the remainder of his time?

Mr. LONG of Louisiana. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. MORTON. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Kentucky will be stated.

The LEGISLATIVE CLERK. On page 264, beginning with line 21, it is proposed to strike everything through line 11 on page 267.

The portion of the bill proposed to be stricken is as follows:

COVERAGE FOR DOCTORS OF MEDICINE

SEC. 311. (a)(1) Section 211(c)(5) of the Social Security Act is amended to read as follows:

"(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner."

(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect."

(3) Section 210(a)(6)(C)(iv) of such Act is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training".

(4) Section 210(a)(13) of such Act is amended by striking out all that follows the first semicolon.

(b)(1) Section 1402(c)(5) of the Internal Revenue Code of 1954 (relating to definition of trade or business) is amended to read as follows:

"(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner."

(2) Section 1402(c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following: "The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect."

(3)(A) Section 1402(e)(1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out "extended to service" and all that follows and inserting in lieu thereof "extended to service described in subsection (c)(4) or (c)(5) performed by him."

(B) Clause (A) of section 1402(e)(2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: "(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of $400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or".

(4) Section 3121(b)(6)(C)(iv) of such Code (relating to definition of employment) is amended by inserting before the semicolon at the end thereof the following: ", other than as a medical or dental intern or a medical or dental resident in training".

(5) Section 3121(b)(13) of such Code is amended by striking out all that follows the first semicolon.

(c) The amendments made by paragraphs (1) and (2) of subsection (a), and by paragraphs (1), (2), and (3) of subsection (b), shall apply only with respect to taxable years ending on or after December 31, 1965. The amendments made by paragraphs (3) and (4) of subsection (a), and by paragraphs (4) and (5) of subsection (b), shall apply only with respect to services performed after 1965.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky. How much time does the Senator yield to himself?

Mr. MORTON. Mr. President, I yield myself 5 minutes.

The purpose of this amendment is very simple; it requires no detailed explanation. It would remove section 311 from the bill. Section 311 provides for social security coverage of physicians and interns. Under the provisions of section 311 self-employed physicians would be covered for taxable years ending on or after December 31, 1965, and interns would be covered beginning on January 1, 1966. This amendment would delete this compulsory coverage.

There are today in this country some 290,000 physicians, and interns. About 150,000 of these interns and physicians are covered by social security by virtue of their employment by hospitals, insurance companies and others. So what we are talking about is compulsory coverage for about 140,000 physicians who are adamantly opposed to such coverage.

Why are they to be covered? Certainly when compared to the 65 million persons covered today by social security, their number become insignificant. The tax derived from their coverage could not be regarded as an indispensable addition to the fund. Why then should they be compelled to accept coverage? I can find no reason. On the contrary, the evidence indicates that they should best be left where they are. The committee felt so last year and by a vote of 12 to 5 removed a similar provision from the social security bill under consideration at that time.

Physicians look at their work somewhat differently than do most other of our employed. When the ordinary employee reaches the 50-year mark he begins to think of retirement, and most of our retirement programs are geared to the 60 to 65 age level. But not so with physicians. For the most part, they look forward to the practice of their profession well into their seventies. What then would the effect of compulsory inclusion be? Simply this; we would impose a tax that they would be required to pay without receiving any benefit until they were past 72, the age limit at which income limitations cease to apply. How can this type of treatment be justified? Frankly I do not think that it can be.

Certainly it would not be in the public interest to encourage physicians to retire at 65. But that is the effect of forcing physicians to participate in a program from which they will receive, at best, only limited benefits. It might be different if social security were truly an insurance program but admittedly it is not. It is a taxing program and the revenue is used to pay current benefit obligations.

In many small towns and rural areas there is a critical shortage of physicians. Many physicians continue to practice their profession well past the age of 65. They render invaluable service. I am afraid we shall be making a bad situation worse by forcing all physicians to go on social security. There would be little incentive for them to practice beyond the age of 65, and we would further diminish the number of doctors available, especially in the small towns and rural areas. I suggest that we wait and find out what physicians desire, and if they get together—as indeed finally the lawyers and the dentists did—it will be time enough to put them under social security.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. CARLSON. I associate myself with the remarks made by the distinguished Senator from Kentucky [Mr. MORTON]. There are great rural areas in this Nation where doctors cannot retire at the age of 65 because of the lack of doctors. They therefore would be unable to secure any benefit from the program.

Second, if the amendment is approved, the subject will be in conference, because the House has already placed physicians under the social security program. Therefore, in conference, our committee would be given an opportunity to work on the subject.

I sincerely hope that the Senate will adopt the amendment of the Senator from Kentucky.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. SPARKMAN. I should like to ask the Senator a question. In the past, various groups of professional people have been placed under social security; but has that not been on an optional basis each time?

Mr. MORTON. The Senator is correct.

Mr. SPARKMAN. I remember quite well that I sponsored an amendment to cover State and county employees, firemen, policemen, and also schoolteachers. I am sure that in each instance it was placed on an optional basis. I remember that one group would come in and another one would not. For example, I recall that some schoolteachers desired to be covered while the National Association of Teachers did not want it. It was 2, 3, or 4 years before they came under coverage.

The same thing was true of firemen. I can recall that in the case of firemen the procedure was broken down even to units, less than on a statewide basis, but it was on an optional basis. They were given the right to come in if their unit, whatever the unit was, asked them to do so.

Mr. MORTON. The same thing applied in the case of the American Bar Association. Three times the lawyers decided they did not want to come under social security, but finally in 1956 they decided to come under it.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. ERVIN. I wish to associate myself with the remarks made by the Senator from Kentucky in support of his amendment, which in my judgment is a very just amendment. For that reason I expect to support the amendment offered by the distinguished Senator from Kentucky.

Mr. MORTON. I thank the Senator from North Carolina.

Mr. President, I ask unanimous consent that the name of the junior Senator from Oklahoma [Mr. HARRIS] who spoke to me about this matter earlier today, be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORTON. I thank the Senator.

Mr. President, I ask unanimous consent that the junior Senator from Oklahoma [Mr. HARRIS], who spoke to me about this subject early in the day, may be made a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. COTTON. I commend the Senator from Kentucky for offering the amendment. As he knows, I have been deeply interested in the effort to retain doctors in rural communities. The amendment has much merit and I therefore associate myself with the Senator in its support.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. SIMPSON. I associate myself with the remarks of the Senator from Kentucky. Would the Senator object to my asking for the yeas and nays?

Mr. MORTON. Perhaps the Senator from Louisiana will accept the amendment; if so, it will not be necessary to ask for the yeas and nays.

The Senator from Wyoming wishes to ask for the yeas and nays. Is the Senator from Louisiana willing to accept the amendment?

Mr. LONG of Louisiana. No; I cannot do that.

Mr. SIMPSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ROBERTSON. Mr. President, will the Senator from Kentucky yield for a question?

Mr. MORTON. I yield.

Mr. ROBERTSON. Under the Senator's amendment, could doctors who wanted to participate in social security do so? I understand that the House bill forces all doctors under social security; we take all doctors out; under the Senator's amendment, could some doctors come under social security if they so desired?

Mr. MORTON. Not under my amendment. Perhaps some arrangement might be made in conference.

In the United States today are 290,000 physicians and interns. One hundred and fifty thousand are already under social security by virtue of their employment by insurance companies or industry.

Perhaps in conference it might be possible to arrive at an arrangement such as the Senator from Alabama [Mr. SPARKMAN] said was made with respect to firemen in that State.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. MILLER. I ask unanimous consent that I be shown in favor of the amendment of the Senator from Louisiana [Mr. LONG], just adopted by a voice vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORTON. Mr. President, I yield 2 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, under the bill as passed by the House, I understand that it is mandatory that doctors come under the social security law.

Mr. MORTON. That is correct.

Mr. THURMOND. Under the Senator's amendment, would doctors be excluded altogether?

Mr. MORTON. Yes, except those covered by reason of their employment by insurance companies or industry.

Mr. THURMOND. Doctors in private, independent practice would be excluded. My thinking is that the question should be optional with doctors; and that could decide whether they wish to be included within the social security program. Is it the Senator's hope that if the amendment is adopted there will be a conference at which, possibly, that result, or some similar result, may be reached?

Mr. MORTON. That is a difficult result to reach, because obviously a person would not want to come under it unless he envisaged early retirement or had just graduated from medical school, married, acquired some debts, and wanted to be eligible for survivorship benefits. Conceivably, something could be arranged.

Mr. THURMOND. The Senator from Virginia [Mr. ROBERTSON] made the important point that if the choice were made optional, doctors could come under the plan if they so desired, but that doctors would not be mandatorily covered in this fashion.

Mr. MORTON. The lawyers stayed out of the program following two votes; but on the third vote, they decided to come in.

Mr. RIBICOFF. Mr. President, I yield myself 5 minutes.

I oppose the amendment. Basically, the only large self-employed group in the country today not covered under social security are the doctors. As the Senator from Kentucky admits, one-half the doctors in the country are now covered by social security because of their employment by corporations, hospitals, or universities, where they are considered employees and their contributions to the fund are matched.

It is known that the American Medical Association, purporting to represent the doctors, does not want to come under social security. The AMA has consistently refused to poll the doctors, but over the years, a number of State medical societies have taken polls. They have disclosed that the overwhelming number of doctors wished to come under social security.

There is no basic reason why a doctor and his family should not be covered. All doctors do not live beyond 65; many doctors die at a young age, leaving their wives and children. During the early years of a doctor's practice, he has not had an opportunity to accumulate a large estate; consequently, when a doctor dies at the age of 35 or 40, leaving his widow and children, all of us know that those young families do not have the social security benefits that are afforded other employed persons in the United States. We have observed such experiences in our own home towns.

That the American Medical Association has refused to allow its membership to vote on this question indicates its fear that the vote would go against them. Under the circumstances, I see no reason why a self-employed doctor should not have the same coverage as is afforded Americans who are employed in business or industry.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. LONG of Louisiana. The point has been made that some doctors continue to work after they reach the age of 65. So do many other people. But by the time they reach the age of 70, 78, or 80, and especially beyond 80, they are not going to be working, and they ought to have retirement income.

Mr. RIBICOFF. Not only that; many lawyers and dentists work beyond the age of 65. So do many accountants. The members of other professions work beyond the age of 65, as do many of us, and they are covered.

The basic reason why doctors have not been included—and it is a practical one—is that doctors have fought social security and medicare. They have fought it year in and year out. They have felt—and I can understand their reason—that if they were against the social security approach, they should not place themselves in a position where they would become social security beneficiaries.

The facts are clear and evident that under the leadership of the distinguished Senator from New Mexico [Mr. ANDERSON] the bill, after 5 years, is about to become law. I am convinced, and I am confident, that the doctors of America will fulfill their responsibilities and do their duty to take care of sick persons, whether they be private patients or patients who come under the social security law.

Under the circumstances, some doctors will want to be social security beneficiaries, and there is no reason why they should not be social security beneficiaries.

I suggest that every Senator who knows a doctor should speak with him privately. He will learn that the doctor does not really understand why he should not come under social security. The real reason is that pressure has been placed on him by the AMA.

But now that we are passing the bill and no longer is there the question of avoiding medicare, the time has come to do for the doctors, their wives, and their children what has been done for those employed in business or industry or in any other profession. If the social security benefits are good enough for lawyers, dentists, accountants, and druggists, and every other profession one can think of, I do not see why the program is not good enough for doctors.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. LONG of Louisiana. Only the other day a widow called me, frantically asking when the bill would become law. She is a widow and has two children in college. One has passed the age of 18; the other will soon be 18. That little family needs the benefits of the liberalized provisions in the bill to enable the children to continue their schooling, obtain an education, and receive some of the help provided by the social security program.

If the widow had been the wife of a doctor, she would not be able to obtain any help. She would have to apply to the public welfare department. That is the kind of situation that needs attention. If the doctors do not want help, what about their widows and children?

Mr. RIBICOFF. The Senator is absolutely correct. I recall that a few weeks ago the editor of a leading newspaper in my State called me and asked whether I would not speak with a friend of his from Oregon.

A charming, educated woman of the age of 38 came into my office. She had three young children. She had married a young man while he was still in medical school. Her husband had just about reached the stage at which he had gone through an internship, through a residency, and had gone out to the State of Oregon to begin the practice of medicine. He died within a year. The young doctor was indebted because of borrowing to open his practice. He left his widow without a nickel.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 additional minutes.

Mr. RIBICOFF. Mr. President, the widow came to my office. She was educated and talented, but she was in desperate straits. She needed work—any kind of job in order to feed herself and her children. This situation happens all the time, all over the country.

I recall that in my State of Connecticut, a brilliant young physician of the age of 45 had spent 10 or 12 years preparing himself for his profession. He caught a disease from one of his patients and died, leaving a wife and two children.

The widow came to me and told me a story similar to that told by the widow of the doctor from the State of Oregon. She asked: "Who will support me and my children?" All her neighbors, whether they work in a factory or a grocery store, or are the widows of lawyers or accountants, would be in a position to receive benefits from social security. Suddenly, because of the practice of the AMA, we are placed in a position of denying to an individual physician, his wife, and children, the opportunity to receive the same social security benefits received by every other employee in the United States.

I believe that we have a problem concerning the coverage of doctors, and that we, as Senators, owe an obligation to the wives and children of doctors. We should not seek to exclude them from the coverage of social security.

Mr. GORE. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. GORE. Mr. President, in pursuance of the views of the Senator that we have a social obligation, I should like to call the attention of the Senate to another instance in which such a provision would have been very helpful, had doctors been previously covered by the social security system.

In a certain county with which I have personal association, there are six doctors. Two of these six doctors are now elderly, in ill health, and unable to practice. Neither of them has laid aside any worldly goods.

Both those doctors have been country physicians who gave much of their time without charge. They are now in the evening of their lives. Frankly, they are in need. Their need would have been attended to had they been covered under the social security program a long time ago.

I believe that we should do this now and not support the position taken by the distinguished Senator from Kentucky.

Mr. RIBICOFF. Mr. President, may I say further to the distinguished Senator from Kentucky that it is said that the doctors themselves oppose being covered under social security. Yet, a number of

State medical societies have taken it upon themselves to poll the doctors.

I have before me some figures—appearing on page 957 of the hearings—which constitute the results of polls taken in various States concerning whether doctors themselves want to be covered by social security.

The table reads as follows:

Results of State medical society social security polls

State	In favor	Opposed	Number of votes in AMA House of Delegates
States for social security (19):			
California	635	372	21
Connecticut	1,391	504	3
Delaware	135	85	1
District of Columbia	550	192	2
Florida	957	714	5
Maine	369	210	1
Massachusetts	3,253	988	6
Michigan	1,781	1,048	7
Missouri	277	148	4
New Jersey	2,174	916	6
New York			24
Ohio	4,095	2,737	9
Pennsylvania	5,605	3,335	11
Rhode Island	70	30	1
South Dakota	155	104	1
Utah	322	188	1
Vermont	65	35	1
Washington State	60	40	4
West Virginia	436	237	2
Total			110
States against social security (8):			
Arkansas	167	596	2
Georgia	496	539	3
Illinois	2,790	3,301	11
Indiana	181	246	5
Minnesota	817	1,030	4
Oklahoma	446	761	2
Virginia	38	62	3
Wisconsin	854	870	4
Total			34

Mr. President, considering the number of delegates that the various States have in the house of delegates of the American Medical Association, 110 delegates were in favor of social security coverage and 34 delegates were opposed, if we analyze the figures.

This is not an open and shut proposition in which the medical profession is opposed. Many in the medical profession is for social security coverage.

Time and time again in the United States, various doctors have said to the American Medical Association: "Under your own circumstances, under your own rules, under your own provisions, poll the doctors of America." The AMA has consistently refused to poll its own doctors.

If we were to agree to the amendment offered by the Senator from Kentucky, it would not be a matter of taking care of the doctors. We would be rendering a great disservice to the families of doctors—especially the younger doctor just starting out in his career.

I see no reason why the wives and children of the doctors should not have the same rights and privileges possessed by every other citizen of the United States.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself 5 additional minutes.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield 3 minutes to the Senator from Louisiana.

The **PRESIDING OFFICER.** The Senator from Louisiana is recognized for 3 minutes.

Mr. LONG of Louisiana. Mr. President, one reason why we are importuned by many persons, who contend that they speak for doctors, to leave the doctors out of the program is that many doctors do not really understand the problem.

Their situation as a professional group, and from an economic point of view is very similar to that of lawyers. Lawyers do not want to retire at the age of 65. One-fourth of the Members of the Senate are over the age of 65. However, we must think about the young doctors and the families. This kind of protection for a young man for his wife and children would cost much more from a private company than it would under the group insurance that would be available to that family under the social security program.

This matter was debated in Ohio when the junior Senator from Ohio was president of the bar association in his city. He told the story that at that time the lawyers were on record as being opposed to social security coverage for certain lawyers.

The junior Senator from Ohio, as president of the bar association, called for a debate. He got two lawyers to debate the case against social security, and he got two lawyers to debate the case for social security coverage. A large audience was present at the debate.

After the debate was concluded, even though their bar association was on record as being opposed to social security coverage, they had a vote. Every man who had heard both sides voted unanimously that lawyers should be covered by social security—including the two who had debated against social security coverage for certain lawyers.

That is about how it worked out if the doctors understood the situation as the lawyers did in the State so ably represented by the distinguished junior Senator from Ohio, who brought this matter to the attention of the members of the bar association at the time he was their president.

Mr. President, I believe that we have gone around long enough leaving the doctors not covered by social security benefits. This has been because the doctors do not really understand the situation. One of these days, we ought to vote for what is good for people whether they want it or not.

I am about ready to vote and go ahead and let the doctors be covered for the good of their wives and children, even though they are not asking for it.

Mr. RIBICOFF. Mr. President, I yield myself another 5 minutes.

The **PRESIDING OFFICER.** The Senator from Connecticut is recognized for another 5 minutes.

Mr. RIBICOFF. Mr. President, I shall read some colloquy which is found on page 961 of the hearings.

The colloquy was between Dr. Schamberg and the senior Senator from Illinois [Mr. Douglas]. It is based upon a poll that was taken by the medical journal called Medical Economics:

> Senator Douglas. You never mentioned that before, the poll by Medical Economics. That was not included in your body of your testimony. I would like to hear about that.
>
> Dr. Schamberg. I would be very happy to submit this for the record. This is 1965. A sampling was requested by Medical Economics, saying, "Do you already have some social security coverage as a result of past or present employment? Yes, 53.5 percent. No, 38.3. Don't know, 8.2.
>
> "If you already have some coverage, some social security coverage, how do you feel about it."
>
> Of those who responded, 47.8 percent stated that they were glad to have it and wanted more; 33.5 percent said they were glad to have it but did not want any more. Adding those two figures 81.3 percent of the physicians who had some social security coverage were glad that they had it. The other two categories were "Would prefer not to have coverage," 16.7, and "Mixed feelings, 2 percent."
>
> Senator Douglas. What about those who were not covered, the independent practitioners?
>
> Dr. Schamberg. This is interestingly difficult. The question was asked, "If you do not already have some social security coverage do you want coverage for yourself?" 50.4 percent, just over a majority said "Yes;" 28.6 percent said "No;" 11 percent were undecided.
>
> Senator Douglas. Would you have copies of that made and submitted for the record?
>
> Dr. Schamberg. I will be happy to submit this now.
>
> Senator Douglas. Very good.

The statistics are here. As one goes through them, one comes out with the following consensus: 64.1 percent of the doctors say "yes"; 17.9 percent say "no"; 18 percent have no opinion.

Therefore, we have a situation in which at every opportunity doctors have had to indicate a choice, they have indicated that they would like to obtain coverage.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. ROBERTSON. Did the Senator refer to the poll taken in the State of Virginia, where the doctors voted 2 to 1 against it?

Mr. RIBICOFF. I read it. In the State of Virginia those in favor were 38; opposed, 62.

Mr. ROBERTSON. That is the point. The distinguished Senator from Louisiana [Mr. Long] said the time had come when we should vote for the people to have it whether they want it or not.

A great political philosopher who was born in Virginia, who was a scholar, who was the president of a great university called Princeton University, Governor of the State of New Jersey, and President of the United States, whose name was Woodrow Wilson, once said, "I do not want a lot of smug experts sitting down behind closed doors in Washington playing Providence on me."

That is old-fashioned philosophy, but I still believe it.

Mr. RIBICOFF. I do not have to defend the Senator from Louisiana, but with respect to every law that has ever been enacted in Congress there will be found large numbers who do not want to come under it.

We are about to pass a landmark measure which will be of great help to people over 65. The point the Senator from Louisiana has made is that we have a proposal that is for the benefit of a large segment of the population, and it is also important for the doctors themselves, their wives, and their children. The fact that certain doctors do not want to be covered must be balanced against the fact that we have the duty of considering the problems and weighing the equities of covering them. That was the point the Senator from Louisiana made. I do not believe he has the philosophy of wanting to shove anything down the throats of the people if they do not want it.

Mr. LONG of Louisiana. Mr. President, if the Senator will yield, I was merely making the point that, as a practical matter, most doctors do not understand the benefits involved. They do not understand why they should be under it or should not be under it. If they had the benefit of hearing the debate that was had in Ohio, for example, they would be convinced that they should come under it, especially when they realize that they could not be covered for such medical care under a private plan except at a very great cost.

Mr. MORTON. Mr. President, I do not wish to delay a vote on the amendment. The yeas and nays have been ordered.

When it came to covering dentists, Congress provided that the dentists could be asked whether they wanted to come under the coverage or not, and provided that if they wanted to do so, they could. The same thing applied with respect to the legal profession. If my amendment is accepted, we shall do the same thing with respect to doctors that we did for the dentists and members of the legal profession. Congress can require a poll and let the doctors decide. The dentists came under the program on their own volition. The lawyers came under the program on their own volition. Other professional groups have come under it on their own volition. The option was given to them.

The House requires that they be covered. My amendment eliminates it. The conferees can then decide what to do.

I am prepared to have the amendment voted on.

Mr. RIBICOFF. Mr. President, I yield 2 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, it is true, as the Senator from Kentucky has said, that in the case of dentists and lawyers a referendum was held, but such was not the case with the people in general. Such was not the case when the Congress amended the Social Security Act to bring under coverage the self-employed. Such was not the case when Congress amended the Social Security Act to bring under coverage and its benefits the farmers of the country. So this is not a principle that is firmly imbedded.

One final argument: The AMA has made such a fine contribution to the enactment of medicare that I think it has earned the right to come under its benefits.

Mr. ELLENDER. Mr. President, I am informed that the distinguished Senator from Missouri [Mr. SYMINGTON] would vote as I would vote, and I intend to vote "yea."

Mr. MORTON. Mr. President, I yield back the remainder of my time.

Mr. RIBICOFF. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

The rollcall was concluded.

Mr. LONG of Louisiana (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished Senator from Virginia [Mr. BYRD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

I announce that the Senator from Wyoming [Mr. MCGEE], the Senator from Georgia [Mr. RUSSELL], and the Senator from Connecticut [Mr. DODD] are absent on official business.

I further announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Virginia [Mr. BYRD] are necessarily absent.

On this vote, the Senator from Wyoming [Mr. MCGEE] is paired with the Senator from Nebraska [Mr. HRUSKA]. It present and voting, the Senator from Wyoming would vote "nay" and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Missouri [Mr. SYMINGTON] is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Missouri would vote "yea" and the Senator from Connecticut would vote "nay."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN] is necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Wyoming would vote "nay."

The result was announced—yeas 41, nays 50, as follows:

[No. 171 Leg.]

YEAS—41

Aiken
Allott
Bennett
Carlson
Church
Cooper
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Harris
Hartke
Hickenlooper
Hill
Holland
Jordan, N.C.
Jordan, Idaho
Long, Mo.
Magnuson
McClellan
Morton
Mundt
Murphy
Pearson
Prouty
Robertson
Russell, S.C.
Scott
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—50

Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Douglas
Gore
Gruening
Hart
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Saltonstall
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—9

Byrd, Va.
Dirksen
Dodd
Fulbright
Hruska
Long, La.
McGee
Russell, Ga.
Symington

So Mr. MORTON's amendment was rejected.

Mr. RIBICOFF. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. McCARTHY. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 79, line 1, insert the word "professional" immediately following the word "than."

Mr. McCARTHY. Mr. President, the amendment merely adds the word "professional" so that the language will read: "other than professional services provided in the field of pathology, radiology, physiatry, or anesthesiology."

I believe that this point is clear in the bill and in the committee report, but in order to avoid any possibility of misunderstanding, I recommend that we add the word "professional."

Mr. LONG of Louisiana. Mr. President, I have looked over the amendment. I shall not oppose it. It would cost us nothing. These people would like to have their services referred to as professional services. It costs us nothing. It makes some people happy, and I am happy to agree to it.

Mr. McCARTHY. This change was asked for by physiatrists and others to avoid any confusion.

I yield back the remainder of my time.

Mr. LONG of Louisiana. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. MCCARTHY].

The amendment was agreed to.

Mr. McCARTHY. Mr. President, I send another amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, line 13, strike out "or".

On page 18, line 16, strike out the period and insert in lieu of such period a semicolon followed by "or".

On page 18, between lines 16 and 17, insert the following:

(4) posthospital extended care services which are furnished to him during any spell of illness for the care and treatment of any mental disease after such services have been furnished to him for such care and treatment for a total of 210 days during his lifetime.

Solely for the purposes of paragraph (3), a day counted (in determining the 210-day limit) under paragraph (4) with respect to any individual shall be deemed to constitute a day in which inpatient psychiatric hospital services are furnished to such individual; and solely for purposes of paragraph (4), a day counted (in determining the 210-day limit) under paragraph (3) with respect to any individual shall be deemed to constitute a day in which posthospital extended care services are furnished to him for the care and treatment of a mental disease.

On page 88, line 19, strike out the semicolon and insert in lieu thereof a period.

On page 88, beginning with "except" on line 20, strike out all before the period on line 23.

Mr. McCARTHY. Mr. President, the amendment clarifies one provision of the bill: It provides that patients in a tuberculosis or psychiatric hospital will be eligible for posthospital extended care services as well as inpatient hospital services.

I offered the amendment in the Finance Committee to transfer coverage for inpatient services in a psychiatric hospital from the voluntary supplementary plan, as provided in the House bill, to the basic hospital program. Approval of this amendment by the committee represents a substantial improvement in the measure and an important step in the recognition that protection against the hazards of mental illness should be provided on the same basis as for physical illness. The committee also agreed to extend the lifetime limit on coverage for psychiatric hospital care from 180 days, as provided by the House, to 210 days. I am hopeful that experience under the program will show that this limitation can be eliminated and that benefits can be provided on an equal basis. However, the amendment I am offering does not change the 210-day lifetime limit now in the bill.

There is no indication that this change will increase costs under the program, but it will provide greater flexibility in treatment by giving patients coverage for treatment in an approved psychiatric nursing home as well as in a psychiatric hospital. I urge acceptance of the amendment.

Mr. LONG of Louisiana. Mr. President, we have discussed the amendment. I would be willing to take it to conference—and I associate myself in this statement with the Senator from New Mexico—with the understanding that we have not had an opportunity to give it adequate study, even though it looks all right, and that we shall have to study it to see whether it should be sustained. If we should find in conference that there are some problems which do not appear on the face of the amendment, we shall have to consider it from that standpoint. It sounds all right at this point.

Mr. McCARTHY. I shall be glad to have the amendment accepted on that basis.

Mr. ANDERSON. Mr. President, the Senator from Louisiana is correct. There does not appear to be anything wrong with the amendment. We did not consider it. Like the Senator from Louisiana, I would be willing to accept it and take it to conference to see if there is any difficulty connected with it.

The PRESIDING OFFICER. If all time is yielded back, the question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McCARTHY. Mr. President, I send another amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 343, following line 25, it is proposed to insert the following:

(f)(1) Section 223(c)(1) of the Social Security Act is amended to read as follows:

"(1) An individual shall be insured for disability insurance benefits in any month if—

"(A) in case such month occurs before such individual attains 31 years of age, he had, as of the first day of such month, not less quarters of coverage than whichever of the following is the greater: (i) six quarters of coverage, or (ii) a number of quarters equal to one-half of the number of calendar years elapsing after the year in which he attained 21 years of age and prior to the calendar year following the calendar year in which such month occurs; and

"(B) in case such month is the month in which such individual attains 31 years of age or thereafter, (i) he would have been a fully insured individual (as defined in section 214) had he attained age 62 (if a woman) or age 65 (if a man) and filed application for benefits under section 202(a) on the first day of such month, and (ii) he had not less than twenty quarters of coverage during the forty-quarter period ending with the quarter in which such first day occurred, not counting as part of such forty-quarter period any quarter any part of which was included in a period of disability (as defined in section 216(i)) unless such quarter was a quarter of coverage.

For purposes of clause (A) of the preceding sentence, an individual shall be deemed to be 31 years of age during the entire month in which he attains such age."

(2) The amendment made by paragraph (1) of this subsection shall apply with respect to monthly disability insurance benefits under section 223 of the Social Security Act for months after the month following the month in which this Act is enacted, but only on the basis of applications filed in or after the month in which this Act is enacted.

Mr. McCARTHY. Mr. President, I yield myself 3 minutes.

The report of the Advisory Council on Social Security, 1965, calls attention to a serious problem involving workers who have been disabled early in life. The report states:

> Under present law, in order to be eligible for disability benefits, a worker must meet a requirement of 5 years of work in the 10-year period before he became totally disabled. This requirement assures that the benefits will be paid only to people who have both substantial and relatively recent employment. However, the effect of the 5-years-of-work requirement on a worker disabled while young is to make it difficult, or even impossible, for him to get disability benefits. For example, the worker who becomes totally disabled at age 25 and who started to work at age 21 has a total of only 4 years of covered work and therefore cannot meet the requirement.
>
> The restriction of disability insurance protection to workers who have had substantial and recent employment can be achieved for younger workers by an alternative provision under which a worker disabled before age 31 would be eligible for benefits if he had been in covered work for at least one-half of the period between age 21 (the age which fully insured status is figured under present law) and the point in time at which he became disabled, or, in the case of those becoming disabled before age 24, for at least one-half of the 3 years preceding disablement.
>
> This provision would be somewhat similar to a provision now in the law under which the survivors of a worker who died while young can qualify for benefits even though he had only a short period of covered work.

The amendment I am proposing carries out the recommendation of the Advisory Council. It would reduce the eligibility requirements for disability benefits for an individual disabled prior to age 31 to quarters of coverage equal to one-half the time between age 21 and the age he became disabled or six quarters, whichever is greater.

If a worker is disabled at age 25, for instance, the requirement would be 2 years in covered employment during his 4 work years, age 21 to 25. If disabled at age 30, the requirement would be 4½ years in covered employment. After age 31, of course, he would be eligible under existing law if he had been in covered employment 5 out of the 10 years before he became disabled.

The amendment was originally proposed by the Senator from Hawaii [Mr. FONG]. I ask unanimous consent that his name may be added as a cosponor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. I yield 5 minutes to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I hope the Senator from Minnesota does not trust his luck too far. We have accepted two of his amendments. This one is a bad amendment. We cannot accept it. Several years ago some of us met in the office of the Secretary of the Senate and tried to persuade the late Walter George to accept a disability amendment at age 50. Walter George was opposed very strongly. The late Senator Kerr from Oklahoma was very persuasive. After a while it was brought to the floor. The amendment added disability at age 50. It worked all right. There were practically no claims made under it. A reserve was built up.

Then someone said, "Let us take off the age limits." Most of the limits were taken off. That disability account is now in the red.

That is not the way to operate an insurance company. The amendment would change the disability provision completely, and drop it to age 31. It is not a good amendment. The Senator from Minnesota has been a fine supporter of the bill and a fine supporter of social security. I hope the amendment will be defeated.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield to the Senator from Kentucky.

Mr. MORTON. Mr. President, I wish to refresh my memory. Was this amendment discussed in some detail in the committee?

Mr. ANDERSON. Yes. We did not defeat it by as large a vote as I would have liked to see it defeated.

Mr. McCARTHY. I believe we discussed the point in the committee for about 2½ minutes. Perhaps the amendment to which the Senator has reference is the one regarding the larger question of allowing payment for disability after a person had been disabled for 6 months. This provision would involve some $250 million in cost, as I recall, and was included in the House bill. The Finance Committee took it out. I am not proposing to restore that provision. However, the Senator may recall that after that action was taken, I proposed that we adopt the pending amendment. This relates to disability benefits for individuals disabled prior to age 31, and reduces their eligibility requirements to quarters of coverage equal to one-half the time between age 21 and the age at disability or 6 quarters, whichever is greater. This provision would cost roughly $50 million, but it would replace an amendment adopted in our committee which reduces the cost of the disability program as provided in the House bill, by $250 million. We did not discuss the subject of the pending amendment at any great length, but we discussed the larger question. I believe that in the name of equity this question deserves the attention of the Senate, and perhaps there should be a yea-and-nay vote on it.

Mr. ANDERSON. Mr. President, will the Senator yield 2 minutes to me?

Mr. McCARTHY. I yield.

Mr. ANDERSON. I agree with the Senator that the whole question of disability under former section 303 should be studied. We shall be studying the question for some time to come. We should not take the proposed step at the present time until we have more information on it. I hope that the amendment will be rejected, and on the next round of the bill, if we find that the Senator from Minnesota is correct, we can take appropriate action. I hope that we shall not have a long debate on the amendment. I hope we can vote on the amendment by a voice vote, and that it will be defeated.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. CARLSON. I rise in opposition to the amendment of the distinguished Senator from Minnesota; I agree fully with what the Senator from New Mexico has said. As the question affected section 303, we discussed it at some length in the committee. I voted to strike out the proposal. I think this is a poor time to put it back piecemeal. I hope that the question will be studied, and that in the near future we shall return to the Senator's amendment or something more practical and wider.

Mr. McCARTHY. Mr. President, I yield back the remainder of my time.

Mr. RIBICOFF. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Minnesota.

The amendment was rejected.

AMENDMENT NO. 206

Mr. HARTKE. Mr. President, I call up my amendment No. 206.

The PRESIDING OFFICER. The amendment of the Senator from Indiana will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment of Mr. Hartke is as follows:

One page 266, between lines 22 and 23, insert the following:

"DISABILITY INSURANCE BENEFITS FOR THE BLIND; SPECIAL PROVISIONS

"Sec. 328. (a)(1) section 223(a)(1)(B) of the Social Security Act is amended to read as follows:

" '(B) in the case of any individual other than an individual whose disability is blindness (as defined in subsection (c)(2)), has not attained the age of 65,'.

"(2) That part paragraph (2) of section 223(a) of such Act which precedes subparagraph (A) thereof is amended by inserting immediately after '(if a man)' the following: ', and, in the case of any individual whose disability is blindness (as defined in subsection (c)(2)), as though he were a fully insured individual,'.

"(b)(1) Paragraph (1) of subsection (c) of section 223 of such Act is amended—

"(1) by inserting '(other than an individual whose disability is blindness, as defined in paragraph (2)' after 'An individual'; and

"(2) by adding at the end thereof (after and below subparagraph (B)) the following new sentence: 'An individual whose disability is blindness (as defined in paragraph (2)) shall be insured for disability insurance benefits in any month if he had not less than six quarters of coverage before the quarter in which such month occurs.'

"(2) Paragraph (2) of subsection (c) of section 223 of such Act (as amended by section 303(a)(2) of this Act) is further amended by striking out the first sentence and inserting in lieu thereof the following: 'The term "disability" means (A) inability to engage in any substantial grainful activity by reason of any medically determinable physical or mental impairment or (B) blindness. The term "blindness" means central visual acuity of 20/200 or less in the better eye with the use of correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty degrees.'

"(c) Paragraph (1)(B) of subsection (d) of section 223 of such Act (added by section 303(c) of this Act) is amended by striking out 'the month in which he attains age 65' and inserting in lieu thereof 'in the case of any individual other than an individual whose disability is blindness (as defined in subsection (c)(2)), the month in which he attains age 65'.

"(d)(1) The first sentence of section 216 (i)(1) of such Act (as amended by section 303(a)(1) of this Act) is further amended by striking out '(B)' and all that follows, and inserting in lieu thereof the following: '(B) blindness (as defined in section 223(c)(2)).'

"(2) The second sentence of such section 216(i)(1) is repealed.

"(e) The first sentence of section 222(b)(1) of such Act is amended by inserting '(other than such an individual whose disability is blindness, as defined in section 223(c)(2))' after 'an individual entitled to disability insurance benefits'.

"(f) The amendments made by this section shall apply only with respect to monthly benefits under title II of the Social Security Act for months after the second month following the month in which this Act is enacted, on the basis of applications for such benefits filed in or after such second month."

HOSPITALS AND REASONABLE COST

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HARTKE. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from California without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I desire to make a little legislative history on one point which has to do with reimbursement procedures and formulas as respects the hospitals participating all across the country. I ask the Senator in charge of the bill, the Senator from Louisiana [Mr. Long], whether it is true that it is intended that there shall be a regionalization of the formula and reimbursement as it is finally arrived at administratively?

Mr. LONG of Louisiana. It is.

Mr. KUCHEL. I thank my able friend. The counsel for the California Hospital Association, Mr. James E. Ludlam, raised some interesting questions with me regarding the phrase "the reasonable cost of such services as determined under section 1861(V) as used in title XVIII, section 1864." I asked Under Secretary Wilbur J. Cohen, of the Department of Health, Education, and Welfare, to comment on the questions which the California Hospital Association raised. I ask unanimous consent that this exchange of correspondence be printed in the Record at this point so that the legislative history on this question might be clear.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

Musick, Peeler & Garrett,
Attorneys at Law,
Los Angeles, Calif., June 1, 1965.

Hon. Thomas H. Kuchel,
U.S. Senator, Old Senate Building, Washington, D.C.
(Attention: Mr. Stephen Horn.)

Dear Sir: This is to follow up a series of telephone conversations and correspondence that you have exchanged with the leadership of the California Hospital Association on the subject of hospital reimbursement under H.R. 6675.

The more we study the bill and the report of the Ways and Means Committee, coupled with the public statements of the executives of the Social Security Administration, we have become increasingly concerned with the long-range impact of the phrase "the reasonable cost of such services as determined under section 1861(V) as used in title XVIII, section 1864."

Hospitals in California, as well as many of the other rapidly growing areas of the country, have been largely deficit financed. Hill-Burton has barely furnished 10 percent of the necessary construction costs and unfortunately private philanthropy has been so thinly spread that it has not filled the gap or done much more than Hill-Burton. Hospital construction, out of absolute necessity, has been financed by patient charges, through an allowance for depreciation plus provision for debt retirement. This has put great pressure on operating funds necessary for an improving quality of service to patients.

Under H.R. 6675 a major segment of the hospital patient load (estimated to be about 20 percent) most of whom have been paying their full share of the hospital costs will now be placed under a limited reimbursement plan set by the Federal Government. To the extent that these patients do not carry their fair share, this additional cost must be passed on to the other private patients. We do not believe this to be a proper action by Government, and constitutes a seriously discriminatory action against those under 65 years of age.

H.R. 6675 fails to recognize that there are regional differences in hospital problems, and since it appears to be based upon east coast concepts the result of a nationwide formula, uniformly applied and administered, will be most tragic.

Fortunately California hospitals have realistically approached this problem and have inaugurated a statewide program of uniform accounting and cost determination. Under the leadership of Blue Cross a reimbursement formula has been adopted to meet the needs of California hospitals on a fair and equitable basis, but at the same time penalizing unreasonable costs.

Our Blue Cross formula recognizes that California hospitals are, and certainly for the foreseeable future will be, deficit financed. The same depreciation factor cannot cover both past indebtedness and fund new construction—particularly when new construction will be at a much greater cost. Also recognition is given to the fact that obsolescence is as important a factor in hospital facilities and equipment as is wear and tear due to age.

The key differences between our Blue Cross reimbursement formula and that being developed under H.R. 6675 and its companion report is that the California formula recognizes depreciation on a replacement cost basis and also provides for a cost factor for growth and development to meet new and expanded needs. We believe that these factors are in accordance with the "Principles of Payment for Hospital Care" as published by the American Hospital Association. We have every reason to believe that they will not be recognized by the Social Security Administration unless written into the bill or at least covered by the report. We also recognize that these factors are not necessary nationwide, although other factors may be equally important elsewhere. Therefore, unless regionalization is recognized a nationwide pattern will develop to the disadvantage of all, and ultimately to the patient.

We believe that payment for the above factors comes within a realistic definition of "reasonable cost" as related to the total cost of providing patient care. We also well recognize that from a strictly accounting sense that a different result may follow.

We would therefore propose that the language of H.R. 6675, page 19, lines 16 through 20, be amended to read:

"(b) The amount paid to any provider of services with respect to services for which payment may be made under this part shall be predicated on the basis of accepted principles of reimbursement for the cost of the services rendered, as determined under section 1861(V)."

Pages 84 and 85, for all of section (V)(1), we suggest the following:

"(V)(1) Payment for services to providers of services shall be predicated on the basis of accepted principles of reimbursement for the cost of the services rendered by providers of services, as determined in accordance with regulations establishing the methods to be used and the items to be included, in determining the payment formula for various types or classes of institutions, agencies, and services. In prescribing the regulations referred to in the preceding sentence, the Secretary shall consider, among other things, the principles generally applied by national, regional or State organizations, or established prepayment organizations (which have developed such principles) in computing the amount of payment, to be made by persons other than the recipients if services, to providers of services on account of services furnished to such recipients by such providers. Such regulations may provide for determination of the reimbursement basis on a per diem, per unit, per capita, or other basis, may provide for using different methods in different circumstances, may provide for the use of estimates of costs of particular items or services, and may provide for the use of charges or a percentage of charges where this method is reasonably consistent with the other methods. Such regulations shall (A) take into account, but not necessarily be limited to, both direct and indirect costs of providers of services in order that, under the methods of determining reimbursement, the costs with respect to individuals covered by the insurance programs established by this title will not be borne by the individuals not so covered, and the costs with respect to individuals not so covered will not be borne by such insurance programs, and (B) provide for the making of suitable retroactive corrective adjustments where, for a provider of services for any fiscal period, the aggregate reimbursement proves to be either inadequate or excessive."

If the changes cannot be made to the act then we would strongly urge that the Senate committee report emphasize the importance of the Secretary of Health, Education, and Welfare recognizing and authorizing regional variations in hospital reimbursement and in particular the problems of those areas that must of necessity engage in deficit financing of hospital construction and their corresponding problem in funding improvements and expansion in service.

Your interest in this difficult but serious problem is most appreciated. We have experts in this field, who are far more informed than I, who can be available to go to Washington or for consultation on specific language at your request.

Sincerely yours,

JAMES E. LUDLAM
(For Musick, Peeler & Garrett).

JUNE 17, 1965.

Hon. WILBUR J. COHEN,
Under Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR WILBUR: I enclose a letter I have received from James E. Ludlam, counsel for the California Hospital Association, dealing with hospital reimbursement under H.R. 6675. As you will note, they are concerned with the phrase "the reasonable cost of such services as determined under section 1861(V) as used in title XVIII, section 1864." I think they have presented some interesting information as it pertains to the establishment of hospitals in our State, their financing, and the procedures they use in seeking reimbursement for services rendered.

I would like to have, within the next week if possible, a letter from you commenting on this matter so I will have the opportunity to discuss it with the appropriate members of the Senate Committee on Finance or to clarify the situation in the Senate should that prove necessary. If there are any questions regarding this, I do hope the responsible member of your staff will contact my legislative assistant, Stephen Horn, who is familiar with the problem.

With kindest regards,

Sincerely yours,

THOMAS H. KUCHEL,
U.S. Senator.

THE UNDER SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, July 2, 1965.

Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: I am sorry that I could not reply sooner to your letter of June 17 requesting comments on some points raised by James E. Ludlam on reimbursement of hospitals in California and elsewhere under H.R. 6675.

In brief, we believe that many of the concerns Mr. Ludlam expressed about the provisions of the bill are due to the fact that it has not yet been possible to determine in every detail the contents of the regulations which the bill provides will be prescribed. The principal part of the bill on which Mr. Ludlam comments is, as he says, section 1861(v). It may be well to start by quoting pertinent parts of that section:

"The reasonable cost of any services shall be determined in accordance with regulations establishing the method or methods to be used, and the items to be included, in determining such costs for various types or classes of institutions, agencies, and services; * * * . In prescribing the regulations referred to in the preceding sentence, the Secretary shall consider, among other things, the principles generally applied by national organizations or established prepayment organizations (which have developed such principles) in computing the amount of payment, to be made by persons other than the recipients of services, to providers of services on account of services furnished to such recipients by such providers. Such regulations may provide for determination of the costs of services on a per diem, per unit, per capita, or other basis, may provide for using different methods in different circumstances, may provide for the use of estimates of costs of particular items or services, and may provide for the use of charges or a percentage of charges where this method reasonably reflects the costs. Such regulations shall (A) take into account both direct and indirect costs of providers of services in order that, under the methods of determining costs, the costs with respect to individuals covered by the insurance programs established by this title will not be borne by individuals not so covered, and the costs with respect to individuals not so covered will not be borne by such insurance programs, and (B) provide for the making of suitable retroactive corrective adjustments where, for a provider of services for any fiscal period, the aggregate reimbursement produced by the methods of determining costs proves to be either inadequate or excessive."

One of the reasons that we cannot speak with any final authority on the nature of regulations under this provision is that section 1867 of the bill provides in part that "for the purpose of advising the Secretary on matters of general policy in the administration of this title and in the formulation of regulations under this title, there is hereby created a Health Insurance Benefits Advisory Council.* * *"

This council will have as its members experts in the health field. Furthermore the Committee on Ways and Means and the Finance Committee reports on H.R. 6675 state that "it is the intent of the bill that in framing regulations full advantage should be taken of the experience of private agencies in order that rates of payment to hospitals may be fair both to the institutions, to the contributors to the hospital insurance trust fund, and to other patients. In framing the regulations the Secretary and his staff will consult with the organizations that have developed these principles as well as with leading associations of providers of services."

While we have obtained a good deal of information on current reimbursement practices, the statute does not permit us to determine at this time exactly what reimbursement procedures will be used.

The methods which will be used will be determined only after the advisory council has had an opportunity to study the matter and other organizations have been consulted. The participation of the advisory council and the requirement of the bill that the Secretary consider the principles on reimbursement applied by national organizations (the most important ones are the "principles of payment for hospital care" of the American Hospital Association) and of established prepayment organizations give assurance that the opinion of private experts will be heard on the proper allowance for necessary replacement of facilities and for the protection of quality of service. It goes without saying that this Department wishes nothing more than that hospitals should be reimbursed in a manner which will encourage an adequate supply of high quality institutions and services.

Mr. Ludlam says that H.R. 6675 is based on "east coast concepts" and he seems to assume that a single nationwide reimbursement formula will be applied. Neither the bill nor the reports of the Committee on Ways and Means and the Committee on Finance require any such action. In fact, they specifically provide for various alternative methods to be used as appropriate.

Mr. Ludlam supports the reimbursement formulas used in California by saying that they are in accord with the American Hospital Association's "Principles of Payment for Hospital Care." We have long been on record that we intend to rely heavily on these same principles. Since we appear to agree on the premises on which reimbursement should be based, it would appear that the differences he anticipates will occur between the association he represents and the Department are not likely to be as great as his letter suggests. For example, he calls attention to the fact that the California formula recognizes the cost of obsolescence. To my knowledge no expert in the field, in the Department or elsewhere, differs with him on this point.

While we all seem to agree on the premises on which reimbursement should be based, we believe that Mr. Ludlam's proposed changes in the language of the bill would not be desirable and would not be entirely in accord with these premises. He proposes that reimbursement be based on cost "but not necessarily be limited to both direct and indirect costs." We believe that the proposed language would negate the provision of reimbursement on a cost basis which underlies the "Principles of Payment for Hospital Care." The result may not be the one Mr. Ludlam intends. In fact, it is not at all clear where this language is intended to lead or to end in terms of payment of amounts in excess of cost—including profits—to nonprofit hospitals. It is certainly clear that the proposed modification represents a major departure from the present bill and the intent of that bill as expressed in the committee reports.

In summary, we believe that H.R. 6675 was drafted and the committee reports on that bill were written with problems such as Mr. Ludlam discusses fully in mind and that there is ample room within the authority provided by the bill to provide equitable reimbursement to hospitals throughout the country.

Sincerely yours,
WILBUR J. COHEN,
Under Secretary.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HARTKE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I ask unanimous consent to correct two incorrect line references in two amendments adopted by the Senate day before yesterday. The first is in the amendment of the Senator from New York [Mr. JAVITS], section 1902(a)(2) of the new title XIX. The reference intended was line 15 rather than line 13, page 160.

Second, the amendment of the Senator from Texas [Mr. YARBOROUGH] moving the effective date of public assistance increases after December 31, 1965, up to and after June 30, 1965. The correct reference should be line 22, page 353, rather than line 17.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered. The corrections will be made.

Mr. HARTKE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HARTKE. Mr. President, I yield myself 5 minutes.

The amendment is identical in all respects with an amendment which was offered by Vice President HUBERT HUMPHREY, who at that time was the senior Senator from Minnesota. It was adopted unanimously in the last session of the Congress. As we all know, last year the social security bill failed to pass both Houses of Congress. Therefore, the value of the amendment was lost.

There are 41 cosponsors of the bill, S. 1787, which is the same as this amendment. I ask unanimous consent to add to the list of cosponsors the name of the Senator from Oklahoma [Mr. HARRIS] and the name of the Senator from Iowa [Mr. MILLER].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. The amendment is, as I have said, the same as Senate bill 1787. The amendment principally makes changes in the disability insurance law.

This amendment would make several changes in the disability insurance law with particular reference to blind persons.

First, our amendment would incorporate in the definition of blindness which is generally recognized and used throughout the Nation.

This definition, already included in other Federal laws, would provide an ophthalmological standard for determining blindness; that is, blindness is central visual acuity of 20/200 or less in the better eye with correcting lenses, or visual acuity greater than 20/200 if accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20°. This is the same definition as used in the Internal Revenue Code for workmen compensation status.

It would permit a person whose visual impairment is such as to constitute blindness in accordance with the terms of this definition and has worked in social security-covered employment for six quarters to qualify for disability insurance cash benefits under the social security program, and to continue eligible for such payments so long as the disability of blindness lasts.

Mr. President, the objective of this amendment is to make of the disability insurance program a true insurance program for the blind—for those who are now blind, for those who become blind in the future.

This amendment would condition the right to receive disability payments, and the right to continue to receive them, upon the existence and the continuing existence of the loss of sight.

Our amendment recognizes that the severest of all the consequences resulting from the occurrence of blindness in the life of a working person is not the physical loss, the physical deprivation of sight. But rather the severest loss sustained is the economic disaster which befalls the newly blinded workman, the economic handicaps which are a consequence of blindness.

It is these consequences—the abrupt termination of weekly wages, the diminished earning power, the drastically curtailed employment opportunities open to the recently blinded person, or to the person who has lived a lifetime without sight—these, and not the physical absence of sight, convert the physical disability of blindness into the economic handicap of blindness.

This amendment would provide a partial solution to the financial catastrophe which results from blindness. It would provide a floor of minimum financial security for those who must learn to live again, to function without sight in a world of sight.

This amendment would reduce the competitive disadvantages of sightlessness; it would provide a continuing source of funds to meet the extra equalizing expenses of functioning, blind, in a sight-oriented society.

This amendment would be of immeasurable help to the worker suddenly confronted by the devastating effects of blindness—the discouragements of protracted unemployment, the despair of an expected lifetime of unemployment, the shocking loss of independence, the hurts and humiliations of dependency.

This amendment would also provide minimum income security to the employed blind person who has lived for years, or for a lifetime, without sight—for such a person must pay an extra price in dollars and cents when he works as a lawyer or piano tuner, as a teacher, salesman, or factory assembler.

Mr. President, the usual blind person—with average abilities, with no particular talents or training—such a person works when he can find work, but he frequently is the victim of the law of life for the disabled person—last hired and first fired; gainfully employed, when he is employed at all, on jobs with the poorest pay, the shortest in duration—jobs which are now being rapidly automated out of existence.

In Federal law, we have on other occasions made special efforts to help the blind to be self-supporting. I am happy that one of the active supporters of this amendment and a cosponsor of S. 1787, is the senior Senator from West Virginia [Mr. RANDOLPH]. He authored the Randolph-Sheppard Act when a Member of the House, which has helped thousands of the blind to be self-supporting.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. HARTKE. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

Mr. HARTKE. For this person—the usual blind worker—the 20 quarters eligibility requirement in the disability insurance law makes the protection of disability insurance unavailable to him. Our proposed six quarters requirement would be much more reasonable under the circumstances—under the special circumstances which confronts such a person.

I believe that the social security programs which are intended to diminish the adverse economic and social consequences of advancing years or disabling impairments must never be considered fixed and inflexible in provision, for such rigidity may defeat the purpose to be served by such programs. Flexibility of approach and adjustment of provision to meet special circumstance may assure fulfillment of such purpose—the diminution of the hazards and heartaches of old age, the lessening of the discouragements and disadvantages of disability.

I ask the Congress, therefore, to change the disability insurance law for blind persons, for the benefit of persons who may become blind.

Under existing law, a person must work in social security covered employment for at least 20 quarters to establish eligibility for disability insurance cash payments.

This amendment reduces this requirement to six quarters, then the benefits under the disability insurance program may be more readily available to more persons when blindness occurs; in order that blind persons, unable to meet the present requirement of employment for 5 years in covered work may be able to qualify for benefits under the disability insurance program.

Under existing law and practice, persons who are disabled and earn anything but the meagerest income are denied disability insurance payments as they are considered no longer sufficiently disabled and therefore no longer qualified.

Under existing law and regulation, it is not enough that a person is severely disabled, that he is unable to get a job because he is disabled, to qualify for disability insurance cash payments—he must establish his physical inability to do a job to qualify for such payments.

This amendment would change this to allow persons who are disabled by blindness to qualify for disability benefits upon proof of blindness and to continue qualified so long as they remain blind; to continue qualified to receive benefits even though they are employed, even though they are earning, in order that disability insurance payments may be available to them to offset the extra "equalizing" expenses incurred in living and competing without sight in an environment geared to sight.

The amendment, by written endorsement, has the support of 43 Senators. I hope the Senator from Louisiana may see his way clear and not be too strong in his opposition. I know of his humanitarian heart and his love and affection for those who suffer from the disability of blindness.

Mr. LONG of Louisiana. Mr. President, a similar amendment was taken to conference by the Senate last year. The House strongly opposed it, and for good reasons. The House will not accept the amendment, no matter what the Senate does.

This is what is wrong with the amendment: It declares to be blind, persons who are not completely blind. It provides disability benefits for persons who are not disabled. It pays disability benefits to people who are working full time.

We can continue adding benefits to the bill and run up the cost. We have great sympathy for people whose vision is impaired, but the amendment would dispense with the test of whether a person is able to engage in substantially gainful activity as a requirement for drawing disability benefits. A law now exists which provides that, if one is disabled due to blindness and unable to work, disability benefits will be provided.

If he is not blind, and has no visual impairment, disability payments will not be made, unless he is unable to engage in substantially gainful activity. But if he is able to make a good living, there is no particular reason why he should receive disability benefits, because he is not disabled and is earning a good income.

We are talking about persons under the age of 65 who claim to be disabled, although they are not.

The amendment would cost a large amount of money—$287 million a year on the average over future years—to do something that we ought not to do. If we start by adopting a principle of providing disability benefits for people who are not disabled, treating people as blind and giving them benefits when they are not completely blind, the practice could extend to other areas and cost billions. In this instance, the cost would be only $280 million a year. But I know the House will not accept the amendment, and I frankly think the Senate ought not to take it.

Mr. HARTKE. Mr. President, I yield myself 2 minutes.

It is true that the amendment was taken to conference by the Senate last year. It was agreed to unanimously; not a Senator voted against it. What happened last year should happen again this year. Why should the Senate in one year say it will accept the amendment, and the next year refuse to accept it? The mere fact that the House of Representatives does not want the amendment is no reason for the Senate to refuse to accept it. The bill contains many provisions that I would take out if I had my way. The Senate should accept the amendment in the interest of obtaining a good bill for aged persons. I do not propose to surrender everything to the House. We have surrendered 90 percent now. Let us go all the way down the road.

It will cost money? I grant that it will cost money; but I do not believe it will cost as much as the Senator from Louisiana says it will.

Mr. LONG of Louisiana. It would cost more than $287 million.

Mr. HARTKE. It would cost a little less than that—about $250 million. We agree that it would cost money.

I would not trade $287 million for my eyes, let alone the eyes of the blind.

The Senator speaks about individuals who claim blindness. It will be necessary to change every Federal statute, because the amendment conforms with the Federal law concerning blindness under the Internal Revenue Code.

What the Senator is saying is that those people are cheaters. I do not believe they are cheaters. I believe they are trying to make a decent living; that they want to go forward and make their way. But we are denying them the opportunity to do so by saying that they will not be able to come under social security for a long period of time. We are asking them to place themselves in the hands of charity. I do not want them to have to do that.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. GRUENING. Mr. President, no group of our citizens are more entitled to everything they can possibly get justly than the blind. It would be a tragedy if the Senate, the second time, failed to adopt the amendment. It was adopted the first time unanimously, as the Senator from Indiana said. We are told that the House does not want it. We are told that the House will not change its mind. But this is the Senate. I hope the Senate will go on record and accept the amendment.

Mr. HARTKE. To reject the amendment would be the sharpest rebuke we could deliver to the Vice President of the United States. He offered the amendment last year, and the Senate took it to conference. I do not believe this is a program that the administration wishes to rebuke.

Mr. ANDERSON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield 1 minute to the Senator from New Mexico.

Mr. ANDERSON. I hope no Senator will be fooled by the characterization of a rebuke to the Vice President. The Vice President, then a Senator from Minnesota, made certain representations on behalf of the amendment for the blind. We frankly did not know what the House would do. We said we would take the amendment to conference. We presented the facts to the conference committee. But the amendment was not kicked out by the House; it was kicked out on the basis of knowledge.

We would be paying $250 million for persons said to be blind, but who are not blind. Why go through the same motions?

Mr. HARTKE. Mr. President, I yield myself 2 minutes.

I want to go through the motions. I think the Vice President wants us to go through them. He told me so last night. He told me to make a battle for the amendment on the floor of the Senate. If he were in the Senate, he could say so now. He is not opposed to the amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD the statement I made in the Senate on April 13, 1965.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[From the Congressional Record, pp. 7821–7822, S. 1787, Apr. 13, 1965]

LIBERALIZING FEDERAL DISABILITY INSURANCE FOR THE BLIND

Mr. Hartke. Mr. President, today I introduce a bill to liberalize the provisions of disability insurance under the Social Security Act for the benefit of the blind. This is the same bill which was introduced in the 88th Congress by our distinguished colleague, then the majority whip and now our Presiding Officer, Vice President Hubert Humphrey. That bill, S. 1263, I was happy to offer in the Finance Committee as an amendment to the social security bill of last year, H.R. 11865. While it was not adopted by the Finance Committee, it was subsequently introduced by its author as a floor amendment and was adopted by the Senate on September 3. It was taken to conference by Senator Long as floor manager of the bill, but, of course, it was lost when the Congress adjourned without reaching agreement on the bill last year.

Mr. President, it has been my privilege to introduce and work for many measures for the benefit of the blind during the years since I first came to this body in 1958. Such legislation has been one of my special interests, and I would be pleased in any case to offer this legislation today. But it is a special pleasure to do so at the express request of the Vice President, whose election removed from him the opportunity to present the bill again as he would otherwise have done. Indeed, he addressed me in a letter dated November 29, 1964, asking that I carry on the promotion of this legislation in the 89th Congress. I am glad to be able to do so not only on my own behalf and his, but also on behalf of the other Senators whose names appear as cosponsors of the bill.

At the time Senator Humphrey presented the amendment to the social securing bill, which the Senate adopted as I have said, he made a statement explaining its provisions and purposes. Rather than offer a paraphrase of that clear presentation, I request unanimous consent that the words of Senator Humphrey at that time may appear at this point in the Record as an explanation of this bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

"Mr. Humphrey. Mr. President, my amendment would liberalize the Federal disability insurance program for persons who are now blind—and, perhaps even to greater importance—it would make disability insurance payments more readily available to more persons who become blind at the time when blindness occurs.

"My amendment would do the following:

"First. It would incorporate the generally recognized and widely used definition of blindness into the provisions of the disability insurance law: that is, blindness is central visional acuity of 20/200 or less in the better eye with correcting lenses, or visual acuity greater than 20/200 is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

"Second. It would allow any person who meets this definition in visual loss, and who has worked in social security covered employment for a year and a half—six quarters—to qualify for disability cash benefits.

"Third. It would allow persons who meet the above requirements in measurable sightlessness and length of time in covered employment to draw disability benefits, and to continue to draw them, so long as they remain blind—and irrespective of their income or earnings, if they are fortunate enough to be employed.

"This amendment seeks to make the disability insurance program a true insurance program against the economic catastrophe of blindness, against the economic disadvantages which result when blindness occurs in the life of a workingman.

"Under present law, a person who is blind and unable to secure social security covered work for 5 years, cannot qualify for disability insurance payments. Reducing the present requirement from 20 to 6 quarters would be a much more reasonable and realistic requirement for people who, though oftentimes well qualified for gainful work, still encounter much difficulty in obtaining any work at all.

"Under existing law, a worker who becomes blind but has not worked for 5 years in covered employment is denied the sustaining support of disability insurance payments at a time when his whole world has collapsed, when disaster has terminated his earnings and diminished his earning power, and he is faced with surrendering dignity and self-pride and applying for public or private charity—hardly a sound basis upon which to rebuild a shattered life; hardly the basis for instilling self-confidence and reviving hope—so essential as the first step in rehabilitation and restoration to normal life and productive livelihood.

"Under existing law, a person who is blind and earns but the meagerest of income, is denied disability insurance payments on the ground that even the meagerest earnings indicate such person is not disabled—or sufficiently disabled, in the eyes of the law—to qualify for disability payments.

"As a matter of fact, Mr. President, the economic consequences of blindness exist, and they continue to exist, even though a blind person is employed and earning, and these economic consequences are expensive to the blind person who has the will and the courage to compete in a profession or a business with sighted people, who must live and work in a society structured for sighted people.

"Adoption of this amendment would provide a minimum floor of financial security to the person who must live and work without sight, who must pay a price in dollars and cents for wanting and daring to function in equality with sighted men."

Mr. Hartke. Mr. President, I further request that the bill may lie on the table until the close of business Friday, April 23, in order that any additional Senators who wish to do so may add their names also as cosponsors.

The Presiding Officer. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table, as requested by the Senator from Indiana until the close of business on Friday, April 23.

The bill (S. 1787) to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least 6 quarters of coverage, and for other purposes, introduced by Mr. Hartke (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. SMATHERS. Mr. President, I move to lay on the table the amendment of the Senator from Indiana.

The PRESIDING OFFICER. The motion to table is not in order until the proponent of the amendment has used all of his time or yielded it back.

Mr. HARTKE. Mr. President, I yield back the balance of my time.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida to table the amendment of the Senator from Indiana.

Mr. HARTKE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Indiana will state it.

Mr. HARTKE. Do I correctly understand that the motion to table, if agreed to, would kill the amendment, which is sponsored by 43 Senators?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the motion to table. (Putting the question.) It appears to the Chair that the "ayes" have it and the motion to table is agreed to.

Mr. HARTKE. Mr. President, I ask for the yeas and nays on the motion to table.

Mr. PASTORE. Mr. President, may we have order?

Mr. ALLOTT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Colorado will state it.

Mr. ALLOTT. Before the Chair announced his ruling upon the voice vote, two Senators, the senior Senator from Colorado and the junior Senator from Nebraska [Mr. Curtis] had risen to ask, I presume, for a division. At least, that was the intention of the Senator from Colorado.

Strictly speaking, the Chair has now announced the decision. I therefore ask unanimous consent that the decision of the Chair be rescinded as a courtesy which is due to each individual Member of the Senate, so that there can be a division or a yea-and-nay vote.

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. The Chair did not see the Senator from Colorado rise. The Chair rescinds the action. A division is requested.

Mr. LONG of Louisiana. Mr. President, I ask for the yeas and nays on the motion to table.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. What is the rollcall on?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida [Mr. Smathers] to lay on the table the amendment of the Senator from Indiana [Mr. Hartke]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). On this vote, I have a pair with the senior Senator from Missouri [Mr. Symington]. If he were present, he would vote as I vote. I vote "yea," and let my vote stand.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Wyoming [Mr. McGee], and the Senator from Georgia [Mr. Russell], are absent on official business.

I further announce that the Senator from Missouri [Mr. SYMINGTON], the Senator from Virginia [Mr. BYRD], and the Senator from Arkansas [Mr. FULBRIGHT], are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], would vote "yea."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN] is necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from Kansas [Mr. PEARSON] are absent on official business.

If present and voting, the Senator from Kansas [Mr. PEARSON] would vote "nay."

The result was announced—yeas 16, nays 76, as follows:

[No. 172 Leg.]

YEAS—16

Anderson
Bennett
Byrd, W. Va.
Douglas
Ellender
Ervin
Holland
Jordan, N.C.
Lausche
Long, La.
Mansfield
McNamara
Montoya
Robertson
Smathers
Stennis

NAYS—76

Aiken
Allott
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Fannin
Fong
Gore
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—8

Byrd, Va.
Dirksen
Fulbright
Hruska
McGee
Pearson
Russell, Ga.
Symington

So the motion to lay on the table was rejected.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds on the bill.

It is obvious that the Senate is in favor of the amendment. To expedite the proceedings, I ask unanimous consent that the Senate dispense with the yeas and nays and have a voice vote on the amendment.

Mr. ALLOTT. Mr. President, I object.

Mr. ROBERTSON. Mr. President, the Senator from Louisiana gave me a calculation that we had increased the cost of the bill by $1.2 billion. How much would this amendment increase the cost?

Mr. LONG of Louisiana. Two hundred and eighty-seven million dollars.

Mr. ROBERTSON. I thank the Senator very much.

The PRESIDING OFFICER. Is there objection to the request?

Mr. ALLOTT. I object.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. What is the question now before the Senate?

The PRESIDING OFFICER. The question is on the amendment of the Senator from Indiana [Mr. HARTKE]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). On this vote I have a live pair with the Senator from Missouri [Mr. SYMINGTON]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. BENNETT (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Wyoming [Mr. McGEE], and the Senator from Georgia [Mr. RUSSELL], are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], would vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Wyoming [Mr. McGEE].

If present and voting, the Senator from Virginia would vote "nay" and the Senator from Wyoming would vote "yea."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN] is necessarily absent, and his pair has been previously announced.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from Kansas [Mr. PEARSON] are absent on official business.

If present and voting, the Senator from Kansas [Mr. PEARSON] would vote "yea."

The result was announced—yeas 78, nays 11, as follows:

[No. 173 Leg.]

YEAS—78

Aiken
Allott
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Eastland
Fannin
Fong
Gruening
Harris
Hart
Hartke
Hayden
Hickenlooper
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—11

Anderson
Byrd, W. Va.
Douglas
Ervin
Gore
Holland
Lausche
Long, La.
McNamara
Robertson
Smathers

NOT VOTING—11

Bartlett
Bennett
Byrd, Va.
Dirksen
Ellender
Fulbright
Hruska
McGee
Pearson
Russell, Ga.
Symington

So Mr. HARTKE's amendment was agreed to.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The Senator from Nebraska is recognized.

Mr. CURTIS. Mr. President——

Mr. HARTKE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. CURTIS. Mr. President——

Mr. PASTORE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. CURTIS. Mr. President, I have been recognized. I have an amendment at the desk, and I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislation clerk proceeded to state the amendment.

Mr. CURTIS. Mr. President, I ask that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I yield myself 5 minutes——

Mr. McNAMARA. Mr. President, I object.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to read the amendment.

Mr. CURTIS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. METCALF. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. CURTIS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. METCALF. Mr. President, I object.

The PRESIDING OFFICER. Is there objection?

Mr. GORE. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. GORE. Mr. President, Senators cannot hear, because once again the Chamber is filled with persons who are not entitled to the floor, and I ask that the Chair enforce the rules of the Senate and that proceedings go no further until the Chamber is in order.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield to me?

The PRESIDING OFFICER. All persons not entitled to the floor will please withdraw.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield to me?

Mr. CURTIS. I am glad to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I should like to suggest to the Senate that we cooperate as much as possible, to the end that we can finish action on the pending bill at a reasonable hour, so that Senators can leave to fulfill engagements, some of which have been already delayed unduly.

Mr. President, I believe that the Senator from Nebraska was trying to expedite the business of the Senate so that we could consider his amendment with dispatch, and I would hope that in the interests of all concerned, the request I am about to make will be accepted.

Mr. President, I ask unanimous consent that the amendment be considered as read.

The PRESIDING OFFICER. Is there objection?

Mr. ANDERSON. What is the amendment about?

Mr. MANSFIELD. It will be explained. It is the same amendment that was considered yesterday.

Mr. ANDERSON. I thought we put a time limitation on it, that we were trying to get away from reconsidering amendments we acted upon the other day?

Mr. CURTIS. That is correct. I shall explain the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. CURTIS is as follows:

On page 126, line 13, strike out "programs" and all that follows, and insert in lieu thereof "programs."

On page 126, between lines 13 and 14, insert the following:

"ALTERNATE VARIABLE DEDUCTIBLES UNDER PARTS A AND B RELATED TO INCOME TAX LIABILITY

"SEC. 1876. (a) Except as is provided in subsection (c)(1), the inpatient hospital deductible applicable to an individual under part A with respect to inpatient hospital services furnished to him during any spell of illness, beginning prior to 1971 shall, if his income tax liability exceeds the amount of such deductible as determined under section 1813, be, in lieu of such amount, an amount equal to his income tax liability, or the amount of the customary charges imposed for the inpatient hospital services furnished him, whichever is the lesser.

"(b) Except as is provided in subsection (c)(2), the deductible applicable to an individual under part B with respect to services provided him thereunder during any calendar year prior to 1971 shall, if his income tax liability exceeds $50, be, in lieu of $50, an amount equal to his income tax liability, or the amount of the customary charges imposed for such services, whichever is the lesser.

"(c)(1) The inpatient hospital deductible applicable to any individual—

"(A) who, during any calendar year, has received inpatient hospital services with respect to which the inpatient hospital deductible is subject to increase by reason of the provisions of subsection (a), and

"(B) who, during such calendar year, has received medical or other health care with respect to which the deductible applicable to him under part B has been increased by reason of the provisions of subsection (b), shall, in lieu of the amount determined under subsection (a), be (i) the amount determined under subsection (a) minus the amount by which his deductible under part B was increased (by reason of the provisions of subsection (b)) over $50, or (ii) the amount determined under section 1813, whichever is the greater.

"(2) The part B deductible applicable to any individual—

"(A) who, during any calendar year, has received medical or other health care with respect to which the $50 applicable thereto is subject to increase by reason of the provisions of subsection (b), and

"(B) who, during such calendar year, has received inpatient hospital services with respect to which the inpatient hospital deductible has been increased by reason of subsection (a),

shall, in lieu of the amount determined under subsection (b), be (i) the amount determined under subsection (b) minus the amount by which his inpatient hospital deductible under part A was increased (by reason of the provisions of subsection (a)) over the amount determined under section 1813, or (ii) the amount determined under part B (without regard to this section), whichever is the greater.

"(d) For purposes of this section, the term 'income tax liability' means, when applied to any individual, the amount of the tax imposed on such individual for the taxable year under chapter 1 of the Internal Revenue Code of 1954, reduced by the sum of the credits allowable under part IV of subchapter A of such chapter (other than the credit allowable under section 31 of such Code).

"(e) For purposes of subsections (a) and (b), an individual's income tax liability shall be determined on the basis of his last taxable year which ends prior to the date he commenced to receive the services with respect to which the deductible under subsection (a), or (b), as the case may be, is being determined.

"(f) In the case of any individual who is married and files a joint income tax return with his spouse, the income tax liability of such individual shall be deemed to be one-half of the joint income tax liability of such individual and his spouse."

Mr. CURTIS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. CURTIS. Mr. President, I shall do my best to stay within that time.

Mr. President, yesterday I offered an amendment. It lost by a vote of 51 to 41. My amendment would have extended the time without limit. I have changed it now so that it would be law for the first 5 years of the operation of the program. This is what the amendment would do——

The PRESIDING OFFICER. The Senator will suspend. The Senate will please be in order.

The Senator may proceed.

Mr. CURTIS. Mr. President, the amendment would reduce the cost of the two medicare programs by somewhere between $420 million and $480 million annually. That is almost half a billion dollars. It would do it by requiring the well-to-do and the wealthy—those who are better off—to pay all or part of their own medical bills.

Information came to me today that two or three Senators said they did not fully understand my amendment yesterday and wished they had voted for it.

I have changed the amendment enough so that it can be voted upon again. At the end of 5 years, after the program is started, after we have gone through the trial and error period, and after we have had all the supergrade personnel learning how to operate the insurance program, if we wish to change it, we can do so.

This is how the saving would be brought about: First, let me say, with respect to the 80 percent of our older citizens, with little or no income, that it will not affect them at all. According to the Chief Actuary of the Social Security Administration, among 80 percent of the population over 65 years of age, neither husband nor wife pays any income tax. Therefore, we are talking about the 20 percent in the upper brackets. This is how the saving would be effected:

In the bill, there is a deductible of $40 for hospital expenses. It may change as hospital rates go up. There is a deductible of $50 for medical expenses. My amendment, briefly stated, would provide that the deductible for the hospital shall be $40, or the individual's last year's income tax, whichever is the higher. For the doctor's purpose, which is a $50 annual deductible, my amendment provides that it shall be $50, or last year's income tax, whichever is the higher. It is easy to administer. For an individual going into the hospital, either he or the person transporting him and looking after him, can answer the question, "Did you pay any income tax last year, and if so how much?"

It is so written that if they file a joint return, each is presumed to owe half of the tax. It is also written so that if one has both hospital and medical expenses, the added deductibility shall apply only once, not twice.

This is how it would work: In the first place, let me say that Social Security benefits are not taxable income. If a husband and wife showed $10,000 of income in a joint return, it would be presumed that each would have $5,000. The tax on $5,000 could not be, for an individual 65 years of age, more than $557. It might be less, because he might have capital gains, or he might have retirement income, or something else.

It would mean that an individual with a $5,000 income above and beyond his Social Security benefits would have to pay the first $550 of the cost of an illness in any year. If he were hit with a catastrophic illness and he had expenses of $20,000, he would pay the first $557.

If his medical expenses were only $400 he would pay the entire bill. I believe the amendment is accurately drawn. I know it is workable to use the income tax as a basis.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CURTIS. I yield myself 1 additional minute.

This is the amendment upon which we voted yesterday. The distinguished and able junior Senator from Louisiana [Mr. LONG] and several other Senators supported it. I do not care to take any further time, except to remind Senators that in getting this program started—I am talking to Senators who expect to vote for it and who believe in it—and I respect their views—we should start it gradually. Let us start the program for those 4 out of 5 persons who have limited income. If it works well, we can apply it to the millionaires. We can apply it to Members of Congress. We can apply it to people who have $15,000 in income a year, or more.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. CURTIS. I yield myself 2 minutes, so that I may answer questions.

Mr. LAUSCHE. Is my understanding correct, that if I have a tax of $550, I would not be entitled to remuneration from the fund until my medical expenses exceeded $550?

Mr. CURTIS. The Senator is correct.

Mr. LAUSCHE. If my tax were $800, I would not be entitled to remuneration for medical expenses or hospital expenses until they reached above $800?

Mr. CURTIS. The Senator is correct. The Senator would not have an $800 tax bill until both the husband and wife had something like $12,000 and beyond in social security.

Mr. LAUSCHE. The modification that has been made in the Senator's amendment, as it is now pending, is that the Senator puts a limitation of 5 years on the program that he is suggesting, to see how it works.

Mr. CURTIS. The Senator is correct. Let us start where the need is the greatest.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CURTIS. I yield myself 2 additional minutes.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. McCLELLAN. One of the objections that I have to the proposed legislation, although I shall vote for it, is that I do not believe we ought to support people who are able to support themselves, or that we should pay their taxes. This program should be given a trial and an opportunity to get on a sound basis before we are asked to pay the doctors' bills of people who are able to support themselves and to pay their own bills.

Mr. CURTIS. I do not know of any logical opposition to the amendment. The amount of the income tax liability is easily ascertainable. There are no people who have all their property in tax exempt securities. It is only the well to do who are sophisticated in their investment program, and they have ample other taxes. This is a workable program. It would not violate any privacy. I hope it will be adopted.

Mr. RIBICOFF. Mr. President, I yield 5 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, I invite the attention of Senators to the fact that, since the Chair asked those who are not entitled to the floor to depart, for the past 10 minutes every Senator has been able to hear the debate. However, I believe that I have made the point of order for the last time. This year I moved from the rear row farther into the Chamber. I know with what difficulty Members who occupy the rear row can hear the debate. I have witnessed this afternoon as many as 75 people in the Chamber who are not Members of the Senate. I have seen as many as three people at one time occupying Senators' chairs, even though they are not Members of the Senate. It seems to me that our leadership on both sides of the aisle could contribute to the decorum and efficiency of the debate by helping us to maintain decorum in the Chamber.

It is not one man's undertaking. I believe I have made the point of order for the last time.

Mr. President, turning to the pending amendment, the distinguished senior Senator from Nebraska would apply a means test. The amendment now pending would destroy the contributory character of the medicare program. It would not be an insurance-type program under which contributions would be uniform and benefits would be uniform. A means or needs test would be applied.

This has been a crucial issue over a period of years. I believe that the American people have reached a consensus on this subject. Even though we should adopt the amendment, I suggest that it would create an administrative impossibility. How would the hospital know what charges to make? If we look at the second page of the Senator's statement, which he distributed, we see that it would refer to the income tax return of the millions of people going to the hospital. How would a hospital know what deductions to make? How would the administration in Washington know to what benefits a recipient would be entitled?

This is an impossible project to administer. It would destroy the very character of the bill and the program now under way.

I shall not take further time. The amendment was voted down yesterday. In the interest of time I yield back the remainder of time that has been allotted to me.

Mr. RIBICOFF. Mr. President, I yield myself 3 minutes.

We voted on this issue yesterday. The Senator from Nebraska introduces a proposal which is completely foreign to the social security system and completely foreign also to the theory of private insurance. For in the final anaysis, today an individual who receives retirement benefits under the social security system is not asked what his income is or what he has in the bank. He is paid on a uniform standard. This is the principle of social insurance which is basic to the entire social security system.

Furthermore, the proposal of the Senator from Nebraska is completely unworkable. As the Senator from Tennessee has pointed out, the income tax return is filed on April 15. It indicates how much a person owes. Suppose a man owes $5,000 and has a $557 liability in 1965. The income tax return is filed on April 15, 1966. Suppose he goes to the hospital on January 1, 1966, and stays 30 days. How is the hospital to know, how is the doctor to know, how is the insurance carrier to know, how is the administrator to know what the tax liability would be?

Under those circumstances we would be faced with an unworkable situation.

A person who had an income of $3,000 would be required to pay $213 of his own money before he would receive any benefits under the plan.

A person who earns $2,500 would pay $132. It is true that people who earn $3,000 would consider that they were fairly treated on the basis of equity if they were paid the sum of $213.

In this instance, I think we are departing from basic insurance principles. When any of us takes out a private insurance policy of any kind, he receives benefits in accordance with the premiums that he pays. The insurance company does not reimburse the policyholder depending upon what his income might be. That point is basic to all private insurance and to the social security system. Adoption of the amendment offered by the Senator from Nebraska would be going completely contrary to all insurance principles.

As the Senator from Tennessee has said, we would introduce a means test. The benefits that people receive, they receive as a matter of right because they have paid their premiums, and we should not discriminate against a person based upon his income, be he poor or rich, if he has made his payments during his working years.

I am willing to yield back the remainder of my time.

Mr. CURTIS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 2 minutes.

Mr. CURTIS. First, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, it is no more difficult to apply a $40 deductible or a $150 deductible, if that was the tax of a person. I do not know about the people from Tennessee or Connecticut. The people of Nebraska can answer the question, "Did you pay an income tax last year; and if so, how much?" They can figure it out early in January. There is nothing difficult about that. It is always argued that this violates the contributory principle.

How ridiculous can we be? There are more than 19 million people over 65 who will start drawing benefits immediately. None of them has contributed a nickel. Even the retirement program lasted 30 years. It is 10 percent contributory if we count the employers. Of all the tommyrot that can be thrown into a debate, it is here. The social security program has no resemblance to prepaid insurance in any part of it, but most assuredly, in the medicare proposal we would be taxing the young and the low-paid, the criminal, the blind, and everyone who works, to pay the medical bills of everyone over 65.

I say let us start by eliminating the top 25 who can carry part of it or all of it.

Mr. RIBICOFF. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. Does the Senator from Nebraska yield time to the Senator from Ohio?

Mr. CURTIS. Mr. President, I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, yesterday I spoke on the question. I tried to point out that the argument that the social security fund is predicated on sound insurance principles cannot be sustained. A half hour ago we approved an amendment which would cost $287 million. Who raised the argument at that time about sound insurance policies? The $287 million will have to be borne by the social security fund. We voted to spend $287 million, but no one gave a thought to the imposition of a tax which would constitute the premium to be paid into the fund to meet the obligation. The argument that we are proceeding on the basis of sound insurance principles cannot be maintained.

Earlier today it was revealed that when this program came from the President, it envisioned an expenditure of $2.8 billion. Those are the words of the Senator from Louisiana. I have checked the program as presented by the President.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, may I have 3 more minutes?

Mr. CURTIS. I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. The President's program envisions an expenditure of $4,733 million. That was pumped up to $7.2 billion until 45 minutes ago. It is now up to $7,480 million and we are still not through with the bill.

The Senator from Louisiana made an excellent proposal. We ought to have a bell in the Senate Chamber. Every time we raise the expenditure by a billion dollars, we ought to ring the bell, set the fireworks in motion, and send the skyrockets flying. It is like knocking a home run in Cleveland while we had as the manager the great financier Bill Veeck.

We cannot argue sound insurance principles in what has been done in the Senate.

I should like to put the following question to all Senators: "The program has been pumped up from $4,700 million to $7,500 million. What have you done to finance it? How have you increased the taxes? Where has it been done since these accelerations or escalations have taken place?"

Nothing has been done in that direction. The principle is sound. Why should I receive hospitalization and medical care with an income of $30,000 a year? There is no justification for it. I yield the floor.

Mr. RIBICOFF. Mr. President, in reply, I should like to state that never in the history of the social security system has Congress failed to provide the necessary financing for the benefits which are voted. The other body, under the leadership of one of the greatest Representatives who has ever been in the House of Representatives, Chairman Wilbur Mills, has been most careful in always making sure that the proper financing and taxes were provided to keep the social security fund sound.

The Senate Finance Committee added some $700 million to $800 million more than is contained in the House bill, and the committee has made provision in the financing to make sure that money would be made available to pay for the benefit voted.

It is true that this body has added a significant number of increases. But is there anyone who questions that when the conferees on the part of the Senate—the distinguished Senator from Virginia [Mr. Byrd], the chairman, the distinguished Senator from New Mexico [Mr. Anderson], the distinguished Senator from Louisiana [Mr. Long], the distinguished Senator from Delaware [Mr. Williams], and the distinguished Senator from Kansas [Mr. Carlson]—sit down in conference, they will allow these large sums to stand if no provision is made to finance and keep the social security fund sound? That is the answer to irresponsibility.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. MANSFIELD. I am delighted that the distinguished Senator has brought out that point, because all too often the question of fiscal irresponsibility is raised on the floor of the Senate. We ought to have enough confidence in the Finance Committee to understand that any additional expenditures will be based upon an appropriate increase to take care of those expenditures.

I urge Senators to keep in mind the argument made by the Senator from Tennessee and the Senator from Kentucky as to how difficult it would be to apply this particular amendment if it is adopted, which I hope it is not.

The Senate expressed itself yesterday. In effect, the pending proposal is the same thing. I hope that the Senate will uphold the action of its committee again today.

Mr. RIBICOFF. Mr. President, I yield myself 2 additional minutes.

The question of irresponsibility in how we finance a social security program is surrounded with so much loose talk and so much rhetoric that we ought to understand how these things are arrived at. The social security system has some of the ablest actuaries in the United States. Those actuaries have the complete confidence of both the majority and minority members of the House Ways and Means Committee and the majority and minority members of the Senate Finance Committee.

There is not an insurance actuary of any private insurance company in the United States who will not tell us that one of the most respected actuaries in this entire Nation is Mr. Robert Myers, the Chief Actuary of the social security system. Never have the minority members of either party questioned Mr. Myers' figures. As a former Secretary of the Department of Health, Education, and Welfare, I should like to say that every time an amendment to a proposal has been made in the social security system, we have leaned over backward in the conservative point of view to be sure that there was always a little bit extra in the tax take over the benefits that we give under the social security system.

I know that in formulating the House proposal, Wilbur Mills has leaned backward on the conservative side to make certain that the financing would be taken care of. I know also that in the Committee on Finance, no final provision was made for the taxing proposals and tax rates until all the amendments had been submitted. When all the amendments were in and the expenditures were totaled, the staff of the Committee on Finance, sitting with the experts of the Department of Health, Education, and Welfare, totaled what we proposed to spend and then wrote the tax provision into the bill before us to make certain that enough money would be provided to pay for the expenditures.

I am confident, and the Senate must be confident, that the conferees we send to conference will, in harmony and in conjunction with the conferees of the House, make certain that this is sound.

One more and final answer to the distinguished Senator from Nebraska. Let us consider the big figure, the $50,000 man on the list he has given the Senate. John Jones in 1965 earns an income of $50,000. He has a tax liability of $21,270, on which he has made quarterly payments, with the balance to fall due April 15. John Jones becomes sick on January 1, and his income stops. All he has is what he earns. He goes to the hospital for a long stay. He no longer has earnings. He is now in a position of having to pay the final quarter of his income tax liability, $5,500. Now he is faced with the situation that before he can receive benefits under the medicare bill, the first $21,270 must be deducted. That man will go to the poorhouse. He will never be able to pay $21,720. To add insult to injury, he has paid into the social security system during his entire lifetime since he began working. Week in and week out, he has made payments matched by his employer. So he has a funded interest and a funded investment in the social security fund.

To say now, since he has become disabled and no longer has an income, although he was a hard working wage earner in 1965, but became sick in 1966 and no longer has income, that he will have to pay $22,500 before he can be reimbursed—how unfair can we be?

The proposal of the Senator from Nebraska is discriminatory against earners of large incomes, the wealthy, and the middle class. So far as I am concerned, when we deal with social security we should not discriminate against the rich, the middle class, or the poor. We should try to provide benefits on the basis of equality. That is the great principle of the social security system. We would be breaking down the basic principles of social security if we adopted this amendment.

Mr. President, I yield 2 minutes to the Senator from Massachusetts.

Mr. **KENNEDY** of Massachusetts. Mr. President when this amendment was before the Senate yesterday I voted in favor of the proposal. I voted for the amendment because of my concern for the needy elderly who have long been deprived of medical care; and my continuing concern that even the bill before us does not yet meet their full needs. We have not met the problem of catastrophic illness, nor have we fully faced up to the problems of long term out-of-hospital care. These challenges will have to be met in the future—but no matter when they are considered, we will be working with a trust fund containing financial limitations.

I am not concerned with the ability of the wealthy to meet their health needs, nor those in a situation that enables them to rely on private insurance. It is the presence of the poor that has brought this bill to the Congress. If it is possible to allocate the revenues from social security contributions in such a way that the benefits to the poor can someday be improved, then I am ready to do that. If we know that under the Internal Revenue Code those over 65 with sufficient income to be taxed can claim a full deduction for medical expenses, and that these citizens have the ability to provide for themselves, then I am not too anxious to see expenditures from the trust fund for their illnesses.

I am aware of the traditional arguments surrounding the means test, but traditional arguments can wear thin in the face of new evaluations of Federal responsibility to the poor.

A poor person over 65 in need of health care receives little comfort in knowing that he is on the same plane as the wealthy, as regards his medical benefits. It would do him more good to realize greater health care for longer periods as a result of our ability to reallocate existing funds.

However, Mr. President, I have been persuaded that the amendment now pending would create real difficulties in the administration of the medicare program. As a result, I would rather wait for the program to be in operation before giving any further consideration to the many issues raised by this amendment.

Mr. **RIBICOFF**. Mr. President, I yield back the remainder of my time.

Mr. **CURTIS**. I yield back the remainder of my time.

The **PRESIDING OFFICER** (Mr. Russell of South Carolina in the chair). The question is on agreeing to the amendment of the Senator from Nebraska. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **ELLENDER** (when his name was called). I have a live pair with the senior Senator from Missouri [Mr. Symington]. If present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. **LONG** of Louisiana. I announce that the Senator from Wyoming [Mr. McGee] and the Senator from Georgia [Mr. Russell] are absent on official business.

I further announce that the Senator from Arkansas [Mr. Fulbright] and the Senator from Missouri [Mr. Symington] are necessarily absent.

On this vote, the Senator from Wyoming [Mr. McGee] is paired with the Senator from Nebraska [Mr. Hruska].

If present and voting, the Senator from Wyoming would vote "nay" and the Senator from Nebraska would vote "yea."

Mr. **KUCHEL**. I announce that the Senator from Illinois [Mr. Dirksen] is necessarily absent.

The Senator from Nebraska [Mr. Hruska] and the Senator from Kansas [Mr. Pearson] are absent on official business.

If present and voting, the Senator from Kansas [Mr. Pearson] would vote "yea."

On this vote, the Senator from Nebraska [Mr. Hruska] is paired with the Senator from Wyoming [Mr. McGee]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Wyoming would vote "nay."

The result was announced—yeas 40, nays 52, as follows:

[No. 174 Leg.]

YEAS—40

Aiken
Allott
Bennett
Boggs
Byrd, Va.
Carlson
Cooper
Cotton
Curtis
Dominick
Eastland
Ervin
Fannin
Fong
Harris
Hickenlooper
Hill
Holland
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
McClellan
Miller
Morton
Mundt
Murphy
Prouty
Robertson
Russell, S.C.
Saltonstall
Scott
Simpson
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—52

Anderson
Bartlett
Bass
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Dodd
Douglas
Gore
Gruening
Hart
Hartke
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smathers
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—8

Dirksen
Ellender
Fulbright
Hruska
McGee
Pearson
Russell, Ga.
Symington

So the amendment offered by Mr. Curtis was rejected.

Mr. **RIBICOFF**. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. **PASTORE**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The **PRESIDING OFFICER**. The Senator from Nebraska is recognized.

Mr. **MANSFIELD**. Mr. President, will the Senator yield?

Mr. **CURTIS**. I yield.

Mr. **MANSFIELD**. Mr. President, for the benefit of the Senate, I wonder if the leadership could gain some idea as to how many amendments will be offered. To the best of my knowledge, there will be an amendment offered by the distinguished Senator from Indiana [Mr. Hartke]. There will be a motion to recommit by the Senator from Nebraska [Mr. Curtis].

Mr. **PROUTY**. Mr. President, I have an amendment to offer which would take very little time.

Mr. **MANSFIELD**. Mr. President, it appears that we are close to completion.

Mr. **SMATHERS**. Mr. President, I ask unanimous consent to allow any Senator, during the session of the Senate today, if he has a speech with relation to the bill, to have his speech printed prior to the vote, even though the speech might be made after the vote.

The **PRESIDING OFFICER**. That request has already been made and granted.

Mr. **LONG** of Louisiana. Mr. President, I yield myself 30 seconds. I have a speech that I think will persuade any Senator to vote for the bill. However, I shall make it after passage.

The **PRESIDING OFFICER**. The Senator from Nebraska is recognized.

Mr. **CURTIS**. Mr. President, I ask to amend my motion to recommit by striking out on page 2, "March 1, 1966," and inserting in lieu thereof "September 7, 1965."

The **PRESIDING OFFICER**. The Senator has that right. The motion is modified accordingly.

Mr. **CURTIS**. Mr. President, there is being placed on the desk of every Senator an explanation of this motion. I hope to take as little time as possible. I shall go through it rapidly.

The intent of the motion is twofold:

First. To recommit the bill and strike out medicare, including the hospital insurance program known as King-Anderson, or part A, and also strike out the supplemental medical benefits program known as part B, and direct the Committee on Finance to bring in another plan on or before September 7, 1965, and

Second. The motion requires that all the remainder of H.R. 6675, which includes the social security benefits increases and all other matters except medicare be reported back forthwith by the Committee on Finance so that the same can be immediately passed by the Senate.

Mr. **MANSFIELD**. Mr. President, will the Senator yield?

Mr. **CURTIS**. I yield.

Mr. **MANSFIELD**. Mr. President, will the Chair clear the Chamber and keep it clear, and, if necessary, order the Sergeant at Arms to carry out the directive.

The **PRESIDING OFFICER**. The Sergeant at Arms is directed to see that all persons not entitled to the privilege of the floor withdraw or maintain order.

Mr. **CURTIS**. Mr. President, when I say that the measure can be immediately passed by the Senate, I mean tonight.

The **PRESIDING OFFICER**. The Senator has not yet had his motion sent to the desk. In order to yield time, it will be necessary that that be done.

Mr. CURTIS. Mr. President, I ask that my motion to recommit be called up and that the motion be not read, but printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion to recommit, ordered to be printed in the RECORD, is as follows:

I move that the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, to improve the Federal-State public assistance programs, and for other purposes, be recommitted to the Committee on Finance with instructions (1) that such committee forthwith report back such bill to the Senate with such changes therein as may be necessary to eliminate from the bill all matter relating to the establishment of a program of health insurance benefits for the aged and a supplementary medical insurance benefits for the aged under a new title XVIII to be added to the Social Security Act, and (2) that such committee, on or before March 1, 1966, report to the Senate a legislative proposal which would provide a plan of hospital and medical insurance for the aged which is patterned after the health insurance program presently in effect with respect to retired Federal civil service employees under the Federal Employees Health Benefits Act of 1959, but under which the individuals covered by such a program would pay the entire premium charged for participation, except that, with respect to aged individuals who are financially unable to pay such premium, Federal assistance toward meeting the payment of such premium would be provided from general revenues to the extent necessary to enable them to participate in such program.

Mr. ANDERSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ANDERSON. Did not the Senator modify his motion?

Mr. CURTIS. I changed the date from March 1, 1966, to September 7, 1965.

THE ALTERNATIVE PROPOSAL FOR MEDICARE

The motion directs the Committee on Finance to bring to the Senate floor on or before September 7, 1965, a plan patterned after the health insurance program presently in effect with respect to retired Federal civil service employees under the act of 1959. It further provides that under such a plan individuals covered pay the entire premium for participation, except that with respect to aged individuals who are financially unable to pay the premiums, Federal assistance toward meeting the payments of such premiums may be provided from general revenues to the extent necessary.

It does not invade the payroll tax, which is so much needed for ordinary social security.

This will provide better benefits at lower costs under our private enterprise system. It is pointed out that if the Federal Government undertakes the two insurance programs provided for in H.R. 6675 that they are going to turn to the insurance industry and the medical profession to make them work.

The individual over 65 who has a difficult time purchasing private hospital and medical insurance at a cost within his reach is the individual who is not a part of a large group which will continue as a large group. If we permit all individuals in the country over 65 to enroll in a plan similar to the plan for Federal retired civil service employees, the enrollee will have the advantage of a broad group plan which can operate on the most economical basis.

I will not discuss all of the details concerning the benefits for our own Federal retired employees. I will discuss briefly the benefits and the costs of the most comprehensive protection offered retired Federal civil servants, which is referred to as the high option.

A retired Federal civil servant can get protection under Blue Cross and Blue Shield for both husband and wife and the total cost is $23.83 per month. That includes the Government's share and the employee's share. For a retired civil servant not having a husband or wife the total cost is $8.97 a month. This gives the husband and wife lifetime protection up to $30,000, with $1,000 annual protection thereafter if the $30,000 is exhausted. If the enrollee fully recovers before the $30,000 is exhausted he can be reinstated for the remaining balance of the $30,000. Under Blue Cross and Blue Shield, provision is made for benefits of needed hospital costs and surgery and also non-surgical-medical costs in the hospital from the first dollar of expense, far better than under the bill. In addition, the enrollee is provided with protection when he is not hospitalized. This protection has a $100 deductible, plus Blue Cross and Blue Shield pays 80 percent of all medical costs and drugs and many other items.

Many retired civil servants elect to take the high option which is provided by the insurance industry. This has a total cost of $23.51 a month for a husband and wife. For a retired person without a spouse, the cost is only $9.14 a month.

This high option under the insurance industry is a plan wherein many insurance companies participate but their spokesman or agent is the Aetna Co. This high option under the insurance industry pays benefits up to $40,000 once in a lifetime, plus a benefit of $1,000 per year after the payment of the $40,000 is exhausted. If the enrollee fully recovers from his illness before the $40,000 is used up he is reinstated for the remaining balance of his $40,000 of protection.

The insurance industry gives to these high-option enrollees room and board in the hospital from the first day up to $1,000 with no deductible and no waiting period. After the above thousand-dollar expenditure, there is a $50 deductible and the insurance industry pays 80 percent until they have exhausted their $40,000 total protection.

Under the insurance industry, high-option benefits are paid to the ill enrollee when he is not a patient in the hospital. These are subject to a $50 annual deductible and 80 percent of the expense is paid after the deductible. These benefits include the fees of doctors and surgeons, for home calls, or office calls as well as registered nurses, ambulance services, diagnostic services, X-ray, laboratory tests, braces, oxygen blood and all drugs as prescribed by a doctor.

It should be understood that the motion to recommit directs the Finance Committee to prepare a proposal patterned after the above-mentioned plans for retired Federal civil servants. The plan ultimately worked out might vary in detail to meet the particular needs of a larger group. These details should not be worked out on the floor of the Senate and no attempt is made to discuss them here, nor are they set forth in the motion to recommit.

ADVANTAGES

There are many advantages to the approach which are set forth in the motion to recommit. Among these are:

First. Better protection.

Second. A program handled by the most competent concerns and individuals who have had years and years of experience.

Third. It is the private enterprise way.

Fourth. The benefits offered are superior to the benefits provided for in the present bill.

Fifth. It will save a tremendous amount of money.

SAVINGS

We soon will have 20 million individuals in the United States over 65. According to the table prepared by the chief actuary of the Social Security Administration, and found on page 15871 of the CONGRESSIONAL RECORD for July 8, 1965, we will, when H.R. 6675 is in full operation by 1972, be paying more than $5 billion for medicare. In all probability that figure will be higher.

In the above-discussed private enterprise alternative it will be noted that the total cost, to the Government and the individual, for a single individual is about $9 a month or a little more, and for an individual plus his spouse something over $23 a month.

I have made inquiry concerning an estimate of what it might cost through private enterprise to provide protection for all citizens over 65 comparable to the protection given to retired civil servants, and I have come up with a figure of $250 a year. I believe that figure is far, far too high, but I wish to be on the safe and conservative side.

The motion to recommit provides that the individual shall pay his own premium but that the Government, from general revenues, will help those who need help. Let us assume that those of our aged in the upper one-third income bracket can pay for their premiums themselves. Let us assume that those in the lower one-third income bracket cannot pay anything and the Government will have to pay the entire amount of their premium. Let us further assume that those in the middle income bracket will have to have help in varying degrees, but that the help required will average one-half of the cost of the premiums. This would result in the Government, from general funds, paying on the average one-half of the cost for all enrollees.

One-half of the cost of a $250 annual premium for 20 million persons would be $2.5 billion. This is one-half of what it is admitted medicare will cost under H.R. 6675 by 1972.

It is possible, by adopting this motion to recommit, to assist all of our citizens over 65 by making a large group plan available to them which has many advantages. It is possible to help all those who need help in paying the cost. It is possible to give them better protection, handled by more competent hands than Government bureaucracy, and at the same time save the taxpayers $2.5 billion each and every year.

Today, I received a communication from the chairman of the Aetna Co., authorizing me to say that the Aetna Co. is willing to sit down with the Senate Finance Committee, in conjunction with any like-minded companies, in an effort to work out a plan to provide broad medical care programs for the aged which would be both insured and administered by the private sector.

The choice on the motion to recommit is clear—a vote for recommittal is to give better protection, at one-half the cost, under private enterprise.

Mr. President, I submit the motion to recommit to the conscience of the Senate.

Mr. LONG of Louisiana. Mr. President——

Mr. MUNDT. Mr. President——

Mr. CURTIS. Mr. President, how much time have I consumed?

The PRESIDING OFFICER. The Senator has used 14 minutes.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield 2 minutes first on this side, so that we may reply?

Mr. CURTIS. I am glad to do so.

Mr. LONG of Louisiana. Mr. President, I yield 2 minutes to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana is recognized for 2 minutes.

Mr. MANSFIELD. Mr. President, it appears to me that what the distinguished Senator from Nebraska is advocating is nothing but a delaying action. We have in the Chamber at this very moment the distinguished chairman of the Committee on Finance, who is not in favor of the bill, but who has not opposed hearings on it, or consideration of the measure, and who has offered no delay but who, in spite of his own personal feelings, has allowed this matter, after long, careful, and deliberate consideration by the full committee, to come to the floor of the Senate for debate and disposal.

The Senator from Nebraska talks about the Committee on Finance taking this back again unto its bosom and reporting on September 7.

Frankly, I wish to be out of here by September 7. I believe that this matter has had enough in the way of deliberation. I am not in favor, at this late date, of any private insurance company coming in and offering to sit down with the Finance Committee to work out the details of a bill which is our responsibility and ours alone.

I hope that this delaying motion to recommit is recognized for what it is, and I hope that the motion will be defeated decisively.

Mr. MUNDT. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. Mr. President, I yield 5 minutes to the Senator from South Dakota.

The PRESIDING OFFICER The Senator from South Dakota is recognized for 5 minutes.

Mr. MUNDT. Mr. President, let me, first of all, congratulate the Senator from Nebraska on the effort he is making, which I believe to be highly worth while. I do not consider the motion to recommit to be at all a delaying tactic, other than the fact that in legislation as comprehensive and far-reaching as the pending bill, we should take whatever time is required in order to find the best and optimum answer.

Mr. CURTIS. Will the Senator yield me 20 seconds for an observation at that point?

Mr. MUNDT. Certainly.

Mr. CURTIS. It is a delaying action, in that it will delay the ultimate socialization of America.

Mr. MUNDT. Of course it will delay final decision, but I invite the attention of the Senate to the fact that more important than a target date for adjournment of the Senate on September 7, or October 1, or any other date—we are all eager to get out of here—is to find the answer to this complicated problem which will be a satisfactory answer and will prove to be economically sound.

Even though we did not do this until the next session of the Congress in January, no great harm would be done.

This has been a matter of public discussion and congressional consideration for a great many years. I believe that every Member of the Senate is trying to find the optimum way in which to meet the basic problems which are involved.

Let me point out that we should delay a little on a measure of this kind, because if we button it into social security we will write it into perpetuity and will never have another opportunity to consider another plan voluntary in nature involving the private enterprise concept, once the proposed legislation is enacted. Once we start the procedures of taxation and withholding on the basis of a social security withholding tax, it then becomes too late to unscramble the omelet.

The decision we make today—if we make it—is a decision we make at a time we act on procedures recommended by the motion to recommit which will be a decision which will be permanent in nature.

I shall support the motion to recommit and, if it fails, sadly but firmly I shall vote against the bill.

I shall vote against it sadly, because a vote against the bill will be a vote against an objective in which I believe; namely, giving Government assistance to those of our aged citizens who need help to meet the costs of adequate medical care.

There are many ways in which this can be done. We have before us the so-called compulsory social security approach. The provision of the Senator from Nebraska [Mr. CURTIS] is an opportunity to again look at the various possibilities, and to separate this consideration from desirable and needy reforms and liberalizations of the social security program, per se, which I suspect, probably, if they were put out for themselves would pass the Senate virtually unanimously.

In good conscience I cannot support legislation, for example, which would force the poor to pay the hospital bills and other medical bills of the wealthy. This type of a result, which could be referred to as Robin Hood in reverse, flows from legislation which would derive its financing from a compulsory tax on first dollars of wages earned by the Nation's working men and women with no exemptions allowable. Surely, the pretense that this is a great humanitarian effort to care for those in need is severely damaged by sacrificing our methods upon an altar of expediency as we would do if we enacted this bill.

Among the 18 million over 65 who would be eligible to take part in this program are many hundreds of thousands who are among the most affluent members of the wealthiest society in all history.

Yet we propose to tax the average worker, the poor, the crippled, and the blind with a program of regressive taxation in order to provide a solution to a problem which is vexing, but which can be solved for the greater equity of all.

I cannot bring myself to compel the poorest sector of our society to pay a compulsory gross income tax with no exemptions on more than the first $5,000 of income to help support the wealthiest element of our society for hospital treatments for which they are completely competent to pay.

I fear that if we now foist off on the average worker this concept which will tax the first dollars we earn with a gross income tax without exemption, a great effort will be made in future tax legislation to follow the same regressive philosophy in future tax legislation.

It is unconscionable. It is unjustifiable. It violates every canon of a conscionable concept of legitimate taxation. Many individuals, of course, are caught in the rising cost of living, and they may not wish to take money out of their paychecks. Young people wish a lifetime of their earnings clear, in order to meet a contingency which they may never live to confront.

Sometimes I wonder just who we Senators think we are.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CURTIS. Mr. President, I yield 3 additional minutes to the Senator from South Dakota.

Mr. MUNDT. Sometimes, as I say, I wonder who we Senators think we are when we sit in our seats and pompously say we know so much more about the affairs of the average family in America than anyone else that we can compel them to make financial determinations which they themselves think are unwise for them to make.

I somehow doubt that we have the Olympian wisdom that enables us to pontificate for all of society.

This is not to say that those in need will not be helped by H.R. 6675. On the contrary certain provisions of this legislation are good but unforuntately one of the most important provisions is lacking—a provision of choice. I for one will never accept the proposition that the American people are not capable of being masters of their own destinies. A decision to participate or not to participate in a health insurance plan should, in my estimation, be the prerogative of the individual and not be forced upon every wage earner by the Federal Government. Who are we in Congress and in the White House and what right do we have to tell an average workingman that his best interests and the best interests of his family will be served by taking additional money out of his paycheck to purchase protection against problems which may be 25 or 35 years away and which he may never live to confront rather than using that money for something that is needed right now?

Many individuals, caught in the rising cost of living, may not want any more money taken out of their paycheck. Young people who are raising a family may need that money to take care of immediate bills. A young man who is saving for a college education would certainly be justified in deciding that his education is more important than health insurance for the aged that he may never be able to use. As U.S. Senators, we have the right to disagree with him but I do not believe that we have the right to overrule his decision. I, for example, consider a life insurance policy to be an excellent investment—but I do not believe the Government should coerce every citizen into buying one.

With this latest increase in the payroll tax together with the increase of the taxable earning base, we will be taking another step toward the time when the Government completely manages an individual's finances. Under this proposed plan a total of $379.50 from an employee's paycheck and a similar amount from the employer could be extracted by the Government to be applied toward various Government-run programs. Granted, not all of this would go toward a health insurance plan, but taking just the figure of $56.10 which would be deducted from an employee's check as his portion for medicare, it reaches sizable proportions when multiplied by 30 or 40 years. Its total is even more significant when it is remembered that it may never be used by the person who has been forced to contribute for all of those years. To those who would say that this risk is inherent in most insurance plans I would answer again that it is a risk that should be decided upon by each individual and not by the Government. When to start saving for one's golden years and how much money should be set aside are not matters which should be determinable by governmental edict.

An even more shocking statistic as to the projected cost of this program is that which concerns the self-employed. A South Dakota farmer, for example, could be taxed for $518.10 a year. Such a tax of almost $45 per month places a heavy burden on many of our farm families who are already struggling to make ends meet, especially when it is levied against his gross rather than his net income.

It is entirely possible that we may be forcing such individuals to forsake some other protective plan in order to meet the requirements of the social security system. Or, we might be denying this farm family the needed money to help their child attend college.

Are we to say that this farmer should invest in an old-age health insurance plan that he may never use when his commonsense and the realities of life indicate that he would be much better off for all of his working lifetime with a comprehensive hospitalization insurance plan or a casualty and accident insurance policy which would protect him during his productive years? Isn't this decision his? Who are we who think we are so mighty and so wise to make this decision for him?

Mr. President, we have before us a bill that has literally grown like "Topsy." From an initial proposal for a program that would cost in the neighborhood of $2 billion we have progressed to a point where now even the supporters of this bill admit that the cost will exceed $6.8 billion per year and everyone admits and knows that this figure will increase in later years.

It does nothing, for example, to protect the individual or his family against the tremendous costs of catastrophic illnesses such as would have been provided in the Ribicoff amendment which I supported but which the administration forces defeated by a rollcall vote in the Senate.

Packed in among the many worthwhile features are items even so that have raised the overall cost of the program far beyond the original expectations of its sponsors. Even the committee bill has already been amended several times during the consideration of this bill on the Senate floor.

I deplore the fact that this legislation is being used as a vehicle to propel into law many items that deserve a more thorough scrutiny and more careful debate. These provisons have changed the concept of this bill from one which would solve a particular problem, medical assistance to the aged, into a revision of other aspects of our social security system, changes which are not limited to the aged and whose ramifications will be felt for years to come.

By coupling these items to a bill designed to alleviate the problems of the aged who are ill and have inadequate finances, the sponsors of this legislation have endangered not only the worthy objective of medical assistance but also the increase in social security benefits, both of which I heartily support.

I had hoped that I would have been able to support legislation this year which would increase from $1,200 to $1,800 or more per year the amount of earnings allowed under social security. In fact, I have introduced separate legislation to that effect. I had hoped to support legislation which provides for a 7-percent increase in cash benefits for social security recipients, legislation which I have supported in the past, but for the reasons I have outlined previously I cannot do so as an incidental item in a bill primarily devoted to other purposes.

No one can deny that we are experiencing a time when the cost of living is steadily rising. Few people doubt that inflation will continue to plague us. For more than 5 years this Government has run a deficit of over $5 billion a year.

I recently voted against expanding our Nation's debt ceiling to an astronomical $328 billion but the concession was enacted and interest charges of about $1 billion every month of the year are now being paid by the Government. The unfunded accrued liability of the old-age, survivors, and disability insurance system—OASDI—was $321 billion on January 1, 1962, the last date for which complete figures are available. The unfunded accrued liability of military retired pay is over $61 billion. Who knows what this eventually means and where this current proposal will carry us in this ever-expanding and bewildering sea of red ink? I am convinced, however, that a bankrupt and insolvent social security system could well become worse for our average citizens and for America's oldsters than no social security system at all.

No man or woman who has studied this legislation can fail to recognize three basic evils which have been embodied in this act: subsidy, coercion, and control.

No one can doubt for a minute that this is simply another step toward the neutralization of private responsibility which will eventually end when the Government assumes complete control over the destinies of all of our citizens from the cradle to the grave. The principle established here, when carried to its logical conclusion, cannot fail also to be damaging to two segments of our free enterprise system—our physicians and our insurance industry.

As we vote on this bill, however, my fears are not so much for these two groups of our society or the collateral private economic enterprises and activities certain to be in the forthcoming target circles, as they are for society itself, for we will be taking another step toward destroying the independence and self-reliance in America which is the last best hope of individual freedom for all mankind.

Mr. President, I close with this thought. There is a great deal of wisdom in going a little slower before we write into perpetuity a program still so controversial, still so uncertain, that even after all the committee deliberations in the House, the House action, the committee deliberations in the Senate, and the Senate deliberations, we have amended it and amended it and expanded it and increased it on the floor of the Senate, and still by narrow margins of a few votes we remain divided and undecided about the wisdom of our course.

If that is delay, it is the delay of prudence and propriety. I suggest that

Senators vote in favor of the motion to recommit.

Mr. WILLIAMS of Delaware. Mr. President, I yield 3 minutes to the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, the bill which contains the Social Security Amendments of 1965, now before the Senate, contains many needed provisions. There are corrections of unjust provisions and eliminations of inequities included in the bill reported by the committee which are long overdue.

Under existing law, social security benefits are cut off for children at the very time when the expense for their care reaches its most burdensome point. This happens because social security for a dependent child stops when the child reaches age 18, despite the fact that the child is, at that age, just at the point of beginning college or advanced education. Under the bill before the Senate, this inequity is eliminated. The bill provides that if a child is between the ages of 18 and 22 and is a student, the social security benefits continue. Not only will this provide benefits when they are often most needed, but it will provide means and encouragement for more young people to continue their education.

Also under existing law, initiative and incentive to work and earn is penalized and inhibited. The law now provides that when a social security beneficiary under the age of 72 earns more than $1,200 annually, his social security benefits are reduced; and if he earns more than $1,800, he would lose all of his social security benefits. The bill before the Senate would permit an individual to earn as much as $1,800 without jeopardizing any of his social security benefits.

These reforms are overdue. I introduced separate bills in January to accomplish these reforms, and it is gratifying to see that these inequities are going to be corrected.

Fairness and justice also require that certain religious groups who oppose insurance because of their religious tenets be exempted from the compulsory provisions of the social security system, and the bill wisely includes this exemption.

For some time, it has been evident that the rising cost of living has made it imperative that the Congress increase the level of benefits of the social security program, if the program is to continue to meet the needs for which it was originally designed. This increase in benefits should have been enacted last year, and it would have been passed but for the insistence that any bill passed include everything in the one bill. The proposal now before the Senate would increase benefits under the social security program by 7 percent and provide a minimum increase of $4 per month for each annuitant. This increase in benefits is needed, and I sincerely hope that it will be passed.

Mr. President, there is also a very real need to provide assistance to those elderly persons who cannot afford adequate medical care. Great advances have been made in medical science in recent years, and the knowledge is now available to provide treatment for illnesses to a degree unimagined a few years ago. It would indeed be a tragedy and a blight on our society if those in their senior years who have lived to witness these miracles of science are denied, for lack of financial means, not only the latest in medical care, but even the type of medical treatment which has been available, from a scientific standpoint, for years. The costs of medical care—both the old and the new—have skyrocketed. Unfortunately, the high costs of such care is beyond the means of many senior citizens.

The correction of existing deficiencies, inequities, and injustices cannot justify, however, the simultaneous creation of new and larger inequities and injustices. Nor does the meeting of existing needs of senior citizens who cannot afford adequate medical care provide a justifiable excuse for saddling the citizens of the country with the heavy burden of providing medical services for those well able to take care of themselves.

This bill goes far beyond meeting the needs of those senior citizens who are unable to afford adequate medical care.

The provisions of the bill, as it is now before the Senate, would extend medical services not just to those who are in need, but to virtually all persons. It would provide such services to the rich as well as to the poor. Even those who have great fortunes would be entitled to the medical services provided in this bill.

Such an expansive and unneeded program, of course, entails an enormous cost. To finance this colossal program, the bill would increase an existing regressive tax. The burden of this tax would fall on the wage earner, who would pay an increasing percentage on the first $6,600 of his salary, without deductions or exemptions, and regardless of his financial circumstances. Indeed, this tax is scheduled under this bill, even in the absence of increased rates in the future, to rise on each salaried individual to a total of 11.50 percent of the first $6,600 of wages to be paid equally by the employee and employer. This will cause a direct withholding from an employee's salary of as much as $370.50 for social security taxes, which, in many cases, will far exceed the income tax liability of the individual.

Despite all of these inequities, the bill does not even provide for the single greatest area of need for medical services among the elderly. This is, of course, the need that occurs when there is a long and expensive illness. In the first full year of operation of the provisions of this bill, payments under social security and for the health care program will increase by more than $8 billion. Yet those elderly people who are stricken with cancer, a heart attack, or a serious operation which entails a long period of hospitalization will find no help on their hospital expenses after the first 120 days.

The deficiencies of the health care program proposed in this bill do not end here, however. The program is so designed that it will also jeopardize the financial stability of the existing social security system.

The medical care provisions of this measure are grafted onto the existing social security system. In so doing, the bill would make a major change in the nature of the existing program. Since the inception of the social security program, the benefits have been calculated in fixed-dollar amounts. These fixed-dollar benefits can be calculated for the future with a substantial degree of certainty, and payroll taxes levied in precise amounts to insure that sufficient funds are collected to make the social security fund actuarily sound. This insures that money will always be available to pay the benefits to workers who reach retirement age after contributing to the fund during their working years.

This present bill would provide medical services, not calculated in fixed-dollar amounts, in addition to the existing type of benefits. The cost of such services in the future cannot be forecast with any reasonable degree of certainty, because it cannot be foreseen how much the cost of these services will fluctuate. Experience demonstrates that the costs of medical services have risen, and will continue to rise, far faster than other costs of living. Without any fixed-dollar limit on payments or charges, we can be sure that hospitals, many of which now are operating at a deficit, will raise their charges to get on a profit basis. As a result, the payroll taxes imposed by the bill to defray the cost of medical services will almost certainly prove insufficient. The money to make up these deficiencies will be taken first from the regular social security fund, thereby jeopardizing the existing system.

The bill provides, of course, that the taxes for social security and the taxes for medical care, although paid as one tax, shall be accounted for as separate funds within the overall fund. It is alleged that this will insure that the social security fund is not impaired. This allegation is refuted categorically by the minority report of the members of the Finance Committee of the Senate. The minority report is signed by five members, including the distinguished and experienced chairman, the senior Senator from Virginia [Mr. BYRD]. The minority report states:

> Some advocates in this Congress, attempting to give assurance that the medicare program won't impair the retirement funds, point to the separate trust fund as though it would vouchsafe retirement dollars. This is illusory. Congress, 10 years ago, provided a separate trust fund for the disability program and our 10-year experience finds us in this very legislation having to rob the retirement fund. It is unfair that we impair the solvency of a program upon which many retired persons and millions more to retire in the future depend, at least as a retirement foundation.

I concur wholeheartedly in this conclusion. The bill as it is presently drafted clearly endangers the financial soundness of the existing social security fund.

The medical care part of this bill is not directed at the need which exists. It attempts to provide services for those who are not in need, and it seeks to finance this expansive program with a heavy tax on those who can least afford to pay it. In addition, the program is tied to the existing social security system, thereby endangering the financial integrity of the system to which so many have contributed and on which an overwhelming part of our citizens have based their retirement plans in whole or in part.

I shall support the motion of the Senator from Nebraska to recommit the bill to the committee with instruction. Under his motion, the proposed 7-percent increase in dollar benefits would remain unchanged, as would the many corrections of existing inequities and injustices which are now in the bill. The Finance Committee would be required to rewrite the medical care section of the bill in a manner which would provide for the actual need which exists, including the provisions to meet the costs of catastrophic illnesses. It would require the Finance Committee to eliminate the provisions which would provide compulsory medical services for those well able to take care of their own expenses because they have adequate funds to do so. The motion would also require the committee to eliminate the inequitable regressive tax as a means of supporting the program of medical care.

In connection with this unjust and regressive tax, I ask unanimous consent that an excellent article on the subject, entitled "Robbing Peter," which appeared in the April 26, 1965, issue of Barrons, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I sincerely hope that the Senate will adopt the motion of the Senator from Nebraska [Mr. CURTIS]. Despite all of the meritorious features in the bill, I could not support the major new inequities which would be created by the medical care part of the bill, particularly in view of the fact that it does not even meet the most urgent need which exists—the prolonged and most expensive illnesses. The corrections proposed by the Senator from Nebraska would eliminate these overriding defects, and design a bill to meet the actual needs. We could all support the resultant bill in its entirety with pride and enthusiasm.

EXHIBIT 1

ROBBING PETER: A CRITICAL LOOK AT THE PENDING SOCIAL SECURITY BILL

(By Shirley Scheibla)

WASHINGTON.—"Because social security recipients have been getting benefits 10 times as great as what they have paid in, people seem to think we have a special machine here which turns out $10 bills for $1 bills," says a top official of the Social Security Administration.

Since the SSA possesses no such wondrous device, it is counting on future contributions in excess of benefits to make ends meet for its old-age, survivors, and disability insurance. The present benefits-contributions ratio will grow even more unfavorable if the Senate enacts the social security bill, H.R. 6675, recently passed by the House.

The benefit-payment ratio for persons already retired obviously is responsible for much of the enthusiasm for the bill, which contains not only medicare but also a 7-percent increase in cash benefits. Retirement contributions, however, have been stepped up even more.

PUBLIC IGNORANCE

Says one official: "Continued general support for the social security system hinges on continued public ignorance of how the system works." He adds: "I believe that we have nothing to worry about because it is so enormously complex that nobody is going to figure it out."

Barron's hereby takes on the job.

The SSA worked up the following table, which purports to show that benefits in every age group exceed contributions:

	Retiree age 71	Worker now age 50	18-year-old future worker
Total contribution	$1,290	$5,832	$10,212
Retirement benefits	13,422	14,094	14,205
Wife's and widow's benefits	9,363	9,831	9,909
Total benefits	22,785	23,925	24,114

The table warrants close scrutiny. Based on maximum contributions and benefits, it includes only amounts paid by employees, even though employers pay matching amounts for their benefit. It also excludes interest which the money could have earned for the contributors if it had not been tied up in social security funds.

This approach, however, is far from realistic. To cover the true situation, the table would obviously have to include both interest and the employer's contribution. Starting with the 71-year-old retiree, and calculating interest at 3 percent (approximately the average national rate during the period of his contributions) would produce a figure of $3,373, against benefits of $22,785. Actuarially, he can expect to live to 79 to collect this amount. The 7-percent increase in cash benefits under H.R. 6675 would raise his benefits to $24,379. His contributions, of course, would not thereby increase, since he no longer makes any.

As for the 50-year-old worker, by including the employer contribution and interest at 3 percent during 1960 and 4¼ percent thereafter (again, the national average for the period) his total payments come to $22,856, against benefits of $23,925—if he lives long enough. The actuarial table used by the Internal Revenue Service for taxing annuities indicates he can expect to live to only 75½, whereas SSA has assumed he will live to 79.

The new bill would require this worker and his employer to contribute an extra $4,240 for retirement. At the same time, the bill's 7-percent increase in cash benefits would mean an extra $1,667 for him. Thus, if H.R. 6675 becomes law, the 50-year-old worker can expect to make contributions of $26,012, including interest, against benefits of $25,592.

As for the 18-year-old, including the employer's contribution and figuring interest at 4¼ percent for the latter's 46-year working life (assumed by SSA) gives a total of $61,596, against $24,114 in benefits. For this contribution the worker could purchase from a private company a monthly annuity of $463 for life, after retirement. His maximum benefit under social security would be $254 a month.

MONTHLY ANNUITY

Under the new bill, H.R. 6675, employer-employees retirement contributions for the 18-year-old, with 4¼ percent interest, would come to $84,300. The 7-percent increase in cash benefits would bring the latter to only $25,802. For this amount, the worker could purchase from a private company a monthly annuity of $634 for life. His maximum benefit under social security would be $312 a month.

The benefits figured may be high under both present law and the pension bill because SSA has assumed the youngster will retire at 67 and live to the ripe old age of 79. But the Internal Revenue Service actuarial table assumes that an 18-year-old today can expect to live to only 71.9, SSA in any case, has adopted a policy of robbing Peter to pay Paul.

Obviously, those who are urging Congress to be still more generous are thinking chiefly of people already retired or close to retirement. Few of these enthusiasts realize, however, that OASDI has been in operation for only 28 years and that therefore no one has paid social security taxes for his whole working life of 46 years. The system took in an additional 10 million people as recently as 1951, when new legislation covered farm and domestic workers. Another 7½ million members were added only 10 years ago, when coverage was extended to some self-employed. H.R. 6675 would take in still others, including waiters and additional professional workers.

A REAL BONANZA

For the 20 million retirees collecting today, social security is a real bonanza. For those who turned 65 a few years after entering the system, it represents a windfall. For new workers, however, today's largesse will be a crushing burden because, in order to pay Paul, SSA must rob Peter.

Neither SSA officials nor members of the Ways and Means Committee make any bones about the prospect that future contributions will pay the bill. This, they point out, is the great difference between social insurance and private pension plans. The latter should have enough in the till to fulfill all obligations without counting on any new entrants. But under a compulsory system, the experts explain, they can count on the taxes on new workers coming into the system. SSA officials insist that an employer's social security taxes are "for the social good," not for the individual good of the worker on whose earnings they are based.

Whether SSA will be able to sell this idea remains to be seen. Ray M. Peterson, vice president and associate actuary of the Equitable Life Insurance Society, has his doubts Says he: "We may expect from sophisticated, market-oriented employers and from labor union experts increasing dissatisfaction with the disparity between what OASDI promises and what could be secured under a private plan."

Some dissatisfaction already is becoming apparent. Students at Northern Illinois University have formed a Young Citizens Council, to combat exploitation of young taxpayers under the social security program. Commented the Chicago Tribune: "They think it only fair that the young taxpayer who is getting set on a job and starting to raise a family should pay lower social security taxes than older persons who have to pay only a few years before they start receiving benefits."

Nobody knows the exact debt young workers will have to pay. Back in 1962, when the SSA last figured out its unfunded liability for OASDI, it totaled $321 billion. Now the experts think it may come to $330 billion or more. Just for present members, according to SSA officials, passage of H.R. 6675 would mean an additional liability of $40 to $50 billion for increased cash benefits and another $35 billion for medicare.

At the end of last year the old-age and survivors insurance trust fund totaled $19.1 billion, compared with a high of $22.5 billion 8 years ago.

The story is even worse for the disability insurance fund. When Congress created it in 1956 to finance disability payments, authorized then for the first time, much was made of the fact that the disability insurance fund was set up separately from the old-age survivors insurance fund. Congress developed a habit, however, of enlarging disability benefits more than it enlarged the fund. Last year disbursements exceeded receipts by $188 million, and the fund shrank to $2 billion at the end of the year. By 1969, under present law, it is expected to fall to $81 million.

The following table shows how the combined unfunded liability has increased since 1956:

[Billions of dollars]

	Taxes plus trust funds	Value of benefits	Unfunded liability
1956 act	217	486	269
1958 act	254	543	289
1960 act	276	587	311
1961 act	304	625	321

INCREASED BENEFITS

The unfunded liability has risen even though both the tax rate and the taxable earnings base have grown over the years. One difficulty, of course, is that each time Congress raises contributions, it also increases benefits.

When the system started out in 1937, the maximum earnings base was a mere $3,000, and employer and employee each paid a tax of 1 percent. The rate was to go up to 1½ percent each in 1940, to 2 percent in 1943, 2½ in 1946 and 3 percent in 1949. To reduce the burden of social security during World War II, however, Congress temporarily suspended the scheduled increases. By 1950 the combined tax went to 3 percent, and the following year the base went up to $3,600. In 1954 the rate rose to 4 percent, and the following year the base rose to $4,200. In 1956 Congress provided for the first cash benefits for disability, and the following year the rate went up to 4½ percent. In 1959 the rate became 5 percent, and the base $4,800. The next year the rate increased to 6 percent. Another quarter percent was added in 1962. In 1963 it went up to 7½ percent.

Congress has always felt that the tax rate must not exceed 10 percent. This ceiling, however, has been pierced in H.R. 6675. The following tables show what would happen to the combined tax rate and maximum contributions, under present law and under H.R. 6675.

Combined employer-employee contribution

[In percent]

Year	Present law	H.R. 6675	(1)
1965	7.25	7.25	----------
1966	8.25	8.70	0.70
1967	8.25	9.00	1.00
1968	9.25	9.00	1.00
1969-70	9.25	9.80	1.00
1971-72	9.25	9.80	1.00
1973-75	9.25	10.70	1.10
1976-79	9.25	10.80	1.20
1980-86	9.25	11.00	1.40
1987 and after	9.25	11.20	1.60

[1] Portion of H.R. 6675 tax required for basic health insurance program.

Combined maximum contributions

Year	Present law	H.R. 6675 without medicare	H.R. 6675 with medicare
1965	$348	$348.00	$348.00
1966	396	448.00	487.20
1967	396	448.00	504.00
1968	444	448.00	504.00
1969-70	444	492.80	548.80
1971-72	444	580.80	646.80
1973-75	444	633.60	706.20
1976-79	444	633.60	712.80
1980-86	444	633.60	726.00
1987 on	444	633.60	739.20

Even these contributions do not assure the actuarial soundness of social security. In its last annual report, the board of trustees figured things out on the basis of high, low, and intermediate cost estimates, and on both a 75-year and perpetuity basis.

On a high-cost and perpetuity basis, benefits will come to 10.83 percent of payroll, and contributions will total 9.11 percent, producing an actuarial imbalance of 1.72 percent. On the intermediate cost estimate, however, contributions will total 9.11 percent and benefits 9.35 percent, leaving an imbalance of 0.24 percent, just within the limit of 0.25 percent which Congress has considered acceptable. Figured on a 75-year rather than a perpetuity basis and on intermediate costs, contributions will total 9.10 percent and benefits 9.09 percent, leaving the miniscule positive balance of 0.01 percent. With low costs and a 75-year basis, it is possible to show a positive balance of 1.13 percent. The figures, in short, can be juggled to show whatever one wants.

The Ways and Means Committee has chosen the figures which show a positive balance of 0.01 percent. It says H.R. 6675 would shift this "to a lack of balance of 0.08 percent, which is below the established limit within which the system is considered substantially in actuarial balance."

However, if the past is any key to the future, contributions will have to rise and liberalizing of benefits will follow, in a dizzy spiral. As employers' social security payroll taxes go up, their operating costs will rise. With increasing amounts deducted for social security, employees are likely to ask for wage increases to maintain their take-home pay. Faced with theses twin developments, employers probably will raise prices. With higher prices, however, social security checks won't go so far, and beneficiaries again presumably will pressure Congress to boost monthly benefits.

In H.R. 6675 Congress seems to feel that it can slow down this process by giving up financing solely through social security taxes, for persons over 65 who are not eligible for medicare benefits from the general funds of the Treasury. The latter also would be used to match $3 monthly benefits, it would finance voluntary contributions from persons over 65 who want insurance to cover doctor bills.

Some observers feel that the introduction of general Government contributions is the first crack in the dike of financial controls maintained by payroll taxes. They expect some future Congress to decide that if workers and employers object to more than a 10-percent levy, the Government could keep on liberalizing social security and make up the difference from the Treasury's general funds.

SSA officials maintain, however, that there is a limit to how much the social security system can obtain from the latter source without necessitating an increase in the income tax.

The Ways and Means Committee has made much of the fact that H.R. 6675 sets up a separate fund for medicare benefits. Representative GERALD R. FORD, Republican, of Michigan, contended during the floor debate on H.R. 6675, however, that the trust funds will not be inviolate. "I need only point out to you that in this bill now before us is a provision increasing the allocation of funds to the disability trust fund to the detriment of the old-age and survivors insurance fund," he declared.

Congress is as aware as anyone that there is no such thing as a free lunch—or free retirement or medical benefits. It is, however, much more concerned with the voters of today than with the youngsters who will pay their bills in the future.

This is an appropriate time, then, to recall what the Ways and Means Committee said 10 years ago: "We should take sober warning that, in our zeal to provide ever greater benefits and to provide against an ever wider area of need, we do not destroy the very system which we have created."

Mr. HARRIS. Mr. President, I intend to vote for the motion of the Senator from Nebraska [Mr. CURTIS] to recommit H.R. 6675, with instructions.

I vote for it, not because I agree with everything the distinguished Senator has said in support of his motion, nor because I agree with everything the motion says.

I vote for the motion because it gives me an opportunity once again to make my position clear on the several issues involved in this important subject, the same reason I previously voted for the motion to strike of the Senator from Nebraska [Mr. CURTIS].

Last year I was a candidate for the U.S. Senate from Oklahoma. I was running in the home State of the distinguished late Senator Robert S. Kerr. I was a candidate for the unexpired term of the late Senator Kerr. I was a candidate in a State which knows well the words "Kerr-Mills," and its basic concept concerning medical care for the aged.

As a candidate for the Senate, I made clear to the people of Oklahoma on countless occasions my position on the several questions involved here today.

I recognize well and feel most deeply the tremendous need for expanded medical care for the aged and others. I am not in total agreement with the suggestions made concerning medical care by the motion of the distinguished Senator from Nebraska. I do feel that the administration approach to this great problem is not the best answer at this time, and I know that history will show that it was only the beginning of an answer at best. I believe that we should do more for those in need than this bill provides—and I am willing to be liberal in my definition of "need," and I think particularly we ought to do more for those who are victims of the tragedy of catastrophic illness than this bill provides.

I believe that the financing provided in this bill for expanded medical care for the aged is not the proper way to go about financing this need. I think the increased payroll tax will operate as a drag on our economy. I think that the whole concept of this section is regressive because it does not properly take into account the differing abilities to pay the costs of the program, nor does this bill take into account the differing needs for benefits under the program.

The distinguished Senator from Louisiana [Mr. LONG] attempted to change this regressive concept by a substitute which he offered in the Senate Finance Committee. The Long substitute was first adopted and then rejected by the Finance Committee.

The amendment offered on Thursday by the Senator from Nebraska [Mr. CURTIS], which I supported and voted for, but which was not adopted by the Senate, would also have corrected materially the bad concept in this bill, because it would have required that the 20 percent of those over 65 who have the highest incomes would have had to pay a greater share of their medical costs.

Had we adopted the Curtis amendment we would have then been able to take the lid off of the limited number of days that a person can receive care and, thereby, could have taken care of the complete needs of those who are victims of the tragedy of catastrophic illnesses as was advocated by the Senator from Connecticut [Mr. RIBICOFF] and in a modified form by the Senator from Indiana [Mr. HARTKE].

As my statement in Thursday's RECORD indicates, I feel the Curtis amendment would have made this bill much more fair and would not have made the working man and woman pay more of their earnings so that people with high incomes able to provide for themselves could have free medical care.

But the Long substitute failed in committee and the Curtis amendment failed Thursday on the floor of the Senate.

Therefore, in keeping with my own conscience on this matter and my commitment to the people of Oklahoma, I cannot vote for this bill because of the medicare provisions which it contains, though I know the bill will pass, and I know that the time has long since passed when major alternatives can be considered. However, in voting for the motion of the Senator from Nebraska, I have an opportunity to make clear that there is much about this bill I like.

I am strongly in favor of increasing the cash benefits of old age and other public assistance and for social security recipients. I am also strongly in favor of increasing the amount these people can receive from earnings or from other sources without having the amount of their assistance reduced.

In line with this thinking on my part, I supported the amendment of the Senator from West Virginia [Mr. BYRD] to allow social security recipients the option of retiring at age 60 at two-thirds of the regular benefits. I supported and voted for the amendment of the Senator from Iowa [Mr. MILLER] which would have provided for regular cost of living increases in social security benefits as the cost of living index rises. I cosponsored with the Senator from Texas [Mr. YARBOROUGH] an amendment which provided that increased old age assistance under this bill would go into effect in July of this year, rather than January of next year, as the bill had provided. I supported the amendment of the Senator from Louisiana [Mr. LONG] to provide that increased cash payments under this bill would be in addition to benefits now received.

Therefore, there is much about this bill which I like, as I now make clear by my vote for the motion of the Senator from Nebraska [Mr. CURTIS]. I like the provision of the bill which allows increased earnings for social security recipients, and as a matter of fact, I would like to see these people be allowed to earn up to $2,400 per year without having their assistance reduced and permit earnings and reductions at a $1 for $2 ratio up to $3,600.

There are many other things which I like about this bill as I indicate by my vote for this motion, and if the motion is adopted, I will certainly and immediately join hands with all interested Senators in seeing that we make some real improvements in the social security, old age and other public assistance and Kerr-Mills programs, and in bringing back to the Senate at once a more workable and sound program and a more compassionate and more complete program for medical care for the aged.

Mr. LONG of Louisiana. Mr. President, it seems to me that the issue is very clear. If Senators wish to take the medicare provision out of the bill they should vote for the motion. If they wish to stay with the committee amendment, they should vote against the motion.

This is the most important provision in the bill. If Senators wish to keep the King-Anderson provision in the bill, as recommended by the President, they should vote against the motion. If they are opposed, they should vote for the motion. I am prepared to yield back the remainder of my time.

Mr. CURTIS. I yield myself 1 minute.

I agree that the issue is clear. We have an opportunity to save $2.5 billion and provide better protection at a lower cost. We have an opportunity to save the country from a gigantic step in socialism, because to provide medicare for those well able to provide it themselves cannot be justified on any other basis.

Mr. SALTONSTALL. Mr. President, will the Senator yield 1 minute to me?

Mr. CURTIS. I yield 1 minute to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I shall vote with the Senator from Nebraska, because I believe these two matters should be separated. I believe the two subjects, social security and medicare, should be separated. For that reason I shall vote for the motion to recommit. If his motion fails, I shall vote for the bill.

Mr. CURTIS. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the motion of the Senator from Nebraska [Mr. CURTIS] to recommit the bill.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ELLENDER (when his name was called). On this vote I have a live pair with the senior Senator from Missouri [Mr. SYMINGTON]. I understand that he would vote as I intend to vote. I vote "nay."

Mr. KUCHEL (when his name was called). On this vote I have a pair with the distinguished senior Senator from Nebraska [Mr. HRUSKA]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. MCGEE] and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. DIRKSEN] is necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] and the Senator from Kansas [Mr. PEARSON] are absent on official business.

If present and voting, the Senator from Kansas [Mr. PEARSON] would vote "yea."

The pair of the Senator from Nebraska [Mr. HRUSKA] has been previously announced.

The result was announced—yeas 26, nays 63, as follows:

[No. 175 Leg.]

YEAS—26

Allott
Bennett
Cotton
Curtis
Dominick
Eastland
Ervin
Fannin
Harris
Hickenlooper
Jordan, N.C.
Jordan, Idaho
Lausche
Miller
Morton
Mundt
Murphy
Robertson
Russell, S.C.
Saltonstall
Simpson
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—63

Aiken
Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Dodd
Douglas
Ellender
Fong
Gore
Gruening
Hart
Hartke
Hill
Holland
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—11

Byrd, Va.
Dirksen
Fulbright
Hayden
Hruska
Kuchel
McCarthy
McGee
Pearson
Russell, Ga.
Symington

So Mr. CURTIS' motion to recommit the bill with instructions was rejected.

Mr. HARRIS. Mr. President, I offer amendments which I send to the desk and ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. The amendments of the Senator from Oklahoma will be stated.

The legislative clerk proceeded to read the amendments.

Mr. HARRIS. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, the further reading of the amendments will be dispensed with, and they will be considered en bloc.

The amendments of the Senator from Oklahoma [Mr. HARRIS], considered en bloc, are as follows:

On page 22, strike out lines 3 through 8, and insert in lieu thereof the following:

"(4) The amount payable for post-hospital extended care services furnished an individual during any spell of illness shall be reduced by a deduction equal to one-fifteenth of the inpatient hospital deductible for each day (before the 101st day) on which he is furnished such services after such services have been furnished to him for 60 days during such spell."

On page 187, line 1, insert "and skilled nursing home" after "hospital".

On page 187, line 9, insert "and skilled nursing home" after "hospital".

Mr. HARRIS. Mr. President, I ask unanimous consent to have printed at this point in the Record two statements in support of the amendments.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Explanation of Harris Amendment No. 1

This amendment if adopted would make this bill consistent and logical in its treatment of costs of both hospitals and skilled nursing homes.

The bill as it came from the House, and as reported by the Senate Finance Committee, treats skilled nursing homes differently from hospitals on the establishment of payments to them and is, therefore, presently inconsistent.

Part 1, the medicare provision, of H.R. 6675 provides that both hospital and nursing home services shall be compensated on the basis of reasonable costs.

However, in section 204, on page 186 of H.R. 6675, as reported by the Finance Committee, it is provided that under the Kerr-Mills provisions of the bill hospital services shall be compensated on the basis of reasonable costs, but no such provision is made for skilled nursing services to be compensated for on the same basis.

It is neither fair nor logical to compensate hospitals on the basis of reasonable costs and not provide the same compensation for skilled nursing homes.

It is agreed by everyone, I believe, that the fair and consistent thing to do is to adopt this amendment, but it is said that this will cost too much money. My amendment will cost more money initially, but in the long run it will pay for itself.

Nursing home costs are between one-fifth and a little over one-third of average hospital costs. Therefore, it is good public policy to encourage the elderly patient to transfer from the hospital as soon as it can medically be done, because the costs therefor will be much less.

Furthermore, it is good public policy to see that the elderly patient gets in a skilled nursing home which has all of the proper safeguards and standards.

My amendment will accomplish both of these ends. If we don't adopt the amendment, and refuse to pay reasonable costs in a skilled nursing home, we will encourage the patient to stay in the hospital where costs will be greater, or we will subsidize second-class nursing homes, because we will refuse to pay reasonable costs.

I hope that my amendment will be adopted because, first, it is fair and consistent—nursing homes and hospitals are both paid for reasonable costs. Second, if we don't adopt the amendment and pay nursing home reasonable costs under Kerr-Mills, then those indigent patients over 65 will either be sent to or remain in hospitals where it will cost three to five times as much, or they will be placed in substandard homes and get substandard care, because you get what you pay for.

Explanation of Harris Amendment

Mr. President, medicare bills from the time of the Forand bill down to and including the 1964 King-Anderson bill provided for twice as many days of nursing home care as hospital care. This was sound principle.

The reason why twice as much nursing home service was provided was to encourage people to transfer to nursing homes as soon as medically practicable. The convalescence period is normally longer than the initial period of illness. Nursing home costs are between one-fifth and a little over one-third that of hospital costs. The average hospital cost is $40 per day, while the average nursing home cost is around $10 per day.

H.R. 6675, as passed by the House, recognizes that the timely transfer from hospitals to skilled nursing homes would prevent overcrowding of hospitals and cut down on costs under the program. This aim was accomplished in the House version of the bill by allowing a patient to convert 40 unused hospital days into 80 nursing home days.

Now, this provision was expanded and changed to give additional hospital days with a $10 a day deductible. However, the committee did not increase the nursing home days in the case of catastrophic illness, but instead provided for 80 days of nursing home care with a $5 a day deductible.

This committee version inadvertently discriminates against and discourages the use of skilled nursing homes. My amendment seeks to correct that discrepancy. It would leave nursing home care at 100 total days, but would provide that all over 60 days (not 20 as is provided in the committee version) would be allowed at a deductible of $2.67 per day (not $5 as provided in the committee version). My amendment would make this provision in accord with the hospital provision.

There are sufficient safeguards now in H.R. 6675 to insure that skilled nursing homes will be used for only the chronically ill. A skilled nursing home must be under the supervision of a registered professional nurse. It must be primarily engaged in providing skilled nursing care and have policies developed and executed under the advice of one or more physicians and one or more registered professional nurses.

Now, it may be said that this amendment will cost more. However, such estimates do not take into account the fact that without this amendment we will encourage a patient's staying in a hospital at greater cost, and with my amendment we will encourage a shorter stay in the hospital, supplemented by a longer stay in the nursing home at less cost.

Therefore, under my amendment I think it is obvious that the cost will be the same or less under the program.

With the safeguards provided in the bill, I believe that we should want to encourage transfer of patients when medically practicable to good, skilled nursing homes, and that is what my amendment will do.

Mr. HARRIS. Mr. President, I yield myself 3 minutes. Due to the lateness of the hour, and the fact that an amendment offered by the Senator from New Jersey [Mr. Case] providing for the study of nursing homes and their responsibilities in relation to this program has already been adopted, and the opposition which has been expressed in some quarters to both amendments, which have to do with nursing homes, I shall be brief.

One amendment would provide a deductible of $2.67 a day rather than $5, as is now provided in the bill for nursing homes, and a free period of 60 days rather than 20 days, as is now provided in the bill.

The other amendment would pay to skilled nursing homes their reasonable costs under the Kerr-Mills program, as now provided for hospitals under the same program in the bill.

I shall not insist upon a yea-and-nay vote.

I wish to have the statements on the amendments in the Record, because, particularly as to one amendment, the House did a better job on the subject, and perhaps the conference committee can take these statements and the amendments into account in their deliberations, and work something out better and more fair than what is now contained in the bill.

Mr. ANDERSON. Mr. President, I yield myself 3 minutes.

First, I compliment the Senator from Oklahoma. He has proceeded in proper fashion. He has offered his amendments. The proposal of the Senator from New Jersey [Mr. Case] is that this subject be considered carefully. No one knows at this time what the cost of nursing care should be, and no one knows how long the period will run. Therefore, the amendments should be rejected. I have promised the Senator from Oklahoma that the Committee on Finance and the Department of Health, Education, and Welfare will make a careful study, and by the time Congress meets again, we shall have answers for him and for the country.

I appreciate the attitude of the Senator from Oklahoma. We shall try all the harder because of the fine way he has acted. I hope the Senate will reject the amendments by a voice vote.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. SALTONSTALL. I could not hear what the Senator from Oklahoma said. Do I correctly understand that he proposes a study?

Mr. ANDERSON. No; these are definite amendments. The Senator from New Jersey [Mr. Case] proposed a study which would require several months. That is the best way to proceed. We have not enough information at this time on nursing homes. If we study the subject for a few months, we shall be in a much better position when the Senate meets again next year.

I appreciate what the Senator from Oklahoma has done. He has agreed that a study be made; then we shall be able to report to the Senate.

Mr. HARRIS. Mr. President, I appreciate the statement of the Senator from New Mexico. I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from California yield back the remainder of his time?

Mr. KUCHEL. If I am in control of the time on this side, I do.

The PRESIDING OFFICER (Mr. McIntyre in the chair). The question is on agreeing to the amendments, en bloc, offered by the Senator from Oklahoma. (Putting the question.)

The amendments are agreed to.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the voice vote be taken again.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, offered by the Senator from Oklahoma.

The amendments were rejected.

Mr. DOUGLAS. Mr. President, for myself and on behalf of the Senator from New York [Mr. Javits], I offer an amendment which I send to the desk and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 79, line 3, it is proposed to insert the following after the word "anesthesiology" in the parenthesis "under arrangements by the hospital with them."

Mr. DOUGLAS. Mr. President, I do not believe that the amendment is necessary. What it does is to make additionally and redundantly clear that the bill, as amended by the Committee on Finance, is neutral on the subject of arrangements between hospitals and medical specialists. Where arrangements for the services of the medical specialists are made through the hospital and the hospital bills for the services of the medical specialists reimbursement will be made under plan A. Where medical specialists do not wish to have the hospitals do the billing, and do not wish to come under such an agreement, preferring to bill individually, the Committee amendment permits reimbursement under the supplementary plan B. The Committee amendment does not take sides as to what kind of arrangement the specialists may or should work out with the hospitals.

The present amendment to the Committee amendment was suggested by the Senator from New York [Mr. Javits]. Officials of the Illinois Medical Society and, I believe, of one or two of the specialty boards have also suggested similar language. I join him in offering it, because although I do not believe it is necessary, it will make it crystal clear that the purpose is not automatically to put all specialists services under plan A, but to guarantee freedom of choice to the doctors and hospitals without Federal interference.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. JAVITS. The principal element involved is as follows: If Senators will refer back to a few lines preceding; namely, page 78, lines 19 through 23, they will find that that is what is intended. In my judgment the language which we have now inserted could have been, without the insertion, construed that way. We so argued in opposition to the amendment of the Senator from Kentucky [Mr. Cooper] a while ago.

But in order to make it crystal clear that the Federal plan would be neutral, I have transposed the words appearing on page 78, in lines 20 and 21, "under arrangements with them made by the hospital," and repeat them at this point, as the amendment offered by the Senator from Illinois and me does. Then it becomes crystal clear that that is the purpose and intention, and that it will not be necessary to construe the language in that way; the text will actually say it.

Mr. DOUGLAS. I thank the Senator from New York. He has been most helpful, and, of course, he is a sponsor of the amendment adopted in committee.

I thank the Senator from Kentucky for the able discussion which he carried on. He enabled us to clarify this point at least largely in the direction he wished, although not wholly so.

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

Mr. ALLOTT. This raises a question which has bothered some of us, including the Senator from Iowa [Mr. Hickenlooper], yesterday. Colorado has what is known as a Medical Services Act, which is somewhat vague in this area, except that a plan of operation has been developed by which specialists, such as anesthetists, bill their patients individually, and then they pay the hospitals a rental fee for space they occupy and facilities which they use.

I wish to ask the Senator from Illinois—because it is most important—whether this proposal would interfere with that arrangement, which has been quite satisfactory both to hospitals and specialist doctors in Colorado, either under plan A or plan B?

Mr. DOUGLAS. The answer is that the committee amendment would not. It would protect the freedom of hospitals and medical specialists to make agreements either to have billing through the hospitals or billing by the doctors and still have the services covered under either plan A or plan B.

The question raised by the senior Senator from Iowa [Mr. Hickenlooper] was also answered this afternoon by the junior Senator from Iowa [Mr. Miller]. Iowa has a law which, I understand, is also neutral on the subject, and permits either type of billing. The fact is that the committee amendment, reinforced by the pending amendment, would restore to Iowa doctors and hospitals their free choice in this; whereas, if we were to adopt the House plan in these cases, coverage of these services would be permitted only under plan B and what I understand to be the prevailing arrangements in Iowa—namely, billing through the hospital—might well have to be renegotiated to provide the separate billing essential to coverage under plan B.

Mr. ALLOTT. It is my understanding that perhaps the Iowa statute is more definite than Colorado's. But under the Colorado statute, a plan has been worked out very well, apparently to the satisfaction of the hospital and of the doctors. I wanted to have the legislative record clear that under the provisions of the bill as it now stands, it is not intended to disrupt in any manner or to change the plan of operation which has been adopted out in Colorado.

Mr. DOUGLAS. That is correct; unless by joint agreement of the doctors and a given hospital, a different arrangement is reached. But that would have to be by joint agreement.

Mr. ALLOTT. If a joint agreement has been reached, that is a different matter. I wish to be certain that this provision would not disrupt an arrangement which has been perfectly satisfactory, I am sure, to patients, doctors, and hospitals.

Mr. DOUGLAS. That is correct. If in Colorado there are hospitals which bill directly and then compensate the medical specialists, for example, on a salary or a percentage basis, the committee amendment would not interfere in such arrangements. But the House provision would do so.

Mr. ALLOTT. I understand that. I do not believe that is the situation in Colorado; I merely wished assurances that this provision would not disrupt an agreement that is working well.

Mr. DOUGLAS. I am glad to make the statement that it would not. Similarly, wholly independent practice would not be interfered with by the Finance Committee amendment.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. ANDERSON. The same answer could be given to the Senator from Colorado that I gave to the Senator from Iowa [Mr. Hickenlooper] last night; that is, that the question was presented to the Social Security Board representatives and the representatives of the Department of Health, Education, and Welfare. The answer, very clearly, was that it would not require any change in the law with respect to contracts entered into in pursuance thereof. I believe that would give the Senator from Colorado the assurance he seeks that contracts would not be interefered with by the bill.

Mr. DOUGLAS. Mr. President, in a long speech during the debate earlier this afternoon on the Cooper amendment to strike the committee amendment relating to medical specialists, I quoted the full text of letters from the General Counsel of the Department of Health, Education, and Welfare which give assurances that the committee amendment is neutral in this matter. However, we can further back this up in the legislation itself, since some Senators desire such assurance.

Mr. ALLOTT. Mr. President, I am highly appreciative of that statement. While I heard the colloquy between the distinguished Senator from Iowa [Mr. Hickenlooper] and the distinguished Senator from New Mexico [Mr. Anderson] last evening, I did not at that time have available to me the language of the Colorado statute, which is somewhat vague and leaves it up to the doctors and the hospitals to agree upon an arrangement.

Mr. DOUGLAS. That freedom would be continued.

Mr. ALLOTT. They have arrived at an arrangement which has been in effect for approximately 15 years. I am happy to have the assurance that it will not be disrupted.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MILLER. I have one question to ask which has not yet been covered. We have been talking about the terms that are in effect at the present time. There is no provision in the bill which would prevent a change in existing contracts or the issuance of new contracts.

Mr. DOUGLAS. That is correct.

Mr. MILLER. If a new hospital is built and new contracts are entered into, or not entered into, by doctors, the bill is neutral.

Mr. DOUGLAS. That is correct. There would have to be a voluntary agreement between the hospital and the doctors. There would be no blanketing-in of medical specialists against their will. Does the Senator agree with that interpretation?

Mr. MILLER. I agree with the interpretation. That point has been made abundantly clear on the floor. My only point is that in talking about the present contracts, we are not implying that future contracts cannot be entered into or that they may operate without a contract.

Mr. DOUGLAS. I want to make it clear that existing contracts may be modified by joint agreement if not contrary to State law.

Mr. MILLER. That is correct.

Mr. DOUGLAS. Mr. President, I yield back the remainder of my time.

Mr. LAUSCHE. Mr. President, who is in charge of time for the opposition?

Mr. SMATHERS. Mr. President, I shall be glad to yield time to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I should like to ask a few questions about the ultimate outcome of the bill. I shall not take very long.

The pending bill is now in the amount of $7,487 million.

Mr. MILLER. Mr. President, will the Senator yield at that point?

Mr. LAUSCHE. Mr. President, I ask that I be permitted to receive an answer to my question.

Mr. DOUGLAS. Mr. President, would the Senator be willing to withhold his present comments until the pending question can be cleared up?

Mr. LAUSCHE. No. I shall not have the time later.

I have added up the items given to me by the staff expert. The President's program envisioned a cost of $4,733 million.

Mr. SMATHERS. The Senator is approximately correct.

Mr. LAUSCHE. And the bill as it now stands contemplates the expenditure of $7,487 million.

Mr. SMATHERS. I believe the Senator is within range. That is approximately correct.

Mr. LAUSCHE. That would mean that we have escalated the President's recommendation by $2.7 billion.

Mr. SMATHERS. I believe the Senator is approximately correct.

Mr. LAUSCHE. Converting those amounts into percentages, it would mean that we have increased the President's recommendation by 61 percent.

Mr. SMATHERS. Again, the Senator is correct.

Mr. LAUSCHE. That leads one to the conclusion that the President said, "I am prepared to go along with the program for $4,733 million." However, the committees of Congress and Congress itself raised that amount by $2.754 billion, or 61 percent over the amount recommended by the President.

Mr. SMATHERS. I have an amendment here which I expect to offer on behalf of the committee, after we have concluded all other amendments. That amendment would increase the tax on payrolls so that the tax fund would be adequately financed.

Mr. LAUSCHE. That does not answer my question. We have raised the cost of the program by $2.754 billion. Translated into percentage figures, that would be an increase of 61 percent.

Mr. SMATHERS. The Senator is correct.

Mr. LAUSCHE. The Senator states that he has an amendment to offer which would increase the tax in an amount sufficient to finance the increased amount of $2.754 billion?

Mr. SMATHERS. The amendment would provide for raising the tax to see that we can finance the trust fund out of the tax, so that there would be no deficit in the trust fund.

Certain amendments have been agreed to which would take some funds out of the general revenue. That amount would have to be made up later by taxes which this body would, I presume, vote for.

Mr. LAUSCHE. In summary, that would mean that, either by increased tax upon the workers and the employers, or by the authorization of the expenditure of funds from the general fund, there would have to be provided $2,754 billion which the President did not request.

Mr. SMATHERS. The Senator is correct.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MANSFIELD. Mr. President, is it not true that this matter would go to conference and the final figures would be determined by the conferees from the House and the Senate? The final figures might be well below what is finally approved in the Senate today.

Mr. SMATHERS. The Senator is correct.

Mr. LAUSCHE. Mr. President, will the conferees fight in the conference to bring the figure down to $4,733 million?

Mr. SMATHERS. I would have to say to the able Senator from Ohio that our first duty is to represent the views of the Senate.

Mr. MANSFIELD. Mr. President, so far as the leadership is concerned, it has every confidence in the conferees.

Mr. DOUGLAS. Mr. President, is it not true that some of the increases in cost have been placed in the bill by those who, in the past, have been opposed to health care for the aged under social security? Some voted for recommittal. On the final vote, some will undoubtedly vote against the bill.

The bill has been loaded with costs by many opponents of the bill. Sometimes I believe that it has been loaded intentionally in order to defeat the measure.

Let us be done with hypocrisy in this matter.

Mr. LAUSCHE. Mr. President, can the Senator point out one instance in which the Senator from Ohio has acted inconsistently?

Mr. DOUGLAS. I believe that the Senator from Ohio is relatively consistent—not always, but relatively consistent.

Mr. LAUSCHE. With respect to this measure, can the Senator from Illinois point out one instance in which I did not vote to cut the expenditures?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMATHERS. I yield as much time as is necessary.

Mr. DOUGLAS. Mr. President, I believe that the Senator from Ohio has a very good character. I am not attacking his character. However, let it be known that a large part of the increased cost in the pending measure has been occasioned by those who have never believed in medicare, who still do not believe in medicare, but who thought they could pad the figures and then talk about what they tried to get for the blind, for the old, and for the aged groups, and then vote against the measure or for recommittal. They would thus be able to go to special interest groups and ask for their support, and then ask for support for those who are opposed to the measure itself.

This is no personal charge against the Senator from Ohio. He is an honest man.

I believe that the general rollcalls will reveal that what I have said is true. I merely say let us be done with hypocrisy.

Mr. LAUSCHE. Mr. President, the Senator has not answered my question.

Mr. DOUGLAS. I will give the Senator absolution. [Laughter.]

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield me a half minute?

Mr. SMATHERS. Mr. President, I yield a half minute to the distinguished Senator from Ohio.

The PRESIDING OFFICER. The distinguished Senator from Ohio is recognized for one-half minute.

Mr. LAUSCHE. Mr. President, I have been puzzled over why votes have been passed to increase the expenditures. I have not joined them.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. KUCHEL. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Illinois [Mr. Douglas].

The amendment was agreed to.

Mr. MILLER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARTKE. Mr. President, on behalf of the Senator from Louisiana [Mr. Long] and myself, I call up my amendments which I have at the desk, providing for extended hospital care, and ask unanimous consent that the reading of the amendments be dispensed with and that they be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. HARTKE are as follows:

On page 17, lines 15 and 16, strike out "for up to 120 days during any spell of illness".

On page 18, strike out lines 5 through 9.

On page 18, line 10, strike out "(2)" and insert "(1)".

On page 18, line 14, strike out "(3)" and insert "(2)".

On page 19, strike out lines 8 through 15.

On page 19, line 16, strike out "(d)" and insert "(c)".

On page 20, line 3, strike out "(e)" and insert "(d)".

On page 20, lines 3 and 4, strike out "(b), (c), and (d), inpatient" and insert "(b) and (c), inpatient psychiatric".

On page 20, line 10, strike out "(f)" and insert "(e)".

On page 21, line 3, strike out "(before the 121st day)".

On page 36, line 2, insert "(1)" after "(a)".

On page 36, line 13, strike out "(1)" and insert "(A)".

On page 36, line 24, strike out "(2)" and insert "(B)".

On page 37, between lines 19 and 20, insert the following:

"(2) In addition to the amounts that are appropriated (under the provisions of paragraph (1)) to the Trust Fund, there are authorized to be appropriated to the Trust Fund from time to time such sums as the Secretary deems necessary for any fiscal year in order to place such Trust Fund in the same position at the end of such fiscal year in which it would have been if payment under part A for inpatient hospital services (including inpatient psychiatric hospital services and tuberculosis hospital services) furnished an individual during a spell of illness could not be made after such services had been furnished him for 60 days during such spell".

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. HARTKE. Three minutes. I shall not take very long.

When the House of Representatives passed the medicare bill, it provided for 60-day hospitalization, out of which $40 was to be paid by the patient. When this matter reached the Finance Committee, the assistant majority leader, the Senator from Louisiana [Mr. LONG], attempted to include long-term illness coverage. That amendment was first adopted in the committee, and then defeated.

Following that, I offered an amendment in the committee, which was adopted, and which provided for extension of 30 days above that provided by the House figure of 60 days, on the basis of sharing the cost, whereby $10 would be paid by the patient and the rest covered by the administration under the social security program.

The amendment I am offering today does nothing more than eliminate the 60-day limitation. In other words, if the amendment is adopted, there would be coverage for a hospital stay of 60 days, with a $40 deductible. Thereafter, the patient could stay in the hospital for such time as the doctor and the reviewing committee of the hospital deemed necessary, with a sharing of the cost by the patient on the basis of $10 a day.

This amendment really covers long-term illness, which I call catastrophic illness. I understand that the Senator from New Mexico [Mr. ANDERSON], author of the bill, has a different term for it. It is really a catastrophe if a person has to be in the hospital 120 days and then is forced to leave the hospital, no matter what his complaint is. There is no greater horror that anyone can think of than to know that he may be in the hospital and know that his coverage may not extend to the period when he has to stay in the hospital for 6 months to a year, for example.

This amendment maintains the dignity of the social security system. It is not a charitable approach.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARTKE. I yield myself 2 additional minutes.

Mr. President, the problem arises from the fact of lengthened life as a result of medical research and achievements. As a result, there is much trouble concerning the necessity of people having to go to hospitals who have diseases that very often will terminate in the hospital. They have cancer, heart disease, and major diseases of that kind.

That is something which scares not alone the aged, but younger people, too. If we do not adopt the amendment we shall be back in a short time to put this provision on the books. I am sure failure of the Congress to enact this provision would come back to plague us for breaking faith with the American people.

How many times have we said in advocating medicare—and I may say, for the benefit of the Senator from Illinois [Mr. DOUGLAS], that I am going to vote for the bill—"We do not intend to kick you out on the street. We are going to see you through"? In other words, we have said they are not going to become forgotten people.

Ninety-nine percent of the people are covered under the bill. The amendment would cover the 1 percent who have waited so long to be covered. They are the ones who should be covered by the bill in order to have a program which is progressive, necessary, and dignified. They are the ones who need this protection. We can give it to them today. In the words of President Johnson, we do not want to leave the chill of an empty purse on any aged person after he is in the hospital.

I think the amendment makes commonsense and that the Senate should adopt the amendment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. HOLLAND. Has the Senator any estimate of the cost involved by adoption of the amendment?

Mr. HARTKE. Yes. It is a very inexpensive provision. It would cost about $40 million—less than the cost of one atomic submarine, less than the cost of military storage in the United States, less than the cost of five motor gunboats being used in Vietnam.

I have had a check made in local hospitals as to the number of such cases involved. In one hospital in a 3-month period there were only 13 such cases involved and 91 cases discharged.

The number is small, but the effect is large. This is the real heart, and the real purpose, of a program that we have called medicare. The fear of long-term illness causes stark terror in people, not alone the aged, but the young as well.

Mr. SMATHERS. Mr. President, I yield myself such time as I may need to reply, but I hope not more than 3 minutes.

I am personally opposed to the amendment. A number of members of the Finance Committee are also opposed to the amendment. However, we recognize that there is strong sentiment in the Senate for the amendment.

Actually, as the able Senator from Indiana has said, it involves only $40 million. That does not seem like a large sum of money at this time.

The amendment is a modified version of the Ribicoff amendment, which was defeated by 4 votes. The amendment is a distinct improvement in that it continues to have the coinsurance feature, which is desirable, although it takes off the limit of the time in which a patient may stay in the hospital.

As temporary manager of the bill, I am prepared, after checking with other members of the Finance Committee, to take the amendment to conference for consideration.

I yield back my time on the amendment.

Mr. HARTKE. I yield back my time.

The PRESIDING OFFICER. All time on the amendments has been yielded back.

The question is on agreeing to the amendments of the Senator from Indiana [Mr. HARTKE].

The amendments were agreed to.

AMENDMENT NO. 181

Mr. HARTKE. Mr. President, I call up my amendment No. 181.

The PRESIDING OFFICER. The amendment offered by the Senator from Indiana will be stated.

The legislative clerk proceeded to read the amendment.

Mr. HARTKE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. HARTKE is as follows:

On page 385, line 5, strike out "$330,000" and insert in lieu thereof "$500,000".

Mr. HARTKE. Mr. President, this is a very short amendment. It deals with a deficiency in the Virgin Islands because of an emergency in the old age pension program. It makes it possible to increase the amount from $330,000 to $500,000 to make sure that the program is carried forward. If the amendment is not adopted, some people will have to be dropped from the rolls.

Mr. SMATHERS. Mr. President, the Senator's amendment involves approximately $200,000 for the Virgin Islands. There is some doubt as to whether it is appropriate as an amendment to this bill, but, after consultation with members of the Finance Committee, we will accept the amendment.

Mr. KUCHEL. Mr. President, may I have 1 minute?

Mr. SMATHERS. I yield 1 minute to the Senator from California.

Mr. KUCHEL. As I heard the Senator from Indiana, the amendment applies to the Virgin Islands. Does any similar problem exist within any other territories under the jurisdiction of the United States?

Mr. HARTKE. No; this is a peculiar problem. They do not have sufficient funds. It is a special situation which exists with respect to those islands.

Mr. KUCHEL. I thank the Senator.

Mr. HARTKE. I yield back the remainder of my time.

Mr. SMATHERS. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on the amendment of the Senator from Indiana. [Putting the question.] The "yeas" seem to have it.

Mr. JAVITS. Mr. President, will the Senator yield me 1 minute?

Mr. SMATHERS. I yield 1 minute to the Senator from New York.

The PRESIDING OFFICER. The Chair is in doubt as to how Senators voted on the last amendment. The Chair will request a division.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the question be put once again.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Indiana.

The amendment was rejected.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER (Mr. McIntire in the chair). Does the Senator from Florida yield to the Senator from New York?

Mr. SMATHERS. I am glad to yield to the Senator from New York, and yield him 1 minute for the purpose.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. The question has arisen and I direct the attention of the Senator to page 72 of the bill, line 15, subdivision (f), which relates to the kind of carriers who may be contracted with in respect to services rendered under the supplementary part of the bill, part B.

My question is this: Will the carriers be included under this definition who are consumer-oriented group health plans or will it be confined only to those who are primarily staff and representatives of the medical profession? I refer specifically to carriers of such group health——

The PRESIDING OFFICER. The Chair informs the Senate that no amendment is pending. Who yields time?

Mr. SMATHERS. Mr. President, I have yielded time on the bill to the Senator from New York of 1 minute.

The PRESIDING OFFICER. The Senator from New York may proceed.

Mr. JAVITS. I refer specifically to the group health insurance in New York State. Will such carriers of this kind be allowed to participate in the administration of the program? I refer specifically to the words on lines 2, 3, and 4, of the bill, on page 73 of the bill, "with respect to providers of services only, any agency or organization" undertaking membership agreements or subscription contracts or similar group arrangements.

Mr. SMATHERS. Yes. I am advised by my staff that there is a broad interpretation, and the Senator's implication in his question is correct.

Mr. JAVITS. I thank the Senator from Florida. Will the Senator yield me 30 seconds more to call attention to——

Mr. HICKENLOOPER. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Iowa will state it.

Mr. HICKENLOOPER. I have been sitting in the rear of the Chamber and I have not heard a word that is going on. I do not know what is being discussed. The soliloquy in the well of the Senate does not resound very well back here. I hope that we could find out what is going on and what is being proposed.

The PRESIDING OFFICER. The Senator's position is well taken. The Senate will please be in order. Senators will please take their seats.

Mr. SMATHERS. Mr. President, I yield 1 minute to the Senator from New York from the time available on the bill.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, I invite attention to the fact that the basis for part B of the bill was developed in an oustanding work of public service by the National Committee on Health Care of the Aged, headed by Arthur Flemming and with a most distinguished membership, including the former Secretary of HEW, Marion Folsom, distinguished businessmen, deans of medical schools, doctors, and others. This work was financed voluntarily and has made such an extraordinary contribution to this final bill.

This report was presented at the White House to President Kennedy in November 1963, not too long before the tragedy which overtook him and the Nation. He received it and commented most favorably.

This report certified and consolidated the total effort of Republicans since 1949 when the first bill was offered by me with certain of my colleagues in the House of Representatives and through the Anderson-Gore-Javits bill which passed the Senate last year.

This concept of voluntary health coverage with the aid of private sector carriers to give physicians and other services making this truly a full health care—other than as to drugs—bill can justly be claimed as the contribution which makes the pending measure truly bipartisan. Such a concept was never in the King-Anderson or other administration bills until together with those of my Republican colleagues who joined in it, it was accepted by Senator Anderson and then by Senator Gore and is now an established and accepted essential part of the plan of health care for the aging incorporated in this bill.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a list of the members of the committee, the contributors to the committee, and excerpts from the report delivered to President Kennedy approximately 10 days before the terrible tragedy.

There being no objection, the material was ordered to be printed in the Record, as follows:

National Committee on Health Care of the Aged

Arthur S. Flemming, Chairman, president, University of Oregon.

Russell Nelson, M.D., Vice Chairman, president, Johns Hopkins Hospital.

James Dixon, M.D., president, Antioch College.

Marion B. Folsom, director and former treasurer, Eastman Kodak Co.

Arthur Larson, Ph. D., director, World Rule of Law Center, Duke University.

Russel V. Lee, M.D., founder, Palo Alto Clinic.

John C. Leslie, chairman, Committee on Aging, Community Service Society of New York.

Winslow Carlton, Secretary of the Board, chairman, Group Health Insurance, Inc.

Vernon W. Lippard, M.D., dean, Yale Medical School.

Dickinson W. Richards, M.D., Lambert professor of medicine emeritus, College of Physicians and Surgeons, Columbia University.

Thomas M. Tierney, director, Colorado Hospital Service.

Hubert W. Yount, former executive vice president, Liberty Mutual Insurance Companies.

Howard L. Bost, Ph. D., study director.

Prof. Henry H. Foster, Jr., legal consultant.

Excerpts From Committee Report

The central purpose of an American solution to the problem of financing the health care of present and future generations of the aged must be to encourage and protect the independence and dignity of the individual. In its basic approach to this problem, our Nation must aim at preventing dependency as a concomitant of the deterioration of health in the declining years of life.

This requires a shift in public policy from placing major reliance upon charity and welfare assistance measures to placing emphasis upon the development within the Nation of health insurance for the aged. Public assistance programs present the prospect of great increases in requirements for public funds without accomplishing the objective of preserving the independence of elderly people or of reducing the economic hazard of illness as a threat to their independence. By their nature, such programs, including the Kerr-Mills program, deal with dependency after it occurs; health insurance, by reducing the cost which must be met at the time of illness to a level that is manageable, can prevent dependency and encourage self-reliance.

Clearly, the solution required in America today and for the future lies in actions which will achieve the health insurance coverage called for by the risk of illness in old age.

To accomplish the necessary development of health insurance for the aged, the committee proposes a dual public-private program, consisting of separate and distinct plans in the respective sectors of the economy. These plans are equally essential and should be complementary. Together they should provide balanced and effective basic protection covering roughly two-thirds of the aggregate health care costs incurred by the aged, leaving the remaining costs to be met by the individual on an out-of-pocket basis or through supplementary private insurance.

The public plan, in the committee's view, should utilize the principle of contributory social insurance to cover all persons 65 years of age and over, with payments collected during the working years of all employed and self-employed persons. The most appropriate area of protection to be provided by the public plan is institutional care, which is the most frequent cause of financial shock-loss to the aged. The extent of this protection under the proposed plan would represent approximately one-third of the aggregate health care costs of the aged.

Another third of these costs, the committee believes, should be the subject of special private insurance covering the largest noninstitutional costs that occur most frequently among the aged. Special efforts are called for in order to bring the cost of such basic, complementary private coverage within reach of most of the aged, to whom the most economical and efficient forms of insurance are not ordinarily available. The committee sees a need for congressional action to permit insurance organizations to join together in concerted efforts to provide low-cost protection on a mass enrollment basis.

These components of the proposed dual program for the aged are both mutually reinforcing and mutually dependent. The committee urges that one aspect not be considered out of the context of the other; rather, they should be considered together. To this end, the committee recommends the establishment of a National Council on Health Care of the Aged, which would keep both the public and private components of the program under continuing review.

Under the proposed program, the health services that are to be financed will be obtained and rendered within the American system of medical care, the same system which serves the general population of the Nation. The financing of health care costs by the program will be supportive of the patient-physician relationship requisite for good medical care. The program will strengthen the economic base supporting the operation and improvement of the health care establishment throughout the Nation, helping to stimulate expansion of needed health care resources to serve all groups.

To provide guidelines for developing health insurance for the aged under broad national policy, the committee has formulated a number of principles. These are set forth below and are discussed in the sections of the report which follow. We believe that through combined public and private action embodying these principles, a solution to the problem of financing the health care of the aged will be attainable in a way that is compatible with, and in fact will strengthen and reinforce American traditions and values.

GUIDING PRINCIPLES FOR PUBLIC INSURANCE

1. A long-range public plan should be established, based on the principle of contributory insurance and calling for all employed and self-employed persons to participate during their working years, so that upon reaching age 65 all will have the protection provided under the plan without further payment.

2. The long-range public plan should be self-financed by a separately designated payroll tax, collected as a part of the social security tax and equally shared by employees and their employers (or paid by the self-employed), with the benefit level under the plan tied to the proceeds from this source. Contributions should be placed in a special trust fund committed to provide stipulated benefits after age 65 to those under the plan.

3. The extent of health insurance protection provided by the public plan should be designed to offset substantially the abnormal burden resulting from greater use and higher cost of health services required in old age, so as to give the aged a fair chance of maintaining their independence and providing for themselves.

4. The public plan should be designed to encourage and facilitate coverage of the aged under private health insurance for additional protection. It is essential that health insurance coverage provided under the public and private plans be complementary and that the roles of the public and private sectors in providing protection be mutually reinforcing.

5. The benefit structure of the public insurance plan should be focused upon health services, the cost of which tends to have the greatest and sharpest impact, rather than upon services involving routine costs or costs which tend to fall in a less concentrated fashion.

6. The public insurance plan for the aged should fit into the current system of health facilities and medical care in the Nation, with maximum free choice among providers of services, and it should contribute to the improvement and expansion of needed health resources in the communities of the Nation.

7. A fundamental long-range objective of the public insurance plan for the aged should be progressive improvement in the quality of the services financed through the plan.

8. Responsibility for the administration of the public insurance plan for the aged should be assigned to the Secretary of Health, Education, and Welfare, with the assistance of an Advisory Council on Health Insurance for the Aged. In administering the plan, the Secretary should be authorized to contract for services of voluntary organizations and required to invite proposals from such organizations for consideration. Direct administration of benefits should be undertaken by the Federal agency only if proposals from voluntary agencies are not adequate.

GUIDING PRINCIPLES OF COMPLEMENTARY PRIVATE INSURANCE

1. As a corollary action to the establishment in the public sector of a plan for the aged limited to basic institutional services, national policy should assign to private insurance the complementary role of establishing protection to cover other health care requirements of aged persons.

2. Private health insurance should concentrate primarily on covering the major clusters of expense for physician care and other noninstitutional services, so that, together with the institutional care covered by the public plan, the aged will have a well-balanced package of basic protection.

3. Basic complementary protection under private insurance should be made available to all persons in the aged population without disqualifications, reductions in benefits, or increases in premiums because of advanced age or condition of health.

4. Private insurance organizations should devote intensive efforts to extending basic complementary protection to the aged population, with concentration on developing marketing methods designed to produce high-volume, low-cost mass coverage.

5. Congress should take action which would make it possible for insurance companies and nonprofit health plans to join in concerted nationwide efforts to extend to the aged population basic protection, complementary to that established under the public insurance plan for the aged.

6. To increase the proportion of the aged covered in the future under complementary protection, private insurance organizations should develop methods for prepaying during the years of active employment the cost of health insurance in old age. Employed groups also should be encouraged to continue retirees under group insurance plans.

NATIONAL ADVISORY COUNCIL

A National Advisory Council on Health Insurance for the Aged should be created and charged with advising the Secretary in administering the public insurance plan for the aged and with making periodic reports to the Congress through the President on the status, in both the private and public sectors, of implementation of national policy for health care of the aged.

Support for the work of the National Committee on Health Care of the Aged was provided by: the Albert A. List Foundation; the Kaplan Fund, Mr. Jack Kaplan, president; the Stern Foundation; Mr. John Hay Whitney; Mr. William Creasy; Senator JACOB K. JAVITS and others.

Mr. JAVITS. I thank the Senator from Florida for yielding to me.

Mr. ANDERSON. Mr. President, if the Senator will wait just a moment, let me say that as a member of the committee very much interested in this bill, we all appreciate greatly what the Senator from New York arranged. He did bring together Mr. Flemming and a great many other fine persons and they did a magnificent piece of work on this problem.

A member of my staff, through the courtesy of the Senator from New York, was permitted to sit in at the meetings at all times. The Senator from New York did a very fine job, and I wish to compliment him on it.

Mr. JAVITS. I thank the Senator from New Mexico for his kind comments.

AMENDMENT NO. 326

Mr. PROUTY. Mr. President——

Mr. COOPER. Mr. President——

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. COOPER. Mr. President, I call up my amendment No. 326 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. COOPER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment (No. 326) offered by Mr. COOPER is as follows:

On page 184, between lines 2 and 3, insert the following:

"NOTICE CONCERNING BENEFITS PROVIDED UNDER TITLE XVIII OF SOCIAL SECURITY ACT

"SEC. 123. (a) The Secretary shall, not later than July 1, 1966, provide personal notice (containing the information and data prescribed under subsection (b)) to—

"(1) each individual who is expected (by reason of entitlement to, or application for, benefits) to be entitled to monthly insurance benefits for the month of June 1966 under the insurance program established by title II of the Social Security Act, and who will have attained age 65 on or before such month;

"(2) each individual who is expected (by reason of entitlement to, or application for, benefits) to be entitled to an annuity or pension under the Railroad Retirement Act of 1937 for the month of June 1966, and who will have attained age 65 on or before such month;

"(3) each individual whom the Secretary has reason to believe would be entitled to the benefits provided by part A of title XVIII of the Social Security Act by reason of the provisions of section 103 of the Social Security Amendments of 1965, if the Secretary (A) knows the name and address of such individual, and (B) has occasion (without regard to this section) to send any other notice or correspondence to such individual.

"(b) The notice referred to in subsection (a) shall contain (1) a separate description of the benefits provided under part A of title XVIII of the Social Security Act, examples of types of health care which are not provided by such part A, and information as to the class of persons eligible to qualify for such benefits, as well as the procedure to be followed to apply for such benefits, (2) a separate description of the benefits provided under part B of such title XVIII, examples of the types of health care which are not provided by such part B, and information as to the class of persons eligible to qualify for such benefits, the conditions and limitations imposed upon the receipt of such benefits, and the procedure to be followed in applying for such benefits, and (3) advice to the individual that he should make arrangements through other insurance programs or otherwise to protect himself against health care costs which are not covered by part A or B of such title XVIII, or both such part A and part B.

"(c) In addition to the personal notices required to be sent under subsections (a) and (b), the Secretary shall utilize to the fullest extent feasible other media of communications to apprise the public of the information and data required to be contained in the notice described in subsection (b).

"(d) The Secretary shall also furnish a personal notice (containing the information and data prescribed under subsection (b)) to each individual who after June 1966 becomes entitled to monthly insurance benefits under title II of the Social Security Act and who has, at the time he becomes so entitled, attained age 65, or will attain such age within one year thereafter.

"(e) The Railroad Retirement Board shall furnish to the Secretary such information as it may possess and which may be necessary or useful to enable the Secretary to carry out the provisions of subsection (a) (2). Such Board also shall furnish to each individual who becomes entitled to an annuity or pension under the Railroad Retirement Act of 1937 after June 1966 and who, at the time he becomes so entitled, has attained age 65 (or will attain such age within one year thereafter) a personal notice containing the information and data prescribed in subsection (b)."

Mr. COOPER. Mr. President, this is not a substantive amendment. It would merely direct the Secretary of HEW to take all practical measures to notify those who will be scheduled beneficiaries under the program of changes in the program.

I know that there are many offices of information under the Social Security Administration which will undertake this task. There are some 600 divisions or sections in that office. We all know that with the vast changes in the program, it will be a necessary task to advise the present beneficiaries and the scheduled beneficiaries of the changes in the act which will apply to them.

I am sure that the Social Security offices will undertake to do this, but this would give them congressional direction to make special efforts to disseminate the information.

I believe that all of us have known, in receiving correspondence from our constituents, that there are many beneficiaries of the social security system who do not understand or who have not been informed as to the changes which will affect them.

Mr. MILLER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield to the Senator from Iowa.

Mr. MILLER. I believe that the amendment offered by the Senator from Kentucky is a constructive amendment, but I should like to ask him whether he would modify the amendment to require a notice to be sent to all taxpayers, not only recipients of social security, as to how much is being withheld from their paychecks, and why. Many people will find a reduction in their paychecks as a result of the payroll tax increase, and I believe that they should be apprised of that so that they will know what has happened.

I believe that if the Senator would do this, it would improve his amendment and would give a complete picture of what has taken place as a result of congressional action.

Mr. COOPER. I am sure that that information will come to them very quickly. They are bound to know that promptly.

I am certain that the beneficiaries will quickly learn about this program and how it will affect them.

Mr. MILLER. The only thing the taxpayer will see will be the reduction in his paycheck, and he will wonder why.

Mr. SMATHERS. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I yield.

Mr. SMATHERS. I am informed that the W-2 form, and other forms, contain a provision now which shows where and for what purpose the money has been deducted, when they pay their tax.

Mr. MILLER. The W-2 form shows the amount of Federal Insurance Contributions Act contribution, but they get that at the end of the year. What the Senator from Kentucky is trying to do is to let people know at an early date exactly what they can expect to receive under the bill. The American people should know what they are paying for.

Mr. COOPER. I do not have the amendment available at this moment, but I shall be glad to incorporate it.

Mr. MILLER. I can incorporate it quickly.

Mr. SMATHERS. We are prepared to accept the amendment of the able Senator from Kentucky, if it is not further complicated, because obviously what the amendment would provide is what the Secretary of HEW would do anyway; namely, to notify the people who are the beneficiaries of the social security program, or who may be qualified under other programs, as to what the law now is and what they can expect. Therefore, I believe it is a worthwhile amendment.

Let me say to the Senator from Iowa that page 138 of the bill, line 12, section 107, states as follows:

SEC. 107. Section 6051(c) of the Internal Revenue Code of 1954 (relating to additional requirements) is amended by adding at the end thereof the following new sentence: "The statements required under this section shall also show the proportion of the total amount withheld as tax under section 3101 which is for financing the cost of hospital insurance benefits under part A of title XVIII of the Social Security Act."

Thus, it is in the bill.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MILLER. When is this information to be furnished the employee?

Mr. SMATHERS. On the W-2 form.

Mr. MILLER. But that comes at the end of the year.

Mr. SMATHERS. I presume that it does come at the end of the year.

Mr. MILLER. Would it not be better to let them have the information as soon as possible? I am not proposing that they be told every time they receive their paycheck. I am suggesting that at the time the program goes into effect, when their paycheck is first reduced, they receive a notice as to why, instead of making them wait until the end of the year to find out.

Mr. SMATHERS. I share the sentiments expressed by the Senator from Kentucky [Mr. COOPER] that they are going to find this out very quickly. I would hope that the Senator from Iowa would not pursue his amendment to the amendment, because we are prepared to take the amendment of the Senator from Kentucky.

Mr. President, I yield back the remainder of my time.

Mr. COOPER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky (No. 326).

The amendment was agreed to.

Mr. PROUTY. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 87 at line 1, strike all following the parenthesis through line 4, and insert in lieu thereof the following: "licensed pursuant to State law or approved by an agency of any State responsible for licensing institutions primarily engaged in providing to inpatients (A) skilled nursing care and related services, or (B) rehabilitation services for the rehabilitation of injured, disabled, or sick persons, as meeting the standards established for such licensing, or which—".

On page 88, beginning at line 9, strike all through line 15.

Renumber "(10)" as "(9)".

Mr. PROUTY. Mr. President, I have been much concerned lest there be a discrepancy in that portion of the medical care title of the bill which relates to nursing homes qualified to participate.

I think it is only fair to say that the effect of the language beginning on page 86 of H.R. 6675 is to give a monopoly to large hospital-oriented nursing homes without regard to the very fine services furnished by others not big enough to meet the requirements of this bill.

In order for a nursing home to be eligible under this bill, it would have to have agreements with one or more hospitals for the transfer of patients. It would have to have in effect a utilization review plan which would closely tie its services to the hospitals. It would have to employ the services of numerous professionals over the larger part of the day. In other words, Mr. President, this bill requires the nursing homes to be large operations intimately tied to hospitals in their areas.

In many States it will be found that few of these nursing homes can qualify. For example, in the State of Vermont there are only two or three that could qualify under the provisions of this bill. In total they represent 155 beds. The other 189 nursing homes in all probability could not qualify, although they provide excellent nursing home care. So, of the some 45,000 people over age 65 in Vermont who may need nursing home care, only 155 beds may qualify for payment coverage if this bill is adopted as written.

My amendment would automatically qualify any nursing home licensed by a State to operate as a nursing home. Who is the better judge of whether a nursing home meets adequate and reasonable standards of safety and care? Clearly, the State agency which has the responsibility for overseeing the operations of the home. If we impose the very rigid standards of this bill, only 3 of 192 nursing homes in the entire State of Vermont would apparently be eligible for payments administered under this bill, and, undoubtedly, a similar situation would exist in many States.

Under my plan, the fact that a State has licensed any one of these nursing homes is prima facie evidence that the home is adequate to the needs of the patients. My amendment preserves the qualifications otherwise imposed by the Federal Government for those homes in States having no licensing laws.

We may be faced with the problem of building huge nursing homes or making it necessary for people to remain in hospitals much longer than otherwise would be necessary, or to transfer them long distances to hospitals and nursing homes in the large metropolitan areas.

This is something that we should consider seriously. I know that in the case of my State—and I certainly believe it is true in many other States also—the facilities are not available if the standards provided in the bill are adhered to.

Mr. COTTON. Mr. President, will the Senator yield me 2 minutes?

Mr. PROUTY. I yield 2 minutes to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I have been waiting patiently for the distinguished Senator from Vermont to raise this point. I am looking forward with anticipation, and shall listen most carefully, to the statement that will undoubtedly be made by the distinguished Senator from Connecticut.

This is a point which concerns me deeply in regard to my own State of New Hampshire. While I was a member of the Special Committee on the Aging, I discovered—it was only about 4 or 5 years ago—that not one nursing home in my State was qualified under the criteria which apparently prevail in the bill.

I also discovered—that situation may not be entirely true—this afternoon, when I spoke with the Department of Health, Education, and Welfare, that, so far as they knew, no nursing home at this time in the State of New Hampshire is qualified.

Furthermore, I discovered that a hospital would absolutely, and did absolutely, refuse to take any responsibility for nursing homes or clinics or medical centers that are located 1 foot away from the site of the hospital, because of the responsibility involved and the possibility of damage suits resulting from malpractice or some other occurrence that may take place in a nursing home or in a medical center or in a clinic not under the direct control of the hospital.

Unless there is some very strong explanation or reassurance, I hope the amendment of the Senator from Vermont will prevail. Otherwise, there would be nothing in my State, for example, to furnish nursing home care for these elderly people.

Mr. RIBICOFF. Mr. President, I have had an extended discussion with the Senator from Vermont. I can well understand his concern and the concern of the distinguished Senator from New Hampshire. If we look at the sections of the bill that the Senator was looking at, there is reason for concern, because of the partially settled nature surrounding many small towns, and the far distances that they are from organized hospitals.

However, if the Senator from Vermont and the Senator from New Hampshire will turn to page 92 of the bill, they will find another provision in which the Committee on Finance took into account the problem with which they are concerned. At page 92, beginning at line 4, there appears this language:

> Any extended care facility which does not have such an agreement in effect, but which is found by a State agency (of the State in which such facility is situated) with which an agreement under section 1864 is in effect (or, in the case of a State in which no such agency has an agreement under section 1864, by the Secretary) to have attempted in good faith to enter into such an agreement with a hospital sufficiently close to the facility to make feasible the transfer between them of patients and the information referred to in paragraph (2), shall be considered to have such an agreement in effect if and for so long as such agency (or the Secretary, as the case may be) finds that to do so is in the public interest and essential to assuring extended care services for persons in the community who are eligible for payments with respect to such services under this title.

Considering the State of Vermont and the State of New Hampshire, with which I am well acquainted, very few hospitals are located in the major cities. However, there are many small communities and small towns which are perhaps 25 or 30 miles distant from a hospital. Yet these small towns have nursing homes. Under those circumstances, the hospital could enter into an agreement with a nursing home, even though it is not adjacent or close by.

Let us say that a hospital refuses to do so, because it is inconvenient to have supervisors travel 30 or 40 miles to small towns where the nursing home is located, if the State of Vermont or the State of New Hampshire, or a health department or a department of hospitals, or a public agency has supervisory facilities or it has licensed these homes, they could certify to the Secretary that this is a proper nursing home and that the nursing home should be the kind of facility that would be eligible to take patients under the provisions of the act.

If a State does not have an agency which supervises or licenses nursing homes, under those circumstances the Secretary of HEW would have the right to send into that State his own employees to certify that a nursing home was proper to provide extended care.

I understand the concern of the Senator from Vermont. I believe that without the amendment, in a colloquy on the floor of the Senate we can straighten out many of the questions that are in the mind of the Senator from Vermont, and for the RECORD we can establish a procedure under which the nursing homes and the people in sparsely connected communities would have the protection and coverage that they should have under the bill.

Mr. PROUTY. Mr. President, will the Senator permit me to ask a question?

Mr. RIBICOFF. I am pleased to have the Senator do so.

Mr. PROUTY. I wonder if the Senator could tell me if the word "community" on line 17, page 92, means the patient's community?

Mr. RIBICOFF. Will the Senator please repeat the question?

Mr. PROUTY. Does the word "community" as found on line 17, page 92, mean the patient's community?

Mr. RIBICOFF. I would assume that, without question, we are talking about the patient's community. It is not the intention, in formulating and writing the bill, to require patients to travel far from their homes.

Of course, in a situation in which a patient in a community might need hospital care that is not an emergency, naturally he would go near where the hospital was located. We talk about nursing homes, home care, or the services of a doctor. What I have in mind, and what the committee has in mind, is a community in which the patient resides or lives, or the nearest community to his home.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PROUTY. Mr. President, before the Senator from New Hampshire engages in a colloquy with the Senator from Connecticut, I should like to say that I hope this point will be made very clear in the conference report.

Mr. RIBICOFF. I shall not be a conferee, but I hope that the conferees will so indicate. I have had a long and close contact with the bill, both as Secretary and as a member of the Committee on Finance. It was always our intention—because we recognized that many patients come from rural communities in which there is no hospital—that in these cases where perhaps a hospital did not want to be bothered with a nursing home

30 or 40 miles away the State could step in with its own inspection and licensing agency, and in the absence of a licensing agency the Secretary would then certify the nursing home.

Mr. PROUTY. I yield to the Senator from New Hampshire.

Mr. COTTON. In order to establish as well as we can and as briefly as we can the legislative history, which might be very important to the States which we represent, I should like to inquire of the distinguished Senator from Connecticut, who has had so much to do with guiding the bill, who has performed such constructive work in connection with it, and who has a background as former Secretary of the Department of Health, Education, and Welfare, his understanding of the meaning of the lines on page 92. I refer particularly to the words "hospital sufficiently close to the facility to make feasible the transfer between them of patients and the information." I ask the Senator if in his opinion that would mean a licensed nursing home in a town 25, 30, or perhaps even 40 miles away from the nearest hospital, where there is not a resident physician, but which would meet the criteria that the Senator anticipates would be laid down in case the hospital would not assume the responsibility.

Mr. RIBICOFF. It is my understanding and interpretation that when we talk about a resident physician, it is a physician who is available in accordance with the facts and the customs of the community. Naturally, in rural areas there might be a small hamlet without a doctor. It would be absolute nonsense and would be completely frustrating to the purposes of the act to say that under those circumstances there must be a doctor resident in the small hamlet. If it is the custom of that community to use a doctor in the region, be he 10, 15, or 25 miles away, but if that is the doctor who normally services the people of that community, I would say that it would satisfy the requirements of the act if the doctor were available on call in case of emergency to a nursing home, just as he would be on call to a person who might become suddenly ill in that community.

Mr. COTTON. Through the courtesy of the distinguished Senator from Alabama [Mr. HILL], and other Senators, including the Senator from Connecticut, we hope to have in my State a program to help us get resident doctors. The bill that I introduce was passed by the Senate, but it has not yet passed the other body.

There are communities in which a person who is ill must be taken 25 or 30 miles to the nearest hospital for real medical attention. In my opinion, however, those places have some very good nursing homes. It is not a question of convenience. The hospitals are extremely reluctant to assume responsibility, due to distance, by entering into agreements with them or in any way assuming the responsibility for what is done. However, the nursing homes are carefully inspected by the State.

I shall not take any more time, but is it the assurance of the distinguished Senator from Connecticut that it is his understanding of the wording on page 92 of the bill that, in the absence of an agreement with a hospital, such nursing homes will be taken care of by proper criteria laid down by the Secretary of Health, Education, and Welfare?

Mr. RIBICOFF. Without a question of a doubt—and I would be shocked if the Secretary refused to certify the particular type of facility which the Senator has described. Should such an event take place, and the distinguished Senator from New Hampshire [Mr. COTTON] or the distinguished Senator from Vermont [Mr. PROUTY] called it to the attention of the Finance Committee and to my personal attention, I would be the first to come to the floor of the Senate and to the Finance Committee to make sure that that situation was remedied. But there is no question in my mind that we are all aware of the fact that in many rural communities throughout the Nation there is a dearth of doctors. We recognize that many communities are completely without a doctor. Certainly people in rural communities are covered by the bill as people in large urban areas are covered by the bill. We intend that everyone, no matter where he is living in the United States, should get the full benefit of the act. My understanding of the bill is that the communities indicated by the Senator from New Hampshire and the Senator from Vermont would definitely be protected and the people would be entitled to such benefits.

Mr. COTTON. I thank the distinguished Senator. I am somewhat reassured.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. PROUTY. Mr. President, I still have the floor. I yield myself 5 additional minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 5 minutes.

Mr. ALLOTT. Mr. President, will the Senator yield me 3 minutes?

Mr. PROUTY. I yield to the Senator from Colorado 3 minutes.

Mr. ALLOTT. I should like to have the attention of the distinguished Senator from Connecticut. I am not entirely satisfied with the answers he is giving to my friend, the distinguished Senator from New Hampshire. In the West there are areas in which we could geographically place some of the States of the East, as the Senator knows, in a few counties. In that respect, therefore, the problem of distance becomes very acute and very great.

The question I should like to ask the distinguished Senator is as follows: The Senator quoted from page 92, line 4, and there is reference to page 108, section 1864.

What I should like to have is the assurance that the provision will apply to any nursing home, to use the common term, which is certified by a State agency. In Colorado we have a very fine certification law, a licensing law, for nursing homes. What I wish to be assured of is whether they have a doctor in actual attendance or whether they are operating in conjunction with a hospital, those nursing homes will be recognized. They are up to high standards. I have inspected a great number of them. I do not wish to be caught on a technicality that someone has not complied with the law, or that the Secretary of Health, Education, and Welfare has decided that this is not so. If we are going to pass the bill, I wish to be sure that those people are provided for.

Will the Senator assure me that the occupants of a nursing home in a State which has certified a nursing home and has licensed it will be treated like the occupants of any other nursing home anywhere else in the country?

Mr. RIBICOFF. I would have to say in all candor that not every nursing home licensed by a State would be covered; there is no question about that. A State, for example, may have low standards. Certainly it is not the intention to allow elderly persons who need nursing home care to be placed in firetraps. Many horrible tragedies have occurred in nursing homes throughout the United States.

Mr. ALLOTT. One occurred in the District of Columbia 2 or 3 years ago, and nothing has been done to correct such conditions.

Mr. RIBICOFF. They have occurred all over the United States. Therefore, it is our intention to maintain a high degree of quality and service. That is why we have a provision, as a general proposition, to have an association in connection with a hospital.

But there is a situation, as stated by the Senator from Vermont [Mr. PROUTY] and the Senator from New Hampshire [Mr. COTTON]. The provision on page 92, which I am speaking about, was placed in the bill by a Member of the House who comes from a district which has a situation similar to the one discussed by the Senator from Vermont and the Senator from New Hampshire. He is Representative ULLMAN, of Oregon. His district includes small communities, widely scattered, far away from hospitals.

If a State has low standards, I do not believe anyone would contend that elderly persons should be placed in firetraps. The question raised by the Senator from Vermont and the Senator from New Hampshire relates not merely to providing for a State-licensed facility; rather, the question is, what shall be done in a situation in which a hospital is so far away from a nursing home that it is unwilling to assume responsibility? So we have included language on page 92 to make an exception in such cases, to make certain that merely because a hospital does not wish to assume responsibility, the people of the district affected will not be closed out. However, I would not contend that nursing home facilities should be provided if a State is lax or if standards are so low that people would be placed in a firetrap. I think we are talking about two different problems, entirely.

Mr. ALLOTT. No; we are not talking about two different problems entirely. The Senator from Connecticut has used an extreme approach, a "scare" approach, and that is not necessary. No nursing home in Colorado is a firetrap.

Section 1864 provides no standards by which a determination could be made as to whether a nursing home is adequate; and that section refers to section 1861. I do not find whether it does. I am trying to ascertain whether the States are subject completely to the whim of the Secretary of Health, Education, and Welfare as to whether the nursing homes in the States will qualify.

Mr. RIBICOFF. I should say, first, that I have not implied that anything is wrong with any nursing home in Colorado. I was speaking of a general problem.

Mr. ALLOTT. I remind the distinguished Senator from Connecticut that 3 years ago a disastrous fire occurred in a nursing home on Calvert Street, in the District of Columbia.

Mr. RIBICOFF. We want to make certain that such a catastrophe will not happen again.

Mr. ALLOTT. I do not want it to happen again.

Mr. RIBICOFF. In making the legislative history, we are discussing not only Colorado, Vermont, and New Hampshire, but are speaking about all 50 States and the Territories.

If we turn to page 86 for a definition of extended care facilities, we find definitions to determine what an extended care facility is. That appears on page 86, beginning in line 24.

Mr. ALLOTT. The question I am trying to have answered is, Who will make the determination? According to the Senator's answer, as I understand, under section 1864 or section 1861, and the provision on page 92, it ultimately comes to a determination by the Secretary of Health, Education, and Welfare.

Mr. RIBICOFF. No.

Mr. ALLOTT. The Secretary would determine ultimately the standards for each facility.

Mr. RIBICOFF. No; that is not the case. I should say that the decision would be made, in the first instance, by the hospital in the community. The hospital in the community would enter into an agreement with the nursing home. If X hospital were located in Y town, the hospital would determine which nursing homes, in the opinion of the staff and the management of the hospital, it believed were properly conducted nursing homes. The hospital would make the determination.

However, a situation such as that described by the distinguished Senator from Vermont and the distinguished Senator from New Hampshire might be encountered. There might be instances in which the hospital were so far away from the nursing home facility that the hospital would be unwilling to assume either supervision, inspection, or association.

The PRESIDING OFFICER The time yielded to the Senator from Colorado has expired.

Mr. PROUTY. I yield 3 additional minutes to the Senator from Colorado.

Mr. RIBICOFF. It is necessary to take into account the problem that would be raised if a hospital were not interested in certifying a nursing home. Under those circumstances, the State would certify what is a proper nursing home, and would do so through its properly, duly constituted licensing authority.

We provide, further, that if a State has no such agency—and there are some States in that position—the Secretary shall certify. The action of the Secretary would come into play only after the hospital refused or was not interested, or if a State did not have an agency. Then only would the Secretary act to fill the void. The Secretary would not take part in the initial decision.

Mr. ALLOTT. The Senator is on the horns of a dilemma. In this instance, power is being delegated to an institution, which may be wholly private, to determine whether a nursing home shall be qualified as a nursing home. On page 108, beginning in line 22, the language reads:

> To the extent that the Secretary finds it appropriate.

The decision is left entirely in the hands of the Secretary, without any guidelines, without any criteria. According to the Senator's argument, the determination is left in each instance to the local hospital. That does not happen to be true in my own hometown, but suppose there were a hospital in which there were antagonistic groups. Suppose the hospital authorities said, "We do not like that fellow; we will not certify that home." It seems to me that if anything is to be done, it ought to be up to the State agency to establish the criteria and determine whether nursing homes in the State qualify.

I believe that nursing homes should come under the program, just as much as any other institution; but I cannot believe that it should be left to a private hospital or a private physician to determine whether particular institutions qualify as nursing homes.

Mr. RIBICOFF. I am not on the horns of a dilemma at all.

Mr. ALLOTT. I am inclined to think that the Senator is.

Mr. RIBICOFF. No; I am trying to make some legislative history, so as to clarify questions raised by two distinguished Senators who are vitally concerned with problems that are peculiar to their States and to other rural States that have different problems in highly urbanized communities.

The PRESIDING OFFICER. The time yielded to the Senator from Colorado has expired.

Mr. PROUTY. I yield 2 more minutes to the Senator from Colorado.

Mr. RIBICOFF. We have tried as much as possible to place responsibility away from the Government, whether it be State or Federal. I have great respect for most of the hospitals in the United States. Hospitals are accredited by the American Hospital Association. In my opinion, and based upon my experience, the American Hospital Association is one of the most responsible, dedicated organizations in the country. The American Hospital Association has high standards; and we want high-standard hospitals and high-standard nursing homes.

So to make certain that we will not create a large juggernaut under the State and Federal Governments, we have placed the responsibility on hospitals, which are almost without exception charitable, civic, or nonprofit organizations. We are saying to them, in effect, "We will let you decide the proper standards for nursing homes."

We recognize that a situation might arise, and could arise, in which there might be prejudice on the part of a hospital; when a hospital would not want to assume the burdens, because of distances. We do not want to deprive a large number of persons of services to which they are entitled. So we provide that if a hospital refuses to enter into such an agreement, under such circumstances the State agency may say "An exception can be made"; and under those circumstances we say that it is the proper agency.

Then the Secretary could come in as a last resort, if we had a State agency, and notify the hospital.

Mr. ALLOTT. Since the time has been allotted to me, I must ask the Senator from Connecticut to permit me to conclude my remarks.

It seems to me that in this instance the Government has delegated its power of choice to a group of independent people, and that we have avoided the Government process. If we want to place this matter in the hands of the State, which represents the people, I believe that we should do so. However, I believe that my friend is on the horns of a dilemma. I do not believe that we can conscientiously say that these homes should be designated by an individual hospital in an individual town.

Perhaps the Senator does not understand the problems which exist in Vermont, New Hampshire, Montana, Utah, Wyoming, California, and other States of the country which have a real problem.

We owe a great debt to the distinguished Senator from Vermont for raising the question. I sincerely hope that the amendment of the Senator from Vermont will be agreed to. It is a wholly sensible amendment. It is entirely in compliance with the spirit of the law. It makes more sense than the manner in which the subject has been covered in the law as written.

Mr. RIBICOFF. Mr. President, I yield myself 3 minutes from my own time.

The PRESIDING OFFICER. The Senator from Vermont has control of the time.

Mr. PROUTY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Vermont has 10 minutes remaining.

Mr. HOLLAND. Mr. President, will the Senator from Vermont yield for a question?

Mr. PROUTY. I yield.

Mr. HOLLAND. Mr. President, am I to understand that the amendment of the Senator from Vermont would give prima facie standing to a State license when that license has been issued to a nursing home?

Mr. PROUTY. The Senator is correct.

Mr. HOLLAND. There is nothing conclusive about it. If some bad situation were to develop, in the judgment of the Government agencies, to make it appear that there was a bad administration of a program, they could of course disqualify a particular nursing home.

Mr. PROUTY. The Senator is correct.

Mr. HOLLAND. Mr. President, I thoroughly support the amendment. I believe that the action of the State agency should have prima facie standing. I am glad that the Senator from Vermont proposes to give the State agency action no more than prima facie standing. That should give complete assurance to the Federal agency that if something is wrong, they have every right and duty to bring that point up and disqualify the particular nursing home.

Mr. COTTON. Mr. President, will the Senator from Vermont or the Senator from Florida yield 3 minutes to me?

Mr. SMATHERS. Mr. President, I yield 3 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 3 minutes.

Mr. COTTON. Mr. President, I have always admired the forthrightness and the ability to hit at the core of any problem of my distinguished friend the Senator from Colorado. I believe that this is a good amendment. I should like to see the amendment agreed to. However, with all due deference to the Senator from Colorado, I feel that I should express my appreciation to the Senator from Connecticut and come to his defense.

What the Senator from New Hampshire wanted to do was not to concentrate the power in Washington. I am opposed to such concentration and I feel that way very deeply.

I have a very great problem with this matter. My distinguished colleague, the junior Senator from New Hampshire, joins me. A situation exists in our State in which hospitals, because of their fear of taking responsibility for the conduct of nursing homes which are located too far away for them to really keep their fingers on them, will not enter into these agreements. If they do not enter into such agreements, and if the Secretary of Health, Education, and Welfare in Washington does not lay down the kind of criteria under which State-licensed and supervised nursing homes can function in my State, it will cause a tremendous hardship on many of the people that we desire to reach by means of this legislation. They would suffer greatly from it.

I wish to establish the legislative history on the floor. I see present in the Chamber the Senator from Florida and the Senator from Kansas, who are members of the Committee on Finance. They are listening intently. I have received a definite assurance from the distinguished Senator from Connecticut, for whom I have a very high regard—and I know his word is as good as any bond I could ever ask for—that it was the intent of the committee and his understanding of the wording of the bill, that, in situations such as I have described in New Hampshire, we can rely upon the Secretary of the Department of Health, Education, and Welfare to see to it that the bill reaches its goal and that nursing homes, if they have been properly inspected, licensed, and approved by the State, will be allowed to take care of old people.

I thank the Senator. I do not want the assurance of the Senator to be undermined with regard to my home State by any estrangement or controversy about the structure of the bill.

Mr. RIBICOFF. Mr. President, I appreciate the comments of the distinguished Senator from New Hampshire.

In answer to the Senator from Colorado, I have been in both the State of New Hampshire and the State of Vermont many, many times. My son went to school in Vermont. My children went to camp in New Hampshire. I have friends who live there. I have visited there many times.

I have been in the State of Colorado at least 10 times in my lifetime. As a Governor, and going to Governor's conferences, I have spent much time with the other 49 Governors of the 50 States of the Union. I think that I understand the problem.

As Secretary of the Department of Health, Education, and Welfare, I never felt that my outlook or point of view was that of a Connecticut man. I always felt that I had the responsibilities and problems of all people, whether they lived in urban centers of the Nation, or in the tiniest hamlet, in trying to work out the problem.

I hope the time never comes when I look at a problem from the point of view of the welfare of my own State. I hope that I shall always recognize problems as they exist.

What I have been trying to do in the colloquy with the Senator is to attempt to establish beyond a doubt that their fears were groundless. I have also attempted to nail down in the legislative history we are making today that it is the intention of the Senate and of the Committee on Finance definitely to take care of the specific problem raised by the distinguished Senators from the States of Vermont and New Hampshire.

They are zealously taking care of their own people. They have my assurance and the assurance of the Committee on Finance and of the leadership on both sides of the aisle that the bill is designed to definitely take care of the problems raised.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RIBICOFF. Mr. President, I yield myself an additional 3 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for an additional 3 minutes.

Mr. RIBICOFF. Mr. President, the agency can check on the people in the nursing homes and the people who live in the vicinity and use the nursing homes. If they do not devise coordinated plans, the State agency can come into play. If the State agency does not come into play, the Secretary of Health, Education, and Welfare can enter into the problem. I know of no better way to give full assurance and a guarantee than through the legislative history and the bill.

Mr. COTTON. Mr. President, I thank the Senator.

The PRESIDING OFFICER. Mr. President, who yields time?

Mr. PROUTY. Mr. President, I believe that the legislative history has been made very clear. I am indebted to the distinguished Senator from Connecticut for his elucidation.

I should like to call his attention to one thing. I wonder if he could accept an amendment.

I propose the following amendment:

> On page 92, lines 11 and 12, insert between "hospital" and "sufficiently" the phrase "within the State or otherwise".

Mr. RIBICOFF. Mr. President, the amendment is acceptable to me.

Mr. PROUTY. That would mean that a small nursing home could negotiate a transfer agreement with a hospital in a State which is sufficiently close, or which has such an agreement, if the home is in the public interest and essential to take care of the persons of the community.

Mr. RIBICOFF. I believe that I understand what the Senator is driving at. There might be a community in a State that is close to the border of another State in which a hospital is located. As I recall, Lebanon, N.H., would serve a small community across the line of Vermont that would meet the certification of the State of New Hampshire.

I think this does clarify it for areas near the Canadian border, in New Hampshire, Vermont, or Maine, where there may be an association with a hospital across the border. I would be willing to accept the amendment by the Senator.

Mr. SMATHERS. May I ask the Senator from Vermont, if it is the disposition of the present manager, with the advice of the Senator from Connecticut, to accept this amendment, does it mean that the original amendment is withdrawn?

Mr. PROUTY. That is correct.

Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The first amendment of the Senator from Vermont is withdrawn, and the clerk will report the present amendment.

The LEGISLATIVE CLERK. It is proposed, on page 92, lines 11 and 12, to insert between the words "hospital" and "sufficiently" the phrase "within the State or otherwise".

Mr. SMATHERS. Mr. President, we will accept the amendment.

I yield back my time.

Mr. PROUTY. I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Vermont [Mr. PROUTY].

The amendment was agreed to.

The PRESIDING OFFICER. Are there further amendments?

Mr. SMATHERS. Mr. President, on behalf of the Finance Committee, I send to the desk certain amendments.

I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by Mr. SMATHERS are as follows:

On page 304, line 6, strike out "6.7" and insert "6.8".

On page 306, line 20, strike out "4.45" and insert "4.50".

On page 306, line 22, strike out "4.9" and insert "4.95".

On page 308, line 16, strike out "4.45" and insert "4.50".

On page 308, line 18, strike out "4.9" and insert "4.95".

On page 232, line 25, strike out "0.70" and insert "0.76".

On page 233, line 5, strike out "0.525" and insert "0.57".

On page 305, line 9, strike out "0.60" and insert "0.65".

On page 305, line 14, strike out "0.65" and insert "0.70".

On page 305, line 18, strike out "0.75" and insert "0.80".

On page 307, line 16, strike out "0.60" and insert "0.65".

On page 307, line 19, strike out "0.65" and insert "0.70".

On page 307, line 22, strike out "0.75" and insert "0.80".

On page 309, line 12, strike out "0.60" and insert "0.65".

On page 309, line 15, strike out "0.65" and insert "0.70".

On page 309, line 18, strike out "0.75" and insert "0.80".

Mr. SMATHERS. Mr. President, the amendments raise the level of tax so the trust funds will stay solvent.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I have been looking at the brief summary of the bill as contained on page 2 of the report, under paragraphs (9) and (10), which read:

(9) revising the tax schedule and the earnings base so as to fully finance the changes made; and

(10) making other miscellaneous improvements.

Am I to understand from the acting manager of the bill that he does not intend by these amendments to put on new taxes, but simply to raise the existing taxes provided for in the bill sufficiently to cover the additions we have put in the bill?

Mr. SMATHERS. Yes; to cover the amendments which we have adopted, which call for expenditures out of the trust funds.

Mr. SALTONSTALL. And where the money comes out of the general revenues?

Mr. SMATHERS. We shall have to appropriate those moneys at some later date.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. Since I last asked questions of the Senator from Florida, the total expenditures under the bill were increased by $40 million through an amendment offered by the Senator from Indiana [Mr. HARTKE]. The total expenditures now provided are $7.527 billion as compared to a recommended expenditure by the President of $4.33 billion. Those expenditures are approximately $2.8 billion beyond what the President recommended. Is that correct?

Mr. SMATHERS. That is about correct.

Mr. LAUSCHE. The amendment which has been offered by the Senator from Florida contemplates giving authority to the Congress to establish ways and means of financing the deficit of $2.8 billion. Is that correct?

Mr. SMATHERS. The Senator is about correct.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. SMATHERS. I yield 1 minute to the Senator from New York.

Mr. JAVITS. Mr. President, I understand we are anxious to get on with the business of the Senate and have the House cover the rates, but let us get some idea of what is involved.

As I understand the amendment of the Senator from Florida, the social security tax rates are increased about one-tenth of 1 percent, in general.

Mr. SMATHERS. The Senator is correct as to the combined employer-employee rate.

Mr. JAVITS. And the rates with respect to hospital insurance about 0.05 percent.

Mr. SMATHERS. Yes.

Mr. JAVITS. So there is no really sensational increase involved, and the wage base remains the same.

Mr. SMATHERS. Yes.

Mr. JAVITS. We are not dealing with a sensational increase.

Mr. SMATHERS. And it also revises the allocation to the disability fund. Otherwise the Senator is correct.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Tennessee.

Mr. GORE. Instead of this being an expenditure that will go down the rat hole, we are increasing the income to make the program actuarially sound. Is that correct?

Mr. SMATHERS. The Senator is correct.

The PRESIDING OFFICER. Do Senators yield back their time on the pending amendment?

Mr. SMATHERS. I yield back my time.

The PRESIDING OFFICER. All time on the amendments has been yielded back.

The question is on agreeing to the amendments of the Senator from Florida.

The amendments were agreed to.

The PRESIDING OFFICER. Are there further amendments?

Mr. MILLER. Mr. President, I send an amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The legislative clerk read as follows:

On page 108, line 22 strike the words "To the extent" and all thereafter through the period in line 2 on page 109 and insert in lieu thereof the following:

"An institution or agency which such a State (or local) agency certifies is a hospital, extended care facility, or home health agency (as those terms are defined in section 1861) shall be treated as such by the Secretary: *Provided,* That in the event the Secretary determines that the hospital, facility, or agency is so inadequate as to endanger the life or health of the people it serves, gives notice of such determination to the certifying State agency and provides an opportunity for hearing thereon to the State agency."

Mr. MILLER. Mr. President, I yield myself 3 minutes.

The reason for this amendment was prompted by the colloquy between the Senator from Connecticut [Mr. RIBICOFF] and the Senator from Colorado [Mr. ALLOTT], relating to language on page 108 of the bill, which leaves it entirely to the discretion of the Secretary as to whether or not one of these facilities certified by a State agency shall be so treated.

My amendment provides that if the facility is certified by a State agency, it will be so recognized by the Secretary. However, if the Secretary determines such facility would endanger the life or health of the people served, then it must serve notice thereof to the State agency and give the State agency an opportunity for a hearing. The decision will be made, anyway, by the Secretary, but it will give the State agency an opportunity for a hearing and an opportunity to clarify the matter.

I hope the Senator from Florida will accept the amendment.

Mr. SMATHERS. Mr. President, I yield 1 minute to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I have not had a chance to study the amendment thoroughly, but I do not think the amendment is needed. It appears that we are trying to give the Secretary more power than he probably should have, and under the circumstances I think the amendment should not be adopted.

Mr. MILLER. Mr. President, I yield 3 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I am afraid the real question in the colloquy which has ensued between the Senator from New Hampshire, the Senator from Vermont, and other Senators has been lost. There is a real question here as to whether or not the Senate is going to place the preliminary responsibility for the licensing of nursing homes with hospitals. There may be 100 different situations in a given community. I am not able to judge the situation in a large community, because I have never lived in a big city for any extended period of time, but I think I am fairly well able to judge the situation in small communities. There are at least 100 different instances when a conflict or block might come between a hospital and a particular nursing home.

I hold in my hand a handful of telegrams from nursing homes in Colorado, all of which are opposed to the bill in its present form. There are nursing homes in Colorado, and, I am sure, in many other States—I do not believe it applies to my State alone—where this proposal would form a block to the real care of persons in nursing homes.

We are indebted to the Senator from Iowa for his amendment, because what it would do would be to put it on a basis where it can be accelerated rapidly. It is left, then, to the State in the first respect, and then to the Secretary of HEW.

If Senators would consider this amendment and take it to conference, they would find that the purposes of the bill as they have proclaimed them are actually being served by the amendment. Otherwise, I can tell the Senate right now that the effect of the bill will be that in many States, nursing homes which are of the highest quality are going to have a rough time getting qualified under the bill. I would hope, and I appeal to the distinguished Senator from Florida again, that he will consider the amendment agreeably and take it to conference, because this is an amendment which will avoid a great deal of hardship on a great many old people.

Mr. President, I ask unanimous consent to have the telegrams to which I have referred printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

DENVER, COLO.,
July 9, 1965.

Senator GORDON ALLOTT,
Senate Office Building,
Washington, D.C.:

As is the H.R. 6675 will be a catastrophe for our aged in long-term facilities. Our association of 125 members urges you to support the Harris amendment.

F. H. HARRISON,
Executive Director,
Colorado Associated Nursing Homes, Inc.

GRAND JUNCTION, COLO.,
July 9, 1965.

GORDON ALLOTT,
Senate Floor,
Washington, D.C.:

H.R. 6675 absolutely unfair to infirmed and long-term care facilities as is. I urge adoption of Harris amendment.

GOE DASSENKO,
President, Western Slope Association of Nursing Homes.

FORT COLLINS, COLO.,
July 9, 1965.

GORDON ALLOTT,
U.S. Senate,
Washington, D.C.:

Strongly urge you to support Harris amendment 6675 to prevent wholesale discrimination of treatment to our elderly and nursing homes.

HARRY ASMUS,
President, Colorado Association of Nursing Homes.

PUEBLO, COLO.,
July 8, 1965.

GORDON ALLOTT,
Senate Office Building,
Washington, D.C.:

H.R. 6675 as will appear on the floor will not do the job for the thousands of chronically ill elder citizens of our country. May I urge you, at the very least, to vote for the Harris amendment. Even 60 days is hardly realistic for nursing home care. Elder citizens receive better, cheaper care in modern nursing homes than in acutely oriented hospitals. Licensed accredited nursing homes are doing by far the best job in care for the elderly. Please check the records.

ROBERT C. SMITH,
Administrator Charmar Nursing Center.

BOULDER, COLO.,
July 8, 1965.

Hon. GORDON ALLOTT,
Senate Floor,
Washington, D.C.:

H.R. 6675 as is is totally wrong for the elderly patient, the long-term care facility and the taxpayer. Too much emphasis on high cost care. Recommend adoption of the Harris amendment.

DONALD J. KING,
First Vice President,
Colorado Associated Nursing Homes.

COLORADO SPRINGS, COLO.,
July 9, 1965.

Senator ALLOTT,
Senate Office Building,
Washington, D.C.:

As is H.R. 6675 will defeat all intent and purpose for long-term care of the aged. Support Harris amendment.

FRED JONES,
Prospect Lake Nursing Home.

COLORADO SPRINGS, COLO.,
July 9, 1965.

Senator ALLOTT,
Senate Office Building,
Washington, D.C.:

H.R. 6675 needs many revisions in order to provide adequate long-term care for the aged. Strongly recommend the Harris amendment if passage inevitable.

OLGA M. PRATT,
Norton Nursing Home.

COLORADO SPRINGS, COLO.,
July 9, 1965.

Senator ALLOTT,
Senate Office Building,
Washington, D.C.:

As is H.R. 6675 will defeat all intents and purposes for long-term care of the aged. Support Harris amendment.

JOHN W. HURD.

COLORADO SPRINGS, COLO.,
July 9, 1965.

Senator ALLOTT,
Senate Office Building,
Washington, D.C.:

H.R. 6675 needs many revisions in order to provide adequate long-term care for the aged strongly recommend the Harris amendment if passage inevitable.

GEORGE CAVANAUGH,
Care More Nursing Home.

DENVER, COLO.,
July 9, 1965.

Hon. GORDON ALLOTT,
Senate Office Building,
Washington, D.C.:

Strongly urge you to support Harris amendment to H.R. 6675 to prevent discriminatory treatment of nursing home and the elderly.

MARGIE and VIRGIL DAVIS,
Davis Nursing Home.

Mr. KUCHEL. Mr. President, will the Senator from Iowa yield to me for a question?

Mr. MILLER. Mr. President, I yield 3 minutes to the Senator from California.

The **PRESIDING OFFICER** (Mr. BREWSTER in the chair). The Senator from Iowa is recognized for 3 minutes.

Mr. KUCHEL. Most Senators have had an opportunity to study the language which the able Senator from Iowa has used in offering his amendment. But is it the intent of the amendment that in the event of a dispute between the Secretary of HEW and a given nursing home in a given State, that the Senator's amendment would supply a hearing on the matter, subsequent to the development of that dispute, and presumably an adverse ruling? Is that the intent with which he offers the language?

Mr. MILLER. That is the intent. If I may amplify that, the intent is to tie in with what the Senator from Florida [Mr. HOLLAND] earlier joined in with the Senator from Vermont [Mr. PROUTY], whether there is a prima facie case in favor of State certification. And there is.

If the Secretary of HEW determines that, on the basis of an investigation, the facility will endanger the life and health of those whom the nursing home is serving, he sends a notice to the State agency and the State agency is granted the opportunity for a hearing. However, the power of decision will still rest with the Secretary of HEW.

Mr. KUCHEL. I thank my friend the Senator from Iowa.

Let me say to my friends on the other side of the aisle that I am going to ask them if they will accept this amendment and take it to conference.

Mr. SMATHERS. Mr. President, with that gilt-edged endorsement from the Senator from California, and the good intentions of Senators on the other side of the aisle, even though we cannot make heads or tails out of the amendment, we will accept it.

Mr. President, I yield back the remainder of my time.

Mr. MILLER. Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. LAUSCHE. Mr. President——

The **PRESIDING OFFICER.** The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I wish to vote for the bill and I do so on the basis of the statement made by the majority leader.

Mr. SMATHERS. Mr. President, will the Senator from Iowa yield, so that I may send to the desk a totally complete technical amendment——

Mr. MANSFIELD. With the proviso that the Senator from Ohio does not lose his right to the floor.

Mr. SMATHERS. Of course.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, I ask that the amendment be stated.

The **PRESIDING OFFICER.** The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

On page 20, line 3, strike out "(b), (c)," and insert in lieu thereof "(b)".

On page 22, line 6, strike out "121st" and insert in lieu thereof "101st".

On page 386, strike out lines 1 through 4.

Mr. SMATHERS. Mr. President, this amendment merely changes 121st to 101st. It is a mistake. It is a technical amendment only.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Florida.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 13 minutes remaining.

Mr. LAUSCHE. I require only 2 minutes.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 30 seconds.

Mr. LONG of Louisiana. Mr. President, I have obtained unanimous consent that Senators may make speeches concerning the pending bill expressing their views and they will all appear prior to the vote. They can do that after we have voted on the bill, which is being done for the convenience of Senators who wish to leave for their many engagements.

Now if the Senator from Ohio wishes 3 minutes, I am glad to yield 3 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, I will vote for the bill as it is now pending before the Senate on the basis of the statement made by the majority leader, as follows:

> Mr. MANSFIELD. Mr. President, is it not true that this matter would go to conference and the final figures would be determined by the conferees of the House and the Senate? The final figures might well be below what is finally approved in the Senate today.

I do not know what the conferees will do, but it is my hope that they will try to keep the figures within those recommended by the President and adding thereto the cost of title II which is $600 million.

Mr. BASS. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. BASS. I join the Senator in saying that I hope that when the bill goes to conference the actuarial part of the bill will be scrutinized with a great deal of care, because if there is one thing that is most important in the social security system, and in this part of the medicare program, it is that we keep it actuarially sound.

Therefore, I commend the Senator from Ohio for his statement, and to thank him for his remarks.

Mr. LAUSCHE. I thank the Senator.

Mr. MORTON. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. MORTON. We will find in conference that we cannot go below the $6 billion, because that is in the House bill.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired. Who yields time?

Mr. LONG of Louisiana. I yield 1 additional minute to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 additional minute.

Mr. LAUSCHE. Let me point out a matter which has not been mentioned by the Senators in charge of the bill, that the President's recommendation involved an expenditure of $4,733 million. There should be added to that $600 million which the President approved as a part of the expenditure recommended by the House for the financing of items involved in title II.

The President's recommendation is for an expenditure of $5,333 million. The Senate has adopted a program involving an expenditure of $7.5 billion—$2 billion more than the President recommended.

Mr. HARRIS. Mr. President, will the Senator from Louisiana yield me 30 seconds?

Mr. LONG of Louisiana. Mr. President, I yield 1 minute to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 minute.

Mr. HARRIS. Mr. President, I should like to ask the Senator in charge of the bill a question.

Under the definition of Extended Care Facility—section 1861(f)(6) page 87—states:

> (6) provides 24-hour nursing service which is sufficient to meet nursing needs in accordance with the policies developed as provided in paragraph (2), and has at least one registered professional nurse employed full time.

I assume that this means that an "extended care facility" or skilled nursing home—must have one full-time registered professional nurse—that is a registered professional nurse on actual duty 8 hours a day—7 days a week and that the rest of the time that a registered professional nurse is available or on call; is that not correct?

Mr. LONG of Louisiana. The Senator is correct. There are certain provisions of this section which require 24-hour nursing home care, and the other is a requirement for the employment of registered nurses; but there is no requirement for a 24-hour nurse's service by a registered nurse.

Mr. HARRIS. I thank the Senator from Louisiana.

SENATOR RANDOLPH STRESSES VITAL IMPORTANCE OF PASSAGE OF HOSPITAL INSURANCE PLAN UNDER SOCIAL SECURITY ACT—ADDITIONAL BENEFITS ARE INCLUDED FOR OLDER CITIZENS

Mr. RANDOLPH. Mr. President, in this forum on August 15, 1960, I observed that the Senate was on the eve of considering legislation to meet the health needs of the aged and of working toward a solution of the problem which, for hundreds of thousands of Americans, is a vital concern. I identified that problem as the one of meeting the cost of medical and institutional care "when disability is at its highest point and income is at its lowest for many citizens."

It was my responsibility to have said then, and I emphasize now, that we can strike back at medieval concepts of charity—and can wield a major blow in behalf of a fuller life of honor, dignity, and physical and mental independence in the retirement years.

The RECORD reflects that I called attention on that occasion to the fact that it was my prior responsibility, as a Member of the House of Representatives, to have advocated and supported the original legislation which brought the social security system into being. I said:

> Mr. President, it seems to me that it would be most fitting for us to pass a measure providing a program of medical care for the aged during August 1960, the month of the 25th anniversary of the 1935 Social Security Act.

We failed, however, to include health care for the aged in our 1960 social security enactments. Approximately a year later, on August 2, 1961, I testified before the House Ways and Means Committee. My views were in support of the legislation before the House committee to expand the social security program to provide medical care for the aged on a prepaid insurance basis in addition to the medical assistance for the needy provisions of Public Law 86–778—Kerr-Mills.

For several complicating reasons, the so-called medicare program was not added to the social security structure, although we made significant progress by including a health care amendment in the Senate in the 1964 social security legislation, only to lose the whole bill.

I have recorded my third vote in support of medicare. It is with a feeling of very real satisfaction that I am resolute in my support of both the amendment including the health care program for our elderly citizens, and other significant amendments in these 1965 additions to the social security system. The greatest gratification derives from the fact that this year, for the first time, it seems certain that a medicare amendment will not stymie a whole social security amendments measure. We are truly engaged in enacting a law, not in an exercise in gesture and futility.

With health care for the aged provisions in the House-passed legislation, our action in this body in incorporating those provisions, with Senate improvements, will make this a truly historic day.

In anticipation of these significant developments, I was requested by my friend the distinguished editor of the editorial page of the Huntington, W. Va., Advertiser, Wendell Reynolds, to prepare a guest editorial for that newspaper—to be published on this memorable date. I feel sure it will have a special niche in American history because it will be the technical if not the actual beginning of hospital care and limited medical service for our elderly citizens under the social security system.

I ask unanimous consent, Mr. President, to have the material I submitted to that newspaper printed in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MEDICARE UNDER SOCIAL SECURITY—A GOAL NEARING FRUITION FOR ELDERLY

In the U.S. Senate there likely will be passed, possibly before this day ends, an amended version of the House-passed and administration-advocated legislative measure providing insurance under the social security system for hospital care and some medical expenses for persons 65 years old or over. It includes the program popularly called medicare, and your Senators earnestly support it. I am a cosponsor.

Not to be overlooked is the fact that this legislation provides also for increasing social security benefits and expanding the Kerr-Mills program of medical assistance to indigent aged persons. Further included in the measure are child health care and other Federal-State public assistance programs.

When Senate debate was opened on the medicare bill, which is only one facet of the Social Security Amendments Act of 1965, it was almost 30 years to the day after the original 32-page social security law was before the Senate. I was then a member of the House of Representatives and was one of the sponsors of that original measure, and of many improving amendments in intervening years.

The social security system has grown from its moderate beginning to be a real citadel of our country's social and economic structure. When the legislation was reported in the initial 1935 action in Congress, it was contemplated that, by 1980, the benefit payments would reach an annual level of approximately $3½ billion. Projections based on provisions of the measure to be passed by the Senate within a matter of hours indicate that by 1967 the total social insurance disbursements will approach $25 billion. This compares with the $16 billion level of benefit disbursements reached in 1964.

Thus, if the House-passed bill, as amended in the Senate, emerges from the total legislative process and goes to the White House for assured Presidential signature approximately in the form anticipated, it will make for a total social security system approximately four times as large as the initial program begun in 1935.

There is justifiable reason for gratification that the legislation nearing fruition, after many years of complications experienced in the field of health care for senior citizens, has the potential for providing meaningful protection for older Americans against excessive costs of hospital care and some related medical services. In scope, this medicare program may not be all that the elderly persons deserve, but it will be a significant initial achievement in expanding social security coverage into the health care for the elderly category.

Although the measure's most noteworthy and most publicized feature is the insured comprehensive senior citizens' health care for 19 million persons above age 65, this is but one of the numerous parts of the new 400-page legislative document known as the Social Security Amendments of 1965.

In fact, although the emphasis is on health care for the elderly citizens, among those persons to be helped most by the legislation will be children.

We must not lose sight of the fact that the Social Security Amendments and medicare bill embraces attention to the future leaders of America, as well as to the very senior citizens.

Unlike the defeated 1960 medicare version, and unlike the 1964 health care for the aged amendment, this year's medicare version will be passed as a vital part of the Social Security Amendments of 1965. The overall bill will go to the White House containing our first comprehensive program of social security insured health care for aged citizens.

On the final passage issue, every affirmative vote will be for a program certain of becoming law—and not a gesture as in past years when House Ways and Means Committee leadership was opposed.

I have voted to include medicare in the Social Security Amendments of 1965, and I will vote for the total measure with full expectation that all important elements of it will become law.

This epochal legislation, plus tax relief and education assistance measures in the congressional record of achievements, constitutes a constructive record. Historic steps are being taken for permanently improving the social, cultural, and economic strength of the United States of America and the mountain State of West Virginia.

Here are some of the services the Social Security Amendments of 1965, including medicare, would offer if the final form closely parallels the Senate Finance Committee version now in the Senate:

Approximately 19 million people would be eligible for basic hospital protection as of July 1, 1966, and, effective January 1, 1967, of longer duration than under the House-passed bill. Perhaps 17 million of these individuals would also take advantage of the voluntary supplementary program which would cover physicians and other services as of January 1, 1967. About 8 million of these citizens also would be eligible for the revamped Kerr-Mills type program for medically indigent persons. Many thousands of West Virginians will qualify.

Of real significance is the fact that 20 million beneficiaries will receive a 7-percent benefits increase under the standard existing old-age and survivors benefits social security insurance, and other programs now under operation.

There is in the Senate bill a new provision which parallels something for which the Senators from West Virginia have been working for more than 6 years. Under it, approximately a million beneficiaries who work to supplement their social security benefits will profit from the liberalized earning limits. If the Senate amendment prevails in Senate-House conference, it will permit retirees to earn up to $1,800 a year without reduction of social security benefits. This would replace the outdated $1,200-a-year limit on earnings without penalty under prevailing law.

Another 333,350 of our older citizens, who are not now receiving any social security benefits, will qualify for new special benefits at age 72.

Some 40,000 children will receive benefits because of liberalizing definition changes. And approximately 200,000 widows will have the opportunity to draw benefits if they decide to retire at age 60 instead of age 62.

There are other provisions in the Senate version which would provide for extension of certain social security benefits to children up to age 22 who are going to school. The prevailing cutoff date for eligibility is age 18, and I am hopeful that the age 22 level will prevail in conference.

Many in all of these categories will be West Virginians.

Mr. RANDOLPH. Mr. President, I am gratified that my able colleague, Senator ROBERT C. BYRD, will have his amendment to reduce the permissible retirement age under social security reduced from age 62 to age 60 years, and that this amendment will be considered in the Senate-House conference.

I support this proposal and believe the larger impact of earlier retirement in business, industry, and the professions poses a problem which should be the subject of Senate hearings in the near future.

The senior Senator from West Virginia is a member of the Special Committee on Aging and is chairman of its Subcommittee on Employment and Retirement Income, and also is a member of the Committee on Labor and Public Welfare and its Subcommittee on Employment and Manpower. The Subcommittee on Science and Technology within the Select Committee on Small Business, which I chair, is also involved in this vital area. I have a particular interest and responsibility, therefore, to develop in depth a better understanding of the dynamic changes in our labor and sociological structure.

Mr. President, my concluding remarks are used to express genuine commendation to the senior Senator from New Mexico [Mr. ANDERSON]. During the years, CLINT ANDERSON has labored with stout heart and high purpose to achieve this legislative landmark. I salute his leadership.

Mr. McCLELLAN. Mr. President, the goals outlined on the Great Society's blueprint are ambitious and challenging. We cannot quarrel with the high purpose they seek to achieve. But they are costly, and in our zeal to realize these objectives, we can too easily lose sight of that fact.

In short, we should be willing to pay the tolls that will be required before we embark on the expressways of the Great Society. Those tolls are surely going to be both high and continuing.

This measure is the biggest and most costly of all social security programs. It contains major proposals to increase the retirement benefits for 19 million older Americans, and in addition, provides medical care for our aged. The estimated cost of it is more than $7 billion.

To meet this high cost, the bill proposes to increase both the maximum on the amount of earnings that are subject to taxes from $4,800 to $6,600 beginning in 1966, and it also increases the tax rates. Indeed, under the pending proposal, the tax rate will be raised to 10 percent in 1971, a figure long deemed to be the absolute economic maximum that could be allocated for the social security program. But, under this bill, that figure will be jumped to 11 percent by 1973. Thus, we can see that this measure breaks new ground in many respects.

But, perhaps, Mr. President, this is not too surprising. For we live in an era where tradition is being subjected to reevaluation, where customs of yesteryear are found wanting for the needs of today, and where constancy is giving way to change.

Medicare is an attempted answer the conditions these changes have produced. It seeks to ease the minds of many of our citizens, and enable them to look forward to the future confidently, knowing that the measure of economic independence gained during a lifetime of work will be supplemented in case of need and when their earning power has ceased.

Yet, we need, to be fully cognizant of what this measure holds in store for our citizens. For example, while it does establish a separate fund for the medicare provisions, yet it will operate like the social security program; that is, it will in large part be financed on a pay-as-you-go basis. The taxes collected from the younger generations of today will provide the funds to pay the benefits to those older citizens who have retired. Likewise, the funds to pay for the 7-percent retroactive increase in social security benefits will be made up of taxes extracted from the wages of today's younger workers. Thus, it is perfectly clear that this measure—like the social security program—commits this generation and all future generations ad infinitum, to greater and greater obligations. It is therefore quite obvious that the continued success of the program will depend on the willingness of the people to pay the increased levy the program will demand.

Our people should also be keenly aware of the fact that this bill, with its broad medicare provisions, could serve as the vehicle for further expansion to the point where more and more age groups are covered until eventually everyone will be blanketed into the program and socialized medicine may well be attempted.

But these matters have been discussed time and again, both in the Congress and across the breadth of the country. Probably no other measure has been subjected to more debate and scrutiny than has the pending bill. For more than a decade it has been in the forefront of national topics; indeed, in the recent presidential campaigns it was a major issue. I have become convinced that the vast majority of Americans want a medicare program. There is equally no doubt in my mind that they will have such a program.

Mr. President, I take no issue with the major premise of this legislation. Indeed, it promises to become—like the social security program itself—an integral part of the American way of life. As an instrument of the people, the Federal Government performs a high service by using its facilities and resources to enable our elderly citizens to receive adequate medical care. Especially since under today's standards, adequate care is too often beyond the reach of many of our aged people.

My chief concern with this measure has been, over the years, in connection with the financing aspects. I would prefer, for example, to see a provision written into the bill whereby some standards are used so that the workers of today are not obliged to pay for the medical care of the large number of our elderly people who are quite able and willing to pay for the cost of such care. Of course, it might be a bit more difficult to administer such a program, but it would be a more prudent, fiscally sound way to handle this problem. And it seems to me that before the Federal Government ventures into a program of such vast magnitude that we should first step cautiously—and conservatively—lest we commit ourselves to a burden that may prove too onerous in future years.

It would certainly be much easier to expand a more modest program on the basis of experience than it would be to curtail an overambitious program once launched. Indeed, my experience in the Congress convinces me that when the Federal Government embarks on a program of this nature, there is no backward step.

The bill also provides for a voluntary program to supplement the basic medicare plan for the payment of physicians' fees and other medical and health services, to be financed through a small monthly premium paid by the individual, equally matched by an amount from the general funds of the Treasury.

Thus the financing provided for by this measure calls for a compulsory payroll tax on the individual and the employer, together with a voluntary premium payment by the individual to be matched by funds from the general Government revenues.

To the wage earner this will mean less take-home pay; to the employer it will mean that his overhead costs will rise. All of this increased cost will ultimately be passed along to all consumers, including the very wage earners whose spending dollars will be reduced in the first instance under the provisions of this bill. And, obviously, the matching Federal funds can come from only once source; that is, from all taxpayers.

I have pointed these facts out time and again in discussing this measure with various members of my constituency, and repeat them here only in an effort to place this bill in proper perspective. I want the people of Arkansas to know full well what this bill holds in store for them—not only the benefits it promises—but the cost it will entail.

Mr. President, I do hold one other reservation about this bill and that relates to the possibilities of Federal intervention with, or attempted control over, the medical profession of our country. I am opposed to any legislation that would do that. I am sure that none of us—including the bill's most ardent proponent—want to enact legislation that will adversely affect our medical practitioners, nor would I want the profession to seek to protect its prerogatives so jealously as to endanger the operations of the medicare program.

But my reservations on this point are at least partially met by a provision in the bill which specifically provides that a beneficiary may obtain services from any participating institution, agency, or doctor of their choice. The responsibility for, and the control of, the care of the beneficiaries rests with the hospitals, extended care facilities, and the beneficiaries' physicians.

This safeguard is more than a mere palliative. The medical profession can surely protect its interests, and will do so.

In supporting this measure, then, I do so with the thought that the Federal Government has a legitimate concern for the welfare of this large segment of our population. It is undertaking to meet its responsibility. The pending measure represents a consensus—arrived at after long and arduous national debate—of the best approach at this time.

I am hopeful that it will prove effective, and I trust that our people and our Government are prepared to meet its high and continuing cost.

If we are willing to and will pay for it, I am sure it will prove to be a wise, constructive, and progressive policy of Government. If, on the other hand, we neglect or refuse to meet and discharge the financial obligations this law will incur, then we shall surely be derelict in our duty and we may well encounter serious difficulties ahead. I hope we will do the former. We should properly finance this program and not charge any part of its cost to future generations.

DECENT HEALTH CARE FOR OLDER AMERICANS

Mr. KUCHEL. Mr. President, the great unfinished business of the last Congress was the need to pass a realistic program which would offer needed health care protection for our citizens who are over 65 years of age. Congress at long last is facing up to that task. Surely, nothing is so important to a Nation's continued vitality, except perhaps education, as the sound health of its people.

Today almost 19 million Americans are over 65 years of age. In my own State of California, there are 1.5 million senior citizens. With the great increase which has taken place in consumer prices and in the cost of hospitalization, unless Congress at last acts positively and vigorously, these fellow Americans face an uncertain future during their retirement years.

Since 1950 and the Korean war, the Consumer Price Index maintained by the Bureau of Labor Statistics has generally grown by 29.1 percent through June 1964. Medical care items, however, generally rose by much more: by 62.8 percent. Yet, the cost of hospital daily room rates skyrocketed beyond all bounds: by 154.5 percent.

This cost is not due to a desire by the hospitals of the land to cash in on misery and suffering. The hospitals have their own grave financial problems: problems of financing increasingly expensive specialized equipment and funding a rising cost of construction in developing modernized facilities and also maintaining the staff to service them.

But beyond the rising cost of hospitalization, the senior citizen is confronted with another economic fact; namely, that his income is reduced, sometimes drastically, during his retirement years. Consequently, his capacity to meet these expenses is greatly reduced.

The per capita costs of personal health services for those over 65 run about two and a half times as high as for the remainder of our population. In 1961, these costs were estimated to be $226 per aged person as compared to $103 for other persons. They are even higher now. Yet, almost one-half of our senior citizens who live alone have an annual income of $1,000 or less. Three-fourths have an income of less than $2,000 per year. This limited income will not go far in meeting today's catastrophic health-care costs. I believe the proper approach to resolve this problem is to enable a citizen to put away sufficient funds during his working years for possible use during his retirement years to pay some of the costs of hospitalization. The social insurance principle which is embodied in the social security system is the proper way, in my judgment, to do this. This is the fiscally conservative and sound way to finance this program, "pay as you go."

No one can charge that the rich are "soaked" to give to the poor or that the poor are objects of "welfarism" or public charity. In reality, we are attempting to provide for the middle-income citizens who are caught in the cost-price squeeze which has diminished the value of their savings. An individual receives social security benefits not as a result of the largess of a beneficent state, but rather because it is his money, set aside in a special trust fund, and because he is entitled to the benefits based on the actuarial soundness of the fund.

For the past 5 years, several of us in the Republican Party—Senators JAVITS, Keating, COOPER, CASE, SMITH, and myself—worked to devise a complementary program which would realistically meet the needs of our senior citizens by utilizing cooperatively both the public and private sectors of our economy. In 1962, we completely reworked the proposals then offered by the administration. Our suggestions were incorporated in S. 1 which was introduced in the Senate on January 6, 1965. They are included in H.R. 6675 now before the Senate:

First, coverage of all citizens who are over 65 regardless of whether or not their occupations have been previously under social security;

Second, establishment of a separate trust fund for the health care program so that there would be no danger of affecting the actuarial soundness of the regular social security retirement program;

Third, utilization of State agencies to determine eligibility and provide consultative services under the program;

Fourth, designation by hospitals of a private organization—such as Blue Cross—to perform administrative functions for them in connection with the program;

Fifth, permission for the States to supplement the basic benefits if they so desire;

Sixth, provision that hospitals which had been accredited by the Joint Commission on the Accreditation of Hospitals—composed of representatives of the American Hospital Association and the American Medical Association—would automatically be eligible to participate provided they had an adequate utilization review plan.

Our seventh basic proposal in 1962 concerned the provision of an appropriate role for private health insurance plans.

Mr. President, in the spring of 1962, I met with President Kennedy at the White House to discuss the suggestions which I have just noted which were made by several of my Republican colleagues and myself. Following that meeting, at the President's request, I sent him a letter which outlined some of these views. As a result Senator JAVITS and I and our staffs met with officials of the Department of Health, Education, and Welfare to revise the legislation which had been offered by the administration. I ask consent that the letter I wrote the President, dated April 2, 1962, be included at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> APRIL 2, 1962.
>
> Hon. JOHN F. KENNEDY,
> *The White House,*
> *Washington, D.C.*
>
> DEAR MR. PRESIDENT: In order to meet the medical care problems confronted by our senior citizens, a program will have to be devised, and soon. To be equitable, it needs to go beyond the limitations of the social security approach. While I recognize the reasonable fears of those who desire to separate trust fund rather than having benefit payments solely dependent on general funds and annual appropriations, I think the proper solution may well be a blending of both systems. For several million citizens over 65, who have never participated in the social security program, the general revenue, method would seem to be the only solution. Teachers, policemen, firemen, and other public employees who have never been under social security—though many of them have wished to be—are finding their medical care problems equally great.
>
> I respectfully suggest that the concept of freedom of choice might well extend beyond the selection of one's doctor and include, were an individual to prefer it, the purchase of a noncancelable private health insurance policy. I think that Senator JAVITS has a commendable thought on this matter. Under his proposal, an individual could take this option only if he had already been under such a private plan for at least a year before reaching the age of 65. The private carrier would receive a cash reimbursement on either a monthly or quarterly basis up to a specified amount based on the estimated annual cost of the benefits used by those not taking the private option. If the senior citizen lapsed in payment to the private carrier, he would then automatically go under the public benefit system.
>
> There are several advantages to this option. One is that an individual could seek additional coverage not possible under the regular system in order to meet specific needs. For this he would make up the difference between the cash reimbursement and the actual cost of this benefit package. Another advantage is that the availability of this alternative would stimulate the continued growth of private health insurance and encourage experimentation by private and group health carriers to design a benefit package which would meet the medical and health needs of our senior citizens. Many workers are covered by private medical care insurance as the result of collective bargaining agreements. They might find it more convenient and practical to continue with their present private plan after retirement if this option were available. If the Secretary of Health, Education, and Welfare interposed no objections on actuarial or administrative grounds, I believe this proposal by Senator JAVITS would be beneficial.
>
> Whatever system is finally agreed upon should be one which does not include a means test. To include this device in light of the major financing method of the system is inexcusable, as you have observed.
>
> Some thought might be given to providing for the administration of this medical care program through State agencies. There could be some advantage here from the point of view of maintaining close contact with local conditions and providing a more rapid decision on the payment of particular benefits. More important, I think those States with the financial capacity to do so should be encouraged to build on the Federal benefit base if they so desire. State administration of this program would make this possible.
>
> You have my cooperation in devising a constructive and forward-looking measure which I know we both hope will do the job which needs to be done and which is long overdue.
>
> Respectfully yours,
> THOMAS H. KUCHEL,
> *U.S. Senator.*

Mr. KUCHEL. Mr. President, between 1962 and 1964, we refined our views on the appropriate relationship which should exist between the public and private plans as a result of the recommendations of the National Committee on Health Care of the Aged chaired by Dr. Arthur S. Flemming, former Secretary of Health, Education, and Welfare under President Eisenhower and now president of the University of Oregon.

The Flemming committee, while endorsing the social security approach, recognized that the hospitalization program under social security will cover only approximately one-third of the senior citizens' health care costs; two-thirds of the job still remains to be done. Thus, they advocated a complementary private program which would cover those services which the public portion of the program does not provide. I was delighted that the administration accepted it as an essential part of S. 1.

When H.R. 6675, which is now before the Senate, was before the House Committee on Ways and Means, a voluntary "supplementary" plan was added providing that physicians' and other medical and health services would be financed through monthly premiums of $3 initially by individuals 65 years or older—which would be deducted from the social security benefits of beneficiaries who elect to participate voluntarily—matched equally by Federal Government revenue contributions. While I would have preferred to have a clearer delineation between the public and private sectors and avoid reliance on general funds, the program is a step forward in covering those two-thirds of a senior citizen's health care needs which would not be covered by the basic hospital insurance plan. Mr. President, I ask consent that the description prepared by the Senate Committee on Finance of the benefits provided in the basic plan—hospital insurance, the voluntary supplementary insurance plan, and the improvement and extension of Kerr-Mills medical assistance program—be included at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A. BASIC PLAN—HOSPITAL INSURANCE

1. General description: Basic protection, financed through a separate payroll tax, would be provided by H.R. 6675 against the costs of inpatient hospital services, posthospital extended care services, posthospital home health services, and outpatient hospital diagnostic services for social security and railroad retirement beneficiaries when they attain age 65. Benefits for railroad retirement eligibles would be financed by the railroad retirement tax out of their trust account if certain conditions are met. The same protection, financed from general revenues, would be provided under a special

transitional provision for essentially all people who are now aged 65, or who will reach 65 in the near future, but who are not eligible for social security or railroad retirement benefits.

2. Effective date: Benefits would first be effective on July 1, 1966, except for services in extended care facilities which would be effective on January 1, 1967.

3. Benefits: The services for which payment would be made under the basic plan include—

(a) inpatient hospital services for up to 120 days in each spell of illness. The patient pays a deductible amount of $40 for the first 60 days plus $10 a day for any days in excess of 60 for each spell of illness; hospital services would include all those ordinarily furnished by a hospital to its inpatients; however, payment would not be made for private duty nursing or for the hospital services of physicians except (1) services provided by interns or residents in training under approved teaching programs; and (2) services of radiologists, anesthesiologists, pathologists, and physiatrists where these services are provided under an arrangement with the hospital and are billed through the hospital. Inpatient psychiatric hospital service would also be included, but a lifetime limitation of 210 days would be imposed.

(b) posthospital extended care (in a facility having an arrangement with a hospital for the timely transfer of patients and for furnishing medical information about patients) after the patient is transferred from a hospital (after at least a 3-day stay) for up to 100 days in each spell of illness, but after the first 20 days of care patients will pay $5 a day for the remaining days of extended care in a spell of illness;

(c) outpatient hospital diagnostic services, with the patient paying a $20 deductible amount and a 20-percent coinsurance for each diagnostic study (that is, for diagnostic services furnished to him by the same hospital during a 20-day period); and

(d) posthospital home health services for up to 175 visits, after discharge from a hospital (after at least a 3-day stay) or extended care facility and before the beginning of a new spell of illness. Such a person must be in the care of a physician and under a plan established by a physician within 14 days of discharge calling for such services. These services would include intermittent nursing care, therapy, and the part-time services of a home health aid. The patient must be homebound, except that when certain equipment is used, the individual could be taken to a hospital or extended care facility or rehabilitation center to receive some of these covered home health services in order to get advantage of the necessary equipment.

No service would be covered as posthospital extended care or as outpatient diagnostic or posthospital home health services if it is of a kind that could not be covered if it were furnished to a patient in a hospital.

A spell of illness would be considered to begin when the individual enters a hospital or extended care facility and to end when he has not been an inpatient of a hospital or extended care facility for 60 consecutive days.

The deductible amounts for inpatient hospital and outpatient hospital diagnostic services would be increased if necessary to keep pace with increases in hospital costs, but no such increase would be made before 1968. The coinsurance amounts for long-stay hospital and extended care facility benefits would be correspondingly adjusted. For reasons of administrative simplicity, increases in the hospital deductible will be made only when a $4 change is called for and the outpatient deductible will change in $2 steps.

4. Basis of reimbursement: Payment of bills under the basic plan would be made to the providers of service on the basis of the "reasonable cost" incurred in providing care for beneficiaries.

5. Administration: Basic responsibility for administration would rest with the Secretary of Health, Education, and Welfare; however, the administration of benefits for individuals under the railroad retirement system would be transferred to the Railroad Retirement Board if certain financing conditions are met, as explained under the next heading. The Secretary would use appropriate State agencies and private organizations (nominated by providers of services) to assist in the administration of the program. Provision is made for the establishment of an Advisory Council which would advise the Secretary on policy matters in connection with administration.

6. Financing: Separate payroll taxes to finance the basic plan, paid by employers, employees, and self-employed persons, would be earmarked in a separate hospital insurance trust fund established in the Treasury. The amount of earnings (earnings base) supject to the new payroll taxes would be the same as for purposes of financing social security cash benefits. The same contribution rate would apply equally to employers, employees, and self-employed persons and would be as follows:

	Percent
1966	0.325
1967–70	.50
1971–72	.55
1973–75	.60
1976–79	.65
1980–86	.75
1987 and after	.85

The taxable earnings base for the health insurance tax would be $6,600 a year beginning in 1966.

The schedule of contribution rates is based on estimates of cost which assume that the earnings base will not be increased above $6,600.

The benefits for railroad retirement eligibles will be financed by the railroad retirement tax which is automatically increased by the operation of this bill. However, the railroad retirement wage base (now $450 a month) is not affected by this bill and is not within the jurisdiction of the Committee on Finance. Until an amendment is adopted to the Railroad Retirement Tax Act increasing their wage base to an amount equivalent to an earnings base of $6,600 per year, the benefits of railroad eligibles will be financed by the hospital insurance tax and administered by the Secretary of Health, Education, and Welfare; after the increase in wage base the benefits for railroad eligibles will be administered by the Railroad Retirement Board.

The cost of providing basic hospital and related benefits to people who are not social security or railroad retirement beneficiaries would be paid from general funds of the Treasury.

B. VOLUNTARY SUPPLEMENTARY INSURANCE PLAN

1. General description: A package of benefits supplementing those provided under the basic plan would be offered to all persons 65 and over on a voluntary basis. Individuals who elect to enroll initially would pay premiums of $3 a month (deducted, where possible, from social security or railroad retirement benefits). The Government would match this premium with $3 paid from general funds. Since the minimum increase in cash social security benefits under the bill for workers retiring or who retired at age 65 or older would be $4 a month ($6 a month for man and wife receiving benefits based on the same earnings record), the benefit increases would fully cover the amount of monthly premiums.

2. Effective date: Benefits will be effective beginning January 1, 1967.

3. Enrollment: Persons who have reached age 65 before July 1, 1966, will have an opportunity to enroll in an enrollment period which begins April 1, 1966, and shall end on September 30, 1966.

Persons attaining age 65 subsequent to July 1, 1966, will have enrollment periods of 7 months beginning 3 months before the month of attainment of age 65.

In the future, general enrollment periods will be from October 1 to December 31, in each even-numbered year. The first such period will be October 1 to December 31, 1968.

No person may enroll more than 3 years after the close of the first enrollment period in which he could have enrolled.

There will be only one chance to reenroll for persons who are in the plan but drop out, and the reenrollment must occur within 3 years of termination of the previous enrollment.

Coverage may be terminated (1) by the individual filing notice during an enrollment period, or (2) by the Government, for nonpayment of premiums.

A State would be able to provide the supplementary insurance benefits to its public assistance recipients who are receiving cash assistance if it chooses to do so.

4. Benefits: The voluntary supplementary insurance plan would cover physicians' services, chiropractic and podiatrists' services, home health services, and numerous other medical and health services in and out of medical institutions.

There would be an annual deductible of $50. Then the plan would cover 80 percent of the patient's bill (above the deductible) for the following services:

1. Physicians' and surgeons' services, whether furnished in a hospital, clinic, office, in the home, or elsewhere.
2. Chiropractors' services.
3. Podiatrists' services.
4. Home health service (with no requirement of prior hospitalization) for up to 100 visits during each calendar year.
5. Diagnostic X-ray and laboratory tests, and other diagnostic tests.
6. X-ray, radium, and radioactive isotope therapy.
7. Ambulance services.
8. Surgical dressings and splints, casts, and other devices for reduction of fractures and dislocations; rental of durable medical equipment such as iron lungs, oxygen tents, hospital beds, and wheelchairs used in the patient's home, prosthetic devices (other than dental) which replace all or part of an internal body organ; braces and artificial legs, arms, eyes, etc.

There would be a special limitation on outside-the-hospital treatment of mental, psychoneurotic, and personality disorders. Payment for such treatment during any calendar year would be limited, in effect, to $250 or 50 percent of the expenses, whichever is smaller.

5. Administration by carriers: Basis for reimbursement: The Secretary of Health, Education, and Welfare would be required, to the extent possible, to contract with carriers to carry out the major administrative functions relating to the medical aspects of the voluntary supplementary plan such as determining rates of payments under the program, holding and disbursing funds for benefit payments, and determining compliance and assisting in utilization review. No contract is to be entered into by the Secretary unless he finds that the carrier will perform its obligations under the contract efficiently and effectively and will meet such requirements as to financial responsibility,

legal authority, and other matters as he finds pertinent. The contract must provide that the carrier take necessary action to see that where payments are on a cost basis (to institutional providers of service), the cost is reasonable cost. Correspondingly, where payments are on a charge basis (to physicians or others furnishing noninstitutional services), the carrier must see that such charge will be reasonable and not higher than the charge applicable, for a comparable service and under comparable circumstances, to the other policyholders and subscribers of the carrier. Payment by the carrier for physicians' services will be made on the basis of a receipted bill, or on the basis of an assignment under the terms of which the reasonable charge will be the full charge for the service. In determining reasonable charges, the carriers would consider the customary charges for similar services generally made by the physician or other person or organization furnishing the covered services, and also the prevailing charges in the locality for similar services.

6. Financing: Aged persons who elect to enroll in the supplemental plan would pay monthly premiums of $3. Where the individual is currently receiving monthly social security, railroad retirement, or civil service retirement benefits, the premiums would be deducted from his benefits.

The Government would help finance the supplementary plan through a payment from general revenues in an equal amount of $3 a month per enrollee. To provide an operating fund, if necessary, at the beginning of the supplementary plan, and to establish a contingency reserve, a Government appropriation would be available (on a repayable basis) equal to $18 per aged person estimated to be eligible in January 1967 when the supplementary plan goes into effect.

The individual and Government contributions would be placed in a separate trust fund for the supplementary plan. All benefit and administrative expenses under the supplementary plan would be paid from this fund.

Premium rates for enrolled persons (and the matching Government contribution) would be increased from time to time if program costs rise, but not more often than once every 2 years. The premium rate for a person who enrolls after the first period when enrollment is open to him or who reenrolls after terminating his coverage would be increased by 10 percent for each full 12 months he stayed out of the program.

C. IMPROVEMENT AND EXTENSION OF KERR-MILLS MEDICAL ASSISTANCE PROGRAM

1. General description: A single and separate medical care program could, at the option of the State, be established to consolidate and expand the differing provisions for the needy which currently are found in five titles of the Social Security Act.

The new title (XIX would extend the advantages of an expanded medical assistance program not only to the aged who are indigent but also to needy individuals in the dependent children, blind, and permanently and totally disabled programs and to persons who would qualify under those programs if in sufficient financial need.

Medical assistance under title XIX must be made available to all individuals receiving money payments under these programs and the medical care or services available to all such individuals must be equal in amount, duration, and scope. Effective July 1, 1967, all children under age 21 must be included who would, except for age, be dependent children under title IV.

Inclusion of the medically indigent aged not on the cash assistance rolls would be optional with the States but if they are included, comparable groups of blind, disabled, and parents and children must also be included if they need help in meeting necessary medical costs. Moreover, the amount and scope of benefits for the medically indigent could not be greater than that of recipients of cash assistance.

A State would have the option of continuing under the vendor medical provisions of existing law or adopting the new program.

2. Effective date: January 1, 1966.

3. Scope of medical assistance: Under existing law the State must provide "some institutional and noninstitutional care" under the medical assistance for the aged program. There are no minimum benefit requirements at all under the other public assistance vendor medical programs.

The bill requires that by July 1, 1967, under the new program a State must provide (1) inpatient hospital services, (2) outpatient hospital services, (3) other laboratory and X-ray services, (4) physicians' services (whether furnished in the office, the patient's home, a hospital, a skilled nursing home, or elsewhere), (5) dental services for individuals under the age of 21, and (6) skilled nursing home services for individuals 21 years of age or older in order to receive Federal participation. Coverage of other items of medical service would be optional with the States.

4. Eligibility: Improvements would be effectuated in the program for the needy elderly by requiring that the States must provide a flexible income test which takes into account medical expenses and does not provide rigid income standards which deny assistance to people with large medical bills. Similarly the bill provides that no deductible, cost sharing, or similar charge may be imposed by the State as to hospitalization under its program and that any such charge on other medical services must be reasonably related to the recipient's income or resources. Also important is the requirement that elderly needy people on the State programs be provided assistance to meet the deductibles that are imposed by the new basic program of hospital insurance. Also where a portion of any deductible or cost sharing required by the voluntary supplementary program is met by a State program, the portion covered must be reasonably related to the individual's income and resources. No income can be imputed to an individual unless actually available; and the financial responsibility of an individual for an applicant may be taken into account only if the applicant is the individual's spouse or child who is under age 21 or blind or disabled.

5. Standards as to quality of care and safety: It is required that the States include in their State plans descriptions of the medical staff utilized and the standards for institutions providing medical care and that the Secretary of Health, Education, and Welfare promulgate minimum standards relating to fire and other hazards for such institutions, which must be included in the State plans.

6. Increased Federal matching: The Federal share of medical assistance expenditures under the new program would be determined upon a uniform formula with no maximum on the amount of expenditures which would be subject to participation. There is no maximum under present law on similar amounts for the medical assistance for the aged program. The Federal share, which varies in relation to a State's per capita income, would be increased over current medical assistance for the aged matching so that States at the national average would receive 55 percent rather than 50 percent, and States at the lowest level could receive as much as 83 percent as contrasted with 80 percent under existing law.

In order to receive any additional Federal funds as a result of expenditures under the new program, the States would need to continue their own expenditures at their present rate. For a specified period, any State that did not reduce its own expenditures would be assured of at least a 5-percent increase in Federal participation in medical care expenditures. As to compensation and training of professional medical personnel used in the administration of the program, the bill would provide a 75-percent Federal share as compared with the 50–50 Federal-State sharing for other administrative expenses.

7. Administration: The bill provides that any State agency may be designated by the State to administer the program, as long as the determination of eligibility is accomplished by the agency administering the old-age assistance program.

Mr. KUCHEL. Mr. President, the improvements the committee has made in the Kerr-Mills Medical Assistance Act are commendable.

Where health care costs are two and a half times more for those over 65, it is clear, it seems to me, that private health care plans simply cannot meet the needs of our senior citizens, unless younger people are charged substantially more in order to pay the hospitalization bills of their elders. Yet a public plan which covers only one-third of the potential costs by itself would be inadequate. Together, both public and private sectors, by complementing each other, can help in bringing relief to alleviate the very real fear which confronts many older Americans—the fear of helplessness when confronted with catastrophic illness. This approach, I am confident, will secure the approval of Congress and enable all of us to edge a bit closer to building the better America for millions of our fellow citizens.

Mr. MONDALE. Mr. President, I am a firm supporter of H.R. 6675, the bill authorizing health insurance and medical care for the aged. I cosponsored S. 1, the original medicare proposal, feeling that it was a constructive first step in meeting the undeniable health care needs of our senior citizens. The bill which we will pass today has been much improved on by the House and by the Senate, and now includes a voluntary program for coverage of physicians' services, as well as greater hospitalization coverage. I intend to cast my vote in favor of this legislation.

In passing this bill, we take a major step toward solving one of the most serious domestic problems to face the Nation since the depression of the 1930's. The need is obvious. Anyone who has paid a hospital bill out of his own pocket in recent years knows how high this expense runs. It takes, on the average, only 25 to 30 days to run up a bill of $1,000, quite apart from the doctor's bills.

People over 65 years of age require more hospital care—almost three times as much as those under 65. Their annual income is only one-half as large, while their medical care costs are two and one-half times as large. Eighty percent of the elderly suffer from some chronic ailment, and only 10 to 15 percent of their medical expenses are reimbursed by insurance.

For them, minor illness is a major tragedy, decimating the accumulated savings of a lifetime. The aged should not have to live in a world where dignity and pride are sacrificed for survival, where contentment is an unattainable luxury, and where hope is a myth and a mockery.

In the words of our late President, John F. Kennedy:

> It is not enough for a great nation to have added new years of life—our objective must be to add new life to those years.

Arnold Toynbee once made the observation that the quality and durability of a society can best be measured by the "respect and care given its elderly citizens."

This bill reflects the belief of all Americans that one's later years should be his best years, where the dramatic results of new medicines and new health care methods, opening the way to a fuller and more useful life, should not be beyond the reach of those who need them most. The cost of this program will be high, $7 billion, but we must never forget that in this country our aim is to develop our wealth, not for its own sake, but only as a means to help people live the sort of life that we want in a democracy.

And so, the health insurance bill—the medicare bill—will provide three new programs of health insurance and medical care for the aged under social security: First, basic hospital insurance; second, a voluntary plan for physicians' services; third, an expanded Kerr-Mills medical care program.

Mr. President, in the controversy and discussion of these provisions of medical care for the aged, we must not forget that this legislation contains other programs of an equally important nature. I would dare say that few people outside the Congress know that this bill takes new steps in expanding services for maternal and child health programs, assistance for crippled children, and other child welfare aids.

As well, this bill authorizes special grants to provide health care and services for our very young children, particularly in areas of poverty. We will spend additional sums to discover means to prevent and treat the illnesses of emotionally disturbed children.

With the medical knowledge and social insight we possess today, we can prevent or reduce substantially the effects of mental retardation, which today disables 10 times as many children as diabetes, 25 times as many as muscular dystrophy, and 600 times as many as infantile paralysis.

I am most happy that this legislation recognizes those needs. Our young, fresh, and eager children are this Nation's greatest resource, and we simply cannot afford to deny them the opportunity to live a full and rich life, nor can we afford to rob our society of the contributions they will make. We must take these steps to help our mentally ill and mentally retarded children, because to abandon them to the cold impersonalism of too many institutions in the United States inflicts on them and on their families a needless cruelty which we should not tolerate.

This historic piece of legislation also provides for an expanded medical assistance program for the needy, the blind, and the disabled, plus a 7-percent, across-the-board increase in social security benefits for some 20 million Americans.

I support this bill and am confident that it will pass the Senate overwhelmingly. It is not a new concept, or a radically new program, but is the response we should make to a need that has gone too long unmet.

Mr. WILLIAMS of Delaware. Mr. President, there are many provisions in H.R. 6675 of which I approve. For example:

First. I support those provisions of H.R. 6675 wherein it provides for an increase in social security benefits.

Last year Congress approved a similar increase in social security payments, but it was defeated in conference by the administration, and this present increase merely carries out our commitments to these pensioners.

Second. I am glad that the Senate has accepted my amendment to increase from $1,200 to $1,300 the limitation on earnings of social security pensioners. This is a long overdue correction of an unduly restrictive proposal.

Third. As one who supported the original Kerr-Mills Act, I was glad to support the expended benefits of this program as provided under this bill. I only regret that more States, including my own, had not seen fit to have extended to our elderly citizens who needed medical assistance the benefits of this program, which was first enacted in 1960.

However, I object to and cannot support certain other provisions of this bill wherein it is proposed to provide free or subsidized hospitalization and medical benefits to all over age 65 without any regard to their need. I have strongly supported the Kerr-Mills proposal which, if fully implemented by the States, would have provided hospitalization and medical benefits for all elderly citizens who through no fault of their own need such assistance, but I do not understand the necessity for providing free hospitalization and medical attention for those over 65 who have adequate resources to pay their own expenses.

Furthermore, to have the cost of such a program financed by a flat payroll tax is unfair for various reasons:

First. By financing this medicare with a payroll tax it means that a younger worker earning $6,600 per year pays exactly the same tax—toward financing this program—as does the man earning $66,000 or the one earning $666,000. Heretofore our whole principal of Government has been based on the idea that governmental programs would be financed by a tax levied on the basis of the ability of the American citizen to pay rather than on a flat per capita basis. I am surprised that representatives of labor have endorsed such a regressive form of taxation.

Second. Under this payroll-tax method of financing it means that all workers under the age of 65 must pay an extra tax to finance the medical benefits of those over 65 who are now blanketed in under this program. They must pay a tax to build up a reserve for their own medical benefits when they reach the age of 65. In addition, these same workers will still have to carry hospitalization and medical insurance, such as Blue Cross or Blue Shield, to take care of their children and themselves until they reach the age of 65. This extra payroll tax is loaded on these members of the labor force at a time when they are struggling to support their familes, educate their children, and pay for their homes.

Under the Kerr-Mills bill all of these elderly citizens who needed assistance, hospitalization or medical, would have been provided such care, but the difference lies in the method of financing. That program is financed by additional income taxes collected from all people based on their ability to pay.

As a specific example I cite one individual case which was called to our attention. This man and his wife are over 65 and have retired with an independent income in excess of $500,000 per year. During his working period this individual had been covered under social security. Under the provisions of this bill this man, with an independent annual income of over one-half million dollars, will be entitled to free hospitalization and medical benefits without the payment of an additional dime, the full cost being paid by the workers of America. To emphasize the unfairness of this new method of taxation let us follow the case of this individual further. Yesterday the Senate rejected the Curtis amendment which would have provided adequate hospitalization and medical services based on the need of the individual and the amendment which would have changed the method of taxation to finance the program through income taxes rather than wage taxes. Had these two proposals been adopted this same individual with a half-million-dollar income would have continued to pay his proportionate part of the costs to the Government to provide such assistance. In addition, as a retiree who did not need Government assistance he would have continued to pay for his own medical expenses. Now, with the enactment of this bill, which finances the cost of those receiving such medical benefits by levying an increased payroll tax on the workingman, he will be relieved of his obligation as a taxpayer to help those others, who were less fortunate, and at the same time he and his wife will be eligible for free or subsidized hospitalization and medical expenses paid for by the current labor forces. These workingmen who are trying to raise their families and pay for their homes certainly need the money more than he does.

Third. Many men working for our major companies are presently under contracts which have been negotiated by their unions wherein they are entitled to far greater benefits upon retirement than those provided under this bill. Thus the enactment of this bill to many of these workingmen will provide absolutely no additional benefits except the dubious privilege of paying for something which they are already getting at the expense of the employers. The merging of this new medicare program with their present benefits will result in no additional benefits to these employees, but it will represent a substantially reduced cost to the employers. It will be a windfall for some of these companies, financed by a payroll tax on their own employees.

Fourth. A further argument against this bill is that after it was passed by the House of Representatives even the administration recognized what a monstrosity they were supporting and asked the Senate to extend the effective date of some of the major portions of this new program to January 1967 to enable them to unscramble the bill and make plans as to how they could even begin to implement such a multibillion-dollar program.

Fifth. Another weakness in this proposal, assuming that such a proposal is to be enacted, is that it does not take care of the very cases which are described as worthy. For example: This bill does not take care of the catastrophic illnesses of our aged which is the primary worry of every retired individual. Many of our aged are well able and willing to pay for their normal medical costs, but what worries them is what would happen if the man or his wife were confined to the sickbed over an extended period of time with an illness or injury that necessitated expensive surgery and medical attention, with the result that it could consume all of their life's savings. Such catastrophic cases are not covered under this bill. The individual would be taken care of for a limited time only, following which he would have to assume the full responsibility and still conceivably could lose all of his life's savings.

Finally, the addition of the so-called medicare provision to the social security program represents a radical departure from the basic purpose of the program as we know it today; namely, a program of cash benefits to retired individuals to help them meet the cost of their varied needs after retirement. At the present time social security payments can be used by the retiree for any purpose he sees fit.

The medicare proposal, however, for the first time, taxes workers under the social security program for later benefits—if needed—of a specific type. Unlike social security cash benefits, which the individual can use for whatever he wishes, these new benefits would not be under the control of the retiree. He would be required to use them for hospital or nursing home care or he would not get them. This would seem to violate the concept of social security which holds that the individual has a right to benefits under the program whether he needs those benefits or not, to do with as he pleases because he had paid for them.

But in this bill we are establishing a precedent wherein the social security program will be used to provide the payment of specific personal needs rather than cash payments to be used as the retiree sees fit. Having established that precedent, it would be but a short step to a program next year, say, for a wage tax earmarked specifically for the payment of rent, and perhaps the next year other payments earmarked specifically for the payment of clothing purchases, and then one for food only, or transportation, or even entertainment. I am quite certain that the fertile bureaucratic mind will have no difficulty in dreaming up an endless variety of schemes once this major breakthrough has been achieved.

In conclusion, I point out that I think the Federal Government and our States working together do have a responsibility to enact a program which would guarantee to every American citizen the proper medical attention when such citizen is unable to provide this service for himself. I have supported such legislation and appropriations under the Kerr-Mills bill and other similar measures, but I disagree completely that the Federal Government should assume the responsibility of providing complete medical services, selecting the doctors and hospitals, and so forth, for every individual in America regardless of whether he needs such assistance or not.

Such a program of complete coverage without regard to need is socialized medicine and it has failed in practically every country which has thus far tried it. In every instance it has resulted in a deterioration of doctors' services.

We in America today enjoy not only the highest living standards but also the highest health standards of any country in the world and this has been achieved under a free medical society.

Under this bill the payroll tax reaches a new high of 11½ percent and even then the cost of the bill being passed here today is not adequately financed.

Tying the cost of this new medicare proposal to social security only further undermines the financial soundness of that program.

This program has been vastly oversold. Many of our elder citizens will be greatly disappointed after this bill is enacted in that their medical costs are not fully covered as they have been led to expect.

No provision is being made to take care of the overcrowding of our hospitals or the lack of doctors that will develop under such a governmental planned system of medicine.

Opposing this program here today does not mean that we are indifferent to the plight or needs of our elderly citizens, but as we recognize and make provisions to discharge our responsibility to our elderly citizens let us not destroy those principles which have made this country great.

This administration has been boasting about its tax reductions for the low income taxpayers, but let us examine those tax reductions when compared or related to the tax increases for these same people as provided for under this bill.

The bill not only increases the total social security tax rate on individuals from 3.625 percent under present law to 5.75 percent by 1987, but also increases the wage base to which this higher tax rate applies from $4,800 at present to $6,600 beginning next year—1966. In some instances, as I shall point out, the increased taxes under this bill exceed the amount of tax reduction provided by last year's bill.

Workers in these situations are going to end up paying more in Federal taxes than they paid before the widely heralded tax reductions occurred. For them, tax reduction must be an illusion—or perhaps more properly, a delusion.

Thus, a single worker who earns $6,600 a year and who claims a standard deduction would have paid Federal income taxes of $1,188.40 and OASDI taxes of $174 in 1963. In 1966, after the income tax cut is fully effective he would owe $984.80—a reduction of $203.60. But under this bill his social security tax would go up from $174 to $275.55—a great increase of $101.55.

The effect is a tax reduction of—not $203.60—but only $102.05. And, more importantly, even this tax cut vanishes by 1987 when the social security tax under this bill finally becomes fully effective. At that time instead of a tax cut this worker will have to pay $1.90 more taxes than he did before the 1964 act.

If he were married but had no other dependents, by 1987 he would be paying $3.30 more in Federal taxes than before the 1964 income tax cuts, and if he were married and had two dependents he would have to pay $39.30 more than before his taxes were cut.

If his income were $5,600 and he had a wife and two dependents, by 1987 instead of a tax reduction of $142 he would be paying $148 in new social security taxes—a net increase of $6 more than before his taxes were cut.

There are many, many similar instances which further illustrate this phantom tax cut.

A married worker with two dependents earning $4,800 will find his $125 tax cut of 1964 reduced to $98.60 by 1966; by 1987 it has dwindled to only $23. If he is single with no dependents his tax cut of $142 shrinks to $115.60 in 1966. By 1987 his net reduction is a mere $40.

If he earned $5,600 his $167.60 cut under the 1964 act is diminished by 1966 to only $107.80. After the social security taxes become fully effective in 1987 his net tax cut is a pathetic $19.60.

These examples are sufficient to indicate that much of the economic effect of the 1964 tax cut is going to be offset next year by the new tax bite provided under this social security-medicare tax bill. And the impact I have described relates only to individuals. Under our social security system business must pay a tax equal to the tax his employees pay. The new employer tax necessitated by this bill can have but one consequence—an overall reduction in the cash flow of American business, with all the ramifications that entails.

Until now the trend of tax legislation and administration has been to increase the cash flow of business. Abruptly, H.R. 6675 reverses that trend in a move which could well jeopardize the health and well-being of our national economy.

This bill makes it clear that in the Great Society, tax cuts of one day become tax increases on another.

Mr. McINTYRE. Mr. President, today is a momentous one in history. I hope that today the Senate will complete its action on the pending bill; and with its completion, the long struggle for a comprehensive system of medical care for our Nation's aged will, in effect, have been won.

No longer will the fear of financial ruination, as a result of poor health, face our senior citizens or their families. In the short time it takes to record one vote of the Senate, later today, we shall wipe out a specter which for too long a time has haunted our great American society.

It is true that other nations have adopted medical care plans for their citizens. What makes this bill so unique in history is its method—one which preserves to the fullest the finest aspects of our national themes of free enterprise and freedom of choice; for this is no socialized medicine plan; this is no compulsory medical service program. Through the conservative mechanism of an insurance framework, we have succeeded in establishing a program which is characteristically American, both in its preservation of our traditional medical system and in its expression of concern for the well-being of those unable to face the twin menaces of poor health and aged poverty.

I shall be proud to vote for the pending bill. Casting my vote in the affirmative will be an act which I shall long remember.

You know, Mr. President, I have been a supporter of medicare since I arrived in the Senate, and even before that time. Last night, I was looking through some old materials which I had used in my campaign. One of the cards read, "Vote for Tom McIntyre—for medical care for the aged." I campaigned hard for medicare; and the citizens of the State of New Hampshire responded by sending to the Senate the first member of my party to come from my State in a generation.

Today, Mr. President, I shall fulfill my pledge to the voters: They will receive the program which they, in their wisdom, have chosen.

Mr. President, on behalf of the people of my State, who have expressed themselves so clearly on this issue, I extend our deep appreciation to the Members of the Senate who have made this day possible. The Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. McNamara], the Senator from Florida [Mr. Smathers], the Senator from Illinois [Mr. Douglas], and the able manager of the bill, the Senator from Louisiana [Mr. Long], all hold our gratitude and our appreciation.

Mr. SALTONSTALL. Mr. President, I support H.R. 6675. I do so because I believe it represents an important and necessary step forward with respect to many programs which are so important to millions of Americans. It increases social security benefits for our retired workers, an action which is long overdue. It improves and expands public assistance programs for the needy aged, blind, disabled, and families with dependent children. It expands services for material and child health, crippled children, child welfare and the mentally retarded, and establishes special project grants to provide comprehensive health care and services for needy children of school age or preschool age. It improves and extends the Kerr-Mills program.

These are impressive accomplishments. Perhaps even more significant, however, is the fact that the measure provides for a medicare program for all individuals age 65 and over. For the first time in our history, Congress is about to enact legislation which will help all our older citizens to meet their medical expenses. While I personally believe that a voluntary program financed from general revenues and reaching those elderly people who need help in meeting medical expenses, is preferable to the medicare program before us today—one which is compulsory, financed by a payroll tax which falls heaviest on people of lower income, and available to all citizens over 65 whether or not they are fully able to meet their own medical expenses—I do believe that the time has come when we must enact legislation which will go beyond the group assisted by the Kerr-Mills act and which will avoid some of the burdensome means test requirements which have been established in some States under that act.

In each Congress beginning in 1960, I have filed medicare bills. The basic principles of these proposals have remained the same although the original bill has been revised and improved some over the years. Essentially, the approach is for a voluntary, State-administered medical care program for persons 65 years and older with low or moderate incomes, to be financed out of general revenues, with Federal-State matching. I believe it is a better approach than that provided in the bill we are now considering, but I can count votes and am realistic enough to recognize that the only kind of health insurance and medical care for the aged provision which has a chance of being included in this far-reaching measure is the one which is before us. I think the need for medicare legislation is great, and I think we must act now. I believe the proposal of the administration has been improved significantly in the past two years, and, therefore, although I have serious doubts about the wisdom of proceeding in this particular way, with respect to the medicare portion of the bill, I intend to vote in favor of H.R. 6675.

We all recognize that Social Security benefits have not kept pace with the rise in the cost of living and that it has become increasingly difficult for our older citizens who depend primarily on them to live satisfactorily. I think, therefore, that we all applaud the 7-percent across-the-board increase in benefits, retroactive to January 1965, for the 20 million social security beneficiaries on the rolls.

I personally have introduced bills to increase the earnings limitation for social security recipients to $1,800 from the present unrealistic figure of $1,200 and to enable children to receive children's benefits under social security to age 22 when enrolled full time in school. I am glad that both have been included in this bill; nearly 300,000 children will benefit under the latter provision alone. Among other changes included in H.R. 6675 are actuarially reduced benefits for workers retiring at age 60 rather than requiring them to wait until they reach 62 and assistance for some 355,000 people age 72 and over who have lacked sufficient quarters under social security to qualify for cash benefits. As I have mentioned, the bill also demonstrates the concern of Congress in improving the daily lives not only of our older citizens but also of the physically handicapped, the mentally retarded, and families with dependent children. In these and other ways, then, the bill is most helpful and most desirable.

I turn now to the health and medical care provisions of the bill. Here again the Congress is responding to a need that we know exists.

Soon more than 20 million Americans will have reached the age of 65. As the age span of the American people has been extended, the special problems which confront older citizens have received increasing attention. Rising medical costs, reduced incomes, and the increased medical services which older people require, combine to create a situation in which many of our aged citizens cannot afford to pay for the health care they need. According to the Public Health Service, the yearly amount the average American spends on medical bills has increased more than six times since 1939. The American Hospital Association tells us that the typical cost per patient for a day in the hospital has increased 400 percent in the past 20 years, and that in 1967 the average daily charge will be $47. We know that Governor Rockefeller's committee on hospital costs has reported that if recent hospital trends continue, the daily cost of hospitalization in New York will be nearly $100 by 1973, with $1,066 being the total bill for an average stay of 10 days. Recently the expense of hospital care has been increasing four times as fast as the cost of living. Even though the percentage of persons 65 and older who have some form of health insurance has more than doubled in the past 13 years—rising from 26 to 60 percent and is increasing 4 times as fast as that for all other age groups combined—the fact remains that some people who need coverage cannot afford it, and others who have it cannot afford as much as they need.

I am glad that we are acting to expand the provision of the Kerr-Mills Act which has been implemented in 40 States and 4 jurisdictions and has been authorized in 3 other States. I am glad also that we are removing some of the flaws which experience has revealed in the way the act actually operates.

By establishing a single medical care program to replace the varying provisions for the needy which currently are found in five different titles of the Social Security Act, the bill extends the provisions of the Kerr-Mills program to other needy people, such as those on the dependent children, blind, and permanently and totally disabled programs. By setting forth certain minimum benefit requirements which participating States must provide by July 1, 1967, in order to receive additional Federal funds, the bill makes it likely that additional benefits will be extended to many people who need them. It also removes the financial responsibility of children of the aged for meeting their parents' medical expenses before Kerr-Mills can become operative; provides a more flexible means test; and increases somewhat the Federal share of expenses under the program.

Kerr-Mills clearly is not enough, however, and thus we are proposing to add a new title XVIII to the Social Security Act providing two related health insurance programs for persons 65 or over.

I have said that I have reservations about placing health care under a social security or payroll tax, as H.R. 6675 provides. I want to discuss that and other features of the medicare section of the bill with which I disagree, but first, as one who has long been interested in this subject, I want to mention some of the ways in which I think the measure has been improved over previous versions.

The voluntary supplementary feature, which has been added to the administration's bill, provides medical services, including physicians' and surgical services, which are essential to any meaningful program. It is satisfying to me that a number of the features which have been part of my own proposals have found their way into this section of the administration bill, because I believe that our older citizens, who lack funds to meet their medical expenses, need help with their doctors' and surgical bills. I still believe that it is wrong to require that nursing home care must be preceded by a stay in the hospital, and I regret that no provision was made for prescribed drugs outside the hospital since such drugs comprise about 26 percent of an aged person's annual medical expenses.

I am pleased, however, that the amendment offered on the floor by the senior Senator from New York [Mr. Javits] and myself providing for a study by the Department of Health, Education, and Welfare on the advisability of including drugs, prescribed for treatment outside of the hospital or nursing home, under the supplementary benefits portion of the program, was accepted and that HEW will have to report to Congress by June 30, 1966, on this important matter.

I am also pleased that the Senate accepted my amendment removing the requirement that people over 65 must be hospitalized for 3 consecutive days before becoming eligible for the 175 home health care visits provided in the bill, thus permitting individuals to receive home health care without prior hospital confinement. I believe that requiring prior hospitalization is shortsighted because individuals would be encouraged to enter hospitals for illnesses which could be treated at home just as well, tending to add unnecessarily to already overcrowded hospital conditions, and to hike the cost of health care. By obtaining care at home when an illness first develops, many of our older citizens will be spared serious illness which would necessitate their confinement to a hospital for an extended period.

We must remember that under this bill an individual must pay a $40 deductible for the first 60 days of hospital care and also $10 a day for the next 60 days if additional care is needed. This could impose a financial burden on many persons of low income. I believe it makes good sense to give our people help when and where they need it, to keep our hospital beds free for those who actually require hospitalization, and to cut down on the high costs of medical care to individuals wherever possible.

Now let me turn for a moment to the provision that health care should be financed by a payroll tax which would be kept separate from the Social Security tax.

The cost assumptions which underlie the health care program differ significantly from those underlying the cash benefit program of Social Security, and therefore, it is important to separate them with different trust funds and boards of trustees. I am glad they have been separated, but I think their separation cannot hide the fact that for the first time we are changing the purpose for which the payroll tax has been used. This may have unfortunate results in the future as I stated in my testimony before the Finance Committee in May of this year.

Just as today we recognize that some adjustment in social security benefits is in order to keep pace with rising living costs, so inevitably the day will come when the Congress will decide that a further adjustment upward is called for. If H.R. 6675 is enacted, for the first time we will be linking to the social security system a service benefit as opposed to a cash benefit.

That is, we will be providing payment for a service such as hospitalization, regardless of what that service may cost; that is something quite different from providing for the payment of a specified amount of dollars at some future date. We must recognize that this will place a strain on the system. A future Congress may not be able to provide increased cash benefits under the social security program because so much revenue from the payroll tax will be going into medical care. There has been general agreement that there is a limit to the payroll tax. We know that Wilbur Mills, chairman of the House Ways and Means Committee, supports this bill. I am impressed, however, with a statement he made last September on this very point. Chairman Mills said:

> I have always maintained that at some point there is a limit to the amount of a worker's wages, or the earnings of a self-employed person, that can reasonably be expected to finance the social security system. Not only is this a gross income tax, but it adds to the cost of American goods and services and thus affects our competitive position. I do not believe that the American people will support unlimited taxation in the area of social security.

In December of last year, Chairman Mills raised other important questions which relate specifically to the problem at hand and are worth recalling. He said:

> We must remember that the primary needs of our senior citizens are for adequate cash benefits. The amount must be sufficient to produce a dignified standard of living when added to other spendable assets characteristic of the aged. Further, the amount must be raised periodically to keep in step with decreasing purchasing power of the dollar. A payroll tax to pay for health benefits, as I have stated before, should not be added to or harnessed with one to pay for cash benefits. Health expenses are less predictable and they are rising considerably faster. Within a tight coupling, the cash benefit would, in all probability, be compromised and the danger increased of stressing health care at the expense of the root factors of food, shelter, and clothing.

There are still other objections to the use of a payroll tax to finance health care costs. Undeniably, a payroll tax is a regressive tax which falls hardest on those least able to pay. Under H.R. 6675, a person earning $6,600 would have to contribute as much as a person earning $66,000. General revenue financing, on the other hand, calls on people to contribute according to their income level. This seems to me to be the proper way to proceed—under the graduated income tax system, rather than on the regressive payroll tax. We must remember, too, that approximately 40 percent of our income sources—that is, corporate and other sources—would be excluded under the payroll tax procedure. General revenue financing would provide assistance through use of taxes involving all types of income.

Although the method of financing a health care program seems basic to me, I have reservations about several other aspects of the program provided in H.R. 6675. I personally favor a voluntary rather than a compulsory plan of medicare. I also favor a maximum role for the States in the administration of this program and wish the bill might have been a little more specific in providing for it. I was glad to hear the distinguished Senate majority whip and acting chairman of the Finance Committee, Senator Russell Long, say that he thinks an important role will be provided for the States in the administration of this program. I hope the Secretary of the Department of Health, Education, and Welfare will use his authority with discretion and that wherever possible he will seek to utilize the facilities available in the States.

I believe, too, that Federal health care programs for the aged should provide assistance to those who need help rather than to all individuals. Some people aged 65 and over are fully able to meet their medical costs. If a variation of the income test provided for in S. 395, which I sponsored this year with Senators Aiken, Cotton, Morton, Prouty, and SCOTT, or that included in the proposal advanced by the Senate majority whip, Senator LONG, were made a part of the proposal, it would mean that more funds would be available to provide more benefits to people who really need assistance in meeting their medical expenses.

I know full well, however, that the give and take of the legislative process means that few bills evolve in exactly the way we think they should. There are some fundamental parts of the medicare section of this bill which disturb me. I do think, however, that the time for action is at hand. Millions of Americans 65 and over need help now in meeting their medical expenses, and I believe we must provide that help.

I am equally convinced that we must do something to increase the social security benefits for retired workers, to offset the rise in the cost of living which has taken place since we last acted to improve the benefits. Millions of Americans were disappointed last year when the increase we voted failed to be enacted into law because the House and the Senate could not agree about the medicare section of the bill. We must remedy that situation now.

That is why I am going to vote for H.R. 6675.

Mr. CLARK. Mr. President, the senior Senator from Oregon delivered an extremely fine speech yesterday afternoon relative to the administrative arrangements for the prospective medicare program. The essence of his remarks as I understand them was that in every instance where administrative responsibilities are to be delegated or assigned by the Secretary of HEW under part A of the program, preference should be given to State and local public health agencies willing and capable of performing those functions.

Mr. President, I believe that the views of the Senator from Oregon on this matter are consistent with the public interest and requirements of public responsibility and accountability in a tax-supported program. I, therefore, wish to associate myself with the views expressed by the Senator from Oregon.

RETIREMENT AT 60 AMENDMENT URGENTLY NEEDED

Mr. PROXMIRE. Mr. President, earlier the Senate adopted the amendment by the distinguished Senator from West Virginia [Mr. BYRD] permitting retirement under social security at 60 with a reduction in benefits to two-thirds of the full level.

This is an amendment I enthusiastically support. Back in 1962 I introduced a precisely similar amendment as a bill. I introduced it again in 1964. The amendment provides an immensely valuable option in several ways.

In the first place it permits a person who may have other income and chooses for a variety of reasons to retire 5 years early and to do so without any, I repeat without any, additional cost to the Government or to the social security system. This is because his contributions will cover his reduced level of benefits as fully as if he had waited until 65 and retired at full benefits.

This free option fits into our free economy. There are thousands of wives who wish to retire with their husbands. If they are 4 or 5 years younger it is difficult to do it. If this amendment prevails in conference, they can.

There are many persons who are ill, or who are employed in physically exhausting, highly demanding work, unsuitable for persons of more advanced age. And there are many thousands of persons who at 60 have worked hard for 40 years or so and just want to have some time to fish, hunt, sit by the fire, travel, and take it easy.

In a free country, as many people as possible should have that option.

After all, we already permit people to retire at 62 with 80 percent benefits, and many take advantage of that.

But Mr. President, as a member of the Joint Economic Committee I am deeply conscious of another very significant reason why this early retirement option is so useful.

After the longest period of continuous prosperity this country has enjoyed in many years, there are still millions of Americans out of work.

This amendment will enable 3½ million persons now working to retire at once and receive two-thirds social security benefits. Senator BYRD estimates that 900,000 will choose this option. His estimate is realistic, but even if he is only half right—if only about 500,000 choose it, this means that 500,000 jobs will open up to our unemployed work force.

Now I ask what Government program that costs nothing can open up hundreds of thousands of jobs, and do so on the basis of increasing the option, the choice of Americans to work or to retire a little earlier.

Mr. President, I fervently hope the Senate conferees will fight hard in conference for this amendment.

I have talked with literally thousands of Wisconsin workers at plant gates over the past few years, and there is literally nothing this Government could do that would be more widely welcomed than to adopt this amendment. I know I speak for thousands and thousands of Wisconsin workers who want this amendment kept in the bill in conference. I know he has Wisconsin's heartfelt support on this score when he goes to conference.

Mr. JORDAN of Idaho. Mr. President, it is with a feeling of deep regret that I shall vote against H.R. 6675. I had hoped that this Congress could devise an improved social security plan that would provide substantial increases in the lower brackets tapering off to a cost of living increase for those in the upper brackets of social security.

I had hoped that the earnings of those on social security could have been increased from $1,200 per year to at least $1,800 without penalty against amounts received under social security. This bill does do that.

I had hoped that the present Kerr-Mills law would have been improved by using some reasonable measure of income to insure that those in need would be cared for while those with cash or other resources above a reasonable base would be required to provide their own hospital and medical costs.

I think it is unfortunate that we must accept or reject all suggested reforms in the 387-page single package identified as H.R. 6675. By any reasonable standard this bill is disappointing.

I shall always support the proposition that our society is affluent enough and compassionate enough to provide adequate hospital and medical services for those needy persons who cannot provide for themselves. This bill departs completely from this philosophy.

H.R. 6675 does not meet my hopes for a more equitable adjustment of social security payment. It does provide an overall cost of living increase in social security payments of 7 percent, which is certainly warranted, but wholly inadequate insofar as adjusting lower bracket payments upward to a realistic level.

There are many things about social security for retirement purposes that need further attention before we add a program of medicare. The greatest of these is that $40 per month total payment which will be increased only to $44 by this bill.

My objection to this bill is that it compounds existing inequities. All employers will be taxed. The self-employed will be taxed. Employees will be taxed, including the very young, the middle-aged, the physically handicapped.

Let us not be fooled into thinking this is an insurance program.

The first beneficiaries will be the nearly 20 million individuals in the United States who are over 65. None of these will have paid anything in the form of taxes or premiums of any kind for hospital and for medical care. The entire burden of the medicare program for the present aged will have to be borne by others. Many will be receiving medical benefits who are far more able to pay the costs than the people who are taxed to pay their bills.

If H.R. 6675 is enacted, and I have no doubt that it will be, for the first time we will be providing payment for a service, such as hospitalization and medical fees—regardless of what that service may cost. That is something quite different from providing for the payment of a specified amount of cash at some future date.

What will be the cost of H.R. 6675? No one knows. But sometime, someplace, we in Congress must face up to our fiscal responsibilities.

Inflation and the resulting increased cost of living play a cruel hoax on people who must live on fixed income, especially those whose whole income must go for the bare necessities of life. The 1964 dollar buys 2 percent less than the 1963 dollar and nearly 8 percent less than the dollar in use in 1957–59.

Evidence of fiscal irresponsibility, the principal cause of inflation, is all too obvious.

For more than 5 years this Government has run a deficit of over $5 billion a year.

The debt ceiling of $328 billion is at an all time high with an interest charge of about $1 billion every month of the year. The unfunded accrued liability of the OASDI program was $321 billion on January 1, 1962, the last date for which figures are available. The unfunded accrued liability for civil service retirement is over $36 billion. The unfunded accrued liability of military retired pay is over $61 billion.

Yet, in the face of all these burdens it is proposed in H.R. 6675 that we disregard the present inequities of social security and start two new programs of hospitalization and medical services for all aged people without sound actuarial insurance funding.

This bill will tax people who can't afford to be further taxed, many of whom, by the President's own definition, are now in the poverty classification, in order to provide benefits for individuals, many of whom are well able to provide for themselves.

This is the basic issue. In good conscience I cannot vote for H.R. 6675.

Mr. KENNEDY of Massachusetts. Mr. President, it is possible at the present time for an occupationally injured worker to receive both workmen's compensation and old-age and survivor's disability insurance benefits. There has been considerable activity and increasing agitation for an amendment to the Social Security Act to offset OASDI disabilty payments by workmen's compensation benefits received.

The social security program overlaps with many programs—both public and private. The area that has been attracting the most interest, the overlap between workmen's compensation and OASDI, is the smallest. The Social Security Administration estimates that fewer than 3 percent of those getting OASDI disability benefits also receive workmen's compensation payments. Yet, it is the workmen's compensation beneficiaries that are being singled out for attack.

The issue has been particularly intense during the hearings on the pending social security legislation. The House Ways and Means Committee in reporting the legislation refused to include an offset, saying "that under the present law the extent of excessive wage replacement resulting from overlapping benefits between workmen's compensation and social security benefits has not been significant." The committee also concluded that the previous offset operated in an inequitable and unsatisfactory manner.

Because of its magnitude and almost universal coverage, there is general recognition that the Federal social security system is the basic social insurance system. It does not make sense for this program to make adjustments for other programs—either Federal, State, local or private—that are limited to selected groups or circumscribed areas. Once this becomes established for one program, it would be difficult to prevent similar legislation for other programs and there would be little logic for doing so. There is no reason for showing workmen's compensation programs preference and ignoring other programs.

Unfortunately, the social security bill reported by the Senate Finance Committee does contain an offset provision in section 335. Though no offset should be included for the reasons cited earlier, the approach in the Senate bill is superior to that frequently advocated—a $1 reduction of the OASDI disability benefit for every dollar of workmen's compensation received. However, even the offset provision in the Senate bill will work severe hardship on many occupationally injured workers, such as those who have suffered the loss of eyes or limbs. The Senate provision does provide however that a reduction shall not take place unless combined benefits exceed 80 percent of average current earnings and does try to overcome the erosion in the benefits that occur over time with increases in wage levels and living costs.

But, I would like to point out some of the unfortunate effects of the offset in the Senate bill. The offset in the Senate bill applies to workmen's compensation benefits for partial disability. It is general practice in workmen's compensation to pay compensation for many of these kinds of injuries even if earnings continue or even increase. For example, if a worker loses some fingers even though he suffers no wage loss, the worker receives workmen's compensation benefits for the loss of the fingers. The same principle applies to loss of arms, legs, hands, and so forth. The justice of such compensation has seemed obvious to most people—both experts and the average citizen. Yet the offset proposal would reduce the worker's OASDI benefit wholly or partially by the amount of these workmen's compensation payments. In other words, in many cases he would not gain monetarily for this kind of anatomical loss—not even in those cases where the occupational injury was unrelated to the disability rating under the OASDI program.

Some workmen's compensation laws subtract temporary total disability benefits from the permanent award at the time the percentage of permanent impairment is determined. Since the OASDI disability benefit will not be paid until after 6 months of incapacity, an injured worker could have his workmen's compensation award reduced by the amount of the temporary total disability paid for the first 6 months or longer and also have his OASDI benefits reduced for the balance of workmen's compensation payments thereafter.

Many States limit medical benefits. An injured worker could in some instances be paying for his own medical bills at the time a reduction would take place. It is among those workmen's compensation cases that extend beyond 6 months where most of the cases that exceed medical limits in workmen's compensation are found. Is it fair to reduce the benefits of an occupationally injured worker at the time he has to bear the medical cost of his occupational injury?

In conclusion, Mr. President, the most telling argument against an offset on the social security side is the fact that it is a contributory system. No worker should have that benefit reduced for which he has made contributions for most of his life.

Mr. President, I shall not offer an amendment to bring the Senate bill into line with the action taken by the House. But I respectfully urge those Members of this body who will serve on the conference committee to give sincere consideration to the arguments of those who do not wish to place offset provisions in our social security laws again.

Mr. YARBOROUGH. Mr. President the pending passage of H.R. 6675, the Hospital, Health and Social Security Act of 1965, presents this body with one of those moments in its history which recur from time to time, when the efforts of a generation at long last come to fruition. The names of Senator Robert F. Wagner and Senator James E. Murray drift back into one's consciousness. They stood on this floor in the years following the end of World War II and fought for a health insurance program. Harry Truman made it a key plank in his administration platform and he and his Cabinet officers fought valiantly for it. Our late beloved President John F. Kennedy, both as a principal sponsor of the Kennedy-Anderson amendment in 1960 and later as President, gave courageous leadership in the battle for a prepaid program of medical assistance for the aged. One of the heroes of this day is thankfully still with us, the senior Senator from New Mexico [Mr. ANDERSON]. As author of the Anderson-King bill, he carried the principal load of advocating health care for the aged during those tough years when the votes were not there for passage. Truly all Americans owe a prayer of gratitude to this great Senator from the West for his vision and for his courage in continuing the fight when lesser men may have faltered.

Mr. President, since the beginning of the 20th century, the life expectancy of Americans has increased from 49.2 years to 70 years. At the same time medical care prices have increased greatly. On an index in which 1957–59 prices equal 100, the costs for all medical care have risen from a level of 50.3 in 1940 to a level of 120.3 in December 1964. Of course, much of the price rise reflects increases in quality, but the cost is higher nevertheless.

Thus our older citizens are faced with increasing years of retirement, when their income drops drastically, at the same time that their utilization of medical services—which makes the increased life span possible—increases, and at a time when the costs of those medical services is increasing.

It is this situation which gives rise to the need for a system of health insurance, a system in which people will make payments into a trust fund during their working years in order to draw benefits when they retire.

The basic hospital insurance plan, financed through a payroll tax, will cover inpatient services, posthospital extended care, outpatient hospital diagnostic services, and posthospital home health services with varying time limits and deductibles in each case. In Texas this plan will provide over $96 million a year to aid our 990,000 citizens over 65 in paying their hospital bills.

The voluntary supplementary insurance plan would cover physicians' services, chiropractic and podiatrists' services, home health services, and numerous other medical and health services in and out of medical institutions. The individual would pay $3 per month and the Government would match this amount. Assuming 95 percent participation, this plan will afford over $47 million a year of additional assistance to elderly citizens in Texas.

H.R. 6675 revises the allocation formulas under the public assistance programs—old-age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to families with dependent children—to provide greater Federal participation. The estimated annual increase in public assistance funds for Texas is over $6,900,000. Under an amendment which I introduced yesterday and which the Senate adopted, the effective date will be moved up 6 months from January 1 1966, to July 1, 1965. If this change is approved by both Houses it will mean an extra $3,450,000 for the needy aged in Texas, this year.

The bill provides a 7 percent across the board increase for those in receipt of social security payments. For Texans this means an increase in cash benefits of $98 million for the calendar year 1967.

The recital of these dollar amounts is made for the purpose of illustrating how effective intelligent Government spending can be in directing expenditures into socially desirable channels. Of course, channeling the money is only the first step. The real test will come with experience.

A lot of study has gone into the drafting of this legislation. Years of work are written into this bill. It is, I believe, basically a sound plan. The matter of control is, as always, a difficult problem. There are many interests to be served, and the question, for instance, of who should determine standards and who should determine what it a "reasonable cost" will probably be back with us in the future.

We are making a good beginning, however, and I commend those Senators and staff people who have labored so long and hard on this legislation. Especially to be commended is the able junior Senator from Louisiana, RUSSELL LONG, for his able steering of this great law through the committee and Senate passage on the floor, with beneficial amendments, but without crippling amendments. He has shown a very high degree of parliamentary skill.

Mr. MILLER. Mr. President, my objections to this bill were outlined during my discussion of my amendment earlier today which would have struck out the administration's medicare provisions and replaced them with liberalizing changes to the Kerr-Mills Act.

However, I wish to quote from statements made by the manager of the bill, the Senator from Louisiana [Mr. LONG] on July 16, 1962, in opposition to the administration's medicare proposal, which was substantially the same as that contained in this bill.

In the CONGRESSIONAL RECORD, volume 108, part 10, page 13664, he said:

> Here we have a proposal that would tax people to pay for a great amount of medical care which many of them are well able to provide for themselves without the help of the Government or anyone else.
>
> Under this proposal, in a large number of cases we would be taking the butter and eggs from the workingman's table in order to provide medical care for someone else, who has always been both willing and able to pay his own medical bills. In many cases, the beneficiary will be much better off than his benefactors.

Again, in the CONGRESSIONAL RECORD, volume 108, part 10, page 13665, he said:

> A regressive rate structure is and will be particularly unfair to the lower income brackets, because they obviously are spending practically all of their income on basic necessities, while those in the upper income levels spend less and less of their total income on such essentials. Yet the poor man must pay a considerable portion of his already earmarked funds just to be medically protected as well as wealthier people who may waste more in a year than a poor man earns.

Again, in the CONGRESSIONAL RECORD, volume 108, part 10, page 13666, he said:

> I would be willing to vote for any taxes and appropriations necessary to care for those who are unable to care for themselves. I am not willing to vote for taxes and appropriations for medical care for those who can and should provide it for themselves.

And again, in the CONGRESSIONAL RECORD, volume 108, part 10, page 13863, the Senator from Louisiana [Mr. LONG] said:

> Mr. President, I yield to no Senator in my desire to care for the needs of the aged, the disabled, and the underprivileged in general. That is not the issue before us now. We are asked to vote on an amendment which would require that we pay the medical bill of everyone over the age of 65 whether he needed such care or not. We are asked to adopt an amendment which would tax the poorest people in our country on the same basis as that on which we tax the wealthiest. We are asked to vote one of the most regressive taxes we could find. It is a tax that would operate like a hidden sales tax. It would hit hardest at the poor, in order to finance medical care for all the people, whether they need such care or not.
>
> My mother's cook and yard boy would be asked to pay my mother's medical bill, although she neither asks, expects, or demands it. Frankly, I think she would feel that the proposal was unsound. When the medical bills of everyone who might seek medical care under the measure, whether he needed such care or not, are added, we find the cost of medical care increased by 50 percent.

Mr. President, these statements made 3 years ago are just as valid today as they were then. I find it almost unbelievable that the one who made them now proposes to vote for this bill. They persuaded me to vote with him then—against the proposal. And they persuade me now to vote the same way.

Mr. LONG of Louisiana. Mr. President, 30 years ago today, the Senate and the House were in conference on a revolutionary concept. That concept had been the subject of bitter controversy with its proponents hailing it in those dark depression days as the only real salvation of the American way of life and its opponents denouncing it as the devil in disguise that would propel the United States to a sure and not-so-slow destruction. The proponents were successful, the two Houses resolved their differences and President Roosevelt signed into law in August of 1935 the revolutionary concept which is known as social security.

Over the years with consistent regularity the original Social Security Act has been revised and amended. Almost without exception, these revisions have liberalized and extended social security so as to make it of more good to more people.

But nothing in the 30 years since the establishment of the social security bill will have the impact on the American scene as will the bill we are about to pass here today. I am quick to add that this measure before us is infinitely greater than the original Social Security Act in the benefits it provides the citizens of this country. The Social Security Act of 1935, while revolutionary in concept, was modest in scope. The Social Security Amendments of 1965 are comprehensive, far-reaching and imaginative yet not without their revolutionary features too, the most noteworthy of which is the idea that the medical problems of the people are the problems of their Government.

The Government's role in medical care has been the focal point of a controversy as acrimonious and extended as the controversy 30 years ago over social security. After much worthwhile and informative debate and discussion over the years, the Congress has decided in its wisdom to pass a medicare program which does much to relieve the onerous burden of the costs of health that has weighed so long upon the shoulders of our elderly. The varying points of view that were brought to the medicare debate by the medical profession, the insurance industry, organized labor, businessmen, the old folks themselves, and the public in general have been extremely beneficial in synthesizing the various goals and means of obtaining the goals into the constructive program contained in this bill.

Medicare is the most noteworthy and controversial part of the measure before us today, but it actually comprises less than half of the benefits provided by this bill in terms of dollars spent. The $7 billion of benefits we are about to provide will go to every conceivable segment of our population in need of help from their government. Yet the worth of the social security bill of 1965 cannot be measured solely in terms of dollars. It can better be judged by an economist than an actuary, better by a social worker than an accountant, and even better by those of us here today who have the opportunity to go among our folks back home and see the needs that are met, the fears that are dissolved, the wants that are satisfied by what we have wrought. I ask you to do as I shall do and that is to seek out your people in the months and years ahead and to see how they are being comforted and being made secure by the bill we are on the verge of approving. Such an experience, I am sure, will not only renew your faith in the job you are doing, but it will bring just a whole lot of soul satisfaction.

I have expressed my gratitude to the various segments of our society which have helped in formulating this measure. Let us not forget the many devoted people in government who have played such a significant part in getting this job done. There are the many nameless people in the executive branch who have worked under the leadership of two great Presidents—John F. Kennedy and Lyndon B. Johnson—and two great Secretaries of Health, Education, and Welfare—ABRAHAM RIBICOFF and Anthony Celebrezze. Particularly on the executive side, we should mention Under Secretary of Health, Education, and Welfare Wilbur Cohen, Social Security Commissioner Robert Ball, Public Assistance Expert Charles Hawkins, and Actuary Robert Myers.

On the legislative side, we have been ably assisted both on the House and on the Senate side by Fred Arner and Miss Helen Livingston of the Library of Congress and in the Finance Committee by the staff headed by Mrs. Elizabeth Springer and by Legislative Counsel Doug Hester. To my colleagues on the Finance Committee, I pay tribute for the thorough and expeditious fashion in which they worked on this bill. I owe a special debt of gratitude to our wonderful chairman, HARRY F. BYRD, for entrusting to me so historic a proposal as this to handle in the Senate. I could not have done it without the cooperation and expertise that I obtained from such fellow committee members as the Senator from Delaware [Mr. WILLIAMS], the Senator from Florida [Mr. SMATHERS], the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. GORE], and particularly the Senator from New Mexico [Mr. ANDERSON] who has been the father and devoted advocate of medicare for so many years.

I appreciate the courtesy and attention that each and every Senator has given to me throughout the floor debate of this bill. Especially do I thank the minority leader [Mr. DIRKSEN], who is not able to be with us today, and my boss, the marvelous majority leader from Montana [Mr. MANSFIELD], for the little appreciated but magnificent job they have done in moving this measure through the Senate.

MEDICARE IS IN THE AMERICAN TRADITION

Mr. MOSS. Mr. President, H.R. 6675, which is now pending before this body, is a lengthy and complex bill embodying new programs for financing health care of the aged, as well as amendments to the public assistance programs and to the social security system. It would add to the Social Security Act two new titles: one, dealing with health insurance for the aged; and the other, expanding and improving the programs of grants to States for medical assistance.

The first new title, title XVIII, establishes two programs of health insurance for the aged. Part A would establish a hospital insurance program for the aged under the social security system which has been long and ably advocated by the senior Senator from New Mexico [Mr. ANDERSON]. Part B would establish a supplementary health insurance program to which elderly persons could voluntarily subscribe.

Although it occupies a relatively small part of the 387-page omnibus social security bill that we have on our desks, H.R. 6675 is being referred to as the medicare bill. The proposal which in recent years has become popularly known as medicare is embodied in Part A of title XVIII. As someone recently remarked, "A" stands for Anderson. Part A is the Anderson bill.

Part A, "Hospital Insurance Benefits for the Aged," will represent, as it becomes law, an historic forward step toward making the aspirations of our people for dignity and security in old age an economic reality. It is to the importance of this step and the need for this program that I wish to address my remarks today.

Mr. President, I have been a supporter of this legislation from the beginning. When our late, beloved President, John F. Kennedy, then a Senator from Massachusetts, joined the Senator from New Mexico [Mr. ANDERSON] in May of 1960, to offer to the social security legislation of that year an amendment providing hospital insurance for the aging, I enthusiastically supported them in that effort. Many of my colleagues here in the Senate Chamber this afternoon supported them, too; and for all of us this is a day in which we can take deep satisfaction, a day in which the results of years of patient effort and advocacy will be realized.

I have been a cosponsor of the Anderson bills in the 87th Congress, the 88th Congress, and now in the 89th Congress. I have spoken for the Anderson proposal more times than I can count. I have publicly debated the issue with its opponents in my State. Last year, during my campaign for reelection, I spoke scores of times on the growing problem of our older citizens surrounded in our modern society with healing and lifesaving possibilities that their meager means do not permit them to enjoy. I explained the medicare plan, and asked the people of Utah for their approval. It is clear that the citizens of my State, as well as the great majority of citizens of our entire Nation, approve this forward-looking legislation.

The Senate will shortly vote on this bill, and I believe the vote will be favorable. During the past 5 years, since hospital insurance for the aged was introduced in the Senate as the Kennedy-Anderson amendment, the proposal has been a national issue. It has been a key issue in three national elections. The proposal has been subjected to exhaustive public hearings in both the Senate and the House of Representatives committees. The proper committees have studied it; and it has been debated on the floors of both Houses. The medicare proposal has stood up under every test, and a consensus, both as to the need for the program and the soundness of the plan, has formed.

This national debate has served an important purpose beyond that of being a proving ground for the medicare proposal; it has served to develop and bring forward significant additions and improvements to the original plan. The medical profession, with the support of many other citizens, put forward a group of proposals which came to be known as eldercare. These were weighed in the legislative process; and much of the eldercare plan was adopted, and is included in the bill we are considering today.

The many studies of the health-care problems of the aged also focused attention on the need for improvements in the Kerr-Mills program of medical assistance for the aged. Accordingly, this bill incorporates a number of substantial improvements in the Kerr-Mills program, correcting most of the defects which were revealed by the experience of our States in utilizing the program.

The problem which confronts our senior citizen—and which, in fact, confronts our Nation—has been thoroughly documented over the years that this proposal has been debated. Certain facts are clear. The average cost of a day of hospitalization has increased from $9 in 1946 to about $40 today, and these costs will continue to rise; people in the older age groups require almost three times as much hospitalization as do people of working age; and the average length of hospital stay for older persons is twice as long.

Since most persons over age 65 are retired, most of them have limited incomes. Half of the single persons over 65 have cash incomes of less than $1,000 a year. Half of the elderly couples have incomes of less than $2,800.

Obviously, with such meager financial means, the purchase of adequate hospital insurance becomes difficult or impossible. Despite great effort and ingenuity on the part of the insurance industry and voluntary health insurance plans, only about 25 percent of those over 65 have anything approaching adequate hospitalization insurance. One may assume that most of these are in the more prosperous half of the elderly population.

The problem has been documented as clearly in my own State of Utah as in the Nation as a whole. Several years ago the University of Utah conducted a thorough study of the utilization of hospital and medical services in my State. This study reported a hospital utilization rate of 126 patients of all ages per thousand population, but a rate of 203 per thousand in the 65 to 74 age group, and a rate of 246 per thousand in the age group of those 75 and over. The average length of stay also was found to increase by age group; and the average charge per hospital stay was found to be, for persons 75 and over, almost double the average charge per patient, for all ages.

The study also analyzed the method of payment of hospital bills, by age group, in Utah hospitals, and clearly points up the lack of hospitalization coverage of the aged. For example, the report shows that in the 55 to 64 age group, 39 percent of the patient's bills were paid by insurance, and 9 percent were paid by charity; but for patients 75 and over the insurance payment of hospital bills dropped to 18 percent, and 17.6 percent of these aged patients had their bills paid by charity.

Part A of the proposed title XVIII would establish a prepayment insurance program for hospital bills and for bills for confinement in convalescent facilities. Contributions would be made equally by employees and employers to a hospital insurance trust fund. Bills for hospitalization and other covered services incurred by persons over 65 would be paid from this trust fund, which ultimately would be made up of the aggregate contributions of the beneficiaries, themselves. The provision of a self-funding prepayment insurance plan is the heart of the Anderson proposal.

It is said that this program will somehow interfere with the freedom of doctors to practice medicine. Mr. President, I submit that this program can only enhance the freedom of doctors in the care of their patients. Nothing in this bill relates in any way to what a doctor should or should not do for his patient. In fact, in the bill there is specific prohibition against any kind of interference with medical practice. I say that the bill will enhance the freedom of doctors to practice medicine, because it will enlarge the range of practical choice and will remove the influence of financial considerations from physicians decisions as to the course of treatment to recommend to patients.

Under the hospital insurance programs, patients would enter the hospital only on the recommendation and order of their personal physician, just as is now the case. Physicians now make the professional judgment as to whether a patient needs the facilities of a hospital; but what doctor is so insensitive to his patient's situation that he would not feel reluctance to recommend hospitalization which he knows will mean financial ruin? With such heavy costs covered under the hospital insurance program, a physician can make his decision as to his patient's need for hospitalization free from such nonmedical considerations.

Some persons even express vague fears that such hospital insurance would somehow restrict the freedom of individuals as patients. Here again, the program does not impose any conditions on the patient's choice of doctor, or does not affect in any way his relationship with his doctor. To the extent that it affects an individual's freedom at all, it enlarges his freedom, because it enlarges real choice. If a doctor recommends hospital treatment, but if a patient knows that the cost of hospitalization must be paid with money saved by his children for the education of his grandchildren, can we say that he is really free to act upon his doctor's advice? Mr. President, freedom becomes more real as the economic barriers to free choice are let down.

Many of the letters I have received from citizens of my State have pointed out the independent and self-reliant spirit of the American people and the great value of this spirit to our society. Mr. President, I agree completely with these sentiments; and, to me, one of the most compelling virtues of the Anderson proposal is its expression of this spirit of self-reliance.

Most Americans, Mr. President, want to take care of themselves; they want to meet their own needs, through their own efforts. After retirement from almost a lifetime of productive work, an older citizen may have income from social security, and perhaps a private pension, and may be able to meet his own needs for the expenses of daily living. But how is he to be self-reliant and to take care of his own needs when confronted with a catastrophic hospital bill for himself or for his wife? If he can pay the first such bill from savings or by mortgaging his home, he may still be hit with large hospital bills a second, a third, or even a fourth time during his years of living in retirement. Thousands of our fellow citizens who have passed their working years are caught up in this grim chain of events, every year, and are reduced to poverty and to dependence upon public charity. What a hollow mockery of the concept of individual self-sufficiency this is, when there is no practical way for a person living in retirement to help himself and to avail himself of the marvelous, but tremendously costly, benefits of modern hospital care when he needs them.

The only really practical way for a retired person to take care of himself, to meet his own needs for hospital care, is to have prepared in advance, during the years when he was employed. The hospital-insurance program embodied in the bill now before us provides a practical means for people to take care of their needs, in advance; a practical means for Americans to do what they most want to do; to be self-reliant and to pay their own way, through their own work and contributions.

The opponents of this program say they do not wish to see anyone go without needed hospital care; but, they say, let us help only the needy. First, those who pursue this line of argument misunderstand, or perhaps ignore, the true nature of the Anderson proposal. When they talk of a program which will help the needy, they are thinking in terms of the traditional welfare concept, under which public funds are used to help those who cannot help themselves. The hospital-insurance-for-the-aged program does not use public funds, in the sense that the welfare programs do. Benefits would be paid from funds which are contributed by, and are the property of, the beneficiaries. Moreover, it is not the purpose of the program to provide help where hope is gone; instead, its purpose is to provide a mechanism, through a public instrumentality, which will enable each person to help himself.

We have a number of public-assistance programs, enacted by Congress over the past several decades, which are valuable and necessary; but the medicare proposal is a wholly different approach. It is not so much designed to alleviate some of the consequences of poverty as it is to prevent poverty. Those who would reject this prepayment, self-help approach seem to be saying that if an elderly person has need for hospitalization, let him spend his savings, sell his home; and, when everything is gone, then it is all right for the Government to pay his bills—in other words, after the horse is gone, the Government may then come in and close the barn door. Mr. President, I fail to see the moral superiority of such a course, as compared with one in which people can prepare in advance against the tremendous financial burden of hospital care which they will be almost sure to confront in their later years.

Mr. President, I have saved until last a comment on the hue and cry we hear from some quarters—namely, that the Anderson proposal is socialistic or is a step toward socialized medicine. Of all of the failures to see and to understand the true nature of this program, this one is surely the greatest and the most exasperating.

Sometimes I wonder why at least some of organized medicine is not hailing this bill as an historic step in forestalling any trend toward socialized medicine that might develop; for as we adopt the program embodied in part A of this bill, we turn away from the road toward Government medicine, and we take a big stride toward preserving and protecting the American system of private medicine and community-based hospital care.

As our medical technology advances and as its capabilities increase, the complexity and the cost of hospital care increase. In the past 20 years, we have seen really miraculous developments in the ability of modern medicine, with modern hospital technology to save lives and to cure illness. In the same period, we have seen the average cost of a day's hospital care increase more than four times. The scope and the effectiveness of medical technology will continue to grow, and so will hospital costs.

Two characteristics are common to most retired people: They are old, and have more illness; and they are retired and have low incomes. It is clear that as the lifespan increases and as the normal retirement age slowly declines, the proportion of our population in retirement and living on retirement incomes will continue to increase. In any democratic and humane society, the public will demand that lifesaving technology be available to all; and, sooner or later Government will respond to this demand by the people.

Our observation of other countries shows us that when these pressures become great enough, government intervenes to provide hospital and medical care. Those programs take different forms in different countries. It is unnecessary for us to discuss here whether such a program in any particular country is good or is bad. For my part, I would be very unhappy to see our country follow such a course—one in which the Government undertook to provide hospital and medical services, because I believe that a great deal in the system of private medicine and community-hospital service which is our country's unique contribution to this area of modern society would thus be lost.

The Anderson plan is a distinctly and characteristically American response to these pressures and problems which are being felt in every civilized country. It proposes an approach to the solution of this growing problem of the economic availability of care, and to forestalling the pressures for Government health services, by dealing with the root of the problem—that is, the financing of hospitalization—while keeping hands off of the provision of services. In summary, my support of the medicare proposal is not based on a desire to change in any way the American system of private medicine. Quite to the contrary, I see the pending medicare proposal as a way to help preserve this superior system and to leave it undisturbed, while approaching the solution of a national problem which almost everyone agrees exists.

I realize that the organized medical societies do not see the matter in this way; but I believe that they may not have reflected deeply enough on the problems which lie ahead, and may not be, in the long run, acting in their own best interest.

As we finally vote to establish in law hospital insurance for the aged, we take a great step toward solving one of the most serious social problems of our time, and we take the step in the framework of the best American traditions: the tradition of full and free debate of social issues, the tradition of expression of the will of an informed majority, the tradition of valuing independence and promoting individual self-reliance, and the tradition of free people using the agency of government to enable them to better help themselves. At the same time, we call for progress in the solution of our problems and for some longrun answers better than the palliatives of welfare. And we resolutely turn away from the path of socialization, which is one course open to us, and, instead, address ourselves to shoring up the economic foundation of the unique and remarkable health-care system of private and individual arrangements and community responsibility which has developed in America.

Mr. President, my remarks have focussed on one part of this bill—that providing a program of hospital insurance for the aged—because this has been the focus of controversy and debate over the problem of financing health care of the elderly. However, I do not wish to overlook the many other important measures contained in this bill.

The voluntary program of supplementary insurance and the extensive improvements in the Kerr-Mills program, I have already mentioned. The bill also will increase social security cash benefits. Incomes of social security beneficiaries will be increased by 7 percent; and an individual will have the option to retire at age 60, with somewhat reduced benefits, if he so desires.

Another provision of this bill, which I have long advocated, is a liberalization of the retirement test. Under existing law, social security beneficiaries have their benefits reduced if they earn more than $1,200 in a year. This bill will amend that provision so as to exempt the first $1,800 of earnings before deductions are made from benefits. This is not quite as generous a provision as one I proposed in the bill I introduced. My bill would have permitted earnings up to $2,400 without loss of benefits; but the provision in this bill, as recommended by the Finance Committee, is a step in the right direction, and will relieve hardship in many cases.

In summary, this is a comprehensive bill and a balanced bill. Each of its provisions makes a contribution to the betterment of the lives of older Americans. I fully support House bill 6675, the Social Security Amendments of 1965.

A STEP TO IMPROVE THE QUALITY OF AMERICAN SOCIETY

Mr. BARTLETT. Mr. President, the Senate is about to vote on a historic piece of legislation. The bill will receive a large majority reflecting widespread support for a medical-care program for the aged—a concept which 10 years ago was considered radical.

The history of this legislation will provide excellent material for students of our Government. They will be able to chronicle the growth of the concept from the day when it was introduced in Congress, many years ago. They will be able to document how a great new idea matures and gains respectability. They will be able to note the role of lobbies. A careful student will be impressed by the important role the legislative branch played in developing this great legislation. It was born in the Congress, received a significant push from the legislative branch, and came back to the legislative arm, to be molded into its final form.

This legislation has followed a long, and sometimes tortuous, path to fruition. Many of us wish it could have traveled the path more quickly; but the time has not been wasted. The bill the Senate will pass is a vast improvement over previous proposals.

It will not meet all contingencies, nor is it so designed. The medical-care program is based on the same principle as that of the old-age and survivors and disability insurance system. The latter is intended to provide a base on which to build a financially secure retirement. The former is designed to provide a base on which to build a healthy retirement. The one is hollow without the other.

Improvements will be made in the program as experience dictates. I look forward to voting in the future on provisions to bring about these improvements.

No doubt, problems will arise in administering the program, and there will be cries of "We told you so." But we must not be deterred by those who resist change, who reject needed legislation because minor problems will arise to be solved. No program can be as perfect as the one those critics demand.

The concept behind the bill we will pass is sound. I am proud to have cosponsored the measure.

This is not the time to review all the provisions of the bill. However, I wish to call attention to two sections dealing solely with Alaska. Alaska will become the 19th State permitted to divide State and local government retirement systems. One part will be for employees desiring social security coverage; the other, for those who do not.

Services performed by employees choosing to come under social security must be covered by social security in the future. However, persons already employed have a choice, and are not forced to join.

Also, this bill prevents a great injustice to a number of dedicated schoolteachers in Alaska.

For 13 years, these teachers have contributed to social security. This year, the Social Security Administration ruled that certain Alaska school districts did not qualify as political subdivisions, and had no authority to enter into social security agreements.

The Senate accepted an amendment permitting these districts to qualify for coverage. A similar step was taken to correct a similar situation in Arkansas in 1962.

The amendment insures that the teachers will receive retirement payments for which they paid.

It is fitting that this injustice be prevented in this bill, for the legislation is concerned with correcting another great injustice, an injustice which turned the golden years into years of worry and poor health for too many persons.

In preparing to vote in favor of House bill 6675, I am reminded again of an observation by Arnold Toynbee, the historian. He concluded that a society's quality and durability can be measured best "by the respect and care given its elderly citizens."

History will rank this Congress high among those which have taken significant action to improve the quality and durability of the American society.

IMPROVEMENT IN THE DOUGLAS OLD-AGE ASSISTANCE "PIN MONEY" AMENDMENT

Mr. DOUGLAS. Mr. President, I wish to endorse a little-noticed amendment to our welfare assistance legislation which the House has included in House bill 6675. This provision is an improvement of the amendment which I first offered in 1956, and which was finally enacted in 1962—relating to the amount of income which may be earned by a recipient of old-age assistance without its being subtracted from his assistance grant.

In 1956, I first introduced my "pin money" amendment, which would have permitted old-age assistance recipients to earn $50 each month, without losing that amount from their assistance grants. In 1956, and again in 1958, the opposition of the Eisenhower administration resulted in the defeat of my amendment, even though the Senate adopted it by a strong record vote in 1956.

During consideration in the Senate of the public welfare amendments bill, in

1962, I again offered my amendment, in a form which would have permitted each State to let old-age assistance recipients earn up to $25 a month, without having it subtracted from their assistance grants. I proposed only a $25 exemption, because I wanted very much to get established in the law the principle that a small amount of earned income is to be encouraged; and I did not want to cause defeat of the proposal, by asking for more than a very modest amount. Somewhat surprisingly, a unanimous Senate adopted my amendment, and increased the exemption to $50. In the conference, the amendment was retained; but it was changed so as to permit the States to exempt from consideration earned income of $10 a month, plus one-half of any additional earnings up to a total of $50 a month.

I was very much pleased to see that the House, in House bill 6675, approved an amendment to this provision, which, if adopted, will permit a State, in determining after December 31, 1965, the need of an aged recipient, to disregard an additional portion of income. The new provision is that of the first $80 earned per month, the State may disregard the first $20 completely, plus one-half of the remainder.

It is particularly gratifying to see that the House also has extended this principle to the earnings of a disabled individual receiving benefits under titles XIV and XVI of the Social Security Act, and to earnings in aid under title IV to families with dependent children.

Despite the predictions by administrative opponents, during the Eisenhower administration, of an excessive cost if my amendment was adopted, it has been implemented gradually, with a very negligible cost. It is now estimated that the amendment to increase the exemption adopted by the House in House bill 6675 will increase expenditures from Federal funds by a somewhat larger, but still reasonable, amount. If all 23 States that have indicated they are interested in using the present provisions for exempting earned income from consideration in determining need were to implement the provision and were to move to the larger amounts that can be exempted under this amendment—and it probably will take some years before this occurs—the annual increase in Federal costs would be about $3.5 million. Of this increase, more than $3 million would be for persons who do not now receive assistance. These are people with enough present income to meet their needs under the States current standards of eligibility for assistance but who will become eligible for assistance under the higher earnings exemptions in the amendment.

In the future, more States will undoubtedly realize the advantages of giving recipients of old-age assistance an incentive to obtain occasional productive employment, by not requiring that their assistance payments be reduced to the full extent of their earnings. It is estimated by administrative officials that as additional States move to exempt more earned income from consideration in determining need, the annual increase in Federal costs will rise from about $3.5 million, initially, to about $12 million, annually, in 1970.

A 1960 study of old-age assistance recipients revealed that 91,000 recipients—3.9 percent of all 2,337,000—had any income from personal earnings. Their earnings tended to be low, averaging only a little over $14 a month. The 91,000 recipients with earnings were distributed as follows, in terms of the monthly amount of their earnings: 23 percent had earnings of from $1 to $4; 27 percent earned from $5 to $9; 14 percent earned $10 to $14; 10 percent earned $15 to $19; 9 percent earned $20 to $24; 6 percent earned $25 to $29; 4 percent earned $30 to $39; 3 percent earned $40 to $49; 3 percent earned $50 to $74; three-tenths of 1 percent earned $75 to $99; and three-tenths of 1 percent earned $100 or more.

Mr. President, a report compiled by the Department of Health, Education, and Welfare, as of March 31, 1965, shows the degree to which this permissive amendment has been implemented by the States. This report shows that as of March 31, 1965, 23 jurisdictions had submitted planning material to implement this provision; two States enacted authorizing legislation in their 1965 legislative session, but the planned material was not then submitted; two States had legislation pending in the 1965 session; and five other States had expressed interest in this provision, but had not then taken action to implement it. Mr. President, I ask unanimous consent that the table to which I have referred be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, I hope very much that the increase in the exemption proposed in the House will be retained in the Senate and in the final bill. As a result of this provision in the law, a person receiving old-age assistance payments will be able to earn, if his State permits, $20 a month, without having any of it subtracted from his assistance grant, and up to $80 a month with one-half of the difference between $20 and $80 being subtracted from his assistance grant. On the basis of the 1960 study of the financial resources of old-age assistance recipients, it is apparent that if it is implemented in all States, the new provision would permit fully three-quarters of the old-age assistance recipients in the country with personal incomes to retain all the money they earn; and since only sixth-tenths of 1 percent of the old-age assistance recipients with incomes earn more than $75 a month, 99 percent of these recipients will benefit from the amendment.

It is extremely desirable, in my opinion, to have this principle covered in our old-age assistance legislation, because it permits our elderly citizens to contribute to their self-support and their self-respect by earning a few dollars of pin money in occasional employment, each month. I congratulate the House on its action; and I hope very much that the Senate will agree to it, and that this provision will therefore be retained in the final version of House bill 6675.

EXHIBIT I

DISREGARD OF EARNED INCOME FOR PERSONS 65 AND OLDER (OF THE FIRST $50 PER MONTH OF EARNINGS, NOT MORE THAN THE FIRST $10 THEREOF PLUS ONE-HALF OF THE REMAINDER) AS REPORTED MARCH 31, 1965

Plan material submitted—23 jurisdictions: Arkansas, California, Delaware, District of Columbia, Florida, Georgia, Illinois, Kansas, Kentucky, Louisiana, Maryland, Missouri, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, Puerto Rico, Vermont, Virgin Islands, Virginia, and Washington.

Legislation enacted in 1965 session; plan material not yet submitted—two jurisdictions: South Dakota and Wyoming.

Legislation pending (1965 session)—two jurisdictions: Massachusetts and Wisconsin.

Interested, but no action yet taken—five jurisdictions: Connecticut, Iowa, Maine, Pennsylvania, and South Carolina.

Will not implement at present—22 jurisdictions: Alabama, Alaska, Arizona, Colorado,[1] Guam, Hawaii, Idaho, Indiana, Michigan, Minnesota,[1] Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina,[1] Ohio, Rhode Island, Tennessee, Texas, Utah, and West Virginia.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I have a speech which I wish to make on third reading. It would take me no more than 20 minutes to make it. If Senators are eager to make their plane connections or to meet other commitments, I am willing to make the speech later, provided other Senators will give the Senate the same consideration.

Mr. KUCHEL. Mr. President, the minority has 32 minutes available to it. If no Senators wish to use any more time, I shall be glad to yield back the remainder of my time.

Mr. LONG of Louisiana. If we can have unanimous consent that speeches subsequently made will appear prior to the final vote, I am ready to yield back the remainder of my time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. That is in case anyone has any doubt whether their remarks will appear in the RECORD. I yield back the remainder of my time.

Mr. KUCHEL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER (when his name was called). On this vote I have a pair with the senior Senator from Missouri [Mr. SYMINGTON]. If he were present and voting he would vote "yea." If I had the privilege of voting, I would vote "nay." I withhold my vote.

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[1] Considered by 1963 legislature, not enacted.

Mr. HICKENLOOPER (when his name was called). On this vote I have a pair with the Senator from Arkansas [Mr. Fulbright]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Nebraska [Mr. Hruska]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. MILLER (when his name was called). On this vote I have a pair with the Senator from Wyoming [Mr. McGee]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Wyoming [Mr. McGee] and the Senator from Georgia [Mr. Russell] are absent on official business.

I further announce that the Senator from Arkansas [Mr. Fulbright] and the Senator from Missouri [Mr. Symington] are necessarily absent.

I further announce that, if present and voting, the Senator from Georgia [Mr. Russell] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Illinois [Mr. Dirksen] is necessarily absent.

The Senator from Nebraska [Mr. Hruska] and the Senator from Kansas [Mr. Pearson] are absent on official business.

On this vote, the Senator from Illinois [Mr. Dirksen] is paired with the Senator from Kansas [Mr. Pearson]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Kansas would vote "nay."

The pair of the Senator from Nebraska [Mr. Hruska] has been previously announced.

The result was announced—yeas 68, nays 21, as follows:

[No. 176 Leg.]

YEAS—68

Aiken
Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dodd
Douglas
Fong
Gore
Gruening
Hart
Hartke
Hayden
Hill
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Sparkman
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—21

Allott
Bennett
Byrd, Va.
Curtis
Dominick
Eastland
Ervin
Fannin
Harris
Holland
Jordan, Idaho
Morton
Mundt
Murphy
Robertson
Simpson
Stennis
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—11

Dirksen
Ellender
Fulbright
Hickenlooper
Hruska
Mansfield
McGee
Miller
Pearson
Russell, Ga.
Symington

So the bill (H.R. 6675) was passed.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. Without objection, the title of the bill will be appropriately amended.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the bill (H.R. 6675) be printed with the Senate amendments numbered, and that in the engrossment of the amendments the Secretary of the Senate be authorized to make all necessary technical and clerical changes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. Byrd of Virginia, Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Williams of Delaware, and Mr. Carlson conferees on the part of the Senate.

INTERSTATE COMMERCE ACT AMENDMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 5401, and that H.R. 5401 be made the pending business.

The VICE PRESIDENT. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 5401) to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none; and the Commerce Committee is discharged from further consideration of the bill.

Is there objection to the present consideration of the bill?

Mr. MANSFIELD. Mr. President, I move to amend H.R. 5401 by striking out all after the enacting clause and inserting in lieu thereof the text of S. 1727, Calendar No. 373, the Senate companion bill, as reported by the committee.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

Mr. MANSFIELD. It is my understanding that the bill (S. 1727) which was considered and passed by the Senate earlier is subject to a few questions to be asked by the distinguished Senator from South Carolina of the Senator in charge of the bill, the distinguished Senator from Ohio [Mr. Lausche], so that the measure can be finally disposed of.

First, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 387), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

INTRODUCTION

S. 1727 contains provisions to strengthen enforcement efforts against illegal carriage and to require motor carriers and freight forwarders to pay reparations to shippers charged unlawfully high rates.

NEED FOR PROPOSED LEGISLATION

Illegal transportation is a major problem requiring action by Congress. Illegal transportation is big business. The Interstate Commerce Commission, on the basis of road checks in 42 States, has estimated that it involves a minimum of $500 million a year. Other experts feel the cost of illegal transportation is even higher, amounting to from $1 to $5 billion a year. These experts base this higher estimate on the obvious shortcomings of the 42 State road checks in which many of the illegal carriers escaped detection.

While the annual cost of a billion dollars or more is a direct measure of the revenue lost by the regulated carriers, both truckers and railroads, to illegal transportation, the problem is more serious than that. The loss is serious in terms of the common carrier industry because these carriers are the backbone of our national transportation industry. These regulated carriers are of crucial importance because of their public interest obligation to serve all of the public, in virtually every community in America, in good weather and in bad, and in good times and in bad. Without common carriers with a universal obligation to serve, transportation would quickly deteriorate into a means of promoting the economic activity of a few. The public interest requires that we protect these carriers against the abuses of illegal carriers who assume no public responsibility.

The presence of highway poachers also penalizes the shipper, the community, and the public more directly. The illegal operator often evades tax laws as well as transportation laws, and the law abiding must pay the difference. The public also pays more for goods, because freight moved illegally takes revenues from the lawful common carriers, causing their rates to be raised to pay the fixed operating costs of labor, maintenance, and equipment. Furthermore, the evidence to date indicates that illegal truckers are far more prone to highway accidents than are the lawful operators.

This problem has been called the "gray area" of transportation. This is a misnomer. The problem is black and not gray. It arises from illegal transportation, although such illegal operations are frequently masked under various disguises and facades to give them the appearance of legality.

Combating illegal carriage is not an easy task, and even with new enforcement tools, the illegal operator will not be driven off the highways. S. 1727 would muster new weapons in this legal fight against unlawful carriage. It would increase the penalties for unlawful transportation activities, ease some of the legal burdens which handicap the enforcement efforts of the Interstate Commerce Commission, and provide new means of legal recourse for those damaged by illegal operations. Furthermore, S. 1727 would clear the way for improved enforcement cooperation between the Interstate Commerce Commission and the various State commissions.

Federal-State cooperation, with primary emphasis on State action, is a sound and effective means of proceeding. The States share with the Federal Government an equal interest in fighting illegal carriage. Only a cooperative, coordinated enforcement effort can end illegal carriage.

Section 1 of S. 1727 would authorize the ICC to enter into cooperative agreements with the States to enforce Federal and State regulations concerning highways transportation. The rapid growth of communication between the ICC and the States would improve enforcement. Section 2 of S. 1727 would assist in the complete implementation by the States of existing operating authority registration statutes. While multistate carriers could comply with uniform standards of registration in a relatively simple operation, the illegal interstate carrier could be subject to State penalties for failure to register.

The approach embodied in S. 1727 has won solid and widespread support from virtually all segments of our highly competitive transportation system. S. 1727 is supported by, among others, the National Association of Railroad and Utilities Commissioners, the Transportation Association of America, the U.S. Chamber of Commerce, the American Trucking Association, the Association of American Railroads, the Interstate Commerce Commission, and the Department of Commerce.

The enactment of S. 1727 would be an effective, positive step toward ending the problem of illegal transportation, and thereby strengthening and improving our national transportation system.

Mr. LAUSCHE. Mr. President, the bill which was ordered reported unanimously by the Senate Commerce Committee would improve the national transportation system by strengthening enforcement efforts against illegal trucking, and by requiring motor carriers and freight forwarders to pay reparations for unreasonable or discriminatory rates.

The first two sections of the bill would permit increased Federal and State cooperation in curbing unlawful carriage, and other regulatory efforts. Federal-State cooperation, with primary emphasis on State action, is a sound and effective means of proceeding. The States share with the Federal Government an equal interest in fighting illegal carriage. Only a cooperative, coordinated enforcement effort can end illegal carriage.

Section 1 of S. 1727 would authorize the ICC to enter into cooperative agreements with the States to enforce Federal and State regulations concerning highway transportation. The rapid growth of communication between the ICC and the States should improve enforcement.

Section 2 of S. 1727 would assist in the complete implementation by the States of their existing operating authority registration statutes. While truckers operating in many States could comply with the uniform standards of registration in a relatively simple operation, the illegal interstate trucker would be subject to State penalties for failure to register. The committee added an amendment to this section to provide for situations where motor carriers may be self-insurers.

The next two provisions of the bill would assist the Interstate Commerce Commission in its enforcement work against illegal truckers.

Section 3 would extend the civil forfeiture provisions presently in the Interstate Commerce Act to unlawful truck operations, and would increase the amount of such fines.

Section 4, paragraph 1, would broaden the provisions of the act to enable the ICC to obtain service of process upon motor carriers or brokers and to join other necessary parties without regard to where the carrier or other party may be served.

These first four provisions of the bill were based on recommendations to the committee by the ICC. The Commission urged their enactment because they would greatly assist the ICC in its efforts to combat the threat to the preservation of a sound common carrier system posed by unlawful transportation. In its latest annual report, the ICC pointed out that illegal carriage, like a strain of virus adapting to antibiotics, is employing new disguises and devices for the evasion of regulation, with resulting serious impairment to the health of our regulated carriers.

Illegal trucking is big business, involving a minimum of half a billion dollars a year. Some experts estimate that the cost of illegal transportation could be even higher, amounting to from $1 to $5 billion a year.

While the annual cost of a billion dollars or more is a direct measure of the revenue lost by the regulated carriers, both truckers and railroads, to illegal transportation, the problem is more serious than that. The loss is serious in terms of our common carrier industry because these carriers are the backbone of our national transportation industry.

The public interest requires that we protect these carriers against the abuses of illegal carriers who assume no public responsibility.

The presence of these illegal truckers penalizes the shipper, the community, and the public more directly. The illegal operator often evades tax laws as well as transportation laws, and the law abiding must pay the difference. The public also pays more for goods because freight moved illegally takes revenues from the lawful common carriers, causing their rates to be raised to pay the fixed operating costs of labor, maintenance and equipment. Furthermore, the evidence to date indicates that illegal truckers are far more prone to highway accidents than are the lawful operators.

Under section 3 of this bill, a civil forfeiture action could be brought against a for-hire motor carrier for transporting property without a required certificate or permit. The testimony of the ICC at the hearings on this bill before the Surface Transportation Subcommittee indicated that the procedures under existing law for dealing with certain motor carrier violations are often slow and cumbersome, and sometimes ineffective. The civil forfeiture proceedings, which would be authorized under this bill, could be instituted wherever the illegal trucker could be found, and the quantum of proof required would not be as great as that in a criminal proceeding. The fine that could be levied would be up to $500 for each count, permitting a court to levy substantial fines for flagrant violations.

Under section 4, paragraph 1, the service of process provisions would be broadened to enable the ICC to obtain service of process upon motor carriers or brokers, and to join other necessary parties without regard to where the carrier or other party may be served.

This provision is necessary because these illegal operators, so-called gypsy truckers, move rapidly about the country, and often have no fixed headquarters or agent to receive service of process. Under this provision, the shipper participating with the trucker in evading the law, could be joined in the action without regard to the limits of service under present Federal rules.

The committee amended section 3 as introduced to delete a proviso which the ICC pointed out was unnecessary and to delete the extension of civil forfeiture fines to safety violations. Testimony before the Surface Transportation Subcommittee indicated that safety regulation compliance has been a problem with respect to those who do not otherwise comply with the law, and civil forfeiture fines would be helpful to the ICC in this important area. The imposition of such fines would also provide equality of treatment of competing modes inasmuch as railroads are subject to such fines for failure to comply with safety requirements.

It was pointed out to the committee, however, that as presently written, the ICC's rules and regulations number in the hundreds, and include not only major infractions, but also comparatively minor infractions such as burned-out side marker lights. In view of this, the committee determined at this time to amend the bill to eliminate civil forfeiture fines for safety violations. If the Commission revises its regulations to separate major infractions, the committee has indicated in its report that it could look with favor upon the inclusion in this section of such major infractions.

The second paragraph of section 4 would afford injured parties a measure of self-protection against operations which are openly and obviously unlawful. It would permit injured parties, for the most part the common carriers who are suffering from the competition of those who operate illegally, to end flagrant violations of the law. It will relieve the already overburdened enforcement personnel of the Commission of the necessity of handling obviously routine enforcement cases. This weapon against illegal operations is an adjunct and supplement to the Commission's activities, and is in no way intended to be a substitute for them.

While legitimate common carriers, both rail and motor, have suffered from the competition of illegal operators carrying goods in interstate commerce without the requisite operating authority, they have had no right under the law to protect themselves through court action to enjoin such illegal activities. Self-help is a highly valued law enforcement procedure. The alternative would be to build up in the Commission a giant Federal police force, which could require the employment of thousands of additional investigators to handle these problems. The committee did not wish to do this.

The language of this section makes it clear that private suits could be entertained only in those cases where the violation complained of, and for which relief is sought, is a clear and patent violation of the law. Only these operations, which openly and obviously are outside operating authority requirements of the Interstate Commerce Act, could be restrained.

As a protection against any possible malicious use of process, and as a bar to numerous harassing lawsuits, this section requires the posting of a bond, and calls for the recovery of attorney's fees and court costs where the action is not warranted by the facts and circumstances.

In order to insure that the courts could not be used to decide initially cases involving important issues of transportation law or policy, the committee ordered an amendment as follows:

> (3) any action brought under subsection (b)(2) of this section, the Commission may notify the district court of the United States in which such action is pending that it intends to consider the matter in a proceeding before the Commission. Upon the filing of such a notice the court shall stay further action pending disposition of the proceeding before the Commission.

The language of the bill as introduced requires that a copy of the application for relief be served upon the Commission, and that a certificate showing such service be included in the application. The Commission was given authority to appear as of right in any such action. With the addition of the committtee amendment, there would be ample and adequate protection for shippers and carriers who fear that the Commission might be deprived of an opportunity to decide initially cases involving important issues of transportation law or policy. The ICC has informed the committee that it has no objection to this self-help provision.

The committee also amended this section to delete a so-called primary business test proviso. The ICC pointed out to the committee that this proviso was unnecessary, and that they feared that the courts might construe this unnecessary clause as some indication of congressional intent to require that all enforcement actions involving unlawful operations must first be considered by the Commission.

This section, as amended, with these restrictions and limitations, would not permit a large number of uncalled for suits.

If it appears at a subsequent time that these provisions are being used improperly, it would be the intention of the subcommittee to propose a change in the law to remedy the situation.

The last two sections of the bill, sections 5 and 6, would permit shippers to recover reparations from motor carriers and freight forwarders. These sections would allow a court of competent jurisdiction to award shippers reparations, which are charges for transportation in accordance with filed tariffs to the extent that the ICC subsequently finds the charges to have been unjust and unreasonable, or unjustly discriminatory or unduly preferential or prejudicial.

This section would restore a procedure formerly available to shippers before the 1959 Supreme Court decision in T.I.M.E. case.

There are reparations provisions now in effect in part I of the act—relating to railroads—and part III, relating to water carriers. By the addition of this section, a measure of equality of treatment of all modes as to reparations would be provided.

In closing, I would like to point out that this bill is supported by the ICC, the Department of Commerce and the National Association of Railroad and Utilities Commissioners. It is also supported by the truckers and railroads, and is not opposed by the water carriers, freight forwarders or the Bus Owners Association. The bill is supported by two active organizations representing shippers, investors and users of transportation, the U.S. Chamber of Commerce, and the Transportation Association of America. The Private Carrier Conference of the American Trucking Association, one of the largest organizations representing only private carriers in America, does not oppose the bill. The various farm organizations of America have indicated that they have no objection to the bill as amended. The Senate passed S. 2560, containing these same provisions and others, on June 29, 1962. The House bill, H.R. 5401, contains provisions virtually identical to those in the amended bill, as well as other provisions.

The bill deals with the transportation industry of the country. The purpose of the bill is to prevent uncertified carriers of property and passengers in commerce from infringing on the business of certified carriers of the Nation. It deals primarily with the carriers of merchandise and passengers on the highways of our Nation. In many instances, carriers not certified have been exercising the authority of certified carriers. The bill contemplates remedying that situation.

Mr. THURMOND. Mr. President, I should like to propound a question to the able and distinguished Senator from Ohio on this subject. I should like to ask the following question: It has been brought to my attention that there is some concern on the part of private carriers as to the possibility of harassment under the provisions of section 4(2). Would the Senator explain this section and discuss what safeguards are included in the bill to prevent harassment.

Mr. LAUSCHE. Section 4(2) contemplates giving to injured parties an action at law against private carriers who have usurped powers that do not belong to them. An injured party can go into court and file an action asking for injunctive relief. When he does so, he must prove, first, that the defendant has been a patent and open violator of the law. Before the court can grant injunctive relief, the plaintiff must show as a matter of jurisdiction that there has been a clear and patent violation; second, the plaintiff must post a bond adequate to indemnify for damages, attorney's fees and court costs in the event the defendant is held to be in the right at the end of the action.

Over and above that, the members of the Interstate Commerce Commission finally included in the bill a provision that whenever an action of this type is brought in a court, the members of the Interstate Commerce Commission may intervene and ask the court to suspend the proceedings so as to allow the Commission to handle the matter in the normal processes.

To summarize: First, the plaintiff must show that there is a clear and patent violation before the court can take jurisdiction.

Second, the plaintiff, before he can obtain injunctive relief, must post a bond guaranteeing to indemnify the defendant for damages sustained, the attorneys fees paid, and court costs entailed.

Third, to keep the subject within the old proceedings, the Interstate Commerce Commission may intervene in the lawsuit and ask that the proceedings be suspended so as to allow the Commission to handle the matter in the normal processes.

Mr. THURMOND. Mr. President, I thank the Senator from Ohio for his assurances. I think that makes the record clear on this subject.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LAUSCHE. I wish to commend the chairman of the committee for his active participation in this matter.

Mr. MAGNUSON. I asked the Senator from Ohio to yield so that I could commend him for his fine work in holding these hearings, which involved a very serious matter in transportation. The real backbone, the strength of our transportation system in this country, is the common carrier. What we have tried to do under all the laws of the United States that we have passed, from the Motor Carrier Act on, is to allow the common carrier to proceed in the pursuit of his business without interference from the illegal carrier in what has been termed the gray area in transportation.

The Senator from Ohio held extensive hearings and carefully considered the question involved. The Interstate Commerce Commission worked with him. This is an important step forward in strengthening the common carrier system of the United States.

Mr. THURMOND. Mr. President, I, too, thank the distinguished chairman of the Committee on Commerce for his statement on this matter.

The VICE PRESIDENT. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill be read a third time.

The bill (H.R. 5401) was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask that Senate bill 1727 be indefinitely postponed. I understand that will remove it from the calendar, as well.

The VICE PRESIDENT. Without objection, Senate bill S. 1727 is indefinitely postponed.

ADDITIONAL COSPONSORS OF S. 2180

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 2180 may lie at the desk until July 15, so that additional Senators may have the opportunity to cosponsor the measure. I do this at the request of the Senator from Wyoming [Mr. McGEE].

The VICE PRESIDENT. Without objection, it is so ordered.

NATIONAL WHEAT MARKETING REFERENDUM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 411, H.R. 9497.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 9497) to extend the time for conducting the referendum with respect to the National Marketing Quota for Wheat for the marketing year beginning July 1, 1966.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. YOUNG of North Dakota. Mr. President, the bill would extend from August 1, 1965, until 30 days after the adjournment sine die of the first session of the 89th Congress the time within which the Secretary of Agriculture is required by law to conduct a marketing quota referendum with respect to the 1966 crop of wheat. I ask unanimous consent that an explanation contained in the report be printed in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

> The Agricultural Act of 1964 provided for voluntary wheat marketing certificate programs in 1964 and 1965. In the absence of further legislation the law providing for mandatory marketing quotas will be applicable to the 1966 crop, and marketing quotas for that crop have been proclaimed and must be submitted to a produced referendum not later than August 1, 1965. However, both the Committee on Agriculture and Forestry of the Senate and the House Committee on Agriculture are actively considering bills providing for voluntary programs, and passage of any of these bills would make the referendum unnecessary. Passage of the bill could therefore result in avoidance of an unnecessary referendum, the costs attendant thereto, and the confusion which might well result therefrom.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 9497) was ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. KUCHEL. Mr. President, will the able majority leader yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. Will the majority leader indicate what exertions he contemplates using in next week, on Monday, Tuesday, and thereafter, if he can?

LEGISLATIVE APPROPRIATIONS—1966

Mr. MANSFIELD. Mr. President, I ask consent that the Senate proceed to the consideration of Calendar No. 410, H.R. 8775, making appropriations for the legislative branch.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8775) making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

Mr. MANSFIELD. This will be the pending business.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. MONDAY, JULY 12, 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it adjourn until 11 o'clock a.m. on Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, on Monday, the first order of business will be the bill making appropriations for the legislative branch.

That bill will be followed by Calendar No. 372, H.R. 7997, making appropriations for sundry independent offices, executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1966. The bill will be in charge of the chairman of the Committee on Commerce, the distinguished Senator from Washington [Mr. MAGNUSON].

That bill will be followed by Calendar No. 409, H.R. 8370, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966.

That bill will be followed on Wednesday, I assume at this time, by Calendar No. 366, S. 2213, the so-called housing bill.

In between and afterward, we shall try, mutually, to bring up other pieces of legislation for consideration, if time allows.

Mr. KUCHEL. I thank the able Senator from Montana.

COPPER TRAY PRESENTED BY THE OFFICIAL REPORTERS OF SESSIONS OF THE SENATE OF CHILE TO THE OFFICIAL REPORTERS OF DEBATES OF THE U.S. SENATE

Mr. YARBOROUGH. Mr. President, recently, when I visited the office of our official reporters of debates, I observed, prominently displayed in a handsome glass and mahogany case which is placed upon the carved marble mantel in that room, an especially beautiful copper tray which bears the following inscription in Spanish:

> Del personal de la Redaccion de Sesiones del Senado de Chile a sus colegas del Senado Norteamericano—1964.

The translation into English is as follows:

> From the personnel of the Reporters of Sessions of the Senate of Chile to their colleagues of the North American Senate—1964.

I take great pleasure in holding the tray in my hands at this time, for all to see.

Mr. President, this is a tribute to the aid that our able official reporters gave to the reporters of Chile.

Upon making inquiry, Mr. President, I was informed that the presentation of this gracious gift to our reporters of debates followed a visit which Dr. Rene Vuskovic Braco, of Santiago, Chile, one of the reporters of sessions of the Senate of Chile, made to the U.S. Senate.

Mr. President, at a time when so much thought and attention are being devoted by all men of good will to the increase of international friendship and understanding, it is, indeed, inspiring to observe this quiet, but most impressive, manifestation by our friends in Chile of their warm friendship, good will, and high regard for their counterparts in the U.S. Senate.

I am hopeful that people at other levels of the U.S. Government will practice the same good-neighbor relationship toward Latin America that our kindly, able reporters have done, as is exhibited by the token of friendship presented to them by the reporters of Chile.

I know that I voice the sentiments of all Members of the U.S. Senate when I extend to these distinguished citizens of our sister Republic in the Southern Hemisphere our heartfelt and sincere appreciation of this lasting token of their enduring friendship.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the letter sent by our official reporters of debates, Mr. Gregor Macpherson and Mr. Herbert N. Budlong, to the reporters of the Senate of Chile.

There being no objection, the letter was ordered to be printed in the Record, as follows:

By Airmail

January 4, 1965.

Dr. Rene Vuskovic Bravo,
Gay 1941,
Santiago, Chile.

Dear Dr. Vuskovic: Upon our return to the Senate today, following its period of adjournment, we and our colleagues were delighted to find the beautiful inscribed copper tray which you so kindly sent to the Official Reporters of Debates of the Senate of the United States of America.

We thank you very much indeed for your splendid gift, which warms our hearts. We shall have it permanently displayed in a prominent place in our office here in the Senate; and it will be a constant reminder of your friendship, which we value so highly.

Please be assured that we shall always be happy to welcome you here whenever you find it possible to visit us in the future.

Cordially yours,

Gregor Macpherson,
Herbert N. Budlong,
Official Reporters of Debates.

Mr. YARBOROUGH. I am especially glad to be able to invite attention to this token because of the exchange between the University of my State of Texas and the University of Chile, under which from 15 to 20 students from Texas spend 6 weeks each year in Chile, while students from Chile spend a time in the United States.

This kindly assistance and fine token of appreciation exchanged between legislative reporters of two democratic bodies in these republics will do far more to strengthen friendship between nations than any secret missions.

I congratulate our able Official Reporters of Debates.

SCENIC DEVELOPMENT AND ROAD BEAUTIFICATION OF OUR FEDERAL AID HIGHWAY SYSTEM

Mr. RANDOLPH. Mr. President, S. 2084 was introduced by the senior Senator from West Virginia on June 3, 1965. This measure was introduced on behalf of the administration and is more popularly known as the scenic development road beautification of our Federal aid highway system.

It is my plan, as chairman of the Subcommittee on Public Roads, to open hearings on the bill. There are four proposals within the so-called important package that we shall consider. It is planned to open hearings on Tuesday, August 10.

I ask unanimous consent that the name of the distinguished junior Senator from Wisconsin [Mr. Nelson] be added as a cosponsor of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION ON MONDAY NEXT

Mr. MANSFIELD. Mr. President, I had forgotten to make the unanimous consent request earlier, but it has been cleared with the other side.

I ask unanimous consent that all committees may meet during the session of the Senate on Monday next until 12 o'clock noon.

The VICE PRESIDENT. Without objection, it is so ordered.

PROGRESS OF LEGISLATION

Mr. MANSFIELD. Mr. President, with the historic passage of the health care bill, the Senate has completed its work on the "big four" pieces of domestic legislation in which the President has been most interested. I refer specifically to the bills relating to Appalachia, aid to education, voting rights, and health care, the latter passed this evening. The Senate, in passing these important measures, has acted responsibly and efficiently on a vitally important domestic legislative program. I commend this entire body.

Special congratulations must be extended tonight for the fine work of the Senate on the health care legislation.

I think that is is only proper at this time to extend my sincere thanks and gratitude and my highest commendations to the distinguished manager of the bill, the able junior Senator from Louisiana [Mr. Long], who did his usual tremendous job of steering the bill to a successful conclusion. He has managed many important bills on this floor and again this time, as always, he did so with unmatched skill.

I believe also that great honor should go to the distinguished Senator from New Mexico [Mr. Anderson], who has been, in many respects, the father of this particular legislation for so many years, and whose advice and counsel has been valued during all that time.

Particular mention should be made of the contributions of the distinguished Senator from Florida [Mr. Smathers], who did so much for the passage of this legislation, the distinguished Senator from Illinois [Mr. Douglas], the distinguished Senator from Tennessee [Mr. Gore], the distinguished Senator from Georgia [Mr. Talmadge], the distinguished Senator from Minnesota [Mr. McCarthy], the distinguished Senator from Indiana [Mr. Hartke], the distinguished Senator from Arkansas [Mr. Fulbright], and last, but by no means least, a former Secretary of the Department of Health, Education, and Welfare, the distinguished Senator from Connecticut [Mr. Ribicoff], who made such a profound contribution.

I would be remiss if I did not mention the cooperation and the understanding of the distinguished chairman of the Committee on Finance, the senior Senator from Virginia [Mr. Byrd], who, although he was against the bill, in his usual courteous and gracious manner, did nothing to delay the bill, but, in effect, speeded up the hearings so that the matter could be brought to the floor for final consideration, debate, and a vote. Despite the fact that he was suffering from an illness, he came to the floor today because of his interest in this particular measure. I salute him for the cooperation which he has consistently shown.

I pay special tribute also to those on the other side of the aisle, the distinguished minority leader, the junior Senator from Illinois [Mr. Dirksen], who is now in the hospital unfortunately, but who, I hope, will be back shortly, the distinguished Senator from Kentucky [Mr. Morton], the distinguished Senator from Nebraska [Mr. Curtis], who was opposed to the bill, but who fought it cleanly and with vigor, the distinguished Senator from Utah [Mr. Bennett], the distinguished Senator from Kansas [Mr. Carlson], and most important, the distinguished senior Senator from Delaware [Mr. Williams], the senior Republican on the Finance Committee, who did much to bring this bill to a successful conclusion, even though he personally was opposed to it.

The senior Senator from Delaware [Mr. Williams] was responsible, in large part, for bringing about a limitation of debate and a speeding up of the consideration. I pay special tribute to him for the understanding and cooperation which he has shown.

Mr. President, in other words, I commend the entire Committee on Finance for the good work that they have done in this respect, regardless of their positions on the legislation which has just been passed. Many other Senators have contributed greatly to the consideration of this legislation. I express to the Committee on Finance and to the Senate the personal gratification of the leadership for the understanding, tolerance, and courtesies shown. The entire Senate can take just pride in the way in which it conducted its deliberations on this most important measure.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Comptroller General

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on possible additional procurement costs resulting from award of subcontract for radio antenna systems on a sole-source basis, Department of the Army, dated June 1965 (with an accompanying report); to the Committee on Government Operations.

Suspension of Deportation of Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a complete and detailed statement of facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

S.J. Res. 83. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass. (Rept. No. 427).

By Mr. LAUSCHE, from the Committee on Commerce, without amendment:

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act (Rept. No. 430).

By Mr. MONRONEY, from the Committee on Commerce, without amendment:

S. 1021. A bill to amend title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles" (Rept. No. 429).

AMENDMENT OF SECTION 502 OF MERCHANT MARINE ACT—REPORT OF A COMMITTEE—SUPPLEMENTAL AND INDIVIDUAL VIEWS (S. REPT. NO. 428)

Mr. BARTLETT. Mr. President, from the Committee on Commerce, I report favorably, without amendment, the bill (H.R. 4346) to amend section 502 of the Merchant Marine Act, 1936, relating to construction differential subsidies, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the supplemental views of Senators DOMINICK and PROUTY, and the individual views of the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alaska.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of May 1965. In accordance with the practice of several years' standing I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report and statement are as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, MAY 1965 AND APRIL 1965, AND PAY, APRIL 1965 AND MARCH 1965

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for May 1965 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In May numbered—	In April numbered—	Increase (+) or decrease (−)	In April was—	In March was—	Increase (+) or decrease (−)
Total [1]	2,479,493	2,477,616	+1,877	$1,455,149	$1,498,683	−$43,534
Agencies exclusive of Department of Defense	1,452,680	1,455,147	−1,467	850,597	876,390	−25,793
Department of Defense	1,026,813	1,022,469	+4,344	604,552	622,293	−17,741
Inside the United States	2,319,300	2,317,678	+1,622			
Outside the United States	160,193	159,938	+255			
Industrial employment	545,387	544,012	+1,375			
Foreign nationals	130,750	131,361	−611	24,641	24,676	−35

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during May 1965, and comparison with April 1965, and pay for April 1965, and comparison with March 1965*

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	104,012	100,890	3,122		$56,972	$58,669		$1,697
Commerce	33,044	32,914	130		23,157	23,566		409
Health, Education, and Welfare	84,263	83,915	348		49,690	50,416		726
Interior	65,384	[1] 64,065	1,319		40,651	41,588		937
Justice	32,310	32,390		80	24,112	24,848		736
Labor	9,080	9,078	2		6,554	6,844		290
Post Office	596,096	596,536		440	316,512	328,735		12,223
State [2] [3]	40,490	[1] 40,544		54	25,603	24,252	$1,351	
Treasury	92,249	97,137		4,888	61,454	62,357		903
Executive Office of the President:								
White House Office	326	318	8		254	271		17
Bureau of the Budget	492	483	9		513	535		22
Council of Economic Advisers	46	40	6		43	47		4
Executive Mansion and Grounds	69	73		4	63	39	24	
National Aeronautics and Space Council	29	30		1	35	37		2
National Council on the Arts	27	4	23		4	3	1	
National Security Council	39	39			42	42		
Office of Economic Opportunity	1 125	1,199		74	348	302	46	
Office of Emergency Planning	389	374	15		357	369		12
Office of Science and Technology	127	142		15	57	54	3	
Office of the Special Representative for Trade Negotiations	26	27		1	31	32		1
President's Commission on the Assassination of President Kennedy	(4)	(4)			(4)	(4)		
President's Committee on Consumer Interests	11	11			9	9		
President's Committee on Equal Opportunity in Housing	11	11			9	10		1
President's Council on Equal Opportunity	14	10	4		(5)			
Independent agencies:								
Advisory Commission on Intergovernmental Relations	33	25	8		26	27		1
American Battle Monuments Commission	439	444		5	89	110		21
Appalachian Regional Commission	5	2	3		12		12	
Atomic Energy Commission	7,129	[1] 7,161		32	6,276	6,560		284
Battle of New Orleans Sesquicentennial Celebration Commission	1	1			(5)	(5)		
Board of Governors of the Federal Reserve System	634	635		1	476	498		22
Civil Aeronautics Board	820	823		3	752	784		32
Civil Service Commission	3,706	3,731		25	2,637	2,621	16	

See footnotes at end of table.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during May 1965, and comparison with April 1965, and pay for April 1965, and comparison with March 1965*—Continued

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Independent agencies—Continued								
Civil War Centennial Commission	4	4			$4	$4		
Commission of Fine Arts	6	6			5	5		
Commission on Civil Rights	94	89	5		68	67	$1	
Delaware River Basin Commission	2	2			3	3		
Export-Import Bank of Washington	291	295		4	230	224	6	
Farm Credit Administration	233	232	1		193	197		$4
Federal Aviation Agency	44,676	44,772		96	36,086	37,837		1,751
Federal Coal Mine Safety Board of Review	7	7			5	5		
Federal Communications Commission	1,502	1,502			1,212	1,270		58
Federal Deposit Insurance Corporation	1,415	1,434		19	1,050	1,090		40
Federal Development Planning Committee for Appalachia						11		11
Federal Field Committee for Development Planning in Alaska	3	1	2		3	2	1	
Federal Home Loan Bank Board	1,260	1,251	9		966	1,016		50
Federal Maritime Commission	238	238			213	221		8
Federal Mediation and Conciliation Service	417	412	5		423	441		18
Federal Power Commission	1,116	1,122		6	917	964		47
Federal Radiation Council	4	4			5	5		
Federal Trade Commission	1,130	1,134		4	970	1,017		47
Foreign Claims Settlement Commission	185	190		5	128	123	5	
General Accounting Office	4,120	4,142		22	3,172	3,306		134
General Services Administration	35,373	35,255	118		19,519	19,923		404
Government Printing Office	7,322	7,308	14		4,956	5,040		84
Housing and Home Finance Agency	13,498	13,528		30	9,685	10,117		432
Indian Claims Commission	20	20			23	26		3
Interstate Commerce Commission	2,390	2,393		3	1,916	1,998		82
National Aeronautics and Space Administration	33,130	33,099	31		30,090	29,185	905	
National Capital Housing Authority	435	422	13		219	232		13
National Capital Planning Commission	56	55	1		44	45		1
National Capital Transportation Agency	31	32		1	31	34		3
National Commission on Food Marketing	55	40	15		46	41	5	
National Commission on Technology, Automation and Economic Progress	9	9			7	5	2	
National Gallery of Art	316	313	3		154	164		10
National Labor Relations Board	2,122	2,110	12		1,733	1,808		75
National Mediation Board	124	135		11	128	109	19	
National Science Foundation	1,077	1,002	75		793	890		97
Panama Canal	14,921	15,281		360	6,045	6,071		26
President's Advisory Committee on Labor-Management Policy	1	1			1	1		
President's Committee on Equal Employment Opportunity	60	58	2		44	47		3
President's Review Committee for Development Planning in Alaska [6]	1		1					
Railroad Retirement Board	1,705	1,728		23	1,143	1,205		62
Renegotiation Board	179	184		5	185	195		10
St. Lawrence Seaway Development Corporation	159	158	1		117	115	2	
Securities and Exchange Commission	1,390	1,391		1	1,108	1,158		50
Selective Service System	7,458	7,383	75		2,615	2,702		87
Small Business Administration	3,640	3,591	49		2,655	2,762		107
Smithsonian Institution	1,901	1,875	26		1,052	1,016	36	
Soldiers' Home	1,112	1,109	3		395	412		17
Subversive Activities Control Board	26	26			29	30		1
Tariff Commission	276	275	1		234	241		7
Tax Court of the United States	151	151			148	153		5
Tennessee Valley Authority	16,505	16,395	110		11,075	11,428		353
U.S. Arms Control and Disarmament Agency	157	162		5	163	167		1
U.S. Information Agency	11,560	11,609		49	5,336	6,847		1,514
United States-Puerto Rico Commission on the Status of Puerto Rico	27	26	1		11	14		3
Veterans' Administration	[7] 166,335	[7] 167,821		1,486	86,385	90,658		4,273
Virgin Islands Corporation	28	312		284	121	118	3	
Woodrow Wilson Memorial Commission	1	1			([5])	([5])		
Total, excluding Department of Defense	1,452,680	1,455,147	5,570	8,037	850,597	876,390	2,438	28,231
Net decrease, excluding Department of Defense			2,467				25,793	
Department of Defense:								
Office of the Secretary of Defense	2,169	2,156	13		2,155	2,140	15	
Department of the Army	363,241	361,876	1,365		212,404	215,396		2,992
Department of the Navy	329,503	327,504	1,999		198,127	204,917		6,790
Department of the Air Force	293,158	292,270	888		168,426	176,187		7,761
Defense Atomic Support Agency	2,055	2,044	11		1,138	1,178		46
Defense Communications Agency	957	958		1	563	819		250
Defense Intelligence Agency	2,171	2,169	2		2,036	1,855	181	
Defense Supply Agency	33,023	32,953	70		19,361	19,447		86
U.S. Court of Military Appeals	40	40			41	42		1
Interdepartmental activities	11	9	2		7	6	1	
International military activities	53	55		2	49	50		1
Armed Forces information and education activities	432	435		3	245	256		11
Total, Department of Defense	1,026,813	1,022,469	4,350	6	604,552	622,293	197	17,938
Net change, Department of Defense			4,344				17,741	
Grand total, including Department of Defense [8] [9]	2,479,493	2,477,616	9,920	8,043	1,455,149	1,498,683	2,635	46,169
Net change, including Department of Defense			1,877				43,534	

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[1] Revised on basis of later information.

[2] May figure includes 14,978 employees of the Agency for International Development as compared with 15,019 in April and their pay. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The May figure includes 3,852 of these trust fund employees and the April figure includes 3,882.

[3] May figure includes 1,154 employees of the Peace Corps as compared with 1,191 in April and their pay.

[4] No employment or pay reported since January 1965. Agency due to expire in June 1965.

[5] Less than $500.

[6] New agency, created pursuant to Executive Order 11182 dated Oct. 2, 1964.

[7] May figure excludes 806 and April figure excludes 4,081 (for a total of 4,887 during the 2 months) intermittent consultants and attendings (doctors, nurses, dentists, etc.) on the Veterans' Administration rolls who were not paid during the month. Figures prior to April have not been adjusted to exclude such persons. For further information see appendix, p. 13.

[8] Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.

[9] Includes employment in the Job Corps by Federal agencies under the Economic Opportunity Act of 1964 (Public Law 88-452), as follows:

Agency	May	April	Change
Agriculture Department	731	512	+219
Interior Department	693	546	+147
Total	1,424	1,058	+366

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during May 1965, and comparison with April 1965*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	102,718	99,608	3,110	
Commerce	32,429	32,305	124	
Health, Education, and Welfare	83,593	83,255	338	
Interior	64,753	63,425	1,328	
Justice	31,939	32,026		87
Labor	9,005	9,001	4	
Post Office	594,482	594,927		445
State [1] [2]	11,273	[3] 11,220	53	
Treasury	91,535	96,429		4,894
Executive Office of the President:				
White House Office	326	318	8	
Bureau of the Budget	492	483	9	
Council of Economic Advisers	46	40	6	
Executive Mansion and Grounds	69	73		4
National Aeronautics and Space Council	29	30		1
National Council on the Arts	27	4	23	
National Security Council	39	39		
Office of Economic Opportunity	1,125	1,199		74
Office of Emergency Planning	389	374	15	
Office of Science and Technology	127	142		15
Office of the Special Representative for Trade Negotiations	26	27		1
President's Committee on Consumer Interests	11	11		
President's Committee on Equal Opportunity in Housing	11	11		
President's Council on Equal Opportunity	14	10	4	
Advisory Commission on Intergovernmental Relations	33	25	8	
American Battle Monuments Commission	7	7		
Appalachian Regional Commission	5	2	3	
Atomic Energy Commission	7,098	7,129		31
Battle of New Orleans Sesquicentennial Celebration Commission	1	1		
Board of Governors of the Federal Reserve System	634	635		1
Civil Aeronautics Board	820	823		3
Civil Service Commission	3,703	3,728		25
Civil War Centennial Commission	4	4		
Commission of Fine Arts	6	6		
Commission on Civil Rights	94	89	5	
Delaware River Basin Commission	2	2		
Export-Import Bank of Washington	291	295		4
Farm Credit Administration	233	232	1	
Federal Aviation Agency	43,594	43,668		74
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,497	1,497		
Federal Deposit Insurance Corporation	1,413	1,432		19
Federal Field Committee for Development Planning in Alaska	3	1	2	
Federal Home Loan Bank Board	1,260	1,251	9	
Federal Maritime Commission	238	238		
Federal Mediation and Conciliation Service	417	412	5	
Federal Power Commission	1,116	1,122		6
Federal Radiation Council	4	4		
Federal Trade Commission	1,130	1,134		4
Foreign Claims Settlement Commission	173	179		6
General Accounting Office	4,063	4,085		22
General Services Administration	35,344	35,225	119	
Government Printing Office	7,322	7,308	14	
Housing and Home Finance Agency	13,290	13,319		29
Indian Claims Commission	20	20		
Interstate Commerce Commission	2,390	2,393		3
Executive Office of the President—Continued				
National Aeronautics and Space Administration	33,113	33,083	30	
National Capital Housing Authority	435	422	13	
National Capital Planning Commission	56	55	1	
National Capital Transportation Agency	31	32		1
National Commission on Food Marketing	55	40	15	
National Commission on Technology, Automation, and Economic Progress	9	9		
National Gallery of Art	316	313	3	
National Labor Relations Board	2,088	2,076	12	
National Mediation Board	124	135		11
National Science Foundation	1,073	998	75	
Panama Canal	155	156		1
President's Advisory Committee on Labor-Management Policy	1	1		
President's Committee on Equal Employment Opportunity	60	58	2	
President's Review Committee for Development Planning in Alaska [4]	1		1	
Railroad Retirement Board	1,705	1,728		23
Renegotiation Board	179	184		5
St. Lawrence Seaway Development Corporation	159	158	1	
Securities and Exchange Commission	1,390	1,391		1
Selective Service System	7,280	7,227	53	
Small Business Administration	3,567	3,521	46	
Smithsonian Institution	1,879	1,852	27	
Soldiers' Home	1,112	1,109	3	
Subversive Activities Control Board	26	26		
Tariff Commission	276	275	1	
Tax Court of the United States	151	151		
Tennessee Valley Authority	16,501	16,392	109	
U.S. Arms Control and Disarmament Agency	157	162		5
U.S. Information Agency	3,456	3,467		11
United States-Puerto Rico Commission on the Status of Puerto Rico	19	18	1	
Veterans' Administration	165,357	166,838		1,481
Woodrow Wilson Memorial Commission	1	1		
Total, excluding Department of Defense	1,391,402	1,393,108	5,581	7,287
Net decrease, excluding Department of Defense			1,706	
Department of Defense:				
Office of the Secretary of Defense	2,119	2,108	11	
Department of the Army	314,145	313,192	953	
Department of the Navy	305,584	304,018	1,566	
Department of the Air Force	267,394	266,673	721	
Defense Atomic Support Agency	2,055	2,044	11	
Defense Communications Agency	904	906		2
Defense Intelligence Agency	2,171	2,169	2	
Defense Supply Agency	33,012	32,942	70	
U.S. Court of Military Appeals	40	40		
Interdepartmental activities	11	9	2	
International military activities	31	34		3
Armed Forces information and education activities	432	435		3
Total, Department of Defense	927.898	924,570	3,336	8
Net increase, Department of Defense			3,328	
Grand total, including Department of Defense	2,319,300	2,317,678	8,917	7,295
Net increase, including Department of Defense			1,622	

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[1] May figure includes 3,053 employees of the Agency for International Development as compared with 3,015 in April.

[2] May figure includes 764 employees of the Peace Corps as compared with 769 in April.

[3] Revised on basis of later information.

[4] New agency, created pursuant to Executive Order 11182 dated Oct. 2, 1964.

TABLE III.—*Federal personnel outside the United States employed by the executive agencies during May 1965, and comparison with April 1965*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,294	1,282	12	
Commerce	615	609	6	
Health, Education, and Welfare	670	660	10	
Interior	631	640		9
Justice	371	364	7	
Labor	75	77		2
Post Office	1,614	1,609	5	
State [1] [2]	29,217	29,324		107
Treasury	714	708	6	
Independent agencies:				
American Battle Monuments Commission	432	437		5
Atomic Energy Commission	31	32		1
Civil Service Commission	3	3		
Federal Aviation Agency	1,082	1,104		22
Federal Communications Commission	5	5		
Federal Deposit Insurance Corporation	2	2		
Foreign Claims Settlement Commission	12	11	1	
General Accounting Office	57	57		
General Services Administration	29	30		1
Housing and Home Finance Agency	208	209		1
National Aeronautics and Space Administration	17	16	1	
National Labor Relations Board	34	34		
National Science Foundation	4	4		
Panama Canal	14,766	15,125		359
Selective Service System	178	156	22	
Small Business Administration	73	70	3	
Independent agencies—Continued				
Smithsonian Institution	22	23		1
Tennessee Valley Authority	4	3	1	
U.S. Information Agency	8,104	8,142		38
United States-Puerto Rico Commission on the Status of Puerto Rico	8	8		
Veterans' Administration	978	983		5
Virgin Islands Corporation	28	312		284
Total, excluding Department of Defense	61,278	62,039	74	835
Net decrease, excluding Department of Defense			761	
Department of Defense:				
Office of the Secretary of Defense	50	48	2	
Department of the Army	49,096	48,684	412	
Department of the Navy	23,919	23,486	433	
Department of the Air Force	25,764	25,597	167	
Defense Communications Agency	53	52	1	
Defense Supply Agency	11	11		
International military activities	22	21	1	
Total, Department of Defense	98,915	97,899	1,016	
Net increase, Department of Defense			1,016	
Grand total, including Department of Defense	160,193	159,938	1,090	835
Net increase, including Department of Defense			255	

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[1] May figure includes 11,925 employees of the Agency for International Development as compared with 12,004 in April. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The May figure includes 3,852 of these trust fund employees and the April figure includes 3,882.

[2] May figure includes 390 employees of the Peace Corps as compared with 422 in April.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during May 1965, and comparison with April 1965*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,614	3,621		7
Commerce	5,909	5,726	183	
Interior	9,944	9,822	122	
Post Office	268	268		
Treasury	5,521	5,477	44	
Independent agencies:				
Atomic Energy Commission	257	257		
Federal Aviation Agency	2,514	2,508	6	
General Services Administration	2,247	2,223	24	
Government Printing Office	7,322	7,308	14	
National Aeronautics and Space Administration	33,130	33,099	31	
Panama Canal	7,116	7,345		229
St. Lawrence Seaway Development Corporation	157	157		
Tennessee Valley Authority	13,333	13,252	81	
Virgin Islands Corporation	28	312		284
Total, excluding Department of Defense	91,360	91,375	505	520
Net decrease, excluding Department of Defense				15
Department of Defense:				
Department of the Army:				
Inside the United States	[1] 133,651	[2] 134,148		497
Outside the United States	[1] 4,418	[2] 4,460		42
Department of the Navy:				
Inside the United States	185,241	183,921	1,320	
Outside the United States	1,622	1,506	116	
Department of the Air Force:				
Inside the United States	126,373	125,917	456	
Outside the United States	1,146	1,157		11
Defense Supply Agency: Inside the United States	1,576	1,528	48	
Total, Department of Defense	454,027	452,637	1,940	550
Net increase, Department of Defense			1,390	
Grand total, including Department of Defense	545,387	544,012	2,445	1,070
Net increase, including Department of Defense			1,375	

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[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from table I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of May 1965, and comparison with April 1965*

Country	Total		Army		Navy		Air Force	
	May	April	May	April	May	April	May	April
Crete	75	75					75	75
England	2,130	2,303	106	106	98	101	1,926	1,996
France	14,607	14,590	11,385	11,350	9	9	3,213	3,231
Germany	65,750	66,265	55,506	55,931	69	70	10,175	10,264
Greece	308	309			38	39	270	270
Japan	41,499	41,534	14,148	14,139	12,287	12,309	15,064	15,086
Korea	5,435	5,434	5,435	5,434				
Morocco	533	536			533	536		
Netherlands	49	52					49	52
Trinidad	364	363			364	363		
Total	130,750	131,361	86,580	86,960	13,398	13,427	30,772	30,974

APPENDIX

The Veterans' Administration has advised the committee that the number of persons in its April and May 1965 reports reflects "activation of new employment reporting procedures" with respect to certain intermittent employment. It also advised that while its reported employment under this new procedure reflects fewer persons, no substantial reduction has been made in actual employment and that there is no reduction in the actual cost of employment.

The Veterans' Administration figure for April reflects employment exclusive of 4,081 intermittent consultants and attendings (doctors, nurses, dentists, etc.) who were not paid during April and the May figure is exclusive of an additional 806 such persons who were not paid during May. The total for the 2-month period is 4,887. Employment figures prior to April have not been adjusted to exclude such persons.

The Veterans' Administration has informed the committee that further adjustments will be made in such employment figures in June under its new reporting procedure.

The committee was advised of this situation in a letter dated May 14, 1965, from the Veterans' Administration. The letter follows:

VETERANS' ADMINISTRATION, OFFICE OF THE ADMINISTRATOR OF VETERANS' AFFAIRS,
Washington, D.C., May 14, 1965.

The CHAIRMAN,
Joint Committee on Reduction of Nonessential Federal Expenditures, Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is a copy of our "Monthly Report of Federal Civilian Employment" for April 1965.

In April we initiated a modification of our procedures for obtaining employment counts on intermittent consultants and attendings. Previously, all such personnel on Veterans' Administration rolls were reported each month whether or not they actually worked or were paid in a particular month. Through automatic data processing methods we have found it feasible, with a very minimum additional administrative workload, to exclude from the month-end employment count intermittent consultants and attendings not paid during the report month. This is, in effect, a further refinement of our PAID system for personnel and fiscal operations from which data is generated for both internal and external reports purposes.

As a result of the initial activation of new employment reporting procedures for consultants and attendings, the line 1 count in the current SF 113-A report is substantially below that shown in our prior report—for March. A further decrease is anticipated for the May report when the new system is fully implemented.

The drop in overall VA employment figures does not reflect any substantial change in actual VA staffing or basic staffing needs; nor will it result in any actual cost reductions. This "decline" does not affect in any way the employment count of the continuing work force of full-time employees and regularly scheduled part-time employees. In summary the change in our employment figure stems merely from a refinement in employment reporting procedures for intermittently employed consultants and attendings who are carried on VA rolls primarily to augment on an "as needed basis" the regular staff in our medical program.

Sincerely,

A. H. MONK,
Associate Deputy Administrator.

STATEMENT BY SENATOR BYRD OF VIRGINIA

Executive agencies of the Federal Government reported civilian employment in the month of May totaling 2,479,493. This was a net increase of 1,877 as compared with employment reported in the preceding month of April.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1965, which began July 1, 1964, follows:

Month	Employment	Increase	Decrease
July 1964	2,492,061	10,479	
August	2,495,606	3,545	
September	2,461,376		34,230
October	2,470,330	8,954	
November	2,493,837	23,507	
December	2,485,771		8,066
January 1965	2,464,012		21,759
February	2,459,595		4,417
March	2,466,054	6,459	
April	2,477,616	11,562	
May	2,479,493	1,877	

Total Federal employment in civilian agencies for the month of May was 1,452,680, a decrease of 2,467 as compared with the April total of 1,455,147. Total civilian employment in the military agencies in May was 1,026,813, an increase of 4,344 as compared with 1,022,469 in April.

Civilian agencies reporting the larger decreases were Treasury Department with 4,888 and Veterans' Administration with 1,486. The larger increases were reported by Agriculture Department with 3,122 and Interior Department with 1,319. The increases in Agriculture and Interior Departments, and the decrease in Treasury Department were largely seasonal. The decrease in Veterans' Administration reflects new reporting procedures (see committee report).

In the Department of Defense the largest increases in civilian employment were reported by the Navy with 1,999, Army with 1,365, and Air Force with 888.

Total employment inside the United States in May was 2,319,300, an increase of 1,622 as compared with April. Total employment outside the United States in May was 160,193, an increase of 255 as compared with April. Industrial employment by Federal agencies in May totaled 545,387, an increase of 1,375.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,479,493 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 130,750 foreign nationals working for U.S. agencies overseas during May who were not counted in the usual personnel reports. The number in April was 131,361. A breakdown of this employment for May follows:

Country	Total	Army	Navy	Air Force
Crete	75			75
England	2,130	106	98	1,926
France	14,607	11,385	9	3,213
Germany	65,750	55,506	69	10,175
Greece	308		38	270
Japan	41,499	14,148	12,287	15,064
Korea	5,435	5,435		
Morocco	533		533	
Netherlands	49			49
Trinidad	364		364	
Total	130,750	86,580	13,398	30,772

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of April 1965. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report and statement are as follows:

FEDERAL STOCKPILE INVENTORIES, APRIL 1965

INTRODUCTION

This is the 65th in a series of monthly reports on Federal stockpile inventories. It is for the month of April 1965.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, Health, Education, and Welfare, and Interior, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of April 1, 1965, totaled $12,890,137,489 and as of April 30, 1965, they totaled $12,909,403,600, a net increase of $19,266,111 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month
Statregic and critical materials:			
National stockpile [1]	$5,494,228,600	$5,477,738,800	−$16,489,800
Defense Production Act	1,404,230,000	1,395,177,300	−9,052,700
Supplemental—barter	1,403,425,507	1,408,152,925	+3,727,418
Total, strategic and critical materials [1]	8,301,884,107	8,281,069,025	−20,815,082
Agricultural commodities:			
Price support inventory	3,162,466,544	4,199,215,381	+36,748,837
Inventory transferred from national stockpile [1]	55,530,922	54,772,937	−757,985
Total, agricultural commodities [1]	4,217,997,466	4,253,988,318	+35,990,852
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	11,855,983	11,854,831	−1,152
Civil defense medical stockpile, Department of Health, Education, and Welfare	200,784,735	201,023,822	+239,087
Total, civil defense supplies and equipment	212,640,718	212,878,653	+237,935
Machine tools:			
Defense Production Act	45,300	45,300	
National Industrial Reserve Act	89,213,100	89,493,800	+280,700
Total, machine tools	89,258,400	89,539,100	+280,700
Helium	68,356,798	71,928,504	+3,571,706
Total, all inventories	12,890,137,489	12,909,403,600	+19,266,111

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

Appendix A to this report, beginning on page 16172, includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), April 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, April 1965 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, April 1965 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, April 1965 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, April 1965 (showing by item net changes during the month in terms of cost value and quantity).

New stockpile objectives

The Office of Emergency Planning is in the process of establishing new stockpile objectives for strategic and critical materials.

Table 1 of this report reflects the new objectives established between May 1963 and April 1964, based on essential needs in the event of a "conventional war emergency."

Appendix B, beginning on page 16173, contains excerpts from Office of Emergency Planning statements setting forth the new policy and current studies with respect to objectives for strategic and critical materials required for "conventional war emergency" and "nuclear war emergency."

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Aluminum, metal:									
National stockpile	$487,680,600	$487,680,600		Short ton	1,128,988	1,128,988			
Defense Production Act	396,576,200	394,231,400	−$2,344,800	do	786,616	781,988	−4,628		
Total	884,256,800	881,912,000	−2,344,800	do	1,915,604	1,910,976	−4,628	450,000	1,460,976
Aluminum oxide, abrasive grain:									
Supplemental—barter	15,717,600	15,717,600		Short dry ton	50,905	50,905		(2)	50,905
Aluminum oxide, fused, crude:									
National stockpile	21,735,100	21,735,100		Short ton	200,093	200,093			
Supplemental—barter	22,747,400	22,747,400		do	178,266	178,266			
Total	44,482,500	44,482,500		do	378,359	378,359		160,000	218,359

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Antimony:									
National stockpile	$19,425,100	$19,001,600	−$423,500	Short ton	28,773	28,168	−605		
Supplemental—barter	13,550,500	13,550,500		do	22,704	22,704			
Total	32,975,600	32,552,100	−423,500	do	51,477	50,872	−605	−25,500	25,372
Asbestos, amosite:									
National stockpile	2,637,600	2,637,600		do	11,705	11,705			
Supplemental—barter	10,170,698	10,538,212	+367,514	do	40,467	42,066	+1,599		
Total	12,808,298	13,175,812	+367,514	do	52,172	53,771	+1,599	40,000	13,771
Asbestos, chrysotile:									
National stockpile	3,356,200	3,356,200		do	6,224	6,224			
Defense Production Act	2,102,600	2,102,600		do	2,348	2,348			
Supplemental—barter	4,990,054	4,990,054		do	7,576	7,576			
Total	10,448,854	10,448,854		do	16,148	16,148		13,700	2,448
Asbestos, crocidolite:									
National stockpile	702,100	702,100		do	1,567	1,567			
Supplemental—barter	11,009,241	11,034,900	+25,659	do	42,335	42,585	+250		
Total	11,711,341	11,737,000	+25,659	do	43,902	44,152	+250	(2)	44,152
Bauxite, metal grade, Jamaica type:									
National stockpile	13,925,000	13,925,000		Long dry ton	879,740	879,740			
Defense Production Act	18,168,000	18,168,000		do	1,370,077	1,370,077			
Supplemental—barter	96,194,152	97,848,194	+1,654,042	do	6,261,227	6,387,515	+126,288		
Total	128,287,152	129,941,194	+1,654,042	do	8,511,044	8,637,332	+126,288	5,000,000	3,637,332
Bauxite, metal grade, Surinam type:									
National stockpile	78,552,500	78,552,500		do	4,962,706	4,962,706			
Supplemental—barter	45,197,400	45,197,400		do	2,927,260	2,927,260			
Total	123,749,900	123,749,900		do	7,889,966	7,889,966		5,300,000	2,589,966
Bauxite, refractory grade:									
National stockpile	11,347,800	11,347,800		Long calcined ton.	299,279	299,279		173,000	126,279
Beryl:									
National stockpile	9,768,400	9,768,400		Short ton	23,230	23,230			
Defense Production Act	1,425,600	1,425,600		do	2,542	2,542			
Supplemental—barter	23,055,800	23,056,400	+600	do	12,275	12,275			
Total	34,249,800	34,250,400	+600	do	38,047	38,047		28,000	10,047
Beryllium metal:									
Supplemental—barter	18,703,500	18,703,500		do	153	153		(2)	153
Bismuth:									
National stockpile	2,674,300	2,674,300		Pound	1,342,402	1,342,402			
Defense Production Act	52,400	52,400		do	22,901	22,901			
Supplemental—barter	5,536,700	5,536,700		do	2,506,493	2,506,493			
Total	8,263,400	8,263,400		do	3,871,796	3,871,796		3,600,000	271,796
Cadmium:									
National stockpile	15,148,200	15,148,200		do	7,699,481	7,699,481			
Supplemental—barter	12,326,600	12,326,600		do	7,448,389	7,448,388	−1		
Total	27,474,800	27,474,800		do	15,147,870	15,147,869	−1	5,100,000	10,047,869
Castor oil:									
National stockpile	44,619,800	44,551,300	−68,500	do	175,361,414	175,087,734	−273,680	22,000,000	153,087,734
Celestite:									
National stockpile	1,412,300	1,412,300		Short ton	29,017	29,017			
Supplemental—barter	935,173	947,564	+12,391	do	21,947	21,927	−20		
Total	2,347,473	2,359,864	+12,391	do	50,964	50,944	−20	10,300	40,644
Chromite, chemical grade:									
National stockpile	12,288,000	12,288,000		Short dry ton	559,452	559,452			
Supplemental—barter	21,993,100	21,993,100		do	699,644	699,644			
Total	34,281,100	34,281,100		do	1,259,096	1,259,096		600,000	659,096
Chromite, metallurgical grade:									
National stockpile	264,565,500	264,413,100	−152,400	do	3,795,291	3,790,961	−4,330		
Defense Production Act	35,879,900	35,879,900		do	985,646	985,646			
Supplemental—barter	227,250,892	227,447,934	+197,042	do	1,560,749	1,562,643	+1,894		
Total	527,696,292	527,740,934	+44,642	do	6,341,686	6,339,250	−2,436	2,970,000	3,369,250
Chromite, refractory grade:									
National stockpile	25,149,300	25,149,300		do	1,047,159	1,047,159			
Supplemental—barter	5,039,000	5,039,000		do	179,775	179,775			
Total	30,188,300	30,188,300		do	1,226,934	1,226,934		1,425,000	(3)
Cobalt:									
National stockpile	169,228,500	169,228,500		Pound	76,068,771	76,068,771			
Defense Production Act	52,075,300	52,075,300		do	25,066,651	25,066,651			
Supplemental—barter	2,169,000	2,169,000		do	1,065,398	1,065,398			
Total	223,472,800	223,472,800		do	102,200,820	102,200,820		42,000,000	60,200,820
Coconut oil:									
National stockpile	984,200	984,200		do	6,517,421	6,517,421		(2)	6,517,421

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Colemanite:									
Supplemental—barter	$2,636,400	$2,636,400		Long dry ton	67,636	67,636		(2)	67,636
Columbium:									
National stockpile	24,849,400	25,023,700	+$174,300	Pound	7,361,887	7,391,865	+29,978		
Defense Production Act	50,238,900	50,238,900		do	7,966,341	7,966,341			
Supplemental—barter	799,100	799,100		do	371,426	371,426			
Total	75,887,400	76,061,700	+174,300	do	15,699,654	15,729,632	+29,978	1,176,000	14,553,632
Copper:									
National stockpile	524,568,100	524,709,200	+141,100	Short ton	1,008,304	1,008,294	−10		
Defense Production Act	30,554,400	28,402,400	−2,152,000	do	54,214	50,542	−3,672		
Supplemental—barter	8,252,100	8,252,100		do	12,382	12,382			
Total	563,374,600	561,363,700	−2,010,900	do	1,074,900	1,071,218	−3,682	775,000	296,218
Cordage fibers, abaca:									
National stockpile	37,034,700	37,034,700		Pound	146,932,241	146,932,241		100,000,000	46,932,241
Cordage fibers, sisal:									
National stockpile	41,750,500	41,735,000	−15,500	do	308,700,592	308,586,040	−114,552	300,000,000	8,586,040
Corundum:									
National stockpile	393,100	393,100		Short ton	2,008	2,008		2,500	(3)
Cryolite:									
Defense Production Act	5,120,700	4,982,000	−138,700	do	18,544	18,042	−502	(2)	18,042
Diamond dies:									
National stockpile	612,800	608,100	−4,700	Piece	19,621	19,442	−179	25,000	(3)
Diamond, industrial, crushing bort:									
National stockpile	61,601,800	61,601,800		Carat	31,109,411	31,109,411			
Supplemental—barter	15,800,500	15,800,500		do	5,550,579	5,550,579			
Total	77,402,300	77,402,300		do	36,659,990	36,659,990		24,700,000	11,959,990
Diamond, industrial, stones:									
National stockpile	100,509,400	100,509,400		do	9,319,183	9,319,183			
Supplemental—barter	186,341,500	186,341,500		do	15,425,827	15,425,827			
Total	286,850,900	286,850,900		do	24,745,010	24,745,010		16,500,000	8,245,010
Diamond tools:									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(2)	64,178
Feathers and down:									
National stockpile	30,652,000	30,581,100	−70,900	Pound	7,398,509	7,381,409	−17,100	3,000,000	4,381,409
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do	19,700	19,700			
Supplemental—barter	16,098,900	16,098,900		do	323,232	323,232			
Total	43,660,800	43,660,800		do	805,981	805,981		540,000	265,981
Fluorspar, metallurgical grade:									
National stockpile	17,332,400	17,332,400		Pound	369,443	369,443			
Supplemental—barter	18,940,300	18,940,300		do	480,800	480,800			
Total	36,272,700	36,272,700		do	850,243	850,243		850,000	243
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	937,900	937,900		do	4,455	4,455			
Supplemental—barter	341,200	341,200		do	1,428	1,428			
Total	1,279,100	1,279,100		do	5,883	5,883		5,500	383
Graphite, natural, Malagasy, crystalline:									
National stockpile	6,732,800	6,732,800		do	32,678	32,678			
Supplemental—barter	232,500	232,500		do	1,908	1,908			
Total	6,965,300	6,965,300		do	34,586	34,586		18,000	16,586
Graphite, natural, other, crystalline:									
National stockpile	1,894,400	1,894,400		do	5,481	5,481		2,800	2,681
Hyoscine:									
National stockpile	31,200	31,200		Ounce	2,140	2,140		(2)	2,140
Iodine:									
National stockpile	4,082,000	4,082,000		Pound	2,956,713	2,956,713			
Supplemental—barter	1,415,700	1,415,600	−100	do	1,333,563	1,333,512	−51		
Total	5,497,700	5,497,600	−100	do	4,290,276	4,290,225	−51	8,000,000	(3)
Iridium:									
National stockpile	2,525,800	2,525,800		Troy ounce	13,937	13,937		17,000	(3)
Jewel bearings:									
National stockpile	4,578,600	4,755,800	+177,200	Piece	52,592,365	52,977,515	+385,150	57,500,000	(3)
Kyanite-mullite:									
National stockpile	712,900	708,600	−4,300	Short dry ton	8,246	8,196	−50	4,800	3,396
Lead:									
National stockpile	304,207,600	304,161,800	−45,800	Short ton	1,000,572	1,000,421	−151		
Supplemental—barter	78,398,500	78,398,500		do	327,998	327,998			
Total	382,606,100	382,560,300	−45,800	do	1,328,570	1,328,419	−151	0	1,328,419

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Magnesium:									
National stockpile	$124, 025, 400	$123, 989, 000	$−36, 400	Short ton	170, 815	170, 765	−50	145, 000	25, 765
Manganese, battery grade, natural ore:									
National stockpile	21, 025, 500	21, 025, 500		Short dry ton	144, 485	144, 485			
Supplemental—barter	14, 121, 400	14, 121, 400		do	142, 245	142, 245			
Total	35, 146, 900	35, 146, 900		do	286, 700	286, 730		80, 000	206, 730
Manganese, battery grade, synthetic dioxide:									
National stockpile	3, 095, 500	3, 095, 500		do	21, 272	21, 272			
Defense Production Act	2, 524, 700	2, 524, 700		do	3, 779	3, 779			
Total	5, 620, 200	5, 620, 200		do	25, 051	25, 051		6, 700	18, 351
Manganese, chemical grade, type A:									
National stockpile	2, 133, 300	2, 133, 300		do	29, 307	29, 307			
Supplemental—barter	7, 922, 100	7, 922, 100		do	117, 607	117, 607			
Total	10, 055, 400	10, 055, 400		do	146, 914	146, 914		68, 500	78, 414
Manganese, chemical grade, type B:									
National stockpile	132, 600	132, 600		do	1, 822	1, 822			
Supplemental—barter	6, 669, 800	6, 669, 800		do	99, 016	99, 016			
Total	6, 802, 400	6, 802, 400		do	100, 838	100, 838		64, 000	36, 838
Manganese, metallurgical grade:									
National stockpile	248, 240, 900	248, 240, 900		do	5, 852, 191	5, 852, 191			
Defense Production Act	172, 122, 100	172, 122, 100		do	2, 980, 257	2, 980, 257			
Supplemental—barter	268, 570, 259	271, 001, 688	+2, 431, 429	do	4, 011, 302	4, 040, 673	+29, 371		
Total	688, 933, 259	691, 364, 688	+2, 431, 429	do	12, 843, 750	12, 873, 121	+29, 371	7, 900, 000	4, 973, 121
Mercury:									
National stockpile	33, 080, 100	33, 080, 100		Flask	184, 365	184, 365			
Supplemental—barter	3, 446, 200	3, 446, 200		do	16, 000	16, 000			
Total	36, 526, 300	36, 526, 300		do	200, 365	200, 365		200, 000	365
Mica, muscovite block:									
National stockpile	27, 113, 100	27, 113, 100		Pound	11, 402, 427	11, 402, 427			
Defense Production Act	40, 689, 700	40, 689, 700		do	6, 432, 569	6, 432, 569			
Supplemental barter	6, 679, 444	6, 715, 185	+35, 741	do	1, 950, 831	1, 960, 711	+9, 880		
Total	74, 482, 244	74, 517, 985	+35, 741	do	19, 785, 827	19, 795, 707	+9, 880	6, 000, 000	13, 795, 707
Mica, muscovite film:									
National stockpile	9, 058, 100	9, 058, 100		do	1, 719, 183	1, 719, 183			
Defense Production Act	633, 300	633, 300		do	102, 681	102, 681			
Supplemental barter	1, 062, 600	1, 062, 600		do	116, 556	116, 556			
Total	10, 754, 000	10, 754, 000		do	1, 938, 420	1, 938, 420		2, 000, 000	(3)
Mica, muscovite splittings:									
National stockpile	40, 598, 300	40, 598, 300		Flask	40, 040, 169	40, 040, 169			
Supplemental barter	6, 225, 800	6, 225, 800		do	4, 826, 257	4, 826, 257			
Total	46, 824, 100	46, 824, 100		do	44, 866, 426	44, 866, 426		22, 200, 000	22, 666, 426
Mica, phlogopite block:									
National stockpile	303, 600	303, 600		do	223, 239	223, 239		17, 000	206, 239
Mica, phlogopite splittings:									
National stockpile	2, 580, 500	2, 580, 500		do	3, 079, 062	3, 079, 062			
Supplemental—barter	2, 501, 800	2, 501, 800		do	1, 986, 902	1, 986, 902			
Total	5, 082, 300	5, 082, 300		do	5, 065, 964	5, 065, 964		1, 300, 000	3, 765, 964
Molybdenum:									
National stockpile	72, 059, 50	71, 563, 400	−496, 100	do	69, 486, 859	69, 034, 253	−452, 606	68, 000, 000	1, 034, 253
Nickel:									
National stockpile	181, 636, 200	181, 612, 300	−23, 900	Short ton	166, 628	166, 594	−34		
Defense Production Act	91, 108, 000	86, 687, 300	−4, 420, 700	do	48, 391	46, 573	−1, 818		
Total	272, 744, 200	268, 299, 600	−4, 444, 600	do	215, 019	213, 167	−1, 852	50, 000	163, 167
Opium:									
National stockpile	13, 661, 700	13, 661, 700		Pound	196, 364	196, 364		141, 280	55, 084
Palladium:									
National stockpile	2, 079, 000	2, 079, 000		Troy ounce	89, 811	89, 811			
Supplemental—barter	12, 170, 200	12, 170, 200		do	648, 124	648, 124			
Total	14, 249, 200	14, 249, 200		do	737, 935	737, 935		1, 300, 000	(3)
Palm oil:									
National stockpile	1, 682, 200	721, 000	−961, 200	Pound	9, 346, 625	4, 006, 085	−5, 340, 540	(2)	4, 006, 085
Platinum:									
National stockpile	56, 879, 900	56, 879, 900		Troy ounce	716, 343	716, 343			
Supplemental—barter	4, 024, 500	4, 024, 500		do	49, 999	49, 999			
Total	60, 904, 400	60, 904, 400		do	766, 342	766, 342		450, 000	316, 342
Pyrethrum:									
National stockpile	415, 600	415, 600		Pound	67, 044	67, 044		25, 000	42, 044

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Stockpile objective [1]	Excess over stockpile objective
Quartz crystals:									
National stockpile	$66,934,100	$66,934,100		Pound	5,412,627	5,412,627			
Supplemental—barter	3,519,200	3,519,200		do	232,352	232,352			
Total	70,453,300	70,453,300		do	5,644,979	5,644,979		650,000	4,994,979
Quinidine:									
National stockpile	1,846,000	1,846,000		Ounce	1,600,428	1,600,428		2,000,000	(3)
Quinine:									
National stockpile	2,617,000	2,617,000		do	4,137,733	4,137,733		4,130,000	7,733
Rare earths:									
National stockpile	7,134,900	7,134,900		Short dry ton	9,969	9,969			
Supplemental—barter	5,830,900	5,830,900		do	5,810	5,810			
Total	12,965,800	12,965,800		do	15,779	15,779		3,000	12,779
Rare earths residue:									
Defense Production Act	657,200	657,200		Pound	6,079,961	6,079,723	−238	(2)	6,079,723
Rhodium:									
National stockpile	78,200	78,200		Troy ounce	618	618		(2)	618
Rubber:									
National stockpile	638,391,700	629,682,800	−$8,708,900	Long ton	825,592	814,327	−11,265	130,000	684,327
Ruthenium:									
Supplemental—barter	559,500	559,500		Troy ounce	15,001	15,001		(3)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100		Short dry ton	18,599	18,599			
Defense Production Act	2,725,100	2,725,100		do	17,385	17,385			
Supplemental—barter	1,061,300	1,061,300		do	11,632	11,632			
Total	5,856,500	5,856,500		do	47,616	47,616		51,000	(3)
Sapphire and ruby:									
National stockpile	190,000	190,000		Carat	16,308,797	16,308,797		18,000,000	(3)
Selenium:									
National stockpile	757,100	757,100		Pound	97,100	97,100			
Supplemental—barter	1,659,094	1,662,194	+3,100	do	306,603	306,602	−1		
Total	2,416,194	2,419,294	+3,100	do	403,703	403,702	−1	475,000	(3)
Shellac;									
National stockpile	8,122,000	8,085,400	−36,600	do	16,200,661	16,126,724	−73,937	8,300,000	7,826,724
Silicon carbide, crude;									
National stockpile	11,394,500	11,394,500		Short ton	64,697	64,697			
Supplemental—barter	26,803,600	26,803,600		do	131,805	131,805			
Total	38,198,100	38,198,100		do	196,502	196,502		30,000	166,502
Silk noils and waste:									
National stockpile	1,232,100	1,232,100		Pound	979,924	979,924		(2)	979,924
Silk, raw:									
National stockpile	486,600	486,600		do	113,515	113,515		(2)	113,515
Sperm oil:									
National stockpile	4,775,400	4,775,400		do	23,442,158	23,442,158		23,400,000	42,158
Talc, steatite block and lump:									
National stockpile	494,800	494,800		Short ton	1,269	1,269		200	1,069
Talc, steatite ground:									
National stockpile	231,200	231,200		do	3,901	3,901		(2)	3,901
Tantalum:									
National stockpile	12,435,300	12,481,900	+46,600	Pound	3,161,550	3,165,936	+4,386		
Defense Production Act	9,734,400	9,734,400		do	1,536,023	1,536,023			
Supplemental—barter	21,100	21,100		do	8,036	8,036			
Total	22,190,800	22,237,400	+46,600	do	4,705,609	4,709,995	+4,386	3,400,000	1,309,995
Thorium:									
Supplemental—barter	17,991,700	17,991,700		do	3,965,461	3,965,461		500,000	3,465,461
Thorium residue:									
Defense Production Act	42,000	42,000		do	848,354	848,354		(2)	848,354
Tin:									
National stockpile	705,258,700	699,458,900	−5,799,800	Long ton	290,045	287,671	−2,374		
Supplemental—barter	16,404,000	16,404,000		do	7,505	7,505			
Total	721,662,700	715,862,900	−5,799,800	do	297,550	297,176	−2,374	200,000	97,176
Titanium sponge:									
Defense Production Act	175,871,900	175,871,900		Short ton	22,339	22,339			
Supplemental—barter	32,097,700	32,097,700		do	9,021	9,021			
Total	207,969,600	207,969,600		do	31,360	31,360		20,500	10,860
Tungsten:									
National stockpile	369,128,100	369,128,100		Pound	120,014,406	120,014,406			
Defense Production Act	314,533,200	314,536,700	+3,500	do	77,111,237	77,112,112	+875		
Supplemental—barter	18,651,400	18,651,400		do	5,774,827	5,774,819	−8		
Total	702,312,700	702,316,200	+3,500	do	202,900,470	202,901,337	+867	44,000,000	158,901,337

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), April 1965 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over stockpile objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Stockpile objective	Excess over stockpile objective[1]
Vanadium:									
National stockpile	$31,567,900	$31,567,900		Short ton	7,865	7,865		1,400	6,465
Vegetable tannin extract, chestnut:									
National stockpile	9,840,400	9,660,700	−$179,700	Long ton	35,270	34,626	−644	15,000	19,626
Vegetable tannin extract, quebracho:									
National stockpile	48,858,500	48,858,500		do	197,465	197,465		86,000	111,465
Vegetable tannin extract, wattle:									
National stockpile	9,826,900	9,826,900		do	38,962	38,962		15,000	23,962
Zinc:									
National stockpile	342,541,400	342,541,400		Short ton	1,180,933	1,180,933			
Supplemental—barter	79,588,400	79,588,400		do	323,896	323,896			
Total	422,129,800	422,129,800		do	1,504,829	1,504,829		0	1,504,829
Zirconium ore, baddeleyite:									
National stockpile	710,600	709,800	−800	Short dry ton	16,533	16,514	−19	([2])	16,514
Zirconium ore, zircon:									
National stockpile	113,300	113,300		do	1,920	1,920		([3])	1,920
Total:									
National stockpile	5,494,228,600	5,477,738,800	−16,489,800						
Defense Production Act	1,404,230,000	1,395,177,300	−9,052,700						
Supplemental—barter	1,403,425,507	1,408,152,925	+4,727,418						
Total, strategic and critical materials.	8,301,884,107	8,281,069,025	−20,815,082						

[1] Stockpile objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). The Office of Emergency Planning is currently in the process of revising stockpile objectives. (See app. B,)

[2] No present objective.

[3] Not in excess of stockpile objective.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—*Agricultural commodities inventories, April 1965 (showing by commodity net changes during the month in terms of cost value and quantity)*

Commodity	Cost value			Quantity			
	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month	Unit of measure	Beginning of month, Apr. 1, 1965	End of month, Apr. 30, 1965	Net change during month
Price-support inventory:							
Basic commodities:							
Corn	$852,714,529	$774,446,534	−$78,267,995	Bushel	693,719,120	629,779,776	−63,939,344
Cotton, extra-long staple	30,422,236	29,233,208	−1,189,028	Bale	115,498	110,977	−4,521
Cotton, upland	1,176,246,079	1,148,500,808	−27,745,271	do	7,118,645	6,950,778	−167,867
Peanuts, farmers' stock	6,724	6,351	−373	Pound	58,109	55,367	−2,742
Peanuts, shelled	4,733,885	5,191,550	+457,665	do	27,805,552	31,047,487	+3,241,935
Rice, milled	134,252	6,188	−128,064	Hundredweight	13,316	531	−12,785
Rice, rough	3,367,968	3,367,968		do	654,131	654,131	
Wheat	1,323,927,364	1,390,639,715	+66,712,351	Bushel	641,824,257	688,282,374	+46,458,117
Wheat flour	93,287	535,031	+441,744	Pound	1,702,000	9,998,400	+8,296,400
Total, basic commodities	3,391,646,324	3,351,927,353	−39,718,971				
Designated nonbasic commodities:							
Barley	18,010,569	17,882,861	−127,708	Bushel	20,926,618	20,785,727	−140,891
Grain sorghum	627,491,957	689,489,900	+61,997,943	do	551,372,505	604,886,260	+53,513,75
Milk and butterfat:							
Butter	36,202,504	44,989,989	+8,787,485	Pound	61,880,129	76,768,936	+14,888,807
Butter oil	5,685,633	5,564,003	−121,630	do	7,357,139	7,199,479	−157,390
Cheese	3,329,954	2,582,692	−747,262	do	8,330,038	6,512,695	−1,817,343
Milk, dried	33,822,460	41,386,408	+7,563,948	do	228,579,992	280,817,954	+52,237,962
Oats	18,967,165	18,662,828	−304,337	Bushel	31,154,591	30,552,805	−601,786
Rye	490,652	703,944	+213,292	do	435,095	633,406	+198,311
Tung oil	3,531,965	3,531,539	−426	Pound	14,738,424	14,738,012	−412
Total, designated nonbasic commodities	747,532,859	824,794,164	+77,261,305				
Other nonbasic commodities:							
Beans, dry, edible	407,000	276,159	−130,841	Hundredweight	59,041	38,547	−20,494
Cottonseed oil, refined, other	2,073,077	1,864,991	−208,086	Pound	18,468,863	16,614,265	−1,854,598
Cottonseed oil, refined, salad oil	3,638,424	2,973,156	−665,268	do	18,884,728	15,419,157	−3,465,571
Flaxseed	7,661,630	7,878,900	+217,270	Bushel	2,579,896	2,655,929	+76,033
Linseed oil	9,494,350	9,494,350		Pound	80,000,000	80,000,000	
Soybeans	12,880	6,308	−6,572	Bushel	10,453	8,855	−1,598
Total, other nonbasic commodities	23,287,361	22,493,864	−793,497				
Total, price support inventory	4,162,466,544	4,199,215,381	+36,748,837				
Inventory transferred from national stockpile: [1]							
Cotton, Egyptian	33,696,491	33,240,288	−456,203	Bale	39,886	39,346	−540
Cotton, American-Egyptian	21,834,431	21,532,649	−301,782	do	43,411	42,811	−600
Total, inventory transferred from national stockpile.	55,530,922	54,772,937	−757,985	do	83,297	82,157	−1,140
Total, agricultural commodities	4,217,997,466	4,253,988,318	+35,980,852				

[1] Transferred from General Services Administration pursuant to Public Law 85–96 and Public Law 87–548. (See app. A.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, April 1965 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value: Beginning of month, Apr. 1, 1965	Cost value: End of month, Apr. 30, 1965	Cost value: Net change during month	Quantity: Unit of measure	Quantity: Beginning of month, Apr. 1, 1965	Quantity: End of month, Apr. 30, 1965	Quantity: Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings).	$10,.58,641	$10,057,489	−$1,152	10-mile units	45	45	
Chemical and biological equipment	1,797,342	1,797,342		(1)			
Total	11,855,983	11,854,831	−1,152				
Civil defense medical stockpile, Department of Health, Education and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses.	117,243,339	117,366,050	+122,711	(1)			
Medical bulk stock at manufacturer locations	5,036,008	5,036,008		(1)			
Packaged disaster hospitals [2]	71,697,235	71,730,792	+33,557	Each	2,272	2,341	+69
Supply additions (for packaged disaster hospitals)	6,808,153	6,890,972	+82,819	(1)			
Total	200,784,735	201,023,822	+239,087				
Total, civil defense supplies and equipment	212,640,718	212,878,653	+237,935				

[1] Composite group of many different items.

[2] Reported as "Civil defense emergency hospitals," prior to February 1965.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, April 1965 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value: Beginning of month, Apr. 1, 1965	Cost value: End of month, Apr. 30, 1965	Cost value: Net change during month	Quantity: Unit of measure	Quantity: Beginning of month, Apr. 1, 1965	Quantity: End of month, Apr. 30, 1965	Quantity: Net change during month
Defense Production Act:							
On loan	$45,300	$45,300		Tool	7	7	
National Industrial Reserve Act:							
In storage	76,151,500	76,141,200	−$10,300	do	6,685	6,680	−5
On lease	27,500	27,500		do	1	1	
On loan to other agencies	14,900	14,900		do	3	3	
On loan to school programs	13,019,200	13,310,200	+291,000	do	3,083	3,145	+62
Total	89,213,100	89,493,800	+280,700	do	9,772	9,829	+57
Total, machine tools	89,258,400	89,539,100	+280,700	do	9,779	9,836	+57

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—*Helium inventories, April 1965 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value: Beginning of month, Apr. 1, 1965	Cost value: End of month, Apr. 30, 1965	Cost value: Net change during month	Quantity: Unit of measure	Quantity: Beginning of month, Apr. 1, 1965	Quantity: End of month, Apr. 30, 1965	Quantity: Net change during month
Helium:							
Stored aboveground	$251,266	$194,112	−$57,154	Cubic foot	22,100,000	17,000,000	−5,100,000
Stored underground	68,105,532	71,734,392	+3,628,860	do	6,635,200,000	6,681,700,000	+316,500,000
Total, helium	68,356,798	71,928,504	+3,571,706	do	6,387,300,000	6,698,700,000	+311,400,000

Source: Compiled from reports submitted by the Department of the Interior.

APPENDIX A

PROGRAM DESCRIPTIONS AND STATUTORY CITATIONS

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958, and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgaged collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursement for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

INVENTORY TRANSFERRED FROM NATIONAL STOCKPILE

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85–96 and Public Law 87–548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201 (h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, of 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection, survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451–462).

HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86–777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities.

This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

APPENDIX B

NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives established between May 1963 and April 1964 for 79 materials (including 3 removed from stockpile list), based on essential needs in the event of a "conventional war emergency." The new objective for each material has been noted in the reports, beginning with June 1963, for the months in which the respective objectives were established.

The following excerpts from OEP statements dated July 11 and 19, 1963, February 28, 1964, March 6, 13, 20, and 27, 1964, and April 3 and 10, 1964, set forth the new policy with respect to objectives for strategic and and critical materials:

"The Office of Emergency Planning is now conducting supply-requirements studies for all stockpile materials which will reflect current military, industrial, and other essential needs in the event of a conventional war emergency. On the basis of recently completed supply-requirements studies for the foregoing materials, the new stockpile objectives were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by the Office of Emergency Planning and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy to establish a single objective for each stockpile material. They have been determined on the basis of criteria heretofore used in establishing maximum objectives, and reflect the approximate calculated emergency deficits for the materials for conventional war and do not have any arbitrary adjustments for possible increased requirements for other types of emergency.

"Heretofore, there was a 'basic objective' and 'maximum objective' for each material. The basic objectives assumed some continued reliance on foreign sources of supply in an emergency. The former maximum objectives completely discounted foreign sources of supply beyond North America and comparable accessible areas.

"Previously, maximum objectives could not be less than 6 months' normal usage of the material by industry in the United States in periods of active demand. The 6-month rule has been eliminated in establishing the new calculated conventional war objectives.

"The Office of Emergency Planning also announced that the present Defense Mobilization Order V–7, dealing with general policies for strategic and critical materials stockpiling, was now being revised to reflect these new policies. When finally prepared and approved, the new order will be published in the Federal Register.

"New conventional war objectives for the remaining stockpile materials are being developed as rapidly as new supply-requirements data become available. They will be released as they are approved.

"The Office of Emergency Planning is also making studies to determine stockpile needs to meet the requirements of general nuclear war and reconstruction. Stockpile objectives for nuclear war have not previously been developed. Some commodity objectives may be higher and others may be lower than the objectives established for conventional war.

"After the nuclear war supply requirements studies are completed, stockpile objectives will be based upon calculated deficits for either conventional war or nuclear war, whichever need is larger.

"The Office of Emergency Planning stressed that any long-range disposal programs undertaken prior to the development of objectives based on nuclear war assumptions would provide against disposing of quantities which might be needed to meet essential requirements in the event of nuclear attack. While the disposal of surplus materials can produce many problems which have not heretofore arisen, every effort will be made to see that the interest of producers, processors, and consumers, and the international interests of the United States are carefully considered, both in the development and carrying out of disposal programs. Before decisions are made regarding the adoption of a long-range disposal program for a particular item in the stockpile, there will be appropriate consultations with industry in order to obtain the advice of interested parties."

The OEP statement of April 17, 1964, contained the following excerpts:

"Today's action completes supply-requirements studies for all stockpile materials based on current military, industrial, and other essential needs in the event of a conventional war emergency. Objectives for 79 materials in the stockpile were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by OEP and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy which accords with the recommendation of the Executive Stockpile Committee to establish a single objective for each material in the national stockpile. These new objectives will be reviewed and revised as necessary each year. Because military requirements and estimated emergency supplies of stockpile materials are constantly shifting, the supply-requirements balance for any material that is now or may become important to defense must be kept under continuing surveillance. Supply-requirements studies of the conventional war needs of approximately 20 other strategic and critical materials, which do not have stockpile objectives, are underway and are expected to be completed in the next few weeks. At the same time, studies on supply requirements for nuclear war are going forward. No definite date for completion of these studies has been established as yet.

"OEP stressed that long-range programs for disposal of identified surpluses would take into account the interests of producers, processors, and consumers, as well as the international interests of the United States. Appropriate consultation with industry will precede all decisions for the adoption of every disposal program and the advice of interested parties will be sought."

STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of Federal stockpile inventories as of April 30, 1965, totaled $12,909,403,600. This was a net increase of $19,266,111, as compared with the April 1 total of $12,890,137,489. Net changes during the month are summarized by major category as follows:

Major category	Cost value, April 1965	
	Net change during month	Total, end of month
Strategic and critical materials	−$20,815,082	$8,281,069,025
Agricultural commodities	+35,990,852	4,253,968,318
Civil defense supplies and equipment	+237,935	212,878,653
Machine tools	+280,700	89,539,100
Helium	+3,571,706	71,928,504
Total	+19,266,111	12,909,403,600

These figures are from the April 1965 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory, and (3) the supplemental-barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Stockpile objectives—in terms of volume—are presently fixed for 76 of these 94 materials. Of the 76 materials having stockpile objectives, 64 were stockpiled in excess of their objectives as of April 30, 1965.

Increases in cost value were reported in 13 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 20 materials, and 61 materials remained unchanged during April.

National stockpile: The cost value of materials in the national stockpile as of April 30, 1965, totaled $5,477,738,800. This was a net decrease of $16,489,800 during the month. The largest decreases were $8,708,900 in rubber and $5,799,800 in tin.

Defense Production Act inventory: The cost value of materials in the Defense Production Act inventory as of April 30, 1965, totaled $1,395,177,300. This was a net decrease of $9,052,700. The largest decreases were in nickel, aluminum, and copper.

Supplemental barter: The cost value of materials in the supplemental barter stockpile as of April 30, 1965, totaled $1,408,152,925. This was a net increase of $4,727,418. The largest increases were in manganese and bauxite.

OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is $4.3 billion in agricultural commodities. Major increases in agricultural commodities during April were reported for wheat, grain sorghum, and milk and butterfat, partially offset by decreases in corn and cotton.

Inventories of civil defense supplies and equipment showed a net increase; the machine tools inventories showed a net increase; and the helium inventories showed a net increase during April.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER (by request):

S. 2264. A bill to authorize the Secretary of Agriculture to accept a cash equalization of exchanges for lands under his jurisdiction, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. EASTLAND:

S. 2265. A bill for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou; to the Committee on the Judiciary.

By Mr. FULBRIGHT (for himself, Mr. SALTONSTALL, and Mr. ANDERSON):

S. 2266. A bill to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art; to the Committee on the Judiciary.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2267. A bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance; and

S. 2268. A bill to amend Title XIII: War Risk Insurance, of the Federal Aviation Act of 1958; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. YARBOROUGH:

S. 2269. A bill to extend preferential postage rates to qualifying museums for the mailing of educational materials, loan exhibits, and other materials; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate hearing.)

By Mr. HARTKE:

S. 2270. A bill for the relief of Dr. Tej Raj Singh Goel; to the Committee on the Judiciary.

By Mr. CANNON:

S. 2271. A bill to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada Test Site of the U.S. Atomic Energy Commission; to the Committee on Government Operations.

(See the remarks of Mr. CANNON when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS (for himself and Mr. RANDOLPH):

S. 2272. A bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions; to the Committee on Finance.

By Mr. BYRD of Virginia (for himself, Mr. JAVITS, and Mr. KENNEDY of Massachusetts):

S. 2273. A bill to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER:

S.J. Res. 95. Joint resolution to designate the period beginning July 11, 1965, and ending July 17, 1965, as National Family Campers' Week; to the Committee on the Judiciary.

(See the remarks of Mr. Cooper when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

AUTHORIZATION FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO MAKE A STUDY OF AND REPORT ON PROFIT-SHARING AND STOCKOWNERSHIP PLANS

Mr. JAVITS (for himself and Mr. Murphy) submitted a concurrent resolution (S. Con. Res. 42) authorizing the Committee on Labor and Public Welfare to make a study of and report to the Senate on profit-sharing and stockownership plans, which was referred to the Committee on Labor and Public Welfare.

(See the above concurrent resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

TRANSFER TO THE SMITHSONIAN INSTITUTION TITLE TO CERTAIN OBJECTS OF ART

Mr. FULBRIBHT. Mr. President, on behalf of myself, the Senator from Massachusetts [Mr. Saltonstall], and the Senator from New Mexico [Mr. Anderson], by request of the Board of Regents of the Smithsonian Institution, I introduce a bill to enable the Smithsonian to obtain title to certain art objects of the Von der Heydt collection.

This collection is comprised of 44 stone, bronze, and jade objects of art currently on display in the Museum of Natural History. Eduard Von der Heydt, a Swiss national, loaned these objects to the Buffalo Museum of Science prior to and during World War II. By a vesting order dated August 21, 1951, the Attorney General vested these objects as the property of an enemy as defined in the Trading With the Enemy Act. All legal remedies of Mr. Von der Heydt provided by the Trading With the Enemy Act have been exhausted, and now the Department of Justice is commencing action to dispose of these assets.

The objects of art of this collection are of the highest quality. The director of the Freer Gallery of Art—which possesses one of the finest collections of oriental art in this hemisphere—has advised that 24 out of the 36 oriental objects in the collection would be considered significant additions to the gallery and that seven of those would be considered acquisitions of major importance. The Curator of Archeology of the National Museum has advised that, of the seven objects from Central America, four would be feature attractions in any museum and that these statues must be rated as among the finest in this country, if not in the world.

On March 20, 1964, the Deputy Director, Office of Alien Property, acting on behalf of the Assistant Attorney General, Civil Division, requested the Buffalo Museum of Science to relinquish custody of this collection and to transfer it to the Institution, which has since been done. Under the Trading With the Enemy Act, vested alien property, such as the Von der Heydt collection, must be "liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States." This language has been previously construed so as to prohibit the Attorney General from making donations of vested alien property. Thus, it is considered necessary for legislation to be enacted to authorize the transfer of title to this collection to the Smithsonian Institution, notwithstanding the existence of section 4 of the act of May 17, 1938—20 U.S.C. 76d—authorizing agencies to donate to the Smithsonian any works of art under their control.

Enactment of this proposal would be in the interest of and for the benefit of the United States. Rather than disposing of this collection by sale and thus dispersing these important objects into the hands of various museums, private collectors, and dealers throughout the world, the Attorney General could donate these objects to the Smithsonian Institution, where, as part of the national collections, they may be exhibited for the benefit of the millions of visitors who throng its museum halls each year and where a highly competent professional staff may study and publish manuscripts describing them for the benefit of scholars throughout the world.

Enactment of this proposal would not result in an appropriation request for care of the Smithsonian's collections beyond current levels.

The Attorney General and the Bureau of the Budget advise that they have no objection to the enactment of this legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2266) to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art, introduced by Mr. Fulbright (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

EXTENSION OF PROVISIONS OF TITLE XIII OF FEDERAL AVIATION ACT RELATING TO WAR RISK INSURANCE

Mr. MAGNUSON. Mr. President, at the request of the Secretary of Commerce, I introduce, for appropriate reference, a bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance. I ask unanimous consent that the Secretary's letter requesting the proposal be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2267) to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson is as follows:

The Secretary of Commerce,
Washington, D.C., May 24, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 89th Congress, 1st session, a draft of a proposed bill "to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance."

This proposed legislation would extend the life of title XIII of the Federal Aviation Act of 1958 (49 U.S.C. 1542), relating to war risk insurance, until September 7, 1970. Section 1312 of the act now provides for expiration of aviation war risk insurance authority on June 13, 1966.

Title XIII of the Federal Aviation Act of 1958 authorizes the Secretary of Commerce, with the approval of the President, to provide war risk insurance for the protection of aircraft and persons and property transported thereon, and other liabilities pertaining to aircraft or the owner or operator of such aircraft of the nature customarily covered by insurance, when commercial insurance cannot be obtained on reasonable terms and conditions. At present, as at the time of original enactment of these provisions of Public Law 47, 82d Congress (65 Stat. 65), commercial policies covering aviation war risks are issued only subject to automatic termination clauses in the event of outbreak of war between any of the four Great Powers (France, Great Britain and/or any of the British Commonwealth of Nations, the Union of Soviet Socialist Republics, and the United States of America). Even though the United States might not be involved immediately, American aircraft would be without protection against loss by risks of war. Furthermore, prompt mobilization of the air transport facilities of the United States would be jeopardized without such insurance.

The general order on aviation war risk insurance which was issued on November 1, 1956, established an interim binder program for war risk insurance, war risk liability insurance, exclusive of cargo liability, and war risk carriers' liability to cargo insurance. Under a recent revision of this general order war risk insurance is now being provided, without premium, to the Department of Defense for participants in the Civil Reserve Air Fleet (CRAF) program; for certain civil air carriers while providing international and overseas transportation regularly required by the Department of Defense, including emergency airlift requirements not sufficient to justify the activation of CRAF. The same insurance is available to the Department of State for American air carriers entering into certain agreements with that Department. The Secretary of Defense and the Secretary of State have agreed to indemnify the Secretary of Commerce against all losses covered by such insurance.

If the provisions of title XIII are extended as proposed, it is anticipated that binder fees to be collected will more than cover expenses chargeable to the war risk insurance fund under peacetime operations.

The Department of Commerce recommends the early enactment of this proposed legislation.

The Bureau of the Budget advises there is no objection to the submission of this proposal from the standpoint of the administration's program.

Sincerely yours,

John T. Connor,
Secretary of Commerce.

AMENDMENT OF TITLE XIII OF THE FEDERAL AVIATION ACT RELATING TO WAR RISK INSURANCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend title XIII—war risk insurance, of the Federal Aviation Act of 1958. I ask unanimous consent that a letter from the Secretary of Commerce, requesting the proposed legislation, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2268) to amend title XIII—war risk insurance, of the Federal Aviation Act of 1958, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson is as follows:

The Secretary of Commerce,
Washington, D.C., May 24, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: The Department of Commerce has prepared and submits herewith as a part of its legislative program for the 89th Congress, 1st session, a draft of a proposed bill: "To amend title XIII—war risk insurance, of the Federal Aviation Act of 1958."

This proposal is a part of the legislative programs of the Department of Commerce and of the Department of Defense for the 89th Congress. The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress.

Title XIII of the Federal Aviation Act of 1958 authorizes the Secretary of Commerce, with the approval of the President, to provide insurance against loss or damage arising out of "war risks." At the time this title was enacted, however, specific consideration was not given to the possibility that commercial insurance covering risks other than war risks might not be available to civil carriers during periods of emergency while performing air transportation services for the Department of Defense or other Government agencies. As the Department of Commerce has gained experience in implementing the war risk insurance program and as the Department of Defense has developed its program for the utilization of commercial augmentation capabilities in emergency situations, it has become clear that the commercial insurance industry in the United States may not be able to provide insurance protection against risks other than war risks to which civil aircraft might be exposed while performing services for the Department of Defense or other Government agencies in emergency situations.

Although U.S. air carriers can purchase commercial insurance for aircraft operations during peacetime under Department of Defense contracts, the Department of Defense faces the real possibility that at precisely the time an emergency situation arises making the increased use of civil aircraft necessary, the insurance industry will cancel the commercial insurance covering those aircraft and the air carriers would then be faced with the alternative of (i) operating at their own risk without any normal insurance coverage, or (ii) refusing to perform necessary Government defense transportation services until insurance was made available.

The U.S. commercial aviation insurance underwriters have indicated that upon activation of the Civil Reserve Air Fleet (CRAF) their commercial insurance coverage against all kinds of risks will terminate. In other words, upon activation of the CRAF, the participating airlines would be covered by war risk insurance issued under title XIII of the Federal Aviation Act, but would not have any insurance whatsoever against any of the other types of risk, unrelated to hostile activities.

To provide assurance to the air carriers participating in the Civil Reserve air fleet program against such gaps in their insurance coverage, the Department of Defense has been compelled to use the extraordinary contractual authority of Public Law 85-804 to specify that, subject to the availability of appropriations, it would indemnify the air carrier against any loss occurring after activation of the Civil Reserve air fleet if that loss was not, in fact, covered by either commercial insurance or title XIII war risk insurance. This indemnification applies to all risks not covered by title XIII insurance, including risks which the commercial insurance industry is unwilling to insure during periods when the Civil Reserve air fleet has been activated. While this indemnification is limited under the present contract terms to periods when the Civil Reserve air fleet has been activated, the indemnification would have to be extended to periods of lesser emergency if commercial insurance coverage was withdrawn during such lesser emergencies.

The revision of title XIII proposed in the attached draft would enable the Department ments of Commerce and Defense to assure U.S. air carriers which have guaranteed to make their aircraft available to the Defense Department for transportation services in periods of emergency that if commercial insurance coverage is canceled, title XIII insurance would be immediately available.

The attached draft legislation would authorize a program of insurance which, without interjecting the Government into areas where commercial insurance coverage is available, would provide assurance of protection to air carriers providing essential airlift in periods of emergency, a principal objective of title XIII.

The Departments of Commerce and Defense would expect to apply the new authority by providing that any insurance provided under the provisions of title XIII pursuant to the request of the Secretary of Defense shall, to the extent that is applicable to air transportation services performed in whole or in part outside the territory of the several States under the terms of a contract with the Department of Defense, attach upon the issuance of the policy, and provide insurance coverage with respect to all types of risks described in the policy: provided, that (1) the insured shall be compensated pursuant to this insurance for any loss, damage, or liability only to the extent that the insured is not compensated by commercial bonds or insurance; (2) the amount of compensation to the insured, together with all compensation from commercial bonds or insurance, for any loss, damage or liability shall not exceed the amount which the insured would have received from its commercial bonds and insurance, and from any demonstrable program for self-insurance, for a similar loss, damage or liability arising from a risk other than a "war risk" and arising during a transportation operation unrelated to any Government contract; in addition, the amount of compensation in the case of total loss of an aircraft, together with all compensation from commercial bonds or insurance, shall not exceed the amount determined as specified in section 1307(a) of title XIII; (3) the insured shall not be entitled to any compensation for loss, damage, or liability arising from any insured risk if the insured has been notified that the insurance against some or all of the insured risks is obtainable on reasonable terms and conditions from one or more companies authorized to do an insurance business in a State of the United States, and if the insured, after receipt of such notice, has failed to act with reasonable promptness to obtain such commercial insurance; and (4) the insured shall not be entitled to any compensation for loss, damage, or liability arising from any risk other than war risk unless the loss, damage, or liability arose in time of (i) airlift emergency determined by the Secretary of Defense or his designee; (ii) airlift emergency or national emergency determined by the President of the United States; or (iii) activation of the Civil Reserve Air Fleet; such determination or activation must have occurred subsequent to the enactment of this statute and the insured must demonstrate that prior to the determination or activation he had commercial insurance with or without accompanying self-insurance against such risks, which commercial insurance was canceled or ceased to be in effect by reason of the determination or activation.

The Department of Commerce, separate and apart from Department of Defense considerations, would also expect to apply the new authority under this draft legislation to comparable situations which might arise involving contractual relationship of other Government agencies with U.S. civil air carriers.

The Department of Commerce recommends enactment of the attached draft legislation and the Department of Defense concurs in this recommendation.

Sincerely yours,

John T. Connor,
Secretary of Commerce.

EQUITABLE POSTAGE RATES FOR MUSEUMS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to extend library postage rates to qualifying museums for the mailing of educational materials, loan exhibits, and other materials.

The present law provides the low-library postage rate for the mailing of certain specified articles when sent to or from schools, colleges, universities, or public libraries, and to or from nonprofit religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organizations or associations. Many museums are considered to be "educational" organizations within the present law, but exhibits and specimens are not included in the articles specified for low rates.

This bill would specifically include museums in the list of organizations and would amend the law to include museum materials, specimens, collections, teaching aids, and interpretive materials intended to inform and to further the educational work and interests of museums in the list of articles eligible for preferential rates.

Museums are doing significant work in the educational process. Their traveling exhibits reach millions of children who never get to a museum, and such exhibits can often lend to regular course material that exciting touch of reality capable of transforming a child simply attending school into a student. Such a program is certainly worth encouraging. Granting museums library postal rates would recognize these programs and give the mailing of their materials the same status as other educational materials.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2269) to extend preferential postage rates to qualifying museums for the mailing of educational materials, loan exhibits, and other materials, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TRAVEL ALLOWANCES FOR U.S. EMPLOYEES UNDER CERTAIN HARDSHIP CONDITIONS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to revise the statutory authority under which payment for services is made to U.S. employees.

The impact of this bill would affect no more than approximately 50 Government workers at the U.S. Atomic Energy Commission's Nevada test site.

Many of these men are called upon daily to travel more than 200 miles round trip in order to perform their services for the Government. They work side by side with employees hired by private industry who do receive travel allowances. This inequity would be corrected by the bill I am offering.

I ask unanimous consent that the bill may be printed in the RECORD at this point.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2271) to authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada test site of the U.S. Atomic Energy Commission, introduced by Mr. CANNON, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide authority for the payment of certain amounts to offset certain expenses of Federal employees assigned to duty on the California offshore islands, and for other purposes", approved August 31, 1964 (78 Stat. 745; 5 U.S.C. 70c), is amended by inserting after the word "islands" the words "or at the U.S. Atomic Energy Commission, Nevada Test Site, including the Nuclear Rocket Development Station,".

SEC. 2. The amendment made by this Act shall become effective on the first day of the first pay period which begins on or after the date of enactment of this Act.

NATIONAL FAMILY CAMPERS' WEEK

Mr. COOPER. Mr. President, I introduce, for appropriate reference, a joint resolution to designate the week of July 11, 1965, as National Family Campers' Week.

More than 5,000 members of the National Campers and Hikers Association will pitch tents in a Kentucky park next week as they begin their annual convention. Representing a membership of more than 12,000 families in the 50 States, Canada, and Mexico, the association meets this year at Beach Bend Park in Bowling Green, Ky., to enjoy one of America's most popular outdoor activities.

The benefits of camping are increasingly apparent in our growing Nation, where the gap between man and nature becomes ever wider. The millions of Americans who do take advantage of our beautiful State and national parks and of our forests, and other natural wonders know and appreciate the natural beauty of this land. The National Campers and Hikers Association seeks to encourage more families to take up this sport, and teaches them how to help preserve our natural heritage.

As wholesome recreation for families, camping also serves to bring Americans together in good fellowship. I believe it fitting that we recognize the value of this activity by calling the attention of Congress and the country to the annual convention of the National Campers and Hikers Association, and I hope this week can become an annually recognized observance.

The **PRESIDING OFFICER.** The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 95) to designate the period beginning July 11, 1965, and ending July 17, 1965, as National Family Campers' Week, introduced by Mr. COOPER, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROVISION FOR STUDY TO BE MADE CONCERNING PROFIT-SHARING AND STOCKOWNERSHIP PLANS

Mr. JAVITS. Mr. President, I submit for appropriate reference, and ask that it be received and appropriately referred, a concurrent resolution designed to trigger a study by the Labor and Public Welfare Committee into the potentialities of more widespread profit-sharing, including stockownership, by employees. The study would be ordered completed by January 31, 1967, and the committee would be authorized to spend $50,000 for staff and consultants.

The purpose of the resolution, which is similar to one that I submitted in the last Congress, is to bring up to date the only full examination of this important area, which was made in 1939 by a subcommittee of the Committee on Finance, chaired by the late Senator Arthur H. Vandenberg. In its report, that subcommittee concluded that profit-sharing is "essential to the ultimate maintenance of the capitalistic system." The 26 years since then have wrought revolutionary social and economic changes in American life. The considerable experience gained by business and labor in an estimated 100,000 existing profit-sharing plans must be evaluated; the available incentive techniques must be reappraised.

Only since the 1939 survey, for example, has the use of incentive tax exemptions and rewards to stimulate specific forms of economic activity become widely accepted. Its most recent use was in the 1962 incentive credit for investment in plant and machinery. The use of such tax incentives to encourage profit sharing deserves thorough reconsideration. As pointed out by the minority in the 1964 annual report of the Joint Economic Committee, existing law on restricted stock options has generally not furthered stockholding among wage workers.

The pressure of advancing automation and technological change requires a careful analysis of profit sharing. The potentialities of profit sharing for economic advance—by giving labor a stake in increased production and industrial peace in lieu of the constant escalation of wages and the constant shortening of the hours of work—make the study I propose of the highest importance.

Mr. MURPHY. Mr. President, I ask unanimous consent that my name may be added as a cosponsor to the concurrent resolution.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask that the resolution be referred to the Committee on Labor and Public Welfare.

The **PRESIDING OFFICER.** If the request of the Senator from New York is that the study be made by the Committee on Labor and Public Welfare, or an appropriate subcommittee thereof, then, without objection, it is so ordered. The concurrent resolution will be referred to the Committee on Labor and Public Welfare.

The concurrent resolution (S. Con. Res. 42) was referred to the Committee on Labor and Public Welfare, as follows:

Resolved by the Senate (the House of Representatives concurring) That the Committee on Labor and Public Welfare or any duly authorized subcommittee thereof, as authorized by the Full Employment Act of 1946, as amended, is authorized and directed (1) to conduct a full and complete study and investigation of any and all matters pertaining to profit sharing (including stockownership) by employees with particular emphasis upon such matters as the types of profit-sharing plans available to employees, the means by which such employee profit sharing can be encouraged by the Federal Government, and the relationship between profit sharing and increased productivity; and (2) to report to the Senate at the earliest practicable date, but not later than January 31, 1967, the results of its study and investigation together with such recommendations as it may deem desirable.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized through January 31, 1967 (1) to appoint and fix the compensation of such experts, consultants, or organizations thereof, and clerical and stenographic assistants as it deems necessary and advisable; and (2) to hold such hearings, to sit and act at such times and places, to require by subpena or otherwise, the attendance of such witnesses, and the production of such books, papers, and documents, to administer such oaths, and take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman of the committee or the chairman of the subcommittee and shall be served by any person designated by them.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $50,000 through January 31, 1967, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PROPOSED WILDLIFE AND RECREATION PROGRAM FOR RETIRED CROPLAND

AMENDMENT NO. 339

Mr. NELSON. Mr. President, I submit an amendment to title V of S. 1702, the farm bill introduced by the Senator from Louisiana [Mr. ELLENDER]. One amendment would provide a federally funded and State-administered program of wildlife service payments for farmers who retire cropland for periods of 5 years or more, manage it for wildlife production, and open it to the public for hunting and other recreation. The other would establish a permanent advisory committee to the Secretary of Agriculture to make recommendations annually on wildlife and recreation aspects of the farm program.

The long-term cropland adjustment program in title V offers a sound approach to two pressing national problems—the need for crop acreage cutbacks to reduce farm surpluses and the need for public use of some of our private lands for recreation, hunting, and forestry. My amendments deal with the second problem.

National farm policy should be offering more in meeting the pressures on outdoor recreation resources. And now that we are considering financing the diversion of substantial acreage of private lands, we also should be insisting on assurances of substantial public benefits.

It is true that the public areas designated now for outdoor recreation include one-eighth of the total land of the country. Millions of additional acres are used for recreation in one way or another. But this apparent abundance in many ways fails to provide an adequate supply of outdoor recreation opportunities for the public.

The problem is not one of number of acres but of effective acres. For reasons of location or management, much of this vast acreage is not generally available for use. Most is in the mountains of the West and Alaska, for example, while most of the people in this country are east of the Mississippi. Much is in heavy timber, well managed but limited in opportunity for the hunter, the camper, the hiker, or the bird watcher.

The demand for recreational opportunity, based on availability of all kinds of outdoor resources, is creating so much pressure that most of this increasing demand soon will have to be met on private land. This is because of resistance to public land acquisition in many areas and the lack of sufficient public money to buy and manage the recreation space that is needed.

As for wildlife, the problem is equally as pressing. This is particularly true in the heavily farmed sections of this country, where reports of scarcity of many kinds of farm game are almost a seasonal occurrence. It involves quail and pheasants and cottontail rabbits, the most common targets for those who hunt, and pleasant sights for those who simply love the outdoors and many other kinds of game.

The problem of small game scarcity is basically a problem of farming communities. About four-fifths of the land in the United States is in privately owned farms and ranches and about that same proportion of the game hunted each year is produced on that acreage.

A number of wildlife organizations have been insisting that changes in farming are creating a pressing need for wildlife management in rural areas. This growing concern is not prompted so much by the need for increasing hunting opportunity as it is to conserve farm game populations in the face of increasingly intensive farming practices.

Normal land-use practices, they contend, are becoming unfavorable to wildlife in most parts of the United States, but particularly in the Midwest. Two of our best game birds, the quail and the pheasant, are most severely affected.

The trend to more row crops such as corn and soybeans at the expense of small grains and hay is reducing the amount of these game birds nesting type covers. The same result comes from the shift in crop rotation patterns from corn-oats-hay to continuous corn on highly fertile soils.

The amount of corn left standing or in shocks, as well as waste grain and weed seeds, has been sharply cut as a result of improvements in culture and harvesting equipment. Cornpickers, for example, are being constantly improved to reduce dropped ears and shelled corn left in the field.

Cover for all types of wildlife in most sections of the country also is reduced with destruction of woodlots and brushy fence rows, uncontrolled burning of marshland and other wild areas, drainage, indiscriminate spraying of weed and brush killers on fence rows and roadsides, and heavier grazing.

These wildlife organizations have a strong case. It appears that outdoorsmen from the city will soon have to look to properly managed private lands if they are going to continue to have access to hunting. And if farmers are going to manage some of their land so as to encourage wildlife and reverse this trend, some way will have to be found to give these farmers an incentive. A few changes in this cropland retirement program can make that possible.

The alarm over declining farm game populations has led to careful studies documenting this problem. The findings are not encouraging.

A 1963 study of population dynamics and habitat management of quail in prime range in Wisconsin showed present destruction of habitat, if continued at the present rate, will result in disappearance of this game bird in many parts of the State in another 10 years. The prime reason, the study concluded, has been the gradual reduction of hedgerow cover.

Similar studies have been made in other States. The situation has been temporarily remedied, from the hunter's point of view, by having State fish and game agencies lease or buy public hunting grounds, having hunting clubs lease similar areas, or having individual hunters make access agreements with individual farmers. None of these methods suffice and none make the kind of organized effort needed to manage private lands for wildlife production.

Since large sections of farmland were retired and abandoned under the Soil Bank Act of 1956, we now have access to studies showing what happened to wildlife when farmland is idled without habitat development or management.

A major quail study shows, for example, that habitat improved in the first few years after a farm was idled. The land soon became covered by weeds and shrubs and, when surrounded by intensively farmed areas, became ideal wildlife territory. But eventually weedy fallow fields gave way to grass and trees and in the end became nearly foodless, semiforest type areas. As this change took place, quail and pheasant disappeared.

These studies show that stopping of cropping on farmland that is diverted or retired is not enough. Some wildlife management is essential.

An analysis of title V by the Department of Agriculture shows that the proposed program would permit cost-sharing for extensive planting of trees, shrubs, and permanent, high-quality grasses and legumes on retired cropland so as to provide wildlife habitat. It also would permit the Government to consider higher land rental payments to farmers agreeing to open their land to public hunting and other specified recreational activities.

This proposal to guarantee public access for portions of this retired cropland is commendable. But it is possible to do much more to meet these recreation needs with State participation and the outlay of a small additional amount of money.

In addition to providing public access as outlined in the present language of title V, we also should require farmers getting the extra payment to carry out some State-specified management practices that improve wildlife habitat and to avoid some practices that are harmful.

This amendment would guarantee that desirable practices are carried out and public access permitted on at least some of this diverted acreage in every State. It would do this by offering, through State fish and game agencies, a special incentive payment to farmers agreeing to adopt carefully planned wildlife habitat programs and to open their lands to the public.

This State-supervised and federally financed payment would be called a "wildlife incentive payment" and would be in addition to the regular land rental payment now proposed by the Department of Agriculture and any ACP cost-sharing involved. The administration of this wildlife incentive payment program would be in the hands of the State agencies, which would submit State wildlife management and access plans to the Department of Agriculture for funding clearance.

This would place responsibility for this wildlife management and the public access involved at the State level where it will be much more effective. It also would give State fish and game agencies an excellent opportunity to cooperate with the Department of Agriculture in providing a great deal of new recreational space in each State.

The amendment would authorize the Secretary of Agriculture to transfer funds to State fish and game agencies for payment of these small wildlife service payments. These payments would be for farmers certified by the State agencies as wildlife cooperators in this important public land-use program.

The wildlife cooperators, when certified by the State fish and game agencies, would be paid for carrying out some practices and for avoiding others. Using brush killing spray on roadsides and fence rows might be avoided, for example, or early mowing might be banned. The State program of practices for cooperators would be determined by the type habitat developed and would be required for maximum wildlife management in the State involved.

In Wisconsin, for example, the cooperators might be required to refrain from cutting hedgerows in quail range or spraying them with brush killer. They probably would be required to observe strict mowing regulations so as not to disturb nesting of game birds. They might have to plant grasses or legumes as a cover crop. And they probably would have to provide some wildlife food patches to minimize winter starvation.

The practices specified by fish and game agencies in Louisiana, or Vermont, or South Dakota would, of course, be different. These refinements would be determined by the State fish and game agencies, which have experience with State problems and conditions and primary responsibility for habitat development and maintenance. The agencies also would determine a fair level of incentive payment for cooperators.

The Federal Government would provide basic guidelines, require public access of wildlife cooperators in all instances, and finance the small service payments for cooperators.

I ask unanimous consent that at this point the language of the amendment may be printed in the Record.

The Senator from Minnesota [Mr. Mondale] joins me in cosponsoring the amendment.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 339) was referred to the Committee on Agriculture and Forestry, as follows:

On page 43, line 9, immediately preceding the words "The Secretary" insert the following new sentence: "The rate or rates of annual adjustment payments as determined hereunder shall be increased by an amount determined by the Secretary to be appropriate as a wildlife service payment based upon the benefit of wildlife uses established on the land by producers who permit access to such land by the public during the contract period for hunting, trapping, fishing, and hiking under applicable State and Federal regulations."

Insert on page 45, after line 16, a new subsection (d) as follows:

"(d) The Secretary may, without regard to the civil service laws, appoint an Advisory Board on Wildlife to advise and consult on matters relating to his functions under this title as he deems appropriate. The Board shall consist of twelve persons chosen from members of wildlife organizations, farm organizations, State game and fish agencies, and representatives of the general public. Members of such Advisory Board who are not regular full-time employees of the United States shall, while attending meetings or conferences of such Board or otherwise engaged on business of such Board, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently."

ANNOUNCEMENT OF THE APPOINTMENT OF SELECT COMMITTEE ON STANDARDS AND CONDUCT

The VICE PRESIDENT. The Chair wishes to make an announcement relating to the business of the Senate. Pursuant to Senate Resolution 338 of the 88th Congress, 2d session, the Chair now appoints the following Senators to be members of the Senate Select Committee on Standards and Conduct:

The Senator from the State of Mississippi [Mr. Stennis]

The Senator from Oklahoma [Mr. Monroney];

The Senator from Minnesota [Mr. McCarthy];

The Senator from Utah [Mr. Bennett];

The Senator from Kentucky [Mr. Cooper];

The Senator from Kansas [Mr. Pearson].

Mr. DOUGLAS. Mr. President, the appointments are very good. I congratulate the Chair upon the appointments and the Members of the Senate appointed for being willing to serve.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. JAVITS. May I join in that expression? I believe that the appointments are excellent.

Mr. LONG of Louisiana subsequently said: Mr. President, I yield myself 2 minutes from the time for the bill.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 minutes.

Mr. LONG of Louisiana. Mr. President, I note that the Vice President has appointed the Senator from Mississippi [Mr. Stennis], the Senator from Minnesota [Mr. McCarthy], the Senator from Oklahoma [Mr. Monroney], the Senator from Utah [Mr. Bennett], the Senator from Kentucky [Mr. Cooper], and the Senator from Kansas [Mr. Pearson] as the six Senators to represent the Senate on the so-called Ethics Committee.

Mr. President, I did not vote for the committee when it was established. However, I am pleased that the Vice President has named these six Senators.

I recall that when it was necessary to pass on the conduct of the late Senator Joseph McCarthy, concerning a very controversial matter, the then majority leader, Senator Knowland, stood at his desk on the minority side and said that he would be willing to consent to having his life tried before those six men, three Democrats and three Republicans, as I recall.

Those Senators did a magnificent job. They did their job responsibly and courageously. They brought a recommendation to the Senate, which, for the most part, was agreed to. It concerned a very controversial matter. At that time, I believe that the strong man on the committee was the Senator from Mississippi [Mr. Stennis]. The Senator from Mississippi showed great courage and fortitude in discharging the unpleasant responsibility that was pressed upon him by the Senate.

The Senator from Minnesota [Mr. McCarthy] is one of our most admired colleagues in the Senate. The Senator was a professor. He taught in the field of ethics and principles. He has written on the subject. He is well acquainted with it. As far as I personally am concerned, I would be content to have the Senator from Minnesota pass on my conduct.

The Senator from Oklahoma [Mr. Monroney] is one of the most highly respected and esteemed Senators.

Mr. President, as a Democrat, I do not feel that I have the right to pass on those on the Republican side.

It has been my privilege to serve in the Senate with the Senator from Utah [Mr. Bennett]. I have always regarded him as one of the most highly regarded men in the Senate. He is sincere and honest in all his acts. His stature in that regard is outstanding in the field of morals and ethics. We greatly admire the Senator.

The Senator from Kentucky [Mr. Cooper] and the Senator from Kansas [Mr. Pearson] are also to be greatly admired for the same qualities of character as those possessed by the other Senators I have mentioned. The Senator from Kentucky and the Senator from Kansas are two of our most esteemed and outstanding Senators. They are not men to quibble about minor things of no consequence. However, on big issues, involving great principles, these Senators, just as their colleagues, have never failed to live up to the highest standing and tradition of the Senate.

I believe that the Senate as an institution will be in good hands with these six Senators on the committee.

Mr. SCOTT subsequently said: Mr. President, the leadership have nominated the membership, of three members from each party, of the new Committee on Ethics and Standards. I urged that this be done as long ago as last July. I am pleased that it has been done. At that time I said, and I repeat now, that the reports of the Committee on Rules and Administration have indicated how difficult it is for a majority to pursue duties similar to those that the members of the Rules Committee sought to pursue.

I respectfully suggest now, as I did then, that the chairman of the new Committee on Ethics and Standards be chosen now and henceforth from the membership of the minority, because in my judgment the minority—whichever party it may be—is in a better position to conduct investigations involving the integrity of the Senate itself than is the majority. I believe it would save the majority a great deal of embarrassment.

ADDITIONAL COSPONSOR OF BILLS AND AMENDMENTS

Mr. HARRIS. Mr. President, S. 1787, to amend title II of the Social Security Act authored by the Senator from Indiana [Mr. HARTKE], is the same as amendment No. 206 to H.R. 6675, the Social Security Amendments of 1965.

I therefore ask unanimous consent that I may be added as a cosponsor of both S. 1787 and amendment 206 to H.R. 6675 at the next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, as one who is vitally interested in the field of oceanography, because of its importance to the future of our Nation and to my State of Rhode Island, I am happy to become a cosponsor of Senate bill 2251, introduced by the Senator from Maine [Mr. MUSKIE], to provide for the establishment of a Department of Marine and Atmospheric Affairs.

It is my belief that our Nation must move actively and boldly into development of the marine sciences, because of the vast resources of oceans in minerals and fish and plantlife, and because of the need for such technology and advancement involving our national defense.

Much needs to be done in awakening an interest on the part of our leadership in this area and in educating the public, and in stimulating the cooperation and partnership of industry, research institutions, and government. I believe that a thrust is beginning to develop in this direction; but we are only at the threshhold.

While supporting this bill, by joining in its sponsorship, I believe that at the same time we must advance this cause with deliberation and caution. This bill calls for the establishment of a department headed by a Secretary. It is a very broad bill.

As such, the bill does much in serving the objectives I seek, in that it is a focal point, another catalyst, in the developing movement to bring about our eventual primacy in the development of the seas and their vast resources.

I believe that our interests would best be served by the establishment in the Office of the President of a Governmentwide coordinating body for oceanography. This would be a self-liquidating study group. Its purpose would be to consider the national requirements of oceanography, and to recommend to the President a national oceanographic program. Such is necessary if we are to fully utilize and develop the potential of the seas for industrial and other peaceful uses of the future.

Toward this end, the Muskie bill and other bills which have been introduced in Congress serve a very useful purpose. Congress is beginning to move, as well it should when such important work needs to be done; and the public's interest and imagination are beginning to stir.

NOTICE OF HEARINGS ON ADMINISTRATION REQUESTS FOR BANKING AMENDMENTS

Mr. ROBERTSON. Mr. President, I should like to announce that the Subcommittee on Financial Institutions of the Committee on Banking and Currency will hold a hearing on a number of administration requests for changes in the banking laws. The hearing is scheduled to be held on Wednesday, July 21, 1965, in room 5302, New Senate Office Building,, at 10 a.m.

At this hearing, the subcommittee will take testimony on the following bills:

S. 1308, to authorize revised procedures for the destruction of unfit Federal Reserve notes;

S. 1309, to authorize checks to be drawn in favor of banking organizations for the credit of a person's account;

S. 1556, to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions;

S. 1557, to enable Federal Reserve banks to invest in certain obligations of foreign governments;

S. 1558, to amend section 22(g) of the Federal Reserve Act relating to loans by member banks to their executive officers; and

S. 1559, to enable Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions.

Any persons who wish to appear and testify in connection with any of these bills are requested to notify Matthew Hale, chief of staff, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C., telephone 225-3921.

NOTICE OF HEARINGS ON NOMINATIONS OF JAMES F. GORDON, OF KENTUCKY, TO BE U.S. DISTRICT JUDGE, WESTERN DISTRICT OF KENTUCKY, AND HIRAM R. CANCIO, OF PUERTO RICO, TO BE U.S. DISTRICT JUDGE, DISTRICT OF PUERTO RICO

Mr. EASTLAND. Mr. President, on behalf of the Commitee on the Judiciary, I desire to give notice that public hearings have been scheduled for Tuesday, July 20, 1965, beginning at 10:30 a.m., in room 2300 New Senate Office Building, on the following nominations:

James F. Gordon, of Kentucky, to be U.S. district judge, western district of Kentucky, vice Roy M. Shelbourne, retired.

Hiram R. Cancio, of Puerto Rico, to be U.S. district judge, district of Puerto Rico, term of 8 years.

At the indicated time and place persons interested in the hearings may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. ERVIN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE OF RECEIPT OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, for the Committee on Foreign Relations, I desire to announce the following nominations were received today:

Mr. David M. Bane, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Gabon Republic;

Mr. Edward Clark, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia;

Mr. George J. Feldman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Malta;

Mr. Parker T. Hart, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey;

Mr. John D. Jernegan, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic and Popular Republic of Algeria;

Mr. David D. Newsom, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Libya;

Mr. William J. Porter, of Massachusetts, of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia; and

Mr. Hugh H. Smythe, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Syrian Arab Republic.

HUMPHREY, AN INFORMED AND ACTIVE VICE PRESIDENT

Mr. PROXMIRE. Mr. President, few men have served in this body more vigorously or left his stamp more indelibly upon it than HUBERT HUMPHREY.

As Vice President he necessarily must remain in the shadows. When he speaks, he speaks for the President. And of course the President is—and should be—No. 1.

But Mr. President, to the credit of President Lyndon Johnson, he has made certain that Vice President HUBERT HUMPHREY has been kept fully informed. And the Vice President has taken full advantage of this opportunity.

Secondly the President has made HUBERT HUMPHREY an active, responsible Vice President in a wide number of fields. In view of the rare abilities and energy of the Vice President, this is of real service to the country.

I ask unanimous consent that a column by Roscoe Drummond entitled "Report on HUMPHREY—Outlook Is Reassuring," which documents how well informed and active the Vice President has been, be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the Record, as follows:

Report on Humphrey: Outlook Is Reassuring

(By Roscoe Drummond)

Hardly a day passes that some commentator does not give us a report on the State of L.B.J. In sophisticated Washington he is sometimes judged only by the style of his actions; in the country he is judged by the substance of his actions; history will judge him by the results of his actions.

For the most part the reports are favorable. The President is feeling well, he is doing well and is filling his office to the brim and running over.

What about the Vice President? How is Hubert H. Humphrey in the role for which Lyndon Johnson carefully picked him?

It is a critical, crucial, difficult role and Mr. Johnson chose him to be ready to become President if the necessity arose. The President knew how suddenly that necessity could come.

I am not attempting to appraise Humphrey as a possible presidential nominee. There are too many imponderables in that equation to judge. But I want to report two aspects of the Vice Presidency that are immensely reassuring:

1. The President is giving Humphrey the largest opportunities ever given a Vice President to be ready to take up the Presidency.

2. Humphrey is responding to these opportunities in ways that reassure those who work with him.

Humphrey is, of course, not making the policies nor the decisions of the Government. No Vice President ever does and no Johnson Vice President would ever think of it. But Humphrey is often a participant in policy formulation and is kept by the President at the center of decisionmaking.

The President constantly uses Humphrey on a wide range of domestic and foreign policy matters. Humphrey is a valuable legislative troubleshooter, he is active in supervising the diverse space program and in coordinating the work of all Federal agencies in carrying out the civil rights laws.

There is no one in Washington today—outside L.B.J. himself—who knows as much about all that the Government is doing, all that the President is thinking and planning and all he faces, as Hubert Humphrey.

This shows how completely intent Mr. Johnson is in protecting against the worst. It is mighty encouraging when you recall that when Vice President Truman suddenly had everything crash down upon him, he had never once been invited to the White House to talk things over with F.D.R.

But what is Humphrey doing with his opportunities? Is he using them well in order to be ready if the need arises? My information is that on the things that count most he is using them exceedingly well. These are the vital matters:

Intelligence: The Vice President is not taking it easy. He puts in an 18-hour day nearly 7 days a week. The light at his bedside never goes out until he has finished studying every scrap of CIA and other intelligence. When the next day starts Hubert is up to date.

Security: The Vice President has deliberately acquainted himself not only with the Joint Chiefs of Staff but with the second and third echelons of the armed services. He respects them. They respect him. They know he is neither soft nor appeasement-minded. They know he knows the Nation's security requirements.

The economy: The Vice President is a political liberal whose views have often found the bitterest opposition in the business community. But Humphrey's liberalism is tempered by experience and responsibility. He will probably never be the hero of the business community, but businessmen now have reasons to know that Humphrey believes profoundly in competitive enterprise and the profit incentive, knows how important risk capital is to growth and jobs and wants no animus between Government and business.

WEST VIRGINIA BENEFITS FROM NEW SERVICE INAUGURATED BY ALLEGHENY AIRLINES

Mr. RANDOLPH. Mr. President, the local service airlines have been much in the news recently with regard to their multimillion-dollar investments in jet-age equipment. Some observers view their efforts to acquire jet equipment as revealing ambitions to grow into regional trunk carriers.

This is certainly not the case with Allegheny Airlines. This successful local service carrier, while recognizing the necessity to maintain a healthy competitive position in its dense markets, is introducting its newest jetprop service on routes serving small and intermediate cities.

Allegheny plans to begin using the Convair 580 aircraft on its flights to Huntington and Parkersburg, W. Va., on August 1, linking these intermediate cities with jetprop service to Pittsburgh and Philadelphia. The 350 mile-per-hour Convair 580 is the fastest plane yet scheduled by any airline, trunk or local, at these two key West Virginia points, which at this time do not have jet service.

A steady stream of improvements has been instituted by Allegheny. The company has proved in the past a desire to provide the best possible schedules consistent with the ability of the communities to support and expand their air service and subsidy funds provided and reviewed annually by the Congress.

Transportation is a prime factor considered by industry in locating in West Virginia or a given area. Good air transportation is a key in industrial development in our State. Allegheny welcomes the opportunity to aid in the industrial development of growing communities, and has become a working partner in West Virginia's resurgence.

Allegheny Airlines serves Huntington and Parkersburg with four departures daily to Pittsburgh and Philadelphia, with some flights continuing on to New York. With the introduction of the Convair 580 jet-prop, flying time will be reduced by almost one third. In terms of travel time, these growing West Virginia cities will be an hour or more closer to key markets.

Allegheny introduced its jet-props in June of this year, linking two New England intermediate points—Hartford/Springfield and Providence—with Washington, Philadelphia and Pittsburgh. It will place into service this fall the first of its $15 million fleet of 10 jet-powered Fairchild F–27 aircraft which will be used principally to serve intermediate cities on local service routes.

The company plans to begin operating the Douglas DC–9 fan jet in July of next year. This larger and faster aircraft will initially be scheduled in the airline's No. 1 market, Pittsburgh-Philadelphia. However, if the fan-jet proves to be as economical as studies indicate, it will also bring 560-mile-per-hour, pure-jet service to many intermediate cities which can support it.

Allegheny is currently enjoying the most productive year in its history. Its relative dependence on Federal subsidy is going down. The airline officers believe that the time is near when the traveling public will not be satisfied with less than fast, comfortable and safe air transportation. Its investment in American-built jet-powered aircraft will pay dividends in terms of return to Allegheny's nearly 5,000 owners, and in improved community service.

Mr. President, West Virginians welcome the program of progress by Allegheny. This local service carrier has contributed significantly to the well-being of our citizens through increased convenience of both business and pleasure travel.

BIG BROTHER: SCIENTIFIC ADVANCES

Mr. LONG of Missouri. Mr. President today's "big brother" item consists of two articles recently published in Science and Mechanics. One is entitled "Project: Brain Control," by Mr. James R. Berry; the other is entitled "The Future of Brain Control," by Jorma Hyypia.

Both of these articles make most instructive reading as they outline the advance being made by scientists in understanding brain control. This knowledge—and much more to come on the same subject—can be applied for most beneficial uses.

However, the knowledge can also be put to most Machiavellian uses.

We have seen invasions of privacy of all sorts.

The amount of privacy left to an individual is constantly dwindling. His last redoubt is his own thoughts, and even here we find invasions in the form of psychological testing, lie detectors, Government questionnaires, et cetera.

We hear rumors that medical research is approaching direct mindreading or brain control. That is the subject of these articles.

We can only hope that our control of "big brother" progresses as fast as medical research in this field because "big brother" could really "go to town" with what medical science may unfold for us in this field in the not-too-distant future.

I ask unanimous consent that these two articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Project Brain Control

(By James R. Berry)

(Note.—Electronic and chemical stimulation of the brain may lead to pushbutton control of humans.)

In a small, sound-proofed chamber in the basement of Yale University School of Medicine, I recently witnessed the electronic manipulation of an animal's mind.

"Watch," said Dr. Jose Delgado, the physiologist who gave me the demonstration, as he reached to press a pushbutton.

In an adjacent room a group of caged monkeys huddled together quietly grooming themselves. Swinging over them on a trapeze was a ferocious male monkey who, by relentless bullying, had beaten the others into timid submission. The trapeze moved in short, quick swings as the dictator malevolently eyed the colony.

Delgado's finger touched the button and pressed it down. The despot suddenly stopped swinging, an expression of serene contentment flooding his face. He lowered himself to the floor, head cocked to one side, completely indifferent to the colony.

After a minute or so, Delgado released the pushbutton. The boss monkey's head snapped up, eyes glowering. With a savage scream he flew at the others who had started to play in the cage. Within a few seconds of enraged fighting he reasserted complete domination over the cowed colony.

Responsible for the boss monkey's behavior change was ESB—electrical stimulation of the brain. A hair-thin electrode had been imbedded in the animal's brain. When Delgado pressed the button, a radio-controlled electric current—well below the animal's threshold of feeling—coursed through the electrode. The response: an immediate loss of aggressiveness.

Such experiments with ESB and its companion technique CSB—chemical stimulation of the brain—signal a new era in the exploration of the brain. Still in their infancy, ESB and CSB have already reversed medical theories on the nature of emotions. They have handed researchers a powerful tool to study mental diseases and nervous disorders, and opened up new avenues for probing the mysteries of the mind. They have also made possible pushbutton control of human beings.

Doctors have known for centuries that touching the brain's surface stimulated movements of arms and legs, sensory hallucinations, and long-forgotten memories. But probing below the surface to see what happened killed the patient. So, until recently, functions of inner brain areas—of animals as well as men—remained an intriguing but unsolvable puzzle.

In the 1930's a Swiss neurophysiologist, Dr. Walter Hess, developed a method of reaching areas deep inside animal brains. Hess drilled a small hole in the skull through which he implanted thin electrodes in various part of the brain. The electrodes, insulated except at their tips, were connected to a bank of sockets—each electrode having its own socket hole. The socket bank was then cemented to the animal's skull. To stimulate a brain area at an electrode's tip, Hess plugged a lead into the appropriate hole, grounded the animal on a wire floor, and sent a current through the lead.

Hess was especially interested in the hypothalamus, an area of the brain governing many defense reactions. Certain spots in the hypothalamus, he found, evoked rage when stimulated. Others affected rest, eating, sleeping, digestion, and elimination. Stimulating a thirst center, for instance, caused at rat to gulp down water like a parched camel—several days' worth in an hour or two. When the animal had passed off some of the water, another ESB shock would send it scurrying back for another long drink.

Hess' experiments proved that behavior was linked to specific brain sites, a feat that earned him a Nobel prize in 1949. But most neurophysiologists still believed that feelings like rapture, contentment, and emotional pain were due to stimulation of the entire brain, not a specific site. Then, in 1954, a young psychologist named James Olds working at Canada's McGill University, stumbled onto a discovery that rocked the field of brain physiology by proving that "higher" emotions could also be tagged to bundles of nerve fibers.

Olds was using ESB to probe the sleep mechanisms of rats. In one animal, the electrodes missed the sleep area and lodged in a nearby site. Although the electrode wasn't where Olds wanted it, he decided to use the rat anyway to see what happened.

In one experiment, Olds gave the rat a shot of ESB whenever it went to one corner of its cage. Usually animals avoided behavior resulting in ESB. But this rat returned to the corner for more. Olds found he could direct the rat to any part of the cage he wished by rewarding it with ESB. When, in other experiments, hungry rats passed up food in one cage corner for a shot of ESB in another, Olds knew he had accidentially found a reward center offering more pleasure than eating.

Olds decided to see just how strong this and other pleasure centers he pinpointed were. He rigged up a bar in the animal's cage that, when pressed, sent an ESB shock to a rat's brain. Once the animals connected the bar with ESB doses, they stuck there as though glued, forelegs thrashing wildly against it. Some rats stimulated themselves up to 8,000 times an hour; one animal gave himself 2,000 ESB shocks an hour for 24 hours straight. When a rat dropped from exhaustion it napped briefly, took a sip of water, a bite of food, and scampered back for more ESB.

Other sites Olds discovered were pain centers. A rat with an electrode in such an area would press the bar once. After that nothing would make the animal go near it again.

Strangely, rats that spent weeks jabbing the ESB bar seemed healthier than others who had had all the rest, food, and sex they wanted. And they didn't become addicted to the pleasure. When the current was turned off the animals would press the bar a few times and walk away, apparently not missing their ESB shocks in the least. The exact nature of the blinding rapture flooding the rats' minds is a mystery. But the fact such a strong pleasure center exists has thrown open to question all conventional theories about basic animal drives and motivations. Just what function these pleasure centers serve in the daily life of animals and human beings is yet to be discovered.

About the time Olds was experimenting with pain and pleasure centers, another ESB researcher—Dr. Jose Delgado, associate professor of physiology at Yale University—was investigating brain sites influencing cooperation, submissiveness, friendship, and other forms of social behavior. To do so, he perfected an important technique: telemetric ESB stimulation.

A small radio receiver was strapped to an animal's back and leads from it plugged into skull sockets. A radio signal broadcast from a nearby room, amplified by the animal's receiver, sent an ESB signal to its brain. Sometimes substituting for the radio pack were transistorized circuits about the size of a roll of film. These circuits were timed by modified wrist watches and generated ESB doses at regular intervals.

Telemetric ESB allowed Delgado to stimulate animals as they romped or fought without wires tangling or pulling loose. In one experiment testing the reaction of one cat to the aggressiveness of another, he planted an electrode in the aggressive center of a cat's brain. Then he put the mouser with a longtime friend and beamed a radio signal to the cage.

The cat's back arched, fur bristling. With a yowl it attacked. While the two animals were rolled into a ball of flying fur, Delgado cut the radio signal. The fight stopped suddenly, each cat as amazed as the other at the sudden skirmish. Each time Delgado broadcast a signal the fight resumed, the attacked cat becoming more hostile after every bout. Soon the former friends were bitter enemies. Weeks later they still avoided each other.

A more recently developed method of mind manipulation is chemical stimulation of the brain. Chemicals injected into brain sites through hollow electrodes have an effect lasting up to 24 hours. And some chemicals can single out brain cells responsible for one reaction and leave others unaffected.

In one case, Dr. Alan Fisher, CSB researcher at the University of Pittsburgh, injected testosterone, a male hormone, into brain areas of male rats controlling courtship, sex drive, and parental feelings. Fisher expected the hormone to stimulate sex action in the rats. Instead, the drug turned them into fussy mothers. Several males dragged females to a corner nest, then ignored them. When Fisher put baby rats and strips of paper in the cage, the males built nests and filled them with the brood. About 30 minutes later, when the drug had worn off, the male rats stopped their bizarre behavior and looked for females with other things than nest building on their minds.

When Fisher injected testosterone in nearby sites he did arouse normal male sex behavior—even in females. In this case, the females swooped down on unsuspecting males like a pack of amazons.

Next, Fisher injected the hormone in the middle of the two sex areas. Predictably, the drug provoked dual behavior and all the rats—male and female—became confused about their real sex. In several instances a male rat carrying a baby to a nest paused long enough to mount a female—with the squealing pup still between its teeth. In other experiments, Fisher found that different chemicals injected in the same sites evoked reactions like sleeping, eating, and drinking.

Obviously, ESB and CSB are too risky for experimentation on normal human beings. But in an estimated 300 cases the techniques have been used on patients who had little to lose. At Yale University, for example, Delgado used ESB on 30 severe epileptics to spot the precise brain areas causing the malady. Treatment was then centered on those sites. Elsewhere, ESB has determined the function of brain areas surrounding tumors, allowing surgeons to decide whether removal was practical.

ESB has also been used experimentally to treat mental patients. At Tulane University in Louisiana, a select group of chronic mental cases were equipped with self-stimulators. Buttons on a special belt activated electrodes in their brains. Whenever a patient felt depressed, he pushed the button. ESB, washing away anxiety, helped restore a more cheerful mood. In cases where patients had severe psychotic seizures, ESB turned uncontrollable rage into euphoria.

In yet other instances, electrodes were placed in pleasure centers of people with terminal cancer. CSB doses to these sites wiped out the interminable pain with rapture—a tingling sensation throughout the body accompanied by emotional contentment.

As with most scientific advances, while ESB and CSB hold a promise they also pose a threat. On one hand they offer a way to answer age-old questions about the human mind. Yet the menace seems as great; regiments of human beings mechanically carrying out tasks assigned by a master who rewards and punishes at the touch of a button.

The Future of Brain Control

(Note.—We may never be able to mate a human brain with a computer but we are close to creating an electronically controlled man.)

(By Jorma Hyypia)

Sixteen years ago, the late mathematics professor Norbert Wiener planted a new signpost—cybernetics—at the frontiers of science. Since then, virtually every scientific discipline—from medicine to electronics and psychology to astronautics—has been beating pathways toward this crossroad of debate, controversy and far-out scientific conjecture.

Cybernetics, the science that attempts to relate animal and human nervous and brain systems with computer mechanisms, has led to such weird concepts as "thinking machines" and their antitheses, "automated men." So fantastic are the potentials of combined brain and electronic computer research that scientists themselves are often hard put to delineate the boundaries that separate future scientific possibilities from science fiction.

A great deal of nonsense has been disseminated about so-called thinking machines—a popular description for computers that possess a few characteristics that to some degree resemble the workings of a human brain. This term, usually a publicity gimmick, is a semantic pitfall that easily traps the unwary. It is very unlikely that science will ever create a machine that can really think like a brain; startling as it may seem, there is a better chance that an automated, electronically controlled human being will be devised before any bundles of wires and transistors gets close to out-thinking a human brain.

Perhaps the only theoretical possibility of creating a true thinking machine would be to construct a hybrid bio-electronic brain consisting of a living human brain connected directly to an electronic computer; this, at least, would combine the subleties of human thought with the data processing and calculating speeds provided by computers.

The elements necessary for the construction of a hybrid bio-electronic computer seem to be near at hand. Remove, and keep alive, the brain of a just-deceased human being (no living person would want his brain peppered with electrical probes); add drugs to the brain to soup it up to peak performance; by radio communication, inject electrical signals to guide the brain's thought processes into desired directions; by means of microelectrodes implanted in the brain, feed the electrical thought signals to an electronic computer for speedy processing and analysis. This, in theory, would be the ultimate superbrain.

But will it work? Perhaps the simplest reason why this composite brain will probably never be created is that such use of a human brain would surely create considerable moral, ethical, and religious opposition. But assuming that some future society may have ethical concepts that would permit such experimentation, is the notion technically feasible?

Tapping the brain's electrical signals for the purpose of interpreting and utilizing specific thoughts involves a great deal more than the measurement of so-called brain waves with an electroencephalograph (EEG), a now familiar medical instrument. The EEG detects overall patterns of electrical activity (Alpha, Beta, and Delta waves) which can be correlated with the brain's biological activity; however, these waves provide no information about specific thoughts.

A magnetic tape recorder provides a very rough analogy of the way EEG works. The magnetic tape might be thought of as a limited capacity brain that is able to remember or store facts (speech, music, etc.) but is not capable of real thinking. When such a tape is rewound rapidly, one hears a garble of incomprehensible sounds that indicate the presence of some sort of electromagnetic signals. In addition, one may detect that some signals are strong (loud), others are weak (soft), and that there are areas of insensitivity (silence).

Only when the tape recorder is played at proper speed is it able to discriminate separate, albeit continuous, signals to make speech or music comprehensible. Similarly, tapping the brain for real thought requires far more sensitive techniques than are possible with an orthodox electroencephalograph.

Thought tapping would require the pickup of separate electrical signals emanating from individual neurons, the basic units of nervous tissue. This is more easily imagined than accomplished, despite the fact that it is already possible to insert small probes (Ling-Girard microelectrodes) into the brain to detect relatively uncomplicated electrical signals. Presumably, it's possible to monitor the digitalized electrical information processing that occurs in a brain volume of only one cubic micron (there are more than 16⅓ trillion cubic microns in one cubic inch).

So far, so good. But the tapping of one neuron will not deliver a complete idea or memory; the memory of a single event may involve the coordinated activity of millions of nerve cells which, to complicate matters, may simultaneously hold traces pertaining to wholly different memories.

To decipher the simplest of thoughts, the brain would have to be pincushioned with microelectrodes. Unfortunately, this requirement imposes a new set of problems. A single microelectrode can damage the brain, as is evidenced by the eventual "silencing" of the probe area; moreover, other parts of the brain are also damaged by the microelectrode shaft as it penetrates brain tissue to reach the desired neuron. Obviously, as the number of microelectrodes implanted is increased, brain damage is likewise increased. Some of the damaged neurons may be vital to the specific thought process being analyzed.

Neurophysiologists, it seems, face a problem akin to one that has perplexed and exasperated physicists for a long time. This bothersome phenomenon—which physicists call the Heisenberg uncertainty principle—concerns the inescapable fact that exact measurment of one characteristic of a physical system casts doubt onto the precision of some other simultaneous measurement. For example, it is impossible to simultaneously determine the exact position and velocity of an electron; if its position is known, there is doubt about its velocity, and vice versa. Similarly, the more microelectrodes that are implanted into the brain, in order to obtain more accurate data, the greater is the possibility that some important signals are being distorted by the mere presence of the probes.

One might optimistically assume that some day neuron probing might be possible without the need of inserting electrodes into the brain tissue. But that won't necessarily solve the problem because the brain's thought mechanism is not wholly electrical; chemical processes are known to be involved, and other phenomena—magnetism, for example—may also play a part.

Does all this mean that brain signals can never be tapped and fed into electronic devices for useful purposes? Not at all.

Some of the very scientists who doubt the possibility of ever creating a bioelectronic superbrain say that it may someday be quite feasible to tap the brain's motor neurons (nerves that induce physical movement of the body) for signals that would electronically control prosthetic devices such as artificial arms and legs. Admittedly, even this would probably call for many brain connections, but not so many that brain control of artificial limbs needs to be ruled out.

This concept would be amazing enough. But the really far-out brain-computer ideas are being germinated by scientists actively involved in the development of space travel.

For example, the National Aeronautics and Space Administration (NASA) envisions miniature sensor instruments attached to astronauts to gage their physical responses in space flight via telemetry. These devices would measure heartbeats, brain waves, blood pressure, breathing rates, and other bodily factors. Much of this is already being done to obtain data about the biologic effects of space flight; but someday in the future it may be possible to use such data to electronically control an astronaut's metabolic functions and/or to help guide the space vehicles in which they travel.

One high-level NASA official is the leading proponent of research aimed at creating a "Photosynthetic man"—a living human being who, with the aid of cybernetic regulation, could subsist on photosynthesized food in much the same way that plants obtain nourishment.

NASA has also awarded research contracts for the purpose of exploring the possibility of creating the "Cyborg man." The Cyborg—conceived by two doctors at New York's Rockland State Hospital—would be a human being whose bodily functions would be electronically controlled to adapt him to environmental changes experienced during space flights.

We are, it seems, much closer to seeing some sort of flesh-and-blood benevolent Frankenstein soaring through space than a bioelectronic Einstein solving complex problems in a laboratory. But before any of these fantastic things can be realized, cybernetic research must proceed at more down-to-earth levels.

Brain research will surely do much to advance the development of more efficient and versatile computers. The brain possesses a number of very desirable properties which, if duplicated in electronic systems, would greatly enhance the usefulness of computers.

For example, the brain has a fantastic ability to store information, a system of rapid random retrieval, a self-organizing capability, and a high reliability (i.e., a capacity for self-repair and the ability to transfer functions to other parts if some units should fail).

But in some respects, computers are already becoming competitive with the brain. Information storage is a case in point. Scientific estimates of the human brain's ability to store information vary greatly; some experts say the brain can store 4 million bits of information while others maintain that it can pack away 300 million or more bits.

One new computer reportedly has a memory capacity of some 20 million bits, and systems with storage capacities of 1 billion bits are foreseen.

Clearly, the presently recognizable advantages of electronic computers, over the human brain, lie in potential memory storage capacities and the ability to perform complex calculations at incredibly high speeds (1 ultra-high-speed computer element already in existence can perform 10 million computer operations in about 1 second).

The full potentials of cybernetics—like those of any other science—cannot be predicted with any real certainty. There will be surprises—and disappointments. But one thing is certain: the cybernetic crossroad is a gateway to some truly strange and fascinating scientific frontiers.

WONDERFUL WYOMING—75TH YEAR OF STATEHOOD

Mr. SIMPSON. Mr. President, Saturday, July 10, 1965, marks the 75th anniversary of the date on which Wyoming grew from territorial status to become the 44th member of the United States of America. A myriad of events has been planned for Wyoming tomorrow, events that will bring dignitaries and visitors from Wyoming and her neighboring States to the centers of activities for this diamond jubilee.

Gov. Clifford Hansen will lead the 1965 diamond jubilee parade—a reenactment of the parade and statehood ceremonies which originally ushered in Wyoming's entry into the Union. State officials and visiting dignitaries will ride in carriages provided by the Cheyenne Frontier Days Committee. The statehood program will move to the gold-domed State capitol where many descendants of those original Wyomingites will reenact the statehood program.

Mr. President, an excellent article by Rocky Mountain News writer, Al Nakkula, describes the program of events, and I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The State of Wyoming is today both envied and emulated. We are a State with no bonded indebtedness, with a fine highway system and one of the finest universities in the world—a university which ranks in the top 10 percent of American schools. We are known as the land of high altitude and low multitude. As I told Senators KUCHEL and MURPHY during the Calaveras County, Calif., frog jumping contest several weeks ago: "Out in my neck of the woods the canary birds sing bass, the frogs croak falsetto, the men are men, the women are glad of it, and seldom is heard a discouraging word."

Mr. President, we of the Equality State are proud to live in what we call wonderful Wyoming. We have a self-reliant citizenry which has generally turned its back on the paternalistic overtures of a virtually omnipotent Federal Government. Our people and our place in the Rocky Mountains, combine to make the 44th member of the American Nation truly wonderful Wyoming—and we are 75 years old tomorrow.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WYOMING JUBILEE CAPS MONTHS OF TOIL

(By Al Nakkula)

CHEYENNE, July 5.—Dignitaries and visitors from throughout Wyoming and her neighboring States will converge here Saturday to participate in the Equality State's Diamond Jubilee.

Local businessmen, civic leaders and townspeople have been toiling for months in preparation for the celebration marking the 75th anniversary of statehood.

Organized as a territory in 1868, Wyoming became the 44th State to join the Union on July 10, 1890.

While still a territory, Territorial Gov. J. A. Campbell signed the Woman Suffrage Act on December 10, 1869, giving women the right to vote. The anniversary is observed as Wyoming Day.

PLAYED BIG ROLE

Because of the equality rights to women, the ladies played a major role in the ceremonies which followed Wyoming's admission to the Union 75 years ago.

Merchants closed their shops, decorated their horse-drawn wagons with banners and items of their trade, and joined a colorful parade to the capitol grounds to hear statehood speakers.

History records that Mrs. Horace (Theresa) Jenkins, a worker in the cause of women's suffrage, gave an oration at the time.

Mrs. Esther Morris, regarded as the mother of women's suffrage for carrying the Wyoming movement throughout the country, presented a new State flag to Gov. Francis E. Warren on behalf of the women of Wyoming.

The 1965 Diamond Jubilee will be a reenactment of the parade and statehood ceremonies with participants dressed in costumes and riding in wagons and carriages of that era.

LEADS PARADE

Gov. Clifford Hansen will lead the parade and delegation of State officials and visiting dignitaries riding in carriages provided by the Cheyenne Frontier Days Committee which has the largest collection of carriages in the world.

The Governor later will be master of ceremonies and narrate the statehood program at the State capitol.

Participating in the parade and program will be many descendants of the original cast of pioneer dignitaries and families.

Mrs. Betty Grosbeck, a direct descendant of Mrs. Jenkins, for example, will play the role of the suffragette. Miss Susan Dubois, Cheyenne Frontier Days Queen of 1964, will play the role of her great-grandmother, Mrs. Esther Morris.

William Dinneen, Sr., pioneer Cheyenne autodealer, will play the role of Governor Warren; U.S. District Judge Ewing T. Kerr will portray Territorial Judge M. C. Brown, and Harry H. Henderson, Cheyenne attorney will enact the role of C. D. Clark, a territorial legislator from Evanston.

HISTORIAN

Playing another major role will be Miss Maurine Carley, pioneer resident and Wyoming historian.

The invocation will be given by Dr. John M. Pattison, pastor of Cheyenne Presbyterian Church. The benediction will be given by the Most Reverend Hubert M. Newell, bishop of Cheyenne Catholic diocese.

Band music will be held before and after the ceremonies under the direction of Rex Yokum, of East High School.

The concert will be performed by the massed bands participating in the preceding parade including the Cheyenne City Band, East High School Band, Central High School Band, St. Mary's High School band, and the Cheyenne American Legion Drum and Bugle Corps.

The statehood ceremonies will begin immediately following the parade which is scheduled to start at 10 a.m., mountain standard time. (For the benefit of Colorado visitors, Wyoming is not on daylight saving time.)

TO SIGNAL START

Start of the parade will be signaled by the appearance on horseback of George Guy, Cheyenne attorney, costumed as President Teddy Roosevelt.

President Roosevelt is remembered here for his historic horseback ride from Laramie to Cheyenne in 1903.

The parade will follow from 24th Street and Central Avenue, near the State capitol, south on Central Street to 17th Street, one block to Capitol Avenue, where it will turn north for return to the capitol.

Following the carriages carrying the costumed Governor Hansen and other dignitaries will be a parade of floats provided by local merchants. In many instances the floats will be exact copies of the ones which appeared in the original parade of 1890.

Participating in the parade will be representatives of the Union Pacific Railroad, which laid its rails through here in 1867–68, playing a major role in development of Cheyenne and Wyoming.

Other marching units will include servicemen and families from Warren Air Force Base, the Wyoming National Guard, Reserve Officers Association, veterans organizations, service clubs, and civic groups.

PARADE CHAIRMAN

Mrs. Dazee Bristol is parade chairman and Mrs. J. D. Ziemer is parade cochairman.

Mrs. Bristol 40 years ago presented the first floats to the first Cheyenne Frontier Days Parade. Her floats are still appearing in the annual Frontier Days Parade held the last full week in July.

Some of these floats which will appear in the jubilee parade include the renowned Dazee Square Dancers, two floats depicting early Wyoming mining, the Harry Hynds Blacksmith Shop, and Hell's Half Acres, depicting a famous pioneer-days saloon.

Cheyenne Democratic women will re-create an original float carrying 44 girls dressed in Grecian costumes representing the 44 States in 1890. The girls on the 1965 float will be from every county in Wyoming.

Cheyenne Republican women will enter an original float depicting the signing of the Wyoming statehood bill by President Benjamin Harrison.

The League of Women Voters will sponsor a float honoring Mrs. Nellie Tayloe Ross, first woman Governor of Wyoming in 1925–27 and later Director of the U.S. Mints for 20 years.

RECESS AT NOON

Statehood ceremonies will recess at noon until 7 p.m., when a banquet will be held at the Frontier Pavilion in Frontier Park, catered by the Trail Cafe.

Governor Hansen will again head a list of dignitaries and civic leaders, including Mrs. Alice Messick of Douglas, State chairman of the 75th anniversary celebration.

Holding a place of honor will be Mrs. Annie Walsh who was born on Statehood Day 75 years ago.

Toastmaster of the banquet will be Charles E. Carey, noted Cheyenne businessman, grandson of Governor and Senator Joseph P. Carey and nephew of later Governor and Senator Robert B. Carey.

TO GIVE INVOCATION

The invocation will be given by the Reverend D. Warren Dirks, pastor of the First Methodist Church.

A program of entertainment will be provided by the Mad Hatters from Pinedale, and the Flaming Mamies, a group of can-can girls from Douglas.

Climaxing the celebration will be a fireworks display in the park at 9:30 p.m. provided by the Cheyenne Jaycees. It will duplicate the colorful pyrotechnical display which ended the original statehood celebration on July 10, 1890.

TRIBUTE TO JOSEPH P. MOLONY

Mr. KENNEDY of New York. Mr. President, the new international vice president of the United Steelworkers of America is Joseph P. Molony, formerly of Buffalo, N.Y., whose able leadership paralleled the birth and development of this fine trade union. Prior to becoming vice president, Irish-born Mr. Molony was director of district 4 of USWA.

He was one of the original founders of the steelworkers organizing committee, predecessor of the United Steelworkers of America. And in the subsequent 27 years, Mr. Molony has ably served as an organizer, negotiator and administrator. He is a member of local union 1743, the Republic Steel local in Buffalo.

Mr. Molony has served effectively in numerous community activities. These include the Buffalo Urban League, of which he was a director, the Governor's workmen's compensation committee and the Niagara Frontier Port Authority. He is an Army veteran and has one son.

With this impressive background, I am certain that Mr. Molony will serve capably as international vice president of the steelworkers.

ADDRESS BY BRIG. GEN. J. D. HITTLE AT ANNUAL CONVENTION OF DEPARTMENT OF NEW HAMPSHIRE VETERANS OF FOREIGN WARS

Mr. COTTON. Mr. President, last month the New Hampshire Department of the Veterans of Foreign Wars held its annual convention in Manchester, N.H. As members of the Senate are aware, the VFW is one of the largest and most constructive organizations in our Nation.

We in New Hampshire are deeply proud of our New Hampshire VFW and its ladies auxiliary, as we are of our other fine veterans organizations. They have contributed much, through patriotic and community-service activities, to the betterment of our State.

One of the highlights of the convention was the annual banquet, which was held in the Pulaski Hall, in Manchester. The banquet was attended by several hundred members of the VFW, its auxiliary, their families, friends, and public officials.

The principal speaker at the banquet was Brig. Gen. James D. Hittle, USMC, ret., who is well known to Members of the Senate as former legislative officer for the Marine Corps, and later as Assistant for Legislative Affairs to the Secretary of Defense. Since his retirement, he has served as director of national security and foreign affairs for the Veterans of Foreign Wars.

Because of the importance of his speech, which reflects the observations and information obtained by VFW Commander in Chief John A. Jenkins and the director of national security and foreign affairs, Brigadier General Hittle, during their recent visit to southeast Asia and South Vietnam, I ask unanimous consent to have General Hittle's VFW banquet address printed in the Record at the conclusion of these remarks.

I also wish to mention at this time new VFW officials for the State of New Hampshire, elected at the recent convention. The newly elected commander of the Department of New Hampshire, VFW, is Orman A. Flynn, of Lancaster, who succeeds retiring Comdr. George P. Frost, of North Hampton; the senior vice commander is Edward McLavey, of Hudson; the junior vice commander is Harry Manning, of West Swanzey; and the quartermaster is Daley E. Whipple, of Fitzwilliam.

There being no objection, the address was ordered to be printed in the Record, as follows:

Excerpts From Remarks of Brig. Gen. J. D. Hittle, USMC (Retired), Director, National Security and Foreign Affairs, VFW, Annual Convention, Department of New Hampshire Veterans of Foreign Wars of the United States, Manchester, N.H., June 11–13, 1965

We had better recognize that what happens in South Vietnam directly affects the security of the United States and hence the preservation and the survival of the United States.

Why is this so? Because Vietnam is a strategic pivot in that portion of the world. The Reds know this and that is why they are so determined to take South Vietnam.

They know that if South Vietnam falls, the road is open to conquest of all southeast Asia. Communism would have Malaysia and its great port of Singapore. When it has this, communism will be in a position of controlling the Straits of Malacca between the Pacific and the Indian Ocean. This would deprive the Persian Gulf oil fields, East Africa, Pakistan, and India protection by our seapower from the Pacific. When this happens communism will have succeeded in fragmenting the strategic integrity of the free world.

But, it means something more: The loss of South Vietnam will carry communism southward where it can move from the mainland to the island stepping stones of Indonesia, which extend in a great arc to the northern shores of Australia.

If South Vietnam goes to the Reds, the entire strategic position of the United States in the western Pacific will be outflanked.

This is because today the U.S. outer defense line in the Pacific runs from Korea southward to Okinawa, then to Taiwan, the western Philippines, and then to South Vietnam, which is the southern anchor of our defense line.

The strategy of communism is simple, but sound. If communism can take South Vietnam, the Reds will have outflanked our defense line in the Pacific. The Philippines, free China, Korea, and Japan will be endangered from the south.

If our outer defense line is outflanked, there are a couple of things we should do right away. High on the list of priority would be the fortification of Pearl Harbor, and the strengthening of the defense of the west coast of the United States.

And so, we see that in being loyal to the cause of freedom in a distant corner of the world, we are also being loyal to our own freedom and the defense of our own Nation.

But, there are some, as we said, who either don't know or don't care, and they are not all listed among the contributors to the high-priced ads calling for our surrender.

There was a sizable representation of this kind in Washington a few weeks ago—on April 16. Close to 20,000 of them converged on our Capital City by well coordinated, and apparently well financed, caravan of buses. They hoisted their placards, they picketed the White House, they frolicked on the green lawn in the shadow of the Washington Monument, ringed by the 50 flags representing our 50 States.

It was, all in all, a discouraging and disgusting spectacle. The placards they so jauntily carried could all be summarized under one word—disloyalty. Such a demonstration takes advantage of the very freedom which other people, at that very moment, were dying to protect. I cannot help but think that they should have spent less time in painting placards calling for surrender, and devoted more time to reading something the generations who have gone before so well knew and so deeply revered—the Constitution of the United States.

If these placard-carrying persons had taken the time to read the Constitution, they might have noted the often overlooked and brief section 3 of article III, which defines treason. Included in that definition, so carefully worded by our founding fathers, is "giving aid and comfort to the enemy."

Wasn't it comforting to Moscow and Peiping to know that the White House was picketed by those demanding we stop our bombing in North Vietnam? Aren't the demands for our withdrawal from South Vietnam helpful to the Communist propaganda machine? Isn't an enemy aided by pictures of bearded, but otherwise healthy looking, U.S. citizens carrying placards defiantly announcing "I won't fight in Vietnam."

As I watched this sorry spectacle, I remembered that these marchers certainly didn't represent all the youth of America. They certainly didn't represent those who have assumed the ultimate responsibility of citizenship, demonstrating the highest degree of loyalty, who as members of our armed services are fighting the good fight for freedom in Vietnam, in standing watch on the ramparts of freedom throughout the free world. And while they are doing this for us, it is our responsibility to do all that we can to assure that, as a nation, we remain loyal to the cause for which they are fighting and those who are doing the fighting.

I have just returned from being at battle fronts in South Vietnam with VFW Commander in Chief John A. Jenkins. The VFW, consisting entirely of overseas combat veterans, can take genuine satisfaction that our young men who are today's overseas combat fighting men know that the VFW remembers them and is concerned about them. They know this because the commander in chief of the VFW met with them and talked with them, and discussed their problems and accomplishments with them in the midst of Communist infested fighting areas. He flew to see them in the mountains along the Cambodian frontier, at the big airbase in Da Nang, at the Marines' beachhead at Chu Lai in the sandy flatlands to the south.

And so, in Vietnam, where the United States is fighting with our South Vietnamese allies a historic battle against Communist aggression, our boys, who are doing the fighting know that those who fought overseas ahead of them have not forgotten them. They have this assurance—personal assurance—from the commander in chief of the Veterans of Foreign Wars.

Incidentally, you may ask, what do these young men in Vietnam think about the picketing and protesting back home. I can tell you they don't like it. I asked one young marine, about 20 years old, in embattled Chu Lai what he thought of those carrying posters "We won't fight in Vietnam."

He said: "I wish I had one of those smart college boys here. I'd like to take him with me on outpost duty tonight.

"There's a VC (Vietcong) sniper who's been trying to get me for the last three nights. But I haven't been able to nail him yet." He paused and smiled. "I'd sure like to get him in my foxhole when that sniper starts working on us. I want to see how much that poster carrier will wave his cardboard then."

His speech finished, he trudged through the sand back to his platoon. In a few hours he'd be back on outpost duty, trying to nail the Communist Vietcong sniper before the sniper gets him. I was sorry he couldn't take along a White House picket.

VFW Commander in Chief Jenkins and I visited our fighting men in the heavily forested mountains along the Cambodian border. This is the country of the Montagnards, the mountain tribesmen.

The war here is one of ambushes and close quarter, small unit fire fights. I asked a sergeant in our Army's Special Forces, a veteran of some bloody patrol actions, what he thought about the picket lines and teach-ins protesting U.S. policy in South Vietnam.

He didn't have to ponder over a reply. He'd obviously been thinking a lot about it.

"We're in a war," he said. "What those people are doing helps the enemy. And I don't think any American has the right to do that."

So far I haven't found a U.S. fighting man in South Vietnam who disagrees with him.

The VFW has taken a lead among the organizations of our Nation in supporting strong action to defeat communism in Vietnam. Events have proven this long-standing position of the VFW to be sound and correct. In supporting a policy of doing whatever is necessary to win in Vietnam, the VFW is continuing in its historic role of patriotic action, and doing things that really matter in helping preserve our country and its way of life.

THE U.N.—WE NEED IT MORE THAN EVER

Mr. PROXMIRE. Mr. President, in a time when world tensions are increasingly rising, the United Nations is coming under attack. There seems to be a lack of interest in a forum which should serve all the world. A chill is spreading over the greatest assembly of countries the world has ever seen.

But, Mr. President, never has the world more needed a United Nations. In our times the future of the world is continuously in peril. We cannot remind ourselves often enough of the value of such a forum as the United Nations, where talk can replace shooting, where planning to aid the peoples of the world can be substituted for devising ways to destroy them.

The distinguished Deputy Prime Minister of Israel, Abba Eban, has written an article in Look magazine in which he tellingly points out:

> If the U.N. dialog is broken off, we shall feel the icy blasts of the coldest of cold wars, while small nations will lose the only platform from which their voices can echo the hope of peace-loving mankind.

I ask unanimous consent to insert the article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DO WE REALLY NEED THE U.N.?

(By Abba Eban, Deputy Prime Minister of Israel and, for a decade, one of the leading figures of the United Nations)

Every year, 114 governments survey the state of their nations and prescribe remedies of varying utility for human ills. But there is no authority with power to survey the state of the entire human nation in its full breadth and complexity.

What would a president of the world responsible for human destiny have to report if he faced a universal parliament in the year 1965—the 20th anniversary of the founding of the United Nations?

Sixty percent of the earth's land surface is arid or semiarid, and this area is capable of supporting only 5 percent of the world's population.

The inhabitants of the earth now number 3 billion and, at the present rate of increase, will number 6 billion by the end of the 20th century.

More than half of the world's present population suffers from varying degrees of malnutrition. The increase of food production is not keeping pace with population growth.

Life expectancy, which reaches an average of 70 years in developed countries, drops to 30 years in parts of Asia and Africa. Some 500 million people are afflicted by waterborne diseases for which remedies or preventive techniques exist.

Some 700 million adults throughout the world are illiterate—including 80 percent of the population of Africa and 60 to 65 percent of the population of Asia.

In economic and cultural opportunity, the disparities are already vast and growing wider. Ninety-eight percent of the human race now lives in sovereign states, and for the first time in history, the nations of the human family are equal in political and juridical terms. But the most advanced countries are 3,000 percent more prosperous than the least advanced. The effects of science, technology, and industrial progress are still largely confined to the advanced countries which contain less than a quarter of the human race.

A great migration from villages to cities is going forward across the globe under conditions that increase the peril to health and social stability.

Some of the world's natural resources are nearing depletion.

The earth's atmosphere and many water sources are being poisoned by wholesale pollution.

There has been no diminution of the arms race and little progress in evolving agreed forms of international security.

The "state of the world" message would not be composed entirely of these dark warnings. It would include a testimony to the healing power of science, which is the central common enterprise of man. It would tell of our new opportunities to fertilize soil, to harness water, to desalt the sea and irrigate the deserts, to diffuse the fruits of knowledge and to draw all men together in growing accessibility. It would portray towering feats of imagination and courage that have sent man beyond his earthly confinement into the exploration of extraplanetary vistas. It would include a new awareness of planetary interests and an unexampled mingling of experience across the frontiers of states. It might even make consoling reference to the pacifying effects of danger.

In Winston Churchill's words: "It may well be that we shall, by a process of sublime irony, have reached a stage in this story where safety will be the sturdy child of terror, and survival the twin brother of annihilation."

These consolations are real enough. But the main conclusion would be somber: Human welfare is lagging far behind the pace of human opportunity. And the reason for the lag lies in an inadequate intensity of cooperation. There is also wanton violation of rational priorities. A world that spends over $300 million a day on armaments cannot find $300 million a year to maintain an organization for the defense of peace. It is easier to budget funds to invade the Moon than to save the Earth for urgent human needs.

How can issues of such scope be surveyed, still less solved, except in a global arena? The heads of governments are so preoccupied with regional crises of relatively limited effect that the affairs of the human nation receive only marginal attention. It is true that United Nations specialized agencies and conferences bring a universal vision to bear on the torment and hopes of mankind. But they have never yet discussed them at a level of authority capable of yielding decisive action, summit meetings still take a microscopic view of a few problems, instead of a panoramic view of the total human scene. Yet it is precisely through concern for supranational interests that governments have a chance of transcending their rivalries and developing trustful attitudes that could, in time, transform their approach to the provincial squabbles—the Vietnams and Congos of this troubled world.

At the recent convocation in New York to discuss the Papal message "Peace on Earth," I suggested that the heads of national governments come together for a week to discuss the destiny of the planet—the population explosion, the development of resources, the spread of scientific knowledge and the structure of the evolving world community. Not all the matters that now engage the time of our presidents and premiers are of greater import or dignity.

It is because of planetary problems that the urgency of preserving the U.N. framework becomes acute. With all its imperfections, the U.N. is the only incarnation of a planetary spirit. It alone presents a vision of man in his organic unity. It does not escape into a vague universalism by ignoring the claims of nationality.

A paradox of our times is that the proliferation of small nation-states goes hand in hand with a search for wider forms of integration, as exemplified in the United Nations, the European Economic Community, the Organization of American States and the Organization of African Unity. The United Nations Charter strikes a delicate balance between national identity and universal solidarity. The nation-state, after all, is still the main source of distinctive culture. In some respects, all nations are like all others; and none can escape the overriding human destiny. But those qualities that a nation holds especially to itself, its memories and dreams, may well be its gift to human culture. Nationalism's victories of the past two centuries have been won against tyranny and colonialism. Those who mourn the fragmentation of the political map and long for larger political units should recall how the explosion of nationalism came about. In an area of Europe where there were once two sovereignties—the Austro-Hungarian and the Ottoman Empires—there are now 11 states. In Africa, where once imperial Britain, France, and Belgium ruled, there are now 33 nations.

The growth of nationalism has been, in the main, a story of liberation. National diversity can be a source of intense and positive vitality, provided that it is reconciled with the restraints and solidarities of an international order.

It is the intellectual merit of the United Nations meetings that they involve sovereign governments in issues outside their limited range of self-interest. To great nations, the U.N. teaches the humility of altruistic concern. To small nations, it offers an escape from suffocating provincialism. When Latin delegates are called upon to discuss the Middle East, when Israel, Cyprus, and Iceland adjudicate African issues, they are all released from excessive self-preoccupation into a world where detached inquiry enlarges understanding and deepens compassion. Each nation becomes involved in the adventure of world community. Universalism, far from being the enemy of the nation, emerges by paradox, as its best friend, and quite possibly as its last one.

It is hard to imagine what the decline of international political institutions would mean for great power relations. The dialog maintained in a permanent diplomatic conference at U.N. headquarters has become so familiar to us for 20 years that we cannot accurately tell what its cessation would signify. It is reasonable to give the United Nations some credit for breaking up the rigid bipolar confrontation of "East and West." In an effort to win the sympathy of disinterested peoples, even totalitarian regimes abandon their dogmatism, strike relatively moderate postures and seek alliances outside their own strict orthodoxies. If the U.N.

dialog is broken off, it is logical to expect a return to the old rigidities. We shall feel the icy blasts of the coldest of cold wars, while small nations will lose the only platform from which their voices can echo the hope and pathos of peace-loving mankind. In the last 1930's, the disintegration of the League of Nations was both a result and cause of the world's relapse into the anarchy of force. If the United Nations roof collapses over the heads of more than a hundred nations today, a chain reaction of aggravated tension will be the most probable result.

There is one domain in which the existence of an international tribunal has visibly helped to transform our generation's life. The 51 member states that founded the United Nations in 1945 have now grown to 114. The original membership roll comprised 19 Latin American, 12 European, and 3 African sovereignties. This could hardly be described as an accurate or egalitarian picture of the human map. Today, the community of sovereign African states already numbers 33, and all but a fraction of the 290 million Africans have been freed from colonial tutelage. In Asia, the process of emancipation is almost complete.

The remarkable thing is that much of this transition has been pacific. In former times, national movements might cultivate, in Jefferson's words, "a decent respect for the opinion of mankind." But it was chiefly by inculcating a decent respect for their capacity to make violent trouble that they won and kept their freedom. Today, the liberty of nations is a matter of birthright, not of conquest. However strongly the colonial powers have chafed at the nagging persistence of the United Nations, they have never been free of its strong bias for orderly emancipation. No colonial problem has ever been submitted to U.N. inquiry or judgment without a solution of national independence emerging within a few years. And when the new state, often small and desperately poor, comes out into the light of freedom, its flag in the United Nations, above all else, is what symbolizes and excites its sense of identity.

No one can claim that the transformation of the U.N.'s membership has had much effect on its procedures. A deep-rooted constitutional conservatism is one of the defects that a renascent organization would have to overcome. The failure to solve the problem of Chinese representation robs the U.N. of its crucial claim to universality. The member states must make up their minds what they want the U.N. to be—an exclusive club for the like-minded and the virtuous, or a mirror reflecting the realities of power and opinion as they are, in all their rich and sometimes uncomfortable diversity. If the idea is to mirror an existing world, then it should not be impossible to apply this principle, in due time, both to the facts as they are on the Chinese mainland and on an independent and separate Formosa.

Similarly, there is a compelling case for altering the composition of the Security Council and the Economic and Social Council. Both still reflect the Western predominance of the 1950's, rather than the new balance of the 1960's.

There is such a thing in physics as "fusion at high temperatures." In politics, too, it is in the heat of crisis that old patterns are often broken up and new ones formed. The U.N. crisis may be a suitable occasion for reviewing procedures that no longer conform to reason or dignity. A repetitive general debate with no limitation on utterance occupies the General Assembly for several weeks, and is resumed each September before the echoes of the previous debate have died down. A sovereign right to speak surely includes a sovereign right to accept a half-hour limit. Similarly, there is need to review the farcical idea that a body of 114 members can be a "committee" so long as its members speak sitting down. More negotiations and less declamation; detailed committee work in small groups rather than mass discussion in public; a less encyclopedic agenda omitting items that recur by force of gravity year by year with no prospect of solution—these are reforms a national parliament would have adopted long ago. Today, they are urgently necessary in order to give the United Nations rationality, in keeping with the pragmatic temper of our age.

But above all other considerations, reform of the structure of the United Nations is dictated by the need to preserve the U.N. idea.

Social history reveals the constant enlargement of the idea of community—from family to tribe; from tribe to village; from village to city-state; from city to nation. In each case, there was doubt that the larger units could ever command the intimate and simple devotion enjoyed by the smaller. Yet, again and again, the smaller and the larger loyalty came to coexist and endure. Similarly, there is no chance that a world sentiment will supersede the deep-rooted impulse of national sentiment. Nations will have to live their lives on two levels: on the intimate level of national distinctiveness and on the broader level of universal solidarity. Much of diplomacy today is a holding action to gain time until the unifying process of history takes all mankind into its embrace. Modern statesmen must act in a double role: as spokesmen of their particular national interests and, at the same time, as representatives who combine a particular local responsibility with a broader national view. If the United Nations has not fulfilled man's hopes, it is largely because the immediate parochial concerns of nations have won priority over universal concerns that, though they appear to be long term and lacking in urgency, will ultimately determine humanity's future.

No less urgent than the solution of problems in southeast Asia and the Caribbean is the early restoration of the U.N. as a functioning organization. The largest hopes of mankind accompany the committee of 33 nations now seeking a solution of the U.N.'s financial and constitutional crisis.

In the words of the French theologian-philosopher Teilhard de Chardin:

"Everything that formerly made for war now makes for peace. Pressed against one another by the increase in their numbers and relationships, forced together by the growth of a common travail, the men of the future will in some sort form a single consciousness."

This "single consciousness" is the central idea of the United Nations. If we cannot yet touch it with our hands, let us not lose it from our vision.

STUDY OF CONTROL OF OBNOXIOUS PLANTS

Mr. TYDINGS. Mr. President, as a cosponsor of Senator CASE's bill S. 1380 for the study of control of obnoxious plants, I call the attention of this body to the importance and urgency of this bill. I read from the lead sentence of an article published recently in the Washington Daily News:

> The stench from a water weed called sea lettuce is driving the residents of Owings Beach, Md., from their homes.

Mr. President, the smell of sea lettuce is the smell of hydrogen sulfide, a smell that strongly resembles rotten eggs. It is unfortunate that in this day and age, people should be forced from their homes because we do not yet have the scientific knowledge to enable us to control such aquatic plants. I urge Senators to read this article and to support the proposed legislation introduced at this session. I ask unanimous consent to have printed at this point in the RECORD, Cordelia Ruffin's article from the Washington Daily News.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, June 2, 1965]

A SMELL OF BAD EGGS: ROTTEN SEA LETTUCE IS RUINING BEACH

(By Cordelia Ruffin)

The stench from a water weed called sea lettuce is driving the residents of Owings Beach, Md., from their homes.

Owings Beach was a pleasant little settlement of summer and winter cottages on the Chesapeake Bay until the sea lettuce began drifting in 3 years ago. Now it spreads a half a mile across the cove. Wherever it piles up it rots and produces large amounts of hydrogen sulfide, a gas that has the smell of rotten eggs.

DANGER

Harold Elser, biologist with the Maryland Department of Chesapeake Bay Affairs, told one resident that the gas is poisonous and in concentrated dosages could cause death.

Owings Beach residents are full of stories of its ill effects.

"You can't prove these things," said Charles Homer, head of the Owings Beach Association. "We had one death down there. Mrs. Roberts developed a cough. But she was in her eighties."

John Hause, a bricklayer, whose home is closest to the pier and to the neatly painted signs, "Private Pier" and "Gentiles Only," has lung trouble. He hasn't been able to work for a year and recently spent a month in the hospital where, he said, they found black streaks on his lungs.

"It's a shortness of breath," he said. "It seems like there's no place for the oxygen to go. I can't even walk around the block."

Other residents complain of coughing attacks and nausea. They shut their windows tight at night, but still the gas seeps in through their air-conditioning units.

The gas has other odd effects. It tarnishes silver and has speckled with black the fresh white trim on Mr. Hause's house.

GAVE UP

Last year the townspeople hired four laborers to rake the lettuce up, but the men gave up after an hour.

"This year it would take an army," said Mr. Homer. "They'd have to wear gas masks."

Earlier this month a delegation visited the Anne Arundel County Council and persuaded members to pass a resolution recognizing Owings Beach's sea lettuce problem as a "serious menace" that couldn't be solved without State or Federal help.

Mrs. John Arneson, pretty young brunet leader of the delegation, said, "The crux of the whole thing is we don't have the money." She estimates initial removal would cost over $1,000. Mr. Homer thinks a clam bucket and crane could do the job, but it would take 5 days at $350 a day.

One observer said the consistency of the rotting weed is such that there's no way to either rake it or shovel it.

The county council forwarded the resolution to the Governor, who turned it over to the Department of Chesapeake Bay Affairs and it is now in the hands of Mr. Elser.

Ironically, Mr. Elser has just written a report on the "status of aquatic weed problems in Tidewater, Md.," in which he discusses sea lettuce and the fact that "there is no known control for problems created by sea lettuce.

"Mechanical removal of sea lettuce at its growing site seems out of the question because of the vast area it covers, the depth at which it occurs, and its habit of growing in a scattered manner. However it seems possible that some sort of machine might be developed that could remove the rotting sea lettuce from the beaches on which it collects. Chemical control might be possible but it would require treating about half of Chesapeake Bay."

WORST

The report also takes note of the fact that the most serious sea lettuce problem is in Anne Arundel County, especially around Deale and Owings Beach. (Owings Beach residents say a jetty built by the Army Engineers, keeps the weed trapped in their cove.)

Said Mr. Elser:

"It's one of the darndest, unsolvable problems. The question is whose bailiwick is it? We're supposed to work on oysters, crabs, fishing, boating. This particular problem doesn't come under our jurisdiction."

But he plans to take a trip to Owings Beach soon, and take a scientist with him, to look the situation over. He said one suggestion has been to get the county prisoners to clean it up.

"It would be a deterrent to crime," he said.

A TRIBUTE TO A COURAGEOUS SENATOR: ROBERT C. BYRD OF WEST VIRGINIA

Mr. ERVIN. Mr. President, on June 25, 1965, a distinguished commentator, Jesse Helms, of WRAL–TV, of Raleigh, N.C., made some well-merited comments concerning the fine service which our courageous and distinguished colleague, Senator Robert C. Byrd, is rendering to his State and our country. I ask unanimous consent that such comments be printed at this point in the body of the Record.

There being no objection, the comments were ordered printed in the Record, as follows:

WRAL–TV Viewpoint: Tribute to Hon. Robert C. Byrd of West Virginia

Back in 1958, the State of West Virginia sent to the Senate of the United States a gentleman named Robert C. Byrd. There was general approval from the camp of political "liberals." There were not a few jokes aiming barbs at the veteran Senator from Virginia, Harry Byrd, whom liberals despise like the Devil hates holy water. There were cackles all around when they said: "Now we've got our Byrd." There was talk of the Senate having Byrds "not of a feather."

But there is today dismay in the liberal camp. Forsooth, the Senator from West Virginia has turned out to be an independent liberal. Moreover, he is a prodigious worker who studies his positions before he takes them. He refuses to be bullied, and he does not take orders from the liberal establishment.

The Senator's independence and, if you please, his dedication have caused him to run afoul of many of the very people who 7 years ago were so delighted to welcome him to the Senate. Civil rights groups, supported by preachers and pressure groups, are holding giant rallies to condemn Senator Byrd. He has been vilified, picketed, and blackguarded from one end of Washington to the other. One preacher, at a rally of 700 people, described Senator Byrd as "a little man, hardhearted, hardheaded, biased, and segregation oriented."

We would, at this point, emphasize again that the preacher was talking, not about Conservative Senator Harry Byrd, of Virginia, but Liberal Senator Robert C. Byrd, of West Virginia.

And what is the cause of the West Virginia Senator's unpopularity with the welfare group and the liberal press? Why, it's all very simple. For the past 4 years he has been conducting virtually a one-man campaign against the flagrant abuse of public welfare in the District of Columbia. He has cracked down on the distribution of welfare checks to people not eligible to receive money from the Government. He has spoken out on the problem of illegitimate children. He has disrupted the playhouses of hundreds of women who entertain processions of men in their bedrooms, and who then turn to the Government for money to support the resulting offspring.

Senator Byrd found it shocking, for example, to note that a group of 13 unwed mothers had given birth to a total of 130 illegitimate children. Another group of 14 women had a total of 126 illegimate children. And then there were another 18 women who had 144—12 dozen—illegitimate children.

"In the name of God," Senator Byrd said, "this has got to stop." And he went about the business of setting up restraints. As a result of his efforts, investigations of welfare applicants became a requirement. This set the preachers, the civil rights organizations, and other pressure groups afire. The liberal Senator from West Virginia became the target of their wrath.

On April 17, a young Negro woman—a native of High Point, N.C., by the way—died in a Washington hospital as a result of a pulmonary embolism (a blood clot on the lungs). A month before she died, she had received a check for $190 from the welfare office. Three days before her death she received a check for $80. She and her children had been on welfare virtually ever since they came to Washington. Her husband had obtained 20 jobs and lost all 20 of them because he wouldn't show up for work.

This man's wife and children, we would reiterate, were on welfare constantly. They received checks up until the time of her death. But the ministers and civil rights groups promptly seized upon the woman's death and labeled Senator Byrd as her murderer" because of his attempts to clean up the welfare situation in Washington.

The protest rallies are still going on. There are threats now to picket the Senator's home. The liberal Washington Post gleefully reports the minute details of all of the slanders aimed at the Senator. At one rally, a woman named Fannie J. Long, whom the Washington Post described as "a Texas-born white woman," spoke at length and showered Senator Byrd with epithets.

Senator Byrd placed in the record a bit of officially documented information about this Mrs. Long. She is the mother of an illegitimate child—fathered by a Negro man who was himself married to another woman at the time.

It is often true that a man can be proud of the criticism that is directed at him. We suspect that this is certainly true in the case of the Senator from West Virginia.

HUMPHREY DESCRIBES HOW TO MAKE CITIES FOR PEOPLE

Mr. PROXMIRE. Mr. President, next week we will consider the administration's omnibus housing bill. Later in the year we may consider the proposal to provide for a Department of Urban Affairs.

Vice President Hubert Humphrey has written a superlative article on the serious problems facing our cities and what is more important he has concisely proposed what we can do about them in an excellent article in the July 3 issue of the Saturday Review of Literature.

I ask unanimous consent that the article entitled "Making Cities Fit For People" be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Making Cities Fit for People

(By Vice President Hubert H. Humphrey)

Robert Herrick said in the 17th century that great cities seldom rest: if there be none to invade from afar, they will find worse foes at home. We know those foes today. They are slums, crime, a lack of playgrounds and parks, overburdened schools, inadequate transportation, crowding, lack of clean air, and inequality of opportunity.

It was only 45 years ago that people in American cities first began to outnumber people on our farms. By 1960 only 11 States had more rural than urban population.

But most of these States will not remain that way very long. The urban population of North Dakota, our "most rural" State in 1960, jumped 35 percent in the 1950's. Alaska's urban population increased 150 percent, and three other States—Arizona, Florida, and Nevada—more than doubled their urban population during this period.

By 1970 we can expect that three-fourths of our people will be living in towns, cities, and suburbs, compared to 70 percent in 1960. Most of our people will be concentrated in metropolitan areas. At the end of 1964, two-thirds of our population lived in 219 such areas, an increase from 59 percent in 1950. By 1980 that proportion will increase to three-fourths and by the year 2000 to four-fifths.

There have been several patterns of metropolitan growth. One has been mass migration from farm to city. One has been mass migration of Negroes out of the South—virtually all of it to central cities. Another has been mass migration of middle- and upper-income people from the core city to the suburb. And great growth has come from a higher birth rate and from longer life expectancy.

This growth has imposed new and unprecedented burdens on local government for schools, housing, streets and highways, commercial expansion, transit, and welfare programs.

In the past 10 years, State and local debt has more than doubled, while Federal debt has risen only 15 percent.

State and local government employment jumped from 4,600,000 in 1953 to more than 7 million employees in 1963. During the same decade, State and local public expenditures more than doubled, increasing by 132 percent to $65 billion in 1963. Major among these were expenditures on transportation, education, highways, sanitation, and parks and recreation, with increases from 140 to 165 percent during the 10 years. Interest on State and local public dept jumped by 258 percent.

Along with these sharp rises in costs of public services and facilities, the growth of these urban areas has also created explosive racial and economic pressures.

I remember during my two terms as mayor of Minneapolis, at the close of World War II, the strains placed on our city by changing population patterns. Those strains were small compared to those today. Example: In the Minneapolis-St. Paul metropolitan area, nearly three-fourths of the people lived in 1950 within the city limits. Today, those cities' populations remain constant, while population in their suburbs has more than doubled. The same pattern is common to nearly all our major metropolitan areas.

The picture is clear: There has been a shift of middle and higher income groups into the suburbs, out of the taxing jurisdictions of the inner city, while too many of the poor and disadvantaged have remained behind or moved in from the poorer rural areas.

Although the suburbs have provided cheaper land and lower cost housing for many middle income families, as well as for the more prosperous, they have been populated largely by those able to afford better housing. Those at or near the poverty level have remained concentrated in the slums and poorer sections of the central city. Faced with deterioration and decay, the inner city has found itself with greater tasks to undertake and with fewer ready sources of money. At the same time, the suburbanites have had their hands full creating public facilities and services in communities that were open grass fields a few years ago.

Behind the statistics and population patterns have been thousands of personal and community tragedies, many of them created by those of good intention. There are the impersonal housing projects that in many cases have displaced families and destroyed the traditional fabric of neighborhood life. There are the freeways that have torn through people's homes and businesses, cut through parkland, and done no more than add to the noise in our streets and poison in our air. There are the shortsighted zoning decisions that have blighted neighborhoods and reduced property values.

Because of these discouraging experiences, it would be easy to say that many of our metropolitan problems stem from apathetic or inept local government. In a few places this is true. But in most it is not.

I have been working, at President Johnson's request, with the Nation's mayors, county officials, and city managers. Almost without exception I have found these men and women to be dedicated, competent, and deeply concerned with the problems pressing on their constituencies. Most of them have long since initiated constructive programs of their own in an attempt to keep pace with the urgencies facing their cities. But they have been fighting massive problems with dwindling resources. And they have not had any single place to turn for counsel and assistance.

One of their major difficulties, they tell me, is that no one Federal department or agency has had either authority or responsibility to work with mayors and county officials in areas where they need most help. Our mayors and county officials have not, in many instances, been able to get advice or a rapid answer in Washington—much less Federal funds.

In 1963 the Advisory Commission on Intergovernmental Relations identified over 40 separate programs of aid for urban development, administered by some 13 Federal departments and agencies. Small wonder that the committee reported that "the effect of inconsistencies is felt most keenly in urban areas where programs of all kinds at all levels of government most frequently come together."

It cited particularly inconsistency and conflict between policies, or lack of them, in relocating people displaced by public activities. While a community plans for the relocation of people displaced from a renewal area, not infrequently still another public project, undertaken with Federal help, displaces additional numbers with no rehousing plan—and may even eliminate some of the housing urgently needed to meet the problem.

Jet airports may be announced in residential growth areas, driving down values of homes financed with Federal mortgage insurance or guarantees. A right-of-way for a federally aided highway may be purchased, cutting through an area that another agency is seeking to acquire and preserve as public parkland.

One test of democratic government is its ability to respond rapidly to changing conditions.

In 1953 the Department of Health, Education, and Welfare was created to provide top-level Federal policy and direction in meeting the human and social needs of our citizens. HEW treats, to a large degree, the symptoms of urban disease.

But until recently there has been no similar recognition of the need for a top-level Federal department to help meet the physical and environmental problems of metropolis—in many cases the causes of urban disease.

Today most of the key programs having to do with urban development, improvement, and housing are lodged at a secondary level of government, in the Housing and Home Finance Agency. This independent agency was created in 1947, under President Truman, to administer the housing programs of the FHA and the Public Housing Administration as continuing peacetime activities.

Since that time all manner of programs have been added to HHFA's responsibilities, including urban renewal, urban planning, mortgage supports, public works, college housing, mass transportation, open space, and housing for the elderly. Its broad major responsibilities now cover at least 10 distinct and definable areas of activity. If you add the many special programs administered under the agency, the number would more than double. Its programs today involve some type of Federal support for more than $70 billion in private and public investment in housing and urban development.

About 77 percent of this—more than $54 billion—is private housing mortgage investment insured by the FHA. Public housing accounts for about 10 percent—$7 billion—in capital investment by local public bodies, secured by annual contributions pledged by the Federal Government. Federal grants reserved or committed for renewal of our urban areas total about $4.5 billion, and loans for college housing nearly $3 billion. Lesser amounts include loan or grant commitments for such programs as housing for the elderly, public works planning and construction, open space acquisition, urban planning assistance, mass transportation, and mortgage financing support for GI home loans.

The Housing and Home Finance Agency was never intended to fill its present job. It is a loosely knit instrument. According to law, three of its officials are appointed by the President and report directly to him. In a legislative sense, at least, there is no one official in command.

When the President meets with his Cabinet he cannot find out what or how the Federal Government is doing overall in assisting towns, cities, and metropolitan areas. The agency most concerned with these areas is not even represented at the Cabinet table.

In the past several years much has been done through executive cooperation and coordination to mesh various urban-related problems throughout Government. Glaring conflicts have been avoided. But this has been done the hard way, through bits and pieces of agreements and consultations among officials and staff at many levels, in many agencies.

Ad hoc committees and interstaff memorandums are no substitute for executive decision and direction.

In 1961 President Kennedy became the first President to propose creation of a Cabinet-level Department of Urban Affairs. Committees of both the Senate and the House of Representatives reported the bill favorably, but it did not reach the floor in time for action at that session of Congress. When the proposal was resubmitted in 1962 as a reorganization plan, it failed to receive House approval. Much of the opposition expressed, as the record shows, was based on misconception of what the plan would do or considerations unrelated to the merit of the proposal.

Today the reasons advanced for opposing a new Department are: that it would be too costly; that it would mean Federal domination over local communities and States; that it would benefit only the large cities; that the Government is already too big, and this Department would make it bigger.

I disagree with these contentions.

The Department bill would authorize no increase in expenditures; instead, it would simply mean that the Government's money would be better spent. It would add no authority to the Federal Government it does not now exercise. It is important to the larger cities but, if anything, even more so to the smaller communities less able to cope with their growth problems—indeed, the great proportion of communities using these programs are small towns, down to the village level. And the argument against "big government" gives no consideration to the fact that the country and its urban needs and problems are far bigger than we were able to foresee even a decade ago.

The needs of our urban areas have not diminished; they have become more pressing. President Johnson's proposal for a Department of Housing and Urban Development must be considered in this knowledge.

The President seeks from Congress the authority to bring good management to Federal responsibilities in our metropolitan areas. He asks for coordinated direction of these activities by a single Government Department. And he asks for a place at the Cabinet table for the head of that Department.

The bill itself says in part that the Department of Housing and Urban Development shall undertake "maximum coordination of the various Federal activities which have a major effect upon urban, suburban, or metropolitan development," and "the solution of problems of housing and urban development through State, county, town, village, or other local and private action, including promotion of interstate, regional, and metropolitan cooperation."

Are our metropolitan areas important enough to merit top-level consideration in the Federal Government?

The answer is certainly yes.

We have long since given Cabinet status to our national concern for our natural resources, our agriculture, our trade and commerce, our labor force, and the social health and educational needs of our citizens.

Surely our cities and metropolitan areas—where three-quarters of us live—are worthy of the same attention.

APPLICABILITY OF CIVIL RIGHTS ACT OF 1964 TO COLLEGES AND UNIVERSITIES WITH FRATERNITIES WHICH PRACTICE DE FACTO SEGREGATION

Mr. METCALF. Mr. President, for the RECORD of July 1, I submitted statements and public comments on the Office of Education interpretation of the Civil Rights Act of 1964, as it applies to fraternity discrimination based on race, color, or creed. My purpose in submitting the official correspondence and public comments and statements was to balance comments submitted for the RECORD on June 25.

In keeping with this objectivity, I ask unanimous consent to have printed in the RECORD two letters I have received from alumni of Sigma Chi and two editorials. They are samples of each point of view, concerning my defense of the Stanford chapter's right to pledge anyone of its choosing, regardless of race, color, or creed.

It should be noted that one letter is from Harry V. Wade, immediate past grand consul of Sigma Chi. He asks that I be "as zealous in circulating this information" as I have been "in promulgating your views on the subject."

The second letter is a sample of correspondence I have been receiving from many young Sigma Chi's.

The editorials—one, from the St. Louis Post-Dispatch; and the other, reprinted from the Richmond News-Leader, in the June 24 issue of the Nashville, Tenn., Banner—speak for themselves.

There being no objection, the letters and the editorials were ordered to be printed in the Record, as follows:

Sigma Chi Fraternity,
Indianapolis, Ind., June 30, 1965.

Hon. Lee Metcalf,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Senator Metcalf: Your telegram of June 17 arrived at Denver during a time when I was quite busy with the grand chapter. Hence my delay in replying.

One of the most delightful aspects of being a past grand consul of the Sigma Chi Fraternity is that one is no longer spokesman for the fraternity as that is the prerogative of the grand consul. Under the circumstances, the following remarks must be considered as strictly personal.

I think that you should know that a committee composed largely of lawyers but also augmented by lay alumni delegates and undergraduate chapter delegates held a 5-hour hearing on the Stanford situation following a 3-hour so-called pretrial conference between the two Sigma Chi's representing the Stanford chapter and attorneys on the committee. This committee recommended unanimously that the executive committee's action in suspending the charter be upheld. Likewise, they found that the suspension had nothing to do with any membership question involving the chapter. This report was accepted by the grand chapter by a 5-to-1 majority. In addition, I am told that the chapter admitted under cross-examination that they had pledged the Negro boy after they had received my notice of suspension. Inasmuch as I did not attend any of the hearings all of the foregoing is hearsay except those actions that came before the grand chapter for report and action.

I trust that you will be zealous in circulating this information as you have been in promulgating your views on the subject when you did not have full information at your disposal. My blood pressure is quite low on the whole matter and I think it only fair to advise you that the Sigma Chi's in your State are now quietly organizing a campaign to defeat you for renomination, if they can possibly do so. Whether this attempt will amount to anything is something on which your guess is as good as mine, but I can assure you that I hold no personal antagonism toward you although I think you have done the Sigma Chi Fraternity a tremendous disservice acting on incomplete and fragmentary knowledge.

All of the foregoing, I repeat, is personal opinion.

Respectfully,

Harry V. Wade.

Limestone, Maine,
June 26, 1965.

Dear Senator Metcalf: Allow me to offer my congratulations on your recent effort at the Sigma Chi National Convention. As a undergraduate I was constantly disgusted, often to the point of resignation, by the pledge forms, pictures, and other instruments of discrimination used by the fraternity. My chapter at the University of Rochester generally opposed this discrimination and I am quite certain that they supported the proposal for autonomous pledging procedures. I am only sorry that they lacked the courage of conviction shown by the Stanford chapter.

It is indeed encouraging to see that the issue has finally been brought to the surface and if the fraternity can ever purge itself of the superbigots in leadership positions, I am convinced that Sigma Chi can become a truly significant partner in education.

Again, congratulations and good luck.

In hoc,

James Archer, Jr.,
2d Lieutenant, U.S. Air Force, Gamma Pi—University of Rochester, Class of 1964.

[From the St. Louis (Mo.) Post-Dispatch, June 21–27, 1965]

Sanctions Against Campus Racism

Perhaps the most effective measure taken so far to end racism in college fraternities is the announcement by Francis Keppel, U.S. Commissioner of Education, that he will move to withhold Federal aid from a school which tolerates such an offending chapter on its campus.

Chapter VI of the Civil Rights Act, Mr. Keppel points out, forbids racial discrimination "in admission practices or any other practices relating to the treatment of students." So in the case of a fraternity practicing discrimination, he would question the "assurance of compliance" filed by the school under the act. It would then be up to the school to change the practice of the fraternity or to remove it.

Mr. Keppel made this known in a letter to Senator Lee Metcalf, of Montana, who had interested himself in the suspension of the Stanford chapter of Sigma Chi by the national organization, allegedly because it admitted a Negro. The national fraternity has denied that this was the reason for the suspension. But whatever may be the case in this or any other specific instance, it is now clear that college administrators must make sure that there is no discrimination in fact, or face the heavy sanction of a denial of Federal funds. This ought to be enough to put an end to a practice which is on the wane and which always was unworthy of democratic educational institutions.

[From the Nashville (Tenn.) Banner, June 24, 1965]

What Others Say—Mr. Keppel and Fraternity Row

The grasp of the United States Office of Education has never seemed bigger than in the last few months. For some time, the Office has been dealing out the terms on which the Nation's schools and colleges might continue receiving Federal aid under the throttling restrictions of the 1964 Civil Rights Act. Last week, the Office reached out again. As is its wont, the Education Office clutched a big wad of Federal money in one hand and with the other, it pointed the accusing finger. This time, it reached a bit further into what was once considered a private area of American life. The target? College fraternities.

U.S. Commissioner of Education Francis Keppel gave the word, and it was as clear as the figures on a cash register tally: Colleges must end discrimination by individual fraternity chapters on their campuses—or face loss of their Federal grants-in-aid. Mr. Keppel's latest bit of economic blackballing came in a letter he sent to Senator Lee Metcalf of Montana. Senator Metcalf, an alumnus of Stanford University, had asked the Office of Education about its policy regarding a recent fraternity incident at the California school.

In his reply, Mr. Keppel said that if his office found that a fraternity was practicing what was felt to be discrimination, the Office could then question the "assurances of compliance" filed by schools under title VI of the Civil Rights Act. The schools would either be required by the Education Office to end such discrimination or to remove the offending fraternity from the campus. An alternative measure would be for the Office of Education to shut off all Federal funds to any college where the fraternity had chapters in operation. In either case, the individual fraternity would be brought to heel.

A spokesman for the Office of Education in Washington, reached by telephone on Friday, was vague about how the Office would determine whether such discrimination, in fact, did exist. Apparently, the Office's policy is that if a university officially recognizes a fraternity in any way—particularly by providing special dormitory space—and if a fraternity is subject to university regulations, as most on-campus fraternities are, the question of discrimination comes under the provisions of the Civil Rights Act. The act requires schools to give assurances that there is no racial or any other practices of the institution relating to the treatment of students.

One can imagine the choice of a college president or administrator faced with the decision of giving up Federal aid or fraternity row. In higher education of 1965, the odds weigh heavily on the Federal side of the scale. The brothers at the local house must console themselves with the education they are getting: They are learning a revolutionary new doctrine that promises little liberty, more equality, and no fraternity.

"OUR RIGHTS AND DUTIES UNDER THE CONSTITUTION"—ORATION BY JOHN R. HORN

Mr. PEARSON. Mr. President, a young Kansas high school student—John R. Horn, of Galena—delivered to a recent Americanism seminar sponsored by the Francis Rolland Romack Post, of Baxter Springs, Kans., an oration which I believe is worthy of our recognition today. This young man not only received the American Legion Post's Americanism Award, but also received a special citation from the Freedom's Foundation, at Valley Forge, Pa. I ask unanimous consent that John Horn's oration or essay, entitled "Our Rights and Duties Under the Constitution," be printed in the Congressional Record.

There being no objection, the oration was ordered to be printed in the Record, as follows:

Our Rights and Duties Under the Constitution

(By John R. Horn)

It has been said that our American way of life—our democracy—our great and time-proven laws, our rich economic standards, our glorious past and promising future in this indeed great and favored land all hinge upon the American's rights and freedoms. Truly, the American, more than any other person of any other country, does enjoy rights, freedoms, and privileges far exceeding those of his fellow human brothers. Under our capitalistic system, the promise of personal gain is indeed great. The individual's right to climb the ladder of success—to receive back as much from life as he puts into it—is unquestionable here in America. Here, we also enjoy a great religious freedom, and, in general, we in the United States may do almost as we please as long as we do not interfere with the rights of others. These liberties prompt the individual's will to work and build and are truly the soul of our inventive spirit. It is important to realize the virtue of liberty. But this is a limited scope of attitude. The purview of the situation must necessarily take on a broader definition. It must embrace all within the boundaries of our country's functionings. For, as it is the American's right to be free, it is doubly his duty to be bound. He must conscientiously bind himself to his country in an unceasing effort of vigorous defense of all of its rights and laws, and in unrelenting oppression of all that would mar our heritage if this system is to endure. The legacy handed down to us by our forefathers is indeed a proud one signed in the blood of countless heroes and martyrs who underwent utmost persecutions and ill fortunes of all degrees, and certainly not for themselves; for, indeed, some gave up their very lives in the purchase. Rather, this magnanomy was undergone for us, their posterity. The shadows of these giants loom high above us and ofttimes, we feel that we are lost in their footsteps. Are we then to take this legacy for granted in our lives? Is it indeed to be given in vain? Is the fruit of all their toils to be a lotusberry? And is all the accumulated good done in their life-whiles to be wasted in ensuing generations of slackening and lethargy?

This question approaches us with harsh reality. As we examine our lives, can we say that we have done and are doing all we can to insure the lasting promise of the American way? Or, do we find, upon examination, the bony clutches and cold breath or past indifferences close upon our necks? Today, we find ourselves living in a country, unsurpassed in luxuries and conveniences. As a result, Americans have, for the most part, become slothful, negligent, lazy. It is grievous to witness the moral decline of our people. Americans will not admit they are in such a state; yet we see our analysts growing fat and prosperous while our preachers remain lean. True patriots and conservatives are looked upon as outmoded and cynical trouble brewers.

Our country's greatness was won by blood. Her history is written likewise. Do we, the present populace, think that our enemies have so reformed that we do not face the selfsame trial? Indeed, by all the evil that hovers over us, they have not. Instead they have grown and spread and multiplied while we were asleep until their boundaries are greater than our own. This is the time for awakening. This is the time for standing—for marching. Let us seek our Divine Father, our aid in times past and let us supplicate to him for strength, wisdom, and courage in the battle before us. Let us raise the cross in one hand and Old Glory in the other, and, united, let us fight for God and country.

But let us learn one thing from our enemies. Victory is not won by standing with our hands in our pockets. A complete, unceasing mobilization of efforts must come about. Let us not merely send but go. Go with our legacy behind us, our dreams before us, our feet on the ground and our hopes on the stars. Let us not be afraid if we are to see our own blood nor faint under the bludgeonings of the test, for what prouder offering can we bear for our country than a life of service and a death of faith? What has made our flag's red stripes so red save the blood of patriots?

The battle nears. It is eventually inevitable. So let us prepare. Let our first move be on the offensive rather than the defensive. Until a physical battle approaches, if it does, for we hope it will not, let us engage in the battles of principles, of ethics, morals, philosophy, and truth.

The principle of Americanism which we must fight to protect is the combination of three distinct guides for which we must strive: They are Christianity, democracy, and capitalism. These are the great roots of our country's blossoming promise; and they must be upheld if we are to remain great.

First, let us remember why our Founding Fathers and Mothers braved the hardships of this early and untamed land. They considered physical pain more to be desired than living where they could not worship as they were spiritually led. Today, we must not allow liberalistic attitudes to rob us of this great God-bestowed privilege. We must strictly adhere to our faith and to our Constitution to insure the lasting benefits of this gift. The second great principle of our land is democracy, the voice of the people: a Government founded upon the belief that man must rule himself if he is to most effectively survive. Its virtues have been time tested. It has been proven a workable system. Of course, we know we are indebted to the ancient Romans for the principles of democracy, but making it a workable system, we owe to God.

The third component of Americanism is capitalism. Now, capitalism is a system of economy in which private wealth may be acquired through free competition in which the wealth lies in the control of the individual. What a stark difference we see with this system as opposed to socialism. Under capitalism, invention, speculation, and investment are more lively as they are prompted by the promise of personal gain, thus stimulating a livelier economy and promoting better standards for all. The communistic threat of burial is still very much with us, and is a direct insult to all Americans. If it is not accomplished, it will certainly be no fault of the Communists for they have given all to the cause. If, however, it is accomplished, we would forfeit all three of these basic American principles.

So, with this challenge to lead us, let us be admonished by the seed of patriotism implanted within us all by our great fathers that, as sons of America, this time-eternal-blessed land, let us cast off the fetters of indifferent lethargy. May we rise with hearts of fire and zeal to conquer. Let us go to battle with this motto: "ad bellum et gloria": "to war and glory." And may we give the full measure of ourselves in a common, united effort to keep secure our principal rights and laws in this indeed great and favored land.

THE 109TH ANNIVERSARY OF THE HONOLULU ADVERTISER

Mr. FONG. Mr. President, on July 2, 1965, the Honolulu Advertiser, a newspaper which has played a vital role in the progress and growth of Hawaii, observed its 109th birthday. The Advertiser began as the Pacific & Commercial Advertiser, a weekly in the English and Hawaiian languages, on July 2, 1856. It set forth its aims in these words:

> To second the government in all its honest efforts to improve physically and mentally the condition of the body politic—to frown with imperious scorn on every attempt to infringe popular rights and on every act that tends to violate the confidence reposed by the nation in those elevated to authority—this is what we shall aim at—to give a truthful record of the present, and to point out the errors of the past, that they may afford experience for the future.

For more than a century, the Honolulu Advertiser has striven to live up to its goals, and has eminently succeeded. It has covered the news from the days of the monarchy, through Hawaii's transition as a republic, as an American Territory, and, finally, as the 50th State of the Union. In the finest tradition of the fourth estate, without fear or favor, it has kept the people of Hawaii informed on local, national, and international news.

Through its editorial columns, the Honolulu Advertiser has been an effective force for good—fair, forthright, and forward looking. It has exhorted the people of Hawaii to broaden their horizons, and to expand their role in Pacific and Asian affairs, as they are doing so magnificently.

On this anniversary, I extend my warmest congratulations to the Honolulu Advertiser; and I commend the able and dedicated men and women who have been associated with the newspaper in the past and now. To the Advertiser's energetic president and publisher, Thurston Twigg-Smith; to its outstanding editor, George Chaplin; and to his hardworking executive associates and staff, I express best wishes for the continued success of their newspaper and for many more years of notable journalistic enterprise.

I ask unanimous consent to have printed at this point in the RECORD an article entitled "A Brief History" published in the Honolulu Advertiser.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HONOLULU ADVERTISER: A BRIEF HISTORY

The Honolulu Advertiser has seen and covered the transition of Hawaii from monarchy to Territory to State.

It has written of the whaling ship and of the nuclear submarine; of the evening star on a velvet sky and of the manmade satellites in orbit.

It has reported and, journalistically, helped to accelerate the growth of Honolulu from sleepy town to bustling city. On July 2, 1965, it will be 109 years old, but it is young in spirit, in outlook and in action.

When Thurston Twigg-Smith became publisher and president of the newspaper on March 22, 1961—after 15 years in the editorial, advertising, circulation and business department—he said:

"There is no ceiling on Hawaii's future, save only the ceiling we place upon ourselves. Hawaii's destiny can be as luminous as our polyracial citizenry—with the vigor, the talent and the strength which lies in such wonderful diversity—seeks to make it.

"The Advertiser * * * is a paper of all the people.

"I pledge that it shall continue to be so but with the determination * * * to be ever more helpful, ever more constructive, ever more vigilant in working for the advancement of our State, our Nation, and our world."

The Advertiser's editorial policy is described by Editor George Chaplin as "independent and hard hitting."

First exposed to Hawaii in World War II as editor and officer in charge of the Stars and Stripes, Midpac, published in the Advertiser building, Chaplin returned to the islands in 1958 after 10 years as editor of the New Orleans Item. In Honolulu he has won a Headliner Medal and an Overseas Press Club Award. In 1940–41 he was a Nieman Fellow at Harvard.

He is proud of the caliber of his executive associates including Buck Buchwach, managing editor; John Griffin, associate editor; Ed Wall, Sunday editor; Gerry Lopez, news editor; Sandy Zalburg, city editor; Mrs. Drue Lytle, women's editor; Hal Wood, sports editor, and of the staff which, he said, "has a high sense of craftsmanship."

Publisher Twigg-Smith is himself an alumnus of the newsroom, having worked his way from reporter to managing editor. He has a close relationship with the editorial department, because of his intimate knowledge of its function and his insistence on high standards of performance.

The Advertiser traces its history back to 1856.

In that year Henry M. Whitney, 32, pulled the first copy of his new Pacific Commercial Advertiser from an old press brought from Boston for the new venture.

Alexander Liholiho had ascended the throne 18 months before as Kamehameha IV and the big story of Whitney's first issue was the 2-week-old news of the king's marriage.

The Advertiser was preceded by Hawaiian language publications and the government-sponsored weekly, the Polynesian, then in its 16th year. But Whitney declared that "the necessity for a reliable domestic newspaper devoted to interisland commerce, agriculture, and whaling interests in the Pacific, and independent of government control and patronage, has long existed."

Whitney, of a missionary family, had learned the printer's trade on the mainland, worked on the New York Commercial Advertiser and at Harper & Bros. before returning to the islands in 1849.

The paper began with a substantial list of regular advertisers and its first rate card bluntly noted that charges for ads were "payable always in advance, otherwise not inserted."

Those were the whaling days and before long a major feature of the Pacific Commercial Advertisers was detailed information on some 300 ships.

Then, as now, the paper was a crusader, but the causes were somewhat different. Whitney, for example, hated the hula and attacked it as a remnant of paganism and as an economic evil which lured Hawaiian workers away from their jobs.

In 1870 the paper was sold to the firm of Black & Auld and then in the early 1880's presumably to W. G. Irwin & Co., but actually, it appears, to Claus Spreckels, San Francisco financier who had dreams of becoming the islands' "sugar king." In 1888 the Hawaiiain Gazette Co. purchased the Advertiser and returned Whitney to the editor's chair. He remained as editor or manager until 1894.

Whitney and associates asked Lorrin Andrews Thurston, maternal grandfather of the present publisher, to join the firm in 1885 as secretary. In 1898, the Castle family, then controlling stockholders, asked Mr. Thurston to take over the control and from 1898 until his death in 1931 he was president and publisher. Thurston was a writer of fiery editorials and a great public leader. He served in the legislature, in the royal Cabinet, then for 2 years in Washington as minister from the Republic of Hawaii and actively worked for U.S. annexation.

Henry Northrop Castle worked with Whitney as editor until 1894. In 1894, Wallace R. Farrington (later Star-Bulletin publisher) assumed the post for 3 years, when Whitney returned briefly, to be followed by a half dozen editors between then and 1922, when Raymond S. Coll began 37 years as editor. He became editor emeritus early in 1959 and was succeeded by Chaplin.

Upon publisher Lorrin A. Thurston's death in 1931, his son, Lorrin P. Thurston, succeeded him and served until 1961. He was chairman of the Hawaii Statehood Commission, a founder of the Pacific Area Travel Association, and head of the Hawaii Visitors Bureau.

Present publisher Twigg-Smith, a fifth-generation descendant of missionary families, is first vice president of the Hawaii Visitors Bureau, a trustee of Punahou School, a member of the Honolulu Police Commission, an adviser to the Library of Hawaii, a director of the Honolulu Symphony, a former director of the chamber of commerce. In World War II he was an artillery officer and saw action in France, Belgium, Holland, and Germany.

SALUTE TO THE NATION

Mr. METCALF. Mr. President, I am certainly happy to be able to take this occasion to commend the editors and staff of the Nation on 100 years of outstanding achievement in the journalistic field. The publication of its first issue on July 6, 1865, makes the Nation our Nation's oldest continuously published journal of opinion. It is most noteworthy that in one century this fine magazine has never once failed to produce its weekly issue. I feel a particularly close connection with the Nation, in that one of our very able colleagues, the Senator from Alaska [Mr. GRUENING], served for a time as an editor of the magazine.

More important than the age and the regularity of publication of the Nation is the remarkable consistency found in its editorial policy. E. L. Godkin, the founding editor, envisaged the establishment of a radically new type of opinion journal—one that would revitalize anemic American journalism. This journal was to search out truth, whatever it might be, and regardless of the consequences of its exposure. This was essentially a bar-no-holds approach to journalism. The magazine was to defend what it considered most moral or virtuous, and to withstand the criticism of any antagonized and powerful interests. The Nation has relentlessly followed, for 100 years, Mr. Godkin's idealistic editorial policy.

A magazine that ignores established interests, in its search for the truth, must face the ostracism of the nonconformist.

For the Nation, this has meant a relatively small circulation and continual operation at a deficit. It is a monument to the honesty of its policy that the magazine has always found a few individuals cognizant enough of its journalistic worth to contribute what was necessary to its continuing publication. The Nation by its very nature appeals to a minority of citizens. As Charles Eliot Norton, one of its founders, once observed, the magazine's function is "to quicken the conscience of the thoughtful part of the community in regard to every important political question of the time."

The Nation has stood free of ideological bonds. It follows no set program of social reform. This has allowed a flexibility in its approach to social problems. Its early editorial policy reflected the economic liberalism of John Stuart Mill; yet it was, during those days, also a consistent supporter of Negro rights. One of its editors in chief, Oswald Garrison Villard, was a founder of the NAACP. The magazine has supported, at different times, Republicans, Democrats, and Socialists for election to the American Presidency.

The broad spectrum of positions taken by the Nation on important American political problems reflects an honesty of purpose and a unique thoughtfulness that are to be heartily saluted this month on the occasion of its 100th anniversary.

AMALGAMATION OF USIA OFFICERS INTO THE FOREIGN SERVICE

Mr. PELL. Mr. President, in connection with the pending amalgamation of 760 USIA officers into the Foreign Service, I rise to say that I believe a President should be given the freest possible choice in his selection of appointees and in his handling and administration of executive personnel. My view is that his choice should be confirmed, unless we in the Senate have individual adverse views concerning the probity or character of the particular nominees involved.

However, I do question the judgment of this act. Since World War II, the unfortunate Foreign Service has been organized and reorganized, diluted, undiluted, and rediluted. I recall that a score of years ago, when the excellent Manpower Act of 1946 was passed, real efforts were made to achieve by lateral entry the infusion of qualified personnel into the middle and upper echelons of the Foreign Service. This was necessitated by the adversities of wartime years, when there had been virtually no additions to it. At the lowest echelons of the Service, special examinations were conducted for veterans. However, at the middle and upper echelons, the Foreign Service administration sat on its hands at that time; and the provisions for war manpower lateral entry were very sparsely used. The result of that inaction was the Wristonization program a few years later, when the pendulum was swung too hard, and when many people were willy-nilly brought into the Foreign Service, although they should not have been. I am happy to see, however, that now, some years later, efforts are being made to unscramble that particular omelet. Those who were originally doing perfectly fine work in staff, citizenship, visa, and Department jobs and who became Foreign Service officers, because they had little alternative, are now being persuaded to return to the Staff Corps. In retrospect, to my mind, it would have been simpler if they had never been forced to go through the exercise of being made Foreign Service officers.

In regard to the propaganda activities of the State Department, I well recall the time, after World War II, when it was believed that the information services of the Government should be as one, under the direction of the Secretary of State, and manned basically by Foreign Service people. This was the swing of the pendulum that occurred in reaction to the sometimes alleged overly independent endeavors of Elmer Davis' "Voice of America." For a while in those early postwar years of propaganda amalgamation, many of the functions presently performed by the USIA were performed by regular Foreign Service people. It was some time later decided that information activities and propaganda could function better outside the State Department, the argument being made that the most effective advertising agency is one that is independent of the product it sells. The information activities were then separated as they had been during the war years.

Now, some years later, it is decided once again that the pendulum shall swing again and the information activities be brought back under the Foreign Service and the State Department umbrella. The argument advanced for doing this is, not necessarily that all the officers concerned should be Foreign Service officers, but that the jobs concerned should be Foreign Service jobs. Yet, the effect of this action will be to increase the Foreign Service jobs by roughly 20 percent. In itself, I submit that information propaganda activities should not absorb this large a portion of the regular Foreign Service energy and jobs.

To my amazement, too, I learned that some of these officers who are being amalgamated into the highest echelons of the Foreign Service know no other language but English. It is inconceivable to me that an individual could be in any echelon of our Foreign Service, much less in class I, and know no other language than our own.

My own view is that every Foreign Service officer should be fluent in at least two foreign languages.

I believe this, not only because of the necessity of knowing foreign languages in order to do the job, but also because the very process of learning a foreign language brings along with it the knowledge and understanding of other peoples, countries, and cultures that are so necessary for the proper performance of Foreign Service work. I understand, though, that, in this respect, those who in the past have been brought by lateral entry into the Foreign Service, have approximately the same ratio of ignorance of foreign languages as do the USIA officers whose nominations are before us today. At this point, I ask unanimous consent to have printed in the RECORD, at the end of my statement, an excellent letter from Under Secretary of State William J. Crockett, setting forth these language statistics. I add here that my admiration for him is great; and I know that his objectives and mine are exactly the same: an ever better Foreign Service.

The PRESIDING OFFICER. Without objection, the statement will be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. PELL. Mr. President, I submit that the way to achieve this ever better Foreign Service is to leave it alone for a while, to develop its own esprit de corps. I also believe that the Foreign Service itself should be small and immensely able and competent. My thought is that there should be a central core of highly skilled, articulate, and educated Foreign Service officers who would be assisted in their work by specialists in various categories—information, aid, economic, and labor reporting, administration, and certain specialized visa and citizenship functions. I believe that men and women should be able to make careers in these specialties and to achieve promotion, responsibility, and good pay right up through the equivalent of class I. They should be free at any time to take the lateral entry examination, and, if the examination results show them particularly able and competent, to join the regular Foreign Service. But I would hope there would be no more wholesale injection of people into the Foreign Service, because the effect on Foreign Service morale is profound.

It is all well and good to say that many of these new, but not fully qualified, Foreign Service officers may be selected out; but this still means several years of promotional constipation for those in these middle and junior echelons.

I would strongly hope that all future admissions to the Foreign Service would be made at the bottom. If people are needed at higher echelons, I would like to see us emphasize the original concept of FSR—or Foreign Service Reserve. This concept provided that if an individual came in for a special job, he did it, and got out at the end of his tour of duty, unless there were some adequate reasons to the contrary. If the Foreign Service Reserve officer involved is particularly able, and wished to become a regular Foreign Service officer, he could always take the lateral entry examination, and could try for the regular Foreign Service. If that failed, he would still have the option of moving into the Staff Corps, with the emphasis on service abroad, or into the Civil Service. But, to my mind, Foreign Service Reserve implies just what it says—reserve duty or duty temporary in nature.

I trust there will be no further dilution of the Foreign Service or further scrambling of omelets.

EXHIBIT 1

DEPUTY UNDER SECRETARY
OF STATE FOR ADMINISTRATION,
Washington, D.C., June 8, 1965.

Hon. CLAIBORNE PELL,
U.S. Senate

DEAR SENATOR PELL: In your letter of May 25, 1965, you requested that I give you an indication of those of the group of 760 USIA officers proposed for integration into the Foreign Service who have competence in a language other than English.

Of the 760 officers, 634 (or 83.4 percent) have competence in one or more foreign languages. (For more detailed information, please see the attached tables.) A comparison with language proficiency data maintained by the Department shows that there is no significant difference between the percentage of language-competent officers among the 760 USIA officers and the Department's Foreign Service officers. The assignment and language training policies of USIA are designed to improve language competence among its officers. Officers assigned to USIA positions, where language proficiency is essential, must be at the S-2 proficiency level. If an officer does not have an S-2 rating, he is given language training prior to his departure to the post.

You also requested to have some estimate of the number or percentage of the 760 officers who have had generalized experience rather than specialized experience. Of the 760 officers, 750 (or 98.8 percent) have served or are now serving in public affairs, cultural affairs, information, or program executive positions. The remaining 10 officers have served primarily as radio, motion picture, exhibits, or research officers. However, as part of the career reserve examination, these officers, through written and oral examinations and review of their performance overseas, satisfied the Joint State-USIA Board of Examiners that they would be useful in more than one line of work in the public affairs function. It has been USIA's decision that it was in the best interests of the Agency's mission to continue to assign these officers to positions in the field of their greatest competence. They are considered to be qualified for assignment to public affairs functions other than their primary skill and may be given such assignments in the future.

USIA does employ program specialists such as English-teaching officers, radio script writers, producers and announcers (foreign language), and motion picture production officers. As a matter of Agency policy, such employees are appointed Foreign Service staff and none of them are among the 760 officers nominated for appointment as Foreign Service officers.

I hope that this information will be helpful. If I can be of further assistance, please let me know.

Sincerely,

WILLIAM J. CROCKETT.

Career Reserve officers nominated for FSO appointment, by class, with 1 or more foreign languages at the S-2 level or better

Class	Number nominated	Number with language proficiency at S-2 or better	Percent with language proficiency at S-2 or better
1	36	27	75.0
2	112	85	75.9
3	202	166	82.2
4	185	160	86.5
5	74	64	86.5
6	35	30	85.7
7	92	83	90.2
8	24	19	79.2
Total	760	634	83.4

Career Reserve officers nominated for FSO appointment by class and number of foreign languages with S–2 or better proficiency

Class	Number nominated	Number with language proficiency	Number of languages in which proficient			
			1	2	3	4 or more
1	36	27	15	6	4	2
2	112	85	41	23	14	7
3	202	166	77	56	25	8
4	185	160	87	47	19	7
5	74	64	32	23	6	3
6	35	30	15	10	4	1
7	92	83	64	14	3	2
8	24	19	15	4	0	0
Total	760	634	346	183	75	30

Career Reserve officers nominated for FSO appointment by foreign language and level of proficiency

Language	Level of spoken proficiency				
	S–2	S–3	S–4	S–5	Total[1]
Afrikaans	0	1	0	0	1
Arabic	11	3	1	0	15
Armenian	1	1	0	1	3
Bambara	1	0	0	0	1
Bengali	1	3	0	0	4
Bulgarian	0	1	0	0	1
Burmese	3	1	0	0	4
Cambodian	2	1	0	0	3
Chinese	11	16	4	0	31
Czech	1	0	4	1	6
Danish	5	2	2	2	11
Dutch	2	2	1	0	5
Finnish	2	0	1	1	4
French	103	122	46	9	280
German	41	61	47	24	173
Greek	0	5	0	1	6
Gujarati	0	1	0	0	1
Haitian Creole	1	1	0	0	2
Hindi	8	4	0	0	12
Hungarian	3	1	1	2	7
Icelandic	0	1	0	0	1
Indonesian	5	7	2	0	14
Italian	23	28	20	5	76
Japanese	11	14	1	0	26
Korean	3	2	0	0	5
Laotian	0	1	0	0	1
Malay	1	0	0	0	1
Norwegian	2	6	3	1	12
Persian	1	3	1	0	5
Polish	5	3	0	0	8
Portuguese	12	12	13	2	39
Raday	0	1	0	0	1
Rumanian	2	2	0	1	5
Russian	12	9	3	1	25
Serbo-Croation	11	11	2	0	24
Slovak	2	1	0	0	3
Slovenian	1	0	0	0	1
Spanish	60	75	46	17	198
Swahili	0	3	0	0	3
Swedish	2	3	5	0	10
Tamil	1	0	0	0	1
Telugu	1	0	0	0	1
Thai	10	6	0	0	16
Turkish	6	4	1	0	11
Ukrainian	1	1	1	0	3
Urdu	7	1	0	0	8
Vietnamese	2	0	0	0	2
Total	377	420	205	68	1,070

[1] Total number of language proficiencies (1,070) exceeds total number of officers nominated (760) because many officers are proficient in more than 1 foreign language.

DEFINITIONS OF LEVEL OF PROFICIENCY

S–2: Able to satisfy routine social demands and limited office requirements.

S–3: Able to speak the language with sufficient structural accuracy and vocabulary to satisfy representation requirements and handle professional discussions within a special field.

S–4: Able to use the language fluently and accurately on all levels normally pertinent to professional needs.

S–5: Speaking proficiency equivalent to that of an educated native speaker.

CORNELL UNIVERSITY CAMPUS COMMITTEE STATEMENTS ON VIETNAM

Mr. JAVITS. Mr. President, I have received from the committee for critical support, at Cornell University, a statement of the committee's philosophy and a Statement of Support for U.S. Policy in Vietnam, signed by 610 Cornell University students, alumni, day visitors, and professors, together with a reference list and an extensive bibliography on Vietnam, published by the committee. The members of the committee are to be commended for their efforts to contribute to a wider understanding of the struggle for freedom in this area of the world. It should serve to put in better focus the academic and college campus position on this critical issue; namely, that in the universities there is also a decided body of opinion backing our policy in Vietnam.

I ask unanimous consent to have printed in the RECORD the statement of the committee's philosophy and the statement of support.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

THE COMMITTEE FOR CRITICAL SUPPORT OF THE U.S. POLICY IN VIETNAM—THE COMMITTEE'S PHILOSOPHY

The Committee for Critical Support of the U.S. Policy in Vietnam has been established to provide an organization whose position, as of now, is that U.S. policy in Vietnam is more right than wrong; the committee will support this policy.

In support of this position, responsible and dignified action will be engaged in by this committee.

We are political moderates in this issue, and we reject the extremes of right and left. We believe that a substantial part of the Cornell community is in accord with us.

We enthusiastically endorse the right of everyone to voice his opinions, and we hope that people who differ from us will accord us similiar courtesy.

The members of the committee are united on one principle: that the U.S. policy in Vietnam is more right than wrong. Some members are critical of certain aspects of that policy, some of other aspects; we grant general support for different reasons. Therefore no member is to be considered as representative of committee opinion in discussions of particulars of the policy.

In the interest of all concerned, we are preparing a "critical reference list," a comprehensive compilation of pertinent historical and current references. This list is compiled with the objective of providing facts and insight; it is not partisan.

THE COMMITTEE FOR CRITICAL SUPPORT OF THE U.S. POLICY IN VIETNAM.
BEVERLEY A. BEISNER, *1967 Cochairman.*
ROBERT D. MATSON, *1965 Cochairman.*
GERALD L. KESTENBAUM, *1965 Records.*

A STATEMENT OF SUPPORT

We the undersigned, members of the Cornell community, declare that, although we may have certain criticisms of it, we are in general agreement with the U.S. Government's current policy on Vietnam.

We call upon the Government to provide, and the general public to seek, as full information as possible concerning the situation in southeast Asia.

PRESIDENT JOHNSON HAS APPOINTED OUTSTANDING MARITIME LEADERS

Mr. DOUGLAS. Mr. President, this Nation is exporting and importing goods and services in the amount of $63 billion a year—an amount equal to 10 percent of our gross national product. Virtually all of the goods are transported on ships; and, as a result, ocean shipping rates represent a very vital element in our economic performance. As an illustration, in the case of some steel commodities and oils, ocean shipping costs exceed 20 percent of the gross export value. It is, therefore, a source of grave concern to me that our exporters are handicapped by unreasonably high shipping rates, and, for this reason, transact less business overseas than they would under a more rational and equitable system.

For 2 years, at the Joint Economic Committee, it has been my privilege to chair an investigation into the matter of ocean freight rates and their effect on our exports and our balance of payments. Beyond any doubt, we have established that unfavorable differentials exist in ocean shipping rates, and that these differentials are not based on any reasonable economic considerations. We know that in many instances the reverse is true; in spite of the fact that imports exceed exports on certain routes, the export freight rates are considerably higher than the incoming rates. We do not know, as yet, the answer to the key question of the extent to which adverse ocean freight rate differences affect our balance of payments; but we are making progress in finding out. We are also making progress on another related front: the prices paid by the U.S. Government for the extensive oversea shipping that it must conduct. The Department of Defense, in particular, is to be congratulated for making, in recent months more vigorous efforts to assure lower shipping costs to the U.S. Government and to avoid paying unwarranted high rates to U.S. carriers.

It is a source of considerable encouragement to those of us who are engaged in a campaign to provide U.S. businessmen with a fairer rate system, to note that President Johnson has provided this Nation with a group of maritime officials who are dedicated and competent. They are doing a good job, in the face of difficulties and the inertia of many years; and they are to be commended for it.

The President's recent reappointment of Rear Adm. John Harllee as Chairman of the Federal Maritime Commission assures continuation of the Commission's efforts over the past 2 years to guarantee fair and reasonable shipping rates to American exporters. Admiral Harllee has brought unusual energy and vision to his post; and we can continue to expect positive results under his chairmanship.

The President's earlier appointment of Nicholas Johnson as Administrator of the Maritime Administration has brought into that vital post an able and articulate young man who, in a recent speech, has aptly described the proper goals of maritime policy. He said:

> The justification and contribution of the subsidized American merchant marine is to provide an economic force to encourage better shipping service at increasingly lower rates to enable an expanding number of American businessmen to engage in world trade to the economic benefit of our Nation.

The Department of Defense is to be credited for efforts to assure more competitive ocean freight rates to the U.S. Government. In particular, Vice Adm. Glynn R. Donaho, Commander, Military Sea Transportation Service of the Navy Department, is to be commended for his energetic efforts in pursuit of this objective. I urge him to continue with all speed.

Secretary John T. Connor and his associates in the Department of Commerce also deserve commendation. Under Secretary for Transportation Alan S. Boyd, Assistant Secretary for Economic Affairs Andrew F. Brimmer, and Deputy Under Secretary for Transportation Lowell K. Bridwell have devoted their energies to providing much needed information on discriminatory ocean freight rates and their relation to the balance of trade. We had a most edifying hearing on June 30, at which time the committee received an up-to-date account of the inquiries now being conducted by the Department; and we were impressed by the high caliber and professional competence shown. It is very much in the public interest that they continue these studies.

For the first time in many years, it appears that our maritime policymakers are actively dedicated to the objective of obtaining fair shipping rates for this country and promoting American trade in accordance with the Trade Expansion Act, as well as assuring fair rates to the Government for its shipments. As a result, the American people will receive a greater measure of return for the subsidy dollars that their Government has so generously given to the maritime industry.

DEMOCRATIC PARTY MIDWEST CONFERENCE OPPOSES ROTTEN BOROUGH AMENDMENTS

Mr. DOUGLAS. Mr. President, those of us who are fighting to preserve fair representation in the State legislatures were greatly encouraged by the recent resolution in opposition to the "rotten borough" amendments—in particular, Senate Joint Resolution 2, now before the Judiciary Committee.

At their June 26 meeting in Chicago, the representatives of the Democratic Party from 13 Midwestern States specifically acclaimed the Reynolds against Sims decision of the Supreme Court, and decried the obvious effect of Senate Joint Resolution 2 to discriminate against groups of voters, such as Negroes and the poor, thereby endangering the gains of the Voting Rights Act.

I ask that this resolution of the conference be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION AT THE DEMOCRATIC MIDWEST CONFERENCE, SHERMAN HOTEL, CHICAGO, ILL., JUNE 26, 1965

Whereas the democratic principle of equal representation in State legislative bodies has been eloquently affirmed by the Supreme Court in the case of *Reynolds* v. *Sims*, in which it said that "to the extent that a citizen's right to vote is debased, he is that much less a citizen," and

Whereas the vast migration of our population has transformed our Nation from a predominantly rural to a largely suburban and urban character, which has brought with it new and different kinds of challenges to our legislative process; and

Whereas the adamant refusal of many State legislatures to reapportion themselves in the face of constitutional mandates has created an indifference to the problems of urban areas and the atrophy of strong State government and State initiative in solving urban problems; and

Whereas the provision of Senate Joint Resolution 2 that factors other than population may be used to apportion one house of a State legislature is vague and opens the door to discrimination against groups of voters such as Negroes and the poor, and consequently endangers the gains promised by the Voting Rights Act of 1965: Therefore, be it

Resolved by the Midwest Democratic Conference, meeting in Chicago on June 25, 1965, That we oppose any effort to negate the Supreme Court decision on State legislative apportionment and urge all Midwest Congressmen and Senators to oppose and vote against any measure designed to dilute or overturn this historic affirmation of the democratic principle of fair representation.

"ONE MAN, ONE VOTE, ONE NATION"—ADDRESS BY REPRESENTATIVE JAMES A. MACKAY

Mr. DOUGLAS. Mr. President, Representative JAMES A. MACKAY, of the Fourth District of Georgia, recently delivered a timely and truly moving address in defense of the fair apportionment of our State legislatures. His speech to the Norfolk, Va., Committee for Fair Representation, at its banquet, should be widely read, because he struck the theme that through the realization of full citizenship for all Americans, this Nation will be united and strong in the defense of freedom and the individual worth of each man, woman, and child.

Representative MACKAY argued persuasively that the effort to attain fairly apportioned legislatures is neither sectional nor partisan, but simply is basic to making the idea of representative government under law work. This is one of the most heartening and hopeful messages I have read on the question of State legislative apportionment; and I commend it to all Senators and to the country.

I ask unanimous consent that Representative MACKAY's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ONE MAN, ONE VOTE, ONE NATION

(An address by U.S. Representative JAMES A. MACKAY, Fourth District, Georgia, delivered to the Norfolk Committee for Fair Representation banquet, June 29, 1965, Norfolk, Va.)

Mrs. Harrison, Dr. Whitehurst, Mr. Jordan, Mayor Smith, Senator Breeden, Delegate Howell, special guests of honor, and ladies and gentlemen, I found it easy to accept the invitation to join in this celebration, because most of my adult life we have held reapportionment "wakes" instead of "celebrations." I vividly recall attending a meeting in Macon, Ga., at which we viewed Ed Murrow's great CBS movie, "The Beat Majority." Time after time I have attended meetings in which good citizens talked about their inability to be effective citizens, because of obsolete laws and political structures. I rejoice with you that we can "celebrate."

It is a pleasure to be here this evening to honor the participants who represented Norfolk in the case of *Mann* v. *Davis* and *Wilkins* v. *Davis* which were decided by the Supreme Court of the United States last June.

I salute each of you—parties plaintiff, the lawyers, and all who supported this effort, this peacetime fight, to achieve fair representation in the hands of your State and National Legislatures.

There are many illustrious names in the history of Virginia. Perhaps no other State can boast of more patriots, in the best sense of that word, but I am satisfied that future generations will look back with appreciation for those of you who were willing to stand up and be counted in this midcentury struggle to restore fair representation to the people of this State and Nation.

Norvell P. Tyler, Lewis Jett, Jr., Paul M. Lipkin, Charles L. Glanville, William L. Shepheard, Sr., and Jack R. Wilkins were the plaintiffs and counsel were Henry E. Howell, Jr., Sidney H. Kelsey and Leonard B. Sachs. These were the parties and counsel of record, but there were hundreds who participated in one way or the other and in spirit.

And you and I know that every citizen of Virginia was a party at interest, because it was in the interest of every citizen of this great Commonwealth that a halt be brought to the drift away from our tradition of representative government.

Virginia is going to be a better State to live in because of your victory in this suit and our Nation is going to be a stronger and better Nation because of your fight for fair representation for Norfolk and for all Virginians.

Tonight I am glad to have the opportunity to talk to you on the theme of, "One Man, One Vote, One Nation" because for 6 months I have kept my peace in the Congress of the United States. It becomes a freshman in any legislative body to keep his peace for quite a while—as a matter of fact, it is a necessity that you keep quiet until you get your bearings. Then it becomes a necessity for you to speak up and out because, as Speaker McCormack likes to point out, each man in the Congress regardless of his seniority, or "juniority", is the only spokesman for the nearly half million American citizens he represents during the Congress to which he was elected.

So here goes. In the House I have heard little but denunciation of the Supreme Court for its decision of last year declaring in your case that in a bicameral legislature both houses must be based on population. On the Senate side I have observed the contradictory behavior of the author of the Dirksen amendment who, as Herblock has so brilliantly pointed out, is for voting rights in theory but not in practice. Here you see a man carrying the flag for the voting rights bill and at the same time adroitly opening up a way for the votes of urban citizens to become nullified and virtually meaningless.

Let me hasten to add that I have not come to Norfolk to make a partisan speech. I have noticed with interest and satisfaction that we are here to honor Republicans and Democrats alike because representatives of both parties supported the fight for fair representation here in Norfolk as they did in Georgia.

The issue we are involved with, that of fair representation, transcends political parties. The issue goes to the very heart and soul of our free political institutions.

I noted with dismay the column in yesterday's Washington Post by William L. White. In it he attacked the one man one vote position as "liberal" whatever that threadbare word means, and I suppose he would argue that conversely to favor something different from one man one vote would be conservative.

Well, I'm glad to have this opportunity to offer rebuttal to the Dirksens, the Whites, and to anyone else who would like to join in the debate.

I make the flat assertion that the idea of one man, one vote, one nation is the great conservative fight of this 89th Congress and of this time, and that its outcome may well determine whether we save the Federal system and strengthen it. The outcome of this fight will affect the political status of every American citizen. On the outcome of this fight will depend whether or not to say, "I am an American," will mean that all of us are to be first-class Americans or Americans ranging from first class on down to a possible 50th class.

It is the easiest thing in the world to hang a label on a position with which you disagree, or to hurl an epithet. To win this fight, and it is going to be a fight right down to the wire, we are going to have to do better than hurl labels and epithets. We are going to have to draw on man's experience in his long search for political freedom. We are going to be conservatives in the very best sense of that word. We are going to have to educate our people to the issues involved and we are going to have to destroy some myths.

Political tyranny, my friends, is the oldest form of government on the face of the earth, and today it holds more of mankind in its vise-like grip than any other form of government. Strip communism of all of its verbiage and you find raw tyranny—the determination of a relatively small number of men to rule by brute force. One problem we have in Vietnam—one reason Hanoi and Vietnam can't negotiate and don't want to negotiate—is the fact that they know in advance one of our conditions of settlement would be to insist on the Wilsonian principle of self-determination and free elections.

The idea of representative government under law is the new political idea on the face of the earth. Except for the Greek city states with their citizen-slave society, you cannot find the idea of representative government under law dating back for as much as 1,000 of man's 5,000-year recorded history.

We look to mother England as the great source of the common law and a representative legislature. Even England has had the same difficulties with malapportionment which we have experienced.

In the sweep of history, you and I are fighting for a new political idea—an idea which could be destroyed by external forces or through internal neglect.

Last Saturday I journeyed to Jamestown, not far from here, and was stirred by the experience of standing where the first representative legislative body met and deliberated on this continent in 1619—less than 350 years ago. Those Englishmen who came to these then uncivilized shores knew that the rule of law was an essential ingredient in their survival. We need to remind ourselves today that the rule of law is essential to our survival.

I might say at this point that although we have already celebrated the 350th anniversary of the founding of Jamestown, I would like to see another 350th anniversary celebration in 1969 to mark the 350th anniversary of legislative government.

As a professional legislator I often think as I participate in the legislative process that what we are doing in our lawmaking is to substitute a civilized alternative to the rule of force.

Back to Jamestown and the long story of man's achievement of representative legislatures. We know that our colonial legislative bodies became more and more frustrated because important laws were being made in Parliament where the colonists did not have representation. Our forebears simply would not submit to the yoke of laws which they considered to be unjust and which were made by a body which they did not help select.

There are five vital points I wish to discuss with you this evening—five things we must do if we are to win.

First, we can learn much from English history. Senator Tydings in his maiden speech has put together the best discussion of the development of malapportionment I have seen. Let me repeat in part what he had to say on the first of this month.

"Simultaneous with the establishment of representative institutions in this country, there was developing a constitutional crisis over the rotten borough system in England.

"As early as 1690, the great political theorist John Locke scathingly denounced the rotten boroughs: Locke said, 'To what gross absurdities the following of custom may lead. When we see the bare name of a town of which there remains not so much as a ruins, where scarce so much as a sheepcoate or more inhabitants than a shepherd is to be found, sends as many representatives to the grand assembly of lawmakers as a whole country numerous in people and powerful in richs'.

"Locke's words were not immediately heeded in England, and the situation steadily deteriorated. At the time he wrote these words, four-fifths of England was agricultural. Within 100 years, the industrial revolution produced a dramatic shift in population to the north, where coal and waterpower were available. By 1821, the 12 coastal counties of southern England contained less than one-third of the population, but returned more than half the representatives. Populous boroughs such as Leeds and Manchester had no representation at all, while Old Sarum, with no inhabitants and Boroughbridge with 86, sent 2 members each to the House of Commons.

"The rotten boroughs were undemocratic in more ways than one. There was no uniform electoral law, so that in some boroughs representatives were named by the town corporation or a few owners of real property. Many boroughs were entirely dominated by influential persons called borough mongers. By 1820, it was estimated that less than 500 individuals, most of them members of the House of Lords, really designated a majority of the House of Commons. This power in the hands of a few people invited corruption, nepotism, bribery, and abuses of all kinds.

"England did not manage to throw off the yoke of the rotten borough until 1832, when riots in the streets and the real threat of insurrection and revolution persuaded the King to threaten to pack the House of Lords unless it approved the Reform Act."

The English Parliament found itself in deep trouble until it adopted the Reform Act of 1832.

It is my considered opinion that the decision of the Court in the case of *Baker* v. *Carr*, and in the cases you participated in, will be noted in American history as our equivalent of the Reform Act of 1832.

Second, we can learn much from our own colonial history and from early American history. There is a myth bandied about that factors other than population once determined the makeup of colonial and early State legislatures. This is simply false. The prime consideration in the structuring of our early legislatures was people. In the Northwest Ordinance it was decided by Congress that territorial legislatures should be made representative on the basis of population. If you will examine the structures of our State legislative bodies during the 19th century you will find that most of them were fairly representative. Malapportionment in the United States is a phenomenon of the 20th century.

Third, we can learn from our own experience with malapportioned legislatures. They have weakened and endangered our Federal system. During the early part of this century our legislatures became more and more dominated by rural interests at the same time our population became more and more urban. These legislatures became increasingly unresponsive to the mounting urban problems. As a result our people turned to the Federal Government to help them with strictly local problems. Our State governments atrophied.

Fourth, in the short span since *Baker* v. *Carr* was decided we have learned that legislatures made representative, attack local problems with fresh vigor. Georgia is a good example of new vitality in State government. Let me tell you the Georgia story.

Before *Baker* v. *Carr* you could get elected Governor of Georgia by standing for practically nothing. All you had to do was to denounce the newspapers, the Negroes, labor unions, big city businessmen, Wall Street, the Supreme Court, and many other such subjects.

Since the decision in *Baker* v. *Carr* the county unit system has gone down the drain and Georgia politicians are now trying to develop programs which will benefit all Georgians. If nothing else has changed, the quality of political oratory has improved.

Both houses of our legislature have been made representative and the leaders in the leigslature are tackling the long neglected urban problems of our State. On June 16, we elected a representative lower house—including some 8 Negro citizens and 17 Republicans.

There has been a peaceful revolution and there is a genuine rebirth of interest in local government.

Our congressional districts which had not been adjusted for more than 30 years have been fairly apportioned. We who represent rapidly growing areas can speak for our needs in Congress.

Fifth. We can see that the thicket Mr. Justice Frankfurter worried about is not so bad after all. The jungle of malapportionment was much worse.

At the time of the decision, 48 legislatures were malapportioned to some extent. Since *Baker* v. *Carr* 35 legislatures have acted to correct their malapportionment and in most of the remaining States some action is being taken.

The courts have not yet determined how much deviation will be permitted from the population norm, nor have the courts finally determined whether they will permit multirepresentative districts or weighted voting.

As I see it, one of the most wholesome things going on in American Government today is this critical examination of the basis for representation in our legislative bodies.

Finally, my friends, although we are here tonight to celebrate a real victory for Virginia, there is some unfinished business. We must oppose with all of our skill and might the efforts now being made in Congress to defeat the great principle set forth in *Baker* v. *Carr*.

The Dirksen amendment would permit one house of the State legislature to be based on factors other than population, without defining what those factors are. The other approach would be to withdraw jurisdiction of the court in reapportionment cases. The Dirksen amendment has been favorably reported out of subcommittee in the Senate, and hearings are being conducted in the House on a variety of proposals. Ninety-six Members of the House have offered 106 measures to reverse the decision in your case. The Patman amendment in the House is the same as the Dirksen amendment in the Senate—119 Members of the House have signed a discharge petition. Only 99 more signatures are required to bring it to the floor. There is a real possibility that one or the other measure could pass this Congress, although the contest will be close.

In my opinion the Dirksen amendment which would require a referendum in each State has a better chance than has the other approach of withdrawing jurisdiction from the Court. When the issue is finally submitted to the people I believe, in their wisdom, they will reject it. Those of us who are alert to what is at stake have a duty to wage the fight—to conserve, if you please, the idea of fair representation for every citizen in legislative bodies.

As a dying gasp, a number of malapportioned State legislatures have applied to Congress to call a constitutional convention. This could, as many point out, open a Pandora's box.

Yes, my theme tonight is "One Man, One Vote, One Nation, One Man." This is the concept which distinguishes our democracy. The rights, the character, the judgment, the behavior of each individual are important. The decisions and actions of individual men have won us our freedom.

It takes a certain amount of courage to be a party plaintiff in a case such as the one you here have successfully prosecuted. Many individuals just won't get on the firing line where a basic but controversial issue such as your case presented is involved.

One of the plaintiffs in the Georgia reapportionment case came to me before he decided to be a plaintiff. He is an actuary, a fine man, and the father of seven children. He sought my counsel as a lawyer and friend. He told me that he wanted very much to be a plaintiff in such a case but, he said, "I am doing a good bit of work for an insurance company headed by a man who is a chief beneficiary of our malapportioned legislature. What might be the consequences?" he asked.

I told him what most of us learn in politics. I said, "You have to assume that your head will be bloodied."

"In that case, if you put it that way," he replied, "I have no alternative but to serve as a plaintiff."

That was one man and there are, thank God, many such men and women in America. These plaintiffs, these lawyers, and all of you who are willing to stand up for the basic principles on which this country was founded are such individuals.

One vote: How can we deal in fractions when we talk about a man's vote? This one vote, this meaningful vote, is what distinguishes a freeman—an effective, responsible citizen.

The Supreme Court has stated a great principle—that every citizen shall be entitled to judicial relief if he can show that he is experiencing invidious discrimination in the structure of a legislative body. And in the Wesberry case the Court has said that districts must be as nearly the same in population as practicable.

One vote can be decisive in a popular election. One vote can be decisive in a legislature.

One man, one vote: If we are to build our Nation on a rock, what stronger rock could there be than this principle? One man, one vote

And finally, let us have one nation, indivisible, under God, with liberty and justice for all

Nearly two centuries ago Virginians played a dominant role in the shaping of our Federal system. They contributed to the federalist papers which so eloquently argued the case for one nation with its Federal-State-local approach to political problems and with its ingenious and time-tested system of checks and balances.

A century ago Americans resolved on the field of battle that every man, woman, and child should enjoy full citizenship.

And now we are approaching and entering our third century as a nation. To survive in this dangerous world we must be united as never before, and the idea that can unite us and which can make us invincible is to let the effective ballot of each citizen be the symbol of our political freedom.

When the Federal system was started we thought more of the movement of goods. Now we see as equally important the movement of people. Each American has a stake in the vitality of the ballot everywhere in our 50 States. Who knows? You and I may move to Seattle or Minneapolis. Or Georgians move to Virginia—or Virginians to Georgia.

In order to form a more perfect Union we need to establish the principle of one man, one vote. If we succeed then we will have one united nation.

Twenty-one years ago this past April, in the climactic months of World War II, I sailed out of this Norfolk harbor on the destroyer escort *Menges* in company with some 80 ships bound for the Mediterranean. One of those ships was the *Alexander Hamilton* laden with 10,000 tons of TNT and 498 American servicemen. A German torpedo plane from southern France attacked our convoy and that ship was hit. On a lovely spring night, 498 American boys were incinerated in a pillar of flame which I can recall in my mind's eye as clearly as if this experience had occurred last night.

Shortly thereafter our ship was hit and 31 of my shipmates were killed. My executive officer and I viewed the bodies of our shipmates and sought to understand the meaning of their deaths.

The only meaning for us was the fact that these fine young men died so that you and I could have another chance to try and make the idea of representative government under law work. We are in their debt tonight as we sit here in this climate of freedom, in this comfortable hotel, in this prosperous city. And you and I have our work cut out for us.

The other night I walked up the steps to the Lincoln Memorial with visitors from Holland—a man and wife. The husband had experienced the cruelty of Hitler's occupation of his country.

We didn't have to say much. We got the message of Lincoln and of this country. Our form of government is the last best hope on earth. And we, the living, must see to it that there is a new birth of freedom in this country.

As I see it, this is the issue which we uphold when we work for fair representation in our State and National Legislatures.

I salute all of you in the Norfolk Committee for Fair Representation, and I urge you to keep up your good work. Let us defeat the effort to reverse the decision in your cases.

Let us uphold the idea of one man, one vote, one nation, with liberty and justice for all.

McGILL ON VIETNAM

Mr. CHURCH. Mr. President, Ralph McGill, the distinguished publisher of the Atlanta Constitution, has written an excellent article entitled "Vietnam Conditions Make Total Victory Impossible." The article was published recently in many newspapers.

I ask unanimous consent that Mr. McGill's article, as published in the Lewiston, Idaho, Morning Tribune, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM CONDITIONS MAKE TOTAL VICTORY IMPOSSIBLE

(EDITOR'S NOTE.—Ralph McGill is publisher of the Atlanta Constitution.)

(By Ralph McGill)

Republican voices demanding "total victory" in Vietnam arise out of intellectual and political dishonesty or willful ignorance of conditions that confronted the Eisenhower and Kennedy administrations and that now are the problem of President Johnson. Very few fathers and mothers in this country would prefer "fighting on to total victory in Vietnam" to a negotiated agreement. Former President Eisenhower supports the President and asks there be no criticism of his policy. But Senator Goldwater and his claque are increasingly critical. They want more troops committed and a campaign fought through the jungles to the capital of North Vietnam. Mr. Goldwater does not want the President to have a voice. He demands the generals take charge.

To put a half million or more men in Vietnam and commit them to a long battle through the jungle and hill terrain to the northern border of Vietnam would be a form of madness.

It would be madness because, in a very real sense, there are no borders to Vietnam. The entire peninsula is the battleground. If all Vietnam were occupied there would then be guerrilla forces in Cambodia and Thailand and a larger number in Laos. There now is some guerrilla activity in north Thailand. Laos has been a battleground for years. Cambodia also is a potential storehouse for guerrilla activity.

"VICTORY" MEANINGLESS

Therefore, to "fight to victory" in Vietnam would be meaningless. The generals know this.

The Defense Department and the Chiefs of Staffs alone know what the plans are. An observer may only speculate. There are two major speculative conclusions.

One is that the Chinese, and the Vietcong already know that if Chinese troops are committed, as they were in Korea, this country will not then fight a ground war, as in Korea, but will, of necessity, use whatever strategic nuclear weapons are necessary.

The second speculation is that there is a chance for negotiation and an agreement about neutralizing the southeast Asian peninsula. (We badly need a viable United Nations to assist in bringing off such a plan.)

The Soviets, one would assume, also know of our alternative should the Chinese come in. A further speculation, therefore, is that the Soviets have not exerted pressures on Ho Chi Minh to consider negotiations, and will not, until they can determine to their satisfaction what the political effect of such pressure would be in other Communist countries. The Chinese have been trying to goad the Russians into direct and open aid to the Vietcong. But European Communist parties will not so wish.

DELAY UNDERSTANDABLE

Russian delay is understandable. It is not possible to believe they would like to see a nuclear war grow out of the Vietnam crisis. Ho Chi Minh, the Soviet-trained Communist leader of the Vietcong, can hardly wish the Chinese to destroy him and his hold on North Vietnam by pushing the conflict to the point where the United States cannot do other than employ the alternative weapon. The Soviets, one can assume, wait for a negotiated peace pressure to grow before exerting pressure.

American public opinion will want negotiations rather than the astonishingly bloody demand of the Republican right wing that we fight into and occupy North Vietnam for a "total victory." Vietnam is but one slender slice of a peninsula problem. Nor are Americans ready to abolish the American Constitution which established civilian control and makes the President of the Nation the Commander in Chief.

It is not surprising that reliable polls register strong public support of President Johnson's position and his decisions.

Vietnam is an ugly, distressing business. No one is comfortable about it. There is no ready answer. Total war assuredly is not it.

TRIBUTE TO JOHN W. MACY BY THE NEW YORK TIMES

Mr. CHURCH. Mr. President, as I have noted before on the floor of the Senate, President Johnson has done an excellent job in finding qualified persons to fill high Federal positions, both from within the governmental service and from the outside. The highly able Chairman of the Civil Service Commission, John W. Macy Jr., has been very helpful to President Johnson in his talent hunt. Recently, the New York Times published an article, written by Charles Mohr, which gave a good account of Mr. Macy's activities and abilities. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From th New York (N.Y.) Times, June 28, 1965]

CIVIL SERVICE CHIEF WIELDS POWER AS JOHNSON'S TALENT SCOUT

(By Charles Mohr)

WASHINGTON, June 27.—Historically, the Chairman of the Civil Service Commission has not been notably important in the Washington power structure.

But under Lyndon B. Johnson the current Chairman, John W. Macy, Jr., has become a major power at the White House. He has the large responsibility of helping Mr. Johnson fill such sensitive posts as the chairmanship of the Federal Power Commission, from which Joseph C. Swidler has announced he is resigning.

Since last November Mr. Macy has served as President Johnson's chief talent scout for major appointments. The President has also given him increasing responsibility to help him in improving the whole structure of Federal employment and administration.

It seems ironic to some that Mr. Johnson, a consummate politician, has caused a decline in the patronage power of the Democratic National Committee, and of politicians in general, and has turned increasingly to the apolitical sort of men Mr. Macy favors.

Together the two men have given the administration a distinctive coloration. It is one of primarily merit appointments, almost half of them promotions from the ranks of civil servants. There has been a conscious effort to exalt Government service as a lifetime profession and to look first among career men when a major job is open.

THE BLUE NOTEBOOK

Mr. Johnson is acutely aware that he will be judged as a President partly by the appointments he makes.

The President has Mr. Macy keep up to date a blue-covered notebook detailing all of the major appointments Mr. Johnson has made since November 23, 1963, the first full day of his Presidency.

It shows that Mr. Johnson has made more than 280 major appointments, including 34 to the Federal bench. A total of 183 of these were to full-time, nonjudicial jobs. Some of the others went to posts on important but not full-time commissions and committees.

If judges are excluded, 48 percent of the appointees were chosen from the ranks of Government service. The other appointments were shared almost equally among three groups—lawyers, labor and industry, and universities.

Mr. Macy has helped the President make most of these appointments. In most cases, he has, in the end, given the President three or four suggested names for a job, along with an evaluation of each man. Mr. Johnson does the choosing, but he is the first to say that Mr. Macy has considerable influence.

"I am fond of him as a person," says Mr. Johnson.

The Macy-Johnson friendship began when Mr. Johnson, as Vice President, was Chairman of the Committee on Equal Opportunity in Federal Hiring. It is apparent that, at a time when Mr. Johnson often felt slighted by some officials of the Kennedy administration, he got courteous and friendly help from Mr. Macy.

"Nobody gives a damn about the Vice President," Mr. Johnson says wryly, "but John Macy worked very conscientiously with me on the Equal Opportunity Committee. He even worked at night."

Mr. Macy, 48 years old, has an almost boyishly youthful air despite a head of gray hair clipped into a crew cut. In Government since 1938, he served as a personnel expert for both the Atomic Energy Commission and the Department of the Army before becoming Executive Director—the top career post—in the Civil Service Commisson in 1953.

From 1958 until 1961 he was executive vice president of Wesleyan University, his alma mater.

AN ORGANIZED MIND

Mr. Macy has a precise and highly organized mind and applies himself to his extracurricular White House duties in a precise way. He has put together a file of about 20,000 names of persons who have expressed interest in Government service or have been recommended by a wide range of figures in private life.

The file often puts Mr. Macy on the track of men to fill a job vacancy. But the search really begins with a studious examination of the vacant job itself.

Mr. Macy usually writes a "job profile," outlining the qualities and experience needed or most desirable in the job. This profile, which is also studied by Mr. Johnson in many cases, makes the search easier by making clear what it is they are looking for. Finally, as the search narrows, Mr. Macy handles all details.

If warranted, he checks with the Democratic National Committee on political aspects of the appointment (but the importance of this has clearly waned), gathers opinion on candidates and finally gives the President concise evaluations of the reputations of the contenders.

SELECTION OF ENVOYS

Mr. Macy sits in on State Department meetings regarding ambassadorial appointments, and plays a role in this field. Because Mr. Johnson believes in executive compatability, Cabinet secretaries have great latitude in picking assistant and deputy secretaries, but Mr. Macy is also in on this.

A job like this never ends. Mr. Macy believes there will always be a minimum of about a half-dozen vacancies. At present there are no more than that.

The Treasury Department needs a general counsel, the Community Relations Service needs a director, and one assistant secretary slot is open at the Department of Health, Education, and Welfare. Several appointments to Government agencies expire this month, giving Mr. Johnson the option of reappointing men or looking for new ones.

The most important of these cases was that of Mr. Swidler, whose term officially ended last Tuesday.

STANDARDS OF CONDUCT

In addition to screening and suggesting appointees, Mr. Macy is engaged 'n even more fundamental tasks. He has already codified and clarified directives on standards of ethical conduct for Government employees and will be the depositor for financial statements by top policymakers and a sort of court of appeal on ethics and conflict-of-interest cases.

He is making the first full-scale study and inventory of some 500 to 600 middle-level policymaking jobs in Government. He is perhaps the most important administration adviser on such questions as Federal pay scales, personnel use, and like matters.

President Johnson recently remarked that he had accepted about 90 percent of Mr. Macy's suggestions in the job field and sent about 10 percent back for further study and reexamination, ultimately accepting some of them.

In the game of advising Presidents that's an impressive batting average indeed.

SALUTE TO THE NATION

Mr. HART. Mr. President, this year marks the 100th anniversary of the Nation magazine, a journal of social and political comment that has somehow survived since 1865, despite a marked disinclination to cater to advertisers or to respect the tenets of conventional editorial wisdom.

The Nation has achieved the remarkable ability to take issues seriously, without taking itself too seriously. Any publication that marks a centennial anniversary must be naturally inclined toward self-congratulation.

But the one virtue in which the Nation has taken the greatest pride is honesty; and the best proof of this honesty, curiously enough, can be found in the material the magazine has sent around, to mark its own birthday.

For example, the handout unpompously notes the remark of its editor after the first issue was put to bed:

> No. 1 is afloat; and the tranquillity that still reigns in this city, under the circumstances, I confess amazes me.

The release notes that after the third issue, the elated editor declared:

> We have so much money, that I don't think we can fail, unless by stupendous mismanagement.

The release then wryly reported that a few months later the magazine was "broke."

Included in the anniversary press kit is a series of comments on the magazine written by prominent Americans. One would naturally expect that all of them would be carefully chosen for their admiring tone.

But included right in the middle of the testimonials is a statement by President Theodore Roosevelt, who is dutifully quoted as saying:

> It is always possible that what The Nation says is true; but there is never any inherent probability of it, and I think it is the most unsafe guide in American politics that there is.

This, let us understand, is in printed material put out by the magazine in question.

But here is another quotation from one of The Nation's editorials, and one that delights me most: "Our criticisms may be ill-founded or ill-judged," it says, "but are always honest." I submit that the first half of that sentence proves the last half.

Sometimes I rather suspect that some publications that I know of would rather admit to dishonesty than to bad judgment.

But all this is proof that even when it speaks of itself. The Nation is painstakingly honest. In my opinion, the most trustworthy publication possible is one with the ability to smile at itself on occasion. The same could be said of public officials, too.

So I congratulate the Nation on its birthday. I have enjoyed reading it. On one occasion, I even contributed an article to it, although I hesitate to mention that fact, because during their celebration, I do not like to create doubt about the editors' judgment.

Seriously, however, I do not think the editors have a great deal to be modest about.

The Nation has often put itself out on a limb, on a number of issues: civil rights, McCarthyism, imperialism, political machines, and others.

But, in each case, if you waited around long enough, you found the limb getting pretty crowded.

PROJECT HEAD START

Mr. CHURCH. Mr. President, I have pointed out before that children living in poverty often show learning difficulties as they approach school age. They frequently are handicapped in their ability to communicate—especially through speech. Moreover, they may see people outside the family as strange and threatening. By the time they reach school age, they may have experienced repeated failures and may feel a lack of confidence.

It is apparent that efforts aimed at meeting these problems are necessary. Project Head Start has been established to assist in the development of programs for preschool children, to prepare them to meet the problems of school. This summer, Project Head Start will support training centers for preschool children in communities throughout the Nation, including Aberdeen, Coeur d'Alene, Plummer, Idaho Falls, and Nampa, in my own State.

During a recent radio broadcast, Edward P. Morgan made a number of observations about the Head Start program that I wish to call to the attention of Senators. I ask unanimous consent that the text of his broadcast of June 28 be printed in the RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

> A lot of people are suffering hangovers in the wake of the 20th anniversary festivities of the United Nations in San Francisco but the cause was not overcelebration. Given the current condition of the planet there was not much to celebrate. The fact is that the progress of the world toward sanity is painfully slow. Despite their professed desires for cooperation, stability and peace, the present adult populations of the growing family of nations and their leaders are perhaps too "set" in their ways to provide much hope for more rapid progress. Some of them, however have sense enough to realize that the real solution lies in education of the generations to come.
>
> How many catastrophes of history might have been avoided if the protagonists had been better equipped with knowledge—not just battle intelligence but a broader, deeper understanding of people and their prejudices, and the ignorance from which many of these prejudices spring.
>
> In San Francisco at the UN meeting last Friday, President Johnson proposed to escalate the war on poverty into an international campaign. That is a noble proposition but it will be meaningless if it is not accompanied by a war on ignorance. Fortunately, a pattern for such a parallel effort is being drawn in one aspect of the U.S. antipoverty program, an operation called Project Head Start.
>
> As one project official put it, "Head Start is designed to help children from poor families fulfill their greatest growth potentialities." Their physical, mental, and emotional growth have been cruelly stunted by the accident of being poor. The concept is to give them food for their minds as well as their bodies in preschool courses this summer so they may be able to catch up with children in happier economic circumstances and enable them to enter kindergarten or first grade in September on a basis nearer to par in their respective preparations. Hence the term Head Start.
>
> The initial response has been little short of exciting. There are already 13,433 Head Start child development centers being established across the country. Supporting legislation to expand the war on poverty, Sargent Shriver, Director of the Office of Economic Opportunity, testified before a Senate Labor and Public Welfare subcommittee today that more than half a million children will be in these centers this summer. He added that several university and other research centers will measure the effectiveness of the program. "Some payoffs * * * will not show up for * * * years * * *," Shriver said, "but as early as next January we will know how the Head Start children are doing in first grade compared to other pupils."
>
> Miracles will not be wrought but, belatedly, the appalling emptiness of the world these children from deprived homes live in will begin to be filled with some meaning. Operation Overtake might be a better name for the project, they've got so far to go. One of a series of attractive teaching manuals for instructors illustrates this:
>
> "Children from disadvantaged families often seem to feel uncertain of who they are, what they look like, and how they fit into their world * * *," one manual says.
>
> "A young child becomes himself as he discovers, shapes, and sharpens his identity, as he see himself reflected back by the people who care for him.
>
> "Mirrors are useful in school. They can show children, who may never have seen it before, their own physical likeness. Polaroid snapshots of Fred's block building can prove a most thrilling experience for him and his family."
>
> If psychologists are right in concluding that most of a person's character is shaped by the time he or she reaches 7, then it follows that their preschool education of privileged as well as underprivileged children needs more thought. But the economically neglected ones have been so outrageously neglected that the greatest effort must be concentrated on them. The framers of the revolutionary education bill enacted last spring had this in mind. They too provided for kindergarten and other special preschool training for deprived boys and girls.
>
> A potential boondoggle of duplication and waste loomed here between the efforts of Shriver's Office and the Office of Education, headed by Francis Keppel. But instead of rivals, Shriver and Keppel became collaborators. A letter jointly signed by them is in the works urging the thousands of county boards of education in 50 States to start planning now to extend Head Start centers into the fall on a regular basis. Conceivably these could be financed by funds provided by both the education and poverty acts. What about waste? Little danger, insists a Shriver spokesman, because both Education and antipoverty general headquarters will clue each other in on the merits of respective applications.
>
> If this thing works, it will dignify the true mission of education, which is enlightenment. There is a certain contagion about enlightenment, and if other nations catch it, the U.N. may be able to toast a more hopeful future when its 40th anniversary rolls around.
>
> This is Edward P. Morgan saying goodnight from Washington.

A LATIN AMERICAN STATESMAN SPEAKS ON THE CRISIS IN LATIN AMERICA AND IN RELATION TO THE POPULATION EXPLOSION THERE

Mr. GRUENING. Mr. President, the Subcommittee on Foreign Expenditures, of the Committee on Government Operations, was privileged, in connection with its hearings on Senate bill 1676, to hear the moving testimony of one of the outstanding figures in Latin America. He is Alberto Lleras Camargo, former President of Colombia.

Among the many striking commentaries in the course of his remarks was his statement that at the current inordinate rate of population growth, the population has gone beyond manageable proportions, and that it is beyond the capacities of Latin Americans to cope with it; and he added the alarming warning that in Latin America it is breeding revolutionary pressures, famine, and many other disastrous problems, in proportions that exceed our imagination, even in the age of thermonuclear war.

That graphic presentation of the crisis in Latin America, from one of its foremost statesmen, deserves the widest possible attention. Therefore, I ask unanimous consent that his statement, together with a biographical summary of Dr. Alberto Lleras Camargo, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the statement and the summary were ordered to be printed in the RECORD, as follows:

THE POPULATION CRISIS IN LATIN AMERICA—STATEMENT BY ALBERTO LLERAS CAMARGO

There is a crisis today, brought on by the population explosion that is going on mainly in the racially mixed, tropical, extremely poor belt that circles the globe and that separates the two white zones of the earth—the industrial, rich region of the north and that of the far south. Perhaps it is the emergence of this crisis that has converted development from a mere problem into an unrelenting obsession of the poor countries. This is also why it is such a baffling task for the industrial nations to find an acceptable way of living together with two-thirds of a world hard pressed by deep dissatisfactions and extreme social tensions.

Until the beginning of this century, the world population had grown relatively slowly, and the increase in the mortality rate in the developed countries was followed almost automatically by a drop in the birth rate. But this did not happen when the new wonder drugs were introduced on a mass scale in the backward regions. Suddenly, traditional diseases of the tropical zone began to disappear—such as yellow fever, the bubonic plague, and malaria. Others, which were once lethal—like tuberculosis, intestinal infections, typhus, typhoid fever and venereal diseases—could now be cured. When water treatment plants started rising and sanitary conditions began to improve in the cities, infant mortality dropped sharply. Internationally organized public health campaigns on a vast scale made life possible in large areas which until then had been considered deadly for human beings. Nutrition also improved.

But at the same time, the birth rate—instead of dropping as it had in the north and the far south—increased. The result has been a population growth, particularly in the less developed regions, that has been justly described as explosive.

The number of people in the world jumped from 2½ billion in 1950 to 2,920 million in 1960, and by 1970 is expected to reach 3½ billion. This means a 1 billion increase in 20 years. It is estimated that at the time of Christ there were 250 million people in the world. It took 16 centuries to increase the total to 500 million. Then, suddenly, the figure shot up, and today we are caught up in the speeding spiral. If the population of the world were to grow at the rate prevailing in Latin America, it would double in 23½ years. A century from now it would reach the figure of 70,300 million.

As we know, the amount of goods and services that were available or being produced in the developing countries prior to this burst of fertility has not grown at the same or even comparable rate. Thus, countries that were making solid and in some cases surprisingly good progress, like the great majority of the Latin American Republics, suddenly discovered new problems. There were not enough schools or hospitals, not enough land, insufficient food supplies, inadequate law enforcement, and even not enough cemeteries to take care of the rising population. The spectacular urban progress that had got underway in the closing years of the last century and that produced European-style cities in Latin America—like Mexico, Buenos Aires, Santiago, Montevideo, São Paulo and Rio de Janeiro—stopped. Instead, the cities became breeders of hitherto unknown problems. Water supplies, electric power, sewage systems and telephone services—all were inadequate.

A new and terrible kind of leprosy—the slum—began to disfigure once comfortable and lovely urban centers. The drift of people from the countryside and the small towns to the cities turned into a desperate flight, for unemployment stalked the rural areas, and there was no change in the hard life that had always been the lot of the peasants: low salaries, boredom, gloom, and substandard schools. Rural migrants began to gather in the slums, living in hurriedly built shacks under the same bad or even worse conditions and amid the same primitiveness that had caused them to leave the countryside. Some of the toughest gangsters and more than one extremist political movement have their origin in these sad agglomerations of desperate humanity.

For a long time leaders of the backward countries failed to see that the population problem was the source of most of the evils they were trying to wipe out, and of the stagnation in their nation's development. Thus, the economists explained the migration of the peasants in terms of the attraction of urban salary levels.

But the most discouraging aspect of the population explosion is that it is occurring at precisely the time when other economic factors add to the seriousness of its impact. The gradual mechanization of agriculture is putting millions of peasants out of regular jobs. In its wake we find a bedraggled army of nomads who earn their precarious living through part-time work in the harvest season. These farm workers have no more feeling for the land than the factory worker has for his plant—but factories at least work the year round.

On the other hand, industry, which was expected to create enough jobs to absorb the rural influx and to cope with the surging population growth, becomes more heavily automated every day. If automation is a serious problem in highly developed countries, it is a matter of life or death in the backward nations. Worse yet, its message seems to be that economic development is not achieving its human purpose—to create jobs. Even so, the population keeps expanding. Improved drugs keep lengthening the life span, and the result is the coexistance of more old people with the burgeoning new generations.

The unemployment problem is mushrooming at a fantastic rate in Latin America. Only part of it is reflected in the statistics. Underemployment is the other part—jobs which yield substandard wages and condemn people to a life of permanent poverty. It begins to look as though the slums in and around the cities of Latin America are outgrowing the cities proper. In quite a few cases, efforts of governments to solve the housing problem, which have made good headway in many places, have led to stepped-up rates of migration from the countryside to those cities where these housing programs are underway. In other words, the rural population is attracted to the cities by news of progress in homebuilding, with the result that the progress is quickly neutralized.

The population problem varies in intensity throughout Latin America. From the statistical point of view, the southernmost region of the hemisphere, and within that zone particularly Argentina and Uruguay, shows a relatively moderate growth rate. On the other hand, Chile's population is mounting rapidly. In general, the formation of top-heavy concentrations of people continues to pose serious problems everywhere. For example, the province of Buenos Aires appears to be growing at approximately the rate that has prevailed in Colombia in recent years. This is due chiefly to migration from other parts of Argentina. Thus unemployment, overcrowding and inadequacy of public services are just as critical in the metropolitan area of Buenos Aires as in the rapidly growing cities of Caracas, Lima, Bogotá or Mexico.

A first and superficial look at the map of Latin America could lead to the conclusion that the region is not overpopulated. If deserts, snow-capped mountains and tropical rainforests were suitable for human settlement, the 600 million people who are expected to inhabit Latin America by the end of the century would fit comfortably into the area. In fact, based on a straight calculation of population density per square mile, the Latin American figure would be lower than the comparable ratio for Europe. But this kind of analysis does not go to the heart of the problem. What has caused the crisis is the speed at which Latin America's population has been growing. If the population increase were not proceeding at such an inordinate rate, the problem would be manageable. But at the current rate, it is beyond manageable proportions, and certainly beyond the capacities of the Latin Americans to cope with it. Latin America is breeding misery, revolutionary pressures, famine, and many other potentially disastrous problems in proportions that exceed our imagination even in the age of thermonuclear war.

The only way to solve these problems is through population control. Today this can and must mean reducing the rate of growth. In the future, it might well be in order to step it up again, if the effects of the reduction should turn out to be excessive or unhealthy. But, as Huxley has said, since man has made it his business to control death—and in large part he has succeeded—he cannot escape the need to control birth.

Because I believe this, I also believe that any legislation that seeks to develop practical approaches to population control is beneficial. And the results of research in the vast field of demographic studies, as well as any practical applications that emerge from these studies should be made available to any nation that asks for assistance in this matter.

THE CAREER OF FORMER PRESIDENT LLERAS CAMARGO, OF COLOMBIA

Last year Harvard University conferred upon Dr. Lleras an honorary doctor of laws degree, with the citation: "The vision of Bolivar finds contemporary expression in the life of this able son of the New World."

Comparing a living American to the Great Liberator might seem to be an exaggeration, but in Dr. Lleras' case, Harvard's words were well chosen. As journalist, educator, and statesman, Dr. Lleras has devoted his imposing intellect to a lifetime of service to freedom, democracy, and hemisphere peace and unity.

While still in his twenties, Dr. Lleras already had distinguished himself in two separate fields of endeavor—journalism and government. At the age of 24, he became editor of Bogotá's prestigious newspaper, El Tiempo. At 25, he was elected secretary-general of Colombia's Liberal Party. The following year he was elected a member of the Chamber of Deputies where he served as speaker.

Subsequently, Dr. Lleras has held an array of responsible national posts, among them: Minister of Interior, Minister of Education, Minister of Government, Minister of Foreign Affairs, Ambassador to Washington, and twice President of his nation. Along the way he founded and edited the newspaper, El Liberal and Semana, a weekly newsmagazine.

Fortunately for the hemisphere, Dr. Lleras' talents were not reserved for his own country. In 1933 he attended the Seventh Inter-American Conference in Montevideo as secretary of the Colombia delegation. (It so happened that I was there as the adviser to the U.S. delegation). Two years later he was a delegate to the Inter-American Conference for the Maintenance of Peace in Buenos Aires. In 1945, he headed the Colombian delegation to the Chapultepec Conference in Mexico and the United Nations Conference in San Francisco. From 1947 to 1954 Dr. Lleras served as head of the Pan American Union. During this period, almost singlehandedly, he transformed the largely ineffectual Pan American Union into the Organization of American States, whose charter he largely wrote. Although Dr. Lleras returned to Colombia in 1954, where he proceeded to lead the battle against the entrenched dictatorship of Gen. Rojas Pinilla, his interest in hemisphere peace and prosperity remained keen. When the Alliance for Progress seemed to be faltering in 1962, the American Republics called upon Dr. Lleras to diagnose its troubles and recommend remedies.

Today, Dr. Lleras is back to his first love, journalism, as chairman of Visión, Latin America's largest newsmagazine. He brings to that position over three decades of intimate knowledge of Latin American political and economic developments. Hence, it is with deep respect that I read his views on Latin America's population growth and discovered that Dr. Lleras shares my concern about the effects of unbridled human reproduction on the future of the region.

In a Visión editorial on May 29, 1964, Dr. Lleras wrote:

"We are having plenty of trouble even now trying to develop our countries with our present population level, and the figures showing current economic growth virtually melt away when they are divided by population growth. This being the case, the steadily rising deficiencies in employment, housing, and other essential needs (such as pure water systems and public health facilities) will create a crisis of unimaginable proportions 36 years hence.

"No one with governmental responsibility, and very few without such responsibility," wrote Dr. Lleras in his editorial—"have paused to examine this problem with the intention of suggesting solutions. No one has declared that it is impossible for us to advance to 600 million human beings blindly, when there is as yet no possibility to feed them, clothe them, shelter them, take care of their sicknesses, and spare them misery."

THE OPPOSITION TO ESCALATION IN VIETNAM

Mr. CHURCH. Mr. President, there is some speculation that the American people, without much dissent, are prepared to accept a major American war on the Asian mainland. I do not believe that this is the case. A large portion of the American people do not believe that a major war on the Asian mainland would serve our national interests. An even larger proportion wish to preserve the right of free discussion of alternatives open to us in the Vietnam crisis.

These points are made in excellent editorials written by Lewis E. Hower, and published in the Emmett, Idaho Messenger-Index on June 10; by Drury Brown, in the Blackfoot, Idaho, News of June 3; and by Lee Ester, in the Idaho State Journal on June 11. As Mr. Hower noted:

> There is a moral right in honoring a commitment made in good faith. There is a moral right in defending a people who want to be defended. But there is no moral right in deliberately expanding a war of doubtful virtue for no other reason than that we lack the guts, the patience, and the stamina to climb the more difficult and frustrating path of peace.

I ask unanimous consent that these editorials be printed at this point in the RECORD.

There being no objection, the editorials are ordered to be printed in the RECORD, as follows:

[From the Emmett (Idaho) Messenger-Index, June 10, 1965]

ESCALATION

American troops yesterday assumed a new role in Vietnam as combatants, under certain conditions, rather than mere advisers to the Vietnamese Government troops.

And thus comes one more step in the escalation of a bloody, futile war which so far slants toward one of two unacceptable conclusions: the humiliating retreat of American force and influence, abandoning southeast Asia to Communist piracy; or the eventual destruction of 20th century civilization by the ultimate exchange of nuclear holocaust.

The United States is dabbling at changing the universally understood rules of a very risky game. We are listening too much, or else not enough to the belligerents among us who demand a military conclusion, now, to the mess in Vietnam. We lack the resolve to commit the massive, all-out military force necessary for a quick military conclusion, and we are lacking the patience, forebearance, and delicate diplomatic skills without which no real victory is possible.

Victory in Vietnam cannot possibly be anything less, or more, than a stable, strong, indigenous government able to stand on its own feet and solve its own problems.

A quick, decisive deployment of massive military force could stop the fighting—and create more insoluble problems.

But we are being neither decisive nor patient. We are dabbling in escalation.

First by extending our bombing strikes into North Vietnam, and now by assigning our troops to a combatant role, we invite and soon will experience a counterforce supported by other powerful and interested nations.

And then, it is presumed, we will meet the counterforce by necessary step by step small increments in our own commitment of force. This is the essence of escalation. It slowly accelerates until the commitment on both sides becomes irreversible. It eventually evokes the total, all-out clash, the deperate destruction of powerful nations at war.

In Vietnam, it is the United States which is changing the rules. We are adding the increments. We are escalating the war.

Vivid is the memory of a trip just a little over 2 years ago when General Smith, Director of Intelligence for our Strategic Air Command, turned the controls of his plane over to the copilot and came back in the cabin to talk through a long, starry night.

The question then was whether nuclear war could be waged in a tit-for-tat fashion. You wipe out one of our cities, so we rocket a bomb over and wipe out one of yours. The exchange goes back and forth, bomb for bomb, tit for tat, until both sides have had time to reflect upon the unbearable consequences, and both conclude that they must back down.

No, General Smith believed, that is not the way it could be. One of the most incontrovertible lessons of history is that once commitment is made in war, nations do not back down until they are clearly beaten and exhausted, unable to carry on the struggle effectively.

The first nuclear bomb flung in deliberate anger, the general concluded, is the certain signal for total full-scale response. The object in nuclear war is to wipe out every possible fraction of the enemy's capability immediately so as to diminish his nuclear response. After the first bomb, no one can afford to wait and see if there will be a second; there will be hundreds of them all at once.

Who can say what relevance this has to Vietnam?

If step-by-step escalation of our own making ultimately leads to the commitment of massive Chinese land forces on the other side, we are automatically in a war that cannot be won without nuclear weaponry on one side that is unavailable to the other. Then what? Do we incinerate Red China? Do we find out, in whatever brief moment might remain, whether Russia really would respond in kind?

Or do we tuck our tail between our legs and tell China the Pacific is hers?

There is a moral right in honoring a commitment made in good faith. There is moral right in defending a people who want to be defended. But there is no moral right in deliberately expanding a war of doubtful virtue for no other reason than that we lack the guts, the patience, and the stamina to climb the more difficult and frustrating paths of peace.

But if indeed it is essential that we must escalate the war, as the stupid duplicity of a recent white paper would have us believe, then it is suicide to do it little by little, always waiting to see if the next bomb will come from the other side.

It will.

[From the Blackfoot (Idaho) News, June 3, 1965]

DISSENT BEFORE IT'S TOO LATE

In these days when it appears that the foreign policy line being pursued by President Lyndon Johnson might have been taken from the 1964 campaign speeches of Senator Barry Goldwater, it might be appropriate to emphasize some of the legitimate fears aroused by this policy.

A statement of those fears, that is a case in point, was raised by the Drew Pearson report carried Wednesday morning in the Blackfoot News.

Pearson says that present American policy with regard to the war in Vietnam is calculated to bring us into head-on collision with the Soviet Union.

He points out that in Russia there exists the same extreme rightwing in reverse that exists in the United States.

The old Stalinists in the Soviet bureaucracy and in the Red army have the same feeling of the inevitability of war between the Soviet Union and the United States, and the sooner it is gotten to the better, that is held by the war hawks of the United States.

Conduct of foreign policy in the United States, says Pearson, and the response to it in Russia resembles that of two small boys spoiling for a fight, with each piling chips on their shoulders and defying the other to knock them off.

In the background hover the missiles pointed at the cities of the Soviet Union and those pointed at the population centers of the United States.

Where can the escalation to the ultimate be reversed?

Pearson points out that our policy of bombing North Vietnam is not paying off. And reports from the battlefront verify his conclusion.

Ground fire knocked out two of our bombers yesterday. The rainy season is approaching where our overwhelming air superiority will be nullified. Meanwhile, the revolutionaries in North and South Vietnam show much more stomach for continuation of the jungle fighting than the South Vietnam cadres of troops.

What reason do we have to feel the revolutionary urge of the masses of people in southeast Asia can be quelled?

Pearson compares the situation in southeast Asia at the present time with the situation of the North American Colonies in 1776 with regard to Great Britain.

With the success of the American Revolution, the revolutionaries of the day have in the history books become glamorized.

They appear to us to be nicer fellows than the current crop now in ferment in Asia.

The sourcebooks, however, tell another story. We don't read in the school textbooks how the Tories of that day fared at the hands of the American patriots. They fail to mention how those loyal to the establishment of King George and his law and order were murdered, tarred and feathered, saw their homes and barns go up in flames, and were finally harried out of the 13 Colonies into Canada.

There was nothing pretty about the French Revolution that toppled the old regime.

Both revolutions had the common result of overthrowing governments that had become unpopular. So now we gloss over the turmoil and pain caused the ruling order that preceded them.

The days of white supremacy and the imposition of order imposed by the white race over the two-thirds population of the world that is colored would appear to be doomed. This basic fact leads me to wonder how we get out of the mess in Vietnam.

This expression of thought may be unpopular to many who read it.

Maybe I'm wrong, but I think it should be said.

The time may be approaching when dissent from what appears to be the official and popular position will be impossible.

D.B.

[From the Idaho State Journal, June 11, 1965]

To Explore Alternatives

Many thoughtful and loyal Americans have voiced outspoken opposition to this country's policies in South Vietnam and in the Dominican Republic. While they support the President because they feel it is their duty, others harbor grave doubts about escalating the war in southeast Asia and about intervening in internal affairs of a Latin American nation, and they remain silent. Still others wholeheartedly support whatever measures are necessary in both strife-torn lands to subdue aggressive and rebellious elements, thus to protect American interests. Whatever their views, the holders of these opinions remain Americans, free to agree or disagree among themselves and free to voice their approval or disapproval of U.S. policies, all in good faith.

It is distressing, then, to hear a U.S. Senator label as "defeatists" and "appeasers" those who disagree with the policy of extending the war in Vietnam. In a speech yesterday, Senator THOMAS J. DODD, Democrat, of Connecticut, attacked a "noisy minority" that is clamoring for U.S. withdrawal. "They probably number somewhat less than 10 percent of the total population," he said. "But this minority of defeatists and appeasers, by din of their incessant clamor, their seemingly boundless energy, their hundreds of newspaper advertisements, and the apparently limitless funds which fanaticism always generates, have had an impact that is out of all proportions to their actual numbers."

The Senator is thus implying that anyone who favors an alternative to all-out war wants to sell out our interests and those of a nation to which we have made commitments. He implies also that opponents of U.S. foreign policy want to play into Communist hands. Without doubt, there has been Communist influence in some of the "teach-ins" and the protests around the country, but the Senator from Connecticut would be hard pressed to prove that responsible voices in Congress, including that of Senator FRANK CHURCH of Idaho, and in universities and elsewhere are in the least inspired by communism.

Indeed, the teach-in movement and the debates on foreign policy may be inspired by the uneasy feeling that there is what the New Statesman, a British publication, calls a "vacuum of ideas" in the higher levels of U.S. policy planning. Recalling that President Kennedy "invariably consulted with a wide variety of advisers within his entourage—men skilled in the calculation, not only of the direct military and political risks, but in the effect of America's actions on the movement of opinion and the clash of ideas," the New Statesman contends that now, "the 'civilizing' element no longer have full access to the White House * * * Both in Vietnam and in the Dominican Republic, President Johnson and his advisers have resorted to excessive military methods because they lack the will or the ability to devise the (admittedly complex) diplomatic solutions which these problems require." As a result, the New Statesman noted, "the intellectual debate over the use of force in American policy has moved outside the White House and into Congress and the newspapers. It says much for the resilience of American democracy that, although the Nation is now committed to hostilities in two theaters, many Congressmen, journalists and leaders of public opinion, openly and fiercely contest the wisdom of President Johnson's actions."

While he may disagree with those who disagree with the President, Senator DODD has no cause whatever to impute unpatriotic motives to those who take issue with policy and with prevailing opinion. For the great debate is to explore and possibly to pursue alternatives, and not to sell out.—L.E.

CONTINUED DECLINE OF THE U.S. MERCHANT MARINE

Mr. FANNIN. Mr. President, the lead editorial in the Washington Evening Star of Tuesday, July 6, calls attention to the continued decline of the U.S. merchant marine.

The editorial points out that even with substantial Federal subsidies for ship construction costs and seamen's wages, our labor costs are pricing us out of the world market. The title of the editorial—"Killing the Golden Goose"—is particularly appropriate in this case.

Incessant wage demands and strikes in this industry will result in the virtual disappearance of American commercial shipping from the high seas. I may add, Mr. President, that this trend is not confined to the merchant marine.

Proposals before this Congress would, if adopted, in effect legislate further wage increases throughout major segments of the economy, and thus might have the effect of reducing jobs. These proposals deserve the most careful study, in view of the burden already placed on our economy to maintain stability and continued growth without inflation.

I commend this editorial, and ask unanimous consent that it be printed in the RECORD, for the wider distribution it deserves.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, July 6, 1965]

Killing the Golden Goose

It doesn't take a great deal of acumen to perceive that the United States merchant marine is on the skids. In 1949 we had 3,421 ships in our merchant fleet. By last year the number had declined to 2,529, despite a variety of Government subsidies in construction and operations adding up to $380 million annually.

America, originator of some of the most admired commercial vessels in history, including the nuclear ship *Savannah*, the wartime mass-produced Victory and Liberty class ships, and the beautiful 19th century clippers, now is fifth-rate in merchantmen. Even Norway has more tons of shipping afloat.

One doesn't have to look far for the reasons. Labor costs are pricing us out of the world market, despite Federal outlays that pay 55 percent of original ship construction costs and 72 percent of a subsidized seaman's wage.

With that kind of background, one would think the seafaring unions might cast a look into the future now and then, wondering if their fierce resistance to automation and their incessant wage demands would reduce jobs even further. One would think that this would be the case. But in New York City the Marine Engineers Beneficial Association seems to be doing its best to dispel such notions.

Because of its current strike against five leading American steamship lines, departures of major passenger liners have been canceled, including that pride of the fleet, the *United States*. The 3,000 travelers with reservations are heading for foreign ships or airlines. And at least one union colleague, Joseph Curran of the National Maritime Union, has pointed out that allowing these vessels to sail would have in no way hampered the strike or negotiations.

"A kick in the face," Mr. Curran calls the tieup of passenger vessels. It is worse than that, it is an outrage. With the tourist season now at its height, the scramble of these passengers to foreign carriers will not only sow ill will for future years but also will aggravate the balance-of-payments problem.

In his state of the Union message President Johnson pledged a "new policy for our merchant marine." That has yet to appear. And it becomes increasingly hard to fathom just what Uncle Sam could do in the way of new subsidies or automated ships that will rescue the merchant fleet if the intransigent seamen's unions continue to whipsaw the industry with senseless strikes.

THE INTERIOR DEPARTMENT FILM "PHOTOSCENIC AMERICA"

Mr. THURMOND. Mr. President, the Secretary of the Interior, Mr. Stewart Udall, has again demonstrated his bias against the South, this time with the scissors, in editing the South out of the Interior Department's new film entitled "Photoscenic America." I call to the attention of Senators an article, from the News & Courier, of Charleston, S.C., dated July 8, 1965, and entitled "South Slighted in Tourism Film." The article points out that the film, which is designed to promote tourism in America, in accord with the President's recent plea with Americans to travel here, rather than abroad, because of the gold outflow problem, was originally 65 minutes long, and was cut to 24 minutes. A Udall aid is quoted in the story as stating it "just happened" that it was the South that wound up on the cutting-room floor.

Mr. President, many of the best tourist attractions in this country can be found in our Southland. The State of South Carolina abounds with beautiful tourist attractions, as do the States of Florida, Virginia—in fact, all of the Southern States.

Mr. Udall went out of his way, a few years ago, to try to bar the Fouke Fur Co., of Greenville, S.C., from its longtime contract with the Interior Department for processing Alaskan sealskin furs simply because this firm decided that it would prefer to operate in Greenville, S.C., rather than in St. Louis, Mo. Thanks to the General Accounting Office, we were able to get Mr. Udall reversed on that prejudicial decision against the State of South Carolina and the South.

During the past 2 weeks, I have twice called to the attention of the Senate an attempt by Mr. Udall to try to block a private enterprise venture in South Carolina, which would bring $700 million into the construction of a power-generating complex in an area of our State which has been tabbed by the Johnson administration as poverty stricken.

Mr. Udall keeps crying about prejudice and bias. It is time, Mr. President, that he wipe the mote out of his own eye, and try to help step up the South, rather than continue to step on the South. I ask unanimous consent that an article on this subject, from the News & Courier, and another one, from the Washington Daily News, be printed at this point in the RECORD, in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follow:

[From the Charleston (S.C.) News & Courier, July 8, 1965]

SOUTH SLIGHTED IN TOURISM FILM

(By Roulhac Hamilton)

WASHINGTON.—President Johnson's invitation to American citizens to visit the United States apparently doesn't include the old Southland—at least not as far as Interior Secretary Stwart L. Udall is concerned.

If one is to be guided by a film sponsored by the Interior Department to encourage "see America First" tourism, there isn't any South, except for a couple of places called Miami Beach and San Antonio, Tex.

The film, called "Photoscenic America" is being shown five times daily in departmental auditorium here for the specified purpose of getting people to heed the President's bidding that they stay out of Europe and see their own homeland to help cure the balance of payments.

The strip plainly bears the stamp of Udall, a former Arizona congressman who notoriously detests the South. Except for Miami Beach and San Antonio, mention of any spot south of the Mason-Dixon line is conspicuously absent in the Interior Department film.

There are shots of Niagara Falls, Death Valley, New York, Boston, Washington, Philadephia and the Liberty Bell. The narrator takes you westward to Chicago, briefly southward to San Antonio and the Alamo, then west again to San Francisco's cable cars and Chinatown, and to Disneyland. Inexplicably, the narrator jumps across the continent to "lush Miami Beach," and then back to the Nation's northernmost and westernmost extremes, Alaska and Hawaii.

But no mention of Virginia's historic landmarks, not even George Washington's Mount Vernon, nor Thomas Jefferson's Monticello, nor Robert E. Lee's Arlington. No mention of historic Charleston, now a great naval bastion, nor of New Orleans. No mention of the beautiful and timeless Great Smokies, nor of famous Cape Hatteras. No mention of booming Atlanta, the metropolis of the South—nor of Cape Kennedy, the launching platform for the Nation's space spectaculars.

Mention of Harvard, in "old and charming Boston," there is. But there is no mention of the oldest State universities—Georgia and North Carolina—nor of William & Mary, the Nation's second oldest college, nor of the College of Charleston, the oldest municipal institution of higher learning.

But there was "no intent at all" to slight the South, a Udall aid insisted. The aid piously explained that the film, produced by Eastman Kodak Co., originally ran 65 minutes and had to be cut to 24 minutes. It "just happened," he surmised, that it was the South which wound up on the cutting room floor.

[From the Washington (D.C.) Daily News, July 7, 1965]

ONLY MIAMI BEACH AND SAN ANTONIO: "SEE AMERICA" FILM SKIPS OVER SOUTH

(By Cordelia Ruffin)

President Johnson's invitation to American citizens to visit the U.S.A. apparently doesn't include the old Southland.

At least not if one is to be guided by a film strip produced by Eastman Kodak, sponsored by the Interior Department and being given five showings daily at the Departmental Auditorium through July and August.

The film is called "Photoscenic America," and conspicuously absent is any mention of any spot south of the Mason Dixon line, except for Miami Beach, and San Antonio, Tex.

The film opens with shots of some of America's scenic wonders—Niagara Falls, Death Valley—and then moves to New York. From there the narrator takes us to "old and charming Boston", then Washington, "nerve center" of America, and Philadelphia and the Liberty Bell, "reminder of our heritage". The narrator then veers westward to "Carl Sandburg's Chicago * * * hog butcher of the world.' He steers briefly southward to San Antonio and the Alamo, and then west again to San Francisco, its cable cars and Chinatown, Disneyland, and back east to "lush Miami." We wind up with a trip to Alaska and Hawaii.

No mention of Virginia and its historic landmarks, Williamsburg and Jamestown. Not even Mount Vernon. No mention of Jefferson's beautiful Monticello, or his University of Virginia or William & Mary, second oldest college in the land. And what about Civil War battlefields—Manassas and Bull Run?

What about Charleston and New Orleans and the Great Smokies?

There was "no intent at all" to slight the South, a surprised Interior Department aid said, when the subject came up. The film, originally 65 minutes long, had to be cut to 24 minutes, and lots of cities got left out, he said.

A representative of the Virginia State Travel Association here seemed mildly put out when she heard about it. There were more Virginians at the "See America first" promotion meetings than any other Americans, she said. Her association has a 15-minute film on Virginia and her suggestion was to use it to "supplement" Photoscenic America.

"Everybody knows Williamsburg is the main attraction in the East," she said.

One can understand the Government's reluctance to promote travel to trouble spots such as Selma, Ala., or Philadelphia, Miss. But then there's trouble everywhere. Who's in the mood for Geneva on the Lake?

BUGABOOS, BPA, AND THE FACTS

Mr. CHURCH. Mr. President, on the subject of the Bonneville Power Administration, misinformation seems to grow like weeds, while the facts trail behind, like a one-legged man with a rusty hoe. Recently, the Ogden Standard-Examiner summarized in one editorial all the misinformation attempting to prove that southern Idaho should not have the access to Federal power afforded the rest of the Northwest. The editorial was cogently answered in a letter to the editor by Charles F. Luce, BPA Administrator.

In the interest of setting the record straight about a question of great importance to Idaho, I ask unanimous consent to have printed at this point in the RECORD the pertinent portions of the Ogden Standard-Examiner editorial of June 6 and the letter of reply from Mr. Luce.

There being no objection, the excerpts from the editorial and the letter were ordered to be printed in the RECORD, as follows:

BONNEVILLE POWER ADMINISTRATION TRIES SOUTH IDAHO ATTACK AGAIN

During the last 7 fiscal years, the Bonneville Power Administration has shown an operating loss of more than $67 million.

This deficit has been made up from the Public Treasury.

This means that the BPA has been subsidized by taxpayers to the tune of nearly $10 million a year since 1958.

But has this red ink operation phased the public power advocates?

It has not. They are still pushing Congress for authority to extend the Bonneville Power empire into southeastern Idaho—an extension that would mean even more losses to be made up from more taxes.

* * * * *

Accordingly, we believe the people of Utah should understand the full picture—and the reasons why "cheap" power, like BPA wants to peddle in south Idaho, isn't cheap for the taxpayers that have to foot this agency's bills.

Specifically at issue is a request by BPA for $1 million to survey and design a high-voltage powerline. It would begin at McNary Dam in Oregon and terminate at Alexander, in southeastern Idaho.

Total cost to build the line, with associated switching stations and other installations, would be $132 million, engineers estimate.

The $1 million request was turned down last year by the House Appropriations Committee, which suggested that BPA work out "wheeling" arrangements with private power companies instead of building its own expensive line.

Such "wheeling" contracts are already in wide usage in many sections of the country. Power generated at Flaming Gorge Dam, north of Vernal, is delivered to so-called preference customers—municipal power setups and rural electrification systems—over Utah Power & Light Co. lines for a fixed, nominal fee.

Several communities in the Golden Spike empire obtain their power supplies through such an arrangement.

But attempts by the Idaho Power Co. and Utah Power & Light Co., the private utilities operating in southern Idaho, to work out "wheeling" deals with Bonneville Power Administration have failed.

So the BPA asked Congress again this year for the $1 million to prepare its plans on the $132 million Oregon-Idaho line.

Hearings have been conducted in Washington by subcommittees in the House and Senate. Neither subcommittee has made a recommendation yet.

During the Senate hearing, spokesmen for both Utah Power and Idaho Power explained the difficulties in getting together with BPA on the "wheeling" arrangement.

Vice President E. A. Hunter, of Utah Power, said his company could not "accept a requirement for wheeling power to any of our industrial customers that might be taken over by Bonneville Power. We do not want to give BPA a hunting license * * *."

Vice President Robert F. Ball, of Idaho Power, told the Congressman that there is "not a single unserved customer" in south Idaho.

BPA, Mr. Ball charged, was intent on "pirating" the industrial customers of the privately owned utilities by providing tax-free power that was produced and distributed at a loss.

The utility men cited a contract offered by BPA to Monsanto Chemical at Soda Springs. A huge block of power would have been delivered at a rate of 2.2 mills per kilowatt-hour, if the Government had built its lines. Private rates admittedly are higher—taxes alone paid by the companies amount to about 3 mills per kilowatt.

To charges that Monsanto could not expand without public power, the U.P. & L. spokesman cited a recent agreement which he said was favorable enough to permit the chemical firm to start construction on a new phosphate unit and plan another future expansion.

At the hearings this year and in 1964, Bonneville Power claimed the 500-mile line was needed to assure the future power needs of existing preference customers and to encourage more rapid development of the south Idaho phosphate resources.

The private companies, in turn, said they would contract with BPA to deliver all power needed by existing preference customers for the next 20 years. But they would not be bound to deliver public power to non-preference industrial users who to buy from BPA would have to discontinue service from either Idaho Power or Utah Power.

Against the $132 million cost of the BPA line, the two utilities said they would "wheel" all the power needed by preference customers for $1.7 million a year, averaged over the next 20 years.

BPA estimated its line construction and operating costs during those same 20 years at $123 million—$89 million more than under the private companies' proposal. The private utilities' plan would result in a savings equal to $89 for every man, woman and child in Utah.

In addition, the two investor-owned utilities would be paying taxes of their own.

An extensive analysis of the background and developments of the Bonneville Power Administration's attempt to invade south Idaho has just been published by the Council of State Chambers of Commerce in Washington.

The council's research director, Eugene F. Rinta, described the proposed BPA Oregon-Idaho line was "completely unnecessary and wasteful."

We argee that it would not only duplicate private company facilities with Federal lines, but would waste economic resources through higher cost power transmission than is available through existing, taxpaying sources.

U.S. DEPARTMENT OF THE INTERIOR,
BONNEVILLE POWER ADMINISTRATION,
Portland, Oreg., June 16, 1965.

EDITOR, OGDEN STANDARD-EXAMINER,
Ogden, Utah.

DEAR SIR: Your editorial of June 6, "Bonneville Power Administration Tries South Idaho Attack Again," has just come to our attention. We believe that it contains serious errors of fact.

Briefly, these are the facts:

1. BPA does not cost the taxpayers a single penny. On the contrary, it represents a wise and prudent investment of public funds that has brought large returns in strengthening national defense, conserving resources and building the economy of the region and the Nation. From the beginning of our operations in 1938 we have returned to the Treasury more than $1 billion. BPA is still ahead of schedule in repaying, with interest, the Federal investment in Northwest power facilities. Our annual deficits in the past few years have not eliminated our overall surplus position.

2. We are not requesting funds for a line to southern Idaho for the purpose of serving industries. The House Appropriations Committee of Congress has specifically directed us to serve "preference customers only" in that area. We have honored this directive in all our negotiations with the Idaho and Utah power companies.

3. The estimated cost of the line is $73 million, not $132 million as your editorial stated.

4. We have diligently sought a wheeling agreement with the Idaho Power Co. which would eliminate the need for a Federal line to southern Idaho. Inability to reach agreement on one crucial point—that of service to future preference customers—has forced us to seek funds for a Federal line. The company insists that even if citizens of a municipality in southern Idaho by majority vote decide to acquire a municipal electric system they cannot buy power from the Federal Government. We have offered to sign the same kind of wheeling contract Utah Power & Light Co. signed about 2 years ago with the Bureau of Reclamation for wheeling upper Colorado power. That contract provided wheeling service not only for preference customers presently served by the Bureau, but future preference customers as well.

5. We have offered to build a 500,000-volt line jointly with the Idaho and Utah companies. We would build to Anaconda, Mont., where we already have a 230,000-volt line and substation. The companies would build the rest of the way into southern Idaho and lease to us about half the capacity in their section of the line. Thus there would be no Federal line in either company's service area.

6. Such a line is needed. Your editorial suggested that the proposed Federal line would duplicate private company facilities. This is not so. While we have sufficient power on our main system to meet the growing needs of the preference customers in southern Idaho, adequate transmission capacity is lacking. Either the private companies must build it, and lease capacity to us, or we must build it. The need for a 500,000-volt line in the area was further established by the Federal Power Commission's National Power Survey, participated in by all segments of the electric utility industry, including the private power companies.

Sincerely yours,
CHARLES F. LUCE,
Administrator.

SUPPORT OF THE ADMINISTRATION'S EFFORTS TO ABOLISH THE NATIONAL ORIGINS QUOTA SYSTEM

Mr. HART. Mr. President, the Sunday, July 4, issue of the Louisville Courier-Journal included an inspiring editorial in support of the administration's efforts finally to abolish the national origins quota system.

It was, indeed, an appropriate subject for editorializing throughout the land on our Independence Day, for we are a nation of immigrants, and it is long past the hour for this biased and narrow system to be abolished.

I am hopeful, Mr. President, that the Judiciary Committees of the two Houses will complete their work on the bill which Representative CELLER, myself, and many of our colleagues have introduced, so that the President can sign this historic measure as one of the many outstanding accomplishments of the first session of the 89th Congress.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Louisville Courier-Journal, July 4, 1965]

HOW TO PICK NEW CITIZENS FOR AMERICA

What is the best basis for admitting immigrants to the United States? Should we give preference to people simply on the grounds of the nation they come from? Or should we open the way to two special groups, those with skills that are needed in this country, and those with close relatives already living here?

The old system of national origins has been used since the immigration bill of 1924. It set quotas for each nation based on the proportion of people from that country who had already come here.

We thus assume that a man is desirable because he comes from a certain country, regardless of his other qualifications, and undesirable because he comes from another land. Quotas from Ireland, Great Britain, and Germany are never filled. Meanwhile, people from Spain, Italy, and Greece can only put their names on an endless waiting list.

The administration in Washington wants to substitute a more reasonable formula. It would use all present 158,000 quota places each year, plus perhaps 8,000 more, but apply them to people with special qualifications. Doctors, nurses, and skilled technicians in many fields would get high consideration, since they are in short supply here. Parents of people who have already migrated here would also be favored. All the present standards of health and political acceptability would still be kept.

An immigration bill is being hammered out in a committee of the House. Some of the details are still to be determined. The first principle will be, however, to get rid of the antiquated national origins system, and put in its place a system that rests on the current needs of our society. The reform is long overdue.

FREE ELECTIONS IN VIETNAM

Mr. CHURCH. Mr. President, in a speech which I delivered in the Senate on June 24, I called for free elections to be held in South Vietnam. I was pleased to see that the idea of holding free elections in Vietnam was discussed in an article published in the current issue of the Saturday Evening Post. The article was written by the well-known columnist, Stewart Alsop. Mr. Alsop correctly concluded:

> The risks are real. Even so, there is one very good reason for accepting them. A proposal for internationally supervised free elections in Vietnam would reaffirm the old American notion that the people of a country have a right to decide what kind of country they want to live in.

I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vietnam: Free Elections?

(By Stewart Alsop)

Washington.—What would happen if really free and secret elections were held in Vietnam today? Would the Communists win?

These questions may seem academic, as the nasty little war in Vietnam gets nastier. And yet, as this is written, the possibility of proposing internationally supervised free elections, either in all of Vietnam or in South Vietnam alone, is being seriously pondered at the highest administration levels. Some such proposal may have been made even before these words are published. Or in the end nothing may come of all the pondering. But the fact that the possibility of proposing free elections is being seriously considered is significant in two ways.

It means, in the first place, that the administration policymakers really believe what they say—that the Communists, at least in South Vietnam, have the support of only a small minority of the people. In the words of William Bundy, Assistant Secretary of State for the Far East: "It is clear that * * * the great mass of people of South Vietnam do not wish to be ruled by communism or from Hanoi." Secretary of State Rusk and other administration spokesmen have said much the same thing.

It means, in the second place, that the more thoughtful policymakers are belatedly worried—and with reason—by the harsh fact that in a very important segment of the American population the Vietnamese war is the least understood and the most unpopular war of modern times.

The President likes to carry public-opinion polls in his pocket, the way another man might carry a rabbit's foot. Often he pulls the polls out of his pocket to prove the widespread public support for his Vietnamese policy. And, of course, the polls are accurate enough. The students and professors who are leading the campus revolt against the Vietnamese war are a minority even on the campus.

Yet these people, plus the off-campus liberal-intellectuals, are influential out of all proportion to their numbers. As the United States gets more deeply involved in the ugly war, their influence is likely to multiply. And it is highly significant that this liberal-intellectual-academic revolt is the first serious revolt since before the Marshall plan era against the consistent postwar American policy of containing communism. There was nothing comparable at the time of the Berlin blockade and the airlift; or the Korean war; or the second Berlin crisis and the Cuban missile crisis, in both of which President Kennedy made clear his intention to risk nuclear war if necessary.

Then why has the effort to contain communism in Vietnam aroused such a widespread and deep-rooted rebellion in liberal-intellectual-academic circles, There are various obvious reasons. Nasty little wars are never popular. There are Communists and fellow-travelers on the campuses, and there are credulous and misinformed academic dunderheads too.

But it is not enough to dismiss the angry students and professors as fellow-travelers and dunderheads. The revolt goes a lot deeper than that. No doubt Lyndon Johnson's personal style has something to do with it—the President has never cottoned to intellectual and academic types, nor they to him. And the Dominican crisis reinforced the totally inaccurate notion that the President (who is by nature more cautious than his predecessor) is an impulsive gunslinging, Texas version of Colonel Blimp.

But this does not really explain the revolt either. The real taproot of the campus revolt is this: The United States seems to be opposed to the reunification of all Vietnam, and thus to the self-determination of small countries; and to free elections in Vietnam, and thus to democracy itself. Therefore, it is easy for the angry professors at the teach-ins to portray the Johnson administration's policy in Vietnam as a betrayal of the most basic American traditions.

In terms of the grim realities of the Vietnamese war, such matters as free voting and self-determination may be so much moonshine. But Americans—young ones, especially, and especially in foreign affairs—need a bit of moonshine, need to feel on the side of the angels. In the teach-ins the angry professors can always count on anti-administration boos when they charge the United States with conniving to prevent the free elections to unify the country, which were promised in the 1954 Geneva accords.

In fact, this is a phony debating point. Given the population balance and the areas under Communist control, a free election without adequate supervision, as proposed at Geneva by the French, would have insured Communist victory—one reason why the United States refused to become a party to the Geneva accords. The French offer was really a bribe for the Communists, to let the French off the hook in Vietnam.

Yet the fact remains that there is a sharp seeming contrast between American policy in Vietnam and traditional American foreign-policy objectives. The United States has consistently stood for free elections to unify the two other divided countries, Germany and Korea. There has never been a chance that the Communists would permit free elections in East Germany or North Korea, but at least the United States is on the side of the angels.

Obviously, this country and South Vietnam would propose elections in Vietnam only on certain conditions: a general cease-fire and a supervised end to military infiltration from North Vietnam; freedom of movement, communications, and political debate; really effective international inspection and control to insure a free and secret ballot.

No Communist state has ever risked a genuinely free political contest, for free debate strikes at the roots of "the dictatorship of the proletariat" and threatens destruction of the regime. The Communists would agree to a genuinely free election—especially with "imperialist" American troops still in the country—only if they were virtually certain they could win.

No one can guarantee that they might not win. Conditions in North Vietnam are miserable, and Bundy is no doubt right that the "great mass" of the South Vietnamese are anti-Communist. But the Vietcong in the South and the Vietminh in the North are the only disciplined political organizations in the country; and to many peasants there is no easily visible difference between a Communist and a nationalist.

The risks are real. Even so, there is one very good reason for accepting them. A proposal for internationally supervised free electionss in Vietnam would reaffirm the old American notion that the people of a country have a right to decide what kind of country they want to live in.

FEDERAL FUNDS BEING WITHHELD FROM SOUTH CAROLINA MENTAL INSTITUTIONS

Mr. THURMOND. Mr. President, I call to the attention of Senators an article and also an editorial from the News & Courier, of Charleston, S.C., on the subject of cutting off Federal funds for mental hospital facilities for South Carolina. What is involved here, Mr. President, is the fact that the Department of Health, Education, and Welfare has reversed an earlier decision, and now refuses to allocate $700,000 to expand mental health facilities in South Carolina for adult Negro mental patients and for mentally retarded Negro children.

Mr. President, this action on the part of HEW is indicative of the lack of reason which prevails in this Department in connection with the administration of title VI of the so-called Civil Rights Act of 1964. Those of us who last year opposed that legislation made the point, at the time, that it constituted the delegation of too much authority to Federal bureaucrats who would be seeking to exploit every ounce of authority contained in the legislation.

Department of Health, Education, and Welfare officials are insisting that mental health facilities in South Carolina be completely racially integrated, even at the expense of the Negro facilities. With the State of South Carolina making every possible effort to improve these facilities, the Federal Government now comes along, and, by this action, virtually blocks these efforts at progress in providing care for Negro mental health patients.

The entire question of integration in the South constitutes an emotional and delicate matter. I would imagine, Mr. President, that it would be particularly delicate with regard to the mixing of the races among persons who are already emotionally disturbed. Here is one area which one would think should require the application of judgment and reason; but these two important elements of consideration seem to be entirely lacking in connection with the recent decisions by the Department of Health, Education, and Welfare.

I ask unanimous consent to have printed at this point in the Record, an article from the News & Courier, of Charleston, S.C., dated July 3, 1965, and entitled "Federal Funds Withheld From Palmetto Hospital: HEW Reverses Earlier Decision"; and an editorial, from the News & Courier of the same date, entitled "Shameful Decision."

There being no objection, the article and the editorial were ordered to be printed in the RECORD, as follows:

FEDERAL FUNDS WITHHELD FROM PALMETTO HOSPITAL—HEW REVERSES EARLIER DECISION

(By Hugh E. Gibson)

COLUMBIA.—The Federal Government yesterday clipped $700,000 from funds allotted to expand State mental health facilities—the second such action in as many days.

At the same time Dr. William S. Hall, State mental health commissioner, revealed the five doctors training as psychiatrists at the South Carolina State Hospital have quit because that institution will lose its accreditation next year.

The twin setbacks came on the heels of Department of Health, Education, and Welfare (HEW) refusal Thursday to release $77,000 for construction of a dormitory at the Pineland Training School for retarded Negro children.

Dr. Hall said the $700,000 grant was HEW's share of a $2.3 million medical-surgical complex already about 15 percent completed at the Palmetto State Hospital for Negro mental patients.

Notification that HEW had reversed its earlier action of approving the contract and awarding the funds came in a telephone call from Washington, Dr. Hall said. He quoted the HEW spokesman as saying a mistake had been made in awarding the contract.

Actually, the mental health commissioner said the mistake lay in the fact that the funds should not have been approved in the absence of Federal approval of Palmetto's compliance with the 1964 Civil Rights Act.

A desegregation plan is on file in Washington, Dr. Hall said, but so far none of the department of mental health facilities has been ruled in compliance.

Despite the HEW action, Dr. Hall said the State will apply for one-fourth of the $700,000 when the Palmetto construction is 25 percent complete—late in September. He said he was hopeful that by then the integration plan will be accepted.

If HEW remains adamant, the only recourse will be to ask the legislature to make up the deficit, Dr. Hall said. He admitted, however, that this would be a "long shot."

Construction of the Pineland dormitory had not begun, but Dr. Hall revealed that 75 percent of the architect's fees—about $27,000—must be paid.

The lost $77,000 was to have been part of the Federal Government's $305,000 matching contribution to build the dormitory. But the remaining $228,000, even if obtained later, also will be denied Pineland because it has lost its top priority, Dr. Hall said.

This would force a complete revision of the plans in order to build a much smaller dormitory with the $455,000 put up by the State to match the expected Federal grant, Dr. Hall said.

SHAMEFUL DECISION

Denial of $77,000 in Federal funds earmarked for a dormitory to house retarded Negro children is an act of racial discrimination that ought to hang heavily on the Johnson administration. The decision was not made, we are confident, by the President himself. It is small, in comparison to the huge sums usually associated with the U.S. Government. But the principle of discrimination is there. It should be examined at the highest level.

South Carolina for years has endeavored to look after the needs of its citizens within relatively limited means. It has maintained homes for children who need the State's care. One of them is Whitten Village. Historically white children have gone there. It is always filled to overflowing, with a long waiting list. Another home is called Pineland Training School. It is crowded with retarded Negro children.

Because of pressure to mix the two—for what good purpose, we cannot imagine—the Department of Health, Education, and Welfare has cancelled allotment of $77,000 to the Negro school. The outcome is a loss for Negroes.

The complaint of discrimination due to separate homes came from an all-Negro citizens committee in Richland County. Gov. Robert E. McNair, who has been working valiantly to unravel this bureaucratic snarl, called HEW's decision a complete failure on the part of this Federal agency to comprehend a local need.

The News and Courier for years has opposed dependence on Washington for local needs. The majority in our country feels otherwise, and has voted for candidates who insist on concentrating services in the National Capital. Since national policy sends money into the States—paid for by the taxpayers—we feel justified in complaining over discrimination in handling it. If anyone needs a classic example here is one for the record. We call it a shame.

THE SINGING K'S FROM IDAHO

Mr. CHURCH. Mr. President, "business as usual" is hardly an appropriate phrase in Burley, Idaho, these days. Some of the most prominent businessmen of Burley have been traveling to the World's Fair as singing ambassadors from Idaho; and they came to Washington, to sing in the rotunda of the Senate Office Building at noon today.

These men are members of the Singing K's, Idaho's official representatives to the World's Fair, and one of the most popular singing groups in the Gem State. All of them are members of the Burley Kiwanis Club.

In an editorial published on June 18, the Burley Herald-Bulletin emphasized the debt Idahoans owe to all the citizens of Burley who made possible the trip of the Singing K's. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVER THE TOP

It certainly was welcome news to the Singing K's, the Burley Kiwanis Club, and the general public when it was learned the recent barbecue staged by the popular singing group had put the drive for funds to pay expenses to New York over the top.

It was welcome news for the Singing K's because it eliminated any anxiety that a lack of funds might becloud their trip for the many engagements lined up for them at the World's Fair, Madison Square Garden, the National Capitol, and spots along the way. It was welcome news for members of the Burley Kiwanis Club because it marked the end of a long and trying campaign to raise the funds and the club can put down on its records another good job well done. And it was welcome news for the public because, while the response to each of the club's projects was most generous, the monotony was beginning to tell.

All in all, it was another typical Burley enterprise that ended in another typical bang-up victory. It was, in the first place, a tremendous project for the Singing K's—a relatively new organization—to undertake. But the opportunities of spreading the name and fame of Burley were too great to resist. The fine singing group, composed of many of the civic and business leaders of the community, will be the official Idaho ambassadors to the World's Fair. And, even if they weren't such good singers, Idaho never had better envoys.

In fact, their singing is only a part of their mission. They make a fine appearance and they will be loaded with Idaho and Burley products and brochures for distribution all through their long trip.

All of them are knowledgeable men, accustomed to meeting the public, and all of them are dyed-in-the-wool Burley and Idaho boosters.

Now that the last obstacle in the many that faced them at the outset of the project has been overcome, Burley can sit back and await the certain returns that come with success.

Moreover, Burley can sit back with a feeling of pride. During the last few months, almost everybody in the area has—in some way—contributed to this project. Once again, the community has proven that it lacks nothing in public spirit and community pride. Once again, it has faced a big community effort and once again it has proven its mettle.

The Singing K's and the Kiwanis Club deserve all the credit in the world for the accomplishment. But they wouldn't have been able to make it as far as Malta without the wonderful cooperation of a wonderful community.

RETIREMENT OF COMPTROLLER GENERAL JOSEPH CAMPBELL

Mr. THURMOND. Mr. President, I find myself in full agreement with an excellent editorial, from the Washington Daily News of July 7, 1965, entitled "Blow to the Taxpayers." The editorial pays great tribute to the retiring Comptroller General of the United States, the Honorable Joseph Campbell. Mr. Campbell has served in this important position of trust and responsibility in a most distinguished, objective, and effective manner. Running the General Accounting Office is, indeed, a difficult task, and requires a man of courage and ability who does not mind "calling the shots as he sees them."

Mr. Campbell and his coworkers at the GAO have been responsible for saving many millions of dollars for the American taxpayers, and have exposed to Congress and to the public many actions of waste, inefficiency, and corruption on the part of agencies and individuals within the executive branch of the National Government.

I particularly recall, Mr. President, a GAO investigation, which I asked Mr. Campbell to conduct, on the question of the Interior Department's award of the contract on the processing of Alaskan sealskin furs. That contract award was made by the Secretary of Interior, Mr. Stewart Udall, to a newly established corporation, which had never processed any sealskin furs, and which was finally revealed to be nothing more than a corporation on paper. Mr. Udall awarded the contract to that concern in an effort to punish the Fouke Fur Co., of Greenville, S.C., because it had moved from St. Louis, Mo., to Greenville. The Fouke Fur Co., was without any question the superior sealskin processing firm in the world, and had been doing that work for the Government for many, many years, much to the advantage of the Government.

Mr. Campbell took on the investigation, which he knew would be controversial; and he called Mr. Udall's hand, and forced him to rescind the contract award and, subsequently, to reinstitute his contractual relationship with Fouke.

Mr. President, I join the Washington Daily News in expressing the hope that the President will select another man of the dedication, character, and stature of Mr. Joseph Campbell to fill this most important position in our Government. Also, I wish for Mr. Campbell much happiness in his retirement, and extend to him best wishes for a speedy recovery from the ill health which has prompted his retirement.

I ask unanimous consent that the editorial be printed at this point in the Record, in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Daily News, July 7, 1965]

Blow to the Taxpayers

It is a crying shame that ill health is requiring Comptroller General Joseph Campbell to leave his job.

Mr. Campbell is head of the General Accounting Office and if it were not for the GAO the waste of money in the Government would be horrendous. With the GAO everlastingly on the job, the waste is merely staggering.

Mr. Campbell has been on the job since 1954. He heads a staff of around 4,3000 which audits, investigates, and analyzes Government spending. In the 1964 fiscal year, it was estimated the Government saved more than $321 million because of the GAO. The GAO probably saves the taxpayers a good deal more than this, because just the possibility that Mr. Campbell may pounce on a spending project is a useful deterrent.

The GAO is accountable only to the Congress, and the Comptroller General is appointed for a 15-year term. Which gives the agency a high degree of independence. Mr. Campbell has asserted that independence to the utmost.

Even GAO can't keep track of everything. The Government is too big, too widespread, too involved in too many things.

"You'd have to put together 200 or so of the largest corporations to even approach it," Mr. Campbell once said.

So GAO operates more or less on a scattershot basis. It follows up suggestions from Congressmen and pokes into anything its nose indicates might be fruitful—and GAO has been enormously fruitful.

Mr. Campbell's successor will be appointed by President Johnson, subject to approval of Congress. If L.B.J. can find another like Mr. Campbell—tough, inquisitive, independent—that's the man to name. This is no job for a hack, or a pliable politician.

ADJOURNMENT TO MONDAY AT 11 A.M.

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I now move pursuant to the order previously entered, that the Senate stand in adjournment until 11 o'clock on Monday morning next.

The motion was agreed to; and (at 8 o'clock and 23 minutes p.m.) the Senate adjourned, under the previous order, until Monday, July 12, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate July 9 (legislative day of July 8), 1965:

Diplomatic and Foreign Service

Henry Cabot Lodge, of Massachusetts to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vietnam.

David M. Bane, of Pennsylvania, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Gabon Republic.

Edward Clark, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia.

George J. Feldman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Malta.

Parker T. Hart, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

John D. Jernegan, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic and Popular Republic of Algeria.

David D. Newsom, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Libya.

William J. Porter, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia.

Hugh H. Smythe, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Syrian Arab Republic.

HOUSE OF REPRESENTATIVES

Friday, July 9, 1965

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., used this Scripture to preface his prayer:

Luke 6: 46: *Why call ye me, Lord, Lord, and do not the things which I say?*

O Lord, Thou art ever near unto us but we are so slow to recognize the gentle ways of Thy presence and so dim of vision and dull to hear the music and melody of Thy voice.

Give us the will to make the adventure to become what we pray to be and the strength and courage to live more nearly as we pray and with the faith that makes us faithful in the hard way of duty and drudgery.

For our character and conduct give us the conscience of Jesus as our compass by which we may discover and determine the directions and dimensions of our life in its relations to Thee and our fellow men.

Help us to lay hold of Him more firmly for ourselves and seek to make Him real and luminous to others in the building of a new humanity.

Hear us in our prayer to become comrades with Him in his holy mission. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. McCLORY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Illinois makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 174]

Ashley
Baring
Bonner
Bow
Clark
Frelinghuysen
Friedel
Harvey, Ind.
Holifield
Hosmer
Keogh
May
Moorhead
Morton
Passman
Powell
Purcell
Resnick
Thompson, Tex.
Toll

The SPEAKER. On this rollcall, 413 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VOTING RIGHTS ACT OF 1965

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6400) to enforce the 15th amendment to the Constitution of the United States.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 6400, with Mr. Bolling in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, there was pending the amendment offered by the gentleman from Ohio [Mr. McCulloch] as a substitute for the committee amendment.

It was agreed that all time for debate on the so-called McCulloch substitute and all amendments thereto would be limited to 2 hours, such time to be equally divided and controlled by the gentleman from New York [Mr. Celler] and the gentleman from Ohio [Mr. McCulloch]. Under the unanimous-consent agreement, the Chair recognizes the gentleman from Ohio [Mr. McCulloch] in support of his amendment.

Mr. McCULLOCH. Mr. Chairman, I rise in support of the substitute known throughout the general debate as the Ford-McCulloch bill. The provisions of that bill were described accurately and in great detail by the minority during the 10 hours of general debate before the Committee of the Whole House on the State of the Union. I shall therefore only briefly review some of the more important provisions of the Ford-McCulloch bill.

In the first place, I should like to say that our objection to the approach taken by the Celler-committee bill can be exemplified by an analysis of the many serious deficiencies in the committee-Celler bill.

The very first matter I wish to discuss, Mr. Chairman, is the lack in the committee-Celler bill of a provision for provisional voting and for impounding the vote.

In reviewing what was done in that mighty battle that was fought in 1960, Mr. Chairman, I was pleased, indeed, to note that the chairman of the Committee on the Judiciary of the House supported the amendment which I offered for provisional voting and impounding of thè ballots. At that time I was pleased to note that that lovable character, that inimitable fellow, my good friend from Chicago, the gentleman from Illinois, BARRATT O'HARA, improved and supported the amendment which I offered.

That amendment was adopted by the House and approved by the other body, and, insofar as the legislation is concerned, it is the law of the land.

In general debate I said that under the committee-Celler bill a person could be registered to vote and, although properly challenged, he could vote and his vote would be counted and used to determine the outcome of a close election even if, after that were done, his vote was decided by the hearing examiner, by a three-judge Federal court, or by the Supreme Court of the United States to have been illegally cast.

Mr. Chairman, no place in the history of America is there any substantial evidence that any State has permitted such type of voting or permitted such votes to be used in determining the outcome of elections. In these days of emotion, it is possible that only a few votes may determine the outcome of an election of the President of the United States. Within my time a Senatorship in the great State of Texas was decided by less than 100 votes.

Mr. Chairman, I said that in this provision of the committee-Celler bill lies the seeds of possible revolution.

Second, the triggering provision of the committee-Celler bill is one of pure fantasy. It is a presumption upon a presumption, and there is not a single able lawyer in all the House who does not know that a presumption based upon a presumption is not sufficient evidence to prove any kind of a case. My colleague, the able gentleman from Minnesota, so fully and so ably covered that matter yesterday that I shall not take further time on it today.

Furthermore, in accordance with what has long been thought to be the law of the land, States have determined the qualifications of voters, and most, if not all, good constitution lawyers now believe that the qualifications fixed by States—unless those qualifications are used for or result in discrimination which denies or abridges the right to vote by reason of race or color—should stand.

The Ford-McCulloch bill attempts to carry out that fine State-National relationship. The Ford-McCulloch bill adopts the provision which was so strongly urged by the Attorney General in 1963 and 1964, so ably supported by the chairman of the committee, and so overwhelmingly adopted by the House—that is, that a sixth-grade education is a presumption of literacy.

Mr. Chairman, if an applicant cannot meet that test in any one of the States, he may be given a literacy test so long as it is in writing.

I repeat, that is the test which we adopted, and that is the test which is the law of the land today. Yet there have been only a comparatively small number of months since that provision became the law of the land, and the Department of Justice—able and devoted and dedicated Department of Government that it is and has been, in these important fields, has filed only approximately 70 or less cases under the law of 1964.

Yesterday, my colleague, the gentleman from Florida, discussed the prohibition of and the proscription against fraudulent and illegal voting. He described the Williams-Cramer amendment, the amendment which was adopted in the other body by an overwheming vote—if I recall correctly, 80 to 0.

While there are some weak and watered-down provisions in the committee-Celler bill in this field, they just do not begin to have the teeth or the coverage of the Ford-McCulloch bill.

Then, Mr. Chairman, there is a provision in the Celler-administration bill requiring seven States and political subdivisions thereof to come to the Central Government to have validated laws and ordinances respecting any voting qualification or prerequisite to voting or standard practice or procedure with respect to voting different from that in force or effect on November 1, 1964. Mr. Chairman, I call upon any member of the Committee to furnish to the Committee the precedent forcing New York, or Ohio, if you please, or Alaska, if you please, to come to Washington with hat in hand and begging the Attorney General, please validate the law or a Federal court in the District of Columbia or ordinance we have passed, or the rule or regulation in any way affecting voting which we have promulgated. I see many friends on both sides of the aisle who are on the Committee on Interstate and Foreign Commerce. If the Congress writes the Celler-administration bill into law, how long will it be before the States must come to Washington to have their laws and ordinances validated in faraway Washington? Mr. Chairman, I particularly address this question to my colleagues on the Committee on Interstate and Foreign Commerce, but I could address it to almost every Member of the House.

How long will it be until every sovereign State of America and the political subdivisions thereof will be able to enact legislation and pass ordinances without first coming to Washington, hat in hand, to have such acts validated?

Mr. Chairman, I have read and heard much about a coalition. I would like to let you in on a secret. I have joined a coalition with a great southerner—Thomas Jefferson. You know he had something to say about the validation of Colonial and State laws. I read from that great document, the Declaration of Independence:

> The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States.

You see the parallel?

> To prove this, let facts be submitted to a candid world.

I want to submit these facts to the Members of this Committee.

Continuing on, it says:

> He has refused his assent to laws—

And I repeat this is from the Declaration of Independence, written by that southern gentleman with whom I am in coalition—

> the most wholesome and necessary for the public good. He has forbidden his Governors to pass laws of immediate and pressing importance unless suspended in their operations until his assent should be obtained, and when so suspended, he has utterly neglected to attend to them.

I would quote, and thereby repeat, if I had the time the words spoken yesterday by my able colleague on the Committee on the Judiciary, the gentleman from Texas [Mr. DOWDY]. See page 16003 of the CONGRESSIONAL RECORD:

> In this connection, there was a newspaper article by John Henshaw, in April in this year, reporting that President Johnson had some comments about this section of the bill which provides that a State cannot change its existing voting laws, or pass new voting laws, without the approval of the U.S. District Court of the District of Columbia. The article quotes him as saying:
>
> "After reading the section again, I can't believe it is constitutional. That provision is very discriminatory. If a State wants to regulate its own voting registration on the grounds that it has been free of discrimination, it must go to Washington to seek a judgment there. That has never been required before":

And further:

> "If that is going to be in the bill I am sure glad the bill is not going to be known as the Johnson bill."

Now, our triggering device is simple and comprehensive and reaches every pocket of discrimination in all of the 50 States of America.

We do not point a finger of shame at New York or at Florida or at any one of the other States. We say wherever there is discrimination by reason of race or color that denies or abridges the right to vote, and 25 people in a political subdivision say it is there and make the statement to the Attorney General in private, when the Attorney General determines that these are meritorious cases he must, under the mandatory provisions of the Ford-McCulloch bill, request the appointment of examiners who proceed to register the voters. And when the 25 cases have been determined to be meritorious the pattern or practice is found to be established and thereupon the operation of the law begins.

So, Mr. Chairman, I shall comment no further on that subject by reason of the very clear coverage had yesterday. Finally, Mr. Chairman, I should like to say this. The conclusions to be drawn from the language of the bill, the conclusions to be drawn from the presentations that have been made by the able members of the Committee on the Judiciary concerning the two bills, are clear. The Ford-McCulloch bill is a measure that will immediately and effectively promote the ends we seek in any political subdivision where voter discrimination can be found. It will assure relief now and in the future with firmness, with uniformity, and with fairness to all the people, providing a single standard to all of the 50 States. And upon inspection by future generations, when the emotions of today have passed, it will reflect upon us, even as the Declaration of Independence will forever reflect upon that great Southern Democrat and Virginian, Thomas Jefferson—it will reflect upon us as wise lawgivers who in the finest traditions of the Congress of the United States in answer to a pressing present need met the problems with conviction, with speed, and with vision to see beyond the confines of our times.

Mr. Chairman, I suppose the lovable chairman of the Committee on the Judiciary will again give us his quotation on consistency. It is a good quotation until one has had his 39th birthday. After one has had his 39th birthday we should come to some consistent conclusions, especially with respect to the verities of life. And that is what I hope the chairman will do. I first call upon myself and I call upon every Member of the Committee not to steer their course today by the light of each passing ship, but to steer our course by the stars. I urge every person interested in good government, interested in legislation in accordance with accepted standards of more than a century and a half, to join with us in accepting the substitute and doing the job that we are capable of doing.

Mr. **CELLER**. Mr. Chairman, I yield such time as he may require to the gentleman from Florida [Mr. MATTHEWS].

Mr. **MATTHEWS**. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **MATTHEWS**. Mr. Chairman, some 16 months ago I stood in the well of this House pleading with the membership to be guided by first principles in accordance with our constitutional oath of office. As I observed then, this is indeed a solemn oath. By it, each and every Member of this House declares before God and the Nation that he will ever repair to and be guided by the fundamental principles embodied in the Constitution in the performance of his legislative tasks. It obligates us in the first instance to take every precaution to insure that the legal cloth we cut conforms in precise detail to the pattern embraced in our organic charter. We cannot—we dare not—distort the pattern to accommodate legislation for any purpose whatsoever. To tinker with a part is to jeopardize the whole. In the words of the Supreme Court in *Ex parte Milligan* (4 Wall. 2 (1866)):

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or depotism, but the theory of necessity on which it is based is false.

In light of the serious issues raised by the pending proposal, I again appeal for a return to fundamental principles. These issues far and away exceed our own personal feeling on racial matters. They go to the very heart of the Constitution itself. The Constitution—"the most wonderful work ever struck off at a given time by the brain and purpose of man"—transcends individual feelings of right and wrong. In resorting to first principles, it is important initially to recall the grand design of the framers as well as existing statutory and judicial precedents. That grand design is embodied in such constitutional doctrines as the doctrine of federalism, the doctrine of the separation of powers, the doctrine of government of laws and not of men, and the doctrine of due process of law and attendant conceptions of liberty. The restraint on governmental action secured by these doctrines will be effectively and irretrievably loosened by the enactment of the pending legislation. This amendment is less punitive than H.R. 6400 and I shall support it.

I realize full well that in opposing enactment of this bill, H.R. 6400, I am going against the current opinion in various quarters of the Nation. However, neither popular opinion nor public clamor is a fit standard by which to measure matters of serious constitutional moment. Let none forget that "a court or legislature which should allow a change in public sentiment to influence it in giving to a written constitution a construction not warranted by the intention of the founders would be justly chargeable with reckless disregard of official oath and public duty," Cooley, "Constitutional Limitations," sixth edition, page 69.

Slightly less unreliable as a basis for legislation is the prevailing practice of constitutional pulse taking. Practitioners of this technique would have us believe that the Constitution does not mean what it says, but what a majority of corresponding law professors say that it means. In one of his more celebrated passages, Thomas M. Cooley, one of the truly great constitutional authorities in the history of our Nation, inveighed against similar transitory standards of constitutional construction. He said:

> A constitution is not to be made to mean one thing at one time, and another at some subsequent time when the circumstances may have so changed as perhaps to make a different rule * * * seem desirable. A principal share of the benefit expected from written constitutions would be lost if the rules they established were so flexible as to bend to circumstances or be modified by public opinion. It is with special reference to the varying moods of public opinion and with a view to putting the fundamentals of government beyond their control, that these instruments are framed.

If past experience is any guide, Mr. Chairman, some proponents of this legislation will interpret these remarks as so many legal niceties. Without offering any apologies to such persons, I would remind them that "the constitutionality of a measure depends not on the degree of its exercise, but on its principle," *The Providence Bank* v. *Billings*, 29 U.S. 514 (1830).

Other less generous critics will doubtless impugn our motives by snide remarks about currying favor with the folks back home. There is no way short of surrendering one's convictions to convince such persons of the sincerity that motivates the opposition. So, I shall simply say that we are not divided on the principle of voting rights for all American citizens, but on the means employed to enforce them. This is not only my view, but the view of every Floridian, we having nothing either to fear or hide in this area or any other area for that matter. The pending proposal would have only a minimal effect, if any, upon local conditions. Look for a moment, if you will, at the bill passed by Members of the Senate. By virtue of an amendment to the leadership substitute version, the bill would permit a Spanish-speaking citizen to vote despite the absence of literacy in the English language. Florida proudly boasts countless thousands of Spanish-speaking citizens whose shortcomings in English have not deprived them of their right to vote. Whatever its effects in other parts of the Nation, this provision conforms to the practice in my State. Similarly, our election processes will not be undermined in any way by the proposed abolition of the poll tax as a condition for voting in State and local election. No such requirement exists in my State. In brief, I have no personal interest to safeguard—no individual ax to grind—save the interest shared by all Americans which is to safeguard the Federal nature of our Government.

That this legislation is inimical to that interest is clear beyond peradventure. Contrary to well-settled principles of law, this bill would interfere with the right of a State to establish voter qualifications by suspending literacy tests and other hitherto legal voter tests; it would ban payment of taxes as a condition for voting; it would place the onerous burdens on the State of both proving nondiscrimination and disproving discrimination; it would punish private individuals for violations perpetuated in connection with the conduct of State and local elections; it would make past actions—innocent when done—the basis for the impositions of present reprisals; it would condemn a handful of States, and parts of others, without a trial.

It is inconceivable to me, Mr. Chairman, that anyone could in all seriousness suggest a more patently unconstitutional package. Despite proponents' assurances on three separate occasions—1957, 1960, and 1964—that the adoption of legislation then proposed would suffice, we are now advised that these statutes are too slow and cumbersome.

Certainly, Congress may enact appropriate legislation to enforce the protection afforded by the 15th amendment, but it cannot drive the remainder of the Constitution into the ground in the process.

In *United States* v. *Miller,* 107 F. 913 (1901), the Court, in discussing the power of the States to prescribe qualifications of voters prior to the adoption of the 15th amendment, stated:

> Before the adoption of the 15th amendment, it was within the power of the State to exclude citizens of the United States on account of race, age, property, education, or on any other ground, however arbitrary or whimsical. The Constitution of the United States, before the adoption of the 15th amendment, in no wise interfered with this absolute power of the State to control the right of suffrage in accordance with its own views of expediency or propriety. It simply secured the right to vote for Members of Congress to a definite class of voters of the State, consisting of those who were eligible to vote for members of the most numerous branch of the State legislature. Further than this, no power was given by the Constitution, before the adoption of the 15th amendment to secure the right of suffrage to anyone.

The adoption of that amendment did not confer the right of suffrage upon anyone, nor did it limit the State's acknowledged absolute power except insofar as it touched upon race, color, or previous condition of servitude. It did not vest in the Congress the power to prescribe and regulate voting qualifications.

The language of that amendment is negative, not affirmative, and it carries no mandate for particular measures of reform. Thus in his discussion on the amendment, Mr. Justice Story, in his volume on the Constitution—2 Story on the Constitution 719 (1891)—said:

> There was no thought at this time of correcting at once and by a single act the inequalities and all the injustice that might exist in the suffrage laws of the several States. There was no thought or purpose of regulating by amendment, or of conferring upon Congress the authority to regulate, or to prescribe qualifications for the privilege of the ballot.

This view has been consistently upheld by the courts. In the case of *United States* v. *Reese,* 92 U.S. 214 (1876), the Supreme Court said:

> The 15th amendment does not confer the right of suffrage upon any one. It prevents the States, or the United States, however, from giving preference, in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, and so forth, as it was on account of age, property, or education. Now it is not. If citizens of one race having certain qualifications are permitted by law to vote, those of another having the same qualifications must be. Previous to this amendment, there was no constitutional guaranty against this discrimination: now there is. It follows that the amendment has invested the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right is exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. This, under the express provisions of the second section of the amendment, Congress may enforce by appropriate legislation.

In *United States* v. *Cruikshank,* 92 U.S. 542 (1876), the Court stated:

> In *Minor* v. *Happersett,* 21 Wall. 178, we decided that the Constitution of the United States has not conferred the right of suffrage upon any one, and that the United States have no voters of their own creation in the States. In *United States* v. *Reese et al., supra,* p. 214, we hold that the 15th amendment has invested the citizens of the United States with a new constitutional right, which is, exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. From this it appears that the right of suffrage is not a necessary attribute of national citizenship; but that exemption from discrimination in the exercise of that right on account of race, and so forth, is. The right to vote in the States comes from the States; but the right of exemption from the prohibited discrimination comes from the United States. The first has not been granted or secured by the Constitution of the United States; but the last has been.

The power of Congress under the 15th amendment and the power of the States under article I, section 2, was examined by the Court in *United States* v. *Miller,* 107 F. 913. The Court concluded that:

> The 15th amendment does not in direct terms confer the right of suffrage upon anyone. It secures to the colored man the same rights as that possessed by the white man, by prohibiting any discrimination against him on account of race, color, or previous condition of servitude. Subject to that limitation, the States still possess uncontrollable authority to regulate the right of suffrage according to their own views of expediency.

And again in *Pope* v. *Williams,* 193 U.S. 621, the Supreme Court stated:

> The privilege to vote in any State is not given by the Federal Constitution, or by any of its amendments. It is not a privilege springing from citizenship of the United States. *Minor* v. *Happersett,* 21 Wall. 162. It may not be refused on account of race, color or previous condition of servitude, but it does not follow from mere citizenship of the United States. In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

After noting examples of qualifications that States could and did impose, the Court said:

> The Federal Constitution does not confer the right of suffrage upon anyone, and the conditions under which the right is to be exercised are matters for the States alone to prescribe, subject to the conditions of the Federal Constitution, already stated; although, it may be observed that the right to vote for a Member of Congress is not derived exclusively from the State law * * *. But the elector must be one entitled to vote under the State statute * * *. The question whether the conditions prescribed by the State might be regarded by others as reasonable or unreasonable is not a Federal one * * *. The right of a State to legislate upon the subject of the elective franchise as to it may seem good, subject to the conditions already stated, being, as we believe, unassailable, we think it plain that the statute in question violates no right protected by the Federal Constitution.
>
> The reasons which may have impelled the State legislature to enact the statute in question were matters entirely for its own consideration, and this Court has no concern with them.

In *Guinn* v. *United States,* 238 U.S. 347, the Supreme Court examined the 15th amendment and its effect on literacy tests, disposing of the issue almost summarily. It said:

> Beyond doubt the amendment does not take away from the State governments in a general sense the power over suffrage which has belonged to those governments from the beginning and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organizations of both Governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals (id. at 362).
>
> No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted (id. at 366).

The principle of the Guinn case was reaffirmed in the unanimous opinion of the court in *Lassiter* v. *Northhampton County Board of Elections,* 360 U.S. 45 (1959). It held:

> The States have long been held to have broad powers to determine conditions under which the right of suffrage may be exercised, *Pope* v. *Williams,* 193 U.S. 621, 633; *Mason* v. *Missouri,* 179 U.S. 328, 335, absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So while the right of suffrage is established and guaranteed by the Constitution (*Ex parte Yarbrough,* 110 U.S. 651, 663–665; *Smith* v. *Allwright,* 321 U.S. 649, 661–662) it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed. See *United States* v. *Classic,* 313 U.S. 299, 315. While section 2 of the 14th amendment, which provides for apportionment of Representatives among the States according to their respective numbers counting the whole number of persons in each State (except Indians not taxed), speaks of "the right to vote," the right protected "refers to the right to vote as established by the laws and constitution of the State." *McPherson* v. *Blacker,* 146 U.S. 1, 39.

As to the constitutional authority of States to require literacy tests as a prerequisite to voting, the Court said:

> We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record (*Davis* v. *Beason,* 133 U.S. 333, 345–347) are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. The

> ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show. Literacy and intelligence are obviously not synonymous. Illiterate people may be intelligent voters. Yet in our society where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise. Cf. *Franklin* v. *Harper* (205 Ga. 779, 55 S.E. 2d 221, appeal dismissed 339 U.S. 946). It was said last century in Massachusetts that a literacy test was designed to insure an "independent and intelligent" exercise of the right of suffrage. *Stone* v. *Smith* (159 Mass. 413–414, 34 N.E. 521). North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards.

The most recent decision on this point is *Camacho* v. *Rogers* (199 Fed. Supp. 155 (1961)), wherein the Court held that the requirement of literacy in the English language as a prerequisite to voting is a proper exercise of the States' power. It said:

> This brings us then to the hub of this case, which is whether a State may adopt a requirement that in order for a citizen to be eligible to vote he must read and write the English language. The establishment of standards for voting has been recognized as within the power of States and not subject to Federal supervision. (*Guinn* v. *U.S.*, 1915, 238 U.S. 347, 366, 35 S. Ct. 926, 59 L. Ed. 1340), save as such legislation might contravene the 14th and 15th amendments (*Breedlove* v. *Suttles,* 1937, 302 U.S. 277, 58 S. Ct. 205, 82 L. Ed. 252). States are free to establish standards of eligibility to vote which do not contravene a constitutional prohibition. The following State requirements have been held to be constitutionally valid if equally applied to all who reside within the State: absence of criminal conduct, *Davis* v. *Beacon,* 1890, 133 U.S. 333, 10 S. Ct. 299, 33 L. Ed. 637; residency within the State for a designated period, *Pope* v. *Williams,* 1904, 193 U.S. 621, 24 S. Ct. 573, 48 L. Ed. 817; successful passing of a literacy test, *Lassiter* v. *Northampton Co. Board of Elections,* 1959, 360 U.S. 45, 79 S. Ct. 985, 3 L. Ed. 2d 1072; *Trudeau* v. *Barnes,* 5 cir., 1933, 65 F. 2d 563; *Guinn* v. *U.S., supra,* payment of a poll tax. *Breedlove* v. *Suttles, supra.*

It is apparent from these cases that the 15th amendment does not confer the right to vote upon anyone. That amendment presupposes that the prospective voter is able to pass all legitimate tests required by the States in which he seeks to register and vote. Its sole purpose is to prevent the States from giving preference to one citizen over another on account of race, color, or previous condition of servitude. Since literacy is in no way limited to race, their suspension is not appropriate legislation under the 15th amendment.

The case against the statutory abolition of the poll tax rests on equally firm grounds. In this connection let us recall that we recently enacted and ratified the 24th amendment abolishing use of the poll tax as a qualification in Federal elections. If Congress is vested with the power to eliminate the poll tax as a requirement, why in heaven's name did we resort to the amendment process to effect a partial elimination of such qualification? Further reinforcing the conclusion that recourse to the amendment process was unavoidable is the fact that the Supreme Court has consistently rejected all contentions or challenges to the validity of the poll tax as a State imposed voting requirement. See, for example, *Williams* v. *Mississippi,* 170 U.S. 213 (1898); *Breedlove* v. *Suttles,* 302 U.S. 277 (1937), and *Butler* v. *Thompson,* 97 F. Supp. 17 (1951), affirmed without opinion 341 U.S. 937 (1951). In Breedlove against Suttles the Court said:

> Exaction of payment before registration undoubtedly serves to aid collection from electors desiring to vote, but, that use of the State's power is not prevented by the Federal Constitution.
>
> To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the 14th amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the 14th and 19th amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.
>
> The payment of poll taxes as a prerequisite to voting is a familiar and reasonable regulation long enforced in many States.

I now turn for a moment, Mr. Chairman to the criminal provisions of the bill. The bill would punish private individuals as well as officials who interfere with the right to vote on account of race or color. That the 15th amendment erected no shield against merely private conduct, however discriminatory or wrongful, was at one time a matter of common knowledge. The cases on the point are legion: *Terry* v. *Adams,* 345 U.S. 461 (1953), rehearing denied 345 U.S. 1003; *James* v. *Bowman,* 190 U.S. 136 (1903); *Browner* v. *Irvin,* 169 F. 964 (1909); *United States* v. *Amsden,* 6 F. 819 (1881); *United States* v. *Raines,* 172 F. Supp. 552, reversed on other grounds 362 U.S. 17; *United States* v. *Morris,* 125 F. 322 (1903); *Karem* v. *United States,* 121 F. 250 (1963). In the words of the district court in the recent case of *United States* v. *McElveen,* 177 F. Supp. 355 (1959):

> To be appropriate under the 15th amendment, legislation must be directed against persons acting under color of law, State or Federal, and it must relate to the denial, by such persons of citizens' rights to vote because of race. Any congressional action which does not contain these two elements cannot be supported by the 15th amendment.

Mr. Chairman, in view of these precedents, one is constrained to imagine a more ultra vires piece of legislation than the Voting Rights Act of 1965. As has been suggested, this bill does not authorize voting rights; it commands voting wrongs. I do not question the sincere desire of proponents to do good. But zeal and good motives are not enough. As Mr. Justice Brandeis has observed:

> The greatest dangers to liberty lurk in insidious encroachment by mean of zeal, well-meaning but without understanding, *Olmstead* v. *United States,* 277 U.S. 438 (1928) (dissenting opinion).

I am for voting rights, but not at the expense of the Constitution.

Mr. CELLER. Mr. Chairman, I yield such time as he may require to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, first, let me say that in the district which I have the honor to represent—namely, the Seventh District of the State of Georgia—there is not the slightest degree of discrimination on account of race or color against persons desiring to register and vote and there has been none now for almost 20 years. In fact, before that time there was none in general elections though it used to be true that primary elections were limited to white persons.

I further wish to point out that there is no poll tax nor has there been since the adoption of Georgia's new constitution in 1945 at which time, incidentally, the voting age was lowered in Georgia to 18 years.

As has been noted earlier in this debate, article I of the Constitution provides that the States have the right to fix the qualifications of voters. The 14th amendment provides, in substance, that there can be no discrimination with respect to the right to vote. The 15th amendment provides that the right of citizens to vote cannot be denied on the grounds of race or color.

I recognize my duty as a citizen of the United States and as a Member of the House of Representatives to uphold the Constitution and to adopt legislative positions which comport with its provisions.

If this bill did no more than to implement the constitutional provisions to which I have referred, then I should be happy to give it my wholehearted support. If it simply in good faith sought to erect safeguards so that it would be effective in all 50 States and would protect citizens in all of the States equally against discrimination, then one of my strongest objections to the bill would be removed.

As the bill stands, however, it is deliberately designed and worded so that it will have application in only six States, to wit, Georgia, Alabama, Louisiana, Mississippi, Virginia, and South Carolina.

However laudable the purpose of this bill may be, the means it provides for reaching its ends must be constitutional themselves before any Member of the House can honorably support it.

There are a number of provisions which in my opinion violate fundamental constitutional rights of the several States affected and also of the citizens of such States.

One of the most flagrant of these provisions is that which would require a citizen or a public official who desires to have his day in court with respect to this bill to come all the way to the District of Columbia and lay his case before a Federal district judge in the Nation's Capital.

If litigation should present a jury question, under this bill, the jury would be made up of citizens of the District of Columbia even though the case might have arisen in southern Louisiana or in any part of the six States affected.

This particular provision recalls the vengeful spirit of Thaddeus Stevens in the days of Reconstruction. It is punitive legislation—not remedial legislation. It "Balkanizes" Virginia, South Carolina, Georgia, Alabama, Mississippi, and Louisiana. It says to the citizens of those States, "You have no right to have your day in court before a judge whom you elected or even before a judge who was reared in the same State with you. You must go to a particular jurisdiction many miles away from your home if you desire your day in court."

It says to all of the Federal judges who hold office in the six affected States, "Your usual right and your normal function of sitting upon cases involving Federal questions arising in your jurisdiction is in the case abrogated and canceled."

It has been wisely said that the greatest virtue is to possess power without abusing it.

In this instance the temptation is for the Representatives here from 44 States to visit punitive and in some respect ex post facto legislation upon a minority of six States. I beg of you not to support the bill unless it is amended as to remove the objections I have named as well as those others which have been enumerated by my distinguished colleagues from the States which are affected.

Mr. CELLER. Mr. Chairman, storms of discrimination are raging in some parts of our land. This substitute would be like trying to subdue a tempest with a whisper. It fails to realize properly the harsh conditions that exist in certain parts of our Nation against the Negro trying to exercise his inherent constitutional right to vote. Stern measures are needed, not the palliatives, the plasters of the substitute.

I say to my very dear and valued friend from Ohio, we would not have asked, for example, any State to come to a Washington court to be excused if those States were not previously in violation of the 15th amendment for almost 100 years. And while he was quoting from our President, he might also have added the following quotation from President Johnson:

> To those who seek to avoid action by a national government in their home community, who want to and who seek to maintain purely local control over elections, the answer is simple.
>
> Open your polling places to all your people, allow men and women to register and vote whatever the color of their skin.

Indeed, the substitute would continue numerous besetting evils. It would perpetuate the disparity between the Negro and the white registrations in the Deep South. In those States there are large numbers of Negro and white citizens who have not completed six grades of education, and in the substitute tests are only lifted if six grades of education are completed. They apply if the applicant does not have six grades. But almost all whites of voting age, whether educated or not, literate or illiterate, have all been permanently registered—for life—without having been subject to any sort of literacy test or lack of any literacy test.

The substitute retains the literacy test for most of the colored people, but not for the whites. This substitute would continue to emphasize a grave disparity that exists between the blacks and whites, and instead of shortening that gap that exists between the two, it would widen the gap.

In other words, these tests, which are the engines of discrimination, are embedded in the substitute. They are not eliminated from the substitute. They are the core of the mischief.

The courts today give far more relief than the substitute would give to those seeking relief. The substitute would freeze in the effects of past violations of the 15th amendment. The Supreme Court has just said that in the case of United States against Louisiana.

I read from line 3, page 3 of the substitute, as follows:

> Congress further finds that literacy tests have been and are being used in various States and political subdivisions as a means of discrimination on account of race or color.

That is the pontifical declaration contained in the substitute. Despite this declaration, the tests are still continued in the substitute. In other words, we have a noble gesture by words, but no fulfillment.

The gentleman speaks of inconsistency. Even though there may be hundreds, even though there may be thousands of white persons on the voting rolls who did not complete sixth grade, and would be totally unable to pass State literacy tests, this substitute would force the Federal registrar or examiner to apply that test strictly to the Negro who had not completed the sixth grade. Meanwhile, State registrars would be free of all restraint—to give the whites the break. A double standard would continue. And the irony is that Federal officials would be the instruments of such results. Think of it. A Federal officer would be compelled to become a coconspirator to violate the 15th amendment.

Under the substitute the States are free to increase even further the degree of harshness or severity of their literacy test requirements so as to make it impossible for anyone to pass these tests, particularly those below the sixth grade whose color of skin may be different from mine. There is no preclearance by Court of new voting laws or standards as required by the Celler bill in certain areas. Mississippi has passed law after law to circumvent orders of the Court and action of this Congress.

The House committee bill, the Celler bill, avoids all these pitfals by suspending all tests, new and old, in the areas affected.

Many of the State provisions preserved by the substitute are not susceptible of any kind of fair administration by anyone—by any Federal or State official.

A Mississippi test requires the applicant to give a satisfactory interpretation of any one of 285 provisions of the Constitution. This is a subjective test, susceptible of all kinds of capricious denials. This provision is now being challenged in the court.

In Alabama, applicants are required to know to which public official one must apply to obtain a gun permit. Most of us ourselves in our own States could not answer a similar question. Yet, those questions would be applied to the lowly Negro who seeks to register.

In Louisiana, one must compute his age to the exact year, month and day, failing which he cannot register.

Under the substitute, if a listed person is challenged—and this is highly important—he is allowed to vote only provisionally. His ballot may be impounded pending final determination of his eligibility by the examiner or the court. The effect is likely to make it impossible to determine the outcome for a considerable period of time.

Any proposal which contemplates the impounding of ballots of Negroes means what? Just what does it mean? It means segregation of Negro ballots. This, in turn, creates a serious risk that such ballots, once segregated and identified, will not be counted or not counted fairly. The secrecy of the ballot will be lost.

The possibility that the effectiveness of the ballots cast by Negroes might be delayed would invite all kinds of specious challenges which, if done on a sufficiently extensive scale, could seriously jeopardize the object of the bill and create chaos.

Look at the prospect of a Negro voting for the first time.

The substitute requires that 9(a) procedures by examiners must comply with State law while at the same time these procedures shall conform to the basic act, the substitute.

How can it be consistent with both? We are not told what would happen in case of a conflict between the basic act and the State law.

The substitute provides that only Federal employees and residents of the State may become examiners. They shall receive no compensation for acting as examiners.

Thus, for example, an FBI man or a forest ranger or an immigration clerk or a food and drug inspector or customs agent might conceivably become an examiner. He receives no compensation. Would his heart be in his work? I doubt it.

Further, since the Federal employee, now the examiner, must be a resident of the State where he operates, under the substitute he will operate in the same environmental atmosphere and surroundings that envelop the prejudiced State officials whose prejudices and discriminations are the causes and the reason for this legislative body considering the pending bill which is now before us.

Indeed, this substitute is just a scabbard without a sword. It is a lamp without oil. It should be defeated as it was soundly defeated in the Committee on the Judiciary.

The CHAIRMAN. The gentleman from New York has consumed 10 minutes.

Mr. McCULLOCH. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, the chairman of the Committee on the Judiciary is a great lawyer, a good lawyer. I think before his time has expired in justice to himself and in justice to the Members of this body, he should describe those Supreme Court decisions that come from Louisiana and Mississippi.

I want to read just a few lines from the committee report so that they will be unmistakable in their exact wording and meaning. I am speaking about the Ford-McCulloch bill, or the substitute, which we are offering. We say the bill's application of the test to those below the sixth grade standard presupposes a valid form of test which is being validly applied.

Existing provisions of law remain whereby the Attorney General may bring an action against the State to set aside a test either because it is invalid on its face or because it has been discriminatorily applied (*United States* v. *Mississippi*, 380 U.S. 128 (1965); *Louisiana* v. *United States*, 380 U.S. 145 (1965)).

The first of those cases was decided this year, Mr. Chairman, and the latter was decided in 1965.

Thus, in bringing immediate relief, the bill does not cast aside the present body of the law, the full effect of which has yet to be felt on the problems it was designed to remedy, in favor of new and untested schemes, such as the triggering device.

Mr. Chairman, I now yield such time as he may desire to the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Chairman, the Constitution of the United States forthrightly guarantees to every American the right to vote. By implication if not directly the Constitution of the United States—I have a copy here—assumes that all elections will be honest, that there will be no fraudulent activity concerning the counting of the votes or the way in which elections are conducted. I believe, however, that the record is clear—it is perfectly true that there has been over the years discrimination in voting based on race and color. It is likewise true that there have been too many instances in this country where there have been fraudulent elections.

However, all Americans can say that in the last decade there has been a growing conscience so far as our fellow citizens are concerned. The American people in the past 10 years have determined that something must be done to eradicate discrimination based on race or color so far as the right to vote is concerned. On the other hand, the American people have been equally concerned about dishonest elections.

This is typical of our people. They believe in honesty. They believe in equity. They have a high moral standard.

As a consequence, in this last decade the Congress has taken steps, legislatively speaking three times, to meet the problem which existed in this country.

We had the Civil Rights Act of 1957. We had the Civil Rights Act of 1960. We had additional legislation in 1964. I believe it was the feeling on each occasion that a substantial step forward had been taken. On the other hand, most of those who believed that the legislation was sound realized that new laws will not always solve the problem, that adequate and strong action in the executive branch of the Government would not necessarily solve the problem.

Good will among our people in every State is a major ingredient to insure that everybody has the right to register and to vote, that there will be no discrimination in voting based on race or color.

Most Americans would agree that it takes in large measure the conscience of America to determine that there be honesty in our elections, that fraud not exist in the counting of those votes which have been cast.

So looking at this problem today in its broadest context—the achievement of good legislation and the achievement of good will in every one of our States—it seems to me that the McCulloch substitute is by far the best vehicle.

It is broad in application. It will apply without discrimination to every voting district in every State. No area of our country will be left out as far as this legislative tool is concerned. It is not ex post facto in its application. It looks prospectively at the problem, and this is the way this legislative body today should look at this problem, or at any other problem.

The McCulloch substitute does not degrade a State or a smaller governmental body in a State to the problem of coming to the Nation's Capital and putting itself at the foot of the Federal judiciary in the District of Columbia. The McCulloch substitute does not, as the gentleman from Ohio has so well stated, plant the seeds for elections being decided by people who are unqualified to vote.

In contrast, the committee bill, as I see it, has many reasons why it does not match up to the qualifications of the McCulloch substitute. The committee bill is harsh in its application. The gentleman from New York, the distinguished chairman of the Committee on the Judiciary, conceded that it is harsh in its application. On the other hand, it is a patchwork job. In my judgment it is ill conceived. It is a combination of some new ideas that could not stand on their own. If any one of these new ideas, new provisions, came to the floor of this body on their own, they could not receive approval by the committee.

Also on the other hand, the committee bill picks up, in effect, provisions that are in existing law, with some minor modification, to try to give the committee bill a broader application. It is fair to state that the original proposal that was sponsored by the Democratic administration, which I assume was the bill introduced on March 17, 1965, by the distinguished chairman of the committee, in effect has been abandoned by everybody. It has 11 pages. The committee majority, abandoning the recommendations from the administration, has added 17 or 18 new pages. Their action wiped out the original proposal.

They were wise because the original bill introduced by the distinguished chairman of the committee was extremely limited in its application. The automatic triggering device, as we all know applied only to six or seven States—no more. It ignored those areas of discrimination based on race or color in all of the other States.

The original recommendation from the White House did nothing, about honest elections. The committee bill does not effectively tackle this problem.

The original recommendation from the Democratic administration did nothing about the poll tax, the problem that bothers so many today.

Now to bolster this inadequate, discriminatory, unfair approach, we now have a revised H.R. 6400. What did they do, really, to bolster it? They took the 1960 and the 1964 legislation; they merely added the triggering devices that are already law, triggering devices which could be used today by the executive branch of the Government if it really wanted to do the job that it contends must be done.

The revised H.R. 6400 contains the basic deficiency mentioned so ably pointed out by the gentleman from Ohio [Mr. McCulloch]. It is almost unthinkable that this provision would be contained in any proposal submitted to this body. Let me read for a moment from the testimony that was given before the committee.

The chairman of this distinguished committee was asking the Attorney General questions before the Committee on the Judiciary. The chairman said:

> In other words, the vote could be counted though it may be found later that he did not have the right to vote?
>
> Mr. Katzenbach. Yes, that is true.

It is unthinkable that such a provision would be in a bill before this body. I am glad to say that the McCulloch substitute does not contain such a provision.

So, in conclusion, concerning the committee bill, let me say again, it is a patchwork combination of many provisions, some old ideas that could be used today, I repeat today, by the executive branch of the Government, some new ideas that cannot stand on their own merit, and some new provisions that are really unthinkable.

So I most sincerely hope we make a change in the Committee of the Whole today and substitute the McCulloch proposal.

First let me say a word concerning the author of the McCulloch substitute. Without hesitation or qualification I am honored to be associated with the gentleman from Ohio in the sponsorship of this proposal. He is an eminent and successful lawyer. He has been and always will be a staunch supporter of sound, constructive, civil rights legislation. It is most unfortunate that some of the people he has helped over the years, some of the organizations that he has supported, are now casting indirectly if not directly adverse reflection on him because of his coauthorship of this legislation. I want the Members of this body to know that there is no better champion of civil rights and voting rights legislation than the gentleman from Ohio. Shame on those who are critical of him in this controversy.

The McCulloch substitute approaches this problem constructively. It is broad in its coverage. It is applicable to every State and every political subdivision of a State. It provides for expeditious handling of bona fide contentions on the part of people that they have been discriminated against in registration and voting because of race or color.

Some people have raised the question that it would be difficult to get 25 people to sign a petition that they have been discriminated against on the right to vote because of race or color. Let me make this crystal clear. Under the McCulloch substitute 25 people submit their petition to the Attorney General. There is no public disclosure of the petitioners at this time. As a result, there is no opportunity for coercion or intimidation. I must say that some of the people who have been critical of the McCulloch substitute in effect are nitpicking and thereby being critical of a man who has stood in the well of this House and defended the cause of civil rights, not last year alone, but every time over the last 10 years that this basic issue has been before us.

The McCulloch substitute attacks directly and forcefully the problem of honest elections. If the McCulloch substitute is approved the Attorney General will have the tool to prevent fraudulent elections. The committee bill ducks the issue thereby condoning dishonest elections.

Let me say a word or two about the poll tax provision that is in the McCulloch bill. It is precisely what the Attorney General of the United States in this Democratic administration recommended in 1965. I suspect it was drafted by him. He is the author and the sponsor. It is the provision that was approved in the other body. It will provide an expeditious consideration by the Federal courts of this country as to whether or not poll taxes in State and local elections are unconstitutional.

Let me couple the last statement with this comment. The poll tax provision in the committee bill will be challenged in the courts. There will not be as quick a resolution of the problem of poll taxes under the committe bill as there will be under the McCulloch substitute.

Both will be litigated. I venture to say that the Supreme Court of this land would come to a quicker decision on this basic issue under the McCulloch substitute than it would under the committee provision.

I want everybody on both sides of the aisle to know crystal clear, and others, too, I do not believe in a poll tax for any election. I am in full accord that we should do anything and everything we can to bring about expeditious consideration and determination of the constitutionality of poll taxes in State and local elections. But it is my honest judgment from reading both provisions that the provision in the McCulloch substitute will bring about a more expeditious determination of the issue. I think those who contend the other is better are in effect drawing a red herring across the path.

Mr. Chairman, as I conclude, let me add this one comment: All of us, Democrats and Republicans alike, recognize there has been discrimination in registration and voting because of race or color. We recognize there have been dishonest elections, we recognize there must be new tools given to solve both problems. It is my honest judgment—and I say this as forthrightly and as unqualifiedly as I can—the McCulloch substitute is a sound legislative proposal; it will be the best vehicle to accomplish those objectives which all Americans seek to achieve.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to our distinguished majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, first of all let me say that I am sure Members of the House share the opinion of the distinguished minority leader that under the Constitution all citizens are entitled to vote. I think we also all share the view that in some areas many citizens are not allowed to vote. If we did not share these convictions we would not be here today.

I rise to oppose this substitute because I do not believe the substitute approach is on the right track. If those who advocate this proposal are successful it seems to me that their efforts will seriously complicate the problem of resolving this matter within a reasonable period of time.

Mr. Chairman, one of the greatest Americans of all time said:

> If we could know where we are, and whither we are tending, we could better know what to do and how to do it.

Where are we in the 1st session of the 89th Congress in the consideration and in the advancement of voting rights legislation? The Senate has passed a bill and, while the Senate bill is more restrictive than the Celler amendment, it has the same running gears. It will be infinitely simpler and more effective to weld to those running gears the provisions of the Celler bill than to try to weld to it the provisions of the Ford-McCulloch substitute, a bill which approaches this problem from an entirely different direction from that which is contained in the already passed Senate bill.

This it seems to me is a very practical reason for opposing the substitute at this time. But, Mr. Chairman, my principal objection to this substitute is that I do not believe it will do the job that we are here trying to do. Both the bill, H.R. 6400, and the Ford-McCulloch substitute are concerned with the abuses in the administration of literacy tests. But there is a fundamental difference in the way in which these abuses are to be remedied under these two bills. The bill reported out by the committee simply suspends literacy tests and similar devices and does not permit them to be applied by anyone in areas where under the formula of the bill discrimination is deemed to exist. This suspension continues until it is shown that the discrimination has ended. This, I submit, is a reasonable yet effective method of dealing with the problem.

The Ford-McCulloch substitute, on the other hand, does not provide for the suspension of literacy tests at all. The substitute bill merely directs that in certain areas tests and devices need not be complied with if the applicant for registration has a sixth-grade education. But what about those who do not have a sixth-grade education? What will be the effect of this provision upon this group?

In the places which would primarily be affected by the Voting Rights Act of 1965 almost all white citizens of voting age, whether literate or not, whether educated or not, have been permanently registered. Their names are already on the books. Most of them have never been subjected to any sort of literacy test. Thousands of them have never completed the sixth grade. Under this substitute all of these persons would, of course, remain registered to vote. At the same time Negroes who did not complete the sixth grade could never become registered without passing complicated and often discriminatory literacy tests. In other words, insofar as persons with less than a sixth-grade education are concerned, the Ford-McCulloch substitute bill permits—indeed contemplates—no effective relief against the effects of past racial discrimination.

This is not the end of the matter. The substitute insures that the disparity in testing Negroes and whites will continue to exist for the foreseeable future. While Negroes would be tested by Federal examiners on the completion of six grades or the ability to pass the State literacy test, whites would be applying to the State registrar who, no doubt, would simply continue to qualify all comers, provided they are white. There will be no equality in the franchise. Instead there will be a built-in perpetuation of discrimination as between voters who do not have a sixth-grade education.

Now a word about the poll tax. The distinguished minority leader contends we will reach a decision—a judicial determination—on the constitutionality of the poll tax question sooner under the McCulloch substitute. The point here, as I see it, is that under the committee bill we will not only reach a decision of the constitutionality of the poll tax under the 15th amendment, but the court will have placed before it also the other important issue—whether the Congress of the United States has the authority under the Constitution to outlaw the poll tax.

It seems to me that is a very vital and important distinction between the two bills.

Mr. Chairman, I do not blame those who oppose any legislation in this area for supporting the Ford-McCulloch substitute. Some of them have labeled it the lesser of two evils. To those who feel that the time to eliminate discrimination in voting is at hand, that is hardly an acceptable alternative. It is certainly not an acceptable reason. No one can legitimately defend the practices which have come to our attention and which are matters of common knowledge across the land. We must put an end to these practices effectively and decisively.

We must put an end to these practices now. I am convinced, Mr. Chairman, that of the two measures before the House, only the bill reported by the Committee on the Judiciary will do the job.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I am sorry that the introduction of a substitute bill has served as a seeming device to attempt to sidetrack some of us who have been and, I believe, still are determined to redress a serious grievance of a large group of citizens of these United States. This matter is particularly grevious in light of the fact that ours is a form of government which claims to be "instituted among men, deriving their 'just' powers from the consent of the governed."

The Declaration of Independence—the 189th birthday of which we just celebrated on July 4—states:

> Whenever any form of government becomes destructive of these ends, it is the right of the people to alter it * * * in such form, as to them shall seem most likely to affect their safety and happiness.

Indeed, the Declaration of Independence goes on to say that it is the right and the duty of the people "to provide new guards for their future security."

I cannot help but think that our distinguished friends on the other side of the aisle have been misled into a position which, no matter how sincerely taken, cannot help but be misinterpreted from their point of view and, of course, vigorously opposed from my point of view as including features which would weaken the right to vote and which appeared so attractive that they are even attracting the support of those who obviously and frankly declare that they are against not only all civil rights measures, but even this one to protect the right to vote.

The administration's bill does not create the right to vote, but intends only to enforce the 15th amendment to the Constitution.

Despite the carefully stated language of the substitute bill, it does not provide the needed relief. I should like to set out my principal objections to the substitute bill.

I. DETERMINATION OF PATTERN OF DISCRIMINATION

H.R. 7896, the substitute amendment, provides that there is a presumption of a pattern or practice of denial of the right to register or to vote on account of race or color when the Attorney General certifies to the Civil Service Commission that he has received 25 or more written complaints from residents of a voting district, and provides that the Attorney General if he believes such complaints to be meritorious will apply to the Commission for appointment of an examiner for such voting district. The written complaint must allege the complainant can satisfy the voting qualifications of the district and that the complainant has been denied the right to register or vote within 90 days prior to filing of the complaint.

Under provisions of H.R. 7896, 25 Negroes must subject themselves to the "hazards" of attempting to register with local officials. Under provisions of H.R. 6400 the Attorney General and the Director of the Census may determine whether or not voter discrimination exists in a State if less than 50 percent of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 percent of such persons voted in the presidential election of November 1964.

II. VOTER QUALIFICATIONS

H.R. 7896 retains the requirement of written literacy tests in section 4(c), providing only a presumption of literacy if a registrant can prove completion of at least a sixth-grade education.

H.R. 6400 automatically prohibits literacy tests in States and political subdivisions covered by the 50-percent formula—section 4.

It is believed that retention of literacy tests in a State such as Mississippi will probably mean that about half of all Negroes attempting to register will be required to take such a test. The results will tend to maintain the status quo as regards the number of Negroes registered to the number of white persons registered to vote in such States. Because, as long as economic discrimination is practiced against Negroes, large numbers of Negroes will not be able to remain in school long enough to obtain the sixth-grade education necessary to avoid the literacy tests required by H.R. 7896.

III. REGISTRATION TESTS

H.R. 7896 specifies that only the requirements of good moral character and vouchers of registered voters or members of any other class are to be abolished. No provision is made for protection from new tests which could be equally effective in preventing Negroes from registering.

H.R. 6400 provides the needed protection by requiring that any new tests established after November 1964 must be approved by the District Court of the District of Columbia or be accepted without objection by the Attorney General.

IV. CHALLENGES

H.R. 7896 provides that requests for changes in voting qualifications in States which practice voter discrimination, or requests for injunctions or declaratory judgments against enforcement of the act will be brought to the local district court.

Empowering such local district courts in most of the discriminatory Southern States to grant injunctions or to permit changes in voting qualifications only invites biased decisions, as they have already done in litigation involving the Civil Rights Act.

H.R. 6400 provides that such requests be brought directly to the District Court of the District of Columbia. This provides the best assurance that there will be no unnecessary delays in the implementation of the bill's protections because, hopefully, here there will be fair-minded decisions issued.

V. FEDERAL EXAMINERS

H.R. 7896 provides that the Civil Service Commission will appoint one examiner per voting district from which 25 written complaints are sent to the Attorney General. These examiners are to be existing Federal employees or officials residing in the State involved.

H.R. 6400 provides for the appointment of sufficient numbers of examiners for the area involved, first, after the court so directs, or second, after the Attorney General receives 20 or more written complaints of denial of the right to vote, or he has reason to believe the 15th amendment is being violated.

H.R. 7896 does not provide the latitude needed if there is no assurance of finding enough non-biased residents to serve as examiners. The effect may be that the Federal-examiner system will be most severely curtailed in those States which have shown themselves to be most consistently committed to racial discrimination.

VI. TERMINATION OF FEDERAL EXAMINERS

H.R. 7896 provides that when fewer than 25 persons in a voting district are placed on the eligible list by a Federal examiner within a 12-month period, services of the examiner shall terminate.

H.R. 6400 provides that when the Attorney General certifies that all persons listed by Federal examiners are on local voter registration rolls and he believes there will be no further denial of the right to vote on account of race or color, the court may order termination. Also, voting districts may petition the Attorney General to begin proceedings to terminate Federal examiners.

H.R. 7896 does not give sufficient consideration to the fact that threats of physical or economic coercion may cause less than 25 Negroes to present themselves to register. In effect, those districts in which threats against Negro applicants are most effective will be rewarded by the earliest departure of Federal examiners.

VII. ATTEMPTED REGISTRATION WITH STATE/LOCAL OFFICIALS

H.R. 7896 does not require the applicant to attempt to register with State or local officials if the applicant states on oath his belief that he would have been acting futilely, or that such an attempt would have subjected himself or his family to reprisals.

H.R. 6400 permits persons wanting to register to go directly to the Federal examiner, without first attempting to register with State or local election officials. The applicant need only allege he is not registered.

VIII. APPLICATION AND PROCEDURE

H.R. 7896 specifically states in section 9(a) that "the times, places, and procedures for application and listing" must be "consistent with State law as long as there are—section 8(f)—at least 45 days prior to the election."

It is conceivable that there could be a lengthy time lapse between registering and voting. It is conceivable that State laws could specify a place of voting which in itself would tend to intimidate Negroes in certain sections of the country.

H.R. 6400 simply refers to the list of those registered by a Federal examiner, stating that "any person whose name appears on such a list shall be entitled to vote" as long as there are "at least 45 days between registering and voting." No mention is made of State law.

IX. ENFORCEMENT

H.R. 7896 (section 13(a)) provides a person illegally prevented from voting has only 24 hours to report to the Federal examiner. The examiner then notifies the U.S. attorney for the judicial district who "may" then apply to the district court "for a temporary or permanent injunction, restraining order, or other order." No specific power is given to void the election—section 13.

H.R. 6400—section 12(e)—provides a person must notify a Federal examiner within 48 hours of illegal procedures used to prevent him from voting. The examiner must report "immediately" to the Attorney General who may apply forthwith to a district court for an order restraining the issuance of election certificates.

The question raised is does the 24-hour provision of H.R. 7896 provide sufficient time for discovery of illegal procedures in rural areas where the vote might not be recorded for 24 hours?

Also, directing the Federal examiner to report to the U.S. attorney for the judicial district puts great responsibility in the hands of a local official who may be subjected to local bias and pressures.

H.R. 6400 provides for observers to be sent to view any election held in an area covered by Federal examiners. H.R. 7896 has no such provision.

X. PENALTIES FOR INTERFERENCE WITH ELECTIONS

H.R. 7896 in section 14(e) limits the legal sanctions for tampering with the electoral process to Federal elections. Apparently this bill takes no recognition of the fact that it is the local elections that determine the power structure of any State and corruption must be eliminated at this level if Negroes are to gain a place in the political structure of their own States and political subdivisions.

H.R. 6400—section 15—does apply the punitive measures of the Civil Rights Act of 1964, to State and local as well as to Federal elections.

XI. POLL TAX

H.R. 7896 merely directs the Attorney General to bring suit for declaratory judgment or injunction against enforcement of poll taxes when used to deny or abridge voters' rights—section 15.

H.R. 6400 provides that failure to pay poll taxes is no bar to registration or voting—section 10.

Whereas great delays have been used to avoid yielding to the constitutional mandate that all citizens be permitted to exercise their right to vote, the administration's bill is designed to fulfill this commitment.

Mr. Chairman, I am proud to reaffirm my support of H.R. 6400 and urge the defeat of the Ford-McCulloch substitute amendment.

Mr. CELLER. Mr. Chairman, I yield 6 minutes to the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I have never failed to take an affirmative position on the floor of the House in connection with any and all civil rights and voting rights bills.

When we considered the Civil Rights Act of 1964, I said this:

> If the only thing this bill did was to protect the right to vote, I would be all for it.

In taking a position in opposition to the Celler bill, H.R. 6400, during general debate on the floor 3 days ago, I made the following statement, among other arguments:

> I emphasize at the outset that the views I now express on the voting rights bill, H.R. 6400, are not based on racial considerations.
>
> * * * * *
>
> The people of my congressional district believe in the right of all qualified persons to vote. They are against the application of different standards to different people—and they practice what they preach.
>
> * * * * *
>
> If the only thing this bill did would be to prohibit discrimination under the 14th amendment, and to prevent the denial of all qualified persons throughout the United States of their right to vote under the 15th amendment, it would carry out and give effect to the three constitutional provisions under consideration; it would be clearly constitutional and I would vote for it.
>
> * * * * *
>
> I could catalog further instances, at greater length, but the foregoing amply demonstrates that this bill goes too far, cuts too deep and goes beyond its asserted purpose to protect the right to vote.

And I concluded my argument against the Celler bill as follows:

> I realize the force of the argument that some areas of the country or some counties or parishes within such areas have not made enough effort to accord all the people the right to vote, and to the extent that the lack of effort is due to a plan to deprive any qualified person of his right to vote, I agree that this is wrong. It is as wrong as the enactment of the provisions I have described, and others. I have always been taught, however, that two wrongs don't make a right and that the end does not justify the means. I can only say that the people I represent do not participate in discrimination and that they want no part of recrimination.

And now what about the pending McCulloch substitute, which is a full-fledged bill, H.R. 7896?

As a member of the Judiciary Committee, I have always taken the position that so-called "Whereas" clauses were appropriate to private agreements or contracts but seldom, if ever, justified in a bill; and I have also taken the position that so-called "findings" were appropriate for the courts but seldom, if ever, justified by the legislative branch of the Government.

The McCulloch bill now under consideration contains a long list of so-called congressional "findings" as follows:

> FINDINGS
>
> SEC. 3 (a) Congress hereby finds that large numbers of United States citizens have been and are being denied the right to register or to vote in various States on account of race or color in violation of the fifteenth amendment.
>
> (b) Congress further finds that literacy tests have been and are being used in various States and political subdivisions as a means of discrimination on account of race or color. Congress further finds that persons with a sixth-grade education possess reasonable literacy, comprehension, and intelligence and that, in fact, persons possessing such educational achievement have been and are being denied or deprived of the right to register or to vote for failure to satisfy literacy test requirements solely or primarily because of discrimination on account of race or color.
>
> (c) Congress further finds that the prerequisites for voting or registration for voting (1) that a person possess good moral character unrelated to the commission of a felony, or (2) that a person prove qualifications by the voucher of registered voters or members of any other class, have been and are being used as a means of discrimination on account of race or color.
>
> (d) Congress further finds that in any voting district where twenty-five or more persons have been denied or deprived of the right to register or to vote on account of race or color and who are qualified to register and vote, there exists in such district a pattern or practice of denial of the right to register or to vote on account of race or color in violation of the fifteenth amendment.

Under the Civil Rights Act of 1960, separate suits must be filed in the Federal courts in every area involved and it must be alleged and proven to the satisfaction of the Federal judges in every case that "a pattern or practice" of denial of the right to vote exists before Federal voting referees or examiners can be appointed.

But I repeat that under the McCulloch bill:

> Congress further finds that in any voting district where twenty-five or more persons have been denied or deprived of the right to register or to vote on account of race or color and who are qualified to register and vote, there exists in such district a pattern or practice of denial of the right to register or to vote on account of race or color in violation of the fifteenth amendment.

And then the McCulloch bill goes on to say that whenever the Attorney General certifies to the Civil Service Commission that he has received complaints in writing alleging that the complainant can satisfy the voting qualifications of the voting district and has been denied or deprived of the right to register or vote, and that the Attorney General believes such complaints to be meritorious, "the Civil Service Commission shall promptly appoint an examiner for such voting district who shall be responsible to the Commission."

Moreover, the McCulloch bill provides that "a certification by the Attorney General shall be final and effective upon publication in the Federal Register."

Having opposed the Civil Rights Act of 1960, which at least requires proof to the satisfaction of a Federal court of the existence of a so-called pattern or practice before voting referees can be installed, I cannot support the McCulloch bill, which makes a congressional finding that a "pattern or practice" exists when 25 or more persons have been denied the right to register or vote and directs the Civil Service Commission to appoint examiners when the Attorney General certifies that 25 meritorious complaints have been filed with him.

It is no wonder then that an article in today's Washington Post—July 9, 1965—commenting on a so-called Republican and southern coalition contains the following excerpt:

> McCulloch, an architect of the Civil Rights Act of 1964, said, "I do not agree at all." He and Ford told reporters that southern Democratic support did not affect their position—that the Celler bill is seriously deficient and will not guarantee voting rights as quickly and effectively as their measure.

For the foregoing reasons, to which I could add others, my position is this:

I have been here long enough to know that unless a miracle happens, neither the McCulloch bill nor the Celler bill can be amended in such a way as to make them acceptable, although I will support whatever amendments we can muster enough votes to pass. Unless a miracle does happen, however, I will vote against the McCulloch bill, and if it is defeated I will then vote against the Celler bill. My guess is that the McCulloch bill will be defeated and then we will see a coalition between Congressman Emanuel Celler and his forces and Congressman William McCulloch and his forces in support of the Celler bill.

Mr. POFF. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Chairman, like many who have addressed the Committee in the last 3 days, I shall vote for the McCulloch substitute in the Committee of the Whole and in the House on a motion to recommit the committee bill. Unlike some, however, I recognize the need for legislation, I honor fully the first section of the 15th amendment which guarantees the franchise against racial discrimination, I honor fully the 2d section of the 15th amendment which grants the Congress specific power to enact appropriate legislation implementing that guarantee, I regard the McCulloch substitute as appropriate legislation and if the McCulloch substitute prevails either as an amendment in the Committee of the Whole or as a motion to recommit, I shall vote for passage of the McCulloch substitute.

A government of the people cannot function for the people unless it is a government by the people. There is no such thing as self-government if those subject to the law do not participate in the process by which those laws are made. Only a few are privileged to participate in the physical mechanics of the lawmaking process and these are those chosen as representatives by their fellows. For the latter, the opportunity for participation, and therefore the essence of the concept of self-government, is the right to cast a ballot to choose those who make the laws. If this opportunity is denied any qualified citizen, then he is not self-governed.

The 15th amendment to the Constitution says:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

That is pretty plain language. It is the supreme law of the land. It applies to citizens of the United States. It applies to action by the United States. And it applies to action by "any State." Moreover, the 2d section of the 15th amendment says:

> The Congress shall have power to enforce this article by appropriate legislation.

There may be some dispute about what legislation is "appropriate," but there can be no valid dispute about the power of Congress to legislate.

Now, the 15th amendment does not say that States cannot write laws fixing voter qualifications and deny the vote to those who do not meet those qualifications. Indeed, article 1, section 2 specifically assigns that power to the States and the 17th amendment reaffirms it. However, those voter-qualification laws must extend equally to all citizens, and State officials cannot discriminate among citizens in the application of those laws.

I repeat, I regard the McCulloch bill, while subject to certain infirmities and objectionable in some of its parts, as "appropriate legislation" within the definition of those words as used in the second section of the 15th amendment. I shall not undertake to inventory all of the parts of the Celler bill which I consider to be unconstitutional and which, if left in the bill, make it impossible for me to support. Rather, I will attempt to make a brief, definitive comparison of the Celler bill and the McCulloch bill:

First. The Celler bill is sectionally discriminatory. Its "automatic trigger"—less than 50 percent registered or voting—is aimed at six Southern States. Its "pocket trigger" vests the Attorney General with broad discretionary power to select his own geographical targets for court action.

The McCulloch bill is sectionally uniform, applying equally North and South anywhere discrimination in voting is practiced and only where it is practiced.

Second. The Celler bill "escape clause" is a deception. A State trapped by the automatic trigger can escape coverage only by journeying to Washington, filing a suit against the United States in the District Court of the District of Columbia and proving its innocence for the last 5 years. This not only reverses the traditional presumption of innocence but abandons the doctrine that trial court cases should be heard in the jurisdiction where the accusation was made or the cause of action arose.

The McCulloch bill has no such provision. Administrative and court appeals are heard locally.

Third. In the Celler bill, State literacy tests are suspended in covered States.

In the McCulloch bill, State literacy tests are honored, except that a sixth grade education is deemed to constitute literacy.

Fourth. Under the Celler bill, no State or locality covered by the automatic trigger can hereafter make any enforceable change in any of its voting laws without the prior approval of the Attorney General or the District Court of the District of Columbia.

The McCulloch bill has no such anti-States rights provision; rather, it preserves the right of States to legislate and fix voter qualifications in harmony with the Constitution.

Fifth. The Celler bill nullifies both poll taxes and all other payments prerequisite to voting in State and local elections and referendums.

The McCulloch bill simply expedites court testing of the constitutionality of poll taxes.

Sixth. The Celler bill grants the right to vote to those registered by Federal examiners and allows the counting of their votes and the certification of election results, even though challenges of their qualifications, unresolved on election day, may later be upheld.

The McCulloch bill grants the right to vote to those registered at least 45 days before election day, but their votes are not counted until any challenges against them are decided.

Seventh. The Celler bill has no residence requirement for Federal examiners.

The McCulloch bill requires that Federal examiners be residents of the States in which they are appointed to serve.

Eighth. The Celler bill makes all of the Federal elections titles of the Civil Rights Act of 1964 applicable to State and local elections as well.

The McCulloch bill has no such provision.

Mr. McCULLOCH. Mr. Chairman, I now yield 5 minutes to the gentleman from Illinois [Mr. McClory].

AMENDMENT OFFERED BY MR. M'CLORY

Mr. McCLORY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment by Mr. McClory to the substitute for the Committee amendment: On page 16, line 9, strike "To assure", and strike lines 10 through 17. Insert in lieu thereof the following language:
>
> "(b) No State or political subdivision thereof shall deny any person the right to register or to vote because of his failure to pay a poll tax or any other such tax."

The CHAIRMAN. The gentleman from Illinois [Mr. McClory] is recognized for 5 minutes in support of his amendment.

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from New York will state his parliamentary inquiry.

Mr. CELLER. Under unanimous-consent request, can a Member offer an amendment and speak without the consent of either Mr. McCulloch or myself?

The CHAIRMAN. The gentleman from Ohio [Mr. McCulloch] yielded the gentleman from Illinois [Mr. McClory] 5 minutes.

Mr. CELLER. Oh, I did not know that.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. McCLORY. Mr. Chairman, if the gentleman from Louisiana [Mr. WILLIS] has not already put to rest the subject of an alleged coalition between the Republicans and the southern Democrats, certainly this amendment will because I am in strong support of the Ford-McCulloch bill. At the same time I support this amendment, which simply does one thing. It abolishes the poll tax as a condition or a qualification for voting in any State or local election.

The committee report shows that I subscribed to the Republican view and supported the Ford-McCulloch bill with this one exception. I do not like the provision relating to the poll tax. I should add that in the committee I voted with the majority of the committee in support of outlawing the poll tax as contained in the Celler bill. To be consistent, I must offer and support a similar provision in the Ford-McCulloch bill. Indeed, the language of the amendment I am offering is virtually identical with that contained in the Celler bill. As the Ford-McCulloch bill, itself, states:

> The right to vote of large numbers of citizens * * * is denied or abridged on account of race or color in some States by the requirement of the payment of a poll tax as a prerequisite to voting in State or local elections.

The Ford-McCulloch bill goes further by providing that the Attorney General shall institute actions for declaratory judgment or injunction for relief against enforcement of any poll tax. So does the bill passed in the other body. Indeed that is the position of the Attorney General and was the original provision in the Celler bill before its amendment in the committee. All of these measures declare in so many words that the poll tax has been employed to deny the right to vote on account of race or color. And we know that the poll tax has been employed widely as a device for discriminating against the voting rights of Negroes.

We are called on here to implement by legislation the 15th amendment to the Constitution. It appears to be generally recognized that this Congress has broad authority under that amendment to end discrimination in voting on account of race or color. If we have authority to enact any legislation whatever, we certainly have authority to outlaw the poll tax. The committee report refers to the use of the poll tax in Texas as a means of depriving Negroes from voting. Decisions are cited which show that the distinctions are made on account of race or color in collection of the poll tax in Mississippi.

The House of Representatives has acted five times since 1939 to abolish the poll tax by legislation. On each of these five occasions, the abolition of the poll tax was defeated in the other body by reason of a filibuster or the threat of a filibuster. Indeed it appears that the 24th amendment to the Constitution, outlawing the poll tax in Federal elections, was a compromise and not an admission that this Congress lacked any legislative authority over the poll tax as a condition of voting.

And let me make this clear. The purpose of this amendment banning the poll tax as a condition to voting is intended to apply to elections, State and local. It is not intended and should not be construed to invalidate any local laws affecting ownership of property as a condition to vote upon local bond issues in school and other such elections.

Even those who recognize that literacy tests are a valid condition to voting must concede that payment of a poll tax has nothing whatever to do with the subject of voter qualifications.

In the 79th Congress, the House passed H.R. 7 making it unlawful to require payment of a poll tax as a prerequisite to voting in a primary or other election for national officers. The final vote was 251 to 105 with the Republican Members voting 131 to 19 in favor of the measure.

In the 80th Congress, the House passed H.R. 29 which was a similar bill to outlaw the poll tax. The vote was 290 to 112 with the Republicans voting in favor of the measure by a margin of 216 to 14.

Again, in the 81st Congress the House passed H.R. 3199, which was a similar bill, by a vote of 273 to 116 with Republicans voting 121 to 24 in favor of the bill.

In the 79th, 80th, and 81st Congresses, these bills passed by the House were lost in the other body through the staging of a filibuster or the threat of a filibuster.

The Republican record in favor of sound voting rights and civil rights legislation is one of which the Republicans throughout the Nation should be very proud.

The Republican record in opposition to the poll tax as a condition or qualification for the right to vote is written clearly in the annals of this House and in the history of this great and free Nation.

The Ford-McCulloch bill is a valid and comprehensive bill. It will be more comprehensive and have broader general application without the burden of enforcing and collecting a poll tax.

I urge adoption of this amendment to the substitute Ford-McCulloch bill.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, I would accept the gentleman's amendment because it is practically the same language as the provision of the Celler bill.

Mr. McCLORY. I am delighted to have the gentleman's acceptance of it. However, I do not know that it is acceptable to the author of the substitute.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield.

Mr. McCULLOCH. Mr. Chairman, in the interest of saving time I would like to assure my good friend from Illinois that, speaking as an individual, I do not accept the amendment. You know, Mr. Chairman, I am a part of the Southern coalition, one of whom comes from the great State of Texas and who is now President of the United States. Furthermore the Attorney General appears to be opposed to your amendment. I am pleased to have him agree with me on this matter.

Mr. Chairman, I am opposed to this amendment. I stand with Mr. Katzenbach and with Senator MANSFIELD and Senator DIRKSEN.

Mr. McCLORY. Mr. Chairman, let me conclude by saying that I do support the Ford-McCulloch bill with this amendment. This makes the Ford-McCulloch bill a better bill. I urge the adoption of the amendment and, as amended, I urge support for the Ford-McCulloch bill.

Mr. McCULLOCH. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Chairman, I want it clearly understood that I am personally totally opposed to the poll tax in local, State, or Federal elections. And I might add that the gentleman from Ohio [Mr. MCCULLOCH] feels exactly the same way. Actually the basic difference between the committee provision and the provision in the McCulloch substitute is not significant. Both will result in litigation, and there will be a determination by, and only by, the Supreme Court of the United States as to whether or not poll taxes in State and local elections are constitutional.

Some might say that the provisions are like tweedledum and tweedledee, as far as the net result is concerned.

I say to my Republican friends if they in their own conscience prefer the amendment offered by the gentleman from Illinois I can perfectly understand the reasons for their choice. But it is my own personal conviction that from an expeditious consideration of the issues the provision in the McCulloch substitute is preferable.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and on a division (demanded by Mr. MCCULLOCH) there were—ayes 82, noes 33.

So the amendment was agreed to.

Mr. CELLER. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Chairman, first of all might I say that I am categorically opposed to the Ford-McCulloch substitute. We saw a moment ago a clear demonstration when the vote was taken on the poll tax amendment which was offered by the gentleman from Illinois why the Ford-McCulloch substitute is deficient and does not meet the issue.

What is the objective which all of us are trying to reach here today? What are we trying to accomplish? Now I understand full well that the gentleman from Ohio, my esteemed colleague on the Committee on the Judiciary, who has made such valuable contributions in the field of civil rights, was sincerely and honestly motivated when he offered the substitute. So are we sincerely motivated in supporting H.R. 6400 and rejecting H.R. 7896. We seek to erase massive discrimination in voting rights in certain areas.

How do we intend to accomplish this objective? We on the majority side seek to accomplish this objective under the Celler bill with the least delay, and in the most expeditious and most effective way possible. This is why we employ the automatic trigger—to do the job quickly, effectively, and fairly.

Someone arguing for the Ford-McCulloch substitute said that we have employed harshness in making use of the automatic trigger device. There is no harshness in the provisions that we use to set off the automatic triggering device. The only harshness that is employed is the harshness being used by those who are denying the Negro the right to vote on account of color. We are seeking to insure that under the mandate of the 15th amendment we give to the Negro and every qualified citizen the right to vote which he has been denied.

We do it by legitimate means, by appropriate means, by a device which I am sure will not be lacking in constitutionality, and I believe we meet the test of constitutionality when we employ the proper power of Congress as is granted under section 2 of the 15th amendment.

It was Chief Justice Marshall, in the case of McCulloch against Maryland, who said:

> So let the end be legitimate, let it be within the scope of the Constitution and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and the spirit of the Constitution, are constitutional.

Let me add one other thing. As I said before, I do not question the sincerity of the gentlemen who offer this substitute. But I do wonder why, and I find it passing strange to reconcile that the gentlemen who are so sincerely interested in insisting that the right to vote is guaranteed by the Ford-McCulloch substitute are supported in this effort by gentlemen who are and have been opposed to the passage of any civil rights legislation—gentlemen who say in their support of the Ford-McCulloch substitute that it is far more preferable to the Celler bill. Why? The answer is simple, Mr. Chairman. If we were to adopt the Ford-McCulloch substitute we would find ourselves in an impossible situation if we sought through a conference to reconcile the many differences which exist between the Ford-McCulloch substitute and the recently adopted Senate bill on voting rights. We would find as a matter of practical consideration that we would be in an irreconcilable stalemate. Surely this is not what those who are genuinely interested in insuring voting rights are seeking.

Furthermore, the Ford-McCulloch substitute does not provide the automatic coverage which is necessary to do the job. It fails to provide for complete suspension of tests and devices even in those areas where such tests cannot be administered fairly. Thus the substitute gives less relief than was afforded by the Supreme Court in United States against Louisiana.

Literacy tests would continue to be applied to those who had not completed the sixth grade. Even if some of these tests can be administered fairly, after decades of discrimination, when most whites are permanently registered, the McCulloch bill would simply freeze the present registration disparity created by past violations of the 15th amendment. This is not acceptable relief. It falls far short of what the courts already have afforded. H.R. 6400 avoids these defects by suspending tests and devices in the areas affected.

The McCulloch bill does not provide for any preclearance of new voting laws or standards. In those areas where voting discrimination has been the norm, States and localities would be free to further increase the difficulty of Negroes registering to vote. It would require existing judicial remedies to be used to eliminate further discrimination enactments. The evidence amply shows that such relief is inadequate to meet the problem.

H.R. 7896 is fatally deficient in another area. It does not abolish the poll tax. It merely authorizes a suit by the Attorney General and, curiously, confines the Attorney General's constitutional attack on the poll tax to 15th amendment grounds. H.R. 6400, on the other hand, emphatically states that the right to vote cannot be conditioned upon the payment of a poll tax—and H.R. 6400 founds its argument for the abolition of the poll tax on 14th as well as 15th amendment grounds.

For these and for many other reasons which others will advance, the Ford-McCulloch substitute should be defeated.

Mr. Chairman, if we are to carry out the clear mandate of the 15th amendment, if we want to insure and guarantee to our citizens the right to vote regardless of race or color, if we want to act responsibly—effectively and fairly and without delay in this area—let us vote down H.R. 7896.

Only in this way, Mr. Chairman—by enacting H.R. 6400 will we be able to meet our responsibilities and live up to the democratic concepts of our Constitution.

Mr. McCULLOCH. Mr. Chairman, I now yield 5 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman and Members of the Committee, it is not easy for me under any circumstances to differ with my distinguished colleague and friend, the gentleman from Ohio [Mr. McCULLOCH], and most especially on a subject of this kind. We have been together during my term of office here, 7 years, on the question of voting rights and civil rights in general. The gentleman from Ohio is a selfless and great leader in my judgment in this most important area to every American. He is joined in that by the distinguished minority leader, the gentleman from Illinois [Mr. GERALD R. FORD]. But we differ on this bill here today.

The substitute that is here proposed is a good bill. It is an extension of what was done in 1957, 1960, and 1964, which bills, in the area of voting, for the first time in 85 years attempted to do what was right and what was commanded by the 15th amendment of the Constitution. It represents in essence an extension of what was done then. But being an extension it represents, in relative terms, an inching forward rather than the giant step that is called for in 1965. Here we are in 1965, 100 years after the country thought it had settled this issue. From there on we have chipped at the edges of the problem but avoided attacking it at the center. It is time to dispose of the outrage of voting discrimination wherever it may occur.

The question is—Which bill is the most effective to do the job that has to be done? I have reservations even as to H.R. 6400. I would have preferred a different kind of administrative machinery to carry out the task, as commanded by us, of wiping away the barriers against voting on the grounds of race. I think the committee has greatly improved the bill as we received it from the administration. We certainly improved it by the addition of the poll tax elimination by statute and I shall speak on that at greater length later. I have a high regard for the Attorney General who is the President's agent in this matter. I have known him for many years. But on this question, he is just plain wrong. Therefore the committee bill was strengthened, I think, as is now the substitute by the elimination of the poll tax.

The committee bill has a very important improvement, which was contained in my own bill, for Federal observers in connection with the actual process of voting. What good does it do for a person to be registered if he cannot cast his ballot? I hope to improve the bill even more when additional amendments are in order. I will offer an amendment to the committee bill, when the time comes, to add a provision for protection of freedom of speech, press, and assemblage in connection with voting. In specifics, I support the committee bill for the following reasons: First, the committee bill is speedier and more effective. It is, let us face it, less cumbersome in spite of the fact that the substitute bill is an advance forward and on the whole a good bill.

Second, in hard core areas, the committee bill provides that Negroes will not have to appear before local registrars. That is most important.

Third, and this is a vital provision, the committee bill provides for observers to watch the actual business of voting is provided in the committee bill.

Members of the Committee, Congress is given great powers by the 15th amendment and is indeed commanded by section 2 of the 15th amendment to the Constitution to do what is necessary to sweep away all barriers to the right to vote based on race or color. I do not understand why Congress should be timid or why Congress has been timid for upward of a century in the exercise of those powers.

The command to the Congress that it act to secure voting rights was made 100 years ago by the American people in the adoption of the 15th amendment to the U.S. Constitution. It is time we obeyed.

Mr. CELLER. Mr. Chariman, I yield 4 minutes to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, I thank the distinguished chairman of the committee for yielding time to me.

Mr. Chairman, I voted for the rule to consider this bill. I hope that, at least, gives evidence of my good faith in approving the idea that every qualified citizen should have the right to register and vote and that none should be subjected to a double standard.

I would hope that the majority of the House would not permit themselves to be caught up in a whirlwind of "South hating" just to curry favor with certain professional civil rights workers.

The day before yesterday the gentleman from California [Mr. Corman] suggested to the Republicans that they should follow the philosophy of the founder of their party, Abraham Lincoln, in respect to this bill. I am afraid that the gentleman has his personalities confused. It was not Abraham Lincoln who was vindictive and punitive in his actions. It was Thaddeus Stevens, and I beg of the cooler and wiser heads in this House, those who can and will look into this problem objectively, to support such legislation as is necessary to make it possible for all citizens to register and vote, but do not, for heaven's sake and for the sake of our beloved country, try to drive a wedge between sections of our country and lower yourselves to the level of a Thaddeus Stevens. Just do a little self-appraising. Do a little soul searching. Ask yourselves in all candor, Do you want voting rights or are you seeking revenge?

I hasten to concede that double standards have been practiced in certain areas of our country as far as voting rights are concerned, but certainly not to the extent of the ugly story cited as true yesterday by the gentleman from California [Mr. Corman] about requiring a Negro applicant for registration to read a Chinese newspaper. When a Member of Congress makes a statement like this and says that it is, in his words, "too true" it gives responsible, albeit uninformed, people grounds to believe that such things have actually happened when any informed person knows that it is a rank and rash exaggeration.

Again, I concede that some sections of our country have not been faultless but these conditions have been and are being corrected. If further legislation is deemed necessary, I myself will support it. But, who are we to virtually read some States out of the Union?

I have said that I will support necessary legislation in this field, and if a proper substitute is adopted, or if proper changes are made in this bill, I believe a substantial number of Members of Congress from Southern States will vote for it. To me this would be the greatest possible accomplishment in the whole area of civil rights. It would give the entire country a new image, and may I say a truer image, than they have had presented to them in the past.

I am afraid that there are some people who do not want to see that image changed. I have talked to Members of this House who privately confess that they feel that way about it. They want a bill so tough and so vindictive and so vengeful that well-meaning people who are trying to bring peace and order out of chaos cannot possibly vote for it. Then these people can and will still say, although it will not be the truth, that many of us do not want any changes made, and that we are content with what has happened in some areas in the past. They feel they must have a strawman.

I have seen evidences in elections in certain sections of the country where the candidates do not run against each other but seem to engage in a contest of which one hates the South more. I am afraid that the people who engage in that type of campaign are the ones who are the "Thaddeus Stevenses" of the 20th century; who would like to see another period of reconstruction; who would hate to have the South taken away from them as a whipping boy because then they would have to run for office on their own records and against their opponents rather than against the South.

I know there are some who are saying, "If people like Syd Herlong can vote for the substitute then it must be too weak." I frankly cannot understand that kind of logic. You have been urging us through the years to change, and now when some of us do, you question our motives. I would hope that you would accord to us credit for the same sincerity of purpose that you expect others to give you.

Think about this, please, when you vote. Ask yourselves again the question, What are you seeking—voting rights or revenge? If you seek voting rights, I will join you in trying to obtain them. If you seek vengeance, I want no part of it.

Mr. CELLER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. McCarthy].

Mr. McCARTHY. Mr. Chairman, this august Chamber has been the scene of some of our most treasured historic events. But none need take second place in significance to the debate and vote on H.R. 6400.

For passage of this measure will represent the payment of a moral debt. It was 95 years ago that the 15th amendment was affixed to the Constitution of the United States. That amendment was a promise—a promise of dignity and equality to the Negro people who were then, nearly a century ago, emerging from the humiliation of enslavement.

Section I of the 15th amendment stated clearly that the right to vote "shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

But today, in the 1960's, we find that in some areas of our country the ability to vote, the most basic right of a citizen in a democracy, is flagrantly denied to some people for such an outrageously unconstitutional reason as the color of their skin.

The discriminatory devices used in some States to keep Negroes from voting have been many. Over the years our courts have struck down some of the most offensive of these. But in 1965 we still have with us two weapons, used with unfortunate success, aimed at keeping the Negro in an inferior place in society by preventing him from obtaining the power and self-respect possessed by all freemen through the right to vote. These two remaining weapons are the poll tax and the discriminatory use of a literacy test.

As long as these or any obstacles stand in the way of full participation in our governmental process by every citizen, the promise represented by the 15th amendment is ignored, the promise of freedom upon which our Nation was founded remains unfulfilled.

Now this House has the opportunity—perhaps more truly the obligation—to remove the mark of shame that far too long has stained our national conscience and reputation.

Section II of the 15th amendment reads:

> The Congress shall have the power to enforce this article by appropriate legislation.

Today we must consider this clause not a mere authorization of power, but rather a directive to act when we are confronted with gross inequities and blatant disregard for the letter and the spirit of the Constitution.

It will always be a source of deep satisfaction and pride to me that I was here to vote for this historic piece of legislation. When it becomes law all Americans will be able to exercise their rights as citizens and take part in the democratic process. The promise made 95 years ago will be kept.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Corman].

Mr. CORMAN. Mr. Chairman, I really do not purport to be an authority on much, but I have for 19 years been a southerner by marriage. I had not, until today, detected any widespread agreement with Abraham Lincoln south of the Mason-Dixon line, but it is refreshing to hear it now.

I must say, for those who have questioned the enthusiasm of the President for the committee bill, I have not made any secret of my support of it, and I have not had my arm twisted to oppose it. So far as I can detect, he supports the committee bill.

The distinguished minority leader made reference to the author of the bill [Mr. McCulloch]. I would like to say that I endorse every word that has been said by the gentleman from New York [Mr. Lindsay], concerning Mr. McCulloch. I hope the prediction made a few minutes ago by another Member—that before this day is over we will see a return of the Celler-McCulloch partnership—will come to pass because I believe that we will pass a better bill because of it.

But I must say the thing that makes it most difficult for me to understand this substitute is Mr. McCulloch's authorship of it, and the only thing that explains it to me is it is really coauthored, it is the Ford-McCulloch substitute.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield to me at this point?

Mr. CORMAN. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I do wish that you would refrain from referring to the coauthorship of the McCulloch amendment by a Mr. Ford. There is some confusion in my constituency with respect to the name Ford and to this measure that has the name Ford attached to it. I would like the RECORD to show that I am in no way associated with the amendment now being discussed and, in fact, I would not touch it with a 10-foot "tax poll."

Mr. CORMAN. Some point was made yesterday by the minority leader about the fact that Texas is not covered in this bill. I think a little more careful reading of the bill will indicate that Texas is covered in every section of this bill. It is true under the automatic trigger, where we suspend tests and devices, that if a State has no test or device, we do not try to suspend it. But there is a provision for the appointment of examiners. There is a repeal of the poll tax and there is a prohibition against coercion or intimidation. All of this bill applies to Texas and the other 49 States.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield to me?

Mr. CORMAN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. In view of the fact that my very good friend and colleague referred to me and indicated I said something that I did not, perhaps, understand correctly, I want to correct the RECORD. Did my good friend [Mr. CORMAN] say that I said that Texas was not covered by the administration-Celler bill?

Mr. CORMAN. No, sir.

Mr. McCULLOCH. I appreciate the correction of the statement.

Mr. CORMAN. Now, about this automatic triggering and the so-called horrible indictment of all these States, and that it does not really have anything to do with racial discrimination. Nothing could be further from an accurate reading of the bill. The automatic trigger merely says if two conditions exist, it raises a presumption of racial discrimination. There is ample and easy opportunity to rebut that presumption. As a matter of fact, unless the Attorney General has evidence of racial discrimination, we direct him in the legislation to enter a consent degree to that effect. So the State would not be under the automatic trigger. Throughout the Celler bill, there must be racial discrimination before any part of the bill takes effect.

I was delighted that we took care of the poll tax ban by the McClory amendment. Should we be saddled with the substitute, it will be better because of it.

Now about the moratorium on State legislation. Much has been said about coming to the Central Government and we have heard a lot from the Declaration of Independence. I would like to say that I have absolutely no difficulty in distinguishing the British Crown of the 18th century from the U.S. Government of the 20th century. I do not think the analogy is very well put.

There is a simple reason for requiring a moratorium on State legislation. If one wants to know what is happening today in Mississippi, I would think it is a reasonable interpretation of the efforts in that legislative body of that sovereign State that they are attempting to pass laws which will take them out from under this bill.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CELLER. I yield the gentleman 2 additional minutes.

Mr. CORMAN. It is my own opinion, if there is no moratorium on State action, there may be no application of this law in Mississippi and possibly none in Alabama and Louisiana.

It is said that the substitute bill does not sow the seeds of revolution because it is so moderate and so flexible. I suggest to you its real problem is that it does not remove the weed of racial discrimination because it is so moderate and so flexible. It offers a remedy where there is no problem, but it offers a sham and a delusion where there is a problem.

The chronology of the committee's action is this: The President delivered his message on March 15. The Celler bill was introduced on March 17. We held hearings from March 18 to April 9 and considered the bill in subcommittee for a considerable number of days after that. It went to the full committee on April 13, and on May 5 along came the Ford-McCulloch substitute. There was no opportunity to take evidence on it, but it was carefully considered by the full committee and was defeated substantially in that committee.

I suggest to you that if you really want to see that demonstrations in the streets are ended, that every American has the opportunity to remedy his problems at the ballot box, vote down the Ford-McCulloch substitute and pass the committee bill.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, we have a choice here now to make. I come from the State of Louisiana, which has been much maligned during the course of this debate. I doubt there are many who sit here in this House of Representatives today who would take a position much different from the one I take if your State were treated as Louisiana is being treated by this proposed legislation. In fact, many of you have told me so personally. I cannot cast a vote here in this House of Representatives which will discriminate against Louisiana and its people. This legislation does discriminate against Louisiana. It is a matter of record that, for example, the Wall Street Journal and the Washington Post have in their editorials, criticized this bill for discriminating against the South and have said that the least this Congress can do is pass legislation which has equal application to every section of the country, North, East, South, and West. And, I agree. Before we adjourn, this Congress will enact some voting proposal. Believing that this is the case, I think it is incumbent upon me to do the very best I can to see that whatever proposal is enacted into law will be as fair as possible to every individual in the United States.

I am opposed to the so-called Ford-McCulloch substitute, but in spite of the objections that I have to it, it does have universal application. It will treat my people in Louisiana as the people in the other 49 States will be treated. Knowing that some proposal will be enacted into law I am going to do the very best that I can to insure that my people are treated as your people will be treated. And if you represented a State which has been maligned as mine has you would take exactly the same position. I am against the Ford-McCulloch substitute, and I support it only because it has universal application. I add, however, that if it is adopted I will vote against it on final passage. If it is not adopted, I will vote against the committee bill.

I am against discrimination, but equally I am against preferential treatment.

I make no pretense that there has not been any discrimination in Louisiana or anywhere else. But we cannot justify this discriminatory legislation under the guise of erasing discrimination.

The end does not justify the means.

Gentlemen, let us not rend asunder the Constitution of the United States.

Let us forget sectionalism. Let us forget emotionalism. Let us forget politics.

Let us, instead, uphold the Constitution we took an oath to defend.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana, our distinguished whip [Mr. BOGGS].

Mr. BOGGS. Mr. Chairman, I had not intended to talk at this stage of the debate. I am constrained to do so now only because of the remarks made just a moment ago by my distinguished colleague and dear friend, the gentleman from Louisiana [Mr. WAGGONNER]. I love the State of Louisiana. It has been good to me beyond my due. And I love the South. I know it as well as any man in this body knows it. I am part and parcel of it, born and reared there; born in the great State of Mississippi and proud of it. I do not have to establish my southern background or ancestry. For whatever it may be worth, my great uncle—God rest his soul—surrendered the last Confederate Army in the field 6 weeks after Robert E. Lee surrendered at Appomattox. And my grandfather served on the staff of Gen. Robert E. Lee throughout that bloody War Between the States.

I wish I could stand here as a man who loves my State, born and reared in the South, who has spent every year of his life in Louisiana since he was 5 years old, and say that there has not been discrimination, and agree with the gentleman from Louisiana. But unfortunately it is not so. In some areas of Louisiana, when a man has presented himself for the inviolate right to vote, he has been received as a fellow American and he has been registered to vote as he properly should be registered to vote, because to deny that right on the basis of race or creed is to deny a fundamental right of an American.

But there are other areas of Louisiana; there is one directly south of the great cosmopolitan, metropolitan city of New Orleans where out of about 3,000 Negro Americans less than 100 are registered to vote as American citizens.

There are other areas where less than 2 or 3 percent of the nonwhites are registered to vote. Can we say there has been no discrimination? Can we honestly say that from our hearts? I ask the gentleman that question. He knows it is not so.

In my congressional district—and God bless the people there—I have one parish, one county, if you will, in which over 90 percent of the Negro citizens are registered to vote, and the Negro citizenry constitutes a large percentage of the entire population. I have said to my fellow Louisianians in that parish: "Has this reduced the quality of government? Have the Negro citizens been less responsive than the white citizens? Have you had a harder time?" They have come back and they have said to me: "Congressman, we have crossed over that divide. We encouraged all of our citizens to vote and to register."

I am not being critical of anyone. I cannot be critical of my colleague from Louisiana whom I admire and who is my friend. Being born and reared a southerner, I know what these problems have been. I sympathize with them. I know what they are. I have lived with them. And I know that in the minds of many good, sincere people there has been a fear that if we made suffrage universal, as it most properly should be, there would be a decline in the caliber of our government. That fear has dominated the minds of good, God-fearing, decent Christian people. But that fear has been dissipated by experience. There are counties all over the South, in Georgia there are 37, in South Carolina there are at least 10 or more, in Alabama there are 4 or 5 where all are registered without any discrimination. As a matter of fact, Alabama is a good example. Take the county of Macon, in which the city of Tuskegee is located. There you have a situation where for some time the Negro citzens were not registered. There was stress and strain and, if my memory serves me correctly, there was talk about gerrymandering the boundaries of the city of Tuskegee, and even abandoning the county of Macon. The legislature in its wisdom did not do that. The Negro citizens were registered, and there has not been this great and terrible upheaval so many people feared.

So, Mr. Chairman, I take this rostrum really more out of sadness than anything else. I love my State. I love the South with every part of me, and I love my country.

I shall support this bill because I believe the fundamental right to vote must be a part of this great experiment in human progress under freedom which is America.

Mr. CELLER. Mr. Chairman, I yield to the gentleman from California [Mr. EDWARDS] 3 minutes.

Mr. EDWARDS of California. Mr. Chairman, I have read with some care the McCulloch-Ford voting rights bill which we are being asked to substitute for the committee bill, and with all due respect to its distinguished author, I must urge its defeat.

The McCulloch bill simply will not do. It will not result in full enfranchisement of our Americans of Negro descent who have been denied the right to vote. It is not nearly the effective and fair instrument that is H.R. 6400, the Celler-committee bill.

First of all, let us sink once and for all time the claim made by opponents of the committee bill that it will result in Federal registrars in areas where there is no voting discrimination. This is simply not true. Not in Mississippi, or Alabama, or Louisiana, or Georgia. The Attorney General has discretion as to whether or not Federal registrars are required. None will be appointed where voting discrimination is not practiced. If a section does not want to have Federal registrars, just let them allow their Negro citizens to register and vote.

The McCulloch bill, however, does not have this useful triggering mechanism, where the Attorney General can authorize registrars in these certain designated areas where less than 50 percent voted in 1964 or were registered and where a literacy test was in effect.

The McCulloch bill's machinery for the appointment of Federal registrars is burdensome and unworkable. It requires that 25 or more persons complain that they have been denied the right to vote on account of race or color. I ask you, my colleagues, is this not an unreasonable requirement to ask of the Negro-American who has been victimized out of his vote for decades by intimidation or worse. Now we say you still cannot register. You must go once more to the white State registrar in the courthouse, at the desk next to the sheriff. And you must be turned down together with 24 of your friends. And only then does the McCulloch bill set the ponderous machinery into motion that may eventually result in his enfranchisement.

So, Mr. Chairman, the first great fault in the McCulloch bill is the cumbersome and unwieldy machinery to trigger the Federal registrars, as compared with the easy and fair machinery of the Celler bill that authorizes the Attorney General to trigger the appointment of the registrars where there is in his judgment examiners are required to enforce the 15th amendment.

Another great difference in the two bills. The committee bill abolishes literacy tests as a requirement of voting. The McCulloch bill keeps literacy tests for citizens who have not completed the sixth grade. Think how unfair this is in certain areas in the South where most whites are already permanently registered and where perhaps three of four Negroes are registered. The whites are already permanently registered, regardless of their literacy. But now the McCulloch bill says that all those unregistered, meaning mostly Negroes, must take a literacy test if they have not completed the sixth grade.

The Celler bill wisely provides that in these areas of discrimination the State voting laws can not be changed unless approved by the Attorney General or by consent of a three-court judge District Court in the District of Columbia. History has proven a thousand times that this is a necessary requirement. The McCulloch bill does not have this safeguard. In those areas where voting discrimination has been the custom, these State and local governments can continue to pass frivilous laws to further keep Negroes from voting. The McCulloch bill offers only the inadequate existing judicial remedies, which history has proven are inadequate.

The Celler bill provides civil and criminal law to protect registrants, voters and those aiding and urging voting. The Celler provisions protect people regardless of how they became registered, whether by Federal or State registrar. The McCulloch bill protects only those registered pursuant to the act. This means that the Negro who is intimidated at the polls is only protected by the Republican bill if he originally registered with a Federal registrar. Suppose he is registered previously or by a State registrar. The Celler bill wisely protects him regardless of how he became registered.

I am especially concerned with section IX of the McCullough bill that provides for provisional voting. Under this provision, if a Negro is registered by a Federal registrar and is challenged at the polls, he is allowed to vote only provisionally and his ballot is impounded pending a final termination of its status by a hearing officer and by a court of appeals. On the other hand, the committee provision on voting if far superior. It provides quick and fair machinery for dealing with the challenge and permits the vote to be counted in the election.

The McCulloch bill could result in delays for months. The decision of the hearing officer is subject to review by the court of appeals and an election could be held in abeyance for several months.

Second, the McCulloch bill and its impounding procedure is only really talking about impounding the ballots cast by Negroes. It would result in the segregation and identification of ballots cast by Negroes. The secrecy of the ballot would be lost and the public would know for whom the Negro cast his vote.

Third, if ballots cast by Negroes can be segregated and identified it is quite possible that they would not be counted or counted fairly. Picture the polling place with the challenging ballots of Negroes segregated into a single pile.

I find specious the fears that candidates may be elected by the votes of unqualified electors. As a practical matter, under the committee bill, a Federal examiner and a hearing officer appointed by the Civil Service Commission will already have determined the eligibility of a challenged voter before he votes. Negroes registered by Federal registrars under the committee bill are entitled to vote only if the list on which their names appear is certified and transmitted to the State election officials 45 days prior to the election. There is a period of 10 days after the names are published when the challenge must be initiated. The hearing officer must determine the challenge within 15 days after it is filed. Thus the challenge will be determined by a hearing officer at the very latest 20 days before the election.

And lastly, Mr. Chairman, the Ford-McCulloch bill is totally irreconcilable with the voting rights bill passed already by the Senate. If our bill is entirely different from the Senate's, as is the McCulloch bill, the end could well be a stalemate in the conference committee. The possibility of this deadend should have no appeal to those who genuinely desire an effective bill.

I strongly urge the defeat of this motion.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, the fundamental right underlying our form of government is the right of the individual to take part, through the process of elections, in the selection of his or her government. Even the rights of free speech and assembly, under the first amendment, can lose their effectiveness if there is no way for an individual or group of individuals to translate the enjoyment of these rights into action in the voting booth.

It cannot be denied that disenfranchisement of American citizens because of race or color has occurred all too frequently in our history. I would suggest that this very denial of peaceful methods to protect individual rights and privileges under the Constitution have encouraged the use of other methods. These are often deplored by the very persons who through action or acquiescence to discriminatory voting devices have given rise to their use. Had all our citizens had an equal opportunity to make use of their voting rights, the involvement of the Federal Government in the affairs of the States and localities denying these rights could, in many instances, have been avoided.

While we can be confident of the need for voting rights legislation, however, this does not free us from our responsibility, as representatives of the people, to choose wisely as to the content of that legislation. Our choice should be the fairest, broadest, and most effective that can be obtained. It should be the fairest, because ours is a land where due process of law is second in stature only to the law itself. It would be sadly ironic if we should choose methods to correct one unfairness, that are not as fair themselves as they could be. And this legislation must be broad and effective because the existence of voter discrimination is wrong, however small its scope geographically.

The Republican-sponsored bill meets these criteria. It does so, in my opinion, despite the unfortunate impression left by the constant reference to an automatic triggering device in the committee bill, which, like a particular brand of aspirin, is supposed to work twice as fast as the Republican combination of ingredients to cure this national headache.

As I read the two bills, the difference between them does not rest with the difference between an automatic triggering device and some slower trigger. The difference lies in the applicability of either trigger. The Committee bill has an automatic qualifying device, by which certain States or subdivisions having a literacy test and less than 50 percent of its electorate registering or voting in the 1964 elections, could be placed under the jurisdiction of Federal registrars. The Republican bill has no such limitation in the employment of Federal registrars.

The key to understanding the real difference between these two bills, as I read them, is the fact that the committee criteria only qualifies a State or political subdivision for Federal registrars. In order to have these registrars appointed and sent into action, the Attorney General must certify to the Civil Service Commission that he has received complaints from 20 citizens that they have been denied the right to vote because of race or color and that he believes enough in the validity of the complaints to see the need for Federal voting registrars. The Republican bill, without the limiting qualification, would provide Federal registrars in any political subdivision when the Attorney General receives 25 complaints of voter discrimination, and an examiner determines that they are valid. Both bills require complaints; both bills require some finding that they are valid before Federal voting registrars are appointed. The Republican bill spells out the procedure for making the finding, the committee bill leaves it to the discretion, apparently, of the Attorney General. The major substantive difference is the broader, fairer, more effective coverage in the Republican bill.

Protecting the right to vote, in my opinion, also means that you must see that the vote is fully and fairly counted. The Republican clean elections amendment does just that, in contrast to the rather vague attempts to meet this problem in the committee bill. Similarly, the Republican bill would impound votes cast that have been challenged while a court action is pending, while the committee bill would allow them to be counted immediately.

Finally, it is my belief that the poll tax, which has been used in a discriminatory manner, should be eliminated. I am aware that the abolition of the poll tax as it applied to Federal elections was submitted as a constitutional amendment to the people for their approval. I think it should be pointed out, however, that the use of the constitutional amendment process is not confined solely to times when the Congress is positive it cannot accomplish the same end by legislation. It may be used at a time when there is some question, not only over congressional authority, but over the acceptance of this approach by the American people.

We have no ability to conduct a binding national referendum on a specific topic other than through the means of the constitutional amendment process. The desire of the people to outlaw the poll tax on Federal elections has been shown, and it is a logical step to outlaw it at State and local levels as well. For those who question its constitutionality as a legislative prohibition, I would suggest that the courts provide a sufficient avenue to test that question.

Mr. Chairman, I intend to work today for the most effective bill possible, and I intend to vote for final approval of voting rights legislation by this House.

Mr. McCULLOCH. Mr. Chairman, I yield to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, today the House of Representatives will make a fateful decision on legislation that affects the basic right of citizens to vote. The question is not whether we shall pass legislation, for it is all too clear that some citizens are being denied the right to vote; not because they lack the legal qualifications to do so, but, rather, because of the color of their skin and traditional phobias and doubts based on sociopolitical fears.

The question is rather, Shall we adopt good legislation that can stand the test of time and the test of law, or shall we adopt bad legislation which, in seeking to correct an injustice, violates the Constitution, and indeed draws the assumption of guilt.

I submit that the substitute bill, offered by the minority leader and the ranking Republican on the House Judiciary Committee, is the measure which this House should adopt, and it is the measure which I shall support.

The expectations of many of us for fair and sound implementation of this basic principle were frustrated by the initial administration bill, and our hopes and expectations remain unfilled as a result of the bill reported by the Judiciary Committee for the administration.

The Ford-McCulloch bill, on the other hand, is a bill of uniform, nationwide application; a bill that directs its remedy at 15th amendment discrimination, wherever found. It does not seek to impose punitive action on six States, and at the same time ignore voting violations which may be present in others.

It is a bill, comprehensive in scope, yet uncomplicated and flexible in operation. Its provisions are understandable to the citizen whose rights it assures, unmistakable to those whose conduct it proscribes, and, in the opinion of most able lawyers, clearly in accordance with the Constitution.

It is a bill which honors the rights of the States to fix and enforce nondiscriminatory voter qualifications. It enlists and encourages good faith compliance with its terms, and proper intent by those it affects. It is a bill which addresses itself to the present, and looks to the future. Without penalizing areas which have done no wrong, it applies firm, considered standards that will continue in their validity for future times, when massive discrimination has ended. It is a bill of constitutional integrity, in the finest tradition of sound, responsive and responsible legislation. It meets my earlier statement favoring such action if the President's basic message was "perfected."

The Ford-McCulloch bill has a single simple "trigger" whereby citizens in a voting district, who have been denied the right to register and vote on account of race or color may invoke the Federal remedy to remove the practices and patterns of discrimination by which their right to vote is denied. As amended in the Committee of the Whole House, it eliminated a poll tax.

The key to the Ford-McCulloch bill is that it insures the right of the States, a right guaranteed by the Constitution, by an amendment antedating the 15th, namely the 10th, to establish qualifications for voting. But it insures that no State shall apply those qualifications differently to citizens because of their race or color. It protects both the majority as well as the minority, and is not punitive.

The Celler bill on the other hand, eliminates voter qualification requirements altogether, in six specific States. It would permit ballots to be counted which might later—too late, that is, after candidate is sworn into office—be proven to be disqualified on legitimate grounds having no relation to a person's race. It precludes judicial review of a decision affecting our people by an appointive officer.

The Ford-McCulloch bill maintains court jurisdiction in the appellate division in which the infraction occurs, a basic tenet of American jurisprudence, with the right of appeal to the Supreme Court. The Celler bill would require every State to bring its case to the Federal court in the District of Columbia.

The Ford-McCulloch bill provides that when complaints are received, that literacy tests are being unfairly applied, Federal examiners will intervene to assure that such tests are fairly given. The Celler bill eliminates them altogether in certain States, but does not eliminate them in others; surely an obvious example of unequal treatment under the law.

It is no more fair to apply the same law differently in these United States than it is to establish different Federal tax codes for different States.

Let us not be so hasty in our effort to correct wrongdoing that we permit this House to be swayed by a label. Let us look behind that label at the bills which are proposed, and let us adopt legislation which puts our house in order without destroying the house itself.

Mr. McCULLOCH. Mr. Chairman, I yield 7 minutes to the gentleman from Minnesota [MACGREGOR].

Mr. MACGREGOR. Mr. Chairman, I am sure that all in this Chamber who believe deeply in equal rights for all Americans were stirred by the words of the majority whip. It is indeed encouraging when a man of his stature, a man who voted against the Civil Rights Act of 1964, now declares his support for broad voting rights legislation in 1965.

Mr. Chairman, I listened during the debate today to the opinions of the distinguished majority leader and of the learned chairman of the Committee of the Judiciary, in commenting specifically on section 4 of the McCulloch substitute.

It was suggested by the gentleman from New York [Mr. CELLER] that under section 4 of the McCulloch bill, Federal registrars would be obliged to be in a conspiracy against the registration of Negroes lacking a sixth-grade education.

The distinguished gentleman from Oklahoma said that Negroes who do not have a sixth-grade education under the McCulloch bill would be required to pass a complicated and discriminatory test.

The gentleman from Oklahoma went further in stating that the McCulloch bill would permit and indeed that it contemplates a continuation of these complicated tests. He must have been referring to "constitutional interpretation" requirements.

Then the gentleman from Oklahoma concluded by saying that in the McCulloch bill there is a built-in perpetuation of discrimination for those who do not have a sixth-grade education.

Mr. Chairman, I have the highest regard for the gentleman from Oklahoma and the gentleman from New York, but they are not correct in their opinions. If you will only look at the language of section 4 of the McCulloch bill, and if you are familiar with the decisions of the Supreme Court this year, you will readily agree with me that the distinguished gentlemen from Oklahoma and New York are mistaken.

Federal registrars under the McCulloch bill would be obliged to administer only simple literacy tests for Negroes who do not possess a sixth-grade education. They would administer—and this is the key point—applicable State law. "Applicable" obviously means State law not inconsistent with the law of the land.

What is the effect, then, in the case of Louisiana, with respect to interpretive tests? Federal registrars would not administer or require any such test in Louisiana. The law of the land has said those interpretive tests are discriminatory, and their use has been enjoined.

I refer you to the case decided March 8, 1965, in the Supreme Court of the United States, entitled Louisiana against the United States. In that case the Court cited the fact that Louisiana in 1921 adopted a constitution requiring that an applicant for registration be able to "give a reasonable interpretation" of any clause in the Louisiana constitution or in the Constitution of the United States. The Supreme Court has struck down that requirement, and the Federal registrars in Louisiana under the McCulloch bill would not be administering that test.

I can tell you what they would be administering. They would be administering only a simple literacy test, such as the ability to read and write; this was specifically approved by the Supreme Court in the Lassiter case in 1959 in North Carolina.

I have referred to Louisiana, but let me add the same will hold true in the States of Alabama and Mississippi. These are the three real offenders—Alabama, Louisiana, and Mississippi—which are of greatest concern to those of us who are greatly interested in ending the denial of 15th amendment rights in a manner consistent with law and our Federal system.

There are cases pending in Alabama and Mississippi, where there are more stringent interpretive tests than in Louisiana. Surely those tests will be stricken down by the Court, and thus would not be applied by the Federal registrars should the McCulloch substitute become law.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I am delighted to yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. I thank the gentleman for yielding. I respect the gentleman as one of the distinguished lawyers of the House.

The bill does state:

> If applicable State law requires a literacy test, those persons possessing less than a sixth-grade education shall be administered such test.

But it seems to me that the gentleman is overlooking the important point. The important point is that Negroes will be required to take literacy tests from the Federal officials, or otherwise, and white voters will not be required to do so.

Mr. MACGREGOR. All will be required, may I say to the gentleman from Oklahoma. All who claim discrimination.

Mr. ALBERT. But in the event that there is no discrimination, as against white applicants, no literacy tests will be required on the part of the white applicants. It seems to me that is the important point here.

Mr. MACGREGOR. Now the gentleman from Oklahoma has brought up what is at the very heart of our debate here. The issue is not, I submit to the gentleman from Oklahoma, what he or I would like to do. It is what we, being a part of a Government of laws and not of men, can do. The law of the land, as enuniciated by the Supreme Court in 1959, says that a simple literacy test is proper. I think it is important at this point that we look at the following language of the Lassiter opinion:

> It was said last century in Massachusetts that a literacy test was designed to insure an independent and intelligent exercise of the right of suffrage. North Carolina agrees. We do not sit in judgment on the wisdom of that policy. We cannot say, however, that it is not an allowable one measured by constitutional standards.

It is the undeniable right of all States to require that voters be able to read and write any section of the Constitution provided that such a test is administered in a racially nondiscriminatory fashion. That is precisely the "applicable State law" pertaining to literacy tests which would be uniformly administered by registrars under the Ford-McCulloch bill.

The argument of the majority leader suggests that illiterate whites have been registered in droves in the South, with local voting registrars ignoring literacy tests as to these whites. If this were the case, you would expect to find almost 100 percent of the whites registered in the so-called hard core States. But this is not the case. The official 1964 figures show white registration in Alabama at 66.2 percent of the white voting age population, in Georgia 57.2 percent, in Louisiana 76.6 percent, and in Mississippi 66.1 percent. Contrast these figures with the 77 percent actual voter turnout, not the higher registration figure, in my own State of Minnesota. We have never had a literacy test in my State, Mr. Chairman, nor any discrimination on the basis of race or color.

Mr. ROGERS of Colorado. Mr. Chairman, I recognize the gentleman from New York [Mr. Ryan] and yield to him such time as he may desire.

Mr. RYAN. Mr. Chairman, I rise in opposition to the substitute bill. This is no time to temporize.

Mr. Chairman, I rise in strong opposition to the Ford-McCulloch substitute. The Republican leadership bill fails to meet the problem head on. This is no time to temporize on voting discrimination. The substitute leaves open too many loopholes through which those States which already discriminate can maintain their patterns of discrimination. These loopholes are attractive to those who are fighting a last ditch effort against an effective voting rights bill.

In H.R. 6400, appointment of Federal examiners is automatic in "test or device" States which qualify under the 50-percent formula of section 4. In addition, examiners may be appointed in other parts of the country by the district court, under the conditions provided in section 3. On the other hand, the Republican substitute does not become operative until 25 written complaints from persons, who assert they have been denied the right to register or vote, are received by the Attorney General and an inquiry is completed. It is well known that economic and physical intimidation and reprisals prevent Negroes from registering. Prospective registrants should not be required to go to the local courthouse first. The automatic trigger of H.R. 6400 will encourage registration through the examiner procedure.

In H.R. 6400 literacy tests are abolished in those States and districts covered by the bill's 50-percent formula, whereas the substitute retains the literacy test unless the applicant has completed at least a sixth-grade education. In Mississippi, where the median number of school years completed by Negroes is exactly 6.0, half the State's Negroes would be subjected to a literacy test. And we know the ingenuity with which literacy tests can be devised for Negroes. We can expect that whites, regardless of literacy, will not find the tests more difficult than in the past. The possibility of continuing the double standard in literacy tests is all too obvious. Furthermore, we cannot forget that, as long as economic discrimination against Negroes remains prevalent in our land, especially in the affected States, large numbers of Negroes will be unable to remain in school long enough to obtain a sixth-grade education.

As far as other registration barriers are concerned, the substitute specifically abolishes only the requirements of good moral character and vouchers. No provision is made for protection from new tests, which can be equally ingenious in preventing Negroes from registering. Extensive property requirements may be instituted. Minor offenses such as parading without a permit or disturbing the peace—which are often used to thwart civil rights demonstrations—can be made into felonies. H.R. 6400, on the other hand, provides safeguards by requiring any new tests established after November 1, 1964, in affected areas, to be approved by the District Court of the District of Columbia or to be accepted without objection by the Attorney General. That it is the District Court for the District of Columbia, and not just any court, is significant, for in this way segregationist judges like Judge Harold Cox may be avoided.

H.R. 6400 abolishes the poll tax as a requirement for registering or voting in any election, whereas the Republican substitute continues the poll tax unless the Attorney General institutes a suit. The poll tax has been outlawed in Federal elections. It must be outlawed in State and local elections. The poll tax is clearly regressive, operating most harshly among the poorest members of a community. In Mississippi the median income for Negroes over the age of 14 is less than 40 percent of the median income for whites of a similar age. The poll tax is often equivalent to a day or two's pay. Furthermore, the requirement of two or more consecutive years' payment of the tax before an individual may become eligible to vote, which is currently in effect in Alabama, Mississippi, and Virginia, enables a State to continue discrimination for several more years and to have a formidable time barrier against Negro voting. Mr. Chairman, why must there be a price tag on constitutional rights? We must abolish it—completely.

The substitute terminates Federal registration whenever less than 25 individuals have been registered by the Federal examiner within a 12-month period. This says in effect, "If you bring discrimination down to a safe level, there will be no Federal action." Why should we have such a limit? Furthermore, threats of physical or economic coercion may well be the reason for less than 25 applicants. This provision would reward those districts in which deterrents against potential Negro voters have been most effective.

The substitute requires Federal examiners to be residents of the State in which they are assigned. In areas where discrimination is highest there may not be enough nonbiased qualified residents. Certainly policemen should not be recruited from among those who need to be policed.

H.R. 6400 does not require examiners to comply with State restrictions on the place of registration or the State-required time lapse between the time of registration and the time of voting. The Republican substitute, however, exacts continued compliance with such State requirements. It is quite conceivable that a State could legislate a lengthy time lapse between registration and voting, a time lapse that would only delay the long overdue fulfillment of constitutional rights. Mississippi already requires a 4-month lapse; it could be easily extended. Another method might be for a State to demand registration by Federal examiners at a specified place, such as the county courthouse. Because of the quite justified fear of attending county courthouses, this could greatly reduce the number of Negroes attempting to register, frustrating the objectives of a Voting Rights Act.

Mr. Chairman, the procedures following a violation of voting rights also vary. The Republican substitute is clearly inferior. H.R. 6400 permits the complaint to go directly to the Attorney General; the Ford-McCulloch bill requires complaints to go to the local district attorney. We all know that local public officials are often the foremost perpetrators of voting discrimination. Finally, H.R. 6400 permits the withholding of election certificates until the violations have been corrected. True to form, the Ford-McCulloch substitute does not even mention withholding election certificates.

Mr. Chairman, another failure of the substitute is the lack of provision for election observers. This omission negates much of the benefit of Federal examiners. If citizens, who are at least registered, are prevented from actually casting their ballots, it would be ironic. Section 8 of H.R. 6400 provides for necessary observers.

Again the substitute does not provide for preventive action by the Attorney General. H.R. 6400 specifically provides in section 12, that the Attorney General may institute "an action for preventive relief" whenever there are "reasonable grounds" to believe that such action is necessary. If the Attorney General had had such authority in the past, many fraudulent practices might have been forestalled.

Mr. Chairman, I have elaborated how the Ford-McCulloch substitute falls far short of fulfilling the needs of the problem at hand. It would allow States to circumvent the law. It would not be as effective as H.R. 6400 in dealing with all the flagrant violations of the 14th and 15th amendments which presently exist.

We need meaningful legislation. We must get to the very roots of the problem, and not merely cover it up. Let us end the long and tragic tales of injustice. Let us recognize the Republican substitute for what it is: a child's attempt at a man's job.

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time to the gentleman from Ohio [Mr. Feighan] as he may desire.

Mr. FEIGHAN. Mr. Chairman, every citizen, regardless of his economic status, his color or his race, should be permitted to exercise the right of franchise. The Congress of the United States should express itself clearly on this vital issue. I applaud the high motives of my very able and distinguished colleagues, my good friends, Mr. Ford and Mr. McCulloch, for their arduous efforts to bring forth what they believe to be the best vehicle to attain the necessary goal of the uninhibited right of franchise of all American citizens. It is difficult to write perfect legislation. However, in my opinion, the committee bill best adapts itself to achieve the right of franchise and to adhere to the constitutional rights of every citizen.

I support the committee bill and shall vote for it. I hope to have the opportunity to vote for it on final passage.

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. Edmondson].

Mr. EDMONDSON. Mr. Chairman, I support the Voting Rights Act of 1965 and urge its approval by this body.

In the times of challenge which confront democratic governments and constitutions around the world, it is imperative that this great citadel of freedom in America put an end for all time to the unfair and unlawful barriers that deny the right to vote to some Americans.

H.R. 6400, incorporating the major provisions of President Johnson's recommendations for legislation to insure that right to vote to all Americans is a bill which should be adopted by an overwhelming vote in the Congress. I hope and trust it will.

Mr. ROGERS of Colorado. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Chairman, I rise in support of the committee bill and in opposition to the McCulloch-Ford amendment. It is time that Congress vindicated the right of every American to vote, as guaranteed him by the 15th amendment. We must do this without any ifs, ands, or buts.

Just 100 years ago, President Abraham Lincoln sent Carl Schurz, of Wisconsin, and later of Missouri, to the South to make a study of the problem of the Negro. In his report, made after Lincoln's assassination, Carl Schurz wrote that the right to vote was the heart of the matter:

> Practical liberty is a good school. It is idle to say that it will be time to speak of Negro suffrage when the whole colored race will be educated, for the ballot is necessary to secure his education.

It is now 100 years since Carl Schurz said it. Today, in July 1965, the Congress of the United States is going to do it.

Mr. ROGERS of Colorado, Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. George W. Andrews].

Mr. GEORGE W. ANDREWS. Mr. Chairman, the 15th amendment to the Constitution of the United States, upon which the current Federal proposal to alter voting rights is based, provides that:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Neither in this amendment nor elsewhere in the Constitution is there any limitation upon the right of the States to determine the qualifications of voters, so long as they do not discriminate on account of "race, color, or previous condition of servitude"—15th amendment—nor on account of "sex"—19th amendment—nor on account of failure to pay any poll tax or other tax in the case of Federal elections—24th amendment.

On the contrary, the Constitution expressly provides that the qualifications of voters shall be determined by the States, subject, of course, to the provisons of the 15th, 19th, and 24th amendments above.

Furthermore under the 10th amendment:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

As a result the States have various requirements for voting, such as length of residence within the State, age limitations, ability to read and write, and so forth. Twenty States, I understand, have some sort of literacy test.

Under the current proposal, all of these requirements in certain States may be swept aside by the Federal Government and Federal voting examiners appointed by it to register people in Federal, State and local elections, with no literacy or other test permitted.

This, I submit, is a clear violation of the Constitution which the Members of Congress have taken an oath to support.

In the case of *Lassiter* v. *Northampton County Board of Elections*, decided June 8, 1959, 360 U.S. 45, the Supreme Court of the United States quoting from the opinion of the Court in the earlier case of *Guinn* v. *United States*, 238 U.S. 347, at 366, decided in 1915, said—page 50:

> No time need be spent on the question of the validity of the literacy test, considered alone, since, as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted.

If the Federal Government has the power to abolish all voting requirements, why was it necessary to adopt the 15th amendment, or the 19th amendment, or the 24th amendment abolishing the requirement that a poll tax or any other tax be paid in the case of Federal elections? The amending process is a slow one, requiring a two-thirds vote of both Houses of Congress and ratification by the legislatures of three-fourths of the States.

If the current proposal is passed it must mean that the Congress no longer intends to be bound by the Constitution, the foundation on which this Republic is built—an instrument declared by Gladstone to be "the most wonderful work ever struck off at a given time by the brain and purpose of man."

Back in the 1930's, Sinclair Lewis, the novelist, wrote a book entitled "It Can't Happen Here." Well, it is happening here in America. In conditions of emotional frenzy and contempt for the law of the land comparable with Nazi Germany, the administration has all but pointed a gun at Congress in calling for a voter registration law that is completely unconstitutional.

Article I, section 2, of the U.S. Constitution clearly gives to the States the right to determine the qualifications of voters. This has been the American way since the Constitution was ratified by the States. But if the administration's registration bill is enacted into law, the Constitution will have been breached. The American system will have undergone a totalitarian change. Six States will have been deprived of one of the foundations of republican government and will be in a reconstruction era identical with the military occupation of 1865.

The administration's voter bill is an appalling piece of legislation. Contrary to all American traditions of justice, six States will be presumed guilty. If in 1964 not more than 50 percent of the persons of voting age noted in the 1960 census actually voted, then the Federal Government automatically assumes that people were discriminated against and deprived of the vote. This is a cruel, wicked, and un-American assumption. There are places where voting has been discouraged. But there also are vast areas—entire States—where voter registration proceeds with absolute fairness and equal application of the laws. These areas and States are to be slapped down by the Federal power, and the Federal registrars are to usurp States rights.

The administration's voter law is grossly discriminatory in another way. It is legislation aimed at a particular section of the country. Nothing in the bill is aimed at dealing with corrupt voting practices elsewhere in the Nation. Yet Americans know full well that big city machines in the metropolitan centers of the North are a synonym for voter corruption and manipulation. Yet the administration feeds on these machines and does nothing about them.

What the administration has proposed is not democracy; it is mobocracy. By endeavoring to shatter all qualifications for voting, they use a crowbar to break down standards erected for the purpose of promoting good government in this land. The administration would turn over the government of towns and cities, counties and States, to that element in our population which is least qualified to understand the public business and most poorly qualified to make decisions regarding the community's well being.

The suspicion is naturally aroused that, in bowing to the street and highway agitators, the administration hopes that powerful new political engines will be created in the South so as to turn the Southern States into captive communities for its reelection.

The founders of the Republic feared the rise of dictatorship, and therefore they created the judicial branch of the U.S. Government. But the night that the President spoke to Congress, the members of the Supreme Court were present in the Legislative Chamber, clapped loudly, and showed their approval of his revolutionary demands. And the American people can only hope that any legislation produced in a time of frenzy and emotionalism will be subjected to judicial second thoughts. If the Justices of the Supreme Court close their eyes to the law, then there can be no hope for redress until such time as the court of last resort—the American people—takes action.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. Rogers].

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

The Clerk read as follows:

> Amendment offered by Mr. Rogers of Texas: Page 1, line 5 strike out all of section

2, section 3, section 4, section 5, section 6, section 7, section 8, section 9, section 10, section 11, section 12, section 13; and on page 14, line 21, immediately after the word "law" and before the semicolon, add the following: ", and which person has subscribed to the following oath:

"I,————, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies foreign and domestic, that I will bear true faith and allegiance to the same; that I am not a member of or affiliated with any group or organization advocating the violent overthrow of the Government of this country by force and arms; that I take this obligation freely without any mental reservation or purpose of evasion. So help me God."

And on page 15, line 19, strike out all of subsection (d) and (e) and insert in lieu thereof the following:

"(d) Any person violating any of the provisions of subsection (a), (b), or (c), and any person subscribing to the oath set forth in subsection (a), falsely or with intent to deceive, shall be fined not more than $10,000 or imprisoned not more than five years, or both. Subscription to the said oath set forth in subsection (a), either by swearing or by affirmance by any person holding membership in the Communist Party, or in any organization affiliated with the Communist Party, shall be prima facie evidence of falsification and intent to deceive on the part of the person taking said oath."

And on page 16, line 4, strike out all of section 15.

Mr. ROGERS of Texas. Mr. Chairman, I regret the short time that we have to explain this amendment, but I think if you will get the McCulloch bill and this amendment and study them together, you will find that section 14 of the McCulloch bill is the section that has direct effect on the voting rights of the people of this country. This amendment, if adopted, would preserve in all particulars the voting rights of every citizen of the United States regardless of race, color, or creed, or previous condition of servitude, or anything else except that it would require him to take an oath that he was a citizen of the United States and believed in the Constitution of this country. That is the identical oath that you take when you are sworn in as a Member of the Congress of the United States, except that I have added the provision that the voter swear that he is not a member of any organization advocating the violent overthrow of the Government under which he is asking to be allowed to vote. It provides a penalty for violation of this section; anyone infringing upon the absolute right to vote is subject to criminal penalties.

It also provides a criminal penalty for any man to falsify in taking that oath, or for signing the oath with intent to deceive. In order to make it possible to get to the root of the evil that is challenging this Government every day, I have put in a provision that if a member of the Communist party or affiliated organization takes the oath, it will be prima facie proof of his guilt. This is a most potent weapon against communism and especially against participation of Communists in elections in this country.

I ask respectfully all Members of this Congress vote aye on this amendment. Who, may I ask, could, in good conscience, oppose such an amendment?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ROGERS].

The question was taken; and on a division (demanded by Mr. ROGERS of Texas) there were—ayes 65, noes 183.

So the amendment was rejected.

PREFERENTIAL MOTION OFFERED BY MR. WATSON

Mr. WATSON. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Preferential motion offered by Mr. WATSON: "Mr. WATSON, of South Carolina, moves that the Committee now rise and report the bill back to the House with the recommendation that the enacting clause be striken out."

Mr. WATSON. Mr. Chairman, I think it is quite elementary that all of us should face up to the fact that the passage of either the substitute or the Celler bill is not going to satisfy the professional civil rights troublemakers. It sort of reminds me of a story that was told of the little boy who was complaining and pouting at breakfast one morning. His mother said, "What can I do for you, son?" He said, "I want two eggs; I want one scrambled and I want one fried over light." His mother complied with his request and brought in the two eggs. The boy screamed again. The mother again asked, "What is wrong, son?" And he said, "Mother, you scrambled the wrong egg."

That is about the way it is going to be in this particular area. You do this today and you are going to be faced with similar legislation next year, and the year after and on and on.

I am not standing up here speaking in behalf of either the substitute or of the Celler bill. There is no need for either, and neither will satisfy the civil rights agitators. But I would remind the House of what one of the proponents of this measure, the honorable gentleman from New Jersey [Mr. CAHILL] said in one of the reports and said further on the floor of the House; and he is an advocate of this measure. He said:

> We are, however, in my judgment, establishing a dangerous precedent and may find ourselves in the future regretting what is being done as an expedient.

This gentleman went on further to say:

> To change the venue to a more favorable forum while desirable and perhaps even necessary in a given case, establishes a precedent which may yet come back to haunt us.

Mr. CAHILL. Mr. Chairman, will the gentleman yield at that point?

Mr. WATSON. Not at this moment.

Mr. CAHILL. The gentleman has mentioned my name. Will he yield so that I may clarify what he has just said about me?

Mr. WATSON. I shall yield, but in a moment.

The real reason I got this time was to take exception to a last-minute desperate effort made by one of the champions of the civil rights movement to influence this House on this legislation, who would like to subvert and abort our wishes. I got a telegram, and I dare say many of you did, from one Martin Luther King, Jr., saying, "I urge you to defeat the McCulloch amendment." He did not ask us to consider it, but in essence demanded its defeat. His final statement was, "defeat the McCulloch amendment."

This is the man who was referred to by J. Edgar Hoover as a notorious liar.

He is the man who now, while our boys are fighting and dying in Vietnam, is critical of the United States of America for our policy over there.

This is the man who said "Let us defeat the Ford-McCulloch amendment," the substitute.

I am not worried about voter discrimination in my State of South Carolina. Even NAACP leader Roy Wilkins said, back in 1963, at an NAACP meeting in South Carolina:

> The only thing that is necessary for Negroes to vote in South Carolina is to present himself and be qualified.

How can you reconcile in your minds that you are not going to have any literacy tests whatsoever in some States to vote, while at the same time you ask the men to pass a literacy test in order to go out and fight and die for their country? Passage of this legislation will mean that you do not have to be intelligent to vote for your representative, to possess any degree of literacy to vote for those who then send our men out to die on foreign battlefields. Yet you have to have a literacy test in order to fight for your country.

This issue is very simple here. I am appealing to every one of you, regardless of the section of the country you come from. This is a moment of decision as to whether or not you are going to have the courage, yes, the guts, of our forefathers of 189 years ago, when they dared to say "I am independent of the King." This is your opportunity, wherever you come from, to say that you are independent of "the King" in the United States.

Mr. CAHILL. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I am very happy in a way that the gentleman from South Carolina spoke, because by his speech he pointed out I think more dramatically than anything I could say or anything anyone else could say the courage that was demonstrated by another gentleman from the South today, the gentleman from Louisiana [Mr. BOGGS].

I disagreed with the gentleman from South Carolina in the field of civil rights when he was on that side of the aisle, and I disagree with him on this side of the aisle.

The gentleman referred to my speech on the floor. He referred to what I said in the committee report. What he said was correct, but regretfully he did not say it all, and his quotes were taken out of the whole context. I said on the floor that I did have reservations about both of these bills, and I said on the floor I had participated in and did write a minority report. But I also said I was for the bill, and I also told you the reasons why I was for the bill. I also pointed out to this committee that the time had come for some leader of the South to recognize and acknowledge at long last the existence of voter discrimination in that area of our country.

I pointed out to all the members of the committee a recent report of the Civil Rights Commission, which I hope the gentleman from South Carolina will read. That report tells the story of what has happened in Mississippi. I point to my friend Mr. BOGGS, a native son of Mississippi—and I hope he read it—because anybody who read the report of the Civil Rights Commission dated in May 1965, and who can say with honesty that there is not a requirement for the Congress of the United States to enact the mandate of the 15th amendment, it seems to me is not speaking the truth.

Now let me say this, I have been waiting since I have been in this Congress for some leader of the South—some Governor, some Senator, some Congressman, some mayor—to come out and admit the facts as they exist. And today I heard it. This is what the South needs. They need to be told the truth. They know the truth but they want a leader—they want somebody with the guts to come out and say, "Yes, we have been wrong. But who has not been wrong? All of us have made the same mistake. Every State in the Union has made it. It has just taken some of our States longer—maybe because they suffered more." But I think the day has come when the voices of other leaders of Louisiana—and I trust the voices of leaders in Mississippi and leaders in Alabama will speak with equal courage—will speak with equal force and will speak with equal honesty. When that day comes then you can be sure that the majority of all the people of all the Southern States will follow that leadership. Then the time will have come when no American citizen is disfranchised and then we in the Congress will at last complete our work in the field of civil rights.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from South Carolina.

The motion was rejected.

Mr. CELLER. Mr. Chairman, may I ask how much time remains on this side?

The CHAIRMAN. The gentleman from New York has 4 minutes remaining and the gentleman from Ohio 1 minute.

Mr. CELLER. Mr. Chairman, will the gentleman from Ohio yield the 1 minute he has remaining so that we can close debate on this side?

Mr. McCULLOCH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. McCULLOCH. Mr. Chairman, since the debate at this time is on the substitute amendment, pursuant to the rule, would not the privilege of closing debate come to this side of the aisle?

The CHAIRMAN. The closing of debate, the Chair will inform the gentleman from Ohio, would be in the hands of the manager of the bill.

Mr. McCULLOCH. Mr. Chairman, I cannot yield.

Mr. Chairman, I hope the final decision will be made upon the merits, of what is in the respective bills and as it was presented to the committee on Tuesday, Wednesday, Thursday, and Friday. I urge you all to vote for the substitute.

Mr. CELLER. Mr. Chairman, I yield the balance of the time remaining on this side to another distinguished member of the New Jersey delegation [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, in opening my remarks I would like to say to the Chairman and Members of the Committee, I command my friend and distinguished colleague from New Jersey [Mr. CAHILL] for a very stirring speech. Especially am I appreciative of the fact that he knows the difference between a scrambled egg and a fried egg.

Mr. Chairman, I oppose the Ford-McCulloch substitute amendment because it does not reach down into the heart of problems we are trying to eliminate.

It is no fiction that "tests and devices," a key phrase in voting and registration legislation, are being used to restrict the franchise.

A serious defect of the Republican leadership substitute is in its requirement that Federal examiners administer tests to applicants with less than six grades of education.

This requirement would serve to continue into the present and the future a double standard of testing—the very evil we are attempting to eliminate. Negroes would be tested by the examiners on the basis of the standard set forth in the substitute amendment—completion of six grades or passing of the State literacy test. At the same time, whites would be applying for registration to the State or local registrar, who would presumably do what he has always done—register whites on the basis of their white skin rather than on the basis of any educational achievement or passage of any test.

The Ford-McCulloch amendment thus invites the registration of relatively poorly educated whites while preventing the registration of Negroes with similar education or literacy. Indeed, under that amendment the States are free to increase even further the degree of difficulty of their literacy test requirements so as to make it impossible for anyone to pass these tests. Any Negro with less than a sixth grade education who applied to a Federal examiner would thus be promptly rejected for his failure to pass the State literacy test while illiterate whites would miraculously pass the same test when it is administered by the local registrar.

On the other hand, those State registrars who took their duties seriously and applied the letter of the State law would test all who came to them on the basis of the complicated provisions of State law, while Federal examiners, at the same time and in the same place, would register those with a sixth-grade education without subjecting them to any interpretation, understanding, or literacy examination. The resulting confusion could be avoided only if all persons—white and Negro—abandoned the State machinery and made exclusive use instead of the Federal examiner system. This is a result hardly to be desired either by those who profess an abiding concern for the strengthening of States rights or by those who wish to promote State responsibility for the fair and equitable administration of their election and registration laws.

In short, the Ford-McCulloch amendment would operate unfairly both in places where State registrars continue to use color as the test for registering and in places where they objectively apply the law. In the former case, Negroes will inevitably be subjected by Federal examiners to standards which are far stricter than those applied to whites by State registrars. In the latter case, the result will at best be confusion and at worst the permanent, total debilitation of the State and local registration machinery.

H.R. 6400 avoids all of these pitfalls by suspending literacy tests in the areas of discrimination and prohibiting their use by either Federal or State officials. I need not repeat here the case which has been made so often and so well in support of the rationality and constitutionality of this approach. The statistical, factual, and legal materials before the Congress fully demonstrate the reasonableness of the suspension formula.

But beyond that—and this, too, is amply documented in the record of hearings of the Committee on the Judiciary—it is clear that in many places the complex literacy and constitutional interpretation and understanding tests have had no purpose other than to provide a tool for discrimination against Negroes. Given that background, it is hardly surprising to find that many of these tests are not susceptible of fair administration by anyone, including a Federal examiner.

For example, some States use the application form itself as a literacy test. They require the applicant to fill out a long, complex, and confusing form without assistance and without errors or omissions. In Alabama, applicants cannot vote unless they know such matters as to which public official one must apply for a gun permit.

Such tests and knowledge requirements are utterly unreasonable. They are simply a part of the obstacle course erected in those areas to prevent Negroes from reaching their goal of full citizenship. I say such tests could not be applied fairly by an examiner. I say they should not have to be applied by a Federal official appointed to rectify voting discrimination. Yet, under the Ford-McCulloch substitute, the Federal examiners would have to do just that.

Let us not enact unsound practices. Instead let us reject the substitute—which has had no hearings and no support from the leadership conference on civil rights—and get on with passage of H.R. 6400, a sound attack on the problem.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield briefly to the gentleman from Minnesota.

Mr. MacGREGOR. Does the gentleman not recognize that the Supreme Court decision in the Louisiana case, throwing out the interpretive tests, is in fact the law of the land, and makes that law in Louisiana inapplicable?

Mr. THOMPSON of New Jersey. That particular law, and not others. The gentleman from New Jersey recognizes more than anything else the resourcefulness of those who would contrive tests even under existing decisions in order to disenfranchise the Negro.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. I might point out that in the decision referred to so often, the Supreme Court in the North Carolina case said:

> Of course a literacy test, fair on its face, may be employed to perpetuate that discrimination which the 15th amendment was designed to uproot.

Mr. THOMPSON of New Jersey. I thank the gentleman from Colorado.

Mr. Chairman, I conclude by saying that these tests under this double standard are completely and absolutely unreasonable.

I do not question at all the motives of the gentleman on the other side, whom I respect and admire. I question in this case, however, their judgment.

I ask for a complete and enthusiastic rejection of the substitute.

Mr. YATES. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Chairman, I rise in support of this bill. The Voting Rights Act of 1965 has received the careful attention of the House as befits a measure that will make legislative history. I have been impressed with the quality of the debate on this bill and with the determination the House has shown in deliberating in detail all the legal aspects and ramifications of the bill. This legislation has been drawn from many sources. It was inspired by a devotion to the highest ideals of our democracy and it has been forged on the anvil of a long and painful experience of our history. That we should heed that history was made obvious earlier this year. And the national concern over the denial of constitutional rights to many of our citizens has been reflected in this House by the introduction of no less than 122 bills on voting rights this year. I am glad to support the legislation that is now before us.

It is tragic that the right to vote must still be subject to abuse in this Nation. It is tragic that this right has been subject to debate and equivocation for so long a time in our history—that it should require 103 years after the Emancipation Proclamation and 95 years after the ratification of the 15th amendment to insure the rights which were promised and written into our Constitution. Today the national conscience summons us to remove this stain on our history.

The Voting Rights Act of 1965 is a product of that conscience, which at long last has instructed us that our laws have been inadequate to our national ideals. The bill would redress that inadequacy. It was not born easily, as we are well aware. It came to us out of the agony of men and women who attempted to exercise their birthright by registering to vote and who were crudely and even brutally rejected in their attempts. Can we endure another year, another decade, another century, of prostituting the law of the land? Can we continue to ignore the right of citizens to cast a ballot regardless of their race? The answer is a clear and resounding no. Our answer is the Voting Rights Act of 1965.

We are now 4 months removed from the agony of Selma and from those first moving hours of decision to make the right to vote available to all Americans as promptly as possible. We have had time to reflect, to study, to write and rewrite, to debate and amend, and we are finally at the hour of action. It has been an arduous but productive journey.

It is clear, Mr. Chairman, that this bill will not eliminate discrimination in our Nation. But it will do a great deal toward erasing discrimination at the ballot box, and in this it will provide Negro citizens with the most effective tool of their social revolution. The ballot is the most fundamental and the most formidable weapon in the arsenal of democracy.

That weapon has not been available to large numbers of Negro voters in the Southern States. Because of their inability to participate in the basic processes of democracy, they have been confined to second-class citizenship. As a result of their failure to secure this participation—which is guaranteed by the Constitution and taken for granted by nearly everyone in this society—they have been forced to seek other avenues of petition for their grievances. Negroes, like all other Americans, seek the blessings of democracy. They are subject to the laws of the land, yet they have in too many instances lacked the opportunity to participate in the election of those who make and administer these laws. They want no more, no less, than is their just birthright under the Constitution: the right to engage in the election of candidates for public office.

This right was set forth in the 15th amendment, which sought to eliminate distinctions on the grounds of race or color in the right to vote. Yet since the amendment was ratified in 1870, it has been circumvented by various means, some simple and some sophisticated. The literacy test and the poll tax are notorious examples of such discrimination. To a degree, the Civil Rights Acts of 1957, 1960, and 1964 sought to counter these devious abuses. But neither Congress, the Executive, nor the courts have been able to accomplish enforcement of the 15th amendment without defined administrative procedures to insure rapid and widespread registration of persons who have been denied the right to vote on account of their race. President Johnson testified to this dilemma in his memorable address on voting rights when he said:

> Experience has clearly shown that the existing process of law cannot overcome systematic and ingenious discrimination.

In the Voting Rights Act of 1965, the Congress is not only reaffirming the 15th amendment but is providing effective machinery to enforce it. It makes a forthright frontal assault on literacy tests and other devices where they are used to deny the right to vote on account of race or color. The bill authorizes appointment of Federal examiners in these areas to register persons who are qualified under State law to vote in all elections. It empowers the Federal courts to appoint Federal examiners in actions instituted by the Attorney General to enforce the provisions of the 15th amendment. It provides criminal penalties for intimidating, threatening, or coercing any person for voting or attempting to vote or for urging or aiding any person to vote or to attempt to vote.

In this legislation, the machinery of the courts, and of the Federal Government, through the Department of Justice and the Civil Service Commission, are assigned definitive roles in enforcing compliance with the act.

I am hopeful that the administrative courses outlined in this bill will secure the intended effect of enforcing the right to vote. I have appreciated the careful reexamination of how the 15th amendment might best be enforced, and I believe the results are apparent in this bill.

However, I would remind the Members of the House that in the event the Voting Rights Act of 1965 is thwarted by "systematic and ingenious discrimination," another source is readily available for legislative action. I refer to the second section of the 14th amendment to the Constitution. This amendment would reduce the representation of a State in Congress in proportion to the number of voters who are denied a ballot. I have introduced a bill to implement this section—H.R. 6264—and I believe it could be an effective supplement to the Voting Rights Act of 1965.

I suggest that even if the present bill successfully removes all formal barriers to the right to vote, we cannot expect a dramatic increase in Negro registration in some parts of the South. Many Negroes have become apathetic about voting after a century of intimidation. The enforcement of section II, with its threat of reduced representation in Congress, could inspire State and local officials to conduct positive registration campaigns to register Negro voters. At the very least, it would persuade these officials from harassing prospective voters.

I believe that it would be wise for the Congress to consider this avenue as a supplementary means of insuring the right to vote.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Ohio, as amended.

Mr. McCULLOCH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. McCulloch and Mr. Celler.

The Committee divided, and the tellers reported that there were—ayes 166, noes 215.

So the amendment was rejected.

The Clerk read as follows:

On page 11, line 19: That this Act shall be known as the "Voting Rights Act of 1965".

"Sec. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color."

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Rogers of Texas: Beginning on page 11, line 21, strike out all of section 2 and insert the following in lieu thereof:

"Sec. 2. (a) Any citizen of the United States presenting himself to vote in a State or political subdivision in which he is qualified by residence to vote and who subscribes to the following oath:

" 'I, ________, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies foreign and domestic, that I will bear true faith and allegiance to the same; that I am not a member of or affiliated with any group or organization advocating the violent overthrow of the Government of this country by force and arms; that I take this obligation freely without any mental reservation or purpose of evasion. So help me God.'

shall be permitted to vote and no voting qualification or prerequisite to voting or standard practice or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

"(b) Whoever violates or conspires to violate the provisions of subsection (a) of this section, or who falsely or with intent to deceive, subscribes to the oath prescribed in subsection (a), shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"(c) Subscription to the oath set forth in subsection (a), either by swearing or by affirmance, by any person holding membership in the Communist Party, or in any organization affiliated with the Communist Party, shall be prima facie evidence of falsification and intent to deceive on the part of the person taking said oath."

Mr. ROGERS of Texas. Mr. Chairman, this is a very similar amendment to the amendment that I offered previously to the McCulloch substitute. However, this amendment as offered does not change H.R. 6400 in any respect except to add to the provisions of the bill that every person who votes in this country must take the oath, the same oath that you take as a Member of Congress with the further statement in it that the voter does not belong to an organization advocating the violent overthrow of this Government.

It adds one other thing besides that. It adds the provision if a person is a member of the Communist Party or any organization affiliated with the Communist Party, that such membership is prima facie evidence of his intent to deceive and his intent to falsify.

As I said in the discussion a few moments ago in regard to the McCulloch substitute, I do not see how anyone can oppose this amendment conscientiously because the amendment that I have offered contains the very wording that was contained in section 2 of the bill as introduced by the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. Celler].

If you will read the amendment you will see that it simply changes section 2 by adding the two items I referred to heretofore.

There is no effective way in this country today to deal with communism at the polls in this country. I have heard a number of Members, many who stood up against the amendment when it was offered to the McCulloch substitute, people who have stated unequivocally on the floor of the House that they were opposed to communism in Vietnam, they were opposed to the Vietcong, they were opposed to communism in Korea and in the Philippines, in the Near East and in Africa and every other place. Members who voted for spending billions of dollars to curb communism all over the world. I ask you, are you against communism everywhere in the world except at the polling places in this country?

You can answer that question by voting "yea" on this amendment, and putting into the law of this land a weapon that will be effective in dealing with the most sinister menace this Government has ever been confronted with.

Mr. POOL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Texas.

Mr. POOL. Would the gentleman tell the House again the oath that he is asking them to take?

Mr. ROGERS of Texas. I am asking that they take the same identical oath, the people who want to vote in elections who elect you and the President of the United States, the same oath you are required to take when you come to be sworn in as a Member of the Congress of the United States, with one additional proviso: That is, that the person seeking to vote is not a member of any organization advocating the violent overthrow of this Nation or Government, I think this same proviso should be added to the oath we take.

Mr. POOL. I want to say the gentleman is certainly right, and there is nothing wrong with this kind of provision, in my opinion. I support the amendment 100 percent.

Mr. ROGERS of Texas. I thank the gentleman.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from New Jersey.

Mr. JOELSON. Would the gentleman's amendment include members of the Ku Klux Klan?

Mr. ROGERS of Texas. If the Klan advocates the violent overthrow of the Government, a Klansman taking the oath would be in violation the same as a member of the Communist Party.

Mr. JOELSON. I hope none of them ever took the oath of office here.

Mr. ROGERS of Texas. The gentleman is more familiar with the Ku Klux Klan than I am. I have no information on the matter.

Mr. JOELSON. I would like to know, if a man is a member of the Ku Klux Klan, and so states, whether he would be forbidden the right to vote?

Mr. ROGERS of Texas. If his organization was advocating the violent overthrow of this Nation, and he took the oath, he would be prima facie guilty of a crime, and he could be subjected to the criminal penalties provided. The same rule would apply to a Communist.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from New York.

Mr. FINO. Does the gentleman's proposal have in mind elimination of any literacy requirement?

Mr. ROGERS of Texas. The amendment has nothing to do with literacy requirements, as spelled out in the McCulloch bill. It does not require a literacy test. It requires only a patriotism test.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. CELLER. Mr. Chairman, I am constrained to object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Rogers].

The question was taken; and on a division (demanded by Mr. Rogers) there were—ayes 89, noes 152.

Mr. ROGERS of Texas. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. Rogers of Texas and Mr. Rogers of Colorado.

The Committee again divided, and the tellers reported that there were—ayes 88, noes 148.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 3 (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: *Provided*, That the court need not authorize the appointment of examiners if it finds by a preponderance of evidence that any incidents of denial or abridgment of the right to vote on account of race or color (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of such test or device in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

(c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that the Attorney General's failure to object shall not bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the five years preceding the filing of the action for the purpose and with the effect of denying or abridging the right to vote on account of race or color: *Provided*, That no such declaratory judgment shall issue with respect to any plaintiff for a period of five years after the entry of a final judgment of any court of the United States, other than the denial of a declaratory judgment under this section, whether entered prior to or after the enactment of this Act, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of such plaintiff.

An action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote an account of race or color, he shall consent to the entry of such judgment.

(b) The provisions of subsection (a) shall apply in any State or in any political subdivision of a State which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964.

A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

(c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

SEC. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, it may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that the Attorney General's failure to object shall not bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Any action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

SEC. 6. Whenever (a) a court has authorized the appointment of examiners pursuant to the provisions of section 3(a), or (b) the Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the fifteenth amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the fifteenth amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the fifteenth amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 9(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i), prohibiting partisan political activity: *Provided*, That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States, with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

SEC. 7. (a) The examiners for each political subdivision shall examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the Commission may require and shall contain allegations that the applicant is not otherwise registered to vote.

(b) Any person whom the examiner finds to have the qualifications prescribed by State law in accordance with instructions received under section 9(b) shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month, to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection on the last business day of the month and in any event not later than the forty-fifth day prior to any election. Any person whose name appears on such a list shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with subsection (d): *Provided*, That no person shall be entitled to vote in any election by virtue of this Act unless his name shall have been certified and transmitted on such a list to the offices of the appropriate election officials at least forty-five days prior to such election.

(c) The examiner shall issue to each person whose name appears on such a list a certificate evidencing his eligibility to vote.

(d) A person whose name appears on such a list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 9, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

Sec. 8. The Civil Service Commission, at the request of the Attorney General, is authorized to send observers to any election held in any political subdivision for which an examiner has been appointed under this Act. Such observers shall observe all aspects of the vote in all elections conducted by State and local officials within such political subdivision, including the casting and counting of ballots. Observers shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court.

Sec. 9. (a) Any challenge to a listing on an eligibility list shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate, and within ten days after the listing of the challenged person is made available for public inspection, and if supported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. A petition for review of the decision of the hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review but no decision of a hearing officer shall be reversed unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

(b) The times, places, and procedures for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning (1) the qualifications required for listing, and (2) loss of eligibility to vote.

(c) The Civil Service Commission shall have the power to require by subpena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter pending before it under the authority of this section. In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and nonprivileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Sec. 10. (a) The Congress hereby finds that the requirement of the payment of a poll tax as a prerequisite to voting has historically been one of the methods used to circumvent the guarantees of the fourteenth and fifteenth amendments to the Constitution, and was adopted in some areas for the purpose, in whole or in part, of denying persons the right to vote because of race or color; and that under such circumstances the requirement of the payment of a poll tax as a condition upon or a prerequisite to voting is not a bona fide qualification of an elector, but an arbitrary and unreasonable restriction upon the right to vote in violation of the fourteenth and fifteenth amendments.

(b) No State or political subdivision thereof shall deny any person the right to register or to vote because of his failure to pay a poll tax or any other tax.

Sec. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or for urging or aiding any person to vote or attempt to vote, or initimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

Sec. 12. (a) Whoever shall deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, or 10 or shall violate section 11, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any record of voting in such election made by a voting machine or otherwise, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 2, 3, 4, 5, 7, 10, or 11 shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote and (2) to count such votes.

(e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any person alleges to such an examiner within forty-eight hours after the closing of the polls that notwithstanding (1) his listing under this Act or registration by an appropriate election official and (2) his eligibility to vote, he has not been permitted to vote in such election, the examiner shall forthwith notify the Attorney General if such allegations in his opinion appear to be well founded. Upon receipt of such notification, the Attorney General may forthwith apply to the district court for an order declaring that the results of such election are not final and temporarily restraining the issuance of any certificates of election, and the court shall issue such an order pending a hearing on the merits. In the event the court determines that persons who are entitled to vote were not permitted to vote in such election, it shall provide for the marking, casting, and counting of their ballots and require the inclusion of their votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

(f) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person asserting rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law.

Sec. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission (1) that all persons listed by an examiner for such subdivision have been placed on the appropriate voting registration roll, and (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision, and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section.

Sec. 14. (a) All cases of criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

(b) No court other than the District Court for the District of Columbia shall have jurisdiction to issue any declaratory judgment or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto.

(c)(1) The term "vote" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

(2) The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

(d) Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

SEC. 15. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), and as further amended by section 101 of the Civil Rights Act of 1964 (78 Stat. 241), is further amended as follows:

(a) Delete the word "Federal" wherever it appears in subsections (a) and (c);

(b) Repeal subsection (f) and designate the present subsections (g) and (h) as (f) and (g), respectively.

SEC. 16. Nothing in this Act shall be construed to deny, impair, or otherwise adversely affect the right to vote of any person registered to vote under the law of any State or political subdivision.

SEC. 17. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 18. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Mr. CELLER (interrupting the reading). Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 14 after line 6 strike all of section 4 and insert in lieu thereof the following:

"SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any election because of his failure to comply with any test or device in any State with respect to which determinations have been made by a court of competent jurisdiction that such tests or devices have been used for the purpose of denying or abridging the right of an individual to vote on account of race or color. Any political subdivision or State may bring an action in the United States District Court in any Federal district in such State against the United States for the purpose of having the Court determine whether such test or device has been used for the purpose and with the effect of denying or abridging the right to vote of any individual on account of race or color: *Provided*, That no such declaratory judgment shall issue with respect to any plaintiff for a period of two years after the entry of a final judgment of any such court of the United States.

"An action pursuant to this section may be heard and determined by a court of three judges in accordance with the provisions of Section 22-84 of Title 28 of the United States Code, and any appeal shall lie to the Supreme Court.

"If the Attorney General determines that he has no reason to believe that such test or device has been used during the two years immediately preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote in any election on account of race or color, he shall consent to the entry of a judgment to that effect.

"(b) The provisions of subsection (a) shall apply to every State and political subdivision thereof in the United States.

"(c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, or (3) prove his qualifications by the voucher of registered voters or members of any other class.

"(d) For the purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future."

Mr. CELLER. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. WHITENER. I yield to the gentleman.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto end in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Chairman, I object.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto end in 10 minutes.

The CHAIRMAN. The Chair will have to advise the gentleman that no such motion is in order until the gentleman from North Carolina has been heard on his amendment. The gentleman from North Carolina is recognized for 5 minutes.

Mr. WHITENER. Mr. Chairman, I have no intention or desire to delay the consideration of this amendment. This amendment would rewrite section 4 as it now appears in H.R. 6400.

I think we can summarize the amendment with two or three sentences. In subsection (a) we provide that a political subdivision or a State may bring an action in the U.S. district court in any Federal district in the involved State. This differs from section 4, subsection (a) of H.R. 6400 in that you do not have that latitude offered in the States and the accused subdivisions in the present section 4.

Another feature of the amendment is that whereas in section 4 of H.R. 6400, a 5-year period is provided for the continuation of the closing of the door of the court to a State, this amendment would only close the door for 2 years. The reason I felt 2 years to be adequate was that this period would embrace an election period because congressional elections must come every 2 years and local elections generally come every 2 years. I am sure there are none of us who are so antilocal government that we would want to recommend that they not have a right to have their case heard within 2 years.

I think the key change which this amendment would provide is one which many of our friends have supported already when they voted for the so-called McCulloch substitute. I know many of those who did not vote for the McCulloch substitute have said to us that they felt that this bill, if enacted, should apply to all States in an equal way. So this amendment would rewrite subsection (b) to provide that the provisions of section 4, and I quote, "shall apply to every State and political subdivision thereof in the United States."

So you see that this would merely bring about a condition which I think should prevail when we legislate; that is, there should not be one law for Massachusetts and another law for Connecticut, one law for North Carolina and another law for South Carolina.

So it seems to me that those of us who believe that discrimination is bad, whether it be in one area of the country or another, should readily support this amendment which would make the law of equal force and effect in all of the States.

Another change that this amendment would bring about in section 4 as written in H.R. 6400 would be that it omits, as one of the factors in determining whether a test or device is used, the one which is designated in the bill as No. 3, which reads "possess good moral character."

There has been a great deal of feeling expressed that as this bill is written it may be difficult to preclude a felon from voting in a local election once that subdivision or State has been brought under the influence, or the regulatory effect, of this proposed legislation. One gentleman sent out a memorandum in which he pointed out that provision would affect, I believe it is, the State of Idaho, or one county. It seems to me that none of us are willing to contend that the State laws should be stricken down in that respect.

I urge all of you to support this amendment which I believe will improve the bill.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. LENNON. Mr. Chairman, I object.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LENNON) there were—ayes 100, noes 49.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. LENNON].

Mr. LENNON. Mr. Chairman, early in this debate we had an eloquent appeal by our distinguished whip of the Democratic Party telling about and confessing and admitting to conditions that he said existed in his State with respect to voter discrimination. We had an eloquent and articulate appeal from the gentleman from South Carolina who took an opposite view.

Mr. Chairman, I am from the State of North Carolina, another Southern State. Is there any man or woman, however, in this body today, including members of the Committee on the Judiciary who have any evidence whatever, any complaint whatever, that voter discrimination has existed in the State of North Carolina in the last quarter of a century? If that is so, I would like the members of the Committee on the Judiciary who have examined this measure over a period of months and even years, to stand up and say now that there has been a claim on the part of any citizen of our State of North Carolina, or the Civil Rights Commission, or any other body, that voter discrimination has taken place in North Carolina.

Someone said a few minutes ago or early in the debate that this was not a harsh bill, that this was not a discriminatory bill. Let me say to the ladies and gentlemen of the Committee that there are 34 counties in North Carolina which come under the ban of this bill on a statistical presumption of guilt of voter discrimination without any evidence, without any claim, without any charge in the last quarter of a century that any registrar or any judge of election in those 34 counties has at any time in the past quarter of a century done anything to impede or hinder or delay any citizen of our State from registering or voting, as every citizen of this country should have the right to do if he possesses the qualifications of that certain State.

Now, hear me. In North Carolina there are four counties—Craven, Cumberland, Onslow, and Wayne—where 50 percent of our citizenry did not vote in the presidential election; that is, the potential of those 21 years or older. Why? Because in those counties in North Carolina, and all of them come under this bill, there are the largest military reservations in the United States, and in the 1960 census most of the military personnel and their dependents were included in that census.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield the gentleman from North Carolina 1 additional minute.

Mr. LENNON. Mr. Chairman I would make it crystal clear that no qualified voter in the United States should be denied the right to participate in every election—municipal, county, State, or National. However, I believe that all fairminded and knowledgeable persons must agree that registration and voting requirements should be the same in every county or political subdivision of every State.

The bill, H.R. 6400, asserts a statistical presumption of voter discrimination simply because political subdivisions—including 34 counties in North Carolina—among those Bladen, Cumberland, Hoke, Robeson, and Scotland—did not vote 50 percent of the persons of alleged voting age in the presidential election of November 1964. This presumption of guilt of discrimination is made even though there has been no complaint, or any evidence whatsoever, of alleged registration or voter discrimination.

This is the first time in the history of our free country that legislation is being advocated that would abolish the historical concept of "presumption of innocence" and would establish the presumption of guilt in our judicial system. Under the bill, a political subdivision will be forced to bring suit in the Federal court of the District of Columbia, Washington, D.C., and would be required to establish conclusively that no individual acting under color of law had discriminated against any person who had attempted to register and vote for a period of 5 years prior to the institution of legal action. Also, should the Court determine that in the period of 5 years preceding the institution of the action there has been discrimination on the part of any individual, then for an additional 5-year period the presumption of guilt would continue.

Under the proposed law, 34 counties in North Carolina would have no registration requirements other than age and residence while 66 counties—even adjoining counties—would have literacy tests and other prerequisites for voter participation. In addition, these 34 counties would very likely have Federal examiners or registrars with power to supervise all elections.

In four counties of North Carolina—Craven, Cumberland, Onslow, and Wayne—50 percent of the citizenry 21 years of age and older did not participate in the presidential election of November 1964. Within these counties are located some of the largest military reservations in the country. In the 1960 Decennial Census the military personnel and dependents assigned to these installations were counted as part of the county population. This is the only reason why less than 50 percent of the persons of voting age residing in those counties did not participate in the general presidential election.

Under H.R. 6400, the District of Columbia Federal Court, Washington, D.C., would have sole jurisdiction in the field of injunctive relief from the harsh and even dictatorial provisions of this bill. Federal district judges of the South and other sections would be barred on the assumption that they would not perform their sworn duty under the law and the Constitution. This is an insult to the intelligence and integrity of the Federal district judges of the Nation.

The Constitution of the United States gives the States certain reasonable powers to set nondiscriminatory standards for voting. The proposed bill sweeps away State literacy tests to determine qualifications for voters in all elections. This test is not a device in North Carolina to deny voting on the basis of race. It is interesting to note on this point that as late as July 24, 1963, the then Attorney General Robert Kennedy testified before the Senate Committee on the Judiciary as follows:

> I think there is no question that it is the power of the State to establish the qualifications of its voters, and the States does have the authority to establish a literacy test. As late as 1958 in *Lassiter* v. *Northampton Election Board* (360 U.S. 45), the Supreme Court validated a requirement in North Carolina, that a prospective voter must be able to read and write any section of the Constitution of North Carolina, in the English language.

The proposed voting bill raises constitutional questions and problems which must be weighed judiciously. I trust that out of the floor debate will come action to effect nondiscriminatory and uniform voting privileges for all qualified citizens.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I oppose the pending amendment. The purpose of the amendment is to take the guts out of the bill. It would destroy section 4, which is the trigger provision. It would disembowel the entire bill and its purpose. It throws the issue back to the courts where it is today, adding additional delay. The amendment would remove the administrative procedure, it would eliminate the prompt and speedy remedy the bill is intended to provide. If you want to disenfranchise the Negro, vote for this amendment. If you want to give the Negro a vote, vote down this amendment.

Mr. MacGREGOR. Mr. Chairman, I ask unanimous consent that the pending amendment be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk reread the Whitener amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GILBERT

Mr. GILBERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GILBERT: On page 16, line 25, insert a new subection (e) to read as follows:
>
> "(e) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has sucessfully completed an equivalent level of education in a public school, or in a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English."

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the gentleman.

Mr. CELLER. We would be glad to accept the amendment.

Mr. GILBERT. I thank the chairman.

Mr. Chairman, my amendment is designed to correct an inequity that exists in my own State of New York and particularly in New York City, my home. We have in New York an estimated 750,000 Americans of Puerto Rican birth, of which an estimated two-thirds are of voting age. But of those eligible to vote, we know that only a fraction were registered in 1964. The principal reason was that the State of New York requires that its voters be literate in English. This literacy must be demonstrated by a test in reading comprehension, but it is waived if any applicant to vote can submit proof of an eighth grade education in an accredited English-language school.

My amendment, which the other Body approved overwhelmingly on the recommendation of both Senators from New York, provides that any American who has successfully completed the sixth grade in an accredited school under the jurisdiction of the American flag—and this includes Spanish-language schools in the Commonwealth of Puerto Rico—will not be denied the right to vote by a literacy test in English. The amendment makes execption for States, such as New York itself, which currently have a standard other than the sixth grade for presumption of literacy.

This amendment, Mr. Chairman, is designed to rectify an injustice that stems from a provision of the New York State constitution of 1922. Our research indicates that it does not affect any other State. New York's provision was enacted at a moment when immigration from Europe was attaining a new peak and when the English language, which had so long served as an essential ingredient of the American melting pot, seemed particularly threatened. My amendment would not change the requirement that persons educated outside the United States, under the flag of another country, prove their literacy in English. It is designed only to correct the discrimination practiced against Americans of Puerto Rican origin whose legal language is Spanish.

Mr. Chairman, Puerto Ricans are, by the terms of the treaty of 1898 which ended the Spanish-American War, citizens of the United States like you and me. We have called upon Puerto Ricans to fulfill such obligations of citizenship as military service and, I might note, they have fought heroically in every one of our wars in this country. But we have never asked them to imitate our English-language culture, since they have an old and honorable culture of their own. On the contrary, we here in Congress have fostered through legislation and resolution the policy of cultural autonomy for Puerto Rico. I think, therefore, that it is an anomaly for us to encourage the perpetuation of Puerto Rico's Spanish-language culture and at the same time to do nothing to protect the rights of citizenship of Puerto Ricans who move to other sections of the country.

You may ask why New York does not itself correct this situation. My answer is that New York is burdened with a constitutional anachronism, designed for one situation and currently being applied to another. Were it not so onerous a process to amend the constitution, New York might long ago have made the change. But if discrimination exists, however innocuous the intent and the circumstances, I cannot justify it. I, therefore, regard it as important that the amendment currently before us be approved.

Let me point out that Puerto Ricans in New York need not read English to be a well-informed electorate. There are three Spanish-language newspapers and a Spanish-language radio station in our city. Puerto Ricans have articulate spokesmen on public issues. They have access to adequate information and a variety of opinion before they cast their votes.

I think it is pertinent to point out that Hawaii does not require literacy in English for its citizens who use the native Hawaiian tongue, that New Mexico prints its ballot in Spanish as well as English to accommodate its Spanish-speaking citizens, that Louisiana provides interpreters for registrants and voters whose mother tongue is the ancient Acadian French. But do not misunderstand me; I am not speaking in behalf of a multilingual society. I think it is right for New York to ask those born and raised under a foreign flag to read English as a condition of voting. But Puerto Ricans are American citizens by birth, educated under the American flag. They must not be denied the right to vote because the accredited schools they attended were, with the encouragement of Congress, conducted in Spanish.

Opponents of this legislation have argued that the courts have already disposed of the matter in the Camacho case, in which an American of Puerto Rican birth and education sued in a New York State court on the contention that the literacy requirement deprived him illegally of his vote. He lost his case in New York and an appeal to a three-judge Federal court. But, in my view, regarding the Camacho case as final is a serious misreading of the decision. First, the Supreme Court did not rule on the constitutionality of applying New York's literacy test to Puerto Ricans. A lower Federal court simply sustained a State court ruling. That hardly constitutes law. Furthermore, the decision did not take into account the weight of a congressional finding of discrimination, which we are today seeking to establish. The Camacho decision contained no implication that my amendment is unconstitutional. On the contrary, the top constitutional scholars maintain that the proposal is constitutional under the equal rights clause of the 14th amendment.

Mr. Chairman, I have worked closely on this amendment with the former Attorney General of the United States, Senator ROBERT KENNEDY, and the present Attorney General, Mr. Nicholas Katzenbach. Senator KENNEDY has called upon the most respected experts of the Harvard and Yale Law Schools to comment on the constitutionality of this proposal. Having won acceptance of this amendment in the other body, he has passed their answers on to me, and I insert in the RECORD at this point the opinions of the distinguished Professors Paul A. Freund and Mark DeWolfe Howe, of Harvard, and Boris Bittker, of Yale. I think my colleagues will agree that their arguments are most persuasive and that little doubt exists that this amendment is both reasonable and constitutional:

LAW SCHOOL OF HARVARD UNIVERSITY,
Cambridge, Mass., May 17, 1965.

Hon. ROBERT F. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: I am glad to respond to your request for an opinion on the constitutionality of a provision that would assure the right to vote, so far as literacy is concerned, to persons who have completed at least six grades of education in an American-flag school. The purpose of such provision is, as I understand, to put graduates of Puerto Rican schools on the same footing as graduates of English-language schools with respect to eligibility for the suffrage.

In my judgment a measure of this kind would be within the power of the Congress under the enforcement clauses of the 14th and 15th amendments.

The authority of the States to require literacy as a condition of voting is not in question. What is involved is the question whether an arbitrary discrimination is produced when literacy in English is required over literacy in Spanish for citizens who can derive their knowledge of public issues and public candidates through the printed media in the Spanish language and through broadcasts and telecasts in either language. The requirement of literacy should have some relation to its purpose in the context of voting; and if that purpose does not necessitate proficiency in written English, given the linguistic environment of a class of our citizens, the requirement of training in written English may be deemed an unreasonable classification of citizens.

The authority of the Congress in the field of voting qualifications does not rest solely on the 15th amendment. It would be agreed, for example, that if a State were to deny the franchise to Catholics or to a group of Protestants, the classification could be struck down by Congress or the courts under the 14th amendment's guarantee of equal protection of the laws. The courts do not have sole responsibility in this area. Just as Congress may give a lead to the courts under the commerce clause in prohibiting certain kinds of State regulation or taxation, and just as Congress may expressly prohibit certain forms of taxation of Federal instrumentalities, whether or not the courts have done so of their own accord, so in implementing the 14th and 15th amendments Congress may legislate through a declaration that certain forms of classification are unreasonable for purposes of the voting franchise.

I trust that this opinion is responsive to your inquiry.

Sincerely yours,

PAUL A. FREUND.

YALE LAW SCHOOL,
New Haven, Conn., April 19, 1965.

Senator ROBERT KENNEDY,
Senate Office Building,
Washington, D.C.

[The question is] the propriety of a congressional requirement that States employing a literacy test in registering voters must allow applicants to take the test in Spanish. Since the United States officially sponsors the study and use of Spanish in Puerto Rico, I think that a State's refusal to allow Puerto Ricans to take a voter literacy test in Spanish raises a serious issue under the equal protection clause of the 14th amendment. In effect, their right to vote is impaired by our national policy of encouraging the cultural autonomy of Puerto Rico, a policy that stems in part from the hope of making Puerto Rico a showcase for the underdeveloped countries of South America and elsewhere. Because we have deliberately fostered the use of Spanish by Puerto Ricans, their status under the equal protection clause is quite different from that of immigrants from foreign countries, whose language limitations are not of our making.

Whether or not a court in a case involving a particular individual would hold that the equal protection clause was violated by a State's refusal to allow Puerto Rican citizens to take its literacy test in Spanish, I do not know; but the pending voter registration bill rests on the theory that the power of Congress to act under section 5 of the 14th amendment is not restricted to abuses that would be corrected by the courts without congressional authorization. In my opinion, the power conferred on Congress by section 5 "to enforce, by appropriate legislation, the provisions of this article" is broad enough to warrant a congressional requirement that voter literacy tests be administered in Spanish.

Sincerely yours,

Boris Bittker.

Law School of Harvard University,
Cambridge, Mass., April 9, 1965.

Senator Robert F. Kennedy,
U.S. Senate,
Washington, D.C.

My Dear Senator: Peter Edelman indicated to me that you would be glad to receive such comments as I might care to make on the constitutionality of a suggested congressional statute outlawing State requirements of literate voters that they be able to speak the English language. Because the attitude which I bring to that question is deeply affected by views which I have sent on to Senator Edward Kennedy with respect to related problems, I am taking the liberty of enclosing a copy of the letter that I have sent to him. I shall not, accordingly, restate opinions developed there at some length.

In my judgment, the Congress is empowered to vitalize and make effective the 14th amendment's assurance of equal protection of the laws. It seems to me clear, accordingly, that if the Congress is persuaded that there is an undesirable inequality in a State's exclusion from the suffrage of literate citizens who do not speak English, the Congress may constitutionally outlaw the discrimination. The fact that the 14th amendment, of its own force, does not create a barrier to such a State requirement, in my judgment, does not mean that the Congress is powerless to define and enforce what must be acknowledged to be a wholly rational principle of equality. It is important to remember, I think, that no special sanctity safeguards State powers to fix the qualification of electors under article I, section 2. Those powers deserve political and constitutional respect, of course, but they have no greater claim to deference than any other State power that must bend to the authority conferred upon the Congress in the Civil War amendments. Were the suggested statute to be given effect in a community where Spanish-speaking Puerto Ricans, enjoying American citizenship, would be its beneficiaries, I should suppose that the Nation's responsibility to secure tranquil and understanding relationships with the Commonwealth of Puerto Rico would provide a special justification for the congressional insistence upon a higher degree of political equality than has been attainable while State discriminations against literate citizens who do not speak English have been in force.

Among the possibilities under consideration may be a statute qualifying literate citizens who do not speak English to vote in Federal elections. I should suppose that such a statute would not only find its justification in the congressional power to enforce the equal protection clause but in its authority to define and secure privileges of U.S. citizenship. I myself would see no constitutional reason to deny the Congress to confer voting rights in State elections on American citizens. Those who believe that constitutional barriers to such drastic legislation exist, would not find it easy, I think, to deny the Congress the power to establish uniform standards for participation in Federal electoral processes.

I am afraid that these reflections may be of small use to you. I like to think, however, that the broader basis of principle that I have outlined in the enclosed letter may usefully amplify this brief comment.

Very sincerely yours,

Mark DeW. Howe.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the gentleman.

Mr. RYAN. Mr. Chairman, as debate opened on H.R. 6400 on Tuesday, the distinguished chairman of the Committee on the Judiciary [Mr. Celler] assured me he would accept this very important amendment.

The amendment before us is an essential part of any voting rights bill. It will enfranchise many citizens of Puerto Rican origin, educated in Puerto Rico where the classes are conducted in Spanish. The New York State English language literacy test is a real barrier to voting. Only by showing proof of an eighth-grade education in a school conducted in English can a prospective voter escape this test.

As a result of this requirement, thousands of Spanish-speaking Americans are unable to register. When he introduced the same amendment in the other body, which overwhelmingly adopted it, Senator Robert Kennedy of New York estimated that of the almost 480,000 Puerto Ricans of voting age in New York, only 150,000 are registered to vote. Of course, I do not say that all the remaining 330,000 would register were we to pass this amendment, but there can be little doubt that a very substantial number would.

The amendment is simple. It provides that anyone who has completed the sixth grade or another grade level if the State so determines—in any public or accredited private school in any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico, will not be denied the right to vote because of an inability to read, write or understand English language.

We must remember that the New Yorker of Puerto Rican origin has every opportunity to be as well-informed a voter as his English-speaking neighbor. He reads the fine Spanish-language press. There are Spanish-language programs on both television and radio. There are many Spanish-language periodicals. The schools he attended in Puerto Rico teach civics and American history.

The Commonwealth of Puerto Rico is a showplace for all Latin America. Its cultural autonomy, including school instruction in Spanish, serves as a bridge between the States and Latin America.

Individuals born in Puerto Rico are citizens of the United States; we encourage migration between the island and the mainland. It is unjust to erect barriers to the right to vote.

The English-language literacy test is an arbitrary violation of the 14th and 15th amendments. The 14th amendment provides that no State shall "deny to any person within its jurisdiction the equal protection of the laws." There is no question but that in New York thousands of American citizens have been denied this equal protection of the laws.

Mr. Chairman, it is time for the Congress to put an end to this arbitrary standard. It is time for the Congress to end this blatant form of voting discrimination in New York City. I have fought consistently against the literacy test, and I am delighted that we are taking this step which will enfranchize so many American citizens.

Mr. ROONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the gentleman.

Mr. ROONEY of New York. Mr. Chairman, I thank the distinguished gentleman from New York [Mr. Gilbert] for yielding at this point and rise in support of his amendment. I also wish to commend him for having offered this provision, the passage of which is very important insofar as many citizens of my congressional district in Brooklyn are concerned.

In our efforts here this week to be of assistance to our Negro citizens in guaranteeing their right to vote, this House should also take the necessary steps to correct the disenfranchisement of many foreign language speaking citizens now brought about by the English literacy test, such as is required in the State of New York. This test prevents many constituents of the 14th Congressional District of New York, which I have the honor to represent, from voting, not because they are not informed on political issues and candidates, but simply because they were educated in schools and brought up in families where the language taught and spoken was other than English. As the result of this requirement thousands of American citizens of Puerto Rican origin in New York do not presently register to vote. But they are American citizens and entitled to vote the same as every other citizen.

Mr. Chairman, I trust the amendment of the gentleman from New York [Mr. Gilbert] will be adopted as it was by the other body, and by an overwhelming vote. I again thank the gentleman for yielding to me.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the gentleman.

Mr. THOMPSON of New Jersey. Mr. Chairman, I support very enthusiastically the gentleman's amendment. I am extremely appreciative to the gentleman for offering this amendment. I have had considerable experience in the area of registration and disenfranchisement because of the so-called language barrier. The gentleman is to be commended for offering this very much needed provision.

Mr. GILBERT. I thank the distinguished gentleman from New Jersey.

Mr. KREBS. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the distinguished gentleman from New Jersey.

Mr. KREBS. Mr. Chairman, I wish to go on record as supporting this amendment that would in effect say, "No American citizen can have the right to vote denied by virtue of a non-English-speaking background."

The non-English-speaking constituents of my district in New Jersey have always been an important segment of our community. And I proudly vote to support this amendment that will guarantee that nowhere in this Nation will anyone's vote be negated because of language. This protection would apply to the Spanish-speaking in the cities of the East and any other non-English-speaking people within the borders of our country.

Our great Nation has gained much since the earliest days of our history. The roles of our early-day explorers are in fact replete with non-English names. A great contribution was most certainly made by those with Spanish surnames. Who can forget the brave Spanish explorers who came into the Southeast and established early governments in Florida, and the same Spanish explorers discovering the wonders of our great Southwest.

Even to this day the Southwest continues to enrich its culture by the presence of Spanish-speaking Americans of Mexican ancestry. The adoption of this amendment would serve as a commitment by Congress in recognition of the contributions of these people to our multi-ethnic Nation.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the distinguished gentleman from New York.

Mr. LINDSAY. Mr. Chairman, I support the amendment of the gentleman from New York.

I believe in the broadest possible franchise. It seems to me that when more people take part in the democratic process, democracy is strengthened, not weakened. While it is true that the political dialog in this country is predominantly in English, in certain areas where there are larger concentrations of people speaking other languages it also takes place in those languages. The facts and issues upon which voting decisions are made are discussed in those languages as well. The large number of Spanish-speaking Americans in New York, for example, have three excellent Spanish language newspapers—which is two more newspapers than many American cities have. There are also a number of Spanish language radio stations. And so from the point of view of an informed electorate, I can see no reason why this amendment should not carry.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the distinguished gentleman from California.

Mr. BURTON of California. I would like to commend the gentleman from New York for proposing this very thoughtful and useful addition to the pending bill. I fully support it and commend its adoption to my colleagues.

Mr. GILBERT. I thank the gentleman from California.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the gentleman.

Mr. FINO. I want to thank the gentleman from New York, my good and dear friend, for yielding to me at this time. The gentleman from New York is a very distinguished lawyer and certainly is capable of handling himself on the floor of the House in debate.

I would like to ask the gentleman this question. Does he realize that under his amendment, if it is adopted, a person who is illiterate in English, and this is what it will do—will be qualified to vote? It will permit persons who are illiterate in English to qualify to vote. Does he not realize that such a person who is illiterate in English in New York would be able to qualify as a juror. Is the gentleman prepared to try legal cases in the courts of New York with a jury composed of persons illiterate in the English language?

Mr. GILBERT. As my distinguished colleague from New York certainly knows, this amendment refers to a qualification for voting. Such a person certainly would be disqualified if he or she could not understand English so far as serving on a jury in a court in the State of New York.

Mr. FINO. The gentleman fully realizes that in most of our State elections and city elections, we have propositions and constitutional amendments that come before the voters. Is the gentleman saying to this body that in offering such amendments and propositions that we are to have them written in English or in Spanish or is he suggesting that we have Spanish interpreters at every polling place?

Mr. GILBERT. My colleague is asking about a proposition appearing on the voting machines and I would say to the gentleman the same principle would apply whether it has to do with propositions or whether it is voting for individuals for a particular office. The Puerto Rican community particularly, which this bill is aimed at, is very conversant so far as the political sciences are concerned. These people are quite adept. They have gone to school in Puerto Rico and qualified to participate in all affairs of government.

Mr. FINO. The gentleman is not answering my question.

Mr. GILBERT. I am answering the gentleman's question. There are a sufficient number of newspapers printed in Spanish in the city of New York as well as television and radio stations within the city of New York which certainly would give these people all the knowledge that is necessary on the propositions or any other matter that the voters have to vote upon.

Mr. FINO. The gentleman has not answered the question. These propositions and amendments will be printed in English on the machines. Now how are these people to know what part of the machine contains these constitutional propositions or amendments and what lever to move and what button to press?

Mr. GILBERT. As the gentleman knows, all these propositions and amendments are in English. They are numbered. When the person goes to the polls he certainly will know whether he wants to vote "yes" or "no" for a particular number, since he would be conversant with that particular amendment or proposition, as any other American citizen.

Mr. FINO. Mr. Chairman, will the gentleman yield further?

Mr. GILBERT. I yield to the gentleman.

Mr. FINO. As the gentleman well knows, under the amendment Puerto Ricans who are illiterate in English are to be given the privilege of voting, yet Jews, Italians, Germans, Poles, and all other ethnic groups who are naturalized American citizens could not vote even though they had shown some knowledge of English when applying for naturalization papers.

Mr. GILBERT. That is correct. The people who come from these foreign countries to our shores should be conversant with the English language in order to become citizens, whereas with respect to the Puerto Ricans it is entirely different. They are American citizens by birth.

Mr. SCHEUER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **CHAIRMAN.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Chairman, I wholeheartedly favor this amendment giving the precious privilege and right of the vote to American citizens educated in Puerto Rican schools.

The Members here assembled have the responsibility of discharging, once and for all, our clear duty under the 15th amendment to the Constitution to enact appropriate legislation to secure the right to vote for all citizens without regard to race, color, or previous condition of servitude.

Three times in the past decade we have legislated appropriately but not fully on the subject of voting rights. On each of these occasions we have stopped short of the full exercise of our constitutionally conferred powers in the expectation of universal accession to the spirit as well as the letter of the 1957, 1960, and 1964 civil rights enactments. Time and events amply demonstrate that our restraint and hopeful expectations have not been justified.

In testimony before the Judiciary Committee in March of this year, Attorney General Katzenbach laid bare the record of noncompliance in selected areas of the Nation.

In Alabama, the number of Negroes registered to vote between 1958 and 1964 has increased by 5.2 percentage points to a total of 19.4 percent of those eligible by age and residence. This compares with 69.2 percent of the eligible whites.

In Mississippi, the increase in the number of Negroes registered to vote is even less encouraging. In 1954, about 4.4 percent of the eligible Negroes in this State were registered; today the figure is estimated at 6.4 percent. Approximately 80.5 percent of the eligible whites are registered to vote.

In Louisiana, the Attorney General testified, Negro registration has shown no discernable increase. Thirty-one and seven-tenths percent of the eligible Negroes were registered in 1956. As of January 1, 1965, after almost a decade, the figure had increased by one-tenth of 1 percent to 31.8 percent. The percentage of eligible whites registered is 80.5 percent.

In light of these shocking statistics, the Attorney General's conclusion appears inescapable. Our legislative efforts in 1957, 1960, and 1964 have had only minimal effect. They have been too slow.

Mr. Chairman, these figures offer incontrovertible support for the administration voting rights proposal as reinforced by the Judiciary Committee. I strongly support this legislation, and urge its prompt passage. But I also believe it can be improved. For this reason, I urge adoption of an amendment similar to the one overwhelmingly approved by the Senate on May 20 providing that those citizens educated in American-flag schools in which the predominant classroom language was other than English shall not be denied the right to vote because of an inability to read, write, or interpret any matter in the English language.

The amendment, firmly grounded in the 14th amendment authority to safeguard due process and the equal protection of the laws, contains two major subsections. The first part provides that in order to secure these rights in the case of citizens educated in American-flag schools in a tongue other than English, a State may not condition their right to vote on ability to read, right, interpret, or understand any matter in the English languaage. In effect, it prohibits discrimination in the exercise of the franchise against the American-flag educated person who does not speak English.

The second part of the amendment provides that no person who has completed the sixth grade, or whatever other grade the State requires, in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico, in which the predominant classroom language was other than English, shall be denied the right to vote in any election because of his inability to read, write, interpret, or understand any matter in the English language.

In other words, the completion of the sixth grade in an American-flag school, language differences to the contrary notwithstanding, is sufficient evidence of literacy for voting purposes anywhere in the United States or its possessions.

Mr. Chairman, the purpose of this amendment is to accord equal treatment with respect to eligibility for voting to American citizens educated in Puerto Rican schools.

This amendment, while applicable in all States, would cure the present disenfranchisement of Puerto Ricans in my own State because they cannot read or write English. That the New York literacy requirement is responsible for wholesale disenfranchisement of Puerto Ricans is evidenced by the low electoral participation of this population group. In all, there are 730,000 Puerto Ricans living in New York City. Although 480,000 are of voting age, less than one-third of these, or only 150,000, are registered to vote.

Under New York law, a person desiring to vote may either take the literacy test or prove his literacy by showing an eighth grade education in a school conducted in English. This requirement, whatever its origins, is an unreasonable qualification for the three-quarter million Puerto Ricans who have come to our shores in recent years. It hampers, discourages, and frustrates the full and equal participation of these good citizens in the mainstream of American political life.

A great many of these citizens of Puerto Rican origin received their education in Commonwealth schools where the principal language used is Spanish. This practice is authorized and sanctioned by the Federal Government. We could, if we so desired, provide for bilingual instruction or the exclusive use of English in the Commonwealth classrooms. Instead, because of our policy of cultural autonomy and self-determination, we have fostered the present system which allows instruction in the Spanish language. Despite language differences, the Commonwealth system of education is patterned after our own.

The requirement of literacy in the English language is made even more unnecessary and unreasonable by the existence in New York of many and varied avenues of information which keep Puerto Ricans informed on public affairs in the Spanish language. New York has no less than three Spanish language newspapers and a radio station, providing abundant information on public issues.

Mr. Chairman, no purpose is served by requiring proficiency in English as a precedent to registration where citizens are otherwise literate and have every necessary means to inform themselves sufficiently on current political issues to vote intelligently.

I submit that in the existing context, the English requirement operates as an unreasonable classification of our citizens. In testimony before the committee, the Attorney General stated as much. He said:

> I think that the use of the English language test in New York with respect to Puerto Ricans serves to disenfranchise a great number of intelligent and able people. I think that is all wrong and I have never understood why the State of New York had it and why they didn't do something about getting rid of it. I would think that if this Congress wanted to get rid of that provision, it would be possible to do so. I think that if it did so, it should base that provision on the 14th amendment and be considered really a problem of due process, and I think that this Congress has the power to do it.
>
> I think it is sounder constitutionally to put that problem on a 14th amendment basis.

Mr. Chairman, I would have preferred that New York deal fairly and effectively with this matter. Since it has not, I think that Congress should. I therefore strongly urge that this bill be changed to safeguard the voting rights of Spanish-speaking Americans. In this way, the bill would do equally in the various States what it has been designed to do solely in the South.

The time has come to close the chapter of American history entitled "Voting Rights for All Americans." We can discharge this responsibility completely by insuring that the right to vote is fully shared by all Americans. We can insure this result by amending the pending bill to place American-flag education—regardless of language differences—on a level of equality with education within the United States itself, and thus giving the priceless privilege of the vote equally to all literate American citizens.

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I take this time to ask the gentleman from New York [Mr. CELLER] if this may be construed as New York's amendment?

Mr. CELLER. The gentleman has a perfect right to construe this in any way he sees fit.

Mr. GROSS. I am asking the gentleman if this is the New York amendment. He ought to know.

Up to this point I have been pretty well propagandized with the idea that the Judiciary Committee was omnipotent in all things pertaining to voting rights, that this was supposed to be a perfect bill. Now we find that on one of the first amendments offered to the Committee bill the gentleman from New York [Mr. CELLER] yields with the greatest of ease and accepts an amendment which would change the election laws of New York State.

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman yield?

Mr. GROSS. Not at this point. I will yield to the gentleman later.

I am wondering whether the omnipotent Judiciary Committee gave any consideration to the pending amendment in committee. The majority on the committee has turned down every other amendment which has been offered up to this point, so far as I know, but on this amendment, dealing with New York, the gentleman from New York [Mr. CELLER], very quickly yields and accepts it.

What has happened? Was this amendment not considered in the Judiciary Committee when the bill was under consideration?

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from Iowa yield?

Mr. GROSS. I should like to have a response from the gentleman from New York [Mr. CELLER] rather than the gentleman from New York [Mr. ROONEY].

Mr. ROONEY of New York. I shall be glad to answer the distinguished gentleman from Iowa.

Mr. GROSS. I will get to the gentleman from New York [Mr. Rooney] in a minute, if I can get an answer from the gentleman from New York [Mr. Celler].

Mr. CELLER. Of course, the gentleman from Iowa knows that the Judiciary Committee is not going to make any reports or give any judgments for light and transient reasons. We did consider the Puerto Rican amendment. We had voluminous testimony on it, and no action was taken in the Judiciary Committee.

A Member has a perfect right to offer an amendment concerning this situation. An amendment has been offered.

Mr. GROSS. Did the chairman of the committee support this amendment when it was offered in the committee?

Mr. CELLER. I certainly do support it.

Mr. GROSS. Did you support it in committee?

Mr. CELLER. The matter was not offered in the committee. Does that satisfy the gentleman?

Mr. GROSS. No. Was it offered in 1964?

Mr. CELLER. Is the gentleman disappointed with that answer?

Mr. GROSS. Yes; I am. Was it offered in 1964?

Mr. ROONEY of New York. Mr. Chairman, will the distinguished gentleman from Iowa now please yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. ROONEY of New York. Does not the gentleman realize that this amendment was contained in the voting rights bill as passed by the other body and, furthermore, that this very amendment was a substantial part of the McCulloch substitute, which was voted upon and defeated here this afternoon?

Mr. GROSS. I say to the gentleman, first, that the gentleman from Iowa is not always as enamored of the work of the other body as apparently the gentleman is. I am not concerned primarily about what the Senate put in its bill. I am concerned with the bill we have before us today.

Mr. ROONEY of New York. But the gentleman from Iowa voted for this provision here awhile ago on the teller vote on the McCulloch substitute.

Mr. GROSS. Yes, I voted for the McCulloch substitute, but the pending amendment was not included in the substitute.

Apparently the gentleman from New York [Mr. Celler] is now ready to yield on all amendments that come before the committee. It will be interesting to watch developments from here out this afternoon, whether other special privilege amendments are as readily accepted.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. CELLER. The matter is quite simple. This provision is contained in the so-called Mansfield-Dirksen proposal. It is contained in the McCulloch-Ford proposal. I do not know what more the gentleman wishes. It has now been offered, and it should be accepted. It is a bipartisan proposition.

Mr. GROSS. Mr. Chairman, the point I am trying to make is that this amendment is a direct invasion of the legislative power of the State of New York. It is my understanding that the gentleman opposed this move when the bill was under consideration in his committee, yet today he readily accepts it while opposing other attempts to improve what is patently a bad bill. I say that in the absence of any evidence that the voter qualification laws of New York are bad, we have no business here today usurping the authority of the legislature of that State.

This so-called voting rights bill—the committee bill—is a delegation of power, an unconstitutional delegation of power to the executive branch of the Federal Government and to the U.S. Attorney General which I cannot support.

I want every citizen who can qualify to have and to exercise the privilege of voting. To that end, I supported the McCulloch substitute bill. I cannot and will not vote for the committee bill if that is the choice I must make, and if the chairman of the Judiciary Committee continues to oppose amendments which would make acceptable the legislation he proposes.

Mr. FINO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. FINO. Mr. Chairman, I am opposed to this amendment offered by the gentleman from New York because it strikes down New York State's requirement that voters have an eighth grade education in an English language school or demonstrate the ability to read and write in English.

I object to both the procedure and substance of this proposed amendment because this proposal is unjustifiable on both counts as an amendment to the voting rights bill.

The voting rights bill properly aims at safeguarding Negro voting rights against denial for reasons of race or color which denial is contrary to the 15th amendment. It is the 15th amendment we are seeking to enforce with this bill. It is the 15th amendment with which we justify this bill. This politically inspired amendment has nothing, I repeat, absolutely nothing to do with denial of voting rights on account of race or color.

This voting rights bill, now before us, must not become the vehicle of a multitude of irrelevant and improperly associated attempts to undermine the legitimate exercise of State power to determine local voter qualifications.

No one—and I repeat that—no one has said that New York's English language literacy requirement has any racial overtones that would justify its destruction by a bill aimed at establishing Negro voting rights under the 15th amendment.

This proposed amendment, offered by the gentleman from New York, which would permit an individual who is illiterate in English to vote if he could furnish proof that he had completed six grades in a school anywhere in the United States including Puerto Rico, without regard to the language in which instruction was carried on, does not belong in this bill.

Let me read to you some pertinent parts of an editorial that appeared in May 22 issue of the New York Times.

Many of you gentlemen on the other side of the aisle follow that New York Times religiously. Let me read to you what they had to say on it. I quote:

> Ever since 1922, the New York State constitution has required that voters in this State must be able to read and write English. Since most political campaigns are conducted in English and the affairs of the State are transacted in English, this is a perfectly reasonable requirement. A voter who spoke or read no English would have great difficulty in knowing whom or what he was voting for.

The editorial continues and concludes by saying:

> Literacy tests have been misused in some Southern States in the past to keep qualified Negroes from voting. To prevent such misuse, Congress wrote into the civil rights bill a year ago a presumption of literacy for anyone with a sixth-grade education in English. This was a sensible and needed move. But the requirement to read and write English imposed by New York State has been fairly and impartially administered. It should not be destroyed by Federal law.

The U.S. Attorney General Katzenbach has already expressed opposition to this proposed amendment because he feels—and rightfully so—that since discrimination against Negro voting rights is the particular target of this bill, it should confine itself to that issue.

This type of amendment is quite distinct and separate and should be considered carefully and very carefully, on its own individual merits.

I believe, however, that this amendment has no individual merit to stand on and for that reason the sponsor is trying to get it through on the back of needed voting rights legislation.

Let me ask you: What is wrong with a State law that requires voters to have a certain reasonable minimum knowledge of the English language? I think that an English language literacy requirement is a perfectly valid and fair State restriction on the franchise—so long as it is not used to deny the right to vote on account of race or color.

Let me make one point crystal clear. We, in Congress, have no right to grant any citizen the right to vote; we have no power or authority or right to control, supervise, regulate or interfere with the right of any State to establish the requirements and qualifications of a voter unless there is reason to believe that these requirements and qualifications are being used to deny the right to vote on account of race or color.

As far as I am concerned, it is no more discriminatory to keep people who are illiterate in English from voting, than it is to keep 17-year-old college students from exercising voting privileges. The

English literacy requirement in New York makes no distinction between Jews, Italians, Germans, Poles, Chinese or Puerto Ricans. The standard in New York State is fair—it is reasonable and it is uniform. It simply states that you must be literate in English and if you are you can vote.

This proposed amendment is more than unwise—it is blatantly discriminatory. It is the type of self-serving discrimination so often and so loudly urged by those who make the most noise about other varieties of discrimination.

This amendment is clearly and definitely anti-Yiddish, anti-Italian, anti-Greek, anti-German, and so forth right on down the line. It is, in my opinion, the most discriminatory proposal ever offered in this House in my 13 years as a Member.

This amendment discriminates in favor of Spanish-speaking citizens who are illiterate in English and against all other citizens who are illiterate in English.

Why single out Puerto Ricans? What about Jews, Italians, Germans and other ethnic groups who are naturalized citizens but still cannot pass an English literacy test? If anything, they are more entitled to vote because as a condition of their naturalization they demonstrated some familiarity with both the English language and the obligations of citizenship. They have also demonstrated their positive choice of this Nation as their homeland.

There is a good reason for the New York State English literacy requirement. It is difficult for anyone not literate in English to vote intelligently on the numerous propositions and amendments on the ballot. As a matter of fact, our highest court, the State court of appeals as recently as May 27 of this year upheld our State English language literacy requirement.

I have said that this amendment represents pure political opportunism. I also think that it represents pure political and social hypocrisy. I do not have to tell anyone here that the Puerto Ricans to be affected by this amendment—those who are illiterate in English—live in the poorest depressed sections of the New York metropolitan area. Many of them are persons who have long clustered together in ethnic ghettos. The English language is the vehicle of their potential cultural and economic assimilation into full New York life. Other immigrant groups have profitably had to learn English to walk the tenement trail out of the ethnic ghettos.

Today, we are placing more emphasis than ever before on absorption of and help for deprived social groups, and rightfully so. Thus, it is paradoxical to me that we can even talk of catering to the forces of social reaction by disestablishing the English language in favor of the Spanish-speaking inertia of the slums.

English has been a vehicle of ethnic progress in New York. Past generations of Jews, Italians, Irish, Germans and others have shed the speech of the old country in favor of the speech of the new world. English has truly been a ladder to Americanism, an incentive to assimilation and a beacon light to the path leading out of the slums to the tree-lined streets beyond.

I strongly believe it would be socially self-defeating to undermine the cultural position of the English language in New York. It is no instrument of privilege; it is a ladder to equality, and climbing it teaches us an unmatchable lesson in citizenship.

We hear much these days of making things up to socially deprived groups. We are urged to support all kinds of programs to aid those who society has supposedly until recently ignored. I support these programs, but I insist that they have interwoven among them the strong fabric of self-help, and this includes the process of linguistic assimilation which has characterized the long, hard-won success story of our many immigrant groups whose sons sit by the scores, by the hundreds in this House today.

It will be said that the Spanish-speaking poor in New York will profit from their increased political strength. I rather think that it will be unscrupulous political leaders who will profit. This is the group that has profited from easily led, semiliterate voting blocs in the past. New York does not need this. It is not true social progress.

I urge the retention of English in its tried and true position as an incentive to ethnic self-help and a ladder to full-fledged Americanism. I think that the amendment before us today represents social hypocrisy, political opportunism, legal irrelevancy and a host of other failings.

There is no discrimination, no abridgement "of privileges or immunities of citizens" in keeping people who are illiterate in English from voting. This literacy requirement makes good sense and the amendment before us should be defeated.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, the distinguished gentleman from New York [Mr. FINO] apparently either ignores the language or failed to read the amendment as offered. There is nothing in it that will discriminate against anyone who is literate only in a language other than English. It merely protects those attending American schools which teach a language other than the English language. It refers only to schools in the United States and the District of Columbia and the Commonwealth of Puerto Rico which, of course, is part of the United States.

He also overlooks the fact that nothing as now contained in the law of the State of New York or any other State as to an 8-year requirement instead of a 6-year requirement will be affected. They are all excepted by the very language of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, we are nearing the end of our discussion on what certainly ranks with the most significant legislative acts ever undertaken by the Congress with respect to the constitutional rights of our citizens. Throughout the debate, which has at times brushed against some of the most explosive issues of our time, I have been struck by the singularly high plane of our discussion.

We have debated for the most part between two versions of a proposal which seek to accomplish virtually the same goal—protection and implementation of voting rights for every citizen of the United States regardless of race. The arguments against the principle embodied in both these bills have lacked the fiery conviction and rocklike stubbornness of former debates over other types of civil rights legislation. And I suggest that the remarkable tenor of our debate may very likely be the single most significant accomplishment of this proposal. Perhaps we are, indeed, on the threshold of a solution to the problem that has defied the best statesmen of this Nation for more than 100 years.

Like others in this body, I introduced a proposal of my own on voting rights earlier in this session. I introduced H.R. 4549 on February 8. My bill included many of the provisions—or very similar ones—which are contained in both the so-called administration bill, H.R. 6400, and the Ford-McCulloch Republican substitute, H.R. 7896.

I have been able, as we all have, to find strengths and weaknesses in both bills. Just as there are similar provisions in both bills to my own bill, there are also conflicting provisions.

However, on the balance I must concede that the committee bill, H.R. 6400, is the better bill and I intend to vote for it.

The principal differences which, in my opinion, make the committee bill better, involve the poll tax abolition, the so-called trigger clause, and the presumption of literacy test.

While it may seem a more reasonable sort of trigger mechanism whereby the provisions of the act would be invoked if 25 persons complained of a loss or denial of voting privileges, it overlooks one very fundamental fact—the very real and demonstrated fact of intimidation. Voting rights could be denied to a thousand Negroes—as, indeed, they have been in many southern communities—but if these Negroes are threatened and intimidated—again, as they have been according to the record of the Judiciary Committee hearings—you can never come up with the requisite number of complaints.

It is far more realistic, far more efficient, far more effective, to have the automatic trigger mechanisms proposed in the committee bill, whereby Federal examiners will move into areas that have such devices written into local law and in areas where the Attorney General can show evidence of discriminatory practices.

A presumption of literacy based on completion of six grades of elementary school education is also unrealistic. The simple fact is that few of the Negroes in the South ever reach the sixth grade, whether they are able to read and write or not. The right to vote must not be predicated on any test of literacy or educational achievement any more than the obligation to pay taxes can be predicated on such tests.

On the third key point, the poll tax issue, I must support full and complete abolition of this device. My conscience simply will not allow me to compromise on this question of the poll tax. It is unfair, discriminatory, and no matter how it is explained or excused or rationalized, it has no other purpose but to abridge the constitutional right to vote.

No matter what other provision may be contained in the bill we enact here, it cannot reasonably be expected to solve the basic problem so long as the poll tax remains a fact of life.

It is not enough to permit these taxes to exist subject only to the change restraint of due process. They can never be justified on any grounds because if you deny their use as a discriminatory device, you deny the only practical reason for them to exist.

Of course, I agree that the committee bill can and should be improved. I agree that it should be amended to include the title III safeguards for guarantees under the first amendment to the Constitution which were proposed first in 1957. I intend to support the amendment which will secure these vital safeguards which will be introduced by the gentleman from New York.

This amendment goes directly to the heart of this business of intimidation. As we have recalled this week, this body included such a provision in the important civil rights legislation of 1957. It was subsequently knocked out of the final bill and we have seen the consequences. We can ill afford to overlook this important point any longer.

Mr. Chairman, I would like to underscore the remarks made here yesterday by my good friend and colleague from Massachusetts with whom I was pleased to travel to Alabama in March along with other Representatives of the Massachusetts delegation. As my colleague pointed out so graphically in his remarks, we saw with our own eyes how many of the precise devices we are now talking about were being used by State and local officials to deny and frustrate Negro voter registration.

We witnessed the drawn-out procedures, the lines of applicants, the meaningless trumped up requirements which these people had to meet in order to register to vote. They were not illegal devices, of course, because no law specifically ruled them out—that is what we are trying to accomplish right now. They were simple, devilish stumbling blocks intended to so frustrate and so confuse the registrant that he would eventually give up in disgust and despair.

We visited Montgomery and Selma on March 15 and we saw the procedures then being used to register Negro voters. They had to stand in line for hours just to receive a number. On the first and third Mondays of each month, a block of numbers was called and the registrant had to go stand in line again to be interviewed and to take a qualification examination. If he failed to respond when his number was called, he was canceled and, in order to register, had to start all over again in line waiting for a new number.

In addition to the exam results, a registrant was required to have a so-called sponsor vouch for him. The sponsor had to be a registered voter, of course, and in that area this almost automatically meant it had to be a white person. We learned that prior to the registration drive then underway in Selma, there were only 320 registered Negro voters in all of Dallas County out of a total nonwhite voting age population of 15,115.

These are the delaying tactics, the flagrant injustices which we can and must eliminate with the legislation now before us. We must take this further step toward full constitutional equality for all our citizens.

My conscience and my conviction, both of which have been strongly influenced by events and deeds which I have seen with my own eyes, compel me to support H.R. 6400. I have seen the delaying tactics and the redtape spun out like a spider web in the path of these people. I feel H.R. 6400 will best cut down that redtape and it is my hope that H.R. 6400 will prevail.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL of Massachusetts. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York. This is not only a New York bill, this would affect the Spanish-speaking population in the city of Boston, which is rising yearly.

I believe that this straightens out an inequity in the present bill. We have had through the years of 1957, 1960, 1964 and 1965 a voting rights bill. We will have voting rights bills in the future.

While this bill was being heard by the Rules Committee they spoke about the right to vote, and the progress of the requirements for voting through the years. I have prepared a record of these rights through the years. I know that the right to vote has not come easy to many peoples or to many races.

THE RIGHT TO VOTE

Mr. Chairman, as of today, all discussions seem to center around civil rights and its twin, the right to vote, all based on the one man—one vote doctrine.

You read about sit-ins, economic boycotts, teach-ins, and freedom marches as well as the fight for liberty. The rights of the Negro must be protected. All lovers of freedom and liberty have been alerted. All the shackles which have hampered the Negroes' right to vote must be struck down.

With all these contentions, I am in complete agreement. However, the right to vote freely did not come easily. At this time, it might be both helpful and informative for a native of Massachusetts to set forth some of the historical facts relative to the formation of a freedom-loving society in the State that has led the parade in the promotion, advocacy, and establishment of those laws, regulations and statutes that have blazed the way. Most of the firsts in progressive legislation, from time immemorial, have come packaged and marked "made in Massachusetts.

As a native son of Massachusetts, I am proud of the record produced by the Old Bay State and will be most happy in recalling the outstanding record of achievement accomplished in colonial times by the pioneer people of the Old Bay Colony of Massachusetts, and in later days by the enlightened electorate of the Commonwealth of Massachusetts. We in Massachusetts, in the course of history, have gone through the experience of having a property qualification for the right to vote; a poll tax provision which necessitated that the tax had to be paid and a receipted tax bill presented before the person assessed a poll tax was allowed to register and vote—this provision was in effect up to 50 years ago and the poll tax itself of $2 was only repealed 2 years ago—residence requirements have always and still have to be met before registering to vote; and the requirements that each person desiring to register to vote in Massachusetts must be able to write his own name in the voting register, and furthermore, the applicant must be able to read intelligently at least five lines of our State Constitution, printed on strips which are then drawn by the applicant from a barrel or box as if from a lottery. Let us run down some of the election procedures from the period when the Province of Massachusetts was governed by its charter of 1691 to the year 1780 when Massachusetts adopted its written constitution which is the oldest written constitution still in effect in the Western Hemisphere if not in the entire world.

VOTING REQUIREMENTS IN COLONIAL TIMES

In 1691—Charter of 1691 governed the Massachusetts Bay Colony. This charter required that a voter possess a 40 shilling freehold; that is real estate that rented for 40 shillings a year, or any property, other than real estate, that was worth 40 pounds sterling, approximately 54 pounds in colonial money.

In 1692—A law passed in 1692, apportioning the number of representatives, referred to voters as freeholders. As a matter of fact, the phrases "qualified voters," "families" and "freeholders" were used interchangeably in the election laws and in references to elections.

In 1726—Another change occurred in 1726 when the words "qualified voters" were struck out and word "families" was inserted in place of "qualified voters." The assumption was that most men were heads of families as well as voters.

In 1731—A law passed in 1731 used the terms "qualified voters" and "families," interchangeably. Town petitions asking for legislation often used the word, "families" when it obviously meant "voters."

In 1763, when Gov. Francis Bernard was in office, he used the word, "freeholders" when the meant "qualified voters." In other words, there were no other requirements, literacy, and so forth, for a freeholder. A freeholder was a voter, ipso facto (Mass. Acts and Resolves IV, 628–639, Apr. 30, 1763).

In 1763, an interesting sidelight appears as of this date. There was a disputed province election in Stockbridge in western Massachusetts. The contest was between the Indians and white voters for the control of the local political machinery. The Indians lost the election by a vote of 32 to 29. The Indians charged improper voting by unqualified whites. A committee of the general court went to Stockbridge and decided that the whites had won but recommended that the whites and Indians vote separately in the future. Probably the first real segregation test in America. Lo, the poor Indian lost out. However, it should be pointed out that in colonial Massachusetts the Indians had definite election rights as individuals, while the U.S. Constitution, article 14, section 2, still provides:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

THE RIGHT TO VOTE IN COLONIAL MASSACHUSETTS

In the colonial period of Massachusetts, just prior to the American Revolution in 1775 and the adoption of the Massachusetts constitution in 1780, there were three persons appointed by King James II of England to be Governor of the Province of the Massachusetts Bay. They were Gov. William Shirley who served from 1741 to 1749 and again from 1753 to 1756; Gov. Francis Bernard whose terms ran from 1760 to 1769; and Gov. Thomas Hutchinson appointed in 1769 and served until May 17, 1774, when the last English Governor of the Massachusetts Bay Colony appeared in the person of Gen. Thomas Gage.

Probably the very best way to interpret the feeling of the Massachusetts colonists of their resentment against British rule and their own personal desire to rule themselves by their own right to vote. The New England Quarterly in September of 1952 made such an interpretation. It stated:

> In addition to using statistics for determing colonial democracy, we can find out what the people themselves thought at the time. Men are often motivated by what they believe to be true, not necessarily what is true. So we need to know two things: (1) Did colonials believe that most of the people could vote, and (2) did the political machine operate in their interests once they had voted, or was political control in the hands of a colonial aristocracy?
>
> We would be just as mistaken about that period as we would be about our own if we assumed that the actual vote represented the potential vote. As Thomas Paine said, a man who fails to vote can blame only himself for the consequences. Actually, as Boston records show, the people turned out when they thought there was an issue and stayed at home when there was none. Only 192 voted in Boston in 1729, but when paper money became the issue in 1732, the vote jumped to 655. From 334 in 1761, the vote went to 1,089 in 1763; when Samuel Adams' control was at stake in 1772, 723 voted, but only 272 bothered to ballot in 1776.

GOVERNOR SHIRLEY'S VIEWS

From the following evidence, Governor Shirley obviously believed Boston was particularly democratic. British efforts to impress seamen in Boston brought on a riot which the militia, sympathizing with the rioters, refused to suppress. The Governor blamed the democratic constitution of Boston, for he said that any 10 persons could petition a town meeting where the poorest inhabitants, by their constant attendance, were generally the majority and outvoted the gentlemen, merchants, traders, and better part of the inhabitants.

Undoubtedly Shirley's experience with Boston democracy influenced the advice he gave the British on ways to check democracy in a proposed new government for Nova Scotia. He recommended triennial instead of annual elections because he said the representatives curried the voters' favor by opposing the Governor, especially just before an election. He also advocated limitations on the number of representatives and councilors and preservation of the balance between them—a balance which he said had already been destroyed in Massachusetts. Above all, the King should control the incorporation of towns. Experience had demonstrated the pernicious influence of Boston on other towns and their representatives, he concluded, for in Boston, all points were carried "by the mobbish factious spirit of the populace" in their town meetings. If there was governing merchant aristocracy in Boston, Shirley was not aware of it.

Popular opinion also prevented Gov. William Shirley from getting the legislature to vote him a fixed salary instead of annual grants. He told the Lords of Trade that the people generally had such a strong aversion to a fixed salary that even those representatives who favored it dared not support it, for they were elected annually and were extremely dependent on their constituents. So democracy operated in economic as well as political spheres.

GOVERNOR BERNARD'S VIEWPOINT

By 1766, Governor Bernard, declaring that the issue was now subjection to Great Britain, said royal government in the colony could never recover its authority without British aid, for the people had felt their strength and would not submit to anything they disliked. The Colony was democratic in all respects except the appointment of a Governor, and was especially democratic in the appointment of a council.

Bernard was quite right: as fast as a councilor or representative showed his colors as pro-British, out he went. Speaking of the election of 1769, Bernard wrote: "The faction had previously declared that they would clear the council of Tories: by this denomination they signify all those who are disposed to support the King's government, to acknowledge the authority of Parliament, and to preserve the people from a democratical despotism. (Councilors Flucker, Roper, Paine, and Worthington) were flung out by such large majorities, and the others, excepting the new ones and one or two more, elected so nearly unanimously, that it afforded a strong instance of the absoluteness of the faction as well as their disposition to abuse their power. A similar fate had befallen Tory representatives.

GOVERNOR HUTCHINSON'S OPINIONS

In 1767, Hutchinson summarized his view of Massachusetts democracy as follows: "every town is of course a distinct corporation with powers of making bylaws, raising money, etc., and hold their meetings when and as often as they please. All matters are determined by the majority of voices and although the province law provides that a man who does not pay a small tax shall not be deemed a qualified voter yet it is not 1 time in 20 that any scrutiny is made 500 or 600 are upon the floor together upon a level to all intents and purposes one only excepted who pro hac vice only is raised above the rest to put to vote such questions as are called for. The town of Boston is an absolute democracy and I am mistaken if some of the inhabitants don't wish for an independence upon province authority as much as they wish to see the province independent of the authority of Parliament. Every man in the Government being a legislator in his town thinks it hard to be obliged to submit to laws which he does not like and which were made by a house of representatives consisting of 100 men for one or two only of which he could give his vote and it is harder that a council who are still in a more distant relation to him should have a share in these laws and harder still that a governor in whose appointment he had no voice should control or restrain both council and house * * *." As later events demonstrated, the people of Massachusetts were hardly the anarchists Hutchinson depicted them to be.

One episode which aroused intense interest and showed both the nature and workings of Massachusetts democracy was the Land Bank or manufactory scheme of 1740. Thomas Hutchinson, Boston merchant-politican who opposed the bank, said the 700 or 800 partners were "some few of rank and good estate, but generally of low condition among the plebians (sic) and of small estate and many of them perhaps insolvent." "The needy part of the province in general favored the scheme," he continued, but "one of their votes will go as far in popular elections as one of the most opulent."

Thomas Hutchinson also had a taste of Boston democracy. Having made himself unpopular by favoring hard money instead of paper money, Hutchinson wrote plaintively to his friend Israel Williams of Hatfield after the election of 1749: "You have heard my fate. I could make but about 200 votes in near 700. They were the principal inhabitants but you know we are governered not by weight but by numbers."

Still other witnesses lend their weight to the view that colonial Massachusetts was democratic. John Adams said that all an artful man had to do to win the votes of the "rabble" which frequented the taverns was to win the favor of the tavernkeeper. The rabble, he continued, comprise "a very large, perhaps the largest number of voters" in many towns. Governor Bernard complained to the British that it was unfortunate for the council to be elected annually by the people's representatives, for this made the council much too popular to serve as mediator between Crown and people. Councilors were greatly influenced by the desire to be reelected—a fact well known to everyone—and he considered it "highly indecent" that councilors should be publicly threatened with defeat for what they did in the council. Today we consider this the very essence of democratic government. British ministers condemned the popularly elected house of representatives for refusing to obey the King's instruction or to provide adequately for the Governor, and on all occasions affecting "too great an independence on their mother kingdom." Continued the ministers: "The assembly is generally filled with people of small fortunes and mean capacities, who are easily led into any measures, that seem to enlarge their liberties and privileges, how detrimental soever the same may be to Great Britain, or to Your Majesty's royal prerogative."

Time and again Governor Hutchinson lamented both the dominance of democracy and the absurdity of democratic ideas. He declared that the disturbances had brought "not only into the house but the council the lower orders of people," and he expressed the hope that the next election would return a better house. As things stood, he said, "government has but few supporters, and they will not attend when they are most wanted." He urged these supporters to attend the meetings of the legislature, and hoped that the "good" towns would send two delegates. "But," he warned his correspondent, "remember you don't live in the commonwealth of Plato but in the dregs of Romulus." "Can anything be more absurd," he asked of former Gov. Thomas Pownall, "than for the representatives of a people to declare that all power is to be exercised for the good of the people and they are to judge when it is so exercised and submit or not submit accordingly?" There seems to have been little doubt in Hutchinson's mind that without the check of the British Government, democracy would have reigned supreme in Massachusetts, and that it was doing pretty well anyway.

A few more examples will suffice to show that whatever present day historians may think about early Massachusetts, men at the time at least considered it democratic. There is the statement by Benjamin Franklin that in New England every man was a freeholder and had a vote in public affairs. There is also the quoted interview of a veteran of the Revolution: "Young man, what we meant in going for those redcoats, was this: we always had governed ourselves and we always meant to."

If there be those who still think colonial Massachusetts was undemocratic and governed by a merchant aristocracy, let them read the following letter which Hutchinson sent to Hillsborough. He said he was sending a copy of the Boston Gazette containing the proceedings at the election and Boston's instructions to its representatives. These were criminal, he declared, but were looked upon as a matter of course, "the meetings of that town being constituted of the lowest class of the people under the influence of a few of a higher class but of intemperate and furious dispositions and desperate fortunes. Men of property and of the best character have deserted these meetings where they are sure of being affronted. By the Constitution 40 pounds sterl—which they say may be in cloaths household furniture or any sort of property is a qualification and even into that there is scarce ever any inquiry and anything with the appearance of a man is admitted without scrutiny."

What else could one ask in the name of democracy?

As far as Massachusetts is concerned, colonial society and the American Revolution must be interpreted in terms of something very close to a complete democracy with the exception of British restraints. There were doubtless a few men who could not vote, but they must have been few indeed. Obviously the common man had come into his own in Massachusetts long before the time of Andrew Jackson.

NOW COMES THE REVOLUTION

The Boston Tea Party, the Boston massacre, the Battle of Lexington and Concord, the Battle of Bunker Hill, and the evacuation of the British troops from Dorchester Heights on March 17, 1776, all presaged the dawn of the American Revolution and the formal breaking of political ties with England. Success crowned the American efforts to achieve the objectives of the American Declaration of Independence proclaimed July 4, 1775, which stated:

> That they (men) are endowed by their Creator with certain inalienable rights, that among them are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

With the surrender of the British under General Cornwallis at Yorktown, peace came to the American Colonists.

MASSACHUSETTS CONSTITUTION OF 1780

The Commonwealth of Massachusetts immediately drew up its constitution.

Today the Massachusetts constitution of 1780 is the oldest written constitution in effect in this hemisphere, and perhaps in the world. It has survived for three reasons. A man of genius, John Adams, made the first draft. It is based foursquare on the doctrine of natural rights, and demonstrates this by putting its "Declaration of Rights" in front of the organizational chapters of its "Frame of Government." Most important, it is based on a faith in democracy.

Our constitution has been a model for others. Its drafter, John Adams, said with much truth: "I made a constitution for Massachusetts which finally made the Constitution of the United States," as will be seen by comparing our constitution with its 7 years younger sister, the Federal Constitution of 1787. Our declaration of rights is a model for the Federal Bill of Rights, the first 10 amendments, which were added at the express suggestion of the Massachusetts Ratifying Convention of 1788, the first official suggestion to come from one of the States. The words of article XXX of our declaration of rights are considered the embodiment of the American doctrine of the separation of the powers. Indeed, a president of the American Historical Association, Andrew J. McLaughlin, in 1914 stated that the formation of the Massachusetts Constitution was the most significant single event of the American Revolution, because it "answered, in itself, the problem of how men could make a government of their own free will."

THE COMING OF THE UNITED STATES CONSTITUTION

When the American Colonies declared their independence from England in 1776, they represented a truly rural and agricultural Nation. Three percent of the colonists lived in nonrural communities. There were not more than 24 incorporated municipalties in all the Thirteen Original States.

The radicals of the day dominated the Nation's politics during the writing of the Articles of Confederation and the Declaration of Independence (both 1776). They saw to it that they were adopted by "delegates of the States" and that the States severally entered "into a firm league of friendship with each other." Each State retained its "sovereignty, freedom and independence." The radicals feared and hated strong government—they were fully convinced that the unwise and arrogant policies of the British Government was the primary cause of the Revolution itself.

Four years after the fighting had ceased, conservative businessmen of the North and planters of the South were still trying to devise some sort of constitutional reform that would meet the needs of the Colonies and make the Confederation of States a going concern.

In 1787, the Constitutional Convention met in Philadelphia. It was dominated by the Nationalists or Federalists of that day. They demanded a strengthened central government. That is what they got. The new U.S. Constitution went into effect in 1787.

U.S. CONSTITUTION

> We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

The fighting preamble to the new U.S. Constitution satisfied only partially the electorate of the United States. It presaged a long political battle on States rights, slavery, Federal control in derogation of States rights, the 14th amendment on citizenship and congressional apportionment, the 15th amendment on the right to vote which is the big political issue of 1965.

The Federalists were in control of the Presidency from 1787 until 1801 when Thomas Jefferson became President. The House of Congress and the State governments remained in the hands of Decentralists, opposed to Federalism, first known as Anti-Federalists, then as Republicans, later as Democratic-Republicans, and finally by the 1820's as Democrats.

The Federalists were a class party of commerce, industry, and plantations. Thomas Jefferson made his appeal to the great mass of mechanics, shopkeepers, small farmers, skilled tradesmen, and other workers. He gradually molded them into a party of the common people, a political development that was to reach its complete fruition, three decades later in the age of Andrew Jackson.

GOVERNMENTAL TRENDS

The State legislatures which had championed the Colonists against the royal governors representing the British Government, became the dominant agencies in government. The governors, on the other hands, had to bear the burden of the unfavorable image of the executive created when their prerevolutionary counterparts sided against the resident population. The legislature chose the other State officials, including the governor, who was limited to 1-year terms, had no veto except in Massachusetts, and could not succeed himself. It also selected the judiciary.

In the cities, same pattern—the council possessed virtually all authority. It was headed by the mayor, who had no veto power and practically no executive power. He presided over the council and was a ceremonial mayor only.

Almost all of the new States omitted property qualifications for suffrage from their constitutions. In the 1820's and 1830's, the older States dropped their property requirements for voting—requirements that might otherwise have had important connotations for the expanding urban proletariat.

POLITICAL STATUS OF THE NEGRO

The American Negro has been a formidable part of the American scene for more than 200 years. He was brought here as a slave. His forbears toiled on southern plantations. City life was not to their liking. But the great Civil War changed this picture. When the big southern plantations were broken up, most Negroes became sharecroppers in the South.

A study of the percentage figures of the Negroes as compared to the whites in the United States shows some startling contrasts. At the very beginning of the United States of America, in the 1790 census, 20 percent of the population were Negroes.

However, the low economic standard of the Negro plus a higher death rate, combined with a very heavy all-white immigration into the Southern States subsequent to the American Revolution, resulted in the drop of the Negro population down to 14 percent in 1860 and then slipped steadily down to 10 percent in 1930. This last figure of 10 percent has remained fairly stationary since that time on the national population basis.

The Hoover depression in the early thirties temporarily stopped the movement of the Negro from the South to the great northern industrial cities.

The end of World War I and 11 years of unprecedented prosperity that followed it, had caused a shortage of hard-manual laborers which sent thousands of Negroes to northern industrial centers. This movement of Negroes was accentuated by the shutting off of European immigration by the Immigration Act of 1924. Nevertheless, at the end of World War II in 1945, the subsequent extraordinary prosperity that followed it, has caused a tremendous influx of Negroes to certain areas of the North. As of 1957, census figures show that 1 of every 4 persons in Detroit was a Negro, while the percentage in Chicago was 1 Negro for every 5 persons.

The tendency of Negroes to move into the so-called ghettos or blighted areas of the North has produced a situation that will show drastic political changes in such cities as Detroit, Chicago, Cleveland, St. Louis, and Boston in coming campaigns. This Negro concentration in the northern core cities and the higher birthrate, will inevitably create a situation whereby the Negro will become the dominant racial group in many U.S. metropolitan areas in the years ahead.

GROWTH OF FEDERALISM IN UNITED STATES

The story of the centralization of power in the Federal Government is a most interesting one. It starts with elevation of John Marshall to the office of Chief Justice of the United States by President John Adams and continues right down through American history to our present-day voting in Congress on the right to vote law.

The stream of decisions from Chief Justice Marshall frittered away the powers of the States and turned them into the Federal Government. No jurist has left so deep an imprint on the law and government of his country as did John Marshall, Chief Justice of the United States from 1801 to 1835.

Marbury v. *Madison,* 1 Cranch 137 (1803) must be acknowledged as the most fundamental, for here was established, once and for all so far as American history was concerned, the right of the Federal courts to pass on the validity of congressional legislation. This power of judicial review was the foundation on which all the remainder of the Marshall court's constitutional doctrine rested. But once this power was established, it remained to assert the principle that the Federal Government could exercise not only those functions specifically authorized by the Constitution but those implicitly suggested by the language of that document as well. It has seldom since been forgotten by the Court that, as Marshall put it "It is a Constitution we are expounding."

McCulloch v. *Maryland,* 4 Wheat. 316, 407 (1819). The McCulloch case, supra, was a momentous decision. The U.S. Supreme Court ruled that Maryland—hence any other State—could not charter nor tax a Federal bank. The doctrine of implied powers stemmed from this decision. State laws which stood in the way of Federal jurisdiction were null and void.

The inability of the American people to solve the question of slavery, led inevitably to the Civil War. At the end of the war, the 14th amendment was added to the U.S. Constitution on July 23, 1866. Section 2 of the amendment provided: Representatives of each State in the House shall be in proportion to the number of persons in each State, excluding Indians not taxed, and specifically provided for the reduction of representation of any State that deprives any male inhabitant from voting—unless convicted of rebellion or other crime.

The final clincher for federalism came in the decision in the case of Texas against White in 1869 which stated that the "United States was an indestructible Union of indestructible States."

Then came the adoption of the 15th amendment to our U.S. Constitution which is called the right to vote amendment. This was adopted on March 30, 1870. It provided:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have the power to enforce this article by appropriate legislation.

This amendment is practically a substitute for section 2 of article 14 adopted in 1866.

The Federal tide was running strongly and very little resistance was offered to it. For example, in 1927, a law was passed in Texas to ban Negroes from voting. No great stir against this kind of legislation arose in Texas but on appeal to the Supreme Court of the United States the Court threw it out.

Nixon v. *Hernden,* U.S. Supreme Court, 1927. The 1929 financial crash followed by 10 to 15 years of depression and disturbing financial conditions produced a deadlock on social legislation.

THE GREAT AWAKENING

World War II had come and gone, and 84 years had come and gone since the 15th article of amendment had been adopted and no legislation to carry out its obvious intent had been enacted by Congress. A rather innocuous suit of *Brown* v. *Board of Education of Topeka,* 347 U.S. 483 (1954) was being heard by the U.S. Supreme Court.

It was clearly an integration issue. States rights once again became a part of the arsenal of those who in the South opposed the integration of schools before and after the U.S. Supreme Court decided in favor of a single national policy on this delicate but basic question. The U.S. Supreme Court threw down the gauntlet and ordered desegregation on a national scale. This was an earthquaking decision.

ONE MAN, ONE VOTE

In 1962 in the *Baker* v. *Carr* case, 369 U.S. 186, the U.S. Supreme Court departed quite radically from its previous position on apportionment of congressional districts as well as those of the senate and house on the State level. The 14th article of amendment to the U.S. Constitution was the law of the land and the districts should all conform reasonably to equality of voting or population strength. It stated that its yardstick on apportionment was "one man, one vote" and moved immediately to set aside improper apportionments and set up constitutional ones in their stead.

In 1964, in the case of *Reynolds* v. *Sims,* 374 U.S. 802, the U.S. Supreme Court moved still further on the Federalist trail in ordering all hindrances to voting by Negroes to be struck down. This included poll taxes in several Southern States and literacy tests in all States wherein the conditions indicate that the Negro is not receiving equal rights.

PRESIDENTIAL POINTS

I feel that President Johnson, in his tremendous address before the Houses of Congress on Tuesday, March 16, 1965, stated the need for corrective voting rights in the United States when he said:

> It is wrong, morally wrong, to deny any of your fellow Americans the right to vote in this country.
>
> The dignity of man and the destiny of democracy are at stake.
>
> Democracy delayed is democracy denied.
>
> Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty to insure that right.
>
> No law we now have on the books can insure the right to vote when local officials are determined to deny it.
>
> There is no issue of State rights, or national rights. There is only the struggle for human rights.
>
> There is no moral issue. It is wrong to deny any American the right to vote.
>
> We cannot refuse to protect the right of Americans to vote.

The President of the United States is my leader and I shall follow his challenge and successful leadership.

LESSONS TO BE LEARNED

Now that the right to vote has become a national issue, let us all resolve to do our utmost to insure the greatest possible number of registered voters in the history of the United States of America. I do hope that the voting rights bill will provide for three salient things:

First. Universal suffrage based on a 6 months' requirement of residence.

Second. Registration to be made available to all eligibles at all registration places during business hours, except for periods of 30 days before primaries and elections in order to provide adequate time to prepare voting lists by the election officials.

Third. Officials in charge of registration shall provide, without charge, lists of all unregistered voters in their area to all duly organized political committees and all political candidates upon their request for same.

MASSACHUSETTS' SUCCESSFUL PROGRAM

In Massachusetts, we have been drafting, filing, speaking in behalf of, and finally have succeeded in passing enough registration bills so as to make our situation here from the point of registration a great success. This work covers a period of 40 years. For the record, I would like to give to this House some suggestions that might be very helpful nationally.

In 1922 all towns under 5,000 population were not obligated to publish or distribute street lists of all persons 20 years of age or older. Street lists in the larger towns and cities were not compiled uniformly. Some would be arranged by streets while others would have the persons listed in alphabetical order. Many times the lists would be separate for the men and women.

There was no requirement in 1922 that street lists should be available to political committees and candidates, free of cost. City and town clerks could ignore Democratic requests for street lists completely. Or they could charge a fee for such lists. The names of aliens were not specially designated and the names of registered voters on the street lists were not starred or noted by an asterisk.

Without street lists, there could be no concerted registration drive.

VOTING LIST DIFFICULTIES

There was no uniformity or coordination in the preparation and arrangement of the voting lists. The pattern of preparation for the police or street lists in the cities and towns, many times was the exact reverse to the makeup of their voting lists. For example, street lists might be alphabetically arranged while the voting lists appeared by streets. Oftentimes a punitive charge by the city or town clerk, in order to slow down Democratic registration, would be requested. The asking price ranged from $1 to $15 per voting list. In the 1922 Gaston-Fitzgerald campaign, the cost for a partial roundup of this vital registration material exceeded $1,500. Sometimes, no price could produce a voting list for a Democrat.

BASIC REGISTRATION REQUIREMENT

Every person in Massachusetts who desires to register as a voter must be police or street listed. So street lists are a must, and in 1922, voting lists had to be procured for each ward and precinct in all the cities and towns.

AUTOMATION COMES TO REGISTRATION

By persistent, continuous legislative efforts, our registration laws have been made uniform and the work of registration has been simplified as well as amplified by the following procedures:

First. Towns of 5,000 and under were put under general law. Street lists were required.

Second. Law passed requiring street lists and voting lists to be similarly arranged.

Third. Law requiring street lists to be printed annually in all cities and towns not later than July 15 of each year.

Fourth. Comparison law providing that voting lists shall be ready in all cities and towns not later than July 15 of each year.

Fifth. Statute providing that both street lists and voting lists should be available and distributed, free of expense to all political committees and political candidates upon request.

Sixth. Bill passed, requiring registration in every ward of every city before each election following pattern of precinct registration in all towns.

Seventh. Requirement enacted that street lists should contain information as to the nationality of all aliens.

Eighth. Law to provide that registration should take place in all city and town clerks' offices during office hours.

Ninth. Factory and mill registration bill that requires a mandatory registration session in a factory or mill, upon petition of 10 persons 45 days prior to primary and election day.

Tenth. The last and best piece of registration legislation is the law that the street and police lists in all cities and towns shall carry a star or asterisk opposite the name of each registered voter. This means that the expensive and laborious checkoff system has been eliminated and with its elimination, the party workers know on July 15 that the residue of persons listed on the street lists that do not carry a star or a designation as an alien, are the eligible and potential new voters to be registered. And this information is available while there is still plenty of time to take advantage of 2 vital months of harvest this all-important registration.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Dowdy].

Mr. DOWDY. Mr. Chairman, 1 minute is about all I would expect to use at this time even if I had been recognized for 5 minutes.

I made the statement earlier that this bill is a local bill, and should be considered as such.

If the delegation from New York considers the State legislature of New York is incompetent to legislate on this matter, and if they want the Members of Congress from New York to do so, our New York colleagues ought to get together and write it into the bill the way they think it ought to be, as applicable only to New York. That is the way local bills are written, and is the way they should be written.

The same applies to Massachusetts. If the State Legislature of Massachusetts is incompetent to legislate, let the Members of this Congress from Massachusetts come in here and let us write it into a bill for them. That is the way it should be handled. This is a local bill, and should be considered and handled as such; consider the wishes of the people from the various States affected as to what they think ought to be done in reference to each individual situation and each individual State.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Pucinski].

Mr. PUCINSKI. Mr. Chairman, I rise in support of this amendment, but I would like the author to clarify one point.

We, in Illinois, have a requirement that a voter must be 21 years of age and he must be a legal resident of the State. There is no minimum academic requirement in the law in Illinois.

Am I correct in assuming this amendment does not impose upon a State a minimum academic requirement?

Mr. GILBERT. The gentleman is absolutely correct.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Gilbert].

Mr. GILBERT. Mr. Chairman, I refer my remarks to my distinguished colleague from New York [Mr. Fino]. I would like to draw to his attention the fact that the senior Senator from the State of New York, Senator Javits, is one of the sponsors of this amendment in the other body, and also that the standard bearer of the Republican Party and other parties in the city of New York sponsoring this legislation just commended me for the introduction of this amendment.

This continues to indicate the divisiveness of the Republican Party on this issue as on other issues affecting the rights of the people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Gilbert].

The question was taken; and on a division (demanded by Mr. Fino), there were—ayes 110, noes 74.

Mr. FINO. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Gilbert and Mr. Fino.

The Committee again divided, and the tellers reported that there were—ayes 125, noes 94.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Cramer of Florida: On page 24, after line 15, insert a new subsection to read as follows:

"(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration or illegal voting, or pays or offers to pay or accepts payment either for registration or for voting shall be fined not more than $10,000 or imprisoned not more than five years, or both: *Provided, however,* that this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the Territories or possessions."

Mr. CORMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. CRAMER. I yield to the gentleman from California.

Mr. CORMAN. I do not understand how comprehensive the coverage is to be. I wonder if the gentleman, in his remarks, will let us know whether this covers everyone who seeks to vote, or only those who might come under the provisions of the bill?

Mr. CRAMER. Mr. Chairman, I intend to cover that subject. I believe that those interested in broadening the bill by putting the Puerto Ricans under the bill will be interested in and not disturbed by broadening the bill by protecting everybody in America as to the stealing of votes.

That is what this amendment will cover. It will prevent the stealing of votes. It will prevent the buying of votes.

This amendment was adopted unanimously in the other body, by a vote of 86 to nothing. It is in language quite similar to the Williams amendment, which the other body adopted by a vote of 86 to nothing.

This was done, I might add, after a quite lengthy debate over a 3-day period. Those who have read the debate, relating to fraud, relating to the stealing of votes, and relating to the buying of votes—and I am sure every Member of this body recalls what happended in 1960 and recalls many of the vote-fraud cases and the evidence which has been made available—will agree that a vote fraud amendment of this nature can prevent the stealing of votes and the buying of votes and is absolutely essential.

So if you want clean elections in America, if you want to clean up the elections throughout this country, support this amendment. It will apply universally to the entire Nation. If you want those people who will be registered, as minorities, to have their votes mean something, then you will support this amendment, because you will not want their votes "watered down" by the stealing of other votes.

You can register all of the minorities you want, but if you turn around and permit other people to come in and register tombstones, to come in and provide false and fallacious and illegal absentee ballots, to come in and buy and procure votes, to come in to float voters from one voting precinct to another or from one county to another county—who do so intentionally, knowingly, willfully and purposefully to affect an election result—then you will just not give much of a remedy to these people to whom we are attempting to give voting rights today.

This applies to everybody. This provides for relief for everyone as it relates to preventing fraudulent voting. Now you have an opportunity once and for all to go on record as the greatest deliberative body in the world, the U.S. Congress and this House of Representatives, and to put the world on notice that we intend in this Nation to have clean elections, and not fraudulent elections, and not bought votes, and not procured votes, and not fraudulent votes, and not tombstone voting, but clean elections. If we do not do that, then voting rights in our very democratic system on which this Republic is based could be destroyed.

The committee report discusses this. The McCulloch-Ford substitute bill had this amendment in it. The Ford-McCulloch bill had this amendment in it. This was included in the Ford-McCulloch substitute on page 25. It was the same language. Anyone who supported that should support this amendment. Anyone who did not support it and intends to support the committee bill should support this amendment if they intend to do what they say, which is to give everybody an equal right to vote. If you do not support this amendment, you can register all of the minority votes you want to, but their vote can be stolen the next day or in the next election through these devices which have been used throughout this Nation in many places in elections. The RECORD of the debate in the Senate in 1965, on pages 8813 and the pages that follow shows the extent of fraudulent voting in this Nation.

Mr. SENNER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I yield to the gentleman.

Mr. SENNER. Under your amendment, would it be possible for the Democratic Party or the Republican Party to spend sums of money to encourage people to register and encourage people to vote? By your amendment you would prohibit this lawful activity and make it a crime, do you not?

Mr. CRAMER. No, it would not. It was debated in the other body and it was shown that it would not prevent spending money to encourage properly voting. It is not the intention or the purpose and it would not be a crime.

Mr. SENNER. But that is what your language says.

Mr. CRAMER. It is precisely the Senate language on this point. It was adopted unanimously in the other body. Is everyone in the other body wrong? This same issue was raised there. I do not yield any further.

In our committee report the minority views relating to the substitute version, here is what it says on page 50——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

Mr. HAYS. Mr. Chairman, I object.

Mr. CEDERBERG. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I take this time to call the attention of the House to another area that I believe has been neglected in regard to voting discrimination. In every election we have many millions of the citizens of our country who lose their right to vote because of moving from one location to another. If someone moves from my State of Michigan to another State, he may not be eligible to vote in a Federal election. For the last several Congresses I have introduced legislation which proposes an amendment to the Constitution to take care of this matter. I urge the chairman of the Committee on the Judiciary to give this his serious consideration after this legislation is taken care of.

What I want to ask the chairman is this question: Is an amendment to the Constitution necessary in this area in order to protect the rights of these citizens who now lose their rights to vote in a Federal election because of their moving from one State to another in view of the fact that we have just passed an amendment which I assume the chairman feels is constitutional giving the Spanish-speaking citizens the right to vote regardless of State laws requiring they be able to read and write English. As I understand it, in the State of New York, the existing law now says that you must be able to read or write the English language. The amendment we have adopted is that this is no longer necessary for Spanish-speaking citizens. So the State law is then negated. Now, could we, by an amendment to this legislation, do it in a constitutional manner and provide that the citizen who moves, let us say, from my State of Michigan and is no longer a resident there, but has moved to the gentleman's State of New York, but does not satisfy the State's requirements for voting in a Federal election or a State election—could he, by other than an amendment to the Constitution, be given this right by amending the legislation we are considering today?

Mr. CELLER. The residence requirement in New York has, however, not been found to deny equal protection of the law.

Mr. CEDERBERG. Is there any way we can amend this bill other than by going through the laborious process of amending the U.S. Constitution so as to give these people the right to vote in the State in which they reside at the time that the election takes place in national or Federal elections?

Mr. CELLER. We would probably have to go through the route of a constitutional amendment on that score.

Mr. CEDERBERG. I would urge the chairman of the committee to give serious consideration to a constitutional amendment in this area, because the statistics indicate that there are 3 to 5 million people who are denied the right to vote in Federal elections because they have moved from one State to another.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I call attention of the committee to the fact that the committee bill does prohibit and punish willful falsification in subparagraph (d), page 28. It covers all elections. It covers anyone who seeks the help of a Federal examiner. It is as comprehensive as this bill. The additional language is vague. It would probably lend itself to frustrating voter registration efforts of the civil rights groups in the South. I suspect that is its purpose, and I urge its defeat.

Mr. McCLORY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have had a great deal of experience in the State of Illinois and particularly in the city of Chicago with regard to voting frauds. As the gentleman has indicated who offered this amendment, the gentleman from Florida [Mr. CRAMER], the results of the election in 1960 were very close and the final outcome was in question partly because of the close election in Illinois and because of vote frauds that occurred there. The situation which developed in Cook County was that an election contest proceeding was filed in the county court. The Democratic judge, Thaddeus Adesko, disqualified himself and it was necessary to go away down to the southern part of the State in order to find another judge who was a Democrat to substitute in that court.

There were 672 precincts, I believe, where there were discrepancies in the election. The discrepancies with regard to the elections were all rejected by this judge who came in from outside of the county. The situation was very flagrant. It has been documented. As a matter of fact a Democratic special State's attorney was appointed, Morris J. Wexler, for the purpose of prosecution. This special assistant State's attorney demonstrated in his report that the voting frauds there were deep rooted, that they were general throughout the area. Those vote frauds are a very sad commentary on election procedures in the State of Illinois and the city of Chicago.

Mr. Chairman, I would like to say this further. If this amendment will do something about that situation, and I believe it will, it would do great credit to this Congress and contribute substantially to this legislation that may be passed. I am hopeful that the Members on both sides of the aisle will support an amendment which promises to produce cleaner and better and more honest elections and which vests greater enforcement authority in the Federal field with regard to State and local elections, just as we are trying today to assure voting rights to all Americans in such State and local elections.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I started to read just a few minutes ago, but was prevented from doing so because of objection to my proceeding for a few more minutes, from page 50 of the committee report, the minority views.

The reason for this amendment is stated quite pointedly and unequivocally. The objective is to get the right of every American, and so forth, to be assured of a clean election. That means whether there has been an examiner appointed or not. That means all America. And there are not going to be any examiners, or very few, if any, appointed in any of the 43 States outside of the 7 States, the so-called massive-resistance States, because that has been the experience.

Only the triggering device under that section 3(a) relates to these 43 States. It is a pattern or practice procedure. There have only been 70 of them filed in the last 4 years. There are not going to be hardly any examiners anywhere outside of the seven States. If this amendment is not adopted there is not going to be any relief so far as fraudulent and false voting is concerned.

That is what the committee report says. The committee bill does not touch the question of ballot destruction or alteration for the districts in which an examiner has not been appointed nor does it address itself to the giving of false information to election officials for the purpose of establishing eligibility to register and vote. Only falsifications before examiners and hearing officers are prohibited.

Similarly, the vice of paying or accepting payment for voting is not even mentioned in the majority bill, in the committee-Celler bill.

So I say you can do all you want to do with regard to registering these people which this bill is supposed to correct, but you are going to turn around and let the vote be watered down and stolen from them by these corrupt practices. If you think that way, then vote for this amendment.

Mr. KASTENMEIER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman from Illinois [Mr. YATES].

Mr. YATES. I thank the gentleman from Wisconsin.

Mr. Chairman, I want to respond to the remarks of the gentleman from Illinois [Mr. McCLORY] respecting the election of 1960. President Truman, was once asked by a visitor whether the people where he came from said, "A hen lays or a hen lies." Without hesitation, Mr. Truman replied, "The people where I come from don't say either. They pick up the hen to see."

What are the facts here, Mr. Chairman? The facts are that in 1960 holding office in the city of Chicago was a Republican district attorney, Robert Tieken. Holding office in the city of Chicago at the same time was a Republican States attorney, Benjamin Adamowski.

The Republicans set up such a howl about vote frauds that each of these gentlemen conducted an investigation with the full power of their offices to dig up the facts. After investigating, each of them came to the same conclusion; namely, that there was no fraud.

The speech of the gentleman from Illinois, Mr. Chairman, is a typical sour grapes speech that Republican Representatives from downstate often make about the city of Chicago. They cannot win elections on the basis of the issues, so they try to justify their losses on the basis of lies. But, Mr. Chairman, the gentleman from Illinois is not fooling anybody.

Mr. KASTENMEIER. Mr. Chairman, the colloquy which we just heard indicates why this amendment is not good. This is a contentious matter. The Judiciary Committee did not go into vote-fraud cases in Chicago in 1960, or go into the subject at all. As far as the scope of the bill is concerned, the scope of the bill is designed to enforce the 15th amendment to the Constitution of the United States. It has nothing to do with general voting problems. The speech by the gentleman from Michigan with respect to residence requirements indicates we have many voting problems. There is nothing in this bill relating to the one-man, one-vote proposition, one of the contentious voting problems confronting the Republic. This is a bill solely for the purpose of enforcing the right to vote under the 15th amendment, except as to the poll tax, to which is added the 14th amendment. That is why it is not in the bill, and does not deserve to be in the bill.

I urge that the amendment be defeated.

Mr. McCULLOCH rose.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. The question is on the motion.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 113, noes 60.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GERALD R. FORD. Does the 10 minutes start following the gentleman from Ohio [Mr. McCULLOCH]?

The CHAIRMAN. The gentleman from Ohio will be recognized for 5 minutes prior the limitation.

The gentleman from Ohio [Mr. McCULLOCH] is recognized.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman.

Mr. CRAMER. I think the statement the gentleman just made should be clarified because his statement is not correct. This bill goes far beyond the enforcement of rights under the 15th amendment. I am sure the gentleman realizes it goes far beyond that. For instance, under section 8 under the observer section, that relates their activities to everybody and not only in case of those who have been discriminated against because of race or color. The observers observe relating to everybody's vote be they white or colored. I say we should have protection for everybody against vote buying and stealing just as we have observer protection for whites or Negroes in all areas of the country. Likewise as to section 11(b) it says:

> No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce.

That goes far beyond the 15th amendment.

The third example has to do with section 12(e). These are all examples where it goes far beyond the question of the 15th amendment. Therefore, if there is any question about it, it should be raised as a question of germaneness to the bill—which question was not raised.

Mr. McCULLOCH. Mr. Chairman, I rise in support of the Cramer amendment.

Mr. Chairman, I would like to say to the committee that all the tumult and the shouting and all the passing of legislation that will insure nondiscrimination means nothing whatsoever unless the vote is honestly counted, tabulated, and announced.

I am sure that all of those who have exhibited an interest in seeing that people have the right to vote know that before the literacy tests were used in the South, and before the poll taxes were used in the South, that widespread corruption was the method by which the Negro was disenfranchised.

Mr. Chairman, there can be no greater disillusionment—there can be no greater frustration—than to lead a citizen who long has sought the right to vote, to believe that he now has that right to vote and later for him to discover that that sacred right and that that sacred privilege has been corrupted and dishonestly used.

I call upon you to search your conscience before you vote on this amendment. What harm can it do? Then measure that against the great good that will come from it.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Chairman, I regret that my distinguished and esteemed colleague from Illinois [Mr. McClory], after spending all day in flirtation with his friends from Dixieland, when the bells rang down the curtain on his and their cause, took out his distemper on the State of Illinois. I have profound respect for my southern colleagues and their loyalty to what they seem to feel is a southern cause. I wish that my good friend from Illinois could have shown the same loyalty to his State, and my State, Illinois.

There is not a State in the Union where there is a greater integrity at the ballot box than in the State of Illinois. This has been the finding of a commission of the highest standing that recently completed a study in depth of national voting habits and practices.

Irresponsible statements were made, with political motivation, to cover up the Nixon defeat of 1960, and a thorough investigation by a bipartisan group that enjoyed the complete confidence of the public showed that there was not one iota of evidence to uphold the allegation.

Mr. Chairman, I am proud of the State of Illinois, proud of its good name, proud of its good deeds, proud that in Illinois no one is barred from voting because of race, or the color of his skin. From the bottom of my heart I deplore what I have witnessed today—a dragging in the mud of the good name of Illinois, apparently in a vain effort to justify conditions in some other States where men and women of good will and of patriotic hearts are not, as in Illinois, permitted to vote for the candidates and causes of their choice.

I had thought the debate on the voting bill, revolving around an issue so emotional, had been conducted on a high plane and in the best traditions of this historic Chamber. It must be distressing to most of my colleagues, as it is to me, that in the closing stages of this debate there was resort to a name calling so far below the high character of the debate that preceded.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Derwinski].

Mr. DERWINSKI. Mr. Chairman, I find it necessary to disagree with my distinguished colleague. As a Representative from Illinois, it is a great shame and humiliation to be subjected from time to time to discussion on fraudulent voting procedures in the State of Illinois, since my early political career was conducted in the city of Chicago, where it is especially difficult for Republicans to survive, not merely on the basis of political philosophy but because of the method in which campaigns and elections are conducted. We went to eliminate vote frauds and if we want to give everybody an opportunity to see that his vote is cast properly, there are things in Chicago that should be corrected.

Much depends on one's definition of fraud. If coercion is a fraud, it exists in Chicago. If bribery is a fraud, it exists in Chicago.

I see no reason why my colleagues on the Democrat side of the aisle, who have such great respect for the mayor of Chicago, their leader, would wish him to be reelected again and again and again under the cloud of vote fraud. Why not permit this provision to apply? Why not have clean elections in Chicago, and in all of our 50 States?

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Wright].

Mr. WRIGHT. Mr. Chairman, last week we celebrated the 189th anniversary of the Declaration of Independence of the United States.

That document contains a catalog of abuses which, committed by the English Crown, were found intolerable by those who created our system of government.

Near the heart of the Declaration, one passage appears to state the essence of the grievance. Referring to the "tyranny" exercised by the Sovereign, the authors of the Declaration of Independence made the following indictment:

> He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only.

Is this not precisely the identical abuse which this bill seeks to end?

In 1856, less than 4 years prior to the outbreak of the Civil War, Robert E. Lee bared his soul and inmost thoughts in a letter to his wife. He wrote:

> In this enlightened age, there are few I believe but what will acknowledge that slavery as an institution is a moral and political evil in any country. * * * The doctrines and miracles of our Savior have required nearly 2,000 years to convert but a small part of the human race, and even among Christian nations what gross errors still exist. Is it not strange that the descendants of those Pilgrim Fathers that crossed the Atlantic to preserve their own freedom of opinion have proved themselves intolerant of the spiritual liberty of others?

The question today is whether or not this Nation is ready to let all of our people vote, whether or not it has attained a sufficient state of common enlightenment to do away with the superficial tests, devices, and artful subterfuges which have demonstrably required rather large segments of our citizenry to "relinquish the right of representation"—a right which the drafters of the Declaration of Independence called "inestimable to them and formidable to tyrants only."

Coming from a State of the Old Confederacy and steeped in the traditions and customs of the changing Southland, I believe that we are ready to let all the people vote. I have no fear of the result.

Either to promulgate or condone deliberate restrictions designed to prevent the exercise by any group of Americans of this most basic and fundamental right of freedom would be to confess a shocking lack of faith both in democracy itself and in our state of general public enlightenment.

It has been 100 years since slavery was abolished and American Negroes were recognized as citizens entitled to precisely the same rights and prerogatives of citizenship that accrue to every other American. For the South to contend that today, after the passage of an entire century, descendants of slaves still are not prepared to assume this elemental right of voting, would be for the South to indict itself.

I say we are ready to take this next step up the path of democratic progress. The most inspiring moments in our Nation's history have been those moments in which we have declared ourselves ready to take yet another step in trusting the people.

Our Declaration of Independence itself was an act of faith in the average American to establish and maintain a viable government. It set in motion throughout the world a chain reaction which still is being felt as other new nations emerge, almost hysterical in their quest for liberty but humble in the quest for dignity.

Thomas Jefferson believed in universal manhood suffrage, and in his day this alone was a powerful act of faith. Many wanted to confine this right to the elite propertied classes. They feared the average man. But Jefferson was vindicated, and other men in other lands took heart.

In a later generation, we in the United States blazed the trail for the political and economic emancipation of women. This, too, was an act of faith. Some actually feared the result, but most of the world has followed this example, and today it is a rare and exceedingly backward nation which denies to women the fundamental right of voting.

The 17th amendment, allowing the direct election of U.S. Senators, was an act of faith in the intelligence of the people and in their capacity to choose for themselves those whom they would have to represent them. There were some in that day who cringed in fear that this reform would mean the end of constitutional government. But their fears have been proven to be unfounded.

Twenty years have passed since the U.S. Supreme Court abolished the then common practice of the "white primary," which in many of our States was for every practical purpose the actual and decisive election. During those 20 years, neither my State or any other which had engaged in this practice has found any real reason for lamenting its abolition.

The record is clear, and there can be no denying the fact that in some of our States today arbitrary and hypertechnical devices have been employed as a deliberate subterfuge to prevent Americans with dark skins from voting. The courts have so determined in 48 separate cases. The records of inquiry conducted by the Civil Rights Commission are replete with proofs and examples. This is not only a denial of simple justice; it constitutes in some cases a calculated evasion of the spirit of the laws of the land and even of the laws of the individual States.

The right to vote is a sacred right. If we value it for ourselves, we will not willfully deny it to others.

Since the time of Moses, the cry of men and women to be set free from bondage echoes through the long corridors of 37 centuries of upward human struggle.

If America today is in truth the mature and enlightened Nation which we believe it to be and capable still of presenting renewed inspiration to mankind in each succeeding generation, we cannot in good conscience or in true fidelity to our own historic past do other than support this bill.

The **CHAIRMAN.** The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. **GROSS.** Mr. Chairman, I wish to commend the gentleman from Florida for his amendment, and I wish to say that it is difficult, if not impossible, to understand the apparent refusal of the gentleman from New York [Mr. CELLER] to accept this amendment with the same dexterity with which he accepted the previous amendment. I cannot conceive of his opposition to an amendment which would provide for the outlawing of fraud and dishonesty in elections.

The **CHAIRMAN.** The Chair recognizes the gentleman from Texas [Mr. DOWDY].

Mr. **DOWDY.** I thank the chairman. I should like to ask the author of the amendment, the gentleman from Florida, a question.

Do I correctly understand that the amendment covers the 50 States, rather than 5, 6, or 7?

Mr. **CRAMER.** It is not discriminatory in nature, I say to the gentleman. It will give everybody relief, in all the States.

Mr. **DOWDY.** I was hoping that was true. I wonder a little whether the amendment will succeed.

Last year, during the debate on the civil rights bill of 1964, as Members will recall, I offered an amendment which became known as the tombstone amendment. The House, as composed at that time, did not want to prevent dead people from being voted. From the sound of things today, the House, as presently constituted, probably feels the same way as the one of last year. I trust I am in error about this, as I am a strong exponent of honest elections. If we are going to invade the States and take over the election machinery in one respect in a few of the States, then, using the same reasoning, it seems to me we should do what we can to eliminate fraud, dishonesty, tombstone voting, and the other means used to steal elections.

I urge the adoption of the amendment.

The **CHAIRMAN.** The Chair recognizes the gentleman from Illinois [Mr. McCLORY].

Mr. **McCLORY.** Mr. Chairman, I wish to assure my friend here in the House that I did not win any friends from Dixieland today either by kissing them or by offering my amendment which would outlaw and abolish the poll tax, which is something some of our friends in Dixie seem to revere rather highly.

I should like to say, concerning vote frauds in Chicago, that I have seen them. I have worked there in the polling place, in the first ward in Chicago, and I have seen them buy votes in the polling place.

That was a long time ago, but it is still going on there.

I have in my hand here a document which says, "Let the Record Show." It is prepared by Morris J. Wexler, a special State's attorney for Cook County, about the 1960 election. He was a Democrat. He reported on the voting frauds.

He reported that where 75 votes were cast in one precinct for Mr. Nixon, they were counted as 7. He also pointed out some of the judges who were used in the election could not even count. They threw out all of the cases in 672 precincts. A Democratic judge threw them all out so that they could not have an opportunity for a recount.

The **CHAIRMAN.** The Chair recognizes the gentleman from Illinois [Mr. PUCINSKI].

Mr. **PUCINSKI.** Mr. Chairman, I strongly resent the unjustified insults being hurled against Chicago by the previous speaker. The gentleman from Illinois reminds me of the pot calling the kettle black. He has been so busy watching the voting in Chicago that we have a right to wonder who has been watching the store in his district.

If the people of Illinois ever got a fair count, an honest count, in our heavy Republican areas, Illinois would be solidly Democratic for generations to come.

The fact of the matter is that in 1956—and our Republican friends do not like to talk about this—they stole the Illinois governorship. President Eisenhower carried Illinois by more than 850,000 votes, and the Republican governor was reelected by a scant 34,000 votes, only after they held up the votes for more than 48 hours in one entire Republican county, because they wanted to see how far behind they were and how much they needed on the Republican side.

Do not let our Republican colleagues kid you here in this chamber. They do a lot of shouting about dishonest elections in Chicago because they don't want the spotlight turned on their own Republican skullduggery throughout the State. Why in some parts of Illinois, Republican officials don't even require their voters to come to the polls. They merely call them on the phone and advise them they're casting their vote for them.

We in Chicago have conducted honest elections and the Republicans know this better than anyone else because they certainly have enough watchers in traditionally Democratic strongholds. In the last election, even though there were thousands of Republican watchers throughout Chicago, there was not a single complaint about dishonesty. They didn't complain because they knew they couldn't make such complaints stick.

Mayor Daley has done an outstanding job in restoring honesty to Chicago elections after the heyday of Big Bill Thompson, a Republican, who made an art of vote thievery.

Finally, Mr. Chairman, I resent the attacks on the election judges in my district which covers the entire northwest corner of Chicago. I have 484 precincts in my congressional district staffed by election judges who would never think of any illegal voting act. They are the most honest women in the world and my colleague insults their honesty and integrity by suggesting any irregularities in Chicago. I defy anyone to show me a scintilla of evidence which would even hint at any wrongdoing in my district.

Now, Mr. Chairman, regarding this amendment. It is now a Federal offense to buy votes under our bribery statutes of the Federal code. Adoption of this amendment would deny the right of interested groups to wage intensive registration drives in the seven Southern States covered by this act. I'm afraid that adoption of this amendment would defeat the purpose of this entire act. I do not believe this amendment is necessary since all the offenses already are covered by Federal law. I don't need to apologize to anyone for my record to promote honest elections. It was my privilege in 1948 to lead the campaign for installation of voting machines in Chicago to prevent vote frauds. I believe present Federal law makes vote frauds a Federal offense and I support such laws.

Mr. **RHODES** of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **RHODES** of Pennsylvania. Mr. Chairman, I support the committee bill to protect the right of all citizens to vote.

This legislation is designed to assure this right where flagrant and blatant methods have been used to refuse the vote to some of our citizens. The Voting Rights Act of 1965 has become necessary because some State and local officials have refused to carry out the mandate of our constitution. States' rights carry with them States' responsibilities. Not all State governments, however, are accepting the responsibility of insuring that local elections will be handled in an honest and above board manner.

Much has been said about the denial of voting rights in Southern States, but too little has been said about efforts in Northern States to thwart the will of the majority by unethical and illegal practices in election contests.

In my own congressional district of Pennsylvania, we have recent examples of such practices which have been completely ignored by local and State authorities. I refer to the handling and voting of absentee ballots and the many abuses which can determine the outcome of the election in close contests.

Control of the county government in Northumberland County in 1963 was decided by questionable absentee ballots. It was charged that absentee ballots were illegally peddled in institutions and hospitals. The result of this balloting in one county institution was a 60-to-0 vote for an incumbent commissioner over his opponent.

This bill will insure the right to vote where it is now denied but it will not prevent instances such as the one I just mentioned.

Another flagrant example of unethical and illegal voting practices is evident at the present time in Schuylkill County which is also in my congressional district.

As yet the official tabulation of the votes cast in November 1964 for President, U.S. Senator and Representative in Congress has not been completed. The election of a State senator still hangs in the balance. The outcome of this State contest is of importance to the people of this senatorial district who are being denied representation in the State legislature.

But equally important is the need of a probe of voting practices in the case of absentee ballots which have been peddled in various hospitals and institutions. Regardless of the outcome of the State senatorial contest, steps are essential in protecting the majority decision from being reversed by dishonest election practices. No action has been taken by the State attorney general or the Governor of Pennsylvania to investigate and expose these evils and to take necessary steps to prevent a reoccurrence.

Mr. Chairman, I quote from a letter written by Attorney Ralph M. Bashore to John Scotzin, political writer for the Harrisburg Patriot, which illustrates these evils in more detail.

Mr. Bashore is a prominent and respected attorney in Schuylkill County. The following excerpts from his letter point to the seriousness of this problem in Pennsylvania:

> I have read with a great deal of interest your article in Sunday's Patriot News of May 30 concerning the senatorship from Schuylkill and Lebanon Counties involving Wagner, Republican, and Nagle, Democrat.
>
> I have been engaged in this contest since November 18, 1964 when the counting of absentee ballots began. I am sure your voters would be interested in knowing what this contest is all about. For some reason, no news media has really publicized the big question here involved. The real questions here are the fraud practiced, the illegal voting committed, the conspiracy of election officials, and the violations of every section of the absentee voting law.
>
> Do you know that there are over 1,600 pages of testimony taken at the hearings, which testimony is on file in the court of common pleas of Schuylkill County. This testimony in detail lays out the many illegal and fraudulent acts committed, and this testimony is available for any one to read and to verify the truth of my statements.
>
> For some reason, best known to themselves, the public officials of Pennsylvania—the Governor, the attorney general, and the legislative committee set up to investigate absentee voting, and the Republican district attorney of Schuylkill County have not taken the trouble to make an investigation of what took place in Schuylkill County. The record and the testimony is here for these officials to see and read and to act if they want to. To my knowledge, no one in authority, the district attorney, the attorney general, or the legislative committee has taken time to investigate the record or to interrogate the many attorneys and watchers involved in this contest. I frankly say that the testimony is an indictment of illegal absentee voting in Schuylkill County.
>
> Mr. Wagner would like all of the illegal ballots counted in Schuylkill County even though his own lawyers agreed that the violations involving about 80 absentee ballots cast from the county home known as Rest Haven and from the Dunlap Homes, a home for the aged, were so evident that they agreed to the challenges made by the attorneys for Mr. Nagle, and these violations were sustained by the county board.
>
> I would like to invite you and to challenge other reporters to make a real investigation of the acts complained of so that the people would know the real basis for the contest here in Schuylkill County.
>
> You should know that in the whole of Philadelphia, there were only 8,000 absentee ballots cast yet here in Schuylkill County there were 3,100 absentee ballots cast in the November election. You should know that Nagle carried the county by over 6,500 votes, but the civilian absentee ballots vote went against him 2 to 1. This does not make any sense.
>
> You should know that even the hospitals were canvassed and some 80 emergency absentee ballots were cast by patients undergoing critical treatment and operations at the hospitals.
>
> You should know of these further violations of the absentee ballot act.
>
> In over 100 cases, no certificate, as required by the act, was signed by the attending physician on the declaration.
>
> There were many cases where electors, not residents of the voting precinct, signed the declaration in violation of the act.
>
> There were many cases where no elector or attending physician signed the declaration as required by the act.
>
> The county home known as Rest Haven in the testimony shows many violations of the voter registration law, and the absentee ballot law. Inmates of the county home were registered at the courthouse but the inmates were not present. Their affidavits were taken although they were not present. Many of these inmates were confined to their bed or to wheelchairs and could not have traveled to the courthouse. The signatures were obtained—not in the presence of the registrar. An examination of the applications and declarations purporting to be made by the absentee inmates at Rest Haven were either filled out in writing or filled out in printing, and the writing and the printing are in the same handwriting, and made by the same individual—not the inmate. These violations have been shown, the attorneys for Wagner agreed that the challenges to these votes should be sustained.
>
> At Locust Mountain Hospital, three absentee voters swore that they did not vote their absentee ballots. There were many affidavits made—not in the presence of the absentee voter. The ballots mailed to Locust Mountain Hospital were intercepted in violation of Federal law.
>
> Many nonresident voters cast absentee ballots.
>
> Assistance was given wholesale to voters in violation of the act.
>
> Names of persons were added to the applications after they were filed at the courthouse.
>
> In Valley View, Pa., applications of many absentee voters were all filled out in the same handwriting and the supporting declarations whether signed by a Mr. Underkoffler or a Mrs. Underkoffler, are in the same handwriting. Mr. Underkoffler is a superintended of highways in Schuylkill County.
>
> There are many cases where the signature on the application and the signature on the declaration do not agree, and further many cases where the signatures do not agree with the registration signatures.
>
> In one case, the ballot was filed before the application.
>
> There are many cases where absentee ballots were cast without a Federal certificate showing that the absentee voter was a Federal employee as required by the act.
>
> There are many cases where affidavits were added to the applications after they were filed.
>
> These are some of the reasons there is a contest for Senator in Schuylkill County, and I believe it to be important that the people in Pennsylvania know what this contest is about.

Mr. Chairman, the Sunbury Daily Item published an excellent editorial recently pointing to this evil in Northumberland County.

This editorial which I include with my remarks follows:

> ### Misuse of Absentee Ballot
>
> Absentee ballots serve a useful purpose but their misuse must be considered no less a violation of the election code than tampering with ballot boxes, altering official returns, and other irregularities.
>
> While only 300 applications for absentee ballots had been received in the offices of the Northumberland County commissioners at last report, the belief was expressed that before the May 11 deadline the total will exceed the 1,700 mark set in the general election of November 1963. On that occasion the close contest for the third county commissionership was decided on the basis of the absentee vote with the balance of power wielded by guests and employees at the County Institution District Home and patients and personnel of the Shamokin State Hospital as well as countless citizens whose physical disability or absence from home on election day were not properly certified.
>
> The absentee ballot law was enacted for the accommodation of qualified voters physically unable to go to the polls or unavoidably away from home on election day. Its misuse as a means of delivering captive votes for handpicked candidates is not only illegal but nauseating and it goes without saying that a repeat performance in the May primary will have explosive repercussions.
>
> There is no reason to question the soundness of the law providing for absentee voting. It is in the public interest to halt for all time abuse of this statute to further the ends of scheming politicians.

This legislation before us deals with the 15th amendment, which is designed to correct injustices in States which deny citizens the right to vote for reasons of race or color.

It seems, however, that Federal action may be necessary in cases such as I have mentioned when local and State officers ignore these illegal practices.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I believe that the gentleman from Illinois [Mr. PUCINSKI] has just made one of the strongest statements I have ever heard in support of my amendment and in this regard. It surely should convince many people on his side of the aisle that if they want fair elections they should vote for this amendment. If the gentleman has any complaint, this is one way he can get something done about it. If he believes that a lot more Democrats will be elected in Illinois under fair election procedures, the Democrats ought to go down the line, and every Democrat ought to vote for this amendment, because that is what the amendment intends to do—to get a clean and pure election.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Illinois.

Mr. ARENDS. I come from a downstate area, so I do not always know what goes on in Chicago. I do know what was said by one of my good constituents on one occasion, when I visited with him after he had spent several years working in Chicago.

I asked him, "Did you register in Chicago and vote?"

And he replied, "Yes, I registered."

I then asked, "Did you vote?"

He answered, "When I once went to the polling place early in the forenoon and was asked—What do you want? Where do you live?—I told them I wanted to vote. They hastily looked through some files and said, 'Man, you voted an hour ago.' "

I do not think you could call that an honest election.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER] to close the debate.

Mr. CELLER. Mr. Chairman and Members of the Committee, the language of this amendment is vague and uncertain. It is a criminal provision and very narrowly construed. As I read it, any drive for registration, any demonstration to get out the vote, might be banned by the amendment of the gentleman from Florida. We have sufficient provision in section 14(d) to take care of any irregularities that have been mentioned here. The gentleman from Florida has repeatedly offered this amendment and it has been repeatedly refused. I admire his persistence but deplore the merit of the amendment in this bill, although it has good significance in general. This is not a general fraud bill. It is a bill to ban racial discrimination.

For that reason, Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment offered by the gentleman from Florida.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chairman appointed as tellers Mr. CRAMER and Mr. RODINO.

The Committee divided and the tellers reported that there were—ayes 136, noes 132.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. M'CULLOCH

Mr. McCULLOCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. McCULLOCH: On page 22, line 10, after "erroneous", to strike the remainder of the line, strike lines 11 and 12, and insert in lieu thereof:
>
> "Any person listed, whose eligibility is challenged pursuant to this section, shall be entitled and allowed to vote provisionally and in any case in which the number of ballots cast provisionally is sufficient to affect the results of any election, the U.S. court of appeals for the circuit in which the challenge is pending shall make appropriate provision to impound such ballots until the issue of eligibility has been finally determined."

Mr. McCULLOCH. Mr. Chairman, I urge the committee to adopt this amendment. This is the amendment which has been spoken of on at least two occasions which, under the Celler-administration bill, would permit an applicant to be registered, listed, voted, have the vote counted, determine the election, even though during that process a challenge had been made and later it would have been determined that the voter cast an illegal ballot.

Mr. Chairman, so that the committee will not conclude that it is my conclusion alone I want to read for the RECORD again from the hearings of the Committee on the Judiciary when the Attorney General of the United States was on the stand and when the chairman of the House Committee on the Judiciary was doing the examining of the Attorney General.

The chairman asked Mr. Katzenbach:

> Is it true that an individual registered by a Federal examiner can vote and have his vote counted even if after the election, (a) this act is found to be inapplicable to the State or political subdivision in an action instituted under section 3(c), page 2, or (b), the individual is found to be ineligible to vote under section 6(a)?

Mr. Katzenbach answered, "Yes."

Mr. Chairman, I now say to the members of the committee under this provision a President of the United States could be selected by illegal votes, and not only that, but Senators and Representatives and other elected officers from Governor down to the last man on the ballot might be so elected by illegal ballot. That is contrary to honest use of the election franchise; that is contrary to our representative system of government.

Mr. Chairman, in 1960 we provided for provisional voting, and impounding the ballots, and I am happy again to say that my fine friend from Chicago, BARRATT O'HARA, ably and effectively supported me. So did the chairman of the committee, the gentleman from New York [Mr. CELLER]. That remains the law of the land.

I call upon you to be, in the harsh language of a great poet, "Be not like dumb, driven cattle. Be a hero in the fight."

Support this amendment.

Mr. Chairman, by such omission in the Celler-administration bill, without precedent in any State of the Union, may be found the seeds for possible revolution.

I urge you to support the amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Florida.

Mr. CRAMER. It is true that in the previous act provisional voting is provided.

Mr. McCULLOCH. In the 1960 act it was provided.

Mr. CRAMER. Under the bill as passed, the Celler bill, a person can vote even though it is found that the person was not registered properly, that is that he was not discriminated against, in the first place?

Mr. McCULLOCH. Yes.

Mr. CRAMER. And an election could be affected even though those registered are found later, after a challenge to be improperly registered.

Mr. McCULLOCH. And can be determined on that basis. Of course the gentleman is right.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, we have discussed this before, but to set the record straight I do not believe that the 1964 act provides for provisional voting. My memory is we considered and rejected it in the 1964 act.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. The gentleman does not imply I said the 1964 act had provisional voting, does he?

Mr. CORMAN. The gentleman from Florida [Mr. CRAMER] said that.

Mr. McCULLOCH. I referred to the 1960 act.

Mr. CORMAN. Mr. CRAMER said 1960 and 1964. We considered and objected to provisional voting in 1964.

There are some inherent dangers in this proposal. First of all the gentleman is concerned about people voting who are not qualified. Let us see what happens to this Negro who wants to register and vote. He comes to a Federal examiner, he has to establish to that Federal examiner he is qualified. A determination is made. That decision is made public. Any one may challenge that decision within 10 days. If they do, that adversary proceeding goes to a hearing officer appointed by the Civil Service Commission. Then the Negro must prove in an adversary proceeding he is qualified to vote. The matter is determined a second time, and that decision must be reached within 15 days. The person doing the challenging has an additional 20 days to convince a Federal court that the individual is disqualified.

Now the second possibility is that the Federal examiner himself might be held to be disqualified because of the inapplicability of the law. But as the Attorney General pointed out, on that issue we are not deciding the qualification of the voter. We are deciding the validity of the appointment of the examiner himself. There is no reason to deny a qualified voter the right to vote just because at a subsequent proceeding the examiner himself is held to be not constitutionally appointed.

I suggest to you that there are two possibilities. One is that a person who is not qualified to vote may somehow slip through all of these tedious proceedings and vote. The other possibility under provisional voting is that on election day every Negro who comes down to vote will be challenged and then his ballot cannot go into the box. But it must have his name on it and go upon the shelf. He will not be permitted to participate in that election on that day.

If enough ballots are set aside so that they would affect the outcome of an election, then the election is held up. But unless there are a sufficient number of challenges, then they are never counted.

I suggest to you that in some areas in this Nation it takes a fair amount of bravery for a person to go through the process necessary to get up to that ballot box. And if he has done that much, if he has survived the scrutiny of an examiner and the challenge before a hearing officer, we ought to let him vote and we should count his vote.

I suggest if you take the law of Michigan and the law of Alabama, you will find that challenged votes are counted and we are not aware of any revolutions taking place in any of those sovereign States. I suggest to you that if there are any seeds of revolution, it is not because of the possibility that somebody who is disqualified may vote but rather because tens of thousands of qualified voters are denied access to the ballot box.

Mr. Chairman, I urge the defeat of this amendment.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. If the gentleman is indicating that he has made a careful search of the law of Alabama and has concluded that an Alabama voter may vote after his vote has been challenged, and before the challenge has been decided and his vote is counted, then I did not read the Alabama law correctly.

It is my information, subject to the correction of the Members from Alabama, that the challenges in Alabama in State elections are decided on the day of the election. If the challenge is rejected the vote is counted.

Furthermore, Mr. Chairman, I say this to my very good friend who is such a hard worker on the committee, that if the Attorney General does his duty seldom, if ever, will a challenge come to a board of elections on election day. The challenge will have to have been made long before that time.

Mr. CORMAN. I will say to the gentleman that I have not researched the law, but was repeating what was told to me by a Representative from the State of Alabama. I will research the point and put it in the RECORD.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I fully expect that my beloved colleague from Michigan, the distinguished minority leader, will join me in opposing this amendment because it would do violence to a long standing rule of law or tradition in the State that we both represent. For in the State of Michigan and other States having similar laws concerning challenges, a person challenged for reasons covered by this legislation would become a second-class voting citizen. For example, if I challenge the right of a person at the polls in Michigan to vote on the ground that he is not in fact a resident of Michigan or does not have any of the other qualifications, his vote nevertheless is counted in that election and it does determine the outcome of the election. His ballot is identified for possible later attack in the event of a recount.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio.

Mr. Chairman, I want to state that even in Alabama, one of the so-called hard core States, there is no impounding of the ballot. An oath is taken when a voter is challenged and then the voter is allowed to cast his ballot. Perhaps the most important reason why provisional voting and impounding is unnecessary is that since the bill would abolish those qualifications upon which any serious dispute will arise, there is an extremely small likelihood that any but an insignificant number of ineligible applicants will be registered, if any.

Practically the only remaining qualifications which an examiner would apply are residence, age, nonconviction of a crime, and mental competency.

These are objective factors and not subjective factors. They are hardly ever questioned. But the subjective factors now in use in affected areas such as mental competency and the like would all be suspended by the bill. There is every reason to believe the number of actually unqualified persons to come up and inadvertently register, if any, would be so small that it would not be expected to affect the outcome of any election.

But beyond that, under the amendment if a listed person is challenged and allowed to vote only provisionally, his ballot may be impounded pending the determination of his eligibility by the court. The effect is likely to make it impossible to determine the outcome of an election for a considerable period of time.

Any proposal which contemplates the impounding of ballots of Negroes means just what? It means segregation of Negro ballots.

This in turn creates the serious risk that such ballots, once segregated and identified, will not be counted or not be fairly counted. The secrecy of the ballot will be lost.

The possibility that the effectiveness of the ballots cast by Negroes might be delayed would invite all kinds of specious challenges which, if done on a sufficiently extensive scale, could seriously jeopardize the object of the bill and create chaos.

In addition, we can see what the prospects would be for a Negro voting for the first time. There would be fear and trepidation that his ballot would be impounded, that he could not vote; and that he would be left high and dry.

For these reasons I hope—and I say this reluctantly because of the affectionate regard I have for the gentleman from Ohio—the amendment will not be agreed to. For these reasons I must, perforce, ask for rejection of the amendment.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield for an observation and a question?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Is it not true that in Alabama, when a challenge is made, it is decided on election day and does not go over thereafter? Does not the ballot count, if it is decided under oath that it has been properly cast?

Mr. CELLER. The information I have here came from the Library of Congress, with respect to Alabama.

Mr. McCULLOCH. I believe I have the same information.

Mr. CELLER. It requires an oath only. After the oath is taken, then the ballot by the person seeking to vote is received and deposited. That is what the Library of Congress tells us. There is no impounding.

Mr. McCULLOCH. Will the gentleman yield for an observation?

Mr. CELLER. I yield.

Mr. McCULLOCH. In addition to what the Chairman has said, the voter must prove his identity and he must prove his residence in the State and county and precinct in which he offers to vote. I should like to call to the attention of the House that was the very thing of which Senator JOHN WILLIAMS complained, as to which he laid the facts on the record with respect to double and triple voting in his State.

Mr. CELLER. I say to the gentleman that the examiners determine those very factors something like 45 days in advance of election. And hearing officers will complete their review of the examiners' decision 20 days before the election.

The fact remains that there is no impounding of the ballot in Alabama, one of the hard-core States. Why should we put this in the bill?

The gentleman had his amendment in the so-called Ford-McCulloch substitute, which we turned down. We turned it down then, and we should turn it down now.

Mr. McCLORY. Mr. Chairman, I rise in support of the amendment.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Chairman, in response to what the chairman of the committee has just said, he apparently did not get the impact of my statement to what our research indicated the Alabama law to be. I said that the challenge was made the day of the election and the decision was made on that day. Then the vote either was cast, or it constituted an illegal attempt to register and no vote was cast or counted.

Mr. Chairman, the gentleman spoke of the small numbers who might be caught by our provision. Numerous people have been elected to public office by one vote.

For the benefit of those who might not have been present before, in the great State of Texas, a Senator was once declared to be elected by less than 100 votes.

Mr. Chairman, I am not concerned about loss of secrecy on the impounding of ballots. We have absentee-voter-ballot legislation in Ohio. It is not unusual to have 25,000 to 75,000 people vote by absent-voter ballot in Ohio. When they vote by absent-voter ballot the ballot, of course, by reason of curious men and women, the ballot is not apt to remain a secret ballot.

Mr. McCLORY. Mr. Chairman, I do not believe that any of us can predict how the Celler administration bill is going to operate if it becomes the law. We know that section 7(a) of the Celler bill indicates that the Federal examiners are going to register every person who claims to be qualified, and who applies to them, and who alleges that he is not already registered. In my opinion there is a serious question as to whether there will be election contests over illegal votes. This is a question which will have to be determined at some later time.

We have all had experience in our States, I am certain, with respect to challenged votes, with respect to people who apply for ballots and whose votes are challenged.

This will not invade the secrecy of the ballot in any way. A challenged ballot will be placed in an envelope or folder and put among challenged ballots. Then the challenged ballots will be removed from the folder and will be recorded separately. The identity of the voter will not be disclosed under any circumstances, so the integrity of the ballot will not be involved in this amendment in any way at all.

It does seem to me that we should support this amendment and provide for this contingency of illegal votes, especially under the operation of section 4 of the Celler administration bill which may result in wholesale registrations, I imagine, by the Federal examiners without inquiring too carefully into facts other than the fact that the person is not already registered; and also because of the fact that literacy and other tests are being swept aside, so that this subject of whether the person does actually vote legally or illegally should be one provided for in the law.

I just want to make the further point that we should not sanction by law the counting of illegal ballots. We just adopted an amendment which will outlaw illegally cast ballots. In fact, we want to be sure that the votes cast in all elections are legal votes.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Oklahoma.

Mr. BELCHER. When the gentleman says sometimes a few ballots makes no difference, I can testify from personal experience in a county race, one of the first I was ever in, where I tied, that it did. The county election board flipped a half dollar and I had the wrong side of the half dollar.

In another race in which over 20,000 votes were cast, I won by 12. So a few votes do count a lot in these elections.

Mr. RODINO. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, I believe this amendment would only subvert the purposes of this bill. We are attempting through this legislation to guarantee and insure the right of the citizen who is qualified to vote, and to vote without unnecessary delay. It would seem to me that the impounding of the ballot, whether provisional or not, would only give cause for further delay. It would be necessary to segregate the ballot and identify the person who had cast the ballot. This would only serve to put the Negro voter under an unnecessary scrutiny.

Furthermore, Mr. Chairman, I think that this provision would violate the secrecy of the ballot—there is the likelihood of foul play with the identification and segregation of ballots cast by Negroes.

This provision would be an open invitation to specious challenges—to undue delay and to protracted litigation. This is what we want to avoid. The procedure provided for in H.R. 6400 insures that persons listed could vote without further delay, without the fear of protracted litigation in order to have a vote tabulated and it would do this without endangering the integrity of the electoral process.

For all of these reasons I oppose this amendment.

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from California.

Mr. CORMAN. I thank the gentleman for yielding. On two occasions I heard the gentleman from Illinois [Mr. McCLORY] say that a Federal examiner is going to register everyone who is not already registered. It is my view that we can find people who will obey the law and serve as examiners. This statute makes it very clear that we should register only people qualified under State law and the only exclusion of that State law would be a literacy test or other device used for the purpose of racial discrimination. There is actually no possibility that a Federal examiner will register people on a wholesale basis regardless of their qualifications. I think it would be unfortunate if we could not find Federal examiners better than that.

Mr. CRAMER. Mr. Chairman, I rise in support of the amendment. Mr. Chairman and Members of the House, I will say very briefly the need for this amendment is that without the amendment there can be numerous people registered through the examiner system and purposely, for the intent of their voting in that election, shortly before the election without any regard as to whether a discrimination is later proved. It would not make any difference. The vote would have been cast, whether that particular voter was challenged or his registration challenged successfully or not. Even if the local officials challenge a person registered by a examiner and it is successful the vote counts. Through the court and otherwise, that party's vote will already have been cast. The result of the casting of the vote, unless it is impounded, could affect the result of the election. If you want to set up procedure whereby illegal voting can take place, where somebody who is not properly qualified and proven subsequently not to be properly qualified can still vote and have that vote counted, and even a challenge by a local official would not have any effect on it, that is what you will do if you do not adopt this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. McCULLOCH. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chairman appointed as tellers Mr. MCCULLOCH and Mr. RODINO.

The Committee divided and the tellers reported that there were—ayes 115, noes 166.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BOGGS

Mr. BOGGS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOGGS: On page 26, delete lines 23 through 25.

On page 27, delete lines 1 through 10, and insert in lieu thereof a new section 13, to read as follows:

"SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote (1) that all persons listed by the examiner for such subdivision have been placed on the appropriate voting registration roll, (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision; and (b) with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section and may petition the Attorney General to request the Director of the Census to take such survey or census as may be appropriate for the making of the determination provided for in this section. The District Court for the District of Columbia shall have jurisdiction to require such survey or census to be made by the Director of the Census and it shall

> require him to do so if it deems the Attorney General's refusal to request such survey or census to be arbitrary or unreasonable."

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. CELLER. Do I understand this is the so-called Long amendment that was accepted in the Senate?

Mr. BOGGS. That is correct. If my information is correct, it was submitted in a different form by my colleague, the gentleman from Louisiana [Mr. Willis]. It was accepted unanimously in the U.S. Senate.

Mr. CELLER. I understand also the following: The amendment provides that the examiner procedure shall be terminated, among other things, whenever in an action brought by a county or parish with more than 50 percent of the Negroes of voting age registered, the district court for the District of Columbia determines (1) that the persons listed by the examiner have been placed on the State voting roll, and (2) there is no longer reasonable cause to believe that there will be discrimination. Those sections are presently contained in the so-called Celler bill, H.R. 6400. It is not unreasonable to permit a county in which the majority of the Negro citizens of voting age are registered to bring suit to remove the Federal examiner. Presumably, the Civil Service Commission would very rarely appoint an examiner in such a community, and when one has been appointed and there is no likelihood of a recurrence of discrimination, the examiner may safely be removed.

I take it that there is no violation of the principles involved in the Celler bill; as a matter of fact, it carries out the aims and the purposes of the Celler bill. For those reasons I will gladly accept the amendment.

Mr. BOGGS. I thank the gentleman.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Ohio.

Mr. McCULLOCH. The majority whip has furnished us with a copy of the amendment. I was pleased to note that in many parishes in Louisiana there were far more than 50 percent of the Negroes of voting age who voted and in a few counties in Georgia the record was above 90 percent.

I have no objection to the amendment. It does not penalize people who have committed no sin.

Mr. BOGGS. I thank the gentleman very much. May I point out to the gentleman and to my colleagues that this applies equally to many other places in the South. For instance, there are counties in Georgia and I will name one or two of them—Appling County has 97 percent of the total Negro population of voting age registered. White County has 100 percent. There are many places. Dodge County has 93 percent. Candler County has 83 percent. There are others in Alabama, South Carolina, and a great many in Virginia.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. WILLIS. I support my colleague's amendment, which carries out in essence the purpose of one that I had introduced in committee and which was at one time agreed to.

Mr. Chairman, as my colleague, the gentleman from Louisiana [Mr. Boggs], has properly stated, his amendment is essentially the same as the one I offered in the full Judiciary Committee and which the committee agreed to and then rejected. In other words, the Boggs amendment reinstates the Willis amendment into the House bill. Incidentally, this same Willis amendment was introduced into the Senate bill by Senator Long and it was agreed to in that body and now is in the Senate bill.

Under the dragnet approach of the bill, a county or parish which is in any of the six Southern States to which the formula of the bill applies, has no avenue of escape from the bill, regardless of how completely such subdivision may be in compliance with the law, so far as race or color is concerned.

As I pointed out during the general debate 3 days ago, the people of the Third Congressional District of Louisiana believe in the right of all qualified persons to vote. They are against the application of different standards to different people—and they practice what they preach. Thus, in my congressional district, 57 percent of all colored people of voting age are registered. Yet, under the Celler bill as it now stands all the parishes in my congressional district would be covered and would have no escape valve to get out of the bill, just because other areas of the State are not according similar rights to colored people.

The Willis-Long-Boggs proposal follows a county-by-county or parish-by-parish approach and permits counties and parishes to be completely exempted upon persuading a court that at least 50 percent of colored people of voting age are registered and that there is no reason to believe that discrimination will be practiced in the future.

I might point out that another one of my amendments, which was approved by the full Judiciary Committee and which is already contained in the Celler bill before us, provides that in making a judgment on whether a voting referee should be appointed in any particular political subdivision, the Attorney General shall consider "whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the 15th amendment."

In explaining this amendment the committee report states:

> The committee recognizes that is some areas in which tests or devices are suspended, the appointment of examiners may not be necessary to effectuate the guarantees of the 15th amendment. This could be the case where local election officials and entire communities have demonstrated determination to assure full voting rights to all irrespective of race or color. Accordingly, the bill expressly directs the Attorney General, before certifying the need for Federal examiners in a particular area, to consider, among other factors, whether substantial evidence exists that bona fide efforts are being made to comply with the 15th amendment. The committee contemplates that where such substantial evidence is found to exist, the Attorney General will not certify the existence of a need therefor.

In short, this amendment and the committee's explanation of it assure that under conditions obtaining in the Third and Seventh Congressional Districts of Louisiana, Federal voting examiners will not be appointed. To be sure, so-called literacy tests will not be employed for the reason that the entire State of Louisiana, as such, is brought under the force of the formula of the bill. But the point is that under my amendment, which is now part of the bill, local registrars will continue to do the job of registering all qualified voters, and Federal voting examiners will not be installed in these areas. This, at least, is as it should be because Federal voting examiners are unnecessary and unneeded in such areas.

I have referred to the Third and Seventh Congressional Districts of Louisiana only because I am personally familiar with them, but my amendment will apply to other areas, counties or parishes, to which the local community and its elected officials are similarly determined that the voting rights of all will be protected irrespective of race or color.

In other words, under the present provisions of the bill, pursuant to my amendment adopted in the full Judiciary Committee, it is intended that the Attorney General will not appoint voting examiners when substantial evidence exists that bona fide efforts are being made to comply with the 15th amendment, even when less than 50 percent of the colored people of voting age are registered; and now, under the Willis-Long-Boggs amendment, counties or parishes will have the right to take the initiative and set in motion procedures to have a Federal judge determine that voting examiners shall not be installed, or those installed shall be removed when at least 50 percent of the colored people of voting age are registered and produce evidence to satisfy the judge that no discrimination will be practiced in the future.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. CELLER. I want to take this opportunity to offer the greatest praise to the gentleman from Louisiana who is now addressing us from the well of the House for his most statesmanlike pronouncement which he gave us in the early part of the day.

I would be derelict if I did not make favorable comment on what he said. That speech, to my mind, will go ringing through the ages because it sounded the tocsin of uttermost fairness, equity, liberty and freedom. I thank the gentleman for having uttered it.

Mr. BOGGS. I thank the gentleman very sincerely for his kind statement.

Mr. CABELL. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. CABELL. May I take the pleasure of associating myself with you, sir, on this amendment. May I also say that since there have been several derogatory references made about voting practices in the State of Texas in the last few days, it is a matter of record that in my State of Texas there are 3 percent more Negroes registered, and this is with the provision for a poll tax, in proportion to their population than there are whites registered. We are proud of the fact that we have under no condition ever interfered with the right to vote.

Mr. BOGGS. I thank the gentleman from Texas.

Mr. Chairman, all this amendment seeks to do is to say that where there has been compliance, in the spirit of this proposal and the proposal of the gentleman from Ohio and in the spirit of the President's address last March, that these people shall be praised rather than to have a burden placed upon them.

Mr. MATHIAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is with some diffidence that I must differ with the opinion of the distinguished chairman of the Committee on the Judiciary and with my leader on the minority side of the committee as to this amendment when they say it is a good amendment because I think it is a weakening amendment.

I think this amendment very definitely vitiates the thrust and strength of this bill. It could establish a double standard in the communities where it would strike home. A community that had virtually 100 percent of white voters registered, but barely 50 percent of Negroes registered, would be coming into the courts and cluttering up the dockets to get out from under the provisions of the bill. I think it could be a provision which establishes a double standard and I must oppose it and oppose it strenuously. I think it very definitely impairs the effectiveness of this bill. The automatic trigger of the committee bill is inoperative in the sector from 100 percent to 50 percent of possible Negro registration. This amendment defuses the bill in the same sector and robs Negroes in the 51st percentile of the protection given the 49th percentile.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman.

Mr. LINDSAY. I think it has to be clearly understood before we vote, that this is a real sleeper amendment and could undo much of what has already been done. We defeated this amendment in committee. It was defeated on the grounds that it would gut the bill. The amendment, I assure you, will substantially weaken the committee bill and I urge Members to vote against it.

Mr. Chairman, we have debated this bill for 3 days. We have gone up a tall mountain. We are trying to put together a good bill. Even Members who disagree with the concept of this bill should at least join in trying to make it effective. Therefore, I would again strongly urge the Members to vote against this amendment.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman.

Mr. McCLORY. There is no question but what the thrust of this legislation, whether it is the Ford-McCulloch bill or the Celler-administration bill, is going to be directed at a number of Southern States. However, I cannot help but feel that this amendment is definitely in favor of the Southern States against which we are trying to direct the legislative thrust. Regardless of the merits of the amendment, there cannot be any question but that it favors the very area that the legislation is intended to operate and where the conditions are such that the legislation is going to correct them.

Mr. MATHIAS. I thank the gentleman.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I am delighted to yield to the distinguished chairman.

Mr. CELLER. The gentleman misinterprets this, and so does the gentleman from New York, when he says that this amendment is a "sleeper." That is an ill-advised word to use. The gentleman knows that the District Court in the District of Columbia must make the determination. The court must determine first that at least 50 percent of all eligible Negroes are registered. That is the minimum.

In addition, there is something which is far more important. That is the fact that the court must find compliance with two other provisions already in the bill before it orders the termination of the listing procedures under the act: First, that "all persons listed by the examiner for such subdivison have been placed on the appropriate voting registration roll"; and second, "that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision." The court must determine these facts. That is the important point.

Mr. MATHIAS. I would remind my distinguished chairman that this very amendment was discussed in the Judiciary Committee and it was rejected in the Judiciary Committee on the theory that it would "gut" the bill.

Mr. CORMAN. Mr. Chairman, I move to strike the requisite number of words.

I rise only to ask the chairman what effect this amendment will have? I understand that if the criteria are met—that 50 percent of the Negroes are registered and there is a showing that there will not be further discrimination—that will terminate the appointment of an examiner. Does this make it possible to reinstate the tests or devices which may have been suspended for the whole State?

Mr. BOGGS. No.

Mr. CELLER. No; it does not.

Mr. CORMAN. The gentleman assures me it does not, and the law will be uniform in the whole State as to tests and devices. I shall support the amendment.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. May I ask whether the chairman of the committee is satisfied if only half of the Negroes are registered in any voting district?

Mr. CELLER. At least 50 percent. It is a minimum amount.

Mr. GERALD R. FORD. But you are satisfied with 50 percent?

Mr. CELLER. The court must determine first that these other criteria which are in the bill are satisfied. In addition, if there are 50 percent of the Negroes eligible who are registered, then the court could make the finding.

Mr. CORMAN. The gentleman did not ask me, but I would not be satisfied if only half of the Negroes were registered. I would be satisfied if the court found there was no discrimination or threat of future discrimination and if the tests and devices continued to be suspended, then I believe we could trust the State machinery.

I believe it is safe.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. CORMAN. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I should like a further explanation of the 50-percent provision. Is that 50 percent of the total population of Negroes or 50 percent of the eligible Negroes of voting age?

Mr. CELLER. It is 50 percent of those who are of eligible voting age.

Mr. EDWARDS of California. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment.

I should like to point out that in the Celler bill there are procedures set up under section 13 to terminate at any time the Federal registrar system. Whenever the Attorney General notifies the Civil Service Commission that all persons listed by the examiner have been placed on the appropriate voting roll and that there is no longer reasonable cause to believe that people will be deprived of or denied the right to vote, then the Attorney General can remove the area from the effect of the act.

This was discussed in detail in the Judiciary Committee, and a proposal nearly identical to the one here today was turned down. It is a weakening amendment.

Mr. Chairman, I am not about to play the numbers game with the constitutional rights of American citizens. The proposed amendment would permit political subdivisions to seek the removal of Federal examiners when the nonwhite potential vote reaches 50 percent. Why 50 percent? Is the colored citizen a 50-percent citizen? Is the one-man, one-vote concept to be watered down to one-half vote if the voter is a Negro? How can we be satisfied with a registration figure of 50 percent of Negro voters in any political subdivision when the record made on this floor shows that in some areas whites are registered in excess of 100 percent of the eligible voting population?

The purpose of this legislation is to correct the abuses in the electoral process that have persisted for over 100 years. This will not be accomplished if we allow ourselves to be satisfied with a registration figure of 50 percent, 40 percent, 60 percent, or any other arbitrary figure. It will be accomplished when all citizens are permitted to register free of discrimination because of race or color. This legislation in its present form holds out the potential that this objective can be reached. Let us not water it down by withdrawing Federal support for potential voters when 50 percent of their fellow citizens are fortunate enough to get on the registration lists.

I shall vote for 100-percent citizenship for Negro voters and against the amendment.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of California. I yield to the gentleman.

Mr. WILLIS. The gentleman misses the point when he says every examiner will be removed just because 50 percent or more have been registered. That is only half of the amendment. The other proof before a Federal judge must be, not only that over 50 percent are registered, but the Federal judge must find there is no reasonable ground to expect that there will be any discrimination of any kind in the future as to the others. This is a judicial proceeding.

Mr. EDWARDS of California. I appreciate the point of my distinguished friend from Louisiana but I point out again in section 13 of the Celler bill it provides adequate measures for eliminating the Federal registrar system.

Mr. RYAN. Mr. Chairman, after a week of debate on the voting rights bill a general consensus has been reached that effective legislation must be enacted to secure the fundamental right to vote. As I have said during the debate, H.R. 6400, although I would have preferred a different approach, is the strongest bill we have had before us on the floor.

It should not be weakened. The pending amendment would terminate Federal examiners when the U.S. District Court for the District of Columbia finds that more than 50 percent of eligible nonwhite persons residing in the political subdivision are registered. In other words, once a county, parish, or other subdivision, registers 50.1 percent of its nonwhites, it may ask for removal of the Federal examiners.

The purpose of Federal examiners is to safeguard human rights. The need is clear. This amendment would have them removed as soon as a political subdivision registers over half of its nonwhites. Then future applicants would have to pursue the same old system, applying to local registrars and encountering many of the obstacles which have brought Congress to the point of enacting this bill.

This amendment really says that discrimination should not be practiced against more than half of the population. This is contrary to the whole spirit of the bill. We are not trying to do a halfway job. We are trying to end voting discrimination for all time, for all citizens.

If 50 percent of Mississippi's Negroes are registered, are the others to be forgotten? Does not the 14th amendment guarantee the full protection of the laws? I say that, even if 50 percent are registered, if one person, just one person, is discriminated against, that is one too many.

The other body, no doubt debate-weary, agreed to the proposed amendment. The House should not fall into the same trap. I am opposed to this amendment.

H.R. 6400 provides in section 13 a procedure for terminating Federal examiners. An effort to weaken that procedure was defeated in committee, and it should be defeated now.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate now cease on the amendment offered by the gentleman from Louisiana [Mr. Boggs].

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. MATHIAS. I object.

Mr. CELLER. Mr. Chairman, I move that all debate on the amendment offered by the gentleman from Louisiana [Mr. Boggs] now cease.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. Celler].

The question was taken; and on a division (demanded by Mr. Mathias) there were—ayes 116, noes 83.

Mr. MATHIAS. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chairman appointed as tellers Mr. Senner and Mr. Mathias.

The Committee again divided, and the tellers reported that there were—ayes 142, noes 104.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana.

Mr. DIGGS. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Boggs and Mr. Mathias.

The Committee divided, and the tellers reported that there were—ayes 123, noes 77.

So the amendment was agreed to.

AMENDMENTS OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer a series of amendments, and ask unanimous consent that they be considered en bloc, and also I ask unanimous consent to proceed for an additional 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. Whitener: On page 17, commencing with line 1 and continuing through page 18, line 4, strike all of section 5, and renumber each succeeding section of the bill accordingly.

On page 18, commencing with line 5 and continuing through page 19, line 16, strike all of section 6 and insert in lieu thereof the following:

"Sec. 6. (a) Whenever a court of competent jurisdiction has authorized the appointment of examiners pursuant to the provisions of section 3(a), and the court has found as a fact that persons within a political subdivision or a State have been denied the right to vote on account of race or color and that the appointment of examiners is necessary to enforce the guarantees of the fifteenth amendment, the said court shall appoint a reasonable number of examiners for such subdivision to prepare and maintain lists of persons eligible to vote in Federal elections.

"Such examiners appointed by the court shall be compensated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 1181) prohibiting partisan political activity, provided, that the compensation of such examiners as fixed by the court shall be subject to the approval of the Administrative Office of the Courts of the United States. Such examiners shall have the power to administer oaths and any false statement or any material fact made by any person under such oath to such examiner shall be punishable as perjury."

On page 19, line 20, strike out the word, "Commission," and insert in lieu thereof the word "Court".

On page 19, line 17, through and including page 21, line 4, strike out all of section 7 and insert in lieu thereof the following:

"Sec. 7. (a) The examiners for each political subdivision shall examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the court may require and shall contain allegations that the applicant is not otherwise registered to vote. Such examination of applicant shall be conducted by the examiner after administering an oath to such applicant.

"(b) Any person whom the examiner finds to have the qualifications prescribed by State law in accordance with instructions received from the court shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements thereto, at least once a month, to the offices of the appropriate election officials, with copies to the Court and to the Attorney General. Notwithstanding the action of the examiner in certifying and transmitting the name of any applicant as hereinabove provided, such applicant shall still be subject to challenge as to his vote, and no vote cast by said applicant may be counted in any election unless the court has overruled the challenge asserted against the applicant. Any person whose name appears on such a list shall not be entitled to cast a vote unless the appropriate election officials of the State or political subdivision involved have been served with such list at least forty-five days prior to the election in which the applicant seeks to vote.

"(c) Any person whose name appears on such a list of eligible voters as hereinabove provided shall be removed therefrom by an examiner or by the court if (1) such person has been successfully challenged in accordance with the procedure herein prescribed, or (2) he has been determined by an examiner or by the court to have lost his eligibility to vote under State law not inconsistent with the Constitution of the United States."

On page 21, after line 4 strike all of lines 5 through 14, the same being the entire section 8 of the bill, and renumber each succeeding section accordingly.

On page 21, line 15, through page 23, line 13, strike all of section 9 and insert in lieu thereof the following:

"Sec. 9. (a) Any challenge to a listing on an eligibility list shall be heard and determined by a hearing officer appointed by a court of competent jurisdiction under such rules as the court shall prescribe. Such challenge shall be entertained only if filed with the hearing officer or in the office of the Clerk of the United States district court of the district in which the applicant resides within ten days after the listing of the challenged person is made available for public inspection, and if supported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his last known place of residence or the place of residence set out in the application. Such challenge shall be determined by the hearing officer within fifteen days after it is filed. A petition for review of the decision of the hearing officer may be filed in the United States court which appointed said hearing officer within fifteen days after service of such decision by mail on the person petitioning for review. Any person listed shall be entitled to vote provisionally pending final determination by the hearing officer and by the court, but said vote shall not be counted or recorded in any election unless the challenge to the person so listed shall have been denied.

"(b) The hearing officer appointed by the court shall have the power, if authorized by the court, to require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter pending before such hearing officer. In case of contumacy or refusal to obey a subpena, any court of the United States within the jurisdiction of which said person guilty of contumacy or refusal to obey is found, or resides or is domiciled, or transacts business, or has appointed an agent for the receipt of service of process, shall have jurisdiction to issue to such person an order requiring such person to appear before the court or the duly appointed hearing officer, there to produce pertinent, relevant, and nonprivileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof."

On page 23, after line 13, strike all of section 10, the same being lines 14 through 25 on page 23 and lines 1 through 3 on page 24, and renumber each succeeding section accordingly.

On page 24, after line 3, strike all of section 11 and insert in lieu thereof the following:

"SEC. 11. (a) No person acting under color of law shall willfully fail or refuse to permit any person to vote whose name has been duly certified by the court, or an examiner appointed by the court under the provisions of this Act, as being qualified to vote nor shall any person willfully fail or refuse to tabulate, count, and report such person's vote.

"(b) No person shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person from exercising any rights or duties or powers provided for in this Act"; and renumber each succeeding section accordingly.

On page 24, line 16, after the word "shall" insert the words "fraudulently, maliciously, or willfully".

On page 25, lines 10 and 11, strike out the words "by sections 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section," and insert in lieu thereof the words "this Act".

On page 26, line 7, immediately following the word "merits", strike out the period and insert the following: "if the court finds that the vote of such person or persons would be likely to change the results of said election."

On page 26, line 9, immediately following the comma insert the words "if the court finds that the vote of such person or persons would be likely to change the results of said election."

On page 27, line 1, strike out the words "Civil Service Commission and insert in lieu thereof the word "Court".

On page 27, line 9, strike out the words "Attorney General" and insert in lieu thereof the word "Court".

On page 27, line 11, strike out all of section 14(a), and insert in lieu thereof the following: "All cases of criminal contempt arising under the provisions of this act shall be tried by a jury in the district court of the United States in the jurisdiction in which said contempt is alleged to have occurred, if either party requests such a jury trial."

On page 27, lines 14 through 19, strike out all of subsection (b) of section 14 and insert in lieu thereof the following: "Exclusive jurisdiction shall reside in the United States courts for the State or subdivision involved to issue any declaratory judgment or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this act or any action of any Federal officer or employee pursuant hereto."

On page 28 strike out all of section 15 and renumber each succeeding section accordingly.

Mr. WHITENER. Mr. Chairman, we have heard a great deal here this afternoon about cleaning up Illinois and had an amendment to that effect. Then we were going to clean up Michigan for a while, I believe. Then we were going to clean up some other things.

Now that we come toward the end of the day, I have offered some amendments which I think will clean up this package of legislation. I think if these amendments are adopted we will have a bill which will see that justice is done to all of the people of the country and you will have it done without promoting discrimination but, rather, will be eliminating discrimination. I say that because the burden of these amendments, among other main burdens, is that of equal application throughout the country. I am sure that notwithstanding some of the unfortunate remarks that we have heard here today where someone has been accused of kissing Dixie, and they did not say just where Dixie got kissed—some of you are probably in the mood of kicking Dixie—still we do not believe that many of you are in that mood.

These amendments which I have prepared, while they may have seemed lengthy to you, are not really lengthy in their meaning and in their purpose. In addition to promoting fairness and equality of application of the law among the States, they promote the administration of justice along the lines which have been typically American since the beginning of the country in that they put the responsibility for adjudicating the law in the courts. That question lies with the courts rather than with a bureaucratic official of the Government.

These amendments also have another main focus, that is, they recognize and cause the Congress to recognize the validity of the statements of our Supreme Court in the Lassiter case, and in innumerable other cases, in which it has been unequivocally held that the determination of the qualifications of voters is properly and constitutionally within the province of the several States.

So that is the main purpose of the amendments which I have offered. They have some side purposes, one of which has been discussed earlier today. One of them is that a vote should not be counted unless it is a legal vote.

One of these amendments would provide that there must be an adjudication by the court upon the validity of the individual vote before that vote would be counted. And, yes, they go beyond that. One of the amendments would say that you would not suspend the certification of the results of an election unless the court found that those votes in question are likely to change the outcome of the election.

Now how silly can we get? Under the language of the bill, H.R. 6400, you can visualize the situation where it is apparent to the court and everyone else that a candidate has won the election by 30,000 votes. Yet, if there is one of these challenged votes lying around, there can be some question raised as to whether the candidate has been elected until they have been passed upon one challenged vote. This proposed amendment would get us away from that type of situation.

Another significant provision in one of the amendments is this: You will note in the bill, H.R. 6400, that the language merely take us back to previous civil rights bills when they deal with the trial of persons charged with criminal contempt. That is for the purpose of getting around the jury trial right of the accused. One of the amendments I have offered, amendment No. 15, provides that in all cases of criminal contempt which arise under this act that they shall be tried by jury in the district court in the jurisdiction where the contempt is alleged to have occurred if either party requests a jury trial.

We have been uphill and downhill on this jury trial business and the people who stand here normally and inveigh against the concept of the jury trial in civil rights legislation are the ones who contend for it loudest in every other type of legislation.

Those of us who ask for it in this type of legislation are consistent in our feeling that the right to a jury trial is something sacred and something which should be preserved.

Mr. Chairman, there are many other provisions in these amendments which we could discuss. I know that you have noted already that one of them would strike out the entire reference to the poll tax situation. I have mentioned this before in comments; I have mentioned it in the minority report written in the committee. And, I say again, that notwithstanding the alleged finding in this bill, to the contrary there is no evidence in the record before the Judiciary Committee which would sustain the finding by the Congress that the poll tax requirement has been used to discriminate between the races.

No one has ever testified that any man, whether he was colored or white, who wanted to pay a poll tax was denied that privilege by any tax collector anywhere. So, there is no reasonable relationship between the poll tax requirement, which we do not have in our State, North Carolina, and this question of discrimination between the races. No one has yet testified, including the Attorney General, that any man who wanted to pay his poll tax has been denied that privilege anywhere.

The poll tax is a necessary part of the laws of several of the States. In North Carolina, while it is not a prerequisite to voting, it is required that each male citizen between certain ages pay a poll tax, and this is in no way connected with discrimination.

The poll tax originated as a device through which the county governments derived funds with which to carry on their elections, just as in the old days in my State there was a requirement that every able-bodied man give 1 day a year to his local county to work the public roads, or if he did not want to do that, he could pay $5 and not work. So there is no discrimination about it. It is a creature of the law which is quite ancient, and you find the poll tax in many States today where it is not connected in any way with voting.

Mr. Chairman, I know that the hour is late and that there is not much sympathy on the part of many for thinking about what we are doing here in a very serious way, because many have said that they have confidence in the great Committee on the Judiciary.

As a member of that committee I certainly am not here to criticize it. But I will say this to you, that sometimes in our zeal, all of us—in our zeal to accomplish what we consider to be a worthwhile purpose, do not always exercise the same sound and solid judgment that we do when we are looking at things more objectively. All of us are alike in that respect.

Sometimes when we think we are legislating in a way that affects somebody away off from us we may be inclined to be a little careless and not as attentive to what we are doing. But I say to you that, trying to be as objective as I can about this, and certainly without one scintilla of prejudice against any race or any human being, I believe that the amendments which I have drafted and offered to you today will improve the legislation we have before us. I would not stand here and urge you to follow me blindly. I would urge you to at least think with me upon these thoughts which I have expressed in a rather quick manner, because of the lateness of the hour.

This is a serious thing we are about. We are not just punishing somebody. We are today dealing with constitutional government.

All of us who have served here any length of time have seen bad laws which the Congress has written before held up here to us again as justification for our doing it once more.

Some of these principles that we are putting in this legislation will be destructive of more rights than they protect in their overall language.

I hope you will give thought to this subject. I urge you, if you can possibly do so, to join with us in adopting these amendments, which are numerous, but not too lengthy, because they will make this a piece of legislation we can live with, and that people throughout the Nation can vote for and support and be proud of.

Mr. SELDEN. Mr. Chairman, I rise in support of the amendments offered by the gentleman from North Carolina [Mr. WHITENER] and urge their passage. You will note, Mr. Chairman, that section 10 of H.R. 6400 states:

> The Congress hereby finds that the requirement of the payment of a poll tax as a prerequisite to voting has historically been one of the methods used to circumvent the guarantees of the 14th and 15th amendments to the Constitution.

Mr. Chairman, contrary to what this section states as its premise, I have been unable to locate testimony of a substantial nature given in either the House of Representatives or the Senate that the poll tax has been used to discriminate against citizens who desire to register and vote. When the Attorney General of the United States was testifying before the Senate Judiciary Committee he had this to say on the subject:

> My difficulty on this, on the elimination of poll taxes, is that I do not believe that I have the facts to make a record that poll taxes have been abused in violation of the 15th amendment.

I would like to remind the Members of the House that a legislative declaration is not a casual thing, and Congress should act on facts and on facts alone. This very proposition, a legislative finding that the poll tax has been applied in violation of the prohibition of the 15th amendment, was rejected by the Attorney General as not supported by the evidence. Consequently, such a declaration should not be included in the legislation we have before us today.

Also, Mr. Chairman, it was only recently that an amendment to the Constitution was passed by the Congress, submitted to and ratified by three-fourths of the States, that prohibited the States from making the poll tax a prerequisite to voting in Federal elections. Congress fully recognized at that time that the power of the Federal Government over the poll tax was limited to constitutional action, and Congress and the States acted accordingly.

I submit that if it was necessary yesterday to have a constitutional amendment to abolish the poll tax in Federal elections, why is it unnecessary to follow the same procedure today? In the same connection, if Congress has the power to abolish by simple statute the poll tax in State and local elections, as the chairman of the House Judiciary Committee says it has, why was it necessary for Congress to pass the 24th amendment?

Mr. Chairman, it is perfectly obvious that an attempt is being made in this legislation to accomplish by a majority vote what both the Congress and the courts have always considered requires a constitutional amendment. The adoption of the amendments offered by the gentleman from North Carolina [Mr. WHITENER], among other important and constructive changes, will eliminate section 10 of H.R. 6400. I urge their favorable consideration.

Mr. KORNEGAY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Chairman, it is reprehensible and indefensible to deprive any qualified citizen of his right and obligation to vote. Any citizen and every citizen, regardless of his race, his color, sex, or political suasion, should be guaranteed the choice to register and to vote—if he or she meets valid and equitable qualifications such as age, residence, and other requirements, applied equally and indiscriminately.

The voting privilege and responsibility should be available to 100 percent of our qualified citizenry—not 50 percent, not 99 percent. Although I feel that every person should exercise his voting franchise in an informed and intelligent manner, I feel also that in a free, democratic society a citizen has the right not to vote if he so chooses and should not be compelled to vote against his wishes and desires.

It is my privilege to represent a congressional district in North Carolina that is completely devoid of any vestige of discrimination in the voting process.

However, under the weird and complicated 50 percent formula basis of H.R. 6400, my home county of Guilford comes dangerously close to being placed under the supervision of Federal vote examiners.

Using the figures presented in subcommittee hearings, Guilford County, N.C., has 144,040 persons of voting age—21 or older—in November 1964—based on the 1960 census report. The hearing report reveals that 75,604 votes were cast in the 1964 general election. This represents but 52.5 percent of the voting age population. I want to point out that the official figures supplied to me by the Guilford County Board of Elections show that 77,160 persons voted last November, a much higher figure than that supplied the subcommittee, but still only 53.1 percent, a shocking percentage. But, although this poor record at the polling place was in no wise related to racial discrimination, my home county was in jeopardy of having the Federal Government take over our local voting procedures. In fact, a militant civil rights leader in my home county has stated publicly that "there has been no discrimination whatsoever."

Yet, if a few more had cared less last November, then Guilford County would have been penalized—under this proposed law. Because a number of our registered voters—white and nonwhite—were apathetic or were not enthusiastic enough to go to the polls and vote, Guilford County would have come under the aegis of Federal vote control—even though there is not a scintilla of evidence that voting discrimination was practiced. If this had occurred, we would have to bear the trouble and expense of coming to Washington and prove in the District court here that we are innocent. We would not be allowed to file a suit in the Federal District Court in Greensboro, the jurisdiction where the cause of action allegedly arose. I can think of no other law which requires the accused first to file a law suit to declare his innocence and secondly to remove the jurisdiction to a foreign court.

Speaking of the figures supplied to the subcommittee in their hearings, it occurs that they could be misleading if not fallacious. At the least, they are certainly interesting. For example, a county in Wyoming last November cast more votes than it had people of voting age. The record shows that 113.38 percent of the voting age population went to the polls there. Another county, in New York, had 109.4 percent. Curious.

Mr. Chairman, H.R. 6400, in addition to being a measure which would insure equal justice by the half measure—or 50 percent, is not a national law, one which would apply equally throughout our 50 States. Does it not seem ironic that a measure which was conceived to abolish discrimination is in itself discriminatory in nature?

The law offered to us today would overlook and thereby permit discrimination in some States and in some counties but not in others. Why is it considered equal justice to apply the measure to 7 States and 34 counties in the State of North Carolina and exempt some of our other sister States, even though they voted less than 50 percent in the last election?

I am proud that my home county is not alone in my congressional district of North Carolina in administering rights and privileges to all, equally. The other three counties in my district also dispense justice in the same amount from the same spoon to all its citizens. In the 4 counties of the 6th district, there are 222,977 registered voters. Of this amount, 162,655 voted in the last general election—not good, but enough to escape from the provisions of the proposed law. I cannot tell you the breakdown of the total Negro and white voters in my district, for the simple reason that one of the four counties—Orange—does not request or require that the registrant identify himself by race or color. Three of the counties, Alamance, Durham, and Guilford, do keep such records. In these 3 counties, there are 167,733 registered white voters and 36,295 Negro voters on the books—in about the same proportionate ratio as the total white and nonwhite population.

In the year 1964, in the 6th district, some 14 Negro persons failed to pass our so-called literacy tests. Only one of the four—Guilford—retained figures on the number of Negroes who passed such tests. The number of those who did pass the test there amounted to 3,718 and it is reasonable to assume that thousands of others passed simple registration requirements in the other 3 counties last year. I might add that there were seven white persons who failed during the same period.

The literacy tests administered in my district are not designed as discriminatory devices. In Alamance County, for example, a registrant is required to copy the simple statement:

> Article I, section 10 of the constitution of North Carolina. All elections ought to be free.

One could hardly allege that this attempts to bar any qualified person from voting.

The other three counties require that the registrant must read and sign an oath, which says:

> I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the constitution of the State of North Carolina, not inconsistent therewith; that I have been a resident of the State of North Carolina for 1 year and of the precinct for 1 month; that I am ——— years of age; and that I have not registered for a coming election in any other precinct. So help me God.

Could this oath be considered a device to preclude voting on the basis of race or color?

There are several very disturbing provisions of H.R. 6400. One of these is section 5, which would require the legislation of the State to first get permission of the U.S. Attorney General or the Federal District Court in the District of Columbia, before it could change the election laws, in any manner, if one of its counties falls under the 50-percent provision of the proposed act. This section would in effect give to the Attorney General of the United States the power to veto or nullify an act passed by the legislature of the State of North Carolina. No doubt, before a county could even change a precinct line, it would have to go through a time consuming and costly legal procedure with either the U.S. Attorney General or the Federal District Court in the District of Columbia.

Mr. Chairman, because of these and other objections I have to H.R. 6400, I cannot in good conscience support this measure.

I can and would gladly, however, support and vote for a truly equitable and nondiscriminatory voting rights act, which would be uniform in application, one which would apply equally—anywhere discrimination in voting is practiced, and only where discrimination—and not just apathy—is found.

I would prefer an act which would provide for appeals arising from such a measure to be heard in the original jurisdiction and not limited to Washington, D.C. I would prefer a bill which would preserve the rights of the States to administer proper and equitable tests of qualifications and eligibility to vote.

I would prefer a bill which is consistent with the Constitution. I would prefer a bill which forever will insure equal justice in the voting process.

Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Chairman, I have hesitated to speak on this legislation during this debate. It so seriously questions the integrity and fairness of my people and so dangerously flouts the Constitution—that I become emotional about it. We have already observed the dangers that follow some types of emotionalism. In fact, I think it is quite obvious to the Nation that this legislation is the product of emotionalism. Then, too, on highly controversial legislation of this kind, I have discovered that few positions are changed by the debate. More votes are changed in a variety of other ways well known to all of us. Then too, I am told that the outcome of this legislation is already known—that it will become the law of the land in substantially its present form. This thought is certainly no incentive for speaking out.

Beyond any question, the virus of unreason which has so pathetically infected some areas of the country has obviously descended upon us here. As someone has said, "Congress is down with the heaves and strangles, and ordinarily sound men are puffing and rolling their eyes." Even if the virus of unreason and madness, as well as rightly motivated reasoning, have predestined that this bill will pass, I must have my say. In view of all that I have heard on this floor during this debate, I cannot longer remain silent.

Whatever may be the outcome here today, history will record H.R. 6400 as a bad bill, a dangerous bill, a vindictive bill, a bill which, however motivated, perverts the Constitution. If this bill becomes law, it will pile wrong upon wrong. It will strike "with the brute and clumsy force of a wrecking ball at the very foundations of American federalism."

As some writer has said, "Our body politic suffers, it is true, from a few tumors, but the condition is operable and may be cured by careful surgery. This bill is a bill for disemboweling."

H.R. 6400 is described as "A bill to enforce the 15th amendment to the Constitution." The 15th amendment provides, of course, that the right of citizens to vote "shall not be denied or abridged on account of race, color, or previous condition of servitude."

Of course, the 15th amendment does not grant anyone the right to vote. It was not so intended. The purpose of the 15th amendment is to prevent discrimination on account of race or color in the exercise of voting rights. Such discrimination has existed in the past and pockets of it doubtless may still exist in every section of the country—not just certain areas of the South.

At this point, permit me to express my deep and sincere concern that such discrimination still exists today at any place. I have made many speeches in my home State about the right to vote. I have not talked about the right of a particular race to vote. I have talked about the right and the duty of all qualified citizens to express their views at the ballot box. Fundamental to our democracy and our way of life is the right of each qualified citizen, regardless of his race or color, to participate in the selection of those who will serve him in places of public trust. As the committee report pointed out:

> Our Nation, born of a mighty struggle to secure representation to its citizenry, has

> grown and prospered in freedom through self-government. Our history unfolds at every chapter the story of rededication to a belief in Government by and for the people.

Certainly, therefore, the right to vote is basic and essential among the many rights and responsibilities of citizens in any democratic society. I cherish this concept for all our people of all creeds and colors. I will always defend it in a proper way.

Wherever the right of a qualified citizen to vote is denied him such denial can be effectively enjoined and the names of such citizens placed on the rolls. If the Congress feels that such discrimination is so widespread that action on the national level is needed, the Congress has the power to enact "appropriate legislation" toward this end.

The very serious question before this body is whether or not the administration's bill is appropriate. This leads to other important questions such as: Is it within the scope of the Constitution? Is it consistent with the letter and spirit of the Constitution? Or is it an unconstitutional—invalid exercise of powers which the Congress does not have but which are reserved to the States?

These are extremely important questions—transcending questions—rising, as someone has said, "above the sweaty little tricks and gimmicks" of any registrar. Surely we cannot command respect for the Constitution in any given State by subverting it on Capitol Hill.

I believe that the arguments which have already been offered in opposition to H.R. 6400 lead to the inevitable conclusion that it is not appropriate, that, in its present form, it is not within the scope of the Constitution, and it is inconsistent with the letter and spirit thereof.

Never before in all of my experience here have I seen so many Members take a frozen position in support of a piece of legislation so patently vicious, discriminatory, and unconstitutional. Have we forgotten that we are dealing here today, through this legislation, with something as precious as life itself—a system of government "obedient to a written Constitution." If this Congress sacrifices this high principle to the emotional and political pressures of such a turbulent hour, we may lose for all of us far more freedom than we will seemingly gain for some.

I have not heard during the course of the debate on this legislation a single voice denying that the power to fix qualifications for voting is a power reserved to the States. Of course, such a position would be untenable, for article 1, section 2, spells it out in words a child can understand. Time after time, the Supreme Court has reaffirmed this reservation of the power to the States.

Just 6 years ago, in the case of *Lassiter* v. *North Hampton County Board of Elections* (360 U.S. 45 (1959)), the Supreme Court reaffirmed an unbroken series of opinions when it said:

> The States have long been held to have broad powers to determine the conditions under which the rights of suffrage may be exercised, absent, of course, the discrimination which the Constitution condemns * * *. The right of suffrage is subject to the imposition of State standards which are not discriminatory * * *. We do not suggest that any standards which a State desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record, are obvious examples indicating factors which a State may take into consideration in determining the qualifications of voters. * * *
>
> The ability to read and write likewise has the relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show * * *. In our society, where newspapers, periodicals, books, and other printed matter canvass and debate campaign issues, a State might conclude that only those who are literate should exercise the franchise.

In the final paragraph of its opinion in the Lassiter case, the Supreme Court condemned trumped-up literacy tests that had been employed in some cases as a "device to make racial discrimination easy." No such charge, however, could be fairly brought against North Carolina's requirement that a prospective voter "be able to read and write any section of the constitution of North Carolina in the English language."

> That seems to us to be one fair way of determining whether a person is literate, not a calculated scheme to lay a trap for the citizen—

Said the Court.

It's interesting to note that the Lassiter case came up from the Superior Court of Northampton County, in North Carolina, in the Second Congressional District which I have the honor to represent. Notwithstanding that decision, however, this legislation, H.R. 6400, would have the effect of reversing the impact of that decision in Northampton County, N.C., by presuming the existence of discrimination there.

As late as March 8, 1965, in the case of Carrington against Rush, the Supreme Court again stated:

> There can be no doubt either of the historic function of the States to establish, on a nondiscriminatory basis, and in accordance with the Constitution, other qualifications for the exercise of the franchise. Indeed, "The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised." * * * In other words, the privilege to vote in a State is within the jurisdiction of the State itself, to be exercised as the State may direct, and upon such terms as to it may seem proper, provided, of course, no discrimination is made between individuals in violation of the Federal Constitution.

The proponents of this legislation now ask the Congress of the United States to disregard these fixed constitutional principles. This whole body of long established law would be violated by this legislation. In fact, this legislation would establish through Federal law new "qualifications for voting" in certain States and in certain counties of other States.

It is true that this power of the States must be exercised in accordance with other provisions of the Constitution. But it is the 15th amendment, and only the 15th amendment, that concerns us here in this legislation. By its own terms, the pending bill is a bill "To enforce the 15th amendment to the Constitution of the United States." If the bill cannot be sustained under this provision, then the Attorney General is out of court. As has been pointed out so many times, the power vested in the Congress by the 15th amendment is a power to enforce the amendment by "appropriate legislation." This is not "appropriate legislation."

If H.R. 6400 proposed the use of clearly constitutional methods to meet demonstrated abuses in a fair and impartial manner, it would merit sympathetic consideration by all of us. But H.R. 6400 does not do this. Instead, it proposes the establishment of arbitrary and discriminatory restrictions upon areas in my State and elsewhere which have not only not been proved guilty of practices which violate the 15th amendment, but have not even been accused of such practices.

Many States including my own State of North Carolina, prescribe literacy tests for voters. So far as I know, no evidence has been presented—or even allegations made—that North Carolina is administering the literacy tests in a discriminatory manner. Information provided to me by county election boards in my district clearly demonstrates that the literacy test is not being used to prevent or discourage registration of qualified persons.

In Lenoir County, N.C., for example, only 10 Negroes failed the literacy test in 1964, while 942 Negroes passed. Three white persons also failed the literacy test in that county. The chairman of the Lenoir County Board of Elections, Mr. F. E. Wallace, Jr., and two prominent Negro citizens of Lenoir County, Mrs. Alice P. Hannibal and Mr. George B. Lane, furnished for the records of the committee hearings on this legislation, affidavits attesting to the lack of discrimination in voter registration there.

In Wilson County, N.C., in 1964, only 6 Negroes failed the literacy test while 919 passed. Two white persons also failed the test. Three more white persons declined to take the test after stating that they could not read.

In a much smaller county, Greene, five Negroes failed the literacy test in 1964, and 82 of them passed. Seven white persons failed, while 140 passed. These, of course, are just a few examples of the extent to which qualified persons are being registered in our congressional district.

If the pending bill were aimed like a rifle at discriminatory applications of the literacy test; if its provisions were designed solely to prevent a State or locality from using some test or device to deny voting rights on account of race or color, no objection could be taken on constitutional grounds. The obvious vice of this legislation is that it is not so aimed and it is not so limited. As the distinguished gentleman from North Carolina [Mr. WHITENER], pointed out yesterday, this bill is triggered by a phony formula, a numbers game—a slick little testing device that relies not upon proof of discrimination but rather on certain statistics.

It applies only in States which as of November 1, 1964, maintained a "test or device" as a qualification for voting. By "test or device" this bill means, among other things, any requirement that a registrant possess good moral character or demonstrate "the ability to read, write, or interpret any matter." But regrettably the bill does not apply to all States that maintained such tests or devices in November 1964. It applies only in those States or parts of States in which less than 50 percent of the adults were registered, or less than 50 percent of the adults voted in the Presidential election of 1964.

The discriminatory and unfair nature of H.R. 6400, there again can be clearly seen from the fact that it proposes outlawing literacy tests not throughout the United States or even throughout North Carolina but in just a few Southern States and in 34 selected counties of my own State of North Carolina, including all of the 9 counties which I have the honor to represent. As I have previously indicated, these counties would not be selected on the basis of evidence of violations of the 15th amendment or even on the basis of allegations of such violations. Instead they would be selected through an arbitrary mathematical formula based on the percentage of citizens voting, without regard to whether or not discriminatory practices were involved in any way. After being selected on the basis of such an arbitrary formula, the counties chosen would, in effect, be presumed guilty of discrimination until they proved their innocence before a three-man court in the District of Columbia.

It may be of interest to note that while this carefully rigged trap catches the States of Louisiana, Mississippi, Alabama, Georgia, South Carolina, Virginia, 34 counties in North Carolina, and a county in Arizona and 1 in Maine, and possibly in a few others, it does not catch the State of Texas, where fewer than 50 percent voted, because Texas has no "test or device." Neither does it catch the State of New York which maintains a "test or device" but voted better than 50 percent.

Note again that this key provision of the bill has nothing to do with discrimination as such or with Negro voting as such. The Attorney General's feeble explanation is that "the coincidence of such schemes and low electoral registration or participation is usually the result of racial discrimination in the administration of the electoral process."

As a matter of fact, while these so-called coincidences may sometimes be the result of discrimination, there are many other factors, not subject to the will of Congress under the 15th amendment, which have contributed to these low voting percentages in my part of the country. I think the reasons are so well known that they need not be repeated again.

Mr. Chairman, the height of paradox is presented by the formula proposed in this legislation which establishes a presumption that the 15th amendment has been violated. New York, which uses a literacy test—and which will continue to have a literacy test notwithstanding this legislation—had 74.5 percent of its citizens registered, while North Carolina, which uses a simple literacy test, had 76 percent of its voters registered. Now, would it not be reasonable to expect that a voting bill designed to secure the right of citizens to register and to vote would touch both North Carolina and New York alike? This is not true, however. New York State is not touched by this legislation, while 34 counties in my State are, by this law, presumed guilty of voter discrimination under the 15th amendment. This is rank discrimination of the worst sort.

Almost 52 percent of all North Carolinians of voting age voted in the last general election. Had the percentage fallen below 50 percent, then every one of our 100 counties would have been subjected to the sanctions of this bill. Since only 34 counties are said to have voted less than 50 percent in the 1964 elections. only these 34 counties are presumed to have violated the 15th amendment. In other words, in my home State, to show how ridiculous this legislation is, 34 counties will be subjected to Federal jurisdiction with no literacy test required, while the remaining 66 counties of North Carolina will still use a literacy test for voting applicants.

Arkansas has no literacy test. In 1964 only 49.9 percent of the voting-age population voted. It would not be covered by this bill, but North Carolina, which voted 51.8 percent of its voting-age population would be covered.

The absurdity of the percentage formula is further illustrated by comparing North Carolina, which has a literacy test, with its neighbor, Tennessee, which has none. North Carolina's voting percentage was 51.8 percent while that of Tennessee was 51.1 percent. In North Carolina, 34 out of 100 counties had a percentage of less than 50 percent. In Tennessee, 22 out of 95 counties had a voting percentage of less than 50 percent. Can it be demonstrated by any law or logic that North Carolina is guilty of discrimination under the 15th amendment, while Tennessee is not, simply because Tennessee has no literacy test.

In Louisiana, 47.3 percent of the people voted. In Texas only 44.4 percent voted. Under H.R. 6400, these statistics would be used to justify the conclusion that there were violations of the 15th amendment in Louisiana but none in the State of Texas. Why? Because Louisiana has a literacy test and Texas does not.

Let us take another example. Again, 34 counties in North Carolina, under this bill, would be presumed in violation of the 15th amendment. Yet there are 137 counties in Texas which voted less than 50 percent, but these counties are not covered by this bill. The State of Texas, which voted only 44.4 percent, is deemed not guilty of discrimination simply because it had no literacy test. Get this: 19 of North Carolina's condemned counties actually had a higher voting percentage than the "guiltless" State of Texas.

According to statistics submitted by the Attorney General, 75 percent of the voting-age population in North Carolina is registered. This is a greater percentage than in at least 13 States that are not covered by this bill and, yet, one-third of my home State, under the terms of section 3(a) of this bill, are singled out and pronounced guilty of violating the 15th amendment.

In other words, by using the phony numbers game employed in this bill, an illiterate person may register and vote in one county of my State while another illiterate person is prohibited from voting in an adjoining county. A Federal registrar will set in one county and a local State registrar in another, applying different rules for the same elections—rules that are not provably related to discrimination but to 1964 registration and voting statistics.

And, unfortunately, no locality or State may adopt the very simplest ordinance or law affecting election procedure without clearing it first with the three-man district court in Washington.

Any potential voter in a covered area could complain to Washington of discrimination if he is turned down when he seeks to register to vote. This would bring an investigation by the Attorney General. If he decides there has been discrimination, Federal examiners or registrars will be named to register individuals in the given State.

I wonder how many Members realize that this bill grants the right to vote to all who are registered by Federal examiners and allows the counting of their votes and the certification of election results, even though challenges of their qualifications, unresolved on election day, may later be upheld. How undemocratic and unfair can this Congress become in its attitude toward a particular section of the country.

The late Samuel Jones Tilden, an American statesman, who ran for the Presidency of the United States on the Democratic ticket against Rutherford B. Hayes, delivered an address at the Democratic State Convention in Albany, N.Y., in 1868 which, though then used in connection with another situation, is extremely pertinent today and to this legislation in particular. Let me read it to you:

> Hitherto the great right of the citizen to a voice in choosing his rulers has been safely intrenched in the constitutions of the several States. No legislative power in the land, Federal or State, could touch it. No temporary political ascendancy, no fluctuation of parties, could endanger it. The State constitution could be changed only through slow processes—imposing delays insuring deliberation, and generally requiring several submissions to a vote of the people. To effect a change throughout the Union would require that these processes be carried through in each State separately. But once abdicate this rightful authority of the people of the several States, acting in their organic capacity; once allow Congress to usurp jurisdiction over the suffrage of the people of the States; once admit that this fundamental right may be changed by a mere enactment of Congress, without submission to a vote of the people—and no man in any State can tell how soon his vote may be rendered worthless, or how soon it may be taken from him. Mr. Sumner avows that his object is to control the next presidential election. Adopt his theory; establish the precedent; accustom the people to acquiese in the usurpation; and you will have a congressional majority changing the suffrage wherever it may be a convenient means of keeping themselves in power. An ambitious

> President, with a subservient majority in Congress in possession of the machinery of the Federal Government; our political system centralized * * * until the moral force of the States to restrain is gone—and a supreme control over the suffrage is all that is wanting to complete and consummate a practical revolution in our government. Your future masters may indulge you a while in the forms of election, if they be allowed to make over the constituent bodies as often and as much as they please, letting in and shutting out voters to maintain their ascendancy.

Mr. Chairman, I have been a member of the Democratic Party all of my life. Even before I was old enough to vote, I supported every Democratic ticket from the courthouse to the White House. At times when I could more easily have remained silent, I have gone out and fought for the entire ticket. My district gave an overwhelming vote to our late beloved President John F. Kennedy. It did the same thing for President Johnson. I made speeches all over my congressional district for the entire Democratic ticket during the last general election.

I do not expect any special consideration because of my party loyalty. However, I would not be honest if I did not say that I have never been more disappointed than I was when our President recommended this vicious piece of legislation to this Congress. I am hurt by it. So are the people I represent. We expect to be treated only as equals with the rest of the Nation. I have been just as disappointed over the support of this legislation by the leadership of this House. As strongly as I believe in the right of every qualified citizen to vote, without regard to his race or color, I sincerely hope that this legislation will not be passed.

As skeptical as I am about our present Supreme Court and its thinking, and notwithstanding the applause given the President's message to the Congress by the members of that Court present when the President told the Congress what it had to do, I sincerely believe that this bill, if it passes in substantially its present form, with its presumption of guilt formula, will be declared unconstitutional. I am confident that we could adhere to the guarantees of the 15th amendment without ignoring the legitimate and constitutional rights of the States as this bill does. If it wanted to, this Congress could pass a piece of legislation providing a very simple and fair method for solving the problem of voting rights and disputes wherever they may arise without violating the fundamental constitutional principles which, time and time again, have been stated here on the floor of this House during this debate—principles largely upon which this Nation was founded.

The majority of you appear to have made up your minds to pass this legislation. You have indicated an unwillingness to even moderate it by making it applicable to all our people and all States alike. This you now have the power to do.

I may be wasting words, but I still respectfully appeal to you to rewrite this legislation in such a way that it will serve to eliminate discrimination against any voter because of his race or color, without laying the foundation for political dictatorship, as this bill does, by whatever political party may be in power at a given time.

Mark my word, this is dangerous and far-reaching legislation. If it is passed, and later sustained by the Supreme Court, in my opinion, it offers great potential for a very substantial and undesirable change both in our form of government and in our way of life.

I am reminded of the Biblical injunctions "What doth it profit a man if he gain the whole world and lose his own soul."

Likewise, what will it profit us to win all our wars abroad, if we lose our freedom at home.

Mr. RODINO. Mr. Chairman, I rise in opposition to the amendments offered by the gentleman from North Carolina, [Mr. WHITENER].

Mr. Chairman, these amendments have various effects on the bill before us. One amendment would delete section 5, the provision requiring preclearance of new voting laws.

Another amendment would limit the appointment of examiners under the bill to the courts, and would take the Civil Service Commission out of the picture completely.

Another amendment would delete section 8, which provides for observers which we believe are necessary to insure that the provisions of the bill are enforced.

Another amendment drastically amends section 9 dealing with the challenge procedure, which is vital to this bill.

One of these amendments deletes section 10, the poll tax provision, which is fundamental in this bill.

Another amendment would amend section 11, eliminating the section which provides for the protection of voters from intimidation, threats, and violence.

Mr. Chairman, I believe I have said enough to demonstrate why these amendments should be defeated. In general they would severely damage the bill, and I ask for rejection of the amendments.

Mr. HARDY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Chairman, I am a strong supporter of the proposition that no citizen of the United States should be denied the right to vote because of his race or color. When the President presented his views to the Congress on this subject earlier this year I applauded the position which he took. It is with deep regret that I am unable to support the measure before us but it goes far beyond the President's message and it makes presumptions which are highly discriminatory against sections of the United States.

As I read the bill and as I understand the debate which I have followed, the automatic triggering provision, section 4, would immediately bring Virginia and my congressional district under the terms of the bill and would cause to be established in my own district Federal examiners which would not necessarily be local people, or even Virginians, and the citizens of my district would be registered by these examiners instead of the duly constituted local registrars.

Mr. Chairman, it is the presumption of the 50-percent provision in section 4 (b) which would have this effect. According to the figures published in the committee's hearing record only 42.7 percent of the population of voting age in the city of Norfolk, the largest city in my district, are registered. From these figures printed in the hearing record, I observed that although the percentage of white persons registered is slightly higher than the percentage of nonwhites, they are both well below the 50 percent and the differential is not great.

Mr. Chairman, I wish I knew the entire reason why the percentage of registered voters in my district is as small as it is. I think undoubtedly a part of it is due to the fact that a high percentage of our total population consists of military personnel and their families. For a variety of reasons, these citizens frequently are reluctant to register and to vote at posts where they are stationed.

But let me say this, Mr. Chairman, this problem of stimulating interest in registering and voting in my district is one that we have worked on diligently for many years. Various organizations have put on drives to increase the percentage of registrants. Additional registrars have been appointed and additional places for registration have been established, but none of these has been sufficient to bring the percentage of our registered citizens above the 50-percent mark, according to figures published by the committee.

Yet, Mr. Chairman, during the entire 20 years of my service in the House, I have never seen any evidence of voter discrimination in my district because of race or color, nor have I heard it charged that discrimination has been practiced in my district because of race.

And so, Mr. Chairman, I say that this bill is unfair and that it ought not to be passed. I wish that the committee had brought in an equitable bill which I could support, and I regret that this is not so.

Mr. DOWNING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DOWNING. Mr. Chairman, I supported the McCulloch voting rights bill, rather than the Celler bill, sincerely believing that it would have accomplished the same purpose without placing a stigma on six Southern States, including Virginia.

The Celler bill is sectionally discriminatory while the McCulloch bill was sectionally uniform applying equally, North and South, anywhere discrimination in voting is practiced and only where it is practiced.

I am and always have been unalterably opposed to any form of discrimination at the polls because of a man's color, or because he is of a different race. This is a right given to every American under the terms of our Constitution and when and where it becomes necessary, it should be enforced.

On the other hand I do not believe that the right to vote is automatic; it is a privilege which is given to those who can meet certain minimal requirements and this is as it should be.

In my opinion, the McCulloch bill would have rectified the problem of voter discrimination more equitably than the Celler bill.

The CHAIRMAN. The question is on the amendments offered by the gentleman from North Carolina [Mr. WHITENER].

The amendments were rejected.

AMENDMENT OFFERED BY MR. LINDSAY

Mr. LINDSAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LINDSAY: On page 27, line 11, insert the following new section 14 and renumber the succeeding sections accordingly:

"Section 14(a) Congress finds that recent events have demonstrated that effective exercise of the right to vote as guaranteed by the 15th amendment requires that citizens of the United States be protected in their rights of freedom of speech, press, the right peaceably to assemble, and to petition the Government for a redress of grievances; and that State and local officials have often reinforced denials of the right to vote by suppressing such rights through the use of threats, intimidation, and brutality.

"(b) Whenever any person acting under color of law has engaged, or there are reasonable grounds to believe that such person is about to engage, in any act or practice that intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce the exercise by any other person, in connection with voting, of his right of freedom of speech or of the press, or his right peaceably to assemble, and to petition the Government for a redress of grievances; or whenever any person, acting under color of law, knows or, with reasonable diligence, should know that any other person is being intimidated, threatened, or coerced for the purpose of interfering with the enjoyment of the above rights by such other person and abstains from, fails, or refuses to protect such other person in the enjoyment of such rights, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief including an application for a permanent or temporary injunction, restraining order, or other order."

Mr. CELLER. Mr. Chairman, however much I may agree with the grand purpose of the amendment I nonetheless for pragmatic reasons make a point of order that the amendment is not germane to the text of the bill. Mr. Speaker, the subject matter of H.R. 6400 deals exclusively with voting rights. The amendment proposed deals with rights under the first amendment to the Constitution. This refers to freedom of speech, of the press, peaceable assembly and petition to redress grievances. It is very obvious that this violates the rule of germaneness. Although we are dealing with constitutional rights, specifically the right to vote under H.R. 6400, the rule is that one individual proposition may not be amended by another individual proposition even though the two may belong to the same class. The same class here would be constitutional rights. However, H.R. 6400 deals with rights under the 14th and 15th amendments. The amendment deals with rights under the first amendment. Therefore, Mr. Chairman, the amendment is not germane to the bill.

The CHAIRMAN. Does the gentleman from New York [Mr. LINDSAY] desire to be heard on the point of order?

Mr. LINDSAY. Yes, Mr. Chairman, I should like to be heard on the point of order.

I had understood, because the distinguished chairman of the Committee on the Judiciary said the other day when I gave notice that I would be offering this amendment, that he would raise a point of order against it.

Mr. Chairman, I fail to see any merit or substance in this point of order. My research has discovered no precedent at all that supports the point of order. Nowhere is the principle better stated, however, than in the language which opens the chapter on germaneness in Cannon's Procedure Manual:

> That an amendment be germane means that it must be akin to or relevant to the subject matter of the bill. It must be an amendment that would appropriately be considered in connection with the bill.

Mr. Chairman, the subject matter of this bill is the protection of voting rights. That term must be understood broadly, in keeping with the broad intent of this legislation. All my amendment does is recognize that there are related rights which must also be guaranteed to make the exercise of an individual's voting rights complete and meaningful.

This amendment, Mr. Chairman, is relevant to the subject matter of the bill. It should be considered in conjunction with the bill.

I submit the amendment is germane, Mr. Chairman, and very necessary if we are to make this voting rights bill all that the American people expect it to be.

The CHAIRMAN (Mr. BOLLING). The Chair is ready to rule.

The Chair has had an opportunity to study the amendment and precedents relating to this bill.

The Chair calls attention to language in the amendment offered by the gentleman from New York [Mr. LINDSAY] under paragraph (b) where it is made quite clear by the phrase "in connection with voting" that the purpose of this amendment deals only with the voting aspect. In other words, with the 15th amendment.

Therefore, the Chair overrules the point of order and recognizes the gentleman from New York [Mr. LINDSAY] for 5 minutes in support of his amendment.

Mr. LINDSAY. Mr. Chairman, this amendment is a narrowing and a condensation of the old part 3—or sometimes called title III—that has been before the Committee on the Judiciary of the House many times and has been before this body on several occasions.

Members will recall that a much broader, so-called part 3 than this one was presented to the Congress in 1957 by the Eisenhower administration, and was reported out by the Committee on the Judiciary of the House and passed the House of Representatives with the support of Members from both sides of the aisle and with the endorsement of the then administration and with the vote of the distinguished chairman of the Committee on the Judiciary.

That part 3 dealt with the protection of Bill of Rights guarantees from A to Z. In other words, it provided that if at any time there was a threat to the equal protection of the laws of any individual, the Attorney General had the right to bring a civil injunctive action in order to protect that right.

Since then it has been demonstrated again and again in the country that of all the Bill of Rights provisions and guarantees that have been threatened, it is the first amendment rights and guarantees that have been threatened most frequently—that is to say, those that have to do with the exercise of free speech, peaceable assembly, and the right of the people to petition their government for redress of grievances.

Now it may be argued that section 11 of the committee bill already contains some protection against invasion of voting rights and threats against the right to vote or the exercise of the right to vote.

The weakness here is that that provision is too narrow in scope in respect to freedom of speech and the right to assemble peacefully and to petition the Government for a redress of grievances.

The protection in section 11 is tied very closely and narrowly to the actual mechanics of voting and does not cover fully the right of Americans to come together and to ask for the right to vote and, if necessary, to hold a meeting or rally or even an orderly parade.

I submit, Mr. Chairman, that this part 3 or title III amendment will guarantee this most important right of Americans as delineated and set forth in the first amendment, which many scholars and civil libertarians call the bulwark of the Republic.

I would remind Members also that it is the duty and responsibility of the Federal Government to safeguard Bill of Rights protection. It is also the responsibility of the Congress to pass such laws as are necessary in order to make it possible to safeguard Bill of Rights protections, and most particularly the first amendment. In the absence of such implementing legislation we have merely a paper protection.

Mr. Chairman, if this amendment in much broader scope was appropriate in 1957 and was accepted by this body in 1957, only to be buried in committee in the other body, then surely it is appropriate in 1965.

I ask that the Members give this their support.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this indicates clearly how difficult it is to write a bill as comprehensive as this on the floor of the House. Here we get from left field—or from right field or center field—an amendment very comprehensive and very difficult to comprehend which would in a certain sense, in common parlance, "gum up the works."

There are in the bill now sufficient safeguards to cover all the contingencies mentioned by the gentleman from New York. I read from page 24, commencing on line 9. Mark you well the following:

> No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

I do not know what more the gentleman would want in this regard. It is ample. It is full. I do not see what additions we could possibly make to it. It covers Federal elections. It covers State elections. It covers intimidation, threats, or coercion by a State official or by a private person. It covers, as I said, local elections and Federal elections.

It is an extension of the 1957 act, 42 U.S.C. 1971(b), which prohibited such violence by private individuals in Federal elections, to all elections.

There is involved in here private violence as well as official violence at any election.

I do not know what more we should add to this situation.

Originally, in respect to the 1957 act, I was in favor of the so-called part 3, which covered the molestation of anyone, any action to bereft a person of his constitutional rights on all levels of American life.

Now the gentleman from New York is trying to curb it by limiting it to voting.

This very question as to whether there should be this amendment offered by the gentleman from New York was asked of Mr. Katzenbach, the Attorney General, when this matter was before the Judiciary Committee. The gentleman from New York [Mr. LINDSAY] said:

> We have been up and down the mountain on it many times. The House passed it once, in very broad form.
>
> What would be your opinion of an addition to this bill of that limited form of part 3?

Mr. Katzenbach—listen to this, gentlemen—said as follows:

> Mr. KATZENBACH. My opinion on it, Congressman, would be the same opinion that was stated by my predecessor. When you give us that power, then you also give us the power for an appropriation to hire the police force that it is going to take to do it. Don't give us the responsibility without the capacity of fulfilling it. Don't put me in the box where you say the law tells you to do this and I have nobody to do it. Give me the national police force that it may take.

I repeat, "Give me the national police force that it may take." We do not want the national police force. The Attorney General does not desire a national police force. For that reason, I do hope that the amendment of the gentleman from New York [Mr. LINDSAY] will not prevail.

Mr. CAHILL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman and members of the Committee, I am, I guess, quite surprised today by several developments. One is that the chairman of the committee, a man for whom I guess I have more respect than perhaps any man in the House because he has been my chairman since I have been a Member, would not accept this amendment. I say that because certainly this amendment has been refined substantially since 1957. All this amendment does, really, is to guarantee first amendment rights in their relation to voting rights.

I would say to my very distinguished and respected chairman that if Mr. Katzenbach says he needs funds to give the American citizens their constitutional rights, and if it requires additional employees to do so, then it seems to me we ought to give the funds to him and we ought to guarantee all Americans the rights we say in this hall of Congress they should receive.

Let me say parenthetically, if I may, although it is not quite on point, that I was regrettably called out of the Chamber a short while ago on some other congressional business. When I returned I found to my dismay that a gentleman for whom I demonstrated a great degree of admiration for his courage as a southerner in supporting what I thought was 100 percent the administration bill, had offered an amendment identical to one that was presented to the Committee on the Judiciary and which was rejected because "it would gut the bill." Now I praised that gentleman and I sincerely meant it. I regret therefore that he did not announce his intention to submit his amendment when he agreed to support the bill and I hope that his amendment is finally rejected, and he will vote for the bill on final passage.

I want to go on record as saying I am against his amendment. I hope every Member of this Chamber, be he Republican or Democrat, who is interested in giving to the Negroes of this country the right to vote, will support the Celler bill without the amendment. If this amendment is not defeated, the value and effect of the Celler bill has been greatly diminished. I find it difficult indeed to understand how a man can represent that there is in fact discrimination, that there is in fact disenfranchisement of American voters, and then come in and say, "Well, if 50 percent of them are registered, you can forget about the other 50 percent." I think we ought to make certain that 100 percent vote. If my friend is sincere, and I continue to believe he is, he will vote for the Celler bill on final passage even without his amendment. Now let me close by saying, that my experience over 7 years' time has convinced me that the gentleman from New York [Mr. LINDSAY], in all of the time he has spent in this House, has been truly a champion of the rights of all the people. This amendment is another indication of his sincere interest in bringing all Americans the guarantee of all of their constitutional rights. I hope the Lindsay amendment will be adopted.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman.

Mr. CRAMER. Just to make sure the record is clear—the gentleman mentioned an amendment that was adopted—I did not want it to be assumed by anybody that the gentleman was talking about the Cramer amendment. He was talking about another amendment?

Mr. CAHILL. I am talking about the amendment offered by the gentleman from Louisiana [Mr. BOGGS].

Mr. MATHIAS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise to support the amendment which has been offered by the gentleman from New York. I think it is a splendid amendment. I do not think it duplicates anything which is already in the bill. I think it is a necessary amendment. I think that its offering here is consistent with the constructive and positive record in this House of the gentleman from New York, its sponsor [Mr. LINDSAY].

If there is one thing that Americans have held dear from the time that they first were known as Americans it is personal and individual liberty. If there is one thing that this House should stand for it is the protection and the guarantee of personal and individual liberty. The Revolutionary War started out to protect individuals in their liberties as freemen. It was only later in that struggle that it became a war of national independence. Abraham Lincoln, in preserving the Union during the Civil War, did not preserve it because of the fact that it was a revered structure of government, but because the Union was the means by which the personal liberties of Americans could be secured and preserved through the ages.

When our Constitution was written, personal liberties were considered so basic to Americans that it was not thought initially necessary to enumerate personal liberties and to specify their guarantees. It was not until the Constitution had been adopted that it was felt better to identify the primary personal liberties and to guarantee them by the Bill of Rights.

That is what we are talking about in the Lindsay amendment—the personal liberties that are basic to Americans. My distinguished chairman has said that it is a complex amendment and hard to understand. For the second time this afternoon I regret that I have to differ with him because in broad strokes this House, certainly the senior Members of this House, certainly everybody who has been interested in civil rights legislation, has been thoroughly familiar with part 3 and what it means. It is not complex, it is not difficult. This is a very narrow, specific portion of part 3 dealing with voting and dealing with the first amendment.

Then my distinguished chairman has thrown into this discussion the proposition that the Attorney General casually referred to a police force. I have a higher regard for Mr. Katzenbach than to think that he would have to resort to police to enforce the provisions of this amendment. I do not think the chairman really thinks he would, either. Police are not involved in this. It is lawyers and courts and judicial procedures to protect Americans in their historic, traditional liberties that are contemplated by the Lindsay amendment.

This is a good amendment. It is a great amendment, worthy of the name it bears. It deserves the support of all the Members of his House.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, I rise in strong support of the amendment of the gentleman from New York [Mr. LINDSAY] to uphold first amendment rights in connection with voting. Those of us who have lately been in Selma, and all Members of this House, know clearly and unmistakably and sorrowfully that there have been threats, intimidation, brutality, and, indeed, murder, in connection with voting rights.

As the gentleman from Maryland has so eloquently said, there is a clear need for the Federal Government to be able to take appropriate action to guarantee constitutional rights and to uphold first amendment rights.

If I am not mistaken I attended a meeting with the gentleman in the Justice Department, following a very tragic day in Selma on Sunday, March 7; this was Monday, the following day. It was very clear the Attorney General could have used additional powers provided by the basic amendment. I hope it is strongly supported by both sides of the aisle.

Mr. MATHIAS. I thank the gentleman.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman.

Mr. BURTON of California. Mr. Chairman, I commend the distinguished gentleman from Maryland [Mr. MATHIAS], and the gentleman from New York [Mr. REID], as well as the sponsor of the amendment [Mr. LINDSAY], who have on many occasions past, accepted suggestions from this side of the aisle because of their sincere interest in this field. I think those of us on this side of the aisle have no less responsibility. I applaud the amendment and urge its adoption.

Mr. RYAN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I hope that this amendment will be approved. It has been perfectly clear to me through my firsthand experience with the civil rights activities of a courageous civil rights movement that there is a need for this kind of protection and guarantee.

It does not go far enough, but it goes farther than anything we have now. In my experience in Alabama, Georgia, and Mississippi, I have seen clear and abundant evidence of the most shocking kind of deprivation of freedom of speech, freedom of assembly and freedom of the press. This includes harassment, intimidation and even brutal murder.

I have urged time and again that the Attorney General use all of the powers of his office to provide protection to citizens exercising constitutional rights in connection with civil rights activity. We have been told he does not have sufficient power to meet the problem. If a Federal force is needed to deal with civil rights violations, this should be accomplished. We have waited too long to provide the Federal Government with the necessary power to protect the rights of citizens in this area.

This amendment is one that has been before the House for a long time. In 1961 I introduced H.R. 9323, which gave the Attorney General the power on his own initiative to go to court to protect first amendment rights. I introduced a bill (H.R. 6031) in the last Congress to accomplish the same purpose as the part III amendment which was before Congress in 1957. I testified before the Committee on the Judiciary in support of this amendment, this year and last year. This will protect those who are working for civil rights, those who are responding to the highest traditions and ideals of our Government, and it would insure them that the Federal Government will not sit idly by while their constitutional rights are trampled on. It would place the Federal Government squarely behind the effort.

We must realize the passage of the voting rights bill today is not enough. It is not enough simply to provide protection for the right to register and vote. We must realize it is necessary to provide for those dedicated Americans, who risk their lives in the civil rights movement, protection of all their constitutional rights. Everyone knows that those dedicated Americans who are engaged in voter registration work have been subjected to the most blatant deprivations of their constitutional rights.

If we are to achieve full and complete equality which the Constitution promises, then this amendment will help to take us along that road.

I might point out that, when part III was debated in the U.S. Senate in 1957, Senator CLARK, of Pennsylvania, said:

> Either we repeal the 14th's equal protection clause or we give the Department of Justice all appropriate means of enforcing it, whether those means be criminal or civil.

At the same time Senator John F. Kennedy, later our President, said:

> It is a moderate provision, lending itself to intelligent implementation.

I believe very strongly this should be included in the voting rights bill.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from New York.

Mr. OTTINGER. The gentleman from New York held an excellent hearing a while back in reference to people who were put in virtual concentration camps at Jackson, Miss., in connection with demonstrations for their right to vote. The Federal Government had to stand by, helpless to redress heinous violations of their rights by the very local police authorities that should have offered them protection. This is a very clear demonstration that we need additional tools at the Federal level to deal with intimidation in connection with the right to vote. Certainly the gentleman from New York [Mr. LINDSAY] has helped us out on many key issues in which we believe, and I think it is time for us to support him in this excellent and meritorious measure. I ask that the amendment be agreed to.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from New York.

Mr. HALPERN. Mr. Chairman, I rise in support of the Lindsay amendment. It is consistent with legislation I have sponsored in this House, and in my testimony before the Judiciary Committee I urged that it be incorporated into the bill. Regretfully it was not and I am delighted my able colleague from New York [Mr. LINDSAY], who sponsored similar legislation, is offering it as an amendment on the floor today.

I agree with the gentleman from Maryland [Mr. MATHIAS], that it is a great amendment. It provides teeth—necessary tools—in this voting rights legislation. I trust it will prevail overwhelmingly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. LINDSAY].

The question was taken; and on a division (demanded by Mr. LINDSAY) there were—ayes 89, noes 91.

Mr. LINDSAY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. LINDSAY and Mr. SENNER.

The Committee again divided, and the tellers reported that there were—ayes 119, noes 134.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I should like to ask my good friend, the gentleman from Ohio [Mr. MCCULLOCH], and my good friend, the gentleman from Michigan, the minority leader [Mr. GERALD R. FORD], whether we can at this juncture possibly agree upon when we might terminate all debate on the committee amendment and all amendments thereto?

Mr. GERALD R. FORD. May I ask the distinguished chairman of the Committee on the Judiciary if he knows of other amendments besides the three which I understand are at the desk; one amendment by the gentleman from Minnesota, an amendment by the gentleman from Georgia, and one other?

Mr. CELLER. I do not know of any others.

Mr. DOWDY. I have an amendment, for which I have been trying to get consideration for an hour.

Mr. GERALD R. FORD. I knew there were three, but I had forgotten the sponsor of the third. So far as I know, there are three at the desk.

Mr. CELLER. Can we agree to close debate in about 20 minutes?

Mr. GERALD R. FORD. Would 30 minutes be more satisfactory?

Mr. CELLER. Very well. I ask unanimous consent, Mr. Chairman, that all debate on the committee amendment and all amendments thereto conclude at 7:20 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENTS OFFERED BY MR. MAC GREGOR

Mr. MacGREGOR. Mr. Chairman, I offer the two amendments I have at the desk and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

(By unanimous consent, Mr. Laird yielded his time to Mr. MacGregor.)

(By unanimous consent, Mr. Goodell yielded his time to Mr. MacGregor.)

(By unanimous consent, Mr. Gross yielded his time to Mr. MacGregor.)

The CHAIRMAN. The Clerk will report the amendments offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendments offered by Mr. MacGregor: On page 14, strike lines 15 through 25, and on page 15, strike lines 1 through 14. Insert in lieu thereof: "a court of three judges, in accordance with the provisions of section 2284 of title 28 of the United States Code, in an action for a declaratory judgment brought by any such State or subdivision against the United States has determined that the effects of denial or abridgement, if any, of the right to vote on account of race or color have been effectively corrected by State or local action and that there is no reasonable cause to believe that any test or device sought to be used by such State or subdivision will be used for the purpose or will have the effect of denying or abridging the right to vote on account of race or color: *Provided*, That a final judgment heretofore or hereafter rendered by any court of the United States, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of any such plaintiff, may be introduced in any such declaratory judgment action brought within five years of such final judgment as prima facie evidence of the facts found by the court, except that notwithstanding this provision the judgment shall retain whatever legal effect it would have under existing law.

"The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or with the effect of denying or abridging the right to vote on account of race or color. Any appeal of an action pursuant to this subsection shall lie to the Supreme Court."

Strike all of page 17 and on page 18, strike lines 1 through 4. Insert in lieu thereof:

"Sec. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, the Attorney General may institute an action in a court of three judges, in accordance with the provisions of section 2284 of title 28 of the United States Code, for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure has the purpose or will have the effect of denying or abridging the right to vote on account of race or color. The hearing and determination of such case shall be in every way expedited, and appeal shall lie to the Supreme Court. Upon the entry of such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure."

Mr. MacGREGOR (interrupting the reading of the amendments). Mr. Chairman, I ask unanimous consent in view of the agreement to terminate the debate, and so as not to infringe upon the rights of others, that the amendments may be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for 4 minutes.

Mr. MacGREGOR. Mr. Chairman, these amendments pertain to the section of the committee-Celler bill which deals with attempts by a State or political subdivision caught by the automatic trigger to alter, by statute or administrative act, voting qualifications or procedures in effect on November 1, 1964. As the bill now stands, any action for a declaratory judgment of nondiscrimination must be brought before a three-judge District Court for the District of Columbia. Now, Mr. Chairman, many of us have felt that this entirely novel procedure, whereby before a State or political subdivision may exercise the legislative authority granted it under the Constitution and the laws of the United States, it must come, hat in hand, to a three-judge court in the District of Columbia, will be very bad law indeed. The effect of my amendments would be to make applicable in these two important sections the provisions of existing law, title 28, section 2284, providing for a three-judge district court in the district where the particular cause of action has arisen. The adoption of my amendments would make it unnecessary for those States and political subdivisions caught in the automatic trigger to come to the District Court for the District of Columbia, but they could appeal to a three-judge district court established pursuant to existing law in the Federal district involved.

Mr. Chairman, I am aware that the majority report claims that the bill provides a means for a State or a political subdivision to show it is not in violation of the 15th amendment. The majority report claims that there is ample precedent for this procedure. The majority report states that Congress has also previously established a single forum for determining questions of national concern and the Supreme Court approved this action, but it is well to note that the majority report contains no explanation for limiting the means in H.R. 6400 to the exclusive jurisdiction of the District Court for the District of Columbia. The clear answer to that question is, there are no adequate precedents for this extraordinary procedure. There is absolutely no statutory precedent for requiring a State or political subdivision to come into any court, much less the District of Columbia, to seek validation of laws duly enacted in their constitutional and sovereign capacity. The statutes cited by the majority report concern the review of the administrative regulation of commercial affairs. As will be seen, they have nothing to do with statutory limitations on the basic constitutional powers or the rights of people acting through their State governments. This presumption of invalidity of State laws has no precedent, and none of the majority's examples even suggests the desirability of making a State or a subdivision a litigant in court seeking the license to operate in its sovereign capacity.

The majority cites as its principal precedent the Emergency Price Control Act of 1942.

The Emergency Price Control Act of 1942 provided an administrative remedy whereby a person subject to a regulation, order, or price schedule promulgated by the Administrator of the Office of Price Administration might file a protest containing objections to the regulation, order, or price schedule. The act empowered the Administrator to prescribe regulations for the filing of such protests.

The Emergency Price Control Act created a new court. It did not pick out one court, out of all the existing courts and require people throughout the country to come to it. Not only is the Price Control Act bare of limitation of this court's location to the District of Columbia—the court to be created by the act—but history shows that the court actually sat in 65 cities in hearing 401 cases throughout the entire country.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MacGregor] has expired.

Mr. McCULLOCH. The Chairman, I ask unanimous consent to yield my time to the gentleman from Minnesota [Mr. MacGregor].

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield for a question?

Mr. MacGREGOR. I yield for that purpose.

Mr. McCULLOCH. The legislation which created the Office of Price Administration was not State legislation; it was Federal legislation, was it not?

Mr. MacGREGOR. It was.

Mr. McCULLOCH. This provision which the gentleman is criticizing is aimed at the destruction of the rights that have been exercised by States and political subdivisions thereof since we became a union?

Mr. MacGREGOR. The distinguished gentleman from Ohio is entirely correct.

Mr. McCULLOCH. And could this not well be the beginning of the onslaught for the destruction of the Federal system?

Mr. MacGREGOR. It could, Mr. Chairman. If, indeed, we establish this precedent by rejecting the amendments which I have offered here we will be embarking on a course which could lead to the reduction of every State and every political subdivision thereof to the status of a begging supplicant of the Federal court in the District of Columbia.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield for one more question?

Mr. MacGREGOR. I yield.

Mr. McCULLOCH. Is not this a rash case of discrimination among the Federal courts?

Mr. MacGREGOR. It is certainly that, Mr. Chairman. And it is a ringing expression of "no confidence" in the integrity of our Federal district court structure throughout America.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment. The moratorium provision in this bill is a most important part of the bill, because unless we have that we potentially frustrate the purpose of the bill. We need it urgently. You will not have to come hat in hand to the court here, but just with clean hands. We are not taking away the exercise of right, but the exercise of wrong.

Mr. Chairman, I urge the defeat of the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Minnesota [Mr. MacGregor].

The question was taken; and on a division (demanded by Mr. MacGregor) there were—ayes 64, noes 92.

Mr. McCULLOCH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Senner and Mr. MacGregor.

The Committee again divided, and the tellers reported that there were—yeas 125, nays 141.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Bennett].

Mr. BENNETT. Mr. Chairman, I yield to the distinguished majority whip, the gentleman from Louisiana [Mr. Boggs] one-half of my time.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. BENNETT

Mr. BENNETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Bennett: On page 15, strike out line 21 and all that follows down through the period in line 8 on page 16 and insert in lieu thereof the following:
>
> "(b) Subsection (a) shall apply in any State or political subdivision of a State which the Attorney General determines maintained on November 1, 1964, and maintains at the time of his determination any test or device. A determination of the Attorney General under this section or under section 6 shall not be reviewable in any court and shall be effective on publication in the Federal Register."

Mr. BENNETT. Mr. Chairman, I have introduced an amendment, which you have heard read. It eliminates the 50-percent trigger prerequisite provision. The purpose is to broaden the voting rights bill to include States on a more fair basis than the present legislation, which seems to many to unfairly discriminate against certain States of the South. The debate has brought out that many southern legislators feel this to be so.

Further, I am sure that the constitutionality of this bill would be strengthened by this amendment.

Finally, I would like to point out that nothing that was allowed to be done under this bill prior to this amendment would be in any way reduced or prohibited by this amendment, as it clearly only eliminates one of the prerequisites for the triggering mechanism.

So it would be my belief that liberals as well as conservatives would feel that this would be an improvement on this legislation.

Before I close, I would like to make a few remarks about the actual experiences that we have had in Florida in a broadened franchise.

Florida in the 1937–47 decade abolished the poll tax and fully met the decision of the Supreme Court in the 1942 Texas case, thus opening its Democratic Party primaries to all races. These primaries were the deciding elections of that era and they are substantially so today. Since then in Florida there were and are no qualifications required of voters except being an adult.

The nonwhite population of the district I represent, according to 1960 figures is 105,655. The white population according to that year's figures is 349,033. Of course both figures are much larger today but the ratios are about the same. The principal city I represent is Jacksonville and the Negro population of it is 41 percent.

Negroes today participate fully in elections in Florida and have for many years. For instance in the district I represent, Duval County, the 1960 figures show that 63 percent of all Negroes of voting age were registered to vote and the comparable percentage for whites was also 63 percent.

What have been the results? It would be unfair to claim that this broadened electorate is responsible for the tremendous forward strides that have been made in this area in the ensuing years. No period in our history has in fact experienced better government or greater civic strides and progress. It has been truly miraculous.

I hasten to repeat that the broadened electorate cannot be given the credit for all of these improvements, but it was certainly not a deterrent. No radical or unfortunate results have been observed by anyone—none at all. In addition, I think most people would admit that our election processes are in fact less criticized for corrupt practices than they were formerly.

Our experience has been one of satisfaction and pleasure that our electorate has been broadened. I urge my southern colleagues to throw away their fears about the broadening of the franchise and join with me to see to it that the perfected enactment, which this debate will produce, gains the substantial Southern support that it is indeed entitled to.

I discussed on Tuesday certain constitutional questions involved in this legislation so I will not repeat what I said then. Suffice it to say, the purpose of this legislation is to do what the Constitution in fact makes the national purpose of our country, that the right to vote shall not be impaired because of racial discrimination. Surely we can bring out a bill to accomplish that purpose. Every southerner should lend his shoulder to accomplish that objective.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. Bennett].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia (Mr. Callaway).

AMENDMENT OFFERED BY MR. CALLAWAY

Mr. CALLAWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Callaway: On page 16, line 1, after the word "age" insert ", other than persons not residents of the political subdivision, persons in penal institutions, aliens, and persons in active military service and their dependents not registered to vote in such State or political subdivision,".

Mr. CALLAWAY. Mr. Chairman, this is an extremely simple amendment and yet it brings into focus one key, in my judgment, that we have been talking about all week. That is the question as to whether this bill was designed to pick out certain Southern States and punish them and pick them out by State or whether it is designed to pick out a formula that actually discriminates.

The people exempted from the formula in this bill may be people in my State who are ineligible by law to vote, yet they are now included in the number of people by which we determine by percentages whether we discriminate or not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. Callaway].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Dowdy].

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Dowdy: On page 13, strike lines 3 through 5, and insert in lieu thereof: "It may enjoin the use of such test or device in such State or political subdivisions in those respects as the court shall determine the same has been used for purposes of denying or abridging the right of any such citizen to vote on account of race or color."

Mr. SELDEN. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman.

Mr. SELDEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks immediately following the remarks of Mr. Whitener.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

(By unanimous consent, the time allotted to Mr. Selden was granted to Mr. Dowdy.)

Mr. DOWDY. Mr. Chairman, the pending bill provides that the law of a sovereign State shall be suspended. My amendment would provide for injunction if a law were not uniformly enforced.

The suspension of laws might come about under martial law, or under a tyrant as Mussolini, Hitler, or Stalin, but it would not be expected in a land of liberty.

In my study of law, precedent and the Constitution, I find it is the duty of a court to see that laws are uniformly enforced, but that it has no authority to suspend the operation of a law duly enacted.

The signers of the Declaration of Independence had something to say about suspension of laws. In setting forth the abuses of the people by the King, which evidenced a design to reduce the people to despotism, they wrote that one of the abuses was that the King had suspended the operation of their laws. John Hancock and those other patriots, loving liberty as they did, wound up that part of their Declaration by alleging that a prince—a government—whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Mr. Chairman, this provision which I would amend, is one of the provisions which is tyranny. The people who elected us have a right to expect better of their Congress than to deliver this despotic power, in effect, into the hands of a political appointee, the Federal Attorney General. I urge the adoption of my amendment, which I previously touched upon in my remarks during general debate.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The amendment was rejected.

The **CHAIRMAN.** The Chair recognizes the gentleman from Texas [Mr. PICKLE].

(By unanimous consent, the time allotted to Mr. WRIGHT was granted to Mr. PICKLE.)

Mr. PICKLE. Mr. Chairman, if time would have permitted I wanted to submit an amendment which I shall submit and have submitted to the chairman with reference to the poll tax.

I would like to have had the House consider the language which in essence was passed by the Senate and says that the poll tax would be a matter which ought to be decided by the courts as to its constitutionality.

I ask the chairman when the bill goes to conference that you consider the fact that the poll tax ought to be ruled on by the courts and that the language of my proposal provides for a court action. I believe that must be done in respect to the poll tax.

We have listened to 3 days of debate about my State. The poll tax is not a matter of unfair discrimination there. The constitutionality of such a matter ought to be left for the courts to decide. The House ought to adopt in principle, the language of the Senate.

In all fairness, when this bill goes to conference, I ask the chairman whether he will keep those thoughts in mind?

Mr. CELLER. I have no objection to a court test, I assure the gentleman.

Mr. PICKLE. I am going to give this language to the gentleman.

It is:

SEC. 10. (a) To assure that the right to vote is not denied or abridged in violation of the Constitution because of the requirement of the payment of a poll tax, the Attorney General shall forthwith institute in States having such a requirement in the name of the United States actions for declaratory judgment or injunctive relief against the enforcement of any poll tax, or substitute therefor enacted after November 1, 1964, if, as a condition of voting, such requirement has the purpose or effect of denying or abridging the right to vote.

(b) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

(c) During the pendency of such actions, and thereafter if the courts declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant.

Mr. Chairman, the Attorney General of the United States has said that inclusion of the poll tax ban would make this bill unconstitutional. If the language of the Celler bill is retained in its present form with regard to the poll tax aspect, this bill may go down the drain. Indeed, as late as 1959, the U.S. Supreme Court has held that States have the right to establish their own voter qualifications. The question of whether a State should or should not have a poll tax should be left to the particular State.

In my own State of Texas where we have a poll tax, I want to assure you that little or no discrimination is allowed—or no more than any other State. Let me point out to you information taken from the Congressional Quarterly based on a survey by the Southern Regional Council:

As of November 1, 1964, a total of 57.7 percent of the voting age Negroes in Texas were registered to vote. This compares with 53.2 percent of the voting age whites who were registered to vote.

So it does not follow that a poll tax in itself offers that kind of discrimination. It was argued that we have white primaries in our State—and nothing is further from the truth. I will admit that the poll tax has seen better days, and is or probably will be outlawed in the four remaining States. But that is a matter for the State to decide. Indeed, my State of Texas passed a constitutional amendment last month which will be submitted to our voters to do away with the present poll tax, and substitute therefor a registration system.

My plea is not a sectional plea. It is not a partisan plea. This is a request for simple constitutional law. It is not even a matter of being for or against the poll tax per se.

This whole poll tax ban was started in the Senate by certain individuals who thought it attractive to propose such a measure because it would make a person appear to be riding a white horse of purity against the alleged evils of the poll tax States. It is not a national matter—only four States have the poll tax. I say it was submitted to cause confusion and prejudice. It casts reflections of littleness on the authors of such a measure. It is a spiteful proposal that has the audacity to propose that this body has the right to repeal a State law. Someday, those who advocate it will regret that they have chosen current prejudicial sentiment to obtain personal satisfaction and some questionable attention. It is demagoguery at its worst.

Mr. Chairman, I favor a voting rights bill. But let us do it in a constitutional way.

Mr. DORN. Mr. Chairman, again Congress is being forced to bow and subvert itself to the will of the mob. This is the second time in approximately 1 year that the Congress and the country are being blackmailed and stampeded by threats of violence to pass ill-advised, ill-conceived, and unconstitutional legislation. This bill would make a mockery of the rights of the States, the local governments, the Constitution, and due process of law. This legislation would make a sham of our Democratic ideals in favor of mobocracy. This is punitive legislation. It is vindictive and sectional. It is evil legislation conceived in the minds of those who would vote masses of our people rather than permit them the choice of a free ballot. This bill would make it possible for many of our people to be voted. When freedom is involved, there is a vast difference in voting and being voted. We cannot escape the fact that this legislation is being railroaded through the Congress by mob action in the streets and highways of our country. Apparently, legislation will no longer be considered in the cool, calm, deliberative, intelligent atmosphere as envisioned by the Founding Fathers. I never thought this Congress would seriously consider such reactionary legislation.

This bill would turn the wheels of progress back to thought control, nationalized elections, and stark, centralized power. The Armed Forces of the United States, representing the forces of freedom for almost 25 years, have been constantly engaged with the reactionary forces of totalitarianism. We have detroyed many and are continuing to oppose the remaining reactionary regimes who boast of their democracy, voting nearly 100 percent of their people, but with only one ticket on the ballot.

This un-American legislation would permit registrars appointed by the Federal Government to go into a few Southern States only and sit in judgment of registration boards, local officials, and the voting public. They will be empowered by the Federal Government to register voters and then return on election day to see that those they registered voted or were voted. These registrars, examiners, and "commissars" could be sent into South Carolina, the Deep South States, or Alaska, from California, Detroit or New York City. Mr. Chairman, this would be democracy—Russian style.

Under this bill a person unable to read or write the English language could be placed on the registration books in South Carolina under the order of the Attorney General sitting in Washington. Under the same bill, however, in New York a person could be denied the right to vote if he could not read and write this same English language. This is the most sectional and vindictive legislation ever proposed in the history of our country. The law would apply to certain States and not apply to others. It would establish a dangerous precedent of partiality and favoritism to the chosen States and certain pampered pressure groups. Under this legislation, those who could not even read the ballot could be hauled in and voted without regard to the constitutional rights of the States to set certain qualifications protecting and preserving the right to vote.

Under this Federal vote control legislation, any State or local registration laws passed since November 1, 1964, would have to be approved by a three-judge court in Washington, D.C. Mr. Chairman, why Washington, D.C.? Any local official or registrar or citizen accused by the Federal Government under the provisions of this vindictive legislation could be subjected to 5 years in a Federal prison or $5,000 fine, or both.

Rather than this constant harassment and intimidation by the Federal Government, South Carolina has earned and deserves the commendation of the country and the Congress. South Carolina is making fantastic progress in the field of human relations. We are making great progress in extending the full blessings of citizenship, economic opportunity and educational advantages to all of our citizens. We are urging and making it possible for our citizens who desire to do so to register and vote. We are protecting their right to vote, and Mr. Chairman, we are protecting their right not to vote.

In 1924 only 6½ percent of the adult people of South Carolina voted in the national elections of that year. In 1948, only 13 percent of the adult population of South Carolina voted in the important national elections of that year. In 1964, the last national election in November, 38 percent of our adult population in South Carolina voted, an increase of 300 percent over 1948—a greater percentage of increase than in any State in the American Union. In South Carolina, we are proud of this record. Without this legislation, in a very few short years, voter participation in all elections in South Carolina will be equal or higher than the national average. I hope you will help me tell the world about this amazing progress in a Deep South State. Let us accentuate the positive and not always dwell on the negative. No wonder the United States does not have the best image around the world. We are simply not telling the world the true facts.

Yes, South Carolina comes under the provisions of this legislation while the overwhelming majority of the rest of the States are exempted. Yet, in Anderson County, the largest and by far the most populous county in my district, 78 percent of the adult Negro population is registered to vote, while only 63 percent of the white population in Anderson County is registered to vote. Mr. Chairman, is this discrimination? Is this trickery and fraud to prevent nonwhite citizens from voting?

Pickens County, in my congressional district, is the second most populous county. Pickens County has 72 percent of its adult nonwhite citizens registered to vote, while only 63 percent of the white adults of that county are registered to vote. Let us look at Oconee County, the third most populous county in my district. The percentage is 63 percent Negro registration and 62 percent white registration. I know of no discrimination against nonwhite voters in my area of the country. None has been proven in any court. No charges of voter discrimination have even been brought into the courts. No sworn affidavits of discrimination in voting or registration have been presented to the Civil Rights Commission. The inescapable conclusion is that there is a desire by someone here in Washington to register and vote large segments of our people. This legislation is a reflection on the splendid accomplishments and earnest desires of the people of South Carolina to encourage good citizenship. It is a reflection on the great Negro people of South Carolina who know when and where to register and how to vote. The nonwhite citizens of South Carolina do not need Federal registrars, armies of invasion and examiners to tell them how to register or vote.

Mr. Chairman, every time I speak here of civil rights, which has been very frequently in the last few years, the distinguished committee chairman will bring up McCormick County in my congressional district. Before you reach in the files and ask about McCormick County, let me tell you about this fine little county in the lower part of my congressional district. I called an honest, forthright member of the board of registration in McCormick County, the Honorable Julius Baggett, a distinguished attorney and a Christian gentleman, who is concerned about the misinformation and distortion of the facts concerning McCormick. Next to my own county, I am more familiar with the situation in McCormick than in any other county in the United States.

Mr. Baggett informed me that the registration board meets in McCormick County the first Monday in every month. They meet at the courthouse to register any potential voter who desires to have his name placed on the registration books. The prospective voter is required to fill out a simple application blank. Before his name is placed on the book, he is only asked his name, age, address, and occupation. You do not have to be listed on the registration books by race. There is no discrimination in the registering of voters in McCormick County. Before registering, an applicant is handed a copy of the Constitution of the United States and asked to read any portion of it. If they cannot read one part of the Constitution, the board of registration will even suggest another part, such as the preamble, familiar to virtually every elementary school child. This is only required in order to demonstrate the ability to read. Even teachers of both races often are required to read a few words from the Constitution.

In McCormick County, if they cannot read any portion of the Constitution and are therefore denied registration, the applicant can become registered if he has an assessed personal property evaluation of $300. This includes automobile, house, land, personal belongings, etc. If the applicant pays taxes on this assessed personal property evaluation of $300, he is permitted to register whether or not he can read or write. If an applicant in McCormick County cannot read or write or does not have an assessed personal property evaluation of $300, the applicant can still appeal under the State voting laws of South Carolina to the court of common pleas. The right of appeal to the court of common pleas is guaranteed by State law. The State court could order the applicant's name placed on the registration books even though he cannot read and write and even though he does not have the assessed personal property evaluation of $300. This simple requirement is not discrimination. Anyone in McCormick County who genuinely has the desire to register and vote can do so.

Several years ago the FBI made a thorough investigation of registration and voting in McCormick County and no action was taken against anyone. No evidence of discrimination was found. No sworn affidavits from McCormick County alleging discrimination have been submitted to the Civil Rights Commission. Nonwhites are voting in McCormick County in increasing numbers. Ninety-five percent of all those registered in McCormick County voted in the last election. One reason for the overall smaller percentage of the total adult population voting in McCormick County is that a good number of the nonwhite adults in McCormick County work in the large cities of the country such as Philadelphia, Washington, Baltimore, and Atlanta while their children go to school in McCormick. These children stay with guardians, grandparents, relatives, and friends. This is a recommendation of the splendid school system of McCormick County. Many of these parents have frankly confessed to me that they prefer that their children go to school in McCormick because of the better discipline and emphasis upon courtesy and good manners—an environment free of juvenile delinquency, teenage gang warfare, riots, and school boycotts.

Mr. Chairman, I am alarmed and concerned about legislation being considered and passed as a result of recurring demonstrations, violence, and disrespect for local law and order. These demonstrations are a strange phenomenon which is on the increase throughout the world. They have caused the overthrow of friendly allied governments. Demonstrations and student riots are an ever-increasing threat to our own democratic society and even our national security whether they occur at the University of California, Philadelphia, Saigon, Ankara, or Panama. Democracy can only survive as a restrained, disciplined society. Even the House of Representatives that we all love as a great institution requires discipline for orderly deliberative consideration. We have a Sergeant at Arms to enforce the rules of the House and the orders of the Speaker. No legislation is possible in Congress without restraint and discipline.

Mr. Chairman, I think the greatest contribution we can make today for freedom, brotherhood, and the rights of all of our citizens is to reject this legislation. Let emotions cool, permit reason to replace prejudice. Let us make no decision here in the Congress during this session that will encourage power-mad, dues-paying pressure groups. Let us take no action that will lead to more demonstrations, more demand, and more so-called civil rights legislation. Let us digest what we have.

This legislation, if adopted, will be no more successful than the Civil Rights Acts of 1957, 1960, and 1964. This bill, as the other legislation, would only whet the appetites of mob leaders for more attention, more money, and publicity.

It is my hope that the conscience of this committee and the conscience of the people of the United States will awaken to the need of withholding a self-righteous judgment of other sections of our great Nation. It is my hope that our conscience will awaken to the urgent need of discipline, individual restraint, and respect for law and order so that freedom might not "perish from the earth."

Mr. WELTNER. Mr. Chairman, it is said that this bill is a drastic measure. Perhaps it is. Yet the problem is drastic, and the need is drastic.

It is said that this bill is not of uniform application. Yet candor compels us to admit that voter discrimination is not uniform.

Finally, it is said, and with some justification, that this bill affects more areas than might be necessary. Yet, it is better that the measure be too broad than too narrow.

And so we come to the final vote. There are those who wish to restrict the franchise. That is their prerogative. I stand with those who would extend the right to vote. Hence, I will support this bill.

Mr. BROYHILL of North Carolina. Mr. Chairman, for 5 days this week the House of Representatives has been engaged in major debate on what type voting rights bill will be enacted. Unfortunately, much of the debate has been filled with emotional overtones, and many of the details of the two bills before us have been overlooked or misunderstood.

The right to vote is the most basic of all rights. It is through the exercise of the franchise that all popular government is obtained.

Now, in this debate, and in these two pieces of legislation before us, we come to the question of what should be done about abuses of this right. The arguments are all concerned with what is appropriate but yet effective legislation.

It seems to me that the administration bill (H.R. 6400) is aimed solely at a few States. The President's bill would send in Federal officers to register voters where any test or device was used as a prerequisite to voting, and if less than 50 percent of the voting age population was registered to vote or voted in the November 1964 election. This arbitrary formula automatically points an accusing finger at all States which require some form of literacy test for all voters.

It is true, according to evidence presented to the Judiciary Committee, that literacy tests have been used in some areas as a means for denying Negroes the right to vote. Wherever this occurs, it is wrong and in clear contravention to the Constitution itself. By no means, however, is this true in most States where literacy tests are required, and not one shred of evidence was presented that it is true in North Carolina.

Each State has its own constitutional responsibility to determine what its voting requirements shall be. I feel that knowing how to read and write the English language ought to be required of all voters. I feel that the laws and the constitution of North Carolina are right and proper in requiring this. When these tests are applied fairly with no favoritism because of race or color, they are perfectly proper.

With its tortuously contrived formula of percentages, the administration bill seems to be saying that discrimination is all right where no literacy test is applied, or if over 50 percent of the people are registered and voting.

I feel strongly that a voting rights bill should be constructed on the following basis:

First. Any such law should apply to all 50 States regardless of where they might be. The administration bill applies only to 6 States and 34 counties in North Carolina.

Second. All States should be encouraged to register all citizens to vote and not be presumed guilty for something they have not done.

Third. Any group of persons or individuals should have the right of immediate appeal to the Federal Government if they feel they have been unfairly treated in their efforts to register and vote.

Fourth. Any Federal action to determine voter qualifications should respect the right of the people of the States, through their elected representatives, to determine those same qualifications.

Such a bill has been developed by the Republican leadership in the House of Representatives and I had the privilege of helping to write it. It is, in my opinion, a good bill that will deal fairly, quickly, and effectively with voter discrimination problems, wherever they might occur.

Though I can not support the administration bill, I can and strongly support the Ford-McCulloch bill. This bill will be offered as a substitute on the motion to recommit. I will support this motion, and hope that it carries. If so, I will support it on final pasage of the bill.

Mr. STRATTON. Mr. Chairman, I was glad to have supported this important and historic legislation. The need to implement the provisions of the 15th amendment to the Constitution is long overdue. The troubles earlier this year in Selma, Ala., and elsewhere made it crystal clear to all of us that as long as the constitutional right to vote is still being abridged in many sections of our country we have not yet fully lived up to our American heritage that all men are created equal. Even the sweeping civil rights legislation we passed here last year did not go far enough to meet the need on full voting rights.

President Johnson called on Congress last winter to move with dispatch in adopting corrective legislation. At that time I joined in introducing the administration's bill, the one we have now passed by an overwhelming vote. I am glad to have had a share in making this achievement possible. While Congress has not moved as swiftly as we had originally hoped, I feel sure that this legislation will meet the need we uncovered last winter and will help to provide our country with a fuller, more meaningful democracy.

Mr. WALKER of Mississippi. Mr. Chairman, I come before you as humbly as I know how, well aware of the fact that it has long been the custom within this legislative body for freshmen Congressmen to be seen and not heard, but this matter today is of such great importance to the future welfare of not only the people of the State of Mississippi, but also of this entire Nation of ours, that I must, in all good faith, oppose it with every means at my disposal.

It is not my will to take away the rights of my fellow man, nor do I want anyone to take my rights away from me. We have heard about discrimination and the way that certain groups have been discriminated against, but I would like to raise this question: Where do the civil rights of one individual end and the civil rights of another begin? We in Mississippi and the great Southland are not expecting any special treatment. All we ask is to be put on an equal basis with our sister States.

There has been more progress on all fronts made in the State of Mississippi and throughout the entire Southeast in the last 15 years than in the past 100 years. Since reconstruction days the one-party system of politics prevailed in my State. As the first Republican Congressman to be elected since that time, and with the more recent election of Republican mayors, aldermen and councilmen, there is no doubt that the two-party system is now established in Mississippi. Certainly, we have had our problems—many types of problems, but the God-fearing, freedom-loving Americans in Mississippi of every race, color, and creed are honestly and diligently trying to resolve these problems in a way that will benefit every citizen of the State.

It is my firm belief that this resolution, H.R. 6400, as promoted by the administration, is one of the most unconstitutional pieces of legislation ever to come before the Congress of the United States. I make this statement because of two overwhelming facts:

First. The 15th amendment to the Constitution protects the rights of citizens of the United States to vote, regardless of race, color, or previous condition of servitude. But the 15th amendment does not provide authority for the Federal Government to set voting qualifications.

Second. In the 1st article of the Constitution, and again in the 17th amendment there are statements which provide that Members of the House of Representatives and Members of the Senate shall be elected by the people of the several States, and the "electors of each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

This statement removes any question as to how voter qualifications are determined. To paraphrase, the voter qualifications shall be the same as those set by the State for the electors of the largest body of each State legislature.

The 24th amendment to the Constitution is evidence that the Federal Government cannot legislate voter qalifications nor can it restrict the sovereign States from setting voter qualifications. The mere fact that Congress, and Mr. Chairman, many of my colleagues were then present, saw the necessity for a constitutional amendment to abolish the poll tax in national elections and not in State elections is evidence enough to support my claim that any restriction by the Federal Government regarding voter qualifications is purely unconstitutional.

Mr. Chairman, there is a statement that George Washington made in his farewell address that dictates the proper procedures for Congress to take in matters such as this; and I quote:

> If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way in which the Constitution designates, but let there be no change by usurpation. Through this, in one instance, there may be the instrument of good, it is the customary weapon by which free governments are destroyed.

If the administration and the Congress see a need that Federal voting standards be uniform, then let there be no doubt as to the legality of the process—propose a constitutional amendment. All we ask is to be put on an equal basis with our sister States in a manner befitting the Constitution of the United States.

I will be the first to admit that the Constitution is not infallable, by nature, as our society progresses, our basic governmental structure must be modified to conform but as a member of this great governmental body, I plead with you, follow the course provided by our Founding Fathers. Thomas Jefferson once made a statement that now is inscribed upon the wall of the Jefferson Memorial. He said:

> I am not an advocate of frequent changes in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind.

The Constitution clearly provides that each State have the right to set its own voting standards—except with regard to race and color restrictions as provided in the 15th amendment and with the prohibition of the use of the poll tax in national elections as provided in the 24th amendment.

I do honestly feel that every citizen in our State should receive equal treatment—the same treatment as citizens in our sister States.

Mr. Chairman, this bill in addition to being unconstitutional is most obviously a punitive measure aimed at a few States—to take away the right of the State of Mississippi to have literacy tests as a prerequisite to voting, and not to take that right away from the State of New York or Texas—is committing the very same injustice that the proposed bill is supposed to prohibit.

Mr. George Meany, president of the AFL-CIO, recently appeared before the House Judiciary Committee to speak in behalf of the voter rights bill. In his testimony, he made the following comment, and I quote:

> A citizen who is denied the right to vote is not a citizen at all. And a nation which extends the franchise to some citizens but denies it to others solely on artificial grounds such as race, is not truly democratic.

Mr. Chairman, does not this bill remove from the States so affected, their citizenship, since the bill is an obvious attempt to extend to some States the right to establish their own voter qualifications and denies this right to others?

The most dangerous effect of the passage of this bill is the precedent which would be established. Once Congress passes this bill and it is signed into law, we may as well completely abandon the remainder of the Constitution, because at any given time, any bill could be introduced and passed, stripping the citizens of this great land of any liberties they may have remaining.

I am reminded here of a piece of scripture from the great book of Isaiah which says:

> Come now, let us reason together, saith the Lord.

In closing, I ask, Mr. Chairman, Can each of my colleagues who supports this legislation, say to himself that he is honestly reasoning, can he honestly say to himself that such a piece of legislation is fair to every State, could he honestly say that this bill is constitutional if he were representing one of the States that would be affected by this bill, and could he support it? I beseech my colleagues: Please, do not under the guise of legality, allow this bill to bring forth an injustice that could mean the moral decay of our entire Government.

VIOLENCE OUTSIDE THE SOUTH

Mr. Chairman, during this debate on H.R. 6400, several of my colleagues from northern and eastern States have attempted to degrade my State with references to some unfortunate incidents of racial violence which have occurred in my State. This violence, usually encouraged by outside agitators, is certainly not condoned by the average citizen of my State, nor is it tolerated by our law enforcement agencies.

These unexcusable acts can and do happen in most every State, but it seems, at least according to the actions and statements of some of my colleagues, that violence is wrong only when it occurs south of the Mason-Dixon line. When acts such as these occur in Mississippi and the law enforcement agencies attempt to keep the peace, cries of police brutality are made on the floor of this great body, but when similar incidents occur in the Northern States, we hardly ever hear about it.

However, I would like to point out a few of these incidents which have occurred outside the South to point out to some of my colleagues that Mississippi and the South is not the only place which has to use legal means to protect its people from these far-left extremists. I will merely cite a few articles from certain publications that support the fact that some of my good colleagues might concern themselves with cleaning their own house before condemning others.

The first carried this headline: "Eleven Are Arrested in Harlem Clash: Police Brutality Is Alleged," New York Times, May 20, 1964, page 33. Next, "Looting: The High Cost of Race Violence," U.S. News & World Report, September 14, 1964, page 36, refers to racial incidents in Philadelphia, Pa. The same article refers to another incident on July 18 that started in Harlem and spread to Brooklyn and took officers 5 days to bring under control.

In Jersey City, N.J., in early August of 1964, 46 people were injured in a nearly uncontrollable race riot, after an officer arrested a Negro woman.

Another incident, according to the New York Times, February 19, 1965, occurred in Brooklyn on February 18 and 19 of this year in which 300 participated in a riot where policemen were attacked. Mounted troops were called in to quell the riot.

And finally on May 23 of this year, the Washington Post reported an incident in the Bronx, N.Y., invoving 200 Negroes who surrounded a white policeman and forced him to release a Negro prisoner.

These are but a few of the many cases which have taken place in some of the very same States represented by the critics of Mississippi. I wonder if they are as concerned with these problems of racial violence in their own States? This also leads me to question these colleagues as to their interest in achieving equal voting rights within their own States as well as in the six Southern States affected by H.R. 6400.

In the Gospel according to St. Matthew, there is a passage in the seventh chapter, verse 3, that reads:

> And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye? Or how wilt thou say to thy brother, let me pull out the mote out of thine eye: and, behold, a beam is in thine own eye? Thou hypocrite, first cast out the beam out of thine own eye: and then shalt thou see clearly to cast out the mote out of the brother's eye.

I would suggest that these critics might go to this Scripture for guidance.

Mr. ANNUNZIO. Mr. Chairman, I rise in support of H.R. 6400.

For more than 100 years the American people have been striving to obtain the most basic right of a democracy—the right to vote and the responsibility for the election of their public officials. As legislators it is our duty to protect and to insure every citizen the right to vote. The forefathers of this great country created certain basic ideals which were designed to give meaning and purpose to our Nation, but these were not just written or spoken words which would pass unnoticed. Rather, 200 years later they represent the image of Americans who fought and died, not in vain, but for such principles as "all men are created equal."

I have come to only one conclusion with regard to the so-called bona fide voter qualification tests; they have been used and continue to be used as instruments intended to deprive citizens of the right to register and vote.

The problem is indeed complex, but it can be simplified. If democracy is to flourish it must do so in a climate which affords respect, dignity, and equal protection under the law to all of its citizens regardless of race or color. A hungry mouth must be fed, an eager mind must be educated, and all America must be assured the right to vote. Unless there is a comprehensive approach to these problems, frustration, discrimination, and the destruction of the American way of life will result as a byproduct of a confused society. We, as legislators, must face these problems and search for answers which accomplish the goals and principles outlined in the Constitution of the United States.

Mr. Chairman, H.R. 6400 provides that answer. The brutalities and violence which have existed in the past, and are continuing even now, are damaging to our image abroad in connection with civil rights.

Even while we are administering our expensive foreign aid programs, we Americans sometimes find the very nations that are benefiting from the programs are exhibiting indifference and even ingratitude toward us—and this, even while we are continuing to perform these friendly acts.

But what has motivated these apparently unjustified attitudes of indifference or lack of appreciation, if you will? What do the emerging, underdeveloped countries of the world witness taking place within the democratic government of the United States? We must not forget that the martyrdom of the Reverend James J. Reeb and Viola Gregg Liuzzo made headlines in many countries of the world. Those, and other unfortunate incidents, have caused world leaders to question the leadership of a country which is supposed to exemplify the best in the democratic form of government. Leaders of those countries have mixed feelings regarding the policies we are following in our own country.

Mr. Chairman, must we continue to use meaningless words and phrases which circumvent the problems of racial discrimination?

To insure the basic rights of every American, to foster leadership which will have the genuine admiration and approval of the emerging democracies, and to strengthen the foundations of the American way of life, I strongly urge the passage of H.R. 6400.

Mr. FINDLEY. Mr. Chairman, effective Federal legislation to guarantee to all Americans the fundamental right of equality in voting has been long needed. Had action to implement the 15th amendment to the Constitution been taken years ago, in my view, the need for other Federal action to assure equal opportunities and rights for Negroes would have been sharply diminished and perhaps eliminated. Diminished also, hopefully, would have been racial unrest, disturbances and violence.

Given the right of franchise, Negroes could have participated in bringing about needed reforms at the local level. Therefore, I consider this a historic moment that has been too long delayed.

This legislation has special significance for me because I have the privilege of representing what is known as the Lincoln district—much of the area once represented in the House of Representatives by Abraham Lincoln.

Lincoln's hometown, Springfield is in my district, as are many of the places he visited as an itinerant lawyer. Springfield and Quincy, Ill., where one of the celebrated Lincoln-Douglas debates occurred, recently observed the 100th anniversary of Lincoln's death and the end of the Civil War.

Lincoln's two great contributions were saving the Union and emancipating the slaves. Emancipation still remains an ideal without substance in some areas where Negroes have been denied the most significant expression of freedom—the right to vote. This legislation hopefully will give greater substance to this ideal, and bring closer the true American brotherhood for which Lincoln lived and died.

In this year, filled with significance for human rights, I rejoice that a constituent of mine, a young student of Springfield—Lincoln's hometown—has the honor to serve as a page of the House of Representatives. He is Frank Mitchell, the very first Negro to serve in that capacity in the long history of this body.

He serves the House today when a bill important to the Lincoln heritage is being considered. Frank was appointed to this position by the distinguished minority leader [Mr. FORD], who heads the party of Lincoln in this body.

Frank has done a good job. He is a credit to the State and to the party of Lincoln. We are all proud of him, and glad that he could be present and serve in an official capacity on this historic day.

Mr. DICKINSON. Mr. Chairman, my colleagues on both sides of the aisle have pointed out the many, many reasons H.R. 6400 should not be enacted into law. I can only endorse their statements.

I stand before the House today to urge all Members as fairminded men to examine their motives—to look inward and ask themselves one question—the very question to be voted upon today. The question is not shall we have a new voting rights bill—that question is now moot. The question before the House today is shall we have a fair, constitutionally sound voting rights bill that governs everyone in the United States equally, or shall we have a bill that applies to only part of the United States?

Mr. Chairman, is it possible that a majority of the Members of a majority of the States will voluntarily surrender to the executive branch of the Federal Government one of the last rights reserved to and exercised by the States? To me, this is incredible.

Mr. Chairman, H.R. 6400 is not an antidiscrimination bill. It is an anti-South bill—politically inspired and contrived and aimed at the only section of the country the administration did not carry in the last election and cannot control today.

How can any man vote for a law that is designed to prohibit voter discrimination in only 6 States and impliedly sanction discrimination in the other 44 States? The very bill the administration claims will abolish discrimination will, in fact, set up discrimination against six States of the Union. Under the guise of civil rights, six Southern States are being punished for having voted wrong. H.R. 6400 is not a just bill—and it was not designed to be just. How can any bill that creates two classes of people or States be considered just or fair? Are we in the South now second-class citizens?

If we are to have a bill, let us treat everyone alike. The passage by this House of H.R. 6400 will be one more giant step toward a totalitarian government. Only by passage of a bill affecting all Americans equally will we continue to have a nation of laws—not of men—with equal justice for all.

Mr. VANIK. Mr. Chairman, today we approach the climax of strenuous and lengthy debate which has ranged over the past week and, more accurately, the past century on the matter of equal voting rights and opportunity for every American citizen.

As the distinguished chairman of the Judiciary Committee, the gentleman from New York, indicated at the opening of this debate, it has taken a century for us to infuse the 15th amendment with legal and moral strength. There has been little doubt in the minds of many members of Congress and citizens of this Nation that no matter how clever and subtle the modes of discrimination have become, the desire of Negroes in this country to vote freely in every State has remained unstinted. The 15th amendment and the entire Constitution can have little meaning for any citizen of this country if 1 citizen, or 10 million, find no solace or protection in the words of this great document.

In this last-gasp effort, our Republican colleagues have tried once again to reinstate themselves as the party of Lincoln by attempting to broaden the voting rights measure to all the States of the Union. This effort is shallow. These attempts distort the true intent of this legislation, to reach areas of this country in which many rightfully entitled to citizenship in the United States have been disenfranchised in great numbers.

It is no longer possible to question whether there has been discrimination in the matter of voting in the South. To fabricate defenses of the existing franchise is to deny the basic precepts of equality in the United States and, thereby, deny the Constitution as the basis of our form of Government. Those who would perpetuate such a system and, therefore, vote against this legislation subvert the very purpose for which all of us are here, are sworn to uphold.

In those areas of the Nation which Republicans attempted to cover under their substitute amendment, legal machinery exists and recourse is allowed when there has been illegal disenfranchisement.

As we pass this great legislation today, I wish to pay tribute to the great gentleman from Louisiana, our beloved Democratic whip, for his brilliant presentation in behalf of this bill. He persuades me of the positive and progressive change which is now surging forward in the new South. As the history of his life in public can easily prove, he is a true statesman and leader of men; he is, above all, a great and devoted American. Nothing greater can be said of any man. I am proud to join in support of this vital legislation, the Voting Rights Act of 1965.

The broadened electorate of the South will provide new vigorous support for essential programs in the North and throughout the Nation in our common effort to fight against poverty, unemployment, and neglect. A total electorate—embracing all Americans—will serve the total needs of America—too long suppressed. As this voting rights legislation serves the individual—it will also serve the Nation, providing new dignity for both.

Mr. BINGHAM. Mr. Chairman, I rise to express my enthusiastic support for H.R. 6400, as amended by the Judiciary Committee, and to pay tribute to the superb work that has been done by that committee under the distinguished leadership of the dean of the House, the gentleman from New York, Chairman Emanuel Celler.

I am highly gratified that the House rejected the Republican substitution for the Celler bill. This substitute would have been a far weaker measure, particularly with respect to the abolition of literacy tests in those States where discrimination has been rampant, and in regard to the application of an automatic formula for the appointment of Federal examiners in certain States and areas where there is a clear history of discrimination.

I am particularly pleased that the original H.R. 6400 was amended in the committee to include the abolition of poll taxes as a prerequisite for voting in State and local elections, in accordance with the recommendations that I and others made in testifying before the Judiciary Committee.

The failure to insert such a prohibition in the bill passed by the Senate is a serious weakness in that bill and I hope the bill ultimately enacted by the Congress will preserve the prohibition.

In my testimony before the Judiciary Committee on March 25, 1965, in addition to urging a flat prohibition of poll taxes, I recommended the addition of language which would extend the protections of the bill to the type of situation which arose last year when the regular Democratic delegation from Mississippi to the Democratic National Convention was chosen through a series of Party caucuses and conventions from which Negroes were excluded.

It is a source of intense gratification to me that this suggestion of mine was accepted, first by the subcommittee, and later by the full committee. The method chosen of reaching the problem was to add to the definition of the word "vote," in section 14(c)(1), the concept that voting for party office was covered as well as voting for public office. The Judiciary Committee report made clear that the intention was to include within the protections of the bill election of such party officers as delegates to conventions. No attempt to amend this language was made in the Committee of the Whole House, and it will be in the bill presented to the House for final passage. It appears to me to be most important that this protection be provided and I hope that it will be retained in the bill as ultimately enacted by the Congress and signed by the President.

This is a great day in the history of the House of Representatives, and I am proud to be a part of it. The voting rights bill of 1965 is another giant step in the march of the American people toward the realization of the ideal stated in the Declaration of Independence that "all men are created equal." In the achievement of equal opportunities, nothing is more important than the guarantee of the franchise, and this bill should, if properly administered, do that job once and for all.

Mr. BALDWIN. Mr. Chairman, I rise in support of H.R. 6400, the voting rights bill. In my opinion, it is absolutely essential that every citizen be treated equally in his right to register and vote. Unfortunately, this is still not the case in some of the States. It is intolerable that discrimination in some States is continuing to occur on the grounds of race. The purpose of H.R. 6400 is to eliminate such discrimination and to insure that all citizens be given equal treatment in registration and in voting. They are fully entitled to such equal treatment. Therefore, I hope this House will pass H.R. 6400 by an overwhelming vote.

Mr. GOODELL. Mr. Chairman, I rise in support of the Voting Rights Act of 1965. This country has reached a juncture where it can no longer postpone truly effective action to guarantee the right to vote to all of our citizens regardless of race, creed, or color. I strongly prefer the Ford-McCulloch substitute to the committee bill. I had a direct hand in developing the Ford-McCulloch substitute and I am proud that the House Republican Task Force on Voting Rights, under the leadership of Representative William McCulloch, of Ohio, called for voting rights legislation before any proposal was advanced by the administration. The members of that task force are our distinguished colleagues: the gentleman from Indiana, Congressman William G. Bray; the gentleman from California, Del Clawson; the gentleman from New York, John Lindsay; the gentleman from Minnesota, Clark MacGregor; the gentleman from Maryland, Charles McC. Mathias; the gentleman from Wisconsin, Vernon Thomson; the gentleman from Oregon, Wendell Wyatt; and the gentleman from Minnesota, Ancher Nelsen.

Mr. Chairman, in many respects I must admit reservations with reference to the Celler-committee bill as now written. It is an unnecessarily punitive measure. Its deficiencies have been inadequately covered over with a patchwork of clumsy devices. Forty-three States in our country are not subject to the automatic triggering device in the Celler bill. This leaves out the State of Texas where fewer than 50 percent of the people voted in 133 counties in 1960. Texas, Arkansas, Florida and other States are left out because discrimination there is accomplished by means other than a literacy test or device. I fear that the cumbersome court procedures, which will be the only resort in these 43 States, will be inadequate. In addition, the seven States automatically covered and frozen in by the Celler bill are being subjected to what Chairman Celler himself called, a cruel and harsh measure. Cruelty, harshness and extremism in matters of this nature seldom serve the ultimate cause of justice. This was well illustrated by the extremism of the Reconstruction Era, which boomeranged upon the Negro with such vehemence that we still have not accomplished many elementary guarantees of citizenship for the Negro in the South. The most damaging discrimination is the subtle, indirect discrimination which emanates from fear, hatred, and emotional upheavals. I am unhappy that we are not passing the very best legislation today to guarantee voting rights of all our citizens now. I fear we shall have to return to this task in a short time to increase the effectiveness of this law in areas exempted from the automatic triggering device and, on the other hand, to alleviate the harshness of the law in other respects.

Certainly, areas complying in full faith and honesty should be released from heavy-handed intrusions as soon as possible. I believe the Ford-McCulloch substitute is a far better piece of legislation than the Celler-committee bill.

In view of the critical need for voting rights legislation in this country today, however, I shall vote for the Celler bill in the event the Ford-McCulloch substitute is rejected on the recommittal motion.

Mr. MOORHEAD. Mr. Chairman, I rise in support of this legislation in general, and particularly in favor of section 10 which abolishes poll taxes as a prerequisite to the exercise of the privilege of voting.

The right to cast a meaningful vote is the most important right which distinguishes a democracy from other forms of government.

Therefore, Mr. Chairman, I submit that the Congress should go as far as the Constitution allows to secure this right for all citizens. The 15th amendment provides that the right of citizens to vote shall not be denied or abridged by any State on account of race or color and authorizes the Congress to enforce this amendment by appropriate legislation.

By enactment of section 10(a) of H.R. 6400 the Congress would make a congressional finding as follows: The Congress hereby finds that the requirement of the payment of a poll tax as a prerequisite to voting has historically been one of the methods used to circumvent the guarantees of the 14th and 15th amendments to the Constitution, and was adopted in some areas for the purpose, in whole or in part, of denying persons the right to vote because of race or color; and that under such circumstances the requirement of the payment of a poll tax as a condition upon or a prerequisite to voting is not a bona fide qualification of an elector, but an arbitrary and unreasonable restriction upon the right to vote in violation of the 14th and 15th amendments.

In the light of this explicit congressional finding, if the constitutionality of section 10 were raised, the question which a court would have to decide would not be whether or not poll taxes were discriminatory, but merely whether there was sufficient evidence so that Congress could reasonably believe that poll taxes were discriminatory.

The economic evidence presented to the Congress alone would be sufficient. It is clear that the poll tax places a far heavier burden on Negroes than on whites. According to the 1960 census, for example, the median family income for white families in Alabama was nearly 2½ times greater than for nonwhite families. Similarly, the median income for white families in Mississippi is 3 times greater than for nonwhite families.

The Congress could justifiably base a finding that the poll tax was conceived in discrimination in *Ratliffe* v. *Beale,* 74 Miss. 247 (1896), in which the Mississippi supreme court frankly admitted that the poll tax was purposefully dedicated to restricting Negro suffrage.

The Congress could reasonably find that the poll tax is by its very nature discriminatory. For just as literacy tests discriminate against the victims of a segregated educational system, so poll taxes discriminate against the victims of a segregated economic system.

I share with Mr. Justice Black the belief that "no right is more precious than the right to vote," and that "other rights are illusory if the right to vote is undermined" *Wesberry* v. *Sanders,* 376 U.S. 1, 17.

Mr. Chairman, it is our constitutional responsibility and our moral duty to end these poll taxes which have been used to discriminate against certain American citizens.

I urge the enactment of H.R. 6400.

Mr. DADDARIO. Mr. Chairman, I rise to support the bill to secure voting rights to all Americans. This legislation would give full force and effect to the 15th amendment to the Constitution, adopted in 1870 to pledge that the right to vote shall not be abridged on account of race or color.

This debate is a test of democracy. It is a test of whether we truly believe the goals which were set when the Americans of the 18th century wrote the historic documents by which we sought freedom and by which we governed our course. It is a test of whether we can truly make progress toward the national goals which have been stated, which have been examined and reexamined throughout the years. We are approaching the third century of the Nation's existence, and we must make every effort to secure those rights for all Americans.

It is fitting that this debate began in a week which opened with the Nation's most honored and revered celebration—the celebration of its independence on the Fourth of July. Whenever the Congress considers a measure dealing with the full attainment of rights for all Americans, it provokes strong emotional feelings. Yet measures to secure the full recognition of human dignity that we have pledged to our people fall directly among the national goals of this country. We need to assure ourselves that we are not wasting our people by denying to some the full use of their capabilities.

At the base of this question lies the assurance of an effective, working democracy. The right to vote is a precious one, and it is basic to the privileges of American citizenship. The systematic exclusion of some Americans from the polls in certain areas of the country has been documented by the necessity to press this issue in the courts, and it has aroused the indignation of many Americans throughout the country.

It is the responsibility of Congress to insist that its will and the will of the majority in this country—the will that all Americans receive equal treatment under the law and be given the right to vote when they are qualified—be respected.

Mr. GLENN ANDREWS. Mr. Chairman, I rise in opposition to H.R. 6400, the so-called voting rights bill. In the name of abolishing discrimination, it offers discrimination itself. It allows all but seven States in America to keep literacy tests and qualifications for voting, and denies it to those seven States.

In the name of defending rights under the Constitution, it violates the Constitution itself. Article II, section 1, clause 2 of the Constitution gives to the States legislatures the power to set voter qualifications. This is absolute and specific. In no subsequent part of the Constitution or amendment is this power revoked. It is beyond the power of Congress to revoke, no matter how laudable the end may be. The Congress and the legislatures of three-quarters of the States informed the American people clearly over a year and a half ago by the passage of the 24th amendment that setting voter qualifications was a State and not a Federal responsibility. All the constitutional authorities in America cannot erase this reaffirmation of basic principle recognized and accepted for the entire history of the Republic by all courts and by all men.

The main contention of the lawyers and the Attorney General in the matter of constitutionality seems to rest on the John Marshall decision in *McCulloch* v. *Maryland,* 4 Wheat, 316, 321, and it said:

> Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adopted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

But the "letter and spirit" of the Constitution are clearly violated by this bill: the "letter" of article II, section 1—quoted above—is violated; and the "spirit" of the 15th amendment is violated ruthlessly by discriminating against seven States.

What profit the Negro if he gains everything, if in doing so, he further destroys the very charter of his own liberties or rights? What discipline will any law have which is beyond the power of the lawmakers to enact?

Mr. JONES of Alabama. Mr. Chairman, in the last 15 years this Congress has been called upon to discuss and weigh and approve or reject a variety of so-called civil rights legislation. Over the years, I have vigorously opposed all such legislation on the grounds that it was derisive, punitive, and unconstitutional.

However, never have I been confronted with a proposal—and I refer to H.R. 6400—that would inflict such arrant discrimination on my own State of Alabama and on her southern neighbors. Under H.R. 6400 and companion proposals, Alabama and five other Southern States are classified—if you will—as lepers, as something apart from the other 44 States of our Union. The so-called Voting Rights Act of 1965 was drafted, and is being processed, to affect just six States of this Nation.

Is this a vendetta, Mr. Chairman? It has been called that. Is this a program to coerce the South, to whip it into line with powerful regional blocs of the North and West?

H.R. 6400 would appear to have just that purpose. And, further, H.R. 6400 would appear to be devised to inflict punishment on six Southern States for alleged sins of the past.

H.R. 6400, Mr. Chairman, is a harsh measure and we of the South must go back almost 100 years to its equal in oppression and injustice.

The legislation seems to have been fashioned to settle old scores.

This legislation will do nothing but incite turmoil and discord in the South. It will bring law and order into contempt.

It will lay the groundwork for further public demonstrations and will breed further civil disobedience and pit race against race.

This legislation will reopen old wounds because, patently, it is based on prejudice and a cruel spirit of retribution. It represents a cruel and gratuitous slap in the face to the moderate South which has been moving forward in recent years to insure the equality of the Negro.

I assure you, Mr. Chairman, that the majority of the white citizens of Alabama believe firmly in the principle that all qualified persons—white or Negro—have the right to register and vote.

We have been making steady progress in the field of Negro voter registration. Left alone, freed of outside interference, we could do better. But, certainly, we cannot satisfy intemperates who come from afar seeking to overturn in a few months a way of life rooted in years and years of historical and social development.

If we approve a Voting Rights Act of 1965, it will mean the denial of steady progress under time-honored constitutional processes. It will mean a triumph for intemperates and the pressure groups they represent.

It will mean, Mr. Chairman, new dictatorial powers for the Attorney General of the United States, who holds an appointive office. It will mean in Alabama, and her five sister States singled out for punishment, an invasion by a flood of Federal agents and snoopers, who, ostensibly, will have the duty of accelerating the rate of Negro registration. Literacy tests will be suspended in these six Southern States, but not in any other State now employing them.

Under a Voting Rights Act of 1965, the voter registration process in six States of the Union will become subject to Executive decree. Provisions of our Constitution will be ignored, or vetoed, by the Attorney General all down the line, whether Federal, State, or local elections are concerned.

The legislation we have under consideration, Mr. Chairman, would make a mockery of the Constitution. Through a single Federal statute, it would wipe out the constitutional rights of our States.

Certainly, this legislation ignores the fact that our Constitution reserves to each State the right to establish its own voting laws. Further, it ignores the fact that we already have laws under which discrimination in voting may be eliminated through the courts.

This legislation is a direct and vicious assault on States rights and our precious and time-tested democratic processes.

Mr. Chairman, I am utterly opposed to this legislation and I shall fight it with all the strength I have.

Mr. **BUCHANAN.** Mr. Chairman, I am proud to represent the people of the Sixth District of Alabama in the Congress. On their behalf, I assert my support and their support of the 15th amendment to the Constitution of the United States.

Notwithstanding which I reassert my opposition to H.R. 6400 as a bill which I consider to be unnecessary, unconstitutional, and discriminatory.

This bill is unnecessary because sufficient remedy already exists to protect American citizens against discrimination as to race or color in registration and voting. Not only the Constitution itself, but seven addition statutes offer such protection, the most recent of which, the Civil Rights Act of 1964, is just now making its effect felt in areas of alleged discrimination.

In describing the present situation in Dallas County of Alabama during the subcommittee hearings, Attorney General Katzenbach said, regarding the district court decision of February 4, 1965:

> This time the court substantially accepted our contentions and the relief requested by the Department was granted. Specifically, the court enjoined use of complicated literacy tests and knowledge-of-government tests and entered orders designed to deal with the serious problem of delay. Whether this most recent decree will be effective only time will tell. We hope and expect it will be.

Thus, the Attorney General indicated there was effective relief available in the 1964 act. He might have added that immediately upon receiving the decision of the court the local officials announced their intention to comply.

This bill is unnecessary also because it is the will of the people within my State and in other Southern States to themselves make sure there is no discrimination in registration and voting because of race or color. The people of Alabama have been much maligned and are much misunderstood.

They are in fact in overwhelming majority decent, law-abiding, God-fearing Americans as fine as any citizens of this land. They are willing and fully competent to put their own house in order without further Federal statutes in this area.

This bill is also, in my considered judgment, unconstitutional. Yesterday I introduced a resolution calling upon this body to reaffirm its support of the 10th amendment to the Constitution. I did so for good reason. This amendment reserves to the States all powers not specifically given by the Constitution to the Federal Government. In recent years, however, it has increasingly become the habit of both the Congress and the courts to apparently assume the opposite, to wit, that all powers rightfully belong to the Federal Government unless specifically reserved to the States. This measure, however, goes even beyond this. It strikes down without constitutional amendment powers specifically reserved to the States in article I of the body of the Constitution itself.

Last year, in 1964, distinguished constitutional lawyers of this House agreed in floor debate on the poll tax amendment that a constitutional amendment was required for such a change. This year, it has suddenly become acceptable to revise the Constitution in precisely the same area through an act of Congress, according to these same gentlemen. With this strange reasoning I cannot and do not concur.

Finally, this bill discriminates against certain specific States, predetermined by use of a magic formula. As I indicated earlier in listing some of the areas of its inequity, H.R. 6400 gives these States no opportunity to comply and relieves all others of such necessity. As in John Calvin's theology, some are predestined to be damned and others foreordained to be spared according to the terms of this legislation. The rights of the affected States are abrogated, seriously and for an indefinite period of time, thereby threatening all the rights of all the States for all future time.

The greatest discrimination, however, is against the citizens of the 43 States not covered by this bill. For it creates a double standard of law in which an illiterate citizen could be registered by Federal mandate in Alabama, move to New York and immediately be disenfranchised, with Federal sanction, for so doing.

This bill is unnecessary, unreasonable, and unconstitutional. Its passage is, therefore, to my mind unthinkable. I urge that it be defeated, and that this body pass no further legislation which does not honor all the Constitution and protect equally, the consitutional rights of all the people of this Republic.

Mr. **MATSUNAGA.** Mr. Chairman, I rise to join my colleagues who support H.R. 6400, the Voting Rights Act of 1965.

I have listened to the debate on the floor during the past several days with mixed feelings of regret and optimism—regret that in this great Nation of ours conditions are such as to require the passage of a legislative measure as that which we are now considering. I do not know whether the scheduling of this bill as the first order of business after the 189th anniversary of our country's Declaration of Independence was by design or not, but in my judgment some significance should be attached to that fact.

It was not by pure chance that under Thomas Jefferson's able draftmanship the Declaration of Independence should state that "all men are created equal." These were not hollow words. Rather, they reflected the serious thinking of a people whose courage, sacrifice, and sense of justice provided the proud heritage which we now call ours. During the course of nearly two centuries since our country's birth, many Americans dared to pay more than lipservice to the fundamental principle that was penned by Jefferson. They did so in order to preserve the democratic principles upon which this Nation was founded and the Constitution which created the framework for a government which would practice these principles without regard to race, color, creed, or economic status.

Against such a background, we have voiced our views, for or against, the measure which is now on the floor. The expressions of some are tinted with party considerations; those of others reflect geographic consideration and social origin. And those of still others show undue attention to the minutiae of the bill. However, I am convinced that all of my colleagues are genuinely concerned with the circumstances which have given rise to this legislative proposal.

And therein, Mr. Chairman, lies the basis of my optimism. Whatever may have been the expressions of my colleagues with respect to the bill as reported by our Committee on the Judiciary, and whatever may have been the nature and extent of amendments proposed on the floor, I know that all of the Members of this great body are motivated by a desire to do the right thing in accordance with our oath of office and the proud heritage that is ours.

Americans may differ in their views of the applicability, initially, of constitutional principles to a given set of circumstances. Having decided that such applicability exists, we may again differ as to the nature and extent of the application of such principles. We are confronted today with a situation in which a large segment of our population is deprived, for one reason or another but chiefly because of the accident of birth, of the right to vote. Can anyone seriously and sincerely argue that this is not in contravention to the guarantees of the 15th amendment of the Federal Constitution? The amendment states the fundamental principle that the right to vote shall not be denied or abridged by the States or the Federal Government on account of race or color. Can anyone seriously and sincerely deny that there exists today both a denial and an abridgment of the right to vote to a large segment of our Negro American population?

Mr. Chairman, the eyes of the Nation and the world are upon us today. After we close our legislative debate, which in and of itself is a great manifestation of our democratic principles, I urge that we carry out our obligation and responsibility to support the U.S. Constitution and its amendments. This we can do by providing the urgently needed implementation of the guarantees of the 15th amendment to the Constitution. This we can do by voting in favor of H.R. 6400.

Mr. LINDSAY. Mr. Chairman, I should like to speak now about section 10 of the bill. Section 10 deals with poll taxes. It has two subsections: The first contains a congressional finding that the tax is an arbitrary and unreasonable restriction upon the right to vote in violation of the 14th and 15th amendments. The second subsection prohibits denial of the right to vote because of failure to pay a poll tax.

As submitted to the Congress by the Department of Justice, H.R. 6400 contains no bar against poll taxes. Indeed, the Department has taken the position that such a provision would be of doubtful validity. Nevertheless, both the House and Senate Committees on the Judiciary overruled the Department and inserted antipoll tax provisions. While I have known the Attorney General for many years and have the highest regard for him and his judgment, on this one he is wrong. Indeed, I find it rather odd that in a bill which has provisions as sweeping as this one has—and properly so—the Department becomes faint of heart when it comes to the poll tax.

Now, I do not dismiss the objections which have been raised to the constitutionality of this section cavalierly and without considerable thought. But after looking at the cold, hard facts I am persuaded that the poll tax operates to abridge the right to vote on racial grounds. The reason, of course, is an economic one.

Let us assume that the various subjective tests barred by this bill are eliminated in Alabama, Mississippi, Texas, and Virginia, a Negro will still have to pay a poll tax before voting. Any analysis of the comparative economic positions of whites and Negroes in these States will show that the poll tax is harder on Negroes than it is on whites.

In Alabama, the median annual income of white families is almost 2½ times that of Negroes; in Mississippi, almost 3 times; in Texas, twice; and in Virginia twice. When conditions in rural counties in those States are considered, the relative burden upon the Negro is even greater. In Tate County, Miss., the median annual income for white families is $3,500; for Negroes, $900; in Jefferson County, $4,180 for whites, for Negroes, $890; in Issaquena County, $3,500 for whites, $960 for Negroes. In each of these counties, the income of white families is thus at least 3½ times that of Negroes. In circumstances like these, it is perfectly clear that a poll tax will systematically be harder on Negroes than on whites.

Certainly, the slightest degree of discrimination, even if only theoretical, is distasteful. But here we are talking about more than theory. For a man who is trying to bring up a family on $900 a year, scraping up $4 to vote is more than theory; it is, in fact, more than a day's pay. Furthermore, the figures I have cited, believe it or not, are medians. Half of the Negroes in these areas are earning even less.

The relationship between the poll tax and the relative ability of Negroes to pay it, is no accident in the South. The legislative history of the poll taxes in that area shows that we are not the first to discover that if a certain portion of the population is poorer than the rest, the prededitioning of a right upon the payment of a fee will discourage that group from exercising the right. In Ratcliff against Beale, for example, the Supreme Court of Mississippi conceded that the Mississippi poll tax was designed to impede Negro voting. Or take the remarks of the president of the Alabama constitutional convention that adopted the poll tax. As he put it:

> The purpose of the convention was, within the limits imposed by the Federal Constitution, to establish white supremacy.

The Senate Judiciary Committee in 1942, issued a report summing up its study of the poll tax. It stated:

> We think a careful examination of the so-called poll tax constitutional and statutory provisions, and an examination particularly of the constitutional conventions by which these amendments became a part of the State laws, will convince any disinterested person that the object of these State constitutional conventions, from which emanated mainly the poll-tax laws, were moved entirely and exclusively by a desire to exclude the Negro from voting.

Mr. Chairman, I see no need to labor this point. The plain fact is that in this country there is a disparity in the economic status of Negroes and whites. This is starkly apparent in the poll tax States. Poll taxes were designed to take advantage of this disparity; there can be no doubt that they have been successful.

To be discriminatory a provision need not say "this is directed at Negroes." The poll tax does everything short of this.

Mr. Chairman, I have no doubt that upon the record which is before this Congress, the elimination of the poll tax on the basis of the responsibilities placed upon Congress by the 14th and 15th amendments is necessary, it is wise, and it is constitutional. In taking up the voting rights problem, we have directed ourselves at eliminating those devices which have made a mockery of the rights so proudly proclaimed in our Constitution.

It is an ancient principle of equity that one may not do indirectly what one is prohibited from doing directly. I believe it would be a tragedy if this Congress eliminates the devices that directly deprive Negroes of their franchise, only to find that the same end is being achieved indirectly through the poll tax.

Mr. MONAGAN. Mr. Chairman, I have staunchly supported making real the right to be a complete citizen in the United States in 1965. This citizenship includes the privilege of becoming a voter and casting one's ballot without governmental obstacles being placed in the way.

With this in mind, I introduced a bill to provide for the implementation of voting rights on March 15, 1965—H.R. 6254. This bill preceded the filing of the administration bill which in changed form we are discussing today.

On March 17, 1965, I told the House that qualified Americans were being prevented from voting because of the color of their skin and that the guarantees of our Constitution concerning the political rights of citizens of the United States were being flaunted.

I pointed out that the Civil Rights Act of 1964 provided legal sanctions which would help the Nation to move toward the goal of equal treatment for all citizens, but I also said that it was necessary to take further steps to guarantee access to the polls without impediment.

I am happy that this legislation has completed the long route and now is before us for final action. I consider it a vitally important step in bringing the benefits of democracy to all our citizens and as such to be of particular significance in today's turbulent times when we are trying to show the validity of democracy to a frequently dubious world.

Mr. Chairman, I do, however, wish to express my opposition to the proposed amendment to waive the English language requirement for voting.

It seems to me to be a reasonable requirement that a voter should be able to read and write English. This has long been the custom in my State, as well as in other States. Political campaigns are conducted in English and affairs of state are transacted in English. As the New York Times in an editorial of May 22, 1965, said:

> A voter who spoke or read no English would have great difficulty in knowing whom or what he was voting for.

In the Meriden (Conn.) Journal of June 3, 1965, it was said:

> A voter not equipped with a knowledge of English would be poorly prepared to make a reasoned choice of candidates. He could not read newspapers printed in English containing reports of the candidates' claims and information about their backgrounds and political records. He could not understand television programs in English beamed at the voter.

The obvious course is for the prospective voter to learn English. Our public facilities have long been available and have been extensively used by those seeking citizenship.

This amendment has no place in this bill. It touches only local interests and it should be opposed in principle.

Mr. TENZER. Mr. Chairman, during the course of the debate on this bill, reference was made to the laws of the State of New York as requiring ownership of real property and the payment of taxes thereon, in order to be entitled to vote in school board and school bond elections. I rise Mr. Chairman to straighten the record on this point and to inform my colleagues on this point.

Not only is there no requirement that one be an owner of real property—or that the taxes on such property be paid in order to be entitled to register and vote—but provides that one who occupies property under a lease as a tenant is also entitled to vote.

The complete text of section 2012 of the education law, of the State of New York is as follows:

> QUALIFICATIONS OF VOTERS AT DISTRICT MEETINGS
>
> A person shall be entitled to vote at any school meeting for the election of school district officers, and upon all other matters which may be brought before such meetings, who is: (1) a citizen of the United States; (2) 21 years of age; (3) a resident within the district for a period of thirty (30) days next preceding the meeting at which he offers to vote; and who, in addition thereto, possesses one of the following three qualifications: (a) owns or is a spouse of an owner, leases, hires, or is in the possession under a contract of purchase of, real property in such school district liable to taxation for school purposes, but the occupation of real property by a person as lodger or boarder shall not entitle such person to vote, or (b) is the parent of a child of school age, provided such a child shall have attended the district school in the district in which the meeting is held for a period of at least eight (8) weeks during the year preceding such school meeting, or (c) not being the parent, has permanently residing with him a child of school age who shall have attended the district school for a period of at least eight (8) weeks during the year preceding such meeting.
>
> No person shall be deemed ineligible to vote at any such meeting, by reason of sex, who has the other qualifications required by this section.

Mr. WATSON. Mr. Chairman, the chairman of the House Judiciary Committee and author of this legislation stated earlier that "This is no time for a Thaddeus Stevens," but, unfortunately, his actions speak louder than his words. This legislation is the most vindictive and vicious ever, aiming at the South.

Many references have been made to the various "mathematical trigger devices" in this bill, and all are equally reprehensible and indefensible. Yet, while we are discussing the various triggers of this legislation, I care not whether these triggers are pulled by the President, the Attorney General, the Civil Rights Commission or the District Court of Washington, it should be equally evident to all that the gunbarrel of this legislation is aimed at the heart of the South. It is lamentable, but equally evident, that many of our citizens in the North are willing to forgive all former enemies except those south of the Mason-Dixon line.

It is difficult to state with complete accuracy when it began. Nor can we know when it will end. We can, however, say without fear of successful contradiction that it is now at the highest point in our history. I refer to the rape of our Constitution for political expediency. No other rational explanation exists for the proposal known as H.R. 6400.

Within the past few days I read the following in a national magazine:

> A workable definition of a functional illiterate is the man who believes the proposed legislation of Lyndon Johnson is constitutional.

The setting of voting standards is a legitimate exercise of the power of the sovereign States. This power is theirs alone, being clearly and succinctly stated in article I and amendment XVII of the Constitution. Amendment XV is essentially negative or prohibitive in nature. It does not represent an enlargement of Federal authority, but merely restricts State action. Merely saying that the bill is constitutional, as I understand the Attorney General has done on several occasions, does not make it so.

I know that the manifold constitutional shortcomings of this measure have been called to the attention of this body by others. I know also that you are aware that as recently as 1959, the Supreme Court upheld the power of the States to impose literacy requirements for voters. If these were valid in 1959, it is inescapable that they are valid in 1965.

All of us know, Mr. Speaker, that the support of this measure is primarily the result of mass hysteria created and nurtured by the national press. An excellent example of this is the highly prejudicial and incendiary cartoon which appeared in a recent issue of the Washington Post, depicting a State trooper in Selma, Ala., with blood dripping from his fingers and the caption:

> I just got him before he reached the church door.

Admittedly, we have little control over irresponsibility on the part of some of the press, but certainly we are responsible for our own actions. While the above is about what one would expect from the Washington Post, it ill becomes the membership of this body when it abandons its own responsibility, surrenders its own judgment, and succumbs to mob rule.

It is most disheartening, Mr. Chairman, but also very true, that passage of this measure may make political points for many of you. The more you abuse the South, the higher your stock rises in the North. And you have probably wondered many times, "When will these Southerners learn that this House is not going to give them any consideration? Why do they persist always in cluttering our minds with talk about the Constitution?" Well, in all honesty, Mr. Chairman, it is frustrating. You have the votes to do just about as you please and the comfort of knowing that the more you castigate the South, the greater your political reward will be. But frustrated and despaired though we be, we must appeal to you, hoping ultimately that the Constitution, which all of us have sworn to uphold, will survive the assault upon it.

Where else can we turn? We see some of the members of the Supreme Court sitting on the House floor wildly applauding the President's legislative recommendations in this field. Can we expect impartial examination of these proposals by that body if they become law?

We see the President of the United States take his stand before the Nation on the side of those who create and thrive on disorder, chaos, and even violence, albeit in the name of nonviolence. Instead of picking up the chant of the professional agitator, "We shall overcome," it would have been more appropriate for him to say, "I have been overcome." And let no man be misled into believing that passage of this measure will end their activities.

Their very existence depends upon continuation of domestic upheaval and their own words tell us not only that they intend no letup, but that they plan to expand their operations.

A former President of the United States, Harry Truman, stated recently that these activities were "silly". He added:

> They can't accomplish a darned thing. All they want is to attract attention.

Mr. Truman is not looking for votes. His position frees him from the pressure of making politically motivated statements. His right of free choice led him to disassociate himself from those who have chosen to make their beds in the temples of the lawless.

Mr. Chairman, if the bill is fair, why not let it apply to all the States? Surely the States not covered must be clamoring to enjoy its benefits. Why does it not embrace the District of Columbia, the only area where Congress actually has authority to provide voter qualifications? I notice that the District is not covered, and yet I also observe that only 38.4 percent of its estimated eligible voters participated in the presidential election of 1964. These figures are from the table prepared by the Civil Rights Commission, which I assume is the basis for selection of those States and subdivisions subject to coverage by H.R. 6400. The 38.4 percent is only 0.4 percent higher than the figure given for South Carolina in the same chart. Is voter discrimination so widespread in the District of Columbia? I would assume not, when I am told that one precinct here gave Senator Goldwater only 14 votes to his opponent's more than 3,700. I cannot match that in South Carolina although I can offer one from my hometown where Goldwater got 55 votes and his opponent received 2,203. And there was a rural box in my county where the Senator received 21 votes and the other candidate collected 301. In fact, Mr. Chairman, is it not strange that five of the seven States against whom this bill is directed voted against President Johnson last November? Perhaps you can convince yourselves that H.R. 6400 is not motivated by vindictiveness, but it will be difficult to convince the open-minded citizen of this.

I do not ask you to take my word for the fact that there is no voter discrimination because of race in South Carolina. Roy Wilkins, executive secretary of the NAACP, stated sometime during 1963 in Charleston, that any Negro not registered in South Carolina had only himself to blame. Within the past several weeks the State leader of the voter education project, the drive to register Negro citizens, has stated publicly that his only, repeat, only, difficulty is apathy. Two Attorneys General of the United States have sent investigators into my State and on neither occasion was any substantial evidence of discrimination uncovered.

I would like also to call your attention to an article which appeared in the Monday, March 22, issue of the Washington Post, on page A–8. The author is Robert E. Baker. Neither the Post nor Mr. Baker are widely heralded for their conservative views. Mr. Baker wrote in part, as follows:

> The plain fact of the matter is that Negroes in the South who fail to vote because of apathy outnumber those who do not vote because of discrimination.

You may ask then, "Why do you object to this bill when you have nothing to fear? If you are not guilty of discrimination, the bill provides a method of relief from its provisions." Mr. Chairman, if you point a loaded gun at my head, surely you would not expect me to take much comfort by any words assuring that you did not intend to fire it.

From time immemorial we have found that good government depends upon informed voters. We have seen in our personal experience that the pattern of voting in the Negro precincts does not reflect an independent or individually considered vote as noted in examples given above. We know the pattern of the block vote, slips of paper with numbers or names given to each voter as he enters the polling place, to be returned upon leaving so that they may be passed on to others. Voting for numbers. Herded through like sheep. And you propose to increase this practice by eliminating literacy tests in those States which prevented the President's election by acclamation. I strongly oppose the denial of the right to vote to any qualified citizen, but, at the same time, I oppose as strongly measures which can serve only to lower the quality of voting. We cannot hope to improve the quality of voting by eliminating all literacy tests.

Quality nearly always suffers when quantity occupies the focal point of one's thinking. No exception will follow if H.R. 6400 is enacted into law.

Mr. Chairman, this bill repudiates the golden thread of American justice by striking down the presumption of innocence until proven guilty. It would require a State or board of registration to bring an action before a three-judge Federal panel, not at home, but in the District of Columbia, to prove that they are not guilty of discrimination, even though there has never been an allegation by anyone that they had been discriminated against. This bill defies all judicial reason and robs the people of far more rights than it purportedly seeks to confer on some.

In short, Mr. Chairman, this so-called voting rights bill is the most irresponsible and unconstitutional hodgepodge of legislative nonsense ever penned by man. I urge its defeat.

Mr. MORSE. Mr. Chairman, I rise in support of H.R. 6400 as reported by the House Judiciary Committee. It is a sad commentary that after the Civil Rights Acts of 1957, 1960, and 1964, and after Supreme Court decision after Supreme Court decision outlawing the white primary, the club primary, the grandfather clause and other discriminatory devices, we are still debating on the floor of the U.S. House of Representatives whether or not we are to put an end to second-class citizenship in this Nation.

This time we must do the job once and for all.

We are witnessing a revolution—a revolution that is one of the most hopeful and exciting things that could happen to this Nation. For its successful conclusion will effectively bring 20 million American citizens into the political process.

Last February, I visited Selma, Ala., with two of my colleagues on this side of the aisle, the gentleman from Maryland [Mr. MATHIAS] and the gentleman from New York [Mr. REID]. I was awed by the determination and conviction of the men and women whom we met. This determination survived intimidation and inhumanity and I have every confidence that it will continue to survive these conditions until full citizenship is guaranteed. A respected and dedicated clergyman from Boston, James Reeb, lost his life in Selma. His death shocked and saddened millions of Americans who knew that somehow we were all responsible for this senseless tragedy.

Speaking in Boston, soon after his death, I said that there can be no first-class citizens anywhere in this country so long as there is second-class citizenship for one group of Americans.

In my judgment we have reached the end of the line. If we do not enact the strongest possible legislation here, we make a mockery out of the democratic process.

Three days after our visit to Selma, eight Republican Members of Congress introduced a voting rights bill. We were subsequently joined by more than 20 of our Republican colleagues. Later in the session we introduced a second bill, prepared under the leadership of the gentleman from New York, Congressman LINDSAY, providing for the elimination of the poll tax, and protection for citizens in exercising their first amendment and voting rights. While the bill before us does not include completely adequate protection for citizens in casting their ballots, I think that is an effective piece of legislation that should be enacted.

By invalidating tests for voting that have been used time and time again to bar citizens from the polls, we can halt the public evasion and irresponsibility that has led so often to private violence.

In the recent report of the U.S. Civil Rights Commission on voting in Mississippi, there is quoted an exchange between Commission Member Dean Griswold of the Harvard Law School and Mississippi registrar. When Dean Griswold asked the registrar to interpret a complicated provision of the Mississippi constitution involving corporation taxation, which had been given to several Negro applicants, the registrar was unable to answer. Dean Griswold said:

> I find it a little hard to see how citizens of Mississippi are expected to interpret the section if the registrar is unable to do so and he is the person who grades the interpretation which is made by a citizen of Mississippi.

This bill will meet that need.

I was pleased to see that the House Judiciary Committee has called for the outright prohibition against any State or political subdivision denying any person the right to register or to vote because of his failure to pay a poll tax or any other tax. Throughout its history the poll tax has been inevitably linked with discrimination. The noted historian of the South, C. Vann Woodward, tells us that regardless of the variety and complexity of constitutional provisions to disfranchise the Negro in the latter part of the 19th century, "they all contained the poll tax." Other States added this device to their existing constitutions.

Just as do literacy tests, moral character tests, and voucher requirements encourage administrative arbitrariness and avoidance, so does the poll tax. The Civil Rights Commission report on Mississippi is replete with examples of the failure of Mississippi sheriffs to accept the proffered tax payments. Since the law requires that the tax be paid in 2 successive years, it is obvious how effective this tactic can be in continuing to disfranchise a significant number of citizens.

Failure to eliminate the poll tax here and now would merely throw it up as a last line of defense for those now deprived of literacy and similar tests.

H.R. 6400 also effectively prevents the enactment of new and potentially discriminatory voting requirements by requiring prior approval by the district court, or the failure of the Attorney General to disapprove.

Congressional power to enact H.R. 6400 is clear. As far back as 1939 the Supreme Court in Lane against Wilson declared that the language of the 15th amendment "nullifies sophisticated as well as simple-minded modes of discrimination."

The devices at which this legislation is aimed are both simple minded and sophisticated: simple minded in their unalterable purpose to continue the disfranchisement of thousands of Negro citizens, and sophisticated in the ingenuity with which the mechanisms of denial have been developed.

I will not belabor the specific provisions of this measure as they have been thoroughly covered by other Members. In my judgment, this legislation confronts us with a clear test of our democracy. We must open the doors of the democratic process to all our citizens. For without participation there can be no progress; without involvement there can be no initiative. H.R. 6400 must pass.

Mr. EDWARDS of Alabama. Mr. Chairman, in order to fulfill our constitutional responsibility at the National Legislature, we should consider very carefully the bill that the President has recommended to us despite his urging that we enact it against an early deadline and with no compromise.

The bill would, in general, eliminate literacy tests in any State or county where less than 50 percent of those of voting age were registered or voting in the presidential election of 1964.

Let us consider for a moment the question of literacy tests. The Supreme Court has on several occasions defended the right of States to establish literacy tests as a voter qualification. As recently as 1959, in the Lassiter case from North Carolina, the Court said:

> The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot. Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show.

The Attorney General has indicated that the President's proposal would not flatly abolish literacy tests. But it certainly would outlaw them for a period of 5 years in the few States and counties affected by the bill. We should consider whether or not the country is prepared to set aside constitutional provisions for a temporary period of whatever duration.

Literacy tests themselves are not evidence of discrimination. The application of them can be. And so corrective legislation should not be aimed at literacy tests unless we are ready to prohibit them everywhere in the country, and unless we disregard constitutional principles.

With regard to other deficiencies of the bill the gentleman from Georgia [Mr. CALLAWAY] ably demonstrated the problem which is presented in attempting to segregate States where the 1964 presidential vote or registration was more than 50 percent of the persons of voting age from those States where the vote or registration was less than 50 percent.

He pointed out the factors other than discrimination which may lead to a low voting percentage in a general election or to a low registration. He demonstrated that in States with a history of political domination by one party, the vote may be greater in primary elections than in general elections, or the registration may be low because of the lack of contested elections. And he showed that substantial numbers of persons of voting age may not register to vote for reasons having nothing to do with discrimination: transients, noncitizens, military personnel, or persons who simply want nothing to do with voting for personal reasons.

The bill gives the Attorney General power to appoint Federal examiners simply on the basis of "his own judgment." And it prescribes no tests or rules for selection of the examiners and specifies no methods of operation. It gives the examiner power to register voters as he sees fit.

There is nothing in the bill to prevent an Attorney General from appointing a county political party chairman as voting registrar with power to register or refuse to register voters as he wishes. This would be an extraordinary authority.

How can we justify the feeling that punitive Federal action must be taken against States which record a voting registration or participation of less than 50 percent while we pay no heed to places where the percentage might be 51 or 60 percent? Surely in the light of cool analysis some months in the future this arbitrary proposal will appear to be artificial and contrived to many who may not see it now. How soon would the Congress again be called on to enact new voting legislation all over again?

And if this kind of action can be taken against a few selected States, then it appears that some other punitive action can be taken against some other group of States for some other apparently worthy objective. But we should consider that a central government with this kind of authority can proceed another time with less regard to the real or suggested merits of the objective, and with less regard to an informed popular will.

This is how the National Socialist movement of the Germany of the 1930's was brought to prominence: Greater government authority on a wave of emotional fever followed by the loss of individual political expression. The stage preceding acquisition of absolute power by Adolf Hitler was the period during which the national legislature allowed itself to be intimidated by executive authority into putting its stamp of approval on measures eliminating the potence of representative government. Today's popular demand for centralization of power is tomorrow's dictatorship.

If we now are to approve voting rights legislation we should do so in the light of cool analysis and reason, not on the basis of emotion. We should not put the Federal Government in the position of dictating a State's voting laws on the basis of arbitrary percentages in an arbitrarily selected selection.

What we should do is retain State authority to determine its voter qualifications in accord with the Constitution, but assure that each State's qualifications are applied without discrimination to all individuals regardless of race, color, religion, or national origin.

I wonder if many Members of Congress today do not fear within themselves that many persons feel so strongly in favor of a voting right law that just any voting rights law will do without regard to its real merits. I have the distinct impression that it takes courage today in a northern State to publicly declare oneself in favor of taking a close look at the President's bill or to suggest that there may be improvements that can be made. In that connection, I want to make note here of some of the comments we have seen recently in nationally respected newspapers.

First. Arthur Krock in the New York Times, March 16, 1965:

> The administration's bill * * * would reverse precedents deeply embedded in the constitutional and political history of the United States. And care must be taken lest the backswing prove too wide for the conscience of the Supreme Court and the obligation of Members of Congress to the people of the several States.

Second. Arthur Krock in the New York Times, March 22, 1965:

> The more time that is allowed to point out the flagrant constitutional and procedural flaws in the draft submitted by the administration, the more plainly these flaws will be exposed.

Third. Richard Wilson in the Washington Evening Star, March 24, 1965:

> The question that the advocates of the [President's] new voting rights bill have as yet failed to answer adequately is this: Why should literacy tests as a qualification for voting be perfectly all right in 45 of the 50 States, but invalid in the other 5? This is another example of the devious legislative tactics in the Johnson administration to achieve results by legal circumlocution. Literacy requirements have validity both in reason and in law. It makes sense that a voter should have at least an elementary ability to read and write the language of the country in which he resides. It hardly needs to be argued, also, that a Federal law should apply equally to the citizens of all States. The strange, awkward, and unequal nature of this new legislation shows how wrong it is to try to legislate on such complicated matters in an atmosphere of violence-provoking public demonstrations. The Johnson administration was rushed into the presentation of a law that has so many obvious flaws that it can immediately be challenged in the courts.

Fourth. John Chamberlain in the Washington Post, March 25, 1965:

> The law should be limited to sending in registrars to provide evenhanded justice in enforcing any given State's own election standards. The Federal Government has no right to substitute standards of its own. What impresses honest and decent southerners about all this is that it [the President's proposal] actually denies equal protection of the law under the pretense of providing this protection. It penalizes the just along with the unjust. So let's have a Federal law that will guarantee fair enforcement of local election laws without telling States what their own standards shall be.

Fifth. James Kilpatrick in the Washington Evening Star, March 25, 1965:

> This is a bad bill; bad in ways that need to be understood if something precious is to be preserved. This precious something is a system of government obedient to a written Constitution. If the Congress sacrifices this high principle to the pressures of a turbulent hour, the Congress may succeed in redressing some palpable wrongs, but a fearful price will be paid in the loss of ancient values. The bill undertakes to prohibit in these States the imposition of those very qualifications, when used without discrimination, that the Supreme Court repeatedly has approved.

Sixth. David Lawrence in the Washington Evening Star, March 25, 1965:

> The 15th amendment to the Constitution * * * now is being construed as giving to

Congress the power to control the whole election process by passing a few laws. This could mean the removal of all qualifications for voting except those that happen to suit the party in power. Never in American history has so much power been concentrated in the Federal Government which is now virtually directed by the one man who occupies the highest office in the land.

Finally, Mr. Vermont Royster in the Wall Street Journal for March 25, 1965, writes of the mood in Congress for hasty action on the bill—a mood set by ultimatums for this committee to complete its work by a certain date.

He writes:

> In such a mood, who but a brave man could stand up and say, "Wait. Let us see what we are doing before we do it." Who but a brave man could ask now about constitutionality or property or the wisdom of the means to a wise end. What weighs heavily on the mind is that men in Congress should have doubts and fear to speak them.

Mr. Chairman, in my judgment, Congress has the choice today of acting in a responsible fashion, or allowing itself to be propelled into an irresponsible act. I join with many others in hoping that our choice will be the former.

Mr. ROYBAL. Mr. Chairman, I want to join with my colleagues from both sides of the aisle in urging the adoption of H.R. 6400, the Voting Rights Act of 1965, to enforce the 15th amendment to the Constitution, in order to guarantee that the full and free exercise of the right of citizens of the United States to vote will not be denied or abridged.

Events in many parts of the country in recent months have again clearly shown the need for additional Federal legislation to guarantee this right for all Americans.

No one can deny that the safety, and even the lives of our fellow citizens are at stake. In my opinion, the full majesty and full resources of the United States must be exerted to preserve and protect the precious heritage of freedom and equality we all are entitled to enjoy.

President Johnson, in his eloquent address to the joint session of Congress, voiced a deeply moving and forceful call to action on this vital legislation.

I urge that the Members of the House now answer that call with speed and determination—to assure, once and for all, the unrestricted exercise of the right to vote, possessed by every American by virtue of his citizenship in this "land of the free."

Certainly, 95 years after ratification of the 15th amendment is not too early for the Nation to make good on its promise to protect the elementary right of all its citizens to full suffrage.

This bill provides for automatic suspension of literacy or any other tests or devices used to discriminate against would-be voters where less than 50 percent of the voting-age population was registered or voted in the 1964 presidential election.

In addition, it authorizes use of Federal examiners to register and assure the right to vote for all citizens previously unable to exercise that fundamental right.

Another strong feature of this legislation is its outright ban on the poll tax as a requirement for voting in State and local elections, in the same manner as the 24th amendment to the Constitution, ratified in January 1964, outlawed the poll tax in Federal elections.

All in all, the measure represents a clear, practical, effective, and legislatively responsible way to enable citizens to vote without the fear or threat of discrimination.

For that reason, I hope the Members of this House will pass the Voting Rights Act of 1965 without further delay, so that the Congress may again take a leading part in the noble crusade to create a better America, to banish the phrase "second-class citizen" from our vocabulary, and to fulfill the revolutionary dream of freedom and equality for all Americans.

Mr. DICKINSON. Mr. Chairman, many colleagues on both sides of the aisle have pointed out the many, many reasons why H.R. 6400 should not be enacted into law. I can only endorse their reasoning and their statements.

I stand before the House today to urge all Members as fairminded men to examine their motives—to look inwardly and ask themselves one question—the key question in our debate today. The question is not, "Shall we have a new voting rights law"—that question is by now moot. The question before the House today is, "Shall we have a fair, constitutionally sound voting rights law that governs everyone in the United States equally, or shall we enact a law that applies to only part of the Nation?"

Mr. Chairman, is it possible that a majority of the Members from a majority of the States will voluntarily surrender to the executive branch of the Federal Government one of the last rights reserved to and exercised by the States? To me, this would be incredible.

Mr. Chairman, H.R. 6400 is purported to be a bill to abolish discrimination. It is an anti-South bill—politically inspired and contrived and aimed at the only section of the Nation which the administration did not carry in the last election and cannot control today.

How can any man vote for a bill designed to prohibit voter discrimination in only 6 States and thus impliedly sanction discrimination in the other 44 States? The very bill the administration claims will end discrimination will, in fact, set up a form of discrimination against six States of the Union. Under the guise of voting rights, six Southern States are being punished for having voted wrong. H.R. 6400 is not a just bill, nor was it designed to be just. How can any bill creating two classes of people or States be considered just or fair? Are we in the South to become second-class citizens?

If we are to pass a bill, let us treat everyone alike and apply its provisions equally. The passage by the House of H.R. 6400 will be one more giant step toward a totalitarian government. Only by passage of sound legislation affecting all Americans equally will we continue to have a nation of laws—not of men—with equal justice for all.

The CHAIRMAN. All time has expired.

Mr. GERALD R. FORD. Mr. Chairman, I was on the list, but the time has expired. I have a preferential motion.

The CHAIRMAN. All debate is concluded even with a preferential motion. The agreement was that all debate would conclude at 7:20 p.m. The hour is now 7:20 p.m. There is no further time.

The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. At what point in this process will we have an opportunity to ask for separate votes on the Cramer vote-fraud amendment and on the Boggs amendment?

The CHAIRMAN. In the House, after the previous question has been announced by the Speaker.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 6400) to enforce the 15th amendment to the Constitution of the United States, pursuant to House Resolution 440, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the Cramer vote-fraud amendment and on the Boggs amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. FINO. Mr. Speaker, I demand a separate vote on the Gilbert amendment.

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, is the Clerk going to read the Cramer amendment first?

The SPEAKER. The amendment about to be read is the Cramer amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 24, after line 15, insert a new subsection to read as follows:

"(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration or illegal voting, or pays or offers to pay or accepts payment either for registration or for voting shall be fined not more than $10,000 or imprisoned not more than five years, or both: *Provided, however*, That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the Territories or possessions."

The **SPEAKER.** The question is on the Cramer amendment.

Mr. **GERALD R. FORD.** Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 253, nays 165, not voting 16, as follows:

[Roll No. 175]

YEAS—253

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baldwin
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Boland
Bolton
Bray
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
de la Garza
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Feighan
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gathings
Gettys
Gibbons
Goodell
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hansen, Idaho
Hardy
Harris
Harsha
Harvey, Mich.
Hébert
Hechler
Henderson
Herlong
Horton
Hull
Hungate
Hutchinson
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Keith
King, N.Y.
King, Utah
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lindsay
Lipscomb
Long, La.
McCarthy
McClory
McCulloch
McDade
McEwen
McMillan
MacGregor
Mackay
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
Michel
Minshall
Mize
Moeller
Monagan
Moore
Morris
Morse
Mosher
Murray
Natcher
Nelsen
O'Konski
O'Neal, Ga.
Patman
Pelly
Pickle
Pike
Pirnie
Poage
Poff
Pool
Quie
Quillen
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Roudebush
Roush
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Scott
Secrest
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Stephens
Stratton
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Trimble
Tuck
Tupper
Tuten
Ullman
Utt
Vigorito
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Young
Younger

NAYS—165

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Bingham
Blatnik
Boggs
Bolling
Brademas
Brown, Calif.
Burke
Burton, Calif.
Callan
Cameron
Carey
Celler
Clark
Clevenger
Cohelan
Conyers
Corman
Craley
Daddario
Daniels
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dyal
Edwards, Calif.
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Gallagher
Garmatz
Giaimo
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Greigg
Grider
Griffiths
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hays
Helstoski
Hicks
Holifield
Holland
Howard
Huot
Jacobs
Johnson, Calif.
Johnson, Okla.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Krebs
Leggett
Long, Md.
Love
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackie
Madden
Matsunaga
Meeds
Miller
Minish
Mink
Moorhead
Morgan
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Price
Pucinski
Race
Resnick
Reuss
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Tunney
Udall
Van Deerlin
Vanik
Vivian
Walker, N. Mex.
Wilson, Charles H.
Yates
Zablocki

NOT VOTING—16

Bonner
Bow
Harvey, Ind.
Hosmer
Keogh
May
Mills
Morton
Passman
Powell
Purcell
Steed
Thomas
Thompson, Tex.
Toll

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Passman for, with Mr. Keogh against.
Mr. Toll for, with Mr. Powell against.
Mr. Bonner for, with Mr. Steed against.

Until further notice:

Mr. Purcell with Mrs. May.
Mr. Mills with Mr. Bow.
Mr. Thomas with Mr. Hosmer.
Mr. Thompson of Texas with Mr. Morton.

Mr. **BYRNE** of Pennsylvania and Mr. **BROOKS** changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The **SPEAKER.** The Clerk will report the Boggs amendment.

The Clerk read as follows:

On page 26, delete lines 23 through 25.

On page 27, delete lines 1 through 10, and insert in lieu thereof a new section 13, to read as follows:

"SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote, (1) that all persons listed by the examiner for such subdivision have been placed on the appropriate voting registration roll, (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision; and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section and may petition the Attorney General to request the Director of the Census to take such survey or census as may be appropriate for the making of the determination provided for in this section. The District Court for the District of Columbia shall have jurisdiction to require such survey or census to be made by the Director of the Census and it shall require him to do so if it deems the Attorney General's refusal to request such survey or census to be arbitrary or unreasonable."

The **SPEAKER.** The question is on the amendment.

Mr. **GERALD R. FORD.** Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 262, not voting 16, as follows:

[Roll No. 176]

YEAS—155

Abbitt
Abernethy
Albert
Andrews, George W.
Andrews, Glenn
Ashley
Ashmore
Bandstra
Beckworth
Belcher
Bennett
Boggs
Brock
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Cabell
Callan
Callaway
Carter
Casey
Celler
Chelf
Colmer
Cooley
Corman
Craley
Cramer
Davis, Ga.
de la Garza
Delaney
Dickinson
Dorn
Dowdy
Downing
Duncan, Oreg.
Edwards, Ala.
Evans, Colo.
Everett
Evins, Tenn.
Farnsley
Fascell
Fisher
Flynt
Foley
Fountain
Fuqua
Gathings
Gettys
Gibbons
Gilligan
Gray
Griffiths
Hagan, Ga.
Haley
Hardy
Harris
Hays
Hébert
Hechler
Henderson
Herlong
Hicks
Hull
Hungate
Ichord
Jarman
Jennings
Jonas
Jones, Ala.
Jones, Mo.
Kee
Kelly
King, Calif.
Kirwan
Kornegay
Landrum
Lennon
Long, La.
Love
McCulloch
McDowell
McFall
McMillan
Mackay
Mackie
Mahon
Marsh
Martin, Ala.
Matthews
Meeds
Miller
Moeller
Morris
Morrison
Moss
Multer
Murphy, N.Y.
Murray
O'Brien
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
Patman
Pepper
Pickle
Poage
Poff
Pool
Redlin
Rhodes, Ariz.
Rivers, Alaska
Rivers, S.C.
Roberts
Rogers, Fla.
Rogers, Tex.
Roush
Satterfield
Scott
Selden
Senner
Sikes
Sisk
Slack
Smith, Iowa

Smith, Va.
Stephens
Stubblefield
Sweeney
Taylor
Teague, Tex.
Tenzer
Trimble
Tuck
Tuten
Udall
Van Deerlin
Waggonner
Walker, Miss.
Walker, N. Mex.
Watson
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NAYS—262

Adair
Adams
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Aspinall
Ayres
Baldwin
Barrett
Bates
Battin
Bell
Berry
Betts
Bingham
Blatnik
Boland
Bolling
Bolton
Brademas
Bray
Broomfield
Brown, Calif.
Brown, Ohio
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Carey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Wis.
Dawson
Dent
Denton
Derwinski
Devine
Diggs
Dingell
Dole
Donohue
Dow
Dulski
Duncan, Tenn.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Erlenborn
Fallon
Farbstein
Farnum
Feighan
Findley
Fino
Flood
Fogarty
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Goodell
Grabowski
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Gross
Grover
Gubser
Gurney
Hagen, Calif.
Hall
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harsha
Harvey, Mich.
Hathaway
Hawkins
Helstoski
Holifield
Holland
Horton
Howard
Huot
Hutchinson
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Karsten
Karth
Kastenmeier
Keith
King, N.Y.
King, Utah
Kluczynski
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lindsay
Lipscomb
Long, Md.
McCarthy
McClory
McDade
McEwen
McGrath
McVicker
Macdonald
MacGregor
Machen
Madden
Mailliard
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Michel
Minish
Mink
Minshall
Mize
Monagan
Moore
Moorehead
Morgan
Morse
Mosher
Murphy, Ill.
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Konski
Olsen, Mont.
O'Neill, Mass.
Ottinger
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Price
Pucinski
Quie
Quillen
Race
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Shipley
Shriver
Sickles
Skubitz
Smith, Calif.
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stanton
Stratton
Sullivan
Talcott
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Todd
Tunney
Tupper
Ullman
Utt
Vanik
Vigorito
Vivian
Watkins
Whalley
Widnall
Wilson, Bob
Wolff
Wyatt
Wydler
Yates
Younger

NOT VOTING—16

Baring
Bonner
Bow
Harvey, Ind.
Hosmer
Keogh
May
Mills
Morton
Passman
Powell
Purcell
Steed
Thomas
Thompson, Tex.
Toll

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Thomas for, with Mr. Toll against.
Mr. Steed for, with Mr. Powell against.

Until further notice:

Mr. Keogh with Mr. Bow.
Mr. Mills with Mrs. May.
Mr. Bonner with Mr. Hosmer.
Mr. Passman with Mr. Harvey of Indiana.
Mr. Purcell with Mr. Morton.
Mr. Thompson of Texas with Mr. Baring.

Messrs. GARMATZ, DYAL, ANDERSON of Tennessee, and RODINO changed their votes from "yea" to "nay."

Messrs. ROGERS of Texas, and KING of California, changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded, the Gilbert amendment.

The Clerk read as follows:

On page 16, line 25, insert a new subsection (c) to read as follows:

"(c) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English."

The SPEAKER. The question is on the amendment.

Mr. FINO. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 202, nays 216, answered "present" 1, not voting 14, as follows:

[Roll No. 177]

YEAS—202

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Baldwin
Bandstra
Barrett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Callan
Cameron
Carey
Celler
Clevenger
Cohelan
Collier
Conyers
Corman
Craley
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Diggs
Dingell
Donohue
Dow
Dulski
Dyal
Edmondson
Edwards, Calif.
Erlenborn
Evans, Colo.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harvey, Mich.
Hathaway
Hawkins
Helstoski
Hicks
Holifield
Holland
Howard
Hull
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Leggett
Lindsay
Long, Md.
Love
McCarthy
McClory
McDowell
McFall
McGrath
McVicker
Machen
Mackie
Madden
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Mich.
O'Hara, Ill.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Philbin
Price
Pucinski
Race
Redlin
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Senner
Shipley
Sickles
Sisk
Smith, Iowa
Stalbaum
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vivian
Walker, N. Mex.
Weltner
White, Tex.
Wilson, Charles H.
Wolff
Yates
Young
Zablocki

NAYS—216

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baring
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Bolton
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callaway
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Colmer
Conable
Conte
Cooley
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Everett
Evins, Tenn.
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harris
Harsha
Hays
Hébert
Hechler
Henderson
Herlong
Horton
Hutchinson
Ichord
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McDade
McEwen
McMillan
Macdonald
MacGregor
Mackay
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matthews
Minshall
Mize
Monagan
Moore
Morse
Murray
Natcher
Nelsen
O'Konski
O'Neal, Ga.
Pelly
Perkins
Pickle
Pike
Pirnie

Poage
Poff
Pool
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Saylor
Schneebeli
Schweiker
Scott
Secrest
Selden
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stanton
Steed
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Todd
Tuck
Tupper
Tuten
Utt
Vigorito
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
White, Idaho
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wright
Wyatt
Wydler
Younger

ANSWERED "PRESENT"—1

Michel

NOT VOTING—14

Bonner
Bow
Harvey, Ind.
Hosmer
Keogh
May
Mills
Morton
Passman
Powell
Purcell
Thomas
Thompson, Tex.
Toll

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Passman against.
Mr. Toll for, with Mr. Bonner against.
Mr Powell for, with Mr. Bow against.
Mr. Thomas for, with Mrs. May against.

Until further notice:

Mr. Mills with Mr. Hosmer.
Mr. Purcell with Mr. Morton.
Mr. Thompson of Texas with Mr. Harvey of Indiana.

Mr. ADAMS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT BY MR. COLLIER

Mr. COLLIER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. COLLIER. In its present form I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Collier moves to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment: Strike out all after the enacting clause, and insert: "That this Act shall be known as the 'Voting Rights Act of 1965'.

"DEFINITIONS

"Sec. 2. (a) The phrase 'literacy test' shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, or (2) demonstrate an educational achievement or knowledge of any particular subject.

"(b) A person is 'denied or deprived of the right to register or to vote' if he is (1) not provided by persons acting under color of law with an opportunity to register to vote or to qualify to vote within two weekdays after making a good-faith attempt to do so, (2) found not qualified to vote by any person acting under color of law, or (3) not notified by any person acting under color of law of the results of his application within seven days after making application therefor.

"(c) The term 'election' shall mean any general, special, or primary election held in any voting district solely or in part for the purpose of electing or selecting any candidate to public office or of deciding a proposition or issue of public law.

"(d) The term 'voting district' shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

"(e) The term 'vote' shall have the same meaning as in section 2004 of the Revised Statutes (42 U.S.C. 1971(e)).

"FINDINGS

"Sec. 3. (a) Congress hereby finds that large numbers of United States citizens have been and are being denied the right to register or to vote in various States on account of race or color in violation of the fifteenth amendment.

"(b) Congress further finds that literacy tests have been and are being used in various States and political subdivisions as a means of discrimination on account of race or color. Congress further finds that persons with a sixth-grade education posses reasonable literacy, comprehension, and intelligence and that, in fact, persons possessing such educational achievement have been and are being denied or deprived of the right to register or to vote for failure to satisfy literacy test requirements solely or primarily because of discrimination on account of race or color.

"(c) Congress further finds that the prerequisites for voting or registration for voting (1) that a person possess good moral character unrelated to the commission of a felony, or (2) that a person prove qualifications by the voucher of registered voters or members of any other class, have been and are being used as a means of discrimination on account of race or color.

"(d) Congress further finds that in any voting district where twenty-five or more persons have been denied or deprived of the right to register or to vote on account of race or color and who are qualified to register and vote, there exists in such district a pattern or practice of denial of the right to register or to vote on account of race or color in violation of the fifteenth amendment.

"APPROPRIATION OF EXAMINERS; PRESUMPTION OF PATTERN OR PRACTICE

"Sec. 4. (a) Whenever the Attorney General certifies to the Civil Service Commission (1) that he has received complaints in writing from twenty-five or more residents of a voting district each alleging that (i) the complainant can satisfy the voting qualifications of the voting district, and (ii) the complainant has been denied or deprived of the right to register or to vote on account of race or color within ninety days prior to the filing of his complaint, and (2) that the Attorney General believes such complaints to be meritorious, the Civil Service Commission shall promptly appoint an examiner for such voting district who shall be responsible to the Commission.

"(b) A certification by the Attorney General shall be final and effective upon publication in the Federal Register.

"(c) The examiner shall examine each person who has filed a complaint certified by the Attorney General to determine whether he was denied or deprived of the right to register or to vote within ninety days prior to the filing of such complaint, and whether he is qualified to vote under State law. A person's statement under oath shall be prima facie evidence as to his age, residence, and prior efforts to register or otherwise qualify to vote. In determining whether a person is qualified to vote under State law, the examiner shall disregard (1) any literacy test if such person has not been adjudged an incompetent and has completed the sixth grade of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico, or (2) any requirement that such person as a prerequisite for voting or registration for voting (i) possess good moral character unrelated to the commission of a felony, or (ii) prove his qualifications by the voucher of registered voters or members of any other class. If applicable State law requires a literacy test, those persons possessing less than a sixth-grade education shall be administered such test only in writing and the answers to such test shall be included in the examiner's report.

"(d) If the examiner finds that twenty-five or more of those persons within the voting district, who have filed complaints certified by the Attorney General have been denied the right to register or to vote and are qualified to vote under State law, he shall promptly place them on a list of eligible voters, and shall certify and serve such list upon the offices of the appropriate election officials, the Attorney General, and the attorney general of the State, together with a report of his findings as to those persons whom he has found qualified to vote. Service shall be as prescribed by rule 5(b) of the Federal Rules of Civil Procedure. The provisions of section 8(d) and 8(e) shall then apply to persons placed on a list of eligible voters.

"(e) A finding by the examiner under subsection (d) shall create a presumption of a pattern or practice of denial of the right to register or to vote on account of race or color.

"CHALLENGES

"Sec. 5. (a) A challenge to the factual findings of the examiner, contained in the examiner's report, may be made by the attorney general of the State or by any other person upon whom has been served a certified list and report of persons found qualified to vote, as provided in section 4(d). Such challenge shall be made by service upon the Attorney General and upon the Civil Service Commission as prescribed by rule 5(b) of the Federal Rules of Civil Procedure. Such challenge shall be entertained only (1) if made within ten days after service of the list of eligible voters as provided in section 4(d), and (2) if supported by the affidavit of at least two persons having personal knowledge of the facts constituting grounds for the challenge.

"(b) Upon service of a challenge the Civil Service Commission shall promptly appoint a hearing officer who shall be responsible to the Commission, or promptly designate a hearing officer already appointed, to hear and determine such challenge. A challenge shall be determined within seven days after it has been made. A person's fulfillment of literacy test requirements, if not disregarded by the examiner as provided for in section 4(c), shall be reviewed solely on the basis of the written answers included in the examiner's report required by sections 4(c) and 4(d).

"ESTABLISHMENT OF A PATTERN OR PRACTICE

"Sec. 6. A pattern or practice of denial of the right to register or to vote on account of race or color is established (a) if a challenge to a finding under section 4(d) has not been made within ten days after service of the list of eligible voters on the appropriate State election officials and the attorney general of the State, or (b) upon a determination by a hearing officer that twenty-five or more of those persons within the voting district, who have been placed on the list of eligible voters by the examiners, have been denied or deprived of the right to register or to vote and are qualified to register and to vote. The listing of additional persons prescribed in section 8 shall not be stayed pending judicial review of the decision of a hearing officer.

"JUDICIAL REVIEW

"SEC. 7. A petition for review of the decision of a hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review, but no decision of a hearing officer shall be overturned unless clearly erroneous.

"LISTENING OF PERSONS FOUND ELIGIBLE

"SEC. 8. (a) Upon establishment of a pattern or practice, as provided in section 6, the Civil Service Commission shall appoint such additional examiners for the voting district as may be necessary who shall determine whether persons within the voting district are qualified to register and to vote. In determining whether such persons are so qualified the examiners shall apply the same procedures and be subject to the same conditions imposed upon the initial examiner under section 4(c), except that a person appearing before such examiner need not have first attempted to apply to a State or local registration official if he states, under oath, that in his belief to have done so would have been futile or would have jeopardized the personal safety, employment, or economic standing of himself, his family, or his property. Such examiner shall in the same manner as provided in section 4(d), certify and serve lists of eligible voters and any supplements as appropriate at the end of each month, upon the appropriate election officials, the Attorney General, and the attorney general of the State, together with reports of his findings as to those persons listed.

"(b) Challenges to the findings of the examiners shall be made in the manner and under the same conditions as are provided in section 5.

"(c) The Civil Service Commission shall appoint and make available additional hearing officers within the voting district as may be necessary to hear and determine the challenges under this section.

"(d) Any person who has been placed on a list of eligible voters shall be entitled and allowed to vote in any election held within the voting district unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with section 10. If challenged, such person shall be entitled and allowed to vote provisionally with appropriate provision being made for the impounding of their ballots, pending final determination of their status by the hearing officer and by the court.

"(e) Examiners shall issue to each person placed on a list of eligible voters a certificate evidencing his eligibility to vote.

"(f) No person shall be entitled to vote in any election by virtue of the provisions of this Act unless his name shall have been certified and transmitted on such list to the offices of the appropriate election officials at least forty-five days prior to such election.

"APPLICATION AND PROCEDURE

"SEC. 9. (a) Consistent with State law and the provisions of this Act, persons appearing before an examiner shall make application in such form as the Civil Service Commission may require. Also consistent with State law and the provisions of this Act, the times, places, and procedures for application and listing pursuant to this Act and removals from eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission. The Commission shall, after consultation with the Attorney General, instruct examiners concerning the qualifications required for listing.

"(b) Notwithstanding time limitations as may be established under State or local law, examiners shall make themselves available every weekday in order to determine whether persons are qualified to vote.

"(c) Times, places, and procedures for hearing and determination of challenges under sections 5 and 8(b) shall be prescribed by regulation promulgated by the Civil Service Commission, provided that hearing officers shall hear challenges in the voting district of the listed persons challenged.

"REMOVAL FROM VOTER LISTS

"SEC. 10. Any person whose name appears on a list, as provided in this Act, shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list. A person whose name appears on such a list shall be removed therefrom by an examiner if (1) he has been successfully challenged in accordance with the procedure prescribed in sections 5 and 7, or (2) he has been determined by an examiner (a) not to have voted or attempted to vote at least once during four consecutive years while listed or during such longer period as is allowed by State law without requiring reregistration, or (b) to have otherwise lost his eligibility to vote: *Provided, however,* That in a State which requires reregistration within a period of time shorter than four years, the person shall be required to reregister with an examiner who shall apply reregistration methods and procedures of State law not inconsistent with the provisions of this Act.

"QUALIFICATIONS OF EXAMINERS AND HEARING OFFICERS

"SEC. 11. Examiners and hearing officers appointed by the Civil Service Commission shall be existing Federal officers and employees who are residents of the State in which the Attorney General has issued his certification. Examiners and hearing officers shall subscribe to the oath of office required by section 16 of title 5, United States Code. Examiners and hearing officers shall serve without compensation in addition to that received for such other service, but while engaged in the work as examiners and hearing officers shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from their usual place of residence, in accordance with the provisions of sections 835 to 842 of title 5, United States Code. Examiners and hearing officers shall have the power to administer oaths.

"TERMINATION OF LISTING

"SEC. 12. The listing provisions of this Act shall be applied in a voting district until, within any twelve-month period, less than twenty-five persons within the voting district have been placed on lists of eligible voters by examiners.

"ENFORCEMENT

"SEC. 13. (a) Whenever a person alleges to an examiner within twenty-four hours after the closing of the polls that notwithstanding his listing under the provisions of this Act he has not been permitted to vote or that his vote was not properly counted or not counted subject to the impounding provision, as provided in section 8(d), the examiner shall notify the United States attorney for the judicial district if such allegation, in his opinion, appears to be well founded. Upon receipt of such notification, the United States attorney may forthwith apply to the district court for a temporary or permanent injunction, restraining order, or other order, and including orders directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote, (2) to count such votes, or (3) for such other orders as the court may deem necessary and appropriate.

"(b) No person, acting under color of law, shall—

"(1) fail or refuse to permit to vote any person who is entitled to vote under any provision of this Act; or

"(2) willfully fail or refuse to count, tabulate, and report accurately such person's vote; or

"(3) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any such person entitled to vote under any provision of this Act for voting or attempting to vote; or

"(4) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for urging or aiding voting or attempted voting by persons entitled to vote under any provision of this Act.

"(c) No person, acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for exercising any powers or duties under section 4, 5, 6, 7, 8, 9, or 10 of this Act.

"(d) No person shall in any matter within the jurisdiction of an examiner or a hearing officer, knowingly and willfully falsify or conceal a material fact, or make any false, fictitious, or fraudulent statement or representation, or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry.

"(e) Any person violating any of the provisions of subsection (b), (c), or (d) shall be fined not more than $5,000, or imprisoned not more than five years, or both.

"(f) All cases of civil and criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

"(g) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether an applicant for listing under this Act shall have exhausted any administrative or other remedies that may be provided by law.

"INTERFERENCE WITH ELECTIONS

"SEC. 14. (a) No person shall, for any reason—

"(1) fail or refuse to permit to vote in any State any person who is qualified to vote under the provisions of the law of such State which are not inconsistent with the provisions of Federal law; or

"(2) willfully fail or refuse to count, tabulate, and report accurately such person's vote; or

"(3) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any such person for the purpose of preventing such person from voting or attempting to vote; or

"(4) intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any person for the purpose of preventing such person from urging or aiding voting or attempted voting.

"(b) No person shall, within a year following an election, (1) destroy, deface, mutilate, or otherwise alter the marking of a paper ballot cast in such election, or (2) alter any record of voting in such election made by a voting machine or otherwise.

"(c) No person shall knowingly or willfully give false information as to his name, address, or period of residence in a voting district for the purpose of establishing his eligibility to register or vote, or conspire with another individual for the purpose of encouraging his false registration to vote, or illegal voting, or pay or offer to pay or accept payment either for registration to vote or for voting.

"(d) Any person violating any of the provisions of subsection (a), (b), or (c) shall be fined not more than $10,000, or imprisoned not more than five years, or both.

"(e) The foregoing provisions of this section shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing presidential electors, Members of the United States Senate, Members of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions.

"RELIEF FROM ENFORCEMENT OF POLL TAX

"SEC. 15. (a) Congress hereby finds that the constitutional right to vote of large numbers of citizens of the United States is denied or abridged on account of race or color in some States by the requirement of the payment of a poll tax as a prerequisite to voting in State or local elections.

"(b) No State or political subdivision thereof shall deny any person the right to register or to vote because of his failure to pay a poll tax or any other such tax.

"APPROPRIATIONS

"SEC. 16. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

"SEPARABILITY

"SEC. 16. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

Mr. **COLLIER** (interrupting the reading of the motion). Mr. Speaker, since the instructions in the motion to recommit are the identical language of the Ford-McCulloch bill, together with the language of the McClory amendment which was adopted in Committee of the Whole, I ask unanimous consent that further reading of the motion be dispensed with and that it be printed in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The **SPEAKER**. The question is on the motion to recommit.

Mr. **GERALD R. FORD**. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 171, nays 248, not voting 15, as follows:

[Roll No. 178]

YEAS—171

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baring
Bates
Battin
Belcher
Bennett
Berry
Betts
Bolton
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cooley
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Ga.
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Ellsworth
Erlenborn
Everett
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Gathings
Gettys
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harsha
Harvey, Mich.
Hébert
Henderson
Herlong
Hull
Hutchinson
Jarman
Jennings
Johnson, Pa.
Jonas
Jones, Ala.
Keith
King, N.Y.
Kornegay
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matthews
Michel
Minshall
Mize
Moore
Murray
Nelsen
O'Neal, Ga.
Pelly
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Robison
Roudebush
Rumsfeld
Satterfield
Schneebeli
Scott
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Va.
Springer
Stafford
Stanton
Stephens
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tupper
Tuten
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—248

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Beckworth
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Celler
Chelf
Clark
Clevenger
Cohelan
Conte
Conyers
Corbett
Corman
Craley
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Leggett
Lindsay
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Mathias
Matsunaga
Meeds
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price
Pucinski
Race
Randall
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Staggers
Stalbaum
Steed
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Todd
Trimble
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Weltner
White, Idaho
White, Tex.
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NOT VOTING—15

Bonner
Bow
Harvey, Ind.
Hosmer
Keogh
May
Mills
Morton
Passman
Powell
Purcell
Thomas
Thompson, Tex.
Toll

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Purcell for, with Mr. Keogh against.
Mr. Passman for, with Mr. Thomas against.
Mr. Bonner for, with Mr. Toll against.
Mr. Hosmer for, with Mr. Powell against.

Until further notice:

Mr. Mills with Mr. Bow.
Mr. Thompson, of Texas, with Mrs. May.

The result of the vote was announced as above recorded.

The **SPEAKER**. The question is on passage of the bill.

Mr. **GERALD R. FORD**. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 333, nays 85, not voting 15, as follows:

[Roll No. 179]

YEAS—333

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Bray
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Carter
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Corbett
Corman
Craley
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Diggs
Dingell
Dole
Donohue
Dow
Dulski
Duncan, Oreg.
Dwyer
Dyal
Edmondson
Edwards, Calif.
Ellsworth
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Flood
Fogarty
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Grover
Gubser
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Harsha
Harvey, Mich.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hull
Hungate
Huot

Hutchinson
Ichord
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Krebs
Kunkel
Laird
Langen
Latta
Leggett
Lindsay
Lipscomb
Long, Md.
Love
McCarthy
McClory
McCulloch
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
MacGregor
Machen
Mackay
Mackie
Madden
Mailliard
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Price
Pucinski
Quie
Race
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Senner
Shipley
Shriver
Sickles
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Staggers
Stalbaum
Stanton
Steed
Stratton
Stubblefield
Sullivan
Sweeney
Talcott
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Todd
Tunney
Tupper
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Widnall
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—85

Abbitt
Abernethy
Andrews, George W.
Andrews, Glenn
Ashmore
Beckworth
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Callaway
Casey
Collier
Colmer
Cooley
Davis, Ga.
Dickinson
Dorn
Dowdy
Downing
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Everett
Fisher
Flynt
Fountain
Fuqua
Gathings
Gettys
Gross
Gurney
Hagan, Ga.
Haley
Hall
Hansen, Idaho
Hardy
Harris
Hébert
Henderson
Herlong
Jonas
Jones, Ala.
Jones, Mo.
Kornegay
Landrum
Lennon
Long, La.
McEwen
McMillan
Mahon
Marsh
Martin, Ala.
Matthews
Murray
O'Neal, Ga.
Patman
Poage
Poff
Pool
Quillen
Rivers, S.C.
Roberts
Rogers, Tex.
Satterfield
Scott
Selden
Sikes
Smith, Calif.
Smith, Va.
Stephens
Taylor
Teague, Tex.
Trimble
Tuck
Tuten
Utt
Waggonner
Walker, Miss.
Watson
Whitener
Whitten
Williams
Willis

NOT VOTING—15

Baring
Bonner
Bow
Harvey, Ind.
Hosmer
Keogh
May
Mills
Morton
Passman
Powell
Purcell
Thomas
Thompson, Tex.
Toll

So the bill was passed.

The Clerk announced the following pairs:

On this vote

Mr. Keogh for, with Mr. Mills against.
Mr. Thomas for, with Mr. Passman against.
Mr. Toll for, with Mr. Bonner against.

Until further notice

Mr. Purcell with Mrs. May.
Mr. Powell with Mr. Baring.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. CELLER. Mr. Speaker, pursuant to House Resolution 440, I call up from the Speaker's table for immediate consideration the bill S. 1564, an act to enforce the 15th amendment to the Constitution of the United States, and for other purposes.

The Clerk read the title of the bill.

AMENDMENT OFFERED BY MR. CELLER

Mr. CELLER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Strike out all after the enacting clause of S. 1564 and insert in lieu thereof the text of H.R. 6400, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to enforce the 15th amendment to the Constitution of the United States, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXPRESSION OF GRATITUDE

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I take this opportunity of thanking the distinguished gentleman from Ohio [Mr. MCCULLOCH] and the other members of the Subcommittee No. 5 of the Committee on the Judiciary, as well as the rest of the members of the Committee on the Judiciary, for their sincere, painstaking, and dedicated service in preparing and securing the passage of H.R. 6400. They can take great comfort and satisfaction from the fact that they have acted so and have participated in the passage of this voting rights bill which is indeed a milestone in the onward march of civil rights.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. CELLER. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I desire to take this time to thank the distinguished gentleman for yielding and to say that not since I have been a Member of the House have I seen more dedicated leadership, better prepared and executed management of a bill before the House than was exhibited in the presentation and handling of this matter in the last 4 long days. We commend the gentleman from New York and all of the country is indebted to him.

REQUEST FOR RESIGNATION

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, this morning I had delivered a letter to the gentleman from New York, Hon. EMANUEL CELLER, requesting his resignation as a member of the Joint Committee on Immigration and National Policy. I did so in my capacity as chairman of the joint committee. The reasons for my action are set forth in my letter to the gentleman from New York [Mr. CELLER], a copy of which I shall include in my remarks. I advised the gentleman from New York [Mr. CELLER] that I intended to address the House today as soon as possible after its convening and that I would mention his name. The letter follows:

JULY 9, 1965.

HON. EMANUEL CELLER,
Member of Congress, House of Representatives, Rayburn House Office Building.

DEAR MR. CELLER: After reading your testimony before the subcommittee of the Committee on Appropriations of the Senate given on June 17, 1965, it is incumbent upon me as chairman of the Joint Committee on Immigration and Nationality Policy to request that you submit your resignation as a member of the joint committee.

I make this request for the following reasons:

1. You have stated on the public record that you oppose any and all efforts of the joint committee to fulfill its statutory functions as defined in section 401 of the Immigration and Nationality Act.

2. You have made it clear that you will continue your disruptive efforts to prevent Congress from discharging in a legal and orderly manner its constitutional responsibilities for regulating immigration into the United States.

3. You have continued to misrepresent the facts concerning the House Subcommittee on Immigration and Nationality, of which I am chairman, with respect to staff, the nature of prior studies on population undertaken by the subcommittee, and the manner in which you have failed to honor your commitment given on the floor of the House on April 10, 1964.

4. More than 1 year has elapsed since you stated publicly your intent to obstruct the work of the joint committee, yet you have taken no steps to abolish the joint

committee through an open effort to repeal section 401 of the Immigration and Nationality Act.

Had you taken the time to read the 1964 hearings before the House Subcommittee on Immigration and Nationality you would have observed that both Secretary of State Dean Rusk and former Attorney General Robert Kennedy recognized the necessary role of the joint committee in the discharge of congressional responsibility for regulating immigration into the United States. Neither member of the Cabinet regarded the role of the joint committee as an intrusion upon the authority of the executive branch of Government. It is, therefore, strange that you as a Member of Congress should raise this question in your statement before the Senate subcommittee. It is equally strange that after the House had approved without dissent the funds requested to activate fully the joint committee that you should appear before the Senate subcommittee in an effort to upset the affirmative action taken by the House.

Under any code of ethics you have disqualified yourself from membership on the joint committee. I request therefore that you submit your resignation therefrom to the Speaker of the House.

Sincerely,

MICHAEL A. FEIGHAN,
Chairman.

A REPLY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, you have just heard the gentleman from Ohio [Mr. FEIGHAN] and as to what he has just said and as to what he intends to say perhaps later in the day I shall give him the thunder of my silence.

PREVIOUS CONDITION OF SERVITUDE

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CORMAN. Mr. Speaker, on yesterday, the gentleman from the Second District of Idaho evidenced concern about the possible protection of prostitutes in Pocatello, Idaho, under the 15th amendment.

Since we have received no evidence in the Judiciary Committee concerning the possible scope and implications of the problem, I could not make a specific suggestion. The 15th amendment does prohibit discrimination in voting because of previous condition of servitude. If the gentleman's point involves the question of white slavery in his district, he might wish to offer an amendment to the 15th amendment to clarify the point.

There seems, however, to be little national concern about this problem. I have had no mail either way from my district. We may, on investigation, find that it is isolated principally to the Second District of Idaho.

I would respectfully say to the gentleman that the Judiciary Committee would undoubtedly consider any legislative proposals he may offer. On first blush, I would advise against his making the effort.

QUALIFICATIONS TO VOTE ON ROLLCALLS IN THE HOUSE

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, last week after observing what I considered to be a violation of the rules of the House, I called the attention of this body to the rules for qualifying to vote at the end of a rollcall.

Since that time I have spoken with a number of Members who simply did not understand the rule and who thanked me for bringing the matter to their attention. It is reassuring to know that these Members were not knowingly violating the rules of the House. I know that we all agree the dignity embodied in this Chamber must be maintained through clear enforcement of its rules.

In answer to the many questions I have received, I feel that it would be well to restate the rule.

In order to qualify to vote at the end of a rollcall, a Member must state that three things happened:

First. That he was in the Chamber when his name should have been called;

Second. That he was listening to the Clerk at the time that his name should have been called; and,

Third. That he failed to hear his name.

There will no doubt be another rollcall vote today. At that time, Mr. Speaker, in order to clear up any misunderstanding that may remain, I intend to again call attention to this rule.

WOMEN'S JOB CORPS

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, in looking at the Wall Street Journal this morning I noticed an editorial by one of the staff writers making references to the so-called Women's Job Corps, as it is being operated in St. Petersburg, Fla. In the article it is pointed out that the U.S. Government, through the Job Corps officials, has committed itself to pay $225,000 for an 18-month lease of a hotel valued at $150,000 total.

Further, there is a Federal law that would prevent an amount in excess of 15 percent of the appraised value being spent. I have sent a letter to the Comptroller General of the United States requesting an immediate investigation of this particular situation.

Coupled with the fact that this particular project is creating quite a havoc among the residents of this area, there is also information indicating it is costing about $7,000 per year per girl in this Job Corps area, which is about twice as much as it would cost to send them to Vassar.

My letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 9, 1965.

Hon. JOSEPH CAMPBELL,
Comptroller General of the United States,
Washington, D.C.

DEAR MR. CAMPBELL: In connection with the operation of the so-called Women's Job Corps, my attention has been directed to an article by Mr. Richard R. Leger appearing in the Wall Street Journal on Friday, July 9, 1965. Among other things, the article states that the Job Corps officers are paying $225,000 for the use of the Huntington Hotel in St. Petersburg, Fla.

Further that the Huntington Hotel's market value as indicated by reported tax assessments, is between $150,000 to $200,000.

The article states federally negotiated leases by law are not supposed to exceed 15 percent per year of the market value of a property. Further the Job Corps people are reported to have approved $35,000 in improvements to this hotel.

It seems to me that this situation cries for an immediate investigation.

If the facts as related are correct, this program could well become the granddaddy of all boondoggles. It is requested, therefore, that your organization investigate to determine the accuracy of this report and advise me of your findings at your earliest convenience.

I am enclosing a copy for your information.

Sincerely,

SAMUEL L. DEVINE,
Member of Congress.

Enclosure.

JOB CORPS MISFIRE: FIRST WOMEN'S CENTER RUNS INTO TROUBLE IN FLORIDA

(By Richard R. Leger)

ST. PETERSBURG, FLA.—Uncle Sam's first Women's Job Corps center, in operation here for only 3 months, is already demonstrating a truism evident for decades in public housing and foreign aid: A policy of blank checks and loose controls can produce a debacle of amazing dimensions.

The city fathers here last week voted to throw out the Job Corps venture, amid the applause of local hotel men, realtors, merchants and tourist agents. The Pinellas County School Board, which set up and operates the center for the Government, wants out when its contract expires next year, if not before. In addition, the Job Corps Director here resigned last week, and lively scandals about the project are making the rounds coast to coast.

The Job Corps center here is one of about 100, some for boys and some for girls, the Federal Government hopes to have in operation within 6 months. The centers, which seek to teach useful skills to currently "unemployable" young people, have a requested budget of more than $200 million for the fiscal year ending June 30, 1966.

The complaints of the St. Petersburg folks, while spiced with lively tales of unchaperoned smoking, drinking, boy-chasing teenage girls, are rooted in economics. The Job Corps venture is being carried on a few blocks from the downtown area in the Huntington Hotel, an old five-story, gray stucco building located among hotels and boarding houses catering to retired folks. These "neighbors" are the source of most of the complaints about the Job Corps venture.

THE DEPARTING GUESTS

At least seven of the nearby hotels report they've lost full-time guests because of the noise of the young girls and rowdiness of the boys who come to court them. For example, the Bond Hotel, just across Second Street from the Huntington, has had 13 year-around guests leave in a huff in the 3 months since the Job Corps center opened. Summertime transient bookings total only 6, down from 23 last year, complains Owner Nin Bond.

Realtors also have joined the cry. "Demand for neighborhood property already is falling off and it's obvious the whole city will eventually suffer," declares Richard D. Tourtelot, whose office is four blocks from the center. "In the last few months, we've had virtually no inquiries for property in this area. Last summer they ran in the dozens."

All this emanates, according to local folks, from moving 270 young girls—50 percent of them Negroes, 90 percent of them school dropouts and all of them with 7-night-a-week dating privileges—into a Deep South hotel smack in a neighborhood which long has boasted of quiet, subdued surroundings that make retirement and old age pleasant. Hotel guests were soon complaining of "shocking things" going on in cars parked just outside their windows. Hotrods make such a continuous uproar that all patrol cars are ordered to pass along the street whenever in the area. The complaints became so numerous that Police Chief Harold Smith 3 weeks ago assigned two officers to the building 7 nights a week.

The Job Corps center tried to mollify the neighbors. To ease complaints that the 16-to-21-year-old girls constantly entered neighboring hotels to buy cigarettes, the women's center installed a cigarette vending machine of its own. The center asks the girls not to drink but has no regulation on smoking. The girls are free to date until 10 p.m. Sunday through Thursday and until midnight Friday and Saturday.

CHANGE OF GAMES

In a move to lessen the din, the Job Corps people replaced the net for volleyball, a game played by 22 girls, with a net for badminton, which permits only four. The Saturday night record hops were moved from the hotel to the gymnasium of a local school.

It should be noted that the local school board did have direction from Federal officials on how to run the program. But it apparently was something less than effective. "We were deluged by so many people from Washington giving us information and advice on community relations, public health, and home and family living that it was just plain confusing," contends Pinellas County's assistant school superintendent, Joe D. Mills. He adds, "While they never outright ordered us to rush things, you could feel the urgency to get things done in a hurry."

Joseph R. Ems, tousled-haired director of the St. Petersburg center, who took the job in March, a month before the center opened but after 75 people already had been put on the payroll, submitted his resignation July 1. Besides criticizing the center's location, he blames much of his troubles on inept screening of candidates by the Federal Government. Of the nearly 300 girls sent to the center so far, 30 had been sent back home at last count. One girl was 5 months' pregnant when she arrived, another was emotionally ill, 2 flatly refused to obey curfews and the no-drinking regulation and 20 "weren't sufficiently motivated" to participate in the program, Mr. Ems complains. Six more were expelled over the July 4 weekend for being intoxicated.

There were some other remarkable aspects of the project. One major question being raised is whether such a project requires a staff amounting to roughly one full-time employee for every two girls. Federal overseers apparently didn't quibble when the school system inked in 130 full-time staff members for the center's budget, including 21 bookkeepers, secretaries, and accountants. "There's nothing wrong with our ratio of staff to students—you'd find the same at Bryn Mawr or any other full-time school," contends Mr. Mills, who did much of the budget planning.

And by most standards, the accommodations are pretty costly. The Job Corps is paying $225,000 for use of the hotel for 18 months, despite the fact that the hotel's market value, as indicated by reported tax assessments, is between $150,000 and $200,000. The Huntington's owner, Paul B. Barnes, declines to disclose the hotel's gross income for 1964. Federally negotiated leases by law are not supposed to exceed 15 percent per year of the market value of a property. But Washington antipoverty officials endorsed this lease, nonetheless. Uncle Sam even agreed to foot the bill for some $35,000 in improvements to the hotel to make it suitable for housing the girls.

Based on an average stay of 1 year, expenditures for the center are expected to run well over $7,000 annually for each girl, considerably more than it would cost to send her to Vasser or a school of similar prestige for a year. Federal men trimmed less than 2 percent from the more than $2.4 million Pinellas school officials said they would need to make employable young women out of the 300 to 500 girls Washington planned to send through the center in the first 18 months.

Under separate appropriations, Washington is footing other bills, including roundtrip transportation for the girls from cities as distant as Portland, Oreg., at an average one-way trip cost of $70. Uncle Sam also is paying the girls monthly allowances, ranging from $30 to $50 each, and depositing $50 per month in savings accounts for each girl. The cost of recruiting suitable Job Corps candidates averages $35 each.

Instruction for the girls so far has included massive doses of recreation, budgeted for the 18 months at $110,150, plus vocational instruction in such subjects as physical therapy, clerical work, and cosmetology. Other school courses include instruction in home and family life—how to cook, sew, shop, and maintain personal grooming.

THE SITE'S THE THING

In all fairness, it must be pointed out that many of the difficulties of the St. Petersburg Job Corps center stem from the selection of the site and do not necessarily indict the concept of the Job Corps itself or foreshadow similar troubles at other centers. "I guess we just weren't thinking but we can see now the location was a mistake," says school board member Mildred Day, who was one of those who voted to drop the Job Corps when the contract expires in August 1966.

Washington officials wash their hands of the site selection, explaining they left it completely in the hands of school officials. "I have never even seen the center," says Milton Fogelman, director of contracts for the Office of Economic Opportunity, which supervises the Job Corps and other Federal antipoverty programs under a budget of $1.5 billion requested for fiscal 1966.

The school site was selected by school officials without benefit of competitive bids. Joseph J. Busch, an employee of the county school system who teaches adult education courses in real estate law, says St. Petersburg Mayor Herman Goldner asked him to find a hotel to house the Job Corps. Mr. Busch says he was turned down by the first hotel he approached but at the second, the Huntington, Mr. Barnes, the owner, expressed interest. Mr. Busch recalls he then brought a school system official to see the Huntington. For these services he collected $4,000, which he hastens to add was smaller than the commission of 5 percent of a lease's price realtors normally collect.

The Job Corps is young and its early trouble in St. Petersburg doesn't indicate by any means the program is doomed to failure. "A kid who is unemployable in his lifetime is going to cost us about $3,000 a year to support plus the fact he won't be paying taxes," declares Mr. Fogelman in Washington. "I figure that kid would cost us $150,000 over 40 years. If we can pull 1,000 kids off the slag heap we'll be saving $150 million." He adds, "We think we'll have 40,000 girls and boys in the program by December and I believe we'll save 60 to 70 percent of them."

Despite such enthusiasm, if decades of freehanded giving at home and abroad haven't taught Uncle Sam how to administer such programs, a good many folks are wondering if the St. Petersburg mishap can go very far in that direction.

UDALL TELLS WHY HE OPPOSES DUKE

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the fantastic and unbelievable action of Secretary Udall in opposing Duke Power Co. projects in Appalachia has stirred and shocked my people. The following is an account of the Secretary's exchange on "Meet the Press" last Sunday:

Udall Tells Why He Opposes Duke

Washington.—Secretary of the Interior Stewart L. Udall said Sunday that he thinks more competition between public and private power is needed in South Carolina where Duke Power Co. wants to build a new dam.

Udall was questioned about his opposition to the Duke project on the TV panel show "Meet the Press."

Duke Power Co. wants to build a $700 million generating facility in northwest South Carolina in Pickens and Oconee Counties. It would be called the Keeowee-Toxaway project.

Udall says the region could be provided electric power by the Federal Trotter Shoals project on the Savannah River.

The questions and answers of Udall on the Savannah River project went like this:

Question. Mr. Secretary, let me ask about the socialization of electric power in this country. How far do you believe this ought to go and what rule do you see in the future for investor-owned private power companies?

PATTERN FIXED

Answer. I think that in terms of electric power, I think the pattern is pretty well fixed. I think it was fixed during the—during Franklin D. Roosevelt's New Deal, and I think that you could—as I foresee—that you will have pretty much the same pattern as you have now. In other words, public power is over 80 percent of the total—or private power, rather. Public power has the remainder, and I think in each area you are still seeing this, what I consider a very fine form of competition between public power and private power.

Question. In the case of the Duke Power Co. in the southern part of the United States, however, Mr. Secretary, are you not attempting to block their efforts to build their own electric power system and compel them to accept federalized power?

Answer. No, what I am doing in that instance—I intervened very recently.

Question. Yes, you did, on June 21st.

Answer. On the Savannah River where there is one major dam site and going back to Teddy Roosevelt's time, there has been the principle that our major rivers should be developed for public purposes and I favor the Federal Government building this one last big dam on the river for public purposes rather than turning it over to a private company.

BLOCK INVESTMENT?

Question. Even though your intervention would mean blocking a $700 million investment of private capital in part of Appalachia, you still favor the building of Trotter Shoals, even though it would stop that development by private capital?

Answer. I will give you two answers. The Trotter Shoals project is a very big one. This would entail a very heavy expense and out of that I am sure would grow industry and I would question this $700 million investment figure.

As I see it, either plan, will produce other investments that are going to benefit the entire region, but I think that the Federal development of our rivers has proved itself in all parts of the country and I think it will prove itself down in Georgia and South Carolina, too.

Question. In its petition to the FPC, the Duke Power Co. said that its project there would generate $18 million annually in State and local taxes and $24 million annually in Federal taxes. How can you justify a course of action that would deny the affected people and localities these benefits?

MET BOTH GROUPS

Answer. Well, I would say this, because I have met with both groups recently. There are rural electric co-ops and municipalities that own their own power systems that believe that the Federal project will confer benefits on them that will be just as great and really what is needed in this region of the country—the same thing we have in other parts of the United States—is a little competition between public power and private power. This is what is really needed.

Question. Mr. Secretary, do the wishes of the people count for nothing in this? As I understand it, the Governor of South Carolina, the two Senators from South Carolina, the entire congressional delegation, the General Assembly of South Carolina, the governing bodies of every affected locality, have adopted resolutions opposing your position and supporting Duke Power Co., and you still would impose this on them?

Answer. Well, there are several Congressmen and other Senators who favor the Trotter Shoals project, Mr. Kilpatrick, and this is the way it usually is in one of these fights, and Congress will have the final say. We don't, but as far as this project is concerned, I think the Federal solution is the best one.

GEORGE J. FELDMAN, AMBASSADOR-DESIGNEE TO THE REPUBLIC OF MALTA

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I applaud, with pleasure, the action of President Johnson in designating George J. Feldman as the first U.S. Ambassador to Malta. I know the many Members of the House and Senate who know George Feldman join me in this congratulatory note.

The appointment of this distinguished American to this exalted and important position in beautiful and ancient Malta will be welcomed by the inhabitants of this Mediterranean republic. George Feldman will bring to his new task a scholarly bearing, a fine manner, a brilliant and trained mind and a wealth of experience in government and public affairs.

Mr. Speaker, this outstanding member of the legal profession was born in Dorchester, Mass., and was graduated from Boston University Law School. He served as a secretary to the late distinguished Senator from Massachusetts, the Honorable David I. Walsh. He performed notably as an attorney with the Federal Trade Commission and this experience led him to the authorship of many articles and books on the Robinson-Patman Act.

He subsequently served as general counsel for the Great Atlantic & Pacific Tea Co. In 1958 he became general counsel for the House Select Committee on Science and Astronautics, which conducted hearings on the American space program, and led directly to the establishing of the permanent Committee on Science and Astronautics. Speaker McCORMACK was chairman of the select committee and former Speaker MARTIN was minority leader. President Kennedy appointed Mr. Feldman as a director of the Comsat, the satellite corporation, and also named him as an adviser to the North Atlantic Treaty Organization.

He is married to the former Miss Marion Schulman, of New York, and has two children, Margo and George, Jr.

His appointment as Ambassador to the Republic of Malta will bring great credit to the U.S. diplomatic service.

I know that his service in this new and challenging task will be welcomed by the people of Malta.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I commend the gentleman for bringing this matter to the attention of the House. I share the gentleman's views with respect to the President's appointment of this great American. I had the privilege of being associated with Mr. Feldman when he served as counsel to the committee on platform and resolutions during the 1964 Democratic National Convention. He rendered the committee skilled guidance borne of his many years of experience over a wide range of legislative and other activities.

Mr. Feldman is one of a handful of men whose sights were early trained on the importance of space exploration and whose encouragement and promotion of a national space policy assisted in laying the foundations for our present-day programs.

He has distinguished himself in public service as a Senate committee counsel, as a practicing attorney, a businessman, and author. He is a man of judicious nature, great wisdom and integrity, boundless energy and creativity. I know that he will be a most eminent representative of the United States in Malta.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I commend the gentleman for making the remarks he has in reference to Mr. Feldman, an outstanding American in every sense of the word.

Mr. BOLAND. I thank the gentlemen for their contribution.

DEFECTS IN THE LAW PERTAINING TO COMMITMENT FOR ALLEGED MENTAL INCOMPETENCY

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, a few days ago, questions were raised by the gentleman from Wyoming in response to the gentleman from South Carolina's comments about the legality of actions taken by the Attorney General a few years ago in committing an individual to a Federal mental institution, without following due process.

I believe the record deserves to be set straight. As a physician who interned at St. Elizabeths Hospital, and in whose hometown is located the Federal Medical Center for Defective Delinquents, I have been concerned for some time with the failure of present law to provide constitutional safeguards for persons who may be committed to mental institutions, without due process.

Accordingly, I have introduced legislation, H.R. 785, which would amend section 4244 of title 18 of the United States Code, to insure that any individual who is committed to a Federal institution on the basis of alleged mental incompetency, is accorded due process.

Such is not now the case, nor was it the case in the situation referred to by the gentleman from South Carolina.

The key to the legislation I have introduced, is to close the apparent loophole in the present law by requiring that, first, a preliminary motion for a judicial determination of the mental incompetency of the accused to stand trial be supported by a sworn written statement, based on personal observation by a responsible adult, as to the mental condition of the accused; second, require a hearing on the preliminary motion at which the accused and his attorney should be present; and, third, authorize a psychiatric examination, or temporary (30 day) commitment, for such examination only upon an initial judicial determination that there is reasonable cause to doubt the mental competency of the accused. Otherwise, this could be too frequently used as a ruse to escape Federal prosecution for felonies.

In the case mentioned by the gentleman from Wyoming, there was no personal confrontation by a person competent to make a determination of mental competency. I saw the telegram of authority for the action from the Attorney General. The sworn statement that was subsequently used as a basis for the declaration was based wholly on hearsay, and not as a result of any direct examination or personal confrontation.

Mr. Speaker, the bill I have introduced to restore due process in the last two Congresses—now H.R. 785—has received the backing of the U.S. Judicial Conference and many bar associations. A favorable report was accorded last year, and I believe it has the backing of most of the acknowledged experts in this area. The New York City Bar Association has indicated that it supports the major provisions of the bill. I hope the Committee on the Judiciary, now that the voting rights bill is about to be resolved, will hold hearings on the measure so that this House will have an opportunity to assure due process under law for persons committed on the grounds of alleged mental incompetency to stand trial.

I respectfully refer my colleagues to my introductory speech (H.R. 785) on the floor of this House, page 37, the CONGRESSIONAL RECORD, January 4, 1965, as well as the bill itself and the favorable reports.

I commend them to you, along with the appended explanatory news release of given date:

A bill submitted by Congressman DURWARD G. HALL, Republican, of Missouri, to protect the constitutional rights of mentally incompetent persons committed to Federal institutions has been recommended for passage with some minor modifications by the Judicial Conference of the United States.

William E. Foley, Deputy Director of the Administrative Office of the U.S. Courts, one of the Federal agencies asked by the House Judiciary Committee for a report on the Hall bill, said the Judicial Conference considered HALL's bill (H.R. 8370) at its session on September 23–24, 1964. In reporting on the Conference proceedings, Foley noted that H.R. 8370 would:

(1) Require that a preliminary motion for a judicial determination of the mental competency of the accused to stand trial be supported by a sworn written statement based on personal observation by a responsible adult as to the mental condition of the accused;

(2) Require a hearing on the preliminary motion at which the accused and his attorney should be present;

(3) Authorize a psychiatric examination or temporary commitment for such examination only upon an initial determination by the court "that there is reasonable cause to doubt the mental competency of the accused";

(4) Limit the commitment, if commitment is ordered, for a "reasonable period, not to exceed 30 days, as the court may determine"; and

(5) Require a further hearing on the issue of mental competency to stand trial if the initial report of the physician "indicates a state of present mental incompetency."

A new provision, to be set forth in section 4250 of title 18, would guarantee to an accused found mentally incompetent and committed pursuant to the provisions of the statute the right to a periodic reexamination, not more frequently than every 6 months, on the application of his attorney, legal guardian, spouse, parent, or nearest adult relative. The report of the examination would be forwarded to interested parties other than the accused, and would be given to the accused only if the committing court deemed it in his best interests.

Foley said the conference saw no objection to the changes proposed in the Hall bill other than two modifications. One would allow the court to authorize temporary commitment of the accused for an additional 30 days if the court finds good cause. The other modification would retain a provision which now empowers the court to order an inquiry into the mental competency of a person released on probation at any time prior to the expiration of the period of probation.

Congressman HALL, a doctor by profession, first submitted his bill in the waning days of the 87th Congress after close consultation with the Greene County Missouri Bar Association. The United States Federal Medical Center for Defective Delinquents is located in Greene County in HALL's congressional district. HALL said that, "consultation with members of the Greene County Bar Association disclosed many instances where authority existed under present law to deny normal constitutional safeguards for persons either charged or confined under this particular provision of the law.

"I'm particularly gratified that the Administrative Office of the U.S. Court has found itself in agreement with most of the proposals contained in my bill. Although it's obviously not possible for further consideration in the 88th Congress, I plan to resubmit the bill early next year and, in view of the Judicial Conference finding, am hopeful that the House Judiciary Committee will give it favorable consideration."

A PROPOSAL TO PROHIBIT HIRING PRACTICES THAT DISCRIMINATE ON ACCOUNT OF AGE

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, for far too long, there has been continuous and unjustified discrimination against middle-aged American workers, for no other reason than because of their age.

Those of us who have been Members of the Congress for very long have seen the passage of measures to bar discrimination because of race, or national origin, and then the Congress finally got around to enacting a measure that would bar discrimination because of sex. But there is one loophole that remains open and it is a large loophole. It is so large that every year countless thousands of American workers who are fully qualified in every particular will be denied an opportunity for new employment if they lose their original job, for no other reason than because of their chronological age.

Secretary Wirtz recently reported that in the 30 States which have no bar against age discrimination fully half of all job openings are closed to applicants over 50 years of age and about one-third of job openings are closed to applicants over 45 years of age.

Now most of us know that older workers generally perform at least as well as younger ones, but that does not seem to be a consideration. It is only the question of chronological age and if one passes the time when he has become 45, he seems to be placed up on the shelf and out of circulation.

Mr. Speaker, I am delighted to learn that the General Subcommittee on Labor of the Committee on Education and Labor will soon hold hearings on amendments to the fair employment practices section of the National Labor Relations Act. In consideration of these hearings I have today introduced two bills. One would amend the National Labor Relations Act to make it an unfair labor practice for an employer or labor organization to discriminate unjustifiably on account of age.

Then I have introduced a companion measure which would amend the Internal Revenue Code of 1954 to provide a credit against income tax for an employer who employs older persons in his trade or business. Hearings in the past have indicated that there is an economic factor involved in the employment of older persons. This is due to the growth of health and welfare insurance plans and persion plans which actually cost an employer more in hiring an older person in comparison to hiring a younger worker capable of doing the same job. But it is for this reason that I have sponsored the measure which would give the employer a complete tax credit on whatever additional costs are involved in hiring older workers in comparison to hiring younger workers with similar skills. I think it is pretty well accepted that the hiring of older persons may frequently impose an additional financial burden on the employer. His reaction is to try to avoid this burden merely by not hiring these older people.

It goes without saying that each worker should be considered for employment on the basis of his individual qualifications and the employer should be in an economic position to recognize that, in a job, it is ability that counts, regardless of age. Let us all hope that the time may come when there is no fixed age at which a person becomes too old to work. At the present time there are many unemployed people who are too young to claim their social security pensions and yet are considered too old to be hired by private industry. In some of these instances, these people have growing children who have to be fed and educated. Hardly anyone has given much thought as to what these poor, unfortunate souls are going to do.

There are a lot of statistics to prove that many of our older workers are more reliable and more dependable and less susceptible to changing their job, once they gain employment. It is equally true that employers are reluctant to hire older people because it costs them more to train an older worker and definitely costs the employer more in the way of pension contributions and also more where there is a health and welfare insurance plan. These costs exist and there will be little gain by trying to minimize them or explain them away by statistics. There is a way to help the employer and in a way that cannot work against the younger workers of America. Simply stated, an employer could claim a tax credit for whatever the additional cost may be for hiring or continuing to employ an older employee as compared to what it would cost him to hire the youngest person who could do the same job effectively, by providing for a tax credit to the employer after he has completed his corporate tax, in addition to his normal tax deduction. The proposal I have introduced would enable the employer to claim the entire additional cost of hiring older people against his firm's income tax.

I am a member of the Fraternal Order of Eagles, Aerie No. 385 in my home city of Independence, Mo. I have studied the salient features of their campaign entitled "Jobs After 40." This distinguished organization has been in the forefront of America in trying to come up with ideas and programs which would eliminate the headaches and heartaches experienced by the middle-aged and elderly workers who, day after day, look for employment and yet, year after year, find it more difficult to find jobs even though they are thoroughly qualified. The first question they are asked is "How old are you?" If the applicant is past 40 or past 45, the answer is usually one word, "Sorry."

The tax credit plan is sound and legislative counsel advises that it is not in conflict with any provision of our existing Revenue Code. The U.S. Department of Labor has admitted openly that there is a practice of discriminating against people in this country because of age. With this report now available as a basis to work upon, this Congress can set about to do something about this problem. For the sake of our older citizens who are unemployed and for the sake of assistance to our older citizens to keep the jobs they now have, there should be speedy approval of these measures.

BILL TO AMEND FARMERS HOME ADMINISTRATION ACT

Mr. **SKUBITZ**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. **SKUBITZ**. Mr. Speaker, some 30 years ago the Congress of the United States approved and the President signed a bill which created the Rural Electrification Administration. At that time 9 out of every 10 farmers in this Nation were without electricity to light their homes and to provide power to operate their equipment. Private enterprise could not profitably supply power in these areas at a price that the farmers could pay.

The Congress of the United States therefore provided funds—through a loan program—whereby these farmers could organize, borrow funds and establish their own lines. Since 1936, 5,386,088 farmers have been provided electricity at a reasonable rate. As a result of this program less than 2 percent of our farmers are without electricity today. Through the REA we were successful in bringing electricity and telephone service to our farm population. But more than this needs to be done.

Rural America, if it is to survive, again needs our help. Statistics show that 30,000 communities—towns with less than 5,000 population—do not have an adequate water supply. One out of five farm homes are without running water. Six and a half million families today depend upon wells and cisterns for their water supply and the Public Health Service tells us that 65 percent of these wells show bacteria contamination at various levels.

Mr. Speaker, the health and welfare of these 6½ million proud citizens are just as important to our national interest as the welfare of our city dwellers who cry for larger dams, bigger reservoirs and more water supply systems to take care of their water requirements.

Thousands of small rural communities are withering on the vine because they lack water. Without a central water system, without a waste disposal system, no community could hope to attract industry or encourage others to settle in it. Thousands of our senior citizens are forced to leave these areas and take up residence in more modern communities where living costs and taxes are much higher.

In 1961 we began to show some interest in the plight of these forgotten areas. Since 1961 the Farmers Home Administration has loaned $72 million to finance rural water systems in 558 rural communities. Unless this program is stepped up irreparable damage will result.

I have introduced a bill today to amend the Consolidated Farmers Home Administration Act of 1961. It will give the Secretary of Agriculture the authority to make grants up to $25 million to finance storage, treatment, purification or distribution of water in rural areas. It increases the lending authority of the Farmers Home Administration from $200 to $450 million.

This may seem like a lot of money. It is a lot of money, but Uncle Sam will get it all back with interest. It seems to me that if we can give $3.5 billion annually to our so-called allies, if we can spend $4 billion annually trying to put a man on the moon, if we can throw money down a rathole on alleged antipoverty programs, the least we can do is to loan money to improve the lot of our rural taxpayers who in the end must share his part of the Federal burden.

LEGISLATIVE PROGRAM FOR THE WEEK OF JULY 12, 1965

Mr. **GERALD R. FORD**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **GERALD R. FORD**. Mr. Speaker, I ask for this time for the purpose of making inquiry of the distinguished majority leader as to the schedule for next week.

Mr. **ALBERT**. Mr. Speaker, will the distinguished minority leader yield to me?

Mr. **GERALD R. FORD**. I certainly do.

Mr. **ALBERT**. Mr. Speaker, the program for next week, the week of July 12, 1965, for the House of Representatives is as follows:

Monday is District day, but there are no District bills. On Monday the Consent Calendar will be called. Also, Mr. Speaker, there are 17 suspensions as follows:

H.R. 8856, amendment to section 271 of the Atomic Energy Act of 1954.

H.R. 6845, correction of salary inequities for overseas teachers.

H.R. 242, extension of civil service apportionment requirement to temporary summer employment.

H.R. 2035, cost-of-living adjustments in star route contract prices.

H.R. 8030, discontinuance of Postal Savings System.

S. 998, amending Fisheries Loan Act.

House Joint Resolution 503, South Pacific Commission.

H.R. 5041, safety regulation of common carriers by pipeline.

H.R. 89, Tocks Island National Recreation area.

H.R. 797, Whiskeytown-Shasta-Trinity National Recreation area, California.

House Joint Resolution 454, to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument.

H.R. 6280, authorizing the establishment of the Golden Spike National Monument in the State of Utah.

H.R. 3320, to authorize the establishment of the Hubbell Trading Post National Historic Site, Ariz.

H.R. 3957, to authorize establishment of the Fort Union Trading Post National Historic Site, N. Dak.

H.R. 8111, to establish the Herbert Hoover Birthplace National Historic Site in the State of Iowa.

H.R. 7092, saline water conversion program.

H.R. 6790, emergency highway relief.

Mr. Speaker, these bills may not be necessarily called up in the order in which they have been announced.

On Tuesday, the Private Calendar will be called. Also on Tuesday, H.R. 8926, the Coinage Act of 1965 with an open rule and 4 hours of debate.

On Wednesday and the balance of the weeks, H.R. 8283, the Economic Opportunity Amendments of 1965, with an open rule, and 5 hours of debate. Also H.R. 4822, the rail rapid transit for the National Capital region with an open rule and 3 hours of debate.

Of course this is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

In that connection I have been advised that the conference report on the cigarette labeling bill will probably be called up later in the week.

ADJOURNMENT OVER UNTIL MONDAY, JULY 12

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS ON CALENDAR WEDNESDAY NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JULY 9, 1965—A BANNER DAY FOR THE AMERICAN PEOPLE

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, it has been a long day, but I think that July 9, 1965, will go down in history as a banner day for the American people. Here in this Chamber we have completed work on strengthening the 15th amendment so that all Americans may participate in the vigor and vitality of our democracy. In the other Chamber today they completed work on the medicare bill so that our senior citizens may at least look to the future and to old age with something more than the horror that has faced them over the years.

I think that our President today may be proud of the Congress of the United States, and I think that we as Americans may be proud of the leadership of our President.

This has indeed been a banner day for the American people.

DATA IN SUPPORT OF LEGISLATION

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, under unanimous consent, I insert at this point in the RECORD, the following data in support of the legislation I introduced and which I discussed on June 16: a Memorandum dated December 11, 1964, respecting Public Law 87–846 and an additional memorandum relating to decisions of the U.S. Court of Appeals, District of Columbia, following the U.S. Supreme Court decision in *Guessefeld* v. *McGrath*, 342 U.S. 308 (1952).

Memorandum—Re claim of Miss Christel Guessefeldt (a natural-born American citizen) residing at Honolulu, Hawaii.

On February 16, 1961 (CONGRESSIONAL RECORD, page 2042), Senator Keating assured Congress that Germany would compensate its own nationals (her father) "for whatever losses they may have suffered through our wartime vesting program. * * * as far as Germany is concerned, she has already taken initial steps in that direction."

That was nearly 4 years ago. On March 23, 1964, a Member of Congress inquired of the German Ambassador the status of the German legislation ("the initial steps in that direction"); it was pointed out that the balance of $45,110.61 should be returned by Germany, "not one-half, one-fourth, one-fifth, but every dollar."

As of this date, the information received indicates clearly that, after more than 11 years, the proposed German legislation, which is most complicated, would reimburse Mr. Guessefeldt's estate by only 10 percent—not the full amount Senator Keating asserted positively would be done.

Senator Keating was instrumental in securing passage of Public Law 87–846, under which the above balance of $45,110.61 belonging to Miss Guessefeldt as the sole beneficiary, was dumped into the Federal treasury to pay war claims of persons who were not even born in the United States.

In one instance, it is used to pay a citizen of another country (who eventually became a naturalized American citizen) for his losses. In other words the above $45,000 is taken from Miss Guessefeldt to reimburse the former citizen of a foreign country.

Senator Keating did not reply to the letter of October 26, 1963, addressed to him in Miss Guessefeldt's behalf.

That the above result is a fact by virtue of an act of Congress defies belief.

RE MISS CHRISTEL GUESSEFELDT

American born citizen, Honolulu; daughter of Richard, deceased, a lifelong resident of Hawaii. He left on a vacation trip to Europe in 1938. While away, the Alien Property Custodian seized his property (stocks and securities in trust) in Honolulu.

In the litigation that followed, the companion case was that of Mrs. Nagano, a Japanese from Chicago. She stayed in Japan throughout World War II. Mr. Guessefeldt tried to come home was unable to do so. Here is the long long story, summarized.

STATEMENT OF ALIEN PROPERTY LAWYERS TO A FEDERAL JUDGE, CHICAGO, AUGUST, 1952

"Guessefeldt retained his American domicile. Mrs. Nagano had a Japanese domicile. Guessefeldt's stay in enemy territory was short; Mrs. Nagano's extended over a lifetime.

"Guessefeldt intended to leave Germany before the war; indeed he attempted to do so. He was in Germany under physical constraint.

"Mrs. Nagano was in Japan by free choice."

[Mrs. Nagano recovered her property back from the Alien Property Custodian.]

On May 13, 1954, the U.S. Court of Appeals, D.C., (213 F. 2d 24) upheld the above wretched finding. But that Court, 3 years later (243 F. 2d. 637, Feb. 28, 1957) apparently forgot what it had said, stating:

"Guessefeldt was visiting in Germany and was physically restrained from leaving it."

But the foregoing is not the end of this story. Two new judges of that Court just a few months ago (Feb. 25, 1965, 344 F. 2d 198, 200) at long last have set the record straight:

"The Supreme Court has taught that residence within the contemplation of section 2 of that Statute (Trading With the Enemy Act) is not coterminous with presence. *Guessefeldt* v. *McGrath*, 342 U.S. 308 (1952)."

So now we have it. In 1954 three appellate judges declined to be "taught" by a Supreme Court decision. In 1957 the same judges contradicted themselves by saying the opposite, namely, that Guessefeldt was physically prevented from coming home to Hawaii. Now, in 1965, years after his death, the same court says that merely because one is physically "present" in a country does not necessarily mean or establish that one is therefore a "resident" thereof. It has learned apparently albeit belatedly what a decision of the Highest Court, rendered 13 years ago, has "taught."

PROCEEDINGS IN DISTRICT COURT, D.C. BEFORE A FEDERAL JUDGE, WASHINGTON, D.C.

April 7, 1953, (confronted with this admission by APC lawyers before the Chicago court), held:

This old man was a "resident" of Germany "within the cases." The judge cited no cases; refused to admit what the APO lawyers said, and would not allow his brief Memo opinion to be officially reported. Guessefeldt died—all dividends from his trust were kept by the APO.

This judge's action is not only incredible; it is contemptible.

NORTH COUNTIES HYDRO-ELECTRIC COMPANY, A CORPORATION OF ILLINOIS, *v.* THE UNITED STATES IN THE U.S. COURT OF CLAIMS

(Cong. No. 2–59)

(Decided April 16, 1965)

(*Lee Freeman for plaintiff. J. Barry O'Keefe and John W. Day, of counsel. Walter H. Williams, with whom was Assistant Attorney General Ramsey Clark, for defendant. Ralph S. Boyd was on the brief.) Before Cowen, Chief Judge, Laramore, Dupree, Davis, and Collins, judges.*

OPINION

COLLINS, *Judge,* delivered the opinion of the court:

This is a congressional reference case, filed pursuant to H. Res. 189, 1st Sess., 86th Cong., agreed to by the House of Representatives on May 19, 1959. That resolution directed this court to "proceed with * * * [H.R. 5093, a bill for the relief of plaintiff, introduced in the House on February 26, 1959] in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the House of Representatives, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable against the United

States, and the amount of damages, if any, legally or equitably due from the United States to the claimant, the statute of limitations, the plea of res judicata, laches, any lapse of time, or any prior court decision of this claim by any court of the United States to the contrary notwithstanding. The Court of Claims is directed to consider the records of any previous trial of this case" (see finding 20, *infra.*).[1]

Plaintiff is an Illinois corporation, which owns and, since 1925, has operated a hydroelectric power development on the Fox River (hereinafter referred to as the "Fox") near Dayton, Illinois. Plaintiff's dam and plant are located 5.75 miles upstream from the confluence of the Fox with the Illinois River (hereinafter referred to as the "Illinois") at Ottawa, Illinois.

This is the third occasion on which plaintiff has been before the Court of Claims, seeking monetary relief against the Government for losses and damages to its plant. Plaintiff's persistent contention is that the operation of the Starved Rock dam on the Illinois, 8.7 miles downstream from the confluence of the two rivers at Ottawa, has created the basic conditions responsible for the floodings of plaintiff's plant. Plaintiff now seeks just compensation for the "taking" of its property by the periodic impairment of the plant's ability to earn income. In the alternative, plaintiff seeks recovery based upon an "equitable claim" in the broad sense.

The construction of the Starved Rock dam was begun by the State of Illinois and completed by the Federal Government. The dam has been operated by the defendant since 1933. The pool behind the Starved Rock dam extends upstream in the Illinois 13.5 miles and embraces the area of the mouth of the Fox at Ottawa. The dam creates a backwater pool of relatively still water which extends up the Fox approximately 2.5 miles from its confluence with the Illinois. The channel of the Fox below Dayton is narrow and, in its lower half, is tortuous. Its bed is rock. In its natural state, the Fox falls 20 feet from plaintiff's dam at Dayton to its mouth. Since the construction of the Starved Rock dam, the channel of the Fox has been widened and deepened by the backwater of the pool. As a result, the Fox has lost 8.5 feet of its natural fall from Dayton.

The area involved in northern Illinois has severe cold weather each year. The weather records show no significant change since 1870. Before the dam was completed and the pool filled in 1933, floods did occur in the area, but they were due not to ice jams but primarily to heavy rains and to melting snow. The floodwaters could and did flow down to the Illinois. The unusual ice jams in 1943, 1952, and 1960, have caused the water above the pool to rise to levels which have flooded plaintiff's powerplant and equipment. Within a space of 17 years, 1943–60, plaintiff has suffered extensive damage from the three major winter floods. On a number of other occasions, ice jams of lesser magnitude occurred in the Fox, but plaintiff seeks no damages on account of these minor jams.

The first of the major ice jams within the ice gorges, that flooded plaintiff's powerhouse to a depth of 4.5 feet, occurred in March 1943. (See finding 15, *infra.*) Plaintiff's machinery and equipment were damaged and the plant was closed down and out of operation been March 3 and April 16, 1943. Thereafter, on December 26, 1944, plaintiff filed its first suit against the United States. Plaintiff alleged then that its damage resulted from the Starved Rock dam. After a full trial on the merits, this court denied relief and dismissed plaintiff's petition. *North Counties Hydroelectric Co.* v. *United States*, 108 Ct. Cl. 170, 70 F. Supp. 900 (1947).

The dismissal of the first suit was based in part upon plaintiff's failure to prove at trial that the Starved Rock dam caused the flooding (*i.e.*, that the 1943 ice jam on the Fox River was continuous from the frozen pool of the Starved Rock dam to plaintiff's plant, 3¼ miles upstream). Secondly, the court found that "whether there will be a periodical recurrence of the 1943 ice condition resulting in permanent damage to plaintiff's property is purely speculative" (at p. 484). The court stated "that the flooding of an owner's land on but one occasion does not constitute a taking" (at p. 485), citing *Peabody* v. *United States*, 231 U.S. 530 (1913); *Portsmouth Harbor Land & Hotel Co.* v. *United States*, 250 U.S. 1 (1919); and other cases.

Plaintiff's second action was filed in 1953 after another severe flooding which occurred in January and February 1952, and one of less severity in 1946, which, however, did not enter the powerplant. In January 1952, plaintiff's generator floor was, as 9 years previously, 4.5 feet under water. Plaintiff was compelled to close its plant from January 29 to February 17, 1952. The Trial Commissioner in that case found that the Starved Rock dam was the cause of the 1952 flooding, as well as the probable cause of the earlier flooding in 1943. However, the court sustained the defendant's plea that the first decision was *res judicata*, and, therefore, dismissed the petition without considering the merits. *North Counties Hydro-Electric* v. *United States*, 138 Ct. Cl. 380, 384, 151 F. Supp. 322 (1957).[2] The court explained its holding as follows (at 383):

> In the first case, as in this, it was necessary to show the inevitability of the recurrence of these floods. Intervening events have made this no more possible now than it was then.
>
> Plaintiff has had its day in court and, under the rule of *res adjudicata*, it cannot again litigate the same issue heretofore tried in the same cause of action against the same defendant.

Also, the court noted that the issue of causation of the ice jam "was tried in the first action and was decided adversely to plaintiff for failure of proof" (at 383). The opinion further stated (at 382) that "Two floodings * * * do not constitute a taking." The court cited *United States* v. *Cress*, 243 U.S. 316 (1917), and other cases.

In the 1st session of the 86th Congress, the bill for the relief of plaintiff (H.R. 5093) was introduced, and by H. Res. 189, *supra*, was referred to this court.[3] The third and present action was filed on July 24, 1959, pursuant to H. Res. 189. (See finding 20, *infra.*) The matter was referred to another Commissioner, whose report of findings of fact is adopted by this court, with certain modifications, and is incorporated into this decision *infra*.

Eight years after the second flood, or in January 1960, the day before the trial of the present action was to begin, a third ice jam occurred, which was much greater in magnitude, duration, and destruction than those in 1943 and 1952. As a consequence, plaintiff's plant was flooded to a depth of 10 feet. Plaintiff was forced to suspend all operations from January 21 to May 7, 1960. The plant did not become substantially operative until June 14, and intermittent trouble with the equipment was encountered until September 1960. (See finding 22, *infra.*)

The court now finds that the ice gorges,[4] within the ice jams located in the Fox River above the Starved Rock dam, impeded the flow of the Fox and contributed substantially to the floodings of plaintiff's plant, in 1952 and 1960, if indeed they were not the principal immediate causes of those floods. (See findings 22, 23, and 24, *infra.*) The heavy cover of sheet ice in the still water of the Starved Rock pool was the barrier that held the ice in the Fox River in each of those years. This enabled frazil ice floating downstream to accumulate and build back upstream in such a way that it blocked the Fox River's flow and egress. This caused the flooding of plaintiff's plant. The evidence does not show positively that it had the same effect in 1943, but it does not dispel the possibility that it did.

There is nothing in the record to show that, among the many freezes in the Fox prior to 1933, there were ever such ice jams with resultant ice gorges and flooding of plaintiff's property, as plaintiff has complained about in its three actions. Nor does the record contain any clear or persuasive evidence that any such ice gorges ever formed in the Fox, except behind a blockage of ice in the Starved Rock pool. (See finding 29, *infra.*)

Like many congressional reference actions, the instant case presents two separate questions: first, whether plaintiff has a claim of the type cognizable by a court of law or equity; and, second, whether plaintiff has an "equitable claim" in the broad, moral sense.

Regarding the first alternative, the precise issue is whether or not plaintiff has shown a "taking" (actually, a partial taking) of its property by the Government. If operation of the Starved Rock dam has resulted in a taking, then, under the fifth amendment of the Constitution, plaintiff would be entitled to just compensation. In each of the prior actions, plaintiff asserted unsuccessfully that the Government had taken property of plaintiff. Now, to support its position that plaintiff has no legal claim, defendant relies in part upon the doctrine of *res judicata*.

This court finds it unnecessary, however, to pass upon the question of the applicability of *res judicata* to plaintiff's legal claim. We are of the opinion that, without regard to the operation of *res judicata*, there is a sufficient basis for holding that plaintiff has no valid claim for a taking. The contention of plaintiff that its property was taken is based upon the principles of *United States* v. *Cress*, 243, U.S. 316 (1917). The factual situation, with regard to one of the plaintiffs in *United States* v. *Cress*, involveds the erection by the Government of a lock and dam on a navigable river. As a result, the plaintiff's land, which was located on a tributary of the river, was subjected to a permanent condition of frequent overflows of water from the river. In holding that compensation was in order, the Supreme Court made the following statement (p. 328):

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[1] Both the reference of this matter to the court and the filing of the petition (on July 24, 1959) occurred prior to the opinions of the Supreme Court in *Glidden Co.* v. *Zdanok*, 370 U.S. 530 (1962). The court deems proper the filing of this report without reference to the opinions in that case.

[2] Thereafter, plaintiff's motion for rehearing was overruled. Plaintiff's petition for writ of certiorari was denied by the Supreme Court. 355 U.S. 882 (1957).

The court had previously considered and denied defendant's motion to dismiss the second suit, particularly with reference to the 1943 flood on the grounds of statute of limitations and *res judica*. *North Counties Hydro-Electric Co.* v. *United States*, 127 Ct. Cl. 467, 118 F. Supp. 375 (1954).

[3] In the 85th Congress, a bill (H.R. 10419), introduced for the relief of plaintiff, passed the House of Representatives on July 15, 1958, and the Senate on August 14, 1958, but the bill failed of approval by Pocket Veto of the President.

[4] Regarding the types of icing conditions, see findings 9 and 10, infra.

"There is no difference of kind, but only of degree, between a permanent condition of continual overflow by back-water and a permanent liability to intermittent but inevitably recurring overflows; and, on principle, the right to compensation must arise in the one case as in the other."

Thus, in the instant case, plaintiff has the burden of showing that, because of the operation by the Government of the Starved Rock dam, plaintiff's hydroelectric plant became "[permanently liable] to intermittent but inevitably recurring overflows." Trial Commissioner Robert K. McConnaughey determined that "* * * there is no adequate basis for a positive finding that * * * [ice jams such as those which led to the flooding of plantiff's plant] will recur inevitably * * *" (see finding 31, *infra*. . This court is in agreement with the determination of Commissioner McConnaughey, and the conclusion necessarily follows that plantiff has failed to establish that its property was taken by the Government.

Despite the fact that damaging floods took place in 1943, 1952, and 1960, this court cannot say that the recurrence of such floods is inevitable. As pointed out by the Trial Commissioner, formation of the ice jams which resulted in the flooding of plaintiff's plant requires the existence of a peculiar combination of physical factors, including certain weather conditions. We are unable to state that the occurrence in the future of the necessary concatenation of physical conditions is certain. Therefore, quite apart from the matter of *res judicata*, plaintiff has no legal claim.

However, our holding that plaintiff has no legal claim (*i.e.*, no claim of the type cognizable by a court of law or equity) does not dispose of the case. Consideration must be given to the question of an "equitable claim" in the broad, moral sense. In *Burkhardt* v. *United States*, 113 Ct. Cl. 658, 667, 84 F. Supp. 553 (1949), this court stated:

"We are therefore of the opinion that the term 'equitable claim' as used in 28 U.S.C., Sec. 2509, is not used in a strict technical sense meaning a claim * * * [cognizable] by courts of equity, but [is used in] the broader moral sense based upon general equitable considerations."

This court has followed the *Burkhardt* concept of "equitable claim" in numerous cases,[5] and, despite defendant's assertion to the contrary, we consider that concept to be applicable to the instant case.

Furthermore, the doctrine of *res judicata* does not preclude plaintiff from asserting an "equitable claim" within the meaning of *Burkhardt* v. *United States, supra*. Neither of the prior actions brought by plaintiff in this court was a congressional reference case. Therefore, the question of an "equitable claim" in the broad sense was not and could not have been before the court in either of the previous actions. *Cf. Rumley* v. *United States*, Ct. Cl. Cong. No. 4–61, slip op. p. 8 (January 22, 1965). Accordingly, *res judicata* is no bar to plaintiff's "equitable claim."[6] As the court said in *J. A. Zachariassen & Co.* v. *United States*, 136 Ct. Cl. 63, 68, 141 F. Supp. 908 (1956), "* * * in a congressional reference such as this, the court will further consider the equitable side of the claims even though the legal questions have been disposed of previously."

We feel that application of the *Burkhardt* concept of "equity" is especially appropriate because of the similarity in facts between that case and the present one. *Burkhardt* v. *United States, supra*, involved the erection by the Government of a dam which interfered with the plaintiff's hydroelectric plant. The congressional reference action was brought after the plaintiffs' unsuccessful attempt to recover for the "taking" of their property.[7] Thus, it was clear that the plaintiffs had no legal claim. Still, this court held that the plaintiffs had an "equitable claim" in the broad sense. It was for Congress to determine whether the plaintiffs should be compensated. 113 Ct. Cl. 658, 669.

In the instant case, as indicated above, there has been no "taking" of plaintiff's property. The element of inevitability of the recurrence of the floods is not present. Nonetheless, the fact remains that, upon three occasions, serious damage has been done to plaintiff's plant. Furthermore, the Trial Commissioner found that the presence in the Fox of the backwater pool created by the Starved Rock dam was a "substantial, and probably an essential, factor in causing damage to plaintiff's plant * * * in 1952 and 1960" and "probably * * * a factor, also, in causing the 1943 damage * * *" (see findings 42(a) and 24(a), *infra.*). This court is of the opinion that the causal relation between defendant's operation of the Starved Rock dam and the damage to plaintiff's plant was such that plaintiff does have an "equitable claim" in the moral or nonjuridical sense. Our conclusion extends to the 1943 flood as well as to those in 1952 and 1960. As was the case regarding *Burkhardt* v. *United States, supra*, whether or not plaintiff should be compensated is a matter for Congress to decide.

With regard to the amount of plaintiff's damages, the parties have stipulated that the 1943, 1952, and 1960 floods have resulted in loss of power revenues and in expense for repairs to the extent of $137,058 (see finding 42(b), *infra.*). The stipulated amounts are as follows:

Loss of power revenues	
1943	$20, 151
1952	10, 155
1960	49, 933
Cost of repairs	
1943	23, 907
1952	16, 160
1960	16, 752
	$137, 058

This court is of the opinion that recovery of the entire amount stipulated would be proper.

Defendant argues that we should not include in our report to Congress any mention of the 1960 flood, since that flood occurred subsequent to the passage of the resolution which referred the instant case to this court.[8] We do not agree with defendant's assertion. Evidence was taken and findings have been made regarding the 1960 flood. Under these circumstances, we deem it wholly appropriate to include consideration of that flood in our report to Congress and thus obviate additional litigation. Accordingly in determining the proper amount of compensation, we do not exclude the damages attributable to the 1960 flood.

Plaintiff's recovery should include not only the stipulated amount, but also compensation for the delay in payment of plaintiff's losses. *Cf. Burkhardt* v. *United States, supra*, at 669. For more than 20 years, plaintiff has persistently sought a remedy for its losses and damages. It has had three extensive trials in litigating the issues at great expense. The broader equity demands that an allowance be made for the delay in payment. The court feels that an adequate and compensable amount would be $50,000. We recommend that Congress authorize payment to plaintiff of $50,000 in addition to the stipulated losses of $137,058, or a total payment of $187,058.[9]

Plaintiff seeks also to recover $79,689 as anticipated losses which would result from future floods during the remaining life of plaintiff's property. This court is of the opinion that plaintiff is not entitled to receive $79,689, or any other amount by reason of anticipated losses. Under our view of plaintiff's "equitable claim," recovery should be limited to compensation for the stipulated losses and for the delay in payment.

In conclusion, this court finds that plaintiff has no legal claim, but that plaintiff has an "equitable claim" in the broad sense. The amount "equitably" due plaintiff from the United States is $187,058.

This opinion and the findings of fact, as modified herein, will be certified by the Clerk of this court to the House of Representatives, pursuant to House Resolution 189, 86th Congress, 1st Session.

THE LEGISLATIVE BASIS FOR THIS ACTION

Finding 20. (a) In the first session of the 86th Congress, a bill, H.R. 5093 (hereafter referred to as the bill), was introduced, which provided for an appropriation of $326,000 to be paid to the plaintiff in satisfaction of its claims against the United States.[10] The text of the bill is as follows:

"A bill For the relief of North Counties Hydro-Electric Company

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to North Counties Hydro-Electric Company of Illinois, the sum of $326,000, in full satisfaction of all claims of such company against the United States for damages to its powerplant and dam at Dayton, Illinois, sustained as the result of a dam built by the United States on the Illinois River, at Starved Rock near Ottawa, Illinois: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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[5] Among them are: *Rumley* v. *United States*, Ct. Cl. Cong. No. 4–61 (Jan. 22, 1965); *Town of Kure Beach* v. *United States*, Ct. Cl. Cong. No. 2–60 (Dec. 11, 1964); *Georgia Kaolin Co.* v. *United States*, 145 Ct. Cl. 39 (1959).

[6] Regarding the related question of collateral estoppel, see *Creek Nation* v. *United States*, Ct. Cl. Appeal No. 9–63 (Dec. 11, 1964).

In the instant case, this court has made findings of fact. If any of these findings are inconsistent with those of the previous actions between plaintiff and defendant, we feel that such a departure from the principles of collateral estoppel is justified. As indicated above, our function in the present action includes the reporting to Congress of the facts relative to an "equitable claim."

[7] Initially, the plaintiff (actually the predecessor of the plaintiffs in *Burkhardt* v. *United States*) sued in the Court of Claims. This court determined that the plaintiff's property had been "taken" and granted judgment for the plaintiff. *Willow River Power Co.* v. *United States*, 101 Ct. Cl. 222 (1944). Then, the Supreme Court reversed the judgment for the plaintiff on the ground that there had been no compensable "taking." 324 U.S. 499 (1945). In accord with the mandate of the Supreme Court, this court dismissed the petition. 103 Ct. Cl. 785, 82 F. Supp. 333 (1945). The congressional reference action followed.

[8] In support of its contention, defendant cites the following cases: *Hart* v. *United States*, 58 Ct. Cl. 518 (1923); *Choteau* v. *United States*, 20 Ct. Cl. 250 (1885).

[9] The amount of $50,000 represents approximately 3 percent, noncompounded, on the actual losses of plaintiff from the dates of the three floods, and the court believes that amount to be adequate and fair compensation under the circumstances of this case.

[10] In the 85th Congress, a bill (H.R. 10419), introduced for the relief of plaintiff, passed the House of Representatives on July 15, 1958, and the Senate on August 14, 1958, but the bill failed of approval by Pocket Veto of the President.

(b) The bill was not enacted. Instead, by H. Res. 189, 86th Cong., 1st sess. (hereafter referred to as the resolution), it was referred to this court for consideration and report to the House of Representatives under 28 U.S.C. §§ 1492 and 2509. The text of the resolution provided:

"*Resolved*, That the bill (H.R. 5093) entitled 'A bill for the relief of North Counties Hydro-Electric Company', now pending in the House, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the House of Representatives, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable against the United States, and the amount of damages, if any, legally or equitably due from the United States to the claimant, the statute of limitations, the plea of res judiacta, laches, any lapse of time, or any prior court decision of this claim by any court of the United States to the contrary notwithstanding. The Court of Claims is directed to consider the records of any previous trial of this case."

(c) The petition in this case was filed July 24, 1959, pursuant to the resolution.

"GET INVOLVED"

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NELSEN. Mr. Speaker, the 101st commencement of Gallaudet College, the world's only college for the deaf, was held on Monday, June 14. The commencement address was delivered by Mr. Bradshaw Mintener, former Assistant Secretary of the U.S. Department of Health, Education, and Welfare, and a member of the Board of Directors of Gallaudet College.

As a member of the Board of Directors of Gallaudet College I wish to insert this fine speech by Mr. Mintener in the RECORD at this point in my remarks:

"GET INVOLVED"

(By Bradshaw Mintener)

President Elstad, Dr. Atwood, members of the board of directors, honored and distinguished guests, Members of Congress, members of the student body, particularly this graduating class of 1965, and friends of Gallaudet, it is a high honor and a great personal privilege to be asked to speak to you today at this 101st commencement of Gallaudet College. I wish I could sign what I have to say to you today, but with Dean Benson to tell you what I am saying we are much better off than if I were signing. Dr. Elstad and the board of directors of the college accused me of inventing my own sign language; for example, I suggested this sign to mean an admiral in the Iowa navy, and I have suggested others. One of these days I am going to take Dr. Fant's wonderful book on the sign language, come here for some tutoring, and really study so that I can communicate better with the members of the Gallaudet family.

Gallaudet College has, for a long time, occupied a prominent and very warm place in my heart and interests. I was privileged, as Assistant Secretary of HEW, to oversee the college in cooperation with Dr. Elstad, the board of directors, and the faculty, serving on the board as the representative of Mrs. Hobby and Mr. Folsom, the then Secretaries of HEW. During those years we developed the grand new campus plan and expanded program for Gallaudet of which you are the beneficiaries and of which we are all so proud.

We should all be forever grateful to the Federal Government and particularly to Senator LISTER HILL and Congressman JOHN FOGARTY, and their staffs for their continued support and leadership in building Gallaudet into the fine institution it is today. Also Miss Mary Switzer, director of OVR has been vitally interested and of tremendous help to the college.

During my government service, I quickly became attached and devoted to Gallaudet and I made up my mind as a result of my intimate connection with the college that I would do all that I could, in my own small way, to help as many young deaf men and women as possible to get the best education they were capable of receiving.

After my tour of duty as Assistant Secretary of HEW, I was again asked to serve on the board, and it has been a great pleasure and privilege to be a part of the Gallaudet family again.

Last year at this time we celebrated the centennial of the founding of Gallaudet College. President Johnson took time from his busy schedule to speak at the centennial banquet. At the 100th commencement Senator EDWARD KENNEDY of Massachusetts, brother of the late President Kennedy, gave the commencement address and the college honored me by conferring upon me an honorary degree. This is one of my most valued and proudest possessions. Today, three of my colleagues and valued associates on the board of directors of the college are similarly and deservedly honored.

I want to speak to you today as a fellow member of the Gallaudet family. I want to talk principally to you members of the class of 1965, the 101st class, just to think of it, to graduate from Gallaudet. Tomorrow you will be on your own, freed from the classroom and the supervision of the college. You will be graduates of the only college for the deaf in the world. Your diplomas will be signed by the President of the United States, Lyndon B. Johnson. These are two distinctions that very few Americans, comparatively, can enjoy.

I want to say to you with all the conviction and sincerity I can muster that you here at Gallaudet, students and members of the graduating class and alumni, you have here, thanks again to the Federal Government, one of the finest educational institutions in the world. You have a president, Dr. Elstad, and a chairman of the board, Dr. Atwood, who are not only outstanding and distinguished educators, they are two of the finest Christian gentlemen with whom I have ever been associated. You have a faculty, the best it has ever been according to my understanding, composed of competent, experienced, and dedicated teachers whose devoted purpose is to give you all the best education which you are capable of receiving. You have an outstanding Board of Directors composed of men who have attained eminence and who have been significantly successful in their chosen professions, businesses or other occupations. They are devoted to Gallaudet and dedicated to the proposition that Gallaudet College should give the maximum number of deaf young men and women the best education which they can receive. They give of their time, and lots of it, their experience, their knowledge and judgments freely and voluntarily. Gallaudet College and the deaf community of America are most fortunate in being able to attract and interest men of the high caliber of the Board of Directors to administer the affairs of the college. No one here today should ever forget this important fact.

"Get involved" is the theme I want to discuss today with you as members of Gallaudet's 1965 graduating class.

This theme was suggested to me by a news item in one of our Washington papers several weeks ago which reported a meeting of the DAR and which was addressed by Governor Harrison, of Virginia. He told the large gathering of delegates to the annual DAR Convention that "the citizen who doesn't want to get involved" is just as destructive of this country's heritage "as the rabble-rousers in the streets or the extremists who violently oppose them."

Today we live in a world that has contracted manyfold since I graduated from Yale more than 40 years ago. We can fly anywhere in the world in a few hours. We can communicate with other persons almost anywhere in the world in a few minutes. We can watch a simultaneous telecast via satellites from England, France, Germany, and elsewhere. Someone recently said that Sir Winston Churchill was born before the telephone was invented and his funeral was telecast around the world by Telstar simultaneously with the event.

This very morning on the "Today" show I watched a live transatlantic conversation via Telstar between Vice President HUMPHREY in Washington and six foreign students in London. The students were asking Vice President HUMPHREY a number of interesting and penetrating questions regarding American foreign policy.

We have the benefit of miracle drugs and medical and surgical procedures and techniques unknown 15 or 20 years ago.

We rocket men into space and they orbit the globe in a few minutes. We land rockets on the moon, receive pictures and radio messages from satellites circling the globe in details undreamed of a few years ago. Such pictures and messages have great scientific value.

We have just witnessed the historymaking 4-day orbiting of the earth and their successful return by Majors McDivitt and White. The entire world breathlessly watched and listened to their hourly proggress. They have made us all proud. Truly we live in an extraordinary day.

We also live in a world of revolutions and rising expectations.

More men, women, and children are politically free and on their own today than ever before, or perhaps even contemplated years ago.

We are the beneficiaries in our beloved America of a standard of living which is away and above the highest in the world. We have more necessities and luxuries of life than can be found anywhere else. We have what is claimed to be the best educational system in the world and it is available to more people than in any place in the world.

With a mere recital of these things—benefits, standard of living, and the rest, you may then ask, "What is there for me to get involved in?"

Let me suggest several areas, you can think of more, in which you can and I feel you should get involved on your graduation from Gallaudet.

1. Get involved in rendering service in the community in which you decide to live and work.

2. Get involved in the work and program of your church or synagogue.

3. Get involved in improving and expanding the education of the deaf.

Get involved in rendering service in the community in which you decide to live and work. I believe that there is no community, large or small, in America today which does not have important and difficult political, economic and social problems to be solved. Yours is the generation we must look to to carry on after we are gone, and I hope and pray that you will do a better job, which you can, than mine and recent generations have done to maintain peace, promote the general welfare, and preserve the American ideal throughout the free world. These problems which beset every community and which you will find when you settle down in your community are needs to be met.

Some of these needs are the Peace Corps, the antipoverty program, the local needs in government, education, and various businesses and professions. There are many needs awaiting you to be met.

Someone has so truly said that, "What a man does for himself dies with him; what he does for his community lives long after he has gone." The heroes of history have been those men and women throughout the ages who have seen the need and have taken it upon themselves. One of the great preachers of my church, Dr. Harold W. Ruopp, preached a thought-provoking, and to me a memorable, sermon, several years ago on this very subject, "He took it upon himself," which was suggested by an inspirational little book written by Margaret Slattery, the famous social worker of Chicago. Dr. Ruopp said that the theme of Miss Slattery's book gripped his imagination and thrilled the deep places of his soul. "Seeing the need, he took it upon himself." That's vital. There's life in it. It contains the secret of all genuine and lasting success and service. That is the spirit and motivating urge that should carry every public servant to his goal. It certainly is the driving force which carries teachers, social welfare and other voluntary service workers through their daily tasks. No one can read history and biography in the light of that theme without discovering that in the face of need and public service, "A sense of responsibility, personalized and individualized, lies back of every great life and every titanic movement."

Emerson has reminded us that "every institution is but the lengthened shadow of some man. * * * A movement is but the projection of some monumental personality." Service more than any other activity of man is the reason for grateful remembrance which ripens into fame. It was ever thus.

Back of the Reformation towers Martin Luther who saw a mighty need and took it upon himself.

Back of the spiritual revival in England in the 18th century stands John Wesley, diminutive in stature, sun-crowned in spirit, a titan of spiritual courage, who saw a need and took it upon himself.

Back of the saving of our own Union, stands great, gaunt Abraham Lincoln with his deep-set, poignant eyes and understanding heart, who saw the need and took it upon himself.

"Always to date and eternally always, somewhere in the process, somewhere there is a man or a woman who sees that need and feels personally responsible."

To live is to be responsible. You cannot finally escape that fact. There is a need to be met, a work to be done, and someone must do it.

Mulberry Bend in New York City was transformed by Jacob Riis, a Danish immigrant, who out of a full heart said, "I cannot sleep for the burden of the city's children with their hunger for play and their playground only the street, beset with danger of body and soul." It was a heavy burden, to be sure, but Jacob Riis took it upon himself and became the unselfish benefactor to the street urchins of America. He knew and told us "how the other half lives."

Why have these hero servants through the ages done what they have done?

"Some call it consecration and others call it God."

There are many of us—too many—who see the need today but pass it by. We too often, as individuals, fail to meet our responsibilities or fail to play our role as our "brother's keeper, helper, or brother." That was one of the reasons why the "Master of Men," to whom men came for shelter in the shadows of his wings," told us the story of the Good Samaritan.

Many of us see the need but minimize our ability to do anything about. "What can I do—little me? I am no genius. I do not have half a talent, let alone two or five," or "I simply do not have the time," or "Someone ought to do it—someone—but it is not my business or responsibility."

We talk a great deal about community conscience. Community conscience is no mysterious thing. I am the community conscience. I am the public. I am the church, else there is no community conscience, no public, no church. The community conscience is the sum total of the consciences of one man and another and another. The public is one individual plus another plus another. The church is one church member plus another and another. When I say "The community ought"—"The public ought"—"The church ought"—I really mean that "I ought," or it means nothing.

If I will not act, then thousands will not or cannot act. Someone, which means one, in the presence of the need, must take it upon himself, else the need is never met.

Throughout the history of our Nation, there have been statesmen, churchmen, scientists, soldiers, public servants of every kind who have seen the contemporary need and took it upon themselves. When the men who founded our Nation formulated a Declaration of Independence based upon the principle that all men are created equal and are endowed with certain inalienable rights by the Creator and then proceeded to draw up a Constitution that would guarantee respect for those rights on the part of the Government, they were giving substance to aspirations that men have cherished since the dawn of history.

Men have always striven, sometimes successfully, often in vain, to achieve such an ordering of affairs as would safeguard the rights and prerogatives of the individual and at the same time promote the general social good.

Faith in human nature, in the integrity and worth of the individual men and women, is the necessary basis for free government. Our Founding Fathers had no fear of self-government, no distrust of people. They had faith in human nature; they believed in men and women. Because they had faith for which they were willing to fight and die, they dared to embark on what has proved to be the most ambitious and successful adventure in free government that the world has ever seen. It epitomizes the role of man in seeing the need and taking it upon himself.

As a nation we have prospered and grown great. Working as free men and women, the people of the United States have, in less than two centuries, developed a noble and dynamic civilization, before there had been little save a vast wilderness. They have cleared the forests to make way for human life and industry. They have planted, and the rich soil has yielded them an abundance. They have harnessed the floods and have found ways of bringing the forces of nature to serve their needs. Comforts and conveniences undreamed of in the past gradually became daily necessities within the grasp of almost everyone, and wealth has abounded on nearly every side.

Why has all of this been possible? Because our Nation has been blessed with scores of leaders in every walk of our national life who have seen the needs of their times and have taken those needs upon themselves.

"Ask not what your country can do for you, ask what you can do for your country."

That is the eloquent question asked by President Kennedy in his brillant, memorable inaugural address and quoted so often since. This is the question you should ask of yourselves in the future and if you get involved, you will do so.

No privilege exists today without a corresponding responsibility or duty. You have been privileged to receive an education here at Gallaudet—I believe you now have a responsibility and duty to get involved in the rendering of service in the community in which you live and work.

2. Get involved in the work and program of your church or synagogue.

America was founded and built on a religious heritage. The thread of this fact can be traced through our founding documents—the Declaration of Independence, the Constitution. It is evidenced in our coinage and currency. It is reflected in our oaths of office, and our pledge to the flag of one nation under God.

As I look back upon my life, I can trace most of the good things that have come to me, including my wife and many of the opportunities I have had, directly or indirectly to the church.

We in America have a religious heritage of which we should all be very proud and which, I believe, we should preserve and leave better and richer than when we received it. We must not be complacent about this heritage. We must be doers of the word, and not hearers only.

The church or the synagogue is the place—the center for opportunities to serve in this all-important area.

I am sure that there never was a time when the church needed the participation, the leadership of dedicated, educated, and intelligent laymen to work with ministers, priests, and rabbis than today. We laymen must be members of the team with our spiritual leaders as our quarterbacks. I am sure that there never was a time when there was a more definite need for sympathetic understanding between laymen and clergy than at this very hour.

Here is a great area of opportunity for service and many rich rewards to those of you who have special talents and interests which will enable you to render great service.

We laymen too often think that the work of the church is primarily the responsibility of the clergy. Not so at all, in my opinion. All clergymen were laymen in the beginning. We are the church with the clergy as our spiritual leaders.

I was recently attracted to an article written by Dr. Russell J. Humbert, president of De Pauw University, in which he wrote, "the greatest and most effective minister in any American community is not necessarily found at the high altar of the church. The most telling ministry is now functioning in and through the lives of those who make up the membership of the church, the laity. Laymen are vital today in the work of the church because of what they are—the people, we, the people of the church. The greatest minister in our city or community is the layman who is doing all his work as a churchman. Basically the laymen are the church, because of that spiritual and internal combustion which causes a man to be driven and motivated by high ideals. Laymen can and should strengthen the social arms of the church, the civic arms of the church and the political arms of the church."

So as you leave Gallaudet, get involved in the work or program of your church or synagogue. If you will, you will be richly rewarded and will render a most worthwhile service.

3. Get involved in improving and expanding the education of the deaf.

I do not have to more than suggest to this audience the need and desirability of improving and expanding the education of the deaf in America.

You all know the need.

You are the people who can do something about it and I suggest that with the opportunities and advantages you have had here in receiving a college education at Gallaudet, you have a responsibility and a challenging duty to help make it possible for more young deaf men and women to receive an adequate education to prepare them better for the complex world in which they are living.

Tremendous strides have been made in scientific developments and instrumentation for teaching the deaf. Improved teaching techniques and procedures are being developed. More research at all levels is being done today in this area than ever before and I believe we have only scratched the surface.

The proposed new Vocational and Technical Institute for the Deaf promises to render a great and significant contribution to the education of the deaf. See to it that more and better prepared students are continually made available for college work here at Gallaudet.

You can furnish outstanding leadership in the all-important area of education of the deaf if you will see the need and take it upon yourselves to get involved.

You, the members of the graduating class, are witness to the indomitable determination to win a college education. You can help others accomplish this too.

In closing, I should like to bring to your attention statements of three of the greatest leaders of our generation who in these statements have summarized the things I am trying to say to you today much better than I could.

The first is former President Herbert Hoover, who, 70 years ago (1895), graduated from Leland Stanford University. He was a poor, orphaned boy, worked his way through college, became one of the world's outstanding and most successful engineers, and was elected to our highest office in America, the Presidency. Fortunately, he lived to see himself vindicated and absolved of the baseless and unfair criticism leveled at him during his political life. He died a revered and beloved senior statesman. On his 80th birthday, President Hoover spoke about some of the uncommon men of history, and how every generation needed such people. His words offer a challenge to the thousands of students who will graduate this year. He said:

"The greatest strides of human progress have come from uncommon men and women—men like George Washington, Abraham Lincoln, and Thomas Edison.

"When we get sick, we want an uncommon doctor. When we go to war, we yearn for an uncommon general or admiral. When we choose a president of a university, we want an uncommon educator.

"The imperative need of this Nation at all times is the leadership of the uncommon men and women. We need men and women who cannot be intimidated, who are not concerned with applause meters, who will not sacrifice tomorrow for cheers today."

The next two great leaders, President Eisenhower and Sir Winston Churchill, have also made statements worthy of note. I hope you will pardon personal references in these two instances. I happen to have had the rare and good fortune and privilege to have been a close friend of General Eisenhower for many years. He is now and always has been, in my opinion, one of the greatest exponents and salesmen of Americanism and our way of life. Several years ago I was having lunch with General Eisenhower when he was president of Columbia University, and as I was leaving the house, he gave me a copy of an address which he made before the American Bar Association.

As I was riding in the taxicab from General Eisenhower's home to my hotel, I was particularly impressed with the first paragraph of the address because it is such an eloquent statement of what I am trying to tell you today.

"Every gathering of Americans—whether a few on the porch of a crossroads store or massed thousands in a great stadium—is the possessor of a potentially immeasurable influence on the future. Because America has freedom of speech, freedom of communication, the world's highest educational level, and untapped reserves of individual initiative, any group of people, fired by a common purpose, can generate a decisive strength toward its achievement. Some of the most inspiring chapters in our history were written by a handful of people who joined to talk over among themselves an idea or a principle that struck a note which revolutionized the world's thinking. That capacity still resides in every gathering in this country," and I say it resides right here in this 1965 graduating class at Gallaudet College.

Finally, while a student in England back in the early 1920's, I had the rare opportunity and privilege of meeting Sir Winston Churchill on several occasions. I remember so well in late 1923 and early 1924 following him around the County of Essex where he was running for reelection to Parliament. I attended seven or eight political meetings in succession at which he spoke. I remember so well one evening in a town hall in a small village, that my friend with whom I was staying and I sat in the second row, and with a twinkle in his eye and that wry smile for which he was so famous, he looked down at me and said quite audibly, "Well, I'll be—here is my young American friend again." Well, he lost that election, as Mr. Ramsey McDonald became the first Labor Prime Minister of Great Britain. So I have always been a great admirer of Sir Winston Churchill and I believe that he was the greatest citizen of the 20th century. Shortly before his death, he wrote me and told me how pleased and honored he was to learn that a statue of him is to be erected here in Washington on the grounds of the British Embassy.

I believe that Sir Winston Churchill's speeches will be among the greatest, if not the greatest, literature to come out of the World War II era. In England's darkest years he rose to his greatest heights of oratory and leadership and rallied the English people to their heroic stand alone against the hordes of Hitler while we were forging the "arsenal of democracy" and preparing to invade Europe and defeat fascism. We, as a free people, should be eternally thankful to Mr. Churchill and also for the fact that his unforgettable and eloquent pronouncements have been preserved for us for all time—the greatest of which may well have been in the first speech after he was elected Prime Minister of Great Britain, "I have nothing to offer but blood, sweat and tears." In fact, that is about all he had.

Many of you here today may remember Mr. Churchill's broadcast to the world in February 1941, during the darkest days of the war. That address was delivered to the people of both Britain and America and Mr. Churchill concluded that now famous broadcast by giving an answer to a letter he had received from President Franklin D. Roosevelt introducing Mr. Wendell Willkie, whom he had sent to England to make a study and report to him personally on the situation of the war. President Roosevelt in his own handwriting at the end of the letter had quoted to Mr. Churchill those famous lines from Longfellow's poem:

"Sail on, O ship of state.
Sail on, O union strong and great.
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate."

And President Roosevelt said that those lines apply equally to the people of Great Britain as well as to the people of America. Mr. Churchill replied to that letter in that broadcast in what I believe is now an immortal statement. He said:

"Put your confidence in us. Give us your faith and your blessing, and under Providence all will be well. We shall not fail or falter. We shall not weaken or tire. Neither the sudden shock of battle, nor the long drawn trials of vigilance and exertion will wear us down. Give us the tools and we will finish the job."

So I say to you, the graduating class of 1965, as you leave this college campus.

Get involved in the life and problems of your community.

Get involved in your church or synagogue.

Get involved in improving and expanding the education of the deaf in America.

As you get so involved, you will indeed be "uncommon men and women" so desperately needed today; you will be influential members of a segment of our society which, if you are "fired by a common purpose," you can do about anything you set out to do and finally, if you get so involved, you will be able to say to your friends and neighbors and the entire community in which you live, "give us the tools and we will finish the job."

I congratulate you upon your graduation, this memorable day.

God bless you all and great success and happiness to each of you in the days and years ahead.

SOUND BILL, UNFAVORABLE LABEL

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. QUILLEN. Mr. Speaker, although the voting rights issue will probably be settled today, I would like to have inserted in the RECORD, for the benefit of my colleagues and others, an editorial which appeared in the Knoxville Journal, Knoxville, Tenn., on Wednesday, July 7, 1965.

The editorial was written by Guy L. Smith, editor, and is entitled "Sound Bill, Unfavorable Label." It makes sense to me.

SOUND BILL, UNFAVORABLE LABEL

This week the House will consider and debate passage of a voting rights bill which will be calculated to further safeguard the franchise for Negro citizens and those of other minority groups.

The legislation now to be enacted is to supplement title I of the Civil Rights Act of 1964 and previous civil rights legislation enacted by Congress in 1960 and 1957.

We have previously pointed out at considerable length the inequity of the administration's bill, H.R. 6400, which includes a "triggering" section based on the 1964 elections that would be applicable to only seven States in the Union. In these seven States there would be no eligibility requirement permitted for exercise of the franchise except for the individual to be warm. In 21 other States which have requirements for voter eligibility on the books, these would stand untouched.

Republicans in the House will make an effort this week, and until the administration bill is passed, to achieve a substitution known as H.R. 7896, for the administration bill designated above.

Both the administration bill and the Republican measure brush off the section of the Federal Constitution which reserves to the States the power to fix their own voting requirements.

But as we have pointed out here previously, the administration bill picks out as targets for this unconstitutionality only seven States, whereas the Republican bill, introduced by Representative William M. McCulloch, of Ohio, and Representative Gerald R. Ford, of Michigan, is equally unconstitutional where all 50 States are concerned.

This is to say that the Republican bill is applicable to every State in the Union where a showing can be made under the statute of voter discrimination. For example, under it, voter discrimination could be reached and penalized in such places as Chicago and New York just as easily as it could be in the seven States of the South which it is proposed by the administration to make the bill's objectives.

The Republican measure would knock down the requirements for voter eligibility that now exist in any of the 50 States and would substitute therefor a sixth grade education (New York State requires an eighth grade certificate); would bar felons from voting; and would also prohibit any requirement that a prospective voter should be vouched for by members of any other class.

Both the administration bill and the Republican bill are alike in their abolition of the poll tax, payment of which is now required in only six States, as a requirement for voting.

It may well be that the fact the Republican bill is not the handiwork of the majority leadership in Congress dooms it to abandonment from the outset. It may be that the majority in the House and in the Senate may feel it is gaining something of value in publicly singling out for humiliation seven out of the 50 States, even though it has long since been firmly established that the evils of discrimination have been no less in States north of the Mason and Dixon Line than they have been shown to be in the South.

The real purpose of the House and of the Senate, however, deserves to be that of enacting voting rights legislation which will effectively enfranchise citizens in minority groups in all 50 States of the Union. Intimidation, coercion, and fraudulence at the ballot box practiced in Chicago, New York, Boston, or in any other major city are no less evil than when they are practiced in rural or less highly populated States. The fact is that if the measure proposed by Representative McCulloch (incidentally, a leading figure in drafting the Civil Rights Act of 1964) did not bear a Republican label, its substitution for the official administration bill would appear a certainty. Even the Negro organizations should be in support of the McCulloch-Ford measure, because it undertakes to safeguard the voting rights of their people not just in seven States, but in every State in the Union.

The Johnson administration itself faces a distinct moral test in the choice to be made between its own bill and the one which Mr. McCulloch, Mr. Ford and other Members of the House will attempt to substitute for it. The issue is: Which is to be considered of greater importance: forcing through a bad bill simply because it bears the administration label or enacting a good bill even though some changes have been made from the administration version in the interests of practicality—yes, and justice.

CAPITAL RESTRAINTS PROGRAM CUTS EXPORTS

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the criticisms against the administration's program to reduce the outflow of U.S. capital overseas is that it could well result in a reduction in our exports, a key item in our balance of payments.

Supporting evidence for this position has now been provided by a specialist in foreign taxes and investments, who asserts that the Administration's program is largely responsible for an estimated 4 percent drop in U.S. exports during the first 5 months of this year. The charge was made by Mr. Walter H. Diamond, director of the international tax division of the accounting firm of Touche, Ross, Bailey & Smart. His remarks are reported in the New York Times of July 7, 1965, which I include in the Record at the conclusion of my remarks:

FOREIGN-TAX EXPERT ATTRIBUTES EXPORTS CUT TO PAYMENTS PLAN

(By Gerd Wilcke)

A specialist on foreign taxes and investments asserted here yesterday that the backlash created by President Johnson's payments program was largely responsible for an estimated 4-percent drop in U.S. commercial exports during the first half of 1965.

Walter H. Diamond, director of the international tax division of the accounting firm, Touche, Ross, Bailey & Smart, told a panel meeting of the Foreign Credit Interchange Bureau that practically all exports delayed by the long shipping strike earlier this year had been made up.

About 2 percent, or approximately $250 million, he asserted, was lost permanently to foreign competitors or from canceled orders.

CANCELED PROJECTS

"The bulk of the remaining $500 million decline in first-half exports principally is the result of the action of some 60 U.S. companies that deferred or canceled investment projects in developed countries" in response to President Johnson's request to curb foreign investment outlays, Mr. Diamond maintained.

In the absence of official Government figures on exports in the first 6 months of 1965, Mr. Diamond's data seemed to have been based on private estimates. The investment expert, who spoke to the foreign division of the National Association of Credit Management, could not be reached for an elaboration.

The Department of Commerce so far only has released figures for the first quarter. These showed that exports dropped $585 million, to $5.59 billion, compared with the first quarter of 1964, while imports rose $245 million, to $4.6 billion, in the comparable span.

Mr. Diamond asserted that the heavy withdrawal of U.S. capital from overseas combined with the shutoff of foreign security buying by U.S. mutual funds because of the interest equalization tax had a sharp downward impact on the European and Japanese stock markets.

There is strong evidence, he continued, that the shortage of U.S. dollars abroad is behind recent financial difficulties, including bank failures, in Uruguay, Switzerland, Japan, Hong Kong, and Japan.

Mr. Diamond stated that American exporters would have to press hard to equal last year's record foreign sales of $25.6 billion. Although the exporters will probably reach that level, chances are slim now that a 5-percent gain to $27 billion can be accomplished. This had been predicted prior to the long dock strike.

Mr. Diamond held that the loss in exports from foreign investments, substantially decreased sales of wheat and other agricultural products and the waterfront strike would be offset by the sharp increase this year in purchases by the Agency for International Development from U.S. exporters.

He said a record 94 percent of every dollar now spent on foreign-aid products goes to U.S. firms, compared with 87 percent last year, and 41 percent in 1960.

On the other hand he predicted that the unexpected 10-percent jump in imports will reduce the $6.9 billion trade surplus in 1964 to about $5.5 billion this year.

A CRITIQUE OF THE "NEW ECONOMICS"

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, it has become fashionable among administration economists to claim that a new era in economic understanding has dawned. The thesis is that the wise use of expansionary fiscal and monetary policies can provide the basis for continuing and noninflationary economic growth. The economic history of the period since early 1961 is cited as conclusive proof of the administration's wisdom in its use of fiscal and monetary tools.

The basis for this new era economic thinking has been forcefully and, I believe, convincingly challenged by Prof. Raymond J. Saulnier, of Barnard College, former Chairman of President Eisenhower's Council of Economic Advisers. In a speech delivered on June 24, Professor Saulnier has argued that the good performance of the economy since 1960 did not arise from a new understanding of fiscal and monetary policy but from a favorable relationship between the rate of increase in hourly labor costs and the rate of improvement in productivity. This development eliminated pressures on prices from the cost side and make it possible for Government to follow expansionary policies with, until recently at least, a minimum inflationary impact and a maximum effect on employment.

Professor Saulnier shows how the unfavorable gap between cost and productivity increases which existed in the midfifties limited the use of expansionary policies during that period. However, gradually through the fifties and continuing into the sixties the gap has narrowed, making possible the application of expansionary fiscal and monetary policies.

The point is an important one and should especially be noted by administration economists. Their fascination with expansionism could lead to an inflationary disaster if pursued in the context of unfavorable cost-productivity relationships. As Professor Saulnier notes, the fundamental condition for vigorous, sustainable, and inflation-free growth is broadly stable labor costs per unit of production.

I include this important speech in the RECORD at the conclusion of my remarks:

SOME OBSERVATIONS ON THE SO-CALLED NEW ECONOMICS AND ON THE NEAR-TERM OUTLOOK FOR THE U.S. ECONOMY

(Remarks by Dr. Raymond J. Saulnier, professor of economics, Barnard College, Columbia University, New York City, June 24, 1965)

Although it was not my original intention to do so, I should like to talk tonight on the so-called new economics. By that I mean the point of view, and the analysis underlying it, that the growth of the American economy in the last few years has been due not just primarily, but to all intents and purposes exclusively, to the aggressive use of fiscal policy and to a more or less continuously easy monetary policy, with attendant large increases in the use of credit. Fiscal and monetary expansionism is a perfectly good alternative term for it. As an approach to economic policy it is gaining admirers from all quarters; and for its more exuberant disciples what it all comes to is that a kind of intellectual breakthrough has been achieved in the field of economic policy, that it was a failure to understand the benefits of fiscal and monetary expansion that prevented our having a faster rate of growth in the 1950's, that at long last, however, we now know how to manage our economy, and that henceforth we can expect a very much better performance from it. I need not add that this enthusiasm is customarily accompanied by unreservedly confident statements about the future course of business—near term, intermediate term, and long term.

Now, if this is a correct explanation of the good performance of the American economy in the first half of the 1960's and a reliable guide for policy in the remaining years of this decade, it would be a grave mistake for anyone, and least of all for an economist or a financial analyst, not to recognize it as such. As you should, you give public policy a heavy weight in any estimate you make of the future course of the economy. My object tonight, therefore, is to try to help you sort out what is useful in the "new economics" and at the same time to understand its limitations. There is much that is useful in it though what is useful is mainly not very new; and its limitations are considerable. Then, from what I regard as the vantage point of one whose thinking is not entirely in what is nowadays referred to as the mainstream, that is, of one who can see the dangers as well as the benefits of fiscal and monetary expansionism, I should like to make some remarks of the near-term business outlook.

Let me begin with the doctrinal question. Without meaning in the least to disparage the use of fiscal policy, or of any other branch of policy, to help improve the performance of our economy, I shall argue, first, that the basic condition accounting for the good performance of the American economy since 1960, and the condition lacking which a good rate of growth with price stability would have been impossible, was not a new understanding of fiscal and monetary policy but a favorable relationship between the rate of increase in hourly labor costs and the rate of improvement in productivity. This favorable relationship virtually eliminated any pressure on prices from the side of costs, certainly as an average across the manufacturing economy, and made it possible for Government to follow an easy fiscal policy and for the Federal Reserve System to follow an easy monetary policy with, until recently at least, minimal inflationary impact on prices and maximum expansive effect on employment, hours of work, and production.

In other words, for the record of good growth with relatively little price inflation of the past 4 years, the new economics gives too much credit to fiscal policy in particular, and too little credit to the stability of unit production costs. I say fiscal policy in particular, because I expect you will have observed, as I have, that the most outspoken champions of the new economics are inclined to be either reserved, or critical, in their observations on monetary policy, contrasted with their enthusiasm for tax reduction and Federal expenditure increases.

Second, I shall argue that the new economics, in its comments on economic policy in the latter half of the 1950's, ignores the fact that in that period there was an entirely different and unfavorable relationship between cost increases and productivity gains, that this was precisely the inflationary problem with which policy had to cope, that economic policy dealt successfully with it, that it did this without recourse to direct controls, that a broadly favorable relationship between cost increases and productivity improvement was achieved by 1961, and that it was this favorable cost-productivity relationship, and its maintenance to date, that made possible the good performance of our economy so far in the present decade.

To support this point of view, I will, of course, cite evidence mainly from the experience of the United States; but, as I will show, the economies of Western Europe and Japan provide vivid evidence to the same end.

You can trace the record of productivity, employment cost and price developments in published official figures. A May 1, 1965, Department of Labor release entitled "Comparisons of Indexes of Labor and Nonlabor Payments, Prices and Output Per Man Hour in the Total Private Economy and the Private Nonfarm Sector, 1947–64" is a convenient source. You will also find pertinent data in the annual reports of the Council of Economic Advisers. In table 12 (p. 109) of the January 1965 report, for example, you will see that in the years 1955 through 1960 the average of the trend productivity improvement rates for the total private economy was 2.7 percent while the average of annual increases in total compensation per man-hour was 4.5 percent. From an analytical point of view, this is the important gap; namely, the difference between productivity gains and cost increases. It was greatest in 1956–57, when trend productivity rates averaged 2.7 percent and we were having our own version of a wage explosion, with hourly employee compensation rates increasing annually at an average of 6 percent.

I will not burden you with a full recital of the relevant numbers, but if you have occasion to study the period you will find that by 1961, in an almost unbroken sequence of steps, this gap had been closed, partly by an improvement of annual rates of productivity improvement, but more by a slowing down in the rate of annual labor cost increases. In 1961, the annual productivity improvement was 3.4 percent and the labor cost increase was 3.6 percent. The picture varies depending on whether one uses annual or trend figures and on what concept and scope of productivity and cost changes one has in mind, but the conclusion remains: The wide gap that obtained in the midfifties was narrowed as the decade progressed; it had been virtually eliminated, and balance established, as the 1960's began. Fortunately, this balance has been pretty well maintained. We have tended to lose it a bit of late, which must be one of the critical points in any appraisal of the economic outlook, but to pursue this at the moment would get me ahead of my story.

The economic consequences of the relation between cost increases and productivity gains are plain to see. In the mid-fifties and later fifties the deficiency of annual productivity gains below labor cost increases resulted in annual increases in labor cost per unit of output. Naturally, these unit cost increases tended to slacken as the deficiency (or gap) was narrowed; something very close to unit-cost stability was reached by 1961.

Increases in unit production costs in the mid-fifties and later fifties had their effect on prices, of course, and a serious effect it was. The index of wholesale prices of nonfarm, nonfood products rose 5 percent a year in 1955 and in 1956. The increase was checked in 1957–58, but it resumed again, though fortunately at a somewhat lower rate, when the recessionary effect of that period was over. By 1959, and reflecting the virtual stability that by that time had been reached in labor cost per unit of manufacturing output, the wholesale price level began to stabilize and, until very recently, remained flat.

There was a reflection of these same forces in consumer prices. In the 2 years preceding the 1957–58 recession, the consumer price index was rising at a rate close to 3.5 percent a year; as the decade closed, however, the rate of increase had slackened to the 1 to 1.5 percent that has obtained to this date.

No wonder that a favorite title for Sunday supplement articles on economics in the mid-fifties was "The Age of Inflation: What it Means to You," or words to that effect. And no wonder that an inflationary psychology developed, with which policy had to cope.

On the investment side of the economy, these cost-price developments were reflected in a distinct narrowing of profit margins. Profits per dollar of sales dropped 25 percent in the second half of the 1950's. Stock prices rose, but not because corporate profits were improving. On the contrary, the volume of corporate profits, after taxes, was lower in 1960 than it had been in 1955, despite a 12-percent growth in real GNP and despite a 26-percent increase in current price GNP.

Before I move to the policy implications of this economic context, let me recall the cost-productivity relationship that has obtained in the sixties, to date.

Since 1960 the moderate rate of increase of hourly employment costs that had finally been achieved by the end of the 1950's has been broadly maintained, certainly until recently. In 1961 the productivity improvement rate was 3.4 percent and the employment compensation increase was 3.6 percent. The January 1965 Economic Report of the President (p. 57) describes it this way:

"The moderate gain of about 3.6 percent a year in hourly compensation in the total private sector during the present expansion [1960–64] compares with an advance averaging 3.9 percent a year in 1957–60 and 4.5 percent in 1953–57.

"Gains in output per man-hour in the private section in 1960–64 averaged 3.5 percent a year, compared with 2.5 in 1953–57, and 2.7 in 1957–60."

Reflecting these conditions, labor cost per unit of output in manufacturing industries has drifted downward since 1961, in contrast to its upward trend in the second half of the 1950's; labor cost per dollar and GNP, which is our broadest measure of unit labor cost of production, has been stable, in contrast to its rise in the second half of the 1950's. Understandably, the ratio of price to unit labor cost since 1961 has been either stable or rising; profits per dollar of sales have trended upward; and, jointly with increased sales, this improvement of margins has yielded a higher and higher volume of corporate profits. Stock prices have responded favorably. More important, so has the growth of our economy; and so has the real level of living of the American people.

Believe me, here you have the key to a correct understanding of the 1950's; and to a correct understanding of what has happened in the 1960's, to date. Let what you hear about a breakthrough into new approaches to economic policy, of a casting-off of old mythologies, of escape from enthrallment by obsolete ideas and all the rest go in one ear and out the other. Keep your eye on the fundamental condition of balance in an enterprise economy, which is a relationship between hourly labor cost increases and productivity improvements such that labor cost per unit of production is held broadly stable. This is the sine qua non of vigorous, sustainable, inflation-free economic growth.

I am sure that the policy implications of an economic context in which labor costs per unit of production are rising as compared with a context in which they are either stable or declining, does not escape you. The point is: when unit production costs are rising there is a genuine upward pressure on prices, and economic policy must at some point resist this trend. Fiscal and monetary expansion, the new economics if you will, can be carried to excess even when cost conditions are broadly favorable, but it is nothing less than a recipe for disaster when it is applied to a situation in which cost conditions are unfavorable. For fiscal and monetary policy to give leeway, to give encouragement, to give impetus to an upward trend of costs and prices is an open invitation to inflation, and ultimately to a serious economic and financial setback. Under these conditions monetary and fiscal policy must be held taut. As for fiscal policy, it is not a question of wanting—in principle and without regard to economic conditions—to avoid a deficit in the Federal budget, or of wanting—in principle and without regard to economic conditions—to reduce the national debt, however constructive that might be. The point is: an imbalance between cost increases and productivity improvements and the consequent push of unit production costs on prices is not a viable condition for any economy. Least of all, it is not a viable condition for a market economy the freedom of which one aims to maintain. The imbalance has to be corrected and it can only be worsened by a permissive, let alone by an aggressively expansive, monetary, and fiscal policy. One can argue with details of monetary, fiscal, and debt management policy in the 1950's, but to assert that all that was needed was a large dose of monetary and fiscal expansionism, a la the style of the "new economics," represents a total failure to understand the economic context of that period. And when tax reduction and Federal spending increases under any and all circumstances are enshrined as a kind of "intellectual breakthrough," we are on our way to a serious case of national self-deception.

Nowadays, the exercise of fiscal and monetary restraint as a means of overcoming cost and price inflation is referred to as a stabilization program; and it is widely recognized that such programs will almost inevitably entail a slowing-down in the rate of economic growth. Naturally, one would prefer that this was not the case and there were ways and means—which Government will, of course, utilize to the full—for minimizing the growth-retarding effect. Naturally, also, Government can counsel moderation in labor contract settlements and, to the extent it is successful in this effort, it will reduce the need for fiscal and monetary restraint, thus reducing the risk of retarding growth. Indeed, it was precisely in order to avoid a retardation of the growth rate that repeated calls were made in the 1950's, and in the second half especially, for moderation in labor contract settlements. Let me recall some words on this point from the January 1957 Economic Report of the President (p. 44):

"To depend exclusively on monetary and fiscal restraint as a means of containing the upward movement of prices would raise serious obstacles to the maintenance of economic growth and stability. In the face of a continuous upward pressure on costs and prices, moderate restraints would not be sufficient; yet stronger restraints would bear with undue severity on sectors of the economy having little if any responsibility for the movement toward a higher cost-price level and would court the risk of being excessively restrictive for the economy generally."

In this day of numerically expressed and fully spelled out wage and price guidelines, the above may seem like an overly moderate statement. But let me remind you: The analysis of the economic situation which it reflects was vigorously denied at the time. If you will forgive a personal note, I will recall my own dialog with certain congressional committees. More than that, let me tell you that inclusion of the moderate statement I have just read from President Eisenhower's January 1957 Economic Report was protested, in advance of the report's publication, by a delegation that came to my office from one of what we may call the "cognizant" Federal departments to tell me that to say such a thing was not only politically indiscreet but technically incorrect. What a long way it has been from there to here. If there has been an intellectual breakthrough, it has been to recognize the essentiality for stable, inflation-free and vigorous economic growth of a balanced relationship between employment cost increases and productivity gains.

Unfortunately, the restraints that in the end helped eliminate the imbalance between cost increases and productivity improvements that had developed in the midfifties did retard the rate of the economy's growth. As I have argued elsewhere, under more favorable circumstances recession might have been avoided in 1957-58; but, as you know, there were more imbalances in our economy at that time than the imbalance between costs and productivity gains. And the 1960-61 recession is so small—it exists only in a minor inventory adjustment—that it is hardly visible except in quarterly and monthly figures. The important point is: When the period ended the basis had been set for sustainable growth.

The question is often raised whether the retardation of growth in the second half of the 1950's might not have been avoided by recourse to direct controls, perhaps by a system of numerically expressed guidelines, or by something more clearly mandatory. I doubt that it could have been, at least not without the controls having been very repressive, but the point is: there was no disposition in the 1950's to take this route. A primary object in General Eisenhower's administration was to eliminate controls, not to multiply them. The object was to free the market process, including the collective bargaining process, not to hamstring it. On every appropriate occasion the President called on the leadership of labor and industry to practice restraint in wage settlements, along the lines of the quotation I have just read. But there was no setting-up of numerically expressed guidelines, and there was a minimum of direct intervention in collective bargaining. The limits within which wage settlements could be made without unfavorable economic effects were stated only in qualitative terms; but they were stated clearly enough to give all the guidance that was needed, and at the same time to keep Government as much as possible out of the collective bargaining process.

Let me recall two paragraphs from the January 1959 Economic Report of the President (pp. 5 and 6) that state the point of view on this question in government at that time:

"It is not the function of government in our society to establish the terms of contracts between labor and management; yet it must be recognized that the public has a vital interest in these agreements. Increases in money wages and other compensation not justified by the productivity performance of the economy are inevitably inflationary. They impose severe hardships on those whose incomes are not enlarged. They jeopardize the capacity of the economy to create jobs for the expanding labor force. They endanger present jobs by limiting markets at home and impairing our capacity to compete in markets abroad. In short, they are, in the end, self-defeating.

"Self-discipline and restraint are essential if agreements consistent with a reasonable stability of prices are to be reached within the framework of the free competitive institutions on which we rely heavily for the improvement of our material welfare. If the desired results cannot be achieved under our arrangements for determining wages and prices, the alternatives are either inflation, which would damage our economy and work hardships on millions of Americans, or controls, which are alien to our traditional way of life and which would be an obstacle to the Nation's economic growth and improvement."

I am happy to say that when President Eisenhower's administration was completed, not only had a balance been established between cost increases and productivity improvements that was favorable to sustained, high-level growth, but that the collective bargaining process was as free as it had ever been. The guideline age did not begin until later.

Fiscal and monetary expansion is capable of being carried to excess even when cost-productivity conditions are favorable, but this is doubly so when cost-productivity conditions are unfavorable. Recent developments in Western Europe and in Japan illustrate this very well.

Briefly, the story is this. In the 1950's growth rates in Western Europe, with the exception of Great Britain and certain of the Scandinavian countries, were very much better than ours. In almost all cases, governments there were following easy fiscal and monetary policies, with large deficits in their budgets and a heavy and rising use of credit throughout their economies. To the wonderment of all, on the other hand, prices were remarkably steady. France's history in this period is complicated by currency devaluation; but you will find that the Belgian and German indexes rose only 1 and 2 percent, respectively; that the Italian index declined 2 percent; and that the Japanese index fell 1 percent. Beginning in 1961, however, the situation changed completely. Prices began to rise in Western Europe and in Japan at a rapid rate, and growth rates began to be retarded. In other words, the history of Western Europe and of Japan in the second-half of the 1950's and in the first-half of the 1960's as regards price changes and growth rates has been exactly the reverse of ours. I don't quite know what the figure of speech is that best fits this situation, but it has something to do with the shoe being on the other foot, except that we have two or three pairs of feet involved.

In any case, what was behind this reversal? It cannot be explained in terms of shifts to a higher level of utilization of capacity in Western Europe and in Japan as compared with the United States. The fact is that we are all operating at high levels of capacity utilization. Nor can it be explained in terms of having guidelines or not having guidelines. The fact is: Western Europe has had guidelines all along. What then accounts for the difference? Guidelines or not, the fact is that a change came about in Western Europe and in Japan in the early 1960's in the relation between annual labor cost increases and annual productivity improvements. They began to produce an unfavorable gap between the two just as we began to eliminate ours. Beginning in 1960, and accelerating in 1962 and 1963, labor cost per unit of output began to rise, putting a strong upward pressure on prices.

Italy provides perhaps the clearest example. In 1960 and 1961, labor costs per unit of output were actually lower by nearly 10 percent than they had been in 1958 and 1959. This reflected the fact that hourly labor cost increases had been held well within the limits of productivity improvements. But in 1962 and 1963 hourly labor costs rose by close to 15 percent a year. I have no data on Italy's rate of annual productivity improvement, but it is hard for me to believe that it exceeded 7 or 8 percent, though owing to the special circumstances and stage of development of the Italian economy it is possible that this high rate may have been achieved. In any case, the excess of labor cost increases over productivity gains in 1962 and 1963 was so great that prices increased by about 8 percent in each of these 2 years. This was possible, obviously, only because—in the face of an egregious imbalance between labor cost increases and productivity improvements—monetary and fiscal policy continued to be easy, in the style, if I may say so, of the "new economics."

Of course, this inflationary process could not be permitted to go on indefinitely. Before very long the inflation of costs and prices required that stabilization programs be launched in every one of the Western European economies. You know the history of this as well as I do; and you know that these stabilization programs, essential as they are to the long-term health of the economies involved, have been carried out only at the expense of a slowing down of growth rates. Italy has had a kind of stabilization recession; France has suffered a pause in its growth; and so have nearly all the other Western European continental economies. Only the United Kingdom, on that side of the world, continues in a state of total domestic prosperity and vigorous expansion, but it is caught in a still-unsolved international financial predicament. I leave it to you to sort out cause and effect in this coincidence.

The hour is late and, because I want to say something about the economic outlook before I finish, I will spare you an account of Japan's recent economic history. Our friends there did not invent the term "new economics" but they did give us the word "overheating," which will assuredly find its place in the same general area of the economic thesaurus. And I must say that the Japanese have demonstrated some of the more spectacular dangers of monetary and fiscal expansionism persisted in side by side with cost inflation.

If we are of a mind to do so, we can learn a good deal from these experiences of other countries. In many ways their most instructive value is to show us what heavy doses of the new economics, applied when fiscal and monetary restraint, not expansion, is called for, can do to the institutional framework of a society. Here I want to make two points:

First, you will observe that indicative planning, as it is called, did not prevent inflation in Western Europe. I hope its admirers in this country will take note of that fact. Second, you will observe that monetary and fiscal expansionism, in the mode of the so-called new economics, has led almost everywhere abroad to "incomes policies" which, becoming increasingly specific and mandatory and reaching far into the area of price and nonwage income determination, are having a profound effect on market institutions. There is a real danger that, in the end, an "incomes policy" will prove to be only a euphemism for a system of broad market controls. And the more determined the application of monetary and fiscal expansionism, the more determined, that is, the application of the new economics, the greater is that danger.

There was no disposition to court this risk in the 1950's. Our paramount object was to achieve the purposes of the Employment Act within the framework of an enterprise system and of a labor market with maximum freedom. The guiding concept was the concept of a free society. Fiscal responsibility was, and remains, an essential means to this end.

I have no wish to diminish your estimate of what a prudently expansive fiscal and monetary policy can do to promote vigorous and stable economic growth, and incidentally, to ease the task of the financial analyst. My object is only to argue the case that such a policy is possible only when a balance is maintained between cost increases and productivity improvements, and that it can be carried to excess, even then. If you conclude from this that there is less that is new in the new economics than its enthusiasts seem to believe, and more that is contingent and risky, then I will have made my point on the doctrinal question.

In commenting on the near-term business outlook, let me refer first to economic conditions abroad. To a considerable extent, such uneasiness as is felt nowadays about the economic outlook—and it must be conceded that some uneasiness does exist—derives from a concern about prospects abroad.

Briefly, I feel reasonably confident that the pause in growth that continental Western European countries have experienced recently has about ended and that a resumption of expansion can be expected this year. And I see no reason why expansion should not continue in 1966. The pause was induced by stabilization programs launched to gain some mastery over cost inflation and a too-rapid expansion of credit. But the restraints are being relaxed almost everywhere on the continent now, and underlying demand is so strong that the response should be favorable. If there is a fly in the ointment, it is that the stabilization plans have been less than completely successful in closing the gap between labor cost increases and productivity gains. Increases in employment costs are still excessive. Accordingly, I expect to see cost and price inflation continue there, perhaps in the neighborhood of 3 percent a year, though hopefully not more.

Great Britain is a special case. There are those who regard the Labor government's stabilization measures as inadequate to correct the country's international economic and financial imbalance; but others say that the credit squeeze is very tight, and that it may well prove by fall or winter, to be more restrictive than is needed. Basically, the question is whether the British will be able to survive their pursuit of fiscal and monetary expansionism, from which they are retiring only very reluctantly, without devaluing their currency. I do not expect devaluation this year; whether it will come in 1966 is still a moot question but hopefully it will be avoided altogether. In any case, what seems most likely to me is that Great Britain's international financial problems will be dealt with in the context of a general resetting of the international monetary system, rather than by unilateral action. In the meantime, I am afraid the British situation will continue to be a source of uncertainty and of some deflationary pressure for other economies.

In the Japanese economy, industrial production has been broadly flat for almost a year now and I expect this condition to continue for a time. There has been, as you know, a very rapid expansion of credit in Japan, and this has had a serious effect on the nation's investment market. But the impact of Japan's experiment in monetary and fiscal expansion has so far been limited mainly to its own economy and I do not expect to see the impact magnified, or to see it spread internationally, in the months ahead.

Turning now to our own economy—and putting aside small month-to-month changes some of which are up and some down—I think we can say that the picture depicted by our business cycle indicators is still a reasonably good one. There is distinctly more diversity in it than there was a month or two ago; but, apart from the stock market, the indicators are in reasonably good shape. There are signs, however, that certain of the qualities of balance that have characterized the expansion to date are being lost. I hope I may cite these without seeming to be raising unwarranted alarms, or of being somehow counterproductive.

First, there seems to have been some slipping away from the close approximation to balance that we have enjoyed in recent years in the relation between labor cost increases and productivity improvements. For the private economy as a whole, and for the year 1964 as a whole, the gap widened a bit. Certainly, some of the major settlements reached in the latter part of 1964, and to date in 1965, have been moving in the direction of imbalance.

Second, prices have started to move up. The rate of increase of the consumer price index, which is slow to move in any case, has not changed greatly; it continues to rise at about 1 to 1½ percent a year. But after a long period of absolute stability, the wholesale price index has been moving up in recent months and the index of prices of industrial materials has moved up sharply. The last mentioned index rose 15 percent in the 12 months ending June 1965, as compared with 8 percent in the previous 12 months and with a decline of 2 percent in the 12 months before that.

Cost push cannot be exonerated entirely from these price increases but pressure on production facilities from the side of demand has also been heavy. Indeed, I have the distinct impression that demand pressure has been more important than the push of costs. In part, this is due to the rapid upsurge in credit which we have seen in the past few months. Accordingly, I attach special importance at this time to monetary policy.

It is not easy to find just that degree of credit restraint which, without wrenching the economy, will get us back onto a sustainable rate of credit expansion. There is danger in putting the brakes on too hard; but our monetary authorities know this danger very well. There is also danger, however, in staying too long with a rapid credit expansion, which is a mistake to which fiscal and monetary expansionists are distinctly prone. It is the job of money policy—and a highly unpopular one it is at a time like this—to prevent our running afoul of either of these hazards. To date, monetary policy has moved in what I regard as the indicated direction. I have no quarrel with it, and I trust that the expansionists will not insist in this instance on making their characteristic mistake of carrying things too far.

What happens in the area of fiscal policy is also critical. Now, you and I know that there is room in our economy when it is operating at a high pitch and growing at a good rate for a combination of tax reduction and expenditure increase adding up, certainly, to $5 billion a year and possibly to as much as $7 billion. But you and I know, too, that if the Federal Government chooses to go beyond that at a time of high activity, and when the private sector of the economy is pushing on with its own species of deficit financing, then we not only risk the danger of overheating our economy but of impairing the Government's capability for taking constructive countermeasures in the event of a setback. What we need to do is to hold the total of tax reductions and expenditure increases well within the limits of the revenue increases we can expect from our economy's growth. The effect would be to move our Federal budgetary accounts closer to balance. I must tell you that I do not see as much evidence of a readiness to do this as I would like to see.

If we are guided by these broad principles of financial prudence, and if labor cost increases are kept well within the limits of productivity gains, I see no reason why the expansion cannot go on indefinitely. As I have had occasion to say before, the secret is to avoid spurts and surges and not to push the economy too hard. It is plain from the figures that we have already had something of a spurt. I think our whole economy would have been better off without it; and I think that the market would be behaving better than it has been if we hadn't had it. But now I expect to see us settle down to a more sedate pace. If this is the way our economy goes, as I expect it will, then the stock market is currently underestimating the strength and the growth capabilities of the American economy, and that is precisely what I think it is doing.

FREE MAILING PRIVILEGES FOR U.S. PERSONNEL IN SOUTH VIETNAM

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, as Members of this House well know, the Veterans of Foreign Wars of the United States is one of the most effective and consistent spokesman for the man in uniform.

Another example of how they help look after the interests of our fighting men has recently come to my attention. Their commander in chief, John A. Jenkins, Birmingham, Ala., has written to the President of the United States, urging free mailing privileges for all U.S. military personnel in South Vietnam.

It should be emphasized that this fair and practical recommendation was a result of "Buck" Jenkins personally going to South Vietnam and visiting our troops in the combat areas. He went to the fighting fronts in the forested mountains along the Cambodian frontier, to the embattled base at Danang, and to the marine beachhead at Chulai. He saw what was needed to help the troops, and came up with a practical solution.

Under leave to extend my remarks, I include the press release by VFW Commander in Chief Jenkins, dated June 17, 1965, which, in turn, contains his letter to the President:

VFW URGES FREE MAILING PRIVILEGE FOR U.S. PERSONNEL IN SOUTH VIETNAM

WASHINGTON, D.C., June 17, 1965.—Free mailing privileges for U.S. military men was urged today by the national commander in chief of the Veterans of Foreign Wars of the United States, Mr. John A. Jenkins, Birmingham, Ala.

Commander Jenkins made the recommendation in a personal telegram to President Johnson. The VFW official, just returned from an extensive trip to the fighting fronts in South Vietnam, said he had an opportunity to personally observe the conditions under which U.S. military personnel are living and fighting.

Explaining his recommendation, Commander Jenkins said: "Fighting the Communist aggressors in South Vietnam is a full-time, around-the-clock job. This is a war in South Vietnam and it doesn't make sense that our fighting men should be unnecessarily burdened by having to travel to a postal branch, line up to buy stamps, which it is impossible for them to keep in usable condition when they return to their battle positions in rains, mud, and sand."

The text of VFW Commander Jenkin's telegram to President Johnson follows:

THE PRESIDENT,
The White House,
Washington, D.C.:

During my recent trip to South Vietnam, I was fortunate to be able to visit our fighting men in various parts of that embattled country. I can report to you, Mr. President, that our fighting men are performing their duty with a dedication, loyalty, and degree of efficiency that has historically been the hallmark of those in our Armed Forces. As a result of my visits to fighting fronts in South Vietnam, I take this opportunity to respectfully recommend that free mailing privileges be authorized to all those in our Armed Forces in South Vietnam. On the basis of my personal observations, I am convinced that it is an unnecessary burden for men engaged in a life and death conflict to have to travel to a postal branch, line up for stamps, and then go back to their combat assignments. It is impossible for our troops living, for instance, in primitive conditions of the mountainous frontier, and in the deep and drifting sands of the Chu Lai beachhead to keep their postage stamps in a usable condition until they have time to write to their loved ones at home. It is also respectfully submitted, Mr. President, that in the long run the granting of free mailing privileges to our forces in South Vietnam would prove to be an economical step. The merchandising of stamps and maintenance of even rudimentary postal facilities seems to be an unnecessary expenditure under the existing circumstances. Hoping that this recommendation merits your favorable consideration, I am.

Respectfully,

JOHN A. JENKINS,
Commander in Chief, VFW.

RESIDUAL OIL RELIEF NEAR?—STATEMENT DETAILS NEED

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the residual oil import problem continues to afflict the consumers of the Northeast. Hopefully, a solution is near. Last week, Members of Congress from every New England State and New York met with Director Buford Ellington, of the Office of Emergency Planning, who is one of the President's key advisers on oil import policy. We expressed ourselves in clear terms, calling for an early decision, which Mr. Ellington said he would try to achieve. The delegation's informal chairman was the destinguished gentleman from Rhode Island [Mr. FOGARTY] and, it is encouraging to record, we also were specifically authorized to express his wholehearted endorsement of our position by the Speaker of the House.

This time, it is hoped that the Northeast will be able to muster enough strength to overcome the power of the coal and oil interests, which blocked relaxation of residual oil imports last March. They did this by exerting their influence at the White House so that the Secretary of the Interior himself was overruled on the eve of announcing plans to grant a substantial measure of relief.

As we await a new decision, it is timely to consider the underlying facts and I offer for this purpose the text of a frank, short address by Mr. John K. Evans, executive director of the Independent Fuel Oil Marketers of America, Inc. He delivered it with considerable courage last month at the annual convention of the National Coal Association in Chicago. This is an excellent summary of the residual oil question and I urge my colleagues to read it:

STATEMENT BY MR. JOHN K. EVANS, EXECUTIVE DIRECTOR, INDEPENDENT FUEL OIL MARKETERS OF AMERICA, INC., WASHINGTON, D.C., AT 48TH ANNIVERSARY CONVENTION OF THE NATIONAL COAL ASSOCIATION IN CHICAGO

My name is Jack Evans, I am executive director of Independent Fuel Oil Marketers of America, Inc., of Washington, D.C. I have spent over three decades in the international oil business, most of that time with the Royal Dutch Shell group and for the past 4 years I have had my own consulting office in Washington. Among my clients are members of the association whose stand and interests are the reason for my being here today.

When I told Don Sullivan that I was born in Wales he told me I was a traitor to my Welsh heritage. My reply to Don was that I was from North Wales where they have no coal and where the only natural resource is rocks. When I told my friends I was going to stick my head into the lion's head they told me I must have rocks in my head. The Welsh are a stubborn race and like to crusade for lost causes but I am sure I don't have to tell this audience about the Welsh because they have had plenty of contact with John L. Lewis and other far more eloquent representatives of the Welsh race than I ever could be.

I fully realize that this is a kangaroo court but I welcome this opportunity of telling you how the independent marketer of residual fuel oil feels about the coal industry's successful war to date to put him out of business.

COAL PROSPECTS EXCELLENT

We don't believe that the problems of the coal industry have been caused by imported residual fuel oil. In fact, we think that from the standpoint of the domestic coal industry itself, and particularly the coal mineowners, both the present and future prospects for profitable operation are excellent. In fact, all of my friends on Wall Street tell me that coal stocks are a good buy. As proof of the latter, I note that earnings per share in 1964 over 1963 were up 24 percent for Peabody; 16 percent for Consolidation; 33 percent for Island Creek; and 10 percent for Pittston—not a bad performance.

By the above statement I do not imply that Appalachia is not suffering severely from unemployment in the coal industry. This is due to automation, not imported residual fuel oil. I also admit that the coal industry has lost some markets such as those caused by the dieselization of railroad equipment, conversions from coal to gas and No. 2 heating fuel by the household consumer, and conversions to competitive fuels by industrial plants. I will admit that in the latter category, while most of the conversion has gone to gas, a negligible volume has been converted to residual fuel oil. Actually the market in which residual fuel oil could compete with coal is extremely limited. Imported residual fuel oil is marketed only on the so-called watershed area of the east coast. By the latter I mean that this product is heavy and viscous and has to be kept heated in order to be transportable. This means that imported residual fuel oil cannot be transported any great distance overland, particularly in the Northern States where the climate is such that keeping the product fluid in the winter months presents a serious problem. According to a study made several years ago by the Department of Interior, the then Oil Import Administrator stated that imported residual fuel oil only directly competed in a narrow area on the central Atlantic coast and represented about a 6-million-ton coal equivalent. Six million tons, applied against coal's domestic production of over 400 million tons are negligible.

COAL INDUSTRY FIGHTS FALSE ISSUE

We contend that the coal industry, in spending vast sums of fighting residual fuel oil imports, is doing a disservice to itself, consumers of fuel, and the entire conventional fuel industry. We believe that if the coal industry would use the money and energy now being expended on what we consider a false issue on positive actions such as an aggressive research and development program as well as programs to develop new markets, particularly overseas, far greater benefits would accrue to the coal industry. We feel that far too little effort has been placed upon overseas markets—when you compare what the oil industry does in developing markets with what the coal industry is doing, the comparison is shocking. In a way this is tragic because the American coal industry has done a better job than any industry in the world in reducing its cost of producing coal and developing advanced methods of coal mining and transportation. American coal can compete anywhere in the world with any foreign produced coal and the problem is to fight for a liberal trade program throughout the world to the end that American coal is allowed to compete in world markets on a fair and equitable basis.

ATOMIC POWER BIGGER THREAT TO COAL

Coming back to our contention that the coal industry's policy of fighting for a false issue is hurting all of us, I want to touch upon atomic energy. In talks I have had up and down the east coast I have been told time and time again that if there was a free and competitive market within the conventional fuels industry the price of energy in that industry would be competitive to the extent that there would be no incentive whatsoever to develop atomic energy plants. Just so there is no misunderstanding, when I am talking about prices within the conventional fuel industry I am not talking about dumped prices.

Throughout New England atomic energy plants are being planned or are on the drawing boards. Only recently a large atomic plant was approved for Oyster Creek in New Jersey. The decision to build this plant was based solely on the economics of the cost of fuel and the fact that residual fuel oil was not available. But, let's return to New England. I am no expert on atomic energy but I have been told that were it not for the controls and restrictions on residual fuel oil imports into New England, atomic energy, under present conditions, could not compete with conventionally fueled facilities. The present method of controlling residual fuel oil imports has placed my industry in a form of monopoly cartel marketing system. Since quotas are allocated to eligible importers, it means that these importers have a locked-in share of the market. Consumers do not have a freedom of choice, neither do the independent marketers since all are tied and are captive to the eligible importer who receives the import quota. This means that the consumer is forced to pay a higher price and this higher price has nothing whatsoever to do with the cost of production, transportation, or distribution. It is a false value that is placed on an import license. This value is the main cause of the disruption of the pricing structure of the residual fuel oil market and is the main reason for the fact that atomic energy is economically justified. The dangerous fact is that once atomic energy plants are built, that market is lost forever to all conventional fuels.

Another competitor for the market under discussion that has been created by the coal industry's successful attack on imported residual fuel oil is that of the importation of power from Canada. Here again plans are being made to import vast amounts of electric power into the east coast from the north. Here again, once these transmission lines go into operation, markets are lost forever to the conventional fuels marketed on the east coast. Another area of mutual interest is that of air pollution and what is needed is certainly more factual and scientific information on this highly political public issue.

NATION'S INTERESTS MUST COME FIRST

In the long term of history no man gets away with anything unless it is founded on truth. This applies to individuals, industries, and countries and it is a fact that I am afraid all three categories in my adopted country have yet to learn through bitter experience. Our Nation is facing challenges and troubles throughout the world and I predict this trend will continue. None of us can afford to subordinate our own personal vested interests for those of our country. We can get away with it but sooner or later our children will have to pay the price for our shortsightedness. I am not saying that the coal industry is the only guilty party because my own oil industry has made plenty of mistakes in this whole intangible area of policies and actions that are to the best interests of our country and not to a small vested segment of our Nation. The only real difference between the Russians and us is that we believe in the maximum amount of freedom and the private enterprise system is the keystone of this faith. While the Russians believe in state ownership, no private sector can exist under such a faith. Every action we take should be to strengthen and broaden the base of private enterprise and not frustrate and weaken this foundation.

We intend to continue our fight against any move by any conventional or other type of fuel that is contrary to the basic philosophy of the private enterprise system because we believe that this is the best way of fighting the challenge of communism throughout the world. We are against any preferential treatment that discriminates unfairly against any segment of our economy. For this reason we would support the coal industry in any moves made to expand its exports and to fight for fair and equitable treatment via the relaxation and liberalization of impediments to trade, both tariff and nontariff barriers, throughout the world. We would also support any program aimed at eliminating Government subsidies on any fuel, either conventional or nonconventional, if these subsidies were discriminatory and harmful to competition. We believe that any action taken, such as the present import restrictions on residual fuel oil aimed at destroying competition and adopting a form of end use control of the consumer in order to favor one specific form of energy, is in the long run disastrous not only to the fuel industry but also to our Nation.

TRADE EXPANSION ACT OF 1962

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. MOORE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOORE. Mr. Speaker, I am joining those who have introduced a bill to amend the Trade Expansion Act of 1962. I know of no other legislation that is more in need of amendment than that act. It was based on untenable policy and was intemperate in its objective. Beyond that it was self-defeating in the rigid conditions it laid down for adjustment assistance.

It was intemperate in providing for another 50-percent cut in the tariff after our average tariff protection has already been brought down a full 80 percent on dutiable items since 1934.

Under the previous policy of selective tariff cuts, all our industries had been sifted time and again and studied with respect to the extent to which the tariff could be subjected to further tariff cuts without causing or threatening serious injury to the industries concerned. We may be sure that during the 30 years since 1934 our tariff has been cut in the successive tariff-reduction conference about as deeply as possible without exposing our market to excessive import penetration.

From 1934 to 1947 we entered into 29 bilateral trade agreements in each of which some of our tariffs were cut. Then the General Agreement on Tariffs and Trade was negotiated. It went into effect on January 1, 1948. Sharp additional reductions in the tariff were made in that initial general conference. Thereafter four other conferences were held in Europe at a few years' interval and each time yet further tariff cuts were made. In 1955 the Congress, however, restricted the cuts to 15 or 5 percent per year during the 3-year period of the extension of the act, thus recognizing the low level to which the tariff had already been reduced. In the 1958 Trade Agreements

Extension Act the cuts were again limited to 5 percent per year, this time for a 4-year period, or 20 percent, thus again recognizing the need for gradualness and time for industrial adjustment. In both 1955 and 1958, moreover, the Tariff Commission operated under the "peril point" provision of the law which called for detailed studies to determine the level below which the tariff could not be cut without causing or threatening serious injury to the domestic industry. The peril point findings were made by the Tariff Commission.

In other words, the policy from 1934 to 1962 was not to expose domestic industry to serious injury from imports, in recognition of the difficulty that would be caused by incoming floods of low-cost foreign goods. Also, there was an escape clause, which, though it was not sympathetically administered, nevertheless served notice that the non-serious injury policy was in effect and could be invoked by domestic industry.

Under the Trade Expansion Act of 1962, a new but highly contradictory policy line was incorporated. It was duplicitous and deceptive in two respects.

First, it undertook to throw the no-injury policy overboard. This was on the grounds that sacrifices must be made on behalf of the national policy of continuing to reduce trade barriers. This toughness went hand in hand with the 50-percent tariff cut and its intended application across the board. In other words, a dragnet approach was to be inaugurated.

Yet, to make it appear as if the no-injury policy were still in effect and that great care would be taken to safeguard individual industries, extensive, item-by-item hearings were provided for in the act—hearings conducted not only by the Tariff Commission but also by the Committee for Trade Information. Each industry would be given an opportunity to be heard.

When the time came for hearings, notices went out all over the country. Over 800 witnesses were heard, including many Members of this House and the other body, and the hearings lasted for 4 months.

This was in flat contradiction of the across-the-board tariff cuts which had also been announced as an integral part of the new policy but not written into the law.

The hearings were barely over when the President's special representative for trade negotiations indeed agreed with GATT representatives that the approach would be a flat 50-percent cut, with a "bare minimum of exceptions." Those were the exact words: "a bare minimum of exceptions." This meant that all items except a mere handful could be cut 50 percent.

What was the purpose then of hearings, except to deceive the public and the industries and Members of Congress by leading them to believe that each industry would be considered separately and that each item would be cut or not cut according to the particular competitive conditions in each case? This was like measuring 800 men for their suit sizes and then arbitrarily prescribing the same size for all. The hearings were a pious fraud.

Congress, in requiring hearings and providing criteria to be considered in weighing tariff cuts, obviously intended that the information gathered in the extensive hearings be used as expected. The State Department thought otherwise and its policy prevailed.

Secondly, while industry and labor that were injured by past tariff reductions—not only those under the Kennedy round—were to be variously compensated as provided in the act, the requirements for such relief were so tightly drawn that in 2½ years and 17 cases brought before the Tariff Commission, not 1 case has withstood the rigid test laid down. This has happened even though, as is well known, the members of the Tariff Commission are appointed by the President.

The upshot is that in its conception, construction, and administration, the Trade Expansion Act of 1962 was and is a miserable piece of legislation. It should be changed drastically before the damage that is implicit in its potentials is actually inflicted on American industry, and particularly on the workers.

What possessed this body to accept so inept a piece of legislation in 1962 must remain one of the unsolved mysteries of the decade. I am happy to say that I voted against it.

Sufficient time has passed to justify a reassessment of the situation and to make amends. Little wonder that the negotiations in Europe have stumbled along so haltingly and with so many misgivings and agonizing doubts. After more than 2½ years, the final negotiations are still months away. For that fact we should at least be thankful.

The world has moved considerably from its 1962 economic position. The framework of the new competitive realities is now more clearly visible. The disparity between our high-cost plateau and the rest of the world is coming into sharp relief. We can no longer doubt that we can and are being outtraded in many parts of the world despite the false message droned upon us by our official trade statistics. These all sing a song of high cheer over our great export surplus. Unfortunately the reality of the case is different.

Our export surplus quickly dissolves when it is subjected to a factual analysis. It consists mostly of subsidized exports under foreign aid; sales and giveaways under Public Law 480; sales to subsidiaries of our own companies, shipments to our oversea Armed Forces, and governmental employees, and so forth. It is also rendered highly dubious by our method of reporting our imports, a method that exaggerates the surplus by upward of $2½ billion. The explanation is that our official import statistics are reported on a different basis from that followed by nearly all the other countries of the world. We take the foreign value as the basis without adding marine insurance and freight. This shrinks our import statistics some 15 percent compared with those of other countries.

Also, if we look at the great flood of our investments in foreign plants and enterprises, we quickly see that the lure of the lower foreign wages is very strong. Our foreign investments in the past 5 or 6 years have swollen rapidly while investment in new plant and equipment in domestic industry has lagged seriously, except as we have been pressed to modernize and automate, both to withstand the rising import competition and to try to hold onto foreign markets. The principal increase in exports has come in agricultural products, many of them heavily subsidized. These do not generate as much employment as does the production of manufactured products. Our imports on the other hand have come more and more to fall into the finished goods and manufactured foodstuff classification. Thus we are coming more and more into the position of trading farm output for manufactured goods. In terms of employment this represents a poor trade.

Only a decade ago finished goods represented but a third of our total imports. Now they represent virtually a half of them.

This means that our exports have been most successful in subsidized farm products and other agricultural commodities that we have sold for foreign currencies or given away. Also our exports of machinery have boomed as a result of our heavy foreign investments. As we open plants abroad we have used much American equipment; and this has helped our exports; but it cannot be regarded as a permanent outlet.

It was a favorite saying of our economists that the only domestic industries that cannot compete with imports are the inefficient and low-wage paying ones. Today these economists are strangely quiet on this point, and no wonder. The steel industry is not a low-wage industry—indeed, it is a high-wage industry—and yet it is plagued by fast-rising imports. But for the boom in automobile production and construction activities, steel imports would represent a spectacular threat to the domestic industry. Even so the industry is striving hard to reduce its cost burden by improved technology, which results in laying off workers.

Another high-wage industry that is facing rising imports is the automobile industry. It has met the threat in two ways. Luckily it had the necessary financial reserves to tool up for production of the compact car. Smaller industries do not all enjoy such reserves or credit. Secondly, the industry has invested very heavily in Europe and elsewhere and is therefore in a position to enjoy the better part of two worlds. Meantime, employment in our automotive plants has declined. When we turn to glassware and pottery and other industries of more moderate size we do not encounter the same capacity to fight against imports. These are not low-wage industries but they do not enjoy the vast financial reserves available to the steel and automobile industries. When imports strike them they have no way to turn other than to seek cost reduction. Technological improvements, however, do not grow on trees, and the smaller companies may be driven out of business because they lack the resources to modernize or to invest abroad.

When imports climb, these smaller industries find their market shrinking and they are thrown back upon themselves. They are then told to diversify; and some of them have done so or are making efforts to do so; but the advice to diversify is more readily given than successfully achieved. Foreign competition is now quite as likely in other products as in the one in the production of which an industry may be in distress. Retraining, retooling and financing are all difficult steps, and in some instances represent insuperable obstacles. The smaller companies then strive to hold on to the output they now have—and therein lies stagnation. They are unable to employ any of the new workers that population growth makes available, and that will form pools of unemployed if they are not hired.

Mr. Speaker, nothing is more certain than the untimeliness of the proposal of further tariff reductions at the present time in any instance where imports have already taken a liberal share of our market.

It is for this reason that I join wholeheartedly in support of the legislation that would remove certain items from the President's list, and that would provide machinery for the imposition of import quotas to prevent imports from doing yet more damage than they have already inflicted on many of our industries. We cannot be in the position industrially of being put on the run by low-cost imports that owe their competitive advantage, not to higher efficiency, but to lower wages.

I am happy to introduce this bill and to urge its earliest consideration by the Ways and Means Committee.

FOREIGN AGENTS REGISTRATION ACT SHOULD BE AMENDED TO PROHIBIT GESTAPO-LIKE SNOOPING ON REFUGEES

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I am introducing legislation today to prohibit private American detective agencies from acting as a hired gestapo for any foreign government or foreign political party. This bill is intended to bring a halt to such spying and other snooping activities on refugees, exiles, and other foreigners who come to this country. The long arm of totalitarian regimes should not be permitted to touch these people, especially through private American detective agencies. I think that all Members of the House will agree that the United States should remain a haven for the persecuted. This is a policy closely interwoven with the very beginning of American history. I feel quite strongly that this bill will help to keep America as a sanctuary for these unfortunates.

Mr. Speaker, my attention was first drawn to this matter last year when Virginia Prewett, the distinguished columnist on Latin American affairs, described the plight of Haitian refugees and exiles in the United States. She said in a column appearing in the Washington Daily News that "the same terror that stalks dictator-ridden Haiti now haunts Haitians in the United States." She reported that "a new secret service recently created by Haiti's President Francois Duvalier and called the international squad is spying on Haitians in New York and elsewhere with brutal reprisals for those who criticize Duvalier overseas and then go home." Private American detective agencies allegedly operated as part of this apparatus. Indeed, records of the U.S. Department of Justice substantiate the charge. They show that not only has such surveillance and investigative work been performed for Haiti by private American detective agencies, but also for other countries. And I cannot help but feel there is much unreported activity of the same type.

This sort of nefarious snooping should be halted immediately. At the same time, Congress should amend the Foreign Agents Registration Act to make it clear that such activity constitutes a violation of American law and will be punished accordingly. Simple justice demands no less. I hope the House Committee on Judiciary will approve this measure separately or as an amendment to legislation currently being considered to bring the Foreign Agents Registration Act up to date.

THE PROPOSED 200 BEV ACCELERATOR

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOLIFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, there is a great interest over the location of a proposed 200 billion electron volt accelerator which currently is in the initial design study stage under the supervision of the Atomic Energy Commission. As of today the Atomic Energy Commission has received 110 proposals from 45 States recommending nearly 200 sites for the location of this proposed facility.

The Joint Committee on Atomic Energy for a number of years has closely followed the Nation's high energy physics program, more than 90 percent of which is sponsored and supported by the Atomic Energy Commission. High energy physics is truly on the frontiers of science; it is a field that is exploring the very basic forms of matter. Facilities that can accelerate the smallest known particles of atoms such as electrons and protons and make them travel at speeds approaching that of the speed of light are necessary tools in the exploration of this frontier of scientific knowledge. By bombarding other particles with these fast-moving protons and electrons, we are able to discern phenomena that otherwise would remain unknown to us. New and strange particles thus discovered add to man's store of knowledge and better understanding of the physical world and matter itself.

These facilities which serve as tools in the field of high energy physics are very expensive to construct and to operate. They require large areas and tremendous amounts of electrical energy. The 2-mile linear electron accelerator at Stanford University, now nearing completion, is being constructed at a cost of $114 million. The construction of the proposed 200 billion electron volt—Bev.—proton accelerator is estimated to cost $280 million. When fully operational, its annual operating costs will run in the neighborhood of $50 million per year.

At the request of the Joint Committee on Atomic Energy, the executive branch of the Government undertook a study and in January 1965, President Johnson submitted to the Joint Committee a "Report on Policy for National Action in the Field of High Energy Physics." That report and additional background information has been published as a print by the Joint Committee and is available to those Members of Congress who desire to obtain some understanding of the Nation's high energy physics research policy and the projected national expenditures in this field for the next 16 years.

I would also commend to the Members of Congress the Joint Committee's hearings on the objectives and needs of high energy physics research which were held last March.

In regard to the proposed 200-Bev. accelerator, I think it is important to realize that the project has not been authorized for construction. I should like to repeat that. It has not been authorized for construction.

To date, the Joint Committee on Atomic Energy has recommended and the Congress has authorized only design studies for this project. A great deal of work directed toward the highly technical and complicated design of this facility has been underway for several years at the Lawrence Radiation Laboratory at the Berkeley campus of the University of California under the very capable direction of Dr. Edwin McMillan, a noted authority in this field. If the national policy report recommendations are followed by the administration, the Joint Committee next year will consider whether or not engineering preliminary to construction should be undertaken for a 200-Bev. accelerator.

A design study prepared under the supervision of Dr. McMillan has been completed. It consists of two volumes running over 700 pages and will soon be made available by the AEC. Every group that has submitted its formal proposal to the AEC for the location of the 200-Bev. accelerator will be able to obtain a copy of the two-volume study within the next 2 or 3 weeks. In addition, within the next several weeks, the AEC will forward to a special committee of the National Academy of Sciences those proposals which it considers worthy of further evaluation. All sponsors of specific site locations will be notified by the Commission whether their proposal has or has not been selected for further evaluation by the National Academy of Sciences' committee.

Mr. Speaker, in view of the great interest in this proposed facility by the Members of the House and particularly those in whose district proposed sites are located, I place in the RECORD at this point a current list of the sites as of this date proposed for the location of this accelerator and the identity of the proposers. The proposed general locations are grouped by State in alphabetical order.

LIST OF SITES—AREA AND PROPOSER

ALABAMA

Childersburg: Chamber of Commerce, Birmingham.

Eufaula: City of Eufaula.

Florence: Florence-Lauderdale Industrial Expansion Committee, Inc., Florence.

Green County: Green County.

Mobile: Mobile Area Chamber of Commerce, Mobile.

Opelika: Chamber of Commerce, Opelika.

ARIZONA

Gila River Indian Reservation: Gila River Indian Community Council, Sacaton.

Phoenix and Tucson: Arizona State University, Tempe.

ARKANSAS

Little Rock: Chamber of Commerce, Little Rock.

CALIFORNIA

San Diego: Gov. Edmund G. Brown, Sacramento.

Camp Parks: City of San Diego.

McCloud River Basin Area (Redding): McCloud River Railroad Co., Redding.

COLORADO

Lowry AFB Bombing Range: University of Colorado, Boulder.

CONNECTICUT

Plainfield: State of Connecticut Development Commission, Hartford.

FLORIDA

Broward County (Fort Lauderdale): Nova University of Advanced Technology, Fort Lauderdale, and Broward County Industrial Development Board, Fort Lauderdale.

Dade County: Dade County Development Department, Miami.

Fort Pierce: Charles C. Moore, realtor, Fort Pierce.

Fort Walton Beach: Playground Chamber of Commerce, Fort Walton Beach.

Gulf County (Panama City): Gulf Timberland Co., Panama City.

Jacksonville/Gainesville: Chambers of Commerce, Jacksonville and Gainesville.

Orlando: Orange County Industrial Board, Orlando.

Palm Beach Gardens: City of Palm Beach Gardens.

Santa Rosa County: Chamber of Commerce, Milton.

Tallahassee: Chamber of Commerce, Tallahassee.

Tampa Bay area: Greater Tampa Chamber of Commerce and city of St. Petersburg.

GEORGIA

Atlanta: Georgia Science and Technology Commission, Atlanta.

Atlanta, Forsyth County: Etheridge & Co., Inc., Atlanta.

Atlanta, Fulton County: Fulton County, Atlanta.

Bainbridge: Chamber of Commerce, Bainbridge.

Cherokee County: Cherokee County, Canton.

Savannah: City of Savannah.

IDAHO

National Reactor Testing Station, Gov. Robert E. Smylie, Boise.

ILLINOIS

Chicago: Gov. Otto Kerner, Springfield.

Morgan-Scott County Area: Chamber of Commerce, Jacksonville.

Shawneetown: Saline Water Conservancy District, Eldorado.

INDIANA

Clinton: City of Clinton.

Elkhart: William R. Nicholson, Elkhart.

Indianapolis: Gov. Roger D. Branigan, Indianapolis.

Ohio River-Aurora: Hopping Construction Co., Aurora.

IOWA

New Hampton: Chickasaw County, New Hampton.

Cedar Rapids: Cedar Rapids Chamber of Commerce.

KANSAS

Parsons: City of Parsons.

Kansas City, Mo., and Kansas City, Kans.: Cities of Kansas City, Mo., and Kansas City, Kans.

KENTUCKY

Lexington: Gov. Edward T. Breathitt, Frankfort.

Louisville and southern Indiana area: Louisville and Jefferson County Economic Progress Commission, Louisville.

Paducah: Luxury Homes, Inc., Evansville, Ind.

West Point: City of West Point.

LOUISIANA

Mandeville: Gov. John J. McKeithen.

MAINE

Sanford (New Hampshire assisted): Gov. John H. Reed, Augusta.

MARYLAND

Baltimore: CLARENCE D. LONG, Member of Congress, U.S. House of Representatives, Washington, D.C.

Worcester County: William H. Holloway, secretary of the Economic Development Committee for Worcester County.

MASSACHUSETTS

Haverhill: Haverhill Industrial Council.

MICHIGAN

Battle Creek and Ann Arbor: Michigan Department of Economic Expansion, Lansing.

MINNESOTA

Dakota County (St. Paul-Minneapolis), University of Minnesota.

MISSISSIPPI

Jackson: Central Mississippi Development District, Jackson.

Oxford: Oxford-Lafayette County Chamber of Commerce, Oxford.

Perry and Forrest Counties: Mississippi Power Co., Gulfport.

Scott County: Mid-Mississippi Development District, Newton.

Stoneville: Delta Council, Stoneville.

MISSOURI

Flat River: Morris R. Cleveland, Flat River.

Joplin: State Senator Richard M. Webster and T. D. Saar, Jr., Jefferson City.

Kansas City, Mo. (and Kansas Citiy, Kans): Cities of Kansas City, Mo., and Kansas City, Kans.

St. Louis: St. Louis Research Council, St. Louis.

MONTANA

Arlee (Missoula): Gov. Tim Babcock, Helena.

NEBRASKA

Lincoln/Omaha: Chambers of Commerce, Lincoln and Omaha.

Sidney: City of Sidney.

NEVADA

Las Vegas: Southern Nevada Industrial Foundation, Inc., Las Vegas.

NEW JERSEY

Burlington and Ocean Counties: Edward L. Schinman, Wayne.

Mount Holly: Burlington County.

NEW MEXICO

Albuquerque: Albuquerque Industrial Development Service, Inc., Rio Rancho Estates, Albuquerque.

Albuquerque: Albuquerque Industrial Development Service, Inc.

Farmington: City of Farmington.

Hobbs: Industrial Development Corp., Hobbs.

Santa Fe: City of Santa Fe.

NEW YORK

Brookhaven National Laboratory: Associated Universities, Inc., Upton, Long Island.

Hunter: I. and O.A. Slutzky, Hunter.

Selected sites (Model City, Ithaca, West Rochester, East Rochester, Rome): Department of Commerce, State of New York, Albany.

NORTH CAROLINA

Research Triangle: Gov. Dan K. Moore, Raleigh.

NORTH DAKOTA

Grand Forks: Chamber of Commerce, Grand Forks.

OHIO

Marietta: City of Marietta.

Medina: Hale & Kullgren, Inc., Akron.

Pike County: Chambers of Commerce, Portsmouth, Chillicothe, and Pike County.

Ravenna Army Ammunition Plant: Gov. James A. Rhodes, Columbus.

OKLAHOMA

Central Oklahoma area (Oklahoma City): Chamber of Commerce, Oklahoma City.

Muskogee: Louis Smith, attorney at law, Muskogee.

Northeast Oklahoma (Tulsa): Oklahoma Ordnance Works Authority, Pryor.

OREGON

Eugene: Willamette Valley Research Council, Eugene.

Morrow and Umatilla (Counties): Eastern Oregon Dev't Committee, Madras.

PENNSYLVANIA

Crawford County: J. J. Gumberg Co., Realtors, Pittsburgh.

Pittsburgh: Regional Industrial Development Corp. of Southwest Pennsylvania, Pittsburgh.

RHODE ISLAND

Providence: Governor of Rhode Island.

SOUTH CAROLINA

Savannah River: Gov. Robert E. McNair, Columbia.

SOUTH DAKOTA

Bad Lands Bombing Range: City of Rapid City.

Black Hills Ordance Depot: City of Rapid City.

Lemmon: Chamber of Commerce, Lemmon.

TENNESSEE

Memphis: Memphis Area Chamber of Commerce, Memphis.

Oak Ridge: City of Oak Ridge.

TEXAS

Dallas/Fort Worth: Chambers of Commerce, Dallas and Fort Worth.

Houston: Chamber of Commerce, Houston.

Killgore Research Center, Amarillo: Killgore Research Center, West Texas State University, Canyon.

Lubbock: Chamber of Commerce, Lubbock.

Odessa: Chamber of Commerce, Odessa.

Port of Mansfield: Charles R. Johnson, Port Director, Port of Mansfield, Tex.

San Antonio: Chamber of Commerce, San Antonio.

UTAH

Brigham City: Brigham City Industrial Commission, Brigham City.

Salt Lake City: Gov. Calvin L. Rampton, Salt Lake City.

VIRGINIA

Norfolk: R. G. Denmead & Co., Columbus, Ohio.

WASHINGTON

Hanford: Tri-City Nuclear Industrial Council, Inc., Pasco.

WEST VIRGINIA

Point Pleasant & Ravenwood: Gov. Hulett C. Smith, Charleston.

WISCONSIN

Madison: University of Wisconsin.

WYOMING

Laramie: Gov. Clifford P. Hansen, Cheyenne.

WHITE HOUSE CONFERENCE ON EDUCATION

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I should like to take this opportunity to call to the attention of Members of the House the White House Conference on Education which will be held here in Washington on July 20 and 21.

In a statement concerning the White House Conference, President Johnson said:

> Every child has the right to as much education as he has the ability to receive. I believe that this right does not end in the lower schools, but goes through technical and higher education—if the child wants it and can use it.
>
> I want this not only for his sake, but also for our Nation's sake. America badly needs educated men and women. And America needs not just more education, but better education.
>
> Nothing matters more to the future of our country. Not our military preparedness—for armed power is worthless if we lack the brain power to build a world of peace. Not our productive economy—for we cannot sustain growth without trained manpower. Not our democratic system of government—for freedom is fragile if citizens are ignorant.
>
> Thomas Jefferson once said, "If we expect a nation to be ignorant and free, we expect what never was and never will be." Our Nation's school systems were founded on that proposition.
>
> Today, 41 million students are enrolled in our public schools. Four million more will enter by the end of this decade. But that is not enough. One student out of every three now in the fifth grade will drop out before finishing high school—if we let him. Almost a million young people will quit school each year—if we let them. And over one hundred thousand of our smartest high school graduates each year will not go to college—if we do nothing.
>
> This cannot continue. It costs too much; we can't afford it. The whole Nation suffers when our youth is neglected.
>
> LYNDON B. JOHNSON.

STATEMENT BY JOHN W. GARDNER

A number of outstanding educators from all over the United States will participate in several panels during the course of the 2-day Conference. Here is a statement explaining the purpose of the Conference by the Conference Chairman, John W. Gardner:

> In calling the White House Conference on Education, President Johnson said: "All of us can benefit from a lively exchange of views on the major problems confronting our schools and colleges. We need to pool our best ideas about how to stimulate and enrich the Nation's adventure in learning."
>
> Accordingly, the Conference program has been designed to promote maximum discussion among panelists and audience participants. As indicated on the following pages, the Conference has been divided into nine sections, each of which is headed by a vice chairman. Each of the vice chairmen is in charge of two panels in the same general area of interest. Seven panels will meet on Tuesday morning, seven on Tuesday afternoon, and four on Wednesday morning.
>
> The vice chairman will begin each panel session by summarizing a background paper prepared in advance by a consultant who has been working with him. Joining him on the platform, in addition to the consultant, will be a questioner and five panelists. We are counting on their discussion to trigger questions from the floor and to encourage audience participation. Small group discussions immediately after each panel Tuesday will provide further opportunity for active participation in the Conference.
>
> Summaries of all panels and small group discussions held on Tuesday will be distributed to Conference participants Wednesday morning. Summaries of the Wednesday morning panels will be available at the general session on Wednesday afternoon. All panel discussions will be tape recorded.
>
> There is no requirement for participants to stay within one section throughout the Conference. But it is essential that everyone indicate his preferences for Tuesday morning, Tuesday afternoon, and Wednesday afternoon.
>
> On Wednesday afternoon, the vice chairmen will present brief summaries of the discussions in their sections to the President. Later, an issue of American Education will be devoted to highlights of the 2-day session.
>
> The purpose of the Conference is to examine critical issues in education on which the Nation should focus its attention. No specific recommendations or legislative proposals are expected to be adopted by the Conference as a body. Instead, we hope that vigorous discussion of the issues will foster enlightened action by all those responsible for shaping the future of American education.
>
> JOHN W. GARDNER,
> *Chairman.*

Because I think that Members of Congress will be interested in knowing the specific sessions of the White House Conference on Education, I should like to include at this point in the RECORD the program outline of the Conference:

PROGRAM OUTLINE

TUESDAY, JULY 20

9 a.m.: Opening general session; Presiding, Chairman John W. Gardner; welcome, the Honorable Anthony J. Celebrezze, Secretary of Health, Education, and Welfare; address, the Honorable Francis Keppel, Commissioner, U.S. Office of Education.

10:15 a.m. to 12:30 p.m.: First panel sessions (7).

Lunch: Small group discussions.

2 p.m. to 4:15 p.m.: Second panel sessions (7).

4:30 p.m. to 6 p.m.: Small group discussions.

8:30 p.m.: Vice Chairman, consultants, and summary writers, meet to prepare digest.

WEDNESDAY, JULY 21

9 a.m.: Opening general session; presiding, Chairman John W. Gardner; addresses: Jerrold Zacharias, professor of physics, Massachusetts Institute of Technology; Ralph W. Tyler, director, Center for Advanced Study in Behavioral Sciences, Stanford, Calif.

10:15 a.m. to 12:30 p.m.: Third panel sessions (4).

Lunch: Presiding, Chairman John W. Gardner; introduction of the speaker, the Honorable Anthony J. Celebrezze; address, the Honorable HUBERT H. HUMPHREY, Vice President of the United States.

2 p.m.: Final general session: presiding, Chairman John W. Gardner; reports of the Vice Chairman.

4 p.m.: Chairman and Vice Chairman report to the President.

5 p.m.: Reception for participants, the White House.

EDUCATION AND THE WORLD OF WORK

Vice chairman: Whitney M. Young, Jr., executive director, the National Urban League, New York.

Summary writer: Louise Kapp, director of information, National Committee on Employment of Youth, New York.

JOBS, DROPOUTS AND AUTOMATION

(10:15 a.m., Tuesday, panel discussion 1–A)

Chairman: Whitney M. Young, Jr.

Consultant: Eli Ginzberg, professor of economics, Columbia University.

Questioner: Judge Mary Conway Kohler, New York.

Panelists: Samuel Shepard, assistant superintendent of schools, St. Louis, Mo.; Joe L. Otero, superintendent of schools, Taos, N. Mex.; Grant Venn, superintendent of schools, Wood County, W. Va.; Daniel Schreiber, director of project on school dropouts, National Education Association, Washington; Msgr. William McManus, superintendent of schools, Diocese of Chicago.

SKILL OBSOLESCENCE AND RE-EDUCATION

(2 p.m., Tuesday, panel discussion 1–B)

Chairman: Whitney M. Young, Jr.

Consultant: Mrs. Joan Bowers, Human Relations Commission, Evansville, Ind.

Questioner: Lawrence M. Rogin, director of education, AFL–CIO.

Panelists: W. Willard Wirtz, Secretary of Labor; Leon P. Minear, State superintendent of public instruction, Salem, Oreg.; Stephen J. Wright, president, Fisk University; Harold F. Clark, professor of economics, Trinity University, San Antonio, Tex.; G. H. Rathe, Jr., director of education, IBM Corp., Armonk, N.Y.

IMPROVING THE QUALITY OF EDUCATION

Vice chairman: Harold B. Gores, president, Educational Facilities Laboratories, New York.

Summary writer: Barbara Krohn, managing editor, Washington Education Association Journal, Seattle.

TEACHER EDUCATION

(10:15 a.m., Tuesday, panel discussion 2–A)

Chairman: Harold B. Gores.

Consultant: Norman J. Boyan, associate professor of education, Stanford.

Questioner: Harold Howe, executive director, Learning Institute of North Carolina, Rougemont.

Panelists: Paul W. Briggs, superintendent of schools, Cleveland, Ohio; Lindley J. Stiles, dean, School of Education, University of Wisconsin; Elizabeth Koontz, president, National Education Association, department of classroom teachers, Price High School, Salisbury, N.C.; Adron Doran, president, Morehead State College; Theodore R. Sizer, dean, School of Education, Harvard University.

ASSESSMENT OF EDUCATIONAL PERFORMANCE

(2 p.m., Tuesday, panel discussion 2–B)

Chairman: Harold B. Gores.

Consultant: John I. Goodlad, director, University Elementary School, University of California at Los Angeles.

Questioner: Stephen K. Bailey, dean, Maxwell Graduate School of Citizenship and Public Affairs, Syracuse University.

Panelists: Hedley Donovan, editor-in-chief, Time Inc., New York; Jack Arbolino, director, advanced placement program, College Entrance Examination Board, New York; Thomas W. Braden, president, California State Board of Education; William Carr, executive secretary, National Education Association; Donald W. Dunnan, superintendent of schools, St. Paul, Minn.

The Case for Partnership in Education

Vice Chairman: Terry Sanford, former Governor of North Carolina.

Summary writer: Frederick Dashiell, professional assistant, urban project, National Education Association.

THE ROLE OF THE STATES

(10:15 a.m., Tuesday, panel discussion 3–A)

Chairman: Terry Sanford.

Consultant: Nicholas A. Masters, staff, Joint Committee on Organization of the Congress.

Questioner: Richard C. Lee, mayor, New Haven, Conn.

Panelists: Richard J. Hughes, Governor of New Jersey; Eugene Power, president-elect, Association of Governing Boards of State Universities and Allied Institutions, Ann Arbor, Mich.; James B. Conant, president-emeritus, Harvard University; John D. Millett, chancellor, Ohio State System of Higher Education; J. W. Edgar, State superintendent of schools, Austin, Tex.

PLANNING FOR DIVERSITY

(2 p.m., Tuesday, panel discussion 3–B)

Chairman: Terry Sanford.

Consultant: Christopher Jencks, fellow, Institute for Policy Studies, Washington.

Questioner: Albert H. Bowker, chancellor, the City University of New York.

Panelists: Edmund J. Gleazer, executive director, American Association of Junior Colleges; Lee A. DuBridge, president, California Institute of Technology; Father Paul C. Reinert, president, St. Louis University; Dean McHenry, chancellor, University of California at Santa Cruz; Willa B. Player, president, Bennett College, Greensboro, N.C.

Education for World Responsibility

Vice Chairman: O. Meredith Wilson, president, University of Minnesota.

Summary writer: Theodor Schuchat, editorial consultant, Washington.

OVERSEAS PROGRAMS AND FOREIGN STUDENTS

(10:15 a.m., Tuesday, panel discussion 4–A)

Chairman: O. Meredith Wilson.

Consultant: William Spencer, associate dean, Graduate School of Business, Columbia University.

Questioner: Joan Stalnaker, chairman, board of foreign scholarships.

Panelists: Kenneth Holland, president, Institute of International Education; Father Theodore M. Hesburgh, president, University of Notre Dame; Mabel Smythe, principal, New Lincoln School, New York; Arthur Hummel, Acting Assistant Secretary of State for Cultural and Educational Affairs; Harold L. Enarson, academic vice president, University of New Mexico.

INTERNATIONAL AFFAIRS PROGRAMS

(2 p.m., Tuesday, panel discussion 4–B)

Chairman: O. Meredith Wilson.

Consultant: William Rogers, director, World Affairs Center, University of Minnesota.

Questioner: John Gange, professor of political science, University of Oregon.

Panelists: William Marvel, president, Education and World Affairs, New York; John Howard, director of international training and research, Ford Foundation; Mrs. Ruth Miller, executive director, Philadelphia World Affairs Council; Father Joseph McCloskey, head of social studies, Cardinal O'Hara High School, Chicago; Elizabeth Wilson, director of curriculum, Montgomery County Schools, Rockville, Md.

Education of the Special Student

Vice Chairman Lawrence A. Cremin, professor of education, Teachers College, Columbia University.

Summary writers: Lassor Blumenthal, free lance writer, New York/(5–A) and Charles Silberman, Fortune magazine, New York/(5–B).

EDUCATING THE TALENTED

(10:15 a.m., Tuesday, panel discussion 5–A)

Chairman: Lawrence A. Cremin.

Consultant: Miriam L. Goldberg, associate professor of psychology and education, Teachers College, Columbia University.

Questioner: James Gallagher, professor of education, University of Illinois.

Panelists: Charles Brown, principal, Newton High School, Newtonville, Mass.; Sister Mary Corita, chairman, Department of Art, Immaculate Heart College, Los Angeles; Albert Barough, teacher, Joseph Pulitzer Junior High School, Jackson Heights, N.Y.; Ben Shahn, artist and teacher, Roosevelt, N.J.; Philip I. Mitterling, director, Inter-University Committee on the Superior Student, University of Colorado.

EDUCATING THE HANDICAPPED

(2 p.m., Tuesday, panel discussion 5–B)

Chairman: Lawrence A. Cremin.

Consultant: Samuel Kirk, director, Institute for Research on Exceptional Children, University of Illinois.

Questioner: Nathaniel L. Gage, professor of education, Stanford University.

Panelists: Frances P. Connor, professor of education, Teachers College, Columbia University; Leonard W. Mayo, executive director, Association for Aid to Crippled Children, New York; Hugo Schunhoff, superintendent, California School for the Deaf; George E. Gardner, psychiatrist in chief, Children's Hospital, Boston; Mary Switzer, Commissioner of Vocational Rehabilitation.

Extending Educational Opportunities

Vice chairman: James E. Allen, Jr., commissioner of education, State department of education, Albany, N.Y.

Summary writer: Marvin Reed, editor, New Jersey Education Association Journal, Trenton.

SCHOOL DESEGREGATION

(10:15 a.m. Tuesday, panel discussion 6–A)

Chairman: James E. Allen, Jr.

Consultant: Thomas F. Pettigrew, associate professor of social psychology, Harvard University.

Questioner: Adam Clymer, reporter, the Baltimore Sun, Washington, D.C.

Panelists: John H. Fischer, president, Teachers College, Columbia University; John W. Letson, superintendent of schools, Atlanta, Ga.; Kenneth B. Clark, professor of psychology, City College of New York; Neil V. Sullivan, superintendent of schools, Berkeley, Calif.; Nick Garza, principal, Eleanor Brackenridge Elementary School, San Antonio, Tex.

PRESCHOOL EDUCATION

(10:15 a.m. Wednesday, panel discussion 6–B)

Chairman: James E. Allen, Jr.

Consultant: J. W. Getzels, professor of education, University of Chicago.

Questioner: Martin Deutsch, director, Institute for Developmental Studies, New York Medical College.

Panelists: Julius Richmond, director, Project Head Start; George B. Brain, dean, College of Education, Washington State University; Mrs. Vivian Couzzens, teacher, Bancroft Elementary School, Washington, D.C.; Alberta L. Meyer, executive secretary, Association for Childhood Education International, Washington; Sister Margaret Louise, St. Joseph's College, Brooklyn, N.Y.

Innovations in Education

Vice Chairman: Ralph W. Tyler, director, Center for Advanced Study in Behavioral Sciences, Stanford, Calif.

Summary writer: Ned Hubbell, director of information, National School Boards Association, Evanston, Ill.

INNOVATIONS IN HIGHER EDUCATION

(10:15 a.m. Tuesday, panel discussion 7–A)

Chairman: Ralph W. Tyler.

Consultant: Lewis B. Mayhew, professor of education, Stanford University.

Questioner: Edward H. Levi, provost, University of Chicago.

Panelists: Victor Butterfield, president, Wesleyan University, Middletown, Conn.; Daniel Bell, professor of sociology, Columbia University; Father Charles J. Lavery, president, St. John Fisher College, Rochester, N.Y.; Alvin C. Eurich, president, Aspen Institute for Humanistic Studies; Albert Kitzhaber, professor of English, University of Oregon.

INNOVATIONS IN ELEMENTARY AND SECONDARY EDUCATION

(10:15 a.m. Wednesday, panel discussion 7–B)

Chairman: Ralph W. Tyler.

Consultant: Dwight W. Allen, associate professor of education, Stanford.

Questioner: Frank Brown, principal, Melbourne, Fla., High School.

Panelists: Harry Levin, professor of psychology, Cornell University; Richard D. Batchelder, president-elect, National Education Association, Newton High School, Newtonville, Mass.; John B. King, executive deputy superintendent, New York City Schools; Marion Cranmore, principal, Burns Park Elementary School, Ann Arbor, Mich.; Sister Jacqueline Grennan, president, Webster College, St. Louis, Mo.

Higher Education in Transition

Vice Chairman: Mrs. Mary I. Bunting, president, Radcliffe College.

Summary writer: John Chaffee, Jr., education editor, Boston Herald & Traveler.

RESEARCH AND GRADUATION EDUCATION

(2 p.m. Tuesday, panel discussion 8–A)

Chairman: Mrs. Mary I. Bunting.

Consultant: John Walsh, news department, Science magazine, Washington.

Questioner: Neal O. Hines, assistant director, Committee on Governmental Relations, Washington.

Panelists: Hubert Heffner, associate provost, Stanford University; Logan Wilson, president, American Council on Education; Harry Ransom, chancellor, University of Texas; James Shannon, director, National Institutes of Health; Leland Haworth, director, National Science Foundation.

UNDERGRADUATE EDUCATION

(10:15 a.m. Wednesday, panel discussion 8–B)

Chairman: Mrs. Mary I. Bunting.

Consultant: Donald R. McNeil, special assistant to the president, University of Wisconsin.

Questioner: Harry D. Gideonse, president, Brooklyn College.

Panelists: Samuel M. Nabrit, president, Texas Southern University; Barnaby A. Keeney, president, Brown University; R. Nevitt Sanford, director, Institute for the Study of Human Problems, Stanford University; George Shuster, assistant to the president, Notre Dame University; Stephen Robbins, president, U.S. National Student Association.

Education in the Urban Community

Vice chairman: Sidney Marland, Jr., superintendent of schools, Pittsburgh, Pa.

Summary writer: Oscar Jaeger, International Union of Electrical Workers, Washington.

COMMUNITY EXTENSION

(2 p.m., Tuesday, panel discussion 9–A)

Chairman: Sidney Marland, Jr.

Consultant: Roald Campbell, dean, Graduate School of Education, University of Chicago.

Questioner: Edward C. Banfield, professor of urban government, Harvard.

Panelists: Russell I. Thackrey, executive secretary, Association of State Universities and Land-Grant Colleges; Robert B. Binswanger, executive director, the Pace Association, Cleveland, Ohio; Fred H. Harrington, president, University of Wisconsin; Walter M. Garcia, president, Modesto Junior College, Modesto, Calif.; Paul J. Misner, superintendent of schools, Glencoe, Ill.

CAN URBAN SCHOOLS BE MANAGED?

(10:15 a.m., Wednesday, panel discussion, 9–B)

Chairman: Sidney Marland, Jr.

Consultant: H. Thomas James, professor of education, Stanford University.

Questioner: Philip M. Hauser, professor of sociology, University of Chicago.

Panelists: Samuel M. Brownell, superintendent of schools, Detroit; Melvin Barnes, superintendent of schools, Portland; James Stratten, member, board of education, San Francisco; David Selden, assistant to the president, American Federation of Teachers, Chicago; T. Joseph McCook, superintendent of schools, Springfield, Mass.

Mr. Speaker, the Vice Chairmen at Large of the Conference are: James B. Conant, president emeritus, Harvard University; Hon. Edmund G. Brown, Governor of California; Hon. John B. Connally, Governor of Texas; Hon. Richard J. Hughes, Governor of New Jersey; and Hon. John H. Reed, Governor of Maine.

The Conference Director is Mr. Lyle M. Nelson.

Members of the host committee for the Conference are as follows:

CABINET

Hon. Dean Rusk, Secretary of State.

Hon. Henry H. Fowler, Secretary of the Treasury.

Hon. Robert S. McNamara, Secretary of Defense.

Hon. Nicholas deB. Katzenbach, Attorney General.

Hon. John A. Gronouski, Postmaster General.

Hon. Stewart L. Udall, Secretary of the Interior.

Hon. Orville L. Freeman, Secretary of Agriculture.

Hon. John T. Connor, Secretary of Commerce.

Hon. W. Willard Wirtz, Secretary of Labor.

Hon. Anthony J. Celebrezze, Secretary of Health, Education, and Welfare.

EXECUTIVE

Hon. Charles L. Schultze, Director, Bureau of the Budget.

Hon. Gardner Ackley, Council of Economic Advisers.

Hon. Robert Sargent Shriver, Jr., Director, Office of Economic Opportunity.

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Hon. William G. Colman, Executive Director, Advisory Commission on Intergovernmental Relations.

Hon. William J. Driver, Administrator of Veterans Affairs.

Hon. Milton Eisenhower, Chairman, Commission on Presidential Scholars.

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Hon. John W. Macy, Jr., Chairman, Civil Service Commission.

Hon. S. Dillon Ripley, Secretary, Smithsonian Institution.

Hon. David Rockefeller, Chairman, President's Commission on White House Fellows.

Hon. Carl T. Rowan, Director, U.S. Information Agency.

Hon. Harold Russell, Chairman, President's Committee on Employment of the Handicapped.

Hon. Glenn T. Seaborg, Chairman, Atomic Energy Commission.

Hon. Frederick Seitz, President, National Academy of Sciences and National Research Council.

Hon. William Walton, Chairman, Commission of Fine Arts.

Hon. Robert C. Weaver, Administrator, Housing and Home Finance Agency.

Hon. James E. Webb, Administrator, National Aeronautics and Space Administration.

A CITATION FOR MORRIS DOUGLAS JAFFE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, St. Mary's University in San Antonio, Tex., recently conferred on Mr. Morris Douglas Jaffe, also of that city, the degree of doctor of laws, honoris causa. The citation which accompanied this award was to me particularly inspirational and heartwarming, since it portrays a constructive business career, a wholesome home environment, and conspicuous public service, the combination of which is distinctively American.

The citation follows:

CITATION

Men of vision and particularly businessmen in the modern competitive world agree that economic and accompanying social changes are continually evolving. They also recognize that the inquiring mind supported by an adventuresome spirit forsees, searches out, and even helps bring about these changes, for nothing in life is static.

Tonight, on the occasion of the 113th annual commencement, St. Mary's University honors one of its former students, Morris Douglas Jaffe, whose qualities of leadership and whose semi-intuitive skill in interpreting the emerging patterns of business have enabled him to make significant contributions to the economic well-being of society.

The successful management of modern business, as illustrated in the career of Morris Jaffe, requires some familiarity with the more relevant branches of history and philosophy, some knowledge of mathematics, of the social sciences, particularly economics and political science. This indispensable liberal education, whether formal or self-acquired, contributes to a flexibility of mind and helps develop a sense of responsibility to the larger society of which the businessman is a part.

Our honoree, the son of Mrs. Irene Jaffe and the late Mr. Morris Jaffe, received his early education at Central Catholic and Jefferson High Schools. He attended St. Mary's University from 1940 to 1942. Then, after a short stay at Texas A. and M., he joined the U.S. Army Air Corps during World War II, where he served as a pilot assigned to the flight test section of the 2d Air Force; his continued interest in flying dates back to these early experiences.

In 1947 he married Jeanette Herrmann, daughter of Mr. and Mrs. Albert Herrmann. The Jaffes have six attractive children, whose daily adventures in growing up contribute to an exciting home life.

In 1946 Mr. Jaffe entered the highly competitive business of real estate development and homebuilding in San Antonio. To this, in partnership with David P. Martin, he added commercial construction. Interest in oil followed, both wells and production. In 1955 his discovery of uranium in Karnes County stirred national interest.

Subsequently he associated himself with the Fed-Mart stores of California and became active in expanding the corporation in the Southwest. In partnership with Roger L. Zeller, he purchased control of Columbia Industries and moved the national manufacturing center to San Antonio. At the same time he served as chairman of the Dixie Form & Steel Co. which supplies steel forms to construction firms throughout the world.

Morris Jaffe's managerial ability was recognized when a Federal judge of the western district of Texas approved his plans to reorganize a west Texas empire which had failed financially under previous management. When rebuilt, reorganized, and reconstituted, the American Grain Corp. came into existence, with Mr. Jaffe chairman of the board. Demonstrating a capacity for adaptation, he disassociated himself from the Fed-Mart Corp. and assumed the responsibility of serving as chairman of the board of the First Financial Life Insurance Co.

While carrying on these multiple activities, Morris Jaffe, firmly committed to the proposition that citizens must concern themselves continuously with affairs of government, gave of his time, his energy, and his financial support to the promotion of good government on all levels. A lifelong Democrat he continues to involve himself in political affairs.

Complex business enterprises depend on the services of many individuals of varied talents, and Mr. Jaffe has surrounded himself with able assistants who contribute their skill and technical knowledge to his diversified operations. His appreciation of the value of the well educated man in business has led directly to his interest in higher education. In 1955 he accepted an invitation to serve as a member of the board of governors of St. Mary's University and more recently he was elected president of the educational foundation of St. Mary's University, where he now directs the activities associated with the planning and future growth of the university.

His gracious wife Jeannette continuously assists and often represents Morris by giving freely of her time and talents to various civic and charitable organizations. She is the founder of the Santa Rosa Children's Hospital Foundation. Assisted by Father John Lazarsky, she organized its activities and to this day has served uninterruptedly as its vice president. She has been president of the Carmelite Day Nursery, member of the local Catholic Welfare Bureau, the Visiting Nurses Association, the State board of mental health, and the State Heart Association. She has served on the White House Conference on Children and Youth.

With an easy and gracious charm the Jaffes use their spacious, tastefully decorated home for a variety of social functions which supplement their business activities and enhance the San Antonio social scene. Local dignitaries, State, and national governmental officials have been formally received on numerous occasions. Their home is often the scene of style shows, charitable teas, art festivals. Groups frequently assemble in the Jaffe home to plan their activities and raise funds in support of various causes. Jeannette Jaffe, encouraged and financially supported by Morris in all these undertakings, is the ever-gracious hostess, lending charm and distinction to all gatherings. In recognition of her contribution to the social and civic life of the city she was recently honored with the title, "Hostess of the Year."

The extensive and varied interests of Mr. Jaffe have left an imprint on a large segment of society. His activities as a homebuilder have improved living conditions in various sections of the city and surrounding areas. He is to be counted among those distinguished leaders in the business world who believe that generous salaries not only serve the cause of social justice but likewise stimulate the economy for the benefit of all. His philosophy is simple and unadorned: he believes that the purpose of life is to be useful, to be honorable. It is to be compassionate. It is to matter. It is to contribute one's talents to the betterment of a changing world.

For outstanding services to his city, State, and surrounding areas, for stimulating the economy in which many share, for his political activity in behalf of worthy causes, for his generous support of charitable and humanitarian work in which his charming wife assists him, and for his continued interest in the growth and development of St. Mary's University, it is my distinct privilege and honor, Very Reverend President, to recommend for the degree of doctor of laws, honoris causa, Morris Douglas Jaffe.

Done at St. Mary's University, this 30th day of May 1965, A.D., by Dr. Joseph W. Schmitz, S.M., vice president, dean of faculties.

TEXAS PARTNERS OF THE ALLIANCE COMMITTEE

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Texas Partners of the Alliance Committee was launched in San Antonio just over a year ago. On June 17, last year, at a banquet attended by Ambassador Celso Pastor and a host of Texans from throughout the State, the partnership between Texas and Peru was set in motion. In the year that has followed, the partnership has developed at a rapid pace. The people of Texas, represented by a great variety of groups and organizations, have responded with such enthusiasm that the Texas program is often cited as the most productive and wide in scope of all those in the 26 U.S. States now working with 12 Latin American Republics.

Much of this dramatic growth and activity within the private sector in Texas can be assigned to the imagination and drive and energy of Mr. Edward Marcus, the chairman of the Texas Partners. Mr. Marcus was the choice of the delegates to serve as the permanent chairman of the First Inter-American Partners of the Alliance Conference held in Washington, D.C., last month, attended by 58 representatives from Latin America and 95 delegates representing U.S. Partners.

An article in the Washington News of June 30 aptly entitled "New Program Quietly Wins Latin Praise," by Virginia Prewett, reflects the acceptance of the Partners concept by our neighbors in the hemisphere, and signals an additional approach toward better relations among all peoples concerned with mutual helpfulness.

Mr. Speaker, I include the article in the RECORD and commend it to all the Members of the House:

[From the Washington News, June 30, 1965]

NEW PROGRAM QUIETLY WINS LATIN PRAISE

(By Virginia Prewett)

We are so accustomed to hearing the loud and angry voices of Latin America, often those of propagandists and politicians, that we almost miss the quiet ones. Today throughout 11 countries, Latin Americans, without any dramatics, are telling their countrymen about the success of a new program called the Partners of the Alliance.

Under this officially sponsored program, 28 U.S. States have organized committees to work with State or National committees in Latin America. The American groups are hard at work on specific Latin American problems.

Doubters and scoffers who would like to believe the American people are not interested in Latin America and not sympathetic to their anxiety for better conditions of life should take a look at the names on the U.S. State committees.

HAVE KNOW-HOW

They are made up of our most serious and effective citizens, representing many walks of life. Nearly every name on the long lists has a title or office that represents achievement.

These Americans are investing their knowledge, their energy, and their influence in helping Latin Americans help themselves.

Alabama is working with Guatemala, Arizona with El Salvador; Colorado, a mining State, with Brazil's great mining State, Minas Gerais. Little Delaware is cooperating with little Panama, Idaho with Ecuador, Michigan with Colombia's Cauca Valley, Texas with Peru * * * and so on down to Wyoming, teamed with the State of Goias, Brazil.

The local news stories in Latin America that are spreading the word about these activities are not scare-head articles. But they are many.

HEADLINES

When a group of Texans traveled down to Lima, Peru, to spur activities, Lima's La Tribuna, organ of the mass party, APRA, titled the story: "Texans Study Peruvian Realities." Lima's Comercio Grafico headlined: "Texas 'Associates' of Peru Arrive."

Lima's La Prensa reported how the Texas visitors met with Peru's free labor leaders. Lima's Ultima Hora published a box with the head: "Texas Gringos Come To Lend a Hand."

The Voice of Tarma is a small-town paper whose type is still set by hand. The secretary of the Central Peruvian Farm Workers Federation, while on a visit to the United States under the Alliance program, wrote a letter to the Voice in which he said "Americans have made a great nation by sinking political differences in a common cause." He advised Peruvians to do the same.

Similar reports are multiplying throughout Latin America as the partners in progress activities bear fruit. They are a powerful antidote against the Communist propaganda that constantly hammers away at Latin American minds.

ADDRESS BY REPRESENTATIVE JOE R. POOL AT OAK CLIFF JUNIOR CHAMBER OF COMMERCE, DALLAS, TEX.

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. UDALL. Mr. Speaker, today I should like to introduce into the RECORD a speech delivered by my colleague, the Honorable JOE POOL, Representative at Large from the State of Texas. He delivered this address in Dallas, Tex., at the Oak Cliff Junior Chamber of Commerce annual Fourth of July picnic. The occasion was particularly timely, for this speech indicates Mr. POOL's strong support of the President's policy in Vietnam and explains how vital the present program is for the cause of freedom throughout the world:

FOURTH OF JULY PICNIC, OAK CLIFF JAYCEES, DALLAS, KIEST PARK

Today, we celebrate, for the 189th time, the birthday of this great Nation—the festival of independence—the commemoration of the notion that every people has a right to live under a government of its own choice, to make its own mistakes, and achieve its own triumphs, free from dictation from outside.

The Fourth of July has been celebrated in a great many places, and under broadly varying conditions. It has been celebrated in quiet, prosperous times, when the very thought of war was far from everyone's mind. It has been celebrated in dangerous hours. Texans and Minnesotans alike celebrated—and I think they both honored the day in their own way—on the bloody slopes of Cemetery Ridge in Gettysburg, a hundred years ago. We celebrated the Fourth of July in the hedgerows of Normandy, 21 years ago. We celebrated it in the mountainsides of Korea 15 years ago. And Americans will be celebrating the Fourth of July in the jungles of Vietnam this year. At each of those Independence Day observations, the cost of independence was underscored by the deaths of Americans in its service. The same could happen again this year.

What moral can we draw from all this? Do we shrug our shoulders and indicate that death does not concern us, and that these wars in far-off places are not as important as the cost of gasoline and the problem of getting a ticket to the ball game? I do not think so.

Do we say, as a great many Americans today are saying, that the continuing fact of war shows that all our past struggles have been in vain? Do we repeat the old cliches about war never settling anything, and utter profound sentences about how ironic it is that people are still dying? This, I think, would be even more superficial and even more shortsighted.

War, to be sure, is usually a demonstration that there has been a failure somewhere, on someone's part. But war does settle things. World War II is a case in point. Now, 20 years after V-E Day, we are told that World War II was somehow "fought in vain" because it didn't settle all international questions forever. Well, I don't know of any responsible person who thought it would. But before we say World War II settled nothing, I suggest we ask Hitler and Goering and Himmler whether it did or not. It settled, once and for all, the question of the Nazi threat to liberty. And let no one think that that was an empty threat. The Nazis were in dead earnest when they sang the marching song of their party, the chorus of which ended, "Today, Germany is ours. Tomorrow, the whole world." This is that tomorrow, and neither the whole world nor Germany is theirs. That much—and it is no small matter—was settled by World War II.

And one other, perhaps even greater matter, was settled in World War II. From that war, and from the tragic events that led up to it, the world discovered a great truth—that freedom cannot be defended by pretending it is not threatened—that aggression cannot change its nature by calling itself something else—that the liberty of each nation is inescapably bound up with the liberty of every other nation. We were told, 30 years ago, that we could not stand aside and watch small nations swallowed up by aggressors. We heard this, and we heeded it not. We stood aside. The small nations were swallowed up, and eventually the aggressor made his intentions unmistakable—at Pearl Harbor. We stopped the aggressor, but at a cost many times higher than it might have cost had we acted earlier.

That mistake we have had burned into our minds, and that mistake we are not going to make again. And the degree to which we have learned that lesson is being tested today in the swamps and city streets of Vietnam. Freedom's hardest lesson is being tried on that most distant and uncomfortable of freedom's frontiers.

"What are we doing in Vietnam?" "Why are we there, and what do we hope to get out of it?" "Can war in Vietnam really settle anything?" These and similar questions are being asked on all sides. The answers have been written in American blood on every continent, and they deserve to be repeated today.

We are in Vietnam because the Vietnamese people and their Government have asked us for our help in their effort to preserve their independence. I say "their effort" because it is the Vietnamese people who have borne the brunt of this cruel war, and it is the Vietnamese people who are the major targets of the aggression which Hanoi and Peiping have unleashed upon that country. This is not a civil war, in which two groups of South Vietnamese are merely struggling for control of a government. It is aggression pure and simple. It is aggression, planned in the north, directed from the north, supplied from the north, and carried on by thousands of soldiers who have infiltrated from the north. You can hear this aggression described as "the Vietnamese people's struggle against U.S. imperialism." Well, the statistics show that the Vietcong have directed their killings and their terrorism largely against innocent, unarmed civilian men and women and children in the villages of the South Vietnamese countryside. The Americans, even the South Vietnamese Army, are not the chief target. It is by killing and kidnaping civilians that these aggressors are trying to cow the people of South Vietnam into submission.

Aggression? When thousands of North Koreans marched in full battle array over the borders of South Korea, there was no doubt that this was aggression. And the world reacted to it, and stopped it. When Nazi tanks roared into the low countries in May 1940 the world knew aggression was taking place. In Vietnam the only difference is in the time scale, and the visibility of the aggressors. They infiltrate across the borders, through back trails in small numbers, carrying simple weapons. They rest and reform their ranks in the back country, and they commit their depredations when it best suits them. This is sophisticated aggression in the tactical sense, unsophisticated in the technological sense, but it is aggression in any sense.

General Giap, the leader of the North Vietnamese Army has said, quite bluntly, that "South Vietnam is the model of the national liberation movement of our time. * * * If the special warfare that the U.S. imperialists are testing in South Vietnam is overcome, then it can be defeated everywhere in the world." Let me repeat—"everywhere in the world"—were General Giap's words.

There is the challenge of the 1930's again. If aggression can succeed in South Vietnam, it can succeed everywhere in the world according to General Giap. And history has an unfortunate tendency to confirm his view. If we do not have the will to resist in South Vietnam, if we find South Vietnam too uncomfortable or too confusing or too far away, and if we lose our will to help these courageous people to help themselves, then the next challenge—which will come as sure as the sun rises—will be just as uncomfortable, just as confusing. But it may not be as far away.

Lyndon Johnson has given the answer to those who predict that we cannot stay the course in South Vietnam. And he has, at the same time, given the answer to those who wonder what our goals are out there. "We combine" the President said, "unlimited patience with unlimited resources in pursuit of an unwavering objective. We will not abandon our commitment to South Vietnam."

We will discuss the Vietnamese situation with any government that wants to discuss it and is willing to help end the aggression there. The President has made that perfectly clear. But we will not engage in negotiations as a cloak for surrender.

The dream which we have for South Vietnam—and which men of good will everywhere share, is a dream of a land whose people are allowed to live in peace and to use their rich resources, with our help, with the help of any nation that wishes to help, to meet the economic challenges that confront them.

Let me again quote Lyndon Johnson:

"This war, like most wars, is filled with terrible irony. For what do the people of North Vietnam want? They want what their neighbors also desire—food for their hunger, health for their bodies, a chance to learn, progress for their country, and an end to the bondage of material misery. And they would find all these things far more readily in peaceful association with others than in the endless course of battle."

This is the promise that peace holds out to the people of North Vietnam. This is the choice which they can make. This is the alternative to war which this country stands ready to offer if only the aggressors will stop their aggression.

But if the aggression continues, America will continue to work with the people of South Vietnam to stop it, to punish it, and to show that it will not work.

And that aggression will not work is the second great lesson which the world learned in World War II. We learned that it must be stopped, and that the cost of stopping it increases at a greater rate as each day goes by. We have not forgotten that lesson. But the world learned, too, that aggression can be stopped—that ordinary men and women will make extraordinary sacrifices to stop it—that the force of independence and freedom has not yet lost the momentum which it gained on that Independence Day 189 years ago. If Hanoi and Peiping have forgotten that lesson, they are in for a shocking surprise.

In spite of debate, in spite of discussion and dissent—and 99 percent of that debate and discussion and dissent is the perfectly health demonstration of the fact that we still are a free people—in spite of it all the American people are united behind the President of the United States in his determination to let aggression come no further. The leaders in Hanoi and Peiping who think that an occassional speech critical of some detail of the administration's policy, or as occasional picket line in front of the White House means that the American people are tired of defending their own interests in southeast Asia simply do not understand Americans—or free men everywhere. Of course we complain. Of course, we offer unsolicited advice. Of course we freely tell our highest officials what we think they ought to do. That is the way free men do things. For nearly two centuries, the forces of tyranny have looked upon the splendid disarray of American life and have thought that Americans don't march well.

They don't when compared to the iron disciplined troops of authoritarian countries. But for that same period of time, armies from those of King George III to those of Adolf Hitler have been discovering to their surprise that these disorderly Americans can shoot straighter than they can march. I have a word of advice for Hanoi—typical, American, unsolicited advice. Don't mistake us. We argue among ourselves and we enjoy it. Sometimes we argue and fight among ourselves when we don't really have anything else to do. But, General Giap, tear yourself away from your dreams of "tomorrow, everywhere in the world" for long enough to think of this: Free men can criticize their leaders, and their leaders can profit from it. But free men can defend the system under which they live just as vigorously and because they can critcize it and try to improve it.

Some 189 years ago, on the first Fourth of July, in some parts of the infant Nation, a flag was flown, showing the new country as a rattlesnake, carrying a slogan, "Don't tread on me."

On this Fourth of July, we carry in our hearts—and on our sleeves for General Giap to read the slogan, "Don't tread on man."

So today, as we have been doing for 189 years, we renew our commitment to the ideal of independence and freedom. We once again tell those who think they can make aggression profitable that we will not have it so; that we are prepared to discuss without conditions, an honorable settlement which preserves the freedom and independence of the people of South Vietnam; and we are also prepared to do whatever we must to meet whatever challenge is hurled at us or at them. And, again in the words of Lyndon Johnson:

"We may well be living in the time foretold many years ago when it was said: 'I call heaven and earth to record this day against you, that I have set before you

> life and death, blessing and cursing: therefore choose life, that both thou and thy seed may live.' "
>
> "This generation of the world must choose: destroy or build, kill or aid, hate or understand.
>
> "We can do all these things on a scale that has never been dreamed of before.
>
> "Well, we will choose life. And so doing, we will prevail over the enemies within man, and over the natural enemies of all mankind."

TEACHER FELLOWSHIPS

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Gilligan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, the bill which the gentleman from Indiana [Mr. Brademas] introduced on July 6, H.R. 9627, to award fellowships to elementary and secondary teachers and those persons whose professional roles are related to the process of elementary and secondary schools, has, with but one minor exception, my full and enthusiastic support. I have read and considered this bill very carefully, and I find in it those things which command my praise and endorsement.

This bill is simple, short, and directed to the single and exceedingly important task of improving the quality of education in elementary and secondary schools. Approval of the bill by the Congress will surely prove to be a most worthwhile investment.

It has been stated repeatedly that there is a desperately growing need for more elementary and secondary schoolteachers despite the efforts to meet this need under such programs as provided by the National Defense Education Act. H.R. 9627 complements these programs by making eligible for fellowships teachers, prospective teachers, and those persons who wish to return to teaching on the elementary and secondary levels, and others in related work. But equally important is the increasingly urgent need for better trained teachers. The conventional training most teachers have received, and which was commonly believed to be adequate, is by today's standards grossly inferior in view of the shattering developments of recent years in both the content of subject matter and instructional techniques. If our teachers, who are in many ways the packmules of our civilization, are to translate the advances being made in nearly every area of learning for the benefit of their students, the exhortations for teachers to update and strengthen their skills must be backed by sharply focused efforts to furnish them with the means to do so. This bill does just that.

The National Teacher Fellowship Act also complements the recently enacted Elementary and Secondary Education Act of 1965. In that legislation, for example, there are provisions for the establishment and operation of educational research centers around the country and for the dissemination of the research findings and their adaptation to classroom use. By providing for financial assistance through fellowships to permit teachers to return to school on a full-time basis we can be sure that these purposes and objectives will be realized more fully and quickly.

Most teachers, Mr. Speaker, are deeply dedicated to the indescribably important tasks they perform, and this Nation has oftentimes abused that dedication by expecting teachers to subsidize the schools by paying out of their own pockets, which under the best of circumstances are none too full, the cost of further developing and sharpening their professional skills, and thus improving the quality of education. This bill, like others already made law, recognizes the fact that this should not be.

There is, however, one feature of the bill which I would like to see changed somewhat: More teachers than Mr. Brademas proposes should be awarded fellowships, and correspondingly more administrators, social workers, librarians, counselors, media experts, and the others who would be eligible. I would like to see the proposed number doubled or tripled. But most of all, I would like to see this bill pass.

THE LATE MOSHE SHARETT

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like formally to call the attention of this body to the loss of a great world leader. Moshe Sharett, Prime Minister of Israel from 1953–1956 died in Jerusalem on July 7.

Mr. Sharett's death is mourned by all friends of Israel as well as by all lovers of peace around the world. Moshe Sharett was a humanitarian as well as a statesman. Instead of inflaming relations with Israel's Arab neighbors, Prime Minister Sharett sought ways in which to ameliorate outstanding problems and forge a workable relationship.

The New York Times in an editorial yesterday stated this very well:

> Throughout his long struggle Sharett never lost sight of the intimate relationship enjoined by history and geographic circumstance, between Israel and its Arab neighbors. Fluent in Arabic and proud of his friendships with Arab leaders of an earlier generation, he never gave way to bitterness nor lost his hope of an eventual reconciliation. This affirmative spirit is part of the heritage that this extraordinary man—writer, linguist and diplomat—bequeaths to the nation he helped to found.

Mr. Speaker, I mourn the death of Moshe Sharett for personal reasons. I remember his kindness to me when I visited Israel in 1955 and 1958. I recall the gentleness of his spirit and keenness of his mind. I would like to extend my condolences to his family for their great personal loss and to the State of Israel for the loss of a great leader.

AH, WILDERNESS

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, I think it is fitting to bring to the attention of the Members the present, and, I fear, future plight of wilderness areas, and the need to give them more protection and to create more of them for the enjoyment of our fellow Americans, present and future:

TRAFFIC LIGHTS NEEDED IN OREGON WILDERNESS AREA?

(By Matt Kramer)

> Eugene, Oreg.—If pavement, engines, and people are beginning to wear you down, there is always the wilderness areas of the Far West for a refresher.
>
> Or is there?
>
> Go into a place like the Three Sisters wilderness area in the high Oregon Cascade Range and what do you find?
>
> "More than 16,000 people were there last year," says Larry Worstell, deputy supervisor of the Willamette National Forest.
>
> Nor was this an isolated example. More than 86,000 persons last year entered the 12 wilderness areas set aside in Oregon and Washington. The problem is even worse in some other places.
>
> "Wilderness use is increasing to the point that it's a problem for both the people who go to those areas for some degree of privacy, and for those of us responsible for maintenance of wilderness environment," Worstell says.
>
> And this in the areas set aside presumably to preserve the wilderness for all time. In these areas there may be no roads or motors or hardly any evidence of civilization; man may visit them but not stay.
>
> Already they are talking about registration so that hikers can keep from trampling each other.
>
> In areas where man goes to amuse himself, away from regulation, more regulation may be necessary.
>
> Part of the problem is that much of the wilderness area is in high elevations. It is easy to ruin the beauty there. Grass cannot stand much foot traffic. A mountain meadow can disappear under a group of careless people or horses. A damaged tree may take years to come back, if it comes back at all.
>
> Worstell has drawn up a list of what the wilderness-seeker should do to preserve the wilderness and forestall regulation:
>
> Carry out what you carry in.
>
> Avoid trampling mountain meadows.
>
> Build as few fire pits as possible. Use old fire pits rather than build new ones.
>
> Carry your own horsefeed.
>
> Don't tether stock in meadows.
>
> Spread out camps and travel in small groups.

NEW YORK CITY IN CRISIS—PART CXXVI

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the crime situation in New York City and is part of the series on "New York City in Crisis" appearing in the New York Herald Tribune.

The article appeared in the Tribune on May 15, 1965, and follows:

NEW YORK CITY IN CRISIS—CITY OF VIOLENCE: INJURIES TO POLICE UP 19 PERCENT OVER 1964

The mounting tide of violence in a New York City of many crises was reflected yesterday in an announcement that injuries to policemen are occurring at a rate 19 percent higher than during the corresponding period of last year.

And 1964 was the most violent in New York City history insofar as harm to police officers is concerned.

The announcement was made by Police Commissioner Michael J. Murphy. He toted up some of the reasons why last year was the city's worst and gave these 1964 statistics:

Policemen killed, 7.

Those shot, 13.

Stabbed and otherwise cut, 19.

Bitten, 58.

Punched and kicked, 200.

Struck by objects, many of which were flung from buildings, 90.

Other police hurt in additional ways during arrests, 98.

Commissioner Murphy spoke at the second annual peace officers' memorial service at the police academy. The ceremony is held annually in response to a 1963 proclamation by President Kennedy setting May 15 aside for such commemorations of stricken police.

During last year, the police commissioner added, the city's law officers arrested 208,854 persons for murder, rape, armed robbery, felonious assault, and other felonies—570 on each day of the year, 24 every hour, nearly 1 every 2 minutes.

The one gain this year over last is that no police have been killed.

New York's police, Mr. Murphy said, are engaged now in what amounts to a war that seemingly has no end.

Few of the 208,854 apprehended on felony charges surrendered willingly, and many were repeaters, the Commissioner said.

A man going in for New York police work now, the Commissioner added, "can look forward to a career in which day and night he will be armed and prepared to take action that endangers his life and safety."

Commissioner Murphy said 600 New York police have been hurt thus far this year in performing their duty. Grateful that none of the assaults brought death, he said:

"We pray that this surcease from death in combat will continue throughout the year."

The range of New York crimes is as wide as the imagination of the most violent and most craven. Commissioner Murphy gave these as some of the statistics of New York lawlessness in 1964. Men and women were arrested on the following charges:

Murder, 660; rape, 1,273; armed robbery, 4,918; felonious assault, 11,950; burglary, 9,144; stealing cars, 6,033; arson, 306; narcotics offenses, 3,375; possession of dangerous weapons, 2,616.

In every one of the 208,854 arrests, the city's policemen faced danger, Commissioner Murphy said. He added:

"Each of these encounters was pregnant with violence. Every one of them, and (arrests for) many lesser offenses as well could have exploded into injury or death, leaving maimed human beings in its wake."

NEW YORK CITY IN CRISIS—PART CXXVII

Mr. MACKAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns housing in New York and appeared in the New York Herald Tribune on May 16, 1965.

The article is part of the series on New York City in Crisis and follows:

NEW YORK CITY IN CRISIS: SOMETHING'S OUT OF WHACK ON EAST 54TH STREET

(By Marshall Peck)

When the Federal Government gets ready to tear down an apparently sound middle-income apartment building, while all around the hue and cry is on to put up more of them, the situation would seem to call for a second look.

Last week, at the 11th hour, it was understood that a review was underway, at a city agency and in Washington, of precisely this situation at 225 East 54th Street. But it is doubtful whether anything can be done * * * now.

No. 225 is a pleasant six-story building, 30 years old between Second and Third Avenues. It has 117 units, all of them single rooms or room-and-a-half apartments with kitchen and bath. The rents for tenants, mostly young, single people, run from about $55 to $120 a month. The building has a doorman until 1 a.m., and its comfort and convenience make it a very desirable home.

POST OFFICE PLANNED

In 1958 and 1959 the Post Office Department, planning ahead, initiated Government acquisition of properties between 54th and 55th Streets, on the east side of Third Avenue. In 1963 the Department announced that it intended to build a new post office—the Franklin Delano Roosevelt Station—on the site at 899–911 Third Avenue.

The plans call for a four-story post office and a 24-to-38-story tower above it. Residential and commercial properties on the site were purchased and finally the complete parcel was leased last year to Coley Properties for construction.

According to the tenants, who are now in a last-ditch fight to save their building, the only building on the site that was of sound construction and in excellent condition was 225 East 54th Street.

All parties agree that this is a very late hour to attempt to ward off what one city official called an unstoppable force. Nevertheless, the residents at 225 have taken it to the top with an appeal to the White House. They want to know why the Government urges building construction on one hand and prepares to rip down housing with the other.

The letter to President Johnson brought word that the Postmaster General would be asked to "review their letter and their views." Pending a further communication from higher up in the Post Office Department—where the tenants had previously appealed—a Post Office Department spokesman commented that he feared it was "too late now" for any change of plans.

The tenants' group, organized as "The 54th Street Association," contends that since 225 is a corner lot, it could still be accommodated as a neighbor instead of being swallowed up. The Post Office Department says cutting out a corner would seriously reduce floor space.

FIGHT WILL CONTINUE

The tenants formed their home-defense association only last February, and its president, George Bamber, agrees it may have been too late. Still, the 100 or fewer people still living at 225 intend to go out fighting.

In the main, the association has collected no more than expressions of sympathy, but one city agency—which wishes to remain anonymous for the moment—is looking into the history of 225, in case anything can be salvaged.

Meanwhile, the tenants hope for a reprieve and a private relocation firm is finding them new dwelling places. The target date for emptying the building is the end of October

JOINT RESOLUTION REQUIRING COST OF LIVING SURVEY

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. Ryan] is recognized for 5 minutes.

Mr. RYAN. Mr. Speaker, it is my pleasure to join with our distinguished colleague, the Honorable Santiago Polanco-Abreu, Resident Commissioner of Puerto Rico, in introducing a joint resolution to give relief to Federal employees in Puerto Rico and the Virgin Islands from the Civil Service Commission's administrative order reducing the cost-of-living allowance for such employees from 12.5 to 5 percent effective July 1, 1965.

I have devoted considerable study to this matter, and it appears that the action was arbitrary and unreasonable.

My purpose in introducing this resolution is to call greater attention to the problem and to convince those who may be responsible for the legislation that swift and decisive action should be taken.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Chamberlain (at the request of Mr. Gerald R. Ford) for July 12, 1965, on account of official business.

Mr. Pool for Monday, July 12, through Friday, July 16, 1965, on account of family illness.

Mr. Craley and Mr. Morton (at the request of Mr. Aspinall), for the week of July 12, on account of official business, to attend the first Congress of Micronesia.

Mr. Edmondson, for July 12 and 13, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Farbstein (at the request of Mr. Mackay), on July 12, for 15 minutes.

Mr. Ryan of New York (at the request of Mr. Mackay), for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Burleson.

Mr. Gilbert (at the request of Mr. Mackay) the remarks he made in the Committee of the Whole today and to include extraneous matter.

(The following Members (at the request of Mr. Del Clawson) and to include extraneous matter:)

Mr. Morse in three instances.

Mr. Talcott in two instances.

(The following Members (at the request of Mr. Mackay) and to include extraneous matter:)

Mr. Dow.

Mr. Rostenkowski.

Mr. Vivian.

Mr. Wright.

Mr. Pepper.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2. An act to protect the public health and safety by amending the Federal Food, Drug and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 1236. An act for the relief of Salvador Munoz-Tostado;

H.R. 1306. An act for the relief of Loretta Negrin;

H.R. 3634. An act for the relief of CWO Edward E. Kreiss;

H.R. 3638. An act for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel;

H.R. 3708. An act to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging";

H.R. 5184. An act for the relief of the port of Portland, Oreg.;

H.R. 5306. An act to continue the authority of domestic banks to pay interest on time deposits of foreign governments at rates differing from those applicable to domestic depositors;

H.R. 5874. An act to amend Public Law 815, 81st Congress, with respect to the construction of school facilities for children in Puerto Rico, Wake Island, Guam, or the Virgin Islands for whom local educational agencies are unable to provide education, to amend section 6(a) of Public Law 874, 81st Congress relating to conditions of employment of teachers in dependents' schools, and for other purposes; and

H.R. 7847. An act to amend the Small Business Act.

ADJOURNMENT

Mr. MACKAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until Monday, July 12, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 or rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1320. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared for the following watersheds: Mills Creek, Fla.; Turkey Creek, Iowa; Lakin, Kans.; Standing Pine Creek, Miss.; Cotton Wood Creek, Nebr.; Mitchell Swamp-Pleasant Meadow Branch, S.C.; Willis River, Va., pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956, to the Committee on Agriculture.

1321. A letter from the Assistant Secretary of the Interior, transmitting determinations relating to construction payments due the United States from the Angostura Irrigation District, Angostura Unit, Missouri River Basin project, South Dakota, in the years 1966 and 1967 pursuant to the provisions of Public Law 86-308; to the Committee on Interior and Insular Affairs.

1322. A letter from the Secretary of Commerce, transmitting the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to section 213(c) of the Merchant Marine Act of 1936, as amended to the Committee on Merchant Marine and Fisheries.

1323. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement which have been prepared for the following watersheds: Cooper Creek, Ark.; Limestone Stream, Maine; Long Creek, Miss.; Tuscumbia, Miss. and Tenn.; Grindstone-Lost-Muddy Creek, Mo.; Stewarts Creek-Lovills Creek, N.C. and Va.; Upper Elk Creek, Okla.; Ferron, Utah, pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 5519. A bill to amend title 10, United States Code, to authorize language training to be given to a dependent of a member of the Army, Navy, Air Force, or Marine Corps under certain circumstances; without amendment (Rept. No. 607). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 7843. A bill to amend titles 10 and 37, United States Code, to authorize the survivors of a member of the Armed Forces who dies while on active duty to be paid for his unused accrued leave; with amendment (Rept. 608). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. S. 1856. An act to authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Cadet Corps; with amendment (Rept. No. 609). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAMERON:

H.R. 9724. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

By Mr. CARTER:

H.R. 9725. A bill to amend title 38, United States Code, in order to provide special indemnity insurance for members of the Armed Forces serving in combat zones; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 9726. A bill to amend section 204 of the War Claims Act of 1948 to permit adjudication of the claims of additional persons for certain World War II losses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER:

H.R. 9727. A bill to amend the Foreign Agents Registration Act of 1938, as amended, to prohibit certain investigative and reporting activities by foreign agents; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 9728. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. KEOGH:

H.R. 9729. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. KORNEGAY:

H.R. 9730. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor; to the Committee on Government Operations.

By Mr. LEGGETT:

H.R. 9731. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

By Mr. MACHEN:

H.R. 9732. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Commitee on Education and Labor.

By Mr. MURPHY of Illinois:

H.R. 9733. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 9734. A bill to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; to the Committee on Merchant Marine and Fisheries.

By Mr. RODINO:

H.R. 9735. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. ST. ONGE:

H.R. 9736. A bill to authorize the Secretary of Agriculture to conduct programs to reduce the impact of droughts on rural residents, small municipalities, agriculture and livestock enterprises, and for other purposes; to the Committee on Agriculture.

By Mr. SKUBITZ:

H.R. 9737. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. YOUNG:

H.R. 9738. A bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ADDABBO:

H.R. 9739. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREY:

H.R. 9740. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 9741. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. LINDSAY:

H.R. 9742. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. RESNICK:

H.R. 9743. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Interstate and Commerce.

By Mr. BOB WILSON:

H.R. 9744. A bill to provide free mailing privileges for first class letter mail sent by members of the Armed Forces of the United States in Vietnam; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 9745. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. MACDONALD:

H.R. 9746. A bill to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 9747. A bill to authorize the Secretary of Agriculture to conduct programs to reduce the impact of droughts on rural residents, small municipalities, agriculture and livestock enterprises, and for other purposes; to the Committee on Agriculture.

H.R. 9748. A bill to amend title 38, United States Code, to provide wartime rates of disability compensation for veterans disabled from injury or disease incurred or aggravated by overseas service and free insurance protection for members of the Armed Forces serving overseas; to the Committee on Veterans' Affairs.

By Mr. O'NEILL of Massachusetts:

H.R. 9749. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

By Mr. PEPPER:

H.R. 9750. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS:

H.R. 9751. A bill to amend the act of January 30, 1913, to remove certain restrictions on the American Hospital of Paris; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 9752. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States and for other purposes; to the Committee on Education and Labor.

By Mr. PERKINS:

H.R. 9753. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL:

H.R. 9754. A bill to amend the National Labor Relations Act to make it an unfair labor practice for an employer or a labor organization to discriminate unjustifiably on account of age; to the Committee on Education and Labor.

H.R. 9755. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 9756. A bill to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits; to the Committee on Ways and Means.

By Mr. RYAN:

H.J. Res. 573. Joint resolution requiring a cost-of-living survey to be made by the Bureau of Labor Statistics before the cost-of-living allowance for Federal employees in Puerto Rico and the Virgin Islands may be reduced; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H. Con. Res. 448. Concurrent resolution to authorize and request the President to issue a proclamation designating September 3, 1965, as "Crusade for Safety Day"; to the Committee on the Judiciary.

By Mr. BELL:

H. Res. 451. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

By Mr. DELANEY:

H. Res. 452. Resolution expressing the sense of the House of Representatives with respect to oppression of minorities in Rumania and requesting the President of the United States to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities of that country; to the Committee on Foreign Affairs.

By Mr. CURTIN:

H. Res. 453. Resolution establishing a Special Committee on Captive Nations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 9757. A bill for the relief of Mrs. Knou Daoud Misleh; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 9758. A bill for the relief of Christos A. Grivas and Despina Grivas; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 9759. A bill for the relief of Rina Zausata; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Residual Oil Imports

EXTENSION OF REMARKS
OF

HON. F. BRADFORD MORSE

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 9, 1965

Mr. MORSE. Mr. Speaker, more than a year ago on the floor of the House I deplored the continuation of residual oil import quotas as discriminatory, unnecessary, and harmful to our national security.

At that time I pointed out how serious was the impact of these quotas on the economy of Venezuela, a nation which depends on the export of oil for 90 percent of its foreign trade and 95 percent of its foreign exchange receipts. We cannot emphasize hemispheric economic growth and solidarity and then turn around and isolate one of the strongest nations in Latin America.

It has been difficult for Venezuela to understand this policy of restriction. Writing in the July 1965 issue of Foreign Affairs, President Raul Leoni comments:

> I want to emphasize that Venezuela has never been opposed to protection of an industry as vital as that of oil. What Venezuela objects to is the way in which protection has been applied by the United States; it just does not seem to us consistent with the proclaimed principle of hemispheric solidarity. In contrast to the products of other nations in the hemisphere, Venezuela's main export is discriminated against by a

> quota system imposed by the United States to subsidize its domestic oil industry. As a result we have suffered considerable economic losses at the same time that we have had to fight a decline in prices. Since the quota system was put into effect, we have lost millions of dollars which are indispensable for the economic and social development of the country in such critical fields as housing, education, and youth and infant care.

I share President Leoni's concern and I know that the people of New England who depend so heavily on the Venezuelan imports of residual oil to operate their industrial firms, their hospitals, and their schools do too. We do not understand the policy of the administration either and we will continue to work just as hard as we can for a complete reversal of that policy.

Strawberries South of the Border

EXTENSION OF REMARKS

OF

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 9, 1965

Mr. TALCOTT. Mr. Speaker, strawberry imports from Mexico have increased at a catastrophic rate in the last few years. Too few people are aware of this threat to domestic labor, processors, and growers. I take this opportunity to apprise my colleagues of these startling developments.

The Giannini Foundation, located at the University of California, Berkeley, is one of the most reliable agricultural research institutions in America. We are indebted to it for a study made in October of 1963 entitled, "The California Strawberry Industry." Its authors are Beatrice M. Bain and Sidney Hoos. The report surveys the strawberry industry on a nationwide basis, as well as historically. I commend the research report to everyone's reading. The following facts are confirmed in this report:

Since 1952 a frozen strawberry industry has been created in two States located north of Mexico City. More than 11 freezing plants were built by 1960 to process the berries for shipment.

Imports of frozen strawberries from Mexico amounted to 4,501,000 pounds in 1950. By 1955, they had increased almost three times to 12,011,000 pounds. Imports had again almost trebled by 1962 to a new high of 33,517,000 pounds—approximately 13 percent of domestic consumption. The most recent information, published in the Frozen Food Report for June 19, 1965, confirms this accelerating trend:

> Through June 12, 1965, 40,800,000 pounds of frozen strawberries were imported from Mexico into the United States. This compares with 30,500,000 pounds for the first 5 months last year.

If this rate of importation continues unabated, domestic labor and processors will soon be joining the ranks of the unemployed and seeking help through the war on poverty. This war will stalemate if the Federal Government follows policies that force men out of work and into poverty.

One solution is to adjust our tariffs to offset the tremendous labor cost advantage enjoyed in Mexico. I have introduced a bill to raise the present tariff from 14 percent ad valorem to 35 percent ad valorem. I urge action on this subject to prevent the destruction of another important domestic industry.

A Tribute to David E. Bell, Administrator of the Agency for International Development

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 9, 1965

Mr. WRIGHT. Mr. Speaker, I would like to take this time to speak a few words of appreciation for David E. Bell, Administrator of the Agency for International Development. I regret that I was absent from the floor recently when a number of our colleagues paid eloquent tribute to this able Administrator.

When reminded that his tenure in office outlasted that of his predecessors, Administrator Bell retorted that he considered this a "very minor distinction" because he came to do a job and not outlast anybody.

I consider the job he has done a very major distinction in one of the most difficult and most tumultuous positions in the U.S. Government.

As Director of the Bureau of the Budget, David Bell brought with him to his position with AID a great understanding of our Government and of our economic system. As overseer of the U.S. budget, he perhaps had a greater appreciation of economy and management efficiency than any other person in our Government, with few exceptions.

When he was sworn into office, December 22, 1962, he said:

> Any enterprise of the Federal Government involving the use of public funds ought to be managed with the highest prudence and frugality.

And in the ensuing months, as head of the AID program, he made this promise a reality.

Under David Bell the foreign aid budget has been pared to essentials. This year's request was the lowest in this history of the AID program.

Not only has the AID budget decreased, but AID funds have been better spent. David Bell inaugurated a comprehensive new management improvement system in AID, including new methods for more effective execution of AID's operating and programing systems.

He has tightenend personnel management, reducing the number of employees by 1,140 in fiscal year 1964 alone.

He has improved the Agency's procurement policies, thus saving the Government hundreds of thousands of dollars.

Under Administrator Bell, AID's auditing practices have been revised and overseas auditing services consolidated at great manpower and financial savings.

By adapting electronic data processing to the Agency's accounting and financial reporting requirements, David Bell has saved hundreds of man-hours and cut costs.

Country programs have been tightened and some terminated, since David Bell came to AID. A higher proportion of AID funds are going to fewer countries—95 percent is going to only 31 countries, and two-thirds of development assistance is going to just 7 countries.

Reduced budgets and program and operating costs are only a part of David Bell's major distinctions in office. But they are important ones—which have restored the confidence of Congress and the American people in the foreign aid program. And with the restoration of that confidence has come better opportunities to help the people of the developing countries around the world.

California State Board of Agriculture Reaction to Farm Labor Chaos

EXTENSION OF REMARKS

OF

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 9, 1965

Mr. TALCOTT. Mr. Speaker, for years Governor Brown has been condemning and maligning California growers and producers and championing the union farm labor organizers—for the obvious political reason that there are more workers than employers and the workers naturally respond to munificent promises whether fulfillment is possible or not. Employment by a bankrupt employer or a grower who is becoming insolvent is not good for the worker even though he earns 3 cents an hour more than last year and even though the Government and unions keep promising more. When the goose that produces the golden egg of high wages is finally strangled, the worker will know who did the choking.

Finally, a member of Governor Brown's State Board of Agriculture said:

> California farmers should be praised not only for paying the highest farm wages in the Nation, but also for transporting workers from long distances to meet this year's labor shortage.

Milton Natapoff of Los Angeles told fellow members of the board at a recent meeting in Sacramento:

> You seldom, if ever, hear this side of the story.
>
> For years our growers have paid the highest wages in the entire United States, and this year they have increased those rates by 25 to 50 percent, and I think credit is long overdue.

Anyone who knows the facts will concur.

The Council of California Growers, meanwhile, reported that "fair to good" workers have been earning from $3 to $5 per hour harvesting lettuce, from $17 to $30 per day pulling tomato transplants, from $20 to $40 per day picking cherries, from $1.50 to $2.85 per hour picking citrus, and from $1.50 to $2 per hour picking strawberries.

Observed Board Member Joseph Crosetti, of Salinas:

> The big question now is how long California growers can continue to compete with other States and Mexico where wage rates are considerably lower.

California State Employment Director Albert Tieberg told the Board at the same meeting that "wages as low as 60 to 70 cents per hour are still common in such States as Texas and Oklahoma." This may or may not be true. Regardless, California growers have consistently paid the highest wages and provided the best housing and working conditions of any farmer in the world. California growers can no longer perform so handsomely for their employees and complete with other sections of the world and withstand the punishment of their own Federal Government.

Gertrude Clarke Whittall

EXTENSION OF REMARKS
OF
HON. OMAR BURLESON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 9, 1965

Mr. BURLESON. Mr. Speaker, in my years of service in the Congress, my responsibilities as chairman of the Committee on House Administration and as chairman and vice chairman of the Joint Committee on the Library perhaps have made me a bit more keenly aware than some of my distinguished colleagues of the great contribution to our country's culture made by a great lady, Gertrude Clarke Whittall, who died at the age of 97 on Tuesday, June 29, 1965. I therefore feel it is most appropriate for me to pay tribute to this extraordinary person, whose good works will continue as long as the Library of Congress continues to exist, thanks to the foundations bearing her name which she established during her lifetime.

The record of Mrs. Whittall's benefactions is open for all to read and admire, but a brief summary may be in order at this time. Her gifts to the Nation and its citizens through the Library of Congress began, publicly, in 1935, shortly after she had moved to Washington from Massachusetts. Widowed in 1922, she had two great loves that sustained her spirit—music and poetry. Before leaving New England, she had carefully formed, with the help of experts, a collection of musical instruments which is one of the world's most precious possessions—three violins, one viola, and one violoncello constructed by that fabled master, Antonio Stradivari, with five magnificent bows to match, constructed by the Stradivari of bowmaking, François Tourte.

The late Herbert Putnam, then the Librarian of Congress, was one of Mrs. Whittall's close friends. As Mrs. Whittall herself once put it, "Dr. Putnam was my inspiration." He encouraged her to present these wonderful instruments to the Library of Congress, where they might be perfectly preserved and maintained. But since the Library is not a museum, and since musical instruments such as those assembled by Mrs. Whittall only come to life when they are heard as well as seen, he also encouraged her to allow them to be used in concerts for the benefit of the American people. Mrs. Whittall needed no more than the suggestion—indeed, she needed no more than Dr. Putnam's inspiration, since it may well be that the wonderful idea was her very own. Thus, in 1935, she did indeed present the Stradivari instruments and Tourte bows to the Library of Congress, where they were to be used—at her express wish—to provide free public concerts of chamber music to all who would hear; simultaneouly, she established the Gertrude Clarke Whittall Foundation to assure the perpetuation of these activities. The first public concert in which her wishes were executed took place in the Library on January 10, 1936, with the Stradivari instruments used—appropriately enough—by the famed Stradivarius Quartet.

It was quite characteristic of Mrs. Whittall to donate a room to the Library in which the instruments could be beautifully displayed when they were not being played, and in 1937, the Whittall Pavilion—one of the Library's most handsome settings for cultural events, was completed. Ever since then it has been used as the home, and thousands of Americans and visitors to our country have paused before the case in which they are housed in order to admire their beauty and to speculate on the magic a master craftsman had wrought more than two centuries earlier.

Mrs. Whittall preferred the continuous use of the Stradivari instruments by one group of musicians—a wise choice, since only in that manner could the individual instrument be adjusted to the needs and temperament of each artist, and only in that manner could the individual artist adjust himself to the needs and temperament of each instrument. The two must live together in order to make the finest music, she felt. As a result of this thought, the Library of Congress acquired a "quartet in residence, the Budapest String Quartet—one of the world's great chamber ensembles—which played its first concert on December 8, 1938, and continued to use the Stradivari instruments for 23 seasons—until March 30, 1962. Beginning with the 1962–63 season, the renowned Juilliard String Quartet started to use the Strads, and they have been the Library's resident group ever since.

As further evidence of Mrs. Whittall's generosity, many additional ensembles and distinguished soloists were presented under the auspices of the music foundation bearing her name. Up to the time of her death, nearly 700 concerts had been offered by the Whittall Foundation, many of them broadcast, and countless thousands enjoyed the pleasure that the combination of great virtuosity and great music alone can bring.

Over the years, Mrs. Whittall continued to enlarge the foundation's endowment, and at the outbreak of the Second World War, she made it possible for the Library to purchase a superb collection of autograph musical scores, privately owned by a Vietnamese family, for which a home safe from the hazards of destruction in Europe was being sought. This was the nucleus of what has since become one of the world's most awe-inspiring collection of original manuscripts—the Whittall Foundation Collection of Autograph Musical Scores and Autograph Letters—which includes music and letters by Bach, Beethoven, Brahms, Haydn, Mozart, Mendelssohn, Schubert, and many, many others.

Poetry and music had an equal share of Mrs. Whittall's affection, and in 1950, she provided the Library with the resources whereby the public could enjoy the sister art in the same way as she had provided the resources for our citizens to enjoy music. Through the Gertrude Clarke Whittall Poetry and Literature Fund in the Library, she made it possible for listeners to hear our best poets reading their own poems, our best actors interpreting the master dramatists, and our finest minds lecturing on literary subjects. She furnished the Library's attractive Poetry Room—where her good friend, the late Robert Frost, liked to meet his friends and view the Capitol; she made it possible for the Library to acquire manuscripts of such poets as Shelley, Dante Gabriel Rossetti, A. E. Housman, and—one of her favorites—Edwin Arlington Robinson.

Although advancing years robbed her hearing of much of its acuteness, she continued to attend almost every Whittall Fund presentation, and her tiny, gracious figure, in her regular seat specially wired with a hearing aid, was a familiar and beloved one to generations of Washingtonians. She was in the audience—and at the reception honoring playwright and cast—when Mark Van Doren's "The Last Days of Lincoln" played on April 12, 1965; she was in the audience when the Juilliard String Quartet gave its last concert of the 1964–65 season last April 23. She was a gregarious person, who freely shared her own enjoyment of the arts with the rest of the audience, and especially with young people, whose presence continually delighted her. She was a frequent visitor to the Library's Music Division and its Poetry Office, and she took a deep and genuine interest in its work. She was as much a part of the Library of Congress as anyone possibly could be, and in many ways, her ideal of service to the country she loved is a personification of the Library's own ideal of service.

On December 4, 1963, the Commissioners of the District of Columbia honored her with a citation for distinguished service. This was presented by Commissioner Walter B. Tobriner in a ceremony in his office. The citation stated that "her gifts of music and literature to the people of the United States, through the Library of Congress, have brought the arts into the lives of many Americans; have enriched the Library's collections and extended its influence; and have given the American people great pleasures and pleasant experiences." It would be difficult to improve on this succinct tribute, and I shall not attempt to do so.

At the ceremony, Mrs. Whittall—young in heart as ever—complained mildly about the timing of the citation. "I wonder why they didn't wait until I am 100," she said. "My work is not yet done." I am glad the Commissioners did not wait, but she need not have worried about her work. Thanks to her enlightened generosity, Mrs. Whittall's good work will never be done, and she will continue to live in the affections of the people of this country as a symbol of that civilized devotion to the things of the spirit which is as typically and characteristically American as the Nebraska farm on which she grew up. But as a person she will be missed, for she was a great person. We will not soon see another such great lady again.

Dr. Frederick Albert Cook Centenary Celebration

EXTENSION OF REMARKS

OF

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 9, 1965

Mr. DOW. Mr. Speaker, I insert the following excerpts from letters and wires received at the Cook centennial celebration at Hortonville, Sullivan County, N.Y., on June 13, by the Honorable Richard Ried, chairman of the Delaware Township Centenary Committee. Also included is a resolution by the mayor of the city of Buffalo and an account of the event in the Sullivan County Democrat of Callicoon:

[From the Sullivan County (N.Y.) Democrat, June 17, 1965]

ONE HUNDRED AND FIFTY ATTENDED COOK CENTENARY—PLAQUE DEDICATED TO FAMED ARCTIC EXPLORER

More than 150 persons attended the Cook centenary celebration at Hortonville on Sunday, June 13, 1965 despite temperatures in the 50's. Each of the speakers enlightened the audience on some phase of the life of Dr. Frederick Albert Cook, who was born in Hortonville on June 10, 1865. In addition to celebrating the 100th anniversary of the birth of Dr. Cook, the ceremony marked the dedication of a roadside marker to be placed near Dr. Cook's birthplace, the present Lawrence Mauer home.

Justice Richard Ried of the town of Delaware acted as master of ceremonies and touched upon Dr. Cook's literary career in his speech. Russell Gibbons, editor of the Hamburg Sun and secretary of the Dr. Frederick A. Cook Society, outlined the recent events which have served to strengthen the belief in Dr. Cook's claim that he was the first man to reach the North Pole. He also enumerated the various experts in the field who have come to believe in Dr. Cook.

Mr. Gibbons then presented a picture of Dr. Cook to Bert Feldman and Burton Lemon, who represented the Sullivan County Historical Society.

Town historian Valleau C. Curtis touched upon the many achievements of Dr. Cook in allied fields, such as his study of natives of the Arctic region, his survival studies, medical discoveries, and his literary career.

A word of thanks was extended to Mrs. Norma T. Stengel of Callicoon, who did much of the preliminary research for the project and who planned an assembly which was presented at Delaware Valley Central School on Thursday, June 10. J. Vance Hunt of Hawley, a member of the board of governors of the Dr. Frederick A. Cook Society, was also credited with local help.

Mrs. Elliott J. Vetter, daughter of Dr. Cook, reflected that a celebrity such as her father, has little time for home and family but that his family realized that he was a man of the ages.

Supervisor John Eschenberg then unveiled the marker, which was placed later in the day. He expressed the thanks of the town board to all those who had helped with the celebration.

The invocation was pronounced by the Reverend Newton B. Ford of Callicoon Methodist Parish and the benediction was given by Father Cyprian Lynch of St. Joseph's Seminary, Callicoon.

The Delaware Valley Central School band played several musical selections before the program and assisted in the flag salute and the national anthem.

CITY OF BUFFALO RESOLUTION

Whereas Dr. Frederick Albert Cook was born 100 years ago this Thursday, June 10, in the hamlet of Hortonville, Sullivan County, in the State of New York; and

Whereas Dr. Cook is a pioneer American explorer, traveler, and scientist who extended the frontiers of both the Arctic and Antarctic regions and the subarctic area of Alaska; and

Whereas Dr. Cook is the first man in historical geography to have described the region at the north geographical pole, and his attainment of the North Pole on April 21, 1908, is recognized by many geographic, scientific, and reference authorities; and

Whereas the Journal of the Arctic Institute of North America recently paid tribute to Dr. Cook's pioneer polar exploits in marking the centenary of his birth; and

Whereas the career and accomplishments of Dr. Cook have been cause for recent recognition in messages in the Congress of the United States and a resolution by the New York State Legislature; and

Whereas the Erie County Board of Supervisors has also gone on record as according recognition to this explorer of the ends of the earth, citing his residence in Erie County some three decades ago; and

Whereas the city of Buffalo shares part of the history of this famous polar explorer in that Forest Lawn Cemetery is his final resting place: Now, therefore, be it

Resolved, That I, Chester Kowal, mayor of the city of Buffalo, do hereby designate Thursday, June 10, 1965, as Dr. Frederick A. Cook Centennial Day, in Buffalo and direct that copies of this resolution be sent to the Sullivan County Historical Society and the Dr. Frederick A. Cook Society, who are marking a civic celebration this Sunday in Callicoon, N.Y.

CHESTER KOWAL,
Mayor of Buffalo.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 8, 1965.

This Congressman made a considerable effort to revise his schedule in order to attend the Cook Centenary celebration in Callicoon. It is unfortunate that there was one previous engagement which could not be changed.

I am very proud that a great explorer, whom you are honoring at the Cook Centenary was a native of our congressional district. So much that is great in American history, in fact the major part of all the civilization that we have today, was created for us by American boys who came from the back hills and river valleys of rural America.

They started out as barefoot boys at distant crossroads in the country. They went to the little red schoolhouse and I suppose they went fishing and trapping in the creeks. Somehow they had the intelligence and the resolution to go forth and achieve mighty results.

I am sure nobody went farther than Dr. Frederick A. Cook because he went to the North Pole. How could you go farther than that?

It is an inspiration for us in our endeavors to recall the achievements of this native boy from Callicoon. Nowadays we are going forth into space and we have to pioneer on new political frontiers. Because Dr. Cook could do it, we know that we can do it if we will try as hard as he did.

With my very kindest good wishes to the board of governors and to all the good people who are assembling to honor one of America's great explorers.

Most sincerely yours,

JOHN G. DOW.

U.S. SENATE,
Washington, D.C., June 8, 1965.

On the occasion of the centennial celebration of the birth of Dr. Frederick A. Cook, it is a pleasure to send greetings to the citizens of Sullivan County, the members of the Dr. Frederick A. Cook Society, and the others who are joining to honor this distinguished American explorer and scientist.

The controversy that has surrounded Dr. Cook's attainment of the geographical North Pole continues; but whatever the outcome of the inquiries, Dr. Cook's contributions to the fields of science and history continue to gain recognition, respect, and credence in scientific circles.

I am glad to join with you in proud observance of Dr. Cook's great contributions.

With best wishes.

ROBERT F. KENNEDY.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 10, 1965.

My best wishes go to the members of the Town of Delaware Centennial Committee, the Sullivan County Historical Society and the Dr. Frederick A. Cook Society, as well as all of the citizens of Delaware Township on the occasion of your civic observance Sunday.

On Tuesday, to celebrate the 100th anniversary of Dr. Cook's birth, I inserted into the CONGRESSIONAL RECORD and extended remarks in the House of Representatives excerpts from the historic letter of Dr. Cook to Congress of February 1915.

I said on this occasion that I hoped that at some time in the future a fitting and proper recognition could be accorded by Congress to Dr. Cook for the pioneer work he blazed in both the Arctic and Antarctic frontiers at the turn of the century.

Your recognition today is a testimony to the belief of good citizens in the ultimate course of justice and fairplay.

RICHARD D. MCCARTHY,
Member of Congress.

I regret that I shall be unable to attend the ceremonies held in honor of Dr. Frederick A. Cook, but an earlier commitment for that weekend prevents me from accepting your committee's invitation.

It was a pleasure to sponsor the resolution that memorializes the Governor to proclaim June 10, 1965, as Frederick A. Cook Centennial Day in New York State. I acknowledge Dr. Cook's accomplishments and join with you in honoring this outstanding citizen.

Please be sure that I am with you all in spirit on this important day.

MRS. DOROTHY H. ROSE,
Member of the Assembly, New York State Legislature.

Please extend my best wishes and greetings to the people of Callicoon and Hortonville, as well as those from throughout Sullivan County and other parts of the State, who have joined in this fitting tribute today.

It was my pleasure to cosponsor the joint resolution in the legislature memorializing the Governor to designate "Dr. Frederick A. Cook Day" in New York State.

E. OGDEN BUSH,
State Senate, New York Legislature.

To anyone who impartially examines all the evidence, there can be no doubt that Dr. Frederick Albert Cook reached the North Pole, and was therefore the first man in history to do so.

FREDERICK J. POHL,
Editor of Dr. Cook's Posthumous "Return From the Pole."

Those who are gathered to do honor to Dr. Cook at his birthplace are to be saluted for their courage. For it takes courage to stand up for justice. Let us hope that this observance will spur others to follow your example and thereby speed the day that will bring him the vindication withheld for over half a century.

ANDREW A. FREEMAN,
Author, "The Case for Dr. Cook."

I'm honored that from Italy arrive to you, honorable members of the Committee for Dr. Cook's Birthday Centennial and to you, citizens of Callicoon, the salutations of an Italian geographer and polarist.

Dr. Cook's victory is patrimony of all the world and pride of all the men who love science and the heroisms on the bloodless fields of scientific competition.

Too many shadows were cast on Dr. Cook's name and glory. Now the ray of the truth comes back to illuminate that very great figure of explorer and scientist, and polarists of all the world will welcome this. After the darkness, the light.

In Italy also the judgments are changing and the truth begins to appear.

Italian Geographic Polar Institute, all the Italian polarists, and I join enthusiastically with the celebration that the city of Callicoon has resolved to Dr. Cook's memory and incite the great America to believe in the truth.

The truth—that of Dr. Cook's victory—honors her history and irradiates new light on her glorious flag.

DR. SILVIO ZAVATTI,
Director, Italian Military Polar Institute (Istituto Geografico Polare, Civitanova Marche (Macerata), Italy).

Best wishes to the citizens of Callicoon as you commemorate the century of the birth of Dr. Frederick A. Cook. Your interest and work in behalf of the memory of Dr. Cook reflects a commendable spirit, appreciation and sense of history and will do much to bring about the recognition which his great works merit.

Respects and regards to all,

JACOB K. JAVITS,
U.S. Senator.

Please accept and convey to Centennial Committee my felicitations on Dr. Cook's birthday. Oceanography has shown him to be the first to reach the Pole.

Rear Adm. CHARLES W. THOMAS,
U.S. Coast Guard (Retired), Assistant Director, Hawaii Geophysical Institute, President, Dr. Frederick A. Cook Society.

When you know what kind of a man a person is you have illumination to measure his motivations. Dr. Cook was an honest man, sincerely inspired to do great deeds. If he had not been truthful the light of his adventurous explorations would have long since flickered away instead of today still brightly burning to illumine his contributions to the history and advances of exploration.

ROBERT HOLDER,
Chautauqua Institution, Member, Board of Governors, Dr. Cook Society.

Here in Norway we know Dr. Frederick Cook primarily for his lifelong friendship with Roald Amundsen.

We also know Dr. Cook for his great services on the "Belgica" Antarctic Expedition, and for his push to the North Pole in 1908. There is no doubt that he made one of the longest and most daring sledge journeys ever made. Dr. Cook's diary on it is admirably written.

K. Z. LUNDQUIST,
SOREN RICHTER,
Directors, Norsk Polarinstitutt, Oslo, Norway.

My regrets to all those attending the Dr. Cook centenary. It was my wish that I could be with you today, but I have just returned from the Canadian Arctic to North Bay.

In the near future I hope to detail my plans to erect a fitting monument at Cape Sparbo, to further recognize the field work of this pioneer polar explorer.

HORACE GARDNER,
Associate, Canadian Polar Shelf Project.

How I wish I could be with all the fine people at the civic ceremony in Callicoon this Sunday, but previous plans find me in Connecticut. As a reporter on the famous old New York Evening World, I had the opportunity to interview firsthand both Dr. Cook and his rival claimant to the discovery of the North Pole.

Dr. Cook was forthright in his replies to the questions of all the newspapermen present, and subsequent events have proven that his account was both true and accurate. Dr. Frederick Albert Cook, a true scientific explorer, was indeed the first man ever to reach the North Pole. My deepest congratulations to all concerned in this historic centenary celebration in honor of the memory of a great and beloved man, a brilliant Arctic and Antarctic explorer.

WENDELL PHILLIPS DODGE,
Arctic and Hot Desert Explorer Since 1901; Former Editor, the Explorer's Journal, Fellow Royal Geographical Society.

A Dream Fulfilled for Cuban Refugees

EXTENSION OF REMARKS
OF

HON. CLAUDE PEPPER

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 9, 1965

Mr. PEPPER. Mr. Speaker, it is my personal privilege to commend the Dade County Public School system for its extraordinary job in educating and integrating large numbers of Cuban refugees, some 16,000 this year, into American life. Each refugee has endured pains caused by the language barrier and loss of their previous status.

As all my colleagues well know, the event of communism in Cuba has caused freedom-loving individuals to flee from their homeland to American shores in the hope of making a new life for themselves. The numerous professional people have had to begin at the lowest level of their calling. Doctors are working as interns, lawyers as clerks. We all realize the psychological pains this must cause.

The most remarkable fact about the Cuban refugee problem is the accommodation they have received in the Dade County Public School system. The wonderful new schools in Dade are featured in the magazine Education Age, in an article appropriately entitled "Miami Schools—A New Life To Cubans," from which I quote:

> This unexpected onslaught of Cuban refugee has not only been absorbed by Dade County in a remarkable and unprecedented education effort, but has in the past 5 years brought about several new teaching methods.

Indeed the problems of large-scale immigration are today unique to Dade and methods of educating the refugees are also unique. The need to educate students from preschool age to 90 has been handled by a devoted staff of specialists who have coped well with emotional problems not ordinarily faced by teachers. The Cuban refugee needs a great deal of English training, and of necessity had to adapt himself to an entirely different educational concept in other areas. The educational differences were further augumented by the change of residence of large numbers of Cubans within Dade County itself, and the movements of refugees between Dade and other areas within the United States.

The most modern techniques are being used. Educational television, for instance, is used with teacher participation. The broadcast then returns for a followup emphasis. The multitude of Cuban teachers are used in conjunction with Spanish-speaking American teachers. This creates jobs for them while greatly aiding the educational effort. Vocational schools are used to train adults, who will then be of more use to themselves and the American economy.

The Cuban refugees have been imbued with a sense of pride in their adopted country, and have shown their thanks to those who made their new life possible. They have started a new library in honor of our late great President, John F. Kennedy, for example, and many have joined junior clubs in such fields as business and politics.

In the past the Federal Government and the Appropriations Committee Subcommittee on Foreign Operations, under the chairmanship of the Honorable OTTO PASSMAN, has given a thoroughly sympathetic and impartial hearing to this problem. Public Law 87-510 has provided funds since June 28, 1962, for the education of Cuban refugees. At that time it was realized that the cost of educating Cuban refugees was 20 percent greater than that for American citizens. The present fiscal appropriation for Cuban refugee education represents a $1½ million cut as compared to the 1964-65 figure. The number of Cuban refugees is not decreasing at a rapid rate. For that reason, I have received numerous requests to work for the inclusion of Cuban refugees in the Economic Opportunity Act of 1965. I have discussed with my able colleague, SAM GIBBONS of the Education and Labor Committee, the possibility of offering a committee amendment to that effect.

I urge that we expand the services we are providing for refugees; that we demonstrate the individual benefits to be reaped by those living in our great modern society, as compared to those of that unfortunate island, Cuba. From past performance, I know that the educators of Dade County will continue their role. Let us take advantage of the skills of these energetic people.

Therefore, Mr. Speaker, I also commend the people of Dade County, their school system, their dedicated administrators, and truly the progressiveness of every member of that school board.

Address by Secretary of Agriculture Orville L. Freeman at 50th Anniversary of Cook County (Ill.) Forest Preserve District

EXTENSION OF REMARKS

OF

HON. DANIEL D. ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 9, 1965

Mr. ROSTENKOWSKI. Mr. Speaker, under leave to extend my remarks, I would like printed into the RECORD at this point the address by Secretary of Agriculture Orville L. Freeman delivered on Sunday, June 27, 1965, at the 50th Anniversary of Cook County Forest Preserve District, Chicago Zoological Park, Brookfield, Ill.:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT 50TH ANNIVERSARY OF COOK COUNTY FOREST PRESERVE DISTRICT, CHICAGO ZOOLOGICAL PARK, BROOKFIELD, ILL., SUNDAY, JUNE 27, 1965

It is an honor to participate in this 50th anniversary celebration.

On behalf of President Johnson, the U.S. Department of Agriculture, and the entire Johnson administration, I extend congratulations and best wishes to the Cook County Forest Preserve District, to the board of commissioners and the 5 million citizens of this great metropolis who both enjoy and support these wonderful facilities for recreation and re-creation. Here you have opportunity for casual fun and for spiritual regeneration.

This is not only a beautiful and useful public asset, not only a monument to the foresight of leaders who established and developed this area—it is an example to all who live today, proof that the battle against ugliness and noise and pollution can be won.

Here is proof that men and women with vision and determination can build for themselves and their descendants a better place in which to live. This is a challenge to you and to me.

The challenge is the more real because your success came hard. The example you offer is one of hard work and perseverance as well as achievement.

In the U.S. Department of Agriculture Library, we have a good deal of historical literature about this forest preserve district. Scanning it we are reminded that your success was achieved against great odds. In the late 1800's Chicago was growing at a terrific rate in size, population, wealth, and complexity—and also in its output of smoke and sewage, in creation of slums, in problems of health, education, and recreation. Some people who made their fortunes in Chicago moved elsewhere to enjoy life.

Complicating the situation was the influx of foreign-born people, many of whom were poor and disadvantaged but who were accustomed in their old countries to publicly supported parks.

A leader of that period—Dr. John Rauch—wrote vigorously of the need for parks, saying "we want not alone a place for business, but also one in which we can live."

Fortunately, good citizens took an interest. Many of the famous names of Chicago history are associated with the forest preserve. Also by good fortune, the forest preserve had the benefit of competent metropolitan planning.

Very early, according to the records, the special park commission of the Municipal Science Club recommended (and I quote): "Instead of acquiring space only, the opportunity exists for preserving country naturally beautiful."

In 1909 the plan of Chicago prepared under the direction of the Commercial Club stated that "nearby woodlands should be brought within easy reach of all people, and especially the wage earners," because of the restorative value of natural scenery to city dwellers.

While areas have been allotted for the zoo, playfields, golf courses, picnic grounds, and other important intensive uses, the emphasis through the years has remained on natural forests, natural beauty.

As Anton J. Cermak said in his report as president of the board of commissioners in 1925: "This has been a unique venture in combining the beautiful and the practical."

In the 1921 report is the record of a meeting honoring the memory of the first president of the board, Peter Reinberg. On the cover of the book is a poem:

"The kindest thing God ever made,
His hand of very healing laid
Upon a fevered world, is shade.

"Green temples, closed against the beat
Of noon time's burning glare and heat
Open to any pilgrim's feet.

"This is God's hospitality,
And who so rests beneath a tree
Has cause to thank him gratefully."

The need for natural beauty is not new. It is very old.

Recognition of the need is not new either.

But we do have a new expression of that need—a new call to action—a new challenge.

We are rich and powerful and advanced in scientific achievement, yet we continue—thoughtlessly or ruthlessly—to pollute and despoil the earth on which we live. We foul our environment to such an extent that we rob our lives of the joys that could easily be ours—the simple joys of being alive, of being human, of being children of God in the universe of His creation.

Today we cannot even be sure we are fulfilling the most elementary animal instinct—the preservation of species. For the would-be human population of the future may find an earth not only bleak and bereft of joy, but unfriendly to life itself. Destruction and pollution and uglification of our vital resources are the suicidal, manmade enemies of man.

And if the richest nation on earth—blessed with democratic institutions—cannot build for the future, pray tell, what hope is there for the earth as a whole?

Fortunately, the Nation is awakening to the danger and facing the challenge. President Johnson, with his genius for expressing the will of the people, has called for a new drive to regain and retain the natural beauty of our country.

As he stated it in a recent message to the Congress: "The beauty of our land is a natural resource. Its preservation is linked to the inner prosperity of the human spirit."

In this statement, President Johnson has not merely expressed his own philosophy—although he has done that in admirable fashion—but he has sensed and put into words that you and I would have been proud to utter the feelings, belief, and determination of the whole people.

We recognize that the love of beauty is one of the most fundamental attributes of human nature—one of our finest attributes. We recognize also that natural beauty is one of the most important dimensions of our practical goal of conserving and revitalizing our natural resources.

It is suddenly clear to us that our concept of conservation has been growing and taking new form, escaping old cubicles and dividing lines, emerging as a new philosophy.

The new concept is characterized by unity.

No longer can there be separate compartments in the conservation world—no compartment for soil conservation apart from beauty preservation, no longer a wall between wildlife protection and agricultural conservation, no longer a forestry objective separate from the interests of the grasslands, no longer a policy question as to multiple use of water resources and, finally, no more a disunity between city and open country.

Perhaps there is symbolic significance as well as practicality in the fact that the Secretary of Agriculture is Chairman of the Recreation Advisory Committee of the U.S. Government.

The conservationist of 1965 is an exponent of natural beauty in its many forms for the enjoyment of all the people—he is an enemy of preventable ugliness.

The modern conservationist is a proponent of the principle of sustained economic use of resources—an opponent of mere hoarding and an enemy of waste—waste in any form, including erosion, fire, or uneconomic production.

The conservationist of 1965 is an advocate of open space and quiet areas—an enemy of crowded slums, filth, and air filled with stench, poison fumes, and fallout.

The true conservationist of today sees the union of resources and values on which humanity depends, and he would preserve that union. He sees the world of conservation as one world.

The love of natural beauty is a great unifying force in the modern conservation movement. As President Johnson said, "We can introduce into all our planning, our programs, our building and our growth, a conscious and active concern for the values of beauty." In agricultural terms, we can express this ideal as a concept of multiple use management. Under multiple use management, natural beauty can be developed and maintained; food, fiber, wildlife, recreation, forage and timber can be provided; soil and water can be conserved.

In our national forests—which comprise 19 percent of our country's commercial timberland—we no longer think of ourselves merely as custodians and protectors. We practice multiple use management to the end that the greatest possible number of people may benefit.

In community programs such as small watershed projects on private land, we combine flood control with municipal water development, recreation, and farmland conservation.

In our public partnership with farmers for conservation work on individual farms we encourage the use of practices which not only conserve soil and water for agricultural use but also provide better conditions for fish and wildlife and recreation for the public.

Let me give you some illustrations of our multi-purpose conservation activities.

Here in Illinois 50,000 to 60,000 farmers do partnership work with you every year through the agricultural conservation program. With cost-sharing assistance from you and the rest of the tax-paying public, they build ponds which are a boon to waterfowl, an aid in flood prevention, and a means of helping maintain the ground water table. They establish grassed waterways to dispose of runoff water without the erosion of soil. They plant trees.

Down in Johnson County last year 150 farmers—every farmer in one particular area—cooperated in a special pooling of funds under the agricultural conservation program—and they built 80 ponds and established a protective grass cover on 3,000 acres. The result was a great boost in conservation—and in beautification.

A similar project is underway this year in Clark County.

In Henderson County, along the Mississippi River, we have a special ACP project underway to heal the ugly gullies in the bluffs and to reduce the siltation of streams and reservoirs below.

In my home State of Minnesota, farmers in one county, in just 1 year recently, planted well over 3½ million trees on 3,000 acres. They did this with the help of the ACP.

The farmers in Minnesota and other nearby States are being encouraged to plant oats for wildlife on land diverted from market crops under the feed grain program. This should make a lot more good cover for nesting birds and a lot of feed for them as well.

In projects of this kind we have the cooperation of several agencies and many people—the Agricultural Stabilization and Conservation Service, which administers the program through the farmer committee system; the Soil Conservation Service, which provides technical assistance; the Federal-State-county Extension Service, which carries out educational responsibilities; the Farmers Home Administration, which makes loans for conservation and development, including recreation, to eligible persons and groups; State agencies responsible for work in forestry, and in fishing and wildlife; soil conservation districts; conservation organizations; local civic organizations; business and professional people; and, of course, the farmers themselves.

Here in Illinois, 99 percent of the farms are in locally organized soil conservation districts that have been set up under State law. Our technical assistance is provided through those districts in which there are 65,000 cooperators. The Department also works with local groups, usually soil conservation districts, in planning and developing small watershed projects for flood prevention, water supply, recreation and other public purposes. In your State, local groups have made formal application for 56 of these watershed projects, and so far 9 have been approved for operations with 17 more approved for planning.

In Lake County the regional planning commission and other local agencies are using for urban purposes the soil survey maps that were made primarily for soil conservation use on farms. These maps have been used to help prevent the location of home developments where basements will flood or where soil is not porous enough for septic tanks or for drainage of lawns and gardens. They are also used to help roadbuilders avoid unstable soil and to help in selection of trees and shrubs that will do well.

You have seen from a hilltop or from an airplane the graceful lines of crops planted on the contours of sloping fields. This beauty came about for a practical reason: We had to fight erosion. Farmers and public together have done it—the public providing the technical, educational and cost-sharing help that the public interest justifies, farmers providing their labor and a big share of the dollar cost. We now have 40 million acres, nearly a tenth of our cropland, on the contour.

In our agricultural extension work with 95,000 4–H Clubs, and with home demonstration units, garden clubs, and other organizations, we provide and emphasize education on beautification of home and community.

Our agricultural research people do a great deal to improve varieties of ornamental plants and their culture. Our loans for rural telephone and electric systems are used increasingly for lines that run underground rather than on poles that are sometimes very noticeable and unsightly.

We have credit programs that enable many people on farms and in rural towns to build new homes to take the place of rundown houses and shacks.

Since 1962 we have made loans to 133 nonprofit rural associations to build community recreation facilities and to 375 farmers to develop income-producing recreation facilities.

In 616 small watersheds we are working with local groups, largely soil conservation districts, to build dams and develop the resources for flood prevention, watershed protection, erosion control, municipal water supply, fish and wildlife, and recreation. In these projects, the public provides technical help and part of the dollar costs; the local groups provide the rest.

We have cooperative forestry work involving the U.S. Department of Agriculture, State and local agencies and individual owners of woods and forests. The people working in this field report that in the 12 months just past about 950 million seedlings were planted on well over a million acres, and fire protection was provided for well over 400 million acres.

You undoubtedly know a lot about the national forests. There are 154 of them and 19 national grasslands, all owned by the public and managed by the Department of Agriculture. We recorded 134 million visits by persons seeking recreation last year. The national parks administered by the Department of the Interior enjoyed similar popularity. As it is here in Cook County, some of the visitors to public lands wanted strenuous activity; others—or the same persons at different times—wanted just to enjoy quiet and beauty. Not incidentally, the national forests include thousands of miles of free-flowing wild rivers and 14½ million acres of primitive areas and wilderness.

I have given you examples and an abbreviated checklist of activities in which the Department of Agriculture is involved to indicate in general what can be done for natural beauty and conservation when the public cares enough.

In a democracy we tailor method to the job. In the Cook County Forest Preserve District and in the national forests, we see public ownership. In some of our watersheds we see teamwork between Federal agencies and legally constituted local groups. On our millions of farms, we see the individual in league with the public through local, State, and Federal agencies.

Much is being done to benefit the people of both city and country. Much that is being done contributes not only to our material welfare but also to our enjoyment of beauty and our opportunities to re-create our inner lives.

The programs through which we are making this kind of progress have had the support of most of your Members of Congress, even when ill-informed people and mass media at times labeled them as Government interference, or subsidy farm program. I salute them for their courage and farsightedness.

But so much more needs to be done.

And right now we have a tremendous opportunity to take another gigantic step forward. The proven philosophy and principle of unity and use in conservation can if we are wise and alert be constructively applied once more—this time in the Great Society farm program now pending before the U.S. Congress.

We are in the vortex of an amazing technological revolution. Science and capital in combination enable our farmers to keep on increasing output of crops year after year. We are diverting surplus acres by means of our feed grain program and other commodity programs as a means of holding back surpluses that otherwise threaten the Nation's economic well-being and the welfare of the farmer. But as we take out of production the land not needed in producing food, let us use our commonsense and—rather than merely retiring this land or banking it—put it to use.

Right now Congress has before it a proposed cropland adjustment program recommended by the President and the Secretary of Agriculture and various public-spirited organizations, including conservation and wildlife groups.

This program would provide good uses for as much as 40 million acres of surplus cropland. These are opportunity acres for the public. We can put them to use as forested and grass-covered watersheds producing clean water, reducing the erosion of soil and sedimentation of streams. We can use them to create more open space near cities. In fact, one feature of the proposed program would provide direct help for cities in acquiring surplus cropland to meet their needs for parks and open spaces.

We can also benefit as citizens when farmers devote more of their surplus acres to ponds and lakes, hunting areas, hiking trails, and other recreation opportunities open to the public. And as we do this we will benefit from reduction in Government costs of protecting the economy against the effects of surplus production. Truly, in this program the basic concepts of modern conservation—of unity and of use—can and must be put to work. I commend this program to your study, and I hope you will give it your wholehearted support as a means of carrying out your objectives toward conservation, recreation, and beautification.

Do not be misled by those who narrowly and spitefully attempt to plaster the label farm subsidy on this legislation. It is all to the good that it will help meet our commodity problems and help to improve the farmer's income. The main thing is that at the same time it will accomplish improved use and preservation of our national resources. It deals with a whole union of values. It is of interest to every conservationist whether on the farm or in the city, no matter from which part of the old conservation world he emigrated to the one world of today.

Just as truly as it is agricultural, it is urban legislation. As surely as it is a farm bill, it is a beautification bill.

Fortunately for us and those who will live after us, our Nation has the opportunity to choose paths we wish to take toward the future. Despite neglect and waste we still have tremendous resources. We have a large measure of prosperity. We have pride in our Nation, a feeling of citizenship in the world community, and a sense of stewardship as temporary users of the resources of creation.

Like those who had the vision and the fortitude to establish this forest preserve district 50 years ago, we today seek to do our bit toward the building of a Great Society.

In this anniversary celebration, we find good cause to take heart. For here we celebrate a triumph of conservation over despoliation, of beauty over ugliness—a triumph of the spirit with which man was endowed by God.

Monroe County Citizens Fight Water Pollution

EXTENSION OF REMARKS

OF

HON. WESTON E. VIVIAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, July 9, 1965

Mr. VIVIAN. Mr. Speaker, the House Committee on Public Works has recently reported to the House for action a bill of utmost importance to thousands of my constituents in Monroe County, Mich. This bill, S. 1648—the Public Works and Economic Development Act of 1965—already has passed the Senate body and hopefully will come before the House within the next few weeks.

Mr. Speaker, numerous townships and villages in Monroe County urgently need the aid to be made available under this new act, for construction of sewage systems and treatment facilities. These facilities will serve not only to alleviate local public health hazards, but also help abate the pollution of Lake Erie, now seriously polluted.

The Monroe County communities, in spite of acknowledged need of aid, have been unable to obtain funds through the State authorities in control of Federal funds appropriated for the construction of such facilities, presumably because of high priority of other projects.

The Public Works and Economic Development Act of 1965 is designed to provide grants for public works and development facilities needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions. When enacted into law, this bill will replace the present Area Redevelopment Administration Authority.

Monroe County, because of past persistent unemployment, earlier had been eligible for grant assistance under the expiring authority from the time the legislation became effective in 1961. But in May of this year, Monroe County became ineligible for ARA aid because the unemployment rate fortunately had dropped markedly in the county.

As originally submitted, the proposed Public Works and Economic Development Act of 1965 would have continued to excluded Monroe County, for only those areas on the ARA eligible list at date of enactment would have been eligible for assistance under the new bill. However, changes in the wording of the bill were made in both the Senate and House Public Works Committees, permitting an area to continue to be eligible for aid if it was on the ARA list as of March 1 of this year, according to the version of the bill reported to the House, or as of April 1 in the version that passed the Senate. Because of these changes, Monroe County is assured of being eligible under the new act.

Mr. Speaker, the village of South Rockwood, in Monroe County, is one of the communities in need of sewage facilities, and is a typical example. I recently received from Don F. Dodge, attorney for the village, a petition signed by 169 citizens, which makes a strong, clear argument why Federal aid is needed for South Rockwood. The petition follows:

To: WESTON E. VIVIAN, Member of Congress
From: The Citizens of the Village of South Rockwood, Monroe County, Mich.

We, the undersigned citizens of the village of South Rockwood, Monroe County, Mich., hereby respectfully submit our petition to you showing as follows:

1. The village of South Rockwood does not presently have public sewerage system or treatment facilities.
2. The Michigan Department of Health and the Monroe County Health Department have determined that a public health hazard exists in the village of South Rockwood and, therefore, the village has been under a building ban wherein no residential or commercial construction can be commenced until such time as sanitary sewers are available.
3. The Huron River, which acts as the northern boundary of the village of South Rockwood, has become seriously polluted from waste material from the various septic tanks in the village seeping into the river, which has become a subject of investigation by the Water Resources Commission of the State of Michigan.
4. The Housing and Home Finance Agency has acknowledged receipt from the village of South Rockwood of an application for a Federal grant of $262,762.10 to aid in financing a sanitary sewer system estimated to cost a total of $525,424.21 and said application has been assigned project number APW-Michigan-421G.
5. Under the accelerated public works program, the Community Facilities Administration periodically reviews the applications preparatory to assigning project priorities for the fiscal year.
6. Many communities in the United States who were independently able to finance their own programs have received Federal grants, and yet the village of South Rockwood, with its minimal revenue, although standing in the path of residential and industrial expansion, has not yet been favored with desperately needed Federal assistance.
7. The village of South Rockwood is located adjacent to the I-75 expressway affording its residents immediate access to the industries of downriver Detroit and Monroe; and, therefore the residents of said village are primarily employees of the corporations in said areas. It is expected that a great residential and commercial expansion in the village, serving the aforesaid great industrial areas, would occur should a sanitary sewer system be developed.

Wherefore, your petitioners, listed on the following pages, hereby most earnestly and respectfully request your active support of the village of South Rockwood application for Federal assistance for financing the construction of a badly needed sanitary sewer system in the said village.

(Signed by 169 citizens).

Now the wastes from this village, as well as from all other sources in the county, flow directly into Lake Erie. Recently, the Second State-Federal Conference on Water Pollution in the Detroit River and the Michigan Waters of Lake Erie was held in Detroit. At that conference I stated my belief that:

> If all concerned spend the time, effort, and money required to improve this area's waters, waters now befouled by pollution, much of their former usefulness and beauty can be restored—and their economic value increased manifold.

Mr. Speaker, I am pleased that citizens in the Second Congressional District of Michigan have banded together and are now diligently making the effort to work toward a cleaner, more healthful Lake Erie. The Lake Erie Cleanup Committee, under the leadership of John Chascsa, president; Mrs. Irene Finck, secretary; Ted Hoffman, vice president; and Lawrence Leibold, treasurer; is providing the local initiative that is absolutely necessary if we are to win the fight to restore Lake Erie.

The Lake Erie Cleanup Committee, includes many local associations and companies including the League of Women Voters in Monroe, the Monroe Boat Club, the Ottawa Shore Home Owners, the North Shore Estates, the Monroe Auto Equipment Co., the Monroe County Rod & Gun Club, the Town & County Garden Club of Monroe, the village of Dundee, the Stony Point Association, the village of Estral Beach, the Wahls Grove Improvement Association, the Luna Pier Improvement Association, the New Beach Association, the Izaak Walton League of Ann Arbor, and others. It is a pleasure for me to be able to work with such public-spirited citizens. There is no doubt in my mind that in Monroe County the local initiative, spirit, and determination exist to meet the challenge and to succeed in returning the local waters of Lake Erie to a clean, healthful state.

Mr. Speaker, I know that the great majority of the Members of the House will vote to provide the material help that communities like Monroe County will need if they are to provide the basic public facilities vital to foster new economic growth and opportunity. I feel confident that when S. 1648 reaches this floor it will move to swift passage, to the great benefit of millions of Americans.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 12, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used the verse of Scriptures: Revelation: *He that hath ears, let him hear what the Spirit saith.*

Almighty God, Thou alone canst speak to our Republic and save her in these days and make her equal to the difficult tasks she has faced from the beginning.

May Thy spirit drive us back to Thee and back from all secondary means and methods to the secret of consecration and conquest.

Give us a vivid and vital sense of the living God guiding the upheavals and overturnings of these disturbed and agitated days.

Strengthen us with power in the inward man and may we daily live by and walk in Thy ways which lead to the path that shineth more and more unto the perfect day.

Help us to commit and trust ourselves to the reality and guidance of Thy spirit, humbly and heroically, in order that we may find a way out of the confusion of our time.

Grant the finer social feeling, the growth of pity and justice, the impulse toward world community may be viewed as the very breath of God, moving upon the minds and hearts of men and nations.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, July 9, 1965, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, without amendment, a bill of the House of the following title:

H.R. 9497. An act to extend the time for conducting the referendum with respect to the national maketing quota for wheat for the marketing year beginning July 1, 1966.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5401. An act to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6675. An act to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, to improve the Federal-State public assistance programs, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on the Federal-Aid Highway Program may sit during general debate this afternoon and for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CALL OF THE CONSENT CALENDAR

The SPEAKER. This is the call of the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

SETTLEMENT OF CLAIMS BY THE UNIFORMED SERVICES

The Clerk called the bill H.R. 5024, "To amend titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees' Claims Act of 1964, with respect to the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RELATING TO THE TLINGIT AND HAIDA INDIANS OF ALASKA

The Clerk called the bill S. 893, to amend the act of June 19, 1935 (49 Stat. 388), as amended, relating to the Tlingit and Haida Indians of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 19, 1935 (49 Stat. 388), is amended by deleting sections 1, 7, and 8 thereof and substituting new sections 1, 7, and 8, to read as follows: "For the purposes of this Act the Tlingit and Haida Indians of Alaska shall be defined to be all those Indians of Tlingit or Haida blood who are citizens residing in the various local communities or areas in the United States.

"SEC. 7. Upon submission to the Secretary of the Interior by the existing organization known as the Central Council of the Tlingit and Haida Indians of Alaska or by a committee duly appointed by such central council, of rules prescribing the method of election of delegates to the central council which the Secretary finds to be equitable and to be designed to assure, to the extent feasible, fair representation on the central council to persons of Tlingit or Haida blood who are citizens residing in the various local communities or areas in the United States, the Secretary, in his discretion, is authorized to approve such rules. The Central Council of Tlingit and Haida Indians, composed of delegates elected in accordance with such approved rules and their duly elected successors in office, shall be the official Central Council of Tlingit and Haida Indians for purposes of this Act. Any amendments to such rules shall be subject to the approval of the Secretary.

"SEC. 8. The amount of the appropriation made to pay any judgment in favor of said Tlingit and Haida Indians of Alaska shall be deposited in the Treasury of the United States to the credit of the Tlingit and Haida Indians of Alaska, and such funds shall bear interest at the rate of 4 per centum per annum. Such funds including the interest thereon shall not be available for advances, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, organizational, operating and administrative expenses of the official Central Council, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds shall be used. The Council is authorized to prepare plans for the use of said funds, and to exercise such further powers with respect to the advance, expenditure, and distribution of said funds as may be authorized by Congress. In order to facilitate the prompt use and distribution of said funds, the Secretary of the Interior pursuant to such rules and regulations as he may prescribe, is authorized and directed to prepare a roll of all persons of Tlingit or Haida blood who are citizens residing in the various local communities or areas of the United States on the date of this Act. The costs of preparing such roll incurred subsequent to the appropriation to pay any judgment shall be deducted from such judgment funds. Any part of such funds that may be distributed per capita to persons of Tlingit or Haida blood shall not be subject to Federal or State income taxes."

With the following committee amendments:

Page 1, line 8, strike out "are citizens residing" and insert "reside".

Page 1, line 9, strike out "United States." and insert "United States or Canada."

Page 2, line 8, strike out "are citizens residing" and insert "reside".

Page 2, line 9, strike out "United States," and insert "United States or Canada,".

Page 3, lines 11 and 12, strike out "are citizens residing" and insert reside".

Page 3, line 13, after "United States" insert "or Canada".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. HALEY

Mr. HALEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALEY: Page 3 of S. 893 as reported after line 18 insert the following new section:

"SEC. 2. As used in the Act of June 19, 1935, as amended by this Act, the terms 'Indians of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada' and 'persons of Tlingit or Haida blood who reside in the various local communities or areas in the United States or Canada' mean only those persons of Tlingit or Haida blood, as defined in section 1 of said Act prior to its amendment, by or on whose behalf suit was properly brought pursuant to said Act and, in addition, any such Indian or any descendant of such an Indian who may have left the local community in Alaska in which he lived or to which he belonged on June 19, 1935, and moved to another community or area in the United States or Canada."

Mr. HALEY. Mr. Speaker, the purpose of the amendment which I have just offered is to assure all concerned that, when the roll of Tlingit-Haida Indians is made up, no one properly entitled to share in whatever judgment is rendered in the case they now have pending in the courts will be excluded because of the language of the bill and that no one who ought not to share will be included.

The situation is this: the Tlingits and Haidas of Alaska originally came there from a much larger body of Indians that lived in Canada. It is the descendents of those who came to Alaska who are entitled to share in the judgment, not the descendents of those who remained in Canada. But the descendents of the Tlingits and Haidas of Alaska are entitled to share regardless of where they now live and regardless of their citizenship. Many are still in Alaska, others have moved to California, Oregon, and other States, and still others are in Canada and may be Canadian citizens. The amendment that has just been offered will make it clear that all of these are covered by the bill, but that those whose ancestors never migrated to Alaska are not. I therefore recommend its adoption.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, S. 893, as amended, is a bill long overdue. Its need grew out of the act of June 19, 1935, which authorized the Tlingit and Haida Indians of Alaska to bring suit in the U.S. Court of Claims. Twelve years later tribal attorneys filed claims in that court. Another 12 years passed before the court awarded a judgment favorable to the Indians. The court is now determining the value of the extensive timberland that was taken from the Indians. It is most essential that the 30-year-old statute be amended and brought up to date in several respects. Let me explain.

The value of the land, some 18 million acres in southeastern Alaska, at the time of the taking has not been determined. The amount of offsets against the judgment has not been determined. Negotiations have been going on for years. It is believed that in the not too distant future the amount of the award will be announced. S. 893 will permit the Indians to complete a membership roll and to study plans for the distribution of the award.

The 1935 act is somewhat vague as to which Tlingit and Haida Indians are eligible to share in the anticipated award. The act defines eligible Indians as "all those Indians of the whole or mixed blood of the Tlingit and Haida tribes who are residing in Russian America, now called the Territory of Alaska" within certain geographical boundary lines.

The act also stipulated that eligible Indians "shall consist of all persons of the Tlingit or Haida blood living in or belonging to any local community of these tribes in the Territory described in the act."

It also provided that each Indian community would prepare a roll of its tribal membership and submit it to the central council, a body which was not, in 1935, nor since that time, organized under definite regulations. The 1935 act also prohibited distribution of any judgment fund on a per capita basis. S. 893 in its amended form remedies these weaknesses.

The 1935 act has served a useful purpose but it must be modernized. During the past 30 years hundreds of the Indian families have moved from their local communities to Alaskan cities and to almost all of the States west of the Missouri and Mississippi Rivers. Under existing law, they would receive little or nothing from this forthcoming judgment fund.

A committee amendment will permit those regularly enrolled Tlingit and Haida Indians presently residing in either the United States or Canada either on a temporary or permanent basis to share in the award.

I would not want our Members to believe S. 893 will meet with 100 percent approval among the Haida and Tlingit tribes. Very active groups are demanding a total per capita payment. Other groups want a substantial portion used for community projects and less for per capita payments. A prominent Indian lawyer residing in Seattle urges postponement of any action until the amount of the judgment is announced.

Let me remind our colleagues, Mr. Speaker, that when the amount of the award is actually announced and money to cover it is made available, additional legislation will be forthcoming. This bill will permit the Tlingit-Haidas to continue and complete the work they have been doing since 1935.

I urge favorable consideration of S. 893, as amended.

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, the background of this legislation, S. 893, is, briefly, as follows:

Prior to establishment of the Indian Claims Commission, in 1935, the Congress gave the U.S. Court of Claims the jurisdiction to handle and decide a land claims case by the Tlingit and Haida Indians of Alaska. After about 10 years, the Tlingits and Haidas organized and retained an attorney and filed the case. In 1959, the court decided that the United States owed these tribes money because establishment of the Tongas National Forest had done away with their historical native rights to the land within that forest, which covers most of southeast Alaska. The court said it would go ahead further with the case to decide how much the Government owed. This decision has not yet been made, but is expected in a year or so.

For you to understand the picture, I must tell you more about the 1935 jurisdictional act. It provided that, if the Court of Claims gave a judgment for the Tlingits and Haidas, the money would have to be programed for village projects and scholarships for students and other community purposes, with nothing allotted to individual members of the tribes—in other words, with nothing allotted on a per capita basis.

Accordingly, new legislation is necessary to allow for per capita distribution, which is advisable because so many Tlingits and Haidas are now scattered and no longer living in their original villages. The new legislation, now before us, in its amended form after having passed the Senate, would allow for per capita distribution—in whole or in part—of the money which will be forthcoming. If, for instance, one-half of the money were to be distributed—share and share alike—to the individual members of the Tlingit and Haida groups, the other one-half would be programed for community purposes.

The bill now pending, as amended, does not say what portion of the money will be distributed on a per capita basis and what portion will be used for community purposes. It says that, when the time comes, the Congress will pass another act making that decision. It also says that, in the meantime, a register of all Tlingits and Haidas shall be prepared by the Secretary of the Interior and a representative central council elected by 18 communities of these Indians, which shall meet and prepare recommendations for submission to the Congress declaring the wishes of the Tlingits and Haidas as to what portion should be distributed to individual members of these groups and what portion, if any, should be earmarked for community or village purposes. Thereafter, as it should be, the Congress would make this decision. This legislation is a necessary step in the right direction, so I urge passage of this bill.

FUNDS OF THE MIAMI INDIANS OF INDIANA AND OKLAHOMA

The Clerk called the bill H.R. 7466, to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROUSH. Mr. Speaker, reserving the right to object, I have a question I want to ask of the subcommittee chairman with regard to this bill. Section 4 of the bill under consideration mentions the judgment awarded in Indian Claims Commission dockets Nos. 67 and 124 and appropriated by the act of May 17, 1963. I would like to ask the gentleman from Florida if it is his understanding that docket No. 67 is consolidated with docket No. 124 and that the reference to docket No. 67 in the appropriation bill is a reference to both dockets Nos. 67 and 124?

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ROUSH. I yield to the gentleman from Florida.

MIAMI TRIBE

Mr. HALEY. Mr. Speaker, in response to the question asked by the gentleman from Indiana [Mr. ROUSH], I want to say this: H.R. 7466 refers to the judgment awarded in Indian Claims Commission dockets Nos. 67 and 124 and to the funds appropriated by the act of May 17, 1963, to satisfy that judgment. The act of May 17, 1963, in turn, refers to House document No. 90 of the 88th Congress. In that document, which listed all judgments for which appropriations were being sought, reference is made to docket No. 67. The amount set beside this reference, however, is exactly the same as the amount for which judgment was entered in consolidated dockets Nos. 67 and 124—namely, $4,647,500 plus or minus a few dollars. So I think we may safely say that an appropriation has been made to satisfy the judgment in both these dockets, consolidated as they were, notwithstanding the fact that the reference in House Document No. 90 is to only one of them by number.

Mr. ROUSH. Mr. Speaker, I thank the gentleman and I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall take the necessary steps to provide for the distribution and use of the money appropriated to the Miami Indians of Indiana and Oklahoma in satisfaction of judgments awarded by the Indian Claims Commission in dockets numbered 67 and 124, 124–A, and 251 as hereinafter provided.

Sec. 2. The funds on deposit in the Treasury of the United States to the credit of the Miami Tribe of Oklahoma that were appropriated by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment by the Indian Claims Commission in docket numbered 251, together with the interest thereon, after payment of attorney fees and expenses, shall be advanced or expended in accordance with plans adopted by the governing body of the Miami Tribe of Oklahoma and approved by the Secretary of the Interior. The persons entitled to share in any per capita payment authorized by the governing body and approved by the Secretary shall be all individuals who are enrolled members of the Miami Tribe of Oklahoma, as organized under the Oklahoma Welfare Act (49 Stat. 1967).

Sec. 3. For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission docket numbered 124–A to the Miami Indians of Indiana and appropriated by the Act of September 30, 1961 (75 Stat. 747), the Secretary shall prepare a roll of all persons of Miami Indian ancestry who meet the following requirements for eligibility:

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on the roll of Miami Indians of Indiana of June 12, 1895, or the roll of "Miami Indians of Indiana, now living in Kansas, Quapaw Agency, I.T., and Oklahoma Territory," prepared and completed pursuant to the Act of March 2, 1895 (28 Stat. 903), or the roll of the Eel River Miami Tribe of Indians of May 27, 1889, prepared and completed pursuant to the Act of June 29, 1888 (25 Stat. 223). No person whose name appears on the current tribal roll of the Miami Tribe of Oklahoma shall be eligible to be enrolled under this section.

Sec. 4. For the purpose of determining entitlement to the judgment awarded in Indian Claims Commission dockets numbered 67 and 124 and appropriated by the Act of May 17, 1963 (77 Stat. 43), the Secretary of the Interior shall prepare a roll of all persons of Miami Indian ancestry who meet the following requirements for eligibility:

(a) They were born on or prior to, and living on, the date of this Act; and

(b) Their name or the name of an ancestor from whom they claim eligibility appears on any of the rolls cited in section 3(b) of this Act, or on the roll of the Western Miami Tribe of Indians of June 12, 1891, prepared and completed pursuant to the Act of March 3, 1891 (26 Stat. 1000).

Sec. 5. Applications for enrollment must be filed with the area director of the Bureau of Indian Affairs, Muskogee, Oklahoma, on forms prescribed for that purpose. The determination of the Secretary regarding the eligibility of an applicant shall be final.

Sec. 6. The funds on deposit in the Treasury of the United States to the credit of the Miami Indians of Indiana that were appropriated by the Act of September 30, 1961 (75 Stat. 747), to pay a judgment in Indian Claims Commission docket numbered 124–A, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the individuals whose names appear on the roll prepared pursuant to section 3, and in accordance with the instructions contained in sections 8 and 9, of this Act.

Sec. 7. The funds on deposit in the Treasury of the United States to the credit of the "Miami Tribe of Oklahoma" that were appropriated by the Act of May 17, 1963 (77 Stat. 43), to pay a judgment in Indian Claims Commission dockets numbered 67 and 124, and the interest thereon, after payment of attorney fees and expenses, shall be distributed to the persons whose names appear on the roll prepared pursuant to section 4, and in accordance with the instructions contained in sections 8 and 9, of this Act.

Sec. 8. (a) Except as provided in subsection (b) of this section, the Secretary shall distribute a per capita share payable to a living enrollee directly to such enrollee, and the Secretary shall distribute a per capita share payable to a deceased enrollee directly to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

(b) A share payable to a person under twenty-one years of age or to a person under legal disability shall be paid in accordance with such procedures as the Secretary determines will adequately protect the best interests of such persons.

Sec. 9. (a) Prior to making any distribution of the funds credited to the Miami Tribe or Nation and the Miami Tribe of Indiana or approving any expenditures of the funds credited to the Miami Tribe of Oklahoma, pursuant to this Act, the Secretary is authorized to reserve in the Treasury of the United States a part of such funds sufficient, in his judgment, to meet the litigation expenses, exclusive of attorney fees, of the remaining cases which each has pending before the Indian Claims Commission.

(b) The funds reserved shall be available for appropriate withdrawal by the Secretary.

Sec. 10. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes, and any costs incurred by the Secretary in the preparation of the rolls and in the distribution of per capita shares in accordance with the provisions of this Act shall be paid by appropriate withdrawals from the judgment funds.

Sec. 11. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, from time to time Congress has bills similar to H.R. 7466. This provides for the distribution of judgment funds among Miami Indians of Indiana and Oklahoma. I believe such bills should be expedited for at least two reasons. First, the Indians ought to get use of the money as soon as possible, and, second, the money, deposited in the U.S. Treasury, is drawing 4 percent interest, a cost to the United States.

The Indian Claims Commission awarded four judgments to the Miami Indians of Oklahoma and Indiana. Both groups share in two of them, while each share individually in the other two. A total amount of $5,061,400 is involved. The usual 10-percent litigation and attorney fees has been paid and the remaining amount is in the U.S. Treasury.

The Miami Tribe of Indians is unorganized so its share will be distributed per capita-wise. Although the Miamis of Oklahoma are organized under the Indian Reorganization Act of 1934 they have no tribal land so it is expected that they, too, will receive per capita payments.

Since the tribes have other dockets pending in the Indian Claims Commission, provision is made in H.R. 7466 for reservation of funds sufficient to meet the expenses of litigation in other cases which are being prosecuted. The bill also provides for the exemption from Federal and State income taxes of any money distributed per capita and also protects payments which will be made to minors or those under other legal disabilities.

Mr. Speaker, I urge the enactment of H.R. 7466.

TO AMEND JOINT RESOLUTION OF MARCH 25, 1953

The Clerk called the joint resolution (H.J. Res. 481) to amend the joint resolution of March 25, 1953, to expand the types of equipment and the number of electric typewriters furnished Members of the House of Representatives.

The **SPEAKER.** Is there objection to the present consideration of the joint resolution?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill or the gentleman handling the bill if there is any estimate of the cost of each additional piece of equipment that it is proposed to provide each Member.

Mr. Speaker, in the absence of either the chairman of the Subcommittee on House Administration or the author of the bill from the floor, I ask unanimous consent that the joint resolution be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

SOUTH PACIFIC COMMISSION

The Clerk called the joint resolution (H.J. Res. 503) to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1967 and 1968.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

ANTIRELIGIOUS ACTIVITIES IN THE SOVIET UNION AND IN EASTERN EUROPE

The Clerk called the concurrent resolution (S. Con. Res. 17) expressing the sense of Congress against the persecution of persons by the Soviet Union because of their religion.

The **SPEAKER**. Is there objection to the present consideration of the concurrent resolution?

Mr. **HALL**. Mr. Speaker, reserving the right to object, I notice that this resolution from the Committee on Foreign Affairs does not differentiate between the Union of Soviet Socialist Republics and the other European countries in its intent.

Furthermore, I notice that the State Department has a letter of opposition to it as a blanket indictment of East European countries without regard to the changes that have occurred since World War II between the Soviet Union and other European countries.

Finally, I notice that the committee has not seen fit to include the State Department's suggested amendment. Ordinarily this would impel me to favor the bill, but I wonder if there is some explanation.

Mrs. **KELLY**. Mr. Speaker, will the gentleman yield?

Mr. **HALL**. I am delighted to yield to the gentlewoman from New York.

Mrs. **KELLY**. As chairman of the Subcommittee on Europe of your Committee on Foreign Affairs, which brought this resolution out, I am delighted to have the opportunity to say a few words about it.

This resolution came from the other body, which did not hold any hearings on it. At the request of many of our colleagues in the House and other persons interested in the resolution to which the gentleman has referred, we held hearings for 3 days and received testimony from some 50 witnesses. We heard testimony from representatives of the Jewish community and those of various religious groups. As a result of those hearings, we came up with some new language which is included in the present resolution. I should like to stress, however, that the version unanimously approved by the Committee on Foreign Affairs contains all the items which were embodied in the "whereas" clauses of the original Senate-approved resolution.

Now with regard to the questions posed by the gentleman from Missouri, we came to the conclusion that no religion is really being tolerated either in the Soviet Union or in the Eastern European countries.

We also discovered that infringements on religious freedom, and persecution of religious groups, differ from country to country in that area of the world. We brought that out in the resolution and in our report—particularly as far as the Eastern European countries are concerned. This differentiation is very clearly spelled out in the text of the resolution and in the supporting documents. Further, we devoted one "whereas" clause specifically to the plight of the Soviet Jewry, thereby emphasizing the fact that the persecution of the Jewish faith and of the Jewish culture in the Soviet Union finds no parallel at present in eastern Europe.

Mr. Speaker, I should also like to say that we bypassed the suggestions of the State Department regarding Eastern Europe because the record clearly shows that infringements on religious freedom continues in many of these countries. However, we pointed out in the resolution that this situation, these conditions, exist in varying degrees in the different countries of Eastern Europe. These are the the facts and I cannot see why the Department of State should—or would—object to our action in outlining them. But even so, had the Department continued to object, that would not have persuaded me to change my position. The fact that the Committee on Foreign Affairs approved the resolution unanimously also speaks for itself.

Does that answer the gentleman's question?

Mr. **HALL**. If I understand the gentlewoman correctly, the State Department will not now oppose the resolution as rewritten, even though it does lump other Eastern European countries and satellites of the U.S.S.R. together? Is that the import of the gentlewoman's statement?

Mrs. **KELLY**. I would be inclined to believe that this is the case because the Committee on Foreign Affairs did not condemn any country of Eastern Europe by name and included the phrase, "in varying degrees" when referring to the persecution of religious groups in that area.

Mr. **HALL**. I would like to ask the subcommittee chairman, the gentlewoman from New York, does she feel that the low countries, for example, or France, or the countries of the European Common Market, in the phraseology of the resolution, might be confused with the so-called satellite Communist countries or Communist Russia itself?

Mrs. **KELLY**. If I understand the gentleman correctly, I do not see why the Western European countries should be involved in this particular issue. We are talking here about Eastern Europe—even though religious persecution is of concern to us no matter where it occurs.

Mr. **HALL**. Certainly, all would concur that we are interested primarily in the freedom of all religions, and I find not one whit of evidence against that. But my question is simply a question of blanket indictment by name of all Eastern European countries by virtue of the fact that the resolution includes them without any differentiation from the U.S.S.R.

Mrs. **KELLY**. Will the gentleman yield further?

Mr. **HALL**. I would be delighted to yield further.

Mrs. **KELLY**. I would like to repeat that the resolution concerns itself solely with the Soviet Union and with Eastern Europe, and that it does not include the Western European nations. Further, we do differentiate between the Soviet Union and the countries of Eastern Europe in the matter of religious persecution.

Mr. **HALL**. Does the gentlewoman from New York consider that Russia itself, with its provinces, lies in Western Europe?

Mrs. **KELLY**. I beg the gentleman's pardon?

Mr. **HALL**. Does the gentlewoman consider that Russia itself lies in Eastern Europe rather than in Western Europe?

Mrs. **KELLY**. Yes, it certainly does, even though a large portion of its territory is located in Asia.

Mr. Speaker, if the gentleman will yield further, I would like to recapitulate what action was taken by the Committee on Foreign Affairs, and what is involved in the resolution before the House.

As I already mentioned, the Subcommittee on Europe held 3 days of hearings on the subject dealt with in the resolution. In the course of these hearings we received testimony from over 50 witnesses, including Members of Congress and representatives of various religious groups.

Some of those witnesses have traveled to or lived in the Soviet Union or in Eastern Europe and were in a position to give us a firsthand account of the status of various religions in those countries.

Having carefully considered the record of the testimony presented during the hearings—a record which is available to every Member of this House—two conclusions emerged:

First. That no religion is at home in the Soviet Union or in the countries of Eastern Europe. In spite of their ostensible adherence to the Universal Declaration of Human Rights—in spite of their respective constitutions which guarantee their own citizens freedom of conscience and of religion—the Governments of the Soviet Union and of other Eastern European countries persistently infringe on those rights.

The degree of religious persecution differs from country to country in the area embraced by this resolution. It also differs with respect to different religions, and even individual adherents to a given religion.

This fact is brought out clearly in the resolution.

Second. We concluded, as a result of our hearings, that the Soviet Union stands alone in the degree of anti-Semitism practiced within its territory.

Our hearings, and the report which accompanies the resolution, detail the various forms of Soviet anti-Semitism. In many respects the treatment of Jews in the Soviet Union represents a conscious effort on the part of the Soviet Government to suppress and to do away with the Soviet Jewry as an ethnic, cultural, and religious entity.

Mr. Speaker, I would like to mention in closing that the resolution calls upon the Soviet Union and those governments of Eastern Europe which continue to infringe on the religious freedom of their citizens, to cease these practices and to allow their citizens their constitutionally guaranteed rights to freedom of worship.

I sincerely hope that the resolution will meet with unanimous support in the House.

Mr. **HALL**. I thank the gentlewoman from New York, and the chairman of the subcommittee. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the present consideration of the Senate concurrent resolution?

There was no objection.

There being no objection, the Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 17

Whereas the Congress of the United States deeply believes in freedom of religion for all people and is opposed to infringement of this freedom anywhere in the world; and

Whereas abundant evidence has made clear that the Government of the Soviet Union is persecuting, in varying degrees of intensity, elements of its Christian, Jewish, and Muslim citizens; and

Whereas there is also abundant evidence that Jewish citizens have been singled out for extreme punishment for alleged economic offenses, by confiscating synagogues, by closing Jewish cemeteries, by arresting rabbis and lay religious leaders, by curtailing religious observances, by discriminating against Jews in cultural activities and access to higher education, by imposing restrictions that prevent the reuniting of Jews with their families in other lands, and by other acts that oppress Jews in the free exercise of their faith; and

Whereas the Soviet Union has a clear opportunity to match the words of its constitutional guarantees of freedom of religion with specific actions so that the world may know whether there is a genuine hope for a new day of better understanding among all people: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that persecution of any person because of their religion by the Soviet Union be condemned, and that the Soviet Union in the name of decency and humanity be urged to cease executing persons for alleged economic offenses, and to permit fully the free exercise of religion and the pursuit of culture by Jews and all others within its borders.

With the following committee amendments:

Strike out all of the preamble and insert the following:

"Whereas the Congress of the United States deeply believes in freedom of religion for all people and is opposed to infringement of this freedom anywhere in the world; and

"Whereas the Universal Declaration of Human Rights adopted by the United Nations declares that everyone has the right to freedom of thought and religion and the right to manifest his religion or belief in public or in private through teaching, practice, worship, and observance; and

"Whereas articles 124 and 125 of the Constitution of the Soviet Union, and the existing constitutions of other Eastern European countries, guarantee their citizens freedom of conscience and religious worship; and

"Whereas abundant evidence has made clear that the Government of the Soviet Union and the governments of other countries of Eastern Europe are persecuting, in varying degrees of intensity, elements of their Christian, Jewish, and Muslim citizens and infringing upon their freedom of religion through confiscatory taxation and closing of religious institutions, deliberate suppression of religious education, interference with religious and related cultural practices, denial of regular contacts between religious bodies in their countries with similar bodies in other parts of the world, and through persistent discrimination against persons professing and practicing their religions by state, party, Communist youth, police, labor, and public organizations; and

"Whereas there is also abundant evidence that Jewish citizens of the Soviet Union are being singled out for extreme punishment for alleged economic offenses and oppressed in the free exercise of their faith through the closing of synagogues and cemeteries, curtailment of religious observances, discrimination in cultural activities and access to higher education, imposition of restrictions that prevent the reuniting of Jews with their families in other lands, and the arrest of rabbis and lay religious leaders; and

"Whereas the Government of the Soviet Union and the governments of other Eastern European countries have a clear opportunity to match the words of their constitutional guarantees of freedom of religion with specific and appropriate actions: Now, therefore, be it".

Strike out all after the resolving clause and insert the following:

"That it is the sense of the Congress that the persecution of any persons because of their religion by the Government of the Soviet Union and the governments of other Eastern European countries be condemned, and that such governments be urged to cease such perscution and to permit full and free exercise of religion and related cultural pursuits by all persons within their countries.

"SEC. 2. It is further the sense of the Congress that the attention of the United Nations should be drawn to this resolution and that the United Nations should continue in its efforts on behalf of freedom of religion."

The committee amendments were agreed to.

The Senate concurrent resolution, as amended, was concurred in.

The title was amended so as to read as follows: "Concurrent resolution expressing the sense of Congress that the Soviet Union and the Eastern European countries should be urged to permit the free exercise of religion."

A motion to reconsider was laid on the table.

TRANSPORTATION OF DECEASED DEPENDENTS OF MEMBERS OF THE ARMED FORCES

The Clerk called the bill (H.R. 3037) to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 3037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) The catchline and subsection (a) of section 1485 are amended to read as follows:

"§ 1485. Dependents of members of armed forces

"(a) The Secretary concerned may, if a dependent of a member of an armed force dies while the member is on active duty (other than for training), provide for, and pay the necessary expenses of, transporting the remains of the deceased dependent to the home of the decedent or to any other place that the Secretary determines to be the appropriate place of interment."

(2) The analysis of chapter 75 is amended by striking out the following item:

"1485. Dependents of members of armed forces; death while outside the United States."

and inserting the following item in place thereof:

"1485. Dependents of members of armed forces."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETROCEDING TO THE STATE OF WISCONSIN CONCURRENT JURISDICTION OF AREAS WITHIN CAMP McCOY

The Clerk called the bill (H.R. 546) to retrocede to the State of Wisconsin concurrent jurisdiction over the rights-of-way for U.S. Highway 16 and Wisconsin State Highway No. 21 within Camp McCoy, Wis., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 546

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby granted to the State of Wisconsin a retrocession of jurisdiction over

(1) such portions of the rights-of-way for United States Highway 16 and Wisconsin State Highway Numbered 21 as are located on real property within the exterior boundaries of Camp McCoy, Wisconsin; and

(2) such portion of the right-of-way for Interstate Highway I–90 as may be located on real property within the exterior boundaries of Camp McCoy, Wisconsin.

This retrocession of jurisdiction is granted to the extent that all laws of the State of Wisconsin and of the United States shall be applicable with respect to the property covered by the retrocession, and the United States and the State shall exercise concurrent jurisdiction thereover.

SEC. 2. The retrocession of jurisdiction provided for by the first section of this Act shall take effect upon acceptance thereof by the Legislature of the State of Wisconsin.

With the following committee amendment:

Strike all language following the enactment clause and insert in lieu thereof the following:

That notwithstanding any other provision of law, the Secretary of the Army may, at such times as he may deem desirable, relinquish to the State of Wisconsin all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any land within the Camp McCoy Military Reservation, Monroe County, Wisconsin, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Wisconsin a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Wisconsin in such manner as its laws may prescribe."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp McCoy Military Reservation, Wisconsin."

A motion to reconsider was laid on the table.

AUTHORIZING TRANSPORTATION AT GOVERNMENT EXPENSE OF PRIVATELY OWNED MOTOR VEHICLES OF MEMBERS OF THE ARMED FORCES

The Clerk called the bill (H.R. 8484) to amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the Armed Forces on a change of permanent station.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if someone can tell me whether this is going to expand the authority for servicemen to ship automobiles overseas at Government expense?

Mr. FISHER. Mr. Speaker, this would not affect the matter the gentleman has just referred to. This legislation became necessary because under existing law an automobile that has been sent overseas for a serviceman's use can only be sent back to the mainland from where it was shipped at Government expense.

We had the situation where a Marine division was sent from Hawaii to Vietnam, not back to the mainland. Their families were sent back, but their automobiles could not be sent back at Government expense. It created a serious problem, and it has given them a great deal of difficulty.

Mr. GROSS. It does not expand on the authority of servicemen to take automobiles overseas?

Mr. FISHER. No.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 8484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 157 of title 10, United States Code, is amended as follows:

(1) By amending section 2634 to read as follows:

"§ 2634. Motor vehicles; for members on change of permanent station

"(a) When a member of an armed force is ordered to make a change of permanent station, one motor vehicle owned by him and for his personal use or the use of his dependents may, unless a motor vehicle owned by him was transported in advance of that change of permanent station under section 406(h) of title 37, be transported, at the expense of the United States, to his new station or such other place as the Secretary concerned may authorize—

"(1) on a vessel owned, leased, or chartered by the United States;

"(2) by privately owned American shipping services; or

"(3) by foreign-flag shipping services if shipping services described in clauses (1) and (2) are not reasonably available.

When the Secretary concerned, or his designee, determines that a replacement for that motor vehicle is necessary for reasons beyond the control of the member and is in the interest of the United States, and he approves the transportation in advance, one additional motor vehicle of the member may be so transported.

"(b) In this section, 'change of permanent station' means the transfer or assignment of a member of the armed forces from one permanent station to another. It includes the change from home or from the place from which ordered to active duty to first station upon appointment, call to active duty, enlistment, or induction, and from last duty station to home or to the place from which ordered to active duty upon separation from the service, placement upon the temporary disability retired list, release from active duty, or retirement. It also includes an authorized change in home yard or home port of a vessel."

(2) By striking out of the analysis:

"2634. Motor vehicles: for members on permanent change of station."

and inserting in place thereof:

"2634. Motor vehicles: for members on change of permanent station."

SEC. 2. Section 406(h) (2) of title 37, United States Code, is amended to read as follows:

"(2) authorize the transportation of one motor vehicle owned by the member and for his or his dependents' personal use to that location by means of transportation authorized under section 2634 of title 10."

With the following committee amendment:

On page 3, following line 14, add a new section 3 as follows:

"SEC. 3. This Act shall be effective May 1, 1965. Any member who—

"(1) transported a motor vehicle at his personal expense after April 30, 1965, and before the enactment of this Act; and

"(2) would have been entitled to the transportation of such motor vehicle at Government expense under the provisions of this Act;".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE DISPOSITION OF LOST, ABANDONED, OR UNCLAIMED PERSONAL PROPERTY UNDER CERTAIN CONDITIONS

The Clerk called the bill (H.R. 5034) to amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2575(a) of title 10, United States Code, is amended—

(1) by changing the second sentence to read: "However, property may not be disposed of until diligent effort has been made to find the owner, his heirs or next of kin, or his legal representative.";

(2) by inserting "certified or" between "by" and "registered" in the third sentence; and

(3) by adding a new sentence at the end thereof to read: "When diligent effort to determine the owner, his heirs or next of kin, or his legal representatives is unsuccessful, the property may be disposed of without delay, except that if it has a fair market value of $25 or more the property may not be disposed of until three months after the date it is received at a storage point designated by the Secretary."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING TRANSPORTATION AT GOVERNMENT EXPENSE FOR DEPENDENTS WHO REQUIRE MEDICAL CARE NOT LOCALLY AVAILABLE

The Clerk called the bill (H.R. 7595) to amend title 10, United States Code, to authorize transportation at Government expense for dependents accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 53 of title 10, United States Code, is amended—

(1) by adding the following new section at the end thereof:

"§ 1040. Transportation of dependent patients

"(a) Except as provided in subsection (b), if a dependent accompanying a member of the uniformed services who is stationed outside the United States and who is on active duty for a period of more than thirty days requires medical attention which is not available in the locality, transportation of the dependents at the expense of the United States is authorized to the nearest appropriate medical facility in which adequate medical care is available. On his recovery or when it is administratively determined that the patient should be removed from the medical facility involved, the dependent may be transported at the expense of the United States to the duty station of the member or to such other place determined to be appropriate under the circumstances. If a dependent is unable to travel unattended, round-trip transportation and travel expenses may be furnished necessary attendants.

"(b) This section does not authorize transportation and travel expenses for a dependent for elective surgery which is determined to be not medically indicated by a medical authority designated under joint regulations to be prescribed under this section.

"(c) 'Dependent' and 'uniformed services' in this section have the meaning of those terms as defined in section 1072 of this title.

"(d) Transportation and travel expenses authorized by this section shall be furnished in accordance with joint regulations to be prescribed by the Secretary of the Treasury, the Secretary of Defense, the Secretary of Commerce, and the Secretary of Health, Education, and Welfare, which shall require the use of transportation facilities of the United States insofar as practicable."; and

(2) by adding the following new item at the end of the analysis:

"1040. Transportation of dependent patients."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING TRAVEL AND TRANSPORTATION ALLOWANCES, UNDER CERTAIN CIRCUMSTANCES, WHEN ORDERED TO MAKE A CHANGE OF PERMAMENT ADDRESS

The Clerk called the bill (H.R. 8095) to authorize travel and transportation allowances under certain circumstances for members of the uniformed services when ordered to make changes of permanent station while away from their permanent stations under orders, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 8095

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404 of title 37, United States Code, is amended by adding the following new subsection at the end thereof:

"(g) Under regulations prescribed by the Secretaries concerned, a member of a uniformed service who receives change of permanent station orders while he is away from his permament station under orders may, without regard to the comparative costs of the various modes of transportation, be authorized travel and transportation allowances for travel performed or to be performed by him to the permament station from which ordered for the purpose of settling his personal affairs and, from that station, to the permament station to which ordered. For the purpose of this subsection, the term 'permament station' includes the home port of a vessel or mobile unit."

SEC. 2. Section 701 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(f) Travel performed while authorized travel and transportation allowances under section 404(g) of title 37 is performed in a duty status."

SEC. 3. Section 219 of the Public Health Service Act, as amended (42 U.S.C. 210-1), is amended by adding the following new subsection at the end thereof:

"(e) Travel performed while authorized travel and transportation allowances under section 404(g) of title 37, United States Code, is performed in a duty status."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE EXCHANGE OF CERTAIN LANDS IN THE CITY OF NORFOLK, VA.

The Clerk called the bill (H.R. 1044) to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like someone to say whether they think the Government is getting a good deal on this exchange of property in Norfolk when the Government in the exchange will get 9,954 square feet as compared with 20,196 square feet that is in the property presently held by the Government and which would be exchanged for less than half of the square footage of the Government-owned property.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, of course, I yield to the gentleman.

Mr. FISHER. The testimony developed before the committee was that the value of the property that the Government will get in this exchange is more valuable and worth more money than the property which the Government is giving up. It was the unanimous view of all those who were heard and it was felt from the standpoint of the Government that the Government is really getting a better deal. The bill had the unanimous approval of the committee.

Mr. GROSS. The gentleman is convinced that the Government is coming out whole in this exchange; is that correct?

Mr. FISHER. The gentleman from Texas is convinced that the Government is getting a good deal in this exchange.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 1044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the Secretary of the Navy, or his designee, is authorized to convey to the city of Norfolk, State of Virginia, subject to such terms and conditions as the Secretary of the Navy, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to the land located in the city of Norfolk, State of Virginia, with the buildings and improvements thereon, described substantially as follows:

Beginning at the northeast corner of Court Street (formerly Avon Street) and Williamson's Lane, thence running in a northerly direction along the eastern side of said Court Street a distance of 97.2 feet, more or less, thence in an easterly direction along the dividing line between the property herein described and the property now or formerly owned by Williams and Reed, Incorporated, a distance of 133.98 feet, more or less, to a point; said point being the northeast corner of the building herein described, the property of the Prospect Holding Corporation. Thence in a southerly direction along the dividing line between this property and the property now or formerly belonging to Gardiner, to its intersection with the northern side of Williamson's Lane, a distance of 80.37 feet, more or less, to a point; thence in a westerly direction along the said northern side of Williamson's Lane, a distance of 162.69 feet, more or less, to the point of beginning.

SEC. 2. In consideration of the conveyance by the United States of the aforesaid lands, the city of Norfolk, State of Virginia, shall convey to the United States, lands located in the city of Norfolk, State of Virginia, together with such buildings and improvements thereon or to be constructed thereon, as are acceptable to the Secretary of the Navy, which lands are described substantially as follows:

Beginning at the intersection of the northern line of Bermuda Street with the western line of East Street as the same existed on January 1, 1964, and running thence along the northern line of Bermuda Street north 50 degrees 07 minutes 20 seconds west a distance of 132.82 feet to a point; thence north 48 degrees 23 minutes 38 seconds east a distance of 38.08 feet to a point; thence following the arc of a curve to the right a distance of 14.22 feet to a point, said curve having a radius of 322.26 feet and a central angle of 2 degrees 31 minutes 40 seconds; thence following along the arc of a curve to the right a distance of 28.32 feet to a point, said curve having a radius of 322.26 feet and a central angle of 5 degrees 02 minutes 10 seconds; thence following along the arc of a curve to the right a distance of 331.64 feet to a point; said curve having a radius of 322.26 feet and a central angle of 58 degrees 57 minutes 51 seconds; thence following along the arc of a curve to the right a distance of 79.36 feet to a point in the northwestern line of East Street, said curve having a radius of 148.10 feet and a central angle of 30 degrees 42 minutes 05 seconds; thence south 79 degrees 20 minutes 59 seconds west along the western side of East Street a distance of 216.82 feet to a point; thence following along an arc of a curve to the left a distance of 91.95 feet to a point; said curve having a radius of 150.00 feet and a central angle of 35 degrees 07 minutes 19 seconds; and thence south 44 degrees 13 minutes 40 seconds west a distance of 4.02 feet to the northern line of Bermuda Street, the point of beginning; containing 37,259.28 square feet, more or less.

SEC. 3. The Secretary of the Navy, or his designee, is also authorized to accept from the city of Norfolk, State of Virginia, such appropriate interests in other land as may be considered necessary for protection of the interests of the United States in connection with the exchange.

With the following committee amendment:

On pages 2, 3, and 4, strike all of section 2 and insert in lieu thereof:

"SEC. 2. In consideration of the conveyance by the United States of the aforesaid lands, the city of Norfolk, State of Virginia, shall convey to the United States such lands located in the city of Norfolk, State of Virginia, together with such buildings and improvements thereon or to be constructed thereon, as are acceptable to the Secretary of the Navy, or his designee, and subject to such conditions as are acceptable to the Secretary of the Navy, or his designee."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING ESTABLISHMENT OF HUBBELL TRADING POST NATIONAL HISTORIC SITE, ARIZ.

The Clerk called the bill (H.R. 3320) to authorize the establishment of the

Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, in view of the fact that this bill is scheduled for consideration under suspension of the rules today, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONTRACT WITH MIDDLE RIO GRANDE CONSERVANCY DISTRICT OF NEW MEXICO FOR PAYMENT OF OPERATION AND MAINTENANCE CHARGES ON CERTAIN PUEBLO INDIAN LANDS

The Clerk called the bill (S. 1462) to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 1462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of August 27, 1935 (49 Stat. 887), as amended by section 5 of the Act of June 20, 1938 (52 Stat. 779), by the Act of April 24, 1946 (60 Stat. 121), and by the Act of May 29, 1956 (70 Stat. 221), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for the payment of operation and maintenance charges on newly reclaimed Pueblo Indian lands and lands purchased by the United States by virtue of the Act of June 7, 1924 (43 Stat. 636), as amended, for certain Pueblo Indians, are hereby extended for an additional period of ten years to 1975.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PROVISIONS OF LAW CONCERNING RELATIONSHIP OF COAST AND GEODETIC SURVEY TO ARMY AND NAVY SO THEY WILL APPLY WITH SIMILAR EFFECT TO THE AIR FORCE

The Clerk called the bill (H.R. 722) to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so they will apply with similar effect to the Air Force.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Act of May 22, 1917, chapter 20, as amended (33 U.S.C. 855, 858), is amended as follows:

(1) the first paragraph (33 U.S.C. 855) is amended—

(A) by striking out the words "of the Department of the Army, or of the Navy Department," and inserting the words "of a military department" in place thereof;

(B) by striking out the words "of the Department of the Army or Navy Department" and inserting the words "of a military department" in place thereof; and

(C) by striking out the words "Army or Navy" and inserting the words "Army, Navy, or Air Force" in place thereof.

(2) The last paragraph (33 U.S.C. 858) is amended to read as follows:

"The Secretary of Defense and the Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Coast and Geodetic Survey in time of war, and for the cooperation of that service with the military departments in time of peace in preparation for its duties in war, which regulations shall not be effective unless approved by each of those Secretaries, and included therein may be rules and regulations for making reports and communications between a military department and the Coast and Geodetic Survey."

SEC. 2. Section 10 of the Act of January 19, 1942, chapter 6, as amended (33 U.S.C. 868a), is amended by inserting the words "Air Force," after the word "Navy,".

SEC. 3. Section 1 of the Act of December 3, 1942, chapter 670, as amended (33 U.S.C. 854a–1), is amended—

(1) by amending clause (1) as follows—

(A) by striking out the words "of the Department of the Army or of the Navy Department" and inserting the words "of a military department" in place thereof; and

(B) by striking out the words "Secretary of the Army or the Secretary of the Navy" and inserting the words "Secretary of the military department concerned" in place thereof;

(2) by striking out the words "of the Department of the Army or Navy Department" in clause (3) and inserting the words "of a military department" in place thereof; and

(3) by striking out the words "to the Department of the Army and Navy Departmentment" in clause (3) and inserting the words "to a military department" in place thereof.

With the following committee amendments:

On page 2, line 24, delete the word "in", and insert in lieu thereof the word "and".

On page 3, line 8, delete the figure "(3)", and insert in lieu thereof the figure "(2)".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARIFYING RESPONSIBILITY FOR MARKING OF OBSTRUCTIONS IN NAVIGABLE WATERS

The Clerk called the bill (H.R. 725) to clarify the responsibility for marking of obstructions in navigable waters.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress, assembled, That section 86 of title 14, United States Code, is amended to read as follows:

H.R. 725

"§ 86. Marking of obstructions

"The Secretary may mark for the protection of navigation any sunken vessel or other similar obstruction existing on any navigable waters of the United States in such manner and for so long as, in his judgment, the needs of maritime navigation require. The owner of such an obstruction shall be liable to the United States for the cost of such marking until such time as the obstruction is removed or its abandonment legally established or until such earlier time as the Secretary may determine. All moneys received by the United States from the owners of obstructions, in accordance with this section, shall be covered into the Treasury of the United States as miscellaneous receipts. This section shall not be construed so as to relieve the owner of any such obstruction from the duty and responsibility suitable to mark the same and remove it as required by law."

With the following committee amendments:

On page 1, line 7, delete the word "similar".

On page 2, line 8, delete the word "suitable", and insert in lieu thereof the word "suitably".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR ADMINISTRATION OF THE COAST GUARD BAND

The Clerk called the bill (H.R. 727) to provide for the administration of the Coast Guard Band.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 727

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 11 of title 14, United States Code, is amended—

(1) by adding the following new section after section 335:

"§ 336. United States Coast Guard Band; composition; director

"(a) The United States Coast Guard Band shall be composed of a director and other personnel in such numbers and grades as the Secretary determines to be necessary.

"(b) The Secretary shall designate the director from among qualified members of the Coast Guard Band. Upon the recommendation of the Secretary, a member so designated may be appointed by the President, by and with the advice and consent of the Senate, to a commissioned grade in the Regular Coast Guard.

"(c) The initial appointment to a commissioned grade of a member designated as director of the Coast Guard Band shall be in the grade of lieutenant (junior grade) or lieutenant.

"(d) A member who is designated and commissioned under this section shall not be included on the active duty promotion list. He shall be promoted under section 276 of this title. However, the grade of the director may not be higher than lieutenant commander.

"(c) The Secretary may revoke any designation as director of the Coast Guard Band. When a member's designation is revoked, his appointment to commissioned grade under this section terminates and he is entitled, at his option:

"(1) to be discharged from the Coast Guard; or

"(2) to revert to the grade and status he held at the time of his designation as director."; and

(2) by inserting the following new item in the analysis:

"336. United States Coast Guard Band; composition; director."

SEC. 2. Section 207 of title 37, United States Code, is amended by adding at the end:

"(f) The director of the Coast Guard Band is entitled to the basic pay of an officer in the grade in which he is serving. However, his basic pay may not be less than that to which he was entitled at the time of his appointment as director."

SEC. 3. Section 424 of title 37, United States Code, is amended by adding at the end:

"(f) The director of the Coast Guard Band is entitled to the allowances of an officer in the grade in which he is serving. However, his allowances may not be less than those to which he was entitled at the time of his appointment as director."

With the following committee amendment:

On page 2, line 2, delete the word "Band."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING THAT THE SECRETARY OF THE INTERIOR SHALL CONVEY CERTAIN REAL PROPERTY TO THE COMMONWEALTH OF PUERTO RICO

The Clerk called the bill (H.R. 3433) to provide that the Secretary of the Interior shall convey certain real property to the Commonwealth of Puerto Rico.

The Clerk read the title of the bill.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. ASPINALL. Mr. Speaker, reserving the right to object—and, of course, I shall not object if the gentleman from Missouri [Mr. HALL] has a legitimate reason for the request—this is very much needed legislation. This parcel of land in question which consists of 1.4 acres was until recently a part of the Fort Brooke Military Reservation, but the Department of the Army has declared it surplus to its needs and made it available for disposal. The law authorizes the President in general terms to convey surplus property within the territorial limits of Puerto Rico to the Commonwealth and ordinarily this legislation would not be necessary, but the solicitor of the Department of Interior has held that tidelands, which this tract of land is, can be conveyed only under special legislative authority, therefore, this legislation is necessary.

I do not know what objection the gentleman may have to this legislation, but I would be pleased if he would state it at this time.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. HALL. I will be delighted to state my questions and endeavor always that they be legitimate; and I would like them to be considered as questions rather than as objections; otherwise I should not have asked for this bill to be put over without prejudice.

First. I have received a letter from military personnel recently stationed at Fort Brooke concerning this.

Second. It had not been mentioned to me previously until within the last half hour.

Third. As a Member of the Committee on Armed Services I am not completely certain that we should not discuss and debate this matter. I do not mean that it is under our jurisdiction, rather than that of the distinguished chairman of the Committee on Interior and Insular Affairs; but I believe there may be some coastline land hindrance in this conveyance to our Commonwealth, of cables and/or access from this wonderful old fort which has stood there so many years.

Finally, I am not sure about a reverter clause to the United States if this were not used for park purposes.

For these reasons, I thought that perhaps we had better discuss it and that it should go over this week for future consideration.

Mr. ASPINALL. I shall be glad to cooperate with my colleague.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING ESTABLISHMENT OF THE FORT UNION TRADING POST NATIONAL HISTORIC SITE, N. DAK.

The Clerk called the bill (H.R. 3957) to authorize establishment of the Fort Union Trading Post National Historic Site, N. Dak., and for other purposes.

Mr. PELLY. Mr. Speaker, in view of the fact that this measure is scheduled for consideration under suspension of the rules later today, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PROVIDING FOR THE RETIREMENT OF ENLISTED MEMBERS OF THE COAST GUARD RESERVE

The Clerk called the bill (H.R. 7779) to provide for the retirement of enlisted members of the Coast Guard Reserve.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I should like to question either the author of the bill or the chairman of the committee. I realize that the chairman, the gentleman from North Carolina [Mr. BONNER], cannot be with us, regrettably because of illness.

As I understand this, the annual expenditures for this purpose will increase gradually from $2,400 in 1965 to approximately $26,400 in 1985, and thereafter will level off.

A question which occurs in my mind is whether, by limiting Coast Guard service to 20 years before eligibility for retirement, we are not perpetuating a mistake which has been made by implementing regulations for the regular uniformed services. It seems to me perhaps that is where the correction should be made.

I am perfectly willing to admit that the Coast Guard's men should have the same privileges as accorded to other uniformed and military services. I know well that they are serving in South Vietnam now, and that in time of war they will be under the Navy Department instead of the Secretary of the Treasury.

But, on the other hand, we are losing a great wealth of personnel because the Secretary of Defense and other Secretaries of the Armed Forces have, by implementing regulations, allowed people to retire after 20 years, instead of having them serve their full duty of a dedicated and devoted service of 30 years or age 60, whichever might come first, if physically qualified.

I wonder whether perhaps this might be the wrong approach, to allow them to retire at the earlier age. I say this without any prejudice against the devoted and loyal service of the Coast Guard.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Maryland.

Mr. GARMATZ. This generally will give the reservists the same status as the Coast Guard, as to the 20 years. In this case, I believe 11 reservists are involved in this particular bill. Naturally, that will decrease as time goes on and the 20 years' service is finished.

Mr. HALL. I thank the gentleman.

That presumption is based on the fact that there will not be more Coast Guard reservists ordered to active duty.

Actually, this will increase the present cost of paying retired Coast Guard personnel up to about $26,000 in the year 1985, at which time it would level off if we had the same number of reservists on active duty.

As an old personnel officer, I believe I understand that part of it.

My question is whether this would not also allow them to retire after 20 years of service, instead of the usual complement of 30 years or age 60, whichever comes first.

Mr. GARMATZ. Yes. They will be able to retire after 20 years of service.

Mr. HALL. Then does the gentleman not feel that perhaps this is a back-door approach, rather than a head-on approach at this time, when we need trained personnel and our turnover is so rapid?

Mr. GARMATZ. It merely gives the same rate to the reserves as it does to the regular Coast Guard and to the Navy and other Services.

Mr. HALL. As I said at the beginning, this is the question that cannot be controverted. I understand that perfectly but simply want to make the legislative record on it.

Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 7779

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 755(e) of title 14, United States Code, is amended to read as follows:

"(e) Members of the Coast Guard Reserve, except enlisted members retiring on the basis of years of active service, shall be entitled to the same retirement benefits as prescribed by law for personnel of the Naval Reserve, and wherever any such law confers authority upon the Secretary of the Navy, similar authority shall be deemed given to the Secretary of the Treasury to be exercised with respect to the Coast Guard when the Coast Guard is operating under the Treasury Department. Enlisted members of the Coast Guard Reserve requesting retirement on the basis of years of active service shall be entitled to the same retirement rights, benefits, and privileges as prescribed by law for enlisted members of the Regular Coast Guard."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ORGANIC ACT OF GUAM

The Clerk called the bill (H.R. 8720) to amend the Organic Act of Guam to provide for the payment of legislative salaries and expenses by the government of Guam.

There being no objection, the Clerk read the bill, as follows:

H.R. 8720

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 26 of the Organic Act of Guam (64 Stat. 384, 391; 48 U.S.C. 1421d(e)), is amended to read as follows:

"(e) Each member of the legislature shall be paid such compensation and shall receive such additional allowances or benefits as may be fixed under the laws of Guam. Such compensation, allowances, or benefits, together with all other legislative expenses shall be appropriated by, and paid out of funds of, the government of Guam."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

The Clerk called the bill (H.R. 8721), to amend the Revised Organic Act of the Virgin Islands to provide for the payment of legislative salaries and expenses by the Government of the Virgin Islands.

There being no objection, the Clerk read the bill, as follows:

H.R. 8721

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 6 of the Revised Organic Act of the Virgin Islands (68 Stat. 497, 499), as amended (73 Stat. 568; 48 U.S.C. 1572(e)), is further amended to read as follows:

"(e) Each member of the legislature shall be paid such compensation and shall receive such additional allowances or benefits as may be fixed under the laws of the Virgin Islands. Such compensation, allowances, or benefits, together with all other legislative expenses shall be appropriated by, and paid out of funds of, the government of the Virgin Islands."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE IN RETIRED PAY—LIGHTHOUSE SERVICE

The Clerk called the bill (H.R. 8761) to provide an increase in the retired pay of certain members of the former Lighthouse Service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, again I would like to query the proponents of the bill or the one who is handling it on the floor, simply to ask a question about the service being noncontributory. This, along with the fact that the Coast Guard Commission does not comment on the merits of the proposal makes me wonder if there is some information not in the report favoring this bill.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. GARMATZ. There was no objection, Mr. Speaker.

Mr. HALL. Of course the gentleman is aware of the fact that the Commission does not comment, although there is no objection. And what about the noncontributory feature?

Mr. GARMATZ. The bill originally called for 5 percent. The Coast Guard then went to the Civil Service Commission and tried to bring it up to the same rate as Civil Service employees were entitled to. Therefore, it was increased to 6.5 percent.

Mr. HALL. That is not the contribution on the part of the individual, however. That is the portion paid by the Government, which becomes a payment by a grateful Government for good service.

Mr. GARMATZ. The system has never been contributory.

Mr. HALL. Most of the other retirement systems are contributory, either in kind or otherwise. Is this strictly not true of the Lighthouse Service?

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. HALL. I will be pleased to yield to the gentleman.

Mr. MAILLIARD. I will say to the gentleman that the Lighthouse Service, as such, no longer exists. These are pensioners because the Lighthouse Service was incorporated in the Coast Guard at a later date. In the future they will be under the Coast Guard retirement system but these are people who never were incorporated in the Coast Guard or appropriated for but are retirees from the old Lighthouse Service.

Mr. HALL. In other words, they were retired before the Coast Guard took over the tending of the lighthouses; is that correct?

Mr. MAILLIARD. That is correct.

Mr. GARMATZ. For the gentleman's information, the Coast Guard has finally taken over all of the Lighthouse Service.

Mr. HALL. Of this I am well aware. Thank you.

Mr. Speaker, I withdraw my reservation of objection.

Mr. TUPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. TUPPER. Mr. Speaker, I welcome the opportunity to join with my colleagues on the Committee on Merchant Marine and Fisheries in recommending favorable action on H.R. 8761. The purpose of this bill is to provide an increase in annuities of members of the former Lighthouse Service. This increase will place these members of the Service on a parity with recipients of civil service annuities, and is but a small token of recognition due these unsung and devoted members of the former Lighthouse Service.

The history of the Lighthouse Service is coincidental with the history of the United States itself. It is reported that one of the first official acts of President Washington was to write a letter to the keeper of Sandy Hook Light. In that letter, President Washington directed the keeper to keep the light burning until Congress could provide for its maintenance.

The Service formally became an administrative unit of the Government by an act of 1789. This was the ninth law passed by the Congress and the first provision for any public work.

One of the first lighthouses authorized by President Washington to be constructed was Portland Head Light in my own State of Maine. Portland Head Light was completed during the year 1790. It was first lighted on January 10, 1791.

Then, in 1852 the Lighthouse Board was appointed. This Board was charged with administering the aids to navigation and did so for nearly 58 years, when, in 1910, it was superseded by the Bureau of Lighthouses in the Department of Commerce and Labor. Subsequently, in 1939, the Lighthouse Service was made a part of the U.S. Coast Guard.

It is readily apparent, therefore, that the history of the Lighthouse Service has been one of tireless devotion to maintaining the beacons along our coastline. Consequently, it is fitting that recognition be accorded this unstinting record of service to the Nation by favorable consideration of H.R. 8761, to increase the retired pay of members of the former Lighthouse Service.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 8761

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the annual rate of retired pay of each person retired prior to January 1, 1963, under section 6 of the Act of June 20, 1918, as amended and supplemented, shall be increased by 5 per centum, effective on the first day of the first calendar month following the date of enactment of this Act.

With the following committee amendment:

On page 1, line 6, delete the figure "5", and insert in lieu thereof the figures "6.5."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDE FOR ENFORCEMENT OF CUSTOMS AND IMMIGRATION LAWS

The Clerk called the bill S. 956, to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68).

There being no objection, the Clerk read the bill, as follows:

S. 956

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 26, 1930, as amended (76 Stat. 87; 19 U.S.C. 68), is further amended (1) by inserting after the comma following the word "available" where it appears the first time, the phrase "and for similar purposes in the Virgin Islands of the United States,", and (2) by inserting after the comma following the word "expend", the phrase "and for similar purposes in Guam the Attorney General is hereby auhorized to expend,".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ACT ON THE STATUS OF PUERTO RICO

The Clerk called the bill (S. 2154) amending the act reestablishing the United States-Puerto Rico Commission on the status of Puerto Rico.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like two points clarified. No. 1, why is it necessary to extend the time; and No. 2, why is it necessary almost to double the funds even though extending it for only 6 to 9 months?

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. O'BRIEN. On the question of extending the time, first the Commission had a great deal of difficulty in organizing itself due to certain political events on the mainland and in Puerto Rico. In fact, three of the four Members of Congress on the original Commission have left, but the staff continued to work during that period.

As to the second question, on the doubling of costs, this is a tripartite Commission to a great extent. At least the Puerto Rican representatives are. The Commission felt it was desirable that sources of study requested by these various groups should be undertaken if they were reasonable. So we found ourselves with an inquiry which was much greater in depth than we had planned originally.

But I do feel that when we complete that in-depth study Congress and the administration generally will have, perhaps, the most complete study of Puerto Rico, past, present, and future, that we have ever had. The Legislature of the Commonwealth of Puerto Rico, incidentally, will be meeting in special session this month or early next month, and they will pay half of the additional cost.

Mr. HALL. Does the gentleman mean that half of the $215,000 additional cost over and above the original $250,000 will be paid by the Commonwealth of Puerto Rico?

Mr. O'BRIEN. No. It is $215,000 each for a total additional appropriation for $430,000.

Mr. HALL. That is correct; $215,000, therefore is in addition to the original $250,000, as I stated. Is half of that to be paid by the Commonwealth of Puerto Rico?

Mr. O'BRIEN. No. The Legislature of the Commonwealth of Puerto Rico also contributed $250,000 originally and they, too, will add $215,000 as their share of the total cost.

Mr. HALL. So that the total cost of this Commission study will be $930,000?

Mr. O'BRIEN. That is correct.

Mr. HALL. Half of which was contributed originally, $250,000, by the Legislature of Puerto Rico, and the additional $215,000 will also be matched?

Mr. O'BRIEN. That is correct.

Mr. HALL. We are not still paying the disenfranchised Members of Congress who are no longer in the Congress, are we, I ask the gentleman?

Mr. O'BRIEN. No. They never received anything more than their salary, and that was terminated for some last December 31.

Mr. HALL. In all seriousness again, I ask the gentleman, is there need for speed on this matter since it does involve almost doubling the original grant?

Mr. O'BRIEN. Yes; I might say so, in view of the fact that the Puerto Rico Legislature which agreed, at least through its representatives on the Commission, to take this up in special session. That special session will be comparatively brief. So unless we act they will not be in a position to act, and nothing could be done until perhaps next year, which would put us in a rather difficult position.

Mr. HALL. But we certainly can act 2 weeks from today; would that be too much of a delay, in the opinion of the esteemed gentleman from New York under the circumstances, or would it cause embarrassment to us in relation to the Commonwealth of Puerto Rico?

Mr. O'BRIEN. Yes; it might cause some slight embarrassment.

Mr. HALL. Mr. Speaker, I would ask the gentleman further, or whoever would care to answer it, perhaps the sponsor of the bill, whether, for example, this Commission will go into its final in-depth studies such things as the relations of the different parties to the Legislature in the Commonwealth of Puerto Rico; and in that connection I hold in my hand an editorial by Bruce Biossat of July 9, 1965, entitled: "Leftists Are Consolidating Position in Puerto Rico." Mr. Speaker, I ask unanimous consent to insert this editorial at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The matter referred to follows:

LEFTISTS ARE CONSOLIDATING POSITION IN PUERTO RICO

(By Bruce Biossat)

WASHINGTON.—America's interest in the future of Puerto Rico has risen since the spread of Castroite communism through the Caribbean.

Our military intervention in the badly torn Dominican Republic is a gage of the fear felt here that the whole region is vulnerable.

A U.S. Government which often has declared its willingness to cut all bonds with Puerto Rico may have to hope now that the island's people never alter their present overwhelming disposition to stay within the U.S. fold.

That mood is so strong that last November the Independence Party gained a mere 2.7 percent of the islandwide vote in the election which gave the governorship to Roberto Sanchez Valella. The party dropped a full point from its 3.7 percent in 1960.

Knowledgeable sources believe that the dim outlook for independence at the polls is well understood by Sanchez' young advisers—leftest intellectuals whose anti-American and independentista sentiments are realized by few Puerto Ricans.

These insiders, "The Group of 23," are thought to rest their hopes in the prospect of an incident. Said one source:

"They can't gain popular support as things are. They'll have to try to precipitate some misunderstanding, some emotional difference with the United States.

"They have to hope that in such circumstances, the U.S. Government would do something to humiliate the Puerto Ricans, to kick them in the teeth. Then they would say 'we can't take this.' "

Since the popular mood favoring good ties with mainland America makes the moment inopportune, "The Group" is said to be consolidating its positions of influence around Sanchez and biding time.

Meanwhile, their distaste for Americans and their contempt for former Gov. Luis Muñoz Marin is ill-concealed from the few Puerto Ricans who are aware of their bent.

One man reports that their description of Muñoz, who for more than 2 decades was the islanders' father image, add up to a kind of Spanish-language version of "senile old crock."

Muñoz is known to be deeply hurt that Sanchez never has consulted him in the 6 months since he succeeded him as Governor. The former Governor, stunned by the turn of events, has not yet spoken out because the inside independentistas have not offered him a convenient target.

Most of these young intellectuals evidently were nurtured in the seedbed of the University of Puerto Rico, where the independence movement has attracted both students and faculty.

It is being surmised that, having appraised the feeble Independence Party as a hopeless route to their goal, they joined the majority Popular Democratic Party to press the cause from within. Some time ago they took over that party's youth group.

How they managed to move in on Sanchez is still a mystery to Muñoz and other worried old hands in his party. One or two suggest that, as a lifetime administrative technician, he may not grasp what his ambitious appointees are up to.

The irony in the situation is acute, since it was assumed Sanchez would do nothing to depart in any way from Muñoz' established policy—continued commonwealth status for the island, with its unique blend of political autonomy and strong link with mainland America.

Nevertheless, the inside independentistas are in fact Sanchez' closest advisers today. And most of them were installed, it should be noted, long before the Dominican affair stirred the frail Independence Party to new public outcries.

Mr. O'BRIEN. Mr. Speaker, I read the article in question and I find that this article, as so many others, dealing with these subjects, is a bit overdrawn. However, I am not going to say it is entirely wrong. This is one of the things we would like to find out about.

Mr. HALL. This is what the Commission would deal with?

Mr. O'BRIEN. Yes.

Mr. HALL. Does the gentleman know if it would also deal with the question of whether or not matching funds under the Hill-Burton Act and/or Economic Recovery Act and/or medicare if it passes, will be used in the same way in the Commonwealth as they are in the other States and territories; and if this will be a subject of study, because I will tell the gentleman right now that the funds are being impounded by the Commonwealth as a whole and not used normally rather than on a matching, free enterprise, or local fund raising basis?

Mr. O'BRIEN. Every dollar of Federal money which is being spent or which will be spent in Puerto Rico is being scrutinized and studied by the Commission in this overall inquiry.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and was passed, and a motion to reconsider was laid on the table.

EXTENSION OF VESSEL EXCHANGE PROGRAM

The Clerk called the bill (H.R. 728) to broaden the vessel exchange provisions of section 510(i) of the Merchant Marine Act, 1936, to extend such provisions for an additional 5 years, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 728

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (i) of section 510 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160(i)), is amended as follows:

(1) By striking out "within five years from the date of enactment of this Act war-built vessels (which are defined for purposes of this subsection as oceangoing" and inserting in lieu thereof the following: "before July 5, 1970,".

(2) By striking out "during the period beginning September 3, 1939, and ending September 2, 1945") and inserting in lieu thereof the following: "before September 3, 1945,".

(3) By inserting immediately before the words "owned by the United States" the following: "(which are defined for purposes of this subsection as oceangoing vessels of one thousand five hundred gross tons or over which were constructed or contracted for by the United States shipyards during the period beginning September 3, 1939, and ending September 2, 1945)".

With the following committee amendments:

Page 1, line 3, following the word "That", insert "(a)".

Page 2, following line 10, insert the following:

"(b) Subsection 510(i)(1) of the Merchant Marine Act of 1936 is amended to read as follows:

" '(1) The traded-in vessel shall have been owned by a citizen or citizens of the United States, documented under the laws of the United States, and shall not have been operated with operating-differential subsidy under title VI of this Act by the applicant or any affiliate of the applicant for at least three years immediately prior to the date of the exchange.'

"(c) Subsection 510(i)(9) of the Merchant Marine Act of 1936 is amended to read as follows:

" '(9) Tanker vessels may be traded out under the provisions of this subsection only for conversion into dry bulk carriers to be operated only in the domestic trades, except where traded out for use exclusively in trade and commerce of the Great Lakes, including the Saint Lawrence River and Gulf. No tanker vessel so traded out, or any part thereof, shall be used in the construction or reconstruction of a vessel.'

"SEC. 2. Section 510 of the Merchant Marine Act of 1936 is amended by adding the following new subsection:

" '(j) Any vessel heretofore or hereafter acquired under this section, or otherwise acquired by the Secretary of Commerce under any other authority shall be placed in the National Defense Reserve Fleet established under authority of section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and shall not be traded out or sold from such Reserve Fleet, except as provided for in subsections (g) and (i) of this section. This limitation shall not affect the rights of the Secretary of Commerce to dispose of a vessel as provided in section 1105(d) of this Act (46 U.S.C. 1275(d)) and section 508(1).' "

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended to read as follows: "A bill to amend section 510 of the Merchant Marine Act, 1936".

A motion to reconsider was laid on the table.

REDEFINING TERM "OBSOLETE VESSEL"

The Clerk called the bill (H.R. 729) to amend section 510(a)(1) of the Merchant Marine Act, 1936.

There being no objection, the Clerk read the bill, as follows:

H.R. 729

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510(a)(1) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1160), is amended (1) by striking out of subdivision (B) before the proviso the words "in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States" and inserting in lieu thereof the words "in the judgment of the Secretary of Commerce, should be replaced in the public interest", and (2) by striking out the proviso.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXEMPT OCEANOGRAPHIC VESSELS FROM CERTAIN LAWS

The Clerk called the bill (S. 627) to exempt oceanographic research vessels from the application of certain vessel inspections laws, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

S. 627

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(1) the term "oceanographic research vessel" means a vessel which the Secretary of the department in which the Coast Guard is operating finds is operated in the public interest by being employed exclusively in scientific research, or instruction in oceanography or limnology, or both; and

(2) the term "scientific personnel" means persons who are aboard a vessel solely for the purpose of engaging in scientific research, instructing, or receiving instruction, in oceanography or limnology.

SEC. 2. An oceanographic research vessel shall not be considered a passenger vessel, a vessel carrying passengers, or a passenger-carrying vessel under the provisions of the laws relating to the inspection and manning of merchant vessels by reason of the carriage of scientific personnel.

SEC. 3. Scientific personnel on an oceanographic research vessel shall not be considered seamen under the provisions of title 53 of the Revised Statutes and Act amendatory thereof or supplementary thereto.

SEC. 4. If the Secretary of the department in which the Coast Guard is operating determines that the application to any oceanographic research vessel of any provision of title 52 or title 53 of the Revised Statutes, or Acts amendatory thereof or supplementary thereto, is not necessary in the public interest, he may by regulation exempt any such vessel from such provision, upon such terms and conditions as he may specify.

With the following committee amendments:

On page 1, line 6, delete the words "operated in".

On page 1, delete lines 7, 8, and 9, and insert in lieu thereof the following: "being employed exclusively in instruction in oceanography or limnology, or both, or exclusively in oceanographic research, including, but not limited to, such studies pertaining to the sea as seismic, gravity meter and magnetic exploration and other marine geophysical or geological surveys, atmospheric research, and biological research."

On page 2, between lines 7 and 8, insert the following:

"SEC. 3. An oceanographic research vessel shall not be deemed to be engaged in trade or commerce."

On page 2, line 8, delete "SEC. 3.", and insert in lieu thereof "SEC. 4.".

On page 2, line 12, delete "SEC. 4.", and insert in lieu thereof "SEC. 5.".

On page 2, line 17, delete the words "the public interest,", and insert in lieu thereof the following: "the performance of the mission of the vessel,".

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. HANNA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, the bill S. 627 just passed by the House is identical to H.R. 3419 introduced by myself and heard by the committee reporting this bill. I compliment the Merchant Marine and Fisheries Committee on its favorable report and the House on its affirmative action. This bill provides a flexible, independent category for research vessels, and meets a great need for scientific oceanographic work. At the same time, may I remind the House that the great potential of the resources of the sea, and all that it means to our Nation, cannot be realized unless we have far more vigorous and constructive action on some of the other legislative proposals that will allow for dynamic expansion of our efforts in this all important field.

Specifically, Mr. Speaker, it is my hope that this House and the Congress will, during this session, enact the following bills: S. 944, by Senator MAGNUSON in the other body and by the gentleman from Florida, Representative FASCELL, and myself in the House, which would provide for expanded oceanographic and limnological research and create a National Oceanographic Council; H.R. 9064 and H.R. 9617, by the gentleman from Florida, Representative PAUL ROGERS, and myself, respectively, which would create a National Commission on Oceanography; and H.R. 5175 by the gentleman from North Carolina, Representative LENNON, which would authorize and direct the Coast Guard to conduct a study of the many legal ramifications "arising out of the management, use, and control of the natural resources of the oceans and ocean beds."

Mr. KEITH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KEITH. Mr. Speaker, I am a cosponsor of the House version of S. 627—H.R. 7320—which is intended to exempt oceanographic research vessels from vessel inspection laws intended for cargo and passenger vessels.

Need for this legislation has become increasingly apparent, as a result of the increased national interest in the marine sciences and the increasingly sophisticated requirements of oceanographic programs. Six years ago, for example, the House Oceanography Subcommittee listed 16 American research ships. Today's national oceanographic fleet consists of about 50 ships, and more are building. The Research Vessel Operators' Council has indicated, in fact, that the fleet may even exceed the 70-vessel quota for 1970 set by the National Academy of Sciences' Committee on Oceanography 1960 Report.

The fact that these vessels, until now, have been considered within the scope of statutes and regulations for merchant vessels has resulted in a situation which is complicated and confusing, and which is both an unnecessary burden on the enforcement agencies and a useless impediment to the urgent requirements of our oceanographic research program, a program which is not only of scientific and commercial value but one vitally concerned with national defense.

Despite its contributions to both fields, an oceanographic research vessel is neither military nor commercial, but is a special service requiring separate rules and regulations if it is to be an effective instrument. Our national interest in this matter is not only from the defense and general economic standpoint, but includes a sizable fiscal responsibility. This year alone the Federal Government is investing something approaching $141 million in the national oceanographic program. A good part of this sum is naturally going into research ship operation, directly or indirectly, and it is in the Government's interest to see that these expensive vessels operate with the greatest possible efficiency.

It should be emphasized here that safety of operation has not come into the question. There is complete accord between the Coast Guard, the committee and the operators of the necessity of insuring safe operations. The problem is simply one of specialized research "instruments" (many are virtually floating "laboratories") being forced to conform to regulations conceived basically with the seaborne transport of material and people in mind.

This bill, S. 627, very adequately meets the need for a uniform policy regarding the specialized operations of research vessels. For example, rules and regulations can be drawn under its authority which are expressly tailored to the special operational characteristics of research vessels. There are certain operations performed by such ships which are not duplicated on any other class of vessel and these should be specifically provided for, and not, as now, through regulations extrapolated from existing rules meant originally for completely different types of vessels and vessel operations.

This proposal has met with uniform approval from the agencies and the operators. In conclusion, this legislation will enable the oceanographic community, the Coast Guard, Bureau of Customs and others concerned with the subject, to work together for the establishment of meaningful standards of safety which, at the same time, will not hamper vital research at sea. Its enactment will facilitate the development of the national oceanographic program, which in turn is directly related to the national defense, development of valuable marine resources, the safeguarding of public health and the protection of life and property.

I am pleased to record my unqualified support of this legislation.

CERTAIN ALLOWANCES TO MEMBERS OF UNIFORMED SERVICES

The Clerk called the bill (H.R. 8211) to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance.

There being no objection, the Clerk read the bill, as follows:

H.R. 8211

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 427(b) of title 37, United States Code, is amended by striking out "who is entitled to a basic allowance for quarters".

SEC. 2. The amendment made by this Act shall take effect on the first day of the first calendar month which occurs after the date of the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The **SPEAKER.** This concludes the call of the Consent Calendar.

TO EXPAND THE TYPES OF EQUIPMENT AND THE NUMBER OF ELECTRIC TYPEWRITERS FURNISHED MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 100, the Joint Resolution 481, to amend the joint resolution of March 25, 1953, to expand the types of equipment and the number of electric typewriters furnished Members of the House of Representatives.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

Mr. HALL. Mr. Speaker, reserving the right to object, I am happy to have this reconsideration, after having it go over without prejudice on the Consent Calendar.

Mr. Speaker, the RECORD would show that I asked at that time for the sponsor of the bill or the proponents, either one, or the subcommittee chairman of the

Committee on House Administration, give us a little information as to the total cost of these pieces of equipment, assuming that every Member of the House will indulge in the new types of equipment involved here. There is no estimate of the cost contained in the bill or in the report.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. HALL. I would be delighted to yield to the gentleman, my colleague from Missouri, the chairman.

Mr. JONES of Missouri. The cost of each of these items, the automatic letter opener and the automatic letter sealer, is approximately $205 each. I would contemplate that comparatively few Members would buy this equipment. The committee did vote to authorize, although there was some reservation, including this gentleman from Missouri.

Mr. HALL. Will the gentleman tell me what those reservations were? Will they be on a personal basis, or otherwise? On what basis will they be using the equipment? There must have been considerable demand for these additional sealers that are now in the folding rooms.

Mr. JONES of Missouri. This would not eliminate any work being done in the folding room. A lot of people want to have everything automated. I have my doubts about the letter openers and sealers saving enough time to justify them, but the majority of the committee seem to think it would. I am just bringing it to the House as the chairman of the subcommittee.

Mr. HALL. It would require $410 as the best estimate of what this might cost the House contingency fund?

Mr. JONES of Missouri. It could be, yes.

Mr. HALL. Is there any basis for believing there might be few people using this?

Mr. JONES of Missouri. I only go by what has happened. There are Members who do use some of these new items. Some get them and do not actually use them, but that is in line with the trend of the House.

Mr. HALL. It does involve an additional cost to the Government, an initial cost to the Government, whether they use this equipment or not.

Mr. JONES of Missouri. Yes.

Mr. HALL. Is there any thought that the committee might very well authorize purchase only if requested by a Member, and when requested?

Mr. JONES of Missouri. The Member has to request it. It comes out of his electrical equipment supply fund.

Mr. HALL. I understand that, but will they be purchased from the maker before they are requested and marked off his equipment list?

Mr. JONES of Missouri. They will only be purchased when he makes a request.

Mr. HALL. I withdraw my reservation, Mr. Speaker.

The **SPEAKER.** Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the House joint resolution, as follows:

H.J. Res. 481

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (c) of the first section of the joint resolution entitled "Joint resolution to authorize the Clerk of the House of Representatives to furnish certain electrical or mechanical office equipment for the use of Members, officers, and committees of the House of Representatives", approved March 25, 1953, as amended (2 U.S.C. 112a) is amended (A) by striking out "and" at the end of clause (4), (B) by striking out the period at the end of clause (5) and inserting in lieu thereof a semicolon, and (C) by adding after clause (5) the following new clauses:

"(6) automatic letter opener machines; and

"(7) automatic letter sealer machines."

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A joint resolution to amend the joint resolution of March 25, 1953, to expand the types of equipment furnished Members of the House of Representatives."

A motion to reconsider was laid on the table.

SUBCOMMITTEE NO. 2 OF THE COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 2 of the Committee on the Judiciary may be permitted to sit during general debate on July 14 and 15.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. ASHLEY. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 180]

Ashbrook
Berry
Bolling
Bonner
Bow
Cabell
Callaway
Chamberlain
Clausen,
Don H.
Collier
Craley
Daddario
Dickinson
Diggs
Dorn
Edmondson
Evins, Tenn.
Fino
Fisher
Foley
Friedel
Fulton, Tenn.
Green, Oreg.
Hardy
Harvey, Ind.
Harvey, Mich.
Holland
Huot
Jones, Ala.
Keogh
Lindsay
Love
McDowell
McEwen
McVicker
Mackie
May
Moore
Morton
Nix
O'Neill, Mass.
Pepper
Pool
Powell
Pucinski
Purcell
Quillen
Randall
Reid, N.Y.
Resnick
Robison
Roosevelt
Scott
Sikes
Smith, N.Y.
Staggers
Stephens
Todd
Toll
Van Deerlin
Vivian
Watson

The **SPEAKER.** On this rollcall 368 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

AMENDMENT TO THE ATOMIC ENERGY ACT OF 1954

Mr. HOLIFIELD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8856) to amend section 271 of the Atomic Energy Act of 1954.

The Clerk read as follows:

H.R. 8856

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 271 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"Sec. 271. Agency Jurisdiction.—Nothing in this Act shall be construed to affect the authority or regulations of any Federal, State, or local agency with respect to the generation, sale, or transmission of electric power produced through the use of nuclear facilities licensed by the Commission: *Provided,* That this section shall not be deemed to confer upon any Federal, State, or local agency any authority to regulate, control, or restrict any activities of the Commission."

The **SPEAKER.** Is a second demanded?

Mr. YOUNGER. Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill now before the House, H.R. 8856, would amend section 271 of the Atomic Energy Act of 1954, as amended, for the purpose of clarifying the language of that section to conform to the intent of Congress. As amended, this section would provide that nothing in the Atomic Energy Act of 1954, as amended, shall be construed to affect the authority of any Federal, State, or local agency with respect to the generation, sale, or transmission of electric power produced through the use of nuclear facilities licensed by the Atomic Energy Commission. However, nothing in section 271 shall be construed to confer on any Federal, State, or local agency any authority to regulate, control, or restrict activities of the Atomic Energy Commission.

The background and reasons for this proposed legislation are fully set forth in the Joint Committee's report on H.R. 8856, and in the record of the committee's hearings on this bill. These documents explain why the Joint Committee, after having carefully explored this matter, unanimously recommends that this bill be enacted. Accordingly, I will mention only a few of the salient points concerning this proposed legislation.

The need for this bill arose out of AEC's attempts to obtain electric power for the Government's $114 million Stanford linear accelerator, currently under construction on the property of Stanford University at Palo Alto, Calif. AEC initially sought to obtain this power from the local electric utility via an overhead powerline, but this course was blocked by the town of Woodside and the county of San Mateo, through which the line would run. These authorities demanded that the line be placed underground, at an estimated additional cost of over $4 million. At this point, I wish to emphasize that what is involved here is a high-voltage transmission line, not a low-voltage distribution line such as is found in residential neighborhoods. Transmission lines are vastly more expensive to place underground than distribution lines.

Thereafter numerous and lengthy efforts were made by the AEC, with the strong encouragement of the Joint Committee, to reach an equitable compromise with the local proponents of an underground line. When these failed, the AEC finally instituted condemnation proceedings for the purpose of constructing and maintaining an overhead line.

The Federal district court sustained the Government's legal authority to take this action. However, on May 20, 1965, the U.S. Court of Appeals for the Ninth Circuit reversed the district court. The court of appeals ruled, in effect, that although AEC could take the proposed action pursuant to the supremacy clause of article VI of the Constitution, section 271 of the Atomic Energy Act, by necessary implication, precluded AEC from constructing and operating this overhead line in violation of the ordinances of the town of Woodside and San Mateo County.

Mr. Speaker, the decision of the court of appeals has raised grave doubts concerning the interpretation to be given by the courts to the intent of Congress underlying section 271. In the opinion of the Joint Committee, including all of us who were involved in the consideration of the bill which included section 271 and eventually was enacted as the Atomic Energy Act of 1954, the court has misconstrued the intent of Congress underlying this section. The reasons why this section was included in the law are explained in detail on pages 5 and 6 of the committee's report, and are also concisely summarized in the statement in support of the amendment of this section by my distinguished fellow committee member, Senator HICKENLOOPER, which appears on page 51 of our hearing record.

If the interpretation of section 271 set forth in the court of appeals' decision became binding generally, major adverse consequences throughout the entire range and scope of all of the AEC's programs could result. If all of these activities became subject to the control of local agencies of government, through the enforcement of local ordinances and regulations concerning generation, sale, or transmission of electric energy, an intolerable burden would be placed upon the effective performance of the AEC's responsibilities under the Atomic Energy Act of 1954.

The bill recommended by the committee would clarify the language of section 271 so as to correct any such erroneous conclusion that Congress intended that AEC's activities, as authorized by Congress, be limited by the authority or regulations of local authorities with respect to the generation, sale, or transmission of electric power. It would accordingly reaffirm the intent of Congress that AEC possess the same sovereign immunity, under the supremacy clause of article VI of the Constitution, that other Federal agencies possess.

This is the major purpose of this bill.

The committee is, of course, aware that this bill would also have an immediate impact on the specific controversy involving construction of a powerline to service the Stanford linear accelerator. The bill would make it clear that Congress did not intend to strip AEC of the power it would normally possess, under the Atomic Energy Act of 1954 and in accordance with the supremacy clause of article VI of the Constitution, to construct and operate an overhead transmission line to service this facility.

Accordingly, the AEC could condemn the necessary easements for an overhead electric power transmission line for this purpose, and could construct and maintain such powerline, either with its own forces or through contractual arrangements, notwithstanding any State or local laws or regulations to the contrary, including those of the town of Woodside and the county of San Mateo at issue in the case before the court of appeals.

As I have already indicated, the purpose of the bill recommended by the committee is to remedy a problem which extends far beyond the dispute over the Stanford linear accelerator powerline. The committee believes it would be desirable for this legislation to be enacted even if there were no outstanding disagreement over this line, to avoid future erroneous interpretations of congressional intent underlying section 271. However, I want to emphasize that the committee also unanimously favors this bill because it will allow the AEC to proceed expeditiously with its present plans to construct an overhead line to service this facility.

I will not take the time of the House to restate each of the reasons for our committee's recommendation. They are explained fully on pages 7–9 of our report, and in the record of our committee's hearings. I shall summarize these reasons in a few words.

We on the Joint Committee feel that the Federal Government has a responsibility to take every reasonable step to preserve and enhance the natural beauty of the area to be traversed by the Stanford powerline. The actions taken by the committee over the last few years—including public hearings, conferences, and visits to the area—are concrete evidence of our committee's continuing concern with this matter and the views of the local residents. We believe the Federal Government has taken every reasonable step to accomplish this goal, including the AEC's announced willingness to spend large amounts to construct relatively short, esthetically designed overhead powerline structures and to avoid cutting a swath through the trees and other growth in the area. Notwithstanding this, and although the Joint Committee strongly urged almost a year and a half ago that those who favored an underground line should defray the extra costs, no compromise offer has been made by the proponents of an underground line that approaches the total additional cost involved.

Mr. Speaker, our committee has a responsibility to assure that our Nation's atomic energy program is conducted efficiently and without waste of public funds. We cannot, in good conscience, recommend to the House that the American taxpayers assume the burden of the additional costs for an underground line—estimated at over $4 million—for the benefit of some of the local residents of this area, particularly in view of the thousands of poles and overhead lines which are currently there.

Mr. Speaker, I should like to reiterate that the Joint Committee has unanimously recommended this bill to the House, and I urge its enactment.

Mr. Speaker, the Stanford linear accelerator, a scientific device costing $114 million was authorized in 1961. It is in the process of being completed. It is located on the Stanford campus at Palo Alto, Calif.

Mr. Speaker, in order to service this $114 million installation it will be necessary to build a high-voltage line of electricity from a powerline that goes within about 6 miles of the site to the accelerator.

Mr. Speaker, the purpose of this bill today is to clarify a section of the Atomic Energy Act of 1954 to assure that the AEC has the same authority as other agencies of the Federal Government. Because this section of the act was misunderstood by the Circuit Court of Appeals of the Ninth District of California, the court in effect took away from the Atomic Energy Commission, the Federal agency involved, the right to condemn an easement for the purpose of bringing this line to the accelerator.

The city of Woodside, a city of about 5,000, and the county of San Mateo contested the right of the Atomic Energy Commission to build this high-voltage line. They lost in the lower Federal district court, but the Ninth Circuit Court of Appeals ruled in their favor.

In the opinion of the 18 members of the Joint Committee on Atomic Energy this decision on the part of the circuit court of appeals misinterpreted section 271 of the Atomic Energy Act and hence reached an erroneous decision. It passed up the clear language of the act in section 271, which said that nothing in the Atomic Energy Act would affect the jurisdiction of the Federal, State, and local governments in regard to transmission, generation, and sale of electricity.

In other words, the act said to keep it just as it was; to maintain the status quo. The Federal Government had its powers, the State government had its powers, and the local government had its powers.

As a result of this ninth circuit court of appeals decision the Joint Committee is forced under its obligations according to the act and under its obligation to the House to come in with a very simple bill which clarifies language and reasserts again the original purpose of section 271 not to change the basic jurisdiction of the Federal Government, the city government, and the local government. It in effect would clarify section 271 to show that the circuit court of appeals did not make a decision in line with the intent of Congress. The circuit court of appeals relied upon some ambiguous language that transpired between Senator HUMPHREY, of Minnesota, and Senator HICKENLOOPER, who at that time was cosponsor of the bill and is today the ranking Senate minority member of the Joint Committee on Atomic Energy. There is a statement in the current hearings by Senator HICKENLOOPER which takes the same position I am taking today and says the court misunderstood the exchange of language between himself and Senator HUMPHREY during debate on the floor of the Senate. He is cosponsoring in the Senate the same bill that the gentleman from California [Mr. HOSMER], and I are sponsoring here.

This is a unanimous decision of the committee.

What is involved? I direct your attention to the map on my left. You will notice on this map a dark green area which is the city of Woodside. You will notice around the city of Woodside and in the county of San Mateo a long red line of high-voltage lines.

This long red line is a 220-kilovolt line now existing and it is these 120-foot steel towers which are the common means of transmitting high-voltage electricity all over the Nation.

You will notice in the lower right-hand corner dark green areas, the city of Palo Alto. You will notice that a high-voltage line comes across the city of Palo Alto. It goes across the green area of San Mateo County. The proposed AEC line would be this high-voltage line to the accelerator which is in the middle of the picture.

This red line in the picture goes across to the Stanford linear accelerator.

It goes across the most narrow part of the city of Woodside, a distance of about six-tenths of a mile. There will be three pole structures containing a total of six poles in it and these are ornamental steel poles averaging 70 feet high as against the tower which would have been 120 feet high. It goes across some wooded areas. In some places it is open and in some places it is wooded. These six poles average only 10 feet higher than the wooden poles that you see in the picture over on the left here.

Those wooden poles that you see in the two pictures on my extreme left are in the county of San Mateo and the city of Woodside. They are wooden poles with up to seven crossarms on them and there are about 2,488 of such poles now in the city of Woodside.

Now what is the city of Woodside saying to us? They are saying, "If you bring this line across the narrow part of our city, you will destroy the beauty of our city although there are only six 70-foot steel poles." We would not cut a swath out of the forest across there. The poles would be placed in the woods and the lines would go through the woods. A minimum of trees would be cut. The Government plans to trim the tops of the trees so that the high-voltage lines will not touch them.

But they say this will destroy the long established esthetic beauty of their community. But they have done nothing to put the 2,488 poles that are there now underground although they have been there since long before the city existed.

Now what is the cost penalty involved? The cost penalty involved is this: We can build this overhead transmission pole line for $1,052,000. If we put in a powerline of the same capacity underground to this accelerator, it will cost $5.4 million. In other words, the people of Woodside and the people of San Mateo County have said to the Federal Government, "You must spend more than $5 million on a line about 5 miles long in order to retain the esthetic beauty of our community."

That is No. 1. It is the difference between a million-dollar line and a $5.4 million line. But it is not only that. If something happens in this underground line—and remember there are today only 35 miles in the United States of high voltage, 220 kilovolts or greater, conducted underground—these lines are put in steel pipes and have to have oil pumped through them at a pressure of 200 pounds per square inch to take the heat off that is exuded from these copper lines. If you do not pump that oil through, the lines will melt. If the lines melt in these underground steel pipes, it is estimated that it will take from a month to a month and one-half to repair them. If they were overhead lines on overhead poles and something goes wrong, you can fix them in a matter of hours. So it is a difference between having to take the accelerator out of operation for approximately a month and one-half or out of operation for a matter of hours.

That, in my opinion, is ridiculous regardless of the position that the city of Woodside and the county of San Mateo is taking by trying to obstruct the Government in building an overhead transmission line.

We have thousands of miles of overhead high-voltage transmission lines in California and we have them in every State of the Union. If we set a precedent that some local village can pass an ordinance prohibiting heavy-duty, heavy-voltage transmission lines from going across their particular municipality or county government area, you will then face a precedent of putting high-voltage lines underground at a cost of up to $1 million per mile instead of less than $200,000 per mile for overhead high-voltage lines.

Mr. Speaker, I reserve the remainder of my time, for there are other Members who wish to speak.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Colorado.

Mr. ASPINALL. In the gentleman's remarks relative to building a transmission over a city or a small village, the gentleman should keep in mind that the installation has been authorized and is under construction at the present time at the wishes of communities surrounding this area; is that not correct?

Mr. HOLIFIELD. That is correct.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield for a question?

Mr. HOLIFIELD. I ask the gentleman to use his own time.

The SPEAKER pro tempore. The gentleman from California [Mr. YOUNGER], is recognized.

Mr. YOUNGER. Mr. Speaker, before proceeding I will ask the question on my own time.

Are we to understand that this bill will amend no other law or act than section 271 of the Atomic Engery Act.

Mr. HOLIFIELD. This amendment will clarify the Atomic Energy Act as passed in 1954, with specific reference to section 271, which is the section that was, in the opinion of our committee members, misinterpreted by the Circuit Court of Appeals.

Mr. YOUNGER. And it will amend no other law; is that correct?

Mr. HOLIFIELD. I can only repeat what I said.

Mr. YOUNGER. Will it amend any any other law? I believe the Members are entitled to know.

Mr. HOLIFIELD. What does the gentleman believe?

Mr. YOUNGER. I am asking you. This is your bill.

Mr. HOLIFIELD. It will clarify the original law.

Mr. YOUNGER. Will it amend any other law?

Mr. HOLIFIELD. It will clarify the original law and it is specifically for that. That is what I said.

Mr. YOUNGER. And it will amend no other law?

Mr. HOLIFIELD. The gentleman knows I am not a lawyer.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from California.

Mr. HOSMER. The title of the bill is, "A bill to amend section 271 of the Atomic Energy Act of 1954, as amended." That is all it covers.

Mr. YOUNGER. The gentleman is a lawyer, and that is all it covers. I wanted to get that into the RECORD.

Mr. Speaker, we are in a peculiar position today, I say to the Members of the House. This is a very controversial subject. This matter has been in the courts. It has been through two courts. The circuit court ruled against the AEC.

Last Thursday the AEC asked for a rule. I telephoned the Rules Committee and I was told they had a letter asking for a rule. I relied on the fact that we were to have a rule, with adequate debate.

Friday night, after the House adjourned, which was about 10 o'clock, I went to the office and learned that the bill was going to be considered under suspension of the rules.

Frankly, this is not the type of bill which ought to be considered under suspension of the rules. This is controversial. The whole program and committee reports say that this is to determine the intent of Congress. How are we going to interpret the intent of Congress with a 40-minute debate? All we will get out of this, so far as the intent of Congress is concerned, is Mr. HOLIFIELD's opinion and Mr. HOSMER's opinion. They attended the hearing. We will not get the opinions of a good many lawyers here.

There is a great difference of opinion as to what this amendment will do.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from North Carolina.

Mr. JONAS. Has the case been appealed to the Supreme Court of the United States? I understood Mr. HOLIFIELD to say that the purpose of this legislation was to overrule and upset a decision of the circuit court of appeals. I believe the proper procedure would be to appeal to the Supreme Court. Has an appeal been entered?

Mr. YOUNGER. So far as I know, no appeal has been made. In conversations with Mr. HOLIFIELD, he has told me they recognize they have to go back into court.

This is going to be back in court and it will be back in court for several years before this line is built.

Now I would like to say just a few things about what our colleague Mr. HOLIFIELD has told you. He said that this decision of the circuit court denies the right of the AEC to condemn. I would quote for you at page 87 of the hearings where he made this statement:

> Mr. HOLIFIELD. Before this case came up in the court the AEC, like other Federal agencies, had the right of eminent domain. This interpretation of the court, in effect, takes away from the AEC the right of eminent domain——
>
> Senator KUCHEL. Is that so?
>
> Mr. HOLIFIELD. I believe it.
>
> Senator KUCHEL. I would disagree with that.

Now this is a very serious and technical matter and it should not come up under a suspension of the rules procedure because the lawyers themselves differ as to just what is meant by the court's decision.

We have looked at these pictures for a long time. The AEC had these out in every hearing. What are their arguments? My good friend and colleague from California [Mr. HOLIFIELD] has always been for wiping out the slums. He has been in favor of public housing. Did he say, "Oh, we should not wipe out the slums but should only put in less offensive housing?" He is like a man who had halitosis and somebody said, "No, you should not cure the halitosis. Just make it a little less disagreeable." That is what they are proposing.

The city of Woodside passed an ordinance to cut out all of these poles in a term of 5 years. They are not allowing any further poles to be put up in the district. They had 49 put up since they passed the ordinance but those were all approved before the ordinance was passed. They are trying to clean up their situation.

I want to tell you the AEC is not adding anything to their efforts to try to clean the situation by putting in more poles.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. YOUNGER. Mr. Speaker, I yield myself 3 additional minutes.

Now as to the cost, let me give you a quotation from the Pacific Gas & Electric Co. letter dated March 24 and signed by R. W. Royce:

> 2. With respect to the Jefferson area, Pacific Gas & Electric Co. estimates, the cost of single circuit, 180 megawatts combination overhead-underground line for the Jefferson substation to be $2,217,000. The cost of single circuit 300-megawatt line along the same route as $2,762,000.

This is a letter signed by Mr. Royce, the vice president for commercial operations for the Pacific Gas & Electric Co.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. Yes, I yield to the gentleman.

Mr. GUBSER. Since the city of Woodside agreed to pay a substantial portion of the increased cost, could the gentleman inform the House as to what the actual difference in dollars is if we observe the local law; namely, the Woodside city ordinance?

Mr. YOUNGER. They have offered to double their taxes and pay $150,000 toward the cost of it. But what difference does the cost make? We pass laws here permitting the Interstate Highway System where 3 percent is allowed for beautification. What is that when you have a $114 million project? We have an interstate highway cutting right across this accelerator. They say this line cuts off a small portion of Woodside. That line with its unsightly wires can be seen for 5 miles. It is not only the people who live in Woodside, who are offended. San Mateo County passed an ordinance against it. They denied the Pacific Gas & Electric the right to build the line.

Now my colleague, Mr. HOLIFIELD, uses the figure of a month-and-a-half that it would take to repair a line. I just want to show you the misinterpretation of what is actually the case. He said just a minute ago that it would take a month or a month and a half to repair the line. Here is the testimony from Mr. Mohr, of the AEC. Mr. HOLIFIELD said:

> What time does it take to make that kind of repair?
>
> Mr. MOHR. This would take probably, from what I have heard, a week or two to complete such a repair.

My colleague gets up here before you and says that it takes a month or a month and a half. I want to tell you that this bill is not a piece of legislation that ought to be debated in 40 minutes. I ask you to vote down this bill and give us a rule.

Mr. HOLIFIELD. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, I am not going to get into the legal arguments about what this bill does and what act it amends. I want to clarify one thing. Our good friend, the gentleman from California [Mr. YOUNGER] quoted from page 23 of the hearings of the Joint Committee on Atomic Energy, of May 27, 1965. He quoted the gentleman from California [Mr. HOLIFIELD] and quoted Mr. Mohr. Mr. Mohr is the construction superintendent for the AEC on this project, and is not an expert on underground transmission lines. After he made the remark that the gentleman from California [Mr. YOUNGER] quoted, Mr. Conway, the staff director of the Joint Committee on Atomic Energy, made this statement which is also on page 23:

> We had testimony from P.G. & E. that it takes about a month.

If you look at page 23 of the hearing you will see a footnote at the bottom which refers back to the testimony of the electric utility expert.

I went back to the testimony in 1964 that was given by the P.G. & E. technical representative, contained on pages 60–61 of the hearings of January 1964, and I am going to quote Mr. Johnson:

> One must realize that for an overhead line many of the faults or flashovers are of a transient or temporary nature or can be repaired in a matter of hours, whereas for an underground line of the voltage which we are discussing, the time necessary to repair a failure typically will run approximately a month.
>
> This underground line would be in a steel pipe approximately 8 inches in diameter with the three conductors which, in turn, are wrapped with hundreds of layers of special kraft paper so that the individual conductor is about 3 inches in diameter. Three of these would be pulled into this steel pipe. Then very pure and dry oil is pumped in and maintained under 200 pounds pressure. The actual thickness of insulation is less than 1 inch to insulate the 220,000 volts of the conductor from the outside metallic wrapping. This must be maintained—this insulation—with a very high quality to give dependable service. Any repairs that are made, such as a splice of a new section of cable in case of a failure, must be done with extreme care under very carefully controlled conditions.

So you see it would take approximately 1 month; and really, they do not know how long it would take because only 35 miles of such high voltage transmission lines were built in this country. So we have not had much experience with that. But you do not have to be an engineer to see that when you have a line of this kind with 200 pounds of pressure buried in the ground to take that heat away with a big 3-inch diameter conducter, you have a real technical problem. You are not going to repair it, or find the leak in it, overnight.

Mr. HALL. Mr. Speaker, will the gentleman yield for a question?

Mr. MORRIS. I yield for a question.

Mr. HALL. Some of us know that we have in the District of Columbia a proton-induced accelerator as well as a Linac accelerator at the Navy Hospital in Bethesda for the Armed Forces Radiological Institute. How is the voltage carried to them?

Mr. MORRIS. There is a low-energy proton accelerator in Washington, D.C., at the National Bureau of Standards. I can assure you, however, that the voltage is carried in overhead transmission lines, at all of the high-energy accelerators that the AEC has at the present time. Low-voltage machines, like the ones in this area, do not need the high voltages we are talking about.

Mr. YOUNGER. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. Gubser].

Mr. GUBSER. Mr. Speaker, I regret having to address myself to an extremely controversial issue under a gag rule and a time restriction of 4 minutes.

Mr. Speaker, the consideration of this bill should properly be called a judicial proceeding. This is really the case of the great United States of America versus the little city of Woodside of 3,592 people.

The basic issue being tried and to which I must plead in 4 minutes today, is whether or not the city of Woodside or any city has a right to make property zoning regulations which, incidentally, have been upheld by the U.S. Court of Appeals. If this bill is passed today Congress will in effect be saying that they do not have this right.

A judicial proceeding and a judicial avenue of relief is available to the United States. All it need do is appeal the findings of the circuit court of appeals to the Supreme Court.

Many in this body have ofttimes criticized the U.S. Supreme Court for invading our legislative prerogatives. But this bill seeks to invade the prerogatives of the Federal judiciary. That is the exact result if this bill is passed.

Mr. Speaker, I am not a lawyer but I can read and understand plain English. This proposed statute leaves a great deal of doubt in the mind of any person who applies commonsense to the English language. I do not know what this bill means and I doubt if the Atomic Energy Commission knows what it means. We are not going to find out in a 40-minute gag proceeding.

Mr. Speaker, I want to call the attention of the Members to just one word in the second part of the bill. The bill says it shall not confer any authority upon any agency of the Government to restrict any activities of the Commission. Please note the word "restrict." What does it mean in this context and what is a "restriction" of an activity of the Commission?

In California we have what is called the Field Act passed after a serious San Diego earthquake which wrecked numerous school buildings. We require that public buildings be constructed to meet certain earthquake standards to protect human life. If a grant by the Atomic Energy Commission to a university were subject to a requirement that a building be constructed in accordance with California's Field Act, would that be an undue "restriction" against the Commission? Would a requirement that our water pollution laws be observed be an undue "restriction"? If zoning laws can be set aside why could not these laws?

Mr. Speaker, there is so much about this bill that needs reexamination that it is impossible in a period of 40 minutes.

In his message to Congress our President has recommended a study of placing powerlines underground. In a speech to a group of architects he said:

> We have learned too often through the hard lesson of neglect and waste that if man brutalizes the landscape he wounds his own spirit. If he raises buildings which are trivial or offensive he admits the poverty of his imagination.

Yes, Mr. Speaker, the beautification issue is involved here. It is a current issue. But here is the real issue: Is this great deliberative body, this Congress, going to use its power and its time under a gag rule which prevents amendments and limits debate to 40 minutes, to decree that local rules and local ordinances are invalid despite the fact that a U.S. circuit court has declared that they are valid?

Mr. HOLIFIELD. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the Department of Justice asked for and has been granted an extension of time for the Government to petition for a rehearing of its case in the circuit court of appeals. If the AEC does not prevail in the circuit court of appeals on this rehearing it will carry the matter to the Supreme Court. Congress in the meantime has the right to clarify a misinterpretation of its language. In the opinion of Senator Hickenlooper his language was misinterpreted. His statement is in the hearing record. It is the intent of this bill to clarify the statute to avoid this misinterpretation. The judicial process will go ahead anyway.

Mr. YOUNGER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. Baldwin].

Mr. BALDWIN. Mr. Speaker, I rise in opposition to this bill. I have had the privilege of serving on the Roads Subcommittee of the House of Representatives for the past 11 years.

The President has submitted to us a series of bills for the beautification of the highways of the Nation. He has stated that there has not been sufficient action to remove billboards and remove unsightly things, such as junkyards, and that we should enact legislation to force the removal of billboards and junkyards from the interstate highway system. I am in sympathy with that objective because I have seen some very unsightly billboards along some of our highways.

But this bill is completely inconsistent with the objective of making our country more beautiful because this bill, by giving added power to the Atomic Energy Committee, gives it the right to come in and cram down the throats of a small, beautiful community, a series of powerlines that the community feels would be highly detrimental to the natural beauty of the area. If the President wants us to pass a beautification program to remove billboards, junkyards, or any other highway eyesores, then our President and his administration should be consistent and not jam down the throats of this small community such an unsightly thing as the overhead powerline proposed in this bill.

For the reasons I have stated, I hope the House will defeat this measure.

Mr. YOUNGER. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Burton].

Mr. BURTON of California. Mr. Speaker, at the outset, I would like to commend the distinguished gentleman from California [Mr. Holifield] for his leadership in this most vital area of atomic energy, and for his consistent dedication in our Nation's efforts to bring about the development of a more beautiful society.

I am certain—mindful of his primary responsibility as chairman of the Joint Committee on Atomic Energy—the gentleman from California [Mr. Holifield] is urging that the House adopt the legislation before us.

I regret I must find myself in disagreement with him on this count.

I submit it would be most desirable that the AEC powerlines in the Woodside area be underground. Woodside is one of the loveliest areas in the entire State of California. There is, in addition, a more fundamental national issue involved here.

Simply stated, the issue is, Should the House empower the Atomic Energy Commission—without limitation—to ignore the Nation's growing concern and interest in removing scenic blight and enhancing and protecting the vanishing natural beauty of our land? It would be most inconsistent for this Congress to enact this legislation in its present form, while President Johnson and the Congress are advancing programs—costing millions of dollars—to protect the rapidly vanishing natural beauty of our country.

I oppose the pending bill because it is being considered under suspension of the rules and therefore can neither be fully debated nor amended. I urge that this matter be brought before the House under a rule permitting a full opportunity to debate, modify, and amend the proposed legislation so that appropriate safeguards preventing the AEC from contributing to scenic blight can be placed in the bill.

The SPEAKER pro tempore (Mr. Albert). The time of the gentleman has expired.

Mr. OTTINGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from California [Mr. Burton].

The amendment to the Atomic Energy Act of 1964 that is before the House today is a classic example of the confrontation that is taking place with depressing frequency between the people and various Government agencies, like the AEC and the FPC.

On the one hand are the citizens of Woodside, Calif., attempting to protect and defend their property. On the other, the technicians and accountants of the Atomic Energy Commission all fighting for mils of power production.

The issue here is simple. The AEC wants to string high tension wires over the beautiful residential community of Woodside. The citizens of Woodside want to protect their homes and property from this destruction. The courts have ruled for Woodside.

It has been said, with considerable truth, I am afraid, that the greatest threat to natural beauty in the United States today comes from unrestrained activity by Federal agencies. A great deal of our Nation's beauty has been destroyed by programs of such agencies as the FPC, the AEC, the Bureau of Public Roads, the General Services Administration, and the Army Corps of Engineers.

This is very unfortunate and I hope that the program enunciated by President Johnson in his message on the natural beauty of our country will eventually filter down to the technicians in these agencies. But more unfortunate still is the helplessness of the average citizen in the face of a federally supported onslaught on his private property.

What good does it do the citizens of Woodside, Calif., or Westchester, N.Y., to plan and zone and beautify their residential communities when a Federal agency can come in and upset it all by condemnation?

The AEC says that the citizens of Woodside had an opportunity to express themselves in public hearings on the subject. So they did and they expressed themselves as opposed. We in Westchester have also had a chance to express our feelings about an FPC project in our area. We know exactly how that works and it is time that Congress took affirmative steps to correct the inequities. What justice can an individual expect when he is pleading his case before a Federal commission which is, by virtue of its very charter, an interested party to the case?

The AEC says that to put the lines underground would be too expensive. A lot of people have said this, but there has been no real effort to find out how underground installations can be made economical and effective. The figures that the AEC quotes come not from disinterested research but from the same power companies that do not want to be forced to put their lines underground. How good are the figures? Commissioner Charles R. Ross of the FPC, who knows these companies well, commented in his dissent from the majority in the Con Edison-Storm King case this year:

> As the examiner has pointed out, staff had serious reservations about the reliability of company estimates. I do too. Too often, when a utility doesn't wish to do something, it becomes prohibitively expensive.

How different are the AEC figures?

The courts have ruled in favor of Woodside. Are we now to change the rules so that the AEC can win anyway?

There is another equally important reason to oppose this measure. The AEC and the FPC have been talking for some time now about putting lines underground but they have done nothing about it. The FPC, in a recent decision on a Consolidated Edison license which involved many miles of overhead high-tension powerlines through my district, predicted that within just a few years it would be requiring all lines to be placed underground.

It is time to make a start. Every powerline placed overhead today anticipates a further cost of placing it underground tomorrow. By roundly defeating this bill we can demonstrate dramatically how seriously Congress views the importance of placing lines underground now. The FPC, AEC, and other Federal agencies should take notice.

I urge my colleagues to defeat this objectionable bill and to stand up in defense of the right of the private citizen and his local governments to determine the use to which their lands will be put. I urge them, too, to put the FPC and AEC on firm notice that we expect action now on putting powerlines underground.

Mr. YOUNGER. Mr. Speaker, I yield myself the balance of the time remaining.

Mr. Speaker, there are a couple of answers to which I would like to call to your attention in regard to the points that have been made and the possible points that our colleague, the gentleman from California [Mr. Hosmer], might raise.

One of these is the question of time. You would think because of bringing this bill up under suspension of the rules that time was of the essence. A year ago in Palo Alto we had a hearing and at that time the question was asked of the AEC as to when this power would be necessary. They said it would be necessary within 6 months.

We had a hearing here in May and the same question was asked and the AEC representative said, "We will need that power in 6 months." Here it is a year later and they still need the power in 6 months.

Now let me read to you what Dr. Panofsky, who is the manager of the accelerator, said.

He said that "the Pacific Gas & Electric Co. is committed to supply us with 18 MVA—a million volt amperes—over existing service and can probably supply us with 30 MVA over the service on a contingent or as available basis."

Now that is the line that is already in:

> Our demand would thus exceed the commitment capacity of the line at the end of the calendar year.

That is the contingent capacity for this year.

Then he goes on and says:

> And the contingent capacity of the line at the end of the calendar year of 30 MVA capacity will be needed by March 30, 1966—this latter date represents a schedule date for initial operating tests.

Then in another place he said it would be necessary only by 1967 to have one-half the full power.

So this question of time is of no consequence at all. They themselves have said that on repeated occasions.

They have also brought out in the debate another very queer thing. The gentleman from California [Mr. Holifield] asked the AEC representative about the charge which had been made that the AEC was going to sell the line to the P.G. & E.—surely that could not happen and the AEC said:

> Yes, we have already had negotiations looking toward the sale of the line to P.G. & E.

Mr. HOLIFIELD. Mr. Speaker, I yield the remainder of my time to my colleague from California [Mr. Hosmer].

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, the gentleman from California [Mr. Gubser] told us we have the specter of a vast Federal Government with great big feet trying to step down on the little city of Woodside. That simply is not the case, because other departments in the Federal Government already have the power to go in to build such lines. However, the court of appeals singled out the AEC and said they could not do so because of the court's misunderstanding of the intent of section 271 of the act

Why does the court say the AEC does not have that power? Is it a serious and technical matter, as the gentleman from California [Mr. Younger] alleges? No. When the Atomic Energy Act was written, section 271 was put in the act out of caution, so that whenever AEC licensees generate electricity out of a nuclear power reactor the local governments would not be interfered with in their usual regulations as to the sale of electricity and its transportation.

What happened here? When this when into the court, the court decision said, "This section not only is talking about power going out of an AEC licensee's nuclear installation, but also talking about conventionally generated power going into an AEC installation." Therefore, the AEC has to pay attention, like no other department or agency of Government, to the city of Woodside. This, of course, was not intended when Congress wrote section 271. We can see how ridiculous the result is.

The reason that the legislation is before the House, instead of the case going to the Supreme Court first is because it will take another 2 or 3 years to get there. In the meantime. the taxpayers of the United States will have $114 milllion sitting down on the Stanford campus in the form of the Stanford linear accelerator. It is ready to go. It is ready to start discovering new mysteries of the universe, or it will be by the first of January, for the enhancement of the people of the United States and for the enhancement of the defense of the United States. But it does not have a powerline into it. We have to get that powerline in by the first part of the year in order to start this accelerator working and to get our money on the investment and to do what the United States promised to the whole world as to the operation of this machine.

What is really happening here is that this little city of Woodside is holding this $114 million facility for ransom—for a $4 million ransom, because that is how much extra it will cost to bury the powerline.

They have about 2,488 power poles in the city of Woodside. Do Members know how many poles the AEC wants to put in? Three pole structures.

Does the AEC want to put in big, ugly power towers? No, not at all. They are going to spend about $350,000 more in order to put in esthetically designed, sculptured power poles, just about as good as anyone can get.

That is the only issue here, should they do it and put their accelerator in operation?

The powerline in 5.4 miles long. In the whole United States there are only 35 miles of buried high-voltage powerlines. There are 20 miles of these underneath Manhattan and 5 miles under downtown Los Angeles, and I suppose the other 10 miles are probably split between Chicago and a couple of other big cities.

This little city of Woodside wants us to spend more than $5 million of the taxpayers money to bury 5.4 miles of lines merely to avoid having 3 of the 36 pole structures involved in the city limits—not towers, but poles, and sculptured poles at that.

I say that the route of wisdom, the route of right and route of sanity is to reaffirm that AEC has the power it needs, and that despite what the gentleman from California [Mr. BALDWIN] had to say about ugliness and the President's beauty program.

What happened when the President had the conference on beauty here was that they discussed these power poles.

He said, "Yes, when you have distribution lines with low voltage going into houses, bury them, because it does not cost much." But Chairman Swidler, of the Federal Power Commission said, "When you are talking about these 220,000-volt powerlines, heavy transmission lines, then you are in another ball park, you simply cannot bury them because there is not enough money in the country to bury those kind of lines."

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, I join my colleagues on the Joint Committee on Atomic Energy in recommending prompt enactment of H.R. 8856.

Speaking as chairman of the Interior and Insular Affairs Committee and as a person who for many years has worked hard to help resolve the serious problems of preserving and enhancing the natural beauty of our country, I can assure the Members of the House that the Joint Committee's recommendation is sound from a conservation standpoint.

Unfortunately, some of the public statements that have been made concerning the controversy over this powerline have given a distorted picture of the facts. These statements have ignored the substantial sums the Federal Government has been willing to spend to construct this powerline in such a way as to interfere as little as possible with the appearance of the area. Moreover, there has been a tendency to refuse to face up to the larger implications of requiring this particular powerline to be placed underground—in terms of the precedent this would set and the ultimate cost to the American people of following this precedent.

There is a real need in this country to focus our effort on conserving our natural resources—including our natural landscapes. Our efforts to achieve these goals are greatly retarded when our attention is diverted from the real problems we face, because of controversies such as this which involve no legitimate conservation issue.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill H.R. 8856.

The question was taken; and on a division (demanded by Mr. YOUNGER) there were—ayes 115, noes 71.

Mr. HOLIFIELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 216, nays 139, not voting 78, as follows:

[Roll No. 181]

YEAS—216

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Annunzio
Aspinall
Ayres
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Bolling
Brademas
Brown, Calif.
Burke
Byrne, Pa.
Cameron
Chelf
Clark
Clevenger
Cohelan
Cooley
Corman
Culver
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Dingell
Donohue
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dyal
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fisher
Flood
Ford, William D.
Fraser
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Green, Pa.
Greigg
Grider
Griffiths
Hagan, Ga.
Hagen, Calif.
Halleck
Halpern
Hamilton
Hanna
Hansen, Iowa
Hansen, Wash.
Harris
Hathaway
Hawkins
Hays
Hechler
Helstoski
Henderson
Hicks
Holifield
Holland
Hosmer
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
King, Calif.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Landrum
Leggett
Long, La.
Long, Md.
McCulloch
McFall
McGrath
Machen
Mackay
Mahon
Matsunaga
Matthews
Meeds
Miller
Mills
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Passman
Patman
Patten
Perkins
Philbin
Pike
Pirnie
Price
Race
Redlin
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
St. Onge
Schisler
Schmidhauser
Selden
Senner
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Trimble
Tunney
Tuten
Udall
Ullman
Vanik
Vigorito
Vivian
Waggonner
Walker, N. Mex.
Watts
Weltner
White, Idaho
White, Tex.
Whitener
Whitten
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—139

Abbitt
Adair
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashley
Ashmore
Baldwin
Battin
Belcher
Betts
Bolton
Bray
Brock
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Calif.
Burton, Utah
Byrnes, Wis.
Cahill
Carter
Cederberg
Clancy
Clawson, Del
Cleveland
Colmer
Conable
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dow
Dowdy
Downing
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Findley
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gathings
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Hanley
Hansen, Idaho
Harsha
Herlong
Horton
Hutchinson
Jarman
Johnson, Okla.
Jonas
Keith
King, N.Y.
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
McClory
McDade
Macdonald
MacGregor
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Michel
Minshall
Mize
Morse
Mosher
Nelsen
O'Konski
Olson, Minn.
O'Neal, Ga.
Ottinger
Pelly
Pickle
Poage
Poff
Quie
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rogers, Tex.
Roudebush
Rumsfeld
Satterfield
Saylor
Scheuer
Schneebeli
Schweiker
Secrest
Shriver
Skubitz
Smith, Calif.
Smith, Va.
Springer
Talcott
Teague, Calif.
Thomson, Wis.
Tupper
Utt
Walker, Miss.
Watkins
Whalley
Widnall
Wilson, Bob
Wyatt
Wydler
Younger

NOT VOTING—78

Abernethy
Ashbrook
Baring
Berry
Boland
Bonner
Bow
Brooks
Cabell
Callan
Callaway
Carey
Casey
Celler
Chamberlain
Clausen, Don H.
Collier
Conyers
Craley
Daddario
Dickinson
Diggs
Edmondson
Edwards, Calif.
Fino
Fogarty
Foley
Friedel
Gray
Green, Oreg.
Hardy
Harvey, Ind.
Harvey, Mich.
Hébert
Hull
Johnson, Pa.
Jones, Ala.
Keogh
Lindsay
Love
McCarthy
McDowell
McEwen
McMillan
McVicker
Mackie
Madden
May
Moore
Morton
Multer
Nix
O'Neill, Mass.
Pepper
Pool
Powell
Pucinski
Purcell
Quillen
Randall
Reid, N.Y.
Resnick
Robison
Roosevelt
Ryan
St Germain
Scott
Smith, N.Y.
Stafford
Staggers
Sweeney
Thomas
Todd
Toll
Tuck
Van Deerlin
Watson
Williams

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh and Mr. Hébert for, with Mr. Chamberlain against.

Mr. O'Neill of Massachusetts and Mr. Boland for, with Mr. Don H. Clausen against.

Mr. Roosevelt and Mr. Staggers for, with Mr. Scott against.

Mr. Carey and Mr. Celler for, with Mr. Dickinson against.

Mr. Love and Mr. McCarthy for, with Mr. McEwen against.

Mr. McDowell and Mr. Madden for, with Mr. Callaway against.

Mr. Multer and Mr. Nix for, with Mr. Quillen against.

Mr. Pucinski and Mr. Powell for, with Mr. Collier against.

Mr. Sweeney and Mr. Randall for, with Mr. Bow against.

Mr. Toll and Mr. Ryan for, with Mr. Harvey of Michigan against.

Mr. Diggs and Mr. Cabell for, with Mr. Stafford against.

Mr. Daddario and Mr. Conyers for, with Mr. Tuck against.

Mr. Gray and Mr. Pool for, with Mr. Berry against.

Mr. Fogarty and Mr. St Germain for, with Mr. Smith of New York against.

Mr. Thomas and Mr. Edmondson for, with Mr. Robison against.

Until further notice:

Mr. Hardy with Mr. Harvey of Indiana.
Mrs. Green with Mr. Fino.
Mr. Purcell with Mr. Moore.
Mr. Pepper with Mr. Lindsay.
Mr. Brooks with Mr. Ashbrook.
Mr. Bonner with Mr. Morton.
Mr. Resnick with Mr. Johnson of Pennsylvania.
Mr. Jones of Alabama with Mr. Williams.
Mr. Todd with Mr. McMillan.
Mr. Edwards of California with Mr. Reid of New York.
Mr. Hull with Mr. Baring.
Mr. Mackie with Mr. Abnernethy.
Mr. Callan with Mr. Foley.

Mr. BRAY and Mr. TUPPER changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

AN ACT TO PROVIDE A HOSPITAL INSURANCE PROGRAM FOR THE AGED UNDER THE SOCIAL SECURITY ACT WITH A SUPPLEMENTARY HEALTH BENEFITS PROGRAM AND AN EXPANDED PROGRAM OF MEDICAL ASSISTANCE, TO INCREASE BENEFITS UNDER THE OLD-AGE, SURVIVORS, AND DISABILITY SYSTEM, TO IMPROVE THE FEDERAL-STATE PUBLIC ASSISTANCE PROGRAMS, AND FOR OTHER PURPOSES

Mr. MILLS. Mr Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 6675, an act to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none and appoints the following conferees: Messrs. Mills, King of California, Boggs, Keogh, Byrnes of Wisconsin, Curtis, and Utt.

AN ACT TO FIX THE FEES PAYABLE TO THE PATENT OFFICE, AND FOR OTHER PURPOSES

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H.R. 4185, "An act to fix the fees payable to the Patent Office, and for other purposes," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out "$50" and insert "$65".

Page 2, line 4, strike out "$75" and insert "$100".

Page 2, line 13, strike out "$50" and insert "$65".

Page 2, line 23, strike out "$25" and insert "$50".

Page 6, line 7, after "period." insert "In calculating the amount of a remaining balance, charges for a page or less may be disregarded."

Page 6, line 16, strike out "and maintenance".

Page 6, strike out all after line 17 over to and including line 23 on page 9.

Page 10, strike out lines 1 to 14, inclusive, and insert:

"Sec. 6. The analysis of chapter 14 of title 35, United States Code, immediately preceding section 151, is amended in the first item thereof by striking out the words 'Time of issue of patent' and inserting in lieu thereof 'Issue of patent'."

Page 10, line 15, strike out "Sec. 9." and insert "Sec. 7".

Page 11, line 1, strike out "sections 4, 6, and 8" and insert "section 4".

Page 11, line 11, strike out "Sec. 10." and insert "Sec. 8".

Page 11, line 15, strike out "Sec. 11." and insert "Sec. 9".

Page 11, line 21, strike out "Sec. 12." and insert "Sec. 10".

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. POFF. Mr. Speaker, reserving the right to object, I think it would be appropriate to have a brief explanation of the Senate amendments.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. POFF. I will be glad to yield to the gentleman from Louisiana.

Mr. WILLIS. Mr. Speaker, the principal change made by the Senate is the elimination from the bill of provisions contained in sections 5, 6, 7, and 8 of the House bill which make provision for so-called maintenance fees. In lieu of these maintenance fee provisions which were included in the House bill, the Senate has increased the filing fee from $50 to $65; increased the issue fee from $75 to $100; increased the filing fee for a reissue from $50 to $65; increased the first appeal fee on notice of appeal from $25 to $50; and made certain perfecting amendments.

Mr. Speaker, the Patent Subcommittee of the House of which I am chairman was of the opinion that the administration proposal for maintenance fees was meritorious, because it afforded an opportunity for the individual inventor to defer payment of part of the fees until a time when he would be better able to estimate the commercial value of his patent.

Now, however, the Senate has indicated its unwillingness to accept the innovation of maintenance fees. The bill as it passed the Senate, with maintenance fees deleted, will yield approximately the same amount of revenue as before amendment. The principal purpose of the legislation has been to increase the fee income of the Patent Office to a point where such income will produce approximately 75 percent of the cost of operations of the Patent Office. In the circumstances it now seems to me—to the subcommittee—to be desirable to pass the bill as amended by the Senate and to bring into effect increased revenues, deferring for some future time the ultimate solution of the question of maintenance fees.

Mr. POFF. Mr. Speaker, still reserving the right to object, and I shall not object, I think it is incumbent upon me to express a reservation about the action here taken. During the course of the debate in this body I felt rather strongly that the maintenance fee concept has much to speak for it. Had we gone to conference, I would have been disposed to insist on retention of the maintenance fee concept. I am not so much concerned about the revenue which the maintenance fee would have raised, but I am concerned about the concept. I think it is important, if we are to have legislation in this field this year, to accept the action which the chairman of the subcommittee has suggested we accept. Yet I say again that I reserve my original position on the concept, as such.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. POFF. I will be glad to yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, as one who spoke against maintenance fees when this bill was originally on the floor of the House, of course, I would differ with the remarks that have just been made by my friend from Virginia [Mr. Poff], and express gratitude and satisfaction at the fact that the committee decided to accept what I think was an act which expressed the greater part of wisdom on the part of the other body by deleting these objectionable maintenance fees from what otherwise is a good bill.

Mr. POFF. Mr. Speaker, it would appear that the remarks made by the gentleman when the bill was under debate in this body had a very major impact on the other body.

Mr. ANDERSON of Illinois. Mr. Speaker, it was back on March 17 of this year that I offered an amendment to this legislation that would do exactly what has been done to the bill in the other body. My amendment called for raising the original issue fee and applications fees, and striking the provision for schedule of so-called maintenance fees. At that time, my amendment failed by a vote of 36 to 22.

My amendment was made in clear recognition of the need for a self-sustaining Patent Office; and yet at the same time, it was a clear recognition of the adverse effect maintenance fees would have on the small inventor. At that time I warned the Members of the House that the maintenance fee system would serve as a disincentive to those innumerable small inventors who down through the years have given of their genius and the product of their brainpower and who have helped to make this Nation the great industrial nation it is.

At that time I also expressed my regret over the fact that no hearings were held this year over the bill—a bill so important to the small inventors and the patent bar and the whole country at large, affecting as it did the rights of small businessmen and small inventors.

At that time I pointed out the implications such a system of maintenance fees would have. I brought to the attention of the Members of the House the situation as it exists in Europe where maintenance fees originated. The system has been having considerable trouble over there because of the additional legal expenses involved when a lawyer must notify his client periodically about an impending maintenance payment. So we were talking about more than a fee to be paid by the patentee for maintaining his patent; we were also talking about paying a lawyer for his services.

It was pointed out in the debate of last March that we were not speaking of merely increasing a fee, but of creating an entirely new form of taxation—what amounted to a user tax on the inventor.

Let me remind the Members of the House that my amendment was designed to fulfill the intent of the original bill—that is, to make the patent office more self-sufficient. My main quarrel with the bill was the method with which it proposed to carry this out. My amendment called for an increase in existing fees while opposing the creation of a new long-term users tax which could only harm the inventor.

Mr. Speaker, I am happy to see sound wisdom has prevailed and that my suggestions and warnings have been heeded in the final draft of this bill as adopted in the other body and that the House Judiciary Committee is now proposing that we adopt the amendments of the other body.

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to the gentleman.

Mr. KASTENMEIER. Mr. Speaker, I would like to associate my views with those of the gentleman from Virginia. I think that the maintenance fee concept was a good one. It is my understanding that the Senate bill will increase initial fees, application fees and others, and there was considerable testimony before our committee that the other fees that had been increased by the Senate would be objectionable. So I have the same reservations as the gentleman from Virginia has expressed about our action here today.

Mr. POFF. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF CIVIL SERVICE APPORTIONMENT REQUIREMENT TO TEMPORARY SUMMER EMPLOYMENT

Mr. BECKWORTH. Mr. Speaker, I move to suspend the rules and pass the bill—H.R. 242—to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes.

The Clerk read as follows:

H.R. 242

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sixth paragraph of section 2 of the Civil Service Act of January 16, 1883, as amended (5 U.S.C. 633), providing for the apportionment of appointments in the competitive civil service, is amended by inserting "(including appointments to temporary employment of more than thirty days in the period from May 1 through September 30 of each year, except appointments to the postal field service and appointments of an emergency nature)" immediately following "appointments to the public service aforesaid".

The SPEAKER. Is a second demanded?

Mr. BROYHILL of Virginia. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Is either gentleman opposed to the bill?

Mr. BROYHILL of Virginia. Mr. Speaker, I am opposed to the bill.

The SPEAKER. The gentleman from Virginia [Mr. BROYHILL] demands a second.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. BECKWORTH. I yield myself such time as I may use.

Mr. Speaker, this is the third Beckworth bill which has been brought to the floor of the House of Representatives to apportion summer jobs among people of the States and the District of Columbia. The purpose of H.R. 242 simply is to pave the way for more equitable distribution of Government summer jobs in the Washington area among young people from all of the States. It will give young men and women throughout the country a fair opportunity to be considered for the privilege of working for their Government during the summer vacation time in or near their Nation's Capital.

As things presently stand, the great majority of summer employment jobs here at the seat of government long have been filled to a sizable extent by young people who live in and around the Washington, D.C., area. Even though the Civil Service Commission has recently made a sincere effort to provide for wider representation among the States in filling these summer jobs, the Commission's program has only scratched the surface as I see it. This is attested by evidence presented at our public hearings that approximately two-thirds of the 6,000 temporary employees appointed here in the summer of 1964 were residents of the District of Columbia, Maryland, and Virginia. This obvious disparity clearly results from lack of a firm statutory directive which will insure young people in all of the States a truly equitable opportunity to participate in the unique summer experience of working in the Nation's Capital.

My father and mother were teachers and first prepared to be teachers in Commerce, Tex., and, incidentally, were married in Greenville while they were attending school in Commerce. They were always interested in governmental activities as I always have been. My mother taught in Van Zandt County and my father went to school in Kaufman County and was teaching and farming on halves in Kaufman County when I was born. My parents taught their pupils the importance of being interested in governmental activities. My wife and I have three sons and two daughters. We have urged them to be interested in government.

In the time when my parents were in school and first began to teach, few people undertook to come to Washington to work particularly in the summertime. Times have changed. Many types of people seek employment with the U.S. Government. Particularly teachers and boys and girls who are students wish to come to work in Washington in the summertime in order to learn about the workings of their Government. The requests for these jobs are many.

Because there have been and are numerous requests for opportunities to work in Washington from all sections of the Nation, I have diligently worked in behalf of this legislation we have before us today.

Mr. Speaker, the validity of the principle involved in H.R. 242 is well established and has been well settled for over three-fourths of a century. It is the identical principle which underlies the apportionment provision of the Civil Service Act of 1883. This is the principle that, in a Federal system of government, it is highly desirable to have representation of all States and territories among those who carry on the public business at the headquarters of the National Government. In fact, the practice of fairly distributing Federal employment among the States dates back to the foundation of the Republic.

The statutory apportionment requirement contained in the Civil Service Act requires that certain positions in headquarters' agencies in the metropolitan area of Washington, D.C., be apportioned, as nearly as good administration warrants, among the States, the territories, and the District of Columbia on the basis of population. This requirement has stood the test of time; it still is the law of the land.

The present apportionment provisions, however, do not apply to temporary summer employment. This loophole in the law has permitted a long-continued predominance of appointments to temporary summer jobs from the immediate Washington area. Since there has been no statutory mandate for apportionment, there has been no effective administrative policy or program to inform the residents of all 50 States as to summer employment opportunities—much less any measurable change in the pattern of overwhelming preference for those living in the local area.

I wish to emphasize the fact that the Government's temporary summer employees are almost entirely students—the source of our leaders of tomorrow. For them the introduction and indoctrination to the affairs of their nation that can be afforded by vacation-time employment at their seat of government is a rare privilege to be shared in the public interest on a truly national basis.

My bill H.R. 242 is identical to my bill H.R. 5968 of the 87th Congress which passed the House by a vote of 301 for to 18 against and is similar to my bill H.R. 10 of the 88th Congress which passed the House by a vote of 309 for to 19 against. I most sincerely hope that the House will again approve the very practical and necessary reform embodied in H.R. 242.

Mr. ROGERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to my colleague from Texas.

Mr. ROGERS of Texas. Mr. Speaker, I want to compliment the gentleman from Texas on this proposed legislation, associate myself with his remarks and say that I think he is doing the country a great service.

Mr. BECKWORTH. I thank the gentleman very much.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from Nebraska.

Mr. CUNNINGHAM. Mr. Speaker, I too, want to congratulate the gentleman for bringing this legislation before us again. As I recall we passed this legislation out of our committee on two occasions by overwhelming votes, is that not true?

Mr. BECKWORTH. That is true. In this particular instance there was no vote against it in the House Post Office and Civil Service Committee. It passed unanimously.

Mr. CUNNINGHAM. And is it not the gentleman's impression that the great majority of these summer jobs, as the gentleman says, goes to young people in the Washington metropolitan area; does not the great majority of them go to the sons and daughters of Government workers in this area who have a way of finding out when these jobs are coming up?

Mr. BECKWORTH. I fear that there is entirely too much of that.

Mr. CUNNINGHAM. I would think that every Member, perhaps, exclusive of those in the immediate metropolitan Washington area, would certainly want to support this legislation, because it will give all of us an opportunity in other parts of the country to at least, perhaps, get one or two of our young people into summer employment here in Washington.

I again congratulate the gentleman.

Mr. BECKWORTH. I advocate that these jobs be allocated on the basis of merit and not on the basis of wireworking and stringpulling.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from South Carolina.

Mr. DORN. I, too, want to add my compliments to those of my colleagues for the gentleman's courage and persistence in bringing this legislation back again and again. It is needed and I wish the gentleman success at this time.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Speaker, I join with my colleague from South Carolina in extending my compliments to the gentleman from Texas for his zeal in this matter. It has meant so much in the past and I am delighted that the gentleman from Texas has not become weary in his support of this legislation and is still moving forward with his usual zeal.

Mr. BECKWORTH. I thank the gentleman from North Carolina.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from Ohio.

Mr. FEIGHAN. I wish to express my compliments to the gentleman from Texas, but when would this take effect, or is the legislation we passed here last year effective now?

Mr. BECKWORTH. The legislation that we passed here has never passed the other body.

Mr. FEIGHAN. If the gentleman will yield further, if this bill passes now most of the summer period is over and it probably would be ineffectual, would it not?

Mr. BECKWORTH. It would be like any other bill which we pass. We would have to let it become effective when the time provides. It would not do any good this summer, of course.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from Iowa.

Mr. GROSS. As the gentleman from Texas knows, I have supported him in this legislation when he has had it pending before the Post Office and Civil Service Committee, and I certainly support him today and will vote for the bill.

However, I am just a little bit surprised that President Johnson, when he recently blanketed 5,500 or 6,000 employees into all the agencies and departments of Government, did not impose such a condition voluntarily at that time.

Mr. BECKWORTH. I thank the gentleman.

Mr. BROYHILL of Virginia. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I am vigorously opposed to the enactment of H.R. 242.

I wish to state at the outset that I recognize I am confronted with overwhelming odds. I have no delusion as to what the final outcome is going to be when the vote is taken.

Mr. Speaker, as has already been stated, this bill has been passed twice before on two previous occasions by large margins, but I contend that two wrongs do not make a right and that the bill is wrong and should not be enacted.

I also want to make it abundantly clear that I am not critical about the attitude taken by my colleagues on previous votes or the attitude they will take on this legislation before us today. The popular thing to do is to vote for approval of the legislation because it appears on the surface you are going to be providing additional jobs for your constituents. It would be hard to explain back home why you would vote against a piece of legislation that would seek to do just that. Yet on two previous occasions some Members did have the courage to stand up and vote against passage of the legislation because they understood the problem somewhat differently.

Regardless of the odds with which I am confronted here today, it is my duty to point out that this is bad legislation and should not be enacted.

First of all, it is unworkable. It makes for bad management. We are, among other things, in effect a board of directors of a large management concern, and we should be constantly seeking to improve matters by more efficient methods.

Second, the bill will not accomplish what the sponsors and supporters think it will accomplish.

Third, it is unfair and discriminatory.

Fourth—and this is somewhat amusing to me—the administration opposes this legislation, strenuously opposes this legislation. In view of the steamroller power that the administration has exercised on all other forms of legislation, I feel like the little boy with his finger in the dike when we seek to pass legislation that the administration would like to have defeated. As I stated, it is unworkable, and makes for bad management because it seeks to amend an archaic, unworkable law.

As the gentleman from Texas admitted, we have had apportionment since 1883, but at the time that bill was enacted into law most all the jobs were located here in Washington, D.C., and it was highly desirable that they be apportioned and spread out through all of the States and territories. But such is not the situation today. Less than 10 percent of all civil service jobs are here in the Washington area; 90 percent are spread throughout the Nation. So this 82-year-old law applies to only approximately 10 percent of the over 2½ million Federal jobholders. And, incidentally, we passed a Veterans Preference Act in 1944 that gives veterans preference for these jobs. Over 50 percent are veterans. So that knocks out another 50 percent. Then the Civil Service Commission has authority to waive other jobs where there is a shortage of talent and personnel for particular jobs. That brings it down to less than 2.5 percent of all these Government jobs are under this archaic 1883 law. The Civil Service Commission can waive that number if it finds it necessary to do so. This law is not working equitably and fairly today. If you want the jobs spread out on an apportionment basis, you will find that 46 percent of the States and territories are in arrears. Sixteen percent of the States and territories are in excess of their actual quota. The Civil Service Commission or the Federal Government is not able to attract from these States and territories, that are in arrears, sufficient numbers of people, qualified people, to fill the jobs which are available. In other words, the old apportionment system does not work, and the executive branch has been trying for years to get it repealed. Of course, it is politically difficult to get that type of law repealed, because it appears on the surface that it is fairly distributing Washington jobs throughout the Nation.

Here we are today seeking to extend this law further to a limited number of temporary summertime jobs. Yes, it will be extended because it is politically popular to vote for a bill that seems to do just that.

I say, second, that this proposed legislation will not accomplish the objectives that the sponsors think it will accomplish. In the committee report, it refers to 6,600 temporary summertime jobs being in the Washington area—6,600 out of 55,000 summertime jobs; and 48,000 of these summertime jobs throughout the rest of the Nation are not affected by this proposed legislation.

Incidentally, this figure of 6,600 includes workers in the postal field service which I believe this proposed legislation exempts from the act. So that there will not be 6,600 jobs as the committee report says that will be available for the young people throughout the Nation. And not all of these remaining 6,600 jobs are student-type jobs. Only 40 percent of the jobs that college students will be seeking from the Federal Government in the summertime are actually here in the Washington area. Many of the remaining jobs in this 6,600 category are seasonal jobs, outdoor labor that sometimes require technical experience such as bulldozer operators and operators of various types of equipment. Those jobs are not applicable to summertime employment for college students.

Again the veterans' preference comes to bear on whatever jobs might be available temporarily for college students. There are many thousands of people who are taking the summer temporary jobs who are waiting for permanent assignments and full-time employment with their Federal Government who are not college or high school students. We have many high school and college teachers who come to Washington durthe the summertime who are especially qualified and highly skilled in technical fields. They work for various agencies of the Government rendering a great service to the Government because of their talent, background, and skills and they would be jeopardized by this proposed legislation.

The only jobs that are affected by this legislation—and I want to emphasize this—the only jobs are those jobs in the competitive civil service. And only a small fraction of these 6,600 jobs—these lucrative jobs that appear to be available here in Washington—only a fraction of those jobs come under the competitive civil service.

In fact, according to the statement made on H.R. 10, a similar bill that was considered by the Committee on Post Office and Civil Service last year, the Chairman of the Civil Service Commission said that the only jobs that would come under this legislation, it seemed to him under the language written in the bill, would be jobs in the student training program. Last year and the year before last, there were only 670 students in the student training program in the Washington area.

The year before there were only 1,954 jobs throughout the country under the student training program and only 242 of those jobs or 12 percent of them were in the Washington area. Out of those 242 jobs, only half of them were filled by students here in the Washington area.

So we are talking about approximately 6 percent of the jobs that are in the competitive civil service being held by students living here in the Washington metropolitan area. We are only talking about very, very few jobs and not 6,600 jobs—but rather we are talking about approximately 500 or 800 or 1,000 jobs.

Here we are trying actually to do something—well, it is somewhat like driving a tack with a sledge hammer.

The Civil Service Commission has made great progress on another program to accomplish what I think the sponsors of this legislation are seeking to accomplish. They have issued regulations really as a result of this bill being introduced, to put about 5,500 summertime jobs throughout the entire Nation on the merit system. That applies to all jobs everywhere and not just to just 200 or 600 or 1,000 jobs here in the Washington area.

I repeat again for emphasis that this bill does not place all Washintgon jobs under the apportionment system. The civil service regulations prohibit nepotism as was discussed here a few minutes ago, wherein no son or daughter of any employee of any agency or department of the Government can be given a summertime job in the same agency.

We all want these jobs awarded on the merit system. I am in complete agreement with the gentleman from Texas [Mr. BECKWORTH] in that regard. Here is what he said during the hearings on H.R. 10, a similar bill, which statement appears on page 3 of those hearings:

> I would be delighted to see all the patronage factors eliminated totally so far as these jobs are concerned. I am a strong believer in civil service. I have great faith in civil service.
>
> As far as these summer jobs are concerned, I would like to see a written competitive examination given to just as many students as possible and if all of them can qualify from two or three States by that method, it would be all right with me.

Yet the bill the gentleman is sponsoring seeks to do the opposite.

Even the civil service regulations can be improved, and they are being improved. There is a trial and error method we must go through. I believe for example, the Civil Service Commission can do a better job of advertising that these jobs are available throughout the Nation, not merely here in Washington, D.C.

If the apportionment system is so good and so fair and so sound, why not apply the apportionment system to all of the jobs—to the 6,600 jobs in Washington, D.C., and the 55,000 throughout the Nation?

I said, third, that the bill is unfair and discriminatory. All of the Members of this body know we have been working for years to eliminate all forms of discrimination because of race, color, creed, or national origin. Last week, as recently as Friday, we passed a bill allegedly to eliminate all discrimination in voting due to race. This week, at the beginning of the week, we are asked to take exactly the opposite position and to deny to people fair and equitable treatment because of their place of residence.

Here a young student who may be qualified will be deprived of equal opportunity because of the place of his residence.

We do not ask for preferential treatment of our young people living in this area. They are not receiving preferential treatment, as has been implied by the gentleman from Texas. These jobs are now being awarded here, as everywhere, on the basis of merit.

In this area, however, the Government is the chief industry. In fact, it is the only industry of any consequence. If the young people who live here are unable to compete fairly on merit for the jobs available here, they will not get jobs at all, because there is no other industry of consequence here. Yet they are told, as a result of this legislation, that they cannot work for their Government regardless of how well qualified they are or regardless of how meritorious it might be, because of the place of their birth—or the side of the track where they live, if you please, or the place where their parents reside.

It may be politically popular to raid jobs in this area and "to gang up" on the few Members from Virginia and Maryland, but that does not make it fair. I do not believe there should be any political medals for supporting and passing this measure.

I can say without fear of successful contradiction that there will never be as much political gain on the part of any Member supporting this bill as there will be a loss to the young students who will be denied the opportunity of competing fairly for jobs in this area.

I say, finally, that this administration opposes this bill for the reasons I have given. The same objective or even a better objective can be obtained by implementing the regulations now in existence, by the Civil Service Commission. This bill will not do the job. On the contrary, I believe it will do violence or serious damage to the merit system, which the gentleman from Texas and others hope and expect to improve.

Mr. MATHIAS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS. Mr. Speaker, I associate myself with the opinions and views just expressed by the distinguished gentleman from Virginia. His very careful analysis of the employment situation not only as it affects the Washington, D.C., metropolitan area but also as it affects the whole country, I believe reflects the many years he has devoted to studying the civil service system and the way it operates as to Government employment and the various factors affecting Government employment. I believe the gentleman is exactly correct in his analysis of this particular problem.

We should not approve the legislation before us for the reasons the gentleman has stated.

Mr. WAGGONNER. Mr. Speaker, in discussing the subject of apportionment a moment ago, the gentleman from Virginia [Mr. BROYHILL] said there was a prohibition written into the rules which govern summer employment which prevented the hiring of relatives, sons or daughters, of Government employees, which left the impression that no relative of a Federal employee could be hired anywhere in the Government. The regulation specifies that personal favoritism cannot be employed and relatives cannot be hired in the same agency as a father or mother is employed, but that they can be hired in another establishment or agency. Is that not correct?

Mr. BROYHILL of Virginia. That is correct. I did not mean to state, and I hope I did not state, and I certainly did not mean to imply that a regulation prohibited the relatives of Federal employees from working elsewhere in the Government. I do not think the gentleman himself would support that type of a situation.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. Yes, I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I want to compliment the gentleman in the well for the position he has taken on this legislation. I am a strong believer in the civil service system. The passage of this bill would weaken the system. I want to point out in the committee report there is a letter from Mr. Macy of the Civil Service Commission in which he opposes this bill. I agree with the position he takes. I want to make this comment, however: I would be much more enthused about Mr. Macy's recommendation with regard to this particular piece of legislation if he would exercise his proper authority in the field of the violation of the Hatch Act, which matters I brought to the attention of his office and this body several times.

Again, may I say, we have no action in dealing with violations of the Hatch Act.

Mr. Macy and the Civil Service Commission is charged with the responsibility of enforcement. His own investigation documented the fact that violations existed, yet in the words of one of our colleagues the only action we get is thunderous silence.

Mr. BECKWORTH. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Speaker, I thank the gentleman from Texas [Mr. BECKWORTH] for yielding me this time so that I might also rise in opposition to H.R. 242. I hope I am more effective this time than I was the last time I spoke on this subject matter, although I have no reason to believe that I will be. I recall, during the 88th Congress when I was a freshman, I reviewed the report and found out that this legislation had been before the Congress in the 87th Congress and the vote in favor then was 309 to 19. I assumed that if I went down into the well and explained what the real implications of this legislation were, I might persuade many of my colleagues to change their views. However, after the vote was taken in the 88th Congress, I saw that it was 301 to 18. I had not done very well.

I suppose it is normal that this kind of legislation would bring out the more parochial interest in all of us, myself included. Just as there might be some among you who would vote for this bill because you feel it might help youngsters in your area, I am sure the reason why I get so excited about this kind of legislation is because I think it will harm the youngsters in this area. If you look at the 18 Members who voted against the bill the last time, you will note there are only a few who had the broad general interest of all the youngsters of all areas at heart. If I were more parochial in my view, I suppose I would introduce legislation which would restrict temporary employment by geographical areas in order to give a preference to the youngsters who live here where so much of the Central Government is located. I am sure that this legislation though would not go very far, and I do not think it should. I do not see anything wrong with the current situation where, based on merit, we decide which youngsters will have summer employment.

Let us take a moment to look at the current situation. If we do have an effective apportionment system among all of the Federal employees who are parents, then in State X, they can send so many employees to the Federal Government to work. Summer comes along and one of the youngsters wants to get a job. As it stands now he has a fair chance with any other youngster from any other area, but if we were to pass this kind of legislation, proposed today he would not be on a fair and equitable basis with, let us say, his cousin that he left behind in State X because his cousin comes from another area.

It would seem to me that this is not a fair thing. If we encourage the best of our people to come to Washington to be our Federal employees, and if you are interested in them when they are your constituents, it seems to me that you ought to continue your interest when they come here and are constituents, of no one Member specifically, but all of us, when they are in the District of Columbia; or when they become my constituents in Maryland or the constituents of my friends from Virginia across the river. I suggest that you ought to have this continuing interest in their children to see that they have an equal opportunity for this summer employment, not as a matter of preference but on an equal basis.

Why is it not natural for a Federal employee to want his youngster to work in the Federal Establishment? Already we have certain restrictions so that the sons and daughters of those who work, let us say, in the Department of Labor, may not themselves work in the Labor Department. That does not really make any sense. But it is there. At least they are required to work, if they are employed, in another agency of the Government. It seems to me that to the extent that we are trying to attract the best among the parents into our Federal structure, we would like to assure them that their youngsters would have an equal opportunity.

If this legislation passes and really becomes effective what it will do is this. It will cut down employment which is available to our youngsters who reside in this area. They will have to go elsewhere or be unemployed. Do not believe for one moment that every youngster in this area is employed in the Federal Government, because I can tell you that we have a great many who are constantly at my door and at the door of my colleagues who are seeking employment, but there is not sufficient employment for them in this area. We are doing all we possibly can, not only in the Federal Government but, if you have read the papers, you know that in the District of Columbia we are encouraging all private employers to help provide employment for these youngsters, too. We are just asking you to continue this one source of employment for our youngsters in this area.

Mr. MACHEN. Mr. Speaker, will the gentleman yield?

Mr. SICKLES. I yield to my colleague.

Mr. MACHEN. Mr. Speaker, first I should like to congratulate my colleague from Maryland on his statement, and I should like very much to be associated with him in his remarks and those of my colleague from Maryland [Mr. MATHIAS] and our colleague from across the river, the gentleman from Virginia [Mr. BROYHILL].

Mr. KREBS. Mr. Speaker, will the gentleman yield?

Mr. SICKLES. I yield to the gentleman.

Mr. KREBS. Mr. Speaker, I rise in support of the bill H.R. 242 and should like to commend my colleagues on the full committee and the chairman of the subcommittee for bringing this important bill to the floor today.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, H.R. 242?

The question was taken; and on a division (demanded by Mr. BECKWORTH) there were—ayes 79, noes 12.

Mr. BECKWORTH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 336, nays 22, not voting 76, as follows:

[Roll No. 182]

YEAS—336

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, George W.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Blatnik
Boggs
Bolling
Bolton
Brademas
Bray
Brock
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Callan
Cameron
Carey
Carter
Cederberg
Chelf
Clancy
Clark
Clawson, Del
Cleveland
Clevenger
Cohelan
Colmer
Conable
Conte
Cooley
Corbett
Corman
Cramer
Culver
Cunningham
Curtin
Curtis
Dague
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dent
Denton
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Dulski
Duncan, Oreg.
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Everett
Farbstein
Farnsley
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Fogarty
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Gathings
Gettys
Giaimo
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Green, Pa.
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harris
Harsha
Harvey, Mich.
Hathaway
Hawkins
Hechler
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Kunkel
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
McCarthy
McClory
McCulloch
McDade
McFall
McGrath
McMillan
MacGregor
Mackay
Mahon
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Matthews
Meeds
Michel
Miller
Mills
Minish
Mink
Minshall
Mize
Moeller
Monagan
Moorehead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Quie
Race
Redlin
Reid, Ill.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
St. Onge
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Trimble
Tunney
Tupper
Tuten
Ullman
Utt
Vanik
Vigorito
Vivian
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Young
Younger
Zablocki

NAYS—22

Abbitt
Bingham
Broyhill, Va.
Downing
Dyal
Fallon
Garmatz
Gubser
Hays
Holland
Jennings
Long, Md.
Macdonald
Machen
Marsh
Mathias
Nelsen
O'Brien
Satterfield
Sickles
Smith, Va.
Tuck

NOT VOTING—76

Abernethy
Andrews, Glenn
Ashbrook
Baring
Berry
Boland
Bonner
Bow
Brooks
Cabell
Callaway
Casey
Celler
Chamberlain
Clausen, Don H.
Collier
Conyers
Craley
Daddario
Dickinson
Diggs
Edmondson
Edwards, Calif.
Evins, Tenn.
Farnum
Fino
Foley
Friedel
Gibbons
Gray
Green, Oreg.
Hardy
Harvey, Ind.
Hébert
Hull
Huot
Johnson, Pa.
Jones, Ala.
Keogh
Lindsay
Love
McDowell
McEwen
McVicker
Mackie
Madden
May
Moore
Morton
Multer
Nix
O'Neill, Mass.
Pepper
Pool
Powell
Pucinski
Purcell
Quillen
Randall
Reid, N.Y.
Resnick
Robison
Roosevelt
Ryan
St Germain
Scott
Sisk
Staggers
Sweeney
Thomas
Todd
Toll
Udall
Van Deerlin
Watson

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Purcell with Mrs. May.

Mr. Celler with Mr. Lindsay.

Mr. Keogh with Mr. Bow.

Mr. O'Neill of Massachusetts with Mr. Don H. Clausen.

Mr. Boland with Mr. Moore.

Mr. Roosevelt with Mr. Fino.

Mr. Daddario with Mr. Reid of New York.

Mr. Madden with Mr. Johnson of Pennsylvania.

Mr. Multer with Mr. McEwen.

Mr. Toll with Mr. Morton.

Mr. Sweeney with Mr. Chamberlain.

Mr. Hull with Mr. Callaway.

Mr. Hébert with Mr. Quillen.

Mr. Edmondson with Mr. Ashbrook.

Mr. Evins of Tennessee with Mr. Andrews of Alabama.

Mr. Friedel with Mr. Collier.

Mr. Hardy with Mr. Berry.

Mr. Randall with Mr. Watson.

Mr. Nix with Mr. Harvey of Indiana.

Mr. McDowell with Mr. Dickinson.

Mr. Love with Mr. Diggs.

Mr. Sisk with Mr. Conyers.

Mr. Staggers with Mr. Baring.

Mr. Thomas with Mr. Cabell.

Mr. Udall with Mr. Todd.

Mr. Ryan with Mr. Powell.

Mr. Pepper with Mr. Resnick.

Mr. Gray with Mr. Pucinski.

Mrs. Green of Oregon with Mr. Van Deerlin.

Mr. Craley with Mr. Scott.

Mr. Brooks with Mr. Gibbons.

Mr. Abernethy with Mr. McVicker.

Mr. Bonner with Mr. Mackie.

Mr. Jones of Alabama with Mr. Casey.

Mr. Huot with Mr. Edwards of California.

Mr. Pool with Mr. Robison.

Mr. St Germain with Mr. Foley.

Mr. BRAY changed his vote from "nay" to "yea."

Mr. GUBSER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

COST-OF-LIVING ADJUSTMENTS IN STAR ROUTE CONTRACT PRICES

Mr. DULSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2035) to provide for cost-of-living adjustments in star route contract prices.

The Clerk read as follows:

H.R. 2035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6423 of title 39, of the United States Code is amended by inserting at the end thereof the following new subsection:

"(c) After January 1, 1965, and after each succeeding January 1, the Postmaster General shall determine the per centum change in the annual average of the Consumer Price Index published monthly by the Bureau of Labor Statistics of the United States Department of Labor from 1963 or the year immediately preceding the most recent contract price adjustment made pursuant to this subsection, whichever is later. On the basis of such determination by the Postmaster General, the following adjustments shall be made in each star route contract personally operated or requiring not more than two employees:

"(1) Effective July 1, 1965, if the change in such annual average from 1963 to 1964 shall have equaled a rise of at least 1 per centum, the contract price for each such star route contract which has a commencing date earlier than January 1, 1964, shall be increased by (A) such per centum rise for the first $5,000 of the contract price, (B) three-quarters of such per centum rise for that part of the contract price in excess of $5,000 but not in excess of $10,000, and (C) one-half of such per centum rise for that part of the contract price in excess of $10,000 but not in excess of $15,000.

"(2) Effective July 1 of any year other than 1965 if the change in such annual average from the second preceding year to the immediately preceding year shall have equaled a rise of at least 1 per centum, the contract price for each such star route contract which has a commencing date earlier than January 1 of the immediately preceding year shall be increased by (A) such per centum rise for the first $5,000 of the contract price, (B) three-quarters of such per centum rise for that part of the contract price in excess of $5,000 but not in excess of $10,000, and (C) one-half of such per centum rise for that part of the contract price in excess of $10,000 but not in excess of $15,000.

Each increase in a star route contract price made in the manner provided for by this subsection shall be adjusted to the nearest one-tenth of 1 per centum."

The SPEAKER. Is a second demanded?

Mr. CORBETT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DULSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, H.R. 2035, with committee amendments, was reported unanimously by the House Post Office and Civil Service Committee. I was chairman of the Subcommittee on Postal Operations of the House Committee on Post Office and Civil Service, which considered this proposal, and the only opposition to favorable consideration came from the Post Office Department. We have overcome the major points of the Department's adverse recommendation by the committee amendments.

The purpose of H.R. 2035, as amended, is to provide automatic cost-of-living adjustments in the prices of those star route contracts personally operated or requiring not more than two employees. Star route contracts require the transportation of mail by any means other than by a railroad. It may include collection and delivery service to patrons of the postal service. Generally, these contracts are awarded to the lowest responsible bidder for 4-year terms and may be renewed for successive 4-year terms at the rate of compensation prevailing at the end of the preceding contract term. Nearly all star route contracts are for transportation of mail by motor vehicles.

Under existing law, the Postmaster General may adjust star route contract prices to reflect cost-of-living increases whenever the contractor applies for an adjustment. The adjustment is granted on that part of the contract price determined to represent wages for the contractor.

The difficulty in this procedure is that less than 20 percent of the 12,000 star route contracts are readjusted annually even though the cost of living has increased an average of 1.2 percent annually for the past several years.

Testimony presented to our Subcommittee on Postal Operations during hearings on this legislation indicated that adjustments were not requested by many contractors, either because as a small operator the contractor is not equipped to maintain the necessary cost records to support his request for adjustment, or because of a fear that the contract price after adjustment, if granted, will be at a level which results in the route being readvertised for new bids at the beginning of the next contract term.

Our committee believes that this procedure makes for unnecessary paperwork. It places an undue burden and responsibility on small contract operators, in order for them to obtain an equitable adjustment in their contract prices, to which they are entitled under existing law. We believe we should simplify this procedure and make the cost-of-living adjustment in the small contracts automatic.

All provisions of existing law would continue in effect in order to permit adjustments in the price of large contracts, as well as in small contracts, for increased or decreased costs other than for a cost-of-living increase.

Mr. Speaker, the bill, as reported, requires the Postmaster General to determine as of January 1965, the change in the Consumer Price Index from 1963. The table in the committee report on page 3 shows this change to be approximately 1.2 percent per year. On the basis of such determination, adjustments shall be made effective July 1, 1965, in each star route contract personally operated or requiring not more than two employees. Each such star route contract having a commencing date earlier than January 1, 1964, shall be increased by the applicable percentage increase for the first $5,000 of the contract price plus three-quarters of such percent for that part of the contract price in excess of $5,000 but not in excess of $10,000, plus one-half of such percent for that part of the contract price in excess of $10,000 but not in excess of $15,000.

To illustrate with a typical star route contract having a contract price of $6,000, and assuming the Consumer Price Index has increased 1.2 percent since 1963, such contract will receive a contract price adjustment as of July 1965, in the amount of $69. Similar increases will be granted annually hereafter whenever the Consumer Price Index increases.

Under the formula proposed by the legislation, these provisions will apply to approximately 9,600 contracts and will result in an estimated annual cost of approximately $300,000. I would like to emphasize, however, that each one of these contractors would obtain similar increases under existing law if proper application, supported by the necessary records, were presented to the Post Office Department.

I urge my colleagues here today to support our committee and vote favorably for H.R. 2035 as reported by the committee.

Mr. CORBETT. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I have the privilege of serving as the ranking minority member on the Subcommittee on Postal Operations with the distinguished gentleman from New York [Mr. DULSKI].

Mr. Speaker, our committee considered this bill and I concur in the views which have been expressed by the gentleman from New York.

Mr. Speaker, this is not an earthshaking matter but it is something that will do justice to a very inequitable situation involving some of our star route contractors.

So I do hope that the House will suspend the rules and pass this legislation which, as the subcommittee chairman noted, passed our committee unanimously.

The purpose of H.R. 2035, with amendment, is to provide automatic cost-of-living adjustments for certain star route carriers. This legislation would apply only to star routes personally operated or which have not more than two employees.

For almost two centuries—approximately 180 years—star route carriers have served this Nation, and have served it exceedingly well. At the present time star route carriers provide service to 26,000 post offices. This number is of a total of 34,000 post offices in the United States.

Statistics of the last few years indicate that only 20 percent of the star route contracts were adjusted annually. During this same period the Consumer Price Index was increasing at an average of 1.2 percent per year. Obviously there are reasons why star route carriers are not requesting an increase in compensation in accord with their increased operating costs, as permitted under existing law.

Testimony during the hearings indicated a number of reasons why the star route carriers are not requesting adjustments.

The primary reason is that most star route carriers do not keep the elaborate records necessary to justify a request for an adjustment in compensation.

Under present procedure no increase may be granted unless a comparative cost statement is presented. This involves showing the costs of operation at the time of the contract and the costs of operation at the present time.

Taking into account the fact that a great majority of the star route carriers have contracts of less than $10,000, it becomes obvious that such elaborate recordkeeping is out of the question.

Many star route carriers have indicated that they do not request adjustments because they fear they will price themselves out of business. If the request for an increase is approved, the route may be readvertised at the expiration of the present contract. The star route carrier therefore feels that what he has is better than nothing at all.

The star route carriers have been neglected too long. They are one of the oldest sections of the Post Office Department. They require very little, if any, supervision.

The time has come for Congress to act on the dilemma of the star route carriers. I feel that H.R. 2035 is a step in the right direction and therefore urge favorable consideration of this legislation.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

DISCONTINUANCE OF POSTAL SAVINGS SYSTEM

Mr. DULSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8030) to provide for the discontinuance of the Postal Savings System, and for other purposes.

The Clerk read as follows:

H.R. 8030

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 39, United States Code, is amended by adding the following new sections to chapter 85 thereof:

"§ 5225. Discontinuance of Postal Savings System

"(a) The closing date for the Postal Savings System is the thirtieth day immediately following the date of the enactment of this Act. On and after the closing date no deposits shall be accepted in existing postal savings account and no new postal savings account shall be opened. After the closing date the Board of Trustees of the Postal Savings System shall not be required to maintain the 5 per centum reserve of postal savings funds otherwise required to be maintained by section 5214 of this title nor to apportion deposits in banks in accordance with sections 5215 and 5219 of this title.

"(b) Interest on deposits in the Postal Savings System shall cease to accrue on the anniversary dates of the respective certificates occurring in the twelve-month period starting with the closing date.

"§ 5226. Liquidation of accounts

"(a) During the closing period beginning on the closing date and ending on the last day of the first fiscal year which shall begin after such closing date, the Postmaster General is authorized and directed, to the extent practicable, to terminate the business, settle and pay the accounts, liquidate the assets, discharge the obligations, and otherwise wind up the affairs of the Postal Savings System, in accordance with such rules, regulations, and authority as may be prescribed by the Board of Trustees of the Postal Savings System.

"(b) In the settlement and payment of any Postal Savings account, including all interest accured thereon, which is maintained in the name of the deceased, presumed dead or incompetent depositor, or which is determined payable to—

"(1) a minor,

"(2) a person adjudicated mentally incompetent or under other legal disability, or

"(3) the estate of a person who is deceased or presumed dead,

the payment of such account, or any appropriate share thereof, may be made to a legal representative of the depositor, or to a legal representative of the person or property of such claimant. Where there are no outstanding guardianship or administration proceedings on the person or estate of the depositor, or the person or estate of such claimant, the Board of Trustees of the Postal Savings System shall determine the person who is otherwise qualified to receive payment according to the laws of descent and distribution of the State where the account is held. Payment made under this subsection shall be a bar to recovery by any other claimant of amounts so paid.

"(c) Until the last day of the first fiscal year which shall begin after the closing date for the Postal Savings System, the Postmaster General shall continue to cover into the postal revenues the excess of interest and profit accruing from the deposit or investment of postal savings funds after the payment of interest due to depositors in the Postal Savings System.

"(d) The annual report of the Post Office Department for the fiscal year which includes the closing date shall include a statement with respect to the progress, results, and status of the winding up of the affairs of the Postal Savings System under this Act, together with such recommendations as the Postmaster General deems advisable.

"§ 5227. Liquidation of investments

"To facilitate the winding up of the affairs of the Postal Savings System, the Secretary of the Treasury shall redeem or purchase the public debt obligations of the United States, which are held for the account of the Postal Savings System, at their par value whenever it will not be advantageous to sell such public debt obligations on the regular market.

"§ 5228. Transfer of deposits to Treasury

"Effective on the first day of the second fiscal year which shall begin after the closing date for the Postal Savings System, the total amount of unpaid deposits, including the accrued interest due thereon, as shown by the books of the Board of Trustees of the Postal Savings System, shall be transferred to the Secretary of the Treasury. The Secretary of the Treasury shall deposit the amount so transferred under authority of this section in the Treasury to the credit of the trust fund receipt account 'Unclaimed moneys of individuals whose whereabouts are unknown'. Expenditures are authorized to be made from such account as provided by section 725p of title 31, United States Code.

"§ 5229. Regulations

"The Board of Trustees of the Postal Savings System is authorized and directed to prescribe such rules and regulations, and to make such delegation of authority, as may be necessary to carry out the purposes of sections 5225–5228 of this title."

SEC. 2. The table of contents of chapter 85 of title 39, United States Code, is amended by adding thereto the following:

"5225. Discontinuance of Postal Savings System.
"5226. Liquidation of accounts.
"5227. Liquidation of investments.
"5228. Transfer of deposits to Treasury.
"5229. Regulations."

The SPEAKER. Is a second demanded?

Mr. CORBETT. Mr. Speaker, I demand a second.

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 8030, to provide for the discontinuance of the Postal Savings System, is based on an official recommendation of the Post Office Department. The Comptroller General of the United States made similar recommendations as early as 1952, as did the Commission on Organization of the Executive Branch of the Government—the Hoover Commission—in its May 1955, report to the Congress.

The operation of the Postal Savings System has, in the past, been very beneficial to the Government and to its depositors. Since 1911 the System has provided a net profit of $239.5 million. It has been profitable in every year except the years of 1911, 1912, 1913, and 1950. A slight loss will occur in 1965, and the loss can be expected to continue each year hereafter until the System is liquidated.

The original purpose of the Postal Savings Act of 1910 was to provide depositories for depositing savings at interest with the security of the Government for repayment. This purpose obviously has been superseded by the availability of U.S. savings bonds and the ample security of guaranteed bank and savings and loan deposits up to $10,000. The committee is convinced that the public does have adequate security for its savings other than in postal savings.

Consequently, since the System hereafter can be expected to operate at a loss, we believe the time has come when the System should be liquidated.

Mr. Speaker, as always, we were vitally concerned in our committee about the effect the liquidation of the Postal Savings System would have on postal employees presently involved in handling deposits, withdrawals, and accounting matters relating to the System. We were also concerned about the effect the liquidation would have on the Treasury Department, as the Treasury Department now holds over $400 million in postal savings bonds. We were also greatly concerned about the effect this legislation would have on depositors.

As I have indicated, we believe the depositors are adequately protected in having other means available for guaranteed savings depositories, either in the form of U.S. savings bonds or guaranteed bank and savings and loan deposits.

The Treasury Department has reported there would be no problem in regard to Treasury financing should the System be liquidated.

Most important, we believe the postal employees will be amply protected. In this connection, I invite you to the exchange of correspondence between my Subcommittee on Postal Operations and the Post Office Department which may be found on pages 6 and 7 of House Report No. 483, accompanying the bill, which shows that no more than 50 employees are involved full time on postal savings work and that at most, only 2 of these employees will be affected in any ways so far as their seniority of pay is concerned. The Department has given us the strongest possible assurance that the employees will be protected to the fullest.

Mr. Speaker, under these circumcumstances, I see no basis for objection to favorable consideration of this legislation.

The Postal Savings System reached its peak in 1947 when over 4 million depositors had accounts totaling $3.4 billion. The number of depositors has declined to approximately 1 million, and the amount on deposit has dropped to $356 million as of April 23, 1965. The interest rate was set at 2 percent per annum from the beginning. The profit from the System accrues by reason of the Government being able to obtain a higher rate of interest on the investment of the deposits as compared with the interest the Government must pay to the depositors.

We agree with the Department that the Postal Savings System has served a vital purpose and has done it exceedingly well. We also are convinced that the need for the Postal Savings System now has disappeared as a result of dramatic changes in our economy and in the growth of banking facilities provided by private enterprise. The System is now outmoded, and we are convinced that its orderly termination should be planned.

H.R. 8030 provides an orderly and economical method of winding up the affairs of the Postal Savings System.

The closing date will be the 30th day after date of enactment. Deposits will not be accepted after the closing date and new accounts will not be opened. Interest will cease to accrue as the anniversary date of each savings certificate occurs during the 12-month period following the closing date.

Liquidation of the accounts will be accomplished to the extent practicable by the Postmaster General during the period beginning on the closing date and ending on the last day of the fiscal year which begins after the closing date. The unpaid deposits remaining after such period will be transferred to the Treasury Department, deposited in a trust fund receipt account, and remain available for payment without time limitation whenever proper claims are received.

Mr. Speaker, I am convinced that H.R. 8030 provides an orderly and equitable method of terminating the Postal Savings System, and that we should take action now because the System no longer can be operated on a profitable basis. I urge the Members to vote favorably on H.R. 8030.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. Derwinski] such time as he may consume.

Mr. DERWINSKI. Mr. Speaker, I wish to commend the gentleman from New York [Mr. Dulski] for his leadership in bringing this bill to the floor of the House. This is a long overdue bit of legislation. As has been emphasized, the Postal Savings System will henceforth be operated at a loss to the Post Office Department. Certainly a department which needs administrative adjustment as much as the Post Office Department should be spared additional complications caused by administering a losing operation such as this.

But to my mind the important thing is the fact that here we have a chance to dramatize our interest in free enterprise and to get the Government out of competition with the banks and savings and loans and credit unions throughout the country that are in a very practical position of being able to provide far better services to the savers than the Postal Savings System can now render. So in the passage of this bill we are permitting the public to utilize private sources of investment that are far more practical for them and far more beneficial than the Postal Savings System, and I urge House approval of this bill.

I have cosponsored this legislation since 1959. With each year it is apparent that the need for the Postal Savings System has diminished. It is especially practical to note that the rate of return is not at all a fair or competitive one and that anyone now investing in the Postal Savings System could be much better served by transferring the funds to an insured bank, savings and loan association, mutual savings bank or credit union or by investing in Government bonds. In all of these other sources of investment, a more practical return is provided. Therefore, Mr. Speaker, I again urge House approval and am also most hopeful that the other body will soon pass identical legislation.

Mr. CORBETT. Mr. Speaker, I yield such time as he may desire to the gentleman from North Carolina [Mr. Broyhill].

Mr. BROYHILL of North Carolina. Mr. Speaker, I rise in support of H.R. 8030.

It is my opinion that this legislation is necessary to eliminate a function of the Government which is outmoded and unnecessary.

The Postal Savings System was originated in 1910 with two purposes in mind: First, to provide an adequate means of saving for rural areas of the United States in which banking facilities were not readily available; second, to dispel the fears of small investors who did not have confidence in the banking system as it existed at that time.

I submit that both these requirements are adequately provided for by private enterprise at the present time. It is, therefore, no longer necessary or desirable to continue the Postal Savings System.

In the United States today either banks or savings and loan associations are available to all those who wish to use their facilities. These banks and savings and loan associations are insured by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

The Postal Savings System provides 2 percent interest per annum for those who wish to use its facilities. It is not uncommon for private enterprise to pay 4¼ percent interest on savings deposits. This is clearly one of the reasons for the rapid decline of both deposits and depositors in the Postal Savings System.

The peak year for the Postal Savings System was 1947. In that year there were 4 million depositors and accounts totaled $3.4 billion. At the end of fiscal 1964, depositors had declined to approximately 1 million and accounts had tumbled to $416 million. As of April 23, 1965, deposits were $356 million and were declining at the rate of approximately $5 million a month.

This situation clearly illustrates that private enterprise is providing the services necessary in this field. I believe there is no need for the Government to continue its endeavors in this field.

In the past the Post Office Department has been aided by the revenues obtained from the Postal Savings System. Since its beginning in January 1911 the Postal Savings System has shown a net profit of $239.5 million. However, due to a decline in deposits and an increase in costs of operation, there will be a slight loss in 1965. This loss will become greater as deposits decrease, and there is every reason to believe they will do so.

This is another reason for the discontinuance of the Postal Savings System. It is no longer a profitable venture. When a service is more adequately provided by private enterprise, combined with the fact that it is not profitable for the Government to provide this same service, then I feel it is time for the Government to abandon that service.

For these reasons I feel compelled to urge my colleagues to act favorably on H.R. 8030. It is necessary and long overdue legislation.

Every possible step must be taken to eliminate unnecessary and outmoded Government programs, and the Postal Savings System now has become a Government program that should be discontinued.

Mr. DULSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. Olsen].

Mr. OLSEN of Montana. Mr. Speaker, I rise in opposition to the bill, H.R. 8030. I would like to have the attention of Members to ponder the ridiculous situation with which we are being presented. There is on deposit with the Post Office Department almost a half billion dollars—almost a half billion dollars—and they have to pay only 2 percent interest for that half billion dollars. They then reinvest it in Federal bonds or in banks or in some kind of security that pays more than 3 percent or more than 3½ percent. Yet the Post Office Department manages to say that they are losing money.

I believe the report is a farce. The Post Office Department comes to the Congress and says that we borrow money from depositors who willingly and eagerly want to deposit their money with Uncle Sam, as the safest place they can possibly put it. They have faith in the Post Office Department, and have had over a period of years. They now have on deposit almost a half-billion dollars. The Post Office Department pays only 2 percent interest on that money, but comes to us and says they are losing money. I say it is not possible for them to lose money. How can they lose money, when they are borrowing a half-billion dollars at 2 percent interest? This is the cheapest money the Federal Government borrows.

The depositors are ordinary rank and file people across the Nation. They want to put their money in postal savings accounts. I am sure there are people who would advise them to invest in some building and loan association or in some private bank, and I am sure those people are sincere. But what about the person who does not want to put his money there? What about the person who wants to put his money in a postal savings account?

There is a substantial number of people who want to deposit with the Post Office Department and take 2 percent interest, because they believe that is the safest place to put their money. Why should we stop that? I do not believe we should.

I believe we should make this particular service available to the public for as long as the public wants it, especially so long as all we have to pay is 2 percent interest. I believe it is absolutely ridiculous to abolish a source of funds for the Federal Government, when the interest rate is only 2 percent.

Where are all the people in the Congress who want to save money? Where are all the economy-minded people?

I submit that the bill, H.R. 8030, which involves a program of abolishing the Postal Savings System, should be defeated, as it has been every time it has come before the Congress. Every time it has come before the House it has been defeated. I submit it should be defeated again today.

Statements have been made that the System was established to provide savings facilities for rural areas. This is partially true. The history of deposits and depositors, however, indicates that from the very start of the System in 1910, postal savings have been largely concentrated in the larger cities and post offices.

Postal savings offers service to the taxpayer, unique in the fact that there is no cost to the taxpayer as it has made an overall profit of $240 million. This service is presently desired by approximately 1 million citizens who have on deposits almost half a billion dollars.

The average depositor evidently desires the convenience and the feeling of security resulting from dealing directly with the Federal Government. He is principally interested in security and not in interest rates.

Testimony was presented in the hearings on the bill to the effect that the System should be discontinued as a matter of economy. I cannot agree with this proposition. Except for 4 years—1911, 1912, 1913, and 1950—the System has shown a profit after the payment of all costs of operation.

The Post Office Department witness stated that if withdrawals of the System continued to exceed deposits, the expenses of the System would exceed its revenues in 1965. No facts or reasoning were offered in support of this conclusion. On the other hand, during the 16-year period from 1914 to 1930 the lowest annual balance to the credit of depositors was $43,440,271; the highest was only $153,644,529. Yet, the System's revenue in each year during this period exceeded expenses. In contrast, the balance due to depositors as of June 30, 1964, was $415,965,295. If a net income was possible in the 1914–30 period, it appears highly probable that a net income could be maintained with very much less in deposits than exist at the present time.

Insofar as cost to the Government as a whole is concerned, I wish to point out that the System is legally obligated to pay 2-percent interest to its depositors. On basis of present investments, the System received from the Government slightly over 2.6 percent. This was the source of the net revenue for the fiscal year ended June 30, 1964. The System may deposit funds in banks at 2.5 percent or more in interest or the System may invest in Government securities, or both. During the fiscal year ended June 30, 1964, $17,372,425 was on deposit with banks and $428,440,807 was invested in Government securities. The general funds of the Treasury have the use of these funds at a relatively low-interest rate, ranging from 2¼ to 2¾ percent. Had it been obliged to borrow these funds elsewhere the cost would have been about 3 percent. More important, if the Postal Savings System were to be abolished it would probably cost the Government 3.5-percent interest to borrow new funds so as to pay the depositors in cash or convert their present holdings into savings bonds.

The Government, in effect, is borrowing the deposits at the rate of 2 percent and lending a large portion of the deposits at a higher rate, ranging from 2¼ to 3½ percent. It is unbelievable that such a system should not be profitable. Questions raised during the hearings on the relation of the cost to the number of accounts have not been answered; $3,103,545 operating costs for 1,076,225 accounts for insurance. I think this matter needs further study.

The table below shows the cost breakdown for 1963 and 1964 as furnished by the Post Office Department:

> The assignment of costs to the Postal Savings System follows the same principle as the assignment of costs to the other special services and the various classes of mail. Following this procedure, the cost of the Postal Savings System includes not only the personnel costs directly associated with its operation, but a proportionate share of the cost of space used, stationery and supplies, and work associated with accounting and safekeeping of funds.
>
> The table below shows the breakdown for 1963 and 1964:
>
> | | 1964 | 1963 |
> |---|---|---|
> | Postmasters and supervisors personnel costs | $452,789 | $461,155 |
> | Clerks personnel costs | 1,533,210 | 1,725,655 |
> | Operation and care of building | 535,274 | 502,982 |
> | General postal supply services, including overhead | 21,427 | 22,724 |
> | Miscellaneous operations expense | 20,666 | 17,361 |
> | Regional expense and general overhead | 540,179 | 544,826 |
> | Total cost | 3,103,545 | 3,274,703 |
>
> Since a substantial portion of the total assigned cost is for personnel, pay increases such as those in October 1962 and January 1964 affect costs considerably. Despite these increases, however, there was a decrease in allocated costs for 1964 as compared to 1963. At the same time the decline in funds (deposits) available for investment resulted in a rapid decline in net revenue which more than offset the cost decreases. This decline can be expected to continue. Additional pay increases that might occur in the future will accelerate it.

Mr. Speaker, it certainly would be presumptuous to expect that a large portion of these expenses would not continue after dissolution of the Postal Savings System, particularly the postmasters and supervisory costs, the operation and care of buildings, and the regional expenses, totaling over $1,500,000 or one-half the cost.

I firmly believe that the Postal Savings System is noncompetitive with other savings systems except in a very general way.

The System is purely a savings system. It neither makes loans nor offers its deposits as security for loans.

Deposits as savings are only accepted from natural persons of 10 years of age or older. Corporate, trust, joint, or other similar accounts are not accepted.

A maximum of $2,500 is placed on the size of each account. Other savings systems have no limitation on size or ones that usually start at $10,000 or above.

The System pays only 2 percent interest while others pay from 1 to 1½ percent more.

The System does not solicit accounts. Others do make solicitations through the newspapers and other mediums of communication.

Evidence was presented in the hearings on the bill showing the decrease in the number of depositors and the gross deposits since 1948. The arguments did not, however, go back beyond 1948 to trace the pattern of fluctuation in both. The long-term movement of both the number of depositors and gross deposits has been upward.

During both wars deposits and depositors increased. After both wars deposits and depositors decreased. The decrease since 1948, interrupted slightly by the Korean situation, is a natural continuation of this economic trend.

The normal increase in deposits during World War II superimposed on the already greatly expanded deposits resulting from the banking situation of the 1930's created an abnormal picture. The decrease in deposits and depositors since 1948 represents the expected adjustment of the situation and not a decrease in the value of or service rendered by the Postal Savings System.

Even though the number of deposits has been decreasing since 1948, the 1,076,225 depositors as of June 30, 1964, is much greater than the number of depositors in any year prior to 1932. The deposit balance in June 1964 was $415,965,295, an amount greater than in any year prior to 1931.

Almost all testimony favoring the bill's enactment was presented by persons representing Government departments. There has never been an attempt made to survey the users of the System to determine their opinion in the matter. I suggest that they be polled before the drastic action proposed by this bill is adopted.

If there is one basic reason why the Postal Savings System has not maintained a stable number of depositors, or even increased in accounts, it is the obvious fact that the Post Office Department has made no effort to encourage new accounts, but has actually discouraged such participation and has for many years appeared to be most eager to eliminate this outright profitmaking enterprise to the U.S. Government. I do sincerely believe that this important service to more than 1 million postal savings depositors should be maintained as a service to those of our citizens desiring to use this method of depositing savings.

I submit that enactment of H.R. 8030 would be a distinct disadvantage to the more than 1 million present depositors, and would also adversely affect the American people as a result of a decrease in postal revenues without a compensating decrease in cost to the postal service. I believe it is fair to say that in addition to the loss of income, there would be an even further loss due to the necessity for absorbing certain costs that are presently apportioned to the Postal Savings System.

I urge that H.R. 8030 be defeated.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Is the gentleman advocating that we permit the public to invest at an unreasonably low rate of return? Is the gentleman recommending that the Government, in effect, fleece the public out of a proper return, to which they are entitled, on their money?

Mr. OLSEN of Montana. Not at all. We make it possible for the public to purchase Federal bonds in any denomination. If they do not like that, let them have this.

This particular kind of deposit may be withdrawn any day. Apparently there are many people who like it.

It is not a question of fleecing the public. They know perfectly well what the interest rate is. They place great reliance on this savings fund, and have done so over the years.

If the competitive system can attract the money of the people of America away from postal savings, well and good, but I believe that so long as we have this big chunk of money which is being loaned to the Federal Government by the people at 2 percent that people should have the choice. All we are permitting them is freedom of choice.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Iowa.

Mr. GROSS. The people are getting out of this business of depositing their money with the Federal Government as fast as they can. The deposits have gone down from $3.4 billion to less than $400 million. The people are getting out of this just as fast as they can. The gentleman will admit that, will he not?

Mr. OLSEN of Montana. They are getting out of it quite rapidly, yes. Why not let them have the choice? There are only 50 employees involved.

Mr. GROSS. It is not merely a question of employees. Every post office in this land, if we continue the law, must hold itself available to offer postal savings. Printing is involved. Manpower is involved. There are records to be kept.

Mr. DULSKI. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona [Mr. Udall.]

Mr. UDALL. Mr. Speaker, it is not often that I disagree with my good friend the gentleman from Montana [Mr. Olsen], but I sharply and totally disagree with him on this bill.

The people of this country have always felt that if private enterprise could do a job we do not set up a Government corporation to do that job.

Here is the Postal Savings System, which was originally set up to accommodate people who came here from Europe, and were accustomed to having a government service of this kind. We established it for that purpose. Now, we have insured savings and loan associations and we have insured banks that pay 3, and 4 percent interest. They are available in every community. We no longer need this Government system and it is about to lose money. It has gone downhill because the private sector of the economy provides a much better service.

If you want to vote for free enterprise and want to vote to let the private institutions of this country do something better than the Government has been doing, this is your chance to cast that vote.

Mr. Speaker, I urge that this bill be passed. It is an important bill and a good bill. It will save the Government money and get us out of a business that private enterprise can do better.

Mr. Speaker, I now yield to the gentleman from North Carolina [Mr. Henderson].

Mr. HENDERSON. Mr. Speaker, I rise in support of H.R. 8030. The time is here when the Postal Savings System has outlived its usefulness. Both as a matter of economy and practicality it should be discontinued.

At the time of its creation in 1910 the Postal Savings System was a most necessary and vital innovation. The decade preceding 1910 had witnessed recessions, depressions, and a swarm of bank failures. Public confidence in commercial banking was at a low ebb.

The great influx of immigrants during this period also had a bearing on the creation of the Postal Savings System. To most of these people postal banking was a way of life. In their native lands the principle banking institution was the post office. In addition, much of the America of 1910 was a rural America and access to banking facilities was limited. Under these circumstances one can readily see why the Government found it necessary to establish a Postal Savings System.

It started slowly in 1911 but during the next year the amount of depositors increased twentyfold. There was another sharp increase in the years throughout World War I.

The boom years of the 1920's brought a slight decline in depositors and during those years the amount remained relatively stationary at about 400,000. With the advent of the depression of the 1930's, however, the amount of depositors soared over the 1 and 2 millions mark. World War II accelerated the growth even more until 1947 when a peak amount of 4.2 million depositors was reached.

Since 1947, though, the Postal Savings System has experienced a steady decline not only in depositors but also in deposits and depositories. In 1964 there were but 1.1 million depositors.

Despite such a steady decrease in deposits and depositors, there still would be many arguments for the retention of the Postal Savings System if the system continued to show a profit. Unfortunately this is not the case. In 1962 the Postal Savings System had a net income of close to $1 million. In 1963 that profit was cut to slightly under $500,000. Last year the Postal Savings System showed a profit of only $54,000. In 1965 the Postal Savings System will start to show a deficit. And the deficit is expected to keep growing each year thereafter.

Above and beyond the purely economical considerations there exists the question of whether the conditions which spawned the Postal Savings System are with us today. I would say that the answer to that question is decidedly "No."

First, there is the matter of commercial banks. The conditions in this area that existed in 1910 are by no means in existence today. Commercial banking institutions now enjoy the confidence of the public as they never have before. Moreover, the Federal Government has taken steps to insure the solvency and reliability of commercial banks. I refer specifically to the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation which secure, respectively, commercial banks and savings and loan institutions up to $10,000.

Another aspect that ought not be overlooked is the obvious superiority that commercial banking institutions have over the Postal Savings System in the area of interest rates. From the beginning the interest rate paid out by the Postal Savings System has been a constant 2 percent, while commercial institutions now allow 3 percent or more. As a matter of fact, incongruous as it sounds, a patron can receive a higher rate of interest in a post office by stepping over to the next window and purchasing a U.S. Savings Bond that, at maturity, will pay over 3 percent.

I might add here that there is a ceiling of $2,500 placed on each account in the Postal Savings System. This has been so since 1918.

As I pointed out earlier, much of the United States in 1910 was rural. This was a prime consideration in the establishment of the Postal Savings System. It was paramount that some sort of banking service be made available to those people in the hard-to-reach, remote areas. Today, however, the situation is vastly different. Ninety percent of the Nation's population is now urban or suburban.

Banking facilities have grown correspondingly with the rise in nonrural population. New banking methods and hours have made commercial banking facilities available to all but those in the remotest regions.

One of the more surprising aspects of the present Postal Savings System is that the greatest amount of deposits and depositors are located in the big cities rather than in the small towns and rural areas. In 1964 first-class offices handled 93 percent of the deposits and 96 percent of the depositors. This refutes the contention that the Postal Savings System is a necessary institution for residents of rural areas.

My greatest concern over the discontinuance of the Postal Savings System is the fate of those postal employees wholly involved with its operation. And I may say that this is not my concern alone, but also that of the other members of the Post Office-Civil Service Committee. As a result of this concern the chairman of the Subcommittee on Postal Operations requested and received from the Post Office Department, a letter identifying the employees who would have to be reassigned to other work. There are only 41 postal employees who work full time on the Postal Savings System's work. Of those 41, 39 are in PFS-4 and only 2 in PFS-5. The Post Office Department has assured Congress that the 39 employees in grade 4 can easily be absorbed into the overall postal operation, and those in grade 5, while they would not necessarily be placed in positions comparable to the ones they now hold, they will face no reduction in grade because of this legislation. The Post Office Department has emphasized time and again that no one will lose their job or face a reduction in pay, if the Postal Savings System is abolished.

With my fears for postal employees alleviated I give my full support to this legislation. This bill is a good one and, I feel, a necessary one. While a certain amount of deficit is unavoidable in the maintenance of a public service such as the Post Office Department, the growing losses that the continuance of the Postal Savings System will bring are most unnecessary.

Mr. Speaker, I urge my distinguished colleagues to vote for the passage of H.R. 8030.

Mr. UDALL. Mr. Speaker, I thank the gentleman from North Carolina for his support. I now yield to the gentleman from New Jersey [Mr. KREBS].

Mr. KREBS. Mr. Speaker and colleagues, I want to say that I was one of the Members who voted against this bill in the full committee. I did that primarily because the question of what we would do with the displaced workers had not been resolved. I have since learned that the Post Office Department has assured us all of these 50 employees would be provided for in jobs they have been doing partially already, and nobody would lose their job because of the abolition of this Postal Savings System. In view of that fact, I am happy to change my position and support the position of the chairman and the majority of the committee.

Mr. UDALL. I thank the gentleman and I am delighted at his change in position and commend his judgment. Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 8030.

The question was taken; and on a division (demanded by Mr. OLSEN of Montana) there were—ayes 87, noes 5.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 1564) entitled "An act to enforce the 15th amendment to the Constitution of the United States, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. DODD, Mr. HART, Mr. LONG of Missouri, Mr. DIRKSEN, and Mr. HRUSKA to be the conferees on the part of the Senate.

AMENDING FISHERIES LOAN ACT

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill, S. 998, to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act.

The Clerk read as follows:

S. 998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(a) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(a)), is further amended to read as follows:

"(a) The Secretary of the Interior is authorized, under such rules and regulations and under such terms and conditions as he may prescribe, to make loans for financing or refinancing of the cost of purchasing, constructing, equipping, maintaining, repairing, or operating new or used commercial fishing vessels or gear."

Sec. 2. Section 4(b)(1) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(b)(1)) is amended to read as follows:

"(1) Bear an interest rate of not less than (a) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (b) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose."

Sec. 3. Amend section 4(b) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. 742c(b)) by adding at the end thereof the following:

"(4) Loans shall be approved only upon the furnishing of such security or other reasonable assurance of repayment as the Secretary may require considering the objectives of this section which are to upgrade commercial fishing vessels and gear and to provide reasonable financial assistance not otherwise available to commercial fishermen. The proposed collateral for a loan must be of such a nature that, when considered with the integrity and ability of the management, and the applicant's past and prospective earnings, repayment of the loan will be reasonably assured.

"(5) The applicant shall possess the ability, experience, resources, and other qualifications necessary to enable him to operate and maintain new or used commercial fishing vessels or gear.

"(6) Before the Secretary approves a loan for the purchase or construction of a new or used vessel which will not replace an existing commercial fishing vessel, he shall determine that the applicant's contemplated operation of such vessel in a fishery will not cause economic hardship or injury to the efficient vessel operators already operating in that fishery.

"(7) An applicant for a fishery loan must be a citizen of the United States.

"(8) The United States citizenship of each applicant shall be established within the meaning of section 2 of the Shipping Act, 1916, as amended, to the satisfaction of the Secretary."

Sec. 4. Section 4(c) of the Fish and Wildlife Act of 1956 (70 Stat. 1121), as amended (16 U.S.C. sec. 742c(c)), is amended to read as follows:

"(c) There is created a fisheries loan fund, which shall be used by the Secretary as a revolving fund to make loans for financing and refinancing under this section. Any funds received by the Secretary on or before June 30, 1970, in payment of principal or interest on any loans so made shall be deposited in the fund and be available for making additional loans under this section. The Secretary shall pay from the fund into the miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the cumulative amount of appropriations available as capital to the fund from and after July 1, 1965, less the average undispersed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. Any funds received in the fisheries loan fund after June 30, 1970, and any balance remaining therein at the close of June 30, 1970 (at which time the fund shall cease to exist), shall be covered into the Treasury as miscellaneous receipts. There is authorized to be appropriated to the fisheries loan fund the sum of $20,000,000 to provide initial capital."

Sec. 5. The provisions of this Act shall be effective July 1, 1965. Notwithstanding the provisions of section 4(c) of the Fish and Wildlife Act of 1956, as amended, any balance remaining in the fisheries loan fund at the close of June 30, 1965, shall be available to make loans for the purposes of section 4 of said Act from July 1, 1965, to the close of June 30, 1970.

The SPEAKER. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, S. 998 is a bill designed to provide financial assistance to commercial fishermen.

The fisheries loan fund was established in 1956 as a 10-year program, expiring June 30, 1965. There was authorized to be appropriated $10 million, but in 1958 this was increased to $20 million. The program authorized the Secretary of the Interior to make loans for financing and refinancing the operations of commercial fishing vessels and the maintenance, repair, and replacement of fishing vessels and gear.

Mainly, S. 998 would extend for 5 years the period during which the Secretary would be authorized to make loans. It would authorize to be appropriated $20 million as initial capital, and would expand the program so as to provide loans for the purchase of new and used vessels.

Mr. Speaker, the program has been most helpful. Bad debts have averaged only $40,000 per year, which is less than 1 percent of the average outstanding balance of loans.

Because of the hazardous nature of the fishing industry, most lending institutions are either unwilling or unable to take the risk involved in long-term financing of fishing vessels and equipment. The assistance provided by S. 998 would be available to the fisherman only after he has been advised that financial assistance is not otherwise available on reasonable terms.

The committee was unanimous in recommending enactment of this legislation. It is our feeling that this 5-year program would be of great benefit in restoring our commercial fishing fleet, while at the same time providing needed financial assistance to our commercial fishermen.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Iowa.

Mr. GROSS. Will this bill make available an additional $20 million?

Mr. DINGELL. It would afford a total capital of $20 million.

Mr. GROSS. How much is in the loan fund now?

Mr. DINGELL. There would be a carryover of approximately $13 million, as I understand it, $5 million of which is unobligated and approximately $8 million is now obligated and would be returned to the fund for reappropriation.

Mr. GROSS. What progress has been made in rebuilding the fishing fleet through this process?

Mr. DINGELL. I would refer my good friend and colleague to the committee report which discusses this item at considerable length. I would point out that there has been a substantial number of loans made. On March 31, 1965, there were 1,600 applications for a total of $42 million. A total of 849 applications for approximately $19 million were approved and 411 for about $9.6 million have been rejected.

Mr. GROSS. Are we actually getting fishing trawlers on the high seas through this loan procedure?

Mr. DINGELL. I would say to my good friend that this program has been found by the Department of the Interior and the Federal agencies which have requested its enactment to have a highly desirable effect on our commercial fisheries. It has had the effect not only of upgrading the equipment of many of our commercial fishing vessels but also provided a significant amount of new construction.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, is this country going to get large fishing trawlers such as the Russians have, with processing and refrigeration plants aboard?

Mr. DINGELL. I would have to say to the gentleman that I do not believe we have gotten the kind of large vessels that the Russians have; we have not gotten them through this program. Nor have we gotten the mother ships, to which I think the gentleman has reference, which serve as tenders for large fleets of smaller catching vessels. I would have to admit to the gentleman that this legislation has not accomplished that end.

Mr. GROSS. I thank the gentleman.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Washington.

Mr. PELLY. I think the Members should recognize that these loans are only available where fishing vessel owners have been unable to obtain such loans from private sources, so that it is not a case of competing with private industry.

Mr. MAILLIARD. Mr. Speaker, I rise to support this legislation. I think in candor we would have to admit that while this has not proven to be the vehicle by which we might fully restore the position of the United States in fishing on the high seas, at least it has kept us from going into a period of further decline.

One of my colleagues commented to me that one of the objections to this program was on the ground that it contained a subsidization of interest rates. I would like to point out that while the legislation has permitted an interest rate as low as 3 percent, in fact the policy has been to charge 5 percent.

Therefore, the money that the Government is putting in is being put out at a higher rate of interest than that at which the Government is required to borrow. The only exception to that was after the disaster in Alaska, when 3-percent loans were made there as part of the Government's overall program to try to assist a stricken area.

Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Speaker, I ask unanimous consent to speak out of order.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUDEBUSH. Mr. Speaker, I wish to report to the Members of Congress an incredible situation existing today regarding our Veterans' Administration hospitals.

Information which I have obtained indicates that members of the Job Corps, a segment of the so-called poverty program instigated by this administration, are receiving preference at Veterans' Administration hospitals over our veterans of World Wars I and II, and the Vietnam and Korean conflicts.

This is an intolerable situation, a direct insult to the men and women who have served their country in war and peace and merits an immediate investigation by the House Armed Services and Veterans' Affairs Committees and other appropriate bodies of the Congress.

The latest figures made available to me indicate there are nearly 15,000 veterans on the waiting list to be admitted to VA hospitals.

And, while these 15,000 veterans wait for much needed and deserved hospitalization, Job Corps men are obtaining hospitalization at VA hospitals.

It is remarkable to note that our men fighting in Vietnam are not even eligible under existing law to receive VA hospitalization except for disabilities incurred in service.

Compounding this discrimination against the veterans of this Nation is the fact that the administration this year attempted to shut down 11 VA hospitals and 4 domiciliaries despite the long waiting list of eligible veterans, and only recently partially rescinded this order due to the great outcry from Congress and the general public.

On January 18, 1965, only 5 days after the administration announced its cutback of VA hospital and domiciliary service by closing of the 15 installations, an order went out to VA hospital directors, medical directors, domiciliaries, and VA outpatient clinics, and managers of regional offices with outpatient clinics.

This order instructed these VA officials to provide short-term hospitalization for enrolled Job Corps members.

I have obtained a copy of this circular which sets up a program of hospitalization for these Job Corps members. It has not been publicized and apparently has not been given widespread attention since its issuance 6 months ago.

As a Member of Congress from Indiana I am aware of the Job Corps program which has already caused great controversy in our State.

Justice Department and FBI officials were called in to investigate a scandal at a Job Corps Center at Camp Atterbury, Ind., and the allegations made in that case are of the most serious nature and revolting to decent citizens.

Reports of these young Job Corps men causing disturbances in nearby cities and towns are widespread, and the program is being watched with great apprehension by the people of Indiana.

I would also draw your attention to the fact that some of these Job Corps men are drawing more money for their training than are some members of the armed services now fighting for their country in the jungles of Vietnam.

My investigation of this situation indicates that the VA is taking care of Job Corps trainees and is in the process of compiling statistics on these cases. As soon as these figures are available I will make them public by reporting them to the Members of Congress.

It is also important to note that it is now illegal to take care of merchant seamen in VA hospitals ahead of veterans, and to give Job Corps men this preference over veterans is repugnant to the very principles this Nation stands for.

Heretofore the VA on occasion has admitted employees or persons at the request of other agencies of Government. But in such cases, the Government has had bona fide responsibility for such medical service.

Never before, to my best judgment and knowledge, has a group been hospitalized categorically, without regard as to the origin of their disabilities or the responsibility for treatment of such condition.

In conclusion, Mr. Speaker, I believe Congress should protest most vehemently the admission of Job Corps men to VA hospitals ahead of the 15,000 veterans on the waiting list.

This is an urgent matter and should be investigated and rectified with all possible haste.

Despite the wording of the Job Corps hospital admission circular, which provides that admission of Job Corps men shall not interfere with the care and treatment of veterans, the record shows there are 15,000 veterans on the waiting list for these hospitals. Every admission of a Job Corps man takes a bed away from a veteran.

Mr. MAILLIARD. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Speaker, I rise in support of this legislation.

As a cosponsor of the House version of one of the bills before the House today, S. 998, I would like to note for the record how successful this program has been and what a help to the fishing industry, particularly to the port of New Bedford. In its revised form it will be of even more assistance than in years past.

The fisheries loan program has the purpose of upgrading and modernizing the commercial fishing fleet of the United States and to contribute, therefore, to more efficient and profitable fishing operations in this country. These are objectives not only in the interest of the domestic fishing industry, but in the overall national interest as well. This 8-year-old program expired June 30. The bill before the House would extend the program until 1970 and would authorize to be appropriated $20 million for a renewed and expanded loan program.

For an industry caught between an unchecked flood of imports and rising costs and burdensome restrictions, this program has filled the "credit gap." It has been of immeasurable value to the industry and has been, with little doubt, the principal factor in the preservation of more than 1,000 fishing vessels that would otherwise have been lost to our diminishing fishing fleet.

The effectiveness of the program is attested to, I believe, and its value proven by statistics compiled by the Bureau of Commercial Fisheries, which administers the act. As of July 31, 1964, the Bureau reports, a total of 142 fishing vessels had been replaced and 588 others had been converted, rebuilt, repaired, or reequipped with new gear or engines under the loan program. In addition, 280 vessel mortgages and lienable debts of another 255 vessels were refinanced. Many of these were multipurpose loans.

A new provision in the act, incorporated in S. 998, could be most important to the fishing industry. It would permit loans for vessels other than for those replacing an existing vessel or one lost to the fleet. In other words, the owner who wished to build a new, larger and more modern vessel could find a buyer for his old vessel, and that vessel could be financed under the loan program. This would permit younger men to enter the industry as boatowners, and young owners to trade up for a better, more efficient vessel.

This aspect of the bill is very important, for one of the major problems of the New England fishing industry, for example, has been the lack of young blood because of the difficulties of vessel financing.

Mr. Speaker, this program is a valuable one and one that has a record of proven effectiveness. In many cases it has meant the difference between continued operation for a boatowner or the loss of a vessel to the fleet, the loss of jobs, and the further decline of the American fishing industry.

The impact of foreign competition has increased the need for reasonable long-term financing for fishing vessels and gear.

I urge my colleagues in the House to give this program their enthusiastic support.

Mr. DINGELL. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Alaska [Mr. RIVERS].

Mr. RIVERS of Alaska. Mr. Speaker, I rise in support of S. 998, a bill to extend for an additional 5 years the fishery loan program administered by the Bureau of Commercial Fisheries of the Department of Interior.

This legislation is aimed at assuring loans for the continued upgrading and modernization of the commercial fishing fleet of the United States. If enacted, it would continue to limit loans from an existing revolving fund to applicants unable to secure financial assistance from other sources at reasonable rates. This program has filled the credit gap and has been of immeasurable value to the fishing industry. Indeed it is no exaggeration to say that in many cases it has meant the difference between continued operation for a boatowner or the loss of a vessel to the fleet and the loss of the jobs of many Americans.

The effectiveness of this program and its contribution to the economic welfare to my State of Alaska is indicated by statistics from the Bureau of Commercial Fisheries. Since the program was started, and as of April 30, 1965, the Bureau reports that 189 loans had been made to Alaskans through its Alaska office, totaling $1,824,000. Additionally, it is estimated that between 40 and 50 loans have been made to Alaskans through the Seattle office of the Bureau of Commercial Fisheries.

The fishing vessel loan program is a valuable one, and almost self-sustaining, the percentage of bad debts being less than 1 percent of the average annual outstanding balance of loans. It is essential that the program be renewed and I urge, therefore, that S. 998 be approved.

Mr. DINGELL. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Speaker, I rise in wholehearted support of this bill. However, I would like to read a statement which appeared in the Baltimore papers as of yesterday. I believe it will be of some benefit to the gentleman from Iowa [Mr. GROSS]. It reads in part as follows:

> The Bureau of Commercial Fisheries has made a quiet proposal to build two ultramodern stern trawlers with counterpart funds in Poland, the Seattle Times reported today.
>
> A dispatch from the Times Washington correspondent said the unpublicized proposal is reported to have been indorsed by the State and Commerce Departments and will be submitted to the Budget Bureau for further action.
>
> The story said the proposal stems from official concern over two problems: the supply of American-owned foreign currency—so-called counterpart funds—is growing faster than the Government can spend it. And the Government feels use of outmoded equipment by American fishermen is contributing to the decline of the American fishing industry.
>
> "The Polish fishing vessel construction industry is one of the most advanced in the world," said the Times story. "But the proposal to build the ships outside the United States—especially in a Communist country—seems certain to cause an explosive reaction among hard-pressed domestic shipbuilders."

Mr. Speaker, I have written today to the Bureau of Fisheries and also to the Bureau of the Budget and have asked for an explanation of this particular article.

Mr. DINGELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Speaker, I rise in support of this legislation. I rise to urge enactment of S. 998.

When bipartisan support wrote into law the Fish and Wildlife Act of 1956, no one could imagine the fantastic success shown by the bill's fourth section. This provision has enabled the Secretary of the Interior to assist repair and replacement of fishing vessels and their gear. But this program expired on June 30, 1965. Now we must amend and expand this legislation.

Operating a fishing vessel is a little less than romantic and a little more than dangerous. Because of the extremely hazardous nature of the business, commercial lending institutions are often unwilling or unable to provide fishermen with low-interest, long-range loans. In 1956 the Government of the United States recognized this hardship by allocating $10 million to assist needy fishermen. In 1958 the fund was increased to $20 million. Today we ask only a continuation of our 1958 appropriation.

Bipartisan agreement recognizes that loans to fisheries constitute one of the great modern successes of our democracy. Through July of 1964 Government financing had helped replace 142 fishing vessels, had enabled 25 craft to convert to purse seiners, and most significantly, had helped repair and refurnish 663 vessels. Moreover, 280 vessel mortgages and 255 lienable debts were refinanced.

Mr. Speaker, the fisheries loan program is economically sound. Of the approximately $16 million borrowed since 1956, nearly 70 percent has been repaid. By their contributions to the economy of the United States, the 850 borrowers have more than lived up to the confidence shown by Congress.

Why, then, does the fishing industry today desperately need financial assistance? Mr. Speaker, in recent years the American share of the world seafood production has slipped from second place to fifth place. Rather, I should say that our portion has been shoved aside, thrust downward. Russian and Japanese fleets each year are surpassing us in modernizing their craft. Strenuous efforts we have undertaken to conserve and to replenish our fish stocks will be wasted if we do not have adequate harvesting facilities.

We simply cannot afford to abandon a basic staple of our diet. We cannot burden the consumer with higher prices as a result of our neglect to assure efficient harvesting. We must enable the American fishing industry to regain its rightful share of the world market.

One feature of S. 998 allows the Secretary of the Interior to assist needy fishermen. Now in the 1956 act, loans were granted only to those operators seeking to rehabilitate or replace existing vessels or those lost in disasters. The new legislation removes the "existing vessel" requirement. From the testimony of fishermen, and from the response of the Interior Department, there is little fear that this new bill would economically damage existing operators. The new measure specifically prohibits loans where ruinous competition could injure established operators. We seek only greater fisheries production through proper loan investment.

As for the interest rates on loans, the new bills contemplate a formula to replace the existing flat minimum charge of 3 percent. The Secretary of the Interior has informed us that 5 percent is the fee normally required, and he has said that this interest charge will probably remain. But the new provision will enable the Secretary to adjust interest rates so that they are relevant to the economic situation surrounding the borrower.

As well as continuing authorization for loans through 1970, the new bill amends the 1956 act in that a permanent fund is created. Such a revolving fund where one loan repaid finances another loan is essential to promote the national interest and to rescue a vital but fragile element of our economy.

Mr. Speaker, S. 998 will enable us to encourage individual initiative. Like many programs enacted by Congress, fishing vessel loans bolster the free enterprise system by providing assistance needed to meet world competition. These men risk their lives and their livelihood to fish the seas. This bill will not eliminate the risk but will help fishermen to better meet the challenges they face.

Mrs. HANSEN of Washington. Mr. Speaker, I would like to commend the gentleman from Michigan on his presentation of the problems which brought about this legislation and it gives me a great deal of pleasure to support Senate bill 998, providing authority for loans, for financing and refinancing of operation, maintenance, replacement, repair, and equipment of fishing gear and vessels; also, providing for research into the basic problems of our Nation's fisheries.

Since I represent a district where fishing is a major industry and its related employment is of tremendous interest, I am deeply interested in all programs which affect competitive position of our fishing industry. As a member of the Subcommittee on Interior of Appropriations we are constantly aware of the need for conservation of this resource and for upgrading the American equipment.

Our U.S. fishing fleet is composed largely of old and obsolete vessels. High costs associated with operation of vessels of this type contribute to the difficulties our fishermen have in competing with imported fish products. Nevertheless, present vessels must be kept in operation until new, modern replacements can be obtained. To do otherwise would cause a general loss of traditional markets to imported products and cause unemployment among not only vessel crews, but also suppliers and those engaged in processing the catch. Over 800 vessel operators have received financial assistance from this program during the last 8½ years. As these vessel owners were unable to obtain financial assistance from any other source, it is reasonable to conclude that many of them would now be out of business if the loan fund had not been available.

Under provisions of the bill loans, interest rates of 3 percent are required, and loans mature in less than 10 years. In addition, no loan may be made unless the applicant has applied for reasonable financial assistance and has been advised that assistance is not available on reasonable terms.

We are sometimes asked to explain why a fund of this type is required when we have two other financial assistance programs. These are the fishing vessel construction subsidy program, which was recently expanded and extended to 1969, and the mortgage insurance program. The construction subsidy program provides for payment of construction differential subsidies on the construction of new vessels which meet very rigid requirements. The mortgage insurance program also provides primarily for the construction of new vessels, although reconstruction and reconditioning of other vessels may sometimes be included. These two programs do assist greatly in promoting and upgrading our fleet and enabling it to meet foreign competition. However, the problem of financing or refinancing maintenance and repairs to older vessels still remains, as the vast majority of banks and other commercial lenders are unwilling or unable to make long-term loans on fishing vessels. In most cases banks restrict their loans on collateral other than real estate or insured mortgages to about 3 years. Consequently, it is impossible for them to assist vessels requiring major repairs or refinancing because vessel owners cannot repay the loans within such a limited period. As a result, the average lending institutions, which in many cases are not familiar with problems of the industry, are either unwilling or unable to take risks involved in long-term financing for fishing vessels and their equipment.

Mr. ADAMS. Mr. Speaker, I rise in support of S. 998 to amend section 4 of the Fish and Wildlife Act of 1956. In our area of the United States, our commercial fishermen have faced an increasingly difficult struggle in their attempt to continue fishing in the North Pacific.

The once plentiful salmon runs have been greatly reduced, and the once seemingly inexhaustible supplies of halibut are rapidly disappearing.

It is absolutely necessary that the American fisherman be in a position to modernize his equipment in order to fish on a year-round basis and to fish successfully on the high seas. In the past many Government regulations, including the 40-foot limitation, have created a situation wherein the American commercial fishermen's equipment has been inferior to that of the Japanese and Russians. The commercial fishermen of the Pacific Northwest must modernize if they are to exist, and in order to do this they must have loan funds available.

I am hopeful that the next 5 or 10 years will see the building of all-weather fishing boats capable of withstanding the winter weather of the Gulf of Alaska so they can fish the winter crab season as well as the summer fish season. In this way, we can perhaps save our vanishing fishing industry.

I commend the committee for having presented this bill, and I hope that my colleagues will vote in support of it.

Mr. BATES. Mr. Speaker, as the Representative in Congress of the historic North Shore of Massachusetts, and especially the world-famous fishing center of Gloucester, I believe I have a keen appreciation of the importance of the fisheries loan program which S. 998 continues.

In order to extend the life of this program, I introduced a bill and supported it before the Committee on Merchant Marine and Fisheries earlier this year. The Senate, however, passed S. 998 before that committee had reported House-initiated legislation. After studying the Senate version and observing that it contained desirable provisions beyond those in the various House bills, I advised the chairman of the Merchant Marine and Fisheries Committee that I would support S. 998 if reported to the House.

It is for this purpose, therefore, that I rise—to express the hope that the Members of this House will approve S. 998 and thereby authorize the Secretary of the Interior to make further loans for the financing and refinancing of both new and older types of fishing vessels. This expanded program offers great hope for much-needed further modernization of our commercial fishing fleet. At the same time, the bill before us requires no additional appropriation now because of the success of the revolving fund program over the past 8 years.

Although section 4(c) of the Fish and Wildlife Act of 1956, as amended, and which S. 998 further amends, authorizes $20 million to be appropriated to provide capital for the fisheries loan fund, a total of less than $14 million has thus far actually been put into the fund. Illustrating how well the revolving fund works, I call your attention to the fact that during the 8 years it has been in existence, 850 applications have been approved for loans totaling $19 million, while thus far $9 million of principal has been repaid along with nearly $2 million in interest. Losses have been gratifyingly low, $320,000 in the same 8-year period.

While this program has been of little or no expense to the Government, it has encouraged American fishermen to stay in business. It permits the Secretary of the Interior to make loans for the financing and refinancing of the operation, maintenance, replacement, and repair of fishing vessels and gear and for research into basic problems of the fisheries. In addition to extending this basic program for an additional 5 years, S. 998 expands the scope to allow loans to be made whether or not the vessels to be acquired by the applicants will replace existing vessels.

In regard to this new phase of the fisheries loan program, Director Donald L. McKernan of the Bureau of Commercial Fisheries sees it as a means of attracting younger men to the fishing industry while further modernizing the fishing fleet. Previously, younger fishermen have found that they were ineligible for loans because they had no vessel of their own to replace. Similarly, a vessel owner may have been unable to obtain a loan to replace an old vessel because of his inability to locate a purchaser who has the means of financing the old vessel. Also, the vessel owner was ineligible for a new loan if he sold his old vessel for continued use as a commercial fishing vessel because he was not actually replacing a vessel that had left the fleet. S. 998 seeks to resolve these problems and thereby assure more vessels in the fishing fleet.

Because of the obvious risks involved, private financing on reasonable terms still is not available to most small fishing boat operators. Therefore, the fisheries loan program has been broadly recognized as filling a very real need. I hope that this House will vote for its continuance by approving S. 998.

Mr. KEITH. Mr. Speaker, as an indication of the type of competition our fishermen must meet on the fishing banks, I include at this point in the RECORD an article from today's National Observer, which is a very good account of the Soviet operations off the New England coast.

This report, by Mason Philip Smith, contrasts the massive state-owned Soviet fleet with the individually owned and often obsolete vessels employed by our own fishermen. For example, the Russians are currently operating a fleet that includes 43 stern trawlers nearly 300 feet in length. The United States cannot claim one single vessel of comparable size or design.

The article follows:

WHY U.S. FISHERMEN WORRY ABOUT RED HERRING—JUST 95 MILES AWAY, RUSSIA'S FLOATING CITY

(By Mason Philip Smith)

CAPE COD, MASS.—Not everyone hurrying to Newport, R.I., over the Fourth of July weekend was rushing to the annual Newport Jazz Festival. While the roads around Newport were clogged with festival-goers, a 209-foot-long Russian water and fuel tanker, the *Kartaly*, glided into the harbor.

As interested as they might have been in listening to American jazz, the Russians had 250,000 gallons of water on their minds. The *Kartaly* is one of several fuel and water tankers supplying the huge Soviet fishing fleet operating near Georges Bank off the tip of Cape Cod.

The usual Soviet practice is to supply their ships with water from Halifax, Nova Scotia. However, the *Kartaly's* captain decided to try to obtain water in Newport, rather than make the haul to Halifax.

PROBLEM WITH DOCKING

Twenty-four hours after she glided into the jazz city, the *Kartaly* sailed out, without the 250,000 gallons of water. Newport officials, citing the current New England drought, said they had not given the Russian captain any water because he did not need it for his crew, but intended to transfer it to the fleet at sea. Even if there had been water to spare, there would have been trouble getting it aboard the *Kartaly*, which draws 17 feet of water. The only dock available at Newport for a vessel of the *Kartaly's* size has only 18 feet of water at dockside, too small a margin to maneuver the Soviet tanker in safety.

The *Kartaly's* appearance in Newport merely dramatized the presence of a Russian fleet of 148 trawlers that is cruising the traditional American fishing grounds 95 miles off Cape Cod. There is no mistaking them, not with the hammer and sickle boldly affixed to their smokestacks. From the air at night, the Soviet fleet looks like a floating city; by day it resembles an invasion force preparing to land troops.

In fact, New England fishermen consider the Russian trawlers just that—an invasion force that threatens the Nation's fish supply. Yet there is nothing they can do, for Georges Bank and the famous Grand Banks off Newfoundland, where the Russians have a similar fleet, are in international waters, and thus open fishing for all comers.

WHY RED CATCHES COULD HURT

Actually, the American fishermen are not competing directly with the Russians. The Soviet fishermen want herring, and red and silver hake; the Americans generally fish for haddock, cod, pollack, wolf fish, black-backed flounder, sole, and yellowtail. But the Americans say that the extensive Russian herring fishing will damage their catches, because the haddock, cod, and the other fish of Georges Bank feed on herring.

Russia's move into the North Atlantic fishing banks came only a few years ago, and stemmed largely from the fact that the traditional Soviet fishing grounds in the Baltic, Caspian, and Black Seas have been overexploited. But the move has been extensive and efficient. In 1963, the last year for which full figures are available, the Soviets took 1,679,093 metric tons of fish from the North Atlantic, nearly four times the amount caught by American fishermen. Moreover, the Soviet Union is spending $320 million a year on its ocean-going fishing fleet, and today is the fourth-ranking fishing nation, topped only by Japan, Peru, and Communist China. The United States ranks fifth.

The Russian fishing fleet here is kept under surveillance by the Navy and the U.S. Bureau of Commercial Fisheries, which keeps track of the Russian catch and notifies U.S. fishermen where the Soviets are fishing. The Russian fleet currently consists of 43 stern trawlers 278 feet long, 94 smaller side trawlers, a fuel and water tanker, and 10 base ships, which include refrigerated vessels and cargo and transport ships. Both men and women serve in the crews, with the women acting as cooks and stewardesses, and working in the fish-processing operations aboard the larger ships.

NOTHING FOR THE SEA GULLS

Typical of the larger Soviet fishing boats are the *Pushkin*-class trawlers operating at Georges Bank. These fish factories, carrying a crew of 100, can freeze 50 tons of fish in 24 hours. They are also equipped to can and render fish, and to turn the heads, frames, and tails into fish meal for use as an animal-feed supplement. So efficient are these operations that the remains thrown overboard are not enough to attract a following of sea gulls, as American fishing vessels do.

The Russians are also operating trawlers out of Cuba, under a treaty signed 3 years ago. These Havana-based ships, each of which carries 8 to 10 Cuban trainees, have been observed fishing in the Gulf of Mexico, and at Georges Bank and the Grand Banks. U.S. officials say they expect to see Cuban trawlers soon in areas where they have never fished before, as a result of the Russian training program.

The Soviet fishing fleet is modern. Though occasionally an older ship will be seen, most of the trawlers are only 5 to 10 years old. But while the Russians are using bulldozer methods to harvest the sea, American fishermen might be said to be doing their job with a rusty plow. The average age of New England fishermen is about 60, and the average fishing boat is 40 to 50 years old. Moreover, most American fishing boats are wooden, while the Russians are of steel. Few American ships are equipped to freeze fish.

CONGRESS TO THE RESCUE

One reason for this difference is that the Russian fleet is government operated; the American fishing industry has traditionally been a small business, often a family operation. But another reason is an ancient law forbidding American fishermen to replace their boats with vessels constructed in foreign shipyards, where vessels often can be built for half the cost. The last session of Congress, however, realizing the crippling effect of this law, authorized the Secretary of the Interior to pay up to 50 percent of the cost of constructing new fishing vessels, under certain provisions.

In an attempt to protect their fishing industries, both the United States and Canada have made it illegal for foreign nations to land fish at their ports in the same vessels that caught the fish. This means European fishermen have had to take their catches back to Europe, then ship them to the two North American nations.

Now the French have devised a plan for avoiding the transatlantic shipments. France plans to build a $3 million fishing port on the tiny French-owned island of St. Pierre at the mouth of the St. Lawrence River. The port will be open to use by other countries, thus saving the expense of shipping catches home for export to the United States and Canada. Japan has already signed a contract to use the French facility. The American fishing industry, it seems, will soon have more than the Russians to worry about.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I rise in support of S. 998, a bill to amend section 4 of the Fish and Wildlife Act of 1956, as amended. Presently, section 4 of the Fish and Wildlife Act of 1956, as amended, authorizes the Secretary of the Interior to make loans for the purposes of financing and refinancing the replacement, repairs, and maintenance of commercial fishing vessels. It also authorizes the making of loans for research into the basic problems of the fisheries.

Under the present authority of section 4 of the act, a loan can be made for a new or used commercial fishing vessel only when it is used as a replacement for a fishing vessel that is then operating in the fleet or is lost. S. 998 authorizes the Secretary of the Interior to make loans for, among other things, the purchase or construction of a commercial fishing vessel without regard to whether the vessel will replace an existing vessel.

Experience in administering this program during the past 8 years has shown that there is a definite need to broaden the scope of the fisheries loan program. In addition to the need to upgrade and modernize the commercial fishing vessel fleet, which is the principal objective of this program, there is also a need to attract younger men to the fishing industry. S. 998 would help in making this possible.

Under this bill we could provide assistance in financing the purchase of a used vessel when the seller was interested in obtaining a larger, more modern vessel and could use the funds for a downpayment on the new vessel. It would enable a younger fisherman to come into the fishery. It would also assist the young fisherman who has a very poor or obsolete vessel to obtain one that might be considerably better when he cannot afford to buy a new vessel.

At the present time the fisherman with the older vessel cannot obtain a loan for replacement with a larger, more modern vessel because he is unable to find a purchaser who has a means of financing the purchase of the older vessel. If he sells it as a commercial fishing vessel, he will be ineligible for a loan under the fisheries loan fund program because he is not replacing a vessel that has actually left the fleet or is lost. Most such vessels are not easily adaptable to other uses.

I believe that this proposed legislation will result in a further modernization of the commercial fishing vessel fleet, while at the same time present an opportunity to attract younger people into the industry. As in the present case, the authority to make these loans would be limited by section 4 of the act to situations where there is evidence that the applicant was otherwise unable to obtain financial assistance on reasonable terms. In addition, we would require that the loan applicant demonstrate experience and ability in the operation of fishing vessels. This would provide assurance against persons with no experience or only marginal experience in the fisheries from using the loan program to enter the fishery.

I believe that this proposal will fill a gap in our present credit system and remove a major impediment to our efforts to modernize the commercial fishing vessel fleet.

It is anticipated that the additional loan applications which would be received under this proposal can be handled by the present staff and without an increase in the administrative expense limitation.

Thus, Mr. Speaker, as one who is from Boston and has some familiarity with the problems of our hard-pressed fishing industry, I am most happy to support S. 998 which will provide a much-needed boost to a declining but vital industry.

GENERAL LEAVE TO EXTEND

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill S. 998.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Michigan that the House suspend the rules and pass the bill S. 998.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

U.S. CONTRIBUTION TO THE SOUTH PACIFIC COMMISSION

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 71) to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(a) of the joint resolution entitled "Joint resolution providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor", as amended (22 U.S.C. 280b) is hereby amended to read as follows:

"(a) such sums as may be required annually, not to exceed $200,000 per fiscal year, for the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, as set forth in article XIV of the agreement establishing the South Pacific Commission."

The SPEAKER. Is a second demanded?

Mr. FRELINGHUYSEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. FASCELL. Mr. Speaker, Senate Joint Resolution 71 is similar to a resolution reported by the Committee on Foreign Affairs dealing with the same subject matter.

The resolution deals with the South Pacific Commission, of which the United States has been a member for some time pursuant to public law. The resolution is the authorization providing for the contribution of the United States to that organization.

The South Pacific Commission is an international organization established in 1947. The membership of the Commission includes Australia, France, New Zealand, the United Kingdom, the United States, and Western Samoa. The Commission was created to facilitate cooperation between the governments which administer non-self-governing territories in the South Pacific in promoting economic and social development of the peoples of such territories. The principal functions of the Commission were outlined in the agreement establishing the Commission, as follows:

First. To study, formulate, and recommend measures for the development of, and where necessary the coordination of services affecting, the economic and social rights and welfare of the inhabitants of the territories within the scope of the Commission, particularly in respect of agriculture—including animal husbandry—communications, transport, fisheries, forestry, industry, labor, marketing, production, trade and finance, public works, education, health, housing, and social welfare;

Second. To provide for and facilitate research in technical, scientific, economic, and social fields in the territories within the scope of the Commission, and to insure the maximum cooperation and coordination of the activities of research bodies;

Third. To make recommendations for the coordination of local projects in any of the fields mentioned in the previous subparagraphs which have regional significance and for the provisions of technological assistance from a wider field not otherwise available to a territorial administration;

Fourth. To provide technical assistance, advice, and information—including statistical and other materials—for the participating governments; and

Fifth. To promote cooperation with nonparticipating governments and with nongovernmental organizations of a public or quasi-public character having common interests in the area, in matters within the competence of the Commission.

In carrying out its duties, the Commission is assisted by three principal auxiliary bodies: The Research Council, which makes recommendations to the Commission on research needs of the territories concerned, arranges for the carrying out of research projects approved by the Commission and coordinates research activities of other bodies working within the field of the Commission's activities; the Conference, composed of local delegates from each of the territories, which meets periodically to discuss matters of common interest and to make recommendations to the Commission on matters within its competence; and the Secretariat, which is located at Noumea, New Caledonia, and currently numbers 61 technical, administrative, and clerical personnel.

The member governments pay the salaries, allowances, and expenses of the Commission and their staffs and of delegates and advisers to the Conferences. Each member government also contributes to a joint fund established for the use of the Commission in carrying out its work.

U.S. participation in the South Pacific Commission was authorized by the Congress in Public Law 403, 80th Congress (62 Stat. 15). At the time of the enactment of that legislation, the Commission's activities were confined to areas south of the Equator. On the U.S. side, therefore, only American Samoa, with a population of approximately 20,000, was covered. At that time, the United States agreed to make an annual contribution to the Commission in an amount sufficient to cover 12.5 percent of the Commission's budget.

Subsequently, the territorial scope of the Commission was extended to include Guam, with a population of 70,000, and the Trust Territory of the Pacific Islands, with a population of 81,000, both located north of the Equator. Also, on December 31, 1962, having ceased to administer Netherlands New Guinea—now West Irian—the Netherlands withdrew from the Commission. The Netherlands share of the Commission's budget was divided and added to the assessments for calendar year 1963 of the remaining member governments. During later negotiations, it was agreed that the U.S. share of the Commission's future budgets should be raised to 20 percent, subject to congressional authorization and appropriation of the necessary funds.

In 1964, upon the attainment of its independence, Western Samoa was invited by the participating governments to become a fully participating government in the Commission, and as such, its representatives attended the annual conference held in October 1964. The shares of the participating governments currently are as follows:

	Percent
Australia	32
United States	20
United Kingdom	17
New Zealand	16
France	14
Western Samoa	1

THE WORK PROGRAM OF THE SOUTH PACIFIC COMMISSION

The work program of the Commission supplements and complements the individual efforts of the participating governments in promoting economic and social development of the South Pacific peoples. The Commission helps to coordinate those efforts, serves as a clearinghouse for ideas and information relating to the economic and social problems of the peoples of the affected territories, and endeavors to promote effective cooperation with specialized agencies of the United Nations and with nongovernmental organizations in solving those problems which fall within its frame of reference. In addition, the Commission provides a forum for native peoples to have a voice in the development of the region.

The activities of the Commission are concentrated in three major fields. In the field of health, the Commission organizes research into unsolved health problems, assists in the training of health workers, and in health education of the people themselves, and supplies advice and assistance to the territorial health departments which have the primary responsibility for the health of the indigenous populations. In the field of economic development, the Commission sponsors regional, technical, and consultative meetings, provides pilot courses of instruction in such skills as boatbuilding, and conducts a number of activities in plant and animal production improvement, plant and animal protection, and economic affairs. And in the field of social development, the Commission serves as a clearinghouse for information and technical assistance in language teaching, education, promotion of cooperatives, applied research, and related activities.

NEED FOR INCREASED AUTHORIZATION

The work program and the budgets of the South Pacific Commission have increased steadily over the years. The Commission's budgets for calendar years 1964 and 1965, and the proposed budget for the calendar year 1966, appear below:

Budgets for calendar years 1964–66

	Actual, 1964	Actual, 1965	Estimate, 1966
I. Administration:			
Personnel salaries and allowances	$138,320	$159,289	$171,500
Travel	11,200	12,765	14,000
Equipment, supplies, and services	79,934	81,623	68,460
Total	229,454	253,677	253,960
II. Work programs:			
Health	127,400	136,114	152,600
Economic development	207,287	193,080	203,000
Social development	153,437	145,585	159,600
Publication bureau and library	67,530	71,377	74,200
Research Council			
Total	555,744	546,156	589,400
III. South Pacific Conference	25,200	56,000	21,000
IV. Reserve working fund: Rhinoceros beetle project		36,198	
Gross budget	810,398	892,031	864,360
Less:			
Carryover	−47,944	−95,386	
Miscellaneous income	−62,454	−48,846	−42,000
Assessment budget	700,000	747,799	822,360
U.S. percentage	20	20	20
U.S. share	$140,000	$149,560	$164,472

The South Pacific Commission is attempting to respond more effectively to the pressing regional needs of the area in which it operates. In this respect, the Commission is currently according high priority to projects such as—

First. Training center in techniques of processing of coconut products and byproducts.

Second. Center for research, demonstration, and training in reef and lagoon fishing.

Third. Regional plant and animal quarantine advisory service to include a regional biological control unit for crop pests.

Fourth. Maternal and child health program; courses for midwives, medical practitioners, and public health nurses, as well as seminars on village hygiene and school health.

Fifth. Regional and language teaching institute and educational research and demonstration center.

Sixth. Library development: Training of librarians and of teachers in preparation of audiovisual teaching materials.

Seventh. Training courses for quarantine officers—plant and animal.

Eighth. Boatbuilding and diesel mechanics basic training courses—each 2 years in duration.

The U.S. contribution to the Commission's budget for the current calendar year amounts to $149,559 and is just under the statutory limitation of $150,000. For calendar year 1966, the Commission has a tentative budget which will entail an assessed U.S. contribution in the order of $165,000. On the basis of the projections prepared by the Secretary General of the Commission, the 1967 budget is expected to entail a U.S. contribution of $180,000. While all of the programs mentioned above have not been precisely costed, it is estimated that the implementation of projects which are now in a formative stage could add an additional $15,000 to $20,000 requirement on the United States.

COMMITTEE ACTION

The administration requested an authorization without limitation. When its request was considered by the House Foreign Affairs Committee, the committee decided we would raise the present annual authorization of $150,000 in view of the future budget requirement to which the United States is a contributor.

Looking forward to the next 2 fiscal years, we agreed that a $200,000 annual limitation would be appropriate.

The other body, in considering this matter, likewise did not go along with the open-end authorization. They placed their limitation upon a monetary amount, whereas in the House committee we placed it on a monetary amount of $200,000 plus a limitation for 2 years.

In the consideration of the matter, and because the testimony makes it clear that the $200,000 from the standpoint of the U.S. contribution will probably be reached in the near future anyway, it was decided after consultation with the minority leadership on the committee that we would support the monetary limitation and the elimination of the 2-year limitation both as proposed and passed by the other body. With such a monetary limitation, we are of the opinion on the House side that we will have ample opportunity to again review the operation of this Commission in 2 or 3 years, even without the 2-year limitation proposed in the House resolution. Accordingly, I urge that Senate Joint Resolution No. 71 be adopted by this House.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the gentleman from Florida has indicated the general effect of this resolution. There is no basic disagreement about the advisability of granting an authorization in the amount of $200,000. As the gentleman has indicated, in the next calendar year, 1966, approximately $165,000 which would be taken from the funds appropriated under this resolution, will be needed, if the United States is going to make up its 20 percent contribution to the total budget of the Commission.

It was felt in our committee that a ceiling of $200,000 would provide some leeway should certain projects materialize quickly, in addition to financing the Commission in the next calendar year. I may say that the evidence suggests there probably will be increasing demands in subsequent years. It was felt in the Foreign Affairs Committee that a 2-year authorization would be appropriate. After that another request for additional funds and an additional authorization could be made.

However, I would not argue with the proposal that we accept the version already passed by the other body. Their version does not provide any year limitation but does provide a dollar limitation under another arrangement. If more money should be needed in 2 years' time, requests would have to be made and a change in the law would be made at that time. I would suggest this would be an adequate way of coping with the situation.

There is general agreement that the Commission does very valuable work in the very considerable geographic area within its jurisdiction. There is general agreement also that the percentage of funds which the United States supplies is not inappropriate, in comparison with the benefits derived both to the inhabitants of the area and to ourselves.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I oppose this legislation, and for the reason that as a member of the committee I could find no substantial reason why our contribution to this fund should rise from $150,000 to $200,000. We are the low country on the totem pole populationwise in that area with respect to the South Pacific Commission. Yet we are in second place—as usual we are in either first or second place in almost every fund dealing with an international commission. I see no reason why the United States having almost the least population of any country represented on the South Pacific Commission should be paying 20 percent of the costs.

We get two reasons for this. One is malaria and the other is the rhinoceros beetle. I hope I live to see the day when one of the alleged reasons, the rhinoceros beetle, is wiped out. The other excuse is malaria and the eradication of mosquitoes. These two insects have cost us millions upon millions of dollars all over the world. I am astounded that there are any mosquitoes or beetles left anywhere in the world in view of the scores of organizations we support and the millions we have spent to get rid of them. There is no good reason to spend $200,000 a year on this Commission and I oppose the bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the resolution, Senate Joint Resolution 71?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

A similar joint resolution, House Joint Resolution 503, was laid on the table.

LIMITATION OF EMERGENCY RELIEF FOR REPAIR OR CONSTRUCTION OF HIGHWAYS

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent that the bill (H.R. 6790), to increase the limitation of emergency relief for the repair of or construction of highways under section 125, title 23, United States Code, be recommitted to the Committee on Public Works.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TO MODIFY THE DEFINITION OF THE TERM "CARRIER"

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5041) to modify the definition of the term "carrier" for the purpose of any Federal law directing the Interstate Commerce Commission to formulate certain regulations, with an amendment.

The Clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the definition of "carrier" contained in section 831 of title 18 of the United States Code, as amended, is hereby amended to read as follows:
>
> "Unless otherwise indicated, 'carrier' means any person engaged in the transportation of passengers or property by land, as a common, contract, or private carrier, or freight forwarder as those terms are used in the Interstate Commerce Act, as amended, and officers, agents, and employees of such carriers."
>
> Amend the title so as to read: "A bill to provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes."

The SPEAKER. Is a second demanded?

Mr. DEVINE. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the purpose of the bill H.R. 5401 is to restore to the Interstate Commerce Commission specific statutory authority and responsibility for the safety regulation of all pipelines—other than those used for the transmission of water and gas—operating in interstate commerce.

All this legislation does is to restore to the Commission safety jurisdiction over oil pipelines which the Commission had for at least 40 years before an amendment was made in 1960 to the Transportation of Explosives Act. In 1960, for some reason, which both the Interstate Commerce Commission and the pipeline industry testified they felt simply inadvertent, the term "carrier" was defined to include common carriers "other than pipelines."

This legislation would strike the words "other than pipelines." Since by definition contained in sections 1(3)(a) and 1(1)(b) of the Interstate Commerce Act, common carrier includes a pipeline company engaged in the transportation of oil or other commodity, except water and except natural or artificial gas, the striking of these three words will restore the Commission's authority to formulate safety regulations for pipeline companies—other than water or gas—and to administer and enforce the provisions of the law relating to the transportation of combustibles and explosives as they pertain to such pipeline companies.

Following the Texas City accident, an interagency committee under the direction of the Under Secretary of Commerce for Transportation, made a study of the regulation and safety provisions applied to the various instruments of interstate commerce and in 1963 recommended that the Interstate Commerce Commission should again be given specific authority and responsibility for the safety regulation of all pipelines operating in interstate commerce—other than water and gas pipelines.

The Commission and the industry both testified that the accident experience of oil pipelines does not disclose any pressing need for safety regulation, but in view of the growing pendency since 1960 for the enactment of safety regulations by local authorities, it is desirable that safety regulation be brought together and administered by a central agency in order to maintain high standards and to avoid conflicting and multiplicity of local regulations.

The bill is for this purpose.

The committee substitute accomplishes the same purpose as that of the bill as introduced but makes the application of the bill more definite by specifying the particular definition it is proposed to amend. This substitute was suggested by the Department of Justice and endorsed by the Bureau of the Budget. The committee believes it is helpful in clarifying the intent.

Mr. DEVINE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation, so far as the minority side is concerned, is considered only corrective in nature. It was brought to the attention of the Committee on Interstate and Foreign Commerce that neither the Interstate Commerce Commission nor any other Federal agency has any authority to regulate pipelines in the field of safety. This was obviously due to inadvertence because of the amendment adopted in 1960.

I know of no opposition to this legislation.

Mr. JARMAN. Mr. Speaker, prior to 1960, the ICC had specific statutory authority and responsibility for the safety regulation of oil pipelines operating in interstate commerce.

When the Explosives and Combustibles Act was amended in 1960, this ICC jurisdiction over oil pipelines was deleted. The ICC and the pipelines have testified they know of no reason for this exclusion and believe it was inadvertent.

All this bill does is restore to the ICC the jurisdiction it had up to 1960.

The ICC and 21 other agencies of government favor this.

The pipelines favor it. ICC jurisdiction will make for uniformity of regulation for these interstate pipelines.

No one appeared in opposition to this bill.

I urge its passage.

The SPEAKER. The question is on the motion of the gentleman from Arkansas that the House suspend the rules and pass the bill H.R. 5041, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed, as amended.

The title was amended so as to read: "A bill to provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

TOCKS ISLAND NATIONAL RECREATION AREA

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 89) to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes, as amended.

The Clerk read as follows:

H.R. 89

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further the purposes of the joint resolution approved September 27, 1961 (re Delaware River Basin compact; 75 Stat. 688), and to provide, in a manner coordinated with the other purposes of the Tocks Island Reservoir project, for public outdoor recreation use and enjoyment of the proposed Tocks Island Reservoir and lands adjacent thereto by the people of the United States and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters, the Secretary of the Interior is authorized, as herein provided, to establish and administer the Delaware Valley National Recreation Area, hereinafter referred to as the "area", as part of the Tocks Island Reservoir project, hereinafter referred to as "the project".

SEC. 2. (a) The Secretary of the Army is authorized and directed to acquire, by such means as he may deem to be in the public interest, and as a part of his acquisition of properties for the project, lands and interests therein within the boundaries of the area, as generally depicted on the drawing entitled "Proposed Tocks Island National Recreation Area" dated and numbered September 1962, NRA–TI–7100, which drawing is on file in the Office of the National Park Service, Department of the Interior. In acquiring these lands, the Secretary of the Army may utilize such statutory authorities as are available to him for the acquisition of project lands: *Provided,* That the Secretary of the Army shall acquire no lands or interests in land by exchange for lands or interests in land in Federal ownership unless the latter are in the States of Pennsylvania, New Jersey, or New York. Periodically, and as soon as practicable after such lands and interests within the area are acquired, the Secretary of the Army shall transfer jurisdiction thereover to the Secretary of the Interior for the purposes of this Act.

(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary of the Interior is authorized, after consultation with appropriate public officials of the affected political subdivisions of the States of Pennsylvania or New Jersey, as the case may be, to designate not more than three hundred acres adjacent and contiguous to the Borough of Milford, Pennsylvania, and not more than one thousand acres in Sussex County, New Jersey, for omission from the Delaware Valley National Recreation Area and the lands so designated shall not be acquired for said national recreation area under authority of this Act.

(c) The Secretary of the Interior shall investigate, study, and report to the President and the Congress on the feasibility and usefulness of extending the boundaries of the Delaware Valley National Recreation Area to include, in whole or in part, that portion of Tocks Island Reservoir which lies upstream from the northern terminus of the national recreation area as shown on the map hereinbefore referred to and lands adjacent to said portion of said reservoir. No such extension of boundaries, however, shall be made until authorized by Act of Congress.

(d) The beneficial owner, not being a corporation, of a freehold interest acquired before January 1, 1965, in improved residential property within the area to be acquired by the Secretary of the Army under authority of this Act, the continued use of which property for noncommercial residential purposes for a limited time will not, in the judgment of the Secretary of the Interior, unduly interfere with the development of public-use facilities for the national recreation area and will not, in the judgment of the Secretary of the Army, unduly interfere with the operation of the Tocks Island Reservoir project, may retain a right of use and occupancy of such property for noncommercial residential purposes for, as said owner may elect, either (i) a period terminating upon his death or the death of his spouse, whichever occurs later, or (ii) a term of not more than twenty-five years: *Provided,* That in no case shall the period or term for which such right of use and occupancy is retained extend beyond the term of the freehold interest acquired by the United States. The price payable to the owner of such property shall be reduced by an amount equal to the value of the right retained. As used in this Act "improved residential property" means a single-family year-round dwelling, the construction of which was begun before January 21, 1963, which dwelling serves as the owner's permanent place of abode at the time of its acquisition by the United States, together with not more than three acres of land on which the dwelling and appurtenant buildings are located which land the Secretary of the Interior or the Secretary of the Army, as the case may be, finds is reasonably necessary for the owner's continued use and occupancy of the dwelling.

SEC. 3. (a) As soon as practicable after the date of enactment of this Act and following the transfer to the Secretary of the Interior by the Secretary of the Army of jurisdiction over those lands and interests therein within the boundary generally depicted on the drawing described in section 2 hereof which, in the opinion of the Secretary of the Interior, constitute an efficiently administrable unit, the Secretary of the Interior shall declare establishment of the area by publication of notice thereof in the Federal Register. Such notice shall contain a detailed description of the boundaries of the area which shall encompass, to the extent practicable, the lands and waters shown on said drawing. Prior to such establishment, the Secretary of the Interior shall administer such transferred lands and waters, consistent with the construction of the project, for purposes in contemplation of the establishment of the area pursuant to this Act.

(b) The Secretary of the Interior may subsequently make adjustments in the boundary of the area by publication of the amended description thereof in the Federal Register and acquire, by such means as he may deem to be in the public interest, including an exchange of excluded for included lands or interests therein with or without the payment or receipt of money to equalize values, additional lands and interests therein included in the area by reason of the boundary adjustment: *Provided,* That the area encompassed by such revised boundary shall not exceed the acreage included within the detailed boundary first described pursuant to this section.

(c) On lands acquired pursuant to this Act for recreation purposes, the Secretary of the Army, with the concurrence of the Secretary of the Interior, may permit the continuance of existing uses consistent with the purposes of this Act.

SEC. 4. In the administration of the area for the purposes of this Act, the Secretary of the Interior may utilize such statutory authorities relating to areas of the national park system and such statutory authorities otherwise available to him for the conservation, management, or disposal of vegetative, mineral, or fish or wildlife resources as he deems appropriate to carry out the purposes of this Act. To assure consistent and effective planning, development, and operation for all purposes of the project, the Secretary of the Interior and the Secretary of the Army shall coordinate the administration of their respective responsibilities in the project; and such administration shall be consistent with the joint resolution approved September 27, 1961 (re Delaware River Basin compact; 75 Stat. 688).

SEC. 5. In the administration of the area for the purposes of this Act, the Secretary of the Interior, subject to provisions of section 4 hereof, shall adopt and implement, and may from time to time revise, a land and water use management plan, which shall include specific provision for, in order of priority—

(1) public outdoor recreation benefits:

(2) preservation of scenic, scientific, and historic features contributing to public enjoyment;

(3) such utilization of natural resources as in the judgment of the Secretary of the Interior is consistent with, and does not significantly impair, public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

SEC. 6. The Secretary of the Interior shall permit hunting and fishing on lands and waters under his jurisdiction within the area in accordance with the applicable laws and regulations of the States concerned and the United States. The Secretary of the Interior may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, wildlife management, administration, or public use and enjoyment not compatible with hunting, and may, in his plan for the area, provide areas for intensive fish and wildlife management, including public hunting and fishing, and shall insure appropriate regulations after consultation with appropriate officials of the States concerned. The Secretary of the Interior shall encourage such officials to adopt uniform regulations applicable to the whole of the Delaware Valley National Recreation Area.

SEC. 7. Nothing in this Act shall be construed to deprive any State or political subdivision thereof, of its right to exercise civil and criminal jurisdiction over the lands and waters within the area or of its right to tax persons, corporations, franchises, or property on the lands and waters included in the area.

SEC. 8. There are hereby authorized to be appropriated to the Secretary of the Interior for the acquisition of lands and interests in land pursuant to the provisions of section 2 of this Act and for expenses incident thereto not more than $37,412,000 which moneys shall be transferred to the Secretary of the Army. There are also authorized to be appropriated not more than $18,200,000 for the cost of installing and constructing recreation facilities on the lands and interests in lands so acquired. The amounts herein authorized to be appropriated are supplemental to those authorized to be appropriated for the Tocks Island project and related facilities by the Flood Control Act of 1962 (76 Stat. 1182).

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are before the House today, under suspension of the rules procedure, seven bills which were considered and acted on by the Subcommittee on National Parks and Recreation and the full Committee on Interior and Insular Affairs.

In locale these bills range from New York State to California with stops in between in New Jersey and Pennsylvania, Iowa, North Dakota, Arizona, and Utah. In size they range from the 255,000 acres involved in the Whiskeytown-Shasta-Trinity National Recreation Area to the 27½ acres which we deal with in the Ellis Island proposal. In estimated capital cost, they run from the $55,600,000 for land acquisition and development which is called for by the Delaware Valley or Tocks Island National Recreation Area bill to the $600,000 which the Fort Union Trading Post will probably involve.

One of these seven bills will honor the 31st President of the United States, two will set aside for posterity the remains of formerly flourishing Indian trading posts, another will commemorate the completion of the first transcontinental railroad, still another will provide for Ellis Island, that great port of entry to our country through which millions of our fellow-citizens and their parents and grandparents came, and two will dedicate to the public good, large recreation areas around manmade lakes readily accessible to large population centers on the east and west coasts.

All seven of these undertakings will be subject to the Land and Water Conservation Fund Act. From the fund which that act created will come, in all likelihood, the appropriations necessary for acquisition of the land which these bills require, and into it will flow the revenues derived from admission and user charges made in connection with these various areas.

These bills do not come to you as a package. Each one deserves to be considered on its merits. Such consideration, I am sure, will convince Members that all are worthy of becoming law.

So much by way of general introduction. Now let me turn briefly to the first of these seven—a bill by our colleague from Pennsylvania and the ranking minority member of our Interior and Insular Affairs Committee, Mr. SAYLOR. I want the record to show my appreciation for the excellent leadership he has given the various members of the group from Pennsylvania, New Jersey, and New York who introduecd companion bills to his. I refer to the gentleman from Pennsylvania, Congressman ROONEY; the gentleman from New Jersey, Congressman THOMPSON; the gentleman from New Jersey, Congressman WIDNALL; the gentleman from New York, Congressman DOW; and the gentleman from Pennsylvania, Congressman SCHWEIKER.

I want the record also to show my appreciation to these Members for working so well with the gentleman from Pennsylvania, [Mr. SAYLOR] and with each other in forwarding this legislation. Finally, I want the record to show the debt of gratitude we all owe to our late colleague from Pennsylvania, Tad Walter, who in earlier Congresses worked so diligently and effectively to have his Tocks Island bill become law and who died just a little too soon to see his dream realized.

Now the important things, I think, for us to bear in mind about the Delaware Valley National Recreation Area are these:

First. The Congress has already authorized the Corps of Engineers to construct Tocks Island Dam in the Delaware River. The reservoir behind this dam will provide 12,000 acres of water surface.

Second. This reservoir is readily accessible to at least one-sixteenth of the Nation's population. It will inevitably be a magnet attracting millions of visitors each year from New York, Philadelphia, Baltimore, and many other places.

Third. If we do not undertake orderly development of the recreation potential of the reservoir and the lands around it for public use under public auspices, there is going to be largely uncontrolled and haphazard development by private individuals for their own use and profit. No one will suffer but the public from this sort of thing.

Fourth. The land in the vicinity of Tocks Island Reservoir, is, fortunately, still mostly undeveloped and can, we are assured, be had for what is a relatively modest figure considering its location. The Corps of Engineers had a contract appraisal made of the property involved and has furnished us with an estimate of $37,500,000 for the 47,675 acres to be acquired under H.R. 89. I recognize that this is not cheap, but I repeat that we are very fortunate that this Delaware Valley area has had as little intensive development as it has had in the locality in which we are now concerned.

Mr. Speaker, I will not dwell on the merits of this bill any longer, for I know that many others wish to speak on it and are prepared to do so. I want merely to urge all of you to pay close attention to what they will have to say and to give this bill your vote when the time comes to do so.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I will be glad to yield to my distinguished friend from Missouri.

Mr. HALL. I appreciate the chairman of the committee yielding to me. I simply have some questions for information about this particular area. I have had some correspondence about it and I have studied the report in detail. I reviewed the hearings only since they became available on the floor here today.

Mr. Chairman, is there going to be local participation in this in accordance with the new formula established for land use, water conservation, fish and wildlife, and recreational purposes, and so forth, under the Department of the Interior? Will there be a payback in the form of rents assessed in proportion to these different impoundments as is customary for those starts authorized after January 1 of this year in other Corps of Engineers and Bureau of Reclamation projects?

Mr. ASPINALL. Mr. Speaker, I would like to advise the gentleman that the act to which he refers exempts the operation of recreational areas under the provisions of the legislation to which the gentleman refers. So I can make this point clear: We have permitted the town which is involved here to have a certain amount of area which it desired. Not as much as it wished, of course, but enough, in our opinion, to make it possible for them to continue their growth and development outside of, but contiguous to, the national recreational area. We have also permitted the county in the State of New Jersey to have certain consideration so that its tax rolls are not adversely affected, or not any more than thought necessary by the committee.

I hope that answers my colleague. This will be a national recreational area.

May I also say to my colleague from Missouri that fees will be charged for the enjoyment of this area. This is not one of those areas where you have a mixture of local operation, and control, and local participation. It is a Federal area just like Rocky Mountain National Park is at the present time.

Mr. HALL. I see. If the gentleman will yield further, the difference lies therein between this and the reclamation project or the Corps of Engineer impoundments where municipal areas are allowed, or, after January 1, 1965, are required to pay back on subsequent starts that portion assessed for fish and wildlife or recreation as determined by the Secretary of the Interior, as written in recent legislation?

Mr. ASPINALL. The gentleman is correct. One of the reasons for this, of course, is that the original act provided for the authorization and construction of reservoir facilities under the Army Engineers. We are going in with this legislation just as we are with the next bill on Whiskeytown-Shasta-Trinity legislation and trying to create by this legislation a recreation area which will be under the absolute control, development, and operation and maintenance of the Federal Government.

Mr. HALL. Then they are national recreation areas?

Mr. ASPINALL. The gentleman is correct.

Mr. HALL. I think that is where I failed to perceive the difference. If the gentleman will yield further, Mr. Speaker, is there in any sense a feasibility computation here about this national recreation area insofar as the construction of the different impoundments by the Corps of Engineers is concerned?

Mr. ASPINALL. All we can say in this respect is that we followed the usual procedure in our committee of requesting of, and receiving from, the Departments their statements as to what the values are with respect to fish and wildlife and recreation.

We know what the allocation may be for recreation. We are of the opinion that the benefit-cost ratio, if my colleague will refer to it in that respect, is satisfactory. It is not the same operation, however, I may say to my colleague, as he would find in a water resource project.

Mr. HALL. I think I understand the difference between a national recreation area and one which has been taken over for power and flood control or other development. But there is considerable expense involved in the establishment of this national recreation area in H.R. 89.

Mr. ASPINALL. In the neighborhood of $55,600,000 for acquisition costs, part of which may come from the Land and Water Conservation Fund. And in order for Uncle Sam to get his money back, fees will be charged.

Mr. HALL. That answers my question. They are repayable; in other words, this is a reimbursable, long-term loan?

Mr. ASPINALL. No; it is not that. It might work out that way, but in matters of recreation of this kind you just do not follow through as you do in a water resource project as such. But it is our understanding and feeling that the recreation values that are involved here will make it a good investment for Uncle Sam.

Mr. HALL. I appreciate the chairman's feeling for the need of recreation areas for the people of this Nation, especially in the urban areas.

Mr. Speaker, I have only one final question, if the gentleman will yield. That is as to whether or not this $55 or $56 million that we will authorize today is included in the fiscal year 1966 budget.

Mr. ASPINALL. As I understand—the gentleman from Pennsylvania [Mr. SAYLOR] can correct me if I am wrong—there was no request in this budget to activate this particular legislation. There is some planning that will have to be had before much financial support will be needed but that request will come in the next budget.

Mr. HALL. Is the chairman telling me that this is just an authorization and there would have to be an appropriation request in the budget? If so, I am sure he remembers that we have ofttimes been reminded at the time of the appropriation bill of having passed an authorization and, therefore, told, "We must get it funded."

Mr. ASPINALL. Oh, no; I think we have to get it funded later on as it enters into our complex of recreation, national park and historic areas. On the other hand, this is not an appropriation and does not come here as an appropriation in this year's budget.

Mr. HALL. I understand that it is not in the fiscal year 1966 budget or in any budget in the foreseeable future until this planning work is done.

Mr. ASPINALL. That is the way I understand it. My friend from Pennsylvania [Mr. SAYLOR] can correct me if I have been mistaken.

Mr. HALL. I appreciate the chairman's yielding to me.

Mr. WIDNALL. Mr. Speaker, will the gentleman yield for a question?

Mr. ASPINALL. I am glad to yield to the gentleman from New Jersey.

Mr. WIDNALL. The life tenure provision in H.R. 89, in which I have been so interested, unlike the mandatory provisions contained in the Cape Cod and Point Reyes National Seashore Areas authorizations, is operative at the discretion of the Secretary of the Interior. Questions have been raised with respect to the application of this discretionary power to withhold life tenure rights as to whether tenure will be the exception or the rule.

In order to answer these inquiries fully, I would appreciate knowing if the intent of the committee was to have this discretionary authority used as sparingly as possible to prohibit life tenure, limiting its use to those times when it became absolutely necessary to obtain a particular piece of property for park facilities or visitor use.

Mr. ASPINALL. I would like the gentleman from Pennsylvania [Mr. SAYLOR], the author of one of the bills, to answer that question.

It is my understanding that life tenure was to be granted wherever it was deemed proper.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. The life tenure provision is to be used where the property is not needed at once for the public purposes. Where the public is to be served and the area in which the land is needed, the land is to be taken in fee. Where it is not needed immediately for recreational use, then a term of years is to be taken and a life tenancy is to be given.

Mr. WIDNALL. I thank the gentleman for his answer to the question.

Mr. Speaker, I have the privilege of representing that portion of the proposed Delaware Valley National Recreation Area which will lie on the New Jersey side of the Delaware River. The counties of Sussex and Warren in my district will provide both a major portion of the land area to be acquired for recreational use, and access routes to the area as a whole for the great majority of the visitors. It is an area of great charm and beauty, with great economic and recreational potential, and with strong and stable local and county governments well able to meet the challenges and opportunities afforded by this proposal. Geographically, the recreation area is in an ideal location to serve the largest metropolitan population complex in the Nation. I urge the House to act favorably on the establishment of the Delaware Valley National Recreation Area.

On behalf of the residents of my district, I want to take this opportunity to express our appreciation for the efforts made by the distinguished Chairman of the House Interior and Insular Affairs Committee, the gentleman from Colorado [Mr. ASPINALL] and my good friend and very able colleague, the gentleman from Pennsylvania [Mr. SAYLOR], author of the bill H.R. 89, to secure quick and favorable passage of this measure. They have shown a constant awareness of the need to reconcile the creation of this recreation area with the problems, however temporary, that this could create for individuals and for the county and local governments involved. The subcommittee's visit to the area was well received, and, from the amendments that have been made to this bill, apparently quite worthwhile. The gentleman from Alaska [Mr. RIVERS], chairman of the subcommittee, made a fine contribution toward a fair bill.

The amendments reach the concern of the residents of the area, which I tried to reflect in my own bill, H.R. 5500, for the retention of property both for residential use and for tax purposes. By the amendments included in my bill a residential property owner in the area, provided he meets the qualifications of the act, would have the option of either life tenure or a term of years not exceeding 25. Second, as many as 1,000 acres on the New Jersey side of the river in Sussex County could be excluded from the area. It is my understanding that preliminary negotiations have already been undertaken between representatives of the Park Service and the local officials concerned and that a generally satisfactory solution to the loss of tax ratables in this particular area is in the works. The committee has designed a bill which the residents and local governments of my district cannot only live with, but work with and grow with as well.

Mr. Speaker, it is my hope that this bill will become law as quickly as possible, and that the Congress will supply funds for the acquisition of property without delay. This will not only keep the cost figures down, but will allow residents and local officials to plan accordingly, ending the state of suspended animation in which many have found themselves.

Mr. SAYLOR. Mr Speaker, I yield myself such time as I may consume.

When the Congress passed the bill to create the Outdoor Recreation Review Commission I was privileged to be one of the Members appointed to that body. Its report received public acclaim from all quarters. One of the basic parts of that report was to tell all the people in the United States that our great recreation areas were in the areas where there were very few people, and that one of the basic needs of the country in the field of recreation was to acquire large land areas near the centers of population.

This bill will fulfill one of those needs.

The Delaware Valley National Recreation Area will lie in the midst of the Pocono Mountains, near the heart of the most densely populated part of the Nation. It is the combination of these factors, plus the opportunities that Tocks Island Reservoir will offer for recreation, that commends the proposal to create this national recreation area to the Committee on Interior and Insular Affairs.

Philadelphia, Trenton, Newark, New York City, Wilmington, and the Bethlehem-Easton-Allentown complex are all well within a 100-mile radius of the new area. It is readily accessible to the Pennsylvania Turnpike, to Interstate 80 which connects New York and Chicago, to Interstate 81, which runs from Canada to New Orleans, and to Interstate 84, which leads to western New England. The permanent population living within easy driving distance of the area has been estimated at about 30 million and the projected visitation to the recreation area is 10 million people a year within a few years after the reservoir is in operation and the recreation area is developed. It will be necessary, it is estimated, to plan facilities for as many as 150,000 visitors a day at the peak of the vacation season.

It is obvious from this that the Delaware Valley National Recreation Area will be in a position to serve a large segment of the American population and that it will be of multistate significance. It is, in these respects, very much like such areas as Point Reyes, Calif.; Cape Cod, Mass.; and Fire Island, N.Y. In this case, as in those, the committee stresses the importance of providing national recreation areas near our crowded cities, areas which can serve the constantly expanding needs of these cities' populations by preserving large open spaces near them. It will also, the committee is convinced, be a valuable addition to the system administered by the National Park Service.

Nearly all of the land to be acquired under H.R. 89 for the Delaware Valley National Recreation Area is now in private ownership. About 6,200 acres, however, are owned by the State of New Jersey and about 250 acres by the State of Pennsylvania. Although these State lands are included within the boundaries of the recreation area, it is not proposed that they be acquired without the consent of the State concerned. In order to coordinate the program of land acquisition under H.R. 89 for the recreation area with that of land acquisition for the authorized Tocks Island project proper, the bill calls for the acquisition work in connection with the former to be handled by the Corps of Engineers which will, from time to time, turn over the acquired lands to the Secretary of the Interior for administration.

The Delaware Valley National Recreation Area will center on Tocks Island Dam and Reservoir, which have already been authorized for construction. The lower end of the reservoir is to the east of Stroudsburg, Pa., and at its head are Milford, Pa., and Port Jervis, N.Y. The dam will rise about 160 feet above the present bed of the Delaware River. It will impound as much as 685,000 acre-feet of water at flood stage, and its reservoir will have a surface area of slightly more than 12,000 acres at the elevation of its normal long-term conservation pool. The shoreline of the 37-mile-long reservoir will exceed 100 miles. For many, the opportunities which this reservoir will afford for swimming, fishing, and boating will be the chief attraction of the national recreation area. Plans for development of the area include taking full advantage of these opportunities.

For some, however, the area will have other and more compelling attractions—camping, picnicking, hiking, and simply enjoying the scenery. It is for this reason that it is proposed to enlarge the already authorized acquisition of lands to include approximately 47,675 additional acres. The lands thus to be included within the boundaries of the national recreation area include examples of superlative scenery—the renowned Delaware Water Gap, 10 miles of the Kittatiny Mountain Ridge, plateau country back of the mountains, 20 or more small natural lakes and ponds, and several scenic gorges marked particularly by their hemlock forests and beautiful waterfalls. With modest developments, these areas can be opened up and made readily available for the use and enjoyment of the public. Visitor centers will need to be installed, campsites laid out, picnicking facilities installed, trails marked, and roads provided for ready access to certain parts of the area. These improvements will be spaced over a number of years and will be undertaken as the visitor load to the area warrants.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to my colleague from Rhode Island.

Mr. ST GERMAIN. I wonder if I might ask the gentleman, who is certainly knowledgeable in the history of our country and aware of the background of these United States, this question? I see the name "Tocks Island" contained in this legislation. However, the name of Roger Williams keeps popping up in my mind.

For five terms now I have been attempting to have good old Roger Williams recognized at a minimum of cost. Although we would like to have this memorial to him, and I know that the gentleman is very learned in history and the chairman of the committee might give me some information as to the relative historical value of the words "Tocks Island" as against "Roger Williams."

Mr. SAYLOR. First let me say to my colleague from Rhode Island that I am a great admirer of Roger Williams. On numerous occasions when I have visited the town of Providence, R.I., I went to see the statues and the memorials that have been erected in that town to his memory. He was one of the founders of that great plantation province. But as to the programing of legislation, for the past 5 years I have been in the minority. If the gentleman will see to it that my side of the aisle becomes the majority, I shall be most happy to arrange an immediate hearing on Roger Williams. But since that is not my province, the gentleman will have to direct his question at the proper time to the chairman of the full committee.

Mr. ST GERMAIN. I withdraw the inquiry until such time as the chairman of the full Committee on Interior and Insular Affairs might be able to answer it.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, I join the distinguished gentleman from Pennsylvania in his expressed determination to do something about Roger Williams But before I do that, I would like to thank the gentleman from Pennsylvania on behalf of the 500,000 people of New Jersey whom I have the honor to represent and on behalf of many millions of other people in the great area in which this recreation area will lie for his work.

I think too that we ought to express our appreciation to the chairman of the committee, the gentleman from Colorado [Mr. Aspinall]; the chairman of the subcommittee, the gentleman from Alaska [Mr. Rivers]; and all of the members of that great committee for their consideration of this legislation.

This will be a truly and absolutely unique facility in the eastern part of the United States.

Our colleagues will find it during months such as these more attractive than the beautiful facilities they have in their native States which every one of us has given thanks for their courtesies. This is an enormously serious project, and I express my appreciation to the gentleman from Pennsylvania [Mr. Saylor], to the gentleman from Pennsylvania [Mr. Rooney], the gentleman from New Jersey [Mr. Widnall], and all of the other cosponsors for their help and cooperation on this project.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Mr. Speaker, I would like to suggest to the gentleman from Rhode Island who mentioned Roger Williams that perhaps unwittingly he might have been a part of doing away with what might have been a very possible chance to get immediate recognition for Roger Williams. I have a constituent who is a rather famous man. He was candidate for President in November 1964. He is a direct descendant of Roger Williams. I dare say to my good friend from Rhode Island had the results of the election been different in this year, even though by popular demand or acclamation there might have been a great ground swell to do something about the ancestor of this famous man.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Speaker, I want to commend the gentleman from New Jersey and express my appreciation to the gentleman from Pennsylvania now in the well of the House for the outstanding work they have done for this project, and the appreciation of the people of the southern end of New Jersey who also benefit from this entire project.

Mr. Speaker, I am pleased to support H.R. 89 and to urge its adoption by this House. Recent developments in Pennsylvania, New Jersey, and New York wherein an acute water shortage developed demonstrates the great need for this type of project. Based upon disastrous floods in the Delaware Basin causing extensive loss of life and property more than 9 years ago, this project was conceived and given impetus. These new developments argue vigorously for its final adoption.

As a result of the reoccurring flooding in the Delaware Basin, the Congress authorized the Army Corps of Engineers to undertake a comprehensive survey of the water resources of the Delaware Basin. As a result of this survey, the residents of the area now have an opportunity to benefit from the potential public park and recreation facilities which can be provided in conjunction with developments and proposals for flood control, water supply, and electric power.

A dam is to be constructed across the Delaware River at the northern end of Tocks Island which will create a beautiful lake surrounded by steep rolling wooded hills and valleys. The lake will extend from a few miles above the beautiful and famous Delaware Water Gap to Port Jervis, a distance of approximately 37 miles, and it will have an average width of one-half mile, and a maximum width of 1½ miles.

The importance of the prospective Tocks Island Dam and Reservoir cannot be overestimated. The dam will provide the only reservoir project in the Delaware River Basin large enough to simultaneously meet the rapidly expanding water requirements of the Metropolitan Philadelphia region and the other metropolitan regions in north and central New Jersey.

Following the construction of the dam, if and when the Delaware River should again reach flood stage, the prospective Tocks Island Reservoir will afford substantial flood protection to the communities along the river as far south as Burlington, N.J. In addition, this enormous reservoir will permit the development of hydroelectric power. Provided continued appropriations are made available to implement congressional authorizations, construction of the dam and reservoir can begin by 1967 and end about 1972. It would then be possible for the reservoir to be filled and in complete operation no later than 1974.

Tocks Island National Recreation Area proposed by H.R. 8696 would be located along both sides of this reservoir on the Delaware River. The land area which surrounds this 37-mile-long stretch of the Delaware River involved contains many waterfalls in deeply eroded hemlock gorges, over 50 lakes, countless ponds, varied types of open space, generally magnificent forest cover, and a rugged mountainous part of the Appalachian Trail.

Tocks Island is also strategically located on the western edge of Megopolis, that vast new regional city the geographers speak of along the eastern seaboard. Consider these facts:

Over 20 million people reside within a 75-mile radius of the site.

Over 30 million people reside within a 100-mile radius.

Tocks Island is within a day's driving time of one-third of the population of the United States.

In addition, recreational planners estimate that the resources of the area would produce almost 7 million visits a year if adequate adjacent lands are acquired to accommodate facilities and to preserve and restore the attractiveness of the natural environment. This certainly would make it potentially a most heavily used facility in the national park system. The Tocks Island Recreation Area will be designed to accommodate at least 150,000 visitors per day.

Tocks Island Recreational Area will include every conceivable kind of outdoor recreation activity. These range from fishing, hunting, hiking, through camping and boating to swimming, picnicking, and scenic driving. While some activities like swimming and water skiing are seasonal, there will be other activities available all year round. For example, besides the 12,000-acre reservoir, there are over 50 lakes in the proposed national recreation area, many of which will be ideal for various outdoor winter activities.

As a part of the interpretive services of the National Park Service, education will also be served. Thousands of children and adults will be able to see, hear, and learn about plant life, wildlife, geology, and the many items of great historical interest that will be preserved in the area.

To date there are four Federal recreation areas designated as national recreation areas in the United States. These have been established in the more remote regions of the West where their main purpose is to preserve scenic and natural recreation values and to provide enjoyment to those visitors who are attracted to them. Enactment of the proposed Tocks Island National Recreation Area would give the Eastern United States its first national recreation area. A large and concentrated population in the crowded East would be served by its enactment.

It is important that H.R. 89 be acted upon favorably as soon as possible. Land values in some sections of the Tocks Island area have risen sharply because of the activities of speculators. Secondly, it makes sense for the development of the dam, reservoir, and the Tocks Island National Recreation Area to proceed concurrently in order to avoid confusion in planning, duplication of effort, and to take advantage of the economies inherent in having a single agency simultaneously acquire all of the land for all facets of the project.

I urge its speedy enactment.

Mr. SCHWEIKER. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Pennsylvania.

Mr. SCHWEIKER. I thank the gentleman for yielding.

I wish to rise in strong support of H.R. 89, and I compliment the gentleman from Pennsylvania for the leadership he has demonstrated on this important project.

Mr. Speaker, I rise in strong support of H.R. 89, legislation creating a national recreation area at Tocks Island on the Delaware River between Pennsylvania and New Jersey. I am a sponsor of such legislation.

As the subcommittee knows, similar legislation has been before the Congress since the 87th Congress. It is my sincere hope that action can be completed this year. A further delay will only increase the cost of future action, cause hardship to those who move into the area, and possibly forfeit forever the possibility of providing a major recreation area in the center of the east coast's rapidly developing regional supercity—Megalopolis.

This legislation authorizes the establishment of a national recreation area of approximately 70,000 acres in extent along the Delaware River between the Delaware Water Gap and Port Jervis, N.Y.

The terrain in this area is extremely interesting and varied. At many places on the Pennsylvania side, the land rises as much as 800 feet above the future lakeshore to a rolling plateau. The tributaries of the Delaware River have deeply eroded gorges through which beautiful waterfalls cascade. Dams on these streams have created several attractive ponds.

The sides of the valley are generally more gradual on the New Jersey side. The eastern edge of the 1,800 foot Kittatinny Mountain falls, however, sharply away forming a prominent rock escarpment. This can be seen at Delaware Water Gap and for several miles northward. A number of unusual ponds are also located on the crests of these mountains.

The scenery in this part of the country is breathtaking. The gap, where the Delaware River pierces Kittatinny Mountain is, of course, world famous. This is real eastern mountain territory. There are lakes and streams which also provide excellent fishing. Other recreation activities provided include hunting, hiking, camping, boating, swimming, picnicking, and scenic driving.

As a part of the interpretive services of the National Park Service, education will also be served through establishment of Tocks Island National Recreation Area. Thousands of children and adults will be able to see, hear about, and learn about plantlife, wildlife, geology, and the many items of great historical interest that will be preserved in the area.

This legislation also gives us an excellent opportunity to provide easy access to Federal recreational facilities in the heart of the most densely populated region of the United States. Tocks Island is located approximately 75 miles from Manhattan and 95 miles from Philadelphia. It is readily accessible to the approximately 30 million people who reside in the regional megalopolis that stretches from Boston to Washington, D.C.

The Interstate Highway System and the Pennsylvania Turnpike are direct links to the area. Interstate 80 will link with New York City and northern New Jersey, and Pennsylvania's anthracite cities; Interstate 84 will provide access from New England and the Catskill region as well as northern Pennsylvania; the northeastern extension of the Pennsylvania Turnpike will provide easy access to the area from Philadelphia, Allentown, Bethlehem, and Easton; and Interstate 78 will place the facility within easy reach of such Pennsylvania cities as Reading, Lancaster, York, and Harrisburg.

In terms of economic growth, the development of recreational resources is one of the wisest steps we can take. The recreation industry is Pennsylvania's No. 1 growth industry. It accounts for over $1 billion in annual income in the State; yet, relative to its potential, it remains, probably, our most underdeveloped industry.

The establishment of Tocks Island as a national recreation area would act as an economic boon to the area. Judging from past experience in the establishment of national parks and seashore areas elsewhere in the United States—the proposed Tocks Island National Seashore Area would have a pronounced beneficial effect upon the surrounding community. Commercial enterprises would be expanded, new enterprises would be developed adjacent to the areas to meet the needs of visitors, local tax receipts would increase as adjacent property values increase, and unemployment would decrease. As the volume of business from the tourist trade increased, bank deposits would also increase substantially.

Unlike other like proposals, the Tocks Island Recreation Area is an integral part of an already authorized multiple-purpose dam and reservoir project. Advance engineering and preconstruction are even now underway by the Corps of Engineers, and construction of the dam facility will begin by 1967 or 1968. Official authorization for establishing the national recreation area must come soon before action on the dam gets too far along, for to allow the recreation area authorization and planning to lag behind the reservoir work would result in imperilment of much that is of significance to such an outstanding recreation facility.

Establishment of the Tocks Island National Seashore Recreation Area would constitute a substantial contribution toward fulfillment of the need for outdoor recreation facilities close to urban areas, especially in the crowded East. This need was emphasized in the report of the Outdoor Recreation Resources Review Commission to the Congress and the President.

Enactment of this legislation would give to the recreationally starved Northeast its first true national recreation area. Public recreation areas are badly needed in this densely populated area of the United States. It is important that this proposal be acted upon favorably as soon as possible. Land values in some sections of the proposed Tocks Island area have already risen sharply because of the activities of speculators.

I urge speedy enactment of this important measure and I commend my distinguished colleague, the gentleman from Pennsylvania [Mr. SAYLOR] for his outstanding contribution to this effort.

Mr. SAYLOR. Mr. Speaker, in view of all the accolades that have been indulged in, I ask unanimous consent to revise and extend my remarks, and urge the Members of the House to suspend the rules and pass this bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. ROONEY].

Mr. ROONEY of Pennsylvania. Mr. Speaker, I urge wholeheartedly that this distinguished body give its approval today to H.R. 89. As a sponsor of this legislation, I believe it to be among the most important recreation and conservation proposals ever introduced in the Congress.

It is important, not simply because it would set aside 47,675 acres of land around Tocks Island Reservoir on the Delaware River as a recreation center, but because it will provide a long-needed boost for public recreation facilities in the most densely populated section of our country.

I say this without the least taint of chauvinism or regionalism, Mr. Speaker, for I join with the distinguished Members of this House in a feeling of pride in the many great national parks and recreation areas the Congress has wisely set aside in other parts of America. The actions of the Congress in seeking to preserve the magnificent scenic grandeur of many of our Western, Southwest, and Northwestern States has been totally selfish and farsighted.

We should all be grateful for the vision and leadership of men such as the gentleman from Colorado, Chairman WAYNE ASPINALL of the Interior and Insular Affairs Committee. I know of no man in our Nation today who has worked more diligently and more fairly for the cause of conservation and public recreation than Mr. ASPINALL. I want to express my deepest personal gratitude and the thanks of all the people of my congressional district to Representative ASPINALL as part of these proceedings today.

When my predecessor in Congress from the 15th District of Pennsylvania, the late Francis E. Walter, first introduced the Tocks Island national recreation bill in the 87th Congress, the proposal received widespread support but no action was taken due to a lack of a complete study. Similarly, no final action was taken in the 88th Congress.

Now the Corps of Engineers has completed the necessary background study and the Committee on Interior and Insular Affairs has unanimously reported the bill to the full House.

There should be no doubt about the need for this national recreation area. No other section of our country is more desperately in need of well-planned, centrally located recreation facilities, for Tocks Island is located within a 100-mile radius of more than 30 million Americans and only 80 miles from two of the heaviest concentrations of urban population in our country—Metropolitan Philadelphia and New York City.

The National Park Service estimates that no less than 10 million persons will visit this great new recreation area on the upper Delaware River each year.

This proposal has the overwhelming support of the people of my district, the people of Pennsylvania, our local and State governments and more than 200 organizations, large and small, throughout the Commonwealth. It has equally strong support from a majority of the people and local organizations in the State of New Jersey.

It is imperative, I believe, that planning for this recreation area be carried out and construction be completed in concert with the construction of the Tocks Island Reservoir above Shawnee-on-the-Delaware and Stroudsburg, Pa. The reservoir, itself, will stretch 32 miles up the Delaware River from Shawnee to a point near the city limits of Port Jervis, N.Y. It will be an area of singularly majestic beauty for the lake will be surrounded on both sides by the mountains of the Pocono Plateau on the Pennsylvania side and the Kittatinny range in New Jersey.

The national recreation area proposed in this bill has been designed to include Delaware Water Gap, one of the great scenic wonders of the modern world, and to reach northward to the village of Milford, Pa., which was the home of Gifford Pinchot, one of America's greatest conservationists and the father of the U.S. forestry program.

It was at Milford, in September 1963, where our late, beloved President John F. Kennedy made one of his final public appearances. The President had come to Milford to mark the formal dedication of the Gifford Pinchot Institute. As we rode to the site of the dedication, the President turned to Senator JOSEPH S. CLARK and I and remarked that he was deeply grateful that his administration might be able to assist in the effort to preserve one of the most beautiful areas he had seen in our Nation.

He talked, then, for a few moments of the dream of greatness and beauty he had always had for our country. It was almost as though he had forgotten the cheering crowd that pressed around the convertible in which we were riding. I had never seen him in a more reflective and intensely serious mood.

Two months later, almost to the day, he was dead.

But his dream and his vision have not died. President Johnson has made the Tocks Island project a part of his overall program for conservation and recreation.

Far more importantly, here in the House of Representatives of this Congress, the gentleman from Colorado, Representative WAYNE ASPINALL, and the gentleman from Alaska, Representative RALPH RIVERS, have joined with the ranking minority member of the Interior and Insular Affairs Committee, my friend, the gentleman from Pennsylvania, Representative JOHN SAYLOR, in pressing a thorough investigation of the values of this project.

Not only did Mr. ASPINALL and Mr. RIVERS schedule subcommittee hearings here in Washington, but they agreed, also, to conduct a 1-day special public hearing in East Stroudsburg, Pa., so that every local person and organization wanting to be heard on this matter would have an ample opportunity to do so. We are deeply indebted to each of them and to all the members of the committee and the Subcommittee on National Parks.

If the House votes favorably on this proposal today, as I sincerely hope and pray it will do, a recreation area totaling nearly 72,000 acres will be created for the people of Pennsylvania, New Jersey, New York, and adjoining States. This acreage, of course, includes the 24,300 acres set aside for Tocks Island Reservoir itself, since the lake would be used for boating, fishing, and other recreation purposes.

With the advent of the Interstate Highway System, the Tocks Island National Recreation Area will become increasingly accessible. Interstate 80, running directly from New York City to Chicago, Ill., will provide immediate access to the southernmost tip of the recreation area at Delaware Water Gap. Interstate 84 will run within a few miles of the northern regions of the recreation area, making it easily accessible to western New England residents and those who live in New York State will be able to reach it with only a few miles of driving. From Philadelphia, the northeast extension of the Pennsylvania Turnpike, connecting with other new State highways, will bring residents of southeastern Pennsylvania within 2 hours of the largest recreation area of its kind in eastern America.

The economic impact of this great new recreation area is obvious. It will provide opportunities for small business. It will create new jobs. It will help build a new, expanding foundation for the economy of all the counties in northeastern Pennsylvania, western New Jersey, and southern New York.

Many of these counties are economically hard pressed. Three of the four counties in my own district are included in the Appalachian regional development program. This project, therefore, represents a significant, reasonable and intelligent investment in the economic future of Pennsylvania, New Jersey, and New York.

In closing, I want to say, once again, that I take pride in the votes I have been able to cast in behalf of similar proposals for other regions of America. I shall vote, this afternoon, for the Whiskeytown-Shasta-Trinity National Recreation Area and for other proposals similar to it because I believe, firmly, in the wisdom of the members of the Interior and Insular Affairs Committee—and because I believe the proud, unspoiled beauty of this land of ours can, and should and must be preserved.

Next to our liberty and our system of government, I can think of no greater legacy we can pass on to our children and the generations to come.

I respectfully and urgently ask that the distinguished members of this House give their overwhelming support to this proposal.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island [Mr. St Germain].

Mr. ST GERMAIN. Mr. Speaker, very briefly, though the people of Rhode Island admire Roger Williams, and would like to see a national historic park created, but not at the expense of the wonderful situation the Congress now enjoys in its power at this time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to authorize establishment of the Delaware Valley National Recreation Area, and for other purposes."

WHISKEYTOWN - SHASTA - TRINITY NATIONAL RECREATION AREA, CALIF.

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 797) to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes.

The Clerk read as follows:

H.R. 797

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide, in a manner coordinated with the other purposes of the Central Valley project, for the public outdoor recreation use and enjoyment of the Whiskeytown, Shasta, Clair Engle, and Lewiston reservoirs and surrounding lands in the State of California by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California (hereinafter referred to as the "recreation area"). The boundaries of the recreation area, which consists of the Whiskeytown unit, the Shasta unit, and the Clair Engle-Lewiston unit, shall be those shown in drawing numbered BOR-WST 1004, dated July 1963, entitled "Proposed Whiskeytown-Shasta-Trinity National Recreation Area", which is on file and available for public inspection in the office of the Director of the Bureau of Outdoor Recreation, Department of the Interior. The Whiskeytown unit shall be administered by the Secretary of the Interior; and the Shasta and Clair Engle-Lewiston units shall be administered by the Secretary of Agriculture, except that lands or waters needed or used for the operation of the Central Valley project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation. The two Secretaries shall coordinate their planning and administration of the respective units in such manner as to provide integrated management policies for the recreation area as a whole for the purposes of this Act in order to bring about uniformity to the fullest extent feasible in the administration and use of the recreation area.

ACQUISITION OF PROPERTY

Sec. 2. (a) Within the boundaries of the portion of the recreation area under his jurisdiction and outside such boundaries when required for the construction or improvement of access roads thereto, each Secretary is authorized to acquire lands, waters, or other property, or any interest therein, in such manner, including exchange as hereinafter provided, as he considers to be in the public interest to carry out the purposes of this Act. In connection with any such acquisition, each Secretary may permit the grantor a reservation of all or any part of the minerals or of any other interest or right of use in such lands or waters on such terms and conditions as the Secretary may deem appropriate. Any property or interest therein owned by the State of California or any political subdivision thereof within the recreation area may be acquired under the authority of this Act only with the concurrence of the owner. Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the appropriate Secretary for use by him in carrying out the purposes of this Act.

The Secretary of the Interior, in order to assure public access to Clear Creek and to provide hiking and horseback riding trails for the public, may, as he deems necessary for these purposes acquire such easements or other interests on either or both sides of Clear Creek between the south boundary of the Whiskeytown unit and the highway at Igo, California.

The Secretary of Agriculture is authorized to acquire scenic easements or such other interests, including ownership of the land therein, as he determines to be appropriate to protect and assure the appearance of a strip of land not to exceed six hundred and sixty feet on each side of the centerline of Federal Aid Secondary Highway Numbered 1089 between the points where said highway crosses the south line of sections 19 and 20, township 35 north, range 8 west, and where it crosses the south line of section 18, township 36 north, range 7 west, on the northwesterly side of the Clair Engle-Lewiston unit: *Provided,* That such easements or interests shall not be acquired without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that, in the judgment of the Secretary of Agriculture, conforms to the zoning standards set forth in regulations issued pursuant to subsection (e).

The two Secretaries shall engage in mutual consultation with respect to such acquisition and to exchange transactions so as to promote uniform policies therefor insofar as practicable, taking into consideration the purposes of the recreation area as a whole, the responsibility of the Secretary of the Interior for the administration of federally owned minerals and of the Central Valley project, and the responsibility of the Secretary of Agriculture for the administration of national forests.

(b) When the public interests will be benefited thereby, the Secretary of the Interior and the Secretary of Agriculture are each authorized to accept title to any non-Federal property within any part of the recreation area and in exchange therefore convey to the grantor of such property any federally owned property under his jurisdiction within the State of California which he classifies as suitable for exchange or other disposal, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided,* That the Secretary of the Interior or the Secretary of Agriculture, as the case may be, may accept cash from or pay cash to the grantor in such exchange in order to equalize the value of the properties exchanged. The Secretary of Agriculture shall obtain the concurrence of the Secretary of the Interior with respect to the value of any mineral interests in any such exchange proposed to be made by the Secretary of Agriculture.

(c) Any owner or owners of improved residential property on the date of its acquisition by either Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the property by himself and members of his immediate family for noncommercial residential purposes for a term ending at the death of such owner, the death of his spouse, or the day his last surviving child reaches the age of thirty, whichever is the latest. The value of the right retained shall be taken into consideration by the respective Secretary in determining the value of the property being acquired.

(d) Privately owned "improved property" or interests therein shall not be acquired under this Act without the consent of the owner so long as an appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary having jurisdiction of the unit wherein the property is located. The term "improved property" as used in this Act shall mean any building or group of related buildings the actual construction of which was begun before February 7, 1963, together with not more than three acres of the land in the same ownership on which the building or group of buildings is situated: *Provided*, That the respective Secretary may exclude from improved property any shore or waters, together with so much of the land adjoining such shore or waters as he deems necessary for public access thereto.

(e) Prior to the approval of any zoning ordinance for the purposes of this section, the Secretary of the Interior and the Secretary of Agriculture shall jointly issue regulations, which may be amended from time to time, specifying standards for such zoning ordinances. Standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretaries consider to be consistent with the purposes of this Act; (2) promoting the protection and development of properties for purposes of this Act by means of use, acreage, frontage, setback, density, height, or other requirements; and (3) providing that the appropriate Secretary shall receive notice of any variance granted under, or any exception made to, the application of the zoning ordinance. Following issuance of such regulations, each Secretary shall approve any zoning ordinance or any amendment to an approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(f) The suspension of the respective Secretary's authority to acquire any improved property without the owner's consent shall automatically cease if (1) such property is made the subject of a variance or exception to any applicable zoning ordinance that does not conform to any applicable standard contained in regulations issued pursuant to this section; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance.

(g) Each Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire without the owner's consent is suspended.

(h) Within the Shasta and Clair Engle-Lewiston units any owner of unimproved property who proposes to develop his property or a part thereof for service to the public may submit to the Secretary of Agriculture a development plan which shall set forth the manner in which and the time by which the property is to be developed and the use to which it is proposed to be put. If upon review of such plan the Secretary determines that the development and use of the property in the manner prescribed conforms to a zoning ordinance approved in accordance with the provisions of this section and that such use and development would serve the purposes of this Act, the Secretary of Agriculture may in his discretion issue to such owner a certificate to that effect. Upon the issuance of any such certificate and so long as such property is developed, maintained, and used in conformity therewith, the authority of the Secretary of Agriculture to acquire such property or any interest therein without the consent of the owner shall be suspended. This subsection shall not apply to any property which the Secretary of Agriculture determines to be needed for easements and rights-of-way for access, utilities, or facilities, or for administrative sites, campgrounds, or other areas needed for use by the United States for visitors to the national recreation area.

ESTABLISHMENT OF UNITS: BOUNDARY DESCRIPTIONS

SEC. 3. (a) When the Secretary of Agriculture determines that sufficient lands, waters, or interest therein are owned or have been acquired by the United States within the boundaries of the Shasta unit or within the boundaries of the Clair Engle-Lewiston unit to permit efficient initial development and administration for the purposes of this Act, he shall publish in the Federal Register a notice to that effect and a detailed description of the boundaries of such unit.

(b) When the Secretary of the Interior determines that sufficient lands, waters, or interest therein are owned or have been acquired by the United States within the boundaries of the Whiskeytown unit to permit efficient initial development and administration for the purposes of this Act, he shall publish in the Federal Register a notice to that effect and a detailed description of the boundaries of the unit.

(c) Following the publication of any such notice, the respective Secretaries may continue to acquire the remaining property within the recreation area.

ADMINISTRATION: PRIORITIES

SEC. 4. (a) Each Secretary is authorized and directed to administer the portion of the recreation area under his jurisdiction in a manner coordinated with the other purposes of the Central Valley project and with the purposes of the recreation area as a whole and in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of renewable natural resources as in the judgment of the respective Secretary will promote or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment. Such administration shall be carried out under land and water use management plans which each Secretary shall prepare and may from time to time revise in consultation with the other.

(b) In the administration of the portion of the recreation area under his jurisdiction—

(1) the Secretary of Agriculture shall utilize statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act; and

(2) the Secretary of the Interior may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and development of natural resources as he deems appropriate to carry out the purposes of this Act.

HUNTING AND FISHING

SEC. 5. Each Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the recreation area in accordance with the applicable laws of the State of California and of the United States: *Provided*, That each Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment not compatible with hunting or fishing. Regulations prescribing any such restrictions shall be issued after consultation with the California Department of Fish and Game.

MINERAL DEVELOPMENT

SEC. 6. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interest in lands under his jurisdiction within the recreation area in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and from those under the jurisdiction of the Secretary of Agriculture within the recreation area in accordance with the provisions of section 3 of the Act of September 1, 1949 (63 Stat. 683; 30 U.S.C. 192c), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the purposes of the Central Valley project or the administration of the recreation area: *Provided*, That any lease or permit respecting such minerals in lands administered by the Secretary of Agriculture shall be issued only with his consent and subject to such conditions as he may prescribe.

All receipts derived from permits and leases issued under the authority of this section on lands administered by the Secretary of Agriculture shall be paid into the same funds or accounts in the Treasury of the United States and shall be distributed in the same manner as provided for other receipts from the lands affected by the lease or permit, except that any receipts derived from permits or leases issued on those or other lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals from public lands under the jurisdiction of the Secretary of the Interior shall be disposed of in the same manner as moneys received from the sale of public lands.

STATE JURISDICTION

SEC. 7. Nothing in this Act shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area or of its right to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

ADDITIONS TO THE SHASTA AND TRINITY NATIONAL FORESTS

SEC. 8. The exterior boundaries of the Shasta National Forest in the State of California are hereby extended to include the lands described in the Act of March 19, 1948 (62 Stat. 83), and sections 22 and 27, township 35 north, range 1 west, Mount Diablo base and meridian. The exterior boundaries of the Trinity National Forest in the State of California are hereby extended to include all of sections 4, 5, and 8, the east half and the northwest quarter of section 6, the east half of section 7, the northwest quarter of section 17, and the northeast quarter of section 18, township 33 north, range 8 west, Mount Diablo base and meridian. Subject to any valid claim and entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Shasta, Clair Engle, or Lewiston Reservoirs of the Central Valley project within the exterior boundaries of the Shasta and Trinity National Forests which have not heretofore been added to and made a part of such forests, and all lands of the United States acquired for the purposes of the recreation area in the Shasta or Clair

Engle-Lewiston units are hereby added to and made a part of the respective national forests within which they are situated: *Provided*, That lands within the flow lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Central Valley project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 9. Revenues and fees obtained by the United States from operation of the national recreation area shall be subject to the same statutory provisions concerning the disposition thereof as are similar revenues collected in areas of the national park system except that fees and revenues obtained from mineral development and from activities under other public land laws within the recreation area shall be disposed of in accordance with the provisions of the applicable laws.

SEC. 10. There are hereby authorized to be appropriated for the acquisition of lands and interests in land pursuant to the provisions of this Act not more than $21,600,000. There are also authorized to be appropriated not more than $22,700,000 for the development of recreation facilities pursuant to the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House has just passed one of two most important bills our Subcommittee on National Parks and Recreation has dealt with this year, and I thank all Members for the interest they took in it. Now we come to the second—the proposal to create the Whiskeytown-Shasta-Trinity National Recreation Area.

I regard the Delaware Valley and the Whiskeytown proposals as complementary to each other, located as they are at opposite sides of the continent and serving, each in its own place, the same purpose of providing for the recreation needs of large segments of our population.

I do not know how many of you are familiar with the district of our colleague the gentleman from California [Mr. JOHNSON], but it takes in more than half the length of the State along its western boundary and a very sizable block of counties in the north. Its character is reflected in the name of one of its mountain ranges—the Trinity Alps. In the midst of this region, the Bureau of Reclamation has built, with congressional approval and appropriations, four reservoirs which are features of the giant Central Valley project. These reservoirs are Shasta, Clair Engle, Lewiston, and Whiskeytown. Taken together they have a water surface of 50,000 acres or merely 80 square miles.

The proposal we now have before us is to take these four lakes and add to the 134,800 acres of land around them which the United States already owns another 70,700 acres which are in State and private ownership, and to provide for the coordinated administration of these areas for recreation purposes by the Secretary of Agriculture and the Secretary of the Interior. All told, this complex will amount to over 250,000 acres of land and water. Over 72 percent of this area is already owned by the Government. The remainder, consisting principally of parcels of private land intermixed with the Federal holdings, will cost about $21,600,000 to acquire, it has been estimated.

This area, though it is in the northern part of California, is only 200 miles from San Francisco, 175 miles from Reno, and 300 miles from Portland. It is thus readily accessible to millions of people. Indeed, a conservative estimate is that it will have 5¼ million visitor-days of use annually within 10 years. I think that we can count this as an invaluable byproduct of one of the greatest systems of reservoir construction that any agency of our Government has even undertaken.

Most of the land to be acquired is forested land. It has not been developed. Nevertheless, we have provided suitable protections in this bill, as we did in the Tocks Island bill, for those who have year-round residences in the area. We have also written into the bill provisions under which necessary developments for the accommodation of visitors can be undertaken on private holdings in connection with the Shasta and the Clair Engle-Lewiston units. It is our hope that the authority given the Secretary of Agriculture in this regard will be carefully and watchfuly exercised, for our committee is always concerned with inholdings in our national parks and national recreation areas. For the most part they are a nuisance at best and a menace at worst, but there are circumstances—and this, we think, may be one—where they can be useful if carefully controlled.

Mr. Speaker, as in the case of the Delaware Valley National Recreation Area, Whiskeytown-Shasta-Trinity will be subject to the Land and Water Conservation Fund Act. I anticipate that appropriations for land acquisition—approximately 50 percent of its total capital cost—will come from this source and will thus be no burden on the General Treasury. I anticipate, also, that the receipts from admission and user charges will amount to very substantial sums and will go far toward offsetting the costs involved. In any event, it will be a valuable contribution to our national system of recreation areas and a blessing to all of us now and for generations to come. I recommend passage of H.R. 797.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am glad to yield to my friend, the gentleman from Iowa.

Mr. GROSS. How did this project come by the name Whiskeytown?

Mr. ASPINALL. I would like to let our friend and colleague from California who represents the area give us that rather unique explanation.

Mr. Speaker, I yield to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, well Whiskeytown was created a long time ago. Legend has it that there was a teamster who was hauling whisky and brandy into the mining area of Trinity County. When he went across a creek that was on the way, in fording the creek he spilled his whisky. Then in fording another creek, he spilled a barrel of brandy. The creek that the barrel of brandy fell in was later named Brandy Creek and the other creek where the barrel of whisky fell in was named Whiskey Creek. It was a little while after that the town of Whiskeytown was created in the early mining era in California.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I rise in support of H.R. 797, a bill to establish an inland national recreation area to be known as the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California.

This Whiskeytown-Shasta-Trinity National Recreation Area will be in northern California and centered on four Federal reclamation reservoirs; namely, the Whiskeytown, Shasta, Clair Engle, and Lewiston Reservoirs. The establishment of this national recreation area is justified by a favorable combination of circumstances; that is, geographic location, its proximity to populous areas, its outstanding natural resources, and unusually scenic mountain setting.

This national recreation area will attract many visitors from the expanding population concentrations in the States of Oregon, Washington, Nevada, and California. It is anticipated that the annual recreation use of the 4 reservoir areas will be approximately 5.25 million visitors' days by 1975 and an increase to 10 million in the year 2000.

In order to provide for the fullest use and enjoyment of the recreation opportunities available, this bill requires the acquisition of a total of 254,500 acres of land, 70 percent of which, or 184,600 acres, is already owned by the United States. Among this land mass will be four reservoirs mentioned which will provide nearly 50,000 acres of water and shoreline totaling more than 560 miles.

Before concluding may I take this opportunity to again assure my colleagues that H.R. 797's consideration by the Committee on Interior and Insular Affairs was not an easy road for its author, the distinguished gentleman from California [Mr. JOHNSON].

In the consideration of H.R. 797, once again I found myself in the unusual position of being a member of the minority and having to support the position of the administration. Originally the administration opposed the text of subsection (h), section (2) of the bill. This section of the bill establishes a precedent and changes the policy of our committee. The policy of the committee heretofore has been to encourage the Park Service to eliminate all inholdings whenever possible in land acquisitions and grant concessions to civilians willing to provide the accommodations and facilities necessary to serve the public. Section 2, subsection (h), of the bill as it now reads provides for the suspension of the power of condemnation of unimproved lands within the Shasta and Clair Engle-Lewiston units where the owner proposes to develop the same, if the Secretary of Agriculture finds that the development plan submitted by the owner of unimproved land would serve the visiting public, be consistent with the purposes of the act, and with local zoning ordinances.

It is now clear that the committee has adopted a new concept in land acquisitions which in my opinion is a concept which shall return to create problems for the committee in the future.

With the addition to other minor amendments of H.R. 797 by the committee, I urge the enactment of this bill which will create a new inland national recreation area in the West, by preserving the comparatively undeveloped large open areas of land and provide the outdoor recreation opportunities for the millions of Americans in the West.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague.

Mr. HALL. I would like to ask the same general questions that I have asked the chairman on the prior bill. I am becoming more and more concerned—not with the fact that I discern in the Record and by careful study that there is a Clear Creek as well as a Brandy Creek and a Whiskey Creek—and I presume, of course, that Clear Creek is where nothing fell off the teamster's wagon and maybe they just found gold there in the Golden State of California.

Mr. SAYLOR. That just provided good drinking water for all the folks there and for the fish and wildlife.

Mr. HALL. I am sure that down in Missouri we would choose one of the other creeks so far as getting the best "drinking" water is concerned. But be that as it may, Mr. Speaker, and as I was saying I am concerned over the same questions that I have asked before, that by passing under suspension of the rules—and practically by unanimous consent—these multimillion dollar bills setting up these national recreational areas; I would like to know if this is in the budget, whether if it is feasible from a recreation or multiple-use point of view, and how much local participation is involved by the communities or the State?

Mr. SAYLOR. I yield to my colleague, the gentleman from California [Mr. Johnson] to answer the gentleman and then I will answer myself.

Mr. JOHNSON of California. In response to the question, these reservoirs are already in existence and have already been built. The National Park Service has made certain improvements around the Whiskeytown Reservoir. The Forest Service has made improvements around Shasta Lake and also around the Clair Engle and Lewiston locations. This would encompass the three areas into one recreation unit comprising 255,000 acres of land surrounding these three reservoir areas. All the moneys that will be needed for future development will come from the land and water conservation fund and also from the National Park Service general fund as well as from the Forest Service general fund. In this year's budget there is an improvement at all three of the locations but they are not the overall improvements that will be asked for in this legislation. This legislation is no different from the one we just considered because the master plan will be brought in if this authorization goes through and they will request their appropriations for the improvements as time goes on over a 5- or 7-year period.

Mr. SAYLOR. I might say to my colleague from Missouri that this is an all-Federal project, and the Federal Government will pay the amounts of money which have been recommended in the bill. We have placed a limitation upon the amount of money that can be spent for acquisition and for development in this area. Fees will be charged, and those fees will go into the land and water conservation fund and will help to pay for this project. There are already moneys going into that fund, as provided in the bill passed last year.

I do not know whether the gentleman from Missouri has seen the latest figures issued by the Secretary of the Interior, but already the first allocations have been made by the Secretary of Interior to the States to participate under the Land and Water Conservation Fund Act.

Mr. HALL. Does the gentleman believe that by allocation and by filtering down to this particular unit within the next 50 years—I am questioning the area of feasibility now—this will amount to $23 million for roughly 50 percent of this particular unit?

Mr. SAYLOR. Whether or not that amount will come to this project I do not know, but I am sure the State of California will contribute a great deal more than that amount of money and will get back a great deal more than that amount of money. Whether they will allocate it to this project I do not know.

Mr. HALL. The gentleman does feel that eventually, on a long-term basis, this will be a self-liquidating project, apparently along with the others we are going to be authorizing around the country from time to time?

Mr. SAYLOR. That is correct.

Mr. HALL. Will the gentleman tell us about the percentage of acreage of inholdings? I understand that the National Recreation Area will be many thousands of acres, mostly of unused land, and that the impoundments are already present, and I understand the financing. How large are the various inholdings? I fail to find that in the report.

Mr. SAYLOR. The gentleman from California can give the exact figures on the in-holdings.

Mr. JOHNSON of California. The Federal Government now owns, within the confines of the area, 180,000 acres of the 255,000 acres. The Southern Pacific Co., a railroad company in California and throughout the United States, owns approximately 30,000 acres.

This land will probably be exchanged with the Federal Government. Recently, we had an exchange of some 29,000 acres, involving some private holdings of the McLeod Lumber Co. and the Forest Service. I presume other lands will be exchanged.

Other private lands in the three areas amount to some 39,000 acres. The State of California owns 1,250 acres.

There is an acquisition program to take place, which mostly will deal with the Whiskeytown unit.

At the present time there are some 1.5 million people who annually use this area. This is one of the finest recreation areas on the Pacific coast. It is already in use at the present time, and visitations number more than 1.5 million annually.

This will probably put the largest amount of income into the land and water conservation fund in California, in a short while.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I should like to ask the gentleman from California whether the State of California, the great Golden Bear State, plans to contribute to the national recreational holdings its in-holdings, eventually?

Mr. JOHNSON of California. Yes. Our State is in complete support of this project, and we have no difficulty with regard to making the lands available. I hope they will contribute a part of the development fund, to come back to the State of California.

Our State operates about 180 State park facilities, throughout the State of California. We have just passed a bond issue of $150 million to augment our State park system. We are doing everything we can to develop recreation for the people of California and of the West and of the rest of the Nation. I am sure California will support this 100 percent, if the legislation is passed by the Congress authorizing this national recreation area.

Mr. HALL. Are there any Defense Department installations in the in-holdings?

Mr. JOHNSON of California. No, there are not any Defense Department installations in the area.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Johnson].

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I rise in support of H.R. 797, a bill to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, which I introduced on the opening day of the 89th Congress.

Within the Second Congressional District of California, which I am proud to represent, the Bureau of Reclamation of the Department of the Interior has created four beautiful and useful artificial lakes. These are units of the great Central Valley project of my State. Two of these lakes—Shasta and Clair Engle—are large and outstanding examples of engineering proficiency in harnessing nature for the benefit of man. These lakes were created to store the waters of the Sacramento and Trinity Rivers for irrigation of farmlands, for development of hydroelectric power to serve the homes and industries of the West, and for regulation of the flood flows of the Sacramento River.

In these reservoirs, financed by all the people of the United States, we have created an outdoor recreation resource of great beauty and of high potential for providing healthful outdoor recreation for people from all parts of the country. These lands and surrounding lands, the majority of which have long been administered as national forests, collectively represent one of the finest public recreation areas in the country.

H.R. 797 would establish these lakes and tributary lands of high recreation value as a national recreation area in order to assure that the great public values of these lands and waters will be recognized and that the recreation and other resources will be fully developed and made available to our people in an adequate and timely way. Under this bill, full recognition will be given to the many and diverse outdoor recreation opportunities and benefits that these great public properties offer, but the other resources will also be recognized, developed, and used in harmony with public use and enjoyment for outdoor recreation.

The Whiskeytown-Shasta-Trinity National Recreation Area will be comprised of three separate units. Although separate, these units are in close proximity each to the other, very accessible, and users can easily enjoy the recreation of all of them in the course of a brief stay.

The Shasta unit is comprised of Shasta Lake, created through the construction of Shasta Dam in the mid-1940's, and surrounding lands largely now part of the Shasta-Trinity National Forest. Shasta Lake covers some 29,000 acres and has over 365 miles of shoreline. Shasta Dam is an engineering wonder and in itself draws many thousands of visitors every year. The Shasta unit, including the lake, totals about 129,860 acres. It is traversed by U.S. Highway No. 5 and by numerous county and Forest Service roads which give access to some of the more remote portions. Outdoor recreationists long ago discovered its superb scenery and the opportunities for boating, fishing, swimming and like water-oriented sports that it offers. The use of the Shasta Lake and the surrounding lands for these outdoor recreation pursuits and for camping, hunting, hiking, scenic viewing, and numerous other activities is continually expanding. In 1964, 500,000 visitor days of use were recorded. The Forest Service has installed many recreation conveniences on and around the lake and in the adjacent national forest lands but much more will need to be done to assure the full development and use of the great recreation resource for public benefit.

The Trinity-Lewiston unit of the National Recreation Area is composed of Clair Engle and Lewiston Lakes. Clair Engle Lake is wholly within the Shasta-Trinity National Forest; Lewiston Lake, a regulating reservoir, by this legislation will also be within the Shasta-Trinity National Forest. Clair Engle Lake covers 16,000 acres and has a shoreline of over 145 miles. It is a beautiful lake, largely surrounded by conifer forests and offering outstanding scenery, good fishing, and many diverse opportunities for water-oriented sports, particularly boating. Lewiston Lake is about 600 acres and complements Clair Engle Lake. The surrounding lands offer hunting, stream fishing, hiking, riding, and outdoor forest experiences in profusion. This unit would encompass about 83,500 acres. It is accessible from Highway U.S. 99 and Interstate No. 5 by means of State Highway 299 and connecting roads—approximately an hour's drive from Redding, Calif. Recreation facilities have been developed and are administered by the Forest Service at several points on the lake for visitor accommodation.

The Whiskeytown unit, named for the old community of Whiskeytown which was settled by the pioneers during early mining days of Shasta County, now inundated by the lake, will consist of the Whiskeytown Reservoir of some 3,200 acres with a shoreline of 36 miles and surrounding lands administered by the National Park Service. Just a few short weeks before his assassination President Kennedy dedicated the reservoir. As now planned, this unit would comprise some 51,987 acres. Whiskeytown Lake, a nearly constant level reservoir, is situated at lower elevation than are the other lakes and in close proximity to Highway 99, Interstate No. 5, and State Highway 299 and to the communities of Redding and Red Bluff, and surrounding areas of northern California. This lake is exceptionally well suited to day use and to such recreational pursuits as boating, water skiing, swimming, and fishing. Rugged lands to the west provide opportunities for hiking and camping. Provision is also made in the bill for acquiring public rights-of-way along the course of Clear Creek, below Whiskeytown Dam, which is a very scenic stream and which will probably become excellent for trout fishing in the future. The National Park Service has installed some public-use recreational facilities at Whiskeytown Lake for the accommodation of the large numbers of users who, although the lake has only recently filled, have taken advantage of accessibility and excellent opportunities for outdoor recreation.

In 1962, representatives of the Department of the Interior, the Department of Agriculture, and State and local governments made an intensive study of the lands described in H.R. 797. This was for the purpose of analyzing and assessing the value and potentiality of these areas to satisfy the known demand for outdoor recreation and to determine what should be done to realize this potential in a practical and adequate way.

In its report of April 1963, the Bureau of Outdoor Recreation states that the four reservoirs, Shasta, Clair Engle, Lewiston, and Whiskeytown, "provide some of the finest recreation waters in California in a setting of outstanding mountain scenery. They provide an excellent base on which to develop a diversified and balanced recreation program. They offer an opportunity to help meet the recreation demand for 14.8 million activity-days use in Shasta and Trinity Counties by 1980 forecast by the California public outdoor recreation plan. Over 4 million activity-days' use by 1980 will be made by people coming from beyond 250 miles, according to the forecast."

Substantiating this estimate is the actual count of visitors during the calendar year of 1964. A total of 1,332,000 visitor days of use were recorded by the Forest Service and the National Park Service for these three areas. I should emphasize that the use is essentially even among the three units. A breakdown shows for the year some 400,000 visitor days use at Whiskeytown, 514,000 at Shasta, which is, of course, the biggest of the three reservoirs and the closest to the major U.S. highways in California, and 418,000 at Clair Engle Lake.

Interstate Highway No. 5—U.S. 99—serving the Pacific Northwest, northern, central, and southern California, crosses Shasta Lake and is only a few miles east of Whiskeytown, Shasta, and Clair Engle Lake via U.S. Highway 299. This places the reservoirs within 2 days' drive of the metropolitan areas of the entire Pacific coast.

In my opinion, the estimates of use of these recreational resources are modest indeed. The constantly expanding population, particularly in the western section of the Nation, the increasing accessibility, and the continually greater mobility of people will bring more and more visitors to enjoy the beauty and the facilities of this area. While the Forest Service and the National Park Service have provided recreation improvements and facilities at all of the reservoirs and throughout the adjacent national forests and national park lands and will continue to build and maintain these facilities through appropriations to the National Park Service and the Forest Service by the Congress, these are by no means equal to meet the anticipated increasing use.

A greater acceleration and intensification of development of these areas for public use will be required. Better and additional roads leading to and within the units are essential. More numerous and enlarged facilities for launching of boats and for camping, picnicking and swimming will be required. Advantage should be taken of the excellent opportunities for scenic drives, one of the most popular forms of outdoor recreation according to the Outdoor Recreation Resources Review Commission. There will need to be an intensification of protection and of administration of the public properties which are so valuable and so useful to the American people. Designation of those areas as a national recreation area will certainly bring accelerated and greater use from people outside of the immediate vicinity.

H.R. 797 provides for the advantageous and full development of all the resources of these great public properties so that they will offer the public the most in outdoor recreation consistent with protection and conservation of the lands, forests, and waters. The bill provides safeguards to the owners of improved properties within the units against arbitrary takings. It authorizes the acquisition of scenic easements in situations where these will meet public needs equally as well as the acquirement of fee title to private lands. It provides for public hunting and for the continuation of mineral exploration and utilization through leases and permits to be issued by the Secretaries of the Interior and Agriculture under safeguards that will make these uses compatible with the national recreation area objectives. It authorizes the acquisition of lands to complete the Whiskeytown unit and to assure full public use of the Shasta and Trinity-Lewiston units and the conservation of the scenic aspects of these areas. I anticipate that the amount of land that will need to be acquired in these latter two units in fee will be modest indeed in comparison with the great public values and the potential for recreation use and economic benefits they present.

Enactment of H.R. 797 will assure the conservation and wise use of all the resources of these areas in perpetuity for the American public. From the standpoint of the local communities and governmental units, it will encourage use of these beautiful and extensive areas by visitors from all over the country and will bring to the surrounding communities the benefit of increased tourism, longer stays by people from outside the areas, increased business, and best of all a greater appreciation of the beauties and resources of one of the finest natural recreation areas of my great State. Outdoor recreation and tourism is one of the major economic bases of this part of my district. I would be less than frank if I did not state that I anticipate that enactment of this bill would be beneficial to my constituents from this standpoint. It is a happy circumstance that the national welfare and the local welfare will both benefit through enactment of this bill.

Mr. Speaker, at this point I would like to state that this legislation has the solid support of private enterprise, local and State governments, and the Federal agencies, who are ready to proceed with this program.

The support of local and State government was heard by the Subcommittee on National Parks and Recreation during its hearings on the recommendation. The legislation was reported to the House of Representatives by a unanimous vote. On behalf of local and State supporters and the people of California and my colleagues on the California delegation, I would like to commend the gentleman from Colorado [Mr. ASPINALL], chairman of the full committee, and the gentleman from Alaska [Mr. RIVERS], chairman of the National Parks Subcommittee, the ranking minority member, the gentleman from Pennsylvania [Mr. SAYLOR], and my colleagues on this committee for their most courteous and considered attention which was extended throughout the entire proceeding as it relates to H.R. 797 for the establishment of the Whiskeytown-Shasta-Trinity National Recreation Area.

Mr. Speaker, I would also like to express the appreciation of the people of California for the consideration which the House is giving to this legislation today and hope that the House in its wisdom will see fit to grant its approval.

Mr. ASPINALL. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BURTON].

Mr. BURTON of California. Mr. Speaker, I would like to commend my distinguished colleague, the gentleman from California, Congressman JOHNSON, for his effective leadership in bringing to the floor of the House the Whiskeytown project. This magnificent recreation area is vitally needed for the millions who live in, or vacation in, northern California.

Although it is clear that this project will not be self-liquidating, in some instances there may be fees to help defray the costs of operation and maintenance.

I recently received a personal communication from the dean of the political editors in California, my friend, Earl C. Behrens. The "squire," as he is often called, and his family have their roots in this colorful part of northern California. Mr. Behrens has recently written an excellent article, quoted below, which adequately explains this most desirable project:

THE WHISKEYTOWN PROJECT—A NEW CONCEPT IN RECREATION

(By Earl C. Behrens, political editor)

Visitors to this area are expected to exceed 500,000 during the present vacation season, according to Samuel A. King, superintendent here for the National Park Service.

"Even though we are still in the throes of construction, Whiskeytown is very popular with water-oriented recreation seekers," King said.

The Interior Department has spent more than $2 million on recreational features at Whiskeytown under a program initiated in 1963. It expects to spend at least that much more to complete the recreation project.

DELAYS

Advocates of the proposed Whiskeytown-Shasta-Trinity National Recreation Area are irked that Congress has delayed action on the project legislation.

The Whiskeytown area represents the key portion of the new concept in a national recreation project.

Whiskeytown dam was dedicated by the late President Kennedy late in 1963. The reservoir behind the Bureau of Reclamation dam, 8 miles west of Redding, inundates the pioneer community near the confluence of Whiskey and Brandy Creeks.

Representative HAROLD T. JOHNSON (Democrat, Roseville) of the Second District, has informed the Chronicle he hopes to have action by the House on the huge Whiskeytown-Trinity National Recreation Area within a few weeks.

Mr. JOHNSON said the opposition to the project from some property owners in Trinity County have been met by changes in his legislation, recognizing their rights, as well as the right of local zoning regulations.

RIGHTS

Prior holders of up to 3 acres within the area of the project can maintain such ownership.

Under the provisions of Johnson legislation, as approved by Interior Secretary Stewart Udall, grazing rights may be obtained by cattlemen; certain mining operations are permissible, as well as fishing, hunting, camping and other recreational activities.

Facilities including restaurants, stores, and marinas, will be operated by concessionaires under contracts obtainable from the Federal agencies.

BENEFITS

The Shasta County Board of Supervisors, the Redding Chamber of Commerce and the major organizations in the vicinity of the project favor the bill by Representative JOHNSON.

More than 250,000 acres will be included within the recreation area. Most of this is Shasta County.

LAND

According to Superintendent King, an appropriation of $22.6 million has been made for land acquisition for the recreation area. Of this sum, about $18 million is for land in the Whiskeytown location.

The overall proposed Whiskeytown National Recreation Area includes not only the Whiskeytown Reservoir section but also the Trinity-Lewiston unit and the Shasta Lake area. The Forest Service will administer the Trinity-Lewiston and Shasta units. The National Park Service will administer the Whiskeytown unit.

The SPEAKER. The question is on the motion of the gentleman from Colorado that the House suspend the rules and pass the bill H.R. 797 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEVELOPMENT OF ELLIS ISLAND

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill, House Joint Resolution 454, to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes, as amended.

The Clerk read as follows:

H.J. RES. 454

Whereas the President of the United States has by proclamation added Ellis Island to the Statue of Liberty National Monument; and

Whereas the Presidential proclamation prohibits the use of funds appropriated to the Department of the Interior for the development of Ellis Island unless otherwise authorized by Act of Congress: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated such funds, but not more than $6,000,000, as may be required to develop Ellis Island as a part of the Statue of Liberty National Monument, but not more than $3,000,000 shall be appropriated during the first five years following enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if one traveled the length and breadth of Europe today asking in all the tongues that are spoken there—German, Italian, French, Spanish, Russian, English, Norwegian, and so on—what two sites in the United States those to whom one speaks think of as best representing the historic ties of the United States to Europe, the answer would be almost unanimous—the Statue of Liberty and Ellis Island.

For this reason, if for no other, it was a happy thought that led to the tying together of the two by President Johnson in his proclamation of May 11, 1965. By this proclamation he added Ellis

Island to the Statue of Liberty National Monument and provided for their joint administration as a national historic site.

What we now have before us—House Joint Resolution 454 by the gentleman from New York, Congressman BINGHAM—is designed to provide for the appropriation of funds to implement the President's proclamation. This is necessary because the proclamation itself provides:

> Unless provided otherwise by act of Congress, no funds appropriated to the Department of the Interior for the administration of the [Statue of Liberty] national monument shall be expended upon the development of Ellis Island.

House Joint Resolution 454 provides, therefore, the necessary authority. It authorizes the appropriation of not more than $6 million for the purpose of rehabilitating and developing Ellis Island so that it can be kept available for all of us to visit and to refresh our recollection of its importance in American history.

When the United States first acquired Ellis Island in 1800, it was only 3½ acres in size. It has been added to from time to time since then and is now about 27½ acres. It is in New York Harbor, of course, and is about 2,300 feet from Liberty Island, 1,300 feet from the New Jersey shore, and a mile from the tip of lower Manhattan. Its great fame comes from its having been used as a receiving station for millions of the immigrants who came to our shores between 1892 and 1954. Since 1954 it has been vacant. Many suggestions were made for its future use, but none of these had as favorable a reception as that for its preservation as part of the national park system.

The plan calls for rehabilitation of the main immigration building on Ellis Island and for its use as a public museum. Two or three other smaller buildings will be retained for administrative use. The remainder of the structures will be removed and the grounds will be turned into a public park. The estimated cost of all this to the Interior Department will be about $6 million of which not more than $3 million will be appropriated during the first 5 years. Plans are underway for having certain other work on it done by the Youth Corps.

Mr. Speaker, I commend House Joint Resolution 454 to the favorable consideration of the House.

EXTENSION OF REMARKS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Member desiring to do so may extend his remarks concerning this legislation prior to the passage thereof.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I rise in support of House Joint Resolution 454, to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument and for other purposes.

Mr. Speaker, America is truly a nation of immigrants. Her heritage is unique, for in a sense, she is a part of all the nations of the world. To her shores have come literally millions of Europeans, Asians, Africans, and Latins. All come to be Americans, and to each America owes some part of her existence as a nation.

These people made immeasurable contributions toward a better life for all of us. In all fields of endeavor they applied their physical and mental energy to help forge the strongest and wealthiest nation man has ever known. It was their fear of tyranny which in no small measure added to our love of freedom. It was their knowledge of what it was like to live in poverty that caused them to build our wealth.

It would be difficult, Mr. Speaker, in the brief compass of this time to describe in any detail the many ways in which this proposed development touches the interest and imagination of the American people.

Ellis Island is not only a place in New York Harbor—it is a place in the hearts and minds of many millions of our citizens. No doubt, at one time, their memories of this place were, at best, bittersweet, because on this island were gathered not only the great hopes of the millions who came here but the hardships and frustrations of their journeys as well. By now, with the passage of time, many of the bitter memories are gone and Ellis Island represents to these people and their descendants their entrance upon a new and fuller life which is the realization of hopes far exceeding the great expectations which they carried from the countries of their birth.

Ellis Island is the place where our country received much of the richest treasure we own—our people—endowed with an almost infinite variety of strengths. Many of these people were refugees escaping from a whole range of oppressive circumstances. They were, as the poet said, tired, and they were poor. But they found their asylum here and each, in his own way and place, began a new life which became a part of the fabric of our growing Nation. We are reminded daily that we welcomed not only the tired and the poor, but also the richly talented of every land—we welcomed their creativity and their courage and their ambition. We see now, and proudly acknowledge the contributions which have been made by the immigrant and the refugee to the scientific, technical, artistic, cultural, and academic life of our country. We can, therefore, believe that our country has been made strong and rich and beautiful by a sort of Peace Corps in reverse which has been going on through the generations.

There will be millions of Americans who will rejoice that Ellis Island has been recognized as a shrine which symbolizes this central core of our Nation's history. But it is not only the history of the immigrant and the refugee which comes to focus here; it is also the belief in liberty and freedom symbolized by the Statue of Liberty which becomes a significant part of the public's interest in this new development. So, not only the sons and daughters of the immigrants who entered this country through Ellis Island, but also the devotees of freedom who came at other times and other places, will make their pilgrimage here.

Ellis Island consists of approximately 27.5 acres and is located in upper New York Bay in close proximity to Liberty Island, upon which the Statue of Liberty National Monument is situated, and to the Jersey City waterfront. Named for its 18th century owner, Ellis Island came into Federal possession in 1800. It was placed under the control of the Federal Bureau of Immigration in 1890 for development as an immigration station. Ellis Island is a physical symbol of the great turn-of-the-century immigrant wave. As the immigrant control point of the Nation's largest port, Ellis Island Station was host to 70 percent, or upwards of more than 16 million, of all those entering this country between 1892 and 1954. The Ellis Island immigration station was disestablished in 1954, and since that date the island has been under the custody and control of the General Services Administration.

Proposed developments of the island include the rehabilitation of the main immigration building and another building for administrative and public service uses; the rehabilitation of the ferry basin, existing utility services, and the seawall; and the landscaping of the grounds. Total costs of all developments are tentatively estimated at $6 million, of which approximately $2,540,000 would be expended during the first 5 years after establishment of the national monument.

I believe that there will be many thousands of persons who visit the new Ellis Island who will come away with a fresh understanding of the heritage of courage and of hope which the island symbolizes not only to the immigrant and the refugee, but to all the people of our country.

Mr. Speaker, I urge the enactment of House Joint Resolution 454.

Mr. ASPINALL. Mr. Speaker, I yield 8 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I urge the support of House Joint Resolution 454 to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument. On March 16 of this year I filed a similar bill which was the first bill of its kind, H.R. 6321. My bill provided that Ellis Island be made a separate historic site and not part of another historic monument.

Mr. Speaker, America is truly a nation of immigrants. Her heritage is unique, for in a sense, she is a part of all the nations of the world. To her shores have come literally millions of Europeans, Asians, Africans, and Latins. All came to be Americans, and to each America owes some part of her existence as a Nation.

These immigrants made immeasurable contributions toward a better life for all of us. In all fields of endeavor they applied their physical and mental energy to help forge the strongest and wealthiest nation man has ever known. But although we are the strongest Nation, it was their fear of tyranny which in no small measure added to our love of freedom. But although we are the wealthiest, it was their knowledge of what it was like to live in a poor land that caused them to build our wealth.

At the same time they lent the flavor of their diverse backgrounds and cultures to help create this Nation, this great melting pot of which we are so proud. How much poorer would America be if we were not able to call upon our Einsteins, our Helstowkis, our Rucettas, our Copelands, our Frankfurters, our Cahills and our Nelsons. How much poorer would our culture be if we did not have as part of our everyday life, our bagels and lox, our pizza pies and anisette cookies, our bock beer and Polish sausages. All these things, the people, the customs, the foods, the words have blended and joined to create the American culture—this virile society.

Both my parents came from Italy, and I can still recall my father telling me stories of the youth that he had known in Italy. Coming to the United States was for him a dream and an ambition. To build a better life and a better country for himself and his family was his single goal. The story of my parents is not unique. It is repeated a thousandfold throughout this land. There are others in this Congress who can tell you similar stories.

While the contribution of immigrants to the strength and nobility of this Nation is unquestioned, we may well ask whether that contribution is sufficiently recognized. The very blood of our country is the blood of immigrants, and though we continue to benefit from the accomplishments of our immigrant forebears, we have never, as a Nation, expressed in any lasting sense a tribute to them. I feel most strongly that nothing could be more appropriate than for this Congress to do so now. It was to this end, Mr. Speaker, that I introduced in March my bill to provide for the establishment of the Ellis Island National Historic Site. I wanted the Congress to have the opportunity to express the gratitude of a proud people.

Ellis Island was for 62 years the gateway to America. Between 1892, when it was first opened to receive them, and 1954, when its closing marked the end of an era, Ellis Island was the threshold of a new life for more than 20 million people. Originally a picnic spot for Dutch colonists, it was pressed into service as a processing station for immigrants when existing facilities proved too small.

The closing of Ellis Island in 1954 symbolized the recession of the great immigration to our shores. Those who passed through her gates went forth to become part of the very fiber of this land. In tribute to them and to their inestimable contribution, it is fitting that Ellis Island be preserved as a monument to its own past—and to the future—which its people and all our immigrants built. I believe that the memory of this history of Ellis Island—and all that it symbolizes—should never be allowed to fade. Perhaps more than any other monument we have, it would well remind us that the nobility to which we have risen was born of humble origins.

On March 16, 1965, as I have mentioned, I introduced a bill to establish the Ellis Island National Historic Site. On May 11, the President signed a proclamation designating that Ellis Island be made a part of the Statue of Liberty National Monument, that monument which is such a fine gift from our friends in France. He also suggested that legislation be introduced to authorize funds for the development of Ellis Island as a part of this monument. On the same day several of my colleagues introduced such legislation, and it is before you today.

I do not believe that it is important whose bill is enacted into law. The important thing is that the purpose for which I introduced my bill be accomplished. I must commend the action of the President in making Ellis Island a part of another monument so that it can be saved as a monument to our past and a reminder to the future.

In my remarks when I introduced my bill I stated that:

> The island should not only be a memorial to the many who came to this country seeking a better life; it should also be an opportunity to those who are now seeking a better life. I also suggested that my bill presents Secretary Udall and OEO Director Shriver with an excellent opportunity for combining two programs. The work that must be done on the site should be done by the Job Corps of the Office of Economic Opportunity. This would provide many youths in the New York-New Jersey area with the opportunity of engaging in work which would be meaningful to them not only in its actual accomplishment, but also from a historical viewpoint. I seriously recommend to Secretary Udall that a program such as I have suggested above, should be devised in cooperation with the Job Corps.

So I was happy that the President announced approval of a Job Corps Conservation Center on the New Jersey shore adjacent to Ellis Island.

> Once this center is established—

The President said:

> Job Corpsmen will transform and restore Ellis Island and help the State of New Jersey create a new Liberty State Park in a blighted section of the Jersey City waterfront.

Mr. Speaker, you may be certain that I strongly endorse this move, similar to the one I suggested in March.

Ellis Island must be saved. I urge the passage of House Joint Resolution 454.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from New Jersey.

Mr. CAHILL. First of all I want to express my appreciation to the gentleman from Massachusetts for including our family name in such distinguished company and to say very seriously that I congratulate the gentleman from Massachusetts for having the foresight to introduce this legislation when he did back in March. I can remember reading it in the RECORD when it was first introduced. I then realized how necessary and important it was to preserve Ellis Island that has meant so much to so many of us.

I am sure in referring to the nationalities the gentleman from Massachusetts meant to include all and certainly the distinguished Scotsman [Mr. MACGREGOR] as well as all other nationalities represented in this House who, I am sure, coming as I have from an immigrant family, deeply appreciate the introduction and I trust, the ultimate passage of the Conte bill.

Mr. CONTE. I thank the gentleman from New Jersey.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman from Minnesota.

Mr. MacGREGOR. As a member of the House Subcommittee on Immigration and Naturalization, I would like to commend the gentleman from Massachusetts for his leadership in this matter and ask in the limited time available to him if he could have a word or two to say about that delectable import from the Scot Highlands, haggis?

Mr. CONTE. I would be glad to revise and extend my remarks on that subject.

Mr. MacGREGOR. I shall be glad to tell the gentleman later what it is.

Mr. CONTE. I was going to talk about the MacGregors, but there is so much to say about them that I did not want to consume all the time here today on the subject because their past is so illustrious you just could not put it in a volume.

Mr. ASPINALL. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Speaker, I do not think I can let this moment go by without offering my congratulations to all those who are responsible for the passage of this legislation. I understand Representative CONTE introduced similar legislation; it so happens I also introduced the same legislation. I think I was present at Ellis Island when the Secretary of Interior was there. I think Representative GALLAGHER was there also.

We joshed about in whose district Ellis Island was located. He insisted it was located in his and I insisted it was located in mine. In whose district it is located I suppose will have to be determined by a topographer. Nevertheless, this is truly a historical monument. Whether or not this legislation should have been passed in the name of the gentleman from Massachusetts [Mr. CONTE] who claims he is the first one who introduced it, or in the name of the individual in whose district the monument happens to be located, of course is a question that is to be determined by the members of the committee. I should imagine in the normal course of events that committees do not appropriate legislation dealing with monuments located in the district represented by other Representatives. However, be that as it may, I think this legislation is excellent legislation and I surely hope it will pass.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. FARBSTEIN. I am happy to yield to the gentleman from Pennsylvania.

Mr. Speaker, on May 11, 1965, the President of the United States issued a proclamation making Ellis Island part of the Statue of Liberty National Monument.

Both Ellis Island and the Statue of Liberty are located in the congressional district which I have the honor to represent in this body. Ellis Island came into Federal possession in 1800. It was placed under the control of the Federal Bureau of Immigration in 1890 for development as an immigration station. It has been host to 70 percent, or upwards of more than 16 million, of all those entering this country between 1892 and 1954. The Ellis Island immigration station was disestablished in 1954 and since that date the island has been under the custody and control of the General Services Administration.

Ellis Island is an appropriate and highly significant addition to the Statue of Liberty National Monument. The Statue of Liberty was the supreme symbol of America's deepest meaning to the oppressed millions who fled Europe and passed through Ellis Island during the more than 60 years it served as an immigration center.

The millions of little people of whom both my maternal and paternal forebearers were part, who passed through the Ellis Island Depot seeking refuge, freedom, and liberty have, along with immigrants who have attained prominence in our country, made a significant contribution to the United States of America's rise to the position of world power.

Together, Liberty State Park on the Jersey City waterfront, the Statue of Liberty (on Liberty Island, formerly called Bedloe's Island) and a redeveloped Ellis Island will form a well-integrated trio of scenic, historic, and recreational sites. They will serve admirably to depict an important phase of the history of our Nation and of the New York Harbor area. They will help serve the recreational needs of thousands of visitors and constitute a major asset to this great metropolitan area.

It was my pleasure to sponsor in the House of Representatives the measure authorizing the striking of the medallions of this historic landmark known as the Statue of Liberty National Monument American Museum of Immigration. First, this monument or shrine is in my congressional district and so this was basically the reason I was chosen for this honor. However, I would have been honored to be permitted to introduce this legislation since I, just like each of you, am a descendant of immigrants to whom these areas have particular significance and I think I should like to have some little part in its history.

When these medallions portraying this Statue of Liberty National Monument American Museum of Immigration shrine, I have just mentioned, are purchased by citizens of this country, each of them will have helped in its restoration.

This Statue of Liberty National Monument American Museum of Immigration will tell the story of the making of the United States by men and women who have come to our shores from all over the world to seek and find the blessings of life, liberty, and the pursuit of happiness.

In the final analysis this is a country of immigrants, made eminently successful by the merging of people of diverse antecedents.

My congratulations to all concerned who have participated in this wonderful public project.

Mr. SAYLOR. I want to say that if the gentleman from New York will stay here while the balance of these bills are being considered under a suspension of the rules, he will find that our committee is all over the lot. We have no pattern, or policy.

Mr. FARBSTEIN. Well, perhaps, you ought to change that lot.

Mr. ASPINALL. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I just want to express my profound thanks to the chairman of the full committee, the gentleman from Colorado [Mr. ASPINALL], the chairman of the Subcommittee on National Parks and Recreation, the gentleman from Alaska [Mr. RIVERS], and all of the members of the committee for their responsibility in bringing House Joint Resolution 454 to the floor of the House today.

Mr. Speaker, I rise in support of House Joint Resolution 454, which I had the honor to introduce, and which provides for the development of Ellis Island as a part of the Statue of Liberty National Monument. Identical measures were introduced by the gentleman from New Jersey [Mr. GALLAGHER], House Joint Resolution 455; the gentleman from New York [Mr. FARBSTEIN], House Joint Resolution 466; and the gentleman from Colorado, the chairman of the Committee on Interior and Insular Affairs [Mr. ASPINALL], House Joint Resolution 526. Similar measures were introduced by the gentleman from Massachusetts [Mr. CONTE], H.R. 6321, and the gentleman from New York [Mr. HALPERN], H.R. 6915.

On May 11, 1965, the President proclaimed Ellis Island a part of the Statue of Liberty National Monument. House Joint Resolution 454 implements that proclamation by authorizing the expenditure of funds to develop Ellis Island, the Presidential proclamation having specifically provided that the Interior Department should expend no funds for that purpose until appropriate legislation had been enacted.

Ellis Island is situated in New York Harbor, 1 mile from the tip of lower Manhattan, 1,300 feet from the New Jersey shore, and 2,300 feet from Liberty Island, upon which the Statue of Liberty is located. Ellis Island, after its 18th-century owner, has been in Federal possession since 1800. Originally 3½ acres in size, it has been enlarged from time to time until it now consists of 27½ acres.

Prior to 1890 Ellis Island served as a place for the execution of pirates, as a part of the New York Harbor fortifications, and as a naval gunpowder magazine.

In 1890 it was placed under the control of the Federal Bureau of Immigration for development as a receiving station for immigrants. It served in that capacity from 1892 to 1954 and as such was host to more than 16 million immigrants, or some 70 percent of all those entering this country during that period of 62 years.

For these millions of Americans and their descendants, Ellis Island has a special meaning. It represents the attainment of a long-sought goal, a gate of hope to a life of freedom and fulfillment in America.

My own congressional district, the 23d of New York, has one of the highest percentages of first- and second-generation immigrants of any district in the country. In most cases these immigrants came through Ellis Island.

Since 1954, when Ellis Island was closed as an immigration station, many suggestions have been made for its use. During my service as secretary to the Governor of New York State, from 1955 to 1958, I was involved, as was Gov. Averell Harriman, in the consideration of some of these proposals. None proved practical, other than the present proposal to retain the island in Federal ownership and to develop it as a part of the national park system.

If House Joint Resolution 454 is enacted into law, the plan of the National Park Service is to rehabilitate the main immigration building for use as a public museum, to rehabilitate one or two other smaller buildings for administrative use, to remove all or nearly all the other structures now on the island, to restore the ferry basin, seawall and utilities, to landscape the grounds for public park use with emphasis, through sculpture and otherwise, on the importance in history of Ellis Island, and to provide—probably through a concession—a restaurant and similar facilities for the visiting public. I understand that the Secretary of the Interior has already arranged for a distinguished American architect, Mr. Philip Johnson, to design the project.

The development of Ellis Island is to be coordinated with plans to improve the New Jersey waterfront in the area close to the island. The plan is for a New Jersey State waterfront park opposite Ellis Island and Liberty Island. Development of such a park would add greatly to the beauty and value of the Ellis Island development itself. It is contemplated that the island and the waterfront park might be connected by a pedestrian bridge or causeway, which could be easily reached from the New Jersey Turnpike, thus increasing the accessibility of the island for tourists. Until such a bridge or causeway is built, access will be provided by boat from Battery Park at the tip of Manhattan—the same kind of service that is now available for Liberty Island. Clearly, the inclusion of Ellis Island in the National Park system will complement and augment the facilities on Liberty Island and alleviate the overcrowded conditions there.

As President Kennedy remarked, the United States is, except for our Indian citizens, "a nation of immigrants." The proposed development of Ellis Island would not only serve to remind present and future generations of Americans of our origins, it would honor the immigrants, both living and dead, who brought so much to our land and have made such significant contributions to our national development.

Although Ellis Island will no longer be used as an immigration station, its development as part of the Statue of Liberty National Monument will serve as a symbol of the fact that the United States of America remains a haven for the oppressed, for those who seek a better life on our shores. It is my hope that at this same session of Congress, in which I trust this memorial will be authorized, our immigration laws will be substantially revised so as to eliminate the outdated and discriminatory national origins quota system and thus to give greater reality to the words of Emma Lazarus' famous poem on the Statue of Liberty.

In addition, and in a very practical way, Ellis Island will add a new dimension to the recreational use of New York Harbor, one of the most dramatic and beautiful harbors in the world.

In accordance with the custom of the Committee on Interior and Insular Affairs, House Joint Resolution 454 was amended in the Subcommittee on National Parks and Recreation, so as to limit the authorization of funds to not more than $6 million, of which not more than $3 million shall be appropriated during the first 5 years following enactment of the act. This will provide authorization, with some leeway, for the Interior Department's plans for development during the first 5 years.

I want to express my thanks to the chairman of the Committee on Interior and Insular Affairs, to the chairman of the Subcommittee on National Parks and Recreation, and all the members of the committee for bringing House Joint Resolution 454 to the floor.

I hope that House Joint Resolution 454 will receive the unanimous support of this House. It will provide a sorely needed recreational facility and at the same time will preserve an important historical site, one which will perpetually remind us of an essential part of our American heritage.

Mr. SAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Speaker, I wholeheartedly support House Joint Resolution 454 which is designed to provide for the development of Ellis Island as part of the Statue of Liberty National Monument.

Earlier in the session, I introduced a similar bill, and like the able gentleman from Massachusetts, who initiated legislation in this field, and like the distinguished gentleman from New York, who is a member of the committee and whose resolution we have before us, and like others in this House who have sought this long overdue objective, I am very pleased that this recognition is finally being accorded to Ellis Island.

From 1892 until 1954, Ellis Island was the gateway to freedom for millions of immigrants from all quarters of the globe. These immigrants differed from one another in language, in culture, in educational achievement—in almost every way but one: each brought with him a heart full of hope. This hope, this enthusiasm, was translated into a host of diverse forms of action, by which each ethnic group which came to our shores was to record its contribution to the tradition and the progress of America.

Perhaps we who were fortunate enough to be born in the United States can never fully appreciate the ordeal of change which our forebears encountered in leaving behind their families, their friends, and often their fortunes. The journey to the New World was not an easy one, but in embracing the challenge which it offered, these immigrants of yesteryear brought to America a spirit of adventure and a tradition of courageous self-reliance, which formed an essential element of the American creed by which we live today.

It is altogether fitting, therefore, that we should pay tribute to these brave immigrants. And what could be more appropriate than to memorialize Ellis Island—the symbol of immigration, the quintessence of the melting pot.

Today, when there are still so many divisive influences at work in America—influences which seek to set apart the Negro and the white, the Nordic and the Latin—it is well that we should stop a moment to reflect upon the meaning of Ellis Island, and to honor its memory. For it was there, on that small plot of land that national and ethnic groups were brought together in brotherhood. It was there that many people first heard a foreign tongue being spoken, first saw different modes of dress, and first witnessed the heterogeneity which was to become one people. In various measures have these disparate groups been assimilated—some quickly, some not so quickly. But to the extent that each group is accepted and welcomed and assimilated, to that extent does the group benefit and does America prosper.

Because Ellis Island is so charged with historical import, we are charged by history with a responsibility for perpetuating its symbolic significance. Over the years since its closing, Ellis Island has been offered for sale on the commercial market a number of times. Fortunately, no such sale was consummated, and the opportunity to convert the island into a national historic site perdured. It was in recognition of our responsibility, and to take advantage of our opportunity that I introduced H.R. 6915, to designate Ellis Island a national historic site, and to initiate a study of the feasibility of providing for a bicentennial exposition there during 1966, commemorating the role of immigration in the growth and development of the United States.

On May 11, 1965, Ellis Island was added to the Statue of Liberty National Monument by Presidential proclamation. I was very gratified to see that this action was taken to memorialize the island. But I believe that implementing legislation must be passed to provide the necessary funds for the restoration of Ellis Island. House Joint Resolution 454 would provide the necessary legislative implementation and, for that reason, I commend the committee for approving this resolution and I urge all my colleagues to join me in voting for this most meritorious measure.

Mr. ASPINALL. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, I would like to compliment the committee on the fine work they have done. I am happy to see the bill reported out. While I am happy to share the responsibility for the bill with the gentleman from Massachusetts [Mr. CONTE] and the gentleman from New York [Mr. FARBSTEIN] and several of the other gentlemen, the fact of the matter is this has been a program that I have been advocating for some 6 years now, and have brought this to the attention of the committee. I visited Ellis Island along with the gentleman from New York [Mr. FARBSTEIN] and Secretary Udall who has done an outstanding job in finalizing this concept that the President has adopted by proclamation. Along with us was Governor Hughes, Senator WILLIAMS, Mayor Whalen, and other Jersey officials.

I would like to point out for the benefit of the House, that the gentleman from New York [Mr. FARBSTEIN] is not altogether right when he states that Ellis Island is in his district—3.4 acres of it is in his district while the other 24 acres of Ellis Island are in my district, the 13th Congressional District of the State of New Jersey. The island is filled in with land taken from New Jersey and down through the years the water supply has come from Jersey City; the electricity is supplied by Jersey City and the telephone service is supplied by Jersey City.

The same is true with reference to Bedloes Island on which the Statue of Liberty rests. In fact, I have one registered voter on the island and with the redistricting problems that we have, I am hoping that we can populate Ellis Island and perhaps solve that problem to some degree.

In reply to a statement concerning the Statue of Liberty, also in my district, I might say as a member of the Committee on Foreign Affairs there is absolutely no validity to the rumor that General de Gaulle is going to ask that the Statue of Liberty be returned to France as a consequence of our recent disagreements with that grand leader.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. JOELSON. Mr. Speaker, I understand there is a redistricting program in New Jersey and the gentleman may wind up with nothing but Ellis Island.

Mr. GALLAGHER. That could be true. That is why I am hoping that we can populate Ellis Island. We have had this long tradition of democracy and adherence to democratic principles in our district—unlike the gentleman's district who has a sort of newly founded democratic tradition. I hope we can continue this enlightened political spirit in the 13th Congressional District of the

State of New Jersey wherever it might extend.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I just want to say it has been my experience over the years that on an occasion such as this people always come forward and deny paternity. But it is remarkable today, the number of people coming forward and claiming paternity. This is a new wrinkle.

Mr. GALLAGHER. We in New Jersey like to accept credit for the things that we sponsor that are in the people's interest. Of course, the question of political paternity in the State of Pennsylvania, I know, has created problems in the past, especially in the Republican ranks.

Mr. ROSENTHAL. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. ROSENTHAL. Mr. Speaker, I commend the other members of the committee and the Members of the House for their work in behalf of this legislation.

I have a particular question that perhaps the gentleman can answer or perhaps the chairman of the committee can answer.

Ellis Island, as we all know, will be a very important national historical shrine and one that many people will want to visit. It is indicated in the committee report that there is a possibility a walkway will be built from the New Jersey shore to Ellis Island which will obviously make it rather accessible to the residents of the gentleman's congressional district and other New Jerseyites. But they indicate there will be a ferry running from Manhattan Island which is in New York State to Ellis Island. I wonder if that ferry is going to charge a fee or whether it is going to be subsidized by the Government in the appropriation in this bill. Because frankly, to tell you what I am leading to, I do not think the residents of New Jersey ought to have a free walkway to get over to Ellis Island and New Yorkers have to pay for a ferry ride to get there.

Mr. GALLAGHER. If I may respond to the gentleman, one of the things I have been attempting to do for 6 years now, I might say, is to allow the American public to visit these shrines free of charge and not at the expense of the general taxpayers of the country. As you know, Ellis Island is something less than 1,000 feet off the shore of New Jersey and therefore we have been trying to build a causeway there as well as a causeway to Liberty Island which is 2,000 feet off the shore. Under this plan, you can build this without cost to the Government and charge a nominal fee for people to walk to these shrines whereas now it takes a full day—if you can navigate through the traffic in New York and find a parking space and then take the Circle Line—that takes 1 full day and it is very costly for the people who want to visit these shrines. I have never seen the logic in having to go to New York to visit an island only 1,000 feet offshore from New Jersey.

Mr. ROSENTHAL. I should like to know specifically what is the proposed walkway from New Jersey and whether the ferry from Manhattan to Ellis Island would charge a fee?

Mr. GALLAGHER. It is our idea that the ferry would run from Ellis Island to Liberty Island, which is only several thousand feet away. As the gentleman knows, in the old days of the patronage system in England, Lord York, who had the original grant, was very careless with his holdings. Evidently, he did not have an accurate or efficient real estate attorney. He was quite careless in handling his real estate, especially his islands, which may be one reason why the real estate holdings of royalty have been greatly reduced in recent years. Most of the islands New York claimed are within the jurisdiction of New Jersey but are surrounded by Jersey waterways, including Staten Island which we are not going to claim because it has an outstanding Congressman in JOHN MURPHY.

When the causeway is built it is my thought that a ferry shuttle could carry people over to Liberty Island in a few minutes for a nominal fee. In this way the project could amortize itself.

Mr. Speaker, if I could be serious for a moment I would like to point out that it has been the custom and habit of the United States to make national monuments out of the birthplaces of famous Americans. I have no doubt that this is a most worthwhile practice which is applauded by a great majority of the American people. Not only are birthplaces of famous Americans enshrined, but also their homes and even places they visited. One only has to count the crowds that flock to Mount Vernon and Monticello to see the popularity of these historical monuments.

Now there is before us legislation to create a national monument out of what could be perhaps described as the birthplace of millions of Americans, many of whom later became famous. I refer, of course, to Ellis Island, the first American soil millions of immigrants touched on their way to becoming American citizens.

We are a nation of immigrants and foreign peoples have contributed everything to our present greatness. I do not believe that there are any of us who can go back many generations without finding a relative coming from a foreign land. Many tend to forget that even those who came over on the *Mayflower* were immigrants in every sense of the word.

I feel that there is a great and pressing need to develop Ellis Island into a beautiful and inspiring monument to those who have contributed so much in coming to America to live.

In urging the Congress to authorize appropriations to develop Ellis Island as an adjunct to the Statue of Liberty National Monument, I am not motivated by regional or parochial interests. I sincerely believe that the enhancement of the island as a national monument will be viewed by all Americans as an appropriate and fitting memorial to the millions of immigrants who cleared through the immigration station during the 62 years it was located there.

President Johnson has recently predicted that the island would make a handsome shrine. I concur with the President.

As you know, there are plans to develop extensive acreage on the Jersey City shoreline that will complement Liberty Island and the proposed development of Ellis Island. The Shoreline Park, a project sponsored by Jersey City and the State of New Jersey, will reclaim unsightly wasteland, turning it to a useful and recreational purpose.

I feel certain that combined with the presently existing interchange from the New Jersey Turnpike, the Ellis Island Monument will be readily accessible to the thousands of visitors who tour the Nation each year.

I am extremely happy that a project which I have sponsored for the last 6 years is finally coming to its culmination. I have urged this project with both Presidents Kennedy and Johnson. I am proud that I had their strong support. I salute Secretary Udall for his support and for the outstanding work he did to make this idea come true.

I strongly urge all Members of both parties to vote in favor of this legislation which will enshrine forever the idea that the United States is indeed the "Melting pot of all nations."

Mr. FEIGHAN. Mr. Speaker, on May 11, 1965, President Lyndon B. Johnson requested my presence at the White House to witness the signing of a proclamation adding Ellis Island to the Liberty Island National Monument. This was a moment of great personal satisfaction to me, because the day was exactly 6 years to the day, May 11, 1959, that I introduced H.R. 7054 in the 86th Congress, 1st session, a bill to provide for the establishment of the Ellis Island National Shrine.

Mr. Edward Kernan, on Tuesday, May 12, 1959, wrote in the Cleveland Plain Dealer, "Feighan Bill Seeks Ellis Island Shrine." He went on to say:

> To millions of Americans, Ellis Island is their Plymouth Rock. The Statue of Liberty and Ellis Island are synonymous. Both epitomize freedom and individual liberty to the world.

Ellis Island was the gateway for 16 million immigrants entering the United States between 1892 and 1954. On May 15, 1959, one of my constituents wrote a short note which I feel expresses the spirit of the undertaking. He wrote:

> I'm glad that you are pushing to make Ellis Island a shrine to freedom—because my mother came through there—the most beautiful girl this side of heaven—so my father says. Of course, he's a bit prejudiced.

On July 26, 1956, the Cleveland Plain Dealer, headlined a story which said, "Feighan Has Ellis Island by the Tail." I held on to the tail for 6 years because I was convinced sooner or later there would be public sentiment to preserve the historic meaning of Ellis Island. To support the President's action, Congress should now provide the funds for the development of Ellis Island as a part of the Statue of Liberty National Monument. With Presidential and congressional support Ellis Island can be developed into a place of beauty that its historic and symbolic qualities merit.

Among other reminders of freedom, I hope that this shrine will contain exhibits of early immigrant life and complete records of all immigrants who passed through this gateway to freedom.

Congress should insure for the American people that Ellis Island, the gateway where so many of our people passed through to freedom and a better life, is preserved for posterity. No more fitting shrine could be built to those millions of immigrants in generations past, who sought a great land in which to live and rear their children with dignity and pride in the pursuit of life, liberty, and happiness.

Mr. Speaker, I urge unanimous support for House Joint Resolution 454 which provides for the development of Ellis Island as part of the Statue of Liberty National Monument.

The SPEAKER. The question is on the motion of the gentleman from Colorado that the House suspend the rules and pass the resolution, House Joint Resolution 454, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the House joint resolution was passed, as amended.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 183]

Andrews, Glenn
Ashbrook
Baring
Berry
Bonner
Bow
Bray
Cabell
Callaway
Casey
Cederberg
Chamberlain
Clausen, Don H.
Collier
Craley
Daddario
Dickinson
Diggs
Edmondson
Edwards, Calif.
Evins, Tenn.
Fino
Foley
Friedel
Gray
Green, Oreg.
Gubser
Hanna
Hardy
Harvey, Ind.
Hébert
Henderson
Holland
Jacobs
Johnson, Pa.
Jones, Ala.
Keogh
Lindsay
Love
McDowell
McEwen
McMillan
McVicker
Mackie
Madden
Martin, Ala.
May
Moore
Morton
Nix
O'Neill, Mass.
Pepper
Pool
Powell
Pucinski
Purcell
Reid, N.Y.
Resnick
Robison
Roosevelt
Roudebush
Ryan
Staggers
Sweeney
Teague, Calif.
Thomas
Todd
Toll
Van Deerlin
Watson

The SPEAKER. On this rollcall, 361 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING ESTABLISHMENT OF THE GOLDEN SPIKE NATIONAL MONUMENT IN THE STATE OF UTAH

Mr. ASPINALL. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 6280) authorizing the establishment of the Golden Spike National Monument in the State of Utah, as amended.

The Clerk read as follows:

H.R. 6280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire on behalf of the United States by gift, purchase, condemnation, or otherwise, such lands and interest in land, together with any improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site commemorating the completion of the first transcontinental railroad across the United States on the site described on a map entitled "Proposed Golden Spike National Historic Site, Utah", prepared by the National Park Service, Southwest Region, dated February 1963. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the area depicted on such drawing, and in exchange therefore he may convey to the grantor of such property any federally owned property in the State of Utah under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value, but the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the "Golden Spike National Historic Site" and shall be set aside as a public national memorial. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such historic site, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 525), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666), as amended.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $1,168,000, as may be necessary for the acquisition of land and interests in land and for the development of the Golden Spike National Historic Site pursuant to this Act.

Amend the title so as to read: "A bill authorizing the establishment of the Golden Spike National Historic Site in the State of Utah.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may consume and ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD on this bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I am glad to be able to support my neighbors from Utah in their endeavors to enlarge the Golden Spike National Historic Site. Both of them, Congressman KING, and Congressman BURTON, have been diligent not only in their Golden Spike endeavors but in their other activities in the Committee on Interior and Insular Affairs and in the House of Representatives. I congratulate them, moreover, on the harmonious approach they adopted toward this particular piece of legislation.

The nailing of the last spike in the first line of rails to cross the continent was not in itself overly important, but its symbolic importance was very great. This event took place on May 10, 1869. When we think of the importance of our transcontinental railroads in opening up the markets of the eastern part of the country to the products of the West—its minerals, its timber, its food supplies; when we think of its impact on the remnants of the Indian tribes who roamed this part of the country; when we rate its effect on the ultimate disappearance of the frontier; when we pair it, as historians do, with the Homestead Law and see how the two together aided the settlement of the interior of the country; when we think of the immense engineering talent that went into its successful completion; when we look at the vastness of the financing without which it could never have been completed; when we think of it, as we should, as an example of the power of the Congress to influence the direction and the tempo of development by the subsidies it offered for completion of the railroad; and, finally, when we remember the untold hardships of the tens of thousands of men who actually hewed the ties, laid the rails, blasted the mountains, and filled in the low spots—when we do all this, we have some conception of the magnitude of the undertaking which was capped by the driving of the golden spike.

Mr. Speaker, others will describe the plans for this new national historic site in detail, so I will not recite them to the House at this time. Let me say merely that the event which took place on May 10, 1869, and the significance which it had in the history of the country deserve far better recognition than is given them by the present little monument set out in the middle of the desert. What H.R. 6280 aims to do is to give it this recognition. I am sure that the benefits which will flow from the investment of the $1,050,000 which enactment of this bill will cost by way of capital investment will far outweigh the price. I strongly recommend passage of this bill.

Mr. SAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from Utah [Mr. BURTON].

Mr. BURTON of Utah. Mr. Speaker, I rise in support of H.R. 6280, authorizing the establishment of the Golden Spike National Historic Site in the State of Utah.

The proposed historic site would be located in Box Elder County, in the northern part of the State. This area is part of the district that I am privileged to represent in Congress. The establishment of the Gold Spike National Historic Site has the support of Senators WALLACE F. BENNETT and FRANK E. MOSS of Utah, both of whom have introduced bills in the Senate for this purpose, and of my colleague from Utah, Congressman David S. King, who has joined me in sponsorship of similar bills in the House. The historic site proposed is also strongly supported by the citizens of Utah.

The historic site will mark the spot where one of the truly significant events in American history took place—the driving of the golden spike which completed the Nation's first transcontinental railroad. This occurred on May 10, 1869, almost 100 years ago. The centennial of this event will be celebrated in less than 4 years. The citizens of Utah are already preparing for the centennial celebration. It will be most appropriate if prompt and favorable action could be taken to establish this site, so that suitable facilities could be built in time for the centennial year.

Establishment of the Golden Spike National Historic Site in Federal ownership will bring well-deserved national recognition to the highly significant events culminating on May 10, 1869, when the two legs of the transcontinental rail system were joined at Promontory Summit in Utah. This was the first time any continent had been spanned by rail.

Every schoolchild has heard the story of the railroads' race to complete a coast-to-coast rail network and of the vital role the network played in opening and developing the West. Although transcontinental railroads had been proposed as early as the 1830's, it was not until President Lincoln signed the Pacific Railroad Act of 1862 that the necessary impetus was supplied by Federal subsidies.

The Union Pacific Company formed under terms of this law, started laying rails westward from Omaha, utilizing a labor force which eventually totaled some 12,000 men, mostly Irish immigrants. Similarly, Central Pacific began its eastbound leg in Sacramento, utilizing some 11,000 imported Chinese workers. The joining of these two legs meant attainment of the long-sought goal. Now the railroads had a direct link with the Pacific coast and the China trade; the extremities of the continental United States were bound together by iron rails.

The tracks across Promontory Summit were part of a principal east-west railroad artery until 1903, when the Lucin Cutoff was completed across an arm of Great Salt Lake, shortening the route and eliminating steep grades. In 1940, use of the Golden Spike route around the lake's north end was discontinued. Two years later the rails were removed for wartime scrap iron.

The heart of the proposed Golden Spike National Historic Site, a 7-acre tract in non-Federal ownership, is now operated under that same name by the Golden Spike Association of Box Elder County. It was so designated by the Secretary of the Interior in 1957 and is operated pursuant to a cooperative agreement between the United States, the State of Utah, the aforementioned association, the Southern Pacific Co., and the Central Pacific Railroad Co.

Establishment of the Golden Spike National Historic Site will allow the Department to preserve and to partially restore this significant area and to employ its skill in interpreting the railroad story and showing the social, political, and economic results of this great transportation advance.

Under this legislation there will be acquired through purchase and exchange approximately 2,176 acres, a strip 15½ miles long which was the railroad's right-of-way. The strip is generally 400 feet wide, although at the Golden Spike Monument and certain other locations, wider areas would be required for a visitor center, wayside exhibits, access roads, overlooks, parking, utilities, and other necessary facilities. Of the land involved, 634 acres are in State ownership, and we anticipate that this can be acquired through exchange. We estimate that the balance, 1,542 acres in private ownership, can be purchased for about $118,000.

The overall cost of developments planned will be $1,050,000, while operations and maintenance will come to approximately $80,000 per year.

The area is some 90 miles from Salt Lake City. Motor vehicle access will be excellent, with a major north-south highway, Interstate 15, passing nearby to the east and east-west Interstate 80N to the north. It is estimated that 107,000 persons will visit the area in the fifth year.

I believe the Golden Spike National Historic Site will be an extremely worthwhile addition to the National Park System. It constitutes a splendid opportunity to depict the vital relationship of railroads to our Nation's tremendous growth and prosperity and to the uniting of the United States. I, therefore, urge this body to take favorable action on this legislation.

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. In behalf of the citizens of Idaho and the great State of Idaho, which borders the gentleman's State of Utah to the north, I wish to say that we go on record as supporting the authorization and establishment of the Golden Spike National Monument in the State of Utah. The great event we commemorate played a significant part not only in the growth of my own State of Idaho but also in the growth of our entire Nation.

The long thin line of rails laid from the east and from the west across the vast wilderness of the American frontier and eventually joined ceremoniously in the State of Utah by the Golden Spike helped greatly to open our country for commerce and development. This was a most important accomplishment because it gave us the ability to move the vast resources of our land back and forth and enabled us to unite our efforts to make this great Nation what it is today.

I commend the gentleman from Utah, [Mr. Burton], for his efforts in this worthy cause.

Mr. BURTON of Utah. I thank the gentleman.

Mr. SKUBITZ. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Speaker, I want to congratulate my colleague from Utah on his accomplishments to date. So far, this body has approved the Dixie reclamation project and the Canyonlands National Park located in his district. We are about to approve the Golden Spike National Historical site, also in his district. I wonder if my colleague has any other projects that he wants this body to consider this month?

Mr. BURTON of Utah. Not this month, but I would not want that commitment to extend into August.

Mr. ASPINALL. Mr. Speaker, I yield 3 minutes to the gentleman from Utah [Mr. King].

Mr. KING of Utah. Mr. Speaker, recently the publication "American Heritage" had this to say about the famous event which gives rise to this legislation:

> Historians are agreed that the most dramatic and at the same time the most significant single date in the record of the American West was May 10, 1869, when the rails of the Union Pacific and the Central Pacific Railroads met and were joined at Promontory * * * a desolate spot in the Utah desert about 40 miles northwest of Ogden.

The creation of an appropriate memorial, in the form of a national historic site, for countless lovers of American history and tradition to visit, is long overdue.

For years the citizens of Utah have annually commemorated the anniversary of this great event, with appropriate pageantry. With great pride we have recalled and dramatized the great event which joined the Nation into one, thus demonstrating the triumph of raw courage and indomitable will in the conquering of a continent. It was about 96 years ago that the golden spike was driven into its wooden crosstie, thus completing a feat of tracklaying which, for sheer speed and effort in the face of natural obstacles, has never been equaled in this, or any other, country.

Unfortunately, our efforts to memorialize this great event have been limited by the fact that the actual site is at present in private ownership. Although the owners of this property have shown themselves to be completely cooperative and sympathetic with our objectives, the effort which has been possible up to now has not been able to do justice to the great significance of the occasion.

In this bill we are asking that the Secretary of the Interior be given authority to acquire appropriate acreage, in and near the site of the golden spike, and to there establish and develop a national historic site.

The cost would be minimal. Land acquisition costs are estimated to be approximately $118,000, but this is a maximum estimate. Actual costs will probably be less.

Development costs will be $1,050,000, to be incurred over a period of 2 or 3 years. The development will consist in the construction of interpretive media, to portray all aspects of old-fashioned tracklaying, including campsites and railroad trestles.

There is the eventual possibility of this site becoming an outstanding museum of western railroad equipment and rolling stock, although such is not immediately contemplated. Such a project would depend on the Department's ability to acquire various exhibits, by donations, to be negotiated. For the present, however, the Department has assured the Congress that the interpretive centers now in contemplation would be tasteful and adequate, and that they would very satisfactorily succeed in recapturing and interpreting the moving drama of the golden spike, which occurred 96 years ago.

It is estimated that over 100,000 tourists will annually visit this site, when developed. It will be located just a few miles from Interstate Highways 15 and 80, which, together, will annually carry millions of vehicles from Salt Lake City, and points south and east, to Yellowstone National Park, and to other points in Wyoming, Idaho, and the great Northwest.

As far as I know, there is literally no opposition to this legislation. If it is possible for a State to be 100 percent behind a proposition, such unanimity has been here achieved. It goes without saying that this proposed historic site is absolutely bipartisan. My distinguished colleague from Utah [Mr. BURTON] has labored with me in bringing this matter to the floor, today.

It should be added that the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments approved the enlargement of the Golden Spike National Historic Site some 6 years ago. The Department of the Interior has concurred in this decision, with enthusiasm.

On May 10, 1969, the State of Utah will celebrate the centennial of the driving of the golden spike. The commemorative commission is already at work. With the enactment of this bill, every major obstacle to the celebration of this centennial will have been removed. May I, on behalf of the State of Utah, extend to each Member of this body, a personal invitation to join with us on that occasion.

I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. KING of Utah. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. I would like to ask if there is any State or local participation in this $1,248,000 authorization or expenditure for expansion of this monument?

Mr. KING of Utah. The feeling of the National Park Service is that this is not the type of project that lends itself particularly well to local financial participation. I might say that the local communities involved here are most cooperative and are prepared to do everything necessary, including constructing roads, and participating in promotional activities. As far as participation in the actual cash outlay is concerned, the local communities have not been requested to do so. So that is not contemplated under the present plan.

Mr. HALL. Mr. Speaker, I appreciate the gentlemen yielding to me and if he will yield further I will say that I well understand the governmental largesse as explained under "need" on page 2 of the report by the Department which will be in charge of this monument. I can understand that if not asked, the local community would possibly not rush forward to participate in it, but I just want to call attention to the fact that this body this afternoon has authorized the expenditure, as roughly as I can figure it, since the last rollcall but one, of $143,771,000, of taxpayers' moneys; and most of the time with less than 50 of our 435 Members on the floor, hence the last quorum call.

This must be giveaway day in Washington, D.C.

Mr. SAYLOR. Mr. Speaker, I rise in support of this legislation. I urge my colleagues to join in the suspension of the rules and the passage of this bill. For the benefit of all the Members who are here, I would like to have their attention because there has been some concern as to whose bill is being reported. Our Committee on Interior and Insular Affairs has always had the policy that if a member of the committee introduced legislation—his bill was reported. Many Members have introduced legislation prior to the approval of the Department, and after the Department makes its recommendations people then introduce bills following the lines of the Department's recommendation. The Department of the Interior is not permitted to make any recommendation until the National Parks Advisory Board has submitted a recommendation favoring a piece of legislation establishing a national park or monument.

Each one of these bills we have before us today has met that requirement. I would just hope that we would not have a situation here such as occurred on the last piece of legislation when we had two Members, one from New Jersey and one from New York, each claiming that they were the person in whose district the property was located and therefore it should have been their piece of legislation.

If our committee will resolve this uncertainty and come back to the firm policy of considering legislation that is introduced by the members of that committee the disturbances which have appeared on the floor today and which may appear later on today will be eliminated. I hope that all of these bills, including this one, will be passed.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Arizona.

Mr. UDALL. Mr. Speaker, I thank the gentleman for yielding. I am sorry that we are all here at this late hour tonight, but if this event today has proven one thing it has proven that the House needs joint sponsorship of bills by the Senate. We have been here an extra 2 hours because of some very justifiable complaints that one bill instead of another bill should have been taken up. I want to say that the gentleman from Pennsylvania [Mr. SAYLOR] and the gentleman from Colorado [Mr. ASPINALL] have operated in the Committee on Interior and Insular Affairs, and particularly on national park matters with complete bipartisanship. There has never been any partisanship shown. The gentleman from Pennsylvania has supported Democratic bills affecting Democratic districts, and we have tried to do the same thing for his side. I regret very much that this whole matter has come up and that we have had this delay, all due to the difficulty about whose bill is going to be reported.

The Republican presidential candidate last year, with whom I disagreed on many things, was involved in a situation of this kind and after discussion about it he said to me that it does not matter who gets the credit for bringing up a bill. I think that ought to be the spirit in which we take up matters such as these.

Mr. SAYLOR. This has been the spirit, I might say to the gentleman and to all Members of the House, that has pervaded the Committee on Interior and Insular Affairs, so long as bills introduced by members of that committee were considered.

Mr. BURTON of Utah. Mr. Speaker, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman.

Mr. BURTON of Utah. Mr. Speaker, I would like to take this occasion to assure my friend from Pennsylvania that there is no dispute about whose bill was to be considered in this instance. My colleague from Utah consulted with me several months ago on the matter and we agreed on it.

The SPEAKER. The question is, will the House suspend the rules and pass the bill H.R. 6280 with an amendment?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the rule was passed.

A motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 26) to authorize the Secretary of the Interior to acquire lands, for, and to develop, operate, and maintain, the Golden Spike National Historic Site, a similar bill to the one the House just passed.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 26

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire on behalf of the United States by gift, purchase, condemnation, or otherwise, such lands and interest in lands, together with any improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site commemorating the completion of the first transcontinental railroad across the United States on the site described on a map entitled "Proposed Golden Spike National Historic Site, Utah", prepared by the National Park Service, Southwest Region, dated February 1963. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the area depicted on such drawing, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the "Golden Spike National Historic Site" and shall be set aside as a public national memorial. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such historic site, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated the sums of $118,000 for the acquisitions of land and interests in land and not more than $1,050,000 for the development of the area authorized under this Act.

Passed the Senate June 16, 1965

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: "Strike out all after the enacting clause of S. 26 and insert the provisions of H.R. 6280 as passed."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider was laid on the table and a similar House bill (H.R. 6280) was laid on the table.

HUBBELL TRADING POST HISTORIC SITE, ARIZ.

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3320) to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing the Hubbell Trading Post National Historic Site, the Secretary of the Interior is authorized to purchase with donated funds or funds appropriated for the purpose, at a price to be agreed upon between the Secretary and the owner or owners, not to exceed the fair market value, the site and remaining structures of the Hubbell Trading Post of Ganado, Arizona, including the contents of cultural and historical value, together with such additional land and interests in land as in his discretion are needed to preserve and protect the post and its environs for the benefit and enjoyment of the public: *Provided*, That the total area so acquired shall not exceed one hundred and sixty acres: *Provided further*, That the amount of land retained for the purpose hereinbefore stated shall not be in excess of that amount of land reasonably required to carry out the purposes of this Act, and any excess land, together with water rights, shall be offered for sale to the Navajo Indian Tribe at a price per acre equal to the per-acre price paid for the total area, excluding structures and contents thereof.

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land, structures, and other property have been acquired by the United States for the national historic site, as provided in section 1 of this Act, such property shall be established as the Hubbell Trading Post National Historic Site, and thereafter shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended. An order of the Secretary, constituting notice of such establishment, shall be published in the Federal Register.

SEC. 3. There are hereby authorized to be appropriated not more than $952,000 for the acquisition of lands and interests in land and the contents of the Hubbell Trading Post which are of cultural and historical value and for development costs in connection with the national historic site as provided in this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may consume. At this time, Mr. Speaker, I ask unanimous consent that any Member desiring to do so may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, one of the great institutions of American history during the last century and even into the present century—an institution that we are apt to forget the importance of—was the Indian trading post. We have two bills before us today that deal with this subject. One is H.R. 3957 by the gentleman from North Dakota [Mr. REDLIN], which will authorize the Fort Union Trading Post National Historic Site. The other is H.R. 3320 by the gentleman from Arizona [Mr. UDALL], which has to do with the Hubbell Trading Post National Historic Site.

I want at this time to speak briefly on the second of these two bills. Let me acknowledge at the outset that we had trouble with this bill when we had it here on the floor during the 86th Congress. I thought it was a worthy bill then and I supported it. I do the same today, for I am convinced that we ought to preserve and keep available for the American people a few samples of this facet of their past.

The Hubbell Trading Post is a particularly good example. It is located in the heart of the Navajo country, and the work of the Indian trader was carried on at this site continuously from 1878 until 1957 or thereabouts. From 1878 until 1930 it was owned and operated by its founder, John Lorenzo Hubbell. On his death his son took over the business and continued it. Now the old trading post has become virtually a museum. Fortunately both the main building (built about 1900) and its furnishings have been kept intact. In addition, it has a very valuable collection of Indian artifacts and handicrafts and of western paintings and a substantial library of Americana. These give it an added attraction and make it a fine place for serious students as well as tourists and travelers to visit.

The land around the trading post proper—160 acres—was homesteaded by Mr. Hubbell when he settled in this part of the country. It is completely surrounded by Navajo tribal land. If any of it is disposed of as not needed for the national historic site—an eventuality which I do not anticipate will happen—the bill provides for its sale to the Navajo Tribe at the same price as the Government pays for it.

The price tag on this piece of legislation is about $950,000—$169,000 for the land and buildings, $144,000 for the collection of art, ethnological objects, and the like, and $635,000 for development costs. These are necessarily preliminary estimates, but they have been made by competent and even expert men. In no event will more than the fair market value be paid. I think that a few years hence we will all be glad that we had the foresight to provide for the acquisition and preservation of this piece of American history, and we will wonder why we did not do it sooner.

Mr. Speaker, I heartily recommend enactment of H.R. 3320.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3320, authorizing the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona.

Enactment of H.R. 3320 will preserve and commemorate an important place in the development of the American West—the role played by the reservation traders in extending the white man's civilization to the West and acquainting the native Indian and Spanish peoples with the Anglo-American way of life.

Since approximately 1900, the Hubbell Trading Post has been utilized as a center for Indian trade purposes. The proximity of Hubbell Trading Post to the Navajo Indian Reservation has contributed to its success as the oldest continuously operated business in northern Arizona.

John Lorenzo Hubbell, the original settler of the trading post tract, has been described as a legendary character, often called, "the king of northern Arizona." He operated the trading post for more than half a century until his death in 1930.

The Hubbell Trading Post tract includes within its present makeup many intangible elements important to the heritage of the great American Southwest. The Spanish influence, that of the early Anglo settlers, traders, explorers and exploiters, and the subtle, ever-present Indian tribes' profound impact upon this arid region are nowhere better illustrated than at this typical Indian trading post.

Each cultural element of the area is well represented. In addition, the examples of Western art and ethnological objects preserved at the Hubbell Trading Post constitute significant Americana and vital parts of the story of trading post life. Until recent years, this trading post was a vital, living center for the exchange of goods, customs, and information between inhabitants of the American Southwest whose ethnic backgrounds differed widely.

The required land of 160 acres can be acquired for approximately $169,000. Additional acquisition costs total about $143,500—approximately $135,000 for the trading post's existing collection of art and ethnological objects, another $8,500 for firearms, furnishings, books, and other objects having cultural or historical association.

Developments planned over the first 5 years after establishment—including construction of roads, trails, and parking areas; stabilization and rehabilitation of historic structures; preparation of exhibits; and installation of utilities and sanitary facilities—should cost no more than $635,000. Management and protection will cost about $70,000 per year.

In conclusion may I say that the Hubbell Trading Post portrays in capsule form the pattern and history of Navajo trade and the American Southwest. I urge your favorable action on this legislation.

Mr. UDALL. Mr. Speaker, I rise in support of this bill to authorize establishment of the Hubbell Trading Post in Arizona as a National historic site.

The Hubbell Trading Post is history. It stands at the crossroads of yesterday, suspended by time, awaiting renovation or ruin. It looks about the same now as it did in 1912 when Teddy Roosevelt spent a week there visiting his old friend, Don Lorenzo Hubbell. Hubbell himself was a sort of American epic hero. A trader, he was friend of the Indian and white man alike during the turbulent periods of Indian uprisings and western settling. He was a real life version of today's movie character who took the cavalry officer to the hostile Indian village to arbitrate a bloody war. He was a symbol of truth to the Indians in years when the white man was his declared enemy and, later, when he was the Indian's neighbor only by a tentative truce. The hostile land of the Southwest was settled really by Hubbells. Its progress is a tribute to them.

Hubbell's powers of persuasion were evidenced in his dealings with the Mormons. One time Brigham Young sent a messenger bearing a summons to the Navajo chief. The Indians had been stealing too many Mormon horses. Don Lorenzo explained that the summons must be obeyed, and he agreed to accompany the Navajo leader to the conference. At the meeting an agreement was reached in which the Navajos promised not to steal any more horses and in return for this promise they were allowed to keep the stolen horses already in their possession. I suggest that Don Lorenzo Hubbell would have made an excellent legislator, even in the 89th Congress.

Construction on the Hubbell Trading Post was started in 1876 at a place called Rio Pueblo Colorado, named for a nearby Indian settlement no longer in existence. Its location was a strategic one at that time, on the main road from Keams Canyon to Fort Defiance. It was the first trading post located away from direct military protection.

At this trading post the Indian was first introduced to the concepts of money value and credit. During the wool clip season, a credit was established for each family at the post. But most Indians did not know the word "credit"; it was not in their vocabulary. So Hubbell issued his own aluminum dollars which could only be spent at the post. This hard money supplanted paper money which seemed flimsy and did not have the substance of the kind made of metal.

In time Hubbell's trading post became the largest source of Navajo rugs. It was not unusual for the Fred Harvey buyer to place an annual order for $25,000—an enormous sum of money in those days.

At the age of 77 Don Lorenzo Hubbell died. And in 1930 Mr. Roman Hubbell took over the management of the trading post. Since his death his wife, Mrs. Dorothy Hubbell, has managed the trading post but it has served only as a museum since Roman's death.

The Hubbell Trading Post is uniquely rich in Indian and western American history. It stands today as it did in the 1880's, the same building, many of the same furnishings. The whole fascinating tale of the development of the American Southwest is recalled in artifacts and scattered writings. The Hubbell Trading Post, which once brightened the dusty flatlands of northeastern Arizona, now appears antiquated in contrast to the streamlined Highway No. 66 which is close by. The Hubbell Trading Post is a memory, one well worth saving.

The Members well might ask: Granted that the trading post itself is a valuable piece of Americana which ought to be preserved, how do we know that the works of art and craft and ethnological material the Federal Government would be buying are fairly priced?

This is a good question and was raised in the House in 1960. At that time the National Park Service asked Dr. Edward B. Danson, director of the Museum of Northern Arizona in Flagstaff, if he could arrange an unbiased appraisal. At the museum's expense, four leading experts on the Southwest agreed to appraise the Hubbell materials. Mr. Clay Lockett and Mr. Tom Bahti, both of Tucson, whose reputations and knowledge in their field are absolutely unquestioned, agreed to appraise the Indian art, crafts, and ethnological items. Mr. William O'Brien, of Scottsdale, Ariz., and Mr. Evan Rosequist, of Tucson, both acknowledged art experts, agreed to evaluate the paintings and other works of art. After 2 days making an inventory at the trading post, these experts came out with an appraisal of $111,536. This did not include guns, furniture, and other items.

That appraisal was made in 1960. Since then, Indian art and jewelry have been "discovered" and wealthy collectors have created such demand that the price of such objects has risen sharply.

I want to assure the Members that before the National Park Service would buy the Hubbell collection, it would carefully inventory and catalog each item. I am confident that the end result would be acquisition of a collection of cultural and historical value for an amount less than its actual worth because the House committee, in its bills, set a ceiling on the entire cost of acquiring Hubbell and there is only so much money available for these treasures.

In this day and age, history-book events are commonplace. Air and land speed records are constantly being set; nations are realizing military power unthought of at the turn of the century; men are walking in space. In short, the early history of our country threatens to be submerged in the pages of onmarching American History. We in Arizona believe that our tradition is precious and that it can and should be preserved. For this reason, I ask the Members of this House to support the acquisition of the Hubbell Trading Post by the Federal Government.

Mr. SENNER. Mr. Speaker, I rise in support of H.R. 3320. This bill authorizes the Secretary of the Interior to purchase the Hubbell Trading Post at Ganado, Ariz., on the Navajo Indian Reservation, for the purpose of establishing it as a National Historic Site.

The question may properly be asked: Why should the Congress of the United States authorize the expenditure of funds to purchase and maintain a trading post? To answer this question, let me first give a brief history of the post and its founder.

Construction on the post was started by Don Lorenzo Hubbell in 1876 at a place called Rio Pueblo, Colo. The location was away from the protection of a military fort and near to an Indian settlement. Don Lorenzo became a good friend and benefactor of the Indians who lived in that area, as well as an almost legendary figure among the early settlers. His post became the focal point where the white man's way of life and the Indian's met and intermingled. He became the intermediary between two different worlds; he settled a dispute between the Mormons and the Navajos concerning some stolen horses; he introduced his own aluminum money to establish a workable credit system for the Navajo sheepherders; he attended the sick and dying during the smallpox epidemic of 1886. Among the Indians living in the arid and dusty lands surrounding his post he was looked upon as a benefactor, a man who could be trusted, a man who, unlike the other white men the Indians knew in the forts, was sincerely interested in their welfare.

Not only was Don Lorenzo held in high esteem by the Indians, but also by the other settlers and tradesmen of the Arizona territory. He was elected to the territorial and State legislatures as Representative and Senator. His home became the gathering place for painters and photographers, for traders and officials.

When he died in 1930 at the age of 77, his son, Ramon, carried on the post's activities. The post has been in continuous operation for the last 90 years. It has been the center of life and trade for an important segment of the Navajo Reservation.

The trader's life is not a glamorous one. He operates a normal business except that he and his customers come from two different cultures. I guess this one fact does make his a different business. The goods he sells are paid for with a blanket or a silver bow guard. His store looks like a warehouse full of colorful treasures. His life is the link between the white man and the red man. His store is the meeting place between the Indian and the tourists.

The history of the Southwest is the history of the struggles and the conciliation between the white man coming from the East in his rush for unexplored lands, the Spaniard and the missionary coming from the south, and the Indian upon whose territory the struggle occurred. The fur trapper and the trader, the first wave of the encroaching Anglo-American civilization, were the people on friendly terms with the Indians since their livelihood depended on the Indian's good will and satisfaction.

The history of the Southwest is filled with the names of men like Kit Carson, Bill Williams, and Don Lorenzo. These men established the first contact with the Navajo warrior and the Hopi farmer. As in the East, the history of the pioneers can be traced in the settlements of Jamestown and Williamsburg, as the expansion and exploration can be followed in the tracks through the Cumberland Pass, as the missions and forts of the West attest to that region's conquest, so can the history of the last frontier of the United States—the settlement of the Southwest—be seen in the mud and log huts of the trading posts.

The history of the United States is not the history of one particular sector of the country. It is the history of all the settlers and pioneers who set out to establish for themselves a new life in a strange environment. The history of the country is not only visible in the birthplaces of famous men, not only in the homesteads and hometowns of our Presidents, but also in the homes and dwelling places of the fur trapper and the squatter. Surely these humble abodes are as much a part of our national heritage.

And why the Hubbell Trading Post? Why should it be singled out from among the many posts which existed and still exist among the Indian tribes? The answer is simple: it is the best existing example of its kind. Its continuous existence, the atmosphere of trust and friendship between the Hubbells and the Indians, the fact that Don Lorenzo was not just a trader out for profit, but a man sincerely interested in the Indians and their ways, the existing collection of artifacts and art so painstakingly gathered, all these elements combine to make the post unique among its kind.

The National Park Service conducted a survey of the existing trading posts in the Navajo Reservation area and came to the conclusion that the Hubbell Post exemplifies this phase of our American history—the role played by the Indian trader—like no other known trading post. Superintendent Guillet, of the Canyon de Chelly National Park, himself the son of a trader and reared on a trading post, who conducted the survey, states:

> The Hubbell Trading Post stands alone as the only one which has retained the original site, buildings, and character.

He also stated that he knows "of no other modern trading post that would remotely approximate in value that of the Hubbell Trading Post as a historical site."

Dr. Edward Danson, director of the Museum of Northern Arizona, a noted authority in the field of Southwestern ethnology and history, stated that he knew of no other trading post which possessed the "integrity and history" of the Hubbell Post.

A visitor to the post has described the post as it exists today in the following words:

> The stone, log, and mud post is hung in rare ceremonial baskets, stocked with gun collections, furnished with relics of surprising elegance, and literally crammed with the masterpieces of painters, sculptors, and photographers who stayed at Don Lorenzo's.
>
> Wherever the roving eye pauses—there is a marvel. A hundred-year-old brass bed, trophy game heads, huge library of scarce Americana, Indian artifacts of all descriptions, steamer trunks, Navajo rawhide saddles and beginning silverwork. In a word, the genuine stuff in the place where it was gathered and used.

The value of the post lies not alone in the land, or the buildings, or the collections of furnishings, painting, and artifacts—although these objects would fetch a good price on the open market. The value of the post lies also in its total makeup, in the configuration of the intangible elements of the Spanish, settler, trader, and Indian heritages. The post is unique in its integrity, in the way in which it has come into existence and in the way in which it has been maintained. To separate the various furnishings, to sell the land and the buildings, to break up the post—and this is what will happen unless the post is acquired and preserved—would be to destroy the best example now in existence of the institution of the trading post. Surely, we do not want to deprive our children of the enjoyment and the educational value of our history. History is never made as clear and vivid as when one can run one's finger over the roughness of the ax-hewn log or trace the words on a yellowed piece of parchment.

Therefore, I strongly urge the passage of H.R. 3320.

The **SPEAKER**. The question is on the motion of the gentleman from Colorado that the House suspend the rules and pass the bill H.R. 3320 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

A motion to reconsider was laid on the table.

AUTHORIZING ESTABLISHMENT OF THE FORT UNION TRADING POST NATIONAL HISTORIC SITE, N. DAK.

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3957) as amended.

The Clerk read as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in order to commemorate the significant role played by Fort Union as a fur trading post on the upper Missouri River, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or otherwise, the historic remains of Fort Union located in Williams County, North Dakota, and Roosevelt County, Montana, and such additional lands and interests in lands as he may deem necessary to accomplish the purposes of this Act.
>
> SEC. 2. When the site of historic Fort Union and other required lands and interests in lands have been acquired by the United States as provided in section 1 of this Act, the Secretary of the Interior shall establish such area or areas as the Fort Union Trading Post National Historic Site, by publication of notice thereof in the Federal Register.
>
> SEC. 3. The Secretary of the Interior shall administer, protect, develop, and maintain the Fort Union Trading Post National Historic Site subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 353), as amended and supplemented, and the provisions of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666).
>
> SEC. 4. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

The **SPEAKER**. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may consume and I ask unanimous consent to revise and extend my remarks and that all Members desiring to do so may extend their remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the bill we are now about to consider—H.R. 3957 by the gentleman from North Dakota [Mr. REDLIN]—is the second of the two bills on the calendar today dealing with Indian trading post activities.

This bill proposes the creation of the Fort Union National Historic Site; the other dealt with the Hubbell Trading Post National Historic Site. Let me compare the two this way: Whereas the Hubbell Trading Post was in the heart of the Southwest, Fort Union belongs to the western Great Plains. Whereas

Hubbell dates from the last quarter of the 19th century and the beginning of the 20th, Fort Union goes back to 1828. And whereas Hubbell was a center of trade with the Navajos, it was the Blackfeet, Crow, Assiniboine, Cree, Chippewa, Sioux, and others that Fort Union dealt with. I mention these facts to make it clear that, despite the coincidence that brings these two bills to the floor on the same day, they are in no sense duplicates of each other. Fort Union and Hubbell Trading Post both deserve recognition. Each can stand on its own feet.

The Fort Union Trading Post, as I said, was established in 1828. Its reason for existence was the fur trade, and particularly trade in beaver skins. Two rivals had established themselves on the upper Missouri—the American Fur Co., and the Columbia Fur Co. They merged and built near the confluence of the Missouri and Yellowstone Rivers a 220-foot square fort surrounded by a 16-foot-high fence and from there conducted their operations. The business continued until a few years after the Civil War when the post was sold to the Army and mostly dismantled. Yet there are still enough remnants of the original left to make this a worthwhile addition to our Federal collection of national historic sites. Thus we have the bill before us today which provides for the acquisition of the site of the fort and of other land in its vicinity—about 400 acres in all—so that everyone may appreciate the sort of country in which it was located, and for preserving the remains and interpreting them to the visiting public. The total capital cost involved in this bill, as presently estimated, is a little over $600,000—$613,000 to be precise. Annual operating costs are estimated at $74,000.

Mr. Speaker, I recommend passage of H.R. 3957.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from North Dakota [Mr. ANDREWS].

Mr. ANDREWS of North Dakota. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, Fort Union was founded in 1829 by Kenneth McKenzie, and soon after became the showpiece establishment of the American Fur Co. on the upper Missouri during the period of steamboat traffic on the Missouri. Fort Union was visited by many famous artists, writers, and scientists. Late in the Civil War it was succeeded by the military post of Fort Buford in the same locality.

As a fur post, Fort Union was situated strategically for trade with the Assiniboins, whose range was north of the Missouri to the Assiniboine River and as far east as the Mouse Valley, where Minot is. Two independent studies—the fur trade and the military and Indian history—have caused the National Park Service to determine that Fort Union is worthy of designation as a national historical landmark.

This legislation calling for the restoration of Fort Union has been sponsored by members of the North Dakota and Montana delegations at the request of the Department of the Interior and with the cooperation of the Yellowstone-Missouri Fort Union Commission created by the 1959 North Dakota Legislature.

Resolutions supporting this legislation have been adopted by the board of directors of Target "75," Williston area community development program, Williston, N. Dak.; by the State park board, North Dakota State Historical Society, Bismarck; Bowbells Lions Club; Garrison Civic Club; Board of City Commissioners, Williston; Wahpeton Chamber of Commerce; North Dakota Jaycees board of directors; and the Yellowstone-Missouri Fort Union Commission.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Montana [Mr. BATTIN].

Mr. BATTIN. Mr. Speaker, I take this opportunity to thank the chairman of the committee and the members of the committee for reporting this bill. Certainly the statement made by the chairman concerning its value to our history is without question. I am sure most Members of the House who travel through the north central part of our country will enjoy the opportunity to visit it. Certainly it will be good for the country, and I urge passage of the bill.

Mr. ASPINALL. Mr. Speaker, I yield such time as he may desire to the gentleman from North Dakota [Mr. REDLIN].

Mr. REDLIN. Mr. Speaker, I take this opportunity to express appreciation to the distinguished chairman of the Committee on Interior and Insular Affairs, and the members of the committee, for bringing this bill to the attention of the House this early in the session.

Mr. Speaker, the fur trade represented a preliminary phase in the settlement of the West. Traders and trappers, in their search for pelts, explored the wilderness and dealt with the Indians, influencing the course of Indian relations for years to come.

As an integral part of American historical development, the fur trade deserves recognition and attention—not just for the benefit of scholars but for all Americans who wish to understand their country.

In my bill, H.R. 3957, we have an opportunity to recreate for thousands of Americans the color and drama of the fur trade on the upper Missouri River by establishing Fort Union Fur Trading Post in Williams County, N. Dak., near the Montana border, as a national historic site.

Mr. Speaker, in the early 1800's, an insatiable demand existed in Europe for the furs and skins of animals. Interest in the fur-bearing potentials of the upper Missouri region, particularly in beaver pelt, sprang from reports of Lewis and Clark, who had camped in 1805 and 1806 in the area where the Missouri and Yellowstone Rivers join.

Noting that the travel of Indians and trappers converged in this confluence area, the Upper Missouri Outfit, a branch of the western department of the American Fur Co., constructed a fur-trading post there in 1828. Named Fort Floyd at first, the post was renamed Fort Union in 1830. For nearly 40 years, it ranked as the most important fur-trading post in the Northern Plains region.

H.R. 3957 would authorize a project that would portray the role of the fur traders in opening the West, as well as the intense rivalry and intrigue in the fur-trading business of the period. It would interpret the effects on the Indians, including the introduction of liquor and white men's diseases, such as smallpox.

From Fort Union, trade was carried on with Blackfeet, Crow, Assiniboine, Cree, and Chippewa and from its subsidiary posts downstream, with the Arikara, Mandan, and Sioux. In its early years, Kenneth McKenzie, known as "King of the Missouri" was in charge of the post.

Starting in 1832 when the steamboat *Yellowstone* arrived, Fort Union was the head of navigation on the Missouri River. A long list of famous explorers, frontiersmen, soldiers, and travelers stopped there. These included George Catlin, the American Indian artist; Karl Bodmer, Swiss artist; Prince Maximilian of Wied-Neuwied, a Rhenish principality; John J. Audubon, the naturalist; Father Pierr-Jean DeSmet, Jesuit missionary; Jim Bridger, trapper; Jedediah Smith, fur trader; John Colter, explorer; John Mix Stanley and Charles Wimar, early American artists.

In 1832, George Catlin described Fort Union as "the largest and best-built establishment of the kind on the river." In the 1840's, Father DeSmet termed it "the vastest and the finest of the forts that the fur company has upon the Missouri."

In its peak during the 1830's, about 100 people were employed at Fort Union—Americans, Englishmen, Germans, Frenchmen, Russians, Spaniards, and Italians. Many were married to Indian women. The fort was self-sufficient, with smiths, masons, carpenters, shoemakers, and hatters in residence. The post kept a herd of cattle and maintained a garden.

During this period, the American Fur Co. had 500 people in its employ on the upper Missouri and maintained 23 regular and wintering posts. In the fall and winter, the Indian tribes came to these posts to barter the skins they caught during spring and summer trapping seasons for beads, combs, powder, rifle balls—and liquor, although it was forbidden by law.

The importance of Fort Union declined with a diminishing demand for beaver pelt. In 1865, the fort was sold to the Northwestern Fur Co.

In 1866, the Army established Fort Buford nearby and in 1867, purchased Fort Union to provide building material for the new Army post. The great house, once occupied by "King" McKenzie and the 16-foot timber pickets surrounding the 220-foot square quadrangle were torn down. All that remains of Fort Union today are the remnants of the two masonry bastions and earth-mound outlines of the fort.

Enactment of H.R. 3957 will enable the Department of Interior to make a thorough archeological survey of the Fort Union ruins. It authorizes the Secretary of Interior to acquire not more than 400 acres of land to preserve the Fort Union site and its environs. The 10-acre Fort Union site currently is owned by the North Dakota State Historical Society, which to its credit, has endeavored to preserve the remains. Recognizing that the technical resources of the National Park Service are necessary to do a complete job, the historical society stands ready to donate the site to the Federal Government. Enabling legislation has been approved by the North Dakota State Legislature. Fort Buford, nearby, is currently part of the North Dakota State park system, which operates a museum there. With development of Fort Union, I am certain the State will redouble its efforts to protect and commemorate Fort Buford, as a companion attraction.

Above and below the site in North Dakota and Montana, the Interior Department would acquire another 210 acre strip of Missouri River bank and benchland. About a quarter of a mile northeast, a second parcel of 160 acres would be developed as a parking overlook, providing a panoramic view of the area where the Missouri and Yellowstone Rivers join, including the sites of Fort Union and Fort Buford, as well as two other fur-trading posts, Fort Williams and Fort Mortimer.

Other contemplated developments over a 5-year period include a modest visitor center, administrative facilities, roads and walkways, reconstruction of part of the stockade, and suitable exhibits and markers.

Estimated costs for the project total $613,000. Administrative costs when the site is in full operation will be about $74,000 a year.

In 1961, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments concurred in a recommendation by the Department of Interior that Fort Union should be classified as of exceptional value in illustrating and commemorating the history of the United States. In 1962, the Advisory Board recommended establishment of the area as a national historic site. H.R. 3957, which, of course, has this purpose, was favorably reported by the Interior and Insular Affairs Committee without objection.

In my State and in Montana, I am proud to say there has been a great amount of enthusiasm for re-creating this great historical crossroads. Support has come from many civic groups; I would like to cite, in particular, the work of the Yellowstone-Missouri Fort Union Commission and the 6th Infantry Unit. The latter was organized by a group of citizens in the Williston, N. Dak., area on an honorary basis at their own expense to bring back to life the Army unit once stationed at Fort Buford, where, incidentally, Sitting Bull surrendered in 1881. Last year, the honorary 6th Infantry, complete with uniforms, rifles, and Indian scouts, made an appearance at the World's Fair at New York.

Mr. Speaker, the establishment of the Fort Union Historic Site will make a valuable addition to the national park system. Combined with high historical interest is the natural beauty of the area. As a native of the region, I am fascinated, as in my boyhood, by watching the Missouri and Yellowstone join in the shadow of the colorful river breaks. Dams have changed the appearance of the mighty Missouri, but at this location, the flow remains as it was in years gone by. From the parking overlook that will result from enactment of H.R. 3957, the view should be magnificent.

Fort Union is just 57 miles from the north unit of Theodore Roosevelt National Memorial Park, which embraces a good part of the North Dakota Badlands. Last year, Roosevelt Park had a total attendance of 261,000, more than double the figure for 10 years earlier. When the Fort Union project is complete in 5 years, the National Park Service estimates it will attract at least 75,000 to 100,000 visitors each year, and many more if certain proposed roadways in the region come into existence. Fort Union is within 25 miles of the upstream end of the Garrison Reservoir, which is expected to attract increasing numbers of vacationers to the region.

Mr. Speaker, urbanization, automation and the shorter workweek have created a national need for expanding the national park system, with emphasis on points of historical interest and natural beauty. I am confident that the establishment of Fort Union Historic Site fits into the scheme of things.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota and Montana, and for other purposes."

HERBERT HOOVER NATIONAL HISTORIC SITE, IOWA

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8111) to establish the Herbert Hoover Birthplace National Historic Site in the State of Iowa.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of Herbert Hoover, the Secretary of the Interior may acquire the necessary acres of land or interests in land (including scenic easements) in or near West Branch, Iowa, by donation, purchase with donated or appropriated funds, transfer from a Federal agency, or otherwise. Such property shall be known as the Herbert Hoover National Historic Site.

SEC. 2. The Secretary of the Interior and the Administrator of General Services may enter into agreements which provide for the—

(1) transfer of lands and other property, except the Herbert Hoover Library building, from the administrative control of the Administrator to that of the Secretary without transfer of funds; and

(2) use by the Administrator of portions of facilities constructed by the Secretary.

SEC. 3. The Secretary shall administer the Herbert Hoover National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666).

SEC. 4. There are authorized to be appropriated not more than $1,650,000 for land acquisition and development in connection with the Herbert Hoover National Historic Site as provided in this Act.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASPINALL. Mr. Speaker, I yield myself such time as I may consume. I ask unanimous consent to revise and extend my remarks, and I ask unanimous consent that any other Member desiring to extend his remarks in the RECORD on this subject may have the opportunity of doing so.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, H.R. 8111 by the gentleman from Iowa [Mr. SCHMIDHAUSER] is such a simple bill that there is no need for lengthy explanation or, as far as I am concerned, justification of it. I speaks for itself.

The only purpose of H.R. 8111 is to create the Herbert Hoover National Historic Site and to provide for its administration as a unit of the national park system. The site is that at which Herbert Hoover was born, on which he spent the first 10 years of his life, and at which he and Mrs. Hoover are buried.

The proposal is to acquire and set aside approximately 200 acres of land at West Branch, Iowa. About 28 acres of this area are already owned by the United States and another 6½ are held by the Herbert Hoover Birthplace Foundation, Inc. On this land is still standing the very cottage in which Herbert Hoover was born on August 10, 1874, a replica of his father's blacksmith shop, his and his wife's graves, and a memorial library at which are available for scholarly use his Presidential papers and other items.

The library will continue to be administered, as it should be, by the General Services Administration as part of the National Archives system. The remainder of the historic site will be administered by the Secretary of the Interior through the National Park Service. It will be open to the general public and will be a constant reminder to all who visit it not only of Herbert Hoover's role as President of the United States but also of the part he played in the world of his day as an engineer, as administrator of Belgian relief after World War I, as Secretary of Commerce, and as elder statesman following his retirement from the Presidency in 1933.

The estimated cost to the United States of acquiring the land, removing from it structures which are not in keeping with the West Branch scene as it was when this was Herbert Hoover's home, rehabilitating other structures that belong to the contemporary scene, erecting a visitor center, and rerouting a city street that intrudes on the land is about $1,650,000.

Mr. Speaker, the House has done well today in passing, as it already has, six national park bills. It will do even better if it passes this seventh one, too. I heartily recommend that it do so.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. Anderson].

Mr. ANDERSON of Illinois. Mr. Speaker and Members of the House, there can be little question that Herbert Hoover was one of our country's greatest Presidents and that his memory should be properly enshrined in some sort of historic setting.

However, after perusing H.R. 8111 and the related testimony, I have serious reservations about the plan to turn the area over to the Department of the Interior.

The beautiful 28-acre park which now includes President Hoover's birthplace and burial site is presently owned by the Federal Government and operated by the General Services Administration under the 1955 Presidential Libraries Act. And according to the testimony of Alan Hoover, the late President's son and the president of the Hoover Birthplace Foundation:

> The GSA is doing a magnificent job of organizing the Presidential Library, caring for the grounds, directing visitors, and maintaining security.

The main reservations of Alan Hoover regarding the future GSA administration of the grounds are that GSA cannot acquire additional land, nor can it participate with the community of West Branch in new problems which will arise over the birthplace site.

It seems to me that the question we should all be asking ourselves is, "Is the expenditure of an additional $1,650,000 for more lands and further development necessary?" Under this bill, the Federal Government would purchase 200 more acres of land, and it is obvious from the testimony that GSA is not equipped to handle such a large tract of land, and that only the National Park Service is capable of this chore.

But it is also obvious from the testimony that the Department of the Interior has no development plans for the additional 200 acres. I would like to draw your attention to the committee report on this bill which is seriously misleading on this point. I am quoting from page 4, the fifth paragraph, which reads as follows:

> Approximately 200 acres of lands or interests therein should be acquired so that the area may be developed for the education and enjoyment of the public, and will provide a dignified setting for the birthplace, burial place, and related features of the historic scene free from modern vehicular traffic and other encroachments.

A careful examination of the testimony will reveal that the sole purpose for this additional land purchase is to protect the surrounding area from what is termed "unsightly" commercial development. Contrary to the passage from the committee report which I have just quoted, the National Park Service has no development plans for the additional land which will cost $1 million to purchase. This point was confirmed for me in my own talks with the chief of the National Park System study.

Now I realize that the Government has often found it necessary in such instances to make land purchases for the purpose of scenic easement. But I seriously doubt that such action is necessary in this case. We must first ask ourselves, is the land surrounding the park being threatened by unsightly commercial development? Allow me to quote to you from the testimony of William Wagner, the professional architect for the Herbert Hoover Birthplace Foundation:

> Somehow, the architectural junk that usually springs up all around most of our historic places, is absent. The citizens can be thanked that there are no ice cream parlors, rootbeer stands, hamburger joints, or cheap trinket shops up and down Downey Street.

Mr. Hartzog, Director of the National Park Service, took a somewhat divergent view in his testimony before a committee of the other House. He stated that a certain amount of the area has been set aside for developments, in his words, developments "that are incompatible with the maintenance of the scene."

The land Mr. Hartzog was referring to is a 90-acre tract owned by the Greater Iowa Development Corp. Contrary to Mr. Hartzog's views, the Development Corp. has informed me that the architectural styling will be in the Early American tradition and includes, and I quote, "site improvements which are already being built," and which will be "in keeping with and enhance the attractiveness of the entire area."

The purpose behind the development is to provide visitors to the Hoover site with complete automobile service, food and lodging. Facilities of this nature are uncommon along our Nation's interstate highways, and they are usually smartly styled and landscaped in accordance with the surroundings. Such a facility is sorely needed at West Branch to accommodate the tourist traffic. I might add, we are not just talking about facilities which are being planned, but about facilities which are now nearly completed.

But under the Department of Interior's plan, all land from the present park up to Interstate 80 will be part of the new site. And as I have already pointed out, the Department of the Interior has not actual development plans for this land.

I would submit to you that the purchase of an additional 200 acres is unnecessary—that it is simply acquisition for the sake of acquisition. Without such a sizable tract, it would be difficult to justify placing the land under the Department of the Interior.

It is one thing to want to restrict unsightly development, but it is yet another to stifle the efforts of responsible private enterprise. The Department of the Interior seems to be working on the premise that all commercial development is bad. It is my own feeling that responsible development by private enterprise has made a major contribution to the growth of our country in the past and that it will continue to do so.

All this is not to say there is not a possibility of unsightly development around the Hoover site. But the question we must ask ourselves is, "Is it necessary for the Federal Government to buy up land every time this problem may present itself?" My answer would be an emphatic, "No."

The statements of people from the West Branch area are a testimony to their success in keeping this undesirable development out.

In the hearings before the House Subcommittee, Congressman Rivers asked Mr. Brown of the National Park Service if West Branch was empowered to do some zoning along the boundary line of the present park.

Mr. Brown replied, and I quote:

> That is right, and they are very interested in this, as a matter of fact.

The committee report also bears this out. On page 2, in the third paragraph, we are informed that the Hoover Birthplace Foundation has acquired scenic easements on 15 acres adjacent to the park.

It is therefore inconceivable to me that Federal intervention for the preservation of this area is really necessary. All of the testimony of West Branch officials confirms their own sincere desire to preserve the area. We must ask ourselves, "Are we encouraging local initiative, support and pride by taking over the surrounding lands, or are we stifling it?"

I am afraid the answer would have to be the latter. The Government takeover of 200 surrounding acres is an unwarranted vote of no confidence in the community's abilities to handle this problem.

We must also look at this problem in light of the immediate and long range ramifications of Federal expansion. According to testimony taken before the other house, the acquisition of an additional 200 acres would mean the dislocation of 27 families and 5 businesses. In a town of only 1,400 this is a serious and major undertaking simply to put some land to rest to prevent some remote contingency. The expansion will also reduce the amount of taxable land in a community which is already short on funds. Furthermore, it will limit the community's rate and direction of growth. A proper balance between preservation and growth must be achieved, and this cannot be done if the Federal Government is in control of needed acres.

In light of these facts, I not only fail to see the need for an additional 200 acres, I see their acquisition as a detriment to the local residents, the local government, the local businesses and those concerned with responsible growth and development by private enterprise.

I would also question the need to place the park under two separate departments when it is now being run quite effectively by one. The National Archives of GSA currently is spending $60,000 annually for operation of the park. Under the new proposal, the Hoover Site would be operating on two budgets with GSA retaining supervision of the library, and the National Park Service administering the grounds at an annual cost of $95,000. I am aware that this is the present arrangement at Hyde Park, but the differences must be noted.

Hyde Park, the site of Roosevelt's home and library, is in a more densely populated tourist area and the intensity of the visitor flow necessitates more supervision. Although the Hoover site does receive a lot of visitors, the figures given for 1964 are very deceiving since most of those visitors were a direct result of the death and burial of Hoover last fall.

Hyde Park covers 200 acres while the Hoover site, per se, is a geographically self-contained 28-acre park. The additional 200 acres would be left in grass and would not be traversed by visitors to the park.

The cost for caring for the library at Hyde Park is well in excess of $200,000 annually while at the Hoover Library it is only $80,000. It is obvious from these figures that the activities at the Hyde Park Library are considerably greater and therefore require more of the GSA than at West Branch.

It has been my observation that GSA can continue to effectively and economically administer the Hoover site as it is. This has been borne out in talks I have had with a high-ranking official of the National Archives and Records Service.

Although it is true that the GSA cannot acquire additional lands or build new facilities, it may receive donations. This is the way the land and library were originally acquired by the Federal Government. The retention of the current modus operandi would encourage local organizations and foundations to continue in their efforts and contributions to the site.

There can be no question after reading the testimony that local groups and foundations have been actively working on improving the site. The very existence of the Hoover Birthplace Foundation and the West Branch Heritage Foundation testifies to that fact. Not only does their testimony reflect their past accomplishments, but it projects their future plans for the area.

Curiously enough, it was Mr. Brown of the National Park Service who testified:

> I think clearly we are working closely with the community and with their intent on this, and with the concept of the Foundation and the family, who look, of course, on this birthplace site as not a park setting, so to speak. It was originally the edge of a small community. We feel, both, it should be retained that way.

If it is not felt this site should be a "park setting," why turn it over to the National Park Service? If it is felt that this should be retained as the "edge of a small community," why not let the small community itself do the retaining?

In my own district we are proud to claim Galena, Ill., a town steeped in historic tradition. Not only is it the home of General and President Ulysses S. Grant, but it contributed eight generals to the Union during the Civil War. Here is an example of what a community can do to preserve its own heritage. Galena is not a national park, yet it is the home of a former President. The community and a private foundation, and not the Federal Government, have seen to it that the heritage is preserved through the retention and restoration of the Civil War era buildings.

To the south of us here in Washington is the beautiful community of Williamsburg, Va. There are some who have testified that they envision another Williamsburg at West Branch, Iowa. It is a commendable idea. But let me remind you that Williamsburg has not been developed by the Federal Government. It has been established by a private foundation and operated by an active and enthusiastic citizenry.

Across the Potomac we have still another historic shrine, Mount Vernon, the home of President Washington. Each year it attracts thousands of visitors. Is Mount Vernon run by the National Park Service or owned by the Federal Government? The answer is, no. It too is administered by a private organization.

The United States has produced 36 Presidents and has been built over the years on a rich heritage of historical events. It is proper that we should want to preserve this heritage. But if our Federal Government were to take over the sole responsibility for honoring each and every historical event and President through the creation of appropriately named and located parks and shrines, we would find ourselves engaged in the greatest national monument building program since the days of the pharaohs.

I think rather that it is for us to encourage local citizens, foundations, and historical societies to continue to engage in worthy activities of this nature. More specifically, I would urge your defeat of this plan to commit the Hoover Site to the Department of the Interior.

I should like to ask the chairman what is the specific plan for the development of these 200 acres? Why is it necessary to take over land which is already under development, which would be compatible with the use and the purpose of the Hoover Historic Site?

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Colorado.

Mr. ASPINALL. First, the acquisition is supposed to be around $1 million. The development costs would be around $650,000. Most of the development costs, or at least a great deal of them, come from the necessity of relocating the highway so that it will not carry the traffic close to the main reason the area is to be set aside.

I say to my friend from Illinois, it was our understanding that we were not upsetting very much the development, that we were buying some of the countryside in the area as to which there had been very little if any development up to the present time, in order to maintain the landscape in a condition which would be somewhat in line with the national historic site to be created.

There are plenty of places which will be left in the condition they are at the present time, to serve the public; and there are other areas adjacent to this area, in the town or nearby the town, not far distant—I would say not more than a quarter mile away.

Mr. ANDERSON of Illinois. Would the gentleman agree that if what I have said is correct and if this development is proceeding along the architectural lines I have described and if it is three-fourths complete, it would be inequitable and wrong on the part of the Federal Government to suddenly come in and buy up 200 acres, use its power to condemn, and drive these people out of that location?

Mr. ASPINALL. The gentleman puts me into the position that I must say we did not have any information like that before us. We did have a telegram and did have the testimony of the distinguished son of the late President, Alan Hoover, who was in accord with everything we were doing.

Mr. ANDERSON of Illinois. As I said, I did not have the information in time to present it to the subcommittee, or I certainly would have done so. This information did not come into my hands until after the hearings were concluded.

Mr. ASPINALL. I might say to my friend from Illinois that we had very lengthy hearings, and everyone seemed to be in favor of the legislation. There may be a few people who feel that they do not wish to part with some property they have, but that is always the case in such instances.

Mr. ANDERSON of Illinois. In the interest of having justice done, would not the gentleman feel it would be wise to defer action on this legislation until there could be additional hearings to examine into the facts I have cited to the House today?

Mr. ASPINALL. I do not believe that is necessary. If we held additional hearings we would run up against the same thing we always run up against, that some people feel they have been hurt unduly. We always face that. We will have it on this particular legislation.

There is nothing in the record of our hearings—and they were well publicized—which would lead me to believe that anyone is going to be injured to the extent my friend seems to feel.

Mr. ANDERSON of Illinois. Mr. Speaker, I will say in conclusion that I am going to vote against this bill. I believe that one of the greatest exponents of free enterprise who ever lived was Herbert Hoover.

If what I have said is correct—and I have every reason to believe it is—it would be a travesty on his memory indeed to pass legislation of this kind.

Mr. ASPINALL. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. SCHMIDHAUSER].

Mr. SCHMIDHAUSER. Mr. Speaker, in late November of 1964, I first proposed that action be taken to establish a suitable memorial to Iowa's only President, the late Herbert Hoover. Herbert Clark Hoover, 31st President of the United States, was born August 10, 1874, in a two-room cottage in West Branch, Iowa, which is located in the district I have the honor of representing, the First Congressional District of Iowa.

For those of you who have not had the privilege of visiting this most serene small town in my district, I would like to describe the setting in which the site proposed in my bill, will be located. The simple, two-room cottage in which the late President was born, has been restored and refurnished, and stands on the original site, not far from the west branch of Wapsinonoc Creek from which the town drew its name. Nearby is a well-executed replica of Jesse Clark Hoover's blacksmith shop, which houses an extensive collection of contemporary tools and other objects. A caretaker's cottage and a workshop stand behind these facilities.

Nearby stands the Herbert Hoover Library. This structure, which was recently enlarged, will house the collection of papers accumulated by Mr. Hoover during his long career as a public servant, his collection of books, and other items of interest.

It is only about one-fourth mile to the southwest on a hillside overlooking the birthsite to the graves of Herbert Hoover and his wife, Lou Henry Hoover. The serenity and the beauty of the site are indeed magnificent. The graves are sheltered by a crescent-shaped planting of evergreens and the view down the valley to the birthplace is kept open in accordance with the wishes of the late President Hoover.

Mr. Speaker, the important thing to remember in connection with this legislation is its ultimate purpose: the dignified and most appropriate commemoration of the great career and services of our late President, Herbert Hoover, the 31st President of the United States and Iowa's native son, born in West Branch, Iowa, only 10 miles from my home in Iowa City. The great career of Herbert Hoover covered a span of more than 7 decades. It is appropriate that we, here today, without partisan controversy, give bipartisan recognition to the life and services of a man who indeed received bipartisan recognition of his great attributes during his lifetime.

Only recently, I had an opportunity to preview the design of the Herbert Hoover commemorative postage stamp, and I want to compliment Postmaster General Gronouski and his advisory committee for the dignity and simplicity of the design that was incorporated in the stamp. The inscription on the stamp compresses his life into three words: "Humanitarian, Engineer, President."

One of the greatest of his contributions as a humanitarian came on his call to service by a great Democratic President, Woodrow Wilson. Mr. Hoover, during the troubled days of the First World War left an indelible memory of America and his own compassion upon the people of Belgium, who to this day revere his memory in a very special way.

Several Republican Presidents recognized him as a leader capable of understanding the tremendous trends that were taking place in American society during the 1920's. It was as Secretary of Commerce that Herbert Hoover provided definitive leadership in the assessment of the new problems that were becoming part of the American way of life. His own party, the Republican Party, bestowed upon him the highest single honor that can be bestowed when they nominated him for the President of the United States. And that honor bestowed upon him by his political party was made a national honor by the verdict of the voters in the historic election of 1928.

One of the greatest strengths of our American democratic system is the fact that our two great parties differ on many actions, but are both united in their fundamental dedication to maintaining those things that are basic to our American way of life. For this reason, the great turmoil and controversy that necessarily characterizes great election campaigns is followed by understanding and friendly sportsmanship when time has healed the memory of the partisan combat. This is why it was particularly appropriate, only 2 years ago, that two great Presidents, Harry S. Truman and Herbert Hoover, met together at West Branch, Iowa, in friendly communion, and good fellowship, both in their cordiality to each other and to the memory of past experiences, demonstrating in their quiet fashion the great strengths in our political system.

This is why we, in the House of Representatives, today have a tremendous opportunity to demonstrate, as did Mr. Truman and Mr. Hoover, the strength and unity of our political institutions by commemorating with dignity and without rancor a great American, a great Iowan, a great President, and a great public leader, who contributed much after his serving the Presidency, and never ceased to make valuable contributions until illness and death terminated his great public career.

I initiated the suggestion that a suitable memorial be created for the late President Hoover in late November, and I attempted to fulfill that suggestion with two salient objectives in mind: that the memorial to our President be fitting and that it recapture, as much as possible, the serenity and beauty which the area in which he was born and raised and from which he drew the moral, as well as physical, stamina and serenity of outlook which characterized his public career. My effort has also included a special obligation to those who are living in and around West Branch, Iowa. West Branch is a small, but growing, community. Its people do not wish to become part of a living museum. They share my determination to appropriately honor our ex-President, but they wish their community to have a life and vitality of its own. I have been in consultation with them during the development of this legislative proposal. For this reason, I refrained from introducing this legislation hastily. The bill, which I introduced, was not written until I had consulted with the National Park Service and had consulted also at the site with a regional team of that agency. The bill was not written until I had consulted many times with the good friends and neighbors I have known for so many years in the community of West Branch. Just as the distinguished Congressman from Maryland [Mr. MATHIAS] has decided that an advisory commission representing his district would be helpful in consultations with the National Park Service on a project in Maryland, so too, after special consultation with many citizens of West Branch, of Cedar County, and of the State of Iowa, I decided that an advisory commission would be helpful in both the development of a suitable historic site, in the delicate negotiations which necessarily accompany the establishment of such a site in a living community, and in the relationship between the State, county, and community with the Nation that may ensue in the years to come.

As the suggestion of my colleague from the Third District of Iowa [Mr. GROSS], the Interior Committee accepted his recommendation that the advisory commission section of the bill be deleted.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 8111, to establish the Herbert Hoover National Historic Site in the State of Iowa.

Before passing to the merits of this legislation, I would like to inform my colleagues in this Chamber of the manner and methods now being practiced in the Committee on Interior and Insular Affairs in handling legislation before it.

The House Interior and Insular Affairs Committee has had a uniform policy over the past number of years that if a member of that committee, Democrat or Republican, introduced a measure that it was the committee members bill that was considered on markup.

You will note that in the first three suspensions from that committee today that was the policy.

In fact when House Joint Resolution 454 was considered before our committee a discussion arose as to which of six bills should be considered: Mr. CONTE, Mr. HALPERN, Mr. GALLAGHER, Mr. FARBSTEIN, Mr. ASPINALL, and Mr. BINGHAM. After a lengthy discussion by various members of the Subcommittee on National Parks and Recreation it was moved that in view of the fact that the chairman, Mr. ASPINALL, said he had no pride of authorship and since Mr. BINGHAM was a member of the subcommittee that his bill House Joint Resolution 454 be considered.

At that time I stated that I would support the policy of the committee, although in such instances it was usually the chairman's bill that would be reported.

It is interesting to note that on that vote the chairman, Mr. ASPINALL, voted present.

However, when the legislation to establish the Herbert Hoover National Historic Site in the State of Iowa was considered, I was not accorded the same courtesy by my colleagues who are members of the Subcommittee on National Parks and Recreation. In fact when I asked that either my bill or that of our colleagues on the committee be considered I was accused of trying to inject politics into the committee that had been so bipartisan. Yes, it is good to be bipartisan if it works both ways, but very evidently it does not. It is only bipartisan and only a member of the committee's bill when it suits the fancy of the committee.

In fact at that meeting there were threats that if the present bill was not considered, no bills would go through on the Consent Calendar from this committee.

However, a great deal of what is behind all this is probably explained by an article placed in the CONGRESSIONAL RECORD on that same day—July 7, 1965—by Senator JACK MILLER, of Iowa, entitled "The Coalition Works To Re-elect New Iowa Democrats in Congress," pages 15816 and 15817.

As ranking minority member of the House Committee on Interior and Insular Affairs, I consider the action of the Committee on this legislation an indictment of its partisan politics which I shall long remember. Such partisan politics has no place in establishing national parks; monuments, and historic sites, et cetera, to commemorate the great Americans and events in the history of our Nation.

Now, I wish to say that I am happy to support the merits of the legislation because its purpose is to honor a great American. It honors a man, who in his lifetime, saw the pendulum swing full turn from the time when his name was the curse of an era, to the grand old man of his party and Nation.

Mr. Speaker and my colleagues, this legislation will provide for an appropriate commemoration of the life and accomplishments of Herbert Hoover, our 31st President, at the Iowa site of his birth and burial.

Herbert Hoover was born in a two-room cottage in West Branch, Iowa, on August 10, 1874. From a humble beginning in this small midwestern town he achieved great prominence in the engineering profession, which took him to the far corners of the earth. By the time he was 40, Mr. Hoover's hard work and scientific genius had made him a wealthy and highly respected man. Only after reaching the pinnacle of success in his chosen profession did Mr. Hoover enter public life.

Herbert Hoover's creativity in establishing the Commission for Relief in Belgium, and as Food Administrator under President Wilson made him one of the most popular nonmilitary figures of the World War I era. Subsequently, he served as Secretary of Commerce under Presidents Harding and Coolidge then entered the White House on March 4, 1929. Although he relinquished the Presidency to Franklin D. Roosevelt in 1933, Mr. Hoover was an outstanding public servant for the remaining 31 years of his life. Among the more notable services he performed was his leadership of the two commissions, the first and second Hoover Commissions, under Presidents Truman and Eisenhower. By the time of his death—on October 20, 1964—he was regarded universally as one of America's truly distinguished elder statesmen.

There can be no doubt that the most appropriate place to commemorate the accomplishments of this distinguished former President is the 200-acre site encompassing his birthplace, boyhood home, and burial place, as well as the Herbert Hoover Library, West Branch, Iowa.

Development of the area has been planned in accordance with the wishes of President Hoover to keep the view from the birthplace cottage to the grave sites free from any obstructions. A visitor orientation facility will be located near the Herbert Hoover Library and a nearby parking area could serve visitors to the Library, the birthplace cottage, Jesse Hoover's blacksmith shop and the gravesites.

The Herbert Hoover Library, now administered by the National Archives and Records Service of the General Services Administration, will continue under the administration of that Service.

The estimated cost of development for the national historic site as now planned is $650,000.

The estimate of the cost of land acquisition is $1 million. Annual costs for maintenance and operation will be approximately $95,000.

Since Interstate Highway 80 runs along the south boundary of the proposed Herbert Hoover birthplace national historic site, access to the area is excellent. From West Branch this route carries heavy traffic from Des Moines and Omaha on the west and from Davenport, Iowa, and the Chicago metropolitan complex on the east. Other large centers of population within easy driving distance include Kansas City, St. Louis, and Minneapolis-St. Paul.

Over 300,000 visitors were counted at the Birthplace Park and Library during 1964, and we estimate that annual visitation will reach 350,000 by the 5th year after establishment.

Mr. Speaker, this site and the man it honors is of unquestioned national significance, therefore, I strongly urge my colleagues to support this legislation and its passage.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the enactment of this legislation will provide for all time a national historic site which will complement the birthplace and gravesite of the late and revered President of the United States, Herbert Hoover.

There has been some criticism of the plan to purchase additional land. I regret that the bill is being considered under suspension of the rules which prohibits the offering of an amendment to provide that the additional acreage be purchased at the fair market value.

However, it is to guard against the immediate area being commercialized that the additional land is to be obtained and the national historic site established.

The House Interior and Insular Affairs Committee has wisely stricken from the original bill the provision for an advisory commission for in any event it would be the Department of the Interior which would administer and maintain the site.

Mr. Speaker, I support this legislation for it properly honors a former President and his wife who now lie buried in the soil of their native State.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I support this bill to establish an historic site for a former President. We have only had 36 Presidents of the United States and I think the site of burial and birth of these Presidents will always have both great historical significance and great attraction to Americans.

I also want to commend the author of the bill, Congressman SCHMIDHAUSER, in whose district the site will be located, for the very methodical, nonpolitical, and objective manner in which he has proceeded with this legislation. Shortly after the former President was laid to rest near West Branch, Mr. SCHMIDHAUSER proposed that there be an historic site established instead of merly a GSA operated monument or grounds as had been planned. Upon arriving in Washington in January, he sought the advice and cooperation of the Department of Interior in developing proper legislation and with their help did develop the proper kind of legislation. While some others tried to play politics with the proposal, Mr. SCHMIDHAUSER proceeded very objectively and methodically for it should be a bipartisan or nonpartisan matter. The site will belong to all the people. Congressman SCHMIDHAUSER, as the Representative of the district in which the site is located, obviously always was a key to passage of the proposal, and he kept his eye on the objective and has done his part to establish the proper kind of site for a former President of the United States. Following is an editorial from the West Branch Times of April 15, 1965, which expresses significant sentiment from the area of the site:

> Since stories of Hoover Park have disappeared from the headlines lately, many of you are wondering what became of the drive for a National Historic Site here. And well you might, for it certainly vitally affects all of us in this area, though others may turn their interest on and off like the turning off a water tap.
>
> Here I should like to state, that we are able to keep in close touch with the situation through the efforts, and interest of our First District Congressman, JOHN R. SCHMIDHAUSER.
>
> Representative SCHMIDHAUSER has not yet introduced a bill into Congress regarding the park, and with adequate reason. But that he has been following the progress of the project more closely than many others who originally involved themselves in order to get the headlines, is obvious to me.
>
> Congressman SCHMIDHAUSER has investigated the methods and policy of the project, and in spite of insinuations of an eastern Iowa daily that it has been a political football, it is only through his efforts that it has not.
>
> Though Iowa's Senators have introduced a bill in the other House asking that the area be declared a national park site, Congressman SCHMIDHAUSER has, and is, holding out for a complete investigation of the needs of the area, including the local people, before he takes any steps in that direction. Furthermore, he has, and is, prodding the National Park Service into local consultations before any irreversible actions are taken. He has made one visit here from Washington, by the way, and will probably be in the area again for the Easter recess.
>
> Though many of my friends on the other side of the political fence may razz me a little bit about this, I am going to express a personal feeling of gratitude to our Representative in the Congress of the United States, Congressman JOHN R. SCHMIDHAUSER, for the interest he has taken in West Branch.

The Congressman was the first to propose that the area be recognized for what it was, an area of great historical significance, due to the fact that Mr. Hoover was not only born here, but chose to be buried here.

But the Congressman hasn't let it go at that; he has taken steps to see that the establishment of a national historic site here will be as painless as possible; interfere as little as possible with the day-to-day operations of our small community as we go about the business of making a living.

And after all, this is essential, isn't it? For though these events are of great historical significance, 99¾ percent of us have to go on making a living. We are happy to turn aside for such occasions as the commemorative stamp on August 10, and other events, but we do have to look to such things as the monthly bills, and the income tax, and who is going to support our school, and how much rent are we going to have to pay, and are the taxes on our homes going up again, and why. These are important considerations, even in a town with a historical background.

And lets face it; they are questions that are affected by the fact that a national historic site will be established here. A hundred years from now, we'll probably be proud of it, if we live; but that doesn't make taxes any easier to pay today.

So I say, thank you Congressman SCHMIDHAUSER, for remembering West Branch, even though the number of votes here are much smaller than the time you have spent on us would seem to justify.

The SPEAKER. The question is on the motion of the gentleman from Colorado that the House suspend the rules and pass the bill (H.R. 8111).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title of the bill was amended to read: "A bill to establish the Herbert Hoover National Historical Site in the State of Iowa."

A motion to reconsider was laid on the table.

SALINE WATER CONVERSION PROGRAM

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7092) to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes, as amended.

The Clerk read as follows:

H.R. 7092

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, the Act of July 3, 1952 (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), is hereby further amended as follows:

(1) In section 2(b) add the words ", module, component," after the word "laboratory".

(2) In section 8 substitute the figure "$85,000,000" for the figure "$75,000,000".

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 7092.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 24, to expand, extend, and accelerate the salt water conversion program conducted by the Secretary of the Interior, and for other purposes, a similar bill to the one just passed.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

S. 24

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, the Act of September 22, 1961 (75 Stat. 628), is hereby amended as follows:

(1) In section 2(b) add the words ", module, component," after the word "laboratory".

(2) In section 8 substitute the figure "$275,000,000" for the figure "$75,000,000" and the figure "1972" for the figure "1967".

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

Mr. ROGERS of Texas. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Strike out all after the enacting clause of S. 24 and insert the provisions of H.R. 7092 as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7092) was laid on the table.

Mr. ASPINALL. Mr. Speaker, approval of H.R. 7092, as reported from the Interior and Insular Affairs Committee, will authorize the full program for saline water research and development recommended by the administration for fiscal year 1967. Thirty million dollars will be available for the program which, in its preliminary stage of development for fiscal 1967, totals $29 million. Language changes in the basic act provide authority to initiate development work on a module for large plants, for which there is about $5.5 million included in the $29 million estimate.

Mr. Speaker, the President requested the Congress to approve a 5-year extension in the saline water conversion program and an additional $200 million for research and development. Acceptance of the President's recommendation would have made available $220 million for the 6-year period, fiscal year 1967 through fiscal year 1972. After 4 days of hearings and executive consideration, the committee concluded that the approval of the recommended legislation would mean surrendering important responsibilities of the committee and the Congress for this important national program. There are several important policy questions involved as the expanded program unfolds during the next few years.

First, this program must be kept in line and consistent with other water resources research programs which are just as important. Also, there is the important matter of assuring a proper balance between basic research and development work. Of vital importance is the decision as to where the Federal role and responsibility ends with respect to any particular saline water process or method and local government and industry responsibility begins. Federal responsibility should be terminated at the earliest possible stage in development of any particular process, but the committee is not sure this will be accomplished if left completely to the discretion of the program administrators. In addition, the committee has responsibility for assuring that expenditure of the limited funds available for this program is fully justified.

My committee is still optimistic about accomplishing the program objective, set out in original act of 1952, of providing truly low-cost desalination. We do not want to see basic research neglected as a result of the so-called leap forward in big plant development. We support the appropriation of as much money as can be used for worthwhile research conducted by qualified scientists which may lead to discovering new desalting techniques.

In support of the legislation, the administration's program for the 5-year extension was in terms of goals, and the $200 million could not be broken down for specific research and development work. This, of course, is understandable because the direction of this type of research program is determined to a great extent by the progress which is made and the results that are obtained as the research work goes forward. Therefore, the committee believes that the only way we in the Congress can meet our responsibilities is to review this program year by year and give approval on that basis. It is possible, for instance, that the large expenditures proposed for development of modules, components, and large plants could be of no value if the processes and methods involved are made obsolete by new discoveries.

This program started in the Congress and in my committee 13 years ago. We have reviewed the progress year by year since that date. It started out as a very modest research effort with only $2 million authorized to be expended over a 5-year period. It was expanded to a $10 million program for a 10-year period and then, in 1961, it was extended another 5 years with an additional $75 million authorized to be appropriated. Congress also authorized the construction of five demonstration plants at an estimated cost of $10 million. We have appropriated about $72 million for the entire program in the last 13 years. Now it has been proposed that we spend $220 million in the next 6 years with the major part to be spent on large plant development. We all agree that this program needs to be extended and expanded but, during this critical expansion period, it is important that Congress exercise its responsibility for close oversight of the program and for determining how the funds made available are to be used.

Mr. ROOSEVELT. Mr. Speaker, I rise in support of H.R. 7092 to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior.

The 1963 Report to the President on Water Research by the Federal Council for Science and Technology identified the following regions within the United States where projected water requirements will be approaching the limits of available supplies by the year 2000: the Pacific Southwest, Upper Colorado Basin, Western Gulf, Upper Missouri, Rio Grande-Pecos Basins, and the Great Basin. In certain of these areas, particularly the Pacific Southwest, large quantities of additional water will be required well in advance of that year, if restrictions on economic development and population growth are to be averted.

Three distinct water-use areas can be identified in the Pacific Southwest. These are: First, southern California-coastal, where water is used primarily for municipal and industrial purposes; second, Arizona, where water is used for municipal, industrial, and agricultural purposes; and third, southern California-interior, where most of the available water is used for agriculture.

Our immediate concern in the desalting program is the need for municipal and industrial water. Most of this need arises in or near the coast. Moreover, large sea water conversion plants are best adapted to coastal locations and should be located near major population and industrial centers.

Water-resource planners generally agree that major decisions on future water supply for the coastal areas of southern California should be made by the midseventies. Desalting plants, if the technology is sufficiently developed, could provide the most economical source of water for this area.

Much of the existing inland deficiency is being met by "mining" ground water. In the interior valleys of southern California and in Arizona, ground-water tables have dropped as much as several hundred feet and the situation is critical.

The Colorado River is the principal source of water supply for the entire Pacific Southwest region. At the present time, approximately 1,100,000 acre-feet of Colorado River water are delivered to the southern California coastal area annually. Desalting plants constructed on the coast could meet all or part of this demand, thereby physically freeing Colorado River water to meet municipal and industrial deficiencies of inland areas in the region if appropriate exchange arrangements were developed.

The proposed program is not based on any prediction that desalted water can be made economically attractive for agricultural uses. If the cost of desalting could be brought to a level which would make practical its use for irrigation and replenishing ground-water aquifers, obviously the requirements would be much greater.

The need for sustaining and increasing the Federal role in research and development of economical desalinization plants is clear. But equally clear is the need for major metropolitan areas to expand their own energies, talents, and funds on the development of programs to meet their own critical water needs.

My own city of Los Angeles is a good example. As pointed out in the 1964 Report of the Interior Department to the President, it is an area whose water needs are so critical that the plans and programs to meet these needs must be effected without delay. Los Angeles must commit itself to the development of its own programs and its own plans.

This is not to say that Los Angeles, or any other city, should or could go it alone. But I am frankly disappointed that the city of Los Angeles has not been more determined to meet this most critical problem with its own vigorous program. The city of Los Angeles cannot afford to wait for the Federal program. It must, now, undertake its own research and development program. That it should work closely with the Federal Government and the State is obvious. But it has a responsibility. And it must, as must all major metropolitan areas facing the same problem, recognize its independent responsibility and commit its many resources to meeting this responsibility.

Mr. Speaker, what I point out regarding my own city of Los Angeles is true of many cities. Indeed, it is also true of many needs for which the Federal Government has developed far-sighted programs. The Federal Government has acted; our great cities must now act. It is with this caveat that I urge the passage of H.R. 7092.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks as this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I should like to express my support for H.R. 7092, the bill which provides for additional funds for the Federal saline water conversion program. It is hoped that, with the added sums specified in this bill, further progress may be made in achieving an adequate water supply in this country.

As the population in this country continues to expand so, too, will the demand for water for both human and industrial consumption. In some areas of the country including New York City, where population density is great and because of drought and other factors, people are suffering from a lack of sufficient water reserves.

In view of the increasing shortage of usable surface and ground water in many parts of the Nation and the importance of finding new and economical sources of supply to meet present and future needs, it is essential that we provide funds for the development of methods that will insure a continuing and ample supply of water.

Since over 70 percent of the earth is covered with salt water, the oceans are a logical source toward which we may turn. But before this can be accomplished practically, a low-cost process must first be developed if the water shortage problem is to be solved. Science and technology must be provided with sufficient funds to be able to evolve an inexpensive and suitable desalinization process.

Mr. Speaker, I reiterate my support for the bill and express the hope that the Federal saline water conversion program will be appropriated sufficient funds to make maximum advances in this area.

Mr. REINECKE. Mr. Speaker, I rise in support of H.R. 7092, as amended by the committee, and I would like to commend the chairmen of the subcommittee and of the full committee for their prudent action in revising this authorization downward. While each of us recognizes the importance of the programs of the Office of Saline Water and that they must be carried through to justifiable conclusion, nevertheless at this point it appears that the composite program has overextended itself to the point where we are building a great deal of very expensive hardware, demonstration plants, test plants, et cetera, that are not fully justified at this time.

It is my contention, and it was so stated in committee, that this program needs to the reconsidered in light of the total Federal mission, to the extent of participation of Federal money, and that no plants greater than 1 million gallons per day capacity should be built until the cost of water is economically justifiable and economically salable, in order to return the investment to the Federal Government. Certainly if the cost of producing water is so high that private industry and individual municipalities are not willing to undertake this measure, then the Federal Government should not be tampering in this area either, other than on a research basis. I feel certain that a comprehensive research and development program must be continued in order to find the necessary techniques and breakthroughs to make it possible to bring the cost of desalted water down to an economically usable figure. The development of water by itself is not the objective of this legislation. It is the development of potable water at a price that is commensurate with the alternatives in the marketplace today.

I might also add that the construction of large scale plants presumes the use of desalination for relatively large cities in that the gallonages of converted water for a 50 million gallon per day plant would adequately satisfy the needs of a city of 250,000 people. I do not see that this is a proper role of the Federal Government, but respectfully request that the subcommittee continue its efforts of redefining the objectives of establishing limitations of Federal participation and finally to accomplish the needs by technical assistance to larger cities that are willing and interested in continuing the operation of a desalting program. Such a situation is exemplified by my city of Los Angeles where at present a desalting plant of 150 million gallons per day is being seriously contemplated—paid for by local bond and water revenues. I feel the Federal Government should assist the city of Los Angeles and the metropolitan water district with technical advice and use this plant as an example for other cities to develop their own fresh water supplies.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this legislation.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

WYOMING VOTING RIGHTS

Mr. RONCALIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RONCALIO. Mr. Speaker, House approval of the voting rights bill marks the continuation of an old struggle to broaden suffrage and the beginning of a new era of nationwide support for the implementation of constitutional guarantees. In earning its designation as the Equality State, Wyoming has played a central part in the fight to extend suffrage, for it led the way toward the enfranchisement of women by being the first State to forbid the denial of voting rights on grounds of sex.

Wyoming has continued its tradition of equality, for the voting rights bill stands as a monument to the dedication of the late Rev. James J. Reeb, of Casper, Wyo., who gave his life while protesting the denial to others of their voting privileges. My vote in favor of this bill was cast to insure that the traditions of Wyoming would be perpetuated and that the work of such men as Reverend Reeb would not be in vain.

In this same spirit of progressing toward equal rights for all, many courageous and dedicated Congressmen who had opposed the Civil Rights Act of 1964, supported the voting rights bill of 1965.

Hopefully, this nationwide demand for enforcement of the 15th amendment to the Constitution signifies a new era of cooperation, rather than conflict, in the civil rights area. The overwhelming support for the bill stands as a mandate for peaceful compliance with its provisions. With its historical interest in broadening suffrage, Wyoming applauds the passage of the voting rights bill and welcomes the new era of nationwide endorsement of equality.

CAREER INCENTIVE FOR PROFESSIONALLY TRAINED OFFICERS OF THE ARMED FORCES

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEGGETT. Mr. Speaker, on Friday I introduced a long overdue bill, H.R. 9731, amending titles 10 and 37 of the United States Code to correct certain inequities and to provide career incentives for professionally trained officers of all the uniformed services.

The constant and expensive turnover of all types of professional personnel impairs the efficiency of our Armed Forces. I am especially concerned about the retention and procurement problem we now have as it pertains to the Medical Service Corps of the Army and Navy, the Biomedical Sciences Corps of the Air Force, and to optometry officers in particular.

The retention rate for optometry officers who entered the service in the years 1960–61 is less than 28 percent. Information I have received from the schools and colleges of optometry indicates that we will be fortunate indeed if we can fill 60 percent of the anticipated vacancies in the Army, Navy, and Air Force from their graduating classes. If the same high quality care is to be established and maintained for our men and women in the Armed Forces as is available to their counterparts in civilian life, we should expand the number of optometry billets, slots and positions which are now listed as requirements by the three services.

A similar retention problem exists in relation to all professional officers whose military specialty, such as law, divinity, optometry or a science allied to medicine, requires graduate or professional training beyond the baccalaureate level as a precondition for appointment. As a matter of equity all of the professional categories should receive equal credit for grade, rank and promotion purposes according to the years of professional education required for them to practice their military specialties.

Under present law the young man who spends his time and money to obtain the additional professional education required for his military assignment is, by so doing, in a less favorable position than his contemporary who entered service immediately after receiving his baccalaureate degree. Because of this it is becoming increasingly difficult for the services to obtain qualified professional officer personnel. The pay and allowances for professional personnel are totally insufficient to effectively compete with the civilian industrial, scientific, and academic environments. The demand for the services of individuals earning master or Ph. D. degrees is increasingly ahead of the number available.

The only recourse to the present critical situation is for the Department of Defense to sponsor the required outservice, graduate education for selected commissioned members on active duty; a stop-gap measure that is expensive, detracts from the operating forces, and does not provide sufficient numbers to properly meet all professional requirements of the Department.

I strongly believe, and hope that my distinguished colleagues of this House concur with me, that, in those cases in which advanced education is a required criterion for appointment in the services of our country, the appointee should be more adequately compensated for the additional time and expense incurred in obtaining his educational achievement by the granting of comparable constructive credit.

Existing regulations impose a penalty on an individual who obtains an advanced education at his own personal expense—be he a doctor, minister, lawyer, engineer, or scientist. This penalty is sufficiently severe to deter these highly qualified individuals from entering the mililtary services.

The legislation I am introducing would eliminate this penalty and thereby encourage a greater number of professionally trained individuals to enter the uniformed services and remain on a career basis.

ALLEGED SAVINGS BY THE DEPARTMENT OF DEFENSE

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, a story in last Saturday's Washington Post reported that President Johnson had announced that the cost reduction program of the Department of Defense had saved the taxpayers $4.6 billion during the past fiscal year.

Now I am all for saving taxpayers' money, and if the President will document this alleged saving in Defense Department spending for the past fiscal year, and if the documentation shows that these savings have been accomplished without any impairment of national defense, I will be the first to applaud the accomplishment.

But the savings claimed by the President do not show up in the report of the U.S. Treasury for the fiscal year ending June 30, 1965. That report shows that the Defense Department withdrew $51.415 billion in cash from the U.S. Treasury during the year ending June 30, 1964. The corresponding withdrawals for the year ending June 30, 1965, as reported by the U.S. Treasury, were $49.423 billion.

Thus it appears that cash withdrawals from the Treasury by the Defense Department during the last fiscal year were only $1.992 billion less than withdrawals during the previous fiscal year.

The Washington Post further reported that the President announced he was sending to the Cabinet Mr. McNamara's report showing these savings. I would most respectfully request that he also send the report to Congress if the report documents alleged savings of $4.6 billion, because I think it would be helpful to the Congress and to the country to reconcile his figures with those appearing in the statement of the U.S.

Treasury dated June 30, 1965, which show that the Defense Department during the past fiscal year withdrew from the U.S. Treasury only approximately $2 billion less than the same Department withdrew in the previous fiscal year, and for the country to know where the "savings" occurred.

JOINT UNITED STATES-JAPAN COMMITTEE ON TRADE AND ECONOMIC AFFAIRS

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, we have no better friend in the world today than our Pacific neighbor, Japan. It is a tribute to the peoples of both Japan and America that their nations, who only 20 years ago were bitter adversaries in a terrible war, are today the best of international friends. Certainly the Japanese people have earned our deepest respect, for through sheer courage, determination, and plain hard work, they have wrought a mircale of recovery that has rebuilt their nation into one of the greatest in the world, and they have managed to do so while still retaining the finest traditions of a very rich culture. It is therefore with great pleasure that I take this opportunity to welcome to Washington and to the United States the Japanese delegates to the fourth meeting of the Joint United States-Japan Committee on Trade and Economic Affairs. The delegation, comprised of some of Japan's most distinguished public servants, includes Mr. Etsusaburo Shiina, Minister for Foreign Affairs; Mr. Takeo Fukuda, Minister of Finance; Mr. Takeo Miki, Minister of International Trade and Industry; Mr. Eiichi Sakata, Minister of Agriculture and Forestry; Mr. Torata Nakamura, Minister of Transportation; Mr. Hisao Kodaira, Minister of Labor; Mr. Aiichiro Fujiyama, Director General of the Economic Planning Agency; and Mr. Ryugi Takeuchi, Japan's Ambassador to the United States. To these gentleman we would all like to say, "Yookoso Irasshaimashita," which, I understand, means, "You are very welcome, we are delighted to have you."

As we are all well aware, the Joint United States-Japan Committee on Trade and Economic Affairs is a continuing consultative body for discussing the principal trade and economic affairs of the two countries. It was formed as the result of an agreement between our beloved late President, John F. Kennedy, and former Japanese Prime Minister Harato Ikeda during the latter's visit to this country in June of 1961. As stated in the exchange of notes establishing the Committee, its functions are:

1. To consider means of promoting economic collaboration between the two countries;

2. In particular, to exchange information and views on matters which might adversely affect the continued expansion of mutually profitable trade and on questions relating to the economic assistance programs of the two countries which require joint consideration;

3. To report to the respective Governments on such discussions in order that consideration may be given to measures deemed appropriate and necessary to eliminate conflict in the international economic policies of the two countries, to provide for a fuller measure of economic collaboration, and to encourage the flow of trade.

The Committee meets at least once a year, with the meeting place and chairmanship alternating between the two countries. The American members of the Committee include the Secretaries of State, the Treasury, the Interior, Agriculture, Commerce, and Labor. If there are no objections, Mr. Speaker, I will insert a copy of the agenda for this year's meeting into the Record at the end of my speech.

Formulation of this Committee has proved to be one of the most welcome diplomatic developments of recent years. Certainly it has been one of the most unique. For here are the principal political officials concerned with economic affairs from two of the world's great nations meeting to educate each other on their respective problems, both political and economic, and to obtain first-hand knowledge of the nature and dimensions of the United States-Japanese economic relationship, of the worldwide economic interests of the two countries, and of the major political considerations which affect their economic policies. Moreover, here is a working, continuing, institutionalized arrangement for seeing that two very good friends remain that way. It gives real substance to our stated policy of close consultation and cooperation between the two countries on matters of mutual concern. It also provides a means of overseeing and guiding lower level diplomatic efforts, and it establishes a basis for further consultations and future negotiations, through diplomatic channels, concerning specific economic and commercial issues. And, if we are to judge from the joint communiques issued after each of the three previous meetings, the Committee has so far proved to be an unqualified success. Full and frank discussions among a wide range of high-level officials on both sides have bared the problems which exist both within and between our two countries. Where disagreements have arisen, each side at least has been fully exposed to the other's point of view.

At this rate of success, the Committee could perhaps develop into a model for the conduct of all bilateral diplomatic affairs. Be that as it may, it certainly has proved its value to our country and Japan, a value that was graphically demonstrated when the third meeting, which had originally been canceled because of the tragic death of President Kennedy, was rescheduled to late January of 1964 despite the heavy domestic demands on the time of both the Japanese and American participants.

Indeed, the establishment of this Cabinet-level committee reflects the great importance which both of our countries attach to our economic relations. And well it should. For Japan is unquestionably this Nation's most important overseas trading partner. We sell more goods to Japan than to any other country with the single exception of our continental neighbor, Canada. Last year's sales to Japan totaled almost $2 billion. Correspondingly, Japan sells more to the United States than to any other without exception. Certainly, Japan stands far and away as the best customer for the goods of my own State of California, which, by the way, began leading the Nation in exports as of last year. Conversely, Japan is California's biggest supplier, providing over a third of all of our local imports.

Of course, our economic relationship is not without problems. Japan, who must trade to survive, has at our request graciously imposed voluntary restraints upon her exports to this country, but is increasingly and understandably anxious to have those restraints relaxed. We, of course, must be concerned about our balance-of-payments situation. And then there are problems and disagreements over such things as air rights, fishing rights, and textiles. Certainly, these are important problems and we hope for their speedy elimination.

But the differences between our two countries are miniscule beside the great common interests which bind us together in a great Pacific partnership. We have a common interest in the liberalization and consequent expansion of world trade. Both nations firmly believe that increased trade means increased prosperity and a richer life for all people, not just Americans and Japanese. As President Kennedy once observed, "A rising tide lifts all the boats." And, too, we have a common interest in close technical and scientific cooperation to effectively utilize the best minds of both nations in an age of technological advance. Together we must look to the future. Nowhere is this more apparent than in the field of oceanography: through cooperation between our two nations, the resources of the vast Pacific can be developed to meet the great needs of the future for food, for minerals, for fresh water. Most of all, we have a common interest in achieving those two great goals of mankind—peace and freedom. For without peace there can be none of the prosperity of which we speak and none of the progress. This is a fact poignantly real to America and Japan. But there can be no permanent peace until the aggressive drive of the Communists to enslave the free peoples in Asia has been stopped. Therefore, we have a common interest in the maintenance of strong independent and prosperous nations in the Pacific.

These common interests, heavily reinforced by the deep mutual respect of our respective peoples for each other, have provided a firm foundation for a fruitful partnership between two great Pacific democracies. As partners, we can work together to multiply our already many close ties and strengthen the bonds of a growing Pacific community of nations.

Thus, we bid our distinguished guests, leaders of Japan, a hearty welcome. We want them to know that they and their countrymen will always be welcome here and that our people and our Government truly care about their country, our great partner and good friend in the Pacific. We trust that they enjoyed shooting the rapids in the Grand Tetons with our Cabinet-level outdoorsman, the distinguished Secretary of the Interior, and hope that diplomatic waters will be as successfully negotiated in the coming week.

The agenda follows:

Agenda of the Meeting

I. The economic situation in Japan and the United States.

A. The U.S. economy—Current situation and outlook.

B. The Japanese economy—Current situation and outlook.

II. The financial, monetary, and balance-of-payments situation.

A. The financial, monetary, and balance-of-payments situation in the United States.

B. The financial, monetary, and balance-of-payments situation in Japan.

C. Developments in the balance-of-payments situation between the United States and Japan, including capital movements.

III. Developments in trade and economic relations between the United States and Japan.

A. Trends in United States-Japan trade.

B. The expansion of trade and economic relations between the United States and Japan.

C. Problems of direct investment.

D. Aviation, shipping, and travel between the United States and Japan.

E. Fisheries.

F. Others.

IV. Developments in international trade and economic relations.

A. Trends in United States and Japanese trade with third countries.

B. The Kennedy round of GATT negotiations.

C. OECD and UNCTAD.

V. Cooperation in the economic development of the less developed countries.

A. Review of United States and Japanese economic aid policies and activities.

B. Possibilities for cooperaton between the United States and Japan.

VI. Other matters.

A. Supplementary agricultural workers' program.

B. The exchange of information regarding the development and utilization of natural resources.

ATTACK BY DREW PEARSON ON THE LATE T. ASHTON THOMPSON

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I cannot allow the day to pass without rising to defend the memory of my personal friend and fellow Louisiana Member who so recently and tragically left us. In the Washington Post and in other newspapers published all over the United States last Saturday, July 10, Columnist Drew Pearson dipped his pen in the blackest of inks to libel, once again, the late T. Ashton Thompson.

Not content to having libeled Ashton while he was alive, he now pursues his hateful vendetta into the grave. When he lived, Ashton took the only course open to an honorable man when his character is besmirched, he brought suit against this hate-filled man, a libel suit that was pending at the time of his death.

Undoubtedly knowing that he is free of that suit and feeling safe in attacking the dead, Pearson has lashed out again in an article, the sum of which is, "Now that he is gone, maybe we can get something done."

I have in the past felt sympathy for Pearson, for his is a sick and disordered mind. But I can feel nothing now but revulsion over what he has done to smear our fallen colleague.

Were he here before me, I would say, "Attack the living if you want with your false charges, your innuendo, and your libel, but leave the dead to Heaven."

Though I am repulsed at the thought of preserving this vicious attack in the pages of the Congressional Record, I reprint it here for all the world to see and view with horror what this sick man has now stooped to in his most recent column.

Chemical Companies Versus Water Bill

(By Drew Pearson)

One important part of the Great Society program, cleaning up American waterways, got a boost when a Member of Congress was killed in a Fourth of July accident on a North Carolina throughway.

He was Representative T. Ashton Thompson, Democrat, of Louisiana, who had many fine qualities. In the opinion of the big chemical companies, however, one of his finest was his opposition to cleaning up water pollution.

In Thompson's district are giant Olin Mathieson Chemical Co. and Hercules Powder plants. Because of them, and the opposition of other chemical and paper mills, the Representative, a key member of the House Public Works Committee, had managed to sidetrack the water pollution bill passed by the Senate on January 29 and the bill passed by the House April 28.

His tactics involved States rights. The Senate bill introduced by Senator Edmund S. Muskie, Democrat, of Maine, gives the Secretary of Health, Education, and Welfare the power to set up standards for the quality of water in each watershed in the Nation. In other words, the Secretary of HEW, Anthony J. Celebrezze, would have the power to decree that the Susquehanna River or Lake Erie or the Hudson must be a certain percent pure and that no more waste or sewage could be dumped into it beyond this standard.

This provision of the Senate bill was so vigorously opposed by the paper and steel mills, and the big chemical plants, long using American waterways as a dumping ground, that they pressured the House of Representatives into passing a bill giving the 50 individual States the power to set quality standards within each State.

Under the House bill, for instance, Arkansas could dump its sewage into the Mississippi according to the standards set by Arkansas State officials, and the State of Louisiana, just below, could do nothing about it. Or New York could dump chemicals into the Delaware River and the States of Pennsylvania and New Jersey, below, would be powerless to act.

In contrast, the Senate bill provided that quality standards for all waterways should be fixed by the Federal Government.

DYING LAKE ERIE

While Representative Thompson continued to block the Senate version of the pollution bill, the lakes and rivers of the United States this summer have become increasingly polluted.

Pollution in Lake Erie has reached such a critical stage that one-fourth of the lake has been devoid of oxygen and unfit for aquatic or human life. So much waste has been dumped into Lake Erie from Detroit, Toledo, Cleveland, Erie, and Buffalo, that the percentage of chlorides is 230 percent higher today than in 1900.

"The water also shows an amazing concentration of calcium, sodium, potassium, and sulphate compound," said Senator Gaylord Nelson, Democrat, of Wisconsin, an early battler against water pollution.

"Lake Erie is no longer simply water," Senator Nelson said. "It is a chemical tank. Lake Erie receives 2.5 million tons of silt and sewage a year. Some people think it will eventually just fill up. But before it does life will cease to exist in its waters."

Meanwhile, Lake Michigan is turning into a cesspool, as a result of three steel plants, three oil refineries, and sewage from Milwaukee, Green Bay, and the Chicago area. A study of the pollution of the lake bottom in this area shows that the situation is practically irreversible. No matter what standards may be set for the quality of water in the future, the situation cannot be changed.

INCOME TAX CREDIT FOR PARENTS WHO DEFRAY COLLEGE EXPENSES

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I have introduced a measure today, H.R. 9769, to provide income tax credits for parents or other individuals who defray the expenses of tuition and other costs of a college education. This measure is consistent with encouraging young persons to seek a higher education and rewards the individual who contributes to this education.

The amount of the credit would be 75 percent of the first $200, 25 percent of the amount between $300 and $500, and 10 percent of the cost of education between $500 and $1,500.

My bill is similar in many respects to other legislation introduced by the gentleman from Michigan [Mr. Gerald R. Ford], the Republican leader of the House, and by Senator Winston L. Prouty, Republican, of Vermont, in the other body.

In addition, Mr. Speaker, I have provided that a certificate of overpayment will be made available to any parent whose income is not sufficiently large to enable such a tax credit to be taken. It is my hope that under this provision the legislation will benefit those with small incomes who pay no income taxes as well as those whose incomes enable them to credit such contributions against income taxes.

Mr. Speaker, this legislation should enable individuals to meet the increasing demand for higher education without involving this Nation in a new and large-scale Federal scholarship program. The benefits which can result from private financing of higher education under this, and similar measures, should commend it to every Member of this House.

VOTING RIGHTS BILL

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Betts] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BETTS. Mr. Speaker, in view of the President's political comments about the voting rights bill, the following editorial from the Washington Daily News of July 12 sets the record straight:

Not "Democratic," Mr. President

President Johnson was right when he congratulated Congress on passing the voting rights bill.

He was wrong when he gave his congratulations a political twist by saying passage of the administration version was a Democratic victory.

The President's criticism centered around a substitute measure offered by Representative William M. McCulloch, Republican, of Ohio.

The Washington Daily News believes this proposal would have been more effective—and said so while it was being debated. The McCulloch plan would have moved against discrimination wherever found rather than limiting the law to Southern States where discrimination has been the worst.

But there are more fundamental reasons why the President erred.

Implying this was a Democratic victory ignores the fact that Everett Dirksen, the Senate Republican leader, was a key figure in drafting a bill that moved through Congress as effectively as this one did.

Also, a higher percentage of Republicans voted for the bill on final passage than did Democrats.

In the Senate, 73 percent of the Democrats voting favored it. But only two Republican Senators voted "No"—a favorable vote of 94 percent.

In the House, 78 percent of the Democrats supported the bill—82 percent of the Republicans.

These are consensus, not Democrat, figures.

TRIBUTE TO O. W. BRUMFIEL

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Duncan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DUNCAN of Tennessee. Mr. Speaker, I am extremely pleased to have the opportunity of joining the many fine citizens of Alcoa, Tenn., in paying tribute to one of Tennessee's most outstanding civic leaders and public servants—O. W. Brumfiel.

Mr. Brumfiel has served as a city commissioner for the past 26 years—the last 24 as mayor—attesting to his devotion to his community and fellow man.

He was recently cited for having the longest continued length of public service in the State of Tennessee.

Mr. Brumfiel came to Tennessee in 1906—joining the Aluminum Co. of America in 1920—retiring in 1946 as cashier.

Under his guidance, Alcoa has attained unparalleled growth and success with the outlook bright for a progressive future. Alcoa, Tennessee, and the Nation has benefited from the good fortune of having had the service of this devoted public servant.

PROPOSAL FOR WHEAT AND RICE

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MORSE. Mr. Speaker, I have taken this brief time today because I feel very strongly that the pending administration legislative proposal for wheat and rice is among the worst bills to come before the Congress in many years. Never was there a clearer case of robbing Peter to pay Paul.

If this legislation is enacted, thousands of low-income families and employees in processing industries will pay the price of increased price supports for the growers of wheat. The increased cost of staple foodstuffs to the consumer will be more than the decreased cost of the farm program to the Federal Government. This just does not make sense.

In President Johnson's communication to the Congress this year regarding proposed legislation for farm commodity programs, he clearly set forth his basic agriculture policy objectives. As his second objective he listed "a workable balance between supply and demand at lower costs to the Government." This objective is embodied in H.R. 7097 which would reduce the cost Government will spend for subsidies by placing the added expense on the consumer. This fact was generally admitted by the Secretary of Agriculture and in President Johnson's letter of transmittal concerning H.R. 7097. It is estimated that the overall increased costs to the consumer would amount to in excess of $400 million per year.

With the passage of H.R. 7097 the Department of Agriculture would increase the value of the farmers' marketing certificate. The farmer would receive an additional 50 cents for each bushel of wheat—the excess to be borne by the wheat processor. This increase would inevitably be passed on to the consumer through substantial increases in bread, cereal, flour, and other wheat and rice products. The increase in the retail price of bread would be close to 2 cents a pound loaf. Similarly the retail price of rice would be boosted by about 4 to 6 cents per pound.

Low-income groups and large-family units would be the ones most adversely affected if such legislation were to pass. Bread, flour, and cereal products are of particular importance to low-income groups for whom these staples constitute a relatively high proportion of their diet. Studies show that these people consume more wheat and rice products than do higher income groups. A recent survey by the agriculture economics department of the University of Arkansas concerning rice distribution throughout the country showed that in New England, for example, 75 percent of the rice was distributed to lower income groups.

In the 1964 Report of the National Agriculture Advisory Commission, one of the goals set forth for the administration's farm policy was consistency with other national policies. It is clear to see, however, that the proposed bill is highly inconsistent with other national programs—for example, the war on poverty. The very people at whom the poverty program is aimed are being asked to pay increased prices for the products that comprise a significant portion of their diet. It is equally inconsistent for the Federal Government to take away excise taxes on necessities such as handbags, jewelry, and cosmetics with one hand while imposing a bread tax with the other.

If this bill were to pass, the price rise would obviously result in decreased consumption and thereby cause severe unemployment in processing and distributing industries.

Mr. Speaker, this is not only bad legislation but bad economics. I hope that the House Committee on Agriculture, which is now considering this bill in executive session, will take a full look at all the ramifications of the legislation and eliminate these unwarranted provisions.

INTERNATIONAL MONETARY SYSTEM

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MORSE. Mr. Speaker, on June 28, Congressman Ellsworth, of Kansas, delivered a major address on the floor of the House on the International Monetary System. His scholarly and thoughtful statement was subscribed to by 11 other Members including Congressman Bell, of California; Congressman Conte, of Massachusetts; Congressman Frelinghuysen, of New Jersey; Congressman Horton, of New York; Congressman Mathias, of Maryland; Congressman McDade, of Pennsylvania; Congressman Mosher, of Ohio; Congressman Reid, of New York; Congressman Robison, of New York; Congressman Stafford, of Vermont, and myself.

Yesterday I was pleased to note that Secretary of the Treasury Fowler quoted Congressman Ellsworth approvingly. He said, in emphasizing the need for the United States not only to advance our own proposals, but to carefully consider and fairly weigh the merits of other proposals:

Congressman Robert Ellsworth, of Kansas, in discussing this subject, recently remarked:

"We must appreciate that if we wish a strong Europe it must be a Europe strong enough to look upon an American proposal as merely one among many possible solutions—all of which will be reviewed together. If we wish their partnership, we must treat them as partners."

This statement of the Secretary is high tribute for Congressman ELLSWORTH who has demonstrated outstanding leadership, high scholarship, and good judgment in preparing his statement on the International Monetary System.

I ask unanimous consent to include the report in yesterday's edition of the New York Times by Edwin L. Dale, Jr., in the RECORD following my remarks.

The President's decision that the United States stands prepared to attend and participate in an international monetary conference is particularly welcome. As Congressman ELLSWORTH said on June 28:

> There is an obvious need for an International Conference to develop a system leading to expanded liquidity and to discuss the processes of national adjustment to international disequilibrium. There is some danger that the Conference will not be held until the liquidity crisis is already upon us.

Just as the Secretary emphasized that any such Conference be preceded by careful preparation and international consultation, Congressman ELLSWORTH correctly observed that "to meet and not succeed would be worse than not meeting at all."

For this reason, the Secretary's endorsement of Mr. ELLSWORTH's suggestion that a Preparatory Committee could serve a useful purpose is particularly important. For as Mr. ELLSWORTH said:

> Such a Commission could give order to the separate discussions and provide continuing evidence of a multilateral commitment to the effective resolution of international financial problems.

Finally, the Secretary's statement reflects our judgment that the future course of international monetary stability can be sought within the framework of the International Monetary Fund.

We hope that the Secretary will keep in close touch with the Congress as his plans develop.

Fowler Proposes a Global Parley on Money System—Says President Authorizes Call for Talks To Improve Bretton Woods Setup—Lag in Liquidity Is Seen—Steps Are Held Necessary To Spur Growth of Reserves Used for World Trade

(By Edwin L. Dale, Jr.)

WASHINGTON, July 10.—The United States, in a major initiative, proposed today a world conference aimed at "substantial improvements" in the 20-year-old international monetary system.

The proposal was made by Secretary of the Treasury Henry H. Fowler, who said President Johnson had authorized it.

The last such world conference was at Bretton Woods, N.H., in 1944. The system then evolved has worked well and has been a major factor in the spectacular prosperity of the industrial world.

But the system has recently come under strain, first because of the persistent deficits in the U.S. balance of international payments and now, prospectively, because of the ending of those deficits. The dollar is a keystone of the system.

Mr. Fowler disclosed the U.S. initiative in a speech to the Virginia Bar Association in Hot Springs, Va. The text of his remarks was made available here. Mr. Fowler conferred about the speech with the President 2 days ago.

The Secretary said that a world conference, if it was to succeed, "must be preceded by careful preparation and international consultation."

ASKS ASSURANCE OF PROGRESS

"Before any conference takes place, there should be reasonable certainty of measurable progress through prior agreement on basic points," he declared.

"Our suggestion," he continued, "is that the work of preparation be undertaken by a preparatory committee which could be given its terms of reference at the time of the annual meeting of the International Monetary Fund this September."

Mr. Fowler said the "happy concurrence of three crucial facts" made the time appropriate to act on reform of the system. The crucial facts, he said, are these:

The U.S. balance-of-payments "is approaching an equilibrium."

There is a "rising tide of opinion" that the world system "can and should be substantially improved," building on the present system.

The necessary technical studies have been completed, chiefly by the leading financial nations know as the Group of Ten.

As Mr. Fowler explained today, world financial reserves, called international liquidity, have grown in the last 15 years, largely because of deficits in the U.S. balance-of-payments. These deficits have pumped both dollars and gold into the reserves of other nations. The United States was spending more abroad than it earned abroad, even though exports regularly exceeded imports.

As foreign dollar holdings grew and the U.S. gold stock declined, it became necessary to end these deficits to keep the dollar "as good as gold" and assure other nations that their dollar holdings could always be converted into gold at $35 an ounce.

After long and frequently frustrating efforts by the Government, the deficits now appear to be ending. In any event, the Government, as Mr. Fowler said, is determined to end them.

But this will automatically stop the growth in world reserves that is needed to finance international transactions, a condition that Mr. Fowler called the "paradox" of the present system. Hence, the need for an innovation, which may well take the form of some new kind of reserve asset in addition to gold and dollars.

Nations use their reserves to settle deficits in their international transactions. While reserves do not have to grow exactly in line with world trade, there is agreement that they must grow over a period of time so that nations can handle temporarily deficits without clamping restrictions on imports or imposing deflationary domestic policies.

Mr. Fowler quoted today a sentence from President Johnson's balance-of-payments message to Congress last February 10:

"Unless we can make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

Mr. Fowler gave no hint today of what the United States would advocate at the world conference and in the preparatory stage. But he said the Government was now moving into a stage of "intensive internal preparation" to determine "those proposals which will be acceptable to the United States, those which are entirely unacceptable, and those which may well be appropriate for negotiation."

FRANCE OPPOSES EXPANSION

In discussions on reform that have been underway for nearly 2 years among the Group of Ten countries, serious differences of opinion have emerged. Essentially the continental European countries, above all France, have opposed reforms designed to expand world liquidity, contending there is already too much. Britain, the United States and Japan have been more expansionary.

The end of the U.S. payments deficit, assuming that the recent improvements continue, could sharply alter the negotiating situation. It would improve the U.S. bargaining power and might persuade many Europeans that a method of adding to world liquidity was needed.

Mr. Fowler disclosed in his speech that he planned to meet later this year with the "ranking financial officials of other Group of Ten countries, to ascertain first-hand their views on the most practical and promising ways of furthering progress toward improved international monetary arrangements." He has already seen the British Chancellor of the Exchequer, James Callaghan, and will confer next week with the Japanese Finance Minister, Takeo Fukuda.

OTHER MEMBER NATIONS

Other members of the Group of Ten are France, West Germany, Italy, Belgium, the Netherlands, Sweden, and Canada, Switzerland sits with the group as an observer.

Mr. Fowler made it clear that the United States had no intention of trying to impose its own ideas.

"We must be prepared," he said, "not only to advance our own proposals but to carefully consider and fairly weigh the merits of other proposals."

The idea of a world monetary conference can be said to have originated not with the administration but with congressional Republicans.

Senator JACOB K. JAVITS of New York has long advocated it. Senator BOURKE B. HICKENLOOPER, of Iowa, speaking for the Senate Republican leadership, endorsed the idea last week.

ELLSWORTH SPEECH CITED

Also last week, Representative ROBERT F. ELLSWORTH of Kansas, speaking on behalf of an informal group of House Republican liberals and moderates, made the proposal in a major House speech. Mr. ELLSWORTH has been in touch with leading world financial figures, such as Jean Monnet of France, seeking their advice on how to go about such a conference.

Mr. Fowler quoted today from the Ellsworth speech.

A plan for improving the monetary system that has considerable backing, though there is much disagreement on detail, calls for creating a new composite or collective reserve unit, labeled CRU for short. The reserve would be made up of the 10 or 11 leading currencies in fixed proportions, held in nations' reserves along with gold and dollars. It could be used to settle international accounts.

The idea is supported in varying degrees in Europe, in Japan, and Canada. Britain is known to be sympathetic, provided the new unit could be firmly linked to the existing International Monetary Fund.

The United States has long resisted the idea, mainly because some versions of it would seek to diminish or abolish the role of the dollar as a world reserve currency and a "working" currency for a host of private international transactions.

But if the plan could be worked out in such a way as to leave the role of the dollar intact, and if it could be linked to the Monetary Fund, the United States is understood to be willing to consider it.

A new version of a CRU-type of plan will be published next month by Robert V. Roosa, former Under Secretary of the Treasury, who was the leading United States international monetary official for the first 4 years of the Kennedy-Johnson administration. This could indicate a move in the United States position toward more sympathy for the basic idea.

Mr. Roosa is a member of a committee, headed by former Secretary of the Treasury Douglas Dillon, that was named to advise Mr. Fowler on international monetary reform. Mr. Fowler disclosed today that the group would have its first meeting Friday.

CONCORD EDITOR PONDERS POVERTY

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the rent subsidy bill in particular and the war on poverty in general set the editor of the Concord Monitor musing about his situation the other day. The result was an editorial which appeared in the paper last Saturday and which I offer now for the RECORD as a good sample of the thinking taking place on these matters, at least in my part of the country, where neither hardship nor commonsense are scarce.

[From the Concord (N.H.) Daily Monitor, July 10, 1965]

BEING A PAUPER BECOMES A VIRTUE

We are in the market for a larger house in which to live—not to buy but to rent.

We figure that if we can boost the rental figure high enough to exceed one-quarter of our income we surely can get the Government to subsidize us under the new housing law Congress is enacting.

Our tastes normally aren't expensive. We get along with a one-bathroom house, which with five in the family is unquestionably below the standards of the Great Society.

We don't have a swimming pool, except one of those small plastic things which aren't much bigger than the old-fashioned galvanized washtubs in which some farm families still take baths.

We have no wall-to-wall carpeting, and no picture windows.

Our house is old and the clapboards are getting thin, the plaster is loose in some of the rooms, and there is dry rot in the hand-hewn beams which support the floors, so much so we have had to put in lally post-type jacks in spots to keep the floors from becoming trampolines when walked upon.

We have an old barn which had a dilapidated interior from a century and a half of abuse, and a shed which is nearly as old and in the beginning was built out of ancient timbers and boards retrieved from even older buildings.

There is a basement under the house, but we're all so tall we have to stoop to walk in it and even a light rain seeps in and covers the floor with water. A spring thaw really makes a lake out of the place, so it is useless.

There is no sidewalk along the road in front of our house and the town provides no water or sewerage services, or garbage collections.

The most substantial thing about the whole place is a stretch of ledge we uncovered alongside the barn. But even that was left badly scarred when the ice cap retreated centuries ago.

Surely this is a story of genuine poverty to which the promoters of the Great Society should listen tearfully and do something about pronto.

If they could also see the sparsity of the family's wardrobe, and the isolation of our house—where we can't see the house of neighbors in any direction—they'd definitely take pity on us.

We used to be content with our lot. We even felt affection for all the things we don't have in and about our house. But listening to President Kennedy and now to President Johnson we have come to realize how uncultured and downright degrading our tastes have been.

We recognize that great giver, Lyndon Baines Johnson, can't feel blessed unless we gracefully accept his profferings.

Who has a Great Society house they'll rent us at a fancy fee at least partially guaranteed by the debt-laden U.S.A.?

We want to become a Great Society pauper and get rid of the nonconformist, self-reliant stigma in which we have been living.

ADDRESS BY VICE PRESIDENT HUBERT HUMPHREY

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, on April 14 of this year, Vice President HUBERT HUMPHREY gave an excellent address on "The Record of the Inter-American System" before the Organization of American States at the Pan American Union.

I believe that the Vice President's fine address commemorating the 75th anniversary of the Organization of American States should have further distribution and consideration. Therefore I ask unanimous consent that this speech be made a part of the permanent CONGRESSIONAL RECORD.

THE 75TH ANNIVERSARY OF THE ORGANIZATION OF AMERICAN STATES: THE RECORD OF THE INTER-AMERICAN SYSTEM

(Address by Vice President Humphrey before a protocolary session of the Council of the Organization of American States at the Pan American Union, Washington, D.C., on Pan American Day, April 14)

It is so good and refreshing to be here with you, my brothers and sisters of the Americas, in this Casa de las Americas. This House of the Americas is a beautiful home and one that is very dear to all of us.

We meet today as members of a flourishing inter-American system whose roots go back 139 years to the Congress of Panama convened in 1826 by that great patriot of this hemisphere, Simón Bolívar. Then Bolívar saw our hemisphere as "independent nations bound together by a common set of laws which would govern their foreign relations and afford them a right to survival through a general and permanent congress." He was a man of vision and history.

We meet today to commemorate the 75th anniversary of the Organization of American States, which in 1890 institutionalized this idea of hemispheric cooperation into a functioning international system. We meet to commemorate the 75th anniversary of the oldest and, I think, the most successful international organization in existence, a model for other nations who wish to move from the uncertainty of nationalism to the stability of a functioning regional system.

So, Mr. Chairman, Ambassadors, and fellow Americans, I am honored to accept your invitation to be with you in this Hall of the Americas on this memorable occasion. I am honored to join the representatives of the free Republics of Latin America, with whom, as President Johnson has stated, "* * * our country has always felt * * * special ties of interest and affection."[1]

We are friends; we are partners; and we are good neighbors. Let me pay my respects to the heroes of the Americas: the father of our own country, George Washington; one whose death we have commemorated and yet whose great works we have commemorated—Abraham Lincoln; and Simón Bolívar, San Martín, Hidalgo, O'Higgins, Sucre, Morazán, and Martí, just to mention a few. These are names of history, and they bind us together into a family of brothers and friends.

During the past 75 years, the nations of the hemispheric system have developed instruments to preserve the peace and the security of this hemisphere. We have made a distinct contribution to peace. The cause of peace—peace in the hemisphere and peace in the world—is well served by the cooperation and the solidarity which have developed in the Americas. Friend and foe alike would do well to take note of this living cooperation and solidarity, for it has signified our mutual dedication to common goals and common progress. There is no greater service that one can perform than to build for an enduring peace.

The United States has made known its dedication to hemispheric development and security through many measures and many men. We have done this through Franklin Roosevelt's good-neighbor policy—and we are reminded of Franklin Roosevelt this week because it was just 20 years ago that he left us, after a lifetime of service to the cause of freedom. We have made known our dedication through the Rio Pact, and more recently through idealism in the commitment of the Alliance for Progress. These American initiatives have made this hemisphere safe, while laying the groundwork for long-term social and economic development.

THE ALLIANCE FOR PROGRESS

During the past decade, we have gone beyond preserving security against external threats. We have begun to confront the internal threat posed by economic and social inequality. Building upon the previous proposals of Latin American statesmen, the late, beloved President of the United States, John F. Kennedy, 4 years ago proposed a new charter of freedom and hope, a new Alliance for Progress to "assist free men and free governments in casting off the chains of poverty."[2]

I think some of us here remember that evening in the East Room of the White House when this great proposal was enunciated,[3] and we recall so vividly the sense of the new spirit, the new strength, that it gave to all of us. Today the world knows and will long remember the change and the changes that have resulted in this hemisphere because of that initiative and what has followed from it.

The Alliance for Progress is our alliance. The Alliance represents a peaceful revolution against human injustice and deprivation here in our hemisphere. As is stated in the preamble to the Charter of Punta del Este,[4] the Alliance aims "to unite in a common effort to bring our people accelerated economic progress and broader social justice within the framework of personal dignity and political liberty." It is not, however, merely designed to promote economic development—important as that may be—but to bring all men in the Americas out of the shadows of injustice and despair and into the bright sunshine of human rights and human dignity, to bring us out of the lethargy of social neglect and into lively participation in the political, social, and economic life of the community.

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[1] Bulletin of Jan. 25, 1965, p. 94.

[2] Ibid., Feb. 6, 1961, p. 175.

[3] For an address made by President Kennedy on Mar. 13, 1961, at a White House reception for Latin American diplomats and Members of Congress, see ibid., Apr. 3, 1961, p. 471.

[4] For text, see ibid., Sept. 11, 1961, p. 463.

SYMBOLS OF HOPE AND IMAGINATION

The Alliance for Progress represents the latest development in the life of the inter-American system. Four years of experience under the Alliance have deepened our understanding of this new development and have sharpened our perception of what the Alliance for Progress is and what it is not.

Looking at it today, what does this new development in the inter-American system represent? Today we realize that the success of the Alliance depends on much more than economic development. We realize that for it to succeed it must have a political content and an ideological substance, in addition to a strong program of economic development. Man does not live by bread alone. He is also moved deeply by ideas as well as by his need for material things.

The Alliance needs symbols of hope and imagination. It is not just a matter of satisfying physical needs and raising the material standards of living. What is equally important is inspiring hope in the people, commanding the intellectual and emotional allegiance of those who will shape the future of their country.

What can be accomplished in a material sense in a very limited period of time will always fall short of our expectations. This should not discourage us. What is important is that we are prepared to give some evidence that progress is being made, that material betterment is on the way, and that there is sound reason for believing that the unmet material problems of society can and will be solved in the future.

It has been said many times, but it needs to be said again, that the longest journey is the first step. My fellow Americans, we have made the first step. The first step was firm, and it was one that has started us on the journey to success.

I am speaking in essence of the politics of hope, because man must have hope and the belief that he can overcome his problems, that he can find solutions to his difficulties. This means, of course, that there must be both short-range, socially oriented programs to give visible evidence of immediate progress and long-range development projects which are essential to the building of a viable economy. It isn't a choice of one or another; the need is there for both. Both of these must be pursued within the framework of responsible government, responsible fiscal and monetary policies essential to a growing economy. To do less than that would be to thwart our hopes and would be to deceive the people.

GLOBAL WAR ON POVERTY

Although the observation that Latin America is in the midst of a political, economic, and social revolution has become a commonplace, it is true. Today in most Latin American nations there is a burning awareness of the enormous human cost of perpetuating systems which are based on social inequality. There is also a well-developed consciousness that the system can be changed, that significant improvement in economic and social well-being of people can be achieved through deliberate, thoughtful, systematic, and democratic free political action. This is most important—the realization by the people and their leaders that change can be brought about through orderly processes.

Poverty, illiteracy, and disease are no longer a load to be patiently borne, but a burden to be cast off. This is true in all the Americas, North and South. The war on poverty is not just a local war, in the highways, in the byways, in the cities, in the rural areas of these United States, but it is a global war. It is the one war that this Nation wants to fight, and it is the one war in which we ask as allies every nation on the face of the earth.

The policy of peaceful social and economic revolution is a correct characterization of alliance policy. We do not hesitate to identify ourselves with it in this hemisphere, just as President Johnson associated himself with it in his "war on poverty" throughout the world when he recently stated, "* * * if a peaceful revolution is impossible, a violent revolution is inevitable." [5]

ALLIANCE IS "PARTNERSHIP, NOT PATERNALISM"

The past 4 years have taught us that the Alliance for Progress must combine basic reform with political freedom, social justice with economic development, ideological substance with inspiration and hope. We have also learned much about the implementation of specific programs of political, social, and economic development under the terms of the Alliance. We understand more fully that Latin America is a continent of diversified peoples, varied economies, different cultures, and both highly advanced and seriously underdeveloped regions. We understand that the actions of Latin American countries are far more important than those of the United States in accomplishing the goals of the Alliance.

My fellow citizens of this Republic must remember that the main burden of the Alliance is not borne by this Republic but by all of the Republics of the Americas. We are but a partner. We understand that discipline and self-help are absolutely crucial in the achievements of our goals. We understand above everything else that the Alliance is partnership, not paternalism.

It is no surprise, therefore, that the development of the Alliance has been uneven, that some nations have made great progress and others have made less. Where the indispensable ingredient of responsible political leadership has appeared, internal mobilization of resources has followed. Where this has occurred, the infusion of external capital and technical assistance can be a stimulant to economic development. Of the three forms of external resources readily available—aid, trade, and private investment—all three are and will continue to be essential for the foreseeable future to the success of the Alliance for Progress. But, as Under Secretary of State Thomas Mann stated recently: [6]

"Unless conditions favorable to development are created by each country, all the aid from and trade with the outside world will not achieve the goals of the Alliance."

CIAP AND THE INTER-AMERICAN BANK

In implementing the Alliance for Progress we have converted the original concept of the Alliance as a cooperative effort into a concrete, multilateral decisionmaking body, the Inter-American Committee on the Alliance for Progress. Once again, the resilience and the adaptability of the inter-American system has been demonstrated. Is it any wonder that throughout this hemisphere today the press, the columnists, and the commentators herald joyfully this 75th birthday of this great Organization of American States? Today CIAP is a vigorous operational instrument, possessing the flexibility and independence which an operational instrument must have.

Our experience with CIAP is showing that new instruments, operating directly with governments and international lending institutions on a day-to-day basis, can be harmoniously blended into the existing inter-American system. This follows a similar experience with another new and vital part of the inter-American system, the Inter-American Development Bank. Already this Bank has made an impressive record in assisting in economic and social growth. Aided by the strong support of the U.S. Government and the active participation and support of other members, it can play a vital role in accomplishing the economic integration of this hemisphere.

New organizations like CIAP and the Inter-American Development Bank are part of a growing inter-American system. I emphasize this because our institutions are not static; they are not something just for the history books. They are living, viable instruments of social, political, and economic progress. They have brought order and system to bear against complex problems which cross national boundaries. Within this system the OAS Council will continue to play a very important role in settling disputes between nations, in preserving the peace and security in the hemisphere, and in promoting the general welfare of this hemisphere.

U.S. SUPPORT FOR ECONOMIC INTEGRATION

But if the system has been successful in meeting the problems of the past, it must undergo new development if it is to meet the challenges facing us in the present or the future. To many perceptive observers, the most urgent step in supplementing the programs already functioning under the Alliance for Progress is the acceleration of economic integration in the hemisphere. Just as the nations of postwar Europe united to form a European Economic Community, so the nations of Latin America naturally see their destiny more and more in terms of an economically integrated region of continental proportions. The development of regional markets—in a manner guaranteeing the efficiency which only competition can bring—is now recognized as essential to the economic growth of many Latin American countries.

We welcome the recent efforts to stimulate bold action to achieve economic integration. As in the case of CIAP and the Inter-American Development Bank, there is no reason why arrangements developed to deal with integration cannot be appropriately related to other institutions of the dynamic inter-American system.

We support effective economic integration because it is essential to economic and political development under the Alliance for Progress. We support it because the modern Latin America which can emerge from effective economic integration will be a more effective partner in all the great common world tasks which confront those who share the common values of Western civilization. We support it because, as our postwar experience demonstrated, our most fruitful and mutually advantageous trade and financial relations are with industrialized and diversified areas of the world. Finally, we support it because economic integration is a fundamental part of the Alliance for Progress, the Alliance program to which we committed ourselves at Punta del Este.

OTHER URGENT PROBLEMS TO BE SOLVED

In a year holding great promise for further growth of the inter-American system, I would hope that two additional subjects might be considered. Although the nations of the hemisphere are united in their preference for representative democracy and free institutions, we have not yet perfected institutional means of bringing the full weight of the inter-American system to the defense of representative constitutional government when it is threatened—from either the right or the left. This remains an urgent problem for all nations of the hemisphere, large and small.

Finally, it is difficult to see how the economic and social aspirations of the people of Latin America can be achieved if the competition in modern weapons of the Old World is emulated by the New. Surely economic growth and social welfare are to be preferred to the proliferation of costly weapons, which could only convert friend into foe through a costly and dangerous military rivalry.

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[5] For remarks made by President Johnson on May 11, 1964, at an informal White House meeting with Ambassadors of Latin American nations, see ibid, June 1, 1964, p. 854.

[6] Ibid., Oct. 26, 1964, p. 593.

Some day we would hope to see open boundaries from Canada to Chile, just as we have today between Mexico and the United States, and Canada and the United States. We favor control over all modern weapons, and we hope that careful consideration will be given to discovering the ways of controlling these weapons and of preventing the proliferation of nuclear weapons in this hemisphere.

HEMISPHERIC SECURITY

If I have emphasized here today the new developments in the inter-American system, I would not want to overlook the solid accomplishments of the past. Nowhere is this more evident than in the area of hemispheric security. Aided by the Rio Treaty of 1947, we have successfully resisted military penetration of the hemisphere by hostile powers.

Our present concern with social and economic problems should not obscure the need for vigilance to protect the security of this hemisphere, because there can be no progress, no social and economic development, if this hemisphere is made the battleground for either open aggression or subversion and terrorism.

We in the United States know that hemispheric security is our security. We know that your security is ours, and we believe that you know that our security is yours. Indeed, hemispheric security is the security of every nation of the Americas, large or small. We must never forget that any penetration of this area of freedom by outside powers is a threat to the whole system. This remains as true today as it was in 1962.

LATIN AMERICA AND THE WESTERN WORLD

In confronting the new problems it is well to remember that the inter-American system has demonstrated a capacity for growth. As our Latin American neighbors progress along the path of economic and social modernization, they naturally will desire to enlarge their independence, to play a more prominent role in world affairs. This is as it should be. The inter-American system should naturally reflect that change.

There are those who contend that the solution to the problems of Latin America lies outside the hemisphere, outside our inter-American system. In considering the destiny of the nations of the Western Hemisphere, we should all ponder the words of a bold new statesman, the President of Chile, Eduardo Frei. Speaking of his own country in September 1964, President Frei stated this:

"We certainly may share some economic problems [referring to the African and Asian countries] as producers of raw materials who want to project themselves into an industrial age. But Chile belongs to the Americas, where our ideas have been nourished by the Judeo-Christian ethics of the Western World. It is within this sphere that we must try to resolve our problems."

It seems to me that that statement succinctly tells us where we are to look for our solutions, how we are to proceed. In keeping with these views, the solution to our present problems can be found within the inter-American system.

But the hemispheric unity presupposed by that system need not be interpreted in any exclusive sense that would discourage a greater Western European contribution to the social, economic, and cultural development of Latin America. We welcome our European friends, not as rivals for power but as partners for progress. One of the most encouraging signs of recent years is the increased involvement of Europe in Latin America, both in terms of long-term development assistance and expansion of existing cultural and education programs. Latin American countries will and should continue to be different from one another, and different from both the United States and Europe, but they need not see their own future destiny in terms of the non-Western southern half of the world.

On this 75th anniversary of the OAS I have tried to touch on the accomplishments of the past, some of the challenges and problems of the future. The record of our inter-American system, I submit to the world, is an impressive one. A century ago, the Argentine poet José Hernández wrote:

"America has a great destiny to achieve in the fate of mankind. * * * One day * * * the American alliance will bring world peace. * * * America must be the cradle of the great principles which are to bring a complete change in the political and social organization of other nations."

It would be well for us not only to read those words but to reflect upon them and act on them.

This week we observe not only the 75th birthday or anniversary of this great inter-American system, but with a note of sadness we observe the 20th anniversary of the death of a great friend of freedom and of the Americas, Franklin Roosevelt. President Roosevelt always inspired the people to whom he spoke; he was indeed a powerful force in a troubled world. He said, as he was penning those last words before death took him from us:

"The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with strong and active faith."

I submit that that is a challenge worthy of the Americas, and one that we should embrace and make our call to action.

HON. EDWARD J. DERWINSKI

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, this afternoon we passed H.R. 8030 to provide for the discontinuance of the Postal Savings System. I believe that special credit for the passage of this practical bill should go to my colleague from Illinois, the Honorable EDWARD J. DERWINSKI, who throughout his 7 years of service in this body has fought for the development of this legislation.

This afternoon when Congressman DERWINSKI dramatically pointed out to the House that this was an area where the Government could withdraw from competition with free enterprise, he was emphasizing a theme he had patiently used within the confines of the Post Office Committee these many years. The passage of this bill is not only a practical step in the administration of our post office system, but recognition by the House of the legislative foresight and leadership of the gentleman from Illinois [Mr. DERWINSKI], who as one of the ranking minority Members of the House Post Office and Civil Service Committee, earns our respect by providing this type of progressive leadership.

SUBCOMMITTEE NO. 1 OF COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 1 of the Committee on the Judiciary have permission to sit during general debate on July 13.

The SPEAKER. Without objection, it is so ordered.

ATOMIC ENERGY ACT OF 1954

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN], is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced a bill, to amend the Atomic Energy Act of 1954 to promote the public health and safety.

As the law now stands, the manufacturers and operators of atomic powerplants are given complete freedom from financial responsibility for any damage that might result from a nuclear accident. This freedom from liability is conferred by subsection (e) of section 170 of the Atomic Energy Act, which provides in substance that the aggregate indemnity of all persons involved in the construction and operation of an atomic powerplant shall not exceed the amount of commercial insurance available plus the $500 million indemnity furnished by the Government.

We are told that the chances of an atomic powerplant catastrophe occurring are very remote, yet the possibility exists. In fact, the atomic energy industry told the Joint Committee in hearings on Price-Anderson extension June 22 through June 24 that few if any powerplants would be built if the manufacturers and operators were financially responsible for all damages in excess of $560 million.

I have no desire to stop the progress of atomic power, which no doubt some day will offer some real benefits to the people of this great Nation. Neither do I desire to slow that progress. On behalf of my constituents, however, and on behalf of the public throughout the country, I do desire to do everything that can be done to see that the utmost care is exercised on the part of everyone involved to see that no atomic catastrophe ever occurs.

To that end, my bill would in substance provide the same treatment that present law provides, except that utilities and manufacturers of atomic powerplants would be subject to ordinary rules of law to the extent of $100 million over and above the $560 million made available by the insurance industry and the Government. They would not be responsible for damages in excess of $660 million, whereas present law provides they are not responsible for damages in excess of $560 million. In short, my bill would make licensees financially responsible for damages resulting from their actions, to the extent of $100 million, but this liability would not apply unless the total damage exceeds the $560 million made available through insurance and Government indemnity.

My bill does not change the provisions of the law with respect to contractors for the Atomic Energy Commission. Since Government funds are being used for the work such contractors are doing, there is no economic incentive for the contractors to cut corners on the cost of safety or take unnecessary risks. It therefore appears there is no need to make them financially responsible for the results of their actions.

In my opinion, Mr. Speaker, the bill I have introduced would not be an unreasonable burden on the atomic power industry and would not constitute a roadblock to the growth of the industry. The industry feels quite confident these plans will operate safely, but they fear to accept responsibility for all of the damages which might occur in the unlikely event of a catastrophe because the amount of such damages could, conceivably, far exceed the assets of the largest company. My bill would not require them to assume such unlimited responsibility. It would limit their liability to $100 million.

Mr. Speaker, I have every reason to believe that the Joint Committee on Atomic Energy Commission is doing everything humanly possible to see that atomic powerplants are constructed and operated with the utmost care. I believe that the same thing can be said of the manufacturers and operators of atomic powerplants. But we have an obligation to our constituents to see that this extreme care continues. If atomic power grows as rapidly as now forecast by the Atomic Energy Commission, we will have more than 100 large plants in operation within the next 15 years. Unfortunately, the old saw still holds true—"familiarity breeds contempt." This is true even with respect to extremely dangerous instrumentalities. This bill is designed to keep them careful.

In the push for low-cost power, there is inherent a desire to save costs by placing atomic powerplants near the center of power consumption and by reducing the cost of safety devices. I feel certain no utility would bow to such economic pressures at this stage of the development of atomic power. I do fear, however, that there may be a tendency to become complacent as the years go by, and I think the public is entitled to the protection which is inherent in some degree of financial responsibility for negligence.

In March of this year, testifying before the Joint Committee on Atomic Energy, Admiral Rickover pointed out that great care results in increased costs. In discussing plans for the seed-and-blanket reactor, the Admiral pointed out that his experience indicated some reluctance on the part of competitive enterprises to go to the expense necessary to be absolutely certain that every piece of atomic equipment is perfect. He quite properly pointed out to the committee that he had never hesitated to exercise the utmost care regardless of the cost involved. On behalf of my constituents, I want the manufacturers of atomic powerplants and the utilities to feel the same way, even after the passage of the years has offered temptation to be complacent.

Mr. Speaker, the law as it stands provides protection for the manufacturers and operators of atomic powerplants, and it provides a limited amount of financial compensation for damages to the public. I am far more concerned with the prevention of damage to the public than I am with paying for it after it occurs. I believe my bill will be of material assistance in seeing that a catastrophe never occurs.

HISTORICAL RECORD OF REPUBLICAN PARTY AND DEMOCRATIC PARTY ON CIVIL RIGHTS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. Goodell] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, as chairman of the House Republican committee on planning and research, I am pleased to report to my colleagues and to the people with reference to the historical record of the Republican Party and the Democratic Party on civil rights. My address today is a result of research carried on under the direction of the planning committee which I have the privilege of chairing for House Republicans. Dr. William Prendergast, our research director, has been instrumental in its preparation together with other staff assistants.

I believe it is imperative that certain points be kept in perspective today. President Johnson has requested Congress to move on various civil rights measures since he took office. The President has recently suggested that Republicans were attempting to dilute the voting rights legislation when they proposed the Ford-McCulloch bill in the House last week. As was stated most properly and accurately by House Republican Leader Gerald Ford and the ranking Republican on the Judiciary Committee, William McCulloch, this morning, and I quote:

> The President's political instincts got the better of his sense of fairness and his sense of history when he accused House Republicans of seeking to dilute the voting rights bill.
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> The President is obviously sensitive to his own "Lyndon-come-lately" congressional record on civil rights.
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> The President is embarrassed by the failure of the Johnson administration to support the honest elections provision in either the Senate or House version of the voting rights bill.
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> Will the President tell the people:
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> 1. Why Texas was not covered under his initial voting rights bill and is not effectively covered now?
> 2. Why vote frauds and dishonest elections, such as have occurred in Chicago and Texas, were not covered under his proposal?
> 3. Why should not the right to vote be protected equally in every State, not just in seven States?
> 4. Why should any area be exempted after only 50 percent of the Negroes are permitted to vote?
> 5. Why should challenged votes be counted and if found invalid be used possibly to determine the outcome of an election, including the election of a President?
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> The Ford-McCulloch bill effectively meets all of these problems. The President's proposal ignored all these vices and defects. The Ford-McCulloch bill was more comprehensive, more effective, and more equitable than the administration bill.
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> From 1940 through 1960 as a Member of the House and the Senate, Lyndon Johnson voted against civil rights on 78 percent of 50 meaningful rollcall votes. Before 1957, he voted against civil rights 100 percent.
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> Lyndon Johnson's public statements were consistent with his voting record. In Austin, Tex., on May 22, 1948, he said:
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> "This civil rights program, about which you have heard so much is a farce and a sham—an effort to set up a police state in the guise of liberty. I am opposed to that program. I fought it in Congress. It is the province of the State to run its own elections."
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> Republicans disagreed with him then and have consistently disagreed with that philosophy ever since.
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> The President embraces a form of consensus which in effect says, "I'm right. Everyone else is wrong. I'm for good; you're for evil." He tolerates no constructive differences of opinion. As such, he is a dangerous advocate of one-party government in this country.

Mr. Speaker, Mr. Ford and Mr. McCulloch referred to the President as a "Lyndon-come-lately" on civil rights. No one has served the cause of civil rights more effectively than Bill McCulloch, of Ohio. He has been praised by former President John F. Kennedy and by Mr. Johnson for his role in the 1964 Civil Rights Act. When that legislation emerged from the Judiciary Committee in 1963, President Kennedy publicly affirmed that in his opinion it could not have done so without the sensitive, intelligent, and dedicated help of Bill McCulloch.

In contrast, Mr. Speaker, I would like to point out the civil rights record of President Lyndon B. Johnson when he was in the Congress of the United States.

Since his succession to the Presidency, Lyndon B. Johnson has twice used direct addresses to Congress to push civil rights legislation. Addressing a joint session on November 27, 1963, Mr. Johnson said:

> No memorial oration or eulogy could more eloquently honor President Kennedy than the earliest possible passage of the civil rights bill for which he fought so long. We have talked long enough in this country about equal rights. * * * It is time now to write the next chapter—and to write it in books of law.—Congressional Record, volume 109, part 17, page 22839.

In his state of the Union message, Mr. Johnson was more specific:

> As far as the writ of Federal law will run, we must abolish not some but all racial discrimination. It is a moral issue—and it must be met by the passage this session of the bill now pending in the House. All members of the public should have equal access to facilities open to the public. All members of the public should be equally eligible for Federal benefits that are financed by the public.—Congressional Record, volume 110, part 1, page 115.

Lyndon Johnson has traveled a crooked path to these positions, as the following examination of his civil rights record as a Congressman and Senator will indicate.

JOHNSON AS A LEGISLATOR

The following appraisal is based on Lyndon Johnson's public statements and on 86 votes in the Congress. The 86 votes are listed in attached appendixes, and include all of the instances in which

Lyndon Johnson was recorded, by vote or pair, on a meaningful record vote on a question related to civil rights. Issues on which the minority position was represented by less than 10 votes have been excluded from the compilation as not meaningful.

In appendix I are listed 50 rollcall votes on substantive questions of civil rights on which Lyndon Johnson recorded his position while in the Congress. The following table summarizes these votes:

Year	Total votes	Johnson against civil rights	Johnson for civil rights
1940	1	1	----------
1942	1	1	----------
1943	1	1	----------
1945	1	1	----------
1946	1	1	----------
1947	1	1	----------
1949	5	5	----------
1950	6	6	----------
1955	1	1	----------
1957	6	4	2
1959	2	1	1
1960	24	16	8
Total	50	39	11

Johnson voted down the line against civil rights until 1957. The record 1940–60 shows Johnson voting against civil rights on 78 percent of the 50 rollcalls listed in appendix I. Before 1957 Johnson voted 100 percent in opposition; from 1957 to 1960 he voted against civil rights on 21 of 32 rollcalls, or 66 percent of the time.

During the period prior to 1957, Johnson voted and spoke in opposition to civil rights legislation. The 18 pre-1957 votes which are listed in appendix I contain: six votes against proposals to abolish the poll tax; six votes against proposals which would have prohibited discrimination in individual Federal programs; two votes against legislation which would prohibit and punish the crime of lynching; two votes in support of segregation in the Armed Forces; one vote against FEPC; and one vote supporting the perpetuation of segregation in the District of Columbia.

Lyndon Johnson's public statements, in Texas and in the Senate, were consistent with this voting record. Speaking to a rally in Austin, Tex., May 22, 1948, Johnson said:

> This civil rights program, about which you have heard so much, is a farce and a sham—an effort to set up a police state in the guise of liberty. I am opposed to that program. I fought it in Congress. It is the province of the State to run its own elections. I am opposed to the antilynching bill because the Federal Government has no more business enacting a law against one kind of murder than another. I am against the FEPC because if a man can tell you whom you must hire, he can tell you whom you cannot employ. I have met this head on. (Cited in the Texas Observer, June 10, 1960.)

On the floor of the Senate on March 9, 1949, Senator Johnson spoke in more detail:

> When we of the South rise here to speak * * * against the civil rights proposals, we are * * * trying to tell the rest of the Nation that this is not the way to accomplish what so many want to do for the Negro. (CONGRESSIONAL RECORD, 95 (bound edition) p. 15793.)

On the abolition of the poll tax:

> I believe that the proposed anti-poll-tax measures * * * is (sic) wholly unconstitutional and violates the rights of the States guaranteed by section 2 of article I of the Constitution. Believing that, I think I have the right to use my freedom to speak and stand on the floor of the Senate as long as I have the will, the determination, and the breath to oppose such a measure.

As for antilynching legislation, Senator Johnson believed that "an enlightened public already has rendered such a law virtually unnecessary, even if it were not unwise in its scope." On the FEPC bill, he said:

> The least meritorious proposal in the whole civil rights program. If the law can compel me to employ a Negro, it can compel that Negro to work for me. It might even tell him how long and how hard he would have to work.
>
> Such a law would necessitate a system of Federal police officers such as we have never before seen.
>
> I can only hope sincerely that the Senate will never be called upon to entertain seriously any such proposal again.

In 1957 Congress passed a long-awaited civil rights bill, H.R. 6127. The bill was nearly killed prior to Senate consideration, for Senator RUSSELL, Democrat, of Georgia, brought a point of order against the bill which would have referred it to the Senate Judiciary Committee. Senator Johnson voted to uphold the Russell point of order. The substance of the bill was largely determined by several votes which limited its scope to voting rights instead of all civil rights, and which added a jury trial provision. Senator Johnson supported both of these alterations which were strongly opposed by many civil rights advocates. A. Phillip Randolph, president of the Brotherhood of Sleeping Car Porters, branded the bill originally passed by the Senate "worse than no bill at all"—telegram to President Eisenhower, cited in White House press release No. 949, August 19, 1957.

In 1959 Senator Johnson for the first time sponsored a civil rights bill. He introduced S. 499 which would have: First, established a Community Relations Service to keep people in communication with each other; second, prohibited interstate transportation of explosives for bombing and interstate conspiracies to intimidate people with bombs; third, granted the Attorney General subpena power in voting rights cases; and fourth, extended the life of the Civil Rights Commission for 2 years. In 1959 Johnson joined 60 Senators in cosponsoring Senator HOLLAND's constitutional amendment to abolish the poll tax. That measure has been introduced in every Congress since 1949 without Johnson's cosponsorship.

In 1960 civil rights legislation again passed the Congress, and Johnson again was instrumental in significantly limiting civil rights legislation. The first bill introduced was S. 3001, and before that measure was finally killed Senator Johnson voted against expanding the injunction power to encompass the protection of any civil right. He also voted to kill part I of the bill which would have strengthened Federal injunctions regarding school desegregation. The latter vote might be explained by Senator Johnson's frequently stated opposition to what he termed "forced integration." In February 1957 Senator Johnson wrote to a constituent:

> I am naturally concerned that you think I have made concessions with respect to the so-called civil rights issue. I assure you that I feel the way I have always felt. That is that I am firmly opposed to forced integration and I firmly believe that the doctrine of States rights should be maintained. (Letter signed "Lyndon B. Johnson," dated Feb. 18, 1957.)

In a speech at San Angelo College in Texas on December 12, 1958, Senator Johnson repeated his opposition to forced integregation. He added:

> I wish the hotheads on both sides would give us a chance to evolve a solution. (Washington Evening Star, Dec. 13, 1958.)

During the 1960 session of Congress which followed the national nominating conventions, Mr. Johnson, who was then the Democrat's nominee for Vice President, voted against a Republican civil rights bill—S. 3823—which would have established a permanent equal opportunities commission and provided Federal assistance for areas which desegregated their schools. Indeed, nowhere is the Johnson path so crooked as during the election year of 1960. The Democrats' 1960 national platform stated:

> To facilitate compliance (with the Supreme Court's school desegration decision), technical and financial assistance should be given to school districts facing special problems of transition" (p. 54).

That pledge was adopted on July 12, 1960. On August 9, 1960, Mr. Johnson voted against S. 3823 which would have provided just such assistance. This contradiction may be explained by reference to the 1960 platform of the Democratic Party of Texas. Mr. Johnson ran for Senator on the Texas platform as well as for Vice President on the national platform. The Texas platform stated:

> We * * * oppose the entry of the Federal Government in the general field of public education * * *. We urge strict adherence to all State laws guaranteeing local determination in the operation of the public schools and pledge, by every legal means, to protect the rights and decisions of the people of local school districts in the operation and control of their schools (art. V).

The Democrats' 1960 national platform also said:

> The Attorney General should be empowered and directed to file civil injunction suits in Federal courts to prevent the denial of any civil rights on the grounds of race, creed, or color (p. 54).

Senator Johnson had voted against that plank of his party's platform on April 4, 1960.

Significant record votes of Lyndon Johnson on substantive civil rights questions

Date	Subject	Question voted on	Vote
Jan. 10, 1940	Lynching	Passage of H.R. 801, a bill to prevent and punish the crime of lynching.	Johnson, nay. Passed, 252 to 131; Republicans, 140 to 8; Democrats, 109 to 123; southern Members, 2 to 89.
Dec. 13, 1942	Poll tax	Passage of H.R. 1024, abolishing the poll tax as a qualification for voting in Federal elections.	Johnson, nay. Passed, 254 to 84; Republicans, 131 to 3; Democrats, 120 to 81; southern Members, 10 to 70.
May 25, 1943	do	Vote on passage of H.R. 7, a bill which would make the poll tax unlawful as a qualification for voting in Federal elections.	Johnson, nay. Passed, 265 to 110; Republicans, 168 to 16; Democrats, 93 to 94; southern Members, 5 to 82.
June 12, 1945	do	Passage of H.R. 7, a bill which would make the poll tax unlawful as a qualification for voting in Federal elections.	Johnson, nay. Passed, 251 to 105; Republicans, 131 to 19; Democrats, 118 to 86; southern Members, 5 to 69.
Feb. 21, 1946	Antidiscrimination amendment	Powell (Democrat, of New York) amendment to school lunch bill, denying funds under the act to "any State or school if, in carrying out its functions under this title, it makes any discrimination because of race * * *."	Johnson, nay. Passed, 258 to 110; Republicans, 152 to 10; Democrats, 105 to 99; southern Members, 3 to 86.
July 21, 1947	Poll tax	Passage of H.R. 29, a bill which would prohibit payment of a poll tax as prerequisite for voting in a national election.	Johnson paired, nay. Passed, 290 to 112; Republicans, 216 to 14; Democrats, 73 to 98; southern Members, 6 to 91.
Apr. 5, 1949	Antidiscrimination amendment	McCarthy amendment (Republican, Wisconsin) to ECA extension act, to withhold ECA assistance if funds were to be used to discriminate against foreign nationals: or if any racial or religious discrimination is practiced in distribution of ECA food or material.	Johnson, nay. Rejected, 33 to 45; Republications, 28 to 9; Democrats, 5 to 36; southern Members, 1 to 16.
Apr. 21, 1949	Antisegregation amendment	Cain (Republican, Washington), Bricker (Republican, Ohio) amendment to the National Housing Act, which amendment would prohibit discrimination or segregation under the act because of race, creed, or color.	Johnson, nay. Rejected, 31 to 49; Republicans, 28 to 8; Democrats, 3 to 41; southern Members, 0 to 20.
Do	do	Bricker (Republican, Ohio) amendment to National Housing Act, which amendment would prohibit discrimination under the act because of race, creed, or color.	Johnson, nay. Rejected, 32 to 46; Republicans, 29 to 6; Democrats, 3 to 40; southern Members, 0 to 20.
May 3, 1949	do	Lodge (Republican, Massachusetts) amendment to S. 246, Federal Aid to Education Act, which amendment would prohibit segregation in administration of act.	Johnson, nay. Rejected, 16–65; Republicans, 16 to 17; Democrats, 0 to 48; southern Members, 0 to 21.
May 31, 1949	Segregation in the District of Columbia	Eastland (Democrat, Mississippi), Johnson (Democrat, South Carolina) amendment to District of Columbia home rule bill, which amendment would require a referendum of qualified voters to pass on any changes in segregation policy in the District of Columbia.	Johnson, yea. Rejected, 27 to 49; Republicans, 3 to 28; Democrats, 24 to 21; southern Members, 16 to 3.
Jan. 18, 1950	Lynching	Fulbright (Democrat, Arkansas) motion to table Langer (Republican, North Dakota) antilynching amendment to the bill repealing the tax on oleomargarine.	Johnson, yea. Agreed to, 60 to 20; Republicans, 15 to 19; Democrats, 45 to 1; southern Members, 18 to 0.
Do	FEPC	Lucas (Democrat, Illinois) motion to table Langer (Republican, North Dakota) motion to take up a bill to establish a Fair Employment Practices Commission.	Johnson, yea. Agreed to, 59 to 17; Republicans, 15 to 16; Democrats, 44 to 1; southern Members, 18 to 0.
Do	Poll tax	Fulbright (Democrat, Arkansas) motion to table Langer (Republican, North Dakota) antipoll tax amendment to the bill repealing the tax on oleomargarine.	Johnson, yea. Agreed to, 59 to 17; Republicans, 15 to 17; Democrats, 44 to 0; southern members, 18 to 0.
June 21, 1950	Armed Forces segregation	Lucas (Democrat, Illinois) amendment to the Selective Service extension bill, which amendment would eliminate the provision in the bill which would require the Armed Forces to assign inductees and volunteers to units of their own race if they so desired.	Johnson, nay. Agreed to, 42 to 29; Republicans, 26 to 4; Democrats, 16 to 25; southern Members 0 to 18.
June 22, 1950	do	Russell (Democrat, Georgia) amendment to the draft extension bill, which amendment would provide for segregation if a majority of draftees and enlistees in 36 States expressed such a preference after 6 months operation of the law.	Johnson, yea. Rejected, 27 to 45; Republicans, 3 to 29; Democrats, 24 to 16; southern Members, 17 to 0.
Dec. 11, 1950	Antisegregation amendment	Hill (Democrat, Alabama) motion to table Jenner (Republican, Indiana) amendment to the Railway Labor Act which amendment would have denied the provisions of the act to labor organizations that segregated or excluded minorities.	Johnson, yea. Agreed to, 64 to 17; Republicans, 23 to 17; Democrats, 41 to 0; southern Members, 18 to 0.
Aug. 1, 1955	Poll tax	Morse (Democrat, Oregon) motion to recommit conference report on armed services voting bill with instructions to retain provision exempting servicemen from paying poll tax during wartime.	Johnson paired, nay. Rejected, 22 to 56; Republicans, 7 to 32; Democrats, 15 to 24; southern Members, 1 to 15.

Explanatory note, 1957 Civil Rights Act (H.R. 6127): H.R. 6127, as passed by the House and first considered in the Senate, essentially contained the 4-point program requested by the Eisenhower administration:

Part I created an executive Commission on Civil Rights.

Part II authorized the President to appoint, with the advice and consent of the Senate, an additional Attorney General.

Part III empowered the Attorney General to seek an injunction when an individual was, or was about to be, deprived of any constitutional right. Gave the district courts jurisdiction over such proceedings, regardless of whether judicial or administrative remedies had been exhausted.

Part IV made it unlawful for a private individual to interfere or attempt to interfere with a citizen's right to vote.

Date	Subject	Question voted on	Vote
July 23, 1957	1957 Civil Rights Act (H.R. 6127)	Bricker (Republican, of Ohio) amendment to pt. III of the bill, which amendment would require the Attorney General, when directed by the President, to institute civil action for preventive relief in a variety of civil rights cases.	Johnson, nay. Rejected, 29 to 61; Republicans, 22 to 21; Democrats, 7 to 40; southern Members, 0 to 22.
July 24, 1957	do	Anderson (Democrat, of New Mexico), Aiken (Republican, Vermont), Case (Republican, of South Dakota) amendment to eliminate sec. 121 of pt. III of the bill, which section would authorize the Attorney General to institute civil action for preventive relief in a broad range of civil rights cases. The elimination of sec. 121 limited action to questions involving voting rights.	Johnson, yea. Agreed to, 25 to 38; Republicans, 18 to 25; Democrats, 34 to 13; southern Members, 22 to 0.
Aug. 1, 1957	do	O'Mahoney (Democrat, Wyoming), Kefauver (Democrat, Tennesee), Church (Democrat, Idaho) amendment to pt. IV of the bill, which amendment would provide jury trials in proceedings to punish criminal contempts in Federal cases, and establish qualifications of Federal jurors.	Johnson, yea. Agreed to, 51 to 42; Republicans, 12 to 33; Democrats, 39 to 9; southern Members, 22 to 0.
Aug. 2, 1957	do	Case (Republican, South Dakota) amendment to pt. IV of the bill, which amendment would make permissive, instead of mandatory, the exercise of district court jurisdiction in proceedings protecting the right to vote, without regard to whether administrative remedies have been exhausted.	Johnson, yea. Rejected, 34 to 47; Republicans, 4 to 34; Democrats, 30 to 13; southern Members, 20 to 1.
Aug. 7, 1957	do	Passage of the bill, as amended. H.R. 6127, as finally passed by the Senate and House and signed by the President, differed as follows from the bill first passed by the House and originally considered by the Senate: Pt. III was amended so that the power of the Attorney General to seek injunctive relief was limited to cases involving voting rights, instead of a broad range of civil rights questions. Pt. V was amended by adding a provision which would guarantee jury trials in all criminal contempt cases. (See next vote.)	Johnson, yea. Passed, 72 to 18; Republicans, 43 to 0; Democrats, 29 to 18; southern Members, 5 to 17.

Significant record votes of Lyndon Johnson on substantive civil rights questions—Continued

Date	Subject	Question voted on	Vote
Aug. 29, 1957	1957 Civil Rights Act (H.R. 6127)	Johnson (Democrat, of Texas) motion that the Senate concur in the House-approved provision to be added to pt. IV of the bill, which provision would permit a jury trial in some criminal contempt cases involving civil rights.	Johnson, yea. Agreed to, 60 to 15; Republicans, 37 to 0; Democrats, 23 to 15; southern Members, 3 to 15.
July 8, 1959	Antidiscrimination amendment	Modified Morse (Democrat, of Oregon) amendment to mutual security authorization bill, which amendment would bar aid to countries which practice racial or religious discrimination against Americans, unless the President determined that such denial would adversely affect U.S. security.	Johnson, nay. Rejected, 43 to 47; Republicans, 11 to 22; Democrats, 32 to 25; southern Members, 1 to 19.
Sept. 14, 1959	Civil Rights Commission	Hayden (Democrat, of Arizona) amendment to the mutual security appropriation bill, which amendment would extend the life of the Civil Rights Commission 2 years, to Nov. 8, 1961, and to appropriate $500.000 for it.	Johnson, yea. Adopted, 71 to 18; Republicans, 28 to 1; Democrats, 43 to 17; southern Members, 4 to 17.
Feb. 2, 1960	Poll tax	Holland (Democrat, of Florida) amendment to S.J. Res. 39: S.J. Res. 39 would amend the Constitution to authorize Governors to fill temporary vacancies in the House. The Holland amendment would prohibit the use of the poll tax or property requirements as qualifications for voting in Federal elections.	Johnson, yea. Adopted, 72 to 16; Republicans, 29 to 3; Democrats, 43 to 13; southern Members, 7 to 13.
Do	do	Holland (Democrat, of Florida) motion to table Javits (Republican of New York) amendment, as a substitute for S.J. Res. 39, which amendment would prohibit by statute the use of poll tax or property requirements as qualifications for voting in Federal elections.	Johnson, yea. Agreed to, 50 to 37; Republicans, 18 to 15; Democrats, 32 to 22; southern Members, 20 to 0.
Do	do	Passage of S.J. Res. 39, constitutional amendment which would bar poll tax or property requirements as qualifications for voting in Federal elections.	Johnson, yea. Adopted, 70 to 18; Republicans, 27 to 6; Democrats, 43 to 12; southern Members, 7 to 12.

Explanatory note, 1960 Civil Rights Act (S. 3001): S. 3001, the Eisenhower administration's civil rights bill, contained 7 provisions:

Part I. Acts of obstruction of Federal court orders concerning school desegregation were made punishable by fine and/or imprisonment. Such acts could also be prevented by injunction, which entailed civil contempt proceedings without jury trial.

Part II. Flight across State lines to avoid prosecution for school or church bombing would be made a Federal crime.

Part III. Voting records and registration papers for Federal elections must be preserved for 3 years.

Part IV. The life of the Civil Rights Commission would be extended for 2 more years.

Part V. Congress would recognize that the Constitution as interpreted by the Supreme Court is the supreme law of the land. State and local governments would be, therefore obligated to move toward school desegregation. Congress would be authorized to pay for half of the costs incurred in this desegregation.

Part VI. Free education would be provided for children of members of the Armed Forces where public schools were closed to avoid integration.

Part VII. The President's Committee on Government Contracts would be changed into a permanent Commission on Equal Job Opportunity.

Date	Subject	Question voted on	Vote
Mar. 10, 1960	1960 Civil Rights Act (S.3001)	Johnson (Democrat, of Texas) motion to table Case (Republican, of South Dakota) amendment to the bill, which amendment would add pt. III, empowering the Attorney General to seek injunctions to protect any civil rights, not just the right to vote.	Johnson, yea. Adopted, 55 to 38; Republicans, 21 to 10; Democrats, 34 to 28; southern Members, 22 to 0.
Mar. 11, 1960	do	Lausche (Democrat, of Ohio) amendment to sec. I of the bill, which amendment would make obstruction of all Federal court orders a Federal crime, rather than just court orders concerning school desegregation.	Johnson, yea. Adopted, 65 to 19; Republicans, 19 to 11; Democrats 46 to 8; southern Members, 22 to 0
Do	do	Morse (Democrat, of Oregon) motion to table sec. I of the bill, as amended by Lausche, thus killing sec. I.	Johnson, yea. Adopted, 49 to 35; Republicans, 1 to 29; Democrats, 48 to 6; southern Members, 22 to 0.
Mar. 18, 1960	do	Dirksen (Republican, of Illinois) motion to table Javits (Republican, of New York), Douglas (Democrat, of Illinois) amendment to sec. III of administration bill, which amendment would provide for Presidential appointment of Federal registrars to enroll Negroes after the President received and investigated 50 complaints of discrimination.	Johnson, yea. Adopted, 53 to 24; Republicans, 24 to 5; Democrats, 29 to 19; southern Members, 19 to 0.
Mar. 24, 1960	do	Morse (Democrat, of Oregon) motion to table a Javits (Republican, of New York), Clark (Democrat, of Pennsylvania), amendment to the 3d section of the bill, which amendment would provide for court-appointed referees or Presidentially appointed enrollment officers to register Negroes after a court has found a pattern or practice of segregation.	Johnson, yea. Adopted, 51 to 43, Republicans, 24 to 8, Democrats, 27 to 35, southern Members, 20 to 2.

Explanatory note, 1960 Civil Rights Act (H.R. 8601): H.R. 8601, as passed by the House and as reported to the Senate, amended, contained the following major provisions:

Part I made obstruction of a Federal court order punishable by fine and/or imprisonment.

Part II made crossing State lines to avoid prosecution for bombing or burning any facility a Federal crime; made interstate transportation of explosives for such purposes a Federal crime; both offenses were punishbale by fine and/or imprisonment.

Part III required preservation of voting records for Federal elections for 22 months.

Part IV empowered the Civil Rights Commission to administer oaths and take sworn statements.

Part V provided for arrangements to secure educational opportunities for children of members of the Armed Forces whose schools had been closed to avoid integration.

Part VI authorized Federal courts to appoint referees to help Negroes register to vote after a voting suit was won and a finding made of a pattern or practice of discrimination.

Date	Subject	Question voted on	Vote
Mar. 31, 1960	1960 Civil Rights Act (H.R. 8601)	Senate committee amendment to the bill, which amendment would extend part I, outlawing obstruction of court orders for school desegregation to apply to all court orders.	Johnson, yea. Adopted 68 to 20; Republicans 25 to 5; Democrats 43 to 15; southern Members 20 to 0.
Apr. 1, 1960	do	Carroll (Democrat, of Colorado), amendment to the Kefauver amendment to the referees plan, Carroll's amendment would restore provision that the referees hearings be ex parte and allow the court to set the time and place of the hearings.	Johnson, yea. Adopted 69 to 22; Republicans 31 to 3; Democrats 38 to 19; southern Members 2 to 18.
Do	do	Dirksen (Republican of Illinois) motion to table Javits (Republican of New York) amendment to the bill, which amendment would establish a permanent commission on Equal Job Opportunity.	Johnson, yea. Agreed to, 48 to 38; Republicans, 21 to 11; Democrats, 27 to 27; Southern Members, 21 to 0.
Apr. 4, 1960	do	Mansfield (Democrat, of Montana) motion to table Keating amendment to the bill, which amendment would provide technical assistance to areas desegrating their schools and endorsing the 1954 Supreme Court desegregation decision, and the Cooper amendment deleting the endorsement provision.	Johnson, yea. Agreed to, 61 to 30; Republicans, 24 to 10; Democrats, 37 to 20; Southern Members, 22 to 0.
Do	do	Dirksen (Republican, of Illinois) motion to table both Javits (Republican, of New York) amendment to the bill, which amendment would allow the Attorney General to enter private suits for school desegregation, and McNamara (Democrat, of Michigan) amendment which would add part III, empowering the Attorney General to seek injunctions to protect any civil right.	Johnson, yea. Agreed to, 56 to 34; Republicans, 23 to 11; Democrats, 33 to 23; southern Members, 22 to 0.
Do	do	Dirksen (Republican, of Illinois) motion to table Hart (Democrat, of Michigan) amendment to the referees plan, which amendment would require that a Negro must prove to the referee only that he is qualified to vote.	Johnson, yea. Agreed to, 52 to 38; Republicans, 23 to 11; Democrats, 29 to 27; southern Members, 21 to 0.
Do	do	Dirksen (Republican, of Illinois) motion to table Hennings (Democrat, of Missouri) amendment to referees section, which amendment would add a plan for presidentially appointed enrollment officers to register Negroes.	Johnson, yea. Agreed to, 85 to 26; Republicans, 24 to 5; Democrats, 34 to 21; southern Members, 22 to 0.

Significant record votes of Lyndon Johnson on substantive civil rights questions—Continued

Date	Subject	Question voted on	Vote
Apr. 5, 1960	1960 Civil Rights Act	Ervin (Democrat of North Carolina)-McClellan (Democrat of Arkansas) amendment to the referees plan, which amendment would require that if judges hear Negroes applications for voting certificates, the judges must follow the Federal Rules of Civil Procedure by calling in opponents to the applications and holding adversary proceedings before deciding each case.	Johnson, nay. Rejected, 29 to 64; Republicans, 3 to 32; Democrats, 26 to 32; Southern Members, 20 to 2.
Apr. 6, 1960	do	Kuchel (Republican of California) motion to table Ervin amendment to the bill, which amendment would limit the implementation of the referees plan to congressional elections.	Johnson, yea. Agreed to, 72 to 16; Republicans, 32 to 0; Democrats, 40 to 16; Southern Members, 4 to 16.
Do	do	Dirksen (Republican, of Illinois) motion to table Johnston (Democrat, of South Carolina) amendment to pt. III, which amendment would exempt the records for primary and special elections from the requirement that voting records must be preserved for 22 months.	Johnson, yea. Agreed to, 68 to 18; Republicans, 30 to 0; Democrats, 38 to 18; southern Members, 4 to 17.
Apr. 6, 1960	do	Dirksen (Republican, of Illinois) motion to table Carroll (Democrat, of Colorado) amendment to the referees provision, which amendment would permit the courts to waive the requirements that a Negro seeking a court certificate to vote must prove he tried to register with State authorities and was rejected after a pattern of discrimination was found by the courts.	Johnson, yea. Agreed to, 62 to 32; Republicans, 28 to 6; Democrats, 34 to 26; southern Members, 20 to 2.
Apr. 7, 1960	do	Dirksen (Republican, of Illinois) motion to table Ellender (Democrat, of Louisiana) amendment, which amendment would strike the voting referees provision from pt. VI of the bill.	Johnson, yea. Agreed to, 73 to 18; Republicans, 32 to 0; Democrats, 41 to 18; southern Members, 4 to 18.
Do	do	Dirksen (Republican, of Illinois) amendment to the referees plan, which amendment would specify that a court should not allow a Negro whose application had been challenged by State officials to vote provisionally unless the court was satisfied that the Negro met State qualifications for voting.	Johnson, yea. Agreed to, 79 to 12; Republicans, 27 to 4; Democrats, 52 to 8; southern Members, 22 to 0.
Apr. 8, 1960	do	Passage of the bill, as amended. H.R. 8601, as finally passed by the Senate and House and signed by the President, differed as follows from the bill first passed by the House and reported to the Senate, amended. Pt. VI was amended to provide that referee's hearings be held ex parte and that the court set the time and place of the hearing. Pt. VI was also amended to permit Negroes to vote provisionally, in spite of a challenged application, only if the court was satisfied the Negro met State voting qualifications.	Johnson, yea. Passed, 71 to 18; Republicans, 29 to 0; Democrats, 42 to 18; southern Members, 4 to 18.
June 22, 1960	Antisegregation amendment	Magnuson (Democrat, of Washington) motion to table Javits (Republican, of New York) amendment to independent agencies appropriation, which amendment would prohibit the use of funds for the construction of airport facilities which would contain segregated facilities.	Johnson, yea. Agreed to, 58 to 29; Republicans, 23 to 10; Democrats, 35 to 19; southern Members, 19 to 0.
Aug. 9, 1960	FEPC, school assistance	Clark (Democrat, of Pennsylvania) motion to table S. 3823, a bill providing for the establishment of a President's Commission on Equal Job Opportunity and authorizing Federal assistance to areas desegregating schools.	Johnson, yea. Agreed to, 54 to 28; Republicans, 2 to 24; Democrats, 52 to 4; southern Members, 16 to 0.

Significant record votes of Lyndon Johnson on procedural questions related to civil rights legislation

Date	Subject	Question voted on	Vote
Jan. 8, 1940	Discharge motion, lynching bill	A motion to discharge the Rules Committee from further consideration of H.R. 801, a bill to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching * * *.	Johnson, nay. Agreed to, 256 to 114; Republicans, 146 to 3; Democrats, 106 to 111; southern Members, 4 to 81.
Oct. 12, 1942	Discharge motion, poll tax bill	A motion to discharge the Rules Committee from further consideration of H.R. 1024, a bill to eliminate the poll tax as a prerequisite to voting in Federal elections	Johnson, nay. Agreed to, 251 to 85; Republicans, 125 to 3; Democrats, 123 to 82; southern Members, 10 to 70.
Do	Rule, poll tax bill	A motion to agree to H. Res. 110, a resolution for consideration of H.R. 1024, an anti-poll-tax bill.	Johnson, nay. Agreed to, 250 to 84; Republicans, 123 to 3; Democrats, 124 to 81; southern Members, 11 to 70.
May 24, 1943	Discharge motion, poll tax bill	Motion to discharge the Rules Committee from further consideration of H. Res. 131, calling for consideration of H.R. 7, a bill to ban the poll tax as a prerequisitue for voting in federal elections.	Johnson, nay. Agreed to, 268 to 110; Republicans, 176 to 10; Democrats, 88 to 100; southern Members, 2 to 84.
Do	Rule, poll tax bill	Motion to agree to H. Res. 131, calling for the consideration of H.R. 7.	Johnson, nay. Agreed to, 265 to 105; Republican, 176 to 10; Democrats, 85 to 95; southern Members, 4 to 80.
June 5, 1946 June 19, 1946 June 26, 1946 July 10, 1946	Calendar Wednesday, proceedings, FEPC bill.	7 votes were taken June 5 (2), June 19, June 26, and July 10 (3). All were attempts by opponents of FEPC to dispense with further business, in this case "further business" being calls of the calendar by supporters of FEPC so that the FEPC bill might be brought to the floor from committee. Opponents of FEPC voted yea; there were only 11 southern nay votes cast on the 7 rollcalls. Rollcalls Nos. 1, 2, 6, and 7 were clearly contested. On the other 4, supporters of FEPC voted yea so that business could be dispensed with.	Johnson voted yea on the first 4 votes and was absent on the last 3.
July 21, 1947	Adjournment, poll tax bill	Pickett (Democrat, of Texas) motion to adjourn before acting on H.R. 29, an anti-poll-tax bill.	Johnson, paired, yea. Rejected, 299 to 85; Republicans, 0 to 221; Democrats, 85 to 77; southern Members, 81 to 12.
Feb. 7, 1949	Cloture	Vote on S. Res. 47, which would discharge the Senate Rules Committee from further consideration of S. Res. 15, which resolution would amend the cloture rule to apply cloture to motions which propose cloture on a bill.	Johnson, nay. Rejected, 31 to 56; Republicans, 31 to 7; Democrats, 0 to 49; southern Members, 0 to 21.
Mar. 11, 1949	do	Lucas (Democrat, of Illinois) motion to table Russell (Democrat, of Georgia) appeal from the decision of the Chair, which decision was that cloture applied to motion to consider S. Res. 15, which resolution would amend the cloture rule.	Johnson, nay. Rejected, 41 to 46; Republicans, 16 to 23; Democrats, 25 to 23; southern Members 2 to 18.
Do	do	"Shall the decision of the Chair stand as the judgment of the Senate?"; the decision was that cloture applied to the motion to consider S. Res. 15, which would amend cloture rule.	Johnson, nay. Ruling not sustained, 41 to 46; Republicans, 16 to 23; Democrats, 25 to 23; southern Members, 2 to 18.
Do	do	Lucas (Democrat, of Illinois) motion that the Senate stand in recess until Mar. 12, 1949. The recess cut off efforts to stay in session and continue the cloture debate.	Johnson, yea. Agreed to, 46 to 38; Republicans, 1 to 34; Democrats, 45 to 4; southern Members, 19 to 0.
Mar. 17, 1949	do	Donnell (Republican, of Missouri) amendment to S. Res. 15, which amendment would provide that cloture be applied to motions to amend the Journal. Without cloture thus applicable, debate on motions to amend the Journal had been employed as a delaying tactic.	Johnson, nay. Rejected, 14 to 72; Republicans, 9 to 33; Democrats, 5 to 39; southern Members, 1 to 18.
Do	do	Baldwin (Republican, of Connecticut)-Saltonstall (Republican, of Massachusetts) amendment to the cloture rule, which amendment would enable ⅔ of the Members voting to impose cloture on any matter except changes in the Senate rules.	Johnson, nay. Rejected, 29 to 57; Republicans, 12 to 30; Democrats, 17 to 27; southern Members, 2 to 17.

***Significant record votes of Lyndon Johnson on procedural questions related to civil rights legislation*—Continued**

Date	Subject	Question voted on	Vote
Mar. 17, 1949	Cloture	Myers (Democrat, of Pennsylvania) amendment to S. Res. 15, which amendment would apply cloture to all matters, including the Senate rules, by a constitutional majority (49 Senators).	Johnson, nay. Rejected, 17 to 69; Republicans, 4 to 38; Democrats, 13 to 31; southern Members, 1 to 18.
Do	do	Wherry (Republican, of Nebraska) amendment as a substitute for S. Res. 15, which amendment would make cloture applicable to all business, except proposals to change the rules, by a vote of ⅔ of the total Senate membership.	Johnson, yea. Passed, 63 to 23; Republicans, 34 to 8; Democrats, 29 to 15; southern Members, 18 to 1.
May 19, 1950	Cloture, FEPC bill	Lucas (Democrat, of Illinois) motion to invoke cloture on his motion to begin consideration of S. 1728, a bill to establish a permanent Fair Employment Practices Commission.	Johnson, nay. Rejected, 52 to 32; Republicans, 33 to 6; Democrats, 19 to 26; southern Members, 0 to 20.
July 12, 1950	do	Lucas (Democrat, of Illinois) motion to invoke cloture on his motion to begin consideration of S. 1728.	Johnson, nay. Rejected, 55 to 33; Republicans, 33 to 6; Democrats, 22 to 27; southern Members, 0 to 21.
July 7, 1953	Cloture	Taft (Republican, of Ohio) motion to table, Anderson (Democrat, of New Mexico) motion to consider adoption of Senate rules for the 83d Cong.; Anderson's motion was preliminary to an attempt to modify rule XXII to facilitate the imposition of cloture and limitation of debate.	Johnson, yea. Agreed to 70 to 21; Republicans, 29 to 15; Democrats, 41 to 5; southern Members, 21 to 0.
Jan. 4, 1957	do	Johnson (Democrat, of Texas) motion to table, Anderson (Democrat, of New Mexico) motion to consider adoption of Senate rules for the 85th Cong.; the Anderson motion was preliminary to an attempt to modify rule XXII to facilitate the imposition of cloture and limitation of debate.	Johnson, yea. Agreed to, 55 to 38; Republicans, 28 to 17; Democrats, 27 to 21; southern Members, 21 to 1.
June 20, 1957	Point of order, 1957 civil rights bill	Russell (Democrat, of Gerogia) point of order against Knowland (Republican, of California) objection to referral of H.R. 6127, a House-passed civil rights bill, to the Judiciary Committee.	Johnson, yea. Point of order rejected, 39 to 45; Republicans, 5 to 34; Democrats, 34 to 11; southern Members, 22 to 0.
Do	do	Knowland (Republican of California) motion to table Dirksen (Republican of Illinois) motion to reconsider the vote by which the Russell point of order was rejected.	Johnson, nay. Agreed to, 49 to 36; Republicans, 37 to 3; Democrats, 12 to 33; southern Members, 0 to 22.
July 16, 1957	Motion to consider, 1957 civil rights bill	Knowland (Republican of California) motion to proceed to consideration of H.R. 6127.	Johnson, yea. Agreed to, 71 to 18; Republicans, 42 to 0; Democrats, 29 to 18; southern Members, 4 to 18.
Do	Motion of referral, 1957 civil rights bill	Morse (Democrat, of Oregon) motion to refer H.R. 6127 to the Judiciary Committee with instructions to report the bill back, within 7 days, with or without amendment.	Johnson, yea. Rejected, 35 to 54; Republicans, 4 to 38; Democrats, 31 to 16; southern Members, 22 to 0.
Aug. 27, 1957	Motion of referral, jury trial provision	Thurmond (Democrat, of South Carloina) motion to send the modified jury trial provision of the House to the Senate Judiciary Committee.	Johnson, nay. Rejected, 18 to 66; Republicans, 0 to 4; Democrats, 18 to 26; southern Members, 17 to 4.
Jan. 7, 1959	Cloture	Johnson (Democrat, of Texas) motion to adjourn until the next day to prevent Anderson (Democrat, of New Mexico) from making a motion to consider the adoption of new Senate rules.	Johnson, yea. Agreed to, 73 to 23; Republicans, 23 to 10; Democrats, 50 to 13; southern Members, 22 to 0.
Jan. 9, 1959	do	Johnson (Democrat, of Texas) motion to table Anderson (Democrat, of New Mexico) motion to consider adoption of Senate rules for the 86th Cong. (S. Res. 5). The Anderson motion also provided for adoption of all 85th Cong. rules except rule XXII, and called for immediate consideration of a revised rule XXII.	Johnson, yea. Agreed to, 60 to 36; Republicans, 20 to 14; Democrats, 40 to 22; southern Members, 22 to 0.
Jan. 12, 1959	do	Douglas (Democrat, of Illinois) amendment to Johnson (Democrat, of Texas)-Dirksen (Republican, of Illinois) proposal (S. Res. 5), which resolution would revise rule XXII. Douglas amendment would enable a majority of the Senate membership to limit debate 15 days after 16 Senators filed a cloture motion.	Johnson, nay. Rejected, 28 to 67; Republicans, 8 to 24; Democrats, 20 to 43; southern Members, 0 to 22.
Do	do	Morton (Republican, of Kentucky) amendment to Johnson (Democrat, of Texas), Dirksen (Republican, of Illinois) proposal (S. Res. 5) to revise rule XXII. Morton amendment would enable 3/5 of the Senators voting to shut off debate, instead of 2/3 as proposed by S. Res. 5.	Johnson, nay. Rejected, 36 to 58; Republicans, 12 to 20; Democrats, 24 to 38; southern Members, 0 to 22.
Do	do	On passage of H. Res. 5, the Johnson (Democrat, of Texas), Dirksen (Republican, of Illinois) proposal, which would enable 2/3 of the Senators voting to impose cloture on any matter.	Johnson, yea. Passed, 72 to 22; Republicans, 28 to 3; Democrats, 44 to 19; southern Members, 6 to 16.
Sept. 14, 1959	Suspension of the rules, Civil Rights Commission.	Hayden (Democrat, of Arizona) motion to suspend the rules so as to permit legislation to extend the life of the Civil Rights Commission to be added to the appropriation bill.	Johnson, yea. Agreed to, 71 to 18; Republicans, 28 to 1; Democrats, 43 to 17; southern Members, 4 to 17.
Feb. 16, 1960	Motion of postponement	Russell (Democrat, of Georgia) motion to postpone further consideration of civil rights proposals until Feb. 23, 1960.	Johnson, nay. Rejected, 28 to 61; Republicans, 4 to 27; Democrats, 24 to 34; southern Members, 20 to 2.
Mar. 10, 1960	Cloture, 1960 civil rights bill	Douglas (Democrat, of Illinois), Javits (Republican, of New York) motion to limit debate by invoking cloture on the civil rights debate.	Johnson, nay. Rejected, 42 to 53; Republicans, 12 to 20; Democrats, 30 to 33; southern Members, 0 to 22.
Mar. 24, 1960	Motion of referral, 1960 civil rights bill	Eastland (Democrat of Mississippi) motion that H.R. 8601, passed by the House, be referred to the Judiciary Committee with no time limit for returning it to the Senate.	Johnson, nay. Rejected, 19 to 72; Republicans, 1 to 30; Democrats, 18 to 42; southern Members, 18 to 4.
Mar. 30, 1960	Motion to consider 1960 civil rights bill	Johnson (Democrat, of Texas) motion to begin consideration of the committee-reported version of H.R. 8601, the House-passed Civil Rights Act of 1960.	Johnson, yea. Agreed to, 71 to 17; Republicans, 30 to 0; Democrats, 41 to 17; southern Members, 4 to 17.
Apr. 8, 1960	Motion of recommittal, 1960 civil rights bill	Dirksen (Republican, of Illinois) motion to table Eastland (Democrat, of Mississippi) motion to recommit H.R. 8601, the civil rights bill, to the Senate Judiciary Committee.	Johnson, yea. Agreed to, 70 to 19; Republicans, 29 to 0; Democrats, 41 to 19; southern Members, 4 to 18.
Mar. 24, 1960	Motion of referral, 1960 civil rights bill	Johnson (Democrat, of Texas) motion that H.R. 8601 be referred to the Judiciary Committee with instructions that it be reported back by Mar. 29.	Johnson, yea. Adopted, 86 to 5; Republicans, 31 to 0; Democrats, 55 to 5; southern Members, 17 to 5.

CIVIL RIGHTS PLANKS OF PLATFORMS ON WHICH LYNDON B. JOHNSON RAN FOR THE SENATE

THE 1948 TEXAS DEMOCRATIC STATE PLATFORM

We recognize in the fullest degree our obligation to the colored race. As evidence of our good faith, there is now in operation in Texas a program calculated to improve immeasurably the educational, economic, and health standards of these citizens.

We must continue and expand this program, which during this biennium is turning approximately $6 million in State funds into Negro higher education channels, in addition to the amount being spent for primary and secondary education. We hail this program as preliminary proof to the world that Texas is capable of carrying out equitable and justly its responsibilities to the Negro race.

We are opposed to the Federal FEPC, as representing arbitrary interference by the Federal Government in the relationship of different groups of people.

We adhere to the wise and time-tested policy of segregation and pledge the party to a continued support of the constitutional provisions for separate schools.

THE 1954 TEXAS DEMOCRATIC STATE PLATFORM

We deplore the unwarranted invasion of States' rights represented by the U.S. Supreme Court's segregation decision. Believing strongly in the right of local people to run local schools, we view with alarm and disfavor any attempt to substitute Federal for local and State control

We urge that every legal means be used to continue our public schools as they are today, on the separate but equal basis set out in the Texas constitution. Negro schools must be brought up to the same standards, in building and teachers, as white schools so that true educational opportunity will prevail.

THE 1960 TEXAS DEMOCRATIC STATE PLATFORM

We reaffirm our conviction that local operation and control of the public schools is essential to the preservation of liberty and self-government. We urge strict adherence to all State laws guaranteeing local determination in the operation of the public schools and pledge, by every legal means, to protect the rights and decisions of the people of local school districts in the operation and control of their schools.

Mr. Speaker, we need not belabor the evidence of fraud and dishonesty in Cook County, Ill. The evidence has been well documented from a number of sources and amply referred to in the full House debate on the voting rights bill last week. In addition, voting irregularities were fully documented in Texas with reference to the 1960 presidential election. As far back as 1948, Mr. Johnson himself was affected by apparent voting irregularities in Texas. I refer to his Democratic primary victory against former Gov. Coke Stevenson of the U.S. Senate:

In 1948 Lyndon Baines Johnson was certified by a 29 to 28 vote in the Democratic State Committee of Texas as the winner of his party's primary contest for the U.S. Senate over Gov. Coke Stevenson. The irregularities which gave Johnson an 87-vote plurality are matters of public record in Federal court proceedings.

The Dallas Morning News of October 29, 1948, wrote of Johnson's "victory":

> Can anyone with commonsense and integrity of mind fail to admit that a fair count of the ballots would have given Stevenson a majority in the second primary? That must be the verdict from any consideration based upon commonsense and common honesty.

The following account of the irregularities in the vote count of precinct 13, Jim Wells County, bossed by L.B.J.'s friend George Parr, is quoted from "Something Is Rotten in the State of Texas" by Gordon Schendel, Collier's, June 9, 1951.

> And then on September 3, 1948, Parr-bossed Jim Wells precinct 13 became nationally famous when it singlehandedly reversed the outcome of Texas' U.S. senatorial race, 6 days after the Democratic runoff primary, by adding 203 votes to its unofficial complete total—202 for Lyndon Johnson. Ex-Gov. Coke Stevenson thus was defeated by an 87-vote margin. For in Texas, as in practically all the solid South, an election is decided in the first and second (or runoff) Democratic primaries.
>
> Stevenson's outraged supporters demanded a recount of the controversial precinct 13 vote. But even before any action was started, Johnson got a State court injunction prohibiting the newly elected county Democratic Executive Committee from eliminating any votes on the grounds of illegality, irregularity, or fraud in the holding of said election.
>
> Stevenson's charges of fraud immediately inspired three investigations: One conducted by his campaign managers, a second ordered by a Federal district court, and a third ordered by the U.S. Senate Subcommittee on Privileges and Elections.
>
> The preliminary Federal district court hearing in Fort Worth revealed some amazing election procedures. Harry Lee Adams, an anti-Parr man who unexpectedly won the chairmanship of Jim Wells County's Democratic Executive Committee in the July primary, testified that B. F. Donald, Jr., its retiring secretary and cashier of Parr's Alice bank, had flatly refused to turn over to him his predecessor's copies of the runoff primary returns. During their argument Adams hastily had copied 10 names from the precinct 13 poll list Donald held, together with the poll list numbers indicating their order of voting. Stevenson's attorneys used Adams' list to show the last 203 names of the claimed 1,044 total had been fraudulently added after the polls closed.
>
> Seven of the names Adams had copied bore poll list numbers indicating they had been among the last 203. The five of those seven "voters" who were located testified they had not voted. Adams, and a Stevenson campaign manager who'd also briefly seen Donald's list, both testified that whereas up to No. 842 the voters' names had been written in black ink and in several different handwritings, from No. 842 on all had been written in blue ink and in the same handwriting. In addition, they'd been written in alphabetical order—an order in which it is highly improbable voters would come to the polls.
>
> On the basis of this testimony, the court issued a temporary injunction barring Lyndon Johnson's name from the general election ballot, and scheduled simultaneous inquiries by Federal commissioners in three Land of Parr counties, Jim Wells, Duval, and Zapata.
>
> However, at the commissioner's hearing in Jim Wells County, it was disclosed that the Parr machine had quickly developed an explanation for precinct 13's 6-days-late larger return, to account for the 203 belatedly added votes.
>
> The Texas Election Bureau, the Alice newspapers which had reported election night's smaller, 841-vote return, the several witnesses (including a newspaper editor) who'd testified or signed affidavits that they'd been given the 841-vote return by precinct 13's election judge, pro-Parr Luis Salas, on election night—all were simply victims of hallucination. Even the telegram in the election bureau's files relaying this return was a hallucination. The Parr machine, through its Charlie McCarthy, Salas, brazenly insisted the 1,044-vote return had been the only return reported.
>
> The U.S. Commissioner was unable to obtain even one of the three required copies of Parr-bossed precinct 13's election returns: Salas informed the court two had been stolen—his and one held by Donald.
>
> Seeking to subpena Donald, the Commissioner learned he'd crossed the border into Mexico. (Coincidentally, in Zapata County, the U.S. Commissioner there found all three copies of one precinct's election returns had been stolen. And in Duval County, the Commissioner was unable to subpena J. Campbell King, chairman of the county Democratic executive committee and a business partner of the boss Parr, because he, too, had made a hurried trip into Mexico.)
>
> The Jim Wells Commissioner then tried to procure the third copy, which Salas said he'd left in a precinct 13 ballot box. Over vigorous objections from Lyndon Johnson's lawyers, the county's 20 ballot boxes were brought into court—a few already empty, and most unlocked or with keys conveniently attached. The first of precinct 13's two boxes was opened and found to contain only ballots.
>
> Johnson's lawyers succeeded in postponing the opening of the other a day—for in the meantime Johnson himself, having failed to block the investigation through any other maneuvers, had flown to Washington. That same day, President Truman called for all Texans to back Johnson. And the following day, just as the remaining precinct 13 ballot box was to be opened—with horse opera timing—an order arrived from Supreme Court Justice Hugo Black quashing the Federal investigations.
>
> By the time the U.S. Senate investigators arrived on the scene, all of Duval County's ballots had been burned. Thus all three investigations were abortively ended. Supreme Court Justice Black's order also had dissolved the temporary Federal injunction barring Johnson's name from the general election ballot.

Mr. Speaker, I think it is worthwhile to separate for my purposes today the record of Lyndon Johnson and the Republican and Democratic Parties on the issue of repeal of the poll tax. In the interest of historical accuracy, I wish to correct certain observations which President Lyndon B. Johnson made in his press conference of April 27, 1965, relating to his position on the poll tax.

The question asked at Mr. Johnson's press conference was:

> Your voting rights bill is moving toward completion in the Senate this week. Do you think that the proposal—the amendment to abolish the poll tax—would make this unconstitutional? Do you think it would damage the passage of the bill in the House? And what do you think about it generally?

And the Presidential response was:

> I think that that is being worked out in conferences they're having today and they will have in the next few weeks. I have always opposed the poll tax. I am opposed to it now. I have been advised by constitutional lawyers that we have a problem in repealing the poll tax by statute.
>
> For that reason, while a Member of Congress, I initiated and supported a constitutional amendment to repeal the poll tax in Federal elections. I think the bill as now drawn will not permit the poll tax to be used to discriminate against voters, and I think the administration will have adequate authority to prevent its use for that purpose.
>
> I have asked the Attorney General, however, to meet with the various Members of the House and Senate who are interested in this phase of it and, if possible, to take every step that he can within constitutional bounds to see that the poll tax is not used as a discrimination against any voter, anywhere.

Yes, Mr. Johnson says he has "always" opposed the poll tax. In fact, Mr. Johnson had 14 opportunities to vote directly or indirectly on the matter of the poll tax while he was in the Congress. On 12 of these votes—every one down to 1960—he voted against repeal. In 1949, while participating in a filibuster on the floor of the Senate, he made his position quite clear, saying:

> I believe that the proposed anti-poll-tax measures * * * is (sic) wholly unconstitutional and violates the rights of the States guaranteed by section 2 of article I of the Constitution. Believing that, I think I have the right to use my freedom to speak and stand on the floor of the Senate as long as I have the will, the determination, and the breath to oppose such a measure.

I grant that the proposal in each case in which Mr. Johnson voted against the repeal of the poll tax was to achieve the result by statute, rather than by constitutional amendment.

But Mr. Johnson did not show enthusiasm to end the poll tax by amending the Constitution. In spite of his statement yesterday that he "initiated" the constitutional amendment to abolish the poll tax when he was in Congress, one has only to look at the record to find that not until 1959 did Senator Johnson join 60 other Senators in cosponsoring Senator HOLLAND'S constitutional amendment. That measure had been introduced in every Congress since 1949 without his cosponsorship.

In the great tradition of George Orwell, the President has now started rewriting the CONGRESSIONAL RECORD.

I am appending to these remarks a table recording how President Johnson voted each time repeal of the poll tax was under consideration while he was a Member of the Congress. This table also shows total vote by party of the Members of the Chamber, in which Mr. Johnson was serving. The table shows that 91 percent of the Republican votes on these 14 rollcalls were cast against the poll tax whereas only 53 percent of the votes on the Democrat side were against the poll tax.

Lyndon Johnson's voting record on legislation to repeal the poll tax

Date	Chamber	Johnson position	Republicans		Democrats	
			For poll tax repeal	Against poll tax repeal	For poll tax repeal	Against poll tax repeal
Substantive votes:						
Dec. 13, 1942	House	Against	131	3	120	81
May 25, 1943	do	do	168	16	93	94
June 12, 1945	do	do	131	19	118	86
July 21, 1947	do	Against (paired)	216	14	73	98
Jan. 18, 1950	Senate	Against	17	15	0	44
Aug. 1, 1955	do	Against (paired)	7	32	15	24
Feb. 2, 1960	do	For (constitutional amendment)	29	3	43	13
Do	do	Against	15	18	22	32
Do	do	For (constitutional amendment)	27	6	43	12
Procedural votes:						
Oct. 12, 1942	House	Against (motion to discharge poll tax bill from Rules Committee).	125	3	123	82
Do	do	Against (motion to consider poll tax bill).	123	3	124	81
May 24, 1943	do	Against (motion to discharge poll tax bill from Rules Committee.	176	10	88	100
Do	do	Against (motion to consider poll tax bill).	176	10	85	95
July 21, 1947	do	Paired against (motion to adjourn before considering poll tax bill).	221	0	77	85
Total			1,565	149	1,034	917
Percentage			91	9	53	47

In conclusion, Mr. Speaker, I wish to note that whenever the issue of Federal protection of human rights has arisen in the Congress, a higher percentage of Republican Members have supported such proposals than the percentage on the other side of the aisle. This was as true in 1965 as it has been in every previous year.

I append to these remarks the following notes which compare the legislative record of our two major parties in the field of civil rights over the course of the past 100 years:

LEGISLATIVE COMPARISON

I. THE REPUBLICAN RECORD (1854–1953)

The Republican Party came into being primarily because of human rights. The first Republican President, Abraham Lincoln, issued the Emancipation Proclamation on January 1, 1863.

The following amendments to the Constitution were all adopted during Republican administrations and by Republican Congresses: 13th amendment, outlawing slavery; 14th amendment, prohibiting States from abridging rights of citizens; 15th amendment, prohibiting States from denying the right to vote because of race.

The first Civil Rights Acts (from 1866 to 1871) were all passed by Republican-dominated Congresses and signed by Republican Presidents. In 1877, a Democratic Congress attempted to repeal most of the provisions of these laws, but President Hayes, a Republican, vetoed the effort.

Republicans established the Freedmen's Bureau to assist newly freed slaves in finding homes and employment.

In 1894, 39 provisions of the Civil Rights Act were repealed under President Cleveland and a strongly Democratic Congress. Repeal of these sections by the Democrats eliminated Federal statutory protection of the right to vote.

Between Reconstruction and the Eisenhower administration, no legislation was passed dealing directly with the status of Negroes. Republicans frequently made attempts, but their efforts went down to defeat by Democratic filibusters.

II. THE EISENHOWER ADMINISTRATION (1953–61)

In 1956, requested that Congress pass an act containing the following provisions:

Creation of a six-member, bipartisan commission to investigate civil rights grievances.

Creation of a Civil Rights Division in the Department of Justice, to be headed by an additional Assistant Attorney General.

Authority for the Department of Justice to institute civil proceedings for the protection of all constitutional rights.

Broader statutes to protect voting rights, including civil remedies for enforcement.

In 1959, submitted to Congress a program requesting:

An antimob bill, making interference with a Federal court school-desegregation order a criminal offense.

An antibombing bill, making it a criminal offense to cross a State line to avoid prosecution for bombing a school or church.

A bill to give the Justice Department the right to inspect voting records and to require the preservation of these records.

Extension of the life of the Civil Rights Commission.

A bill to give statutory authority to the President's Committee on Government Contracts.

A bill authorizing technical and financial aid to areas faced with school desegregation problems.

Provision of emergency schooling for children of Armed Forces personnel in the event public schools should be closed by integration disputes.

These recommendations, diluted by Democrats in the Congress, became the Civil Rights Acts of 1957 and 1960, the first legislation passed on civil rights since Reconstruction. As passed, the most important elements were the establishment of the Commission on Civil Rights and provisions for protection of the right to vote.

III. THE DEMOCRATIC ADMINISTRATION (1961–65)

Declined to use Presidential influence to sway Democratic votes to modify Senate rule XXII (cloture) in both 1961 and 1963. (Vice President Johnson, while Senate majority leader, consistently opposed any significant modifications to curb filibustering.)

Refused to back a Republican move to give permanency to the Civil Rights Commission. Instead, in February 1963, asked only for a temporary extension of the Commission.

The administration opposed numerous Republican attempts to attach antidiscrimination clauses to legislation such as the Javits antidiscrimination amendments to the Hill-Burton hospital construction and to Farmers Home Loan Apppropriations Acts (May–June 1963). Also opposed Sibal (Republican, of Connecticut) antidiscrimination amendment to medical education bill (May 1963).

CIVIL RIGHTS LEGISLATION IN 1963–64

On January 31, 1963, 40 House Republicans introduced a comprehensive bill (H.R. 3139) which would make the Civil Rights Commisssion permanent and expand its jurisdiction; establish a Federal Commission for Equality of Opportunity in Employment; increase the authority of the Attorney General in obtaining relief for citizens discriminated against; assist schools in desegregating; and create a presumption of literacy for voting purposes after six grades of school.

On March 28, 1963, eight Republican Senators introduced a series of bills designed to execute virtually all legislative recommendations of the Civil Rights Commission. The program would require immediate steps toward school desegregation and increase the authority of the Attorney General in this field; assure nondiscrimination in public accommodations; make the Civil Rights Commission permanent; provide measures toward equal opportunity in housing and employment; and provide that a sixth-grade education constitutes literacy for all elections.

On June 3, 1963, 30 Republican House Members introduced identical bills authorizing the Attorney General to institute suits on behalf of citizens denied equal protection of the laws—a provision broader than any introduced by the administration Yet, the Attorney General testified that he had not read these bills and the administration has not endorsed them

On February 28, 1963, President Kennedy sent to Congress his first civil rights message, asking that the life of the Civil Rights Commission be extended for 4 years; that a sixth-grade education constitute a presumption of literacy for voting in Federal elections, and that discrimination be prohibited in the registration of voters, with temporary Federal referees appointed to determine qualifications of applicants when voting litigation was in progress. It was not until April 2 that Kennedy sent a draft bill on this subject to Congress.

Finally, on June 19, 1963, the administration submitted an omnibus proposal which reiterates the proposals of February 28, and also asks for legislation to accomplish the following: (1) authorize the Attorney General to initiate suits in behalf of citizens denied equal accommodation in business establishments and other public places which "substantially affect" interstate commerce; (2) establish a Community Relations Service; (3) grant executive agencies discretionary authority to withhold Federal assistance from "any program or activity in which racial discrimination occurs"; and (4) give a statutory base for the Committee on Equal Employment Opportunity.

CIVIL RIGHTS LEGISLATION IN 1965

A total of 23 Republican House Members and 10 Republican Senators introduced voting rights bills before the administration bill was offered in mid-March. More than 60 House Republicans eventually introduced such legislation, most following the pattern of the Ford-McCulloch bill.

Congressman GERALD FORD called for the prompt enactment of voting rights legislation February 28.

The administration bill, introduced only after weeks of serious disorder in Selma, Ala., contained no provisions for ending discrimination by devices other than literacy and related tests. It had no application where fewer than 50 percent of the voting-age population was the object of discrimination. As originally introduced, it was universally condemned as inadequate by civil rights supporters.

Civil rights bills: Votes on final passage

[In percent]

	Yea	Nay
1957		
House:		
Republicans	90	10
Democrats	52	48
Senate:		
Republicans	100	0
Democrats	62	38
1960		
House:		
Republicans	90	10
Democrats	66	34
Senate:		
Republicans	100	0
Democrats	70	30
1964		
House:		
Republicans	79	21
Democrats	63	37
Senate:		
Republicans	82	18
Democrats	69	31
1965		
House:		
Republicans	82	18
Democrats	78	22
Senate:		
Republicans	94	6
Democrats	73	27

UNJUSTIFIED AND POLITICALLY INSPIRED CRITICISM OF PRESIDENT JOHNSON OF REPUBLICANS ON VOTING RIGHTS BILL

The SPEAKER. Under previous order of the House, the gentleman from Utah [Mr. BURTON], is recognized for 10 minutes.

Mr. BURTON of Utah. Mr. Speaker, over the weekend, the President of the United States criticized the Republican Members of the House for supporting a substitute motion on voting rights that, as he termed it, "would have seriously damaged and diluted the guarantee of the right to vote for all Americans." As one of the maligned Republicans who, incidentally, like the great majority of my Republican colleagues, voted for the administration-backed voting rights bill on final passage, I rise in this Chamber today to express my deep resentment of the President's unjustified and politically inspired criticism.

Mr. Johnson is well aware of Republican support for civil rights legislation. Unless he has an unusually short memory—and, to my knowledge, this is one quality never before attributed to him—he certainly must know that without the active support of Republican Members of this House the Civil Rights Act of 1964 would not have become law. Not only did Republicans support this important legislation, but members of our party played a significant role in shaping the bill that was finally accepted by this body. In considerable measure due to Republican efforts, the finished product on civil rights legislation in the last session was far superior to the raw material that was originally introduced.

What Republicans successfully did in 1964 with the Civil Rights Act they sought to do this year with the voting rights bill; namely, to make it a more meaningful and effective piece of legislation. The Republican substitute, for example, would have protected the citizen in his right to vote in every State, not in just a few, as under the administration bill. It would have provided remedies against dishonest election practices in all States, a subject completely ignored in the administration bill. How can the President, with any degree of sincerity, say that these efforts would have "seriously damaged and diluted the guarantee of the right to vote for all Americans?"

As a Republican, who in good conscience has supported civil rights legislation, I resent this criticism. And particularly do I resent it coming from Lyndon Baines Johnson, who, while a former Member of this and the other body, compiled a sorry record on civil rights matters. I congratulate the President on having finally embraced the cause of civil rights, but his late conversion hardly carries with it license to condemn without warrant honest, conscientious, bona fide efforts to improve legislation in this area.

In this situation, Mr. Johnson is like the long-time ne'er-do-well who finally got religion. Once possessed of same, he sets about to call everybody else, good and bad, to repentance. While we commend him for his zeal, we might suggest that he take some pains to see that it is properly directed. Certainly there is room for a divergence of opinion with respect to the best methods whereby voting rights for all Americans can be secured. And the President of the United States should be fair enough to recognize this. His statement of the weekend should be retracted, with apologies to all concerned.

There is something altogether amazing, and quite ludicrous, in the spectacle of Lyndon Baines Johnson castigating Republicans for diluting and damaging legislation dealing with civil rights. It is too bad for the entertainment of all of us that this same President Lyndon Baines Johnson never had the opportunity to similarly sit in judgment on Congressman and later Senator Lyndon Baines Johnson of Texas with respect to the latter's record on civil rights. If the good faith efforts in furtherance of civil rights by Republicans in 1965 merit Presidential wrath, then surely, to be consistent, President Johnson, had he been in the White House at the time, would have been obligated to denounce in forceful and unequivocal terms the civil rights record of Congressman and Senator Johnson. Fortunately for the latter, the civil righteous President Johnson had not yet come to the Presidency.

It is interesting to speculate, however, on what President Johnson might have said to Congressman or Senator Johnson when:

He voted on six different occasions against proposals to abolish the poll tax.

He voted six times against measures which would have prohibited discrimination in individual Federal programs.

He voted twice against legislation which would prohibit and punish the crime of lynching.

He voted on two occasions in support of segregation in the Armed Forces.

He vote against the establishment of a Fair Employment Practices Commission.

He voted in favor of the perpetuation of segregation policies in the District of Columbia.

He voted to send the 1957 civil rights bill proposed by President Eisenhower to the Senate Judiciary Committee where it would have died.

He voted four times in support of amendments to weaken the 1957 bill by limiting its scope to voting rights instead of all civil rights.

He voted to table a constitutional amendment in 1960 which would have abolished the poll tax as a requirement to vote in Federal elections—he switched on final passage, voted for the measure.

He voted 14 times in support of weakening amendments to the Eisenhower-sponsored 1960 civil rights bill and against amendments aimed at strengthening it, including one which would have provided for the Presidential appointment of Federal registrars to enroll Negroes to vote.

He voted against an amendment to the 1960 independent agencies appropriation bill to ban the use of Federal funds for airport construction of segregated facilities.

He voted against legislation to establish a President's Commission on Equal Job Opportunities and to authorize Federal assistance to areas desegregating schools.

With the President's record on civil rights such as it is, it is little wonder that some of us had difficulty in taking kindly to, or even seriously, his recent criticism. Unlike the White House sycophant who "sleeps each night a little better, a little more confidently because Lyndon Johnson is his President," I find that, with posturings such as the President indulged in over the weekend, it's sometimes difficult to get to sleep at all.

FUNNY MONEY

The SPEAKER, pro tempore (Mr. FARNUM). Under previous order of the House, the gentleman from Montana [Mr. BATTIN] is recognized for 15 minutes.

Mr. BATTIN. Mr. Speaker, we will this week be considering the removal of silver from our coinage system. This action is far reaching and the consequences will be felt throughout the world. In view of that fact, I call to the attention of the House a series of articles by Mr. Carl Ritter.

Mr. Carl W. Ritter, the San Diego Union's financial editor, has written an excellent series of articles on the coinage problem. He has thoroughly analyzed and studied the problem and makes some most pertinent predictions about the nightmare that will result from the introduction of silverless funny money. Before we undermine the confidence of the citizens of this country and the world in the value of coins and currency, I recommend the articles for consideration and have asked permission that they be inserted in the RECORD.

These articles appeared in sequence on June 6, 9, 11, 13, and 16, 1965, and July 2, 4, and 6, 1965:

Some Reflections on Silver: Coinage Problem Won't End Here

(By Carl W. Ritter, the San Diego Union's financial editor)

Now that the United States is all set to take another Brobdingnagian step down Ersatz Avenue with further debasement of its monetary system through eliminating silver from quarters and dimes and sharply reducing silver in half-dollar pieces, one is forced to wonder anew where this road really leads.

The heraldry attending President Johnson's pronouncement to the effect that making American money funny will be good for the Nation had for some of us simple souls a tinny sound.

Tinny—appropriately enough.

The ring of the heralds' trumpeting somehow failed to release any great welling of pride, satisfaction and relief inside of us. Rather, there persisted a nagging suspicion that this country was about to sacrifice more of its honor to political homage.

We who apparently are in a humble minority agree, perhaps, that there is no other route open now, but we do wonder if crisis action, relating to gold backing for the dollar, silver backing for certificates and intrinsic precious metal support for coins, couldn't have been avoided by national planners strong enough to place discipline, intelligence and integrity ahead of popularity.

Nothing better exemplifies the whole phony attitude of many officials in regard to the money situation than the recent farce about minting 45 million new silver dollars.

After all the silver dollars ever minted by the United States had disappeared from circulation because Americans had became squeamish over the administration's funny money attitudes, how could anyone be naive enough to imagine that minting 45 million more silver dollars—likely backdated to the 1920's or 1964 in another double-dyed bit—could possibly accomplish anything basic?

Any sixth-grader engaged in the honest hobby of coin collecting could have informed official Washington that the new silver dollars would disappear overnight. The administration finally reneged on the plan.

The coinage battle will be far from resolved with the newly announced plan.

It is quite possible that after more than 2,500 years in which silver coinage has served mankind that it could close out its career in coinage. The world's commercial and industrial demands are voracious and silver is scarce.

But subtle's the word.

The introduction of a new coinage system suggests all sorts of economic and psychological nuances.

The United States has had relatively minor coinage system changes since the original Republic Coinage Act of 1792. The present silver coinage system has been operating since 1873.

Alexander Hamilton, secretary of the Treasury in the late 1700's, managed to get Congress to adopt a bimetal standard, both gold and silver, although there was powerful pressure for simply a gold standard. Hamilton wanted silver in the U.S. coinage picture because of wide circulation of Spanish silver coins in this country and the great public confidence in them.

The resulting monetary law established U.S. subsidiary coinage of 90 percent silver.

History records that during Andrew Jackson's administration, when a financial crisis arose, banks and commercial establishments flooded the country with paper small change far exceeding the amount of hard money in circulation. The paper became scornfully known as "Jackson tokens" and "shinplasters."

The people then insisted on intrinsic worth and got it.

Now a critical new era in coinage begins to unfold. This column predicted it 2 years ago.

Reflections on Silver: Coin Nightmare Declared Possible

(By Carl W. Ritter, the San Diego Union's financial editor)

Within the next few weeks, possibly within the next few days, the U.S. coinage situation is likely to begin turning into some kind of nightmare.

The reason is that silver is on its way out of American coins. Yesterday, the House Banking and Currency Committee went a step beyond President Johnson's recommendations and voted to discontinue using silver in the half dollar as well as in smaller coins.

If the legislation passes, American subsidiary coins will be deprived of intrinsic worth except for the minor value of copper and nickel. You can also rule out silver in silver dollars, too, although the committee failed to come really clean on intent by voting merely a ban on mining silver dollars for the last 5 years.

Almost certainly, the legislation will be approved, because we are virtually in crisis.

This will accelerate what already is in motion: Silver-content coins will be driven out of circulation. Gresham's law can be expected to prove valid again. The bad money will drive out the good.

Unless history reverses itself, the people will not buy the forthcoming reassurances from administration sources that the new coins will represent good money, with purchasing power unaltered.

The coins shortage could develop into a frightful thing.

Business is likely to suffer severely. So could the consumer.

But the greatest danger of all seems to rest in experiences of the past which show that whenever currency with intrinsic value disappeared completely from a national monetary system, the individual nation sooner or later found its currency losing substantially all value.

In the Grecian city-States of long ago, this was the case. It also was true no longer ago than World War II, when Italy, Germany, and Japan fell victim.

Only the British among free world nations today offer coins without intrinsic worth, and certainly anyone is well accompanied who considers that country's monetary perspicacity open to doubts.

The dangerous area Britain has entered and the United States seems bound to penetrate shortly is illuminated in the following comment by Simon D. Straus, a precious-metals authority:

"Confidence is a strange and delicate animal. It is not created by telling people they must be confident. It can disappear overnight.

"Confidence is something that represents the trust and faith of a country's entire population—not just a few experts in monetary theory.

"Great empires have fallen when public confidence has been withdrawn; small nations have triumphed over great odds when public confidence in their leaders has been established."

France, starting with the late 1950's, has been going the hard-money route under President Charles de Gaulle. Instead of continuing to damn the general for preferring our gold and silver instead of our dollars, perhaps we should look into French history. France had abandoned intrinsic value coinage shortly before World War II.

Why did she revert to silver coins if silver does not actually serve to maintain confidence in a nation's currency?

Reflections on Silver: France Provides Coinage Example

(By Carl W. Ritter, the San Diego Union's financial editor)

The last word from Washington, D.C., is that the House Banking and Currency Committee has confirmed its decision to recommend elimination of silver from all U.S. coins while the Senate Banking Committee has voted the same with the exception it favors retaining some silver in half-dollar coins. It would reduce the silver content to 40 from 90 percent.

Legislators have been strangely silent about this business of changing the world's No. 1 coinage system—changing it presto, just like that.

The implication seems to be that no great problem is involved.

Well, we shall see.

Meanwhile, minimum prudence dictates that we, as a nation, at least look at what happened when silver was taken out of coinage in other highly civilized countries.

France presents an interesting case for study.

After France abandoned coinage of intrinsic value and suffered the ravages of World War II, the French franc fell in value from 20 to the dollar to 500 to the dollar.

Gen. Charles de Gaulle came into power late in the decade of the fifties determined to bolster the franc. He issued a new franc, equal in value to 100 of the old francs. To go hand in hand with the new franc, De Gaulle brought out first a 5-franc silver coin and made it law that a Frenchman can exchange 5 single-franc nickel coins for the silver coin.

The Frenchman today also can obtain 10 of France's new 10-franc silver coins for one 100-franc paper note.

De Gaulle reasoned that the fact the French Government stood ready to offer something of intrinsic value for something without intrinsic value provided an aura of confidence to all French currency in circulation.

The French citizen is thus assured with the silver coins—the smaller one of which has approximately 40 cents' worth of silver in it at today's silver market price—he has protection against drastic loss of buying power.

Simply having silver available to the citizen is sufficient to instill confidence in France's entire monetary system, so far as he is concerned. The French Government's strong accumulation of gold reserves in recent years bolsters confidence more.

A trend has been noted throughout the world toward resumption of silver coinage by countries which once abandoned it. These include Italy, Germany, Austria, and France.

The minting of silver coins of relatively large denominations has been resumed by these nations as well as by Mexico and Japan.

These governments were convinced that coinage of intrinsic value created public confidence, as long as the intrinsic value remains a significant fraction of the face value.

In February 1966 Australia will implement a basic money reform, changing from pounds, shillings, and pence to a decimal system, creating a new standard unit, the dollar, and providing for a 50-cent silver coin.

Reflections on Silver: Treasury Boosts Coinage Output

(By Carl W. Ritter, the San Diego Union's financial editor)

This month the United States is turning out coins at an annual rate of more than 9 billion in an emergency-type buildup of production from the 4.3 billion level of fiscal 1964 and triple the 3 billion level of 3 years earlier.

All new coins are carrying last year's date instead of the actual year of coinage.

This is supposed to discourage coin dealers and collectors because nobody will really know whether the coins are actually of 1964 or 1965 vintage and there is such a profuse outpouring of them that numismatic value will be nil.

The Government's surmisal is temporarily correct, but there can be no denying that this date dishonesty is the kind of thing that loses respect for a nation's government among people at home and abroad.

Are the money managers actually more capable of managing money than the citizens themselves? History records not one example where fiat money benefitted the people. Yet we apparently are dedicated to it now.

The subsitution of a base metal for silver in U.S. coins results from the belief there will not be enough silver to go around—to satisfy both the demands of subsidiary coinage and industry. This pending shortage must be recognized although reduced silver content in coins coupled with certain evidences of good faith might solve the problem for many years.

There is also the philosophical point of whether the people and their wishes, relating to the money of their daily life, or industry should come first, if there is a one-or-the-other choice to be made.

The Treasury is utilizing its silver stocks to supplement supply and to prevent the price of silver from rising significantly above its monetary value of $1.29 an ounce. What is more, the Treasury's stock must be continued to be used to prevent the price of silver from breaking through a second and even more critical ceiling.

This second ceiling is the melt down price of $1.38-plus per ounce at which the silver content of subsidiary coins—dimes, quarters, and halves—is equivalent to their face value. So long as any significant numbers of silver coin of the current composition remain in circulation, and so long as there is no change in the balance of demand and supply, the Treasury will have to defend this price ceiling in some fashion to prevent U.S. coins from being driven out of circulation.

The prospects for improvement of the silver supply situation are dim.

The photography field is the major user of silver. The photo sensitivity of silver salts makes it essential for the film industry until a substitute is found. Eastman Kodak has been working on a substitute for many years.

Silver also has high electrical conductivity, making it important for various wiring and electrical contact applications and it is used in various forms of joining metals.

Silver's corrosion resistance results in heavy demand from several other fields, including dentistry.

Coinage Situation Tied to Freedom

(By Carl W. Ritter, the San Diego Union's financial editor)

There are two principal organized bodies in the United States engaged in the battle over silver in this country's coinage. There is the Silver Users Association, which wants all silver coinage to be dropped, and the American Mining Congress, which wants some silver retained in subsidiary coins.

The public comprises—so far as the silver battle is concerned—a relatively silent, unorganized, and idle third body. The public's thoughts on retaining silver in coins are neither much heard nor, apparently, sought at all.

Yet, the public has the power to create chaos from any coin decision Congress makes.

You may be sure a new coinage system is coming our way. But it is no secret that the transition to coins of likely infinitesimal intrinsic value poses a tremendous threat to public confidence and to business itself.

Small businesses are likely to suffer much more than large enterprises if a coin shortage of fully critical nature develops from the public taking high-content silver coins out of circulation on a wholesale basis before the new coins come out sometime in 1966.

On a percentage-of-volume basis, small coins mean so much more to the small operator—newsstands, for example.

One of the suggestions for solving the silver dilemma came from the consulting firm of Groseclose, Williams & Associates of Washington, D.C., in a study for Cyrus J. Lawrence & Sons. It called for revaluing all silver in circulation by double.

At first look, this startling proposal begs to be discarded and that is what the congressional committee did with it. However, there is something to be said for it, especially if it averts the serious business upset threatened by alternatives.

On the negative side, of course, doubling silver coin values would mean holders of such coins would profit unduly. However, the silver coins held out of circulation now are so widely scattered, it is unlikely there would be many big killings.

It might very well keep sufficient silver coins in circulation until the mints could provide their substitute supply and it would give silver money a legal tender value in excess of any prospective market value.

Best bet now is that Congress will go the route of no silver in subsidiary coinage. If this takes place, what may we expect?

In the first place, we will probably start getting more pressure from administration circles claiming everyone who sets aside silver coins is "unpatriotic," like a person who travels abroad and buys French perfume.

Even before this pressure builds up, Congress can be expected to pass an antimelting law. It is not illegal now to melt down U.S. coins for the silver content. However, it has not been practical to do so except in the case of the so-called silver nickels of World War II, minted in 1942 and 1943 and containing silver worth roughly 7½ cents at today's market.

Congress also can be expected to pass legislation making it illegal to export U.S. silver coins.

If the situation deteriorates sufficiently beyond that, the American people may very well be ordered to turn in all their silver coins, the same as it was with gold. They would get the new nickel-copper alloy coins or paper money in return.

This would indeed be an admission the Nation is far down a dark and dismal monetary road and would certainly invite more questions like the following from private citizens:

Is the citizen who seeks to retain whatever he values from his labors (in this case, silver) more unpatriotic than an administration pouring out cash in thankless foreign aid, removing gold and silver dollar backing from its people's money and hacking away at centuries-old American freedoms?

A Letter to Boys and Girls: Got Some Coins? Better Watch Out

(By Carl W. Ritter, the San Diego Union's financial editor)

Dear Boys and Girls: I am addressing this column to you—all of you who are old enough to read. For if you are old enough to read, you probably receive an allowance from your parents and perhaps are paid additionally for working around the house or yard.

Well, children, you had better watch out.

I mean you had better be careful what you do with the money you earn. To be on the safe side, better not put any dimes or quarters in dresser drawers or even in piggy banks, with the idea of leaving the coins there for long. You or your parents could get into a lot of trouble over it—trouble with the law—the way things are going in Washington, D.C.

You say you earned the money and can do with it as you like? This is a free country, you say? You even collect coins as a hobby? You enjoy it?

Ah, sweet innocents. Youth. How little you know about the brave new world the intellectuals are shaping up for you. They know what is best for you. They know what will make you happy. And, foolish children, coin collecting will never do.

Here now. Empty the coins from your pockets and purses so that you will be in position to declare the dimes, etc., to the Federal Government and I'll tell you a story about the land of the free. It is true.

It seems that in the Nation's Capital today, there is a Senator from a great State which has developed a wondrous use for all the silver coins it can lay hands on. Now this gentleman has drawn up a proposal for Congress that would prohibit the holding of any coins except "rare" coins.

It also would disallow the use of coins, other than "rare" coins, as collateral for loans. This means, I guess, that you couldn't allow a neighbor boy to hold an ordinary 50-cent piece of yours as a sort of guarantee that you'd return his skateboard to him undamaged from a spin around the block.

The Senator's proposal also calls for making it illegal to export coins—even single or "rare" coins.

Furthermore, it would make it unlawful to buy or sell coins for more than their face value, except for "rare" coins. You had better quit paying a dime for those 1942 and 1943 nickels, incidentally.

The law would impose some other restrictions, too, but I feel that you children have a rather obvious question to ask: What is a "rare" coin?

Why a "rare" coin would be anything the Treasury Department labels a "rare" coin. The idea is that the Treasury would publish a list of "rare" coins from time to time.

And now you brighter children ask if such a list actually makes a coin "rare," and if leaving a coin off such a list actually makes it "not rare?"

You say your coin book shows that certain 1960 pennies are bringing more than face value? You ask if the Treasury would be likely to call 1960 pennies rare?

Also, about that "holding" part of the proposal to Congress: How long is "holding" nonrare coins "holding?"

Listen, what are you? Some kind of smart-aleck kids? Let's not get into some discussions of how rare is rarer, what makes something rare, who should decide what's rare and how can they prove it * * * and all that. Don't you believe a big Government agency ought to have its hand into your belongings at home?

You'd better believe it, if the bill concocted by Senator **Alan Bible**, Democrat, of Nevada, gets past Congress.

Violation of any section would make a person liable to a $10,000 fine or imprisonment or both.

Future Students, Too?—Coin Shops Face Legislative Threat

(By Carl W. Ritter, the San Diego Union's financial editor)

The proprietors of hundreds of small American businesses feel they have their backs to the wall. They are vitally concerned over the kind of treatment they will be accorded in their Nation's Capital, where proposed legislation could deprive them of their livelihood.

These people operate coin shops, little businesses usually not employing more than one or two persons.

A bill introduced by Senator ALAN BIBLE, a Democrat from Nevada, could knock coin shops out of existence, but it certainly wouldn't do any harm to the slot machine trade in Reno or Las Vegas.

In effect, the bill tells U.S. citizens they can't place coins in collections or even leave coins laying around the house unless Federal approval is granted.

The first article in this series dealt with the bill's highlights and noted that violation of any section would subject a person to a $10,000 fine or imprisonment or both.

BIBLE's Senate bill 2036—earlier known as S. 2012—would interfere with the traditional monetary rights of everyone. A person could retain only what the Treasury Department decrees to be "rare" in the coinage realm.

An approved list would be issued from time to time.

It would be against the law of this free land to accumulate coins the Government considers to be "common" coins, in excess of whatever is decided at the Federal level to be the reasonable demand for personal use.

Many parents, even children themselves, have invested in rolls of coins which scarcely could be considered rare in the hope that someday the market for them might rise sufficiently to enable them to profit in selling the rolls (to be broken up eventually for collections) and thereby help to defray college expenses.

Such legal and legitimate investments could go down the drain if faith is not kept by the Government with its citizens. Apart from cases of this kind, other injustices are implied.

Comments Numismatic News: "Since only a very small minority of collectors can afford to collect rare coins, almost all collectors would be affected by this legislation. Almost all coin collections of other than rare coins would have to be disposed of at face value.

"The work, time, and years of collecting would vanish overnight with the enactment of this legislation, as would the hard-earned dollars that have been invested in many a coin collection."

Comments Coin magazine: "Should the bill pass * * * it will have a dramatic effect on this hobby we so enjoy. It could, in effect, kill the hobby.

"First, it gives the Secretary of the Treasury the arbitrary right to tell you what is a collector's item and what is not. Sure, there is an exception for rare coins, but how many of us collect rare coins; most collect by date and mint mark.

"You would not be allowed to own a single Franklin or Kennedy half dollar. Possibly you could have two Jefferson nickels, but no Roosevelt dimes.

"An entire collection of current U.S. coins could consist of not more than a dozen pieces."

The coin shop proprietors and other men, women, and children upset about it all have finally begun to fight. Their letters protesting the proposed legislation are pouring into Washington, D.C., and an alliance of coin collectors comments in a full-page advertisement:

"The bill places the entire blame for the coin shortage on coin collectors and completely vindicates the vending machine industry and others whose need for coins has quadrupled in the last 2 years alone * * * don't let Federal legislation make a criminal of you because you are a coin collector."

NEW SYSTEM BEFORE 1966?—COIN NEEDS HINT AT CRASH PROGRAM

(By Carl W. Ritter, the San Diego Union's financial editor)

There is a growing possibility that the U.S. mint will undertake a crash program to get new silverless U.S. coins into circulation well before yearend.

Merchants otherwise are likely to be desperate for coins by the time the Thanksgiving-Christmas holiday season rolls around, in spite of the fact present coinage is being produced around the clock.

If silver is retained in our coinage system at all, it almost certainly will be limited to a 40-percent content in half dollars. There will be no silver in quarters or dimes. And we may very well have seen the last of silver dollars.

There has been so much bungling at the Federal level in planning for U.S. coinage needs and such persistent dedication to holding the silver price at artificial levels that if there is a smooth transition to a new coinage system now, it indeed will be a miracle.

Big government, of course, is busy planning everybody for the situation except itself.

It is noteworthy that the administration has been receiving help from one of the areas it has blamed for the coin shortage currently existent: the coin dealers. Coin collectors also have been working to ease the problem, strange as it may seem.

Here is the way:

Nearly 100 coin dealers across the land banded together to buy up badly worn and damaged silver coins anywhere from face value up to a 5-percent premium, along with other offerings by holders, and have made the coins available to banks. The dealers have accepted paper money in return.

The banks, of course, have placed the coins in commercial channels to help meet business needs.

Both dealers and coin collectors have been contributing anywhere from $1 to $1,000 (the latter in the case of some of the larger dealers) to assist in the cause of coinage sufficiency and to fight legislation that would threaten dealers, collectors, and investors alike.

Part of the assistance campaign calls for dealers to educate the collecting public to thinking in terms of one coin in a series, rather than coins from each mint that strikes a series in a particular year. In other words, you might collect one Roosevelt dime from each year rather than one from each mint each year.

Going beyond this point, the coin industry is seeking to stress quality coins, especially those of many years ago, to persons interested in starting or building up collections.

A recently issued coin album, backed by the numismatic industry, calls for filling out a collection of U.S. coins from 1909 to 1964, disregarding mint marks. In the past it has been an important matter for collectors to get similar coins from Philadelphia, Denver, and San Francisco Mints each whenever possible.

In recent weeks, interests from Las Vegas and Reno have appeared in major California cities, offering a 10-percent premium for bags of nickels and half dollars.

Just in the event the bill sponsored by Senator ALAN BIBLE, Democrat, of Nevada, is approved by Congress and the ordinary citizens along with coin collectors and dealers are told what coins they can keep and what coins they can't, it might be well to look at how government has been under vaguely similar conditions.

The Gold Act, prohibiting the importation of gold coins without a license, has been in effect for more than 30 years, and collectors and dealers are still fighting for the right to import a gold coin. Was this the original intent?

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks during the debate on H.R. 242.

The SPEAKER pro tempore (Mr. FARNUM). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MOSHE SHARETT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, today in the Holy City of Jerusalem and throughout the proud State of Israel there is mourning, for one of her noblest citizens, one of her finest statesmen, has passed away.

Moshe Sharett accomplished much during his Biblical threescore years and ten. He was brought to Turkish-ruled Palestine when he was only 12, but even then he dreamed of creating a homeland for the Jewish people out of the arid wilderness. In high school, he joined an idealistic group of boys who pledged they would choose careers of service to the Jews in Palestine. But as a youth he probably never even dreamed that one day he would be revered as one of the founding fathers of the Israel nation.

He did dream of helping to build a Jewish homeland, however, and after service in the Turkish Army against the Axis in World War I, and 4 years on the editorial staff of Davar, a Tel Aviv newspaper, he joined the political executive of the World Zionist Organization.

Here was his opportunity to help lay the foundations for a Jewish state in Palestine, and he grasped it with both joy and intense determination. For the next 15 years, as a sort of unofficial foreign minister, he presented the case for Israel before international bodies and in the embassies of the world.

Fluent in Hebrew, English, Russian, French, German, Turkish, Arabic, and Yiddish, and a skillful lawyer and former student at the London School of Economics, Mr. Sharett presented his case well. When the United Nations voted in 1947 to partition Palestine into Jewish and Arab States, he was the obvious choice for the post of Israeli Foreign Minister. He had suffered setbacks and frustrations during those long years of waiting, but his untiring efforts and political skill had paid off in both a personal triumph for him and in the creation of a brave new nation.

In 1949, he led the Israeli delegation to Lake Success, New York, where his country was admitted to membership in the United Nations. He saw the blue and white Israeli flag raised to its rightful place among the banners of the world.

He left the post of Foreign Minister in 1955 after statesmanlike efforts to create peaceful relations with the Arab world in the volatile Middle East. He retained his membership in the Israeli Parliament, however, and continued to be active in the Mapai Party. In 1959, he assumed the chairmanship of the World Zionist Executive, and traveled widely, promoting a renewal of the Zionist spirit and Hebrew education in other nations of the world.

Mr. Speaker, Moshe Sharett typified the politician and diplomat who dedicates his entire being to the service of his nation. There have been too few such statesmen around, as this Congress is aware. We can render only inadequate tribute to the achievements of Moshe Sharett, this Thomas Jefferson of the Jewish people. To say, as the Israeli Government announcement said upon his passing, that "The Jewish people have been bereaved of a leader of the state, a pilot of the movement, and a teacher of the nation," is not enough. Somewhere, though I know not where, there must be words which can suggest that sublime state of grace which exists when the soul of a man is forever mingled with the soul of a people.

Mr. Speaker, I commend to this Congress the memory of Moshe Sharett, scholar, statesman, and moving spirit of Israel. May he be an inspiration to all men everywhere who lay their hands upon the reigns of government.

RELATIONSHIP BETWEEN TRADING STAMPS AND FOOD PRICES

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WOLFF. Mr. Speaker, I have today requested a special order to address the House on Wednesday next on the relationship between trading stamps and food prices. About $38 billion of retail sales are made in connection with trading stamps. What is the connection between the use of trading stamps and soaring food prices?

Stamp sales by stamp companies were upward of $950 million in 1964. Almost a million dollars in unredeemed stamps were distributed each week. In 1961, about 15 percent of total U.S. retail sales were made by stores offering trading stamps. The figures are even more impressive today. Over 43 percent of all food sold each year goes through stores that use stamps.

What is the connection between this continued expansion of stamp plans and the price rises that continue to plague us? Is there some connection with the fact that stamp companies today are making more money on the sale of food than the food merchant himself?

There are many similar and related questions that must be answered if we are to serve intelligently as protectors of the consumer and as economic watchdog of the Nation. I invite my colleagues to join with me on Wednesday to begin asking. If trading stamps are here to stay, and we are to protect the consumer adequately, we had better start knowing something more about the interdependence of food prices and how to control trading stamps.

DEVELOPMENT OF MAINE'S ABUNDANT WATER RESOURCES

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, under leave to revise and extend my remarks, today I submitted a bill on which the hopes of Maine people have rested for many years.

President Johnson's announcement July 10, 1965, recommending an immediate start in the development of Maine's abundant water resources is good news for its citizens who for many years have pinned their confident expectations on the availability of low-cost power in order to expand the economy of Maine.

In testimony of the appreciation of the citizens of Maine on this happy and memorable occasion, I offer into the RECORD letters to the President and to the Secretary of the Interior which I have just written.

So that my colleagues can better understand the details of the program for the development of the natural resources of Maine and New England, I am also offering into the RECORD a copy of a letter from Secretary Udall to the President which spells out the proposals of Secretary Udall and which was approved Saturday by President Johnson.

I urge my colleagues in the House to support this bill so important to Maine and New England.

JULY 10, 1965.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Your announcement today, heralding a brighter, more prosperous future for the people of Maine, is cause for great joy. It is further evidence of your interest and concern for the problems of our State as well as of your determination that all Americans shall share in the abundance of our great Nation.

Immediate authorization of the Dickey-Lincoln School power project on the upper St. John River would greatly benefit our economy and future growth. Continued study of the engineering and economic feasibility of the Passamaquoddy tidal power project and of a vast power distribution system linking Maine, New England, New Brunswick, and the Maritime Provinces of Canada will keep alive the hope for future development of Maine's water resources.

The people of Maine, who last November extended to you their confidence and support in unprecedented measure now extend, in equal measure, their appreciation and respect.

Sincerely,

WILLIAM D. HATHAWAY,
Member of Congress.

JULY 10, 1965.

Hon. STEWART L. UDALL,
Secretary, Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: The announcement of President Johnson today is cheering news for the citizens of Maine and New England.

Construction of the Dickey-Lincoln School project on the upper St. John River would contribute significantly to the future economic development and well-being of Maine.

The further study of the engineering and economic feasibility of the Passamaquoddy Tidal Power project and of a vast power distribution grid linking Maine, New England, New Brunswick, and the Maritime Provinces of Canada recommended by the President keeps alive the hope for even greater development of Maine's power resources in the future.

I cannot let this occasion pass without offering to you the thanks, the deep appreciation, of the citizens of Maine. Through many trying years you have championed our cause and led us to this hopeful day.

Your devotion to this project has, I know, been based upon the conviction that development of Maine's water resources are a natural step in the development of our Nation's economy. At the same time, I know that your zeal has stemmed in large measure from your understanding and sympathy for the needs of the people of Maine. In view of this, we are all the more grateful.

In closing, let me add a personal word of thanks for your cheerful and willing cooperation on the many occasions when I have sought to discuss with you the project which today has taken a giant step forward.

Sincerely,

WILLIAM D. HATHAWAY.

U.S. DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 9, 1965.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: In May 1961, the late President John F. Kennedy instructed the Department of the Interior to review the report of the International Joint Commission, United States and Canada, on the International Passamaquoddy Tidal Power Project and the Upper St. John River Hydroelectric Power Development. A Passamaquoddy-St. John River Study Committee was established immediately and made its initial report in July 1963. At that time, President Kennedy instructed my Department and the U.S. Army Corps of Engineers to complete additional engineering studies on the project.

In August 1964, the Passamaquoddy-St. John River Study Committee, working in conjunction with other Federal agencies, completed its evaluation of the comprehensive development of the Passamaquoddy Tidal Power project and the Upper St. John River Hydroelectric Power Development. As specified in Senate Document No. 97, 87th Congress, the report has been circulated to interested Federal agencies and the Governors of the New England States for their review and comment. These comments are enclosed in this report, together with a summary and analysis of their views.

During the course of the 3-year study and the subsequent review of the comments of the Federal agencies and the Governors, the

Committee finds that a comprehensive development of the natural resources of New England, a region which has been neglected in resource development for many years, should be initiated immediately. I concur in this view and, by this report, I am transmitting the Committee's findings and my recommendations to you.

COMMITTEE FINDINGS

The Federal Power Commission's 1964 national power survey clearly established that electric power rates in New England were very high, being 28 percent above the national average. Furthermore, that report set out guidelines for future development which would tend to improve the power supply situation in the region and, at the same time, substantially reduce power costs and power rates—currently among the highest in the Nation.

Comprehensive development of the water and power resources of New England will take the combined efforts of public and private sectors of the electric utility industry working cooperatively with the Federal Government. Such a comprehensive plan is needed to produce the following:

1. The immediate development of low-cost Federal hydroelectric power in the New England area to reduce power costs and rates, to increase electric consumption, and to improve substantially all segments of the power industry and the region as a whole.

2. Intensified efforts to create additional outdoor recreational resources for the populous New England area.

3. Development of a fully integrated and interconnected electrical network which ties together the New England States and which can be integrated with the electrical system of the neighboring Provinces of Canada. There are mutual advantages to both nations to meet the growing power needs of the future. The United States portion of an international electrical integration system could be cooperatively developed by Federal, non-Federal agencies, and consumer-owned and private utilities in a manner similar to the Pacific Northwest-Pacific Southwest Intertie.

4. The integration and development of efficient and large fossil fuel or nuclear powered baseload steam electrical plants by consumer-owned and private utilities.

5. The long-term development and redevelopment of the hydroelectric potential of the New England States for the production of peaking power utilizing the new axial flow turbine for low-head installations. The development of pumped storage sites in conjunction with hydroelectric sites should also be considered for the region. Load and resource studies show that by 1980 there will be a requirement of about 36 million kilowatts in New England, the Maritime Provinces of Canada, and upper New York State, of which 4 million kilowatts will be needed for peaking purposes. Although hydroelectric power is and will continue to provide baseload energy, its value and unique suitability will be for peaking purposes in conjunction with the development of new larger nuclear and fossil fuel thermal units in New England.

6. After conferring with the Department of Commerce, it was agreed that, provided it qualified under the criteria of title V of the proposed Public Works and Economic Development Act of 1965, every effort would be made to establish a regional planning commission comprised of local State agencies, assisted by representatives of the Federal Government to accelerate the economic development of New England. Water resource development in New England will, of course, contribute greatly to a healthy economic environment creating local and regional benefits.

THE PASSAMAQUODDY-ST. JOHN PROJECT

The proposed international Passamaquoddy tidal power project and the upper St. John River hydroelectric power development are shown on the frontispiece. The Passamaquoddy tidal power project would comprise some 7½ miles of dikes with appurtenant locks and gates to form an upper and lower pool; ultimately two powerplants, of 500,000-kilowatts each would be located between the upper and lower pools. The upper St. John River development would comprise the Dickey Dam with a 760,000-kilowatt powerplant, an earth-filled structure located on the St. John River directly above its confluence with the Allagash River and the Lincoln School reregulating dam with a 34,000-kilowatt powerplant. The estimated cost of the proposed Passamaquoddy tidal power project with one 500,000-kilowatt powerplant is $586 million. The estimated cost of the Dickey-Lincoln School Dams is $227 million. For both Passamaquoddy and Dickey-Lincoln School Dams, the estimated cost of the transmission system is $87 million.

The power benefits used in the economic analysis in the August 1964 report were based upon power value estimates furnished by the Federal Power Commission in December 1963. These estimates were based on the costs of steam-electric units of 100,000-kilowatt capacity in Maine costing $180 per kilowatt and units of 325,000-kilowatt capacity in the Boston area costing $150 per kilowatt. At-market values, on the basis of these costs, were computed to be $29.50 per kilowatt-year and 3.3 mills per kilowatt-hour in Maine, and $26 per kilowatt-year and 2.8 mills per kilowatt-hour in the Boston area. The report utilized a composite power value of $27.70 per kilowatt-year and 3 mills per kilowatt-hour which is essentially an averaging of these values. In the early years, more of the power would be used in the Boston area but, as loads in Maine grow, an increasing part of the output of these projects would undoubtedly be utilized to serve loads in that State. Based on the Federal Power Commission power values and the 3-percent interest rate in use at that time for Federal water resource projects, the annual benefits, costs, and benefit-cost ratio of the proposed developments would be:

	Dickey-Lincoln School	Passamaquoddy	Combined
Annual benefits	$25,137,000	$21,722,000	$46,859,000
Annual costs	$11,162,000	$20,794,000	$31,956,000
Benefit-cost ratios	2.25	1.04	1.47

Since the initiation of this study, in 1961, the utility industry has developed generating units of 500,000-kilowatt capacity which are now scheduled for installation in the Boston area, and a unit of 125,000-kilowatt capacity is being installed in Maine. New steam-electric plants in the Boston area are estimated to cost $125 per kilowatt and plants in Maine $140 per kilowatt. On the basis of these larger more economical developments which have taken place during the course of these studies, the Federal Power Commission on February 16, 1965, furnished revised power values for application in Maine and the Boston area. The revised at-market values were computed to be $22.50 per kilowatt-year and 2.3 mills per kilowatt-hour in the Boston area, and $24.50 per kilowatt-year and 2.9 mills per kilowatt-hour in Maine. A composite power value would be $23.50 per kilowatt-year and 2.6 mills per kilowatt-hour. Using this value and the applicable interest rate of 3⅛ percent, the annual benefits, costs, and benefit-cost ratios of the proposed developments were as shown below:

	Dickey-Lincoln School	Passamaquoddy	Combined
Annual benefits	$21,480,000	$19,117,000	$40,597,000
Annual costs	$11,550,000	$21,400,000	$32,950,000
Benefit-cost ratios	1.86	0.89	1.23

On July 1, 1965, the interest rate prescribed for Federal water resource projects was set at 3¼ percent. On this basis, the annual benefits, costs, and benefit-cost ratios of the proposed developments would be as shown below:

	Dicky-Lincoln School	Passamaquoddy	Combined
Annual benefits	$21,480,000	$19,117,000	$40,597,000
Annual costs	$11,890,800	$22,120,000	$34,010,800
Benefit-cost ratios	1.81	0.86	1.19

In every instance, the combined Passamaquoddy-Dickey-Lincoln School project has a benefit-cost ratio greater than unity. However, in conformance with current practice for project formulation, each unit must have a benefit-cost ratio equal to or greater than unity. As indicated in the above tables, Passamaquoddy benefit-cost ratio is now less than unity.

During the continuing study and review of the Passamaquoddy tidal power project, it has been suggested that there exist alternatives which would provide lower cost power for the region. This results from the marked reduction in the cost of production of power by both nuclear and large conventional steam-electric plants and higher Federal interest rates. The tabulation below shows estimated costs of capacity and energy from Passamaquoddy and Dickey and for comparison the corresponding power values determined by the Federal Power Commission and Atomic Energy Commission to return project costs:

	Capacity charge, dollars per kilowatt-year	Energy, mills per kilowatt-hour
Latest FPC power values (base load)	23.50	2.6
Passamaquoddy and Dickey (peaking)	20.50	3.0
Passamaquoddy (peaking)	37.75	3.0
Dickey (peaking)	15.50	3.0
Nuclear (base load)	25.00–28.00	1.6–1.7

The above tabulation clearly demonstrates that the Dickey-Lincoln School project will produce low-cost power for the State of Maine and for New England. The project would have an installed capacity of 794,000 kilowatts and would generate over 1 billion kilowatt-hours annually. Power can be delivered to preference customers in Maine for 7 to 8 mills per kilowatt-hour and peaking power can be delivered for $15.50 per kilowatt-year for capacity and 3 mills for energy. Preference customers in New England are now paying between 9 and 20 mills for their power supply. Thus, the Dickey-Lincoln School project can contribute low-cost load factor power for Maine and low-cost peaking power for the remainder of the New England region, which should tend to reduce rates.

Continued study has revealed that at this time the early construction of the Dickey-

Lincoln School Dams and an EHV grid for the region afford the best means to lower the power rates in the New England area.

RECOMMENDATIONS

Based on a 4-year study of the natural resources of New England in conjunction with the International Passamaquoddy tidal power project and hydroelectric development of the Upper St. John River, the committee recommendations are as follows:

1. Immediate authorization, funding, and construction of the Dickey and Lincoln School projects on the St. John River and their associated transmission system. Construction would be contingent upon completion of necessary arrangements with the Canadian Government. This would also have the immediate and major byproduct of preserving the famed Allagash River in Maine, one of the few remaining wild rivers east of the Mississippi River.

2. Authorization of continued study, reexamination, and possible redesign of the Passamaquoddy project taking full advantage of the latest technological advances with possible reductions in capital costs. Further consideration should be given to the economic benefits of Passamaquoddy associated with recreation, economic development, and elimination of poverty in the region—as well as its uniqueness and contribution to technology and creation of a new source of energy for the United States. This study should be related to an extra-high-voltage transmission grid in New England. Any study of an EHV grid for New England should consider participation of Federal, non-Federal, public, and privately owned utilities in a joint venture and the benefits that could accrue from further coordination of the transmission network with systems of neighboring provinces in Canada.

3. Preservation and development of the famed Allagash River for recreational use by the Federal Government, the State of Maine, or cooperatively by the State and Federal Government on a matched funds basis. Preservation of the Allagash should include acquisition of sufficient land in public ownership surrounding the river to insure its preservation in perpetuity, and recreational usage and attendant development should be consistent with the wild-rivers concept. Additional efforts should also be instituted to increase the recreational potential of Dickey Dam, to develop other recreational resources in Maine, particularly in Washington County, to review recreational potential at existing Federal flood control projects in New England, and to plan for inclusion of recreational resources at future Federal projects where feasible.

4. The Roosevelt International Park Commission has under consideration recommendations to the two Governments for a more extensive improvement program which would affect the jointly owned property and other parts of Campobello Island. In accordance with your objective of a cooperative review and planning of the region's recreational and other resources, full and sympathetic consideration should be given to any recommendations by the Commission in which the United States would share responsibility for action with the Canadian Government under the terms of the agreement establishing the park.

5. The Federal Government, in full participation with State and regional planning groups, should continue to intensify a comprehensive program already planned and initiated for the multiple use of the area's natural resources including river reregulation, outdoor recreation, hydroelectric development, fish and wildlife conservation, particularly by restoration of the Atlantic salmon fisheries, municipal and industrial water supply, and other constructive uses. This review should also consider the impact of natural resource development on the overall economic improvement of New England.

I concur in these recommendations and urge their implementation. The recommendations of the Committee can provide the basis for the Federal portion of the investment needed to develop the neglected resources of New England, to provide for better and lower cost electric service to consumers and industry in the New England States, and to provide a substantial economic stimulus for the economic redevelopment of the region.

The Department of the Interior recognizes that there are many major problems to be overcome in the efficient conservation and creative restoration of the natural resources of New England, but it is equally convinced that further delay will impede the success of that effort and will substantially increase the costs of such a program in future years.

Respectfully yours,

STEWART L. UDALL,
Secretary of the Interior.

HAITIAN RADIO CHOIR

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GIBBONS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GIBBONS. Mr. Speaker, this past Saturday, I participated in one of the most unusual and interesting experiences I have had since coming to Congress.

It was about the middle of the afternoon, and I was working in my office on some of the final details of the expanded Economic Opportunity Act, which is scheduled for consideration in this body tomorrow. As the bill's author in the House, I was getting some of the last-minute details of our presentation in order.

I received a telephone call from a staff member, asking me if I could spare a few moments for a group from another country which was touring the city. I said that I would be happy to, and agreed to meet them on the Capitol steps.

I am glad that I went. For I spent one of the finest hours that I have spent on any Saturday afternoon. The group was the Haitian Radio Choir, a group of deeply dedicated and highly gifted Christian young people from the Republic of Haiti.

This group, sponsored by Men for Missions International, the laymen's voice of the Oriental Missionary Society, is presently on a cross-the-country tour in a bus which has been donated to them.

When I met the group, they had just come from singing at the White House and lunch in the Speaker's dining room.

The striking thing about this choir is that all 32 members are from the darkest reaches of the jungle of this little island nation, one which we connect in our minds with throbbing voodoo drums, poverty, and ignorance. All of these young people, who range in age from 16 to 24 years old, are members of the Haitian Radio Choir based at the Oriental Missionary Society's compound in Cap Haitien. They are all Christians, and are playing a vital role in spreading the teachings of the Bible to their fellow countrymen. They are helping to replace superstition with the doctrines of Christ.

I told the group about our form of government and the manner in which we make democracy work. They seemed fascinated, and asked questions of me in their native French with machine-gun rapidity. Their splendid interpreter fired back my replies just as quickly.

I found upon investigation that the Oriental Missionary Society was founded in 1901 by two businessmen from this country who left their executive positions and devoted themselves to spreading Christianity in Japan.

Since that time, the work of the OMS has spread to Korea, China, India, Colombia, Greece, Brazil, Formosa, Ecuador, Hong Kong, Africa, and Haiti. Ministries now include radio, medicine, and social welfare work.

At the present time, the work of the OMS includes 72 orphanages, 6 baby homes, 3 leper colonies, 8 widow homes, 3 homes for the blind, 14 reclamation projects, 12 day nurseries, 796 organized churches with over 125,000 members, 897 national workers, 1,032 students in 18 seminaries and institutes, 1 international radio station, 12 day schools, and 5 medical centers.

Mr. Speaker, I like to think of the greatest asset of this country as its people. I am proud to serve on an important committee of this House which is devoted to the improvement of people—the Education and Labor Committee. I am proud to have a role this year in the expansion of the war on poverty which is already having a profound impact on people—some of the less fortunate people of our society who are not looking for a handout, but a helping hand.

I found hope and high aspiration in the expressions of those wonderful young people from Haiti. When I listened to their fine voices, I knew that here was a group of young people who cared. Cared about their fellow human beings. They were touring this country to show their gratitude for the work being done in their country, and in many others, through the contributions and thoughtfulness of countless Americans—who likewise care.

This was the first time away from their villages—their first airplane ride. It had taken a lot of work and planning to prepare for this adventure. But I saw before me the solid proof of the work of the missionaries who have gone to countries such as Haiti.

From the heart of a primitive island, emerging from mud huts and jungle trails, and with little or no education, a group of bright-eyed young people have become skillful ambassadors of Christianity and brotherhood.

As I walked away from the steps of the Capitol, my spine still tingled from the sound of those voices. I had been moved. For I knew for sure that my earlier thought must be correct. People are the greatest asset of any country. And all of the trials and tribulations we go through in our efforts to help people here and elsewhere are nothing compared to the end result.

HELPING TO UNDERSTAND SOME OF THE FALLACIES IN OPPOSITION TO MEDICARE

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, during the long debate in Congress over the medicare bill there has been much said on the part of sponsors of alternative proposals that needed correcting. Now that the bill will be coming before the House of Representatives as a result of a conference committee report, I would like to submit an editorial that appeared in the Sidney Argus-Herald by Mr. Dave West, that I think will be very helpful in understanding some of the fallacies in opposition to medicare.

The editorial follows:

[From the Sidney (Iowa) Argus-Herald]

IT TAKES ALL KINDS

(By Dave West)

FIFTY ANSWERS WORSE THAN ONE

After trying for weeks to sort out the arguments being advanced for and against eldercare and medicare, we now know we can't say all we wish to say about the two plans for aiding elderly persons pay medical expenses. There's so much to be said, we could only hit and miss it in a dozen issues. So let's jump to the middle of the argument.

It's perfectly plain that eldercare would be a good thing for doctors and others in the health business. But there's an unmistakable odor of rodent that taints the air when one observes that all in the medical and health business are backing the one approach, eldercare, to the solution of this great national problem. Unanimity in any group should alert all other groups to the probability that someone is trying to get legislation on the books that will benefit a special class.

It ought to be noted that the eldercare solution would not be national. It allows the 50 States the power to provide whatever assistance to the elderly their legislatures decide to give. This might be very little. Eldercare propaganda obscures a fact that is easy to overlook: that any solution less than national (the State-by-State approach) will leave elderly citizens in some States disadvantaged in comparison with those in other States, which is exactly the situation we have now. If we are to have nothing better than what we have, why all the sound and fury? Eldercare would achieve for the elderly in any given State only as little as the State's medical lobbyists could not prevent.

One theme runs through all proeldercare material, thinly camouflaged: it is wicked and un-American for taxpayers to buy medical care for all Americans over 65—because some are able to provide it for themselves. If a national plan, such as medicare, were adopted, all citizens would be treated alike, and all would have to contribute to the cost of such a plan through payments to the social security system. Even doctors, who do not now pay into social security, would then pay social security taxes.

"Why should you pay for him if he can pay himself?" The constantly recurring theme in eldercare "educational materials," has an undeniable appeal to those in need of monetary assistance. It is not to be described as an appeal to the best that's in us, however. It appeals to our envy of those who have "made out better" under our system, for whatever reasons, than we have. From Hippocrates, one expects something nobler.

So long as there are fewer doctors than the society needs, no physician expects to have to sign "a simple statement," as the eldercare people describe it, that he cannot provide from his own resources whatever medical care he needs.

An article, "Voluntary Health Insurance for the Near-Needy Elderly," in the February Journal of the Iowa Medical Society contains a paragraph illustrative of the patrician tone doctors use when they write for each other about this problem: "The only argument for having wage earners pay the health-care bills of old people, rich and poor alike, is that the impoverished might thus be spared the indignity of applying for aid and undergo an investigation. The AMA alternative would require no more than a report like the individual income-tax return, an annual indignity and violation of privacy to which all of us have become inured." (Not that they aren't still sore about it.)

Medical society members, it appears, see no distinction between reporting income for tax purposes and declaring oneself a pauper in order to qualify for assistance in meeting medical and hospital expenses. They should try the latter. But no physician—unless by some unexpected adversity he found himself in the position of an ordinary working man after he became 65—could attach his signature to a statement of pauperism with a light heart, we may suppose. Why should he expect anyone else to do it?

Their egregious advertisement and public letter, signed in behalf of the medical doctors of Iowa by the president of the Iowa Medical Society, appearing in the March 15 Register, made me more than ever doubtful that the doctors are being wholly candid in their "program of education" for the public. The ad asked, "Does the public know the truth about medicare? Seventy-seven percent do not, according to the results of a recent Gallup poll." "Do Iowans want to help only those who need help (not everyone)? 'Yes,' said nearly 70 percent of those who participated in a recent survey taken by the Iowa poll." Iowans don't mind speaking up on matters they do not understand, apparently. What kind of question, or questioner, elicits 70-percent positive answers about a proposal from people, 77 percent of whom do not know the truth, they admit, about the same proposal? And how should answers to such a question be interpreted? Postively, of course. The president of the Iowa Medical Society says the answers mean "four out of five Iowans" favor the principle of eldercare over that of medicare.

The Washington Post recently pointed out in an editorial that the American Medical Association "has, in turn, opposed every step that has been taken to improve access to medical care for Americans of average and below average incomes. It originally opposed Blue Cross and Blue Shield; it opposed the original Kerr-Mills legislation it now so bravely endorses; it now comes up with an eldercare proposal only after it had become unmistakably clear that Congress is ready to pass a hospital care program." The Post calls the AMA's latest attitude "last ditchmanship," and concludes: "The trouble with the AMA is that it seems to take every opportunity to convince people that it is so interested in protecting the interests of those in the medical business that it seems to have little room for concern with customers of that business."

We know it's unethical for individual doctors to advertise. They say so themselves. This makes us feel there's something big for them all in the advertising and "public education" campaign they now support. We wonder why eldercare is better for doctors than medicare. Can the nondisruption of things as they are now in the medical world have anything to do with it?

Either plan would costs lots of money. Medicare, the argument goes, would cost the taxpayer more than the other plan. It is perfectly obvious that a national plan, such as medicare, could not leave charges for its benefits to the discretion of purveyors of health services; some sort of standard payments for specific services would be set up. "What the market will bear" would not be an acceptable standard for this. Standardization of fees, necessary in a workable national plan, is one of the key reasons those in the health business oppose medicare so bitterly.

Eldercare would cover physician's care, surgical costs, drugs—in and out of the hospital—plus hospital and nursing home care the Iowa Medical Society says—"much more than medicare." And this would be less costly—more for less—it is claimed. We can agree it would cost the individual less, if he were willing to throw himself upon public charity and take the insurance policy free, a decision the doctors think he ought to have become "inured" to by having filled out his income during better days. It would cost the taxpayer less, before he got on the trouble spot himself; he wouldn't be paying for it until he actually bought the policy—and he'd never have to pay anything at all after he got the stomach to swear he couldn't pay the bills himself.

Under eldercare, the doctors, hospitals, and pharmacists, all who provide medical services to the elderly, would be paid for what they did, and paid promptly, as soon as they filed their bills with the eldercare insurance companies. (This, we feel, must be an illusion of the eldercare backers. It makes one wonder if they've had much experience with insurance company redtape and reluctance.) One wonders what the voluntary policies would cost those able and stubborn enough to pay for themselves, if there were no standardization of fees; might not the companies boggle a bit, eventually, about paying varying charges computed by individual providers of medical services?

THE BENEFICIARIES

At any rate, supposing no one chiseled enough to cause an awkwardness between insurers and practitioners (I suppose they'd be referred to as beneficiaries), eldercare would provide this improvement over the status quo in American medicine; no medical or health service would ever have to be performed for the elderly for nothing; the indigent would have their way paid by the State and Federal taxpayers. Doctors might actually find it hard to indulge a yen for public service, should they be so inclined, without embarrassing their brethern of the scalpel. It could be necessary to write into the law provisions to protect ordinary doctors from the acts of such silly Don Quixotes of the little black bag.

RECOMMENDATION FOR IMMEDIATE ADDITIONAL USER TAXES ON HEAVY TRUCKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TUNNEY. Mr. Speaker, as you know, the President in his excise and fuel taxes message of May 17 recommended immediate additional user taxes on heavy trucks. Specifically he proposed "that the tax on tread rubber, largely affecting heavy trucks, be increased from 5 to 10 cents per pound."

He then went on to say:

> The Bureau of Public Roads has carefully allocated cost responsibilities among the various classes of highway users. The Bureau's studies clearly show that heavy trucks are not paying fully for the additional cost of heavier pavement and other design features to carry them.

The President then declared that his proposals would "achieve a fairer sharing of costs among the users of the highways." Now I am certain we all agree with President Johnson that it is important that we make highway users share in cost of highway construction and maintenance, and if the Bureau of Public Roads can come up with an equitable means of doing so, I, for one, will support it. But I submit to you that doubling the excise tax on tread rubber will not solve the problem of fairly allocating the cost burden among highway users. It will, however, almost assuredly aggravate many of the ills that made necessary this year's reduction of other excise taxes.

This increase would not shift the cost burden in a more equitable direction for several reasons. Because the Bureau of Public Roads seems to be primarily concerned with the trucker, I will examine his case first. The new tax would fall heavily on the trucker—he would be forced to pay around $3 in tax per truck retread. Chances are that the economy-minded truckowner would sacrifice the quality of the retread for the less oppressive price of a cheaper grade new tire. If the truckers do take the option open to them and buy the lower grade new tires, what will we have gained by increasing the tax on tread rubber? It is ironic, is it not, that the administration's proposal in regard to the tax on tread rubber could be responsible for an upsurge in the sales and popularity of the cheap new tires which it has been opposing.

If this proposed increase affected only truckers, I could stop right here; but, as that is not the case, I shall continue. We are not being asked to double the excise tax on tread rubber used to retread truck tires. We are being asked to double the tax on all tread rubber including that used to retread passenger tires. The car owners who buy 36 million of these passenger retreads every year are obviously going to be affected by an increase in the excise tax. They may very well accuse us of trying to rob Peter to pay Paul when they realize that we have reduced the excise tax on new cars only to double the tax on retreads. If we look closely at these two pieces of legislation, we will see that the excise tax on tread rubber is just as oppressive as the tax on new automobiles. Ask yourself—who can most afford to pay the additional cost of excise taxes? The person buying a new car or the person buying retreaded tires? The car owner can be expected to meet the challenge in the same way the trucker will meet it—by switching his allegiance to cheaper grade new tires.

Now we turn to the real victim of the proposed increase—the independent retailer. This small businessman has been struggling for years to meet the competition presented by big business and cheap new tires. Barely managing to stay solvent, he plied his trade and was even able to significantly improve the quality of his product. We are now threatening to drive this small retailer out of business, and if we double the excise tax on tread rubber, we will almost certainly do just that. The National Tire Dealers and Retreaders Association are understandably opposing this legislation. Its Dealer News printed the following statistics in the May 24 issue:

> A 10-cent tax on tread rubber would be equal to at least one-third the cost of the raw material used to retread one passenger tire.
>
> An increased tread rubber tax would total between $0.80 and $1 per passenger retread, and around $3 per truck retread.
>
> The new tax would amount to about 10 percent of the selling price of passenger and truck retreads.
>
> Thirty-one percent of all purchasers of passenger retreads have an income under $5,000 and 68 percent have an income under $7,000 annually.

It is at once apparent that the retreader will not be able to absorb this tax increase. When he raises the price of his tire as he will be forced to do, his customers will turn to cheaper tires and he will be forced out of business. Is this how we reward initiative and hard work in our society? If we raise this tax we will be helping to destroy the competitive spirit that has made our country what it is today. As the retreaders close up shop, big business will be free to take over one more segment of our economy. We must ask ourselves if the additional revenue gained by increasing this tax is worth what it will cost. I do not believe that it is and am therefore opposing prospective legislation that would serve to increase the excise tax on tread rubber by twice its present amount.

THE MARCH OF TRUTH

The SPEAKER pro tempore (Mr. Farnum). Under previous order of the House the gentleman from California [Mr. Cohelan] is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, on June 30, the very able Secretary of Labor, W. Willard Wirtz, delivered a major address on farm labor before the Los Angeles Town Hall.

In the course of his excellent statement, Secretary Wirtz emphasized a number of the points which I made in my remarks to the House on June 28: that the substantial reduction in foreign workers has resulted in greatly enlarged opportunities for domestic farmworkers and for high school and college students; that millions of dollars which once left the country each year are now being spent in the United States, and with multiplier effects; that there have been some temporary labor supply problems, but no serious shortages; and that in most crops growers are experiencing a larger-than-normal gross and higher net profits per acre.

The Secretary clearly and correctly pointed out:

> The encouraging lesson of the year is that the laws of economics, of supply and demand, supplemented by special recruiting efforts, do work in the agricultural industry just as in any other. Workers are available if the prices and conditions are right.

Mr. Speaker, I believe that all who are concerned with developing a sound farm labor recruitment program and a stable farm labor force will find that Secretary Wirtz has offered a number of important and constructive suggestions. I commend his remarks as another step forward in improving the lot of America's neglected and forgotten people:

The March of Truth

(Address by Secretary of Labor W. Willard Wirtz before the Town Hall, Los Angeles, Calif., June 30, 1965)

My first visit to Town Hall was in 1952 when I came here with the speaker of the day, a candidate at the time for the national Presidency. Those of you who are veterans of this distinguished forum may recall that he opened his remarks by referring to a still earlier speech made here in 1942 by Secretary of the Navy Frank Knox. The 1952 speaker, explaining that he had been working, 10 years before, in Secretary Knox's office, advised you that his would be a better speech than the Secretary's had been. He should know, he said, because he had written both of them.

Today, it is once more the Cabinet's turn. But I must warn you that my speech will not measure up to the one you heard here during the 1952 campaign; and I should know, for I wrote both of them.

You will question the good judgment of my coming here to discuss the California farm labor situation. So do I. Having walked last March through the Central and Imperial Valleys of the shadow of disaster, and having developed cauliflower telephone ears and protective callouses of one sort or another fighting this issue out in Washington, I can only think, in explanation of coming here now, of Washington Irving's advice: "I have found," he said, "in traveling in a stagecoach, that it is often a comfort to shift one's position and be bruised in a new place."

Perhaps, too, Mr. Murphy is right—accidently—in his perceptive observation, applying the accumulated wisdoms of years in the theater to California agriculture, that—as he puts it: "people are never so happy as when you tell them they are ruined." I refer, of course, to the 18th century British actor and playwright, Arthur Murphy.

Enough of that. If anything said here this noon seems personal, it will not have been so intended; with two exceptions:

I want to thank the members of the California working press for the fairness and the competence with which they have covered this developing story during the past 6 months. If there has been a predominantly critical position taken by the editorial writers, that is what the editorial pages are for; and I suspect the Republic is safer whenever the power of the press is alined against the power of government.

It is also appropriate to mention, in personal terms, the three Californians who have served so faithfully and independently on the California Farm Labor Advisory Panel—Benjamin Aaron, Daniel Aldrich, and Arthur Ross. Facing a seemingly impossible job, it has been part of their strength that they had absolutely no idea it couldn't be done—so they have done it.

The present situation can best be summarized briefly, with the thought of getting on quickly to what lies ahead.

At this time last year there were 36,300 foreign nationals working on California farms, under the terms of Public Laws 78 and 414. Today there are 1,964.

In the country as a whole, there were, on June 30, 1964, 65,218 such foreign farmworkers. Today there are 2,587.

By this time last year, Mexican nationals who had come in under Public Law 78 were working in 13 States. This year, none have been used in any State except California.

There are today Public Law 414 foreign farmworkers in only two other States: 452 British West Indies nationals in Connecticut, and 171 in Massachusetts.

I want to interject here a heartfelt expression of appreciation and admiration for the position taken throughout this transition period by the Government of Mexico. Its representatives have cooperated in every way and sometimes under very difficult circumstances. I hope and believe that when this changeover is completed it will prove to have resulted in the removal of weaknesses—in long range terms—in both Mexico's labor use and our own.

The rest of this year's story, so far, is one of very substantially increased use in California and U.S. agriculture of domestic workers; of greatly enlarged work opportunities this summer for high school and college students; of millions of dollars staying in this country, and being spent here to create still other jobs; of some temporary crises in labor supply situations, but no serious shortages; of some small crop losses, responsibility for which a more objective judge would have to assess to growers, governments, or God; of a significant increase in worker earnings, and better working and living conditions; of larger than normal gross and net profits per acre this year on most crops.

A special word is appropriate about prices, for it appears now that one of the still unresolved aspects of this changeover is what kind of bill is going to be presented for it to the consumers of fruits and vegetables.

It would be futile to argue about whether increases in farm labor costs resulting from increased wages and improved working conditions could be absorbed out of profits. They won't be.

Neither is it possible to suggest any precise price tag which could be considered legitimate, so far as consumer prices are concerned, for bringing the terms and conditions of seasonal farm labor in this country up to generally established standards of equity and decency. Time will have to work out this answer, with confident reliance in the long run on the proven good sense of the American housewife.

In the shorter run, however, there is already evidence of the possibility of exploitation of this situation, and of attempts to blame on changed labor policy price increases for which there are other reasons—or none at all.

Lettuce prices went up recently in east coast grocery stores to 49 cents or about 20 cents above normal. The reasons for this, which included a temporary shortage of lettuce because of the effects of weather on the various growing areas, became evident when the price dropped back to normal 2 or 3 weeks later.

In the meantime, however, there was a widespread and obviously planned program of propaganda designed to persuade people that the increase was because of a labor shortage and higher labor prices resulting from the cutting off of the bracero program. The 20 cent increase, it was implied, was going into the domestic worker's pocket.

My first reaction was to think of one of President Johnson's favorite stories, about the minister who was approached by an Internal Revenue agent and told that one of the church elders had reported, for tax purposes, that he had contributed $500 to the church. "Has he?" the agent asked. "I don't know," the minister answered slowly, "but I can tell you this: If he hasn't, he will."

The facts never catch up with a lie. The facts are that the field laborers got, this spring, 1 to 1½ cents per head for picking lettuce; that every lettuce grower in the country has had at all times this year all of the labor he could use; and that the harvest has been—except for those 2 or 3 weeks—above normal.

In general, prices this year for fruits and vegetables have not risen or fluctuated any more for crops which braceros used to pick than they have for other food prices.

If there should be any more of this tampering with the truth about fruit and vegetable prices, or evidence that prices are being raised unduly, the public is going to be fully and quickly advised. It has a right to know.

In the meantime, I suggest this as a guide to the purchasers of fruit and vegetables: The cost of bringing seasonal agricultural wages up to the $1.25 to $1.40 an hour level is equal to, in very rough terms, about 1 cent per unit for most vegetables and fruits—per pound or per dozen or per head or whatever the ordinary unit may be. (This is higher in the case of strawberries—about 6 cents a pint—and asparagus—about 4 cents per pound.) If retail prices go up more than that and if the increase is blamed on rising labor costs in the fields, the American housewife is being denied her right to have the truth.

Now of the future of the farm labor situation.

So far as California is concerned, there will have to be unrelenting attention to the labor supply situation throughout the next 4 months.

The prospects right now are good; but that could be as deceptive as April's more forbidding prospects proved to be.

July and August should present no serious problems. We are more dependent than usual on the high school and college boys who have gone into the fields. There are 10,000 more of them this year than last. This will be a tough summer for some of them, with its full rewards coming in the future. The evidence is clear, however, that they are proving themselves as responsible citizens and good workers. The A-team and other similar programs are experiments in both economics and democracy, and we have a great deal riding on them.

September will bring the special demands of the tomato harvest. California's total seasonal farm labor needs jumped last year from 129,200 in August to 160,800 in September. Over 27,000 more braceros were here in September than in August.

The tomato growers and canners and the other producers with September and October harvests acted with confidence in putting aside their doubts at planting time about the harvest labor supply. They have given full evidence of good faith assumption of primary responsibility for obtaining that supply, to the maximum possible extent from domestic sources. There will be full cooperation from State and Federal employment agencies and from the various private groups who have been so helpful. Watchful attention will be paid the developing situation to assure, so far as this is possible, that if supplementary labor is needed, despite maximum efforts, it will be available.

What is most worth thinking and talking about is the longer range future of this situation.

This year's assignment was to make the transition from foreign to domestic workers. This was and it remains a major operation: not because of the different nationality of the workers or their alleged propensities for stooping over to work (especially in those date palm trees in the Coachella Valley); but because what was involved here was a basic changeover from a situation of a virtually government guaranteed—and relatively fixed cost—seasonal farm labor supply to a situation in which labor has to be obtained in this industry the same way it is in all others.

The encouraging lesson of the year is that the laws of economics, of supply and demand, supplemented by special recruitment efforts, do work in the agricultural industry just as in any other. Workers are available if the prices and conditions are right.

But this is only the start of it. Using domestic instead of foreign workers isn't the point or anything like the ultimate purpose. What is the goal is to develop an agricultural labor situation which will serve all the interests of the growers, the workers, and the public.

The title of these remarks today reflects the deep conviction that this broader goal is now attainable, that where once the grapes of wrath were stored, the truth—His truth—is now marching on.

But even the truth needs a battle plan if it is to carry the day—or the decade.

I suggest a three-point approach to the migratory, or seasonal, farm labor problem. It proceeds from moral commitment, without stopping to moralize about what is obvious, to what I think are the essential economic and political dynamics of the matter.

First, agricultural employment must be recognized—departing from some stubborn myths—as being essentially like other kinds of employment.

Every industry is different from every other industry. But there are basic similarities, and the time for denying this as far as agriculture is concerned is passed. There may have been sounder reasons in some earlier period for the arguments that agriculture deserves, for some unidentified reason, a Government-guaranteed foreign labor supply—that normal personnel policies don't apply here—that the farm produce market won't support fair wages—that farm employment must be excluded from the coverage of laws regarding employment generally. But if there were once good reasons for these attitudes, they are now covered deep with history's dust.

So far as the specific matter of the labor laws are concerned, the exemptions of farm labor are undoubtedly an achronistic carryover from the period of disproportionate political influence by rural voters, especially propertied voters. The national acceptance of the principle of one-man-one-vote foretells the end of the exclusion of agricultural employment from the coverage of State and Federal laws regarding minimum wages, health and sanitation, unemployment insurance, workmen's compensation, and collective bargaining.

If this means readjustments in the prices of food, it must be the national consensus—if it matches the national conscience—that the price will be paid. Farm machinery is paid for at rates comparable to those for factory machinery. So should farmworkers be paid at comparable rates, and accorded comparable working conditions.

It will be suggested that agricultural employment is different because it is so largely seasonal. So are a great many other industries. And this is no reason for charging the price of this to those who harvest, or hoe, the crops.

My second point is that a great deal can and must be done to develop substantially year-round employment opportunity for agricultural workers. Until this is done, efforts to bring decency into the lives of these laborers and their families, and stability into the farm labor supply situation, will be essentially futile.

A very substantial part, perhaps as much as half, of the unemployment problem in this country involves seasonal or part-time work. A good many different kinds of labor demand are for services during only part of the year, or part of the week, or even part of the day. There is this in common between migratory farmworkers, domestic day help in large cities, building and construction trades workers, maritime workers, musicians, and other seemingly unrelated groups. Each of these situations involves the fact of a person's being needed only part of the time. Each of them has presented special unemployment and wage-rate problems. Some of them have been worked out reasonably satisfactorily; I think, for example, of the decasualization of longshore employment. Others—including seasonal farmwork—have not been.

What starts out as a private and economic difficulty becomes also a public and social problem. An employer needs a man for 7 months, but cannot use him the other 5. He pays him what may be a fair hourly rate. But the man's annual earnings leave him below the level of self-sufficiency, especially if he heads a family. So he pays no taxes and he and his family may become part of the local welfare burden. The children must go to the local schools.

Frankness compels recognition that the attraction of the bracero program lay not only in the fact that the men were easy to get but in the additional facts that they came without their families and could be sent away as quickly as they had been called. The farm communities shared, understandably, the growers' preferences.

These problems are not easily met. Yet not to meet them would mean that the termination of Public Law 78 was at best a pyrrhic victory and at worst a tragic half step across a deep chasm.

It is essential to develop year-round work opportunities for all those who are needed to farm the Nation's produce. This can be done either by working out year-round work programs for workers who will follow the crops, or by developing industry in the farm areas which will occupy off season the men and women who will come to the fields when the local crops need help.

There is increasing evidence of both developments.

A few individual, but unusually large, growers have already developed plans for moving their workers, with the seasons, to their farms in different geographical and climatic areas.

There is enough variation in the crop seasons in California that the growers could well consider an organization of their efforts which would result in the more efficient movement of workers from one area to another. There are obvious possibilities of expansion of the State government's labor and employment services in this connection.

The opportunities for national development—either private or, if need be, public—of year-round farm employment programs for individual workers have been explored so far in only a timid, tentative way. A little has been done by some of the private, not-for-profit organizations who are concerned principally with reducing the human misery of migratory labor. The annual worker plan developed by the Department of Labor through its Bureau of Employment Security is on the right track but hasn't a full head of steam up yet. We work each year with hundreds of growers and with now almost 200,000 workers, matching together the needs of growers in various States and the movement of migrant workers. The results are encouraging but still meager compared with the need.

Perhaps it only illustrates the possibilities, and lacks practicality, to conjecture about whether it would work at all to set up a large scale national employing corporation which would hire farmworkers, arrange for their transportation (with their families) from one area to another, and for their housing; and then contract with growers to supply their services. Yet this is, at least in part, what the small scale labor contractor does—often very badly. And such an operation would be not unlike, either in nature or scope, what was done under Public Law 78 with Mexican workers.

The better way, though, to whatever extent it is practical, would be to remove the migratory element as largely as possible from the picture. This, more than anything else, perpetuates the worse human frailties of the migrant population, for it deprives their children of the roots they need to put down some place if they are to grow properly. Surely it is a proper charge on any community which depends upon having workers there part of the year to try to develop industries which could use them the rest of the year.

This second point obviously proceeds from a recognition of the importance not only of the American farmworker but from the importance of his family. It will be a test of the sincerity of our intentions whether, as we move back to the fuller use of domestic farm laborers, we make provision for the decent living of their families. The first order of business must be the development of family housing adequate to meet the needs of farmworkers who want to live, as the rest of us do, where there is at least love and human affection.

Third, and finally, there must be a more effective mobilization of public opinion regarding the farm labor situation.

Books and television documentaries won't do this job. John Steinbeck's barely fictionalized "Grapes of Wrath" and Edward R. Murrow's "Harvest of Shame" pricked the Nation's conscience. But it went back to sleep. The people who read and watched developed a strong feeling about an obviously serious moral issue, but no idea of what to do about it. The lesson of experience is plain: that so long as the migratory labor problem is conceived of primarily in moral terms not much, not nearly enough, will be done about it.

Perhaps there is encouragement in the ending of the bracero program.

It has been noted in the California press that: "The departure of these people will imply a new domestic policy for many of the farmers and fruit raisers of this State. They have depended mainly on the foreign workers, who readily move, like armies, come when called for, and depart when their mission is accomplished. Farmers must now look to a normal population * * *. The change should not be viewed as a calamity. It may be inconvenient at first, but after a few years no doubt the places now held by the foreign workers will be filled by a more desirable laboring population."

But this comment appeared in the Pacific Rural Press. The foreign workers referred to were Chinese, soon to be barred under the Chinese Exclusion Act. The date was 1882.

There is reasonable basis, nevertheless, for the conviction that despite the sobering lesson of history, the public will express itself this time in signficant action.

The adoption of the Civil Rights Act of 1964 reflected a new determination to write the dictates of individual consciences into the laws of the Nation. The declaration of a national war on poverty, and the almost unbelievable advances which have already been made on that front, mark the adoption of the Golden Rule as not just a personal but a national ethic. America's ideals are finding their muscles, and their hands and their feet.

The farm labor problem will not, however, be resolved in Washington. To the extent that this problem—like almost everything else—is largest in California, it is vastly important that Californians take a great and increasing pride in this State. My mail has reflected in unmistakable terms the fact that the agricultural labor situation has chronically troubled California consciences. A recent letter from a businessman in an agricultural community reported a common local concern that the publicly owned farm labor camps, which were built in the thirties to get the migrant workers off the ditch banks have been permitted to deteriorate so badly that they are themselves a problem.

This sentiment needs a catalyst. It must come from local and State leadership. I don't presume to suggest its particular form. I am asking the members of the California Farm Labor Panel, set up to advise me in connection with the administration of Public Law 414, to turn their attention to the broader aspects of this matter and to make whatever suggestions are appropriate regarding possible future cooperation on the part of the Department of Labor.

I note, in conclusion, what seems to me the central element in the development of an effective public opinion regarding farm labor or any other matter.

There are two views of man's role in the determination of his own future. One is summarized in the phrase "the inevitability of progress." That is a horrible phrase. It deadens the purpose to even try to make things better. It includes the attitude that there is nothing an individual can do about something like the disgrace, the human disaster, of migratory farmworkers living below the surface of decency.

Another, very different view, was suggested by Mr. Justice Holmes in his essays, published in 1915, entitled "Ideas and Doubts":

"The mode in which the inevitable comes to pass is through effort. Consciously or unconsciously we all strive to make the kind of world we like. And although with Spinoza we may regard criticism of the past as futile, there is every reason for doing all that we can to make a future such as we desire. There is every reason also for trying to make our desires intelligent."

This is the view which commends itself to those who prefer to believe that the perfectability of life is within the human competence, and that this is not heresy but rather the fullest reverence. It is the view which finds the present farm labor situation man's fault, and therefore within man's capacity to cure.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PUCINSKI (at the request of Mr. ALBERT), for today, on account of illness in the family.

Mr. DON H. CLAUSEN (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business as a member of the House Committee on Public Works inspecting the Colorado-Kansas flood area.

Mr. MCEWEN (at the request of Mr. GERALD R. FORD), for today and tomorrow, on account of official business as a member of the House Committee on Public Works inspecting the Colorado-Kansas flood area.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GOODELL (at the request of Mr. RUMSFELD), today, for 30 miuntes; to revise and extend his remarks and to include extraneous matter.

Mr. CAHILL (at the request of Mr. RUMSFELD), on Wednesday, for 1 hour; to revise and extend his remarks and to include extraneous matter.

Mr. BURTON of Utah (at the request of Mr. RUMSFELD), today, for 10 minutes, to revise and extend his remarks and to include extraneous matter.

Mr. BATTIN (at the request of Mr. RUMSFELD), today, for 15 minutes, to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. JOHNSON of Oklahoma) to revise and extend their remarks and to include extraneous matter:)

Mr. COHELAN, for 5 minutes, today.

Mr. HUNGATE, for 20 minutes, on July 14.

Mr. WOLFF, for 30 minutes, on July 14.

Mr. WELTNER, for 30 minutes, on July 15.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. RUMSFELD) and to include extraneous matter:)

Mr. FINDLEY.

Mr. FRELINGHUYSEN.

Mr. MCCLORY.

Mr. QUIE.

(The following Members (at the request of Mr. JOHNSON of Oklahoma) and to include extraneous matter:)

Mr. WOLFF.

Mr. KEE.

Mr. DORN.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 9497. An act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966.

ADJOURNMENT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 13, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1324. A communication from the President of the United States, transmitting a report on the Passamaquoddy-St. John River Basin power development, together with a recommendation for the immediate authorization of the Dickey-Lincoln School project on the St. John River (H. Doc. No. 236); to the Committee on Public Works and ordered printed with illustrations.

1325. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of property acquisitions of emergency supplies and equipment by the Office of Civil Defense, for the quarter ending June 30, 1965, pursuant to subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1326. A letter from the Assistant Secretary, Export-Import Bank of Washington, transmitting a report of the issuance of a guarantee by the Export-Import Bank of Washington to Yugoslavia, pursuant to title III of the Foreign Assistance and Related Agencies Appropriation Act of 1965, and to the presidential determination of February 4, 1964; to the Committee on Foreign Affairs.

1327. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation to amend section 308(a) of the Federal Aviation Act as it relates to the grant of exclusive rights at airports; to the Committee on Interstate and Foreign Commerce.

1328. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide penalties for the use of the interstate route marker for commercial purposes; to the Committee on the Judiciary.

1329. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports of visa petitions approved, pursuant to section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. Report on proposed closing of Public Health Service hospitals (Rept. No. 610). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. CEDERBERG:

H.R. 9760. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 9761. A bill to authorize a study of methods of helping to provide disaster insurance coverage and other financial assistance to victims of future natural disasters; to the Committee on Banking and Currency.

By Mr. FARBSTEIN:

H.R. 9762. A bill to amend the Atomic Energy Act of 1954 to promote the public health and safety; to the Joint Committee on Atomic Energy.

H.R. 9763. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 9764. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. HATHAWAY:

H.R. 9765. A bill to authorize a flood control project on the Upper St. John River, and for other purposes; to the Committee on Public Works.

By Mr. HOLLAND:

H.R. 9766. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. KEE:

H.R. 9767. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, optometry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools for other health professions, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KUNKEL:

H.R. 9768. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. McCLORY:

H.R. 9769. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education (with a refund in the form of a redeemable certificate in cases where the credit exceeds the tax liability); to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 9770. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. PERKINS:

H.R. 9771. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. SCHISLER:

H.R. 9772. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 9773. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. TUNNEY:

H.R. 9774. A bill to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land; to the Committee on Interior and Insular Affairs.

By Mr. TUPPER:

H.R. 9775. A bill to authorize a flood control project on the Upper St. John River, and for other purposes; to the Committee on Public Works.

By Mr. VIGORITO:

H.R. 9776. A bill to prohibit certain practices creating artificial shortages in the supply of coins of the United States; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 9777. A bill to provide for the expansion of the existing training facilities of the Federal Bureau of Investigation at Quantico, Va.; to the Committee on Public Works.

By Mr. WILLIS:

H.R. 9778. A bill to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 9779. A bill to extend the provisions of title XIII of the Federal Aviation Act of 1958, relating to war risk insurance; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 9780. A bill to amend section 535 of the Internal Revenue Code of 1954 to increase the accumulated earnings credit; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 9781. A bill to amend section 3 of the John F. Kennedy Center Act to provide for relocation payments to certain displaced persons, business concerns, and nonprofit organizations; to the Committee on Public Works.

By Mr. ST. ONGE:

H.R. 9782. A bill to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. VIVIAN:

H.R. 9783. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. CHARLES H. WILSON:

H.R. 9784. A bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. DYAL:

H. Res. 454. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 9785. A bill for the relief of Anna Krzywoszyja and minor child, Jolanta Krzywoszyja; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 9786. A bill for the relief of Elton P. Johnson; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 9787. A bill for the relief of Lt. Col. Lawrence F. Bachman, U.S. Air Force; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 9788. A bill for the relief of Nikola Sudar; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 9789. A bill for the relief of Miss Maria Concetta Strano; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 9790. A bill for the relief of Dr. Alexander D. Cross; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 9791. A bill for the relief of Annunciata Di Carluccio; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 9792. A bill to authorize the Administrator of General Services to donate certain surplus property to the Summer Institute of Linguistics; to the Committee on Government Operations.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

243. By the SPEAKER: Petition of Henry Stoner, Fishing Bridge Station, Wyo., relative to providing special work camps for certain youths involved in mass vandalism; to the Committee on Education and Labor.

244. Also, petition of Massachusetts Rural Letter Carriers' Association, Webster, Mass., relative to certain vehicles used for rural route delivery of mail; to the Committee on Post Office and Civil Service.

* * *

SENATE

Monday, July 12, 1965

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all truth and grace: In the midst of false lights which in these uncertain times in our confused generation are, by their deceptive glare, leading so many to the quagmires of despair, in Thy light we would see light. Only thus we shall keep sight of the perfect righteousness which we struggle so imperfectly to attain. On the heights of prayer, beyond our shortsighted, self-centered conceptions, grant us at the week's beginning an enlarging vision of Thy benevolent purpose for all mankind. Faced with the frustrations and failures that mark and mar our records, we pray that beyond our frailties Thou wilt strengthen the faith and hope that alone anchor us to Thee. Make us persons of brotherly love in an unbrotherly world; in seeing the faults of others, make us as forgiving as we would be forgiven.

In all our striving to defend the truth as others desecrate its sanctions, preserve in us the grace of constant self-criticism, so that what was the living faith of the dead may not become the dead faith of the living.

We ask it in the spirit of the Master. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 9, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on July 9, 1965, the President had approved and signed the act (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes.

ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. Mansfield, and by unanimous consent, the call of the legislative calendar under rule VIII was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Dirksen, and by unanimous consent, the Committee on Public Works was authorized to meet during the session of the Senate today.

On request of Mr. Mansfield, and by unanimous consent, the Committee on the Judiciary was authorized to meet during the session of the Senate today.

On request of Mr. Monroney, and by unanimous consent, the Subcommittee on Labor of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

Report on Passamaquoddy-St. John River Basin Power Development (H. Doc. No. 236)

A communication from the President of the United States, transmitting, for the information of the Senate, reports on the Passamaquoddy tidal power project and the Upper

St. John River hydroelectric development (with an accompanying document); to the Committee on Public Works.

AMENDMENT OF INTERNATIONAL WHEAT AGREEMENT ACT OF 1949, AS AMENDED

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 2 of the International Wheat Agreement Act of 1949, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

PLANS FOR WORK OF IMPROVEMENT IN CERTAIN STATES

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement in the States of Florida, Iowa, Kansas, Mississippi, Nebraska, South Carolina, and Virginia (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT ON APPROVAL OF LOAN BY RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Administrator, Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, the approval of a loan by that Administration to the Western Farmers Electric Cooperative of Anadarko, Okla., to finance certain generation and transmission facilities (with an accompanying paper); to the Committee on Appropriations.

REPORT ON GUARANTEE ON ESTABLISHMENT OF A U.S. COMMERCIAL BANK CREDIT BY EXPORT-IMPORT BANK OF WASHINGTON

A letter from the Assistant Secretary, Export-Import Bank of Washington, reporting, pursuant to law, that that Bank has issued a guarantee in connection with the establishment by a U.S. commercial bank of a credit to be utilized in financing the export of U.S. machinery, equipment, materials, and services required for the expansion of aluminum rolling mill facilities in Yugoslavia; to the Committee on Appropriations.

AMENDMENT OF TITLES 10 AND 37, UNITED STATES CODE, TO CODIFY RECENT MILITARY LAW, AND IMPROVE THE CODE

A letter from the Acting General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the code (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF FEDERAL DEPOSIT INSURANCE CORPORATION

A letter from the Chairman, Federal Deposit Insurance Corporation, Washington, D.C., transmitting, pursuant to law, a report of that Corporation for the calendar year 1964 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON RELATIVE COST OF SHIPBUILDING IN THE VARIOUS COASTAL DISTRICTS OF THE UNITED STATES

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the relative cost of shipbuilding in the various coastal districts of the United States (with an accompanying paper); to the Committee on Commerce.

AMENDMENT OF FEDERAL POWER ACT

A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to amend the Federal Power Act (with accompanying papers); to the Committee on Commerce.

INEFFECTIVE UTILIZATION OF EXCESS PERSONAL PROPERTY IN FOREIGN ASSISTANCE PROGRAM

A letter from the Director (Congressional Liaison), Agency for International Development, Department of State, transmitting to Agency's reply to the Comptroller General on ineffective utilization of excess personal property in the foreign assistance program, dated April 12, 1965 (with an accompanying paper); to the Committee on Government Operations.

DETERMINATIONS RELATING TO CONSTRUCTION PAYMENTS DUE FROM THE ANGOSTURA IRRIGATION DISTRICT, ANGOSTURA UNIT, MISSOURI RIVER BASIN PROJECT, SOUTH DAKOTA

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on determinations relating to construction payments due the United States from the Angostura Irrigation District, Angostura unit, Missouri River Basin project, South Dakota, in the years 1966 and 1967; to the Committee on Interior and Insular Affairs.

PENALTIES FOR USE OF INTERSTATE ROUTE MARKER FOR COMMERCIAL PURPOSES

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide penalties for the use of the interstate route marker for commercial purposes (with an accompanying paper); to the Committee on the Judiciary.

LT. COL. LAWRENCE F. BACHMAN

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Lt. Col. Lawrence F. Bachman, U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF CLAIM PAID BY RAILROAD RETIREMENT BOARD

A letter from the Chairman, Railroad Retirement Board, reporting, pursuant to law, on the settlement of a claim against that Board in the sum of $73.50; to the Committee on Labor and Public Welfare.

REPORT ON AIR POLLUTION

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on air pollution caused by motor vehicles and measures taken toward its alleviation (with an accompanying report); to the Committee on Public Works.

PLANS FOR WORKS OF IMPROVEMENT IN CERTAIN STATES

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, on plans for works of improvement in the States of Arkansas, Maine, Mississippi, Mississippi and Tennessee, Missouri, North Carolina and Virginia, Oklahoma, and Utah (with accompanying papers); to the Committee on Public Works.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. McNAMARA, from the Committee on Public works:

Brig. Gen. Ellis E. Wilhoyt, Jr., Corps of Engineers, to be a member of the California Debris Commission.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (by request):

S. 2274. A bill to amend section 510(a)(1) of the Merchant Marine Act, 1936; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 2275. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 2276. A bill for the relief of Veljko Stanisic; and

S. 2277. A bill for the relief of Veselin Vucinic; to the Committee on the Judiciary.

(See the remarks of Mr. Morse when he introduced the above bills, which appear under a separate heading.)

By Mr. ROBERTSON:

S.J. Res. 96. Joint resolution to establish an Advisory Commission on Health Research Activities; to the Committee on Government Operations.

(See the remarks of Mr. Robertson when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

COMMISSION FOR A STRONGER ATLANTIC UNION

Mr. CHURCH submitted a resolution (S. Res. 128) to provide for the establishment of a Commission for a Stronger Atlantic Union, which was referred to the Committee on Foreign Relations.

(See the remarks of Mr. Church when he submitted the above resolution which appear under a separate heading.)

TO PRINT AS A SENATE DOCUMENT A STUDY ENTITLED "U.S. INTERNATIONAL SPACE PROGRAM WITH TEXTS OF EXECUTIVE AGREEMENTS, MEMORANDUMS OF UNDERSTANDING, AND OTHER INTERNATIONAL ARRANGEMENTS, 1959–65"

Mr. ANDERSON submitted a resolution (S. Res. 129) to print as a Senate document a study entitled "U.S. International Space Program With Texts of Executive Agreements, Memorandums of Understanding, and Other International Arrangements, 1959–65"; which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Anderson, which appears under a separate heading.)

AMENDMENT OF SECTION 510(a)(1) OF THE MERCHANT MARINE ACT, 1936

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 510(a)(1) of the Merchant Marine Act, 1936. I ask unanimous consent that the letter from the Secretary of Commerce, requesting the proposed legislation, together with a statement of purpose, and a comparative text, be printed in the Record.

The PRESIDING OFFICER (Mr. Bass in the chair). The bill will be received and appropriately referred; and, without objection, the letter, statement of purpose, and comparative text, will be printed in the Record.

The bill (S. 2274) to amend section 510(a)(1) of the Merchant Marine Act, 1936, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, statement of purpose, and comparative text, presented by Mr. Magnuson, are as follows:

The Secretary of Commerce,
Washington, D.C., June 24, 1965.

Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate, Washington, D.C.

Dear Mr. President: There are submitted herewith four copies of a draft bill "to amend section 510(a)(1) of the Merchant Marine Act, 1936." The purposes and provisions of the draft bill are explained in the accompanying statement.

The Bureau of the Budget advises there is no objection to the submission of this proposed legislation to the Congress from the standpoint of the administration's program.

Sincerely yours,

John T. Connor,
Secretary of Commerce.

Statement of the Purposes and Provisions of the Draft Bill To Amend Section 510(a)(1) of the Merchant Marine Act, 1936

When section 510 of the Merchant Marine Act, 1936, was enacted it defined an "obsolete vessel" for the purposes of the trade-in provisions of that section as a vessel which—

(a) Is not of less than 1,350 gross tons;

(b) Is not less than 17 years old and, in the judgment of the Commission (now the Secretary of Commerce) is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States; and

(c) Is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least 3 years immediately prior to the date of acquisition under the section.

In 1952, however, a proviso was added to this definition which provided that until June 30, 1958, the term "obsolete vessel" shall mean a vessel which—

(a) Is of not less than 1,350 gross tons;

(b) Is not less than 12 years old; and

(c) Is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least 3 years immediately prior to the date of acquisition under this section.

This proviso was extended by subsequent legislation to June 30, 1964, at which time it expired.

The difference between the original definition and the proviso is in subdivision (b) of both of them. Subdivision (b) of the original definition requires that the vessel to be trade-in be not less than 17 years old and in the judgment of the Secretary obsolete or inadequate for sucessful operation in the domestic or foreign trade of the United States. Subdivision (b) of the proviso merely required that the vessel be not less than 12 years old.

The reason for enactment of the proviso was to permit an orderly replacement program for war-built ships all of which were built between 1941 and 1946 and would reach the end of their statuatory 20 year lives between 1961 and 1966. The purpose was to avoid such block obsolescence by permitting the trade-in of some of these vessels before they become 20 years of age and some after they reach that age.

For that reason the minimum age required for trade-in by the proviso was 12 years and there was no requirement for a finding that the trade-in ship is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States.

Upon expiration of the proviso on June 30, 1964, the original definition again became applicable. The 17-year minimum age is not a problem, because all of the war-built ships were at least 17 years old on the date the proviso expired. The required finding, however, is not clearly consistent with other actions which the Maritime Administration must take in connection with its replacement program.

Under the replacement program for subsidized operators, some of the war-built ships may be operated with the aid of operating-differential subsidy until they are about 30 years of age. Section 605(b) of the act provides that operating-differential subsidy shall not be paid for the operation of vessels built before January 1, 1946, which are more than 20 years old (or for the operation of vessels built after that date which are more than 25 years old) unless the Secretary of Commerce finds that it is to the public interest to do so. A finding that a ship, say a C–3, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States at its age of 17 years is not clearly consistent with a finding that it is to the public interest to pay operating-differential subsidy for the operation of other ships of the same type until they are 30 years of age.

Under the Vessel Exchange Act (section 510(i) of the Merchant Marine Act, 1936) vessels traded-in by subsidized operators are eligible for trade-out to upgrade the unsubsidized fleet. On the basis of current market values, we have recently fixed the value of two C–3s, which are respectively 20 and 21 years old, under the Vessel Exchange Act for trade-in purposes at approximately $850,000 each, and we have five applicants for the trade-out of these ships under that act. These facts likewise are not clearly consistent with a finding that such vessels are obsolete or inadequate for successful operation in the domestic or foreign trade of the United States.

The draft bill would amend section 510 (a)(1) to eliminate this inconsistency by striking out the required finding and substituting therefor a finding that the vessel should be replaced in the public interest. This would relate the required finding to the requirements of the replacement program.

Comparative Text Showing the Changes the Draft Bill To Amend Section 510(a)(1) Would Make in That Section

(Deletions are shown by brackets; new material is shown by italic.)

Sec. 510(a). When used in this section—

(1) The term "obsolete vessel" means a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than seventeen years old and, [in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States] *in the judgment of the Secretary of Commerce, should be replaced in the public interest,* and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder [: *Provided,* That until June 30, 1964, the term "obsolete vessel" shall mean a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than twelve years old, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder].

TRUTH IN LENDING

Mr. DOUGLAS. Mr. President, once again I rise to introduce my bill requiring full disclosure of the costs of personal credit. This bill—the truth in lending bill—is being introduced for the fourth time. I introduced similar legislation in the 86th, 87th, and 88th Congresses. I must admit to some disappointment over the failure thus far of Congress to enact this much needed reform legislation. However, I learned long ago that any essential reform opposed by powerful segments of American industry requires years of intensive effort before it results in a victory for the public interest. And so I console myself with the thought that the original Food and Drug Act of 1907 was passed only after it had met with the most intense opposition from many of the food and drug companies. It was only after public indignation had been fully aroused that the Congress was able to enact even the most modest requirements to insure that foods and drugs marketed were safe and sanitary.

Many years later the truth in securities legislation of the 1930's was passed over the vehement protest of the New York financial community. The president of the New York Stock Exchange, Mr. Whitney, opposed this reform in testimony before the Banking and Currency Committee—the same committee that has been considering the truth in lending bill. Mr. Whitney, as I remember it, predicted that if brokerage houses were required to tell the truth, that is, if they made a full disclosure of the salient facts about the stocks which they offered for sale to the public, the stock market would collapse. Mr. Whitney pleaded, in effect, that the stock market could continue to operate only so long as the gullible could be duped into buying stocks on the basis of misinformation and fraud.

The truth in securities legislation did not wreck the stock market. Instead, it became the salvation of reputable stock brokers and brokerage houses.

These same arguments against the full disclosure of essential information have again come to the surface as we have considered the truth-in-lending bill. Lenders have solemnly and self-righteously warned the Banking and Currency Committee that if we were to pass legislation to require the full disclosure of the costs of consumer credit, the consumer credit industry would be destroyed.

In recent years the Congress has enacted additional laws protecting the consumer, such as the Wool Products Labeling Act of 1939, the Fur Labeling Act of 1951, the Textile Fiber Products Identification Act of 1958, and the Automobile Information Disclosure Act of 1958. But again, most of these laws were passed only after the most bitter controversy and violent opposition of the industry affected. And so, although I am disappointed that the truth-in-lending bill has not yet been enacted, I think that it is appropriate to point out again that all reform measures which protect the public at large and which are opposed by powerful and well financed segments of industry require a number of years before they can be signed into law. I am delighted to say that there are substantial segments of the personal credit industry that do support the truth-in-lending bill. I simply wish that more of the reputable members of the industry, such as the commercial bankers, would join in supporting this kind of reform legislation.

It is unfortunate, however, that powerful segments of the consumer credit industry habitually oppose any legislation to establish ethical standards and protect the honest and efficient competitor in the industry. In spite of this opposition, the principle of truth in lending has been proposed in a number of States and foreign countries and I understand gradual progress is being made. For example, the Canadian Province of Nova Scotia has recently passed an act requiring the finance charge and simple annual rate of interest to be disclosed on all credit transactions. It is ironic that a reform measure first proposed in this country has now been copied and enacted into law in another country, while we here are struggling to gain a foothold here.

I. WHAT THE BILL DOES

Mr. President, the basic purpose of the truth-in-lending bill is to require that anyone who lends money or extends credit must supply the would-be borrower or credit user with two simple but vital facts:

First. A statement of the total finance charge in dollars and cents; and

Second. A statement of the finance charge expressed in terms of a true annual rate on the outstanding unpaid balance of the obligation.

The bill does not attempt to regulate or control the rate of interest or the cost of credit.

The bill would enable the typical consumer to compare the cost of credit from various sources and make an intelligent decision. It would also assist him in deciding whether or not to borrow, pay cash, or save toward the purchase instead.

Suppose, for example, a man wants to borrow $1,500 to finance the purcase of a car. Assume he goes to two lenders and the first states the payments will be $53.40 a month over 36 months while the second quotes payments of $60 over 30 months. Which credit plan is the cheapest? How can the buyer judge between these two lenders?

The truth-in-lending bill would require the lenders to provide the information the buyer needs. The first lender would be required to disclose that monthly payments of $53.40 over 36 months actually amount to a total finance charge of $422.40 at an annual rate of interest of 18.3 percent. The second lender would have to state that the payments he receives of $60 a month over 30 months amount to a total finance charge of $300 at an annual rate of interest of 15.5 percent. Thus the buyer has the information to make an intelligent choice.

We would apply the same conditions to those who sell the use of money as we require from those who sell goods. We expect the seller of breakfast food to at least state the quantity and the price on the package. We expect the butcher to list the price per pound for the meat he sells. We expect the gasoline dealer to disclose the price per gallon he charges for gasoline. We expect food stores to post the price for milk per quart at the retail level. Why should not we expect the lender or credit extender to post his price in a similar fashion?

The price of credit has traditionally been expressed as a true annual rate on the unpaid balance. Most loans on homes have always been expressed in this manner as have interest rates on business transactions. Interest rates on savings accounts in commercial banks are expressed in terms of true annual rates. So are short-term interest rates to businessmen to finance payrolls and the purchase of raw materials. It is only when we turn to the short-term consumer credit field, that we find a departure in the time-honored method of expressing the price of credit. Why should we permit the seller of credit to be less honest with the unwary public than he is with the experienced businessman? Why should not these lenders state the amount of interest they are charging and its price in the form of an annual rate of interest or charge? Who could possibly object to such an elementary prerequisite of fair dealing?

It was with this simple conviction that I introduced the original truth-in-lending bill over 5 years ago.

II

Since that time the Banking and Currency Committee has held extensive public hearings on truth in lending. In the last Congress alone, we heard from 135 witnesses and the record of their testimony runs to more than 1,600 pages. We heard from bankers and bus drivers—from mayors and crane operators. We have listened to numerous tales of interest gouging and shady practices, some of which were truly shocking, even to the most skeptical observers.

Throughout these long and detailed hearings, an endless series of technical objections were raised by those who opposed the bill. As these were disposed of, new ones arose to take their place. The opponents of truth in lending have an infinite capacity for conjuring up mythical situations where they claim the bill might be somewhat difficult to apply.

I am convinced, however, that the real objections to this bill are not technical but practical. First of all, by requiring a simple statement of true annual interest, the law would obviously work to the disadvantage of those who charge an excessively high rate of interest. If we pass this bill, these firms will either have to lower their rates or face a loss of business to their competitors. Up to now, these operators have been able to get by with charging exorbitant rates through confusion and subterfuge. Naturally, they would like to continue this unhappy state of affairs. But why should we continue to subsidize their subterfuge?

Second, many who charge high, but not excessive, rates fear a loss of good will when their customers first realize the interest rate on their debt is not as low as all these years they had been fondly led to believe In effect, these lending institutions are arguing that the Government should maintain their customers in the deceptive style of life to which they have become unwittingly accustomed. Aside from the ethical implications involved in such a proposition, there are economic arguments against continued deception. The overall efficiency of the economy requires that the consumer should know the true cost of credit if he is to make an intelligent decision in the marketplace. It may be that he would prefer to deal elsewhere, pay cash, or save toward the purchase if he realized the true rate of interest.

III. HISTORY OF INTEREST RATES

A study of the history of interest rates will reveal that truth in lending legislation is nothing new. For example, over 37 centuries ago in 1800 B.C., the king of ancient Babylonia decreed that all loans had to be accompanied by a written contract setting forth the terms of the loan. Moreover, if through subterfuge, a higher than legal rate of interest was actually collected, the principal of the loan was forfeited to the borrower.

Mr. President, at the risk of sounding like the archest of reactionaries, I merely want to observe that if the prevention of subterfuge on interest rates was good enough for ancient Babylonia, it is good enough for us.

It should also be pointed out that interest gouging has enjoyed an equally long, if not honorable tradition. In ancient Greece, loan sharks in Athens were known to have charged interest at the rate of 48 percent a month, or 576 percent a year. And in the 15th century, Italian bankers charged the King of France 100 percent interest on a war loan while local merchants were borrowing at only 5 percent. Apparently, the King of France was not considered to be a good credit risk.

During most of the Middle Ages, however, the "just price" doctrine was followed in regard to the loaning of money. An interest rate of more than 6 percent was regarded as usury and this judgment was backed up by the medieval church, which felt that ordinary citizens were at a disadvantage in dealing with sophisticated and worldly money lenders. The church, therefore, established and enforced the 6-percent "just price" doctrine to protect the public interest.

The historical and moral sanctity given to the magic figure of 6 percent survives to this very day and many lenders go to great pains to disguise the fact that they are charging more than 6 percent per year. Of course, the buy now pay later installment plan was unheard of in the Middle Ages, and it would be unrealistic to expect anyone to profitably loan money at 6 percent in many areas of today's consumer credit market. Nevertheless, the reverent attitude accorded the historic 6 percent still survives.

IV. THE GROWTH OF CONSUMER CREDIT

Mr. President, anyone who argues that we need not be concerned about interest rates should review the statistics on consumer credit. At the present time, long-term consumer debt, primarily in the form of home mortgages, amounts to $196 billion while short- and intermediate-term consumer debt is $79 billion, or a total of $275 billion. This is almost the size of the entire national debt.

What is even more startling is the dramatic rise in consumer debt in the last 20 years. Long-term consumer debt has increased 943 percent during that time; short- and intermediate-term consumer debt has increased 1,247 percent, while the national debt has increased by only 18 percent. I sometimes wonder what would happen if we ever actually adopted some of the simple pieties so ardently advanced by many of our conservative colleagues. We often hear, for example, that Government finance is no different from family finance and that the Government should manage its money like the typical American family. Consider the national debt today if the Government had increased its debt at the same rate the American consumer increased his. It would be nearly $3 trillion.

Perhaps the most striking figure of all, however, is the interest paid on consumer debt. The interest payments on long-term consumer debt are conservatively estimated at $10 billion a year, while short- and intermediate-term debts account for at least another $10 billion a year. Thus, the American consumer, with a total debt just under the national debt, is paying at least $20 billion a year in interest, or nearly double the annual interest charge on the national debt. I personally believe that the total is considerably more than this, but I am trying to err on the conservative side.

Thus, by any standard, consumer credit has become big business. In the short- and intermediate-term field alone, most of which includes installment debt, the American consumer is paying at least $10 billion a year in interest and, in my judgment, actually more. This is more than all the sales of the entire natural gas industry. Anything we can do to increase the competition in the growing field of consumer credit, in which there is almost no price competition, can save the American people millions or even billions of dollars a year.

Mr. President, I ask unanimous consent that several tables on the history of consumer, corporate, and Federal debt be included in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

V. THE WONDERLAND OF CREDIT

Mr. DOUGLAS. Mr. President, independent studies as well as the hearings of the Banking and Currency Subcommittee reveal that most consumers do not know what rate of interest they are being charged on an installment purchase or small loan. Most of the blame for this state of affairs lies not in the inherent ignorance of the buyer but in the confusing practices of the seller.

Dr. Theodore O. Yntema, vice president in charge of finance for the Ford Motor Co., testifying once before another Senate committee, warned:

> The variety and complexity of finance and insurance arrangements and the charges for them are such as almost to defy comprehension. It is impossible for the average buyer to appraise the rates for finance and insurance services offered, as compared with alternatives available elsewhere.

A credit union manager with many years of experience in the lending field vividly described the dilemma of today's consumer. He said:

> The average borrower is caught in a wonderland of credit where percentages multiply and divide at will, where finance charges materialize on command and fees are collected on the way out; where sharp practices and rackets not only inflate the costs of credit, but also impose enormous financial hardships on the debtor, particularly those who can least afford it.

There are several widely used methods by which this confusion is created and perpetuated by lenders and credit extenders.

First, often no rate at all is quoted to the consumer: This is the simplest and most direct method of obscuring the cost of credit. The borrower is, for example, merely told that he will pay $10 down and $10 a month. Neither the total finance charge nor the interest rate is evident. And unless the borrower is a persistent questioner and skillful mathematician, he will not discover the true facts.

Second, the add-on rate: The borrower is told that the finance charge will be $6 on a 1-year, $100 loan, repayable in equal monthly installments. The lender represents this to be a 6-percent loan, but such a claim is merely a play on the number six. The actual rate is almost 12 percent, or nearly double the stated rate, because the borrower is constantly repaying the loan over the year and does not have the use of $100 for a full year. His average debt over the year is only about $50. In other words, the interest rate is quoted on the original amount of the debt and not on the declining or unpaid balance as is the custom in business credit, government loans, or mortgage transactions. In reality the borrower is asked to pay interest on amounts he has already repaid.

Third, the discount rate: This is a variation of the add-on rate. In the case of the add-on, the borrower receives $100 in cash or goods and must pay back $106. In the case of the discount technique, the consumer "borrows" $100 but only receives $94. The finance charge again is $6 and is often represented as being 6-percent interest. Again, the actual rate is almost 12 percent, or twice the quoted rate because the borrower is periodically repaying the loan.

Fourth, a simple monthly rate: This rate statement method is usually quoted by small loan companies and by retailers using revolving credit plans. The finance rate is represented as being 1, 2, 3, or 4 percent per month. The true annual rate in this case is 12 times the quoted figure, or 12, 24, 36, or 48 percent per year, if the interest is based upon the unpaid balance at the end of each month. If it is based upon the original amount of the loan, the simple annual rate is approximately 24 times the quoted figure, or in the illustrations cited 24, 48, 72, or 96 percent per year.

Fifth, "loading the camel": Sometimes lenders compound the camouflaging of credit by loading on all sorts of extraneous fees, such as exorbitant fees for credit life insurance and excessive fees for credit investigations, processing and handling. These charges are a cost of doing business, and should rightfully be figured in with the interest or finance charges. By excluding them in a separate list, the interest rate can be superficially reduced. However, a comparison with other rates would now become virtually meaningless. This, of course, would be the purpose of all this sleight of hand in the first place.

Some dealers are even unwilling to use the word "interest." They prefer to call it a "small monthly service charge." Indeed, the delicate semantics which accompany the consumer credit business remind me of the turtle in Alice in Wonderland who insisted that when he used a word, it meant exactly what he intended it to mean, no more and no less.

Transferring these practices into some typical examples, we find that—

The 3-percent-per-month plan of small loan companies is really 36 percent per year.

The 4½-percent new car financing plan of some commercial banks is really 9 percent per year.

The advertised 5-percent rate on home improvement loans is not less than a 6-percent first mortgage, but nearly twice as much, or almost 10 percent per year.

The so-called 6-percent rate for financing used cars offered by some dealers is at least 12 percent per year and sometimes very much higher—18 to 25 percent per year or more.

The cost of teenage credit now being promoted by some retailers as only "pennies per week" is sometimes as high as 80 percent per year.

VI. CREDIT ABUSES

The inevitable and tragic outcome of this policy of deception was made abundantly clear during the hearings before the Banking and Currency Subcommittee in the last session of Congress. A few examples will suffice to illustrate the point:

A man in Jersey City bought a TV set for $123.88. He was given a coupon book which called for 24 monthly payments of $17.50. We were shocked when we computed the interest rate. It was 229 percent per year. What is even more tragic, he had to keep up the payments or lose his job.

A housewife on the lower East Side of Manhattan purchased a couch from a door-to-door salesman for $300. The payments were set at $12 every 2 weeks for 2 years. The total interest charge was thus $324 and the annual rate was 107 percent, although not a word of this was mentioned at the time of the sale.

A New Jersey busdriver borrowed $1,000 from a small loan company. He was told the interest rate was 4.5 percent. The actual rate turned out to be 29.5 percent, or more than six and a half times the claimed rate. Had the borrower known this at the start, he said he would have dealt with a lower cost lender.

A similar case occurred in Pittsburgh when a witness testified that he borrowed $900 from a small loan company and was told that his monthly payments would be $58.10 for 24 months. We computed the interest rate in this case and were amazed to discover it was 52 percent per year.

Another New York witness bought a television set on credit for 30 months. We figured out the interest rate on this transaction, and it turned out to be 143 percent. We asked the witness whether she would have signed the contract if she had known the interest rate. The witness replied, "Never in my life."

Testimony before the committee also revealed that Negroes and Puerto Ricans in New York were systematically and automatically charged a higher rate of interest, regardless of their individual credit standing.

VII. FLIMFLAMMING THE EDUCATED

But it is not only the poor, the uneducated, or the members of a minority group who are victimized by the hidden cost of credit. The educated middle classes are also being duped. Last year the distinguished senior Senator from Indiana performed a public service by publishing a table in the CONGRESSIONAL RECORD which revealed the true rates of annual interest charged for college education loans. While Federal loans are available for 3 percent and various State plans run from 3 to 6 percent, I was shocked to learn that some of the private loans plans which are offered to students and parents by our leading colleges and universities involved an interest rate as high as 60 percent per year. Invariably, the lending institutions with the highest rates establish subsidiaries with high sounding names such as the Tuition Plan, Inc., or Education Funds, Inc. The latter is a subsidiary of the Household Finance Co., which saturates television with advertisements telling us to borrow confidently. Unfortunately, they do not tell us this confidence is going to cost anywhere from 26 to 54 percent per year in interest and other charges on their college education loans.

No doubt these small loan companies would self-righteously argue that the cost of these incessant television advertisements are responsible for the high interest rates that they charge on their loans, which they are peddling through the auspices of hundreds of colleges and universities.

To my knowledge, the colleges and universities unwittingly continue to collaborate with these high-cost lenders of educational loans. Even college presidents and their administrative staffs have been duped by the prolific techniques now used by these high-cost lenders to camouflage the costs of their credit plans. My truth-in-lending bill would at least educate the educators about the costs of credit.

Perhaps the most discouraging fact of all, as I understand it, is that many church schools and colleges are now unknowingly sponsoring these high-cost education loan plans offered by small loan companies and automobile finance corporations. It is tragic that the church groups, with their long tradition against usury, have been misled by the deceptive trade practices that now pervade the consumer lending field. I am sure that these groups do not know what is being done. I hope they wake up.

Equally shocking is the invasion of the underworld into the consumer credit field. Joe Valachi, when he testified before the Senate Permanent Investigations Subcommittee, exposed the extent to which the Cosa Nostra was involved in the loan sharking or "juice" racket. A recent investigation in New York State also revealed that the underworld was moving into the loan-sharking business and was using the income derived from exorbitant rates as a major source of revenue for its other nefarious activities.

Apparently, local and State laws have proved to be inadequate to deal with this nationwide loan-sharking scandal. My truth-in-lending bill would require all credit extenders to disclose the essential facts in connection with a credit transaction. Either the underworld would have to comply with this truth-in-lending bill and disclose the fact that they are charging 200, 300, or 400 percent per annum in interest rates or they would run the risk of being imprisoned for willfully violating a Federal law. In this way the truth-in-lending bill would help stamp out what is regarded today as the underworld's primary source of income, the growing loan-shark racket.

VIII. BILKING SERVICEMEN

For a number of years I have been hearing more and more complaints about the exorbitant rates of interest servicemen are forced to pay on all types of credit transactions.

Recent hearings before the House Banking and Currency Committee have also revealed the shocking operations of a small loan finance company which has systematically bilked our American servicemen. According to the hearings, this company specializes in auto loans and masquerades under an official sounding name as though it were a Government agency. It has charged interest rates as high as 100 percent over a 2-year period. The firm also adds an excessive charge for insurance which frequently turns out to be nonexistent or with a defunct company. All too often, those victimized are low-paid enlisted men who can ill afford such a drain upon their meager budgets.

IX. OBJECTIONS TO THE BILL

Now Mr. President, what are some of the technical objections that have been raised against this bill?

First of all, it has been charged that an interest rate is too difficult to compute. It is said that it would impose an intolerable burden upon the poor sales clerks who would have to make complicated computations with each sale. I think the most effective answer to this charge was given by former Under Secretary of Commerce Edward Gudeman, who had years of experience in retailing with Sears, Roebuck. In answer to this point, Mr. Gudeman said:

> We must realize that consumer credit extenders begin by setting all their charges individually and in total on an annual rate basis. This means that the businessman in setting his charges works backward from an annual rate determined in light of his own financing costs and the behavior of his competitors. This being so it is difficult to understand why the average businessman cannot easily state the annual rate implicit in his total rate charges.

In addition, there are several pocket size slide rules that are simple to operate. These devices can rapidly compute the true annual rate of interest on any installment purchase and I am exhibiting two of them. One is primarily for the lender and costs 4 cents to manufacture. It is primarily for the borrower. The other is a circular slide rule accurate to one-tenth of 1 percent and is primarily for lenders and the extenders of credit. It is issued by the Credit Union Supply Cooperative.

Second, it is charged that dealers will bury the finance charge by hiking the cost of the merchandise if they are required to state the true rate of interest. This, is an ingenious but obviously unsound tactic. The dealer who attempts to do this will soon price his goods out of the market. His more ethical competitors would advertise and offer a lower price for merchandise and they would get the business.

The present system works in just the opposite way—it gives the edge to the unethical. Such operators have been known to advertise ridiculously low prices while recouping their losses in the hidden finance charges. In effect, they give it away in the big print and take it back in the fine print. The truth in lending bill would make it difficult to continue this racket.

Third, it is claimed that most consumers do not care about interest rates. This claim is directly contrary to the statements of many witnesses who related their sad experiences before our committee. Many of these people said they never would have agreed to a particular transaction if the had known the interest rate was as high as it was. I think the notion that consumers do not care about interest rates is probably due to the confusing manner in which credit is dispensed. The average person usually gives up when confronted with the problem of computing a rate of interest from the meager information supplied by a fast talking salesman, and accepts instead, his bland assurance that the rate is the lowest in town.

However, if every dealer and lender were required to compute and state the rate of interest in a uniform manner, the consumer would soon become educated to the mysteries of credit and would be able to hold his own.

Fourth, it is claimed that a disclosure of true interest rates will retard sales. No real evidence has been presented to support this view. I feel it is more logical to assume the opposite. Consumers will shift their borrowing from high-cost to low-cost lenders, and thus have added purchasing power at their disposal with which to buy more than they otherwise could. The bill should also stimulate a greater use of consumer credit by those who have been fearful of its mysteries.

Fifth, it has been argued that the bill would not work in the case of revolving charge accounts because the length of time the money is borrowed cannot be known in advance. I have carefully listened to the arguments on this point, and I have amended the bill to take these objections into account. This objection now is somewhat difficult to understand since most revolving charge accounts state a monthly rate of 1 or 1½ percent. All this bill does is require that such monthly rate be multiplied by 12 to indicate the true annual rate of 12 or 18 percent.

X. REASONS FOR THE BILL

There are at least five reasons why the truth in lending bill ought to be enacted.

First, it protects consumer rights: The American consumer is entitled to know the truth about credit rates and charges—to be informed about credit costs so that he can exercise his right to make intelligent choices among various credit plans.

President Johnson aptly summed it up in his 1964 consumer message in which he endorsed the truth in lending bill. The President said:

> The cost of such credit must be made as clear and unambiguous as possible, eliminating all possibility of abuse. The antiquated legal doctrine, "let the buyer beware," should be superseded by the doctrine, "let the seller make full disclosure."

And I would further argue that we cannot fully win the war on poverty unless we also put a stop to the activities of those who prey upon the poor and profit from their unfortunate circumstances. We must also win the war against the loan shark and the fast-buck artist. We must provide the poor and uneducated with some defense against the smooth talking salesmen who often have saddled families with years of debt at exhorbitant rates of interest. I believe the truth-in-lending bill will tip the scale of justice a little way back toward the consumer. It will give all consumers, and especially the poor, a better chance in today's complex marketplace.

Second, protecting businessmen: In addition to protecting consumers, the truth-in-lending bill will protect the ethical lender from losing business to his unscrupulous competitors. In a field as complicated as credit, it is perhaps inevitable that a few sharp operators will try to steal a march on their honest colleagues by making exaggerated and misleading claims with respect to credit. Soon all are forced to follow suit.

However, if we require every lender to compute and state the true rate of interest in a uniform manner, we will break the endless chain of misleading claims and shabby deceptions. A lender can confidently and freely state the true interest on his loan, secure from the fear that a higher cost competitor will lure his customers away with phony statistics.

Third, invigorating competition: Every businessman pays lipservice to competitive free enterprise, but when we get down to actual cases, it often turns out that competition is desirable only for the other fellow. Nevertheless, from the standpoint of the public interest, it is generally sound policy to insist upon vigorous price competition within a given industry. Unfortunately, this is not the case in the credit industry. Since the cost is usually hidden or misstated, those who provide credit do not really compete in terms of price. Rather, high-pressure salesmanship, advertising gimmickry or other nonrational factors become decisive. Such a system permits many inefficient, high-cost lending institutions to survive and flourish.

If consumers had an effective yardstick with which to measure the cost of credit, we would restore price competition within the credit industry. High-cost firms would have to become more efficient to stay in business. High-profit firms would have to be satisfied with reasonable profits. And in the end, all consumers would benefit in the form of cheaper credit.

Fourth, stabilizing the economy: The cost of credit that is the interest rate, functions as a built-in economic stabilizer. When inflation or overexpansion threatens a rise in the rate of interest can discourage investment and force the economy back upon an even keel. Conversely, when recession or underinvestment becomes a threat, a lowering of interest rates can encourage investment and help check a downward spiral.

This mechanism does function in the business world since business loans disclose the true rate of interest and businessmen can therefore react to changes in interest rates. However, the mechanism breaks down in the field of consumer credit where interest rates are generally obscured. As a result, a rise in the interest rate on consumer installment purchases will not curb an excessive level of demand because most consumers simply do not realize the rate is being raised. By the same token, a lowering of the rate will have little effect in stimulating consumer willingness to buy on credit when recession threatens.

The truth-in-lending bill will correct this situation by disclosing the interest rate on consumer debt. Changes in the rate could then have their proper effect of stimulating or discouraging purchases and thus helping to stabilize the economy.

Fifth, encouraging economic growth: No one can accurately measure the extent of economic waste when consumers pay too much for credit because they are unaware of what it really costs or are unable to shop around for lower credit prices. However, to the extent that with full information about the cost of credit, consumers will use it more efficiently, it will contribute to the growth of the economy. This point has been fully recognized by experts in the field of credit.

For instance, the Federal Reserve Bank of Philadelphia in the April 1960 issue of its Business Review pointed out that a real burden for the economy "occurs because consumers often buy on time in an uninformed way without knowing the cost of the money they are borrowing. When they do this, they not only hurt themselves, but they reduce the efficiency with which the economy provides goods and services in accordance with consumer taste."

In short, Federal Reserve officials believe that the economic growth of the Nation is jeopardized when consumers are misled about the price of credit.

XI. CONCLUSION

Basically, the question is whether we want truth to prevail in the marketplace. Men often fear truth, but ultimately it is beneficial and healing. It rewards the ethical and deters the careless and less ethical. In the end it benefits all but the determined and conscious wrongdoers.

My bill gives to everyone the chance to conform to the standards which the vast majority know in their hearts to be right.

Truth, like sunlight, is a powerful disinfectant. This bill would throw light into dark places and, by that very fact, help to clear up many of the abuses that plague the consumer credit marketplace.

Our last two Presidents have given their strong endorsements to the truth-in-lending bill. President Kennedy, in his 1962 consumer message, said:

> Excessive and untimely use of credit arising out of ignorance of its true cost is harmful both to the stability of the economy and to the welfare of the public. Legislation should therefore be enacted requiring lenders and vendors to disclose to borrowers in advance the actual amounts and rates which they will be paying for credit.

And President Johnson, in his 1964 consumer message to the Congress stated:

> I recommend enactment of legislation requiring all lenders and extenders of credit to disclose to borrowers in advance the actual amount of their commitment and the annual rate of interest they will be required to pay.

And so, Mr. President, let us keep our commitment to the American consumer and pass a law which will give him an even break in today's complex marketplace—let us reaffirm our faith in the free enterprise system and the beneficial effects of honest competition—let us restore to the field of consumer credit the elementary prerequisites of fair dealing—let us pass the truth-in-lending bill.

Mr. President, in previous years when introducing the truth-in-lending bill I have encouraged other Members of the Senate to cosponsor the measure. I wish to express my deep gratitude to all Members of the Senate who have supported this legislation in the past.

However, this year I have not circulated this bill in advance seeking cosponsors. Frankly, the cosponsors of the previous truth-in-lending bills have been subjected to extreme pressure by the opponents of this legislation. Of course, this is the classic problem with legislation such as this which benefits the public at large and which is opposed by a few powerful, organized, and well financed lobbies, richly filled with Washington lawyers, public relations experts, and last but not least, campaign war chests. I do not wish to subject my colleagues to these risks.

Of course, I appreciate the interest of all of those Members of the Senate who feel that this legislation is desirable and in the national interest and I will be glad to welcome their support. However, I did wish to make clear to the friends of this legislation outside the Congress the reasons why I have not distributed this bill to other Members to invite cosponsorship.

Mr. President, I request that the text of the bill be printed in the Record immediately following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2275) to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 2275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Truth in Lending Act".

DECLARATION OF PURPOSE

Sec. 2. The Congress finds and declares that economic stabilization is threatened by the untimely use of credit for the acquisition of property and services. The untimely use of credit results frequently from a lack of awareness of the cost thereof to the user. It is the purpose of this Act to assure a full disclosure of such cost with a view to preventing the uninformed use of credit to the detriment of the national economy.

DEFINITIONS

Sec. 3. As used in this Act, the term—

(1) "Board" means the Board of Governors of the Federal Reserve System.

(2) "Credit" means any loan, mortgage, deed of trust, advance, or discount; any conditional sales contract; any contract to sell, or sale, or contract of sale of property or services, either for present or future delivery, under which part or all of the price is payable subsequent to the making of such sale or contract; any rental-purchase contract; any contract or arrangement for the hire, bailment, or leasing of property; any option, demand, lien, pledge, or other claim against, or for the delivery of, property or money; any purchase, or other acquisition of, or any credit upon the security of, any obligation or claim arising out of any of the foregoing; and any transaction or series of transactions having a similar purpose or effect.

(3) "Finance charge" means the sum of all the charges (including but not limited to interest, fees, service charges, and discounts) which any person to whom credit is extended incurs in connection with, and as an incident to, the extension of such credit.

(4) "Creditor" means any person engaged in the business of extending credit (including any person who as a regular business practice makes loans or sells or rents property or services on a time, credit, or installment basis, either as principal or as agent) who requires, as an incident to the extension of credit, the payment of a finance charge.

(5) "Person" means any individual, corporation, partnership, association, or other organized group of persons, or the legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

DISCLOSURE OF FINANCE CHARGES

Sec. 4. (a) Except as provided in subsection (b), any creditor shall furnish to each person to whom credit is extended, prior to the consummation of the transaction, a clear statement in writing setting forth, to the extent applicable and ascertainable and in accordance with rules and regulations prescribed by the Board, the following information—

(1) the cash price or delivered price of the property or service to be acquired;

(2) the amounts, if any, to be credited as downpayment and/or trade-in;

(3) the difference between the amounts set forth under clauses (1) and (2);

(4) the charges, individually itemized, which are paid or to be paid by such person in connection with the transaction but which are not incident to the extension of credit;

(5) the total amount to be financed;

(6) the finance charge expressed in terms of dollars and cents; and

(7) the percentage that the finance charge bears to the total amount to be financed expressed as a simple annual rate on the periodic unpaid balance of the obligation.

(b) Any creditor agreeing to extend credit to any person pursuant to a revolving or open-end credit plan shall, in accordance with rules and regulations prescribed by the Board and in lieu of the information described in subsection (a)—

(1) furnish to such person, prior to agreeing to extend credit under such plan, a clear statement in writing setting forth the simple annual percentage rate or rates at which a finance charge will be imposed on the monthly unpaid balance; and

(2) furnish to such person, at the end of each monthly period (which need not be a calendar month) following the entering into of any such agreement, a clear statement in writing setting forth to the extent applicable and ascertainable—

(A) the outstanding balance in the account of such person as of the beginning of such monthly period;

(B) the amount of each extension of credit to such person (including the cash price or delivered price of any property or service acquired by such person) during such period and, unless previously furnished, the date thereof and a brief identification of any property or services so acquired;

(C) the total amount received from, or credited to the account of, such person during such period;

(D) the finance charge (in dollars and cents) required for such period;

(E) the outstanding balance in the account of such person as of the end of such monthly period; and

(F) the simple annual percentage rate or rates at which a finance charge has been imposed on the monthly unpaid balance.

As used in this subsection, the term "revolving or open-end credit plan" means a credit plan prescribing the terms of credit transactions which may be made thereunder from time to time and under the terms of which a finance charge may be computed on the outstanding unpaid balance from time to time thereunder.

(c) If information disclosed in accordance with this section and any regulations prescribed by the Board is subsequently rendered inaccurate as the result of a prepayment, late payment, or other adjustment in the credit agreement through mutual consent of the parties, the inaccuracy resulting therefrom shall not constitute a violation of this section.

REGULATIONS

Sec. 5. (a) The Board shall prescribe such rules and regulations as may be necessary or proper in carrying out the provisions of this Act. Such rules and regulations shall (1) include a description of (A) the methods which may be used in determining the "simple annual rate" or "simple annual percentage rate or rates" for the purpose of section 4, and (B) the size of type or lettering which shall be used in setting forth information required by such section, (2) prescribe reasonable tolerances of accuracy with respect to disclosing information under such section, and (3) require that such information be set forth in bold type and with sufficient prominence to insure that it will not be overlooked by the person to whom credit is extended. Any rule or regulation prescribed hereunder may contain such classifications and differentiations, and may provide for such adjustments and exceptions as in the judgment of the Board are necessary or proper to effectuate the purposes of this Act or to prevent circumvention or evasion, or to facilitate the enforcement of this Act, or any rule or regulation issued thereunder. In prescribing any exceptions hereunder with respect to any particular type of credit transaction, the Board shall consider whether in such transactions compliance with the disclosure requirements of this Act is being achieved under any other Act of Congress.

(b) In the exercise of its powers under this section, the Board shall request the views of other Federal agencies exercising regulatory functions with respect to creditors, or any class of creditors, which are subject to the provisions of this Act, and such agencies shall furnish such views upon request of the Board.

(c) The Board shall establish an advisory committee, consisting of not more than nine members, to advise and consult with it in the exercise of its powers under this section. In appointing members to such committee the Board shall seek to achieve a fair representation of the interest of sellers of merchandise on credit, lenders, and the public Such committee shall meet from time to time at the call of the Board, and members thereof shall be paid transportation expenses and not to exceed $25 per diem in lieu of subsistence, as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b–2).

EFFECT ON STATE LAWS

Sec. 6. (a) This Act shall not be construed to annul, or to exempt any creditor from complying with, the laws of any State relating to the disclosure of information in connection with credit transactions, except to the extent that such laws are directly inconsistent with the provisions of this Act or regulations issued thereunder.

(b) The Board shall by regulation except from the requirements of this Act any credit transactions or class of transactions which it determines are effectively regulated under the laws of any State so as to require the disclosure by the creditor of the same information as is required under section 4 of this Act.

CIVIL AND CRIMINAL PENALTIES

SEC. 7. (a) Civil penalties: Any creditor who in connection with any credit transaction fails to disclose to any person any information in violation of this Act or any regulation issued thereunder shall be liable to such person in the amount of $100, or in an amount equal to twice the total finance charge required by such creditor in connection with such transaction, whichever is greater, except that such liability shall not exceed $2,000 on any credit transaction. Action to recover such penalty may be brought by such person within one year from the date of the occurrence of the violation, in any court of competent jurisdiction. In any such action, no person shall be entitled to recover such penalty solely as the result of the erroneous computation of any percentage required by section 4(a)(7), 4(b)(1), or 4(b)(2)(F) of this Act to be disclosed to such person, if the percentage disclosed to such person pursuant to this Act was in fact greater than the percentage required by such section, or by the regulations prescribed by the Board, to be disclosed. In any action under this subsection in which any person is entitled to a recovery, the creditor shall be liable for reasonable attorneys' fees and court costs as determined by the court. As used in this subsection, the term "court of competent jurisdiction" means either any Federal court of competent jurisdiction regardless of the amount in controversy or any State court of competent jurisdiction.

(b) Criminal penalties: Any person who willfully violates any provision of this Act or any regulation issued thereunder shall be fined not more than $5,000 or imprisoned not more than one year, or both.

(c) Except as specified in subsection (a) of this section, nothing contained in this Act or any regulation thereunder shall affect the validity or enforcibility of any contract or transaction.

(d) No punishment or penalty provided by this Act shall apply to the United States, or any agency thereof, or to any State, any political subdivision thereof, or any agency of any State or political subdivision.

EXCEPTIONS

SEC. 8. The provisions of this Act shall not apply to—

(1) credit transactions involving extensions of credit or business firms, governments, or governmental agencies or instrumentalities; or

(2) transactions in securities or commodities in accounts by a broker-dealer registered with the Securities and Exchange Commission.

EFFECTIVE DATE

SEC. 9. The provisions of this Act shall take effect upon the expiration of one hundred and eighty days after the date of its enactment; except that section 5 shall take effect immediately.

EXHIBIT NO. 1

Short- and intermediate-term consumer credit outstanding, 1945–64

[Millions of dollars]

End of year or month	Total	Installment credit					Noninstallment credit		
		Total	Automobile paper [1]	Other consumer goods paper [1]	Repair and modernization loans [2]	Personal loans	Total	Charge accounts	Other [3]
1945	5,665	2,462	455	816	182	1,009	3,203	1,612	1,591
1946	8,384	4,172	981	1,290	405	1,496	4,212	2,076	2,136
1947	11,598	6,695	1,924	2,143	718	1,910	4,903	2,381	2,522
1948	14,447	8,996	3,018	2,901	853	2,224	5,451	2,722	2,729
1949	17,364	11,590	4,555	3,706	898	2,431	5,774	2,854	2,920
1950	21,471	14,703	6,074	4,799	1,016	2,814	6,768	3,367	3,401
1951	22,712	15,294	5,972	4,880	1,085	3,357	7,418	3,700	3,718
1952	27,520	19,403	7,733	6,174	1,385	4,111	8,117	4,130	3,987
1953	31,393	23,005	9,835	6,779	1,610	4,781	8,388	4,274	4,114
1954	32,464	23,568	9,809	6,751	1,616	5,392	8,896	4,485	4,411
1955	38,830	28,906	13,460	7,641	1,693	6,112	9,924	4,795	5,129
1956	42,334	31,720	14,420	8,606	1,905	6,789	10,614	4,995	5,619
1957	44,970	33,867	15,340	8,844	2,101	7,582	11,103	5,146	5,957
1958	45,129	33,642	14,152	9,028	2,346	8,116	11,487	5,060	6,427
1959	51,542	39,245	16,420	10,630	2,809	9,386	12,297	5,104	7,193
1960	56,028	42,832	17,688	11,525	3,139	10,480	13,196	5,329	7,867
1961	57,678	43,527	17,223	11,857	3,191	11,256	14,151	5,324	8,827
1962	63,164	48,034	19,540	12,605	3,246	12,643	15,130	5,684	9,446
1963	69,890	53,745	22,199	13,766	3,389	14,391	16,145	5,871	10,274
1964 [4]	76,700	59,300	24,550	15,200	3,500	16,050	17,400	6,300	11,100

[1] Includes all consumer credit extended for the purpose of purchasing automobiles and other consumer goods.

[2] Includes only such loans held by financial institutions; those held by retail outlets are included in "other consumer goods paper."

[3] Single-payment loans and service credit.

[4] Preliminary; December by Council of Economic Advisers.

NOTE.—Data for Alaska and Hawaii included beginning January and August 1959, respectively.

Source: Board of Governors of the Federal Reserve System (except as noted).

Mortgage debt outstanding, by type of property and of financing, 1939–64

[Billions of dollars]

End of year or quarter	1- to 4-family houses, nonfarm properties. Government underwritten	End of year or quarter	1- to 4-family houses, nonfarm properties, Government underwritten
1939	16.3	1952	58.5
1940	17.4	1953	66.1
1941	18.4	1954	75.7
1942	18.2	1955	88.2
1943	17.8	1956	99.0
1944	17.9	1957	107.6
1945	18.6	1958	117.7
1946	23.0	1959	130.9
1947	28.2	1960	141.3
1948	33.3	1961	153.1
1949	37.6	1962 [1]	166.5
1950	45.2	1963 [1]	182.2
1951	51.7	1964 [1]	197.9

[1] Preliminary.

Source: Board of Governors of the Federal Reserve System, estimated and compiled from data supplied by various Government and private organizations.

TABLE B-54.—*Net public and private debt, 1945–64* [1]

[Billions of dollars]

End of year [2]	Total	Federal Government and agency	State and local government [2]	Private							
				Total	Corporate	Individual and noncorporate					
						Total	Farm [3]	Nonfarm			
								Total	Mortgage	Commercial and financial [4]	Consumer
1945	406.3	252.7	13.7	139.9	85.3	54.6	7.3	47.4	27.0	14.7	5.7
1946	397.4	229.7	13.6	154.1	93.5	60.6	7.6	53.0	32.5	12.1	8.4
1947	417.4	223.3	14.4	179.7	108.9	70.8	8.6	62.3	38.8	11.9	11.6
1948	433.6	216.5	16.2	200.9	117.8	83.1	10.8	72.4	45.1	12.9	14.4
1949	448.4	218.6	18.1	211.7	118.0	93.7	12.0	81.8	50.6	13.9	17.3
1950	490.3	218.7	20.7	250.9	142.1	108.8	12.3	96.6	59.4	15.8	21.4
1951	524.0	218.5	23.3	282.2	162.5	119.7	13.6	106.2	67.4	16.2	22.6
1952	555.2	222.9	25.8	306.5	171.0	135.5	15.2	120.4	75.2	17.8	27.4
1953	586.5	228.1	28.6	329.8	179.5	150.3	16.9	133.6	83.8	18.4	31.4
1954	612.0	230.2	33.4	348.4	182.8	165.6	17.6	147.9	94.6	20.8	32.5
1955	672.3	231.5	38.4	402.5	212.1	190.4	18.8	171.6	108.7	24.0	39.8
1956	707.5	225.4	42.7	439.4	231.7	207.7	19.5	188.2	121.3	24.4	42.5
1957	738.9	224.4	46.7	467.8	246.7	221.1	20.3	200.8	131.6	24.3	44.8
1958	782.6	232.7	50.9	499.1	259.5	239.5	23.3	216.2	144.6	26.5	45.1
1959	846.2	243.2	55.6	547.4	283.3	264.1	23.0	241.1	160.8	28.7	51.5
1960	890.2	241.0	60.0	589.2	302.8	286.4	25.1	261.4	174.5	30.8	56.0
1961	946.4	248.1	65.0	633.3	323.0	310.3	27.5	228.8	190.4	34.8	57.7
1962	1,018.7	255.9	73.7	689.0	347.4	341.6	30.2	311.4	210.6	37.6	63.2
1963	1,093.5	261.2	79.5	752.8	374.6	378.2	33.2	345.0	234.2	40.9	69.9
1964 [5]	1,163.6	267.0	85.7	810.9	395.3	415.6	36.8	378.8	257.6	44.5	76.7

[1] Net public and private debt outstanding is a comprehensive aggregate of the indebtedness of borrowers after elimination of certain types of duplicating governmental and corporate debt. For a further explanation of the concept, see Survey of Current Business, October 1950.

[2] Data for State and local government debt are for June 30.

[3] Farm mortgages and farm production loans. Farmers' financial and consumer debt is included in the nonfarm categories.

[4] Financial debt is debt owed to banks for purchasing or carrying securities, customers' debt to brokers, and debt owed to life insurance companies by policyholders.

[5] Preliminary estimates by Council of Economic Advisers.

NOTE.—Revisions for 1929–39 and 1955–57 in the consumer credit data of the Board of Governors of the Federal Reserve System have not yet been fully incorporated into this series.

Sources: Department of Commerce (Office of Business Economics), Treasury Department, Board of Governors of the Federal Reserve System, and Federal Home Loan Bank Board (except as noted).

VELJKO STANISIC AND VESELIN VUCINIC

Mr. MORSE. Mr. President, I introduce, for appropriate reference, two private bills, and I ask unanimous consent that they be printed at this point in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, they will be printed in the RECORD.

The bills, introduced by Mr. MORSE, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Veljko Stanisic shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

S. 2277

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Veselin Vucinic shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MORSE. Mr. President, the first bill is for the relief of Veljko Stanisic; the second is for the relief of Veselin Vucinic.

The bills seek to come to the relief of two Yugoslavs, each of whom has close relatives in my State; each of whom jumped ship in Portland, Oreg.; each of whom is completely out of sympathy with the form of communism in Yugoslavia; and each of whom lives in the fear that if the policies of the immigration authorities are followed, they will be returned to Yugoslavia, to their great physical detriment.

These are hard cases. I have asked for a detailed report on each of them, which I shall supply to the committee after the bills have been referred.

I am satisfied that a strong prima facie case exists for giving these men asylum in the United States. When we think of the asylum that is given to others, including some having diplomatic status, we ought also to consider the humanitarian interests that are involved in the common people who, nevertheless, seek to flee from the type of persecution they are headed for if they are returned to Yugoslavia.

STUDY OF HEALTH RESEARCH

Mr. ROBERTSON. Mr. President, I send to the desk, for appropriate reference a resolution to establish an Advisory Commission on Health Research Activities, and ask unanimous consent to have printed in the RECORD a brief statement concerning the purposes and scope of this investigating Commission.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The joint resolution (S.J. Res. 96) to establish an Advisory Commission on Health Research Activities, introduced by Mr. ROBERTSON, was received, read twice by its title, and referred to the Committee on Government Operations.

The statement presented by Mr. ROBERTSON is as follows:

The passage of the Medicare bill makes it more imperative than ever that the Federal Government get the best results possible from the money it is spending on medical research.

My attention was first drawn to the need for such a resolution by recent Senate hearings on the Independent Offices Appropriation bill, at which a group of doctors urged additional funds for the Veterans' Administration, both for the hospital treatment of ex-servicemen and for research.

Since that time it has become apparent that the so-called medicare plan, which is bound to create a need for more hospital space for the public generally, will become law soon. When it takes effect on July 1, 1966, more than 19 million persons 65 and over will be eligible for the basic benefit of up to 60 days in a hospital, with the patient paying a deductible amount of $40.

To the extent that laboratory research improves the general health of the community, it will help in the years ahead to hold down this growing patient load on the hospitals. Therefore, I believe it is timely that we have a high-level commission to examine the entire range of health research activities of the Government with a view to determining: (1) whether there has occurred an unnecessary proliferation of such activities among too many different Federal agencies, and (2) ways and means of centralizing and coordinating such activities in order to eliminate waste and duplication, and to achieve maximum efficiency and productivity.

My resolution would set up an Advisory Commission on Health Research Activities, to be composed of two Senators, two Members of the House, and five members from private life to be appointed by the President. The Commission would submit a final report not later than January 1, and would cease to exist 30 days thereafter.

During the hearings on the independent offices bill I called attention to the large sums being made available to the National Institutes of Health, to the National Science Foundation and to various Government departments for health related research totaling $1.3 billion and asked: "But is there not some way that we can really coordinate all this terrific amount of money, to put it where it is most needed? We do not have an unlimited spigot that the Treasury can turn on."

A substantial number of veterans hospitals are operated in cooperation with university medical schools, and the Appropriations Subcommittee was hearing testimony at the time from several doctors from medical schools, who felt that additional funds would enable the Veterans' Administration to improve their patient care operations and staffing in order to raise their medical care standards to the level of affiliated schools.

As a result of this testimony, the Senate Appropriations Committee, in its report, requested the administration to review the matter and advise the committee in the next budget where such additional funds would be required.

Meanwhile, I believe that a study of all Government research in the field of health would be helpful.

TO PRINT AS A SENATE DOCUMENT A STUDY ENTITLED "U.S. INTERNATIONAL SPACE PROGRAMS WITH TEXTS OF EXECUTIVE AGREEMENTS, MEMORANDUMS OF UNDERSTANDING, AND OTHER INTERNATIONAL ARRANGEMENTS, 1959–65"

Mr. ANDERSON. Mr. President, I submit, for appropriate reference, a resolution the purpose of which is to allow to be published as a Senate document a study prepared for the Aeronautical and Space Sciences Committee on U.S. international space programs. The international arrangements made by the United States between 1959 and 1965 reveal the worldwide scope of our space efforts and the methods by which cooperation with other nations is achieved. This report is the latest of several which have been published in conformity with the committee's "jurisdiction to survey and review and to prepare studies and reports upon, aeronautical and space activities of all agencies of the United States."

It is appropriate that this document should be published during International Cooperation Year in the United States. Its contents are a testimonial to the patterns of cooperation developed with nations and groups of nations in space activities devoted to peaceful purposes for the benefit of all mankind.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 129) was referred to the Committee on Rules and Administration, as follows:

Resolved, That there be printed as a Senate document a study entitled "United States International Space Programs With Texts of Executive Agreements, Memoranda of Understanding, and Other International Arrangements, 1959–1965", prepared for the use of the Committee on Aeronautical and Space Sciences; and that there be printed two thousand four hundred additional copies of such document for the use of that committee.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—AMENDMENTS

AMENDMENT NO. 340

Mrs. NEUBERGER submitted an amendment, intended to be proposed by her, to the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 341

Mr. TOWER submitted an amendment, intended to be proposed by him to Senate bill 2213, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 342

Mr. TOWER (for himself and Mr. Bennett) submitted an amendment, intended to be proposed by them, jointly, to Senate bill 2213, supra, which was ordered to lie on the table and to be printed.

INDEPENDENT OFFICES APPROPRIATION BILL—AMENDMENTS

AMENDMENT NO. 343

Mr. YOUNG of Ohio submitted amendments, intended to be proposed by him, to the bill (H.R. 7997) making appropriation for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes, which are pending.

AMENDMENTS NOS. 344 AND 345

Mr. CLARK submitted two amendments, intended to be proposed by him to House bill 7997, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the next printing of Senate bill 2152, relating to narcotic addicts, the name of the Senator from Wisconsin [Mr. Nelson] may be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I also ask unanimous consent that the name of the Senator from Connecticut [Mr. Dodd] may be added as an additional cosponsor when it is next printed, of Senate bill 944, relating to the establishment of a National Oceanographic Council.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Rhode Island [Mr. Pell], I ask unanimous consent that the name of the Senator from Oregon [Mrs. Neuberger] be added at the next printing of Senate bill 774, relating to the metric system.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, at its next printing, I ask unanimous consent that the name of the distinguished Senator from Maryland [Mr. Brewster] may be added as a cosponsor of Senate bill 2082, to provide that time off be granted to certain employees for religious services.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF PUBLIC HEARING ON COPYRIGHT REVISION BILL

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled a public hearing on S. 1006, for the general revision of the copyright law. The hearings will be held on Wednesday, August 4, and Thursday, August 5, commencing at 10 a.m. in room 3302, New Senate Office Building.

Anyone who wishes to testify or file a statement for the record should communicate immediately with the office of the subcommittee, room 349–A, Senate Office Building, Washington, D.C., telephone 225–2268.

The subcommittee consists of the Senator from Michigan [Mr. Hart], the Senator from North Dakota [Mr. Burdick], the Senator from Pennsylvania [Mr. Scott], the Senator from Hawaii [Mr. Fong], and myself.

NOTICE OF HEARINGS

Mr. MANSFIELD. Mr. President, the Subcommittee on Administrative Practice and Procedure of the Judiciary Committee will be holding hearings on possible invasions of privacy by the Internal Revenue Service on Tuesday, Wednesday, and Thursday of this week. I ask unanimous consent that the subcommittee be granted permission to sit during such time on these days as the Senate may be in session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 956. An act to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws", to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68);

S. 1462. An act to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands; and

S. 2154. An act to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico.

The message also announced that the House had passed the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 9497) to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966.

FOWLER PROPOSAL FOR INTERNATIONAL MONETARY STUDY

Mr. PROXMIRE. Mr. President, Secretary of the Treasury Henry H. Fowler has proposed that our country become formally and directly committed now to an international study of the monetary system. This is very good news. For one thing, it indicates that we have confidence that this initiative will not be misconstrued by our friends abroad as lacking any resolve to solve our own balance-of-payments problems.

There was a feeling by our top officials that we should not become formally and directly involved in an international monetary conference until we had established a favorable position on our balance of payments.

Mr. President, the fact of Mr. Fowler's speech in Hot Springs, Va., indicates our balance of payments is on the way to solution. Also it is such a concise and excellent description of why the solution of our balance-of-payments situation develops some extremely complex fallout effect on achieving international liquidity, that I should like to read a part of it in the RECORD at this point. Mr. Fowler says:

> Our dollars are widely used to finance international transactions, and other countries hold them alongside gold in their official reserves.
>
> Today, those dollars—some $27 billion—account for a major share of the international liquidity that sustains the growing free-world economy. Some $12 billion of those dollars are in official reserves while the remainder serve to support growing world trade and investment.

Mr. President, if anyone wonders why we have been able, in the last 15 years, to far more than double world trade, there is an essential reason. The U.S. deficit has played an important part in providing the fuel for that doubling of world trade.

Thus, as Mr. Fowler points out—

> It is essential to the viability of the international monetary system as it exists today that the usefulness and value of those dollars remain unquestioned throughout the world. And, whatever changes might be introduced into that system, the dollar will have to continue to carry a heavy burden as a reserve currency.
>
> If we allowed our deficits to continue, or if we lapsed back into prolonged deficit after a brief period of surplus, we would undermine world confidence in the dollar and impair its usefulness as a world reserve and leading currency. Dollars would return to our shores as claims on our gold, thus depleting, instead of supplementing, world financial resources.
>
> To prevent such a contraction in world liquidity and the widening circles of deflation and restriction that would surely follow, we must reach and maintain equilibrium in our payments as a matter of the highest national priority, along with sustaining the economic advance that has marked the last 53 months.
>
> The paradox is, therefore, that the very increase in official foreign dollar holdings that has fueled so much of the growth in world liquidity in the past—and has thus helped support the growth in world trade—can no longer be allowed to continue if current international liquidity is to be protected. Yet without additions to the reserve dollars that our deficits have so long supplied, the world will need a new and assured source of growing liquidity to support increasing world trade and investment.

Mr. President, this speech spells out how cautiously and carefully we are going about developing this kind of improvement in the international monetary system.

I ask unanimous consent that the entire text of Mr. Fowler's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 11, 1965]

TEXT OF FOWLER'S REMARKS ON INTERNATIONAL MONETARY SYSTEM

(NOTE.—WASHINGTON, July 10.—Following is the text of that portion of Treasury Secretary Henry H. Fowler's speech today dealing with the international monetary system. In an earlier section of the speech, Mr. Fowler discussed the U.S. balance of payments. The speech was delivered in Hot Springs, Va., and was released here by the Treasury Department.)

It is imperative not simply to reach balance in our payments for a quarter or two, or even for a year, but to sustain equilibrium over time. The reasons are clear.

Our 14 years of deficits have resulted in a large outflow of dollars to the rest of the world. Because there is worldwide confidence in the stability of those dollars and because they are convertible into gold at the fixed price of $35 an ounce, those dollars are widely used to finance international transactions, and other countries hold them alongside gold in their official reserves.

Today, those dollars—some $27 billion—account for a major share of the international liquidity that sustains the growing free-world economy. Some $12 billion of those dollars are in official reserves, while the remainder serve to support growing world trade and investment.

Thus, it is essential to the viability of the international monetary system as it exists today that the usefulness and value of those dollars remain unquestioned throughout the world. And, whatever changes might be introduced into that system, the dollar will have to continue to carry a heavy burden as a reserve currency.

If we allowed our deficits to continue, or if we lapsed back into prolonged deficit after a brief period of surplus, we would undermine world confidence in the dollar and impair its usefulness as a world reserve and leading currency. Dollars would return to our shores as claims on our gold, thus depleting, instead of supplementing, world financial resources.

WOULD SUSTAIN ADVANCE

To prevent such a contraction in world liquidity and the widening circles of deflation and restriction that would surely follow, we must reach and maintain equilibrium in our payments as a matter of the highest national priority, along with sustaining the economic advance that has marked the last 53 months.

The paradox is, therefore, that the very increase in official foreign dollar holdings that has fueled so much of the growth in world liquidity in the past—and has thus helped support the growth in world trade—can no longer be allowed to continue if current international liquidity is to be protected. Yet without additions to the reserve dollars that our deficits have so long supplied, the world will need a new and assured source of growing liquidity to support increasing world trade and investment.

This, in a nutshell, is what the issue of world monetary reform is all about. It is to assure ample world liquidity for the years ahead that the United States, in cooperation with other leading financial powers, is seeking workable ways of strengthening and improving international financial arrangements.

For several years now the essential laying of the technical groundwork has been underway as the United States has joined with other major countries in comprehensive studies of the international monetary system—its recent evolution, its present effectiveness and its future. An early conclusion was that there are two elements in international liquidity; on the one hand, the more conventional reserves of gold and reserve currencies and, on the other hand, the ready availability of credit facilities for countries in need of temporary assistance.

As long ago as 1961, the 10 major industrial nations, now known as the Group of Ten, negotiated with the International Monetary Fund a so-called general arrangements to borrow whereby the 10 nations agreed to lend to the International Monetary Fund up to $6 billion should this be necessary "to forestall or cope with an impairment of the international monetary system." That arrangement was activated last December and again this May in order to provide a part of a $2.40 billion drawing from the International Monetary Fund on the part of the United Kingdom.

BACK 25-PERCENT RISE

On the credit side, also, the members of the International Monetary Fund have now agreed to support a 25-percent general increase in International Monetary Fund quota. This 25-percent increase, plus special increases for some 16 countries, will raise total aggregate quotas from $15 billion to around $21 billion. The Congress last month approved a $1,035 million increase in the U.S. quota.

Meanwhile, the Group of Ten and the International Monetary Fund have been continuing their studies of the future course of world liquidity. Deputies of the group submitted a comprehensive report on the problems involved last August.

In their ministerial statement last August, the Group of Ten stated that while supplies of gold and reserve currencies are fully adequate for the present and are likely to be for the immediate future, the continuing growth of world trade and payments is likely to require larger international liquidity. While they said that this need might be met by an expansion of credit facilities, they added that it may possibly call for some new form of reserve asset.

A study group was set up "to examine various proposals regarding the creation of reserve assets either through the International Monetary Fund or otherwise." The efforts of that group have culminated in the so-called Ossola report, submitted to the deputies of the Group of Ten on June 1 of this year, which exhaustively examines, with all their promises and pitfalls, the possible paths to the creation of reserve assets.

Now for the first time in four years we are confronted by the happy concurrence of three crucial facts:

1

The U.S. balance of payments is approaching an equilibrium and the executive branch, the Congress and the private sector, including industry, banking and labor, have mounted a program that makes unmistakably manifest our determination to keep it that way.

2

Evidence is accumulating of a rising tide of opinion in many knowledgeable and influential quarters in the free world, private and public, that our international monetary arrangements can and should be substantially improved, building on the basis of the International Monetary Fund and the network of more informal international monetary cooperation that has marked recent years.

3

The completion of technical studies necessary to give a thorough understanding of the problem and various alternative approaches to solution on the part of those at the highest levels of government who must ultimately make these decisions.

We have now reached the moment which President Johnson had in mind when, in speaking of new international monetary steps, he said:

"We must press forward with our studies and beyond to action * * * evolving arrangements which will continue to meet the needs of a fast growing world economy. Unless we can make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

In taking office, I described this as "the major task facing our Treasury and the financial authorities of the rest of the free world in the next few years."

In recent weeks we have moved beyond the plane of hope and technical studies toward the prospect of more conclusive negotiations from which alone solution can emerge.

I met last week with the British Chancellor of the Exchequer, James Callaghan, and we exchanged preliminary and tentative views on the subject of international liquidity.

Next week I hope to have the pleasure of informal discussions with the Japanese Minister of Finance, Takeo Fukuda, in connection with the joint Cabinet sessions of the United States-Japan committee on trade and economic affairs.

ADVISORY PANEL NAMED

Both before and after the scheduled meeting of the International Monetary Fund and World Bank in late September, I expect to visit ranking financial officials of other Group of Ten countries, to ascertain firsthand their views on the most practical and promising ways of furthering progress toward improved international monetary arrangements. We must not only be prepared to advance our own proposals, but to carefully consider and fairly weigh the merits of other proposals. As Congressman ROBERT ELLSWORTH, of Kansas, in discussing this subject, recently remarked:

"We must appreciate that if we wish a strong Europe it must be a Europe strong enough to look upon an American proposal as merely one among many possible solutions—all of which will be reviewed together. If we wish their partnership, we must treat them as partners."

Already your Government is engaged in an intensive internal preparation for these bilateral meetings and multilateral negotiations that should follow.

In addition, so that the Government may have the benefit of some of the expertise and experience outside the Government in this highly technical area, President Johnson has accepted my recommendation and announced creation of an Advisory Committee on International Monetary Arrangements which includes as its Chairman the former Secretary of the Treasury, Douglas Dillon, and a distinguished group of experts including Robert Roosa, former Under Secretary of the Treasury for Monetary Affairs; Kermit Gordon, former Director of the Bureau of the Budget; Edward Bernstein, economic consultant specializing in international monetary policy; André Meyer, of the investment banking firm of Lazard Frères; David Rockefeller, president of the Chase Manhattan Bank; and Charles Kindleberger, professor of economics at Massachusetts Institute of Technology.

With their help and that of many others who will be consulted, including, particularly, many well-informed members of the appropriate committees of Congress, we shall constantly seek a comprehensive U.S. position and negotiating strategy designed to achieve substantial improvement in international monetary arrangements thoroughly compatible with our national interests.

In the various proposals which have and will be made, we must determine those which will be acceptable to the United States, those which are entirely unacceptable, and those which may well be appropriate for negotiation.

There will be an initial meeting of the Advisory Committee on International Arrangements on July 16. Hearings are planned before the International Finance Subcommittee of the House Banking and Currency Committee under the chairmanship of Congressman HENRY REUSS, of Wisconsin, to obtain various private and organizational points of view. These hearings and the reports of the Committee will be of great value, together with those of the Joint Economic Committee of Congress and the International Finance Subcommittee of the Senate Banking and Currency Committee, under the chairmanship of Senator EDMUND MUSKIE, of Maine.

READY TO JOIN TALKS

I am privileged to tell you this evening that the President has authorized me to announce that the United States now stands prepared to attend and participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements. Needless to say, if such a conference is to lead to a fruitful and creative resolution of some of the free world's monetary problems, it must be preceded by careful preparation and international consultation.

To meet and not succeed would be worse than not meeting at all. Before any conference takes place, there should be a reasonable certainty of measurable progress through prior agreement on basic points.

Our suggestion is that the work of preparation be undertaken by a preparatory committee which could be given its terms of reference at the time of the annual meeting of the International Monetary Fund this September.

The United States is not wedded to this procedure nor to any rigid timetable. I shall exchange views with my colleagues in Europe and elsewhere, as well as with the senior officials of the International Monetary Fund, on how best to proceed. The point I wish to emphasize here is that the United States is determined to move ahead—carefully, deliberately—but without delay. Not to act when the time is ripe can be as unwise as to act too soon or too hastily.

We are, therefore, moving ahead—and we are making progress. But we must be aware that the issues involved are complex, and they raise basic questions of national interest.

PATIENT EXPLORATION NEEDED

It is not, therefore, easy to arrive at the degree of international consensus we must have for any workable reform of the international monetary system. We can expect no overnight solution—but only patient exploration of the alternatives with our trading partners in a spirit of mutual cooperation. This is the course we are now pursuing.

As we move ahead, we will do well to remember that the existing international financial system has successfully financed an unparalleled expansion in world trade and payments. We have also done much in recent years to strengthen that system. The need now is not to start all over again, to move in a completely new direction. Rather, we must move once more to strengthen and improve the existing arrangements.

And while we proceed solidly and surely toward international agreement on the problems of world liquidity, we in this country must keep ever before us the present and pressing need to protect the existing international payments system by maintaining a strong, sound, and stable dollar. First things must come first.

We are bringing our own payments into equilibrium. By resolutely shouldering that responsibility we will preserve the foundation upon which must rest all efforts to assure free-world growth in the years ahead—the monetary system that has served the free world so well in the past.

DOUGLAS DILLON MIGHTY WELCOME BACK IN WASHINGTON

Mr. **PROXMIRE**. Mr. President, I ask unanimous consent that I may continue for 2 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **PROXMIRE**. Hobart Rowen, a highly competent commentator on financial affairs, discusses this morning in a column in the Washington Post the great value of having former Secretary of the Treasury Douglas Dillon return to head what he, Rowan, calls the high-powered advisory committee on monetary reform. It is most helpful that Mr. Dillon is coming back, because he has not only the great experience of having served for many years as Secretary of the Treasury and Under Secretary of State, but during this period, especially as Secretary of the Treasury, he achieved great competence and won the confidence of the people on all sides of the many controversial issues that confront a Secretary of the Treasury.

For example, Walter Heller, who had disagreed on occasion with Secretary Dillon, said:

You have to go back to Gallatin—

Our second Secretary of the Treasury after Hamilton—

to find a more outstanding Treasury Secretary. Dillon became a master of modern economics and its application to fiscal policy.

I ask unanimous consent that the column by Hobart Rowen be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

ECONOMIC IMPACT: THE MONETARY SYSTEM CRISIS

(By Hobart Rowen)

Former Treasury Secretary Douglas Dillon will be back in Washington at the end of the week as chairman of a high-powered advisory committee on monetary reform—and he's being welcomed with open arms, especially by liberal Democrats.

When Dillon's retirement was announced last spring, a close friend of the late President Kennedy said: "We're going to miss Doug Dillon—and 4 years ago, I wouldn't have believed that to be true."

At the start of the Kennedy administration in 1961, most Democrats viewed the appointment of Republican Dillon with some suspicion. As a matter of fact, Under Secretary Henry H. Fowler—who now occupies Dillon's post—was regarded by some as a Democratic watchdog.

That wasn't necessary. As one former White House staff man wise-cracks, "Doug moved to the left while Joe Fowler moved to the right." Actually, what really happened was that the imaginative and energetic Dillon found himself in such close harmony with Kennedy and his economic advisers that party lines blurred into insignificance.

Former chief economic adviser Walter W. Heller, with whom Dillon scuffled off and on for nearly 4 years, says: "You have to go back to Gallatin to find a more outstanding Treasury Secretary. Dillon became a master of modern economics and its application to fiscal policy."

Thus, Fowler is to be congratulated on his selection of Dillon to head the monetary committee. He enjoys a worldwide prestige that should help convince friends and skeptics alike that we are serious about the question of reform.

It should be said that Dillon himself wasn't always convinced of the need to add to international liquidity. At the International Monetary Fund meetings 2 years ago, he and former Under Secretary Robert V. Roosa (who joins him on the Advisory Committee) effectively deflated Reginald Maudling's scheme for reform.

Dillon and Roosa at that time thought that the need for some new form of reserves was far, far in the future. It is only to their credit that they have changed their minds.

Recently, in a commencement address in Middlebury, Vt., Dillon bluntly warned that the free world "is rapidly approaching a financial crossroads." Failure to strengthen the international monetary system, he added, could result in a "worldwide recession * * *. A strengthened international monetary system must be installed before it is needed, and not after the crash."

These are strong words. They reflect a position that many economists and academicians have taken for a long time. Even more important, Dillon's evaluation indicates that the United States will have a specific plan to put forward to its trading partners later in the year.

For all of the new clout that Dillon brings to Fowler's Treasury, however, success isn't assured. The big obstacle in the way is a stubborn man named De Gaulle.

The French attitude seems to be that there is no shortage of international liquidity—just a shortage of British reserves. The French are frankly tired of helping the British to "live above their means." Other continental powers like the Germans and Dutch are fat and content at the moment, and show no interest at all in monetary reform.

Well-informed International Monetary Fund sources think that the problem won't move off dead center until the French, the Germans, and the Dutch themselves feel a financial pinch. But everybody on this side of the Atlantic is delighted that Dillon will be at work generating and pushing ideas.

HIGH PRESSURE LOBBY BOYS MOVE IN FOR DIRKSEN AMENDMENT

Mr. PROXMIRE. Mr. President, Doris Fleeson, in a characteristically trenchant and persuasive column, has discussed the effect of the so-called Dirksen apportionment amendment as a godsend to State lobbyists who are fighting for special interests and against the public interest. She points out that the famed top priced lobbying firm of Whitaker & Baxter has been retained to fight for the Dirksen amendment on a national basis. She shows how adverse the passage of the amendment could be to the public interest.

I ask unanimous consent that the column be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

A LIFELINE FOR STATE LOBBYISTS

(By Doris Fleeson)

Senator EVERETT DIRKSEN, Republican, of Illinois, ever the exponent of free enterprise, is trying to preserve the greatest over-the-counter market in America. This informal institution deals in the buying and selling of legislative favors in the 50 States.

Its brokers are the lobbyists for every variety of interest and the customers whom they shower with all manner of kind attentions, including the financial, are the State legislators. It has no rules, obeys no ethical code and its motto is: "All the traffic will bear."

Very occasionally when the more greedy overdo the act and scandal breaks out, public opinion steps in. After the cyclone passes, few legislatures enact the strong laws needed to regulate such conflicts of interest in the future.

All these comfortable arrangements, a commonplace in State politics, are now threatened by the Supreme Court's one-man, one-vote reapportionment order. It was apparent from the start, though strangely neglected in the comment, that the Court's decision would create a whole new climate for the lobbying operations which plague every capital.

This immense dividend, like one-man, one-vote, would be a casualty of the Dirksen constitutional amendment that proposes that one house of the State legislatures should be apportioned according to factors other than population. The amendment is a lifeline to the entrenched State lobbyists, an open invitation to use their great skills in a vast national effort to save their sanctuaries.

Civil rights advocates were slow to recognize that the fruits of President Johnson's historic voting rights bill could be snatched from them by the Dirksen amendment. It is true that a callous appeal has been made to Southerners on that ground, but important and well-financed lobbying has not come from the South.

Californians set up a committee early this year to make contact in all the States and assist Congress. It then hired the celebrated firm of Whitaker & Baxter, which, in 5 years of high-priced labor for the American Medical Association (1948–53), added "socialized medicine" to the language and probably staved off medicare until 1965.

The committee bears the dignified title of Citizens Committee for Balanced Legislative Representation. Adviser Whitaker has yet to evolve another masterpiece in slogans but has a "coordinator" here to help the Dirksen forces. His own cautious forecast: "I think the amendment can succeed."

The heaviest pressures come from the State legislatures themselves. They are comfortable in their troughs. They are the most out-of-date governmental machinery in the Nation and the Court's reapportionment decision was the direct result of their obdurate refusal to modernize themselves.

The executive branch, State and National, has been constantly reorganized and its techniques altered to meet new conditions. The courts, State and Federal, have undergone various forms of reorganization and reform. Congress reorganized itself in 1946 and the House leader of that effort, Senator MIKE MONRONEY, Democrat, of Oklahoma, is starting a new drive to correct its demonstrated deficiencies.

But the horse and buggy approach still prevails in many State legislatures and their internal weaknesses continue to lead to stronger federalization. Many experts in State affairs openly question their capacity to handle jet and space age problems.

Their irresponsibility is largely due to minority control and this the Dirksen amendment would help to perpetuate.

BOMB NOW, PAY LATER

Mr. CHURCH. Mr. President, I ask unanimous consent that I may be permitted to proceed for the next 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. The pressure is on in Washington to further expand the war in southeast Asia. "Bomb Hanoi." "Bomb Haiphong" the air hawks cry. Plaster North Vietnam from the skies, they say, and in the same breath criticize the sending of more American ground troops into South Vietnam, where the guerrilla war is being fought. The air hawks' prescription makes little sense, but it is cleverly designed to feed an underlying public demand for a quick, cheap victory in Vietnam. The truth is that no such easy solution exists.

The war in the south will never be won by a bigger bombing of the north. As Dean Rusk has correctly pointed out:

> The basic problem, the central problem, is in South Vietnam. No miracle in the north can suddenly transform or eliminate the problem in South Vietnam.

Accelerating the war northward through the air, however, could greatly aggravate the problem we face on the ground in South Vietnam. Indiscriminate bombing of the population centers at North Vietnam would almost certainly force Hanoi to launch some form of massive retaliation. Since we command the air, Hanoi's counterattack would have to come on the ground. The Saigon Government is up against the ropes now, desperately hanging on against the jabbing attacks of Vietcong irregulars. If the disciplined armies of Ho Chi Minh were to invade the south, Saigon's survival would hinge entirely upon an immediate and unlimited American intervention on the ground. It is not unlikely that a half million American troops would then be required to occupy and hold South Vietnam, while the remainder of Indochina would soon be overrun by Communist armies.

Even in open terrain, like that in Korea, bombing alone never stopped an army on the march. What chance would our planes have against vast numbers of trained troops advancing beneath jungle cover? Obviously, bigger bombing of North Vietnam will not extricate us from the jungle fighting in the South, but it could easily lead to an immense intensification of the ground war, and a precipitous rise in American troop casualties to the tens of thousands.

If this happens, the stage will be set for our Korean war experience to be repeated. Vietnam will soon be dubbed "Mr. Johnson's war," and, as the taste of it turns sour in the mouths of the people, there may come again a Republican candidate for President who will promise, as Eisenhower did in Korea, to bring an end to the attrition by accepting the stalemate and arranging a truce. By then, as the St. Louis Post-Dispatch recently observed:

> The United States could destroy the North Vietnamese economy from the air, but to what end? It would only make it easier for China to pick the Vietnamese plum.

So, when Representatives FORD and LAIRD, the Republican leaders in the House of Representatives, call for expanded bombing of North Vietnam, even while they position themselves to wash their hands of a spreading land war in southeast Asia, I hope that President Johnson continues to ignore them. He will be better advised to listen to the wise words of GEORGE AIKEN, the Republican dean of the Senate, who recently warned:

> I, too, have been somewhat disturbed over reported statements of certain Republican leaders in recent days and weeks which might be interpreted as urging the President to broaden and intensify the war in Asia. * * * I hope that my own party, the Republican Party, will not acquire the title of "war party" * * *. I hope the President will have the courage not to be needled into precipitating a great war.

I agree with GEORGE AIKEN, a man who steadfastly refuses to seek any partisan advantage from the war in Vietnam. Those who urge an expansion of aerial attacks on the north are actually inviting an expansion of the ground fighting in the south. The only country which will benefit from a widening war in southeast Asia is Communist China, not the United States, or South Vietnam.

The struggle against the Vietcong insurrection within South Vietnam itself may be long and frustrating, but it is preferable to a major American war on the Asian mainland. The clamor of the air hawks should be ignored.

Mr. CLARK. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I am delighted that the Senator from Idaho made the statement he has just made. I find myself in complete accord with his point of view. I should like to ask him one question for clarification. Do I correctly understand that the North Vietnamese have a well trained regular army of about 300,000, which has been committed only in very small part in the fighting in South Vietnam so far?

Mr. CHURCH. The Senator is correct. There is indication that some units may have been covertly infiltrated into South Vietnam, but the great bulk of the North Vietnamese Army has not been committed to the war in South Vietnam.

Mr. CLARK. It must be clear that if that trained North Vietnamese Army were committed to the war, they would overrun the country, unless substantial additional American divisions were promptly dispatched. Is that correct?

Mr. CHURCH. Yes; in that event, it might well require the remainder of the standing American Army to prevent South Vietnam from being overrun.

Mr. CLARK. While we have no knowledge, of course, whether that North Vietnam army will be committed, it must be clear that the very intensive bombing of North Vietnam, including the destruction of North Vietnamese industry, could likely result in South Vietnam being destroyed from the north.

Mr. CHURCH. I agree completely. If our bombing is extended into the great population centers of North Vietnam, Hanoi will be strongly tempted to retaliate. Since Ho Chi Minh cannot retaliate by air, his only recourse will be to order his army to invade the south. When that happens, the United States will be involved in a full-scale ground war in Vietnam.

The President should be commended for the restraint he has shown in resisting the pressures from the air hawks. I applaud him for his efforts to avoid a widening war.

Mr. MILLER. Mr. President, when I came to the Chamber this morning, I had not expected to speak on the subject which has just been under discussion.

In the first place, no one that I know of expects a quick, cheap victory in South Vietnam. Second, no one that I know of is advocating indiscriminate bombing of civilians. In the third place, bombing alone will not eliminate the threat of war. I believe everyone agrees to that. What our action is designed to do, what President Johnson's actions are designed to do, what Representative FORD's and Representative LAIRD's actions are designed to do, is to stop the supplying of North Vietnamese troops in South Vietnam.

Perhaps, to the Senator from Idaho [Mr. CHURCH], that does not make sense. He is entitled to his opinion. However, I believe it makes a great deal of sense and fits in with the President's policy.

INTERNATIONAL ECONOMIC CONFERENCE

Mr. MILLER. Mr. President, on January 28, I cosponsored a resolution (S. Con. Res. 14) with Senators JAVITS of New York and JORDAN of Idaho requesting that the President call for an International Economic Conference.

It was felt then, as now, that such a world conference should:

First. Review the long-term adequacy of international credit.

Second. Recommend needed changes in existing financial institutions.

Third. Consider increased sharing of economic aid for development and military assistance; and

Fourth. Consider other pressing international economic problems placed before it by a preparatory committee for such conference.

We were concerned over developments which could affect the stability of the dollar, as well as the international balance-of-payments problem.

We knew that the United States had to take the initiative to strengthen international monetary and credit instruments.

I, for one, have become greatly disturbed in the ensuing months over the silence of the State Department and the Treasury Department to this call of ours for an international conference.

In fact, there have been reports that both the State Department and Treasury Department opposed such an economic conference, on the grounds that it would not be fruitful.

According to these reports, it was felt by administration spokesmen that the work should be continued through existing bodies, such as the International Monetary Fund. Also held was the feeling that such a conference now would entail a serious risk of failure, which would have a widespread adverse effect.

It was also believed in some high administration quarters that there was no general consensus of the need for such a conference.

Thus it was with a great deal of pleasure to see that over the weekend the administration has had a change of heart.

According to press reports of Sunday, July 11, the Secretary of the Treasury, Henry H. Fowler, at President Johnson's direction, has proposed just such a conference as we called for last January 28.

But one question lingers in my mind: If the administration had been opposed to the idea following our suggestion of January 28, what has occurred to change this opposition into an insistence now that it should be held? Could it be that the administration is finally awakening to the realization that such action is and has been overdue?

Could the international monetary situation be worse than it would lead us to believe, despite the rosy statements which seem always to precede a sudden change of plans?

But whatever the reasons—and they will come out in the wash eventually—I must commend the administration for finally deciding that action is necessary to call such an international economic conference.

I ask unanimous consent that an article, entitled "United States Asks World Monetary Parley," from the Sunday Star of July 11, be placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES ASKS WORLD MONETARY PARLEY

(By Lee M. Cohn)

The United States proposed last night the convening of an international monetary conference to reform the world's financial system.

Treasury Secretary Henry H. Fowler issued the call, at President Johnson's direction, in a speech prepared for the Virginia State Bar Association in Hot Springs.

The proposed conference would rank in importance with the historic Bretton Woods meeting of 1944, which led to establishment of the International Monetary Fund and laid out the post-World War II monetary system.

As sketched by Fowler, the purpose of the conference would be creation of a system to expand international liquidity—the supply of monetary reserves and credit available to finance the growth of world commerce.

Shortages of liquidity may develop as the United States eliminates its balance-of-payments deficits. These deficits through most of the postwar period have supplied the rest of the world with a huge flow of dollars to feed the growth of reserves.

Fowler did not say when the conference might be held, but other officials indicated 1966 as the target.

"It must be preceded by careful preparation and international consultation," Fowler said, adding:

"To meet and not succeed would be worse than not meeting at all. Before any conference takes place, there should be a reasonable certainty of measurable progress through prior agreement on basic points."

But he emphasized that the United States does not want to dally, because "not to act when the time is ripe can be as unwise as to act too soon or too hastily."

He suggested establishment of a preparatory committee by the International Monetary Fund at its meeting here in September.

Fowler said he will discuss monetary reform ideas with other finance ministers in bilateral meetings here and abroad, both before and after the International Monetary Fund session.

He presumably discussed the call for a conference with Britain's Chancellor of the Exchequer, James Callaghan, at their meeting here late last month, and obtained his endorsement.

Conversations between Fowler and Japan's Finance Minister, Takeo Fukuda, are scheduled for this week here.

Communist nations probably would be excluded from the conference, officials said.

"In recent weeks we have moved beyond the plane of hope and technical studies toward the prospect of more conclusive negotiations," Fowler said, continuing:

"The President has authorized me to announce that the United States now stands prepared to attend and participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements."

He said conditions now are right because the United States is "approaching an equilibrium" in its balance of payments; there is "a rising tide of opinion" in the free world favoring monetary reform, and technical studies have been completed.

Until recently, France and some other countries have been unwilling to talk seriously about expansion of world liquidity because they suspected the United States was seeking an easy way out of its payments deficits.

Now, however, the U.S. campaign to eliminate the payments deficit is making good progress. Other countries now see they may suffer from shortages of reserves as the flow of dollars dries up, so they are willing to negotiate for expansion of liquidity.

Some critics are complaining that the U.S. payments drive is so successful that it threatens to cause a worldwide depression by creating a dollar shortage.

Fowler, rejecting these criticisms, contended that "we must maintain those extraordinary measures in full force" because "it is imperative not simply to reach balance in our payments for a quarter or two, or even for a year, but to sustain equilibrium over time."

He confirmed that preliminary figures for the April-June quarter indicate a surplus, but warned of the dangers of backsliding.

When the United States has a payments deficit, foreigners acquire dollars. Most of these dollars are used to finance trade or are held as reserves by foreign governments to support their own currencies.

But many foreigners have accumulated more dollars than they want. The glut has weakened the value of the dollar from time to time.

Foreign governments and central banks have used some of their excess dollars to buy gold from the United States at the fixed price of $35 an ounce, reducing U.S. gold stocks to the lowest level since 1938.

Now that the net flow of dollars abroad is ending, other countries are worrying about shortages of liquidity. Without adequate reserves, world trade and commerce could not grow.

And the search is on for new methods to expand reserves.

Fowler did not indicate what kind of mechanism the United States favors.

"Fowler is inviting initiatives," an official said.

There are indications that the United States favors relying mainly on additional credit mechanisms for expanding world liquidity. Credit sources now include the International Monetary Fund, bilateral loans and multilateral arrangements.

SUPERB UNIVERSITY OF CALIFORNIA MARCHING BAND OF 101 MEMBERS TO VISIT WASHINGTON THIS WEEK

Mr. KUCHEL. Mr. President, the Nation's Capital enjoys an extraordinary number of opportunities—unparalleled, I believe, in any other city of our Nation—to savor varied musical performances of remarkable virtuosity and competence. A succession of choral groups, glee clubs, bands, orchestras, and other aggregations of vocal and instrumental musicians passes through the District of Columbia in an almost endless parade and invariably each schedules an appearance intended to bring pleasure to the Congress.

An outstanding musical organization from my native State, one which proudly boasts a history dating back to the last decade of the preceding century, is scheduled for two performances in this city in the next 2 days.

The University of California's marching band from the Berkeley campus, a 101-member organization making a 10,000 mile summer tour of the country, will put on a brief show on the Capitol steps on Wednesday noon and is booked for a full-scale variety-type presentation at the Monument grounds Tuesday night, tomorrow, at 8 o'clock.

The history of this talented, versatile musical contingent is almost as fascinating as its repertoire and its range of accomplishment. Founded in 1891 by a handful of students to play at military drills and university ceremonies, it has served as a group of musical ambassadors and demonstrated its capabilities at the New York World's Fair this year, the Brussels World's Fair in 1958, the Golden Gate International Exposition in 1939, the Panama-Pacific International Exposition in 1915, and the San Francisco Fair in 1894. Fittingly, it performed at the dedication of California's State Capitol in 1909, a building some decades later to be occupied by a student who, in another era coincidentally was perhaps the band's most prestigious member, the present Chief Justice and one-time Governor of my State, the Honorable Earl Warren.

Under the direction of James Berdahl and garbed in striking uniforms, the University of California marching band will bounce easily from cherished classical numbers and musical comedy favorites to jazz and Dixieland specialties, highlighted with vaudeville and song-and-dance routines.

I cordially invite all colleagues to join in enjoyment of this group's performance on the steps at 11 to 11:30 Wednesday morning and hope that they will suggest their families and friends attend the more ambitious performance at the Washington Monument tomorrow evening at 8 o'clock.

DEATH OF MENDEL SILBERBERG, OF LOS ANGELES, CALIF.

Mr. KUCHEL. Mr. President, a grand and distinguished Californian, an outstanding civic leader, passed away in Los Angeles on June 27. The late Mendel Silberberg was perhaps the foremost attorney for the American motion picture industry. He was a forward-looking, a stanch Republican leader. He was an intimate friend of the late Herbert Hoover.

His lifelong friend, Chief Justice Earl Warren, said that Mendel Silberberg devoted all his years to a strong and free America.

Mendel Silberberg was my friend. Along with all his legion of friends, I mourn his passing and send profound condolences to his bereaved widow and children.

At his memorial services, a very eloquent eulogy was delivered to the memory of the late Mendel Silberberg, by the distinguished jurist, Hon. Lester William Roth, justice of the District Court of Appeals, Second Appellate District.

I ask unanimous consent that the text of that eulogy appear at this point in the RECORD.

There being no objection, the eulogy was ordered to be printed in the RECORD, as follows:

> A man has died. But Mendel Silberberg will live on in this community in which he was born, which he helped to build and which he loved.
>
> A lawyer has died, but his memory and his achievements will enrich the legal profession to which he brought tremendous ability for generations to come.
>
> Some lawyers achieve fame as executives of States; some as lawmakers in legislatures, and in other high political positions.
>
> Many lawyers become nationally famous as trial lawyers.
>
> Many achieve eminence on the bench.
>
> These men of law, because their names are exploited in news media, are the ones generally accepted by the public as the lawyers who are specially gifted. Many of them are.

But the members of the bar and the sophisticated public know there is another small select group of lawyers who are in every sense the cream of the profession, lawyers who are tremendously efficient and effective members of our great democratic society. This select group avoids all news media. They are just other names listed among many names on the stationery of the important law firms of this Nation.

Many of these men could be or could have been Governors, Senators, or judges, but their peculiar genius requires constant action in diverse fields. Their mental, emotional, and physical makeup is such that they cannot be harnessed permanently to a specific job which, because of its well-defined responsibilities, stifles or smothers much of their sparkling talents.

These gifted men are generally the dynamos of the important law firms, they are the strategists behind many famous trial lawyers, the inspiration and the sponsors of many of our judges and of many of the politically great.

These men are the yeast of the law.

These lawyers are the yeast of our democracy.

I have known Mendel as a lawyer and as a friend for 1 year short of one-half century. I have lived in this community for more than 50 years and I know that when I testify that Mendel was one of that select group, my testimony will be echoed by all of you assembled here to honor his memory and by all who knew him.

To belong to this very small and select group of which Mendel was a living symbol, one must have more than ability and energy—one must have honor and impeccable integrity. To qualify, it is not enough to know the law—one must know business, one must know politics—and above all one must know men.

Mendel was a very proud man, yet a humble one. He abhorred ostentation. He despised phonies. He had a cool, precise and agile mind. A lawyer from his heels to his fingertips, he would with clinical incisiveness, expose the charlatans and lay bare the defects in seemingly sound proposals. His life as a lawyer seems to have been inspired by the preachments of Isaiah.

He was in truth a sword of vengeance to those dissemblers who call evil good and good evil, who change darkness into light and light into darkness, who make the bitter sweet and the sweet bitter. He was in truth anathema to those who justify the wicked for reward and take away righteousness from the righteous.

He was an articulate forceful man who, when the occasion required, could and would devour with tongue of fire all sophistry and root out the rottenness of a pretender.

I remember an occasion just a few years ago, when I had the privilege of presenting Mendel to a large group of lawyers. We talked about a number of things and discussed what would we do if we had to start all over again. He replied promptly "I'd start practicing law tomorrow." I said to him he was a true son of David and that he had anticipated my introduction.

You will remember that when David was about to die, he sent for his son Solomon and said to him:

"I go the way of all flesh. Be thou strong therefore and show yourself a man, and walk in the ways of the Lord your God. Keep His statutes and His ordinances and testimonies, as it is written in the law of Moses, that you may prosper in all that you do."

Mendel kept the faith.

Dorothy, his beloved wife, Doria and Susan, his beloved daughters, and the members of his family have a rich storehouse of memories and achievements from which to draw warmth and comfort all the days of their life.

You are, I am sure, and I am too, profoundly grateful that he passed our way.

TRIBUTE TO SENATOR RANDOLPH AND SENATOR COOPER ON RECEIPT OF DOCTOR OF LAWS, HONORIS CAUSA DEGREE BY THE UNIVERSITY OF PITTSBURGH

Mr. CLARK. Mr. President, on June 7 of this year, honorary degrees of doctor of laws were bestowed on two of our colleagues at the annual commencement exercises of the University of Pittsburgh by the acting chancellor, Alan Carson Rankin, of that university.

The Senator from West Virginia [Mr. RANDOLPH] was described as a distinguished public servant and educated author, businessman, good neighbor. He was praised for his relentless efforts to meet the problems of the Nation and his State through progressive public policy; for his special concern about the human problems created by limited economic opportunity; and for his talent and experience in business, in education, and in government, which he has utilized to make him our "all purpose Senator."

He was granted a degree of doctor of laws, honoris causa.

The Senator from Kentucky [Mr. COOPER], was described as an ambassador and judge; Senator and savant; and esteemed Kentuckian. He was extolled for dedicated service to our country in the executive, judicial, and legislative branches of government; for his fearless defense of the ethical values and moral issues of political life; and for serving the Commonwealth of Kentucky to the benefit and advantage of all the Nation.

I ask unanimous consent that the comments made by the vice chancellor at the time these honorary degrees were conferred on the Senator from West Virginia [Mr. RANDOLPH] and on the Senator from Kentucky [Mr. COOPER] be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. Vice Chancellor, I have the honor to present the distinguished senior U.S. Senator from the State of West Virginia, JENNINGS RANDOLPH.

Senator RANDOLPH'S long public-service career as Congressman and Senator clearly symbolizes a deep and continuing concern for the human problems associated with our changing economy. Long before the struggle against human poverty became a major public concern, he was a strong exponent and architect of legislation designed to extend economic opportunities to wide segments of his own constituency as well as people of other States. Financial aid to higher education, medical assistance for the aging, employment opportunities, highway construction, aid to the physically handicapped, conservation, and control of water pollution have been among his major interests. A strong friend of small business, he has constantly sought means for improving the relations between Government and business. It was highly appropriate and characteristic of the man that he should have introduced and been the successful floor manager of the Appalachian Regional Development Act of 1965.

Beyond his public service, Senator RANDOLPH has distinguished himself as educator and academic administrator, serving as head of the Department of Public Speaking and Journalism at Davis and Elkins College and later as dean of the School of Business Administration at Southeastern University. An author of widely used books on public speaking, a former news reporter and currently associate editor and publisher of a West Virginia newspaper, and a practicing businessman with Capital Airlines for over a decade, he has successfully bridged the diverse worlds of business, government, and education.

As a native of West Virginia, his humanitarian roots are deep in the traditions of Jeffersonian democracy and in the progressive spirit symbolized by William Jennings Bryan whose namesake he is and whose sense of public service, oratorical skills, and concern for people in all walks of life he has inherited as a spiritual mantle.

Mr. Vice Chancellor, it is a privilege to present for the degree of doctor of laws the distinguished public servant, JENNINGS RANDOLPH.

BESTOWAL OF DOCTOR OF LAWS DEGREE ON SENATOR JOHN SHERMAN COOPER

Mr. Vice Chancellor, I have the honor to present a man whose devotion to his country has made him a long-term resident of Washington and has taken him to distant parts of the world, but never for so extended a time that he would be separated long from his native State—the distinguished Senator from Kentucky, JOHN SHERMAN COOPER.

Born in the Appalachian foothills at Somerset, Ky., he first attended Centre College and then Yale University where he earned his bachelor of arts degree, followed by professional training at the Harvard Law School. From 1928 when he was elected to the lower house of the Kentucky Legislature to the present, Senator COOPER has been engaged in public duty: Judge in Pulaski County; a career from private to captain during World War II; circuit judge in his home State; the popular and effective Ambassador to India in 1955 and 1956; and a leading member of the liberal wing of the Republican Party in the U.S. Senate. His energetic service on the floor of the Senate helped secure passage of the Appalachian Regional Development Act of 1965, linking his name to that of Senator RANDOLPH on behalf of the needy populations of the Appalachian region.

He has been called "unpartisan." His approach to issues is essentially legal, his style of debate is one of earnest persuasion, but he is fearless when faced with the moral issues of politics. His Republicanism traces from Lincoln, through Theodore Roosevelt, to Dwight Eisenhower. He early recognized and fought the influence of Senator Joseph McCarthy. He believes that his party has an historic role to play in assuring civil rights to all citizens, as well as in providing the educational and economic opportunities necessary to realize the full potential of those rights.

Representative of the finest in the Senatorial tradition, he was returned in 1960 by the largest majority ever given by Kentuckians to any candidate for public office.

Mr. Vice Chancellor, it is a privilege to present for the degree of doctor of laws, JOHN SHERMAN COOPER.

SECRETARY OF COMMERCE CONNOR DEMONSTRATED POOR JUDGMENT

Mr. YOUNG of Ohio. Mr. President, last January I voted in favor of confirming our President's nomination of John T. Connor as Secretary of Commerce. Apparently that was a mistake on my part. Rowland Evans and Robert Novak in their column published in the Washington Post on July 11, 1965, make reference to the fact that Ohio Congressman at large SWEENEY recently hosted a luncheon meeting with Secretary Connor as guest of honor to which Ohio Democratic Representatives in Congress and the junior Senator from Ohio were invited. Frankly, I decided I would not be hungry that noon and declined. It appears that all of my Democratic colleagues in the other body, with the exception of one, also decided to skip that luncheon. Congressman SWEENEY, as host, was the only Ohio Democrat who showed up.

The inference to be drawn from the article is that Ohio Democratic Representatives in Congress were angered because Secretary Connor refused to appoint a Democrat as regional director in Ohio for the Department of Commerce. Speaking for myself only, I made no objection to the appointment of Charles B. Stebbins to be top representative of the U.S. Department of Commerce in Ohio because he is a Republican. From the record the facts are that Stebbins, who is approximately 50 years of age, never voted in a presidential or congressional election in his entire life until November 1964. For a year preceding 1964 he had been an applicant for appointment as regional director for the Department of Commerce in Ohio. Stebbins registered in June 1964, a month after the Democratic and Republican primaries. Whether he voted for Barry Goldwater or Lyndon B. Johnson, I neither know nor care.

I objected and do object to this man being top representative of the U.S. Department of Commerce in Ohio largely for the reason that over the years he has been a neuter gender when it comes to politics. Over the years this man has been a handsomely paid employee of the Department of Commerce. In my judgment throughout all this period he remainded a second-class citizen. He never cast a vote, in Ohio under our election laws it is essential that a citizen desiring to vote in the Republican or Democratic primaries state his poltics. Charles Stebbins lives in a locality where the large majority of his neighbors are Republicans. What his reason has been for being neuter when it comes to voting and taking an interest in National, State, and local public affairs is unknown to me. It may be that he felt it to his advantage socially to continue as a second-class citizen instead of participating in governmental affairs.

I am told that he is an affable gentleman socially who has catered to industrialists in the community where I live. He has never been a leader in any community affairs nor regarded as a man of particular competence, or achievement.

Frankly, I respect and admire his wife. She has been over the years a prominent member of Republican women's groups in Cuyahoga County. Mrs. Charles Stebbins registered as a voter in 1952. She voted in the Republican primaries of 1954, 1958, and 1960. She has been regarded as an active woman leader in Republican Party affairs. It is said that she actively supported Barry Goldwater for President. I respect her for taking an affirmative position. It is noteworthy, however, that the first Republican primary she missed in recent years was that of May 1964, at a time when her husband was campaigning personally for the appointment to the top position in the Department of Commerce in Ohio in a Democratic national administration.

The facts are that late last year and earlier this year I talked with officials of the Department of Commerce regarding Stebbins and none of them claimed him to be an outstanding man of achievement in private or public life.

Commerce Secretary John T. Connor in Ohio last April informed Albert S. Porter, Democratic National Committeeman, of Ohio, that he intended to appoint Stebbins. It was evident to the Democratic leader who talked with Connor that Herbert Klotz, at that time Assistant Secretary of Commerce—who has since resigned—and Paul Southwick, Special Assistant to the Secretary, had him "conned" into appointing Charles Stebbins.

It was stated to me that Secretary Connor reported to National Committeeman Porter that excluding Democrats from consideration for appointment to this top position in Ohio and catering to Republican businessmen was good policy. In fact, in the discussions of Department of Commerce aids with me, I was told how important it was to win the support of Republican businessmen in Ohio and have them get behind our President. When this was told by Secretary Connor to Ohio Democratic National Committeeman Albert S. Porter, Mr. Porter stated:

> With that philosophy, maybe President Johnson will run as an independent in 1968.

Secretary Connor in a cavalier and "porky" manner said, "Maybe he will."

Frankly, Mr. President, had Secretary Connor appointed a known Republican who admits he is a Republican, I would not consider he had done a disservice to our President and to our State as much so as in appointing this man who over many years never voted in a presidential or congressional election, and took the position that he had no interest whatever in politics or in Government. I take a dim view of Secretary of Commerce Connor and consider he manifested very poor judgment in selecting the top field representative of the Department of Commerce in my State.

I ask unanimous consent that the column by Rowland Evans and Robert Novak referring to this matter be included at this point in the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 11, 1965]

(By Rowland Evans and Robert Novak)

In a studied snub to Secretary of Commerce John Connor, Democrats on the Ohio congressional delegation declined an invitation to lunch with him the other day.

To understand why, it is necessary to recall a dispute over appointment of a Commerce Department field representative in Cleveland. Connor refused to appoint a Democrat backed by the entire Ohio Democratic delegation (with the exception of lone wolf Senator FRANK LAUSCHE). Instead, Connor named a career Commerce Department employee who is not a Democrat.

After we reported this several weeks ago, President Johnson was most unhappy with Connor. He discussed the incident with Connor and strongly suggested a move to placate the Congressmen.

The opportunity came June 29 when Democratic Representative ROBERT SWEENEY, Ohio's Congressman at Large, entertained an Ohio civic group in the Capitol with Connor as his luncheon guest of honor. Connor suggested it would be a nice idea to invite all the Ohio Democrats. The way Connor put it was that he would like to meet every Democratic Member of the delegation.

SWEENEY agreed that would be a nice idea. When SWEENEY telephoned his fellow Democrats, several accepted at first—but several declined. Then those who had accepted changed their minds.

In the end, Host SWEENEY was the only Democrat who showed up.

BEYOND COMMONSENSE

Mr. WILLIAMS of Delaware. Mr. President, in the January 8 issue of the Washington Daily News there appeared an editorial pointing up another example of the court's undue interest in protecting the rights of the criminal while ignoring the rights of the victim.

I ask unanimous consent that this editorial, entitled "Beyond Commonsense," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Daily News, Jan. 8, 1965]

BEYOND COMMONSENSE

Here's a new high in the current custom in many courts of going beyond commonsense in "protecting the rights of the accused."

This happened in district court here.

A 34-year-old man was accused of luring a 12-year-old girl from a bus station and raping her. The trial had been going on 3 weeks and was in its closing day.

At this stage it was reported to the judge that the accused had passed a juror in the corridor and asked:

"Are you going to give me an acquittal?"

The remark was repeated in some form or fell within the earshot of six other jurors.

Then, lo and behold—

The accused man's lawyer moved for a mistrial. The lawyer contended his client could not get a fair trial now because the jurors could not erase from their minds what the accused had done in approaching them and would be prejudiced against him.

All seven jurors testified they could still render a fair verdict but the judge granted the defense motion.

Thus a 3-week trial went down the drain. The little girl again will have to go through the agony of telling her story from the witness stand. And time has a way of working for those charged with crime.

By doing what the accused man's lawyer asked him to do, the judge in reality rewarded the accused man for his own misconduct.

And all this was done in the name of "protecting rights of the accused."

THE GI BILL—EDUCATION, INSURANCE, AND LOAN BENEFITS

Mr. KUCHEL. Mr. President, it was my pleasure to coauthor Senator SALTON-

STALL's bill, S. 520, which would extend wartime benefits to our valiant fighting men and women, and their families, who serve in defense of liberty in any area designated by the President as an area of hostility.

As some will recall, I have long had a keen interest and concern for our men in uniform, and for their welfare once they left the service. In the 84th Congress, on April 23, 1956, I authored S. 3697 to extend the so-called GI bill of rights to all persons who entered the Armed Forces of the United States after January 31, 1955, thus affording them the same benefits enjoyed by those who had entered the service prior to that date. While not successful on that occasion, my interest in the problem, and the need to remedy it, did in no way diminish. On February 11, 1957, I tried again with S. 1158. I offered S. 270 on January 14, 1959.

It seems appropriate, Mr. President, to this day quote part of the testimony I gave in 1959 before Senator YARBOROUGH's Subcommittee on Veterans Affairs of the Committee on Labor and Public Welfare:

> We no longer can assume that one's contribution to the defense of our society ends the moment an individual leaves the service. In fact he might make a greater contribution as a researcher in the laboratory, a skilled engineer and worker in the industrial plant, and the administrator who coordinates complex and farflung activities. These are the Armed Forces of democracy in the broadest sense.

These sentiments, I submit, have as much impact today as they had 8 years ago.

An extension of the GI bill this session would provide our fighting forces in such places as Vietnam and the Dominican Republic the educational, insurance, and loan benefits afforded men who have in the past served their Nation in its Armed Forces.

I ask unanimous consent to have printed in the RECORD a letter I have from Mr. O. W. Price, commander of American Legion Post 222, of Laguna Beach, Calif., in which he most capably highlights the many benefits which have accrued to our Nation in the past and which would, most assuredly, accrue to it in the future by an extension of the GI bill to those serving in danger spots today.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN LEGION POST NO. 222,
Laguna Beach, Calif.

Twenty-one years ago, I was called into central office to help write regulation No. 1, putting into effect the largest and greatest experiment in mass education the world has ever known. At that time, I had charge of the VA's vocational rehabilitation program in Wisconsin. Subsequently, I was director of both programs for California, Arizona, Nevada, and Hawaii.

Its success from the beginning was phenomenal and its effect on the economy of the Nation has been tremendous. It helped to build up the Nation's resources of skilled manpower for the technological age we had just entered. It enabled many thousands to get a college education or to learn a skilled trade who otherwise would not have been able to do so.

World War II and Korea veterans who took education or training totaled 10,200,000. This does not include those who were under the rehabilitation program.

Here's what the United States gained: 460,000 engineers; 360,000 teachers; 130,000 doctors, dentists, and nurses; 150,000 scientists, and many thousands of skilled technicians, mechanics, accountants, farmers, administrators, and others.

Nearly all World War II and Korea veterans are employed and 4 out of every 10 workers is a veteran. Their income is about $100 billion a year. The GI's have already paid back the cost of their education through increased income taxes resulting from higher earnings. Educators agreed they were the best students they had ever had. They were mature, practical, democratic, serious-minded, and intensely patriotic.

Although there was an acute shortage of instructors, crowded classrooms, and inferior housing, there was no lawlessness or group efforts to embarass the school administrators as we have recently witnessed.

They also did not take to the "frills" and "rah rah" life on the campus.

They had given their country some of the most valuable years of their lives and were in a hurry to get out of school and into a job or business of their own.

The GI training programs have expired but the impact they had on America is a lasting one.

I had an important part in its administration and observed at firsthand its value.

Congress is strongly urged to grant similar benefits to members of the Armed Forces serving in the danger areas of Vietnam and the Dominican Republic.

O. W. PRICE,
Commander.

ECONOMY IN GOVERNMENT OPERATIONS

Mr. JACKSON. Mr. President, all of us in the Congress are rightly concerned about unnecessary duplication of effort and waste in government operations at home and abroad, and the fight against waste must be waged each day anew—in the executive branch and in the Congress.

I would like to insert in the RECORD an article in the Washington Post of July 6 concerning a new combined project in our foreign aid program—to build a microwave telephone system in Korea—the result of joint planning of the Agency for International Development—AID—and the military assistance program—MAP.

As indicated in the article by Richard Halloran that follows, the idea for a joint project began when the Inspector General for Foreign Assistance, J. K. Mansfield, suggested to the country team in Korea that there is not enough joint planning of projects. This case is an illustration of the contribution to economy in our AID operations abroad which can be made by continued auditing and effective inspection under the leadership of the experienced Inspector General, J. K. Mansfield and his able deputy, Howard E. Haugerud.

Therefore, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOINT ECONOMIC-MILITARY AID PLANNED

(By Richard Halloran)

Possibly for the first time in the long history of American economic and military assistance, the Agency for International Development and the military assistance program will run a combined project from beginning to end.

AID and the military assistance program have put together a joint project to build a microwave telephone system in Korea. Also involved are the Korean Ministry of Communications and the Korean Army Signal Corps, for whom the system will be built.

Although much joint planning has been done before, this is the first case that officials can recall where a project has been carried through writing of specifications and into construction and operation.

SAVINGS EXPECTED

AID officials say the joint project will save about $2 million in equipment procurement. Additional savings will come from joint use of the system, interchange of spare parts, and joint training of operators.

About 60 percent of the $10 to $15 million project will be financed by an AID loan and 40 percent by a military assistance program grant. One contractor will do the job after a competitive bid. Contract signing is scheduled for November 30.

The idea for a joint project began when the Inspector General of Foreign Assistance criticized the American "country team" in Korea for not enough planning together.

OTHER JOINT PROJECTS SEEN

An AID-military assistance program study team that went out to check found that not only could more planning be done jointly but that further steps might be combined.

This led to joint writing of specifications and procurement in the microwave system and eventually to combining the entire project.

Officials say this unified approach is applicable to other projects such as roads, water systems, and electrical plants.

Why with all the American experience in aid, hasn't this been done before? No one is sure, except to note that in the press of day-to-day work, nobody thought of it.

RESOLUTIONS OF DETROIT ARCHDIOCESAN COUNCIL OF CATHOLIC WOMEN

Mr. HART. Mr. President, the Detroit Archdiocesan Council of Catholic Women recently completed their 26th annual convention.

The convention passed a number of resolutions, many of them pledging to continue the excellent community programs that the council has undertaken.

But the council also took stands on a number of national and international issues that should prove of interest to the Congress. These resolutions not only outline the council's views on these issues, but describe what the organization is doing to implement those views.

I ask unanimous consent that these resolutions be printed in the RECORD at this point in my remarks.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

The human relations committee resolves to intensify its efforts in the field of human relations, working specifically toward the achievement of equal opportunity in housing, education, and employment; be it further

Resolved, That the human relations committee will continue to promote true integration in many of our Catholic women's organizations and remind Catholic women of the need for them to assume the leadership in the attainment of this goal.

Whereas there is greater need today than ever before to involves more women in the work of the church to aid in the solution of present-day moral, educational, social, and economic problems: Now, therefore, be it

Resolved, That the development-leadership program shall offer service to affiliated organizations that, informed of the objectives of the D.A.C.C.W. committees, their members may find channels to work toward these goals; be it further

Resolved, That because of the need for leadership training, programs will be initiated that will provide individual members with techniques and procedures to carry out the purpose of their affiliated group and of those committees of this council accepted by the affiliate.

Realizing that we are "our brother's keeper" and the greatest commandment is "thou shall love the Lord thy God and thy neighbor as thyself," the international relations program resolves:

1. To continue to support, and where possible, to augment, the food-for-peace program.
2. To commend the U.S. delegation for its steadfast opposition to the admission of Red China as a member of the United Nations, and by written notice to urge their continuation of the ideals of world understanding toward a strengthened United Nations.
3. We are in favor of the following principles in immigration: the elimination of the national origins quota system based on ethnic and racial discrimination; greater emphasis on family reunion; and permanent provision for admission of refugees.
4. Acting within our abilities to be ambassadors for our faith and Nation through the people-to-people program, we recommend continued participation in our intensive program of hospitality to international students and visitors.
5. We urge greater enlistment for work in the Latin American nations, through religious societies, missionary groups, the Peace Corps, and the papal volunteers for Latin America to combat poverty, illiteracy, social injustice and human despair, and to implement our work with knowledge acquired through the study of "Focus on Latin America" and "Great Decisions."

Whereas bad legislation exists in government because good citizens stand by and do nothing: Be it

Resolved, That the legislation program on education teach the DACCW, and urge all women to vote, and pledge to,

1. Supply information on registration and voting.
2. Provide nonpartisan information to aid all citizens to choose qualified candidates.
3. Alert members on pending legislative measures on matters concerning our homes, schools, and church, when so directed by the Michigan Catholic Conference.
4. Form telephone committees to be used on "Action Now" legislation.
5. Cooperate with existing civic groups in matters concerning the welfare of our city, State, and Nation.

Whereas our love must reach out to the poor and suffering of the world, the mission apostolate program will seek to alleviate distress, both spiritual and material, through the operation of its five committees: Therefore be it

Resolved, That—

1. Foreign relief committee will continue to support and promote the broad relief programs of NCCW with special emphasis on the help-a-child or Korean adoption program, the Holy Father's collection for children, the feed-a-family and the Madonna plan.
2. Mission service committee will seek to instill in all a constant awareness of the great importance of our missions and to give service to foreign and home missions through cooperations with the Propagation of the Faith Society and other designated outlets.
3. The migrant committee will continue to work to improve the situations of the migrant workers in our area in these ways:
   - (a) Work for legislation aimed at improving their working conditions.
   - (b) Provide summer schools and teachers to give religious and general instruction.
   - (c) Broaden the educational program to include some opportunities for the adults as well as children.
   - (d) Food, clothing, and book drives will be conducted to be distributed at the various migrant centers.
   - (e) "Family Night" programs with holy hours, refreshments, and appropriate entertainment will be provided regularly.
4. Local relief committee will strive to recruit enough women to carry out our threefold programs in one inner city parish this summer by
   - (a) Staffing a nursery school to aid in enriching and better preparing the small children for school.
   - (b) Helping the needy to best utilize the sources of aid available from the government, community, etc.
   - (c) Home visiting, driving, counseling, etc., to assist in the rehabilitation and training of adults in habits of organization, cleanliness, responsibility, etc.
5. Battle of the books committee will continue to send good books of all kinds to all areas of the world in an effort to promote an ideology of freedom and godliness.

THE 75TH ANNIVERSARY OF WYOMING STATEHOOD

Mr. McGEE. Mr. President, Wyoming celebrated 75 years of membership in this Union of States Saturday. Though the Diamond Jubilee of Wyoming statehood is being marked by a year of celebrations in the Equality State, July 10 was set aside for special recognition as the State's birthday. Such an occasion is, of course, a time for recalling the stirring stories of the pioneers who tamed the West. Mr. President, I would like to share my view of these hardy pioneers and their meaning for us today. I ask unanimous consent that my remarks made in Cheyenne Saturday night be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Pioneers, Yesterday and Today

(Remarks of Senator Gale McGee on the occasion of the celebration of the 75th anniversary of Wyoming statehood)

Doubtlesss there will be few commemorative occasions during this 75th anniversary year at which some reference is not made to the "hardy pioneers." Now these "hardy pioneers" were indeed hardy and unusual men and certainly deserving of a special place in the history books of our Nation. But there was one group of people who didn't think these people—those who settled the West—were at all remarkable. And they were the pioneers themselves.

They didn't consider themselves national heroes, but rather common ordinary Americans trying to find a better life for themselves. They packed up and came West looking not for a place in the history books, but rather for a better standard of living—a bigger farm, richer lands, mineral wealth, and in some cases, a scarcity of law enforcement personnel. And these people were not seeking a primitive standard of living—the unsprung wagons, corncob mattress, inhospitable Indians, and the 14-hour workday—they just accepted what was available and set out to improve living conditions as quickly as they could.

But I am not going to "debunk" the pioneers as being overrated Americans—by our living standards today they put up with unbearable living standards, accepted great risks as a way of life and ventured into the unknown with hardly a look backward. What I would like to suggest is that if we are to honor these pioneers by emulating their examples—and there is no greater way of giving honor—then we, too, must proceed with the job at hand with the tools available. We are seeking to conquer the frontiers of space rather than the frontiers of the West. We wish to win the minds of uncommitted millions for the cause of freedom rather than bring new territory under the flag. We seek to surmount the problems of increasing populations and decreasing space, of technology running ahead of our ability to control it and of poverty in the midst of plenty. We meet these challenges in the midst of air-conditioned, climate-controlled comfort, in a culture seemingly dedicated to making a life of ease and complete abandonment of labor a goal rather than a reward.

It may then be harder for us mentally, if not physically, to own up to these challenges and to meet them as they must be met. Like the pioneer, we seek a better life for ourselves and our children. And like the pioneer we must be prepared to take some risks, face some unknown dangers, try new and untested ideas, and sacrifice the comforts of a stable existence, and the assurance of old ways and old landmarks.

Today we meet to hail 75 years of progress and achievement. We are all proud to be able to do this. Whether or not our grandchildren and great grandchildren will meet 75 years from today to hail us for our achievements is a question I cannot answer; I cannot even suggest all the things that must be done, but I know that nothing can be achieved until we commit ourselves to the task. Those we honor here today set out from St. Louis not to make history but to make for themselves a better life. We must set out from our status quo to make a better life for all Americans, for I suspect that we shall either have a much better life or none at all.

In keeping with the thoughts of the pioneers, I am sure that these outspoken individuals had little patience with speechmaking and pious phraseology—they were men of action. And so in deference to the many buckskin-clad ghosts that may have wandered into these proceedings, I shall quit right now.

MOTION PICTURE "SHENANDOAH" RECEIVES PRAISE

Mr. YARBOROUGH. Mr. President, for many people, their closest touch with American history is the moments they spend watching a motion picture.

Our film industry has to its credit the production, over the last 50 years, of some outstanding screen stories depicting great events in the creation and development of these United States. While we might think of such portrayals as entertainment only, because they are a part of our theater, we should also recognize that they are also impressive and often tremendously inspirational to young people and adults who see them.

It is not coincidence that two of the greatest motion pictures ever produced, "Birth of a Nation," and "Gone With the Wind," have as their subject the most climactic event in American history—the Civil War. Both were made with sensitive regard for authenticity in the unfolding of an unparalleled event. This is probably one outstanding reason for their lasting greatness as motion pictures.

I should like to call your attention to another recent film production which I have had the pleasure of seeing. Also having to do with the Civil War period, it is appropriately called, "Shenandoah."

A Universal Pictures film, set in the beautiful Shenandoah Valley of Virginia, and photographed with great authenticity for details, the story of "Shenandoah" concerns a family which resided in the valley, the members of which tried to remain neutral as the War Between the States encroached on their lives.

The head of this family is played by one of America's foremost actors, James Stewart. I think he may very well be nominated for another Academy Award in recognition of his excellent performance in this new film.

"Shenandoah" is a warm, emotional story of a most unusual family. It is also a reminder of the overwhelming tragedy of war.

Already the picture has received wide critical praise. On the basis of my viewing of this film, I would like to add my praise to this excellent movie and to join with James I. Robertson, Jr., executive Director of the U.S. Civil War Centennial Commission, when he calls the story of "Shenandoah" an "exceptionally fine screen play."

FIRST CONGRESS OF MICRONESIA—PROGRESS UNDER U.S. TRUSTEESHIP

Mr. FONG. Mr. President, an event of special political significance is taking place now in the far Pacific. The first Congress of Micronesia, serving as the legislature of the Trust Territory of the Pacific Islands, convened today in Saipan for its first regular session.

The two-house legislature marks a historic step forward in the political development of the 87,000 people who live on about 100 small island groups scattered over 3 million square miles of the Pacific Ocean.

During World War II the island-hopping campaigns of American Armed Forces made the names of many of the trust territory islands famous—Kwajalein, Saipan, Peleliu, and Truk. At the end of the war, the colonists were repatriated. The area became a strategic trust under a 1947 trusteeship agreement between the United States and the Security Council of the United Nations.

Initially administered by the Navy, jurisdiction was transferred to the Department of the Interior in 1951. Headquarters of the High Commissioner were transferred from Hawaii to Guam in 1954. In 1962 Saipan, which had been returned to Navy jurisdiction in 1953 and again put under Interior jurisdiction on July 1, 1962, was named the provisional capital of the trust territory.

CONGRESSIONAL APPROPRIATIONS

In 1962 a Federal appropriation ceiling for the trust territory was more than doubled and for the fiscal years 1963, 1964, and 1965 a total of 47,500,000 has been appropriated by the U.S. Congress

I call attention to the convening of the first Congress of Micronesia because this event reflects great credit upon the U.S. trusteeship over the affairs of the trust territory. With our Government's assistance, guidance and encouragement, the people of the trust territory have achieved advancements not only politically but also economically, socially, and educationally.

The general progress attained by the people under American trusteeship is particularly gratifying in view of the numerous problems they face, not the least of which is the immense geographic spread of the trust territory islands. The 700 square miles of land area are spread over a vast ocean area roughly the size of continental United States. Moreover, the nine major languages among the population present substantail obstacles to communication and cooperation on a territorial basis.

The Congress of Micronesia was created by an order of the Secretary of the Interior on September 28, 1964. Prior to that date, legislative functions in the trust territory were exercised by the High Commissioner and the Secretary of the Interior. The genesis of the new Congress occurred in 1956 when the High Commissioner created a Micronesian advisory committee. This committee met annually and in 1961, with the encouragement of the High Commissioner, voted to change its name to the Council of Micronesia and to elect its own chairman. In prior years the High Commissioner or a member of his staff served as chairman.

American administration gave self-government in the Trust Territory an early start with the establishment of district legislatures. The first, the Palau Legislature, was created in the late 1940's.

With this background of working to resolve mutual problems, the Council of Micronesia considered proposals to create a territorial legislature in October 1962, eventually leading to a recommendation that such a legislative body be established by the Secretary of the Interior.

HAWAII'S MANY CONTRIBUTIONS

It is a matter of pride and satisfaction for the United States, and particularly for the people of Hawaii, to observe the steady progress of the Trust Territory. The fact that Hawaii is the State closest to the Trust Territory has enabled the 50th State to make notable contributions to its advancement.

Hawaii's people are especially qualified to extend assistance because of their own long experience in developing their island community politically, economically, socially, and educationally. They have shared and are continuing to share their talents and energy toward helping their Pacific neighbors in the Trust Territory. The East-West Center for Technical and Cultural Interchange in Hawaii has been notably effective in offering training to Trust Territory participants. Through its Institute for Technical Interchange, the East-West Center has arranged for training of these participants in such diverse fields as health and medical services, business education, commercial sewing, legislative services, radio broadcasting and station management, plant quarantine procedures and techniques, practical island horticulture, dining room service, and commercial cooking.

The Center held training institutes in the field by sending instructional teams to the Pacific islands and also conducted Hawaii-based, on-the-job training through business firms and Government offices.

After training, participants returned to their island homes to impart their knowledge and skills to their neighbors. Dollars invested in each participant, therefore, brought high returns in extension of this training to many others.

It is also noteworthy that the University of Hawaii and other Hawaii schools are educating Trust Territory youths to meet their special needs.

PRESESSION WORKSHOP

A direct contribution to the new Congress of Micronesia was made recently when the East-West Center sponsored a 2-week presession workshop to prepare the 33 legislators of the congress for the opening of their historic session today. For the next 30 days of their first regular session, the 3? men will be putting into practice the presession training they received from the Hawaii team.

Dr. Y. Baron Goto, Vice Chancellor of the East-West Center's Institute for Technical Interchange, who took part in the workshop, reported his impressions and observations upon his return to Honolulu, in the following words:

> I think it is very significant that out of the 33 (legislators), 25 are between the ages of 26 and 39. This indicates that the majority are people who grew up under an American government rather than Japanese rule (before World War II).
>
> It is significant because it indicates that with all the criticism we have been hearing about American rule, we nevertheless have been making significant contributions in the field of education—so much so that the accepted leaders of today are those who have been educated under the American system.

Dr. Goto noted that in the 20 years since the United States took over Micronesia, the Micronesians had sufficiently mastered English to conduct their legislative work in English. Of the 33 legislators, only 2 needed interpreters.

Of the 33 legislators, 13 attended the University of Hawaii and 9 attended the College of Guam or mainland U.S. universities.

On this auspicious occasion, I extend sincere congratulations to all the people of the trust territory on the opening of the Congress of Micronesia, and send best wishes to the members of the congress for a most productive and rewarding session.

An excellent article on the Congress of Micronesia and its workshop was published in the Honolulu Star-Bulletin of

July 5, 1965, titled "Workshop Helps Micronesia Delegates." I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORKSHOP HELPS MICRONESIA DELEGATES

(By Byron Baker)

SAIPAN, Marianas Islands.—Last Monday 33 men who were born and raised on a handful of tiny islands thousands of miles apart sat down at desks in the former officers' club of a CIA installation and began learning the job of governing the 87,000 citizens of the Trust Territory of the Pacific Islands.

They are the first delegates to the Congress of Micronesia, and they are learning the legislative skills they will need during the congress' first session.

Twelve of them—two from each of the territory's six districts—are delegates, members of the congress' upper house.

The other 21 are members of the house of assembly, elected on a population basis.

Until next Monday, July 12, with the assistance of professors from the University of Hawaii and a legislative counsel who at other times is the head of Tufts University's political science department, they will learn of bills and resolutions, of house rules and decorum.

Their ranks include a district director of education, who is expected to become the first speaker of the house, a goldsmith who also is the publisher of the only private newspaper in the trust territory, a member of island royalty who will make a bid to become president of the house of delegates and a sprinkling of Micronesian civil servants who have been allowed to run for election during the early years of the fledging Congress.

DISTANCES GREAT

Already they have had meetings with their colleagues in the districts * * * a necessary measure since several of the districts cover as much area as the largest of America's States. They have not visited with all their constituents, partly because of the trust territory's perennial lack of adequate funds and partly because some of the islands in Micronesia are so widely scattered that administration vessels only reach them once or twice a year.

Through their first session they will be experimenting. They will be seeking an answer to the question of whether the peoples of at least six different cultures, speaking at least nine different languages, can form a political entity which is viable in today's world.

For the avowed goal of the U.S. trusteeship over the isles of Micronesia is to prepare them for independence. The question is one which arises in every discussion of the trust territory at the United Nations.

Micronesians themselves have varying opinions about their political future, and they have had plenty of experience with different matters. They have been ruled by the Spanish, the Germans, the Japanese, and now the United States. Sometimes they chucklingly wonder who will be next. The Russians? The Chinese?

Whether it is because of the frequent changes of rulers or because of the tightness of island society itself, many Micronesians are doubtful about the possibilities of unity for the trust territory.

Popular party followers in Saipan heard their leaders campaign for the Congress of Micronesia on a platform which included withdrawing from the Congress if elected. The Populars, who comprise the majority of Saipan's nearly 10,000 people, want reintegration of the Marianas.

They claim that the rest of the trust territory is much less advanced than Saipan and that being linked with the less developed areas will slow down their own progress.

WANT TO JOIN GUAM

Instead they want to join Guam in a U.S. territory which would include all of the Mariana Islands.

Nor is Saipan the only place which has separatist tendencies. One of the Palau district's fledging political parties campaigned on an independence plank. An opposition party spokesman said that the independence promise did not reflect the thinking of Palauan leaders, but that it was a campaign device designed to attract the support of Palauan royalty. Hereditary chiefs in Palau have lost considerable authority in recent years, and they see the new Congress as a further threat.

Trust territory administrators seek to play down the separatist tendencies in some of the districts. High Commissioner M. W. Goding, the territory's top official, told members of the United Nations Trusteeship Council at the end of May that the Saipanese wish for reintegration had almost vanished.

But a trio of Mariana district legislators, visiting Guam to observe the Guam Legislature in action, were amazed when told of the High Commissioner's comments. They maintained that reintegration sentiment was as strong as ever and that if a plebiscite should be held, as was done some 2 years ago, the results would be strongly in favor of reintegration.

But several Micronesians who were candidates in the January election for the Congress of Micronesia were doubtful about separatism. They felt that at the district centers, where population is concentrated in several districts, the people were aware of the difficulties of going it alone.

Chief among them was Dwight Heine, a shrewd Micronesian politician who is a graduate of the University of Hawaii. Heine, who was elected to the Congress lower house without campaigning while he attended an educators' conference in Saipan, is now director of education for the Marshall Islands and is an immediate past president of the Council of Micronesia. The council was a strictly advisory group which formulated the plans for the Congress of Micronesia.

Heine, who is expected to be the first speaker of the house of assembly, is a gradualist who proclaims himself satisfied with the new Congress. He maintains that the Marshalls are the only isle in the trust territory which are still able to exist outside of a larger framework primarily because they are the largest copra producers in the trust territory and are relatively independent of store-bought goods.

Heine is well aware that the Congress does not possess the powers it might, but he believes that all things will come in the fullness of time. "We are very good listeners," Heine says of Micronesians' ability to wait for what they want. "When the time comes to talk, we will know what to say."

Heine is also illustrative of an interesting dilemma which regularly gives headaches to those who try to teach democratic methods to Micronesians.

For Heine is a commoner from an island group which has traditionally been governed by hereditary chiefs. The power of the chiefs has been much reduced from the days when they held absolute sway over the areas they commanded. They must conform with territory laws now, but those areas which the laws do not cover are still the sole property of the chiefs, and they are a definite force in the islands.

The Marshall Islands District Legislature takes special note of the situation by according seats for life to the chiefs. Voting is reserved for the elected members, but the chiefs can participate in debate and use their considerable influence as they see fit.

Similar divisions of power exist in Yap district, which is further complicated by the existence of a caste system, and in Palau.

These are only a few of the difficulties which the Micronesian congressmen will have to resolve if they are to bring genuine political unity to the Trust Territory isles. This week they are learning the way, and the days have been busy.

Their legislative workshop opened last Monday with remarks from High Commissioner Goding, who earned chuckles when he suggested that the congressmen would be as busy politicking for their favorites for speaker of the house and president of the house of delegates as with learning methods.

The High Commissioner commented that the new congress had been the center of discussion at the United Nations meeting (and indeed it was, for Goding was taken to task by the representative from Liberia because the new congress did not have more extensive powers over budgets).

Goding described the new congress as having broad legislative power and called for close cooperation between the legislative and executive branches.

GROUP DISCUSSIONS

The congressmen have been divided into three groups for discussion of topics of interest to them. They follow a schedule of an hour's discussion, followed by a report to the body as a whole.

Planning for the discussions is handled by a steering committee of one member from each of the territory's six districts. Committeemen are Olympio Borja, Marianas district; Amata Kabua, Marshall Islands district; Francis Nuuan, Yap district; Tosiwo Nakayama, Truk district; Roman Tmetuchl, Palau district and Eliuel Pretrick, Ponape district.

Lectures and question-and-answer periods with University of Hawaii political scientists and movies on legislative process round out the training program.

Chief topics of discussion through the first week of the meeting were congressional jurisdiction, congressional organization, membership qualifications, and rights and parliamentary procedure.

Micronesian Congressmen have also been trying to determine what sort of committee organization they wanted. Near the end of the first week they suggested alternatively a committee of the whole to handle all affairs or a group of five committees; political, appropriations, economic, rules, and social.

MICRONESIA SEAT DISTRIBUTION LISTED

Here is the apportionment of seats in the first Congress of Micronesia:

	House of Delegates	General Assembly
Mariana Islands	2	3
Marshall Islands	2	4
Palau	2	3
Ponape	2	4
Truk	2	5
Yap	2	2
	12	21

The delegate apportionment is fixed but assemblymen are to be reapportioned every 10 years with the first reapportionment in 1971. The reapportionment will be on a population basis but each district is to retain a minimum of two assemblymen.

Legislators must be at least 25 years old, resident of the trust territory for 5 years and of their districts for 1.

PROPOSED SUMMER VACATION FOR CONGRESS

Mr. McGEE. Mr. President, the lead editorial in the Washington Post today calls for a breather for Congress. It calls for a summer vacation, as it were, and then for a vigorous fall and winter session.

As one who has for 4 years argued that Congress is a full-time job and that we should abandon our annual race with the calendar and our perennial guessing game as to when we shall adjourn, I want to second the Washington Post's position. Each time I have made my suggestion for year-round sessions of Congress, but with provisions for summer vacations, I was told to wait until next year. The current year is always an exception because of an election or because of this or that crisis. But I am convinced that this session, the last session and the session before that are all normal sessions and that our annual race for the wire as we move toward winter is a relic of the past. A look at recent adjournment dates of the Congress will readily bear out this contention.

Mr. President, the time has come for us to quit kidding ourselves. Let us face the fact that the world is fraught with crises for as far into the future as we can see. These crises defy calendar schedules and even the convenience of the Congress of the United States. And, too, the complexities and magnitude of our domestic legislative problems present us with year-round work. This is no 9-month job.

There are no better reasons for making this change than the honest hope that an orderly, year-round congressional calendar would lead to better legislation. But I believe it would also be a boon to the Members' physical and mental well-being. Another factor of real importance to many of us would be the time available to spend with growing families.

Indeed, those of us with schoolage children have a real problem. When the children have vacations, dad is hard at work. When dad has some time available, the kids are in school. And, at last count, about one-half of all Senators had children in school. Over in the House, I am told, the percentage is even higher. In addition, there are the families of our staff members—a total of more than 600 in the Senate—that are in the same fix.

Mr. President, I know the Joint Committee on the Reorganization of Congress is considering this proposal. But, with the Washington Post, I think the circumstances are right this year to anticipate the evolution of Congress into a year-round operation. I ask unanimous consent that the Washington Post editorial, "Breather for Congress," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BREATHER FOR CONGRESS

Talk of adjournment is in the air on Capitol Hill. Restive legislators feel an increasing urge to exchange yarns with their constituents and to note how the wind is blowing on the home front. At the same time, however, President Johnson is increasingly aware of the mountain of unpassed administration bills still awaiting final action in Congress. And so the annual struggle begins.

Most of the congressional leaders have been talking about winding up their formal lawmaking by Labor Day. But this is acknowledged to involve a substantial degree of wishful thinking. Even with the good start that Congress made this year and with the expeditious pace that has been continued, there is virtually no hope of really completing its legislative chores in the next 8 weeks. The idea of rushing through the unpleasant tasks in Washington so as to be able to spend a substantial part of the year at home is a throwback to a simpler era when the affairs of state were far less complicated than they are today.

Congress has completed action on a number of important bills. Various others, including medical care-social security, are close to enactment. The foreign aid bill is in conference. Conferees will soon be giving the voting rights bill its final form. What has been done is still rather meager, however, in comparison to what remains. Congress must pass nine additional appropriation bills. It still has to act on the omnibus housing bill, the regional medical centers, regional development, the proposed Department of Urban Affairs, higher education, the minimum wage, unemployment compensation, Taft-Hartley Act reforms, the proposed National Arts Foundation, and the farm program.

Other important bills include those designed to reform the immigration laws, create an Office of Population Problems, give home rule to the District of Columbia, create the Indiana Dunes Lakeshore and establish the Assateague National Seashore. To these many others must be added if Congress is to make any pretense of finishing its work. In other words, no adjournment by Labor Day is possible without the sacrifice of an enormous amount of legislation to which the administration and presumably the country are committed.

There is no easy escape in the assumption that the unfinished business can be safely carried over to the next session; 1966 will have its own problems. It will also be an election year, and an early adjournment will be necessary to permit campaigning. In these circumstances we think Congress should take a hot-weather break for a few weeks and return after Labor Day for a vigorous fall and winter session.

President Johnson is reported to have said that Congress should stay on the job until November. That has been the practice in many previous years. But it is much better to allow for a summer vacation and a return to Washington for the remainder of the year when no election is being held. This is one of the reforms that may come out of the current study of Congress by the Monroney Committee, but it could be properly anticipated this summer when all the circumstances are favorable for a hot-weather breather and a full autumn session.

JUDGE GEORGE EDWARDS

Mr. HART. Mr. President, Judge George Edwards, of the U.S. Sixth Circuit Court of Appeals, is a perceptive student of urban problems and a man who has many times proven his ability to deal with those problems.

He is a former member and president of the Detroit City Council, a justice of the Supreme Court of Michigan and, until he took his most recent post, police commissioner of Detroit.

At the recent national conference of mayors, Judge Edwards presented an interesting analysis of police problems in big cities together with a series of sound recommendations on how police departments can win respect and cooperation in even the most hostile neighborhoods.

I ask unanimous consent that the judge's thoughtful and constructive speech be printed at this point in my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY GEORGE EDWARDS, JUDGE, U.S. COURT OF APPEALS, SIXTH CIRCUIT

It comes naturally to me to greet you with the respect which your high office warrants.

In 1939 I started my public career by appointment by Mayor Edward J. Jeffries as a department head in his first administration as mayor of the city of Detroit. In 8 subsequent years I served as a member of the City Council of the City of Detroit, 4 of them as council president and acting mayor. Once 16 years ago I even made the mistake of seeking to acquire the title of mayor myself, but the people of my community—who have exceptional wisdom—decided from their point of view that this was an undesirable idea. And while it took me some years to recognize it, I ultimately came to the conclusion that this was true from my point of view also.

During the 8 years I was on the City Council of Detroit, I had the experience of participating in the writing of police department budgets. As acting mayor from time to time I also had the experience (which I am sure all of you have had) of issuing directives to the police department in relation to various types of community crises and watching with concerned fascination to see how the directives were interpreted and carried out by the police department.

In a period of private practice after I had left city government, I represented the Detroit Police Officers Association as its general counsel.

In all of this past history I gained enormous respect for the importance of the office of mayor to the quality of life in these United States, and I likewise gained enormous respect for the importance of the office of police officer to the quality of life in the cities of these United States.

By 1961 I had spent 10 years in judicial office. I had spent several years as the juvenile court judge in Detroit, 2 years in a trial court, with general criminal jurisdiction, and was midway in a second term as justice of the Supreme Court of Michigan. For 6 years I had lived in Lansing, the capital of Michigan, where the Supreme Court was located, and it seemed likely that I would spend my life there and in that job.

One day I got a call from a close friend and confidant of the newly elected mayor of the city of Detroit, Jerry Cavanagh. He told me that Mayor Cavanagh wanted to meet me and talk to me about his desire to have me leave the Supreme Court of Michigan and become police commissioner in his administration which was to take office in January. I laughed and said I would be glad to meet the mayor, but thought it most unlikely that he could persuade me to follow any such incredible course.

In this regard I reckoned without giving due consideration to the very considerable persuasive powers of our mayor.

Detroit had a problem. Mayor Cavanagh knew it and he had a solution in mind. The problem was simply that the previous city administration and administration of the police department had in 1961 given a perfect demonstration of the occupation army-type of police approach to the problem of inner city crime. Widespread use of dragnet arrests during a police crackdown, with the arrests directly almost exclusively against Negro citizens, had inflamed the Negro community to a point where the executive secretary of the Detroit Board of Commerce said, "Detroit was sitting on a keg of dynamite."

I think it is fair to say that at the time my conversation with the mayor took place, he and most people in the city considered Detroit the most likely candidate for a major race riot of any big city in the country.

Mayor Cavanagh's solution involved a program. Ultimately I took the job of police commissioner, with instructions from the mayor to seek to guarantee law enforcement which was equal as to all citizens while seeking to make it more effective also. For 2 fascinating years in 1962 and 1963 I sought with every means at my command to carry out this program. It would be nice to tell you that we solved all the problems. But it would also be untrue. What I think I can tell you is that we made law enforcement a bit more effective and we convinced most of the people of Detroit that we were moving toward making it more nearly equal in its application to all people, regardless of race or color.

In those 2 years Detroit did not have anything approaching a race riot, nor has it in the period which has followed.

This is a lengthy presentation of credentials to talk about the topic which has been assigned to me. But I am going to speak with frankness and suggest a sufficient number of ideas which are in areas of intense controversy, so that I need you to know that I have been where I have had to apply these ideas in practical day-by-day law enforcement. Otherwise, as the intensely practical men that mayors must inevitably be, you might be inclined to tune out my remarks. I have no stake in the results of this speech, other than an interest in the welfare of our country. But I urge you to listen with an open mind, because solutions to the problems I plan to deal with can prevent tragedy to your city and disaster to yourselves.

The last big city race riot of very deadly proportions occurred in 1943 in the city of Detroit. I was then a member of the Detroit City Council. I lived through the worst hours of my life in the course of that incredible experience.

Don't anyone ever think that race hatred is a one way street. If you do, you delude yourself. There are extremists with other names than the Ku Klux Klan. There are extremists who have black faces as well as there are extremists who have white faces, and the extremists of both varieties took over the streets of Detroit for 24 bloody hours. Thirty-six people died in that period. I am going to tell you about two of them.

One was a Dr. de Horatius, of Italian origin, I believe; certainly of white skin. Dr. de Horatius had served on the east side of the city of Detroit for many years, and among his patients he had many Negroes. Around 10 in the morning the riot broke out and he was called to respond to a patient on the east side of the city, and in pursuance of his duty, he responded. He was met on the streets by a mob full of anger and full of race hatred. They didn't know Dr. de Horatius from a bale of hay; all they knew about him was that they, the mob, had black faces and that he had a white one. And they stoned him to death with no more knowledge than that.

Later in that 24-hour period there was another death. A chief of the fire department told me the all-too-gory details. It was a Negro workman going home from his job, driving alone. He was stopped by a mob with anger and race hatred in their hearts. They didn't know any more about him than that the mob's faces were white and this man's face was black. They turned his car over, and when the gasoline spilled out of the car, they lit a match and set fire to it and burned up the man inside the car.

Edward J. Jeffries, my friend and mentor, was mayor of the city of Detroit at the time. He was a great mayor. But he had not known that this terror was coming or was even likely. Nor had many people in Detroit. And to say that Detroit was not ready for this possibility would be to put it mildly. It would be useful to every mayor in America to read a recent journalistic account of the events of those 48 hours. It is called "Detroit Race Riot" and was written by Shogan and Craig. These young men were not very kind in their judgment of my friend the mayor. Twenty-two years later it is easy to see the lack of preparation and the failures of performance which left 36 dead on the streets of Detroit and an army unit in command of our city.

But whatever may have been the circumstances of 1943, I don't need to tell you that in 1965 no one will make excuses for any present mayor's inability to foresee the possibility of racial trouble in any big city in any State in this country. The warnings from the summer of 1964 are too fresh at hand.

This speech is dedicated to trying to find answers—in advance of trouble. May I start by seeking to put the problem somewhat in context?

The police function is in trouble in every section of our land. This fact may be attributed to the impact of four historic trends.

1. The increasing urbanization of our country.

2. The increasing insistence of the U.S. Supreme Court on strict police compliance with the principles of the Bill of Rights.

3. The vast and continuing migration of millions of Negro citizens, principally from southern rural areas and principally to the great metropolitan areas of our country.

4. The civil rights revolution of the 1960's which is seeking in this decade full freedom and equality for all Negro citizens.

I do not decry any one of these trends, but each of them imposes problems of its own upon the metropolitan police function.

Let us look just briefly at the impact of urbanization on the police function.

Order has been the basic job of every organized government from the beginning of history. But our American Government, while plainly designed to preserve order, made the signal contribution to history of avowing as a Government objective the achieving of individual liberty for its citizens also. The policeman has the task of reconciling freedom and order. In the big city it is quite a task.

Freedom on the frontier was one thing. Freedom in a metropolis is another. In relation to the man of the frontier, liberty could almost be defined as the right to do without hindrance what one wished. In the big city, liberty might be more accurately referred to as the maximum freedom of choice consistent with the maintenance of similar freedom for the other members of society.

In the days of Daniel Boone, there would be little point to a traffic light at a crossing of foot trails. Today we accept the interference with our liberty represented by traffic signals because we know that without them all of us would be snarled in hopeless traffic jams.

When a generation ago a farmboy on a spring day yelled, ran, picked up a rock and threw it—who cared? He was a boy. But today—with perhaps no more basic motivation than the animal spirits which moved his rural grandfather—this same conduct would almost inevitably produce a police call and a police statistic.

In an earlier period few people would be bothered by the bitter and violent words uttered by a pioneer to a few companions around a campfire. In the hot city streets of last summer, words of equal violence addressed to a Ku Klux-minded crowd in St. Augustine or to a Muslim-minded crowd in Philadelphia could prove to be a major public hazard.

These examples are provided only to remind us that law enforcement in a rural society and law enforcement in our modern urban society are vastly different. Most of America today lives in metropolitan areas, where millions of people who do not know one another nonetheless live and work in close proximity, with greatly increased chances for conflict. At least partly out of necessity—and frequently without recognizing what we have done—we have turned over to the police officer of our big cities many functions which used to be among the most important duties of the individual and the family. Today the policeman's tour of duty is full of radio runs which require him to correct the conduct of children, which require him to mediate family quarrels, to determine the right-of-way between overeager drivers, to care for the injured on the streets, to protect our homes at night and our persons in the daytime—all, hopefully, with the concern of a social worker, the wisdom of a Solomon, and the prompt courage of a combat soldier.

It is interesting to note that in our day when the parable of the Good Samaritan is reenacted on a city street, almost invariably the modern Good Samaritan wears a blue coat.

For the moment, let us leave the frontline defender of law—the police officer—and turn abruptly to another agency of our law—the Supreme Court of the United States. Having said something good about our police, I am not in the next breath going to attack the Supreme Court. In fact, I may be the only judge or lawyer you will ever hear praise the police function and that of the Supreme Court in the same speech, but I see no inconsistency in doing so.

For over a decade our Supreme Court has been engaged in leading this country toward making more effective the high ideals of our American Constitution. It has been setting even higher standards of law enforcement.

It has told us that equality before the law and the equal protection of the laws must be made realities of everyday life.

It has told us that deprivation of human liberty is essentially a decision for the judiciary.

It has told us that as far as the Constitution is concerned, absent probable cause or a judicial warrant, there is no such thing as a lawful arrest for investigation only.

It has told us that forced confessions are an anathema to American law and that a citizen has a right to counsel in all felony prosecutions.

Thus, it seems clear that the Constitution and the Supreme Court of the United States have clearly ruled out of our system of law such old-fashioned police measures as dragnet arrests, detention for investigation only, and third-degree procurement of confessions.

No matter how much we approve in general of the objectives just outlined, can anyone doubt that they demand higher police training and more police manpower?

Now, let me turn to the third tremendous change which has taken place in this Nation. To some degree this one is still taking place. An article by Charles Silberman (author of "Crisis in Black and White") says, speaking of the greatest problem of the cities in the midpart of the 20th century:

"It is not, as so many assume, to bring the wandering middle class back from the suburbs. The large city * * * cannot import a middle class; it must manufacture its own. * * * Bringing people from society's backwaters into the mainstream of American life has always been the principal business, and the principal glory, of the American city.

"It isn't any longer; the city is in trouble today because it isn't dealing successfully with its newcomers. They are still pouring in—not from County Cork, or Bavaria, or Sicily, or Galicia, but from Jackson, Miss., and Memphis, Tenn., and a host of towns and hamlets with names like Sunflower, Rolling Fork, and Dyersburg. The new immigrants are distinguished from the older residents not by religion or national origin, but by color. Between 1950 and 1960 the 12 largest U.S. cities lost over 2 million white residents; they gained nearly 2 million Negro residents.

"It is the explosive growth of their Negro populations, in fact, that constitutes the large cities' principal problem and concern. When city officials talk about spreading slums, they are talking in the main about physical deterioration of the areas inhabited by Negroes. And when they talk about juvenile delinquency, or the burden of welfare payments, or any of a long list of city problems, officials are talking principally about the problems of Negro adjustment to city life. For the large city is not absorbing and 'urbanizing' its new Negro residents rapidly enough; its slums are no longer acting as the incubator of a new middle class."

Now, from the fact that I read that excerpt to you, some might deduce that I am identifying crime in the big cities as a race problem. On the contrary, I think crime is a problem which is produced by human degradation. If you subject any portion of a population, regardless of its national origin or color, to conditions of poverty, lack of education, lack of culture, lack of employment opportunities, that portion of the population will in relatively short order begin to produce a higher than average percentage of delinquents and criminals.

If it is true, and it is, that in most of our big cities a higher percentage of recorded crimes are committed by Negro citizens than by whites, it also is true that statistically a far higher percentage of Negro citizens reside in slums; they constitute a far higher percentage of employees, with the lowest paid jobs, a far higher percentage of the unemployed, a far higher percentage of school dropouts and a far higher percentage of people who have known degradation, poverty and discrimination through the past 300 years.

Now in every one of our big cities, two other facts are likewise patent and obvious to any who will look. The first fact is that the portion of our society with the greatest stake in effective and vigilant and vigorous law enforcement is the Negro portion of our population. As more crimes are committed by Negroes in the core areas of our cities, so more of the victims are Negroes than is true in relation to the whites.

An article in Look (June 4, 1963) dealing with Washington, D.C., points out that 84 percent of the assault victims in Washington are Negroes. This is an interesting statistic. A similar study of one of Detroit's precincts produced similar figures. That study of a precinct heavily populated with Negroes showed that 78 percent of the identified assault offenders were Negro while 76 percent of the victims were Negro likewise.

In Philadelphia, a 5-year study of homicides indicates that all but 6 percent were committed by offenders of the same race as the victim. Of the 6 percent of interracial homicides, 2.7 percent were committed by whites and 3.9 percent by Negroes.

In Dallas, a 1963 study of homicides indicates that where 68 percent of the homicide suspects were Negro, 69 percent of the victims were Negro likewise.

Contrary to general popular belief about the nature of crime in the United States, Negroes are much more likely to be victims of crimes of violence than is true of whites.

The other fact which is widely overlooked is that just as it is true that it is easy to police the better sections of the white occupied portions of any city, so it is also far easier to police the better sections which are occupied by Negro residents. We have a neighborhood in Detroit in which for 40 years Negro businessmen, lawyers, doctors, workers in the factory with long seniority have bought land and built homes and reared their youngsters. Conant Gardens is known as one of the quietest neighborhoods in one of the quietest precincts in the entire city of Detroit. It always has been.

These things lead me to conclude that the notion that crime is a race problem is a totally false one. They should not lead us to overlook the fact that wherever there has been discrimination, wherever there has been impoverishment, wherever there has been denial of rights, automatically we have built-in problems in relation to social order.

This leads me to the fourth major influence on law enforcement problems—the civil rights revolution of the 1960's.

Over and above all of what I have talked about, we are engaged as a nation in the historic task of seeking to raise 11 percent of our people from the effects of slavery, segregation and degradation in which they have lived for 300 years in the past. This is a stupendous challenge. No one of us can think that it is going to be easy to accomplish in any respect. But it certainly is obvious that the police role in this historic revolution is a crucial one. To date that role has all too often been entirely negative.

The use of local police, who should always be the representatives of the law, to defy the law, to defy the Constitution of the United States and the courts of the land is tragic. It requires condemnation of every law-abiding citizen of our country. Episodes like those of Birmingham and Selma, Ala., and Oxford and Neshoba County, Miss., add to the police problems in every section of the country.

And perhaps we should also say these episodes represent the most futile exhibitions of this century. There isn't any question about whether such fundamental rights as equal education and equal voting, which are guaranteeed by our Constitution, are going to be granted to all citizens in this country. It is only a question as to when and how. Even those who are engaged in leading this resistance know in their own hearts that they must make this change. It is required by the basic religious concepts of the people of this Nation. It is mandated by every bit of our constitutional law.

It is not enough, however, to reject use of local police to defeat implementation of constitutional rights for colored citizens. Positive steps are needed too. There is a deep-seated belief among our Negro citizens that equal law enforcement in police practices does not exist anywhere in our land.

And indeed the demand for equal law enforcement in police practice is increasingly one of the fundamental objectives of the civil rights revolution.

No matter how frequently this demand is stated in obviously exaggerated terms, there is still a fundamental problem here which needs to be faced. The local police forces of this Nation properly regard themselves as public servants in the maintenance of law and order. But they tend not to carry this public servant attitude into the areas of our big cities which are heavily populated with Negro citizens. There they tend to view each person on the streets as a potential criminal and a potential enemy. And all too often that attitude is reciprocated. Hostility between the Negro communities of our big cities and their police departments is the major problem which law enforcement deals with in this decade. Every recent race riot has had such hostility as a major cause. The elimination of this hostility will take attention and reason and great local and national effort.

Conflict between the police and the Negro people is deep rooted in our history and deep rooted in experience on both sides.

The Negro citizen sees the police officer in blue coat, with white face, as the representative of the white man's law who for nearly 300 years enforced the laws—first of slavery and next of legally sanctioned segregation.

His personal experience may have been like the following—or much worse. In the 1930's, if a teenage Negro boy met a white police officer in the late afternoon on the streets of an east Texas town near where I grew up, his first contact with law would probably be that of being told: "Nigger, don't let the sun set on you in this town." Thirty years later in a big northern city, just that memory can turn a Saturday night party that has gotten loud enough for a police call into a dangerous melee.

Let us turn to the other side of the conflict and examine the hostility there. Police officers have grown up in a tradition where part of their historic function assigned by the community had been "keeping the Negro in his place." This history produces current attitudes which are illustrated by the great number of present-day police officers who invariably use the hated term "nigger" in talking about (and sometimes to) Negro citizens.

But some police hostility is based on their own observations of their own job. A thoroughly unbiased police officer who made the run to the Saturday night party I referred to couldn't miss the hostility which greeted him—and he neither knows nor thinks about its source. Then, too, many white police officers work daily in core area precincts where they are constantly in contact with crime committed by Negroes. These same officers probably live in neighborhoods occupied by whites where they have little contact with crime. This fact alone makes them tend to identify Negroes with crime and whites with peace and order.

We have already indicated how erroneous this conclusion is. But nonetheless it is a part of the hostility problem with which we have to deal. It is the pressure from these hostilities which makes it so very important that top policymaking be in civilian hands and that mayors and civilian police commissioners exercise in fact the control which the law places in their hands.

This analysis of the problem leads me inevitably to two simple conclusions, each enormously difficult to achieve:

1. That we should greatly strengthen law enforcement.

2. That we should move in every way possible to guarantee equal law enforcement.

While I was police commissioner of Detroit in 1962 and 1963, we formulated a program for the Detroit Police Department. It read: "We seek: (1) More law enforcement and more vigorous law enforcement. (2) Equal protection of the law for all law-abiding citizens; equal enforcement of the law against all law violators. (3) The support of law-abiding citizens for law enforcement."

We posted this program at the precinct stations over the desk. I always thought that the mere statement of these very general principles was of real value as they were read by both the men on the force and by the general public.

But, of course, the real question is one of implementation. How do you guarantee equal and effective law enforcement? Answering this question is crucial to the task of ending hostility and fear and distrust which affect a major portion of the people in our American cities.

The first thing you do is to find facts and face them. Let's be frank about this matter. This has not always been the practice. "The police officer is always right" is a most familiar slogan in precinct station houses. And the temptation, regardless of the facts, to defend police conduct which violates the book of procedure and the law is a temptation to which many police officers are, by social pressure of their own ranks, quite inclined to yield.

This isn't to ignore the fact that facts can be misstated against the police as well as for them. This is the most common thing in the world. The criminal arrested on the street wants to find something on the police officer. The fact that he would lie should surprise nobody. Some suspicion is justified in relation to almost anything which such a person is likely to offer in mitigation or expiation of his situation. But there are ways of finding facts.

Most things that happen on big city streets have been seen by a lot of people. And if you ask, and you take down what is told you by those who were there on the scene and who saw, and if you look at what is there to be seen, the chances are you can come out with a pretty accurate picture as to what actually occurred.

There are, of course, some things which you can't figure out. You can't figure out, for example, in the arrest of a belligerent drunk who takes a pass at the arresting officer exactly how hard he should have been hit in return. And I am not ignoring for 1 minute the fact that there is of necessity a basic discretion vested in the police officer in dealing with this kind of situation. Afterward, no one can fairly judge whether the pounds of pressure exerted by his fist or by his billy were scientifically calculated to be the least amount of physical force needed to subdue this person. And also in dealing with violent crime, the police officer who knows that his own life is in jeopardy has legal discretion to take any reasonable means to protect it. And in such measures he deserves the support of the community which he serves.

But there are some situations which aren't in these categories. If the police have a prisoner with his arms handcuffed behind him and four officers on the scene, it ought to be possible to bring him into a precinct station intact. Furthermore, I have often tried to figure out exactly how you would go about it if you were deliberately undertaking to develop a 4-inch cut on the top of the head by "falling on the precinct steps." But in the early months of my administration as Police Commissioner, I saw some reports which literally described this somewhat fantastic feat as having been accomplished by a shackled prisoner.

This doesn't mean that every error made by a police officer is fatal or requires discharge. He deals with difficult and complicated problems. But if he deserves correction, he should have it, as in any other walk of life. As a matter of fact, any situation where the truth is allowed to be covered up by official reports is productive of the greatest amount of hostility toward and disregard for law. This is a major source of problems in the area in which we are speaking.

Direct investigation of important civilian complaints by the civilian head of the police is essential. The community relations bureau or complaint bureau should be manned by permanently assigned officers chosen for intelligence and courage enough to face hostility inside and outside of the department. Their reports should go directly to the civilian heads or heads of the department.

Secondly, the administration of the department should make it known that it will not tolerate the institution which is best known in police circles as "alley court." Our law never has allowed for alley courts. The Constitution does not allow for them. But it has been an institution. There are police officers who are sincerely convinced that unless they are allowed to bolster their authority in the street by administering punishment by fist or billy when they feel it is necessary, they cannot maintain peace and order.

The law prohibits this. Our total society prohibits this. Punishment is not the function of the police. It is the function of the courts. The function of the police is to detect and apprehend and to bring into court for punishment. "Alley court" is ordinarily used against a minority group. If it is used, it inflames the attitude of that group—in this case the Negro population. It produces the cries of "police brutality." And it deprives the police department of the most important ally that it can have—the support of the law-abiding populace residing in the core areas of the city for the police department's war against crime. There are relatively few police officers who believe in "alley court." They cannot be allowed to perpetuate an utterly indefensible institution.

Thirdly, the administration of the police department should open and maintain means of communication between the police department and all sections of the community it serves. Particularly in this decade, this must be done with the Negro community and its leaders. Be available to meet with them to exchange information and to try earnestly to resolve problems. If you are conscious of a problem, don't wait for someone else to call. Initiate the discussion yourself.

What else do you do to achieve equal law enforcement? Here is a checklist of specific measures designed to achieve equal law enforcement and more effective law enforcement:

1. Keep police-community communications open.
2. Provide for direct staff investigation of civilian complaints and final decision on them by the highest civilian authority in the police department.
3. End "alley court."
4. Identify police troublemakers on the force and transfer them to noncritical jobs.
5. Ban "trigger words" in police action.
6. Enforce politeness in the giving of traffic tickets.
7. End investigative arrests.
8. Increase law enforcement in high crime precincts.
9. Drive out organized crime—and pay particular attention to its manifestations in the core areas.
10. Actively seek cooperation of all citizens for law enforcement—particularly in high crime areas.
11. Make certain that equal opportunity exists for all in police department—recruitment, assignments and promotions.
12. Ban the use of police dogs in core area police work. A dog companion for a single patrolman on a lonely beat may be useful. That same dog at a racial demonstration is a symbol of race hatred.
13. Integrate police teams—particularly make certain of the integration of details employed at racial demonstrations and the careful selection and integration of "ready forces" employed to respond to street conflicts.
14. Seek more police officers.
15. Seek better training for police officers.
16. Seek better pay for police officers.

I make no suggestion that any of these items are ones which can be the subject of a simple order and then be forgotten about. Least of all do I suggest that by listing these items I would necessarily claim that any police department had completely accomplished them. I do suggest that if they are sincerely held objectives, if they are tenaciously sought, then significant progress can be made.

These are policies of the Police Department of the city of Detroit, as I have reviewed them recently with the present Police Commissioner. They have been since the beginning of Mayor Cavanagh's administration. While the inauguration of these policies brought many predictions of dire results from prophets of doom inside and outside the police department, the results have been quite different. During Mayor Cavanagh's administration Detroit has done significantly better than the national FBI crime trend index.

By what I have said it must be obvious that I believe wholeheartedly in civilian control of police forces. There are many proposals for achievement of this, including civilian review boards. The best mechanism in my view, by far, is that of a civilian police administration—dedicated to vigorous, effective, fair and equal law enforcement—which has both responsibility for law enforcement and control of police practice.

The great majority of police officers, I believe, want no part of any abusive practices. They want and will support higher standards of training, of pay, and of performance in their profession.

Federal assistance in relation to some of these local police needs should be sought—particularly, I believe, in relation to police training. Recently in Washington I proposed the founding of a National Police Training College, organized, staffed, and financed at a level to make it comparable in police work to a West Point or an Annapolis. Such an institution could do more to enhance the level of local law enforcement than any other single program I can think of.

And now, finally, a word about a slogan which seems to me to be tremendously important. I would like to see more public concern about police work—not less. I would like to see citizens feel that they have a tremendous stake in how their police department operates and feel a duty to support it in the proper discharge of its duties. I would like to see them willing to "get involved."

What about the woman murdered in Queens last year within sight or hearing of 38 people—not one of whom called the police? They didn't want to get involved.

What about the police officer engaged in a desperate struggle to prevent a would-be suicide from throwing himself off an expressway bridge recently in Detroit? When the officer asked for help in trying to lift the man to safety, one citizen gave it. Others passed by, not wanting to be involved.

What commentaries these are on our civilization.

The effort to involve citizen support for law enforcement is basic in a democratic society. Without it the police effort can degenerate into an occupation army attitude. With citizen support the police are the community's right arm in fighting the evils which make city living difficult.

Let me quote briefly from a speech I made to a national police-community relations conference in 1963:

"In precinct 10, our most difficult precinct, we had a community relations meeting just a month ago that was supposed to be a regular quarterly meeting, but it wasn't a very ordinary affair. There were 450 citizens (90 percent of them Negro) seated in the police garage—the only place we had that was big enough to accommodate them. They were seated on hard folding chairs, and they stayed there for 3 hours to talk in detail with the precinct inspector and the officers in the precinct about law enforcement in the precinct. During the course of this 3-hour meeting there was not one complaint about discrimination or brutality.

"The most popular man in the meeting was the precinct inspector who was bringing the most vigorous kind of law enforcement to the 10th precinct. What they were asking for was more enforcement in their particular block or neighborhood, rather than wanting to have the police removed. They were telling us where stills were, or where blind pigs were operating, or who was pushing people around in their neighborhood. This is the kind of information which makes the law enforcement job so much easier. We gave out 10 department citations for dramatic work of assistance to the police on the street.

For instance, two gunmen had gone into a bar, held it up. Three of the Negro citizens who were at that meeting, when the gunmen left with the swag, went out the door after them, chased them, caught them, and held them until the police got there. Now, we don't really recommend that with civilians in our town. But after it was done, we couldn't very well do anything but say that it was an act of considerable courage.

"What we do encourage is having people tell us when they see things going on. Most of the other nine citations were given to people who had done that. They had seen something suspicious that ended up being the commission of a crime. Through this we get help for law enforcement.

"The sort of communication that was represented by that precinct 10 meeting, magnified a thousandfold, is the essence of democratic participation in law enforcement. Such avenues of communication have to date served in this great industrial area to let us move toward further progress in human relations without the eruptions of violence which plagued other great cities this past summer. May this progress continue."

In general I think I can report that such progress still continues.

Basically, all good law is the codification of the wisdom and morality of past ages. It is never safe to deal long with practical problems without relating them to moral standards. Let me end with such a statement. In Romans, chapter 13, we find these lines:

"Owe no man anything, but to love another; for he that loveth another hath fulfilled the law.

"For this, Thou shalt not commit adultery, Thou shalt not kill, Thou shalt not steal, Thou shalt not bear false witness, Thou shalt not covet; and if there be any other commandment, it is briefly comprehended in this saying, namely, Thou shalt love thy neighbor as thyself.

"Love worketh no ill to his neighbor; therefore love is the fulfilling of the law.

"And that, knowing the time, that now it is high time to awake out of sleep: for now is our salvation nearer than when we believed.

"The night is far spent, the day is at hand; let us therefore take off the works of darkness, and let us put on the armour of light."

REMEMBERING ERNIE PYLE

Mr. HARTKE. Mr. President, there are many persons throughout the Nation who recall the warmth and the clarity of the war reporting of Ernie Pyle, whose vignettes of war from the level of the average GI were so unforgettable.

It was 20 years ago, on April 18, 1945, that Ernie Pyle died of a sniper's bullet on Ie Shima. Earlier this year I offered a bill, S. 1673, proposing a commemorative stamp. Ernie Pyle was a native of Dana, Ind., and a graduate of the Indiana University School of Journalism.

Today an article in the Washington Daily News, which Ernie Pyle once edited, recalls the circumstances surrounding his death. It also reveals the existence in the Scripps-Howard files of 15 unpublished Ernie Pyle columns which will appear in the papers of the chain in the days ahead. I shall look forward to reading those dispatches, so long after.

Mr. President, I ask unanimous consent that the article to which I refer may appear in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIFTEEN UNPUBLISHED COLUMNS BY ERNIE PYLE RELEASED

(By Jim G. Lucas)

It was April 18, 1945.

In newspaper offices all over the world the bell on the wire service ticker jangled for an incoming bulletin. It read:

"At a command post in Shima, Ryukus Islands, April 18—Ernie Pyle, war correspondent, beloved by his coworkers, GI's and generals alike, was killed by a Japanese machinegun bullet through his left temple this morning.

"The famed war correspondent, who had reported the wars from Africa to Okinawa, met his death at 10:15 a.m., about a mile forward of this command post * * *."

ONLY YESTERDAY?

That was 20 years ago. To the men who knew and fought with Ernie at their side, to the millions who read him daily and felt they knew him because he made the war real, it hardly seems that long.

Millions of others know him only as a legend.

Ernie had landed on Ie Shima with the 77th Infantry Division just the day before. He had a hacking cold. On the way over, he put on a jacket for the sea breeze was brisk.

"I'm the old one-hoss shay," he told Bill McGaffin of the Chicago Daily News. He was a health-worrier—constantly fussing about his ailments.

The operation on Ie Shima was expected to be a snap. The island is only a dot off Okinawa. But later, when Ernie saw a GI get blown up by stepping on a mine, he remarked to Milton Chase of Radio Station WLW, Cincinnati:

"I wish I were in Albuquerque."

STRATEGY TALK

Ernie arose early on the morning of April 18, he chatted briefly with Maj. Gen. A. D. Bruce, commander of the 77th, at his command post on Ie Shima.

"I gave him the latest dope and our future plans," the general recalled later. "I was surprised and pleased that he came to the same conclusions I did."

That was Ernie. He knew war intimately.

About 10 a.m., he set out in a jeep with Lt. Col. Joseph B. Coolidge of Helena, Ark., commanding officer of the 305th Regiment, to look for a new command post site. Three others were with them: Maj. George Pratt of Eugene, Oreg., Dale Bassett of Baush, Colo., and the Jeep driver, John Barnes, of Petersburg, Va.

Except for an occasional mortar round, or a red flag indicating a mine, it was quiet, routine.

Another Jeep preceded them. Ahead were some trucks.

MACHINEGUN

As they neared a junction outside the little settlement of Ie, a Japanese machinegun opened up from the left, cutting up dust in a nearby field. It was too close for comfort. Why the gunner had let the other vehicles pass and zeroed in on Barnes' no one will ever know. Barnes braked sharply. The men piled out and took cover in a ditch. The gunner had a clear field of fire.

Pyle, Coolidge and Barnes were safe as long as they hugged the ground. Pratt and Bassett were a little forward. Ernie and Coolidge raised their heads. Pyle spotted Pratt and asked:

"Are you all right?"

Those were his last words.

ERNIE WAS DEAD

"The Jap let go again," Coolidge wrote later. "He had had time to adjust his sights. Some shots chewed up the road in front of me and ricocheted over my head. After ducking, I turned to ask Ernie how he was. He was lying face up, and at the time no blood showed, so for a second I could not tell what was wrong."

Ernie was dead. He had been hit in the left temple. Coolidge called to some soldiers nearby to ask for a medic. None was available, but it didn't matter.

Ernie was buried in Ie Shima. A few years ago, I watched a representative of the Japanese Government place a wreath on the site of that grave. Later, his body was removed to Hawaii.

UNPUBLISHED WORK

The Scripps-Howard Newspapers continued publishing a number of Ernie's columns after his death.

"We believe he would have wanted us to; as a great reporter, as a great newspaperman, and a great person, he would have wanted his stories to go through," his editors explained.

But 15 of Ernie's columns were never published, and have remained in our files for the past 20 years. Now we are publishing them for the first time starting next Monday in the Washington Daily News and other Scripps-Howard newspapers.

We want them to serve as a memorial. But, more than that, we would share the Pyle magic with those younger Americans who never had the privilege of knowing him.

FOLLOW-UP

In these last 15 stories, Ernie writes about 42 Americans. We have tried to locate as many as we could to find out what has happened to them over the years. We have been surprisingly successful, all things considered.

These were among the last men Ernie talked with. They still speak of him with warmth and affection; the shock of his death still lingers. Some recall he had a premonition of death; he felt his string had run out. They have mementos of him; a cigaret lighter, a short-snorter, or some GI joke they will never forget.

Not surprising, many feel they were the last he talked to, the last to see him alive. They sometimes feel they were his best and closest friends. This is not surprising either. Ernie was that kind.

Ernie Pyle has been dead for 20 years. But he is still very much alive, as the stories we have dusted off, and the memories of his GI friends, will show.

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

LEGISLATIVE BRANCH APPROPRIATIONS, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill—H.R. 8775—making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes.

The **PRESIDING OFFICER.** Without objection, the Senate will proceed to the consideration of the bill.

The Senate resumed the consideration of the bill.

VIETNAM

Mr. MANSFIELD. Mr. President, in the Saturday Evening Post of July 17, there appears an article with Washington dateline by the distinguished journalist Stewart Alsop. And in the Washington Post of July 11, there appears a feature with a Saigon dateline by John Maffre, a reporter who is in the tradition of courage and straightforwardness and dedication which the American press corps in Saigon has built in recent years.

Both articles deal with the critical Vietnamese situation. Both shed additional light on the complexity of the problems which confront us there. It is not and has never been, as is now becoming all to apparent, an open and shut affair, a simple do or do not proposition and these articles are most useful in stimulating the kind of thought which is essential if we are to deal with the situation effectively. For that reason, I commend them to the attention of the Senate and ask that they be included at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Saturday Evening Post,
July 17, 1965]

A TIME OF TROUBLE

(By Stewart Alsop)

WASHINGTON.—The mood of this city has changed sharply in the last 6 months.

Last January, in the wake of Lyndon Johnson's massive triumph at the polls, there was a confident feeling that, with this remarkable man running things, nothing could go really wrong. Now the confidence has been replaced by an uneasy, foreboding sense that the President and the rest of us may be in for a time of great trouble.

On the domestic front, the uneasiness is like "a cloud no larger than a man's hand." Its chief source is a single speech, delivered in early June by William McChesney Martin, Chairman of the Federal Reserve Board. Martin listed a series of 12 "menacing likenesses" between the present economic situation and the situation in 1929, before the great depression.

Martin was careful to point out differences too, but the "menacing likenesses" were much more striking. The President's economic seers, like Treasury Secretary Henry Fowler and Economic Adviser Gardner Ackley, remain guardedly confident. But the Martin speech was followed by a sharp, nervous drop in stock prices. And the uneasy feeling persists that the present boom, the longest since the 1929's, cannot last forever, and that some sort of economic trouble surely lies ahead.

On the foreign front, the clouds are visible—they seem to be bigger and blacker and uglier every day. The Dominican affair has raised the old specter of Yanqui imperialism in Latin America, and elsewhere in the world America-hating is becoming an international pastime. Charles de Gaulle's France, which used to be known as "America's oldest ally," is acting more and more like a hostile power. NATO seems to be coming apart. But the real source of the dark sense of foreboding that has been eroding Washington's self-confidence is Vietnam.

There is a tendency nowadays, especially abroad, to suppose that President Johnson is an impulsive fellow. In fact, he made his decision last February to bomb North Vietname only after long delay and much agonizing. All his advisers told him the same thing—that otherwise the Vietnam war would be lost. Thus the President had no real choice.

All his advisers hoped, and some certainly believed, that American air power alone would be enough to bring the Communists to the conference table in a mood to negotiate. As noted in this space about a year ago, it is a favorite American illusion "to suppose that air power is an adequate substitute for what the British call the PBI, or Poor Bloody Infantry." It is clear by now that, as in Korea and again and again in the Second World War, the job the Air Force started will have to be finished, if it can be finished, by the PBI.

What has happened is what a minority of the President's advisers feared might happen. When we resorted to our most available instrument of military pressure—air power—the North Vietnamese Communists resorted to theirs: human bodies. But they have done so in a clever way. An overt, full-scale, conventional invasion of South Vietnam, like North Korea's invasion of South Korea, would have had a shock effect, which might have produced a really massive reaction.

Instead, the invasion of South Vietnam has been by slow stages, and thus largely invisible. The North Vietnamese have simply increased, very steadily, their commitment of organized units to the Vietcong. The process has now reached a point where it is "academic," as a U.S. military spokesman in Saigon has said, to distinguish between indigenous Vietcong guerrilla forces and organized units from the north, because there as so many of the latter. But this invasion has produced no shocked reaction, here or abroad.

This covert invasion has in turn forced the President to commit American ground troops to combat. The process is sure to go further. Behind closed doors, Secretary of Defense Robert McNamara has talked of the possible necessity of committing to South Vietnam as many as 300,000 U.S. troops. He has said flatly that a war on the scale of the Korean war "may have to be accepted."

Consider the differences between the Korean war and what "may have to be accepted" in Vietnam. The Korean war was a response to overt aggression, a war officially sanctioned by the United Nations, supported by this country's allies and fought when this country had a virtual atomic monopoly. A Korean-scale war in Vietnam, if that is in store, will be a very lonely war. We will have no United Nations sanction, no support worth mentioning from any ally, and the passionate opposition of France and the entire uncommitted world. But that is not all.

Certain Republicans disgracefully exploited Truman's war for political gain. But all responsible opinion recognized that President Truman had no real choice but to oppose the overt aggression in Korea. President Johnson has no real choice but to oppose the covert aggression in Vietnam. But partly because the aggression is covert the Vietnamese war is widely unpopular and very little understood.

According to a recent Gallup poll, 54 percent of the voters want to "stop military action," or "withdraw completely," or "stop fighting, start negotiations." If Korean-scale casualties now ensue—33,000 American dead, as against a few hundred so far in the Vietnamese war—the war could become the most divisive in a hundred years.

Partly this is because a lot of people—not only the intellectuals—feel an obscure sense of guilt about the Vietnamese war. Senator JOHN SHERMAN COOPER recently cited one reason why: "What do the South Vietnamese people want to do? Stay independent? Join the North? Keep the Americans there? Unless we ask the South Vietnamese what they want to do, our presence there looks like an occupation."

The Communists are highly unlikely to accept a cease-fire or the other obvious preconditions necessary to "ask the South Vietnamese people what they want to do." But the gesture of offering to ask them ought to be made, if only to erase that sense of guilt.

Above all, the present policy on informing the American people about the Vietnamese war ought to be radically changed. Under that policy, a State Department public-relations underling lets slip the fact that American ground troops are to start fighting in Asia, as though that were a matter of no importance. If a Korean-scale war is really in prospect, then a time of very great trouble surely lies ahead, and a combination of obsessive secrecy and rosy pressagentry is no way to prepare the country for that time.

[From the Washington (D.C.) Post, July 11,
1965]

A YEAR OF ESCALATION FOR TAYLOR—VIETCONG, HOWEVER, STEPPED UP ITS TEMPO A BIT FASTER THAN WE DID

(By John Maffre)

SAIGON.—Just a year ago last Wednesday, Maxwell D. Taylor stepped from a presidential jet at the airport here, a proconsul with authority rare in American diplomatic history.

President Johnson had taken the almost unprecedented step of assigning a senior career diplomat, U. Alexis Johnson, as Taylor's deputy, and Johnson was waiting as Taylor stepped from the plane wearing a white suit, a radical switch from his four-star uniform as former Chairman of the Joint Chiefs of Staff.

Also at the airport was then Lt. Gen. William C. Westmoreland, head of the Military Assistance Command, Vietnam, who would be getting his fourth star as a full general within 3 weeks.

Taylor read a brief statement including the protocol sentence, "I have the greatest respect for General Khanh and his colleagues in the government who carry the responsibilities of leaders." Then he drove in a black Lincoln limousine to the cramped Embassy near the waterfront to begin work.

A week earlier, Henry Cabot Lodge had vacated that Embassy. Last Thursday, a year and a day after Taylor's arrival, it was announced that the general was quitting the place—in favor of Henry Cabot Lodge.

Taylor inherited an unusually large Embassy staff when he took possession a year ago, a staff whose internecine quarrels over the fall of President Ngo Dinh Diem were not yet completely stilled. He also took over a U.S. Operations (AID) Mission and a U.S. Information Service staff totaling nearly 1,000 civilians, and a force of more than 16,000 servicemen who were advising South Vietnam's warriors in their fight against the Vietcong.

The day Taylor arrived, the Pentagon revealed that 146 Americans had died in action in South Vietnam since January 1, 1961. The day before, almost prophetically, the first Australian military adviser had died when the Vietcong attacked a remote Special Forces camp in the highlands named Namdong.

A FRANTIC TWELVEMONTH

In the year since then, the military, political, and economic picture has changed drastically. Lt. Gen. Nguyen Khanh lives in polite banishment in New York, a bewildering series of civilian successors and uniformed aspirants has come and gone and today another military junta is in power.

Some 300 more Americans have died as the pace of war has increased. There are now nearly 60,000 American troops in South Vietnam, including 9 combat battalions that have gone on the offensive, and at least 6 more battalions are on the way.

U.S. 7th Fleet aircraft have pounded North Vietnam for 5 months as well as launching incountry strikes against the Vietcong, sweeping South China Sea avenues of infiltration and sending cruisers and destroyers to bombard shore positions.

The U.S. Air Force, using almost its full range of Century jet strike aircraft, has hammered the enemy in both the north and the south and at least 15 Army helicopter companies are providing rapid air mobility which partly offsets the Vietnamese troop shortage, frequently carrying recently introduced U.S. Marine Corps and airborne combat units.

Other American units have pitched in to help an Australian infantry battalion that was getting its first taste of combat; the Philippines have provided a surgical team; South Korean engineers are supporting the South Vietnamese; a New Zealand artillery battery is expected, and soon there may be the largest "third country" contribution of all: a complete South Korean combat division.

ENEMY BOLSTERED, TOO

In brief, what was once a counterinsurgency effort is moving toward full-scale war. Unfortunately, however, this war is still going in favor of the Vietcong.

Massively reinforced by North Vietnamese cadres and equipped with a new family of Communist-bloc weapons, largely from Red Chinese, the Vietcong's regular and paramilitary strength is now well in excess of 100,000. They dominate a far larger share of the South Vietnamese countryside than they did a year ago, particularly in the highlands, and they have regularly overwhelmed government forces in regiment-size attacks, sometimes even using motorized transport.

There have been some pluses on the American side. For one thing, the United States has backed a positive policy of full commitment to aid South Vietnam in preserving independence, notably by striking north and serving notice that there is no longer such a thing as an inviolate sanctuary.

Other U.S. pluses are less striking. The official thinking of the American mission here is that despite the merry-go-round of governments, at least none has been unfriendly to the United States.

Militarily, the United States has provided the logistics for an increase of 100,000 in the government's paramilitary forces and has helped double the once feeble national police to at least 42,000. Economically, in addition to herculean efforts to expand and diversify the productive base, the United States so far has been able to stave off the threat of runaway inflation.

NO HINT OF TALKS

The minuses are ominous. There is still no strong, stable government demonstrably responsible to the people. The downward military trend since early May persists and despite an increase in recruiting, the strength of the Vietcong relative to that of the government grows steadily larger.

Most important, efforts here and elsewhere have not convinced Hanoi—or Peiping—that it would be best for its leaders to send a delegation to a conference table.

It was sometime last autumn that the conclusion was reached that South Vietnam by itself could not generate sufficient energy to get the war effort off dead center. Attacks on the 7th Fleet in August had demonstrated that the "Democratic Republic of Vietnam"—Hanoi—was prepared to act in a big way.

Within a few months, a startling increase in infiltration from the North had forced South Vietnam and the United States to a more realistic appraisal of the odds against them. This increase in the odds was confirmed in February by the discovery of an enormous cache of Chinese Communist weapons which has been ferried into Vungro harbor on the central Vietnamese coast.

The relatively modest plans for an increase in American support were revised upward. Other plans were made to help the Vietnamese boost their total of men under arms—now fewer than 600,000—by 160,000. The serious American military assessment, however, is that this level will not be approached before the middle of 1966 and that it may be 1967 before it is realized.

In the interim, it was concluded that a large infusion of U.S. combat units was vitally necessary. Marine and Army troops have poured into such strategic areas as Danang and Chulai, a harbor is being prepared farther south at Camranh Bay and airfields are being guarded at Bienhoa and Vungtao, closer to Saigon.

In the opinion of one senior officer, the Vietcong strategy aimed at full victory in 1965 has been blunted but has not lost its thrust. Their success is becoming more and more evident in this capital.

Power blackouts caused by sabotage are becoming more frequent. Prices of foodstuffs from the Mekong Delta in the south and the highlands around Dalat are rising because of shortages. The increasing threat of terrorism was evidenced last week by the evacuation of the largest American officers' billet—in the Rex Hotel—because of a bomb scare.

As far as the American mission is concerned, it has achieved greater cohesiveness despite its proliferating numbers. The point has been made repeatedly that no recommendation was made to Washington by Taylor unless it was approved by all mission heads.

Taylor made it a practice to defer to the judgment of General Westmoreland and his staff on military matters. A source close to Taylor observed recently that in addition to his confidence in Westmoreland, whom he recommended for a second star 10 years ago and whose fourth star he pinned on last August, Taylor had enough problems on his hands without wanting to dabble in military waters again.

OLIN D. JOHNSTON MEMORIAL FUND

Mr. MONRONEY. Mr. President, I am honored to advise the Senate that the friends of our late colleague, Olin D. Johnston, have initiated the establishment of an endowed professorship of political science and memorial student scholarship fund in his honor at the University of South Carolina. I can think of no more fitting tribute.

If there was anything more dear to Olin Johnston's heart than the welfare of the Federal employee, it was the education of the American people. In the truest American tradition, Olin Johnston pulled himself up by his bootstraps. Born in the cotton mill town of Honea Path, S.C., he worked in the mills from the age of 10 until he was grown. At certain times in his young life, he held down two full-time jobs and also attended school. His efforts were rewarded. He earned his bachelor's degree at Wofford College, and later a master's degree and a law degree from the University of South Carolina. Throughout his public career he helped young people in their efforts to earn a college education. There are literally hundreds of men and women today who owe their opportunity for education to Olin Johnston. They will not forget him. Through the fine efforts of his many friends, particularly Federal employees who knew and loved him, the establishment of endowed chair and a student scholarship fund at the University of South Carolina will serve as a living tribute to his life and career.

I ask unanimous consent to insert in the RECORD at this point a statement regarding the establishment of the Olin D. Johnston Memorial Fund, and letters to Mrs. Olin D. Johnston from the President and Vice President of the United States, the Postmaster General, John A. Gronouski, and the Chairman of the U.S. Civil Service Commission, John W. Macy, Jr.

There being no objection, the statement and letters were ordered to be printed in the RECORD, as follows:

COLUMBIA, S.C.—President Lyndon B. Johnson writes that memorials to the late Senator Olin D. Johnston which are being established at the University of South Carolina will be "a fitting tribute to the late Senator and a monument to his public career."

In a letter to Mrs. Johnston, the President also wrote:

"Olin Johnston's death was a great loss to the United States. He was a man with deep feeling for people and a man who worked tirelessly to help others.

"He was a great believer in the value of education, and I am pleased to learn that a fund has been established to honor his memory.

"It is my understanding that this fund will provide for endowment of the Olin D. Johnston professorship in political science, an appropriate memorial, and for scholarships in his name at the University of South Carolina where he earned two degrees."

Mrs. Johnston has given the large and valuable collection of the late Senator's papers, representing 40 years of public service, to the University of South Carolina.

The Olin D. Johnston Memorial Fund established by the University of South Carolina Educational Foundation is receiving wide support. C. Wallace Martin, executive director of the foundation, said the fund has "the full endorsement" of national and State leaders including the Senator's former colleagues in Washington, many of whom have paid tribute to his memory on the floor of the Senate and the House of Representatives.

Gifts are expected to come from throughout the United States because Senator Johnston's efforts in behalf of postal employees, Federal workers generally and other groups are well known and greatly appreciated. The individuals he helped and befriended are countless.

The postal supervisors of the Carolinas recently endorsed the Olin D. Johnston Memorial Fund as an appropriate tribute to the late Senator.

Every 1 of the 15 postal employees of Westminster in Oconee County, S.C., have contributed to the fund, Postmaster Martin D. Watkins noted in forwarding contributions to the University of South Carolina Educational Foundation. They became the first group to participate 100 percent in the support of the fund.

A permanent record of contributions will be maintained, although donors may be anonymous if they wish. Gifts to the fund are tax deductible. Checks should be made payable to the fund and sent to Olin D. Johnston Memorial Fund, University of South Carolina Educational Foundation, Columbia, S.C.

THE OLIN D. JOHNSTON MEMORIAL FUND

Preamble: The late Olin D. Johnston earned the eternal gratitude of the people of his native State and of postal and other Federal workers for his constant and courageous efforts in their behalf. In South Carolina he served in the legislature and was twice elected Governor. As U.S. Senator, Olin Johnston served on important committees most diligently and capably, and supported legislation worthy of merit. He walked with Presidents and other men of distinction; yet he never lost the common touch. In recognition of his life of service, friends of the Senator have established the Olin D. Johnston Memorial Fund through the University of South Carolina Educational Foundation.

Purpose: To receive funds to endow the Olin D. Johnston Professorship in Political Science and to provide for an appropriate memorial at the University of South Carolina where he earned two degrees. All funds received over and above the amount necessary for these purposes will be set aside to provide scholarships in his name for deserving students from low-income families who might otherwise be unable to continue their education.

Sources: Funds are to be solicited from friends of the late Senator Johnston in South Carolina and throughout the Nation.

Publicity: The University of South Carolina Educational Foundation will prepare publicity releases for the press, radio, and television. Cooperating organizations are asked to include information concerning the memorial fund in newsletters and other internal publications of the groups being solicited.

Gifts: All gifts to this fund are tax deductible and gifts in any amount will be welcomed. Gifts should be made payable to the Olin D. Johnston Memorial Fund, and should be forwarded to the Olin D. Johnston Memorial Fund, care of University of South Carolina Educational Foundation, Columbia, S.C.

A permanent record of contributors will be maintained except in those cases where a person wishes that his or her name be withheld.

Headquarters: The campaign is being operated from the campus of the University of South Carolina. It is under the direction of C. Wallace Martin, executive director of the University of South Carolina Educational Foundation. The telephone number is (area code 803) 765-4111.

THE WHITE HOUSE,
Washington, May 29, 1965.

Mrs. OLIN D. JOHNSTON,
Columbia, S.C.

DEAR MRS. JOHNSTON: Olin Johnston's death was a great loss to the United States. He was a man with a deep feeling for people and a man who worked tirelessly to help others.

He was a great believer in the value of education and I am pleased to learn that a fund has been established to honor his memory. It is my understanding that this fund will provide for endowment of the Olin D. Johnston professorship in political science, an appropriate memorial, and for scholarships in his name at the University of South Carolina where he earned two degrees.

This is a fitting tribute to the late Senator and a monument to his public career.

Sincerely,

LYNDON B. JOHNSON.

WASHINGTON, D.C.
May 26, 1965.

Mrs. OLIN D. JOHNSTON,
Columbia, S.C.

DEAR GLADYS: Your late and beloved husband, Olin D. Johnston, as you know, was one of my dearest and kindest friends. More importantly, he was the friend of South Carolina, of the whole South, and of all America.

It is a pleasure to learn that a fund to honor the memory of my close friend has been established at the University of South Carolina.

The Olin D. Johnston professorship in political science, a memorial on the campus, is an honor in keeping with the man who worked hard for better education, for better civil service, and for better living standards.

The scholarships, given in his name for deserving young people who might otherwise find it impossible to continue their education, will serve as a symbol of the humanitarian philosophy of the man.

I sincerely hope and expect that this effort will be generously supported. America has been greatly enriched by the life of my colleague and companion, Olin D. Johnston.

Sincerely,

HUBERT H. HUMPHREY.

WASHINGTON, D.C.,
June 7, 1965.

Mrs. OLIN D. JOHNSTON,
Columbia, S.C.

DEAR MRS. JOHNSTON: I sincerely appreciate the opportunity to assist in every way possible in providing an appropriate memorial and scholarship, which will be established at the University of South Carolina, in the name of the beloved gentleman from South Carolina, Senator Olin D. Johnston.

Throughout the years, the employees of the Federal Government and, in particular, the employees of this Post Office Department have paid many tributes to the late Senator. I know it will be their desire to participate in the establishment of the proposed memorial.

I join all postal employees in paying this lasting tribute to a great man.

Most sincerely,

JOHN A. GRONOUSKI,
Postmaster General.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., June 21, 1965.

Mrs. OLIN D. JOHNSTON,
Columbia, S.C.

DEAR MRS. JOHNSTON: A high privilege of my Government service has been the close association I have enjoyed with Senator Olin Johnston in the continuing improvement of our country's civil service. His vast contribution to this objective will be an everlasting memorial in the hearts and minds of hundreds of thousands of people who serve the United States.

I am tremendously pleased to learn that a fund is being raised to honor the memory of the Senator at the University of South Carolina. The proposed professorship in political science will be a continuing memorial in the form of an educational example on the South Carolina campus. Appropriate, too, will be the scholarships bearing his name which will provide educational opportunities throughout the years for deserving students from the State he represented so effectively.

It is my sincere hope that Americans everywhere will join in the generous support of this appropriate program. I am honored to serve in any capacity whatsoever to assist you in the advancement of this important work.

With warm regards and best wishes,

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I am glad to yield to the distinguished Senator from Kansas, ranking minority member of the Committee on Post Office and Civil Service.

Mr. CARLSON. Mr. President, I rise to express my deep appreciation to the chairman of the Committee on Post Office and Civil Service for his statement on the Olin D. Johnston memorial fund. Like the present chairman, I served with Olin Johnston on the Post Office and Civil Service Committee from the time I came to the Senate. For 12 years, my dear friend Olin and I were the ranking members of our respective parties on this committee. His leadership was always characterized by wisdom, integrity, and cooperation. I must emphasize cooperation, for it is a lasting tribute to him that our committee worked together as effectively as any committee I have ever known. He was equally effective in gaining the support of his colleagues on this floor. His name will always be associated with landmark legislation. It is my privilege to have worked with him to make the Federal service the fine service it is today.

I join the senior Senator from Oklahoma in commending Olin Johnston's many friends for establishing this memorial scholarship fund and endowed professorship.

I wish, and ask unanimous consent, to insert in the RECORD a resolution adopted by the Associated Third-Class Mail Users expressing its deep affection and respect for Senator Johnston, and announcing that the college scholarship fund which it has established for the sons and daughters of letter carriers has been designated "The Olin D. Johnston Scholarship."

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the death of Senator Olin D. Johnston is a great loss to the citizens of South Carolina and to the American Republic, and

Whereas he was held in deep affection by all postal employees and postal patrons, including the 800 members of this association, and

Whereas history will note his constant efforts on behalf of the small businessman, preserving the important role of the merchant in our free enterprise system, and

Whereas he will be remembered as the coauthor of the Postal Policy Act of 1958 which established guidelines for the creation of a modern postal system: Therefore be it highly

Resolved, That this association go on record expressing its deep sympathy on the passing of our friend, Senator Olin D. Johnston; and be it further

Resolved, That, as a living memorial to our departed friend, the annual college scholarship for the sons and daughters of letter carriers financed by this association hereinafter be designated as "The Olin D. Johnston Scholarship"; be it also

Resolved, That this resolution be forwarded to his widow, Gladys Johnston, and his family with our heartfelt sympathy on their great personal loss.

HARRY J. MAGINNIS,
President,
Associated Third-Class Mail Users.

Mr. YARBOROUGH. Mr. President, I join my colleagues from the Post Office and Civil Service Committee in expressing deep gratitude to Olin Johnston's friends for their plans to establish both a memorial scholarship fund for students and an endowed professorship of political science at the University of South Carolina.

There are many ways to honor a man's life. We can build a statue, or a public building, or a bridge, or name a lake for him. We can set aside his birthday as a day of celebration. But no amount of public designation can equal the feeling which individual Americans hold in their heart for the man. I am sure this is true of Olin Johnston. The memory of Olin Johnston was made great by the lines of people who stood outside the capitol building in Columbia, S.C., to pay their final respects to him; by the thousands of people who lined the streets and highways with their hats in their hands to honor him as he made that final journey from his hometown of Spartanburg to his boyhood home—and final resting place—at Honea Path, S.C. He will be honored by the students of the future who will have the opportunity to go to college because his friends today have taken this first step to establish a scholarship fund. He will be honored by the professors of political science who will teach the youth of South Carolina the meaning of government in our world today. And, of course, his memory will be carried always in the hearts and minds of the young people of the past who have gone to college because he found them a summer job or a part-time job so that they could attend school at all.

I know in my heart that nothing could mean more to my good friend, Olin Johnston.

Mr. MONRONEY. Mr. President, I yield to the Senator from Idaho [Mr. CHURCH].

TOWARD A MORE PERFECT UNION

Mr. CHURCH. Mr. President, today, those who make our foreign policy are confronted with challenge and hostility on many fronts. Our increasing military involvement in Vietnam poses problems for our policy in Asia. Revolution in the Caribbean, and the consequent intervention of U.S. troops, has complicated U.S. foreign policy in Latin America. Much of Africa is in a state of flux, including the volatile Congo. Ferment unsettles the Middle East.

In the midst of this turbulence, like a solid rock against a seething sea, stands a concert of genuinely free countries, whose stability is certain. I am speaking, of course, about the nations of the North Atlantic.

The formation of the alliance between the United States and the countries of Western Europe is the great success story in American foreign relations since the Second World War. We gave massively through the Marshall plan to rebuild the war-torn economies of the Western European nations. We knew that as long as they remained weak, the United States could never be assured of staying strong and free.

Since the Second World War, statesmen on both sides of the Atlantic have worked to create greater unity in the Western World. They have sought to overcome the divisive nationalism which ripped the Western World asunder in the bloody struggles of the previous decades.

We Americans have pointed to our own Federal Union as the best goal for the Europeans. And their progress toward a better integrated Europe has indeed been striking. Beginning with the coal and steel community, elaborated in the Schuman plan of 1950, and proceeding through the various steps creating the Common Market, the countries of Western Europe have been moving into increasingly more productive cooperation, despite the bitter enmities of the past. We Americans have looked on these developments with great favor. We have regarded a more cohesive Western Europe as an essential step toward the ultimate realization of a true Atlantic union.

Complementary to these efforts toward closer economic and political ties, we have established a formidable military organization in NATO. The United States has committed its nuclear arsenal to Europe's defense. We have stationed 400,000 members of the Armed Forces of the United States in Western Europe, both to help defend the area and to act as a guarantee that our full power will be used in case of attack on our European allies.

Because this military alliance has endured, and because Western Europe has staged a remarkable general recovery under its umbrella, we Americans sometimes take the future of NATO for granted. I think we assume that, when it falls open for NATO countries to leave the alliance in 1969, none will do so.

I do not think NATO will survive so easily, unless we move to strengthen and broaden the Atlantic partnership. Already the leader of the great French nation complains that his country has not been given an adequate voice in the affairs of NATO. And President de Gaulle has many sympathizers in Europe outside his own country. If one examines the current literature on NATO by our own American writers, one finds titles such as "Tensions Within the Alliance," "Strains in the Alliance," and even more severely—"The End of Alliance" and "NATO Is Dead."

I am not this pessimistic about the future of NATO. But even the finest mansion becomes outdated, and falls into disrepair. Unless we of the NATO entente begin to mend the widening cracks in our alliance, unless we seek out new ways to strengthen its institutional walls, we may come to find ourselves with no common shelter at all.

Some say that NATO is disintegrating because of the diminishing Soviet threat, because, that is, of NATO's own success in holding Europe secure from further Russian encroachment. It is a natural tendency for military alliances to unravel when danger diminishes, but we would be shortsighted indeed to let this tendency prevail. The distinguished chairman of the Foreign Relations Committee, Senator FULBRIGHT, has ably refuted those who believe that the spirit of detente vis-a-vis the Soviet Union has lessened the need for NATO:

> This is rather like arguing that because there has not been a flood in many years it is obvious that the dam is no longer needed and can safely be dismantled. I believe that the alliance has been and remains one of the conditions for improved relations with the Soviet Union. As long as the alliance is strong, the opportunity for Communist expansion is foreclosed, leaving the Soviet Union with no rational alternative to a policy of peaceful accommodation with the West.

It seems to me that in the past few years we have been sidetracked in our pursuit of greater Atlantic unity. In his well-remembered speech of July 4, 1962, President Kennedy reasserted our determination to reach out for a maturing Atlantic partnership. There, at Independence Hall in Philadelphia, President Kennedy defined goals worthy of the men who fashioned the great American political experiment. Let us recall his words:

> Building the Atlantic partnership will not be cheaply or easily finished.
>
> But I will say here and now on this day of independence that the United States will be ready for a declaration of interdependence—that we will be prepared to discuss with a united Europe the ways and means of forming a concrete Atlantic partnership. * * *
>
> All this will not be completed in a year, but let the world know it is our goal. * * *
>
> Acting on our own by ourselves, we cannot establish justice throughout the world. We cannot insure its domestic tranquillity, or provide for its common defense, or promote its general welfare, or secure the blessings of liberty to ourselves and our posterity. But joined with other free nations, we can do all this and more. We can assist the developing nations to throw off the yoke of poverty. We can balance our worldwide trade and payments at the highest possible level of growth. We can mount a deterrent powerful enough to deter any aggression and ultimately we can help achieve a world of law and free choice, banishing the world of war and coercion.

Little more than 6 months after Kennedy delivered this speech, French President de Gaulle vetoed Britain's application for membership in the Common Market, the first serious setback for the developing unity in the economy of Western Europe.

During the past year, a major American effort to improve nuclear coordination within NATO—the proposal to create a multilateral force of ships equipped with nuclear missiles and manned by personnel from several of the NATO countries—has been shelved. There was much opposition to this plan, and the administration seems to have wisely decided that if such a force is to come into being, it must evolve from true multilateral concern, not from a unilateral initiative.

To me, the difficulties over the MLF illustrate a long-held belief—that we cannot solve basic political and psychological problems by military contrivance. We must reach behind the military problems, and deal with more fundamental questions. If NATO remains nothing more than a military alliance, its future is a fragile and uncertain one. This is the reason we should begin to give meaning to Article 2 of the NATO treaty which sanctions efforts to achieve closer political bonds.

It is obvious that President Johnson has long favored a strengthened Atlantic Community. Last year, on the 15th anniversary of the NATO alliance, the President said:

> We welcome the new strength of our trans-Atlantic allies. We find no contradiction between national self-respect and interdependent mutual reliance. We are eager to share with the new Europe at every level of responsibility. We aim to share the lead in the search for new and stronger patterns of cooperation.

A few weeks ago, on the 20th anniversary of the end of the war in Europe, President Johnson reaffirmed the American commitment to seek a closer Atlantic partnership in the fine address he delivered to citizens on both sides of the Atlantic via the Early Bird satellite.

I, myself, have long been associated with efforts in the U.S. Senate to advance Atlantic unity, in company with such men as the now Vice President of the United States, HUBERT HUMPHREY, and Senators DODD, COOPER, CARLSON, CASE, and the late Senator Kefauver. In 1960, I was one of the sponsors of a resolution—Senate Joint Resolution 170—to establish a U.S. Citizens Commission on NATO. This resolution was favorably reported by the Senate Foreign Relations Committee. It was supported on the floor of the Senate by men who went on to national leadership, including the then Senator from Massachusetts, John F. Kennedy, the then Senator from Texas, Lyndon B. Johnson, and the then Senator from Minnesota, HUBERT HUMPHREY. The resolution was passed in June of 1960.

After approval, a U.S. Citizens Commission on NATO was formed, and a U.S. delegation was sent to the NATO Citizens Convention in Paris in January 1962. Gov. Christian Herter, formerly Secretary of State for President Eisenhower and currently President Johnson's Special Representative for Trade Negotiations, was the Chairman.

The convention passed several resolutions; the most important called for the governments of the NATO nations to appoint a special governmental commission, charged with the responsibility of drawing up plans for the creation of a true Atlantic Community. In an article published in the January 1963 issue of the American quarterly Foreign Affairs, Governor Herter convincingly argued the case for the resolutions passed by the NATO Citizens Convention, including the establishment of such a governmental commission.

In 1964, the Republican convention adopted a platform which contained a pledge to establish such a commission:

> It is a keystone of Republican foreign policy to revitalize the Alliance.
>
> To hasten its restoration, Republican leadership will move immediately to establish an international commission, comprised of individuals of high competence in NATO affairs, whether in or out of government, to explore and recommend effective new ways to strengthen alliance participation and fulfillment.

But as I have indicated, support for the idea of greater Atlantic partnership is not confined to either party. A comparable plank in the 1964 Democratic platform read:

> We believe in increased partnership with our friends and associates in the community which spans the North Atlantic. In every possible way we will work to strengthen our ties and increase our cooperation, building always more firmly on the sure foundation of the NATO treaty.

The resolution I am introducing today calls for the President to establish a Special Governmental Commission to work for a closer Atlantic Community.

The time to pass such a resolution is now, despite the present disarray within the European Common Market, and the many unresolved problems which beset the NATO Alliance, as it is now constituted. There will always be major forthcoming elections in one or another of the countries concerned; there will always be points of dispute which make a grander design difficult to achieve.

We need a Special Governmental Commission to draw up plans for a broadened Atlantic Community, because the incumbent officials of the concerned governments are too absorbed with immediate problems within the existing order to give prolonged thought to the creation of new international institutions. They cannot be expected to work outside their own governmental structures.

There are those who argue that the Atlantic Community is too restricted a group of nations, and that the United States should look, rather, to the United Nations Organization in our pursuit of peace. I, for one, have always been a strong supporter of the United Nations. I serve as chairman of the International Organizational Affairs Subcommittee of the Senate Foreign Relations Committee, an assignment which gives me great satisfaction, since it brings me into closer contact with the work of the United Nations. A few weeks ago it was my privilege to sponsor Senate Concurrent Resolution 36, in which Congress reaffirmed its support of the United Nations, in the light of the 20th anniversary of that organization, which was recently observed in San Francisco. It was my privilege, along with the distinguished senior Senator from Kansas, to accompany the President of the United States to San Francisco, where he made a notable address.

However, I find no conflict between the quest for greater Atlantic unity and our support for the United Nations. Indeed, this quest is perfectly compatible with both the spirit and the letter of the United Nations Charter.

Moreover, I would be the last man to promote an international grouping that would constitute an exclusive "white man's club." The kind of Atlantic Community I wish is envisioned in the third objective of the resolution, which states:

> Such a Community to be conceived and developed in the interest not only of its own peoples, but of all free peoples and to be open to the admission of others as and when their governments become willing and able to assume the benefits and responsibilities of membership.

I agree with Governor Herter's statement:

> The formation of an Atlantic Community should in no way preclude a closer political affiliation of all the free nations and indeed should open the way toward it. It should not take on the aspect of an exclusive society of rich industrial nations, but should be so framed as to be of maximum benefit for nations in Asia, Africa, and South and Central America which desire to see a more closely knit international society based on common principles.

We must begin our quest for a stronger world order by building on the firm base of the Atlantic Community. The Atlantic countries are not merely a geographic entity, they provide a logical basis for closer cooperation because they share common political principles. In the postwar period, Americans have tended to use language loosely in speaking about our international relations. We have tended to use the term "the free world" for all countries which are not Communist. But even though non-Communist, most of these countries do not yet share the beliefs or practices we regard as basic to genuine political freedom. The countries of the Atlantic Community do share them both in theory and in practice.

Most citizens of the Atlantic countries firmly believe in the principles of individual freedom and popular self-government. By long historical and personal experience, they have learned that democracy can work, and that it is the most beneficial form of government. Non-Atlantic countries which subscribe to these principles and which are able to make them work in practice should be welcomed as valuable additions to any Atlantic community which is created. Such a community would be founded upon an established philosophic base on which it can continue to grow.

The U.S. Government generally, and the Senate specifically, is often accused of failing to furnish creative initiatives for U.S. foreign policy. We can remain true to our long-stated ambition for closer Atlantic cooperation, and renew the movement toward it, by acting to establish the special governmental commission for which this resolution calls. Let us not permit the vision of a union of the free to fade away by our own default. The time for further action is now.

Mr. President, on behalf of myself and the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senator from Pennsylvania [Mr. CLARK], the Senator from Kentucky [Mr. COOPER], and the Senator from Connecticut [Mr. DODD], I now send the resolution to the desk, and ask unanimous consent that the text of the resolution may appear in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I ask unanimous consent that my name may be added to the list of sponsors.

Mr. CHURCH. I am very pleased to have the Senator join as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution will be received and appropriately referred.

The resolution (S. Res. 128) was referred to the Committee on Foreign Relations, as follows:

> Whereas, freedom, enduring peace with justice, and enhanced prosperity require the progressive development of greater unity in the free world; and
>
> Whereas, the interests of the United States require the development of greater unity of other free nations with it: Therefore be it
>
> *Resolved*, That it is the sense of the Senate that the policy of the United States should be to achieve such unity with other nations as will best serve to safeguard the individual freedom and national values of our various peoples, and, at the same time, enable us to deal effectively with those problems with which no nation, today, can deal effectively alone, and that the President be advised of the sense of the Senate that this Government, by constitutional means, should particularly pursue the following objectives:
>
> 1. Development, by exploration and agreement with our allies, of an Atlantic Community adequate to meet the political, military, and economic challenges of this era.
>
> 2. Such a Community to be composed of nations which share our basic ideals of free-

dom, democracy, individual liberty and the rule of law and as are willing to accept the benefits and responsibilities of close political, military and economic ties.

3. Such a Community to be conceived and developed in the interest not only of its own peoples but of all free peoples and to be open to the admission of others as and when their governments become willing and able to assume the benefits and responsibilities of membership.

To this end it is the sense of the Senate that the President should promptly seek to establish a Special Governmental Commission composed, in the first instance, of representatives of NATO nations to study and recommend concrete steps toward the attainment of the foregoing objectives.

Mr. CARLSON. Mr. President, I wish to associate myself with the timely remarks made by the distinguished Senator from Idaho with regard to the need for strengthening the North Atlantic Alliance. It occurs to me that here is one area of the globe in which we must be strong and united. This is an area which, at the present time, seems to be in some disarray. It appears to me that the resolution should receive prompt consideration by Congress, in order that we may get about the business of forming a stronger and more united area in this part of the world, so that we may feel more secure in our freedom. I appreciate the excellent statement made by the Senator from Idaho.

Mr. CHURCH. I thank the Senator. He has always been a sturdy friend of the Atlantic Alliance and farseeing in his efforts to strength the bonds of unity among the Atlantic nations which are genuinely free.

Mr. President, I ask unanimous consent that the resolution which I have sent to the desk may lie on the desk for 1 week, so that other Senators may join as cosponsors if they wish to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMIC GROWTH OF THE UNITED STATES

Mr. McCARTHY. Mr. President, everyone who is concerned with the economic growth of the United States and the free world, the related problems of cooperation and liquidity, and the more limited problem of the balance of payments from the standpoint of the United States will be encouraged by two actions that were taken by the Secretary of the Treasury and the administration within recent weeks.

The first was the appointment of a special committee, including the former Secretary of the Treasury, Douglas Dillon, Robert Roosa, and Laurance Rockefeller, to deal with this general problem; the second was the announcement made over the weekend by the Secretary of the Treasury of his intention to call a conference to deal with monetary problems.

I ask unanimous consent that at this point in the RECORD there may be printed an article, written by Gerd Wilcke and published in the New York Times, on the question of the effect of some of our actions with respect to the balance of payments, actions which I believe were ill advised, and the effect of them on American exports.

The second article was published in the Journal of Commerce and quotes liberally from the speech delivered by Mr. Thomas S. Gates, chairman of the board of the Morgan Guaranty Trust Co., in which he spoke about the problem of the balance of payments and what appears to be the basic cures that would be effective.

Third, there is the speech delivered by Mr. Ray R. Eppert, president of the Burroughs Corp., entitled "Passport For World Markets." It is a thorough and realistic analysis of international markets and the response which the United States and American industry and American finance must make if we are to make our contribution to the economic growth of the free world.

Finally, I ask unanimous consent to have printed in the RECORD at this point an article entitled "British Gold Loss Widens in Month," published in the New York Times of July 3.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 7, 1965]

FOREIGN-TAX EXPERT ATTRIBUTES EXPORTS CUT TO PAYMENTS PLAN

(By Gerd Wilcke)

A specialist on foreign taxes and investments asserted here yesterday that the backlash created by President Johnson's payments program was largely responsible for an estimated 4-percent drop in U.S. commercial exports during the first half of 1965.

Walter H. Diamond, director of the International tax division of the accounting firm Touche, Ross, Bailey & Smart, told a panel meeting of the Foreign Credit Interchange Bureau that practically all exports delayed by the long shipping strike earlier this year had been made up.

About 2 percent, or approximately $250 million, he asserted, was lost permanently to foreign competitors or from canceled orders.

CANCELED PROJECTS

"The bulk of the remaining $500-million decline in first-half exports principally is the result of the action of some 60 U.S. companies that deferred or canceled investment projects in developed countries" in response to President Johnson's request to curb foreign investment outlays, Mr. Diamond maintained.

In the absence of official Government figures on exports in the first 6 months of 1965, Mr. Diamond's data seemed to have been based on private estimates. The investment expert, who spoke to the foreign division of the National Association of Credit Management, could not be reached for an elaboration.

The Department of Commerce so far only has released figures for the first quarter. These showed that exports dropped $585 million, to $5.59 billion, compared with the first quarter of 1964, while imports rose $245 million, to $4.6 billion, in the comparable span.

Mr. Diamond asserted that the "heavy withdrawal" of U.S. capital from overseas combined with the "shut-off of foreign security buying by U.S. mutual funds because of the interest equalization tax" had a sharp downward impact on the European and Japanese stock markets.

There is strong evidence, he continued, that the shortage of U.S. dollars abroad is behind recent financial difficulties, including bank failures, in Uruguay, Switzerland, Hong Kong and Japan.

Mr. Diamond stated that American exporters would have to press hard to equal last year's record foreign sales of $25.6 billion. Although the exporters will "probably" reach that level, chances are slim now that a 5 percent gain to $27 billion can be accomplished. This had been predicted prior to the long dock strike.

Mr. Diamond held that the loss in exports from foreign investments, substantially decreased sales of wheat and other agricultural products and the waterfront strike would be offset by the sharp increase this year in purchases by the Agency for International Development from U.S. exporters.

He said a record 94 percent of every dollar now spent on foreign-aid products goes to U.S. firms, compared with 87 percent last year, and 41 percent in 1960.

On the other hand he predicted that the "unexpected 10 percent jump in imports" will reduce the $6.9 billion trade surplus in 1964 to about $5.5 billion this year.

[From the Journal of Commerce, June 25, 1965]

BASIC PAYMENTS CURES URGED BY MORGAN GUARANTY CHAIRMAN

BRUSSELS, June 24.—The chairman of the board of Morgan Guaranty Trust Co. urged here today that the administration pay more attention to basic cures in dealing with the U.S. balance-of-payments problem and rely less heavily on voluntary restraints on foreign investment.

Addressing a luncheon meeting of the Belgian-American Association, Thomas S. Gates conceded that the voluntary restraint program had brought meaningful results. But, he suggested, American bankers and businessmen will continue to cooperate only if there is evidence of a more fundamental monetary approach to the problem.

WILL HOLD FIRM

Should such an approach appear, he asserted, voluntary cooperation will hold firm long enough to let fundamental measures take hold.

Mr. Gates observed that American companies had brought home some of the dollars they previously kept abroad and have tended to curb their overseas outlays of new dollars. More American banks with international operations, moreover, have stopped increasing their loans.

There is good reason to believe that the U.S. balance of payments actually has been running in surplus through much of the second quarter.

This does not mean our problem is solved, the banker cautioned. Perhaps a good deal of the improvement has come from one-shot repatriations. Some of it is deferment of payments that will have to be made later on to fulfill earlier commitments.

LOOKING AHEAD

Looking ahead to the time when the U.S. payments deficit will be under dependable control, Mr. Gates noted that a number of problems will be created.

Other countries, he said, seeing our deficit reduced may be less willing to ease trade barriers that discriminate against American goods. He expressed disappointment at the slowness of the progress in the Kennedy round of the General Agreement on Tariffs and Trade negotiations and the Common Market's high protective wall against farm products.

Commenting on the sense of expectation with which Americans approached the Geneva talks, Mr. Gates warned that if some substantial two-way liberalization of trade, including agriculture, does not result, it will be a long time before Americans come to the bargaining table again prepared to offer such generous concessions.

Correction of the U.S. payments deficit, Mr. Gates continued, will focus attention on another friction point within the Atlantic Alliance, namely the extent of direct investments by American firms in Europe.

The uneasiness of some Europeans about American business in their midst suggests a turn back toward narrow nationalism in the economic sphere, he asserted.

Mr. Gates expressed confidence of that participation of American business will emerge in perspective.

American direct investment in Europe as a whole, he observed, represents only 2 to 3 percent of the total. But in certain industries and locations, its visibility is much higher. The buildup, moreover, had been rapid but any talk of Europe being Americanized is a gross exaggeration.

Even before the present restraint program, the flow of investment to Europe had been tapering off naturally. Many American companies were already in Europe, there were labor shortages, increased costs, and a slackening of growth to take the edge off many companies' enthusiasm.

INCREASED INTEREST

In conclusion, Mr. Gates told the Belgian audience that he saw a time in the future when Europeans would be looking with increased interest in investment possibilities in the United States.

He urged them not to be discouraged by myths current in Europe about the American market. It is not true, he said, that only giant companies succeed in the United States, that competition is excessive, and that doing business in America is so different that an outsider is hopelessly lost.

The administration is now urging the passage of a law to improve the tax treatment of foreign owners of American securities, he added. This may be prompted by balance of payments considerations but, he said, America's open door to foreign investment is not a short-term emergency measure.

Passport for World Markets

(An address by Ray R. Eppert, president, Burroughs Corp., before the Machinery & Allied Products Institute Seminar on Foreign Trade, Washington, D.C., June 21, 1965)

Economic growth at home and abroad is not just a matter of pride. It is a survival issue. It is my conviction that U.S. success in continuing to lead the way toward free world economic growth must be contingent on American business becoming much more international minded.

It becomes increasingly clear that we cannot fully expand our economy at home without meeting competition abroad. We cannot achieve the minimum unemployment in this country unless we employ in other countries. To secure a higher tide of prosperity here, we must be willing to develop trade with those whose prosperity is still at low ebb. We cannot ignore the economic and political significance of realistic East-West trade. If we are really determined to balance our international payment books, we must fill more order books abroad. And finally, we must recognize that we are engaged in an economic world series which requires playing many of the games in foreign parks as well as our own backyard. In summary, the strength of the U.S. economy and our world leadership position will largely be determined by the worldwide competitive effectiveness of American business.

The economic assistance given by the United States since World War II, which sparked the western nations, has generated a trading potential far greater than ever before existed. It has also created new and very aggressive competition for the United States in the distribution of its growing production.

Some assistance programs are still necessary in many of the emerging, developing countries, but the industrialized western nations, with their own rapidly rising standards of living, can now look us in the eye and say, "Let us compete." A tremendous new story is being written about free competitive enterprise and the central theme concerns the world market.

What are some of the problems facing U.S. business in achieving success in world markets? First and foremost we must continue to achieve new competitive breakthroughs. Innovation has long been a principal American weapon for meeting competition. In the United States we have not feared innovation because we have always been a society moving forward. A society in retreat rejects innovation. The all-out research and development brand of innovation hasn't been with us too long, but its accomplishments have been spectacular.

Today, research and development is probably the fastest growing industry or activity in the Nation, affecting virtually every enterprise. Total national expenditures for research and development are presently well in excess of $17 billion, including Government-sponsored military and space research. The United States is not allocating these vast material and human resources just for the thrill of discovery. Research and development can provide the margin for success on multiple fronts, including the commercial one. The magnitude of this effort can be more fully appreciated if we realize that the current expenditure level of $17 billion is 40 percent of the 1964 gross national product of Canada. It is 22 percent of the gross national product of the United Kingdom, 22 percent of the gross national product of France, and 7 percent of the total gross national product of the entire European Common Market.

The question is not are we spending enough on research and development, but rather, are we exploiting our research and development activity to the fullest in our quest for world markets? I think we could do a lot better.

Certainly the most effective way to meet foreign competition and achieve maximum trading success is to export what might be called model 2 products stemming from research and development, while the importing countries are in a model 1 phase. And when they move to model 2, which they will, we had better be ready with model 3.

We do not have to abdicate our market here for older conventional products to foreign companies. If we reach the point that we can no longer build a product in the United States and sell it competitively overseas, then we should do one of two things—either forget the product, or move it overseas where we can be competitive. And then, by importing that product from ourselves, we can protect the American market. Unless we do it that way it is only a question of when, not if, that product will not be sold by us either overseas or in the United States.

American industry and labor would be shortsighted indeed if we decreased future jobs for our expanding population by clinging to a doomed product and temporary employment situation. The result of doing so would be failure to create the maximum new jobs and also to lose those we now have.

The magnitude of our research and development is not a complete panacea for all problems of foreign competition. Flexibility in international operations is absolutely vital. International business is an eminently interrelated mixture of direct investment across national frontiers, export and import of goods and services, and licensing of property rights. The relationship of these factors is often not readily apparent to those not directly engaged in the world market. Americans who urge the direct selling of more goods overseas often fail to recognize that this usually requires overseas sales and service organizations, distribution facilities, and often manufacturing in whole, or in part. These very necessary activities require direct investment. I will have more to say about that later.

If we are to succeed in replacing aid with trade, business must extend and expand its efforts, and Washington must also assist in the planning for greater success in the world market. The Government has a prime responsibility to encourage American business to venture abroad in search of new markets and its actions should be promotional, not punitive. I will be very specific on this point.

The foreign tax provisions of the Revenue Act of 1962 definitely created a deterrent to American business entering the world market. This legislation imposed many new and unique rules on American companies operating overseas and decreased our competitive effectiveness at the very time it desperately needed to be increased.

The mildest criticism I can make is that the action represented a violent, negative psychology against participation in the world market by American companies, at the precise moment that priority national objectives made mandatory an encouraging attitude.

Why was this done? Because of false concern and great misunderstanding in the Congress of the claim that so-called tax haven corporations were enjoying so-called tax deferral privileges. These sections of the 1962 Revenue Act involves the myth and the implication that all overseas business operations are undertaken for the purpose of tax avoidance. Nothing could be further from the truth.

The phrase was used to describe an American corporation that organized its overseas operations to minimize foreign taxes paid; not U.S. taxes. What did this do? It created some additional temporary working capital for the overseas operation—working capital which earned dividends for the parent company in the United States. When dividends were paid to the United States parent shareholder they carried the minimum foreign income tax credit which, of course, maximized the United States tax due. Was that a tax haven? If the answer is yes, then we must assume that it was a tax haven for the U.S. Treasury and not for business.

The other phrase used with the Congress, "tax deferral privilege," meant that a U.S. parent company—the stockholder of the foreign enterprise—was privileged because it was not taxed currently in the United States on the earnings of an overseas subsidiary unless a dividend was currently received. That was no privilege. Stockholders have never been taxed on earnings not actually received and which may never be received. No competition we face in the world market has such punitive tax rules imposed on it.

The 1962 legislation as enacted and implemented reflects a basic misunderstanding of the purpose and functon of American direct investment abroad. These investments are necessary to capitalize on potential demand and to develop markets that cannot be served entirely by U.S. exports.

It was difficult to understand why we would discourage investment in Western Europe when our dwindling gold supply was causing national and international worry and concern. Aren't those the hard currency countries with whom we must have maximum trade if we are to succeed in replenishing our gold reserves? Aren't those the countries who through advanced industrialization offer us the stiffest trade competition? Aren't those the countries that hold the bulk of our external short-term liabilities and who could turn thumbs down on the dollar? Aren't those the countries where, above all, American companies need the understanding and support of our Government? I want to emphasize that American labor as well as American business suffered a very real blow and unemployment was promoted by the passage of the 1962 legislation.

It is not yet possible to determine the amount of damage that the foreign earnings provisions of the 1962 Revenue Act will create. My concern is not for those companies, including my own, who have been involved in international business for many, many years. With the network of international operations they have developed, they can roll with almost any punch. The important point is that American corporations now overseas cannot by themselves develop and maintain the kind of export balance we must achieve. The United States urgently needs thousands more American companies in the world market. We are gambling dangerously if we discourage them from spreading their wings, and we are running out of time.

Today, the tyranny of distance in world trade has largely been eliminated. Days and weeks have become hours. There is no substitute for a firsthand knowledge of the territories involved. Many more top executives should get out of their domestic chairs and occupy seats on planes bound for overseas. We should not think of other countries as foreign but as areas which permit an expansion of our present territory.

Operating in the world market can assume many different forms. It can be on the basis of direct exports. It may recognize a need to establish subsidiary marketing organizations, or branches, or distributors and dealers, or a combination of the same. It can involve overseas production to achieve the most effective result. This production effort may take the form of assembly, or complete manufacturing, or a combination. This may be just for overseas markets or it might also involve exporting to the United States to protect the domestic market.

Activity in the world market should not be merely a foreign sales or export department of domestic marketing. For maximum results the activity must be organized as a complete international division. It is also essential to tailor product specifications to the particular marketing area. The fact that a feature is popular here in the United States does not mean that it will be accepted with the same enthusiasm over there.

More and more qualified advice and assistance in connection with the world marketing problem is becoming available to American business. Our schools of business administration, graduate schools, specialized consulting, association seminars, and the Government itself, primarily through the Department of Commerce programs, are helping to orient the American businessman for the job ahead.

Special financial knowledge and competence is involved. Financial elements, such as different currencies and exchange rates, foreign taxes, U.S. taxes, invested capital, dividends, financing of current accounts, export credits, the management of cash flow and retained earnings to develop a capital base for expansion, and many others are all involved.

In my remarks I have tried to point out the essentiality of American business entering the world market and utilizing the format of operation which is best suited for the particular enterprise. I have been critical of many of the laws, rules, and regulations presently governing the overseas operation of American business and have indicated that these negatives militate against our achieving maximum competitive success.

Criticism of elements involved in the vital subject we are discussing automatically imposes on the speaker a responsibility to offer suggestions and alternatives. In the time remaining before the question period, I want to present a number of important recommendations. Let me make it clear that these are not just a product of my own thinking. They represent the views I have collected from many expert business executives, lawyers, accountants, bankers, economists, Government officials, and educators.

Greater consistency and coordination is needed within Government, and an integrated policy with respect to the competitive position of American business should be developed and maintained. Our Nation wisely attempts to maintain an integrated foreign policy. It is equally important that we develop an across-the-board international business policy. It is important that this policy be continually checked to insure that it is meeting new and changing conditions.

Diplomatic, political, and national security interests may at times temporarily override economic considerations. But it is clear that the Government cannot do justice to, or protect the U.S. international competitive position, without the development and maintenance of a strong integrated business policy. Various departments are not organized or coordinated for this purpose, and not enough "focal point" leadership has been given to this vital objective.

Maintaining our international competitive posture has become so necessary for the economic well-being of the United States that we should insure that consideration of contemplated governmental actions includes the following important question: If this proposed action is taken, will its impact on the worldwide competitive effectiveness of American business be favorable or unfavorable? If the answer is negative, then the contemplated action should be studied in depth to determine if there are possible alternatives.

Overseas operations must be conducted within the framework of laws and customs in the foreign areas concerned, and especial care should be taken in the application of U.S. antitrust laws to transactions and business arrangements within foreign countries. Attempts to export American law to other countries have provoked sovereign resentment and objections to what many foreigners consider to be a new form of "imperialism" and interference by the United States. Increasingly, foreign countries have developed their own antitrust standards and do not relish or welcome attempts by our Government to apply U.S. law to regulate conduct within their borders.

Such applications of U.S. law have not only worsened the business climate for American companies doing business in foreign countries, but have fundamentally disregarded the varying standards, customs, and practices of other nations. In many countries, custom, necessity, or local law, may require American companies to agree to terms which would be objectionable within the United States. When the doctrinaire application of the U.S. antitrust law abroad handicaps American concerns, the result is to give foreign competitors the advantage and to lose business for the United States.

In the licensing field, where know-how or trade secrets are involved, it must be recognized that greater contractual protection may be required abroad than in the United States because of the failure of many countries to recognize this type of industrial property. Today, in the light of existing confusion as to the view of our Government, American firms, particularly of small and medium size, hesitate to enter into license arrangements abroad. To remove this obstacle to productive international business for the United States, the Government should recognize that limitations placed upon a licensee with respect to the territories to which he can export products made under a license, are valid as ancillary to the grant of industrial property, so long as the licensee could not manufacture and sell the products without the license.

Our Government should reject any antitrust policy that would discriminate in favor of exports as against foreign investment as a mode of American business abroad or would attempt to restrict normal commercial relations between parent and subsidiary. American firms should be free to choose that form of business operation abroad which maximizes their opportunity to compete in foreign markets.

Overseas investment by American business is not a process of transferring jobs and production from the United States to new plants abroad; it is required to develop the maximum direct exports from the United States and to create the greatest number of jobs here. Private direct foreign investment, rather than harming our balance of payments, is building the strongest support for the stability of the dollar.

Sales made abroad from United States owned plants operating overseas are today more than twice as great as the total nonagricultural exports from the United States. In recognition of this fact, our private foreign investment must be viewed as an important basic component of our national economic strength.

Any attempt by the government to apply discriminatory treatment for investment in one foreign region as against another cannot take into account the increasing extent to which simultaneous investments in various parts of the world are now frequently but facets of a single economic venture. United States private overseas investments should not be viewed as a nozzle which can be turned on and off or sprayed in various directions by administrative decision because of particular, current foreign policy objectives. Any sustained interference with the investment flows which provide the base both for our foreign production and sales and for the development of direct exports from the United States would be disastrous to our competitive effectiveness.

A policy of conferring respectability primarily on particular types of U.S. foreign investments further encourages other governments to adopt policies of exclusion and discrimination against American investments. For example, a U.S. policy of extending preferential treatment to joint ventures with local investors is likely to encourage foreign governments to impose rigid participation requirements which prevent the implementation of productive private projects where joint ventures are not an appropriate vehicle for investment and management.

Now for a few minutes lets discuss taxes on overseas earninngs of American business. No other nation imposes on its overseas businessses a burden of corporate income tax levies and complexities comparable to that insisted upon by the United States. The philosophy of our system was developed about a half century ago in the early days of the Federal income tax and it has sought to ensure that the income of U.S. corporations from foreign operations is subjected to income tax either here or abroad, in amounts at least as great as the income from domestic business.

Credit on the U.S. tax is permitted only for foreign income taxes paid and not for other types of foreign taxes and government charges. Most other countries rely more heavily than we do upon other forms of tax or assessments on business operations. A law dealing with income taxes alone cannot properly equate the burdens. Since our tax law does not take account of other types of foreign taxes and governmentally imposed charges, we do not adequately alleviate the double governmental burden involved in foreign business operations and are thus impeding the competitive effectiveness of American business abroad.

I previously mentioned some of the errors which were made by enactment of the foreign earnings provisions of the 1962 Revenue Act. Among the controversial new provisions was one to tax currently to a U.S.

parent corporation the income of a foreign subsidiary incorporated in one country which conducts transactions with another subsidiary organized in another country. This provision was designed to penalize the use of foreign corporate structures operated in such manner as to reduce the foreign income tax otherwise payable to foreign countries, even though such transactions accomplish no reduction whatsoever in U.S. tax and conserve our oversea resources.

The effect of our present law is to restrict this freedom of action for foreign subsidiaries of American companies operating abroad, without any possibility of restricting the actions of our competitors. We are using the American tax system in an effort to force American companies to cause their foreign subsidiaries to pay foreign taxes in the countries in which they are struggling to compete, or to pay even higher American taxes currently as a penalty for reducing those foreign taxes.

Unnecessary overpayment of foreign taxes is a fruitless waste of American resources. Moreover, it is harmful to our balance of payments.

The best method by which the United States could simply and effectively shape its Federal tax laws so that they will not impair but will promote the competitive position of American business abroad, would be to adopt a territorial policy of Federal income taxation of corporate foreign business income to replace the present system of dual taxation with credit for foreign income taxes paid.

This would mean that American corporations would continue to pay whatever foreign taxes are levied on their overseas business income by the country of operations but would not pay U.S. corporate tax on that income. This should be true whether the foreign business is conducted through branches, divisions, or domestic or foreign subsidiaries, both at the time the foreign income is earned and at the time it is brought home to the United States. The foreign income remaining after payment of foreign taxes would, however, be fully taxable to shareholders of the parent company in the United States when distributed to them as dividends.

Remember that it is not just income tax that is involved overseas. The treatment of foreign earnings on a territorial basis by the United States does not mean that the American company in a foreign country has paid less governmental levies than its competitor in that territory. Both are exactly the same. I believe such a change in our U.S. tax policy would furnish an immense phychological stimulant to our efforts in foreign trade.

If this ideal approach is not acceptable to our Government, then a plan should be implemented which would recognize that dual taxation is involved in our present system of allowing foreign credit only on the income tax paid overseas. Experience indicates that the bulk of the overseas earnings of American business is derived by companies which pay a worldwide effective foreign income tax rate of more than three-quarters of our own and this, of course, is in addition to the variety of other foreign taxes which I have mentioned. This could be compensated for by establishing a U.S. corporate income tax rate on foreign income at three-quarters of our domestic Federal income tax rate. For example, the 1965 rate would be 36 percent which represents three-fourths of the 48-percent rate on income above $25,000. If some companies so operated abroad that they paid a worldwide effective foreign income tax rate of less than 36 percent, the income would be subject to a U.S. tax of 36 percent less credit for foreign income taxes paid.

To prevent any undue accumulation of untaxed funds abroad, and as an aid to our balance of payments, an American parent company would be deemed to have received as a dividend any income accumulated abroad by its foreign subsidiaries beyond the reasonable needs of the business. These latter suggestions would improve the competitive posture of American business, but I want to repeat that the ideal answer would be a territorial policy of Federal income taxation of corporate foreign business income.

The law governing U.S. taxes on foreign earnings should also permit corporations organized under the laws of the United States for the primary purposes of engaging in foreign operations to elect to be subject to the tax rules applicable to foreign corporations. There is nothing to be gained in requiring companies to be incorporated abroad to attain any particular tax status under our law. Permitting incorporation here would greatly simplify foreign operational procedures, reduce operating expenses, facilitate recordkeeping and governmental auditing, and eliminate sovereign rights of the foreign government which would otherwise charter the company. There is a precedent for this in the Western Hemisphere Trading Corporation regulations which stipulate a tax 14 points lower than the domestic corporate rate. If, as suggested a moment ago, a 36-percent U.S. tax rate was established on overseas earnings, the overseas trading company incorporated here under the laws of the United States would pay its income tax at that rate.

This would create a more competitive position on direct exports from the United States. Business taxes are operating costs and are virtually the only product cost which the Government has the power to reduce by its own action. This simply means that an overseas trading corporation would have a greater ability to price direct exports on a competitive basis which, because of a lower landed cost, would reduce tariff charges at the point of import. This is not a rebate of tax and therefore there is no conflict with GATT. Actually, no one knows just how much tax is paid to the United States on exports for the simple reason that there is supplier content of varying degree in most exports, and each supplier, of course, has paid tax on the profit realized from his particular transaction in addition to the exporter's tax on the total.

The right to organize a domestic subsidiary to engage in foreign operations as outlined would unquestionably assist in generating the maximum direct exports from the United States and the creation of the greatest number of jobs in the United States.

And now I want to touch on our international balance of payments. I am sure that all of us understand the problem and present situation, but it might be well for us to refresh our memories on how we got to this present position.

When World War II ended, Europe found her productive capacity greatly depleted at a very time that she needed everything; soft goods, industrial products, capital goods, food, etc. The only source of supply was from the United States and since dollar exchange was largely nonexistent, strenuous measures were indicated. It was then that the Marshall plan was born as the first chapter of what has become the greatest assistance program ever undertaken by any nation. What was the cost? Twenty-four billion dollars were involved in Britain and in Europe. Since World War II, $38 billion have been given or loaned to the new emerging and developing nations of Latin America, Asia, and Africa. On the overseas military front, the United States has provided approximately $33 billion of defense aid.

Concurrently, American corporations started to invest their money. In total, U.S. enterprises have invested $55 billion since World War II. Of this amount, $35 billion was private direct investment and $20 billion went into portfolio.

When we consider the economic role which the United States assumed following World War II, and review these figures, then the great strength of the U.S. economy, our dedication to freedom, and our determination to be a good neighbor becomes crystal clear.

An important underwriter for this whole magnificent project has been the performance of American business both here and overseas. Remitted earnings on overseas investments have been growing each year, and in 1964 amounted to $4½ billion. This element is one of the largest inputs on the credit side of our balance-of-payments account. Also, and this should lay to rest once and for all the idea that increased investment overseas negatively affects exports; in 1950 we had a favorable balance of trade of $1 billion. In 1964 it was $6.6 billion. This is tangible evidence that only by making investments overseas can we maximize our direct international activity from the United States. It also demonstrates the fact that American business operations overseas are captive customers for a large percentage of our direct exports from the United States.

The net result of all these actions has been a deficit in our international balance of payments every year since 1951 with the exception of one, 1957. In the last 8 years the deficit has averaged $3.5 billion and the cumulative total is approximately $31 billion. Our gold supply reached a peak of $23 billion in 1957 and is now about $14 billion. American business, through direct investments and exports, has indeed done a most creditable job but the surplus created has not been sufficient to offset governmental aid and military expenditures overseas. Also, the large capital outflows involved in the flotation of foreign securities in the United States cannot be overlooked in the balance-of-payments position. The free world has to a large extent depended upon the United States for capital formation and this has created an additional dollar drain which the Government attempted to minimize by the interest equalization tax.

When we consider all that America has done since World War II, and also contemplate what the free world might have been if the United States had not done it, the wonder is how we were able to do so much for so many and still achieve a dramatic increase in our domestic economy and standard of living. And then after all this, have the strength to attack our balance-of-payments problem effectively and quickly on a voluntary basis.

This brings me to my concluding remarks about the voluntary industry program as implemented by the President in February through the Department of Commerce. It is important to recognize that the dissipation of our own resources has largely been responsible for the economic revitalization of the free world. Our international deficits created free world liquidity and permitted international trade to assume its proper role. There is no reason to apologize for our payments deficit. We should be thanked and applauded for it.

In the very short time since implementation, the voluntary program has been sufficiently effective to cause a reevaluation of the dollar position all over the world and particularly in Europe. Suddenly there seems to be a realization that the dollar is still the respectable world reserve currency and fear is now being expressed that we may overcorrect our deficit position.

I think we must recognize that to make the maximum voluntary current contribution to our balance of payments problem, American business will do some things which in a normal course would not be considered best for growth and future success. For example, there undoubtedly will be a substantial increase of borrowing overseas if obtainable, and more than desirable remittance of earnings to the United States. The net effect of this action is to weaken a subsidiary balance sheet and also to incur a high interest cost against future earnings rather than utilizing funds generated internally from operations.

Investments which are needed because of competitive situations or opportunities to expand may be delayed and the opportunities lost. These, and many other voluntary actions and decisions will be most effective in the very short term, and I want to emphasize that this can continue only for a limited period without weakening the economic strength of the United States overseas and the future contributions to our international balance of payments.

It would indeed be tragic if we won a battle and lost the war.

The administration is to be complimented on taking a voluntary approach to the problem, but it is vitally important that we proceed as quickly as possible with specific forward planning for improving the worldwide competitive effectiveness of American business. That action plan must be complete and ready for use before the voluntary program loses momentum and before we weaken ourselves irrevocably in the world market.

It is for this reason that I have taken so much time and covered so many facets of the important Government role which is involved in the overseas operations of U.S. companies. There is no acceptable alternative to American business success in world markets and I think it is time for us to forget the speed limits and get moving.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. SALTONSTALL. Has the Senator from Minnesota included the Fowler statement in his request?

Mr. McCARTHY. I did not include it.

Mr. SALTONSTALL. Mr. President, with the approval of the Senator from Minnesota I ask unanimous consent that there may be included the statement by Mr. Fowler, in addition to the material inserted in the RECORD by the Senator from Minnesota.

Mr. McCARTHY. The Senator refers to the New York Times article, containing the full text?

Mr. SALTONSTALL. Yes.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 11, 1965]

FOWLER PROPOSES A GLOBAL PARLEY ON MONEY SYSTEM—SAYS PRESIDENT AUTHORIZES CALL FOR TALKS TO IMPROVE BRETTON WOODS SETUP—LAG IN LIQUIDITY IS SEEN—STEPS ARE HELD NECESSARY TO SPUR GROWTH OF RESERVES USED FOR WORLD TRADE

(By Edwin L. Dale, Jr.)

WASHINGTON, July 10.—The United States, in a major initiative, proposed today a world conference aimed at substantial improvements in the 20-year-old International Monetary System.

The proposal was made by Secretary of the Treasury Henry H. Fowler, who said President Johnson had authorized it.

The last such world conference was at Bretton Woods, N.H., in 1944. The system then evolved has worked well and has been a major factor in the spectacular prosperity of the industrial world.

But the system has recently come under strain, first because of the persistent deficits in the U.S. balance of international payments and now, prospectively, because of the ending of those deficits. The dollar is a keystone of the system.

Mr. Fowler disclosed the U.S. initiative in a speech to the Virginia State Bar Association in Hot Springs, Va. The text of his remarks was made available here. Mr. Fowler conferred about the speech with the President 2 days ago.

The Secretary said that a world conference, if it was to succeeed, must be preceded by careful preparation and international consultation.

ASKS ASSURANCE OF PROGRESS

"Before any conference takes place, there should be reasonable certainty of measurable progress through prior agreement on basic points," he declared.

"Our suggestion," he continued, "is that the work of preparation be undertaken by a preparatory committee which could be given its terms of reference at the time of the annual meeting of the International Monetary Fund this September."

Mr. Fowler said the happy concurrence of three crucial facts made the time appropriate to act on reform of the system. The crucial facts, he said, are these:

The U.S. balance of payments is approaching an equilibrium.

There is a "rising tide of opinion" that the world system "can and should be substantially improved," building on the present system.

The necessary technical studies have been completed, chiefly by the leading financial nations known as the Group of Ten.

As Mr. Fowler explained today, world financial reserves, called international liquidity, have grown in the last 15 years, largely because of deficits in the U.S. balance of payments. These deficits have pumped both dollars and gold into the reserves of other nations. The United States was spending more abroad than it earned abroad, even though exports regularly exceeded imports.

As foreign dollar holdings grew and the U.S. gold stock declined, it became necessary to end these deficits to keep the dollar "as good as gold" and assure other nations that their dollar holdings could always be converted into gold at $35 an ounce.

After long and frequently frustrating efforts by the Government, the deficits now appear to be ending. In any event, the Government, as Mr. Fowler said, is determined to end them.

But this will automatically stop the growth in world reserves that is needed to finance international transactions, a condition that Mr. Fowler called the "paradox" of the present system. Hence, the need for all innovation, which may well take the form of some new kind of reserve asset in addition to gold and dollars.

Nations use their reserves to settle deficits in their international transactions. While reserves do not have to grow exactly in line with world trade, there is agreement that they must grow over a period of time so that nations can handle temporarily deficits without clamping restrictions on imports or imposing deflationary domestic policies.

Mr. Fowler quoted today a sentence from President Johnson's balance-of-payments message to Congress last February 10:

"Unless we can make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

Mr. Fowler gave no hint today of what the United States would advocate at the world conference and in the preparatory stage. But he said the Government was now moving into a stage of intensive internal preparation to determine those proposals which will be acceptable to the United States, those which are entirely unacceptable, and those which may well be appropriate for negotiation.

FRANCE OPPOSES EXPANSION

In discussions on reform that have been underway for nearly 2 years among the Group of Ten countries, serious differences of opinion have emerged. Essentially the continental European countries, above all France, have opposed reforms designed to expand world liquidity, contending there is already too much. Britain, the United States and Japan have been more expansionary.

The end of the U.S. payment deficit, assuming that the recent improvements continue, could sharply alter the negotiating situation. It would improve the U.S. bargaining power and might persuade many Europeans that a method of adding to world liquidity was needed.

Mr. Fowler disclosed in his speech that he planned to meet later this year with the "ranking financial officials of other Group of Ten countries, to ascertain firsthand their views on the most practical and promising ways of furthering progress toward improved international monetary arrangements." He has already seen the British Chancellor of the Exchequer, James Callaghan, and will confer next week with the Japanese Finance Minister, Takeo Fukuda.

OTHER MEMBER NATIONS

Other members of the Group of Ten are France, West Germany, Italy, Belgium, the Netherlands, Sweden, and Canada. Switzerland sits with the group as an observer.

Mr. Fowler made it clear that the United States had no intention of trying to impose its own ideas.

"We must be prepared," he said, "not only to advance our own proposals but to carefully consider and fairly weigh the merits of other proposals."

The idea of a world monetary conference can be said to have originated not with the administration but with congressional Republicans.

Senator JACOB K. JAVITS, of New York has long advocated it. Senator BOURKE B. HICKENLOOPER, of Iowa, speaking for the Senate Republican leadership, endorsed the idea last week.

ELLSWORTH SPEECH CITED

Also last week, Representative ROBERT F. ELLSWORTH, of Kansas, speaking on behalf of an informal group of House Republican liberals and moderates, made the proposal in a major House speech. Mr. ELLSWORTH has been in touch with leading world financial figures, such as Jean Monnet of France, seeking their advice on how to go about such a conference.

Mr. Fowler quoted today from the Ellsworth speech.

A plan for improving the monetary system that has considerable backing, though there is much disagreement on detail, calls for creating a new composite or collective reserve unit, labeled CRU for short. The reserve would be made up of the 10 or 11 leading currencies in fixed proportions, held in nations' reserves along with gold and dollars. It could be used to settle international accounts.

The idea is supported in varying degrees in Europe, in Japan, and Canada. Britain is known to be sympathetic, provided the new unit could be firmly linked to the existing International Monetary Fund.

The United States has long resisted the idea, mainly because some versions of it would seek to diminish or abolish the role of the dollar as a world reserve currency and a "working" currency for a host of private international transactions.

But if the plan could be worked out in such a way as to leave the role of the dollar intact, and if it could be linked to the Monetary Fund, the United States is understood to be willing to consider it.

A new version of a CRU-type of plan will be published next month by Robert V. Roosa, former Under Secretary of the Treasury, who was the leading U.S. international monetary official for the first 4 years of the Kennedy-Johnson administration. This could indicate a move in the U.S. position toward more sympathy for the basic idea.

Mr. Roosa is a member of a committee, headed by former Secretary of the Treasury Douglas Dillon, that was named to advise Mr. Fowler on international monetary reform. Mr. Fowler disclosed today that the group would have its first meeting Friday.

[From the New York Times, July 11, 1965]

TEXT OF FOWLER'S REMARKS ON INTERNATIONAL MONETARY SYSTEM

It is imperative not simply to reach balance in our payments for a quarter or two, or even for a year, but to sustain equilibrium over time. The reasons are clear.

Our 14 years of deficits have resulted in a large outflow of dollars to the rest of the world. Because there is worldwide confidence in the stability of those dollars and because they are convertible into gold at the fixed price of $35 an ounce, those dollars are widely used to finance international transactions, and other countries hold them alongside gold in their official reserves.

Today, those dollars—some $27 billion—account for a major share of the international liquidity that sustains the growing free-world economy. Some $12 billion of those dollars are in official reserves, while the remainder serve, to support growing world trade and investment.

Thus, it is essential to the viability of the international monetary system as it exists today that the usefulness and value of those dollars remain unquestioned throughout the world. And, whatever changes might be introduced into that system, the dollar will have to continue to carry a heavy burden as a reserve currency.

If we allowed our deficits to continue, or if we lapsed back into prolonged deficit after a brief period of surplus, we would undermine world confidence in the dollar and impair its usefulness as a world reserve and leading currency. Dollars would return to our shores as claims on our gold, thus depleting, instead of supplementing, world financial resources.

WOULD SUSTAIN ADVANCE

To prevent such a contraction in world liquidity and the widening circles of deflation and restriction that would surely follow, we must research and maintain equilibrium in our payments as a matter of the highest national priority, along with sustaining the economic advance that has marked the last 53 months.

The paradox is, therefore, that the very increase in official foreign dollar holdings that has fueled so much of the growth in world liquidity in the past—and has thus helped support the growth in world trade—can no longer be allowed to continue if current international liquidity is to be protected. Yet without additions to the reserve dollars that our deficits have so long supplied, the world will need a new and assured source of growing liquidity to support increasing world trade and investment.

This, in a nutshell, is what the issue of world monetary reform is all about. It is to assure ample world liquidity for the years ahead that the United States, in cooperation with other leading financial powers, is seeking workable ways of strengthening and improving international financial arrangements.

For several years now the essential laying of the technical groundwork has been underway as the United States has joined with other major countries in comprehensive studies of the international monetary system—its recent evolution, its present effectiveness and its future. An early conclusion was that there are two elements in international liquidity; on the one hand, the more conventional reserves of gold and reserve currencies and, on the other hand, the ready availability of credit facilities for countries in need of temporary assistance.

As long ago as 1961, the 10 major industrial nations, now known as the Group of Ten, negotiated with the International Monetary Fund a so-called general arrangement to borrow whereby the 10 nations agreed to lend to the IMF up to $6 billion should this be necessary "to forestall or cope with an impairment of the international monetary system." That arrangement was activated last December and again this May in order to provide a part of a $2.40 billion drawing from the IMF on the part of the United Kingdom.

BACK 25 PERCENT RISE

On the credit side, also, the members of the International Monetary Fund have now agreed to support a 25 percent general increase in IMF quotas. This 25 percent increase, plus special increases for some 16 countries, will raise total aggregate quotas from $15 billion to around $21 billion. The Congress last month approved a $1,035 million increase in the U.S. quota.

Meanwhile, the Group of Ten and the International Monetary Fund have been continuing their studies of the future course of world liquidity. Deputies of the group submitted a comprehensive report on the problems involved last August.

In their ministerial statement last August the Group of Ten stated that, while supplies of gold and reserve currencies are fully adequate for the present and are likely to be for the immediate future, the continuing growth of world trade and payments is likely to require larger international liquidity. While they said that this need might be met by an expansion of credit facilities, they added that it may possibly call for some new form of reserve asset.

A study group was set up "to examine various proposals regarding the creation of reserve assets either through the IMF or otherwise." The efforts of that group have culminated in the so-called Ossola report, submitted to the deputies of the Group of Ten on June 1 of this year, which exhaustively examines, with all their promises and pitfalls, the possible paths to the creation of reserve assets.

Now for the first time in 4 years we are confronted by the happy concurrence of three crucial facts:

I

The U.S. balance of payments is approaching an equilibrium and the executive branch, the Congress and the private sector, including industry, banking, and labor, have mounted a program that makes unmistakably manifest our determination to keep it that way.

II

Evidence is accumulating of a rising tide of opinion in many knowledgeable and influential quarters in the free world, private and public, that our international monetary arrangements can and should be substantially improved, building on the basis of the International Monetary Fund and the network of more informal international monetary cooperation that has marked recent years.

III

The completion of technical studies is necessary to give a thorough understanding of the problem and various alternative approaches to solution on the part of those at the highest levels of government who must ultimately make these decisions.

We have now reached the moment which President Johnson had in mind when, in speaking of new international monetary steps, he said:

"We must press forward with our studies and beyond, to action * * * evolving arrangements which will continue to meet the needs of a fast-growing world economy. Unless we can make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

In taking office, I described this as "the major task facing our Treasury and the financial authorities of the rest of the free world in the next few years."

In recent weeks we have moved beyond the plane of hope and technical studies toward the prospect of more conclusive negotiations from which alone solution can emerge.

I met last week with the British Chancellor of the Exchequer, James Callaghan, and we exchanged preliminary and tentative views on the subject of international liquidity.

Next week I hope to have the pleasure of informal discussions with the Japanese Minister of Finance, Takeo Fukuda, in connection with the joint Cabinet sessions of the United States-Japan Committee on Trade and Economic Affairs.

ADVISORY PANEL NAMED

Both before and after the scheduled meeting of the International Monetary Fund and World Bank in late September, I expect to visit ranking financial officials of other Group of Ten countries, to ascertain firsthand their views on the most practical and promising ways of furthering progress toward improved international monetary arrangements. We must not only be prepared to advance our own proposals, but to carefully consider and fairly weigh the merits of other proposals. As Congressman ROBERT ELLSWORTH, of Kansas, in discussing this subject, recently remarked:

"We must appreciate that if we wish a strong Europe it must be a Europe strong enough to look upon an American proposal as merely one among many possible solutions—all of which will be reviewed together. If we wish their partnership, we must treat them as partners."

Already your Government is engaged in an intensive internal preparation for these bilateral meetings and multilateral negotiations that should follow.

In addition, so that the Government may have the benefit of some of the expertise and experience outside the Government in this highly technical area, President Johnson has accepted my recommendation and announced creation of an advisory committee on international monetary arrangements which includes as its chairman the former Secretary of the Treasury, Douglas Dillon, and a distinguished group of experts including Robert Roosa, former Under Secretary of the Treasury for Monetary Affairs; Kermit Gordon, former director of the Bureau of the Budget; Edward Bernstein, economic consultant specializing in international monetary policy; André Meyer, of the investment banking firm of Lazard Frères; David Rockefeller, president of the Chase Manhattan Bank, and Charles Kindleberger, professor of economics at Massachusetts Institute of Technology.

With their help and that of many others who will be consulted, including, particularly, many well-informed members of the appropriate committees of Congress, we shall constantly seek a comprehensive U.S. position and negotiating strategy designed to achieve substantial improvement in international monetary arrangements thoroughly compatible with our national interests.

In the various proposals which have and will be made, we must determine those which will be acceptable to the United States, those which are entirely unacceptable, and those which may well be appropriate for negotiation.

There will be an initial meeting of the advisory commitee on international arrangements on July 16. Hearings are planned before the International Finance Subcommittee of the House Banking and Currency Committee under the chairmanship of Congressman HENRY REUSS of Wisconsin to obtain various private and organizational points of view. These hearings and the reports of the committee will be of great value, together with those of the Joint Economic Committee of Congress and the International Finance Subcommittee of the Senate Banking and Currency Committee under the chairmanship of Senator EDMUND MUSKIE of Maine.

READY TO JOIN TALKS

I am privileged to tell you this evening that the President has authorized me to announce that the United States now stands prepared to attend and participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements. Needless to say, if such a conference is to lead to a fruitful and creative resolution of some of the free world's monetary problems, it must be preceded by careful preparation and international consultation.

To meet and not succeed would be worse than not meeting at all. Before any conference takes place, there should be a reasonable certainty of measurable progress through prior agreement on basic points.

Our suggestion is that the work of preparation be undertaken by a preparatory committee which could be given its terms of reference at the time of the annual meeting of the International Monetary Fund this September.

The United States is not wedded to this procedure nor to any rigid timetable. I shall exchange views with my colleagues in Europe and elsewhere, as well as the senior officials of the International Monetary Fund, on how best to proceed. The point I wish to emphasize here is that the United States is determined to move ahead—carefully, deliberately—but without delay. Not, to act when the time is ripe can be as unwise as to act too soon or too hastily.

We are, therefore moving ahead—and we are making progress. But we must be aware that the issues involved are complex, and they raise basic questions of national interest.

PATIENT EXPLORATION NEEDED

It is not, therefore, easy to arrive at the degree of international consensus we must have for any workable reform of the international monetary system. We can expect no overnight solution—but only patient exploration of the alternatives with our trading partners in a spirit of mutual cooperation. This is the course we are now pursuing.

As we move ahead, we will do well to remember that the existing international financial system has successfully financed an unparalleled expansion in world trade and payments. We have also done much in recent years to strengthen that system. The need now is not to start all over again, to move in a completely new direction. Rather, we must move once more to strengthen and improve the existing arrangements.

And while we proceed solidly and surely toward international agreement on the problems of world liquidity, we in this country must keep ever before us the present and pressing need to protect the existing international payments system by maintaining a strong, sound, and stable dollar. First things must come first.

We are bringing our own payments into equilibrium and we must keep them in equilibrium. By resolutely shouldering that responsibility we will preserve the foundation upon which must rest all efforts to assure free-world growth in the years ahead—the monetary system that has served the free world so well in the past.

REPORT ON "CANADA AND THE UNITED STATES—PRINCIPLES FOR PARTNERSHIP"

Mr. AIKEN. Mr. President, at noon today there was released in Washington and Ottawa by President Johnson and Prime Minister Pearson a report on "Canada and the United States—Principles for Partnership."

This report was prepared by Livingston Merchant for the United States and Arnold D. P. Heeney for Canada.

These men are both conscientious and competent, a fact which lends importance to their findings and recommendations on a subject of paramount importance to both countries.

I shall not attempt to analyze the report at this time other than to say that it is a concise and understanding statement of the relationship which exists between us and contains conclusions and recommendations so patently vital and apparent that they should be found readily acceptable by thinking people on both sides of the border.

Despite the disparity between our two countries in population and in other ways, there is no more striking example of interdependency to be found in the world today.

The report of Messrs. Heeney and Merchant should further our already outstanding example of international cooperation and strengthen still more the understanding which exists between us.

I wish to commend President Johnson and Prime Minister Pearson for their foresight in arranging for this United States-Canadian group study.

I wish also to commend Arnold Heeney and Livingston Merchant for a job well done. Their findings and recommended guidelines for future cooperative effort should prove invaluable to both countries.

LEGISLATIVE BRANCH APPROPRIATIONS, 1966

The Senate resumed the consideration of the bill (H.R. 8775) making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MONRONEY. Mr. President, the legislative branch appropriation bill for fiscal year 1966, H.R. 8775, which is the pending business of the Senate, recommends appropriations in the amount of $190,840,167. This is an increase of $40,251,060 over the House-approved bill, $15,717,949 over the appropriations for fiscal year 1965, but $52,421,450 under the total amount of the estimates presented to the Congress.

As the Senators know, this large increase over the House version of the bill represents appropriations recommended for the operation and administration of the Senate, and for the maintenance and operation of the Senate Office Buildings and the Senate garage. The amounts recommended for these items are $36,379,790 for financing the Senate's operations, including funds for Senators' staffs and committee staffs, $2,458,700 for the Senate Office Buildings, and $53,800 for the Senate garage. The budget estimates for these items were not considered by the House of Representatives in accordance with longstanding practice, as, similarly, the Senate committee did not review nor amend those items pertaining strictly to the House.

The committee in its report, which is before the Senate, has made several increases in senatorial allowances, including an innovation in the provision of additional telephone service, which will be of interest and which will be discussed more fully later.

The committee was pleased to concur in the suggestion in the House report that the Capitol be kept open for tourists until 10 o'clock in the evening, 7 days a week, from approximately Easter through Labor Day. Attention has been given to the necessity of providing adequate policing in the building and in the adjacent parking areas—and under several appropriation items, hereafter set out, Senators will find funds provided for the additional police and building attendants investigation indicated would be required.

For the Office of the Architect of the Capitol, the committee recommends an appropriation of $570,070. This is a reduction of $17,530 under the House bill, brought about by the disallowance by the committee of one attorney for this office, which the House had approved. The committee concurred in the House allowance of $5,000 for the additional accounting clerk required for the compilation of records and preparation of the semiannual reports of all expenditures made from funds appropriated to the Architect of the Capitol, as provided in the Legislative Branch Appropriation Act for fiscal year 1965.

Under Capitol buildings, the committee approved the House recommendation of $1,640,000, which includes approximately $15,000 estimated by the Architect to be necessary under this head incident to the proposed evening opening of the Capitol.

We come now to the addition of $700,000 to the House version of the bill recommended by the committee for the restoration of the Old Senate and Old Supreme Court Chambers. In fiscal 1964, funds were appropriated for the preparation of working drawings, specifications, and estimates of cost for this proposal which, upon completion, would restore these rooms to the condition in which they existed and were furnished when last occupied in 1859 and 1860, respectively, by the Senate and the Supreme Court. This initial work, including extensive research into the architectural history of the rooms and their furnishings, has been accomplished and, according to testimony presented before the committee, the restoration could be completed within the $700,000 requested and by the end of the fiscal year. It is estimated that between 5 to 7 million people a year visit the Capitol Building. Many of them are school-age children. It is the conviction of the committee that this restoration would greatly enhance for these visitors the tradition and significance of the building and, perhaps, contribute to a larger knowledge and deeper insight into the development of our Government. The Senate hearings go into considerable detail, both as to the history of these rooms and the justification for the work, which will be of interest to the Members, I believe.

For the maintenance and operation of the Senate Office Buildings, the committee recommends a total of $2,458,700, which is $5,800 under the appropriation for 1965 and $10,000 under the budget estimate. The $10,000 withdrawn represents the sum originally requested for replacement of deficient compressors in connection with the air conditioning and refrigeration systems. It was later determined these compressors could be repaired and replacements were not necessary. In its hearings, the unsatisfactory elevator service in both buildings, as well as inadequate parking facilities for tourists and guests to Members' offices, were given attention by the committee, as also indicated on page 11 of the report.

The appropriation recommended for the operations of the Library of Congress totals $26,151,100, which is $2,069,300 over the 1965 appropriation, $648,800 over the House allowance, but $493,700 under the budget estimates. Briefly, the committee recommends as follows for the various activities of the Library:

For salaries and expenses, the sum of $11,772,000. The increase of $109,000 over the House allowance includes $65,000 for an additional 10 employees, $19,000 increase for the proposed automation project, and $25,000 to reimburse the Metropolitan Police Department for 2 man-dog teams to patrol the Library and adjacent Capitol grounds during the evening hours. The Library's reading rooms are open to 10 o'clock every night and, in addition, from early October to early June musical and literary programs are scheduled for as many as 4 or 5 nights a week. The committee believes that the funds provided for additional police services on the Library grounds, and in connection with the evening opening of the Capitol, will assure adequate coverage for the Capitol Hill area and will help to eliminate completely the commission of criminal offenses thereabout.

For the Copyright Office, the committee concurs with the House allowance of $2,021,000, the budget estimate. These funds will permit the employment of 13 additional people to handle the increased workload. The operations of this office result in cash receipts to the Government, although recovery from fee receipts is diminishing from year to year. For fiscal 1964, the latest full-year figures available, $1,133,546 was returned to the U.S. Treasury. This was $58,356 over the return for the previous fiscal year. The committee in its report urges the appropriate legislative committees to give priority consideration to the pending bills providing for an increase in registration fees. The estimated percentage of fees as applied to costs for fiscal year 1966 is 62 percent as compared to 103 percent in 1949. Fees have remained the same since 1948 and costs have increased considerably since that time.

The committee recommends an appropriation of $2,492,000 for the Legislative Reference Service, $32,000 under the House allowance. The committee has disallowed two of the four positions approved by the House to staff the recently established Science Policy Research Division, since it was felt that it would not be possible to find qualified individuals for all of these positions. In its report—on page 12—the Legislative Reference Service is called upon to circulate to Members' offices lists of major reports prepared on legislative issues of general interest, with the reservation that these reports are not to be available for general distribution—that is, so-called constituent requests—and that reports tailored to the specific use of individual Members would not be included in these lists.

For the item, "Distribution of catalog cards," the committee concurs in the action of the House in recommending $4,035,000, which is a reduction of $68,000 from the budget estimate. Of this reduction, $50,000 represents a decrease from the request of $250,000 for the operation of a contingency fund to handle unexpected workload increases, and $18,000 to support full financing of printing costs in connection with the production of the Monthly Index of Russian Accessions, which is an activity partially financed under the head, "Salaries and expenses," above. This appropriation, the Distribution of Catalog Cards, is one of the revenue-producing activities financed in this bill. There was $3,679,781 returned to the Treasury in fiscal year 1964 as compared to $2,959,771 in fiscal 1963. For the first 11 months of fiscal 1965, $4,286,000 has been reimbursed to the U.S. Treasury.

The committee recommends $080,000 for books for the general collection, which is a restoration of $40,000 over the House allowance. This will provide the full amount estimated to be necessary to enable the Library to continue its policy of obtaining important materials currently as they are published, to establish a so-called unique materials fund—which is explained in the hearings—to strengthen its program of replacing by microfilming or other photocopying techniques otherwise irreplaceable reference materials, and to inaugurate a program for the preservation of its collection of badly deteriorated nitrate photographic negatives and filmstrips.

For books for the Law Library, the committee recommends the restoration of $5,000 to the House allowance of $120,000. This will enable the Law Library to augment its present collection and to help maintain this as one of the largest and most comprehensive collections of law books in the world.

For collection and distribution of Library materials, which is a program for the acquisition of library materials in certain excess foreign currency countries, the committee recommends the sum of $2,068,300. This will provide funds necessary for the continuation of this previously authorized activity in the countries of India, Pakistan, the United Arab Republic, Indonesia, and Israel, and the initiation of the program in Poland and Yugoslavia. Of this $2,698,300, $1,900,000 is in foreign currencies which the Treasury shall determine to be excess to the normal requirements of the United States. As is indicated in the table on page 4 of the committee report, $27,500 was returned to the Treasury by virtue of receipts from participating libraries. It is estimated that in fiscal 1965, this return will be increased to $31,700.

The overall appropriation recommended for the operations of the Government Printing Office total $26,329,000, which is the same as the House allowance, but $49,640,000 under the budget estimates. This reduction relates solely to the funds requested for the proposed construction of a new Government Printing Office building, which has been denied by the committee at this time. Since its earlier submission, the estimate has been reduced to $46,663,000 when it was proposed that the building be located at the site of the National Training School for Boys. Inasmuch as the Joint Committee on Printing has not approved any site location for the new building—a necessary prerequisite as provided in the 1965 Appropriation Act—the committee has denied without prejudice the funds requested for the construction of this new building.

For the printing and binding operations of the Government Printing Office, the committee concurs in the House allowance of $20,500,000, which is $2.5 million over the 1965 allowance. This increase is necessary to absorb a $4 million carryover deficit from prior years and to provide $16.5 million estimated for congressional requirements for 1966. As Senators will note from the report, the committee requests that the Public Printer explore possibilities of instituting accounting procedures so that all printing ordered by the committees of Congress, and the costs thereof, may be recorded and reported. It has been brought to the attention of the committee that some of the committees of the Congress are extremely wasteful in their printing habits. It has been reported that in some instances voluminous texts, or documents, submitted by witnesses—which are related to the subject but which are not vital—will be accepted and printed in full in the record, pyramiding costs way beyond any reasonable amount and stuffing the record with junk that would not ordinarily be read by anyone except perhaps a researcher bent on getting the last single fact out of a mass of statistics. I have been furnished by the

Public Printer with a form which the Printing Office proposes to use in its breakdown of congressional charges by originating sources. I ask unanimous consent to have this form printed in the RECORD at this point.

There being no objection, the form was ordered to be printed in the RECORD, as follows:

Proposed breakdown of congressional charges by originating sources

Classification	Breakdown	How accomplished
1. CONGRESSIONAL RECORD	House and Senate	Actual pages chargeable to House and Senate determined from daily RECORD. Overall charges for daily, index, biweekly, and bound prorated on basis of number of pages.
2. Miscellaneous publications	Committee	When committee is carried on order or title page.
	Architect	When Architect is carried on order or title page.
	Clerk of House	When originating source cannot be identified.
	Secretary of Senate	Do.
3. Miscellaneous printing and binding	Committee	When committee is carried on order or printed matter.
	Architect	When Architect is carried on order or title page.
	Members (Senate or House)	Personal stationery for members.
	Clerk of House	When originating source cannot be identified.
	Secretary of Senate	Do.
4. International exchanges	No breakdown	
5. Franked envelopes and document franks	Committee	When committee is carried on order or printed matter.
	Members (Senate or House)	When order is for individual Member.
	Clerk of House	When originating source cannot be identified.
	Secretary of Senate	Do.
6. Calendars	Committee	Individual committee calendars.
	House	House business calendars.
	Senate	Senate business calendars and Senate executive calendars.
7. Bills, resolutions, amend	Members (Senate or House)	Regular bills introduced by Members.
	House	House resolutions.
	Senate	Senate resolutions.
8. Committee reports	Committee	Committee making report.
	House	Conference reports.
9. Documents	House	When order originates in House.
	Senate	When order originates in Senate.
10. Hearings	Committee	Committee holding hearing.
11. Federal Register	No breakdown	
12. Code of Federal Regulations	do	

The totals of the above breakdowns will equal the total amount billed for each fiscal year. Obligations for unfinished work will be estimated, as far as possible, by these same breakdowns.

Joint Committee on Printing orders for additional copies will be charged under appropriate breakdown.

Certain miscellaneous work provided for "By-Law" that cannot be assigned to either House will be carried under a "By-Law" breakdown.

It is not intended that a breakdown be provided for individual Members. This breakdown will show only that the order originated with a Member of the House or Senate.

Mr. MONRONEY. It has been suggested that the Government Printing Office—after this procedure has been installed and is operating—advise each committee of the Senate and House of Representatives and each joint committee monthly of their printing charges for the previous month. Annually, the committees on Appropriations of the Senate and House, and the Joint Committee on Printing will be furnished a breakdown of committees and other ordering sources in the House and Senate, and the Architect of the Capitol. I believe the form prepared by the Government Printing Office to accomplish our objective is adequate, and I believe the monthly reports to the various committees will be informative and conducive to greater care in the ordering of printing. In the report which is before the Senate, the Joint Committee on Printing is requested to consider the feasibility of placing the committees of the Senate and House on an annual allowance for such printing, based, of course, upon the report of the Public Printer.

For the Office of the Superintendent of Documents, the committee recommends an appropriation of $5,829,000, the House allowance and the amount of the budget estimate. As indicated in the tabulation on page 4 of the report, earnings realized from the sale of documents for return to the U.S. Treasury were $6,703,282 in fiscal year 1964, which was an increase of $971,491 over the previous fiscal year. It was testified that sales for the current fiscal year are approximately 15 percent ahead of fiscal year 1964.

With respect to the items relating to the operation and administration of the U.S. Senate, exclusive of the Senate Office Buildings and the Senate Garage, a total appropriation of $36,379,790 is recommended. This appropriation was not considered by the House, as I mentioned earlier in this statement, but the amount is $1,545,220 over the 1965 appropriation and $512,895 over the amount requested in the budget. The table at the conclusion of the report details the allocation of these funds to the particular account, but I will highlight for the convenience of the Senate a few of the items.

There have been mandatory pay increases throughout this bill as Senators will appreciate, based either on the Pay Act of 1964 or on general wage-rate increases authorized in earlier legislation which requires that compensation of certain employees shall be adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates.

For the Office of the Sergeant at Arms, the committee recommends an appropriation of $3,051,230. In connection with the evening opening of the Capitol Building, language and funds have been inserted in the bill providing for six additional attendants under this account—three for the men's rooms and three for the ladies' rooms in the Capitol.

The committee has approved the employment of one additional stenographer for the Office of the Legislative Counsel, for a total appropriation of $308,000.

Miscellaneous items is a multipurpose general appropriation under the head, "Contingent expenses of the Senate." Authorizations to make payments from the contingent fund not chargeable to the specific appropriations are paid from this appropriation. On page 6 of the committee's report is a tabulation which reflects the amounts carried in this bill under miscellaneous items.

One of these is office expenses. For office expenses in the home State of each Senator, the committee recommends that the allowance be increased from $150 per quarter for each Member to $300 per quarter, or $1,200 per year.

With reference to travel allowances, the present law permits each Senator two round trips, exclusive of mileage at the beginning and end of each session. The committee has inserted language in the bill increasing these round trips to six round trips per annum.

The present law authorizes four round trips per year for staff members to the home State of the Senator, with a mileage allowance of 10 cents a mile. For the staff members in the offices of Senators from States with a population of 10 million or more inhabitants—California, New York, Pennsylvania, Ohio, Texas, and Illinois—the number of these trips has been increased to 6 round trips a year.

LONG-DISTANCE TELEPHONE ALLOWANCES

I invite the Senate's attention to page 6 of the report, which outlines in some detail the proposal of the committee relative to the long-distance telephone allowances. Briefly, the allowance has been increased from 160 calls and 800 minutes per month to 200 calls and 1,000 minutes per month for each Senator, with the addition that Senators from the six largest States, recited above, will receive 50-percent additional, or 300 calls and 1,500 minutes per month. Further, all calls are cumulative from month to month, but not to exceed one-half may be used in the first 6 months.

The long-distance telephone allowance of $1,800 a year per Member, in addition to the allowance based upon number of calls and number of minutes, has been increased to $2,200 a year per Member. This will afford to each Member an additional $400 per annum in telephone allowance.

In addition to the foregoing, the committee has also approved the optional telephone service—wide area telephone service—as explained in the report on page 7. I shall be pleased to answer any inquiries regarding this plan but, first, let me say that it will be necessary for the Sergeant at Arms to compute for each Senator the amount of his telephone allowance which will be available for the service should he elect to contract for it. Basically and simply stated, this is a leased-line service, based on rates supplied by the telephone company. Each Senator would surrender funds from his above-cited telephone allowances in order to subscribe to the service. It would, in essence, be a shared-line system, with at least two Senators joining in the contract. In other instances, three or even four Senators may find it feasible to surrender part of their allowances in order to participate in this plan. As the rates now stand, it would be prohibitive for one Senator to finance such an arrangement from his present allowances. I make the above statements simply to point out that this system will be a reasonable solution to a difficult problem in some areas of the country and not in others—mainly because of the locally controlled rates, tariffs, and allowances which apply in the particular areas. Under the WATS system, any two or more Senators, exclusive of those from Alaska and Hawaii, because such a system has not yet been extended to those States, may elect to participate. Calls can be made only on a one-way basis to any State in that WATS zone from the Washington office of the Senator participating. The use of the line shall be controlled by the two or more Senators contracting for such a line. When the line is in use from one office, it automatically will be dead in the other offices. Under the committee language, it is purely a voluntary plan for Senators and if they avail themselves of it the charge will be made against their existing allowances.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SALTONSTALL. I have prepared, in conjunction with the remarks of the Senator from Oklahoma, a statement in explanation of the telephone allowances. If the Senator would not object, I should like to make the statement at this point in the Record.

Mr. MONRONEY. I would welcome its appearance in the Record at this point as a further explanation of the arrangement.

Mr. SALTONSTALL. I thank the Senator.

Mr. President, the committee has increased the long-distance telephone allowance for Senators from 160 calls per month or 800 minutes to 200 calls or 1,000 minutes. It is to be noted that the calls are allocated on an annual basis rather than on a monthly basis with the stipulation that they may not exceed one-half of the total allowance during the first 6 months of the fiscal year.

As written, the new language will provide for a carryover from month to month of unused allowances. In addition, six States with a population of 10 million inhabitants or more will have an increased allowance for long-distance telephone service, 50 percent above the allowances for the other States. These six States are California, New York, Pennsylvania, Ohio, Texas, and Illinois. They will receive total allowances providing for 300 calls or 1,500 minutes a month with a carryover on a monthly basis.

The long-distance telephone allowance which is in addition to that based upon number of calls and number of minutes, now set at $1,800 per year per member, has been changed to $2,200 per year per member. This will provide an additional $400 per annum in telephone allowances.

The committee inserted language in the bill which would make it possible to have the Sergeant at Arms compute the maximum long-distance telephone allowance for any Senator. The allowance would be computed on a formula at the maximum rate with all calls considered as being person-to-person from Washington, D.C., and terminating in the Senator's State. Under this plan, a Senator may then request the Sergeant at Arms to contract for flat rate long-distance telephone service such as wide area telephone service. The contract costs under this plan would be charged against the Senator's telephone allowance and in no event would the total cost of any contract service exceed the allowance of the Senator or group of Senators sharing the service. Excess costs would be billed to the Senator.

The committee made an overall survey of possible additional long-distance telephone service and found that wide area telephone service would be the most practical at the present time. Only those who indicate a desire to come under the service will be affected.

Mr. ELLENDER. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. ELLENDER. As I understand, this would not constitute additional service, but would mean that the amount allowed for long-distance calls may be used for this purpose.

Mr. MONRONEY. That is correct. But the bill in another section would increase the allowance for telephone calls. In the computing of these charges in connection with WATS the maximum would be allowed and a Senator might at his option, go along with another Senator, or with two or more Senators, and lease one of the lines for their joint use, and he would be billed on his account.

Mr. ELLENDER. It would not constitute an extra charge to the Government?

Mr. MONRONEY. No; it would be the same as if the money were used for the regular, conventional service.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SALTONSTALL. There is an additional explanation, which I hope will be helpful. For every call a Senator uses on the new service, a deduction will be made from the regular telephone allowance.

Mr. MONRONEY. The bill provides an increase from 160 calls and 800 minutes a month, to 200 calls and 1,000 minutes a month, and also from $1,800 a year per Member to $2,200 a year per Member. This includes both the conventional and the new service.

Mr. ELLENDER. As I understand, if Senators use the number of calls that the Senator from Oklahoma indicates, whatever the cost, he could use a part of that amount in order to use the new service?

Mr. MONRONEY. That is correct.

Mr. ELLENDER. Is it correct that, allowances for telegrams and telephone calls that are not used are not charged to the Government?

Mr. MONRONEY. That is correct.

Mr. ELLENDER. Such amounts revert to the Treasury?

Mr. MONRONEY. That is correct.

Mr. ELLENDER. Do I correctly understand that the unused allowances for stationery are the only amounts that do not revert to the Treasury?

Mr. MONRONEY. That is my understanding.

Mr. ELLENDER. A Senator may keep that unused allowance, if he so desires?

Mr. MONRONEY. Yes; or apply it to other expenses, such as telephone or telegraph expenses.

Mr. ELLENDER. What does that mean? Must he use it strictly for that purpose?

Mr. MONRONEY. For official business.

Mr. ELLENDER. Must he certify to it?

Mr. MONRONEY. He must certify to it.

Mr. ELLENDER. Where is there the provision for the obligation on his part to do that?

Mr. MONRONEY. It comes in the statement when he receives it.

Mr. ELLENDER. I understand that all that a Senator need do when he gets notice from the disbursing officer that not all of his $2,400 allowance has been used, is to apply for and receive the difference in cash.

Mr. MONRONEY. Yes; or he may apply it to other expenses.

Mr. ELLENDER. In my case, I do not use the entire $2,400. However, through a letter I wrote to the disbursing officer of the Senate, he returned to the Treasury approximately $1,400. As a matter of fact, the exact amount was $1,462.29. I could have used that in any way that I saw fit, as I understand it.

Mr. MONRONEY. The Senator would find that it required that the allowance be used on official business.

Mr. ELLENDER. Is any additional money provided for other than the one item that the Senator just mentioned for the legislative counsel?

Mr. MONRONEY. The extra stenographer for the legislative counsel?

Mr. ELLENDER. That is correct.

Mr. MONRONEY. We added that.

Mr. ELLENDER. The Senator has also added such employees as may be necessary to permit the use of the Capitol by visitors after hours.

Mr. MONRONEY. I am glad that the Senator raised that point. That provision would allow us to hire these men from the Metropolitan Police Force, only during the period of time that the Capitol would be open. I believe that there would be 14 privates and 1 sergeant, to furnish the additional protection that would be needed within and outside the building to maintain order during the evening hours.

Mr. ELLENDER. I presume they would be used during the tourist season.

Mr. MONRONEY. The season would start at approximately Easter and close on Labor Day.

Mr. ELLENDER. I notice on page 4 of the report that the Secretary of the Senate is empowered to employ one chief reporter of debates at $24,024.40 gross per annum and seven reporters of debates. That would not mean additional reporters, would it?

Mr. MONRONEY. It would not. All of the reporters affected by that language are today serving the Senate. It would merely remove the confusing situation in which we had two heads of the office instead of one. This provision would authorize the selection of one principal reporter of debates, who would be the one to be held accountable by the Senate for the coverage of these debates.

Mr. ELLENDER. That office would be placed under the authority of the Secretary of the Senate?

Mr. MONRONEY. That is correct.

Mr. ELLENDER. The Secretary of the Senate would have jurisdiction over them.

Mr. MONRONEY. He would have jurisdiction to designate the official reporters.

Mr. ELLENDER. Who had jurisdiction before?

Mr. MONRONEY. Both of the Official Reporters were coequal. That led to some confusion in authority. We had been asked by several groups, the majority and minority leaders, and the Senate members of the Joint Committee on Printing, to provide language to resolve this continuing difficulty which was occasioned by having more than one man responsible.

Mr. ELLENDER. Are we to understand then that this would not constitute an increase in personnel?

Mr. MONRONEY. The Senator is correct. It would not.

Mr. ELLENDER. The only increase in personnel would be as to those employees necessary to furnish services for tourists during a certain period of the year, and the secretary for the legislative counsel?

Mr. MONRONEY. The Senator is correct. There might be additional charwomen or service employees such as elevator operators.

Mr. ELLENDER. I understand. I noticed that the report mentioned that there would be an increase in salary for three laborers.

Mr. MONRONEY. The Senator is correct. Those laborers are on the payroll at the present time. However, it is proposed that they be given a very slight increase.

Mr. ELLENDER. Would the Senator find any objection to language to the effect that any Senator who does not completely use his allowance for stationery must return the unused portion to the Treasury, as is the case for long distance calls, telegrams, and other items?

Mr. MONRONEY. I should be very happy to accept the amendment.

Mr. ELLENDER. I thought that should have been done a long time ago. I understand that an amendment will be proposed.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I intend to offer such an amendment at a later time which I hope that the Senator in charge of the bill will accept.

I feel that it is our responsibility to provide funds by which each Senator can finance the expenses necessary in order to conduct the official duties of his office; however, I believe that we should make it very clear that in no event can any of these funds which are not used, revert to Senators.

It is my understanding that the Senator from Oklahoma confirms that opinion. In the case of postage stamps I notice that under the existing law the amount provided for is $610, and the bill would increase that amount to $800, with an additional $200 increase for those Senators who serve from west of the Mississippi.

Mr. MONRONEY. The Senator is correct.

Mr. WILLIAMS of Delaware. No portion of that amount would be available except for official business.

Mr. MONRONEY. The Senator is correct.

Mr. WILLIAMS of Delaware. No portion of that amount could revert to the use of a Senator unless it were used for conduct of the official business of his office.

Mr. MONRONEY. The Senator is correct.

Mr. WILLIAMS of Delaware. I understand that six trips back home would be allowed for the employees of each office representing the larger States.

Mr. MONRONEY. Six trips would be allowed staff for the States which have a population of over 10 million.

Mr. WILLIAMS of Delaware. That is correct.

Mr. MONRONEY. Six staff trips would not be allowed for Senators from small States.

Mr. WILLIAMS of Delaware. That is correct, and I agree. I happen to be from a small State which is so close that we do not even need the provision for four trips. However, I recognize that many from the larger States need that provision. I shall support that provision; however, to keep the record straight, this would not be a provision for six trips for each employee?

Mr. MONRONEY. It would be the total for the office.

Mr. WILLIAMS of Delaware. During the fiscal year?

Mr. MONRONEY. During the fiscal year, the office of each Senator from States with a population in excess of 10 million would be allowed 6 trips.

Mr. WILLIAMS of Delaware. That would be for those Senators representing a State which has a population of over 10 million.

Mr. MONRONEY. The Senator is correct.

Mr. WILLIAMS of Delaware. In each instance the employee who returned to the home State must be on official business and in the discharge of his official duties.

Mr. MONRONEY. The Senator is correct. That must be vouchered on a regular voucher.

Mr. WILLIAMS of Delaware. The same thing would be true in the case of telephone calls, as the senior Senator from Louisiana has pointed out. Telephone calls would be paid for by the Government out of the allowance only to the extent that such calls were made in the course of official business.

Mr. MONRONEY. The Senator is correct. If the allowance is not completely used, it would revert to the Treasury.

Mr. WILLIAMS of Delaware. It would automatically revert.

Mr. MONRONEY. The Senator is correct. The provision for these telephone calls would be continuing, from 1 month to another.

Mr. WILLIAMS of Delaware. I understand.

Mr. MONRONEY. So if a small amount were used in 1 month and a much larger amount in the next month, it would balance out.

Mr. WILLIAMS of Delaware. I understand that, but during the fiscal year they balance out.

Mr. MONRONEY. The Senator is correct.

Mr. WILLIAMS of Delaware. But in all instances payment is available to Senators for official calls made by the Senator or his staff. All personal calls would have to be paid for by the parties making them.

Mr. MONRONEY. The Senator is correct.

Mr. WILLIAMS of Delaware. If a man were to make a personal call he must reimburse the Sergeant at Arms for such call. This is the law.

Mr. MONRONEY. That is correct.

Mr. WILLIAMS of Delaware. Then the stationery fund is the only fund provided for in the bill under which the funds might revert to the Members of Congress.

Mr. MONRONEY. The cash refund is supposed to go for official business.

Mr. WILLIAMS of Delaware. Supposed to, that is. I have an amendment which I shall offer soon that I hope the Senator in charge of the bill will accept. I believe that we should spell out very clearly that this fund would be in the same category as the other funds.

My amendment reads:

Provided, That hereafter any amounts not utilized by Senators for the purchase of stationery for strictly official business from the Senate Stationery Room at the expiration of the fiscal year for which provided shall revert to the Treasury by withdrawal from the stationery revolving fund.

I shall send this amendment to the desk at the appropriate time. I hope the Senate will accept it. It will make sure that all these funds are used only for the purpose spelled out as being the intention in the bill.

Mr. MONRONEY. I have said that I would accept the amendment.

May I complete my statement first?

The PRESIDING OFFICER. The Chair will advise Senators that the committee amendments must be disposed of before the amendment of the Senator from Delaware can be offered.

Mr. MONRONEY. I will yield as soon as I complete my statement.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. HOLLAND. I am a little concerned by what I have heard. While I am willing to limit the stationery account in the way the Senator has suggested, my understanding has been that such matters as subscriptions to papers to keep one advised and to know what is going on in one's State, in order to properly represent his State, was as much covered as buying the paper on which a Senator corresponded with individuals who approached him from his State, and that applies to trade journals from particular trade organizations in one's State. In particular, I have in mind agricultural journals because they keep a Senator advised about what his people want and what are necessary activities in his State.

I am seeking to have the RECORD reflect what the able chairman thinks about the inclusion within the scope of the stationery allowance of such items as I have mentioned.

Mr. MONRONEY. It would require an amendment to the amendment to do that, because it would be strictly prohibited under the amendment to be offered by the distinguished senior Senator from Delaware, which both the Senator from Massachusetts [Mr. SALTONSTALL] and I have agreed to accept. It could be voted on as an amendment, but under the amendment before us it would not be possible to subscribe—the way I read the language—to newspapers or other publications as a result of this language.

Mr. HOLLAND. May I ask the Senator a further question? I believe the practice I have commented upon has been a rather general practice under existing law. What is the difference between existing law and the amendment that is proposed? I know of no better way in which a Senator can keep in touch with the people of his own State, or a more comparable way of actual correspondence with individuals and organizations, than the course which I have referred to and which I understand has been generally followed by Members of the Senate.

I have no objection to the amendment. I have no objection to the continuation of the present practice. But I would like to have the Senator differentiate between what is provided under existing law and what would happen under the proposed amendment relating to the stationery allowance.

Mr. MONRONEY. This language would refer to stationery which must be purchased for official business and purchased at the Senate stationery room. At the end of the fiscal year, whatever funds were unused would revert to the Treasury.

Mr. HOLLAND. That is what the amendment provides.

Mr. MONRONEY. That is what the amendment provides.

Mr. HOLLAND. What does the present law provide?

Mr. MONRONEY. It must be used by a Senator for official business, for such matters as the Senator mentioned, or other accounts or other charges.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. SALTONSTALL. I have just talked with Mr. Brenkworth, the financial clerk, and he says there is nothing in the law on this subject. If a Senator does not choose to use all of his stationery allowance, and it is not used for newspapers, it is up to the Senator to decide how he uses it. That is what the law on the fund is at the present time.

Mr. HOLLAND. May I ask the Senator if that is not just as logical a way for a Senator to keep up with matters in his State as correspondence with individuals or organizations, which is certainly covered by the stationery fund?

Mr. SALTONSTALL. I agree with the Senator. All I am trying to point out is that there is nothing in the law at the present time, pro or con. If the Senator wants to revise the amendment of the Senator from Delaware to state that the fund may be used for that purpose, I am sure, as one Senator, I would have no objection, but I do not think it would be a good amendment of the law.

Mr. HOLLAND. If the Senator will yield further, very obviously the amendment would strike everything except actual purchases of stationery at one place; namely, the Senate stationery room. Of course, we all have home offices in our own States and have occasion to buy supplies there from time to time, and I suppose most of us have regarded this fund as available to be used for subscriptions to newspapers and trade papers, which certainly could be regarded as much business as correspondence with individuals and organizations.

I have no formula to propose, but I was asking the distinguished chairman of the subcommittee and the acting minority leader if they would agree that the amendment would amend existing law as regards its application to the matters I have mentioned.

Mr. MONRONEY. From the colloquy the Senator has just had with the senior Senator from Massachusetts [Mr. SALTONSTALL], who quoted from the financial clerk of the Senate, Mr. Brenkworth, these funds have not been limited in the past to stationery. I would say the proposed amendment does change existing law. I had always thought it was up to the Senator to expend it as he thought best.

Mr. HOLLAND. If a Senator regarded furnishing information to himself and his staff, through papers which he felt representative of the various activities in his State, to which papers he subscribed, if there was a balance left in the funds after paying for supplies in the stationery room, would he regard it as something to which the balance could be so applied?

Mr. MONRONEY. Under the law, the Senator said it could be so applied.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. WILLIAMS of Delaware. I recognize the validity of what the Senator has argued. I am not raising that point, but under existing law the Senator will find that a Senator must pay for such periodicals out of his own funds. It is not provided for by law. If the Senator wants to do what he says he wants to do the law should be amended. My amendment does not change the existing law one iota as to what can be done. It does provide that stationery funds are to be spent for stationery supplies and not for other items not considered as office supplies. Sometimes we provide funds for various agencies to buy periodicals or newspapers, but we set it out as such in the law. So it would require an amendment of the law to do what the Senator from Florida is advocating.

All I am saying is that this fund, which is the stationery fund for the purpose of paying for office supplies, used in the discharge of the duties of our office, should be confined to the purpose for which it was intended; namely, stationery. If we apply it for additional uses, let us do so by law. That is all I was trying to say.

No Member of the Senate should be allowed to make a profit out of one of these office allowances.

This amendment makes no changes in existing law at all. It may change the practice, but I do not believe it will change the law.

Mr. MONRONEY. Let me say to the Senator from Delaware that if it is the will of the Senate that we provide for the publications necessary in Senators' offices, a line item in the appropriation bill could be added for that purpose The way the Senator's amendment now reads, I believe that it would not fall within the purview of the amendment.

Mr. WILLIAMS of Delaware. That is the point I am making. I recognize that if Senators wish to they can do it as another item in the bill. However, such authorization has not theretofore been given in any prior year, nor is it in the appropriation bill. There has never been such an authorization for the Senate. This amendment may be changing the practice, but not the law.

The law never intended that we get a kickback on our stationery allowance.

I believe that the amendment should be accepted as is, and then if the Senate wishes to go further it can put in a line item. If it is put in as new authority it should be spelled out with certain limitations. At present, there is no limitation.

Mr. GRUENING. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. GRUENING. I should like to express my great appreciation for the changes which the committee has recommended.

Last year, I made six trips to Alaska, and I paid for four of them myself. Also, we have to use airmail exclusively because Alaska is so distant.

There is one question I should like to ask the Senator from Oklahoma. Why have staff trips been increased only in the larger States? It seems to me it is as important for smaller States to have their staff members get back home as for the larger States. I can understand why there would be a distinction in certain other categories, but in the matter of staff trips it does not seem to me there should be any differentiation between large and small States.

Mr. MONRONEY. The reason is that the workload in the larger States is much greater than in the smaller States. We allow four round trips for staff members to all Senators. There was a request for increases in this amount by many Senators, most of whom fell within the larger State category, and it was felt that we could help to alleviate the difficulty within the larger States by granting two additional trips to staff members.

Mr. GRUENING. If the Senator will yield further, there is a geographical factor which comes home to those of us who live in the distant States. If the Senator from Colorado returns home, he satisfies the requirements by going to the metropolis, the capital of Colorado, which is Denver; and the same would be true of the Senator from Utah who would be satisfying the requirements by going to Salt Lake City. It might also be true in the case of the Senator from Oklahoma. But when we travel to Alaska, we are only half way there, at Denver, Salt Lake City, or Oklahoma City. We still have that much more distance to travel, after leaving Washington, to reach the first point, Ketchikan, to Nome, to Anchorage, to Fairbanks. It would seem to me that the geographical factor might well be considered, in addition to the population factor. I am hopeful that, if Senators would not object, we might accept an amendment which would increase the total number of staff trips for all Senators.

Mr. MONRONEY. This point was discussed carefully and at length. Let me say to the Senator from Alaska, there was reluctance even to increase the staff trips at all. We wished to hold it to four, as it was in the past. However, because of the conditions which seem to be strongly pressing in the larger States, those States having difficulty in assembling a staff to deal with the many problems confronting them, we did vote for 6 trips for States over 10 million population.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COOPER in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, there is one point in connection with this colloquy that will come up when the amendment offered by the Senator from Delaware is considered.

I believe a clarifying statement should appear in the RECORD at this time. The general public, in reading the colloquy which has just taken place on the floor of the Senate, may be led to assume that a large number of Senators—there may be some, at least—are drawing an excess from their stationery allowance and using it for such purposes as they deem proper. I believe that certain facts should be made plain at this point.

As a Member of the House 16 years ago, I started to make regular biweekly reports to my constituents. At that time there probably were not more than a dozen Members of the House—and I doubt if there were a half dozen Members of the Senate—who sent out these reports.

That custom has grown, until now I am quite sure a very large number—probably more than a majority—of the Members of the Senate, and perhaps also of the House, make a practice of sending regular newsletters or reports, or whatever they choose to call them, informing their constituents of what is taking place in Congress, and other information of general interest.

These reports, it should be noted, are scrutinized by the Sergeant at Arms of the Senate—and I believe this is true also of the Sergeant at Arms of the House—before they are permitted to go through the folding rooms, to be folded and sent out. If any personal political appeals are contained in the reports, or matters that can be construed to be a personal political appeal—I am not talking about issues between the parties—they are returned to the Senator. The Senator cannot send them out unless he chooses to make the statement in the form of a speech on the floor and then sends it out as a matter appearing in the CONGRESSIONAL RECORD.

In my opinion, this is a very necessary and beneficial custom indulged in by the Members of Congress, to keep their constituents informed, other than by a set speech appearing in the CONGRESSIONAL RECORD.

Up until World War II, in addition to the stationery allowance, a Member of Congress could be supplied with offset printing paper and envelopes without limit, so long as he used the supply for certain frankable material. For purposes of economy and conserving the use of the mails, and for other purposes, at the time of World War II that allowance was very much limited, or entirely ended.

After World War II we were allowed 10,000 sheets of offset printing paper and 10,000 envelopes each month. I send out almost 100,000 every 2 weeks, or about 180,000 a month. Everything over that allowance we must buy and pay for, and we must produce the money for it out of our own pockets.

Through the very generous efforts of the distinguished chairman of the Appropriations Committee, the Senator from Arizona [Mr. HAYDEN], and I believe with the cooperation of the distinguished majority and minority leaders, some time ago that was increased to 15,000 sheets and 15,000 envelopes a month. That still is a drop in the bucket for those of us who are sending out these reports. We are allowed 15,000 a month. In my case I send out over 180,000 a month. Other Senators from large States undoubtedly send out more. Not only have I never drawn any money from the stationery account, or used any of it to subscribe to newspapers or periodicals, or to pay for television tapes or radio tapes, but my stationery allowance is exhausted in the third month of each session. After that I pay personally for all the stationery that I use.

I am not complaining about that. I would be delighted to see an amendment adopted to make it impossible for any Senator—and I cannot imagine that many would wish to do it—to withdraw cash from the stationery account. I would like to see the limits of the stationery allowance raised in order that such stationery as Senators need, and is actually used for legitimate and legal purposes, may be made available for their use.

The only reason I bring this up, to explain it at this time, and to have it appear in the colloquy, is so that the public reading this colloquy will not get the idea that in general Senators are using their stationery allowance for purposes for which it was not designed, but are using it so as to enable them to have the necessary paper and envelopes to deal with their official business and to deal with the legitimate and proper needs of their constituents.

Mr. YARBOROUGH. Mr. President, I associate myself with the remarks of the distinguished Senator from New Hampshire. My paper allowance is used up months before the end of the fiscal year. I must dig down for hundreds of dollars, out of my pocket, or raise the money or borrow it or take it out of my salary, in order to pay for the stationery. I have reduced my communications with my constituents. The allowance is totally inadequate for a Senator who represents a State with 10½ million inhabitants. I have never had a surplus. I have always had to raise the money to meet the very necessary paper requirements in order to communicate with my constituents.

Mr. HOLLAND. Mr. President, I wish to read the definition of the word "stationery" from Webster's New International Dictionary, the Merriam Webster Dictionary, which is found in the anteroom of the Senate, to make clear what is involved in the mere use of the word "stationery."

The word "stationery," as a noun, is defined in this dictionary—and I believe this is a sound definition—as follows:

> The articles usually sold by stationers, as paper, pens, ink, pencils, blank books.

So it is not merely a paper allowance about which we are talking; it is the allowance for all correspondence. I recognize it as such. If the distinguished chairman of the subcommittee recognizes it otherwise, I hope that he will correct me, or at least will indicate his own views.

Second. It seems to me that ordinary correspondence is no more necessary for keeping of a Senator and his staff advised about what goes on in his State than other matters which I have mentioned earlier in the debate. I am thinking particularly about the daily newspapers of a State, the more important weekly newspapers of a State, and the trade papers in the agricultural industry and in other industries of a State.

I mention also the fact, as stated in the amendment, that the stationery allowance would be applicable only to stationery purchased from the Senate stationery office. My own custom—and I do not know what the custom of other Senators has been—was to purchase as supplies are needed. When I am at home for an ordinary vacation in the office which the Government furnishes me there, I do not write up to Washington to buy a typewriter ribbon or to get carbon sheets or to get seconds or thirds.

The PRESIDING OFFICER (Mr. Bass in the chair). Will the Senator suspend? There are too many conferences going on around the walls of the Chamber. Every staff member and employee of the Senate who is not now actively working with a Senator on the proposed legislation will retire from the Chamber.

Mr. HOLLAND. I thank the Presiding Officer.

The PRESIDING OFFICER. The Chair would like to hear what is going on occasionally. The Sergeant at Arms will carry out the instructions of the Chair to see that the Chamber is cleared of unnecessary staff members who are holding conferences in the Senate Chamber.

Mr. HOLLAND. I have not tried to keep up with how much I pay out when I am at home, for typewriter ribbons, pens, ink, and postage.

The PRESIDING OFFICER. The Senator will suspend. The staff member to whom I am pointing in the middle of the wall will leave the Senate Chamber. When the Chair asks for order, he means to have it.

Mr. HOLLAND. I do not think it is necessary or advisable to put any such duty upon a Senator.

I do not believe the Senator will say that a Senator's time is well spent in keeping up with such minor expenditures as those of the type which I have mentioned. Neither do I believe it is advisable or necessary for a Senator to have to keep up with his payments for subscriptions to daily newspapers and other publications, such as trade papers, to which he subscribes, not at one time, but along during the year as bills reach him and as he pays them.

I would not like to come to the stage at which small minute bookkeeping of that kind was expected to be taken out of a Senator's time, which I believe is a good deal more valuable than to justify such a course.

Third. Frankly, I have had a small margin each year out of my stationery allowance which has been charged only at the Stationery Office of the Senate. I have known when I received the allowance that it would not nearly compensate me for what I had paid out, either at home on similar expenditures, or for expenditures such as subscriptions to newspaper and trade journals. If it is necessary for us to do a thing of that kind, perhaps we could assign someone in our office—though I call attention to the fact that a person of that type in a Senate office would not be apt to be one of those at home with the Senator in his home office when he is there.

It seems to me that we are talking about a great deal of minute material which should not take the time of the Senate on the floor of the Senate, much less the time of Senators in accounting.

I wish to say for the Record that such small balances as I have drawn out of my stationery account each year customarily have not begun to compensate me for what I paid out in subscriptions of the type I have mentioned and for items of the type I have mentioned at home.

When I reach the point where I feel like I must be governed by such minute directions as that which would be given here, if the amendment is adopted, so far as I am concerned, I shall follow the amendment and pay all the rest out of my own pocket. That is all right. But it is not fair, and it is particularly unfair to Senators who represent large States, like the Senator from Texas [Mr. Yarborough], who has just spoken. He has made it very clear, if I correctly understood him, that his complete allowance is insufficient to cover his purchase of paper and other stationery supplies at the Senate Stationery Office.

Mr. YARBOROUGH. The Senator is correct.

Mr. HOLLAND. I am sure there is a vast difference between that sort of matter and that which affects our distinguished friend, whose honesty I always recognize, and whose good judgment I nearly always recognize, my distinguished friend the Senator from Delaware [Mr. Williams], who represents a State smaller in size than my home county, 1 of the 67 counties in Florida, and smaller in population than about 10 of the Florida counties, 1 at a time.

One cannot liken the expense to which Senators go, either in taking care of ordinary correspondence, which would not be involved in this question at all, or in taking care of other questions which I think are more necessary for Senators to keep advised about, and to keep their staff advised about, in the case of Senators representing sizable States. My own State is not one of the largest, but it has 6 million people. I do not believe that the one yardstick, either as to what will be covered or as to the amount, is a reasonable measure to prescribe here.

Mr. President, I shall not suggest any amendment because I think the question involved is too small to justify that kind of action. But I am calling attention to what I believe is a manifest lack of wisdom in the pending amendment.

I believe I state with complete good confidence that it is as much the duty of a Senator to be kept advised, either through editorial comment or newspaper report comment, of what is going on in the various sections of his State, as it is for him to answer his correspondence, which generally comes from single individuals or sometimes from organized groups.

I call attention to the fact that a great many of us are not merely a few miles from our home State, as is the case of the distinguished Senator from Delaware. Undoubtedly he can go back and forth to his State every weekend, and perhaps more often. But most of us live at great distances from our States.

I am particularly in sympathy with the statement made by the distinguished junior Senator from Alaska a few minutes ago about the problems which confront Senators from that State. In that instance, they are problems of travel. I hope that we shall not make the mistake of adding to the bill an amendment which would either subject us to petty bookkeeping or question the judgment and integrity of Senators who have customarily, as I am sure others have done, drawn small expenses remaining to them out of the stationery fund with complete knowledge that they were not being really compensated therefor in connection with their efforts to keep in touch with their people back home.

I hope that the Senate will not adopt such an amendment.

Mr. SALTONSTALL. Mr. President, the Senator from Oklahoma has the floor.

Mr. MONRONEY. I do not know whether the Senator from Florida has completed his statement.

Mr. HOLLAND. I am through; I would be glad to yield to any Senator whom the Senator from Oklahoma might designate.

Mr. MONRONEY. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, in reply to the Senator from Florida, I should like to say, first, that the appropriation for stationery is $255,600, which is the same as last year. Our subcommittee, of which the Senator from Oklahoma is the chairman and of which I am the senior minority member, has not studied the subject. So far as I know, it did not come before us until we reached the floor of the Senate today. At the present time I would call one more fact to the attention of the Senate. This question will not arise again until next July 1, 1966. We are already through with fiscal year 1965. The question will not come up until the last of June 1966. So we have really a year before the question will come up for full action.

Of 100 Members of the Senate, and the Vice President, 28 reported no expenses at all; 73 reported balances totaling $66,389.01.

It amounts to an average of $909.43 a person.

As I see it, we can do one of three things today, because this is a matter which concerns the internal affairs of the Senate. We can adopt the amendment of the Senator from Delaware or reject it. The Senator from Oklahoma and I, as senior members of the subcommittee, have agreed to accept the amendment, so we would vote in favor of the amendment.

Second, we can vote for the Williams amendment and then insert a new line item of whatever amount the Senate judges is proper—$200, $250, $300, or more. I would hesitate to provide more, because the additional appropriation would be approximately $25,000, if we provided $250 for each Senator.

Third, we could provide language in the report to direct the financial clerk of the Senate, Mr. Brenkworth, and members of the committee and its staff to examine into the subject and include an amount in the supplemental appropriation bill next January. I wish to emphasize as strongly as I can that this question will not come up again until July 1, 1966.

My personal judgment is that we should adopt language, either in a separate resolution or in a part of the committee report—the latter, in my opinion, would be the better way—asking that Mr. Brenkworth or the committee, through Mr. Brenkworth, submit a recommendation next January, when the supplemental budget will be before us.

So we can either adopt the Williams amendment or reject it; we can insert a new line item after adopting the Williams amendment; or we can provide language in the bill to require the subcommittee to study the question and make a report next January.

Our committee, to the best of my knowledge, had not considered the subject until the bill came to the floor of the Senate this year.

Mr. BASS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield first to the Senator from Florida.

Mr. HOLLAND. I much prefer the course suggested by the Senator from Massachusetts. I am perfectly willing to have the subject studied. I am perfectly willing to abide by any informed, deliberate expression of the Senate on this question.

I do not believe the proposed amendment has been subjected to any study, as the Senator from Massachusetts has indicated. It seems to me that since this is legislation, the appropriate action would be to make a point of order which I shall be ready to do after there has been full discussion. A resolution could then be offered or wording provided in the report, with the language agreed upon, that would require a study of this subject, both by Mr. Brenkworth and by the committee.

I invite attention to the fact that this language would not be applicable to the fiscal year that is being financed by this appropriation bill, if I correctly interpret the language. Is that the understanding of the Senator from Massachusetts?

Mr. SALTONSTALL. It is my understanding that the stationery allowances for 1965 are exhausted. That budget ended on July 1 of this year. So the question will not arise on that item. The question would arise, of course, if Senator Williams of Delaware's amendment were placed in the bill and took effect next June, when the present fiscal year ended. That is why I believe the question should be studied and a report made in January. But I emphasize that the Senator from Oklahoma and I have agreed to accept the Williams amendment, if it is put to a vote.

Mr. HOLLAND. So far as I am concerned, I am perfectly willing to yield the floor. I shall make a point of order at the appropriate time, because what is being proposed is legislation that has not been studied. It is proposed to be placed on an appropriation bill without study. The course suggested by the Senator from Massachusetts is a much more deliberate and effective way of handling the matter through Mr. Brenkworth and the committee between now and the early part of next year.

Mr. President, I yield the floor. I shall raise a point of order at the appropriate time.

Mr. SALTONSTALL. Mr. President, as I understand, the Senator from Oklahoma has the floor. Will he yield to me?

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). Does the Senator from Oklahoma yield? If so, to whom?

Mr. MONRONEY. I shall first yield to the Senator from Tennessee.

Mr. BASS. The only suggestion I have to make is that this amendment, on the surface, is apparently the result of a discussion on the floor and is quite controversial. My opinion is that the manager of the bill and the distinguished Senator from Massachusetts [Mr. Saltonstall] accepted the amendment without realizing that it might have a far-reaching effect. For that reason, I respectfully suggest to the manager of the bill and the Senator from Massachusetts that the further consideration of this subject be delayed until the committee itself can study it and determine exactly what the consequence will be.

During my experience in the House and also my service in the Senate, I have used my stationery allowance for many items other than for the purchase of letterheads and envelopes that I use for my correspondence. It had always been my impression that this fund was intended for the purchase of the various supplies that are used in my office.

Also, as does the Senator from Florida, I use the fund to pay for subscriptions to newspapers and for circulars I must use in my official capacity as a Member of the Senate.

I hope that the amendment will be delayed until a study can be made. I do not know whether there is any widespread abuse of the fund. That has never been said. So before the Senate accepts a nit-picking amendment, I suggest that a study be made, because this is nothing more than the result of an idea that some Senator is misusing some of his funds. If there is any proof of misuse, let us bring it out on the Senate floor. If the author of the amendment knows of some abuse, let him bring it to the table, so that we may discuss it. If there is any real reason, let him give the reason for the amendment.

Mr. BARTLETT. Mr. President, as is the case everywhere, I suppose, life here sometimes is a joyous affair; sometimes it is obstinate. Most of the receipts are returned when the time comes for return.

Often when I have received the newsletter of the distinguished senior Senator from New Hampshire [Mr. Cotton], it has made my day lighter. When he has sent me his newsletter he has wasted paper, I suppose, that should be going to a constituent in New Hampshire. Nevertheless, I am glad he sends me the letter. I have been a close student of the Cotton newsletter and an attentive reader of it for many years. I was placed on the subscription list long before either of us came to the Senate from the House. It is one of the most useful and best-informed letters that is produced anywhere.

My office, also, issues a newsletter, not biweekly as does the Senator from New Hampshire, but every week while Congress is in session. It is considerably longer, generally, than that published by the Senator from New Hampshire. It ranges from 4 pages to 14. It is sent widely throughout Alaska. I am told it is considered an objective production, one entirely devoid of politics, as is also the case with the newsletter of the Senator from New Hampshire.

I come from the largest State, in size, in the Union; but I also come from the State having the smallest population. It might be assumed that my stationery allowance would be used very little and that large sums of money would accumulate for whatever disposal I chose to make of them under existing law. However, that is not the case.

The fact is that my stationery account was exhausted either in April or May of this year, and from then until July 1 I was digging into my pocket, probably not to the extent that the Senator from Texas had to do, but more than I wanted to; and long before then, I had almost to beg—almost to get down on my hands and knees—to get a pencil in my own office. Stationery and other equipment was being doled out sparingly.

I see no need whatsoever for this amendment. I believe that Senators can be trusted to use the funds that are granted to them as they are supposed to do, and as I believe they have done.

Mr. BASS. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. BASS. Mr. President, I know that several Members of this distinguished body can afford to pay for the cost of everything that is needed, in addition to the printing of stationery. However, there are some Senators, this Senator included, who do not have the personal funds with which to pay for everything that must be purchased. I do not want to see the U.S. Senate become a rich man's club. If that were to happen, I would have to retire.

When we have restrictions to provide that a Senator cannot use an allowance such as this to pay for subscriptions to newspapers from his home State, typewriter ribbons, pencils, pens, ink, and other items, and that a Senator must pay for such items out of his own funds, then we provide that a Senator before he comes to the Senate must have a slush fund of money accumulated through private enterprise or through a political fund.

I happen to have no sucn fund to rely upon. I believe that the amendment is a reflection on the integrity of the Senate in its discrimination to use properly the funds that are expended in the running of an office.

I believe that if the Senator in charge of the bill and others agree to accept such an amendment, there should be a rollcall and Senators should be permitted to say whether they want the U.S. Senate to pay for the expense of operating a Senator's office, or whether individual Senators should pay for such items.

Mr. BARTLETT. I thank the Senator. It is academic because my funds are exhausted. I find that it would be of little consequence to me personally, if the amendment were to be adopted. The Senator from New Hampshire might chop me off, and I would not want that to happen.

Mr. MONRONEY. Mr. President, I yield to the distinguished senior Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator from Oklahoma for yielding.

My amendment is not subject to a point of order. It is a proviso and restriction. Therefore, I do not think that a point of order is valid.

In connection with the question as to the need for money to cover newspaper subscriptions and such things, I believe that if it is determined that these items should be paid from appropriations, the law must first be amended.

Title 2, section 41, of the code provides:

> Newspapers. No Member or Delegate is entitled to any allowance for newspapers.

That is the law now.

If we were to agree to this amendment we would not be prohibiting anything that is not already prohibited today under the existing law except the drawing out of the unexpended balance in cash.

I recognize that I come from a smaller State. I pointed out earlier in a colloquy with the senior Senator from Louisiana that I would support the provisions in the bill which provide for the necessary increases to those who represent larger States if the provision contained in the bill is not adequate to pay for the necessary discharge of the duties of those Members.

I shall support such an increase when it is shown to be necessary. Under no circumstances do we want the Senate to become a rich man's club in which only individuals who can afford to underwrite the cost of running their offices can afford to serve as Senators.

I believe that reasonable and necessary expenses in the discharge of the duties of operating an office—whether the man comes from Florida, Texas, California, or any other of the larger States—should be taken care of.

I have always supported and shall continue to support the requests of Members from these larger States who need a larger allowance than they now receive. But if they do not need it, they should not be able to get a cash refund.

The allowance for stationery for each Member of Congress, without regard to the size of the State, is $2,400.

All that the amendment provides is that if the Members do not need this amount or if it is not used for the purpose for which it is appropriated it shall revert to the U.S. Treasury.

What is wrong with that argument?

Under the present law, he can draw the unexpended balance and put it in his pocket as extra income should he so desire. A Senator should not accept the money and use it at his discretion for some other unrelated item.

If Senators need additional money for office expenses, let us provide for that and increase the amount. When such an increase is necessary I shall support it.

The allowance for telephone and other items is larger than some of us need but there is no loss entailed here. If this allowance is not used it reverts to the Treasury. As the Senator from Florida pointed out, Delaware is very close to Washington. I mentioned that before.

In my case, the same thing is true with relation to airmail stamps. Yet I shall support the bill which would provide for increasing the amount for the purchase of airmail stamps from $610 to $800 for all Members, and an additional $200 for Members who come from west of the Mississippi. I shall support that provision because it represents no cost when such an amount is not needed and used. Senators from the Far Western and Midwestern States and particularly those from Alaska and Hawaii need to use more airmail stamps.

The mail does not get to my State much quicker by airmail than by regular mail. For this reason I use a negligible amount of airmail stamps. I seldom use them unless the letter is to go to some other part of the country. When the allowance is not expended it does not revert to me. That is as it should be. For this reason, whether it is $600 or $800 makes no difference. I doubt if I use $20 worth of airmail stamps in a calendar year. I would not be surprised if the amount were considerably less than that.

There would be nothing lost in such a case. However, if the unexpended portion of the $800 a year were to revert to me it would then make a difference. This should be the case on all allowances. It must be expended for the purpose for which it was appropriated. All that my amendment would provide is that if we do not use this allowance for any purpose other than that for which it was appropriated it must revert to the Treasury of the United States at the end of the fiscal year, rather than go to the Member of Congress.

As to the argument that this measure has not been studied, I point out that it has been studied repeatedly. The same question arose in 1957. The question has arisen in numerous instances since.

In 1957 I was advised by the Treasury Department that I was delinquent in paying tax on the unexpended balance of the stationery allowance. If I recall correctly, it was claimed that I should pay tax on about $1,500 for that calendar year. This represented the unspent balance on my stationery allowance for that year.

I pointed out that I had not claimed the balance; that I would not accept it; that I did not need it, I never claimed it, and, so far as I was concerned, it was the money of the Treasury of the United States.

It was then ruled that because the money was there if I wanted to claim it I had to pay a tax on it. The argument advanced was—not take the $1,500 and spend it for personal items.

There was an exchange of correspondence, and ultimately that ruling was reversed. The Comptroller General ruled that not only did I not have to take the money but also I had no right to take it unless it were expended to defray the expenses of running my senatorial office. That closed that matter. We have had no controversy since, and I have been permitted to leave the unexpended balance in the Treasury each year.

I recognize that the mere fact that I do not use all of the allowance does not mean that I am any more frugal than other Senators who represent larger States. They must use a larger allowance. If the $1,800 or $2,400 provided for in the bill is not adequate to take care of the official business in writing the Senator's constituents the appropriation should be increased in those instances.

But in cases where Senators are not now using all of their allotment why should they claim the difference?

There is nothing wrong with my amendment. This amendment would not change the existing law. The amendment would provide that we could only use the $2,400 for the purpose for which it was appropriated, and that is for stationery—or office supplies—from the stationery store, and for stationery—or office supplies—to be used in our offices for the official discharge of our duties.

With or without this amendment we have no right under the existing law to use the stationery allowance for the purpose of merely purchasing periodicals and newspapers. I quote the law.

Title II, section 41, reads:

> Newspapers. No Member or Delegate is entitled to any allowances for newspapers.

If the Senate wants to change that provision or repeal that section of the law we should pass a bill designed to do whatever the Senate decides should be done. But, until such time as it has been repealed, I do not think we can appropriate for that particular purpose.

Mr. President, I make a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. **WILLIAMS** of Delaware. Have the committee amendments been agreed to?

The **PRESIDING OFFICER.** No.

Mr. **MONRONEY.** The committee amendments have not yet been agreed to. I would like to complete my statement and have the amendments agreed to.

Mr. **WILLIAMS** of Delaware. I will wait until the committee amendments have been acted on. It is my understanding that my amendment will not be in order until the committee amendments have been agreed to. Is that correct?

The **PRESIDING OFFICER.** That is correct.

Mr. **MONRONEY.** Mr. President, I wish to complete my statement.

For Senate restaurants, the committee recommends an appropriation of $246,000. The deficit in the operation of the restaurants during fiscal year 1966 is estimated to be $121,000, in addition to which there is a deficit from prior fiscal years of $25,000. The balance of $100,000 is recommended to provide for a wage increase for the restaurant employees. The General Accounting Office has made a detailed study of these operations and has submitted a plan which will result in increased costs of $134,000 per year. The committee recommends to the Committee on Rules and Administration, whose responsibility it is to supervise the operation of the restaurants, that the General Accounting Office plan be adopted; further, that prices in the restaurants be increased to assist in financing these wage increases. It is the committee's hope that with price increases in effect, the deficit for the next fiscal year will be materially reduced.

With respect to airmail and special delivery stamp allowances, the committee recommends that effective July 1, the allowance be increased from $610 per year per Senator to $800 per year per Senator. In addition, for those States partially or wholly west of the Mississippi River, an additional allowance of $200 a year is recommended. This will provide a total of $1,000 each for Senators from the States of Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnestota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

The remaining items in the bill to be discussed are those which fall under the category of joint items.

Regarding the joint committees of the Congress, the committee concurs in the House allowance for each of these, as indicated in the table at the conclusion of the report, with the exception of the Joint Committee on Immigration and Nationality Policy. For this joint committee, the committee recommends the appropriation of $24,100, the same as for fiscal year 1965, but $95,900 under the House allowance. In the testimony before the subcommittee, it was indicated that the authorized subcommittees of the Senate and House Judiciary Committees already have jurisdiction in this legislative area and that the joint committee has no authority to report legislation to either body. It was, therefore, your committee's view that the activation of the Joint Committee on Immigration and Nationality Policy by the allowance of $120,000 for the employment of additional personnel would result in a complete duplication of purpose and of effort. For that reason, the committee makes its recommendation that the sum of $24,100 be approved.

For the Capitol Police Board, an appropriation of $728,000 is recommended, an increase of $123,400 over the House bill. The $123,400 will provide for the reimbursement to the Metropolitan Police for the 14 police privates and 1 police sergeant deemed necessary to meet the requirements for adequate coverage in the Capitol Building and the adjacent parking areas incident to the evening opening of the Capitol from Easter to Labor Day.

I believe that concludes my presentation, Mr. President, and I now ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as thus amended be regarded as original text for the purpose of amendment, provided that no point of order shall be considered to have been waived by reason thereof.

The **PRESIDING OFFICER.** Is there objection?

Mr. **SALTONSTALL.** Mr. President, I wish to add, as senior minority member of the committee, that the chairman of the subcommittee, the gentleman from Oklahoma [Mr. MONRONEY], and I have gone over the bill very carefully. I believe it is a good bill. I agree with the Senator from Oklahoma. I hope it may be passed.

Mr. **MONRONEY.** I thank the Senator for his great assistance.

The **PRESIDING OFFICER.** Is there objection to the committee amendments being considered en bloc?

Without objection, the amendments are agreed to en bloc.

The amendments agreed to en bloc are, as follows:

At the top of page 2, to insert:

"SENATE"

On page 2, after line 1, to insert:

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND SENATORS, AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE"

One page 2, after line 5, to insert:

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS

"For compensation of the Vice President and Senators of the United States, $3,285,985."

On page 2, after line 8, to insert:

"MILEAGE OF PRESIDENT OF THE SENATE AND OF SENATORS

"For mileage of the President of the Senate and of Senators, $58,370."

On page 2, after line 11, to insert:

"EXPENSE ALLOWANCES OF THE VICE PRESIDENT, AND MAJORITY AND MINORITY LEADERS

"For expense allowance of the Vice President, $10,000; Majority Leader of the Senate, $2,000; and Minority Leader of the Senate, $2,000; in all, $14,000."

On page 2, after line 16, to insert:

"SALARIES, OFFICERS AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

"Office of the Vice President

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of $5 per month, $155,440."

On page 3, after line 4, to insert:

"Chaplain

"Chaplain of the Senate, $15,000."

On page 3, after line 6, to insert:

"Office of the Secretary

"For the office of the Secretary, $1,326,365, including $145,000 required for the purposes specified and authorized by section 74b of title 2, United States Code: *Provided,* That effective July 1, 1965, the Secretary may employ one chief reporter of debates at $24,024.40 gross per annum, seven reporters of debates at $8,800 basic per annum each, one assistant reporter of debates at $6,120 basic per annum, two clerks at $4,200 basic per annum each, and six expert transcribers at $3,900 basic per annum each: *Provided further,* That the Secretary is hereafter authorized to obtain, by contract or otherwise, emergency reporters and transcribers as may be necessary, payments therefor to be made from the contingent fund of the Senate, and that Senate Resolution 196, agreed to August 21, 1961, and Senate Resolution 170, agreed to July 15, 1963, are hereby repealed."

At the top of page 4, to insert:

"Committee employees

"For professional and clerical assistance to standing committees and the Select Committee on Small Business, $3,236,145."

On page 4, after line 4, to insert:

"Conference committees

"For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $95,980."

On page 4, after line 8, to insert:

"For clerical assistance to the Conference of the Minority, at rates of compensation to be fixed by the chairman of said committee, $95,980."

On page 4, after line 11, to insert:

"Administrative and clerical assistants to Senators

"For administrative and clerical assistants and messenger service for Senators, $15,653,785."

On page 4, after line 15, to insert:

"Office of Sergeant at Arms and Doorkeeper

"For office of Sergeant at Arms and Doorkeeper, $3,051,230: *Provided,* That effective July 1, 1965, the basic per annum compensation of the foreman of skilled laborers shall be $2,340 in lieu of $2,100; the basic per annum compensation of two skilled laborers shall be $2,100 each in lieu of $1,920 each; and the Sergeant at Arms may employ six additional laborers at $1,680 basic per annum each."

At the top of page 5, to insert:

"Offices of the Secretaries for the Majority and the Minority

"For the offices of the Secretary for the Majority and the Secretary for the Minority, $157,520."

On page 5, after line 4, to insert:

"*Offices of the Majority and Minority Whips*

"For four clerical assistants, two for the Majority Whip and two for the Minority Whip, at rates of compensation to be fixed in basic multiples of $60 per annum by the respective Whips, $17,815 each; in all, $35,630."

On page 5, after line 9, to insert:

"OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

"For salaries and expenses of the Office of the Legislative Counsel of the Senate, $308,000."

On page 5, after line 12, to insert:

"SENATE PROCEDURE

"For compiling, preparing, and editing 'Senate Procedure', 1964 edition, $4,000, of which amount $2,000 shall be paid to Charles L. Watkins, Parliamentarian Emeritus of the Senate, and $2,000 shall be paid to Floyd M. Riddick, Parliamentarian of the Senate."

On page 5, after line 18, to insert:

"CONTINGENT EXPENSES OF THE SENATE

"*Senate policy committees*

"For salaries and expenses of the majority policy committee and the minority policy committee, $197,525 for each such committee; in all, $395,050."

At the top of page 6, to insert:

"*Automobiles and maintenance*

"For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President pro tempore, one for the majority leader, and one for the minority leader, $42,540."

On page 6, after line 5, to insert:

"*Furniture*

"For service and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided,* That the furniture purchased is not available from other agencies of the Government."

On page 6, after line 10, to insert:

"*Inquiries and investigations*

"For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including $392,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $4,777,390."

On page 6, after line 17, to insert:

"*Folding documents*

"For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $2.17 per hour per person, $39,300."

On page 6, after line 21, to insert:

"*Mail transportation*

"For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

At the top of page 7, to insert:

"*Miscellaneous items*

"For miscellaneous items, exclusive of labor, $3,222,755 including $246,000, for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87–82, approved July 6, 1961."

On page 7, after line 5, to insert:

"*Postage stamps*

"For postage stamps for the offices of the Secretaries for the Majority and Minority, $140; and for air-mail and special delivery stamps for office of the Secretary, $160; office of the Sergeant at Arms, $125; Senators and the President of the Senate, as authorized by law, $90,400, and the maximum allowance per capita of $610 is increased to $800 for the fiscal year 1966 and thereafter: *Provided,* That Senators from States partially or wholly west of the Mississippi River shall be allowed an additional $200 each fiscal year; in all, $90,825."

On page 7, after line 16, to insert:

"*Stationery (revolving fund)*

"For stationery for Senators and the President of the Senate, $242,400; and for stationery for committees and officers of the Senate, $13,200; in all, $255,600, to remain available until expended."

On page 7, after line 21, to insert:

"*Communications*

"For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U.S.C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U.S.C. 46d–1), $15,150."

On page 8, after line 8, to insert:

"*Administrative provisions*

"Effective July 1, 1965, the paragraph relating to official long-distance telephone calls to and from Washington, District of Columbia, under the heading 'Contingent Expenses of the Senate' in Public Law 479, Seventy-ninth Congress, as amended (2 U.S.C. 46c), is amended to read as follows:

" 'There shall be paid from the contingent fund of the Senate, in accordance with rules and regulations prescribed by the Committee on Rules and Administration of the Senate, toll charges on not to exceed twenty-four hundred strictly official long distance telephone calls to and from Washington, District of Columbia, aggregating not more than twelve thousand minutes each fiscal year for each Senator and the Vice President of the United States: *Provided,* That not more than twelve hundred calls aggregating not more than six thousand minutes made in the first six months of each fiscal year shall be paid for under this sentence. The toll charges on an additional twelve hundred such calls aggregating not more than six thousand minutes each fiscal year for each Senator from any State having a population of ten million or more inhabitants shall also be paid from the contingent fund of the Senate: *Provided,* That not more than six hundred calls aggregating not more than three thousand minutes made in the first six months of each fiscal year shall be paid for under this sentence.' "

On page 9, after line 8, to insert:

"Effective July 1, 1965, the paragraph relating to payment of toll charges on official long-distance telephone calls, originating and terminating outside of Washington, District of Columbia, under the heading 'Contingent Expenses of the Senate' in Public Law 479, Seventy-ninth Congress, as amended (2 U.S.C. 46d), is amended by striking out '$1,800' where it appears therein and inserting in lieu thereof '$2,200'."

On page 9, after line 16, to insert:

"Any Senator may have the Sergeant at Arms compute his total maximum long-distance telephone allowance. The minutes and calls allowance shall be computed on a formula at the maximum rate with all calls considered as being person-to-person from Washington, District of Columbia, and terminating within the Senator's State. Any Senator or group of Senators may then request the Sergeant at Arms to contract for flat-rate long-distance telephone service such as wide area telephone service. All such contract costs shall be charged against their respective telephone allowances, and in no event shall the total cost of any contract service exceed the allowance of the Senator, or the group of Senators sharing any such service; any excess costs to be billed to the Senator. No change from the original form of the allowances or from any contract service shall become effective except upon the first of a month."

On page 10, after line 8, to insert:

"The third paragraph under the heading 'Administrative Provisions' in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), is amended by striking out 'two' where it first appears therein and inserting in lieu thereof 'six'."

On page 10, after line 13, to insert:

"Effective July 1, 1965, the second paragraph under the heading 'Administrative Provisions' contained in the Legislative Branch Appropriation Act, 1962 (Public Law 87–130, approved August 10, 1961; 2 U.S.C. 127) is amended by inserting at the end thereof the following: 'Two additional mileage payments each fiscal year may be made, under the foregoing, to employees in the offices of Senators from States having a population of ten million or more inhabitants.' "

On page 10, after line 22, to insert:

"Effective July 1, 1965, the third paragraph under the heading 'Administrative Provisions' contained in the Legislative Branch Appropriation Act, 1957 (Public Law 624, Eighty-fourth Congress; 2 U.S.C. 53), is amended by striking out '$150' where it appears therein and inserting in lieu thereof '$300'."

On page 19, line 20, after the word "Policy", to strike out "$120,000" and insert "$24,100".

On page 20, line 15, after the word "Plant", to strike out "$604,600" and insert "$728,000".

On page 23, line 2, after the word "Ground", to strike out "and on the Library of Congress Grounds".

On page 24, line 12, to strike out "$587,600" and insert "$570,070".

At the top of page 26, to insert:

"*Restoration of Old Senate Chamber and Old Supreme Court Chamber in the Capitol*

"To enable the Architect of the Capitol to make such expenditures as may be necessary to restore the Old Senate Chamber on the principal floor of the Capitol and the Old Supreme Court Chamber on the ground floor of the Capitol substantially to the condition in which these chambers existed when last occupied in 1859 and 1860, respectively, by the United States Senate and the United States Supreme Court, including expenditures for procurement, restoration, and repair of furniture and furnishings for these chambers, $700,000, to be expended without regard to section 3709 of the Revised Statutes, as amended, and to remain available until expended."

At the top of page 27, to insert:

"*Senate Office Buildings*

"For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at $1,800 each; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, $2,458,700."

On page 27, after line 13, to insert:

"*Senate garage*

"For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, $53,800."

On page 30, line 20, after the word "Board", to strike out "$11,663,000" and insert "$11,772,000".

On page 31, line 10, after "(2 U.S.C. 166)", to strike out "$2,524,000" and insert "$2,492,000".

On page 32, line 7, after the word "Library", to strike out "$760,000" and insert "$800,000".

On page 32, line 15, after the word "library", to strike out "$120,000" and insert "$125,000".

On page 33, line 15, after the word "expended", to strike out "$1,541,500" and insert "$2,068,300", and in line 16, after the word "which", to strike out "$1,417,000" and insert "$1,900,000".

RESTORATION OF OLD SENATE AND SUPREME COURT CHAMBERS

Mr. MONRONEY. Mr. President, I ask unanimous consent that a statement prepared by the Senator from Mississippi [Mr. STENNIS] on restoration of the old Senate and Supreme Court Chambers be printed in the RECORD at this point. The Senator from Mississippi [Mr. STENNIS] has been unavoidably detained from the floor. He has been the spirit behind this move for the restoration of the old Senate and Supreme Court Chambers. Consequently, I believe his suggestions on this matter are very well taken.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR STENNIS

I am highly pleased that the Legislative Branch Appropriations Bill, as reported by the Senate Appropriations Committee, includes an item of $700,000 for the restoration of the old Senate and Supreme Court Chambers. This was a budget item which was denied without prejudice by the House.

I have been deeply interested in this project for several years and from time to time have advised the Senate of its status. I am pleased to report at this time that all research has been completed, and the plans and specifications have been prepared. In addition, there are available in the Office of the Architect some excellent color sketches showing how both of these chambers will appear when the restoration is completed. I have examined these plans and drawings in detail and want to commend Mr. Mario Campioli, the Assistant Architect of the Capitol, for the quality of this work that has now been completed. A great amount of research was required to determine the exact architecture and furnishings of both the Senate and Supreme Court Chambers. No stone has been left unturned in the effort to find all possible information, and the result of this work is truly remarkable. I recommend that all Members of this body take a few minutes of their time to go by the Architect's office and examine the report and plans that have been prepared.

I have taken an interest in this project, Mr. President, because I am convinced that we must preserve our national heritage and maintain an appreciation of our past if we are to make the determinations necessary to our future. In these two particular rooms much of our Nation's history was forged, and it is only fitting and proper that we take steps now to preserve these Chambers for future generations. A brief review of the history of the two Chambers might serve to emphasize their significance.

The first-floor Chamber is located east of the central north-south corridor in the first section of the Capitol to be completed. It formed the lower portion of a former two-story room used from 1800 until 1808 as the Senate Chamber. As a one-story structure, substantially in its present form, it was used as the Supreme Court Chamber from 1810 until 1814 and from 1819 until 1860. It was then used as the Law Library from 1860 until 1950.

The second-floor Chamber is located directly above the previously mentioned first floor Chamber. A part of it formed the upper portion of the lower room from 1800 until 1808. In its present form, it was used as the Senate Chamber from 1800 until 1814 and from 1819 until 1859, and as the Supreme Court Chamber from 1860 until 1935.

The proposed work in these rooms will be one of the most outstanding and worthy restorations ever accomplished in this country, both from an architectural and historical point of view. It will be a work that will be appreciated by all who visit this building; it will be a memorial to the Congress that had the good judgment to see that the work was carried forth. Based on the excellent and detailed preparation that has been done, I can say with confidence that the two Chambers will be the showplaces of the Capitol.

When this work is completed, there will be new life brought to the halls where Clay, Webster, and Calhoun delivered their famous speeches and engaged in historic debates; where, before the fire of 1814 in the lower Chamber, Thomas Jefferson was twice inaugurated President of the United States; and where the Supreme Court reached decisions that helped shape the future of the Nation.

The funds included in this bill for the restoration are reasonable and necessary; if fully appropriated now the work can be completed during fiscal year 1966. I strongly support this appropriation, Mr. President, and commend this project to all Members of the Senate. It is fitting and proper that we restore these historic Chambers to the exact condition in which they were last used so that future generations may view and appreciate the scenes where so much of our Nation's history was forged.

Mr. COTTON. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire will be stated.

Mr. COTTON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with, and that it be printed in the RECORD at this point. I shall explain it very briefly.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. COTTON is as follows:

On page 3, line 8, by striking out "$1,326,365" and inserting in lieu thereof "$1,323,000" and on page 3, line 22 by striking out the period at the end thereof and inserting in lieu thereof ": *Provided further*, That effective July 1, 1965, the basic compensation of the assistant to the majority and the assistant to the minority may be fixed by the majority and minority leaders, respectively, at not to exceed $8,160 per annum each",

And on page 5, line 4 by striking out $157,520" and inserting in lieu thereof "$160,885": *Provided*, That effective July 1, 1965 the respective Secretaries may fix the basic compensation of the assistant secretary for the majority and the assistant secretary for the minority at not to exceed $8,820 per annum each".

Mr. COTTON. Mr. President, did I receive unanimous consent to waive the reading of the amendment?

The PRESIDING OFFICER. Yes.

Mr. COTTON. Mr. President, the purpose of this amendment is to allow the minority to transpose two positions under their control. It involves no increase in salaries and the total appropriation remains the same.

The amendment has the approval of the majority and minority leaders, the ranking minority member of the committee, and, I believe, the approval of the chairman of the subcommittee.

Mr. MONRONEY. Mr. President, that is correct. Both the ranking minority member of the committee, the Senator from Massachusetts [Mr. SALTONSTALL], and I have had this matter explained. It does not increase the cost; it merely involves changes in titles of two officers or secretaries for the majority and the minority.

Mr. COTTON. That is correct. There is no change in the amount of money provided.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. COTTON].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read as follows:

On page 7, line 21, after the word "expended", insert: ":*Provided*, That hereafter any amounts not utilized by Senators for the purchase of stationery for strictly official business from the Senate Stationery Room at the expiration of the fiscal year for which provided shall revert to the Treasury by withdrawal from the stationery revolving fund".

Mr. WILLIAMS of Delaware. Mr. President, it is my understnding that the Senators in charge of the bill are willing to accept the amendment. I believe that it would be a worthwhile improvement to the bill and would not in any way affect the administration of the offices of Senators. It would allow all of the $2,400 to any Senator who needs it to pay for the purchase of supplies and stationery to be used by his office. It would not make any money available for any other purpose. If there are other purposes for which the money is intended it should be spelled out in clear language so that we may know what we are doing.

Mr. President, I am not accusing anyone of abusing this privilege. The Senator from Tennessee has insisted that there has been no such abuse. If there has not been any, what is he worrying about? But if there has been any abuse, it will make sure it does not occur again.

Let us make sure that the stationery allowance, as in the case of all other allowances for senatorial offices, shall be used only for the purpose for which it is intended. If there is any unexpended balance at the end of June 30 let it revert to the Federal Treasury and not to the Senator.

At present the Senator can use the money for any purpose for which he desires. In the colloquy I had with the Treasury Department and the exchange of correspondence in 1957, they admitted that under the law as it was then in effect, I could accept and spend the money as I wished. Had I wished to draw the unexpended remainder of the stationery allowance, which in that year was approximately $1,500 as I recall, I could use it to make a payment on my car. It was also admitted that I could use that money to make a political contribution to my own party if I so desired, or however else I wished to use it. It was stated that the money was mine, taxable to me as extra income.

Whoever heard of the Treasury Department taking such a position before?

Mr. President, let me point out that the salaries of Senators are fixed by law at $30,000 a year, a sum which is certainly adequate for our needs. There is a law on the books which requires every businessman to account for all the necessary expenditures made to conduct his business. There are laws on the books to prohibit any businessman or taxpayer from chiseling on his expense account. It seems to me, therefore, that Senators have no more right to make money on an expense account than anyone else.

I am not saying that this is being done; and if it is not being done it does not affect anyone, but if it has been done let us correct that situation.

However, Mr. President, it can be done under existing law without adoption of the pending amendment.

I can incorporate in the RECORD the exchange I had with the Treasury Department in 1957 if necessary, but it has all been placed in the RECORD heretofore, confirming that Senators can use the money for any purpose they wish. Under present interpretation of the law it can be used at the sole discretion of the Senator. All he has to do is include it as taxable income on his income tax return.

Mr. President, I believe that is wrong. Until we adopt such an amendment and prohibit such a practice the American people will be left with the impression that many Senators are chiseling on their expense accounts, which of course is not the situation. I do not believe that it is true.

The Senator from New Hampshire [Mr. COTTON] pointed out that expenditures of many Senators exceed this allowance, but some do not.

I know that least of all the Senator from Florida [Mr. HOLLAND] is not suggesting that anyone should make any money out of this situation. I do not wish to imply that at all, even though the Senator from Florida opposes the amendment. I know of no Member of the Senate more strict in his accounting than the Senator from Florida. I emphasize that point. However, let us adopt the amendment, because it would clear up beyond a shadow of doubt, so far as the American people are concerned, the point that Senators do not and cannot profit personally on these office allowances.

Mr. COTTON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. COTTON. I agree with the Senator. Though I do not believe any Senator is misusing any allowance, I believe that he is dead right in offering the amendment in order that it may be crystal clear to the public as to exactly what the situation is and that the good name of the Senate shall be preserved.

I shall vote for his amendment. As he has indicated, it has been brought out today that at least 28 Senators need more paper and envelopes. If the Senator's amendment should be adopted, I should like to know if he would have any objection later to try to get more paper and envelopes for the use of Senators, but no money.

Mr. WILLIAMS of Delaware. Supplies which are being used by Senators in the official discharge of their duties to their constituents should be provided for at all times. I would support such a provision, which I have done heretofore.

Earlier, I told the Senator from Oklahoma that I would support the provision which extended greater benefits to some of the larger States, particularly the far distant States. I believe that the committee did a good job on that. If I recall correctly, I cosponsored the first amendment regarding it. At least I supported it, because I said that those of us who live close to Washington can get back home and it does not burden us. I have never claimed any expenses for that, because we can get back home at a nominal cost and with great ease.

However, Senators living in the Far West cannot get back home, the way Congress is in session these days, 9 to 10 months in the year; and it is important, not only to Senators, but also to the American people, that Senators get back home to meet with their constituents. I am, therefore, willing, and have supported a provision which would make that possible. I am supporting it today, in going along with the committee's provisions.

I do not believe that this is being "chintzy" at all, but we have seen the articles which have been written about the expenditures of the Senate, and the great allowances being made to Senators, on the assumption that all the money is available to us to stick in our pockets if we wish to do so. Of course, we know that is not true, but we go back home and someone asks us whether it is true that we put all that money in our pockets. It is only true in one instance, because in one instance it can happen, so let us clarify that one instance, so that the American people will come to realize that we do not use that money for our personal use and stick it in our pockets.

Mr. McGEE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. McGEE. I commend the Senator from Delaware for having brought these facts out into the open so that we might talk about them on the floor of the Senate. It seems to me that what the discussion has revealed is really how little we know concerning the application of this fund. We have heard members of the committee suggest that it had not become a real issue in the committee itself. I have yet to receive a controversial letter on this particular point from any of my constituents.

I believe, now that the spotlight is upon this subject, that we should be careful as a body not to invite a situation which would leave us more open to controversy and unfavorable publicity by taking the step which the Senator from Delaware is proposing.

There are many Senators who recognize that while the fund was originally set up to allow for a means of communication, such as stationery, the problem of communicating with our constituents in a space age world is a far more complicated problem than it ever was before.

We have heard the Senator from Florida talk about the expenses which are required to maintain an office in the home State. All of us have to do that. At the same time, we have to subscribe to newspapers for the same reason. There are other Senators who would remind us that merely paying for tapes for regular radio and television shows for reports back home, as well as the newsletters—to which references have been made in colloquy today—also taps the individual Senator for money out of his own pocket for these necessities.

The Senator from Tennessee has made reference to the fact that some Members of the Senate can take these extra expenses in stride, because they have an independent source of income to cover it. There are Senators who are not in a position to do that.

I am, perhaps, one of the few Members of this body who have a great deal of extra paper on hand, but it is bound in books, in a personal library, and I cannot turn any of it into the stationery store to cover the cost of meeting the expenses of communication with my home State and with other States as well.

The Senator from Delaware comes from a very small State, populationwise. I do, too. I receive more correspondence and more demands on my time used in communication from the other 49 States than I get from my own State. People more and more regard a U.S. Senator as a spokesman for the whole country and not alone for his own area, as once was the case.

All these factors compound the problem which the Senator has raised. That is the reason why I believe it would be the better part of wisdom for us to follow the suggestion first made by the distinguished Senator from Massachusetts, that this matter be given some very careful study during the interval of time that is left in this year. In that time it could be studied by the committee. Then we could follow the suggestion of the Senator from Delaware and come up with a pattern or profile of specific suggestions. We could then say: "Here is the amount that ought to be allowed for stationery. Here is the amount that ought to be allowed for newspapers.

Here is the amount that ought to be allowed for TV tapes." And that would apply to whatever the circumstances might require.

I believe it is important that we have this matter brought out so that there can be an interpretation made for the benefit of all of us. I do not believe the way to do it is to adopt the Senator's amendment at this time, in reverse. I believe we ought to take this matter apart, and answer the questions intelligently, and then put together a proposal that will reflect the best judgment of all Senators. We are not in a position to do it this afternoon on the floor of the Senate, when we are more or less "shooting from the hip." It is something that has not been heard in full in the committee itself.

I hope the Senator will be willing to settle for a procedure to provide for a careful hearing of this subject and the making of a specific recommendation and an assault on this problem, which cannot be done today.

Mr. WILLIAMS of Delaware. I thank the Senator from Wyoming. However, I point out that I have been raising this issue for the past 8 years. There has been considerable time for something to be done about it, and considerable time for a study of the subject. At least some study should have been made of it.

As to the Senator's argument that this is something that should be left as it is to enable Senators to subscribe to newspapers and periodicals and to buy radio tapes, I point out that under the law such use is already prohibited. If a Member of the Senate—and I shall not debate the merits of the proposal—uses appropriated money to buy periodicals and newspapers from his State, he is not following the law. The law prohibits such a practice. I repeat, it is not a permissible practice under the law to use the stationery account for such purposes. Some of the tapes perhaps are enlightening, but on the other hand, I am not so sure that some of them are as enlightening as some of us may think or hope they are. Let us be frank—some of this material may be nothing more than political propaganda in connection with our desire to be reelected. The law provides that such use cannot be made of appropriated funds. Taxpayer funds cannot be used for that purpose. If Congress wishes to change the law it can do so. A Senator cannot say, "I will take this money and use it for expenditures that are not legal."

I do not mean to say that it is a violation of the law for a Member who has been taking this money and reporting it on his tax return, to turn around and buy these periodicals and charge them as expenses. The Treasury has ruled that we can accept this money, but we must pay taxes on it and then itemize the expenses. If they are deductible, they will be allowed. If they are not deductible, they will not be allowed. However, my contention is that we have no right to take any money out of the stationery account. All I ask is that we apply the same rules to this account that are applied to every other account that is used by Members of Congress. I should not be allowed to take $1,500 out of my stationery allowance and put it in my pocket to buy newspapers or trade cars with or support my campaign. I am not charging that it is being used for such purposes, but so long as we let a Member of Congress who does not use his full stationery allowance draw it out and put it in his pocket it may be done. Under the present situation he can use it for the purpose of trading cars or doing anything else he wishes. We should stop this potential abuse.

I have always supported appropriations which enable Senators from larger States to defray the expense of conducting their offices and performing official duties. We should do that. I have said many times that we should not make the Senate a rich man's club. A Member should not be required to dig into his pocket to pay any expenses that are necessary to the conduct of his office, but by the same token he should not be able to make money on his expense allowance. There are States in which a Senator has greater expenses than I do, although, as the Senator from Wyoming has pointed out, I receive a great deal of correspondence that is nationwide and our work cannot be wholly related to the size of the State. When we receive correspondence from the other 49 States, we must take care of it. All I am suggesting is that the unexpended balance that is not used for the specific purpose for which it is appropriated should go back to the Treasury.

Mr. McGEE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. McGEE. Do I correctly understand the Senator to say that in his judgment no Member of this body has abused this allowance up to the present time?

Mr. WILLIAMS of Delaware. I said I am not suggesting that any Member has.

Mr. McGEE. The Senator is not suggesting that any Member of the Senate has abused the privilege. He does not believe that any Member has. Is that correct?

Mr. WILLIAMS of Delaware. I am seeking to make this prospective.

Mr. McGEE. The suggestion that there may be some abuse is projected into the future. Is that correct?

Mr. WILLIAMS of Delaware. I am suggesting that we make it prospective. If the Senator wishes to include an amendment that we go back and find out whether it has happened in the past I will support such an amendment. On the other hand, if such is not the case, why does he object to this amendment?

Mr. McGEE. But the Senator from Delaware does not suspect his colleagues of having abused the account. Is that correct? If that is the case, we can be realistic and have a study made of it. In other words, if there is no abuse, let us leave it alone until we can make a study and have a report on it. This would be preferable to creating the suggestion that Senators may have in the past or will in the future abuse these privileges.

Mr. WILLIAMS of Delaware. I believe one Senator has said that $60,000 had been withdrawn last year.

In my instance, in 1957 I believe it was, I did not need the money and left it there. They went to the extent of assessing it as tax liability solely because I could have withdrawn it in cash had I so desired. They said it was there and if I did not ask for it, that was my hard luck.

Finally, the Comptroller of the Treasury ruled that not only did I not have to pay the tax on it, but that I had no right to ask for the money if it is not used for the purpose intended, for the purchase of stationery.

In each of the succeeding years there has been a similar unexpended balance left in the Treasury.

No Senator is authorized to use that stationery account for any other than its stated purpose, with or without the amendment that I am offering. That is the law. I am only strengthening the intent of the law by saying that he cannot withdraw the unexpended balance in cash whereby the law may be circumvented.

Mr. McGEE. The Senator is correct. I am suggesting that we do not take a step backward in this instance without a constructive substitute, in the face of a problem which he admits exists, and therefore it seems to me that his proposal is not a wise move for us to take this afternoon. That is why I suggest that we proceed in an orderly way.

Mr. WILLIAMS of Delaware. The Senator has misunderstood me. I did not say that this was necessarily the problem.

I am not endorsing the proposal that taxpayers should underwrite all tapings of television and radio broadcasts by Senators. Certainly not. What the Senator from Wyoming and I send back home I feel he and I should pay for ourselves. Our opponents must pay for their own expenses.

Mr. McGEE. Would the amendment apply to newsletters, too?

Mr. WILLIAMS of Delaware. To the extent that the taxpayers are underwriting such political letters, they are underwriting our political costs. So far as letters to constituents are concerned the Senator pays that expense out of his stationery allowance.

Mr. McGEE. Is that not an abuse? The Senator's opponent does not have his stationery purchased for him by the Government. Therefore, we have an unfair advantage over our opponents. The Senator can write his own letters because they are paid for out of the stationery fund. That is all right. It seems to me that the Senator is drawing a fine line to separate, in a semantic way, the contents of the stationery office in the Senate and that which has come to be a necessity in the conduct of our offices, if a Senator is to be responsible to the constituency back home and is to be in communication with them.

Mr. WILLIAMS of Delaware. I believe the colloquy which has taken place is most worthwhile. I am glad that the Senator has raised the point. If the

Senator will check the law he will find that when he and I are candidates for office, letters which deal with our candidacy and are of a political nature are supposed to be paid for by us. We are supposed to pay our own postage on campaign letters. We are not supposed to use official postage stamps for that purpose. If we do so, it is a violation of the law. The law requires that we may use only stamps and stationery for the answering of official mail, not political mail. If any Senator has been using the stationery fund for political propaganda back home—I am not suggesting it, however—it is a violation of law.

Mr. McGEE. Of course it is, but no Senator has been doing that. The Senator has not suggested that any Senator has been guilty of that kind of thing.

Mr. WILLIAMS of Delaware. The Senator from Wyoming raised the point. He is the one who suggested this point, I am only answering him.

Mr. McGEE. We have had testimony in the colloquy from many sources on both sides of the aisle that what used to be a very limited concept of stationery allowance has a much broader base in a world which has changed a great bit. Our communication systems have changed greatly, and a consideration of other bases for the allowance is warranted.

Mr. WILLIAMS of Delaware. Yes; so have the allowances.

Mr. McGEE. My only proposal is that, in the light of what has been said, it has been very clear that the proposed legislation is no way to deal with the problem. Therefore, we ought to have a study made with a suggestion submitted to this body for its action. The Senator from Massachusetts [Mr. SALTONSTALL] reminds us that we would have 6 months to do that in.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Would the Senator from Delaware agree to a time limitation for debate upon the pending amendment? The issue is clear. I should like to suggest that there be 10 minutes on the amendment, and that the yeas and nays then be ordered.

Mr. WILLIAMS of Delaware. I hope the Senator will withhold his request for the reason that it has been my experience that if we get a time limitation we seek to use it. I am ready to vote now.

Mr. MANSFIELD. Mr. President, I am ready to vote now. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, I am not in favor of the amendment. It is true that the Senator from Delaware has redrawn his amendment. Obviously, in its original form, it was proposed legislation and was subject to a point of order. The Senator has redrawn the amendment to make it into a more ridiculous proposal, if anything, because it would now provide that the only place that a Senator could draw his office supplies, and pay for his ink, paper, typewriter ribbons, pens, pencils, or anything of the kind, would be the Senate stationery office. My own feeling is that the practice which has heretofore prevailed has proved to be a pretty good one. I see no reason why the Nation would be in any way jeopardized by its being followed to the middle of this fiscal year.

The distinguished Senator from Massachusetts has suggested a course of study by the committee—the committee has admitted that it has not studied the question at all—and report after they have made a study and Mr. Brenkworth has made a study. They would report early next year in time for action. But to have an amendment of the kind proposed and which Senators had no knowledge of until this morning, brought up on the floor of the Senate without any committee study or any opportunity for either the subcommittee or the full committee—and I sat with the full committee—is not the proper way to legislate.

Coming to the floor of the Senate we found that the Senator from Delaware had presented his proposal in a form which manifestly would be legislation. Now he has drawn it in the form stated.

I call attention to the fact that the Senator from Delaware comes from a small State having fewer people than each of about 10 counties in my own State, and fewer people than the population of a larger number of counties in other States. His State has a population and an area of such size and such closeness to Washington that, so far as he is concerned, he does not have nearly the problems other Senators have.

I suggest that it is unfair and unreasonable to present the amendment at the present time without any hearing or any opportunity to get the necessary information from the committee or the Disbursing Office of the Senate, and without any opportunity to find out how much we have to pay out for supplies when we are back home, how much difficulty would be involved in order to follow the proposed rule as to office supplies back home, and how much prejudice, if any, there is to the Senate or to the public in paying out of any balance we draw back as a part of the expenses that we have gone to in subscribing to newspapers, trade papers, or other sources of information published in our own States.

Frequently, after having found an editorial which contains either a complete misunderstanding of my position or perhaps an attack upon my position, I write to the editorial offices of the newspapers in my State. I frequently have information from the State newspapers published by the various commodity groups in my State which give me a much better grasp of problems which are pending there.

I frequently find in the communications columns in daily newspapers, and other papers, letters from citizens which show a complete misunderstanding or even an attack on what I have done or what I have said here.

Of course, that involves correspondence to correct it. I have never felt that the spending of the small excess at the end of each year—or some years at least—which I have drawn in partially recompensing myself for what I paid out in subscriptions to newspapers or to trade papers or paying out expenses that I have incurred or paid out of my own pocket to carry on my home office was unsound or wrong. If the Senate wishes to vote that that course is unsound or wrong, it should at least predicate such a finding on information not now available as to what the history has been under the applicable law. We should not adopt an amendment of the kind proposed, offered at last minute on the floor of the Senate and without any foreknowledge on the part of anyone concerned, and without any chance on the part of any Senator concerned even to gather statistics affecting himself. I know perfectly well that, considering what I have paid out for my home office expense—and what I paid out on newspaper subscriptions alone—I have not begun to recompense myself out of the small balances that have remained unexpended in the stationery expense fund.

I assume from what was said on the floor of the Senate earlier by the Senator from Texas [Mr. YARBOROUGH], and what would have to be said by Senators from even larger States—Pennsylvania, New York, Ohio, Illinois, Michigan, Texas, California, and far distant States, particularly Alaska and Hawaii—that we find different situations obtaining in various cases. I think the proposed action should be the subject of hearings and careful study.

I do not believe that the amendment is the way to get sound legislation. For that reason I shall oppose the amendment—not because I feel that there has been anything wrong in my own practice or in the practice of any other Senator. I do not believe it. In my own conscience, I know that there has not been. But I know that we are so differently affected by such a provision that some study ought to be given to it before we consider such a limitation as proposed by the amendment.

The Senator from Delaware has now rewritten his proposal so that it would have such a limitation upon the small appropriation of $2,400 a year to cover stationery, which really is the office expenses of a Senator.

In closing, I read again the definition of "stationery," as it appears in the rewriting of Webster's New International Dictionary:

> The articles usually sold by stationers, as paper, pens, ink, pencils, blank books.

Then, of course, there could be added a large number of other items customarily sold, such as paperweights, typewriter ribbons, carbon sheets, second sheets, and the like, which have to be purchased for a going office. They are purchased for public business, if public business exists in the office of any Senator, whether that office is in Washington or in his home State.

I hope the amendment will be rejected.

Mr. MONRONEY. Mr. President, as I said earlier, I support the amendment of the Senator from Delaware. I believe we have dealt as fairly as is humanly possible with the expenses of Senators. We have increased the allowance for travel back home; we have increased the amounts for postage; we have increased the telephone allowances. All those allowances were badly needed, as was disclosed by the large amount of testimony which was taken.

We did not consider the stationery account, because it was not proposed by any Senator to raise or lower it. But I believe, from all the discussion that has taken place on the floor of the Senate, that it would be unwise to postpone action on this matter until a later date. We shall have other appropriation bills, surely, within the next year; and if there is a will within the committee to examine or change the provision, that can take place, because the money is already appropriated for the current fiscal year.

It seems to me that the best point that we could make to the public in general and to ourselves in particular would be always to insist on "goldfish bowl" accounting, so that we can identify the expenses if a question is raised about them. This has been a good opportunity to bring one subject into focus, so that the public will know what the money is being spent for. This is helpful. But identification is required.

I feel if an accounting is desired as to subscriptions to trade journals or official or special publications, communication material such as radio tapes, and items of that kind, we should vote for it and provide for it, so that it can be classified and properly identified.

Since the question has been raised, I do not believe it is right for us to avoid the problem to which the distinguished senior Senator from Delaware [Mr. Williams] has invited our attention. Therefore, I wish to make it crystal clear that I shall vote for the Williams amendment when the time comes for the vote.

Mr. McGEE. Mr. President, I move to lay on the table the amendment of the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, on this motion, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). The question is on agreeing to the motion of the Senator from Wyoming to lay on the table the amendment of the Senator from Delaware [Mr. Williams]. The yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. Bible], the Senator from Connecticut [Mr. Dodd], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. Hart], the Senator from South Dakota [Mr. McGovern], the Senator from New Hampshire [Mr. McIntyre], the Senator from Rhode Island [Mr. Pastore], the Senator from South Carolina [Mr. Russell], and the Senator from New Jersey [Mr. Williams] are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from North Carolina [Mr. Jordan], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from Alabama [Mr. Sparkman], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd], and the Senator from Rhode Island [Mr. Pastore] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from California [Mr. Murphy] and the Senator from Colorado [Mr. Dominick] are necessarily absent.

The Senator from Kansas [Mr. Pearson] and the Senator from Wyoming [Mr. Simpson] are absent on official business.

The Senator from Nebraska [Mr. Curtis] and the Senator from Texas [Mr. Tower] are detained on official business.

If present and voting, the Senator from Nebraska [Mr. Curtis], the Senator from Colorado [Mr. Dominick], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], the Senator from Wyoming [Mr. Simpson], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 37, nays 42, as follows:

[No. 177 Leg.]

YEAS—37

Anderson
Bartlett
Bass
Burdick
Cannon
Church
Clark
Eastland
Ervin
Fulbright
Gruening
Hartke
Hayden
Hill
Holland
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
McCarthy
McGee
Metcalf
Miller
Mondale
Montoya
Morse
Neuberger
Russell, Ga.
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—42

Aiken
Allott
Bayh
Bennett
Boggs
Brewster
Byrd, W. Va.
Carlson
Case
Cooper
Cotton
Dirksen
Douglas
Ellender
Fannin
Fong
Harris
Hickenlooper
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kuchel
Magnuson
Mansfield
McClellan
McNamara
Monroney
Morton
Mundt
Muskie
Nelson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Thurmond
Williams, Del.

NOT VOTING—21

Bible
Byrd, Va.
Curtis
Dodd
Dominick
Gore
Hart
Jordan, N.C.
McGovern
McIntyre
Moss
Murphy
Pastore
Pearson
Pell
Russell, S.C.
Simpson
Sparkman
Tower
Tydings
Williams, N.J.

So Mr. McGee's motion to lay on the table the amendment of Mr. Williams of Delaware was rejected.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the motion to lay the amendment on the table was rejected.

Mr. SALTONSTALL. Mr. President, I move to lay the motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Delaware.

Mr. McGEE. Mr. President, I send to the desk an amendment to the pending amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The legislative clerk read as follows:

In lieu of the matter proposed by the Senator from Delaware [Mr. Williams], insert the following: "*Provided*, That this amount shall be available only for purchases through the Senate Stationery Room."

Mr. McGEE. Mr. President, the language contained in the amendment offered by the senior Senator from Delaware specifically limits the fund to the purchase of stationery. As we heard in the colloquy, there are many aspects of the need for stationery. It might have to do with pencils, ink, or pens. These items would be involved. The proposed change in language is made to expand the provision to include purchases made through the Senate Stationery Room.

Mr. WILLIAMS of Delaware. Mr. President, I am advised that stationery would cover supplies such as ink, pencils, paper, and so forth, used in the conduct of an office. However, if there is any question about it, I would have no objection to taking the amendment and spelling it out more clearly.

In all the colloquy, it was mentioned that the money would be used for office supplies purchased from the stationery room.

Certainly, letter paper and stationery are not used without a typewriter ribbon or a pen.

It is already clear that this is the interpretation of the amendment but to satisfy the Senator from Wyoming I ask unanimous consent to modify the amendment as provided in the measure offered by the Senator from Wyoming.

Mr. BASS. Mr. President, reserving the right to object, what does the Senator intend to do?

Mr. WILLIAMS of Delaware. Mr. President, I was about to accept the amendment. I do not believe that it makes any difference.

Mr. BASS. Mr. President, I am not ready to accept it. Speaking under my reservation, Mr. President, I should like to say, for the information of Members of the Senate who were not present to hear the debate, that all Senators are doing if they vote for this amendment is saying to a Senator, "If you are not a wealthy man, so you can pay for your expense money out of your own pocket, if you have not been able to accumulate enough wealth all your life to join this rich man's club and pay for your office expenses, such as subscribing to newspapers, buying fountain pens, purchasing radio tapes, or expenses other than buying stationery, because you cannot pay for that out of your own pocket, you should get out of the U.S. Senate, because we are not going to do as every other organization does."

There is no appropriation provided to let Senators purchase such items except under the item titled "stationery," so Senators can pay for the expenses of operating their offices. We have another allowance called office expenses for our districts. We are allowed money under that item, and we can spend money under that item.

To me, this particular item is a real misnomer when we say "stationery allowance," because it has been used by me for 10 years in the House and in the

Senate this year, for as long as it lasted, to pay the expenses of my office, whatever it was necessary to purchase to operate the office.

If any Senator believes that all a Senator should be allowed to purchase is paper and letterheads in the Senate stationery room, if that is all that is going to be used to operate a Senator's office and carry out his duties for the people of his State, he should vote for this nitpicking amendment—which provides that I cannot use this money to buy anything except in the stationery room of the Senate; that I cannot buy anything I feel I need to run my office. If Senators are saying that only a wealthy person should join this rich man's club, they should vote for this amendment, which does not allow Senators to buy anything except letterheads and similar stationery in the Senate stationery room.

Mr. McGEE. Mr. President, I assume objection has been reserved to the request.

Mr. BASS. I withdraw the objection, if that is the way the Senator wants it.

The PRESIDING OFFICER. Is there objection? Without objection——

Mr. GRUENING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRUENING. What is the request to which we are asked to give unanimous consent? There has been so much noise, I have been unable to hear it.

The PRESIDING OFFICER. The question is on the Senate's agreeing by unanimous consent for the Senator from Delaware to accept the modification as proposed by the Senator from Wyoming.

Mr. GRUENING. Are we going to have the yeas and nays on it?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. HOLLAND. Mr. President, reserving the right to object, will the clerk read the words which are proposed to be eliminated by the suggestion of the Senator from Wyoming, which I understand will be agreed to by the Senator from Delaware?

The PRESIDING OFFICER. The clerk will restate the amendment.

The LEGISLATIVE CLERK. The Senator from Delaware [Mr. WILLIAMS] proposes an amendment——

Mr. BAYH. Mr. President, it is difficult for us in the back rows to hear.

The PRESIDING OFFICER. There will be order in the Chamber and in the galleries.

The LEGISLATIVE CLERK. The Senator from Delaware [Mr. WILLIAMS] proposes that on page 7, line 2, the following words be inserted:

> *Provided*, That this amount shall be available only for the purchase of stationery from the Senate stationery room.

The Senator from Wyoming [Mr. McGEE] proposes, in lieu of that language, to insert:

> *Provided*, That this amount shall be available only for purchases through the Senate stationery room.

Mr. McGEE. Mr. President, is the pending business now the Williams amendment as agreed to be modified?

The PRESIDING OFFICER. The pending business before the Senate at the present time is the amendment as stated by the clerk, which is the Williams amendment as modified by the amendment of the Senator from Wyoming.

Mr. McGEE. I would like to make clear my position. I oppose the Williams amendment. We have had a long discussion on the floor, for nearly 2 hours, in which many Members of this body have explained why they have misgivings about the Williams amendment. However, the members of the committee, who have been willing to accept the amendment, have also made it clear that this matter was not heard, that the details of the proposal had not been given extended consideration.

Enough questions have been raised on the floor today to recommend that this body favor the proposal made by the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], namely, that we appoint a group; that the committee under whose jurisdiction this matter falls be asked to study the issue involved and report back to this body before the end of the year in which the funds are pending, namely, the year 1965.

Some of the questions raised were as follows: Some Senators have used the money to cover purchases from the stationery room; others have used the excess to pay for the cost of TV tapes that they use for the information of the people back home; others have used the money for newsletters.

All this reflects the necessary facts of life, that the expenses which once came under the loose term of "stationery" have broadened because of the needs of the time in which we live.

If the Senate votes to adopt the amendment offered by the Senator from Delaware, all it is doing is getting at the question in reverse. It seems to me that if we follow the wisdom of the suggestion of the Senator from Massachusetts and have a committee look into the matter and report as to the items to which Senators have devoted this fund, we shall be getting at the problem in a constructive way, rather than acting precipitately as to the manner in which we are going to report or revert necessary funds.

The Senator from Delaware has not impugned the motives of any Senator. He has not questioned the ethics—if I may use a much maligned term. What he has referred to is that the funds have been used for something other than what they were specifically allotted for in a Senator's office. It seems to me we might as well meet that problem.

It is an item for which there is no designation as to how the funds shall exactly be allocated. That is the question before us. Politics of the office are not involved; expenses of operating the office are involved. That is the reason for my amendment. The perfecting language is to make sure that we are all talking about the same thing in the amendment of the Senator from Delaware. But I would hope that Senators would see fit to reject the proposal. I would like to see language in the committee report that would seriously recomment a straightforward out-and-out solution—with recommendations from Members of this body, based upon experiences in this body. Let us come up with a constructive suggestion for the solution of the problem that the colloquy this afternoon has clearly indicated exists.

Mr. WILLIAMS of Delaware. I am perfectly willing to accept the modification as suggested by the Senator from Wyoming because it does not change the intent of the amendment; namely, that the money provided in the stationery allotment be made available only for the purchase of office supplies and stationery from the stationery store. Certainly it is my intention that the word "stationery" be broad enough to include pens and pencils, or whatever other kinds of supplies are necessary in running an office. The Senator from Tennessee was bewailing the fact that as the amendment was written he would no longer be able to use the fund to buy newspapers or to pay for radio tapes. Why should the office expense allowance be used for political speeches? Today, the law as written specifically prohibits appropriated funds being used for the purpose of purchasing newspapers and periodicals or for the disseminating of political propaganda by Members of Congress. It prohibits our using appropriated funds to pay for radio tapes on the basis that they may be political propaganda.

If Congress wishes to amend the law and make provision for such activities, than we should authorize an appropriation to do so. It can be done through the normal process of legislation.

However, we must not do it in the backhanded manner of taking some of the so-called stationery allowance which is left over and using it for such expenses.

I pointed out earlier that in 1957 this situation was sharply brought to my attention, and I have discussed it many times since. The Treasury Department then ruled that I would be taxed on the approximately $1,500 which I could have withdrawn had I wished. It was not until I got a ruling from the Comptroller General that the Treasury Department reversed its position and asserted that Members of Congress did not have to take it if they did not wish to do so.

The Treasury Department pointed out that under the law as they interpreted it I could have taken the $1,500 balance in the stationery fund and used it to help buy a new car, or I could have used it as a contribution to the Republican National Committee or for any other purpose I wished so long as I included it in my tax return and paid taxes on it.

That was a ridiculous conclusion, and to my regret the Senate supported that reasoning.

This is not the way to raise the salaries of Members of Congress. We are being paid enough and if it is not high enough then we can raise the salaries, but we should do so openly and above board. We went to great pains in the Finance Committee to amend the law and spell out that the taxpayer must render an accurate accounting of his expense accounts. We said that if he expects to deduct such expenses for tax purposes he keep them itemized. Yet what we are trying to do if we defeat this amendment, as I see it, is to extend the right of Members of the Senate not to have to account for their expenditures. We are saying that Senators and Congressmen can take what is left over in the stationery allowance and stick it in their pockets. This is chiseling on the expense account. Some argue that this may be picayunish, but last year, I understand, approximately $60,000 would have been returned had this amendment been in force. I am not saying whether all or only part of it may have been properly spent. I am not raising that point at all.

The other accounts are handled in this manner.

I pointed out as a specific example, we are allowed under existing law $600 for airmail stamps. The pending bill would raise the allowance to $800 to help the larger States; and those in the Far West, it is raised to $1,000. I am supporting that position. Yet, I doubt if I have ever used $15 to $20 worth of airmail stamps because such service does not mean much between Washington and Delaware. However, it does not mean that the money is wasted. I just do not use it. I do not need it. It stays in the Treasury. That is the way it should be.

If I need the full $2,400 in the stationery account then I should use it, but I should not be able to use it for any other purposes than that for which it was appropriated, nor should I be allowed to take in cash the unexpended balance. That is all I am asking. I believe that the issue is clear—an issue which has been before the Senate for the past 7 or 8 years.

Mr. McGEE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I am glad to yield to the Senator from Wyoming.

Mr. McGEE. Just for an opinion from the Senator——

Mr. MORSE. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. The Senator from Wyoming is not speaking from his seat.

The PRESIDING OFFICER. There is no requirement in the rules that a Senator must speak from his desk.

Mr. McGEE. Mr. President, is there any requirement that a Senator must speak from his seat? I was standing here so that I could hear what the Senator from Delaware was saying. I did not wish to miss what he had to say. If the Senator insists, I shall be glad to return to my seat.

Mr. MORSE. Mr. President, I believe that it is bad practice.

Mr. LONG of Louisiana. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. LONG of Louisiana. Is there any provision in the rule that requires a Senator to speak from his desk?

The PRESIDING OFFICER. There is no such provision.

Mr. McGEE. If I may ask the Senator from Delaware one question: Would it be within the purview of the Senator's amendment if the stationery store were to handle the sale to Senators of radio tapes—that is, the raw material to make the tape?

Mr. WILLIAMS of Delaware. In my opinion no such provision is in the law. It could be provided for by law, but at present the law provides that the money cannot be used for that purpose. The stationery expense allowance is for the purpose of purchasing supplies for our office, to be used in the official discharge of a Senator's duties. I do not believe there is anything in the law which says that the Senator can pay for radio tapes with these funds. Tapes are important if we wish to get reelected, but that may not be important in the eyes of our constituents.

Mr. McGEE. Mr. President, we might do a little campaigning this way, campaign by tape or campaign by stationery. We are assuming that we are not talking about campaign activities. We are talking about the requirements of a Senator's office.

Under the language of the amendment the Senator is proposing, it says it is limited to materials or supplies that come from the stationery store. I am only asking if radio tape were handled by the stationery store whether that would not make it all right for a Senator to make that purchase from this fund.

Mr. WILLIAMS of Delaware. Not in my opinion. If we write a political letter then we are supposed to pay the postage out of our own pockets. We are supposed to pay for our own campaign expenses. There is nothing in the law to permit Senators using these funds to defray campaign expenses or to buy postage stamps to carry on a campaign. The law was never intended that way. The law says we can use this money for the official expenses of our offices only. If our telephone calls are official they are official expenses, but if they are personal telephone calls we pay for them.

Mr. MILLER. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. The amendment as now modified refers to payment of the stationery allowance in the stationery store. Does the law confine it only to purchases made in the stationery store, for all purchases necessary for the conduct of our official business?

Mr. WILLIAMS of Delaware. Yes. However, if the stationery store were to begin to handle automobile tires tomorrow, automobile tires would not be covered just because they were in the stationery store.

Mr. MILLER. But assuming that these are for legitimate expenses which the Senator from Delaware is outlining, they still must be made at the stationery store. My question is, why do we have to limit expenditures to the stationery store? If we wish to buy from someone else, where we can possibly obtain a discount, why cannot we do this?

Mr. WILLIAMS of Delaware. For the simple reason that I was advised that a point of order would be made on such an amendment, I have written the amendment in the manner in which it was not subject to a point of order.

Mr. MILLER. Would the Senator from Delaware yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. MILLER. I do not understand how a point of order can be made if we left it open. The Senator from Wyoming perhaps can shed some light on this. Why did he limit his modification to the stationery store?

Mr. WILLIAMS of Delaware. Because that is the way my original amendment was drafted and that is the way it has to stand to avoid a point of order.

Mr. McGEE. Mr. President, I move to table the newly modified amendment——

Mr. HOLLAND. Mr. President, will the Senator withhold that for a moment——

Mr. McGEE. I am glad to withhold the motion.

Mr. HOLLAND. Mr. President, I have already spoken too much on this point but there are a great many more Senators in the Chamber now than when I spoke earlier and I should like to say that anyone who assumes that there is only one Senator in this body who wishes to handle his office and his office expenses honorably and decently, of course, is mistaken. There are 100 Senators who wish to do just that kind of thing.

Let me say that this is borne out by the statements of the distinguished Senator from Oklahoma, and the distinguished Senator from Massachusetts, the chairman and the ranking minority member of the subcommittee of its not having been considered at all in committee. I wish to say that as drawn now, this amendment has become a rather foolish thing because as now drawn up, it reads, "providing that this amount shall be available only for purchase through the Senate stationery room."

Mr. President, I do not know what other Senators do, but I know that in my own office we make our purchases through the stationery room, for which I pay personally—gifts, little fountain pen sets, paperweights, and innumerable things which would come within the description of stationery that I have read into the Record, because the term "stationery" means not only paper, pens, and ink, but all the other comparable things that are sold normally by a stationery store.

The amendment, as reworded by the Senator from Delaware, merely provides that this amount shall be available only for purchases through the Senate stationery room.

I do not know how much further we can go to make it clear that this item comes up on an unconsidered and ill-considered matter, which has not been handled by the committee and which could be used under the wording of the amendment in a way that would offend against what the appropriation is supposed to do.

Mr. RUSSELL of Georgia. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senators from Georgia.

Mr. RUSSELL of Georgia. I am sure that the Senator also knows and has stated—I came on the floor only a few moments ago and did not hear the Senator's complete statement—that every

Member of the House of Representatives draws exactly the same amount in stationery allowance as each Senator draws. Although a State may have 40 Members in the House of Representatives, each one of them gets as much as one of the Senators, notwithstanding the fact that the Senator has as many constituents as all the 40 Representatives combined.

The amendment of the Senator from Delaware would not touch this provision of the bill. It leaves it alone. It demeans the Senate and says that Senators must be watched with exceeding care, and that we are likely to do something wrong with our stationery allowance.

In my own case, my State has 10 Members in the House of Representatives. Each one of them draws exactly the same stationery allowance that I do, even though I have as many constituents as all 10 of them combined.

Mr. President, if we are to go into this matter and deal with the compensation that might come to a Member of the Senate who has saved $400 out of his allowance—if there be any such—we ought likewise to deal with Members of the other body.

I know of no reason on earth why the Senate should continually be more suspect and attacked by innuendo as to its integrity and capacity than are Members of the other body.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YARBOROUGH. I am sure the Senator is conversant with the facts that I obtained from the Postmaster of the Senate, namely, that one Senator sends out more mail than all the Members of the House from his State combined, that the 100 Members of the Senate send out more mail than the 435 Members of the House, and that we receive more mail than the Members of the House combined.

I also believe that the Senator is conversant with the fact that the Subcommittee on Appropriations for the Legislative Branch and the full committee considered this year home office expenses, travel expenses, long-distance telephone expenses, and postage expenses, but that, due to lack of time, we did not consider the stationery allowance or help in the office. We decided that this subject would be considered next year. However, we did consider home office expenses and travel expenses and long-distance telephone expenses and postage stamp expenses. This item was not considered in the subcommittee or in the full committee. I am sure the Senator is conversant with that fact.

Mr. HOLLAND. The Senator is correct. I shall close in a moment. We have taken too much time on this item already. This is a relatively small item. I remind Senators of three things. The first is that Senators are differently affected, depending upon the size of their States and the distance of their States from the Capital. The second point that I wish to make is that all Senators must realize that any such matter which affects Senators differently should have the benefit of a hearing, at which the differences can be brought out, so that we may be furnished information which we can depend upon when we vote. Third, I remind Senators that the amendment as reworded opens the door to everything. I read it:

> Provided that this amount shall be available only for purchases through the Senate stationery room.

I do not see how it can be made any broader than this. Therefore, I move to lay the amendment on the table.

I ask for the yeas and nays.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator withhold that motion for a moment?

Mr. HOLLAND. I will withhold it. We have listened to the Senator from Delaware speak at great length. I know he is honorable, even though he represents one of the smaller States and one of the closest States to Washington. I do not believe he realizes the various ways in which various Senators are affected by this amendment.

Mr. WILLIAMS of Delaware. I appreciate the Senator's statement. I recognize that I come from one of the smaller States, but I hope that the caliber of a Senator is not always measured by the size of his State. I have great respect for the Senator from Florida, but I think he is in error. Under existing law he can send his wife to the stationery store to buy these items to which he has referred, but they cannot be charged as official expenses. He and I can buy Christmas cards and gifts from the stationery store provided we pay for them out of our pockets. He can buy supplies in the stationery room and charge them to his official account only so long as he certifies that they are used for official business. The law provides that we can use the expense allowance only for the purpose for which it is intended and for which the money is appropriated; that is, to conduct the official business of a Senator. We cannot use it for any other purpose.

Mr. HOLLAND. Mr. President, I am informed by the staff of the committee that there is no substantive legislation on this matter. This item is contained from time to time in the bill. I am saying again that, as drawn now, the amendment makes the sky the limit. We are confined only to what is sold in the stationery room.

Mr. President, I move to lay on the table the amendment of the distinguished Senator from Delaware, and I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida [Mr. HOLLAND]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Rhode Island [Mr. PASTORE], the Senator from South Carolina [Mr. RUSSELL], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from North Carolina [Mr. JORDAN], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD] and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from California [Mr. MURPHY] and the Senator from Colorado [Mr. DOMINICK] are necessarily absent.

The Senator from Kansas [Mr. PEARSON] and the Senator from Wyoming [Mr. SIMPSON] are absent on official business.

The Senator from Nebraska [Mr. CURTIS] is detained on official business.

If present and voting, the Senator from Nebraska [Mr. CURTIS], the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], and the Senator from Wyoming [Mr. SIMPSON] would each vote "nay."

The result was announced—yeas 44, nays 36, as follows:

[No. 178 Leg.]

YEAS—44

Bartlett
Bass
Burdick
Cannon
Church
Clark
Eastland
Ervin
Fulbright
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McNamara
Metcalf
Miller
Mondale
Montoya
Morse
Muskie
Neuberger
Russell, Ga.
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—36

Aiken
Allott
Bayh
Bennett
Boggs
Brewster
Byrd, W. Va.
Carlson
Case
Cooper
Cotton
Dirksen
Douglas
Ellender
Fannin
Fong
Harris
Hruska
Jackson
Javits
Jordan, Idaho
Kuchel
Mansfield
Monroney
Morton
Mundt
Nelson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Thurmond
Tower
Williams, Del.

NOT VOTING—20

Anderson
Bible
Byrd, Va.
Curtis
Dodd
Dominick
Gore
Jordan, N.C.
McGovern
McIntyre
Moss
Murphy
Pastore
Pearson
Pell
Russell, S.C.
Simpson
Sparkman
Tydings
Williams, N.J.

So Mr. HOLLAND's motion to lay on the table the amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. SALTONSTALL. Mr. President, I offer an amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment of the Senator from Massachusetts will be stated.

The LEGISLATIVE CLERK. On page 11, between lines 3 and 4, it is proposed to insert the following:

> The Legislative Subcommittee of the Committee on Appropriations is hereby directed

to investigate the manner in which stationery allowances are utilized, including the commutation thereof, and to make a report on its findings and recommendations to the Standing Committee on Appropriations no later than January 15, 1966.

Mr. SALTONSTALL. Mr. President, the amendment is a simple one. It would authorize the Committee on Legislative Appropriations, with suitable help from the financial clerk, to study the question and bring its recommendations before the Senate by January 15 of next year.

I have offered the amendment because the Committee on Legislative Appropriations did not study the question. It was brought up on the floor of the Senate for the first time today. The Senator from Oklahoma [Mr. Monroney] and I agreed to go along with the proposal.

As I have stated, there are three things that this body can do at the present time.

First, we might adopt the amendment offered by the Senator from Delaware [Mr. Williams] or vote it down. We voted to lay it, or a substitute amendment, on the table.

Second, we can insert in the bill a new line item, if that is desired, allowing the expenses at home which the Senator from Florida [Mr. Holland] has mentioned.

Third, we can adopt language of my amendment to authorize the subcommittee to study the question and include the item in a supplemental budget in January.

Since there are many Senators present, I should like to call attention to the fact that fiscal year 1965 is over. July 1 was the end of that fiscal year. We are now working on the fiscal year of 1966. The question of the surplus amounts that might be in the balance and not used will not arise until after the first of January of next year. They would not come up probably until June of next year.

During the last fiscal year, of all Senators, including the Vice President, 28 had no balance whatsoever, and 73 had a balance totaling $66,389.01, or an average of $909.43 per person.

Obviously, many Senators are vitally interested in this subject. I believe that it should have proper study. If we do study it, when the supplemental bill comes up next January, we can make a report and submit recommendations along the lines which the Senator from Delaware has indicated, or some other lines.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. LONG of Louisiana. Would the Senator be willing to modify his amendment so as to strike the word "investigate" and substitute the word "study"? The Senator used the word "study" in his speech.

Mr. SALTONSTALL. I am glad to accept that modification.

The PRESIDING OFFICER. Without objection, the amendment was modified.

Mr. SALTONSTALL. Mr. President, that is all my amendment would do. I hope that it will solve the problem in a way that will be helpful to all of us. We do not wish to violate any law. We do not desire to use money that we should not properly use. But the question has not been carefully studied, and I believe that the amendment is the way to approach the question. I hope that my amendment will be adopted.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. HOLLAND. I approve the cautious, deliberate, and sound way in which the Senator from Massachusetts approaches the problem.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. YARBOROUGH. Mr. President, if the impression is being created that this amount is all that is needed for stationery, for a State like Texas, which has a population of 10.5 million, the present allowance of $200 a month is woefully inadequate. The amount necessary for stationery runs many hundreds of dollars over that.

I hope that the present allowance for stationery will be increased. I brought the question up in committee this year, but there was not sufficient time to consider it. The committee considered allowances for postage and telephones, but did not consider the allowance for stationery.

Many other Senators are in my situation. I observe in the Chamber the distinguished senior Senator from New Hampshire [Mr. Cotton]. He told me today the amount he spends each month for stationery. If he would give me his consent, I would state that amount on the floor of the Senate. I hope that the Senator will allow me to state it.

The distinguished Senator from New Hampshire told me today that he spends $450 a month for stationery, so as to get the news back to his home State. I am trying to borrow or to raise enough money to get the news back to my State through the handling of mail for 10.5 million people.

This may not be a problem in New York or California, States having populations of 17 million or 18 million. We had much testimony before our committee. The distinguished senior Senator from California [Mr. Kuchel], the minority whip, says he receives approximately 6,000 letters a month. My computation for my State is that I receive 1,500 letters a month. Two hundred dollars a month for stationery allowance is totally inadequate for Senators representing States having large populations.

I would not want the record to be closed leaving the understanding that that is more money than is needed for stationery purposes.

Mr. SALTONSTALL. The distinguished Senator from Texas is a member of the subcommittee. We provided this year the same amount as was provided last year—$255,600. The Senator will agree that the item of stationery allowance was not considered.

Mr. YARBOROUGH. It was not considered.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. HOLLAND. Is the question of the difference in size of the States within the area of the study that is prescribed to be followed by the subcommittee under the Senator's amendment?

Mr. SALTONSTALL. Will the Senator please repeat his question?

Mr. HOLLAND. Is the question of the need for stationery depending on the size of the several States a matter which is properly within the field of inquiry and study by the subcommittee?

Mr. SALTONSTALL. I should assume that the whole subject would be studied.

Mr. BASS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. BASS. I join in support of the Senator's amendment. I commend him for it. This is the way to proceed. If there are inequities or misgivings, they should be given deliberate study.

I also recommend to whoever makes the study that the title of the fund should be changed to the more realistic title of "Office Expenses," or something of that kind, so that one who sees it will not think that a Senator from a small State, which has only a few constituents, is using the money only to buy letterheads and envelopes. I hope the amendment will be agreed to.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. ELLENDER. I am partly responsible for initiating the debate on this subject, as one who believes that if Congress sets aside $2,400 for stationery for each Senator, that money ought to be used to purchase stationery. If Members of the House desire to take the $2,400 and use it for whatever purposes they desire, that is their business. However, it seems to me that the Committee on Appropriations should study the subject, not only as it affects the Senate, but also as it affects the House. It seems to me that any sums that are provided for telephone expenses, let us say, that are not used, out of the money that is appropriated for telephone service, those sums should be returned to the Treasury. The same is true of telegraph service. If all of that money is not used, it should be returned to the Treasury.

I have often wondered why the unused part of the money that was appropriated to each Senator for stationery was not returned to the Treasury.

This year I was notified that of the $2,400 that had been assigned to me, I used about $900. I sent a letter authorizing that the remainder of my stationery allowance be returned to the Treasury. I presume that many other Senators did likewise.

My only purpose in raising the question was that if the money is set aside by Congress for the purchase of stationery, it ought to be used for that purpose. If it is not used for that purpose, it ought to be returned to the Treasury. We cannot have it both ways and still maintain any pretext of logic or law.

I hope that the amendment will be adopted, and that a study will be made not only as it affects the Senate but the House, as well.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. YARBOROUGH. I desire to offer an amendment to the amendment of the Senator from Massachusetts that the time for reporting to the Senate be February 1, 1966. When we return after the first of the year, it will be difficult for the subcommittee on which I have the privilege to serve to be ready with its report by January 15; that would allow only a few days.

Mr. SALTONSTALL. I accept the Senator's suggestion. The point is that the study should be made in time to provide funds in a supplemental appropriation bill.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. WILLIAMS of Delaware. I recognize that the Senator from Oklahoma and the Senator from Massachusetts have supported my amendment and tried to clear up this problem. I shall support the amendment of the Senator from Massachusetts, although after hearing so much from the junior Senator from Tennessee about the Senate's not being ready to make a decision and about how poor Senators are I was debating the question of whether I should pass the hat or make a point of order against the bill. Because the bill contains legislation—it is full of it—it could be sent back to the committee for further study on a point of order.

Nevertheless, recognizing the fairness of the Senator from Oklahoma and the Senator from Massachusetts, who have supported my position and tried to correct the situation I shall not make the point of order. I shall support the amendment of the Senator from Massachusetts that a study be made and a report presented to the Senate in February of next year. This study should cover the House as well as the Senate allowances.

I point out, again, however, that this subject is not something new on the floor of the Senate. It may be something new so far as the attention being given to it is concerned, but it was first brought up on the floor of the Senate as far back as 1957.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD my remarks made on April 18, 1957, on the same subject.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAMS OF DELAWARE

Mr. President, many people are becoming alarmed by the rapid increase in Government expenditures, and in recent months such discussion has been held as to how the cost of Government can be curtailed.

Today I wish to point out one specific instance wherein the Government not only insists upon the full appropriation's being spent but actually proposes to levy a penalty against the official on the amount returned to the U.S. Treasury.

In the administration of our senatorial offices each Senator is allowed a certain amount based upon the population of his State for clerical hire, for long distance telephoning, for telegrams, for special delivery and air mail stamps, and for stationery allowance. Coming from a small State I have not needed except on a very few occasions the full allowance in any of these categories and at the end of each year have been authorizing the unexpended portion's reversion to the Federal Treasury.

I recognize of course that in many instances Senators need their full allotments, and I question their adequacy to cover the expenses in some of the other States.

It has always been recognized that that portion of such funds not needed for the office reverts to the Federal Treasury, and for the past 10 years, since I have been a Member of the Senate, that principle has been recognized.

Last year I had $1,508.26 left over in my stationery account which as in previous years I have authorized returned to the U.S. Treasury as not being needed, but for the first time I was told that this is no longer permissible.

The Government has now taken the position that the money must be spent and that if a Member of the U.S. Senate does not spend his full allotment he will be taxed on the unexpended portion, even though it is left in the Federal Treasury.

I have been advised that an easy way to avoid this penalty would be to order $1,508 worth of stationery from the Senate Stationery store, even though I do not need it, have it delivered to my office, and then call the truck and send it out to the city dump. In that manner the Government would be rid of the money, I would be subject to no penalty, and everybody but the taxpayers would be happy.

Or under this new ruling I could file a claim for the Treasury check of $1,508.26, pay income tax on the amount, and turn the rest over to the Republican National Committee or put it in a special account to finance a personal political campaign.

If this ruling stands unchallenged what is there to prevent using these unexpended funds to buy mink coats or deep freezes?

All the emphasis seems to be placed not on whether or not the money is needed for the administration of my office but rather on getting rid of it, no matter for what purpose.

In the first year of my service in setting up a new office I used the full stationery allotment, but in each of the other years there have been unexpended balances in the stationery fund, which in each instance were released to the Treasury as follows:

Fiscal year	Allowance	Expended	Balance authorized for reversion to the U.S. Treasury
1948	$600	$342.48	$257.52
1949	500	220.94	279.06
1950	700	223.79	476.21
1951	800	198.61	601.39
1952	1,100	341.09	758.91
1953	800	345.20	454.80
1954	1,200	615.25	584.75
1955	1,200	334.33	865.67
1956	1,800	291.74	1,508.26
Total	8,700	2,913.43	5,786.57

At the end of the last fiscal year I again instructed the disbursing officer of the U.S. Senate to return the unexpended balance to the U.S. Treasury. My instructions were as follows:

U.S. SENATE,
Washington, D.C., June 26, 1956.

Mr. ROBERT A. BRENKWORTH,
Financial Clerk, U.S. Senate,
Washington, D.C.

DEAR MR. BRENKWORTH: I acknowledge receipt of the voucher stating that I have $1,508.26 representing the unused portion of my $1,800 stationery allowance for the fiscal year ending June 30, 1956.

This amount is not needed and you are hereby authorized to return the balance ($1,508.26) to the U.S. Treasury.

Yours sincerely,
JOHN J. WILLIAMS.

In early December 1956, I received a call from Mr. Brenkworth, financial clerk of the Senate, advising that he had been instructed that this procedure would no longer be permissible but that either the funds would have to be spent or the Member of the Senate failing to spend his full allotment would be subject to income tax on the unexpended balance, even though the money was left in the U.S. Treasury.

I am not criticizing Mr. Brenkworth for relaying these instructions; he was only acting upon orders.

He explained that these instructions were being issued based upon a ruling by the Treasury Department.

A suggestion was made that one way around this situation may be to file a claim for the check, accept the money, and then make a gift of it to the U.S. Treasury; however, I could not agree to this suggestion because how can I give something which does not belong to me in the first place? This money, left over from my stationery allowance, does not belong to me—it belongs to the American taxpayers.

Furthermore, in giving the check back to the U.S. Treasury the individual could be subject to a gift tax if, added to the other gifts, the maximum gift allowance was exceeded for the year involved. You would be paying the Treasury Department to take back that which was already theirs.

The following is the Treasury Department's ruling on this question:

MARCH 29, 1956.

This letter deals specifically with funds provided (1) for stationery for Senators (2 U.S.C. 46a), and (2) an amount, not to exceed $150 quarterly, for official office expenses incurred by each Senator in his State (2 U.S.C. 53), during the taxable year 1955.

It is our understanding that the stationery allowance is credited to the account of each Senator at the beginning of each fiscal year. As supplies are procured by each Senator from the stationery room, their cost is charged against his individual stationery account. Any unexpended funds remaining in the stationery accounts of the respective Senators at the close of the fiscal year may be withdrawn by them in cash.

It is held, therefore, that any unexpended funds remaining in the stationery accounts of respective Senators at the end of the fiscal year are constructively received by each Senator on that date, whether or not withdrawn, and are includible in the gross income shown on his Federal income tax return for the taxable year in which that date falls.

Expenses charged against the stationery account are not deductible, for Federal income tax purposes, since their payment in that manner does not constitute payment by the Senators.

The amount (not to exceed $150 quarterly) payable for official office expenses incurred in a Senator's State is payable upon certification of each Senator and is includible in his gross income for the taxable year in which such quarterly reimbursements are first available to him. This is true even though such funds are not actually reduced to his possession, so long as they are available to him without substantial limitation or restriction. These funds are understood to be thus available at the close of each quarter. Such office expenses are deductible by a Senator in computing his adjusted gross income to the extent of the reimbursements thus received.

In the event a Senator's official stationery expenses and his official office expenses incurred in his State exceed the respective allowance or reimbursement therefor, the portion of such excess considered reimbursed by that portion of the $2,500 expense allowance received during the taxable year is also deductible in computing adjusted gross income. The balance of such excess which is paid by the Senator from his own funds is deductible in computing taxable income, provided he itemizes his deductions for that purpose.

I sincerely trust the information contained herein will answer your questions on this subject. If not, I shall be glad to hear from you further.

RUSSELL C. HARRINGTON.

Upon receipt of this ruling, on December 31, 1956, I directed the following letter to Mr. Brenkworth rejecting the money on the basis that it did not belong to me, and again I renewed my instructions that it be released to the U.S. Treasury:

U.S. SENATE,
Washington, D.C., December 31, 1956.

Mr. ROBERT A. BRENKWORTH,
Financial Clerk, U.S. Senate,
Washington, D.C.

DEAR MR. BRENKWORTH: Your letter of December 17, 1956, notifying me that I have an unexpended balance in the stationery account allotted to my office in the amount of $1,508.26, is acknowledged.

As I have previously advised you, I do not need this allotment for the purchase of stationery or other essentials to my office, and therefore I have authorized you to let this unexpended balance revert to the Federal Treasury.

I have read the ruling of the Commissioner of Internal Revenue in which he indicates that this amount could be accepted by each Member of the Senate as a cash item and then included as gross income for tax purposes. I disagree with those conclusions; this money is not mine. Our salaries are fixed at a specific amount by law, and it was never intended that a Member of Congress should additionally benefit as the result of any savings resulting from the management of his office. These funds were specifically appropriated for the purpose of paying the stationery expenses of the office, and I have utilized all that was necessary. Therefore, as in previous years, I have instructed you to let the unexpended balance ($1,508.26) revert to the Federal Treasury.

I note the suggestion that I could sign the voucher, accept the check, and then endorse the check "payable to the order of the Treasury of the United States," transmitting it to him as a gift to the U.S. Treasury. This cannot be interpreted as a gift since a gift represents something the title of which rests with the donor, who in turn transmits his title to the recipient. In this instance these funds are not and never have been mine, nor were they ever intended to be mine; therefore, I cannot give to the Federal Treasury that which already belongs to them.

I appreciate your position in this matter in that you are merely relaying instructions as they were given to you, and I will discuss this further with the agency affected and with the appropriate committee of Congress after we convene in January. In the meantime I renew my instructions, as incorporated in my letter of June 26, 1956, to allow this unexpended balance of $1,508.26, which had been allocated to me for necessary purchases of stationery, to revert to the Federal Treasury.

Yours sincerely,

JOHN J. WILLIAMS.

During the succeeding weeks I have been endeavoring to get this ridiculous ruling reversed.

Throughout all of these discussions I have been left with just one clear understanding; namely, nobody cares how the money is spent or what happens to the goods after it is spent, nobody cares if the money is claimed and put in my pocket, but there is a terrific objection to any suggestion that the funds not needed be left in the U.S. Treasury.

I think the U.S. Government should underwrite the cost of administering my office and any other congressional office. I have purchased all the stationery I need for the administering of my office and have charged the cost to the U.S. Government. But by no line of reasoning do I as a Member of the U.S. Senate have a right, legally or morally, to reap a profit on economies achieved in the administration of a public office any more than does the head of an executive agency have a right to divert to his own personal use the unexpended balance of any appropriation to his department.

If the unexpended balance in the stationery account is mine, then what about the unexpended balance in the other accounts? Where will this stop?

If we are to accept the principle that these unexpended funds in stationery or in any other office allowance are profits to the congressional Member then what is there to prevent us from increasing these allowances and using the savings to finance our political campaigns? Certainly no one suggests this, yet this would be possible if we let the ruling stand unchallenged.

This particular office allowance has been increased substantially during recent years, and I voted for these increases, recognizing at the same time that while I did not need the extra allowances for my office many representatives from other States did need the additional funds, and I reasoned that to the Treasury anyway the unnecessary increase to my office was meaningless.

I have refused to sign a voucher claiming this $1,508.26 check for the unexpended balance of my stationery account in 1956 on the basis that the money does not belong to me but belongs to the U.S. Government, and I have submitted this question to the Comptroller General of the United States asking for an official decision. A copy of my letter follows:

U.S. SENATE,
Washington, D.C., March 22, 1957.

Hon. JOSEPH CAMPBELL,
Comptroller General,
Washington, D.C.

DEAR MR. CAMPBELL: In June 1956 I was advised by the disbursing office of the U.S. Senate that I had $1,508.26 remaining as an unexpended balance on the stationery allowance for my office. In previous years I had received similar notices regarding this account, and since once again the full allotment was not needed in the administration of my office I directed a letter on June 26, 1956, to the disbursing office stating that these funds were not needed and authorizing their release to the U.S. Treasury.

On December 17, 1956, I received a notice from the disbursing office that this procedure was not permissible and that the unexpended balance was mine to be accepted and was available for my personal use and that I would be required to pay income tax thereon.

I replied under date of December 31, 1956, that I could not accept these funds for my personal use since they were not a part of my salary and since I as a Member of Congress had no right to cash in on savings made in the administration of my office. I therefore refused to accept these funds. The suggestion was made that I accept these funds but return them to the Treasury as a gift. I would not agree with this procedure since in my opinion a gift to the Federal Treasury could only be made by first acknowledging this money as mine. In other words, I did not feel that this procedure was proper since refusing to recognize the funds as mine I could not give that which I did not own.

I fully recognize that in most instances the Members need and use their allotments, which is perfectly proper, but if a Member does not need his allowance certainly it is ridiculous to suggest that it must be spent or a penalty tax levied against that Member of Congress who saves Government funds. Presumably I could have ordered $1,500 worth of stationery, had it delivered to my office, and the following day discarded it in the wastebasket, and everybody would have been happy and no tax would be due. Or as I understand the Treasury Department's ruling, I can accept the money, pay the tax, and keep the remainder to finance a political campaign or to use for any other purpose I wish.

Copies of this correspondence, along with the ruling of the Treasury Department in this connection, are enclosed.

I am requesting you to review this and issue a general ruling as to whether or not I am correct in insisting that the unexpended balance on this or on any other account furnished for the administration of my office should revert to the Federal Treasury.

Yours sincerely,

JOHN J. WILLIAMS.

Chapter 314, section 304, of Public Law 212 of the 72d Congress, upon which this Treasury ruling was based, reads as follows:

"SEC. 304. During the fiscal year ending June 30, 1933, (1) not more than $16,000 shall be available for expenditure for stationery for Senators and the President of the Senate, and for committees and officers of the Senate, (2) not more than $44,000 shall be available for expenditure for stationery for Representatives, Delegates, and Resident Commissioners, and for the committees and officers of the House of Representatives, and (3) each Senator, Representative, Delegate, and Resident Commissioner shall be allowed $90 for stationery allowance or commutation therefor, to be paid out of the sums provided in (1) or (2), as the case may be."

Mr. WILLIAMS of Delaware. Mr. President, on April 18, 1957, 8 years ago, in the above remarks I invited the attention of the Senate to this same problem.

There is a law which provides that any businessman who charges off as necessary business expense any money which is not actually spent for the purpose for which it is claimed, violates the law. The Treasury Department will disallow such a chargeoff. Yet a situation exists in which Members of Congress, after receiving our fixed salaries, can get an additional income through their unspent stationery allowances. We get an allowance to pay our clerk hire; we get an adequate allowance for offices back home if they are needed although some Senators do not use it, others do. We get an adequate amount to pay for stationery or office supplies; we get an adequate allowance to pay for official telephone calls. We take care of all of these items; what more can be asked?

Some time ago there was an instance—I was surprised that so few Senators seemed to be concerned about it—in which a former employee of the Senate was charging a substantial number of his personal telephone calls to the U.S.

Government. That was a violation of the law. Yet what has been done? We do not need additional allowances in those categories.

As the Senator from Louisiana [Mr. ELLENDER] points out, if we want to provide for financing campaigns we should call it that and not hide it under the name of office supplies, as has been done so often.

The Senator from Tennessee [Mr. BASS] said that the adoption of the amendment would restrict him in some of his activities. That is an argument for the amendment. I point out that all the activities he cited from which he would be restricted are in violation of the law as it is written today.

Mr. HOLLAND. Mr. President, do I correctly understand the Senator to say that he called the attention of the Senate to this matter in April of 1957?

Mr. WILLIAMS of Delaware. That is correct.

Mr. HOLLAND. Has the Senator discussed it since that date?

Mr. WILLIAMS of Delaware. I have discussed it several times.

Mr. HOLLAND. Was that not in the first year of the second term of the Eisenhower administration?

Mr. WILLIAMS of Delaware. That is correct and the Democracts were in control of the Senate. I was unable to get it changed then, and I am still getting the same arguments.

If it would make the Senator feel any better I shall send the amendment to the desk as a Republican amendment, since it has been mentioned on a partisan basis. Why not? It has almost solid Republican support. But seriously, we are dealing with U.S. Senators and not with Republicans or Democrats. This is not a partisan issue.

Mr. HOLLAND. The Senator is correct. I did want to call attention to the fact that the question had been raised by him at a time when the Senator from Oklahoma [Mr. MONRONEY] did not have charge of the matter. Apparently this matter has not been mentioned for 8 years. At least, I have not heard of it. Certainly this is a matter that should be carefully considered from now on.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator from Massachusetts and the Senator from Oklahoma for their willingness to accept the amendment although this is a problem that the Senate should have dealt with today.

Mr. President, to clarify further the method of handling allowances for senatorial offices I shall place in the RECORD an itemized account of the expenditures of my office for the fiscal year 1964.

Final figures for the fiscal year just ended, will not be available for about 4 weeks, but they are somewhat similar and will be available then.

This report shows how these unexpended balances revert to the Treasury. In every instance except the stationery account this reversion to the Treasury Department is mandatory.

My amendment would have placed the stationery allowance in the same position and would have prohibited any further withdrawals in cash of the balances left over in this account at the end of the year.

I ask unanimous consent that this tabulation for my office expenses for fiscal 1964 be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

John J. Williams, U.S. Senator, fiscal 1964

Airmail and special delivery postage allowances (sec. 42a):	
Allowed	$610.00
Used	12.70
Total	597.30
Mileage of Senators (sec. 43):	
Allowed	76.40
Used	76.40
Total	0
Reimbursement of Senators for transportation expenses (sec. 43b) (2 round trips to State, estimated figure used):	
Allowed	76.40
Used	0
Total	76.40
Stationery allowance (sec. 46a):	
Allowed	2,400.00
Used	856.62
Total	1,543.38
Long-distance telephone calls (sec. 46c) (to and from Washington, D.C.) (maximum of 160 calls or 800 minutes per month)	[1]
Long-distance telephone calls (sec. 46d) (originating and terminating outside Washington; additional payments for calls to and from Washington, D.C.:	
Allowed	1,800.00
Used	0
Total	1,800.00
Additional communication expense (sec.46d-1C):	
Allowed	150.00
Used	6.33
Total	143.67
Telegram allowance (calendar year 1964) (sec. 46e):	
Allowed	4,930.00
Used	17.28
Total	4,912.72
Office space in home State (sec. 52):	
Allowed	1,200.00
Used	0
Total	1,200.00
Official office expense incurred in home State (sec. 53):	
Allowed	600.00
Used	0
Total	600.00
Clerk hire (sec. 60-c) ($88,887.49 gross used):	
Basic allowed	52,980.00
Used	39,203.14
Total	13,776.86
Reimbursement for mileage of employees in office (sec. 127) (10 cents, 4 employees) (estimated figure used):	
Allowed	152.80
Used	0
Total	152.80
Compensation:	
Allowed	22,500.00
Used	22,500.00
Total	0

[1] See attached chart.

[CHART]

Long-distance telephone calls (made to and from Washington, D.C., fiscal 1964)

[Quota: 160 calls and 800 minutes per month, noncumulative]

Month	Number of calls	Number of minutes	Cost
July	26	117	$24.80
August	34	181	38.30
September	22	121	24.90
October	24	103	24.25
November	14	56	15.40
December	23	86	17.15
January	31	129	30.50
February	23	112	30.15
March	21	115	22.95
April	24	166	35.60
May	23	157	39.70
June	49	247	49.75
Total	314	1,590	353.45

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 8775) was passed.

Mr. SALTONSTALL. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MONRONEY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONRONEY. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MONRONEY, Mr. BARTLETT, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. HAYDEN, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mr. KUCHEL conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 4185) to fix the fees payable to the Patent Office, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6675) to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes; that the House had agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mills, Mr. King of California, Mr. Boggs, Mr. Keogh, Mr. Byrnes of Wisconsin, Mr. Curtis, and Mr. Utt were appointed managers on the part of the House at the conference.

INDEPENDENT OFFICES APPROPRIATIONS, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 372, H.R. 7997.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 7997) making appropriations for sundry independent offices, executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with amendments.

ENFORCEMENT OF 15TH AMENDMENT TO THE CONSTITUTION

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to the bill (S. 1564).

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, and for other purposes, which were, to strike out all after the enacting clause and insert:

That this Act shall be known as the "Voting Rights Act of 1965".

Sec. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

Sec. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: *Provided,* That the court need not authorize the appointment of examiners if it finds by a preponderance of evidence that any incidents of denial or abridgment of the right to vote on account of race or color (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of such test or device in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

(c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color: *Provided,* That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that the Attorney General's failure to object shall not bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

Sec. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the five years preceding the filing of the action for the purpose and with the effect of denying or abridging the right to vote on account of race or color: *Provided,* That no such declaratory judgment shall issue with respect to any plaintiff for a period of five years after the entry of a final judgment of any court of the United States, other than the denial of a declaratory judgment under this section, whether entered prior to or after the enactment of this Act, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of such plaintiff.

An action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

(b) The provisions of subsection (a) shall apply in any State or in any political subdivision of a State which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964.

A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

(c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

Sec. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, it may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: *Provided,* That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that the Attorney General's failure to object shall not bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Any action under this section shall be heard and determined by a court of 3 judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

Sec. 6. Whenever (a) a court has authorized the appointment of examiners pursuant to the provisions of section 3(a), or (b) the Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the 15th amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the 15th amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the 15th amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 9(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 1181), prohibiting partisan political activity: *Provided,* That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States, with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

Sec. 7. (a) The examiners for each political subdivision shall examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the Commission may require and shall contain allegations that the applicant is not otherwise registered to vote.

(b) Any person whom the examiner finds to have the qualifications prescribed by State law in accordance with instructions received under section 9(b) shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month, to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection on the last business day of the month and in any event not later than the forty-fifth day prior to any election. Any person whose name appears on such a list shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with subsection (d): *Provided,* That no person shall be entitled to vote in any election by virtue of this Act unless his name shall have been certified and transmitted on such a list to the offices of the appropriate election officials at least forty-five days prior to such election.

(c) The examiner shall issue to each person whose name appears on such a list a certificate evidencing his eligibility to vote.

(d) A person whose name appears on such a list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 9, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

Sec. 8. The Civil Service Commission, at the request of the Attorney General, is authorized to send observers to any election held in any political subdivision for which an examiner has been appointed under this Act. Such observers shall observe all aspects of the vote in all elections conducted by State and local officials within such political subdivision, including the casting and counting of ballots. Observers shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court.

Sec. 9. (a) Any challenge to a listing on an eligibility list shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate, and within ten days after the listing of the challenged person is made available for public inspection, and if supported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. A petition for review of the decision of the hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review but no decision of a hearing officer shall be reversed unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

(b) The times, places, and procedures for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning (1) the qualifications required for listing, and (2) loss of eligibility to vote.

(c) The Civil Service Commission shall have the power to require by subpena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter pending before it under the authority of this section. In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and nonprivileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Sec. 10. (a) The Congress hereby finds that the requirement of the payment of a poll tax as a prerequisite to voting has historically been one of the methods used to circumvent the guarantees of the fourteenth and fifteenth amendments to the Constitution, and was adopted in some areas for the purpose, in whole or in part, of denying persons the right to vote because of race or color; and that under such circumstances the requirement of the payment of a poll tax as a condition upon or a prerequisite to voting is not a bona fide qualification of an elector, but an arbitrary and unreasonable restriction upon the right to vote in violation of the fourteenth and fifteenth amendments.

(b) No State or political subdivision thereof shall deny any person the right to register or to vote because of his failure to pay a poll tax or any other tax.

Sec. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than $10,000 or imprisoned not more than five years, or both: *Provided, however,* That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the Territories or possessions.

Sec. 12. (a) Whoever shall deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, or 10 or shall violate section 11, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any record of voting in such election made by a voting machine or otherwise, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 2, 3, 4, 5, 7, 10, or 11 shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote and (2) to count such votes.

(e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any person alleges to such an examiner within forty-eight hours after the closing of the polls that notwithstanding (1) his listing under this Act or registration by an appropriate election official and (2) his eligibility to vote, he has not been permitted to vote in such election, the examiner shall forthwith notify the Attorney General if such allegations in his opinion appear to be well founded. Upon receipt of such notification, the Attorney General may forthwith apply to the district court for an order declaring that the results of such election are not final and temporarily restraining the issuance of any certificates of election, and the court shall issue such an order pending a hearing on the merits. In the event the court determines that persons who are entitled to vote were not permitted to vote in such election, it shall provide for the marking, casting, and counting of their ballots and require the inclusion of their votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

(f) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person asserting rights under the provisions of this Act shall have exhausted any adminstrative or other remedies that may be provided by law.

SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission (1) that all persons listed by an examiner for such subdivision have been placed on the appropriate voting registration roll, and (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision, and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section.

SEC. 14. (a) All cases of criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

(b) No court other than the District Court for the District of Columbia shall have jurisdiction to issue any declaratory judgment or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto.

(c)(1) The term "vote" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositons for which votes are received in an election.

(2) The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

(d) Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

SEC. 15. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), and as further amended by section 101 of the Civil Rights Act of 1964 (78 Stat. 241), is further amended as follows:

(a) Delete the word "Federal" wherever it appears in subsections (a) and (c);

(b) Repeal subsection (f) and designate the present subsections (g) and (h) as (f) and (g), respectively.

SEC. 16. Nothing in this Act shall be construed to deny, impair, or otherwise adversely affect the right to vote of any person registered to vote under the law of any State or political subdivision.

SEC. 17. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 18. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

And to amend the title so as to read: "An Act to enforce the fifteenth amendment to the Constitution of the United States, and for other purposes."

Mr. MANSFIELD. Mr. President, I move that the Senate disagree to the amendments of the House to the bill (S. 1564) and request a conference on the disagreeing votes of the two Houses, and that conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. DODD, Mr. HART, Mr. LONG of Missouri, Mr. DIRKSEN, and Mr. HRUSKA conferees on the part of the Senate.

SENATOR HARTKE APPLAUDS CALL FOR WORLD MONETARY CONFERENCE

Mr. HARTKE. Mr. President, on Saturday, July 10, Treasury Secretary Henry Fowler made a historic commitment. He said:

> The United States now stands prepared to attend and participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements.

This forward-looking action on the part of the President and of the Secretary of the Treasury is worthy of the highest praise from all who, like myself, have grown concerned about the impact of our mounting balance-of-payments surpluses. I wish to express my sincerest congratulations to President Johnson and to his administration for the new found determination, in Secretary Fowler's words, "to move ahead—carefully, deliberately—but without delay" to expand the international supply of credit and liquidity.

The appointment of the Dillon Committee to study world monetary reform, the scheduling of hearings on the same subject by the congressional committees concerned, and now Secretary Fowler's realistic and enlightened speech, all mean that the American Government, from the President on down, is moving to set its international house in order. But it should be clear to all Americans in 1965 that we cannot separate our international and our domestic houses in economic matters any more than in political ones. Now that the dollar is safe from international attack, now that we have gained freedom from out-moded international monetary policies—now is the time to set our domestic house in order.

Even as we move towards expansion of international reserves and credit, the domestic American economy and the domestic American banking system continue to labor under the burden of the Federal Reserve's tight money, deficit reserves policy. Even as the rest of the world expresses loudly its renewed confidence in the U.S. dollar, the New York Stock Market continues to refuse a clear vote of confidence for the economic policies of the U.S. Government.

The time has come for action on the domestic front as realistic and as decisive as the action on the international front heralded by Secretary Fowler's speech. Now when there is no danger of speculation against the dollar, is the time for the Federal Reserve to reverse its tight money policy. Now when there is no danger of speculation on the stock market, is the time for the Federal Reserve to liberalize stock market margin requirements drastically.

The Johnson administration's call for a world monetary conference has demonstrated dramatically our Government's determination to defend the world's prosperity. Federal Reserve action to reverse the current tight money policy and to liberalize stock market margin requirements will demonstrate as dramatically our Government's determination to defend American prosperity, as well.

INDEPENDENT OFFICES APPROPRIATIONS, 1966

The Senate resumed the consideration of the bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MAGNUSON. Mr. President, the Independent Offices appropriation bill for 1966, H.R. 7997, as reported for the 27 agencies included in the bill, totals $14,264,450,980 in direct appropriations, which is $364,594,180 over the appropriations for 1965, $274,247,020 under the estimates for 1966, and an increase of $181,542,980 over the House bill.

The largest amount included for one agency is $5,692 million to the Veterans' Administration, of which $4,142 million is for compensation and pensions—these are fixed charges—and $1,191 million is for medical care which is constantly increasing.

The next largest amount is for National Aeronautics and Space Administration, $5,190 million.

After those two, come the Housing and Home Finance Agency, with $967 million; the Federal Aviation Agency, with $724 million; the General Services Administration, with $592 million; and the National Science Foundation, with $480 million.

Of the $364 million over the appropriations for last year, the largest increase is $220 million for Urban Mass Transportation Grants, and the next is $101 million for Urban Renewal, and then $60 million for National Science Foundation. There are smaller increases for disaster relief, civil defense, and veterans' programs, due to unforeseen floods, tornadoes, droughts, the most recent being in the Midwest.

Of the $274 million under the 1966 estimates, the Housing Agency is reduced $106 million, NASA is reduced $70 million, Civil Defense by $69 million, and National Science Foundation by $50 million.

Of the $181 million over the House bill, disaster relief is $60 million, GSA's public buildings is $70 million, NASA is $30 million, Civil Defense is $35 million, and Federal Aviation Agency is $23 million.

Items on which the committee recommendations are over the budget estimates include disaster relief, with an additional $25 million to meet the critical situation caused by the recent floods in Colorado, Kansas, and New Mexico; Federal Aviation Agency, with an additional $12.5 million to provide the authorized $75 million for grants-in-aid for airports for 1967; General Services Administration, with $5.4 million for repair and improvement of public buildings; and Veterans Administration, $17 million required to keep open eight regional offices, five hospitals, and two domiciliaries.

With respect to that last item, in the budget there was the sum of $23 million to keep the present hospitals and regional offices opened. That amount was added by the House. Then there was a great deal of controversy over the closure of the VA facilities. So the President appointed a commission. The commission made a report, in which it recommended that some be kept open and some be closed. The Veterans' Administration had made a recommendation. The committee recommends that we follow that report. So the committee recommends that eight regional offices, five hospitals, and two domiciliaries be kept open.

Mr. President, that is the substance of the bill.

One of the committee amendments was properly stated in the report, but was omitted from the bill as printed. To correct this error, I move to strike the language in lines 7 to 9 on page 16, which reads:

> Not to exceed $340,000 for expenses of travel, not to exceed $129,000 for expenses of printing and reproduction.

It relates to the Federal Power Commission. It was a mistake. The amendment does not change the figures in the bill.

The **PRESIDING OFFICER.** The Senator would first have to ask for action on the committee amendments before he could offer an amendment.

Mr. **MAGNUSON.** I ask unanimous consent that the committee amendments to H.R. 7997 be agreed to en bloc; that the bill, as so amended, be considered as original text for the purpose of further amendment; and that no points of order against legislation in an appropriation will be waived.

The **PRESIDING OFFICER.** Is there objection? Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, at the beginning of line 21, to strike out "$3,380,000" and insert "$4,955,000"; and at the beginning of line 22, to strike out "$150,000" and insert "$550,000".

On page 3, at the beginning of line 7, to strike out "$1,130,000" and insert "$1,430,000"; and at the beginning of line 8, to strike out "$305,000" and insert "$345,000".

On page 3, line 23, after "(5 U.S.C. 55a)", to strike out "$1,070,000" and insert "$1,110,000".

On page 4, line 6, after the word "disasters", to strike out "$20,000,000" and insert "$80,000,000".

On page 4, line 16, after the word "law", to strike out "$58,990,000" and insert "$69,170,000"; in line 17, after the word "exceed", to strike out "$9,250,000" and insert "$16,000,000"; in line 20, after the word "exceed", to strike out "$10,150,000" and insert "$13,150,000"; and at the beginning of line 22, to strike out "700" and insert "900".

On page 5, line 1, after the word "marking", to insert "stocking,"; and in line 3, after the word "centers", to strike out "$30,200,000" and insert "$55,200,000".

On page 5, after line 18, to strike out:

No part of any appropriation contained in this Act, or of the funds available for expenditure by any corporation or agency included in this Act, shall be used for construction of fallout shelters."

On page 6, line 2, after the word "of", to strike out "$2,450,000" and insert "$5,000,000".

On page 6, after line 3, to insert:

"DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

"Public Health Service

"Emergency Health Activities

"For expenses necessary for carrying out emergency planning and preparedness functions of the Public Health Service, and procurement, storage (including underground storage), distribution, and maintenance of emergency civil defense medical supplies and equipment authorized by section 201(h) of the Federal Civil Defense Act of 1950, as amended (50 U.S.C.; App. 2281(h)), $2,000,000, to remain available until expended."

On page 7, line 2, after "(5 U.S.C. 2131)", to strike out "$10,500,000" and insert "$11,095,500".

On page 7, line 8, after the word "Board", to insert "including not to exceed $785,000 for subsidy for helicopter operations during the current fiscal year,"; and in line 10, after the amendment just above stated, to strike out "$80,000,000" and insert "$80,785,000".

On page 8, at the beginning of line 1, to strike out "$22,200,000" and insert "$22,400,000".

On page 8, after line 4, to strike out:

"No part of the appropriations herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit in the Examining and Personnel Utilization Division of the Commission, established pursuant to Executive Order 9358 of July 1, 1943."

On page 9, line 13, to strike out "$1,500,000" and insert "$1,550,000".

On page 11, line 14, after the word "snowshoes", to strike out "$542,600,000" and insert "$551,471,280"; and in line 18, after the word "exceed", to strike out "$6,200,000" and insert "$6,760,000".

On page 12, line 11, after the word "Alaska", to strike out "$48,800,000" and insert "$50,500,000"; and in line 18, after the word "tunnel", to strike out the comma and "or to purchase any land or easements for or in connection with the National Aviation Facilities Experimental Center".

On page 13, line 12, after the word "ammunition", to strike out "$3,625,000" and insert "$3,730,000".

On page 13, line 18, after the word "of", to strike out "four" and insert "six"; in line 19, after the word "which", to strike out "three" and insert "five"; and in line 23, after the word "ammunition", to strike out "$4,379,000" and insert "$4,679,000".

On page 14, line 3, after the word "Airport", to strike out "$1,000,000" and insert "$1,100,000".

On page 14, line 7, after the word "Airport", to strike out "$180,000" and insert "$200,000".

On page 14, line 12, after "1967", to strike out "$62,500,000" and insert "$75,000,000"; and in line 13, after the word "expended", to insert a comma and "as follows: for the purposes of section 5(d) (4) of such Act, $66,500,000 for fiscal year 1967; for the purposes of section 5(d) (5) of such Act, $1,500,000 for fiscal year 1967, and for the purposes of section 5(d) (6) of such Act, $7,000,000 for fiscal year 1967."

On page 15, line 23, after the word "only", to strike out "$16,900,000" and insert "$17,085,000".

On page 16, line 10, after the word "expenses", to strike out "$12,875,000" and insert "$13,325,000, of which $260,000 is for purchase of a computer".

On page 16, line 19, after the word "diem", to strike out "$13,475,000" and insert "$13,625,000".

On page 17, line 19, after the word "moving", to strike out "$225,000,000" and insert "$228,500,000".

On page 18, line 15, after the word "equipment", to strike out "$90,000,000" and insert "$85,000,000".

On page 19, line 7, after the word "including", to insert "fallout shelters and"; and in line 8, after the word "buildings", to strike out "$105,577,000" and insert "$175,782,000".

On page 19, line 18, after the word "Alabama", to strike out "$1,490,000" and insert "$1,593,000".

On page 19, line 20, after the word "Arkansas", to strike out "$284,000" and insert "$300,000".

On page 19, line 21, after the word "California", to strike out "$5,294,000" and insert "$5,588,000".

On page 19, line 24, after the word "Connecticut", to strike out "$3,000,000" and insert "$3,190,000".

On page 20, line 1, after the word "Florida", to strike out "$3,780,000" and insert "$3,990,000".

On page 20, line 4, to strike out "$136,000" and insert "$143,000".

On page 20, line 5, after the word "Georgia", to strike out "$1,065,000" and insert "$1,147,000".

On page 20, line 8, to strike out "$1,984,000" and insert "$2,116,000".

On page 20, line 9, after the word "Georgia", to strike out "$1,848,000" and insert "$1,971,000".

On page 20, line 11, after the name "Idaho", to strike out "$1,115,000" and insert "$1,201,000".

On page 20, at the beginning of line 14, to strike out "$763,000" and insert "$823,000".

On page 20, line 15, after the name "Illinois", to strike out "$42,390,000" and insert "$44,500,000".

On page 20, line 19, after the name "Indiana", to strike out "$610,000" and insert "$644,000".

On page 20, line 21, after the name "Iowa", to strike out "$518,000" and insert "$547,000".

On page 20, line 22, after the name "Kentucky", to strike out "$10,000,000" and insert "$10,584,000".

On page 20, line 25, strike out "$359,000" and insert "$379,000".

On page 21, line 2, after the name "Maine", to strike out "$1,242,000" and insert "$1,311,000".

On page 21, line 4, after the name "Massachusetts", to strike out "$710,000" and insert "$749,000".

On page 21, line 6, after the name "Michigan", to strike out "$321,000" and insert "$339,000".

On page 21, line 8, after the name "Mississippi", to strike out "$919,000" and insert "$991,000".

On page 21, line 12, after the name "Montana", to strike out "$579,000" and insert "$611,000".

On page 21, line 14, after the name "New Hampshire", to strike out "$202,000" and insert "$213,000".

On page 21, line 16, after the name "New York", to strike out "$7,227,000" and insert "$7,628,000".

On page 21, line 18, after the name "North Carolina", to strike out "$5,635,000" and insert "$5,975,000".

On page 21, line 20, after the name "North Carolina", to strike out "$121,000" and insert "$128,000".

On page 21, line 22, after the name "Pennsylvania", to strike out "$6,034,000" and insert "$6,397,000".

On page 21, after line 22, to insert:

"Courthouse and Federal Office building, Dallas, Texas, $21,024,000."

On page 22, line 1, after the name "Texas", to strike out "$1,454,000" and insert "$1,555,000".

On page 22, line 4, after the name "Vermont", to strike out "$530,000" and insert "$577,000".

On page 22, line 7, after the name "Vermont", to strike out "$563,000" and insert "$614,000".

On page 22, line 11, strike out "$729,000" and insert "$785,000".

On page 22, line 13, after the name "West Virginia", to strike out "$275,000" and insert "$290,000".

On page 22, after line 13, to insert: "FBI building, Washington, D.C., $43,479,000".

On page 22, line 24, after the word "otherwise", to strike out "$20,000,000" and insert "$17,451,000".

On page 23, line 19, after the word "law", to strike out "$54,320,000" and insert "$56,640,000".

On page 25, line 19, after the word "exceed", to strike out "$3,056,000" and insert "$3,180,000".

On page 31, line 24, after the word "only", to strike out "$3,675,000" and insert "$3,666,600".

On page 32, line 17, after the word "information", to strike out "$20,000,000" and insert "$25,000,000", and in line 18, after the word "exceed", to strike out "$300,000" and insert "$400,000".

On page 33, line 4, after the word "exceed", to strike out "$47,300" and insert "$57,300".

On page 33, line 16, after the word "amended", to strike out "$438,675,000" and insert "$344,175,000"; in line 20, after the word "expenses", to insert "of making such grants and of making grants authorized by sections 314 and 701 of the Housing Act of 1954, as amended", and in line 22, after the amendment just above stated, to strike out the colon and the following proviso:

"*Provided,* That no part of this appropriation shall be used for administrative expenses or technical services in connection with contracts for grants or any other obligations in excess of the amounts herein provided."

On page 34, at the beginning of line 7, to strike out "$41,205,000" and insert "$41,520,000"; and at the beginning of line 8, to strike out "$1,205,000" and insert "$1,520,000".

On page 34, line 14, after the word "expended", to strike out "$120,000,000" and insert "$140,000,000"; and in line 15, after the word "and", to strike out "$120,000,000" and insert "$140,000,000".

On page 34, line 25, after "(49 U.S.C. 1601 et seq.)", to strike out "$440,000" and insert "$470,000".

On page 35, line 9, after the word "Administration", to strike out "$16,500,000" and insert "$16,995,800".

On page 35, line 17, after the words "per diem", to strike out "$26,715,000" and insert "$27,115,000"; in line 18, after the word "than", to strike out "$1,947,650" and insert "$1,960,000"; in line 20, after the word "than", to strike out "$1,302,800" and insert "$1,310,000"; and in line 22, after the word "activities", to insert "and of which $35,000 shall be available for establishment of a motor carrier office in Wyoming".

On page 36, line 15, after the word "Administration", to strike out "$4,521,000,000" and insert "$4,536,971,000".

On page 36, line 21, after the word "law", to strike out "$60,000,000" and insert "$62,376,350".

On page 37, line 9, after the word "property", to strike out "$579,000,000" and insert "$590,957,850".

On page 38, after line 4, to insert:

"Any appropriation in this Act to the National Aeronautics and Space Administration may initially be used during the fiscal year 1966 to finance work or activities for which funds have been provided in any other appropriation available to the administration and appropriate adjustments between such appropriations shall subsequently be made in accordance with generally accepted accounting principles."

On page 38, at the beginning of line 16, to strike out "$37,000" and insert "$41,000".

On page 39, line 12, after the word "services", to strike out "$480,000,000" and insert "$479,999,000"; in line 14, after the word "than", to strike out "$43,000,000" and insert "$37,600,000", and in line 17, after the word "teachers", to strike out the semicolon and "and not more than 10 per centum of the fellowship awards provided from this appropriation shall be granted to applicants of any one State of permanent residence".

On page 41, at the beginning of line 10, to strike out "$49,000,000" and insert "$49,250,000".

On page 42, line 1, after the word "services", to strike out "$160,000,000" and insert "$160,468,800".

On page 42, line 10, after the word "law". to strike out "$12,596,000" and insert "$13,496,000", and in the same line, after the amendment just above stated, to strike out the colon and the following proviso: "*Provided,* That no part of this appropriation may be used for expenses of any area medical or regional representatives offices."

On page 42, line 16, after the word "expended", to strike out "$37,783,000" and insert "$40,893,000".

On page 43, line 11, after the word "Code", to strike out "$1,197,917,000" and insert "$1,191,956,000".

On page 44, line 7, after the numerals "401", to strike out "601, and 647" and insert "607, and 601".

On page 44, line 22, after the word "Code", to strike out "$36,000,000", and insert "$36,500,000".

On page 45, line 15, after the word "administration", to strike out "$87,585,000" and insert "$92,736,800".

On page 46, line 5, after the word "Code", to strike out "$2,500,000" and insert "$4,000,000".

On page 46, line 15, after the word "exceed", to strike out "$360,000,000" and insert "$380,000,000", and in line 19, after the word "exceed", to strike out "$180,000,000" and insert "$210,000,000".

On page 47, after line 7, to insert:

"DIRECT LOAN REVOLVING FUND

"The amount authorized by section 1823(a) of title 38, United States Code, to be advanced after June 30, 1965, by the Secretary of the Treasury to the Administrator, for the purposes of the 'Direct loan revolving fund' is hereby reduced by the amount of $100,000,000."

On page 50, line 17, after the word "of", to strike out "$3,712,000" and insert "$3,885,000".

On page 53, line 3, after the word "exceed", to strike out "$233,000" and insert "$243,000".

On page 56, line 6, after the word "exceed", to strike out "$8,800,000" and insert "$8,795,800".

On page 57, line 7, after the word "exceed", to strike out "$10,084,500" and insert "$10,330,300", and in line 17, to strike out "$79,775,000" and insert "$80,275,000".

On page 58, line 18, after the word "exceed", to strike out "$1,420,000" and insert "$1,200,000".

On page 59, after line 15, to strike out:

"SEC. 303. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount equal to as much as the entire cost of such project."

Mr. MAGNUSON. Mr. President, I submit a technical amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike the language in lines 7 to 9 on page 16, which reads:

> Not to exceed $340,000 for expenses of travel, not to exceed $129,000 for expenses of printing and reproduction.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. ALLOTT. I should like to make a few remarks about the bill. I think the distinguished chairman of the subcommittee has rendered an excellent service. However, the bill probably is an example of our creeping growth as much as any other bill is.

In 1964, the committee was able to bring in a bill which was $1,268 million under the budget. Last year it was $634 million under the budget. This year it is $273,922,000 under the budget.

The House voted to cut the bill $444 million under the budget.

The total additional cost for salaries and benefits requested is almost $18 million over fiscal year 1965, but the total number of personnel requested is 1,213 positions fewer. The FAA and Veterans' Administration have both reduced the total number of positions, which leaves us in the condition we find ourselves.

I would like to have had the committee bring in a bill which provided for a lower amount than the bill does, but it was impossible, as the chairman and the members of the committee well know. I think the committee did a good job on the bill, in an effort to get it down to bare bones, but the items the chairman discussed have increased it above what otherwise would have been possible. I am glad to see that the committee stood by the decrease to the extent of almost $274 million.

Mr. MAGNUSON. If it had not been for Congress authorizing urban mass transportation and urban renewal and an amount for unforeseen disasters, we would have been able to reduce it by $600 million.

Mr. ALLOTT. The chairman is entirely correct.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield to the Senator from Virginia.

Mr. ROBERTSON. I commend the chairman of the subcommittee for doing a very fine job on the bill. The measure covers a great many activities of the Government. It has come to the point where it runs into really big money.

There is one amendment which the committee adopted in which I was particularly interested. I have many friends who are patent lawyers in this area. We urgently need a new patent office. There can be no question about it. But when the Senator from Massachusetts [Mr. SALTONSTALL] offered an amendment, I seconded it, and supported it in committee, which would have been responsible for selecting a site, and taking another look at what is involved. We found that the site which had been tentatively selected, close to Baltimore, would involve about $500,000 of travel for Government employees that the Government would have had to pay for, and about $500,000 for travel for others, which money would have had to come out of their pockets. So it would have cost $1 million in travel expense for locating the office in a different place from where it should be, which is in the District of Columbia.

I believe that all major Government offices ought to be located in the Capital of this Nation. We located the CIA in Langley, Va. The Government owns 500 acres there. But it is 14 miles out of Washington. There has been a great deal of complaint about the fact that one has to travel a round trip distance of 24 or 28 miles a day to it. It was proposed to put a Government office at that place, but there were so many protests over it, because of the traffic jams that would be involved, that the proposal was abandoned.

If we cannot find a suitable place in the District, I hope there are other suitable places in the area of our neighboring State from which the distinguished Senator from Maryland [Mr. BREWSTER] comes. As far as I know, there are no areas in Virginia that are not now already congested close to Washington that would be suitable for such a site. I am not advocating Virginia for the location. I would like to see a good building. So far as I am concerned, the committee can come forth with another recommendation and we can act on it this year.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. BREWSTER. It is my understanding that we all recognize the need for a new Patent Office, and the need to locate all of the personnel of the Patent Office together in a new, modern facility.

Mr. ROBERTSON. That is correct.

Mr. BREWSTER. It is also my understanding that the objection the Senator from Virginia had to the authorization that came before the Appropriations Committee was that it limited the possible site to a location that was too far removed from the Capital. The Senator would not object to a new facility in the immediate metropolitan area.

Mr. ROBERTSON. The Senator is correct.

Mr. BREWSTER. Then the distinguished Senator would have no objection to a site in Maryland if a site in the District were not found?

Mr. ROBERTSON. The Senator is correct, although I would prefer to have all major government activities remain at the seat of government; but, if we cannot find a suitable site, Maryland is a mighty fine State to provide one for this particular purpose.

Mr. MAGNUSON. I wish to yield to the Senator from Maryland, but first I should like to commend him on his diligence and interest in this matter, not only because Maryland is one of the States on the periphery of the District of Columbia, and a building might be located in Maryland, but also because he has always had a deep interest in the problem of dispersion of Federal buildings due to overcrowding.

I hope that the record will be made clear—and I believe that the members of the committee are in agreement with me, as well as the Senator from Virginia and the Senator from Maryland—that we are all in complete agreement that we need a new Patent Office building.

Clearly, the facts tend to show that this cannot be done without crowding someone else, and that it should not be located in the District of Columbia.

Mr. ROBERTSON. I would not say that categorically. I have looked at several sites. There are 72 acres at the Naval Observatory. It is merely a tourist attraction at the present time. There is a small telescope there with very limited effect. Those 72 acres are now being used by the Chief of Naval Operations. That is all right, but he does not need all that lawn.

There is the Naval Gun Factory. We have no battleships left. The factory used to make 16-inch guns, but they are now out of business. We shall never use that location as a gun factory again.

I am not saying that we could locate the Patent Office there. I merely say that if we cannot locate it in the District, we should try to do so closer to Baltimore.

Mr. MAGNUSON. That is the overwhelming opinion of the experts. Overwhelming means that they would not be agreeable to putting it in the District. There might be a piece of land in the District—at the Naval Gun Factory or a location of that kind. I know that they are using it.

As to the Patent Office, there is another problem other than the building location. There are traffic and other problems involved. I believe that we are in agreement, at least, after many hearings in the Department, that somewhere in Maryland, as close as possible to the District, the Patent Office should be located.

I am hopeful, despite the fact that the committee did not eliminate the item. I voted against it. I would have voted for it if we could have reached agreement among ourselves. There was no yea-and-nay vote. The Public Works Committees of both the House and Senate had selected the site and the authorization. As the Senator from Colorado [Mr. ALLOTT] stated so many times to me—and I to him—we do not wish to get into the business of selecting sites for Federal buildings. If we were to go into that business, we would never get this bill enacted into law, because we would be doing nothing else but looking at sites.

That is the job of the departments involved—GSA and its agents. They did get a prospectus. This controversy has been going on for a couple of years. There were hearings in the Public Works Committee in the Senate and 9 or 10 months later the House approved the Senate authorization. GSA said it thought a site could be selected in that area, although no specific site had been selected. It was in Howard or Anne Arundel Counties. They were doing their duty. But I do not believe that many of the statements which have been published locally, particularly by some who have been violently opposed to this particular public works authorization selection, are quite correct that no one had an opportunity to be heard. There were approximately three or four meetings held over a period of many weeks in the Department of Commerce, in which many witnesses were present, patent lawyers, patent examiners, and other persons in the Department of Commerce, General Services Administration, and other agencies. No matter where we start to locate a building, someone does not like it. Someone sent me a letter this morning in which he said in part:

> As a patent examiner, I know that the Patent Office needs more space desperately. I also feel that while a slight majority of examiners do not favor a new building with-

> in the terms of the present prospectus, it would be difficult to get a majority to favor any particular site.

I believe that is true.

The writer goes on to state:

> Contrary to what the opponents of the bill allege, only a handful of examiners would leave, regardless of where the building might be located.

There is a big turnover.

However, we wish to have the Patent Office as close to the other Government departments as possible. I am hopeful, as I know the committee is, that we can resolve the problem under the language in the bill so that we can get the building site money in the supplemental bill and can get started on another Patent Office building. No one has suggested that there is not a need for it.

I have been involved in General Services public buildings and site controversies for a long time. I find that every time we wait, the cost of building goes up. For example, in the case of the Dulles Airport, which took 6½ years to get started; for every year that we waited, the cost of the airport went up $10 million. This is true of all such buildings.

Let me compliment both Senators from Maryland for their courtesy and understanding in this matter. It is a highly controversial situation. We heard from many sides of the question, but we still believe that we should not be placed in a position to decide the location of a building. That is the business of the Public Works Committee.

Mr. ROBERTSON. Mr. President, will the Senator from Washington yield?

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Washington yield to the Senator from Virginia?

Mr. MAGNUSON. I yield.

Mr. ROBERTSON. I agree that we should not decide the location of sites, unless it is desired to locate a building in New York and we decided that it did not altogether suit us to do that. That is all we have said on the problem. As soon as the site near Baltimore was selected, the Armed Services Committee made available a large tract of land along the Anacostia River and Bolling Field area, which is across the South Capitol Street Bridge near the Anacostia River, within 5 minutes of the Capitol.

So far as I am concerned, they could get together in 2 weeks and find a better site in Washington or near Washington, and we could pass the supplemental bill and go ahead with plans. That is what I hope will be done.

Mr. MAGNUSON. I hope so, too.

Mr. BREWSTER. Mr. President, first of all, allow me to thank the Senator from Washington for the many courtesies which he has extended to me.

I should like to speak, if the distinguished Senator from Washington would yield to me for a few moments.

Mr. MAGNUSON. I am glad to yield.

Mr. BREWSTER. Regarding the Patent Office, I speak on behalf of my colleague, Mr. TYDINGS, as well as myself. My colleague cannot be in the Chamber today. At this moment, he is absent on official business, but he would join me in what I have to say.

First of all, let me make it abundantly clear that neither my colleague nor I favor any particular location in the State of Maryland for a new Patent Office. We do not believe it is our job to get into site selection. It is the last thing in the world we wish to do.

In all candor, allow me to say that if we favored one site over another within our own State, we would merely be compounding our difficulties.

It might serve a useful purpose to recite very briefly, on behalf of Senator TYDINGS and myself, the legislative history of the Patent Office controversy.

Because of the acute space situation in the Washington area, President Kennedy, at a Cabinet meeting in August 1961, directed that a survey be made of the Government's immediate and long-range needs.

In the committee's report, approved by the late President on May 23, 1962, priorities were established for meeting the Government's most critical needs in the Washington area. The Patent Office was one of the many agencies mentioned in the list of priorities.

In order to get the reaction of those most concerned with the location of the Patent Office, Dr. J. Herbert Hollomon, Assistant Secretary of Commerce, called a meeting on December 3, 1962, to discuss the matter. This meeting was attended by representatives of industry and professional groups.

After a very complete discussion of the various alternatives, Dr. Hollomon and the former Commissioner of Patents, Mr. David L. Ladd, asked for an expression from the conferees as to which alternative they favored. All except 1 of those voting, a total vote of 22, favored a new Patent Office facility somewhere outside of Washington but within commuting distance.

In developing suitable locations outside the area, consideration was given to many factors including availability of air transportation, existing and proposed road networks, reasonable accessibility to academic institutions for the benefit of professional employees of the Patent Office, and so forth. The corridor between Washington and Baltimore passing through Howard and Anne Arundel Counties seemed to offer the best possibilities.

Accordingly, the General Services Administration, with the concurrence of the Department of Commerce and the Bureau of the Budget, submitted a prospectus of the proposed Patent Office project to the Committees on Public Works of the Congress specifying its location on a suitable Government-owned site, or donated site in Howard or Anne Arundel Counties in the vicinity of the city of Baltimore, Md. The Subcommittee on Public Buildings and Grounds of the Senate Committee on Public Works held open hearings on March 20, 1963, and testimony from both representatives of the Government and the public was received.

The subcommittee recommended approval of the prospectus as presented and on June 13, 1963, the Senate Committee on Public Works approved the prospectus. Approval by the Committee on Public Works of the House of Representatives followed on April 15, 1964, thus concluding the authorization.

Mr. President, I have been in contact with members of the staff of the Public Works Committee of the House. I was informed that that committee, prior to its authorizing resolution of April 1964, gave careful consideration to the relocation proposal and weighed the opposition against the need for new facilities and the wisdom of scattering Government agencies outside the District but within the Washington vicinity.

It is my understanding that the House Appropriations Committee also considered the opposition, took testimony from the Patent Bar Association, but still reported favorably on this matter. The appropriation for the new facility passed the House on May 11.

Mr. President, I believe that everyone has had an opportunity to be heard. I believe that this proposal has been given ample and careful consideration during the past few years.

The proposal has been given full and fair hearing before four committees of Congress. The responsible agencies in Government, the General Services Administration and the Department of Commerce, have looked into the subject very carefully. It is evident to all parties that a new Patent Office facility is absolutely necessary. I know of no question or argument raised on this general proposition. Since there is an obvious need, it is the wish of Senator TYDINGS and myself that this need be met in this session of the 89th Congress. There is a possibility that the conferees, after final action is taken on this matter in the Senate, may within the legislative authority, agree on a compromise which would meet the objections and still provide a suitable location for the Patent Office.

If that is not possible, I should like to bring to the attention of the Senate the fact that there are two great counties in Maryland immediately adjacent to the District of Columbia—namely Prince Georges County and Montgomery County, where there is much space available, should the appropriate governmental agency consider that such a location in one of these two counties is acceptable and suitable for a new Patent Office.

Clearly a location in one of these two counties would be closer to the District of Columbia, and thus might well satisfy the objections of certain Members of the Senate and also of the patent bar.

I am very much pleased, as I know Senator TYDINGS will be, with the statement of the Senator from Virginia in concurring with our feeling that a new facility is certainly necessary. I am also happy to hear that he does not object to its location in the Maryland suburbs if the appropriate place cannot be found in the District of Columbia.

We are also extremely pleased that the chairman of the subcommittee of the

Appropriations Committee, the Senator from Washington [Mr. MAGNUSON] and the Senator from Virginia [Mr. ROBERTSON] believe that some adjustment in the thinking of the various parties can be made, and that this subject can be brought up in a supplemental bill which will be considered later this year.

I thank the chairman for yielding to me.

Mr. MAGNUSON. I do not know what the House will want to do on this matter. They are bound, too, in their Public Works Committee, which accepted this proposal. I do not know what they want to do about it. Because of the urgency of it, I hope we can arrive at some understanding.

Mr. BREWSTER. Mr. President, I thank the chairman. In conclusion, I hope our colleagues will note that Senator TYDINGS and I took absolutely no position on the question of the specific site. We believe that the new facilities should be located in Maryland. Whatever controversy has been reported from time to time in the press about our position on where it should go simply does not exist, because that is the responsibility of GSA and the Department of Commerce.

Mr. HOLLAND. Mr. President, I merely wish to say to the Senator from Maryland, as one who objected to building the facility in a remote site, some 30 miles out, where it was planned, that I not only have no objection whatever to the immediate building of the structure, because I think it is needed, but I also have no objection to its being built in Maryland, where it can be readily available. My objection was to discommoding many patent attorneys, who are concentrated in the Washington, D.C., area, and their clientele and draftsmen, by requiring them to go out 30 miles or more and then to return the same distance, to attend to every small detail of their business.

Perhaps that position is not the accurate one, but I strongly feel that the site chosen was too distant. I hope we can move quickly to the construction of an adequate building. I would have no objection to its being built in the State of Maryland.

Mr. MAGNUSON. Mr. President, I merely wish to add that I was never impressed in all the hearings before the committee about 20 or 30 miles being time consuming. The real time consuming effort is in getting out of the District. Once we are out of the District, it is a matter of 5 or 10 minutes, whether it is 50 or 20 miles or 30 miles away.

It is the time that is taken up. They would have to get out of the District anyway. So I could never be impressed with those who say that because it is 30 miles, it is too far; and that 20 miles is just right. We are talking about 5 or 10 minutes in that case.

Mr. HOLLAND. That statement illustrates the fact that there was a difference of opinion within the committee. The Senator from Florida had deep concern about the safety as well as the time of the several hundred, who practice law in the District of Columbia.

Mr. MAGNUSON. Many patent lawyers downtown do not wish to have the Patent Office moved from where it is now located. I believe they raised a little money to lobby on the item; it is their right. They feel that they have some built-in right to keep the Patent Office where it is now located, no matter how crowded it is or what other factors exist which point to a change of location. I suppose that is only natural. They wish to keep the Patent Office as close as they can to where they are located.

The big item is that we wish to have the Patent Office as available as we can make it to other departments of the Government that must deal with the Patent Office. That is one factor.

Mr. HOLLAND. I believe that is correct. I agree with the distinguished chairman.

I was about to get around to compliment him warmly for his fine and dedicated work in the hearings of the committee and on the bringing out of a very fine bill. I believe it is a good bill. I wish to add to that compliment the distinguished ranking minority member, the Senator from Colorado [Mr. ALLOTT]. I have not seen better teamwork in the bringing out of a complicated, difficult bill from year to year. I happen to be a member of the subcommittee. I have not seen finer teamwork than has been exemplified between those two distinguished Senators in bringing out the bill before the Senate. I regard it as one of the most difficult—perhaps the most difficult—of the appropriation bills.

There is only one comment I wish to make. I wish to compliment particularly the distinguished Senator from Washington [Mr. MAGNUSON] and the distinguished Senator from Colorado [Mr. ALLOTT] on their recommendation to restore some of the amounts cut from public building construction. I recognize the sympathy of the other body with the idea of reducing the cost of construction, but a 10-percent cut, which is what they applied, I thought was unreasonable and would result perhaps in the defeat of some of the construction or the cheapening of it in a way that would not mean sound economy in the end.

I greatly appreciate the recommendations of the two Senators to restore half of that cut. I am thinking particularly of the two projects in my own State; but I am thinking also of the projects throughout the Nation. They were all treated in exactly the same way. They were treated more soundly. I hope that our distinguished friends will prevail in conference. With costs rising, a 10-percent cut, as has already been remarked upon by the distinguished Senator from Washington, would not be a practical way to get the job done.

I thank the Senators for the careful approach which they brought to that problem, in common with many other problems in the bill.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MAGNUSON. I am glad to yield to the Senator from Colorado.

Mr. ALLOTT. I appreciate the kind remarks of the Senator from Florida. I believe it is inadvisable even to think about constructing Federal buildings to a standard of less than 50 years. The 10-percent cut, as proved by history and experience, would be too great a cut. We did apply a 5-percent cut, which would permit construction of these buildings and would permit good competitive building on them. That is what the committee was trying to achieve, so in the long run we shall get away from expensive leases, which are far beyond the ability of the Government to pay, as Government projects continue to expand.

Mr. HOLLAND. Mr. President, the distinguished Senator has expressed the precise reason for my complimenting our distinguished chairman, the Senator from Washington [Mr. MAGNUSON] on the good judgment and the deliberate result that the committee brought out on the question. I believe that it was a happy solution. I hope it will stand up in conference.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The LEGISLATIVE CLERK. On page 22, line 24, it is proposed to strike out the numeral "$17,451,000" and insert in lieu thereof the numeral "$17,819,000."

Mr. MAGNUSON. Mr. President, the amendment would increase by $368,000 the lump sum to be appropriated for a site and expenses for public buildings projects. Each year we provide in this manner for the projects that have been approved by the Public Works Committee. I am advised that the Senate Committee on Public Works has today approved the prospectus and the House will get the bill shortly for the new post office and Federal building at Houma, La., at an estimated cost of $388,000, site and expenses. The construction cost, of course, would have to come later.

That is a project that needs to be started as soon as possible. The town has grown; it has nearly tripled its population and area in the past 15 years. It is the hub of the mail handling facilities in that whole delta region. We are badly in need of the space. The present post office building is a one-story, 30-year-old masonry structure that is highly inadequate.

The project is one upon which we ought to get going. It is estimated that we can save $2,142,000 over the life of the new building. That is a considerable saving. The cost could be amortized in a 24-year period. As the Senator has suggested, we ought to build buildings according to a standard of at least 50 years.

I hope that the Senate will adopt the amendment.

Mr. ELLENDER. Mr. President, I appreciate the fact that the Senator from Washington has presented the amendment. Houma, which happens to be my hometown, is in the parish of Terrebonne; it is the only incorporated city in the entire parish. Terrebonne Parish has grown like "Topsy" in the last few years, as has that entire part of the State. The city of Houma has led the way, however.

The new facility is badly needed. I am hopeful that we can have it authorized in full before Congress recesses. To anyone familiar with the growth taking place in that area and city, it will be very evident that this investment by the Government is greatly needed and overdue.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, it may be that when we get to conference, the conferees may not wish to accept the amendment, but might suggest that it be inserted in a supplemental for site and expenses. I hope that they will take it and that we shall not have to go to a supplemental for the item.

Another project which has been around for a long time is one which was proposed by the Senator from Nebraska [Mr. HRUSKA]. That is a project which has been approved and is needed.

Mr. HRUSKA. It has been needed since 1963, in fact.

Mr. MAGNUSON. Two buildings have been authorized for Lincoln, Nebr. The post office building would be included with an estimate of $792,000 for site, design, engineering, and so forth, and $2,902,000 for construction, a total of $3,694,000.

We would have almost the same problem in relation to that project as we shall in relation to the one in Louisiana. The second building will be in the budgeting program which will be submitted later. However, if the Senator from Colorado agrees, I should like to take the post office building item to conference, too.

Mr. ALLOTT. I agree.

Mr. HRUSKA. Prior to our conferences on the floor with the managers of this bill, it had been the intention of my colleague and myself to include in our amendment funds for site planning for the courthouse and Federal office building and parking facility in the amount of $2,438,000.

We were assured that the money could not have been prudently used until a year later, if that money were included in this bill. Accordingly, we offer our amendment to include all funds needed for the post office building, site, design, engineering supervision, and so forth, $792,000 plus improvements of $2,902,000. We have been advised the other funds are expected to be included in the 1967 budget for the fiscal year commencing July 1, 1966.

Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Nebraska will be stated.

The LEGISLATIVE CLERK. On page 22, line 24, it is proposed to strike out the numeral and insert in lieu thereof the numeral $20,681,000.

Mr. HRUSKA. Mr. President, that figure will have to be modified because the other amendment was adopted. This amendment would add to the bill funds in the amount of $792,000 for site, design, engineering and supervision for the Post Office building; and $2,902,000 for improvements for U.S. Post Office building. This building would be constructed on a site to be acquired in Lincoln, Nebr.

The situation regarding adequate office space for Federal use has been acute for some years. Many Government agencies occupy leased space which is costly to the taxpayer, inefficient in use and inconvenient in location.

This is not a hasty move on my part. This particular project has had the thoughtful study, evaluation and reevaluation of the GSA and other agencies concerned for several years. Planning in 1963 anticipated acquisition of site and building design funds in 1965. Many interested citizens including Mayor Dean Petersen, business leader Nathan Gold, former mayor Bennett S. Martin and Federal Judge Robert Van Pelt have been interested in the project and actively supported efforts of Nebraska's Senators to achieve authorization and funding for these buildings.

During last year, in hearings on two appropriations bills, information on the needs for new buildings was furnished to the Senate Committee. In the independent offices bill, adequate funds were included in the 1965 bill as reported by the committee and approved by the Senate. However, in conference several projects were removed from the bill, including the one for Lincoln.

Subsequently, testimony was elicited at hearings on the supplemental appropriations bill on August 14, 1964, which led me to believe that this project would be submitted by GSA in this year's budget. Every aspect of the preliminary planning had been done and the project was ready to go. His statement led me to believe that GSA would seek early authorization and have this project in its 1966 budget request. The project, however, was not one of those sent to the Congress earlier this year.

To overcome this obstacle, my colleagues and I wrote to the Chairman of the Senate Commitee on Public Works urging him to put this matter before his committee. He did so and the committee adopted a resolution on April 13, 1965, authorizing the Administrator of GSA to investigate the feasibility and report on the need for the Federal Office Building at Lincoln. GSA has submitted its prospectus this past week. It shows evidence of intensive work. I request unanimous consent that the prospectus be printed at this point in my remarks.

The Post Office Department needs a new centralized mail processing facility. The U.S. court is presently occupying inadequate facilities. Other agencies are in decentralized locations. The plan of the General Services Administration envisages adequate office space, parking, and it will meet the current needs of the Post Office Department, the Federal courts, and other agencies. The project has been planned to encompass projected needs for the future.

This morning the Senate Committee on Public Works had before it the prospectus and it took favorable action on this important project.

At this time I want to commend the senior Senator from Michigan for the fine cooperation he has shown my colleague and me on this matter. In addition, great help and assistance over the past years have been given us before the Senate Appropriations Committee by the senior Senator from Washington and the senior Senator from Colorado. Their help is greatly appreciated.

Mr. MAGNUSON. Mr. President, I assure the Senator from Nebraska that if we cannot prevail on the item in the conference, we think the project is of enough urgency and justification that we will be as helpful as we can on the supplemental.

But I should like to lay this foundation with the House conferees on both items. I want to be practical. We may be asked, "Which one do you want? We will give you one." I suppose they might be willing to take the smaller amount.

Mr. HRUSKA. Perhaps we should act under the unit rule and consider both as one.

In that connection, I suggest to the chairman of the committee who has done such fine work on the bill—and I saw him in action frequently during the course of the hearings—that the General Services Administration and the Post Office Department will have their own ideas of priority. I have an idea that it will be the mail terminal at Lincoln, because it is hurting very badly. We would defer to their judgment, but those items are high on the list. However, if there is to be only one at a time, probably they have their own ideas of priority.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CURTIS. I endorse what my colleague from Nebraska has said. I, too, wish to extend my thanks to the distinguished Senator from Washington [Mr. MAGNUSON] and the distinguished Senator from Colorado [Mr. ALLOTT].

The matter at Lincoln is of some urgency. As I recall, 2 or more years ago local officials, headed by Mayor Peterson, accompanied by some of the members of the Nebraska delegation, visited the General Services Administration and the Post Office Department on this subject. It has been on the urgent list for some time. The facility is needed there. We appreciate the consideration of the committee.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. HRUSKA. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the justifications pertaining to these buildings.

There being no objection, the justifications were ordered to be printed in the RECORD, as follows:

PROSPECTUS FOR PROPOSED CONSTRUCTION UNDER THE PUBLIC BUILDINGS ACT OF 1959

(a) Post Office Building.

(b) Courthouse and Federal Office Building, and parking facility, Lincoln, Nebr.

1. DESCRIPTION OF PROPOSED PROJECTS

The projects contemplate (a) the construction of a new Post Office Building with airconditioning, for a centralized mail processing facility on a site to be acquired, and (b) construction of a new Courthouse and Federal Office Building, with airconditioning, and a parking facility for the use of the U.S. courts and other agencies, on a site to be acquired.

Approximate areas:

[Square feet]

	Gross	*Net*
(a) Post Office Building	148,300	126,000
(b) Courthouse and Federal Office Building and parking facility	635,700	470,600

2. ESTIMATED MAXIMUM COST OF PROJECTS

(a) Post Office Building:	
(1) Site, design, engineering, supervision, etc	$792,000
(2) Improvements	2,902,000
Total estimated maximum cost	3,694,000
(b) Courthouse and Federal Office Building and parking facility:	
(1) Site, design, engineering, supervision, etc	2,438,000
(2) Improvements	12,452,000
Total estimated maximum cost	14,890,000

3. JUSTIFICATION

Lincoln, seat of Lancaster County, is located in southeastern Nebraska about 58 miles west of Omaha. It is the State capital and the home of the University of Nebraska. The local economy is based on diversified agricultural interests and supplemented by various governmental and institutional activities. The current population is approximately 143,000.

The existing post office and courthouse, constructed in 1906 and extended in 1916 and 1939, is the sole Government-owned general purpose facility in the community. It is a 4-story structure with full basement and a large attic, providing approximately 105,400 square feet of net assignable space. Of this total about 56,200 square feet is occupied by the Post Office Department, 11,100 square feet by the U.S. courts and related activities, 24,500 square feet by nine other agencies, and there is also about 13,600 square feet of unused attic storage space. In addition to the Government-owned space, 18 Federal activities presently occupy approximately 154,600 square feet of leased general purpose office space, of varied quality, in 13 locations at an annual cost of about $395,500. There are also Federal activities in the area that requires special purpose space or require a particular location because of the nature of their activities and therefore have no requirement for space in a centralized multiagency Federal building. In this category are two agencies occupying approximately 77,700 square feet of Government-owned space and five agencies utilizing about 93,700 square feet of leased space. In addition, the Federal agencies occupy 20,080 square feet of leased vehicle storage space, which will be released by provision of parking facilities at the proposed project.

The overall quality of commercial space in Lincoln is generally poor, since new office building construction has been practically nonexistent over the past 20 years. Suitable leased space to permit upgrading or consolidation of governmental agencies is not available in the community.

Lincoln is a central distribution point for postal activities, serving 137 other postal facilities. Because of the continuously increasing volume of mail, postal operations have outgrown the space provided for postal operations in the Federal building. The Post Office Department has determined that the building is inadequate and functionally outmoded to permit installation and use of modern machinery and mail-handling equipment and the utilization of techniques for efficient operations.

The U.S. District Court is finding it increasingly difficult to conduct its activities in the existing court facilities provided in the building. The activities of the district court presently utilize about 8,500 square feet, whereas current and foreseeable space requirements total 18,500 square feet.

The post office and courthouse, while structurally sound, has become obsolete from a functional and operational standpoint. The building lacks air conditioning and the heating, electrical, and plumbing systems are antiquated. Despite its apparent structural soundness the design characteristics, physical deterioration, and functional deficiencies of the Federal building impair its usefulness for expanded postal operations and make it unsuitable and impractical within accepted standards of economy to extend or modernize the building for other agency use. Present plans contemplate disposal of the building following completion of the proposed projects.

There is a definite need to provide adequate facilities for the Post Office Department and U.S. courts, as well as suitable general purpose space to consolidate other Federal agencies now housed in widely scattered locations.

The Post Office Department, in the interest of optimum operational efficiency, has a need to consolidate its bulk mail handling requirements at a location outside the downtown business district with good access to arterial highways. Conversely, a building to accommodate the U.S. courts and other Federal agencies requires a convenient, readily accessible location near the center of the city. Accordingly, the construction of a Post Office building to satisfy the particular postal operational requirements and the construction of a Courthouse and Federal Office Building for the use of the U.S. courts and other agencies would provide a desirable means for satisfying Federal space needs in Lincoln.

The Post Office Department contemplated the acquisition of a new centralized mail processing facility under its leasing authority. For this purpose the Department selected a site particularly suited to its operational needs and negotiations for the acquisition of the property are expected to be completed in June 1965. The site contains approximately 302,400 square feet and is estimated to cost about $535,000. The selected site is situated on the south side of Eighth Street between "Q" and "T" Streets. The Department has also engaged a contract architect for the proposed lease project and final working drawings are scheduled for completion about January 1966.

It is proposed to continue the Department's effort to provide improved and expanded postal facilities, including site acquisition and completion of working drawings, except that the construction of the facility will be undertaken as a Federal construction project under the provisions of the Public Buildings Act of 1959. An analysis and evaluation of all factors led to the conclusion that the best interest of the Government would be served by satisfying Post Office Department's operational needs through new Federal construction.

The determination by the Post Office Department of the need to relocate its main mail-handling operations from the Federal building to a new facility necessitated a comprehensive study to determine the appropriate disposition of the post office and courthouse. After careful analysis it was concluded that retention of the building and conversion of the vacated postal space for other agency use would not be feasible because of: (1) excessive cost as related to the amount of usable space to be made available; (2) age, condition and items of functional obsolescence which make the building inefficient and expensive to maintain and operate; and (3) the fact that the building, as remodeled, would not satisfy the needs of the U.S. courts and other agencies requiring general-purpose space, thereby necessitating the provision for housing the remainder of agency space requirements in a new building to be constructed by the Government or by private interests. Further, structural features of the post office and courthouse building preclude alterations to provide suitable quarters for the activities of the U.S. court that would be adequate in size and consistent with present standards. The Government-owned property is bound by public streets on three sides and the adjacent land in the rear is occupied by the local city hall. Site limitations make consideration of a third extension of the Federal building impractical.

The alternatives for resolving Federal space problems in Lincoln have been fully explored. It has been determined that a project contemplating the construction of two separate facilities would furnish the most practical means for providing current and foreseeable needs of the Post Office Department, U.S. courts, and other Federal activities requiring general-purpose space. The site for the proposed post office building will provide adequate parking and maneuvering areas as well as a vehicle maintenance facility. The proposed courthouse and Federal office building will be located on a site on the fringe of the central business district and includes provision for a possible downtown postal station as well as required space for the U.S. courts and other Federal activities requiring general purpose space. It will provide adequate and suitable space for current and foreseeable agency requirements, increased effectiveness of agency operations and provide greater convenience to the public.

A problem of major proportion in Lincoln is the need to provide vehicle parking facilities in the vicinity of the proposed Federal building. Public transportation facilities are grossly inadequate to service the highly developed downtown business area, with resultant increased use of private vehicles for transportation. Only limited commercial parking space at a reasonable cost is available for the use of the Federal agencies. In view of the anticipated difficulty in developing a single site of sufficient size, in the central business area, to satisfy both building and parking requirements, this planning concept is based upon the utilization of two noncontiguous sites, each one city block in size. This concept would also afford tangible benefits in avoiding any deterrents to the landscaping to the proposed building as well as the intangible values derived in keeping vehicle traffic congestion in the immediate area to a minimum.

The city ordinances governing off-street parking on the perimeter of the central business district of Lincoln, where it is contemplated the proposed new building would be located, require one parking space for each 600 square feet of floor area. On this basis, about 475 parking spaces would be required. However, careful analysis indicates that approximately 430 parking spaces would provide adequate off-street parking facilities for official, visitor, employee and interagency Motor Pool use. It is proposed to satisfy this requirement through provision of a basement garage for about 50 vehicles and surface parking for about 60 vehicles on the building site, with the remainder of the parking space to be provided at the proposed parking facility.

Post Office Building

	Proposed new building	Comparable leased space	Savings through new construction
(1) Estimated amount of annual rental, $283,725; invested in—			
(a) Rental of leased space (unserviced) for 50 years		$14,186,250	
(b) Project cost (site, design, and improvements)	$3,694,000		
(c) Interest at 4¼ percent for period required to amortize Government project cost	1,797,052		
(2) Total investment	5,491,052	14,186,250	$8,695,198
(3) Repair and upkeep for 50 years at $0.40 per square foot	2,522,000		−2,522,000
(4) Total 50-year cost	8,013,052	14,186,250	6,173,198

Accordingly, consideration will be given to a building site of approximately 90,000 square feet and a noncontiguous vehicle parking site of approximately 90,000 square feet.

No basement is contemplated in the post office building and therefore no provision has been made for fallout shelter. However, provision has been made in the estimated cost for the courthouse and Federal office building for fallout protection, in accordance with Office of Civil Defense Technical Requirements for Fallout Shelters issued August 1964.

4. ANALYSIS OF PROVIDING SPACE BY NEW CONSTRUCTION COMPARED WITH LEASING

An alternate method of providing suitable space in lieu of that proposed herein is by the leasing of privately owned space. The following is a comparison of the cost of the proposed construction with the cost of leasing.

	Proposed new building	Comparable leased space	Savings through new construction
(a) Annual cost	$160,261.00	$283,725.00	$123,464.00
(b) Per square foot	1.27	2.25	.98

NOTES

A. Estimated useful life of new building—50 years.

B. Amortization of the project cost of $3,694,000 at 4¼-percent interest will require 19.4 years of annual payments of $283,725, the rental rate for comparable leased space.

C. Square footage in building—148,300 gross area; 126,100 net area.

D. Normal operation and maintenance excluded since it would be the same in either situation.

Courthouse and Federal office building and parking facility

	Proposed new buildings	Comparable leased space	Savings through new construction
(1) Estimated amount of annual rental, $1,294,150; invested in—			
(a) Rental of leased space (unserviced) for 50 years		$64,707,500	
(b) Project cost (sites, design and improvements)	$14,890,000		
(c) Interest at 4¼ percent for period required to amortize Government project cost	5,980,911		
(2) Total investment	20,870,911	64,707,500	$43,836,589
(3) Repair and upkeep for 50 years at $0.50 per square foot	11,765,000		−11,765,000
(4) Total 50-year cost	32,635,911	64,707,500	32,071,589

	Proposed new building	Comparable leased space	Savings through new construction
(a) Annual cost	$652,718	$1,294,150	$641,432
(b) Per square foot (average)	1.39	2.75	1.36

NOTES

A. Estimated useful life of new buildings—50 years.

B. Amortization of the project cost of $14,890,000 at 4¼ percent interest will require 16.1 years of annual payments of $1,294,150, the rental rate for comparable leased space.

C. Square footage in buildings—635,700 gross area; 470,600 net area.

D. Normal operation and maintenance excluded since it would be the same in either situation.

5. CURRENT HOUSING COSTS [1]

	Post office building		Courthouse and Federal office building	
	Area (square feet)	Annual cost	Area (square feet)	Annual cost
(a) Leased space: Rent and other costs	6,000	$9,000	156,312	$396,353
(b) Government-owned space: Operation, maintenance, and upkeep costs	49,419	99,127	42,365	84,977
Total		108,127		481,330

[1] For agencies to be housed in the new post office building and the new courthouse and Federal Office Building.

6. PROPOSED PLAN FOR HOUSING FEDERAL AGENCIES

A comprehensive plan for housing Federal agencies in the locality is attached (exhibit A). Upon completion of construction, assignment and reassignment of space will be made in accordance with existing law.

7. STATEMENT OF NEED

It has been determined that (1) the need for space of the Federal Government in this area cannot be satisfied by utilization of existing suitable property now owned by the Government, and (2) suitable rental space is not available at a price commensurate with that to be afforded through the proposed action.

Submitted at Washington, D.C., on June 28, 1965.

Recommended:

WILLIAM A. SCHMIDT,
Acting Commissioner of Public Buildings Service.

Approved:

LAWSON B. KNOTT, JR.,
Administrator of General Services.

Mr. **ALLOTT**. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER**. The Chair wishes to state that the Senate has under consideration an amendment of the Senator from Nebraska [Mr. HRUSKA]. The Chair would have to hold that that amendment is not in order because it attempts to amend the same place in the bill that has earlier been amended.

Mr. **ALLOTT**. Mr. President, I ask unanimous consent that the amendment be temporarily laid aside—there is a technical difficulty in addition to this—with the understanding that we may amend later, regardless of the amendment which has just been adopted.

The **PRESIDING OFFICER**. Is there objection? None is heard, and it is so ordered.

Mr. **MAGNUSON**. We will write new language at the proper place.

The **PRESIDING OFFICER**. The bill is open to further amendment.

Mr. **CLARK**. Mr. President, I send to the desk two amendments, numbered 1 and 2. I ask that the amendment No. 1 be read by the clerk.

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk read as follows:

On page 32, between lines 11 and 12, it is proposed to insert the following:

"FEDERAL-STATE TRAINING PROGRAMS

"For matching grants to States for authorized training and related activities, and for expenses of providing technical assistance to State and local governmental or public bodies (including studies and publication of information), as authorized by title VIII of the Housing Act of 1964 (20 U.S.C. 801–805), to remain available until expended, $10,145,000: *Provided*, That not to exceed $145,000 of this appropriation shall be available for administrative expenses."

Mr. **CLARK**. Mr. President, if I may have the attention of the distinguished Senator from Washington, I should like, first, to join in the paeans of praise which have been accorded to him this afternoon for the wonderful work he has done in bringing the bill to the floor of the Senate in such excellent shape. I am particularly pleased with the fine work he did in retaining contract authorization for the urban renewal program, which was under heavy attack in the other body. I observe that the Senator from Washington is displaying his usual good humor, and I hope that, as a result, he will look with favor upon the pending amendment, the history of which is as follows:

When I first came to the Senate in 1957 and was made a member of the Subcommittee on Housing of the Committee on Banking and Currency, of which the distinguished Senator from Alabama [Mr. SPARKMAN] is the chairman, the Senator from Alabama and I came to the view, I having recently served as mayor of Philadelphia, that there was a grave shortage of urban planners of all sorts available for the continually growing urban planning work required of State and local government, and not only of city planners, but of metropolitan and area planners, as well.

Planners of all sorts were in short supply at a time when it was becoming increasingly important to raise the level of State and local activity in the field of community planning.

From 1957 through 1964, we made effort after effort to obtain authorizations, first, for the in-service training of planners assisted with Federal funds; and second, for a modest program of fellowships and scholarships, to enable young men and women to go to institutions of higher learning to become trained in this particular skill. Finally, in 1964, we were successful in obtaining an authorization for funds both for a program for in-service training, totaling $10,145,000, and a more modest program for fellowships for city planning, amounting to $530,000. The programs were approved by the House and the Senate and were passed as a part of the Housing Act of 1964 and signed by the President.

Unfortunately, when the appropriation bill came along, the House Committee on Appropriations refused to fund either of the programs, stating that in their judgment what Congress had decided upon and the President had approved were not good programs, and that the House would not allow any money for them.

EXHIBIT A.—*Lincoln, Nebr.—Comprehensive housing plan*

Department or agency	Present housing (net square feet)				Proposed housing (net square feet)					
	Total	Personnel	Government owned	Leased	Total	Personnel	Retained G/O [1]	Retained leased [2]	Proposed projects	
									PO	CT-FOB
Post Office Department	56,169	490	56,169		123,003	692			116,253	6,750
Post office garage	6,000	7		6,000						
U.S. courts	8,483	7	8,483		18,500	12				18,500
U.S. attorney/marshall	2,596	3	2,596		5,000	10				5,000
Agriculture	94,088	446	12,171	81,917	103,250	593				103,250
Civil Service	1,297	3	1,297		1,400	3				1,400
Commerce	5,817	26		5,817	5,500	27				5,500
Defense	2,856	13	2,856		2,110	13				2,110
General Services Administration	720	5	720							
Health, Education, and Welfare	5,052	31		5,052	8,125	40				8,125
Housing and Home Finance Agency	504	3		504	600	4				600
Interior	9,711	58	861	8,850	15,400	64				15,400
Interstate Commerce	667	3	667		700	4				700
Justice	[3] 1,198	3	498	700	500	3				500
Labor	339	2	339		400	2				400
Selective Service System	6,016	15		6,016	6,650	17				6,650
Smithsonian Institute	21,000	28		21,000	21,000	30				21,000
Treasury	[3] 6,177	25	5,127	1,050	5,500	30				5,500
Veterans	25,406	117		25,406	24,000	120				24,000
Vacant, attic space	13,579		13,579							
Subtotal	267,675	1,285	105,363	162,312	341,638	1,664			116,253	225,385
Special purpose and/or location	171,995	393	77,739	94,256	171,995	393	77,739	94,256		
Total space	439,670	1,678	183,102	256,568	513,633	2,057	77,739	94,256	116,253	225,385

Analysis or proposed projects	Post office building (net square feet)		
	Total	PO	CT-FOB
Agency space		116,253	225,385
G/O space to be replaced	56,169		49,194
Leased space to be replaced:			
General type			156,312
Garage	6,000		
Agency expansion	54,084		19,879
Reserve for expansion		(4)	27,365
Service areas			21,500
Conference			3,900
Cafeteria			7,500
Credit union			500
Communications			1,300
Health unit and vending stand		(4)	1,500
Retail stores			5,000
Congressional			1,800
Custodial and storage		(4)	16,000
Dispatch office and garage			16,500
Vehicle parking facility			112,500
Vehicle maintenance facility		5,550	3,200
Subtotal, net assignable		121,803	422,450
Postal mechanization		4,300	(5)
Aisles and corridors		(5)	48,100
Total net area		126,103	470,550
Rounded		126,100	470,600

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[1] Retained G/O buildings, special purpose and/or location:

Identity:	*Square feet*
Agriculture forage lab	9,440
Defense Reserve Training Center	68,229
Total	77,739

[2] Retained leased, special purpose and/or location:

Identity:	*Square feet*
Post Office Department, branch substations	45,172
Agriculture	33,701
Commerce, Weather Bureau	568
Defense, Army Reserve Training Center	4,384
Federal Aviation	10,431
Total	94,256
G/O building to be disposed of: Post office and courthouse building	105,363

[3] Includes vehicle storage area.

[4] Included in agency space above.

[5] Not available.

I made an earnest effort, when the supplemental appropriation bill was before the Senate in April, to have these items funded. That effort failed. I then testified before the Senate Committee on Appropriations, urging that funds for both programs be voted. I now find to my deep regret that although they were recommended by the President and the Budget Bureau, although the Director of the Housing and Home Finance Agency, Mr. Weaver, testified, in support of this appropriation, and despite the fact that I myself testified to the same effect, the Senate committee was unwilling to fund these programs, which, as I say, have been approved by the President and have been passed by Congress.

It seems to me that an interesting issue is raised. These were programs that were developed in the Senate. If we want to use the word, they were "invented" by the Senate. They were approved by the House. The President signed the bill. Now the House Committee on Appropriations will not fund them. That is the right of the House Committee on Appropriations. I agree that if they do not like a program that Congress and the President have approved, they have the legal right to say, "No." But that does not mean that the Senate must automatically follow suit—particularly where one of its own programs is involved.

Mr. President, I ask unanimous consent that the justification for both proposals prepared by the HHFA, which are contained in the Senate hearings, beginning at page 1023 and continuing to page 1032, be printed at this point in the RECORD.

There being no objection, the justification was ordered to be printed in the RECORD, as follows:

FEDERAL-STATE TRAINING PROGRAMS

JUSTIFICATION BY HHFA

The budget amendment would restore the $10,145,000 (of which $145,000 is for administrative expenses) not allowed by the House. The funds requested would permit the Agency to implement the program enacted in the Housing Act of 1964 which provides for the training of professional and technical staff in various fields serving State and municipal governments.

In section 801 of title VIII of the Housing Act of 1964 "The Congress finds that the rapid expansion of the Nation's urban areas and urban population has caused severe problems in urban and suburban development and created a national need to (1) provide special training in skills needed for economic and efficient community development * * *. It is the purpose of this part to assist and encourage the States, in cooperation with public and private universities and colleges and urban centers, to * * * provide special training in skills needed for economic and efficient community development to those technical and professional people who are, or are training to be, employed by a governmental or public body which has responsibility for community development * * *."

The Housing and Home Finance Agency's programs have met an increasing number of specific problems demanding the talents of professionals trained in city planning, urban renewal, housing, transportation, code enforcement, and many other similar skills. The large-scale demand for some of these specialists has been of fairly recent origin, arising with the increasing complexity of urban programs and services.

Training under title VIII would be restricted to such areas in contrast to the general higher education programs proposed in the "higher education bill," S. 600. Title I of this bill would authorize support of university extension and continuing education in a wide range of fields. Extension service would assist in refresher training of teachers, social workers, and pharmacists, for example. It would also assist private civic groups, give training to the elderly, and to culturally disadvantaged adults.

Title VIII of the 1964 Housing Act by contrast would train only employees of local governmental bodies and of these only those engaged in "developmental" programs such as urban renewal. The higher education bill, title I does not focus on training in these specialized areas. The language of the bill also clearly states that nothing in this title shall modify authorities under title VIII of the Housing Act of 1964, or other Federal training programs previously authorized.

Therefore, even if the higher education bill is enacted, title I will be concerned primarily with activities outside public bodies and the areas which title VIII of the Housing Act is authorized to assist.

The title VII program would not open up a Pandora's box of training of all types of State and local workers. The Housing and Home Finance Agency, in administering the program, would have a vital interest in seeing that program funds are utilized to train people that are needed to administer housing and urban development programs.

The Congress recognized the need for such training and for research in related problem areas when it enacted title VIII as part of the Housing Act of 1964. The Congress thereby established that the support of such training activities as are contemplated under the title VIII program are a legitimate and appropriate Federal activity. Therefore, it is recommended that funds be provided so the program can get underway.

The need for a title VIII program has been well documented. According to the Municipal Manpower Commission Report of 1962, local government's demand for professional and technical staff will increase by 40 percent between 1960 and 1970. By 1980, local governments will have to recruit as many as 300,000 for administrative, professional, and technical positions. In a survey made in 1964 the American Society of Planning Officials found over 500 unfilled positions for urban planners alone. A study by the Municipal Manpower Commission found comparable shortages in other urban specializations, especially executive positions in urban programs. Federal aid programs for urban planning and developments have contributed and will continue to contribute to a demand for the services of professional and technical staff in all of the various fields which serve State and municipal governments.

The training of professionals to meet these demands has lagged far behind the need for their services. Several States (California and North Carolina, for example) have conducted studies in recent months on both the shortages of trained community development personnel and existing training programs in the area. Each study showed severe shortages in a wide range of skills. They found that although there are programs in existence for training of some State and Federal officials, training for community programs and local government personnel are nearly nonexistent.

Title VII of the Housing Act of 1964 enacted two new programs of Federal aid to help meet this need—the Federal-State training programs and the program of fellowships for city planning and urban studies. The fellowship program for which a description and request for appropriation are presented in the next chapter of this justification, provides fellowships for graduate training of city planners and other specialists and technicians in housing and urban development. It represents an effort to attract more young students into careers in the field in urban planning and development. The Federal-State training program, described on the following page, is directed toward further training of persons who have already chosen careers in community development.

Program description

This is a program of matching grants to States to assist them in developing special training programs for technical and professional people who are, or are training to be, employed by a governmental or public body which has responsibilities for community development. These grants may also be used to support State and local research into community development problems. The program will encourage carrying out such research in conjunction with and as a part of the State's training program. The objective is to stimulate the development by States of combination training-research programs which will provide training and retraining through the study of real problems in community development.

The program will emphasize inservice or midcareer training for persons employed in State or local agencies engaged in community development work, with attention being given also to training of persons who are planning to enter this field of endeavor. Inservice or midcareer training may take the form of workshops, summer courses, and other teaching programs which will be made available to employees of public bodies. Training eligible for assistance may include training of persons in technical or professional skills in any of the fields needed for orderly community development, including urban planning, code administration and enforcement, sanitary engineering, tax assessment, and the like.

Participating States will be required to submit a plan for a program designed to meet the particular needs of that State for increasing manpower capability in community development and for developing new or improved methods of dealing with community development problems. The State plan must—

(1) Set forth the proposed use of the requested funds and the objectives to be accomplished;

(2) Explain the method by which matching funds will be provided;

(3) Provide adequate fiscal control and fund accounting procedures;

(4) Designate a State officer or agency to administer the program, and

(5) Provide for reports containing such information on the program as the administrator may require.

Preparation of State training programs

In the 8 months since Congress enacted the 1964 Housing Act many States have begun preparation to participate if and when appropriations are made by the Congress. Twenty States have designated a State agency to prepare a training plan and have notified HHFA of their preparatory activity. Each State has been encouraged to make a careful study of its training needs and potential training facilities. California and North Carolina have completed such studies.

The following is a listing of States where action is underway to prepare for training in community development should Federal support be made available.

State	Agency preparing plan	Stage of development
California	University of California	Preliminary plan received.
Georgia	University of Georgia [1]	Do.
Illinois	Board of Economic Development	Do.
Iowa	State Development Commission [1]	Statewide meetings and discussions in progress.
Kansas	Kansas State University [1]	State plan being compiled.
Kentucky	University of Kentucky	State plan being developed.
Massachusetts	Department of Commerce and Development	Plan being developed.
Michigan	Department of Economic Expansion	Preliminary proposals received.
Minnesota	University of Minnesota	State plan being compiled.
Missouri	Administrative Assistant for Urban Affairs	Preliminary plan submitted.
Nebraska	Board of Nebraska Resources [1]	State plan being compiled.
New Jersey	Department of Conservation and Economic Development.	Statewide discussions in progress.
New York	The State Education Department [1]	State plan being compiled.
North Carolina	Department of Conservation and Development.	Preliminary plan submitted.
Ohio	Ohio Board of Regents	Statewide meetings held.
Oklahoma	University of Oklahoma [1]	Preliminary plan received.
Pennsylvania	State Planning Board [1]	Statewide discussions underway.
Tennessee	Special Assistant to the Governor	Do.
Washington	Department of Commerce and Economic Development.[1]	Do.
West Virginia	Department of Commerce	Do.

[1] Tentative designation of administrative agent.

EXAMPLES OF PROPOSED TRAINING

California

(1) Short, intensive training programs on urban development problems for persons having primary responsibility for policy decisions regarding development;

(2) Short-term training programs and part-term continuing course work for city and county managers, engineers, city and regional planners, budget and finance officers, and others who carry major administrative responsibility in local government; and

(3) Similar programs for training technical personnel in zoning, building, and housing code administration, transportation and traffic planning, and urban renewal and related activities, in the newest methods in their respective fields.

In cooperation with the League of Cities and the County Supervisors Association, the University of California and the State college would organize a small traveling faculty which will offer short training programs in urban development in several parts of the State. Oncampus and extension division courses will also be offered.

North Carolina

As a second example, the tentative North Carolina program identifies a need based on a questionnaire survey, for inservice training in 17 specialties in 40 municipalities in the State. Another questionnaire identified the State and local agencies in academic institutions in the State which could participate in providing the needed training. The preliminary State plan reflects the needs and resources identified in these surveys.

Examples of the kinds of programs which are planned to be initiated include:

Short courses for professional city and regional planners to provide intensive instruction in such areas as techniques of transportation planning, use of data processing for urban planning, methods of urban analysis, etc., to be given by the Department of City and Regional Planning of the University of North Carolina.

Five-day training sessions for code inspectors, to be established by the North Carolina League of Municipalities with instructors drawn from college faculty, State enforcement agencies, etc.

Studies of the content and administration in North Carolina cities of housing codes, zoning ordinances, subdivision regulations, and building inspection, with the objective of encouraging localities to review these codes and ordinances. trim them to their essentials, and then do an effective job of administering them.

Oklahoma

Planning and urban renewal training program:

Purpose: To update the knowledge and skills of persons employed by public planning agencies.

Training agency: University of Oklahoma.

Eligible participants: State, local, and city employees of public agencies having responsibility for planning.

Fiscal management and public administration training program:

Purpose: To update information about technical phases of administration, such as budgeting, fiscal control, and planning, to those having extensive responsibility in public administration.

Training agency: University of Oklahoma.

Eligible participants: Chief administrative officers of city, State, and county agencies.

Minnesota

Training for municipal and village officials:

Purpose: To provide training to officials of small municipalities responsible for the developmental phases of administration.

Training agency: University of Minnesota.

Eligible participants: Persons employed as city or village officials.

Training for municipal water and sewer supervisors:

Purpose: To relate their responsibilities and the process of urban development.

Training agency: University of Minnesota.

Eligible participants: Persons employed in public agencies as water and sewer superintendents.

Georgia

Electronic data processing for municipal planning, housing, finance, and general executives:

Purpose: Introduce the benefits of applying systems analysis and electronic data processing to local government information systems.

Training agency: Georgia Institute of Technology.

Eligible participants: Executives of public agencies having responsibility for administering programs in these fields.

Urban planning development course for local and regional planners:

Purpose: To provide a comprehensive refresher course in urban planning.

Training agency: Georgia Institute of Technology.

Eligible participants: Local and regional planners employed by a public agency.

ADMINISTRATIVE EXPENSES

The appropriation and limitation of $145,000 for administrative expenses is based on a staff of 10 to initiate and administer this program. The staff will include a program director, six professional and technical staff members, and three secretarial and supporting positions.

The functions to be performed by this staff will include—

(1) Developing policies and detailed procedure for the operation of the program, including application and contract forms and instructions, eligibility criteria, and the like.

(2) Advising States on Federal requirements for participating in the program and providing professional and technical advice on the development and initiation of State plans.

(3) Reviewing applications for grants and accompanying State plans for conformity with program and budgetary requirements.

(4) Reviewing State programs in progress to assure they are being carried out in accordance with approved State plans and Federal requirements.

(5) Evaluating experience under State programs and research activities and analyzing, abstracting, and preparing for distribution material of value as technical assistance to States and units of local government, as authorized by the act.

EFFECT OF HOUSE ACTION

The House refusal to provide funds for the program negates the action Congress took when it enacted title VIII as part of the Housing Act of 1964. In this title Congress recognized the need for training of professional and technical staffs in all levels of State and municipal government, and established the principle that support of such training is a legitimate and appropriate Federal activity.

FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

HOUSE REPORT

(Pertinent excerpts, H. Rept. 320, p. 11)

Justification

No funds were provided by the House and the budget amendment proposes an appropriation of $530,000 of which $30,000 is for administrative expenses. The appropriation would allow the Agency to implement the program as enacted in the Housing Act of 1964.

As indicated in the preceding section on the Federal-State training programs, the supply of professional and technical personnel is lagging far behind the rapidly expanding needs of our urban centers.

Title VIII of the Housing Act of 1964 enacted two new programs of Federal aid to help meet these needs—the Federal-State training program and the program of fellowships of city planning and urban studies. The Federal-State training program, already described, is directed toward assistance to State programs of training and research in subjects essential to orderly community development. The program of fellowships for city planning and urban studies, described below, represents an effort to attract more young students into careers in the field of urban planning and development.

ACTION, the nonprofit organization concerned with community development, reported in a recent study "a prime need to establish several hundred fellowships to sustain talented graduate students in urban renewal and redevelopment, public administration, urban transportation, housing and land economics, and urban sociology (as well as in urban planning * * *)."

University officials state that there are two or three times as many qualified applicants in urban development and planning as can be supported through existing endowments. Many for whom financial assistance cannot be provided seek out other opportunities and are lost to the growing field of urban planning and development.

There are now 35 schools offering graduate degrees in city planning, and producing between 200 and 300 planners per year. It is estimated that they could turn out twice that number if sufficient financial aid to students were available. Planning schools cannot now get students in sufficient numbers because other fields offer more and better graduate fellowships. Three universities expect to launch planning programs within the next 2 years.

In addition to the emerging national interest in the problems of urban planning and growth, the Federal Government has a very substantial financial stake in the competence of planning and administration at State and local government levels. The prudent expenditure of large sums of Federal funds depends first and most importantly on the training and ability of local officials. This consideration is not limited to housing and urban renewal, but applies equally to such major and diverse programs as highway development, airport construction, urban mass transit, air and water pollution control, and many others. Federal interests, therefore, will be directly served by a program to encourage talented students in institutions of higher education to choose and prepare themselves for careers in the various skills essential in urban planning and urban development activities at the State and local level.

Program description

The fellowships awarded under this program will be for graduate study for careers in city and regional planning, housing, urban renewal, and community development. Applications will be accepted for training in public or private nonprofit institutions of higher education having programs of graduate study in the field of city planning or in related fields, including architecture, civil engineering, municipal finance, and public administration.

Applicants will apply to the school of their choice, and accredited institutions will submit a limited number of applications to HHFA. Students will not apply directly to HHFA; applications will undergo a preliminary review by the school to which application was made.

Persons will be selected for fellowships solely on the basis of ability, and upon the recommendations of the Urban Studies Fellowship Advisory Board which is required to be established by the authorizing law. The Board, to be appointed by the Housing and Home Finance Administrator, will consist of three persons from public institutions of higher learning; three from private nonprofit institutions, who are the heads of departments which provide academic courses appropriately related to the fields in which fellowships will be awarded; and three persons from national organizations which are directly concerned with problems relating to urban, regional, and community development.

It is expected that each fellowship award will be for $3,000 and will be renewable for a second year.

Fellowship grants

Section 810 of the Housing Act of 1964 authorizes annual appropriations of $500,000 for a 3-year period starting July 1, 1964.

The $500,000 appropriation requested for fiscal 1966 will support 80 to 85 fellowships of $3,000 per annum.

Administrative expenses

The appropriation and limitation of $30,000 for administrative expenses in fiscal year 1966 would provide a staff of three employees to institute and administer this program. This staff would be employed in program policy and procedural steps, informational activities, receipt and analysis of proposals, and the making of fellowship grants as provided by the statute. The requested appropriation would also cover the expenses of the Urban Studies Advisory Board authorized in section 810(b) of the act.

It is respectfully requested that the Senate amend the pending bill to provide $530,000 so the initial steps may be taken to implement the program as authorized in the Housing Act of 1964.

Mr. CLARK. Mr. President, I should think that when what might be called a sort of junior legislative crisis of this sort is reached, the easiest thing to do is to have the body which initiated the program, which has been approved and signed by the President, continue to press for the funding of the program.

If in conference, after having made the strong arguments which are available in support of the appropriation, the Senate conferees were not successful, I suppose that in the end we should have to yield. One would hope that if the House would not accept the entire amount, it would accept a part of the amount. But I hope that the Senator from Washington and the Senator from Colorado will stand behind the Senate, which initiated the programs, and take to conference the two amendments which I have sent to the desk.

Mr. MAGNUSON. Mr. President, I would do as the Senator requests if I had full control of the matter. However, the House eliminated both of these items. Some people appealed to me in the beginning. However, I had a long discussion in the subcommittee and the full committee. The members were practically unanimous in not wanting to do this, particularly with regard to the Federal-State training programs. They had many reasons. These reasons were pointed out by some Members. The fellowship program, I believe, received even less support than the Federal-State training program.

I should like to have had something to do with this in the beginning. I should like to be as accommodating as I can.

These were two programs which the overwhelming majority of the committee, in both the full and the subcommittee, disapproved of by a show of hands.

I could not represent them on this bill if I were to do otherwise.

I hope that the program will be presented again to the House in such a way—perhaps through a supplemental bill—that we could at least start a portion of this program in operation. I think it would be very desirable.

Mr. CLARK. Mr. President, the Federal-State training program, which is the subject of the pending amendment, is also contained in the Housing Act of 1965. The amount authorized has been increased from $10 to $30 million. In the act of 1964, we had a 1-year authorization.

In addition, in its report on the Housing and Urban Development Act of 1965, which will be before the Senate later this week, the Committee on Banking and Currency said, "This program is needed to help local programs become more effective and economical and to strengthen generally the capabilities of local government. Your committee wishes to express its concern that although the Housing Act of 1964 authorized $10 million for grants under this program, funds have not yet been appropriated."

With all due deference to the Senator from Washington, I understand his point of view. He must take the position advanced by his staff and the committee members. However, under the circumstances, and I point out I have been involved in this matter for 9 years, I shall have to obtain a decision from the Senate which would not be possible now in the light of the very few Senators on the floor at the moment.

I have a commitment to my friend the Senator from Wisconsin [Mr. PROXMIRE] that I shall not take too much time on these amendments at the moment. The Senator from Wisconsin has a much more important matter to present.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Mr. President, if I withdraw for the time being the first amendment, which has been read, have I a right to reoffer it at any time before third reading?

The PRESIDING OFFICER. The Senator would have such a right.

Mr. CLARK. Mr. President, for that reason, with the full intention of offering both of the amendments, and hopefully getting a rollcall vote before the bill is agreed upon by the Senate, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. KUCHEL. Mr. President, I send to the desk an amendment on behalf of the distinguished minority leader [Mr. DIRKSEN] and myself. I ask that the reading of the text of the amendment be waived and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 7, lines 9 and 10, strike out "for subsidy for helicopter operations during the current fiscal year, $80,785,000", and insert in lieu thereof the following: "for payment to Los Angeles Airways, Inc. and $385,000 for payment to Chicago Helicopter Airways, Inc. for subsidies for helicopter operations during the current fiscal year, $81,170,000."

Mr. KUCHEL. Mr. President, I say with regret that the time has apparently arrived when the law of this land with respect to the Civil Aeronautics Board responsibility to continue the American investment in the unique development of helicopter transportation connecting the cities and airports in a given metropolitan area is grinding to a halt. Much progress has been made, but more needs to be done if this forward-looking mode of transportation is to be placed on a sound basis. For half of the next fiscal year the committee saw fit to offer to support the helicopter operation approved by the CAB for Federal support in my own State.

This amendment would provide for the same proportion of support for the Chicago operation.

I have spoken to the committee members and to the Senators in charge of the bill, and on behalf of my colleague, the distinguished minority leader, and myself, I ask that the amendment be agreed to and be taken to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California.

Mr. MAGNUSON. Mr. President, it is with some reluctance that the Senator from Colorado [Mr. ALLOTT] and I have come to this agreement. However, I believe that we now seem to be reaching the objective that the majority of the committee wanted to reach, that of getting out of the helicopter subsidy. The New York helicopter operation has been taken over by Pan American Airways, and the Los Angeles operation was given some funds to continue until January 1. A proposal is pending by which American Airlines or some other airline would take over the Los Angeles operation. It would seem to me that we ought to give the same treatment to the Chicago operation, which was having a tougher time than the other two operations.

They are all having a hard time. However, the situation with reference to the Chicago operation was even worse than that of the others. We would have to take this proposal to conference.

The House was adamant. I should be glad to accept the amendment, if the Senator from Colorado would.

Mr. ALLOTT. Mr. President, I have no reluctance to accepting the amendment. However, I would not want to do so with any idea that it will be easy to sustain. We have had very much trouble with these matters for the last 5 years in conference with the House. With that understanding, I have no objection to taking the amendment to conference. However, it will be a very difficult matter.

Mr. MAGNUSON. Mr. President, I yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I support the amendment which the Senator from California has offered to provide for an interim subsidy to maintain the helicopter system in Chicago. It is very generous of him in view of the fact that the helicopter service for Los Angeles was continued, but it was not continued for Chicago.

It is characteristic of the fairness of the Senator from California to try to help us in this matter. I believe that sometimes the difficulties of life in a huge metropolitan area are not fully considered.

We do have subsidized feeder lines running generally from north to south. Fortunately the transcontinental airlines from east to west, although formerly subsidized, are not now subsidized.

This goes on year after year. There seems to be a great reluctance in connection with the subsidization of helicopters, which are feeder lines within a metropolitan area. The problem is becoming increasingly serious with the development of jet transports, because the airports are being moved farther and farther out from the center of the cities.

Our O'Hare Airport is perhaps 15 miles from the city. We need feeder service to get from the city to the airport. We do need feeder service to get from the airport to the city. If our second airport, the old Midway Airport, were to be revived, which we hope it will be, we would have an added distance between our two airports. The helicopter service would be a natural facility in such an event. If, in the meantime, the service has been discontinued—which I am afraid it will be—we would have nothing to fall back upon.

Our metropolitan area is about as large as that of Los Angeles. Cook County itself has 5¼ million people. We have another 1 million or 1¼ million people in the counties immediately ringing Cook County.

I support the amendment offered by the distinguished Senator from California. I thank him and say that I hope very much that the amendment will be agreed to and taken to conference and that, whatever designs the House committee may have on this particular feature, I hope that the Senate conferees will be able to prevent them from committing mayhem.

Mr. HARTKE. Mr. President, I support the amendment offered by the Senator from California [Mr. KUCHEL], on behalf of himself and the Senator from Illinois [Mr. DIRKSEN], to include an appropriation of $385,000 in subsidy for Chicago Helicopter Airways. Such a sum is needed to allow them to phase out subsidy operations by January 1, 1966. The case is exactly parallel to that of Los Angeles Airways, and there is just as much needed for the interim 6-month assistance for Chicago as for that approved by the committee for the California operation.

Chicago Helicopter Airways has for quite some time operated a service to Gary, Ind., including mail service. But it is not this part of the operation which is involved in the need for a continuing subsidy. The need arises in good part out of the lapse of operations at Midway Airport, which is beginning again this year to receive air passengers after a 2-year period of having had no passengers whatsoever. As the traffic at Midway goes up in the next 5 years to an estimated 8,820,000 passengers or 30 percent of the Chicago total, the traffic by Chicago Helicopter Airways between O'Hare and Midway will again become a major vital part of its operations.

By early 1966 it is expected that the 1965 Midway total of only 1 percent of Chicago air traffic will be increased, so that the total for next year will be 15 percent. Half of the 3 million passengers expected at Midway will be connecting passengers, while in New York connecting passengers form only less than 25 percent of total traffic and in Los Angeles less than a third. Of the 1,500,000 1966 Midway connecting passengers, experience shows that about half or 750,000 will have to connect with flights at O'Hare. If Chicago's helicopter service should carry a third of these, its 1965 interairport traffic will be about the same as the number of passengers actually carried in 1960 before the Midway operations began phasing out. It is estimated that the 1967 Midway traffic will approach 6 million in 1967 and that by 1970 there will be 8,820,000 passengers through Midway, or 30 percent of the total Chicago traffic. But until early 1966, the very meager use of Midway reduces the opportunity of the helicopter service to be self-supporting. At the same time, its healthy maintenance is needed for the future of Chicago's air developments. Congestion at O'Hare is increasing, and the helicopters are essential for moving transfer traffic between the two airports in the future.

So, Mr. President, I agree with the proposed amendment to this bill to provide the $385,000 of interim assistance for the next 6 months. This is far less than the $758,000 approved by the committee for Los Angeles and scarcely more than half of the $775,000 requested by the CAB for the Chicago service. I might add that no reason is stated by the committee for its failure to recommend this appropriation, even though the Bureau of the Budget recommended slightly more than the $385,000 now asked.

The O'Hare congestion is obvious when it is noted that in 1965 that single airport will handle as many passengers as will use the three airports serving New York. Revival of Midway is necessary, and its revival will eliminate the subsidy need. But for the next 6 months that need is not yet obviated. I hope the wisdom of this move will be apparent to the Senate, and that the amendment will be adopted.

HELICOPTER SUBSIDY TO BE TERMINATED—AT LONG LAST

Mr. PROXMIRE. Mr. President, for a number of years, a few colleagues and I have repeatedly pointed to the inequities involved in Federal helicopter subsidies. Now it seems the subsidies will, at long last, be terminated.

More than 10 years ago the subsidies began, ostensibly to serve as temporary aid to an infant industry and as financial support for an experiment in a new form of urban transportation. As the years rolled on the infant industry passed through adolescence to maturity, still demanding to be coddled by Congress and nursed by the taxpayer. Every year new stories were told of the great public benefits being derived from the subsidies. Every year new excuses were invented to explain why the helicopter lines were still not solvent. Every year solemn promises were made that in just 1 more year profits would start appearing. Every year, acting under the influence of what the distinguished senior Senator from Georgia once called some form of hypnosis, Congress accepted the stories, excuses, and promises. The taxpayer was made to shell out a total of over $50 million for the subsidies.

Now, in crystal-clear language, the Senate Appropriations Committee has recommended termination of the subsidies during this fiscal year. No funds are recommended for subsidies in New York or Chicago. A phaseout subsidy of $785,000 is recommended for the Los Angeles operation. The fact that it is the final helicopter subsidy to be paid under this program is mighty good news.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. Kuchel].

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ALLOTT. Mr. President, I move to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE obtained the floor.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Colorado [Mr. Allott] without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I send to the desk several amendments which I ask unanimous consent to have considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments will be read.

The legislative clerk read as follows:

It is proposed, on page 19, line 8, to strike out the figure and insert in lieu thereof "$178,684,000".

On page 21, after line 12, it is proposed to insert: "Post Office building, Lincoln, Nebraska, $2,902,000".

On page 22, line 24, to strike out the numeral and insert in lieu thereof "$18,611,000".

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments en bloc were agreed to.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. MAGNUSON. Mr. President, will the Senator yield to me?

Mr. PROXMIRE. I yield, without losing the floor.

Mr. MAGNUSON. I think the record ought to show, on these two items, that they are items which stood out in priority more than any other places where such buildings were needed. The record should also show that we spend, on the average over the years, from $170 to $190 million on public buildings, Federal courthouses, and post offices, and public buildings for the whole of the United States.

This figure of $170 to $190 million, depending on the year, is probably lower, percentagewise, in comparison to the size of the country and the size of our national budget, than in any other country of the world.

There are many places where there are Federal buildings, some of which are old and almost antique. Some of them are merely leased. We do not save money by paying rent. We can amortize the cost of the building in 15, 20, or 25 years, and those buildings are constructed to last long periods of time.

So, in urging these two items, we are not doing a great deal for the public building program of the United States. There is a criterion which the General Services Administration uses. It applies certain priorities. Those priorities do not come to the Senate because a certain Senator may live there or because it happens to be someone's hometown or home State. The General Services Administration has pretty well established criteria that are applied to buildings all over the United States. Those who need them must stand in line and wait.

The Senator from Colorado [Mr. Allott] and I and the distinguished chairman of the House committee never even know what buildings are going to be stated in that year's priority until the Bureau of the Budget acts upon the matter. Once in a while we have to add to it, and sometimes we cut some of it, but, generally speaking, that is the procedure. We accept that procedure, because otherwise we would have to come back to Congress and try to establish priorities, on the basis of Senator to Senator, and all the remaining problems that would arise. So we pretty much leave it to what we think is a very objective way in which the General Services Administration establishes the priorities.

I am never embarrassed, and neither is the Senator from Colorado or the Senator from Massachusetts, when, in this process, one happens to turn up in our States, when it is not due to anything we have done. It is merely due to the fact that the criteria fitted the proposal. The building was needed, and we could save money in the long run.

Mr. YARBOROUGH. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. Mr. President, I shall be glad to yield to the Senator from Texas, but there have been Senators who have waited on the floor until I could call up my amendment to reduce the NASA appropriation. Consequently, I shall yield once more to the distinguished Senator from Texas, and then I shall have to offer my amendment.

Mr. JAVITS. Mr. President, will the Senator yield briefly to me?

Mr. PROXMIRE. Yes.

Mr. YARBOROUGH. Mr. President, while the distinguished Senator from Washington [Mr. Magnuson] is speaking on the floor on the matter of buildings, I wonder if the distinguished chairman of the subcommittee would give me his consideration for a moment.

Mr. MAGNUSON. I did not hear the Senator.

Mr. YARBOROUGH. While the Senator is talking about the matter of public buildings, I congratulate the distinguished Senator from Washington, chairman of the Independent Offices Appropriations Subcommittee, for the inclusion in this bill of the funds for building the Dallas Federal Center. I doubt that there is any more needed or justified Federal office building project in the country than this one in Dallas. It has been delayed over 10 years in getting the construction started—it was authorized by Public Law 419 in 1954—while the Government is paying $1,375,000 in rent each year for the agencies that need the space. The building will pay for itself in a very short while—it has an amortization period of only 12 years.

The chairman heard extensive testimony on this building during his hearings. I wish to ask the distinguished Senator if during those hearings he heard any meritorious reason why the Dallas Federal Building should not be constructed now.

Mr. MAGNUSON. I heard of no valid reason why it should not be constructed. It should have been constructed 5, 6, or 7 years ago. It was in the priority criteria. The Senator from Texas knows there were some other factors involved, but if there ever was a building needed, it is the one in Dallas, and if there has ever been a place where we can save money, where we are renting all over the place, it is in that city. We intend to try to prevail, and we will try to keep it in the bill.

Mr. YARBOROUGH. I thank the Senator. It is in the budget. It was taken out by the House. The Senate committee put it back in. I wanted to bring up this colloquy because of the preceding colloquy in which the Senator had mentioned priorities. The building in Dallas certainly meets those priorities and criteria and requirements for construction. Does it not?

Mr. MAGNUSON. It meets every criterion, and has for a long time. The need is growing greater and greater. I hope the item can be kept in the bill.

Mr. YARBOROUGH. I thank the Senator for the very carefully conducted hearings.

Mr. MAGNUSON. The Senator from Texas has been trying so long and so diligently that, if for no other reason, I would like to keep this item in the bill so he can get to some other business.

Mr. YARBOROUGH. I also wish to thank the Senator for the San Antonio building authorization. This VA hospital is badly needed for San Antonio and indeed for all of south Texas. It will be located adjacent to the new south Texas medical school which is now being constructed in San Antonio, and with this affiliation, should provide top quality medical service. I have worked for this hospital now for 8 years, all my years in the Senate, and I am very gratified that the appropriation for this hospital will now be made and that this hospital, which has been a dream for so long, will soon become a reality.

Mr. PROXMIRE. Mr. President, I yield now to the Senator from New York.

THE HELICOPTER SUBSIDY

Mr. JAVITS. Mr. President, the helicopter subsidy was just discussed in some detail. I was necessarily absent, attending a hearing by the Judiciary Committee on the nomination of Judge Coleman. I should like to state why no amendment was moved to bring the New York Airways operations into the helicopter subsidy, as was done on the floor in regard to the amendment with respect to the Chicago lines. As the Chairman knows, Pan American Airways and Trans World Airlines have entered an agreement approved by the CAB on June 25, to provide funds for New York Airways.

I am pleased to say this because it indicates positive results from an initiative made in order to work out our situation in New York, if it could be done. The New York Airways, which operates the service, will now be party to a contract with Pan American and with TWA with respect to continued operation of the helicopter service. According to the CAB order of June 25, that contract is conditioned upon the fact operations shall not be eligible for any claim for subsidy under section 406 of the Federal Aviation Act.

I ask unanimous consent that the CAB order of June 25 together with a letter from the CAB addressed to me in response to questions raised about the order may be made a part of my remarks.

There being no objection, the order and letter were ordered to be printed in the RECORD, as follows:

ORDER No. E-22359 OF THE U.S. CIVIL AERONAUTICS BOARD

(Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of June 1965. Petition of New York Airways, Inc., Pan American World Airways, Inc., and Trans World Airlines, Inc., for disclaimer of jurisdiction under or exemption from section 408 of the Federal Aviation Act of 1958, as amended, docket No. 16216; petition of New York Airways, Inc., for an order to show cause, docket No. 15661; agreements filed pursuant to section 412(a) of the Federal Aviation Act of 1958, as amended, between New York Airways, Inc., and Pan American World Airways, Inc., and Trans World Airlines, Inc., agreements CAB 17221-A13, 18376.)

ORDER GRANTING EXEMPTIONS, APPROVALS, AND CONSOLIDATION

There is before us an application filed by New York Airways, Inc. (NYA), Pan American World Airways, Inc. (Pan American) and Trans World Airlines, Inc. (TWA), requesting a disclaimer of jurisdiction or in the alternative, as exemption from the requirements of section 408 of the act with respect to certain agreements between the carriers. In addition, the carriers have filed agreements, more fully described below, for approval pursuant to section 412 of the act.[1] These are designated as agreements CAB Nos. 17221-A13 and 18376.

The agreements now before us provide as follows: Pan American and TWA will lend a total of $1,035,000 to NYA; Pan American to furnish $635,000, and TWA $400,000. Assuming that the various financial measures are consummated, NYA's debt structure would be as follows:

	Principal amount	Percent of total
The Chase Manhattan Bank (5¾-percent note)	$1,278,092	37.80
6-percent convertible subordinated debentures due June 1, 1979	903,600	26.72
PAA (5¾-percent note due Dec. 31, 1966)	635,000	18.77
TWA (5¾-percent note due Dec. 31, 1966)	400,000	11.83
Stockholders (5¾-percent notes due Dec. 31, 1966)	165,000	4.88
Total	3,381,692	100.00

Pan American and TWA will acquire certain options to purchase a specific number of shares of NYA stock and if exercised, the carriers' equity positions in NYA would be as follows:

[In percent]

	Total authorized shares (a)	Issued and outstanding (b)
PAA	19.43	24.69
TWA	12.24	15.56

However, it is agreed that TWA may acquire additional stock or stock options so that its total ownership of stock and options will equal Pan American's stock interest in NYA.

Pan American and TWA also have agreed to underwrite certain NYA operations. Under the NYA-TWA agreement NYA shall continue to provide regularly scheduled common-carrier helicopter service at the approximate level it provided as of June 11, 1965, with its four Vertol 107 helicopters. Such service shall operate between Newark, Wall Street, and Kennedy and LaGuardia Airports. The level of service can be increased or decreased, but all such changes must be agreed upon by TWA and NYA. Current fares shall continue in effect and NYA must consult TWA before filing any tariff revisions. NYA has agreed to serve the LaGuardia and Kennedy Airports through TWA's terminal facilities at each airport.

TWA agrees to provide financial support for these operations pursuant to an arrangement under which NYA will be enabled to break even without Federal subsidy, if it maintains its historic cost level. At such time as the NYA operations supported by TWA begin to realize more than an 8-percent return on the investment devoted to such operations, NYA would be obliged to pay TWA that portion of the standard NYA fare which TWA had absorbed as part of any joint fare. In addition, the parties agree to use their best efforts to reduce NYA's operating costs and promote helicopter travel.

The term of the agreement is for 1 year from its effective date with provision for two additional 1-year periods at the option of TWA. The agreement also provides that NYA will not for a period of 1 year after the effective date of the agreement institute any service directly competitive with the operations which TWA is underwriting between Newark, Kennedy, and LaGuardia Airports and Wall Street Heliport or between such points as Westchester County and the New York-Fairfield County, Conn., area. However, service to or from the Pan American Building Heliport or West 30th Street Heliport or Teterboro Airport (other than Newark, Kennedy via West 30th Street) shall not be deemed directly competitive. If after the expiration of the 12-month period NYA institutes any directly competitive service, the maximum net cost per flight hour to TWA under this agreement shall be reduced to no more than the actual net cost to TWA experienced during the next preceding 2 calendar months.

The Pan American-NYA agreement submitted for our consideration is an amendment to the operating and lease agreement previously the subject of Board action.[2] Pan American will acquire a total of three Vertol 107 helicopters and will lease such helicopters to NYA. In effect, the operations contemplated are those within the scope of the operating and lease agreement as more fully described in Order E-20380, except that NYA is not required to provide services competitive with those supported by TWA or services to the Westchester-Fairfield County area. The primary focus of these operations appears to be services between the heliport on the Pan American building and Pan American's terminal at Kennedy Airport.

The financial support to be provided by Pan American will cover NYA's fully allocated costs, the same provision as appears in the TWA-NYA agreement limits Pan American's support if NYA realizes greater than an 8-percent return on investment. In addition, as in the NYA-TWA agreement Pan American's support is limited if NYA institutes services competitive with those supported by Pan American.

The request for a disclaimer of jurisdiction will be disposed of first.[3] The financial and support agreements, at the very least, establish a prima facie case of control within the meaning of section 408 of the act. TWA's and Pan American's power to make day-to-day operational decisions relating to NYA's operations, as well as the financial interests they will have in NYA, do not permit us to grant the request for a disclaimer of jurisdiction.[4] Consequently, the request for a disclaimer of jurisdiction must be denied and the agreements disposed of on their merits.

We are asked to permit two direct air carriers to acquire control of another direct air carrier without following the hearing requirement of section 408 of the act. Normally we would summarily deny such relief. However, the petition comes before us in the context of an extraordinary situation. The Board has heretofore discussed the need for continued helicopter service in the light of increasingly restrictive congressional actions with respect to subsidy support for these carriers.[5] Since the date of these orders, subsidy funds ran out and Congress failed to appropriate money to continue subsidy payments for the period from April 12, 1965, to the end of fiscal 1965.[6] Thereafter, a motion to include an appropriation of $2,100,000 for subsidy payments during fiscal 1966 was defeated in the House.[7]

From the pleadings before us it is apparent that the cutoff in subsidy payments has placed the future of NYA's service in jeopardy. For example, the May 27, 1965, agreement provided for the temporary advance to NYA of $120,000 to meet payroll and other immediate obligations. NYA's requirement for financial support is demonstrated by the fact that for calendar years 1962-64, the carrier's operations, each year, resulted either in a slight operating profit or substantial losses despite a total subsidy payment for the 3 years of $6,072,070. In short, it is clear that without some type of immediate support and financial assistance program, NYA may be forced to suspend operations at an early date.

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[1] The original filings in this docket were made by NYA and Pan American and requested Board action with respect to earlier versions of the subject agreements. There is no necessity to discuss the provisions of these earlier versions of the subject agreements, and we will limit our discussion to the final agreements between the parties. Comments to the original filings were made by Delta Air Lines, Inc., Trans Caribbean Airways, Inc., and United Air Lines, Inc. These carriers did not oppose favorable Board action on the agreements but did question the wisdom of exempting Pan American from the provisions of section 408 of the act in order to permit the carrier to acquire control of NYA. These carriers urged that the Board insure NYA's continued independent and impartial status as an air carrier.

[2] Agreement CAB No. 17221-A8; Order E-20380, January 21, 1964.

[3] All interested carriers were informally contacted and requested to file their comments, if any, by June 21, 1965. To date no filings have been received.

[4] In fact, the nature of the operational relationships is such that there is serious question whether Pan American and TWA will not be engaged in air transportation within the meaning of section 401 of the act. See Order E-20380, page 6. We recognize that there may be a distinction between the Pan American and TWA participation which could lead to a different decision on this jurisdictional point. However, there is no need to resolve the difficult issues presented herein as we will grant exemptions to both carriers.

[5] Orders E-21798, E-21799, and E-21800, Feb. 16, 1965.

[6] H.R. 7091, Apr. 29, 1965, CONGRESSIONAL RECORD 8861-8867 and 8989-8993.

[7] H.R. 7997, CONGRESSIONAL RECORD 10152-10169.

Under all these circumstances we believe that we are presented with an exceptional situation and one in which the balance of public interest considerations warrant the granting of a temporary exemption from section 408. We are cognizant of the substantial regulatory problems raised by the instant control relationships and the strictures of section 408 of the act. However, we deem it significant that the relative positions of TWA and Pan American in NYA will be such as to prevent either of them from dominating the affairs of NYA and the TWA agreement will permit a continuation of NYA's scheduled service at the June 11, 1965, level. Realistically the choice appears to be either the grant of some measure of relief or the demise of NYA as an operating entity. Viewed in these terms we are convinced that we must allow implementation of a program which holds some promise of affording NYA an opportunity to develop a viable operation, while preserving the opportunity for ourselves to give the arrangements the type of close examination contemplated by section 408 of the act.

To accomplish the foregoing we have decided to grant the requested relief on an interim basis and also to expand the pending proceedings in docket 15661 to include the issue of whether the subject agreements should be approved under sections 408 and 412 for the full term of the agreements and if so whether any conditions should be attached to our approval.[8] Although this represents a departure from our customary procedures under section 408 of the act, this is not the first time, in face of an acute emergency situation, that we have granted relief pendente lite, a full evidentiary proceeding.[9] It should be emphasized however that such action has been taken only in the most unusual circumstances such as here where the cessation of the services afforded the public by a certificated carrier is at stake.

As is clear from the foregoing discussion, we would not even seriously consider granting the requested relief if NYA was still receiving subsidy support sufficient to assure continued meaningful operations. Therefore, we shall condition our actions herein so as to preclude the payment of any subsidy for operations conducted pursuant to the agreements now before us.

From the foregoing we find and conclude that the agreements are not adverse to the public interest or in violation of the act, and that they should be temporarily approved pursuant to section 412(b) of the act subject to the conditions set forth below. We find that the matters set forth in the original and amended petitions and the documents appended thereto establish that enforcement of the provisions of sections 401 and 408 of the act would be an undue burden upon the carriers by reason of the unusual circumstances affecting their operations and would not be in the public interest. In reaching this conclusion we have taken into account that no other carrier has alleged that it would be adversely affected by our action and that to require a hearing under sections 401 and 408, at this time would vitiate the agreements, and perhaps, result in the demise of NYA.[10] Of course, our action herein is for interim purposes only, to permit temporary relief in an emergency situation, and is without prejudice to the full exercise of the Board's powers under sections 408 and 412 to take whatever action it may deem to be in the public interest after a hearing has been held on the question of approving the agreements.

Accordingly, it is ordered:

1. That agreements CAB Nos. 17721–A13, and 18376 be and they hereby are temporarily approved under section 412 of the act; provided that:

(a) Such approval is not to be deemed a determination as to the reasonableness of the terms of the agreement for ratemaking purposes; and

(b) Operations conducted pursuant to said agreements shall not be eligible nor form the basis of any claim for subsidy under section 406 of the act;

2. That Pan American and TWA be and they hereby are temporarily exempted from the provisions of sections 401 and 408 of the act to the extent necessary to implement the agreements described above;

3. That the authority and approval granted herein shall be effective on the date of this order and shall continue until final decision of the issues raised by docket No. 16216 and agreements CAB 17221–A13 and 18376;

4. That the agreements filed in docket No. 16216 be and they hereby are consolidated into docket No. 15661 and that the proceeding pending in such docket include the issues whether such agreements should be approved under sections 408 and 412 of the act for their full term and if so whether any conditions should be attached to such approval and also whether relief from section 401 of the act is required and if so, should be granted if the agreements are approved;

5. That Pan American and TWA be and they hereby are made parties to the proceedings in docket No. 15661; and

6. That jurisdiction of the Board be retained over this proceeding for the purpose of reviewing at any time the approval and exemptions granted herein and for imposing from time to time such further terms and conditions on said approval and exemptions as the Board may find to be just and reasonable; and

7. That to the extent not granted, the relief sought by the carriers be and it hereby is denied.

By the Civil Aeronautics Board:

HAROLD R. SANDERSON,
Secretary.

CIVIL AERONAUTICS BOARD,
Washington, D.C., July 9, 1965.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: Certain questions have been posed by your office concerning the effect of the temporary approval of the agreements between Pan American World Airways, Inc., Trans World Airlines, Inc., and New York Airways, Inc., in Board Order E–22359, June 25, 1965. The questions and answers we are able to provide at this time are as follows:

Question. If subsidy is appropriated for payment to New York Airways by the Congress (on the same basis as the proposed appropriation to Los Angeles Airways) would Order E–22359 preclude the payment of any subsidy to support the operations covered by the agreements which were the subject of that order?

Answer. Ordering paragraph 1(b) of Order E–22359, which grants temporary approval of the agreements between New York Airways, Trans World Airlines, and Pan American World Airways, reads as follows: "Operations conducted pursuant to said agreements shall not be eligible nor form the basis of any claim for subsidy under section 406 of the act." Under this paragraph New York Airways cannot receive any subsidy for the operations conducted pursuant to those agreements.

Question. Are there operations conducted by New York Airways other than those which are the subject of the agreements, temporarily approved by Order E–22359, which would not be subject to the condition contained in paragraph 1(b) of that order?

Answer. New York Airways conducts no other operations at this time.

Question. If subsidy is appropriated by the Congress and if it were paid by the Board would the agreement terminate by its terms or would the Board take action to terminate the agreement?

Answer. There is no provision in the agreement calling for its termination if subsidy were available or paid to New York Airways. We cannot determine at this time whether the Board or the carriers would take any action with respect to the agreements if Congress appropriated subsidy funds for New York Airways.

Question. If subsidy were appropriated by the Congress would the Board have to pay subsidy to New York Airways?

Answer. On the basis of the current scope of New York Airways operations, and paragraph 1(b) of Order E–22359, no subsidy would have to or could be paid to New York Airways. Although it is possible for New York Airways to institute services to other points, not now served, and to which it is certificated, and which are outside the scope of the agreements, the Board would not be automatically required to pay subsidy for such operations.

I trust that this letter satisfactorily answers your questions concerning the meaning of Order E–22359.

Sincerely yours,

JOHN W. DREGGE,
Director, Community and Congressional Relations.

Mr. JAVITS. In the conclusion of the CAB letter there is a statement as to the New York Airways operation, and the subsidy program to the effect:

> On the basis of the current scope of operations and paragraph 1(b) of Order E–22359, no subsidy would have to be or could be paid to New York Airways.

I hope very much that this matter will work out for New York. It may, indeed, be some indication of how the situation will be worked out for other communities. I hope very much, too, that some of our communities will take heart from this fine effort, and that Congress will consider that the program funds for helicopter subsidies were well spent.

Let me say that I cannot fail to hear about the operations in South Vietnam, which so heavily involve the safety of our personnel in helicopters, without being thankful that with the strong right arms of the Senator from Oklahoma [Mr. MONRONEY], the Senator from Colorado, [Mr. ALLOTT], the Senator from Washington [Mr. MAGNUSON], and other Senators, we were able for such a relatively long period of time to keep the services operating, in order to learn everything that could be learned about helicopters in the course of operation. I believe that New York is certainly evidencing its good faith in this regard by endeavoring to find some way to keep these services going without a subsidy.

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[8] We also wish considered in that proceeding whether or not TWA and/or Pan American will require authority under sec. 401 of the act, or an exemption from such provisions in order to fulfill the agreements.

[9] See for example, Order E–17811, Dec. 8, 1961, affirmed *National Airlines, Inc., et al.* v. *CAB*, 306 F. 2d, 753 (CADC), 1962. Orders E–16803, May 12, 1961, and E–21992, April 5, 1965.

[10] In addition, the Board will expect that during the interim period, the schedules of NYA serving the TWA terminals will give due regard to the needs of all passengers employing the service, and not merely the needs of TWA passengers.

FLIGHT SERVICE STATIONS

Mr. President, one other observation, I should like to compliment the committee on the provision made with respect to the so-called flight service stations operated by the Federal Aviation Agency.

The Agency is admonished to carefully study any proposed closing to assure that the needs of general aviation are fully protected. The committee will hold the Agency to the assurances given by the Administrator during our hearings, and will expect both the committee and the Congress to be informed of the Agency's plans in this matter, and of any cost savings expected if closures are proposed.

This is a constructive provision. It will result in close committee scrutiny of the FAA plans concerning these facilities and in avoiding much in the way of improvident closings.

I invite attention to a review of the announced closings of 42 flight service stations undertaken at my request by the Comptroller General in late 1964 which indicated that there were some major factors not considered in the closing of certain of these stations, and that efforts in meeting local aviation weather observation and service needs must be exercised in this regard.

Mr. President, I ask unanimous consent to have printed in the Record the forwarding letter from the review of the FAA's proposal to consolidate certain flight service stations, prepared by the Comptroller General.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Comptroller General of the
United States,
Washington, D.C., September 16, 1964.

Dear Senator Javits: Our review of the Federal Aviation Agency's proposal to consolidate certain flight service stations disclosed that the Agency did not fully consider the effect of the closing on the weather observation system of the United States before reaching a decision to close the stations. Also, the Agency did not determine, before it proposed to close the stations, whether the part-time facilities to be established would be able to provide the necessary services at the locations to be consolidated or reach a decision on the type of remote control equipment to be used at the closed stations. As a result of these and other matters, we are unable to express an opinion as to the reasonableness of the savings that FAA estimates will be realized from the closing of the flight service stations.

The Federal Aviation Agency has stated that technical advances in communications and in the air traffic control system made the consolidation possible and that the services now rendered by the flight service stations could be provided in a more efficient and economical manner. The flight service stations now provide the aviation community with inflight and terminal services. The original consolidation plan for 42 stations, announced by the Agency on February 4, 1964, was to transfer the inflight functions to other locations by the use of remote control equipment and to discontinue the terminal services. Subsequent to this announcement the structure of the existing flight service station system was completely redesigned, and the Agency now anticipates closing 137 stations during fiscal years 1966 and 1967. The inflight functions of the stations to be closed will be transferred as originally planned. However, new plans have been devised to provide limited terminal services at the closed stations. The Agency has estimated that it will derive annual savings of about $6.2 million from the revised consolidation plan. Before any savings can be realized, however, the need for weather information at the closed stations must be resolved between the Federal Aviation Agency and the U.S. Weather Bureau.

For the original 42 stations selected to be closed, the Weather Bureau agreed to gather weather data, when or where needed, by other means. In the subsequent redesign of the flight service station system, however, the Federal Aviation Agency did not consult with the Weather Bureau to determine the need for weather observations at the stations selected to be closed, nor did it consider any additional costs that may be incurred by the Weather Bureau. Furthermore, the Federal Aviation Agency assumed that at some locations existing Weather Bureau stations would provide airmen with certain services that were previously provided by the flight service stations. We were advised by Weather Bureau officials that the redesign of the flight service station system might completely change the entire weather observation system in the United States. They informed us also that, until the Federal Aviation Agency advised them of the details of the redesigned system, it was impossible to determine what additional facilities or personnel the Weather Bureau would have to provide. They stated also that, because the structure of the system had been completely redesigned, the agreement reached on the consolidation of the 42 stations was no longer in effect.

We have summarized in this report data prepared by the Federal Aviation Agency as supplemented by information obtained during our discussions with Federal Aviation Agency and Weather Bureau officials. At the request of your staff, however, the contents of this report have not been transmitted to officials of either the Federal Aviation Agency or the Weather Bureau for their review and comment. Therefore, in any further use made of this report, recognition should be given to the possibility that additional pertinent information might have been obtained if formal agency comments had been requested. We plan to make no further distribution of this report unless copies are specifically requested, and then we will make distribution only after appropriate approval has been obtained or public announcement has been made concerning the contents of the report.

Sincerely yours,

Joseph Campbell.

Mr. JAVITS. I am very grateful to the Senator for yielding to me.

Mr. PROXMIRE. Mr. President, I call up my amendment which is at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. The Senator from Wisconsin proposes an amendment, on page 37, line 17, to change the period to a comma and add, "and the aggregate amount of these appropriations so made is hereby reduced by a sum equal to 5 per centum of such aggregate amount."

Mr. PROXMIRE. Mr. President, I offer the amendment in behalf of the Senator from Pennsylvania [Mr. Clark], the Senator from Oregon [Mr. Morse], the Senator from Illinois [Mr. Douglas], and myself.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. YOUNG of Ohio. Mr. President, will the Senator from Wisconsin yield to me briefly, without losing his right to the floor?

Mr. PROXMIRE. I am happy to yield to the Senator from Ohio, under those conditions.

Mr. YOUNG of Ohio. Mr. President, I shall, directly, after the Senator from Wisconsin has finished offering his amendment to the bill, request the yeas and nays on an amendment which I shall offer.

If this is out of order. I shall do so later.

The PRESIDING OFFICER (Mr. Bass in the chair). The Senator from Ohio cannot do this without unanimous consent, because his amendment is not now before the Senate.

Mr. YOUNG of Ohio. Mr. President, I ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, I would have to object to that request, but on that basis if Senators will raise their hands——

Mr. ALLOTT. Mr. President, I will not object to the Senator having a yea-and-nay vote, but I will object to unanimous consent at this time.

The PRESIDING OFFICER. Objection is heard.

Mr. PROXMIRE. Mr. President, I know it is not a propitious time to find justification for the kind of reductions in the space program my amendment would provide because we have had such spectacular success in the last few weeks in space.

A few months ago, the Russians sent their astronaut walking in space, and then we followed with our astronaut walking outside the space capsule, as reported in millions of American homes. Our astronauts did a great job. They showed that there is a close and exciting competition going on between the Soviet Union and America.

We are also very much aware that within 48 hours we may be receiving pictures from Mars that may reveal far more about that planet than we have known in the past, with all the fascinating speculation and conclusions regarding the possibility of life on Mars, and whether its canals have been actually constructed by intelligent beings, or whether on Mars, whose atmosphere may be somewhat like our own, life may be possible in some form.

There is a great deal more to look forward to in the near future, such as rendezvous in space, and future moon landings. In a short time orbiting will be taking place on virtually a once-a-month basis.

We also know about the fantastic television coverage of space accomplishments. Everyone in America has been made aware of this from the networks, which have been on the air for many hours, reporting what is going on to the entire country.

I am not interested in stopping the space effort in any of its accomplishments in space. We feel, however, that this is one program in which there has been a great deal of waste. We feel that it is a program which has been most generously funded for many years, that it is a program which can stand some reduction.

The reduction I am proposing in the amendment—which I believe to be a very modest reduction—should be considered a part of the continuing effort of Congress to keep Federal Government expenditures within reasonable bounds.

The amendment would reduce NASA appropriations by 5 percent, for a total of $260 million.

My amendment to reduce the NASA appropriations should be considered part of the continuing effort of Congress to keep Federal Government expenditures within reasonable bounds. The amendment would reduce NASA appropriations by 5 percent—by a total of approximately $260 million.

Adequate congressional control over expenditures of agencies such as NASA is extremely difficult. It may even be impossible with the congressional organization and procedures now existing. Proposals before the Joint Committee on Congressional Organization, such as those calling for creation of a Science Advisory Panel and a Budget Advisory Panel hold promise of much needed reform. For, without authoritative technical information provided from sources independent of the executive agencies and departments, individual Senators and Congressmen, and Congress as a whole, must accept as articles of faith the explanations and justifications for budget requests provided by the executive branch.

NASA is the prime example of an agency whose expenditures Congress has difficulty in controlling, let alone fully understanding. To say this is not to criticize NASA or its officials. It is, quite obviously, to criticize ourselves for failure to provide such reforms as I have just mentioned.

NASA has an able Chief Administrator. Naturally, and properly, and with notable success, he has sought to attract the best scientists and administrators in the Nation to NASA. Like all officials worth their salt, they believe in the objectives of their agency. They have sought from Congress funds sufficient to meet those objectives without concern for either project costs or total agency expenditures.

My amendment is based upon two contentions. First, that certain project costs within the NASA program could be reduced. Second, that expenditures for space activities are consuming too great a proportion of our national resources—and by resources I mean monetary, material, and manpower resources.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks two articles critical of NASA's use of funds. The first of these articles is written by Prof. Frank Drake, associate professor of astronomy at Cornell University and a member of the Astronomical Facilities Panel of the National Academy of Sciences Committee on Science and Public Policy. Previously he was head of telescope operations at the National Radio Astronomy Observatory at Green Banks, W. Va., and chief of the lunar and planetary sciences section of the Jet Propulsion Laboratory at the California Institute of Technology. Professor Drake's article was published in the January 2, 1965, issue of Saturday Review magazine.

Mr. President, I suppose there is no place in the country where more NASA research money has been expended than in the California Institute of Technology, so that Professor Drake has had ample opportunity to witness firsthand, on a practical basis, how the space program has been operating.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am glad to yield to the Senator from Texas.

Mr. YARBOROUGH. The Senator from Wisconsin has just mentioned the moneys spent in research by NASA. Was the distinguished Senator in the Chamber a few days ago when we were voting on the Long amendment to the NASA authorization bill, in which we attempted to protect the rights of the people of the United States to patents for discoveries which were made by NASA research?

Mr. PROXMIRE. Yes, indeed; the Senator from Wisconsin was very happy to see the excellent fight made by the Senator from Texas and the Senator from Louisiana, to provide that the public would have the rights for which they are paying protected in the future. I was disappointed that the amendment was defeated.

Mr. YARBOROUGH. What was the position of the NASA officials while this fight was going on?

Mr. PROXMIRE. The Senator from Texas, I am sure, can enlighten the Senate far better than can the Senator from Wisconsin.

Mr. YARBOROUGH. NASA was fighting against protection for these people.

Mr. PROXMIRE. The Senator is correct.

Mr. YARBOROUGH. NASA fought the Long amendment. The NASA leaders and officials did not want the people of the United States to have the benefits of these discoveries that were found and made with the people's money. They made a strong fight against the Long amendment. As a result, I think there were only 24 votes in favor of the Long amendment, because NASA fought the research money that the Senator is talking about. They are using $4 billion of the pepole's money in one item alone. NASA used every means it could to defeat the Long amendment, to keep the people of the United States from benefiting from these discoveries.

Mr. PROXMIRE. The Senator from Texas is making an excellent point. The argument is that Congress is appropriating under the bill an enormous amount for research—$4.5 billion—and that is more than 90 percent of the bill. It seems time, as the Senator has pointed out, to protect the taxpayers in the rights which every investor would insist on under similar circumstances.

I thank the Senator for making this appropriate point.

Mr. YARBOROUGH. I am in favor of this research, but I believe that those who are in charge of research owe a high duty to see to it that the rights of the taxpayers are protected. They should be the last people lobbying to give away the rights of the people. They should have been working to protect those rights. Instead, they were on the other side. The leaders of NASA showed a lack of public consciousness when they failed to fight for the protection of the people of the United States.

Mr. PROXMIRE. I thank the distinguished Senator from Texas.

Mr. President, Professor Drake describes NASA's overemphasis on space hardware and underemphasis on earth receiving stations has led to inefficiencies in the planetary probe programs. As I said on Wednesday, within a very short time the Mariner space vehicle will fly past Mars and, we hope, transmit information to receiving stations on Earth. Unfortunately, as Professor Drake points out, little effort has been devoted to developing adequate receiving stations. For relatively little money and effort, vastly more efficient receiving stations can be built. Such receiving stations would enable much more information to be received than is now possible from a space probe vehicle of a given cost.

The second of these articles is from U.S. News & World Report of November 23, 1964. It deals with the controversial and by now well-known, proposed NASA Electronics Research Laboratory to be built in Boston. NASA wishes to spend many millions of dollars—the estimates range as high as $40 million—to locate the Laboratory within walking distance of the Massachusetts Institute of Technology, rather than on a site several miles from MIT already owned by the Federal Government.

Mr. President, by reducing the total funds available to NASA, my amendment would compel the agency to pay much more attention to the costs of individual projects. It would compel the agency to design projects capable of achieving adequate results at lowered costs. My amendment is of the kind often called an economy amendment. Ernest S. Griffith, formerly Director of the Legislative Reference Service and author of the excellent and widely read book, "Congress: Its Contemporary Role," has said, concerning this type of amendment:

> The fact of the matter is that it is good for an agency to go through this type of wringer occasionally, provided it is not repeated too often and does not go too far.

Mr. President, this is one of the few agencies of Government that has not gone through the so-called wringer. In the first years when the agency had appropriated to it $900 million and then $1 billion, and then it rose to $3 billion and to $5 billion, the Bureau of the Budget had to keep its hands off the appropriation. This is the only agency which was not reviewed by the Bureau of the Budget. Subsequently it has been reviewed, but the Bureau of the Budget has not insisted on anything like the cuts it insists on for the Defense Department which the Defense Department has undergone at the hands of Secretary McNamara.

It is my understanding that he had been requested last year to ask for an appropriation of $65 billion, and he cut it back to $50 billion.

NASA never has been asked to make this kind of cut.

The purpose of my amendment is to put pressure on the agency so that it may become as efficient as it possibly can. This is the only way Congress can do it. It leaves the discretion up to the Administrator to make the cuts where they can be made most effectively.

Mr. Griffiths adds that such an amendment forces reexamination of agency policies "regardless of vested interests and sacred cows. What eventuates is likely to be more streamlined as well as more economical."

This is the aim of my amendment, Mr. President, to facilitate streamlining in NASA regardless of vested interests and sacred cows.

My second contention is that we are devoting too large a portion of our national resources and energies to such space adventures as putting a man on the moon. We are spending vast sums of money on space programs while economic and social needs go unfulfilled in our country—right here on earth. Enthusiasm has overcome our judgment, causing us to forget the advice given centuries ago by Euripides:

> Slight not what is near
> By aiming at what's far.

Last year over $5.25 billion was appropriated for NASA. This year the Agency has asked for $5.18 billion. The House has allowed $5.16 billion. The Senate Appropriations Committee is recommending $5.19 billion. Although it would be utopian to suggest that a large reduction in this amount is now feasible, a reduction of the magnitude I am proposing world enable greater effort in such areas as education, defense, and industry.

The drain on our manpower resources caused by NASA's activities is equally disturbing. Scientific and engineering personnel have been hired by NASA in such numbers that the reservoirs of skilled manpower available in defense, in industry, and in teaching have been drastically reduced. Some persons have predicted that before the end of this decade NASA will have acquired the services of a far larger proportion of American scientists. Already, for example, it is employing more than 10 times as many scientists as the number working in the National Institutes of Health on health and medical problems faced by those of our citizens who will remain here on earth.

It is the responsibility of Congress, and of Congress alone, to allocate national resources among national programs. The space program is getting too much of our Nation's resources. Other programs are getting too little. My amendment would reduce the amount of funds devoted to the space effort and enable greater emphasis on other programs.

It is not the responsibility of Congress to supervise in detail specific projects within the space effort. Such supervision is the responsibility of NASA's Administrator, for whom, as I have said, I have very high regard. My amendment would leave to the Administrator's discretion the allocation within NASA of the budget reduction.

We believe that too much money is now being spent on the space effort. We believe that greater efficiency and greater economy could be achieved within NASA.

The situation as it now stands can hardly be a source of comfort to those of us throughout our land who must pay the bill. Most of us would be proud to endorse a program of space exploration if the program is kept in the proper perspective and not allowed to impair other essential goals.

We believe that greater efficiency and economy can be achieved in NASA. The situation as it now stands can hardly be a source of pride to those who must pay the bill.

Most of us would be proud to endorse a program of space exploration if the program were kept in proper perspective and not allowed to impair other essential goals.

EQUITABLE DISTRIBUTION OF NASA RESEARCH FUNDS

Mr. President, there is an extremely important sentence in the committee report accompanying the independent offices appropriation bill. It concerns space research contracts awarded by the National Aeronautics and Space Administration. It reads:

> The committee favors an equitable distribution among the States in the awarding of grants and contracts for research.

Several weeks ago, during debate on the NASA authorization, I urged the inclusion of such language. At that time I indicated the unease of those of us from the Midwest over the fact that approximately 80 percent of NASA research contract dollars are spent in coastal States. I commend the senior Senator from Washington for his willingness to include in the committee report the sentence I have quoted.

There is evidently a tendency, on the part of some persons, to misconstrue the intent of this "geographical" provision. It is essential that NASA obtain the highest return possible for every dollar it spends. This conviction is the basis for the amendment I have introduced to reduce by 5 percent the amount the committee has recommended for NASA's operations during fiscal 1966. It is equally essential, however, that space research contracts not be awarded to certain institutions only because those institutions have received contracts in the past. When institutions in other areas of the Nation are equally able, or more able, to fulfill the contracts, every effort should be made to award contracts in these areas.

Furthermore, it is a fact of life that research contracts must be pursued. Contracts do not give themselves away to shy wallflowers. The mere condition that States and institutions desire contracts is not enough. Vigorous campaigns must be mounted to demonstrate beyond doubt that desire is backed up by both resources and ability.

EXHIBIT 1

[From Staturday Review, Jan. 2, 1965]

OUR WEAKNESS IN SPACE

(By Frank Drake)

The automatic spaceship Mariner 4 is well started on the way from Earth to Mars. If it hold to its present course, the ship will sail between the two planets, at a distance of 5,400 miles from the sourthern hemisphere of Mars, in mid-July 1965. If all the instruments aboard perform according to instruction, nine different scientific observations will be taken simultaneously. Eight of the nine will give simple "yes," "no," or "I count this many" answers to questions previously posed. These will affirm or deny what scientists already believe to be true about Mars. So all will add something to current understanding of Mars. But it is the ninth instrument that promises the greatest potential excitement of the Mariner 4 voyage. It is the only one possessed of great versatility in detection of the unexpected.

This ninth instrument has the function of the human eye. It is a TV camera. During the half hour of Mariner 4's closest approach to Mars, the TV eye will record what it sees for eventual transmission to Earth.

Readers of Saturday Review have studied in these pages some stunning examples of Ranger 7's brilliant TV picture-taking mission on the Moon last summer. In about 15 minutes—half the time allotted to Mariner 4's TV assignment—4,316 photographs were snapped and returned home. In the clearest of them objects only 3 feet in size were visible.

Now fair allowance must be made for the fact that Mariner 4 will snap its photos of Mars while passing thousands of miles from the surface of Mars, whereas Ranger 7 did its lunar picture-taking en route to a crash landing on the Moon. Furthermore, Mars will be 150 million miles away from Earth next July while the Moon was only 238,000 miles away from Earth when Ranger 7 landed. Nevertheless, it is disappointing to discover that the best we can expect from Mariner 4, with twice the exposure time of Ranger 7 is a total of 22 photographs, none intended to show any detail of the Martian scene sharper than details of the Moon's face now revealed in pictures taken through the strongest earthbound telescopes.

The prospect is especially frustrating because we now actually possess the practical means of obtaining pictures of Mars with clarity equal to that of the Ranger 7 pictures of the Moon.

Why aren't we going to get them?

The answer is that we lack a reasonable system of interplanetary expense accounting derived from the principle that the one meaningful purpose behind exploration of the space beyond our home planet is acquisition of knowledge.

Spending for design and construction of ever more powerful rockets for exploratory voyages makes sense only insofar as the rockets can gather proportionately more knowledge recoverable by man.

Our recent preoccupation with the Moon has obscured this fundamental truth. The Moon is so close to us that communication of data has never been a serious problem. Our signal transmission and reception devices are, in fact, capable of handling information that cannot yet be obtained from the Moon because our rockets are not yet sufficiently powerful. It would, for example, be possible to transmit consecutive TV pictures of the entire equatorial circumference of the Moon—if we had rockets with enough thrust to enter the lunar neighborhood and then maneuver into orbit around the Moon in a plane suitable to the equatorial picture sequence.

As our spaceships venture farther from home, however, the situation changes. The same rocket that reaches the Moon can carry the same payload to Mars with only 9 percent more push. Though similar proportions might be expected to hold in the sending of news from the spaceship back to Earth, they actually do not. The messages weaken according to the square of the distance. Thus, when Mariner 4 passes Mars next July, the Mariner will be 570 times farther from Earth than Ranger 7 was when the Ranger met the Moon. But the radio signals from Mariner 4 at that point in space and time will, because of the inverse square law, be 325,000 times fainter than were the signals Ranger 7 sent from the Moon.

An obvious solution to this communication problem would be to step up the power of the radio transmitter aboard Mariner 4. However, the Mariner's present transmitter weighs 300 pounds and accounts for half the total weight of the spacecraft. Mariner's scientific instruments, on the other hand, weigh only 60 pounds. To make room for a radio big enough to compensate for the signal attenuation would be impossible—even a trivially modest increase in transmitter would require serious reduction or perhaps even abandonment of the observing devices, the source of the messages, the justification for the voyage.

An alternate solution to the communication problem can be explained by a close analogy. Suppose you are listening to someone speak in a language with which you are only mildly conversant. If sentences are rapidly rattled off, the slurring of the words, the hissing of the voice, the clickings of the tongue against the teeth, the redundant parts of speech all clutter the context of the message. But if the speaker enunciates each word slowly, the difficulty in understanding disappears.

The same phenomenon occurs in transmission of radio messages. The faster messages are sent, the larger grows the number of different wavelengths conveying them, and the more noise is introduced. When the rate of speed of transmission is reduced, the number of message carrying wavelengths is fewer, allowing the information content of the waves to stand out more clearly against the surrounding noise. In other words, the slower the data travels, the easier it is to read.

This technique of conveying information very slowly will be used in transmission of Mariner 4's TV pictures of Mars. Since there is no way to reduce the number of picture elements, or spots of light and shade, beyond a certain minimum without destroying the informative value of the picture. Mariner 4 will actually record 250,000 bits of data for each photograph. These bits will be put on magnetic tape at the rate of 10,700 per second. The record on the tape will later be played back to Earth at the rate of 8.33 bits per second, so that reproduction of each picture will occupy 8 hours and 20 minutes. If Mariner 4 were to transmit nothing but pictures (in reality, much other data also must be sent), the process would fill every available minute for more than 10 days.

All of this week-and-a-half's work could be packed into one photograph of quality comparable to that of the pictures Ranger 7 radioed from the Moon. But suppose that one photo turned out to cover a region of Mars outside the sunlit region, or covered by clouds, or just plain uninteresting. The chances of disappointment inherent in such a one-shot gamble would seem excessive. The alternate risk of taking a score of pictures of lesser quality offers some statistical insurance that at least a few of them will provide interesting though unclear details.

I believe I have established the point that the plans for Mariner 4's voyage—a very expensive scientific expedition—were controlled not by the scientific requirements, or by the ability of the spaceship to carry the necessary photographic equipment (a more powerful telescopic lens and a device to compensate for image motion, both of acceptable weight, would be enough to produce TV pictures of Ranger 7 clarity), or by ability to launch and guide the spaceship. The design of Mariner's key experiment was dominated by feeble communication between Mariner 4 and Earth.

If acquisition of knowledge had been the foremost determinant, Mariner 4 would have been assured full opportunity to return a great amount of data. Certainly some experiments can be so designed as to permit transmission of results in short and simple form. These include measurements of magnetic field, temperature, pressure, and cosmic radiation. But these experiments ask specific questions of nature—the answers to which we already glimpse. The more interesting problems of science are always the ones in which we hardly know what to expect; to solve them, we must collect a great deal of data in order to be sure we have the full story. For example: What is the structure of the surface of Mars? What is its chemical composition? Does life exist on Mars; if it does, what is its nature?

To answer such questions, we must examine Mars with high-resolution TV, automated microscopes, and general-purpose infrared and X-ray spectographs. All these instruments acquire large quantities of data, much of which is worthless but some of which is priceless. Consider the millions of bits of information in the thousands of pictures Ranger 7 sent back, showing only barren landscape on the moon. Then suddenly, in one corner of a few pictures, a huge rock mass appeared in a crater. Here is a vital clue to understanding of the moon. It was an unexpected thing in a sea of monotony.

The present moment is a most appropriate time for discussion of this matter. For although the era of interplanetary exploration was opened by Mariner 2's trip to Venus in 1962, only with the voyage of Mariner 4 do we begin to extend the range of man's reaching outward from the Sun. It is on Mars, more than anywhere else in the solar system (and less so on Venus) that we may expect to find another world most like our own. It is there we will find what twists of fate, what peculiarities of the laws of physics and chemistry, what bizarre events in the history of the solar system, shaped other worlds. From this, we will come to understand our own world, which in itself does not provide enough ready evidence to elucidate clearly its own past. On Mars, Venus, and Jupiter (and not on the Moon) we will find an atmosphere, and will be able to study the many consequences of atmospheric influence on the planet, the effect on the chemical evolution of the outer planetary layers, the results of uninterrupted shielding of the surface of the planet against usually destructive ultraviolet light and cosmic rays.

Of paramount importance is the nature of life to be found there, or, if there be no life, the nature of any biologically relevant materials whose chemical structure, abundance, and location will tell us how life develops on a planet or why life will not develop.

It is quite possible that, because of its small mass (one-half of the mass of the Earth) Mars does not have enough gravitational pull to hold a suitable atmosphere for chemical evolution to occur. Thus it may be necessary to go on out to Jupiter (or perhaps back to Venus) to find what really happened on the primitive Earth. Jupiter today still possesses an atmosphere which we believe is quite similar to that of the early days of Earth, before the free oxygen that supports life generally today became plentiful. It's in an atmosphere like Jupiter's, containing large quantities of hydrogen, methane, ammonia, and other compounds still represented in the Earth's atmosphere, that chemical reactions which eventually lead to living things are thought to take place.

If we must go to Jupiter for the basic data about life's remote beginnings, the radio messages from there will be 10 times fainter than messages from Mars. So the argument with which I shall conclude this paper becomes even more cogent.

Every new planet we explore will first have to be approached by unmanned landers. As these spaceships penetrate the atmosphere of a planet, we will need to know everything that is happening: how hot the ship is, what air resistance it is experiencing, and what can be seen below the ship as it descends. All this data should be received on Earth as soon as it's acquired. Otherwise, the information may be lost in some unexpected catastrophe. Only if we have the the information in hand can we learn how to do better the next time if a catastrophe does occur.

Our present inability to accomplish live data transmission is already jeopardizing plans for landings on Mars in 1969 and later—landings that are in every other way feasible.

Has the National Aeronautics and Space Administration, in its headlong race against the Soviets to the Moon, developed a form of tunnel vision in which rocket power is an obsession, blotting out proper consideration of other key aspects of space exploration? Certainly it can be argued that NASA has not carefully designed the overall planetary exploration program. NASA has failed to analyze every project with the goal in mind of acquiring the maximum amount of scientifically pertinent data at the lowest cost. Such analyses should be carefully made to seek the optimum combination of rocket, spacecraft, and communication system which best achieves this goal.

As obvious as this seems, the situation with Mariner 4 leads to the conclusion that the proper optimization has been badly missed. The neglected component in the formula is the radio communication system. Earlier in these pages it was demonstrated that an increase in radio power on the spacecraft is not a good solution because that would entail unacceptable reduction in the scientific observing instruments aboard. There is no such limitation on the radio receiving facilities back here on Earth, the so-called deep space net.

The net presently consists essentially of three 84-foot diameter radio telescopes located near Goldstone, Calif.; Woomera, Australia; and Johannesburg, South Africa. At least one of the three will always have a spacecraft in view. There are two spares at Goldstone. These instruments have been so highly developed that they can detect weak signals better than any similar large parabolic antennas in the world. The personnel at California Institution of Technology's Jet Propulsion Laboratory who operate these listening stations for NASA manifestly excel in a field where there is very enlightening competition from some of the most clever members of the scientific world.

But no amount of skill can make an antenna seem appreciably larger. And the stark reality is that the data which can be recovered from a planetary explorer is directly proportional to the energy collecting area of these ground antennas of the deep space net. These antennas contain a total of a few hundred square yards of collecting area, about the same size as a tennis court. With this one set of disproportionately small electronic ears, we are gathering the information relayed back to us by many hundreds of millions of dollars worth of lunar and planetary spacecraft.

This procedure would be irreproachable if the space exploration system were optimized in the forementioned sense—if, in fact, diverting more funds to the deep space net would so reduce the capabilities of the space vehicles that a net loss in data would occur. But even the crudest economic analysis shows this is not the case. A gross inequity exists.

Each of the 85-foot antennas costs $1 million, according to JPL. (They could presently be duplicated for about $700,000.) Thus the total capital investment in the deep space net antennas is $3 million. True, there are other costs, such as electronics and buildings, which total $15 million, and operating costs which JPL has estimated will add $30 million more over a period of 10 years. But these latter costs do not depend on the size of the antenna and do not influence the amount of data the net can recover from a spacecraft. One may note already a serious imbalance here—$45 million might be spent to utilize $3 million worth of antennas. Yet it is the antennas alone on which the data recovered depends. The $3 million is by far the most relevant figure.

It is hard to say precisely what the optimum relative allocation of effort in space exploration should be, but we are clearly far from it. As an example, it would be impossible to double the funds provided for deep space net antennas and yet reduce the funds available for space vehicles in the next 10 years by perhaps as little as 1 percent. The total data accrued would be nearly doubled because of the direct dependence of the data acquisition on the collecting area of the deep space net. Mariner 4, for instance, could handle twice as many TV pictures or the same number of twice-as-good pictures. It is not unreasonable to think that the appropriate increase in resources allotted to the deep space net would be by a factor of more than 10 but probably less than 100.

Some improvement in the deep space net has already been undertaken. A year ago construction was started at Goldstone of a 210-foot antenna costing about $12 million. This antenna, due to be completed in 1965, will increase our data capacity six times, which is still far from enough. Presumably the 210-footer will be matched in time at the two other deep space net installations.

Further development of the deep space net is tenable only if additional resources will lead to proportionately greater antenna collecting area. There is a real problem here. If we think in terms of building ever bigger parabolic antennas, we soon reach a point of rapidly diminishing returns. Single antennas much larger than 210 feet become inordinately expensive. Cost analyses indicate that the price rises quite accurately as the cube of the antenna diameter.

Does this mean that additional support for the deep space net might really be ineffectual? Experience justifies a negative answer to the question. For some years, radio astronomers have been searching out ways to circumvent the inevitable cube law in antenna costs. A workable and in many ways desirable solution has been found. As one might guess, it is the aggregation of large collecting area by electrically connecting many smaller antennas. Since the total collecting area is then proportional to the number of antennas connected together, the total cost is directly proportional to the collecting area. This is far better than the cube law, and as good a bargain as anyone could hope for.

Although such an arrangement is simple in principle, the electrical interconnection of many antennas into a so-called array must be done very carefully. The radio waves from distant spacecraft, when captured by the antennas, generate high-frequency electrical waves at the antennas. These are carried by cables to a central point where all the waves are added together. The technological feat which must be accomplished is the bringing of all the wave crests simultaneously to this central point over circuits hundreds of yards long.

The radio waves always arrive at different antennas at different instants. So the lengths of the cables which interconnect the antennas are adjusted to compensate. However, because of the spacecraft motion and the rotation of the earth, the intervals between the times when the waves arrive at the antennas are continuously changing. This demands electrical circuitry that gives the effect of continuous change in the length of the cables connecting the antennas.

Despite the nightmare this description suggests, the problem has been solved. At Stanford University, an array of thirty-two 10-foot antennas has been successfully coupled and an ingenious calibration system developed to allow the required performance. For many years at the Owens Valley Observatory of the California Institute of Technology, and more recently at the National Radio Astronomy Observatory at Green Bank, W. Va., large antennas also have been connected successfully, even though at NRAO they are more than a mile apart.

Very recently, the radar industry has produced a system called the "adaptive array." In this technique, the waves coming from each antenna are compared, and the result used to drive a servomechanism which automatically adjusts the signals from the antennas to produce an optimum addition. One of the great advantages of this system is that it corrects for all disturbances to the incoming waves, including even the effects of clouds and other irregularities in the atmosphere.

From the cube law of cost for parabolic antennas, the nimble-minded might quickly conclude that it is better to assemble a given collecting area by using a gigantic number of very small antennas. Actually, this is not the best solution because each antenna must have a very sensitive and expensive amplifier on it, and the cost of the amplifier stays the same no matter how small the antenna is. Studies made at the NASA Langley Research Center and at the Stanford Research Institute conclude that the minimum cost for a given total collecting area is achieved if antennas about 85 feet in diameter are used. By coincidence, this is the same size as now used in the deep space net, and at many other radio observatories. Here is something of a delight—it is as though a deeply intellectual study had been made to determine the very best design for an automobile, and the epitome hit upon was sitting in the driveway, available by the dozens at the nearest auto dealer.

Recalling the preceding discussion of Mariner 4 one concludes that the space program could well use an array containing a hundred or more 85-foot antennas. One array might cost $40 million—still only a few percent of what will almost certainly be spent on planetary exploration in the next 10 years. Taking into account the fact that one such array cannot constantly monitor a spacecraft, about 50 times the data-gathering ability of the present deep space net would then be assembled. The lunar feat of Ranger 7 could be duplicated at Mars or Venus. We would no longer be dismayed by the feeble signal strength from a Jupiter probe. As data requirements increased, the abilities of the array could be enhanced in direct proportion to additional expenditures simply by adding more identical antennas. Five hundred 85-footers would probably be close to optimum.

Such a breathtaking instrument would not only assure an adequate communication link with our farflung spacecraft, but itself would be capable of making celestial observations of a quality far better than any existing or planned radio telescope. This one array of instruments could observe the sun, moon, and planets in detail, as well as the exotic and exciting objects which populate the radioastronomer's universe. These last include the gas clouds of the Milky Way, the basic stuff from which stars and planets are made, and the remnants of supernova explosions. Beyond the Milky Way, we would see clearly the tantalizing radio galaxies, including the new famous quasi-stellar radio sources, about which we understand little except that they are the most spectacular phenomena yet discovered: perhaps manifestations of gravitational energy heretofore unsuspected.

We cannot procrastinate—an instrument of the size described here takes years to produce in fully working form. Yet it is clearly needed if the great and unique promise of planetary exploration is to be fulfilled.

Until a balanced program is achieved, until our radio telescopes are worthy of our rockets, our greatest potential achievements in space will not be realized. It is time to get on with the job. While you have been reading these words, a spacecraft has flown several thousand miles closer to Mars.

[From U.S. News & World Report, Nov. 23, 1964]

Why Boston Is Puzzled by a Federal Economy Move

(Almost no one is pleased—and many are angry—at a decision by Washington to build a big space complex on high-priced land near Boston that now is occupied by thriving industries. Critics call it a classic case of bureaucracy at work. The argument: The Government could have saved millions on the project—but chose the expensive way instead.)

Cambridge, Mass.—A sudden storm of controversy is erupting over a new $61 million U.S. space center to be built here.

At the center of the storm is the Electronic Research Center, a complex of Federal buildings and laboratories to develop new equipment for U.S. space missions.

The Government wants to build the new space complex on land now occupied by thriving industries in the heart of Cambridge. That means that 94 private firms, which employ nearly 4,000 persons, will be evicted.

About 3 miles away is the Watertown Arsenal, already owned by the U.S. Government, which is soon to start closing down on orders from the Pentagon. The arsenal contains more than twice the land in the Cambridge tract, and would probably be available for the space center at a fraction of the cost.

EMPIRE BUILDING

Some Cambridge officials say the case is a classic example of inefficiency and empire building by agencies in the Federal Government. They point out that the plan to locate the space center at the industrial Kendall Square area in Cambridge will cost the United States up to $40 million to buy private property, tear down existing buildings, and move the industries to new areas.

Leveling the U.S.-owned land in neighboring Watertown, on the other hand, would probably cost less than $1 million.

Government planners in Washington don't want the Watertown Arsenal. They argue that Kendall Square is the best spot for the space center because it is next door to the Massachusetts Institute of Technology and its big laboratories.

Officials of the National Aeronautics and Space Administration, which will build the center, are alarmed about the controversy. They fear that the fight now brewing could delay construction for many months, and might force them to pick a less desirable location.

An earlier feud over the new electronics center has already caused delay.

The first fight was in Congress. Some legislators last year attacked selection of the Boston area for the center as a political payoff to Senator Edward M. Kennedy, the late

President's brother. After weeks of wrangling, the House and Senate Space Committees approved the Boston selection.

Among the locations NASA considered was the Watertown Arsenal, which got word last April that it was to be shut down by the Army. The arsenal is 10 minutes along the banks of the Charles River by car from Kendall Square and, like Cambridge, is in the heart of the Boston metropolitan area.

Residents scarcely know when they have driven from one community into the other, they are so much alike. Both Watertown and Cambridge are part industrial and part residential, and both are served by a variety of highways, rail and buslines. Both are a few minutes from downtown Boston.

THE PRICE OF WALKING

Why, then, did NASA choose the Cambridge site when it could have saved millions of dollars at Watertown?

Because, say NASA officials, it is worth every extra million to locate the center within easy walking distance of some of the best research facilities in the world at MIT.

"When you consider all the money involved in the total space program and the convenience of being able to walk between these areas, you begin to see it is worth it," emphasizes Franklyn W. Phillips, assistant director for administrative operations at the center.

Mr. Phillips maintains the United States will eventually save a great deal by speeding up exchanges among scientists from NASA, MIT, and Harvard, which is also nearby.

SOME KIND OF A DEAL

There are influential men in Cambridge and Watertown who contend that this is not the full answer. Alfred E. Vellucci, vice mayor and one of nine city councilors of Cambridge, makes this charge:

"There's some kind of a deal between NASA, MIT, and the urban-renewal people. The natives of Cambridge suspect collusion and conspiracy, and maybe even some empire building."

Mr. Vellucci contends that Cambridge, a city of about 108,000, cannot afford to evict a large part of its industrial base, especially in exchange for a U.S. agency that will pay the city no taxes.

Dr. James R. Killian, Jr., chairman of the corporation of MIT, says talk of a "conspiracy" between NASA and MIT is "a ridiculous and irresponsible statement." He says that he and James E. Webb, NASA Administrator, conferred before the Kendall Square selection was announced, but said that Mr. Webb wanted only "to make sure that MIT has no objections to NASA's locating here."

The school, he says, has no financial interest in the land that would have to be bought for NASA. He also contends MIT would be affected only indirectly by having the space center as a neighbor.

"The principal interest MIT has in this case," he says, "is in being able to help in improving the economic climate of Cambridge and in upgrading the area. NASA would attract lots of new taxpaying enterprises here."

IRRESPONSIBLE EXPENDITURE

A group representing the 94 firms—the committee for the preservation of Cambridge industry—charges that "the irresponsible expenditure of public funds, first to purchase and then to bulldoze out of existence the heart of Cambridge's industrial area, cannot be defended."

The Cambridge group points out that "many of the plants slated for destruction are large, successful steel, chemical and electrical businesses, some of which have been in existence for many decades, while the nearby Watertown Arsenal and Boston Naval Shipyard, both Government-owned facilities and presumably available to NASA, are distressed."

The 94 firms have annual sales of $75 million and a yearly payroll of $18 million. According to estimates, their combined real estate is worth about $20 million.

Cambridge Mayor Edward A. Crane disagrees with the businessmen, is in favor of tearing down Kendall Square. He sees it as a case of a "rundown, seedy, third-rate industrial area." He points out, too, that the space center is expected to employ about 2,000 persons by 1970. It will have an annual budget—including the placement of electronics contracts with private industry—of about $77 million a year.

WHO'S TO PAY?

One major source of controversy is the question of who will pay for relocating the businesses in Kendall Square. Mayor Crane says the firms will be moved to new locations at no expense to the owners.

The businessmen, however, question whether this promise can be kept. Under present plans, no firm can collect more than $25,000 in tax money for moving expenses, and one manufacturing company estimates that moving would cost more than a million dollars.

Most costs in buying the land and getting it ready for new construction will be borne by the Federal Government's Urban Renewal Administration. A smaller share would be paid by the city of Cambridge.

Estimates for buying and leveling the 42-acre Kendall Square site—of which 29 acres would be used by the space center—range from about $20 to $40 million. Private interests would develop the remaining 13 acres.

The 94 firms have started court action to try to prevent redevelopment of the area before it starts. They contend it is a respectable industrial area, with virtually none of the "blight" usually associated with such localities, and should be left intact. The court action poses a serious threat of further delay to NASA, which hoped to start building next year.

TEN-MONTH LAG

Vice Mayor Vellucci estimates that NASA is already 10 months behind in its plans for the center. He adds:

"Russia will be up to the moon by the time they get this thing going—if they keep thinking of using Kendall Square. They could already be building if they had gone to the arsenal."

Arsenal employees insist there was some kind of deal worked out by various branches of the Federal Government in selecting the space center. Manuel Donabedian, the president of the Watertown Arsenal Local of the National Association of Government Employees, explains it this way:

"When the Government decided that NASA was coming to the Boston area, they originally picked the arsenal as the location. That meant the arsenal as it is now had to close.

"When the arsenal employees started complaining about shutting down, the Government could see big delays ahead, and NASA washed its hands of the whole thing and went to another location. But now Washington is committed to closing us, and this original NASA deal is the primary reason."

There is no other reasonable explanation for the closing, Mr. Donabedian claims. He says the arsenal, opened in 1816, is one of the most valuable and efficient arms-development plants in the country. Seventeen million dollars was spent over the past 5 years to modernize it.

Secretary of Defense Robert S. McNamara contends that the arsenal is no longer needed. Defense officials said last April, when the closing was announced, that shutting down the Army facility would save $5.3 million a year.

Defense officials have promised to reassign most, if not all, of the arsenal's 2,306 employees to other Government jobs. But reassignment for many employees would mean moving from Boston, and some say they will quit before that. Arsenal officials estimate that 300 to 500 of the present employees could be kept on in administrative and maintenance jobs if the space center were located at the Watertown facility.

As controversy in the case grows, workers in the Kendall Square area are putting together petitions against the space center, while arsenal employees are seeking to take their arguments directly to Secretary McNamara.

When the arsenal is closed, some of the property will be retained by the Army, leaving about 60 acres for disposal by the Government. No one knows what the Government will do with the land.

In both Cambridge and Watertown, there is puzzlement—and chagrin—over decisions from Washington that seem to please very few people.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. As a cosponsor of the amendment, I should like to make it clear that I have no criticism of the way the NASA operation is being conducted. It may well be that in an agency that large, further economies are always possible. We have the example before us of what our extraordinarily able Secretary of Defense has done with the defense program. But I do not feel that I know enough about the subject to be critical of the way NASA is spending these huge sums of money. My reason for being a cosponsor of the amendment of my able friend, the Senator from Wisconsin, is the second reason that he gave, and that is that in my opinion, we are getting our priorities all out of order in America today and in the Congress of the United States.

I sometimes wonder about the mad rush to get to the moon before the Russians and to get our Mariner near Mars before someone else does, and to build up our defense expenditures to the astronomical extent that we have done. I appreciate the need for very substantial defense expenditures in connection with the proceedings in Vietnam. But I believe that in our race to the moon we have our priorities out of kilter.

That point was made several years ago by the able chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT]. On various occasions he has attempted to point out that, although our budget goes up and up through the years as we find new ways to kill people, and begin to venture into outer space in a sort of Buck Rogers fashion, the scores of problems which confront us here on earth continue to cry out for a solution. The programs we need in order to make us a compassionate and educated Nation are being starved because of the high priority we have placed on these other national ambitions; namely, to win first prize in space, and to be the strongest military country in the world. I do not mean to imply that we will not need our military might until we can come to some sensible disarmament agreement with the Russians and, perhaps also, the Chinese. I merely wish to point out the social costs of our high military expenditures. In view of these exorbitant social costs, and the dangers inherent in the present balance of terror, I do not believe that we are doing nearly enough on our side to achieve those agreements.

In the pending bill we see what to my way of thinking is a very unsound philosophy of governmental spending. The Senator from Wisconsin is aware, as other Senators on the floor of the Senate are aware, that much of the money needed to rebuild our cities, to give every American that "decent home" which the late and great Republican Senator Taft stated in the Housing Act of 1949 to be our national ambition, will not be used for that purpose because of the priority given to getting a man on the moon.

We realize that we are appropriating far larger sums than ever before for education, but we are not appropriating enough. The able chairman of the subcommittee, who is handling the bill, has only recently refused, for reasons which I understand, to take to conference a program of $500,000 a year for fellowships and scholarships needed to help fill the great demand for persons skilled in the important area of metropolitan area, city, county, and urban planning. That is a mere $500,000, yet it will not be appropriated, although the President recommends it and the Congress has authorized it—and yet we are asked to appropriate $5,190 million for the space program.

Let us look at the problem of education. We passed a good bill at the start of this session, but we have been held down by a $100 million administration budget ceiling. We shall be putting more money to work in a higher education program before we get through, but there is not a Senator in this body who thinks these programs are big enough or anywhere nearly big enough to give to every American boy and girl the kind of education to which they are entitled by reason of their natural abilities.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. CLARK. I will in a little while, if the Senator will indulge me; I should like to continue my argument, and then I shall be glad to yield to him.

I say to my friends from farm areas, "You are not getting enough money to solve the farm problem." I say to my good friend the junior Senator from Georgia [Mr. TALMADGE], who is in the Chamber, and who has had a series of very important farm bills which he has tried to get through the Senate during the time he and I have served in the Senate—well-thought-out, carefully considered bills—that we have had to cut back these appropriations, and make our farmers content to be other than first-class American citizens, in order to be sure that we get a man on the moon before the Russians do.

How about the poverty program? Does any Senator in this body think that the relatively insignificant amounts of money, compared to the space appropriation, which we are about to appropriate to create that Great Society—a society without poverty—are adequate for that purpose? I believe that we all know that they are not, even in the subsidiary field of manpower training and retraining, where we must provide useful skills to individuals, some of whom have as practically their only employable asset a strong back and a weak mind, so that they encounter great difficulty in obtaining and holding jobs in our constantly increasingly technical society.

We pinch a penny here and pinch a penny there; we do not provide appropriations which are necessary. We do not give the authorization which is desirable. We are trying to get full employment in this country. Our unemployment rate is the highest of any civilized country in the world. Are we appropriating the money necessary to deal effectively with the employment problem in this country? No. We are putting it in the program to get a man on the moon.

What are we doing about Appalachia? What are we doing about the upper lakes region in upper Wisconsin, Minnesota, and the other areas where there are poverty-stricken individuals? Something, but not nearly enough. How about the public works program? I see in the Chamber the able Senator from Michigan, the chairman of the committee handling that subject. He and I know that we ought to be putting $2 billion into public works instead of less than $1 billion.

Why do we not spend it where it is needed? Because we want to get pictures of Mars. We want to put a man on the moon. We want to beat the Russians in space.

I should like to beat the Russians in space, too. But I should like to take care of some Americans on earth first.

How about the conservation of our natural resources? What are we doing about air pollution control? Something, but not much.

What are we doing about water pollution? Lake Erie is so polluted now that the fish in it are being killed. What are we doing about cleaning up the pollution of Lake Erie? Nothing. Why? Because it is said that we do not have enough money.

The Susquehanna River is filled with acidic elements. The Monongahela River is rapidly becoming an open sewer.

What are we doing to clean up those precious natural resources? Nothing. Why? Because we have to get a man on the moon.

What are we doing about mass transit? A little, but not much. We all know that the able junior Senator from Rhode Island [Mr. PELL] has a plan for speeding up mass transit between Boston and Washington. Why has that program not moved forward more quickly than it has? Because we will not put more money into it. We must put a man on the moon.

What are we doing about stream regulation? What are we doing about the drought which is sweeping across the eastern part of the Nation? The Tocks Island Dam will not be built for 4 years. That facility would give the Delaware River enough water so that the people in Philadelphia and New York would not soon have to start drinking salt water—and possibly polluted salt water. Why? Because there is not supposed to be enough money.

How about foreign aid? That is a very unpopular subject in this body. And yet we know that the rich nations are getting richer and that the poor nations are getting poorer. In fact, an amendment which recognized that fact was adopted by the Senate as a part of the foreign aid bill a few weeks ago.

So we find now that we are not able to do enough for the people on earth to ameliorate their misery, to show some sense of compassion, to do something for human beings, because we have to see that we get a man on the moon ahead of the Russians.

Mr. President, I am almost through. The Senator from Wisconsin has rendered a great public service in proposing the amendment. A 5-percent cut in the NASA appropriation is a relatively small amount. The appropriation would be $5,190 million. The Senator wishes to cut that by 5 percent, or hardly more than $250 million.

I support the amendment and I am a cosponsor of it. I have done so, not because I have the slightest criticism of the way the NASA administration is spending its money. So far as I know, NASA has the ablest administrators in the world. I have enormous respect for James Webb. I believe that the people who are working for him are very able people. But I agree with the Senator from Wisconsin that they are siphoning off far more than their proper share of our national wealth—and far more than their proper share of trained manpower in this country, as well.

As chairman of the Subcommittee on Manpower and Employment of the Committee on Labor and Public Welfare, I know that we need teachers of engineering. We need chemists; we need biologists; we need physicists; we need space scientists. We need them in all of our universities and in hundreds, if not thousands, of our great corporations. But they cannot get them. Why? Because we are trying to put a man on the moon.

I am happy to support the amendment, because I hope it will give some indication of a desire on the part of at least a few Members of this body to return to a sensible, commonsense method of dealing with our national priorities and our national interest.

I thank the Senator for yielding.

Mr. PROXMIRE. Mr. President, I believe I still have the floor. Did the Senator from Texas wish to ask the Senator from Pennsylvania a question?

Mr. TOWER. No.

Mr. PROXMIRE. I thank the Senator from Pennsylvania from the bottom of my heart for his brilliant, ad lib, impromptu speech. It is most useful. I agree with about 95 percent of it. I do not agree with all of it. Perhaps he and I disagree on the defense part. I believe this Nation is right in what we are spending for defense.

Mr. CLARK. So do I, for the time being.

Mr. PROXMIRE. I feel that that appropriation is correct. One area in particular where I believe we are on all fours, and as to which I agree with the Senator wholeheartedly, is that there is no question, when we spend $4.5 billion of $5.2 billion on research and development, and when we take 7 percent of our scientific manpower, including virtually all of the cream of the scientific manpower in this particular area, and draw them into NASA, that it is bound to have, at least temporarily, an adverse effect on graduate education. It is bound to have an adverse effect on defense; it is bound to have an adverse effect upon industry.

Perhaps we can afford to pay a part of this price in order to continue, because there are fallout benefits, and it is a great feeling to know that we are competing successfully with the Russians. But it seems to me that the best way Congress can insist on getting efficiency in an extremely complicated, technical area is to reduce the appropriation by let us say 5 percent, and then let the organizations find ways in which to economize. This has been done in connection with other programs. It is handled with a maximum of discretion. It seems to me to make sense.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. With respect to efficiency, as the able Senator knows, both the House committee and the Senate committee went over the bill in detail. We considered it project by project, and then reduced the requested amount by many millions of dollars.

From the standpoint of operating a business, a bank, or a government with efficiency, fields in which the Senator from Wisconsin is unusually well acquainted, would it be wise for the chairman of a bank, or the president of a corporation, to come in some morning and say, "You are spending too much money. Cut all salaries and expenses by 5 percent." Would this be wise as against a corporation's analysis project by project, on a critical basis, after listening to all the reasons and agreeing or disagreeing as to the amounts presented?

Mr. PROXMIRE. No, indeed. That is why my amendment provides discretion for the Administrator to make the cuts where they will do the least harm and can most economically be made.

The Senate committee, after the hearings held by the House, reduced the appropriation by approximately 2 percent, from $5,280 million to $5,190 million or something of that kind.

Mr. SYMINGTON. About $69 million.

Mr. PROXMIRE. A little less than 2 percent. That is correct. It seems to me that it is perfectly proper for a board of directors to tell his chairman or tell the executive officer of the business that they are satisfied that there are too many examples of waste in the business operation so the board of directors will not say, "Cut everybody's salary 5 percent," or to cut all expenses by 5 percent. What the board might say and what my amendment does say is, "We want you to come up with another recommendation for expense that is 5 percent below what you recommended to us."

The Senator from Missouri is much more familiar than is the Senator from Wisconsin with waste in this program. We have seen the waste that has occurred in every university. Talk with anyone who has worked with NASA; he can give examples of it. I am not trying to substitute any specific proposals on the floor of the Senate that would bind the Administrator; I merely say that, overall, he should submit a lower budget.

Mr. SYMINGTON. I will make a short statement on this bill on my own time. But based on remarks made here, we should understand that even if we decide it would be better for this country to let the Russians get to the moon before the United States, we would still spend, according to the testimony of the experts, between 90 and 95 percent of our total space budget, in order to complete the rest of the program.

In other words, going to the moon will take a maximum of between 5 and 10 percent of the total space budget. Will not the Senator agree that whether or not we go to the moon first, what we are really talking about is whether we should try to establish and maintain a position as first in space, as we have tried and succeeded in so many other fields which affect mankind?

Mr. PROXMIRE. I do not know what the Senator is referring to when he says it costs only 5 to 10 percent of the total NASA budget to go to the moon. The Apollo project would cost 50 to 60 percent of the total appropriation; perhaps it would cost a great deal more than that. The Apollo project has been sold to all of us as the man-to-the-moon project.

Mr. SYMINGTON. The Apollo project will cost about $2,900 million of the total $5 billion budget. But the testimony of both Director Webb and his assistant, Dr. Seamans, who impress me as two of the most able men I have met in Government service, is that 95 percent of all the money spent on this entire program, would be spent anyway, even if we decided not to go to the moon at all.

I believe the Senator from Wisconsin will agree with me the Russians are ahead of us today in thrust. All of the expense incident to our additional thrust effort is included in the Apollo project cost, but is essential for any continued space exploration.

Mr. PROXMIRE. As the Senator knows, the Russians may be ahead in thrust, but we are ahead in many areas. We have made more probes, more orbits, and more sophisticated studies; we have a great deal more knowledge and scientific information about space. Whether we would continue to spend 95 percent of this appropriation, if we should decide not to go to the moon, seems most unlikely to this Senator.

I am inclined to believe that we could justify a greater investment in military space activities, but it seems to me that we could reduce the space activities by 5 percent and still not seriously handicap the effort.

Mr. STENNIS. Mr. President, will the Senator from Wisconsin yield about 3 minutes to me to make a comment? I must attend a hearing on an important subject and shall have to leave.

Mr. PROXMIRE. I yield.

Mr. STENNIS. I receive much information about the space program in connection with the military program. I learn it from the angle of the Space Administration and from the angle of the military. I can definitely assure the Senator from Wisconsin and other Senators that, in my opinion, there is coordination and cooperation between the Department of Defense and the Space agency that is highly profitable to both. It will be of assistance to the military program, both presently and for the future.

That is particularly true of the new steps we have been taking and the new threshold that we reached in the latest orbit of the two astronauts. I express my great appreciation for the way the administration of this agency has been conducting the program from the very beginning—not only Mr. Webb, but also others connected with the program.

I have watched this program grow from the time we held military hearings immediately after Sputnik I went up. I attended the hearings on the first authorization bill. I marveled then, and frankly I did not believe that they could carry out the program which was outlined. However, events have occurred almost exactly as they predicted, with a small difference in time.

I do not believe that any bill which comes to the Senate is more carefully gone over by a committee than the measure dealing with the Space Administration. I am referring to the money authorization.

The House has an excellent committee, the authorization committee, the Committee on Science and Astronautics. They do marvelous work the year round. The results of this work show up clearly in conference.

The Senate also has a fine committee. The Senator from New Mexico [Mr. ANDERSON] is on that committee. The Senator from Maine [Mrs. SMITH] is the ranking Republican member of the committee. The other Senators are excellent Senators and make a real contribution. The committees have been over the bill. They have combed the items. They have worked on the bill. The Senator from Washington [Mr. MAGNUSON] and the Senator from Colorado [Mr. ALLOTT] are well versed in this matter.

I assure the Senate that these figures have been carefully gone over, combed, rubbed out, reconsidered, and placed back again, and reduced as much as I would dare to do.

I am particularly interested in the field which may make such a major contribution to our security program. I do not believe that we have any choice. We cannot afford to let anyone else become superior to us in space. We must be preeminent. It is costing a great deal of money. However, we cannot take any chances.

The figure requested by the administration has already been reduced. There will be discretion as to how the money shall be used, and whether all of it should be spent. However, merely to take a lick in the dark, with a 5-percent across-the-board reduction, I submit to the Senate, would be a great error.

I hope that the Senate will decisively defeat the amendment.

I thank the Senator.

Mr. PROXMIRE. Mr. President, I agree with the Senator from Mississippi that the Aeronautical and Space Sciences Committee is a blue ribbon committee. Some of the most eminent Members of the Senate are on this committee. However, my own belief has been that the Aeronautical and Space Sciences Committee, both in the House of Representatives and in the Senate—referring to the authorization committee—like so many other committees, have become identified with the field. They are great enthusiasts for the program. Perhaps that is how it should be. However, I believe that the Senate should take a little more dispassionate and objective view.

These are outstanding Senators, every one of them. They are very able. However, I still believe that it would be proper to reconsider the matter.

Mr. STENNIS. Mr. President, let me point out that the Senator from Washington [Mr. MAGNUSON] and the Senator from Colorado [Mr. ALLOTT] are on the Committee on Appropriations.

Mr. PROXMIRE. They are all outstanding Senators.

Mr. STENNIS. Mr. President, this is by no means a formality with these men. They are experienced in this field as well as in others.

I thank the Senator.

Mr. TOWER. Mr. President, in response to the remarks of the Senator from Mississippi, I know of no other member of the Armed Services Committee, whether it be the House or the Senate committee, who is more hard-nosed about military expenditures than my distinguished friend the Senator from Mississippi. I say that in a complimentary way.

The Senator from Mississippi scrutinizes the figures. He understands the pattern of military expenses. He is a hard man to convince. If the Senator from Mississippi can be convinced that we are not spending too much money on our national defense program, every Senator can rely on his judgment.

I have been somewhat amazed at some of the arguments made, particularly by my able and learned friend, the Senator from Pennsylvania, whose fine intellect I have always respected and admired.

I have always thought of him in terms of being a man who thinks that we should seek knowledge for the sake of knowledge; a man who would prefer to support what we might call basic research as opposed to 100 percent research or applied research; a man who has a great intellectual curiosity of his own; a man who would favor an increase in the improvement of a number of the programs in outer space.

I believe that we should take note of the fact that, although we may be spending more for this item than we are spending for certain individual programs, such as education, water pollution, housing, and various welfare programs, the Federal Government is not the only entrant into the spending field. Think of the hundreds of millions of dollars being spent by every State and local government. Think of the churches, the private organizations, and the private foundations which are spending money on education.

We are spending vast sums on education—elementary education, secondary education, and higher education.

We are spending far more money on education than we are spending on our exploration of outer space.

The antipoverty program is not the only program that is designed to attack poverty. The public housing program, old-age assistance, the social security program, and all those programs are designed to combat poverty, combat want, and elevate the standard of living of all our people.

We are spending literally billions of dollars to accomplish these purposes. I refer not only to the Federal Government, but also to the State and local governments and private agencies. If we were to add up the total that is spent for all these programs, we would find that it would dwarf the expenditures that we proposed to make for NASA.

The exploration of outer space is a peculiar function in the field of the operation of the Government. The State and local governments are not involved. Churches and private foundations are not involved. Private corporations are involved to a certain extent. However, the amount of research which they do in connection with their work in outer space, along with certain private foundations and institutions, is small by comparison. For the most part, the exploration of outer space is a peculiar function of the Government of the United States. It is the only entity in the country that has the resources, the strength, the power, and can marshal the resources to explore outer space.

Contrary to what the Senator from Wisconsin and the Senator from Pennsylvania seem to think, I believe that we are not moving fast enough in outer space. I believe that we should be gathering more knowledge faster.

We should certainly be thinking very seriously in terms of intensifying our attempts to utilize space for defense purposes or for military purposes. We can be assured that the Soviet Union is doing exactly that.

We must consider the kind of competition that we are up against in terms of the Soviet Union.

The Soviet Union denies butter to its people in order to buy guns. The Soviet Union is not concerned with creature comfort for its people or a higher standard of living. The Soviet Government would like its people to live better so that they would be happier and work harder.

However, they are fighting for a program that is dedicated and channeled in one direction, and that direction is to achieve military superiority over the Western World.

They are aware of the great potentiality for outer space. The question is not whether the knowledge will be used for military purposes. The question is when and by whom. I submit that the United States had better get there first. We cannot have a Great Society unless we have a secure society. We cannot have a secure society if we fall behind in the efforts to master and to apply science to the technology of national defense, of production, of distribution, and of communications.

For those reasons, I believe that we should be intensifying our space programs and not retarding them. We should be proceeding much faster on the MAL. I know that is not associated with the civilian aspect of NASA. However, certainly this is an integrated program which is directed by NASA and which has a direct bearing on the success of the manned orbital laboratory program.

Even the most sophisticated and arrogant scientists in the world will tell us that there are some things that a man-devised machine cannot do, and that only man can do.

We must have a manned orbital laboratory in outer space and be as sophisticated as we can, and marshal our resources and make sure that we stay on top.

I hope that the amendment of the Senator from Wisconsin will be defeated.

Mr. CLARK. Mr. President, will the Senator yield so that I may reply to what the Senator from Texas has said?

Mr. PROXMIRE. I yield.

Mr. CLARK. Mr. President, there is much that my friend, the Senator from Texas, said with which I am in agreement.

I am strongly in favor of continuing the space program. So far as I am concerned, I am quite content to have the Senate authorize the expenditure of well over $4,800 million for this program.

The purpose of my comments and many of the comments made by the Senator from Wisconsin is merely to call the attention of the Senate to the problem of priority. We also wish to call the attention of the press to the problem. However, I note that the press gallery is practically empty at this time.

We have now arrived at a stage in our development where we have a potential in our Federal Government's ability to do what it is we would like to see done. We are straining our Federal resources quite substantially when we run our administrative budget up to around $100 billion.

There are those, of whom the Senator from Texas is one, who would like to see that budget substantially reduced. Personally, I would like to see it increased by 10 percent. I know in this regard I am not in agreement either with my friends, the Senator from Texas or the Senator from Wisconsin, so I say we have to determine among priorities. We cannot do everything we must do. We have to pick and choose. We have to decide how much of our money goes for space money, how much to our States for education.

We get help in these matters from State and local governments, but we are looking for authorities from all sorts, local, State, and Federal. For instance, we are engaged in missions on earth now because some persons have not received a "fair shake," where opportunity has been blighted, where a person may not have health because he is not getting adequate medical care.

I honor the views of the Senator from Texas. I suggest to him that we could move a little more in the direction of bettering the welfare of the people.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. TOWER. I think it is incumbent on the Nation that has the lowest human misery to take the lead in the exploration of outer space. Other nations cannot do that. Other nations must therefore spend their money in attempts to raise their standards of living, because the standards of their people are so much lower than those of ours. So it is incumbent on us to spend a large portion of our budget on these matters because we are relatively better off.

I am not suggesting that we should ignore the social and economic problems on earth. We must address ourselves to them, but we must realize that ours is not only a national but an international responsibility.

Mr. CLARK. It is a question of judgment also.

Mr. PROXMIRE. I agree with the Senator from Pennsylvania. This would be limited to $4,900 million—think of that—$4,900 million. With that kind of money we could build a great $100 million university in 49 of the 50 States. And this is just a 1-year appropriation for NASA. This is what NASA will have left after my amendment is adopted if it is adopted. Certainly we are not trying to cripple or starve this program. We are trying to impose some discipline, some real economy in a program that badly needs it.

Mr. SYMINGTON and Mr. HOLLAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. HOLLAND. I wanted to ask the Senator a question.

Mr. SYMINGTON. I am glad to yield.

Mr. HOLLAND. I will be glad to wait until the Senator concludes his statement.

Mr. SYMINGTON. I thank the able Senator.

Mr. President, this discussion has worked into a question of relative priorities. I would associate myself with the remarks made by the distinguished Senator from Texas [Mr. TOWER] and the distinguished Senator from Mississippi [Mr. STENNIS]. It seems to me the program we consider today is a program for the betterment of the people of the United States just as much as would be a program for more and better education. The national debt today is some $325 billion. Of that amount $182 billion has been given to other countries. I think, when we give that amount to others we have the right to pursue our way in what President Kennedy called the "great new ocean" of space in his masterful first presentation to the American people of the space program.

The independent offices appropriations bill for 1966, as approved by the Senate Appropriations Committee, provides $5.19 billion for the National Aeronautics and Space Administration, some $70 million below NASA's budget request, and $91,000 less than the Congress authorized, and the President approved, only last month.

It has been my good fortune to participate as an ad hoc committee member under the Senator from Washington. I want to congratulate my distinguished colleague, and also the ranking member of the committee, the Senator from Colorado. This bill has been looked over very thoroughly.

This $5.19 billion figure was arrived at only after weeks of hearings before the House and Senate Space Committees. It was passed with but 11 dissenting votes in the House, and only 4 negative votes in this body.

Mr. President, this overwhelming vote of confidence in NASA is deserved.

The long series of hearings convinced the members of the Senate Space Committee that NASA is currently in the middle of a well designed, well organized, and efficiently managed program which will make the United States the world's leading spacefaring nation.

These years of hard work and wise investment are now bearing fruit.

We have successfully completed two two-man Gemini flights, vital not only for a manned lunar landing, but also to determine man's ability to live in an orbiting laboratory for long periods of time.

When those who, for one reason or another, oppose the United States attempting to obtain a preeminent position in space, and concentrate their criticism on the man on the moon program, I present again that the Director of NASA said 90 percent of this money would be spent if we did not go to the moon at all. Dr. Seamans stated 95 percent of the money would be spent if we did not go to the moon at all. Therefore, it is not a question of whether or not we put a man on the moon. The space program has to do with the control of weather, and therefore health, and crops, and therefore prosperity, as well as so many other facets, which have to do with the welfare of our people.

As I speak now, Mr. President, the Mariner IV spacecraft is closing in on Mars. Within a few days, hours, we can expect to know more about that mysterious planet than ever before. Starting day after tomorrow we will be getting pictures of Mars back from Mariner IV.

NASA recently launched the 10th of its highly successful series of Tiros weather satellites, and the Weather Bureau plans to have an operational weather satellite system in being by the first of the year.

Two operational communications satellite systems now exist:

One—Syncom II—is keeping the Defense Department in contact with our field operations in Vietnam.

What could be more important today, at this very moment as we sit in this Senate Chamber, than proper contact with field operations in Vietnam, where enemies of this country are daily taking the lives of young Americans.

The other—Early Bird—is a commercial system spanning the North Atlantic; and those of us who have seen the advantages which come to the people of the world from improved contact, almost instant dissemination of information around the world as a result of this satellite, can only hope and believe that it will become a great and vital instrument for the preservation of world peace.

Mr. President, it becomes more obvious with each passing day that the ultimate benefits of the space effort will be incalculable in terms of dollars and cents.

We talk about $4 billion but let us not forget that the gross national product of the United States today is nearly $2 billion a day. Therefore, what we are really discussing here is, Can the United States—the richest country in world history—afford 2 days of its annual gross national product to be first in the space field?

That is what we are talking about today.

I believe that any cut in NASA's budget, combed over carefully by the Astronautics and Space Committee headed by the very able Senator from New Mexico, and carefully by the experts in the appropriations field headed by the Senator from Washington, would cripple the entire concept of the United States achieving first place in space.

Should such a cut come from Gemini and Apollo, the manned space programs that are determining our space future, that seem also to be proving man in space is vital to our national security? I think not, and am confident a large majority of the Senate agree.

Should we cut the kinds of unmanned space programs which have produced Tiros, Syncom and Early Bird units doing so much for the security of the United States and the world?

Or, should we cut the NASA programs of direct benefit to our universities and our industries, such as the sustaining education and technology utilization programs?

Mr. President, there is no great problem in this country of really well-educated people in these modern arts and sciences being able to obtain a position. The problem is to educate people so they can perform skilled work in the new industries which now dominate the industrial complex of this and other highly industrialized countries.

There are those of us who believe America's future position in the world depends a great deal on its future leadership in the space field. Congress has, from the beginning of the space age 8 years ago, played a historic role in helping to organize our national space program, and in supporting it year after year. It was one of the wisest decisions we ever made.

Many Senators in the Chamber today can well remember all the warnings made concerning what might happen if the space program did not work out.

As we watched Astronauts McDevitt and White operating the other day, we could have a sense of gratification that we in the Senate have had confidence in this program since its beginning.

We dare not risk the security of our Nation and the judgment of posterity by voting to cripple a great program at this crucial point in its development.

For these reasons, I respectfully urge the Senate to reject any crippling amendments, and to support H.R. 7997 as approved by the Appropriations Committee of the Senate.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER (Mr. MONDALE in the chair). The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, I feel in my heart, as between the two great bodies of Congress, that the Senate should have the greatest personal pride in the space program, and the greatest personal confidence in the leadership which that program is receiving.

The President of the United States—and I speak now not from a partisan standpoint—is a former Member of the Senate who took a leading part in setting up the beginnings of the space program. We all know of his interest and enthusiastic support of the program. Likewise, the Vice President of the United States, a former Member of this body, who ardently supported the program, is now Chairman of the Space Council and is doing an active job in overseeing and checking all stages of the space program. He was at the two recent Gemini launchings in the State of Florida, which I in part represent.

He has been at every critical incident affecting the space programs since he became Vice President. Of all the people in the United States, Senators have the greatest reason to feel a personal contact with, a personal responsibility for, and a personal confidence in the great space program.

Mr. President, I have not mentioned the fact that we confirmed the leadership of the program on the administrative level, but I believe that I have mentioned enough to show that we have the most intimate connection with the program of any group of citizens in the United States. We should have the greatest interest in it and the greatest understanding of what it proposes to do.

From that beginning, let me briefly mention certain points which perhaps have been mentioned by other Senators but which I wish to mention from my own point of view.

One is the vast appeal that the space effort has for the people of the United States, the vast interest they have in it, the vast pride they have in it.

I have been to two of the manned space launchings at Cape Kennedy. We cannot be there in the early morning gray, looking at the tens of thousands of people who are gathered there with automobile license plates literally from all over the Nation to watch another step to be taken in this important program without realizing something of the vast drawing power that the program has and the vast appeal it has for our people. Also the vastly different sort of satisfaction and feeling it gives to them as contrasted with some of the other very difficult and, in my opinion, very important efforts into which we have entered, which have been mentioned, such as foreign aid, our experiences in South Vietnam and the Dominican Republic, and elsewhere in the world.

However, this is something in which people have vast faith. It inspires them. It lifts them up.

I have not seen the figures, but I have not seen a television set operating during the period of the recent manned space flight which was not tuned in on a transmitting station which was showing all that could be shown about the flight and everything that could be known. I doubt if any other spectacle in our Nation, unless it be a presidential inauguration, could compare in its drawing power to that event when Astronauts McDivitt and White soared into space. We sent them into space through means undreamed of by anyone on earth other than the Jules Vernes of a few years ago.

Mr. President, when our people have this great confidence, this great faith, and draw this immense inspiration from the space effort, I do not wish anyone to forget that this has a similar appeal to other people throughout the world.

I had the pleasure and privilege of being host to 51 of our friends from the Canadian Parliament and their wives—incidentally, one of which is the president of their senate and one the speaker of their house of commons—when they went down to Cape Kennedy last year, not at a time of a launching but merely to see the wonderful things which are going on down there.

I have not seen such thrilling interest shown in anything that our country has done in the span of my life as was shown by that group of eminent visitors, as they were allowed to see the things there, along with the pleasure and inspiration that they received from seeing it, and the great sense of satisfaction that they had from being allowed to go in everywhere and have their pictures taken in every conceivable sort of exposure against the great satellites that were pointed against the sky.

It has received equal attention all over the world through our communications satellites. Through these we have communicated back and forth, both with Syncom or Early Bird and with the traveling variety. The same is true of our Weather Bureau observers, as well. Through these we have contributed to the knowledge of weather conditions not only in our own country, but all over the world.

One of the things in which nations of the world work together is in the exchange of weather information.

When one of our missiles was headed for the moon not long ago, it allowed pictures to go on the screen, and they were transmitted live by television stations, not only all over this country, but through this country, all over the world, to show what happened just before impact, almost exactly on the target, that had been picked by the scientists as the place where that missile should land.

Of course, Senators know of the great interest, not only to scientists, but to all people, and to the humblest people, folks who do not understand all the implications of everything in those pictures, in the ability of our Nation to strike a target spot, and to transmit, not only to our own people, but to the whole world, more intimate knowledge of the surface of the moon than we had ever heretofore dreamed of possessing.

We have done a great number of things in that program. I have not mentioned our probe toward Venus and the probe toward Mars, which we hope will bring us pictures in a few days.

The point I make is that we have an activity which has thrilled our own people and thrilled the people of the world and has commanded confidence and inspiration and patriotic interest, and has thrilled the personal interest of our people in a way such as few things—no other thing in my lifetime—has commanded.

Those who think the program has not been successful in various particulars do so without having had knowledge of the facts.

As to the post-Apollo features of this program which have been carefully worked out in many respects for a long time by scientists, not only have the Bureau of the Budget, the President, but also the committees of Congress and Congress by its actions, postponed and slowed down and delayed those projects, along with vast items of expenses that were connected with them. We have not felt it was wise to postpone or unduly delay or slow down the matter of the accomplishment of the Apollo project and the man-on-the-moon project, because that is the immediate objective upon which the eyes of our people are focused, and upon which the announcements of our scientists have been based for so long.

It would be a very wrong thing to postpone the fulfillment of that dream of a nation by cutting a program which was designed to accomplish that particular act in the swiftest possible time and with the least possible expense.

Over and over again it has been made clear to the members of our committee, the Space Committee, that postponement means additional expense, that delay beyond that which is planned means greater expense than we would otherwise incur.

I now hurry to my next point. Those who believe that this project can be reasonably combed down to a smaller amount—my distinguished friend from Wisconsin proposes that it be cut 5 percent—do not recognize the fact that it has already been combed down, that it has been combed down over $69 million from the estimate which was arrived at in the beginning by the Space Administration and sent to the Congress by the President.

Our friends overlook the fact that this is one of the few projects, one of the few fields, in which we have an annual authorization bill before the annual appropriation bill comes up. Such is not the case with many large appropriation bills, as in the case of Agriculture and in the case of most independent agency bills, as, for instance, in Defense. In those cases the appropriation bills are not preceded by special annual authorization bills.

In this instance the bill for the authorization pended a long time. It was carefully examined. It was cut down by $69,694,800 from the estimate which first came from the President. Any cut beyond that is a cut which exceeds the cut that the combined wisdom of the House committee, the Senate committee, the House itself, and the Senate itself will make, and is a sort of shot in the dark effort, and a rather blind effort.

All I can say, after this careful annual combing, this careful annual authorization of just a few months ago, is that it would be unwise to superimpose another cut of over $200 million upon the cut of nearly $70 million already made in the budget.

Mr. President, this cut is proposed to be made solely against the research and development part of the project. Senators must have noted how greatly the construction part of this project has already been cut down. It has been cut, as I recall, to about one-fourth of what it was last year or over $200 million. Research and development have to do with the attainment of our ideals, with the attainment of the results, with particular reference at this time, of course, to the moon shot.

I wish to call this to the attention of my distinguished friend from Wisconsin. I am sorry that my friend is not listening, and I remind him that my friends will not accomplish a reduction by closing their eyes to arguments on the floor of the Senate, because the Senator from Florida participated very actively, as a member of the Space Committee, in bringing about the authorization both in committee and at times in the conference in which he participated. I call attention to the fact at this time that the research and development budget, after it was announced and arrived at in the authorization bill, came to $4,536 million. The House, with its well-known proclivity for revision, was able to find only $15 million which was appropriate for reduction. It reduced the amount to $4,521 million, a $15 million cut.

The committee, in its judgment—and it had the benefit of the presence of both the distinguished Senator from New Mexico [Mr. ANDERSON], the chairman of the Space Committee, and the distinguished Senator from Missouri [Mr. SYMINGTON], when he presided over the hearings on the authorization bill—felt that that $15 million cut was unwise. We propose to restore it to the total of $4,536 million, which was the result of the authorization bill.

So far as I am concerned—and I place no emphasis on location and no emphasis on politics and no emphasis on anything else—I believe this is something, in a time of great stress and frustration for our Nation that many of our people have found appeals to their imagination, appeals to their patriotism, appeals to their interest, and appeals to their confidence.

They have renewed faith in our scientific accomplishments. They have renewed faith in our material accomplishments in the building of the great missiles which perform so perfectly. They have renewed confidence in the humanity of our Nation, which stretches out all around the earth, with a series of observation posts far different from our competitor, who does no such thing, because we have so much deep desire to have no man lost.

We show that confidence in everything we do in the program. We have shown enough confidence in ourselves to announce to the public every one of the firings, before they take place, and allow them to be followed at times by hostile eyes in submarines which lie a little farther out than the international line in the Atlantic Ocean off Cape Kennedy.

So here is something which we can build to, which I believe we should build to. If we should reduce the program with the possibility of disastrous results coming from that reduction, we would be answerable for the loss of confidence, interest, faith, and inspiration which have come to our people out of this great effort.

I have seen a good many things happen which our Nation has undertaken during the course of more than 70 years. I have seen nothing else which appealed to our people as does this particular program.

I appeal to the Senate not to reduce the program blindly merely in the hope of having the record show that we cut 5 percent off the project, when we do not have the faintest idea as to what would be the result of such reduction.

I commend the two Senators who have furnished such wise leadership on the question, the Senator from Washington [Mr. MAGNUSON], the chairman of the committee, and the Senator from Colorado [Mr. ALLOTT], the distinguished minority member of the committee, for insisting that we return to the figure so carefully and painstakingly arrived at by both Houses and by the committees of both Houses in relation to the authorization measure.

I hope that the Senate in this important, meaningful field of research and development, will stick to that authorization figure and support the judgment of the many Members of the Senate and the House who have supported the program to that degree, remembering that they have not gone along blindly with the President's budget, but have, indeed, cut the total budget by nearly $70 million.

I thank the chairman.

Mr. MAGNUSON. Mr. President, so much has been said about the amendment that I believe we ought to get the subject into perspective.

The space agency program has been reduced by approximately $70 million. We were not quite sure that we should have made that reduction, for few people realize that the space agency itself does not spend the money.

About 92 percent of the appropriation is let out on contract to private industry. There is a spinoff of many things in private industry.

The argument has been made that we do not put to its best use the personnel that are used; but the personnel in contractual use develop many things that go to meet the needs of the Nation.

We see in newspapers such as the Wall Street Journal, the New York Times, and various metropolitan papers large advertisements which state, "Come to this company; come to that company." Those advertisements are usually for space contracts.

The program is not a crash program. It was never intended to be such.

As the Senator from Colorado [Mr. ALLOTT] will verify, over the years we have set out to establish some goals which we thought we could achieve without trying to push a program which would bring us into a race with someone.

A great deal has been said about going to the moon. If the moon did not exist, we would be doing a great deal of the work covered by the appropriation anyway. The military and medical spinoffs are very great. How shall we evaluate a program with all those imponderables involved? It is somewhat difficult. We go to the Bureau of the Budget and discuss a program with all of its unknowns. Perhaps a contract is let involving a problem that does not fit into something else. The pieces are not yet ready to be fit together to do the kind of job that will ultimately result. It is most difficult to evaluate.

Sometimes a suggestion has been made to the budget that a certain portion of the program will cost x number of dollars. It is found that in order to accomplish what it is desired to accomplish, the costs would be more. So there has been a certain flexibility. If the money is wasted, it is not wasted by the Space Agency itself in a particular portion of the program. It may be for some other reasons. They might even find a contractor who becomes inefficient. But he has the contract.

We have to fit it all together, not to race, but in order to maintain a schedule to do what we think is well within the capacity of the United States in this field.

So when an aggregate cut of 5 percent is proposed, I say that it is not a practical step, but would be an almost impractical space problem. In order to achieve an aggregate, the administrator would have to find in many given contracts all over the United States that one cost more than had been bargained for or estimated in a particular budget. It might be found that it would cost 5 percent more. That amount would then have to be made up. Another program would have to be cut 10, 12, or 15 percent. Then the components would not fit together and the schedule would not fit together. The timing would be off.

So the amendment would be quite impractical in that respect.

The Agency has tried to hold itself to what it spent last year. As I recall, it is a little bit under. A great deal of money is involved. If I thought it was to be used only to put a man on the moon, to beat Russia to the moon, I would slash the Apollo program and all the rest by 50 percent.

But that is not all that is involved; the program goes beyond that. There are military aspects, some of which are classified, though not all, which become greater and greater as we put men into space.

We are now at a peak in the program. I think there is a plateau in what we shall have to spend year by year to keep this program going and to establish these goals.

I hope that the amendment will not be agreed to. It is a little difficult for us on the committee to know whether there is some waste, and whether we are expanding too much here or too much there. But I would rather err on the safe side and be sure that we go ahead with the program so that the components will fit together.

Many contractors have turned money back. That is why we have the provision that they can transfer up to 5 percent between parts of the program, because then they will find another part of the program where they honestly believe the contractor can do the job for *x* number of dollars, and they find perhaps that that costs 10 percent more because of the imponderables, the unknown.

So the program must be pretty flexible, and to cut the appropriation across the board percentagewise in some cases would seriously handicap the program. It might handicap only 85 or 90 percent of it, but we must have the whole 100 percent. Sometimes even a small contract can hold up the whole thing if the procedure is not followed correctly. So I hope the amendment will not be adopted.

I assure the Senator from Pennsylvania and the Senator from Wisconsin that there is great concern by the members of the committee that the program or its objectives are too great. I sometimes would like to sneak a little of the appropriation out for oceanography. I think that is a field. But we can have both. I have often said that we are going to know more about the back side of the moon than we know about three-quarters of the earth's surface. But oceanography is another program that we ought to embark upon, to keep moving in this fast-moving world. To me, it is just as exciting as space. Perhaps it may not be to others. However, I hope that both programs will be adopted.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. CLARK. I shall be glad to help the Senator from Washington squeeze out a little money for oceanography if he will help me to obtain $10.5 million for the program to help train city planners, and the like.

Mr. MAGNUSON. I was intrigued by the speech of the Senator from Pennsylvania. The bill provides funds for many kinds of agencies, including housing and education, for which cuts have been made, or at least where some of the administrators think they have not been given as much as they would like. That was done because it was necessary to provide some money for the space agency. But each was treated separately. If we have not provided enough for certain programs—and perhaps we have not, in some instances—that is because we tried to consider each program on its merits. I do not believe that because we have decided it is necessary to spend the amount of money we have provided for the space agency, other programs have suffered.

Let us be a little practical, too. When contracts to do the work are let to companies A, B, and C, 40 percent of the money will be returned to the Treasury. We should consider the amount of corporate taxes and income taxes that will be paid by keeping people at work. All the work will be done in this country, and employment will be furnished in a great, new, exciting field in a new era.

I hope we shall bear with the space agency. Its personnel is most conscientious. I feel certain that the day is not far removed when they can be even more specific about where we are treading into the unknown.

Mr. ALLOTT. Mr. President, I wish to address myself for a few minutes to the amendment offered by the Senator from Wisconsin. I admit, frankly, that in an area such as this no one can be exactly correct. We are working far into the future with many imponderables. But the committee considered this subject in great detail. The distinguished Senator from New Mexico [Mr. ANDERSON] and other Senators were present. We studied the matter in great depth.

I merely cite three figures which I think have not been set forth. The proposed NASA appropriation is now $60 million under the NASA appropriation for fiscal 1965. It is $70 million under the budget estimate. The additions made by the Senate Committee on Appropriations are only $30 million over the House figure.

I have great respect for the distinguished Senator from Wisconsin, but I say to him that having heard the testimony on this subject for many years, I do not know how a 5-percent cut could be applied to the whole bill, as his amendment would require.

A few minutes ago, the chairman of the subcommittee stated that if a 5-percent cut were made in one area we might find later that it would be necessary to add 15 or 20 percent in another area. We have tried diligently to balance these items as well as we could. While there might be a reasonable area of difference as between individuals as to the cutting of a particular item in the budget or the cutting of a particular program, I feel that a slash cut such as the Senator proposes can only hurt the program and perhaps result in the spending of more dollars in the long run.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

Mr. MORSE. Mr. President, I rise to support the amendment of the Senator from Wisconsin.

The only thing wrong with the pending amendment is that it should make a much bigger cut in the space budget. Rather than 5 percent, it should be 25 or 50 percent. I do not believe that there is any single program in the maze of the executive branch that is conducted on behalf of such vague objectives with such little return to the National Government as the national space program.

I believe that with our national delight in the unusual, the American people have become thoroughly taken in by the real life television spectaculars. What we really are seeing is probably the most elaborate, costly, and uneconomic venture of our lifetime, all for the purpose of gratifying our national ego.

Certainly there is a role for the Federal Government in the science and exploration of space. But a $5 billion budget for space is in the realm of the extravagant. Even the scientific undertaking of the Gemini program was well undermined and rendered ridiculous by the "tricks" of the space passengers in taking aboard forbidden fruit. The big joke about the sandwich smuggled aboard by those astronauts also made a big joke of the claim that all of this is being done in the name of dedicated science.

The exact control of diet, water intake, and of all contents, including dust, taken into the capsule—all at great cost and presumably of great significance—were made a mockery of by the game of outsmarting the men who were in charge of these things. I fear that that episode is more characteristic of the whole program than the public realizes.

I am for the exploration of space. However, I have never seen any evidence to justify the program that our Government has been conducting in the so-called race to the moon.

There is nothing sacrosanct about the figure of $5 billion that the committee has recommended. The argument is made that we cannot cut it by any given percentage. What is sacrosanct about that figure? Suppose it were $1 billion more? Would it be said that we cannot increase it by $1 billion more? If we fix the figure that we think is the one and only figure that makes it possible to conduct the space program, let us face up to it, it is a compromise figure. It is a figure that they decided they could get by with. So that is the figure that they are making their fight for or within the bracket of that figure.

We are entering into an era when we think the population of the United States will reach 300 million people at least by the end of the century, if not before. It is an age when the expenditure the United States has made to date on housing, education, water supply, transportation, and the other basic needs of our people will, in some cases, have to match in 40 years all that has been spent through our history on some of these activities.

The public needs of a population growing as fast as this one is growing in an urban and industrial society are not being met today, and they will not be met tomorrow unless we revise some of our predominating concepts of what is important and what is not.

The space budget should be cut much more than the amount proposed by the Proxmire amendment. The funds should be applied to the development of our natural and civic resources.

There are many needs that we could list that would be justified much more from the standpoint of the welfare of the people of this country than the expenditure of the small amount of money that the Senator from Wisconsin wants to save.

I shall support his amendment. However, a much larger reduction of up to 25 percent or more ought to be made. Let me mention one item. When will we face up to America's water problem? It is much more important that we do some research in regard to the water problems of this planet than discover whether there is water on the moon or what we would do if we found that there was water on the moon.

Mr. President, I happen to be one who thinks that if, in our generation, we do not do something on really a crash basis to bring to an end the inexcusable pollution of the American water supply, if we do not do something to stop the decline of the falling water table that is taking place in large areas of the United States, we will not leave to future generations of Americans a very sound economy or a very healthy country economically, or in any other relationship of health.

Mr. President, when will we learn that we cannot afford to continue to do the damage to the water supply of this country that we are doing, and leave a country that will be characterized by a rising, climbing civilization? Rather than appropriate the huge sum of money for NASA, I would take a substantial part of it, certainly the small amount that the Senator from Wisconsin proposes, and invest it in a research program in regard to the matter of saving the water supply of the country for future American generations.

There is a long list of other domestic items that I could mention which are much more important to the future welfare and security of this country than is the NASA program.

We need to make a study, over the decades, of research into space. I shall vote for a reasonable amount of money to conduct such a program.

Mr. President, this large amount that is being asked for, in my judgment, is highly wasteful. It results from poor judgment and poor planning.

I do not believe that on a comparative basis it is in the best interests of the American people. The space budget should be cut much more than the amount proposed by the amendment offered by the Senator from Wisconsin. The funds should be applied to the development of our national and civic resources.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG. I announce that the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Tennessee [Mr. Gore], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pastore], the Senator from Virginia [Mr. Robertson], and the Senator from South Carolina [Mr. Russell] are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from Indiana [Mr. Hartke], the Senator from North Carolina [Mr. Jordan], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pell], the Senator from Georgia [Mr. Russell], the Senator from Alabama [Mr. Sparkman], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. Dodd], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pastore], and the Senator from Maryland [Mr. Tydings] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from California [Mr. Murphy] and the Senator from Colorado [Mr. Dominick] are necessarily absent.

The Senator from Kansas [Mr. Pearson] and the Senator from Wyoming [Mr. Simpson] are absent on official business.

The Senator from Pennsylvania [Mr. Scott] and the Senator from North Dakota [Mr. Young] are detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], the Senator from Pennsylvania [Mr. Scott], and the Senator from Wyoming [Mr. Simpson] would each vote "nay."

The result was announced—yeas 16, nays 61, as follows:

[No. 179 Leg.]

YEAS—16

Boggs
Clark
Cooper
Douglas
Fulbright
Gruening
Kennedy, N.Y.
McGovern
Miller
Morse
Morton
Mundt
Nelson
Proxmire
Williams, N.J.
Williams, Del.

NAYS—61

Aiken
Allott
Bartlett
Bass
Bayh
Bennett
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fong
Harris
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Metcalf
Mondale
Monroney
Montoya
Neuberger
Prouty
Randolph
Ribicoff
Saltonstall
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Yarborough
Young, Ohio

NOT VOTING—23

Anderson
Byrd, Va.
Church
Dodd
Dominick
Gore
Hartke
Jordan, N.C.
Lausche
Moss
Murphy
Muskie
Pastore
Pearson
Pell
Robertson
Russell, S.C.
Russell, Ga.
Scott
Simpson
Sparkman
Tydings
Young, N. Dak.

So Mr. Proxmire's amendment was rejected.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. YOUNG of Ohio. Mr. President——

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. YOUNG of Ohio. Mr. President, I call up my amendment at the desk and ask that it be stated. However, before the amendment is stated——

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. Young of Ohio is as follows:

S. 343

On page 4, lines 16 and 17, strike out "$619,170,000" and insert in lieu thereof "$58,990,000".

On page 4, line 17, strike out "$16,000,000" and insert in lieu thereof "$9,250,000".

On page 4, line 20, strike out "$13,150,000" and insert in lieu thereof "$10,150,000".

On page 4, line 22, strike out "900" and insert in lieu thereof "700".

On page 5, lines 3 and 4, strike out "$55,200,000" and insert in lieu thereof "$30,200,000".

Mr. YOUNG of Ohio. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stands in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS, 1966

The Senate resumed the consideration of the bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies and offices for the fiscal year ending June 30, 1966, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on the pending amendment offered by the Senator from Ohio [Mr. Young], there be a time limitation of 40 minutes, 20 minutes under the control of the Senator from Ohio [Mr. Young], and 20 minutes under the control of the Senator in charge of the bill, the Senator from Washington [Mr. Magnuson].

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement? The Chair hears none, and it is so ordered.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Unanimous-Consent Agreement

Ordered, That effective after the prayer on Tuesday, July 13, 1965, further debate on the amendment No. 343 of the Senator from Ohio [Mr. Young] to H. R. 7997, making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes shall be limited to 40 minutes to be equally divided and controlled by the Senator from Ohio [Mr. Young] and the Senator from Washington [Mr. Magnuson].

Provided further, That debate on the two amendments to be offered by the Senator from Pennsylvania [Mr. Clark] Nos. 344 and 345 shall be limited to 30 minutes each to be equally divided and controlled by the Senator from Pennsylvania [Mr. Clark] and the Senator from Washington [Mr. Magnuson].

Mr. MANSFIELD. Mr. President, there will be no further votes tonight.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

The PRESIDING OFFICER. Will the Senator from Montana kindly clarify at what point the unanimous-consent agreement on time will commence?

Mr. MANSFIELD. At the conclusion of the prayer tomorrow morning.

I am glad to yield to the Senator from Pennsylvania.

Mr. CLARK. I have two amendments I should like to bring up tomorrow. I am not sure that I wish a yea-and-nay vote on them, but I would be happy to agree to a unanimous-consent agreement of 15 minutes to a side on both amendments.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I make such a request, and ask unanimous consent that on the two amendments to be offered by the Senator from Pennsylvania [Mr. Clark]—if they are offered—that there be a time limitation of 30 minutes, 15 minutes under the control of the Senator from Pennsylvania, and 15 minutes under the control of the Senator from Washington [Mr. Magnuson].

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the Judiciary may meet all day tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may meet until noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE 175TH ANNIVERSARY OF FOUNDING OF THE U.S. COAST GUARD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 412, Senate Joint Resolution 83.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The Legislative Clerk. Joint resolution (S.J. Res. 83), to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 83

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation commemorating the one hundred and seventy-fifth anniversary, on August 4, 1965, of the founding of the United States Coast Guard at Newburyport, Massachusetts, a service which for the past century and three-quarters has been dedicated to humanity through the saving of life and property at sea, and calling upon the people of the United States to observe such anniversary with appropriate ceremonies and activities.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 427), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE RESOLUTION

The purpose of the resolution is to authorize the President of the United States to issue a proclamation commemorating the 175th anniversary of the founding of the U.S. Coast Guard.

GENERAL DISCUSSION

For 175 years the U.S. Coast Guard has been serving this country with distinction. Established August 4, 1790, by the First Congress under the sponsorship of the first Secretary of the Treasury, Alexander Hamilton, the Revenue Marine, as it was then known, was assigned to put down smuggling in the young Republic. Shortly after its inception, the new fleet of 10 small cutters went into action against French vessels which were then harassing our merchant ships.

As a member of this Nation's Armed Forces, the Coast Guard has achieved an enviable record in our country's conflicts. In World War II, the Coast Guard engaged in convoy duty and antisubmarine patrol, manned transports and combat landing craft, and rescued thousands of survivors. Recently, 17 small cutters departed for South Vietnam to assist the U.S. Navy in patrolling the coast of that country.

Over the years the Coast Guard's work has broadened steadily until today it is our chief agency for promoting maritime safety and marine law enforcement. Its duties include an intensive merchant marine safety program, maintenance of a network of more than 40,000 navigation aids, search and rescue, oceanographic research, port security, ocean weather and fishery patrols, and operation of the International Ice Patrol. Its 31,500 officers and enlisted men are serving around the world, in the Arctic and Antarctic, the Atlantic and Pacific Oceans, the Caribbean, and the Mediterranean.

The Coast Guard has come a long way since those first small cutters were launched a century and three quarters ago. But its spirit is still summed up in its motto: "Semper Paratus."

AMENDMENT TO THE INTERSTATE COMMERCE ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 415, House bill 5246.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 5246) to amend sections 20a and 214 of the Interstate Commerce Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 430), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SUMMARY OF PROPOSED LEGISLATION

Under sections 20a and 214 of the Interstate Commerce Act, carriers must obtain Commission approval and authorization for stock and security issues and for assumptions of obligations. The purpose of the bill, H.R. 5246, is to make certain that securities issued by the Federal Government, States, municipalities, or other governmental bodies which acquire the status of common carriers, are not subject to the requirements of these sections of the Interstate Commerce Act.

NEED FOR LEGISLATION

Public ownership of interstate transportation facilities has increased in recent years. A number of port authorities are now served by publicly owned and operated carriers. Examples of such carriers are the State-owned California Belt Railroad and the Port Authority Trans-Hudson Corp., a wholly owned subsidiary of the Port of New York Authority. Galveston, Tex., and Cincinnati, Ohio, each operate a line of railroad in interstate commerce.

The Commission considers that its approval should not be required for the issuance of transportation securities and the assumption of obligations by political entities or their instrumentalities. These financial transactions are generally backed by the credit of a governmental body and are not as subject to manipulation as those of private corporations.

Neither section 20a nor section 214 of the act exempts or authorizes the Commission to exempt, except for relatively minor transactions, any issues or assumptions of obligations. In the absence of an explicit statutory exemption, the legality of such transactions accomplished without Commission approval and authorization might be open to challenge in the courts. Enactment of this proposed legislation would eliminate any possible question by specifically exempting these transactions from the requirements of sections 20a and 214 of the act.

CIVIL RIGHTS MOVEMENT

Mr. MAGNUSON. Mr. President, whether we approve or not, whether we think their actions are appropriate or not, whether we feel they are fueling the fires of hatred and bigotry or not, our young people—many of our best young people—continue their summer pilgrimages to the South to serve their consciences in the civil rights movement.

Last month, Noel Batdorff and her husband, Richard, Richard Swanson, and Virginia Cooper, all from Seattle, and Earl Rowley, of Wapato, Wash., were arrested in Jackson, Miss. This is what Mrs. Batdorff wrote home:

> About 471 of us were arrested the first day, and we were all herded into some sort of arena, kept in a tight bunch in the middle and all the doors were closed except one (Jackson police have a passion for closing off air and ventilation).
>
> It was very hot and muggy that day, so pretty soon we were sweltering—then the brutality started. * * * They were all wearing helmets with earguards, which they often flipped up, and then looked like some macabre mickey mouse. They soon clubbed one girl on the head, because she turned suddenly and faced them—that gave her a 1¼ inch gash on her forehead—later she had five stitches. They clubbed two other white men, one very badly, for no more reason than they had the white girl.
>
> One Negro boy fainted, so we laid him on the floor and immediately the cops gathered and ordered him to stand up—he was really out—so I said, "He has fainted, can't you see?"—and one of the cops nearly exploded—he yelled "shut your mouth, you white * * * . I know your type, white trash, worse than these * * *" and started beating us back into line. We took the Negro boy and I suggested he be taken into the middle of the group where he could lie down in a space without being seen. I started walking round the outside of the group looking for people from our county project to try and get them together—and was spat at and whacked with clubs, but nothing serious. * * *
>
> I was feeling quite sick with fright and awful wonderment at the cops' behavior. mental and physical. They looked like normal human beings, many were married and probably had kids which they dearly love, and yet to us they were as inhuman and as bestial as they could be. At times, I just stood and stared at them, unbelievably, which made them very nervous and worried. Not one cop ever met my gaze for more than a couple of seconds—then it would slither away and he would hastily join a group of his buddies and stand or sit making obscene remarks about how they would like to get me, or some other girl alone and give us the works—obscenity grew from obscenity until it was just nauseating it was so filthy.

What notorious crime led to this brutal treatment? The official charge read "parading without a permit."

Mr. President, is it too much to ask of the officials of the State of Mississippi that these people be treated with elemental humanity? Is it any wonder the parents of those who have gone to Mississippi ask, as Mr. and Mrs. William Swanson—whose son was among those imprisoned in Jackson—have asked: "Why no Federal protection is given to those young people whose only reason for being there is dedication to a cause which is right?"

The Department of Justice informs me that they are now pursuing 60 separate investigations to determine whether the police, jailers, and guards who participated in the maltreatment of their prisoners in the Jackson compound can be held criminally responsible for their brutal acts. As of today, none of these investigations has led to the filing of charges.

I have asked the Attorney General to report to me periodically on the progress of these cases. But, should the Justice Department ultimately prove powerless to punish these wrongdoers, then we must again look to the strengthening of our civil rights laws.

Mr. President, I ask unanimous consent to have the letters from Mr. and Mrs. William Swanson, Mr. and Mrs. Forrest Rowley, and Mrs. Ormond C. Nugent printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

> SEATTLE, WASH.,
> *June 23, 1965.*
>
> Hon. WARREN G. MAGNUSON,
> *Senate Office Building,*
> *Washington, D.C.*
>
> DEAR MR. MAGNUSON: Our son Richard W. Swanson graduated from the University of Washington in 1964, since then has been doing graduate work at Washington State University. At the termination of the school year he went to Mississippi to help where he could in the implementation of the civil rights and voting law. Recently we heard that he has been arrested with several hundred other workers and is suffering untold human indignities.
>
> Unlike last summer there has been practically no news about the condition of the workers in the South. We are at a loss to know why the news is being suppressed. In addition we cannot understand why no Federal protection is given to these young people whose only reason for being there is dedication to a cause which is right.
>
> Sincerely yours,
> Mr. and Mrs. WILLIAM SWANSON.

> WAPATO, WASH.,
> *June 26, 1965.*
>
> U.S. Senator MAGNUSON.
>
> DEAR SIR: Our son Earl Rowley is a civil rights worker in Mississippi and has been arrested, is in the Jackson, Miss., fairgrounds compound. We demand you go to the Justice Department and demand protection for our son and all the others there. On the news they tell us there is mistreatment of the people confined there.
>
> Yours truly,
> Mr. and Mrs. FORREST ROWLEY.

> MERCER ISLAND, WASH.,
> *June 28, 1965.*
>
> MY DEAR SENATOR MAGNUSON: Am enclosing a letter from Mrs. Richard Batdorff, so you will know what is really going on down in Jackson, Miss.
>
> Four Seattle young people were arrested—Richard and Noel Batdorff, Richard Swanson and Virginia Cooper. There has been scarcely any news in the Seattle newspapers.
>
> It sounds like the German concentration camps, rather than any place in the United States. Apathy and lack of knowledge killed millions of people over there.
>
> Please do anything that you can, such as, ask the Justice Department for immediate action to secure the release of those in jail, and to file suit enjoining local and State police from brutal tactics and the denial of constitutional rights.
>
> Also, I would urge you to vote yes on the MFDP challenge.
>
> Sincerely,
> MARGARET NUGENT.

ACCOMPLISHMENTS OF THE PRESIDENT AND THE CONGRESS

Mr. BREWSTER. Mr. President, yesterday, two of America's most respected newspapers carried lead editorials praising President Johnson.

Certainly this praise was justified. The President is not only guiding our Nation through difficult times on the international front, but he is also building an unprecedented record of legislative accomplishments for his administration—one that will be long remembered.

This Congress, under the active leadership of President Johnson, has moved decisively in recent months to enact much needed legislation in the fields of health, education, and voting rights.

In the next few days, the Senate will consider needed legislation to create a Department of Housing and Urban Development and an omnibus housing bill. These measures will go far toward the development of a national policy for our growing urban areas that now are suffering from neglect and uncoordinated programs.

The President was given a clear mandate by the American voters last November to initiate a program to better deal with our pressing domestic problems. He is energetically carrying out this mandate with the support of this Congress.

Mr. President, I ask unanimous consent to have the lead editorials from the Baltimore Sun and the New York Times printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Baltimore Sun, July 11, 1965]

MEANWHILE, AT HOME

In the House of Representatives, in the Senate, and in the Vice-Presidency, Mr. Johnson's interests were mainly domestic, and it was on domestic issues that he exerted to the fullest his notable political talents. As President, too, there is little doubt that Mr. Johnson would prefer to deal first and principally with the problems of what he has called the Great Society—his vision of what this country can and should become. But a President can rarely do only what he prefers to do. In Mr. Johnson's case the many-troubled outside world has crowded into his time and demanded his urgent attention.

The President, of course, must have expected it to happen, for before becoming President he had thought much about the Presidency; and in moments of crisis which sometimes stretch to a great deal more than moments, he has acted decisively while still keeping his eye on the long goals of policy. It is so in Vietnam, and it is so in the Caribbean. Mr. Johnson does not pretend today, though there were times earlier when he did, that all goes well in Vietnam. He said on Friday that things would get worse there before they got better. As to the Dominican Republic, he must be well aware that the difficulties there, and in some other Latin American areas, are far indeed from straightened out.

It is worth noting, still, that with all this Mr. Johnson has demonstrated the large capacity, and the immense energy, to continue pushing his domestic programs. Two historic measures, the social security medicare bill and the voting rights bill, are near enactment, the first now having passed the Senate and the second the House, with differences in each to be worked out in conference committees. These alone would make a memorable year for any administration, and they are now to be added to the Johnson record of remarkable domestic achievement. The record in foreign affairs is not yet so clear, above all because the United States simply does not, and cannot, run the world, and because few of the troubles of the world are amenable to obvious solution. To them also, however, the President is devoting his capacities and his energies, because as President he must. He never supposed the Presidency would be easy, and wouldn't like it so well if it were.

[From the New York Times, July 11, 1965]

The President and the Congress

President Johnson disclosed last week that he would like to keep Congress in session until November to act on all of his legislative proposals. This was more threat than prophecy since an earlier adjournment is still probable, but behind Mr. Johnson's words lies a sound judgment about the nature of Congress.

Congress is not a machine processing so much legislation each year. Like other human institutions, it has its own tempo and tends to work in spurts.

Since he has the momentum of this Congress in his favor, the President is wise to extract the maximum advantage. He has three assets that are likely to diminish with time. The most important is the unusually large Democratic majority in the House—294 to 141—which the anti-Goldwater landslide produced and which may not survive next year's election. A second asset is his popularity in the country which conditions the atmosphere in Congress. Finally, he has an aura of success because of past victories.

To these factors, Mr. Johnson adds a fourth—his close attention to legislative detail and his tireless cultivation of individual members. But this skill and effort, important as they are, would yield far fewer results if the ranks of his loyal supporters in the House were diminished, if his personal popularity declined, or if defeats dented his prestige.

The recent record of Congress points up both the magnitude of its achievement and the precarious balance of forces that made it possible. Action was virtually completed last week on two of the most significant pieces of legislation in a generation—medicare and voting rights. They are of the same historic size as the first Federal aid program for elementary and secondary schools which passed earlier in the session. Also during this past week, the constitutional amendment on Presidential succession was approved.

The Senate has passed bills to establish regional medical centers, to reorganize the depressed areas program, to create a national arts foundation, and to combat water pollution. The House has approved the omnibus housing bill, with its controversial provision for rent subsidies, and the bill to set up a Department of Housing and Urban Development.

These victories have not all been easy. Approximately 60 conservative Southern Democrats in the House still vote against the Administration on most issues. When Northern and Western Democrats also defect, as 16 of them did on rent subsidies, the Administration must seek Republican help.

The old Republican-Southern Democrat coalition, once dominant in the House, tried to reassert its power on the voting rights bill, but the candid Southern expressions of support proved too embarrassing for many Republicans. On issues not so charged with moral significance, however, the potential for effective resistance clearly exists.

As he forces the pace of legislative action, the President risks an occasional defeat. But he knows that in the long run, inaction has more hazards. The 89th Congress is of that rare breed; it moves to a Presidential tempo.

PRESIDENT CALLS FOR INTERNATIONAL MONETARY CONFERENCE

Mr. JAVITS. Mr. President, on July 10, 1963, my Republican colleagues and I on the Joint Economic Committee submitted Senate Concurrent Resolution 53 calling on the President to convoke a well-prepared international monetary conference to review the adequacy of the existing international monetary system and to make plans for necessary reforms. It was again introduced on January 28, 1965, as Senate Concurrent Resolution 14 in this Congress. Exactly 2 years later, on July 10, 1965, President Johnson authorized Secretary of the Treasury Fowler to announce that the United States now stands prepared to attend and participate in an international monetary conference that would consider what steps might be taken to secure substantial improvements in international monetary arrangements.

I think that I can say that during these 2 years the Senate Joint Economic Committee minority fought hard for the United States to modify its stand and to take the initiative in modernizing the international monetary system. For the most part of the fight was a lonely one often against strong opposition from the Treasury.

I am gratified that the President has decided to take this step. An up-to-date international monetary system is an extremely vital element in maintaining world prosperity, in strengthening the ability of industrialized nations to buy goods of underdeveloped nations at a high level and to maintain full employment.

A well-functioning and adequate international monetary system is as vital to the survival and well-being of the United States and the free world financially as an unquestioned nuclear deterrent capability is militarily. And yet, the governments and financial leaders of the industrial nations till now have not faced the critical problem that must be solved if this system is to support those needs indispensable to the success of the free world.

The international monetary system has an enormous impact on economic conditions in both the developed and developing nations of the non-Communist world, on the well-being of their citizens and on their ability to meet the many and varied challenges of Communist power. It determines to a large degree our freedom to pursue policies of economic development and it has major impact on domestic political stability in many Western nations.

A fell-functioning and flexible international monetary system has a major impact on our ability to supply ever increasing volume of economic assistance to the developing nations which is essential to insure them a satisfactory rate of economic growth in a democratic framework.

The President's decision to call for an international monetary conference makes it entirely clear that time for leisurely debate over the character and timing of international monetary reform has run out. As the United States demonstrates its determination and ability to bring its persistent imbalance of international payments under control, problems caused by our very success—a reduction in world reserves and pressures on the pound sterling—require that we bring this debate to an end and to open full scale negotiations now over what is to be done to modernize the system. I agree fully with Secretary Fowler that a preparatory committee should prepare for the conference and that such a committee should be given its terms of reference at the earliest opportunity, hopefully no later than the next annual meeting of the International Monetary Fund in September. I also agree with him and urge him that he consult with members of appropriate congressional committees concerning the appropriate U.S. position and strategy at such a conference.

The problem confronting the international monetary system stated simply is that the rapid growth of international trade in the postwar period has not been accompanied by appropriate rise in international reserves. Since 1954, world exports have doubled—to $159.2 billion—but reserves of gold, dollars, pound sterling, and other forms of credit have increased by only one-quarter—to $67.3 billion. With the principal source of new reserves—the U.S. dollar—rapidly drying up as a result of U.S. balance-of-payments actions, the system lacks at present an acceptable means to supplement the vital reserve functions played by the dollar. The creation of new international reserves is largely an arbitrary process today—chiefly based on the U.S. balance-of-payments deficit—rather than a process tied to the requirements of the system.

The series of short-term measures, the temporary and voluntary actions taken by this Government have failed to deal with the need for long-term and basic reform, yet, in my view, these actions on our part have exaggerated the importance of the U.S. balance-of-payments deficit and strengthened the hands of some who would wish to use our present situation to undermine our role as leaders of the non-Communist world.

The United States has been slow to seek a solution to the international liquidity problem and has not shown adequate confidence in the enormous weight of our economy and its impact on the international economy. Our private investors own nearly $72 billion in earning assets abroad. In addition, the world owes the U.S. Government the principal and interest on $22.8 billion in loans. While foreign assets and investments in the United States add up to about $5.3 billion, it is left with a substantial—$41.8 billion—net international asset position in its favor. In 1964 U.S. exports and imports totaled $43.9 billion—28 percent of world trade—with the United States left in a substantial $6.6 billion trade surplus, more than in any other year in the postwar period except for 1947. In the final analysis, the entire productive capacity of our economy stands as backing for the dollar. In terms of the gross national product, the U.S. economy represents close to 50 percent of the production in the non-Communist world.

The United States, using its position of strength responsibly, must take the lead to bring about a reform of the international monetary system.

I first called for an international monetary conference on July 10, 1963, when I introduced a resolution along with Senators JORDAN of Idaho and MILLER, of Iowa, my Republican colleagues on the Joint Economic Committee. Further support for this position has come from Representative THOMAS B. CURTIS, of Missouri, and Representative ROBERT F. ELLSWORTH, of Kansas, who in a remarkably responsible and thorough statement delivered on the House floor on Monday, June 28, called upon the President to declare U.S. willingness to attend an international monetary conference preceded by a permanent Preparatory Commission to lay the groundwork for such a conference. I thoroughly agree with the position taken by my House colleagues.

An international monetary conference should, after careful review of various reform schemes and agreements on procedural questions, negotiate on a system which would, as a minimum, first, provide reserves in addition to the dollar and the pound sterling to finance the ever-growing requirements of international commerce; second, eliminate the arbitrary character of reserve creation and instead create a system to manage the world's supply of international credit rationally and under international auspices; third, bring up to date the adjustment mechanism of the system—the discipline imposed on countries in a balance-of-payments deficit position; fourth, provide for the expansion of long-term, low-cost credit to the developing nations.

The alternative to basic reform is the continuation of the existing system with more stringent forms of financial "discipline" added. The free world has already paid a high price for the existing system in terms of unnecessary high levels of unemployment, slower rates of growth, restrictions on trade and capital movements—such as the U.S. interest equalization tax—and Government procurement policies which often are undermining 30 years of progress toward trade liberalization.

The United States has now seized upon the growing consensus in support of international monetary reform among key countries and the conclusion recently of reviews both by the IMF, and the Group of Ten (in the form of the Ossola report) of various reform proposals to press for negotiations on a definite plan for reform. It is now up to the political leaders including those in the U.S. Congress to take this matter in hand. Technicians, central bankers, and economists have been debating this long enough. We must act now before the damage is done and while there is the possibility of fruitful negotiation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of pertinent newspaper articles and the concurrent resolutions to which I have referred in my remarks.

There being no objection, the articles and concurrent resolutions were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times,
July 11, 1965]

FOWLER PROPOSES A GLOBAL PARLEY ON MONEY SYSTEM—SAYS PRESIDENT AUTHORIZES CALL FOR TALKS TO IMPROVE BRETTON WOODS SETUP, LAG IN LIQUIDITY IS SEEN—STEPS ARE HELD NECESSARY TO SPUR GROWTH OF RESERVES USED FOR WORLD TRADE

(By Edwin L. Dale, Jr.)

WASHINGTON, July 10.—The United States, in a major initiative, proposed today a world conference aimed at "substantial improvements" in the 20-year-old international monetary system.

The proposal was made by Secretary of the Treasury Henry H. Fowler, who said President Johnson had authorized it.

The last such world conference was at Bretton Woods, N.H., in 1944. The system then evolved has worked well and has been a major factor in the spectacular prosperity of the industrial world.

But the system has recently come under strain, first because of the persistent deficits in the U.S. balance of international payments and now, prospectively, because of the ending of those deficits. The dollar is a keystone of the system.

Mr. Fowler disclosed the U.S. initiative in a speech to the Virginia State Bar Association in Hot Springs, Va. The text of his remarks was made available here. Mr. Fowler conferred about the speech with the President 2 days ago.

The Secretary said that a world conference, if it was to succeed, "must be preceded by careful preparation and international consultation."

ASKS ASSURANCE OF PROGRESS

"Before any conference takes place, there should be reasonable certainty of measurable progress through prior agreement on basic points," he declared.

"Our suggestion," he continued, "is that the work of preparation be undertaken by a preparatory committee which could be given its terms of reference at the time of the annual meeting of the International Monetary Fund this September."

Mr. Fowler said the "happy concurrence of three crucial facts" made the time appropriate to act on reform of the system. The crucial facts, he said, are these:

The U.S. balance of payments "is approaching an equilibrium."

There is a "rising tide of opinion" that the world system "can and should be substantially improved," building on the present system.

The necessary technical studies have been completed, chiefly by the leading financial nations known as the Group of Ten.

As Mr. Fowler explained today, world financial reserves, called international liquidity, have grown in the last 15 years, largely because of deficits in the U.S. balance-of-payments. These deficits have pumped both dollars and gold into the reserves of other nations. The United States was spending more abroad than it earned abroad, even though exports regularly exceeded imports.

As foreign dollar holdings grew and the U.S. gold stock declined, it became necessary to end these deficits to keep the dollar "as good as gold" and assure other nations that their dollar holdings could always be converted into gold at $35 an ounce.

After long and frequently frustrating efforts by the Government, the deficits now appear to be ending. In any event, the Government, as Mr. Fowler said, is "determined" to end them.

But this will automatically stop the growth in world reserves that is needed to finance international transactions, a condition that Mr. Fowler called the "paradox" of the present system. Hence, the need for an innovation, which may well take the form of some new kind of reserve asset in addition to gold and dollars.

Nations use their reserves to settle deficits in their international transactions. While reserves do not have to grow exactly in line with world trade, there is agreement that they must grow over a period of time so that nations can handle temporarily deficits without clamping restrictions on imports or imposing deflationary domestic policies.

Mr. Fowler quoted today a sentence from President Johnson's balance-of-payments message to Congress last February 10:

"Unless we can make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

Mr. Fowler gave no hint today of what the United States would advocate at the world conference and in the preparatory stage. But he said the Government was now moving into a stage of "intensive internal preparation" to determine "those proposals which will be acceptable to the United States, those which are entirely unacceptable, and those which may well be appropriate for negotiation."

FRANCE OPPOSES EXPANSION

In discussions on reform that have been underway for nearly 2 years among the group of 10 countries, serious differences of opinion have emerged. Essentially the continental European countries above all France, have opposed reforms designed to expand world liquidity, contending there is already too much. Britain, the United States, and Japan have been more expansionary.

The end of the United States payments deficit, assuming that the recent improvements continue, could sharply alter the negotiating situaton. It would improve the United States bargaining power and might persuade many Europeans that a method of adding to world liquidity was needed.

Mr. Fowler disclosed in his speech that he planned to meet later this year with the "ranking financial officials of other Group of Ten countries, to ascertain first-hand their views on the most practical and promising ways of furthering progress toward improved international monetary arrangements." He has already seen the British Chancellor of the Exchequer, James Callaghan, and will confer next week with the Japanese Finance Minister, Takeo Fukuda.

OTHER MEMBER NATIONS

Other members of the Group of Ten are France, West Germany, Italy, Belgium, the Netherlands, Sweden and Canada. Switzerland sits with the group as an observer.

Mr. Fowler made it clear that the United States had no intention of trying to impose its own ideas.

"We must be prepared," he said, "not only to advance our own proposals but to carefully consider and fairly weigh the merits of other proposals."

The idea of a world monetary conference can be said to have originated not with the administration but with congressional Republicans.

Senator JACOB K. JAVITS, of New York, has long advocated it. Senator BOURKE B. HICKENLOOPER, of Iowa, speaking for the Senate

Republican leadership, endorsed the idea last week.

ELLSWORTH SPEECH CITED

Also last week, Representative ROBERT F. ELLSWORTH, of Kansas, speaking on behalf of an informal group of House Republican liberals and moderates, made the proposal in a major house speech. Mr. ELLSWORTH has been in touch with leading world financial figures, such as Jean Monnet of France, seeking their advice on how to bring about such a conference.

Mr. Fowler quoted today from the Ellsworth speech.

A plan for improving the monetary system that has considerable backing, though there is much disagreement on detail, calls for creating a new composite or collective reserve unit, labeled CRU for short. The reserve would be made up of the 10 or 11 leading currencies in fixed proportions, held in nations' reserves along with gold and dollars. It could be used to settle international accounts.

The idea is supported in varying degrees in Europe, in Japan and Canada. Britain is known to be sympathetic, provided the new unit could be firmly linked to the existing International Monetary Fund.

The United States has long resisted the idea, mainly because some versions of it would seek to diminish or abolish the role of the dollar as a world reserve currency and a "working" currency for a host of private international transactions.

But if the plan could be worked out in such a way as to leave the role of the dollar intact, and if it could be linked to the Monetary Fund, the United States is understood to be willing to consider it.

A new version of a Crutype of plan will be published next month by Robert V. Roosa, former Under Secretary of the Treasury, who was the leading U.S. international monetary official for the first 4 years of the Kennedy-Johnson administration. This could indicate a move in the U.S. position toward more sympathy for the basic idea.

Mr. Roosa is a member of a committee, headed by former Secretary of the Treasury Douglas Dillon, that was named to advise Mr. Fowler on international monetary reform. Mr. Fowler disclosed today that the group would have its first meeting Friday.

[From the New York (N.Y.) Times, July 11, 1965]

TEXT OF FOWLER'S REMARKS ON INTERNATIONAL MONETARY SYSTEM

(NOTE.—Following is the text of that portion of Treasury Secretary Henry H. Fowler's speech today dealing with the international monetary system. In an earlier section of the speech, Mr. Fowler discussed the U.S. balance of payments. The speech was delivered in Hot Springs, Va., and was released here by the Treasury Department.)

It is imperative not simply to reach balance in our payments for a quarter or two, or even for a year, but to sustain equilibrium over time. The reasons are clear.

Our 14 years of deficits have resulted in a large outflow of dollars to the rest of the world. Because there is worldwide confidence in the stability of those dollars and because they are convertible into gold at the fixed price of $35 an ounce, those dollars are widely used to finance international transactions, and other countries hold them alongside gold in their official reserves.

Today, those dollars—some $27 billion—account for a major share of the international liquidity that sustains the growing free world economy. Some $12 billion of those dollars are in official reserves, while the remainder serve to support growing world trade and investment.

Thus, it is essential to the viability of the international monetary system as it exists today that the usefulness and value of those dollars remain unquestioned throughout the world. And, whatever changes might be introduced into that system, the dollar will have to continue to carry a heavy burden as a reserve currency.

If we allowed our deficits to continue, or if we lapsed back into prolonged deficit after a brief period of surplus, we would undermine world confidence in the dollar and impair its usefulness as a world reserve and leading currency. Dollars would return to our shores as claims on our gold, thus depleting, instead of supplementing, world financial resources.

WOULD SUSTAIN ADVANCE

To prevent such a contraction in world liquidity and the widening circles of deflation and restriction that would surely follow, we must reach and maintain equilibrium in our payments as a matter of the highest national priority, along with sustaining the economic advance that has marked the last 53 months.

The paradox is, therefore, that the very increase in official foreign dollar holdings that has fueled so much of the growth is world liquidity in the past—and has thus helped support the growth in world trade—can no longer be allowed to continue if current international liquidity is to be protected. Yet without additions to the reserve dollars that our deficits have so long supplied, the world will need a new and assured source of growing liquidity to support increasing world trade and investment.

This, in a nutshell, is what the issue of world monetary reform is all about. It is to assure ample world liquidity for the years ahead that the United States, in cooperation with other leading financial powers, is seeking workable ways of strengthening and improving international financial arrangements.

For several years now the essential laying of the technical groundwork has been underway as the United States has joined with other major countries in comprehensive studies of the international monetary system—its recent evolution, its present effectiveness and its future. An early conclusion was that there are two elements in international liquidity; on the one hand, the more conventional reserves of gold and reserve currencies and, on the other hand, the ready availability of credit facilities for countries in need of temporary assistance.

As long ago as 1961, the 10 major industrial nations, now known as the Group of Ten, negotiated with the International Monetary Fund a so-called general arrangements to borrow whereby the 10 nations agreed to lend to the International Monetary Fund up to $6 billion should this be necessary "to forestall or cope with an impairment of the international monetary system." That arrangement was activated last December and again this May in order to provide a part of a $2.40 billion drawing from the International Monetary Fund on the part of the United Kingdom.

BACK 25-PERCENT RISE

On the credit side, also, the members of the International Monetary Fund have now agreed to support a 25-percent general increase in International Monetary Fund quotas. This 25-percent increase, plus special increases for some 16 countries, will raise total aggregate quotas from $15 billion to around $21 billion. The Congress last month approved a $1,035-million increase in the U.S. quota.

Meanwhile, the Group of Ten and the International Monetary Fund have been continuing their studies of the future course of world liquidity. Deputies of the group submitted a comprehensive report on the problems involved last August.

In their ministerial statement last August, the Group of Ten stated that, while supplies of gold and reserve currencies are fully adequate for the present and are likely to be for the immediate future, the continuing growth of world trade and payments is likely to require larger international liquidity. While they said that this need might be met by an expansion of credit facilities, they added that it may possibly call for some new form of reserve asset.

A study group was set up "to examine various proposals regarding the creation of reserve assets either through the International Monetary Fund or otherwise." The efforts of that group have culminated in the so-called Ossola report, submitted to the deputies of the Group of Ten on June 1 of this year, which exhaustively examines, with all their promises and pitfalls, the possible paths to the creation of reserve assets.

Now for the first time in 4 years we are confronted by the happy concurrences of three crucial facts.

1

The U.S. balance of payments is approaching an equilibrium and the executive branch, the Congress and the private sector, including industry, banking and labor, have mounted a program that makes unmistakably manifest our determination to keep it that way.

2

Evidence is accumulating of a rising tide of opinion in many knowledgeable and influential quarters in the free world, private and public, that our international monetary arrangements can and should be substantially improved, building on the basis of the International Monetary Fund and the network of more informal international monetary cooperation that has marked recent years.

3

The completion of technical studies necessary to give a thorough understanding of the problem and various alternative approaches to solution on the part of those at the highest levels of government who must ultimately make these decisions.

We have now reached the moment which President Johnson had in mind when, in speaking of new international monetary steps, he said:

"We must press forward with our studies and beyond, to action * * * evolving arrangements which will continue to meet the needs of a fast growing world economy. Unless we can make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

In taking office, I described this as "the major task facing our Treasury and the financial authorities of the rest of the free world in the next few years."

In recent weeks we have moved beyond the plane of hope and technical studies toward the prospect of more conclusive negotiations from which alone solution can emerge.

I met last week with the British Chancellor of the Exchequer, James Callaghan, and we exchanged preliminary and tentative views on the subject of international liquidity.

Next week I hope to have the pleasure of informal discussions with the Japanese Minister of Finance, Takeo Fukuda, in connection with the joint Cabinet sessions of the United States-Japan committee on trade and economic affairs.

ADVISORY PANEL NAMED

Both before and after scheduled meeting of the International Monetary Fund and World Bank in late September, I expect to visit ranking financial officials of other group of 10 countries, to ascertain firsthand their views on the most practical and promising ways of furthering progress toward improved international monetary arrangements. We must not only be prepared to advance our own proposals, but to carefully consider and fairly weigh the merits of other proposals. As Congressman ROBERT ELLS-

WORTH, of Kansas, in discussing this subject, recently remarked:

"We must appreciate that if we wish a strong Europe it must be a Europe strong enough to look upon an American proposal as merely one among many possible solutions—all of which will be reviewed together. If we wish their partnership, we must treat them as partners."

Already your Government is engaged in an intensive internal preparation for these bilateral meetings and multilateral negotiations that should follow.

In addition, so that the Government may have the benefit of some of the expertise and experience outside the Government in this highly technical area, President Johnson has accepted my recommendation and announced creation of an Advisory Committee on International Monetary Arrangements which includes as its Chairman the former Secretary of the Treasury, Douglas Dillon, and a distinguished group of experts including Robert Roosa, former Under Secretary of the Treasury for Monetary Affairs; Kermit Gordon, former Director of the Bureau of the Budget; Edward Bernstein, economic consultant specializing in international monetary policy; André Meyer, of the investment banking firm of Lazard Frères; David Rockefeller, president of the Chase Manhattan Bank, and Charles Kindleberger, professor of economics at Massachusetts Institute of Technology.

With their help and that of many others who will be consulted, including, particularly, many well-informed members of the appropriate committees of Congress, we shall constantly seek a comprehensive U.S. position and negotiating strategy designed to achieve substantial improvement in international monetary arrangements thoroughly compatible with our national interests.

In the various proposals which have and will be made, we must determine those which will be acceptable to the United States, those which are entirely unacceptable, and those which may well be appropriate for negotiation.

There will be an initial meeting of the advisory committee on international arrangements on July 16. Hearings are planned before the International Finance Subcommittee of the House Banking and Currency Committee under the chairmanship of Congressman HENRY REUSS, of Wisconsin, to obtain various private and organizational points of view. These hearings and the reports of the committee will be of great value, together with those of the Joint Economic Committee of Congress and the International Finance Subcommittee of the Senate Banking and Currency Committee under the chairmanship of Senator EDMUND MUSKIE, of Maine.

READY TO JOIN TALKS

I am privileged to tell you this evening that the President has authorized me to announce that the United States now stands prepared to attend and participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements. Needless to say, if such a conference is to lead to a fruitful and creative resolution of some of the free world's monetary problems, it must be preceded by careful preparation and international consultation.

To meet and not succeed would be worse than not meeting at all. Before any conference takes place, there should be a reasonable certainty of measureable progress through prior agreement on basic points.

Our suggestion is that the work of preparation be undertaken by a preparatory committee which could be given its terms of reference at the time of the annual meeting of the International Monetary Fund this September.

The United States is not wedded to this procedure nor to any rigid timetable. I shall exchange views with my colleagues in Europe and elsewhere, as well as with the senior officials of the International Monetary Fund, on how best to proceed. The point I wish to emphasize here is that the United States is determined to move ahead—carefully, deliberately—but without delay. Not to act when the time is ripe can be as unwise as to act too soon or too hastily.

We are, therefore moving ahead—and we are making progress. But we must be aware that the issues involved are complex, and they raise basic questions of national interest.

PATIENT EXPLORATION NEEDED

It is not, therefore, easy to arrive at the degree of international consensus we must have for any workable reform of the international monetary system. We can expect no overnight solution—but only patient exploration of the alternatives with our trading partners in a spirit of mutual cooperation. This is the course we are now pursuing.

As we move ahead, we will do well to remember that the existing international financial system has successfully financed an unparalleled expansion in world trade and payments. We have also done much in recent years to strengthen that system. The need now is not to start all over again, to move in a completely new direction. Rather, we must move once more to strengthen and improve the existing arrangements.

And while we proceed solidly and surely toward international agreement on the problems of world liquidity, we in this country must keep ever before us the present and pressing need to protect the existing international payments system by maintaining a strong, sound, and stable dollar. First things must come first.

We are bringing our own payments into equilibrium and we must keep them in equilibrium. By resolutely shouldering that responsibility we will preserve the foundation upon which must rest all efforts to assure free world growth in the years ahead—the monetary system that has served the free world so well in the past.

S. CON. RES. 53

Whereas the United States has had a deficit in its international balance of payments every year, except one, since 1950; and

Whereas, largely as a result of these deficits, United States short-term dollar liabilities to foreigners totaled $25,300,000,000 at the end of April 1963; and

Whereas these liabilities constitute a potential claim against the United States gold stock of $15,700,000,000, of which less than $4,000,000,000 is "free gold" not required to serve as backing for our currency; and

Whereas the health of our domestic economy and strength of the dollar and its ability to serve as a key international reserve currency depends upon the early elimination of the balance-of-payments deficit and the creation of improved arrangements to serve the liquidity needs of an expanding international trade and payments system: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that achievement of balance-of-payments equilibrium in a manner consistent with the dollar's role as a key international reserve currency should receive the highest priority in the formation of national economic policy; and be it further

Resolved, That the maintenance of equilibrium in its international accounts should be a continuing and major goal of United States international economic policy; and be it further

Resolved, That the United States take the initiative within the International Monetary Fund to devise new and improved methods of permanently strengthening the international monetary and credit mechanism in order to provide (a) improved means of financing balance-of-payments deficits until basic corrective forces restore equilibrium, and (b) sufficient liquidity to finance increases in world trade and payments once United States balance-of-payments equilibrium is achieved; and be it further

Resolved, That the President be requested to consider calling for an International Economic Conference to review the long-term adequacy of international credit; to recommend needed changes in existing financial institutions; to consider increased sharing of economic aid for development and military assistance; and to consider other pressing international economic problems placed before it by a preparatory committee for such Conference.

S. CON RES. 14

Whereas the United States has had a deficit in its international balance of payments every year, except one, since 1950; and

Whereas largely as a result of these deficits, United States short-term dollar liabilities to foreigners totaled an estimated $27,976,000,000 at the end of October 1964; and

Whereas these liabilities constitute a potential claim against the United States gold stock of $15,200,000,000, of which less than $1,400,000,000 is "free gold" not required to serve as backing for our currency; and

Whereas the health of our domestic economy and strength of the dollar and its ability to serve as a key international reserve currency depends upon the early elimination of the balance-of-payments deficit and the creation of improved arrangements to serve the liquidity needs of an expanding international trade and payments system: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that achievement of balance-of-payments equilibrium in a manner consistent with the dollar's role as a key international reserve currency should receive the highest priority in the formation of national economic policy; and be it further

Resolved, That the maintenance of equilibrium in its international accounts should be a continuing and major goal of United States international economic policy; and be it further

Resolved, That the United States take the initiative to devise new and improved methods of permanently strengthening the international monetary and credit mechanism in order to provide (a) improved means of financing balance-of-payments deficits until basic corrective forces restore equilibrium, and (b) sufficient liquidity to finance future increases in world trade and payments; and be it further

Resolved, That the President be requested to call for an International Economic Conference to review the long-term adequacy of international credit; to recommend needed changes in existing financial institutions; to consider increased sharing of economic aid for development and military assistance; and to consider other pressing international economic problems placed before it by a preparatory committee for such Conference.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act; and

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate stand in recess until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 45 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Tuesday, July 13, 1965, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate July 12, 1965:

DEFENSE DEPARTMENT

Harold Brown, of California, to be Secretary of the Air Force, vice Eugene M. Zuckert, resigned.

Norman S. Paul, of the District of Columbia, to be Under Secretary of the Air Force, vice Brockway McMillan, resigned.

Thomas D. Morris, of Maryland, to be an Assistant Secretary of Defense, vice Norman S. Paul.

TREASURY DEPARTMENT

W. True Davis, Jr., of Missouri, to be an Assistant Secretary of the Treasury.

NATIONAL COMMISSION ON TECHNOLOGY, AUTOMATION, AND ECONOMIC PROGRESS

Thomas J. Watson, Jr., of New York, to be a member of the National Commission on Technology, Automation, and Economic Progress, vice John I. Snyder, Jr., deceased.

THE JUDICIARY

William B. Bryant, of the District of Columbia, to be U.S. district judge for the District of Columbia vice David A. Pine, retired.

Oliver Gasch, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Edward A. Tamm, elevated.

EXTENSIONS OF REMARKS

Health Professions Educational Assistance Amendments Act of 1965

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1965

Mr. KEE. Mr. Speaker, I should like to inform my distinguished colleagues of the House that today I am introducing a bill to correct an inequity to the schools and colleges of optometry to students of optometry.

At this time there is pending before the Congress and before our most important Committee on Interstate and Foreign Commerce several major proposals which will further expand Public Law 88-129, Health Professions Educational Assistance Act. The original amending legislation proposed this year by the administration, inadvertently or otherwise, did not in three of its most important provisions include the participation of the institutions or the students of these institutions which are devoted exclusively to the training of our licensed vision specialists.

The 88th Congress recognized the importance of optometry to the health of the American people when it passed the bill (S. 2180; H. R. 8546) sponsored by Senator WILLIAMS, of New Jersey, and Congressman Roberts, of Alabama, and made optometric students eligible for loans under Public Law 88-129—along with physicians, osteopaths, and dentists.

My very good friend, Dr. William Greenspon, of Bluefield, W. Va., a trustee of the American Optometric Association, has served for 18 years as either member or chairman of the Council on Optometric Education.

This council has the responsibility for investigating and approving schools and colleges which train our Nation's optometrists. Through the years he has kept me informed on the needs of America for optometric manpower and on the capabilities of our institutions of higher education for training the specialized manpower required. I can state from firsthand and personal knowledge, therefore, that the financial needs of the optometric schools and colleges and the students who attend them are as critical as those professional institutions and students already listed to receive Federal aid in all provisions of the pending legislation.

Mr. Speaker, the cost to the Nation for the changes I am proposing is a mere pittance compared to the overall cost of the administration's proposal. By passage of my bill, however, we will assure the American people that their visual requirements will continue to be met and that students who are not now financially endowed with the means to become optometrists will have the opportunity to dedicate their lives to careers in the service of vision. I believe you will agree with me that vision is mankind's most priceless possession next to life itself.

Rent Subsidy Similar to Wage Subsidy Which Failed in Britain

EXTENSION OF REMARKS

OF

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1965

Mr. FINDLEY. Mr. Speaker, the House has approved by a narrow margin the rent-subsidy bill, but will have a chance to right this wrong if it comes back as a conference report.

Therefore, even though the hour is late, all may not be lost. It may be of special interest to Senators to learn of an analogy in British history to the rent-subsidy bill.

In 1795, near the beginning of the wars with France that culminated in Waterloo, the county authorities of Berkshire instituted a wage-subsidy scheme for relief of the poor. It was known as the Speenhamland system, or practice, and was widely copied. The payment of money from local taxes was permitted for the purpose of supplementing wages up to a fixed figure, when the price of bread reached a level regarded as imposing hardship on workers. The scheme was an utter failure, for employers simply beat down wages in the knowledge that the taxpayers would have to fork out enough for the workers to subsist. The system was swept away by the reformed poor laws in the act of 1834.

"He who knows not history is doomed to repeat it." The present proposal, of course, is to apply to housing, not wages, but the result will be the same. While I have the greatest sympathy for the poor in their problem of securing decent housing, I object to this device. It will raise hopes that will prove illusory, for it simply will not work.

The philosophy, indeed, of all these deals since the new reminds me of an incident in the history of Athens. When Pericles expressed to his friend and adviser—his Judge Rosenman, you might say—some uneasiness over the competition of a political rival far wealthier than he, the friend reassured him with the remark:

> Nothing pleases the people so much as to receive presents from their own possessions.

I know of no more apt description of all this lavish Federal spending.

The Need for Immigration Reform

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1965

Mr. WOLFF. Mr. Speaker, I have long campaigned for the revision of the present unjust immigration laws. As a Member of Congress, I have continued this fight by cosponsoring a bill which will eliminate the present inequities in the immigration law.

The need for this reform and the major obstacles in our fight to secure this reform are reported by the New York Times in a recent editorial. I am submitting excerpts of this editorial:

> [From the New York Times]
>
> REOPENING THE DOOR
>
> The accidents of political history and the seniority system have a perverse way of mocking hopes for immigration reform.
>
> For nearly 20 years the personal influence of the late Senator Pat McCarran, of Nevada, and Representative Francis Walter, of Pennsylvania, obstructed almost all efforts to place our race-ridden immigration laws on a liberal, openminded basis.
>
> * * * * *
>
> On July 23, 1963, President Kennedy proposed basic reform of immigration law very similar to the recommendation made this past week by President Johnson. Representative EMANUEL CELLER, chairman of the parent Judiciary Committee, immediately introduced a bill embodying the Kennedy administration proposals. (Subcommittee) * * * stalled for 11 months before holding hearings.

The testimony last summer at those hearings, when finally held is most instructive. The gentleman from New York [Mr. CELLER] testified that the racially discriminatory national origins quota system is so restrictive and unworkable that, in fact, only one-third of all immigrants enter under its provisions. The other two-thirds are admitted by refugee and displaced persons legislation and private bills. Secretary of State Rusk testified the existing law is "indefensible from a foreign policy point of view." Secretary of Labor Wirtz testified that the number of immigrants entering the working force—about 48,000 a year in recent years—is "insignificant" in a labor market of over 70 million. Attorney General KENNEDY testified that:

> The immigrants pose no serious security problems and that the present law is cruel in its effect on separated families.
>
> Notwithstanding all this testimony the subcommittee refused to report the bill, instead introduced a hopelessly inadequate substitute bill written on the apparent premise that immigration of any kind is a dangerous experiment.
>
> Aside from the subcommittee there is a hidden obstacle to immigration reform. Many Members of the House from big-city districts, although paying lipservice to reform, actually prefer the present system because it enables them to gain political favor with constituents by introducing private bills for favored individuals.
>
> The public looks to President Johnson and the House leadership to overcome both these open and hidden blocks to a long overdue reform.

Mr. Speaker, I am also enclosing a chart from the annual report of Immigration and Naturalization Service.

The chart is demonstrative of the large quotas assigned the northern European countries as compared to the southern countries. Certainly the nation of origin should not be the criteria of the size of quotas where all other factors are equal:

TABLE 7.—*Annual quotas and quota immigrants admitted: Years ended June 30, 1960–64*

[Numbers of quota visas issued and quota immigrants admitted will not necessarily agree. Differences may be caused by failure of the alien to make use of the visa issued, or by immigrants who are admitted to the United States in the year following the one in which the visa was issued, or by adjustments chargeable to future years]

Quota area	Annual quota [1]	Quota immigrants admitted [2]				
		1960	1961	1962	1963	1964
All quota areas	158. 161	101, 173	96, 104	90, 312	103, 036	102, 844
Europe	149. 597	97, 850	92, 795	86, 814	90, 244	98, 729
Albania	100	70	82	93	93	102
Austria	1, 405	1, 310	1, 330	1, 274	1, 450	1, 271
Belgium	1, 297	1, 069	1, 182	1, 076	1, 052	1, 022
Bulgaria	100	100	82	84	114	100
Czechoslovakia	2, 859	2, 541	2, 236	1, 946	2, 098	1, 823
Denmark	1, 175	1, 199	1, 066	1, 124	1, 203	1, 075
Estonia	115	100	110	116	98	129
Finland	566	554	554	536	494	554
France	3. 069	2, 908	2, 892	2, 930	2, 987	2, 876
Germany	25, 814	25, 859	24, 273	22, 911	26, 533	23, 997
Great Britain and Northern Ireland	65, 361	27, 034	25, 100	23, 447	28, 291	31, 759
Greece	308	344	321	339	308	308
Hungary	856	805	844	825	914	854
Iceland	100	112	105	106	85	112
Ireland (Eire)	17, 756	7, 479	6, 273	5, 364	6, 054	6, 134
Italy	5, 666	5, 609	5, 648	5, 405	5, 560	5, 724
Latvia	235	217	234	217	250	191
Lithuania	384	330	383	338	396	374
Luxembourg	100	78	62	63	88	83
Netherlands	3, 136	3, 035	2, 969	3, 073	3, 016	2, 828
Norway	2, 364	2, 345	2, 208	1, 944	2, 071	2, 219
Poland	6, 488	6, 057	6, 891	5, 435	7, 460	6, 434
Portugal	438	427	425	426	445	434
Rumania	289	314	297	273	311	829
San Marino	100	98	96	96	105	100
Spain	250	236	204	161	220	272
Sweden	3, 295	2, 307	1, 656	1, 685	2, 019	2, 160
Switzerland	1, 698	1, 717	1, 510	1, 594	1, 673	1, 681
Turkey	225	211	220	195	242	182
U.S.S.R.	2, 697	2, 422	2, 536	2, 765	2, 616	2, 564
Yugoslavia	942	901	932	888	915	969
Other Europe	400	62	74	85	83	109
Asia	3, 690	2, 359	2, 014	2, 245	2, 256	2, 290
Asia-Pacific	100	86	87	88	98	80
Burma	100	107	99	93	71	122
Ceylon	100	75	52	76	92	90
China	100	103	78	99	90	74
Chinese persons	105	454	117	84	82	47
Cyprus [3]	100	--------	94	94	98	102
India	100	99	92	111	108	100
Indonesia	200	104	72	107	96	127
Iran (Persia)	100	112	99	115	100	100
Iraq	100	103	92	112	95	105
Israel	100	106	99	100	102	100
Japan	185	142	128	191	195	177
Jordan and Arab Palestine	200	202	215	181	209	206
Korea	100	94	103	109	100	94
Lebanon	100	98	102	91	103	100
Pakistan	100	89	88	98	87	88
Philippines	100	70	58	57	50	47
Thailand	100	110	93	107	95	100
Vietnam	100	51	80	83	94	92
Yemen	100	90	97	100	99	97
Other Asia	1, 400	64	69	149	192	242
Africa	4, 074	746	857	846	1, 010	1, 232
Ethiopia	100	43	69	71	101	97
Ghana	100	34	35	68	86	101
Libya	100	67	94	73	107	101
Morocco	100	124	100	101	92	105
South Africa	100	114	120	102	98	102
Tunisia	100	107	90	99	84	98
Other Africa	3, 474	257	349	332	442	628
Oceania	600	418	438	414	350	381
North America	200	--------	--------	--------	176	212
Jamaica [4]	100	--------	--------	--------	90	110
Trinidad and Tobago [4]	100	--------	--------	--------	86	102

[1] The annual quota was 154,887 in 1960; 156,487 in 1961; 156,687 in 1962; and 156,987 in 1963. In 1964 the total quota was increased to 158,161 by the establishment of additional quotas for newly independent countries.

[2] Figures include adjustment of status cases. Adjustments chargeable to future years are included in year of adjustment.

[3] During 1960 Cyprus was charged to the British subquota.

[4] Quotas established by President's Proclamation No. 3503 of Oct. 23, 1962. Figures for 1963 include admissions charged to British subquotas July 1 to Oct. 22, 1962.

This Nation, Under God

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1965

Mr. QUIE. Mr. Speaker, as some of my colleagues may remember, 24 years ago in 1941, some Members of Congress met to form the Congressional Prayer Breakfast Group. Since that time the weekly breakfast meetings have been a means of becoming better acquainted with their colleagues, as well as sharing in discussing together the spiritual welfare of our country. Through the years, Members have enjoyed the excellent fellowship of these meetings where men of all political beliefs can share their views on brotherly love.

This year I have the honor to serve as president of the Congressional Prayer Breakfast Group which meets in the Senate family dining room at 8 a.m. every Thursday morning.

Just recently both the majority leader, CARL ALBERT, and the minority leader, GERALD FORD, spoke at our weekly meeting. Both had a profound impression upon those in attendance. Mr. ALBERT gave us a wealth of historically significant information on the office of chaplaincy of the Congress, and I am taking this opportunity to include his remarks in the CONGRESSIONAL RECORD, which I know will be of tremendous interest to my colleagues and anyone else interested in the religious liberty and political life of our country.

THIS NATION, UNDER GOD

(Remarks given by Representative CARL ALBERT at Congressional Prayer Breakfast, July 1, 1965)

The precedents, traditions, and institutions of the two Houses of the Congress of the United States are the bone and sinew of these great legislative bodies to which you and I are devoting the most important efforts of our lives. Some of these things deal with parliamentary procedure. Others with legislative form. Still others with the political, social, economic, and military facts of American life. All these traditions and procedures are important.

But I propose to talk to you this morning about an institution in the Congress which symbolizes the religious heritage of our people—our belief that legislative decisions must have a spiritual content. The institution is as old as the Congress itself. I am speaking, of course, of the Office of Chaplain in the Senate and House of Representatives and I am speaking of my own belief that if politics is to serve its highest purpose it must have a moral origin. That I think is the difference between this country and the Soviet Union. Our fathers in founding a government of the people, by the people, and for the people earnestly sought the guidance of Almighty God.

The Mayflower compact was signed, "In the name of God, Amen."

The Declaration of Independence, the anniversary of which we will celebrate this weekend, was concluded "with a firm reliance on the protection of Divine Providence."

Another symbol of the recognition of our country of the need for divine guidance from the beginning of our Government is the daily opening of Congress with prayer.

This practice dates from the Continental Congress.

I think it is significant that every single daily session of Congress ever convened under the Constitution of the United States has been opened with prayer.

For my own part, I have made it a practice ever since I have been a Member of Congress to be present every possible day for the opening prayer in the House of Representatives. I think this has profited me not only in the personal strength and peace which prayer always engenders but more important in the perspective which the reflections of a man of God bring as I face problems from day to day.

In the daily prayers preserved in the CONGRESSIONAL RECORD down through the generations, more than anywhere else, may be found the thoughts and convictions of our clergy on the great issues with which the Congress of the United States has had to deal. It is inconceivable that these daily petitions for divine help have not had an impact—a major impact—on the course of events in the Congress and the country.

Now for a word about the origin and history of the office of Chaplain.

When it was proposed that congressional sessions be opened with prayer, there were expressions of doubt as to the propriety of doing so because of the great diversity of opinions and religious beliefs.

Then Samuel Adams, with his gray hair hanging about his shoulders, rose and said it did not become men professing to be Christians to be so negative.

He could see no reason why Christian men coming together for solemn deliberation in a serious hour could not, as one man, bow in prayer to the Almighty, no matter how different their religious beliefs. He then moved that the Reverend Jacob Dushe, of the Episcopal Church, should address the Throne of Grace in prayer. Mr. Dushe read the Episcopal service of the Church of England; then, as if moved by the occasion, he broke out into extemporaneous prayer.

"O Lord our Heavenly Father, high and mighty King of Kings and Lord of Lords, who dost from Thy throne behold all the dwellers on earth and reignest with power supreme and uncontrolled over all kingdoms, empires, and governments; look down in mercy we beseech Thee on these American States who have fled to Thee from the rod of the oppressor, and thrown themselves on Thy gracious protection, desiring to be henceforth dependent only on Thee; to Thee do they now look up for that countenance and support which Thou alone canst give; give them wisdom in council, and valor in the field. Be Thou present, O God of wisdom, and direct the councils of this honorable assembly * * *; shower down on them and the millions they here represent such temporal blessings as Thou seest expedient for them in this world and crown them with everlasting glory in the world to come. All this we ask in the name and through the merits of Jesus Christ, Thy Son, our Saviour. Amen."

John Adams in a letter to his wife describing the session said he never saw a more moving spectacle. He said pacific Quakers, who formed part of that interesting assembly, sobbed. He added: "Depend upon it * * * where there is a spirit of Christianity, there is a spirit which rises above form, above ceremonies, independent of sect or creed, and the controversies of clashing doctrines."

The practice of opening the daily sessions of Congress with prayer has continued from that beginning.

The Senate's first Chaplain was Dr. Samuel Provost, an Episcopalian, appointed on April 25, 1789. Dr. William Linn, a Presbyterian, was the House's first Chaplain. He was appointed May 1, 1789, when George Washington's first speech was read to the House. The Chaplain's appointment was the first business after Washington's address.

The Chaplains' custom has been challenged at various times through the years. For example, in 1857, certain Members of Congress claimed that the employment of Chaplains conflicted with the spirit of the Constitution and tended to promote a union of church and state. They made a determined effort to discontinue the practice. This aroused the churches of the country, and at the end of an acrimonious debate the House, by an overwhelming majority, adopted a resolution that the daily sessions of the House should be opened with prayer. This resolution, so far as I have been able to determine, is the only specific legislative authority for the selection of Chaplains.

Since 1789, a total of 111 Chaplains have served Congress—55 in the Senate and 56 in the House. Of these 111, 37 have been Methodists, 28 Presbyterians, 19 Episcopalians, 14 Baptists, 4 Unitarians, 3 Congregationalists, 2 Christians, and 1 each Roman Catholic, Lutheran, and Universalist. One Chaplain's denomination was not known. Far more important than this, however, is the fact that there is a ministry in the office of Chaplain. Chaplains are the shepherds of the Hill.

The daily invocation in Congress is only one facet of a Chaplain's office. Since you all know our present Chaplains you have probably heard some of these things about them from the Chaplains themselves, but I think these facts are worth repeating. Chaplains are always available as spiritual advisers to Members of Congress. They counsel them and their families, call on the sick, officiate at weddings, baptisms, and funerals. Their calendars are crowded with talks to clubs and visiting student groups. To their offices comes an unceasing stream of citizens who want to talk about the spiritual and physical welfare of the Nation, and indeed, the state of the entire world which is so closely enmeshed with activities on Capitol Hill. Hundreds of letters pour into the Chaplains from every corner of the country and must be answered, for the Chaplains of Congress are, in a sense, also the servants of the constituency. The letters they receive reveal the spirit of our people unburdening their hearts. Many of these letters come from people who read the daily prayers as they appear in the CONGRESSIONAL RECORD. A doctor in Texas wrote that he never makes his daily rounds at his hospital without first pausing and reading prayerfully Dr. Harris' invocation. Numerous people in Washington use the prayers for their family devotions.

President Johnson describes the daily prayers in Congress as one of the most important traditions of government. He says the prayer is as much a part of the legislative process as is the drafting of bills and the taking of votes on them. "It is a pause in the day's occupation from which men who have heavy responsibilities draw strength and fortitude for the tense hours that lie ahead," he says.

Richard M. Nixon once said that in the usual order of business of Congress, the invocation is often the best speech of the day. "Thoughts expressed in the invocations constantly remind us," he said, "that the greatness of America comes from the fact that this Nation was built on the foundation of faith in God."

Speaker Sam Rayburn described the daily ministrations of the House Chaplain as "helpful, inspiring, lifting all who hear him to a deeper realization of their need for divine guidance."

It has been my good fortune to know personally four Chaplains who have served in the Congress: Dr. Montgomery and Dr. Braskamp in the House, and Dr. Harris and Dr. Peter Marshall in the Senate. Not only do I look forward to Dr. Braskamp's daily prayer, but also to his quotation of one verse of Scripture preceding his invocation.

He began this practice early in 1958, reviving a custom which had been followed by Dr. Edward Everett Hale, who had served the House as Chaplain in the early 1900's. Some of these Scriptures stick in my mind and are recalled throughout the sessions which follow. For example, I remember Dr. Braskamp's prayer at the beginning of one session was preceded by the brief Scripture: "In the beginning, God." Among other familiar ones which I have felt were especially appropriate have been: "God is our refuge and strength, a very present help in trouble." "They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint." "He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly and to have mercy, and to walk humbly with thy God." "If God be for us, who can be against us?" "Blessed is the nation whose God is the Lord."

Dr. Braskamp, the House Chaplain, came to Washington as assistant pastor of the Church of the Covenant, now called the National Presbyterian Church—the church where President Eisenhower worshipped—and has spent his entire ministry here. He retired from a regular pastorate in 1952, and was the first full-time Chaplain in either the House of Representatives or the Senate of the United States. To the Members, he is counselor, friend, and brother.

Dr. Montgomery, who preceded Dr. Braskamp as House Chaplain, had the longest record of service of any congressional Chaplain. He served over a quarter of a century—for some 29 years from 1921 to 1950. * * * During the years of his service, he delivered invocations on many historic occasions. In 1923, he officiated at the funeral of President

Harding. The next year, when Woodrow Wilson was dying, Dr. Montgomery's moving prayer for the former President was reprinted in the New York Times (Feb. 3, 1924). His prayers for the men of the sunken submarine *S-4* were similarly reported in 1927. When the United States was in the early stages of the depression in 1932, Dr. Montgomery opened the new session with the prayer that every Member of the House should "be brave to investigate and fearless to decide" so that all selfishness, sectarianism, bias and evil design might "melt away into brotherly love and pour into the golden circle of our homes the fullest measure of purity and sweetness." He delivered the D-day prayer in the House, in June 1944 when news came of the Allied invasion of continental Europe from the north. In praying for speedy victory with a minimum loss of lives, Dr. Montgomery said: "We bring unto Thee our heroic sons and daughters of the battlelines who have surrendered their secret joys, their aspirations and the blessings of the years * * * comfort them in the face of all adversaries as their swords of righteousness prevail." In 1946, he delivered the invocation at the congressional joint session memorial service for Franklin Delano Roosevelt.

The late Peter Marshall is one of the best known of all the Chaplains ever to serve in Congress. He was elected Chaplain of the Senate on January 4, 1947. Dr. Marshall established a reputation among the Senators for his spirited way of being spiritual. His pungent phrases and tart morsels of thought were frequently reported in the press, and Senators found that the Chaplain's prayers often related significantly and sharply to the business of the day. When the Senate began debate on foreign aid in the spring of 1947, the new Chaplain prayed: "Give us clear vision, that we may know where to stand and what to stand for—because unless we stand for something, we shall fall for anything." Later when David Lilienthal's appointment to chairmanship of the Atomic Energy Commission was being debated, Marshall prayed: "Teach us that liberty is not only to be loved, but also to be lived. Liberty is too precious a thing to be buried in books. It costs too much to be hoarded. Make us to see that liberty is not the right to do as we please, but the opportunity to please to do what is right." During a partisan fight over postmaster appointments, Marshall chided Senators with the words: "Since we strain at gnats and swallow camels, give us a new standard of values and the ability to know a trifle when we see it." One of Peter Marshall's best was: "May we resolve, God helping us, to be part of the answer, and not part of the problem."

Following Dr. Marshall's untimely death at the age of 46 in 1949, Dr. Harris became Chaplain of the Senate for the second time. He was born in England and was serving as Pastor of Foundry Methodist Church here.

I don't know of anything more interesting than to go back through old Congressional Records and read the daily prayers. A chronology of important events in American history could be constructed by a review of these prayers. At the first meeting of Congress on December 4, 1865, after the death of Lincoln and the conclusion of the Civil War, Rev. Edgar H. Gray prayed: "Glory be to Thy name, O God, that the Republic still lives, the Nation survives, the country is safe. Glory be to Thy name that our heroic efforts have been crowned with victory, so that the desolations of war have ceased, and the ground no longer shakes beneath the tread of armies. We praise Thee with thanksgiving that the statue of Freedom now looks down from our Capitol upon an entire Nation of freemen."

At the first meeting of the House on June 28, 1919, after the signing of the Versailles Treaty, Dr. Henry N. Couden's prayer went like this: "We thank Thee that a peace treaty has been signed by a majority of the leading nations; and while it may not be adequate to the needs of the world we most fervently pray that it may be a steppingstone to a higher civilization from which shall spring spontaneously from the hearts of all men and of all nations a peace pact which shall spare the world from a holocaust through which it has just passed, leaving it inexpressibly sad and mournful in the loss of men and means."

One of the most beautiful of Dr. Braskamp's prayers was the one he gave after V-E Day, May 8, 1945, when he was substituting for Dr. Montgomery: "O Lord God Omnipotent, who maketh wars to cease unto the ends of the earth, we praise and magnify Thy holy name, for through Thy might and Thy mercy we have been brought to this day of grace and victory. When we call to memory with pride, gratitude, and love that vast multitude who struggled so heroically and endured so valiantly, giving their very lifeblood in order that this day might be possible, we cry out, 'Alas, alas, next to defeat, the saddest thing is victory at such a cost.' We pray that we may earnestly and faithfully endeavor to prove worthy of their sufferings and sacrifice."

On the day of the conference at San Francisco to establish the United Nations, April 25, 1945, 20 years ago, Dr. Braskamp prayed in part: "Today we are joining struggling and war-torn humanity in its prayers for Thy special blessing upon those chosen representatives who are now seeking to organize the good will of the nations of the earth for a lasting peace."

The day after President Truman ordered General MacArthur to support the Republic of South Korea, June 28, 1950, Dr. Braskamp prayed in part: "Grant that in these days of strife and confusion, of storm and tumult, we may carry on in the glad assurance that the Lord of Hosts is with us, and the God of righteousness is our refuge and strength."

When President Kennedy was killed, the Chaplain, Rev. Frederick Brown Harris, prayed in part: "God of the living and of the living dead: as in this hour we bow in the shadow of a people's grief, Thou dost hear the sobbing of a stricken nation. But we come with the comfort that Thou knowest what is in the darkness, and that the darkness and the light are both alike to Thee."

These historical facts and quotations which I have brought to you this morning are illustrative of a very important but little publicized institution in government. The total effect of these prayers through the generations cannot be measured. It is certain, however, that they are symbolic of the deep purpose of the men who have been responsible for the direction of our Government since its inception. They demonstrate clearly that we as a people have always tied and still do tie the destiny of this Republic to the spiritual ideals of our people.

There is no chaplain in the Comintern—but this is a nation under God.

Republican Record on Voting Rights Praised

EXTENSION OF REMARKS
OF
HON. ROBERT McCLORY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 12, 1965

Mr. McCLORY. Mr. Speaker, my colleagues, the Republican leader of the House, Mr. Ford, and the ranking Republican member of the House Judiciary Committee, Mr. McCulloch, deserve the highest praise for their contributions in behalf of equal voting rights for all Americans.

The Ford-McCulloch bill was in many respects a stronger measure than the Celler administration bill passed last week by the House. This was particularly true after the adoption of an amendment abolishing the poll tax in State and local elections.

The President's reflections upon the efficacy of the Republican voting rights bill sponsored by Mr. Ford and Mr. McCulloch was most unfortunate. Their joint statement in reply to the President, is both pertinent and highly significant. I call it to the attention of all of my colleagues and to the American public:

Joint Statement by Representative Gerald R. Ford, Republican Floor Leader, and Representative William McCulloch, Ranking Republican Member of Committee on the Judiciary, July 12, 1965

The President's political instincts got the better of his sense of fairness and his sense of history when he accused House Republicans of seeking to dilute the voting rights bill.

The President is obviously sensitive to his own "Lyndon come lately" congressional record on civil rights.

The President is embarrassed by the failure of the Johnson administration to support the honest elections provision in either the Senate or House version of the voting rights bill.

Will the President tell the people:

1. Why Texas was not covered under his initial voting rights bill and is not effectively covered now?

2. Why vote frauds and dishonest elections, such as have occurred in Chicago and Texas, were not covered under his proposal?

3. Why should not the right to vote be protected equally in every State, not just in seven States?

4. Why should any area be exempted after only 50 percent of the Negroes are permitted to vote?

5. Why should challenged votes be counted and if found invalid be used possibly to determine the outcome of an election, including the election of a President?

The Ford-McCulloch bill effectively meets all of these problems. The President's proposal ignored all these vices and defects. The Ford-McCulloch bill was more comprehensive, more effective, and more equitable than the administration bill.

From 1940 through 1960 as a member of the House and the Senate, Lyndon Johnson voted against civil rights on 78 percent of 50 meaningful rollcall votes. Before 1957, he voted against civil rights 100 percent.

Lyndon Johnson's public statements were consistent with his voting record. In Austin, Tex., on May 22, 1948, he said:

"This civil rights program, about which you have heard so much is a farce and a sham—an effort to set up a police state in the guise of liberty. I am opposed to that program. I fought it in Congress. It is the province of the State to run its own elections."

Republicans disagreed with him then and have consistently disagreed with that philosophy ever since.

The President embraces a form of consensus which in effect says, "I'm right. Everyone else is wrong. I'm for good; you're for evil." He tolerates no constructive differences of opinion. As such, he is a dangerous advocate of one-party government in this country.

Will Shriver Show?

EXTENSION OF REMARKS

OF

HON. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1965

Mr. FRELINGHUYSEN. Mr. Speaker, on June 28, I requested permission to have printed in the CONGRESSIONAL RECORD an exchange of letters between Mr. Sargent Shriver, Director of the Office of Economic Opportunity, and myself.

At Mr. Shriver's own request, I am submitting a further exchange of views between us. The letters follow:

OFFICE OF ECONOMIC OPPORTUNITY,
EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, D.C., June 30, 1965.

Hon. PETER H. B. FRELINGHUYSEN,
House of Representatives,
Washington, D.C.

DEAR PETER: I was very interested to read your letter of June 28 in the CONGRESSIONAL RECORD of the same date. Unfortunately, the printed RECORD reached me before the letter arrived in my office.

I believe you may have misread my previous correspondence from which you deduce that I am "unwilling to meet with Republicans, in public or in private," to discuss the business of my agency. I have never said this and I can only reiterate that I hold myself ready to meet privately with any individual Member of Congress, whatever his or her political persuasion, to discuss any aspect of the Office of Economic Opportunity.

I have been privileged to hold numerous private meetings like this with Republican Members of Congress in the 8 months and 23 days this agency has been in existence. These meetings have been extremely fruitful and the good counsel and helpful suggestions that I have received as a result of them have been of great value to me.

It is unfortunate that you intimate that I am reluctant and allegedly fearful of attending meetings with individual Republicans that I already have said that I will attend.

Furthermore, I know of no "sensitive subjects" which you suggest I "would rather not discuss in public or private." I am prepared to discuss any subject that falls within the area of my responsibility.

Since I write this on the last day of the fiscal year, I want to add that I am proud of the accomplishments of my staff in the 266 days that this Office has been in business.

During this period, the Office of Economic Opportunity, with the assistance of hundreds of thousands of Americans from all walks of life, has been able to aid directly more than a million impoverished Americans and indirectly assist another 2 million members of their families.

Furthermore, a total of 530 community action grants have been made to assist local wars on poverty. At the same time, 90 percent of cities with populations of 50,000 or more have established local community action organizations on which serve 4,600 leading citizens who do not receive a penny of remuneration for their efforts.

This week 10,000 young men and women will be in the Job Corps receiving basic education and job skills at residential camps and centers throughout the Nation.

This week also the number of young men and women to have benefited from the Neighborhood Youth Corps will reach 265,000.

And by the end of this week the majority of 560,000 culturally deprived children will have entered 2,300 Head Start projects designed to prepare them this summer for school this fall. This figure is matched by an almost equal number of part- and full-time volunteers.

I hope you will be kind enough to add this letter to the previous correspondence you have placed in the CONGRESSIONAL RECORD after you have received it.

Sincerely,

SARGENT SHRIVER,
Director.

JULY 12, 1965.

Hon. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR SARGE: Many thanks for your letter of June 30, which I might add was not received in my office until July 2. Perhaps this delay explains why my last letter to you did not reach your desk until after you had read it in the CONGRESSIONAL RECORD.

You may be interested to know that I published our correspondence because your letter of June 21 indicated clearly that you had refused to discuss matters of common concern with us Republicans. The way in which you said "No" was so unusual I thought it might be of interest to others.

Since you wish to have our further correspondence placed in the RECORD, I shall of course comply with your request. You realize, I am sure, that we may both overestimate the appeal which our letters may have for the general reader of that publication.

As you suggest, I may have misread your previous correspondence. For example, did I misread your assertion that "it would seem unnecessary to schedule an executive session for the rediscussion" of matters you had covered in testimony before the House Education and Labor Committee? To me, this sounds like "No." Likewise, your willingness to discuss matters with "individual" Members of Congress sounds to me like an unwillingness to meet with a group. Do I misread your message?

At any rate, I hope I now understand that you really are willing, and ready, to discuss with Republicans your responsibilities as Director of the Office of Economic Opportunity. As I understand it, and I hope you will correct me if I misread, you are prepared to discuss any aspect of the OEO, with any Member of Congress, even Republicans. This heartens me as the whole point of my efforts, since I first wrote you on June 3, has been to arrange such a discussion.

Do your repeated expressions of willingness to meet with 'individual" Members of Congress mean that you will not meet with the individual members of the Republican Task Force on Economic Opportunity? Will you meet with them only if they come in one after another? Would it be impossible for you to meet privately with any group of Republicans?

Perhaps you would be kind enough to set a time convenient for you to meet with us, and to specify the conditions, if any, under which you will attend. Naturally we should prefer to meet with you as a group. If for some reason this would seem unwise to you, perhaps we could arrange a series of individual interviews. If we used a tape recording, we could eventually piece together your answers to the many questions on our minds.

Your recapitulation of what you consider achievements surely should not blind us to the urgent necessity of considering also your problems, and the advisability of considerable tightening of your increasingly criticized "war" on poverty. In pointing with unabashed pride at your accomplishments, you assert, for example, that 10,000 young men and women are now in the Job Corps. As of the end of June, I had understood there were actually only 8,345 in Job Corps camps, and that over 15 percent of those sent to such camps had already left. And did you not testify before a congressional committee only last autumn that there would be 40,000 in camps by June 30?

Likewise, your statistics on the Neighborhood Youth Corps, with 265,000 already enrolled, do not seem to jibe with the ceremony at the White House on June 11 in honor of the 100,000th enrollee.

Your letter that "a majority" of 560,000 children are enrolled in the preschool Head Start program gives no indication of how many are actually enrolled. Is it true, as reported in the New York Times, that in New York City alone they were short 3,000 children of their goal of 26,000? And what effect has the extreme haste in setting up these extensive pre-school programs had on the effectiveness of these efforts? Why not tell us of your problems rather than simply gloss over them?

You point with pride to the part- and full-time volunteers in the Head Start program, and the 4,600 "leading citizens" in local community action organizations who do not receive "a penny of remuneration" for their efforts. Would it not be at least as pertinent to reveal the number of federally subsidized helpers in these programs, how much they are being paid, and how big a bite the salaries of these employees represent of the total theoretically available to fight poverty?

Your failure to mention the VISTA program makes me wonder whether it is true that as of June 30 there were only 203 such volunteers in the field, and only 842 more in training. Had you not estimated there would be 5,000 VISTA volunteers by this time?

In conclusion, let me assure you once again that we seek to find ways to strengthen the programs for which you are responsible, and to improve their administration. To that end your cooperation will be appreciated.

Sincerely yours,

PETER H. B. FRELINGHUYSEN,
Member of Congress.

Superb Address of Secretary Dean Rusk

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 12, 1965

Mr. DORN. Mr. Speaker, Secretary of State Dean Rusk delivered a magnificent address on June 23 before the American Foreign Service Association here in Washington.

I commend this timely address, "Vietnam: Four Steps to Peace," to the attention of every Member of the Congress, to the people of our country, and those throughout the world who are striving for a just and honorable peace in southeast Asia—a peace which will end aggression.

VIETNAM: FOUR STEPS TO PEACE

It is a very great pleasure for me to be here. It is a privilege for me to salute my colleagues, present and retired, of the Foreign Service and to express to you the gratitude of President Johnson and of the American people for a service which is marked by so much competence, dedication, and personal commitment.

Two and a half months ago President Johnson spoke to the world about Vietnam at the Johns Hopkins University in Baltimore. Today I wish to talk to you on the same subject—to you who know that such problems have deep roots, to you who have lived through and worked upon such problems before, and to you who know that such matters can gravely affect the future of our Nation and the prospects for general peace.

The struggle in Vietnam has continued since April and indeed has grown the more severe. The harsh resistance of the Communists to any form of discussions or negotiation continues. The effort to destroy the freedom of Vietnam has been expanded. The trial by fire of the people of Vietnam goes on. Their own resistance has been courageous, but the need for American resolution and for American action has increased.

AGGRESSION FROM THE NORTH

The root of the trouble in Vietnam is today just what it was in April and has been at least since 1960—a cruel and sustained attack by North Vietnam upon the people of South Vietnam. Now, as then, it is a brutal war—marked by terror and sneak attack, and by the killing of women and children in the night. This campaign of terror has continued throughout the spring.

Those of us who have not served in Vietnam may find it hard to understand just how ugly this war of aggression has been. From 1961 to the present date the South Vietnamese armed forces have lost some 25,000 dead and 51,000 wounded. In proportion to population, these South Vietnamese losses are 10 times as great as those suffered by Americans in the Korean war, and larger than our losses in World War II.

Even more terrible than these military losses are the cruelties of assassination and kidnaping among civilian officials and ordinary citizens. In the last 18 months, for example, more than 2,000 local officials and civilians have been murdered. When an official is not found at home, often his wife and children are slain in his place. It is as if in our own country some 35,000 civic leaders or their families were to be killed at night by stealth and terror.

These are the methods of the Vietcong. This is the test to which the people of Vietnam have gallantly responded.

Meanwhile, from the north, heavy infiltration has continued. Intelligence now shows that some 40,000 had come down before the end of 1964. Toward the end of that year—well before the beginning of our own air operations against North Vietnam—the infiltration of regular North Vietnamese army units was begun, and important elements of that army are now known to be in place in South Vietnam and Laos, where they have no right to be.

And so we face a deliberate and long-matured decision by a persistent aggressor to raise the stakes of war. Apparently this was their answer to our own repeated affirmation that we ourselves did not wish a larger war. Apparently a totalitarian regime has once again misunderstood the desire of democratic peoples for peace and has made the mistake of thinking that they can have a larger war without risks to themselves. And hence the airstrikes against military targets in North Vietnam.

These actions have made infiltration harder. They have increased the cost of aggression. Without them South Vietnam today would face still stronger forces from the north.

These measured air operations have done what we expected them to do—neither more nor less. For air attack alone cannot bring peace. I cannot agree with those who think it wrong to hit the logistics of aggression. It is the aggression itself that is the wrong. Those who worry about bridges and barracks and ammunition dumps would do well to give their sympathy instead to the daily victims of terror in South Vietnam.

EFFORTS TO NEGOTIATE

The other side is obviously not yet ready for peace. In these last months, the friends of peace in many lands have sought to move this dangerous matter to the conference table. But one proposal after another has been contemptuously rejected.

We and others, for example, have sought to clear a way for a conference on Laos, and a conference on Cambodia—two neighboring countries where progress toward peace might be reflected in Vietnam itself. But these efforts have been blocked by North Vietnam and by Communist China.

Twice there has been an effort at discussions through the United Nations—first in the Security Council after the August attacks in the Tonkin Gulf, and later this April, when Secretary General U Thant considered visits to Hanoi and Peiping to explore the possibilities of peace. But in August there was a refusal by Hanoi to come to the Security Council. And in April both Hanoi and Peiping made it clear that they would not receive U Thant, and both regimes made plain their view that the United Nations is not competent to deal with that matter.

Repeatedly our friends in Britain, as a cochairman of the Geneva conference, have sought a path to settlement—first by working toward a new conference in Geneva and then by a visit of a senior British statesman. But the effort for a conference in Geneva was blocked, and the distinguished British traveler was told that he should stay away from Peiping and Hanoi.

Twice in April we made additional efforts of our own. In Baltimore the President offered unconditional discussions with the governments concerned. Hanoi and Peiping call this offer a hoax. At that time the 17 nonalined nations had appealed for a peaceful solution, by negotiations without preconditions. This proposal was accepted on our side. It was rejected by Hanoi and Peiping. And some of its authors were labeled monsters and freaks.

The President of India made constructive proposals—for an end of hostilities and an Afro-Asian patrol force. To us this proposal was full of interest and hope. But by Hanoi and Red China it was rejected as a betrayal.

Our own Government and the Government of South Vietnam, in May, suspended air attacks on North Vietnam. This action was made known to the other side to see if there would be a response in kind. This special effort for peace was denounced in Hanoi as a wornout trick and denounced in Peiping as a swindle. To those who complain that that so-called "pause" was not long enough, I would simply report that the harsh reaction of the other side was fully known before the attacks were resumed. And I would also recall that we held our hand for more than 4 years while tens of thousands of armed men invaded the South and every attempt at peaceful settlement failed.

HANOI'S RESPONSE

Reports in the first half of June have confirmed that all these violent rejections are in fact what they appear to be—clear proof that what is wanted today in Hanoi is a military victory, not peace, and that Hanoi is not even prepared for discussions unless it is accepted in advance that there will be a Communist-dominated government in Saigon, and unless too—so far as we can determine—American forces are withdrawn in advance.

So this record is clear. And there is substance in Senator FULBRIGHT's conclusion that "It seems clear that the Communist powers still hope to achieve a complete victory in South Vietnam and for this reason are at present uninterested in negotiations for a peaceful settlement." For the simple truth is that there is no lack of diplomatic procedures, machinery or process by which a desire for peace can be registered—that there is no procedural miracle through which peace can be obtained if one side is determined to continue the war.

As I have said, Hanoi is presently adamant against negotiation or any avenue to peace. Peiping is even more so, and one can plainly read the declared doctrine and purpose of the Chinese Communists. They are looking beyond the current conflict to the hope of domination in all of Southeast Asia—and indeed beyond.

But one finds it harder to understand Hanoi's aversion to discussion. More immediately than the Chinese, the North Vietnamese face the costs and dangers of conflict. They, too, must fear the ambitions of Communist China in Southeast Asia. Yet they are still on the path of violence, insisting upon the forceful communization of South Vietnam and refusing to let their brothers in the south work out their own destiny in peace.

In recent weeks, after 2 months of reduced activity, the enemy has sharply quickened the tempo of his military action in the south. Since early May, major Viet Cong units have returned to the battlefield, and already a series of sharp engagements has shown us that the fighting through the summer may be hard. Setbacks have occurred and serious defeats have been avoided only by the combination of continuing Vietnamese bravery and effective air and other types of support.

Losses on both sides have been heavy. From April 1 to date, we have had confirmed reports of almost 5,000 Vietcong dead, almost 3,000 South Vietnamese, and almost 100 Americans. We must expect these losses to continue—and our own losses may increase.

ROLE OF U.S. FORCES

Since March we have deployed nine battalions of fighting men to South Vietnam. Six more are on their way. For as the President said in April, "we will not be defeated. We will not grow tired * * *. We will do everything necessary * * * and we will do only what is * * * necessary."

Our own battalions in South Vietnam have three related tasks. Their first assignment was and is to guard such major installations as the airfield at Da Nang. A second and closely related task is that of active patrol in nearby areas. And the third is to join in combat support of Vietnamese forces—when such help is requested and when our Commander, General Westmoreland, believes it should be given.

American forces so committed will carry with them the determined support of our people. These men know, as all our people know, that what they do is done for freedom and peace, in Vietnam, in other continents, and here at home.

SUPPORT FOR U.S. ACTION

In authorizing combat missions for our ground forces in Vietnam, the President acted to meet his constitutional responsibilities as Commander in Chief. He has recognized the obligations of this Nation under the Southeast Asia Treaty, which the Senate approved by a vote of 82 to 1. He has acted under the joint resolution of August 1964, which passed the Senate by a vote of 88 to 2—and passed the House with no opposing vote. This resolution expresses our national readiness—as the President determines—"to take all necessary measures to repel any armed attack against the forces of the United States" and "all necessary steps, including the use of armed force" to help Vietnam and southeast Asian members of the SEATO who ask for help to preserve their freedom.

The President has acted on the unanimous advice of the American leaders in Saigon and his senior civil and military advisers in Washington.

He has acted in full consultation with the Government of South Vietnam.

And he has acted on his own considered judgment of what is necessary at this time to stop aggression.

This decision—like all of our decisions in Vietnam—is open to review by Members of the Congress and open to reversal if it does not have their support. But the leaders of the Congress have been kept in close touch with the situation, and no such prospect should stimulate the hopes of enemies or the fears of friends. For America is not divided in her determination nor weak in her will.

In Vietnam today we face one more challenge in the long line of dangers we have, unhappily, had to meet and master for a generation. We have had to show both strength and restraint—courage and coolness—for Iran and for Greece, for Berlin and for Korea, in the Formosa Strait, and in the Cuban missile crisis. We mean to show the same determination and coolness now.

In 1954 President Eisenhower pledged our support to the Government of Vietnam, to assist that Government, as he put it, "in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means." And this determination was reaffirmed again and again by President Kennedy. "We are going to stay here," he said. "We are not going to withdraw from that effort." And that is our position still.

FIRMNESS AND RESTRAINT

Now, as in April, as the President put it, "We will use our power with restraint and with all the wisdom that we can command." For it is others, and not we, who have increased the scale of fighting. It is others, and not we, who have made threats of gravely widened conflict. The firmness with which we resist aggression is matched by the firmness with which we will refrain from ill-advised adventure.

A few—a very few—may believe that unlimited war can take the place of the sustained and steady effort in which we are engaged, just as there may be a few—a very few—who think we should pull out and leave a friendly people to their fate. But the American people want neither rashness nor surrender. They want firmness and restraint. They expect courage and care. They threaten no one. And they are not moved by the threats by others.

ROLE OF SOUTH VIETNAM

This contest centers in the defense of freedom for the people who live in South Vietnam. The sustained and increasing infiltration from North Vietnam has required the measured use of air attack on military targets in the north. We alone cannot determine the future—could we do so there would be a prompt peace. The other side, too, must decide about the future. And we must hope they know—as we do—that increased aggression would be costly far beyond the worth to the aggressor.

The political turmoil in South Vietnam has continued. It is easy to be impatient with our friends in Saigon as they struggle to establish and sustain a stable government under the stress of war. We see there the ferment of a society still learning to be free, even while under attack from beyond their borders.

We must remember that this ancient people is young in its independence, restless in its hopes, divided in its religions, and varied in its regions. The turmoil of Vietnam needs the steadfastness of America. Our friends in Vietnam know, and we know, that our people and our troops must work and fight together. Neither of us can do the work of the other. And the main responsibility must always be with, and is fully accepted by, the South Vietnamese. Yet neither of us can "go it alone." We would not be there without the urgent request for assistance from those whose land this happens to be. We have a tested faith in the enduring bravery of the people of Vietnam, and they, in turn, can count on us with equal certainty.

FORMULA FOR PEACE

The people of Vietnam long for peace. And the way to peace is clear. Yesterday the Foreign Minister of South Vietnam set forth the fundamental principles that can provide a just and enduring peace. Those principles, in summary, are:

An end to aggression and subversion.

Freedom for South Vietnam to choose and shape for itself its own destiny "in conformity with democratic principles and without any foreign interference from whatever sources."

As soon as aggression has ceased, the ending of the military measures now necessary by the Government of South Vietnam and the nations that have come to its aid to defend South Vietnam; and the removal of foreign military forces from South Vietnam.

And effective guarantees for the independence and freedom of the people of South Vietnam.

Now these are the fundamental steps. This is what the arguing and the fighting is all about. When they are carried out, we can look forward, as we have stated previously many times, to the day when relations between North Vietnam and South Vietnam can be worked out by peaceful means. And this would include the question of a free decision by the peoples of North and South Vietnam on the matter of reunification.

This forthright and simple program meets the hopes of all and attacks the interests of none. It would replace the threat of conquest by the hope of free and peaceful choice.

A LOOK TO THE FUTURE

And even while these hopes of peace are blocked for now by aggression, we on our side and other nations have reaffirmed our deep commitment to the peaceful progress of Vietnam and southeast Asia as a whole. In April the President proposed to the nations of Asia and to the United Nations that there be constructed a new program of support for Asian efforts and called upon Mr. Eugene Black to assist them. Now in June this work is underway. The Mekong River project has been given new life. A new dam is ready to rise in Laos. A billion-dollar bank is in the making for the development of southeast Asia. And in Vietnam itself new impetus has been given to programs of development and education and health.

So let us call again on other nations—including the Soviet Union—to join in turning this great region of the world away from the waste and violence of a brutal war. For the hope of Asia is not in relentless pressure for conquest. It is in unremitting hope for progress—a progress in which rice production could be multiplied manyfold, where the expectation of life could be doubled, the education of the young could be tenfold what it is today, and there could be an end of cholera and tuberculosis and intestinal parasites and other human afflictions.

In April the President offered determination against aggression, discussion for peace, and development for the human hopes of all. And in June we reaffirm that threefold policy.

Aggression has increased, so that determination must be greater than ever.

Discussion is rejected, but our efforts to find a path to peace will not be stopped. We have welcomed the new initiative of Prime Minister Wilson and the Commonwealth conference and regret that it has received so little reception on the other side.

Beyond the terror of the aggressor and the firmness of our defense, we must, nevertheless, look to the day in which many new dams will be built, and many new schools opened, and fresh opportunities opened to the peoples of southeast Asia. For we must look beyond the battle to peace, past fear to hope, and over the hard path of resistance to the broad plain of progress which must lie ahead for the peoples of southeast Asia.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 13, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: John 12: 20: *Certain Greeks came to the feast and said to Philip, Sir, we would see Jesus.*

Eternal God, drawn by the ties of faith and the tug of the memories of our forefathers, we pour out our hearts to Thee in prayer and praise with expectancy and hope and request of a more vivid and satisfying faith for we are wistful and often weary of soul.

Give us a fine perception of the moral laws and a clear intuition of the spiritual values and a keen vision of that larger, truer, more radiant life which the human race will some day enter and enjoy.

Help us to answer the quest of those Greeks who in the long ago asked to see Jesus. May we also live to reveal Him and never lose sight of that mission but continually seek and labor for His advent in the mind of our day and generation.

May we rejoice and believe that slowly but surely the truth which He taught and lived is making its way into our minds and hearts. His gospel is simple and challenging and we are beginning to see that it means a new social order and a new world with His law of love, humanity's inspiration and peace.

Hear us in His name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8775. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONRONEY, Mr. BARTLETT, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. HAYDEN, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mr. KUCHEL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 83. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.

RESIGNATION OF CHARLES O. LERCHE, JR., AS A MINORITY EMPLOYEE

The SPEAKER laid before the House the following communication, which was read:

JULY 8, 1965.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: This letter is to formally submit my resignation as a minority employee of the House of Representatives, effective as of the close of business today, July 8, 1965.

My appointment to this position was accomplished pursuant to House Resolution 374, approved May 6, 1965.

It has been an honor for me to have been associated with the House of Representatives for this period of service.

Sincerely yours,
CHARLES O. LERCHE, Jr.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

THE LATE HONORABLE T. ASHTON THOMPSON

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KUNKEL. Mr. Speaker, I wish to add my few words of tribute to the life and works of our colleague, the Honorable T. Ashton Thompson. The report of his tragic death fell upon me, as it did upon all others who knew him, as a particularly crushing blow.

Congressman Thompson made immeasurable contributions to the work of the House of Representatives and for the good of his country. His fine record of public service is one worthy of emulation. But he was still a comparatively young man, and he embodied the promise of so much more to come. The tragedy of his passing is lightened only by the memory of his magnificent, outgoing friendliness. For the rest of us, the generous and personable traits of a man like Ashton make it a pleasure to spend most of our waking hours here, as well as a privilege to serve here. We will miss him very much.

It was my good fortune to serve on the Public Works Committee with Congressman Thompson. He was chairman and I the ranking minority member of the Subcommittee on Public Buildings and Grounds. The high degree of competence and the eminent fairness which Ashton brought to our committee will show the way for all who follow in his footsteps. My relationships with him will always be cherished in my memory.

Most of all, I want to say that I was honored to know Ashton for the man he was. Mrs. Kunkel and I extend our deepest sympathy to his wife and family.

MINORITY EMPLOYEE

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 455

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, Willard F. Barber is hereby designated a minority employee effective July 8, 1965 (to fill an existing vacancy), until otherwise ordered by the House, and shall receive compensation at the basic rate of $7,000 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

UNITED STATES OF AMERICA VERSUS ERNESTINE WASHINGTON

The SPEAKER. The Chair lays before the House the following communication which the Clerk will read.

The Clerk read as follows:

U.S. HOUSE OF REPRESENTATIVES,
OFFICE OF THE SERGEANT AT ARMS,
Washington, D.C., July 13, 1965.

Hon. JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I have received a subpena from the District of Columbia court of general sessions, criminal division, directing me as Sergeant at Arms of the House of Representatives to appear as witness for the defendants.

The rules and practice of the House of Representatives indicate that the Sergeant at Arms may not, either voluntarily or in obedience to a subpena appear without the consent of the House being first obtained.

The subpena in question is herewith attached and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,
ZEAKE W. JOHNSON, Jr.,
Sergeant at Arms.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

SUBPENA FROM THE DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS, CRIMINAL DIVISION

THE PRESIDENT OF THE UNITED STATES TO ZEAKE W. JOHNSON, SERGEANT AT ARMS, HOUSE OF REPRESENTATIVES, U.S. CAPITOL:

You are hereby commanded to appear before the criminal branch of the District of Columbia court of general sessions at 10 o'clock a.m. on the 13th day of July 1965, as a witness for the defendants and not depart the court without leave thereof.

Witness, the Honorable John Lewis Smith, Jr., chief judge of the District of Columbia court of general sessions, and the seal of said court this 13th day of July A.D. 1965.

WALTER F. BRAMHALL,
Clerk, District of Columbia Court of General Sessions.

Mr. BOGGS. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 456

Whereas in the cases of the United States of America against Ernestine Washington, et al. (criminal cases numbered U.S. 5379-65 and U.S. 5380-65), pending in the District of Columbia court of general sessions, criminal division, a summons was issued by the said court and addressed to Zeake W. Johnson, the Sergeant at Arms of the House of Representatives directing that he appear as a witness before said court on the 13th day of July 1965 at 10:00 antemeridian: Therefore be it

Resolved, That Zeake W. Johnson, the Sergeant at Arms of the House of Representatives, is authorized to appear in response to said summons as a witness in the case of the United States of America against Ernestine Washington, et al.; and be it further

Resolved, That a copy of this resolution be transmitted to the said court as a respectful answer to the summons aforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MRS. NATHALIE ILINE

The Clerk called the bill (H.R. 1380) for the relief of Mrs. Nathalie Iline.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2924) for the relief of the Outlet Stores, Inc.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CHARLES MAROWITZ

The Clerk called the bill (H.R. 1445) for the relief of Charles Marowitz.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

NORA ISABELLA SAMUELLI

The Clerk called the bill (S. 618) for the relief of Nora Isabella Samuelli.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EDWARD V. AMASON AND EMERITA CECILIA AMADOR AMASON

The Clerk called the bill (H.R. 1473) for the relief of Edward V. Amason and Emerita Cecilia Amador Amason.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

JOANNE MARIE EVANS

The Clerk called the bill (H.R. 3103) for the relief of Joanne Marie Evans.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JONG WAN LEE

The Clerk called the bill (H.R. 3900) for the relief of Jong Wan Lee.

There being no objection, the Clerk read the bill as follows:

H.R. 3900

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the time limitation of section 2734 of title 10, United States Code, or any other statute of limitation, Jong Wan Lee, of Washington, District of Columbia, may file within one year after the date of enactment of this Act with the Secretary of the Army his claim for the injury to his right arm when he was struck by a bullet from a rifle being cleaned by a member of the United States Army on May 24, 1951, while said Jong Wan Lee was in Korea. Such claim shall be considered and, if found meritorious settled and paid in accordance with otherwise applicable provisions of law.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That the Secretary of the Treasury is authorized and directed to pay to Jong Wan Lee, of Washington, District of Columbia, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 in full satisfaction of all claims against the United States for injury to his right arm when it was struck by a bullet from a rifle being cleaned by a member of the United States Army on May 24, 1951, while the said Jong Wan Lee was in Korea: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. TED M. RICHARDSON, U.S. AIR FORCE

The Clerk called the bill (H.R. 4027) for the relief of Capt. Ted M. Richardson, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 4027

Be it enacted by the State and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Ted M. Richardson, AO3043592, United States Air Force, the sum of $3,158.07 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed on August 22, 1962, as a result of the crash of a United States Air Force F-100 jet fighter into his assigned Government quarters at Royal Air Force Station, Shepherds Grove, Suffolk, England. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. RICHARD A. INGRAM AND CAPT. ARTHUR R. SPROTT, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 4028) for the relief of Capt. Richard A. Ingram and Capt. Arthur R. Sprott, Jr., U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 4028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the following named officers of the United States Air Force, Craig Air Force Base, Alabama, out of any amounts not otherwise appropriated, the sums indicated after each of their names, respectively: Captain Richard A. Ingram, 67209A, $240.02; and Captain Arthur R. Sprott, Junior, 51443A, $931.94. The payment authorized in this Act is in full satisfaction of the claim of each of these officers against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects damaged or destroyed as a result of a fire of undetermined origin on February 2, 1964, in assigned Government quarters occupied by Captain Sprott and adjacent to quarters occupied by Captain Ingram. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any of these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. COL. JOHN E. McROBERTS AND T. SGT. HAROLD C. FISHER, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 4029) for the relief of Lt. Col. John E. McRoberts and T. Sgt. Harold C. Fisher, Jr., U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 4029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the following-named members of the United States Air Force, out of any amounts not otherwise appropriated, the sums indicated after each of their names, respectively: Lieutenant Colonel John E. McRoberts, 32690A, $3,459.35; and Technical Sergeant Harold C. Fisher, Junior, AF34434216, $332.88. The payment authorized in this Act is in full satisfaction of the claim of each of these members against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, and the amount Lieutenant Colonel McRoberts has received from his private insurer, for household goods and personal effects destroyed as a result of a fire of undetermined origin on August 17, 1963, at the Columbia Van Lines warehouse, Alexandria, Virginia, while the property was stored in the warehouse under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any of these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEDRICK A. MAANUM

The Clerk called the bill (H.R. 4070) for the relief of Dedrick A. Maanum.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MRS. RUTH GORFAIN

The Clerk called the bill (H.R. 5206) for the relief of Mrs. Ruth Gorfain.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LT. COL. JAMES P. HUBBARD, U.S. ARMY

The Clerk called the bill (H.R. 5815) for the relief of Lt. Col. James P. Hubbard, U.S. Army.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MAJ. WARREN G. WARD, CAPT. PAUL H. BECK, AND CAPT. RUSSELL K. HANSEN, U.S. AIR FORCE

The Clerk called the bill (H.R. 5911) for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and Capt. Russell K. Hansen, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 5911

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the following-named officers of the United States Air Force, out of any amounts not otherwise appropriated, the sums indicated after each of their names, respectively: Major Warren G. Ward, AO-772612, $1,304.50; Captain Paul H. Beck, 65608A, $989.40; and Captain Russell K. Hansen, AO3065176, $723.20. The payment authorized in this Act is in full satisfaction of the claim of each of these officers against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of undetermined origin on July 23, 1962, at the Bowell Storage and Transit Company warehouse, Dayton, Ohio, while the property was stored in a warehouse under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any of these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. F. FORT, CORA LEE FORT CORBETT, AND W. R. FORT

The Clerk called the bill (H.R. 6527) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MAJ. LEONARD H. POTTERBAUM, U.S. AIR FORCE

The Clerk called the bill (H.R. 7137) for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Major Leonard H. Potterbaum, 35382A, United States Air Force, Box 7235, Area B, Aerospace Systems Division, Wright-Patterson Air Force Base, Ohio, the sum of $5,777.93 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire on December 4, 1956, at the National Movers Company, Incorporated, East Rutherford, New Jersey, while the property was stored in a warehouse under a Government contract: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. DONALD B. POWERS, U.S. AIR FORCE

The Clerk called the bill (H.R. 7138) for the relief of Maj. Donald B. Powers, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7138

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Major Donald B. Powers, AO941107, United States Air Force, of Shaw Air Force Base, South Carolina, the sum of $688.81 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of unknown origin on January 31, 1962, which razed his assigned Government quarters which he occupied at Shaw Air Force Base, South Carolina: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. FRANK D. SCHWIKERT, U.S. AIR FORCE

The Clerk called the bill (H.R. 7233) for the relief of Col. Frank D. Schwikert, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Colonel Frank D. Schwikert, 6311A, United States Air Force, Andrews Air Force Base, Maryland, the sum of $3,539.22 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire on April 19, 1962, at the Perry Moving and Storage, Incorporated, Seattle, Washington, while the property was stored in a warehouse under a Government contract: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. COL. CLAUDE E. TABOR, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 7355) for the relief of Lt. Col. Claude E. Tabor, Jr., U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7355

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Colonel Claude E. Tabor, Junior, AO431988, United States Air Force, Truax Field, Wisconsin, the sum of $3,083.87 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects damaged or destroyed as a result of a fire of undetermined origin on May 30, 1963, at the Behling Transfer and Storage Company warehouse, Portage, Wisconsin, while the property was stored in a warehouse under a Government contract: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. THOMAS O. LAWTON, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 7435) for the relief of Col. Thomas O. Lawton, Jr., U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Colonel Thomas O. Lawton, Junior, 4285A, United States Air Force, 2802D Inertial Guidance and Calibration Group (MAAMA), Newark Air Force Station, Newark, Ohio, the sum of $4,255.81 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of undetermined origin on July 23, 1962, at the Bowell Storage and Transit Company warehouse, Dayton, Ohio, while the property was stored in a warehouse under a Government contract: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARVIN D. NELLS

The Clerk called the bill (H.R. 7822) for the relief of Marvin D. Nells.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CPO JAMES J. GRIFFIN, U.S. NAVY

The Clerk called the bill (H.R. 5830) for the relief of Chief Petty Officer James J. Griffin, U.S. Navy.

There being no objection, the clerk read the bill, as follows:

H.R. 5830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the following-named chief petty officer of the United States Navy, out of any amounts not otherwise appropriated, the sum indicated after his name: James J. Griffin, 6019766, YNC, United States Navy, $4,789. The payment authorized in this Act is in full satisfaction of the claim of Chief Petty Officer James J. Griffin against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of undetermined origin on August 17, 1963, at the S. I. T. Meeks Transfer and Storage Company, Alexandria, Virginia, while the property was stored in the warehouse under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 7: Strike "$4,789" and insert "$2,689.10"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

1ST LT. DAVID A. STAVER, U.S. AIR FORCE

The Clerk called the bill (H.R. 7439) for the relief of 1st Lt. David A. Staver, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7439

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That was Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David A. Staver, first lieutenant, United States Air Force, the sum of $2,403.42 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed on August 22, 1962, as a result of the crash of a United States Air Force F-100 jet fighter into his assigned Government quarters at Royal Air Force Station, Shepherds Grove, Suffolk, England: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. VICTOR R. ROBINSON, JR., U.S. AIR FORCE

The Clerk called the bill (H.R. 7436) for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7436

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Major Victor R. Robinson, Junior, 24801A, United States Air Force, Wright-Patterson Air Force Base, Ohio, the sum of $762.12 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of undetermined origin on July 23, 1962, at the Bowell Storage and Transit Company warehouse, Dayton, Ohio, while the property was stored in a warehouse under a Government contract: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHIEF M. SGT. SAMUEL W. SMITH, U.S. AIR FORCE

The Clerk called the bill (H.R. 7438) for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force. There being no objection, the Clerk read the bill, as follows:

H.R. 7438

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chief Master Sergeant Samuel W. Smith, AF 35402624, United States Air Force, Headquarters, Third Air Force, APO 125, care of Postmaster, New York, New York, the sum of $4,362.11 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects that were damaged in shipment from Biloxi, Mississippi, to Cambridgeshire, England, in April and May of 1960: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. WILLIAM W. THOMAS AND LT. COL. NORMAN R. SNYDER, U.S. AIR FORCE

The Clerk called the bill (H.R. 7440) for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7440

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the following named officers of the United States Air Force, out of any amounts not otherwise appropriated, the sums indicated after each of their names, respectively: Colonel William W. Thomas, 33291A, $6,594.20; and Lieutenant Colonel Norman R. Snyder, AO1003039, $3,395.48. The payment authorized in this Act is in full satisfaction of the claim of each of these officers against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of undetermined origin on August 17, 1963, at the Columbia Van Lines warehouse, Alexandria, Virginia, while the property was stored in the warehouse under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any of these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

H.R. 5024—AN EXPLANATION

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, anent H.R. 5024, which I have repeatedly had put over without prejudice on the Consent Calendar during the past two Congresses, and the bills we have passed today on the Private Calendar granting relief to individual uniformed Air Force officers, and others for losses greater than $6,500 due to catastrophes beyond their control in homes, warehouses, and transit, I wish to report the following:

I am now convinced by the Judge Advocate General of the Air Force and his staff, plus our colleague from South Carolina [Mr. ASHMORE], the chairman of the Subcommittee of the House's Committee on the Judiciary and his excellent staff, that some change is needed to titles 10 and 14, United States Code, and the Military Personnel and Civilian Employees Claims Act of 1964, re claims against the United States by members of the uniformed services and civilian officers, and so forth, for damage to, or loss of, personal property incident to their service.

These private cases, and H.R. 5024, are all in excess of $6,500 total, and meet many other requirements and specifications. They represent only 44 total cases since 1956. They are less than 1 percent of all such cases and much less than this, of the amount agreed upon in settled moneys. It is less expensive to the Government to settle these cases than to pay increased rates for required protective insurance of homes overseas, or possessions in storage—selected by competitive bids—or in transit.

There is no appeal allowable these military servicemen and Coast Guardsmen over and above the carefully investigated, assessed, and controlled settlements of the Judge Advocate General's Department officers of the various services, except recourse to Congress and private bills. Tight reins are exercised over the Quartermasters and Transportation Corps—or similar. There is little or no relief in civilian courts, especially overseas. Perhaps the Armed Services Committee of which I am privileged to be a member should consider the "ceiling" for settlements, and their handling by the Department of Defense for all service personnel as a matter of efficiency.

It is true there are instances of "jacking up" the estimate of losses, but I believe after careful study that these are filtered out and adjusted by the military claims and adjustments branches at fair assessed values. The subcommittee chairman has agreed to suggest an amendment limiting the percentage legally claimable by any retained—but unnecessary—attorney from the final settlement of such cases.

This equalizes the position of military personnel and civilian employees of the Government under the act of 1964.

For all these reasons plus others, and after due research and orientation into the problem while maintaining the principles of accountability and responsibility, we are happy to see these deserving bills pass today. I shall look forward to equitable and just settlement of such lamentable cases in the future.

DENISE HOJEBANE BARROOD

The Clerk called the bill (S. 571) for the relief of Denise Hojebane Barrood.

There being no objection, the Clerk read the bill, as follows:

S. 571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Denise Hojebane Barrood may be classified as an eligible orphan within the meaning of section 101(b) (1) (F) of that Act, and a petition may be filed in behalf of the said Denise Hojebane Barrood by Mr. and Mrs. Abraham Barrood, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PIETRINA DEL FRATE

The Clerk called the bill (S. 686) for the relief of Pietrina Del Frate.

There being no objection, the Clerk read the bill, as follows:

S. 686

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Pietrina Del Frate shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Pietrina Del Frate. From and after the date of the enactment of this Act, the said Pietrina Del Frate shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEBRA LYNNE SANDERS

The Clerk called the bill (S. 916) for the relief of Debra Lynne Sanders.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ESTERINA RICUPERO

The Clerk called the bill (H.R. 1627) for the relief of Esterina Ricupero.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. MICHIKO MIYAZAKI WILLIAMS

The Clerk called the bill (H.R. 1274) for the relief of Mrs. Michiko Miyazaki Williams.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. CHU CHAI-HO HAY

The Clerk called the bill (H.R. 1362) for the relief of Mrs. Chu Chai-ho Hay.

There being no objection, the Clerk read the bill, as follows:

H.R. 1362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Chu Chai-ho Hay shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Chu Chia-Ho Hay. From and after the date of the enactment of this Act, the said Mrs. Chu Chai-Ho Hay shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

AMENDMENT OFFERED BY MR. FEIGHAN TO THE COMMITTEE AMENDMENT

Mr. **FEIGHAN**. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Mr. FEIGHAN moves that the name Mrs. Chu Chia-Ho Hay in the committee amendment be changed to Mrs. Chai-HoHay.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNIE GABBAY

The Clerk called the bill (H.R. 1392) for the relief of Annie Gabbay.

Mr. **TALCOTT**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. AN FU WANG LEE

The Clerk called the bill (H.R. 1609) for the relief of Mrs. An Fu Wang Lee.

There being no objection, the Clerk read the bill, as follows:

H.R. 1609

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. An Fu Wang Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. An Fu Wang Lee. From and after the date of the enactment of this Act, the said Mrs. An Fu Wang Lee shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOR THE RELIEF OF UICHI KAYAHARA

The Clerk called the bill (H.R. 1638) for the relief of Uichi Kayahara.

There being no objection, the Clerk read the bill, as follows:

H.R. 1638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Uichi Kayahara shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all of the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Uichi Kayahara. From and after the date of the enactment of this Act, the said Uichi Kayahara shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS ADLER

The Clerk called the bill (H.R. 1821) for the relief of Louis Adler.

Mr. **HALL**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ANNA DEL BAGLIVO

The Clerk called the bill (H.R. 1871) for the relief of Anna Del Baglivo.

Mr. **GROSS**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ELISABETH WERNER

The Clerk called the bill (H.R. 1873) for the relief of Elisabeth Werner.

There being no objection, the Clerk read the bill, as follows:

H.R. 1873

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Elisabeth Werner shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportations, warrants of arrest, and bond, which may have issued in the case of Elisabeth Werner. From and after the date of the enactment of this Act, the said Elisabeth Werner shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HILDA EAVES

The Clerk called the bill (H.R. 1942) for the relief of Mrs. Hilda Eaves.

There being no objection, the Clerk read the bill, as follows:

H.R. 1942

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Hilda Eaves shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Hilda May Eave. From and after the date of the enactment of this Act, the said Hilda May Eave shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

The title of the bill was amended to read: "A bill for the relief of Hilda May Eave".

A motion to reconsider was laid on the table.

LOUIS STEPHEN EDOUARD ST. LAURENT

The Clerk called the bill (H.R. 2277) for the relief of Louis Stephen Edouard St. Laurent.

There being no objection, the Clerk read the bill, as follows:

H.R. 2277

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Louis Stephen Edouard St. Laurent shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 16, 1959.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRANCO DA GLORIA FRANCO FREITAS

The Clerk called the bill (H.R. 2551) for the relief of Branco da Gloria Franco Freitas.

There being no objection, the Clerk read the bill, as follows:

H.R. 2551

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Branco da Gloria Franco Freitas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such a quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Branca da Gloria Franco Freitas. From and after the date of the enactment of this Act, the said Branca da Gloria Franco Freitas shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Branca da Gloria Franco Freitas."

A motion to reconsider was laid on the table.

MUI KIM CHEN LIANG

The Clerk called the bill (H.R. 2570) for the relief of Mui Kim Chen Liang.

There being no objection, the Clerk read the bill, as follows:

H.R. 2570

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mui Kim Chen Liang shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mui Kim Chen Liang. From and after the date of the enactment of this act, the said Mui Kim Chen Liang shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRENE A. HALKIAS

The Clerk called the bill (H.R. 2691) for the relief of Irene A. Halkias.

There being no objection, the Clerk read the bill, as follows:

H.R. 2691

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Irene N. Halkias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Irene N. Halkias. From and after the date of the enactment of this Act, the said Irene N. Halkias shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SISTER MYRIAM (MARTA KRZYZOWSKA)

The Clerk called the bill (H.R. 2940) for the relief of Sister Myriam (Marta Krzyzowska).

There being no objection, the Clerk read the bill, as follows:

H.R. 2940

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sister Myriam (Marta Krzyzowska) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Sister Myriam (Marta Krzyzowska). From and after the date of the enactment of this Act, the said Sister Myriam (Marta Krzyzowska) shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PAVICA LABETIC

The Clerk called the bill (H.R. 5209) for the relief of Mrs. Pavica Labetic.

There being no objection, the Clerk read the bill, as follows:

H.R. 5209

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asssembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Pavica Labetic shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Pavica Labetic. From and after the date of the enactment of this Act, the said Mrs. Pavica Labetic shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

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The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. EURINA P. RICHARDS

The Clerk called the bill (H.R. 6902) for the relief of Mrs. Eurina P. Richards.

There being no objection, the Clerk read the bill, as follows:

H.R. 6902

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Eurina P. Richards shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Eurina P. Richards. From and after the date of the enactment of this Act, the said Mrs. Eurina P. Richards shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YEGHSA KETENJIAN

The Clerk called the bill (H.R. 7673) for the relief of Yeghsa Ketenjian.

There being no objection, the Clerk read the bill, as follows:

H.R. 7673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Yeghsa Ketenjian. From and after the date of the enactment of this Act, the said Yeghsa Ketenjian shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JORGE ROSENDO BARAHONA

The Clerk called the bill (H.R. 1402) for the relief of Dr. Jorge Rosendo Barahona.

There being no objection, the Clerk read the bill, as follows:

H.R. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of the Immigration and Nationality Act, Doctor Jorge Rosendo Barahona shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 3, 1960, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date "October 3, 1960" change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANGELO IANNUZZI

The Clerk called the bill (H.R. 3128) for the relief of Angelo Iannuzzi.

There being no objection, the Clerk read the bill, as follows:

H.R. 3128

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(b)(1)(B) and 205 of the Immigration and Nationality Act, Angelo Iannuzzi shall be held and considered to be the natural-born alien minor son of Mr. and Mrs. John B. Campolong, citizens of the United States.

With the following committee amendment:

On page 1, line 6, after the names, "Mr. and Mrs. John B. Campolong," strike out the remainder of the bill and insert in lieu thereof the following: "a citizen of the United States and a lawfully resident alien, respectively."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSUELO ALVARADO DE CORPUS

The Clerk called the bill (H.R. 3292) for the relief of Consuelo Alvarado de Corpus.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. KAZUYO WATANABE RIDGELY

The Clerk called the bill (H.R. 6719) for the relief of Mrs. Kazuyo Watanabe Ridgely.

There being no objection, the Clerk read the bill, as follows:

H.R. 6719

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212 (a)(23) of the Immigration and Nationality Act, Mrs. Kazuyo Watanabe Ridgely may be issued as visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. GUISIPPINA RUSSO LUCIFORO

The Clerk called the bill (H.R. 1415) for the relief of Mrs. Guisippina Russo Luciforo.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WINSOME ELAINE GORDON

The Clerk called the bill (H.R. 1820) for the relief of Winsome Elaine Gordon.

There being no objection, the Clerk read the bill, as follows:

H.R. 1820

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Winsome Elaine Gordon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to the alien as provided in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Winsome Elaine Gordon may be classified as an eligible orphan within the meaning of section 101 (b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Donovan Johnston, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. The provisions of section 245(c) of the Immigration and Nationality Act shall be inapplicable in this case."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORMAN McLEOD RIACH

The Clerk called the bill (H.R. 2695) for the relief of Norman McLeod Riach.

There being no objection, the Clerk read the bill, as follows:

H.R. 2695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212 (a) (4) of the Immigration and Nationality Act, Norman McLeod Riach may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act.

With the following committee amendment:

On page 1, line 10, at the end of the bill change the period to a colon and add the following: "*Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOROTA ZYTKA

The Clerk called the bill (H.R. 2871) for the relief of Dorota Zytka.

There being no objection, the Clerk read the bill, as follows:

H.R. 2871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Dorota Zytka may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Raymond E. and Marry A. Haffke, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOO YUL KIM

The Clerk called the bill (H.R. 2678) for the relief of Joo Yul Kim.

There being no objection, the Clerk read the bill, as follows:

H.R. 2678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Joo Yul Kim may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed on his behalf of Mr. and Mrs. Coburn J. Kapka, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

With the following committee amendment:

On page 1, line 9, at the end of the bill, add the following sentence: "Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIE MENESHIAN

The Clerk called the bill (H.R. 3345) for the relief of Marie Meneshian.

There being no objection, the Clerk read the bill, as follows:

H.R. 3345

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Marie Meneshian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Mrs. Marie Meneshian. From and after the date of the enactment of this Act, the said Mrs. Marie Meneshian shall not again be subject to deportation by reason of the same facts upon which deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEVERLY HELEN (SMITH) BOWERS

The Clerk called the bill (H.R. 3505) for the relief of Beverly Helen (Smith) Bowers.

There being no objection, the Clerk read the bill, as follows:

H.R. 3505

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a) (4) of the Immigration and Nationality Act, Beverly Helen (Smith) Bowers may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That, unless the beneficiary is entitled to care under chapter 55 of title 10 of the United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARLO ANTONIO DELUCA

The Clerk called the bill (H.R. 4032) for the relief of Carlo Antonio DeLuca.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

FACILITATING THE ADMISSION OF CERTAIN ALIENS

The Clerk called the joint resolution (H.J. Res. 504) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the House joint resolution, as follows:

H.J. RES. 504

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Woldzimiesz Cielecki may be classified as an eligible orphan within the meaning of section 101(b)(1)(E) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Walter Cielecki, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 2. In the administration of the Immigration and Nationality Act, Woo Soon Kook may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. John T. King, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 3. In the administration of the Immigration and Nationality Act, Bonita Whang may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by the Reverend and Mrs. Vincent C. Licatesi, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 4. That, in the administration of the Immigration and Nationality Act, Annunziata Zingarelli (also known as Pedone) may be classified as an eligible orphan within the meaning section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Pasquale Pedone, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the

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conditions in that section relating to eligible orphans.

SEC. 5. That, in the administration of the Immigration and Nationality Act, Soo Bong Kim may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Keith King, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 6. That, in the administration of the Immigration and Nationality Act, Slovenka Perusko may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Antonio Rodani, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 7. That, in the administration of the Immigration and Nationality Act, Liliana Vrchkovska Pandoff may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. William S. Pandoff, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 8. That, in the administration of the Immigration and Nationality Act, Letizia Geta may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Domenico Geta, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 9. That, in the administration of the Immigration and Nationality Act, Cho Seung Man and Kim Chul Hee may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Carl Volz, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. Section 205(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

SEC. 10. That, in the administration of the Immigration and Nationality Act, Krystyna Horoszko Powell may be classified as an eligible orphan within the meaning of section 101 (b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Lyndall G. Powell, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 11. In the administration of the Immigration and Nationality Act Krystyna Zielinski may be classified as an eligible orphan within the meaning of section 101 (b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frank Zielinski, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 12. In the administration of the Immigration and Nationality Act, Despina E. Foundoulakis may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Nick Matheakis, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 13. In the administration of the Immigration and Nationality Act, Lam Chong may be classified as an eligible orphan within the meaning of section 101 (b) (1) (F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. William Lem, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 14. In the administration of the Immigration and Nationality Act, Kil Ja Ahn may be classified as an eligible orphan within the meaning of section 101 (b) (1) (F) of the Act, and a petition filed in her behalf by Mrs. Clara A. Pope, a citizen of the United States, may be approved pursuant to the provisions of section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 15. For the purposes of sections 203(a)(2) and 205 of the Immigration and Nationality Act, Juana Brandariz Sanchez shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Jose Antonio Sanchez, citizens of the United States.

SEC. 16. In the administration of the Immigration and Nationality Act, Czeslawa Podgorska may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frank Helma, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 17. In the administration of the Immigration and Nationality Act, Severia Cortes Naranjo may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Perfecto Nopasa Naranjo, a citizen of the United States and a lawfully resident alien of the United States, respectively, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 18. In the administration of the Immigration and Nationality Act, George Scargall may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Joseph Scargall, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 19. In the administration of the Immigration and Nationality Act, Carmela Macaro may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Armond Macaro, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 20. In the administration of the Immigration and Nationality Act, Yu Bing Chuck, Yu Lai Jing, Yu Lai Chun and Yu Bing Cheong may be classified as eligible orphans within the meaning of section 101(b)(1)(F) of the Act, upon approval of petitions filed in their behalf by Mr. and Mrs. Henry Lee, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 21. In the administration of the Immigration and Nationality Act, Marcia Patricia Connell may be classified as an eligible orphan within the meaning of section 101 (b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Roy E. Licorish, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 22. In the administration of the Immigration and Nationality Act, Mirjana Tomas may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Mark A. Tomas, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 23. In the administration of the Immigration and Nationality Act, Maria Stella Pezzo Calafato may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approvel of a petition filed in her behalf by Mr. and Mrs. George Calafato, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

SEC. 24. In the administration of the Immigration and Nationality Act, Leonora Guevara Villanueva may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Benny C. Fajardo, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

With the following committee amendment:

On page 1, line 3, strike out the name "Woldzimiesz" and substitute in lieu thereof the name "Wlodzimiesz".

The committee amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROCKY RIVER CO. AND MACY LAND CORP.

The Clerk called the bill (H.R. 6442) for the relief of Rocky River Co. and Macy Land Corp.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1390, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1390

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Rocky River Company and the Macy Land Corporation, the sum of $88,729.60, representing the amount found by the United States Court of Claims in response to S. Res. 331, Eighty-sixth Congress (congressional numbered 7–60, decided January 22, 1965), to be equitably due the said Rocky River Company and the Macy Land Corporation from the United States. The payment of such sum shall be in full satisfaction of all claims of the said Rocky River Company and the Macy Land Corporation against the United States for compensation for damages not considered or compensated for in a previous settlement and which were sustained by the said Rocky River Company and the Macy Land Corporation with respect to certain lands owned by them and located in Van Buren County, Warren County, and Sequatchie County, Tennessee, such lands having been leased by the United States for use as an artillery range and left uncleared of unexploded shells: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMMITTEE AMENDMENT OFFERED BY MR. ASHMORE

Mr. ASHMORE. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. ASHMORE: On page 2, line 10: Strike out "shells: *Provided*, That no" and insert: "shells. The payment of the amount authorized by this Act shall be conditioned on a full and final release executed by the said Rocky River Company and the Macy Land Corporation forever releasing the United States as to any claims by the said Rocky River Company and the said Macy Land Corporation or their transferees or assigns, based upon the condition of the lands referred to in this Act or upon any ordnance material remaining in that land, or damage or injury therefrom, and the release shall further provide that the Rocky River Company and Macy Land Corporation further agree in return for the payment of the amount provided in this Act that they will assume all liability for injury or damage which may result from any ordnance material remaining in said land and will indemnify and hold harmless the United States for any claims asserted by reason of injury or damage caused by such ordnance material. No".

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, I have conferred with the gentleman from South Carolina [Mr. ASHMORE] and the gentleman from New York concerning this amendment. I believe it is a good amendment. It is a simple amendment and helps to satisfy a decision of the Court of Claims.

Mr. Speaker, I commend the gentleman for offering the amendment in order to protect the United States.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6442) was laid on the table.

RESTORING TO THE HEIRS OF THE GRANTOR CERTAIN TRIBAL LAND OF THE IOWA TRIBE OF OKLAHOMA

The Clerk called the bill (H.R. 9041) to restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma.

There being no objection, the Clerk read the bill, as follows:

H.R. 9041

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the Iowa Tribe of Oklahoma in and to land described as the northeast quarter northeast quarter northeast quarter southeast quarter section 15, township 17 north, range 3 east, Indian meridian, Oklahoma, containing 2.50 acres, more or less, a part of the original trust allotment of Hy-gro-ahr-chey, deceased Iowa allottee numbered 28, heretofore donated by Jack Small Lincoln, a tribal member, to the tribe for community building purposes and no longer used for such purposes, is hereby declared to be held by the United States of America in trust for the heirs of the original grantor as follows: Kate Murray (Lincoln), an undivided three-ninths interest; and Lydia May Lincoln, Abraham Lincoln, Charles Walter Lincoln, Alice Louise Lincoln, Will Rogers Lincoln, and Mary Lucille Lincoln, each an undivided one-ninth interest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO SELL RESERVED PHOSPHATE INTERESTS OF THE UNITED STATES IN LANDS LOCATED IN THE STATE OF FLORIDA TO THE RECORD OWNERS OF THE SURFACE THEREOF

The Clerk called the bill (H.R. 7378) to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. This concludes the call of bills on the Private Calendar.

DREW PEARSON'S FALSE COMMENTS ON THE LATE T. ASHTON THOMPSON OF LOUISIANA

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I was deeply shocked to read in the Washington Post of July 10 an article by Drew Pearson in which he maligned our beloved deceased colleague, Representative T. Ashton Thompson of Louisiana.

I could not imagine any columnist starting a paragraph in this fashion about a man who was tragically killed and who devoted his life to public service.

Here is what he said:

> One important part of the Great Society program, cleaning up American waterways, got a boost when a Member of Congress was killed in a Fourth of July accident on a North Carolina throughway. He was Representative T. Ashton Thompson, who had many fine qualities. In the opinion of the big chemical companies, however, one of his finest was his opposition to cleaning up water pollution.

Somebody should set the record straight. Mr. Thompson, our colleague on the Committee on Public Works, was a fighter for cleaning up water pollution. Mr. Thompson joined with the gentleman from Florida in getting a bill, an amended version of S. 4 on the same subject, out of the Public Works Committee, which was passed unanimously by this House many weeks ago. This unanimous vote alone disproves this false, below-the-belt charge in Pearson's column.

The gentleman from Louisiana, myself and others have fought to try to get the other body to sit down with us in a conference and to settle the differences between the two bodies and to get a bill before the President that will do the job that needs to be done to clean up the rivers of America. I, as a Member of this body, resent and I say particularly in these circumstances, any such implication by any columnist in an article read throughout this Nation, and I think a Member of this body should stand up and say so and I am doing so, in the interests of fair play and setting the record straight now.

The SPEAKER. The time of the gentleman has expired.

Mr. FALLON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FALLON. Mr. Speaker, I take this time to compliment my colleague, the gentleman from Florida. I could not agree more with every word that he said about T. A. Thompson, a member of the House Committee on Public Works. From the very inception of the legislation to purify the waters of this country, Mr. Thompson has been a leader on the committee that started this legislation. I would consider him as a dedicated leader for purifying and cleaning up the waters of this country. The falsehood that was published in the Washington Post under the byline of Drew Pearson was an absolute falsehood and a lie because Mr. Thompson has had nothing to do with the delay on this legislation. We have been waiting on the other body to ask for a conference and Mr. Thompson was to be a member of the conference committee on that bill.

Yes, Mr. Speaker, the movement for the purification of the water and prevention of pollution of the waters in this country lost a good and dedicated friend when Mr. Thompson's life was taken in that terrible accident.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. FALLON. I yield to the gentleman.

Mr. CRAMER. The responsibility in my opinion lies with the other body in their unwillingness to sit down and discuss this legislation and the responsibility if we do not have a conference on this legislation lies with the other body and

THE UNIVERSITY OF MICHIGAN LIBRARIES

certainly not with our departed colleague Mr. Thompson. I am for a conference and would be ranking Republican conferee. If this is such a must Great Society bill, why has it not been brought to a conference?

Mr. FALLON. I could not agree more with the gentleman.

AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 8439, with the Senate amendments thereto, disagree with the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. Rivers of South Carolina, Philbin, Hébert, Price, Fisher, Bates, Arends, O'Konski, and Bray.

AMENDING INTERSTATE COMMERCE TO STRENGTHEN AND IMPROVE THE NATIONAL TRANSPORTATION SYSTEM

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5401) to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes, with an amendment of the Senate thereto, disagree with the Senate amendment and request a conference thereon.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. Harris, Friedel, Jarman, Pickle, Springer, Devine, and Cunningham.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Ohio makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 184]

Abbitt
Ashley
Berry
Bonner
Bow
Clausen,
  Don H.
Craley
Diggs
Dole
Downing
Edmondson
Edwards, Calif.
Friedel
Gray
Hébert
Hicks
Holifield
Holland
Jarman
Johnson, Okla.
Jones, Ala.
Kee
Keogh
King, Calif.
Lindsay
Long, Md.
McEwen
McVicker
Morton
O'Hara, Mich.
Pool
Powell
Randall
Ryan
Shriver
Thompson, N.J.
Todd
Toll

The SPEAKER pro tempore (Mr. Boggs). On this rollcall 395 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs may sit during general debate this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

SUBCOMMITTEE ON HEALTH AND WELFARE OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Health and Welfare of the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FEDERAL CIGARETTE LABELING AND ADVERTISING ACT

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 586)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'Federal Cigarette Labeling and Advertising Act'.

"DECLARATION OF POLICY

"Sec. 2. It is the policy of the Congress, and the purpose of this Act, to establish a comprehensive Federal program to deal with cigarette labeling and advertising with respect to any relationship between smoking and health, whereby—

"(1) the public may be adequately informed that cigarette smoking may be hazardous to health by inclusion of a warning to that effect on each package of cigarettes; and

"(2) commerce and the national economy may be (A) protected to the maximum extent consistent with this declared policy and (B) not impeded by diverse, nonuniform, and confusing cigarette labeling and advertising regulations with respect to any relationship between smoking and health.

"DEFINITIONS

"Sec. 3. As used in this Act—

"(1) The term 'cigarette' means—

"(A) any roll of tobacco wrapped in paper or in any substance not containing tobacco, and

"(B) any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (A).

"(2) The term 'commerce' means (A) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island and any place outside thereof; (B) commerce between points in any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island, but through any place outside thereof; or (C) commerce wholly within the District of Columbia, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, or Johnston Island.

"(3) The term 'United States', when used in a geographical sense, includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, and Johnston Island.

"(4) The term 'package' means a pack, box, carton, or container of any kind in which cigarettes are offered for sale, sold, or otherwise distributed to consumers.

"(5) The term 'person' means an individual, partnership, corporation, or any other business or legal entity.

"(6) The term 'sale or distribution' includes sampling or any other distribution not for sale.

"LABELING

"Sec. 4. It shall be unlawful for any person to manufacture, import, or package for sale or distribution within the United States any cigarettes the package of which fails to bear the following statement:

"'Caution: Cigarette Smoking May Be Hazardous to Your Health.'

Such statement shall be located in a conspicuous place on every cigarette package and shall appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package.

"PREEMPTION

"Sec. 5. (a) No statement relating to smoking and health, other than the statement required by section 4 of this Act, shall be required on any cigarette package.

"(b) No statement relating to smoking and health shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act.

"(c) Except as is otherwise provided in subsections (a) and (b), nothing in this Act shall be construed to limit, restrict, expand, or otherwise affect, the authority of the Federal Trade Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes, nor to affirm or deny the Federal Trade Commission's holding that it has the authority to issue trade regulation rules or to require an affirmative statement in any cigarette advertisement.

"(d)(1) The Secretary of Health, Education, and Welfare shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (A) current information on the health consequences of smoking and (B) such recommendations for legislation as he may deem appropriate.

"(2) The Federal Trade Commission shall transmit a report to the Congress not later than eighteen months after the effective date of this Act, and annually thereafter, concerning (A) the effectiveness of cigarette labeling, (B) current practices and methods of cigarette advertising and promotion, and (C) such recommendations for legislation as it may deem appropriate.

"CRIMINAL PENALTY

"SEC. 6. Any person who violates the provisions of this Act shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than $10,000.

"INJUNCTION PROCEEDINGS

"SEC. 7. The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this Act upon the application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

"CIGARETTES FOR EXPORT

"SEC. 8. Packages of cigarettes manufactured, imported, or packaged (1) for export from the United States or (2)for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this Act, but such exemptions shall not apply to cigarettes manufactured, imported, or packaged for sale or distribution to members or units of the Armed Forces of the United States located outside of the United States.

"SEPARABILITY

"SEC. 9. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the other provisions of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.

"TERMINATION OF PROVISIONS AFFECTING REGULATION OF ADVERTISING

"SEC. 10. The provisions of this Act which affect the regulation of advertising shall terminate on July 1, 1969, but such termination shall not be construed as limiting, expanding, or otherwise affecting the jurisdiction or authority which the Federal Trade Commission or any other Federal agency had prior to the date of enactment of this Act.

"EFFECTIVE DATE

"SEC. 11. This Act shall take effect on January 1, 1966."

And the House agree to the same.

OREN HARRIS,
WALTER ROGERS,
LEO W. O'BRIEN,
HORACE R. KORNEGAY,
WILLIAM SPRINGER,
J. ARTHUR YOUNGER,
ANCHER NELSEN,
Managers on the Part of the House.
WARREN G. MAGNUSON,
JOHN PASTORE,
VANCE HARTKE,
HOWARD W. CANNON,
MAURINE B. NEUBERGER,
GALE W. MCGEE,
NORRIS COTTON,
THRUSTON B. MORTON,
HUGH SCOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment was in the nature of a substitute for the Senate bill. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The major differences between the Senate bill and the House amendment thereto are set forth below, together with the action taken at the conference (except for incidental changes made necessary by reason of agreements reached by the conferees and minor and clarifying changes).

The House amendment made certain findings (sec. 2) and set forth a declaration of policy (sec. 3). The Senate bill had no comparable provisions. The conference substitute adopts the declaration of policy of the House bill.

The Senate bill and the House amendment contained different definitions of the term "cigarette." The definition used in the conference substitute is the definition of the term which appears in section 5702 of the Internal Revenue Code of 1954, as amended by section 808(a) of the Excise Tax Reduction Act of 1965 (Public Law 89–44).

The Senate bill and the House amendment had definitions of the term "United States" which differed only in form. The conference substitute adopts the House version.

The Senate bill did not contain a definition of "commerce." The House amendment did. The conference substitute contains the definition of "commerce" contained in the House amendment.

Under the Senate bill, the statement "Caution: Cigarette Smoking May Be Hazardous to Your Health." was required to be located on the front or back panel of every cigarette package and to appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package. The House amendment required that the statement appear on a side panel of the individual pack, in print contrasting to the background, in not less than 10-point type on a 12-point body. The House version had slightly differing requirements as to the type used in printing the statement on containers other than the individual pack. The conference substitute requires that the statement be located in a conspicuous place on every cigarette package and that it appear in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the package.

Both the Senate bill and the House amendment provided that no statement with respect to smoking and health would be required in the advertising of any cigarettes which were packaged in conformity with the provisions of the legislation. The Senate bill, however, provided that this prohibition would be effective only for the 3-year period beginning on the effective date of the legislation. The House version contained no such limitation of time. The conference substitute provides that the provisions of the legislation which affect the regulation of advertising shall terminate on July 1, 1969, but that such termination shall not be construed as limiting, expanding, or otherwise affecting the jurisdiction or authority which the Federal Trade Commission or any other Federal agency had prior to the date of enactment of this legislation.

It is the expectation of the conferees that before July 1, 1969, on the basis of all available information, including that contained in reports submitted, as required by this legislation, by the Secretary of Health, Education, and Welfare and the Federal Trade Commission, the Congress will reexamine the subject matter covered by this legislation.

The Senate bill and the House amendment contained differing language relating to the authority of the Federal Trade Commission with respect to false or misleading cigarette advertising. The conference substitute provides that except for the prohibitions applicable to cigarette advertising, nothing in this legislation shall be construed to limit, restrict, expand, or otherwise affect the authority of the Federal Trade Commission with respect to unfair or deceptive acts or practices in the advertising of cigarettes, nor to affirm or deny the Commission's holding that it has the authority to issue trade regulation rules or to require an affirmative statement in any cigarette advertising.

The Senate bill would have required a report from the Federal Trade Commission (acting in cooperation with the Department of Health, Education, and Welfare) relating to certain matters. Such a report would be transmitted to the Congress not later than 18 months after the effective date of the legislation and annually thereafter. The House amendment had no provisions for such reports. The conference substitute provides that the Secretary of Health, Education, and Welfare shall transmit a report to the Congress not later than 18 months after the effective date of the legislation, and annually thereafter, concerning (1) current information on the health consequences of smoking, and (2) such recommendations for legislation as he may deem appropriate; and provides that the Federal Trade Commission shall transmit a report to the Congress at the same intervals concerning (1) the effectiveness of cigarette labeling, (2) current practices and methods of cigarette advertising and promotion, and (3) such recommendations for legislation as it may deem appropriate.

For a person violating the provisions of the legislation, the Senate bill provided a fine of not more than $100,000, the House amendment provided a fine of not more than $10,000. The conference substitute adopts the House version in this respect.

Under the Senate bill, its provisions would have taken effect 120 days after enactment. The House amendment would have become effective 180 days after enactment. The conference substitute provides that this legislation shall take effect on January 1, 1966.

OREN HARRIS,
WALTER ROGERS,
LEO W. O'BRIEN,
HORACE R. KORNEGAY,
WILLIAM SPRINGER,
J. ARTHUR YOUNGER,
ANCHER NELSEN,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, pursuant to the action of the House, your conferees have met with the conferees of the other body and after meeting for 2 days and after considerable discussion, we have agreed and bring back to you the conference report which has just been read into the RECORD.

I want it understood by every Member of this body, Mr. Speaker, just what the situation is and what your conferees could do under the rules. In the first place, I felt as I know other members of the conference committee did that it was our primary duty and responsibility to uphold the decision of this House insofar as we could.

We did discuss the matter of cigarette advertising and the labeling of every package of cigarettes and all the related matter involved in the bill at length. I can assure you that the conferees on the part of both the House and Senate gave careful and extensive deliberation to this subject matter. I think, Mr. Speaker, we bring to you a conference report that should be adopted by this House.

This is a highly sensitive and emotional problem and it has been ever since the submission of the report of the special advisory committee established by the Department of Health, Education, and Welfare some time ago. This subject matter has had a lot of attention. We have given days and days of hearings, discussion, and deliberation to it. There is a great deal involved here. Primarily we must take into consideration the health of the people. However, the people of the Nation have a responsibility in a country where the people are educated. Since literacy has reached the degree that it has, it behooves us to let the American people use their best judgment and for us to do the best we can with an emotional problem such as this. I trust this will work in the best interest of all our people.

I think your conferees in carrying out the mandate of the House of Representatives have accomplished this objective insofar as possible.

Mr. Speaker, let me make this very plain. The bill that passed the House of Representatives and the bill that passed the other body insofar as requiring health warnings on every package of cigarettes are precisely and exactly the same word for word. So your conferees did not have any responsibility on this particular point. Contrary to some of the rumors that have been going around, this bill requires a health warning on every package of cigarettes that is distributed for sale in the United States and territories.

The objective of the bill, to start with, was to carry out one of the recommendations of the report of the Advisory Commission, which was that the health hazard should receive official recognition. We have required a health warning on every package.

Some people would have us believe, from the reports I have seen, that it was the purpose of the bill to prevent any such warning. That is not a fact.

There were several differences between the House and Senate versions.

Both provide for a prohibition against warning in advertising. We took the Senate provision with reference to advertising, except that the time during which it would be effective was increased by 6 months. They had a 3-year limitation on the action which could be taken by the Federal Trade Commission on advertising. That would have expired January 1, 1969.

We have run into such situations before, when laws expire on the 1st of January. The reasoning behind the action of the conferees was that if we made it July 1, 1969, Congress would be in session, and would have the 6 months to consider the matter, if it decided any further action were required. For that reason, instead of taking the limitation on an indefinite time which was provided in the House bill, we accepted the Senate amendment with the additional 6 months.

As Members will see from page 6 of the conference report, during that time it is expected the Congress will again have an opportunity to review this entire matter, to see whether any further legislation is required. I was quite impressed with the position of Senator NEUBERGER on this subject. It is felt that the scientists and technicians, the research people in this field, will no doubt come up with some new information. There may be a breakthrough. Then the whole matter can be reviewed and it could then be determined on the basis of what is best for the health of the people of the Nation and for the interest of all of our people. I believe that is a sensible and sound approach.

Otherwise there is only one issue which should be mentioned. The other six or seven issues are mostly minor in nature.

With reference to the placing of the notice on the package, we provided that it should be in a conspicuous place and in conspicuous print on every package of cigarettes.

On the findings and declaration of policy, we omitted the findings but retained the declaration of policies.

The definition of "cigarette" was agreed to on the basis of utilizing the definition which was recently enacted in an amendment to the Internal Revenue Code. We believed that to be a reasonable and practical approach to this problem.

Mr. Speaker, that covers the action of the conferees on this problem, which is a very important one, as we recognize.

I ask that the conferees be upheld in their action, for I believe we have done the best we could under the circumstances on behalf of the House and the House position.

Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Speaker and Members of the House, this bill should be defeated by rejecting this conference report. The conference report reflects improvement over the bill, unfortunately passed by this House just a few weeks ago, but neither the bill nor the conference report, as it has emerged, serves a single legitimate public need. If the objective here is better to protect the American public, an intelligent public—a concerned public—then let us examine how we are proposing to do it.

First, implicit in the bill, whether you take the conference version, the version from the other body, or the one which the House passed, is a finding that smoking may be dangerous to your health. Now that is hardly a startling finding, but the objective, so we are told, is to give warning and, having forthrightly made that finding, we then in whispered tones warn who? We warn the man or woman who is already hooked—those citizens who are every day concerned with trying, in the great majority of instances, to stop or cut down on their own personal consumption of cigarettes.

These people know that it may be injurious to their health. It worries them all day and perhaps it adds to their consumption. There is not a shadow of doubt in their minds but what it may be injurious to their health.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. MOSS. Yes, I will be very happy to yield to the gentleman.

Mr. COOLEY. What kind of a label do you want to put on there? A skull and bones?

Mr. MOSS. If you will be patient, I will tell you.

Mr. COOLEY. I have been waiting.

Mr. MOSS. I do not care what kind you put on the package. I am not concerned about fellows like me who have smoked for years. They are as smart as I am and they know what they are risking. I am concerned about the young men and women of this Nation who may not be fully informed.

Mr. COOLEY. Mr. Speaker, will the gentleman yield for 1 more minute?

Mr. MOSS. Yes, I yield to the gentleman.

Mr. COOLEY. You quit smoking and you want everybody else to quit smoking.

Mr. MOSS. I do not know whether I have quit or not. I have tried to do it before and I laid off for a short period and got back into the habit. I cannot guarantee anyone, least of all myself. I know how difficult it is, and I know how much concern a person has about it. However, I am concerned about the young men and women of this Nation, that they should be adequately informed as to the hazards. I want them to know in a forthright fashion. To put it on the package adds nothing.

Mr. HAGAN of Georgia. Mr. Speaker, will the gentleman yield?

Mr. MOSS. Yes, I yield to the gentleman.

Mr. HAGAN of Georgia. I would like to ask the gentleman how much tobacco he grows in his District?

Mr. MOSS. I do not grow a single bit of it but I have industries that share in this lush advertising melon which goes to a quarter of a billion dollars each year. I am not understating the economic significance of tobacco, but on that basis of justification, we cannot be critical of some of the countries of the Far East who continue to maintain a traffic in certain drugs which are outlawed in this country, because they contribute to the economy of those countries. That is not the question. We have made the finding in this legislation that it is hazardous and we have said here by an act of Congress, if it becomes law, that it is sufficiently hazardous to warn the people. So, really, the only issue before us is how do we most effectively warn? By stripping the Federal Trade Commission of every bit of authority it has? By stripping the Food and Drug Administration of any authority it might have?

By taking from your State and my State any authority they might have? By taking from my city or my county where we have responsible public health officials every bit of authority that they have? Because we lay down the absolute fiat that no other warning may be required and only here in this House, with the concurrence of the other body, can we change the innocuous, the meaningless requirement that is going to be put on the package in an inconspicuous manner.

I have heard all the discussions as to whether or not smoking is good or bad for you. I recognize that there is great divergence of opinion. But I know, as the ladies and gentlemen of this House know, that my friends who have come up with heart attacks have been told to stop smoking. Maybe there is no reason for it.

I know, as you know, that my friends who have come up with evidence of emphysema have been told to stop smoking. I had a relative who came up with lung cancer. They did not tell him to stop smoking. I assume they thought it would be a useless gesture.

We have a very solemn responsibility here to every person we represent, but most of all our responsibility goes to the young men and women of the United States. Statistically we know that 4,000 of them start smoking each and every day. What responsible action as a government have we taken to alert them to the hazards upon which they embark? And we are going to try to kid ourselves that we have met our responsibility by putting the smoker, only the smoker, on notice, that when you open this pack—and God knows you are going to open it, and you take out that cigarette, we hope you see the notice that it may be hazardous—the notice on its back or its bottom or its side. But we are not going to alert you by any other means.

We are going to strip every other agency, every other jurisdiction, Federal, State, or local, of the right to do that which we are too timid to do. I do not think, if that is our course, that we meet our responsibility, that we fulfill the demands that the American public has the right to make on us.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to my colleague from California.

Mr. ROOSEVELT. Will the gentleman make clear what is the result of defeating the conference report today?

Mr. MOSS. If no legislation is passed, then the orders of the Federal Trade Commission will become effective, notice will be required, and the industry, which maintains the Commission is without authority, can go into an appropriate court and test the authority of that Commission to spell out a requirement on labeling and a notice on advertising, and we will be further ahead. We achieve absolutely nothing in a positive, in a constructive sense by adopting either the bill we passed and sent to the other body or the bill the other body passed and sent to us, or the compromise contained in this conference report. I hope it is defeated.

Mr. HARRIS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. Speaker, will the gentleman yield to me?

Mr. SPRINGER. Yes, I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, I believe the House should be advised that the conference report, after having been agreed to by the conferees, was adopted by the other body, and the conferees have been dismissed. This then presents to the House of Representatives this question of whether or not this conference report will be adopted in the House.

Now, Mr. Speaker, if the gentleman will permit, in further response to the question asked by the distinguished gentleman from California [Mr. ROOSEVELT]: What would happen should the Congress do nothing about the Federal Trade Commission's announced intention?

Mr. Speaker, I believe our colleagues know that in order to comply with the provisions of the Administrative Procedure Act a great deal of time will be required.

Furthermore, after the administrative procedures have been followed, there will be lengthy litigation. It was conceded even by the Federal Trade Commission that it would be anywhere from 2 to 5 years before a final decision could be obtained.

Consequently, Mr. Speaker, if this conference report is not agreed to, we can expect that it will be 2 years, 3 years, or even longer before anything in the way of a warning can be required on cigarette packages.

On the other hand, if this conference report is adopted, then beginning January 1 of next year every package of cigarettes will be required to have on the label a warning as to a health hazard which is incurred in smoking.

Therefore, Mr. Speaker, the alternatives thus will be of cigarette labeling becoming effective January 1 of this year or postponing this action for 2 years, 3 years, or perhaps longer.

Mr. Speaker, I believe it is highly important that we are going to let the American people know that there is a hazard here and put it on every package of cigarettes. Therefore, we must approve this conference report.

Mr. SPRINGER. Mr. Speaker, first of all I believe we ought to pin down exactly what the other body has done and then what we have done in the House of Representatives, as well as what are the major differences involved.

Mr. Speaker, when this bill was pending before our committee in executive session, I thought that it got about as thorough discussion as any bill during the 15 years that I have served on this committee.

May I say to my distinguished friend, the gentleman from California [Mr. MOSS], that he made some very fine contributions, as did the gentleman from Michigan [Mr. DINGELL].

Mr. Speaker, we finally had to resolve, what are we going to do, or are we going to do anything today?

The first thing with which we were faced was whether or not we were going to have an opportunity to do something constructive, something constructive on this now; not a year from now, 2 years from now, 3 years from now, 4 years from now or 5 years from now. In other words, are we going to be able to do anything constructive on this matter in 1965?

Mr. Speaker, it was my conclusion that unless we passed some bill on which the House and the other body could agree this summer, we were not going to have any label or any warning to young people until this matter was litigated between the cigarette industry and the Federal Trade Commission which was bound to be years from now.

Now, Mr. Speaker, the distinguished gentleman from California pointed out the fact that we had a responsibility, and I know that he feels very strongly about this. I felt just as strongly. I was not satisfied with all of this, may I say, and I could name any number on both sides of the aisle that were not satisfied with exactly what you have pending before you here today. But I, and they still felt, in spite of the fact that this was not everything we wanted, it was better than not coming up with some legislation in 1965.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HARRIS. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. SPRINGER. In spite of the fact that we were not satisfied, we did feel we had a responsibility now to do something about labeling of cigarettes so that the children at least in this country would have some warning in 1965.

The gentleman from California has said it is not the warning he wanted. He may be right. But this was the only warning we could agree on. Are we to say we do not want any warning, because we cannot get the warning each of us wants. Am I to say because I did not get the one I want there shall not be any legislation in this field?

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Florida.

Mr. FASCELL. Is there any legal significance either for the manufacturer or user by way of presumption or otherwise because this warning is placed by law on a package of cigarettes?

Mr. SPRINGER. For injury?

Mr. FASCELL. Yes.

Mr. SPRINGER. I do not believe there is anything in this bill that would have anything to do with what the gentleman from Florida suggests.

Mr. FASCELL. If a smoker is injured as a result of smoking, and there is a warning required by law that smoking may be injurious to health, does that waive or create a legal presumption or defense in a personal injury suit because of the use of the article notwithstanding the warning?

Mr. SPRINGER. I am not sufficiently a lawyer in Federal Trade Commission practices to be able to advise the gentleman.

Mr. FASCELL. The legislative record makes it clear that passage of this law and compliance by the manufacturer in no way affects the right to raise the defense of "assumption or risk" and the legal requirement for such a defense to prevail; nor does it shift the burden of proof, nor could it be considered a legal or factual bar to the plaintiff user.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Florida.

Mr. PEPPER. I would like to ask the able gentleman whether the limitation upon the authority of the Federal Trade Commission which appears to be contained in section 5(c) would prevent the Federal Trade Commission from stopping a cigarette manufacturing company advertising on TV or otherwise that, as a matter of fact, cigarette smoking is not injurious to one's health?

Mr. SPRINGER. I yield to the chairman of the Committee on Interstate and Foreign Commerce to answer that.

Mr. HARRIS. The question is, Is there any authority left to deal with advertising that there is no health hazard?

Mr. PEPPER. Yes. In view of the limitation of the authority of the Federal Trade Commission in this field which is prescribed by this act, if enacted, if a cigarette company or all of them felt that they desire to counteract this warning Congress has required to be placed on the package, and they should develop an extensive advertising program that there was no responsible evidence, no authentic evidence, no convincing evidence that smoking is hazardous to health, would the Federal Trade Commission have authority to prevent that kind of advertising program?

Mr. HARRIS. In the conference report we provide that the Federal Trade Commission has no authority to require a health warning in advertising, but as it was carefully explained during consideration of the bill on the floor of the House, that this did not include deceptive practices or false advertising. We did not in any way intend to restrict the Federal Trade Commission in carrying out its duties and responsibilities under the Federal Trade Commission Act on false and deceptive advertising.

Mr. PEPPER. Would it then be a legal matter to be determined in the court if the Federal Trade Commission asserted the power to proscribe such advertising, as to whether it was deceptive or not?

Mr. HARRIS. It would be within the jurisdiction of the Federal Trade Commission in the first place to make a determination as to whether or not this advertising was false or misleading. If the Federal Trade Commission determined that it was, it may move in to prevent such advertising.

Mr. PEPPER. Does that not assume that it would be a fact that cigarette smoking is injurious to health as the predicate for such action by the Federal Trade Commission; would it not be said that the Congress has taken a position far short of that by saying that cigarette smoking may be injurious or may be hazardous to health?

Mr. HARRIS. The facts as developed by the committee and as obtained from scientists and medical people who have gone into this matter and studied it over a period of years is that there are those, people with outstanding background and good reputation, who claim that is a fact. There are those with equally outstanding reputations in this field who claim it is not a fact and they showed us pictures, extensive pictures as to how it was not a fact.

So I am not in a position to say whether or not the Federal Trade Commission would be able to sustain a position of this kind or not. I think it would have to develop the facts in order to determine whether or not it is an actual health hazard. There is no question that the evidence is conflicting.

Mr. PEPPER. May we, then, make it a part of the legislative history of this matter that the able chairman is saying it is not intended by the authors of this act that the Federal Trade Commission would be prevented from making such an assertion and letting the matter be determined in the court?

Mr. HARRIS. I would say to the gentleman, we have made that explicit in the conference report and I would refer the gentleman to the report. We do not intend by this report to change the present authority of the Federal Trade Commission in any way one way or the other.

Mr. PEPPER. And the Federal Trade Commission could act in that situation?

Mr. HARRIS. If they have the authority to act today, they would have the authority to act under this legislation.

Mr. PEPPER. I thank the able chairman, and I thank the distinguished gentleman from Illinois for permitting us to clear up this point for the record.

Mr. SPRINGER. Mr. Speaker, I was at the point a few minutes ago on the question of what is our responsibility today, in 1965? Those of you who feel so strongly about this and who might on a rollcall vote vote against it, I think that is your privilege. But I say as a practical matter, if you do there will not be labels put upon any cigarette package until this litigation is finally adjudicated in a court of law, 2 to 5 years away.

I think we have a responsibility even though we may not agree with everything that is in this conference report. We have a responsibility to the young people of this country to say now in the summer of 1965 that we are giving them a warning with reference to the danger in cigarette smoking. I think that is our responsibility today. I say to those who have their doubts—please think of what is going to happen if we do not pass any legislation today.

I would like to refer to two other things very briefly. The label provision that was adopted by the House and the label provision that was adopted by the Senate are identical. There is no difference and may I read it to you. The wording is as follows: "Caution: Cigarette smoking may be hazardous to your health."

In the conference we agreed on this. This was because it was identical in both Houses and as you well know when you go to conference you cannot vary anything which is identical in both bills.

The second matter had to do with a termination. In the House bill we had no termination date. In the Senate bill there was a termination date. May I say we do not mean because there is a termination date, which happens to be July 1, 1969, that we do not intend to do anything about this at that time. If I am here in July 1969 I want to take a look at this and if something else is required, I will do my best to get it. But this was the best thing we could get insofar as a review was concerned.

If you are talking about the realities of the bill, in my opinion those are the two pieces of meat in this legislation.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from California.

Mr. ROOSEVELT. Is it not true that an order by the Federal Trade Commission, once made, would become effective, and any litigation concerning it would not lift the effectiveness of the order until a court ordered the reversal of the order itself; and, therefore, the Federal Trade Commission could take action immediately?

Mr. SPRINGER. That is not true, as a matter of fact or procedure in Federal Trade Commission matters.

Mr. ROOSEVELT. Is the gentleman sure?

Mr. SPRINGER. I believe I am safe in saying that is not the law. Such orders of the Federal Trade Commission are, as a matter of course, stayed until the matter is fully adjudicated in a court of law.

Mr. ROOSEVELT. It certainly is the law with respect to the cease and desist orders of the Federal Trade Commission, with which I am familiar.

Mr. SPRINGER. In certain orders of the Food and Drug Administration the gentleman is correct. In this case I feel sure he is not.

Mr. HARRIS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. BOLLING].

Mr. BOLLING. Mr. Speaker, I am grateful to the gentleman from Arkansas, the distinguished chairman of the committee, for yielding me this time.

Primarily I should like to address myself to procedure and alternatives. The impression is left that there cannot be prompt action unless this conference report is adopted. The impression is left that action by the Federal Trade Commission, which we are supposed to believe is the only other alternative, would take from 2 to 5 years. Obviously, this is ridiculous on the surface. There is another alternative.

The great Committee on Interstate and Foreign Commerce is perfectly capable of reconvening and bringing out another bill.

Just because the committee was able to get through this House of Representatives on a certain Tuesday a piece of legislation which it agreed upon, when the only person who opposed the legislation strongly enough to sign a minority report was known to be away and unable to return——

Mr. HARRIS. Mr. Speaker, will the gentleman yield to me?

Mr. BOLLING. I yield to the chairman.

Mr. HARRIS. I would not let the statement the gentleman made go unchallenged, so far as I am concerned. As chairman of the committee, the leadership asked me to be ready. I did not know that the gentleman from California [Mr. Moss] was not here. I can assure the gentleman from Missouri that had I known he was not present I would have said so and suggested the bill not be called up at that time.

Mr. BOLLING. I accept the gentleman's statement.

The fact remains that the bill did come up and it was debated in the absence of the person on the committee who most strongly opposed the bill.

As to how that happened, I made no accusation. I state a fact. That is a fact.

I state a further fact. I understand that the gentleman from California had been advised, as was I, it was probable that the bill would come up on the following Thursday. I was advised by a competent source that it would come up on the following Thursday.

I believe the best thing this House can do, in the interest of the American public and especially the interests of the younger members of the American public, is to defeat the conference report and let the process begin over.

I agree entirely with what the gentleman from California has said in his very excellent statement. The people who buy packs of cigarettes buy them because they are going to smoke them. They are, as he said, "already hooked."

Regardless of all the colloquies and all the discussions, what we have in this bill is a preemption. The language should be read. Section 5(a) says:

> No statement relating to smoking and health, other than the statement required by section 4 of this Act, shall be required on any cigarette package.

My State may decide it wants to, but it could not. The same would be true of all States.

> No statement relating to smoking and health shall be required in the advertising of any cigarettes the packages of which are labeled in conformity with the provisions of this Act.

That language is clear. This preempts the right of any entity, of any government, to decide for itself, "What about cigarettes?"

I believe that for those reasons we should clearly defeat this conference report.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Florida.

Mr. FASCELL. There might be one consoling factor in the adoption of the conference report. By virtue of the language being required as a result of the law, it would raise the presumption that every company that makes and distributes this process does so with knowledge. If that is true, it would redound to the benefit of a plaintiff bringing an injury suit.

Mr. BOLLING. I thank the gentleman for his contribution.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the distinguished Speaker.

Mr. McCORMACK. I want to have the record clear. I came in the Chamber recently and I wonder if the gentleman was criticizing the leadership for programing the bill?

Mr. BOLLING. The gentleman criticized no one, but stated some facts.

Mr. McCORMACK. The facts are that the bill was programed. There was no knowledge, and I had no knowledge that the gentleman from California [Mr. Moss] was away. The bill was programed in the regular way. I was advised while the bill was under consideration the last day that he was trying to get back from abroad and it was expected his plane would arrive in time. I do not want to get into any controversy on it but any intimation, directly or indirectly, that this bill was not programed in the proper way is something that I could not stand in this Chamber and let anyone get away with.

Mr. BOLLING. I would like to say to the Speaker that I stated a set of facts. I did not draw any conclusions but I stated the facts.

The SPEAKER pro tempore (Mr. BOGGS). The time of the gentleman has expired.

Mr. HARRIS. I yield the gentleman 1 additional minute.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from California.

Mr. MOSS. Mr. Speaker, I had not intended to indulge in a controversy over my absence, which I might have. It was my first absence overseas in 10 years. I am very regular in my attendance in this House. However, I would have been here on Tuesday had I not been told by a very responsible Member of the leadership that the bill would come up on Wednesday or Thursday, and probably Thursday, and I use the precise words of that gentleman. I am not one to absent myself and then cry over the consequences. I would have been here had I not had assurance to the contrary.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from California.

Mr. ROOSEVELT. With reference to a previous discussion, I have checked with the General Counsel of the Federal Trade Commission who informs me that an order of the Federal Trade Commission remains in force during litigation unless specifically stayed by a court order. So the Federal Trade Commission would not be completely helpless, shall I say, in the matter.

Mr. HARRIS. Mr. Speaker, I yield myself 1 minute.

First let me say that the experience has been in the major regulatory agencies over which we have jurisdiction that when an order is promulgated by a regulatory agency and an appeal is taken from it, then customarily the order is stayed until the litigation has been concluded.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman.

Mr. COOLEY. That is the observation I wanted to make.

Mr. HARRIS. That is the record and that is generally true throughout. Now, Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. Mr. Speaker, first I want to commend the chairman of the Committee on Interstate and Foreign Commerce for the wonderful job which he has done through two long and tedious hearings on this subject matter and to commend him on the job he has done in steering this legislation through the House and up to the point where it has arrived today. I want to say that I attended virtually every session of those two long and tedious hearings and listened to the many, many witnesses that testified in connection with this bill we have before us now. I was one of the conferees and I say to you that I do not like the conference report myself, but I am going to support it and urge my colleagues to do likewise. I come from the State that makes about 62 percent of the cigarettes that are made in this country. I say this although most of you know it, but I would like to emphasize it because my district, my State, and our Nation have a great interest in this particular piece of legislation.

I take the position that I do not like all of the conference report because I think the House had a much better bill. It was a sounder bill. It was a bill that was in accordance with the present law. I say to you that in my opinion the Federal Trade Commission does not have the authority to do what it did in this instance. There is legal authority for my statement, in a well written and well documented Law Review article from the University of Pennsylvania Law School last December, which draws a distinction between "informative" and "corrective" advertising insofar as the jurisdiction of the Federal Trade Commission is concerned.

I wish that all of you here could read this article. I wish that all of you here had read the full committee hearings on this subject matter. And while there is a great controversy raging I say to you that the preponderance of the evidence, in fact the great preponderance of the evidence presented to our committee was to the effect that the report of the Surgeon General was not as conclusive, was not as strong and was not as convincing as many were first led to believe. In fact, it is inconclusive and contradictory.

There appeared in this morning's Wall Street Journal an editorial quoting one of the great medical experts of the country, Dr. Joseph Berkson of the Mayo Clinic, in which he noted that "huge blunders have been made with the uncritical use of statistics," and said that the committee's studies were not based on true random samples—he was talking about the Surgeon General's committee. He said that the followup procedures were inadequate. He also pointed out that there was almost total absence of clinical or pathological—as opposed to statistical—evidence in the controversy over smoking's effects.

Many outstanding experts in the medical field of this country have challenged the Surgeon General's report. There is a great controversy here. Members of Congress, including myself, have tried to get money authorized and have bills passed for research into this area. This is a vital area. This is of serious consequence to the health of our people and I am very much interested in the health of our people.

It is also of great importance to the economy of this Nation—yes, to the State of North Carolina, but also to the entire Nation.

My good friend from California, and I respect him, and I know his feelings on this subject, but I say to you and I say to him that if he feels as strongly about it as he seems to do, that cigarettes are doing a great damage, he ought to introduce and support a bill that would outlaw the sale, the use, and the possession of cigarettes.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield.

Mr MOSS. The gentleman from California is a realist. I know how very desperate the situation would be even to schedule the matter for hearing at this time.

Mr. KORNEGAY. I appreciate the gentleman's remarks.

Now, with reference to getting to the youth of the country. Do you know that in 47 of the 50 States it is illegal to sell cigarettes to minors, that in 21 of those States it is unlawful for minors to use or even possess cigarettes, that in only 3 States—Wisconsin, Louisiana, and Georgia—there is no legal prohibition in their State statutes against the use of cigarettes?

This prohibition by the States of sale to minors is a far greater deterrent to usage of cigarettes by our youth than the labeling of advertising which some seem to want so desperately.

The truth of the matter is, if the FTC or the Congress were to force warnings on advertising, it would for all practical purposes stop cigarette advertising altogether—another $250 million blow to our economy.

But, aside from the matter of economy, the question here today is much broader. We are here to decide if a major employer and tax producer is to be convicted on flimsy and inconclusive testimony. To do more than what this bill sets out to do would not be corrective, but would be punitive.

Today, we pick on tobacco, what commodity will be next?

Mr. HARRIS. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker and my colleagues, I am somewhat surprised at this late attack on a report from our committee.

Mr. Speaker, we have had this matter under consideration for some time. Our committee is composed of 33 Members of this House of Representatives. I am not a smoker. We do not raise tobacco in my district. However, I did sit through all of the hearings, and I believe the chairman of the committee, the gentleman from Arkansas [Mr. HARRIS], will verify the fact that I was probably there almost continuously. I heard all of the evidence that was presented. Then we went into executive session in an effort to try to work out a bill, which we did mark up.

Mr. Speaker, when we finally considered this bill in committee there was not even a request for a rollcall vote on the bill. There is no record rollcall vote. When we considered the bill on the floor on this "famous Tuesday" which they mention, you had before you the committee report, and there was only 1 Member out of 33 that even filed a report against the bill.

Now, Mr. Speaker, if there was other opposition that might have appeared that day, it did not show up.

Of course, Mr. Speaker, we cannot tell who is on these trips to Europe or who is not, because you look at Drew Pearson's column and if they are not mentioned, then you assume that they are here. There was no mention made in Drew Pearson's column that the gentleman from California, my colleague, was away from this country. So we had no knowledge that he was away.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. Yes; I yield to the gentleman from California.

Mr. MOSS. The gentleman has made a statement that is not according to fact. I do not have to let you know that I am away. I went to the appropriate Member of the leadership and informed him of my contemplated absence and determined the schedule proposed for this House.

Mr. YOUNGER. I thought Drew Pearson was the authority on that.

Mr. MOSS. Why do you not deal with the issues contained in the bill and not with the personalities or members of the committee? It would be much more constructive.

Mr. YOUNGER. I thought Drew Pearson was the one who gave us information on who was on trips overseas.

Now, Mr. Speaker, you Members have had the benefit of the counsel of 32 of the 33 members of this committee and I would say it would be rather inappropriate at this time, after we have gone through a long period of hearings, a long period in executive sessions, to reject this conference report. We came to you with a bill and if you want to be realistic, then the realistic consideration would dictate that this is the best bill that could be brought before you today for adoption.

Mr. Speaker, I plead with the Members to accept this conference report.

Mr. HARRIS. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Speaker, this bill should be entitled, "A bill for the relief and protection of the tobacco industry."

Most of the speakers today have indicated that they are unhappy with the bill. In fact, I do not know of anyone yet who seems to really approve of it. I trust then that those who want to do something about this situation will help us improve the bill by relieving it of its enacting clause. This, in effect, is what we will do if we disapprove the conference report.

Stop and think about something for just a moment. Is it not a strange fact that the Members from the tobacco States—and they are some of my best friends and some of our most capable Members—are all for this bill? Yet this bill, on its face, requires them to take the dreadful step of placing health warning labels on cigarette packages. Why would they possibly be for such a bill? They are for it because there are some hookers in the bill.

Hooker No. 1 is the preemption against any State or local government doing anything about cigarette advertising for the next 3 years. No government, nor the Federal Trade Commission, will be able to do anything about the one serious problem, about the one weapon which might do something constructive. I am talking about advertising.

Hooker No. 2 protects them against lawsuits by cigarette users as our colleague, the gentleman from Florida [Mr. FASCELL], has noted.

Hooker No. 3 restricts FTC in its effort to limit misleading advertising.

Mr. Speaker, I would like to pose a question which has not yet been asked. What in the world is wrong with doing something about cigarette advertising? It has already been pointed out that this harmless, innocuous, labeling affects only the people who are already smoking. It gets only to people who already know the dangers of smoking. This bill does nothing about the 4,000 Americans, nearly all of them young people, who each day take up this habit. Millions of these young Americans will eventually develop lung cancer or will have their lives shortened, or will have emphysema, or other diseases as a result of the decision to smoke. This bill does nothing about this danger and this is why it should be defeated.

We have been told today that there is a question whether the Federal Trade Commission really has jurisdiction over cigarette advertising. Apparently, there is no question about its right to regulate advertising for shampoos, or hearing aids, or deodorants, or underwear, but there is a serious question, we are told, about its right to regulate advertising for the most serious health menace facing the Nation.

I would suggest to the committee then that it go back and write a bill which right now will clearly give the Federal Trade Commission complete jurisdiction over cigarette advertising. Then, something constructive can be done.

This conference report ought not to be adopted. This bill should not have been passed in the first place. I urge my colleagues to take an opportunity they will have in a few minutes to register their opposition to the cigarette industry's policies and the great victory they seek to achieve through this bill.

Mr. HARRIS. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Illinois.

Mr. DERWINSKI. Mr. Speaker, it is with a sense of futility that I express opposition to this conference report. It is apparent that the House is not in the mood to weigh the consequences of this action.

First, let me make it clear I am opposed to giving the Federal Trade Commission jurisdiction over this question. However, I feel that the Department of Health, Education, and Welfare and specifically its Food and Drug Administration has been derelict in its responsibilities to safeguard the public health, should it be conclusively determined that cigarette smoking is harmful.

Numerous references have been made in the debate to supporting further research in this field. Certainly, coordination of various research programs is long overdue, and this is an area that should require major priority of the bureaucrats at the Food and Drug Administration.

However, Mr. Speaker, there are some positive aspects to the developments in the debate this afternoon, even though the outcome of the vote is, as I have pointed out, unfortunately a foregone conclusion. We should recognize that the public interest in many unanswered questions requires us to support all forms of research that could conclusively prove the exact contribution cigarette smoking makes to throat cancer and other physical ailments.

Mr. Speaker, it is also heartwarming to note the vigorous defense of States rights by our most respected colleague from Missouri [Mr. Bolling] and our equally distinguished colleague from California [Mr. Roosevelt]. It is my fond hope that in all future debates in this and future sessions of Congress they will always be found on the side of States rights when the issue revolves around this type of governmental philosophy.

Mr. NELSEN. Mr. Speaker, I hope this conference report is adopted. As has been so thoroughly pointed out, our committee almost unanimously reported this bill out, and I think for many good reasons.

No. 1, there was debate in our committee as to whether or not this is a health hazard. We are assuming it may be. I do not believe that the question of whether to use "may be" or "is" will make a great deal of difference so far as the label is concerned.

The conference report goes further than the House bill went, and I think in the right direction. I might point out that in requiring the tobbaco industry to label the package to the effect that the cigarette may be injurious to health, is a giant step forward.

When we get into the advertising field we could be involved with 50 different regulations from as many States. A situation would develop that would be very difficult. The same is true with labeling.

Our committee attempted to meet its responsibility through an act of Congress, and we moved in the right direction. We have made a progressive step forward, and I hope the conference report is adopted.

Mr. McGRATH. Mr. Speaker, I voted against passage of the Federal Cigarette Labeling and Advertising Act because I felt the exemption of cigarette advertising from terms of a Federal Trade Commission order provided in the measure rendered the act unsuitable for solving the situation it was intended to remedy.

The entire purpose of this act was to provide the American public with a warning that cigarettes may be hazardous to the health of smokers. If such a warning is to be effective, it would seem logical that potential smokers should have the benefit of such a warning before they purchased cigarettes. To have the warning brought before them only after they have purchased their cigarettes robs the warning of its effectiveness and, it seems to me, robs the act of a large measure of its intent.

It was and is my opinion that if we are to provide Americans with such a warning as to the possible hazards of smoking cigarettes, that warning should be contained in the advertising issued by cigarette manufacturers.

Not only was the intent of this measure rendered less effective by limiting the warning to the cigarette packages, but I feel the bill as it was presented to the House for a vote amounted to special legislation. Of all the forms and types of products manufactured in the United States and which are advertised in the various advertising media, only one item—cigarettes—is now exempted from terms of Federal Trade Commission regulations as a result of passage of this act. This I feel to be unfair.

The combination of the unrealistic failure to include the potential health hazard warning in cigarette advertising and the unfair exemption of cigarette manufacturers from terms of FTC regulations prompted me to vote against passage of this act.

Mr. CORMAN. Mr. Speaker, I rise in opposition to the conference report on S. 559 which would strip the Federal Trade Commission of the authority to regulate cigarette advertising and protect the health of the American people.

The Federal Trade Commission was established by Congress in 1915 to maintain free competitive enterprise as the keystone of the American economic system. One way in which it has been able to fulfill this vital responsibility to the American people is by preventing deceptive trade practices. Such practices not only are detrimental to our free enterprise system—they are harmful and often fatal to the consuming public.

This body is on the verge of passing legislation which would completely divest the FTC of its lawful function to protect the American consumer. The Surgeon General, a high-ranking and esteemed Federal official, has made it abundantly clear to this Congress that, without a doubt, cigarette smoking is a serious hazard, claiming nearly 300,000 lives a year.

The supporters of S. 559 apparently are aware of the need to inform the American public of the hazards of cigarette smoking, for they are seeking a printed warning on each package of cigarettes. But, at the same time, they are refusing to set up requirements as to where or how this warning should appear and they are denying the FTC its rightful power to enforce the warning regulation.

The bill now before us is so ineffectual that it is virtually useless. But, more important, it is a direct infringement on a fine executive agency whose purpose is to serve the public by protecting it against commercial deception. If the truth about the very real danger of cigarette smoking is not made 100 percent clear to the American people, we are assuredly being deceived by the tobacco industry.

I strongly urge this House to reject the conference report on S. 559 in favor of strong legislation which will be in the best interest of the health and future of the American people.

Mr. RUMSFELD. Mr. Speaker, I rise in opposition to acceptance of the Federal Cigarette Labeling and Advertising Act conference report. This legislation, supported by the cigarette lobby, will prevent any Government authority—Federal, State, or local—from requiring health hazard warnings in cigarette advertising until July 1969. This bill will preempt this area not only from State or local activity, but also will prohibit action by the FTC, the duly authorized, independent regulatory agency.

It flies in the face of the unanimous Surgeon General's Advisory Committee on Smoking and Health report. The Advisory Committee consisted of 10 outstanding private physicians and scientists selected by the Attorney General with the approval of the cigarette industry.

At the same time, believe it or not, the Congress continues to waste millions of taxpayers' dollars by subsidizing tobacco while appropriating increasingly large sums of money for medical research, including cancer, and health care. These obviously conflicting efforts point up, I believe, the idiocy of continued tobacco subsidies.

The heart of the issue, however, with respect to S. 559, is whether the FTC should be stripped of its authority to require health hazard warnings in cigarette advertising, if it deems such action advisable.

Careful studies done by the FTC show that the industry in 1964 had advertising expenditures in all the uses of mass media of nearly $260 million. We are all familiar how such advertising in particular influences our young people.

I urge the House to reject the conference report. If we reject the conference report the FTC and/or other governmental units will not be prohibited from any activity. Further, if the Congress desires a more careful look at this problem, sufficient time remains during this session to consider, report, and pass a more reasonable bill of less sweeping implications.

Mr. ANDERSON of Illinois. **Mr. Speaker, I wish to state my objections to the conference report on the so-called cigarette labeling bill. It is my studied opinion that this bill was either hastily conceived or intentionally diluted to appease the tobacco interests.**

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It is my understanding that this type of legislation was originally intended to warn the public of the health hazard involved in smoking cigarettes. We have been expertly advised by the Surgeon General that:

> Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action.

The provisions of this bill do not even definitely state that smoking is a health hazard. Instead, the purchaser is advised, "Caution: Cigarette smoking may be hazardous to your health." Far from being a remedial action, this weakly contrived phrase only tends to cast doubt on the validity of the Surgeon General's findings.

But even if the warning on the cigarette packages stated smoking is a health hazard, even if statistics of tar and nicotine content were also included on the package, even if a skull and crossbones were stamped on the package, this legislation would not get at the root of the problem. Quite to the contrary, it obstructs any future attempts to get at that root. Far from being a positive and constructive piece of legislation, this bill seriously restricts those who are concerned with our Nation's health.

Permit me to once again quote from the report of the Surgeon General so that we might better understand the nature of this problem:

> The overwhelming evidence points to the conclusion that smoking—its beginning, habituation, and occasional discontinuation—is to a large extent psychologically and socially determined.

And let there be no mistake, the greatest determiner of social and psychological attitudes today is mass media advertising.

This is what we are talking about when we speak of the root of the problem. This is what influences 4,000 young people every day to take up the smoking habit, and not a few words printed on a cigarette pack. This legislation makes a feeble attempt at dissuading the purchaser, usually those already hooked, while at the same time it makes it nearly impossible to warn anyone prior to purchase.

I am referring specifically to section 7 which prohibits any requirement for warning in advertising. Such a provision can only weaken governmental attempts at safeguarding the public health.

The restrictions imposed by this legislation apply not only to the Federal Trade Commission, the Food and Drug Administration, and the U.S. Public Health Service, but to State and local governments. According to the proponents of this legislation, the preemption of State and local governments was for the purpose of avoiding a lack of uniformity in labeling requirements. We were told we would be running a grave risk of ending up with 50 divergent laws in this area. Mr. Speaker, I would submit to you that this argument is absurd. Furthermore, it is in total disregard of existing Federal-State relationships and policies in this area. Federal laws in the Food and Drug Act have been built around existing State laws. States are permitted to make their own labeling and advertising specifications. Here we are talking about literally hundreds of drug manufacturers. In the case of cigarettes we are talking about a relatively small number of manufacturers. Yet this legislation, in an unprecedented manner, preempts all State and local action in this area for 3 years.

In conclusion, permit me to restate my objections to this conference report. I do not oppose it in order to protect the tobacco interests. I oppose it because this bill would overly protect them. I am not opposed to labeling, but I am opposed to meaningless labels. I am not opposed to advertising, but I am opposed to laws that would permit irresponsible and misleading advertising. I am not opposed to attempts to safeguard our Nation's health, but I am opposed to attempts which would preempt Federal, State, and local measures.

Mr. ROYBAL. Mr. Speaker, I rise to oppose the adoption of the conference report on S. 559, the Federal Cigarette Labeling and Advertising Act, because I believe it is an ineffective approach to a most serious problem, and because I feel it will serve to prevent any other effective approach from being pursued either at the Federal, State, or local level.

More than 18 months ago, the Surgeon General of the United States and his Advisory Committee on Smoking and Health unanimously concluded that "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

From this unanimous conclusion, that a serious health hazard is posed by cigarette smoking, arises the responsibility of Congress to take prompt and effective action to warn the American people of the dangers involved.

The health hazard primarily involves two groups: adults who have already acquired the habit of smoking and now find it extremely difficult to withdraw, and our young people who have not yet succumbed to the habit and who thus may be more easily deterred from taking it up in the first place.

However, statistics show that more than 4,000 young men and women in the United States start smoking every day—so this is the group in which we are vitally concerned, and which offers the greatest potential for success.

As background for consideration of the legislation before us, it should be noted that the Federal Trade Commission, pursuant to its statutory responsibility to protect the interests of America's consuming public, and acting in light of the clear weight of medical evidence and judgment, has issued regulations requiring smoking health hazard warnings on cigarette labels as well as in cigarette advertising.

Both the labeling and advertising warnings were set to take effect on July 1, 1965, but have been held up, in order that Congress would have an opportunity to review the entire question and take appropriate legislative action.

However, the conference report we are considering today requires only that, after January 1, 1966, cigarette packages will bear the rather innocuous and relatively inconspicuous warning: "Caution: Cigarette smoking may be hazardous to your health."

But spokesmen from the cigarette industry itself have admitted that a package warning would have little or no effect on the rate of consumption, and one advertising agency executive was even quoted as commenting, "The first thing you learn about labels in this business, is that people do not read them."

And I doubt if many Members here actually expect this label warning to have much real effect, particularly since it would be aimed at those who are already "hooked" by the cigarette habit.

As to cigarette advertising, the conference report provides that "no statement relating to smoking and health shall be required in the advertising of any cigarettes" prior to July 1, 1969—4 years from now.

In other words, the conference report which we are being asked to approve today, not only does not deal with the much more important question of a warning in advertising, it revokes the current order of the Federal Trade Commission requiring such a health hazard warning, and divests the FTC of its lawful function to protect the American consumer for 4 years, by flatly prohibiting it from requiring cigarette advertisers to refer to the well-established relationship between smoking and health.

Inherent, also, in this FTC prohibition is a clear and present threat to the integrity and independence of every Federal regulatory agency with the courage to attempt to fulfill its statutory obligations, without fear or favor, but with the public interest as its guiding principle.

In short, the conference report comes close to being a piece of special interest legislation, designed to protect—not the public health—but rather the economic health of the cigarette industry, by singling it out for special treatment by exempting this one particular industry from the supervisory jurisdiction of the appropriate regulatory authority.

If the conference report is adopted, we will have helped to undermine the basic philosophy behind the Federal regulatory system, and to have given a go-ahead signal to the lobbyists that the regulatory agencies are now open to attack and disablement by the very industries they were originally created to regulate.

On top of that, the conference report also prohibits all other Federal agencies such as the Food and Drug Administration or the U.S. Public Health Service, as well as all State and local authorities anywhere in the country, from taking similar action to require a health warning in cigarette advertising.

The net effect of this legislation, therefore, is to provide for a mild caution on cigarette packages, which would necessarily be addressed to current smokers—those men and women who already have the habit.

But with regard to our major concern—the 4,000 young people who start smoking every day, and who could still be influenced by mass media advertising—the conference report not only takes no action itself, it strips the FTC of its present authority to take such action, and, if that were not bad enough, it prevents anyone else on the Federal, State or local level from requiring an advertising warning to protect the health of the consuming public.

Thus, instead of protecting the health of the American people, this legislation would, for all practical purposes, prevent the American public, especially young people, from learning effectively about the dangers associated with cigarette smoking.

For this reason, I strongly urge this House to reject the conference report on S. 559 in the best interest of the health and future welfare of all our citizens.

Mr. HARRIS. Mr. Speaker, your conferees have done the best they could under the circumstances. We believe we have a good conference report.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the adoption of the conference report.

The question was taken.

Mr. BOLLING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and ninety-three Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 286, nays 103, answered "present" 1, not voting 43, as follows:

[Roll No. 185]

YEAS—286

Abernethy
Adair
Adams
Anderson, Tenn.
Andrews, George W.
Andrews, Glenn
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baldwin
Bandstra
Baring
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Betts
Boggs
Boland
Bolton
Bray
Brock
Brooks
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Callaway
Carey
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cooley
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Daddario
Dague
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Dent
Denton
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Dulski
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gilligan
Goodell
Greigg
Grider
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Haley
Hall
Halleck
Halpern
Hamilton
Hanley
Hansen, Iowa
Hansen, Wash.
Hardy
Harris
Harsha
Harvey, Mich.
Hathaway
Hechler
Henderson
Herlong
Hicks
Horton
Hosmer
Hull
Hungate
Huot
Hutchinson
Ichord
Irwin
Jacobs
Jennings
Johnson, Pa.
Jonas
Jones, Mo.
Karsten
Keith
Kelly
Kirwan
Kluczynski
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McDade
McDowell
McMillan
Macdonald
MacGregor
Machen
Mackay
Mahon
Mailliard
Marsh
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matthews
May
Meeds
Michel
Mills
Minshall
Mize
Moeller
Monagan
Moore
Morgan
Morris
Morrison
Morse
Mosher
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nelsen
O'Brien
O'Hara, Mich.
O'Konski
Olsen, Mont.
O'Neal, Ga.
Passman
Patman
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Pucinski
Purcell
Quie
Quillen
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roudebush
Satterfield
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Schneebeli
Scott
Selden
Senner
Shipley
Sikes
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Va.
Springer
Stafford
Staggers
Stanton
Stephens
Stubblefield
Taylor
Teague, Calif.
Tenzer
Thompson, Tex.
Thomson, Wis.
Trimble
Tuck
Tupper
Tuten
Ullman
Utt
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Weltner
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Young
Younger
Zablocki

NAYS—103

Addabbo
Anderson, Ill.
Andrews, N. Dak.
Bingham
Blatnik
Bolling
Brademas
Brown, Calif.
Burton, Calif.
Burton, Utah
Cameron
Clevenger
Cohelan
Conte
Conyers
Corman
Daniels
Delaney
Derwinski
Dow
Duncan, Oreg.
Dyal
Erlenborn
Farbstein
Flood
Ford, William D.
Fraser
Gallagher
Gibbons
Gilbert
Gonzalez
Grabowski
Green, Oreg.
Green, Pa.
Hagen, Calif.
Hanna
Hansen, Idaho
Hawkins
Hays
Helstoski
Howard
Johnson, Calif.
Karth
Kastenmeier
King, Utah
Krebs
Leggett
Long, Md.
Love
McCarthy
McClory
McFall
McGrath
Mackie
Madden
Mathias
Matsunaga
Miller
Minish
Mink
Moorhead
Moss
Multer
Nedzi
Nix
O'Hara, Ill.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patten
Pepper
Race
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Roncalio
Roosevelt
Rosenthal
Roush
Roybal
Rumsfeld
Scheuer
Schweiker
Secrest
Sickles
Sisk
Stalbaum
Stratton
Sullivan
Sweeney
Talcott
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Widnall
Wilson, Charles H.
Wydler
Yates

ANSWERED "PRESENT"—1

Joelson

NOT VOTING—43

Abbitt
Albert
Ashley
Berry
Bonner
Bow
Celler
Clausen, Don H.
Craley
Diggs
Downing
Edmondson
Edwards, Calif.
Friedel
Gray
Harvey, Ind.
Hébert
Holifield
Holland
Jarman
Johnson, Okla.
Jones, Ala.
Kee
Keogh
King, Calif.
King, N.Y.
Lindsay
McEwen
McVicker
Morton
Pool
Powell
Randall
Ryan
Shriver
Skubitz
Steed
Teague, Tex.
Thomas
Thompson, N.J.
Todd
Toll
Tunney

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Thompson of New Jersey, against.

Mr. Hébert for, with Mr. Celler against.

Mr. Abbitt for, with Mr. Ashley against.

Mr. Friedel for, with Mr. Edwards of California, against.

Mr. Pool for, with Mr. Powell against.

Mr. Downing for, with Mr. Ryan against.

Mr. Kee for, with Mr. Holifield against.

For this day:

Mr. Edmondson with Mr. Berry.

Mr. Tunney with Mr. Don H. Clausen.

Mr. Craley with Mr. Shriver.

Mr. Toll with Mr. McEwen.

Mr. Bonner with Mr. King of New York.

Mr. Holland with Mr. Skubitz.

Mr. Johnson of Oklahoma with Mr. Morton.

Mr. Randall with Mr. Bow.

Mr. Diggs with Mr. Lindsay.

Mr. Gray with Mr. Harvey of Indiana.

Mr. Teague of Texas with Mr. McVicker.

Mr. King of California with Mr. Steed.

Mr. Jones of Alabama with Mr. Jarman.

Mr. GLENN ANDREWS changed his vote from "nay" to "yea."

Mr. DANIELS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their own remarks in the RECORD just prior to the vote on the conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

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The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 603)

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the House to the Bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment, as follows: In lieu of the matter inserted by the House amendment insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Water Resources Planning Act'.

"STATEMENT OF POLICY

"SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

"EFFECT ON EXISTING LAWS

"SEC. 3. Nothing in this Act shall be construed—

"(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

"(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

"(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this Act; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico;

"(d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

"TITLE I—WATER RESOURCES COUNCIL

"SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

"SEC. 102. The Council shall—

"(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

"(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

"SEC. 103. The Council shall establish, after such consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate, and with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

"SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

"(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

"(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

"(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

"Based on such review the Council shall—

"(a) formulate such recommendations as it deems desirable in the national interest; and

"(b) transmit its recommendations, together with the plan or revision of the river basin commission and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

"SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed $100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

"(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

"(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

"(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

"(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

"TITLE II—RIVER BASIN COMMISSIONS

"Creation of commissions

"SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington. Such concurrences shall be in writing.

"(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

"(1) serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

"(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

"(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

"(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

"Membership of commissions

"SEC. 202. Each river basin commission shall be composed of members appointed as follows:

"(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

"(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

"(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

"(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

"(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

"Organization of commissions

"SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon decision of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resources planning to any of the participants shall be kept freely available to all such participants.

"(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

"(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

"(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

"Duties of the commissions

"SEC. 204. Each river basin commission shall—

"(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

"(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

"(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and

"(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

"Powers and administrative provisions of the commissions

"SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

"(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

"(2) acquire, furnish, and equip such office space as is necessary;

"(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

"(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed $100 per diem, and retain and compensate such professional or technical service firms as it deems advisable on a contract basis;

"(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

"(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

"(7) purchase, hire, operate, and maintain passenger motor vehicles; and

"(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

"(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

"(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

"(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

"(e) The chairman of each river basin commission shall, with the concurrence of the vice chairman, appoint the personnel employed by such commission, and the chairman shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the supervision of personnel employed by such commission, (2) the assignment of

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duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to such commission.

"Compensation of commission members

"SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

"(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

"(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than $100 per day and shall not exceed $12,000 in any year.

"SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the Budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

"(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

"(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

"(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

"TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

"SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, $5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

"(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954, and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

"Allotments

"SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations, on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

"(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

"State programs

"SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

"(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water-related activities taking into account prospective demands for all purposes served through or affected by water, and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies, and nongovernmental entities having responsibilities in affected fields;

"(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, or under the Land and Water Conservation Fund Act of 1965, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

"(3) designates a State agency (hereinafter referred to as the 'State agency') to administer the program;

"(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

"(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

"(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

"Review

"SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

"(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

"(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

"Payments

"SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

"(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

"(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

"Definition

"SEC. 306. For the purpose of this title the term 'State' means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

"Records

"SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

"TITLE IV—MISCELLANEOUS

"Authorization of appropriations

"SEC. 401. There are authorized to be appropriated not to exceed $300,000 annually, to carry out the provisions of title I of this Act, not to exceed $6,000,000 annually to carry out the provisions of title II, and not to exceed $400,000 annually for the administration of title III: *Provided,* That, with respect to title II, not more than $750,000 annually shall be available for any single river basin commission.

"Rules and regulations

"SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

"Delegation of functions

"SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

"Utilization of personnel

"SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act."

And the House agree to the same.

WAYNE N. ASPINALL,
WALTER ROGERS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOE SKUBITZ,
Managers on the Part of the House.

CLINTON P. ANDERSON,
HENRY M. JACKSON,
FRANK CHURCH,
THOMAS H. KUCHEL,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 21, to provide for the optimum development of the Nation's natural resources through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report. The language agreed upon is essentially the language of the House amendment except as herein noted.

INTERBASIN TRANSFERS OF WATER

The conference committee adopted language in the form of an additional disclaimer in section 3 which relates to studies of the transfer of waters between areas that are under the jurisdiction of more than one river basin commission or similar planning entity. The language states that nothing in the act shall be construed—

"(d) As authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission."

This language is intended to make it clear that the authority which is given to the Water Resources Council and to the river basin commissions established under S. 21 does not include authority to study and report upon the transfer of waters between basins or areas that are appropriate for planning on a comprehensive basis. In other words, no river basin commission established under this act will have authority to study the importation of water into the area over which it has jurisdiction from any other basin or related group of river basins under the jurisdiction of another river basin commission or entity performing the planning function of a river basin commission. Neither could a river basin commission study the exportation of water from the basin or area under its jurisdiction.

Likewise, the authority given the Council under this act does not include authority to study the transfer of waters between basins or areas covered by river basin commissions or similar planning entities.

In summary, the conference committee, by the adoption of this language, takes the position that authority to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or similar planning entity is beyond the scope of this legislation. It should be clearly understood that this language is not applicable to and does not affect the existing authority of Federal agencies, interstate compact commissions, or other entities which have water resources planning responsibilities.

LEGISLATION NOT TO AFFECT THE COLUMBIA RIVER BASIN TREATY

The Senate-passed bill included language providing that the jurisdiction and powers of the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty shall not be affected by this legislation. The conference committee retained this language.

JURISDICTION OF THE COURTS OVER WATER MATTERS

Subsection 3(d) of the House-passed bill was not retained by the conference committee. This disclaimer relating to jurisdiction of the courts over water matters was considered by the conference committee to be unnecessary.

PUBLIC HEARINGS IN CONNECTION WITH THE ESTABLISHMENT OF PLANNING PROCEDURES NOT REQUIRED

The House-passed bill included language requiring the Water Resources Council to hold public hearings in connection with the establishment of principles, standards, and procedures for Federal participants in the preparation of river basin plans and for the formulation and evaluation of Federal water projects. Public hearings in connection with the establishment of such planning procedures seemed to the conference committee to be unnecessary and inappropriate. The conference committee adopted substitute language requiring, instead of public hearings, consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate.

EMPLOYMENT OF PROFESSIONAL OR TECHNICAL SERVICE FIRMS

The conference committee amended the language of section 205(a)(4) to make it clear that the river basin commissions could employ professional or technical service firms in carrying out their duties and responsibilities under this act. There was never any intention to prohibit the employment of such firms in addition to individuals and consultants, but the matter has been clarified because of the concern of numerous engineering firms throughout the country.

AUTHORIZATION OF APPROPRIATIONS

The House language with respect to the authorization of appropriations was retained by the conference committee except that the annual amount authorized to be appropriated for the operation of the Water Resources Council under title I was increased from $150,000 annually to $300,000 annually—$150,000 annually seemed to the conference committee to be inadequate in view of the important work and responsibilities assigned to the Council under the legislation. This change raises the ceiling on appropriations to $6,700,000 annually compared to $6,550,000 in the House-passed bill and $10 million in the Senate-passed bill. These amounts do not include the $5 million authorized to be appropriated annually for 10 years to assist the States in water resources planning.

WAYNE N. ASPINALL,
WALTER ROGERS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOE SKUBITZ,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, the report has been printed and has been available for several days. I ask unanimous consent that the further reading of the statement be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, the adoption by the Congress of the conference report on S. 21 will bring to a successful conclusion 6 years of study and consideration of this legislation by the Committee on Interior and Insular Affairs and many additional years of study by executive agencies, commissions, etc. Legislation providing for effective Federal-State comprehensive river basin planning was recommended in the 1951 report of the Water Resources Policy Commission appointed by President Truman and the 1955 Report of the Presidential Advisory Committee on Water Resources Policy appointed by President Eisenhower.

Mr. Speaker, it was in 1959 that I first introduced legislation similar to that which is up today for final approval. In July, 1961 the first administration-sponsored measure was recommended to the Congress by President Kennedy.

The purpose of this legislation is to encourage and make possible the prudent development of the Nation's water and related land resources through sound, comprehensive and coordinated planning. An ample supply of good quality water is essential if the United States is to continue to grow and prosper. As our available supplies dwindle in relation to the increasing needs of our cities, our industries, and agriculture, it is important that we plan the use of our Nation's available supplies to provide maximum benefits to all purposes—providing water for domestic and industrial use and for irrigation, controlling floods, preventing pollution, assisting navigation, providing hydroelectric power and energy, providing outdoor recreation opportunities and fish and wildlife enhancement, and others. Almost daily, there are headline stories in our papers calling attention to water shortages and critical water situations throughout the Nation—East as well as the West. The planning mechanisms authorized by this legislation should greatly assist this national water resources planning effort and the development and management of our water resources.

A Cabinet level water Resources Council will be established with responsibility for guiding the Nation's planning effort in the water resources field and keeping

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the President and the Congress informed of the water needs of the Nation.

River basin planning commissions will be established on the basis of need and upon request of the States involved. They will prepare and keep up to date comprehensive, integrated joint plans for Federal, State, interstate, local, and nongovernmental development of water and related land resources.

During the next 10 years, financial assistance will be provided to the States for water resources planning on a dollar-for-dollar matching basis. This will enable the States to play a more effective role in the planning, development, and conservation of their water resources.

The present responsibilities of the Federal Government or of the States relative to the development, control, or use of water will be neither expanded nor diminished by this legislation. Existing laws will not be modified or superseded and planning commissions will not be established where adequate planning is presently being accomplished by some other means. The preparation of detailed plans for individual projects and the construction and operation of projects will continue to be the responsibility of appropriate Federal agencies, States, municipalities, local groups, or nongovernmental entities.

As indicated in the statement of managers on the part of the House the language of the conference report is, for the most part, the language of the House-passed bill. The provision adopted by the conference committee prohibiting any entity established by this legislation from studying the transfer of waters between areas under the jurisdiction of more than one river basin commission or a similar planning entity has caused considerable comment. I want to make it clear that this simply means that the authority for such studies is beyond the scope of this legislation. There is no intention to indicate such studies are not needed or to prejudge the merits of any proposal to study the transfer of waters between major river basins. It simply means that the authority for such studies must be based upon other than this legislation or must be obtained by additional authorization by the Congress.

I, for one, believe that such a study is needed at the present time in connection with critical water needs of the Colorado River Basin, but I believe the study should be specifically authorized so that all the States involved and others interested will know what we are doing and why, and there will be a clear understanding of the objectives of the study.

Mr. Speaker, because of the direct relationship between our Nation's water supplies and its economic well-being, I consider this conference report to be one of the most important measures that this Congress will approve. I am extremely pleased to be able to recommend its adoption.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. Were there amendments to the bill by the other body?

Mr. ASPINALL. Only the one amendment of any importance.

Mr. GROSS. The amendments are germane to the bill?

Mr. ASPINALL. All amendments are germane to the bill.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ryan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RYAN. Mr. Speaker, New York City residents, currently suffering the consequences of bad water planning, deeply appreciate the need for intelligent water legislation. As the principal city in the State which ranks first in Federal taxes paid but third to last in per capita Federal expenditures, New York is also vitally interested in water planning decisions in other parts of the country. For it is New Yorkers who are disproportionately charged with interest subsidies to water users under our reclamation laws. And it is New Yorkers who pay three times over when costly projects misallocate water to the growth of surplus crops—first for the interest subsidy, again for more costly farm programs, and finally through higher food prices.

Yet it is New Yorkers who have perhaps the least to hope for from today's bill. The most conspicuous reason for doubt is the conferee's sudden addition of section 3(d), barring the Federal Council or a Basin Commission from so much as studying the feasibility of transferring water between adjacent river basins. This patently irrational restriction was apparently added at the insistence of Columbia River Basin users to avoid diversion of water to the Southwest. Although this may be an intelligent decision in that area, it threatens to hobble critical planning in the East.

New York, for instance, is a member of an interstate compact governing the Delaware River Basin and draws water from that source. It is also developing a water recovery project on the Hudson, designed to merge with aqueducts carrying water from the Delaware. Economic recovery of Hudson water may require mixing of waters from both sources and it will certainly necessitate integrated planning of aqueduct capacities.

While it is fair to say that this is all being done a decade too late, it is equally fair to wonder whether S. 21, had it been enacted in 1955, would have helped or hindered. If it had passed then, some $30 million would by now have been spent by the planning authorities of the Hudson and Delaware Basins, all of it subject to the bar on studying or recommending inter-basin water transfers. What New York is now doing it would have had to do alone, and against the entire weight of well-financed and contrary water policy.

Section 3(d) of the present bill is just the last and most dramatic instance of the regrettable weakening which this bill has undergone. As it passes today it represents something less than a halting step forward, because it enlists at least $11.7 million a year of Federal and State planning money to the flag of a still-balkanized Federal water policy. New Yorkers who desperately seek a little more water to spill down the drain may rightly imagine that this bill means only a little more money instead. Although I support it, I will shortly introduce new legislation designed to bring national water policy closer in line with the needs of the Nation's population centers.

COINAGE ACT OF 1965

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 435 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 435

Resolved, That upon the adopting of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8926), to provide for the coinage of the United States. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from New York is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith] pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 435 provides an open rule with 4 hours of debate for consideration of H.R. 8926, a bill to provide for the coinage of the United States.

H.R. 8926 is intended to conserve this Nation's rapidly dwindling supply of silver—a metal essential to defense needs, to industry and the arts. Under our coinage laws going back to 1792, silver has been the major ingredient of our coinage alloys for all but the minor coins. At the present rate of silver consumption in the United States, chiefly for coinage, this Nation will run out of silver within 2 or 3 years.

The bill would eliminate the use of silver in all denominations of coins except the silver dollar, which is not now being minted and which would not be minted for at least 5 more years under the terms of this bill.

The bill would authorize minting of a new type of coin—a clad or "sandwich" coin consisting of a copper core between two layers of cupronickel—75 percent copper and 25 percent nickel—to replace the present dime, quarter, and half dollar—which consist of an alloy of 90 percent silver and 10 percent copper. The new coins will be of such size and weight and electrical resistivity as to be compatible with silver coins in the rejector mechanisms of existing vending machines and other coin-operated devices.

Mr. Speaker, I urge the adoption of House Resolution 435.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 435, upon adoption, will provide for 4 hours of debate on an open rule for the consideration of H.R. 8926, the Coinage Act of 1965.

If passed as approved by the committee, H.R. 8926 will remove all silver from nickels, dimes, quarters, and 50-cent pieces which are minted hereafter. The new coins are referred to as a sandwich-type coin with copper in the middle and cupronickel on the top and bottom. All new coins will be dated 1965 which will indicate that they are the new type of coin and do not contain silver. All coins containing silver have the date 1964 or before.

According to the testimony before the Rules Committee, it isn't a question of whether or not the silver content of the coins is to be reduced. It is just a question of what metals to use. The statement is made that if we continue to mint coins with 90-percent silver content, we will be out of silver in a matter of a few years.

So far as the dollar is concerned, no change is provided for the silver content, but there is a provision in the measure whereby no silver dollars will be minted during the next 5 years.

The bill also provides for a joint commission on coinage composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee, and two Members of the Senate, not members of such committee, to be appointed by the President of the Senate; the chairman and ranking minority member of the House Banking and Currency Committee, and two Members of the House of Representatives, not members of such committee, to be appointed by the Speaker; and four public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

There is a controversy over whether or not the silver should be completely removed from the 50-cent piece. The administration requested a reduction of the silver content in the 50-cent piece to 40 percent. The committee voted to eliminate it entirely. An amendment will be offered to simply reduce the silver content in the 50-cent piece to 40 percent.

The Glendale News-Press is the daily newspaper in my home city of Glendale, Calif. It is edited and published by the very able Carroll W. Parcher. In my opinion, it is a fine newspaper, and each day a lead editorial is included.

In the Wednesday, June 23, 1965, issue, the editorial was entitled "Base Coinage Means Trouble." I thought the editorial set forth the situation in a very able manner, and I would like to read it at this time:

> The seeming lack of public concern and apathy of Congress over recent strides to "paper money" in the United States is a phenomenon of recent years.
>
> There should be great concern since money represents not only national security and prosperity, but also is the reward for the fruits of individual labor.
>
> There is also abundant documentation from past experience to indicate that a nation which turns to money without intrinsic value soon learns its currency loses all value.
>
> Yet the United States seems determined to move ahead into the dangerous area of currency without recognized intrinsic value solely on the advice of Government economists, who reassure us there is nothing to worry about so long as the United States is prosperous.
>
> This, essentially, is the crux of the matter. By moving away from money with intrinsic value, the United States is putting itself more at the mercy of international financiers and foreign governments.
>
> Furthermore, the individual U.S. citizens are putting themselves more at the mercy of Federal planners who are no longer bound by the discipline of needing backing for currency or precious metal in coins.
>
> It is strange, also, that the United States is entering the dangerous area at a time when most other free world nations are moving in the opposite direction.
>
> Italy, Germany, Austria, and France are among nations that once abandoned precious metals in coins, but now have returned to their use. Japan, Mexico, and Australia are among nations planning the minting of new silver coins. Of all the free world nations, only Britain has coins without intrinsic value.
>
> Yet Congress is today moving ahead to eliminate silver from U.S. coins with mild discussion and no swell of adverse public reaction.
>
> The legislation is almost assured of passage, experts agree, because the United States did not act to retain intrinsic value of coins until a crisis arrived. Unless there are technological breakthroughs among miners and silver users, the United States apparently does not have enough of the precious metal to use it for coins.
>
> If some action is inevitable this year, however, Congress would be wise to reduce the silver content only to the extent necessary to give a few years' grace for a reevaluation of the problem. Another alternative would be to retain as much silver content as possible in one principal coin.
>
> In those few years the United States could study how other nations, notably France, have been able to return to money with intrinsic value after abandoning it.
>
> The public confidence in our monetary system must rely on more than the words of reassurance from Washington. And national fiscal health is dependent on the public confidence.

Mr. Speaker, I know of no objection to the rule or its adoption and reserve the balance of my time.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. CONTE. Mr. Speaker, I want to take issue with the editorial writer whom the gentleman has quoted. The trend shows that most of the countries in the world are taking silver out of their coins.

In regard to France: France had a 5-franc piece containing 83.5-percent silver. It was the only silver coin in France minted until 1965. They had had a paper substitute. This coin has disappeared completely from circulation. In 1965 the government issued another silver coin, a 10-franc piece containing 90-percent silver for the express purpose of having it hoarded to cut down on consumer spending.

In the entire world, in all the countries of the world, they only use 54 million ounces of silver for coinage. That is all of the countries put together. The United States last year used over 203 million ounces worth of silver in its coins.

Mr. SMITH of California. I am aware of that and I am aware of the problem to which the gentleman refers. I thought this editorial was one that should be placed in the CONGRESSIONAL RECORD so that if we are faced with a similar problem a year or two from now it can be referred to. We probably could have straightened this matter out if we had taken it up 2 or 3 years ago.

Mr. CONTE. I agree with the gentleman. I advocated this on the floor of the House 3 years ago.

Mr. Speaker, I am not taking issue with the gentleman, because I regard him as one of the ablest Members in the House and respect his opinion.

I ask unanimous consent to insert as part of my remarks this table showing the silver coins throughout the world.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Foreign Coinage

One of the arguments advanced for the retention of silver in one or more coins is that foreign countries have either renewed or increased the use of silver in coins. Available figures do not substantiate this contention.

Complete figures are not available for 1964, but the annual report of the director of the Mint for calendar year 1963 shows that the United States used 111.5 million ounces and that foreign usage of silver in coinage was as follows:

[Million ounces]

France	12
Canada	11
Switzerland	6
Australia	5
Japan	4
Austria	3.5
Yemen	2.5
Netherlands	2
South Africa	1.5
Sweden	1.5
Greece (minted by France)	1.5
Mexico	2
Egypt	.5
Italy (estimated)	.5
West Germany	.5
Total	52.0

Six countries account for 80 percent of the silver used in foreign countries. The amounts used by the various foreign countries appears to have been approximately the same in 1964 except there was some increase in commemorative coins, notably in Japan. The U.S. usage nearly doubled to 203 million ounces.

FRANCE

The monetary unit is the franc which is made of pure nickel. For a period of 21 years, 1939–60, France did not mint any silver coins for internal circulation. In 1960, they minted one silver "prestige" coin allegedly to be on a par with Greece, Italy, and West Germany, who each had one silver coin. This "prestige" coin, the 5-franc piece containing 83.5 percent silver, was the only silver coin France minted until 1965 and it also had a paper substitute. This coin has disappeared from circulation. In 1965 the Government issued another silver coin, the 10-franc piece containing 90 percent silver, for the expressed purpose of having it hoarded to cut down on consumer spending. This coin is not intended to circulate.

CANADA

Canada is the only foreign country using a substantial amount of silver in circulating coins. Her silver coins contain 80 percent silver. It has been announced that Canada will soon use cupronickel in place of silver in all coins except the silver dollar which will be retained for "prestige" reasons.

AUSTRALIA

Australia in 1966 is shifting from silver to cupronickel in all coins except the 50-cent piece.

SOUTH AFRICA

South Africa has announced plans of shifting from silver to bronze and nickel coins, minting only one silver coin, a new 1-rand piece.

ITALY

Italy used a little over 1 million ounces of silver in coinage in 1964. The monetary unit is the lire which is made of 96.2 parts aluminum, 3.5 magnesium, and 0.3 manganese. Twice the silver squeeze has been felt in Italy. In 1926 they reduced the size of the 5, 10, and 20 lire silver coins and again in 1936. These coins are no longer in circulation. Between the years 1941–58 no silver coins were minted. In 1958 they established a 500 lire silver "prestige" coin containing 83.5 percent silver.

MEXICO

Mexico, the largest silver producers in the world, has had the content of her silver coins reduced five times (1918, 1919, 1947, and 1957) from 900 parts silver to the present 100 parts silver. Out of a total of five circulating silver coins, four have exceeded their monetary value and have either been changed to another metal or have ceased to be minted. The only remaining silver coin is the 1 peso, 100 parts silver, whose monetary value will be reached when the market price for silver is $1.55. There is a paper equivalent. Mexico's silver usage dropped to 800,000 ounces in 1964.

JAPAN

The monetary unit is the yen which is pure aluminum. Japan has only one circulating silver coin for which there is also a paper substitute, the 100 yen. In 1964 Japan minted two commemorative coins, one on the 1,000-yen denomination containing 92.5 percent silver and the other the 100-yen denomination containing 60 percent silver. A total of 16 million ounces was used for this purpose. Both coins became collectors' items immediately and none have gone into circulation.

WEST GERMANY

The monetary unit is the mark which is cupronickel. There is only one silver coin containing 63.5 percent silver. It is the highest denomination coin and has a paper substitute.

The foreign coinage picture is far from impressive. Possibly France and Italy need "prestige" coins. Their financial structures have been volatile. The use of silver in circulating coins is dwindling.

There is nothing in the foreign coinage picture to indicate that the U.S. needs a diluted silver 50-cent piece to enhance its prestige. No nation in the world presumes to mint a prestige coin with a 40-percent silver content. Most importantly, the United Kingdom eliminated silver in coins in 1946.

Mr. DELANEY. Mr. Speaker, I yield 10 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I would not take this time now if it were not that I shall be unable to be here tomorrow very much of the time because of a meeting of the Public Land Law Review Commission. However, I advise my colleagues that I shall be in the building and ready to vote at any time on any of the matters that are involved in this legislation.

I would be one of the first to admit, Mr. Speaker, that some legislation such as that which H.R. 8926 calls for is needed at this time. It was needed 2 years or longer ago when, if the departments downtown had been knowledgeable at that time, they would have advised us of what was happening and recommended some legislation to take care of the situation other than the ill-thought-out "redemption of silver certificates" legislation.

On the other hand, I do not believe that it is necessary to take the drastic action that the bill, for which this resolution provides, takes. I do not believe we have to cut off a whole leg in order to cure something that is wrong with a toe or the foot.

I think the Committee on Rules has done a good service to the House in bringing the resolution before us, providing an open rule and the number of hours it does provide for general debate.

It seems to me, as I understand it, or try to understand it, that today we have an economist every time we have somebody talking about any economic matter in which he himself is interested. In other words, we have just as many economists with just as many theories as we have individuals who wish to call themselves economists.

Mr. Speaker, I admit most sincerely that I am not a student or an expert on money. I am told that if one becomes too much of an expert on money, it drives him to insanity. I have never been able to assume that position. Neither am I an expert nor do I presume to be one on the matter of silver. But I think I do know something about the amounts of silver that are available and about the amounts of silver that can be made available if the Congress of the United States looks at the matter constructively and tries to take care of the situation without the drastic action that is proposed in this legislation.

Mr. Speaker, as I have stated heretofore, I am not an economist. But if I know anything, it is that in this capitalistic system under which we live and to which each one of us gives allegiance no one carries on a business enterprise very long if he cannot make a legitimate profit. And, this is what is the trouble with our domestic mining situation today. It is what is wrong with the silver situation today.

We are not going to get a sufficient amount of silver as long as the United States assumes the position of being an exporter to the extent that we have assumed that position in the last several months. And, neither are we going to be a producer of silver in the amount that we need unless we are willing to pay the producer what it costs him to take it out of the ground and properly mill it. We might just as well keep this in mind.

Mr. Speaker, I include my full statement in the RECORD, hoping that those who are not only interested in the interest of the fabricators and the manufacturers, not only interested in keeping a sound coinage system in the United States, but who are also interested in seeing that silver is produced, will read this statement between now and tomorrow when it is time to vote.

Mr. Speaker, I think I can assure my colleagues that I stand upon every statement that is in my written statement. It is sound. You might wonder why is it that I am coming before the House on a matter that comes under the jurisdiction of another committee. True, the coinage problem is involved here and it comes under the jurisdiction of the Committee on Banking and Currency that is chairmaned by the distinguished gentleman from Texas [Mr. PATMAN]. But the interest of the silver producers and the interest of the mining producers generally comes under the committee which I happen to have the honor of presiding over, the Committee on Interior and Insular Affairs.

Now, Mr. Speaker, the real issue involved in the legislation before us today was summed up very succinctly in hearings before the Subcommittee on Mines and Mining of your Committee on Interior and Insular Affairs by a representative of one of the world's largest processors and refiners of silver for use in industry when he stated, and I quote:

> In our opinion, coinage is the least essential of all uses for silver, and this fact has in part been recognized by the administration in its proposed coinage bill.[1]

The other central factor brought out by this same outspoken, candid, witness on behalf of the fabricators and manufacturers utilizing silver is that, in the absence of legislation as recommended by the administration, and embodied generally in H.R. 8926, silver users are going to have to pay higher prices for silver. This they do not like; this they do not want; they want to continue obtaining silver at bargain prices.

Let me make another thing clear at the outset: The representatives of the silver producers, the mining industry, assured our committee that they are not interested in, and neither need nor want, the floor price that has been put in the administration bill designed to placate the mining industry by providing that hereafter the United States will always stand ready to buy silver at $1.25 per ounce. Silver producers are not looking for subsidies; they are not looking for guaranteed prices; they are not looking for assured markets; and they are not looking for assistance. The fact is that markets for silver are good—though the price could, admittedly, be better—so that when those of us who advocate retention of silver in our coinage do so, we are not advocating it in order to create an enlarged market or to keep a good customer.

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[1] Statement of Francis H. Wemple, treasurer of Handy & Harman, before the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs, House of Representatives, appearing in serial No. 5 printed for the use of the Committee on Interior and Insular Affairs, at page 151.

We must, and we can, retain some silver in coins that are used in everyday transactions; we must do so, not as a matter of sentiment and not as a matter of providing an outlet for silver producers. We must do so as a matter of national pride, as a matter of demonstrating to the world—and particularly to those countries that remain undecided in the global war of ideals raging about us—to demonstrate to them that while we arm to defend ourselves with modern weapons that involve the use of precious metals we need not do so at the expense of removing intrinsic value from our coinage; and, lastly, we must do so in order to protect for our children, and the generations yet to come, an America that will be free and strong.

On the latter point, let there be no mistake; even though economists may sneer and seek other explanations for the fact that nations have lost their standing in the international community, the fact is that history shows us that a decline of international influence, a decline of national stability, and the increase of internal economic problems have consistently followed the removal of intrinsic value from a nation's coinage. Far be it for me to oversimplify complex economic-political problems involving national and international policies; but, the record is there and we know, for example, that the rebirth of France, not only as an international power, but as a foremost leader of Europe was accompanied by the restoration of silver in the franc.

Although the President recommended retention of silver in the 50-cent piece, the Secretary of the Treasury, testifying before the Banking and Currency Committee, inadvertently may have given some comfort to those who seek to remove all silver from our coinage when he said that the important thing is not the content of the coins but rather the fact that we in Congress would pass a law saying that coins, of whatever substance, are legal tender. An economics professor, who was brought by the silver users to appear before the Banking and Currency Committee, sounded the call for complete debasement of our coins—contrary to the President's recommendations—by saying that, and I quote, "nothing has intrinsic value," after which he was able easily to come to the conclusion that only tradition and prestige might be persuasive, and he did not believe even these were, for retention of silver in our coinage. The economics professor concluded that:

> In today's world, it is more true than ever that silver is too valuable in other uses to be wasted in coins, where other materials are now clearly more economical.

This, then, is the nucleus of the argument for the legislation now before us: We are wasting silver if we use it in our coins.

Let me ask each and every one of you here: Do you consider it wasting silver to be able to see, feel, and exchange a coin that has body to it and to say "this is a coin of the United States" when you travel in a foreign country that has removed silver from its coinage and gives you a lightweight dull-looking coin?

Against this background I would hope that every Member of this body would agree with me that, to the extent sufficient silver is available, we must retain some silver in as many of our coins as is possible. If we agree on this basic philosophy, the rest becomes a matter of fact, a matter of statistics, a matter of "do we have the ability?". I think we have the ability.

In getting our statistics in the proper frame of reference let us at the outset keep another factor in mind. This is that the amount of silver exported and I repeat, exported, shipped out of the United States, during 1964 was unusual and abnormal. It was the type of action that did, and could again in the future, unbalance any program.

Simply stated, the question is whether we are more interested in maintaining our own stability, in this case in silver, or in maintaining the stability of one of our friendly nations; in the case of silver it was the United Kingdom. This, the Treasury staff study of silver and coinage ignores entirely.

In testimony before your Committee on Interior and Insular Affairs, Mr. Speaker, we obtained information that of the 109 million ounces of silver exported by the United States in 1964, approximately half went to the United Kingdom and approximately 13 percent to France, with other countries getting lesser amounts. The Assistant Secretary of the Interior categorically stated that export to the "United Kingdom was due partly to the strengthening of the pound plus speculation." The Treasury's Director of the Office of Domestic Gold and Silver Operations pointed out that, after having been a net importer of silver for years, we, in 1964, became a net exporter to the extent of 45 million ounces shipped out of this country in excess of the amount that we imported; but, he blandly attributed this to hoarding, speculation, industrial use, and foreign coinage uses.

One of the most knowledgeable silver men in the country, the vice president of the American Smelting & Refining Co., confirmed both of these views in his testimony, pointing out that 54 million ounces were exported in 1964 to the United Kingdom and that virtually all of this was in September, October, and November, a time when the pound sterling was under pressure and its future hung in the balance. So we did both. We exported silver to bolster the pound and at the same time we were permitting Englishmen, who wanted to do a little speculating, to obtain silver at $1.29 per ounce as a hedge, not only against an advance in the price of silver, but also against the failure of the pound to rally.

This phase of our testimony points up that, first, our exportation in 1964 was extraordinary; second, our foreign policy subjugated our domestic silver requirements; and third, we have invited people from the world over to step up to our Treasury counters and obtain silver at the bargain price of $1.29 per ounce with no restriction on the method, manner, or place of use other than the restrictions that apply on commodities generally.

Do you know that, despite the fact that the Treasury Department, is virtually obligated to retire silver certificates as they are turned in, the Department, has, nonetheless, approved arrangements whereby the Federal Reserve banks, instead of forwarding the silver certificates directly to the Treasury for retirement, turn them over to any individual who wants to obtain them "in large quantities"—and I emphasize the term "in large quantities," because the Treasury representative before our committee indicated that the average person, the small businessman, could not and did not get the same advantageous treatment that the large speculator could get. In other words, despite the provisions of law prohibiting the Secretary of the Treasury from disposing of any silver "unless the market price of silver exceeds its monetary value," we find that they are selling silver through the device of transferring silver certificates on paper to an individual who then goes through another paper transaction of redeeming the silver certificates for silver bullion. While describing this procedure to us, the Treasury Department representative maintained the fiction that the Treasury is not selling silver but that the only way industrial users can obtain silver is to redeem silver certificates.

Of course, the reason for this sleight of hand is to hold down the price of silver. The very act of recirculating silver certificates to industrial users is designed to continue an assured supply at the monetary value, in clear violation of the spirit, if not the letter, of the act of June 4, 1963, repealing the Silver Purchase Act of 1934.

I demand here and now a stop to this practice; and I have written a letter to the Secretary of the Treasury requesting that he put a stop to this practice. If silver certificates come into my hands, I propose to demand of the Secretary of the Treasury that he redeem them for silver. If silver certificates come into your hands, you have the right to make the same demand. But, it is hypocritical of our administration to say that we are running short of silver because we are redeeming silver certificates when the administration underwrites a procedure whereby silver certificates can be obtained in large quantities solely for the purpose of cashing them in for silver.

The silver certificate is a pledge by the United States; holders of silver certificates are entitled to have the certificates redeemed in silver. But, there is no obligation for the United States to go out of its way to make silver certificates available to someone who wants to obtain silver. On the contrary, it would appear that the intent of the law is that we would try to retire silver certificates without the necessity of redeeming them, thereby freeing silver for use for coinage and, conceivably, other purposes such as national defense.

The Treasury Department representative readily admitted before our committee that the Department has not had the authority to sell silver, except above the monetary price, since 1963; and that actually they "did not sell any silver to the public after November 28, 1961, although we had authority to sell up until the June 4, 1963, act repealed this authority."

The flimsy subterfuge by which the Federal Reserve banks transfer silver certificates to those who want to obtain silver, instead of a sale by the Treasury, is obvious.

By permitting uncontrolled access to Treasury silver, through the device of acquisition of silver certificates, the Treasury Department is seeking to defeat the law of supply and demand first at the expense of the American people and, secondly, at the expense of the mining industry. Any commodity, be it a metal or be it something else, has value when it is scarce. Its scarcity creates value in our economic system. Accordingly, one would think that the price of silver should be able to rise. Why does it not rise? Because the Treasury Department is artificially controlling the market by, on the one hand, saying that we cannot permit the price to rise above $1.29 plus per ounce while silver certificates are outstanding and, on the other hand, seeing to it that silver certificates keep getting pumped back into the industrial economy for use in acquiring silver from the Treasury at this bargain price. I include at this point in the RECORD a copy of my letter to the Secretary of the Treasury.

COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1965.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: The act of June 4, 1963 (77 Stat. 54; P.L. 88–36) provides, among other things, that "Unless the market price of silver exceeds its monetary value, the Secretary of the Treasury shall not dispose of any silver held or owned by the United States in excess of that required to be held as reserves against outstanding silver certificates * * *." It appears to me that the procedure outlined by your representative before the Subcommittee on Mines and Mining of our committee whereby the Federal Reserve banks permit anyone to obtain silver certificates which, in turn, can be used to obtain silver is in effect a sale by you through the Federal Reserve bank of silver. As such, I believe it to be contrary to the aforementioned act of June 4, 1963.

It is requested that in compliance with the intent of Congress you arrange that hereafter when silver certificates are forwarded to a Federal Reserve bank they shall in turn be submitted to you for retirement thereby ending the indirect sale of silver to various users and at the same time conserving the silver that remains in your inventory.

Sincerely yours,
WAYNE N. ASPINALL,
Chairman.

So, I am hopeful that we can stop the outflow of silver from the Treasury by merely abiding by the law. But, even if the Treasury Department finds other means to evade the law, let us keep in mind that the exports of 1964 were in any event extraordinary and let us hope that the pound sterling will not soon again approach the precarious position in which it was last year.

Let us look at another avenue, this time one through which we might increase the availability of silver in the United States by accelerating production within the free world, specifically, Mexico. Testimony before our committee was to the effect that in a little more favorable environment in that country, silver production would rise substantially. The statistics are impressive, 30 years ago more than 80 million ounces were produced each year in Mexico, at the end of World War II output was down to 60 million ounces a year, and now output is down to approximately 42 million ounces per annum. Being one of the nations friendly to us, Mexico should certainly want to help in the output of silver to help us if, in fact, we have as serious a problem as the industrial users of silver would try to paint.

Accordingly, I have written to the Secretary of State and asked that he make representations to the Mexican Government concerning this matter and that he specifically point out that the Mexican export tax on silver of 28½ percent is a deterrent to production in view of the small consumption of silver in Mexico and the fact that the bulk of its production is exported.

I insert at this point in the RECORD a copy of my letter to the Secretary of State.

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1965.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: As you know, the administration has recommended that, in view of the current silver situation, silver should be removed entirely from our dimes and quarters and reduced from 90 percent content to 40 percent content in our 50 cent pieces. Accordingly, it would appear to behoove us all to do what we can to increase the availability of silver for use in the United States.

During hearings before the Subcommittee on Mines and Mining of our committee testimony was developed to the effect that silver production in Mexico could be increased appreciably if a more favorable climate for export were developed. Specifically it was pointed out that the export tax on silver of 28½ percent is a deterrent to production in view of the small consumption of silver in Mexico and the fact that the bulk of Mexican production is exported.

It is suggested that you use your offices and facilities to make representations to the Mexican Government indicating the need for the increased production of silver and suggest a reexamination of the Mexican export tax.

Your cooperation and advice relative to your success will be appreciated.

Sincerely yours,
WAYNE N. ASPINALL,
Chairman.

Another facet that cannot be evaluated with certainty is the recovery or salvage of silver after initial use. The largest industrial user of silver is the photographic industry for use in photographic film, plates, and sensitized photographic paper. Impressive testimony was given before our committee of the efforts being made by the Eastman Kodak Co. to salvage silver and also to disseminate information to others on how to salvage this valuable material from used photographic materials. In addition to the testimony before the committee, there was an enlightening article that appeared in the American Metal Market for April 21, 1965; and, under leave previously granted, I include it at this point in the RECORD:

[From the American Metal Market,
Apr. 21, 1965]

"ANOTHER SILVER MINE": RECOVERY FROM FILM CAN YIELD MILLIONS OF OUNCES

NEW YORK—The recovery of silver from films (negatives, positives and baths) represents "another silver mine" that could supply much more silver than it is now furnishing, M. L. Schreiber, Photographic Technology Division of Eastman Kodak Co., Rochester, N.Y., stated recently in addressing a meeting of the Society of Motion Picture and Television Engineers in Los Angeles. Silver consumption in the free world has been running far ahead of new mine production for about 5 years.

He indicated that of about 30 to 35 million ounces of silver going annually into films, perhaps less than 5 million ounces are recovered—thus there is room for a much better job. For this reason Kodak has issued sales service pamphlet J–10 on the recovery of silver from fixing baths.

Mr. Schreiber noted that the motion picture labs and most of the processors of X-ray films are very active in recovery, but he said many hospitals and large processors of amateur photographic film could perform a much bigger recovery.

"With proper machinery and equipment" the recovery could be greatly increased, he stated. He indicated the need for greater efforts in recovery of silver.

In black and white film, the recovery can run from about 15 to 85 percent while in color films there can be almost full recovery. It may be interpolated from his talk that perhaps 25 million ounces of silver could be "mined" by recovery from film, or about five times the present amount.

HAUL COULD BE BIGGER

He said that in many places, "the annual haul still appears to have only scratched the surface."

It was noted that for silver of 95-percent purity, buyers (of 100-ounce lots) will pay 96 percent of the current market price of silver which is about $1.29 per ounce.

Motion picture films still account for a large share of the total silver use going into all kinds of film. The latter is probably nearly 35 million ounces and is part of the total U.S. industrial use of about 123 million ounces per year.

In his talk to the engineers he reviewed the various chemical, ion exchange and electrolytic methods of recovery by either high or low current densities.

He said that a survey indicates that silver recovery should be an important element in the proper management of any film processing laboratory. In some very small shops the techniques may be uneconomic.

He noted that 1,000 feet of black and white 35 mm. negative film can yield 3 ounces of silver, and color negative yields 2.5 ounces.

On average, during processing, only about 25 percent of the silver is left on black and white positive film, while as little as 10 percent is left on the negative. The remainder is normally dissolved in the fixing or bleach baths.

Mr. Schreiber presented some economic case histories showing profitable performance.

QUICK PAYMENT

He said "the silver refiners pride themselves on quick payment and service for the material they receive. Some will offer truck pickup service in metropolitan areas. And with fairly pure electrolytic silver, the processor may obtain almost the full market price for the silver present in the recovered plate."

In conclusion he stated—

"The choice of the method to be used to recover silver depends on weighing two distinctly different goals. The fixing bath could be considered to be a waste material from which it is desirable to extract a precious metal in pure form, or it could be considered a valuable solution to be purified of its undesirable contaminant—in this case, silver. Although the greatest source of profit is in the silver, the reuse of the large volume of fixer used in a motion picture laboratory is an important consideration in proper economic management. Electrolytic silver recovery accomplishes all of these goals.

AUTOMATED CONTROL

"The most important contribution that could be made in the silver-recovery field would be an inexpensive automatic control device. This would allow the use of small high-agitation cells to be operated at the highest optimum efficiency without direct attention." Mr. Schreiber spoke highly of the assistance of Handy & Harman (a leading processor, refiner and fabricator of silver) on recovery matters.

In recognizing the contribution of Eastman Kodak Co., I also want to acknowledge that the company is expending much effort, time, and money in seeking substitutes for silver for various phases of its industry.

Having reviewed these many aspects, what do we find are the facts relative to availability of silver, our ability to produce, and our foreseeable needs under various circumstances? Let us forget increased production in Mexico and let us not count on any increased salvage in the photographic industry; but let us assume that production in the free world will increase in the next 4 years by something on the order of 45 million ounces per year based on the firm projection of an additional 38 million ounces per year from production already underway and an additional 7 million ounces out of a potential of possibly 19 million more ounces from known deposits being developed, as explained in the hearings before our committee. Let us assume further that the exports will decrease because 1964 was, in fact, an extraordinary year. And let us assume further that there will be some adherence to law by the Treasury Department in seeking to enforce the retirement of silver certificates instead of seeking to channel silver certificates into the hands of manufacturers, speculators, and others who might not otherwise be able to obtain silver.

And, to be perfectly fair about this, let us also assume that we have an honest stockpile of the 165 million ounces of silver determined by the administrative agencies of Government as being the amount needed in the event of a national defense requirement. Let us put this 165 million ounces on the same footing as any other stockpile of strategic and critical materials; for, silver is one of the most strategic and critical materials that we have in our defense arsenal.

Accepting these conclusions, we find that there is ample silver available in the Treasury to provide minting of 10-cent, 25-cent, and 50-cent coins of 40 percent silver, known as 400 fineness, and still have at the end of 1972, the period chosen by the Treasury Department as the one of particular significance, an adequate supply of silver in the Treasury to continue on a stable basis for the long-range haul. Needless to say, if the 40-percent silver were adopted for the 50-cent piece alone, we would have no difficulty whatsoever in maintaining an adequate supply of silver into the long-range future. The Treasury Staff Study of Silver and Coinage contains a tabulation projecting the level of Treasury silver stocks through calendar year 1972—see page 70 of staff study reproduced at page 246 in the appendix of the hearings before the House Committee on Banking and Currency on H.R. 8746 and H.R. 8926, the Coinage Act of 1965.

In summation, my calculations show that at the end of 1972, with 40-percent silver content in dimes, quarters, and half-dollars, and even after deducting 165 million ounces for a true stockpile, the Treasury would still have 664 million ounces of silver on hand; and if we were to have the 40 percent content in the 50-cent piece alone, the Treasury would have in excess of 1,400 million ounces on hand at that time—end of 1972.

This, in 1972, would be at a time when the silver producers would have reacted fully to the increase in price because, let us not forget, that it takes approximately 4 years to bring into production an ordinary silver property. On the one hand the silver producers are just now beginning to go into production in reaction to the increased price that came about within the last few years; on the other hand, the Treasury assumptions are, from all indications, based on holding the price of silver at its present $1.29 per ounce for approximately 4 years which would mean that the price of silver would increase around 1969 and that after 1972 would be the time in which we would have the impact of the further reaction, the further development, by reason of the second round of increases. It is a known fact that silver is in the ground. Given the incentive, permitted to make a profit in the normal course of American business, the silver producers will bring forth from the earth additional quantities of silver.

Under leave previously granted I ask to include in the RECORD two tables that present my analysis of the situation indicating the projected behavior of Treasury silver stocks through calendar year 1972 based on 400 fineness silver, first, in all subsidiary coinage and, second, in the 50-cent piece alone.

TABLE I.—*Projected behavior of Treasury silver stocks through calendar year 1972 based on 400 fineness (40 percent) silver in all subsidiary coinage (10-cent, 25-cent, and 50-cent pieces)*

[In millions of fine troy ounces]

Calendar years	Potential amounts of silver used in coinage				Potential amounts of silver used in redeeming silver certificates or in making outright sales to the market[3]	Treasury recoveries of 900 fineness coinage[1]	Treasury stock at end of period
	Mint projection of ordinary requirements[1]	Increments required to replace Treasury recoveries of 900 fineness coinage[1]	Increments required to replace portion of coinage not recovered[2]	Total coinage required			
1964	−208.1			−208.1	−150.0		1,200.0
1965	−290.9			−290.9	−40.0		869.1
1966	−102.5	−177.8		−280.3	−50.0	+400.0	938.8
1967	−52.8	−133.3		−186.1	−50.0	+300.0	1,002.7
1968	−52.0	−88.9		−140.9	−12.0	+200.0	1,049.8
1969	−53.9	−44.4		−98.3	−12.0	+100.0	1,039.5
1970	−55.9			−55.9	−12.0		971.6
1971	−58.1			−58.1	−12.0		901.5
1972	−60.4			−60.4	−12.0		829.1
Less set-aside for stockpile							−165.0
Net balance, 1972							664.1

[1] Quantities are those used by Treasury (table 2A, staff study).

[2] Treasury assumed need in years 1966, 1967, 1968, 1969 to replace coinage not recovered. However, there appears to be no reason to do so if all the new coins have silver content and can, therefore, circulate side by side with the old.

[3] It is anticipated that redemption of silver certificates and sales—legal or illegal—of Treasury silver will decline below Treasury estimates, which were based on (1) low appraisal of supply available through normal channels and (2) continuation of an open Treasury door to make silver available to all comers.

TABLE II.—*Projected behavior of Treasury silver stocks through calendar year 1972 based on 400 fineness (40 percent) silver in half dollar alone*

[In millions of fine troy ounces]

Calendar years	Potential amounts of silver used in coinage				Potential amounts of silver used in redeeming silver certificates or in making outright sales to the market[3]	Treasury recoveries of 900 fineness coinage	Treasury stock at end of period
	Mint projection of ordinary requirements[1]	Increments required to replace Treasury recoveries of 900 fineness coinage[1]	Increments required to replace portion of coinage not recovered[2]	Total coinage required			
1964	−208.1			−208.1	−150.1		1,200.0
1965	−290.9			−290.9	−40.0		869.1
1966	−15.0			−15.0	−50.0	+400.0	1,204.1
1967	−15.0			−15.0	−50.0	+300.0	1,439.1
1968	−15.0			−15.0	−12.0	+200.0	1,612.1
1969	−15.0			−15.0	−12.0	+100.0	1,685.0
1970	−15.0			−15.0	−12.0		1,658.0
1971	−15.0			−15.0	−12.0		1,631.0
1972	−15.0			−15.0	−12.0		1,604.0
Less set aside for stockpile							165.0
Net balance, 1972							1,439.0

[1] 1964 and 1965 figures are same as used in Treasury staff study tabulation relative to 40 percent silver in all subsidiary coinage; however, the staff study does say (see p. 74) that a reasonable rate of production of 40 percent silver content 50-cent pieces would be 100,000,000 per annum, requiring 15,000,000 ounces of silver annually.

[2] Neither of these possible uses of silver is deemed probable under these conditions.

[3] See footnote 3 of table I above.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Will my friend from Colorado tell us the average cost of producing silver?

Mr. ASPINALL. That is almost an impossibility because most of our silver that is produced at the present time, as the gentleman knows, is a byproduct. It comes in conjunction with other base metals. Very little silver that we have at the present time is produced as silver or pure silver, or like it was in the early days of Aspen, Colo. But I would say further that at the present time silver producers are getting into the position to produce silver in greater amounts for the price at which it is priced at the present time.

Increased production has not occurred up until now for the simple reason that it takes 2½ to 4 years to bring a silver mine into production.

About 3 years ago the Secretary of the Treasury advised us that we had silver that would last for 15 years under our present coinage system. Now he advises us that the silver will only last for 3 years. If that is the kind of information we are getting from downtown, it is about time we, ourselves, take a closer look at the problem. The hearings of the Committee on Interior and Insular Affairs have shown that there will be silver in plentiful supply provided we go ahead and follow through with programs that will permit the silver producers to produce silver at a small profit.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. The bill provides for a purchase price of $1.25.

Mr. ASPINALL. The silver producers do not need anything like that. That is a little bit of sop thrown out to them. The silver mine producers are not asking for a floor. All they are asking is to permit silver to find its place in the marketplace in the United States and in the world, and they will be satisfied. But as long as we put a ceiling on silver and state that we will redeem silver as $1.2929 ad infinitum until we use all of our stockpile, we will be in difficulties and, remember this, the pending legislation sets up only the semblance of a stockpile. But it is not a stockpile. The silver is not to be taken out of the Treasury with this legislation. The silver will remain in the Treasury; the Secretary of the Treasury will be permitted to call upon it every time he thinks there is a necessity to do so. That is not a legitimate stockpile.

The way to take care of our problem is to reduce the silver in the coin, keep the coin in the United States. Let us look at the chart out in the Speaker's corridor, and see what happens. History records the fact when intrinsic coinage is debased in value something takes place which is adverse to the stability of that government. Reduce the silver content, reduce it to whatever is necessary, reduce it to 40 percent as the present Senate bill would do with half dollars, and as the administration would have us do, then let us follow through and reduce the quarters and the dimes accordingly. If this is done then the price of silver will be allowed to go up where it will be profitable to produce silver.

On the other hand, if I remember anything about economics, and I do recollect Gresham's law, let us examine the advice that Gresham's law gave us when we studied economics, and that is, that bad or worthless money will drive out good money. I think the Treasury Department is interested in this. I was advised that they took a new look and they came up with a somewhat different idea than they had before.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. I am sure there are many in the House in the same position that I find myself. I do not know all that I should know about this subject, but I join with the gentleman from Colorado in that I do not want to see our currency debased. What many of us want to know is what is right to be done with respect to this issue by retaining some silver in our coins and yet stretching out the supply of silver.

Mr. ASPINALL. Of course, as I have suggested to my friends, I am going to ask for a reduction of silver to 40 percent in the dimes, quarters, and half dollars silver coins that we now recognize, and on which we have depended throughout the years.

On the other hand, I am willing to give the Secretary of the Treasury in the meantime some emergency authority to either quit minting these coins if we get to a dangerous point or to mint more of the coins if they are needed. What I object to is that we have taken our silver out of our Treasury and sent it to England in order to bolster the pound sterling in England. And we have sent it to France and permitted the French people to make unconscionable profits on the investment and permitted speculators in those countries to make money out of the Treasury's supply of silver in the United States. Now the only thing we come up with, as we want to serve our customers, fabricators and processors of silver—and all of us know they must be served, is a very drastic action that we have to do away with honest coins entirely.

Mr. GROSS. Mr. Speaker, if the gentleman will be good enough to yield further, I am glad that the gentleman mentioned the lengths to which we have gone in proping up the pound sterling. Now we ought to be concerned with propping up our own currency.

Mr. ASPINALL. If my colleagues in the Congress will read my statement, I think it will be proved to their satisfaction that we can continue to mint coins at 400 fine and we will have sufficient amounts of silver indefinitely for our use not only in industry but also for our coinage needs.

Mr. DELANEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I rise in support of the resolution. I do wish to support the position taken by the gentleman from Colorado. I think there are amendments that will be offered to this legislation which I expect to support. I have some criticism of the failure to act, by the Treasury Department over the years in not having come forth with some proposals much earlier. I certainly wish to join, as I say, my good friend and colleague, the gentleman from Colorado, in his position with reference to this very important step.

Whenever the subject of silver has come before the Congress in the past, many Members have viewed it as a continuation of an old and outdated fight between the producers of silver and the consumers of silver. Even today some may regard the measure now before us in the context of the silver mining industry versus the silver users. Ladies and gentlemen, in my judgment such a viewpoint is not only erroneous but highly dangerous. I say dangerous because to take a parochial view masks the true impact of this legislation which directly affects every man, woman, and child in this country.

This is not a silver bill. It is a coinage bill and its provisions go to the very heart of this Nation's economic system.

As a Californian, I am somewhat familiar with the importance of gold and silver. The original economy of my State was derived from the early gold rushes. While California is a silver-producing State, its annual production of approximately 133,000 to 135,000 troy ounces per year in negligible compared with the production realized by our sister States of Idaho, Colorado, Arizona, Montana, Nevada, New Mexico, and Utah.

Silver in my State, particularly in my district, results as a byproduct of placer gold mining and lode silver production mainly from the treatment of tungsten and lead-zinc ores mined in the High Sierra.

Although I am sympathetic to the problems of the mining industry, because I believe that the prosperity of this industry is vital to the economic health of our Nation, I do not advocate the retention of silver in our subsidiary coinage on behalf of any special interest group. I do it because I believe that our people, not only in California, but throughout this great Nation, want and deserve a coinage of intrinsic value—a coinage that lends confidence to our entire monetary system and a coinage in which they can take justifiable pride.

Silver coins are a part of our American heritage. They have been a part of American life since the very earliest days of our Republic. Of course, we must reduce the silver content in our coins; but to totally abandon its use in favor of worthless tokens runs counter to the lessons of history.

What is happening in the rest of the world while the United States, one of the greatest nations on earth, is contemplating removing silver from its coins? Other nations which at one time followed the same course are now resuming the minting of silver coinage. France, Italy, Austria, West Germany, countries in Western Europe that have gone through the most drastic experiences in currency devaluation have restored silver to their coinage systems. Why? I believe it is because these governments recognize that coinage of intrinsic value creates public confidence.

There is another pressing reason to keep some silver in our coinage. Through the untiring efforts of the devoted men and women of the U.S. Mint we are just beginning to come out of a serious coin shortage. What do you think will happen to the billions of dimes and quarters and half dollars now in circulation if the token coins as proposed in this bill are minted and distributed to the public? I am fearful that once again we will see at work Gresham's law, which decrees that bad money drives out good. It does not take a professor of economics to realize that the average American who holds in his hands a shiny silver quarter alongside one of these new quarters with its dull surface and reddish ring will spend the new and, if he can afford it, hoard the old.

To avoid a national coin shortage of frightening proportion, to maintain dignity and public confidence in our coinage, I urge retention of silver in our dimes, quarters, and half dollars. The half dollar as proposed by the administration containing 40 percent silver is virtually indistinguishable from our present half dollar and should circulate side by side with the old. Hearings before the Mines and Mining Subcommittee of the House Interior Committee have convinced me that we have sufficient silver supplies to mint new dimes and quarters in the same manner, that is, with 40 percent silver, and I urge my colleagues to amend this bill accordingly.

Mr. DELANEY. Mr. Speaker, I have no further requests for time and I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PRICE). The question is on the resolution.

The resolution was agreed to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8926) to provide for the coinage of the United States.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8926, with Mr. KARSTEN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 2 hours, and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 2 hours.

The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, it is my privilege as chairman of the Committee on Banking and Currency to recommend to the House, and urge the passage of, the bill H.R. 8926, the Coinage Act of 1965. This bill will fully meet the continuing and expanding needs of our economy for acceptable coinage in the face of a worldwide shortage of the metal which for most of the past 173 years has constituted the base of our coinage system. Silver can no longer fulfill that role.

The limited free world production of this unique metal will not even meet the noncoinage demands for silver in the arts and in industry; yet, in addition, our mints are now consuming silver at an incredible annual rate of 300 million ounces, or nearly 10 times the annual domestic production of the metal.

The deficit in U.S. silver supply is being met out of the remaining stocks of nearly a billion ounces of silver bullion in the Treasury's West Point vaults. But if we continue to use silver for coinage at the present rate, we will exhaust this supply in less than 3 years. What then? There is no alterative available to us except to reduce drastically or eliminate entirely the use of silver in coinage, as every other nation in the free world has already had to do.

MUST COINS HAVE HIGH INTRINSIC VALUE?

There were many reasons—good reasons—why coins of high intrinsic value were favored in the early days of our Republic. A coin, to be practical and useful, had to be freely exchangeable for goods and services in the marketplaces of the world. Gold was a recognized medium of exchange. So were Spanish silver dollars. Their intrinsic value was equal to their monetary value. Coins were melted for silver content when silver was needed for specific purposes; silver was readily exchangeable for coins of equal value.

Today, of course, we do not walk about with bars of silver or pouches of gold in order to engage in commerce. We use paper money—which has no intrinsic value—or checks or drafts or credit cards, or coins having less intrinsic than implied value. Occasionally, some traditionalist among us decries the abandonment of the gold standard and the use of paper currency no longer backed 100 percent by gold or silver; but in the grocery stores, or even in the banks, I do not notice anyone insisting adamantly on silver certificates in preference to Federal Reserve notes, or even to U.S. notes; nor do I see anyone demanding silver coins in preference to currency, on the theory that coins are "better money." Our currency is backed primarily by the full faith and credit of the U.S. Government—that is enough to assure the confidence of the public. Whether of silver or of a combination of copper and nickel, with or without silver content, our coins enjoy similar backing and thus would merit similar confidence.

DEFINITION OF MONEY

Money—and this is a definition I have used often, particularly in the publication "A Primer on Money"—is anything that people will accept in exchange for goods or services, in the belief that they may in turn exchange it, now or later, for other goods and services.

Over the years, and in different cultures and civilizations, money has assumed many forms and shapes—seashells, whale's teeth, boar's tusks, stones, feathers, bricks, coconuts, cocoa beans, iron rings, beaver pelts, blankets, bronze axes, wheels, livestock, and so on.

In fact, the term "not worth his salt" probably derives from the practice of Roman emperors of paying their legionnaires not in metal but in cakes of salt. In some of the South Pacific Islands, great stone wheels served as money. Those were undoubtedly the days when men handled all of the money—for it took muscle to move one's wealth about.

COLONIAL AMERICAN MONEY

In colonial times, the earliest settlers used "wampum" more than anything else for money. Wampum consisted of clamshells strung like beads; the settlers considered these beads very valuable, even though it may seem surprising to us that, in our own society, people could have considered clamshells valuable as money. In fact, it must have been surprising to them, too, for these settlers had come from Western Europe where they had used and placed their faith in gold and silver, or claims to gold and silver. Nevertheless, the native Indians used wampum as money. When the settlers found that wampum was the most useful material they could have for trading with the Indians, they began to use it for trading among themselves. Wampum had the same meaning for both Indians and settlers. It was "money" for both.

So, in 1637 the Government of Massachusetts made wampum legal tender, and fixed the exchange value between wampum of white clamshells and that made of black clamshells. And, in 1641, the New Amsterdam Council fixed the exchange value between wampum and Dutch money; New Yorkers continued to use wampum as their chief currency as late as 1672. As late as 1693, people could pay the ferry charge from New York to Brooklyn in wampum.

"SHELLING OUT" MONEY

It is interesting to note that since wampum beads were generally strung, various ordinances on the subject prescribed that they must be "well strung." Since a string of wampum was a considerable amount of money for fairly large purchases, small purchases were frequently made by counting out loose shells. This may be why people even today say they are "shelling out" money.

Nevertheless, since the colonists did not trade only with Indians, they also used the coins of England, Spain, and France both for trading among themselves and trading with foreign nations. As trade with Europe increased, these coins became their principal form of money circulating throughout the colonies as if they were locally minted.

In addition, most of the colonies began to create their own systems of money by minting coins, usually of gold or silver. Some of the colonies also issued paper money notes, supposed to be "good" for gold or silver coins. This meant that the colonists presumed that their treasuries had in their possession a dollar's worth of gold or silver to cover each dollar of paper money. Frequently, however, this was mere "wishful thinking" on the part of the colonists.

GEORGE III PROHIBITS COLONIAL COINAGE

During the reign of George III, his government forbade the colonists to mint coins, or to issue any other kind of money. This policy, together with the fact that most of the foreign coinage the colonists had been using was eventually drawn away to help England finance the Napoleonic wars, ultimately created a severe shortage of coined or printed money in the colonies. Some historians claim that the colonists' resentment against this policy was one of the major reasons they finally issued their Declaration of Independence from England.

Thus, despite the fact that the colonists had been using various foreign coins, and despite the fact that they also had been minting their own coins, these forms of money became generally scarce throughout the colonial period. In response to this shortage during the colonial period, and even later, the colonists began to use other, less familiar, commodities as money: nails, beaver and coonskins, whiskey, musket balls and flints, tobacco, corn, codfish, rice, timber, tar, or cattle.

THE U.S. TRADITION OF 900 FINE SILVER COINS

Ever since the first administration of George Washington, our country has depended heavily upon coins of a specific alloy of 90 percent silver and 10 percent copper as a principal medium of exchange. Since the early days of the first administration of Fraklin D. Roosevelt, when gold was eliminated as a coinage material, silver has been the entire base of our coinage system, except for the two minor coins—pennies and nickels. Silver has served us extremely well over the generations. It will be a source of great regret to all of us when dimes and quarters and half-dollars are no longer made of 900 fine silver alloys, and the silver dollar alone, among all of our standard coins, retains the high percentage of silver determined by Alexander Hamilton as the basic monetary unit for our country.

PROTECTING EXISTING SILVER COINS

In view of the fact that we are not minting silver dollars at present, have not produced any since 1935, and, under the terms of H.R. 8926 as reported, will not strike any such coins for at least 5 years, the retention of the 900 fine silver dollar as a standard coin will be more as a symbol than a medium of exchange. But this somewhat sentimental link with tradition will nevertheless serve a most practical purpose, by providing the Treasury with the necessary legal basis on which to continue to hold the market price of silver at its present level of $1.29-plus per fine troy ounce.

Preventing the price of silver from going appreciably above that level is essential to the protection of our existing supply of 12 billion silver coins. At a market price of $1.29 per ounce, there is $1 worth of silver in a silver dollar; at a market price of $1.38 per ounce, a dollar's worth of dimes, quarters, or half dollars would contain silver equal to their face value.

Thus, if the price were to rise sufficiently to make it economic to melt down coins for their silver content, we would be in the same position in which this country found itself during several periods of wartime inflation, including the Civil War when coins went into hiding or into the melting pots and the Government had to print fractional currency—"shinplasters"—as substitutes for coins. Of course that would not be a practical solution today, and it was not very successful then either, even though they did not have coin-operated vending machines.

MAINTAINING A CEILING ON SILVER PRICES

As long as the 900 fine silver dollar continues as a standard coin, the monetary value of silver remains at $1.292929292 per fine troy ounce, and Treasury sales of silver, or the redemption of silver certificates, may be made at that value. H.R. 8926 expressly provides for such sales and redemptions in order to maintain an effective ceiling on the market price of silver and thus protect the existing coins while new coins can be minted and put into circulation.

THE COINAGE ACT OF 1965

H.R. 8926, the Coinage Act of 1965, as reported by the Committee on Banking and Currency, would authorize minting of a new type of coin—a clad or "sandwich" coin consisting of a copper core between layers of cupronickel—75 percent copper and 25 percent nickel—to replace the present dime, quarter, and half dollar—which consist of an alloy of 90 percent silver and 10 percent copper. The new coins will be of such size and weight and electrical resistivity as to be compatible with silver coins in the rejector mechanisms of existing vending machines and other coin-operated devices.

To assure a smooth and rapid transition from the present silver coinage to the proposed new system of clad coins containing no silver, the bill first, permits for 5 years the continued production, if necessary, of 900 fine silver coins; second, establishes standby authority to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States; third, temporarily assigns powers to the Secretary of the Treasury to enter into contracts for the procurement of materials and technical information, without regard to any other provisions of law governing procurement or public contracts, in connection with the production of the unprecedented new clad coins; fourth, discourages the hoarding of coins for their silver content by continuing the powers of the Treasury to prevent the market price of silver in the United States from exceeding silver's monetary value; and fifth, reduces the quantity of new coins which the Nation's 10 million hobbyists would want or need in order to have complete sets for their private collections, by eliminating all mint marks on the clad coins for at least 5 years.

SATISFACTORY FOR COIN-OPERATED MACHINES

The new coins would be similar in design to the present coins of the same denominations. They will be legal tender for all debts, public and private. The

Secretary of the Treasury has testified that in his judgment the proposed coins will meet the test of public acceptability as a medium of exchange, that they can be efficiently and rapidly manufactured by the mints from available materials, and that their electrical properties are such that they will work in existing merchandising machines. No change will be made in the nickel or the penny, since neither of these coins contains silver.

MINING INDUSTRY PROTECTED

An important provision of the legislation would protect the domestic silver mining industry against any precipitous decline in silver prices resulting from termination of the traditional use of the metal in coins by establishing a minimum price of $1.25 per troy ounce at which the Treasury will purchase recently mined silver from domestic producers.

SCARCITY COMPELS ACTION

President Lyndon B. Johnson, in a message to Congress on June 3, 1965, recommending prompt action along the broad lines of this bill to prevent a crisis in our silver supply, said:

> Silver is becoming too scarce for continued large-scale use in coins.

While the President proposed the maintenance of some silver in the half dollar, at a ratio of 40 percent silver to 60 percent copper the Committee recommends that all three denominations of the new coins be made of the same metallic composition, using no silver. Except for this change, the bill as reported substantially conforms to the draft of legislation submitted by the President.

Among steps taken in the legislation to expedite the changeover to the new coins with a minimum of disruption are the following: the San Francisco assay office, which was deactivated as a mint in 1955 at a time when coin demand was only a fraction of present needs, would be reactivated for the production of coins until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins; the appropriation of an additional $15 million is authorized for the expansion of mint facilities, particularly at the new mint to be constructed in Philadelphia, where changes in design will be necessary in order to cope with the metallurgical and other technical problems resulting from the use of the new clad material; new coins, of course, will be protected by all laws applying to counterfeiting, use of slugs, etc.

JOINT COMMISSION ON THE COINAGE

H.R. 8926 establishes a Joint Commission on the Coinage consisting of the Secretary of the Treasury, as Chairman; the Secretary of Commerce, the Director of the Bureau of the Budget, the Director of the Mint, the chairman and ranking minority member of the House and Senate Banking and Currency Committees, two additional Members each from the House and the Senate not serving on the Banking and Currency Committee, and four public members to be appointed by the President, "none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States."

The role of this Commission will be an important one in helping to determine the future policy of the United States on coinage and the use of silver therein. It will study the progress made in the implementation of the coinage program established by this legislation; and review the needs of the economy for coins; technical developments in metallurgy and coin-selector devices, the availability of various metals, the eventual resumption of minting of the silver dollar, the time and circumstances under which the United States should cease to maintain the price of silver, "and other considerations relevant to the maintenance of an adequate and stable coinage system."

The Commission will advise the President, the Congress, and the Secretary of the Treasury on the results of its studies. Because of the importance of the work of this Commission and the influence its recommendations will carry, it is the opinion of the committee that while the use of alternatives undoubtedly will be necessary from time to time in the conduct of the meetings of the Joint Commission, the Commission should not attempt to transact business without at least a quorum consisting of principal appointees.

BACKGROUND OF THE LEGISLATION

Since World War II, and particularly since 1958, there has been a widening gap between free world silver consumption and production. The expansion of silver production has been relatively sluggish, while consumption has been rapidly increasing. Since 1958, world consumption of silver has more than doubled while production has increased less than 15 percent. The result has been increasingly large annual deficits between production and consumption.

The tremendous expansion in the demand for silver coupled with the relatively static supply, and the importance of silver in industrial processes, such as photography, where no satisfactory substitute exists, have been responsible for a dramatic increase in the market price of silver over a period of only 4 years. Prior to 1962, the New York price of silver bullion had not reached or exceeded a dollar per fine troy ounce in more than 40 years. It was relatively stable in price from 1951 through most of 1961 in the neighborhood of 91 cents an ounce. Since late 1961 it has risen sharply to the monetary value of silver as used in the standard silver dollar. This value is derived from dividing 480, the number of grains in a troy ounce, by 371.25, the number of grains of silver contained in the standard silver dollar.

The price of silver has been held at $1.29 because the Treasury Department stands ready to redeem outstanding silver certificates at the monetary value of silver. The effect is that the Treasury Department has become the residual supplier to the market of the silver needed to make up the difference between consumption and production.

COINAGE NEEDS INCREASE

At the same time the needs of the U.S. economy for coinage have been rapidly increasing to that steadily larger amounts of silver have been consumed in coinage. Thus, from an annual average during the years 1958–60 of about 42 million fine troy ounces of silver used for coinage, there was an increase to 203 million fine troy ounces in 1964. The current rate is 300 million ounces a year.

With the Treasury Department acting as residual supplier to the market and using increasing amounts of silver in coinage, Treasury silver stocks have declined from 2,106 million fine troy ounces at the end of 1958 to 1,218 million fine troy ounces at the end of 1964. A recent Daily Statement of the U.S. Treasury showed silver stocks down to about 980 million ounces.

PRESENT POLICIES MUST BE ALTERED

A projection of these figures clearly demonstrates that the United States cannot continue its profligate use of so precious a metal for coinage when suitable substitute materials are now available for this purpose. From studies made by the Department of the Interior, as well as by the silver-producing industry itself, it is evident that new sources of silver could not be developed quickly enough, if at all, to meet the long-range needs of the free world for silver for industrial uses and also make possible the continued coinage of 0.900 fine silver coins by the United States at present levels of coin production.

STEPS ALREADY TAKEN

Most free world countries have already eliminated silver from their coinage. Those which continue to mint silver coins include in their coinage system only one or two such coins of varying degrees of fineness. The impending crisis in silver supply was becoming evident when the Committee on Banking and Currency in 1963 initiated action on legislation to repeal the Silver Purchase Act, and to authorize the issuance of $1 and $2 Federal Reserve notes as eventual replacements for silver certificates in the currency supply. This action freed hundreds of millions of ounces of silver for coinage, and made possible the dramatic expansion of mint production in the past year.

STUDIES MADE

In the meantime, the Bureau of the Mint entered into a contract with the Battelle Memorial Institute, of Columbus, Ohio, to make a study of silver supplies and of materials which could be used as alternates or replacements for the 90-percent silver coinage of the United States. The institute studied a wide variety of metals and alloys considered possible candidates for replacement of silver or to be used in combination with silver in coinage.

These materials were evaluated on the bases of availability and price; public acceptability; physical, chemical, and mechanical properties; effect on coin-operated devices; effect on mint operations; and counterfeiting, illegal duplication, and slugging potential. Among the metals and alloys considered and evaluated were aluminum, bismuth, cadmium, cobalt, chromium, columbium, copper, gold, hafnium, indium, iridium, iron, lead, manganese, mercury, molybdenum, magnesium, nickel, osmium, palladium, platinum, rhenium, rhodium, ruthenium, tantalum, titanium, tungsten, uranium, vanadium, zinc, and zirconium.

Each of these materials, either by itself or in combination with other metals, was found to present problems of varying degree of seriousness as a substitute for silver. The best solution put forward by the Battelle Memorial Institute was a clad or sandwichlike combination consisting of a core of copper and an outer layer of cupronickel. The institute added, however, that if production of such a coin was not feasible for unforeseen reasons the 75 copper-25 nickel alloy used in the 5-cent coin was recommended. It added:

> If the retention of silver because of tradition and prestige does not compromise any of the other objectives, it is recommended that either of two options be chosen. One is to use silver in the 50-cent piece only, by making a multilayer composite consisting of 80 silver-20 copper on the outside, and a low silver-copper alloy in the core. The other option is to spread the silver evenly throughout all subsidiary denominations by making a composite consisting of the 40 silver-50 copper-5 nickel-5 zinc alloy on a silver-bearing copper alloy core. It is further recommended that the silver-containing coins, if adopted, be changed to the 75 copper-25 nickel on a copper core on July 1, 1975, or at such time as the Treasury stock of silver reaches a predetermined minimum.

The final report of the Battelle Memorial Institute was made to the Treasury on February 12, 1965, but was not made public until released by President Johnson in sending his silver coinage message to Congress on June 3. The Treasury Department used the Battelle report to supplement its own studies into the feasibility and desirability of changes in our coinage and the policy problems inherent in such a change.

CONCLUSIONS AND RECOMMENDATIONS OF TREASURY STAFF STUDY

The comprehensive Treasury report released by the President on June 3, "A Treasury Staff Study of Silver and Coinage," reached the following conclusions and recommendations:

First. Cupronickel is the best permanent material for a new subsidiary coinage, ignoring the vending machine problem. A close second choice would be nickel silver for 10-, 25-, and 50-cent pieces.

Second. Either cupronickel or nickel silver coins would require "factory" adjustment of sophisticated vending machine rejectors, entailing significant costs, and transitional inconvenience. This may not be adjudged intolerable, in view of their advantages in other respects. However, since extensive experiments confirmed that cupronickel—and probably nickel silver—clad on a copper core operates successfully in unaltered vending machine rejectors, preferable options are available. A clad coin can be used during a transition period, or permanently.

Third. Information on the wear properties of clad coins is altogether encouraging, and they undoubtedly meet all the requirements for permanent use in the coinage. If desired, they would, with equal facility, serve as a transitional coin while further study and research on the adaptation of vending machines was being conducted. An overriding requirement with clad coins is the production feasibility of the strip and the assurance of an adequate supply for processing in the mint.

Fourth. Because of a number of unresolved questions, the Inco coin comes into the picture only if an assured supply of clad strip cannot be obtained. In any event, the Inco coin would have to have demonstrated conclusively that it would work vending machines with minimal adjustments, that it could be struck successfully in large volume on existing mint equipment, and that adequate supplies of strip or annealed blanks would be available.

Fifth. Subsidiary silver coinage of reduced content, such as silver-copper alloys clad on a low-content silver-copper core, suffers both from difficult transitional problems and incomplete assurance that the subsidiary coinage would not be imperiled again within a fairly short period of time. The danger of a complete breakdown during the transition period cannot be ruled out, and the use of silver throughout the subsidiary coinage should not be viewed as an eligible option. If any silver is to be retained in the subsidiary coinage system, it should be limited to the silver dollar and to a clad 50-cent piece of 400 fineness. In any event, the retention of the monetary value of the silver dollar at its present fineness is absolutely essential to a successful transition.

Sixth. During the transition to a new coinage system, it will be obligatory to hold the market price of silver at its current level in order to protect the existing coinage. Since this will remove the incentive to melt the existing coinage, controls over melting would probably not serve any useful purpose. Effective controls on the hoarding of coin appear impractical. Controls on the export of silver coin and bullion may serve a useful purpose during the transition period. There is something to be said for having standby authority to invoke controls. A prompt transition to base-alloy coinage would make the actual use of controls unnecessary.

Seventh. New coins should be placed in circulation through normal channels. Every effort should be made as soon as possible to prepare for extremely high rates of production of the new coins. This should include an interim expansion in the production of 5-cent pieces—which would provide substitutes of silver coin and subsequently release mint capacity for the new coins—and arrangements for additional temporary production space. If this were to be outside of existing mint facilities, it should remain under mint control.

TRANSITION TO THE NEW COINAGE

It is of critical importance to the public and to the economy that there be a smooth transition from our present coinage system to the new system over a period of time with these being available at all times an adequate supply of coins. To this end, it is important that there be no incentive for the withdrawal from circulation of the existing subsidiary silver coins nor of the new ones.

USE OF STANDBY AUTHORITY DOUBTED

The standby authority granted in section 105 of the bill to the Secretary of the Treasury to prohibit, curtail, or regulate the exportation, melting, or treating of coins could be used by the Secretary whenever in his judgment it became necessary to do so in order to protect the coinage. In the judgment of the Secretary of the Treasury it is doubtful that this authority will have to be invoked. However, if due to unforeseen happenings the exporting or melting of coins for their silver content should begin to constitute a serious problem, the Secretary of the Treasury by invoking the authority granted to him by this legislation would be able to impose such restrictions as might be necessary to stop these practices. Violations of regulations issued by the Secretary of the Treasury under this authority would be punishable by fines of up to $10,000 or imprisonment for not more than 5 years, or both. In addition, any violation of the Secretary's regulations would render the coins or metal involved subject to forfeiture to the United States.

MINT MARKS ELIMINATED

In order to prevent the withdrawal of the new coins from circulation on a large scale for collecting purposes, the proposed legislation eliminates the mint mark from the new coins and also provides for dating of the coins in such manner that collector requirements will be held to a minimum, at least at first. The Secretary of the Treasury has assured the committee that none of the new coins will be placed in circulation until there is a sufficient quantity of such coins to assure that they will not be diverted from circulation as novelties. The fact that the new coins will closely resemble existing silver coins is likely to discourage their withdrawal also.

TEMPORARY SPECIAL PROCUREMENT AUTHORITY

The bill contains a number of provisions designed to facilitate the rapid expansion of production of the new coins so that there can be no doubt of the ability of the Government to supply to the economy all the coins necessary. Under section 103, the Secretary of the Treasury is granted for a period of 5 years authority to enter into procurement contracts upon such terms and conditions as he may deem appropriate and in the public interest, and without regard to other provisions of law governing procurement or public contracts. He may use this authority to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly the new coins.

ADDITIONAL MINT AUTHORITY

In order to make available the necessary funds for the acquisition of the materials needed and for the establishment of the necessary additional mint facilities, the Secretary of the Treasury would be authorized to use the coinage metal fund for the purchase of metal for coinage, and there would be authorized to be appropriated an additional $15 million to be used for the establishment of additional mint facilities. In connection with the proposed use of the U.S. Assay Office in San Francisco for coinage there would be granted continuing authority for this Office to refine gold and silver.

COMMITTEE CONSIDERATION

The committee conducted hearings on this legislation on June 4, 7, and 8. It heard the Secretary of the Treasury, Assistant Secretary of the Treasury, the Director of the Mint, and their chief aids on coinage issues and problems. The Secretary appeared on two separate occasions and made himself available for extensive questioning, orally and in writing, by all of the members of the committee. Other witnesses who were heard testified on behalf of the silver-producing interests, on the one hand, and of the industries which use very substantial quantities of silver, on the other.

There was a consensus on the need for a change in our coinage laws to discontinue the production of 900 fine silver coins. The major controversy in the hearings revolved around the issue of the degree of silver to be used in the new coins—whether there should be none, as urged by the representatives of the consuming industries; whether the only silver used in coinage should be for a silver-clad half-dollar containing 40 percent silver, as proposed by the Treasury, and the President; or whether the dime, quarter, and half-dollar should all contain a silver cladding, as urged by the representatives of the silver mining industry. Aside from this controversy, the bill as presented reflects general acceptance of the necessity to carry out the recommendations of the President to change our coinage "to meet new and growing needs."

The hearings of the Committee on Banking and Currency and the technical data submitted to the committee establish beyond doubt that the new coins proposed in the legislation will cause no disruption to the vending machine industry or to any other industry dependent upon adequate supplies of U.S. coinage.

EXPLANATION OF AMENDMENTS TO EXISTING LAW

SECTION 201

Section 3558 of the Revised Statutes—31 U.S.C. 283—as now in effect provides that the business of the U.S. assay office at San Francisco shall be in all respects similar to that of the assay office at New York, except that no gold or silver shall be refined. The bill would repeal that exception, and would also permit temporary coinage operations at San Francisco until the Secretary of the Treasury determines that the mints are adequate for the production of coins.

SECTION 202

The act of August 20, 1963, provided for the expansion of the facilities of the Bureau of the Mint. Section 4 of that act authorized the appropriation of $30 million for that purpose, and section 202 of the bill would raise the authorization to $45 million.

SECTION 203

Section 3 of the act of December 18, 1942—31 U.S.C. 317c—confers on the Secretary of the Treasury authority to melt down worn and uncurrent minor coin and to use the resulting metal for coinage or to sell it. Minor coins are nickels and pennies. The bill would make this authority applicable to all coins of the United States.

Section 9 of the act of March 14, 1900—31 U.S.C. 320—requires the recoinage of all worn and uncurrent halves, quarters, and dimes. The bill repeals this section.

SECTION 204

The dates and other inscriptions to appear on coins are now governed by section 3517 of the Revised Statutes—31 U.S.C. 324—the act of July 11, 1955—31 U.S.C. 324a—and the act of September 3, 1964—31 U.S.C. 324 note. The bill consolidates the provisions of all three of these sections, insofar as they pertain to coins, into section 3517 of the Revised Statutes. The introduced bill would make permanent law the authority of the Secretary under the act of September 3, 1964, to continue using the same date while coins are in short supply, and authorizes him to use that authority in any future emergency which may occur. The committee amendments to this part of the introduced bill require that all coins made from the traditional coin silver be inscribed with the year 1964, and that the newly authorized coins be inscribed with 1965 or subsequent years. The committee amendment would also prohibit the use of mint marks except to the extent that they were already in use at the Denver Mint on the date of enactment.

SECTION 205

Section 3526 of the Revised Statutes—31 U.S.C. 335—authorizes the maintenance of the bullion fund. The bill amends this section to permit purchases of newly mined domestic silver pursuant to section 104 of the bill to be made from the bullion fund.

SECTION 206

Section 3528 of the Revised Statutes authorizes the creation of the minor coinage metal fund. The bill redesignates this as the coinage metal fund, and authorizes its use for the purchase of metal for any coins. The bill also removes the ceiling on the amount of this fund, as it has never served any useful purpose and, if retained, it would render existing mint accounting procedures unworkable in dealing with the expected volume of the new coinage.

This section of the Revised Statutes considerably antedates existing general law governing procurement and public contracts, and, as now in effect, contains coinage metal procurement provisions that are no longer needed to protect the interests of the Government. These provisions are repealed by the bill, so that when the Secretary's temporary authority under section 103(b) of the bill expires, procurement of metal for coinage will be governed by the same provisions of law that control Government procurement generally.

SECTION 207

This section repeals obsolete fixed wastage limitations for various mint operations prescribed under section 3542 of the Revised Statutes—31 U.S.C. 355—and directs that limitations be administratively established, thus permitting periodic adjustment in the light of experience and technological developments.

SECTION 208

This section repeals section 3550 of the Revised Statutes—31 U.S.C. 366—which requires annual destruction of obverse working dies at the mints.

SECTION 209

This section amends section 2 of the act of June 4, 1963—31 U.S.C. 405a-1. The amendment establishes an express statutory reference for the monetary value of silver and permits the Secretary of the Treasury to sell silver at prices not less than that figure—$1.292929292 per fine troy ounce. The practical effect of existing law is the same except that the minimum price provision does not apply in the case of sales to other departments of the Government.

SECTION 210

Section 102, in title I of the bill, makes all coins and currencies of the United States legal tender. Section 210 of the bill therefore repeals the last sentence of section 43(b)(1) of the act of May 12, 1933—31 U.S.C. 462—which is to the same effect, in order to avoid raising any possible implication that section 102 of the bill is anything more than a restatement of existing law.

SECTION 211

Section 485 of title 18 of the United States Code makes it a felony to counterfeit silver coins. Section 211 of the bill amends it to cover coins of any denomination in excess of 5 cents, thus covering coins of the same denominations as existing law, but describing them in terms which make their composition irrelevant.

In the explanation of the bill, I have included in my remarks an explanation of each section of the bill.

I believe the bill has been fully and thoroughly considered. Our committee, I believe, is pretty well unified in their support of it. There is, of course, some objection to some features of it, but generally I think it is recognized we must do something because we do not have an adequate supply of silver. The demands for silver are tremendous. The production of silver has been failing to come up to even a substantial part of the demand. We know we must do something.

If we were to continue as we are, our silver stocks would be entirely depleted in about 3 years time. We must do something and do something now. So I urge the passage of this bill.

The CHAIRMAN. The gentleman from Texas has consumed 27 minutes.

Mr. WIDNALL. Mr. Chairman, I yield myself 10 minutes.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a quick question?

Mr. WIDNALL. I yield to the gentleman from Iowa.

Mr. GROSS. If we are in such short supply with respect to silver, why have we been exporting so much silver? Why the jump in the exportation of silver in the last year?

Mr. WIDNALL. Is the gentleman from Iowa asking me that question or the previous speaker?

Mr. GROSS. Yes, if the gentleman would yield to the gentleman from Texas so that he may answer. Why the increase—the tremendous increase in the exportation of silver last year if we have been in such short supply in this country?

Mr. PATMAN. I will say to the gentleman, we have no law against the exportation of silver. This is a free economy and free enterprise.

Mr. GROSS. I expected that kind of an answer from the gentleman. I expected just about that much of an answer from the gentleman.

Mr. PATMAN. We imported much more than we exported so the gentleman can be happy with that answer.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. CONTE. The fact is that we have exports of silver right now because of the law that Congress passed with regard to silver certificates. Foreigners have these silver certificates and they can redeem them and take the silver out of the country. That is the answer to that question.

Mr. WIDNALL. Mr. Chairman, I think there is an unquestioned need for this change in the coinage system. We are all aware of the drain on silver that has been happening in the last few years and we are aware of the greatly increased consumption by silver users, by our defense operations and also in the photographic industry.

The Treasury at the present time has approximately 1 billion ounces of silver which is sufficient to carry through for possibly another 3 years of coinage, that is with the present amount of silver in each coin.

I would like to read these figures from the committee report:

> From an annual average during the years 1958–60 of about 42 million fine troy ounces of silver used for coinage, there was an increase to 203 million fine troy ounces in 1964. The current rate is 300 million ounces a year.
>
> With the Treasury Department acting as residual supplier to the market and using increasing amounts of silver in coinage, Treasury silver stocks have declined from 2,106 million fine troy ounces at the end of 1958 to 1,218 million fine troy ounces at the end of 1964.

A recent daily statement of the U.S. Treasury showed silver stocks down to 1,000,064,173 ounces.

There is no question about the need, and up to this time there certainly has been no proof shown as to the ability to produce sufficient to meet the demands of annual consumption.

Faced with these hard facts, the Treasury has made recommendations. The committee received the Johnson administration proposal which would have affected the dimes, quarters, and half dollars, so that a so-called sandwich coin would be produced in dimes and quarters with no silver content, and the new half dollars would have a 40-percent silver base.

The following has not been thought about in the consideration of the bill.

The administration proposal that the new half dollars have a silver content of 40 percent would establish a new monetary value of silver applicable to the 50-cent piece. The new 50-cent piece would be worth 50 cents in silver if and when the price of silver rose to $3.38 per ounce. A future administration just might be tempted to call in silver, in coins, at some subsequent date and to issue new silver certificates against them on the basis of $3.38 per ounce of monetary value established by the new half dollars. That would be a simple way of creating about a $6 billion bookkeeping profit.

We had a near miss on potentially the biggest silver blunder of all on the part of the administration. On May 15, 1965 there was a White House release on coinage of silver dollars containing the following statement by the President:

> Consequently, I have directed the Mint to proceed with the making of silver dollars up to the amount authorized by the Congress during the remainder of the current fiscal year ending June 30.

The amount authorized by the Congress was 45 million silver dollars which would have required the use of approximately 33.9 million ounces of silver. Actually, 316,076 of the new silver dollars were struck on a trial run basis before Treasury, with White House approval, reversed the order 9 days later, on May 24. These trial run dollars have since been melted down. Had the order not been reversed, 33.9 million ounces of silver—more than half our entire silver coinage requirements in 1961—would simply have gone into hoarding as new silver dollars. It would have demolished the conclusion of the Treasury study on silver and coinage—released June 3, 1965—that silver was in such short supply that we had to abandon our 173-year-old tradition of silver coinage.

It was this silver dollar fiasco which prompted me to offer an amendment in committee, which was accepted, absolutely banning the minting of silver dollars for a period of 5 years after the date of enactment of the pending bill.

The committee in its wisdom in acting on this bill adopted the Reuss amendment, which provided that no silver would be used in the coinage of the half dollar.

It seems to me and a majority of the committee that if we are making a drastic change in the format of our coins it should apply equally throughout and there should not be anything like a so-called prestige coin—that was the way it was referred to by Treasury officials—in the three basic coins, dimes, quarters, and half dollars. The majority on the committee believed that if we still provide a 40 percent content of silver in the half dollar this would lead to more and more hoarding on the part of the public and more of a drain on the Treasury and a tighter situation again with respect to the circulation of coins.

I have been alarmed in reading recently about some of the things that have been done by the vending industry. I want to put this in the RECORD, because it seems to me they have been pretty well taken care of in this bill.

Senator BIBLE placed in the CONGRESSIONAL RECORD of June 23, 1965, as shown on pages 14558 and 14559, a number of items from the Coin World of May 26, 1965, indicating the sale of coins by vending machine companies.

I will quote some examples:

> Dimes, 2,000 dimes, $216.50. Sent prepaid anywhere in the United States. Like our cents, guaranteed unpicked from our vending machines.
>
> We think that dimes because of their silver content are going to be good. Even the common dates. We suggest that you go through the bag and take out the better dimes.
>
> "Walk in" sales always welcome. Hours 7 a.m. to 5 p.m. daily, 9 a.m. to 1 p.m. Saturday.
>
> A. Kantor, First National Vending Service, 5322 West Belmont Avenue, Chicago, Ill.
>
> Guaranteed absolutely unsearched. Bagged by electric counter just as taken from vending, gum ball, cigarette machines. Try us once and you will reorder; $50 bag cents $54, $100 bag nickles $105, $100 bag dimes $105, $100 bag quarters $105, $500 bag dimes, quarters, special $514. Reference Southern Bank & Trust, Greenville. Express collect. Summey's 300 Blue Ridge Drive, Greenville, S.C.
>
> Los Angeles, Calif.: Bags of vending machine coins. Guaranteed numismatically untouched; 5,000 cents, $52; 500 dimes, $52; 1,000 nickels, $52; 200 quarters, $52.
>
> Walk-in sales welcomed. All shipments via REA freight collect. No personal checks accepted. Acme Vending Machine Co., 1696 West Washington Boulevard, Los Angeles, Calif.
>
> One thousand nickels $55; 500 dimes $53.50; 200 quarters $53.50. Shipped prepaid numismatically untouched from our own cigarette vending machines located in metropolitan New York. Send money order or certified check to: Aetna Automatic Vending Corp., 750 10th Avenue, New York, N.Y.
>
> Direct from gumball machines in New England. Cents or nickels, one $50 bag $55; two $50 bags, $107; three $50 bags, $160; six $50 bags, $315. From jukeboxes and cigarette machines. Dimes, quarters, and halves, $100 at $105; $200 at $208. Guaranteed unsearched or money refunded. Freight collect, cheapest way. King Vending, Box 4153, East Providence, R.I.
>
> Poverty area coins, direct from our own vending machines to you. Numismatically untouched. Most our customers repeat, some every week. Need say more? $50 bags of cents $55, $50 nickels $54, $50 dimes $53. If quantity totals $150, deduct $3. Southeastern Venders, 419 Quincy, Knoxville, Tenn.

The vending machine industry has evidently been a great contributor to the coin shortage through its own hoarding. I think the Congress in its wisdom must consider, if this continues in any way, shape, or form after this bill is passed, some drastic laws in connection with the hoarding of coins and stiff penalties on the melting down of coins. We should take every step to assure that there will be no profit in destroying our coins should the price of silver rise above its monetary value at some time in the future. Quite clearly the public is responsible for the hoarding of the Kennedy half dollars. I believe the latest figures from the Treasury indicate that about 300 million Kennedy half dollars have been coined. You rarely see them in circulation. They have become important keepsake coins. People want to pass them on, I suppose, from generation to generation.

It seems to me that we will again run into this same unfortunate circumstance of hoarding, if we continue to have the only silver content in the Kennedy half dollars. I hope that we are doing the very best that we can in a tight situation to provide coins that will be thoroughly acceptable to the American people. They certainly are backed by the full faith and credit of the United States. I hope that they will prove highly acceptable to our people.

There has been some criticism about the fact that there were not enough hours spent in considering this legislation.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. WIDNALL. I yield myself 2 additional minutes, Mr. Chairman.

To the best of my knowledge, those who sought to be heard were heard by the committee. There was testimony from all the segments of our economy that would be affected by the legislation—the silver producers, the silver users, and those concerned with the vending industry. It is true that the committee changed the administration's recommendation so that today something that was acceptable to those who were testifying at the time might not be acceptable to them now because of the change. This is probably particularly true with respect to the silver producers, but I feel from their own testimony at the time that they appeared before the committee that they endorsed the bill. They found no particular fault with eliminating silver from the dimes and quarters and they did not seem too disturbed actually about what was going to take place with respect to silver. I believe the silver producers have been treated quite well with a guaranteed minimum price of $1.25 an ounce. If silver is allowed to go free, as they actually desire, we could have the greatest coin shortage in the history of the United States, or in the history of any modern nation. We certainly cannot afford to let that take place. I believe that the bill that is being recommended to the House today is a far better bill than that which the administration offered. If accepted by the House, it seems to me we could effect, with the Senate, a bill that can do justice to a good coinage system and provide coins in which our public can have confidence.

I urge the adoption of the bill.

Mr. REUSS. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, I thank the gentleman for his kindness. I merely wanted to say for the RECORD that I was at home in my district yesterday and accordingly I missed the votes on H.R. 242 and Senate Joint Resolution 71. Had I been present I would have voted in the affirmative on both.

Mr. REUSS. Mr. Chairman, I yield 10 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, this is an important piece of legislation. Regretfully, it breaks with one of the oldest traditions of the Nation. I am therefore happy to say that it has received the thorough study and great care it deserves.

We have known for some time that we cannot continue indefinitely minting dimes, quarters, and half dollars of 90-percent silver content. We are running out of silver. At the present rate of production of coins, and the consumption of silver for photography, missiles, electronics, batteries, and other essential defense purposes as well as for the arts, we will use up all of our silver in 2 or 3 years, with no prospect in the foreseeable future of replenishing the supply we now have. This is the hard fact which must be faced. It is not a question of whether to use other metals in our coins, but which metals, and in what proportions.

The Treasury Department devoted 2 years to a comprehensive study of this problem. The bill before you reflects, generally, the conclusions of that investigation. A highly respected private research organization, the Battelle Memorial Institute, under contract to the mint, came to similar conclusions, backed by metallurgical and other research. Both the Treasury staff study and the Battelle report are printed in full in our hearings. Any question you might have about the physical properties of the new coins, or the factors which led to the particular kind of sandwich coin this legislation proposes, is fully answered, I believe, in the two reports included in the printed hearings. Also contained in the hearings is the message President Johnson sent to the Congress on June 3 asking for this legislation.

Although legislation on coinage and currency would normally be referred to my subcommittee in the Committee on Banking and Currency, Chairman PATMAN and I agreed that the legislation was of such nature that it should be subject to hearings by the full committee rather than by a subcommittee. We held 3 days of hearings by the full committee, having the Secretary of the Treasury and his top aids as witnesses on 2 separate days. There was full opportunity for every member of the committee to question the Secretary both orally and in writing. I think our hearing record is extensive and complete.

The most significant features of H.R. 8926 are as follows:

First. A new type of coin is authorized, a sandwich coin of three layers, having outer surfaces of cupronickel, which is the same alloy now used in the 5-cent coin, consisting of 75 percent copper and 25 percent nickel; this outer surface is bonded top and bottom to a core of pure copper. Some coppery reddishness will show through on the side. The combination of metals in the manner used will make the coins compatible in all vending machines and coin-operated devices with the present silver coins. No adjustments will be necessary. The new coins will have similar electrical resistivity properties. They will look much like the present coins, will weigh only a fraction less, will have a good ring and finish, and will, of course, be legal tender for all debts, public and private, public charges, taxes, duties, and dues. As reported by the committee, the half dollar would be made of the same composition as the dime and quarter; however, the original proposal made to us was for a half dollar which—while also a clad coin—would have a silver content equal to 40 percent of the weight of the coin.

Second. A Joint Commission on Coinage is created by this bill, to review our entire coinage program in order to recommend what place, if any, silver should hold in our future coinage policy, the time and circumstances under which the United States should perhaps no longer maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. The Commission will have a responsibility of great magnitude, and will have a membership of 16 Americans of outstanding qualifications, including 8 Members of Congress.

Third. Present silver coins would be minted until the new coins are ready for mass distribution. The two types of coins will circulate side by side. Standby authority is provided to prohibit the melting, treating, or exporting of silver coins. This standby authority, we were assured, would probably not be needed, but is considered an essential weapon to have in the closet.

Fourth. Hoarding of silver coins would be discouraged and made uneconomic by continuing the present power of the Treasury to maintain what, in effect, is a ceiling on silver prices of $1.29-plus per fine troy ounce through the redemption of silver certificates at that value or by the sale of silver in excess of that needed to redeem silver certificates. On the other hand, the domestic silver mining industry would be protected against any sudden drop in silver prices by a minimum guaranteed purchase price of $1.25 per ounce on all domestically mined silver offered to the Treasury within a year after the ore from which it is derived is mined.

Fifth. The present silver dollar would be retained as a standard coin, at 90 percent silver, but none would be minted for at least 5 years under this legislation.

There are numerous other provisions of the bill, which are covered fully in the committee report.

I want to say this in summing up the need for, and the merits of, this legislation:

The Committee on Banking and Currency, under Chairman PATMAN, has been following, day by day, for more than 2 years the trends in our silver supply situation and the inevitable need for a change in our coinage. We have worked very closely with the Treasury to make sure that the coins authorized by this legislation would meet the needs of our economy from every standpoint. Every

Member of Congress has received anxious letters or telegrams from the vending machine firms in his district expressing the need for a "compatible" coin. This coin is such a coin. The vending machine industry fully supports this legislation. So do the industries which consume and require large quantities of silver.

There is controversy over the elimination of silver entirely from coins, particularly the half dollar, as provided for in the committee amendment. I opposed this amendment in committee, and I intend to urge its rejection when we reach that point in the bill under the 5-minute rule. I hope the Members will be on hand for the debate on this issue when the amendments are considered. Other than the committee amendment on the half dollar, however, I know of no serious controversy involving the legislation.

On the whole, it is a good bill, representing a practical solution to a serious national problem.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. BROCK].

Mr. BROCK. Mr. Chairman, I do not think there is in anybody's mind a question as to whether we have an obligation to enact some form of legislation in this particular area. The fact of the matter is that world consumption exceeds production today by a considerable amount. Without positive action by the Congress, this Nation will be out of silver in a period of 3 years or less.

There are questions that are being raised about the proposed bill as written, and I would like to talk about a few of them.

The first question concerns the possibility of maintaining some silver content in the coins. The testimony that we have heard indicates that there is a possibility that a coin with 40 percent silver would be compatible with vending machines. It has been suggested that we use this as an alternative. I do not think it is a workable alternative as a pure substitute simply because we are not facing the basic problem. Industry needs today are growing at a rate so as to utilize production regardless of whether we put silver in the coins or not. There is, however, a question, and I think it is a serious one, as to whether or not we have adequately proved that these nickel coins are mintable in a mass production method. It might be wise for the committee to consider allowing the Secretary of the Treasury some discretionary authority insofar as 40-percent coins are concerned for the interim period until we have fixed once and for all the ability of the Treasury to mint these coins.

A second question has been raised over the committee action in taking silver out of the 50-cent pieces. The Treasury indicates it wants some silver content left in 50-cent pieces in order to maintain one so-called prestige coin.

I was one of those who supported the effort to take silver out of the 50-cent pieces. The fact of the matter is we have a problem of hoarding today. If you create only one coin in the system, and call it the "prestige" coin, it will be subject to additional hoarding. People are already pulling 50-cent pieces off the market, and this will create even greater shortages.

A third question is raised to the effect that we must maintain some intrinsic value in our coin system. Let us be very frank about this intrinsic value business. Yes, we have had silver in the coinage system for 173 years, just as we had gold behind the dollar, in varying degrees, over the last 173 years; but I think we are forgetting a basic economic fact. In any monetary system you have to have one and only one, basic unit which provides the medium of exchange. In this system of ours it is the dollar, it is not the dime or the quarter or the half dollar. In all fairness, I do not think we can justify a system which says we must have some intrinsic value in coins if we do not have some intrinsic value in the dollar. As a mater of fact, because of the dual approach in effect today where coins have a greater intrinsic value than Federal Reserve notes, we have seen the application of the Gresham law that bad money drives out good, and coins are being driven out of circulation and into the hands of hoarders. With the inflation that has taken place due to excessive expenditures at the Federal level, among other factors, the value of the dollar has steadily declined for the last 25 years, so much so that only recently this Congress had to take the action of removing gold reserves from behind deposit accounts in order to shore up our gold reserves. We have taken the further step of taking silver certificates off the market and replacing them with Federal reserve notes, silver certificates being backed by 10-percent silver bullion and Federal reserve notes being backed by only 25 percent of gold.

The value of a currency is related to the productivity of the economy. If we are relatively productive in relation to other nations, the value of our currency will maintain itself. If we adopt economic polices that will force feed the economy with more expenditures of dollars than we receive—if we force inflation upon the economy, then obviously the value of the dollar must decline. This is exactly what has happened, with the resultant erosion in value of the basic unit of exchange, the dollar itself.

Thus we have seen this trend toward a substitution of the dollar as the unit of exchange for the coin. There has been an increase in hoarding, and unless we take immediate action, there will be an increase in hoarding.

There is a final question raised by many as to whether or not the Government has the right to make a profit by issuing a coinage with reduced value. Estimates range that we will make anywhere from $2 billion to $4 billion in seigniorage by producing a coin, the intrinsic value of which is not equivalent to its monetary exchange value. Obviously, when you produce a coin of cupronickel content, costing, let us say, 10 percent of its monetary exchange value, there is a substantial paper profit which is not based on any production by any human being or any agency but is based upon Government fiat. This is the essence of printing press or fiat money. Its very existence is in and of itself inflationary in a relatively full economy.

Later on in the debate, in relation to this last question, I would like to offer an amendment which I hope the Committee will adopt. The amendment would take the seigniorage, or the paper profits which are created by this new coinage, and put it in a special trust fund. It may not be used for Federal expenditures, but it would be invested in Government bonds and held in account until the budget is in balance. At that time, the Government bonds would be, in effect, canceled in order to reduce the national debt.

This is the only way I can see we can pass a law taking the intrinsic value out of our coinage system while still maintaining a noninflationary effect upon the economy.

If the Committee sees fit to accept these suggestions, then I think in all wisdom and in all honesty we have no choice but to act favorably upon the proposed legislation.

Finally, there once again is no question at all in my own mind, and I think in the minds of the membership of our committee, that the Congress must take action in this particular area. We are out of silver. Our needs are growing daily in industrial and defense work. We must maintain a reserve for these purposes, and unless we have the ability and the integrity to face a basic problem and change existing law, then we are going to be in an extremely critical situation in the years to come.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. CONTE. At the outset, I want to congratulate the gentleman from Tennessee for a very fine presentation, and for his knowledge of this very vexing problem facing the country and the Congress. I agree wholeheartedly with everything the gentleman has said and I especially agree with him in regard to taking silver out of the half dollar.

I wonder if the gentleman has read the Battelle Memorial Institute report, made by the Battelle Institute for the Bureau of the Mint?

Mr. BROCK. Yes, I have.

Mr. CONTE. I believe this buttresses the arguments the gentleman has made today, that silver should be taken out of the half dollar.

As the good minority member of the committee mentioned on the floor of the House, requesting that 40 percent silver be kept in the half dollar is about as ridiculous as the administration coming in earlier this year and trying to get 45 million silver dollars minted. We were able to stop that folly, thank God.

Does the gentleman agree?

Mr. BROCK. I certainly do.

I do not believe we are facing the problem when we suggest keeping this so-called prestige coin with 40 percent silver. The basic problem today is that the present silver coins are sopping up vital silver production which is essential for defense and other industrial uses. Unless we face this problem and be honest about it, we will allow the problem to exaggerate to the point of a real crisis, and perhaps it will then be too late for constructive action.

I do not see any possible justification for having a so-called prestige coin with an intrinsic value of only 40 percent.

Mr. CONTE. That is not much prestige, to have a pinch of silver in a half dollar. I believe it would make the United States look somewhat ridiculous, to put only 40 percent silver in the coin and to say it was a prestige coin.

Furthermore, by the end of this calendar year we will have in circulation about 1,233 million half dollars. As the minority member of the committee said, there is not one Kennedy half dollar circulating at the present time. Therefore, to bring these new coins out and to put them side by side with existing coins will mean we will have to take all of the silver out of the half dollars. If we leave in any silver, they will be "gobbled up" by speculators and coin collectors, and there will be another shortage of half dollars.

Mr. BROCK. I believe the gentleman is entirely correct.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Colorado.

Mr. ASPINALL. The gentleman from Massachusetts based on his support, I suppose, on the study of the Battelle report. Does the gentleman from Tennessee agree that the report was perhaps somewhat biased? In the foreword, the summary, it is stated that the report was made "so that the Treasury stocks can be maintained for a long enough period of time to serve as a means of preventing a rise in the price of silver."

If that was the purpose of the report, can we not say that the report is somewhat biased?

Mr. BROCK. I believe in many cases there is a great deal more heat than light in this debate.

In all sincerity, we have no other alternative than the limit on increase in the price of silver. If the Congress were to take action which allowed an increase in the price of silver—if we took the lid off the $1.29 limit—it is quite conceivable that the price of silver could hit $1.50 an ounce in a period of weeks. This would immediately cause every available silver coin to be taken off the market, and we would have a totally chaotic situation in this country. We cannot afford to allow that to happen.

Mr. ASPINALL. Would the gentleman agree with me that will happen sooner or later if the legislation we have before us today is passed as it is written?

Mr. BROCK. I cannot agree with that.

Mr. ASPINALL. Then I suggest the gentleman read the report.

Mr. BROCK. I have, but perhaps our interpretations are somewhat different.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, I rise in support of H.R. 8926, to remove costly and unnecessary silver from our subsidiary coinage.

In 1792 the Mint Act established the monetary value of silver at $1.29-plus per ounce. Since that time the United States has used silver in its coinage for all but the minor coins.

But after World War II rising industrial needs for silver have created a gap between free world silver consumption and production. This gap continues to grow. In the last 6 years, world silver consumption has more than doubled, while production has increased less than 15 percent. This is a worldwide problem, not limited in scope to the United States. The current demands of industry and the arts exceed total world production of silver by about 75 million ounces a year. The U.S. Treasury's stock of silver, reflecting this supply-demand pattern, is disappearing at a rate which, if no remedial action is taken, will exhaust that stock in less than 3 years.

We are faced with a crisis situation which demands immediate congressional action. Obviously, the United States can no longer afford the luxury of a silver subsidiary coinage. H.R. 8926, if enacted, will eliminate the use of silver in all denominations of coins except the silver dollar, which is not being minted now and will not be minted for at least another 5 years according to the terms of the bill.

Before discussing the specific features of this legislation, I would like to explain in greater detail the necessity for its prompt enactment.

The silver shortage reflects an elementary law of economics. Elastic and increasing demand coupled with inelastic supply inevitably results in a rise in market price. Over the last 4 years, the market price of silver has risen to the monetary value of silver as it is used in the standard silver dollar, or $1.29-plus per ounce. Because of the Treasury's policy of redeeming silver certificates at the monetary value of silver, or $1.29-plus per ounce, the market price of silver has remained at that level. Due to the squeeze on silver production, industry has had to turn to the Treasury Department to purchase some of its silver needs. The Treasury Department thus has become the residual supplier to the market. Thus, for both legal and practical reasons, the Treasury must continue to provide silver at $1.29-plus per ounce. Legally, it must do so as long as silver certificates remain in circulation. Practically, it must do so to keep the price of silver from rising substantially.

Treasury officials fear that unless the Treasury continues to sell silver at a fixed price, the market price will rise sharply. The cost of melting down our present silver coins is $1.38 per ounce. Therefore, once the market price of silver passed that point, it would be profitable to melt our coins, since their silver content would be worth more than their face value. The coins would be worth more as a commodity than as money.

As long as present conditions continue, we are caught in an inexorable trap. Industrial, artistic, and coinage demands for silver are increasing steadily. For many of these demands, as in photography, there is as yet no satisfactory substitute for silver. Over 930 million silver certificates currently circulate, each one of which the Treasury is obligated to redeem in silver on demand.

Silver production is increasing, but nowhere near fast enough to meet the demand. An increase in the price of silver would not stimulate production enough to make a significant difference, since about 60 percent of silver mined in the world, and about two-thirds of that mined in the United States, is mined as a byproduct of other metals. Thus the price of these other metals influences production far more than does the price of silver. And any substantial rise in the market price of silver would result in a severe coin shortage as long as our present silver coinage continues in use.

Our national interest in an adequate and plentiful coinage demands that we alter our present coinage to reduce its dependence on silver.

Secretary of the Treasury Fowler summarized our situation concisely when he testified before the Banking and Currency Committee on this legislation:

> As much as all of us would prefer to keep our old and handsome silver coinage, there is no choice but to reduce drastically our heavy dependence upon silver for this purpose for one simple reason—the demand for silver has far outrun supply.

In reducing the silver content of our coinage, we are not departing on any new or unprecedented path. We are one of the few free world countries that continues to use silver coins. Most have already eliminated silver from their coinage.

The new coinage which H.R. 8926 would establish possesses all the requisite attributes of a stable system. It would assure uninterrupted provision of a medium of exchange. Further changes would not be necessary in the foreseeable future. It can be minted at moderate costs and with minimum delay. It would be immediately operable in existing coin-operated devices. Thus the new coinage would be modern, efficient, and with purchasing power equivalent to our present coinage. The alterations would be in intrinsic value and external appearance.

Specifically, the bill as reported by the House committee provides for the elimination of silver from our subsidiary coins and its retention in the silver dollar, which would remain unchanged. The dime, quarter, and half dollar will be composite sandwich coins made of a nickel alloy bonded to a copper core. These coins reproduce exactly the electrical properties of coins with high silver content, a necessary characteristic if they are to function in the 6 million coin-operated machines in the United States that accept or reject coins on the basis of their electrical properties. In appearance, the new coins will resemble the present nickel, since their exterior will be made of the same cupro-nickel alloy. Their copper core will create a copper-colored edge around the rim of the coins. In size and design they will be the same as the present silver coins of the same denominations, though in weight they will be slightly lighter.

Other provisions of the bill would prohibit the minting of silver dollars for 5 years; prohibit the minting of present silver dimes, quarters, and half dollars after 5 years; and provide that any silver coins minted after enactment of this legislation will bear the 1964 date. The bill would also set a $1.25 floor on the price of domestically mined silver by authorizing the Treasury to purchase silver at that price. It provides for standby authority for the Secretary of the Treasury to prohibit melting, exportation, or treating of coins.

It is expected that the new coins will be placed in circulation during 1966. The proposed legislation provides for the establishment of a Joint Commission on the Coinage to convene after the new coinage is issued. The Commission will study the implementation of the new coinage system in light of the current technological situation and will strive to develop long-range solutions to our coinage problems. The Commission will specifically attempt to determine the time and circumstances in which the Government may cease supporting the price of silver. Membership of the Commission will include the Secretary of the Treasury as Chairman, two Senators and two Representatives, the Secretary of Commerce, the Director of the Bureau of the Budget, the Director of the Mint, the chairmen and ranking minority members of both the Senate and House Banking and Currency Committees, and four public members to be appointed by the President.

In discussing silver coinage legislation, much solicitude is always shown to the various special interests involved.

The silver mines—or rather the officers and stockholders of the silver mines and smelting companies—have been the beneficiaries of tremendous subsidies ever since the passage of the Bland-Allison Act of 1878, to purchase silver and coin it. The Silver Purchase Act of 1934 extended the subsidy. As Arthur M. Schlesinger, Jr., said in "The Coming of the New Deal":

> Roosevelt surrendered to political blackmail on the part of the silver bloc * * *. The Silver Purchase Act, in short, assured the producers of silver a lavish subsidy, while the Government received in exchange growing stocks of a metal which it did not need and for which it had no use. The silver policy represented the most remarkable—as well as the least remarked—special interest triumph of the period. A minor industry, employing in 1939 (after 5 years of subsidy) less than 5,000 persons, the silver industry, in effect, held the Government to ransom, extorting nearly a billion and a half dollars in the 15 years after 1934—a sum considerably larger than that paid by the Government to support farm prices over the same period * * *. No legislation passed in the New Deal years had less excuse.

Our silver subsidy policy has come close to ruining our subsidiary coinage. As the silver value of our coinage approaches its face value, the tendency for the currency to be melted and to disappear increases. But even the bill before us cannot resist the temptation to subsidize the silver industry. Included in the bill is a quite unnecessary provision authorizing the Treasury to buy silver at $1.25 an ounce—a floor just below the current price of $1.29 an ounce, without any limits as to production. What other business interest enjoys a subsidy like that?

Another important special interest in the silver picture are the users—the manufacturers of silverware, the photography industry, the electronics industry. They have had a difficult time in the past, with the Government deliberately bidding up the price of silver, and competing with them for the short supply of silver. The bill before us for the first time in recent history treats the silver-using industries in a fair and rational manner.

Recently the coin-using industry—the automatic vending machines, the parking meters, and so on—has also had a great interest in silver coinage. They need enough coins, and of a nature that will operate their devices. The new coinage, with its copper "sandwich," will meet their problem nicely.

But what about the taxpayer—the forgotten man in this crowd of special interests? It is about time his interests are considered. For the better part of a century the poor old taxpayer, to rework Bryan's phrase, has been crucified upon a cross of silver. Our Government's policy of playing up to the silver bloc has cost the American taxpayers literally billions of dollars.

The bill before us will at last do justice to the taxpayer. After the transition to the new nonsilver coinage is made, I trust that the Treasury will in an orderly manner move to retire the existing silver coinage, and make the silver available for purchase. At present prices, this would save $1.8 billion for the Treasury, to be used either to lower taxes or to retire part of the national debt. And for every year from now on, I estimate that we will save $200 million for the taxpayers through not having to put unnecessary silver in our coinage.

If the interest of the taxpayers is to be fully protected, it is important that we retain the amendment, placed on the administration's bill by an 18-to-10 vote of the House Committee on Banking and Currency, to remove silver from the 50-cent piece and not just from the dime and quarter.

The administration bill would have required that the new 50-cent pieces contain 40 percent silver.

This proposed giveaway is a sop, pure and simple, to the silver bloc.

There are two important reasons to preserve the committee's amendment knocking silver from the 50-cent piece, thus avoiding the proposed 40 percent silver 50-cent piece.

In the first place, the administration's 50-percent half dollar would cost the taxpayers hundreds of millions of dollars. There are now in circulation about 1½ billion half dollars, which will have to be replaced with new coinage. To replace these with 40 percent silver would cost $325 million, as opposed to the $45 million that would be required to produce that many half dollars of nonsilver. Thus the Treasury would be out $280 million just to replace existing half dollar coinage with new 40 percent silver coinage.

And the future additions to our coinage would add to the burden on the taxpayers. Last year we produced more than 200 million half dollars. At this rate of production, it would cost us an extra $38 million a year to follow the Treasury's recommendation and use a 40 percent silver half dollar.

Over the next 18 years, the 40 percent silver half dollar proposal would cost the taxpayers more than a billion dollars, just to benefit a few silver mining companies. How's that for being a watchdog of the Treasury?

There is an important second reason why we should knock silver out of the half dollar, and not leave it at 40 percent. To pull all this silver into the new 50-cent pieces will be an unnecessary drain on the Treasury's silver. The Treasury will need all the silver it has in order to keep the price of silver for the arts at $1.29 an ounce during the period when we are transferring to the new coinage. I do not give the Treasury particularly high marks for requesting the authority to waste silver in a 40 percent silver half dollar at a time when it needs all the silver it can get to make an orderly transition.

Furthermore, every ounce of silver the Treasury squanders on its 40 percent silver half dollar will have to be matched by a silver purchase abroad. This will add to our balance-of-payments deficit by as much as $100 million a year.

The Treasury's rationalization for its request for a 40-percent silver half dollar does not deserve to be taken very seriously. That rationalization is that we ought, in the future, to have a coin with some silver in it, to satisfy the demand of the father whose son says, "Daddy, I want a coin with some silver in it for sentimental reasons." The Treasury's idea is that making 40 percent silver coins available will divert attention from its remaining all-silver coinage, which of course it does not wish to be hoarded. Why anybody thinks that someone who wants to hoard silver coinage is going to be diverted from hoarding all-silver coins by the opportunity to acquire 40 percent silver coins, I do not know.

To protect the taxpayers, and protect the currency, we certainly ought to keep the no-silver half dollar which your Committee on Banking and Currency has voted.

Now I should like to say a word about what will happen when the new coinage goes into effect. Over the months ahead, adequate supplies of new, nonsilver coins will be manufactured to replace the existing silver coinage. Already we hear dire predictions that hoarders and speculators will grab existing dimes and quarters and half dollars by the truckload, and thus that the United States will be without adequate coinage during the changeover period. The maxim of that 16th-century money doctor, Sir Thomas Gresham, that "bad money drives out good," is being invoked.

As far as I am concerned, there is no reason under the sun why Gresham's so-called law need apply to the changeover we are expecting. The new coinage will not be "bad money," but perfectly good subsidiary coinage, because acceptability depends upon the same factor as with all other U.S. money—the full faith and credit of the United States. The mere fact that it has no great intrinsic value is pointless. For many years the intrinsic value of silver coinage was well below par value, yet "Gresham's law" never operated. The nickel or the penny contain no silver, although I have not noticed any depreciation of these denominations. Indeed, subsidiary coinage gets into trouble if it does have intrinsic value, as witness the current troubles to which our silver coinage has brought us.

Yes, there need be no Gresham's law, no coin shortage in the period ahead of us, if we will behave like rational human beings. To those who may be tempted to hoard silver coins in the next few years, I offer these suggestions as to why the speculation may well prove unprofitable, why cupidity may turn out to be stupidity.

In the first place, the hoarded coins may not go up much in value. The Treasury has more than a billion ounces of silver. This should prove more than adequate to enable the Treasury to maintain the present price of silver during the transition period to the new coinage. There will undoubtedly be some hoarding of existing silver coinage, but with melting and export controls authorized by Congress able to be invoked at any time by the Treasury, hoarding should be kept within limits. Thus most silver coins will be turned in to the Treasury, and added to the stock of silver which the Treasury has to play with.

Thus it is not likely to prove very profitable.

Secondly, it may even prove downright costly. Holding silver coins yields no interest. On the contrary, one has to undergo the risk of theft, or pay safety vault fees and storage charges.

To all who may be inclined to sell America short by speculating in our coinage, in reliance on Gresham's law, let me remind them of Reuss' law: You may be sorry.

Let me suggest a much better investment than U.S. silver coins—U.S. savings bonds.

A U.S. savings bond, bought today, will double in face value in 25 years via the miracle of compound interest.

There is a considerable doubt that silver will double in value—from $1.29 an ounce to $2.58 an ounce—in the next 25 years. Those who think it will should remember that an aluminum bar today, far from having increased in value since 1900, costs only about 20 percent of what it then did. Indeed, it is not at all unlikely that the next 25 years will produce substitutes for silver in electronics and in photography, which will cause its price to decline.

So I hope that Americans will avoid a very questionable speculation in silver coinage that can disrupt their Nation's finances. For if everyone hoards silver coinage, the holders will not gain in the end, but the Nation will surely lose.

Finally, the Government of the United States will not find itself powerless to deal with speculative hoarding should this develop. There are many courses now open to the Government.

For example, if it should wish to do so it could move to secure the enactment of legislation to remove the $1.25 an ounce floor on silver which the bill before us creates. If this floor were removed, one reason for industries to buy silver in relatively large amounts—with a $1.25 floor under silver, what have you got to lose?—would disappear.

And there are other methods available to the Government to tame speculation.

Mr. WIDNALL. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. Horton.]

Mr. HORTON. Mr. Chairman, I rise in support of this bill today and to voice my strong support of the legislation now before us, the Coinage Act of 1965 and the committee amendments, hereto. This is a bill which I feel has long been needed. We can wait no longer in finding a solution to the dwindling silver supplies of our Nation.

I need not remind my colleagues that it has been 193 years since our coinage system has been subject to any significant changes. In that time, we have seen evolve a silver-using defense and space industry whose dimensions are staggering. Photography—an industry of great importance to my district and one unknown in the 18th century—is now one of our major domestic industries, and it is one which makes extensive use of silver in the production of photographic film.

Continued industrial progress demands that we look to the future and that we insure that America's industrial capacity which requires great quantities of silver, will be able to meet the needs of the years ahead. This is the reason why we must act now before our silver reserves are further depleted.

The facts in this matter are frightening. Our silver stock—the largest in the world—has been reduced from nearly two billion ounces at the beginning of 1963 to about 1 billion ounces today. Even more significant is the widening gap between our consumption of silver and its production. In 1964 alone, the gap amounted to over 350 million ounces.

I say that we can wait no longer to halt this dangerous trend. We must be forward looking and act now.

Yet, while I say we must act, I want to stress that we must act, not rashly, but reasonably and in a manner that is fair to all concerned. I believe that the bill now being considered accomplishes this aim.

The fear that the new coins would put automatic vending machines out of operation has been overcome by the creation of a "sandwich coin" which would have the same size, weight, and electrical resistance as conventional silver coins. The bill also provides a period of transition from the old to the new coinage system. I believe that this is a wise and rational means to insure that there will not be a period in which we will experience a coin shortage while the necessary changes are taking place.

For these reasons, I believe that this bill meets the needs of the present, the near future, and even the distant future. I urge, therefore, the passage of this bill.

Mr. WIDNALL. Mr. Chairman, I now yield 5 minutes to the gentleman from Arizona [Mr. Rhodes].

Mr. RHODES of Arizona. Mr. Chairman, the gentleman from Wisconsin [Mr. Reuss] who preceded me in the well of the House is a good friend of mine and is a very able legislator. I believe he is capable of almost anything in the legislative field. However, I am surprised that even he would try to repeal Gresham's law in a legislative body.

Mr. Chairman, I will make a friendly wager with the gentleman from Wisconsin right now of one silver dollar of 90 percent content that Gresham's law will apply and that within a period of 2 years we will see a very definite coin shortage caused by the application of the law.

Would the gentleman care to accept the wager right now? If so, I shall be glad to yield to him for that purpose.

Mr. HOSMER. Mr. Chairman, a point of order. It is my opinion that the rules of the House of Representatives provide against wagering on the floor of the House.

Mr. REUSS. In deference to the point of order——

The CHAIRMAN. The Committee will be in order. Does the gentleman wish to be heard on the point of order?

Mr. REUSS. As to the point of order, I shall repress my instincts and pass up the gentleman's offer.

Mr. RHODES of Arizona. Mr. Chairman, I rise in opposition to this bill.

For 173 years the United States has maintained a system of silver coinage with a reputation for soundness second to no other.

H.R. 8926, the Silver Coinage Act of 1965, would put a sudden and tragic end to this great tradition by taking the silver from our coins.

Under its provisions the dime, quarter, and half dollar in themselves would be worth about as much as the legendary wooden nickel.

At a time when public confidence in our economy has been shaken seriously by such grave omens as the recent wild gyrations in the stock market, this calculated sweating-down of our coinage could well have dangerous consequences.

Moreover, the removal of silver from our coins would result in a highly-inflationary rate of seignorage—the difference between the actual cost of production of the new base metal coins and their face value.

This difference—about 90 percent—would go into the Treasury as a profit and in effect, will amount to billions of dollars of illusory wealth.

The newly created wealth undoubtedly either will be spent on more inflationary schemes or will be used to make the balance sheet look better by making it appear that the Government has greater income and therefore a smaller cash deficit than is actually the case.

In recent years the value of our paper money has been eroded by inflation, by the drain on its gold backing, and by the recent elimination of the requirement for gold-backing of our dollar deposits. I cannot see, Mr. Chairman, how this Congress, in good conscience, could ask the public to submit to a further cheapening of their money.

I recognize, however, that a problem exists as the result of the short supply of silver.

There must, however, be a better answer than H.R. 8926.

One such answer would be the retention of a lesser amount of silver in our coins. This amount of silver could be small enough to guarantee that its value would not approach the face value of the coins in which it was contained, thus eliminating the possibility of hoarding and melting down of the coins in order to take advantage of their intrinsic value.

Another answer would be the replacement of silver with another rare metal which would maintain the principle of intrinsic value.

At any rate, Mr. Chairman, I do not believe that any steps should be taken until this serious problem has been given more expert study. I would favor the creation of a top-level commission on the coinage which would be charged with the responsibility of studying the problem and reporting to the Congress on its findings and recommendations with all deliberate speed.

In the meantime, the short supply of Treasury-held silver could be ameliorated by two simple steps which would not require legislation:

First. Impose export controls on silver under the existing authority of the Export Control Act; and,

Second. Halt the minting of 50-cent pieces temporarily.

These two acts alone would conserve 181.5 million ounces of silver or several million ounces more than was required to meet all of our coinage needs in 1960, 1961, and 1962 combined.

This would stretch the life of Treasury-held silver stocks to an estimated 5 years, or 2 more years than the present stocks will last.

During part of this period the problem can be given the attention it deserves and solutions can be found which will avoid a further erosion of the value of our money.

Mr. Chairman, I ask that this bill in its present form be defeated.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Massachusetts.

Mr. CONTE. I wonder if the gentleman realizes that the price of silver, or the silver in a half dollar, between 1932 and 1933 was about 9 cents, and that the silver in a half dollar between 1939 and 1942 was 12 cents? Really there is no relation. At that time the half-dollar was worth a half dollar. Today you have a watered-down dollar, or half dollar. You have 47 cents of silver in a half dollar. I cannot see the relationship of maintaining a high content or high price of silver in the half dollar.

Mr. RHODES of Arizona. At the time the gentleman speaks there was no pegging of the price of silver.

Mr. CONTE. The price of silver was constant. At the present time the price of silver is higher. But that is beside the point. Silver is a precious commodity; it has a value in itself.

Mr. RHODES of Arizona. It carries an intrinsic value in coinage. These coins are fiat money. This is probably the first fiat money the United States has created since Civil War years. There is no intrinsic value back of the coins at all. The dollar certificate, the Federal Reserve notes, have a 25-percent backing in gold. I understand there will be some $2 billion created in these coins that will have no backing whatsoever, not anything of an intrinsic nature. I think it is a great departure from anything we have done before, and I think it is wrong.

Mr. CONTE. The penny and the 5-cent piece have no backing.

Mr. RHODES of Arizona. That is correct.

Mr. CONTE. I do not see the relationship at all.

Mr. RHODES of Arizona. I do not think it is too difficult to see the difference between having a penny of no intrinsic value and a 50-cent piece of no intrinsic value.

Mr. CONTE. A person goes into a store and spends 5 cents. They do not see if this is cheaper in material. That applies to 25-cent pieces as well. It is what the coins will buy.

Mr. RHODES of Arizona. The nickel has always been made, and the penny has always been made with no backing. This is changing it.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from Montana [Mr. Battin].

Mr. BATTIN. Mr. Chairman, we have heard discussed at some length the question of the confidence we might have in our coinage system. I think it takes more than just talking about it in order to establish confidence. Certainly I think the best example I could use is what happened in the State of Montana and in other Western States when the silver dollar went off the market so far as being available for use in the general places of business. I do not think anybody in this Chamber who has not gone through this experience realizes what is going to happen to them as far as their mail is concerned. I know my colleague from Montana [Mr. Olsen] would undoubtedly support my statement. I know he received a tremendous number of letters and petitions. Mine were in excess of 50,000. They were from people who wanted the silver dollar as a means of exchange.

We have been talking about changing the intrinsic value of the coin. I think we have to do more than to just argue that this is a fight between the silver producer and the silver users Because as I visualize the real silver users in this country today, they are the people who daily reach into their pocket to get change or reach into their pocketbook to make payments for purchases.

I agree with the gentleman from Arizona and certainly endorse the statement that he made that these are the people who are going to judge our action. It certainly is not going to be what the Treasury thinks or anybody else thinks. It is going to be those people who are going to be dealing with these coins on a daily basis.

I would suggest there can be very little argument in favor of the Senate bill which allows 40 percent to remain in the half dollar and take it out of the quarter and the dime because there you create a double standard. Why the 50 cent piece? Why not make it the dime—that has less silver than the other coins.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman.

Mr. ST GERMAIN. I would just like to express my profound agreement with the gentleman on that particular point because it makes a great deal of sense.

Mr. BATTIN. I do not prefer to have the double standard, you understand, and I will, if the opportunity presents itself tomorrow, offer an amendment to have 40 percent in all of the coins and thus extend and double the time before we run out of silver and thus at least give any committee created under the authority of this act time to look into the problem of the mining of silver and being able to produce it in sufficient quantity not only to meet the coining needs but also the industrial uses.

I personally have, as you have, gone through the evolution of the vanishing silver. I can remember when we had a bill on the floor to take the silver backing away from the one-dollar bill to eliminate the silver certificate. We were told at that time this was not being done to eliminate the silver dollar or to make any change, but that it was just necessary. Then we lost the silver dollar when the Secretary of the Treasury announced that there were only 45 million left. If he had just kept his mouth shut and not made this profound statement, we would not have had that run on the Treasury. But when you are told by somebody that there is only so much left, then everybody wants their proportionate share. I can remember the picture of the little old lady trying to carry two sacks containing $1,000 apiece out of the Treasury and she was not strong enough to do it. What she did with those coins I have no idea. But certainly the policy that has been established by our executive in not anticipating what was bound to happen has now been placed on the Congress and we are asked to act in an emergency, or in a panic situation, in order to try to solve some of the problems. I know my good friends from the silver using areas, and I am thinking of the east coast particularly, are interested in seeing that silver is available for the industries that are in their area, and I could not agree more. Certainly, you cannot take a precious metal and eliminate it from an economy. But is this the way to do it or is it not a far better way to develop and mine and produce the precious metal in such quantity that it does in fact work on the supply and demand basis so that it is usable in coins and at the same time is usable in industry?

I do hope the Committee considers this during the rest of the debate on this bill and on the amendments.

People, for one reason or another, have an interest in this action—because of business, or constituents, or because of a strong and personal abiding conviction that the coin of the realm should be a coin with intrinsic value.

There are certain to be "hot" arguments, as the debate proceeds. I have been pleased to observe that so far no one has become angry with anyone else. That might change tomorrow; I do not know.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. There is one point I have been trying to reconcile and to understand for 3 years. That is the point as to increased production. In 1947 domestic production was 35 million ounces. Today, although there has been a 42-percent rise in market price since 1961, we expect to produce 36 million ounces.

When we were considering the bill before our committee, about 3 years ago, to retire the silver certificates, I recall very clearly and distinctly the appearance of witnesses for the mining interests, the producers. I asked them a great many questions on this point. I asked whether, if they could get a bigger profit, they could produce more silver.

I do not mean to mislead the gentleman. I wonder whether he can help me clear this up in my own mind. Every one of those witnesses went into detail on the difficulties of mining and explained that most of this, as the chairman of the committee brought out in his testimony, came as a byproduct, and that they could not increase production, for the silver was not available.

Mr. BATTIN. Let me say to the gentleman that not only is it a question of making it profitable to mine, but also there is the problem of discovery. As a matter of fact, the day the committee reported this bill, the Bureau of Mines announced an electromagnetic process in the finding of silver.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Colorado.

Mr. ASPINALL. I should like to ask my friend from Rhode Island if he has read the hearings held by the Committee on Interior and Insular Affairs on June 7, 8, and 9 of this year, which have been printed for 2 weeks. If the gentleman has read them in full, I believe he will find the answers he seeks.

Mr. ST GERMAIN. Mr. Chairman, if the gentleman will yield further, I will tell the distinguished chairman that I have been through the hearings. I base my statements on the hearings held before our Committee on Banking and Currency on this proposition over a period of 3 years. To date not one of the mining people has stated that even with a larger profit more silver could be produced. They say it just cannot be done, because it is mainly a byproduct of whatever else is mined. The silver comes out as a byproduct, and this controls the amount of silver being mined.

Mr. ASPINALL. Does my friend know whether or not all of the silver being produced at the present time is going into the market?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I fully recognize that the country has a serious problem with the shortage in our silver supply and the need for legislative action, but what I protest is the failure of anyone in an official capacity to speak out and tell the American people the truth about the shortage and the true nature of the Johnson administration's present financial problems.

I hope that in the debate today on H.R. 8926, the Silver Coinage Act of 1965, certain vital information will be forthcoming which, I believe, the public has a right to expect. For example, the answer as to whether the present shortage of silver is not due in part to the fact that silver now is being exported, whereas, historically, the United States imported silver; and why are foreigners buying up our silver? Also, does the flow of silver tie in with the flight of gold?

I saw recently where the Federal Reserve System had reported the largest weekly loss of gold since 1959—an outflow of $359 million—so our total national supply now is down to $13.9 billion, the lowest since 1938. In other words, foreign nations are now converting their dollars into gold. Why?

As to questions on the silver crisis, President Johnson has explained that the free world production of silver over the past few years has been short of consumption. The public understands that. It has been told that the U.S. Government has only enough silver to last for about 3 years, at the present rate of use. It understands, too, I think, that unless some legislation such as H.R. 8926 is enacted, the price of silver will have to be increased, with the result that silver coins will be bought up by speculators and melted for profit from the value of the silver, which in turn would create a far worse coin shortage.

But, Mr. Chairman, to remove silver from new coins, fails to attack the root of the problem. What I hope to hear discussed is why the change in our system of silver coinage is necessary. Everybody can readily identify the symptoms, but what about diagnosing the disease itself?

Why, for example, after 173 years, has our system of sound silver coinage failed? Why, suddenly, this crisis? What has the administration been doing for the past few years? There are many questions like these to which the public should be given answers.

No one in the administration—and certainly not President Johnson—gave the American people the full facts when legislation was passed recently to reduce the gold reserves in back of bank deposits. Nor did anyone clearly explain why it was necessary to devaluate our money by removing silver as security back of paper money. Why has it been necessary this way to erode the value of our money?

Certainly the Silver Coinage Act of 1965 is a sign of deterioration of the American dollar, as were the recent legislative actions in connection with both the worsening of our silver and gold supply.

Mr. Chairman, in trying to diagnose these ills that afflict our monetary system, I believe it is the big spenders and advocates of deficits and inflation that have brought an end to the long and great tradition of a sound U.S. coinage system.

The fact is that the Federal debt is at an all-time peak; the fact is that seven times since 1961 the Federal legal debt limit has been increased; the fact is that the cost of living is rising steadily in America; and the fact is that our Government has followed—deliberately so—deficit spending policies in the average amount for 5 years of $6 billion a year. The fact is we have permanent fiscal irresponsibility and increasing inflation. These facts indict—to me, at least—the Johnson administration for failing to maintain a strong dollar. They reveal a lack of confidence abroad in the fiscal policies of this administration.

Earlier this week, the United States urged world talks on money, to find ways to strengthen the international monetary system.

Meanwhile, foreign bankers are said to have warned us time and again to get our financial house in order.

To me, the glint of our present prosperity is illusion.

As taxes are reduced, the public debt goes up; as wages increase, the cost of living climbs. Foreign bankers recognize this situation.

So what should be discussed in connection with changes in our system of silver coinage is the fundamental cause of our need to debase our money.

Can we simply shrug our shoulders today and say there is no other wise course of action than to vote for this bill—which is probably true—or should we go to the root of the evil and ask ourselves if a policy of control of inflation is not the real and basic cure to our disease? That is the matter that should be considered today, above all else.

Mrs. SULLIVAN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, today we are confronted with making the most fundamental change in our coinage system since its inception in 1792, and this is because we are in the midst of a growing, worldwide shortage of silver, with an enormous gap between its supply and consumption, and with demand rapidly outrunning supply. U.S. coinage remains as one of the few existing silver coinages in the world. In more than a century and a half our silver coinage has changed very little, and this is a tradition which quite understandably we have come to accept and take for granted. But as has been pointed out, the United States is not exempt from the worldwide shortage nor will it become so. On the contrary retention of our present coinage system in face of the diminishing free world supply is to invite a critical coin shortage and resultant chaos.

Recent years have seen the development of an enormous gap between free world production and consumption of silver. The overall deficit, inclusive of coinage demands, was 200 million ounces in 1963 and almost 340 million ounces in 1964. Even if all coinage demands, United States and foreign, are subtracted, we will still have a deficit.

U.S. Treasury stocks of silver declined to 1,218 million ounces at the end of 1964 and now, Mr. Chairman, are just over a billion ounces.

To grasp the intricate problem the United States is facing, it may be helpful, Mr. Chairman, to recapitulate briefly the dramatic developments in silver over the past few years. In November 1961, the U.S. Treasury suspended silver sales to domestic industrial users at $0.91 a fine ounce, which it had been making from its "free" or "nonmonetized" stocks—stocks not required as backing for silver certificates. The decision was precipated by threatened exhaustion of these stocks as a result of constant growth in our silver currency circulation and rising sales for use in domestic arts and industry. By September 1963, the buying price of silver in the New York market had risen from $0.9162 an ounce prior to the suspension of Treasury sales to slightly above $1.2929, the monetary value of silver. The spot price has remained unchanged while prices for distant futures on the New York market have fluctuated between 5 and 9 cents above $1.2930.

At $1.2929, the slightly more than three-fourths ounce of silver contained in a standard silver dollar has a market value of $1; if the price were to move higher, the silver content of the coin, disregarding the cost of melting, would be worth more than its value as money. On the other hand, subsidiary coins—half-dollars, quarters, and dimes—would not be worth their silver content unless the price of the metal rose to $1.3824. Defacing coins is unlawful, but not melting them down.

The $1.2929 monetary value is also the price at which the U.S. Treasury is legally required to redeem in silver, paper money in the form of silver certificates presented by the public for redemption. In actual practice, the Treasury meets all orders for silver at $1.2929 while simultaneously redeeming equivalent amounts of silver certificates.

For the past 2 years, silver has thus been at a price where the U.S. Treasury, through redemption of silver certificates has become a residual supplier for demand in excess of commercial offerings of silver. Since U.S. exports are free, the $1.2929 price, adjusted to cover freight and insurance costs, extends to markets outside the United States.

Underlying this rise in the price of silver are an insufficient output and a sharp rise in consumption. U.S. silver production has held fairly constant over the past 5 years at somewhat over 35 million ounces. On the other hand, however, our silver consumption has increased due to increased industrial and coinage demand. Industrial consumption, while slow in the early postwar years, amounted to more than 120 million ounces last year. Silver requirements for coinage have grown at a tremendous pace, most recently because of the Treasury's round-the-clock efforts to overcome the shortage of subsidiary coin. On the basis of available statistics, the Treasury Department estimates that U.S. industrial consumption plus coinage during calendar year 1964 amounted to about 325 million ounces.

The dimensions of the imbalance in the production of silver and the demand for it, with the implications which this carries for our coinage system are such that we have no choice. Silver is too valuable to use in money. A change is unavoidable.

The purpose of the bill before us is to reduce the amount of silver used in the Nation's coinage, so that we will continue to have an adequate supply of coins to carry on the Nation's business and trade despite the growing need for silver and the increasing shortage in its supply. There will be no change in the nickel or the penny. New dimes and new quarters would be composite coins with faces of copper nickel alloy bound to a core of pure copper, as in the present 5-cent piece. Our bill would also eliminate silver from the 50-cent piece, utilizing the same "sandwich" composition as the new dime and quarter. It freezes the minting of new silver dollars for a 5-year period and provides that any silver coin minted after enactment of the coinage shall be inscribed with the year "1964." And finally, it establishes a Joint Commission on Coinage to report on the progress and implementation of the new coin system.

Mr. Chairman, I strongly urge enactment of the bill before us.

Mrs. SULLIVAN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, President John F. Kennedy, speaking at Yale University 3 years ago, uttered some words which are applicable to the debate here today, he said that "as every past generation has had to disenthrall itself from an inheritance of truisms and stereotypes, so in our own time we must move on from the reassuring repetition of stale phrases to a new, difficult, but essential confrontation with reality."

Mr. Kennedy went on to point out that:

> The great enemy of the truth is very often not the lie—deliberate, contrived, and dishonest, but the myth—persistent, persuasive, and unrealistic.
>
> Too often—

He said:

> we hold fast to the cliches of our forebears. We subject all facts to a prefabricated set of interpretations. We enjoy the comfort of opinion without the discomfort of thought.

The late President continued this theme by noting that:

> Mythology distracts us everywhere—in government as in business, in politics as in economics, in foreign affairs as in domestic affairs.
>
> But today—

He told his listeners:

> I want to particularly consider the myth and reality in our national economy.

Today, we should consider "the myth and reality" in our national coinage system.

The hard reality is that our Nation is faced with the practical problem that there is a serious shortage of silver.

The Nation can no longer afford the myth that silver is an important ingredient in our money supply.

Mr. Chairman, Members of Congress are elected as practical men to find practical solutions to problems facing our Nation. The myth is that the silver mining industry is still in need of Government support it required when silver was a glut on the market.

The reality is that the Nation faces a serious silver shortage. It is estimated that total silver consumption for 1965 will exceed production by a staggering 440 million ounces. Silver to satisfy U.S. coinage demand alone will amount to 330 million ounces. This is more than the total world production of silver. At the present rate of consumption the U.S. total stock of 1.2 billion ounces will be exhausted in about 3 years.

Yes, Mr. Chairman, we do have a practical problem. Ranged against this practical problem is the myth that our coins must have a silver content.

Mr. Chairman, except for practical reasons, we do not need a system of coinage at all. Theoretically, fractional currency could be made of paper. The reason that this is not done is not mythological but practical:

First. There would be an inconvenience to the user if all money were paper.

Second. There is the advantage of counting machines for coinage; and

Third. There is the vast vending machine operation which has developed on the basis of metallic money.

If we can eliminate metallic money except for practical reasons, then certainly we should base our selection of the metallic content on practical considerations. I think that we should remember that the primary function of a coinage system is that it circulate freely as a medium of exchange. President Johnson noted that—

> For many decades now the value of a particular coin has depended not on the value of the metal in it, but on the face of the coin. Today's coinage must be primarily utilitarian.

The new coinage that is proposed in this legislation will, in the President's words, "meet this requirement fully, while dispensing with the idea that it contain precious metal."

Our national coinage system should not be dominated by myths of the past, at least where there are practical considerations. The practical consideration is the need to conserve silver. If we can accept a $10 or a $10,000 bill made of paper, must we blindly follow the myth that a 10-cent piece or a 50-cent piece must contain silver?

Mr. Chairman, let us face reality. Let us be practical. What we want are coins that will be accepted at the newsstand for a magazine or by a vending machine for a candy bar. Neither the newsboy nor the vending machine are concerned with the mythological fineness of the silver content of the coin. Two nickels without silver are just as acceptable as one silver dime. The practical fact is that the silver in the dime, which now serves only mythological purposes, is now needed for practical purposes in industry.

Mr. Chairman, we must conserve silver for practical purposes.

The purpose of H.R. 8926 is to conserve silver. Our supply of silver is dwindling. We need increasing amounts for defense, for industry, for the arts. By removing it from our dimes, quarters and half dollars—as this bill provides—we will be conserving a substantial amount of silver and we will be providing substitute coinage in these denominations which are legal tender for all debts, public and private.

A century and a half ago Thomas Jefferson wrote:

> The new circumstances under which we are placed call for new words, new phrases, and for the transfer of old words to new objects.

Insofar as silver coinage is concerned, the new circumstances are so important and so urgent that the Congress can no longer enjoy the luxury of believing in ancient myths.

I urge enactment of H.R. 8926.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, under the circumstances in which we find ourselves this legislation before us is the only sensible course of action we can take. You can blame the fact that we do not have any silver on the profligacy of this administration or some other administration, but I am not going to argue about that, unless we go back more than one administration.

You can listen to all the people you have time to listen to from the "silver" States telling you about how much silver they have in the ground out there, but the fact still remains that you cannot get it out very much faster than it is being brought out now. But every year the United States is using a lot of it faster than it used the last year. There just is not enough of the stuff to go around. So we have to take a look and see where the existing silver is. An awful batch of it is in the coins we have circulating at the present moment. A great deal more will have to go into coins if we continue to produce them with silver content, because the demand for coins in this country is increasing at a totally unanticipated rate. As a result we have to go to something else for coinage to meet the circumstances of today, whatever has caused them. We have to go to something that is compatible with vending machines that consume so many coins and hold them in the boxes until a man from the company comes around to take them out of the boxes and put them back into circulation. That holding of coins in vending machine boxes is one of the reasons for the coin shortage today.

About the only substitute that will do all the things required are these cupronickel coins which have been dreamed up after a good deal of study. These are a sort of a "care package" coin, but at least they will do the the job that has to be done.

In this context, let us look at the proposal to put a smaller amount of silver in the 50-cent pieces. In my opinion that has not been well thought out. If you put 40 percent silver into 50-cent pieces, you have a mongrelized coin that does not fit the rest of your new coinage system. There is no real reason for it except the arguments of the silver producers that they want to have more demand for their product. The statistics show there already is an overdemand.

In the second place, you are only kidding yourself to go to the 40 percent 50-cent piece. Within only a period of 3 or 4 years you will have to take the silver out of it anyway because the photographic people, the scientific people, the manufacturing people, the silverware people are using up this silver and there just is not enough to squander it on 50-cent pieces.

Even if we do legislate 40 percent silver into the new 50-cent piece, it is never going to get there anyway. This is because the Treasury does not have the silver to put into 50-cent pieces. As a consequence it simply is not going to mint them. It is going to mint three times as many 25-cent pieces and thereby you are going to deny the American people whatever convenience they might get out of having a 50-cent piece to drop into vending machines.

No, Mr. Chairman, I think the 40 percent silver 50-cent pieces ought to be turned down for these reasons.

But, Mr. Chairman, there are at least three things we ought to do in passing this legislation, and I am going to offer amendments for these purposes if none are offered by anyone else.

As one of the speakers, or several of the speakers who preceded me said, "Congress cannot repeal Gresham's law." These silver coins that we carry around in our pockets now are going into hoarding; whether people make any money on them or not, they think they will.

A lot of people think they are going to make money in the stock market today and they go out and buy stock. But oftentimes they do not make money. They think they will make money hoarding coins and they will put them in a sock and put them under a mattress and the next thing you know we will have a coin shortage. Then Congress will be asked to authorize the Treasury to issue fractional paper currency. I think we ought to get that issue out of the way right now and include an authorization now for the Treasury to issue such fractional currency whenever in the opinion of the Secretary of the Treasury it is needed in order for the housewife to go down and buy her groceries and make change. It is only sensible to put that in this legislation now and let us get over that bridge.

Mr. Chairman, the next bridge we ought to get over also has to do with the coin shortage that Gresham's law is going to impose upon us. This is to give the Secretary of the Treasury an opportunity to help keep coins in circulation by another devise. I would like to see the Secretary authorized, in his discretion and if needed to keep enough coins in circulation, to circumvent Gresham's law by taking a 10-percent part of the weight of this copper or nickel out of these coins if he wants to do so and substitute some other metal of a rare nature, possibly depleted uranium. He could give it a monetary value equivalent to that of existing silver coins and hereby prevent them from being driven out of circulation by the operation of Gresham's law which says that bad money drives out good money.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WIDNALL. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. HOSMER. If he wants to substitute some other substance like depleted uranium or something else that is pretty scarce, he can put it in the coins and establish an arbitrary monetary value on it equivalent to the current intrinsic value in present silver coins, thereby giving these new coins a value equal to that of the ones already in existence. This would eliminate the "good money" and "bad money" differential. My amendment would not require him to do it, but it would give him the option to do it if he wants to.

Mr. Chairman, the last thing I believe we ought to face up to in passing this bill is this seigniorage business. It is going to be tremendous. I believe other speakers have talked about it and there are probably two dozen amendments floating around with reference to what to do with the seigniorage. We all know that it is covered into the Treasury general fund, but there it is just lost in a maze of statistics. Therefore, I would like the Secretary of the Treasury to be required under the terms of this bill under my amendment, monthly, to calculate the seigniorage and then apply it all on the national debt. We are taking this money out of the hands of the people, by this change to coinage of no intrinsic value, so let us put it back in the form of reducing their share of the national debt. Every month this procedure will represent a little lesson to the man down at the White House and those of us up on the Hill as to where some of this money is coming from that finances the daily operations of the country, and a little example of debt reduction that might be good for the country. When we see the national debt shrunken a little bit each month we might begin to think it is a good idea to shrink it some more and take some other steps needed to carry out that process.

Those are the three amendments I propose to offer, or will support if somebody else offers them. I hope they will make for a better bill, and I trust the membership will see fit to support them.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I would like to say to the gentleman that back in the 1930's and 1940's in the city of Detroit, Mich., there originated a very famous radio program that went across the country called the Lone Ranger. Would the gentleman agree with me that four words opening that program, "Hi-Ho Silver, Away," might be appropriate here?

Mr. HOSMER. That certainly describes the situation here. I might say we face a situation here of how to meet it. We will do the best job we can in getting some kind of an ersatz coin that is usable and practical, and which does not drain the Treasury of its silver. The silver bloc has had its day, and I think they should realize it.

Mrs. SULLIVAN. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. GRABOWSKI].

Mr. GRABOWSKI. Mr. Chairman, there is no question in the minds of those informed on the subject that an alteration in the U.S. system of coinage will be necessary in the near future—and the sooner the better.

Almost universal agreement exists that this will be necessary because of the coin shortage in the United States and the even more severe shortage in free world silver production.

For some time now the American people have felt a tightening in their supply of coins. Right now there are some 48 billion coins in circulation and the Treasury Department says that this should be enough to meet our needs.

However, commercial banks during the past 2 years have experienced difficulty in replenishing their coin supplies.

There are a number of reasons for this shortage of coins. The growth in our gross national product and the growth in our population means that more people are requiring more coins to buy more goods. The increase in teenage population only underscores the need for coins.

Uses for coins have multiplied. The introduction of the retail sales tax in some States is one. The great increase in the vending machines business, selling everything from cigarettes to shoeshines, is another new use. In 1964 alone, an estimated 30 billion individual coins were used in vending machines.

A great number of coins have found their way into the hands of men and women in the coin investing business. These coin investors collect coins not in the interest of scholarship or as a hobby but in the interest of speculation. They have hopes of making a quick dollar with a rise in the price of silver or the value of the coins themselves. They do not collect these coins piecemeal. They hoard them by the roll, the bagful, and the ton.

The collective effect of this increased demand for coins has been the creation of a vicious circle in which the shortage feeds upon itself. The scarcity prompts businessmen to store up coins so that their transactions will not be hampered by a sudden lack of coins for change. And so the shortage is compounded.

This legislation now under consideration would do much to correct this situation. The original purpose was that all silver be eliminated from the dime and the quarter, a step necessary because of the increasingly critical shortage of the silver supply in the free world. Silver has been the basis for our coinage system since the late 19th century. And it has been a system which works well, but we must face the fact that the demand for silver is far outpacing the new production of this precious metal. In fact, the demands of industry and the arts for this metal even now exceed annual new production.

I would like to urge the House to adopt the bill which was passed by the Banking and Currency Committee. This legislation would eliminate all silver from dimes, from quarters, and from half dollars, thereby freeing more silver for the demands of the arts and of industry.

If we do not take this step now, there is no question as to what our coinage future will be. We would have a run on half dollars containing silver, even though the amount of silver would be considerably less than in the coins now being minted. The mere thought that half dollars will contain silver for only a few more years would prompt the coin investors that I mentioned earlier to acquire as many of these coins as possible.

And this would occur because of the other indisputable fact. This is that if we do not eliminate silver from half dollars now, it will be a question of only a few years before additional legislation will be required to accomplish the thing we would be delaying now.

If we continue using silver in half dollars under the new 40-percent formula, approximately 15 million ounces of silver would be used for every 100 million coins produced and a spending of $18 million additional every year plus the cost of the silver used. And we cannot avoid the fact that production would be simplified by using the same alloys in all three coins rather than in only two of the coins under consideration for the change.

As I have pointed out, there are industries which rely heavily on silver. The most obvious which come to mind are the photographic and silverware industries. These two industries are entirely dependent upon access to silver for their continuation. There is no known substitute for silver in the photographic business and sterling silver, by law, must be 925 parts pure silver to every 100 parts of all other elements combined.

These 2 industries employ some 525,000 people both directly and indirectly in retail outlets for their products. They contribute some $2.7 billion annually to the gross national product.

If we act rapidly on this legislation and eliminate all silver from dimes, quarters and half dollars, we will, in effect, be freeing some 15 million ounces of silver per year for these two industries and others which contribute so much to the American economy.

We can save the Treasury Department money in simplifying production and by the use of less expensive alloys rather than silver and we can save ourselves the probable situation of changing our coinage system twice in the span of only a few years.

I urge my colleagues to accept this bill as reported by the House Banking and Currency Committee.

Mr. MORSE. Mr. Chairman, I rise in support of H.R. 8926 as reported by the House Banking and Currency Committee. It is clearly time for the United States to take steps, already begun by most other nations, to produce coinage that will not deplete one of our most precious resources: silver.

If we continue to produce coins of the present quality, there is no doubt that we will have exhausted our supply of silver within 2 or 3 years. At a time when our needs for coinage are increasing, our industrial needs are also rising. We cannot simultaneously continue our present coinage and continue to develop our photographic industries. There is, as yet, no substitute for silver in the photographic and silver products industries, but there is a substitute for silver in our coinage.

In my judgment, the Banking and Currency Committee has answered all of the possible questions regarding the shift in the composition of our coinage.

By providing for a transition period, by establishing standby authority to prohibit, curtail or regulate the exportation, or melting of coinage, by insuring that the new coin will be entirely satisfactory in coin-operated vending machines and by protecting the mining industry from a precipitous price decrease, the Committee has guaranteed the success of the proposed new coin.

The committee has wisely amended the bill to eliminate the silver content from the half dollar, as well as from the dime and quarter. This step will conserve an additional 15 million troy ounces of silver annually and will eliminate the need to legislate again on the silver dollar when the supply is exhausted.

I support the legislation before the House and I will oppose any effort to amend the bill to restore the silver content of the half dollar. I urge the bill's prompt approval.

Mr. PATMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KARSTEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8926) to provide for the coinage of the United States, had come to no resolution thereon.

ONE MAN, ONE VOTE

Mr. GROVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GROVER. Mr. Speaker, as one who has supported the President in the terribly difficult decisions he has had to make on Vietnam in recent months, I cannot stand by to see the one-man, one-vote concept mean one government, one vote—L.B.J.'s. I am shocked at his sharp, hyperpolitical, cynical, thin-skinned attack on the fair and reasonable House Republican position on voting rights legislation.

For one whose position on civil rights during his political career could indeed be said to be at least totally inconsistent, it is unbecoming for Mr. Johnson to take to task a Republican hero of civil rights like Congressman WILLIAM McCULLOCH, and one who has been statesmanlike in his position, Congressman JERRY FORD.

Mr. Speaker, the Republican minority has been offering truly workable, constitutional, viable alternatives to Johnson administration legislation. And one must be blind or ignorant not to see that the administration's legislative programs are replete with radical departures from representative governmental concepts, constitutional premises, and, by centralizing authority and power in the executive department, have all but in fact vitiated the protections of our historic concept of separation of powers.

The Ford-McCulloch voting rights bill was a superior bill—universal in application, even to Texas, and consistent with the efforts of the party of Lincoln to protect human rights, individual liberty, and to give equality of opportunity to all Americans.

I commend Mr. FORD and Mr. McCULLOCH for courage, understanding and compassion for oppressed and disenfranchised Americans.

Mr. Speaker, we are committing a hundred thousand Americans to deadly engagement abroad with proponents of a political philosophy abroad which is one party, militant, and Socialist.

Let us beware of the deterioration of our Constitution, our prosperous and representative two-party political structure, and our free enterprise system. Let us not permit retrogression to a new kind of America which is one party, Socialist, and militant in its intolerance of contrary opinion.

Our President is Commander in Chief of our Armed Forces and in that, he has our prayers, but he heads only one division of a tripartite Government, and it is about time that Mr. Johnson came to realize that loyal opposition is not disloyal and antiadministration is not anti-American.

ARRIVAL OF THE FIRST RUSSIAN WHEAT SHIPMENT TO EGYPT

Mr. DUNCAN of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNCAN of Tennessee. Mr. Speaker, you can lead a horse to water, but you cannot make him drink unless he was playing 'possum all the time.

I was appalled with the report that a crowd of cheering Egyptians celebrated the arrival of the first Russian wheat shipment to Egypt a few days ago. Yet, not a peep was heard as the American freighter came to dock with its U.S.-grown wheat. The Russian shipment—bought from Australia—was 8,845 tons. The American gift was nearly three times as much—24,000 tons.

Nasser can tell the United States to go drink in the Nile, but the administration heeds not. Instead it gift wraps and spoon feeds Egypt a $37 million food package while Nasser holds hands with Communists.

President Johnson said the aid is in the "national interest," but when did our national interest become the interest of pro-Communist dictators?

Along with other Republicans, I voice alarm again. It is not only food, but our country's prestige and security, that is being doled out to an unfriendly dictator.

Earlier this year when the administration decided to continue aid to Egypt, I warned:

> Of all the petty dictators in the world today, none has been more exasperating for a longer period of time than the leader of the United Arab Republic. He has chosen to play East against West for economic aid, while building his military regime.

PROPOSED BENEFITS FOR VETERANS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I am today introducing a bill, entitled "The Combat Veterans' Educational Assistance Act," which will provide a program of education and training similar to that authorized by the Korean GI bill for veterans who have served a minimum of 10 days in an area designated by the President as an "area of hostilities."

Under my bill, the President is authorized to designate by Executive order any area outside the United States as an area of hostilities. Veterans who serve a minimum of 10 consecutive days during a period of hostilities in an area so designated by the President shall be eligible for the education and training authorized by this legislation.

Education or training time shall be earned at the rate of 1½ days of education for each day of military service between the date of the most recent entry on active duty prior to the service in an area of hostilities and the date of first discharge or release from active duty after service in such an area.

Example: Veteran served from January 10, 1958, to January 9, 1962. He reenlisted on January 10, 1962, and is separated on January 9, 1966. During 1965 he served approximately 3 months in Vietnam. The President then designates Vietnam as an area of hostilities for the period beginning January 1, 1964, and continuing until a subsequent Executive order terminating such designation. This veteran's eligibility for education and training would be based upon the enlistment which began January 10, 1962, and ended on January 9, 1966. He would be entitled to the maximum in education or training time of 36 months.

Education or training must be initiated within 3 years after the veteran's discharge or release from active duty or 3 years from date of enactment, whichever is later. Veterans who have been unable to initiate programs of study within 3 years of separation because of the nature of their discharge shall be permitted to initiate a program of education or training within 3 years after the nature of the discharge was corrected or changed to make him eligible.

No education or training shall be afforded an eligible veteran beyond 8 years from discharge from active duty or 8 years from enactment of this law, whichever is later. A program of education or training must also be completed within 5 years after the date of initiation of the program.

My bill provides that each eligible veteran pursuing a program of education or training shall receive an education and training allowance to meet in part the expenses of his subsistence, tuition, fees, supplies, books and equipment. The following allowances are payable:

Educational institution training:

Full time, 14 semester hours: $130 monthly, no dependents; $160 monthly, one dependent; and $190 monthly, two or more dependents.

Three-quarters time: $95 monthly, no dependents; $115 monthly, one dependent; and $135 monthly, two or more dependents.

Half-time: $60 monthly, no dependents; $70 monthly, one dependent; and $85 monthly, two or more dependents.

Less than half-time: Allowance computed at the rate of the established charges or $130 per month for full-time course, whichever is the lesser.

Institutional and on-the-job training: $105 monthly, no dependents; $130 monthly, one dependent; and $155 monthly, two or more dependents.

Apprenticeship or on-the-job training: $80 monthly, no dependents; $100 monthly, one dependent; and $125 monthly, two or more dependents.

Institutional on-farm training: $110 monthly, no dependents; $130 monthly, one dependent; and $155 monthly, two or more dependents.

Educational institutions which qualify to participate in this program include public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers college, normal school, professional school, university, scientific or technical institution or other institutions furnishing education for adults.

The education and training allowances set forth in my bill are higher than those offered under the Korean GI bill. They are similar, however, to the new rates for war orphans' education set forth in legislation recently approved by the House of Representatives.

It should be noted also that the bill does not in itself grant benefits to Vietnam veterans or any other similarly situated groups. It requires an Executive order declaring Vietnam as an area of hostilities before the benefits set forth herein becomes effective.

However, I am joining my colleagues in introducing today a separate bill which would provide direct educational and training benefits to those American servicemen who have served in the Vietnam theater of operations similar to those afforded to veterans of World War II and Korea.

REPUBLICAN LEADERSHIP PRESENTS ANTI-1964 CIVIL RIGHTS ACT OF GOLDWATER-MILLER

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, the matter in the Washington Post to which our colleagues have just referred is not the only thing that came out in that newspaper. There was an article about the President of the United States and a report from the GOP leadership.

Mr. Speaker, there is an old political saying: "What have you done for me lately?"

Once there was a Lincoln. But lately the Republican leadership has presented to the American people the anti-1964-Civil-Rights-Act ticket of Goldwater-Miller, which with only one exception, found its entire electoral college support in the deepest parts of the South. Lately, the Republican leadership has presented a substitute voting rights bill whose main support outside of GOP ranks, has come from the deepest parts of the South.

Once there was a Congressman, later a Senator, who represented a view then, but no longer held by the great State of Texas. But lately, Lyndon Baines Johnson, President of the United States, has been the greatest moving force in America for the most meaningful civil rights legislation in the history of our country.

FEDERAL AVIATION AGENCY, ITS ADMINISTRATION, SUPERSONIC AIRPLANE DEVELOPMENT AND AN INTERNATIONAL AIR EXPOSITION AT DULLES

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain statements and the remarks of the President at the swearing-in ceremony of General McKee.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, we have arrived at another interesting and important crossroads in our aviation world with the transition of leadership of the it is fitting to briefly review our recent and very dynamic aviation history as well Federal Aviation Agency. I believe that as to comment on where we are in aviation today and where we expect to go in the near future.

The Interstate and Foreign Commerce Committee has long been interested in all facets of our international and national air transportation system. Without derogating at all from the vital necessity for comfortable and economic service or from the desirability of the highest level of service to the greatest number of people in terms of adequate equipment and schedules, our daily concern with aviation is in the field of air safety.

In the 20 years between the enactment of the Civil Aeronautics Act of 1938 and the enactment of the Federal Aviation Act of 1958, both civil and military aviation progressed to an astounding and almost unbelievable degree. By the mid-1950's it had become apparent that major legislation would have to be considered and enacted to establish a present and future order for air space use. Although the problem had been under consideration and study for some time—and it certainly deserved lengthy and detailed study—perhaps the highly critical nature of the problem first came to the attention of the general public when two air liners collided and crashed over Grand Canyon on June 30, 1956.

Following this disaster in which 128 persons lost their lives there were other fatal air crashes between civil and military aircraft which were operating under separate flight rules. In addition to the Congress, the executive branch was also giving extensive study to air space and other problems in the field of aviation. The Harding committee, which reported to the Director of the Budget, concluded that as we approached the jet age we were lagging behind in the development of airports, navigation aids, and primarily in our air traffic control system.

Because of this, in February 1956 the President appointed Mr. Edward P. Curtis as his special assistant for aviation facilities planning. In May 1957, Mr. Curtis submitted a report which recommended the establishment of an individual aviation agency.

It was my privilege to work on this important matter and after a favorable conference report from the House Committee on Interstate and Foreign Commerce and similar action from the other body, Public Law 85–726 was enacted in the 85th Congress on August 23, 1958. This act was and is the Federal Aviation Act of 1958.

To a great extent it eliminated duplication and confusion of separate air traffic control systems which at times had appeared to be almost competitive with each other. It established an independent executive agency responsible to the President and to the Congress. The Administrator of the Federal Aviation Agency was vested with the authority to regulate the use of all air space over the United States and to operate a unified system of air traffic control. Under this act, we have had the services of two vigorous and dedicated Administrators. The first Administrator, Gen. Elwood P. Quesada, served from 1958 to 1961. He was followed by Najeeb E. Halaby, who served from early 1961 until July 1, 1965.

In the course of carrying out my duties as chairman of the House Committee on Interstate and Foreign Commerce, I and many of the other members of the committee were in close contact with these two Administrators, and I can state without equivocation that in my judgment each served this Nation exceptionally well.

When it became established that "Jeeb" Halaby felt that it was time for him to leave his post as Administrator, the President sought and found the man that he believed to be the most qualified to replace this valuable public servant. His replacement was sworn in on July 1, and he is, of course, Gen. William F. "Bozo" McKee. Many of you already knew of his tremendous achievements in his military career, and that at the time of his retirement in 1964 he was serving as Vice Chief of Staff for the Air Force.

I am sure that those of you who had not earlier had an opportunity to consider the qualifications and background of "Bozo" McKee did have such an opportunity when H.R. 7777 was under consideration by the House and the other body. This legislation allowed the President to nominate "Bozo" McKee notwithstanding the fact that he is a retired military officer.

On June 30, General McKee was confirmed by the other body and took his oath of office on July 1. I am looking forward to the same close association that I shared with his predecessors.

On January 19, 1961, the day before he was inaugurated as the 35th President of the United States, the late John F. Kennedy announced the appointment of Najeeb E. Halaby as Administrator of the Federal Aviation Agency. He said in part:

> We have looked for the best qualified and professionally competent man. We have found him in Jeeb Halaby of Santa Monica. He reports directly to me and will be my principal aviation adviser and the Administrator of the Federal Aviation Agency.

I am advised that, just prior to that announcement, President Kennedy and Mr. Halaby had a long conversation in which both the risks and the great prospects of leadership and management of airspace were discussed. In his customary manner, the President pointed out that the average tenure in the CAA-FAA leadership position was about 18 months and that he wished and expected that the new Administrator would see it through for a full term of 4 years. Mr. Halaby agreed to do so. He was confirmed by the Senate and sworn in by the President on March 3, 1961, as the second Administrator of the Federal Aviation Agency.

The record for these 4 years will declare for itself the achievements in the field of civil aviation that have been realized under Presidents Kennedy and Johnson.

One of the many recognitions of achievement in the safety field was the recent award to Administrator Halaby, on the advice of the Flight Safety Foundation, of the world-renowned Monsanto Award. Because it so aptly describes the significant achievement, I want to quote from the citation for the award:

> To Najeeb E. Halaby, Administrator of the Federal Aviation Agency, whose intelligent leadership, during an era of dynamic transition to jet transportation and rapid expansion of general aviation, brought the best knowledge and experience in Government and in the aviation industry to bear on the most effective utilization of present systems and procedures, and on the development of new facilities and techniques to keep pace with the increasingly complex needs of air safety, including those of supersonic flight.
>
> Specific advances were made—
>
> In furnishing direction to research and development in air traffic control through Project Beacon, including increased control of airspace jointly used by civil and military aircraft;
>
> In a cooperative attack on the problem of turbulent air masses and their relationship to the safe operation of turbojet transports;
>
> In stimulating airmen to better performance and understanding of air safety by sponsoring programs such as Blue Seal for private pilots, recognition of outstanding achievements in maintenance, nationwide conferences with groups of pilots and mechanics to discuss and clarify critical safety problem areas;
>
> In the simplification and consolidation of the Federal Air Regulations and in a finely organized effort to foresee and control the flight safety problems posed by the supersonic transport; all exemplifying his supreme sincerity and dedication to the cause of aviation safety.

On that occasion, President Lyndon B. Johnson sent Mr. Halaby the following telegram:

> Please accept my heartiest congratulations on the Monsanto Aviation Safety Award. I join with those assembled this morning in Albuquerque in applauding your significant and lasting contribution to aircraft operating safety during your 4 years of outstanding performance as FAA Administrator. Under your leadership, the FAA has made marked progress toward a high standard of air safety in a period of higher speeds and increased traffic.
>
> Although your decision to leave the Government is regretted I understand the compelling personal reasons which have necessitated it. Your active assistance in preparing your successor to carry on the work of the Agency has been greatly appreciated. Congratulations on the well deserved award and best wishes for the future.
>
> LYNDON B. JOHNSON.

In 4 years, which is nearly twice as long as anyone else has been willing and able to perform this difficult position, I am confident that anyone who tried to do anything in this most demanding job would encounter his share of critics; the Congresman or Senator in whose district a facility considered to be unnecessary has been closed, the pilot who has been grounded for medical or operating reasons, the Agency employee who did not get promoted, one of the 1,800 occupants of the positions that have been eliminated during the last 18 months, the Washington publicist whose very existence is dependent upon attacking the regulators. Such an aggregation with access to publicity media may make us lose sight of the great number of commendable achievements made over the 4 years that have just passed.

The House Interstate and Foreign Commerce Committee has worked closely with the administration on many of the problems which have faced the aviation industry and the Agency. I feel the impressive record speaks for itself and it will endure to the credit of the administration and the Administrator who made it possible.

As the command of FAA changes from Jeeb Halaby to "Bozo" McKee, it is fitting that we acknowledge some of the gains of the past and look toward some of the new challenges.

I have recently returned from the International Air Show in Paris where, together with other members of my committee, we carefully examined three important subjects. First was the state of international civil aviation and, in particular, the Russian penetrations. Second, the progress the British and French are making in the construction of the first supersonic transport. Third, the question of whether or not the United States, after a lapse of more than a decade, should have its own international aerospace exposition here in the Nation's Capital.

Regarding the first point, world aviation as presented at the International Air Show in Paris continues to be exciting, dynamic, and competitive. Until our Vice President and the astronauts arrived, the Soviet Union had stolen the show by bringing a new family of airplanes and helicopters and a host of about 400 designers, salesmen, and commercial spies. Their aircraft ranged from an advanced small helicopter through a huge helicopter capable of carrying a 30-passenger bus, to a very sharp looking local service transport, all the way to the jumbo turboprop, the Antonov 22, which is the largest and probably the cheapest freighter in the air today. They carefully avoided bringing any military aircraft and concentrated on civil aviation and space. Their Vostok space vehicle and their cosmonaut, Yuri Gagarin, dispensing autographs like a movie star, drew the largest early crowd which totaled more than a million during the several days of the show.

One of my most memorable moments was participating with the Vice President in the first meeting of our astronauts, McDivitt and White, with the Russian cosmonaut, Gagarin, and observing their natural, friendly, and enthusiastic exchange of experiences in outer space. Here we saw the two great powers in direct competition and with the individual citizens in friendly conversations. But underneath it all I saw a great threat to America's long sustained leadership in civil aviation. We must not let it succeed. We must and will share continued leadership in this field.

We spent several hours with British and French officials and design and manufacturing leadership regarding the supersonic transport Concorde. Despite a change in governments and a reappraisal of British participation, not 1 hour of engineering and manufacturing time was lost, and the very fine British and French designers have not only improved the Concorde by giving it greater payload but they are definitely going to fly it in the first quarter of 1968.

They have just announced additional orders from the Belgian airline, Sabena. There is not the slightest question that they are ahead of us by at least 2 and perhaps 3 years and our airlines who have recently been briefed as customers report that the British and French are making very great progress and that they may very well have to buy a first round of Concordes in view of the delay in starting the U.S. SST. We can only hope that the President's announcement means that we are proceeding to make up for lost time and to close the lead in delivering the first passenger-carrying vehicles even though we cannot possibly fly first.

On the third point, I am convinced, and have been for 2 years, that the United States should put on an International Aerospace and Science Exposition as early as practicable. Probably in 1966. We must not take our aviation leadership for granted. We cannot afford to have not only the British and French but the Russians outshow and outsell us. I am, therefore, introducing today a bill designed to authorize the President to conduct such an air show at our great Dulles International Airport. I would expect that he would set up a commission to run it and to use the facilities of the FAA in supporting it. Also supported by the State Department, military, Department of Commerce, and so forth.

Now as we look ahead and welcome Gen. William F. McKee as Administrator of FAA and Charles Murphy as Chairman of CAB, and congratulate Alan Boyd on becoming Under Secretary of Commerce for Transportation, we will expect them to meet these challenges, to continue the outstanding and dedicated efforts which we have seen exemplified by Najeeb Halaby, a distinguished American and a faithful servant of the American public.

THE RECORD OF FAA

GROWTH OF CIVIL AVIATION

During the 4 years of the Kennedy-Johnson administrations, the Nation has experienced a period of dramatic growth and innovation in aviation. The immediate challenges of this period have been met and a sound foundation laid for the continued development through the next decade of a safe and efficient air transportation system. Airline profits have risen from $9 to $226 million while fares have been declining; the number of passengers carried has increased from 62 million to 89 million; the jet fleet has expanded by almost 200 percent; fatalities per 100 million passenger-miles in scheduled air carrier operations have decreased by more than 50 percent; the general aviation fleet has increased by 12,200 aircraft and hours flown have increased by 20 percent.

To discuss the accomplishment over the past 4 years we must first look back to 1961. The situation then was marked by strain and strife both for the aviation industry and the Agency. Although the overall air safety record disclosed little cause for real alarm. Congress and the public had been deeply moved by the worst air disaster in aviation history resulting from the midair collision over Staten Island in December 1960. That month also marked the end of the fourth year during which the earnings of an ailing air transport industry has progressively dwindled, barely topping $9 million for 1960, and on the edge of decline to a $38 million deficit in 1961. Troubled airline management-labor relations added to the carriers' financial burden of converting from piston to jet fleets.

The Federal Aviation Agency was only beginning to emerge from the stresses of consolidating predecessor organizations while rapidly expanding its staff to carry out new functions. Viewed from other critical perspectives, the Agency was struggling to amplify and revise, in step with technological change, earlier studies which had set forth national aviation requirements and outlined the features of an airway system to meet the common needs of defense and commerce.

Management of the Agency had been centralized in the Washington headquarters. This resulted in a tendency to move all operational questions from the source of the problem in the field to the point of decision in Washington with consequent delays and waste of manpower.

Among the immediate tasks confronting the new administration were redefinition of goals and objectives, the improvement of the Agency's relationships with the aviation community, and the streamlining of its management structure and methods.

The efforts of the last 4 years have produced notable progress in the Agency's capability to administer operations with economy and enhanced safety. For example, the Agency's 5-year program existing when Mr. Halaby took office contemplated by 1965 a budget of $969 million and a staff of 55,000. The Agency's actual budget for 1965 was $727 million, and the authorized staff was 45,800. The 1966 fiscal year budget is down to $725 million and 44,450 positions in the face of sharp, further increases in all major aspects of our workload.

It is worth noting that despite all the crises and changes the Agency has faced, it has never lost its heart. Each employee has had access to the top, had a hearing on his problems, and has rarely been subjected to reductions in force despite reductions in personnel ceilings.

MODERN SYSTEM OF AIR TRAFFIC CONTROL FOR THE FUTURE

FAA has developed a broad plan for the orderly and economic evolution of a modernized, automated system of air traffic control which will take fully into account continuing advances in technology and changing national needs. This includes a detailed design for a national airspace system including airports, communications, weather, and airspace subsystems, all tailored to support the advances in air transportation which are predicted to occur through 1975. The research and development necessary to the modern, automated system recommended is now far along and the system is being installed.

IMPROVEMENTS IN INDUSTRY RELATIONSHIPS

The problem of improving public and industry attitudes could be solved only by increasing areas of mutual understanding and decreasing areas of mutual distrust. A concerted effort was undertaken to open the doors and minds of the Agency to permit a full and candid exchange of views on its policies and programs with those it regulated. "Hangar sessions" were instituted throughout the country to give airmen a chance to meet with the Administrator and other Agency officials on familiar grounds. In fact I participated in one of these all day, outdoor sessions at Mount Ida, Ark. It was a great thing watching the regulated mix it up with their tormentors from Washington. They felt their own Government was listening to their problems; all concerned benefited. Complementary information and education programs were developed and often carried out in cooperation with other public and private agencies. A greater effort was made to explore regulatory proposals preliminarily with affected elements of the industry.

Among the more important actions that have been taken were the establishment of new requirements for training and demonstrating crew competence in emergency evacuation procedures; the securing of new legislation and the issuance of new regulations to prevent hijacking; the adoption of new regulations to cope with other in-flight hazards such as passenger intoxication; and the introduction of new measures to assure financial responsibility of supplemental air carriers. These actions have been effective. For example, in the supplemental air carrier industry—the so-called nonskeds—there has not been a passenger fatality since our rigorous enforcement program began in late 1961.

The research and development necessary to improve safety regulation was also aggressively pursued. Major emphasis was given to determining methods of minimizing fatalities in survivable accidents, averting the hazard of lightning strikes, coping with bird ingestion in turbine engines, and developing practical devices to detect concealed explosives. A comprehensive Government-industry attack on the problem of detecting and avoiding turbulent air masses was also initiated.

HARMONY AND TEAMWORK WITH OTHER AGENCIES

Achieving unity of purpose and harmony in operation among the Federal agencies with interests in aviation has been given constant attention. U.S. policy regarding international civil aviation was reviewed and revised. In the area of aircraft accident investigation, a state of active public competition and friction between the FAA and the CAB has been changed to one of close collaboration, a process culminating in the establishment last year of a joint accident investigation training course for employees of the two agencies.

FAA-DOD COOPERATION AND ECONOMY

In the relationship with the Department of Defense, the Agency has achieved the highest state of economy and harmony in history. Jointly, many millions of dollars were saved through planning for the consolidation and integration of facilities and functions—in the neighborhood of $17 million annually in the case of long-range radar alone. Other important cost reductions have been achieved in consolidation of communications services, flight inspection, and air traffic control services. Planning for wartime integration with the DOD is now on a sound footing as a result of Executive Order No. 11161, issued last year. Despite a reduction of 20 percent in active duty military personnel serving with FAA and a reduction of 25 percent in the airspace restricted exclusively for military purposes, the relationship with the Defense Department is most satisfactory.

SUPERSONIC TRANSPORT

Of vital importance in terms of our Nation's future role in world air transportation has been the progress toward a U.S. civil supersonic transport aircraft. Through careful research and development, an American supersonic transport has been advanced from a position of theoretical possibility to the point where the United States can proceed with the design, construction and test of an aircraft clearly superior to those now being built in France, the United Kingdom, and the U.S.S.R. The Agency's management of the program while under review by two Cabinet committees has drawn compliments from key Congressmen and Senators, the airlines, and the manufacturers for being sound and cooperative, fair and tightfisted.

PROGRESS AND SAFETY IN THE AIRSPACE

The number of aircraft handled by the Agency's air traffic control service at airports has been increased by 25 percent, and en route traffic has grown by 13 percent. Based on traffic handled per position, the productivity of the air traffic controller has improved about 19 percent. The productivity of the technicians who maintain the air traffic control and navigation system has increased about 22 percent over the 4-year period.

The number of air traffic control centers in the contiguous 48 States was reduced from 29 to 21—9 centers closed and 1 additional opened.

The system of radar positive control of aircraft flights has been expanded from approximately 110,000 square miles of coverage in 1960 to about 3 million square miles today—virtually all airspace in the contiguous 48 States between the altitudes of 22,000 and 60,000 feet.

The progress made in modernizing the system is reflected in the installation of new facilities necessary to a safe and efficient system. Long-range radar installations were increased from 42 to 75; airport surveillance radar, from 54 to 71; precision-approach radar, from 20 to

30; instument landing systems, from 193 to 237; approach light systems, from 131 to 194; airport control towers, from 230 to 277; and VOR navigation aids, from 727 to 824. Partly as a result of these improvements, the onetime performance of U.S. airlines has been significantly improved, the risk of accident reduced.

AIRPORT AID

Under the Federal Airport Act which I introduced in 1961, grants were made for airport development totaling more than $290 million. These grants helped local communities construct 170 new airports and to build or improve 750 runways, 700 taxiways or aprons, and 550 lighting systems. Through vigorous enforcement of the act, racial discrimination was eliminated at all terminals at airports which have received Federal aid. Similarly, a policy of promoting competition through the prohibition of monopolies at Federally assisted airports was enunciated.

I include at this point the letter of resignation from Mr. Halaby to the President, the letter of acceptance by the President, the President's remarks at the swearing-in ceremony for General McKee, and the text of a bulletin from the FAA:

FEDERAL AVIATION AGENCY,
Washington, D.C., March 3, 1965.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On completing four challenging, exciting, and rewarding years as Administrator of the Federal Aviation Agency, I am submitting herewith my resignation, to be effective on or before May 1, 1965, as you may find convenient.

It is now time for me to return to private life, recoup the family finances, and resume a professional career.

The position of Administrator needs and deserves an individual of your personal choice with fresh ideas and new energy who can serve effectively not only as the manager of one of the largest organizations in Government but also as your principal aviation adviser.

If in the future I may be of assistance to you and the Government, I will of course do my best to serve.

With gratitude for the privilege and opportunity of serving my country and my President, I am,

Respectfully yours,
N. E. HALABY,
Administrator.

THE WHITE HOUSE,
Washington, D.C., June 30, 1965.

Hon. NAJEEB E. HALABY,
Administrator, Federal Aviation Agency,
Washington, D.C.

DEAR JEEB: It is with regret that I accept your resignation, effective upon the appointment and qualification of your successor. I can, of course, understand your desire to return to private life, and I wish you great success.

You can be justly proud of your administration of the Federal Aviation Agency. It has been a period of rapid growth, and your vigorous and dynamic leadership has been its hallmark. The Nation is indebted to you particularly for your leadership in the supersonic transport development program.

I extend my sincere thanks for a job well done.

Sincerely,
LYNDON B. JOHNSON.

REMARKS OF THE PRESIDENT AT THE SWEARING-IN CEREMONY OF GENERAL MCKEE

Secretary McNamara, General McKee, Mr. Halaby, Mr. Thomas, General Grant, my friends in the Congress, ladies and gentlemen, if it won't cause the press to think a news conference is beginning, I will start out this morning by saying that I have a few announcements to make in short and to the point, as always.

Right now, I am very happy to be able to welcome all of you here—with the advice and the consent of the Senate—Senator MAGNUSON.

This is a ceremony of more than usual significance. It is one of the relatively rare occasions when a native of the State of Texas is leaving the Government voluntarily. I hope that none will regard that as an ominous link in an ominous chain.

Jeeb Halaby gave up the quiet, everyday pleasures of being a test pilot to face the perils and dangers of bureaucratic life in Washington. But every passenger who flies across this country in a plane owes him a deep debt of personal gratitude. In 4 years of dedicated, tireless service he has done much to assure public confidence in the safety of air travel.

By the inspiration of his vigorous leadership, he has greatly advanced the performance of the fine agency that he has headed. And certainly Mr. Halaby has won a place in history as the first regulator—in my memory—to fine himself for violating one of his own regulations. I am grateful to him for his willingness to serve his country by remaining in his post at great personal sacrifice for many months, and I wish him every success ahead.

Now the man who takes the direction of the FAA today leaves the perils and the dangers of retirement to resume the quiet, everyday pleasures of an 18-hour workload.

I don't know whether it is more politic to call him "General," or "Mister," or "Bill," but whatever the title of the man, I know that every knowledgeable person in this Government and out of it, calls "Bozo" McKee the best man for the important job that I am assigning him this morning.

You know without my repeating it what that assignment is. It is to develop a supersonic transport which is, first, safe for the passenger; second, superior to any other commercial aircraft; and, third, economically profitable to build and operate.

All about the man and about his record, I think, is conclusive evidence that he is the man to direct this effort. I am very proud to have him aboard. And in this connection, I have this announcement to make.

I have received the second interim report of the President's Advisory Committee on Supersonic Transport.

This Committee has conducted an intensive appraisal of the status of our supersonic transport program. Based on this review, the Committee members have recommended a plan of action to move the program forward at the fastest possible rate consistent with the attainment of those goals that I have outlined—that is to develop a supersonic transport, safe for the passenger, superior to any commercial aircraft, and economically profitable to build and to operate.

The Committee advises me that substantial program progress has been made within the last several months. The Committee believes there is a high degree of probability that future work on the basic technological problems, a commercially profitable supersonic transport can be developed. It has also stated that much work must be done before construction of a prototype aircraft is initiated—if the large financial and development risks underlying the program are to be minimized.

On this basis, the Committee has recommended a substantial increase in the tempo of the program.

I have approved the Committee's five recommendations. I have directed their implementation as soon as possible. Those five recommendations might well be mentioned here and they are:

1. The next phase of design covering an 18-month period beginning about August 1, 1965.

Second, the four manufacturers—Boeing Co., Lockheed Aircraft Co., General Electric Co., Pratt & Whitney Division of United Aircraft—be invited to continue this phase of the program.

Third, the FAA Administrator be authorized to enter into contracts with the airframe manufacturers to undertake detailed airframe design work and test them over the next 18 months.

Fourth, the FAA Administrator be authorized to enter into contracts with the engine manufacturers to construct and to test over the next 18 months demonstrator engines to prove the basic features of the engines.

And, fifth, and finally—and very importantly—that the Congress be requested to appropriate—Senator MAGNUSON—the necessary funds to initiate the next phase of the program. And for this purpose I shall request an appropriation of $140 million.

The objectives of this 18-month design phase are as follows:

First, to provide a sound foundation upon which realistic estimates of operating performance and development of production costs can be based.

Second, to take advantage of the flight experience of the SR–71, the XB–70, and the variable swept wing F–111—all of which will be extensively flown at supersonic speeds during the next 18 months.

Third, to reduce developmental risks and developmental costs, while retaining the capability to accelerate the program in its later phases, depending upon the technological progress of the manufacturers.

And, fourth, to provide a basis for judgment as to the manner in which the program should proceed after the 18-month period, and to determine with much greater precision and knowledge the work that should be done in the succeeding phases of the program.

I might add here that all of the talent in the Federal Government is going to be available to the FAA Administrator in cooperating and in coordinating with him in this great job. The distinguished Secretary of Defense is going to offer counsel and assistance and resources of his department. The distinguished Secretary of Commerce, the Secretary of the Treasury, the Space Administrator, and others, are all involved in this effort, and it is going to succeed.

The program that I have just approved represents a very significant increase in the level of our effort—and a threefold increase in the amount of funds that we are spending. We believe that the increase is clearly justified by the progress that has been made over the last 4 years and, particularly, that made over the last several months under the plan of action approved last May.

The program demands much hard work and much hard thinking. As I have been since President Kennedy first asked me to chair this Committee. I am confident that this country can achieve the level of technological advance that is required to develop and produce a supersonic transport.

So, given the ability of industry, the Government and the people all working together, I have not the slightest doubt that under the predicate laid and the preliminary work done through the years by men like Jeeb Halaby, and carried through under the direction of Bozo McKee, America will proudly reach her goal in due time and on time.

Thank you very much.

FAA Bulletin on Gen. William F. McKee, U.S. Air Force, Retired, Administrator, Federal Aviation Agency

Gen. William F. McKee, U.S. Air Force, retired, was nominated Administrator of the Federal Aviation Agency by President Lyndon B. Johnson on June 23, 1965, confirmed by the Senate on June 30, and sworn in on July 1. President Johnson earlier had announced his selection of General McKee at an April 27 televised press conference.

On retirement from the Air Force in August 1964 General McKee was Vice Chief of Staff. In September 1964 he joined the National Aeronautics and Space Administration (NASA) as Assistant Administrator for Management Development, a post he held prior to his FAA appointment.

Born at Chilhowie, Va., on October 17, 1906, General McKee was graduated from West Point in 1929 and commissioned a second lieutenant in the Coast Artillery Corps of the Regular Army.

General McKee served in Army assignments in Florida, the Canal Zone, California, the Philippines, Puerto Rico, and at the Norfolk Naval Station, Va., before he transferred to Headquarters, Army Air Force in January 1942. He received his first start in 1945 and was appointed Chief of Staff of the Air Transport Command in 1946. In August 1946 he went to Europe as Commanding General of the European Division, ATC, with headquarters at Paris. In December 1946 he transferred to USAF Europe (USAFE) headquarters at Wiesbaden and became its commanding general in January 1947.

When the Air Force became a separate service in 1947, General McKee returned from Europe to work under Gen. H. H. "Hap" Arnold in setting up the new service. He was appointed Assistant Vice Chief of Staff of the U.S. Air Force in September 1947 and was promoted to major general in 1948. He remained in this post for nearly 6 years.

In 1953 General McKee became Vice Commander, Air Materiel Command, U.S. Air Force, and continued in that post when AMC's name was changed to Logistics Command. He gained his third star as lieutenant general in 1957, and, in August 1961, was named Commander, Air Force Logistics Command, receiving his fourth star at that time. The following July he became Vice Chief of Staff, U.S. Air Force, under General Curtis LeMay.

General McKee was awarded three Distinguished Service Medals during more than 35 years of military service. He was also the recipient of the first annual Distinguished Management Award for outstanding contributions in Air Force logistics assignments.

WHAT DO WE WANT OF OUR MERCHANT MARINE?

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Reinecke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, our distinguished colleague from California [Mr. Mailliard] has compiled an enviable record this year as ranking minority member of the Committee on Merchant Marine and Fisheries. In the short time I have served on his committee, I have acquired great admiration for his knowledge of and devotion to the problems of our merchant marine.

Over the years he has earned the deep respect of his colleagues on both sides of the aisle and certainly of both labor and management in the maritime industries. On May 21, 1965, Bill Mailliard offered some incisive suggestions about our merchant marine policies and the future of the industry itself. The speech was timely when it was delivered and it is becoming more timely each day.

In the hope that my colleagues may achieve a better understanding of the crisis which faces this critical industry, Mr. Speaker, I commend to each of them the remarks of the Honorable William S. Mailliard, entitled "What Do We Want of Our Merchant Marine?"

What Do We Want of Our Merchant Marine?

(Address in honor of National Maritime Day by Hon. William S. Mailliard, Republican, of California, ranking minority member, Committee on Merchant Marine and Fisheries, House of Representatives, at annual luncheon at the Commercial Club, San Francisco, Calif., May 21, 1965)

We are here today in honor of National Maritime Day, commemorating the 146th anniversary of the departure on May 22, 1819, of the SS *Savannah* on what became the first trans-Atlantic crossing by a steam vessel. Despite our pioneering feat in steam propulsion, we chose to cast our lot with sail. Steamships—it was said at that time—could never compete with sail as long as the wind remained free. Other nations, however, developed the steamship—developed it, I might add—with government aid and capitalized on our initial efforts. We as a nation were left at the gate. But more importantly, why were we remiss in failing to capitalize on this opportunity? Possibly one of the reasons might have been the lack of dynamic, constructive leadership at that time to forge a sound maritime policy.

Today, another vessel bears the proud name *Savannah*—the nuclear ship *Savannah*. Like her predecessor, she is a prototype vessel—an instrument of research. Once again, we have blazed the trail—this time in the field of nuclear propulsion. True—we have obtained some operational experience from the N.S. *Savannah*, and the Maritime Administration is vigorously pressing forward with studies on the application of nuclear propulson. All of this is very encouraging, but where this will fit into our maritime policy is still vague. I fear that we have come full circle, and that we are presently in the same position we were in 146 years ago—once more deliberating, owing to cost—whether to capitalize on our own initial efforts. This is but another crossroad among many in the faltering development of our American merchant marine.

Because of this apparent historical cycle, I have chosen to speak to you on the topic of "What Do We Want of Our Merchant Marine?" I do not profess to have the answer to this question. As a matter of fact, until several months ago, I probably would not have thought of the topic. I was laboring under the impression—and possibly you were, too—that this question was laid to rest with the declaration of policy of the Merchant Marine Act of 1936. In past months, however, critics have taken issue with this policy—and particularly the act—attacking it without coming up with any concrete alternative. Well, Longfellow had a few words to say concerning critics, and I quote:

"Some critics are like chimney sweepers; they put out the fire below, and frighten the swallows from their nests above; they scrape for a long time in the chimney, cover themselves with soot, and bring nothing away but a bag of cinders, and then sing out from the top of the house, as if they had built it."

The indecision created by these attacks to which I referred to a moment ago culminated in a somewhat unprecedented reference in the President's state of the Union message last January. I quote: "I will recommend * * * a new policy for our merchant marine." Well, thus far I have not seen anything come up from Pennsylvania Avenue on this new policy. Meanwhile, the attacks upon our present policy continue unabated, so that I seriously doubt whether anyone could answer the question—"What do we want of our merchant marine?"

Now, I have nothing against discussion. It is a healthy thing, but at a certain point you have to call a halt. Some say, also, that the critics have done a service by "rocking the boat" so as to break industry loose from the shoals of complacency and inertia. This is fine, and possibly a valid observation. But—having gotten us off the shoals, where do we go from here? There does not appear to be anyone on the bridge to either take the helm, or to ring up the engines. We are in a state of limbo, and dangerously adrift. Set adrift—I might add—by the very persons whose duty it is to promote our American merchant marine. I can only compare our present status with the story of the donkey that was standing between two stacks of hay. The donkey could not make up his mind which stack of hay to eat, so he simply stood there and starved to death. Well, any similarity between the donkey and parties presently in office is purely coincidental.

Ladies and gentlemen, the Merchant Marine Act of 1936 is not perfect—nothing ever is—but I was under the impression that it was our national policy, a policy which I submit is not being carried out. If, for example, there is such alarm over our failure to achieve the goals of the act, then why has not the Administration taken the initiative? Title VII of the act makes provision for just such a situation, providing in part that the Maritime Administration can construct new ships for its own account. For all of the criticism lodged against the 1936 act, it does make provision for the Administration to take the lead, but it apparently has chosen not to do so. Why? I suggest the reason is that it is impossible for the Maritime Administration to take such independent action under the present organizational structure. I heard, for example, that the 1964 Maritime Administration legislative program provided tax deferment for deposits of earnings in a construction reserve fund by nonsubsidized operators, but—it never cleared the Department of Commerce. Legislation is badly needed to assist that two-thirds of our fleet which represents the Appalachian sector of our American merchant marine. True—it is encouraging that Members of Congress, taking the initiative, have attempted to obtain some assistance for our nonsubsidized operators. However, one must be realistic in this very lopsided and obedient Congress—legislation that does not have White House approval is doomed before it is written.

There are some who will say that the reduction experienced by our merchant marine has been due to labor-management difficulties; others point to the higher cost of wages and construction; and still others, to unsound shipping practices. However, I feel that these are merely symptoms. The real problem is a lack of public understanding, generally, as to why we need a strong, healthy, citizen-manned merchant marine. But—how can we ever expect to create and nurture public understanding without constructive leadership, and particularly without an independent Government agency to speak for, and set policy for our entire American merchant marine?

From the very outset, I have maintained—and still advocate—that placing the Maritime Administration and the Maritime Subsidy Board under the Department of Commerce represented an inconsistent philosophy. On the one hand, we took aviation out from under the Department of Commerce, and then we turn around and place the Maritime Administration and Board subordinate to it. It just does not seem rational to me. And what has been the result of this situation? From the day the 1961 Reorganization Plan No. 7 went into effect, we have—for all practical purposes—been without Federal leadership or policy.

If you want an example of our need for an independent agency, look at the aviation industry today. It is presently forging ahead with a highly imaginative and creative program for developing a supersonic transport and is receiving nationwide publicity. The development cost alone for this program will be more than $1 billion. And—I have heard that negotiations are presently underway for the Government to underwrite from 75 percent to 100 percent of this cost. Add to this the cost of other aircraft which have served as steps in this development, such as the XB-70, and you will end up with a pretty staggering sum of money. Why then is there such a hue and cry raised about the subsidy for our American merchant marine? For that matter, look at the President's budget message in which he requested funds to study the development of a high-speed express train from Boston to New York. I hear that this could be a $2 billion project in itself. Could it be that for lack of a spokesman for its cause the American merchant marine is about to be scuttled for the sake of the "Great Society"?

A few moments ago, I referred to critics of our merchant marine and the Merchant Marine Act of 1936. Well, at this time I would like to be a little more optimistic than these gentlemen. I would like to indicate a few of the many things which I think are right with our merchant marine because of the 1936 act, as well as put in my "2 cents" as to what is not right. As someone once said:

> "Twixt the optimist and pessimist
> The difference is droll
> The optimist sees the doughnut
> But the pessimist sees the hole."

Well, in terms of our American merchant marine, I would like to think that we, too, can see the doughnut and not always the hole.

First of all—let's give the Devil his due—the 1936 act has produced at least one segment of our American merchant marine that is in pretty good shape—the subsidized operators. The act has accomplished this through parity—its keystone. Under this concept, vessel construction and operating costs are equalized with those of foreign competitors by subsidy. Theoretically, this enables our American subsidized operators to compete on the same level as foreign operators. Now, what do the critics have to say about this?

One example: last September the Maritime Administrator spoke at a luncheon in Long Beach expressing his concern over the escalation in our subsidy. As I recall, he said that in the 5 years between fiscal 1950 and 1955, the net subsidy payable account increased from about $50 to $100 million, or something more than 100 percent. No explanation whatsoever was offered for this increase. The general public must have thought that a subsidy contract was a ticket to the musical comedy "How To Succeed in Business Without Really Trying." Of course, nothing could be further from the truth, and frankly the statement bothered me. It bothered me so much that last month I wrote to the Administrator and called his attention to the possible effects of foreign currency devaluation in late 1949. And, I requested any information as to the dollar effect on subsidy for the past 15 years. The response I got from one of his staff members was completely void of any statistics on this possible effect. I later learned that the reply was nothing more than a paraphrasing of a paper written by a staff member of the Maritime Administration back in late 1949—before any effect of the devaluations could really be measured. Subsequent research turned up this statement made by the Maritime Administration in June 1955 in connection with our committee's hearings on labor-management problems, and I quote:

"It is believed reasonably safe to assume, after analysis of the trend of subsidy wage rates in the postwar years, that one of the major contributing factors responsible for today's increased cost to the U.S. Government of subsidizing its merchant marine was the devaluation of foreign currency in 1949."

And concerning the effect of foreign currency on the cost of vessel construction, I invite attention to the 1952 redetermination of the sales prices of the SS *Independence* and SS *Constitution*. These influences—I believe—served to reduce the estimated total foreign construction cost for those vessels by about $6 million.

One must bear in mind also another significant influence. From mid-1950 to mid-1955, the number of subsidized companies increased from 13 to 16. Because of this, about 30 more ships were placed under operating-differential subsidy contracts.

Naturally, the net subsidy payable account increased. How could it help but increase under such influences? The point I make is that the 1936 act performed as its framers intended. Therefore, implied fault for the escalation does not wholly lie with either the subsidized operators or wages of American seamen. Was the Maritime Administrator unaware of such causes? I doubt this very much. I can only assume that his attack went to the very heart of the act—parity. Now, it is my understanding that about 14 studies on operating-differential subsidy have been made over the past years. Every one of these studies has concluded that the parity principle is sound. Are we to now assume, based upon random and unexplained statistics, that it is not a sound policy? If there is a better system which will improve the stature of our American merchant marine, then I ask the Administrator—here and now—to come forth with this alternative.

What else have we accomplished through the 1936 act? Well, it has served as a vehicle for training personnel—both licensed and unlicensed. There are, however, shortcomings in this area, but where leadership has faltered, labor and management have taken the initiative to prepare personnel for the newer automated ships. Unfortunately, there is little evidence of any effective direction or coordination by the Maritime Administration. Yet all of these programs—to my knowledge—utilize Federal funds in some measure. But I am more immediately concerned with the attrition rate in the seagoing work force, coupled with additional skills required for new automated ships. I have heard that this presents a potential shortage of qualified seagoing personnel by 1970. Studies place the average age of skilled seamen on the Pacific coast at 46 years of age. There are indications also that something like 60 percent of licensed deck and engineer officers are 46 years of age or over. At least—to me—these are danger signs. This seems indicative of a future problem worthy of more recognition than it now appears to be receiving.

Along this same line, what about the present economic well-being of the American seaman? Maritime labor organizations may rightfully take the lion's share of credit in this area. However, I think that some measure of credit is owing to the Merchant Marine Act. As a matter of fact, I have heard some rather vigorous denunciations of the act as having escalated the wages of our seamen. One might say that this is the proof of the pudding that the act was effective. Admittedly, the act, through its subsidy program, does increase the demand for American seamen, improving his bargaining position. But, whether subsidy increases significantly the cost of labor is another question. I—for one—do not hold to the philosophy that the American seaman should constitute the "whipping boy" for the decline in our American merchant marine.

Our Nation has one of the highest—if not the highest—standards of living. This high standard does not stop when the last line is cast off from our shores. Logically, why should not the American seaman participate equally in that high standard of living—the same as any other American worker employed ashore? For that matter, there should possibly be some premium due to the nature and character of his employment. True—it is difficult to make a comparison between the wage rates of seamen and shoreside workers. But, from what information I have seen, seamen's wages appear to be in line with those of other Americans. Therefore, I cannot conclude that the American seaman shares disproportionately in our high standards of living, but as with other sectors of American labor, higher wages must be accompanied by increased productivity for their justification.

In this area of collective bargaining I also fear that some people too often lose sight of one overriding national policy. That is the National Labor Relations Act, which—I might add—antedates the Merchant Marine Act. The Maritime Administration, for example, presently operates two general agency ships off this coast. For all the recent controversy over manning and wage scales, I have never once heard of the Administration taking issue with either of them on these two ships—have you?

But, make no mistake, this matter of higher wages is—as I have already indicated—a two-way street. To justify higher wages for our American seamen, there must be a corresponding increase in productivity. Our new automated ships provide a golden opportunity to make this showing. Automation must be examined from the viewpoint of reducing the unit cost of performing certain functions.

During the 3-year period from 1962 to 1964, subsidized replacement construction of cargo ships provided a net increase of something less than 800 seafaring jobs. These were newer, faster, and larger ships which served to increase potential productivity. But—was there, in fact, an actual increase? I am afraid that a study of the relationship between tons of cargo carried and the amount of subsidy paid over the past several years will show that there has been a significant increase in the subsidy dollar paid for each ton. I also suggest that such a study will show that, while we are making more subsidized voyages, we are carrying less. Perhaps this accounts for talk of an "incentive-type" subsidy. If it is costing us more subsidy dollars to carry each ton of cargo, then I feel that both labor and management share equally the burden of reversing this trend.

Well—what can we do? First, let's start competing more with our foreign competitors for cargoes—less among ourselves. Second, labor and management must spearhead a drive toward more rational and economical manning scales. Private industry ashore has made effective use of management consultants. Perhaps the time is now ripe—if not overdue—for labor and management, and also the Maritime Administration, to forge ahead with an objective study on optimum meaning and functional shipboard costs. This analysis should permit evaluation of proposed system changes in shipboard equipment through automation. Considering what is at stake, I strongly urge that we get on with the task of overcoming this obstacle which presently stands in our path.

Reflect for a moment, if you will, at what is at stake if we fail to overcome this initial hurdle. Well—for one thing there is our "retrofitting" program, valued at something like $50 million. There is also the product of all of our labors over the past 10 years. Since 1955 industry and Government, operating within the framework of the 1936 act, have been engaged in a vessel replacement program, valued at some $4 billion. As of this date, about $1.5 billion worth of construction has been placed under contract. For this reason, the quality of our subsidized liner fleet is perhaps the finest in the world, and is increasing in superiority. Such progress is largely what is right with our merchant marine. We must not jeopardize the years of labor and progress which this represents.

Before concluding I would like to touch briefly on cargo preference. The Merchant Marine Act provides that preference will be shown American-flag vessels with respect to Government-aid cargoes. Its effectiveness has been subject to criticism from both camps. But, what I cannot understand is the sudden switch in the Administration's position on this matter. Two years ago the Maritime Evaluation Committee stated in its report that:

"If under present conditions the existing policy were to be changed, the weight of reason is on the side of increasing rather then decreasing the proportion of U.S.-flag preference."

We are now told by the Maritime Administrator cargo preference is a miserable failure. What happened in those 2 intervening years to bring about this sudden change of heart? Perhaps there is a better way of aiding our nonsubsidized fleet. But, before eliminating the one form of assistance they do get, we should come up with a firm alternative.

The administrator's position is all the more surprising because many of his speeches seem to contain thoughts expressed in the report of the Maritime Evaluation Committee. I do suggest, however, that the Administrator send a copy of Recommendation No. 37 to the White House. It reads, and I quote, "Federal leadership in the movement for renewal of both the merchant fleet and the maritime program should be expressed ultimately and definitely by the President."

Let me now leave you with this thought set forth in a portion of a report which I had occasion to study recently, and I quote:

"It is difficult to realize that our country, which * * * reached the very foremost rank of maritime nations, has in less than a decade lost half its merchant shipping and all its maritime prestige, and that we now stand debating whether we shall without a struggle yield all, and become a mere commercial dependency of the nations for whose advantage we have been thus spoiled and reduced.

* * * * *

"In a contest so unequal there can be but one result, and that is the total loss of our foreign carrying trade and the destruction of our merchant marine. Under such conditions as these it is as impossible to revive our shipping interest, unaided by the Government, as it would be to build up our manufacturing interests by imposing a heavy tax upon all raw materials, and at the same time admitting all manufactured articles free of duty."

Ladies and gentlemen, this excerpt is from a report of a select committee appointed by the House of Representatives on March 22, 1869, to inquire into the cause for the reduction of American tonnage. For almost a century we have been trying to cope with this problem and regain our rank as a maritime nation. I ask you—is this not a paradox in this day and age of technology? We are able to launch rockets to the moon and develop supersonic transports—all through Government aid furnished without cries of anguish from most of our taxpayers. Yet, in our own environment—the water surfaces covering about three-quarters of the earth's surface—we have been, and are now, unable to cope successfully with this problem. For that matter, we have been unable to create even the necessary public understanding to deal with it. Do you not think that it is time that we find the answer to the question—"What do we want of our merchant marine?"—and get on with the job.

I thank you.

VOTING RIGHTS

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GROVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GROVER. Mr. Speaker, as a Republican supporter of civil rights legislation, I was a cosponsor of H.R. 7896, the Ford-McCulloch voting rights bill, with my bill, H.R. 7300. I cast my vote for Representative CELLER's voting rights bill, H.R. 6400 with reservations over its lack of universality—its failure to attack the problem of disenfranchisement in many States which are barely above the 50-percent trigger minimum, and in fact other objectionable procedures and loopholes which it, the administration bill, incorporated and permitted.

My bill, H.R. 7300, and H.R. 7896 were universal in application and prospective—to nip in the bud future voting rights discrimination, rather than retrospective—as is the administration bill—for discrimination does not end with a date or a registration percentage.

I am hopeful that the voting rights bill will, even with its shortcomings, bring about substantial justice and permit every American, regardless of color, to freely exercise his God-given and constitutional right to play a part in his Government equal to that of his enfranchised brother.

FARM WAGES IN CALIFORNIA

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, I call to the attention of my colleagues the following statements of Gov. Pat Brown, of California, and others on farm wages in our State as reported in Insight, the newsletter of the Council of California Growers, on June 28, 1965:

SACRAMENTO.—A member of Governor Brown's State board of agriculture says California farmers should be praised not only for paying the highest farm wages in the Nation, but also for transporting workers from long distances, to meet this year's labor shortages.

"You seldom if ever hear this side of the story," Milton Natapoff, of Los Angeles, told fellow members of the board at a recent meeting in Sacramento.

"For years our growers have paid the highest wages in the entire United States, and this year they have increased those rates by 25 to 50 percent, and I think credit is long overdue," he remarked.

The Council of California Growers, meanwhile, reported that "fair to good" workers have been earning from $3 to $5 per hour harvesting lettuce, from $17 to $30 per day pulling tomato transplants, from $20 to $40 per day picking cherries, from $1.50 to $2.85 per hour picking citrus, and from $1.50 to $2 per hour picking strawberries.

"The big question now," observed board member Joseph Crosetti, of Salinas, "is how long California growers can continue to compete with other States and Mexico where wage rates are considerably lower."

State Employment Director Albert Tieburg told the board at the same meeting that wages as low as 60 to 70 cents per hour are still common in such States as Texas and Oklahoma.

MAN BITES DOG: OR BUREAUCRAT CUTS HIS OWN BUDGET

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, Mr. Ray Ward, a former civil service employee of the Bureau of the Budget was appointed by President Johnson as Chairman of the Temporary Alaska Claims Commission created March 5, 1964, to resolve the problems involving several millions of dollars of disputed property between the new State of Alaska and the U.S. Government which had been the subject of seemingly endless discussions for over 5 years.

The appropriation granted the Commission was $33,000 and I might state that it is an inefficient bureaucrat who cannot spend $33,000 and come in for a supplemental or two and cannot find many reasons to prolong the life of a temporary assignment to approximate his own.

In this instance, however, mirabile dictu, the Temporary Commission had the job completed and all bills paid by October 10, 1964. The total expenditures amounted to $5,354.02, leaving a balance of $27,645.98 returned to the U.S. Treasury.

Perhaps an indication of how this was accomplished can be seen in the earliest decision made by the Temporary Commission not to have stationery with its own letterheads, even though this meant countermanding the order for these letterheads which an enthusiastic disciple of Parkinson's law had placed. The Commission resorted to the unheard of expedient of using plain stationery with the name of the Commission typed in.

There is one other item of special interest to me. The law authorized pay for the Commissioners at $50 a day, but they in turn could hire consultants, advisers, and so forth at $75 a day. This is routine for Federal governmental operation. No wonder there are so many offers to advise the Government, not free of charge.

After a few informal meetings at Juneau and Anchorage, the Commission came to the conclusion that public programs were being hurt through the long-dragged-out dispute of 5 years. They also concluded that this was a case where two tax-supported governmental operations were in dispute and the public would gain by a speedy settlement. The merits and wisdom of the settlement are in accord with the merits and wisdom revealed in the entire operation as interested observers can see for themselves in the settlement on file.

I am spreading the final report of the Temporary Alaska Claims Commission in the CONGRESSIONAL RECORD, typed on its temporary stationery, for all to behold its wonder. Ray Ward and his associate Commissioners deserve the acclaim of their fellow citizens and taxpayers. Would that their actions became the example for others to follow.

TEMPORARY ALASKA
CLAIMS COMMISSION,
May 5, 1965.

THE HONORABLE LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Your Temporary Alaska Claims Commission made its report on October 10, 1964, pursuant to Executive Order 11144, dated March 5, 1964. All obligations have been paid, and the Commission's work is completed.

Set out below is the final financial statement prepared by the General Services Administration, as the administrative office:

Total appropriation	$33,000.00
Total obligations	5,354.02
Total unobligated balance	27,645.98

The files will be transferred to the General Services Administration for disposition.

The parties involved in the claim, as well as the staffs of the Bureau of the Budget and the General Services Administration, were most cooperative and helpful in the settlement of this matter.

Respectfully yours,
RAY WARD, *Chairman.*

SEIZURE OF VESSELS OF THE UNITED STATES BY FOREIGN COUNTRIES

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I have today introduced a bill to amend the act of August 27, 1954, relating to the seizure of vessels of the United States by foreign countries.

In a number of cases, our American-flag fishing vessels have been seized by a foreign country and detained for an extensive period of time while determining whether or not a violation of provincial fishing regulations can be charged. These unreasonable detentions are very costly to our fishermen, who notoriously operate on close financial margin. My bill would amend the Fisherman's Protective Act so that the owner of any detained American-flag vessel will be reimbursed by the Secretary of the Treasury for all costs, including demurrage.

It is not difficult to understand that timing is a highly critical factor in the fishing business, not only from the standpoint of keeping up with the elusive movements of the great schools of tuna but also from the standpoint of transporting the catch promptly to the cannery.

It is my hope that the Congress will move rapidly in the favorable consideration of my bill, the language of which follows:

H.R. 9810

A bill to amend the act of August 27, 1954, relating to the seizure of vessels of the United States by foreign countries

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries", approved August 27, 1954, is amended be renumbering sections 4, 5, and 6 as sections 5, 6, and 7, respectively, and by adding after the existing section 3 the following new section:

"SEC. 4. In any case where a vessel of the United States is seized by a foreign country under the conditions of section 2, the owners of the vessel shall be reimbursed by the Secretary of the Treasury for all costs, including demurrage, sustained by the vessel by reason of its seizure and detention."

SHORT-HAUL AIRCRAFT

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORSE. Mr. Speaker, on September 5, 1963, I introduced legislation that would authorize the Federal Aviation Agency to develop a program for the development, testing and promotion of a new local service short-haul aircraft.

It seems hard to believe but we are still using the DC-3 for this type of service, an aircraft which dates back 27 years according to the Civil Aeronautics Board.

Because domestic air carriers have lacked efficient, economical air carriers of an appropriate size to meet the need for service between intermediate cities, schedules have been reduced and service abandoned altogether in some areas.

In October of 1963 the Federal Aviation Agency announced a proposed development program, a "limited design competition to produce detailed specifications and cost data for a practical short-haul transport." However, when eight producers introduced such specifications, the FAA rejected them all and put the project "on ice." But the problem of adequate air service cannot be permitted to lie dormant in this manner. At the very time when the Administration is pushing programs of regional economic development, it is not encouraging the kind of technological advance that will make such regional cooperation possible. Because of the failure of the FAA program to meet the need to date, I am again introducing this legislation and I hope that it will receive prompt hearing and approval.

REPUBLICANS INTRODUCE RESOLUTION TO STRENGTHEN NATO

Mr. DEL CLAWSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, 10 House Republicans today introduced a resolution calling upon President Johnson to take affirmative action to strengthen the North Atlantic Treaty Organization.

They recommended that the President "seek to establish a special commission" composed of NATO nations "to study and recommend concrete steps" which would make the free-nation organization "adequate to meet the political, military and economic challenges of this area."

Those introducing the resolution: Representative JOHN F. BALDWIN, of California; Representative JAMES C. CLEVELAND, of New Hampshire; Representative ROBERT F. ELLSWORTH, of Kansas; Representative PAUL FINDLEY, of Illinois; Representative CHARLES E. GOODELL, of New York; Representative HASTINGS KEITH, of Massachusetts; Representative JAMES D. MARTIN, of Alabama; Representative ALEXANDER PIRNIE, of New York; Representative ALBERT H. QUIE, of Minnesota; and Representative OGDEN REID, of New York.

Each is a member of the House Republican Committee on NATO and the Atlantic Community.

The resolution is identical with a resolution introduced in the Senate yesterday by Senators FRANK CARLSON, of Kansas; CLIFFORD CASE, of New Jersey; FRANK CHURCH, of Idaho; JOSEPH CLARK, of Pennsylvania; JOHN SHERMAN COOPER, of Kentucky, and THOMAS J. DODD, of Connecticut.

This resolution proposes presidential action very similar to the recommendation on May 15, 1964 by the House Republican Committee on NATO and the Atlantic Community.

It is also in accord with the final recommodation of the Republican Fact-finding Mission to NATO which reported June 30 of this year on a 9-day series of conferences in Paris. Our committee is delighted to see this action by a bipartisan group of Senators. We congratulate each of them on this initiative, and we hope many other Representatives and Senators on both sides of the

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political aisle will introduce this resolution and give it their vigorous support.

Text of the House resolution:

A Resolution To Strengthen NATO

Whereas freedom, enduring peace with justice, and enhanced prosperity require the progressive development of greater unity in the free world; and

Whereas the interests of the United States require the development of greater unity of other free nations with it: Therefore be it

Resolved, That it is the sense of the House that the policy of the United States should be to achieve such unity with other nations as will best serve to safeguard the individual freedom and national values of our various peoples, and, at the same time, enable us to deal effectively with these problems with which no nation today can deal effectively alone, and that the President be advised of the sense of the House that this Government, by constitutional means, should particularly pursue the following objectives:

1. Development, by exploration and agreement with our allies, of an Atlantic Community adequate to meet the political, military, and economic challenges of this era.
2. Such a Community to be composed of nations which share our basic ideals of freedom, democracy, individual liberty, and the rule of law and as are willing to accept the benefits and responsibilities of close political, military, and economic ties.
3. Such a Community to be conceived and developed in the interest not only of its own peoples but of all free peoples and to be open to the admission of others as and when their governments become willing and able to assume the benefits and responsibilities of membership.

To this end it is the sense of the House that the President should promptly seek to establish a Special Government Commission composed, in the first instance, of representatives of NATO nations to study and recommend concrete steps toward the attainment of the foregoing objectives.

In our committee's letter of May 15, 1964, we suggested that the President invite former Presidents Dwight D. Eisenhower and Harry S. Truman to head a blue-ribbon delegation of U.S. citizens to meet with similar groups from other NATO nations for the purpose of formulating and proposing for ratification improvements in the structure of NATO.

Our letter added:

General Eisenhower and Mr. Truman had more to do with the formation of NATO in 1949 than any other two men.

They have intimate, firsthand knowledge of the NATO structure and its problems. They are held in high esteem throughout the North Atlantic Community, and their appointment to this task would undoubtedly motivate other NATO heads of states to select their very best talent too.

Our committee consists entirely of Republicans, but we view this as a responsibility and opportunity which calls for big bipartisanship. We therefore offer our fullest cooperation and would like to meet with you at your convenience.

The report of the Republican Fact-Finding Mission, whose membership was drawn from the House Republican Committee on NATO and the Atlantic Community cited the need for a "top-level planning conference consisting of a select few highly qualified and distinguished representatives from each of NATO's 15 member-nations to develop at the earliest possible date a detailed plan for the establishment of a fuller partnership among NATO nations in, first, technological research and development; second, military procurement; third, financing of defense, and fourth, strategic decisionmaking.

It added:

They would be free to use their own best judgment in formulating details. Upon completion of deliberations, the plan would then be referred to the individual nations for full discussion and appropriate policy decision.

NAVAL COMDR. RICHARD F. HALEY

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Burke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURKE. Mr. Speaker, may I take this opportunity to call to the attention of the Members of Congress the citation and commendation received by Naval Comdr. Richard F. Haley, for his outstanding invention permitting the continued use of the M-1 rifle by the Armed Forces. Upon development of a new standard rifle and the curtailment of production of 30 caliber ammunition, the Navy was faced with the necessity of replacing its M-1 rifles with the new M-14 7.62 millimeter rifle.

The continued use of the M-1 was made possible by Commander Haley's collaboration in the design and development of a highly successful method and apparatus for rechambering the Navy's 30 caliber rifles and light machine guns to fire 7.62 millimeter ammunition. It has been estimated that this invention will result in a savings of $3,798,400 to the Department of the Navy in its first year of use, with additional savings to be realized by other branches of the armed services.

Commander Haley is to be applauded for his dedicated efforts in the service of our country and for giving unstintingly of his time, skill and knowledge for the benefit of our Nation. His contribution is truly in keeping with the highest traditions of the U.S. Navy as well as the spirit of U.S. citizenship.

Following is a copy of the citation and letter of award presented to Commander Haley from the Secretary of the Navy:

The Secretary of the Navy,
Washington.

The Secretary of the Navy takes pleasure in presenting the Navy Commendation Medal to Comdr. Richard F. Haley, U.S. Naval Reserve, for service as set forth in the following citation:

"For meritorious achievement in the performance of his duties while serving as Program Manager for Nonexpendable Ordnance in the Bureau of Naval Weapons from March 15, 1962, to March 26, 1965. Upon development of a new U.S. defense forces standard rifle and the curtailment of production of 30-caliber ammunition, the Navy was faced with the necessity of replacing its M-1 rifles with the new M-14 7.62-millimeter rifle. However, Commander Haley collaborated in the design and development of a highly successful method and apparatus for rechambering the Navy's 30-caliber rifles and light machineguns to fire 7.62-millimeter ammunition, thus permitting the continued use of those weapons. It has been conservatively estimated that the adoption of this method and apparatus will produce savings to the Navy of almost $4 million during the first year alone, with further savings to be realized by the other branches of the Armed Forces. By his initiative, foresight, and skillful application of professional knowledge, Commander Haley upheld the highest traditions of the U.S. Naval Service."

Paul H. Nitze,
Secretary of the Navy.

Department of the Navy,
Bureau of Naval Weapons,
Washington, D.C., July 6, 1965.

From: Chief, Bureau of Naval Weapons.
To: Cmdr. Richard F. Haley, USNR, 143985/1515.
Subject: Award for Invention "Method and Apparatus for Rechambering Rifle Barrels."

1. I am pleased to present the Navy Commendation Medal and Citation to you for benefits and savings resulting from your invention. The method for rechambering the M-1 Garand rifle, designed and developed by you and Mr. James W. O'Connor, has proven very successful. The simplicity with which rechambering can be accomplished, either in the field or in the shop, adds to the effectiveness and value of your contribution. The continued use of the converted M-1 rifle is of major significance to our military operations.

2. It has been conservatively estimated that a first year savings of $3,798,400 will be realized by this Bureau through the use of the procedure you developed. Savings will also be realized by the Departments of the Army, Air Force, and the Marine Corps.

3. I congratulate you on this important accomplishment and express my appreciation for your initiative and efforts.

4. A copy of this letter and a copy of enclosure (2) will be placed in your official personnel file.

Allen M. Shinn.

NEW YORK CITY IN CRISIS—PART CXXVI

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article on crime in New York which was published in the New York Herald Tribune on May 17, 1965.

The article is part of the series on "New York City in Crisis" and follows:

New York City in Crisis—Wagner Defends His War on Crime: Violence Plagues All Cities

(By Alfonso Narvaez)

City, State, and Federal officials led by Mayor Wagner agreed yesterday that New York was a city in the midst of a crisis in crime, but they hastened to add that this crisis was part of an overall trend in major cities throughout the world.

In his keynote speech at a conference on crime and public safety held yesterday at Taft High School in the Bronx, Mayor Wagner told 300 guests that "a persistent fear has seized many New Yorkers" in wake of the increase in crime and violence in the city.

"With all the wealth in New York, with the inevitable tensions among New Yorkers on lines of race, class, creed, and national origin, with approximately 50,000 drug addicts in the city—the wonder is not that we have crime in New York City, but that we have kept it down below the national average and below the per capita figure for other cities," the mayor said.

He noted that while the crime rate in the Nation had increased by 13 percent, the increase in New York City was only 9 percent.

"But," he added, "this is scant comfort to New Yorkers who fear for themselves and their families."

The mayor then detailed what the city is doing to combat crime and to wage its $27 million war against criminals in the city.

Citing increases in the city's police force and the fact that there were more uniformed patrolmen on the streets and subways during peak crime times, the Mayor said that the combined force of city and transit police would total more than 29,436 by the end of the fiscal year—"Bigger than the national armies" of some countries, he said.

Mayor Wagner also lashed at critics of his administration's efforts to halt the spiraling crime rate.

"Anyone who suggests that crime in New York City is a reflection of fault, or weakness, or negligence on the part of the city government, is not one whose opinion or judgment should be trusted," Mayor Wagner said.

"Let those who speak in these terms say how they would stamp out crime in this city."

The mayor's words appeared to be directed at Republican Representative John Lindsay, who in the announcement of his candidacy for mayor bitterly criticized Mayor Wagner's leadership in combating crime and other city problems.

The conference, sponsored by Bronx Representative James Scheuer, dealt with narcotics and with what the government, the courts and people in the neighborhoods could do to combat crime.

Representative Scheuer told the audience that too many persons in his district—21st Congressional District—"live in an atmosphere of physical violence and crime."

Representative Scheuer said that because of the increase of crime in New York and throughout the Nation he had introduced a bill in Congress calling for the creation of an Office of Assistant Attorney General for Criminological Research and a Scientific Advisory Council. These offices would do research into the latest scientific advances in criminology and would put the information into the hands of law-enforcement agents throughout the country.

In addition, Representative Scheuer joined a growing list of proponents for a police civilian review board. He said yesterday that he approved the creation of such a body and that it had worked in other cities.

The recommendation for an independent civilian review board has also come from a special five-man subcommittee of the city council's committee on city affairs.

On Tuesday, three members of the subcommittee are expected to recommend the creation of a review board composed of the 10 city councilmen at large—5 Democrats and 5 Republicans.

Meanwhile, Mayor Wagner, who had taken no position on a permanent civilian review board but who has consistantly given his support to Police Commissioner Michael Murphy, who bitterly opposes it, said yesterday that the new proposal had a "good deal of merit."

Mayor Wagner said he had not read the subcommittee's report and would not commit himself on whether he would sign a bill creating such a board. He said he would await the result of public hearings on the subject.

NEW YORK CITY IN CRISIS—PART CXVII

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns the water crisis in New York.

The article is part of the series on "New York City in Crisis" and appeared in the New York Herald Tribune on May 18, 1965, and follows:

New York City in Crisis—Water: 100 Million Gallons a Day Off Target

(Note.—Why the water crisis? It's a matter of figures—rainfall figures. When experts planned the future of New York City's 123-year-old water reservoir system in the 1950's, they figured on an annual rainfall in the upstate watershed area of 38 inches. And they figured that any drought which would upset this calculation would last only 2 years. But now a severe drought in which rainfall has gone well below 38 inches has lasted 4 years. If it continues, a major change in the city's water supply system may be necessary.)

(By Sue Reinert)

The city's water savings during the past month have fallen "far short" of what is necessary to prevent a water shortage this fall, a spokesman for the department of water supply, gas and electricity said yesterday.

The spokesman said that between April 18 and yesterday the city used 1,200 million gallons of water less than it did during the corresponding period last year—an average saving of 55 million gallons a day. But Commissioner Armand D'Angelo's target is a saving of 150 to 200 million gallons a day, the amount saved during the water crisis of 1963.

The city's reservoirs are at 55 percent of their capacity. Usually they begin showing a net loss of water around the beginning of June. Mr. D'Angelo said earlier that he expects the shortage to come this fall if the conservation program fails to save enough water.

On April 10 Mayor Wagner announced a conservation program by city agencies and handed down stringent regulations for householders: Prohibitions against washing down sidewalks with hoses and filling up backyard swimming pools—and watering their lawns except during 6 hours on Saturday.

The department spokesman said yesterday that Commissioner D'Angelo is meeting daily with businessmen, industrialists, real estate owners and hotel and restaurant operators to urge them to save water. The hotel and restaurant men may be asked again—as they were last year—to serve their customers water only upon request. This action is likely in the next few days.

The fire department announced yesterday that firemen have been ordered to use buckets of water instead of hoses to wash down their engines. A check with other city agencies showed these programs:

The sanitation department has grounded its 100 tank-truck street cleaners since April 8, saving about 2 million gallons of water a day.

The transit authority, which used to wash its buses every day, now washes them only "when needed" at the three garages where city water is used. (Seven garages use well water). The TA, which formerly washed 193 subway cars a day, now washes 170 a day. That saves 23,000 gallons a day, a spokesman estimated.

The parks department has stopped sprinkling grass, has turned off children's showers in playgrounds, has kept its "freeflowing" fountain dry, and has put off-on buttons on all its drinking fountains.

The spokesman for the department of water supply gas and electricity said that city agencies consume only a small portion of the city's daily water supply He said the largest waste of water comes from leakage, and estimated that 150 million gallons could be saved each day if there were no leaky faucets and pipes

A spokesman for the New York Council of the Boy Scouts estimated yesterday that about 8,000 scouts were canvassing the city with leaflets urging tenants to save water. The Boy Scouts offered their help to Commissioner D'Angelo earlier this month.

The leaflets carry the mayor's regulations on one side and list suggestions on the other. Among the suggestions are: Flush toilets less often, keep drinking water in the refrigerator, don't use running water to wash dishes, don't use a hose to wash automobiles, and fix leaky faucets.

The northeast is now in the fourth year of a drought that has resulted in a loss of 42 total inches of precipitation from the normal amount. Commissioner D'Angelo has hired Dr. James Miller of the New York University department of meteorology and oceanography, to study local weather patterns to determine whether the drought may be a long-term matter.

WEEKLY FOREIGN AID DISCUSSION

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FRASER. Mr. Speaker, tomorrow, Wednesday, July 14, we will hold another bipartisan discussion meeting on foreign aid.

Mr. James Killen, director of the AID mission in Vietnam, will meet with Members in the Speaker's dining room at 3 p.m. for a discussion of the foreign aid program in Vietnam.

I hope that my colleagues who are interested in this important program will be able to join with us.

As usual, the meeting will be restricted to Members only.

CIGARETTES VERSUS FTC

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Udall] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UDALL. Mr. Speaker, it is my understanding that the conference report on S. 559, the Federal Cigarette Labeling and Advertising Act, is to be called up later today. I shall oppose the report because I believe this is bad legislation that will prevent necessary steps by the Federal Government and the States to deal with the mounting problem of smoking in relation to health. And it will do this in the name of health protection.

Last Friday the New York Times carried an editorial which gets right to the point. The editorial states:

> It is a bill to protect the economic health of the tobacco industry by freeing it of proper regulation.

Mr. Speaker, I insert the Times editorial in the RECORD at this point:

[From the New York Times, July 9, 1965]

CIGARETTES VERSUS FTC

The Federal Trade Commission has the legal responsibility to regulate advertising of any substance that may be injurious to health. Eighteen months ago the Surgeon General's Advisory Committee on Smoking and Health unanimously concluded that "cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

Acting on this clear medical judgment and pursuant to its duty under the law, the FTC issued regulations for cigarette advertising. But it held up the effective date of the regulations while Congress reviewed the question.

Congress has now virtually completed action on a shocking piece of special interest legislation in this field. The bill forbids not only the FTC but also State and local governments from regulating cigarette advertising in any way for the next 4 years. As a maneuver to distract attention from this surrender to the tobacco interests, the bill also directs that cigarette packages carry an innocuous warning that smoking "may be hazardous."

Contrary to an unctuous and misleading statement by Senator MAGNUSON, the bill is not "a forthright and historic step toward the responsible protection of the health of this Nation's citizens." Rather, it is a bill to protect the economic health of the tobacco industry by freeing it of proper regulation. But this controversy over smoking and health is not the heart of the problem presented by this bill.

The central issue now confronting the President is the integrity and independence of the Federal Trade Commission. What possible objective justification can there be for Congress intervening to strip a regulatory agency of its authority over a particular industry? This bill confers a favor on one industry that all the other industries under the commission's jurisdiction would naturally like to have.

Sound governmental practice requires a veto of this bill. Otherwise, the President and Congress will be flashing a green signal to the lobbyists that any regulatory agency is open to invasion and emasculation.

THE HERBERT HOOVER NATIONAL HISTORIC SITE

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHMIDHAUSER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHMIDHAUSER. Mr. Speaker, I want to thank Members of the House on both sides of the aisle for their patience and consideration during yesterday's action on H.R. 8111. Because several statements were made on the floor concerning the scope of land acquisition for the Herbert Hoover National Historic Site, I feel that it is important to set the record straight. I am personally deeply committed to free enterprise and to the fundamentals of American democracy. It was shocking to hear the Member from Illinois, Mr. ANDERSON, charge that my bill was "a travesty" on the memory of Herbert Hoover.

The facts speak for themselves. First, the view of the Wapsinonoc Valley included in the National Park Service recommendation was in accordance with the personal views of President Hoover made during his lifetime. Second, commercial development of the filling station location for which the Congressman from Illinois argued was not begun until after plans for a national site were discussed publicly. The facts are laid out very clearly in an article which appeared in the Des Moines Register, March 7, 1965. Similarly, the Iowa City Press Citizen carried an article indicating the following developments:

Whether the Herbert Hoover birthplace and burial site will become a national park or have commercial development will probably be decided in Washington, D.C., this week.

The Greater Iowa Corp. is committed to establishing a filling station on the site and construction is to start "within a few weeks." They have also agreed to build a restaurant on the site within a year of the completion of the station to be followed by a motel.

The West Branch City Council has delayed for 10 days approval of construction of an oil station near the Hoover birthplace, just 2½ hours after the city's planning commission approved such a project.

Walter Goepplinger, of Boone, and Nile Hollingsworth, of Waterloo, both representing the Greater Iowa Corp., which holds options on 80 acres of land around the birthplace, met with the West Branch Planning Commission at 4 p.m. Monday.

The planning commission voted 4 to 2 to approve plans for the service station.

At the regular city council meeting, which began at 7:30 p.m., the council voted unanimously to delay granting the building permit for 10 days.

State Representative LaMar Foster, formerly West Branch mayor, appeared at the council meeting and urged that the permit not be granted. He said the corporation let the matter drift for 2 years until President Hoover was buried there and should hold off now until it can be determined whether or not the State or U.S. Government will take over the property.

William Anderson, former president of the Birthplace Foundation, also spoke against granting the permit.

ROBBING PETER WON'T GIVE PAUL A JOB

Mr. MORRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MORRIS. I have just read an article by our distinguished colleague from Maryland, the Honorable CLARENCE D. LONG, a professional economist. I think this is an excellent article and I recommend that all Members of Congress read it:

DOUBLE PAY FOR OVERTIME: ROBBING PETER WON'T GIVE PAUL A JOB

Paul needs a job. His neighbor, Peter, to help his son get the college degree he never achieved himself, is putting in 8 hours a week overtime. And so are four other neighbors—one to buy a house, another to keep up furniture and car installments, another to finance his taste for bowling, hockey games, and bull-roasts, and still another to pay for treatment of a mentally disturbed wife. Their overtime adds up to 40 hours—the arithmetic equivalent of a full-time job for Paul.

A more innocent age believed that unemployment would melt away under the warmth of overall demand for goods and services, and so the $11 billion income tax cut was instituted last year. Demand warmed up, all right, but unemployment melted too little, and few experts count on the excise tax cuts doing the whole job either.

Thus, the search gets a bit desperate and, as a Member of Congress, I shall find myself voting this summer on a measure to take away the overtime of Peter and the others in order to create jobs for the 4 million unemployed Pauls. The bill would seek to do this by forcing double pay for overtime in industries covered by the Fair Labor Standards Act.

This proposal is not designed to yield a higher income to Peter but to keep him from working overtime at all and to force the hiring of Paul instead. Once the door is open there will be a drive for a 40-hour, or even a 35-hour, limit.

Will penalty overtime reduce unemployment? Is business selfish in opposing it? Is organized labor wise in pushing it? Should others—who belong neither to "business" nor to "labor"—regard it as in their best interests as earners, consumers, and taxpayers?

Many of us may wonder why overtime employment takes place even in the absence of double pay. The overtime worker is stale after his regular week, and his reduced productivity and heightened liability to accidents, breakage, or spoilage mean higher unit labor cost even at standard hourly pay rates.

Yet overtime in excess of 40 hours is already subject to time and a half in industries covered by the Fair Labor Standards Act. The combination must even now make overtime output expensive.

Why then do employers persist in costly overtime? Why not take in new workers at standard hours and rates?

There is no shortage of reasons. Overtime labor may be needed in such small amounts, for such short periods or so irregularly that no worker could be found outside the plant who would be willing to take on the job or to stay in readiness for it.

The unemployed may lack the necessary skill and education. Firms can often save on fringe costs. Overtime workers may want the extra money. And the employer who takes on new workers and then lays them off meets union criticism, visitations from mayors, and Congressmen, and reproachful editorials.

Thus, massive economic and moral forces press on the employer to use overtime to meet his unusual labor needs, despite persistent unemployment. The unions are hoping that double time will do what "tired" time, at time-and-a-half rates, has been unable to do. Therefore, the urge for a higher penalty rate. The urge is understandable and the end—fuller employment—commendable but the penalty pay for overtime is a thoroughly dubious means.

First, it cannot solve unemployment. If all overtime over 45 hours were translated into equivalent full-time jobs, the total would be one in nine of the unemployed.

Even these jobs become available only to the unemployed who have the education, skill, training and experience to fill them. On close examination, the Department of Labor's figures reveal that the majority of the unemployed are not in the occupations working overtime.

Two-thirds of the unemployed are operatives, laborers, clerical, and inexperienced workers, in occupations having only one-third of the overtime hours.

Where is the evidence that these unskilled and semiskilled could do the work released from the craft, managerial, sales and service occupations—which may call for much training and experience? Where is the evidence that these unemployed could qualify for released overtime even in their own occupations in view of the fact that much of the work may be too brief to allow time for even modest training or may be in localities too remote to justify short-period transfers?

Thus, embarrassing questions arise as to whether the unemployed could fill the jobs even if penalty overtime made them available.

Double pay would raise unit labor cost, whether Peter keeps his overtime, or the less-experienced Paul is hired. How would the employer react? In some cases, the profit squeeze may cause him not to produce the extra output, and the extra jobs would not materialize. In other cases, the employer may not bid on a contract having deadlines on the ground that the double overtime rate or its alternatives would make it too risky; this refusal to bid would curtail regular time as well.

In still other cases, the employer may try to continue full production but raise prices or lower quality to cover the extra costs. This would dilute the living standards of Peter and Paul. Higher prices may lead the consumer to do without, shift to substitutes, or—as in the case of work clothes and shoes, under stiff competition from Japan and Czechoslovakia—buy overseas.

Again, the unemployment problem is not solved but accentuated. Further possibilities are lower profits (from higher costs and reduced volume), leading to less funds for improved plant and equipment, in turn to lower employment.

This pessimism surely rests on experience. The sponsors should be called on to show a single historical episode, here or abroad, where penalty overtime has clearly and measurably relieved unemployment, either the kind of structural unemployment that burdens us today, or the mass unemployment of the 1930's.

When it is noted that penalty overtime will not solve the unemployment problem, its sponsors retort that they are not claiming it will, that penalty overtime is only one in an arsenal of weapons. Of the 4 million idle, it will put to work, say, 400,000 if hours over 45 are curbed, 1,250,000 if hours over 40 are curbed.

This reminds me of a statistician friend—an imaginative fellow—who would make a "guesstimate," say, of 100 billion. To your raised eyebrow, he would respond, "All right, make it 50 billion." From then on, he had a solid figure. Guesstimates that penalty overtime will solve any of the unemployment problem are scarcely more substantial than guesstimates that it will solve all of it.

In answer to worries about bad effects on the economy—through curtailed flexibility, inflated costs and prices, squeezed profits—the proponents answer that the bill begins modestly; it cuts off hours over 48 at first and eliminates hours over 45 only after 3 years.

Now the double-time proposal either does bite or it doesn't. If it doesn't bite, it doesn't help, and the whole proposal is another false hope. To the extent it does bite, it will, I maintain, have bad consequences for the economy, the employer, the consumer, and for Peter, who loses his overtime income.

These objections still leave out two important values.

One is the impairment of business flexibility which the penalty pay provisions would involve. Ours is a complex, dynamic system, to which every day brings problems requiring quick adaptability.

Anything that ties the hands of the businessman as effectively as penalty overtime diminishes his ability to make speedy changes of production, styling, accounting, packaging, and advertising decisions, and prevents him from meeting his deadlines and keeping his costs down and his quality up. This diminished resilience means loss of orders, switches in consumer habits, and surrender to foreign competition—all leading to fewer jobs, constricted business opportunities, slower economic progress.

The second value relates to property right in a job. Any bill to make profitable corporations turn earnings over to companies losing money would be treated with deserved contempt. Yet we look complacently on a proposal to take part of a man's job and give it to someone else (who may not even be able to take it).

I would think that my fellow liberals, if they wanted to share the wealth, would start with the wealthy—not with the working man counting on overtime to earn altogether $6,000 to $8,000 a year to pay for his house or his children's tuition. When the full import sinks in there may be repercussions from the rank and file.

In sum, the proposal to share jobs through penalty overtime is based on a faulty understanding of the problem of unemployment. It rests on the ancient "lump of labor" fallacy that a job can be created for Paul only by taking hours from Peter.

Yet the fact that there is no fixed limit to employment, if the economy is managed wisely, ought to be apparent in the rise of private non-farm employment by over 10 million between 1950 and 1964. Unemployment between the two dates was the same percentage of the work force.

There is probably not at present any real shortage of jobs; indeed there are many signs that the number of jobs seeking workers exceeds the number of workers seeking jobs.

The unemployment of 4 million in the face of great aggregate demand reflects their inability to fill these vacant jobs for a multiplicity of reasons—lack of skill, education and training, emotional instability or alcoholism, extreme youth or old age, prison records or undesirable military discharges, temperament and attitude, poor health or lack of physical vigor, or discrimination because of color, old age, or sex.

The city of Baltimore has given me a small volume filled with descriptions of 1,000 jobs which it is currently unable to fill. Very few of the carefully pruned list of nearly 100 persons whose names I sent in for these jobs were found acceptable.

The remedy for this structural unemployment is not to curb overtime. Rather, it is to improve education and training of workers and break down job barriers.

Both remedies involve improving human nature, which takes time. But these measures at least move in the right direction.

I support most of President Johnson's proposals to help labor and to provide jobs.

I voted for the antipoverty bill, the Appalachia bill, the education bill, the Manpower Training and Development Act and other measures to improve worker employability. I have set up a job desk in my office, instituted a pilot program to show workers how to look for jobs on their own and introduced a bill to establish a Federal Bureau of Older Workers.

Anything constructive to help the unemployed, the old or the poor will get my consideration. But I shall vote against this mischievous legislation to penalize overtime, hobble business, restrict output, raise prices, squeeze profits and rob Peter of part of his job, all to no avail in helping Paul get one. I urge my fellow Congressmen to do likewise.

TOCKS ISLAND NATIONAL RECREATION AREA

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Helstoski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, yesterday, this body, under suspension of the rules, acted favorably on legislation which would establish the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey.

The House Members acted wisely in passing this legislation for it will provide a recreation area of approximately 72,000 acres for the use of the people of Pennsylvania, New Jersey, New York, and the adjoining States. Of these 72,000 acres, a little over 24,000 acres will be set aside for the Tocks Island Reservoir, creating a lake which will be used for boating, fishing, and other recreational purposes.

The Tocks Island Dam is the pivotal point of this whole project, rising 160 feet above the riverbed and having a length of 3,200 feet. It will form a 37-mile-long body of water varying from a half mile to a mile and a half in width, and having a normal depth of slightly over 100 feet at the dam.

This new recreational area is to be located on the Delaware River, about 6 miles above the Delaware Water Gap and will be developed into the largest water recreation area between the Great Lakes and the Atlantic Ocean. It will be the first such area in the East to be called a national recreational area.

This water playground will attract an estimated 7 million visitors to this section of the upper Delaware each year. This will be accomplished by the completion of Interstate Highway 80, which will run directly from New York to Chicago and will provide immediate access to the most southerly tip of the Delaware Water Gap. When this highway is completed it will make Tocks Island Recreational Area open to some 16 to 20 million people within a little more than an hour's drive.

Further, Interstate Highway 84 will pass within a few miles of the northern boundaries of this recreation area, making it possible for residents of western New England to enjoy this national recreation area. New York State residents will be able to reach it with only a few miles of driving. Residents of southern Pennsylvania and Philadelphia will be within a couple hours of driving time of the largest recreation area in the eastern portion of the United States, over newly built extensions of the Pennsylvania Turnpike.

It was prudent for the House to take action on this legislation at this time, for the eastern seaboard the need for

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recreational areas is greater and far more acute than in other parts of the Nation. According to population projection figures, this problem will become more acute as the years go by. By taking action at this time we can forestall any commercial encroachment upon this vast natural resource, which is still uncluttered, and amid beautiful surroundings.

Our way of life seems to be toward a shorter workweek and higher pay, this in turn gives our citizens more free time for outside activities which have been reflected in recreational interests, particularly outdoor recreation.

This project represents a very significant investment in the economic future of the States of New Jersey, New York, and Pennsylvania. It will open opportunities for small business, thus creating new employment. Additional employment means additional funds in the pockets of many who are presently unemployed, this, in turn, means additional spending and a higher standard of living among the permanent residents affected by this development.

With the influx of visitors to this area, present commercial enterprises would be expanded and new ones built to be the demands of the people making this area their vacation spot. These new establishments would increase the property values of the surrounding area and thus increase the local tax revenues which could be used to provide the necessary funds for further development of the recreational area and its surrounding communities.

We must look further into this project insofar as conservation is concerned. The Tocks Island Dam will prevent flooding of the lower reaches of the Delaware River. It will contain an abundant supply of water to prevent periods of drought, such as we have experienced during the last few years.

Pollution control is also important. A constant level of water dispels the danger of low water brackishness—with stagnant water and loss of fish life. This spoils the area for sports-loving fishermen.

There are other benefits from the dam. By maintaining a constant level of water in the Delaware during most seasons of the year, salt water can be kept back from this fresh water area. This salinity control of the Delaware River can easily be extended to below Trenton.

At present the Tocks Island Dam is recommended for completion during 1975, thus we have acted wisely and in sufficient time to acquire the necessary land to round out this project so that it can become a reality to coincide with the completion of the dam.

I wish to congratulate the members of the Interior and Insular Affairs Committee for making a thorough study of this project and its subsequent value to the entire country, and for their approval of the proposal which was presented to us and upon which we had a chance to act and impart our stamp of approval upon it.

STATUE OF LIBERTY NATIONAL MONUMENT

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, on May 11, 1965, I had the distinct pleasure to be present at the White House when President Johnson issued a proclamation adding Ellis Island to the Statue of Liberty National Monument.

In issuing this proclamation that this tiny island in New York Bay become a part of the Statue of Liberty National Monument, President Johnson took cognizance of the fact that it has a deep significance for over 16 million immigrants who first set foot upon American soil when they arrived at historic Ellis Island.

This event, at the White House, was more than just an invitation to me to be present at a ceremonial event. It was a memorable occasion because my parents, both immigrants from Poland, first set foot upon the land of the free and the home of the brave, when they landed at Ellis Island.

Ellis Island came into Federal possession in the year 1800. The Federal Bureau of Immigration took over the facilities of the island in 1890 to develop it as an immigration station, and, between 1892 and 1954, when the use of Ellis Island as an immigration depot was discontinued, nearly 70 percent of all the immigrants coming to these shores used this island as a steppingstone to a better way of life.

The greatness of America has come in no small measure from the millions who passed through the gates and doors of Ellis Island. They came seeking freedom, liberty and refuge from the unsettled condition of their homeland, with high hopes of finding peace of mind and heart.

America has offered opportunity to all who dreamed and hoped for that one new and better chance to improve their lot, and found it waiting for them in America. The immigrants who passed through Ellis Island and who have attained prominence in our country made a very significant contribution to the rise of the United States to a position of world power.

America has grown to greatness because its people have a full right to citizenship throughout the Nation. They have the right to choose their position in life, be it high or low—a life of failure or success.

The proclamation of President Johnson to include Ellis Island in the National Park System will relieve the overcrowded conditions at Liberty Island and I hope that one day there will be a bridge built from the New Jersey shore to Liberty Island so that it will provide easy access to this shrine of liberty; so that our younger people can visit the Goddess of Liberty, and that our senior citizens who came to this country through Ellis Island can again visit this door of opportunity which opened a new life for them.

Standing as a beacon, inviting all people to come under the shelter of our Nation, the Statue of Liberty stands in majestic glory as a symbol of freedom. Together with the added facilities of Ellis Island it will permit an easier access to this Goddess of Liberty.

In this time of world stress it is proper that we repeat a portion of the poem of Emma Lazarus which is engraved upon a tablet within the pedestal of the statue, which so aptly describes this Nation's acceptance of the many who still come to these shores each year.

I quote the significant portion of the poem.

> Give me your tired, your poor,
> Your huddled masses yearning to breathe free,
> The wretched refuse of your teeming shore.
> Send these, the homeless, tempest-tost to me,
> I lift my lamp beside the golden door.

A GREAT MAN IN MEXICO

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I take this welcomed opportunity to call the attention of my colleagues and the American people in general about some of the great words of wisdom and courage recently spoken in Mexico by a man who I sincerely believe will go down in history as one of the most distinguished, inspired, and intelligent leaders of the Americas. I speak of President Gustavo Diaz Ordaz, of Mexico.

Too often our news media overlooks, or just simply does not have the space, to bring us up to date about some of the transcendentally important doings in our neighboring country of Mexico. I have been fortunate enough to have been receiving some of the publications widely read and disseminated in Mexico and have been greatly impressed by some of the doings and sayings of this great President, Gustavo Diaz Ordaz, of Mexico.

On June 7, Mexico commemorated Freedom of the Press Day and the President of Mexico was the guest of honor at a luncheon marking this anniversary. A distinguished Mexican journalist, Miguel Lanz Duret, on behalf of the Mexican press and journalists, made an introductory speech honoring the President. The President, in his reply, had some priceless sentiments to express in most eloquent language. I take the liberty of quoting some—translation mine:

> If you dedicate yourselves to telling me in honorable fashion the truth, whether it be bright or be it gloomy, bitter or joyful * * * but always the truth * * * and I in turn

dedicate myself to listening and heeding it * * * we then shall have served Mexico loyally and efficiently.

Also:

Only can we be truly free when we learn to be truly responsible.

I intend to have more to say about the accomplishments of this great leader, because I believe we should be aware and cognizant of his great worth.

VALIDITY OF THE IMPORTANCE OF FARM ECONOMY TO THE TOTAL ECONOMY

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Hansen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, recently the Council Bluffs Nonpareil printed an editorial regarding the improvement in the economic situation of farmers during the early part of 1965. The editorial is of value to legislators in determining validity of the importance of farm economy to the total economy of our Nation. It also indicates the reason why a strong farm program is imperative if we are to maintain our current farm economy. I commend this editorial to my colleagues as an indication of the concern we must feel for vibrant and comprehensive farm programs. The editorial follows:

Area Hog Producers Enjoying Excellent Prices in 1965

Most of the experts thought 1965 would be a good hog year but nobody expected anything like this. Hogs at this writing have hit a top of $26 in both Omaha and Chicago, a new 11-year high.

The new Government forecast shows that hog production for the balance of this year will continue far below normal. Although it has often been said that it is easy to increase hog numbers with good prices, this year seems to disprove the theory.

Actually, what is beginning to show up is the age of the Nation's farmers. Raising hogs is hard work and is no job for old men. With most farm jobs becoming easier through new automated machinery, the business of raising hogs still remains tedious, dirty and time consuming.

Right here in one of the heaviest hog producing areas in the entire country, there are many farms today that do not raise any hogs. As farms are joined together, corn production remains high but the production of livestock does not increase proportionately.

How high the hog price can go is anybody's guess. It is about $3 or $4 per hundredweight higher than was predicted and statistics would tend to prove that slaughter numbers will remain low enough to cause a real good year. Accustomed through the last 4 or 5 years to a marginal income, present-day prices are a welcome event.

TWO WARS—TWO ENEMIES

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I commend to the attention of all my fellow Members an editorial which appeared in the July 4 issue of the Shreveport Times, "Two Wars—Two Enemies."

Much that is contained in this editorial is common knowledge here in Washington, though it is little talked about. Much of it represents the opinion of many Members who, for various reasons, find it politically unwise to take this position. With but a single exception, I wholeheartedly endorse what is stated here. The exception is that sentence in which the writer states that except for the Republicans, Mr. Johnson would have no real political leadership behind him as to Vietnam. The backbone of his support is bipartisan.

I cannot count on the fingers of both my hands the times I have stood here in the well and stated my support of the President's strong stand in Vietnam and these sentiments have been strongly echoed on the Democratic side of the aisle. But, aside from this, the editorial makes telling and true points of undeniable fact and I urge you to study it.

The Times editorial follows:

Two Wars—Two Enemies

Former Secretary of the Army Robert T. Stevens (under Eisenhower), returning from a Presidential mission to southeast Asia, told Mr. Johnson that present American forces of more than 70,000 men in South Vietnam must be doubled—soon, if we expect to keep the Communists in full check during the summer monsoon season (now underway) when high winds, squalls, and cloud banks tend to nullify the supreme air power of the United States.

The Joint Chiefs of Staff are understood to have told the President that the American forces may have to total 300,000 by early next year if we are to do more than spar back and forth with the Reds.

Other military authorities estimate that if the Communists turn to real war—which seems certain—the United States may have to send in approximately 800,000 men, the total used in Korea.

The situation is so critical right now that, according to Washington dispatches, President Johnson has himself awakened at 3 a.m. every night to receive the reports from Vietnam on casualties, American bombing and other combat (it is then around noon in southeast Asia).

In this critical situation President Johnson is fighting two wars with two enemies. One enemy is the combat Communist enemy in South Vietnam. On our success against it rests the future security of freedom against communism.

The other enemy is made up of numerous individuals and organizations in this country who seek to undermine the President, politically or otherwise, in his conduct of the combat war overseas.

These are the radicals, the so-called intellectual liberals, segments of college faculties and student bodies, the liberal press, substantial segments of the clergy, and radical and leftist and liberal television commentators; as well as one of the TV networks, which seems so often to find "news" in anything that will hamper the President's Vietnam war efforts and further the activities of those who fight him in this country.

If the United States—and the free world—lose the war in Vietnam, it will be because the war here in the the United States was lost first.

If the radicals and leftists and liberals and the conglomeration of this and that from beatniks to bishops have their way, Mr. Johnson will be undermined and will have to carry out another back-down and no-win appeasement of communism of the type that marked the administrations of two of his predecessors in Korea and Cuba, in Berlin and the Congo; in fact, to some extent in every confrontation we have had with communism at the international level since World War II approached its end.

Right now, leadership in this country against Mr. Johnson in his efforts to bring victory in Vietnam gravitates somewhat toward Robert F. Kennedy, "the Massachusetts Senator from New York" and brother of the assassinated President, and Senator J. William Fulbright, of Arkansas (both Democrats); as well as in, of course, the liberal and radical advocacies in the big liberal newspapers and on the TV networks.

There is no need to document the fact that "the Kennedys" of today and "the Johnsons" are, behind the scenes, vigorous political enemies. Today's Kennedys accepted Mr. Johnson in 1960 simply because their brother insisted on having the Texan as his running mate. They never wanted him politically or socially or in any other way.

After the assassination, Bobby Kennedy assumed that the 1964 vice presidential nomination was his without asking—until Mr. Johnson, suddenly, publicly, dumped him.

"The Kennedys" clearly have been waiting a chance openly to buck the President of the United States on some major issue—and few could doubt, indeed, that Robert F. Kennedy hopes in some way to deprive Mr. Johnson of renomination in 1968 and perhaps to get the nomination for himself.

The peg on which to hang an attack on the President came with the Dominican trouble—Vietnam was not a good peg at the time because President Kennedy was involved. Senator Kennedy seized on the Dominican situation to turn against the President. Then he made a speech, inimical to the President as to Vietnam, in the Senate a few days ago, after first telephoning various Senators to be sure to hear him, tipping off newspapermen as to the "importance" of what he would say, and generally building up a big ballyhoo. The speech obviously was meant to hamper and harass the President of the United States in his conduct of war with a foreign power. It opened the doors for an avalanche of radical and liberal attack on the President. Such attack now had "Kennedy prestige."

Senator Fulbright constantly advocates negotiation with the Communists on Vietnam on the basis of the 1954 negotiations which created the present nations of southeast Asia. It is violation of those negotiations by the Communists that has brought on the present war. What does Senator Fulbright want the Reds to do; sign again? And if they do, and we do, what will that mean? And just how can we negotiate with the Reds when from Moscow to Peiping to Hanoi they jeer at the mere thought of negotiations. Senator Frank Church, of Idaho, followed Kennedy with what seemed almost a vicious and slurring attack on the President's policies. All these men are Democrats.

Senator Mike Mansfield, Democratic Party leader in the Senate, who has never made a secret of his opposition to the President's Vietnam policies, tried to get himself off his own hook the other day by criticizing the Republicans because a GOP House leader said that the President might lose Republican support if he yielded to the appeasers—the radicals and liberals of the Democratic Party. But for the Republicans Mr. Johnson would have no real political leadership behind him as to Vietnam in the Capital. The Republicans are willing to stand behind him as long as he stands up against communism but they are not going to follow Mr. FULBRIGHT and the Bobby Kennedys, and if Mr. Johnson follows the Fulbrights and the Bobby Kennedys he need not expect GOP support—or support around the Nation, either.

But, Senator MANSFIELD tried to make it appear that the Republicans were making themselves "the war party." We don't think either party is "the war party." But the clear facts are that all of the wars we have fought in this century—and there now are four, all overseas—came under Democratic administrations and we have been in no war in this century under a Republican administration except to the extent that the Korean war was inherited for a brief period.

One TV network hammers relentlessly at the President by constantly emphasizing, on its daily "news show," things which could arouse public emotions against the President's course. A little girl was killed accidentally in Dominica. It was on the network air endlessly with the blame placed on government forces which the United States was pictured as supporting, but which it was not supporting.

Nothing is so precious as a child's life. But the United States knowingly killed tens of thousands of children and women and men—with one bomb at Hiroshima. The British, with conventional bombs, killed more children in one German city than the United States did at Hiroshima. They had to. We had to. That was war. We have war now.

In Vietnam, a TV broadcaster stood out in the jungle with half clad people around him and talked about this hopeless war.

Who is he to say that war being made by the United States of America against communism is a "hopeless war"?

An "artist group" carries paid advertising in newspapers denouncing the President on Vietnam, as does a ministerial group, a college faculty group, and another group which presumably would describe itself as intellectuals. They are insignificant in numbers, unimportant in intelligence, but millions of people don't know it. As long as they have money [where do they get it?] to pay for getting themselves heard, they get heard.

Liberals and radicals play up—in horror—atrocities, and the "violation of democratic processes" ordered in Saigon. They forget that democratic processes become meaningless in time of war. Atrocities occur in all wars. The Germans massacred more than 70 unarmed American prisoners of war at Malmedy in World War II. Seven American soldiers were found on a roadside in the Korean war, their faces shot away with machinegun fire, their hands tied behind them. In South Vietnam the people think it is wonderful when an enemy soldier or civilian is executed. That is why there have been executions and will be many more in this war.

If the liberals and the radicals have their way—if they win the war at home—the United States will lose the war in Vietnam.

It's about time for the American people—American leadership, nationwide—to rise against these forces which want America to lose the war against communism; the hot, combat, tortuous, dirty, shooting war overseas.

UNITED STATES OF AMERICA v. ERNESTINE WASHINGTON AND OTHERS

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the District of Columbia Court of General Sessions, I have received a subpena, directed to me as Clerk of the House of Representatives, to appear before said court as a witness in the case of the *United States* v. *Ernestine Washington, et al* (numbered U.S. 5379–65, U.S. 5380–65).

The rules and practice of the House of Representatives indicate that the Clerk may not either voluntarily or in obedience to a subpena appear without the consent of the House being first obtained.

The subpena in question is herewith attached, and the matter is present for such action as the House in its wisdom may see fit to take.

Very truly yours,
RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS, CRIMINAL DIVISION.

The President of the United States.
To RALPH R. ROBERTS,
Clerk of the House of Representatives, U.S. Capitol.

You are hereby commanded to appear before the Criminal Branch of the District of Columbia Court of General Sessions forthwith on the 13th day of July, 1965 as a witness for the defendants, and not depart the court without leave thereof.

Witness, the Honorable John Lewis Smith, Jr., chief judge of the District of Columbia Court of General Sessions, and the seal of said court this 12th day of July, A.D. 1965.

WALTER F. BRAMHALL,
Clerk, District of Columbia Court of General Sessions.

Mr. MOSS. Mr. Speaker, I offer a resolution (H. Res. 469) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 469

Whereas in the cases of the United States of America against Ernestine Washington, et al. (criminal cases numbered U.S. 5379–65 and U.S. 5380–65), pending in the District of Columbia Court of General Sessions, Criminal Division, a summons was issued by the said court and addressed to Ralph R. Roberts, the Clerk of the House of Representatives directing that he appear as a witness before said court on the 13th day of July 1965, forthwith: Therefore be it

Resolved, That Ralph R. Roberts, the Clerk of the House of Representatives is authorized to appear in response to said summons as a witness in the cases of the United States of America against Ernestine Washington, et al.; and be it further

Resolved, That a copy of this resolution be transmitted to the said court as a respectful answer to the summons aforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE WILMINGTON MORNING NEWS, WILMINGTON, DEL., LOOKS AT THE WORLD IN TURMOIL

The SPEAKER. Under a previous order of the House, the gentleman from Delaware [Mr. MCDOWELL], is recognized for 10 minutes.

Mr. McDOWELL. Mr. Speaker, last week the Wilmington Morning News, of Wilmington, Del., published four editorials under the title of "World in Turmoil."

The purpose, as its editors stated, was to "explain what we understand U.S. policy to be, why we believe it is important that it go in the directions it is going, and to point out where we believe certain changes in emphasis may be in order. Every once in a while, it seems to us, a newspaper owes it to its readers and itself to pull back from the bustle of events and examine the intellectual foundation of its day-to-day opinions."

The editors of this leading newspaper came to these conclusions:

First, there should be even more emphasis on economic and social programs than there is now. The Organization of American States should have some standing organization, staffed with economists, political scientists, and the like, that could be mobilized on short notice for situations such as that which occurred in the Dominican Republic. The editors hastened to point out that this was not to say that the United States should not continue to maintain a strong and mobile military force in the hemisphere, but only that such a force will not solve most of the long-run problems the United States faces.

Second, the United States should remove itself as completely as possible from the business of bilateral aid dispensing.

Third, the United States should be firm, both in its support for democratic institutions and in defense of its interests throughout the developing world.

Fourth, the United States should be patient with the developing nations.

The Wilmington Morning News concluded that:

> It is in this (developing) world, it seems to us, that the future of our civilization may well be determined. And, while every effort should be made to resist the temptation to be overdramatic about the urgency involved in meeting the demands of the people of these areas, it would be a tragic mistake to underestimate the challenge their awakening presents to the United States. We do not believe that special privilege is their just reward, but we do believe that deference and tolerance should characterize the U.S. attitude toward their aspirations.

I found these four editorials informative and rewarding reading, and very well thought out. I commend the editors of the Wilmington Morning News for presenting them, and I recommend them to my colleagues for their information and consideration. I include them here as part of my remarks:

[From the Wilmington (Del.) Morning News, July 5, 1965]

WORLD IN TURMOIL—PART I

On this, the 189th anniversary of the adoption of the Declaration of Independence by the Continental Congress, let us consider a few flammatory lines from a very flammatory document. We do so because we believe they are pertinent today, and because they effectively set the tone for this, the first in a series of editorials on U.S. foreign policy.

The lines: "Governments are instituted among men, deriving their just powers from the consent of the governed, that when ever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security."

The language, of course, dates these thoughts as those of Thomas Jefferson. But change a phrase or two and they are as fresh as today; the words could easily have just been uttered in a basement in Caracas, or rolled off a mimeograph machine in Saigon. One of the central facts of life in this year 1965 is that this message has spread to every corner of the globe, and men everywhere are convinced, or ready to be persuaded, that it is their right and duty to throw off a "long train of abuses and usurpations" and "to provide new guards for their future security."

Since the end of World War II, the world has literally been turned upside down politically. Institutions that stood for centuries have been wiped away in a moment; values that had been cherished for generations are now ridiculed to the cheers of millions.

For Americans, these 20 years have been particularly disquieting, and instead of welcoming what has been happening, the great majority of the citizenry of this land of Jeffersonian heritage has looked upon what has been transpiring with bewilderment and, in many cases, alarm. Why? We leave that to the sociologists and psychologists, though we suspect that the answer is somehow related to America's long history of isolation and its material prosperity. It is enough to say that for too many Americans the world has become a map on which nations are tinted in two colors, theirs and ours.

Such thinking is perhaps the more prevalent because of the success of the Soviet Union and its friends in exporting dialectic materialism. So adept have the Communists become at taking advantage of social upheaval and economic disruption to serve their own purposes that a large body of Americans can maintain the fervor that all that is happening is simply the execution of a plot by a clique of schemers seeking world domination.

U.S. foreign policy for the past 20 years has reflected this disquiet among Americans. With respect to the winds of change that have swept the world during that period, the questions for policymakers have been three: Does America oppose all revolution because it is being used as a tool by the Communists to further their aim of world domination? Does America tolerate revolution, but keep ever watchful for the real enemy—communism—and sacrifice revolution when there is a chance it might serve communism? Does America encourage revolution and identify with it, being convinced that to oppose it is a greater danger in the long run than communism ever will be?

At various times, U.S. policymakers have answered yes to each of these questions. That the results of those responses has been varied is apparent by the unsatisfactory position in which the United States finds itself today in some parts of the world. But in general, we believe it can be said that U.S. foreign policy has been most successful when it answered yes to the last question. We say this, acknowledging that in a conglomerate world there can never be only one solution for every international problem.

Nevertheless, to say this is to suggest that there should be a reexamination of many of the precepts of U.S. foreign policy that have become axiomatic in the past 20 years. This we intend to do in subsequent editorials on U.S. foreign policy in relation to the Communist world, to the developed world, and to the underdeveloped world.

Central to our thinking throughout this discussion is an optimism about the future of the United States, and a pride in the durability and flexibility of historic American values. We believe the world is a better place today than it was 20 years ago, a better place than it was 189 years ago. True, it still leaves a lot to be desired, but this is no cause for despair—it is rather, cause for rededication and initiative.

World in Turmoil—Part II

Ask 100 Americans what is the principal threat to the United States in the world today, and, we suspect, 99 will say communism. But then ask what they mean by communism and the answers will be as different as the answerers.

This may not have been true 20 years ago, when the Soviet Union was the fountainhead of Communist ideology and the acknowledged military master of Eurasia. But today communism is a bit of everything: Wars of liberation, the Russians, brainwashing, Titoism, Red China, commodity dumping.

States with collective political systems clearly continue to threaten the United States, but they no longer present a unified threat, because there is no longer a unified Communist world. The current difficulties between Russia and China are evidence enough of this.

And yet, it must be admitted that there is still a strong sympathy among Communist states for each other, a sympathy which could lead to their joining together in the event of some international showdown. But is it realistic to continue to conduct American foreign policy as if there were a unified threat, or as if a showdown is the most immediate threat? We do not believe it is, in the face of the evidence of the past 10 years, when the U.S. main problems have been a guerrilla war here and a coup there. But much U.S. policy continues to be built on the premise than the principal threat from the Communist world is a military one and, more particularly, a nuclear one.

The lesson of the Cuban missile crisis of 1962 was that this is no longer true, for the Soviet Union indicated quite clearly then that it was not willing to risk nuclear war to further its expansionist policies.

But what of China, the only other Communist country which will have nuclear armaments in the conceivable future? The answer is not clear. Mao Tse-tung has boasted of fighting a war with the West, losing 300 million people, and still winning, and there has been nothing from China to indicate that nuclear war is not in its plans. Yet this is not a wholly satisfactory answer from the U.S. point of view, for it is too indefinite. The United States is still left with the awful question: Is or isn't nuclear war with China a possibility? China will not provide the answer, because it is to her advantage to keep her intentions a secret and keep her opponents off balance.

We believe the United States should operate on the assumption that such a war is not inevitable; if it were, the Government would be guilty of the greatest negligence if it did not fight that war now, when its chances of winning are best. To say that it is not inevitable is not to abandon nuclear capability, and is not to face the future without trepidation. It is also, however, not to be without a sense of optimism for the future, and an optimism with some basis in experience. Red China is a developing society, and the more developed a society, the more unthinkable nuclear war appears.

But if the threat from communism in the future is neither a unified one nor a nuclear one, what is it? To quote George Kennan: "The ideological contest, as the Communists see it, is not only an intellectual competition but a political competition. It is a political competition that involves not only the minds of men, but also, their fears—a competition that does not entirely respect what is in men's minds because it does not fully recognize the organized expression of popular will."

In such competition, anything goes: Wars of liberation, terror, subversion, propaganda; the real opponent is never directly involved. He depends, instead, on others to be on the platform or in the jungle, while he supplies the financial and moral support. And, because the opponent never shows himself publicly, there is the ever-present danger of seeing him where he isn't or not seeing him where he is.

Compounding the problem is the fact that this competition is taking place in a world that is already undergoing social revolution. Was the revolution in Santo Domingo a Communist affair, or was it a legitimate protest? And if it was legitimate was it in danger of being taken over by Communists or was it not? The answers to these questions are not certain 2 months after the event, yet they have great implication for U.S. policy.

Perhaps the United States can afford to act as it did in one Santo Domingo, but what is to be done when the revolution is in a country less accessible to U.S. power, or when three or four such events occur at once? Policy should be prepared for this eventuality, and it is clear that neither the older regional organizations of the world, like the Organization of American States, nor the newer treaty organizations developed by the late Mr. Dulles are adequate to do the job. They have not worked in southeast Asia, the Middle East, or Latin America.

Because these organizations are geared to combat a threat that exists now in vastly altered form, they lack flexibility and are not particularly susceptible to reorganization. And yet the United States, as powerful as it is, cannot win this competition alone.

What then? Consideration might be given to the gradual abandonment of these organizations, and their replacement with new groupings which would have economic and social reform as their primary focus. These new organizations could also be anchored by some other power than the United States. Serious study might also be given to the United Nations international police force suggested by several European countries and endorsed by President Johnson.

The steps in this direction should be studied and accompanied by political and economic policies that recognize and encourage individuality among Communist states.

To continue to think of communism in the terms of a monolithic world conspiracy promises the United States no benefits and possibly great harm.

World in Turmoil—Part III

The United States is fond of looking east across the Atlantic and rubbing its hands in satisfaction at the fine job it has done in Western Europe. The Marshall plan and the North Atlantic Treaty Organization, two of the greatest creations of American foreign policy, helped Europe out of economic chaos and pulled her away from the political brink so effectively that she is now a strong rival for her old benefactor.

A consequence of this pride has been the development in the United States of a maternal attitude toward Western Europe, with all the attendant emotionalism. When General de Gaulle questions U.S. policy in Vietnam, or Harold Wilson offers alternatives to American nuclear policy, the reaction in this country is much like that of the mother who discovers her child can think for himself and that thinking for himself includes questioning mother: It had to come, but it isn't really welcome.

But Europe has grown tall now and, as unpleasant as it may be, America must face the fact that, as James Reston of the New York Times recently reported after a tour of Europe:

There is no sense of crisis among most Europeans anymore. They "see the cold war as essentially a conflict between the United States and the Communists. The American idea that the United States came to Europe over a generation ago to help Europe defend itself is now widely regarded as rather odd and old fashioned."

In the face of such evidence, it seems obligatory that the United States reexamine its political and military thinking on Europe. While the United States continues to talk of regional security, Europe is thinking again of balance of power; while administration policymakers talk of multilateral nuclear forces, Europeans are becoming increasingly charmed with nationalism. The problem for the United States in Europe is not how to patch up an alliance, but how to adjust policy to a healthy, developed power bloc, so as best to serve American interests. Perhaps an alliance in the formal NATO sense is no longer desirable from the U.S. point of view.

For what is the principal danger facing the U.S. policymakers in Europe? It is not, we believe, military invasion from the Soviet Union, for reasons we have listed in an earlier editorial. Yet the principal vehicle of U.S. policy in Europe, NATO, is an organization whose sole reason for being is the prevention of just such a threat. The principal problem in Europe today is the partition of Germany. For, as long as Germany is divided, or at least as long as there is no final settlement between East and West of the German question, tension in Europe is assured and war by miscalculation is always a possibility.

Through deference to political friends in West Germany, U.S. policymakers have been rather inflexible on the German question for years. The only satisfactory solution from the American point of view has been totally unrealistic, because it demands total capitulation by the Russians: Germany must be unified through national elections, with no commitment from the United States on military withdrawal from Europe.

President de Gaulle has questioned this policy by indirection, with his rather vague talk about the German question being one amenable to only a "European solution." And, while it is inconceivable both legally and politically that there will be a decision without U.S. participation, there is some truth in what De Gaulle says if he means there can be no solution without some alteration in U.S. military commitment in Europe.

For really, is this unthinkable thought so unthinkable? There is overwhelming evidence that Western Europe has the economic strength to provide all the force necessary to defend itself. The problem is how, in the face of nationalists such as De Gaulle, to coordinate that effort effectively. And while it is true that the United States will play a role in that coordination, it does not follow that this must include actual participation with weapons and troops.

Europe, though it has been somewhat spoiled by U.S. protection, appears not only able, but interested in taking care of itself. And we suspect if the United States really examined the situation it would be too, for Europe is no longer willing to be defended on U.S. terms, and the United States is not ready to meet Europe's terms. This is the lesson of the unsatisfactory negotiations over the multilateral nuclear force. Implicit to MLF is the right of the United States to go to nuclear war without approval of its allies, and the impossibility of its European allies going to war without U.S. approval.

We do not suggest that the United States begin pulling up stakes in Europe tomorrow. Rather, we believe that the time has come for admission by the United States that its long-range interests do not include some political or social federation with Europe.

There should be no U.S. disengagement from Europe unless it is preceded by progress toward more solid European economic and political integration, a solution to the German question, and an international guarantee on the proliferation of nuclear weapons. These are large orders; but, we believe, there will be a much better chance of filling them, particularly in regards to negotiation with the Soviet Union if they are accompanied by the real promise of a Europe completely independent of the United States. Such a Europe would free a great many dollars for other uses, permit the United States more flexibility in dealing with the underdeveloped world, and offer the Nation the opportunity to concentrate its attention upon that area where it most naturally should be and where it is most needed, the Western Hemisphere.

World in Turmoil—Part IV

Panama, Bolivia, Venezuela, Haiti, Colombia—on down the list one can go, ticking off the countries in this hemisphere that are neither socially viable nor politically secure.

It is enough to make even the most optimistic policymaker perspire. Everywhere there is the potential for trouble and frustration for U.S. foreign policy.

Why, after 200 years of independence and isolation from world power politics, should Latin America still be tottering through the first stages of 20th-century social and economic evolution? The answer is long and the blame widespread, but it is enough to say that most of this hemisphere still cries for the establishment of governments with a spirit of social reform, dedicated to political democracy, determined to effect tax and land reform, and committed to the idea of self-help.

U.S. policy recognized these needs as long as 30 years ago, when Franklin Roosevelt instituted his good neighbor policy. But it wasn't until the establishment of the Alliance for Progress, in 1961 that the United States said publicly that a complete overhaul of the Latin American economic and social structures was necessary for the welfare of this Nation as well as the rest of the hemisphere. But setting goals and accomplishing them are two distinctly different things, as the United States is already discovering under the Alliance.

How does a nation get the oligarchy to give up land and power voluntarily? Can the United States really expect to encourage revolution and protect private American economic interests at the same time? Can any government really change centuries-old social patterns without resorting to coercion? To attempt to answer these questions honestly is to invite utter frustration. But the United States must answer them, not only in Latin America, but in Africa and Asia. And, because the United States is in an ideological struggle with the Communists, answering them correctly is a matter of necessity.

We submit that, in its search for correct answers, the United States should give attention to the following:

There should be even more emphasis on economic and social programs than there is now. The Organization of American States should have some standing organization, staffed with economists, political scientists, and the like, that could be mobilized on short notice for situations such as that which occurred in the Dominican Republic. This is not to say that the United States shouldn't continue to maintain a strong and mobile military force in the hemisphere—only to contend that such a force will not solve most of the long-run problems the United States faces.

The United States should remove itself as completely as possible from the business of bilateral aid dispensing. This is now being done to some extent under the Alliance, through the Inter-American Development Bank, but more could be done, particularly in the area of congressional authorizations. These should be for longer periods, say 2 to 3 years. The United States should constantly promote the idea of partnership, and guard against acts that promote the United States-giveth-and-the-United States-taketh-away syndrome that flourishes in the underdeveloped world.

The United States should be firm, both in its support for democratic institutions and in defense of its interests. Nothing impressed the Latin Americans more than did the United States stand in the Cuban missile crisis, and though they would never admit it, we suspect the Africans were equally impressed by the airdrop in the Congo. But if the Government is to be enthusiastic in the protection of its interests, it must also be equally energetic in its support of social reform. Dictatorships provide impressive short-range stability, but when they fall the power vacuum created is usually more dangerous than the political climate in countries struggling with democracy.

The United States should be patient. The fruits of these programs will be a long time in coming and there may, perhaps, be no immediate evidence that what is being done is correct. But the Government should resist the temptation to change direction simply for the sake of change, and the people should fight the tendency to be discouraged.

We are particularly concerned about the course of U.S. policy in the Western Hemisphere, because it is here that the United States has its greatest economic stake, and it is this area that is most crucial in terms of national defense—Castro in Africa would not be the problem that is Castro in Cuba. But, without exception, these thoughts are applicable to U.S. relations with all of the developing world.

It is in this world, it seems to us, that the future of our civilization may well be determined. And, while every effort should be made to resist the temptation to be overdramatic about the urgency involved in meeting the demands of the people in these areas, it would be a tragic mistake to underestimate the challenge their awakening presents to the United States. We do not believe that special privilege is their just reward, but we do believe that deference and tolerance should characterize the U.S. attitude toward their aspirations.

Our purpose in this editorial, and its predecessors, has been to explain what we understand U.S. policy to be, why we believe it is important that it go in the directions it is going, and to point out where we believe certain changes in emphasis may be in order. Every once in a whole, it seems to us, a newspaper owes it to its readers and itself to pull back from the bustle of events and examine the intellectual foundation of its day-to-day opinions.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MORSE (at the request of Mr. GERALD R. FORD) for the remainder of the week on account of official business. The U.S. observer at the Latin-American Parliament in Lima, Peru.

Mr. SKUBITZ (at the request of Mr. GERALD R. FORD) for today on account of official business inspecting the Kansas flood areas.

Mr. SHRIVER (at the request of Mr. GERALD R. FORD) for today on account of official business inspecting the Kansas flood areas.

Mr. DOLE (at the request of Mr. GERALD R. FORD) on account of official business inspecting the Kansas flood areas.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GUBSER, for 20 minutes, on tomorrow, July 14.

Mr. MCDOWELL (at the request of Mr. MOSS), for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. DULSKI (at the request of Mr. MOSS), for 30 minutes, on Wednesday, July 14, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. QUIE.

Mr. BENNETT.

(The following Members (at the request of Mr. MOSS and to include extraneous matter:)

Mr. CALLAN.

Mr. BANDSTRA.

Mr. WOLFF.

Mr. VANIK.

Mr. O'HARA of Michigan.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 83. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 956. An act to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68);

S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act;

S. 1462. An act to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian funds; and

S. 2154. An act to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico.

ADJOURNMENT

Mr. MOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p.m.) the House adjourned until tomorrow, Wednesday, July 14, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1330. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 22, 1965, submitting a report, together with accompanying papers and illustrations, on the Chariton and Little Chariton Rivers and tributaries, Iowa and Missouri, requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 29, 1955 (H. Doc. No. 238); to the Committee on Public Works and ordered to be printed with two illustrations.

1331. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 2, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the report on the Mermentau River, La., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 7, 1961 (H. Doc. No. 239); to the Committee on Public Works and ordered to be printed with three illustrations.

1332. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 23, 1965, submitting a report, together with accompanying papers and an illustration, on an interim report on Saginaw River, Mich.-Bay City section, requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 14, 1964 (H. Doc. No. 240); to the Committee on Public Works and ordered to be printed with one illustration.

1333. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 8, 1965, submitting a report, together with accompanying papers and illustrations, on a survey of Grand River and tributaries, Missouri and Iowa, authorized by Flood Control Acts approved June 22, 1936, June 28, 1938, and July 24, 1946 (H. Doc. No. 241); to the Commiittee on Public Works and ordered to be printed with several illustrations.

1334. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 22, 1965, submitting a report, together with accompanying papers and illustrations, on a review of the reports on, and a survey of Shidler Reservoir, Salt Creek, Osage County, Okla., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted February 21, 1958, and authorized by the Flood Control Act approved August 18, 1941 (H. Doc. No. 242); to the Committee on Public Works and ordered to be printed with four illustrations.

1335. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 11, 1965, submitting a report, together with accompanying papers and illustrations on a survey of Rowlesburg Reservoir, Cheat River, W. Va., authorized by a resolution of the Committee on Public Works, U.S. Senate, adopted April 30, 1958, and a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959 (H. Doc. No. 243); to the Committee on Public Works and ordered to be printed with several illustrations.

1336. A letter from the Secretary of State, transmitting the 12th report of the Department on its activities under the Federal Property and Administrative Services Act of 1949, pursuant to title IV, section 404(d) of Public Law 81–152; to the Committee on Government Operations.

1337. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Commission as of May 31, 1965, pursuant to section 5(e) of the Communications Act as amended July 16, 1952 by Public Law 554; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLATNIK: Committee on Public Works. H.R. 3788. A bill to revive and reenact as amended the act entitled "An act creating the city of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill," approved December 21, 1944; without amendment (Rept. No. 611). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 9793. A bill to provide for the establishment of a program of Federal unemployment adjustment benefits, to provide for matching grants for excess benefit costs, to extend coverage, to establish Federal requirements with respect to unemployment compensation, to increase the wage base for the Federal unemployment tax, to increase the rate of the Federal unemployment tax and to provide for a Federal contribution, to establish a Federal adjustment account in the unemployment trust fund, to change the annual certification date under the Federal Unemployment Tax Act, to provide for a research program and for a Special Advisory Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 9794. A bill to amend title 23 of the United States Code to increase to 60,000 miles the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. KING of New York:

H.R. 9795. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. KREBS:

H.R. 9796. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. PHILBIN:

H.R. 9797. A bill to amend title 10 of the United States Code so as to provide free postage for members of the Armed Forces serving in Vietnam and other combat zones designated by the President; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 9798. A bill to amend title 38 of the United States Code in order to provide educational assistance for combat veterans; to the Committee on Veterans' Affairs.

H.R. 9799. A bill to provide educational assistance to certain veterans of service in Vietnam; to the Committee on Veterans' Affairs.

By Mr. UDALL:

H.R. 9800. A bill to amend the Administrative Expenses Act of 1946, as amended, to provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States; to the Committee on Government Operations.

By Mr. ADAMS:

H.R. 9801. A bill to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; to the Committee on Merchant Marine and Fisheries.

By Mr. GRABOWSKI:

H.R. 9802. A bill to establish and prescribe the duties of a Federal Boxing Commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLORY:

H.R. 9803. A bill to amend title 38 of the United States Code to eliminate the differential between the wartime and peacetime rates of disability and death compensation; to the Committee on Veterans' Affairs.

By Mr. McGRATH:

H.R. 9804. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. McMILLAN:

H.R. 9805. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 9806. A bill to promote the development of improved local service aircraft by providing for temporary Federal assistance for such development, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RESNICK:

H.R. 9807. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 9808. A bill to amend the Tariff Act of 1930 to provide for alteration of the duties on importation of copra, palm nuts and palm nut kernels, and the oils crushed therefrom; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 9809. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. BOB WILSON:

H.R. 9810. A bill to amend the act of August 27, 1954, relating to the seizure of vessels of the United States by foreign countries; to the Committee on Merchant Marine and Fisheries.

By Mr. COOLEY:

H.R. 9811. A bill to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs and promote foreign trade, to afford greater economic opportunity in rural areas, and for other purposes; to the Committee on Agriculture.

By Mr. HALPERN:

H.R. 9812. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. HARRIS:

H.R. 9813. A bill to promote commerce and to encourage worldwide interest in U.S. developments and accomplishments in aviation and related equipment and products by authorizing Government sponsorship of an International Aerospace and Science Exposition at Dulles International Airport; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.R. 9814. A bill to establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes; to the Committee on Banking and Currency.

H.R. 9815. A bill to provide for regulation of the professional practice of certified public accountants in the District of Columbia, including the examination, licensure, registration of certified public accountants, and for other purposes; to the Committee on the District of Columbia.

By Mr. SISK:

H.J. Res. 574. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BATES:

H.J. Res. 575. Joint resolution to authorize the President to issue a proclamation commemorating the 175th anniversary, on August 4, 1965, of the founding of the U.S. Coast Guard at Newburyport, Mass.; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.J. Res. 576. Joint resolution to establish square dancing as the national dance of the United States; to the Committee on House Administration.

By Mr. CALLAWAY:

H. Res. 457. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

By Mr. KREBS:

H. Res. 458. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

By Mr. BOB WILSON:

H. Res. 459. Resolution that it is the sense of the House of Representatives that oppression of minorities in Rumania through a systematic plan launched by the Communist regime in control of Rumania be condemned and the President of the United States is requested to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities in the controversial Transylvania region of that country; to the Committee on Foreign Affairs.

By Mr. FINDLAY:

H. Res. 460. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. CLEVELAND:

H. Res. 461. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. MARTIN of Alabama:

H. Res. 462: Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. KEITH:

H. Res. 463. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. PIRNIE:

H. Res. 464. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. ELLSWORTH:

H. Res. 465. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. BALDWIN:

H. Res. 466. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. QUIE:

H. Res. 467. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

By Mr. GOODELL:

H. Res. 468. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COOLEY:

H.R. 9816. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claims of Bernard J. Campbell; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 9817. A bill for the relief of Mrs. Kyung Nam Cho; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 9818. A bill for the relief of Mrs. M. M. Richwine; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 9819. A bill for the relief of Michele Pucillo, his wife, Giagina Ragozzino Pucillo, and their minor daughter, Geraldina Pucillo; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 9820. A bill for the relief of Rocco Nacherlillia; to the Committee on the Judiciary.

SENATE

TUESDAY, JULY 13, 1965

(Legislative day of Monday, July 12, 1965)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Donald Marion Kea, Waverly Hall Methodist Church, Waverly Hall, Ga., offered the following prayer:

Eternal God, high above us, yet deep within us, remind us now of those things we ought never to forget.

Remind us of responsibility, lest we forget that much is required of those to whom much is given.

Remind us of our debts, for we are tempted to treat casually a freedom so costly to our fathers.

Remind us that we are human, so that we will not misuse might and power with the foolish notion that we are gods.

Remind us to seek Thy will, for when we want to do what is right, we often do not know what it is; and when we know what is right, we frequently lack the courage to do it.

Give us humility enough not to come here to urge Thee on with our small requests, but to put ourselves at Thy disposal and to be made instruments of Thy will. Amen.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 12, 1965, was dispensed with.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request by Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

On request of Mr. MAGNUSON, and by unanimous consent, the Subcommittee on Irrigation and Reclamation and the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

On request of Mr. MAGNUSON, and by unanimous consent, the Subcommittee on Labor of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate this afternoon.

On request of Mr. MAGNUSON, and by unanimous consent, the Subcommittee on Intergovernmental Relations of the Committee on Government Operations was authorized to meet during the session of the Senate this afternoon.

INDEPENDENT OFFICES APPROPRIATIONS, 1966

The PRESIDENT pro tempore. Under the unanimous-consent agreement, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MANSFIELD. Mr. President, I yield myself 2 minutes to suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, on the time of the distinguished Senator from Washington [Mr. MAGNUSON], the Senator in charge of the bill, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

Joseph E. Talbot, of Connecticut, to be a member of the U.S. Tariff Commission.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

CALIFORNIA DEBRIS COMMISSION

The Chief Clerk read the nomination of Brig. Gen. Ellis Wilhoyt, Jr., Corps of Engineers, to be a member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

INDEPENDENT OFFICES APPROPRIATIONS, 1966

The Senate resumed the consideration of the bill (H.R. 7997) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1966, and for other purposes.

Mr. MANSFIELD. Mr. President, I again suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 343

Mr. YOUNG of Ohio. Mr. President, the amendment that I have offered is a good amendment. It would save the taxpayers of our Nation a waste of $35 million as the bill would be cut to that extent. The amendment is modest and is needed; it should be adopted.

In the budget for fiscal year 1966, officials of the Department of Defense requested $194 million of taxpayers' money for civil defense purposes. The House of Representatives slashed this by more than half, approving an appropriation of $89,190,000. The bill before us as amended by the Senate Committee on Appropriations contains an appropriation of $124,370,000 to perpetuate the civil defense boondoggle.

Mr. President, may I say at the outset that in my opinion this entire program should be scrapped. However, I have only offered a modest amendment to save money. I do not believe that there is any real defense against the amendment. The civil defense squandering over the years has been an unconscionable waste of taxpayers' money. However, I have been a Member of the Congress long enough to know that these petty bureaucratic empires do not crumble easily. Once entrenched, these bureaucrats—such as those now operating the so-called civil defense program—are as tenacious as the Bourbons of France, the Romanovs of Russia, or the Hapsburgs of Austria. In fact, had these royal families studied the methods of entrenched bureaucracy, they might still be on their thrones.

Therefore, being a realist, I have introduced an amendment which would cut this appropriation to that approved by the other body.

Over the past 12 years, more than $1,300 million of taxpayers' money has been foolishly wasted on silly civil defense schemes. Today, 20 years after Hiroshima, the United States has no civil defense worthy of the name. Most of what exists consists of absurd plans on paper; the rest is confusion.

Simple arithmetic proves that any shelter program large enough to be meaningful—if such a thing is possible—would cost many billions of dollars. However, civil defense officials follow the bureaucratic rule of keeping first estimates low enough to induce Congress to authorize some colossal lunacy, knowing that they can always get more once a program is born.

This year the House allowed $30,200,000 for these ridiculous fallout shelters; the Senate committee, $55,200,000. My amendment would save taxpayers $25 million in this one instance alone.

Those favoring a massive fallout shelter building program have estimated that it would cost anywhere from $20 to $200 billion. In their book "Strategy for Survival," Thomas L. Morton, dean of the College of Engineers at the University of Arizona, and Donald C. Latham, an electronics researcher, concluded that a national community shelter program would cost in excess of $37 billion.

Herman Kahn, one of the foremost proponents of fallout shelters, has estimated that a reasonable program might involve a gradual buildup from about $1 billion annually to somewhere in the neighborhood of $5 billion annually. Prof. John Ullman, chairman of the department of management of Hofstra College, estimates the cost as high as $302 billion. Regardless of which of the expert opinions is cited, the price tag would be astronomical. Even then, there is no guarantee that a shelter program would be at all effective. With extensive advances being made in rocket and nuclear technology, it would probably be obsolete before completion.

There is also the possibility of more deadly types of warfare for which shelters offer no protection whatever—chemical and biological warfare. Any nation that would unleash a thermonuclear war would probably not hesitate to use other methods equally as terrifying.

Anyone who has taken the trouble to look into the matter is aware of the fact that most building owners have ignored or refused requests to provide shelters, and that ordinary citizens have lost interest. During each crisis, the get-rich-quick shelter salesmen appear. As soon as the crisis abates and public interest fades completely, they crawl back under the rocks from whence they came.

Mr. President, there is no shelter building program in Great Britain, France, or any of the major Western Powers. Reliable observers in the Soviet Union report that there is no fallout shelter program in Russia. Henry Shapiro, dean of the American correspondents in Moscow, wrote:

> No foreigner here has seen any civil defense shelters. The average citizen is unaware of the existence of shelters.

Preston Grover of the Associated Press took a similar position when he stated:

> Attachés from embassies who have looked around the country for sign of shelters have found nothing. Foreigners live in many of the newest buildings put up in Moscow, and they have no bomb shelters.

The New York Times published a report from Moscow by Harrison Salisbury which stated:

> About 12,000 miles of travel in the Soviet Union by this correspondent in the last 4 weeks failed to turn up evidence of a single Soviet bomb shelter * * * Diplomats, foreign military attachés, and correspondents who have traveled widely in the Soviet Union report that there is no visible evidence of a widespread shelter program.

Mr. President, through the years while this Nation and the Soviet Union were building up our nuclear capacities, more than $1 billion was appropriated by Congress for civil defense in piecemeal fashion but not for any really serious or effective plan of action. Actually, we were soothing our consciences just in case a nuclear war would come. Year after year we appropriated $75 million or $100 million or $80 million for civil defense purposes, always just in case.

The fact is that the danger of nuclear war with the Soviet Union has greatly diminished. There is no other nuclear power in the world today capable of showering missiles with nuclear warheads on our cities. Who are these fallout shelters designed to protect us from?

There is no justification whatever for this expenditure, let alone a $25 million increase over the House appropriation. If we are serious about fallout shelters, then let us authorize $20 or $30 billion and get on with the program. Otherwise, let us do away with this hypocrisy and quit wasting taxpayers' money on a program hopeless at its inception. In that respect may I say that last year the Senate Committee on Armed Services refused to approve the request for a $193 million authorization of the so-called shelter program. I had the honor to serve on the subcommittee that studied this request under its very able chairman, the distinguished junior Senator from Washington [Mr. JACKSON]. By a vote of 4 to 1, we killed that appropriation, which was passed in the other body.

Mr. President, the Senate bill contains an additional $9,750,000 for matching funds for personnel and administrative expenses of State and local civil defense organizations, and for 200 more civil defense jobs in the national organization.

Let me cite these astounding figures in the Office of Civil Defense in the Department of Defense. If the Secretary of Defense, Mr. McNamara, really wishes to achieve economy in Government, I am suggesting that he do so in his own Department.

A total of 990 employees work in the Civil Defense Division. Of this number, 480—nearly half—receive $13,335 per year up to $27,000 per year. Six employees receive $23,320 per year: 20 more employees receive in excess of $20,000 per year. There are 510—approximately the remaining half—from filing clerk and messenger up who receive from $4,400 up to $10,982 per year. I doubt whether any other agency in the Federal Government has so disproportionate a percentage of its employees earning such high salaries; where so many are paid such stupendous salaries and do so little.

The average salary of all civil defense employees in the Department of Defense is $11,478 a year. By comparison, employees of the FBI receive an average of $8,467 a year, and in the National Aeronautics and Space Administration, where many scientists are employed, the average salary of all officials and employees amounts to approximately $10,085 per year.

These civil defense, high-salaried persons, sit around in their sumptuous offices and do very little for their money except to concoct plans and send messages to each other, plan shelter spaces in public buildings and buy what they call survival biscuits which will soon rot and be of no use. It would be difficult to find another agency in the Federal Government where so many do so little and receive so much.

The truth is that many of these high-salaried officials are castoffs from other Federal agencies, where they did no good. Now they sit around in the Pentagon thinking up civil defense schemes.

The second class of civil defense employees comprises those hired by State and municipal civil defense agencies. Half of their salaries are paid by the Federal Government under a matching funds program. The rest comes from State and municipal governments where tax dollars grow increasingly scarce, and where vital programs for schools, hospitals, housing and other public services are given up for lack of funds. It is the program on the national level that spawns the growth of city and State organizations and multiplies the waste.

Too few Governors, mayors and county commissioners can resist the temptation to accept Federal matching funds to provide in many cases a comfortable haven in the political storm for political hacks and defeated officeholders.

Frequently, I—and I am sure all of my colleagues share similar experiences—receive telephone calls and letters from mayors and other municipal officials requesting assistance in having their applications for public work projects expedited. At the same time the Federal Government is encouraging these officials to spend millions on salaries for civil defense employees. If we cut off the head of the bureaucratic octopus in Washington, its wasteful satellites in States and cities will soon wither away.

It is noteworthy that many great cities, including Portland, Oreg., Baltimore, Md., and Los Angeles, Calif., have completely abolished their local civil defense organizations or drastically cut expenditures for them. Officials of these cities recognized the futility and waste involved in this program and have devoted their taxpayers' money to constructive purposes.

This additional $9,750,000 is completely unnecessary. The civil defense agency requires more staff positions just as Alaska needs more snow. My amendments would also reduce by $430,000 the amount requested for detection and monitoring systems—systems which have proven completely unreliable. Ample funds are already available for this purpose. There is no justification whatever for an increased appropriation at this time.

Mr. President, here is a way for Senators who favor economy to show they mean what they say. Here is where more than $35 million can be saved without in any way impairing our national security or vital public services. I do not know of a single proposal whereby we could more clearly demonstrate our desire for economy and to save taxpayers' money. I hope that Senators will grasp the opportunity to begin to put an end to this utter folly—this civil defense fallout shelter boondoggle.

I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. INOUYE in the chair). The Senator from Washington is recognized

Mr. MAGNUSON. Mr. President, the amendment of the Senator from Ohio relates to the Department of Defense activities in self-defense. The amendment contains two portions. One relates to the operation and maintenance of the Department of Defense Civil Defense Unit. The other relates to research, shelter survey, and marking.

The 1965 appropriation for this first general purpose was $75 million. The 1966 budget estimate was $79,200,000. The House allowed $58 million. We recommended $69 million. That would be $10 million under the budget estimate.

We would have to go to conference with this item. I do not know whether the full amount of the restoration was asked for. If we were to allow the $10 million, it would be withheld. Whatever happens to this item, it would be considerably under the budget estimate.

This is a controversial subject which has been discussed at great length both pro and con in the committee. However, we felt, and the House felt, that certain phases of civil defense should be financially supported.

I believe that the constructive criticism of the Senator from Ohio relates to the old civil service units which constituted a separate item in many cases. I believe that that criticism was very much justified. We cut the amount accordingly. However, we then decided that this could be handled better by the Department of Defense.

I believe that, all in all, they have been doing a better job for the dollars that have been spent on the project than was done originally.

The funds used in this part of the civil defense operation and maintenance would also include work in common disasters throughout the United States. They are doing an excellent job in this field.

The restoration totaled only $10 million. However, we are hopeful that we can restore $20,210,000. One item would concern warning systems. Another item would concern detection and monitoring systems. Another would concern warehousing and maintenance. It would also deal with broadcast station protection programs, damage assessment, training and education, emergency operations systems development, public information, and other emergency operations, in the amount of $303,000. There is another very important item which this Congress has voted on, I believe, on four or five occasions, whereby we provide financial assistance to States and pay for approximately half of the so-called salaries of the civil defense units in the States.

That item amounted to approximately $18.5 million, which is a large part of the restored amount. I am hopeful that we shall be able to go to the House with these necessary items.

If we are to subscribe to the principle of civil defense at all, I believe that this would be a rather skeletal budget. If we want to expand and cut out civil defense, that is another thing. There are two schools of thought on this subject. Some people believe that it is not necessary. Others believe that we should not spend too much. However, this is a minimum barebones budget for this operation in terms of operation and maintenance.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. Mr. President, in addition to what the Senator has said, it is my understanding that if the reduction made by the House were passed, it would result in discharging approximately 2,270 State or local employees from a staff of 5,600. It would impose a reduction in Federal employment from 1,000 to 700. In other words, supporting what the Senator from Washington has said, if we are to carry this program forward, it would be on a minimum basis, which is much criticized in some schools. Of course, we are not going forward with all that the administration wanted anyway. We have cut the amount about as far as we could.

Mr. MAGNUSON. The big item in the restoration that we made from the very large House cut concerned the system in the States. If civil defense is to work at all, it must work, not from Washington, D.C., but from the people at home. They need some help and training. They need help in many of the things that we are doing. However, the main sinew of any program of civil defense is from the people back home.

The next item that the Senator from Ohio would cut concerns research, shelter survey, and marking. The 1965 appropriation for that item amounted to $30,200,000. The Senate made a big cut in that item last year. The budget estimate in 1965 was considerably above that. The budget estimate for 1966 is $114 million. The House allowed $30 million. We restored $25 million. That made a total committee recommendation of $55,200,000. That would cut the amount of the budget estimate more than in half.

There is an item that some people believe we should not proceed with in this program. However, we have done so.

I read from the report as follows:

> Since September 1961, the Department of Defense has conducted the national shelter survey to identify and license existing public shelter space. As of June 30, 1964, there were approximately 121 million shelter spaces identified under this program. In addition, work underway at end of fiscal year 1964 and during fiscal year 1965 on reanalysis and upgrading of initial survey results added 9 million spaces, raising this total to 130.7 million as of March 25, 1965. During fiscal year 1966, approximately 59 million new or modified structures will be analyzed. This continuing survey should produce about 6 million identified shelter spaces.

We have marked and certified all of the large available places in private, large buildings in urban centers. However, there is $23 million available to make studies of smaller structures throughout the country and to encourage, at a minimum, low cost, those individuals in a neighborhood who would want to have a shelter program in a particular community or neighborhood—perhaps in the suburbs, in a small town, or in a rural area. We thought this was a worthwhile project as long as we were going ahead with the shelter program.

We think this item strengthens the program.

The committee also recommends and uses the word "stocking"—which the House did not include—for authorization for expenditures to continue the existing program, and to use stocks from previously appropriated funds. There is no money added for stocking, but we have previous funds which can be used to stock in most places. It is a minimum stocking program.

Here, again, if we are to have any program at all—unless we want to cut it out completely—this is a barebones program for this particular feature.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. What we have done, as the chairman has said, is to allow a minimum compromise if we are to go forward with the plan at all under the authorization already contained in the law.

The administration recommended $114 million. We have cut it, adding $25 million to the House figure, to a total of $55 million. I would like to read the titles only of the items that are involved, which we have cut to a minimum: Shelter survey and marking. Smaller structures survey.

Under the latter program an opportunity is given to go into private homes to discuss how they can help utilize shelters, improvement of shelters, shelter development, Federal regional emergency operating centers.

As the chairman of the subcommittee has said, the shelter stocking has come from previously appropriated funds.

Those are the programs the administration has recommended and which the committee has cut substantially, even though it increased the House amount by $25 million.

Mr. MAGNUSON. A part of these funds was for minimum staffing for emergency centers, which everyone in this Congress knows are going to be necessary if—God forbid—something should happen, when it would be necessary to have the Government continue to operate and function without interruption.

A small amount is provided to keep up to date our radio civil defense communications lines, and all of the items that go with that. Another item is improvement of shelters. There is an item for some research. Some of the money that was appropriated last year for research has developed a very minimum, inexpensive shelter program that might be used by a community jointly. Rather than provide for each person doing something in his own home, it was thought to be preferable to find a place which is readily available and which can be used jointly by the people of a community. We have reached a point where, if we are to continue with the shelter program, we are to find a place, somewhere, where each of the 190 million people can go.

We are going slowly in this program. We have had some problems. There probably has been some waste. But we believe the Defense Department has done a better job than the civil defense agency did by itself. Certainly interest has been stirred up in communities which before had not concerned themselves with civil defense.

Lastly, the agency has performed a good service, which I think everybody will attest, where there have been national disasters, such as tornadoes, fires, explosions, floods, and catastrophes of that kind. The agency has supplemented some loosely jointed organizations which had attempted to take care of such conditions. Civil defense has come to their aid.

The agency did a great job in the Alaskan earthquake. It organized itself very quickly, because the local people were organized. The agency did much in the Nebraska floods, the tornadoes in the Middle West, and many other places.

It is a minimum program. It is a program that is subject to controversy, I know, but we believe that if we are to have a civil defense program at all, this is about as minimum a program as we can have.

Mr. YOUNG of Ohio. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Ohio has 5 minutes remaining.

Mr. YOUNG of Ohio. I yield to my distinguished colleague from Ohio such time as he may need out of that time.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. LAUSCHE. Mr. President, I regret that I must take exception to the views expressed by the senior Senator from Massachusetts [Mr. SALTONSTALL] and the senior Senator from Washington [Mr. JACKSON]. I am happy to give my support to my colleague from Ohio with respect to the amendment to reduce the amount contained in the appropriation bill for civil defense, to a level equal to what was provided by the House.

My contact with civil defense goes back to 1941. I was in intimate relationship with it while I was mayor of Cleveland. The war was over, and I was in close contact with it while I was Governor. President Roosevelt appointed me to a national committee vested with the responsibility of studying civil defense and developing the program for the Nation.

At that time, there were experts advising the expenditure of $50 billion for the building of shelters. That recommendation fell upon deaf ears.

While I was Governor, hysteria prevailed for a time, especially during the Korean difficulty, and we were urged by Federal agencies to expend huge sums of money for civil defense.

The Federal Government provided various items to be used in the event of disaster—food, medicines, and other commodities.

The recommendation was made then that there be established a skeleton force for civil defense, but with substantial personnel.

Mr. President, I have come to one conclusion with certainty. As to every doubt that I resolved against spending for civil defense, instead of supporting the expenditures, time has proved me right.

If the State of Ohio had followed the advice of the agencies in Washington in developing a civil defense organization, the expenditures would have been tremendous by this time.

The best argument against this proposal is that Russia does not have shelters. I do not know of any nation that has. My colleague from Ohio is completely correct in his argument that the Senate should return to the figures recommended by the House, as being consistent with sound economy, national security, and a purpose to stop spending of money for purposes that are producing no good.

I support the amendment of my colleague from Ohio.

Mr. YOUNG of Ohio. I thank the Senator.

Mr. President, may I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator from Ohio has 1 minute remaining.

Mr. MAGNUSON. Mr. President, I shall supply for the record—I do not happen to have them with me at the moment—the amounts of money by which the Senate committee has reduced the budget item for civil defense.

Mr. President, I thoroughly agree with the Senator from Ohio [Mr. LAUSCHE], that if we were to follow the recommendation of the Office of Civil Defense in Washington, we would have spent not hundreds of millions of dollars but billions of dollars.

Mr. LAUSCHE. Billions of dollars.

Mr. MAGNUSON. Over the years, I believe the figures will show that we have cut $2 to $3 billion out of the bill. The initiation of the civil defense program, as I pointed out earlier, resulted in bungling and waste. I believe it is doing a better job under the Defense Department.

Let me quote for the record a letter received from Secretary McNamara in response to my request, which was read before the committee:

> The current civil defense program has located in existing buildings in the United States 134 million protected spaces. The continuation of this program to make use of existing resources which is budgeted for here without a shelter construction program—

This would cut out all construction—

> will increase the amount of such protection available and is a phased part of a total program which will, through 1970, provide fallout shelter protection up to four-fifths of the entire population.

One of the reasons we have gone ahead with the program is that we now have 134 million registered and marked shelter spaces, and we wish to finish the job.

The figures to which I referred a few moments ago are as follows: 1963 estimate, $756,900,000; 1963 appropriation, $128 million; 1964 estimate, $346,900,000; 1964 appropriation, $111,569,000; 1965 estimate, $358 million; 1965 appropriation, $105,200,000.

The PRESIDING OFFICER. The time of the Senator from Washington has expired.

Mr. YOUNG of Ohio. Mr. President, I yield the remainder of my time to the distinguished senior Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, I shall support the amendment of the Senator from Ohio. I am happy to note that his colleague [Mr. LAUSCHE] feels the same way.

To me, as a former mayor of one of our largest cities—Philadelphia—it seems plain that scientific advances in the development of methods of mass destruction which have occurred since the early days of civil defense, in particular the development of the atomic and hydrogen bombs, make the entire civil defense program obsolete.

It would seem to me that we are acting well within conservative limits if we cut the program back to the House figure.

Therefore, I am happy to support the amendment proposed by the Senator from Ohio [Mr. YOUNG], and supported by his colleague [Mr. LAUSCHE].

Mr. MAGNUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Ohio [Mr. YOUNG].

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Michigan [Mr. MCNAMARA], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from North Carolina [Mr. JORDAN], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PELL], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. HARRIS], the Senator from Utah [Mr. MOSS], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Rhode Island [Mr. PASTORE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. PEARSON] is absent on official business and, if present and voting, would vote "yea."

The Senator from Wyoming [Mr. SIMPSON] is necessarily absent, and if present and voting, would vote "yea."

The result was announced—yeas 13, nays 72, as follows:

[No. 180 Leg.]

YEAS—13

Bennett
Clark
Curtis
Douglas
Gruening
Lausche
McGovern
Morse
Mundt
Neuberger
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—72

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Hart
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Montoya
Morton
Murphy
Muskie
Nelson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Yarborough
Young, N. Dak.

NOT VOTING—15

Byrd, Va.
Church
Dodd
Harris
Hartke
Hayden
Jordan, N.C.
McNamara
Monroney
Moss
Pastore
Pearson
Pell
Simpson
Sparkman

So the amendment of Mr. YOUNG of Ohio was rejected.

Mr. CLARK. Mr. President, I am about to call up two amendments under the unanimous-consent agreement which was entered into last night. I realize full well that I cannot beat city hall, having been a mayor myself. Therefore, I do not intend to ask for the yeas and nays on the amendments. I hope very much that none of my colleagues will ask for a yea-and-nay vote. I wish to make a relatively brief record with respect to the two amendments which I consider to be important to Senators who have business elsewhere.

The ACTING PRESIDENT pro tempore (Mr. METCALF). Will the Senator from Pennsylvania inform the Senate which amendment he intends to call up first?

AMENDMENT NO. 345

Mr. CLARK. Yes, I shall. I call up my amendment No. 345.

The ACTING PRESIDENT pro tempore. The amendment of the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 32, between lines 11 and 12, it is proposed to insert the following:

FEDERAL-STATE TRAINING PROGRAMS

For matching grants to States for authorized training and related activities, and for expenses of providing technical assistance to State and local governmental or public bodies (including studies and publication of information), as authorized by title VIII of the Housing Act of 1964 (20 U.S.C. 801–805), to remain available until expended, $10,145,000: *Provided*, That not to exceed $145,000 of this appropriation shall be available for administrative expenses.

Mr. CLARK. Mr. President, I yield myself as much time as I may require.

Mr. JAVITS. Mr. President, will the Senator yield briefly?

Mr. CLARK. I yield to the Senator from New York.

Mr. JAVITS. I should like to join in the amendment, notwithstanding the fact that the Senator feels that it will not get anywhere right now. I believe that what is proposed in the amendment should be done. I hope a way can be found to do it.

Mr. CLARK. Mr. President, I ask unanimous consent that the name of the Senator from New York [Mr. JAVITS] may be added as a cosponsor of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I yield to my colleague from Pennsylvania.

Mr. SCOTT. I thank my senior colleague. I would be happy if he would add my name as a cosponsor of the amendment. I am sorry for the situation that exists. I wish such an amendment could be adopted. It is much in line with the bill which has been introduced by the Senator from Washington [Mr. MAGNUSON] and myself to make available technical services and technical research aid available to the States in a sharing program. I hope we shall have another opportunity to get at the question through the Magnuson-Scott approach. I would appreciate my colleague's help at that time.

Mr. CLARK. I thank my colleague for his support. Mr. President, I ask unanimous consent that the name of my colleague may be added as a cosponsor of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Texas.

Mr. YARBOROUGH. Would not the proposed amendment offered by the distinguished Senator from Pennsylvania concerning fellowships for city planning and urban studies come under the appropriation for HEW for the Bureau of Education?

Mr. MAGNUSON. Mr. President, may we have order in the Chamber?

The ACTING PRESIDENT pro tempore. The Senator will suspend. The Senate will be in order.

Mr. CLARK. Mr. President, I yield to the Senator from Texas.

Mr. YARBOROUGH. I thank the Senator. My question is as follows: Would not the proposed amendment of the distinguished Senator from Pennsylvania concerning fellowships for city planning and urban studies come on the appropriation bill for HEW, under the Bureau of Education, rather than under the independent offices bill?

Mr. CLARK. Unfortunately not, because this program was authorized in the Housing Act of 1964. It has already been authorized under the Housing Act. Therefore, it is treated in the independent offices appropriations bill, because HHFA is in that bill.

I am quite unable to understand why the fellowship and scholarship amendment, which is not the one we are now debating—we are debating the training program—a program recommended by the President, initiated in the Senate 8 years ago by the able and distinguished junior Senator from Alabama [Mr. SPARKMAN], with whom I joined, approved by the Senate and the House, signed by the President, and now recommended again and appearing in the Housing Act of 1965, cannot be funded.

I say again that we cannot beat city hall. The Appropriations Committee has its mind directed against this program. All I wish to do is to make an appropriate record as to why the Banking and Currency Committee and the President of the United States felt so strongly that these programs were wise. There is an old saying that he who fights and runs away will live to fight another day. I have not been able to find any argument against either of these programs, but I understand that the Appropriations Committee was almost unanimously against them.

Mr. YARBOROUGH. I am for these programs, but it seems to me that scholarships should be handled as an educational question. This training program should be under the Department of Labor. The other amendment, the one which would authorize training and technical assistance, should be under either labor or technical education. Many of us are curious as to why they have to be offered to the independent offices appropriation bill. I am for both programs. I have been on the Labor and Education Subcommittee for years with the distinguished Senator from Pennsylvania, and I have supported every one of such programs.

Mr. CLARK. Having been a member of both the Committee on Banking and Currency and the Committee on Labor and Public Welfare for many years, I found myself being shuttled back and forth. I would bring these programs up in the Committee on Labor and Public Welfare, and then overnight would learn that I should take them before the Committee on Banking and Currency. I would go there, and they would say I should take them back to the Committee on Labor and Public Welfare; that that was where they belonged.

Finally, the Senator from Alabama [Mr. SPARKMAN] and I had them included in the Housing Act of 1964. Now we find another high hurdle, because the Committee on Appropriations will not fund them.

I agree with the Senator from Texas that logically these programs should come within the jurisdiction of the Committee on Labor and Public Welfare. The Senator may remember that earlier today the distinguished Senator from Colorado [Mr. DOMINICK] proposed this program as a part of the higher education bill. I told him it was in the Housing Act. I feel certain that the Senator from Texas can appreciate my feeling of frustration.

Mr. YARBOROUGH. I hope the Senator from Pennsylvania will continue to shuttle back and forth until he succeeds in weaving the whole garment.

Mr. CLARK. I thank the Senator from Texas.

Mr. President, I argued in support of this amendment yesterday. The argument appears in the RECORD of July 12 at pages 16493 et sequitur. I see no point in renewing those arguments at this time.

I ask the Senator from Washington whether perhaps overnight his heart softened a little, so that we might come to some adjustment, whereby the whole amount which was authorized, or at least some part of it, could be agreed upon and taken to conference.

Mr. MAGNUSON. The committee's collective heart softened a little on one item. In the Federal-State training program, the budget estimate was $10,145,000. The House did not allow anything. The Senate agreed with the House. For the fellowship program, the budget estimate was $530,000. The House did not allow anything, and the Senate committee agreed with the House.

There was some discussion about this subject. What the Senator from Pennsylvania and the other sponsors of the amendment are talking about has much merit.

The principal opposition in the committee was to the Federal-State method of approach. I believe the need exists. Whether some cities and urban centers will face up to the program is doubtful. But we have more and more of a stake in what happens in cities with respect to transportation, housing, and other broad Federal programs.

It is true, and the record should show, that all the estimates seem to agree that by 1980 local governments will have to recruit personnel for as many as 300,000 administrative, professional, and technical positions in this field. Shortages of personnel to fill these positions now exist in both State and municipal governments.

The program for Federal-State training is somewhat different from the fellowship program, because we are talking about a program which will emphasize inservice or midcareer training of persons employed in State and local agencies who are engaged in community development work, with attention being given also to the training of persons who are planning to enter this field of endeavor. But the program is concerned with inservice and midcareer training. It involves the recruiting of good personnel to work for State and municipal governments, but who may not have the background or knowledge, and assisting them, if possible, to obtain more training. It will involve the establishment of workshops, teaching programs, professional schools, and programs of that kind. There is no question that such a program will be needed. The committee discussed it.

At one time we felt we would do something, but we finally agreed with the House, although, as the Senator from Pennsylvania has said, title VIII of the Housing Act, which was passed by the Senate and House, provided for this sort of program. However, we believe that something ought to be done in a modest way to start such a program, because the need will exist.

If the Senator will modify his amendment with respect to Federal and State training programs so as to provide around $4 million, the committee will be glad to take it to conference.

Mr. CLARK. Mr. President, I modify my amendment by striking, in lines 7 and 8, "$10,145,000" and substituting in lieu thereof "$4 million."

I am grateful to the Senator from Washington for his softness of heart.

The ACTING PRESIDENT pro tempore. Without objection, the amendment of the Senator from Pennsylvania is so modified.

Mr. CLARK. I thank the Senator from Washington.

Mr. MAGNUSON. I think it is bad to label any member of the Committee on Appropriations with any softness whatever.

Mr. CLARK. The Senator is correct. If he wishes me to do so, I will withdraw that comment.

Mr. MAGNUSON. It is an understanding heart rather than a soft heart.

Mr. CLARK. Is the Senator from Washington prepared to yield back the remainder of his time?

Mr. MAGNUSON. I yield back the remainder of my time.

Mr. CLARK. I yield back the rest of my time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment, as modified, of the Senator from Pennsylvania.

The amendment, as modified, was agreed to.

AMENDMENT NO. 344

Mr. CLARK. Mr. President, I call up my amendment No. 344 and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 32, between lines 11 and 12, insert the following:

FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

For fellowships for city planning and urban studies as authorized by section 810 of the Housing Act of 1964 (20 U.S.C. 811), $530,000: *Provided*, That not to exceed $30,000 of this appropriation shall be available for administrative expenses.

Mr. CLARK. Mr. President, I yield myself as much time as I may require.

This amendment was not debated yesterday; therefore, for the record, I wish to make a case for it, although I know full well that it will not be accepted. Again, I say that I do not wish to go to a yea-and-nay vote on the amendment.

This is a proposal for scholarships and fellowships as requested by the President to be funded in the picayune sum of $530,000. It appears in section 810 of the Housing Act of 1964.

I observe the distinguished Senator from Oregon in the Chamber. I ask him to confirm my recollection that at the meeting of his Subcommittee on Education this morning a similar program was supported by the able junior Senator from Colorado [Mr. DOMINICK].

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. MORSE. So far as I know, it was supported unanimously by the subcommittee. It concerns one of the great needs in this country for the training of skilled personnel.

Mr. CLARK. I thank the Senator. This program last year was passed by both the House and the Senate without any objection, having been reported from the Committee on Banking and Currency by the Senator from Alabama [Mr. SPARKMAN] with my support. The justification for the program can be stated briefly.

Mr. MORSE. Mr. President, will the Senator yield for one question, before he begins his explanation?

Mr. CLARK. I yield.

Mr. MORSE. Is the Senator from Oregon mistaken in his understanding that the proposal also has the approval of the administration?

Mr. CLARK. The Senator from Oregon is quite correct. The bill was signed by the President. It provides a 3-year authorization. This particular one needs no reauthorization this year. It is an administration program. Our friends on the Committee on Appropriations, with their understanding hearts, have seemed to be unwilling to fund $530,000. Senators may recall that only yesterday the Senate appropriated $5,190,000,000 to put a man on the moon.

The case for this amendment rests on the fact that there is a desperate need for individuals with highly technical graduate school training in city and regional planning, housing, community development, and related fields. This amendment is designed to encourage individuals to pursue graduate study in these areas.

The city of Pittsburgh has a fine civic organization called ACTION. It is sponsored by a family of excellent civic repute and somewhat conservative political views; namely, the Mellon family, of Pittsburgh. They are the sponsors of ACTION.

ACTION, the Committee on Appropriations was told, is concerned with community development. It reported in a recent study "a prime need to establish several hundred fellowships to sustain talented graduate students in urban renewal and redevelopment, public administration, urban transportation, housing and land economics, and urban sociology, as well as in urban planning."

University officials state that there are two or three times as many qualified applicants for degrees in urban development and planning as can be supported through existing endowments. Many, for whom financial assistance cannot be provided, seek out other oportunities and are lost to the growing field of urban planning and development.

Mr. President, it took the State planning board of Pennsylvania 2 years to find a qualified State planner to replace a good man whom we had lost. To obtain a replacement, what did we do? We stole the man from Nashville, Tenn., by offering him a higher salary. Nashville, Tenn., is still looking for a good planner to replace that man.

If ever there was an area of competence and skill in which a short supply existed, it is in the area of State and city planning.

There are now 35 schools offering graduate degrees in city planning, and producing between 200 and 300 planners a year. It is estimated that twice that number could be turned out if sufficient financial aid to students was available.

The planning schools cannot now get students in sufficient numbers because other fields offer more and better graduate fellowships. Three universities expect to launch planning programs within the next 2 years.

In addition to the emerging national interest in the problems of urban planning and growth, the Federal Government has a substantial financial stake in the competence of planning and administration at State and local government levels.

The prudent expenditure of large sums of Federal funds depends first, and most importantly, on the training and ability of local officials.

This consideration is not limited to housing and urban renewal, but applies equally to such major and diverse programs as highway development, airport construction, urban mass transit, air and water pollution control, and many others.

Federal interests, therefore, would be directly served by a program to encourage talented students in institutions of higher education to choose and prepare themselves for careers in the various skills essential in urban planning and urban development activities at the State and local level.

The fellowships awarded under this program would be for graduate study for careers in city and regional planning, housing, urban renewal, and community development. Applications would be accepted for training in public or private nonprofit institutions of higher education having programs of graduate study in the field of city planning or in related fields, including architecture, civil engineering, municipal finance, and public administration.

Applicants would apply to the school of their choice, and accredited institutions would submit a limited number of applications to the Housing and Home Finance Administration. Students would not apply directly to Housing and Home Finance Administration. Applications would undergo a preliminary review by the school to which the applications were made.

Persons will be selected for fellowship solely on the basis of ability, and upon the recommendations of the Urban Studies Fellowship Advisory Board which is required to be established by the authorizing law, the Housing Act of 1964.

The Board, to be appointed by the Housing and Home Finance Administrator, would consist of three persons from public institutions of higher learning and three from private nonprofit institutions, who are the heads of departments which provide academic courses appropriately related to these fields.

It is expected that each fellowship award will be for $3,000 and will be renewable for a second year. Accordingly, between 80 and 85 scholarships, at $3,000 each, are contemplated by the act.

If I may have the attention of my friend the Senator from Washington for a moment, since we are making a record, I wonder if the Senator from Washington would be willing to state why the Appropriations Committee was unwilling to fund any part of this modest authorization for $530,000 to establish 83 fellowships in universities, to fill places which are now in very short supply.

Mr. MAGNUSON. Basically, as I recall, there is no particular record of the discussion. However, first, it would not be merely for $500,000. It would be for a 3-year program.

It is suggested that the program continue until the need is satisfied. That could be indefinitely. The program would balloon into a major program.

It was thought that in this phase of the program, if any scholarships were needed, cities and States ought to take care of that need themselves instead of having a broad national program that may not be as specific as it should be in that field.

As chairman, I speak for myself. The program is no different than the National Science Foundation program. That program would deal with physicists, chemists, and the shortage in the field of science. It then was the same kind of program.

Mr. CLARK. It was the same kind of program as the National Defense Act provides for a wide variety of specialties.

Mr. MAGNUSON. The Senator is correct. That was the main reason.

We also discussed the work of ACTION, which was mentioned by the Senator. However, there seemed to be a vagueness on the part of the House as to the entire financing, and as to how the program would be administered, and who would work on the problem. The same kind of work would have to be continued in the cities and municipalities. It was felt that we might be training some planners for other purposes. This was the main reason why we thought the program ought to be better defined, not only as to time, but also as to amount. However, we wanted to have, perhaps, even a further cutoff date. That was the main reason.

I am personally in great sympathy with this program. I believe that we ought to make a start. However, I believe that the department was not definitive enough as to what it would do with the program. The department said that it wanted money for fellowships for this particular purpose.

It was a question of whether the Federal Government wanted to again move into another field, as we have done partially in the Defense Education Act and the sciences.

Mr. CLARK. Let me say, in all good humor to my friend, the Senator from Washington, that the Federal Government, represented by the President of the United States, the Senate of the United States, and the House of Representatives, had already determined to move into this field when the Housing Act of 1964 was signed. I say this in all good humor to my friend, the Senator from Washington. I appreciate his personal support for the program.

Perhaps the Senator from Massachusetts would give me a little heed in this regard.

It seems to me that there is a principle involved when Congress and the President authorize a program to be funded to at least a modest extent, and the Committees on Appropriations of both Houses say, in effect: "We know that the President, the House, and the Senate want the program, but we are not going to fund it."

I suspect that the Senator feels as I do.

Mr. MAGNUSON. There are many programs agreed to by the House and the Senate and the administration that are not necessarily funded immediately.

Mr. CLARK. There are not very many of them.

Mr. MAGNUSON. There are a few. I think if the Appropriations Committee provided funds for all the programs authorized by the Congress, we would probably have an appropriation bill providing 20 times as much as the present bill does. I hope we can proceed next year, when it becomes a little more definitive, and provide for a modest program as to the number of people, and so forth.

Mr. CLARK. It is 83, at $3,000 each.

Mr. MAGNUSON. It was said it is expected that these fellowships would be for $3,000, but would be renewable.

Mr. CLARK. In 2 years. It takes 2 years to get a graduate degree.

Mr. MAGNUSON. It was a little vague. We often do not provide funds for authorizations that are provided by law. I find we save money for the taxpayers if we do not plunge into these programs, but wait a little until the dust settles, and analyze the programs a little more. This sort of program will probably proceed next year in a modest way, but we want to find out more about it.

Mr. CLARK. With respect to my first comment about fiscal irresponsibility, I point out that the Bureau of the Budget, which is almost as hard nosed as the committees usually are, has approved the program, and the President has requested it.

Mr. MAGNUSON. What the Senator has stated is a matter of opinion. The Appropriations Committee sometimes think they are not doing enough in one field and are too hard nosed in another. We reserve opinion and make the final decision. We bring the matter to the floor. If the Senate does not agree with the committee, we gracefully accept its rebuke. Normally, we like to take a look at these programs and proceed with caution in this field and see what we can save in the way of money along the line. The suggestion that the Bureau of the Budget is hard nosed does not sit too well with the Appropriations Committee.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. I yield myself 3 minutes.

Mr. CLARK. I assumed the Senator was speaking on his own time.

Mr. MAGNUSON. I yield the time to the Senator from Pennsylvania.

We like to think we are more hard-nosed than the Bureau of the Budget.

In the years I have been chairman of the subcommittee, we have never gone over the budget requests. The Senator from Massachusetts and I added up the amounts the other day that we have cut from the budget in past years. We cut the budget requests by over $6.7 billion.

So the hard-nosed people are the members of the committee. We would like to continue that way. We do not want to be adamant or unrealistic, but we are going to continue to be hard nosed.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. I yield.

Mr. MORSE. Did I hear the Senator from Washington say that he takes pride in not going over the budget request?

Mr. MAGNUSON. In the total amount of the bill.

Mr. MORSE. That is one of the things wrong with the Appropriations Committee. The committee should be going over the budget requests. It ought to stop having the Budget Bureau direct policy.

Mr. MAGNUSON. In some items we go over; in some we go under; but the total amount of the bill as provided by the committee has been under the budget.

Mr. MORSE. Why?

Mr. MAGNUSON. Because we have felt that the Bureau of the Budget recommended too much.

Mr. MORSE. The committee ought to stop paying attention to the Bureau of the Budget and letting it run the Congress of the United States. It is time the Senate stopped letting the Appropriations Committee be a legislative committee.

Mr. MAGNUSON. I have heard that statement made on many occasions.

Mr. MORSE. It should be repeated over and over again until something is done about it.

Mr. MAGNUSON. I have been here for many years and have heard that statement. It depends on what one is for. Sometimes the committee gets applause for cutting the amounts.

Mr. MORSE. Not from the Senator from Oregon.

Mr. MAGNUSON. Oh, the Senator from Oregon is flexible.

Mr. MORSE. The Senator from Oregon has fought against the usurpation of powers by the Appropriations Committee.

Mr. MAGNUSON. I hope I have answered the question of the Senator from Pennsylvania.

Mr. CLARK. I think the Senator has.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. YARBOROUGH. I congratulate the chairman for the skilled handling of the previous amendment and the accommodation that was reached with the members of the Committee on Labor and Public Welfare.

Will the Senator from Washington permit me to propound an interrogatory?

First, I commend the distinguished Senator from Washington, as chairman of the subcommittee, for the skilled manner in which he handled the proposal of the Senator from Pennsylvania, who has worked on these programs so long and diligently on the legislative committee for the 7 years I have been here, and for reaching an accommodation on the previous amendment as a compromise. I wonder if there might be a small program to start with. It seems to me that when we are urging the expenditure of $6 billion a year to reach the moon and plan for a city on the moon, so men can live under a dome, we ought to be concerned with a $5 billion appropriation to plan cities on the earth where people must live. While this is a beginning, there should be at least 83 fellowships or scholarships for the first year.

I wonder if the Senator would object to having the amendment amended so as to get the program started.

Mr. CLARK. Mr. President, so far as I am concerned, I am happy to cut down the amount from $530,000 to $150,000.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, I ask unanimous consent that I may yield to the Senator from Washington [Mr. Jackson] without losing my right to the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MAGNUSON. Mr. President, do I have time left?

The PRESIDING OFFICER. Yes.

Mr. MAGNUSON. I yield to the Senator from Washington [Mr. Jackson].

Mr. JACKSON. Mr. President, I withdraw my request. The matter that I had reference to has not come from the House.

Mr. MAGNUSON. I agree with what the Senator from Texas has said. I hope we do not send a city planner to Mars or the Moon, because he is badly needed on Earth. I repeat what I said yesterday. I do not know of any instance in which the amount of money appropriated for the space program has jeopardized any other program. Sometimes there are programs in which there is a large pie to cut, but that is not so with reference to the space program. So that reference is not quite accurate in our deliberations on that subject. I can only suggest that the committee was completely adamant—overwhelmingly so, although we did not have any rollcall—on this item. As manager of the bill, no matter how I feel personally, I would have to stay with the committee.

Mr. CLARK. Mr. President, I yield back my time on the amendment.

Mr. MAGNUSON. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. Clark].

The amendment (No. 344) was rejected.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum——

The PRESIDING OFFICER. Will the Senator withhold that request?

Mr. SALTONSTALL. I withdraw that request.

Mr. MAGNUSON. Mr. President, during the course of the hearings on the bill and the discussions in the mark-up of the bill, it was brought out that there are areas and matters which have been before the administrative end of the Government executive departments for a long time, particularly the Bureau of the Budget. I refer to the question of the U.S. Public Health Service, Veterans' Administration, and hospitals.

I had proposed to put a statement in the report. Although we discussed it at some length, for some reason, through an inadvertence, it was not included in the report. I would like to make the statement now for the Record, and ask that the Record show that this statement should have been included in the report. It cannot be printed in the report now, but I make the statement as it should have been in the report.

The statement is this:

It is now clear that the Bureau of the Budget proposal to care for U.S. Public Health Service beneficiaries in Veterans' Administration hospitals is illegal. The General Accounting Office has ruled that, first, no nonveteran can be given priority over any class of veterans in VA hospitals; second, the VA cannot legally construct or operate facilities for the care of nonveterans—except under emergent circumstances; and, third, U.S. Public Health Service must provide medical and hospital service to its beneficiaries as required by law.

Veterans can and have legally been assigned to PHS hospitals over the years and on a regular basis, in certain areas. This has helped in certain instances to maintain an optimum daily bed capacity for PHS hospitals. At the same time it has given veterans greater accessibility to facilities.

It appears that there may be insufficient U.S. Public Health Service beneficiaries available to maintain PHS hospitals on an optimum basis in areas where they are otherwise accessible—in terms of the legal requirements. It seems practical, therefore, for the retention of PHS hospitals in areas where they are nonaccessible, that other Government beneficiaries be assigned to them on a regular basis to maintain optimum caseload. Since both the services can be improved by the care of veteran beneficiaries in PHS hospitals, we suggest that the Veterans' Administration and the U.S. Public Health Service work out operating procedures which will assure maintenance of desirable daily patient loads in hospitals of both services. Testimony before the committee indicated that PHS hospitals require relocation, enlargement, and modernization and that such services may be needed in Miami, Fla.; St. Louis, Mo.; and, San Diego, Calif.

The two agencies should coordinate their respective plans to implement this program. The VA is not expected to increase its facilities in areas where PHS programs can be utilized until and unless this is done.

Mr. DIRKSEN. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 10, line 14, it is proposed to strike the numeral and insert in lieu thereof $1,386,800,000.

Mr. DIRKSEN. Mr. President, I should like to have the clerk repeat that last figure, with emphasis.

The ACTING PRESIDENT pro tempore. The clerk will repeat the last figure, as requested.

The LEGISLATIVE CLERK. $1,386,800,000.

Mr. DIRKSEN. Mr. President, so far as I know, under the unanimous-consent request, time does not apply and there is no time limit.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DIRKSEN. Therefore, without losing my right to the floor, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, in lieu of the amendment I submitted, I ask that I may modify it in accordance with the language penciled into the bill.

The ACTING PRESIDENT pro tempore. The Senator modifies his amendment, and the clerk will state the amendment, as modified.

The LEGISLATIVE CLERK. On page 10, at the end of line 15, strike out the period, and insert a comma and the following: "and for financing the liability of the United States, created by the act approved May 22, 1920 and acts amendatory thereof (5 U.S.C., ch. 30) $1,386,800,000."

Mr. DIRKSEN. Mr. President, I am quite conscious of the fact that the amendment I have submitted is subject to a point of order. There is ample precedent, of course, to indicate that since it exceeds the budget estimate and, in fact, exceeds it in very considerable measure, it is subject to a point of order. I anticipate that at the appropriate time the chairman of the subcommittee will make the point of order. Whether or not I shall appeal from the ruling of the Chair, in order to place the Senate on record, remains to be seen.

Mr. President, I offer the amendment as a matter of moral duty. I presume there will be some who will say that it is an exercise in fiscal irresponsibility to add an amendment to a bill which would increase it by $1,386,800,000.

However, there is something besides fiscal responsibility, and that is moral responsibility.

It is now 45 years since Congress passed a Retirement Act to cover Federal employees. I need read only one line from section 8 of that act. It reads as follows:

> That beginning on the first day of the third month next following the passage of this Act and monthly thereafter there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this Act applies a sum equal to two and one-half per centum of such employee's basic salary, pay, or compensation.

Mr. President, the percentage that is being deducted is no longer 2½ percent. It is 6½ percent. The act provides that "there shall be deducted" so for the past 45 years the Federal Government has deducted from the compensation, pay, or salary of those who have rendered services to this Government that amount and has placed it in a trust fund, with a provision that the money be invested in U.S. obligations and securities and be there available for their retirement.

In addition to the 2½ percent, the act also provides that the Federal Government would contribute an equivalent amount, namely, 2½ percent. Over a period of time these amounts have been raised, so that today the Federal Government supposedly—I emphasize the word "supposedly"—contributes 6½ percent and the Federal employees contribute 6½ percent, whether the employees like it or not.

Therefore, for a period of 45 years the Federal Government has had the use of the money that it has taken out of the pay checks of its employees. It has used that money for Federal purposes, because it has been invested in Federal obligations. That was a lovely way to monetize, in part, the public debt of this country.

This is nothing new. Trust funds of other kinds have been used for the same purpose. We have fallen into the rather careless and easy way of dealing with this matter. Today there is carried in the bill a sum that is wholly inadequate to meet the Federal Government's responsibility.

If an insurance company in the United States undertook to do business in that fashion, we would have every officer and every trustee and every member of the board of directors in jail overnight. If anyone wants to level the finger of scorn and say this is fiscal irresponsibility, let me say that there is a moral responsibility upon this Government to do what it said it would do on the 22d day of May 1920. That was 45 years ago.

Mr. President, for a very urgent reason, I must discontinue for a moment. I yield the floor to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I rise to support the amendment of the Senator from Illinois, that $1,386 million be added to the bill. The Senator from Washington and I have discussed this matter over a period of years. I believe I quote him correctly today when I say that he thinks it is a good thing to have this subject aired. I am under no illusion that the amendment will be adopted. It is subject to a point of order. Also, there is a great deal of feeling against adopting it. I believe the subject should be aired, because there is a Federal responsibility that we know about and that has existed for a period of time. As the Senator from Washington and I serve together on the Independent Offices Appropriations Subcommittee, we know that this question has arisen and that, depending on circumstances, sometimes one has been opposed and the other in favor of it, and so on.

Mr. President, the amendment of the Senator from Illinois [Mr. DIRKSEN] will add $1.386 billion to this bill. The amount in the bill for the civil service retirement fund as brought out from the committee is $67 million. The addition in the amendment is arrived at by taking the $35,310 million difference between the normal accrued actuarial cost of the retirement system, which is 13.22 percent of the payroll, and the total current contributions, which is 13 percent of the payroll, and adding $1.351 billion interest at 3.5 percent for fiscal year 1965 on the current capital deficiency of the fund.

It should be emphasized that this proposed amendment will maintain the retirement fund current for only 1 year on an accrual basis. However, if the amount of the Senator's amendment is not appropriated, the unfunded liability of the civil service retirement fund will increase by this amount to a total of $40,000,983,000 as of June 30, 1965. Thus each year the deficiency will grow not only by the relatively small amount of the normal cost not met by the contributions of employees and Government agencies, but by the interest charge on unfunded reserves. In 1974 the deficit will begin to actually cut into the inadequate retirement fund, which at present contains $15.595 billion. Up to now, the Federal Government and employees' contributions of 6.5 percent each, plus the income on the $15 billion of investments, has kept the fund's cash income account current.

As I have stated, on an accrual basis there is an arrearage, however, of some $40 billion in this capital account, most of which has resulted from the way the retirement sections of the Federal pay raise bills have been handled, including the one we passed last year. When Congress votes increased retirement benefits to civil service employees, it has not up to the present time appropriated or in any other way set up on its budget balance sheet the increased obligation which the Federal Government from that moment takes on.

Naturally the Federal employees who receive the increased retirement benefits from each Federal pay raise expect these benefits to continue, and I am sure that none of us here doubts that our Government will make good on its statutory promise to pay pensions to retired employees and those who will retire. This problem can be simply put by saying that prior to 1958 Government contributions to the retirement fund were made on a haphazard basis and while since that date the Government has contributed to the retirement fund on a matching basis, the Government has not provided for the accrued obligations that have been built up prior to and since 1958. This accounts for the arrearage of some $40 billion in the capital account.

The $67 million included in the bill now before us for the purpose of the Federal contribution to the civil service retirement fund provides for certain cost-of-living and other increases, but it does not take into account the Government's increasing obligation to the capital account that arises from the failure to provide funding for this account.

This question has arisen in the past. A bill covering such an appropriation was vetoed by President Eisenhower in 1958. At that time I supported his position. However, during that year I introduced a bill to provide for the regular retirement of the Federal debt because I believed at that time we should have a policy of retiring the Federal debt in good times so that we might have a reserve for times of difficulty. While many colleagues believed in the principle of my bill, they felt it was difficult to give it serious consideration in view of ever-increasing Federal expenditures and when we do not know precisely what our Federal debt is. Today there are many contingent liabilities that are now not properly recorded and included in the statutory debt limit of $328 billion. Such an obligation of the Federal Government is the $40 billion by which the civil service trust fund falls short of its actuarial capital requirements.

During the last session of Congress, a bill filed by me for debt reporting, semiannually or annually, passed the Senate but died in the Ways and Means Committee of the House. I am hopeful that this bill may again be reported in the current session of Congress. I say this because I believe our citizens should have a better understanding of the total obligations of their Government, which are substantially greater than the statutory debt of $328 billion.

This amendment of the minority leader emphasizes this problem and will meet the Government's obligation for this year, and that is why I support it. While I sincerely believe that the Federal Government will always meet its obligations to its employees in dollars, whatever those dollars may be worth, we all know that they will be worth more if we keep our budget in balance and keep our dollar stable. That is a problem which concerns us all at the present time.

How many of us understand today that some 89 programs identified by the GAO as administered by 9 departments and 11 independent agencies all have insurance characteristics of some sort which represent obligations of the Government? While I will not go into further detail at the present time, the GAO gave me an estimate for 1963 of roughly $325 billion as the reserves at 3-percent interest rate, which would be required to provide for payment of all claims by beneficiaries for the various social security funds that are now obligations to the Government. Furthermore, last week we increased these obligations for the payment of claims under the new medicare bill and the various increases in a number of different social welfare bills.

This is a brief statement on what I consider a very serious problem that will face our Government to a greater and greater degree in the years to come. As I have stated, if we take no action now the demand on the civil service retirement fund will commence to cut into the fund itself in 1974. Obviously, a future administration, which may be a Republican or Democratic one, will find itself faced with a tremendous budgetary burden, and a dramatically increasing one, if we do not now shore up this delinquent fund. The need for directly appropriated funds will add billions to some future President's budget.

It is also important to note that there are no funds being set up in a capital account to pay for retirement allowances in the military departments. The Defense Department reports it is currently paying retirement cash benefits at the rate of an estimated $1.529 billion for fiscal year 1966. It should be noted that this is only a little less than the $1.616 billion estimated payments for civil service retirement this year. Predictions of the Defense Department go as high as $2 billion annually in 5 years, and no, I repeat, no, trust fund has been set up for these payments at all. No Defense Department officer or enlisted man need worry about his check, because these payments are made out of annual appropriations as a cost of operating the Defense Department. They are present payments for past services rendered, but they are treated the same as payments for current goods and services purchased. I believe we should have better reporting of this fund too.

For these very fundamental reasons I support the amendment offered by the Senator from Illinois, but I repeat, no Federal employee in the civil service or in the military need fear that his Government will not meet its obligations to pay statutory retirement benefits. But, this result will be accomplished by constantly increasing current appropriations for retirement purposes unless we recognize and do something about this tremendous obligation of $40 billion about which we are doing nothing at the present time, and we must remember this amount increases every year by the accrued interest on itself. I hope for these very fundamental reasons this amendment may be adopted and taken to conference.

I believe it is very important that the amendment offered by the Senator from Illinois should bring the subject into the open so that we can air it, discuss it, and understand it. That is my purpose in delivering my prepared remarks in support of the Senator from Illinois. I thank him for yielding to me.

Mr. DOUGLAS addressed the Chair.

The PRESIDING OFFICER (Mr. BASS in the chair). The junior Senator from Illinois [Mr. DIRKSEN] has the floor. Does the Senator yield?

Mr. DOUGLAS. I wish to make some comments on the motion of my colleague. Am I out of order in doing so?

Mr. DIRKSEN. I am glad to yield.

Mr. MAGNUSON. The junior Senator from Illiniois has not yet completed his statement.

The PRESIDING OFFICER. The junior Senator from Illinois has the floor.

Mr. DIRKSEN. Mr. President, as I observed a little while ago, I regard the proposal as a moral responsibility. The statute requires that the money about which we are speaking shall be taken from the paychecks of employees. On one other occasion, in a Republican administration, I tried to remedy the problem. My distinguished friend the Senator from Washington, who has been chairman of the subcommittee, and I served on the same committee. He remembers quite well that I sought at least to put into a bill considered at that time $500 million extra in order to show that we were aware of the problem. I feel in all kindliness and in all candor duty-bound morally to make that statement.

After I made the proposal, one of the first calls I received was from the Budget Director in a Republican administration.

He said, "You cannot do this."

I said, "Why not?"

He said, "You are discommoding the President's whole budget scheme."

I said, "Maybe so; but if there is a moral responsibility, is it not the duty of Congress, the keeper of the purse, which put this act upon the statute books, to play in good faith with the millions of Federal employees?"

In excess of 500,000 employees, are now on the annuitant rolls, and in addition, 250,000 dependents. So at present three-quarters of a million persons are receiving money from the fund.

The disturbing thing, according to the calculations which I received from the Civil Service Retirement Board, is that this fund will be exhausted by 1979 or 1980. That is not a long time from now. That is not a happy prospect. If it is argued that the United States is good for it, that we can appropriate out of the Treasury, why have we made such a to-do, year after year, about the amount of money that is to be levied upon employers and employees under the Social Security Act? Why did this very Senate Chamber ring with arguments about the tax to be imposed in order to provide medicare for the senior citizens of the country? Why was there such a welter of argument about raising the tax base? Why does it happen in connection with the railroad retirement pension fund? If it applies there, it applies here. The statute is mandatory; it provides that this money must be taken. So the Government has taken billions of dollars out of employees' paychecks, but has replaced them with only token amounts every year.

The net result is what? The net result is, in round figures, that as of now the Government owes that fund $40 billion. I repeat the amount. It is not in the millions; it is $40 billion. It owes interest on its share. It has steadfastly failed to do its duty or to fulfill its responsibility and obligation under the law.

The amount suggested for the fund is the amount that is before the Senate at the present time—$1,386,800,000. This amount would keep the funding of the retirement fund current for just one year on an accrual basis. It is arrived at as follows: The Government's normal cost for fiscal 1965 would be $1,078,560,000. The normal contribution rate is the estimated level percentage of the salaries of new employees that is required to be paid into the fund each year they will be in the service, to pay fully for all benefits to them and their survivors. The percentage is mathematically arrived at by periodical actuarial valuations, and is currently 6.72 percent of the basic salaries of all government employees—13.22 percent is the total normal cost minus 6.5 percent contributed by employees.

Mr. President, it is really something for the Government to owe its own trust fund almost $40 billion when with impunity it has been using the money of its employees. Years ago, the late President Kennedy telephoned me. I went to the White House.

He said, "We must do something about the retirement fund."

I said, "We certainly must."

After some discussion, he sent a couple of members of the Bureau of the Budget to see me.

They said, "If we could add one-half percent a year up to a given year to the amount that the Government contributes, without an extra contribution from the employees, we could finally bring this account current. It would take a good many years to do it."

A bill was drafted and introduced, and was referred to the Committee on Post Office and Civil Service. Nothing was done with the bill. But the agency then began to increase the amount that was taken. Nevertheless, the deficit grows year after year, and frankly I am unhappy about the moral fact that the Government owes the fund $40 billion and has not done a thing about it—not only in a Republican administration, when I undertook to do it, but in other administrations, as well.

I cannot be satisfied to have a Budget Director, even in my own administration, call me, as one of the leadership hierarchy, and say to me, "You are kicking over the President's playhouse; you are kicking over his budget." It is fish or fowl, and the same rule must be applied alike to all of them. That is why this amendment is before the Senate today.

I want this record to be made. I know of no other way to make it. I cannot offer any other amount, in good conscience, unless it be sufficient, in addition, to what the agencies have taken out of the paychecks of the employees, to make the fund completely current for 1 year.

It is said that something else will have to be done. Certainly something will have to be done. To begin with, there will have to be legislation. But how do we start the buggy back up the hill unless we first stop it from going downhill, turn it around, and then go back up? This is the turn-around for the buggy. I am afraid that in the Senate, as well as in the other branch of the National Legislature, we have merely blinked; we have closed our eyes to the situation and have done nothing more. I find no comfort in the fact that there is a great big Treasury on which we can always draw. If that is the case, and if it is desired to operate on a general revenue basis and to appropriate year by year for whatever the fund requires, let us throw the social security program overboard, so far as financing is concerned, and let it be financed in the same way. Let us forget about the railroad retirement system; let us finance it out of the general fund. If there are other trust funds of a like category, let us forget them and put them on the basis of appropriations, year by year. Let us not make a fraud of these funds. We would not countenance such a procedure on the part of a single private enterprise, a single casualty company, a single insurance company in the United States.

If they can be indicted under the laws we pass, why do we not live up to the law that was enacted 45 years ago and made mandatory?

I am confident that the three-quarter million beneficiaries of the fund are concerned. The 2.4 million persons on the Federal rolls are concerned. If I have to go further, I suppose there are 200 former Members of the Senate and House, who are now retired from those bodies, whose money is in the fund. My money is in the fund. I receive my pay check every month, but 7½ percent has been taken out of it. I am a little selfish, because if any insurance company officials dealt with my money in that fashion, I would have them "in the can" in a hurry. I would see to it that my policy was canceled and that whatever surrender value it had would be returned to me in cash. I am that selfish. I am that selfish for the people who render good service to this country, who have done so for the last 45 years, and whose money has been taken for governmental purposes.

If we have any doubt about it, all we have to do is to look at the statement of the bond—the particular issues in which the money has been invested.

I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, the Senator called attention to the fact that if the fund were not set up, it would have to be paid out of current revenue. I invite the attention of the Senator, as a member of the Committee on Armed Services, to the fact that the Defense Department has no retirement fund, but it is setting aside, out of current revenue, $1,529 million for the fiscal year 1966. In other words, when we appropriate $49 billion or $50 billion, $1.5 million of that amount is in payment for services from which payment we are receiving no present benefits.

That would amount to over $2 billion annually within 5 years. That would mean that we would be spending money for payment for services from which we are receiving no present benefit.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Mr. President, I am delighted to hear this subject discussed today. I believe that it is of great importance. Yet I am grieved to understand the disastrous state of the various retirement funds, from which funds retired persons are to be paid in the future.

The Senator from Massachusetts and the Senator from Illinois have mentioned different funds. I merely repeat what I have said in the past about the Foreign Service fund.

This fund would cover only the employees in the Foreign Service. Since its establishment, 15 liberalizations of various types have been made. Retirement pay was increased. The age of retirement was reduced. New beneficiaries were brought in by way of children and widows. I am not complaining about that. However, with 15 liberalizations, the fund now is in a position in which the U.S. Government owes $284 million to the fund. If that $284 million were not paid, the fund, in its present state, would require a contribution of 30 percent of each Foreign Service employee's annual salary in order to keep the fund actuarially sound.

It is self-evident that we could not ask a worker to put in 15 percent of his salary. That would become too big a drain. However, if the employee is not to pay it, the taxpayer must pay it.

A proposal is now under discussion to the effect that this 30 percent could be made up by the Foreign Service employee paying 5 percent and the taxpayer paying 25 percent. Therefore, if a Foreign Service employee were earning $20,000 a year, the taxpayer would have to pay $5,000 a year to keep that fund sound.

Mr. President, it is fine to discuss making contributions to the fund and solving the problem in that way. However, that would never solve the problem unless, when proposals were made for liberalization, there were a realistic approach to the problem and a consideration of what can consistently and logically be done.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SALTONSTALL. We must go back and compensate for what has been done in the way of salary increase to the men who were on the payroll prior to 1958, to accomplish what the Senator wants to do.

Mr. LAUSCHE. The point that I am trying to make is that every now and then the subject is brought up that $40 billion is owed by the U.S. Government to this fund which belongs to the workers. That $40 billion is not included in the national debt.

Mr. SALTONSTALL. The Senator is correct.

Mr. LAUSCHE. Mr. President, every now and then we become alarmed about it. However, we forget the alarm completely when fantastic proposals are made on the floor concerning liberalized payments, liberalized rights to retire, and the inclusion of other beneficiaries.

I am not so certain that, in the end, everyone will be paid. The Senator from Massachusetts is rather confident that we shall meet these obligations. However, if the obligations continue to increase, at a rate of interest of perhaps 4 percent, that would be $1.4 billion interest alone each year, and another $1.3 billion to meet the annual contributions.

I commend the Senator from Illinois for the position he has taken. I reemphasize that even if we were to pay $40 billion into the fund today, unless we approached this problem of acting on increases in payments and liberalized retirement rights in a realistic manner in the future, we would constantly be in hot water.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WILLIAMS of Delaware. I have listened with interest to the remarks of the Senator from Illinois and the remarks of the Senator from Ohio. In that connection, would it not also be a constructive step for Congress to adopt a

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policy that each time a liberalization of the retirement fund is planned, we insist that there be included with that planning a section which would finance the plan?

Mr. DIRKSEN. That would be a very constructive step.

Mr. WILLIAMS of Delaware. If we intend to increase the benefits, we would tell the employees and the Government what it would cost, and the necessary tax or increased contributions that would be required to pay for it. As the Senator from Ohio pointed out, far too often we have been taking the easy and somewhat popular method of merely increasing the benefits and postponing the day of reckoning. However, the day of reckoning is about to catch up with Congress.

Mr. DIRKSEN. Definitely so.

Mr. WILLIAMS of Delaware. I wonder if the Senator would yield further so that I may ask for the yeas and nays on the particular amendment at this time?

Mr. DIRKSEN. I shall yield, but first I must confess that a leader should know the rules of the Senate. The leader knows that the amendment is subject to a point of order. The leader knows that my distinguished friend the Senator from Washington [Mr. MAGNUSON] will make the point of order. The only way to put the Senate on record would be on an appeal from the ruling of the Chair.

Mr. WILLIAMS of Delaware. It could be that the Senator in charge of the bill, after listening to some of the debate, which has been rather persuasive, might have a change of heart and not make a point of order.

Mr. DIRKSEN. Mr. President, I believe that the Senator does feel that way in his heart. However, I am not sure that he can follow his heart under all circumstances here. Perhaps he would be willing at this point to explain his position.

Mr. MAGNUSON. Pity my heart.

Mr. DIRKSEN. Mr. President, I ask the Senator from Washington whether he now proposes to make a point of order.

Mr. MAGNUSON Mr. President, the committee has instructed me to make a point of order. This course of action is consistent with the action taken by committees over the years. I remember some time ago that I proposed what the Senator is now proposing. The Republicans made a point of order .

It is a little like a dog chasing its tail around. I do not mind the discussion. I have listened to it for many years. However, I believe that we are doing it at the wrong time and place.

I believe we ought to have some legislation to solve this problem, because the way the Senator suggests is a little like a dog chasing his tail. Someone said it was only bookkeeping. I remember the argument was made back in 1953, when a report was made, when everybody came to me, as they are doing now to the Senator, and said, "This is only bookkeeping." But if $1.3 billion is added to this year's budget, it will be added to the deficit. In order to make up for the deficit, bonds must be sold. So the Senator would be taking it out of one pocket and putting it in the other pocket to buy bonds.

I have often thought that some of these funds should be set out as we set out the Federal deposit home loan insurance fund, in the hands of a quasi-Government agency, which would make it actuarily sound and separate and distinct.

I do not like to do this, but I am reminded of a veto by President Eisenhower on the same item when we placed it in conference. The more I read the veto message, the sounder it becomes. It did not seem sound to me at the time, but now, in the year 1965, it seems very sound.

Mr. DIRKSEN. My only answer is that when there was a Republican President in the White House and a Republican Director of the Budget, and they tried to talk me out of it, their logic fell to the floor. I said, "This is an immoral business. If you set those standards for private business we would say, 'If that is the way you operate your research, we will send you to jail.' "

We would send the insurance people to jail if they played hokey-pokey with the money in that way. That is what we are doing. There will not be any dodging of the issue.

The Senator may say that this is going around in a circle, or it is like a dog chasing its tail. But that is not so when a moral issue is involved. It is not only a moral issue, but a legal issue which is involved, because there is the act, which provides that there shall be taken out of the paychecks that much money. We have not been doing it and have not kept up our responsibility and played square.

If certain persons do not want to shut this money out of the economic bloodstream—as those of us on the Finance Committee so well heard for weeks when we were preparing the medicare bill, which is a concern downtown—always, always we can say that the funds are actuarially sound. There are special boards of actuaries that look at the fund. I have letters. I have tables. There can no question as to whether money should be provided to place in the fund. I called it a lot of hocus-pocus. Sometimes when statements as to the financial situation confronting the country are made, and there are not included unfunded liabilities, it is something that should be done. One could be hauled to jail and charged with engaging in a confidence game if he did not do it.

Mr. MAGNUSON. The Senator from Illinois has had much to say about this practice, and he has used some unpleasant terms.

Mr. DIRKSEN. The Senator denied that the statement was correct.

Mr. MAGNUSON. I do not deny the Senator's premise that this is correct, because I included the item in conference some years ago.

Mr. DIRKSEN. And it was vetoed.

Mr. MAGNUSON. But we should either provide a separate, quasi-Government agency and operate it on the side, so we can take a look at the item separately, or take it out of the General Treasury funds.

It is not going to cost the taxpayers a cent to do it, because all we would do would be to give to the Treasury a shortage of $1,300 million. The Treasury would issue bonds and put the money back in. This is what would happen on this item.

Mr. DIRKSEN. When that amount is added to the public debt at any time, who buys the public debt? The people who buy insurance premiums, the people who have deposits in the bank. Go home and look at the statements the Senator has from his bank. Liabilities and assets will be set out. The first item in the asset column will be cash. What is the second item? Government bonds. Those bonds are being bought by the people. What are they buying? They are buying the debt of the country. When we invest money in Government bonds, we are only monetizing the Government's debt. There is a great deal of hocus pocus connected with this operation. Perhaps it is well that the people do not understand it, because if they did, they would rise in their wrath.

Mr. MAGNUSON. There are two versions. I have one version; the Senator has another version. I asked Mr. Macy a question on this matter. This statement will be interesting.

I asked Mr. Macy:

> Let me ask you a naive question.

I do not profess to have the great knowledge that some of my fellow Senators have about our economy, because the Government would have to go broke before the people would not be paid. This was the argument used by every President since the time I have known about it.

I asked Mr. Macy this question:

> Let me ask you a naive question. Supposing that we appropriated right now to this fund of $39 billion and brought it right up to date. What would you do with the $39 billion?

Mr. Macy replied:

> Under the law, the $39 billion would have to be invested in Treasury issues.

The Treasury would add that to the debt.

Mr. DIRKSEN. I never advocated that $39 billion be added. I said let us get a start. Let us turn the buggy around.

Mr. MAGNUSON. The Senator would not change the debt at all. The Senator would not change the obligation. I think the way to do it is to bring the matter out so people can take a look at it. We can appropriate the $40 billion right now.

Mr. DIRKSEN. I do not want to appropriate $40 billion right now.

Mr. MAGNUSON. Why not?

Mr. DIRKSEN. I want to put a burr under the Senator's saddle. I want the committee, which has a 2-to-1 majority on his side, to start legislating.

Mr. MAGNUSON. The Senator means a collective saddle, I assume.

Mr. DIRKSEN. I want to increase the program by a half percent a year until it gets up to 17½ percent, which will be in 1986, and let it carry itself. Nothing has been done.

Mr. MAGNUSON. The Senator from Washington had an interest in it, and that proposal was vetoed.

Mr. DIRKSEN. What has happened in other years? Where is the legislation to do this?

Mr. MAGNUSON. I do not know, but I am not responsible for the committee.

Mr. DIRKSEN. But the Senator's party is in charge.

Mr. MAGNUSON. The party of the Senator from Illinois was in charge when it was done before.

Mr. DIRKSEN. Show me when we were in charge. How far back?

Mr. MAGNUSON. It takes a little doing to remember that far back.

Mr. DIRKSEN. Surely, it does.

Mr. MAGNUSON. But the Senator's party was in charge downtown. This item would have been in the bill, but in 1959 Mr. Eisenhower said there is no sound justification whatever for adding unnecessarily to a deficit which may reach $12 billion this fiscal year.

That was when the Senator's party was in charge and there was a $12 billion deficit.

Mr. DIRKSEN. How long ago?

Mr. MAGNUSON. Nineteen hundred and fifty-nine.

Mr. DIRKSEN. Yes.

Mr. MAGNUSON (continuing to read):

> If this appropriation had been required to meet a current obligation of the Government, I would have requested it. However, $8 billion is now on hand in the fund. Receipts of the fund will exceed outgo during the current year and for years to come. As provided by the civil-service retirement law, the departments and agencies of the Government this year will make direct payments of $645 million to the fund. This amount, matched by employee contributions, plus interest collected on the fund's balance, will provide total receipts of over $1.5 billion to the fund in 1959. On the other hand, payments of claims and refunds this year will total less than $800 million.
>
> It is true that this favorable balance in the fund will not continue indefinitely.

That is why I agree with the Senator that we should be doing something about it.

(Continuing to read:)

> However, while there may be compelling reasons for full funding of private pension plans to insure employees that they will receive earned benefits even though the employer goes out of business, no such eventuality faces the employees of the Federal Government. The Retirement Act promises to make certain payments under specified conditions and, regardless of the size of the balance in the retirement fund at any particular time, these benefits will be paid because the promise to do so is backed by the Government. To assume otherwise is to call into question the full faith and credit of the U.S. Government.

Mr. DIRKSEN. Let me remind my friend from Washington——

Mr. MAGNUSON. I am reading what former President Eisenhower said on August 4, 1958.

Mr. DIRKSEN. Yes; but let me ask my friend from Washington, Did we have a Republican or a Democratic Congress? I served under the Senator from Washington on that committee.

Mr. MAGNUSON. The Senator is correct.

Mr. DIRKSEN. The Senator from Washington was its chairman.

Mr. MAGNUSON. And I put the item in the bill.

Mr. DIRKSEN. We did.

Mr. MAGNUSON. We did.

Mr. DIRKSEN. I did not make any exceptions. When there was a Republican budget during the administration of a Republican President, I said that this was a moral responsibility. The responsibility is here and we passed the act. The act of 1920 provides that we shall take it out of their pay each week, and we have done so. We should contribute an equal amount, and we have not done so.

Mr. MAGNUSON. I believe that the record should show—and I am sure that the Senator from Illinois would wish the record to be clear—that only in 1956 did we start matching employees' contributions with annual appropriations out of the payroll. Prior to that time, it was somewhat irregular——

Mr. DIRKSEN. It was irregular because Congress made it irregular and did not rise to its responsibilities. It is still not rising to its responsibilities. The 760,000 beneficaries are now concerned. If I were on the payroll downtown, I would be concerned. If I were on the payroll up here, I would be concerned. I am concerned.

Mr. MAGNUSON. The Senator is already on the payroll.

Mr. DIRKSEN. Yes, I am; and I dislike looking at my paycheck to see 7½ percent taken out of it, and then go downtown and discover that the fund is $40 billion in the hole.

What a way to run a railroad. We had better do something about it.

On an unfunded debt, we scatter the figures abroad, and they do not make sense because they do not tell the truth to the people.

There has been much talk about getting the story to the people. All right. I am willing. We have an opportunity to do so, but a technicality, rightly imposed under the rules—and I know the rules of this body fairly well—will make it impossible to keep the "buggy" from continuing to go downhill, and the deficit will pile up.

Mr. MAGNUSON. I believe that the Senator from Illinois wishes to be fair.

Mr. DIRKSEN. I do.

Mr. MAGNUSON. The Senator from Colorado and I, and other members of the subcommittee, would join any other Senator in suggesting that the proper committee—which is legislative—should proceed in this matter. We have done so in the past.

I asked Mr. Macy how many reports we had on this matter. He replied that he did not know how many. I stated that there had been plenty, and he replied that at least there was one a year, the Kaplan committee, which is a report in depth. We had bills in. I would be glad to join with the Senator to see if we could not do that. The more I think of it—and I have been involved in this subject for a long time—we should have a contract relative to the whole thing, but this way, it is somewhat like appropriating money which would close the deficit, which would cause the Treasury to issue bonds so that the money would go over here, and then it would go back over there, and we would be back where we started.

Mr. SALTONSTALL. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. SALTONSTALL. The difference is that they would then be on a statutory debt. A good deal of the debt was.

Mr. MAGNUSON. Today, as I pointed out, I believe that we know that. I remember that the Senator from Massachusetts said to me one time, when we were proposing it, that it was bookkeeping——

Mr. SALTONSTALL. I did not say that. I said that today I was blowing hot and I was blowing cold on it.

Mr. MAGNUSON. I have said so myself. I am saying that today. This is the position we are in. Everyone knows that it has been going on and on. There have been many reports made, articles written, students of finance and students of government under every administration looking into it, as well as every Civil Service Commission Chairman. At one time, I thought that if we appropriated the interest every year, the interest would be the amount of the bonds. Therefore, the way it is now, if the Treasury issues 3½ percent bonds, because it has to do so—it has the deficit—it will cost 3½ percent; and I believe that we should appropriate that money year by year.

I would welcome a proposal to stick to one-half of 1 percent, or 1 percent; and finally, by 1974 I believe we would probably be able to catch up.

Mr. DIRKSEN. Merely appropriating for the interest would be like throwing out a 10-foot rope to a man drowning 20 feet from shore. It does not solve the problem.

Mr. MAGNUSON. That was proved in the Kaplan report.

Mr. DIRKSEN. I wished the issue to be raised, and it will continue to be raised. If I owe a grocer $100 I do not need a senatorial commission to come in and take a look to see whether I owe $100 or not, if it is a bona fide debt. I do not need a commission to come in here now and tell us what we owe. The figures are as clear as crystal. They are in the Senator's own records.

The Senator has Mr. Ruddock on the Civil Service Retirement Board. The Senator has Mr. Macy. There are many who know all about this situation. All the opinions, all of the statements, all of the data are in the hearings. We do not need any more information. But let me say to my friend the Senator from Washington that 68 Senators sit on his side of the aisle, whereas we have only 32 Senators. I have to come like a supplicant, hat in hand, almost on my knees, to get the job done, because it involves a moral and legal obligation.

Mr. MAGNUSON. I should like to suggest for the RECORD——

Mr. DIRKSEN. I have finished.

Mr. MAGNUSON. I am sure that no one knows better than the Senator from Illinois how difficult it would be to control 68 Senators on this side of the aisle.

Mr. DIRKSEN. The Senator from Washington is a master at doing that.

Mr. MAGNUSON. I ask the Senator from Massachusetts whether 1990 is the year used in the testimony?

Mr. ALLOTT. It is 1990.

Mr. SALTONSTALL. They begin to cut into the fund in 1974.

Mr. DIRKSEN. The fund will be $99 million by 1989. I know the figures.

Mr. MAGNUSON. Here is what Mr. Macy said regarding the proposal:

> Mr. MACY. Yes. The proposal that we have advanced in the last Congress was to build up the Government's contribution by approximately one-half a percent of payroll, each year, over an extended period of time, in order to keep the fund at a level to meet its obligations in payment into the future.
>
> Senator MAGNUSON. Is it meeting them now?
>
> Mr. MACY. It is meeting them now.

This is speaking of 1990.

It would mean, he said, that in 1990, if we do not work out something in this way we would have to start to appropriate $3,600 million.

Mr. DIRKSEN. I know.

Mr. MAGNUSON. Three billion six hundred million dollars. Something else adds to the situation. The Government keeps books, but not as an insurance company or a corporation does. When we come to the end of June, if someone were to look in the till to see what had been put in all the year and what had been taken out, he would find a deficit. We do not list all the capital assets or the worth of the Government or the faith of the Government or the integrity of the Government or the sound basis of our form of government. All those things would be added in any normal report of any business enterprise.

Our Government is very sound. Its fiscal policies may be challenged by the political parties. That is good. However, fundamentally, it has been very sound, sounder than most governments in the world. It tends to be sound. We have some knotty problems because we have retirement theories that we apply to everyone, including ourselves. However, we will not go broke, in my opinion. We will not go broke in 1990. It seems to me that what the Senator from Illinois is suggesting, and which I have suggested many times, is that we might proceed to have a little more orderly fiscal processes in leading up to the question of retirement funds. I agree with the Senator on that point.

The committee has asked me to make a point of order because this is legislation on an appropriation bill.

Mr. DIRKSEN. I have only one thing to add. I do not need a seeing-eye dog to identify a moral issue. This is not only legal under the statute, but it is moral as well. I want the case to be made. I want the people to know exactly what the Government has done with a trust fund on which it gave its word as to what it would do.

I yield the floor.

Mr. ALLOTT. Mr. President, I wish to say a few words on this subject as the ranking minority member of the committee. I have the highest respect for the position of the chairman of the subcommittee. Inasmuch as I presented the amendment in committee, exactly in the form in which the Senator from Illinois has done here today, I believe I have an obligation to state my own position on this subject.

I personally feel that when Congress passes various insurance acts, which establish a fund, we should have the same sense of trust with respect to those funds that an insurance company or bank or any other institution should have. We have not so regarded it.

Last week we had before us a bill called medicare. One of my chief objections to the bill was the fact that we were doing again what we had done before, taking $321 billion in the social security fund, which would be in balance in 1980, according to Mr. Myers, the actuary.

I have just had handed to me a report of the Comptroller General of the United States on the various insurance funds which the Government handles. In this fiscal year on the 89 programs reported upon, the 7-year total of the obligation of the United States is $224,380 million.

Today we are talking about one fund, the civil service retirement fund. If this does not make anyone a little excited, he ought to be excited about it, because as of June 30, 1964, the amount that the Government owed the fund was nearly $37.4 billion. At the end of June of this year the exact amount was $39.9 billion, or almost $40 billion. As a result of the failure to contribute these sums, we owe this money. I agree with the distinguished Senator from Illinois in what he has said. I am casting no aspersions today on anyone for what has been done in the past. I have always tried to vote to keep these funds solvent. I agree with the Senator from Illinois that we have a right to expect of the Federal Government the same integrity, the same sense of responsibility that we expect of a corporation, an insurance company, a bank, a savings and loan company, or any other company. I know that for practical reasons the imposition of the terms of the amendment, if the point of order were not agreed to, would cause great embarrassment to the majority party. This is understandable. They do not want their budget built up. They do not want the indebtedness built up. However, there will be a long cold day of reckoning, and that day of reckoning will come in 1989 or 1990, if the actuarial experience remains the same. Our successors will be faced with the cold responsibility of picking up $3.6 billion annually to sustain this fund, not $1.3 billion, which is what the amendment asks for.

What shall we do? The Senator from Illinois says, "I do not need a seeing-eye dog to tell me what is right and what is wrong." I have discussed this subject at home many times with my people, and I say frankly that what the Government of this country has done over a period of years—both parties—is immoral and wrong. We delude our civil service workers into believing that 6½ percent is taken out of their salaries each year and that the Government is contributing 6½ percent, except that congressional people pay in 7½ percent.

In 1956, when the Railroad Retirement Act was being considered by the Senate and I was a member of the Committee on Labor and Public Welfare, I spent a good many weeks trying to develop a sound actuarial policy for the retirement system of the railroads. I was under all sorts of pressure from the hierarchy of the railroad unions to grant increased benefits to the railroad employees. I took the position then that we would put them in when we made the fund sound.

I remember that I stood on the floor over here, and the Senator from Oregon [Mr. MORSE] stood on the floor where he now occupies his seat, and we finally worked out on the floor a basis whereby that fund would be made actuarially sound. I do not know what has happened to it since. However, I personally consider that this was one of the greatest contributions I could make. I feel that to make this fund sound would be one of the greatest contributions I could make. We cannot do it with one chunk of money. Everyone knows that.

There is another reason why we should do something about it. The debt limit of the country is now $328 billion. If we put this money in, of course it will increase the indebtedness of the United States by that much. Is it not plain immoral, and are we not being dishonest, when we do not provide the funds to make these funds actuarially capable of doing the job they are supposed to be doing?

I offered the amendment in committee. It was defeated by a voice vote. It would have done what the Senator from Illinois, the great minority leader, is trying to do today.

For this reason I must support the amendment. I do so not only because I wish to support the minority leader—and I greatly respect the chairman of my committee with whom I worked for 6 years now—but I support it because I think it is the only moral thing we can do.

A day of reckoning will come which will be beyond the service of most men in the Senate today. But when that day of reckoning comes, and the Federal Government must make up all of the money in one fell swoop to make the 1989 funds sound and secure, the impact in this country will be so great that I would not attempt to predict what the impact will be upon the financial stability of this country.

The Government's obligation is clear. Legislative enactments have established a program of benefits liberalized many times since the system was established in 1920.

Employees have contributed starting at 2½ percent; the contribution is now 6½ percent. Members of Congress have contributed 7½ percent.

I do not believe the average civil service employee has any idea or conception of what the Government has done so far in its obligation to maintain and contribute to this fund.

I therefore join my friend from Illinois [Mr. DIRKSEN] and say that what he has said represents my point of view.

I do not think we shall fulfill our obligation here, painful as the process may be to us—and it may be painful—unless we start putting back the money for this fund and the other funds which need to be contributed to in order to be made actuarily sound.

Mr. MAGNUSON. Mr. President, the senior Senator from Illinois wished to make some remarks. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, first, I wish to congratulate the Senator from Illinois [Mr. DIRKSEN] and the Senator from Colorado [Mr. ALLOTT] for raising a very important issue. I remember that I served with the Senator on one occasion on the Committee on Labor, and we had to tackle the problem of the railroad retirement fund. At that time we were able to bring it into actuarial soundness. I heard the Senator from Washington. I believe that with his help we can make a start toward establishing the solvency of this fund.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MAGNUSON. Perhaps we ought to do what we did with the Federal deposit insurance and the Federal home loan insurance—establish a quasi-corporation to handle the fund. We could then make the fund absolutely actuarially sound with the Government completely out of it.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. ALLOTT. There might be difficulty in setting up a separate fund or a separate corporation, unless we could put into that corporation the necessary money to make it sound to begin with. That is the real question. We have set aside a civil service retirement fund. It is supposed to be maintained. But we could not set up a new corporation and say, "You are a corporation, but we owe you $40 billion."

Mr. MAGNUSON. There again the funds would be out of one pocket and into another. They would have to buy Government bonds and we would have to appropriate money for Government bonds. It is that sort of business.

Mr. COOPER. Mr. President, I should like to propound some questions to the chairman of the committee.

Mr. MAGNUSON. I am glad to have the Senator do so.

Mr. COOPER. On the question of the Federal Aviation Agency's proposed curtailment, of its flight service stations, I understand that the Agency plans in time, perhaps immediately, to curtail the facilities of over 130 flight service stations. I know that is correct in my own State, because I have received communications regarding the services provided at London, Bowling Green, and Paducah, airfields, all of which are commercial airfields.

I note that in the report of the committee, on page 7, the following statement appears:

> Despite assurances of the FAA that no closure of flight service stations is contemplated in the near future, many Members of Congress continue to receive inquiries, complaints, and protests from constituents who feel that loss of an FSS in their area would work a definite hardship on general aviation. The Agency is admonished to carefully study any proposed closing to assure that the needs of general aviation are fully protected. The committee will hold the Agency to the assurances given by the Administrator during our hearings, and will expect both the committee and the Congress to be informed of the Agency's plans in this matter, and of any cost savings expected if closures are proposed.

I also have studied the report of the Committee on Interstate and Foreign Commerce of the House submitted August 11, 1964, upon this proposal. On pages 4 and 5 there is a very good statement about the services that these stations perform. I should like to read it:

> FLIGHT SERVICE STATIONS, THE FAA, AND THE ADMINISTRATOR
>
> Flight service stations were established in the early 1930's. They were then known as aeronautical communications stations. Initially, they provided the ground-air communications link. Gradually, their function was expanded to include a relay service, transmitting information and instructions between en route IFR aircraft and traffic controllers. This latter function has now been supplemented—as to IFR operations—by pilot-controller communications through air-route traffic control centers. But the flight service stations continue to provide the basic en route services for VFR aircraft.
>
> These basic services, as described by the Administrator, include air-ground communications, weather communications, monitoring facilities, pilot briefing, military flight service, handling flight plans, direction finding, and flight assists. The mere listing of the basic functions by the Administrator indicates the importance, to the several segments of aviation, of the service provided by the flight service stations. Mr. Halaby, and numerous other witnesses, also pointed out that beyond the basic en route functions the personnel at flight service stations have expanded their activities into what may be described as a variety of terminal services.
>
> These ground, or terminal services, include weather observations, airport advisories, face-to-face briefings and the monitoring of navigational aids. It is in this "terminal" service area that the crux of the flight service stations controversy is contained. Mr. Halaby was asked if the airport terminal services provided by the FAA to private pilots and general aviation is a "necessary service." He replied that it is a "very desirable service and should be performed by someone at the lower traffic airports and by the Federal Aviation Agency at those airports where a sufficient amount of traffic is generated to justify the use of Federal money and Federal manpower."
>
> The Administrator's expressed goal is to achieve economies without reducing the total volume of services provided, and without compromising air safety. His aim is praiseworthy, and he is to be commended for his fervor, dedication and, in indeed, courage, as displayed by his willingness to announce a program which, as announced, had to bring on a public outcry of no mean proportions. Unfortunately the goal of economy without impairment of service or encroachment upon safety cannot be achieved by adherence to the program outlined in the February 4 press release. Subsequent events and testimony by the Administrator have proved that the "painstaking study" recited therein was by no means thorough enough to warrant a conclusive determination that the particular 42 flight service stations named in the release should be converted.
>
> Through continued study of the program, and in the light of the information developed in the hearings, the Federal Aviation Agency's present proposal, as to the future of its flight service stations, bears little, if any, relationship to the announcement of last February. The Administrator, in candor, admitted that one or more errors were made in the original selection, and that the Weather Bureau-FAA study, which led to the February 4 announcement was limited largely to weather considerations.
>
> On the last day of the hearing (May 27, 1964), Mr. Halaby announced a program calling for 154 "hard core" stations, 6 combined station-towers, with the remaining domestic flight service stations slated for partial and/or part-time service.
>
> As defined by the Administrator in his prepared testimony, the "hard core" stations would operate around the clock, 7 days a week, handle all of the present en route navigation and communications functions being performed today by the full system (297 stations), plus the normal terminal services now performed at the 150 stations. It is recognized that the proposed "hard core" stations may need increased staffing, as well as equipment installation. However, the latter would be a one-time expense.

I have received letters from persons who are connected with the operation of these airports. One is from Mr. E. J. Paxton, Jr., president of Paducah Airport Corp.; another letter is from Mr. Reed, of Paducah, also commenting on the factor of the curtailment of service for Paducah. It pertains not only to stations in my own State, but also points up problems which are typical of those that would result in regard to some 137 stations at airports throughout the country if they were forced to operate on a partial or part-time basis. I should like to read what Mr. Reed said would be the result if the curtailment of the present flight services at Paducah is put in effect:

> (a) During 16 hours of each day there will be no one on duty for pilot weather briefings.
>
> (b) Aircraft on instrument clearances, whether air carrier, corporation, or private, will have to depend for weather, clearances, or general information on a remoted system to Cape Girardeau, Mo.
>
> (c) During at least 75 percent of the time there will be no weather observations taken in the Paducah area and pilots needing this information will have to use the Cape Girardeau weather.
>
> (d) During most hours of darkness there will be no way to change the runway lighting system.
>
> (e) In case of accident or other emergency no one would be available to render or obtain assistance.
>
> (f) Inevitably, during periods of instrument operations, inbound flights would have to hold for extended periods while the cape station handled its own traffic.

I ask the Senator from Colorado, who is a member of the committee, if it is correct that, according to page 23 of the report, $724 million is recommended by the committee for the FAA's appropriation for fiscal 1966?

Mr. ALLOTT. Yes; that is quite true.

Mr. COOPER. Does the Senator remember the estimate of proposed savings if the curtailment of flight service stations should be carried out?

Mr. ALLOTT. It was not set forth specifically in this year's hearings. I do not remember the figure that was given to us last year. It is a figure that is arrived at because of the constant pressures of Congress to reduce the operation costs of the Federal Aviation Agency.

I am sure the Senator from Kentucky has already read the hearings. He may recall that considerable questioning was done by the Senator from Colorado, not exactly on the same situation, but the same principle. It involves Akron, Aspen, Rifle, and various other places in Colorado, where the situation is probably even more extreme, in some respects, than the situation in Kentucky. I am confronted with the same problem in Colorado.

We felt we could not and should not say to the Federal Aviation Agency, "You should not close this station; you should open this one." We are not capable of forming such judgments without an engineering background.

The committee wrote into the report language to require the FAA to move more slowly. I must say that I have received many letters from my State, too, on the same problem.

Mr. COOPER. I thank the Senator. I have received a letter from Mr. Clifford E. Burton, Acting Director, Air Traffic Service, Federal Aviation Agency, dated March 30, 1965, in which he makes this statement:

> We have estimated that these actions can nearly double the number of airports served and can save the Government nearly $3 million annually in operating costs.

Mr. President, I ask unanimous consent to have printed at this point in the Record Mr. Burton's letter and also the letter from Mr. E. J. Paxton, Jr., president of the Paducah Airport Corp., the letter from Mr. David R. Reed, of Paducah, from which I have already quoted, and a small sampling of letters I have received from constituents in London and Bowling Green, Ky.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Federal Aviation Agency,
Washington, D.C., March 30, 1965.

Hon. John Sherman Cooper,
U.S. Senate,
Washington, D.C.

Dear Senator Cooper: This is in response to a telephone inquiry from Mr. Haley on March 15, 1965, concerning what effect the Federal Aviation Agency's (FAA's) proposed modernized flight service station (FSS) system will have in the State of Kentucky.

As an Agency, we are dedicated not only to maintaining but continuously advancing the level of aviation safety. We believe that safety services to general aviation can be enhanced and expanded to serve additional locations through a better redeployment of our resources. This is possible without incurring additional expense to the Government.

In May of 1964, the Administrator outlined a proposal to the Subcommittee on Transportation and Aeronautics, 88th Congress, as indicated in the enclosed booklet "FAA's Modernized Flight Service Station System." By taking advantage of technological advances, it is possible to consolidate, service for en route aircraft into about one-half of the present FSS's. By introducing two new types of low-cost facilities, services tailored to the needs of individual locations can be provided economically at many additional airports. Tailoring the services to coincide with daytime busy hours when the vast majority of flights occur will provide the most efficient service and the maximum return for the tax dollar. We have estimated that these actions can nearly double the number of airports served and can save the Government nearly $3 million annually in operating costs.

Although we have confidence in the plan and in its benefits to both general aviation and the Government, we are proceeding cautiously. The test program indicated on page 20 of the booklet is underway and will continue through June 30, 1965. No implementation is contemplated until these tests have been completed and the results evaluated. All interested aviation groups have been asked to participate in the evaluation.

The plan is subject to revision on the basis of the test results; but, as now envisioned, facilities in Kentucky would be involved as follows. The Louisville FSS would be a hard-core station. The Lexington combined station/tower (CS/T) would continue without change. The Bowling Green, London, and Paducah FSS's would be converted to flight service facilities (FSF's). An FSF is described in the enclosed booklet under the name "Manicom." Subsequent to publication of the booklet, the name "Manicom" was changed to FSF at user request. Qualified active general aviation airports in Kentucky which now have no Federal facilities would become eligible for establishment of an FSF or airport information desk (AID) as appropriate. An AID is being tested now at Frankfurt and in interim report indicates that pilots are making extensive use of this facility.

As indicated above, the Bowling Green, London, and Paducah FSS's are proposed for conversion to FSF's and the en route services at these locations would be assumed by a hard-core station. The FSF's would be staffed with FAA flight service specialists for 8, 12 or 16 hours a day as required by the activity at each individual FSF airport. During these hours, the FSF will provide services for its local area commensurate with that now furnished by the FSS. When the FSF is closed during the inactive part of the night hours, aviation weather observations will be continued, if required, by contract with a local person who will be trained and certificated as an official weather observer by the United States Weather Bureau. A special telephone line will be provided from a hard core-station so that pilots in the Bowling Green, London, and Paducah areas can call the hard-core station by a local telephone call at any time for flight plans and pilot briefings.

We trust that the above together with the enclosed booklet adequately explain our proposed program and how it is expected to affect general aviation in Kentucky. If we can be of further assistance, please let us know.

Sincerely yours,
Charles W. Carmody,
(For Clifford P. Burton),
Acting Director,
Air Traffic Service.

Paducah Airport Corp.,
Paducah, Ky., October 15, 1964.

Hon. John Sherman Cooper,
Senate Office Building,
Washington, D.C.

Dear John: Proposed plans to modernize the Federal Aviation Agency's flight service station system were announced by Administrator N. E. Halaby during budget testimony made before Senate and House subcommittees earlier this year, and released last August.

The proposed FSS plan would result in an estimated saving of $3 million a year and would reduce flight service station personnel nationally by 500 to 600 people. The present 297 fully manned, 24-hour-a-day flight service stations would be reduced by 137. The locations where FSS's would be discontinued would thereafter be served either by part-time manned facilities (called Manicom) or by unmanned facilities called airport information desks (AIDS).

The details released in August show that FAA plans to continue operating the full-time, manned flight service stations only at Louisville in Kentucky. There are now similar stations operating at Paducah's Barkley Field, and at Bowling Green, and London. FAA plans to downgrade the service at Paducah, Bowling Green, and London to Manicom, which means that either one or two of their present three daily shifts of personnel would be discontinued.

By contrast, FAA proposes to continue operating these full-time facilities, which they call hard-core, at five cities in neighboring Missouri. The Missouri cities are Cape Girardeau, Columbia, Kansas City, Springfield, and St. Louis.

The Paducah Airport Board has already heard a number of protests from local businesses and individuals who operate privately owned aircraft into and out of Barkley Field. This proposed downgrading in the local flight service station would, they say, greatly inconvenience transient and locally based aircraft using the Paducah Field, and the Paducah Airport Board agrees with them.

The airport board has requested me to write you, asking that you investigate this situation with FAA. There is a possibility that FAA plans, at the same time it discontinues the present hard-core FSS at Paducah, to replace it with a full-time manned tower operation for control of flying activities in this area. Barkley Field seems to have qualified for this in the past year, by achieving the minimum number of aircraft operations (24,000 landings and takeoffs annually) required for qualification for tower service.

If FAA intends to install a 24-hour control tower operation here instead of the present FSS, we have no objection and will certainly extend all the cooperation to FAA we can. However, if there is no firm determination as yet to place a tower at Paducah, the board vigorously objects to the FAA's plan to discontinue the present FSS and downgrade it to a Manicom operation.

Instead, we believe FAA should maintain the Paducah flight service station and eliminate the one scheduled to be retained at Cape Girardeau, Mo. Paducah is served by two scheduled air carriers, Ozark and Delta, while Cape has only one; Paducah has twice the number of daily scheduled flights, and has probably four times as many aircraft movements yearly as does Cape Girardeau. Mr. Halaby testified before the Senate Subcommittee on Appropriations that it was intended the service reductions should be made at lower activity locations. Cape Girardeau is definitely a lower activity location as compared with Paducah.

We would greatly appreciate your investigation of this matter for us as soon as it is convenient. I am also writing Mr. Frank A. Stubblefield and Mr. Thruston B. Morton about this.

With best personal regards,
Sincerely,
E. J. Paxton, Jr.,
President.

Paducah, Ky.,
May 12, 1965.

Hon. John S. Cooper,
Senate Office Building,
Washington, D.C.

Dear Senator Cooper: It is my understanding that effective July 1, 1965, the activities of the Paducah Flight Service Station will be curtailed, personnel will be reduced from eight to one or two and the station will only be operating on an 8-hour, 6-day week basis.

I happen to own a plane and I am familiar with the operation of the station. In 1964, I flew over 300 hours. I never made a flight without first obtaining a weather briefing and filing a flight plan. The flight service station has been of inestimable value to me and I would probably not be alive today had I not had its assistance.

I have made an investigation and find that the Paducah Flight Service Station in the year 1964 made 19,984 air advisories, 6,432 pilot briefings, there were 4,519 flight plans filed, with 30,988 radio contacts. There are two airlines of service to Paducah—Ozark and Delta. Ozark has seven flights and Delta three. As a matter of fact, the traffic at Barkley Field warrants a tower.

In addition to the private planes, Ohio Valley Aviation conducts a charter service and my investigation reveals that they make, on the average of 1,200 charter trips per year. A number of these are made at night and consist of emergency air ambulance, and this would be impossible without a means of obtaining a weather briefing at the field. In addition to the weather briefing, the flight service station keeps you advised as to other aircraft in order to avoid collisions.

The Paducah Airport Corp. has outlined certain disadvantages inherent in the proposed system. Perhaps they have already been transmitted to you, but I am quoting them herewith.

(a) During 16 hours of each day there will be no one on duty for pilot weather briefings.

(b) Aircraft on instrument clearances, whether air carrier, corporation, or private, will have to depend for weather, clearances or general information on a remoted system to Cape Girardeau, Mo.

(c) During at least 75 percent of the time there will be no weather observations taken in the Paducah area and pilots needing this information will have to use the Cape Girardeau weather.

(d) During most hours of darkness there will be no way to change the runway lighting system.

(e) In case of accident or other emergency no one would be available to render or obtain assistance.

(f) Inevitably, during periods of instrument operations, inbound flights would have to hold for extended periods while the cape station handled its own traffic.

With best wishes, I am,

Sincerely yours,

David R. Reed,
Attorney at Law.

Oldham, Burroughs & Miller,
Attorneys at Law,
Louisville, Ky., February 22, 1965.

Senator John Sherman Cooper,
Senate Office Building,
Washington, D.C.

Dear Senator Cooper: Please resist any effort on the part of the Federal administration Federal Aviation Agency to reduce the number of manned flight service stations.

This issue comes up periodically, and the FAA has persistently attempted to reduce the number of these stations, in some instances replacing them with an unmanned remote control electronic facility. The argument is always made that the FAA is attempting to reduce its expenditures and operate more efficiently.

The flight service stations serve two purposes: A radio navigation function which can be performed just as well by the remotely controlled facility, and the furnishing of advice to pilots and particularly current weather in the area of the station, and this function cannot be performed by a remotely controlled facility.

The principal cause of fatal accidents in general aviation is the involving of the pilot in bad weather, and one of the most useful functions the flight service station can perform is to help prevent this.

It simply cannot be done by remotely controlled stations or by weather stations spaced as they are presently spaced today. In my own experience flying within the State of Kentucky I have twice encountered cloud and fog conditions within a space of 100 miles which had not been forecast by the present weather observation facilities.

There are plenty of ways for the FAA to save money. For example, it is not necessary for them to purchase five new Queen Air airplanes at $80,000 each for transporting FAA personnel around the country. It is not necessary for the FAA to own at least one of each type of major airliner for the purpose of instructing their supervisory personnel who from time to time check on the proficiency of the airline pilots. Millions of dollars are spent with nothing to show for it on various far-out research and development programs such as Project Little Guy, which was recognized as useless from its inception by the general aviation public.

But please do not tolerate any attempted reduction in the number of manned flight service stations. If anything, this phase of the FAA's activities ought to be increased rather than decreased. This is the true life saver for the general aviation flying public.

Sincerely,

Richard C. Oldham.

London, Ky.,
October 13, 1964.

Senator John Sherman Cooper,
U.S. Senate,
Washington, D.C.

Dear Senator Cooper: It has come to my attention that the present Federal Aviation Agency Flight Station located at the London Municipal Airport will be moved the first of the year.

As an owner of an aircraft based at the London Airport I would like to tell you how important this facility is to pilots and aircraft owners. I would like for you to look into this at once and let me know if there is anything that can be done to keep the station here in London.

Thank you for your fine cooperation.

Sincerely,

Greer Bros. & Young, Inc.
Elmo Greer, *President.*

City of Bowling Green,
Bowling Green, Ky., March 31, 1965.

Hon. John Sherman Cooper,
Senate Office Building,
Washington, D.C.

Sir: It has been brought to my attention that the Federal Aviation Agency has under study a plan to reduce the number of manned flight service stations throughout the country in a so-called economy move. It seems to me that with thousands of private, business, industrial, and commercial aircraft flying the country's airways every day and as time goes on many more thousands to be considered, the Federal Aviation Agency should be planning to increase and improve the flight service stations rather than talk about reducing these vital, safety, and much-needed navigational services to all who fly. General aviation depends on these manned flight service stations for flight safety for all who fly.

As you know, we have had a manned full-time 24-hour flight service station on the city-county airport for about 22 years and it is most important that this station remain on our airport.

As mayor of the city of Bowling Green, I want to ask your full support to block this plan to reduce these flight service stations and to use your great influence to keep our manned station here at Bowling Green, and also to get rescheduled the new flight service station building previously approved for Bowling Green. The prime site FAA wanted is now ready for their use.

Very truly yours,

Walter F. Weis,
Mayor.

Bowling Green, Ky.,
March 11, 1965.

Senator John Sherman Cooper,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

Dear Senator Cooper: I am writing concerning the service provided for Bowling Green and Bowling Green Warren County Airport by the flight service station located at this airport. It is my understanding that there is a possibility that the services of this flight service station might be discontinued. As a private pilot who uses this field and their services, I must say that it contributes an indispensable safety factor to those flying through this area and landing at this field.

As a member of the AOPA, I am aware of the efforts of the FAA to dispense with many flight service stations as an economy move. While I agree with the efforts of the Government to economize, I do not feel it should be at the expense of the safety for those who are flying. This field is rather large and there is a large amount of activity in and out each day including two commercial flights. Many of the new industries both in Bowling Green and surrounding counties have their own craft, many of them multiengine who use the facilities of the flight service station daily. I am sure that it plays no small part in the decision of an industry to locate in a community where adequate aircraft facilities are located.

I will not prolong the discussion further except to say that I am sure you would agree with this and I hope you will lend your efforts to preserve the activity of the flight service station operated by the FAA and the U.S. Weather Bureau here in Bowling Green.

If I can be of any help to you, please call on me at any time.

Very truly yours,

L. Jack Scott, M.D.

County of Warren,
Bowling Green, Ky., April 5, 1965.

Hon. John Sherman Cooper,
Senate Office Building,
Washington, D.C.

Dear Sir: I have received information that the Federal Aviation Agency has a test program to reduce the number of manned flight service stations now in operation. The local airport has one of these stations and has been in operation for many years and is considered a valuable asset to our airport. This station renders service to thousands of airplanes each year and is a life-saving device.

I think it is unwise to reduce this service and I urge you to see that it is increased as more people are flying each day and are using our airport.

As county judge, and in behalf of Warren fiscal court, I want to oppose this plan to reduce these stations. We want to keep our station and are again requesting the money to build a new flight service station for our airport. As you know, this was approved and has never been built.

Sincerely yours,

Basil W. Griffin, Jr.,
Warren County Judge.

Mr. COOPER. Mr. President, I should like to make this point to the distinguished Senator from Colorado, who is representing the committee and is speaking for the committee at this time: With a budget of some $724 million for all its activities, while any saving is of importance, and the saving of some $3 million is important, the proposed saving of $3 million should be measured carefully by the committee and by Congress in terms of the factor of safety. I am not an engineer; I know little about aviation. But from reading these letters and from the statements made by the Administrator, it is evident that safety factors are involved which ought to be taken into careful consideration.

For example, I have been speaking about three commercial airports in my State. Not only are they served by commercial airlines but they are used by small planes for business, commercial, and professional purposes in the communities of those areas. These small planes fly on no specific flight schedules. If the Administrator's proposal should be put into effect, it would mean that those services, which are essentially safety services, would be furnished for only 8 of the 24 hours. These stations give information about the weather. When the question was asked, "How could local weather information be given?" the response was that a telephone call could be made to a station or an airport miles away. In this case, the proposed station would be at Cape Girardeau, Mo., miles away. The Missouri station would attempt to describe the weather conditions in Paducah. Bowling Green would be served by Louisville, and London, Ky., probably by Lexington.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. ALLOTT. The Senator is exactly correct. This is something that has caused all of us much concern. It is what is called remoting.

The station at Paducah could be used as an example. It would be manned during the daylight hours with an operator. After dark, it would be "remoted." A person flying would use the call numbers of the Paducah station and would call into Paducah, but the answer probably would come from Louisville or some other point that was kept open. The Senator has put his finger exactly on the problem; that is, that the weather may be entirely different in Missouri—if we may use that station where the call is being remoted—from the weather at Paducah. Furthermore, the weather may have changed at Paducah since the last report had been made.

This is why, without trying to say to the FAA, "You may not close this station," or "You may close that station," we have tried to tell them they will have to justify their actions; that they cannot allow planes to be in the air without adequate protection.

This is not something that merely concerns airlines. The airliners fly at great heights and have excellent navigational facilities, and most operate with four engines. This problem concerns more the small business craft, general business craft, because they are not equipped with these facilities and must rely and depend on those at the airports.

Having done some flying earlier in my life, I know that it is not unusual to get reports from two stations 60 miles away and to find completely different weather conditions.

The Senator from Kentucky is correct. I hope the language in the report will cover our intention. We intended to tell the FAA to move slowly and to justify changes in the stations.

Mr. COOPER. The Senator from Colorado has agreed that the ability to give weather advice is highly important. I noted yesterday that the Senator from New York [Mr. JAVITS] placed in the RECORD a letter from the Comptroller General of the United States, in which the Comptroller General stated that the plan which had been developed was not thorough because it did not take into full consideration the problems faced by the Weather Bureau. In fact, the House report stated that if the proposed plan is put into effect, it would mean that the operations of the Weather Bureau would have to be completely revised.

Again, on the question of safety, I have also received comments from persons who fly small commercial craft at airports that if no one was in attendance during the period of darkness or semidarkness, there would be no way to check or make changes in the runway lighting system, or in case of accident or other emergency no one would be available to render or obtain assistance.

As I said, I am not an expert on the subject of aviation facilities, but I have received so much mail on the proposal to curtail these flight service stations at London, Bowling Green, and Paducah and the lessening of safety standards that such a curtailment involves, that naturally I am most concerned.

The committee proposes to appropriate some $724 million for the activities of the FAA, of which $51 million is appropriated for the operation and maintenance of these flight service stations. It seems to me of questionable economy to so limit or curtail the safety services and facilities of these stations, not only in my State, but throughout the country. Here where human safety is involved, we are talking about a saving of $3 million out of a budget of some $724 million.

When we stop to think of the growing use of smaller airports for business as well as commercial and professional purposes, and the increased volume of air traffic, over the past few years alone and the convenience of small plane transportation to the business interests of these communities—almost necessity in outlying and remote areas, it seems almost unthinkable that the Federal Aviation Agency should take a course of action which would in any way detract from or limit the safety facilities or services of these airports.

I know Mr. Halaby. I have the highest regard for him. He has resigned recently. However, I hope that the new Administrator will give attention to this problem.

I am very much heartened by the statement of the committee and by the statement of my distinguished colleague the senior Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. Mr. President, other Senators appeared on the same subject matter and expressed the same point of view that has been expressed by the distinguished Senator from Kentucky and myself.

I have the feeling that perhaps the decision was viewed in advance of anything we contemplated. Words to that effect will be found in the RECORD.

We mean sincerely that these people should go slow. If we have a navigational system and a reporting system throughout the country, it must serve all the people. The fact that there are fewer planes at one place would not mean that the people should not receive the service.

Mr. COOPER. It would not be right to say that merely because some of these flight service stations serve fewer people, and a lesser volume of traffic that these communities should be deprived of adequate service. That would be a rather callous attitude.

Mr. ALLOTT. The navigational and other facilities are not merely for the use of the airlines. They are also for the use of the general pilot.

Mr. COOPER. The Senator is correct.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, before this far-reaching and important bill is passed, I would like to mention briefly one of the most vital construction projects we are approving.

That is the $21 million we are providing for a Federal center in Dallas. This project first was approved by the General Services Administration in 1959. It was budgeted again this year by the President. But, the House Committee on Appropriations removed it from the bill.

This project has run into more than its share of unusual circumstances. It has had more than its share of delays and setbacks. Yet none of these delays was caused by any doubt about the ultimate need for and value of the project to both Government and the taxpayers.

I am not known in this body as a "spender." And yet, I fully support this project. The reason is quite simple. Not only does the Dallas area require a new Federal center, but the taxpayer savings in current rentals, if this center is built, would be some $1 million each year.

This Federal center project was authorized under the Public Buildings Purchase Contract Act of 1954. Funds have been appropriated for site acquisition and building design.

The project would provide increased court facilities and other agency space urgently needed in the Dallas area to satisfy an existing shortage of Federal facilities.

Mr. President, this proposed building would permit consolidation in a central location of substantially all nonpostal agencies now housed in inadequate Government-owned quarters and in diverse rented quarters. There would be not only a $1 million annual rental saving, but the taxpayers would benefit from increased operational efficiency and far greater convenience.

The GSA has determined that needs for Federal office space in this area cannot be satisfied by utilization of existing Government-owned property. It also has determined that suitable rental space is not available at a price that would be cheaper than the savings afforded by new construction.

This project has been approved by GSA since 1959. In the 6 intervening years, the basic need for it never has changed. The basic worth of the Federal center never has been disputed by anyone who knew the facts of the matter.

This center would save taxpayers more than $1 million annually in current rental costs. The building itself would be amortized in the remarkably short time of 12 years.

It is certain the project will someday be completed. But the longer the delay in funding, the higher the ultimate cost to the taxpayers.

I am pleased that the distinguished Senate committee has approved the Dallas Federal center project. I am pleased that the full Senate is about to add its vote of support. I hope that the Senate conferees can convince the House conferees of the wisdom of this long-needed project.

Mr. President, I offer my profound thanks to the distinguished chairman, the Senator from Washington [Mr. Magnuson], and to the distinguished ranking minority leader, the Senator from Colorado [Mr. Allott] for their cooperation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, it is with some reluctance that I insist on a point of order on the Dirksen amendment.

The PRESIDING OFFICER. The Chair sustains the point of order made by the Senator from Washington to the amendment offered by the Senator from Illinois. The Chair is informed that the amount in the amendment is in excess of the budget estimates and therefore is not in order, since it also does not comply with the other exceptions set forth in rule XVI.

Mr. MAGNUSON. I thank the Chair.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I ask that the yeas and nays be ordered on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. If there be no further amendment to be proposed to the bill, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll——

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on passage of the bill. The yea and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. Dodd], the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Minnesota [Mr. McCarthy], the Senator from New Hampshire [Mr. McIntyre], the Senator from Oklahoma [Mr. Monroney], and the Senator from Rhode Island [Mr. Pastore] are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from Idaho [Mr. Church], the Senator from North Carolina [Mr. Jordan], the Senator from Utah [Mr. Moss], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that if present and voting, the Senator from Virginia [Mr. Byrd], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Rhode Island [Mr. Pastore], the Senator from Oklahoma [Mr. Monroney], and the Senator from Utah [Mr. Moss] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Pearson] is absent on official business and, if present and voting, would vote "yea."

The Senator from Wyoming [Mr. Simpson] is necessarily absent, and if present and voting would vote "yea."

The result was announced—yeas 84, nays 2, as follows:

[No. 181 Leg.]

YEAS—84

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd. W. Va.
Canon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McNamara
Metcalf
Miller
Mondale
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Neuberger
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—2

Dirksen
Young, Ohio

NOT VOTING—14

Byrd, Va.
Church
Dodd
Gruening
Harris
Jordan, N.C.
McCarthy
McIntyre
Monroney
Moss
Pastore
Pearson
Simpson
Sparkman

So the bill (H.R. 7997) was passed.

Mr. MAGNUSON. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. KUCHEL. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President——

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. MAGNUSON. Mr. President, before I ask for the appointment of conferees, I would be somewhat derelict in my duty on behalf of the subcommittee if I did not pay my respects to the staff headed by Mr. Cooper on this very complex appropriation bill, which required weeks of hearings and weeks of conferences. As usual, the staff did a very good job.

Mr. President, I move that the Senate insist upon its amendments and request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Magnuson, Mr. Ellender, Mr. Russell of Georgia, Mr. Holland, Mr. Monroney, Mr. Anderson, Mr. Allott, Mr. Young of North Dakota, and Mr. Saltonstall conferees on the part of the Senate.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Property Acquisitions of Emergency Supplies and Equipment

A letter from the Director of Civil Defense, reporting, pursuant to law, on property acquisitions of emergency supplies and equipment, for the quarter ended June 30, 1965; to the Committee on Armed Services.

Amendment of Section 308(a) of Federal Aviation Act

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend section 308(a) of the Federal Aviation Act as it relates to the grant of exclusive rights at airports (with accompanying papers); to the Committee on Commerce.

TWO HUNDREDTH ANNIVERSARY OF MEETING OF THE FIRST CONTINENTAL CONGRESS

The PRESIDENT pro tempore laid before the Senate a letter from the Carpenters Co. of Philadelphia, Pa., inviting both Houses of Congress to assemble in Carpenters' Hall on or about the 5th day of the 9th month of 1974, the 200th anniversary of the meeting of the First Continental Congress, which was ordered to lie on the table.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Michigan; to the Committee on Banking and Currency:

"House Resolution 196

"Resolution of tribute for small business and the Small Business Administration

"Whereas society's economic bedrock consists of myriads of small businesses as well as big business corporations; together they form a healthy, solid network which, through diversity is a resilient economic complex absorbing the stresses and strains of economic cycles and is vital to growth and progress; and

"Whereas the many small businesses in Michigan are, therefore, of utmost importance to their respective communities and to the State; and

"Whereas in their service, the Federal agency known as the Small Business Administration is a keystone for the progress of multitudes of small businessmen and businesswomen. Established in 1953, with agency operations for Michigan combined with those for Ohio and headquarters in Cleveland, in 1957 Michigan's demands necessitated a branch for this State alone, and for years continued to be the only regional office in the United States which functioned for clients of a single State; and

"Whereas the Small Business Administration for Michigan provides a reservoir of talent and initiative; it fosters flexibility conducive to new ideas and progressive methods of procedure, with particular reference to their treatment of minority group businessmen who heretofore found it virtually impossible to gain business loans from regular sources. It is dedicated to providing assistance to Michigan's small business people in obtaining loans and other financial aid, in securing government contracts and subcontracts, and offers many programs designed to elevate the general level of managerial competence and systems; it has provided financial assistance to local development companies in their efforts to assist small businesses in their respective areas of service: Now, therefore, be it

"*Resolved by the house of representatives,* That its members by these presents, for themselves and for the people of the State of Michigan, offer tribute to the small businesses and business people in the State and to the Small Business Administration which serves them with competent efficiency and dedication; and acknowledge hereby a debt of gratitude owed them by every citizen of this Nation in the total economy; and be it further

"*Resolved,* That copies of this tribute be presented to the Small Business Administration of Michigan for dissemination to their clients and members.

"Adopted by the house June 25, 1965.

"Norman E. Philleo,
"James Del Rio,
"*Clerk of the House of Representatives.*"

A resolution adopted by the Southern Association of State Departments of Agriculture, at Miami Beach, Fla., relating to the extension of Federal meat inspection; to the Committee on Agriculture and Forestry.

A resolution adopted by the Council of the City of Everett, Wash., favoring self-government for the District of Columbia; to the Committee on the District of Columbia.

A letter in the nature of a petition from Alpha Omega Chapter, Omega Psi Phi Fraternity, Inc., of Washington, D.C., signed by Edward A. Clement, favoring the enactment of legislation to provide home rule for the District of Columbia; to the Committee on the District of Columbia.

A resolution adopted at a convention of District Grand Lodge No. 3, B'nai B'rith, encompassing the States of Delaware, New Jersey, Pennsylvania, and West Virginia, urging the Congress to help assure peace in the Middle East by aiding Israel and any other nations which have as their aim peace for all mankind; to the Committee on Foreign Relations.

A resolution adopted by the District Attorneys' Association of California, favoring the enactment of Senate bill 1636, regarding Federal-State conflict over water rights; to the Committee on Interior and Insular Affairs.

A resolution adopted at a convention of District Grand Lodge No. 3, B'nai B'rith, encompassing the States of Delaware, New Jersey, Pennsylvania, and West Virginia, relating to civil rights; to the Committee on the Judiciary.

A letter in the nature of a petition, signed by C. W. Gillett, of Chicago, Ill., relating to wrongful behavior allegedly used by the National Guard, and the chartering of religious establishments by the States; to the Committee on the Judiciary.

Resolutions adopted by the Harrison County (W. Va.) Labor Federation, of Clarksburg, W. Va.; the Central Labor Council of Contra Costa County, Calif.; the Lithographers and Photoengravers International Union Local 22–L, of Los Angeles, Calif.; the United Labor Council of Lower Luzerne and Carbon Counties, Pa.; the Los Angeles Typographical Union No. 174; the Parkersburg, W. Va., Typographical Union; the Mobile (Ala.) Typographical Union No. 27; and the Greater Hartford Labor Council, of Hartford, Conn., all favoring the enactment of Senate bill 1781, to prohibit interstate trafficking in strikebreakers; to the Committee on Labor and Public Welfare.

Resolutions adopted by the executive board of Local No. 101, an affiliate of the International Ladies' Garment Workers' Union, of San Francisco, Calif.; the executive board of Local No. 213, an affiliate of the International Ladies' Garment Workers' Union, of San Francisco, Calif.; the executive board of Local No. 8, an affiliate of the International Ladies' Garment Workers' Union, of San Francisco, Calif.; and the 45th Assembly District Democratic Council of Los Angeles, Calif., favoring the enactment of legislation to repeal section 14(b) of the Taft-Hartley Act; to the Committee on Labor and Public Welfare.

A resolution adopted by the city council of the city of Chula Vista, Calif., favoring the enactment of legislation to provide a minimum wage law to cover farmworkers; to the Committee on Labor and Public Welfare.

A resolution adopted by the Southern Association of State Departments of Agriculture, at Miami Beach, Fla., favoring grants to States for conducting pesticide programs; to the Committee on Labor and Public Welfare.

A resolution adopted by the City Council of the City of Wall, S. Dak., protesting against the enactment of House bills 8489 and 8490, relating to roadside signs and highways; to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TALMADGE, from the Committee on Finance, without amendment:

H.R. 225. An act to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program (Rept. No. 431).

By Mr. LAUSCHE, from the Committee on Commerce, without amendment:

H.R. 5242. An act to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph (Rept. No. 432).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself, Mr. Moss, and Mr. Bible):

S. 2278. A bill to amend Public Law 874, 81st Congress, as amended by the Elementary and Secondary Education Act of 1965, in order to provide a minimum payment for certain State administrative expenses; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2279. A bill to amend the Natural Gas Act to require a certificate of public convenience and necessity for the acquisition of a controlling interest, through the ownership of securities or in any other manner, of any person engaged in the transportation of natural gas, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN:

S. 2280. A bill to provide for granting feed grain base acreage or wheat allotment to former sugarbeet producers; to the Committee on Agriculture and Forestry.

By Mr. CANNON (for himself, Mr. Bible, Mr. Moss, and Mr. Simpson):

S. 2281. A bill to amend section 3 of the Act of July 23, 1955 (69 Stat. 367, 368), and to authorize mining locations for certain mineral deposits; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Cannon when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2282. A bill to authorize the Secretary of the Interior to conduct a program of research, study, and surveys, documentation and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 2283. A bill to provide that Columbus Day shall be a national holiday; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, and Mr. Kennedy of New York):

S.J. Res. 97. Joint resolution designating July 25 of each year as "Puerto Rican Day in the United States of America"; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

AMENDMENT OF PUBLIC LAW 874, 81ST CONGRESS, TO PROVIDE A MINIMUM PAYMENT FOR CERTAIN STATE ADMINISTRATIVE EXPENSES

Mr. METCALF. Mr. President, Montana is fortunate in having one of the most alert, intelligent, and foresighted chief State school officers in the Nation. Miss Harriet Miller, superintendent of public instruction, has been doing a phenomenal job in coordinating the work of Montana's 900 school districts. She and her staff keep the statehouse lights burning far into the night many times when the need arises.

It was she alone who brought to our attention a little-noticed provision in the Secondary and Elementary Act of 1965 which would have cost 22 States with American Indian populations millions of dollars in allotments under the act. Two months ago she pointed out to me that the provision would make Indian children of low-income families ineligible under the act. She notified us just in time for Congress to correct the unintended result. Thanks to the work of the staff of the Education Subcommittee and others, the provision was eliminated in H.R. 5874.

Miss Miller and other chief State school officers now have gone further into the new Education Act as it would affect their departments and States. This has been made possible by the U.S. Office of Education and the Council of Chief State School Officers which are doing a masterful job in coordinating implementation of the act. There has been much communication between the State officials and the Department. There has been mutual give and take in the spirit of cooperation. Much of the implementation is going along smoothly and most of the rough spots are being ironed out.

However, there is one deficiency in the act which cannot be corrected administratively. Subsection (b) of section 207 of Public Law 874, as amended by the Elementary and Secondary Education Act of 1965, authorized the Commissioner of Education to pay to each State up to 1 percent of the total of the amount of basic grants paid under title I.

On the surface, this system of providing administrative costs is equitable. However, if we consider the nature of administrative costs, the various sizes of the several States and the amounts allotted each State, we find that 1 percent of the title I allotment is not enough for some States.

Montana's estimated Federal payments under title I, for instance, is $3,750,273. This qualifies Montana for $37,502 to administer the act in the State's 900 school districts. As Miss Miller points out, most of the districts are rural and do not have stenographic help. The State Office of Superintendent of Public Instruction, therefore, must do most of this and other types of work. There are countless other aspects of administrative detail which will be necessary under the Elementary and Secondary Education Act if the Commissioner of Education is to have enough factual information to report to Congress next session.

Montana is not the only State which would suffer from this provision. Nevada, for instance, would qualify for only $6,581; Alaska, $14,309, and Wyoming, $14,709.

In sum, the initial costs of administering the new act in each State education department will not be in proportion to the number of children eligible under the act.

For this reason, I am introducing an amendment to the act which would establish a modest $75,000 minimum for State education department administration of the act.

I ask unanimous consent that the amendment be printed in the RECORD at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2278) to amend Public Law 874, 81st Congress, as amended by the Elementary and Secondary Education Act of 1965, in order to provide a minimum payment for certain State administrative expenses, introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 207 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

"(b) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this title (including technical assistance for the measurements and evaluations required by section 205(a)(5)), except that the total of such payments in any fiscal year shall not exceed (1) one per centum of the total of the amount of the basic grants paid under this title for that year to the local educational agencies of the State, or (2) $75,000, whichever is the greater."

AMENDMENT OF NATURAL GAS ACT, RELATING TO CERTIFICATES OF CONVENIENCE AND NECESSITY IN CERTAIN CASES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Natural Gas Act to require a certificate of public convenience and necessity for the acquisition of a controlling interest, through the ownership of securities or in any other manner, of any person engaged in the transportation of natural gas, and for other purposes. I ask unanimous consent that a letter from the Chairman of the Federal Power Commission, requesting the proposed legislation, be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2279) to amend the Natural Gas Act to require a certificate of public convenience and necessity for the acquisition of a controlling interest, through the ownership of securities or in any other manner, of any person engaged in the transportation of natural gas, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 24, 1965.

Re draft bill to amend sections 7 and 20 of the Natural Gas Act.

Hon. HUBERT H. HUMPHREY,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting herewith for consideration by the appropriate committee 20 copies of a draft bill to amend sections 7 and 20 of the Natural Gas Act. The proposed amendment would require the Commission to approve and certificate the acquisition of stock control of an interstate natural gas pipeline company and would also provide that Commission approval of the acquisition of a pipeline company's stock or assets would exempt the acquisition from the antitrust laws insofar as the transaction involves facilities and activities over which the Commission exercises jurisdiction.

The draft bill proposed by the Commission has two objectives. First, it would correct a deficiency in the provisions of the Natural Gas Act pertaining to Commission authority to approve acquisitions of facilities subject to its jurisdiction. Under the present law the Commission must pass upon asset acquisitions, but lacks authority to pass upon stock acquisitions securing control over such facilities. The public interest implications of this latter type of transaction may often be at least as great as those surrounding the outright purchase of a pipeline's assets. As a result, control of the facilities and operations of an interstate natural gas pipeline company can be obtained through the acquisition of its stock without satisfying the statutory requirements for a certificate of public convenience and necessity. The proposed amendments would effectively prevent this method of evading the basic regulatory scheme.

Second, the bill would eliminate the anomalous situation whereby a transfer of pipeline company assets or control in accordance with Commission approval, is still subject to challenge in an antitrust suit, and where, under the rule enunciated in *California* v. *Federal Power Commission*, 369 U.S. 482, the Commission cannot even make its statutory determination as to whether a proposed acquisition of pipeline facilities would be required by the present or future public convenience and necessity as long as an antitrust action directed against the acquisition is pending in the courts. The comprehensive regulatory controls over rates and services of interstate natural gas pipelines embodied in the Natural Gas Act were intended to protect the interest of the public where it could not be effectively safeguarded by relying solely upon the forces of competition. Maintenance of a dual system of regulation over those transactions which are properly the subject of Commission expertise is thus both time-consuming and wasteful, especially in view of the fact that encouragement and strengthening of competition, to the extent compatible with the public interest, is one of the factors which must be considered by the Commission in applying the statutory standard of public convenience and necessity.

The provisions of the draft bill exempting Commission-approved transactions from liability under the antitrust laws were drawn in full recognition both of the applicability of antitrust concepts to the Commission's public interest determination and the necessity for insuring that any Commission immunization be limited to matter over which it is in a position to exercise comprehensive regulatory control. Thus, the bill contains an express requirement that the Commission consider any adverse effects of an acquisition upon competition and approve the proposal only if such effect be found to be insubstantial or outweighed by other public interest considerations. Moreover, in full recognition of the close interrelationship between oil and gas production and the fact that the Commission has no regulatory authority over oil, the antitrust exemption included in the draft bill is applicable only to acquisitions of the facilities, assets, or stock control of interstate natural gas pipelines.

In addition, the exemption is specifically limited "to facilities and activities over which the Commission has jurisdiction." Thus, the exemption cannot be used to support a claim of immunity from antitrust actions brought with respect to those aspects of a company's operations which are outside Commission regulation and control. Similarly, the exemption would not bar the Government from obtaining relief by divestiture in the event that the acquisition is held to violate the antitrust laws because of its impact on matters falling outside the Commission's jurisdiction.

The exemption in the draft bill thus would have the limited effect of assuring the holder of a certificate of public convenience and necessity that the specific transaction authorized thereby will not itself be subject to attack under the antitrust laws. In so doing, the exemption provision would help clarify the boundaries between the separate regulatory functions assigned to the Commission and to the courts, and correct the present situation wherein asset acquisitions are subject to challenge in two separate forums.

The bill also contains express provision for participation by the Attorney General of the United States and the Governors of the affected States in Commission hearings on such certificate cases.

The draft bill gives the Commission the same type of authority over acquisitions of facilities or operations presently vested in other Federal agencies exercising rate and certificate jurisdiction over carriers or utilities. Examples include the Interstate Commerce Commission (49 U.S.C.A. 5, par. 2(b), (11) and (13)), the Civil Aeronautics Board (49 U.S.C.A. 1378, 1383, 1384), and the Federal Communications Commission (in the case of telephone and telegraph carriers subject to regulation under part II of the Communications Act of 1934, as amended, 47 U.S.C.A. 221, 222). The proposed amendment differs only in that additional safeguards have been provided to insure that full consideration will be given to the anticompetitive effects of any acquisition before it is approved by the Commission and that any such approval does not impair the ability of the Department of Justice to pursue and remedy possible antitrust violations in the transactions which relate to matters not within the jurisdiction of the Commission.

The Commission believes the draft bill will permit improved and more effective regulation of the natural gas transportation industry, benefiting both the public and the natural gas consumer while adequately protecting the national interest in competition.

Respectfully,

JOSEPH C. SWIDLER,
Chairman.

MINING REVISION ACT OF 1965

Mr. CANNON. Mr. President, for myself, and Senators BIBLE, MOSS, and SIMPSON, I introduce, for appropriate reference, a bill to provide that certain varieties of sand and gravel, crushed stone and other related minerals, shall be considered as valuable mineral deposits under the mining laws of the United States.

The purpose of the legislation is to clarify the intent of Congress with respect to one of our largest domestic mining industries, and protect the interests of legitimate sand and gravel mining operators and the Government agency responsible for administering the public lands.

In virtually every western State, legitimate operators seeking to mine and market special varieties of building materials have been thwarted by the Bureau of Land Management's interpretation of Public Law 167, enacted in 1955. Public Law 167 provided that "common varieties of sand, stone, gravel, pumice, pumicite, or cinders shall not be deemed a valuable mineral deposit within the meaning of the mining laws of the United States so as to give effective validity to any mining claim hereafter located under such mining laws."

The purpose of Public Law 167 apparently was to preclude the possibility of unauthorized and fraudulent locations by speculators who had no intention of developing mining operations, but were interested only in gaining title to surface land. This is a sound purpose, but the interpretation given Public Law 167 by the Department of the Interior in recent years has been unrealistic in that the Department acknowledged no difference between common and special varieties of building materials. The Department has held that all sand and gravel and similar deposits are of a common variety—and interpretation that excludes all special varieties of building materials from mining claims, and one which does not take into consideration the type of materials needed by the construction industry in all of our Western States.

The adoption of this position ignores the intent of Congress at the time it passed Public Law 167, for had the purpose been to eliminate all varieties, the language would have so stated. Congress, however, specifically added the word "common" to indicate that only common varieties were excluded, leaving all special varieties of building materials subject to the mining laws.

In 1963 the sand, gravel, and crushed stone industries produced 1,517 million tons valued at $1,810 million. These figures should dispel any notions or interpretations that all sand and gravel deposits are "common" and have no value. Special varieties are valuable natural resources and are essential to our economy. In looking to the future of this industry, it should be noted that the American Society of Planning Officials anticipates that it will be necessary to produce 42 billion tons of special purpose sand and gravel within the next 30 years to meet construction needs.

It has become apparent that in order to resolve the problems created by the Interior Department's refusal to grant patent to sand and gravel claims, legislation must be introduced that would protect the rights and interests of bona fide operators and at the same time protect the Federal Government against fraudulent speculators who might file a mining claim in an attempt to secure public lands for subdivisions or other purposes totally unrelated to mining.

Although I introduced earlier this year S. 261 which was designed to clarify the intent of Congress with respect to sand and gravel claims, I have, with the cooperation of the Interior Department, drafted this substitute measure which is more specific in protecting the United States against land speculation while allowing legitimate miners to patent valid mining locations.

This bill would make sand, gravel, crushed stone, building stone, block pumice, limestone, and similar special varieties used as aggregates in the manufacture of concrete or for other building purposes subject to the operation of the U.S. mining laws provided that:

First. Patent for such mining claim shall be issued only after payment to the Secretary of the Interior by the claimant, of the fair market value of the surface estate, as that value is determined as of the date of application for patent; and

Second. The owner demonstrates a devotion of the land to the production of mineral materials and not for purposes foreign to mining. The bill provides that title to lands patented under this bill shall revert to the United States if (a) within 5 years of the date of patent the owner has not, by substantial mining operations, demonstrated to the satisfaction of the Secretary a devotion to mining, or (b) within 25 years from the date of patent and prior to the removal of all the mineral material which may be economically extracted the lands are devoted, without the prior consent of the Secretary, to any use other than mining or processing operations and uses reasonably incident thereto.

An official of the Interior Department, in a recent letter to me, described the reverter concept as a "novel idea that would tend to assure that lands patented for their mineral values are used for such values. There has been considerable controversy in recent years over the use of patented mining claims for purposes foreign to mining. The reverter concept tends to meet the problem." He added, however, that "economic and social conditions sometimes change so rapidly that the Secretary should have the authority to waive the requirement in appropriate circumstances." Accordingly, I have included such a provision in this bill.

The measure also provides that because of the widespread occurrence of sand and gravel and the other building materials patentable under the measure, no mining claim may be located until the land has been classified by the Secretary as proper for such use and disposal. Such classification would recite that the highest and best use of the land is for mineral development. This concept is implicit in the Multiple Use Act of September 19, 1964—Public Law 88-607.

Also included is a grandfather clause which allows the owner of any unpatented mining claim, located prior to the effective date of this bill, to elect to make his claim subject to the provisions of this bill. A final provision is that the land may not be developed for mining purposes if such purposes are inconsistent with local zoning.

Mr. President, I ask unanimous consent that the bill lie on the desk 10 days for additional cosponsors.

I ask unanimous consent that the bill be printed in the RECORD at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately refered; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2281) to amend section 3 of the act of July 23, 1955 (69 Stat. 367, 368), and to authorize mining locations for certain mineral deposits, introduced by Mr. CANNON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 23, 1955 (69 Stat. 367), as amended (30 U.S.C. 601–615), is amended by:

(a) Deleting in section 3 thereof the penultimate sentence and substituting therefor the following: "'Common varieties' as used in this Act does not include (1) deposits of such materials which are valuable because the deposit has some property giving it distinct and special value, (2) so-called block pumice which occurs in nature in pieces having one dimension of two inches or more, (3) limestone suitable for use in the production of cement, metallurgical or chemical grade limestone and gypsum, and (4) sand, gravel and rock for use as aggregates in the manufacture of concrete or for other construction purposes. Subject to valid existing rights, the minerals of the classes described in clauses (1), (2), (3), and (4) shall hereafter be subject to location and patenting under the United States mining laws, as those laws are amended with respect to these minerals by section 3A of this Act; valid existing mining claims for those classes of minerals may be maintained only in conformity with section 3A of this Act."

(b) Adding a new section reading as follows:

"SEC. 3A. Mining claims located after the effective date of this section and patents issued pursuant to such claims and mining claims existent on the effective date of this section for the classes of minerals described in clauses (1), (2), (3), and (4) of section 3 shall be subject to the following requirements and conditions:

"(a) The owner of any unpatented mining claim for which application for patent is not on file with the Secretary of the Interior on the effective date of this section shall file with the Secretary of the Interior a statement setting forth the name of the claim, the names and addresses, if known, of all persons claiming an interest in the mining claim, the description of the lands so claimed as they are described in the location certificate and as they are identified in accordance with the current official plats of survey, if the land is surveyed, and the book and page of the local record of such location certificate, and of any amendments thereto. If the mining claim is situated on unsurveyed land, the statement shall (1) describe the situs of the mining claim by metes and bounds and with a connection by course and distance to (i) the nearest public land survey corner or United States mineral monument, or (ii) at least two permanent and prominent natural objects or monuments; and (2) be supplemented by such further description, map, plat, or survey as the Secretary of the Interior may request in order to identify the land with a reasonable degree of accuracy, and the supplemental data shall be filed within 90 days after the request by the Secretary therefor. Statements pertaining to claims located prior to the effective date of this subsection shall be filed within 90 days from and after the date of location of the claim. Failure to file such statement, or such further identification data as the Secretary may require, within the prescribed period shall terminate any right, title, or interest which the owner may have by virtue of such mining claim without further action or proceedings and all right, title, and interest which he may have shall revert to the United States. Failure to file further identification data shall be noted on records of the Secretary of the Interior.

"(b) Expenditures incurred in surveying and in the preparation of maps or plats or similar identification data to comply with the requirements of subsection (a) of this section, may be used toward assessment work for the assessment year in which performed or the succeeding assessment year. Within 90 days after the expiration of each and every annual assessment year, the owner of a mining claim for which statements are filed with the Secretary of the Interior pursuant to subsection (a) of this section shall file with the Secretary of the Interior a statement that the assessment work has been performed for the benefit of the claim within that assessment year. Failure to file such statement for two consecutive assessment years, unless excused for good cause by the Secretary of the Interior upon a petition filed within that period, shall terminate any right, title, and interest which the owner may have by virtue of any such mining claim located after the effective date of this Act without further action or proceedings and all right, title, and interest which he may have shall revert to the United States. Appropriate notations of such termination shall be noted on the records of the Secretary of the Interior.

"(c) Compliance with subsections (a) and (b) of this section shall create no presumption as to the validity of any mining claim.

"(d) Within 60 days after the effective date of this section, the Secretary of the Interior shall cause to be published in the Federal Register a notice setting forth the requirements of this section. Within that period, the Secretary shall also cause notices of the requirements of this section to be published in such newspapers, posted in such public offices, and given publicity by such other means, as he deems feasible and appropriate for the dissemination of information concerning this section.

"(e) Prior to the commencement of mining operations on any mining claim located after the effective date of this section, there shall be filed with the Secretary of the Interior a good and sufficient bond or undertaking shall be relieved of his obligation thereunder upon the patenting of the mining claim or the restoration of the land to a condition satisfactory to the Secretary.

"(f) The owner of any unpatented claim, located after the effective date of this section, shall file with the Secretary of the Interior an application for patent within three years from the date of location. Failure to file such application within the prescribed period shall terminate any right, title, or interest which the owner may have by virtue of such mining claim without further action or proceedings and all right, title, and interest, which he may have shall revert to the United States.

"(g) No mining claim shall hereafter be located if the land, prior to the date of location, (1) has not been classified by the Secretary of the Interior as proper for such use and disposal; and (2) has been zoned against such use by competent State or local authority.

"(h) Title to lands patented under this section, based upon mining claims hereafter located, shall revert to the United States if: (1) within five years of the date of patent the owner has not, by substantial mining operations, demonstrated to the satisfaction of the Secretary a devotion of the land to the production of mineral materials, or (2) within twenty-five years from the date of patent and prior to the removal of all of the mineral material which may be economically extracted, the lands are devoted, without the prior consent of the Secretary, to any use other than mining or processing operations and uses reasonably incident thereto.

"(i) Notwithstanding any other provision of law, patent for any mining claim located after the effective date of this section shall be issued only after payment to the Secretary by the claimant of the fair market value of the surface estate only, as that value is determined as of the date application for patent is filed.

"(j) The owner of any unpatented mining claim, located prior to the effective date of this section, may elect to make his claim subject to the provisions of this section in such manner as may be prescribed by the Secretary."

SEC. 2. The Secretary of the Interior is authorized to make such rules and regulations as he deems appropriate for the purpose of administering this Act.

SEC. 3. This Act may be cited as the "Mining Law Revision Act of 1965."

THE ECOLOGICAL RESEARCH AND SURVEYS BILL

Mr. NELSON. Mr. President, I send to the desk, for appropriate reference, a bill, the ecological research and surveys bill, to authorize the Secretary of the Interior to conduct a program of research into our natural environmental systems.

Ecology—the study of the delicate relationships that bind all living creatures to one another and to their natural home, the relationships that make up the balance of nature—is fascinating and valuable for its own sake.

But to a society in which population and technology are pressing ever harder against a dwindling natural resource base a more precise understanding of ecology is vitally necessary.

Land use and natural resource use decisions must be made. If they are to be made wisely, we must know more than we do now about ecology.

Paul B. Sears, chairman of the conservation program at Yale University, stated the case in these words:

> Just as the engineer in machine and industrial design must have at hand his theoretical apparatus of calculation, so the biologist and others who would design intelligent land use, must have their norms or standards of measurement. And these norms, to a large degree, are to be found in the complex pattern of interrelationship represented by the undisturbed natural community. At present we have to rely largely on intuition—a wasteful and dangerous process, as is trial and error.

We must move beyond the stage of intuition. This bill is designed to be a step in that direction.

Very briefly, it would authorize the Secretary of Interior to:

Conduct studies of natural environmental systems in the United States and to make grants and contracts for such studies to be made by universities, museums, botanical gardens, and qualified individuals.

Establish a clearinghouse for information on ecological problems and studies and to disseminate information about progress in the field.

Establish a program in which representative natural environments on Federal lands could be set aside for scientific study—and assist and encourage the setting up of similar preserves on State and private lands.

Participate with other governments and international bodies in environmental research.

The rapid rate of increase in population and pressure on the natural environment makes urgent the need for a great increase in ecological research. This bill will be a step in that direction.

I ask unanimous consent that the bill may be printed in the Record, and lie on the desk for additional sponsors for a period of 1 week.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Wisconsin.

The bill (S. 2282) to authorize the Secretary of the Interior to conduct a program of research, study, and surveys, documentation and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of Americea in Congress assembled, That the Congress finds and declares that as a result of population pressures, the development of transportation systems, agricultural practices, numerous natural resource developments, and other technological advances, the status of native plant and animal systems and their natural environment in the United States has changed markedly; that serious losses in valuable species of fauna and flora and gains in unwanted species have occurred and continue to occur; that valuable elements of natural communities have disappeared or have become so restricted in area and numbers that they may never recover; that many areas of outstanding interest, scientific value, and scenic beauty have been protected but through lack of knowledge and inadequate management practices their value has been lost or has waned; that, in fact, this storm of modern change, in blighting and destroying what has been cherished for generations in this country, is degrading man's environment and threatens his very existence; that it is desirable that studies be conducted to describe, understand, and evaluate these natural and man-caused changes or trends in our natural environmental systems and to provide the information to the public or private agencies or persons responsible for planning and developing our future resource projects. It is, therefore, the purpose of this Act to authorize a comprehensive program of research, studies, and surveys in order to produce an understanding of our natural resources and the environmental forces responsible for their development and well being and to provide a basis for the future protection, enhancement, and proper utilization of the natural environmental systems of the United States. It is not the purpose of this Act to encroach upon or otherwise restrict authorized Federal programs in the fields of agronomy, forest and range management, public health, flood control, wildlife management, or soil conservation other than as an advisory or coordinating activity.

Sec. 2. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this Act, is authorized—

(1) to conduct investigations, studies, surveys, research, and analyses;

(2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(3) to develop and maintain an inventory of natural resource development projects, engineering works, and other major projects such as, but not limited to, eradication projects contemplated or planned by public or private agencies or organizations which may make significant modifications in the natural environment;

(4) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(5) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(6) to initiate and utilize ecological information in the planning and development of resource oriented projects;

(7) to encourage other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(8) to encourage and assist public (non-Federal) or private agencies or organizations including educational institutions, museums, and botanical and zoological gardens and other scientific or conservation organizations, or individuals to acquire, designate, and maintain representative samples of important natural environmental systems, including natural areas for observation and for manipulation, and to encourage such agencies, organizations, and individuals to utilize existing areas under their control or jurisdiction for such purposes; and

(9) to establish through interagency coordination, on federally owned lands, a Federal system of natural areas for scientific purposes, and develop the means and methods for withdrawal of such areas from nonconforming uses, and provide for their management and protection to serve the natural research needs of all agencies, both public and private.

Sec. 3. The Secretary is further authorized for the purposes of this Act (1) to make grants and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, (2) to accept and use donations of funds, property, personal services, or facilities, (3) to acquire selected areas of lands or interests in lands by donation, acquisition with donated funds, devise, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition, (4) to administer such lands or interests for experimental purposes, including the observation and manipulation of natural areas, and (5) to issue such regulations as he deems necessary with respect to the administration of such lands.

Sec. 4. Activities authorized by this Act may be carried out on lands under the jurisdiction or control of other departments or agencies of the Government only with the approval of the head of the department or agency concerned.

Sec. 5. The Secretary shall consult with and provide technical assistance to departments and agencies of the Government, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this Act. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

Sec. 6. Nothing in this Act is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating duplication of effort.

Sec. 7. (a) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations to him relating to the carrying out of the purposes of this Act. Such advisory committees shall render advice and submit recommendations to the Secretary upon his request and may submit recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of the Interior to serve as secretaries to the committees.

(b) Members of advisory committees appointed by the Secretary may receive not to exceed $100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

Sec. 8. The Secretary is authorized, pursuant to such terms and conditions as he deems desirable, to make grants to public and nonprofit private universities and colleges, as well as to museums and botanical and zoological gardens and other scientific or conservation organizations in the several States and possessions of the United States, for the purpose of training persons, including scientists, technicians, and teachers, needed in the field of ecology and related fields.

Sec. 9. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

Sec. 10. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—AMENDMENT

AMENDMENT NO. 346

Mr. TOWER submitted an amendment, intended to be proposed by him, to the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 347 AND 348

Mr. JAVITS submitted two amendments, intended to be proposed by him, to Senate bill 2213, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. McCARTHY. Mr. President, I ask unanimous consent that the name of the Senator from Arkansas [Mr. FULBRIGHT] be added to the list of cosponsors of Senate Joint Resolution 85, the measure I introduced proposing a constitutional amendment relating to equal rights of men and women, and that his name be listed among the sponsors at the next printing of the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I also ask unanimous consent that the name of the Senator from Mississippi [Mr. STENNIS] be added to the list of cosponsors of S. 2143, the Great River Road bill, and that his name be listed among the sponsors at the next printing of the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, at the time I introduced S. 2228, a bill to correct inequities in the basic compensation of overseas teachers, I had hoped to ask unanimous consent that it might lie at the desk. However, I was unable to make the request and subsequently invited other Senators to express their interest with the intent of seeking unanimous consent.

I therefore now ask unanimous consent that the following Senators may be added to the bill as cosponsors: Mr. MAGNUSON, Mr. BOGGS, Mr. MCGEE, Mr. MCCARTHY, Mr. MOSS, Mr. NELSON, Mr. RIBICOFF, Mr. INOUYE, Mr. RANDOLPH, Mr. MONDALE, Mr. CLARK, Mr. MORSE, Mr. TOWER, and Mr. JAVITS.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I ask unanimous consent that the names of the following Senators be added as cosponsors to S. 1861, which, as the distinguished Presiding Officer knows, is a comprehensive measure designed to provide additional assistance for areas suffering from major disasters: Mr. BOGGS, Mr. COOPER, Mr. FONG, Mr. MURPHY, Mr. MUSKIE, Mr. PEARSON, and Mr. ALLOTT.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Gerald D. O'Brien, of Maryland, to be an Assistant Commissioner of Patents, vice Horace B. Fay, Jr.

Richard A. Wahl, of Virginia, to be an Assistant Commissioner of Patents, vice Ezra Glaser.

Donald H. Fraser, of Georgia, to be U.S. attorney, southern district of Georgia, term of 4 years. (Reappointment.)

Thomas B. Mason, of Virginia, to be U.S. attorney, western district of Virginia, term of 4 years. (Reappointment.)

Edmund A. Nix, of Wisconsin, to be U.S. attorney, western district of Wisconsin, term of 4 years, vice Nathan S. Heffernan, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, July 20, 1965, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 26) to authorize the Secretary of the Interior to acquire lands for, and to develop, operate, and maintain, the Golden Spike National Historic Site, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 17) to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 546. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp McCoy Military Reservation, Wis.;

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so they will apply with similar effect to the Air Force;

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters;

H.R. 728. An act to amend section 510 of the Merchant Marine Act, 1936;

H.R. 729. An act to amend section 510(a) (1) of the Merchant Marine Act, 1936;

H.R. 3037. An act to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes;

H.R. 3957. An act to authorize establishment of the Fort Union Trading Post National Historic Site, N. Dak. and Mont., and for other purposes;

H.R. 5034. An act to amend section 2575 (a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions;

H.R. 5041. An act to provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes;

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve;

H.R. 8030. An act to provide for the discontinuance of the Postal Savings System, and for other purposes;

H.R. 8095. An act to authorize travel and transportation allowances under certain circumstances for members of the uniformed services when ordered to make changes of permanent station while away from their permanent stations under orders, and for other purposes;

H.R. 8111. An act to establish the Herbert Hoover National Historical Site in the State of Iowa;

H.R. 8211. An act to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance;

H.R. 8720. An act to amend the Organic Act of Guam to provide for the payment of legislative salaries and expenses by the government of Guam;

H.R. 8721. An act to amend the Revised Organic Act of the Virgin Islands to provide for the payment of legislative salaries and expenses by the government of the Virgin Islands;

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.J. Res. 454. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; and

H.J. Res. 481. Joint resolution to amend the joint resolution of March 25, 1953, to expand the types of equipment furnished Members of the House of Representatives.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

S. 956. An act to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68);

S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act;

S. 1462. An act to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian funds; and

S. 2154. An act to amend the act establishing the United States-Puerto Rico Commission on the Status of Puerto Rico.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H.R. 546. An act to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within Camp McCoy Military Reservation, Wis.;

H.R. 3037. An act to amend section 1485 of title 10, United States Code, relating to the transportation of remains of deceased dependents of members of the Armed Forces, and for other purposes;

H.R. 5034. An act to amend section 2575(a) of title 10, United States Code, to authorize the disposition of lost, abandoned, or unclaimed personal property under certain conditions;

H.R. 8095. An act to authorize travel and transportation allowances under certain circumstances for members of the uniformed services when ordered to make changes of permanent station while away from their permanent stations under orders, and for other purposes; and

H.R. 8211. An act to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance; to the Committee on the Armed Services.

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Coast and Geodetic Survey to the Army and Navy so they will apply with similar effect to the Air Force;

H.R. 725. An act to clarify the responsibility for marking of obstructions in navigable waters;

H.R. 728. An act to amend section 510 of the Merchant Marine Act, 1936;

H.R. 729. An act to amend section 510(a) (1) of the Merchant Marine Act, 1936;

H.R. 7779. An act to provide for the retirement of enlisted members of the Coast Guard Reserve; and

H.R. 8761. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service; to the Committee on Commerce.

H.R. 3957. An act to authorize establishment of the Fort Union Trading Post National Historic Site, N. Dak. and Mont., and for other purposes;

H.R. 8111. An act to establish the Herbert Hoover National Historical Site in the State of Iowa;

H.R. 8720. An act to amend the Organic Act of Guam to provide for the payment of legislative salaries and expenses by the government of Guam;

H.R. 8721. An act to amend the Revised Organic Act of the Virgin Islands to provide for the payment of legislative salaries and expenses by the government of the Virgin Islands; and

H.J. Res. 454. Joint resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 8030. An act to provide for the discontinuance of the Postal Savings System, and for other purposes; to the Committee on Post Office and Civil Service.

H.J. Res. 481. Joint resolution to amend the joint resolution of March 25, 1953, to expand the types of equipment furnished Members of the House of Representatives; to the Committee on Rules and Administration.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 409, House bill 8370.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 8370) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. HOLLAND obtained the floor.

Mr. HOLLAND. Mr. President, I wish to yield briefly to the Senator from Iowa [Mr. MILLER], and then I shall be willing to yield to any other Senator who wishes to speak briefly; but we do have an extremely complicated bill ahead of us, and I should like to get started.

Mr. MILLER. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

NATIONAL PUERTO RICAN DAY

Mr. JAVITS. Mr. President, I send to the desk, and ask unanimous consent that it may be appropriately referred, a joint resolution on behalf of my colleague [Mr. KENNEDY] and myself, designating July 25 of each year as Puerto Rican Day.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 97) designating July 25 of each year as "Puerto Rican Day in the United States of America," introduced by Mr. JAVITS (for himself and Mr. KENNEDY of New York), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JAVITS. Mr. President, the purpose of this joint resolution is to focus the attention of the Congress and the people of the United States on the strong bonds which exist between us and the people of Puerto Rico.

The Commonwealth of Puerto Rico is an island outpost of democracy in the Caribbean. It serves as a link between the mainland of the United States and our neighbors to the south. Sharing a common language and cultural background with large areas of Latin America, Puerto Rico is a channel through which we can work for increased intrahemispheric understanding.

The island has often been called the "showcase of democracy." Its economic development is a testament to the strength and vitality of the private enterprise system when welcomed and encouraged by Government and an example—particularly in contrast to Cuba—of what a free economy can achieve for its citizens. In cooperation with the United States, and under the leadership of a dynamic group of islanders, Operation Bootstrap produced an almost unprecedented economic boom. Industry is thriving, community developments have been undertaken; public and private housing and social welfare programs have been expanded and improved within the last few decades. In addition, the Puerto Rican Government has wisely instituted what is known as Operation Serenity to preserve and emphasize the cultural heritage of the islanders, and to provide Government support for cultural and educational endeavors.

As one who has had the honor of serving as a member of the Commission to study the status of Puerto Rico, I have had a vital interest in the island's history and development. It has been gratifying to note not only the spectacular advances of the island, but also the shining achievements of the three-quarters of a million Puerto Ricans who have come to the mainland to live. In New York City for example, over 700,000 Puerto Ricans live, work and contribute to the life of the city. They earn almost a billion dollars a year and have contributed greatly to the growth of our economy. It is hoped that they will assume their full role in the political life of the city, and to this end my colleague Senator KENNEDY and I have offered an amendment to the voting rights bill which would facilitate their compliance with the State's literacy requirements for voting. Some Puerto Ricans, of course, have already achieved world fame. Justino Dias, at the Metropolitan Opera, Pablo Casals—who now lives in Puerto Rico—the world famous cellist, and Adm. Horacio Rivero, the Vice Chief of Naval Operations, are only a few examples.

July 25 is the date on which the Commonwealth of Puerto Rico came into existence in 1952. This is a unique arrangement, a true partnership with the United States, and while it may be only a transitory or temporary status, much has been achieved under this arrangement. I hope my colleagues will see fit to commemorate this day and to honor the American citizens who are Puerto Ricans by enacting this joint resolution.

Mr. President, I ask unanimous consent that the text of the joint resolution may be printed along with my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The text of the joint resolution is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That July 25 of each year is hereby designated as "Puerto Rican Day in the United States of America," and the President of the United States is authorized and requested to issue annually a proclamation calling upon the people of the United States to observe this day with appropriate ceremonies.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1966

The Senate resumed the consideration of the bill (H.R. 8370) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. HOLLAND. Mr. President, the Senate now has under consideration H.R. 8370, the Department of Agriculture and related agencies appropriation bill for 1966. The amount of the bill, as recommended by the committee, is $6,711,908,800, an increase of $994,076,300 over the House bill. The bill is $929,274,800 over the budget estimates and $115,139,400 under the appropriations for fiscal 1965.

The principal increase over the budget estimates is due to one item—the reimbursement to the Commodity Credit Corporation for net realized losses. The committee has recommended an appropriation of $3,226,800,000 to reimburse the Commodity Credit Corporation for the full amount of net realized losses incurred in fiscal 1964, in the conduct of mandatory price support, export, supply, crop diversion, and other authorized farm programs. The budget request was in the amount of $2,300 million, which was $926,800,000 below the actual realized losses for fiscal 1964. The House-passed bill included the amount of the budget estimate only.

The committee has been concerned for some time about the timelag which has developed in requesting and in providing the necessary appropriations to reimburse the Commodity Credit Corporation for net realized losses. The executive branch and the Congress to some degree are both at fault in allowing these reimbursement appropriations to fall so far behind.

In addition to the $3,226,800,000 recommended by the committee in this bill, there still remain unreimbursed realized losses going back to fiscal 1961 in the amount of $1,057 million resulting from the revaluation of inventory that year, and a balance of $80.9 million for the 1963 realized loss. The committee believes that the necessary reimbursement appropriations which are required by law should be promptly requested by the executive branch in the next fiscal year following the actual determination of such losses as reflected on the accounts and records of the financial condition of the corporation at the close of each fiscal year.

The action of the committee in providing the full appropriation for losses incurred in 1964 does not in any way affect the rate of expenditures by the Commodity Credit Corporation during 1966 in carrying out the various mandatory farm programs which are financed out of the borrowing authorization of the Commodity Credit Corporation, nor does it require any cash expenditure of Federal funds.

I wish to emphasize the fact that this does not involve any greater spending. It does involve the setting straight of accounts which by law are supposed to be set straight after these losses for the CCC have been determined for any particular fiscal year. We are dealing now with losses sustained in fiscal year 1964.

Public Law 87-155, approved August 17, 1961, authorizes reimbursement appropriations to restore the capital impairment of the Commodity Credit Corporation in such amounts as are reflected in the Corporation's accounts and in the report of its financial condition at the close of each fiscal year. The recommended committee action will thus clean up the full amount of realized loss for fiscal 1964, as I have indicated, and the committee expects that its action in this regard will encourage the Bureau of the Budget to request in the next supplemental bill, or at least in the next regular agricultural appropriation bill, the full estimates for the balances for fiscal 1961 and 1963 to which I have previously referred in the total amount of $1,137,900,000.

Under existing law, the Commodity Credit Corporation is required to continue paying interest costs for unreimbursed losses. There was a provision in the House passed bill to eliminate this requirement after June 30, 1964. The committee is sympathetic with the objectives of that provision, but has stricken it from the bill in order to emphasize its strong attitude that corrective action should be promptly taken in the executive branch to submit budget estimates necessary to place the Commodity Credit Corporation on a current basis.

Speaking only for myself and I believe for the committee as well, once that action has been taken, the committee will gladly agree that no further interest cost be added to the CCC account. By then the accounts will be so nearly current as not to be subject to criticism of any kind.

IMPORTANCE OF AGRICULTURAL PROGRAMS

Mr. President, this is one of the most important appropriation bills to come before the Senate each year. The activities for which appropriations are carried in this bill affect all of the American people. The wide and varied activities administered by the Department of Agriculture encompass not only programs dealing with production, marketing, and consumer services, but these appropriations also provide substantial assistance to foreign countries through the concessional sales under Public Law 480 and for the donations of food also authorized under that act.

RESEARCH AND EDUCATIONAL ACTIVITIES

The productive efficiency of the American farmer derives in large part from the long period of sustained research and development programs conducted by the research agencies of the Department in cooperation with institutions at our land-grant colleges and universities. I will summarize some of the activities for which appropriations are made in this bill.

For the research and regulatory activities of the Agricultural Research Service, the committee recommends a total appropriation of $203,429,800, a net increase of $7,661,600 over the appropriations for 1965, and an increase of $9,377,800 over the budget estimate and $15,916,800 over the House bill.

For the agricultural research programs including overseas research, the committee has provided a total available by regular appropriation and by transfer from section 32 totaling $144,969,800. The committee provided an increase over the House and the budget of $8 million for direct appropriations for research rather than to use practically the full amount of section 32 funds authorized 2 years ago. In agreeing to the use of section 32 funds for research purposes 2 years ago, this committee did not expect that the full authorization would be reached in the short span of 2 years. Aside from these changes, the Senate committee bill is $522,200 under the budget estimates for research purposes.

ELIMINATION OF RESEARCH STATIONS

The committee conducted extensive hearings earlier in the year in regard to the unprecedented announcement by the Secretary of Agriculture on December 31, 1964, to close several small research stations and lines of research in the amount of $5,151,000 annually. The budget estimate reflected a decrease of of this amount. Based upon the recommendations of the committee and following conferences held with the Secretary of Agriculture, agreement was reached on continuation of certain of these research activities amounting to $2,165,200 in fiscal 1966.

The committee has recommended a restoration of $2,165,200 in the bill for the items of research referred to and this is $485,800 under the amount provided in the House bill of $2,651,000.

The principal items of difference are in regard to the continuation of research on clothing and housing and on wholesaling and retailing. These differences will be adjusted in the conference committee since the agreement by this committee with the Secretary of Agriculture did not attempt to speak for the other body, though it is evident that there is very general agreement on the overall action taken.

The committee reiterates its view that proposed adjustments to decrease research or to eliminate stations should be a part of the regular budget presentation and be justified in the same manner as proposals to establish new stations or increase lines of research.

The hearing record, pages 884–901 inclusive, covers this matter completely—including my statement in the Senate on April 27 following the agreement which the Senator from North Dakota [Mr. YOUNG], and myself had reached in our discussions with Secretary Freeman.

For the cooperative plant and animal disease and pest control activities, including surveillance at ports-of-entry, an appropriation of $75,060,000 is recommended. This is an increase over 1965 of $3,890,800. The plant quarantine inspection of baggage and other shipments from abroad to reduce the possibility of further introduction of new insect and animal pests from abroad must be strengthened and the committee has taken modest steps in this direction by increasing the appropriation for plant and animal inspection at ports of entry to $11,271,400. This provides $421,000 over the estimate and $621,000 over the House bill.

Similarly, the committee has provided increased funds for combating the cereal leaf beetle in the amount of $1,250,000, on a cost-matching basis, and has provided $3,270,000 for the continuation of the cooperative cost-sharing eradication program on the imported fire ant.

The committee has followed the longstanding policy of insisting upon cost sharing on pest control programs whether the insect or pest is of continental origin or is imported from abroad. The committee has provided for continuation of the cost-sharing provision in connection with the maintenance of the screwworm barrier zone in the Southwest plus an increase of $1 million to extend the barrier zone to the west coast. This extended program is also to be on a cost-sharing basis.

For the payments and expenses of the Cooperative State Research Service, the agency to which appropriation is made for the distribution of payments for research to the States under the Hatch Act, as amended, and for other research purposes, the committee recommends a total appropriation of $55,695,000. This is an increase of $5,698,000 over 1955, and $4 million over the House bill.

The increases provided by the committee actions include an increase of $1 million for pay adjustments for cooperative State research workers; an increase of $1 million making $3 million available for cooperative forestry grants, and a $2 million increase is recommended for research for basic grants for scientific research, with $1 million of the increased funds for accelerating the special research program to reduce the cost of producing cotton.

The bill, as reported, carries a total appropriation of $89,135,000 for the Extension Service activities. This is an increase of $3,681,000 over 1965 and $2,800,000 over the House passed bill. The committee has provided an increase of $2,800,000 to be distributed to the States under the Smith-Lever Act formula for the purpose of making pay adjustments for State and county extension workers. This is consonant with the action taken 2 years ago following the enactment of Federal pay legislation.

CONSUMER AND MARKETING SERVICES

The Consumer and Marketing Service, formerly known as the Agricultural Marketing Service, conducts several important marketing and consumer benefit programs. The committee recommends a total appropriation of $421,412,000 for the various program activities. This is an increase of $123,260,000 over comparable amounts appropriated for 1965 and is $13,525,000 under the budget estimates and $10,940,000 over the House bill. I will describe the changes involved for the various programs administered by the agency.

In conjunction with the marketing service and regulatory programs under which mandatory meat and poultry inspection and a number of regulatory and market service activities are financed, an appropriation of $76,412,000 is recommended. The amount recommended for these activities is $560,000 over the House bill, and $25,000 under the estimates with an increase of $2,660,000 over 1965.

For payments to States and possessions under the matching fund program, pursuant to section 204(b) of the Marketing Act of 1946, an appropriation of $2 million is provided. This is an increase of $500,000 over the House bill and the estimate, for research and development projects which are cost-shared by State appropriations.

An appropriation of $108 million is recommended for the special milk program. This is an increase of $56,500,000 in comparable direct appropriations, due to the fact that last year $51,500,000 of the $103 million made available was transferred from section 32 permanent authorization. The action proposed by this committee last year has resulted in placing this program on a direct appropriation basis as authorized by law.

The budget for 1965 proposed a reduction from $103 million to $100 million for the special milk program. The committee has carefully considered this recommendation in the budget and in view of the showing in the hearing record which reflects an increased demand for the milk program, the committee has recommended increasing this appropriation to $108 million to meet more fully the needs of the program.

The committee has recommended an appropriation of $155 million for the school lunch program, an increase of $8,600,000 over 1965. This amount, together with a transfer of $45 million from section 32 authorization for the purchase of foods, pursuant to section 6, makes a total of $200 million. The reimbursements to the States by cash apportionment will be in the amount of $138,590,000, an increase of $8.6 million over 1965. This amount, together with the section 32 funds of $45 million, will provide an estimated Federal contribution from cash apportionment and food purchases of 5 cents per meal.

Under the food stamp program, which was authorized last year, the committee recommends a direct appropriation of $80 million together with a reappropriation of $20 million for a total of $100 million. The total amount thus made available by reappropriation and by direct appropriation is the amount requested in the budget and approved by the House.

SOIL AND WATER CONSERVATION PROGRAMS

This bill carries substantial appropriations for soil and water conservation for small watershed protection projects for flood prevention for the Great Plains conservation program, and for resource conservation and development under the pilot program. The total amount provided for these several items is $224,917,000. This is a net increase of $10,949,000 over 1965 and an increase of $3,338,000 over the budget estimates for 1966 and a net increase of $6,558,000 over the amount provided in the House bill.

Under the pilot cropland conversion program, the conservation reserve program and emergency conservation measures, a total of $186 million is carried in this bill. The conservation reserve program was authorized in the Soil Bank Act of 1946 and with the expiration of contracts which are all expected to be terminated by 1971, appropriations for this purpose are beginning to diminish. For 1965, the appropriation was $194 million and the House approved $140 million for 1966, a reduction of $10 million under the budget estimate.

The committee has partially restored the House reduction and has recommended $146 million to make mandatory payments under the conservation reserve contracts. If this amount should be deficient, supplemental appropriations will need to made, or payments deferred until next fiscal year.

For emergency conservation measures, the committee has provided an appropriation of $30 million. This is an increase of $26 million over the House bill and $6 million over the revised budget estimates transmitted directly to the Senate in Document 38, requesting a total of $24 million for 1966. The committee is heartened by the recent action of the Bureau of the Budget to propose a supplemental estimate of $20 million, but the committee hearing record showed that the Department had previously requested a $26 million increase over the original estimate of $4 million and this was before the recent floods which have caused additional damage to farmland. The committee expects that in providing an additional $6 million over the revised estimate some funds will be available to take care of the more urgent land treatment measures which have resulted from flood and drought in recent months.

The bill includes an advance authorization for the agricultural conservation program for calendar 1966 of $220 million. This is an increase of $100 million over the request in the budget and the same amount as provided by the House.

An appropriation of $220 million is recommended as proposed in the budget for the cost-sharing payments under the agricultural conservation program.

RURAL CREDIT PROGRAMS

This bill provides authorizations or appropriations for the various lending programs of the Farmers Home Administration and the Rural Electrification Administration. Under the direct loan account of the Farmers Home Administration, $375 million is recommended. This is an increase of $35 million over the 1965 authorization and over the House bill. The budget estimate had proposed reducing the lending authorization for farm ownership loans from $45 million to $10 million. The committee has restored the $45 million authorization provided last year because it believes the farm ownership program has been very successful and should be maintained at the current level. The bill provides $300 million for farm operating loans.

The committee recommendation also includes $10 million for rural housing grants and loans, $5 million for rural housing for domestic farm labor, $1,200,000 for rural renewal, $5 million for the rural housing for the elderly revolving fund, and $44,692,000, as requested in the budget, for the administrative expenses of the Farmers Home Administration to carry out the various lending programs authorized by law.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. President, this item has been the subject of some confusion both with respect to the action of the committee and in the discussion of that action in the public press.

The committee recommends new loan authorization for the electrification and the telephone programs of $477 million. Of this amount $97 million is for the telephone program, which is an increase of $27 million over the 1965 authorization and is the amount requested in the budget and approved by the House. A contingency fund of $15 million would be set up as part of said total of $97 million.

New loan authorization in the amount of $380 million is recommended for the electrification program with $50 million of same to be available as a contingency fund. The new authorization plus the carryover of $37 million from fiscal 1965 will provide $417 million for the electrification program, which is practically the same amount as was available last year, including the $365 million authorized together with carryover funds from 1964 of $23 million and prior year recissions totaling $29.3 million. The new authorization is $30 million over the budget estimate and the House bill.

I believe it is appropriate at this point to discuss more fully the committee actions in regard to the loan authorization for the electrification program.

In the subcommittee the tentative recommendation was for $350 million of new authorization with $50 million thereof to be placed in the contingency reserve. The subcommittee amount was the same as the budget estimate and the House bill except that the Senate subcommittee recommendation decreased the amount in the contingency reserve from the $65 to $50 million.

In the full committee meeting on the morning of June 30, one of the members proposed an increase of $77 million which would have made $427 million available for 1966. It is my understanding and that of other members of the committee that this motion was comprised of two parts: one of $37 million to replace what we understood was the balance of the contingency reserve of $90 million in the 1965 authorization, which the committee had been advised at 10 a.m. on that date by the budget officer of the Department of Agriculture, would not be released by the Bureau of the Budget, plus a $40 million increase for use in 1966.

Following deliberations in the committee and based upon the foregoing information, the full committee finally reached an agreement to add $50 million loan authorization over the amount in the House bill for a total of $400 million. Of this amount it was understood that approximately $37 million was to replace the contingency reserve funds which would expire at midnight.

Following this action of the full committee on this matter, the bill was ordered to be reported. Then about 3 p.m. on the same date, June 30, word was received that the Bureau of the Budget had advised the Department of Agriculture that it would release the $37 million of contingency reserve funds, thereby making them available for electrification loans either in fiscal 1965, or as a part of authorized expenditures for 1966.

I call attention to the fact that the release was accomplished at midday or later—probably later—on the last day of the fiscal year.

It was decided by me as chairman of the subcommittee after consultation with the chairman of the committee [Mr. HAYDEN] and the ranking Republican member [Mr. YOUNG], that the full committee ought to meet again to give further consideration to the amount of loan authorization for the REA in view of the chain of events I have just described.

The full committee met pursuant to notice on July 1 and those members present—and a quorum was not present at that time—considered various alternatives, as well as the timing involved in the release on June 30 of the contingency reserve funds from the 1965 appropriation. I called the White House and talked with one of the President's assistants; I told him that the committee wanted to know about the time factor. He later called me to advise that, as nearly as could be determined, about 11 a.m. on June 30 the President advised the Bureau of the Budget to draw the necessary papers to release the remaining funds in the contingency reserve, and subsequently between 1 and 2 p.m. the Bureau acted accordingly. The times stated are eastern daylight saving time.

In any event, the action of the President and the Bureau of the Budget was promptly reported over wire services.

After further discussion at the committee meeting on July 1, the members present reached a tentative agreement that in view of all the difficult circumstances surrounding the actions of June 30, the committee action should be changed to reduce the amount of electrification loan authorization from $400 to $380 million with the clear understanding that the committee report would take note of the fact that the $37 million released on June 30 will also be available for loan purposes in 1966, none of same having been committed on June 30.

We were so advised by the officials of the Department of Agriculture. I am sure that what I have stated is in accordance with the facts.

I might state that, speaking for myself, I think this is a generous recommendation and takes cognizance of the difficulties of some of the members of the committee who were placed at a disadvantage last Wednesday, June 30, when following the committee action as then taken they had reported the $400 million figure for 1966 and that $37 million of this amount was to take care of the contingency reserve item. Then almost immediately after, or almost simultaneously following that action of the committee, the wire services announced the release of the contingency fund.

When the full committee met again on July 6—at that time much more than a quorum being present—it was recommended that the $380 million be included for the electrification program in view of the sequence of events that I have just described. Thus with the $37 million alluded to included in the fiscal year 1966 funds we provide $417.4 million for REA purposes in the current fiscal year. This motion was unanimously adopted and the bill was ordered reported to the Senate containing the $380 million figure above mentioned.

Mr. President, I have gone to some length to recite these facts in full because to do otherwise would have been an injustice to members of the committee who reported the earlier action of the committee in good faith. I happen to be one of them, because I reported the action of the committee to the Washington press. The matter was circularized in the press in the States that have a keen interest in the subject. The fact that the President had released this $37.4 million at the 11th hour on June 30 was also circularized. I believe that the action taken by the committee, though a little more generous than what we had intended by the action of June 30, was well justified under all the conditions, and it should not subject any member of the committee to any criticism on any score.

I thank members of the committee who have cooperated so fully in bringing out the amended report by the unanimous action of the committee.

While I am mentioning the subject, I wish to say that no one, when he was trying to serve as chairman of an important appropriations subcommittee, has ever had finer cooperation than the Senator from Florida has had from the distinguished Senator from North Dakota [Mr. YOUNG], the ranking minority member of the committee. That cooperation has been fully exemplified in every stage of the production of the bill—in all of the hearings and in all of the executive meetings of the subcommittee and of the full committee. I wish the RECORD to reflect the high degree of cooperation which has been extended by him and, for that matter, by all members of the subcommittee, but especially by him as the ranking Republican member of the subcommittee to whom naturally other Republican members look for guidance and advice.

I am glad that the distinguished Senator from North Dakota is in the Chamber.

APPROPRIATIONS FOR THE COMMODITY CREDIT CORPORATION

I have previously dealt with the reasons for recommending an appropriation of $3,226,800,000 for the reimbursement appropriation for the Commodity Credit Corporation for the entire amount of realized losses in fiscal 1964. The bill also includes appropriations to keep the financing of the foreign assistance programs under Public Law 480 on a current basis. The amounts included in the bill are the same amounts as provided in the budget estimate and carried in the House bill, but the committee has restored the items in the bill to include the separate titles of Public Law 480 as carried heretofore—rather than combining under one head all of the items for Public Law 480—and in order to keep the record clear on the amount made available for each title under the amended authorization act for Public Law 480.

At this stage, since we have discussed the Commodity Credit Corporation, I thank the Secretary of Agriculture for his cooperation in seeking to bring the accounts of the Commodity Credit Corporation to a current basis. I wish the record to show that, acting pursuant to the request of our committee earlier this year, he requested budget action on a supplemental item in a sufficient amount to clear up the entire 1964 losses of the Corporation, and also losses for prior years. The Budget Bureau saw fit to turn down that application, but since the knowledge of this action by the Budget Bureau has just come to my attention, I wish it to be reported in this debate so that all members of the committee and the Senate may know that we have met with complete cooperation from the Secretary of Agriculture in that regard.

Also, we met with complete cooperation from the Secretary on the question of the proposed closings of certain experiment stations and projects. The distinguished Senator from North Dakota [Mr. YOUNG] and I were appointed by the chairman of the committee, the

Senator from Arizona [Mr. Hayden], to sit with the Secretary of Agriculture to arrive at a settlement as to which of the stations and projects, which are of vital importance, and those which should be continued were separated from those which we felt should not be continued, or might at least be discontinued.

The Secretary of Agriculture was highly cooperative in that regard with the Senator from North Dakota [Mr. Young] and me.

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield.

Mr. YOUNG of North Dakota. The Senator from Florida is most generous in his comments regarding my part in the appropriation bill, and I deeply appreciate them. After all, he is the chairman of the subcommittee and did most of the work. As I recall, he held some 47 meetings this year and on the bill he did a very thorough job, probably one of the most thorough jobs that has been done since I have been a member of the subcommittee.

Had it not been for his efforts concerning the closing of the research laboratories, our research programs would have suffered. As a result of the arrangements worked out with the Secretary of Agriculture, we now have a much better working relationship between Congress and the Department of Agriculture, not only with respect to research services but as to many other programs, as well.

Mr. HOLLAND. I thank the Senator from North Dakota both for his kind words about me and his kind words about the Secretary of Agriculture, because, just as he did, I found the Secretary most cooperative in that matter. I have already stated for the record that he has cooperated with us in a matter about which I knew nothing until today. He had requested the Bureau of the Budget to follow the course suggested by the committee, but at that time had been turned down by the Bureau of the Budget. This does not at all mean that the committee will desist from its efforts, because we shall not do so.

Mr. President, for sales for foreign currencies under title I, $1,144 million is recommended. This is a decrease of $718 million from comparable appropriations for 1965.

For title II, commodities disposed of for famine relief, $298,500,000 is recommended. This is an increase of $78,047,000 over 1965.

For title IV, the long-term supply contracts, $215,500,000 is recommended, a decrease of $19,500,000 under the 1965 appropriation.

For the International Wheat Agreement, $27,544,000 is recommended. This is a decrease of $54,294,000 under 1965 due in part to the reduced subsidy payment.

In connection with the bartered materials for the supplemental stockpile, an appropriation of $92,860,000 was made in fiscal 1965. The pending bill does not include any appropriation for fiscal 1966. Subsequent to passage of the bill in the House, the Bureau of the Budget transmitted an amendment to the budget, Senate Document 38, eliminating any budget estimate for bartered materials for the supplemental stockpile. The committee has concurred in the request in the budget amendment. Earlier the House action had reduced the then budget request of $52,500,000 to $30 million and no restoration of this amount had been filed with the committee.

The Bureau of the Budget advises that a review of agreements involving the acquisition of strategic materials for stockpiling is now underway and pending the completion of this review no new barter arrangements will be initiated involving strategic materials. It is expected that the funds appropriated in 1965 will be sufficient to cover the cost of commodities.

RELATED AGENCIES

The committee has approved the full estimate for limitation on administrative expenses of the Farm Credit Administration of $2,990,000. This agency supervises, examines, and provides services to the coordinated system of farm credit banks and land bank associations, and cooperative and intermediate credit banks, all of which are members of the farm credit system.

NATIONAL COMMISSION ON FOOD MARKETING

The committee has restored the budget estimate of $1,500,000 for the National Commission on Food Marketing which was authorized a year ago pursuant to Public Law 88–354. The House bill reduced the appropriation request for this Commission to $750,000; but the committee has restored it to the budget estimate because it believes the Commission should be provided with the funds deemed necessary to conduct an independent and broad-scale study of food marketing as directed by the authorizing legislation.

This concludes my general statement.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; that the bill as thus amended be regarded for the purpose of amendment as original text, and that no points of order shall be considered as having been waived.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 3, line 12, after the figures "$100", to strike out "$114,394,000, of which not to exceed $10,393,000 shall remain available until expended for construction, alteration, and improvement of facilities, without regard to limitations contained herein", and in lieu thereof, to insert: "$114,836,800, plus the following amounts, to remain available until expended for the construction, alteration, and equipping of the following research facilities: $1,840,000 for the construction of an insect attractants and stored-products insects laboratory, Gainesville, Florida; $2,990,000 for the construction of a livestock insects and toxicology laboratory, College Station, Texas; $500,000 for the modification of the chemical weed control laboratory, authorized in 1964, for monitoring the impact of pesticides on the environment, Stoneville, Mississippi; $644,000 for the construction of a cotton disease laboratory, College Station, Texas; $92,000 for the construction of cotton-ginning facilities, Mesilla Park, New Mexico; $1,150,000 for the construction of a laboratory for physiology and cotton insects, Tempe, Arizona; $92,000 for the construction of a ginning laboratory facility, Stoneville, Mississippi; $506,000 for the construction of a cotton physiology laboratory, Stoneville, Mississippi; $500,000 for plans and construction of a laboratory for poultry research, Georgetown, Delaware; $500,000 for plans and construction of a water pollution laboratory, Durant, Oklahoma; $719,000 for alteration of facilities at the Agricultural Research Center, Beltsville, Maryland; in all $124,369,800,".

On page 4, line 13, after the word "exceed", to strike out "$24,600,000" and insert "$16,600,000".

On page 5, at the beginning of line 1, to strike out "$71,119,000" and insert "$75,060,000", and in line 8, after "per centum", to insert a colon and the following additional proviso: "*Provided further,* That hereafter no funds in excess of $250,000 shall be available for carrying out the screw-worm eradication program that does not require minimum matching by State and local sources of at least 50 per centum of the expenses of production, irradiation, and release of screw-worm flies:".

On page 6, line 21, after the word "expended", to strike out "$2,000,000" and insert "$4,000,000".

On page 7, at the beginning of line 15, to strike out "$47,113,000" and insert "$48,113,000"; in line 19, after the word "Agriculture", to strike out "$2,000.000" and insert "$3,000,000"; in line 21, after "(16 U.S.C. 582a—582a 7)", to strike out the semicolon and "and not to exceed $400,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88–250 to be transferred and merged with this appropriation", and in lieu thereof, to insert: "$2,000,000 in addition to funds otherwise available", and on page 8, at the beginning of line 14, to strike out "$51,695,000" and insert "$55,695,000".

On page 8, line 21, after "(7 U.S.C. 341–349)", to strike out "$71,230,000" and insert "$75,030,000", and in line 24 after the word "all", to strike out "$72,800,000" and insert "$75,600,000".

On page 10, line 2, after "(7 U.S.C. 1621–1627)", to strike out "$1,141,000" and insert "$1,241,000".

On page 10, line 14, after the word "aircraft", to strike out "$105,373,000" and insert "$106,373,000".

On page 12, line 13, after the word "expended", to strike out "$64,171,000" and insert "$65,671,000", and in line 22, after the word "exceed", to strike out "$4,000,000" and insert "$5,500,000".

On page 13, line 23, after "(16 U.S.C. 590p)", to strike out "$14,864,000" and insert "$17,432,000".

On page 14, line 7, after "(16 U.S.C. 590a–f)", to strike out "$2,813,000" and insert "$4,303,000", and in line 9, after the word "exceed", to strike out "$1,000,000" and insert "$1,500,000".

On page 15, line 10, after the word "products", to strike out "$11,072,000" and insert "$11,591,000".

On page 16, line 8, after the word "laws", to strike out "$13,595,000" and insert "$13,875,000".

On page 17, line 9, after the numerals "1946", to strike out "$75,852,000" and insert "$76,412,000".

On page 17, line 14, after "(7 U.S.C. 1623 (b))", to strike out "$1,500,000" and insert "$2,000,000".

On page 17, line 19, after "(7 U.S.C. 1446, note)", to strike out "$100,000,000" and insert "$108,000,000".

On page 18, line 9, after the numerals "1964", to strike out "$100,000,000" and insert "$80,000,000"; and in line 10, after the amendment just above stated, to insert a colon and the following proviso: "*Provided,* That, in addition, not more than $20,000,000 of the amount appropriated under this head for the previous fiscal year may be transferred to and merged with this appropriation."

On page 21, at the beginning of line 1, to strike out "$111,714,000" and insert "$135,350,000", and in line 2, after the word "exceed", to strike out "$96,615,000" and insert "$75,390,000".

On page 25, line 7, after the word "amended", to strike out "$7,500,000" and insert "$10,000,000".

On page 25, at the beginning of line 15, to strike out "$140,000,000" and insert "$146,000,000".

On page 26, at the beginning of line 2, to strike out "$4,000,000" and insert "$30,000,000".

On page 26, line 10, after the word "Department", to strike out "$500,000" and insert "$750,000".

On page 26, line 24, after "(5 U.S.C. 55a)", to strike out "$10,416,000" and insert "$10,491,000".

On page 27, line 5, after the word "service", to strike out "$4,139,000" and insert "$4,299,000".

On page 28, line 11, after the word "Library", to strike out "$1,599,000" and insert "$1,865,000".

On page 29, line 6, after the word "Agriculture", to strike out "$2,483,000" and insert "$2,500,000".

On page 29, line 22, after the word "Secretary", to insert a colon and the following additional proviso: "*Provided further,* That $60,000 of this amount shall be available only for the purpose of Public Law 88–584, approved September 7, 1964, to establish Federal agricultural services to Guam."

On page 30, line 14, after the word "program", to strike out "$350,000,000" and insert "$380,000,000"; at the beginning of line 15, to strike out "$65,000,000" and insert "$50,000,000", and in line 20, after the word "which", to strike out "$7,000,000" and insert "$15,000,000".

On page 31, after line 8, to insert:

"RURAL HOUSING GRANTS AND LOANS

"For grants and loans for the purposes of section 504 of the Housing Act of 1949, as amended (42 U.S.C. 1474), $10,000,000, to remain available until expended."

On page 31, at the beginning of line 20, to strike out "$40,000,000" and insert "$75,000,000".

On page 32, line 5, after "(75 Stat. 796–798)", to strike out "$2,000,000" and insert "$5,000,000".

On page 32, line 18, after the word "loans", to strike out "$2,500,000" and insert "$5,000,000".

On page 33, line 3, after "(40 U.S.C. 440–444)", to strike out "$42,733,000" and insert "$44,692,000", and in line 14, after the word "increases", to strike out the colon and the following additional proviso: "*Provided further,* That no part of any funds in this paragraph may be used to administer a program which makes rural housing grants pursuant to section 504 of the Housing Act of 1949, as amended."

On page 34, line 6, after the word "expenses", to strike out "$7,478,000" and insert "$8,478,000".

On page 34, line 9, after the word "exceed", to strike out "$4,138,000" and insert "$3,638,000", and at the end of line 10, to strike out the colon and the following proviso: "*Provided,* That in the event the Federal Crop Insurance Corporation Fund is insufficient to meet indemnity payments and other charges against such Fund, such additional amounts as may be necessary may be borrowed from the Commodity Credit Corporation under such terms and conditions as the Secretary may prescribe, but repayment of such amount shall include interest at a rate not less than the cost of money to the Commodity Credit Corporation for a comparable period."

On page 34, line 24, after "(15 U.S.C. 713A–11, 713a–12)", to strike out "$2,300,000,000" and insert "$3,226,800,000", and in the same line, after the amendment just above stated, to strike out the colon and the following proviso: "*Provided,* That after June 30, 1964, the portion of borrowings from Treasury equal to the unreimbursed realized losses recorded on the books of the Corporation after June 30, of the fiscal year in which such losses are realized, shall not bear interest and interest shall not be accrued or paid thereon."

On page 36, after line 3, to strike out:

"For expenses during fiscal year 1966, not otherwise recoverable during such year, and unrecovered prior years' costs, including interest thereon, under titles I, II, and IV of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1701–1709, 1721–1724, 1731–1736) $1,658,000,000, to remain available until expended for (1) Sale of surplus agricultural commodities for foreign currencies pursuant to title I of said Act, (2) commodities disposed of for emergency famine relief to friendly peoples pursuant to title II of said Act, and (3) long-term supply contracts pursuant to title IV of said Act."

And in lieu thereof, to insert:

"For expenses during fiscal year 1966, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1701–1709, 1721–1724, 1731–1736), to remain available until expended, as follows: (1) Sale of surplus agricultural commodities for foreign currencies pursuant to title I of said Act, $1,144,000,000; (2) commodities disposed of for emergency famine relief to friendly peoples pursuant to title II of said Act, $298,500,000; and (3) long-term supply contracts pursuant to title IV of said Act, $215,500,000".

On page 37, after line 6, to strike out:

"BARTERED MATERIALS FOR SUPPLEMENTAL STOCKPILE

"For expenses during fiscal year 1966 and unrecovered prior years' costs related to strategic and other materials acquired as a result of barter or exchange of agricultural commodities or products and transferred to the supplemental stockpile pursuant to Public Law 540, Eighty-fourth Congress (7 U.S.C. 1856), $30,000,000, to remain available until expended."

On page 37, line 25, after the numerals "1964", to strike out "$750,000" and insert "$1,500,000".

Mr. MANSFIELD. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. First, I commend the distinguished Senator from Florida, chairman of the Subcommittee on Agricultural Appropriations, who has worked long, hard, and arduously, as always, and has done a superb job, not only on reporting a good bill, but for explaining it so well.

As one who serves under him on that subcommittee, but who unfortunately has not been able to attend many of its meetings, I wish to express my high regard and deep admiration for the work the Senator from Florida has done in this respect.

Mr. HOLLAND. Mr. President, I am overwhelmed by the generous compliment paid by my distinguished leader. I accept it modestly on behalf of myself, the subcommittee, and, indeed, the full committee.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation and the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1966

The Senate resumed the consideration of the bill (H.R. 8370) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

Mr. HART. Mr. President, I call up my amendment No. 318 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 17, line 23, strike out "$155,000,000" and insert in lieu thereof "$157,000,000, including $2,000,000 for special assistance to needy schools, as authorized by law"

Mr. YOUNG of North Dakota. Mr. President, will the Senator from Michigan yield?

Mr. HART. I yield.

Mr. YOUNG of North Dakota. Mr. President, this is one of the most difficult of all the appropriation bills to handle. It is supposed to be for agriculture, but it includes assistance to almost every segment of our economy. It even includes assistance to foreign countries. Perhaps the most important segment of our economy is agriculture, which provides the food and fiber necessary to sustain life. What could be more important than that?

Over the years, agriculture has not done so well as other segments of our economy. The prices of most agricultural commodities today are lower than they were 20 years ago. They would have been much lower had it not been for some farm programs, the costs of which are included in this appropriation bill.

The cost of farm operations is higher than ever and is increasing sharply day after day.

Most segments of our economy are aided by the Government. Social security is a good example, and it is a good program. Industry can pass on its costs of this and other programs to consumers. Industrial labor can pass on the increased cost of living through labor contracts. But the farmers are practically the only people—there may be a few others—in our economy who have no way in which to pass on their additional costs by way of higher prices. They have no way of setting prices for the commodities they produce.

It is unfortunate that so many items are contained in the bill that have little or no relationship at all to agriculture, because most persons believe that farmers are receiving subsidy checks for all of the money provided in the bill. Nothing could be further from the truth. I should like to read a few items which are contained in the Budget estimates for the Department of Agriculture that came to Congress this year and which have little relationship to agriculture. These estimates were analyzed by the National Farmers Union.

For example, the sales of surplus agricultural commodities for foreign currencies is really one of the most important foreign aid programs. The estimate for this item is $1,140 million.

Emergency famine relief to friendly people, $306 million. This is a part of the Department of Agriculture budget.

Donations of commodities to other groups, $179 million.

Under food distribution programs, commodities distributed to the needy and others, $403 million.

The food stamp plan, $100 million.

The school lunch program, $202 million.

The special milk program, $100 million.

These programs are all a part of the agricultural appropriation bill. Many persons think that farmers are getting checks for all these amounts.

There are also the loan programs, such as the program for the Rural Electrification Administration, $417 million. These are the best investments the Federal Government makes. Their repayment record is almost 100 percent. Many of the repayments are far ahead of schedule.

There is also the Farmers Home Administration, which helps farmers but also operates in the little towns of rural America, towns having populations of around 2,500, where housing loans are concerned. The estimate for this year is $188 million. Most of these loans are made to people who could not get credit elsewhere; yet the repayment record is far above 90 percent.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the entire tabulation prepared by the Department of Agriculture.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

U.S. Department of Agriculture Budget, fiscal years 1964, and estimated 1965 and 1966

[Prepared by Reuben Johnson, division of legislative services, National Farmers Union]

[Dollar amounts in millions]

Programs which clearly provide benefits to consumers, business and the general public	Estimated, 1964		Estimated 1965		Estimated 1966 [1]	
	Amount	Percent of grand total	Amount	Percent of grand total	Amount	Percent of grand total
Programs having foreign relations and defense aspects:						
Sales of surplus agricultural commodities for foreign currencies (title I, Public Law 480)	$1,415		$1,247		$1,140	
Emergency famine relief to friendly people (title II, Public Law 480)	228		211		306	
Donations of commodities acquired by CCC	345		217		179	
International Wheat Agreement	126		30		28	
Transfer of bartered materials to supplemental stockpile	38		80		75	
Long-term supply contracts (title IV, Public Law 480)	60		204		216	
Donations of dairy products to armed services and others	45		48			
Subtotal	2,257	28.6	2,037	29.7	1,944	30.6
Food distribution programs:						
Commodities distributed to the needy and others	484		405		403	
Food stamp plan	30		60		100	
School lunch program	181		191		202	
Special milk program	97		103		100	
Subtotal	792	10.0	759	11.1	805	12.6
REA and FHA repayable loans:						
REA loans	330		187		188	
FHA loans	207		194		84	
Salaries and expenses for above programs	50		53		57	
Subtotal	587	7.4	434	6.3	329	5.2
Long-range programs for the improvement of agricultural and natural resources:						
Forestry	290		327		308	
Agricultural and forestry research	171		208		228	
Plant and animal disease and pest control	62		71		73	
Soil and water resource protection	201		223		207	
Agricultural conservation program	244		256		252	
Co-op agricultural extension work	79		85		86	
Meat and poultry inspection	43		50		5	
Marketing assistance for agricultural commodities	29		22		16	
Other, including FCS, FAS, CEA, FCIC, and staff officers	80		110		120	
Subtotal	1,199	15.2	1,352	19.7	1,295	20.4
Total, nonfarm programs	4,835	61.2	4,582	66.8	4,373	68.8
Other programs which are predominantly for stabilization of farm income, but which also benefit others:						
CCC price-support and related programs:						
CCC loan, purchase, export, and related programs	1,238		121		190	
Acreage diversion payments:						
Feed grains	646		883		516	
Wheat	115		34		40	
Price-support payments:						
Feed grains	382		260		444	
Wheat	79					
Cotton			66		82	
Cotton equalization payments	63		483		316	
National Wool Act program	73		32		39	
Subtotal	2,596	32.9	1,888	27.5	1,627	25.6
Conservation reserve program	290		197		152	
Sugar Act program	87		103		95	
Salaries and expenses for above programs	89		88		110	
Total, farm programs	3,062	38.8	2,276	33.2	1,984	31.2
Grand total	7,897	100.0	6,858	100.0	6,357	100.0

[1] Reflects administration's 1966 budget for USDA.

Mr. YOUNG of North Dakota, Mr. President, the committee has done as good a job as is possible in preparing this appropriation bill. As the chairman of the subcommittee [Mr. HOLLAND] has said, we added nearly $1 billion to reimburse the Commodity Credit Corporation for past losses, as required by law. This makes the bill look bad, but we have done what we should have done long ago. The committee was practically unanimous in all its actions on the appropriation bill. I believe it is a fair bill, and I hope it will be passed unanimously by the Senate.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator for his kind remarks.

I am glad that the Senator has brought out so clearly the fact that the bill, in addition to covering items of great, vital, and immediate importance to farmers, agricultural producers, and stockmen, also covers many objectives which are important to our Government, in the foreign policy field, such as those mentioned by the Senator from North Dakota in the social or welfare field; in the educational field; and in other fields which do not directly serve the agricultural producers.

No other Senator has been more assiduous throughout the years than the Senator from North Dakota in insisting from year to year that some method be found for separating the very large amounts—more than half of the total in the bill—represented by the many items which comprise the appropriations for Agriculture and related agencies that do not directly serve agricultural producers. However, other important objectives are included in the agricultural field merely because they deal with the products of agriculture.

Mr. President, I yield to my friend the distinguished Senator from Michigan, who has an amendment.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. HART. Mr. President, the amendment to which the distinguished Senator from Florida refers would return to the bill the sum of $2 million, which the budget as submitted to the Congress recommended, to permit us to determine whether section 11 of the school lunch program can provide a means whereby the most needy children in the Nation can more fully participate in a program intended for all children. In 1962 section 11 was added to the national school lunch program. This section created a special fund to make extra funds available for school lunches of needy children. The apportionment formula for this money is spelled out in that section. However, to date no funds have been appropriated to implement this section.

This year $2 million is included by the Bureau of the Budget. It is to reinstitute the sum that I offer the amendment.

At the moment approximately 10 percent of the lunches served under the national school lunch program are being served free or at reduced cost. Careful studies show this does not answer the need for free lunches in many of the poor areas of our larger cities or in the isolated rural areas.

In some localities, the lunch programs now in operation are unable to provide all the free lunches needed. In other places many schools have no facilities for providing even the simplest school lunch, although the majority of the students would be eligible for free lunches.

Straight increase in the regular school lunch appropriation would not meet such needs. This would not answer the problem. Under an apportionment formula, the program would be spread under section 11 to schools in areas of acute need.

Section 11 would provide an arrangement for distributing food among those areas based on the per capita income in the State and the number of free or reduced cost lunches that are being served. The program would include schools where the need for the lunches is great and the community resources are inadequate to meet the need. The U.S. Department of Agriculture survey of the school food service in March of 1962 showed that approximately 1,400,000 children were eligible but not receiving free or reduced price lunches.

Some 500,000 needy children attended schools which had a lunch program. About 900,000 children attended schools with no lunch program. It is these children we want to begin to reach with this added appropriation.

Mr. President, when it was my honor to serve on the Committee on Agriculture and Forestry, this subject was brought to the attention of the committee by the junior Senator from Michigan.

At the direction of the committee, a study was prepared by the Department of Agriculture, seeking to determine how best we could react to the problem of the old school in the downtown city center, to which school went most of the children who were in greatest need, but which school, when it was built, had no kitchen facilities installed. There was no reasonable way in which one could anticipate the entire structure being rehabilitated.

How could we know that we would prudently respond to this most compelling human need? That study is now available for our guidance. It is captioned "Established Central School Lunch Kitchen in Urban Areas. Problems in Cost." It is Agricultural Economic Report No. 72.

Here clearly we see the possibility that, by making available the $2 million which the amendment proposes, we would be able better to understand what we can and cannot do, and whether we should or should not go forward to reach concentrations of needy schools where no lunch programs are available today.

The Senator from Florida and the Senator from North Dakota in those years on the Committee on Agriculture and Forestry were most sympathetic to the problem. I believe it is to the credit of the Senator from Florida that this agricultural economic report is now available.

I feel that it is somewhat unfair to argue, as we sometimes hear in this Chamber, that we do so much for so many people who are thousands of miles away from home but are less sensitive to those who are less able economically to compete and who are located just around the corner.

Here again we come to a problem which is very compelling in its human appeal. I believe that the school lunch program could be expanded substantially and effectively. However, until we make the tests which this money would permit none of us honestly can identify fully the area of unmet need which could be reached by an expansion of the school lunch program under section 11.

It is for that reason that I hope that we shall be able to add the almost $2 million which the Bureau of the Budget recommended, and which this amendment would provide.

Mr. President, will the Senator permit me to ask unanimous consent to have certain materials, which reflect the reasoning behind this amendment, printed in the Record so that they may be available to the conferees?

Mr. HOLLAND. I would be happy to have the Senator do so.

The PRESIDING OFFICER. Is there objection?

There being no objection, the material was ordered to be printed in the Record, as follows:

The Need for Funding Section 11: National School Lunch Act

Every schoolday, 17 million children participate in the national school lunch program. It is a program that has grown steadily through the years and we have been very proud of its growth and the way in which it meets a need.

In 1962, however, we took a long look at that program growth and found that we had been taking too much for granted. A great many schools and a great many children had been bypassed in both rural and urban areas. Over 6 million children in public schools and an additional 3 million children in private schools had no food service available. A million of these are children of poverty and, under the National School Lunch Act, would be entitled to a reduced price or free lunch if it were available. An additional 500,000 children attending schools with a national school lunch program would and should be entitled to a reduced price or free lunch if there were adequate resources at the local level to finance the added cost.

Through the years, it has been an accepted principle that the lunch program will be self-sustaining in each school or school district. Where the total Federal, State and local resources have been adequate, a lunch program is initiated and maintained and the free or reduced price meal requirement for needy students is met with little difficulty. Where these total resources are inadequate, school officials hesitate to introduce the program.

This is a rural problem and it is an urban problem—it is not a suburban problem. Small rural schools that are headed for eventual consolidation are not about to invest in kitchens and cafeterias. In urban areas, elementary schoolchildren customarily went home for lunch. But the character of urban areas has changed. Many thousands of parents leave for work before the children leave for school. There is no one at home at noon to prepare a meal and, frequently, little food around for the children to prepare their own meal. Older school buildings in downtown areas have limited space for installation of kitchens and cafeterias and such construction can be costly.

Many State school lunch directors have tried to direct available funds to particularly needy areas within each State—to provide for variable rates of reimbursement based on demonstrated need. But the need is so great in many areas and the funds are stretched so thin that State directors hesitate to take funds from one school that may be barely making ends meet in order to give greater assistance to another.

In recognition of this problem, the Congress included section 11 in revising the National School Lunch Act in 1962. The section authorized an appropriation of $10 million with a special apportionment formula under which those schools drawing attendance from particularly needy areas would receive additional money for food. Section 11 has never been funded. This year the Department of Agriculture asked for $2 million in section 11 funds to begin a pilot operation. The Bureau of the Budget approved and recommended. The request was turned down by the House of Representatives, which decision was accepted by the Senate Appropriations Committee.

This is a most opportune time to launch a pilot program in a number of areas. We now know the specifics of the location and extent of need. We have thoroughly explored the pros and cons of centralized operations that could help cut costs in those areas where a centralized operation is feasible. The Elementary and Secondary Education Act of 1965 will have funds available for kitchen and cafeteria equipment and facilities as well as State and local administrative money. Neighborhood Youth Corps and work experience enrollees under the Economic Opportunity Act can be used effectively to minimize overhead costs in school lunch programs while performing needed tasks in the public interest.

The $2 million in special assistance funds, specifically earmarked under section 11 for food for needy areas, would provide the essential and fruitful seed money to initiate, expand and improve a lunch program for those children that need it most.

HOW SPECIAL ASSISTANCE FUNDS (SEC. 11 OF THE NATIONAL SCHOOL LUNCH ACT) ARE APPORTIONED AMONG THE STATES

Special assistance funds are for schools drawing attendance from areas in which poor economic conditions exist, to help such schools serve lunches to children who cannot pay the full cost of such lunches. In apportioning special assistance funds among the States the following method is used:

First, 3 percent of the sum appropriated is set aside for Puerto Rico, Guam, the Virgin Islands, and American Samoa. The Secretary apportions to each of these States an amount which bears the same ratio to the 3 percent set aside, as the number of free and reduced price lunches served in each of these States, the preceding fiscal year, bears to the total of free and reduced price lunches served in all of such States the preceding fiscal year.

Next, at least half of the remaining 97 percent of the sum appropriated under section 11 is apportioned by the Secretary among the States other than Puerto Rico, Guam, the Virgin Islands, and American Samoa on the basis of two factors:

First, the number of free and reduced price lunches served in each State the preceding fiscal year (col. 1 of the table); and second, the assistance need rate (col. 2 of the table) i.e., the relation between the average per capita income of the State and the national average per capita income. This factor is used to adjust the number of free and reduced price lunches served. For example, if the average per capita income of a State is half the national average per capita income, the weight given the free and reduced price lunches in that State would be doubled. Each State's share of the funds available (col. 4) is determined by the relationship of the adjusted number of free and reduced price lunches served to the total number of free and reduced price lunches served in all the States.

Any unneeded amounts turned back by the States are combined with the remainder of section 11 funds (not previously apportioned) and are further apportioned among the States on the same basis as the initial apportionment to the States which need additional special assistance funds.

Estimated apportionment of special cash assistance budgeted for fiscal year 1966 (sec. 11, NSLA)

State	Number of free lunches, fiscal year 1964	Assistance need rate	State index in units of 100	State quotient (percent)	Based on estimate of $2,000,000	
					Initial apportionment of 50 percent	Apportionment of 100 percent of amount estimated
	(1)	(2)	(3)	(4)	(5A)	(5B)
Alabama	5,231,174	7.5	3,923,380	3.06794	$29,759	$59,518
Alaska	643,185	5.0	321,592	.25147	2,439	4,879
Arizona	2,027,942	5.6	1,135,648	.88804	8,614	17,228
Arkansas	3,150,624	7.8	2,457,487	1.92167	18,640	37,280
California	5,549,270	5.0	2,774,635	2.16966	21,046	42,091
Colorado	1,396,607	5.0	698,304	.54605	5,297	10,593
Connecticut	717,088	5.0	358,544	.28037	2,720	5,439
Delaware	134,036	5.0	67,018	.05241	508	1,017
District of Columbia	1,453,870	5.0	726,935	.56844	5,514	11,028
Florida	8,037,977	5.8	4,662,027	3.64554	35,362	70,723
Georgia	8,093,606	6.7	5,422,716	4.24037	41,132	82,263
Guam	(101,864)			(.21142)	127	127
Hawaii	807,518	5.0	403,759	.31572	3,062	6,125
Idaho	293,561	6.2	182,008	.14232	1,380	2,761
Illinois	3,814,895	5.0	1,907,448	1.49155	14,468	28,936
Indiana	2,211,639	5.0	1,105,820	.86471	8,388	16,775
Iowa	1,823,204	5.4	984,530	.76987	7,468	14,935
Kansas	763,905	5.4	412,509	.32257	3,129	6,258
Kentucky	9,675,165	6.9	6,675,864	5.22028	50,637	101,273
Louisiana	12,578,156	7.0	8,804,709	6.88496	66,784	133,568
Maine	1,334,973	6.1	814,334	.63678	6,177	12,354
Maryland	1,384,125	5.0	692,062	.54117	5,249	10,499
Massachusetts	3,501,521	5.0	1,750,760	1.36903	13,280	26,559
Michigan	4,177,672	5.0	2,088,836	1.63339	15,844	31,688
Minnesota	2,690,193	5.3	1,425,802	1.11493	10,815	21,630
Mississippi	4,354,287	9.0	3,918,858	3.06441	29,725	59,450
Missouri	3,128,514	5.0	1,564,257	1.22319	11,865	23,730
Montana	1,081,781	5.5	594,980	.46525	4,513	9,026
Nebraska	1,380,463	5.2	717,841	0.56133	$5,445	$10,890
Nevada	216,933	5.0	108,466	.08482	823	1,646
New Hampshire	526,418	5.3	279,002	.21817	2,116	4,232
New Jersey	2,138,185	5.0	1,069,092	.83599	8,109	16,218
New Mexico	2,961,652	6.4	1,895,457	1.48218	14,377	28,754
New York	51,822,194	5.0	25,911,097	20.26154	196,537	393,074
North Carolina	6,312,128	6.8	4,292,247	3.35638	32,557	65,114
North Dakota	852,804	6.0	511,682	.40012	3,881	7,762
Ohio	6,267,326	5.0	3,133,663	2.45041	23,769	47,538
Oklahoma	3,934,378	6.2	2,439,314	1.90746	18,502	37,005
Oregon	630,340	5.0	315,170	.24645	2,390	4,781
Pennsylvania	9,728,145	5.0	4,864,072	3.80353	36,894	73,788
Puerto Rico	(46,305,813)			(96.10946)	57,666	57,666
Rhode Island	201,277	5.1	102,651	.08027	779	1,557
South Carolina	6,627,933	7.8	5,169,788	4.04259	39,213	78,426
South Dakota	895,403	6.1	546,196	.42711	4,143	8,286
Tennessee	9,307,040	7.0	6,514,928	5.09444	49,416	98,832
Texas	8,897,698	5.9	5,249,642	4.10503	39,819	79,638
Utah	1,084,069	5.7	617,919	.48319	4,687	9,374
Vermont	434,234	5.8	251,856	.19694	1,910	3,821
Virginia	4,438,506	6.0	2,663,104	2.08245	20,200	40,400
Virgin Islands	(1,237,041)			(2.56753)	1,540	1,540
Washington	1,643,184	5.0	821,592	.64245	6,232	12,464
West Virginia	4,600,078	6.6	3,036,051	2.37408	23,028	46,057
Wisconsin	2,802,019	5.1	1,429,030	1.11745	10,839	21,679
Wyoming	136,906	5.0	68,453	.05353	519	1,038
American Samoa	(535,567)			(1.11159)	667	667
Total	266,076,086		127,883,135		1,030,000	2,000,000

Mr. HOLLAND. Mr. President, I would be less than fair if I did not say to the distinguished Senator from Michigan that this matter has arisen before and has been the object of considerable discussion, both in the subcommittee and in the full committee. It has developed that some States take care of this problem themselves, as it exists within their boundaries. Perhaps that is because the pockets of poverty are less frequently found there, and the total number affected is less than in other States. I am not sure.

Some Senators are fearful of embarking upon this program. As the Senator will recall, the authorization for the first year would be $10 million. However, there is no limit upon the authorization for subsequent years. In other words, it is an open-end authorization.

A good many Senators are skeptical about the desirability of going into the program. They would rather raise the figure for the entire program, as we have done in the past. I have discussed this problem with my distinguished friend the ranking minority committee member, the Senator from North Dakota. We agree to take this item to conference for a full discussion.

There are real difficulties in connection with this item, as to whether it is a wise course, in the judgment of Senators, to enter this program in this way.

The $2 million is spread out over the 50 States and the other dependencies also are allotted 3 percent of the money. The amounts going to the States or the dependencies would amount to very little in any one case.

The biggest possibility of help would be rescheduling and reprograming items which would not be needed in some States but would be needed in other States.

Perhaps a good record could be made on a trial basis that would justify the continuance and enlargement of the program.

At any rate, we are agreeable to taking the amendment to conference. We appreciate the compassionate way in which the Senator has discussed the subject. It is enough to appeal to the compassion of all of us. Yet it involves some real, practical difficulties, which I am sure the Senator well understands.

Mr. President, I am willing to take the amendment to conference.

Mr. HART. Mr. President, I would not want to leave the floor without thanking the Senator from Florida and the Senator from North Dakota. I appreciate the problems that are involved.

Mr. PROXMIRE obtained the floor.

Mr. HOLLAND. Mr. President, has the amendment been acted on?

Mr. PROXMIRE. I am glad to yield, without losing the floor, for the purpose of having the amendment acted upon.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment was agreed to.

Mr. PROXMIRE. Mr. President——

Mr. BASS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am glad to yield to the Senator from Tennessee.

Mr. BASS. I have a very short amendment, which I hope can be disposed of in a wink's time.

Mr. PROXMIRE. Did the Senator from Tennessee say a week's time?

Mr. BASS. No; a wink's time.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 12, line 13, to strike out "$65,671,000" and insert in lieu thereof "$65,746,000".

TO PROVIDE A RIVER BASIN STUDY KNOWN AS THE CHICKASAW-METROPOLITAN SURFACE WATER MANAGEMENT PROJECT IN SHELBY AND OTHER COUNTIES IN WEST TENNESSEE

Mr. BASS. Mr. President, the amendment I am offering would merely add $75,000 to the watershed protection section of this appropriation bill for the purpose of allowing a comprehensive river basin study of all streams draining through Shelby County, Tenn. The Shelby County Conservation Board, the Shelby County Soil Conservation District, and the Shelby County Court, together with the Tennessee Department of Conservation, have all requested that this study be made. The various surrounding counties have also endorsed this study.

The study would be conducted, under the authority of section 6 of the Watershed Protection and Flood Prevention Act, over a 3-year period, costing a total of approximately $300,000. Of this sum, the Shelby County Conservation Board would provide 25 percent and the Federal Government the other 75 percent, the Federal Government's share being $75,000 annually for the 3-year period.

The study area of approximately 1,237,000 acres will include the entire watershed land area of all streams draining through Shelby County. These streams are: the Loosahatchie River, the Wolf River, Monconnah Creek, and Horn Lake Creek. The study area would involve all of Shelby County and portions of Tipton, Fayette, and Hardeman Counties in Tennessee; and portions of Benton, Marshall, and De Soto Counties in Mississippi. This basin study would provide an inventory of all soil and water resources in the area, and a master plan for a coordinated, systematic approach to the full development and utilization of these and related resources for the use of all the people in the area. Inasmuch as it proposes to bring together the interests and needs of the urban and rural people involved, the proposed study would be a pioneering venture.

The surveys and studies would be made by a team of Soil Conservation Service technicians in close consultation with local sponsors. The Shelby County Conservation Board will be responsible for the coordination of all agencies and groups concerned with the study. This board has the authorization and the resources necessary to undertake this proposal during the fiscal year 1966.

Mr. President, there is an urgent need for the immediate appropriation of funds for this study in order that it may get underway during this fiscal year.

These reasons include:

First. The rapid expansion of Memphis into the rural areas without the benefit of a broad resource capability plan.

Second. The urgent need for protection against floods and sediment damages in the expanding suburban areas.

Third. The urgent need to reduce damages to agriculture, land, and property caused by flooding, sediment, and erosion.

Fourth. The urgent need for water-based, outdoor recreational facilities.

Fifth. The urgent need for options and purchase of needed land areas for public use before their sites are preempted or skyrocketing costs make acquisition difficult or impossible.

I might note, Mr. President, that all but one of the counties affected by this study are rated among the lowest per capita income counties in the United States.

The officials of the Department of Agriculture have indicated that the only reason provisions for this study were not included in the Department's budget recommendations was that the request was not received prior to the submission of these recommendations. They indicated that they thought the project was a very worthwhile one and that, had it been received in time, it would have been included. They indicated that if it was not included in this year's appropriations, then they would recommend it be included in next year's.

In the overall appropriation bill this $75,000 is, indeed, a very minor, if not insignificant item, Mr. President. However, to the people of Shelby County, Tenn., and the other counties affected it is anything but small. Another year's delay not only adds to cost of flood and sediment damage, but may materially affect the overall cost of the project due to increase in land prices and expansion of urban and suburban areas. I, therefore, strongly urge the Senate to adopt this amendment which would mean so little in terms of money appropriated and yet which means so much to the people of west Tennessee.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BASS. I yield.

Mr. GORE. I congratulate my distinguished colleague upon his offering the amendment. It is a worthwhile undertaking. The amounts are not large, as the Senator has said, but the purpose to be served is, indeed. I hope the distinguished and able chairman of the subcommittee will accept this amendment.

Mr. HOLLAND. Mr. President, this is a matter which came to our attention during the hearings, and was called to our attention by both Senators from Tennessee, and by others. We questioned the Soil Conservation Service witnesses about it. We found that this matter was regarded as meritorious and was on their schedule for the next request to be placed in the budget for the next year. Emergency conditions which have arisen since that time are such that the Senator from North Dakota [Mr. YOUNG] and I, representing both sides of the committee, are willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. BASS].

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, first I should like to join in the general commendation which has been given to the Senator from Florida. Just think of it—47 days of hearings. I doubt whether there has been any other appropriation bill which has received that kind of attention. Having served 3 years on that committee, I know that there is no subcommittee chairman who gives more diligent attention and probing attention to the bill than does the Senator from Florida. I believe I can say without fear of contradiction that he attended virtually all, if not all, of the many days of hearings.

It is a complicated bill, which received the expert, diligent, and thoughtful guidance of the Senator from Florida. I think all Senators should be grateful for it.

Also, I join in the sentiments so eloquently expressed by the Senator from North Dakota [Mr. YOUNG] in pointing out that, while this is a big appropriation bill, involving $6.7 billion, much of it is not for the farmers, and that farmers have been having an extraordinarily difficult time, that they have not enjoyed the general prosperity that others in the country have in the last 10 or 15 years. The income of the farmers has come up little, if at all, and their costs have gone up a great deal.

The bill not only assists the farmers but assists the economy as a whole. Even if the bill assisted only the farmers, whether it be in rural electrification, soil conservation, or in other similar ways, it is a bill which helps to maintain the most efficient agricultural economy that exists anywhere in the world, and by so doing keeps down the costs of food to all consumers.

I shall speak briefly on one item. I have no amendment to offer. I refer to an item which does not contribute very much to farm or farm income, but it does affect the rest of the country.

Mr. President, it is a strange development that one of the controversial provisions in the agricultural appropriations bill is for the special milk program for our Nation's schoolchildren. For, unlike the Dirksen amendment, the voting rights bill, or "repeal of 14(b)," the school milk program has hardly any enemies at all. Everyone knows the virtues of milk. And the beauty of this provision is that it costs nothing; it simply channels otherwise surplus milk into hungry little American stomachs. And yet the House, and the administration's Budget Bureau are—for no publicly admitted reason—determined to starve the program.

For fiscal year 1966, the administration has requested $100 million. The Agriculture Appropriations Subcommittee, under the leadership of our distinguished chairman, the senior Senator from Florida, has recommended $108 million. I cannot overemphasize, or praise too highly, the part which the Florida Senator's guidance and foresight have played in development of the school milk program. Every year since the program started the subcommittee has increased the program's appropriation above the amount requested by the administration. The influence of the Senator from Florida—and Florida is not a major milk-producing State—is largely responsible for this progressive attitude.

It is essential that the Senate express its firm determination to retain the full $8 million increase in conference committee. For, unfortunately, as I have said, the House of Representatives has gone along with the administration and recommended only $100 million.

A brief history of appropriations for the program illustrates why the $8 million increase is fully justified. Last year, for fiscal year 1965, Congress granted $103 million for the milk program. The administration had requested $100 million. In response to an amendment of mine, an increase of $3 million was granted. Even the $103 million, however, was not enough to pay for the milk which was consumed. Cutbacks had to be made in the reimbursement rates to schools. On the basis of the best information we can get, a fully funded school milk program could have used $108 million in fiscal year 1965.

For, even with the $103 million appropriation, 5-percent cutbacks had to be made in payments to schools.

In the light of these facts about last year, it is little short of astounding that the administration has requested only $100 million for fiscal year 1966; $108 million could have been used last year, yet only $100 million has been asked for this year. Almost everyone agrees that economy is a good thing. Can the same be said for keeping milk away from children?

There are two main reasons why much more than $100 million is needed for fiscal year 1966.

First, milk distributed as part of the program will be provided this summer to children attending classes under the new Project Head Start. Unless more funds are provided, every pint of milk consumed under Project Head Start will be 1 less pint consumed during the regular school year starting next fall.

Project Head Start officials have told me that approximately 525,000 children will be attending 40 days of classes this summer. Every child is eligible for 2 one-half-pint cartons of milk a day, in addition to that given with lunch.

Head Start officials are doing all they can to encourage every child to drink that pint a day. They well understand that learning is almost impossible for hungry children, or for children suffering from malnutrition. Dr. Julius Richmond, Project Head Start director, has said:

> Studies indicate that poor nutrition during early childhood has an effect not only on physical growth but on the mental functioning of the child. The emphasis in Project Head Start on improving nutrition is designed therefore to improve all aspects of the child's growth and development.

For each one-half-pint carton, reimbursement of 2 cents is made from the Agriculture budget. Thus, we should add $840,000 to Agriculture appropriations to take care of milk for Project Head Start.

The second reason why more than $100 million is needed concerns the annual growth of the program. During the regular school year 1965–66, it is expected by the Department of Agriculture that 6 percent more milk will be consumed than during the past year. Numbers of half pint cartons consumed will increase from 3,093 million to 3,278.6 million.

Mr. President, if $108 million was actually necessary last year, and there will be a 6-percent increase, an addition of $6,480,000 is necessary for the normal fiscal year 1966 program.

Taking this increase along with the amount required for Project Head Start, it is apparent that a total appropriation of $115,320,000 is justified for the special milk program in fiscal year 1966. It was for this reason that I proposed the increase in the Agricultural Appropriations Subcommittee.

We on the subcommittee, however, are responsible for the optimum allocation of limited resources among competing programs. To increase funds for one program is often to decrease funds for other programs. For this reason, although I had hoped for more, I have agreed to the $108 million appropriation for the special milk program.

I urge my colleagues, especially those who will be appointed Senate conferees on this bill, to strive for full retention of this amount. Every dollar is needed. To settle for less would be to deprive children—those from poverty-stricken families—who benefit most from the program. It is they who would be the first to suffer from cutbacks in the program.

Mr. President, let me say one more thing. I stated, in the course of my remarks, that there is no economy at all in cutting back the school milk program, now. And, there is not, because we have on the lawbooks of this country a mandatory requirement for price supports for milk at 75 percent of parity. If the milk is not going to hungry schoolchildren, then it goes into storage and is wasted.

The alternative to dead storage for milk is to take that milk which is in storage, and not being used at all, and make it available to schoolchildren.

What we are asking for in the bill—and the Senator from Florida has championed it for us—is the increase of $8 million in the school milk program. I thank him from the bottom of my heart, as I know the people of Wisconsin would join me overwhelmingly in thanking the Senator from Florida, and in pleading with him to carry on the good fight when the matter goes to conference, in order to obtain as much of this $108 million as possible.

Mr. HOLLAND. Let me thank the Senator from Wisconsin very much for his kind remarks, which apply equally to the Senator from North Dakota [Mr. YOUNG], who has worked so hard on this bill. We agree with the Senator's argument, to prevent the same amount of milk going into the processing of products which the Government price supports. We believe that it is preferable to give fresh milk to children who need it.

Mr. President, I know of no further amendments to be offered.

The PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). The bill is open to further amendment.

Mr. HOLLAND. Mr. President, I ask for a third reading on the bill.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. YOUNG of North Dakota. Mr. President, I wish to commend the staff members on this subcommittee for the fine work they did—especially Ray Schafer.

This bill is the most difficult and complicated of all appropriation bills.

The minority members have also been helpful to me, working on this side of the aisle. Ed King, too, has done a wonderful job.

Mr. HOLLAND. Mr. President, I am sorry if I was remiss in not mentioning the members of the committee staff Mr. Schafer and Mr. King for the minority, and Joe Stewart, the young attorney for the staff. They have all worked long and hard to help us turn out a good bill.

We have certainly leaned upon them. They have rendered us excellent service, and I join the Senator from North Dakota in his commendation.

Mr. AIKEN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield.

Mr. AIKEN. Mr. President, I would feel negligent if I did not make my contribution to what has been said about the chairman of the subcommittee [Mr. HOLLAND], the Senator from North Dakota [Mr. YOUNG], and the members of the committee staff. I believe that they have all done an exceptional job, a job which required a great deal of patience, and a great deal of time, but which they were surely capable of handling.

Therefore, I wish to say at this time that American agriculture and the country as a whole owe a great debt to the chairman of the subcommittee, the Senator from Florida [Mr. HOLLAND], and the ranking minority member, the Senator from North Dakota [Mr. YOUNG] and all members of the staff who have contributed so much to report a bill to which there appears to be so little objection.

Mr. HOLLAND. I thank the Senator from Vermont for his comments.

I invite attention to the fact that there is no greater friend of agriculture, no one in the Senate who knows more about agriculture generally and its needs, than the Senator from Vermont. The Senator has been an agriculturalist for many years. He took time out to be Governor of his State. He has been in the Senate long enough to be the ranking Republican Senator, which gives evidence of the high esteem in which he is held by the people of his State, as well as in the Senate.

We all appreciate his kind comments and are glad to have him sitting in with us as an ex officio member of the subcommittee, as the ranking minority member on the Committee on Agriculture and Forestry.

Mr. AIKEN. If the Senator will permit me to say this, I was a spare wheel on the committee, being the only one, who was not a member of the full Appropriations Committee.

I must plead guilty not to have attended all the hearings of the subcommittee as I wanted to do.

I had other committee meetings to attend at the same time. I had full confidence in the chairman of the subcommittee and in the ranking Republican member. I knew that they would do the right thing; Mr. HOLLAND, I thank the Senator. We hope that his confidence is not misplaced.

Mr. YOUNG of North Dakota. Mr. President, I appreciate the kind comments of the Senator from Vermont. He has been a wonderful friend of agriculture.

Mr. McCARTHY. Mr. President, I commend the chairman and members of the Subcommittee on Department of Agriculture Appropriations and members of the full committee for their work on this measure.

American farmers have been suffering severe economic difficulties for many years, and the funds provided in this bill are certainly fully justified as part of the required effort to assist farmers. The farmers of this Nation have established a remarkable record as producers. They have effectively used new methods based on research and technology to increase their efficiency. I regret that they have not been fairly compensated in the market, and until they are, a number of programs for which funds are provided by this bill continue to be necessary.

I support the action taken by the committee in providing additional funds for the Soil Conservation Service so this important work can be continued. A budget proposal this year recommended establishment of a revolving fund, with a requirement that part of the cost for technical assistance now furnished by the Service be charged against the farmer. I do not believe the case for any change of this kind has been established, and I share the view expressed by the committee in the report that no change in financing will be undertaken in the absence of legislation.

The committee bill also restores the budget request of $4.3 million for the resource conservation and development program. This is $1.4 million over the House recommendation. I support the committee action on this point. One of the ten pilot resource conservation and development projects in the Nation is the western-central Minnesota project, which includes Kandiyohi, Swift, Pope, Otter Tail, and Wadena Counties. I have visited with local leaders and am impressed by the degree of local interest and the spirit of cooperation shown by representatives of the many groups involved. They have planned many projects to conserve water and soil resources, to improve the economic base of the area and to develop recreational and wildlife facilities. As a result of resource conservation and development planning two parks have been improved, a number of campsites developed, a game refuge and a lake for a 100-acre wildlife area established. Plans are completed for a number of other projects. The committee recommendation will help accelerate work on existing resource conservation and development projects and it also provides funds for planning additional projects beyond the pilot programs already approved.

The committee report also contains recommendations which are important to help meet special problems. One of these concerns bluecomb disease in poultry. Last year this disease caused losses to turkey producers estimated at $7 million. Very little is known about the disease and very little research has been done. The University of Minnesota has had a small research project and the producers themselves had underwritten private research, but these efforts have been insufficient.

I am pleased that the recommendation that several of us made to the committee—that funds be designated in the general contingency fund to accelerate research on bluecomb disease—has been approved by the committee and that the committee report recommends $50,000 for this purpose for fiscal year 1966. The committee also recommends that next year's budget include the required funds to place this project on a regular basis.

Mr. President, rust continues to be a hazard to cereal grains and to cause heavy losses in wheat, oats, barley, and rye crops. The development of new rust-resistant grains depends upon detection and identification of new rust varieties.

The Federal-State rust research program has been located at the University of Minnesota for nearly 50 years. Last year the research specialists at the laboratory worked with nearly 2,500 collections of rusted wheat, oats, and barley from 32 States. Unfortunately, the cereal rust laboratory housing is very inadequate and some of the facilities are scheduled for demolition. A new Federal research facility is required if this national laboratory is to continue to provide effective research. I urged the committee to give consideration to this problem, and I am pleased to note in the report that the committee recommends $50,000 to develop plans for a new cereal rust laboratory. I hope that next year funds will be approved to construct the needed facility.

Another recommendation in the report which will be helpful to many farmers is $150,000 for a 2-year study of the problem of egg pricing, to be conducted by the Economic Research Service. The continued low return on eggs has threatened to eliminate farm families from the egg business. As with many other farm family operations, the problem is not that of the efficiency of methods but of low market prices, and egg market pricing appears to be particularly in need of study. This survey will not solve the problem, but it should provide information needed to improve the mechanism and to enable farm producers to receive a return somewhat closer to parity.

Mr. President, some of the items I have mentioned and others in the report involve small sums, but they are of great importance in meeting special problems facing farmers. I believe the report reflects the careful consideration given by the chairman [Mr. HOLLAND] and the members of the subcommittee which handles Department of Agriculture appropriations. I again commend them for the attention they have given to needs of farmers in all sections of the Nation.

Mr. HOLLAND. Mr. President, I thank the Senator from Minnesota for his kind comments. It has been a pleasure to work with all the members of the subcommittee.

Mr. YARBOROUGH. Mr. President, it has been my pleasure to observe the superior quality of the bill which we have before us and to note that this is the result of the hard work of the distinguished Senator from Florida [Mr. HOLLAND] and the equally distinguished Senator from North Dakota [Mr. YOUNG], and an industrious and efficient staff.

I want to express my appreciation to these two Senators for the many hours they spent in the hearings on this bill and for the fair way in which they thoughtfully weighed each and every request presented to them. Because of their skill and diligence the committee is able to report out to the Senate an excellent bill for its consideration. Indicative of the superior quality of this bill are the actions which the committee has taken as regards cotton, as regards soil and water conservation, and as regards the Rural Electrification Administration. In these three areas, as in many others, the committee has shown a wisdom and a fairness beyond that of the Bureau of the Budget and beyond that of the House.

With cotton, the committee has recommended actions which in the long run will do much to rescue this crop from the deplorable condition it is now in.

For the last few years the cotton farmer has been the victim of a devastating cost price squeeze. Over the last 2 years he has had to withstand a price reduction of $17.50 per bale. Realizing that the key to bringing production costs into line with world prices is research, the committee has recommended an acceleration in cotton research. Such an acceleration is vital if costs are to be cut and American cotton is to be made competitive in the world market. At the same time that the committee has had the foresight to accelerate research in lowering the costs of producing cotton, it has refused to accept the Department of Agriculture's scheme of lowering cotton production by changing the regulations concerning skip-row planting. This scheme, as I think everyone who is familiar with the proposed changes in regulations will admit, is unjust, inequitable, and ruinous to our dryland farmers. The Department of Agriculture was simply attempting to use its powers to make technical changes in the regulations concerning acreage allotments to bring about a policy change which should only be made by the Congress. I am happy to report that the Senate committee has agreed with the House that such changes should only be made by legislation which will view cotton production and marketing as a total problem area.

Soil and water conservation is probably the most progressive and farsighted program entrusted to the Department of Agriculture. Here is a program that has made our land better. Through it we have built up the fertility of our soil, improved our water resources, and fortified our land against the ravages of wind and water erosion. When the day comes, and it is not long off, when the problem facing American agriculture is not overproduction but rather producing enough to feed the world's exploding population, this land will be ready. Our resources of soil and water will be more capable of meeting this challenge than if the settlers of this country had set our land aside and it had never been tilled. In recognition of these facts, the committee has very rightly operated under the principle that it would be penny wise and pound foolish to downgrade our soil and water conservation program. Thus the committee has recommended an amount of $17,432,000 for the Great Plains conservation program. This is $2,568,000 above the amount requested in the budget. Full approval of the committee's figure by the Senate will mean that the Department of Agriculture can start reducing the backlog of 4,600 unserviced applications submitted by farmers and ranchers for conservation projects in that vast water scarcity region extending between the 100th meridian and the Rocky Mountains. This is an area which includes land in over 10 States and 392 different counties, including 96 Texas counties. Also in the area of soil and water conservation, the Senator from Texas is happy to report that the committee has recommended the completion of the Southwest Great Plains Research Center at Bushland, Tex., near Amarillo. This is a station which, although approved in 1961, has been only half constructed. The planning funds provided in this year's budget will mean that plans can be drawn so that the station's construction can be finally completed.

Lastly, I congratulate the committee for raising the appropriation for the Rural Electrification Administration electric loan program from the House-passed figure of $350 to $380 million.

I point out that this is an increase of not $30 million, but rather $67 million over the House-passed figure. As the Senator from Florida has already noted, it was not until the very day on which we were completing the final markup of this bill, the last day of the just-ended fiscal year, that the Bureau of the Budget, much to our surprise and the surprise of the Department of Agriculture, released $37 million in contingency funds, a sum which that the committee had been notified on that morning would not be released. I want to congratulate the Senator from Florida for being able to reach a compromise to which all on the committee could agree in spite of the fact that this was an item on which various members of the committee had strongly differing opinions.

Under the able leadership of the Senator from Florida we reached a compromise; and I personally am most happy with the figure recommended by the committee. Although I think this is a program on which we could spend much more money than here recommended, this amount will go far to help the REA insure that every rural American will not only have electricity, but will have it in the same quantity and at as low a price as can be obtained by those living in our cities.

Although, as I said at the beginning of my remarks, this is an excellent bill that we have before us, and I again commend the Senator from Florida [Mr. HOLLAND] and the Senator from North Dakota [Mr. YOUNG], there is one item in the bill where I feel the committee has made a mistake. That concerns the committee's recommendation to place the maintenance of an international barrier zone to keep screwworms out of the country on a matching basis rather than under full Federal financing. Although I certainly recognize that in a pest eradication program it is certainly fair that financing be on a matching basis and my State did participate on a matching basis.

It is my contention—it is the contention of the Department of Agriculture, overriden by the committee; it is the contention of the Bureau of the Budget, overriden by the committee language; it is the contention of the House of Representatives, changed by this committee language—that the maintenance of the barrier zone between the United States and another country used to prevent the infiltration in this country by a pest should be under full Federal financing.

Placing maintenance of the barrier zone on a matching basis grossly penalizes those cattle raisers in the Southwest simply because they live along the Mexican border and for no other reason. In effect it means that the cattlemen in the southern parts of the States of Texas and New Mexico are being used to pay to protect the whole southeastern half of our Nation from the terrible ravages that screwworms inflict upon cattle herds. It is because I feel so strongly that the committee's recommendation is unfair and unjust that I reluctantly must disapprove of the recommendation of the committee to put into the bill language which will prevent the Department of Agriculture from undertaking full financing for the maintenance of the barrier zone. I want the chairman of the subcommittee to know that I greatly regret doing this, for I have the utmost respect for his wisdom and fairness. I only hope that in future years the committee will see that there is a vital difference between a pest eradication program and the maintenance of a barrier zone. The first should very rightly be carried on under matching grants, the second, like any quarantine program, should be under full Federal financing, as is for eradicating the Mediterranean fruitfly or any other pest which is entering the country in a new infestation. Maintenance of a barrier zone is a quarantine problem and should be treated as such.

In the hearings in the committee much was said about the rich cattle ranches in the Southwest. My State has more family farmers in it than any other State in the Union. It is a State of small farms and small cattlemen.

For example, the latest census, taken in 1959, showed that in Florida the average size of a cattle ranch is 4,556 acres and the average value of the cattle ranch is $400,864, or a value of $88 per acre.

In Texas, the average size of a cattle ranch is 3,370 acres. The average value of a cattle ranch in Texas is $119,714—a little bit more than one-quarter of the value of the average Florida cattle ranch. The average value per acre of the Texas cattle ranch is $35 an acre as compared to $88 per acre in Florida. So the average Florida ranch is bigger and is worth 2½ times as much an acre. In total, it is worth almost 4 times as much per ranch. Texas is not an area of vast wealthy ranches; it is an area of stock farmers. There are few large ranches, such as the King ranch, but mostly we have many small ranches. The small farm ranches should not be called upon to maintain a Federal program of quarantine zones.

I thank the Senator for the very fine other provisions in the bill.

Mr. HOLLAND. Mr. President, first, I wish to express my deep appreciation and, I am sure, the appreciation of the members of the committee, for all the kind words which the Senator from Texas has spoken.

If he ever joins the chamber of commerce, I wish to see that he is employed in my State, because I have heard no finer argument as to the great qualities of my State and the great values there than those which he has stated.

The problem of the screwworm is a matter which I regret; it is one in which I have very strong feelings. I suspect that our State has had the most severe experience with the screwworm of any State in the Nation, and we were not the original home of it. We got it from Texas. During the bad drought there some of the cattle were brought into our State and promptly the screwworm developed. We all admit that. We are so glad to have people and everything else from Texas—a fine State—imported into Florida. But that was one time when things did not work out right. We found that since they overwinter, as they say, in almost all the peninsula of Florida, we are subject to the ravishes of the screw worm perhaps more than any other part of the Nation, because they are there all the year round. We had a terrible time getting rid of them.

Not for one moment would I have the Senator think that we are not sympathetic with the problem. But I have great difficulty, and other members of the committee did as well, in differentiating between his problem and the problems of those who have the imported fire ant or the imported cereal leaf beetle or the imported Mediterranean fruitfly, or the imported citrus canker, or other diseases or pests that have come in through the Federal wall, that is, through the quarantine system, and yet have to be stamped out in every case by a 50-50 contribution from the State and local sources and by the Federal Government.

I have not been able to feel that eradication has been completed in Texas; and the reports of the scientists show that there were 240 reinfestations last year from screwworm in the northern counties of Texas and New Mexico north of the zone of which the Senator from Texas has spoken.

I do not desire to close my mind or close the minds of the members of the committee—I would not have that power—as to future discussion of the problem. But as things now stand, I find great difficulty in distinguishing between the various foreign pests which assail us and the uniform rule which applies elsewhere for the 50-50 requirement that I referred to.

The committee was asked to grant the request of the States of Arizona and California for an extension westward of this effort this year, and to meet their condition, a 50-50 use of funds for the purpose of eradicating the screwworm in those States. I hope that we shall find a better way to stop them than what has been found to date. My own feeling is that unless the States and growers affected are contributing—which means that the stockmen themselves are intimately in the picture—I am sure we shall not have the high degree of cooperation and the high degree of effectiveness which is required to eradicate this very bad pest, which formerly cost the cattlemen in my State, I was told, something like $20 million a year, and which the experts say cost the cattlemen of the great State so well represented by the Senator from Texas somewhere between $25 million and up to $100 million a year in the worst years of infestation there.

So I hope that the Senator will bear with me and with other members of the committee in our feeling that at least at the present time the 50-50 rule should be applied.

I see no reason why I should not state here, as I did in committee—it is pertinent to the inquiry of the distinguished Senator from Texas—that I am quite amenable to the thought of reducing the 50-percent contribution by the States affected if the effort toward eradication is shown to be more conclusive, more successful, than it has been shown to be in that area. I recognize that Texas has difficult problems because of its long frontier with Mexico, which is badly infested by the screwworm. The same problem affects New Mexico, Arizona, and California. Congress eventually will have to devise a formula that will be fair to those four fine States and to their cattlemen.

Many times I have suggested to the distinguished senior Senator from Texas that rather than having the burden imposed on the individual cattlemen who are affected, I hope that he will suggest that his State wait and handle the matter the same as it has been handled in all the Southeastern States, which have now been cleared of this infestation. They contributed, as did my State, on a 50-50 basis. They have contributed the same amount since the departure of the Federal Government, because they do not want any reinfestation. We even had a quarantine line along our northern boundaries when there was some reinfestation 2 or 3 years ago in Alabama and Mississippi.

So I shall not close my mind. I want the record to show that the distinguished senior Senator from Texas has assiduously, perseveringly, and, as effectively as could be done, argued the case for the cattlemen of his State. I regret that I have not been able to decide, nor has the committee, in the matter of the screwworm, as we did with respect to the Great Plains conservation program and to so important a situation as the Texas A. & M. Research Center, and other programs in his State.

We want to provide his great State what is needed and to treat it in the fairest way possible, just as we would treat our own States. But the committee, with the single exception of the senior Senator from Texas, felt that it would be difficult to distinguish between his State and other States—some of them much poorer States—which are infested by the fire ant and some of the other pests I have named, States which have put up 50 percent of the funds for eradication measures.

I hope the Senator from Texas will bear with us and will forgive us this one particular instance in which we have not agreed with him, but will give us credit on the other side of the books for the 9 or 10 instances in which we have agreed with him.

I appreciate his good humor, his good nature, and his willingness to have the problem studied.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Florida for his kind remarks and particularly for his willingness to study the proposal again next year, when we hope to bring new facts before the committee, in addition to certification by the Department of Agriculture that this zone is free of the screwworm and is therefore entitled to be treated as a free zone.

Mr. TOWER. Mr. President, as we consider the agriculture appropriations bill, I believe there are several vital points which should be made. This is a bill in which the Congress has exercised its experience and wisdom in several instances in providing important services that the administration has regarded with lukewarm enthusiasm.

This is, I believe, a graphic example of the wisdom which the Congress can bring to bear in fields where its Members and its committee have a wealth of information and knowledge.

I am particularly gratified that the Congress has rejected an administration proposal to cut back by $20 million funds for the conservation and research operations of the Soil Conservation Service.

It has been estimated that if the administration's cutback were implemented it would amount to a decrease of at least 50 percent in the application of conservation practices on the farm and ranchlands of America. We cannot afford this type of curtailment, in my considered opinion.

It is significant that this administration plan to cut soil conservation funds comes at a time when wind erosion in my State, and in vast stretches of the Great Plains, is worse than at any time in the past 10 years.

This proposal to cut soil conservation funds also comes at a time when the administration is proposing increases in many other fields for social and economic programs of at least doubtful and unproven value.

This cut in soil conservation funds also comes at a time when the administration is sending overseas vast amounts of foreign aid, even involving gifts of wheat to dictator Nasser of the United Arab Republic, a man more given to insult than cooperation.

I submit that the soil and water conservation is of much more crucial importance for the United States than many of the administration's spending programs. It is gratifying that the Congress as a whole has taken that view, also, and restored the $20 million for conservation uses.

There is another place in this comprehensive bill where the wisdom of the Congress has been manifested. It involves the Rural Electrification Administration's loan funds.

The Appropriations Committee has wisely restored $30 million cut by the administration from the new loan authorizations for the electrification program for fiscal year 1966. This was another case of mistaken administration economy efforts.

Mr. President, in my State of Texas the demand for electricity on the farm has increased tremendously within recent years. Much of this demand, for instance, is caused by the increasing use of electrical power for irrigation.

In many areas of rural Texas, particularly in the High Plains area which overlies the Ogallala Formation, receding water tables make it necessary that water be pumped from deeper and deeper depths. This in turn requires

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more electricity as larger and larger irrigation pumps are installed.

And, in other rural areas of Texas new homes are going up, with electrical appliances that cannot be operated on the old single-phase lines. New, three-phase lines must be installed.

All this costs money. If the rural electrification program is to continue on the farm, we must insure that the loan funds are there to finance it. I fully support retention of these REA loan funds, and I am pleased that the committee concurs in that judgment.

Several other items in this bill are of special importance to Texans. Badly needed funds are provided for construction of a cotton disease laboratory and a pesticides research facility at College Station, Tex.—$3,634,000 is involved here.

And, the committee has approved a very necessary $70,000 increase in funds for a 1-year field survey of screwworm eradication operations in Mexico. This project will determine the extent of screwworm infestations in Mexico and their effect upon the present barrier zone program. The administration did not feel the added funds were needed, but Texans involved can readily testify to the need to continue our efforts to prevent serious reinfestation of the Southwest by screwworms.

One of the other important appropriations made in this bill is the $25,000 for plans and specifications needed to complete construction of modern facilities for soil and water conservation research at the Southwest Great Plains Research Center at Bushland, Tex.

Also, Mr. President, I note that the committee has taken a position on the question of Canadian importation of cattle from nations where foot-and-mouth disease exists.

I concur with the committee recommendation that the U.S. Department of Agriculture withhold approval of the Canadian until this important livestock policy change can be discussed in presentation of the budget for fiscal year 1967 before the appropriate congressional committees.

I feel this is a reasonable position, and I hope USDA will understand the depth of the concern felt by many cattlemen and many Members of Congress. It is likely that adequate safeguards to cattle importation can and will be worked out, but it is a responsiblity of the Congress to assure itself of the adequacy of such safeguards.

Mr. President, I will support this appropriation bill, because it indicates congressional recognition of the vital need for increased agriculture research, for adequate soil and water conservation funds, for needed rural electrification loan funds, and for continued congressional oversight of U.S. agriculture policy.

Mr. President, I add my commendation of the distinguished Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator from Texas. He has been assiduous in presenting the claims of the cattlemen of his State with respect to the screwworm infestation. I hope he understands that we are doing the best we can under difficult situations involving many pests and many diseases which have come in from overseas and are imposing themselves upon many agricultural industries. We are trying to treat them all alike.

Mr. TOWER. I thank the Senator from Florida.

Mr. CARLSON. Mr. President, before final action is taken on the appropriation bill, I wish to express my sincere appreciation to the distinguished chairman of the Subcommittee on Agricultural Appropriations [Mr. HOLLAND] and the distinguished Senator from North Dakota [Mr. YOUNG], the ranking minority member of the subcommittee, for the inclusion of an item of $225,000 for plans for a grain research facility that is estimated to cost $3,385,000 and is to be located at Manhattan, Kans.

The distinguished chairman and other members of the subcommittee may recall that on several previous occasions I appeared before the subcommittee to stress the urgent need for this laboratory. At the committee meeting last year, I stated that I would continue to appear before the committee and request this item until it was included. So today I express my sincere thanks for its inclusion.

The continued well-being of our grain, in both domestic and foreign markets, is heavily dependent upon solutions to a range of quality problems and upon our ability to market our products more efficiently.

The desirability of establishing a grain marketing research laboratory originated due to the accumulation of stocks of grain in the United States, high storage costs to the Government, and severe criticisms of quality of U.S. grain being delivered in foreign markets. It was considered that the progress made through research in crop production was not matched by similar efforts to improve our ability to identify and measure quality in grain, improve grading methods and equipment, improve our ability to protect quality in grain during marketing, and to improve the efficiency of transporting, storing, and handling grain as it moves from from farm to market. These shortcomings are considered detrimental to our competing successfully, particularly in the export market.

Several years ago a study group of the Congress made firsthand observations of U.S. agricultural exports to Western Europe. Based on these observations the group stated that the primary reason for our failure to compete more effectively in the European market was a lack of quality, condition, and dependability of U.S. grain exports. It is evident that research is needed to protect and maintain quality in grain during drying, conditioning, storing, milling, and transportation, whether from insect, pathological, or physiological causes, or of a physical nature; development of improved equipment, facilities, and work methods for efficient handling of grain during marketing operations; and adaptation of improved, statistically sound sampling methods and other equipment for identifying and measuring quality in grain as a basis for improving grade standards, grading methods, and sampling and grading equipment. The development of methods and procedures for controlling insects and pathological disorders should avoid the creation of harmful residues.

The time is opportune for emphasizing research of this type as a part of our goal to market high-quality grains, and with maximum efficiency. However, research facilities are not available to facilitate this diversified program of research. The establishment of a modern grain-marketing research laboratory, having specialized laboratories and equipment, is essential where quality and handling research can be conducted in cooperation with the grain industry and other research agencies. Research results would provide a basis for improving official grade standards and grading methods, and provide the industry with reliable methods and procedures for protecting the quality of grain during drying, storage, and transport, and improving the efficiency of its handling and marketing operations.

The logical location for this laboratory is Manhattan, Kans., where considerable milling, baking, and feed processing facilities have been established at Kansas State University through the cooperation of the grain industry. The logic of this location has been recognized by industry groups which have previously appeared before this committee and by representatives of experiment station directors of the North Central States. Furthermore, the university has offered sufficient land for the laboratory at no cost to the Government.

The construction of this National Grain Marketing Laboratory will mean much to the production and marketing of grains to the farmers and processors of agricultural products.

Mr. HOLLAND. Mr. President, I express appreciation to the distinguished Senator from Kansas. He has patiently persisted for a number of years to have this facility provided. However, he did agree to wait until a Department of Agriculture study and feasibility report could be made of the situation.

A number of new stations have been authorized, and a number of stations have been closed this year. We have worked with the close cooperation of the Secretary of Agriculture. In every case in which a new station has been activated this year, the same course has been followed. The need for such a station has been studied, and the feasibility of the station has been reported to us by the Department of Agriculture.

The Senator from Kansas has been unwavering in his perseverance, but he has been patient enough to permit this proposal to be studied seriously and reported upon. That is what should be done in every instance where there is a need for a new laboratory or a new experiment station. I thank the Senator from Kansas for his kindness.

Mr. CARLSON. The Senator from Florida and I have had several discussions regarding this station. I have agreed that the program he suggested be followed. We appreciate it very much.

Mr. BREWSTER. Mr. President, it is with genuine reluctance that I rise to discuss a matter in which I did not participate, because I am not a member of the Committee on Agriculture and Forestry.

For more than a few years, in both Houses of Congress, I have opposed certain of the programs now conducted by the Department of Agriculture.

Representing an Eastern State, principally a consumers' State, a State whose farms are mostly small, it is my opinion that many programs that have been embarked upon are unrealistic and are costly to the consumers of the great cities. The taxpayers should not be charged, year after year, with programs that enable the producer, year after year, to plant, produce, and sell to the taxpayers at a profit.

At the same time I state this general opposition to many of the programs that have been carried on by the Department of Agriculture, I congratulate the Subcommittee on Agricultural Appropriations, which has reported this measure to the Senate. I congratulate them because they have increased the appropriation for the Commodity Credit Corporation above the House bill by some $927 million.

That statement may seem peculiar, coming from one who is always opposed to certain programs. However, what has been done by the committee is, for once, a very sound practice.

I only regret that the increase is not $2,065 million, rather than $927 million. I refer the Senate to page 3 of the committee report. In the second paragraph it is stated that the Commodity Credit Corporation is unreimbursed in the amount of $2,065 million. This is made up of $1,057 million resulting from the inventory reevaluation in 1961; $81 million in 1963 losses; and $927 million in 1964 losses.

Year after year, the Commodity Credit Corporation has underestimated its needs. Year after year Congress is asked to appropriate additional funds in supplemental budgets or appropriation bills to fully reimburse them. I know that over a period of years we have heard different programs presented to Congress. We are told that they will save money.

It seems that year after year the agricultural programs become more expensive. What the committee has done in this case is a realistic approach to the cost of the Department of Agriculture. If the Commodity Credit Corporation is to continue to carry on its present programs, taxpayers have every right to know precisely, in its budget appropriation, what the various programs cost.

I heartily congratulate the chairman and the committee for the realistic fiscal approach to the Commodity Credit Corporation. I hope that in the future the Commodity Credit Corporation will present the Congress with an honest estimate of the amount needed to carry out its programs.

Mr. HOLLAND. Mr. President, I appreciate the kind comments of the Senator from Maryland.

The Senator from Florida is in almost the same position. There were many programs presented to the committee for which the Senator from Florida did not vote and does not approve.

We are trying to live up to the obligations of Congress as imposed by law when we handle this bill. As to the matter mentioned by the distinguished Senator from Maryland, we feel that the reimbursement to the Commodity Credit Corporation for losses is a matter of sound fiscal policy. No cash would be involved in this transaction. However, so long as the item does not show, as the law requires that it be shown, the real scope and size of the operation of the Commodity Credit Corporation is not readily discoverable by the average citizen.

Before the Senator reached the floor, I reported that we had the full cooperation of the Secretary of Agriculture in this matter. He asked the Bureau of the Budget, following the suggestion of our subcommittee, for a supplemental budget amendment that would fully repair and restore the capital of the Commodity Credit Corporation.

That item was turned down by the Budget Bureau. Under the operation which we propose, the item which we have added to the bill, almost $1 billion, would be full reimbursement for fiscal 1964, with a little larger amount than that left to cover the deficiencies for 1961 and 1963, which the Senator has mentioned. We have asked that that amount appear in the next budget. I hope that it may. It is similar to sweeping something under the rug when we omit an item which does not involve any cash transaction, thus indicating that the size of the operation of the Commodity Credit Corporation and the success of that operation was not exactly what it is shown to be by the record.

I believe that this would be merely a matter of sound bookkeeping and good accountancy. The Secretary of Agriculture agrees with us. He has so recommended to the Bureau of the Budget. Perhaps we shall get the matter straightened out within a year and keep the Commodity Credit Corporation account on a current basis. I hope that we do. When I say current, I mean up to the previous year. The accounts have been closed in fiscal year 1965. We are now talking about fiscal year 1964, and prior years.

I thank the Senator for his courtesy.

Mr. MILLER. Mr. President, on February 8 of this year, at pages 2263 to 2265, I made a statement on the subject of the farmer's share of the national net income. In the course of that statement, I pointed out the plight of the Commodity Credit Corporation.

Mr. President, I ask unanimous consent that a portion of my statement appear at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PLIGHT OF COMMODITY CREDIT CORPORATION

Too few of our farmers are familiar with what has been happening to the Commodity Credit Corporation. Due to the negligence of the Congress over $8 billion of its capital has been lost without being restored. It was this negligence which brought about the urgent deficiency appropriation of $1.6 billion which was recently rushed through the Congress. The table set forth below shows the seriousness of the situation.

Mr. President, I ask unanimous consent that the table prepared by me may be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

"Total capital in use (out of $14,500,000,000 authorized) as of Dec. 31, 1964	$14, 180, 600, 000
Amount thereof "lost" as of June 30, 1964	—8, 166, 134, 000
Total	6, 014, 466, 000
Add fiscal 1965 appropriation to partially restore "lost" capital	1, 574, 000, 000
Available capial funds	[1] 7, 588, 466, 000
Already committed to crop loans and inventory as of Dec. 31, 1964	[2] 7, 413, 322, 889
Available for additional crop loans	175, 143, 111

[1] Compare this to commitments to loans and inventories of $8,192,620,000 on Feb. 1, 1964, and $8,465,384,000 on Feb. 1, 1963.

[2] See the following table:

Already committed	$7, 413, 322, 889
Estimated losses from liquidations	—1, 015, 000, 000
Available after liquidation	6, 398, 322, 889
Available, as above, for additional loans and inventory	175, 143, 111
Deficiency appropriation to restore capital	1, 600, 000, 000
Additional borrowing authorized for capital	319, 400, 000
Total available for CCC programs	8, 592, 866, 000"

Mr. MILLER. Mr. President, the $8,166,134,000 "lost" represents losses by Commodity Credit Corporation through price support programs, with inventories being disposed of at less than cost, largely through the food-for-peace program. Of this total, $1,574 million was restored by the fiscal 1965 appropriation and $1,600 million has now been restored by the recent fiscal 1965 deficiency appropriation, leaving a total of almost $5 billion which Congress has neglected to restore. Of course this may help to make the spending budget appear lower, but the day of reckoning eventually arrives—as it did with the $1.6 billion deficiency appropriation and as it will with future deficiency appropriations.

Mr. MILLER. Mr. President, I point out also that in the budget, the main document for this year, the statement appears on page 155 that the realized losses reflected in the report of the Commodity Credit Corporation, and its report is as of June 30, 1964, are $3,226.8 million. However, it is estimated that an appropriation of $2,300 million would provide sufficient funds for the operations described and for the prior years' commitment of committee authorizations. As a result, the budget was really understated by $926,800,000.

Senators will remember the point that was made early this year, to the effect that the President's budget would be under $100 billion.

The only reason that it was under $100 billion was the gross understatement by $926,800,000 of the amount needed properly to reimburse the Commodity Credit Corporation.

I very much appreciate the forthrightness of the Committee on Appropriations, and particularly that of the distinguished Senator from Florida [Mr. HOLLAND] who has handled that appropriation, for facing up to the need of reimbursing the Commodity Credit Corporation for its losses which have in fact occurred for the year 1964, instead of sloughing it off, as the budget document did, or even to grossly understate or underappropriate the amount required.

I commend the committee for ignoring the administration proposal, which would have caused great hardship on many farmers. The proposal referred to appears on page 15 of the committee report. It would establish a revolving fund with respect to soil conservation service matters and require that a part of the cost for technical assistance now generally made by the agency would be charged to the farmer.

In my State, literally thousands of farmers have for a long time been participating in the Soil Conservation Service activities.

I do not need to point out that the farmer, among all the segments of our economy, has not shared in our national net income increases or in our national growth.

This would be, of all times, a most inappropriate time to increase the farmer's cost of production. The committee ignored this request, and it increased the amount of the appropriation for Soil Conservation Service activities.

I commend the committee for doing so. I also point out what I regret to say is, in my judgment, still a defect in the Agriculture Department appropriations.

We are appropriating literally billions of dollars to try to do something about a surplus situation in some of our crops. Yet, when we look at our agricultural research activities, we find that a great portion of our research is conducted with a view to increasing production, not increasing consumption, and particularly in the area of industrial uses of agricultural commodities.

I have a breakdown from the Department of Agriculture of the way research funds were spent in 1965, and the way they were proposed to be spent in 1966.

I ask unanimous consent that the breakdown be placed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE

Funds available for research programs of the Department, by production, consumption, and marketing, fiscal years 1965 and 1966 (budget estimates) [1]

[In thousands of dollars]

	Fiscal year 1965 [2]	Fiscal year 1966 budget estimate
Production research:		
Agricultural Research Service: Farm research	$86,541.6	$87,928.5
Economic Research Service: Farm economics research	4,568.0	4,722.0
Forest Service: Forest production research	21,432.0	21,570.0
Total, production research	112,541.6	114,220.5
Consumption research:		
Human and animal:		
Agricultural Research Service: Portion of utilization research and development, human nutrition research, and portion of consumer and food economics research	18,538.3	17,725.9
Industrial:		
Agricultural Research Service: Portion of utilization research and development, portion of consumer and food economics research, and clothing and housing research	16,402.9	15,677.1
Forest Service: Forest utilization research	5,810.0	6,299.0
Total, consumption research	40,751.2	39,702.0
Marketing research:		
Industrial:		
Agricultural Research Service: Portion of marketing research	1,193.9	1,280.7
Economic Research Service: Portion of marketing economics research and portion of domestic and foreign analysis [3]	$2,734.0	$2,768.0
Farmer Cooperative Service: Portion of research for farmer cooperatives	100.0	110.0
Total, industrial	4,027.9	4,158.7
Other:		
Agricultural Research Service: Portion of marketing research	6,448.3	6,493.8
Economic Research Service: Portion of marketing economics research and portion of domestic and foreign analysis	3,620.0	3,876.0
Statistical Reporting Service: Crop and livestock estimates and statistical research	575.2	575.2
Farmer Cooperative Service: Portion of research for farmer cooperatives	760.6	826.1
Forest Service: Forest survey and forest products marketing research	3,042.0	3,367.0
Total, other	14,446.1	15,138.1
Total, marketing research	18,474.0	19,296.8
Grand total	171,766.8	173,219.3

[1] Excludes the following programs:

	1965	1966 budget estimate
Office of the Secretary	$250,000	$250,000
National Agricultural Library	1,319,200	1,492,000
Total	1,569,200	1,742,000

[2] Includes transfers from sec. 32 funds. Also includes estimated amounts for increased pay costs authorized under the Federal Employees Salary Act of 1964 (Public Law 88-426).

[3] Includes functional research not related to commodities.

Mr. MILLER. I point out to the distinguished Senator from Florida that for 1966—and I believe these figures are substantially in line with the recommendation by the committee—a total of $173,219,000 would be proposed for all types of agricultural research activities. Of this amount, $114,220,000 relates to the production side of agriculture; $19,296,000 relates to the marketing side; $39,702,000 relates to the consumption side—more in the nature of food consumption. That leaves just $15,677,000, far less than 10 percent of the total amount, for research in connection with industrial uses of agricultural commodities.

I ask the Senator from Florida whether he and his subcommittee would give special attention in the coming year to trying either to increase the appropriation for research, with the increase going to industrial use research, or, somehow or other, evolve a better balance in our agricultural research activities.

I point out to the Senator that earlier this year, during the hearings held by the Joint Economic Committee, when the Director of the Budget was before our committee, I invited his attention to a statement appearing at page 89 of the budget. It is a brief statement and reads as follows:

> But in view of the market outlook for farm commodities at home and abroad, farming alone cannot be expected to provide a decent living in the future for more than about 1 million farm families even with continued Government assistance.

I asked him whether or not that statement might have to be modified if we increased our industrial research activities with respect to agricultural commodities so that, in fact, the consumption side of agriculture would be in-

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creased, and whether or not we might be able to support in decent circumstances far more than 1 million farm families. He said there was a possibility.

With that picture in mind, while I would value the comments of the Senator from Florida, I should like to have his assurance that this type of research by our Department of Agriculture will be particularly scrutinized and evaluated, because it seems to me that while foreign exports, disaster relief, Public Law 480, and other tools we are now using to dispose of agricultural commodities are very useful, and perhaps have a somewhat bright future, we have not yet tapped into the full extent of our ability for the use of agricultural commodities for various types of industry.

I would appreciate that assurance from the Senator, if he would care to comment, because I believe he is just as concerned as is the Senator from Iowa, coming as he does from a fine agricultural State, about the potential for industrial uses of agricultural commodities.

Mr. HOLLAND. Mr. President, in the first place, I invite the Senator's attention to page 737 of the hearing record, where the Senator may have overlooked a part of the appropriation, which relates to the very objective with which the Senator is concerned. He will find under the heading "Utilization research and development," the amount of $29,261,700.

Further down in the table, under the heading "Nutrition and consumer use research," the amount of $4,141,300.

Under the heading "Marketing research" he will find an amount of $7,774,500.

Utilization research is the kind of research the Senator is concerned about. For example, in the utilization laboratory located near the home of the Senator from Florida there was discovered the process of concentration of citrus fruits which was used during the war. That process was, of course, improved by the experimentation paid for by the State of Florida to make the product more edible. That is only one instance of many, many items of research which have been utilized.

I agree with the Senator from Iowa that the matter of greater utilization of agricultural commodities is important. There is a great deal of work going on in this area now. The facilities for utilization research are being greatly enlarged under the committee recommendations of 2 years ago, and new facilities will soon be completed. The total amount for research utilization for all purposes, which includes research for industrial uses, is substantial. For example, there is research in industrial use of tung oil. There is some research for human use, as the research for foods. There are various types of research which have to do with greater utilization of the several commodities.

However, various commodity groups in the Nation have been doing a fine job in that field. For example, in my own State, about which I happen to know best, the citrus advertising tax, which is the largest of such funds in the world for advertising any one commodity, was raised by a State tax imposed on every box of fruit harvested in our State. A portion of that tax is earmarked for the very type of research about which the Senator from Iowa is concerned, and has resulted in the development of pectins from orange seeds and rinds and various other developments which I could mention.

So I am in complete accord that the field of research is one of great importance. Perhaps we have not emphasized it sufficiently. I would be glad to have the Senator appear at any of our hearings to give us any specific suggestions, but the field of utilization research has as a part of it research for industrial uses, because it is an important part of our research program.

Mr. MILLER. I thank the Senator for his comments. The Senator from Iowa is fully aware of the statistics to which the Senator from Florida has referred on page 737 of the hearings.

I have in my hand a document, which I asked to have printed in the RECORD earlier, which does a little more refined job of breaking down what goes into the various areas of agricultural research.

I emphasize that the utilization research item contains the sum of only $15 million dedicated to finding new industrial uses for agricultural commodities. I have no particular objection to having utilization research go into such areas as uses for new and special plants, poultry, dairy, and animal products. Most of this relates to consumption food items or marketing. What I am concerned about is use for industrial purposes of agricultural commodities.

I suggest that with only $15 million out of the entire budget going in this direction, I do not believe there is a proper balance of agricultural research activities. It seems to me that we might be thinking more in terms of a balance of 50–50—50 percent of agricultural research on the production side and 50 percent on the consumption side, to include marketing and other activities within that 50 percent. I believe that there is room for far more than $15 million for industrial uses. However, on several occasions I have recommended a crash program to find more industrial uses for agricultural products. I believe that it is worth a trial. I am not a scientist, and have no specific suggestions to make, but I suggest that those in private industry, as well as those in research activities of the Department of Agriculture, could provide a fruitful source of recommendations to the subcommittee.

Possibly the subcommittee could exchange correspondence with various persons in private industry to ascertain to what extent the appropriation might be increased next year, in order to make maximum use of the opportunities for research, and particularly at a time when we are concerned about surplus problems in some of the areas of agricultural production.

Mr. HOLLAND. I believe that the Senator is on sound ground. Let me say to him that the committee has invited witnesses from private industry, from the farm groups, from every connecting group that I can think of—they have come before the committee from the Farm Bureau, from the National Grange, from the Farmers Union, from various processing groups, packinghouse groups, fertilizer groups, insecticide groups, and those who use oils of various kinds.

The Senator will notice that in the group of projects listed under utilization research there are at least two items that fall directly within what the Senator is concerned about.

One is cotton, wool, and other fibers, $5,862,000—and the other is oil, $3,158,000.

There are other categories like tung oil, which has to do with the development of other uses for tung oil for different paints, and insulating uses, which I shall not mention in detail at this time. I fully approve of that kind of experimentation. The committee will welcome any advice and suggestions it can get. We have invited the appearance and participation of every group we know which might produce useful information of that kind. If the Senator knows of any other group, I would consider it a privilege if he would pass that information along to me, and any suggestions as to other groups which might have appeared before, because we know that this is a field which requires attention. I am grateful for the comments of the Senator from Iowa.

Mr. MILLER. Possibly the Senator's subcommittee could, during the interim between now and the next time the appropriation is considered, carry on an independent research of its own, with a view to getting set for next year. I do not believe that it warrants a resolution or anything like that, but I believe that the plan is worth trying.

I would feel very much more comfortable if, a year from now, the Senator from Florida, at this same time and place, regarding this same appropriation, could say that the subcommittee had thoroughly gone into the prospect for expanded research activities for industrial uses. At present, I have the uneasy feeling—which I know is shared by others—that we have not explored the situation as much as we could, or as much as we should. I am not suggesting that we should concentrate on areas of research where there are no surplus commodities. I am thinking particularly in terms of what is causing a great national problem, involving wheat and feed grains to some extent. There are others. We are spending billions of dollars to handle a surplus problem with respect to some crops and are, frankly, spending only a few cents, comparatively speaking, to try to find new outlets for industrial uses for such items.

Mr. HOLLAND. I appreciate the comments of the Senator from Iowa. I invite his attention to the fact that under the appropriations of last year and the year before, we provided for a great increase in facilities in the Peoria Laboratory, which serves his part of the Nation. One of the important new structures there has to do directly with the program of utilization. We shall welcome any suggestions which the Senator can make and appreciate his comments very much.

Mr. MILLER. I thank the Senator from Florida.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLOTT. Mr. President, I have listened with interest to the remarks of the Senator from Iowa. Having sat in on the markup of the bill as a member of the committee, it came to me forcibly how great is the complexity of the bill and the complexity of the research items alone, all of which deserve a great deal of study.

The Senator from Florida and the Senator from North Dakota [Mr. YOUNG], in my opinion, have performed a valuable task in bringing the bill to the floor of the Senate. Those of us on the committee are well aware of the many complex problems involved in the bill. I have always found the Senator from Florida and the Senator from North Dakota willing to go to any extent to hear the thoughts and receive the suggestions of Senators. Having something to do with this problem, I did not wish the occasion to pass without expressing, on behalf of myself and Senators from other farm States, the deep appreciation of all of us to the distinguished chairman of the subcommittee and the distinguished ranking minority member for the time and attention they have given to all of us who have brought our problems before the subcommittee. It is not, of course, the biggest subcommittee, in the Appropriations Committee, in terms of dollars, but the complexity of the problems within problems is not surpassed anywhere in the appropriation bill. No one could have done a finer job on it than the two Senators who have carried the burden of preparing the bill.

Mr. HOLLAND. All members of the subcommittee, including the distinguished ranking minority member, the Senator from North Dakota [Mr. YOUNG], and myself, express our deep appreciation to the Senator from Colorado.

Mr. COOPER. Mr. President——

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. COOPER. I join my colleagues in expressing our appreciation to the Subcommittee on Agricultural Appropriations——

Mr. HOLLAND. On behalf of myself and all other members of the subcommittee, we thank the Senator.

Mr. COOPER. We thank the subcommittee for its knowledgeable and constructive consideration of this bill, which deals with every agricultural program so important to the agricultural economy of the country.

I pay special tribute to the chairman, the distinguished Senator from Florida [Mr. HOLLAND], and also to our colleague on this side of the aisle, the Senator from North Dakota [Mr. YOUNG]. I know they work very closely together in their consideration and preparation of the bill.

Many of the items in the bill are of great interest to Kentucky and the farm families and rural communities of my State. I shall not try to discuss each major farm program financed for fiscal 1966 by the bill, which as I have said is very broad in scope, and directly affects every farmer in my State and, indeed, throughout the country.

I note that the committee has maintained the increase of $575,000 for health-related tobacco research. I remember that last year the Senator from Florida heard our proposals and recommended an increase in the appropriation for tobacco research. Considering the fact that recently we have been dealing with bills concerned with the health problems related to tobacco, the action of the committee in approving this further increase is particularly timely. I understand that the appropriation will be allocated to several research centers, including, of course, the National Tobacco Research Laboratory at Lexington, Ky.

Mr. HOLLAND. We thank the Senator for his very kind expressions. The Senator is correct. A continuing effort of Congress through this program will be given to research in the field of health in tobacco, which we enlarged last year as one of the major needs in the field of research in agriculture. We expect to continue it, because we feel that a great industry is entitled to its continuance, and the American people are entitled to it, also.

Mr. COOPER. The farmers in Kentucky appreciate very much the understanding of the Senator from Florida.

Early this year I received hundreds of letters from farmers, soil conservation district supervisors, county banks, and others in Kentucky who were concerned about the proposed change in the Soil Conservation Service program. The Bureau of the Budget had recommended a reduction of $20 million in SCS operating funds. It was proposed that a revolving fund be created, to be supported by a user charge against the farmers who were carrying out the recommended conservation practices on their farms.

As I understood the proposal—and I remember that I discussed it at that time with the distinguished Senator from Florida and other members of the Appropriations Subcommittee, and also with other Senators on the Committee on Agriculture and Forestry on which I serve—it was thought that to change the program in this way would require legislative action.

Mr. HOLLAND. The Senator is correct. That legislative action has not been taken. Therefore the committee stood by its own standards, both as to the amount appropriated and as to our refusal to participate in setting up any revolving fund, so-called, which was not authorized by law.

Mr. COOPER. I know the support of the committee, the Senate, and the Congress will be of great satisfaction to our farmers in Kentucky, who are very much interested in the soil conservation program.

Mr. HOLLAND. I believe a general interest has been shown throughout the country in this subject. It did not seem to the committee that this was the proper time, when the agriculture economy is lagging behind the rest of the economy of the Nation, to impose additional charges on the farmers with respect to a matter which relates to the conservation of our national and natural assets.

Mr. COOPER. The Senator knows that the Extension Service is the oldest farm program in the Department of Agriculture. The committee has maintained the budget request for cooperative agricultural extension work. In fact, I am glad to note it has raised the budget request by some $3 million, directing that the increased funds be used to make salary adjustments for extension workers—county agents, and home demonstration agents.

Mr. HOLLAND. Yes. The committee has had that pleasant duty for the last few years, since the Federal salary increases were voted. Neither the Bureau of the Budget nor the House of Representatives has seen fit to provide the Federal share of these increases. Our committee has regularly done so, and it has done so again this year.

Mr. COOPER. I remember that this has been the practice of the committee. I am happy, because I am sure the Senator will agree with me that there is no more deserving group of public servants in our country than the county agents and home demonstration agents.

Mr. HOLLAND. They are serving directly in the education of the public, of farmers and rural people who most need every help that they can get to produce better and to conserve better. I believe it is one of the finest services we have.

Mr. COOPER. I note also that the agricultural conservation program has been maintained at the level of the past. The program is closely related to the Soil Conservation Service work I mentioned earlier, for the ACP helps the farmer carry out the conservation practices recommended as part of his overall farm plan, which is developed through the assistance of SCS technicians and within the goals of the countywide program of the local soil conservation district. While payments are modest, it is one of the most helpful and valuable programs we have, especially for smaller farms. It assists also in the development of small watershed projects. Yet every recent year it has become the duty of the Congress to restore funds for the program, and I remember times when it has been a battle to maintain the full program.

Mr. HOLLAND. Yes. That seems to be a pleasant little game between the Bureau of the Budget and Congress. The Bureau of the Budget always wants us to reverse ourselves. We believe that the ACP program has been useful. We see no reason to diminish its service to the country.

Mr. COOPER. I appreciate also the fact that the Senator which willing to accept the amendment which will provide funds for special assistance to the school lunch program. It will be particularly helpful in Kentucky, as I stated in my presentation to the Committee.

Mr. HOLLAND. The Senator from North Dakato [Mr. YOUNG] and I have agreed to take that item to conference. There was real difficulty on this subject

THE UNIVERSITY OF MICHIGAN LIBRARIES

in committee for various reasons, which I have already set forth in the Record. We have agreed to take it to conference. Perhaps we can work out some sound beginning with the conferees from the other body.

Mr. COOPER. I hope so. This subject was rather fully discussed in the Committee on Agriculture and Forestry on several occasions, and 3 years ago we approved an amendment to the National School Lunch Act authorizing the special assistance under section 11. I believe there is a problem here, particularly in the poorer counties, having larger numbers of pupils who cannot meet their proportionate part of the cost of the regular school lunches. It means in many instances that these students who need lunches the most may not be able to obtain them, and may even stay away from school. I know the Senator is well acquainted with the problem and that it will be discussed in conference; I hope the Senate amendment will be accepted by the House.

I am glad also that the Committee reversed the budget cut in the school milk program, recognizing that it is expanding. Without this action I understand schoolchildren in Kentucky and elsewhere would have to pay another cent for each half pint of milk next year.

I shall not take more time. Of course I support this year, as I have every year, the loan funds provided for the Rural Electrification Agency and for the Farmers Home Administration, and the operation of the Farm Credit Administration which supervises the local PCA's. I have seen the REA bring light, power and new life to broad areas of rural Kentucky, and its outstanding leadership in my State continues to meet the most pressing challenges of our time, both at home and abroad, as I noted in the Senate a few days ago. Among the Farmers Home Administration programs, I am glad that the Senate bill includes funds for the rural housing grant program, which I had been in touch with the committee about and which has been so helpful in Eastern Kentucky. I am very hopeful that the House of Representatives may now agree to continuation of the program.

I commend the Senator from Florida [Mr. Holland] for his leadership as chairman of the subcommittee responsible for this important work supporting all the farm programs. I know he will not mind if I pay my tribute also to our colleague the Senator from North Dakota [Mr. Young] who works with him as the ranking Republican member of the subcommittee. Year after year, Senator Milton Young has been a wonderful and faithful friend of the farmer—not only in North Dakota but throughout the Nation.

Mr. HOLLAND. I would be very much hurt if the Senator did not pay tribute to the Senator from North Dakota. The Senator from Florida has done so repeatedly during the course of the debate.

Mr. CARLSON. Mr. President, on behalf of the junior Senator from Kansas [Mr. Pearson], who is absent on official business, I ask unanimous consent to have printed in the Record at this point a statement prepared by him dealing with the planned grain marketing research facility at Kansas State University, Manhattan, Kans.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR PEARSON

I wish to associate myself with the specific recommendation in the agriculture appropriations bill calling for an appropriation of $225,000 to plan a grain marketing research facility at Kansas State University, Manhattan, Kans.

Because of the industry of the American farmer, the advancements in technology, and the emphasis of Government farm policies, our capacity to produce grain has exceeded our ability to market these crops. The accumulation of stocks of grain has become a major farm problem.

As the European Common Market becomes stronger, competition for grain markets will be keener. I believe the handwriting is on the wall in respect to future prospects for U.S. wheat sales. Ten years ago we furnished the Common Market countries 32 percent of their wheat requirements—but within the last 18 months, this figure has dropped to 20 percent. We are not competing to the extent that our ability and technology permit on a price and quality basis. To improve our competitive position, we must place more emphasis on quality than we have in the past.

Quality is not the only field of possible improvement in order to make grain grown in the United States more competitive in foreign markets. Our grain must be competitive in price. Much research has been done, and rightly so, to increase yields and to cut production costs. But we must also strive to reduce the cost of marketing grain while we strive to improve the quality. We can improve the design of facilities for storage, the drying and handling of grain and the more efficient work methods all of which would add to our ability to compete in foreign markets.

Marketing research has lagged behind production research, and this gap in research efforts is inconsistent with our efforts to solve some of the problems of American agriculture.

The first step to correct this deficiency would be the establishment of a modern grain marketing research center such as has been recommended for addition in the Department of Agriculture budget for 1966.

I concur in the addition of this item and only wish to add that the need is urgent and that any further delay in such grain research will produce greater expense and even more difficult problems in the years ahead.

APPROPRIATIONS FOR 1966 AGRICULTURE CONSERVATION PROGRAM—STATEMENT BY SENATOR HARRIS

Mr. MONTOYA. Mr. President, Senator Harris would like to commend the Senate Committee on Appropriations for its action on the agricultural appropriations bill and is very happy that the committee has raised the appropriation for the water pollution laboratory at Durant, Okla., by $50,000 over the amount contained in the agricultural appropriations bill as passed by the House. This increase of $50,000 now raises the appropriation for the Durant water pollution laboratory to a total of $500,000.

Senator Harris has asked me in his absence to submit for the Record his statement before the Agriculture Appropriations Subcommittee of the Senate Appropriations Committee on behalf of the Durant water pollution laboratory and the appropriations for the 1966 agriculture conservation program. Senator Harris is also happy to note that the committee has concurred in the restoration of the full $250 million program announcement for the agriculture conservation program as recommended by the House Appropriations Committee.

Without objection I would like to submit Senator Harris' statement at this time to be included in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR FRED R. HARRIS BEFORE THE AGRICULTURE APPROPRIATIONS SUBCOMMITTEE OF THE SENATE COMMITTEE ON APPROPRIATIONS

Mr. Chairman, it is a pleasure to be here before the committee this morning in support of the appropriation of $450,000 for construction of a water pollution laboratory at Durant, Okla.

The proposed appropriation would provide funds for construction of the laboratory for research to develop procedures and methods that will avoid water-pollution problems resulting from the use of pesticides and agricultural chemicals. In the past few years a great deal of public interest has been created about the effects of the use of agricultural chemicals upon the quality of water flowing in our streams from agricultural lands. A laboratory is needed for research into this problem in order to protect our country's water supply and to prevent and curb any possible health hazards resulting from the use of agricultural chemicals. At the present time the Department of Agriculture does not have any facility for effective research in this area.

The proposed laboratory would be located in southeastern Oklahoma near Southeastern State College at Durant. This is an agricultural area in the Red River Valley where large acreages of cotton are grown and appreciable amounts of pesticides and other agricultural chemicals are used. The location is ideally suited for the study of these chemicals on water pollution. In addition to cooperating with Southeastern State College, the proposed laboratory would work in close cooperation with the Robert S. Kerr Water Pollution Control Laboratory recently constructed by the Department of Health, Education, and Welfare at Ada.

This laboratory is located in Oklahoma's Third Congressional District represented by the distinguished majority leader of the House of Representatives, Carl Albert. Congressman Albert is vitally interested in the construction of this laboratory, and I know he will appreciate all the consideration which this committee may give this request.

Also, Mr. Chairman, I was happy to see that the House Committee on Appropriations recognized the serious threat to the future of the soil and water conservation programs of this country through the Budget proposal to reduce the agricultural conservation program by $100 million for the next year.

The committee has recommended the restoration of the full $250 million program announcement for the 1966 ACP program. This program which is an integral part of our soil and water conservation program is of vital importance to insure the productivity of our precious soil to future generations of Americans. There is no resource known to man which is more indispensable than the soil from which we produce the food and fiber for our ever-expanding population. I therefore feel that we have an obligation to conserve the vital resource to the utmost of our ability. The House Appropriations Committee has recognized this need, and I concur with their recommended appropriation, and I would urge this committee to do the same.

I appreciate the opportunity to appear before your committee today, and I would like to thank you for your consideration of my requests.

Thank you.

Mr. METCALF. Mr. President, I would like to draw your attention to the ever increasing amount of REA telephone loan applications on hand at the end of fiscal years 1962 through 1965.

At the end of fiscal year 1962 there were $56.4 million applications on hand; for the end of fiscal year 1963 this increased to $58.3 million, and for the end of fiscal year 1964 the figure was up to $84.7 million.

Now for the end of this past fiscal year, REA shows a figure of $126.2 million in applications on hand but not acted on.

These figures clearly indicate that the needs of the telephone systems supplying telephone service to our farm areas have outstripped the funds appropriated for the program.

I especially draw your attention to the fact that the $97 million called for in H.R. 8370 does not even match the amount of applications on hand at the beginning of fiscal 1966, much less the new applications for fiscal 1966 which are anticipated at about $100 million.

I regret that the Appropriations Committee has provided that $15 million of the rural telephone loan funds shall be held in a contingency reserve and urge that this provision be taken out in conference with the House.

Mr. McGOVERN. Mr. President, I would like to call attention to the accomplishments of the REA telephone program. When bills were introduced in Congress in 1949 to amend the Rural Electrification Act so Federal loans and technical assistance could be used to improve and extend telephone service in rural areas, Claude R. Wickard, who was then Administrator of the REA, testified before a Senate committee:

> With the possible exception of electric power, it is hard to conceive of anything that means more to the health, happiness, and economic well-being of farm people than good telephone service.

Sixteen years later, this statement still stands true. Looking at it from every angle, no group of people needs telephone service as much as farmers. Their alternative to making a telephone call is several miles of travel—not just going a few blocks within town. Because of distance, their emergency needs for phone service are especially urgent.

REA telephone borrowers have done a remarkable job in bringing telephone service to our farm areas. According to 1950 U.S. Census, only 38.2 percent of the farms in the United States had telephone service of some kind and a considerable portion of this service was inadequate and of low quality. Today, on a national average, just under 79 percent of the farms in the United States are receiving telephone service.

Of the many programs that the Congress has undertaken to improve the lot of the American farmer, the REA telephone program must be considered one of the most important.

The Appropriations Committee has called for a telephone loan program authorization of $97 million for 1966, the budget request. However, the committee has reserved $15 million in a contingency fund. For a program that is expected to receive $100 million in new applications in 1966 and has already on hand at the beginning of fiscal year 1966 a backlog of applications totaling $126 million, a contingency provision seems quite unnecessary. I say this, especially in view of the difficulty we recently encountered with the Budget Bureau in getting such contingency funds released for the REA and telephone programs. Since it involves no additional appropriations, I hope the managers of the bill before us will, in conference, at least accept the House provision for a $7 million contingency reserve, instead of $15 million.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. Dodd], the Senator from Oklahoma [Mr. Harris], the Senator from Rhode Island [Mr. Pastore], and the Senator from Oklahoma [Mr. Monroney] are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from Idaho [Mr. Church], the Senator from North Carolina [Mr. Jordan], the Senator from Ohio [Mr. Lausche], the Senator from Utah [Mr. Moss] and the Senator from Alabama [Mr. Sparkman], are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia [Mr. Byrd], the Senator from Idaho [Mr. Church], the Senator from Oklahoma [Mr. Harris], the Senator from Oklahoma [Mr. Monroney], the Senator from Utah [Mr. Moss] and the Senator from Rhode Island [Mr. Pastore] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Pearson] is absent on official business and, if present and voting, would vote "yea."

The Senator from Wyoming [Mr. Simpson] is necessarily absent, and if present and voting, would vote "yea."

The result was announced—yeas 86, nays 2, as follows:

[No. 182 Leg.]

YEAS—86

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Neuberger
Pell
Prouty
Proxmire
Randolph
Robertson
Russell, Ga.
Russell, S.C.
Saltonstall
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—2

Brewster
Ribicoff

NOT VOTING—12

Byrd, Va.
Church
Dodd
Harris
Jordan, N.C.
Lausche
Monroney
Moss
Pastore
Pearson
Simpson
Sparkman

So the bill (H.R. 8370) was passed.

Mr. HOLLAND. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HARTKE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Mondale in the chair) appointed Mr. Holland, Mr. Russell of Georgia, Mr. Hayden, Mr. Ellender, Mr. Young of North Dakota, and Mr. Mundt conferees on the part of the Senate.

SAFETY REGULATION OF COMMON CARRIERS BY PIPELINE

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 5041, to amend title 18, chapter 39, United States Code.

The PRESIDING OFFICER (Mr. Mondale in the chair) laid before the Senate the bill (H.R. 5041) to provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the Record certain segments from the report on Senate bill 1021 and other legislative considerations in support of the measure.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

SUMMARY OF PROPOSED LEGISLATION

This bill would amend section 831 of title 18 of the United States Code to give the Interstate Commerce Commission specific statutory authority and responsibility for the safety regulation of all pipelines (other than those used for the transmission of water and gas) operating in interstate commerce.

NEED FOR LEGISLATION

In the Department of Commerce's "Report on Movement of Dangerous Cargoes," dated September 30, 1963, it was pointed out that "no Federal agency now has authority for safety regulation of pipelines" (p. 3, par. 3). This report followed an interagency study coordinated by the Office of the Under Secretary of Commerce for Transportation.

The 22 Federal agencies involved in the study approved the following recommendation: "The Interstate Commerce Commission should be given specific authority and responsibility for the safety regulation of all pipelines operating in interstate and/or foreign commerce (other than water pipelines and gas pipelines)."

Prior to the enactment of Public Law 86–710 on September 6, 1960, the definition of "carrier" in the Transportation of Explosives Act included oil pipelines. When that act was amended in 1960, primarily to extend the Commission's safety jurisdiction over private carriers, the definition of "carrier" was revised to exclude oil pipelines. The testimony of witnesses for the Department of Commerce, the Interstate Commerce Commission, and the oil pipeline industry indicated that they know of no reason for this exclusion and believed that it had been done inadvertently.

At the hearing held on this bill on June 3, 1965, the Chairman of the Interstate Commerce Commission noted that the accident experience of oil pipelines does not disclose any pressing need for Federal safety regulation, but that the proposed legislation does seem desirable because it will protect interstate pipeline carriers against the threat of conflicting safety legislation by the States. The Chairman also pointed out that this proposed legislation would enable the Commission to cope with any safety hazards which may arise in the future by virtue of changes in the operations or traffic content of pipelines.

The Deputy Under Secretary for Transportation, Department of Commerce, recommended enactment of this bill as another step toward the completion of a rational, unified transportation policy. He stated that he knew of no opposition to the bill, and that the Department of Commerce was pleased to note the apparent unanimity of concern in the uniform regulation of carrier safety by the Federal Government.

The general counsel of the Association of Oil Pipe Lines testified that the safety record of oil pipelines has been, and continues to be, outstanding. He held that if there is to be safety regulation of the industry by a governmental body, then Federal regulation would be appropriate to the interstate nature of oil pipelines and would produce a uniformity and consistency of safety standards that would be in the public interest. He further testified that the lack of Federal safety regulation has given rise to an increasing tendency to have safety regulation at the State, county, and parish level with the possibility of conflicts or inconsistencies between such local regulations.

Testimony was also received by the committee from the Board of Commissioners, Chester County, Pa., and the Southeastern Pennsylvania Landowners Association. These witnesses expressed concern that the bill would preempt the field of pipeline safety. The committee does not intend that this bill preempt the field, any more than Commission safety regulation has preempted the field in the safety regulation of railroads or motor carriers. The committee does intend that the safety regulations of the Commission under the proposed legislation supersede any conflicting legislation by the States or at the local level in order to avoid a multiplicity of conflicting regulations.

PURPOSE OF THE BILL

This legislation restores to the Commission safety jurisdiction over oil pipelines as it existed prior to the 1960 amendments. Title 18, chapter 39, of the United States Code governs the transportation of explosives and other dangerous articles. Section 834 of that chapter directs the Interstate Commerce Commission to formulate regulations for the safe transportation by carriers of such dangerous articles. As a result of the 1960 amendments, section 831 defines "carrier" to expressly exclude pipelines. This proposed legislation would amend section 831 to redefine "carrier" to specifically include oil pipelines. While the deletion of the express exclusion alone would, in the committee's opinion, make pipelines subject to regulations issued by the Commission under section 834, the committee has reported the bill as introduced which specifically adds pipelines to the definition section. The committee notes that since under the definition contained in sections 1(3)(a) and 1(1)(b) of the Interstate Commerce Act, "common carrier" includes a pipeline company engaged in the transportation of oil or other commodity, except water and except natural or artificial gas. Striking the three words "other than pipelines" in section 831 restores the Commission's authority to formulate safety regulations for pipelines (other than water or gas) and to administer and enforce the provisions of the law relating to the transportation of combustibles and explosives as they pertain to such pipeline companies. The addition of the words "or pipeline" to section 831 in the proposed legislation clarifies the intent of the committee to restore the Commission's authority as it existed prior to the 1960 amendments.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 5041) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 414, S. 1021, a companion bill to H.R. 5041, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, S. 1021 is indefinitely postponed.

HOUSING FOR LOW- AND MODERATE-INCOME FAMILIES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 366, S. 2213.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, no action will be taken on the bill today because it is my understanding that the distinguished Senator from West Virginia [Mr. Byrd], chairman of the Subcommittee on District of Columbia Appropriations, is about to call up the conference report on the District of Columbia appropriation bill. Before he does so, I yield to the distinguished Senator from Illinois, the minority leader.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the distinguished majority leader about the business for the rest of today and tomorrow and, so far as he can determine, for the remainder of the week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, whom I am happy to see in improved health, and who, I hope, will remain that way——

Mr. DIRKSEN. I thank the Senator from Montana.

Mr. MANSFIELD. It is the intention, first, to call up the conference report on the District of Columbia appropriation bill. The housing bill, which is the pending business, will not be considered until tomorrow.

I understand that there is a possibility that tomorrow the conference report on the river basin planning bill may follow the housing bill.

Then either Calendar No. 368, S. 118, the District of Columbia home rule bill, or Calendar No. 258, S. 9, the so-called GI cold war bill, will follow in that order.

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, after consulation with the distinguished minority leader and other Senators, I ask unanimous consent that when the Senate completes it business tonight, it adjourn until 11 o'clock tomorrow morning.

Mr. DIRKSEN. Mr. President, reluctantly, I would hope that the majority leader would not have the Senate convene before noon tomorrow.

Mr. MANSFIELD. Mr. President, I change that request to 12 o'clock noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRUTH IN PACKAGING

Mr. HART. Mr. President, much has been said by opponents of the truth-in-packaging bill (S. 985) concerning the alleged lack of interest in the bill by the average consumer. Much also has been said by the opponents—all of it laudatory—about the intelligence of our American women. As opponents tell the story, women are much too smart to be fooled by the packaging they face in today's supermarket. Therefore, the argument continues, women have no interest in a bill which would correct some of those packaging practices.

There is no question in my mind as to the capabilities of American women. As a matter of fact, I have contributed several thousand words of praise to the ever-swelling collection of tributes.

However, one thing has struck me. That is that all of the defenders of the "too-smart-to-be-fooled" American women are American men. Women themselves have another story to tell.

Recently, Special Assistant to the President for Consumer Affairs Esther Peterson—a very intelligent woman who strongly suports the truth-in-packaging bill—exchanged letters with another of our intelligent American women who also strongly supports—and wants—the bill. Mrs. Peterson thought the exchange so typical—as do I—that she wanted to share the letters with the Members of Congress.

Mr. President, I ask unanimous consent that the correspondence of Mrs. Stephen Press, of New York City, with Mrs. Peterson be printed in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y.
May 18, 1965.

Mrs. ESTHER PETERSON,
Special Assistant to the President for Consumer Affairs, Executive Office of the President, Washington, D.C.

DEAR MRS. PETERSON: Thank you so much for your letter of May 10.

I would certainly have no objection to having any part or all of my letter inserted in the CONGRESSIONAL RECORD. Would it be possible for me to obtain a copy of the section of the CONGRESSIONAL RECORD in which it will appear or else to find out just where in the RECORD to look for it myself? My curiosity also prompts me to ask whether you would not recall on what television program it was that you quoted from my letter.

In my previous letter to you, I had made a statement to the effect that there did not seem to be any agency to which the consumer group that I had been heading could turn. Since this was a rather vague statement, I would like to present to you a sampling of the problems that we discovered and seek your advice in regard to them.

We were surveying food stores, for example, to see how faithfully they adhered to their advertisements in the newspapers. We discovered that, of the large chains, the A. & P. stores were among the most consistent offenders, in terms of charging more than advertised or of not having the products advertised available. We collected factual proof of discrepancies between prices advertised on certain products and the prices actually charged for them, and the first place that we turned to with this information was the New York City Department of Markets. The department of markets expressed interest in the matter, but, despite our numerous and protracted efforts, we were never able to find out what, if anything, had been done in regard to the situation. We turned to the Better Business Bureau, and this agency never inspected the matter at first hand at all; they simply talked to the executives at the A. & P., gave us the A. & P.'s version of the story (which we already knew) and said they trusted the matter had been explained to our satisfaction. The New York State attorney general's office and the Federal Trade Commission were of no help either. The false advertising was a fact, we had proof of it, but no one was interested.

As a second example, we determined through surveys that the price of milk in the city of New York varied fantastically in different parts of the city. At the time of the survey, the price of a half-gallon container of milk, for instance, averaged 57-58 cents in the lower and middle portions of Manhattan, 49 cents in upper Manhattan and the lower Bronx, and progressively less as one advanced further north in the Bronx; in the adjoining Borough of Queens, it averaged 45 cents. We also analyzed the prices from the point of view of what certain specific chainstores were charging in different sections of the city. Our results showed that the prices in the chainstore branches corresponded to the average prices mentioned above. Thus, for example, the price of milk in one chain—the A. & P.—on one brand of milk—Borden's—differed according to the section of the city the branch store was located in. The New York City Commissioner of Investigation was conducting an investigation of milk price fixing, which he said apparently did exist. His information was turned over to State investigators and, as far as we know, that was the last that was heard of that, despite litigation brought by private individuals to get the above-mentioned reports made public.

As a third example—the women's hosiery industry appears to be one of the most unregulated industries extant. There is no standard for quality: we discovered many a pair of stockings labeled "first quality" to have entire rows of skipped stitches. Lengths vary at will: we found size 9 stockings, for example, to run anywhere from 28 to 33 inches in length. Each manufacturer has different lengths for the same sizes; but even a single box of stockings from one manufacturer will sometimes have a discrepancy of several inches between the various stockings in the box. A popular explanation of this fact, we found, is that "the manufacturer tries to please everybody—the short, the medium, and the tall—by giving them a variety of sizes in one box." The problem is that, usually, it is one woman who is stuck with all the different sizes in one box.

Is there anything that consumers can do in cases such as the above, Mrs. Peterson? Which agencies do handle such problems?

As a final word, I would like to say that the truth-in-packaging hearings must be receiving more publicity in other parts of the country than here. Around here, hardly anybody that I talk to seems to be aware of the hearings. It is a shame, but the bill appears to be getting very little publicity here.

Thank you very much, Mrs. Peterson, for your attention.

Sincerely yours,

REBECCA PRESS
Mrs. Stephen Press.

MAY 10, 1965.

Mrs. STEPHEN PRESS,
New York, N.Y.

DEAR MRS. PRESS: My sincere thanks to you for your thoughtful letter. It was received just before I left for a speaking engagement and a television program. I took it with me and quoted extensively from it. Would you have any objection to having your letter inserted in the CONGRESSIONAL RECORD? It is a good letter and I would like to have others have the same opportunity to study it as I had.

Because of your interest, I am taking the liberty of sending you a copy of my testimony before the Senate Commerce Committee on the truth-in-packaging bill. The hearings (which are still being conducted) are receiving a great deal of publicity so I hope more housewives around the country will become aware of Senator HART's efforts in this field.

You mentioned the work of your consumer group and the fact that there did not seem to be any agency to which you could turn with consumer problems. There are 23 Federal agencies working in various areas on behalf of consumers. The President's Committee on Consumer Interests works closely with these agencies and any time you have a problem or suggestion, if you will send it to me I will make sure it gets to the proper Government agency.

Again, my thanks for your taking the time to write your views.

Sincerely,

Mrs. ESTHER PETERSON,
Special Assistant to the President for Consumer Affairs.

NEW YORK, N.Y.,
May 3, 1965.

Mrs. ESTHER PETERSON,
U.S. Department of Labor,
Washington, D.C.

DEAR MRS. PETERSON: I have read Senator SCOTT's comment at the truth-in-packaging hearings to the effect that "the bill proceeds on the premise the housewife is dumb, which I deny, being married." I have also read the claims of various manufacturers that the proposed bill underestimates the intelligence of American housewives, who have no trouble slogging through the labyrinths of the retail markets.

I am not a dumb housewife. I have a master's degree and work in the professional world (as a translator). And I, as a housewife, resent many of the practices now in existence in the packaging industry.

I presume that the above-mentioned Senator's wife does not mind the fact that soap bars usually bear no indication of weight on them; but I do. Does his wife know that it costs less proportionally to buy the small cakes of some soaps—such as Ivory—than the large double ones? As a matter of fact, does she know that in many cases it costs less proportionally to buy the smaller boxes of soap flakes and laundry detergents than the larger ones? Most women do not—they assume (on the basis of many years of advertising by manufacturers) that the larger size is always more economical. Unless you carry a slide rule with you (I have been considering learning how to use one), there is no easy way of figuring out this fact—in view of all the fantastic combinations of weight that the packagers manage to devise for their products. With the soap bars, of course, you either have to carry a portable scale or else use the grocer's scale if you want to determine the proportional cost of what you are getting. I even discovered that a popular brand of hard candy—Charms—charges more proportionally for a larger package than for a small one.

I see no crime in wanting to know the relative costs of products that you are buying—especially in a freely competitive society. This is, of course, a tremendously difficult task under the present circumstances, where weight denominations on every single package vary—not only in the amount of ounces, but even in fractions of ounces. There may be some justification, I suppose, for small packages of spices to weigh odd amounts—for example, McCormick's bay leaves, which weigh either eight-fourteenths or nine-fourteenths ounce (the print is so small that I cannot tell which it is), or McCormick's minced onion, which weighs 1⅝ ounces—but I am not sure what this justification is, since other spices seem to manage well with one-fourth-, one-half-, or three-fourth-ounce denominations. When we get to bigger packages, though, there is really no justification for "giant" sizes of laundry detergent, for example, to weigh 3 pounds 1¼ ounces. The manufacturers claim that their "creativity" would be hampered if the present bill were passed. I do not see why one cannot be as creative with a 3-pound box of laundry detergent as with a 3-pound, 1¼ ounce one.

I am equally annoyed with misleading labeling of products, as in the case of pork and beans. Why should a can be labeled "pork and beans" when the contents include beans with a tiny piece of pork fat? I wrote to the Heinz Co. asking them where I could find the pork in their can of pork and beans. They answered me with a very placating letter, explaining that, as I ate the contents of the can, I should look for a piece of pork fat—that, they stated, constituted the federally approved requirement for pork in a can of pork and beans.

"To suggest that [the American housewife] needs additional laws to help her determine value" is not, as Mr. Halverstadt would have it, to underestimate her intelligence and shopping ability. Some women are perfectly satisfied with conditions as they are because they do not care how much money they spend at the supermarket. Some women do care, but throw their hands up in despair after trying to calculate the relative values of many products. Some women just buy the package that costs less, even though it costs proportionally more than a higher-priced, bigger package standing next to it. Some women, who are determined to get the most for their money, resort to walking around the markets with pencil and paper in hand.

I have done research on a number of consumer problems and headed a local consumer group for a while, but our success was limited because there did not seem to be any agency to which we could turn with consumer problems.

I feel that the second section of the proposed bill is a long-overdue imperative and fervently hope that it will be passed.

If Mr. Halverstadt and other industrialists are so sure that consumers are happy, they should have no fear of testing their premise by endorsing the establishment of an agency or agencies to which housewives (and other consumers) could turn if and when they do have problems or concerns. They could then hear the preferences of the public and not have to fear Federal officials "imposing their own preferences * * * upon the public."

Please extend my warmest thanks to Senator HART for his concern. I think that if his efforts were more widely publicized to housewives around the country, he would receive a great deal more support. Is there any chance of that? Is there any chance of having comparative value surveys made public?

Finally, is there any chance of having the type of consumer agencies that I mentioned above created—agencies to which a consumer could bring his problems for attention and some kind of action?

Thank you for your attention.

Sincerely yours,

REBECCA PRESS,
Mrs. Stephen Press.

THE 1965 HOUSING BILL

Mr. DOUGLAS. Mr. President, tomorrow the Senate will consider S. 2213, the omnibus housing bill. This bill is the most significant step yet taken by Congress in fulfilling its 1949 commitment to provide a decent home for every American family. As a member of the Banking and Currency Committee, I was privileged to have had a hand in shaping this important bill and I will be proud to support it on the floor of the Senate.

In many ways the bill is better than the one originally introduced and the credit must go to my hard-working colleagues on the Housing Subcommittee and its able chairman, the Senator from Alabama. So that Members may have an adequate record for the debate tomorrow, I am making this speech and inserting certain material in the RECORD today.

The basic purpose of the bill is simple—to make our cities and towns better places in which to work and live. For better or for worse we live in an urban society and the health of our Nation can be measured to a considerable extent by the health of our cities. Most of our wealth, talent, and cultural achievements are located in urban centers. If we permit them to decay and stagnate—if we fail to preserve their vitality and diversity—if we ignore the basic fact that cities were built for people to serve human needs—our entire Nation will soon falter and decline.

Seven out of every 10 Americans now live in urban areas. Only 1 in 10 lives on a farm. But in spite of this predominantly urban environment the presumed superiority of rural values still permeates our culture. We see it reflected in the Federal budget, where the expenditures for agriculture are 14 times greater than urban expenditures—thus in 1966, the President's budget contains $6.4 billion for the Department of Agriculture and $454 million for the Housing and Home Finance Agency—and, on a per capita basis, 140 times greater. And there are some who still argue that it is too dangerous to permit city dwellers a full voice in State government.

This is not to suggest that the Government should ignore the problems of agriculture. I believe in adequate help to low-income farmers; but I would also like to see somewhat more recognition to those who live in cities and towns.

The Housing and Urban Development Act is a step in this direction. It extends for 4 years the existing programs which we have thus far developed to meet the problems of our cities and towns. Many of these programs, such as public housing and urban renewal, were once bitterly opposed; they now seem established beyond serious dispute. In addition, the bill contains several new programs for helping our communities to secure better housing and create a better life for all their citizens.

I. IMPROVEMENTS IN THE HOUSING PROGRAM

The most significant new proposal in the bill is the rent supplement program which President Johnson termed the "most crucial new instrument in our effort to improve the American city." But there are other improvements in the bill which we should not ignore.

First. The bill permits the public housing program to make greater use of vacant housing already available on the private housing market. These vacancies exist in many cities but are generally still beyond the reach of lower income families. The local housing authority would be permitted to lease or purchase up to 100,000 of these vacant units over the next 4 years and to rent them, at a reduced rate, to poor families who are otherwise eligible for public housing. Thus the needs of the poor are met while at the same time the city makes more efficient use of its total supply of housing which otherwise would lie idle.

Second. The bill will provide more housing for moderate income and elderly families in the $4,000 to $6,000 income bracket. It does so by reducing to 3 percent the interest rate on mortgages which finance this type of housing. The present rate, which is tied to the interest rate on Federal obligations is close to 4 percent and otherwise would soon go even higher.

We adopted these two special programs in 1959 and 1961 when interest rates were around 3 percent. Our original purpose was to encourage the construction of housing for families with incomes too high for public housing but not high enough for decent private housing. Unfortunately this aim is being defeated by the rise in interest rates. Rentals are being forced beyond the reach of the groups for which the housing was intended. The return to a 3-percent rate will therefore restore these programs to their original purpose.

Third. The bill provides over a 4-year period $700 million in matching grants to cities and towns for basic water and sewer facilities. These facilities are extremely important in shaping the growth of a city or town. The funds will thus help our communities to assume more control over their residential growth and economic development. Cities are now faced with ever-increasing needs and a constantly dwindling tax base. Basic investments in critical facilities such as water and sewage systems must often be neglected in favor of immedate and pressing requirements. I hope this provision of the bill will restore a proper balance.

Fourth. The bill continues our efforts to humanize the impact of the urban renewal program. Homeowners in urban renewal areas are sometimes bulldozed out of their homes merely because they lack the money to repair their property. This situation was partially corrected last year when we authorized a new program for loaning these individuals the funds necessary to rehabilitate their homes.

There are many families, however, that are not helped even by the loan program. They are so impoverished they cannot afford to repay any loan no matter how liberal the terms. The obvious solution is to pay for the needed repairs with Federal funds thereby saving demolition and relocation expenses, not to mention the human cost of displacing a family. The bill authorizes up to $1,500 for such repairs for families with incomes under $3,000.

II. HOUSING FOR THE POOR

In discussing this bill, I want to call particular attention to the problem of finding decent housing for low-income families. I also want to bring attention to the proposed new method for meeting this problem—the rent supplement program.

During the days of the depression many people looked to the public housing program as a way of providing for that one-third of the Nation that was ill-housed, ill-clothed, and ill-fed. By 1949 Congress lowered its sights and declared we would build 810,000 units of public housing within 6 years. Sixteen years later, and 10 years past the deadline, we still have yet to reach even this modest goal. Only 575,000 public housing units have actually been constructed.

There are many reasons for the failure of public housing to house an adequate number of the poor. Of course the program has always evoked controversy and Congress has not always been overly generous in authorizing funds. But the program has also run into great difficulties on the local level. The selection of a public housing site often provokes an extended political tug of war that may take years to resolve. As a result, public housing is having less and less of an impact upon the slum dweller in our larger cities where new projects have been reduced to a trickle. Last year 21 out of the 25 largest cities did not begin any public housing projects at all. The program has been shifting, instead, into smaller towns and also has been focusing on the needs of the elderly. Nearly half of all the units upon which construction began in 1964 were in cities of under 50,000 in population. Half were built for the elderly.

Although public housing has failed to house an adequate proportion of the urban slum dweller, private enterprise has also failed. Almost all new housing is now being constructed for the affluent middle class. There are some who argue that we need not build new homes for the poor—that older homes will trickle down to serve their needs. The evidence shows, however, that by the time this housing trickles down to the poor much of it is either dilapidated or ready for demolition.

For example during the decade of the 1950's private enterprise built over 12 million new housing units. At the same time there has been some reduction in the total number of substandard units. But there has been little change in the worst category of slum housing—units classified by the Census Bureau as dilapidated. This is housing nearly unfit for human habitation.

In 1950 there were 4.5 million families living in dilapidated housing. By 1960 the number had only declined to 4 million. However these figures do not tell the entire story. We did manage to get rid of 3 million dilapidated units during the 1950's but nearly 2.5 million existing units became dilapidated. In other words, despite the housing construction boom during this decade, we created new slums almost as fast as we got rid of the old slums. At this rate it will take 80 years before the worst of our slums are eliminated. I hope that this simple arithmetic will once and for all dispose of the trickle down theory.

The 1960 census also revealed that 8.5 million American families still live in dilapidated and all other categories of substandard housing. The term "substandard housing," by the way, is the euphemism used by statisticians to refer to what we once called slum housing. As might be expected, most of the families who live in substandard housing are poor, Half had incomes under $2,200; nearly two-thirds made less than $3,000 a year; three-fourths earned less than $4,000 a year.

One of the key players in this depressing story is the slum lord who preys upon the ignorance and misfortunes of the poor and extracts an exorbitant profit out of his rundown and rat-infested tenements. In many cases, lax or token code enforcement activities help to maintain the slum lord in the prosperous style of life to which he has become accustomed.

Racial prejudice also works to the advantage of the slum lord. More and more of our cities are being surrounded by suburban subdivisions which exclude members of minority groups. When it comes to housing, members of minority groups have a limited choice and frequently must pay excessive rents to a slum lord for a rundown apartment in or near the core of the city. Of course, this has always been true in our history starting with the great waves of Irish immigrants who came to America in the last century. Today, the problem is often with Negro families, but not exclusively. Three out of every four families living in substandard housing are white.

When confronted by local housing authorities, the slum lord often hides behind the plight of his impoverished and shunned tenants. He argues that if his rickety and unsafe structures were to be condemned, its occupants would have no other place to go. Unfortunately, he is often right.

No one has computed the true cost of perpetuating slum neighborhoods, but it must be tremendous. One study has found that for every tax dollar collected from a slum, the city must pay back $9 in municipal services and welfare benefits. I wonder how long General Motors would tolerate one of its divisions running 900 percent in the red? Unfortunately we as a nation do not keep our books as meticulously as General Motors.

It is clear that slums are one of the heaviest drains on municipal budgets. Slums also are a drag upon economic growth since people who grow up in these neighborhoods are often unable to compete in today's complex job market.

I do not mean to imply that better housing is the only road to salvation. Poverty, ignorance, lack of motivation, cultural deprivation, and crime will not automatically disappear once a slum family moves into a new and decent apartment with all the requisite plumbing facilities. In this respect, perhaps the expectations of the public housers have been too high.

What I am suggesting is that we cannot have an effective war on poverty without at the same time improving the physical environment of millions of impoverished families. Just as the war on poverty seeks to help the individual to help himself, so must the housing program rebuild the material conditions of his everyday life. It is difficult to see how we can succeed in motivating slum children to reach for something better if they continue to live in miserable squalor.

To enrich the environment of the individual, then, is the true purpose of our housing program. We must find a way to break the endless chain of crime, ignorance and poverty perpetuated by our slums. Better housing for low-income families need not be a permanent subsidy—it can also be an investment in the future of America. We now have the resources and the know-how to permit every citizen to realize his full potential and participate in the abundance of American life. The war on poverty combined with an invigorated housing program can be the catalyst we need to improve the quality of life for all our people.

III. THE POOR TAKE PRIORITY

I now want to describe some of the changes we have recommended in the rent supplement program which, in my opinion, are a vast improvement over the original proposal.

The original version of the bill provided rent supplements to families with incomes too high for public housing but too low to afford decent standard housing on the private market. In most communities this narrowed the assistance to families with incomes between $4,000 and $6,000 per year. But the families with the greatest need would not be eligible. For example, there are 3.6 million families earning less than $4,000 who rent substandard housing while there only 1.1 million families who earn between $4,000 and $6,000 and who rent substandard housing.

Under the original administration proposal, only the 1.1 million families with middle incomes would have been eligible for rent supplements. In other words, only one slum-dwelling family out of four would have been helped. The other three-quarters would have been excluded, not because they were too rich, but because they were too poor. Yet these are the very families who had the most desperate need of rent supplements.

The administration's original proposal was therefore amended in the Senate Banking and Currency Committee as well as on the floor of the House to restrict the rent supplement program only to those families eligible for continued occupancy in public housing. In other words, the income ceiling was reduced and the legislative income floor was eliminated.

In addition to eliminating the legislative income floor and reducing the income ceiling the House and Senate bills also increase the amount of the rent to be paid by the tenant. We increased the amount from 20 percent of income, as originally proposed, to 25 percent of income.

These two actions are largely offsetting in terms of cost and the number of families to be assisted.

For example, the administration estimated its proposal would ultimately help 500,000 families at an average cost of $400 per family or an ultimate cost of $200 million per year. The elimination of the income floor would tend to increase vastly the average cost per family. With the same funds, fewer families would be assisted.

On the other hand the increase in the tenant's share of the rent from 20 to 25 percent of income has the effect of reducing the cost per family. With the same amount of funds, more families can be assisted.

As a result of these two actions, the amended bill is still expected to assist 500,000 families at an average cost of $400 per family and a yearly cost of $200 million; but the income levels of those assisted will be lower while their share of the rent will be higher. More money can be spent by the poor for decent housing.

As we have seen, the public housing program has not, and in all probability, cannot meet the housing needs of all low-income families. Yet there are some people closely identified with public housing who resent any intrusion upon their special preserve. They have staked out a claim upon the poor and seek to prevent any competitor from entering the field.

This deference to the public housing program seems to be the only real reason for originally excluding the poor from rent supplements. I can appreciate the position of those who do not wish to antagonize the professional public housing interests but Congress does not have to operate under such a restraint. There are more than enough low-income families to be helped by both programs. We cannot discriminate against the poor in order to maintain the jurisdictional claims of the housing bureaucrats. No one should have a vested interest in poverty.

IV. RENT SUPPLEMENTS ARE NOTHING NEW

In the bill under consideration, the rent supplement program is contained in section 101.

The basic purpose of the rent supplement program is to increase the supply of decent housing available to low-income families. Rent supplements are a means to this end and not an end in themselves. This bill does not subsidize the rent of every single poor family in the United States as some have wrongly believed.

The effect of the rent supplement provision is far more modest—it will encourage the private market to build about 500,000 units of decent, safe, and sanitary housing for low-income families. There are more than 6 million low-income families living in substandard housing today who apparently have not been able to obtain better housing.

I have already recounted the inability of the public housing program to solve the low-income housing problem. There are 500,000 families on the admission list for public housing and no doubt there are millions more who are discouraged by the futility of such an endless wait.

Since public housing cannot do the entire job, something more is needed. That something is the rent supplement program. Its basic concept is simple—instead of subsidizing the construction of a publicly owned facility, why not encourage the construction of privately owned units by promising to supplement the rent of their prospective tenants?

Far from being a radical or new idea, this proposal has been advanced for years by the homebuilders and just last year we adopted the concept on a limited scale for those families displaced by urban renewal. A number of communities have also experimented with the technique of rent supplements under the low-income housing demonstration program, and the results have been favorable. Further, the use of nonprofit or limited dividend corporations to build and manage housing projects is nothing new. We have relied upon this method for 4 years under FHA's section 221(d)(3) program.

And so the rent supplement program is not a new, or radical, or untested idea. It has been discussed for years and its basic features have been partially implemented or experimented with over the last 5 years. It is really difficult to understand, therefore, what all the controversy is about.

V. HOW THE RENT SUPPLEMENT PROGRAM WORKS

Here, Mr. President, is how the program will work.

First of all, a group within a particular community must decide they want to build and manage a low-income housing project. It is also possible for the group to buy and rehabilitate existing housing. Regardless of the method, the group must either be a nonprofit organization such as a church or labor union, a cooperative, or a limited dividend corporation.

Once the group has been formed and has made a decision, it will then have to borrow the money to construct the housing from a private lending institution. At this point the loan would be insured by the FHA under their 221(d)(3) market rate program. This program insures mortgages up to the cost of replacement if the sponsor is a nonprofit organization or cooperative; if the sponsor is a limited dividend corporation the maximum insurable mortgage is 90 percent of the replacement cost. The terms are at the full market rate of 5¼ percent over 40 years.

In order to qualify for 221(d)(3) insurance, a project must conform to FHA's construction standards, including modest design criteria which already have been established and operating for 4 years. Under these criteria, FHA cannot insure a mortgage if the rentals required to amortize the mortgage exceed what a moderate-income family can afford to pay. In the 4 years the 221(d)(3) program has been operating, mortgages have averaged about $12,500 per unit.

Once the financing has been completed, the sponsor would then negotiate an agreement with the housing agency. The sponsor would agree to make a specified number of the units available to low-income families who would be assisted by rent supplements. The sponsor would be free, of course, to rent the remainder of the units on the open market. The housing agency would agree to pay rent supplements for the low-income families with a maximum on the total amount which could be paid in 1 year. The agreement for annual payments would run over the 40-year life of the mortgage.

The amount of the rent supplement paid on behalf of each family would vary. The family would have to pay 25 percent of its total income toward the fair economic rent of the unit; the housing agency would provide the rest. Assume, for example, that a two bedroom apartment constructed under the program rented for $80 a month. Assume further that a prospective tenant was making $2,880 a year or $240 per month. This family would be charged 25 percent of its income for rent, or $60 per month; the housing agency would pay to the owner of the apartment the remaining $20 per month.

The owner of the housing would select each tenant; however the housing agency would have to certify their eligibility for rent supplements. In order to qualify a family must meet two conditions:

First. Its total income must be below the ceiling for occupying public housing in the area. These limits which can be set lower by administrative action, will vary from city to city but should average between $4,000 and $5,000 per year.

Second. In addition to meeting the income test, the family must also fall within at least one of the following five groups: first, families who live in substandard housing; or second, families whose head is age 62 or over; or third, families whose head is physically handicapped; or fourth, families who are displaced by a Government program such as urban renewal; or fifth, families who are victims of a natural disaster.

Thus, all poor are not eligible for the program nor are all slum dwellers eligible.

With the exception of the elderly, whose incomes generally do not increase over the years, the housing agency would recertify the incomes of aided tenants at least once every 2 years. If a family's income increases, its rent supplement would be reduced. Once the family could pay its way with 25 percent of its income, rent supplements would stop. Unlike public housing, however, the family could continue to live in its apartment. It would not be forced to move. This is a great advantage. People can work themselves out of dependency.

Rent supplement payments made under this program could not exceed appropriations of $50 million in fiscal year 1966 and this amount would increase by $50 million per year in each of the next 3 fiscal years. Thus by the fourth year the bill would authorize annual rent supplements of up to $200 million per year; however, the increase in the incomes of assisted families should drastically reduce these payments by the end of the mortgage period.

With this level of financing, the bill provides the means for helping 500,000 families obtain better housing by 1969.

VI. ADVANTAGES OF RENT SUPPLEMENTS

The advantages of this type of rent supplement program are numerous.

First. It permits greater flexibility in helping low-income families to find decent housing. The interminable bickering involved in the public housing site selection would be avoided. Since the projects would be built by private sponsors, much of the redtape now encumbering public housing projects can be bypassed.

Second. Because of this increased flexibility, rent supplement projects could be smaller in size and scattered over a wider area. It would not be necessary to concentrate them in massive, ghetto-like developments.

Third. The amount of the Federal payment would be reduced as family income rises. Rent supplements would stop when the family is able to pay its own way. This feature of the program should be contrasted with subsidizing low-income housing through lower interest rates as some have urged. If this were done, the subsidy would extend the life of the mortgage regardless of any increase in the income of the assisted family.

Fourth. The amount of the Federal payment would vary in accordance with the need. It would be larger for those of lower income and smaller for those of higher income. Again, the comparison with an alternative interest rate subsidy is appropriate.

Fifth. Families could continue to occupy their dwelling units and pay the full rent when their incomes rose beyond the ceiling. They would not be forced to leave.

Sixth. The variation in the amount of rent supplements will avoid a rigid stratification of projects by narrow income levels. Thus the program will provide more diversity in our urban environment and enrich the lives of all.

Seventh. By encouraging the sponsorship of civic minded nonprofit groups, the program will vitalize these organizations. It will provide a constructive outlet for their energies, which when mobilized, will inevitably spill over into the general war on poverty.

Eighth. By encouraging new construction or rehabilitation, the program will add to our long-term stock of standard housing. It will also create construction jobs in hundreds of communities and generate at least $6 billion of private construction activity.

In short, we will provide decent housing for 500,000 families and around 2 million people under private ownership, private financing, private construction, and private management. The Government will help, but the work will be decentralized, and private groups of a nonprofit nature will be encouraged to take up the tasks. The rent supplement program joins together private initiative and private enterprise with Government to achieve a basic public purpose.

VII. THE PAUPER IN THE PENTHOUSE AND OTHER MYTHS

It is inevitable that new proposals always engender a certain amount of blind criticism. Rent supplements are no exception, as is evidenced by the House minority report. Generating more heat than reason, this report bristles and crackles with philosophical indignation. Just reading the report reminds me of Winston Churchill's famous admonition:

> The right honorable gentleman ought not to muster more indignation than he is capable of containing.

I do not want to take all the time to refute every charge made against the rent supplement program, but let me answer some of the more flagrant claims.

First. The cry that rent supplements are socialistic hardly needs comment. This wornout shibboleth has been leveled at virtually every major new program over the last 30 years from social security to medicare. By now the cry should fall upon deaf ears. Actually, the program involves less governmetal direction and supervision than the existing public housing program which has been on the books for 28 years. Projects under rent supplements would be built, owned, and managed by private enterprise. But perhaps the most telling refutation can be found in the support given to rent supplements by such entrenched bastions of socialism as the National Association of Home Builders, the Mortgage Bankers Association, the American Bankers Association, and the General Improvement Contractors Association.

Second. It has been charged that poor people can be maintained in luxury housing. The House minority report trembled at the prospect of low income slum dwellers living it up in $100,000 penthouse apartments. Such an obsession can only be described as the "pauper-in-the-penthouse" psychosis.

In point of fact, construction costs per unit would have to conform to the modest design criteria contained in FHA's 221(d)(3) program. Under that program, FHA cannot insure a mortgage if the rentals required to amortize the mortgage exceed the rent a moderate income family can pay. Per unit mortgages have averaged around $12,500.

Third. Critics have contended that rent supplements could be extended to cover upper-middle income groups who earn far more than the national median.

The people who make this claim are basing it on inaccurate information. The income ceilings would vary in each community, but they would be based upon the occupancy ceilings for public housing in the area. An HHFA study of 23 cities showed the income ceilings for a family of four would range from $3,625 to $6,125 per year and would average about $4,858 compared to the national median family income of $6,400. Moreover, the housing agency has said it intends to administratively restrict these ceilings to even lower levels so that the average ceiling would be about $4,100 per year.

Of course those whose incomes approach the ceiling and who occupy a unit built through the program would receive virtually no rent supplement. The supplement would only become significant for those with incomes well below the ceiling. Thus the program is clearly confined to lower income families.

Fourth. It has been claimed that the rent supplement program will destroy the public housing program. This charge is obviously being made with tongue in cheek, for many who are now shedding crocodile tears over public housing have been lambasting the program for years as being too socialistic. If their charge that rent supplements would destroy public housing were really correct then rent supplements, from their point of view, would be a good thing. They ought to support it.

As a matter of fact, there are enough needy to be assisted by programs. There are 8.5 million families living in substandard housing and nearly two-thirds, or 5 million families make less than the poverty level of $3,000 per year. By way of contrast the bill we are now considering only authorizes 240,000 units of public housing and 500,000 units under rent supplements over the next 4 years. Both programs combined make but a small dent in the need for better housing.

Fifth. Critics charge that the Housing Administrator is delegated too much power—that he can set income limits and make other determinations in each community.

For those who stress State and local diversity, this is a curious charge. Presumably these critics would write into the bill national standards to be rigidly applied to each and every community.

In point of fact, the bill allows very little discretion to the Housing Administrator. He could not decide such matters as income ceilings on the basis of his personal whim. He would have to follow the procedures and policies which are clearly set forth in the bill. Thus the policies adopted by us would be tailored to meet the individual circumstances of each community.

Sixth. The claim is made that rent supplements are an $8 billion experiment. Those who make this claim usually forget to say that first, this figure is the theoretical maximum and is about double the probable cost; and second, the cost is spread over 40 years. Since when have we computed our Federal budget over 40 years? If this is our new standard then the $4 to $5 billion rent supplement program ought to be weighed against a $160 billion farm subsidy program, a $200 billion space program, and a $2 trillion defense program.

Seventh. The argument is made that rent supplements destroy a family's incentive to increase its income—that it will forgo added income in order to avoid paying higher rent.

This argument ignores the fact that only 25 percent of each added dollar of income would go to rent. The family would be free to spend the other 75 percent on its other needs. Since most poor families have a large backlog of unmet needs such as clothing or furniture or education, it is difficult to see how an incentive to earn more will be weakened.

Like socialism, the charge of corrupting the poor is an old one. The moral fiber of the poor has long been protected by these self-appointed guardians who profess to see an ominous danger in nearly every piece of major legislation which might benefit the poor. Somehow these warnings sound a little hollow, especially when they are made from the comforts of an FHA-insured home, for which many of the expenses are tax deductible. Millions of middle class homeowners receive an indirect subsidy each year through these special tax privileges. Their moral fiber has seemed to survive.

VIII. THE $80-BILLION HIDDEN HOUSING SUBSIDY

Let us examine these tax privileges accorded homeowners. It is conservatively estimated that American homeowners pay appproximately $10 billion a year in interest on their home mortgages. These payments, of course, are tax deductible. Assuming an average tax bracket of 20 percent, these special privileges amount to an indirect subsidy of about $2 billion a year or $80 billion over a full 40-year period. This is 10 times the maximum cost of the rent supplement program and nearly 20 times its probable cost. This comparison ignores the other special tax privileges available to homeowners such as the ability to deduct State property taxes from Federal income tax payments.

Now I have nothing against homeowners. I am one myself. I am delighted that our Federal tax policies have helped millions of Americans to own their own homes. But these special tax benefits do nothing for families who rent—and, generally, this group includes the great bulk of the poor—and very little for the low-income homeowner.

Why is the cry of socialism raised whenever we try to extend a small por-

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tion of the benefits provided middle income families to those who are in the most desperate need of assistance—the poor and the needy? We are giving an indirect subsidy of $80 billion over 40 years to middle-income homeowners. What is so terrible or immoral about providing a similar subsidy of $4 to $5 billion over 40 years to low-income families that cannot afford to buy their own homes?

Can it be that only well-to-do homeowners have moral fibers sufficiently strong to avoid being corrupted by subsidies? Like matches for children, are subsidies too dangerous for the poor? I think not. I think we can and must extend a helping hand to every American family—rich and poor alike—to provide a decent living environment.

IX. CONCLUSION

Mr. President, I believe a careful reading of the bill will show the rent supplement plan to be a most conservative proposal. Most of its features have been tested, in one form or another, over the last few years.

It will build at least 500,000 units of low-income housing over a 4-year period or an average of 125,000 per year. This will provide the tools to generate at least $6 billion worth of private construction activity in our economy. Thus, should we eliminate the rent supplement program we will not only deprive low-income families of a chance to find better housing—we will deprive our entire economy of a needed stimulus over the next 4-year period.

The housing under this program would be built, owned, and operated by private groups rather than the Government.

It will give 500,000 families a chance to break out of the slums and raise their children in a decent environment.

It will rescue families caught in the endless chain of poverty, ignorance, and crime, and permit them to realize the full promise of American life.

It will renew the vitality and vigor of our American cities and make them better places in which to live and work.

It will help fulfill a commitment Congress made in 1949 to insure a decent home for every American family.

In short, the rent supplement program furthers the basic assumption of American democracy that every citizen should be given a chance to realize his full potential and participate in the benefits of American life.

I call upon all my colleagues to join with me in voting for this bill and for the rent supplement program.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the answers to several questions which I asked the housing agency, together with other materials on the housing bill. These questions deal with the procedures of the proposed rent supplement program, its relationship to the FHA 221(d)(3) program, limitations on the cost of units to be constructed and income ceilings for eligible tenants. I believe the answers, as prepared by the housing agency, will clear up similar questions in the minds of other Members.

The PRESIDENT pro tempore. There being no objection, the questions and other materials are ordered to be printed in the RECORD as follows:

Question. How does FHA process applications from a nonprofit sponsor under its 221(d)(3) program which is the insurance program to be used in conjunction with rent supplements?

Answer. This outline of procedures, which would be employed by the Housing Administrator and the FHA in processing applications under the proposed rent supplement program, is based on the provisions contained in the bill (S. 2213) reported by the Senate Banking and Currency Committee.

This bill provides that three types of private sponsors would be eligible to finance housing projects financed under FHA's section 221(d)(3) program at market interest rates and also to receive from the Housing Administrator rent supplement contracts to make up the difference between the market rent required for such units and the rent which qualified low-income tenants can afford, paying 25 percent of their income for rent. The sponsors are nonprofit, limited-dividend, and cooperative sponsors.

Following are outlines of the step-by-step procedures which FHA would employ in reviewing applications for mortgage insurance for nonprofit sponsors.

The above mortgagor entities are eligible for a maximum 100 percent mortgage except as indicated below for the builder-seller. The terms "housing owner" and "mortgagor" are used interchangeably. A nonprofit mortgagor must be a corporation or other entity organized for purposes other than the making of profit or gain for itself or persons identified therewith and which the FHA Commissioner finds is in no manner controlled by, nor under the direction of, persons or firms seeking to derive profit or gain therefrom. Such entity must execute an appropriate regulatory agreement under which its rents, charges, and methods of operation are subject to control by the Commissioner. Under the nonprofit procedure, FHA requires a nonprofit sponsor in addition to the nonprofit mortgagor as a means of assuring the continuity of the mortgagor. The sponsor normally has historical existence in the field of charitable endeavors or community betterment. Typical of (d)(3) nonprofit sponsors have been individual churches, church groups, conferences, dioceses, or synods, labor unions, fraternal and service organizations, and also eleemosynary foundations. It causes to be formed a nonprofit mortgagor, the officers and directors of which must come from, or be designated by, the officers and directors of the nonprofit sponsor. Under this phase the sponsor and the mortgagor are two separate legal entities even though the power to control the latter is vested in the former. The general contractor may be paid a fee not in excess of that generally applicable in the community for the building of a similar type of structure. This also applies to the builder-seller arrangement.

Under the builder-seller arrangement, a unique marriage combines two mortgagors, an interim or temporary builder-mortgagor and a permanent nonprofit private mortgagor. The former must enter into a contract of sale with the latter under which the project will be sold to the permanent nonprofit mortgagor at a price not to exceed the actual certified cost of the project. A 100-percent mortgage may issue, 10 percent of which is held in escrow pending consummation of the sale to the nonprofit mortgagor. If for some reason the sale cannot be consummated, at final closing, according to the contract of sale, the interim mortgagor operates the project as a limited distribution mortgagor and executes a special regulatory agreement under the terms of which the Commissioner controls the rents, charges, and methods of operation of such limited distribution entity. Under such circumstances the builder-seller mortgagor is entitled only to a maximum 90 percent mortgage and all requirements pertaining to a limited distribution entity apply. Normally, the changeover from a temporary interim mortgagor to the permanent nonprofit mortgagor takes place at final closing.

Typical processing procedures are as follows:

1. In the very early stage and before any documents, informal or formal, have been filed, representatives of the sponsor or builder-seller discuss with the insuring office their intent to submit a proposal and the need for it in the community.

2. Assuming favorable reaction, a preliminary application without fee, form No. 2012, is filed with the insuring office briefly describing the location, number and composition of units by bedrooms, and the rental rates proposed to be charged. If on analysis the proposal appears feasible, the representatives are advised to obtain architectural drawings and submit a formal application, form No. 2013, with appropriate fee. At the same time an anlysis is made of the eligibility of the sponsor to act in such capacity. The determination is predicated on the submission of a form No. 3433 showing all proposed relationships that do, or may, exist between the nonprofit sponsor and mortgagor on the one hand and those seeking a gain or profit from the proposal. This normally will include the general contractor, subcontractors, land ownership, architect, lawyer, housing consultant, and management after completion. We must be assured that there are no adverse identities of interest and that there is no possibility of control by those seeking to make a gain or profit over either the sponsor or the mortgagor.

In some few communities where there has been difficulty in obtaining typical nonprofit sponsorship, FHA, in order to further the program, has permitted a group of public spirited citizens to band together and form a nonprofit corporation under the domiciliary requirements of the jurisdiction and also meet FHA requirements. In order to assure the continuity which normally would be provided by the existence of a sponsorship having historical background, there is substituted a requirement that an official of the community be designated, by office, to at all times serve on the board or as an officer of the nonprofit mortagor corporation. This is a continuing responsibility of the community and is attested to by its attorney or other officer authorized to certify that the action taken is within the power of the community and legally capable of accomplishment.

3. Such form No. 2013 should generally conform in all substantial aspects to the preapplication proposal and should indicate a financial ability of the sponsor to go forward with the proposal. This latter subsequently is verified by the submission to the insuring office of financial statement and credit report.

4. Plans and specifications are routed through the architectural section for adequacy and the estimating of the construction costs. A prevailing wage determination, if required, is obtained from the Labor Department. During this period of review the sponsor will submit a quantity and cost survey prepared by a recognized engineering firm. When considered architecturally acceptable, the case is routed to the valuation section.

5. The valuation section estimates obtainable rentals and operating expenses. Rental rates, including utilities, are also checked

against established family incomes. Maximum rentals, including utilities, cannot exceed FHA's judgment of the effective market.

6. Debt service limitations usually control the mortgage amount. This is found by taking 95 percent of the estimated net annual income and dividing this amount by the debt service factor at the market rate of interest.

7. The mortgage credit section then processes the case as to statutory requirements and the financial ability of the sponsor, and the capability of the sponsor to carry out effective management under the rent supplement program.

8. A commitment is then issued with the customary commitment fee payable within 30 days.

9. Between the issuance of the commitment and the initial closing, which usually takes place before start of construction, all legal forms are prepared by the attorney for the sponsor. These include such items as the building loan agreement, trade breakdown for payment of advances, agreements to cost certify, regulatory agreements, and so forth.

A meeting is also held with the sponsor, builder, and others in which prevailing wage requirements if applicable and reporting are explained.

10. At initial closing the sponsor meets all cash requirements and usually draws mortgage funds for costs and fees advanced and for the land, if not used for equity purposes. The note and mortgage are executed at this closing and recorded.

11. After initial closing, the sponsor may start construction. In a few cases construction may be started after issuance of the commitment, upon approval by the Commissioner, and at the risk of the sponsor.

12. Upon completion of the construction, and prior to final closing of the mortgage, the sponsor must certify all costs. These are reviewed by FHA. Statements of rental income must also be submitted. If the allowable costs are less than the mortgage amount, the mortgage is reduced accordingly. If the project shows an operating profit the amount may be applied as an offset against higher than estimated actual costs or placed in the residual receipts account which is under the control of FHA pursuant to the regulatory agreement.

13. Under the regulatory agreement executed between the mortgagor and the FHA Commissioner, the FHA has continual supervision over the general operation of the project for so long as the mortgage is insured or held by the FHA Commissioner.

Question. How does FHA process applications from a limited dividend corporation under its 221(d)(3) program?

Answer. A limited dividend sponsor under section 221(d)(3) is limited to an annual cumulative return of 6 percent of an estimated 10 percent equity. The mortgage ratio for this type of sponsor cannot exceed 90 percent of the FHA estimate of cost.

A limited dividend sponsor may be an individual, partnership, or corporation. The limited dividend sponsor is entitled to a 10-percent builder's and sponsor's profit and risk allowance, provided there is an identity of interest between the builder and the sponsor. If the builder and sponsor do not have an identity of interest, the builder's profit is limited to the amount prevalent in the area.

The processing procedures, typical of all FHA projects are as follows:

1. A preapplication request is submitted by the sponsor to the local FHA insuring office. This briefly describes the location and the proposed number and composition of the units and the rental rates to be charged.

If the proposal appears acceptable, the sponsor is advised to obtain architectural drawings and submit an application with fee.

2. The formal application which is submitted to the lending institution making the loan, should conform largely to the preapplication proposed and will indicate the financial ability of the sponsor to complete the project. The financial stability of the sponsor is later verified by receipt of a financial statement and a credit report.

3. Plans and specifications are routed through the architectural section for adequacy and the estimating of construction costs. A prevailing wage determination is obtained from the Labor Department. During this period of review the sponsor will submit a quantity and cost survey prepared by a recognized engineering firm. When considered architecturally acceptable, the case is routed to the valuation section.

4. The valuation section estimates obtainable rentals and operating expenses. Rental rates, including utilities, are also checked against established family incomes. Maximum rentals, including utilities, cannot exceed FHA's judgment of the effective market.

5. Debt service limitations usually control the mortgage amount. This is found by taking 90 percent of the estimated net annual income and dividing this amount by the debt service factor at the market rate of interest. The 10 percent of income not computed is to pay the 6 percent return on equity and to provide a residual fund necessary for all project operations.

6. The mortgage is also controlled by 90 percent of the estimated costs.

7. The mortgage credit section then processes the case as to statutory requirements and the financial capability of the sponsor, and the capability of the sponsor to carry out effective management under the rent supplement program.

8. A commitment is then issued with the customary commitment fee payable within 30 days.

9. Between the issuance of the commitment and the initial closing, which usually takes place before start of construction, all legal forms are prepared by the attorney for the sponsor. These include such items as the building and loan agreement, trade breakdown for payment of advances, agreements to cost certify, regulatory agreements, etc.

A meeting is also held with the sponsor, builder, and others in which prevailing wage requirements and reporting are explained.

A determination is also made as to escrow requirements and any funds over and above the mortgage proceeds that may be required from the sponsor.

10. At initial closing the sponsor meets all cash requirements and usually draws mortgage funds for costs and fees advanced and for the land, if not used for equity purposes. The note and mortgage are executed at this closing and recorded.

11. After initial closing, the sponsor may start construction. In a few cases construction may be started after issuance of the commitment, upon approval by the Commissioner, and at the risk of the sponsor.

12. Upon completion of the construction, and prior to final closing of the mortgage, the sponsor must certify all costs. These are reviewed by FHA. Statements of rental equipment must also be submitted. If the allowable costs are less than the mortgage amount, the mortgage is reduced accordingly. If the project shows an operating profit the amount may be applied toward amortization of the mortgage, as an offset against higher than estimated actual costs or placed in the reserve escrow account.

13. Under a regulatory agreement executed between the mortgagor (sponsor) and the FHA Commissioner, the FHA has continual supervision over the general operation of the project during the life of the mortgage.

Question. How does FHA process applications from a cooperative under its 221(d)(3) program?

Answer. Under FHA's program of mortgage insurance for cooperatives, applications may be initiated either by an already formed nonprofit cooperative organization, or by a sponsor who intends to assist in organizing a cooperative and ultimately to enable it to acquire the project. If the investor-sponsor fails to make the transfer to the cooperative so as to vest ownership in it, the investor-sponsor retains and operates it as a limited dividend rental project with a 90-percent mortgage ratio rather than the 100 percent allowed for nonprofit cooperatives (see section B above).

In the event the builder-sponsor does not succeed in transferring the project to a management-type cooperative, the builder-sponsor is limited to an annual cumulative return of 6 percent of an estimated 10 percent equity. The builder's fee is held in escrow until the project is transferred to a cooperative. Normal multifamily housing builder's fees are provided for except that in urban renewal areas a 10-percent builder's and sponsor's profit and risk allowance is applicable.

The processing procedures, typical of all FHA projects, are as follows:

1. A preapplication request is submitted by the sponsor to the local FHA insuring office. This briefly describes the location and the proposed number and composition of the units and the rental rates to be charged.

If the proposal appears acceptable, the sponsor is advised to obtain architectural drawings and submit an application with fee.

2. The formal application which is submitted by the lending institution making the loan should conform largely to the preapplication proposed and will indicate the financial ability of the sponsor to complete the project. The financial stability of the sponsor is later verified by receipt of a financial statement and a credit report.

3. Plans and specifications are routed through the architectural section for adequacy and the estimating of construction costs. A prevailing wage determination is obtained from the Labor Department. During this period of review the sponsor will submit a quantity and cost survey prepared by a recognized engineering firm. When considered architecturally acceptable, the case is routed to the valuation section.

4. The valuation section estimates obtainable carrying charges and operating expenses. Carrying charges, including utilities, are also checked against established family incomes. Estimated carrying charges, including utilities, cannot exceed FHA's judgment of the effective market.

5. Debt service limitations come into play only so as to limit the amount of mortgage proceeds available to an investor-sponsor prior to the time the project is transferred to a cooperative. This is found by taking 90 percent of the estimated net annual income and dividing this amount by the debt service factor at the market rate of interest. The 10 percent of income not computed is to pay the 6 percent return on equity and to provide a residual fund necessary for all project operations.

6. The mortgage in management type cases is controlled by 100 percent of the estimated costs. A cooperative purchasing the project from an investor-sponsor is eligible for the same loan which is applicable to projects initiated on a management type basis.

7. The mortgage credit section then processes the case as to statutory requirements and the financial capability of the sponsor, and the capability of the sponsor to carry out effective management under the rent supplement program.

8. A commitment is then issued with the customary commitment fee payable within 30 days.

9. Between the issuance of the commitment and the initial closing, which usually takes place before start of construction, all legal forms are prepared by the attorney for the sponsor. These include such items as the building and loan agreement, trade breakdown for payment of advances, agreements to cost certify, regulatory agreements, etc.

A meeting is also held with the sponsor, builder and others in which prevailing wage requirements and reporting are explained.

A determination is also made as to escrow requirements and any funds over and above the mortgage proceeds that may be required from the sponsor.

10. Before closing a management type loan, it is normally required that 90 percent of the units be subscribed for by families within the prescribed income limits who are cleared by FHA credit processing as having the financial ability to meet the projected carrying charges. There might need to be some variation of this procedure under a rent supplement program. In investor-sponsor cases no sales are required prior to the start of construction.

11. At initial closing the sponsor meets all cash requirements and usually draws mortgage funds for costs and fees advanced and for the land, if not used for equity purposes. The note and mortgage are executed at this closing and recorded.

12. After initial closing, the sponsor may start construction. In a few cases construction may be started after issuance of the commitment, upon approval by the Commissioner, and at the risk of the sponsor.

13. Upon completion of the construction, and prior to final closing of the mortgage, the sponsor must certify all costs. These are reviewed by FHA. Statements of income must also be submitted. If the allowable costs are less than the mortgage amount, the mortgage is reduced accordingly. If the project shows an operating profit the amount may be applied toward amortization of the mortgage, as an offset against higher than estimated actual costs or placed in the reserve escrow account.

14. Under a regulatory agreement executed between the mortgagor (sponsor) and the FHA Commissioner, the FHA has continual supervision over the general operation of the project during the life of the mortgage.

Question. How will the proposed rent supplement program effect the procedures under the 221(d)(3) program?

Answer. (a) Reservation of rent supplement funds: In processing the loan application for mortgage insurance, FHA would negotiate with the project sponsor to determine the amount of funds which should be reserved for the rent supplement contract, under standards to be prescribed by the Administrator and from an allocation of funds for the area made by the Administrator to the FHA. These standards would be designed to assure that the project would provide a specified minimum number of rent supplement units for low-income families within the range of incomes established for the area. A formal reservation of funds for the rent supplement contract would be made at or before the time that FHA issues its commitments to insure the mortgage on the project.

(b) Tenant selection: Tenant applicants who believe themselves to be eligible for rent supplement units would apply to the project sponsor who would decide whether the applicants were acceptable in the usual landlord-tenant selection relationship.

(c) Certification of tenants: Among tenant applicants found acceptable to the project sponsor, the eligibility of those applying for rent supplements would be established in accordance with standards and procedures to be established by the Administrator. The determination of eligibility for rent supplements would be delegated to a designated local agent of the Administrator, either an agency employee, or a competent outside group. The eligibility finding would be based on income and one of the following: (1) displaced by Government action; (2) 62 years of age or older; (3) physically handicapped; (4) occupant of substandard housing; (5) occupant of housing extensively damaged or destroyed as a result of a natural disaster

For applicants who apply for lease-with-option to purchase as authorized by the bill, the income verification would be expanded, in accordance with guidelines to be provided by the Administrator, to assure selection of those applicants who give promise of upward income ability. This determination also would be delegated to a designated local agent of the Administrator.

Rent supplement contract: The amount of rent to be charged to each tenant eligible for a rent supplement as well as the amount of the rent supplement would then be calculated. The rent supplement would amount to the difference between 25 percent of certified tenants income and gross rent required for the unit. The aggregate of such rent supplement payments for the rent supplement units in the project would represent the rent supplement funds needed for the project. Based on this, a formal 40-year rent supplement contract would be negotiated between the project sponsor and the Administrator or his agent for the payment of rent supplements on behalf of the tenants.

Payments under rent supplement contract: The rent supplement contract would specify the maximum dollar amount to be paid, but the periodic payments to be made under the contract would be based on the actual amount of rent supplement payments required. The actual amount of payments required would be reduced as incomes of tenants increased, and other changes would be made when tenants move out and new tenants move in. Such payments would be subject to review and audit. The occupancy and condition of the dwelling units occupied by families on whose behalf rent supplements were paid would be checked by FHA in the course of normal annual inspections of properties covered by FHA-insured mortgages. It will be noted also that, as is customary with all FHA-multifamily projects, the rents for all units in the project would be initially approved by FHA and any subsequent rent increases would also have to be approved by FHA.

The procedure described above for the certification of income would be repeated at least every 2 years for all occupants, except the elderly. On the basis of the incomes thus recertified, the rent to be charged would be recomputed for each tenant (25 percent of income) and correspondingly the amount of the rent supplement payment (gross rent for the unit less rent charged to the tenant) For any tenant whose income increases to the point that 25 percent of his income is sufficient to pay the gross rent, the rent supplement payments with respect to that tenant would cease, but he could continue to occupy the unit by paying the full rent.

A similar procedure would be applied to lease-option cases. When the income of such a tenant increases so that 25 percent of his income is sufficient to enable him to purchase the unit, he would exercise his option to purchase and rent supplement payments would cease.

Question. How will the lease-with-option-to-purchase provision of the rent supplement program operate?

Answer. The lease-with-option-to-purchase part of the rent supplement program will make it possible for families, who have the potential to raise their incomes to the point where they can carry a modest home without subsidy, to rent the home at a price they can afford with their present incomes and exercise their option to purchase the home when they can afford, without assistance, to carry it.

Operation of lease-with-option-to-purchase program

Under the lease-with-option-to-purchase part of the rent supplement program, an eligible family would rent a detached, semidetached, or row house in a project of such homes and rent supplements would be paid in the same manner as for rent supplement units in other projects. When the income of the family had increased sufficiently so that it could afford to pay the full rent, the rent supplements would be terminated and the family would purchase the unit it occupied with the aid of an FHA-insured section 221 home mortgage.

It is estimated that perhaps 20 percent of the units receiving rent supplements would be the lease-with-option-to-purchase type.

The families selected to occupy lease-with-option-to-purchase units will be those which give evidence of upward income mobility. This would include families where the head of the family has a skill or is improving his skills in such a manner that there is a probability of increased income.

A tenant moving into a lease-with-option-to-purchase unit will be advised beforehand that when his income rises to the point that he can exercise the purchase option, he will be expected to do so. If he does not exercise the option within a reasonable time after an adequate income level is reached, the sponsor could require him to vacate the unit.

No windfall to lease-with-option purchaser or owner of project

Neither the tenant under a lease-with-option-to-purchase arrangement, nor the project owner, will receive a windfall when the tenant exercises his option and purchases the unit with respect to which rent supplement payments have been made.

The housing agency contract with the owner-sponsor will require that the option to purchase give the tenant the right to buy at the FHA-appraised value of the unit at the time he exercises his option. If the FHA-appraised value and the sales price are greater than the outstanding balance in the original 221(d)(3) market-rate mortgage with respect to that unit, the amount by which the sales price exceeds the outstanding balance will be returned to the Federal Government.

In the usual case, the house will have depreciated in value approximately to the same extent that the original mortgage has been amortized and there would be no sales proceeds in excess of the outstanding mortgage balance.

In no event, would it be feasible to sell a unit for less than the outstanding mortgage balance since the sponsor would not be able to repay the debt secured by the unit if the sales price did not equal at least the outstanding balance.

Question. What has been the experience under FHA's 221(d)(3) below-market program? How many projects have there been, what has been their cost, and who have been their sponsors?

Answer. From the beginning of the section 221(d)(3) below-market interest rate program through March 1965, a total of 537 project applications were received involving 72,995 units with a mortgage amount of $879,558,293. During this period, FHA insured commitments on 296 projects containing 39,371 units with a mortgage amount of $465,739,285. Also, during this period, FHA insured projects containing 29,967 units with a total mortgage amount of $353,210,000.

The following table shows the average amount of mortgage allocable to dwelling units under the below-market rate program for 1962 and 1963:

Average amount of mortgage per dwelling unit	Percentage distribution of dwelling units	
	1963	1962
Less than $8,000	0.4	
$8,000 to $8,999	15.9	9.4
$9,000 to $9,999	27.5	6.1
$10,000 to $10,999	10.3	23.8
$11,000 to $11,999	13.5	33.7
$12,000 to $12,999	10.9	
$13,000 to $13,999	15.6	7.8
$14,000 to $14,999	1.3	
$15,000 to $15,999		1.3
$16,000 to $16,999	4.6	10.0
$17,000 to $17,999		
$18,000 to $18,999		7.9
Total	100.0	100.0
Median	$10,601	$11,317

Through June 1964 (the latest date for which figures are available), of 347 projects for which applications had been received: 137 were sponsored by limited dividend corporations; 95 by private nonprofit corporations or associations; 81 by management-type cooperatives; and 34 by investor sponsors.

(An investor sponsor is a special type of limited dividend corporation organized to build or rehabilitate a project and subsequently transfers it to a cooperative.)

The various types of nonprofit sponsors are nonprofit corporations, church groups, labor unions, foundations, associations, colleges, and local public agencies.

Question. How would per unit limitations be imposed under the rent supplement program?

Answer. The rent supplement program authorized by the bill would be limited to certain housing, low in cost and of modest design, constructed to standards prescribed by the Federal Housing Administration for families of moderate income.

The maximum mortgage limits under the section 221(d)(3) moderate-income housing program vary according to the number of bedrooms in each unit, as follows: $8,000 per family unit without a bedroom, $11,250 per family unit with one bedroom, $13,500 per family unit with two bedrooms, and $17,000 per family unit with three or more bedrooms. In the case of elevator projects, the limits are $9,500, $13,500, $16,000, and $20,000, respectively. The dollar limits per unit can be increased by not to exceed 45 percent in high cost areas.

However, rent supplement payment will be made only with respect to housing constructed in accordance with the standards that have been set for the existing section 221(d)(3) below-market interest rate moderate-income housing program. Under that program, the FHA cannot insure a mortgage if the rentals required to amortize the mortgage are greater than the rent that can be paid by a family whose income is less than the median income in the community. Mortgage limits for each community are restricted to the amount required to build in that community a garden-type project of modest standards that such a family can afford to rent. Elevator-type projects are permitted only if they can be built within the cost limitations prescribed for garden-type projects.

In the 4 years that the section 221(d)(3) below-market interest rate program has been in operation, the average amount of a mortgage per unit under the program has been approximately $12,500. If the rent supplement program had been in operation during this 4-year period, the average amount of a mortgage per unit under the program would have been about the same.

Question. How does the subsidy under the rent supplement compare to the subsidy under the public housing program?

Answer. The amount of the rent supplement payment that may be made on behalf of a particular family will never be greater than the amount of the subsidy that would be paid for that same family in a public housing unit. As to average costs, it is estimated that the average subsidy cost under rent supplements would run about $40 a month per unit—the level of the subsidy for public housing units currently being built runs about $58 a month per unit.

There are several reasons for the lower subsidy cost in the rent supplement programs. Land and construction costs in the rent supplement program would be less than in the public housing program. There will be available to sponsors of rent supplement projects a much wider range of selections of sites, including suburban and outlying land, and generally no clearance would be involved. In addition, certain special construction requirements that add to the cost of public housing would not apply to housing constructed under the rent supplement program.

Under the rent supplement program, the occupant would be required to pay 25 percent of his income for rent compared to the general 20 percent requirement under the public housing program.

These factors alone—lower land and construction costs and greater payments by occupants—will offset the advantages of low-interest rate loans through tax exemptions in the public housing program. In addition. of course, the tax exemption accorded income on bonds issued in the public housing program involves a very substantial loss of revenue to the Treasury and this represents a cost that must be borne by other tax sources. It is estimated that the tax exemption of the income on public housing bonds now costs the Treasury $48 million a year in revenues.

Finally, the local property tax exemption accorded public housing represents a very substantial local contribution and is also a part of the economic cost of public housing.

Question. What income limits would be established for tenants under the rent supplement program?

Answer. S. 2213 contains the Muskie amendment which makes clear that the rent supplement program would cover the same income group identified in the public housing law.

The only families eligible for rent supplement payments will be those who meet both of these requirements:

1. Have incomes below the maximum amount which can be established for occupancy in public housing under the Federal public housing law, the U.S. Housing Act of 1937, and

2. Are elderly, handicapped, displaced from their homes by governmental action, living in slums, or victims of natural disasters which have destroyed or damaged their homes.

DETERMINING THE STATUTORY MAXIMUM

As in the public housing program, the statutory maximum income a family may have and still receive a rent supplement will be determined in each area as follows:

1. A market analysis will be conducted to determine the rentals at which there are available a substantial supply of private decent, safe, and sanitary housing consisting of 1-, 2-, 3-, and 4-bedroom units for families of low income.

2. The statutory maximum income limit will be established, for the corresponding sized unit in the rent supplement program at five times the rental determined by such market analysis (that is, a 20 percent rent-to-income ratio). However, in the case of housing other than for the elderly, handicapped, or displaced, the limit will be reduced by 20 percent to conform to the public housing law requirement that there be a 20 percent gap between upper rental limits in public housing for such persons and the lowest rentals in private housing.

For example, assume the market analysis for the area shows that $80 per month is the lowest rental at which a substantial supply of private decent, safe, and sanitary 2-bedroom units is available in an area. The statutory maximum annual income limit for a family of the size that requires a 2-bedroom unit will be $4,800 (5 times $80 times 12 months) in the case of a unit for the elderly, handicapped, or displaced.

However, in the case of such a unit for an eligible tenant other than a tenant who is elderly, handicapped, or displaced, the statutory annual income limit for the tenant will be $3,840 ($4,800 minus 20 percent).

The statutory maximum income ceilings on a general city-by-city basis cannot be stated until a market analysis is done in each of the cities.

ADMINISTRATIVE LIMITATIONS WITHIN STATUTORY MAXIMUM

Consistent with its understanding of congressional intent, the Housing Agency, in administering the rent supplement programs, would impose administrative limitations upon the amount of income (within the statutory maximum) a family may have and still be eligible for a rent supplement.

Attached is a table setting out maximum income limits that would be imposed administratively in a sampling of 26 cities on the basis of preliminary estimates of rentals required to obtain private decent, safe, and sanitary housing units in these cities:

Preliminary estimates of income limits for families of different sizes under proposed rent supplement program in 26 cities

Cities	2 persons (1 bedroom)	3 or 4 persons (2 bedrooms)	5 or 6 persons (3 bedrooms)	7 or 8 persons (4 bedrooms)
Atlanta, Ga	$3,100	$3,800	$4,900	$5,500
Bangor, Maine	3,400	4,300	4,800	5,700
Batavia, N.Y	3,400	4,100	4,800	6,000
Boston, Mass	4,400	4,800	5,300	6,000
Bridgeport, Conn	4,100	4,600	4,800	5,300
Chicago, Ill	4,300	5,000	5,800	6,500
Columbia, S.C	3,400	3,700	4,600	5,000
Columbus, Ohio	3,700	3,900	4,500	4,900
Fresno, Calif	3,900	4,400	5,100	6,100
Huntington, W. Va	3,200	3,700	4,200	4,700
Jefferson City, Mo	3,600	4,100	4,600	5,500
Kansas City, Mo	3,600	4,100	4,800	5,500
Louisville, Ky	3,700	4,300	5,600	6,200
Milwaukee, Wis	$3,600	$4,100	$4,600	$6,000
Mobile, Ala	3,900	4,000	4,600	5,100
Newark, N.J	4,600	5,000	5,500	6,000
Providence, R.I	3,200	3,700	4,300	4,800
Paterson, N.J	4,300	4,800	5,300	5,800
Pittsburgh, Pa	4,200	4,600	5,000	5,600
Port Arthur, Tex	2,400	3,700	4,300	5,800
San Antonio, Tex	3,300	3,700	4,400	4,800
St. Louis, Mo	4,000	4,500	5,500	6,300
Terre Haute, Ind	3,600	3,900	4,300	4,900
Toledo, Ohio	4,000	4,500	5,500	6,000
Waco, Tex	3,400	3,700	4,600	5,800
Utica, N.Y	2,900	3,700	4,500	5,300

Characteristics of substandard housing (1960 census)

	Number	Percent
1. Number of occupied units:		
Standard	44,550,000	84
Substandard	84,474,000	16
Total	53,024,000	100
2. Condition:		
Sound, but lacking all plumbing	3,380,000	40
Deteriorating, and lacking plumbing	2,826,000	33
Dilapidated	2,268,000	27
Total	8,474,000	100
3. Owned versus rented:		
Owned	3,730,000	44
Rented	4,744,000	56
Total	8,474,000	100
4. Location:		
Central cities of metropolitan areas	1,925,000	23
Suburbs	1,287,000	15
Small cities (2,500 to 50,000)	471,000	5
Towns (under 2,500)	3,304,000	39
Farms	1,487,000	18
Total	8,474,000	100
5. Income level:		
Less than $2,000	3,981,000	47
$2,000 to $2,999	1,320,000	16
$3,000 to $3,999	1,037,000	12
$4,000 to $4,999	786,000	9
$5,000 to $5,999	547,000	6
$6,000 and over	807,000	10
Total	8,474,000	100
Median income, $2,200.		
6. Percent of income paid to rent (renter-occupied units only):		
Less than 10 percent	511,000	15
10 to 14 percent	612,000	18
15 to 19 percent	512,000	15
20 to 24 percent	362,000	10
25 to 34 percent	468,000	13
35 percent or more	987,000	29
Total	3,452,000	100
Not available	1,292,000	----------
Grand total	4,744,000	----------
Median percent paid, 20.8.		
7. Rent paid:		
Less than $30	1,445,000	34
$30 to $39	749,000	18
$40 to $49	693,000	16
$50 to $59	500,000	12
$60 to $69	355,000	9
$70 to $79	196,000	5
$80 to $99	170,000	4
$100 or over	81,000	2
Total	4,189,000	100
Not available	555,000	----------
Grand total	4,744,000	----------
Median rent paid: $43.		
8. Age:		
Under 65	6,457,000	76
Over 65	2,017,000	24
	8,474,000	100
9. Race:		
White	6,576,000	78
Nonwhite	1,898,000	22
Total	8,474,000	100

A SUMMARY OF THE MAIN PROVISIONS OF S. 2213 AS REPORTED BY THE SENATE BANKING AND CURRENCY COMMITTEE—"THE HOUSING AND URBAN DEVELOPMENT ACT OF 1965"

HOUSING FOR LOW-INCOME FAMILIES

By broadening existing programs and adding new ones, the bill would multiply many times the volume of good housing that can be provided for low-income families, including the elderly, the handicapped, and the displaced. The set of programs in this bill is estimated to provide some 750,000 units of housing for low-income needs in the next 4 years, compared to less than 200,000 in the past 4 years.

Here are the programs that will help to do this under this bill:

EXISTING PROGRAMS FOR LOW INCOME

Low-rent public housing: Provides for 60,000 low-rent public housing units a year—240,000 in 4 years—with an estimated 35,000 a year to be new construction, 15,000 to be bought and rehabilitated from existing housing, and 10,000 units to be leased for low-rent use from private owners. Bill would modify financing formula for public housing to adapt it to financing of existing housing.

FHA moderate-income housing (sec. 221 (d)(3): This successful 1961 program to provide housing at below-market interest rates for low- and moderate-income families is continued, and the maximum interest rate is reduced to 3 percent to assure lower rents. Support for such FHA-insured mortgages through the Federal National Mortgage Association's special assistance is continued.

Direct loans, housing for the elderly and the handicapped: This active program for nonprofit housing for the elderly and handicapped of moderate means is extended with an additional $150 million authorization, and the maximum interest rate is reduced to 3 percent.

NEW PROGRAMS FOR LOW INCOME

Rent supplements: This is a major new program to provide a large volume of private housing within the means of low-income families. It is expected to generate some 500,000 units of nonprofit, cooperative, or limited dividend housing over the next 4 years by attracting private capital into the housing market for low-income families. With some half million families on the public housing waiting lists and some 6 million families with incomes below $4,000 living in substandard housing, existing programs alone are not sufficient to make large-scale inroads on the problem.

Here is how the rent supplement program would operate:

How the housing is financed: The housing would be built by nonprofit, cooperative, or limited dividend sponsors under FHA's low-cost housing program (section 221) at regular market interest rates (currently 5½ percent plus one-half of 1 percent insurance premium). It would be subject to FHA's requirements in this program which assure that the housing is modest in cost.

Who is eligible: Only those families and individuals whose incomes are below the maximum that can be established for occupancy in public housing and who, in addition, are elderly, handicapped, displaced from their homes by governmental action, living in slums, and victims of disasters, are eligible for rent supplements.

What the rent supplement pays: Eligible tenants would pay 25 percent of their income toward the fair market rents established under the FHA. The rent supplement would pay any difference above that percentage. As family income rises, the supplement would be reduced, and when the family could pay the full rent, it could continue to live in the same unit without a supplement. If the housing is adapted for individual purchase, the family could also have an opportunity to buy it when its income permitted.

Size of the program: The bill would authorize $50 million for rent supplement payments in the fiscal year 1966, and an additional $50 million for each of the following 3 years, making a maximum of $200 million in such annual rent supplements at the end of 4 years.

Experimental program: As an experiment, the bill would authorize a limited amount—up to 10 percent of the grants—to be used for rent supplements on housing provided under FHA's below-market interest rate program (section 221(d)(3)), FHA's housing for the elderly program (section 231), and housing for the elderly built with direct Federal loans. Not more than 20 percent of the units in a project could have rent supplements under this experimental program.

Rehabilitation grants: The bill authorizes grants to enable low-income homeowners in urban renewal areas, whose homes are required by the urban renewal plan to be rehabilitated, to improve their homes and remain in them, rather than to compel them to leave and be relocated elsewhere. The Senate bill would authorize such grants up to $1,500 for families whose incomes do not exceed $3,000 a year or a lower amount, based on needs, for homeowners with higher incomes.

IMPROVING URBAN AREAS

Land acquisition and development: FHA would be authorized to insure mortgages to acquire and develop land for residential and related uses, provided such development is consistent with a comprehensive plan developed or being developed for the area. Improvements financed could include water and sewer facilities, roads, streets, sidewalks, and other site improvements. The intent is to encourage the provision of a large supply of properly planned and improved building sites, to small as well as large builders.

The FHA-insured mortgage could (1) cover up to 75 percent of the estimated value of the property when developed, or (2) 50 percent of the value before development plus 90 percent of the cost of the site improvements, whichever is less. The insured mortgage amount could not exceed $10 million.

Grants for basic sewer and water facilities: Grants would be authorized to public bodies to finance up to 50 percent of the cost of expanding, enlarging, and improving basic public water and sewer facilities, in accordance with an areawide or comprehensive plan. Grants could not be used to finance ordinary repairs and maintenance of existing facilities. The bill authorizes $700 million over a 4-year period for this purpose.

Grants for advance purchase of land for public facilities: Grants would be authorized to assist in financing the acquisition of sites to be used in future construction of public works and facilities. Such grants would be equal to the reasonable interest charges on loans for such land purchases up to the time of construction, but for not more than 5 years. The Housing Administrator would require that construction of the facility would contribute to the economy, efficiency, and the comprehensively planned development of the area. The bill authorizes $25 million annually for 4 years for this program.

Grants for neighborhood facilities: Grants would be authorized to local public bodies and agencies to help finance projects for neighborhood facilities, such as community or youth centers, health stations, or similar public buildings. Emphasis would be placed on projects which would support a community action program under the Economic Opportunity Act (antipoverty program), and to projects which are of special benefit to low-income families. Grants could cover up to two-thirds of the project cost, or 75 percent in areas approved under the Area Redevelopment Act. The bill provides an annual authorization of $25 million for 4 years for such grants.

Grants for urban beautification and improvement: Matching grants would be authorized to assist localities in programs of beautification and improvement of open-space and other public lands. Programs could be included for example for such things as street landscaping, park improvements, tree planting, and upgrading of malls and squares. Ordinarily, grants could not exceed 50 percent of the cost over and above the average previous expenditures for such activities. There would, however, be a $5 million demonstration grant program to encourage experimentation and innovation under which grants could cover up to two-thirds of the total cost.

Open-space land grants: Grants would be authorized to States and local agencies to cover up to 50 percent (an increase over the 20 to 30 percent now authorized) of the cost of acquiring and developing land for recreational, conservation and other public uses, in accordance with comprehensive area plans. The bill would also authorize the purchase and clearance of land in built-up areas for such open-space needs as parks, squares, playgrounds, and pedestrian malls. The authorization for open-space grants is increased from $75 million to $310 million, of which not more than $64 million may be used for the new program in built-up urban areas and not more than $36 million for the new aids for urban beautification and improvement. Relocation payments would be authorized in connection with these open-space and urban improvement programs.

URBAN RENEWAL

Title I projects: The bill increases the authorization for urban renewal grants by $675 million on enactment, $725 million on July 1, 1966, and by $750 million on July 1 in each of the years 1967 and 1968.

It permits 40 percent of the amount of new capital grant authority to be used for nonresidential renewal in order to promote economic improvement.

The bill would authorize grants to localities to assist them in carrying out concentrated code enforcement programs. The grants could be up to two-thirds (three-fourths for towns of 50,000 or less) of the cost of code enforcement that exceeds the normal code enforcement program of a locality. It would also authorize two-thirds grants to cities and counties to cover the cost of demolition of unsound structures in renewal areas or on a planned neighborhood basis.

The bill increases urban renewal relocation adjustment payments to small businesses from $1,500 to $2,500, provides for Small Business Administration to underwrite rental leases for small businesses facing difficulty in financing reestablishment of business, and extends relocation provisions generally to those displaced by the urban mass transportation program.

PRIVATE HOUSING

The bill extends the FHA mortgage insurance authorization for another 4 years—under present law it would expire October 1, 1965. Extended also to the same date is FHA's low-cost housing program (section 221), including the below-market interest program, for which the maximum interest rate is reduced to 3 percent.

The bill increases the FHA property improvement loan (title I) maximum from $3,500 to $5,000, and the maximum term from 5 to 7 years.

It makes various improvements in the FHA programs, including higher cost limits for large units in rental housing, more liberal aid for rehabilitation in renewal areas, and higher mortage limits (from $20,000 to $30,000) on insured mortgages for servicemen.

The bill provides progressive increases for the next 4 fiscal years in the FNMA's authority to purchase mortgages under its special assistance programs.

COLLEGE HOUSING

The bill increases the college housing loan authorization by $110 million on enactment, by $285 million on July 1 for the years 1966 and 1967, and by $275 million on July 1, 1968, and makes clear that new colleges can qualify for loans.

RURAL HOUSING

The bill extends the rural housing programs to October 1, 1969.

It increases authority for grants for nonprofit sponsors for low-rent housing for farm labor from $10 million to $50 million.

The bill provides a new rural housing insured loan program, authorizing $300 million a year in insured loans for low- and moderate-income families, and for others above that level. It authorizes the FNMA to purchase mortgages insured under the new program in its secondary market operations.

The bill authorizes rural housing loans for purchase of previously occupied dwellings and structures and for suitable sites, in addition to new home construction.

SENATOR GORE MAKES A DISTINCT CONTRIBUTION

Mr. MANSFIELD. Mr. President, as the Senate knows I supported the proposed constitutional amendment providing for Presidential inability and for succession to a vacancy in the Vice-Presidency. I did so because I was aware of the months of intense work which had gone into this measure on the part of the Senator from Indiana [Mr. BAYH], the Senator from Nebraska [Mr. HRUSKA], the distinguished minority leader [Mr. DIRKSEN], and other able Senators of the Judiciary Committee. I did so, too, because I recognize the immense difficulty in arriving at legislative language which will be completely agreeable to every member of a legislative body.

Nevertheless, I believe that the efforts of the distinguished Senator from Tennessee [Mr. GORE] to clarify certain language just prior to passage of the proposed amendment served a highly useful purpose. Even though he did not prevail, the Senator from Tennessee precipitated a debate on a highly significant aspect of the amendment which, on the part of the Senate, at least, makes very clear the intent.

So while I would point out again that while I did not go along with him in his opposition to final passage, I do respect his high motive and salute the public service which he performed. And, in this connection, I am delighted to call to the attention of the Senate a lead editorial in the Nashville Banner of July 7 which recognizes and supports the purposes which the distinguished Senator from Tennessee [Mr. GORE] sought to achieve. I ask unanimous consent that the editorial previously referred to be included at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON REPLACING A PRESIDENT—FORMULA OF CHANGE NEEDS PRECISE DEFINITION

Senator ALBERT GORE is right. Ambiguity (language subject to two or more possible interpretations) does not belong in any legislation. And it is dangerously defective when it relates to a statement of method for replacing a President, when, for any cause, he is incapacitated.

Nevertheless, the ambiguous language of the proposed "disability" amendment stands. The Senate approved it yesterday, and the House already had given it sanction. The responsibility of final decision now rests with the States—three-fourths of whose legislatures would have to ratify to make it effective.

Tennessee's senior Senator does not disagree with the necessity of a constitutional provision covering the question. Obviously the emergency situation to which this proposed solution is addressed could occur. A President can become unable to perform his official duties. In extreme, if hypothetical, cases, it could become necessary for somebody else to decide. Similarly, workable arrangements are in order for filling the Vice Presidency when by death or advancement that office is vacated.

The constitutional provision has been adequate in circumstances to date. The present effort is addressed to a situation not as yet encountered—and its authors are exploring new ground, to provide for any contingency. It is for that reason the more imperative that the steps be clearly spelled out, with no provisos conceivably subject to misconstruction.

Far from convincing is the counterargument, that once the amendment is adopted Congress can enact clarifying legislation to implement it. That is putting the cart before the horse. If the amendment is obscure, or imprecise in its wording, who is to say that legal specification born of it would necessarily be less so?

In being asked to ratify a structural change, bearing so directly on a fundamental point of top elective office, the States are entitled to an accurate picture of what is being proposed; not one possible of different intepretations.

This government of law has been blessed by clarity of purpose attesting to the ability of those drafting its Constitution, and those writing the laws based thereon, to state their meanings precisely.

Vagueness is not a virtue; and double-meanings can provide no safeguard in far-reaching legislation. Ambiguity does not belong in a proposed step of this magnitude. It could be redrawn to say exactly what it means. Senator GORE is right.

RADIO BROADCASTING

Mr. METCALF. Mr. President, radio broadcasting has given the American public many hours of entertainment, news and information. The early days of radio provided a common bond of communication between widely scattered parts of the Nation. I can recall the great fascination it held for me as a small boy in western Montana, tuning across the dial to hear the great radio voices from east, west, north, and south.

Radio broadcasting has changed a great deal since those early struggling years. Not only has the radio spectrum become crowded with the signals from thousands of AM broadcast stations, the content of the radio programs has changed. I have often been frustrated in attempts to tune in on a good discussion program or an expanded recitation of the day's news developments. Instead I am bombarded with hour upon hour of so-called popular music. It appears that radio broadcasters, in an effort to dominate the ratings, have increasing cast aside "talk" programs in favor of more music. In some instances, radio broadcasting, 1965, sounds like an automated jukebox.

There are many radio broadcasting stations in Montana which are living up to their public trust: to operate in the public convenience and necessity. These stations are doing an outstanding job of balanced programing.

They are providing a forum for discussion of issues important to the people of Montana.

Recently, during the 35th Institute for Education by Radio-Television at Ohio State University, M. S. Novik, radio consultant in New York City, deplored the lack of discussion programs on radio. His remarks clearly outline what has been allowed to happen on the airwaves and what the consequences may be.

I ask unanimous consent that his remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Radio—Sound Without Meaning

(Remarks by M. S. Novik, radio consultant)

Technically speaking, radio is a lot of hardware. And that hardware has been making remarkable technical progress from the first crystal set to modern transistorized equipment. The only thing that has not kept pace with the technical advances is its intelligent use by the men who control it.

Instead of using the hardware to retain radio's lead as a medium of information, as a fountain of knowledge, programing has been going downhill, away from its once bright promise. As a result, radio has given up its dynamic role and abdicated its leadership to television. It has become a symbol of intellectual silence.

Indeed what's right with radio or wrong with radio is not in the hardware but in ourselves.

Once upon a time, a million years ago it seems now, there was an Edward R. Murrow, a Raymond Gram Swing, an Elmer Davis—men who made the world come alive through radio, who made continents neighbors to each other. These were no headline screamers. They were men who made us a part of their experience, who shared wisdom with us, so that all of us might share democracy with one another.

Once upon a time there was a "Town Meeting of the Air," when the American people flattered themselves with ideas, to be examined for what they were. Ideas, rather than jingles and slogans. There was still room enough—too much room, perhaps—for the soap operas, but at least there was some room some of the time for something else. The listener did have some sort of choice—if not all the time, some of the time.

How did radio get into its present sad state of programing? Partly because of panic over the competition of television; partly because of competition from a flood of new low-powered, low-cost local stations after World War II.

The battle of the ratings gave the format operator his first breakthrough. Program prestige went out of the window.

Instead of holding the line and improving the radio service, the big stations, the network stations capitulated; some more, some less, some all the way.

The disintegration of network radio in these critical times poses a serious problem not only for the radio industry, but for the Nation.

Look at the world we live in. Great questions of foreign polcy are bedeviling the American people. What do we do about Vietnam? The recent teach-ins, the recent Washington debates on the subject have barely been touched on by radio, except for brief summaries.

Not only foreign affairs but also pressing domestic questions demand that we know what we are thinking, talking, and voting about. What about civil rights, unemployment, automation, the art of being a wise consumer, education to meet the rising demands of our society? All these great questions have, among our own people, great people who can discuss them intelligently. But they are not heard on radio.

Take the President's own statements on the crisis in Vietnam or at Santo Domingo, or on the domestic issues of our time that are involved in creating the Great Society. They, too, are summed up in quick headlines.

Radio has time for brief summaries, but no time for anything resembling real information. And this brings us to the all-important question: what is information?

Information is knowledge. It is both fact and opinion. It is the raw material for wisdom. It is not just a shouted headline torn from the teletype machine. It is not just 5 minutes of news on the hour. It is not just whether it's going to rain today or not, or how the traffic is on the bridge. It is, in short, the material men need if they are to make a nation work, especially a democratic nation.

We are a self-governing people. This high order of self-challenge demands that we be an informed people.

Broadcasters speak of radio's forthcoming $1-billion-a-year income. Is this the ultimate proof of radio's viability? Crime pays three times as much, but you can't quite measure virtue this way. You can't say that you're rich, therefore you're right. It's not quite that simple.

How many radio stations, beginning, say, with the Kennedy-Nixon debates in 1960 and continuing to the current nationwide Vietnam discussions, have carried even portions of these great discussions, or any other discussions? Presidential press conferences, statements of world leaders, community problems presented in forum or debate, any of these?

Radio today has the opportunity, as well as the obligation, to become the medium it might be, it was planned to be long, long ago. For radio to say that television and the newspapers should be doing the informing is equivalent to saying that radio has no responsibilities in this direction. The law says otherwise, and it is high time that Congress and the FCC make sure that the law is clear.

Who was it who decided that none of the American people want anything but music and instant news on their radio sets? I don't know. How is it that a major law of the land, the Communications Act of 1934, can continue in existence if it is not enforced? Respect for law itself, and with it free institutions, depends upon equal treatment under law, enforcement of the law, and clarity of its meaning. Who has exempted radio men from these truths?

Many of these same radio stations that offer only rock-and-roll and headlines; classical music and headlines, talk jockeys and headlines, or conversation and headlines, excluding all else, are owned by responsible networks, responsible newspapers, magazines, nonprofit institutions, and respectable corporations. Do these people realize these policies are contributing to radio's delinquency?

These station owners are public-spirited citizens, they serve their communities faithfully, they give generously to charity. But they fail their communities where they can best serve—by using their radio facilities to serve the public welfare.

They, of all people, should know that the fastest, quickest buck is not synonymous with the public interest, convenience, and necessity.

The United States is no longer in a position, and I don't think she ever was, to waste great natural resources. Radio is one of the greatest of these treasures.

Radio is not quite a private enterprise. It involves the use of limited frequencies that are available on the publicly owned airwaves. For this reason, the radio station owner is a licensee. He operates under privilege, not by right.

One reason why laws and governments are set up among men is to moderate self-interest in terms of a more generalized public interest, and necessity and convenience. A driver's license is a case in point: certain ground rules are posted under which we operate. But the ground rules for drivers are clearly stated; we even have signs and lights on highways to remind us of the laws.

Radio could use a touch or two of the same.

In 1934, Congress when it passed the Communications Act thought it had spelled out the rules of the airwaves. The rules of the highways made in 1934, are unworkable today, and they have been changed.

But not the rules of the airwaves—they haven't been updated. They've just been ignored. And, mind you, the usage of the airwaves has changed even more than the use of the highways. We now have FM, TV, pay-TV and now the flood of CATV. And it's the people—the public—that are the victims of today's airwave traffic jam.

It is no longer enough to say to the people that you can just turn off the set if you don't like it. The people who don't like radio today pay the same taxes and live in the same times as the people who walk the street with transistors to their heads. Thinking, talking, interested people have the same rights as others. You keep telling them to lump it and the lumps will end up in unexpected places. The public will not be damned indefinitely.

And what is it that the people want? They want, and this is so little, just a bit of time on radio—time to talk, to discuss, to argue, to debate, and to analyze. Is this so much to ask? Will this favor, if that is the word, impoverish the industry?

Too many stations simply have no room for what they call "talk" programs. They will not even sell 15 minutes or half an hour for a political campaign, whether local or national.

Where does this leave a political candidate? He can buy spot announcements. He may even have time for a recording of his own voice, delivering a 60-second commercial for himself.

Does this promote public information? Does this lead to a better understanding of the campaign issues? I doubt it.

Those of us who have been in broadcasting for a long time remember the course of the congressional debates on the Communications Act of 1934. No one in Congress—and very few outside of Congress—anticipated a scarcity of air time. The concern of Congress was for equality, not availability.

Everyone knows the phrase "equal time," but the true concept of the words escape too many broadcasters. How else can one explain the number of major stations that eliminate all political programs, paid or sustaining, taking the position that nothing equals nothing.

That, of course, violates the intent of the Congress and it violates the U.S. Supreme Court decision of June 29, 1959, in the *Farm Union* v. *WDAY* case (360 U.S. vs 525). Here are two sentences from that decision:

"While denying all candidates use of the station would protect broadcasters from liability, it would also effectively withdraw political discussion from the air * * *. Certainly Congress knew the obvious—that if a licensee could protect himself from liability in no other way but by refusing to broadcast candidates' speeches, the necessary effect would be to hamper the congressional plan to develop broadcasting as a political outlet, rather than to foster it."

It has never been the subject of a specific FCC order. Even though the then Chairman recognized and discussed it, and the trade press gave publicity to it, many broadcasters seemed to be unaware of it. Certainly a prompt implementation of the decision ought to have top priority.

Radio today has the opportunity to become the medium of media, reaching people where they are with the instantaneous transmission of the wisdom and the beauty and the challenge of life.

It seems to me the future of radio can be bright. It seems to me that radio is vital to the Great Society.

But we will not be worthy of the challenge—we will not be able to move forward—without some new rules of the road, new charts for the airwaves.

Where are we going? How do we get there? These are questions we must face.

But first of all there must be an evaluation of where we are now and it cannot be a self-serving evaluation.

I regret to say that the Commission has not done the job. Five long years ago, it held hearings on this subject and nothing has happened.

Three years ago, in this same place, we called for a conference on goals for the industry and nothing has happened.

Now, it seems to me, we must look to the Congress that wrote the Communications Act of 1934.

It seems to me the Congress should:

1. Evaluate how radio is doing its job in terms of the Communications Act of 1934.
2. Decide what legislation will meet the new needs of 1965.
3. Define public interest, convenience. and necessity to take into account the need for time on the air for responsible groups; the need for time on the air for political talk or discussion, free or paid—not just during elections, but at all times, leaving no doubt that every broadcaster must allocate equal and adequate time for political discussions, free and paid, in National, State, and local elections.
4. Require all stations to offer programing that will serve the various needs and conveniences and interests of the entire public, not just one segment of the public.
5. Spell out the power of the FCC to enforce the laws of the airwaves.

The times demand answers. Congress, which has jurisdiction over broadcasting, and the FCC, which enforces the broadcasting laws, can make certain that radio resumes its great role in American life. It must. Then the people will be informed and broadcasting will fulfill its role in the Great Society.

STRANDED AIRLINE PASSENGERS RETURNED

Mr. SALTONSTALL. Mr. President, it has now been almost 3 years since the Congress reviewed the status of the so-called nonscheduled airlines and established in their place a wholely separate class of carriers which we designated as "supplemental" airlines.

Many doubts were expressed at the time about the wisdom of legislating a role for these carriers in our national scheme of air transportation.

Today, I wish to acquaint my colleagues with a development which I feel points to the soundness of our action 3 years ago.

The development of which I speak represents a happy ending for a chain of events which threatened to deny many residents of the Northeastern States of savings on winter vacations.

Threatened widespread disappointment was averted through one of the supplemental airlines certificated under the legislation which we voted. The airline is World Airways, Inc., of Oakland, Calif.

This carrier had been chartered by a travel agency to provide packaged vacation trips sold to approximately 2,000 would-be tourists.

Because of a deplorable sequence of events, those expecting to enjoy winter travel were threatened with substantial losses, as well as cancellation of their plans. Although without legal obligation, World Airways flew home a large number of stranded vacationers and its president assumed the responsibility of refunding advance payments to others. The company's president, Edward J. Daly, provided $125,500 needed to make up a deficit in the travel agency's resources. Many letters of congratulations and thanks were received by World Airways, Inc., and Mr. Daly.

Mr. President, although much remains to be done before supplemental airlines can establish a firm and sound economic footing in our society, we may at least draw some satisfaction from this public-minded conduct of this one airline. It is a pleasure to be able to cite an example of such conduct.

Mr. KUCHEL. I congratulate the senior Senator from Massachusetts for his constructive comments on this situation and wish to join with him in his expression of pleasure at the action of World Airways, Inc., and its president, Mr. Daly.

ARCHITECTURAL BARRIERS

Mr. BARTLETT. Mr. President, in recent years much progress has been made by the President's Committee on the Employment of the Handicapped and its campaign to eliminate architectural barriers. Many public buildings in Washington and across the country are now equipped with ramps. I am hopeful that soon all public buildings will be so equipped. Certainly it is our President's policy that all federally owned buildings should have access to the handicapped whenever practical.

Recently a most interesting speech summarizing the advances that have been made in this campaign was presented to the Seventh International Conference of the Federation Internationale des Mutiles et Invalides du Travail et des Invalides Civils by Mr. Edmond J. Leonard of the President's Committee on Employment of the Handicapped.

I ask unanimous consent that the speech may be made a part of the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE CAMPAIGN TO ELIMINATE ARCHITECTURAL BARRIERS IN THE UNITED STATES

(By Edmond J. Leonard, the President's Committee on Employment of the Handicapped, presented at Seventh International Conference of the Federation Internationale des Mutiles et Invalides du Travail et des Invalides Civils, Stresa, Northern Italy, June 17–20, 1965)

It is not only a high privilege to be with you today, but a great pleasure as well. It is also a slightly ironic experience—considering the choice of location for this Conference. For without compromising our fond feelings for the hospitality of this magnificent country, it is worthy to note that we have indeed, after all these centuries, returned to the scene of the crime, so to speak. I am referring to the influence of monumental architectural style which the Roman Empire bequeathed to the Western World.

Our own young country was carved hurriedly from a vast wilderness. In our self-conscious zeal to make ourselves look older than our years, we borrowed heavily from antiquity, with the result that we now find our architectural scene cluttered profusely with Roman temples—complete with their imposing steep flights of steps that bar entrance to many of our handicapped citizens.

Roman temples in America have been built to function as banks, theaters, city halls, civic buildings, churches, university buildings, libraries, museums, even some department stores, and almost all of our Government buildings in Washington follow this trend. During a period known to architects as the Romanesque revival, even our southern plantation homes were built according to adaptations of this style.

And when the city of New York needed a huge railway terminal to handle the flow of passenger traffic in that large metropolitan area, without rhyme or reason the facility was built as an exact replica of the Baths of Caracalla.

This wave of architectural design, though pleasing to the eye, proves far from functional to the thousands of our disabled—and other persons with limitations—who find such buildings inaccessible.

This, of course, exaggerates the blame, but suffice it to say that for a very young country we have unfortunately manifested architectural notions that were not only hundreds of years before our time, but hundreds of years behind the times.

And this is the environmental setting faced by 1 out of 10 persons in the United States who have one sort of disability or another. And it is estimated that by the year 1980, for every able-bodied person in the country, there will be either one person with a physical disability, one person with a chronic illness, or one person over 65 years of age.

The massive strides made in the fields of medicine and rehabilitation have salvaged these people from an otherwise barren past, and contributed greatly to the amount of human potential available for active participation in the social and economic life of the community. But these rehabilitative advances are meaningless when the disabled person is shut out from the mainstream of public life by the frustration of architectural barriers.

Man, in his forward march toward progress, has advanced from the cave to the penthouse—but the cave presented far less problems of ingress and egress to those in the population who suffer some sort of functional limitation.

We do not, however, intend to sit back and see our rehabilitation efforts thwarted by oversight. The existence of the architectural barrier problem—though grounded in thoughtlessness—can be overcome by intelligent planning. John Stuart Mill said a century ago: "The wise are those who foresee the coming events and seek to shape their institutions and mold the thinking of the people in accordance with the most constructive change. We plan to take advantage of a significant coming event—the report that in the next 40 years as much construction will take place in the United States as has occurred since the arrival of Christopher Columbus. We plan to seek a constructive change in the traditional view of architectural design, so that these buildings will be constructed as totally accessible.

In our country, as well as in yours, no generation in history has lived amid such change as we have seen in our lives. As Eve reportedly remarked to Adam when they were departing from the Garden of Eden, "We live indeed in an age of transition." The moral for all of us to recognize is that what we do today will help to shape tomorrow's world. And the world we hope for is one which is not necessarily molded for the perfect, but one in which any person, despite a physical handicap, can move about with grace and dignity.

The foundation for this grand design was started in 1959, when the President's Committee on Employment of the Handicapped joined forces with the National Society for Crippled Children and Adults to wage a massive educational campaign to make the public aware of the problem of architectural barriers. These two organizations have affiliates in every State and in many communities around the country who could attack the problem at its very roots—the local neighborhood.

In starting out upon this mission, it was quickly recognized that the majority of buildings which we will be using within the next decade are those already built. Therefore, the first problem was to determine what might be done to make accessible and functional these existing buildings, and second, the development of improved standards for design and construction of new buildings and facilities.

Following consultations between these interested groups, it was decided to invite representatives of some 50 organizations who were vitally interested in, and ably qualified to assist in attacking the problem of architectural barriers. As a result these experts and consultants formed an American Standards Association Committee, to develop an approved set of specifications known as making buildings and facilities accessible to, and usable by, the physically handicapped.

This committee was composed of representatives of professional and trade associations—including architects, engineers, the construction industry, and building trade unions—societies, manufacturers, and Government agencies. A comprehensive and detailed work outline was developed, and with this as a guide, each member of the committee investigated independently specific areas which related to his basic interest and knowledge. The findings were then tested over a 2-year period on the campus of the University of Illinois, which included in its enrollment about 200 severely handicapped students.

Through this research and testing, using individuals with a wide range of physical impairments, the committee was able to have the essential data necessary for making its many decisions. Ramps were constructed that were adjustable to differing pitch and length and combinations of both. Adjustable handrails were installed. Research men tested wheelchair-bound individuals having various types and degrees of handicaps under widely varying conditions. Another basic research team measured the turning space of a wheelchair and the vertical and horizontal reach of the individuals using them. Each test was conducted by individuals representing various manifestations of disability, various ages and varied circumstances relating to time of onset of disability. The data from these tests were included in a report of over 100 pages.

At the end of this 2-year testing period, the report was condensed into a 12-page set of specifications, and approved by the American Standards Association. This approval means that they were reviewed by every committee and board concerned with building, safety, fire egress, and protection within this association.

These standards are intended for use by architects, designers, engineers, builders, and those who want to make their buildings accessible to the physically handicapped. They were purposely drawn up as guidelines, rather than specific blueprints, in order to have a wider and more general application; but they were informative enough to satisfy any architect or builder who wishes to convert the principles into accessible architectural design.

They include such items as grading of ground, walkways, parking lots, entranceways, ramps, doors, toilet facilities, water fountains, public telephones, and elevators. They are specific with respect to dimensions, in use of materials, and methods of construction and design.

Following the publication of the standards, there came the most important part of this program—the education of the public, and especially those who design and build structures and facilities, to make them aware of this document. At its formal introduction, our late President John F. Kennedy issued a statement in which he said, "We must remember that standards remain nothing more than words and phrases, unless they are translated into action. * * * To serve the purpose for which they were created * * * they must be put into use in designing new public buildings and in remodeling old. The acceptance and adoption of these standards now become the business of citizens and governmental authorities everywhere. I am sure they will rise to the challenge."

It is difficult to exaggerate the extent to which this movement has spread throughout the United States within a relatively short period. The first, and one of the most important catalysts, was the administrative decision by the Federal Government to make new Government buildings—whether in Washington or in other cities—accessible to and usable by the physically handicapped. It is the policy of the Post Office Department, for instance, to construct new post offices at ground level or to have ramps leading to an entranceway. All new Federal buildings where persons must enter to work, to pay taxes, to file claims for social security, or to conduct any Government business have accessible entrances and accessible toilet facilities. In many instances it was possible to remodel existing buildings through the addition of a ramp or renovated toilet rooms so that the handicapped could be accommodated. Wherever possible the Department of the Interior is moving to reconstruct the facilities at over 200 national parks and monuments so that handicapped visitors can enjoy their natural features. Hospitals, schools, libraries, and some public housing—when Federal funds are involved in construction costs—will be made accessible to the handicapped.

Although much accessible construction is taking place in cities and towns across the country, my remarks here are confined only to that part of the program having national implications. Mention must be made, however, to two projects which have such national interest, that their design has had a profound influence on all the architects in the country.

The first is the John F. Kennedy Center for the Performing Arts, a viable monument to the memory of our beloved President which will be built in Washington for the performance of operas, concerts, ballets, plays, and musicals. All the marble for the construction of this magnificent building is being donated by the Government of Italy. One of our foremost architects has designed a masterpiece which, for the sake of the Nation's handicapped, will include special parking for wheelchair users, ramped curbs at all entrances, doors amply wide for wheelchairs, elevator panels within reach of wheelchair users, ramped access to orchestra floor and wide elevators to balconies and boxes, toilet rooms wide enough and equipped to accommodate those in wheelchairs, public telephones and water fountains within reach of those in wheelchairs, and reserved space on each orchestra floor for wheelchair visitors.

Across the Potomac River in the shaded quiet of Arlington National Cemetery, preparations have been completed to build a permanent memorial at the grave of President Kennedy. Another of our famous architects has designed a structure which, despite the hilly site, will include a separate, gradually sloping walkway wide enough and level enough for handicapped visitors to pay their respects unassisted at the grave. It is hoped that the architect's action, considering his widely acclaimed reputation, will cause others of his colleagues to emulate his concern for the needs of the handicapped.

Both of these illustrations point to an important fact: there is nothing in the specifications for the handicapped which will cause problems of design. And once put into effect, they not only benefit the physically handicapped, but the public in general, for they permit use of the facilities with greater ease and comfort by everyone. This has been the experience of the exhibitors at the New York World's Fair, where most of the pavilions are free from architectural barriers, and where millions of visitors find they can move about in greater comfort.

We look forward to the day in the not too distant future when every building and facility will be usable by everyone, the able-bodied and the physical handicapped. * * * When all people can truly work, play, and live together * * *. When an individual in a wheelchair can attend his church, enjoy a concert, opera, or ball game. * * * When we can use the tremendous manpower of the rehabilitated physical handicapped who will be able to be gainfully employed in buildings which are freely accessible. The economic potential is enormous, but more important we will have people who are happy because they are at work in productive, useful occupations.

We look forward with confidence to that bright, spectacular daybreak. Then we can appreciate the joy in the words of Isaiah: "Every valley shall be exalted, and every mountain and hill shall be made low; and the crooked shall be made straight, and the rough places plain."

TRIBUTE TO DONALD S. DAWSON

Mr. LONG of Missouri. Mr. President, it is a great pleasure to call to the attention of my colleagues the recent election of Donald S. Dawson, a brigadier general in the U.S. Air Force Reserve, to the post of national president of the Reserve Officers Association of the United States.

General Dawson, a Washington, D.C., attorney, is a native Missourian born at El Dorado Springs. He is well known to many Members of Congress not only for his role in the Reserve Officers Association but for his outstanding record of

Government service including his work as Special Executive Assistant to President Harry Truman.

I am confident that General Dawson will provide the most capable leadership to the 60,000 members of the ROA in their support of a military policy for the United States that insures adequate national security.

In recognizing General Dawson's election to the top office of the Reserve Officers Association, I believe it most appropriate to comment on many of his past achievements.

He was graduated with a B.S. degree at the University of Missouri in 1930 where he was president of the senior honor society and where he won letters in track. He was also a member of the debating team, the glee club, and Blue Key and Beta Theta Pi.

In 1933, he was appointed examiner of the Reconstruction Finance Corporation in Washington and in 1939 was appointed administrative assistant to the Federal Loan Administrator, Jesse H. Jones, and also director of personnel for the RFC. In addition to directing the organization, development and management of RFC, he also similarly directed the activities of the Defense Supplies Corporation, the War Damage Insurance Corporation, the Defense Plants Corporation, the Rubber Development Corporation, and the Rubber Reserve Corporation. This service came during the early and critical stages of the U.S. preparedness and defense program prior to World War II.

He also coordinated the personnel activities and programs of the Export-Import Bank of Washington, the Federal Housing Administration, the Electric Home and Farm Authority, and the RFC all as members of the Federal Loan Agency.

In 1943 he was inducted as a private into the Army of the U.S. Air Corps by preference, although he had been offered commissioned officer rank in both the Army and Navy. He graduated from Air Force Officers Candidate School, Miami, Fla., in 1943, where he was the elected chairman of the honor council, then being assigned briefly to headquarters, Services of Supply, and then to Headquarters, Air Transport Command.

He served as Chief, Division of Civilian Personnel, Air Transport Command, and was responsible for the increase in civilian personnel strength from 2,000 to 110,000 employees at worldwide airbases and for the administration of that program. He organized and was the Chief of the Ground Safety Division, Air Transport Command, and received the first award made by the National Safety Council for Worldwide Safety Achievement. He served in all overseas theaters during World War II and was discharged with the rank of major in 1946.

He has maintained an active interest in the Air Force Reserve program and holds a mobilization assignment as the Director, Security, and Law Enforcement, headquarters, U.S. Air Force, with the rank of brigadier general, being nominated to that rank by President John F. Kennedy.

In 1963, he was appointed to the top Reserve planning board in the Department of Defense by Secretary of Defense McNamara.

He was Vice President for Air Force Affairs of the Reserve Officers Association and has served two terms as chairman, Air Force Affairs Committee. He is also a member of the Reserve policy committee, Air Force Association.

In 1946, after discharge from the Air Corps, he resumed his position with the RFC for 1 year, where he was faced with the task of liquidating the war agencies that he had formerly built up before entering the armed services, and, in addition, liquidation of the Surplus Property Administration, which was comprised of some 30,000 employees.

During that period he was active in the overall personnel program of the Federal Government as a member of the Council of Personnel Administration and chairman of several important standing committees, including Veterans' Affairs Committee and the Employee's Welfare and Recreation Committee, which organized the Federal Employees Welfare and Recreation Association. He received the American Federation of Government Employees Award for Outstanding Service and was an honorary member of the Society for Personnel Administration.

He was appointed Special Executive Assistant to President Truman August 6, 1947. In this position he was responsible for Presidential appointments to positions in the Federal Government, served as Director, Liaison Office for Personnel Management in the Executive Office of the President, and was responsible for Federal personnel management insofar as the office of the President was concerned. He was also Chairman of the White House Loyalty Review Board.

He represented President Truman at the inauguration of President Vargas of Brazil in 1951 and President Cortines of Mexico in 1952.

During the 1948 presidential campaign he was active in the organization and advance work of President Truman's campaign for reelection, making arrangements for all of the President's appearances during that campaign and subsequently as President 1949–53. He was one of the architects of President Truman's famous whistle-stop campaign and a member of the strategy board in that election.

He resigned this position on January 20, 1953. Subsequently he has been senior partner of the law firm of Dawson, Griffin, Pickens, & Riddell, Washington, D.C., engaging in the general practice of law, with particular emphasis on corporate and governmental matters. He has participated in community responsibilities as a member of the board of directors and executive committee of the United Community Service and United Givers Fund for many years. For 4 years he served as chairman of the Committee on Admissions and Allocations. He is a member of the speakers bureau, budget committee, and labor participation committee, United Givers Fund.

He was selected Father of the Year in 1962 by the Sons and Daughters Foundation of the District of Columbia.

Besides being president of the senior honor society, University of Missouri, he has been president of the University of Missouri Alumni Association, and the president of both his social and legal fraternities, Beta Theta Pi and Phi Alpha Delta, respectively, in Washington, and commander of the Order of DeMolay Legion of Honor. He was a founding member and president of the National Capital Democratic Club; chairman, lawyers committee, first salute to President John F. Kennedy and chairman, lawyers committee, first salute to President Lyndon B. Johnson; honorary member, Society for Personnel Administration, Washington, D.C.; member, national board of directors, Circus Saints and Sinners; and a member of the Methodist Episcopal Church.

It is impossible to comment on the work and accomplishments of Don Dawson without mentioning his beautiful wife, Ilona Massey Dawson.

GAINESVILLE, TEX., REGISTER ENDORSES BILL TO COMPENSATE INNOCENT VICTIMS OF CRIME

Mr. YARBOROUGH. Mr. President, last month I introduced a bill to provide for the compensation of innocent victims of crime (S. 2155).

It is an inconsistency in our legal system to be continually concerned about the welfare and rights of the criminal and yet to neglect the rights and the injuries suffered by innocent victims of crime.

A recent editorial in the Gainesville, Tex., Register of June 25, 1965, echoed this principle when it editorially endorsed this bill. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONCERN FOR VICTIMS, TOO

Senator RALPH YARBOROUGH, of Texas, recently introduced a bill in the Senate that would compensate the innocent victims of crime. It's a measure that deserves serious consideration by the Congress. And it's good to see a high government official thinking about the rights of victims, instead of trying to stretch the letter and intent of the law to protect the rights of criminals.

Mr. YARBOROUGH proposes that the Federal Government would compensate the victims of crimes of violence for injuries to the person—not for loss of property. It provides only for those cases in which the injured person was in no way responsible for the injury.

The Senator notes that a similar law has worked well in New Zealand and Great Britain. According to his plan, it would be limited only to areas where the Federal Government exercises general police power, and would in no way impinge on the rights of the States. However, Mr. YARBOROUGH expressed the hope that the States would follow with a similar law for their own areas.

The Texan points out that we read everyday about some innocent citizen who has been brutally attacked, a woman or girl assaulted, or the sole support and wage earner in a family killed. Yet the victims of these crimes are in no way compensated for the injuries they received. The survivors of a murdered wage earner, or the assaulted girl, or the innocent injured child are the ones who suffer from the crime.

It seems ludicrous that our laws provide for warning the criminal of his legal rights, yet his victim must pay his own hospital bills. Under the Mallory rule, which is the delight of the modern lawbreaker, a criminal's conviction can be reversed on constitutional grounds if he was held more than a short time before being taken before a magistrate.

"While society is striving to protect the criminal's rights, it is showing no concern for the victim of his crime, who might be dying, penniless or disabled beyond the capacity to work * * * Society is more cruel to the victims of crime than to the actual person who commits the crime," Senator YARBOROUGH adds in his weekly newsletter from Washington.

We concur with the Senator that the government should show as much concern for the victims of crimes of violence as they do for those who commit the crimes.

INDIA ACTS TO CONTROL ITS POPULATION EXPLOSION

Mr. GRUENING. Mr. President, the Government of India this week announced the start of a major campaign to curb India's population explosion. According to Dr. Sushila Nayyar, Health Minister of the Indian Government, the campaign will include a widespread information program to make family planning information available and to let the women of India know that the intrauterine loop is a safe and effective method of contraception.

This effort to make family planning a reality comes less than 2 weeks after Prime Minister Shastri publicly endorsed birth control for the first time. This national effort by the Government of India deserves the fullest support and commendation because poverty and exploding population walk hand in hand.

India's economic progress is imperiled—indeed nullified—by its present high birth rate of 42 per thousand of inhabitants, as opposed to its death rate of 19 per thousand. The natural increase of 23 births per thousand will add 12 million new citizens to the Indian population this year. This single year population increase in India is approximately equal to the number of citizens of the State of Illinois, or the total number of residents of Maryland and Michigan, or of the total populations of Ohio and Oregon.

When Dr. Nayyar announced the start of India's campaign to provide plastic contraceptive loops for 1 million Indian women within the year, she stressed that 3,500 Indian women had tested the device for a year for the Indian Council of Medical Research.

Dr. Nayyar said that the test results indicated that 90 percent of the women retained the device and found them 99 percent successful in the prevention of pregnancy.

India hopes to reduce its birth rate from 42 per thousand to 25 per thousand within a decade.

Earlier this year on February 23, 1965, I placed in the CONGRESSIONAL RECORD, on page 3344, the text of a news story discussing the sending to India, upon request of the Government of India, a United Nations Planning Advisory Mission. I said then,

> This is encouraging news. * * * India's request to the United Nations is a welcome augury of some progress. The cost of the United Nations Family Planning Advisory Mission will be about $22,000. It is hoped that this modest investment forecasts a turning point in international teamwork on the population problem.

Today's news stories in the New York Times and the Washington Post are further encouragement. For clearly, international teamwork is essential if this ever-increasing population explosion is to be brought within limits.

President Johnson has twice this year spoken of the need to make birth control information available upon request. President Johnson has called attention to the fact that increasing populations devour our nonrenewable resources. When he addressed the United Nations in San Francisco on June 25, President Johnson said:

> Let us in all our lands—including this land—face forthrightly the multiplying problems of our multiplying populations and seek the answers to this most profound challenge to the future of the world. Let us act on the fact that less than $5 invested in population growth is worth a hundred dollars invested in economic growth.

So this announcement of the action of the Indian Government is good news.

The Senate Government Operations Subcommittee on Foreign Aid Expenditures is holding hearings on Senate bill 1676, which would coordinate and make available, upon request, birth control information here and overseas.

The response to the hearing has been gratifying.

The subcommittee will continue hearings on July 21, beginning at 10 a.m., in room 4200. The usual hearing room is unavailable next week so we are taking our hearing to the Senate Public Works Committee hearing room, and I trust that interested persons will join us there as we continue our quest for information on the population explosion.

I will note, at this time, that the subcommittee, of which I am the chairman, intends to devote one session to the population explosion problem in the Far East and South Asia.

Mr. President, I ask unanimous consent that the full text of the news stories appearing in the New York Times and the Washington Post today be printed in the RECORD at the conclusion of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, July 13, 1965]

India Opens Drive To Supply Contraceptive Loops

(By J. Anthony Lukas)

NEW DELHI, July 12.—India opened a campaign today to provide plastic contraceptive loops for a million women within the next year.

Dr. Sushila Nayyar, the Minister for Health, said that starting this week the "Lippes loop," an intrauterine contraceptive device, would be available in about 5,000 clinics and hospitals throughout the country.

The loops, which prevent development of the fetus in the uterus, have already been given to about 17,000 women this year.

However, the Reinforced Family Planning Program Week, which starts Wednesday, marks the beginning of the Government's intensive effort to sell the loop to India's women.

Dr. Nayyar, a gray-haired woman who was once Mohandas K. Gandhi's private physician, opened the campaign today at a news conference here.

Dr. Nayyar, a spinster, has been criticized in the past for her lack of enthusiasm for the family planning program her office administers. However, she showed plenty of enthusiasm today for the little white loop.

Waving one of the S-shaped devices before her predominantly male audience, Dr. Nayyar said it provided "the answer" to India's acute overpopulation problem.

"The beauty of it," she said, "is that it gives the fullest freedom to the individual to regulate the size of her family, the timing of her children, and the spacing of her children."

Dr. Nayyar conceded that she had not always been so sure about the loop.

"In 1962, when I was in San Francisco," she said, "an official of the population council flew all the way from New York to show me the loop."

DEVICE TESTED FOR A YEAR

"I think he was a little disappointed when I didn't accept the idea immediately," she said. "I didn't want my people to be the guinea pigs for it. I told him we would take it back and ask our people to test it thoroughly."

Dr. Nayyar said that a year of tests, conducted under the auspices of the Indian Council of Medical Research, had shown that the loop was almost totally effective and "completely safe."

Among 3,500 women who have worn loops only 5 percent had to have them removed because of extreme discomfort. Another 5 percent expelled them naturally. The remaining 90 percent retained them with only minor discomfort and the loops prevented pregnancy in 99 percent of those cases.

Dr. Nayyar said 44 regional training centers were being opened to instruct doctors in application of the loops.

She expressed confidence that a million loops could be distributed by this time next year.

The Government has on hand 600,000 loops, which were donated by the population council, and has asked for 600,000 more.

By fall, Dr. Nayyar said, the country's own factory is expected to go into production at Kanpur with a capacity of about 15,000 loops daily.

This should meet the country's needs for at least the next 2 years. Family-planning officials hope to distribute 2 million loops in 1966–67 and 5 million annually after that.

Dr. Nayyar expressed confidence that the loop program, plus the continuing sterilization program, and the use of other contraceptive devices, could achieve India's immediate goal: Reduction of the birth rate from the present 40 per 1,000 to 25 per 1,000 within a decade.

India's present population is 485 million and is increasing by about 12 million a year.

[From the Washington Post, July 13, 1965]

Massive Attack Planned: Plastics and Gossipology To Aid India's Fight on Population Explosion

(By Conrad Fink)

New DELHI, July 12.—The Indian Government disclosed today that it is planning a massive attack against the nation's population explosion with help from cheap plastic devices and "gossipology."

Dr. Sushila Nayyar, Health Minister, told a news conference that a widespread information program will begin Thursday to popularize a family planning effort to reduce the population increase, now estimated at 12 million annually.

The main aim, she said, is to convince women of child-bearing age among the nation's 480 million people that use of the "intrauterine loop" is a safe and easy way to stop having children. This plastic device, new in India, costs about 1½ U.S. cents to manufacture and is being distributed free in Government clinics.

Radio broadcasts, movies and mobile teams of experts will be used to explain the new device in thousands of villages.

But Dr. Nayyar said experience shows village gossip among women is the best way of spreading birth control information and the Government is taking advantage of this by introducing the intrauterine device to selected women and then letting them tell their friends.

About 340,000 loops have been distributed to clinics already, she said, and it is hoped a million women will be using them within 8 months. But only about 20,000 loops have been put into use throughout India, she added, because there are not enough physicians trained in their application.

The loop prevents the fertilized ovum from settling in a woman's womb and developing into a fetus. The device was effective with 90 percent of the women tested recently throughout India, Dr. Nayyar said.

The new drive in family planning was announced 10 days after Prime Minister Shastri publicly endorsed birth control for the first time.

Experts have long warned that India must stop its population explosion—already it is without enough to eat—or Indians will number a billion by the end of the century.

Previous family planning campaigns, concentrating on contraceptives and surgical sterilization, have failed to decrease population growth substantially.

THE POLAR BEAR: KING OF THE PACK

Mr. BARTLETT. Mr. President, on July 8, Secretary Udall announced that our Government is sending invitations to the circumpolar nations to join in an international technical meeting on the polar bear. This is a meeting which I first proposed on February 3 of this year. I am well pleased that the meeting is to be held.

I am particularly pleased that it will be held in my own State of Alaska with the University of Alaska, at College, acting as host institution. The meeting is scheduled for the second week of September from the 6th to the 11th.

The official delegations will be made up of scientists from the Soviet Union, Norway, Denmark, Canada, and, of course, the United States. Present also will be representatives from various polar, scientific, and conservation organizations.

It is not the purpose of this meeting to institute any sort of international polar bear management or control program. I do not know—nor does anyone else—whether such programs are needed. No one knows how many polar bears there are. No one knows whether their number is increasing or decreasing. No one knows whether the stock is healthy and flourishing or sick and decimated.

This international technical meeting will be held to pool the existent worldwide knowledge of the great white bear and its habits and, perhaps, to determine whether a coordinated international effort is needed in the future to increase this knowledge.

It would be sad, indeed more than sad, were the polar bear to slip into extinction because no one bothered to check.

This meeting is going to check.

The interest which the governments of the circumpolar nations—without exception—have shown in this meeting make clear that the great white polar bear will remain king of the ice pack for a good many years to come.

On Sunday, July 11, there appeared in the New York Times an excellent article on the polar bear study, written by the able Lawrence E. Davies. The article contains much interesting information and I ask unanimous consent that it be made a part of the Record at this point. I also ask unanimous consent that a statement released by Secretary Udall announcing the coming international conference also be made a part of the Record at this point as well.

There being no objection, the article and statement were ordered to be printed in the Record, as follows:

[From the New York Times, July 11, 1965]

Polar Bear Study Sought by Alaska—Scientists From Five Nations Urged To Exchange Data

(By Lawrence E. Davies)

Anchorage, July 9.—Alaska is preparing to block a possible polar bear crisis before it can develop.

Nobody knows whether the striking arctic ice pack traveler, often measuring 8 to 10 feet long, is increasing or diminishing in numbers. There are no valid estimates of the world population of the polar bear, which roams thousands of miles over the arctic wastes on the great ice floes.

But every year there is an increase in the number of polar bears killed in Alaska by airborne trophy hunters.

Scientists of five countries interested in determining the status of the polar bear are to meet at the University of Alaska near Fairbanks, September 6 to 11.

Senator E. L. Bartlett, Democrat, of Alaska, and Secretary of the Interior Stewart L. Udall, in a joint announcement in Washington this week, said that participants were expected from the Soviet Union, Canada, Norway, Denmark, and the United States.

THREE HUNDRED KILLS BY SPORTSMEN

The number of polar bears killed by sportsmen in Alaska this year will set a record exceeding 300. This is almost three times the total in the years before the sportsman adopted the airplane in his quest for hides.

"We don't have a crisis yet, but we want to avoid a crisis," said Walter Kirkness, commissioner of the State department of fish and game.

"Senator Bartlett has talked to us for years about the polar bear," Mr. Kirkness said, "but we couldn't give him figures on population or how many animals were killed in other countries.

"Our information about the bear's life history is very spotty," he continued. "We hope this conference will lead to establishment of a mechanism for exchanging information. We would like to arrive at some idea of the polar bear population and whether it needs more protection."

A preliminary meeting was held last month at Winnipeg, with Canada, Norway, and the United States represented.

Alaskans brought back estimates of an annual polar bear kill of 500 to 550 in Canada, where sport hunters are barred by law from taking this animal. The killing is all by Eskimos.

The Norway kill was put at 300 to 400 a year, and Denmark's mainly on Greenland, was said to be probably not more than 50.

"Information we have indicates that the Russians do not hunt polar bears for sport," said Jack Lentfer, game biologist for the Alaska department, who supervises the polar bear.

James W. Brooks, director of the fish and game department's division of game, reported that there had been a definite decline in polar bear population in Greenland, whereas, he said, for Norway "people seem to think there has been an increase."

Mr. Brooks offered figures for Alaska's polar bear kill, emphasizing that the pre-1961 figures were not accurate.

UP YEAR BY YEAR

He said that the average kill was 117 bears a year from 1925 to 1953, 142 from 1954 through 1960, 200 in 1961 and 1962, and 253 in 1964.

The total so far this year is 292, he said.

The season for sport hunters ended May 10, but Eskimos may hunt for food whenever bears are available. This means a certain total kill exceeding 300, Mr. Brooks said.

Although Alaska officials are not alarmed, Eugene Miller, a Fairbanks lawyer and member of the State fish and game board, noted that the next polar bear season had been shortened by 20 days. It will run from October 15 until next April 10.

"Moreover," Mr. Miller said, "the commissioner has the authority to curtail or extend the season at any time he feels an emergency situation is threatened."

The Alaska game officials made their comments in a joint interview while attending the 45th annual conference of the Western Association of State Game and Fish Commissioners, which ended today at the Anchorage-Westward Hotel here. Mr. Brooks is this year's association president.

The Alaska officials indicated that a subsequent international conference might go into the question of marking polar bears as part of a broad study. An animal would be immobilized by being shot with a dart equipped with a drug-filled syringe, then permanently earmarked with a number and perhaps tattooed.

[From the U.S. Department of the Interior, July 8, 1965]

Five-Nation Conference on Polar Bears Scheduled for September in Alaska

In a joint announcement with U.S. Senator E. L. "Bob" Bartlett, of Alaska, Secretary of the Interior Stewart L. Udall said today that a five-nation meeting of scientists concerned with polar bear conservation will be held at the University of Alaska, Fairbanks, September 6–11, 1965.

Secretary Udall said Senator Bartlett has led in awakening public interest in the preservation of the polar bear and has been closely concerned with planning the international conference.

Formal invitations to the Fairbanks meeting have been sent to Canada, Norway, Denmark, and the Soviet Union. Certain private conservation organizations will be asked to send observers.

Secretary Udall said much remains to be learned about polar bears and that the scientists from the five nations will study factors concerning population, distribution, exploitation, reproduction, danger of extinction, and related matters. He said the polar bear's range has contracted considerably since 1930, but data to support stories circulated that it is becoming a rare animal are not definitive.

"It is time the scientists got together to determine how much fact and fancy there are in the various reports," Secretary Udall commented.

Most of the U.S. research on polar bears has been done by State of Alaska scientists. These scientists will be among those participating in the international meeting. Secretary Udall pointed out that Alaska is the only State where polar bears are found, and the State is vitally concerned with proper management of the resource.

Secretary Udall said all available scientific information will be pooled and then distributed to governments concerned to determine future action and policies toward polar bear conservation. The Fairbanks meeting is expected to propose programs for collecting needed scientific data and for international collaboration in polar bear research vital to proper conservation.

"It is particularly fitting that such a conference take place during the International Cooperation Year (ICY) now being observed around the world," Secretary Udall added. "It is in such forums that experts from many lands can discuss conservation problems of mutual concern and establish the foundations for future actions that can benefit all men."

TRIBUTE TO BERNARD M. BARUCH

Mr. RUSSELL of South Carolina. Mr. President, upon the recent death of one of the most distinguished South Carolinians of modern history, the Anderson Daily Mail published a moving and well-written tribute to his memory.

Bernard Baruch was known for his many contributions to the welfare of the Nation, and I take great pleasure in asking unanimous consent to place in the Record the editorial memorializing him, from the Anderson Daily Mail, one of South Carolina's fine newspapers published by former Senator Wilton E. Hall.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Baruch: Great American

Bernard M. Baruch, who died Sunday night, would, without doubt, be listed as the most famous native son of South Carolina during this generation, and among the greatest men the State has produced in its long history.

He was born in Camden, and although he moved to New York with his family at a comparatively early age, he never blotted out his ties with the State of his birth.

At the time of his death he had a residence near Kingstree, and a few years ago gave his daughter another plantation he had maintained near Georgetown, where he had been a neighbor to South Carolina Poet Archibald Rutledge.

Piling up speculative profits on the stock market was so easy for Mr. Baruch that by the time he was 32 years old, shortly before the outbreak of World War I, he had in cash approximately $100,000 for each year of his life.

At that time he left active stock market participation as a speculator, invested his wealth, and devoted the remainder of his life to chosen philanthropies.

He was generous with his gifts, to the Nation at large through financing government projects by use of his own money, and to many individual charities.

At one time he gave the Red Cross $1 million, without allowing knowledge of his donation to become public.

On another occasion, he was named head of a Government mission. He was authorized to set up an extensive staff at Government expense, but instead he paid all costs from his own resources.

On many occasions he even declined to allow such expenses deducted from his income taxes.

He was, of course, best known as adviser to Presidents and seven, starting with Woodrow Wilson, did, at times, seek his counsel.

But, he admitted in later years, his philosophy of government was, in many instances, so remote from modern trends that his advice "fell on deaf ears."

He was, however, far more than a presidential adviser. In times of national crisis and peril, reporters sought him out at one of his two favorite spots—Central Park, in New York or at Lafayette Park, across from the White House in Washington.

The words of wisdom he gave in these interviews were published from coast to coast and from border to border, and, in many instances, had the effect either of hardening public opinion along lines he suggested, or, at other times, of altering altogether the course of public thinking on matters of national concern.

He never sought public office although he accepted several Government appointments, the most important of which was that of Chairman of the War Industries Board during World War I. That appointment was made by Woodrow Wilson who gave him almost complete authority over the Nation's industries. At that stage of his career he was widely referred to as the "home front war hero."

As for Mr. Baruch, he always tended to make light of his accomplishments and services in these many fields.

Asked (as he frequently was) for the greatest moment in his life, he almost invariably responded: "The day I hit a home run while I was a student at City College, in New York."

He recalled that he became a sort of hero that day because in crossing home plate he toppled the catcher, who dropped the ball. That immediately brought on a brief skirmish between the young men, but, he proudly recalled, almost three-quarters of a century later, his hit won the game against arch rival, Manhattan College.

This simplicity, plus his refusal to take well due credit for his many great accomplishments, were prime elements that went into making Barney Baruch a man whose loss is felt, and whose passing is deplored by almost every living American today.

His story does not fall into the popular American category of "rags to riches," for his family was well off, and he lacked for nothing in his younger days.

He is, perhaps, an exception in that he made a great name for himself and gained world renown in spite of the fact that his background was such that he might have settled down to a humdrum career, lived out an uneventful life, and, in passing, would have rated no more than a paragraph in the metropolitan press in New York.

But because Barney Baruch dared to defy the ordinary pattern, to devote much of his time to the service of his country and to his fellowman, the Nation today rises to call him great, and to mourn his death.

STUDENT VETERAN ASSERTS NEED FOR NEW GI BILL

Mr. YARBOROUGH. Mr. President, time has come for this body to act upon the cries of hundreds of thousands of young men and women for enactment of the cold war GI educational bill (S. 9). I ask unanimous consent that a letter in support of S. 9 from Mr. Philip E. Green dated July 5, 1965, be printed in the Record at this point. Mr. Green resides at 2114 12th Avenue, Columbus, Ga.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Columbus, Ga., *July 5, 1965.*

Senator Ralph Yarborough,
U.S. Senate, Washington, D.C.

Dear Senator Yarborough: I am writing this letter to you to express my appreciation for your sponsorship of the "cold war GI bill."

I am 25 years old and have served an enlistment in the Air Force. I was honorably discharged in December 1964. Before service I completed 2 years of college. For the past two quarters I've attended Columbus College, a 2-year community college and taken electives. By working part-time and living at home, I've managed to survive financially. However, having completed all the courses that I can use at Columbus College, it is necessary for me to transfer to a senior institution. I am majoring in political science and minoring in American history. I hope, if I'm lucky, to eventually go to graduate school in preparation for a career in Government service.

Enough of my own aspirations, I'll just add that I'm typical of many GI's returning to school with limited or almost nonexistent financial resources who strongly support your bill, and who view the proposed financial aid—not as a "handout"—but as a sound investment in America's future.

Sincerely yours,

Philip E. Green.

BUDGET DEFICIT

Mr. SMATHERS. Mr. President, there is a gentleman downtown whose penchant for turning off light bulbs has been well advertised. Last week, Americans found out that such zealous pursuit of economy does in fact pay off.

The good news came June 30, at the close of fiscal year 1965, when we learned that instead of a budget deficit of $6.3 billion, which had been predicted in January, the Federal Government was ending the year with a $3.5 billion deficit.

Except for 1960, when there was a $1.2 billion budget surplus, the $3.5 billion shortfall is the lowest deficit figure since 1958.

Secretary of the Treasury Fowler reported that spending had dropped from an estimated $97.5 to $96.4 billion, while revenues climbed from an estimated $91.2 to $92.9 billion.

Certainly, any person who realistically views the problem of Government economy and fiscal responsibility, must recognize that President Johnson is the prime mover in this economic good news.

Under the President's direction, Federal spending was held $1.1 billion below the estimated outlay. At the same time, the income tax cut of 1964 performed as he predicted by generating some $1.7 billion in additional revenue to the Treasury.

Secretary Fowler's predecessor, Douglas Dillon, predicted that with continued economic vitality, the administrative budget of the Federal Government will be balanced by fiscal 1968.

Secretary Fowler, meanwhile, predicts continued healthy economic growth with no signs of a recession this year or next.

A sound, stable and growing economy rests in good part on public confidence.

And I believe the public has every right to be confident of a President and executive branch capable of paring down expenditures and yet meeting the needs of a changing country.

The recently passed excise tax cut bill should further enhance the era of "uninterrupted and vigorous expansion" which the President predicted for our economy in his economic report of January 28.

In fact, there is every indication that the Federal Government will continue to reduce deficits whenever it acts to keep the economy productive, just as American business has learned that the growth company is one which generates new revenue rather than hoards assets.

The national economy is surging forward. No cloud of recession can be seen on the horizon and inflationary pressures have been held in abeyance by sound management.

Our Government, in fact, is declaring "fiscal dividends" through its program of stimulating prosperity and by the steady reduction of budget deficits.

In President Johnson's words, we took a "giant step" toward a balanced budget in the previous fiscal year by cutting the projected budget deficit. The report from Secretary Fowler indicates that fiscal 1965 produced much the same results.

It is plain that our Federal economic policy, freed from some of the shibboleths and preconceptions of a former day, is filling a role which will ultimately mean the kind of budgetary posture all of us would like to see.

Mr. President, I ask unanimous consent to have inserted in the Record at this point an article which recently appeared in the Washington Evening Star.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Evening Star, Washington, D.C., July 7, 1965]

U.S. Cash Deficit Dips Despite Income Tax Cut

The Treasury's cash deficit for fiscal 1965 was only about $900 million—compared with $2.5 billion in the preceding fiscal year—despite the massive 1964 tax cut.

The Treasury's daily statement dated June 30, the fiscal yearend, showed that cash receipts rose by $3.9 billion to $125.5 billion against outlays of $126.4 billion.

The Government's so-called "cash budget" thus drew close to a balance, while President Johnson's administrative budget—the one normally referred to since it is the one on which Congress acts in appropriating money—showed a deficit estimated at $3.5 billion.

The difference between the two is that the cash budget includes the income and outgo of the Government-held trust funds, including social security and the highway fund. These are technically not Government-owned funds, but money held in trust for those who contribute to them and receive the benefits.

The cash budget has been closely watched all year as its deficit narrowed, however, because it provides a more complete picture of the impact on the economy of Government fiscal operations.

When payments to the public exceed receipts from the public, the net effect is considered stimulative—or, under some conditions, inflationary. The effect is reversed when the public's payments to the Government are larger.

The scant deficit for fiscal 1965 suggests, therefore, that Government spending is becoming virtually a neutral factor in the economy.

The big increase in receipts—much of which came from unexpectedly large individual income tax payments—has suggested to some economists that the stimulative effects of the 1964 tax cut were considerably greater than had been expected, offsetting in large part the loss of revenues resulting from the tax rate reductions.

The final cash figures for the year, as shown in the Treasury's daily statement for June 30, were: Deposits (receipts), $125,464,340,732.05; withdrawals (payments), $126,395,262,802.35.

DANGER: FEDERAL DOMINATION OF UNIVERSITY RESEARCH

Mr. PROXMIRE. Mr. President, an article which appeared in the July edition of the Scientific American, entitled "The Support of Science in the United States," has brought to my attention the grave problems which are facing our universities as a result of the Federal Government's vast financial support of science. For example, this year the Government will invest almost $14 billion in science. Without question, this assistance is of vital importance if the United States is to maintain its supremacy in scientific research. I am not suggesting that we should meat-ax such support. Rather, Mr. President, I wish only to suggest that it is time we reexamined what this is doing to our universities, and to the initiative and independence of science.

What is the proper relationship between the Government and our universities? There have been some unhappy side effects resulting from the fact that our Government is now the dominant financial supporter for research and development in our universities. As our scientists become increasingly dependent on Government financial support, do the loyalties of these scientists to the university weaken? Do their interests tend to reach out and follow the dollar? Is there a tendency to devote more and more of their time to writing project proposals and reports, and to supervising the increased number of research assistants that liberal grants enable him to hire? Is the consequence going to be that these men are then likely to spend less of their efforts in teaching and less of their time doing their own laboratory work?

We are all aware that a university is not just a group of individualistic faculty members and students. It is a community of scholars and students. It includes an administration which is responsible not only for the advancement of the reputations of its individual parts but also for the development of the entire university.

The universities of this Nation play a major role in the Nation's intellectual life. As such, the Nation is as dependent on these institutions as they have come to be upon the Government. The makers of science policy must come to recognize the great danger inherent in having any one benefactor, especially the Government, gain too much control over our universities. To avoid this, we should set out, with the National Science Foundation, to devise ways in which a substantial amount of the decision-making responsibility could be shifted closer to the points of actual research. That is, more responsibility must be given to the universities in the allocation of funds to specific projects. This means that universities will have to work harder to retain the proper balance between their dual responsibilities to scholarship and teaching.

The article to which I have referred will be useful in stimulating the kind of thought which is essential, if we are to deal with the situation effectively. It will encourage us to make a much needed reappraisal of the relationship between Government and the universities. It is for this reason that I commend the article to the attention of the Senate, and I ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Scientific American, July 1965]

The Support of Science in the United States

(Note.—The sharp and sustained increase in funds has improved research and has benefited the investigator. Nevertheless, serious questions are being raised about the financing of research in universities.)

(By Dael Wolfle)

This year in the United States nearly $21 billion—3.2 percent of the gross national product—will be spent for research and development. Some two-thirds of the funds will be supplied by the Federal Government. "Research and development" includes basic research, applied research and engineering, design and even the development of prototypes; it is a broad category, but it does encompass all forms of scientific research. Not long ago the support of science was primarily the business of the colleges and universities and some voluntary agencies; before World War II the Federal Government's contribution was largely in agricultural research and the work of such agencies as the U.S. Geological Survey and the Naval Observatory. It was not until 1942 that the country's expenditures on science reached $1 billion. A steady growth in the support of science continued through the war and afterward; beginning in 1953 there was a sharp and sustained rise of huge proportions. Since 1953 the country has increased its expenditures for science at an average rate of 13 percent a year. The most striking rise has been in the contribution of the Federal Government, which has grown at a rate of nearly 20 percent a year. Although spending for development is leveling off, appropriations for academic research will continue to increase at about the present rate for some years.

The funds spent for scientific work during the past two decades have provided research opportunities on a scale previously unimagined. All fields of science have benefited from the better equipment, special facilities, greater freedom from constraints, and larger numbers of workers made possible by the increased budgets. The award of Nobel prizes is one measure of the growing strength of basic research in this country; in the 1930's Nobel Prizes were awarded to nine American scientists, in the 1940's to 13 of them and in the 1950's to 27. Meanwhile the economy of the country has gained enormously from the upsurge in technological research and development. In 1953 research and development accounted for 11 percent of all industrial investment; in 1962 research and devolpment absorbed about 25 percent.

The subject is nonetheless surrounded by disquiet. In Congress and in the executive branch, in the universities and learned societies and foundations, questions are being raised about the manner in which science is financed. Most of the questions deal not with the adequacy of the national effort but with the effects of the massive Federal contribution on the course of science and in particular on the conduct of basic research in the universities.

Evidence of this concern is found in a rapidly growing list of policy studies and program analyses. The National Academy of Sciences is midway in a series of reports dealing with various aspects of the scientific enterprise. The U.S. Chamber of Commerce has advocated the establishment of a national review body that would decide on major new programs. Two committees of Congress—the House Select Committee on Government Research and the House Subcommittee on Science, Research, and Development—have reviewed many aspects of the Federal program, and their reports have become valuable sources of detailed information. Moreover, Congress has begun to insist that executive agencies prepare special reports on certain areas of investigation such as oceanography so that the Federal effort can be examined as a whole instead of in its budgetary and departmental fragments. The White House Office of Science and Technology has appointed a blue-ribbon committee of industrial, scientific and educational leaders to review the policies and programs of the National Institutes of Health. The Bureau of the Budget has taken the lead in reexamining the administrative practices of the Federal agencies that support basic research. The National Science Foundation has reorganized and strengthened its staff sections responsible for studies of scientific policy, planning and resources. "Science policy" has become the topic of a number of university seminars and analyses.

All this ferment of analysis and reexamination makes it clear that major changes in policies governing the support of science are underway or in the offing. These analyses have also served to provide reassurance that many of the past policies and practices are sound and should be continued. The magnificent achievements of recent decades are evidence that the support system has been a fundamentally healthy one.

Support for research and development comes from many sources; some contribute only a few dollars, others billions. Some 300 firms provide 80 percent of the industrial money that goes into research and development; another 13,000 firms provide the remainder. Some 200 private foundations grant significant amounts to science and medicine. Universities and many colleges provide research talent, laboratories, and financial help. A number of private research institutions finance their own investigations. State and local governments conduct a variety of research programs. Four agencies are responsible for 95 percent of the Federal funds: the Department of Defense, the National Aeronautics and Space Administration, the Atomic Energy Commission, and the Department of Health, Education, and Welfare. In addition to these giants there are another four agencies that account for 4 percent of the Federal total: the Department of Agriculture, the National Science Foundation, the Department of the Interior, and the Federal Aviation Agency. The remaining 1 percent of Federal research and development funds is spent by 21 other agencies.

In the 12 years from 1953 to 1965 every major source of research and development funds increased its support substantially. Federal funds are five times what they were in 1953. Industrial support has tripled, and the universities have done almost as well. The other nonprofit institutions are contributing six times their 1953 amount.

Just as the amounts of money supplied by these four sectors vary greatly, so do the amounts they use. The Federal Government supplies two-thirds of the funds, but Federal laboratories carry out less than 15 percent of the work. Industry contributes a third of the funds but conducts three-fourths of all the work (mostly with Federal funds). The colleges and universities provide about a tenth of the funds, and the other nonprofit institutions about a fortieth. (The universities' contribution is underrepresented in the financial reports, perhaps by several hundred million dollars a year; they provide substantial additional support, in the form of laboratory facilities and faculty time, that is not budgeted explicitly for research.)

From 1953 until 1960 about 8 percent of the Nation's research and development budget was devoted to basic research. The percentage has been rising since 1960, reaching almost 12 percent in 1965. As for the Federal Government's funds, in 1953 less than 7 percent went for basic research. The figure has been rising since 1960, to about 11 percent in 1965. The universities are relatively much more prominent in basic research than in the total research and development effort, being responsible for almost half of all basic research. In contrast the industrial laboratories, which dominate in development activity, conduct only about a fourth of the basic research.

Development activity is directly associated with identifiable industrial, economic, military, or other practical objectives. Its cost and the cost of any associated research are therefore justified and budgeted in terms of its expected contribution to the attainment of specific objectives. In the case of basic research the situation is quite different. The ultimate beneficiaries of basic research are many, but they are hard to identify in advance. As a result the costs of basic research tend to be shared widely. Some basic research of notable quality is done in industrial laboratories, but most of it is conducted in universities with support from public funds. In some cases this public support involves Congress directly in decisions on priorities. Modern basic research sometimes calls for large-scale facilities such as particle accelerators, oceanographic research vessels, and astronomical observatories. Such "big science" enterprises are so expensive that they must be considered individually at top Government levels, where the cost and promise of each can be compared with those of other claimants for available funds.

On the other hand, "little science," typically the work of a university faculty member and his assistants and advanced students, will continue to be budgeted on a priori basis and to be supported by means of a large number of "project" grants. Little science, the principal subject of the remainder of this article, is an area of central concern to science as a whole, not least because it involves the education of future scientists. It is the kind of science that is most characteristic of academic research and hence is most often involved in Government-university relations. It is also the area in which those relations are most likely to change.

Sustained scientific work of high quality requires the effective union of three elements: a self-renewing population of able scientists; appropriate research facilities with the necessary supporting structure for institutional management; a source of money. In a few well-endowed research institutions all three elements are happily present in an almost totally self-contained and self-supporting organization. Such unity, however, is rare. More commonly under present conditions there is a scientific staff, a university with multiple obligations, and an external source of funds. All three sides of this triangle are interested in science, but their interests differ in detail; tensions arise and compromises become essential. The scientist must serve three masters: the internal logic and the opportunities of his own discipline, the policies and requirements of his institution, and the customs and wishes of his financial supporter. The university must meet the demands of science, of its many other endeavors, and of the agencies that provide support. The Government agencies have an equally complex problem: in supporting a large number of individual scientific projects they must also consider the general welfare of the universities and be mindful of the wishes of Congress and the public it represents.

One useful change in the interrelations of scientists, universities, and Federal agencies would be the simplification and standardization of what has grown to be a maze of rules and regulations governing fiscal and administrative details and reports. The complexity of grant administration was summarized last year by the House Select Committee on Government Research: "One of the ironies of the research grant is that while it is sometimes itself a simple one-page (if not a one-paragraph) document, it is accompanied by a bulky manual of instructions, explanations, and amendments. For example, although the NIH (National Institutes of Health) grant form is a one-page instrument, it incorporates by reference the NIH grant manual, which runs to more than 100 pages."

The National Institutes of Health manual of course explains only NIH procedures and requirements; other agencies have adopted different rules and procedures. Congress has sometimes added to the confusion by setting arbitrary limits on the amounts that some agencies can pay to reimburse an institution for the indirect costs of conducting research. This "overhead" rate varies, moreover, depending on the agency that grants the funds. Sometimes overhead can be paid on some budgetary items but not on others, or at one rate on some items and at another rate on the other items. The multiplication of administrative red tape slows decisions, harasses both agency and university personnel and puts the emphasis on form rather than substance. Fortunately these difficulties are widely recognized, and simplification and standardization would bring such obvious advantages that they will surely come about.

Standardization of procedures will be welcome, but more fundamental changes are required. Project grants are nominally made to a university or other institution, but in reality they are awarded to an individual. The scientist and Government official frequently deal directly with each other on both substantive and budgetary matters, largely excluding the university administration from any important role in reaching decisions about the research done in the university. Not all of the consequences have been happy ones.

When a faculty member looks outside his university for the major sources of support for his work, his interest and loyalty are likely to go where the dollars are. When the continuation of his work depends on his maintaining good relations and an effective record with private foundation and Washington agencies, and when his professional reputation depends primarily on his research productivity, he is likely to devote more and more of his time to writing project proposals and reports and to supervising the increased number of research assistants that liberal grants enable him to hire. Correspondingly less of his interest and loyalty go to the university that happens to be his home for the present, and less of his time is devoted to teaching and to doing actual laboratory work with his own hands.

There are many contentions that the increase in research has been bought at the expense of a depreciation of teaching. The research programs at most colleges and universities are not large enough to have an adverse effect on teaching. In the universities with large research budgets, however, complaints are heard that there is a schism between the teachers and the researchers; that the ablest graduates students are research assistants, whereas the less able ones become teaching assistants; that the bigtime research operator has become the admired model in the eyes of graduate students; that in return for the explosive growth of research we are building up a deficit in the training of future scientists and in the general education of other students in science. There is a substantial body of opinion to the effect that whereas education at the graduate level has improved as a result of the availability of better equipment and larger and more competent staffs, undergraduate teaching has suffered.

The emphasis on research supported by outside funds on an individual project basis has also tended to strengthen the divisive forces and weaken the integrative forces that are always at work on a university campus. By and large faculty scientists like the change of offcampus support; it means that each researcher is judged by colleagues in his own field of specialization. Physicists judge physicists, biochemists judge biochemists, and geologists judge geologists. A man can take pride in the fact that specialists from other institutions have judged his work and found it worthy of support.

Bringing new funds to the campus enhances the scientist's prestige and gives him some freedom from local control. He can buy equipment or hire a secretary, travel to a national meeting to discuss work with other people in his field and even invite a man from another institution to pay him a visit—with expenses paid—to consult on research plans. And he can do all this without having to ask his dean or president for permission, because the grant is his. (That is, he can pay for these extras if he has had the foresight to provide for them in his project proposal. If not, it may take weeks for a busy office in Washington to let him know whether or not he can transfer $100 from one budget category to another.)

The result of all this is that the project-grant system undoubtedly weakens the scientist's ties with his own university. It means that many decisions about the research conducted on a campus are made in Washington instead of at the campus level and are made piecemeal rather than with full account taken of all the other programs and responsibilities of the university. A university is not solely a group of individualistic faculty members. It is a community of scholars and of students who wish to learn from them. It includes a central administration responsible for the development of the entire university, not simply the uncoordinated expansion of individual units or empires. Professor X would rather entrust his research proposal to the judgment of his professional colleagues on a Washington reviewing panel than to what he may consider the uninformed or biased decisions of his own dean and president. President Y, however, would prefer to have a larger measure of control at the university level, because he remembers that the university is responsible for teaching as well as research, for history and philosophy as well as physics and biochemistry, for the library as well as the observatory—and he wants funds that can be used in the best interests of the university.

Not only may the institutions in which research is carried out be changed by the methods of support; science itself may also be affected. One cannot help worrying about what subtle distortions in the course of scientific progress may result from the fact that nearly all of the Federal support now comes from "mission-oriented" agencies. The National Institutes of Health are interested in certain diseases, the Atomic Energy Commission in nuclear energy, the Department of Defense in weapons systems and countermeasures. Each supports basic research, but each selects projects in terms of its own mission. Of all the Federal grant-making agencies, only the National Science Foundation is free from this necessity. To be sure, many researchers have secured support from the mission-oriented agencies for exactly what they as scientists most wanted to do. The fact remains that, of all the money spent for basic research in the United States, only about one dollar in five comes from a source that does not have specific missions in mind. It is still a matter of opinion whether or not this fact is threatening the future health of basic science, but there is a widespread feeling that the National Science Foundation should assume a greatly increased share of the responsibility for supporting basic research.

Certainly agencies with special missions will continue to support basic research; funding decisions will often be controlled by immediate objectives; projects will continue to be supported largely on the basis of their individual merits and those of the scientists involved. Yet basic improvements in the system are possible. Now that massive Federal support is accepted as an obligation, the most necessary change is to shift a substantial amount of the decisionmaking responsibility closer to the point of research. The fact is that decisions that should be made by the executive agencies are now being made by Congress. Decisions that should be made by the universities are being made by the agencies.

In Great Britain, Parliament avoids political and governmental control of science and education by making block grants to the University Grants Committee, which in turn allots funds to the British universities. For a number of reasons this mode of operation is not feasible in the United States. Don K. Price of the Harvard School of Public Administration has pointed out that Congress takes a very different attitude toward the relation between ends and means than Parliament does. Parliament is content to decide on the ends, authorize the necessary funds and leave the details of the means to administrative agencies and the civil service. Congress, on the other hand, pays much attention to the means by which national objectives are to be attained. It reviews the budgets of Federal agencies in great detail, sometimes instructing an agency that no more than (and occasionally no less than) a stipulated amount is to be spent on a particular kind of activity. Congress is not likely to surrender its control of means as well as ends but it might well give the agencies a freer hand with the details and subcategories of their research budgets.

These will have to be, in turn, a substantial shifting of responsibility for research decisions from the supporting agencies to the universities. Some of the Federal agencies are now supplementing the project grant with newer forms of support that will help the universities to regain this responsibility: general-research support grants; program grants that support an established group of research colleagues, not for a specific project, but for work in an area in which they have demonstrated their competence; institutional grants that can be used in whatever way the university officials believe will best advance science on the campus; grants to help with the construction or equipping of laboratories, and the new science development grants to help selected institutions that are already quite good take a major step up the quality ladder.

These newer forms of grants will help to shift responsibility back to the campus, but the universities also have some work to do. A university's functions include both teaching and research; it has to maintain a reasonable balance between the two and also decide on the kind and amount of research that make sense in the context of its total program. The university president will sometimes say wearily that he knows these are his responsibilities but that his hands are tied—that there is no way to stop the very competent Professor X when he wants to start a new project because half a dozen other universities are eager to have the professor, willing to take him on his own terms and confident that plentiful grants will follow him to his new home. If the president lets his hands remain tied, the project grant will continue to be the dominant form of research support. It now seems likely, however, that universities that develop strong institutional controls and excel in the management of research funds can expect to receive a larger amount of support in more flexible forms.

Both the Government and the universities need to reconsider their interrelation. The makers of science policy must recognize that the Nation is as dependent on the universities as the latter have come to be on the Government. The universities are institutions with major responsibility for the Nation's future and not just for its present eminence in science; institutions with a broad role in the Nation's intellectual life and not merely laboratories qualified to solve current problems.

The universities have always adjusted their policies and programs to changing social and economic requirements, and they will have to continue to do so. The universities cannot, however, merely respond to outside forces. They must also be independent innovators and stubborn conservators of old values. The weight of history urges that control of the universities by any one benefactor must be prevented if they are to preserve their independence, play their full roles as critics, conservators and innovators, and retain control over their own destinies.

ACTION TO ESTABLISH THE 12-MILE LIMIT FOR OUR FISHERIES GAINS SUPPORT: IT IS OVERDUE

Mr. GRUENING. Mr. President, over 2 years ago—on June 28, 1963—in a speech on the Senate floor I pointed out that the 3-mile limit was an albatross around the necks of U.S. fishermen.

Events since then have confirmed the rightness of that description.

At that time I stated:

> The time has come for this Nation to look realistically at its questionable policy of maintaining a 3-mile territorial water, thereby permitting fishermen from other nations to deplete our fish stocks and negate our attempts at conservation and protection of this valuable resource.
>
> Fishing vessels of other nations make themselves at home in our waters, fill their vessels with fish, and in so doing deprive U.S. fishermen of the catch.
>
> Commercial fishing has become big business.
>
> Some nations literally use fleets, complete with so-called mother ships which have cleaning and freezer facilities abroad. This modern method of fishing, which surpasses existing U.S. efforts, makes it mandatory for us to modernize our thinking concerning the breadth of the territorial sea. Our outmoded thinking has kept the United States in fifth place among the fishing nations of the world.
>
> Our national policy as it concerns our commercial fishermen is quixotic. As Don

> Quixote tilted with windmills, we, alas tilt with the wind. As we idealistically adhere to our antiquated and obsolete 3-mile territorial water, other nations catch our fish.

At that time, in the 88th Congress, I introduced a bill, S. 1816, to correct the existing situation by extending the territorial waters of the United States for fishing purposes up to 12 miles.

I referred in my speech over 2 years ago to the action taken by President Truman on September 28, 1945, in issuing Proclamation No. 2668 with respect to coastal fisheries in certain areas of the high seas. In issuing the proclamation, President Truman spoke of an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal States and of any other State which may have established a legitimate interest therein.

He said that it would be the policy of the United States of America to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale.

President Truman's proclamation of almost 20 years ago stated, in part:

> In view of the pressing need for conservation and protection of fishery resources, the Government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale. Where such activities have been or shall hereafter be developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which fishing activities shall be subject to the regulation and control of the United States. Where such activities have been or shall hereafter be legitimately developed and maintained jointly by nationals of the United States and nationals of other states, explicitly bounded conservation zones may be established under agreements between the United States and such other states; and all fishing activities in such zones shall be subject to regulation and control as provided in such agreements. The right of any State to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right of their free and unimpeded navigation are in no way thus affected.

I ask unanimous consent that Proclamation No. 2668, Executive Order No. 9633 and Executive Order No. 9634 be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, I pointed out in my speech over 2 years ago that the action I was requesting be taken by the United States was the same taken by Canada a few weeks before.

It was then—2 years ago—as it is now—2 years later—high time for the United States to take positive action to protect its vital fisheries resources.

The New York Times for this last Sunday—July 11, 1965—carried an item to the effect that, because of depleted resources, lobster is now disappearing from the menus of many restaurants since it must be priced too high.

Maine's Director of Marine Research said the high price was due to "overfishing—fishing very close to the limit of supply." The article went on to say that:

> Partly responsible is the intense competition between American trawlers and Soviet ships dragging off the American coast in the Atlantic.

I ask unanimous consent that the item about the depletion of our lobster resources from the New York Times of July 11, 1965, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. GRUENING. Mr. President, Alaska's fishing resources have been and are similarly threatened by foreign overfishing.

Speaking before the members of the Gulf and Caribbean Fisheries Institute in Miami, Fla., on November 11, 1963, I stated, in part:

> Foreign fishing vessels in increasing numbers are also appearing off our shores, in waters traditionally fished by American vessels. They have been off the Atlantic coast from Maine to Florida and off our gulf coasts.
>
> Soviet Russia is going after the fisheries all over the world with effectiveness, determination, and ruthlessness that threatens our fisheries and the livelihood of our fishermen. The Japanese likewise have become more and more aggressive. In 1956 the United States ranked second only to Japan as a fishing nation. By 1961, 5 years later, the United States had dropped to fifth place among nations in the size of its catch. We are now behind not only Japan, but behind Soviet Russia, Red China, and Peru. That is not a position of which we should be proud. Nor is it a trend that we can or should continue to tolerate.
>
> While the world's annual fish catch has doubled in the last 15 years, the U.S. share of that increase has been negligible. But what has increased is our fisheries importation, which has, since 1940, grown approximately 400 percent. A determined national policy, geared to the national interest, could rectify that condition.

The 88th Congress did move a bit in the direction of protecting our fisheries resources within the 3-mile limit by enacting the bills introduced by my able and distinguished colleagues, Senator BARTLETT and Congressman RALPH J. RIVERS—S. 1988, Public Law 88-308—providing penalties for persons other than nationals or inhabitants of the United States fishing in the territorial waters of the United States.

That was an important first step to be taken by the Congress in protecting our fisheries resources. These penalties would also apply to illegal fishing within the 12-mile limit if legislation such as has been proposed is enacted.

However, since the 88th Congress took no action on my bill to establish a 12-mile limit, I reintroduced it at the beginning of the 89th Congress on January 7, 1965, saying in part:

> While we keep our worn-out 3-mile limit, other nations catch our fish, thereby forcing U.S. consumers to buy part of the foreign catch to supplement our short supply. It makes no sense.
>
> We keep our 3-mile limit which is an obsolete provision dating from days when 3 miles was the approximate distance a cannonball from a shore battery could hit a hostile vessel. In other words, the 3-mile limit was a development of a national defense measure which had nothing whatever to do with fishing.
>
> Is it not silly and defensively unsound of us to keep that limitation and expose our shores to perhaps unfriendly eyes at this moment in world history when 40 nations have tossed aside the outdated concept.

My bill, S. 49, was cosponsored by Senator MORSE, Senator PASTORE, Senator RIBICOFF, and Senator SMITH.

But, while no action has so far been taken on S. 49, apparently the time of the idea for the establishment of a 12-mile limit for fishing purposes has come.

I am delighted that in the last few weeks so many of my colleagues have joined me in pressing for the enactment of legislation calling for the establishment of a 12-mile limit for fishing purposes. While the means used by them in "triggering" the establishment of a 12-mile fishing limit may differ from that contained in my bill, S. 49, the ultimate objectives of all bills are the same.

I commend most highly the able and distinguished chairman of the Committee on Commerce [Mr. MAGNUSON] for his introduction of S. 2225, which I have cosponsored together with my colleagues Senators MUSKIE, MORSE, PASTORE, RIBICOFF, and SMITH.

I also commend my able and distinguished colleague [Mr. BARTLETT] for his introduction of S. 2218, which I have cosponsored together with my colleagues Senators MAGNUSON, KENNEDY of Massachusetts, MUSKIE, MORSE, PASTORE, RIBICOFF, and SMITH.

I hope that early hearings will be called promptly on all three bills so that the 89th Congress may go on record as having taken positive steps to preserve and protect the fisheries resources of the United States from depletion by foreign nations.

EXHIBIT 1

PROCLAMATION 2668—POLICY OF THE UNITED STATES WITH RESPECT TO COASTAL FISHERIES IN CERTAIN AREAS OF THE HIGH SEAS,[1] BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas for some years the Government of the United States of America has viewed with concern the inadequacy of present arrangements for the protection and perpetuation of the fishery resources contiguous to its coasts, and in view of the potentially disturbing effect of this situation, has carefully studied the possibility of improving the jurisdictional basis for conservation measures and international cooperation in this field; and

Whereas such fishery resources have a special importance to coastal communities as a source of livelihood and to the Nation as a food and industrial resource; and

Whereas the progressive development of new methods and techniques contributes to intensified fishing over wide sea areas and in certain cases seriously threatens fisheries with depletion; and

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[1] See Executive Order No. 9634.

Whereas there is an urgent need to protect coastal fishery resources from destructive exploitation, having due regard to conditions peculiar to each region and situation and to the special rights and equities of the coastal State and of any other State which may have established a legitimate interest therein:

Now, therefore, I, Harry S. Truman, President of the United States of America, do hereby proclaim the following policy of the United States of America with respect to coastal fisheries in certain areas of the high seas:

In view of the pressing need for conservation and protection of fishery resources, the Government of the United States regards it as proper to establish conservation zones in those areas of the high seas contiguous to the coasts of the United States wherein fishing activities have been or in the future may be developed and maintained on a substantial scale. Where such activities have been or shall hereafter be developed and maintained by its nationals alone, the United States regards it as proper to establish explicitly bounded conservation zones in which fishing activities shall be subject to the regulation and control of the United States. Where such activities have been or shall hereafter be legitimately developed and maintained jointly by nationals of the United States and nationals of other states, explicitly bounded conservation zones may be established under agreements between the United States and such other states; and all fishing activities in such zones shall be subject to regulation and control as provided in such agreements. The right of any state to establish conservation zones off its shores in accordance with the above principles is conceded, provided that corresponding recognition is given to any fishing interests of nationals of the United States which may exist in such areas. The character as high seas of the areas in which such conservation zones are established and the right of their free and unimpeded navigation are in no way thus affected.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 28th day of September, in the year of our Lord nineteen hundred and forty-five, [SEAL] and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN.

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F.R. Doc. 45-18175; Filed, Oct. 1, 1945; 11:11 a.m.]

Executive Order 9633—Reserving and Placing Certain Resources of the Continental Shelf Under the Control and Jurisdiction of the Secretary of the Interior

By virtue of and pursuant to the authority vested in me as President of the United States, it is ordered that the natural resources of the subsoil and seabed of the Continental Shelf beneath the high seas but contiguous to the coasts of the United States declared this day by proclamation[1] to appertain to the United States and to be subject to its jurisdiction and control, be and they are hereby reserved, set aside, and placed under the jurisdiction and control of the Secretary of the Interior for administrative purposes, pending the enactment of legislation in regard thereto. Neither this order nor the aforesaid proclamation shall be deemed to affect the determination by legislation or judicial decree of any issues between the United States and the several States, relating to the ownership or control of the subsoil and seabed of the Continental Shelf within or outside of the 3-mile limit.

HARRY S TRUMAN.

THE WHITE HOUSE, *September 28, 1945.*

[F.R. Doc. 45-18132; Filed, Sept. 28, 1945; 2:25 p.m.]

Executive Order 9634—Providing for the Establishment of Fishery Conservation Zones

By virtue of and pursuant to the authority vested in me as President of the United States, it is hereby ordered that the Secretary of State and the Secretary of the Interior shall from time to time jointly recommend the establishment by Executive orders of fishery conservation zones in areas of the high seas contiguous to the coasts of the United States, pursuant to the proclamation entitled "Policy of the United States With Respect to Coastal Fisheries in Certain Areas of the High Seas," this day signed by me, and said Secretaries shall in each case recommend provisions to be incorporated in such orders relating to the administration, regulation, and control of the fishery resources of and fishing activities in such zones, pursuant to authority of law heretofore or hereafter provided.

HARRY S TRUMAN.

THE WHITE HOUSE, *September 28, 1945.*

[F.R. Doc. 45-18133; Filed, Sept. 28, 1945; 2:25 p.m.]

Exhibit 2

[From the New York Times, July 11, 1965]

Lobsters de Luxe

Within the memory of lobstermen, lobsters were once considered a poor man's food, since they were easily caught in shallow waters, and plentiful. Lobster has, of course, come a long way—such a long way that this gourmet's delight is now disappearing from some restaurant menus because of its forbidding price. The $5.75 lobster dinner on the New York menu below was only $4.95 a few months ago.

What has brought this about?

Robert Dow, Maine's director of marine research, last week blamed "overfishing"—fishing "very close to the limit of supply." Partly responsible is the intense competition between American trawlers and Soviet ships dragging off the American coast in the Atlantic.

In Maine, which produces 75 percent of the Nation's lobsters, the wholesale price of lobster is now $1 a pound and is expected to go higher; on Long Island the price is $1.25 to $1.30. Restaurants get, or ask, from $4 for a baby lobster to $7.50 for a 2½-pound lobster on a dinner.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT

Mr. BYRD of West Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6453) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MONDALE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 1, 1965, p. 15502, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield, provided I do not lose my right to the floor.

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I have only a few brief remarks to make. The bill as approved by the conferees provides a total of $360,228,500 for fiscal year 1966. In my judgment this is a good bill. It is $3,928,000 more than the amount allowed by the House and is $4,129,847 under the total Senate recommendation. Of this reduction, $794,547 concerned operating expenses and $3,335,300 concerned capital outlay projects.

The conferees approved a Federal payment of $43 million to the general fund. This is $2 million above the amount approved by the House; $3 million under the amount approved by the Senate; and $7 million under the authorized amount.

The estimated surplus in the general fund on June 30, 1966, is $481,000. This allows for a reserve of $6,232,000 to meet the costs of indefinite appropriations—$600,000; corporation refunds—$2,500,000; and supplementals—$3,132,000—in fiscal 1966.

The Senate bill approved 268 additional permanent positions and deleted 34 positions that had been allowed by the House, making a net increase of 234 new positions.

The conference action allowed 138 of the 234 net increase approved by the Senate. In addition there was allowed the Senate recommendation of 235 temporary police positions for the first 9 months of fiscal year 1966.

The net increase of the 138 positions is distributed as follows:

Public schools	95
Recreation Department	8
Health Department	30
Welfare Department:	
Allowed	+39
Less reduction under House	−34
Net increase	5
Total	138

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[1] See Proclamation 2667, supra.

The 95 positions for public schools include:

Teachers:	
Driver training	13
Speech	9
Total	22
Librarians	28
Counselors	23
Assistant directors—departments of music, science, and English	3
Psychiatric social worker	1
Supervising director—driver training program	1
Attendance officers	4
Several administrative and clerical positions	12
Technician for instrumental music program	1
Total	95

The eight positions approved for the Recreation Department will provide for the continued operation of the John F. Kennedy Memorial Playground, 5; and for the establishment of a recreation center for the mentally retarded, 3.

The 30 positions approved for the Health Department are distributed as follows:

District of Columbia General Hospital:	
Nursing division:	
Instructors	3
Housemother	1
Student nurses	25
Total	29
Maternal and Child Health: Medical officer for birth control team	1
Total	30

Respecting the 39 new positions for the Department of Public Welfare, 38 are related to the Child Welfare Division for expansion of the foster home and other important programs needed to aid needy families during emergency situations.

Significant operating expense increases approved by the conferees included: $300,000 amendment of the Senate to provide additional public assistance; $90,000 for continuance of the current rate of payments to Children's Hospital; and $100,000 for repair and maintenance of school facilities.

Unfortunately, the Senate recommendations for the pesticide program in the amount of $102,267, and for the increased rates for other contract hospitals amounting to $72,189, were not approved by the conference committee.

Major capital outlay projects eliminated by the conference action included the following:

For Shaw Junior High School replacement	$1, 295, 300
For the Takoma Elementary School replacement	357, 600
For the Elementary School at Lincoln Road and Douglas Streets NE	301, 600
For the Beers Elementary School addition and alterations	174, 000
For the public health community centers	100, 000
For the School Activities Building at Junior Village	874, 700
For the Chevy Chase Community Center	80, 000

All members of the conference committee signed the report and but two of the Senate conferees noted exception to the final action approved, and that, I believe, concerned the deletion of the language and funds contained in amendments Nos. 16, 22, and 26 for the Shaw Junior High School and the Chevy Chase Community Center projects.

Mr. President, I call attention to the additional position that was allowed by the Senate and accepted by the House conferees in the Department of Health. This is the position of medical officer, which position was needed to round out a full-time birth control clinic team. Also, in the Senate committee report, there is language to authorize the Director of the Health Department to utilize up to $200,000 out of available funds for the establishment of three additional full-time birth control clinic teams, the Director having stated to the subcommittee during the hearings that four full-time teams were needed to meet the present needs in the District of Columbia. I believe that this is one of the most important features of the bill, the conference report, and the Senate committee report.

Mr. President, there are certain things that I think we would all like to have for America. Regardless of his political persuasion, I think everybody would like to see full employment, an end to slums, an end to the necessity for relief rolls, an end to the violent juvenile gangs in big cities, and an end to schools that are too crowded for real education. However, I submit that we will never achieve these goals until we learn to control our population growth.

Medical science has prolonged the average lifespan of man far beyond the wildest dreams of our pioneering grandfathers. Since 1900, we have cut the mortality rates of American children under age 1 from 16 out of every 100 to less than 3.

The plagues and famine which in former times brought their own form of cruel population control are mercifully a thing of the past in our country. It must be hoped that none of us wishes to rely, for a way out of our dilemma, on that final and most terrible of the four horsemen, war. Our own tremendous progress in subduing some of man's most fearsome historic enemies has forced upon us the necessity of curbing his birth rate.

By our last census, the United States was shown to have a population of approximately 180 million. At our present rate of reproduction we will have, by the year 2000, 340 million people. One hundred and sixty million more people in only 40 years' time. From where will the jobs come for these people?

One of the American philosophers of our day is Charles Hartshorne, now at the University of Texas. In his most recent book, "The Logic of Perfection," he makes this statement:

> Men judge a philosophy or a religion by its practical application, its "fruits." Whatever our religion or philosophy of life, its fruits can hardly be judged adequate unless it can be used to illuminate two momentous practical questions of our times. These are: how can we have liberty with peace, or at least with the avoidance of totally destructive warfare; and how can we bring the human birth rate into reasonable relation to the unprecedentedly low death rate achieved by scientific hygiene?

I think the coupling of these two problems by Dr. Hartshorne is significant and warranted.

The President is aware of the seriousness of the situation. As we know, in his state of the Union message to Congress on January 4, he stated that he would "seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources." That the President also understands this explosion is domestic as well as foreign has been well demonstrated within the past few months. The Office of Economic Opportunity has granted funds to Corpus Christi, Tex., for a birth-control clinic project; and applications from three other cities are reported to be pending. The President has appealed to Congress to double last year's appropriation to the District of Columbia for its clinic program, which in itself was a historic "first."

Indeed, there are many extremely hopeful signs that both public officials and the public themselves are becoming alive to the population problem and to the possibilities of solving it. But this has always been a delicate issue in the United States. Officials have been understandably reluctant, on all levels of government, to initiate a divisive controversy.

Despite the considerable change in climate surrounding the issue of birth control during the past few years, public officials are still hesitant to take the needed action. There are presently a number of Federal programs under which the States may obtain aid for family planning services. But in most cases a clarification of policy is needed. The President, as I have said, has taken the first steps. But I think—in view of the past history of this question—it is unfair to expect him to take all the political risk, if there in fact is a risk. The Members of Congress should speak out and give him the support he needs in effecting such a major change.

Certainly this is no time to maintain a golden silence. Children are being born every second. Often they are unwanted. They in turn, when the time comes, will produce more unwanted children. No war against poverty can ever be a victorious one if its wagers do not identify the real problems. And the problem is the spiraling birth rate among those who are incapable of adequately providing for their offspring.

Mr. President, my approach to the issue of birth control may be summed up by that one pivotal word in the official title of the Poverty Act: opportunity. The people in this country who, most of all, do not know how to space their children are those who are least able to adequately provide for children. They simply do not have access to the necessary information. And if they do, they cannot afford the cost of practicing it. A recent article in the Wall Street Journal points out:

> Public health and welfare authorities contend the lack of access to modern, effective child-spacing methods is an important reason why more than half of the 7,800,000 persons on relief in this country are mothers and their dependent children. The lack of birth-control information, it's argued, also helps explain why this aid to dependent children (ADC) relief group has soared to more than 4 million persons from 2.2 million in 1955.

I do not believe that these people would be having all of these children if they knew how to prevent it. What we must do is give them a choice. Opportunities for the impoverished must include the opportunity to plan family growth. The hopelessness of the constant flow of children, often unwanted, to people already with little hope cannot be overestimated. And something can be done about it. The time to do it is now.

The subcommittee of the Appropriations Committee has responded to this responsibility, as has the Senate, and as did the House conferees.

Mr. President, that completes my statement on the conference report.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to my distinguished colleague from West Virginia.

Mr. RANDOLPH. Mr. President, the question of authorization for the District of Columbia highway program was previously discussed by the distinguished chairman of the District of Columbia Committee [Mr. BIBLE] and myself at the time that the capable chairman of the Appropriations Subcommittee [Mr. BYRD] presented his committee bill to the Senate last month.

We cautioned against the language in the committee report and my colleague from West Virginia stated then that, as chairman of the subcommittee, he had accepted the language reluctantly. I refer specifically to the language of the report which declares:

> The committee directs that all future budget estimates for the District of Columbia highway program be presented on the basis only of prior authorization by the respective District legislative committees.

Since this issue was before the Senate the conferees of the House of Representatives have also taken exception to this language. In Report No. 568, the House conference report to accompany H.R. 6453, the managers on the part of the House of Representatives wrote that they "are not in agreement with the statement in the Senate report," which I have just read.

I emphasize strongly my own disagreement, as chairman of the Subcommittee on Public Roads, with the language of the Senate committee report. I believe that it requires discriminatory treatment of the District of Columbia in the administration of the highway program. If implemented, this language would unduly burden the officials charged with the responsibility to administer this program.

District officials are required by statute to conduct public hearings on authorized highway projects and to consult with the National Capital Planning Commission, the National Capital Transportation Agency, and the Fine Arts Commission. In my opinion, the Engineer Commissioner, Brig. Gen. Charles Duke, and his highway staff have administered this program with high regard for their public responsibility and with full consciousness of the need to harmonize the highway program with other needs of the city and to achieve a balanced transportation system, as it affects not only the District of Columbia, but the contiguous States and the Nation as a whole.

Title 23, section 105 of the United States Code established the policy for the States with regard to the Federal-aid highway program in the following language:

> As soon as practicable after the apportionments for the Federal-aid systems have been made for any fiscal year, the State highway department of any State desiring to avail itself of the benefits of this chapter shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds appropriated.

The term "State" is earlier defined in title 23 as applying to any 1 of the 50 States, the District of Columbia, or Puerto Rico.

It is evident, Mr. President, that the proposed language of the committee report, if implemented, would violate the intention of the Congress in the Federal-aid highway statutes and would create an unnecessary and burdensome requirement on the District of Columbia.

As chairman of the Subcommittee on Public Roads, I do not speak lightly on this subject today. I state frankly that what I have said should be taken into consideration; and the colloquy which occurred earlier will give my colleague [Mr. BYRD] an opportunity to comment on that phase of the report at this time.

Mr. BYRD of West Virginia. Mr. President, I believe it is well that my colleague [Mr. RANDOLPH] has taken the floor at this time to present his point of view on this very important matter. I can only respond by saying to him that I share his point of view. I would wish other members of the subcommittee, of course, to express their own points of view—as I am sure they will.

As I indicated when the appropriation bill for the District of Columbia for fiscal year 1966 was before the Senate on June 22 last, this matter came up in the subcommittee. I expressed the belief that we should not put any language into the committee report lest it have the effect of straitjacketing the Highway Department. I suggested to the Senator who injected the subject into the discussion that it might be better if he merely offered an amendment to strike whatever item the House had approved, and which he would like to see removed, in order that we could take the question to conference with the House and resolve it there.

I expressed a preference for that approach over the approach of putting language into the committee report.

I further indicated during the subcommittee markup that had there been any intention to write language into the report, or to strike a highway item from the bill, it would have been better for members of the Highway Department to have been brought before the subcommittee and interrogated thoroughly, so that the subcommittee might have some testimony upon which to base its action.

I do not believe that I am revealing any deep secret when I indicate that I stated to the distinguished Senator during the subcommittee markup that, had he expressed a wish to have representatives of the Highway Department come before the subcommittee, I would have been glad to ask them to come in and give testimony, and the subject could have been gone into thoroughly. I stated to the subcommittee that, inasmuch as no Highway Department items were appealed, the chairman of the subcommittee did not feel it necessary to have the Highway Department representatives appear before the subcommitte for interrogation and presentation of testimony. Therefore, we had absolutely no testimony from the Highway Department. I felt—and I believe I expressed the feeling then; and if I did not, my colleagues on the Committee are in the Chamber and can correct me—that it would be a mistake to include language in the Senate report covering this matter in view of the fact that the Highway Department had not been before the subcommittee, we had not interrogated representatives of the Department, and we had not gone into the matter with the Highway Department during the hearings.

I believe that subsequent events have substantiated and proved my position correct at that time. I believe that it was a mistake.

I hope that the matter will be clarified today, to the extent that the Highway Department can proceed as it has been proceeding up until this time.

Mr. CASE. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. In one moment I shall be glad to yield to the Senator from New Jersey.

I believe that at that time the Senator from Massachusetts [Mr. SALTONSTALL], suggested that the Chair appoint three members of the subcommittee to prepare some language for the subcommittee report; and, that being the sense of the subcommittee, the chairman appointed the distinguished Senator from New Jersey [Mr. CASE], the distinguished Senator from Wisconsin [Mr. PROXMIRE], both of whom are members of the Appropriations Subcommittee on the District of Columbia, and the distinguished junior Senator from Maryland [Mr. TYDINGS], who is an ex officio member of the subcommittee by virtue of his membership on the District of Columbia Legislative Committee.

Those members prepared the language. I am sure that they can—and will—speak for themselves as to the intent of that language.

For my part, I associate myself with the position taken by Mr. NATCHER, chairman of the House Subcommittee on Appropriations for the District of Columbia, when, on July 1, at the time the conference report was being considered by the other body, he stated:

> We are of the opinion there is already sufficient general authority for this highway program, and we feel that future budget estimates should be submitted in accordance with current procedures.

Mr. Natcher stated my position precisely.

At this time, having stated my position, I am glad to yield to the Senator from New Jersey [Mr. Case].

Mr. CASE. I thank the Senator from West Virginia for yielding to me. Without the Senator from West Virginia losing his right to the floor, or interrupting the colloquy as it will appear in the Record, I wonder whether we could not yield for a moment to the Senator from Connecticut [Mr. Ribicoff], who is standing in the Chamber with anguish on his face, for an insertion in the Record.

Mr. BYRD of West Virginia. I would prefer to keep the colloquy——

Mr. CASE. But I am very glad to go ahead.

Mr. BYRD of West Virginia. I would prefer that we first go ahead to complete our discussion of the highway language because I do not anticipate being on this subject too long. I trust that the distinguished and congenial Senator from Connecticut will be patient. Following the discussion on this subject, I shall be glad to yield to him.

Mr. CASE. The Senator from West Virginia, of course, accurately states the circumstances under which the language was inserted in the report, as well as his personal disagreement with it which existed at the time and which we understood. However, he did not raise the question in the full committee and, therefore, it stands as the committee report.

Mr. BYRD of West Virginia. If I may inject one statement at that point, the Senator from New Jersey has indicated that I did not bring the matter before the full committee. That is correct. It was my intention to bring the matter before the full committee, but the discussion on the aid for dependent children program took a considerable amount of time. It was difficult to maintain a quorum for action on the bill and, therefore, the matter was not brought before the full committee.

In all honesty I wish to say that I inadvertently forgot to bring it before the committee after the long discussion on the AFDCUP program, but it had been my intention prior to the meeting of the committee to bring the highway language to its attention.

Mr. CASE. Mr. President, of course I accept the Senator's statement as to that. The fact is that it was in the report and it is in the report. I do not now attempt to appraise or to make an assessment of the effect of it legally. I have been pressed by a number of good people and concerned people to make some statement which, as they say, will clarify the situation. I wish very much to be helpful.

My own view is that the most helpful thing that any Senator can do in this matter at this time is to bring about a thorough investigation of the question, not only of its impact upon the city of Washington, our Federal city, but upon all cities included in the interstate highway program.

This is not said lightly.

As the Senator from West Virginia, the chairman of the subcommittee has said, with equal sincerity, I say that Wolf Von Eckardt wrote an extraordinarily fine article which was published in the Outlook section of the Washington Post on Sunday, entitled "Damning the Auto Won't Save the City."

The first sentence of this article reads:

> If the beauty and grandeur of the National Capital are to survive the next decade, we must take a creative new approach to the design of our proposed freeway system.

I ask unanimous consent that the entire article may be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, July 11, 1965]

Damning the Auto Won't Save the City

(By Wolf Von Eckardt)

If the beauty and grandeur of the National Capital are to survive the next decade, we must take a creative new approach to the design of our proposed freeway system.

The conventional way of ramming 6-, 8-, 10-, and 12-lane superhighways through the living tissue and green lungs of the city can only lead to its Los Angelization. The presently agreed upon highway program would give this metropolitan area more than twice as much freeway mileage per square mile as well as per inhabitant as Los Angeles.

Accommodating high-speed automobile traffic is not the ultimate purpose of this or any other city, particularly as long as the planning does not include adequate provisions to park the cars and make the trip worthwhile for people when they get out of them.

Nor—much as it is desperately needed—is rapid transit the exclusive road to the orderly growth, livability and continued majesty of this seat of our National Government.

Highway and subway builders are now agreed that the health and survival of modern cities depend on both public and private transportation. Washington, as has so often been said, is the test of this tenet. It must show the rest of urban America how to make balanced transportation a tool of orderly planning, a means of serving rather than destroying the urban environment.

But this takes creative teamwork. And in this city, we face this challenge not with high hearts but with a depressing spirit of acrimony, petty competition and niggardliness.

The endless and at times almost fanatical hassles between pro- and antihighway and pro- and antirapid transit advocates have only accomplished one thing: an unconscionable delay of both programs. Good transportation has suffered as a result, and good transportation is essential to a well-functioning city.

Transportation is the plumbing of the modern city. To live, work, play and sleep in comfort and dignity, however, you don't clutter your living, working and bedrooms with ever more pipes and ducts. You don't let the plumber alone build your house.

A city, too, must be designed as a whole to make it a good place to live. And in it, the traffic system, like the plumbing in a house, must be submerged and built-in, and, where necessary, a part of the house must be remodeled. People, neighborhoods, parks and open space, rather than automobiles, must be foremost in determining the design.

DAMNED MOTOR CARS

But, instead of creative design, all we are given is two equally disastrous alternatives. One holds with urban critic Lewis Mumford, who said not long ago: "Forget the damned, motor cars; design the city for friends and lovers." The National Capital Planning Commission and numerous citizens' groups seem to subscribe to this view.

Their answer to the rising frustration and expense of traffic congestion—indeed, to air, land and water pollution and to ugly, chaotic and inefficient sprawl—is simple indeed. They blame the highway engineers.

They are fighting the problem instead of solving it. To get better plumbing, they would shoot the plumber.

Unfortunately, however, the "damned motor car" is here to stay. And friends and lovers are not likely in the foreseeable future to transport themselves to their encounters by other means than wheels.

The other alternative is that of the unimaginative "realists" who hold with Henry Ford's statement 40 years ago: "The big city is doomed." Its mounting cost, Ford told Drew Pearson, would force both people and industry into the outlying areas.

Most of the Nation has taken that course these past few decades. Those of us who could afford it have sought salvation in suburbia and the traditional anticity bias of American intellectuals from Thomas Jefferson to Frank Lloyd Wright has achieved a new middle-class base.

THE NEW SUPERBLIGHT

Such anticity bias built that elevated Embarcadero Freeway that cuts off San Francisco from the bay. It tucked much of old Boston under a structure every bit as blighting as New York's old el.

The highway builders have proposed to repeat these costly disasters with an elevated expressway between Independence Hall and Philadelphia's renewed historic waterfront, in San Antonio's lovely Brackenridge Park, in New Orleans' lively French quarter, and in numerous other cities.

Here in Washington, the spaghetti confusion of the freeway approaches east of the 14th Street bridge is bad enough. But it is outclassed by the octopus ugliness of the Theodore Roosevelt Bridge and its ramps on both sides of the Potomac.

Now this octopus is digging in all over Foggy Bottom. It will soon ensnare the John F. Kennedy Center for the Performing Arts. As presently proposed, it will worm its way under the Lincoln Memorial, cover a part of the Tidal Basin and then send its tentacles up onto the 14th Street bridge, leaving the Jefferson Memorial looking like a lump of sugar in a can of worms. And the proposal to double the Whitehurst Freeway would cover a good part of the Georgetown waterfront.

To all this—some 17 miles of freeways—the present program would add approximately 30 more miles. All told, this would pave some 1,000 of the 40,000 acres of available and largely taxable land.

It would displace thousands of people, many of them low-income Negroes who already face a desperate housing shortage. And, primarily in the western part of the city, it would bulldoze many splendid old buildings, thereby destroying some of the sedate order and elegance that give Washington its unique character.

ROOM FOR BOTH

These realistic highway builders must come to recognize that the city is not doomed; that it must and will live on as the heart of civilization. Without damning the motorcar, we can still have friends and lovers in the city, but we must design.

The obstacle to constructive urban highway planning has been all along that the Federal Highway Act of 1956 did not really distinguish between highways between cities and highways within cities.

Its main proponents—the car manufacturers and dealers, the tire, gas, cement, asphalt and trucking industries, the roadbuilders and the Automobile Association of America—looked upon the congested cities only as places that must be flushed out so they could digest more of their goods. The highway lobby pooh-poohed old-fashioned notions of building or updating mass transportation facilities.

The program, which will build 40 times more highway miles in 15 years than the Roman Empire did in 500, was sold to Congress and the Nation as "a military necessity." This partly determined the extravagant standards of America's "autobahnen," though it is ironic that overpasses at first were built too low for Atlas and other large weapons to pass under them. This has now been corrected.

GOVERNMENT PURSESTRINGS

Another irony is that this huge Federal program was passed under the Eisenhower administration, which was so anxious to strengthen the power of the States. Instead, it has deprived the States, and particularly the cities and other local governments, of a purely local function. While the States—but not cities—lay out and build the new roads under minimum Federal standards, the basic decision whether to build or not to build is made for them.

What makes the decision, of course, is the Federal money. The States pay only $1 out of every $10 that it costs to build a road. The other $9 comes out of the highway trust fund, which is financed by Federal taxes on motor fuel, trucks, and rubber and which, by the time it is to revert to the Treasury in 1972, will have disbursed an estimated $46.6 billion.

With this kind of money to tempt them, it is easy to understand why the cities went on a freeway building spree. Many of them totally neglected ordinary city streets. In fact, to this day there is no real alternative to either congested streets or concrete monsters. Nobody even knows quite how to design a street that can move automobiles at reasonable speeds and yet permit people to live and do business along it in safety and comfort.

In some urban renewal areas and new communities, we now have pedestrian malls and plazas, and they are delightful. But they are no panacea. Some moderate movement of cars on city streets is not only functionally necessary but also esthetically desirable. The challenge is to separate the cars from the people and the fast-moving through traffic from the slow-moving local traffic.

EXPENSIVE HASTE

But the highway engineers considered it their challenge to take cars and trucks through the city at open country speeds: 50 and 60 miles per hour. To do this safely requires limited access from side streets and enormously generous curves, wide ramps and cloverleaf or diamond interchanges that consume an acre of land or more.

Why this expensive haste, particularly when, downtown, it only lands you on a traffic-jammed street where you'll lose much of the time you have gained in search of a parking space? The answer I got in talks with highway builders in some 10 American cities seems feeble.

Most of them talk about Federal standards and the irresistible lure of that $9 out of every $10. Another explanation is the psychology of the thing. Once you invite a motorist onto a limited access road without traffic lights and other impediments, he is tempted to step on the accelerator, no matter what the posted speed limit is. The highway engineers feel a moral obligation not to kill him.

But another life they could save may be the city's. The sinuous country patterns, the median strips and verges and wide shoulders and all that spreadout spaghetti consume inordinate amounts of taxable land, housing and other values and cut up communities.

At first, nobody cared very deeply. Our first urban freeways inevitably ran through the politically mute slum neighborhoods. And at first glance it seemed that any other solution to the traffic problem would cost the cities a great deal of money they didn't have.

As to urban mass transportation, the Federal Government did not get around to subsidizing it until 1964. The subsidy, moreover, is not 90 percent but only up to two-thirds of the cost, and that only up to a total of $375 million. Chicago alone would need all of this year's proposed appropriation to make its public transportation system really efficient—as efficient, say, as that of Stockholm.

UNEXPECTED DEBITS

It turned out, of course, that the failure of the Federal Government to insist on urban transportation as well as highways alone has cost the cities a great deal. On top of lost tax revenue, they must pay for maintenance and parking lots and for being good hosts to the freeway commuters who speed home at night without paying city taxes.

With some hindsight, it is now evident that the cities should have been given more flexibility to do what they thought best with, say, 50 percent of the more than $20 billion of interstate highway funds allotted to them. That much money could have bought them a truly balanced transportation system, considering that our total present national investment in public transit is less than $4 billion. Such money could, as one planner said, "reshape urban America."

The interstate highways are wonderful roads for ordinary interurban travel. But more often than not they are expected to handle a task for which they are least fitted: peak-hour commuter traffic. And thus it is almost axiomatic that every new commuter highway is jammed the day it is opened.

The primary reason is that the commuter freeways are planned to accommodate the needs that exist at the time of the planning. But as soon as the location of the new freeway is announced, the builders, developers, and industry rush out there, and this increases the number of commuters. Most of the expensive computer studies are thus made worthless.

THEY WEREN'T SPEAKING

A desirable pattern can be established only if highway planning becomes an integral part of overall city planning. Unfortunately, however, at the time the now completed freeways were planned, the rich and haughty highway planners and the poor and timid city planners didn't even talk to each other.

It was not until 1962 that the two finally got together through their professional organizaions in a conference on "Freeways in the Urban Setting" at Hershey, Pa. There they discovered that highways provide "unprecedented opportunities to help shape and structure the urban community."

They resolved that "the construction of efficient, effective, and attractive freeways demands a total design concept. This means integration of all aspects of design into a whole that is satisfying and effective and integrated with its surroundings."

This, the Hershey conference concluded, "is a job not merely for the highway and traffic engineer, but for the architect, the landscape architect, the city planner, and other specialists."

The news got to Congress. In the 1962 Federal Highway Act, it ordained that, effective this July 1, all city freeways must be "based on a continuing, comprehensive transportation planning process." This was less than making freeways "consistent with comprehensive plans" and part "of a soundly based, balanced transportation system," as President Kennedy had recommended. But it could give legal sanction to the Hershey love affair.

STILL THE MASTER

What had occured at Hershey, however, it turned out, was just a passing flirtation. In most, if not all, American cities, including Washington, the "continuing, comprehensive transportation planning process" is completely dominated by the highway people and their continuing highway planning process. But Washington could change that.

A new design approach to the city's generally agreed upon freeway system could save our parks and the dignity and beauty of our national shrines, save buildings and make more rather than less housing available and cement rather than divide neighborhoods and communities.

Specifically: The open trenches in the Foggy Bottom area should be covered over either with buildings or with landscaped platforms. The E Street Expressway should be taken across the freeway to give the Kennedy Center at least a dignified access. Surely we don't want to celebrate our national culture on a little traffic island.

As to the six lanes of Southwest Freeway under the Lincoln Memorial and Tidal Basin, the sane thing to do is reconsider the whole thing.

UNSIGHTLY GASHES

If we can't reconsider, the entire stretch must be tunneled. It is under National Park Service jurisdiction and, thanks to Interior Secretary Udall, a most competent architect, Nathaniel Owings, is now reviewing the first dismal proposals. Even with tunneling, he won't be able to get all the bugs out of it.

The tunnel entrance gashes will look terrible near the Lincoln Memorial, especially at night, since the tunnel must be brightly lighted. Near the Jefferson Memorial, the freeway must not only come up for air but rise some 30 feet onto 14th Street Bridge. At the very least, this will take a great deal of landscaping, and big trees don't grow on top of tunnels. There are now many wonderful old trees in Potomac Park.

Instead of doubling the Whitehurst Freeway, which, more than all the factories, blights the Georgetown waterfront, it should be torn down. A new and, if necessary, wider freeway should be sunk if not tunneled. I say tunneled, because an open trench is not a pretty thing.

The Whitehurst Freeway and the whole north leg of the inner loop hinge on the Three Sisters Bridge. The idea is to bring Route 66 from Virginia across the river and into the city—somehow. That "somehow" is what the argument is all about.

But, again, there is no use fighting the problem. To solve it, Architect Chloethiel W. Smith has come up with an ingenious idea. The objection, she reasons, is not so much to the bridge—at Three Sisters Island or up or downstream from it—but to the multiple ramps and intersections it would require on both sides of the river. These would of necessity cut into the palisades, take homes and trees and look ugly.

The space-consuming concrete maze would be required to take cars in three different directions after they cross the river: upstream, downstream, and straight ahead. But why not, says Mrs. Smith, build three bridges, one for each of the three destinations? They could be thin, lovely spans, an asset to the Potomac. She is thinking of the beautiful bridges the Swiss engineer Robert Maillart pioneered for wild gorges in his native mountains.

A DESTRUCTIVE LEG

Mrs. Smith has also been asked to take a look at the proposed north leg of the inner loop, which is still charted smack through a number of cherished landmarks such as the Indonesian Embassy, the Phillips Collection, Boy Scout Headquarters, and hundreds of homes along Florida Avenue. It is to join up with the center and east legs. The Highway Department promised President Kennedy some years ago to tunnel it "wherever feasible."

Here is an opportunity for truly sophisticated urban freeway design, and that kind of approach has two fundamental rules:

1. As Lawrence Halprin, the San Francisco landscape architect who worked up a basic primer of urban freeway design for the California Highway Department, has said, a well behaved city freeway does not cut across the existing grid of streets, but follows it.

2. You consolidate transportation arteries rather than forever create new ones.

In this instance, then, we should completely bypass the area west of Dupont Circle and tunnel the north leg under Wisconsin Avenue, under the Naval Observatory and westward under Calvert Street. Then, under Columbia Road, it would team up with the proposed rapid transit subway, either under or over the trains.

"It makes absolutely no sense to dig up our streets twice, once for the subway and then somewhere else for the freeway, if we can consolidate the two," says Mrs. Smith. The additional travel time is only a matter of 2 or 3 minutes.

NOT MERE CORRIDORS

All of our proposed freeways, furthermore, should heed Halprin's rules and "be integrated with the city and not simply be a corridor through it. They should pass through buildings, have shops built with them and other structures, such as restaurants, parking garages, etc., integrated into their structure.

"They should be built as part of a total community development, not unilaterally. * * * Ultimately, it is the design of the environment of a freeway which counts for more than the actual structure itself."

This means far more than merely saying that we might some day build structures over the highway trenches. We now have the legal authority to use the air rights over the roads. The time to figure out what kind of buildings would enhance each community and the time to design them is now, not after the freeway has scared everyone away and depressed the real estate and human values of everything in its path.

This is particularly true of parking structures. We should have a law requiring that every new freeway proposal include a firm plan for providing sufficient parking to take care of the additional cars it will bring into the city.

PLANNERS WITH POWER

This brings us to the overall need for effective, comprehensive planning and the mechanism with which to do it. Quite likely we need a planning agency that has the power to implement its planning. At the very least, we should immediately reform and staff the already legally constituted "continuing transportation planning committee" to do the job right.

This means that we should staff it with city planners, architects, landscape architects and other needed experts who are willing to work together in the spirit of the Hershey conference. The present highway planning practice of merely shoving completed plans under the planners' noses for quick approval defeats its purpose. So does the practice of hiring consultants merely to pretty up engineering decisions and then firing them if their ideas prove too expensive or challenging.

At the very least, too, the President should appoint a committee to review and approve all freeway plans in the interest of the whole Federal City and what it stands for. Perhaps the Fine Arts Commission should be given this job. It should not be a task of merely adjudicating quarrels but of inspiring and insisting upon good creative design.

THREE OBJECTIONS

The highway professionals raise three fundamental objections to such an approach.

Tunneled freeways, they say, deprive the mortorist of the pleasure of viewing the scenery. But how much does the motorist see and should see as he speeds along at 50 miles per hour? Shouldn't he keep his eyes on the road? If he wants to go sightseeing, he should park his car. On the Mall, Secretary Udall has promised him little electric sightseeing trains to get him about.

Tunneled freeways, the engineers say secondly, pose ventilation problems. Let them try harder. If man can walk in space, he should be able to design adequate ventilators.

But the really serious objection to freeway designs that would preserve L'Efant's vision of the Federal City is expense. And that, in the end, boils down to the point that you can't buy the great Capital of the Great Society in the bargain basement.

Mr. CASE. Mr. President, I hope the RECORD will be read with the same deep interest with which I have studied these matters.

I am not satisfied with the present procedures which confront the city of Washington in the next few months with the destruction of 100 acres of Potomac Park. One hundred acres of precious parkland in the District of Columbia will be covered with concrete. That is what will happen under the present system. This is not such a great system, after all, if it results in this kind of thing. We must stop it.

I am not one of those who say we must have either rapid transit on some kind of iron rails, or what-not, or a highway system that strangles the city. I believe we can have and must have a balanced system. I am perfectly convinced that we will get one once we stop looking at our present procedures and follow the philosophy which governs the system now.

Mr. President, we cannot run an Interstate Highway System through the cities of the United States under the present system without destroying the cities as cities. I do not think we should do this. I believe that the Public Works Committee as a general proposition, or perhaps a special committee—and the subject is of such great importance that it probably would justify the creation of such a committee, certainly so far as the Capital is concerned—should take a look at this subject.

I am satisfied that there are enough brains in the Senate to put this thing right. I am not satisfied that it is right now. I have only mentioned one part of the Interstate Highway System as it affects the District of Columbia.

I suggest to my colleagues that they go down to the Naval Medical Center, which has buildings dating back to the beginning of that service, and walk up the hill to the top of that prominence and look out at the devastation wrought by the highway system already in Foggy Bottom. If anyone can look at that scene without blanching, and can say, "It is a great system that has resulted in this destruction," I say he and I disagree.

This is only the beginning. The highway engineers plan to run the freeway underneath the Lincoln Memorial. They will not run it through the memorial. That is something wonderful, of course. They will come out on the other side and they will run through 100 acres of Potomac parkland. This is a desecration that must not be allowed to take place. Yet that is what is planned. They were going to run it over the Tidal Basin. However, they have been persuaded that they should not do that. So they will tunnel again, and then they will come out on the other side, and build a spiral of exits and ramps, and what-not, to get to the 14th Street Bridge. I do not know what language Wolf Von Eckardt used in describing this, but anyone who looks at it will see that it looks like a little lump of sugar at the bottom of some kind of chrysalis. That part of Washington will be destroyed.

This is only one phase of it. The plan is to run another leg of this highway system—the inner loop—up into Rock Creek Parkway, and then, to get up there they will run something that will be a whole city block wide across some of the most populated part of the city of Washington.

The only reason why Glover Park has been saved from being overrun by the highway department builders is that the majority leader objected. This was a fortuitous circumstance. It was a wonderful thing. We are glad that he had a personal interest. I do not mean a selfish interest, but an interest that is good for the community. However, we will not always have a MANSFIELD to say, "No, don't run this thing."

The only reason this system has not been run down Spout Run, on the other side of the river, and destroyed that park land, is due to the fact that the Department of the Interior has stood against it. There is a legal argument right now as to whether the Secretary of Commerce, the nominal superior head of the Bureau of Roads—although the Bureau of Roads goes on forever and department heads change with the changes in administration—has the authority to take any Federal property he may wish to take regardless of anyone's wishes for the Interstate Highway System.

We are being asked to say that the present system is great. I am not willing to say it, Mr. President. I believe it is wrong as a matter of law. Another section of the Code states that any Federal department head has the right to say no with regard to property under his jurisdiction, to the request of the Bureau of Roads, for inclusion of that property in the highway system.

Be that as it may, at the present time the situation is very unclear and most unsatisfactory in its results. We ought to study it. I am not satisfied that the results to date justify any presumption that the present system is working well or that we can expect it to do other than to go from one point to another by the shortest distance and by that design which is most direct, whether it destroys monuments or homes or parks or anything else.

This is not said in any derogatory sense, but I do not believe that we should leave the planning for our cities in the hands of highway builders only.

I do not believe that we should leave the present situation as it is with the uncertainties as to what might happen and at what stages the Congress of the United States and the people of the United States might become committed to a course which no one has ever really looked at. That is what the fact is here, Mr. President. That is why the language is in the bill. The language is in there for the purpose of expressing the concern of the Senators responsible—and I am one—about a situation in which we are being very unwise in letting the force of great sums of Federal money press upon not only the city of Washington but also other cities, with the result that what could be an enormous blessing and a great boon to those cities in the way of transportation and for other purposes is being misused, causing problems that we shall live to regret, and the loss of strong values that we can never replace. This is most particularly a responsibility, among many other responsibilities, of the Senate of the United States at this moment. We cannot turn our back on the problem and say that the way things have been going and the way the law stands now are great. They are not great. The situation is very unclear. It should not be unclear. There should be no doubt about the need for us to consider, and for responsible people all the time to consider, whether in building roads, we are destroying other values, and whether we cannot, as we should be doing here, work out comprehensive plans for the District of Columbia and for all our cities, involving all forms of transportation and other needs—housing, recreation, education, the preservation of monuments for their own sake, and for the value that they have in teaching our children the great things of our past.

All of those things are involved and must be involved. That is why we should look at what has come into existence almost by happenstance—the kind of juggernaut which is threatening the very grace and decency of our cities in the form of this interstate highway program.

What I have said is not said lightly. The words in the report were not written lightly, nor were they written with any bad will at all. I am not interested in the highway boys, the roadbuilders, and the people who want mass transit. I want the best of both worlds. I want it not for myself. I want it for the people of the United States and the people of the District of Columbia. It is our special responsibility to see that we get the best of both worlds and that we do not allow ourselves to be left in the position of helpless onlookers when this thing rolls over us. I appreciate the graciousness of my chairman for the opportunity to say what I have said today.

I shall be glad to answer any questions I can to explain further my viewpoint and to express myself further, formally or informally, to anyone. I think our responsibility as Senators of the United States to preserve the Capital of the United States can hardly be overstated.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from New Jersey for speaking with strong conviction on this subject. He has rendered a very fine service not only to the Committee on Appropriations but also to the citizens of the District of Columbia and the country as well. He has strong feelings on the subject. He has an honest and sincere viewpoint. He has expressed it well. I am glad that he has had the opportunity to do so.

Does the Senator from Maryland wish that I yield to him?

Mr. TYDINGS. Yes. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. TYDINGS. The distinguished Senator from New Jersey presented his position very eloquently and brilliantly in his remarks about the language which we are discussing, which is the portion of the report of the Subcommittee on Appropriations for the District of Columbia which appears on page 12 under "Highway Program."

When we took this matter up in the subcommittee, we determined that for a number of years the legislative committee of the District of Columbia had not been passing on any of the major highway projects for the District of Columbia. According to the history recited at that particular meeting, that procedure went back, I think, to 1956.

In that period the appropriation subcommittee had been acting both as a legislative committee, in effect approving projects, and at the same time an appropriations committee, allowing the expenditures for these projects.

We felt that the language which we put in this amendment which states—

> The committee directs that all future budget estimates—

All future budget estimates, Mr. President—

> for the District of Columbia highway program be presented on the basis only of prior authorization by the respective District legislative committees.

I think the language means exactly what it says. We are talking about future authorizations and we are talking about authorizations for the District of Columbia highway program.

I do not think that the language to which we are referring should be interpreted in any way as an attack on the District of Columbia highway program, the interstate highway program, or highway planners or builders. It should not be interpreted as any sort of conflict between those people who favor mass transportation of one type or another over highway transportation or anything of that sort, because members of the committee—I for one—feel that General Duke and the Highway Department of the District of Columbia have been doing an able job.

We did feel that, in as important a matter as the highway program in the Capital City of the United States, no administrative body should be permitted to operate in a vacuum.

As able as the Appropriations Subcommittee is, they neither have the time nor are they charged with responsibility of administering the District of Columbia highway program.

The responsibility laid on the Congress belongs to the legislative committees, and the legislative committees have the responsibility to determine what the legislative policy should be vis-a-vis the highway program for the District of Columbia.

I agree with my colleague from New Jersey that a mass transportation system alone is no answer to the need for a balanced transportation problem. We must have highways in the District of Columbia. But there should be a legislative committee determining whether or not these highways are being built properly, according to a rational transportation plan.

I spent some few hours a few weeks ago with a number of District of Columbia highway officials, going over the highway plans for the District of Columbia.

I am not concerned with the roads that are planned because I think basically the plans are good. But I am concerned with the manner in which the roads are to be constructed.

I am concerned—and I think every member of the legislative committee on the District of Columbia, if he could observe the plans for the program as I did, would be concerned—with whether or not we shall have a throughway running right through the center of the District of Columbia at street level.

We may need additional roadways, but the legislative committee should participate in the determination of how the roadways are to be built.

We have an interesting situation with respect to the proposed Three Sisters Bridge. The so-called present plan calls for one bridge over the Potomac, with three ramps, which would scar and disfigure the District of Columbia area and be an eyesore for everyone coming in the District of Columbia for the next century.

I think it is the responsibility of the legislative committee on the District of Columbia to see if at all possible, that the highway program of the District of Columbia adds to the beauty of the city and does not detract from it.

We must have a roads program for the District of Columbia. This proposition is not at issue. But in the District of Columbia the legislative committee for the U.S. Senate has the same responsibility as the city council of any major city.

The District Committee should determine whether and how the proposed new roads are going to be built, so as not to disfigure our Capital City.

Of course, we shall have highways. We shall have, hopefully, a well-planned network of roadways. Both a rapid transit system and a roadway system are necessary, to provide a choice of transportation methods for the residents of the National Capital region.

But the question is whether the District of Columbia legislative committee is going to assume the responsibility to determine whether or not those roads are properly built, whether or not they are scarring or disfiguring the city, and whether or not they are going to conform with the beauty of this city, which is the Capital of this great Nation and thus the capital of the free world.

Actually, this colloquy, this language, comes none too soon, because we are at present engaged in decisions as to how the proposed highways shall be built. This language does not in any way halt or stop, nor is it intended to halt or stop the highway program. What is intended is that the legislative committees on the District of Columbia have the responsibility to oversee the highway program, to make certain that that program is implemented so that it may be in the best interests of the District of Columbia from two standpoints: From the standpoint of constructing a balanced transportation system and from the standpoint of the overall good of our great city.

The language says what it means. It should not be interpreted by anyone, including the distinguished Senator from West Virginia, in any way as a criticism of the Highway Department. The language is intended to say that the legislative committees on the District of Columbia should be charged with the responsibility to oversee future planning and expenditures for the highway system of the District of Columbia. It is the responsibility of this body, which at present must act as a city council for the District of Columbia, to oversee and to authorize a well-planned city transportation program until such time as the District has the local self-government which it deserves.

Mr. McNAMARA. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. McNAMARA. There is some merit to the statement of the distinguished Senator from Maryland. But if we are to take over the highway program to the extent it is indicated that it might be taken over, action had better be taken before it is too late. This question would lead to nothing but further delay in solving the problems of the District.

There is no point in having the Committee on Public Works do much work on the highway program when someone behind us will have a veto power over it. I should think it would make sense to let the highway program for the District wait until the time is ripe for it and it is cleared; then we can begin the work on it. Why spend a large sum of money on something that someone else down the line might veto? If we are interested in the problems of the District, we had better consider this problem, too.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from Maryland.

Mr. TYDINGS. It is my understanding that Congress has enacted a nationwide program for the construction of highways and has provided for the appropriation of funds for that system. But I never thought that the Committee on Public Works would presume to tell any city, including the District of Columbia, or the city council of any city how it should spend these highway funds, other than as indicated by broad, general guidelines applicable to all municipalities. I thought that the relevent legislation provided that the funds be available, and that each city council or each State agency should use them as it felt best, within certain prescribed guidelines.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McNAMARA. The State makes its decision prior to having the Committee on Public Works pass on it. That is what will happen with respect to the District of Columbia, if it is proposed to move in that way. I see nothing wrong with that. That is what the rest of the country does. However, if it is intended to tie up the program, then it will be tied up in the Committee on Public Works.

Mr. BIBLE. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield.

Mr. BIBLE. I should like to ask a few questions of the distinguished chairman of the Subcommittee on the District of Columbia Appropriations with respect to this problem. As I said when we brought this subject to the Senate floor, my only purpose was to attempt to seek some clarification, so that those in charge of the highway program of the District of Columbia might have proper guidance.

My personal view coincides with that stated by the House conferees, previously referred to by the chairman of the subcommittee. Representative NATCHER said, at page 15504 of the RECORD of July 1:

> This statement is not to be construed to mean that the committee is opposed to proper authorization for the various projects, but we are of the opinion there is already sufficient general authority for the highway program and we feel that future budget estimates should be submitted in accordance with current procedures.

That is my understanding of existing law. That is what we have been operating under since 1956.

The program receives the approval not only of the National Capital Planning Commission but also of the District of Columbia Commissioners and, as I recall, of the Fine Arts Commission and in recent years the National Capital Transportation Agency. Clearance is received in that respect. The law requires the District Commissioners to hold public hearings on the various projects.

My desire today is, if I can do so, to clarify where we go from here. The language that was placed in the report of the Senate Committee on Appropriations leads, understandably, to some questions. I think the language should be clarified. So my first inquiry along that line is this: Is the District of Columbia Highway Department required to return to the legislative committees on the District of Columbia next year for an additional authorization to proceed with the construction of highway projects at present under construction? Let me cite an example. I said the other day that the total sum of $22,524,150 has been obligated by the District of Columbia government to construct the center leg of the inner loop. More appropriations will have to be sought in order to complete this particular project.

May I ask whether in the judgment of the chairman of the Subcommittee on District of Columbia Appropriations, as the result of the action of the conferees, would the District of Columbia Commissioners be well advised to proceed with a special budget estimate on this project next year and move toward the planned completion of the project without further congressional authorization from the legislative committees on the District of Columbia?

Mr. BYRD of West Virginia. I merely wish to cite again the language that appeared in the CONGRESSIONAL RECORD, language that the Senator from Nevada has just read, to the effect that the House conferees are of the opinion that there is already sufficient general authority for the highway program and that they believe that future budget estimates should be submitted in accordance with current procedures. That is the position I take. I do not believe that the Highway Department and the Commissioners would be required under existing Federal law to return to the legislative committees on the District of Columbia to get such additional authorization.

The position taken by the House conferees, to wit, that they are not in agreement with the language expressed in the Senate committee report, negates that Senate report language. The net result of that disagreement, in my judgment, is that the requirements that were proposed by the Senate Committee on Appropriations in its report are, in effect, nullified, since action by both Houses is necessary to impose the legislative mandate on the District.

If the House conferees had taken no position, it would seem to me that the language in the committee report, albeit ambiguous, as I think it is, would be quite compelling and persuasive on the Highway Department and the Commissioners. But in view of the fact that the conferees on the part of the House disagreed to it, that action completely nullifies, or at least counterbalances, the effect of the language in the Senate committee report. That is my judgment as to the impact of the House conferees' declaration.

Mr. BIBLE. I am inclined to concur in the opinion of the Senator. All I seek as a result of the colloquy—and I suppose or apprehend that there might be some difference of opinion among the Senate conferees on this point—is guidance, so that we can tell the Engineer Commissioner charged with this responsibility where he goes next as a result of this problem.

If the Senator from West Virginia would not object, I should like to yield to the Senator from New Jersey to respond to a question as to how he construes this particular section, so far as it deals with the inner loop of the center leg, on which some $22 million has been spent to date.

Is it his position that before any budget procedures are followed next year before the Committee on Appropriations, as has been done in the past, or before this Highway Department goes a step forward on the center leg, the Department must return to the legislative committees on the District of Columbia and receive authorization for the center leg of the inner loop, which is the example I have used?

Mr. CASE. Does the Senator mean the inner loop of the central system?

Mr. BIBLE. If I had a map here, I could indicate it on the map or draw it. It would be through the center of the District of Columbia.

Mr. CASE. There is a map contained in the transcript of the hearings. Perhaps the Senator's assistant could get the map out and indicate that part.

Mr. BIBLE. It might benefit us to look at the map. It would be the leg that would come through the Esso building at the foot of Capitol Hill.

Mr. CASE. That would be the one that would come under the Mall?

Mr. BIBLE. The Senator is correct.

Mr. CASE. In the first place, as the chairman of our subcommittee has stated, the House conferees repudiated the statement contained in the Senate report. I am not prepared at this time to accept the suggestion that that would render the Senate language completely without effect.

I believe that there would be some question as to whether the Committee on Appropriations, or the Senate as a whole, would accept that position. I myself do not accept it.

On the specific question that the Senator has raised, I believe that the Senator from Maryland has made it very clear as to what we think ought to be done here, and that is that the legislative committees of both the Senate and the House should keep a continuous surveillance and oversight of the building of roads in the District of Columbia as if they were, in effect, the governing body of any municipality, absent which action we have an absence of power and control in this situation which I believe is intolerable.

Who am I to say what the Senate should be doing, but the question is asked whether the Highway Department can go along without hindrance. The question is whether we should be getting down to work and deciding whether we want what is already started and which would continue automatically unless somebody were to stop it. It is claimed that it ought to be permitted to continue.

I feel very strongly that it should not be.

I would like to place a little illustration of my own in the Record. In this particular bill, a large amount of money is provided for the Three Sisters Bridge. They do not even know where the Three Sisters Bridge will be built. They say that the Congress or any of its committees has approved that project, and has appropriated the money by the use of three words—"Three Sisters Bridge." That is all. We know that it will cross the Potomac River somewhere.

I suggest that that kind of action is irresponsible and extreme.

Mr. BIBLE. I would suggest to my friend, the Senator from New Jersey, that up to date we have relied upon the Commissioners of the District of Columbia, as the governing body of the District of Columbia, to oversee this particular function concerning the location of the highways. They do this on each of the projects that are set forth on page 16 of the report of the Appropriations Committee. I take it, however, that the answer of the Senator from New Jersey to my specific question is that, as he views it, there should be some specific legislative authorization before the thing is done, not in the current fiscal year, but in the next fiscal year insofar as the center leg of the inner loop is concerned?

Mr. CASE. I will not be tied down to this as it concerns the whole thing. I wish to go through each one. Before the center leg is built, the committee ought to have a look at the project and approve the depth, the width, and the construction of it. It should be ascertained as to what it would do to the Mall in front of the Capitol, what it would do to the exits to the streets on each end of the tunnel that is proposed to be built. This is the committee responsibility or it is the responsibility of no one. That is what I mean.

We should go the full way. Beyond that, I mean that the whole impact of the interstate highway program on all our own cities, as so well described in the article of Von Eckardt, should be looked into by Congress.

It would be my hope that the Committee on Public Works would take this as a mandate pro bono publico.

Mr. BIBLE. Mr. President, it is obvious that the Senator from New Jersey does not agree that sufficient authority is contained in the Federal Aid Highway Act of 1956 at the present time to permit the building of the center leg.

Mr. CASE. The Senator is correct.

Mr. BIBLE. Mr. President, would that same position hold true as to the north leg of the inner loop? These are all listed in the report. It is the north leg, the west section of the inner loop. That is the leg shown on the map at this point.

Mr. President, I believe the leg to which I refer lies roughly in the area of the U.S. Soldiers' Home, the north leg.

Mr. CASE. It would run into the north end of the city.

Mr. BIBLE. The Senator is correct. Is it the position of the Senator that that question should come back before the legislative committee?

Mr. CASE. Mr. President, I should hope that we would think it desirable to look at this thing and at all other parts of the system not actually on the ground and in place.

Mr. BIBLE. Mr. President, does the Senator mean that legislation should be enacted?

Mr. CASE. I do. We should consider the desirability of what I think is the first danger, and that is the roadway to Potomac Park. We should consider how that should be built, how it should be constructed, and how it should be connected with the14th Street Bridge. We should consider the roadway in terms of what it would do to the existing parkway and in terms of what should be exacted from the highway system in recompense for the approximate 100 acres that would be taken.

As I understand it, they expect to take that 100 acres without giving any parkland back to the people of the District of Columbia or the people of the United States.

I believe that all of these matters should be reconsidered.

Mr. BIBLE. Mr. President, I understand the position of the Senator from New Jersey. What I am trying to do is to clarify the matter.

Mr. CASE. I believe that this can all be done and worked out in such a way as to meet the traffic needs of the District and the requirements of the interstate program.

I believe that probably the requirements should be changed and expanded with regard to its impact upon the cities of our country, so that it would not destroy, for example, the city of Washington, and so that it would be compatible with the transportation systems, including both highway and rapid transit.

Mr. BIBLE. Insofar as future budgeting is concerned, that would be for the fiscal year 1966. Is it the position of the Senator that the legislative committee should work in an overseeing capacity and take a look at all of the items in the Interstate System?

Mr. CASE. I appreciate so much the careful and conscientious way in which the Senator is endeavoring to get at this matter. I should say that, first of all, our language is prospective and concerns future applications to the Committee on Appropriations for funds.

I should say that since these appropriations are sought in segments, a piece here and a piece there, and since the road is constructed in segments, that when any construction is undertaken by the Highway Department—and this is the way that I would look at it if I were in that Department—that would require any future funding for other segments, without which the present construction is not of value and future construction would be required, then I believe that everything already appropriated for should be examined.

Mr. BIBLE. That would apply to the center leg as well?

Mr. CASE. Indeed, it would. By itself, the segment would mean nothing.

Mr. BIBLE. As it continues to be built, it is the position of the Senator that the legislative committee ought to look after the project in an overseeing or authorizing capacity?

Mr. CASE. In my judgment, it should act in both capacities. I may be unduly partial to our colleagues in thinking all authority should be left to them, but I do not want what I have said in any way to be construed as being opposed to the basic issue here involved, and that is that the District of Columbia should have home rule. When that happens, we would leave to the people of the District of Columbia the job of acting as State representatives with relation to the Highway Department. But until that happens, we should act on it.

Mr. BIBLE. I share the Senator's hope in that connection. I hope it will be done in the next session. If that were so, this colloquy would not be necessary, because such action would be up to the City Council of the City of Washington.

Mr. CASE. Come that blessed day—I suppose the Senator from West Virginia [Mr. BYRD] is applauding silently—the language in our report would apply to the Commissioners or to the governing body of the District of Columbia. But we cannot be relieved until that is done.

Mr. BIBLE. I take the position that I am relieved because of the same principle stated by the House of Representatives, and this comes through the Commissioners. I further believe unequivocally that the Federal Aid Highway Act of 1956 provides ample legislative authority for the District government to construct its interstate highway system, as it has been doing since 1956, without additional or specific project legislative authority from the District legislative committees. But I realize that on that point there is an honest difference of opinion.

Mr. CASE. There is an honest difference of opinion. I would like to rivet it. The best proof that the Senator, perhaps for the first time, is mistaken——

Mr. BIBLE. If it is the first time, I would be much surprised.

Mr. CASE. I mean this in all charity, but in this case it is true. The best proof of that is what is going to happen to the District of Columbia, to Potomac Park, 100 acres of which will be wiped away and put under concrete, unless action of this sort is taken.

Mr. BIBLE. I have nothing further to ask at this time. On second thought, perhaps I have.

Do the Senator's objections go as well to the electrical improvements listed on page 16? I assume they do not.

Mr. CASE. We are reasonable men. We have positions of responsibility. We are not stupid. We are not talking about potholes or ordinary streets in the District of Columbia. We are talking about the Interstate Highway System. I would say the same if A-B-C roads were involved. When I look at E Street and its approaches and its ramps and the roads connecting it with the rest of the system, and see what it has done to the District of Columbia, it is not only the 90-10 roads, but the 50-50 roads I am talking about. I am talking about the Interstate System.

Mr. BIBLE. I wonder if it would not be helpful to secure a legal opinion from the highest legal officer in the United States; namely, the Attorney General of the United States, as to whether the District government, in pursuing its highway program under the Federal-Aid Highway Act of 1956, has complied with the law; that is, whether the program has been legally authorized by the Congress or whether additional legislative authority is required. After all, there is an honest difference of opinion on this question.

Mr. CASE. I think it would be very desirable to have a legal opinion. It should be a complete one. There is a difference of opinion. The officials in the Highway Department take the position that they have complete authority to take any Federal land they desire to take, without any appeal to anybody. That is their position. I recall the statute as requiring that Federal land can be withheld by the department in whose jurisdiction that land falls. But we should have an opinion. I believe, therefore, that the parks, which are under the control of the National Park System, are under the jurisdiction of the Department of the Interior and are under the control of the Secretary of the Interior and that Secretary Udall has the right to say, "No roads at all," or say, "There may be roads upon this condition or that condition," and that he does not have to say, "Please." Being a gentleman, he does say, "Please". Control over the parks is his responsibility and his power, and he can say that there will be no destruction of the parks if it is his wish that that be so.

I think it would be helpful to have an opinion from the Attorney General on this question.

Mr. BIBLE. This is an area in which there is an honest difference of opinion. Perhaps if we could have an opinion from the highest legal officer of the United States as to whether the District highway program has been authorized by the Congress, whether the statement as contained in the House conference report is correct or whether the position taken by the Senators from Maryland and New Jersey is correct, we would get legal guidance in this matter.

Mr. CASE. If the Attorney General tells us the law as it now stands provides that the Secretary of Commerce—and that means the Public Roads Department in this instance—has a right to take any Federal lands he desires for the Interstate System, then I think, quite clearly, the law ought to be changed.

Mr. BIBLE. I think I understand the viewpoint of the Senator. I do not know what we have contributed, particularly, as to guidance for the future except to indicate that there are some honest differences of opinion among those of us who are present on the floor at this time.

Mr. CASE. In the words of the man who usually occupies the chair of the minority leader, which I now occupy—and I know how inadequate my words are—we have ventilated the matter to a degree.

Mr. RANDOLPH. Mr. President, will my able colleague from West Virginia yield?

Mr. BYRD of West Virginia. I yield to my affable colleague such time as he may require.

Mr. RANDOLPH. Mr. President, I especially wish the Senator from New Jersey [Mr. CASE] to understand that I share with him his concern for the continuing—yea, the greater—beauty of the District of Columbia. I covet with him the hope that we may preserve within the District those historic shrines and park areas which have given us such a rich and rewarding heritage and opportunities for vistas of beauty and recreational use. But we must also be realistic as we proceed with the construction of our highway programs, including the Interstate System. I emphasize that we must be very careful not to retard the orderly building of roads in the National Capital City and its environs for we must build these roads to accommodate the increased movement of traffic, both people and products and for better safety standards as well. This applies with equal validity to the District of Columbia, the Capital City of our Nation, as it does to the other cities and States of the Republic.

It is my belief that the discussion this afternoon has been wholesome. I believe that there is a basic realization and a very genuine concern among Senators as to responsibility in areas of jurisdiction in road construction. I regret that the Senator from New Jersey [Mr. CASE] does not agree, at least in part, with those of us who believe the Senate report language to be too restrictive.

I wish to restate, as I have said on prior occasions, that I am convinced the Engineer Commissioner of the District of Columbia, General Duke, is a cooperative and capable officer of the District. He is attempting to exercise his responsibility and also to seek and evaluate adequate counsel and recommendation from the other agencies involved in advisory planning for the District highway system.

Mr. BYRD of West Virginia. I thank my colleague.

Mr. President, I read the following extract from a letter written to me under date of June 15, 1965, from Gen. C. M. Duke, U.S. Army Engineer Commissioner:

> Last year, Hon. JOHN L. MCMILLAN, chairman of the Committee on the District of Columbia for the House of Representatives, suggested the advisibility of submitting individual bills and separate recommendations justifying items covering activities in the District government which, at present, are authorized only by appropriation acts. Accordingly, the District Corporation Counsel staff reviewed current legislative authority pertaining to District programs and the results of their findings are incorporated in a letter dated January 8, 1965, to Mr. MCMILLAN from Mr. Walter N. Tobriner, President, Board of Commissioners. This letter summarizes the legislative process that is now being followed in obtaining budget authorization. I am enclosing a copy as background information.
>
> There is no question but that the highway program of the District of Columbia is fully authorized by existing law. This is in contrast with other programs of the District for which authorizing legislation has only recently been drafted and submitted to the Congress. Among these items involved in recent legislative proposals are programs such as the Human Relations Council and the Commissioners Youth Council.
>
> As additional background information on the general question of legislative authority, attention is invited to a recent letter from the Comptroller General, a copy of which is enclosed. The Comptroller General said, "We agree with the Commissioners that inclusion of the District of Columbia within the term 'State,' as used in Federal-aid highway legislation imports a clear congressional intention to authorize District participation in the program" and "if moneys are appropriated for the District share of a Federal-aid highway project, there would not be any

question as to the authority for executing the project."

Mr. President, I ask unanimous consent to have this letter printed in the RECORD in its entirety, together with the memorandum from the Comptroller General to which General Duke has alluded.

Mr. CASE. Mr. President, reserving the right to object—and, of course, I shall not object—there is a paragraph or a sentence or two toward the end of the Comptroller General's memorandum which is of some interest and I believe it might be pointed out. Of course, the Senator intends to put the whole memorandum in, not just the excerpts, I take it. Let me point out, for the benefit of those who may read more leisurely, that the whole of the memorandum of the Comptroller General is, I believe, not quite so full authority for the conclusion of the Engineer Commissioner as he feels that it is.

Mr. President, I withdraw the reservation.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

JUNE 15, 1965.

Hon. ROBERT C. BYRD,
Chairman, Senate Subcommittee on District of Columbia Appropriations, U.S. Senate, Washington, D.C.

DEAR SENATOR BYRD: Based on information contained in a newspaper article today, it appears that the Senate District Appropriations Subcommittee is recommending that all future budget estimates for the District of Columbia highways program be presented only on the basis of prior authorization by the respective District legislative committee.

Since this recommendation relates to similar questions raised concerning various items in the District's annual budget submissions several times during past years, I would like to comment briefly on some of the complexities that are involved.

Last year, Hon. JOHN L. MCMILLAN, chairman of the Committee on the District of Columbia for the House of Representatives, suggested the advisability of submitting individual bills and separate recommendations justifying items covering activities in the District government, which at present are authorized only by appropriation acts. Accordingly, the District Corporation Counsel staff reviewed current legislative authority pertaining to District programs and the result of their findings are incorporated in a letter dated January 5, 1965, to Mr. MCMILLAN from Mr. Walter N. Tobriner, President, Board of Commissioners. This letter summarizes the legislative process that is now being followed in obtaining budget authorization. I am enclosing a copy as background information.

There is no question but that the highway program of the District of Columbia is fully authorized by existing law. This is in contrast with other programs of the District for which authorizing legislation has only recently been drafted and submitted to the Congress. Among these items involved in recent legislative proposals are programs such as the Human Relations Council and the Commissioners Youth Council.

However, if Congress desires initial consideration of highway projects by the respective legislative committees prior to submission of future budget estimates, the District Commissioners will, of course, extend their fullest cooperation. If Congress so desires, then a determination must be made whether the policy is to apply to the entire highway budget, which in addition to the freeway items also includes a large variety of operating budget items as well as capital outlay projects, such as: minor widening, paving and repavement, curb and gutter, cover, heater, sidewalk, and alleys, grading and improving of unpaved streets, traffic control facilities, drainage, and minor structures, electrical improvements, highway planning, and research, landscaping and a variety of activities that are of the housekeeping nature essential to the operation of all large cities.

The basic problem in connection with budgeting for many of the "housekeeping" activities described above is that it is virtually impossible to obtain more than a year's lead time that will be necessary to obtain the desired prior consideration by the respective committees. For instance, it recently became necessary, as a result of severe winter damage to street pavements, to revise the highway program to the extent of $1,100,000 to provide funds for emergency repairs.

As additional background information on the general question of legislative authority, attention is invited to a recent letter from the Comptroller General, a copy of which is enclosed. The Comptroller General said, "We agree with the Commissioners that inclusion of the District of Columbia within the term 'State' as used in Federal-aid highway legislation imports a clear congressional intention to authorize District participation in the program" and "if monies are appropriated for the District share of a Federal-aid highway project, there would not be any question as to the authority for executing the project."

In this connection, I would like to note that because of the District's obligation to complete the Interstate System by the October 1, 1972 deadline, established by the Congress, all of the elements of the Interstate System for the District of Columbia have been approved by the Congress and at least partially funded by appropriations through fiscal year 1965.

In conclusion, although we are of the opinion that current procedures are appropriate, we wish to reemphasize that the District Commissioners are not averse to a change in procedure that is in the public interest, but because of the complex and far-reaching implications of changes in the budgetary process, we respectfully urge that no change in procedures be effected.

With best personnel regards.

Sincerely,

C. M. DUKE,
Brigadier General, U.S. Army,
Engineer Commissioner.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., April 26, 1965.

B–156541.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of of Columbia, House of Representatives.

DEAR MR. CHAIRMAN: By letter of April 13, 1965, you requested our opinion as to the correctness of certain conclusions reached by the Board of Commissioners of the District of Columbia concerning the District's authority to participate in the Federal-aid highway program.

The Commissioners' opinion, as set forth in the Board President's letter of January 5, 1965, copies of which you enclosed with your letter, is that by virtue of the provisions of 23 U.S.C. 101 defining the District of Columbia as a "State" within the compass of the Federal-aid highway laws, authority exists for the District to enter into agreements with the Bureau of Public Roads and to undertake the construction of Federal-aid highway projects to be paid for partly from District appropriated funds and partly from funds apportioned to the District under the Federal-aid highway laws. And as further support for its position, the Commissioners point out that in section 105 of title 23, United States Code, Congress has delegated to the Secretary of Commerce the function of approving State programs—including those of the District for proposed projects on Federal-aid highway systems. Approval by the Secretary of the District's program for projects on the Federal-aid systems is therefore suggested as being tantamount to approval by the Congress of the District's program thereby constituting authority for the appropriation of funds to defray the District's share of the costs involved.

We agree with the Commissioners that inclusion of the District of Columbia within the term "State" as used in Federal-aid highway legislation imparts a clear congressional intention to authorize District participation in the program. However, we do not agree that such manifestation of general intent is necessarily sufficient in a technical sense to support appropriations for the District's share of the expenses involved in its participation. Nor do we believe that approval of a District highway plan by the Secretary of Commerce can properly be construed as an approval on behalf of the Congress for District highway purposes.

The District of Columbia is a municipal corporation whose authorities derive from the Congress of the United States. In acting in District matters, the Congress does not necessarily act in a Federal capacity. It is not anomalous to require specific authority on the one hand for an agency of the Federal Government to engage in program activities with the District and on the other hand to require equally specific authority for the District government to enter into its half of the program activities. The authority granted to the Secretary of Commerce merely constitutes authority for him to include the District in the overall scheme of the Federal-aid highway legislation. The Secretary's role is completely detached from the authorities of the District in submitting highway plans for the Secretary's approval. The special needs of the District are not within the purview of the Secretary's authority, and his approval of a District highway plan serves only to establish that it meets the requirements of the legislation under which such approval is given. The Congress, by including the District within the framework of the Federal-aid highway laws, may not be said to have abdicated its role in the conduct of the local aspects of the District's highway problems.

Authority of the Commissioners of the District of Columbia concerning highways, streets, and bridges is contained in title 7 of the District of Columbia Code. A perusal of title 7 shows that the Congress exercises relatively strict control over the authorizing of highway construction activities in the District. See for example 7–133, 134. It does not seem reasonable to construe the authority granted to the Secretary of Commerce to participate with the District as an abandonment to the Secretary and the Commissioners by the Congress of its control and concern over District highway matters.

Of course, as a practical matter, the Congress retains its control over the District's highway program through the appropriation process. And if moneys are appropriated for the District's share of a Federal-aid highway project there would not be any question as to the authority for executing the project. But as we understand your inquiry, it is directed toward the rather technical question of whether sufficient authority exists to support an appropriation request in the first instance. While for the reasons stated above, we believe it would be more appropriate for the Congress to enact legislation specifically authorizing appropriations to the District for such purpose we express no opinion as to whether a proposed appropriation therefor in the absence of specific authorizing legislation would be proper under the rules of the House of Representatives which is a matter not within our jurisdiction.

Sincerely yours,

JOSEPH CAMPBELL.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD the letter written to the Honorable JOHN L. MCMILLAN by Mr. Tobriner, President of the Board of Commissioners, to which General Duke alluded in his correspondence.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 5, 1965.

Hon. JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

MY DEAR MR. MCMILLAN: You asked the Commissioners to submit individual bills and separate recommendations justifying items covering activities in the District government which at present are authorized only by appropriation acts. Subsequently, members of the staff of the committee and representatives of the Commissioners agreed that when the Commissioners determine that an item can be eliminated, a letter will be sent to the committee stating that separate authorizing legislation is not needed with respect to such item. This letter, relating to two items, is submitted in accordance with the agreement.

These two items are those which authorize the Commissioners to enter into contracts for Federal-aid projects, and to construct various kinds of highway projects. In draft legislation submitted to the 87th and 88th Congresses by the Commissioners, and introduced as S. 3638 and S. 1002, respectively, these items appeared in both bills as follows:

"SEC. 26. In connection with projects to be undertaken as Federal-aid projects under the provisions of the Federal Aid Highway Act of December 20, 1944, as amended, the Commissioners are authorized to enter into contract or contracts for those projects in such amounts as shall be approved by the Bureau of Public Roads, Department of Commerce.

"SEC. 27. The Commissioners are hereby authorized to construct grade-crossing elimination and other wholly District construction projects or those authorized under section 8 of the Act of June 16, 1936 (49 Stat. 1521), and section 1(b) of the Federal Aid Highway Act of 1938, as amended, in accordance with the provisions of said Acts, and capital outlay appropriations of the District may be used for payment to contractors and other expenses in connection with the expenses of surveys, design, construction, and inspection pending reimbursement to the District by the Bureau of Public Roads, Department of Commerce, or other parties participating in such projects, reimbursement to be credited to the appropriation from which payment was made."

The history of the first of the foregoing provisions (sec. 26) indicates that it was inserted in the 1947 Appropriation Act and subsequent appropriation acts to eliminate any doubt as to whether the District of Columbia was authorized to enter into contracts for the construction of Federal-aid highway projects until after appropriations for such purpose had become available to the District. It appears that at the time the item was first inserted in an appropriation act, there was some belief that unless the District possessed authority to enter into contracts for the construction of highway projects, and to construct highway projects requiring the expenditure of funds in excess of the appropriated funds available to the District at the time such construction was undertaken, the District would be unable to utilize for highway construction the Federal-aid funds available to it. It further appears, however, that the insertion of this item was intended as a precaution to overcome possible doubt concerning the authority of the District of Columbia to enter into such contracts and engage in such construction, instead of being designed to overcome the effect of a statutory provision limiting the authority of the District in this respect.

The second of the above items (sec. 27) seems, according to its history, to have been inserted in the 1951 and subsequent appropriation acts for the purpose of supplementing section 26, and perhaps clarifying it. In explanation of the item, a representative of the District of Columbia made the following statement (appearing on p. 480 of the 1951 District of Columbia appropriation hearings, Senate):

"When [the District of Columbia] became eligible for Federal aid, which I think was in the appropriation of 1940, it became necessary to insert in our appropriation acts each year authority to undertake such work in connection with grade crossings and their elimination at railroads. The intent of that authority as written at that time was to permit the District of Columbia, when the Commissioners deemed it advisable, to accept grants from the Federal Government under Federal aid statute, for grade crossing elimination, to construct a project, and to make payments to contractors pending reimbursement by the Bureau of Public Roads.

"I say that the language used at that time was intended to accomplish that purpose. It apparently was not altogether clear because during the past year there has been some doubt thrown upon it. This new language (sec. 27) which was developed in consultation with our budget office is intended to make the original purpose clear."

Accordingly, both section 26 and section 27 appear to have been inserted primarily as a precaution to insure that the District of Columbia possessed authority to enter into agreements with the Bureau of Public Roads, and to enter into contracts for the construction of Federal-aid highway projects. The Commissioners, however, question that there was ever any real need for these items of precautionary legislation, in view of the fact that at the time each was first inserted in the appropriation acts, section 1(b) of the Federal Aid Highway Act of 1938 (Public No. 584, 75th Cong.) provided that—

"Beginning with the fiscal year ending June 30, 1940, the District of Columbia shall be entitled to share in all sums herein or hereafter authorized and apportioned to the States, upon the same terms and conditions as any of the several States, and the District of Columbia shall be included in the calculations to determine the basis of apportionment of such funds."

The foregoing language of the 1938 Federal Aid Highway Act appears to authorize the District of Columbia to do all things necessary for it to participate in the Federal aid highway program.

Further, while the 1938 Federal Aid Highway Act was (except for sec. 4) superseded by the enactment into positive law of title 23 of the United States Code, "Highways," codifying the laws relating to highways, the Commissioners believe it of interest to note that in such codification the Congress restated the principle first expressed by it in the 1938 act; i.e., that the District of Columbia was to have authority to participate in the Federal Aid Highway programs in like manner as the States. Senate Report No. 1928, accompanying S. 3953 of the 85th Congress (the language of which was substituted for that of H.R. 12776, enacted as title 23) states—

"The purpose of this bill is to revise, modify, clarify, and enact into law title 23 of the United States Code.

"Revision, as distinguished from codification, means the substitution of plain language for awkward terms, reconciliation of conflicting laws, omission of superseded sections, and consolidation of similar provisions. The purpose of this revision is not to change substantive law, but to put that law in a form which will be more useful and understandable."

According to the table showing distribution and placement in title 23 of sections of prior law, section 1(b) of the 1938 Federal Aid Highway Act was carried over into such title, partly in section 101(a) and partly in section 101(b).

Subsection (a) of section 101 of title 23, as amended, defines the term "State" as meaning "the fifty States, the District of Columbia, or Puerto Rico." Subsection (b) of such section in part provides that—

"It is hereby declared to be in the national interest to accelerate the construction of the Federal-aid highway systems, including the National System of Interstate and Defense Highways.

"It is hereby declared that the prompt and early completion of the National System of Interstate and Defense Highways * * * is essential to the national interest and is one of the most important objectives of this Act. It is the intent of Congress that the Interstate System be completed as nearly as practicable over the period of availability of the thirteen years' appropriations authorized for the purpose of expediting its construction, reconstruction or improvement * * * and that the entire System in all States be brought to simultaneous completion."

Other sections of title 23 provide for the apportionment to the States (within which term the District of Columbia is included) of sums authorized to be appropriated for expenditure upon the Federal-aid systems; the approval of State programs of proposed projects for the utilization of the funds apportioned to such States; the submission of State surveys, plans, specifications, and estimates for each proposed project included in an approved program; and other provisions designed to carry forward the overall program established by the Congress.

Further, the Commissioners note that in section 105 of title 23, Congress has delegated to the Secretary of Commerce the function of approving State programs for proposed projects on the Federal-aid highway systems. This, accordingly, means that the approval by the Secretary of Commerce of the District's program for projects on the Federal-aid systems is tantamount to the approval by the Congress of the District's program, and, in the view of the Commissioners, constitutes authority for the appropriation of funds to defray the District's share of the cost of Federal-aid system projects.

The Commissioners are of the view that by defining the term "State" in title 23 of the United States Code to include the District of Columbia, Congress intended to authorize the Commissioners to continue to do all things necessary to carry forward the construction of so much of the Federal-aid highway systems as are within the boundaries of the District. This authority, in the view of the Commissioners, embraces all actions authorized by or under the authority of title 23, including, without limitation, entering into agreements with the Bureau of Public Roads, Department of Commerce, and entering into contracts for the construction of Federal-aid highway projects the cost of which is to be paid in part from funds appropriated for the District of Columbia and in part from funds appropriated for the Bureau of Public Roads and apportioned to the District of Columbia in accordance with an agreement entered into between representatives of the Bureau of Public Roads and the District.

In the light of the foregoing, the Commissioners have concluded that the present statutory language, as contained in title 23 of the United States Code, provides adequate authority for the District to enter into agreements with the Bureau of Public Roads, Department of Commerce, and to undertake the construction of Federal-aid highway projects to be paid for partly from funds appropriated for the District of Columbia and partly from funds apportioned to the District of Columbia under the authority of such title. Accordingly, the Commissioners believe it is not necessary to enact into permanent law any additional provision authorizing the District of Columbia to enter into such agreements or to undertake such construction.

Sincerely yours,

WALTER N. TOBRINER,
President, Board of Commissioners.

Mr. BYRD of West Virginia. Mr. President, I now read excerpts from a letter addressed to me by General Duke on June 28, 1965:

> After reading about the debate on the floor of the Senate and having time to reflect further on the problem that is created by the paragraph on the highway program, as contained on page 12 of the Senate committee's report, I would like to give you a more complete statement of the implications involved therein.
>
> At the outset, the meaning of the words "highway program" is not clear to us, because if the requirement to secure legislative authorization applies to all elements of the highway program, including the street lighting program, numerous highway improvements and extensions, all of the primary and secondary systems, etc., I can only anticipate that the administrative difficulties surrounding such comprehensive authorization would be tremendous.

The Senator from New Jersey has already indicated that in his judgment the language did not include street lighting programs, and so forth, but he did indicate that, in his judgment, it should include primary and secondary systems.

Mr. CASE. If I might make the situation clear, we do not wish to be unreasonable, we do not wish to prevent anyone from filling up a pothole, or from repairing roads which threaten danger to life and limb, or from repairing roads which make it inconvenient to drive on. I am talking about the great program, parts of the Interstate System and parts of the ABC system, such as roads that run in from the peripheral system. We all know what we are talking about, and so does the Engineer Commissioner.

Mr. BYRD of West Virginia. The Engineer Commissioner continues as follows:

> I would, therefore, construe that the committee obviously did not intend such a broad interpretation of the term. and that it was the freeway program of the District to which the committee was directing attention.
>
> The general matter of items that appear in the budget without proper authorization has been discussed at great length with the chairman of the House District Committee.

Mr. President, General Duke again refers to the letter from Commissioner Tobriner to Representative MCMILLAN, and to an opinion by the Corporation Counsel. I shall not read that paragraph.

Then General Duke proceeded to say:

> Therefore, without attempting to detail the legal derivations of this conclusion by our Corporation Counsel, I think it would be helpful for you to know that after extensive review, we are definitely of the opinion that ample authority does, in fact, now exist and that the committee's concern with respect to this element is groundless.
>
> Regardless of the preceding conclusion which you need not reach at this moment, Mr. Chairman, I think you should know that the freeway program in the District has received annual appropriations each year since 1956 under the assumption that adequate congressional authority does exist and without challenge by the legislative committees during this period. We are ignorant of any specific change in the legislative environment that has arisen recently to modify the existing procedure, and, therefore, suggest that a modification of the procedure at this time could only have an extremely deleterious effect upon the progress of the interstate program in the District which is already seriously lagging. In this regard, the committee might be interested to know that we have frequently been called to task by the Federal Highway Administrator for being No. 48 out of the 50 participating jurisdictions in the rate of prosecution of this program.
>
> The District Commissioners' policy of advocating a "balanced transportation system" for the District is well known. Such a system provides for all forms of transportation, buses, expressways, autos, rapid transit, and parking facilities, with each so designed and built that it is applied to its best economic advantage and in a manner to enhance the value of the other complementing facilities. Timely completion of the interstate program as now scheduled offers the greatest immediate promise to the solution of the District's current unsatisfactory transportation situation, and I strongly recommended that no further restrictions be placed on our ability to complete the Interstate System by the October 1, 1972, date which has been prescribed by the Congress.

Mr. President, I ask unanimous consent that General Duke's letter of June 28 be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., June 28, 1965.

Hon. ROBERT C. BYRD,
Chairman, Subcommittee on Appropriations for the District of Columbia, Room 342, Old Senate Office Building, Washington, D.C.

DEAR SENATOR BYRD: After reading about the debate on the floor of the Senate and having time to reflect further on the problem that is created by the paragraph on the highway program, as contained on page 12 of the Senate committee's report, I would like to give you a more complete statement of the implications involved therein.

At the outset, the meaning of the words "highway program" is not clear to us, because if the requirement to secure legislative authorization applies to all elements of the highway program, including the street lighting program, numerous highway improvements and extensions, all of the primary and secondary systems, etc.. I can only anticipate that the administrative difficulties surrounding such comprehensive authorization would be tremendous. If all of the items are included, the time needed to obtain the desired prior authorizations will be excessive and the difficulty in getting a consensus on the total budget request from the four committees involved will be almost insurmountable. I would therefore, construe that the committee obviously did not intend such a broad interpretation of the term, and that it was the freeway program of the District to which the committee was directing attention.

The general matter of items that appear in the budget without proper authorization has been discussed at great length with the chairman of the House District Committee. A copy of a letter to Congressman MCMILLAN, from the President, Board of Commissioners, dated January 5, 1965, is attached hereto for your ready reference. At the time, it was considered that 120 budget items might need additional legislative authority. Based on subsequent examination, however, it appeared that roughly only 40 items of this list needed additional legislation and the remaining 80 items were found by our budget experts and by our Corporation Counsel, District of Columbia, to bear proper authorization already, and, therefore, no supplemental legislation was thought to be necessary for these items. Included in this latter category was the freeway program.

Therefore, without attempting to detail the legal derivations of this conclusion by our Corporation Counsel, I think it would be helpful for you to know that after extensive review, we are definitely of the opinion that ample authority does, in fact, now exist and that the committee's concern with respect to this element is groundless.

Regardless of the preceding conclusion, which you need not reach at this moment, Mr. Chairman, I think you should know that the freeway program in the District has received annual appropriations each year since 1956 under the assumption that adequate congressional authority does exist and without challenge by the legislative committees during this period. We are ignorant of any specific change in the legislative environment that has arisen recently to modify the existing procedure, and, therefore, suggest that a modification of the procedure at this time could only have an extremely deleterious effect upon the process of the interstate program in the District, which is already seriously lagging. In this regard, the committee might be interested to know that we have frequently been called to task by the Federal Highway Administrator for being No. 48 out of the 50 participating jurisdictions in the rate of prosecution of this program.

The District Commissioners' policy of advocating a "balanced transportation system" for the District is well known. Such a system provides for all forms of transportation, buses, expressways, autos, rapid transit, and parking facilities, with each so designed and built that it is applied to its best economic advantage and in a manner to enhance the value of the other complementing facilities. Timely completion of the interstate program as now scheduled offers the greatest immediate promise to the solution of the District's current unsatisfactory transportation situation, and I strongly recommend that no further restrictions be placed on our ability to complete the Interstate System by the October 1, 1972, date which has been prescribed by the Congress.

In conclusion, Mr. Chairman, it might be that a discussion with Senator TYDINGS with reference to the intent of the paragraph in question might be fruitful. After my meeting with Senator TYDINGS Friday afternoon, in the process of briefing the press and in reply to a query regarding the restrictive language of the hearing report, he indicated that the paragraph in question did not apply to the elements of the freeway system that have already been planned and for which appropriations have been received, but that he viewed the restriction as applicable to future planned projects. Since we had discussed with him all elements of the freeway system, as it is now known, his interpretation of the paragraph's applicability was quite encouraging to us. It could well be that I misinterpreted the meaning of his answer Friday afternoon, but I definitely understood him to feel that the currently planned freeway system should not be delayed or subjected to the special requirements of the controversial paragraph.

With kindest personal regards.

Sincerely yours,

C. M. DUKE,
Brigadier General, U.S. Army,
Engineer Commissioner.

Mr. BYRD of West Virginia. Mr. President, I asked Mr. Rex Whitton, Federal Highway Administrator, when he was before the Appropriations Subcommittee on the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies, to comment on the language which had been included in the committee report by the District of Columbia Appropriations Subcommittee. I read that language to Mr. Whitton at the time.

I said to him:

I would like to show this to you, and I read this for the purpose of eliciting from you your reaction as to whether this might possibly stall and delay the further development of the Federal highway program in the District of Columbia?

Mr. WHITTON. Yes, sir; I think it would.

Now, I assume that this means——

Senator BYRD. Senator CASE, this is about a matter you raised in the subcommittee.

Senator CASE. Yes; I want to hear what you have to say.

Senator BYRD. I have just read to the administrator the language that was put in by the Appropriations Subcommittee on the District of Columbia.

Senator CASE. I am very interested.

Senator BYRD. In connection with the highway program. I am asking him for his reaction.

Mr. WHITTON. Senator, may I study that for a time and present something for the record?

Senator BYRD. Yes; if you prefer. You were about to react and I wanted Senator CASE to hear this, because he was very interested in this.

Mr. WHITTON. My immediate reaction might not be good. I have to refer back to my own experience in the State Highway Department of Missouri and if I understand this, and I may not, then to get a legislative appropriation in a State I would have had to go to the legislature and say, "Now, I am going to build this number of jobs this year." Then something might have happened to one of those jobs, I could not get the right-of-way or something, and I wanted to substitute another job. I would not have been able to do it.

So I would not have liked that kind of restriction. We were able, in Missouri, to get appropriations for so much money, $125 million for the construction and maintenance program each year, and we were able to develop our program on the basis of scientific information that we were able to satisfy our people reasonably well.

Senator BYRD. In your response would you indicate what this possibly could do to your 1972 target date, I believe, which is your completion date and also indicate whether or not there is a possibility that Federal funds might be withdrawn from the District program in the light of this language?

Mr. Whitton answered the question by asking a question:

By respective District committees, that means the Public Works Committee?

Senator CASE. No; the legislative committee for the District of Columbia.

The Senator from New Jersey went on to say:

May I say, since you have called it to my attention, Senator BYRD, that I think it is clear from the language here, it was intended to be, a number of us, not, I guess, the chairman of our subcommittee, but perhaps the majority of the subcommittee, is concerned that there is not adequate supervision by any elected officer of the operations of the Highway Department in the District of Columbia. It is our effort not to build up the Appropriations Committee at this point, but to give the responsibility to the District Legislative Committee so that there should be some representative of all the people, elected by the people, to pass on all of this.

Not the peanut of moving from one side of the street to the other, please do not play this small; this is a very big question.

Now, on the question of whether or not delays would be caused by this or any similar action in the need to get political control restored to the elective representative of the people over the option of the Highway Department of the District of Columbia, have in mind also when you make a comment that this may or may not cause you to be in danger of losing Federal funds for any of the programs, whether interstate or matching funds, that Congress is the body that can correct both this matter, the supervision, and also the allocation of funds.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. CASE. It was very generous of my chairman to read the latter part of the statement, because to my mind it is most appropriate on the question of delay. First of all, delay up to this point has been one of the greatest blessings that has ever happened to the District of Columbia and to the people interested in the Capital of the United States. It has prevented the destruction of at least 100 acres of parkland up to now. It is wonderful. It is great. It is good.

As I pointed out in my colloquy with Mr. Whitton, this is entirely in the hands of Congress. I cannot imagine when we have had such an opportunity to improve the system under which we are operating, particularly as concerns the Interstate Highway System, as it is incorporated within the cities of this country. We have the opportunity to state that Congress does not look with favor upon the brief time taken for an inadequate study in an attempt to arrive at a solution, and that it would be happy to allow a good deal more time than has already been allowed under the present formula for a solution which would make such improvement possible.

It is entirely within the control of Congress, and it is not for an administrator, a bureaucrat, to tell us to get along with it—otherwise the money will be shut off. The answer is that we will answer the question as to whether the money will be shut off

Mr. BYRD of West Virginia. I thank my colleague on the subcommittee for his statement.

Mr. Whitton asked for time so that he might present for the record a considered statement in answer to my question. I shall read his statement in its entirety. It is brief. I believe it is important that it be considered at this moment.

Mr. Whitton said:

HIGHWAY PLANNING

It is my opinion that the language included in the report on the District of Columbia appropriation bill for fiscal year 1966 would delay the Federal-aid highway program in the District of Columbia.

The Public Works Committees and the Congress have seen fit to provide authorizations through 1971 for completion of the Interstate System. Further, they provide biennial authorizations, in advance, for construction of the primary, secondary, and urban program.

In addition, these committees and the Congress have authorized the Secretary of Commerce to apportion Federal aid funds among the States 1 year in advance of the year for which authorized. The purpose of this is to enable the States and the District of Columbia to develop their highway program plans far in advance of construction.

The Congress in the Highway Act of 1962 provided that no Federal-aid project in cities with a population of 50,000 or more may be authorized after July 1, 1965, unless such project is based on a continuing comprehensive transportation planning process carried on cooperatively by the States and local communities. The District of Columbia has essentially complied with this requirement.

Highway planning in the Washington metropolitan area is extremely complex and must commence 5 to 10 years in advance of construction. The highway plan by law must be coordinated with other planning. Individual projects must be coordinated within the total highway program and with other programs such as urban renewal. Public hearings by law must be held for the purpose of enabling the persons whose property the highway will affect to express any objection to the proposed location of the highway. Also acquisition of right-of-way must precede construction and arrangements must be made to minimize dislocation effects, accompanied by relocation payments.

In my opinion the additional review and approval by the District legislative committees could seriously disrupt and delay not only highway planning but the total overall planning for the area.

It is my opinion that the long-established statutory partnership between the States and the Bureau of Public Roads in executing the Federal aid highway program, which leaves to the States the responsibility for initiating project actions, but with review and approval by the Bureau of Public Roads, is sufficient to effectively control the highway program in the District of Columbia, as it is effectively done everywhere else.

The District of Columbia is already far behind the other States in the use of available interstate funds. In total for the country as a whole, 41 percent of the interstate funds authorized for fiscal year 1966 together with all prior year funds had been obligated as of May 31, 1965. The District of Columbia has used only 1 percent of the interstate funds authorized for fiscal year 1965.

If the highway program is unduly delayed, it could result in the lapsing of Federal funds and inability of the District Highway Department to complete their portion of the Interstate System by the date previously established by action of the Congress.

Individual projects cannot be separately taken up and included or excluded from the annual schedule of work without seriously impairing the efficiency and orderly progress of this kind of a program. Each year's program of projects must be carefully scheduled by the Highway Department based upon coordinated work programs in other fields and in the various parts of the highway program itself and a major change in some year to remove individual projects could seriously jeopardize the total program, including prior work as well as the later portions of a program scheduled over more than 1 year.

Mr. President, I have read the statement in its entirety, and I believe that the Administrator of the Bureau of Public Roads, Mr. Whitton, clearly presented the dilemma in which the District of Columbia Committee would find itself were the District to proceed to follow the procedures recommended by the Appropriations Committee in the report language.

I do not wish to be a party to any action which might have a deleterious effect on the highway program, not only in the District of Columbia, but also throughout the country, or any action which might result in a lapse of Federal moneys for the highway construction program in the District of Columbia.

In my judgment, the Federal Highway Administrator has made a clear and cogent case against the language that was included in the committee's report. I cannot help but feel that the literal adherence to this restrictive wording would cause definite delay in the prosecution of the freeway program. It would cause grave uncertainty in the minds of those who are responsible for the highway system, and even the amount of money currently appropriated would be in serious jeopardy, as Mr. Whitton has so clearly said.

Mr. CASE. Mr. President, will the Senator yield for a question?

Mr. BYRD of West Virginia. I yield.

Mr. CASE. Our chairman is a most careful and conscientious worker on the District subcommittee, and he has been for years. Probably no one is more intimately acquainted with all facets of the government of the District than is our chairman, the Senator from West Virginia. That knowledge, I take it, includes activities of the Highway Department. I assume that our chairman is not only generally, but also specifically, familiar with the plans of the Highway Department with regard to the Interstate Highway System. Is that a fair statement?

Mr. BYRD of West Virginia. No; that is not correct. As I indicated earlier today, Highway Department representatives were not called before my subcommittee, merely because no items were appealed. No testimony was taken and no questions were asked. I cannot say that I am as familiar this year with that area of our work as I am with some of the other areas of the budget requests. But I feel that the statement by Mr. Whitton—who is, of course, familiar with the activities of the Highway Department and with the complications which would result from the language in question—is ample evidence of the fact that the language which was included by the Senate committee, if adhered to, could and would delay the operation of the highway program of the District of Columbia and could result in the lapsing of Federal moneys.

Mr. CASE. Mr. President, will my chairman yield further for a question?

Mr. BYRD of West Virginia. I yield.

Mr. CASE. It is my understanding that the Engineer Commissioner, the President of the Board of Commissioners, Mr. Tobriner, and others have relied upon actions by the Appropriations Committee and the Congress in appropriating moneys for the road system as authorization and approval of the system. Yet I am faced with the statement by my chairman that he is not really familiar with that and does not know what was authorized. Is that a fair statement?

Mr. BYRD of West Virginia. The House conducted hearings which are spread over 60 pages of the record——

Mr. CASE. I know; I have read them.

Mr. BYRD of West Virginia. In connection with the highway items, no item was appealed. The Senator is a member of the subcommittee. He had a right to ask that the Highway Department be brought before the subcommittee; and the chairman of the subcommittee would have honored his request. The Senator from New Jersey could have delved into that complicated question to his heart's content, so he would have been fully familiar with projects that are in the Highway Department's schedule of activities. I do not see why he attempts to get off on this tangent.

In my judgment, the question which the Senator asked does not go to the point of controversy as does the statement by the Administrator of the Bureau of Public Roads, Mr. Whitton, and the statements contained in both letters written to me by General Duke, all of which have been ordered printed in the RECORD.

I do not know what the Senator seeks to develop, but I think I have placed in the RECORD ample evidence to the mistaken judgment of the Appropriations Subcommittee on the District of Columbia as it is revealed in the language which appears in the report of the committee.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. CASE. I shall try to make my position very clear. There was no suggestion of any effort or any feeling on my part to embarrass the chairman.

Mr. BYRD of West Virginia. Mr. President, the chairman is not embarrassed. The chairman has had the self-appointed experts on his neck many times in efforts to embarrass him with reference to a far more controversial question in the District of Columbia budget than is the highway program. So the Senator from West Virginia is not at all embarrassed. The Senator from West Virginia merely could not see the end of the road down which the Senator from New Jersey sought to take him.

Mr. CASE. This is the end result. The Highway Commissioner, the Engineering Commissioner, and Mr. Tobriner both have said:

> You have appropriated money for all of these things. You must have authorized them. Therefore, they are authorized; therefore, you are finished.

That is, in fact, not what happened. We do not look at where a bridge will be built, determine how big it will be, or how wide it will be.

Mr. BYRD of West Virginia. That is not always the case. I assure the Senator from New Jersey that I have visited various locations in the District with the Highway Department to inspect one site or another site. The chairman of the subcommittee does the very best he can do in connection with items which are appealed. I do not feel that it is my responsibility to go into various and sundry items that have not been appealed to my subcommittee. We could take the remainder of the year if we sought to do that. But I have attempted to deal with those items that are appealed.

Today we are talking about the language which I think was written in error into the committee report. I feel that I have drawn upon the responsible officials in the District of Columbia and in the Federal Government for their interpretation of the language. Their interpretation is very persuasive, in that if the language were to be adhered to by the Highway Department, the program in the District of Columbia would be delayed and the program in the area would be delayed, with a resulting lapse in Federal funds.

Mr. CASE. Mr. President, will my chairman yield for an additional question?

Mr. BYRD of West Virginia. I yield.

Mr. CASE. Does the Senator approve of the proposed extension of the Interstate System as it is now contemplated through Potomac Park?

Mr. BYRD of West Virginia. I feel that it is the responsibility of the Highway Department of the District of Columbia, working in conjunction with other agencies of the District, to determine the location of a particular route, just as it is the primary responsibility of the West Virginia State Road Commission in the State of West Virginia to determine the routing of an interstate highway. Once that recommendation has been made by the West Virginia State Road Commission, the Federal Bureau of Public Roads, of course, has the prerogative of approving or disapproving the recommendation of the State highway department. As long as the West Virginia State Legislature provides matching moneys, the recommendation and the judgment of the West Virginia State Road Commission are decisive as far as the State is concerned. Determination of the question as to where a particular road project or section involved in the Interstate System should be located is not the responsibility of the roads committees of the house and senate of the West Virginia State Legislature, for example. This is the responsibility of the State road commission, and it is up to the senate and house finance committees of the West Virginia Legislature—and I have served on both committees—to appropriate matching moneys without which the Federal funds would lapse.

I believe that we are attempting to do what the State legislatures in my State and in the Senator's State would do in that we are appropriating local matching moneys for the program.

Mr. CASE. Without looking at what the project involves and where it would go, without a word as to whether public property would or would not be taken, particularly property in the form of a park. If the Senator does not believe that we have a responsibility to say "yes" or "no" when park land in the District of Columbia is planned to be taken for highways, he and I have a complete disagreement. Have we such a disagreement?

Mr. BYRD of West Virginia. Mr. President, we absolutely do. I feel that that is the responsibility of the Highway Department of the District of Columbia, as it is the responsibility of the highway department in the State of New Jersey or in the State of West Virginia. I believe that once the Appropriations Committee has appropriated the matching moneys, that is the end of our responsibility. I think that the Appropriations Committee has the responsibility of examining projects which are brought before it, and that was done in the House of Representatives.

Mr. CASE. In what terms?

Mr. BYRD of West Virginia. Had any item been appealed to the subcommittee, the subcommittee would have done the same thing.

Mr. CASE. How can the Senator from West Virginia say that the Appropriations Committee has approved of anything when, as in the case of the Three Sisters Bridge, the location of the bridge has not even been determined as yet? This seems to be using words in a way that is completely unrealistic. I believe that the chairman has presented the issue well. To me, at least, it has been helpful in understanding the issue.

I should like to see if I can restate the question. The chairman feels that the highway department of the State and the Highway Department of the District, in conjunction with the Federal Bureau of Roads, should decide where the Interstate System should go, including the question as to where in cities it should be located, how many lanes wide the highways should be, and whether the road should or should not go through park land. There would be the question as to whether it should be tunneled and whether it should destroy any number of houses or not, and that, without hindrance, the legislative bodies of the State should appropriate moneys without looking at the details of the program and what the money would accomplish.

The Congress of the United States should do the same thing with respect to the District's share of the interstate highway program. Therefore, there is no one to pass upon the question except the highway department of the State, or of the District of Columbia, and the Bureau of Roads.

It is my understanding—and the Bureau of Public Roads has told me this many times—that it will not look at the question of esthetics; it is interested in whether the project is economical and whether it is sound from the standpoint of safety. That ends their participation in any dialog about the kind of roads that are to be built anywhere.

I am sure the Senator from West Virginia has had a similar understanding with respect to this from the Bureau of Public Roads. It will not suffer itself to be treated as an arbiter of whether a road should go through city A or city B. That is up to the State highway department. All that the Bureau of Public Roads passes upon is whether this is the least expensive road and is adequate in its safety and other transportation features. Is that a fair statement?

Mr. BYRD of West Virginia. I shall respond to the Senator from New Jersey by asking him a question. In New Jersey, does the committee on roads—I assume there is a committee on roads in both the lower house and the upper house of the legislature—in each house act upon and approve the location of interstate highways in New Jersey? Or is that a matter primarily determined by the Highway Department of New Jersey?

Mr. CASE. The recommendations are made by the highway department, without question. Studies are made in that way. Appropriations are made by the Committee on Appropriations after it determines whether it will look at what will happen or not.

The Senator from New Jersey is not insensible to the difficulties of roadbuilding or the need to stand against corruption or political interference for unworthy purposes.

Mr. BYRD of West Virginia. The Senator has not fully answered my question.

Mr. CASE. The fact is that the Legislature of New Jersey retains, and on occasion exercises, paramount authority over the road development through the appropriation of money, yes.

Mr. BYRD of West Virginia. Yes; through the road department.

Mr. CASE. And, therefore, over the Interstate Highway System.

Mr. BYRD of West Virginia. The Senator has not answered my question. Does the Legislature of New Jersey examine into every portion of the interstate roadbuilding program in New Jersey, to determine the feasibility and advisability of this location or that location, and then pass upon it? Or is that a prerogative of and a responsibility delegated to the Road Commission of New Jersey?

Mr. CASE. I should like to give one example which I believe is right on the point. From the city of Newark west, an east-west throughway has long been needed to get out into the country, into Pennsylvania, and the rest of the Nation. Such a proposed roadway was made a part of the Interstate System. When the time came to design it, the cheapest way to run the highway was at grade, and in a few places where the grade dropped, perhaps up upon an embankment. This would have destroyed great values in the city of Newark and in the outlying villages of the Oranges, through which the road was to run.

An effort was made to obtain additional money from the Federal Government to depress the road, so that it would not have the destructive effect everyone agreed it would have. It was impossible to obtain the money. It was only because the State highway department and local and nongovernmental leaders finally, in cooperation with the legislature, worked out a system for increasing parkway tolls, that a way was devised to run the road across the parkway, either over or under it, as it was decided, using additional State revenues for this purpose.

That is an instance in which the State legislature took a direct interest and a controlling interest in how that important road was to be built, and the effect it would have on the environment through which it passed.

I regard the whole Interstate System in the District as a paramount matter. This does not involve the building of a city street; it is the running of a tremendous new type of interstate highway into and through a city. This I regard as a matter of such consequence as to require Congress, as the equivalent of a State legislature, to take notice of the problem and to deal with it effectively.

Mr. BYRD of West Virginia. The Senator from New Jersey would direct that all future budget estimates for the District of Columbia highway program be presented on the basis only of prior authorization by the respective legislative committees. I ask him the same question I asked a moment ago. In New Jersey, does the State legislature, through its road committees, approve or disapprove all interstate highway programs? Is it the responsibility of the State legislature, through its legislative committees, to pass upon and give its approval to interstate road projects and their locations? Or is that the responsibility of the New Jersey Highway Department?

Mr. CASE. I ask the chairman whether, as a person, not as a Member of the Senate, he approves the taking of land in Potomac Park—100 acres, roughly—for this road? Does he think this is a good thing? Will he answer that question?

Mr. BYRD of West Virginia. The Senator from New Jersey, had he wished to strike a particular item from the highway program, should have offered an amendment to effectuate that purpose. But we should not cripple the highway program in its entirety by resorting to the use of the restrictive language in question.

Mr. CASE. Will the Senator please answer my question?

Mr. BYRD of West Virginia. I personally support the Highway Department of the District of Columbia in its judgment, because the Highway Department has the responsibility to make that determination. The secondary responsibility rests with the Bureau of Public Roads. It is our responsibility to appropriate or to deny the local matching moneys. We, of course, veto or delay the program by withholding local matching moneys.

Mr. CASE. The Senator does not feel any responsibility to have a look at this destruction of the park system of the District of Columbia?

Mr. BYRD of West Virginia. I believe it is the responsibility of the subcommittee to make appropriations based upon revenues that are available and based upon the determination of the District Highway Department as to what locations of routes are most feasible from an engineering standpoint and best suited to meet the needs and requirements.

Mr. CASE. I am sure the Senator credits my statement about what this proposal would do. The road is planned, as I am sure the Senator knows, to go under the Lincoln Memorial and on top of Potomac Parkway. It would take in its course on the ground roughly 100 acres from the park—100 acres from the precious land of the District—and then go underground to the end of the Tidal Basin, where it would rise and join the myriad of whirls and twists of concrete, in that miraculous way in which roads are built now, to connect with the 14th Street Bridge. I ask the Senator again, Does he think that is a good idea?

Mr. BYRD of West Virginia. That is not for me to say. I say that the distinguished senior Senator from New Jersey has a right, perhaps a duty, to express to the Highway Department of the District of Columbia his objection to this item. He has a right and a duty to express his objections to the Federal Bureau of Public Roads. Certainly he has the right and the duty to suggest to me that representatives of the District of Columbia Highway Department should come before the committee for questioning at length with regard to this or any other item he has in mind. The Appropriations Committee could have deleted any highway item had it seen fit to do so.

The committees in a legislative body—whether it be the Federal Legislature or a State legislature—do not possess the engineering experience and know-how to make these very difficult and technical determinations.

These decisions must be made by the various State road commissions, and the District of Columbia is a State in that regard.

I lean upon the judgment of the Highway Department in the District of Columbia. Once that judgment is made, I am ready to determine whether or not we should appropriate the District's share. This fulfills the responsibility of the Appropriations Committee and of the Congress.

Mr. CASE. Mr. President, the Senator is not my witness. However, I am trying to get at the point. We do not want to play games here. This is really too serious a matter.

I take it that the Senator feels, whether he agrees with it or not—and this will remain locked within his bosom, apparently—that it is a good idea to lay the concrete proposed to be laid across the 100 acres of the Potomac Park when it is not necessary.

They could go underneath the park. Whether or not the Senator agrees with that in substance, he would not tell me. He would say, apparently, that he does not disagree with it so violently that he feels it necessary to protest about it or to vote against an appropriation which would make it possible. Is that a fair statement?

Mr. BYRD of West Virginia. I really feel that the Senator is not directing his remarks to the question at issue. That question is whether the language contained in the committee report is to be permitted to straitjacket the Highway Department of the District of Columbia to the extent that the roadbuilding program in the District and in the area would be delayed and to the extent that Federal highway funds may lapse and that the District might lose those funds.

I believe that is the question. Do we or do we not stand by the language contained in the report which is before us?

I maintain that the subcommittee made a serious error in including that language. I maintain that the position of the House conferees is the correct position—the House conferees having disagreed with the language in the Senate report.

I trust that the individuals who have the responsibility of carrying the highway program forward in the District of Columbia will consider the language in the Senate committee report nullified especially by virtue of the fact that the other body has disagreed with that language.

Mr. CASE. Mr. President, I regard this as much more than a matter of wording, much more than a matter of general forms. I regard it as a matter of substance. Are we or are we not going to have the Interstate Highway System run over 100 acres of Potomac Park? Are we or are we not going to have the Interstate Highway System run up Rock Creek Park at grade, or, in any event, permit it to go to a width of 150, 200, 250, or 300 feet across the park and permit this to be done without the return of any parkland to the District of Columbia, in that area or anywhere else?

These are substantive questions that are before us. It is not a matter of words as to whether there is legislative authority up to now. It is not what we have done. It is what we ought to do. In my opinion, the delay required for us to decide and then take action in order to do what we ought to do here is very fortunate.

Mr. BYRD of West Virginia. Mr. President, I can only suggest that if we are not doing what we ought to do, the Senator ought to proceed in the right manner and have the basic Federal statute amended. I do not believe that we should attempt to circumvent or amend the basic Federal statute by inserting language in an Appropriations Committee report which, in effect, does contravene the basic Federal highway legislation. The report language paralyzes the District interstate highway building program, to say nothing of complications in other areas.

Mr. CASE. What we can do, Mr. President, I suggest is to cause people to stop, look, and listen, and cause a number of good and able minds—the mind of the Senator from West Virginia, the mind of his colleague from the State of West Virginia who has an important interest in our responsiblity for the interstate program, and the mind of our colleague from that lovely State of Nevada, who has such an important responsibility and interest in the District to consider this matter. It is important for all of us to think about some way in which we can improve the procedures and the working of the government of the District of Columbia in relation to the highway system and the relation of the highway system in our cities all over the country, which I believe has not been adequately explored.

The Senator from Maryland and the Senator from Wisconsin and I have worked on this language, but have no great pride of authorship in it. It is as good as anything that we have been able to suggest so far. It is as good as anything that has been suggested to us. However, its purpose, as I have stated, is to point out that this is a critical time, as Von Eckardt in his article points out so well. Other cities in the country are up against the same problem.

It is wrong to have the force of Federal money on the basis of 9-to-1 poured in upon the cities and thus push them into unwise thinking all over the country. However, we have here the most striking example that I have ever seen in regard to the Potomac Park section of the Interstate Highway System.

That is why we are using it for an example. It is an example.

I hope very much that not only will we deal with that segment of this particular roadway and other segments of the highway system that are under contemplation for the District of Columbia, but also that we will take most seriously our responsibility as Members of Congress to provide adequately for Federal sharing of adequate roads and highways as part of the comprehensive planning of the State and cities.

I do not believe, coming from the area from which I do, that the Federal Government is giving anything like proper attention to the needs of our areas. This may be a parochial view. I do not believe that it is.

I believe that the formula has not taken adequate account of the needs of a proper highway system in urban areas as a part of sound comprehensive planning, designed to lift our cities, instead of depressing them further. That is somewhat remote from our immediate consideration, but we must face it eventually.

I hope, Mr. President, that as a result of this colloquy and the language in the Senate Appropriations Committee report, that many minds will get to work on this problem and we shall not try to do anything until it is settled one way or the other and not by virtue of the much greater eloquence of the Senator from West Virginia. This is a big problem. It is a part of the modern life in which we find ourselves, and the complexities of that life.

We are talking about dealing with poverty and the needs of urban areas. This is one of the greatest needs of the urban areas, the concentration of power which takes into consideration the use of the highways and roads and all other mechanisms for the purpose of improving the lot of the dwellers in those areas and making the cities again gracious, decent places in which to live.

This is the nature of the issue as it affects the District and the country as a whole.

I thank my colleague.

Mr. BYRD of West Virginia. Mr. President, I thank the Senator from New Jersey. I know that he is honest in his opinion and strong in his conviction.

I trust that the discussion this afternoon has been helpful to some extent in clarifying the Senate committee's language and, hopefully, in negating its otherwise harmful effect.

I am very grateful to the chairman of the Public Works Committee [Mr. McNamara] and the ranking majority member of the Public Works Committee and chairman of the Subcommittee on Public Roads, my colleague from West Virginia [Mr. Randolph], and I am grateful to the distinguished chairman of the District of Columbia Committee [Mr. Bible] for their contributions to this discussion.

I feel that I am in excellent company in the position I have taken, because it seems to me that the position I have expressed is in absolute accord with the position expressed by the chairmen of the two committees to which I have referred and in accord with my colleague from West Virginia, chairman of the Subcommittee on Public Roads.

I hope that the Highway Department of the District of Columbia will be governed largely by the position expressed by the distinguished chairmen of the District of Columbia Committee and the Public Works Committee, and also by the chairman of the Appropriations Subcommittee on the District of Columbia in the House of Representatives.

Mr. CASE. Mr. President, let me say a final word of appreciation. As I indicated earlier, if the cause for which I am attempting to plead is to succeed, it must succeed on its own merits, and not on my eloquence in relation to the eloquence and force and vigor of my colleague from West Virginia. It will, I believe, succeed on its merits. This is not a question of counting noses or a question of whether the Senator from West Virginia may have more proxies in his pocket than I have in mine. There are always more proxies in the pocket of the Senator from West Virginia, whether it be on the ADC program or other matters. Let us not decide this question on the basis of counting noses, but on its merits.

If I may be excused for relating a personal experience, in our house we have a habit, when anybody presses about being right on something, of asking the question, "Who's the best?" The answer is, "The person who has just spoken is the best." So it is not a question of who is best, but what is right.

Mr. BYRD of West Virginia. Plato thanked the gods for having permitted him to live in the age of Socrates. I thank the benign hand of destiny for permitting me to live in an age when I can serve on a committee the membership of which is so graced, as is the Appropriations Committee, by the sweet natured and agreeable Senator from New Jersey.

Mr. CASE. May I long have the opportunity to serve with the Senator from West Virginia on the committee.

Mr. BYRD of West Virginia. I now yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I shall appreciate the attention of the distinguished Senator from West Virginia who is in charge of the adoption of the conference report on H.R. 6453, the District of Columbia Appropriations Act for fiscal year 1966.

He has demonstrated for the past 2 hours an understanding of the problems of his colleagues in regard to another issue. I wish to present to him a matter for clarification and plead for the same patience and understanding.

I propose to present a brief statement to the Senate in which I shall outline the basis of my concern and upon the conclusion of that statement, for the purpose of making legislative history on the appropriations act, I shall address a series of questions to the Senator managing the conference report in order that we may obtain a clarification on certain points which some feel may be ambiguous.

Let me say to my friend from West Virginia that I do not raise this problem for myself alone. I raise this problem in behalf of several colleagues on the Subcommittee on Education of the Senate Committee on Labor and Public Welfare; and I raise the question in behalf of some members of the Senate District of Columbia Committee.

My concern on this matter I repeat, is not merely one that I would feel in my individual capacity as a U.S. Senator. In raising these points I am doing so also in my capacity as chairman of the Education Subcommittee of the Senate Committee on Labor and Public Welfare and as chairman of the Subcommittee on Public Health, Education, Welfare, and Safety of the Senate Committee on the District of Columbia.

In the latter capacity, since my subcommittee has jurisdiction over both legislative and oversight functions of the District educational system, and in my primary capacity as chairman of the subcommittee having legislative and oversight functions with respect to national education legislation, I have the duty and the responsibility of making sure that the authorities granted by substantive legislation and its terms are followed by the beneficiaries of such legislation. If, in the course of my official duty, I am given information regarding a question in these areas it is, of course, imperative upon me to determine what the facts are and where the facts lead in order that further modifications of the legislation, where it is found to be necessary, can be considered by the legislative committee having appropriate jurisdiction.

The basis for my concern is set forth in three paragraphs in committee reports on the District of Columbia Appropriations bill for 1966, H.R. 6453. In House Report No. 185, dated March 18, 1965, on page 6, may be found the following paragraph, which I read:

> For several years the committee has urged the extension of the hot lunch program to the elementary schools and funds were included in the bill to incorporate facilities in new schools. The Committee urges a review of the plans submitted during the hearings for the construction of facilities with a view toward limiting the initial work to kitchens so that the program may be instituted in the largest number of schools possible in a short period of time. It has been noted that no impact aid funds have been earmarked for this program to date. Included in the bill are funds for hot lunch facilities in two existing schools totaling $90,500. It is estimated that this money along with the earmarking of $300,000 from impact aid funds will be sufficient to provide hot lunch preparation facilities for at least 25 schools during the coming year. The committee urges that consideration be given toward making additional milk available for elementary school children. Impact aid funds might properly be used for this purpose also.

The paragraphs in the Senate Report No. 333, dated June 16, 1965 may be found on page 7. I shall read those paragraphs in the committee report at this point:

> The committee is mindful of the fact that the Elementary and Secondary Education Act of 1965 (Public Law 89-10), authorizes a Federal grant to the District of approximately $5.7 million in fiscal 1966. Also, $4.2 million is estimated to be available under the impact aid program. These funds, totaling $9.7 million, will supplement District funds made available for educational purposes.
>
> In light of the available sources to fund the District's educational program, the committee requests that all future budgets be submitted on a consolidated funding basis.

Mr. President, I now ask that there be printed at this point in my remarks certain sections of Public Law 89–10.

There being no objection, the sections were ordered to be printed in the Record, as follows:

> (Public Law 89–10)
>
> Sec. 203. (c) For the purposes of this section, the "Federal percentage" and the "low-income factor" for the fiscal year ending June 30, 1966, shall be 50 per centum and $2,000, respectively. For each of the two succeeding fiscal years the Federal percentage and the low-income factor shall be established by the Congress by law.
>
> * * * * *
>
> Sec. 205. (a) A local educational agency may receive a basic grant or a special incentive grant under this title for any fiscal year only upon application therefor approved by the appropriate State educational agency, upon its determination (consistent with such basic criteria as the Commissioner may establish)—
>
> (1) that payments under this title will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) (A) which are designed to meet the special educational needs of educationally deprived children in school attendance areas having high concentrations of children from low-income families and (B) which are of sufficient size, scope, and quality to give reasonable promise of substantial progress toward meeting those needs, and nothing herein shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this title;

(2) that, to the extent consistent with the number of educationally deprived children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate;

(3) that the local educational agency has provided satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property;

(4) in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 209 will be complied with on all such construction projects;

(5) that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of educationally deprived children;

(6) that the local educational agency will make an annual report and such other reports to the State educational agency, in such form and containing such information, as may be reasonably necessary to enable the State educational agency to perform its duties under this title, including information relating to the educational achievement of students participating in programs carried out under this title, and will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such reports;

(7) that wherever there is, in the area served by the local educational agency, a community action program approved pursuant to title II of the Economic Opportunity Act of 1964 (Public Law 88–452), the programs and projects have been developed in cooperation with the public or private nonprofit agency responsible for the community action program; and

(8) that effective procedures will be adopted for acquiring and disseminating to teachers and administrators significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects.

* * * * *

SEC. 206. (a) Any State desiring to participate in the program of this title shall submit through its State educational agency to the Commissioner an application, in such detail as the Commissioner deems necessary, which provides satisfactory assurance—

(1) that, except as provided in section 207(b), payments under this title will be used only for programs and projects which have been approved by the State educational agency pursuant to section 205(a) and which meet the requirements of that section, and that such agency will in all other respects comply with the provisions of this title, including the enforcement of any obligations imposed upon a local educational agency under section 205(a);

(2) that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this title; and

(3) that the State educational agency will make to the Commissioner (A) periodic reports (including the results of objective measurements required by section 205(a)(5)) evaluating the effectiveness of payments under this title and of particular programs assisted under it in improving the educational attainment of educationally deprived children, and (B) such other reports as may be reasonably necessary to enable the Commissioner to perform his duties under this title (including such reports as he may require to determine the amounts which the local educational agencies of that State are eligible to receive for any fiscal year), and assurance that such agency will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

* * * * *

SEC. 207. (c) (1) No payments shall be made under this title for any fiscal year to a State which has taken into consideration payments under this title in determining the eligiblity of any local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

(2) No payments shall be made under this title to any local educational agency for any fiscal year unless the State educational agency finds that the combined fiscal effort (as determined in accordance with regulations of the Commissioner) of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the fiscal year ending June 30, 1964.

Mr. MORSE. Mr. President, I now invite the attention of Senators to the debate on the floor of the Senate which may be found in the CONGRESSIONAL RECORD, volume 110, part 18, pages 23904–23905. This citation is the legislative history made on District of Columbia appropriations bill for fiscal year 1965, H.R. 12633. It was in this appropriations act that the first money was made available to the District of Columbia under terms of the impacted areas legislation, Public Law 874, the legislative basis for which had been given under Public Law 88–665.

Mr. President, this is fundamental in clarification of the points I seek, in order that the chairman of the District Subcommittee of the Appropriations Committee, the Senator from West Virginia [Mr. BYRD] may help me tonight. I read from the legislative history that was needed on the Appropriations conference report of October 3, 1964:

PAYMENTS TO SCHOOL DISTRICTS

Mr. HAYDEN. Mr. President, the House amendment to Senate amendment No. 38 eliminates the $5 million included in the bill for "Payments to school districts" and eliminates the language transferring the $5 million to the appropriation "Payment to school districts." The House amendment to the Senate amendment also eliminates the language agreed to in conference yesterday prohibiting any payments to the District of Columbia.

The result of the new language will be to allow the District of Columbia to participate in the program in accordance with the authorization acts.

I ask unanimous consent to have printed in the RECORD the paragraph from the Labor-Health, Education, and Welfare Appropriations Act, fiscal year 1965, appropriating funds for "Payments to school districts."

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

"PAYMENTS TO SCHOOL DISTRICTS

"For payments to local educational agencies for the maintenance and operation of schools as authorized by the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), $332,000,000: *Provided*, That this appropriation shall also be available for carrying out the provisions of section 6 of such Act."

Mr. MORSE. Mr. President, when the President approves S. 3060, the National Defense Education Act Amendments, 1964, the District of Columbia will be covered under Public Laws 815 and 874, the federally impacted areas laws, and will become entitled to payments under these laws on the same basis as all other local educational agencies now covered by these laws.

If the sums available for Public Law 874 payments to local educational agencies under the regular Department of Health, Education, and Welfare Appropriation Act, 1965, prove to be sufficient for the purpose, the District of Columbia and all other local educational agencies will be paid their entitlements in full. If these sums prove to be insufficient to pay in full the amounts to which all local educational agencies, including the District of Columbia, may be entitled, the sums available will be allocated among these local educational agencies in proportion to their entitlements as specifically required by Public Law 874.

The congressional intent that the District of Columbia share in any distribution of these sums for the fiscal year 1965 is made abundantly clear by the action of Congress in rejecting the proviso clause in the conference bill which would have specifically prevented the District from sharing in the 1965 appropriation under Public Law 874.

Mr. President, I should like to inquire of the Senator from Arizona, the Senator in charge of the bill and the distinguished chairman of the Senate Appropriations Committee, whether he shares the view on the intent of the action which I have just expressed on the floor of the Senate?

Mr. HAYDEN. I do.

Mr. MORSE. I congratulate the Senator from Arizona and all members of the conference committee.

I also wish to express my deep appreciation and thanks to the managers on the House side who, as a result of the discussions this morning, agreed to the amendment which has been submitted to the Senate, which I urge the Senate to adopt at this time.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 38.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. President, in the CONGRESSIONAL RECORD, volume 110, part 18, page 23492, there is the following language which I wish to say to the Senator from West Virginia I am reading because of the importance of making the legislative history, by reference to the former legislative history which was made by the Chairman of the Conferences Committee, at the time the so-called impacted area legislation was applied by Congress to the District of Columbia through enactment of S. 3060 of the 88th Congress.

Let me say to the Senator from West Virginia that the material I am reading from in the CONGRESSIONAL RECORD, volume 110, part 18, page 23492 is a part of a speech which I made in the Senate explaining the position that we had taken in support of bringing the District of Columbia in under the impacted area program.

> With respect to title XI of S. 3060, I call to the attention of Senators the paragraph found on page 14 in the section of the conference report containing the statement on the part of the House managers which reads:

As we all know, the Senate conferees do not file a report, but the House managers always file a report. Sometimes the question can be raised as to whether the Senators in charge of the bill agree with the House managers. Today, we find, in the discussion over the past few hours that that sometimes becomes a very important question. We had no such questions on October 2, 1964. I did my best to make perfectly clear the position of the Senate conferees in regard to the matter, as the language will now show.

Mr. President, I repeat the beginning:

> With respect to title XI of S. 3060, I call to the attention of Senators the paragraph found on page 14 in the section of the conference report containing the statement on the part of the House managers which reads:
>
> "It is the intention of the conferees that the Federal impact funds to be received by the District under Public Law 874 be used by the Board of Education solely for educational purposes, and that they be in addition to the funds made available for education in the District of Columbia budget. It also is the opinion of the conferees that insofar as is consistent with good educational administration, these funds be used to improve the quality and standards of the educational offerings in the underprivileged attendance areas of the city. The superintendent of schools is requested to report to the Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor on the ways in which the availability of these funds during the year has improved the educational program for the children in the low-income areas."

I continue reading from my speech:

> The Senate conferees fully endorse and agree to this intent.

We do not have a question in regard to the statement by the House conferees differing in any way with the intent of the Senate conferees; and the chairman of the House managers, who was also chairman of the full conference committee on S. 3060 as I have already quoted, made the legislative history, stating that this was the intent of the House managers, and I as chairman of the Senate conferees gave full endorsement to that intent.

Mr. President, I have asked that these various citations be placed in the CONGRESSIONAL RECORD in order that they may be available to Senators interested in following the debate and for the future guidance of the officials in both the Department of Health, Education, and Welfare and the District of Columbia in their operations with respect to funds appropriated for the use of the school system of the District of Columbia under the authorities of Public Law 874 and Public Law 89–10.

It becomes quite apparent upon the reading of the language of the House Appropriations committee report on this year's District Appropriation Act, that it is the view of that body that it may earmark for specific use the funds provided under the authority of Public Law 874. May I inquire of the distinguished Senator from West Virginia whether this portion of the House committee report was a subject of discussion in conference and, further, whether any agreement was reached by the Senate conferees with respect to this point?

I wish to make certain that the Senator from West Virginia has before him the language of the House report to which I am referring. If not, I shall ask counsel to take it to him. I believe both of us will perform a great service if we take whatever time is necessary for a consideration of this subject. I should like to know whether or not the language in the House committee report was the subject of discussion in conference and, further, whether any agreement was reached by the Senate conferees with respect to this point.

Mr. BYRD of West Virginia. At no time during the conference did the conferees make any reference to the language in the House committee report. Does that answer the Senator's question?

Mr. MORSE. That was my understanding, but I wished to establish it in the RECORD because, although I shall cover this point in greater detail later, I say to the Senator from West Virginia that it is not my position that the Appropriations Committee should not ask for any information it wants from the District of Columbia authorities at the District Building, or from the school authorities, in regard to the available funds and the purposes for which they proceed to expend funds.

That is not the thrust of my position.

I wish to make certain that the adoption of the conference report will not establish a legislative history which would authorize the earmarking of impacted area funds or Public Law 89–10 funds for any specific purposes that the District Appropriations Subcommittees of either or both Houses should decide upon, which would be inconsistent with the language of October 2 and 3, 1964, when the District of Columbia was brought under the impacted area legislation.

We are somewhat in a situation in which we must deal with the District of Columbia as though it were the 51st State. The same general policy in the expenditure of impacted area funds that is applicable to the States is applicable to the District of Columbia under the act which brought the District of Columbia under the Impacted Area Act. Subject, of course, to the particular provisions of the conference report which apply only to the District of Columbia.

This could be pretty much a small boiling teapot, or it could really be of volcanic proportions so far as educational factors are concerned.

That is why I feel that the Senator should bear with me while I seem to be laboriously making this legislative history. I have worked out my language very carefully so that it can leave no doubt, at least as to my interpretation, of the existing legislation. I wish to discuss it in relation to what may or may not be a possible intent on the part of the House Appropriations Subcommittee, in view of the Senator's comment that this language in the House committee report was not discussed in conference. I yield to the Senator.

Mr. BYRD of West Virginia. I do not wish to interrupt the Senator's line of thought.

Mr. MORSE. The Senator may do so at any time.

Mr. BYRD of West Virginia. If it would be helpful to the Senator from Oregon I should like to attempt to state the position of the chairman of the Subcommittee on Appropriations for the District of Columbia with respect to this language.

Mr. MORSE. Yes; it would probably save a great deal of time if the Senator were to do so.

Mr. BYRD of West Virginia. It is not the intent of the Subcommittee on Appropriations for the District of Columbia to develop justifications for the expenditure of money under the impacted aid program or under the Elementary and Secondary Education Act. It is my understanding that $4.2 million will be available to the District of Columbia in fiscal year 1966 under the former program, and $5.7 million under the latter program. It is my further understanding that the Board of Education in the District of Columbia will determine exclusively for what these moneys will be spent.

It is not the intent or desire of the Subcommittee on Appropriations for the District of Columbia to give directions to the Department of Education as to how it should spend its moneys under these programs. It is not the intent of the subcommittee to question the justifications for these expenditures. It is not the intent of the subcommittee in any way to attempt to influence the expenditure of these moneys or to direct the purposes for which such moneys shall be expended.

The subcommittee does not feel that it has any jurisdiction over this area that I am attempting to describe. The subcommittee merely wishes to know how much money is coming into the District of Columbia under the two programs—and all other Federal programs—and for what those moneys shall be spent.

Mr. MORSE. They are entitled to know it.

Mr. BYRD of West Virginia. The subcommittee wishes to know how much will be spent for textbooks, for example.

Mr. MORSE. They are entitled to know it.

Mr. BYRD of West Virginia. And how much will be spent for counselors, how much will be spent for teachers, and how much will be spent for this, that or something else; so the subcommittee will have the entire budgetary picture before it, and thus to put it in a better position to act judiciously and wisely in appropriating money to meet the budget requests submitted by the Department of Education in the regular and supplemental appropriation bills.

Mr. MORSE. It is very helpful to me. Let me put a face on the problem, so far as my concern is involved, as follows: I take the position that the Appropriations Committee is entitled to all that information for informational purposes. I need not tell the Senator from West Virginia and the Senator from New Jersey, who serves on the subcommittee, that I and some others on my subcommittee sufficiently concerned to make this legislative history. The information is not sought I am sure for the purpose of diverting funds to other purposes.

I should like to put the following hypothetical situation to the Senator: Suppose that we did not have the Public Law 89-10 funds allotted to the District of Columbia. The District of Columbia would have appropriated to it x dollars. It now has appropriated x dollars plus some Public Law 89-10 funds. Under the elementary and secondary law—for example, my State—because the various county school systems receive these funds cannot take the position that it might use the fact of the receipt of that money as an excuse for less State effort than otherwise would be the case. That is, it is not going to be allowed to have the taxpayers of the United States take up the burden of what the State on its own should appropriate for its school equalization fund. But the Federal Government does put the money in the program to take up the extra burden that is imposed by large numbers of educationally deprived children.

As the Senator knows, I always approach a problem in that way with complete, open frankness. I wish to be sure that there is no intention on the part of anyone, anywhere, whether it is in the District Building or elsewhere, to siphon off Federal education money for any purpose other than the purposes for which it was authorized in the first place, in keeping with the intent of providing the Nation's schools with financial supplements to their budgets to improve their programs of service to those most in need.

I believe the Senator's answer clears up the whole question.

Mr. President, I shall shortly insert in the RECORD the memorandum report which Superintendent Hansen in fulfillment of his commitment filed at the request of the S. 3060 conferees, both of the House and the Senate, in the conference report. He has set forth in it his plan for the expenditure of the Public Law 874 funds for upgrading services provided by a group of very low standard schools in the District of Columbia.

Before I do so, however, if the Senator has any question to ask me, I wish he would speak. I have told him what my concern is, and what the concern of those who asked me to make this record has been. So far as I am concerned, the Senator's answer is completely satisfactory. If I were a member of his committee, I would be as insistent as the committee is in asking for all the information about the funds that go into the schools of the District of Columbia. I only wish to make certain that it will not lead to the siphoning off of Public Law 874 and Public Law 89-10 funds for the purposes other than the purpose of these acts.

Mr. BYRD of West Virginia. Mr. President, the subcommittee is under no illusions as to where its jurisdiction lies in this regard. It would not be the intent of the chairman of the subcommittee, and I am sure it would not be the intent of the subcommittee, to attempt to siphon off moneys from the impacted area aid program and direct where those moneys should go. The purpose of the language is that the subcommittee might have a clear and full picture of all moneys that will be available to the Department of Education in each forthcoming fiscal year to meet the needs of the Department; and if the Department states a need for 50 counselors in the elementary schools, the chairman feels that the subcommittee has a right and a duty to inquire of the Department as to whether or not any of the impacted aid money will be spent for counselors and, if so, how much.

If the Department states that 25 counselors will be procured under the impacted aid program, that is well and good. But what the subcommittee wishes to know is the total number, and if in this case the Department would be wanting 50 counselors; then the subcommittee would not attempt to go into the justification for the expenditure of moneys under the impacted aid program for 25 counselors. But what we would look into is the justification for 25 additional counselors, or 50 counselors overall.

Mr. MORSE. I understand.

Mr. BYRD of West Virginia. If we should find that there was justification for 50 counselors, we would attempt to appropriate moneys for the additional 25 counselors in the budget request.

Mr. MORSE. I completely agree.

Mr. BYRD of West Virginia. It is done in that way so that we might avoid duplication and overlapping.

We are hoping to keep track of all the moneys so that we will not be appropriating in the dark.

Mr. MORSE. That is a perfectly satisfactory answer to me, and I deeply appreciate it.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the Hansen report in the form of a letter which the Acting Superintendent of Schools, John M. Riecks, sent to the distinguished Senator from Alabama [Mr. HILL], chairman of the Senate Committee on Labor and Public Welfare, who is also a most distinguished member of the Senate Committee on Appropriations. The subject of the letter and its attachment concerns the use to which the impacted area money is being put in upgrading services to educationally disadvantaged children attending certain of the schools in the District of Columbia.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

SUPERINTENDENT OF SCHOOLS,
Washington, D.C., July 8, 1965.

Hon. LISTER HILL,
Chairman, Senate Committee on Labor and Public Welfare, New Senate Office Building, Room 4241, Washington, D.C.

DEAR SENATOR HILL: Last fall, the District of Columbia public schools were authorized, for the first time, to receive funds under Public Laws 815 and 874. These funds were authorized with the understanding that they would be used to improve the quality of education for children in the underprivileged areas of the city. On page 14 of Conference Report No. 1716, the Superintendent of Schools was requested to report to your committee and to the House Committee on Education and Labor on the ways the availability of these funds have improved the educational program for children in the low income areas. We are pleased to present the attached report in response to this request. We have made a sincere effort to apply these funds in a manner consistent with the intent of Congress. The entire staff extended themselves with enthusiasm in this effort since this was the first time that funds have been available directly to the schools, and also it is the first time that funds were approved specifically to assist schools in the deprived areas of our city.

The report will show that we were able to conduct the required surveys and were in receipt of some funds in February this year. Many impact aid programs have been initiated; some are still being developed. However, even though these funds have been available for only a few months, the beneficial impact of the programs they initiated are in evidence.

The following are examples of some of the major achievements of this program:

Over 160 high school dropouts returned to school in the evening STAY school program. Even this June, 21 of these young people graduated from high school as a result of this program. STAY school enrolls students who because of the desperate need to work, or because of embarrassment because they are older than other high school students, and in a few cases, because of the need to support their children during the day, the students cannot attend our regular schools. It should be noted that attendance is good and discipline is not a problem. This is a small experimental program which we hope to expand. Impact aid funds, via this program, are providing "dropouts" with an opportunity "tailored" to their needs.

Over 1,300 students attended the extended school day program. These students were enrolled in enrichment classes, received tutorial assistance, or took advantage of our schools as a place to study. A number of adults also enrolled for refresher courses, particularly in English and mathematics.

About 1,800 first- and second-grade students who are already identified as children with difficult learning problems are now in summer classes for special instruction.

Our summer diagnostic reading program has enrolled 653 children who are 13.7 years of age and more than 3 years academically retarded. This program applies an interdisciplinary approach to attempt to make progress with students who are our most serious learning problems.

We point to these programs with pride and to show that a new and imaginative focus has been leveled on some of our educational problems with the funds authorized by your committee.

Of equal importance to these special programs has been the general improvement in staffing of the "aid" schools which impact aid funds have financed. Counselor ratios have for the first time reached manageable levels, our "aid" junior high schools now have full-time librarians for the first time, and remedial speech, reading, and psychological services have been significantly improved. And in the fall, we will provide all the children who now receive free lunch with a free breakfast as well. We will also be able to expand substantially a work-study program for students under 16 years of age. This work-study program was initiated experimentally with non-District funds and has proved very successful. We may now build on that experience.

In summary, the receipt of impact aid funds has been a milestone in the history of our schools. Our entire school community appreciates the opportunity your committee helped to provide. We intend to use these funds in a manner which will justify the continued confidence of your committee in authorizing these funds.

Most sincerely,

JOHN M. RIECKS,
Acting Superintendent of Schools.

SUMMARY OF IMPACT AID PROCEDURES, PROGRAM DEVELOPMENT, AND FINANCIAL DATA

The District of Columbia, for the first time this past fall, was included under the provisions of Public Law 874. The conference report of the House and the Senate committees in recommending inclusion of the District schools under this law clearly stated that consistent with requirements of good school administration, these funds should not be substituted for regular District school funds and should be used to improve the quality and standards of the educational offerings in the underprivileged attendance areas of the city. Appropriately, all plans for receiving and programing these funds have been in compliance with these two fulfillments of the conference committee's request for a complete report by the Superintendent on the progress of the impact aid program in the District of Columbia Public Schools.

BASIC PLANNING

The school administration has completed the basic planning necessary (1) to identify the schools which would receive the benefits of these funds, (2) to establish procedures for managing the funds, and (3) to qualify the District for receipts of funds under Public Law 874.

A systematic rating of all schools was accomplished by developing a rating scale based upon the incidence of (1) educational retardation, (2) average family income, and (3) average adult educational attainment. On the basis of this scale, 83 schools were recommended by the administration and approved by the Board of Education to receive the benefits of the impact aid funds. These 83 schools were designated as "aid schools."

The first of two required surveys of all District of Columbia public school children was completed in January 1965. The second survey is now in progress. An initial payment of $1,862,889 was received in February, and a second payment of $1,190,901 was received in April. The final payment for fiscal year 1965 of approximately $1,000,000 will be available in November or December of this year.

With the aid schools identified, procedures established, and a level of funding established, budget proposals were prepared and submitted. The impact aid budget was approved by the Board of Education and the District Commissioners. The budget proposals for fiscal year 1965 and fiscal year 1966 are as follows:

1965 budget estimates

Program area	Expenditures	Percent of total budget
1. Administration	$123,130	4.9
2. General improvement of staffing	517,131	20.6
3. Elementary school projects	672,099	26.8
4. Secondary school projects	285,719	11.3
5. Projects to improve reading	152,020	6.1
6. Pupil personnel services	42,186	1.7
7. Textbooks and instructional materials	600,000	24.0
8. Equipment, printing, supplies, and utilities	104,815	4.2
Total	2,497,100	100.0

The actual expenditures for fiscal year 1965 will be lower than budget estimates because of some delays which occurred between the development of the budget and the actual implementation of the programs. However, all programs are expected to be fully operative by the close of fiscal year 1966. Additional programs will be added and revisions made as our experience develops over the 1965–66 school year.

The following 10 sections present information concerning the use of the funds.

1. Administration: Eight of the central offices are, in one way or another, responsible for administering the impact aid program.

(a) General administration.

1966 budget estimates

Program area	Expenditures	Percent of total budget
1. General administration	$219,100	5.4
2. Elementary school projects	1,137,600	28.3
3. Secondary school projects	788,800	19.6
4. Various school levels:		
Reading clinic	496,100	21.9
Speech clinic	157,700	
Pupil personnel services	164,800	
Textbooks and supplies	58,600	
Equipment	3,800	
5. Food services program:		
Free breakfast program for deprived children (estimated 10,300)	307,400	7.6
Additional milk program, all children	209,100	5.2
Construction of kitchen facilities in aid schools	300,000	7.5
Work-scholarship program	173,400	4.3
Student aid program	6,200	.2
Total	4,022,600	100.0

(b) The Department of General Research, Budget, and Legislation.

(c) The Department of Personnel.

(d) The Department of Buildings and Grounds.

(e) The Department of Business Administration.

(f) The Department of Adult and Vocational Education and Summer Schools.

(g) Office of the Assistant Superintendent for Elementary Schools.

(h) Office of the Assistant Superintendent for Secondary Schools.

A total of 24 full-time positions, and 11 part-time positions, were staffed for administrative purposes in these offices.

2. General improvement in staffing: In order to insure the success of the educational programs in the aid schools, plans were made to improve significantly the levels of staffing. Therefore, provisions have been made to strengthen staffing above the minimum acceptable levels approved by the Board of Education. Approximately 282 full-time positions and 88 part-time positions have been staffed to date. Emphasis has been placed on services to assist the teaching staff. The following represents a breakdown by departments and programs:

Funds provided for personal services and benefits for the impact aid funds

	Positions provided, fiscal year 1965 [1]	Additional positions provided, fiscal year 1966
Administrative staff:		
Department of General Research, Budget, and Legislation:		
Class 6 director of Federal programs	1	------------
GS–6 administrative clerk	1	------------
GS–4 statistical clerks (part time)	(11)	------------
Class 6 assistant for research and evaluation	1	------------
GS–4 statistical clerks (part time, summer survey)	------------	(5)
Personnel Department:		
Class 6 assistant for administration	1	------------
Class 8 assistants to chief examiner	2	------------
GS–6 administrative clerk, personnel action and records	1	------------
GS–5 clerk-typist	1	------------
GS–4 clerk-typist	1	------------
GS–5 clerk-stenographer	1	------------
Department of Business Administration:		
GS–7 procurement analyst	1	------------
GS–4 invoice clerk	1	------------
GS–5 accounting clerk	1	------------
GS–5 machine operator	1	------------
Office of Assistant Superintendent in Charge of Elementary Schools: Class 7 supervising director	1	------------
Office of Assistant Superintendent in Charge of Secondary schools: Class 7 supervising director	1	------------
Office of the Secretary to the Board of Education:		
GS–3 telephone operator	1	------------
GS–7 administrative aid	------------	1
Department of Adult Education, Vocational Education, and Summer School: Summer school office—GS–4 clerk-typist	1	------------
Clerical service: GS–4 clerk-typists	3	------------
Administrative staff—Continued		
Department of Buildings and Grounds:		
GS–9 draftsman	1	------------
GS–5 property clerk	1	------------
WBR–5 stock picker	1	------------
Teaching service:		
Elementary schools: Class 15 teachers	6	------------
Junior high schools: Class 15 teachers	6	------------
Reading clinic: Class 15 teachers	10	38
Librarians:		
Assistant Director, Library Services (matching funds)	------------	1
Junior high schools: Class 15 librarians	6	------------
Senior high schools: Class 15 librarians	4	------------
Counselors:		
Elementary schools: Class 15 counselors	25	30
Junior high schools: Class 15 counselors	17	------------
Senior high schools: Class 15 counselors	8	------------
Clerical services:		
Elementary schools: GS–4 clerk-typist, principals' offices	41	------------
Junior high schools: GS–4 clerk-typists, principals' offices	12	------------
Senior high schools: GS–4 clerk-typists, principals' offices	3	------------
Supervisors, elementary schools:		
Class 10 supervisors	8	7
Class 7 supervising director	1	------------
Kindergarten program:		
Class 15 teachers	10	15
GS–7 clerk-stenographer	1	------------
WBR–2 laborers	10	15
Class 10 supervisor	------------	1

See footnote at end of table.

Funds provided for personal services and benefits for the impact aid funds—Continued

	Positions provided, fiscal year 1965 [1]	Additional positions provided, fiscal year 1966
Program to reduce class size in 1st grades: Class 15 teachers	10	
Saturday schools for preschool children:		
Class 15 teachers (part time)	(28)	
WBR-7 assistant engineer custodians (part time)	(7)	
GS-2 helpers (part time)	(3)	
Program to rehabilitate dropouts:		
Class 8 assistant principal	1	
Class 15 counselors	2	
Class 15 school social workers	2	
Class 15 teachers	11	
GS-4 clerk-typist	1	
Custodians (part time)		(2-3)
Program to extend the school day and week:		
Class 8 assistant principals	3	
Class 15 teachers	21	
GS-4 clerk-typists	3	
Custodians (part time)		(6-9)
Job conditioning program for potential dropouts:		
Class 15 teachers	4	
GS-4 clerk-typist	1	
Itinerant consultant to improve classroom reading instruction: Class 15 Teachers	7	
Speech center:		
Class 7 supervising director	1	
Class 10 assistant director	1	
Class 15 teachers, speech	8	9
Class 15 teachers, hearing	2	2
Pupil personnel services:		
Class 5 psychiatrist		1
Class 7 supervising director		1
Class 10 assistant director (guidance and placement)		1
Class 12 clinical psychologists	2	1
Class 15 school psychologists	6	3
Class 15 school social workers	2	1
GS-5 clerk-stenographer		1
Student aid program: Students (part time), matching funds	(39)	11
Summer school:		
Primary grades: Teachers		112
Curriculum department: Teachers		3
Pupil personnel services:		
Supervising director		1
Clinical psychologist		1
School social worker		1
School psychologists		7
GS-5 clerk-stenographer		1
Reading improvement center:		
Program director		1
Reading clinicians		4
Clinical psychologists		4
Psychiatric social workers		3
GS-4 clerk-typists		6
Remedial-reading specialists		95
principals		6
Work scholarship program:		
GS-12 director (40 percent paid by impact aid)		1
GS-6 administrative assistant (40 percent paid by impact aid)		1
Class 11 assistant director	1	
Class 15 counselor	1	1
GS-4 clerk-typist		1
Student aid (part time)		750
Breakfast program (part-time) (employees)		(133)

[1] To be continued in fiscal year 1966.

This staff serves the following programs:

3. Elementary school projects; four projects have been approved for the purpose of strengthening elementary education in the aid schools.

(a) A kindergarten program designed to locate and then enroll about every kindergarten-age child who is not now in school. Many do not attend because of a shortage of space in class. Ten kindergartens in the present school year, and 15 additional in the next school year are included in this program. Rental of community facilities is contemplated, when necessary.

(b) Reduction of class size in first grade to a 25-to-1 pupil-teacher ratio as a beginning toward establishing more manageable class size throughout the District's elementary schools. Ten teachers have been appointed and first grade class size has been reduced where additional space is available. This is a most modest but significant beginning. Again, this program is limited due to to lack of space.

(c) A Saturday orientation program for preschool children and their parents. This program operates in 7 centers utilizing the services of 28 teachers. Their task is to help parents understand what the school can do for their children, and how important parental interest and support is to their children to achieve better schooling.

(d) A summer school program for primary grade children who are academically retarded. Aid funds have been allocated for a 6-week summer school in order to help these children to improve their abilities so that they may be able to learn more effectively during the regular school year. Classes will be kept to about 20 students each, and reading skills will be heavily emphasized in this program. The staff for this program will include 101 classroom teachers, plus 11 supervising teachers who will be in charge of the program.

4. Secondary school projects: Four projects have been approved for secondary schools to provide special services and opportunities to students in the aid area. These programs are intended to prevent dropouts, to maintain contact with and to assist those who have left school, and to broaden the educational opportunities for the young people in this area.

(a) A program to rehabilitate dropouts who have returned to school. Essentially this program is intended to increase the employability of students and features work-study opportunities. Students are in small classes with strong supporting services. The students attend school between 3:30 and 10 p.m. Presently, there are 11 teachers, 5 other professional workers, a clerical person and custodial personnel involved in this program. Expansion of this program is planned for the 1965-66 school year.

(b) An extended school day and week for secondary schools (stay program) for junior and senior high school students. This program allows these students to benefit from the opportunity to use school facilities for study, to enhance their study by providing tutorial assistance, and the opportunity to take both credit and noncredit courses. The schools used in the program are kept open in the evenings until 10 p.m. The school library is available for their use. A counselor and a number of college students are available to assist students. There are presently 21 teachers, 3 principals, 3 clerks, and approximately 60 college students involved in this program. Plans are being made to expand the program during the next school year.

(c) Job conditioning programs for potential dropouts. These classes are established for the purpose of preparing the dropout for what is to come. When it is clear that there is little chance of getting him to change his mind, the teacher-counselor helps to make the student's transition smoother from school to work. Presently there are four teachers and one clerical person working in this program. It is planned to follow up after the student is placed in employment, and to continue to encourage students to participate in part-time school programs while employed.

(d) Two secondary summer school programs; one at Banneker Junior High School for students in grades 7 through 10 who would otherwise be ineligible to attend summer school; and another at Cardozo High School for students in grades 9 through 12 who were either in the STAY project in June 1965, or who dropped out of school during the 1964–65 school year. The Banneker program will operate from 8:30 to 12:30 a.m., the Cardozo program from 3 to 8 p.m. Both programs will offer credit.

5. Projects to improve reading in all aid schools: Probably no subject has received as much study and has caused more concern than reading. This is proper since reading is the key "tool" subject which must be mastered if a person is to learn effectively. Appropriately, two projects have been developed for the improvement of reading. These projects are as follows:

(a) An itinerant reading consultants' program to improve classroom reading instruction designed to improve reading instruction. Presently there are seven teachers involved in this program who work with teachers in the aid schools to assist them in their teaching of reading.

(b) A summer diagnostic reading program for overage elementary students who are severely retarded academically will serve from 1,200 to 1,400 of the 1,800 elementary students who have reached the age of 13.7 years and have a reading retardation of 3 or more years. The first objective will be to determine the cause of the reading retardation; the next phase will be the treatment. Research indicates that social, visual, and emotional problems are the major causes of severe reading retardation, while poor instructional programs, speech difficulties, and general health deficiencies also contribute to reading retardation. Therefore, the staff will include clinical psychologists and psychiatric social workers as well as reading specialists. The program will be conducted at 6 centers, and will involve 113 professionals and 6 clerks. Classes of 15 pupils each will be scheduled for 4 hours each morning for 6 weeks. At the end of the period recommendations for followup programs during the regular school year will be made.

6. Speech center: Because of the great need in the elementary and junior high

schools in the aid program for the services of speech and hearing therapists, eight speech therapists and two hearing therapists have been employed. Because of the deprived home environment of the children and the educational level of the adults with whom they associate, there is a high incidence of speech problems. The staff of the speech center is now handling as many cases as time permits. A survey made during January 1965, showed a total of 2,441 actual cases in the aid schools that have been identified but could not be serviced because of lack of staff. The maximum number of staff who could be recruited this school year is 12; in September, 11 more reading and speech people will be added.

7. Pupil personnel services: The culturally deprived areas produce a much higher percentage of children with serious problems than do other sections of the District. Great effort is made by the classroom teachers to cope with these problems, but special skills and time for individual emotional, physical, and social problems are needed. These services are provided by pupil personnel workers. Working togther as a team, the psychologist, the counselor, the social worker, and the psychiatrist can provide services which are likely to result in appropriate courses of action designed to solve or alleviate the problems of these children.

Groups of pupil personnel workers have been established in the impact aid area. Ten professionals are presently involved, and an additional nine positions are slated for next September. To produce maximum results from the program the pupil personnel groups will be employed for 40 days during the summer as well as during the regular school year, thus providing for continuous efforts to assist the deprived child to adjust socially and to achieve academically.

8. Textbooks, instructional materials, equipment, supplies, printing, and utilities: An amount of $600,000 has been spent to correct systemwide textbook deficiencies; this represents the only systemwide expenditure. The purpose is to insure that a fully satisfactory set of textbooks and instructional materials will be provided for every schoolchild. In addition, equipment, supplies, and utilities are being provided to support additional personnel assigned to aid schools. These items are mainly desks, chairs, small equipment, and special equipment for the reading and speech clinics.

9. Extension of food services: Impact aid funds will be used in fiscal year 1966 to extend food services by means of three programs.

(a) A breakfast program for 10,000 needy children in the aid schools to start in September.

(b) A program to double the daily milk distribution for all children, i.e., milk will be distributed at 9 a.m. and 3 p.m., replacing the current program where milk is distributed once per day at 10:30 a.m.

(c) Use of approximately $300,000 to construct kitchen facilities in aid schools.

10. Work scholarship program: A work-scholarship program designed to help students become acclimated to a work environment, and to encourage them to stay in school by providing an opportunity for paid work experience in a supervised atmosphere, the student gains an understanding of the relationship between school and the world of work. Students are paid $6.25 per week for 5 hours work during afterschool hours. The stipend and the supervised work experience serve as an inducement to the student to remain in school. The program places emphasis on the acquisition of good work habits and attitudes which will lead hopefully to a termination of the welfare cycle in that particular family. This program was initiated by the District schools with private funds, and the results were impressive. This type of program is presently in progress in the aid schools with funds supplied by the United Planning Organization. Through arrangements with UPO and the present director of the program, the public schools will assume responsibility for the operation of this program in the aid schools during fiscal year 1966.

CONCLUSIONS

1. The management of a budget separate from regular school budget channels is feasible and can be managed effectively without interfering with the regular budget channels.

2. It is possible to identify aid schools and to successfully accomplish the development of effective educational programs in these schools.

3. These funds have allowed the administration to provide special programs and special services which would not have otherwise been available.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield so that I might make a further comment?

Mr. MORSE. I yield.

Mr. BYRD of West Virginia. I will be honest in response to the Senator. If the Department were to indicate that $4.2 million is available to the Department in the forthcoming fiscal year, that it would allocate $3.5 million of that amount to various programs, and that it would have a remaining portion of $0.7 million for which it had not determined the use, I believe the subcommittee would be reluctant to appropriate moneys for a budgeted item falling within the field of activities which would be treated by the impacted aid program.

But I emphasize that it would not be the desire of the subcommittee to dictate to the Department as to how it is to spend the impacted aid moneys or the moneys accruing under the Elementary or Secondary Education Act; and the subcommittee realizes that it could not do so even if it had the desire. We merely wish the whole picture. We do not want the Department to say, "We need $75 million for the Department this year," and not have the Department tell us that $10 million is coming in under the other 2 programs. We want to know how much is coming in and we want to know how much is being spent. Then we shall be in a better position to make the right decision to protect the rights of the taxpayers in regard to the budget estimate before us.

I shall close by reading this statement, which I hope will set the Senator's mind and heart at rest. I recognize his just concern in this regard. I realize the type of leadership that he has provided in bringing the District into the impacted aid program, and I commend him. I understand his concern. Let me read this statement, and then if the Senator has any further question, I shall answer it. I should like the Senator from New Jersey [Mr. CASE] to add, if he wishes to do so, to what I have said in answer to the questions of the Senator from Oregon.

The primary purpose of the report language was to have available to the committee, during its deliberation on the budget estimate submitted for the educational system, information that would also reveal the extent and the purpose of all Federal grant funds and their relationship to the total school program planned for the budget year. Also, this would give the taxpaying public a summary of the funding program planned with District of Columbia and Federal funds.

Mr. MORSE. That is exceedingly helpful to me.

Mr. President, I am about through. I merely wish, for the purpose of the RECORD, to read section 207 of Public Law 89–10:

> No payments shall be made under this title for any fiscal year to a State which has taken into consideration payments under this title in determining the eligibility of any local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

There is no doubt that the history of Public Law 89–10 legislation lays down the criterion that such funds cannot be used by a State, if, to do so, would result in lessening its otherwise available appropriations for education. I shall repeat that for the benefit of the Senator from West Virginia and the Senator from New Jersey, because I wish to leave no doubt about what I have just said. I have just read from the act the clear policy:

> No payment shall be made under this title for any fiscal year to a State which has taken into consideration payments under this title in determining the eligibility of any local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

The legislative record is clear in regard to the availability of Public Law 89–10 funds to any State. A State may not use the Federal funds if, by doing so, it tries to carry out the intent or purpose of lessening its State or local effort. That is set forth clearly in the Elementary and Secondary School Act.

I wish to allay any fears, and to make it clear to Senators and to members of the Appropriations Committee that their record does not justify fears; in fact, it was the language I referred to, in the committee report, that raised the question as to whether that might be implied. The Senator from West Virginia has cleared up that difficulty.

The point I wish to stress is that the District of Columbia, like a State, is not permitted, as a matter of law, to make use of Federal educational grant funds for the purpose of lessening the contribution it otherwise would make to the school system of the District of Columbia.

The Senator from West Virginia is perfectly correct. The taxpayers are entitled to know the purpose for which the District of Columbia educational authorities propose to use impacted area funds, so that there will be an avoidance of the duplication that the Senator from West Virginia is talking about; so that there will not be 50 supervisors when the request is for 25, the 25 to be paid for by the educational authorities from impacted area funds; or for any other purpose for which the District of Columbia authorities might spend the money, which would lead to a duplication if they did not tell the committee what they proposed to do with the impacted area funds.

What I seek to lay at rest is any concern that impacted area funds amounting to $4.2 million might be used to reduce by $4.2 million, or any portion thereof, the amount of money that the District of Columbia would be expected to appropriate to operate its schools if it did not have impacted area funds. That is the point I wish to make clear.

Mr. BYRD of West Virginia. I cannot foresee every possible eventuality. I can only say that when the Department of Education representatives come before the subcommittee and present their budget estimates and the justifications therefor, it will be the intent of the subcommittee to scrutinize the requests carefully and to require information as to how much will accrue to the District of Columbia under the impacted area program and how much under the Elementary and Secondary Education Act, and other Federal legislation, and the purposes for which those moneys are to be spent.

If the Department comes before the subcommittee and says, "$10 million will accrue under these two other programs, but we know at this time that we shall spend only $6 million," the Department will be in trouble. We shall consider the fact that the Department has $4 million which could and should be accounted for before we allow the budgeted items.

Mr. MORSE. I would get a new department or a new superintendent, if that were tried.

Mr. BYRD of West Virginia. The subcommittee will expect the Department to set forth the full purposes for which the entire $10 million will be spent.

Mr. MORSE. There can be no quarrel about that.

Mr. BYRD of West Virginia. The subcommittee will not attempt to require justifications for the expenditures of those moneys. We shall want to know how much will be spent and for what. Then we shall be in a better position to determine the advisability of appropriating moneys to meet the budget requests which are independent of and aside from the moneys accruing under Federal programs such as those to which I have just alluded. In my judgment, this is the only way in which the public can be fully apprised of the entire budgetary picture and the needs of the District of Columbia schools, and apprised as to whether those needs are being adequately met and whether duplications are occurring or being guarded against.

Mr. MORSE. I want the Senator from West Virginia and the Senator from New Jersey to know that I am completely satisfied with the legislative history which has been made. As the two Senators know, my concern from the very beginning has been to do something to improve what has been recognized by educators generally as exceedingly low standard schools in the District of Columbia. The Senator from West Virginia knows about them as well as I do. I have visited some of them. I have said before in the Senate that some of those schools can best be described as daytime custodial institutions rather than educational institutions. Dr. Hansen recognizes this. The Board of Education recognizes it. Representative DENT, of Pennsylvania, who handled the impacted area bill on the floor of the House, as I did on the floor of the Senate, insisted that Superintendent Hansen submit a plan for the expenditure of these funds, so that we could be sure they would be used for the benefit of the children who most needed help in the poor-standard schools.

I join him in it. I put that report in the RECORD. I wanted to make certain that we would continue to upgrade those schools by the use of the money there, rather than to have it diverted or siphoned off for other purposes not recommended by the board of education.

Mr. BYRD of West Virginia. I want to make perfectly sure that the Senator from Oregon understands the position of the Senator from West Virginia. If he does not understand it, it is not because of any failure on the part of the Senator from Oregon. It is because of the failure on the part of the Senator from West Virginia.

Mr. MORSE. I understand it.

Mr. BYRD of West Virginia. If the department requests in its budget estimate money for 50 librarians, let us say, and upon interrogation it is revealed that the department intends to use money under the Elementary and Secondary Education Act for 25 librarians, it would be up to the department to satisfy the subcommittee that it needs a total of 50 librarians. It would be our business to determine the justification for the 50, not the justification for spending money under the independent program for the 25 librarians.

If we found that in our judgment there was justification for only 25, they would be taken care of under the Elementary and Secondary Education Act, and it would not be our purpose to appropriate money for one additional position in the regular bill.

We shall attempt to develop the justification for the entire number, so that we shall be able to determine the wisdom of appropriating money for the 25 budgeted positions over and above the approved 25 librarians included in the Elementary and Secondary School Act moneys.

Mr. MORSE. I believe I understand the Senator.

Assuming that the board were to come in and ask for 25 counselors, the Senator would say, "Do you have any counselors?" They might say, "We have some counselors under the impacted area funds provided for in the past."

Mr. BYRD of West Virginia. No. I would say, "How many positions have you?" They might say, "47." I would say, "How many vacancies do you have?" They may say, "17." Then I would proceed to say, "How many will you have under the Elementary and Secondary School Act?" They might say, "10." I would then say, "proceed to justify the need for 52 more counselors than you now have on board," keeping in mind that the request would be for 25 positions in addition to the 17 vacancies and the 10 librarians to be provided by impact aid moneys. If they failed to justify an additional 52 counselors, over their present 30, then the subcommittee would deal accordingly with the budget request for 25.

Mr. MORSE. That is all that we ask for.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. The subcommittee will not ask them to justify the 10. If they are wasting the taxpayers' money under the Elementary and Secondary Education Act, that would come within the province of the Appropriations Subcommittee on Health, Education, and Welfare, and not under the jurisdiction of this subcommittee.

Mr. MORSE. I have no quarrel with that. I thank the Senator from West Virginia, the Senator from New Jersey—and I would include the junior Senator from New York, but he had to go to another meeting—for making a record that will furnish the clarifying information of both committees.

Mr. President, I thank the distinguished Senator very much. It is too bad, in my judgment, and I know that my view is not necessarily shared by all Senators, that it has become necessary to take this amount of time on the floor of the Senate to discuss these matters. Again, in my judgment, the debate this evening has shown the necessity for early and favorable consideration of legislation to provide for the citizens of the District of Columbia—the Nation's Capital—the same freedom of action in matters municipal and educational enjoyed by all other citizens of the United States. I am left with the conviction, which I trust is shared by many Senators, that with respect to the operation within the District of Columbia of Public Law 874 and Public Law 89-10, it is the feeling of the Congress and its committees that the controlling requirements of the acts and the understandings appertaining to those acts ought to be the controlling element in the budget estimates submitted by the administrative authorities.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. BYRD of West Virginia. Mr. President, I regret that I did not have an opportunity to yield to the junior Senator from New York when he requested me to yield. I was involved in my discussion with the senior Senator from Oregon. I would have otherwise yielded to the junior Senator from New York.

Mr. MORSE. He may be back.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD a letter which I wrote to Mr. Joseph Campbell, Comptroller General of the United States under date of May 17, 1965.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 17, 1965.

Hon. JOSEPH CAMPBELL,
Comptroller General of the United States,
Washington, D.C.

DEAR MR. CAMPBELL: In July 1962, the General Accounting Office issued a report on the investigation of 236 selected cases under the aid to dependent children (ADC) program, administered by the Public Assistance Division (PAD), Department of Public Welfare, District of Columbia government. In September 1962, your office issued also a similar report on the investigation of 68 selected cases under the general public assistance program (GPA).

The reports stated that the high incidence of ineligibility of the recipients in the cases investigated led to the conclusions (1) that the PAD had not taken the required actions necessary to determine whether or not recipients of financial assistance were eligible for continued assistance, (2) that reliance cannot be placed on recipients or on caretaker-relatives to inform the PAD of actual conditions or circumstances which have a bearing on their eligibility for financial assistance, and (3) that the ADC and GPA cases not covered in the investigations should be investigated to determine the eligibility of the recipients for the financial assistance they were receiving.

The reports expressed the belief that (1) a continuing field investigation should be instituted with the objective of investigating ADC and GPA cases for the purposes of determining the eligibility of the recipients for financial assistance and the effectiveness of the PAD's prior verification of representations by the recipients; (2) such continuing field investigation program should be conducted by an investigative unit organizationally placed outside the PAD with a reporting responsibility to the Director, Department of Public Welfare; and (3) procedures should be adopted to insure that investigative findings are given adequate and proper consideration by the PAD in making its eligibility determinations.

I would appreciate your views at this time as to whether the Department of Public Welfare has taken appropriate action to investigate the eligibility of welfare recipients under the aid for dependent children and general public assistance programs since the issuance of your reports.

Sincerely yours,

ROBERT C. BYRD.

Mr. BYRD of West Virginia. Mr. President, I inquired in that letter as to whether or not the Department of Public Welfare had taken appropriate action to investigate the eligibility of welfare recipients under the aid for dependent children and general public assistance programs since the issuance of the reports of the Comptroller General in 1962.

Mr. President, I also ask unanimous consent to have printed at this point in the RECORD the reply from the Comptroller General of the United States under date of June 1, 1965.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., June 1, 1965.

Hon. ROBERT C. BYRD,
U.S. Senate.

DEAR SENATOR BYRD: Reference is made to your letter dated May 17, 1965, requesting our views as to whether the Department of Public Welfare, District of Columbia government, has taken appropriate action to investigate the eligibility of welfare recipients since the issuance of our reports on the aid to dependent children program and the general public assistance program in July and September 1962, respectively.

These reports stated that the high incidence of ineligibility of the recipients in the cases investigated led to the conclusions (1) that the Public Assistance Division, Department of Public Welfare, had not taken the required actions necessary to determine whether recipients of financial assistance were eligible for continued assistance, (2) that reliance cannot be placed on recipients or caretaker-relatives to inform the Public Assistance Division of actual conditions or circumstances which have a bearing on the recipients' eligibility for financial assistance, and (3) that the aid to dependent children and general public assistance cases not covered in the investigations should be investigated to determine the eligibility of the recipients for the financial assistance they were receiving.

The reports expressed our belief that (1) a continuing field investigation should be instituted for the purpose of determining the eligibility of recipients for financial assistance under the aid to dependent children and general public assistance programs, (2) such continuing field investigation program could be conducted by an investigative unit organizationally placed outside the Public Assistance Division, Department of Public Welfare, with a reporting responsibility not only to the Public Assistance Division but also to the Director, Department of Public Welfare, and (3) procedures should be adopted to insure that the investigative findings are given adequate and proper consideration by the Public Assistance Division in making its eligibility determinations.

The Department of Public Welfare has substantially increased its investigative activities since the issuance of our reports in 1962. The organizational placement of the Office of Investigations and Collections has been changed, as suggested in our report, and it is now responsible directly to the Director of Public Welfare. The number of authorized investigator positions has been increased from 14 at September 1, 1962, to 77 positions at the present time; 58 of these positions were filled at April 30, 1965.

The increased investigative activities may be characterized as falling into two broad categories. One category is identified as audit review activities and covers investigation over a period of time of the cases on the welfare rolls as of a specified date. The second category is identified as intake reviews and covers investigations on a continuing basis to obtain information on the eligibility of welfare recipients shortly after they are placed on the welfare rolls. Substantially all of the increased investigative activities have been concerned with the aid to dependent children, general public assistance, and aid to the permanently and totally disabled programs.

The status, as of March 31, 1965, of the audit reviews of the welfare cases on the rolls for the aid to dependent children and general public assistance programs as of January 1, 1963, and the audit reviews of the cases on the rolls of the aid to the permanently and totally disabled program as of June 30, 1963, summarized from reports of the Office of Investigations and Collections, follows:

	Aid to dependent children	General public assistance	Aid to permanently and totally disabled
Caseload:			
Jan. 1, 1963	4,533	914	
June 30, 1963			3,003
Cases in the opening caseloads no longer subject to investigation, mainly because the cases had been closed for other reasons prior to investigation	1,752	362	682
Cases still subject to investigation	1,972		1,880
Cases investigated or under investigation	809	552	441
Public Assistance Division final decisions on cases investigated	633	552	419
Closed by Public Assistance Division subsequent to investigation: [1]			
Number	198	344	84
Percent	31.3	62.4	20

[1] Available statistical data does not show the number of cases closed on the basis of investigative information and the number closed for other reasons.

The investigation by the Office of Investigations and Collections of general public assistance caseload as of January 1, 1963, has been completed and 62.4 percent of the cases investigated were subsequently closed by the Public Assistance Division. The investigation of the aid to the permanently and totally disabled caseload as of June 30, 1963, has been virtually halted since June 1964. The rate of investigation of the aid to dependent children caseload as of January 1, 1963, has been reduced due to increased emphasis on the intake review which was expanded from 50-percent field investigation to 100-percent field investigation in July 1964.

The following summary tabulation of reports of the Office of Investigations and Collections shows the intake review activity for the welfare cases placed on the rolls of the aid to dependent children and general public assistance programs from January 1963 through March 1965:

	Total	Aid to dependent children	General public assistance
Cases investigated	3,375	2,385	990
Investigation reports not acted upon by Public Assistance Division	615	445	170
Public Assistance Division final decisions on cases investigated	2,760	1,940	820
Closed subsequent to investigation: [1]			
Number	1,342	860	482
Percent	48.6	44.3	58.8

[1] Available statistical data does not show the number of cases closed on the basis of investigative information and the number closed for other reasons.

Based on our recent review of reports of the Office of Investigations and Collections, a limited review of readily available statistical data, and discussions with responsible officials of the Department of Public Welfare, we believe that while the Department has

> substantially increased its investigative activities certain problem areas require additional and continuing administrative attention and effort.
>
> The Public Assistance Division has not processed promptly the intake review reports submitted to it by the Office of Investigations and Collections. During 1964 the inventory of intake review reports in the Public Assistance Division increased from 384 to 750, excluding about 200 reports on which action had been taken by the Public Assistance Division but not reported to the Office of Investigations and Collections. Since December 1964, the Public Assistance Division has assigned an additional employee with responsibility for following up on Office of Investigations and Collections reports. Overtime has been authorized in an effort to clear up the backlog and on March 31, 1965, it had been reduced to 615 reports. However, at that date 316 reports, including 19 received in 1963, had been on hand for more than 60 days.
>
> The high incidence of ineligibility of welfare recipients investigated by the Office of Investigations and Collections and its reports acted upon by the Public Assistance Division indicates a continuing need for the Department of Public Welfare to improve the administration of Public Assistance Division activities pertaining to the determinations and redeterminations of recipients' eligibility for assistance.
>
> As of April 30, 1965, only 58 of the authorized 77 investigator positions in the Office of Investigations and Collections were filled. The number and present assignment of the available investigators does not provide for completing the audit review of the aid to dependent children and the aid to the permanently and totally disabled caseloads within a reasonable time. Consideration needs to be given to steps that can be taken to enable the Office of Investigations and Collections to maintain a full complement of investigators authorized.
>
> We plan to make no further distribution of this letter unless copies are specifically requested, and then only after your approval has been obtained or public announcement has been made by you concerning the contents of the letter.
>
> Sincerely yours,
>
> JOSEPH CAMPBELL.

Mr. BYRD of West Virginia. Mr. President, I shall read these two paragraphs from the letter of June 1, 1965, written by the Comptroller General of the United States. They read as follows:

> The high incidence of ineligibility of welfare recipients investigated by the Office of Investigations and Collections and its reports acted upon by the Public Assistance Division indicates a continuing need for the Department of Public Welfare to improve the administration of Public Assistance Division activities pertaining to the determinations and predeterminations of recipients' eligibility for assistance.
>
> As of April 30, 1965, only 58 of the authorized 77 investigator positions in the Office of Investigations and Collections were filled. The number and present assignment of the available investigators does not provide for completing the audit review of the aid to dependent children and the aid to the permanently and totally disabled caseloads within a reasonable time. Consideration needs to be given to steps that can be taken to enable the Office of Investigations and Collections to maintain a full complement of investigators authorized.

I express the hope, Mr. President, that the Department will do everything possible to fill the investigative positions already authorized.

Seventy-seven investigative positions have been authorized. At the time of the hearings, 58 positions were filled.

I submit that the Department ought to make every effort to fill those positions in order that it might get on with the job of completing the audit of the ADC and APTD caseloads.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. CASE. Mr. President, I wish to make a brief dissent from the opinion given that we need any more, or, indeed, as many investigators as we have now.

Mr. BYRD of West Virginia. The Senator has a right to dissent. However, he is dissenting from the position taken by the Comptroller General of the United States, who believes that ineligibles should be removed from the ADC and APTD caseloads.

Mr. CASE. I thought we had disposed of the matter.

Mr. BYRD of West Virginia. Mr. President, may I say to the distinguished Senator that the Senator had an opportunity in the subcommitee markup to press the motion which was offered and withdrawn, which would have deleted some of the investigative positions.

Mr. CASE. That was a tactical move, as the Senator understood. We did not want to freeze a bad position any tighter than it had been, knowing of the pocketful of proxies which our chairman always carries on these matters. We thought we would not proceed with that motion.

Mr. BYRD of West Virginia. Mr. President, I am sure that the Senator does not want to imply that the Senators who gave those proxies did so lightly.

Mr. CASE. Only on request.

Mr. BYRD of West Virginia. The Senator implies that the Senators gave them merely because they were requested to do so.

Mr. CASE. The Senator is correct. The chairman asked for the proxies and the custom is to give the chairman of the committee what he is asking for.

Mr. BYRD of West Virginia. But the custom is not to comply with the chairman's request unless Senators are willing to support the chairman's position.

Mr. CASE. There is——

Mr. BYRD of West Virginia. I hope the Senator does not imply that his colleagues would give their proxies without their eyes being open. The Senator from New Jersey carried in his own pocket a few proxies on the day of the markup of this bill, and he used them. I am sure that Senators knew what they were doing when they surrendered their proxies to the forthright Senator from New Jersey.

Mr. CASE. I question only whether Senators who gave their proxies to the chairman did so with their eyes open, or they would not have done what they did.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MORSE. The Senator from New York [Mr. KENNEDY] asked me to make a brief statement for him, asking that I place it in the RECORD, which I shall do by reading it. I have scanned the statement, and I see it raises the same question I had in mind. I assure the Senator that I raise the question only to make a record, because, either later this year or next year, some question will be raised with regard to funds for the replacement of Shaw Junior High School.

First, let me ask a question: Could the Senator from West Virginia give me some indication of what the thinking of the conferees was in deleting the Shaw Junior High School replacement from the appropriation bill? I ask this question because I have a hunch that there may be some reason—unknown to the Senate and the public generally—why the funds for this urgently needed replacement have not been retained in the appropriation bill. I have visited this so-called school in recent weeks. In my considered judgment, it should have been replaced at least 25 years ago.

The play area at the school is 19,190 square feet, or approximately two-fifths of an acre. There are 1,500 students that use this area, which is an area less in size than that required to seat the same number of students in an auditorium.

This school, which was built in 1902, has a rated capacity of 1,167 students. Last October there were enrolled 1,520 students, which means that there are 30 percent more students attending the school than it has a capacity to hold.

I shall take only a moment to read the comment of the Senator from New York. Then the Senator from West Virginia can comment on both my statement and that of the Senator from New York. The Senator from New York [Mr. KENNEDY] comments as follows:

> I would like, in addition, to say just a word about one other matter concerning certain items which the conference committee left out of the budget.
>
> I refer to the funds for the acquisition of a site for a new Shaw Junior High School, and for four other vitally needed school projects. The Shaw project is the most vital. I have visited the present Shaw on a number of occasions. It is in disgraceful condition and is badly overcrowded. A new building could not be needed more. I do not propose to try to stop final approval of the District of Columbia budget over this one matter, but I do want to indicate my support for introduction and passage later this year of a supplemental appropriation to cover the Shaw project and the other four school items that were lost in conference.
>
> I want to be on record now about this, so that there is no doubt about the fact that I do not acquiesce in the failure to include funds for Shaw in the original appropriation for fiscal 1966.

I thought, out of respect for the Senator from West Virginia, it would be well to present our caveat in regard to the Shaw Junior High School and give the Senator the opportunity to make any statement he cares to make about its deletion in the conference report.

Mr. BYRD of West Virginia. The Senate subcommittee included the Shaw Junior High School item in the bill and took the item to conference. I do not recall whether or not a list of priorities was presented to the House committee at the time it originally marked up the appropriation bill. The House committee, as I recall, allowed a great number of capital outlay items, and I believe that it did so based upon priorities of the various items.

The matter was discussed in conference. Without attempting to put myself in a position of speaking for the House conferees, which I cannot do, I should like to read one paragraph from page 15504 of the Congressional Record of July 1. I quote Mr. Davis of Wisconsin. Mr. Davis said:

> Mr. Speaker, the Shaw Junior High School could not possibly be included and can never be included so long as responsible men in this body will stand against the kind of tactics that deprive the District of Columbia of the site which we already selected for the erection of Shaw Junior High School.

I shall not now elaborate upon that point further. The statement of Mr. Davis, who was one of the House conferees, is clear, and the record speaks for itself.

Mr. MORSE. I have read Mr. Davis' statement. As the Senator from West Virginia knows, it is never the intention of Senators to involve themselves in a dispute over valid judgments with Members of the House, but for the record I would like to say this, because I support the comment of the Senator from New York concerning the disgraceful condition of the Shaw Junior High School, which we are now requiring boys and girls to attend. I believe he used the word "disgraceful," but if he did not, I do.

If the trouble is over the purchase of a site, the Congress should decide where to put the school, and go ahead and buy the site, or order that it be bought, and appropriate funds for building the school.

It is an old story with me that I do not feel that, as adults, and in this instance as adult legislators, we should permit differences of opinion among ourselves over what, after all, is pretty much really a matter of procedure, to cause boys and girls to suffer so far as denying them adequate educational opportunities is concerned. We deny them adequate educational opportunities when we force them to go, if they are to go to school at all, to a school that is so completely inadequate as is the Shaw Junior High School.

I would hope that Mr. Davis and all the rest of us could join hands in solving the problem. The ultimate responsibility over affairs of the District of Columbia is with the Congress, as the Senator from West Virginia quoted Mr. Davis of Wisconsin when he said:

> Mr. Speaker, the Shaw Junior High School could not possibly be included and can never be included so long as responsible men in this body will stand against the kind of tactics that deprive the District of Columbia of the site which was already selected for the erection of Shaw Junior High School.

I do not know what the quarrel is all about. All I know is that we could not take any jury to Shaw Junior High School and not have it come away with the feeling that something must be done now to replace it. Both the Senator from West Virginia and the Senator from New Jersey, who are now in the Chamber, are members of the Senate Appropriations Subcommittee, and have demonstrated time and again their desire to see to it that adequate educational facilities are made available to meet the educational needs of the District of Columbia. They have my support.

The Senator from New York [Mr. Kennedy] will also have my support in trying to resolve whatever conflict has developed over a site for the replacement of Shaw Junior High School.

I believe that the Senator from West Virginia will agree with me that, as a lawyer, Representative Davis does not set out a bill of particulars concerning the controversy. He labels the controversy, but there is nothing in his speech which gives a bill of particulars which makes it possible for me to adjudge the merits of the respective sides to the controversy to which he alludes.

All I wish to say to the Senator from West Virginia and to the Senator from New Jersey, whose views I hold in high regard respecting educational problems—because the Senator from New Jersey, in particular, was on my subcommittee for several years and, as I have stated on the floor of the Senate, has been very helpful in developing our educational legislative program—is that we cannot keep sending boys and girls to Shaw Junior High School and expect that we will be giving them adequate educational training in that inadequate and outdated school.

Mr. CASE. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. Tydings in the chair). Does the Senator from Oregon yield to the Senator from New Jersey?

Mr. MORSE. I yield.

Mr. CASE. I appreciate the comments of the Senator from Oregon. I believe that we three are in complete agreement on the issue. I do not know what Representative Davis is talking about. I do know that the feeling he expressed was shared by all the House conferees—and I hope it is not an unfair statement to say that they were deeply resentful of the fact that an area selected for a school should be used for some other purpose. Therefore, they all stood adamant against our provision, which included the money for the new site.

Speaking for myself, I dissented from agreement on that point by accepting the House position. It is probably true that the House conferees unanimously, so far as I know, were opposed to the plan. That is the only way we could get them to accept the $109,000 for the operation, for 1 year, of the John F. Kennedy Playground.

Mr. MORSE. Oh?

Mr. CASE. The only way to get them to accept the money was to consent to the deletion of this particular fund. Is that not a fair statement, I ask the Senator from West Virginia?

Mr. BYRD of West Virginia. I cannot say whether the House conferees were unanimous in their position.

Mr. CASE. They were quite close to unanimity.

Mr. BYRD of West Virginia. That may have been the case, but I do not recall. I do know that they were determined in their position.

Mr. CASE. It was not because they were against the school.

Mr. BYRD of West Virginia. Not at all.

Mr. CASE. Representative Davis, in the paragraph just quoted by the Senator from Oregon, said that there were two items in the conference report that should be in there on the ground of need and justice.

Mr. MORSE. For the site.

Mr. CASE. One of them was for Shaw Junior High School.

Mr. MORSE. For the John F. Kennedy site? Is that where the school was supposed to have been built?

Mr. CASE. Yes, it was purchased for the school and then borrowed, I believe, by a group which wished to have a demonstration playground. Whatever the hassle was—and I know nothing of it—I assume that the playground was so popular, useful, interesting, and attractive in a novel and important way, that a hue and cry was raised against taking it back.

Mr. MORSE. I did not completely understand that.

Mr. BYRD of West Virginia. I believe that the Senator from New Jersey has stated the situation correctly. The properties which are now being used for the Kennedy playground were originally purchased for use as a site for the Shaw Junior High School. There came a time the idea was evolved to place a playground there. It was to have been a temporary playground. The expenses of operation and maintenance were to have come from private sources.

As the Senator from New Jersey has indicated, the playground was extremely popular. More than 1 million visitors went to the playground during its first year of operation.

President Johnson wrote a letter to me, urging that the Senate committee include $109,000 for the continued operation and maintenance of the Kennedy playground, and $1,295,300 for purchase of a site for and construction of a new Shaw Junior High School.

I can appreciate the concern with which some people have viewed this matter. A certain piece of property was purchased for the express purpose of locating thereon a junior high school, and, without the approval of the same committees which appropriated the money for that purpose, the property was and is being used for another purpose. It was meant to be only a temporary playground, of course, but the use of the land for that purpose became so popular that the request then came to the committees to appropriate moneys to continue operation and maintenance of that playground as a permanent facility, and to provide moneys for the location and construction of a new Shaw Junior High School elsewhere. But as the Senator from New Jersey indicates, that is the concern that has been expressed. I share that concern.

I did not share that feeling to the extent that I did not recommend the inclusion of moneys for continued operation and maintenance of the playground and for purchase of a new site for Shaw Junior High School. I did so recommend, and I must say that the President's recommendation weighed heavily upon me in that regard; but I must admit that I shared this concern, perhaps not to the degree that Senators have expressed it, but I do share it.

I feel that if we appropriate moneys for a site for a school building, those properties should be used for that purpose and should not be used for some other purpose which, although temporary at first, might become permanent. This example before us establishes a bad precedent and it is not the proper procedure. I do not want to be critical of anyone, however, inasmuch as the circumstances involved in this instance are indeed unique and quite understandable.

Mr. MORSE. Let me say to the Senator from West Virginia and the Senator from New Jersey that they do not know how clarifying their comments have been to me. I happen to know that the playground site has produced great benefits in one of the worst crime-infested areas of the city. That is the problem which we have in this part of the city. The Senator from Maryland [Mr. TYDINGS], now presiding over the Senate, knows whereof I speak, because he is himself interested, as a member of the District of Columbia Committee, in the problem of crime within the District of Columbia.

This is really a crime-infected area. Sometimes it can be described as a highly contagious area from the standpoint of crime infection. Yet the information that has been made available to our committee, particularly to my subcommittee on the District of Columbia, which has jurisdiction over these matters of law enforcement, juvenile delinquency, education, and so forth, is that this playground has dramatically demonstrated time and time again the benefit of keeping youths busy in recreational activities instead of having them loiter around street corners and pool halls, and so forth.

We must not sacrifice the educational values that these young people are entitled to receive from us because we adults are getting into a quarrel over the procedure that has been followed and the policy that has been followed in regard to appropriating money for a school site area and then using it for other purposes, whether temporarily or permanently.

I do not wish to muddy the waters or rock the boat, so to speak. Let me express my intent on the floor of the Senate tonight. I shall, as chairman of my subcommittee, proceed to make inquiries through my subcommittee in regard to the matters to which the Senator has alluded in respect to the Kennedy playground site and the fact that money was appropriated to build a school on it, and that it was to be used only as a temporary playground and now apparently some in the House feel that the plan is to keep it permanently as a playground and therefore they do not want to appropriate money a second time for a school site elsewhere, as requested by the President of the United States.

I wish to testify that a playground in this area, whether it is the John F. Kennedy Playground site as now used or the site of the present Shaw Junior High School, after it has been torn down and perhaps some additional square footage purchased to enlarge it so that it would be comparable to the present site, is desirable.

We ought to be able to work out an appropriation arrangement in the future that will give us a school and a playground. This is not an "or else" proposal. This is not a question of whether we shall have either a school or a playground, but that we cannot have both.

I wish to testify on the floor of the Senate tonight that it is very difficult to find an area in the District of Columbia that needs both an adequate school and a playground in proximity to each other more than this area. I wish the RECORD to show, as I proceed to try to find out what the facts are, and I want the House to know, that I am not seeking to intervene in their prerogatives, but I am seeking to carry out my trust on the Senate District of Columbia Committee.

I shall do everything I can, and join the Senator from New York [Mr. KENNEDY], to have a new school built in this area. We must have it. I shall do everything I can to see to it that we get a playground in this area. If the Kennedy Playground needs to be moved a few hundred feet or so to some other area, we shall decide that when the facts are presented. Certainly we should not deny these boys and girls a playground and a school in the area particularly because previously the John F. Kennedy Playground site was bought for a school site and now, because the President is asking for appropriations to continue it, at least for the time being, we cannot build a school on it, and therefore some Members of the House say, "All right; you are not going to have a school."

I cannot follow that policy. I hope I have made my position clear to the two Senators. I am not criticizing them. I am pleading for future action. The Senator from New York [Mr. KENNEDY], in the statement that I have read into the RECORD, has laid the foundation, so far as I am concerned, for a future legislative program. I hope it will be enacted before Congress adjourns.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. CASE. Mr. President, I wish to say on behalf of my friend from West Virginia and myself that we welcome the support that the Senator has brought us. I hope this will be brought about very quickly. I anticipate that with such support we shall get it done at this session of Congress. I think we should.

Mr. BYRD of West Virginia. Mr. President, the Senator from New Jersey and the Senator from West Virginia are very much interested in providing for the school needs of the District of Columbia. I certainly have supported this item, as well as others. So the foundation was not laid so recently as today. There are those of us who have made the effort heretofore.

It should be stated that the Shaw Junior High School was No. 13 on the list of priorities presented to the House Appropriations Subcommittee, I am now informed by the subcommittee clerk, Mr. Merrick.

With regard to the Kennedy Playground, I have visited the playground. It is a very fine playground. But I was appalled at some of the lewd pictures and lascivious phrases that I found drawn and written on some of the properties there.

It would seem to me that the people who use this playground ought to evince enough pride in the playground, and in the name of the beloved and late President in whose honor it was named, not to treat these properties in such a manner.

Congress is appropriating moneys, which should have been provided by the private sources which had promised to bear the expense. The testimony indicated, I believe, that some of the other playgrounds in the District of Columbia suffered, to a degree, moneywise, in order that this playground might be operated and maintained because the private sources had not come through with all the moneys that they had promised.

It seems to me that if Congress is to appropriate the money for the operation and maintenance of this playground we ought to insist that the Department of Parks and Recreation adequately police the playground and make every effort to prevent those who use it from writing obscenities on the walls inside the cabin of the boat, and, drawing pictures of nude men, women, and so on.

This is a disgrace. Some of the adult or teenage people who use the playground are apparently responsible for it. This is a fine playground for children. But children should not be subjected to this sort of thing.

Someone who can write well and draw even better is responsible for the ugly pictures and statements that appear on the walls of these facilities.

I hope over the next year the Department of Parks and Recreation will exercise itself appropriately and diligently in seeing to it that these facilities are properly policed.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. MORSE. I could not agree more with the Senator from West Virginia. I believe that when these desecrations of that beautiful playground and equipment on it take place they should be immediately eradicated and that an improved program of policing and caretaking should be instituted to see to it that they are eradicated and, better still, that it may be sufficiently supervised to see to it that these desecrations do not take place in the first instance.

As the Senator knows, this is a constant problem. All of us who have been in education know what a problem it is. Some months ago I visited one of our poorer schools, a school which I referred to some little while ago in debate as a school that could best be described as a daytime custodial institution. I went into the boys' restroom. I saw evidence there of this kind of writing and picture drawing. I talked to the principal about it. He said that it had happened since that morning. He said, "We have this problem constantly. We try to find out who did it. The janitor has not been in here since it occurred. These writings and drawings will be eradicated immediately, if they cannot find out who did it; if they find out who did it, that person will do the eradicating himself." The appropriate educational lesson would then be taught. I prefer that word to the word "discipline" probably, but the educational lesson is taught.

I quite agree with the Senator from West Virginia. I hope that nothing I have ever said in my comment on this playground means that I think it should be conducted in a nonsupervised manner.

The Senator said something else of which I was not aware. I would be interested to see its development in the inquiries that I shall make about this question. I do not know about the financing of the Kennedy Playground and whether or not any public funds were taken from other playgrounds to finance this one. I understand that some of the original private contributors did not come through with all of their contributions. But here again I could not raise my right hand and swear to any amount or in regard to the names of individuals. I believe the Kennedy Playground is really serving as a great model for what can be done in one of the juvenile crime-infested areas of our city. I do not wish to see it eliminated. I have no objections, if the facts demonstrate it, to having it moved and a school put in that location, if that is the best place for the school and another place, equally as good, for a playground can be found. I cannot believe that we cannot do both. I am satisfied that we should do both.

Mr. BYRD of West Virgina. Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the 1966 appropriation bill, H.R. 6453, for the District of Columbia.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

District of Columbia—Summary of appropriation bill (H.R. 6453)

LOAN AUTHORIZATION (OUT OF THE GENERAL REVENUES OF THE FEDERAL TREASURY)

Item	Authorizations, 1965	Budget estimates, 1965	House bill, 1966	Senate bill, 1966	Conference action
Loans to District of Columbia for capital outlay (general fund)	$20,000,000	$22,400,000	$22,400,000	$22,400,000	$22,400,000
Loans to District of Columbia for capital outlay (highway fund)	1,400,000	3,911,900	3,911,900	3,911,900	3,911,900
Loans to District of Columbia for capital outlay (sanitary sewage works fund)	5,000,000				
Total, loan authorization	26,400,000	26,311,900	26,311,900	26,311,900	26,311,900

FEDERAL PAYMENT (OUT OF THE GENERAL REVENUES OF THE FEDERAL TREASURY)

Item	Appropriations, 1965 [1]	Budget estimates, 1966 [2]	House bill, 1966	Senate bill, 1966	Conference action
Federal payment to the District of Columbia (general fund)	$37,500,000	$50,000,000	$41,000,000	$46,000,000	$43,000,000
Federal payment to the District of Columbia (water fund)	2,047,000	1,973,000	1,973,000	1,973,000	1,973,000
Federal payment to the District of Columbia (sanitary sewage works fund)	1,173,000	1,149,000	1,149,000	1,149,000	1,149,000
Total, Federal payment	40,720,000	53,122,000	44,122,000	49,122,000	46,122,000

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES					
General operating expenses:					
Executive Office	$548,940	$683,900	$570,400	$570,400	$570,400
Department of General Administration	8,350,390	9,639,400	8,911,600	8,700,600	8,700,600
Regulatory and miscellaneous agencies	2,656,000	2,790,400	2,698,200	2,698,200	2,698,200
Department of Occupations and Professions	503,060	544,400	520,600	520,600	520,600
Public Library	3,890,042	4,129,900	4,095,600	4,095,600	4,095,600
Department of Veterans' Affairs	116,180	118,400	118,400	118,400	118,400
Department of Buildings and Grounds	3,073,218	3,156,000	3,144,600	3,144,600	3,144,600
Office of the Surveyor	254,070	263,600	263,600	263,600	263,600
Total, general operating expenses	19,391,900	21,326,000	20,323,000	20,112,000	20,112,000
Public safety:					
Office of Corporation Counsel	1,218,840	1,310,000	1,270,200	1,270,200	1,270,200
Metropolitan Police	34,662,850	38,318,800	36,391,100	38,056,100	38,056,100
Fire Department	17,089,100	17,540,600	17,536,100	17,536,100	17,536,100
Office of Civil Defense	129,000	140,100	140,000	140,100	140,100
Courts	7,783,510	8,261,400	8,096,700	8,096,700	8,096,700
Department of Corrections	9,310,900	9,892,300	9,697,200	9,697,200	9,697,200
Department of Licenses and Inspection	3,304,310	3,788,300	3,655,500	3,655,500	3,655,500
National Guard	209,290	211,100	211,100	211,100	211,100
Total, public safety	73,707,800	79,462,600	76,998,000	78,663,000	78,663,000
Education	71,755,300	77,984,000	74,740,000	75,953,900	75,457,600
Parks and recreation:					
Recreation Department	4,267,100	4,912,200	4,573,300	4,727,800	4,722,000
National Park Service	4,060,650	4,345,200	4,217,200	4,217,200	4,217,200
National Zoological Park	1,710,450	1,829,600	1,764,500	1,764,500	1,764,500
Total, parks and recreation	10,038,200	11,087,000	10,555,000	10,709,500	10,703,700
Health and welfare:					
Department of Vocational Rehabilitation	710,280	803,300	743,300	743,300	743,300
Department of Public Health	49,163,625	51,846,200	50,757,600	51,188,400	50,926,335
Department of Public Welfare	26,090,595	28,669,500	27,984,100	28,174,547	28,144,165
Total, health and welfare	75,964,500	81,319,000	79,485,000	80,106,247	79,813,800
Highways and traffic:					
Department of Highways and Traffic	11,490,887	11,820,500	11,820,500	11,820,500	11,820,500
Department of Motor Vehicles	1,914,013	1,965,000	1,941,000	1,941,000	1,941,000
Motor Vehicle Parking Agency	223,100	227,500	227,500	227,500	227,500
Total, highways and traffic	13,628,000	14,013,000	13,989,000	13,989,000	13,989,000
Sanitary engineering:					
Department of Sanitary Engineering	18,905,600	19,722,400	19,246,400	19,246,400	19,246,400
Washington aqueduct	3,100,300	3,251,600	3,251,600	3,251,600	3,251,600
Total, sanitary engineering	22,005,900	22,974,000	22,498,000	22,498,000	22,498,000
Metropolitan Police, additional municipal services, inaugural ceremonies	283,000				
Metropolitan Police, additional municipal services, Shrine convention		221,200	221,200	221,200	221,200

See footnotes at end of table.

District of Columbia—Summary of appropriation bill (H.R. 6453)—Continued

DISTRICT OF COLUMBIA FUNDS—Continued

Item	Appropriations, 1965 [1]	Budget estimates, 1966 [2]	House bill, 1966	Senate bill, 1966	Conference action
OPERATING EXPENSES—continued					
Personal services, wage board employees	$1,118,200	$1,279,000	$1,279,000	$1,279,000	$1,279,000
Settlement of claims and suits	14,028				
Total, operating expenses by funds:					
General fund	262,660,328	283,721,900	274,305,100	277,624,747	276,830,200
Highway fund	12,497,700	12,840,400	12,692,600	12,816,600	12,816,600
Highway fund (parking account)	841,400	847,800	847,800	847,800	847,800
Water fund	7,481,300	7,697,200	7,691,400	7,691,400	7,691,400
Sanitary sewage works fund	4,345,500	4,474,300	4,467,100	4,467,100	4,467,100
Metropolitan area sanitary sewage works fund	80,600	84,200	84,200	84,200	84,200
Total, operating expenses by funds	287,906,828	309,665,800	300,088,200	303,531,847	302,737,300
REPAYMENT OF LOANS AND INTEREST					
General fund:					
Construction loan	1,015,124	1,015,200	1,015,200	1,015,200	1,015,200
Stadium loan	671,876	842,500	842,500	842,500	842,500
Total, general fund	1,687,000	1,857,700	1,857,700	1,857,700	1,857,700
Highway fund, construction loan	2,213,000	2,151,800	2,151,800	2,151,800	2,151,800
Water fund, construction loan	1,173,000	1,225,800	1,225,800	1,225,800	1,225,800
Sanitary sewage works fund, construction loan	291,000	455,100	455,100	455,100	455,100
Total, repayment of loans and interest	5,364,000	5,690,400	5,690,400	5,690,400	5,690,400
CAPITAL OUTLAY					
Repayment of Federal obligations	1,860,000	986,800	986,800	986,800	986,800
Public building construction:					
Public schools	14,405,100	29,488,500	16,487,000	19,830,850	17,568,950
Public Library	3,953,000	1,427,500	1,427,500	1,427,500	1,427,500
Recreation Department	680,000	1,818,600	1,065,000	1,115,000	1,035,000
Metropolitan Police	11,000	230,700	230,700	230,700	230,700
Fire Department	23,000	321,000	321,000	321,000	321,000
Public Health		1,490,000	1,240,000	1,434,950	1,334,950
Corrections	302,000	1,677,000	1,135,000	1,135,000	1,135,000
Public Welfare	486,500	6,689,500	4,457,400	5,572,800	4,679,400
Buildings and Grounds	1,077,400	758,000	683,000	683,000	683,000
Total, public building construction	20,938,000	43,900,800	27,136,600	31,750,800	28,415,500
Department of Highways and Traffic	13,769,000	13,692,000	9,732,000	9,732,000	9,732,000
Motor Vehicle Parking Agency		151,000	120,000	120,000	120,000
Department of Sanitary Engineering	21,648,000	15,260,000	12,546,500	12,546,500	12,546,500
Washington Aqueduct	1,418,000				
Total, capital outlay by funds:					
General fund	33,039,000	57,089,600	37,611,900	42,226,100	38,890,800
Highway fund	13,185,000	13,090,000	9,130,000	9,130,000	9,130,000
Highway fund (parking account)		151,000	120,000	120,000	120,000
Water fund	2,383,000	1,375,000	1,375,000	1,375,000	1,375,000
Sanitary sewage works fund	11,026,000	2,285,000	2,285,000	2,285,000	2,285,000
Total, capital outlay	59,633,000	73,990,600	50,521,900	55,135,100	51,800,800
RECAPITULATION BY FUNDS					
General fund	297,386,328	342,669,200	313,774,700	321,708,547	317,578,700
Highway fund	27,895,700	28,082,200	23,974,400	24,098,400	24,098,400
Highway fund (parking account)	341,400	998,800	967,800	967,800	967,800
Water fund	11,037,300	10,298,000	10,292,200	10,292,200	10,292,200
Sanitary sewage works fund	15,662,500	7,214,400	7,207,200	7,207,200	7,207,200
Metropolitan area sanitary sewage works fund	80,600	84,200	84,200	84,200	84,200
Total, all funds	352,903,828	389,346,800	356,300,500	364,358,347	360,228,500

[1] Includes $231,128 in Supplemental Appropriation Act, 1965 (Public Law 88-635), and $11,430,500 in Second Supplemental Appropriation Act, 1965 (Public Law 89-16).

[2] Includes $757,000 net increase in H. Doc. 114 and $1,879,000 increase in S. Doc. 23

Mr. TYDINGS. Mr. President, I wish to say a few words about the District of Columbia appropriations bill for fiscal year 1966.

The subcommittees and the committees have met, the respective Houses have voted, the conferees have conferred—it now remains for us only to accept or to reject the conference report.

I shall vote to accept the conference report, because this report represents significant advancement over previous District appropriations bills. This year's budget brings us closer to meeting the unsatisfied needs of the city of Washington.

In the area of health care, in the area of more adequate staffing of the Department of Education, in the area of foster home finding and protective services in the Child Welfare Division of the Department of Welfare, this year's budget is measurably better than the last. In addition, this year's Federal payment has been increased significantly over that of last year.

Even recognizing the advancement which this budget represents, I do, however, have grave reservations about the results of our District budgetary deliberations, for two reasons.

The first reason for doubting the adequacy of our budgetary efforts is the nature and extent of the need for social services, in order that the children of the inner city may grow into responsible adults. The sort of need which one sees in Washington is not extraordinary—it is a need for the same kind of public facilities and services that every city requires. These are familiar items to each of us. We all know that an adequate educational system heads the list of necessary social services.

The conference committee's rejection of five school building projects which the Senate had approved is, then, a matter of deep concern. Among the items which the Senate approved but lost in conference is the site and planning money for a new Shaw Junior High School. Yet the Federal payment will be $7 million less than the authorized amount.

There can be no doubt of the urgent need for a new Shaw school building. A little over a month ago, the senior Senator from Oregon visited the Shaw school. The Senator from Oregon's deep concern about the conditions at Shaw focused the attention of everyone who would but see, upon the fact that a replacement for the Shaw school is long overdue. Mr. President, I ask unanimous consent to insert in the RECORD the newspaper accounts of the trip which my distinguished colleague, the senior Senator from Oregon, took to the Shaw Junior High School, and the conditions which he found there.

Mr. President, how can we blame the children who live in the area surrounding Shaw if they are not models of civic responsibility, when they have before them such an example of neglect as they have been given this year?

I hope that the District Commissioners will seek a supplemental appropriation, for the Shaw School and for the other necessary items not included in the present appropriation bill, as soon as the requested District revenue bills have been acted upon. Despite grave misgivings about the deletion of the site and planning funds for the Shaw School, I will vote for the acceptance of the conference committee's report, with the hope and expectation that a supplemental appropriation, including funds for Shaw School, will be forwarded to the Congress in the near future.

My second basic reason for concern with the results of our budgetary deliberations is simply my conviction that no matter how much we in Congress labor to write a proper budget for the District, the needs of this city will not be properly dealt with until the residents of the District are able to construct their own budget, through representatives of their own choosing.

Finally, Mr. President, I wish to compliment my senior colleagues on the District Committee and the Appropriations Committee, with whom I was privileged to work this year, on the District appropriations bill. We sometimes disagreed, but without being disagreeable, as we each sought to provide equitably for the needs of the District.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Human Crisis on Our Hands, Morse Says of District of Columbia Schools—Shaw Shocks Him on Tour of Four Facilities

(By Gerald Grant)

After touring four decaying schools here yesterday, Senator WAYNE MORSE said solemnly that educational mayhem was being committed against the children of Washington.

Standing outside Shaw Junior High School, he declared no city in the Nation with elected officials would allow such a school to exist: "It ought to be torn down immediately."

MORSE told a dozen newsmen and school officials who accompanied him that he was going back to Capitol Hill to urge Congressmen to recognize that "we've got a human crisis on our hands."

WANTS NO LABEL

He said he did not want to label it a school crisis because he was not talking about buildings, he was talking about the children in them.

It's time some Congressmen stopped "talking about juvenile delinquency and started doing something about its causes," the Senator said.

At Shaw, where officials reported they caught 21 rats last week, MORSE muttered such comments as shocking and disgraceful as he toured the 63-year-old building.

"Substituting my eyes for the testimony of witnesses," MORSE saw dank basement classrooms, a playground for 1,400 students that is not much more than a large concrete alley, and a cafeteria that floods every time it rains.

PHOTOGRAPHIC EVIDENCE

Dorothy W. Harris, assistant principal, showed Senator MORSE pictures taken in the cafeteria the last time it rained. Huge puddles were on the floor.

MORSE visited the book storeroom, not much larger than a regular classroom, that had been divided into two classrooms for students with emotional problems. Eighteen girls were jammed into a 20- by 12-foot space on one side of a bookshelf. A group of boys used the other side.

Louise E. Wise, the school nurse, told the Senator that many children came to school without breakfast and some have illnesses due to poor diet.

A HEARTY BREAKFAST

MORSE had started his tour at 7:45 a.m. at Perry and Bundy elementary schools where students ate a hearty breakfast of cereal, milk, applesauce, bacon, and eggs, and two slices of buttered bread.

About 90 youngsters from the two inner city schools are given breakfast each morning after physical training and a shower. It is part of a pilot program that MORSE would like to see extended to every needy child in the city.

School officials recently announced plans to provide 10,300 needy youngsters free breakfast next fall.

After Shaw, MORSE went on to Emery elementary, Lincoln Road and S Street NE., where he saw classes of 38 and 39 children crowded into 5 converted basement classrooms.

RATHOLES IN FLOOR

Delois G. Jones, the first-grade teacher, pointed out ratholes beneath a radiator.

MORSE wondered how one small toilet facility could serve the school's 400 boys. "You must have to keep a custodian here all day to keep this place clean," MORSE commented. The principal said he did.

Funds for the replacement of Shaw and Emery, both built in 1902, were denied by the House Appropriations Committee. Superintendent Carl F. Hansen recently pressed for restoration of the funds before the Senate District Appropriations Subcommittee.

MORSE ended his tour at the new Garrison Elementary School, 12th and S Streets NW. Noting its 2,000-book library, reading and speech clinics, health suite, auditorium and modern equipment, MORSE declared it was the kind of school every child of the city should attend.

[From the Washington Star, May 12, 1965]

Calls Shaw "Disgrace" After Tour—Morse Sees Human Crisis in District Schools

(By John Mathews)

Senator WAYNE MORSE, Democrat, of Oregon, toured five District public schools this morning "to substitute my eyes for the testimony of witnesses," and concluded that bad physical facilities of District schools create a human crisis.

The Senator, head of the Senate District Education Subcommittee, added: "We'd better stop talking about juvenile delinquency, illiteracy, and other problems and provide better buildings for District schools."

The Senator saw patched-up ratholes in a first-grade class at the Emery School, Lincoln Road and S Street NE., and a small lavatory used by 400 boys.

At Shaw Junior High School, Seventh Street and Rhode Island Avenue NW., the Senator saw a class of 18 girls squeezed into a 20 by 12-foot space behind the stacks of books in the library.

Officials at Shaw told him that in a recent week 21 rats were killed in the school basement.

MORSE also inspected the early morning breakfast and physical education program at the 75-year-old Perry School, M Street between First and New Jersey Avenue NW, and at the Bundy School, 429 O Street NW.

MORSE has urged extending the breakfast program and free lunch distribution. District School Supt. Carl F. Hansen will ask the District School Board this week for $508,000 to expand the program.

The Senator ended his tour at the Garrison School, 13th and S Streets NW., a new school that opened last September and was formally dedicated last night.

Mrs. Gloria J. Jones, the school's principal, said the building already is 40 students over capacity.

MORSE was particularly vehement about Shaw School, for which the House District Appropriations Subcommittee refused $1.9 million to build a new school that would retain the John F. Kennedy Playground.

"We are committing educational mayhem against every boy and girl who enter its doors every morning," MORSE said about Shaw.

Shaw Principal Oliver R. Rogers, Jr., showed MORSE the basement gymnasiums that are too small for league basketball games, a family living class held in a bare basement room which is flooded when it rains, and a small L-shaped playground which MORSE said was inadequate for a school of several hundred pupils, let alone a junior high of 1,200 students.

"Members of Congress should come here," the Senator said. "It's a disgrace to the Capital."

The Senator said the new $1.9 million Garrison School was the type of facility which should be provided for all District children. He listened to a reading class given in a special room by a remedial reading specialist and looked at the library which has nearly 2,000 books, but no full-time librarian.

At Shaw, MORSE spent about 10 minutes talking to Mrs. Clarence E. Wise, the school nurse. Mrs. Wise told the Senator that many children come to school without a proper breakfast and that a new Shaw should be a community center to service parents as well as their children.

At Bundy School, Charles E. Carter, the principal, said that for many of the 90 boys in the early morning breakfast-physical education program the breakfast of cereal, eggs, bacon, bread, and milk is the "best balanced meal they have all day." He added, "This is a soda pop and potato chip community."

MORSE was accompanied by schools officials and some of his aids.

Mr. RIBICOFF. Mr. President, the Senate-House conferees have agreed on a budget for the District of Columbia. I do not propose to challenge their conclusions. In many ways, it represents considerable progress for our Capital City, and I commend my colleagues who have worked so hard to improve it.

But, for the record, I would like to discuss briefly the welfare provisions of the budget—the gains we have made for the needy of the District of Columbia—and the steps which still must be taken. For my contention is that the needs of the children of our Capital must be met—no matter who their parents, or what welfare category they happen to fall into.

As you well know, Mr. President, when the District's budget went to Congress, the responsible officials asked for approximately $342,000 to give relief for 6 months to 490 families of unemployed parents—2,600 persons. The other body approved this request, and included this figure in the budget it approved. Then the Appropriations Subcommittee reponsible for the District budget approved the House provision extending AFDC/UP to the District of Columbia. It was deleted only after a vote in the full committee.

Next, my amendment to restore the House-approved funds was not rejected here in the Senate as in the 2 years just past. Instead. the Senate approved a substitute, introduced by the Senator from West Virginia [Mr. BYRD]. The principle of additional assistance to the needy boys and girls of the District was in fact approved by an overwhelming vote in the Senate. This fact was taken into account by the conferees when they accepted the Byrd substitute.

As I stated publicly at the time, I voted for the substitute amendment on final passage because I think that half of a loaf is better than none. The Federal Government has given the city $3 million to train about 1,200 unemployed men and women—heads of households. The Senate substitute amendment, now approved by the House-Senate conferees, supplemented that program with $300,000 to be used, apparently, for relief to the families of unemployed parents awaiting training—or to parents awaiting job placement after training.

This is a limited step forward. I voted for it because it will feed at least the children of the trainable parents—men and women who can be trained and will be trained. And meanwhile, the Senate has passed part of my substantive bill with the help and understanding of the distinguished Senator from Oregon [Mr. MORSE] authorizing and expanding the District day care program for underprivileged children, and ordering the Commissioners to provide foster home care to boys and girls whose own homes or parents are judged detrimental to their well being.

But a gap still remains in our handling of the problems of the District's most needy children. For the program we are finally adopting offers little to those children whose parents cannot for one reason or another be trained. Experts agree, Mr. President, that it is reasonable to assume that a large proportion of the people who cannot be considered for work or training have some physical or mental affliction. They may have a borderline intelligence quotient—or physical disabilities—which, together with their age, prevent the only kind of work which they are equipped to do.

Many such people are on AFDC in the District—as in other places—today. They are eligible for public assistance because of physical or mental incapacity. Under the approved State plan for the District, if a parent has a physical or mental defect, illness or disability, a needy child may be considered to be deprived of support or care. And under the law, incapacity means any physical or mental defect, illness or disability.

But the great problem is that here in the District children slip between the cracks of this welfare superstructure. These are the children of the man or woman who is, perhaps, disabled—the periodic alcoholic; the man who is in and out of the home, spending a few days each month in jail; the man who suffers periods of mental illness and no one is willing to bet on for training. These are the borderline cases—these are the parents who live in the shadows and the children who fail of support. For often a doctor cannot establish a physical or mental incapacity as definitely underlying the behavior pattern. The parents cannot meet a technical definition—so the children go hungry.

We do not know exactly how many of these children there are, Mr. President, but we do know that any one hungry child is one too many; and for him any civilized society—and especially the society of the Capital City of the richest country in the world—must provide these basic necessities of life.

These children need not go hungry. For if the new welfare program of the District is competently and compassionately administered, we can meet the needs of all the District's children. The poverty project will give work training to parents who can be trained. The Senate supplement will fund a program to help the families awaiting training or placement. And if the regular AFDC program is properly administered, it can provide for the needy families headed by parents without potentialities for employment because of physical or mental disabilities.

I am assured of this, Mr. President, by the most competent authorities in the field. As Secretary of Health, Education, and Welfare, I had occasion to study these matters thoroughly, and I am convinced that the law can be interpreted so as to cover all the children involved. For the disability provision of the AFDC law is based on the modern, generally accepted knowledge, that any physical or mental defect, illness, or disability interferes with the full functioning of a parent. That is why the act has classified "physical or mental incapacity of a parent" along with "death" and "continued absence from the home" as a circumstance which is known to deprive children of support or care.

I am today advising Mr. Donald Brewer, the Director of Public Welfare of the District of Columbia, of my views in this matter. He is a competent, respected official in this field, and I am sure that he will do his best to administer the law as humanely as possible.

I am also asking Mr. Brewer to provide me with certain statistics about the operation of the new program. For, Mr. President, next year at this time, we must again legislate in this field. Next year we must again consider these questions. And what we do then depends in large measure on the record built up by the Department of Public Welfare over the years—with the new tools provided by the Congress.

Our trouble in the past has been that we lacked complete information. Now that we will have more welfare programs, it is absolutely essential that we know exactly what their effect is on the needy children of the District. So I am asking Mr. Brewer to send me each month the following statistical data, beginning August 1, 1965:

First. Number of AFDC applications rejected, number of cases of AFDC discontinued due to the employability of the mother or the incapacitated parent, and number of other non-AFDC cases applying for "emergency assistance." Supply the following information separately for each of the three groups of families—AFDC applications rejected, AFDC cases discontinued, and non-AFDC families:

(a) Number of cases directly referred to title V work experience and training project without emergency assistance.

(b) Number of cases approved for emergency assistance;

(c) For cases not approved for either title V or emergency assistance, distribution by reason for denial and by other disposition made;

(d) Number of cases of emergency assistance discontinued and distribution by reason for discontinuation—transfer to title V, transfer to AFDC, other—by length of time emergency assistance was received.

Second. Number of children admitted to Junior Village because of family's ineligibility for aid for dependent children.

I have asked the Department of Health, Education, and Welfare to develop the forms of supplying this requested data to the District of Columbia Welfare Department. When it comes in to me, the material will be made available to the Senate and the press.

In this way, Mr. President, I am hopeful that we will continue to move forward in the District under the present budget provisions. At least we will give them a fair trial. Next year, we will see where we stand.

I must add, Mr. President, that I disagree with the approach of Commissioner John Duncan, as reported in the press this past weekend. I can understand his concern with the Congress' failure to provide an aid for dependent children-unemployed parent program for the District. But I must point out that while the House of Representatives is willing to provide it and while a substantial minority of the Senate concurs, we cannot throw the District participation in this national program to the winds.

I would rather take the point of view outlined above: We must give the program adopted this year a fair trial; we must continue to improve the District welfare program by administrative means; and we must take a good hard look at the whole question once again next year—armed with the facts which we will have from Mr. Brewer.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

FAVORABLE REPORT ON OREGON'S ECONOMY

Mr. MORSE. Mr. President, on June 24, the members of the Oregon congressional delegation were privileged to meet with a number of officials of the Portland General Electric Co. at breakfast in the Senate dining room. In addition to members of the delegation and their assistants, the following Portland General Electric officials participated in the breakfast conference: Mr. F. M. Warren, president; Gen. E. C. Itschner, vice president; Mr. A. J. Porter, vice president; and Mr. R. H. Short, vice president.

This meeting was extremely constructive because it gave the members of the congressional delegation an opportunity to discuss problems of interest relating to the welfare of the State of Oregon and its people. It is illustrative of the type of conference which I believe is of great help to the congressional delegation because it alerts us to problems that exist and those that are anticipated and gives us an opportunity to be of help to the State on matters of mutual interest involving Federal laws and Federal agency actions.

I was particularly impressed by the detailed report concerning the healthy condition of Oregon's economy, as presented by Mr. Robert H. Short, vice president of the Portland General Electric Co.

Mr. Short's report also sets forth gratifying news concerning the development and distribution of low-cost power by private and public utilities in our State. This shows the importance of our work over many past years in bringing about full development of the hydroelectric resource potential of the West.

At the conclusion of our breakfast meeting, I instructed my administrative assistant to request Mr. Short to supply a résumé of the briefing he so kindly gave the members of the delegation. Mr. Short's letter of July 1 is in response to this request. Because of its comprehensive nature and its importance, I ask unanimous consent that the text of Mr. Short's letter and the attached schedule be printed in the RECORD at this point in my remarks.

There being no objection, the letter and schedule were ordered to be printed in the RECORD, as follows:

PORTLAND GENERAL ELECTRIC CO.,
Portland, Oreg., July 1, 1965.

The Honorable WAYNE MORSE,
U.S. Senate,
417 Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: At the conclusion of the breakfast meeting held in Washington, D.C., last week between members of the Oregon delegation and officers of Portland General Electric Co., Mr. William Berg suggested that some of the material presented by us be summarized in letter form. I hope this information may prove of interest to you and to other members of the delegation.

The Portland General Electric comments were directed to two subjects: First, Oregon's economy; and second, the power supply situation in Oregon and the Pacific Northwest.

Oregon's economy for the first half of 1965 is generally good. A number of economic indicators show that business activity in Oregon, particularly in the Portland-Salem area, is better than in 1964 which, incidentally, was a good year in Oregon. The Federal Reserve Board in San Francisco cites general business activity in Portland to be up 13 percent for the first 3 months in 1965 as compared to a similar period in 1964. The Eugene-Springfield area with an increase of 24 percent in this category ranks among the leaders on the Pacific Coast.

Perhaps the most significant of the statistics presented related to the continuing downward trend in unemployment in Oregon. In terms of percentage of unemployed in the labor force, the figure for the first 5 months of 1965 was 3.7 percent for the Portland area. This compares with figures of 4.3 percent for 1964, 4.5 percent for 1963, and 5.1 percent for 1962. Portland's unemployed percentage is slightly less than Oregon as a whole.

In recent months several major developments in the industrial field have occurred in the Portland area. Perhaps the most significant of these are the planned $90 million Crown Zellerbach expansion at Wauna and the $10 million investment by Shell Oil at St. Helens. This latter development will be substantially larger in future years.

One of the most rapidly growing areas in Oregon is the area south and west of Portland. During the past year, five new plants were completed. A recent check indicates that 19 additional major industrial or distribution facilities are either under construction in the area or plans for construction have been announced. These industries are a combination of local and national manufacturing concerns and will add significantly to the region's industrial payroll.

Portland, and its immediate vicinity, continues to be the major distribution point for the Pacific Northwest. The best single indication of this activity is in volume of business in warehousing. In the period 1958 to 1963, revenues from warehousing in Portland increased from $2.9 million to $5 million. During the same period, employment in the warehousing business in Portland increased by 60 percent and available floor space was increased from 1.1 million square feet to 1.28 million square feet. An interesting figure which reflects progress in both storage and food processing is the rapid expansion of refrigerated public storage in Oregon. In the 5-year period from 1958 to 1963, the State doubled its capacity in this area, showing an increase from 12.6 million square feet to 25 million square feet.

Portland remains the leading dry cargo port on the coast, having shipped 4 million tons of dry cargo in 1964. Total shipped in 1964 was 10 million tons.

One of the most promising developments in Oregon's economic picture is continued expansion and likely future expansion of the food processing industry. The area development department of Portland General Electric is currently working with three major companies regarding locations in the Willamette Valley. Representatives of these companies have requested that their identifications be withheld until final land purchases have been concluded.

One problem which exists in connection with the food processing industry is the need for water storage and control projects. At the moment the most pressing of these is the Tualatin Valley project which has been approved by the Senate but as yet has received no action in the House of Representatives. We are most appreciative of your efforts to expedite action on this project and hope that it can be authorized in the near future.

Electric utility companies such as Portland General Electric frequently can serve as good thermometers of business activity because of their direct relationship to new construction. Sales of energy on our system for the first 5 months of 1965 show a 2.2 percent increase over 1964. This increase is slightly smaller than normal because of weather conditions. Most of 1964 was quite cold but 1965 has been warm and pleasant. Commercial construction in the Portland General Electric service area is up over 1964 but residential construction is down about 13 percent in Portland and 3 percent in the Willamette Valley. I am advised that these decreases in residential construction tend to reflect cyclical building conditions and are not a matter of concern.

Kilowatt hour use continues to grow, particularly in the residential category. Average annual usage per residential customer is now at 11,476 kilowatt-hours. This is almost three times the national average and reflects high saturation of electric appliances, electric heat, and low rates. Portland General Electric now has over 50,000 residential electric heat customers (20 percent saturation) and our average revenue per residential kilowatt-hour is 1.11 cents. Systemwide, average revenue is 1 cent per kilowatt-hour.

In the long range, one of the most significant developments in Oregon has been the trend in recent years for the State to diversify its economic base. The "statistical lag" in compiling figures for economic activity is about 1 year, so the following comments are based on complete figures at December 31, 1963. Most competent persons in the field agree that the trends shown by these figures are continuing. The statistic used is wages and salaries paid by the industries which form Oregon's economic base. This statistic probably most accurately reflects the relative importance of each.

WAGES AND SALARIES PAID, 1963

1. Lumber and wood products, $394 million: This is a relatively level figure and has not increased appreciably since 1953.
2. Other manufacturing, $432 million: This is up over $200 million in the past 12 years.
3. Farm marketing, $235 million: This is relatively stable and shows only minor annual fluctuations.
4. Livestock and products, $191 million: This is up slightly since 1955.
5. Contract construction, $197 million: This shows a rather slight increase from 1953 to 1960 but a sharp increase from 1960 to 1963.

Total income figures for the State of Oregon for 1963 were $4.568 billion which represents a per capita income of $2,502.

Tourism continues to be a substantial income producer in Oregon although the available figures indicate that it has been relatively stable for the past several years. In 1963 it is calculated that wages and salaries from this industry amounted to $162 million.

On the question of area and local power supply, the situation is excellent. Portland General Electric, as you know, serves about one-half of the State's population, although its service territory is less than 4 percent of the State's land area. Since 1960 the company has added almost 1 million kilowatts of capacity, either by construction or by long-term purchases of power from public utility district projects on the mid-Columbia in Washington. Assured additional power for Portland General Electric from projects either now under construction or licensed include 288,000 kilowatts from the Wells project on the mid-Columbia (1968), 60,000 kilowatts from Hanford (1965), 242,000 kilowatts from Columbia Storage Power Exchange (1968–72), and 430,000 kilowatts from High Mountain Sheep (1973). Future sources include power from Canada, purchases from California or the Pacific Southwest, and the development of large fuel-fired or nuclear generating stations. Each of these sources is considered an excellent possibility for long-range, low-cost power for the people in the Portland General Electric territory.

Since the Northwest contains the most effective power pooling arrangement in the United States, any consideration of electric power supply must be viewed from a regional point of view rather than a local point of view. In this regard, the power situation in the Northwest is probably better than it has ever been. In 1960 there were 12.8 million kilowatts of generating capacity (nameplate rating) in the Pacific Northwest. This was composed of Federal projects, non-Federal public projects, and private company projects. Since that time, almost 3 million kilowatts has been added. More importantly, an additional 6.2 million kilowatts are under construction and 2.8 million kilowatts are authorized for construction. At mid-summer 1965, therefore, the Northwest has 24.8 million kilowatts of power either in service, under construction, licensed, or authorized.

The attached tabulation indicates the nature of these power additions and shows the contribution made by various segments of the Northwest power industry.

Major PGE activities outside the field of generation which are of interest to the Oregon delegation include the company's participation in the Northwest-Southwest intertie. We have commenced construction on 193 miles of 500,000 volt a.c. line which will extend from a point near our Round Butte project in central Oregon to a point near Malin on the California-Oregon border. This project will require an expenditure of about $23 million and is scheduled for completion in May 1968. Including the intertie, the company's construction budget is as follows: 1965, $16,747,000; 1966, $25,488,000; 1967, $26,705,000.

The company is also making major advances in providing underground distribution facilities in new residential areas. Significant advances in the design of equipment has reduced the cost of underground to the point where it is well within the range of most new suburban developments. In the city of Portland, Pacific Power & Light Co., and Portland General Electric Co., have reached agreement, subject to city council approval, establishing areas of underground service. This will lead to ultimate underground installation of electrical facilities in the entire downtown area.

Regional power developments important to the Northwest include construction of the intertie system, conclusion of the Canadian Treaty and, most significantly, a coordination agreement between all of the region's power producers—Federal, public, and private. This agreement provides that the entire Northwest hydroelectric system will be operated as one unit, regardless of ownership of the various component projects. This has the effect of making available to the region more than 1 million kilowatts of power which would not otherwise be available and furthermore does so at no cost. It makes possible the complete use of our hydroelectric resources and will react to the benefit of all citizens in the Pacific Northwest.

Regionally, we look to future dealings with Canada for new power sources and to the likelihood of joint venture construction of major thermal electric projects—either conventional or nuclear. Additional benefits to the region will, of course, be provided by the Northwest-Southwest intertie. This transmission system will permit us to market temporary surplus power and will permit diversity exchanges between regions so that fullest use can be made of each kilowatt of installed capactiy.

Very truly yours,

ROBERT H. SHORT.

Generating capacity in the Pacific Northwest

	Nameplate rating in kilowatts	
	Additions	Total
In service, Dec. 31, 1960		12,875,930
Additions completed to date:		
PGE (Round Butte)	247,050	
Other private companies	370,190	
Public agencies	[1] 1,937,880	
Federal agencies	323,500	
		2,878,620
Total in service, May 31, 1965		15,754,550
Under construction:		
Private companies	369,900	
Public agencies	[2] 2,425,250	
Federal agencies	3,470,000	
		6,265,150
Licensed or authorized:		
PNP Co. (High Mountain Sheep)	1,225,000	
Public agencies	[3] 546,600	
Federal agencies	1,064,000	
		2,835,600
Total in service, under construction, licensed and authorized at May 31, 1965		24,855,300

[1] Includes 1,504,530 kilowatts under contract to investor-owned utilities.

[2] Includes 1,014,250 kilowatts under contract to investor-owned utilities.

[3] Includes 313,080 kilowatts under contract to investor-owned utilities.

ARCHIBALD COX—A GREAT SOLICITOR GENERAL

Mr. KENNEDY of New York. Mr. President, everyone who knows Archibald Cox feels that his resignation today marks in a special way the turning of a page in the history of the Office of Solicitor General of the United States—which he has held these last 4½ years.

Archibald Cox brought to this Office a uniquely rich combination of talents. He was a distinguished teacher. He had an established reputation as a scholar who wrote not only profoundly, but incisively and eloquently. He participated fully in the government of his community and his country—both in electoral politics and, on the part of President Kennedy, in efforts to enact fair labor legislation in the Congress of the United States.

When matters of great importance to the people of this country came before the Supreme Court, Archibald Cox had no hesitation about the responsibility of the Federal Government. It would speak to the Court; and, through Archie Cox, the voice of the United States was strong, eloquent, and just.

As Solicitor General, he argued many cases—and his arguments played a major role in the most significant changes in the American law and American life. The reapportionment cases which he argued as a friend of the Court changed the structure of political representation in the Congress and in the State legislatures; the one-man, one-vote rule to which Archibald Cox contributed so much is a major step in the forward progress of democracy.

A similar advance, during this time, was made in the field of civil rights for all Americans—and here, too, Archibald Cox, as much as any other man, was responsible for fulfilling the promises of our Constitution—so that all Americans could vote and travel and eat and play in equality and dignity.

He argued many other cases—in antitrust law, in labor law, in all the many fields in which the interests of the United States are subjected to the rule of the courts and law. But he made other contributions of at least equal value. President Kennedy called on him frequently for counsel in situations of difficulty and delicacy. In the steel controversy and in the Cuban missile confrontation of October 1962, his judgment and advice was of the highest caliber.

He is a wise and trusted counselor and a steadfast friend.

There have been many great Solicitors General: Stanley Reed, Robert Jackson, Charles Fahy, and Simon Sobeloff. To that great roll is now added the name of Archibald Cox. His leaving is a great loss to the U.S. Government. He has earned the respect and gratitude of all its citizens.

VICE PRESIDENT HUMPHREY'S ADDRESS TO THE BLIND

Mr. HARTKE. Mr. President, while it has been most gratifying to me that the Senate adopted my amendment to liberalize blind disability benefits under social security last Friday, by a vote of 78 to 11, I wish to recall to this body that it was the work of Vice President HUBERT HUMPHREY as a Senator which helped mightily to pave the way for that action.

The record of HUBERT HUMPHREY as a Member of this body has been marked over the years by the finest support of all kinds of measures for the benefit of those who are disadvantaged and in need of the strong arm of assistance from the Federal Government. It was out of his humanitarian concern that he acted in the introduction of the blind disability bill, now an amendment in the social security bill which we have passed, in the 88th Congress.

Before the opening of this Congress, after his election as Vice President, Senator HUMPHREY wrote a letter to me asking that I carry on the effort to secure passage of this measure to assist the blind. Last year, you will recall, under his leadership it had been unanimously adopted by the Senate in the social security bill which failed of conference action at the end of the session. I was delighted to become the introducer of the bill in this way, particularly since I had supported it strongly as a cosponsor last year. But I am frank to say that passage this year owes a great deal to the momentum provided by the man who is now our Presiding Officer, Vice President HUMPHREY.

The National Federation of the Blind was holding its convention at the Mayflower Hotel last week as we were considering the social security bill. Because of Vice President HUMPHREY's efforts to promote the cause of the blind, he accepted the federation's invitation to speak to them. As he said to them:

> A man in public office is privileged to meet with many fine organizations. Few uplift the heart and the mind more than your own federation.

Mr. President, I ask unanimous consent that the address by the Vice President, continuing his interest in and association with the problems of the blind, may appear in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS PREPARED FOR DELIVERY BY HON. HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES, AT NATIONAL FEDERATION OF THE BLIND CONVENTION, WASHINGTON, D.C., JULY 8, 1965

It is an inspiration to be—once again—the guest of this great convention.

A man in public office is privileged to meet with many fine organizations. Few uplift the heart and the mind more than your own fine federation.

For 25 years, you have proven what private individuals, united in a common cause, can achieve for their country and for their fellow citizens. Your members have demonstrated the invincible power of the spirit. They have proven their ability to conquer a physical lack, to live normal lives, indeed, often extraordinarily productive lives.

Your federation has compiled a remarkable fruitful record—nationally, in the States, cities, and rural areas.

You have brought hope to countless thousands of the blind where, before, they had been so much hopelessness. You have encouraged self-help by the blind in place of dependency.

You have helped build a whole new climate—of opinion, of understanding—on the part of the American public and of officials. You have fostered understanding where before there was so much ignorance and prejudice.

You have never hoisted a white flag of surrender. Instead, you have made the white cane a symbol of courage, of nobility—of reaching out to the world, rather than retreating, a symbol of maximum independence.

For all this, I commend you. America is proud of you.

The proof of your achievement is that what once had been private goals—your goals—have now become public, official goals, our goals as a nation.

This administration seeks to build a Great Society.

The goal of the Great Society is opportunity: opportunity for every man to realize his highest potential.

We are striving for this goal by opening wide the gates which had been closed—closed because of race, creed, color, or sex, because of poverty, illness or disability.

And we are helping our fellow citizens to walk through these gates.

Today we are fulfilling many of the hopes, yes, the visions, of your own federation and of other pioneering organizations.

Your great founder Jacobus Ten Broek had this vision. He had a gift of foresight—which others who had the blessing of physical sight—did not possess.

And your dynamic Washington representative, my friend, John F. Nagle, has helped turn vision into reality—by his devoted efforts.

Among many other good battles, John has fought for a victory which will soon be ours—the triumph of the omnibus bill known as medicare.

The bill does not contain all the features which many sponsors over the years had wished. But it does assure for employees and the self-employed—in their senior years—hospital insurance, out-patient and nursing home care through an expanded system of payroll contributions.

And other provisions of the bill—less publicized—will have a tremendously beneficial effect, particularly for the blind. Under a new title 19 of the Social Security Act, State medical assistance to the needy will be greatly expanded, diversified, and liberalized; restrictions of the means test will be eased.

For those handicapped citizens who cannot look after themselves, Federal financial assistance will be provided—for the first time—to enable States to make payments to a responsible third party such as a social agency or a clergyman.

Cash benefits will be increased—if only modestly. When the bill emerges from conference, it will not satisfy every need—of the blind or others. But it is a long step forward.

The "longest journey is the first step."

Your federation has taken many, many steps forward. You have come a long way. And I regard it as a great honor to have walked with you and worked with you.

Three times I have met with your fine conventions—National or State.

Eighteen years ago, as mayor of Minneapolis, I welcomed your members to that great city for your seventh annual convention.

Five years ago, as U.S. Senator from Minnesota, I attended another very enthusiastic convention—of the United Blind of Minnesota.

And today, I am so proud to meet with you again, proud to receive your plaque, to greet so many old, dear friends, and I hope, to make new ones.

May your 25th anniversary convention be the greatest ever.

Long may the federation flourish in its service, in its leadership.

Long may the courageous blind help to lead a courageous America to a better life for all.

STRENGTHENING THE INTERNATIONAL MONETARY SYSTEM

Mr. HARTKE. Mr. President, it is a most valuable development in our international monetary situation to have such an able advisory committee as that which was recently appointed to turn its concentrated attention to the problem of monetary reform. The business community, the United States, and the other nations of the world who are so inextricably linked in the common problems of international exchange, are fortunate indeed that former Secretary of the Treasury Dillon has consented to serve as chairman, together with former Under Secretary Robert V. Roosa and the other distinguished members.

Today's Washington Post carried an article on this subject, written by Hobart Rowan, which points up the importance of the committee and the wisdom of the selection of Mr. Dillon as its head. I ask unanimous consent that this article may appear in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 12, 1965]

ECONOMIC IMPACT: THE MONETARY SYSTEM CRISIS

(By Hobart Rowen)

Former Treasury-Secretary Douglas Dillon will be back in Washington at the end of the week as chairman of a high-powered advisory committee on monetary reform—and he's being welcomed with open arms, especially by liberal Democrats.

When Dillon's retirement was announced last spring, a close friend of the late President Kennedy said: "We're going to miss Doug Dillon—and 4 years ago, I wouldn't have believed that to be true."

At the start of the Kennedy administration in 1961, most Democrats viewed the appointment of Republican Dillon with some suspicion. As a matter of fact, Under Secretary Henry H. Fowler—who now occupies Dillon's post—was regarded by some as a Democratic watchdog.

That wasn't necessary. As one former White House staff man wisecracks, "Doug moved to the left while Joe Fowler moved to the right." Actually, what really happened was that the imaginative and energetic Dillon found himself in such close harmony with Kennedy and his economic advisers that party lines blurred into insignificance.

Former chief economic adviser Walter W. Heller, with whom Dillon scuffled off and on for nearly 4 years, says: "You have to go back to Gallatin to find a more outstanding Treasury-Secretary. Dillon became a master of modern economics and its application to fiscal policy."

Thus, Fowler is to be congratulated on his selection of Dillon to head the monetary committee. He enjoys a worldwide prestige that should help convince friends and skeptics alike that we are serious about the question of reform.

It should be said that Dillon himself wasn't always convinced of the need to add to international liquidity. At the International Monetary Fund meetings 2 years ago, he and former Under Secretary Robert V. Roosa (who joins him on the advisory committee) effectively deflated Reginald Maudling's scheme for reform.

Dillon and Roosa at that time thought that the need for some new form of reserves was far, far in the future. It is only to their credit that they have changed their minds.

Recently, in a commencement address in Middlebury, Vt., Dillon bluntly warned that the free world "is rapidly approaching a financial crossroads." Failure to strengthen the international monetary system, he added, could result in a worldwide recession. * * * A strengthened international monetary system must be installed before it is needed, and not after the crash.

These are strong words. They reflect a position that many economists and academicians have taken for a long time. Even more important, Dillon's evaluation indicates that the United States will have a specific plan to put forward to its trading partners later in the year.

For all of the new clout that Dillon brings to Fowler's Treasury, however, success isn't assured. The big obstacle in the way is a stubborn man named De Gaulle.

The French attitude seems to be that there is no shortage of international liquidity—just a shortage of British reserves. The French are frankly tired of helping the British to "live above their means." Other continental powers like the Germans and Dutch are fat and content at the moment, and show no interest at all in monetary reform.

Well-informed IMF sources think that the problem won't move off dead center until the French, the Germans, and the Dutch themselves feel a financial pinch. But everybody on this side of the Atlantic is delighted that Dillon will be at work generating and pushing ideas.

A NATIONAL SYSTEM OF AUTOMOBILE TIRE GRADING AND LABELING AND THE BANNING OF THE SALE OF UNSAFE TIRES

Mr. NELSON. Mr. President, the Senate Commerce Committee has been considering my bill, S. 1643, to set up a national system of automobile tire grading and labeling and to ban the sale of unsafe tires.

Our inquiry into this serious national problem of tire safety has made clear that automobile manufacturers play a major role because they are responsible for selecting original equipment tires on the automobiles they sell.

On June 7, 1965, I wrote to the four major automobile manufacturers asking a series of questions designed to bring out important facts on automobile tire safety.

The most important question of all was whether the automobile manufacturers themselves considered the tires on their new cars to be adequate for all-round use.

Expert testimony before the Federal Trade Commission and the Senate Commerce Committee had indicated that many tires, even on brandnew cars, were really designed to carry only partial loads—such as three passengers and no luggage—and that they might be seriously overloaded when the vehicle was filled to its designed capacity.

All of the automobile manufacturers have now replied to my letter of June 7. It is perfectly clear that their own letters confirm this rather alarming testimony.

They state that the tires on their new cars are designed to carry what they seem to consider average or typical loads, and that if the vehicle is to be fully loaded, the motorist is expected to overinflate his tires to increase the carrying capacity.

This is a shocking situation that ought to be rectified by the automobile manufacturers immediately.

Tire safety is a matter of national concern. So that all may read the full facts on this significant exchange of correspondence, I ask unanimous consent at this time to print in the CONGRESSIONAL RECORD the automobile company replies to my questions; my letter to Senator MAGNUSON of July 12, forwarding those letters to the Senate Commerce Committee and commenting on their contents; and my second letter of July 12 to the automobile manufacturers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JULY 12, 1965.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee, Washington, D.C.

DEAR SENATOR MAGNUSON: As you may recall, on June 7, I wrote to the major automobile manufacturers asking them a series of questions on automobile tire safety. The presidents of the four major manufacturers, or their designated representatives, have now replied to my letter. I am forwarding their replies to be included in the hearing record of the Senate Commerce Committee. The committee has been taking testimony and gathering evidence on bill S. 1643. At this time I want to comment on these letters and ask that my comments also appear in the RECORD.

I want to express my appreciation to the automobile industry for the prompt and thorough replies given to my questions. I am sure that the industry is sincerely interested in automobile safety.

However, testimony at the Federal Trade Commission hearings and the statements of the auto manufacturers in their letters to me make it abundantly clear that large numbers of new automabiles are equipped with inadequate and dangerously unsafe tires. For this situation the auto manufacturers are solely responsible because they decide what quality tire shall be placed on the car.

It is scandalous to equip new automobiles with tires that are unsafe when the car is fully loaded. The automobile industry is well aware of the inadequacy of their original equipment tires and apparently does not intend to do anything about it. I think, therefore, that Federal legislation setting safety requirements for original equipment tires is necessary and fully justified.

The main question which I asked the automobile manufacturers was whether the tires supplied on their cars were adequate for full load service.

At the Federal Trade Commission hearings, in January, there was expert testimony to the effect that these tires were not adequate. The replies from the automobile company presidents confirmed this fact.

Although they contend that their tires are adequate, all of the auto companies attach special conditions which, in my opinion, are both unrealistic and in some cases dangerous.

All of the auto manufacturers state that the tires on their cars must be overinflated in order to accommodate what I consider perfectly normal loads, such as six passengers, plus normal luggage in a six-passenger sedan.

American Motors, for instance, states that if the tires on its cars are overinflated as American Motors recommends, they should be "adequate for occasional full-load service." This is a shocking admission which should jolt everyone concerned about the death of 47,000 Americans a year on our highways.

The Ford Motor Co. states that its large station wagons, commonly referred to as "9 passenger," can carry a full load up to 1,300 pounds only if the rear tires are inflated to 36 pounds pressure.

General Motors recommends increasing the tire pressure in sedans from 24 to 30 pounds to accommodate full loads. For loads of 1,200 pounds in station wagons (which are common), General Motors recommends optional oversize or 8-ply rated tires, while supplying a 2-ply, 4-ply rated tire as standard equipment.

These letters add up to a clear admission that the tires supplied with new cars are not adequate for all-round use unless each individual motorist carries out an elaborate ritual of weight computation and inflation and deflation. I seriously doubt that more than a tiny minority of American motorists would ever be expected to follow these elaborate precautions, calculating the weight of car passengers and accessories with great precision and changing tire pressure to accommodate it.

Furthermore, the attempt by the automobile manufacturers to make inadequate tires adequate by overinflating them creates serious danger in itself. I asked an official of the Tire and Rim Association to comment on the Ford recommendation of tire pressure up to 36 pounds. He stated that it was the consensus of the industry that such a tire pressure was dangerous, that it was likely to cause extremely rapid wear, and would increase the danger of blowouts.

The auto company replies also show that there was a shockingly low margin of safety in the tires supplied with new cars. If you read the manuals, General Motors advises you to increase your front tire pressure if you add air conditioning. Mercury recommends a much larger tire with the use of air conditioning. It seems doubtful that air conditioning equipment would weigh as much as a single passenger. Yet the industry seems to be telling us that the addition of this one accessory pushes the car so far beyond the margin of safety that the tires are no longer adequate.

No amount of evasiveness or talk about inflation and deflation will meet this problem. It is obvious that higher quality tires, with much greater safety margins, are required on our automobiles.

The auto company replies point up much better than anything I could say the existence of a national scandal in automobile tires. Tens of thousands of American motorists, fooled into thinking they are safe in their shiny new cars, are speeding across the Nation on a time bomb which could explode at any time.

Unfortunately, I do not believe we can leave the protection of the public interest in tire safety up to the fiercely competitive automobile industry. We have got to set some standards for tires at the national level.

I would appreciate it if the enclosed replies from the automobile manufacturers could be included in the record of the hearings, along with my covering letter.

Sincerely yours,

GAYLORD NELSON,
U.S. Senator.

CHRYSLER CORP.,
June 28, 1965.

Hon. GAYLORD NELSON,
U.S. Senate, Senate Office, Building, Washington, D.C.

DEAR SENATOR NELSON: This is a further reply to your letter of June 7, 1965. Both this reply and the accompanying detailed answers to the specific questions asked in your letter have been done at the request of Mr. Townsend to whom your letter was directed.

At the outset let me say that we fully understand your concern and are glad to answer your questions. Not only to give you the facts but also that you may know something of our own effort to meet squarely and effectively the problems of safety and efficiency which are presented.

Although we fully share your concern as to the causes of automobile accidents, data available to us does not disclose tire failure of original equipment tires as a cause of accidents where the tires had one-sixteenth inch or more of tread and had been reasonably cared for, including the avoidance of gross underinflation and overloading. At the same time, as indicated, this does not lessen our awareness of a high degree of responsibility we have for proper tires on our vehicles.

We have always placed particular emphasis on factors which affect safety. Both the tire builders and our own technical experts strive each year for tires which are more reliable than the year before. I am sure you will appreciate that the approach is made on a professional basis using engineers particularly trained and experienced in the examination of test data not only in the laboratory but at the proving grounds. The knowledge so gained is the product of a great many years of experience and many hours annually expended in this as in other research and engineering projects.

Specifically, recommendation for original equipment tires on new automobiles is made after examining the test data, conclusions and recommendations from our steering and suspension development group as well as our durability test section at our proving grounds. Tires from the five major tire companies are tested. We normally purchase from three of these with whom we work closely in this area. We also solicit and use durability and reliability information from independent tire testers, fleet operators, police departments, and others whose use and size make them a useful source of such information. As a result, the tires which are supplied today on Chrysler-made cars are the most reliable that we have ever used.

Some years ago Chrysler Corp. developed what is has called "safety rim wheels," which for the past 25 years have been installed as standard equipment on all of our passenger type and those of our commercial automotive products that would accept them. Thorough-going tests, as well as extensive road experience by customers, have proved that with such wheels, even if a blowout occurs, the tire will stay on the wheel and the car will not be "thrown" to one side or the other of the road because of the tire leaving the rim and jamming between the wheel and fender. We understand that our U.S. competitors have recently been adding this safety feature to their products. It is our belief that this feature and the improved tires that have been developed will virtually eliminate accidents from blowouts, if such is not already the case.

We go into this in preparation for answering your questions because we feel it fair to you, your committee and to us that your basic background understanding of our approach to the installation of tires on our automobiles should be as broad as possible.

Equally, you must thoroughly appreciate our complete concern with not only the satisfaction and comfort of the customers who purchase our automobiles but, of course, their safety, their obtaining full value, and their knowledge of what they are getting. In this regard we are constantly attempting to improve the various customer manuals and dealer service bulletins to the end that owners, drivers, and dealers may more fully understand the problems involved and what we have done to meet them.

You should also understand, as I am sure you do, that this is a continuing and evolving process always subject to change as technological advances are made. I am sure this is true for other automobile manufacturers and for the tiremakers as well but I can only speak for ourselves.

If, out of the answers to the questions you have asked, further questions arise, we will be only too glad to answer them to the best of our ability. Furthermore, if in the objectives of the legislation which you have in mind we can be of assistance, we will be glad to do so.

Sincerely,

Harry E. Chesebrough.

ATTACHMENT

Question No. 1. Who is responsible for selecting the proper tire on a new automobile?

The tires for Chrysler Corp.'s new automobiles are selected by the car divisions on the basis of recommendations by our engineering office. The engineering recommendation is made after examining test data, conclusions and recommendations from our steering and suspension development group and our durability test section at our proving grounds. The corresponding testing sections of the five major tire companies are consulted. Durability information from independent tire testers, fleet operators, police departments, etc., is used in the final selection.

Tire company development engineers use laboratory and road test procedure exhaustively to screen designs and to prove their soundness prior to offering them to the automotive engineers for consideration. These new designs may originate with the tire company or may be the direct request of Chrysler Corp. The new tires are approved only after comprehensive evaluations of all performance characteristics by both engineering groups.

Question No. 2. Do you in fact equip any of your five- or six-passenger cars with tires designed to be safe for three passengers without luggage? Are these tires safe and adequate to carry a load of five or six passengers and luggage across country in all-day travel at speeds of 60 to 70 miles per hour? What tests do you use in deciding what tire should be placed on original equipment?

The tires used on Chrysler Corp. passenger cars are designed to carry the full complement of passengers plus a reasonable amount of luggage. In addition to vehicle load capacity, the suitability of a tire is determined by other characteristics of the car, such as accelerating performance, braking and speed capability, all of which affect tire durability.

The original equipment tires are very safe and more than adequate to carry six passengers plus a reasonable amount of luggage across country at speeds of 60 to 70 miles per hour, provided they are properly maintained, as improper maintenance is a major contributor to tire failures.

In order to insure adequate and proper tire performance characteristics, durability and performance testing is conducted on cars operating at our Chelsea, Mich., proving grounds and at our Arizona testing station. This is supplemented by fleet testing, both by the tire companies and Chrysler Corp., and by cross-country testing to include a wide variety of road conditions. The tires are approved for production only after passing our high-speed, 100-miles-per-hour test, and our durability test. This total performance testing is designed to evaluate not only durability but also steering response, stability, handling, ride, skid resistance and noise.

Question No. 3. What steps are taken by you to notify motorists that they may require much stronger tires than those you supply with new cars? What is your comment on the Goodyear tire recommendation to use an 8-ply rated tire? Is a 2-ply rated tire adequate equipment on your large station wagons when fully loaded and used for cross-country travel? What weight and travel tests will the 2-ply tires safely meet that come as original equipment on your station wagons?

All Chrysler Corp. vehicles are adequately tired for nomal service. Larger tires are furnished as standard equipment whenever extra capacity is required, as on some heavily equipped models, station wagons, or trailer towing vehicles.

In order to evaluate the response by Goodyear Tire & Rubber Co. to an owner plagued with tire trouble, we would need to know the conditions under which this vehicle was being operated.

As indicated in the answer to question No. 2, the current original equipment 2-ply tire is equal or superior to previous 4-ply tires and is adequate for cross-country travel with a fully loaded station wagon. (Incidentally, all our 2-ply tires have a 4-ply rating, and we do not supply any tires with a 2-ply rating.) Our original equipment 2-ply tires have the same load-carrying capacity as 4-ply rated tires, each ply being twice as strong in the 2-ply tire. As indicated above, these tires will carry the full capacity of the vehicle at normal highway speeds.

As with any piece of equipment, it is possible to damage a tire by abusive driving. Our owner's manual states that tire care is important to achieving the designed performance of the vehicle.

Question No. 4. Do you feel that the present labels on automobile tires are adequate to enable a motorist to make an intelligent selection based on his anticipated needs?

The original equipment tires supplied on Chrysler Corp. automobiles are adequately and simply marked with the size and ply rating.

Since we have no experience in merchandizing tires for the "aftermarket" we are not knowledgeable about the labels used on the many makes and brands offered for sale in this market. It is certainly important that "after market" tires be labeled with consistent and meaningful markings so that an owner of a vehicle who finds it necessary to replace original equipment tires will be able to do so with confidence. If it is felt we would be helpful we would be willing to cooperate with others in the development of criteria for such a labeling system.

General Motors Corp.,
General Motors Building,
Detroit, June 18, 1965.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: General Motors is pleased to comply with your request for information concerning original equipment tires specified for our cars. Your specific questions are answered in the attachment to this letter.

For many years our engineers have been working effectively with the Tire and Rim Association, the Rubber Manufacturers Association and tire manufacturers, and, more recently, with the Society of Automotive Engineers and the Vehicle Equipment Safety Commission in developing standards for original equipment tire approval. The results of these cooperative efforts have been better tires with improved safety, reliability and durability.

However, it must be remembered that new original equipment tires constitute only a small percentage of all tires in operation. Most tires are used tires. How they have been used or abused, the consistency with which the owner has maintained recommended air pressure, and whether they have or have not been inspected for damage and wear, vitally affect overall tire safety. We know that the great majority of tire failures occur when tires are nearly worn out or have been damaged in some way.

We are concerned at all times with improving all aspects of our cars, most particularly those related to the safety of their owners. In keeping with this concern, we intend to continue to work with tire manufacturers and the other groups mentioned to improve the safety, durability and performance of the tires specified as original equipment for our cars.

Sincerely,

J. M. Roche.

ATTACHMENT

Question No. 1. "Who is responsible for selecting the proper tire on a new automobile?"

The General Motors car divisions specify the tires for original equipment of their new cars in cooperation with the tire manufacturers. In this procedure the tire manufacturers have the responsibility for furnishing tire specifications and recommendations to the car divisions. These specifications set forth the load carrying capacity, inflation pressure and other pertinent data affecting the suitability of the various sizes and designs for specific uses, all as established by Tire and Rim Association standards. The data contained in these specifications are based on past field experience and extensive testing programs carried on continuously by tire manufacturers. The tires furnished are, of course, also tested by General Motors.

Question No. 2. "Do you in fact equip any of your 5- or 6-passenger cars with tires designed to be safe for three passengers without luggage?"

The much discussed three-passenger load has never been construed to define the maximum carrying capacity of the tire. This load for passenger automobiles is only a design guide in selecting tires, in accordance with Tire and Rim Association procedure. In other words, we start with an average load. Additional loads are compensated for by higher tire pressures, as set forth in our owner's guides which are furnished with each new car. These owner's guides contain operating instructions and recommendations for the guidance of dealers and customers. For example, the Buick owner's guide sets forth the following recommendations for all models except station wagons and sports wagons:

	Average load—3 passengers		Full rated load—6 passengers plus 200-pound trunk load (approximately 1,100-pound load)	
	Front	Rear	Front	Rear
Tire inflation Pressure	24 p.s.i.[1] cold 30 p.s.i.[1] hot [2]	24 p.s.i.[1] cold 30 p.s.i.[1] hot [2]	28 p.s.i.[1] cold 34 p.s.i.[1] hot [2]	30 p.s.i.[1] cold. 36 p.s.i.[1] hot.[2]

[1] Air pressure in pounds per square inch.

[2] "Hot" tire pressure includes typical pressure buildup from the recommended "cold" after a few miles of normal operation. This increase in pressure is a natural phenomenon which provides an inherent factor of safety.

"If so, are these tires safe and adequate to carry a load of five or six passengers and luggage across country in all-day travel at speeds of 60 to 70 miles per hour?"

As the above table shows, for loads of five or six passengers plus luggage, we specify higher inflation pressures. With such pressures these loads can be carried adequately and safely in all-day travel at speeds of 60 to 70 miles per hour.

General Motors owners guides, which contain operating instructions, are explicit as to the rated capacity of the vehicles covered, and the tire pressures to be maintained by the operator for the various load and driving conditions, as illustrated by the attached excerpt from the 1965 Buick owner's guide.

"What tests do you use in deciding what tire should be placed on original equipment?"

General Motors conducts its own extensive testing program on original equipment tires. The high-speed capability of tires is tested at the GM desert proving ground in Mesa, Ariz. The hot Arizona climate adds to the rigor of this test. At our Milford, Mich., proving ground an annual tire durability test program is conducted. This represents thousands of miles on roads of varying surfaces—gravel, cobblestone, macadam and concrete. The surfaces of these roads range from smooth to washboard and include chuckholes, railroad crossings, and spalled sections. The test cars are run through sharp curves, around skid turns, and up steep grades. The test schedule includes rapid acceleration, abrupt brake stops, and high speeds. These test conditions are much more severe than will be encountered by the average owner.

Ride and handling characteristics of tires are appraised by the engineering department of each of our car divisions. Included are evaluations for ride quality, vibration damping ability, noise level, steering response, and stability. Followup procedures include continuous evaluations of tire performance on fleet and test trip vehicles.

Furthermore, the tire manufacturers conduct rigid laboratory tests of their tires to determine strength, endurance, and performance at high speeds. The data developed by these tests are correlated with the results of our own testing procedures.

On the basis of these data each General Motors car division and its tire suppliers reach agreement in regard to the application of tires to specific vehicles. Original equipment tires are then warranted by the tire manufacturer direct to the vehicle owner.

Question No. 3. "How do you explain this discrepancy, and what steps are taken by you to notify motorists that they may require much stronger tires than those you supply with new cars?"

"What is your comment on the Goodyear Tire recommendation to use an 8-ply rated tire? Is a 2-ply rated tire adequate equipment on your large station wagons when fully loaded and used for cross-country travel?"

"What weight and travel tests will the 2-ply tires safely meet that come as original equipment on your station wagons?"

There is no discrepancy. Two different types of operating conditions exist. One condition is represented by station wagon loads up to 1,200 pounds which would provide for six passengers plus 300 pounds of luggage. The original equipment size tires (2-ply—4-ply rated) supplied on GM station wagons are satisfactory for such loads and can be driven in cross-country travel in the 60 to 70 mile speed range when properly inflated. Heavier loads (over 1,200 pounds) and sustained driving at speeds above the 60 to 70 mile range represent a different set of operating conditions for which we recommend optional oversize or 8-ply rated tires, inflated as recommended. This information is furnished in our owners guides, which dealers receive with all cars starting with the first car shipped in each new model year.

Question No. 4. "Do you feel that the present labels on automobile tires are adequate to enable a motorist to make an intelligent selection based on his anticipated needs?"

All original equipment tires used by General Motors have ply and size information embossed on the sidewall which is consistent with the terms contained in our owners guides. This information reflects agreed-upon specifications and represents original equipment quality level tires. Some tires sold in the aftermarket carry similar markings. However, we are not in a position to comment on the markings or designations on the hundreds of different brands of tires sold for replacement.

THE 1965 BUICK SPECIAL OWNERS GUIDE TIRE INFORMATION

TIRES

The factory installed tires on your Buick are selected to provide adequate load carrying capacity for all normal passenger car requirements.

It is recognized that higher than average loads will be carried in normal passenger car usage for occasional short trips for which normal tire pressures are adequate. However, when heavy loads carried on vacation trips or other extended use, higher than normal tire pressures should be used.

PRESSURES

To insure proper tire inflation pressures for your particular requirements, use the following tire pressure table and vehicle capacity rating chart as a guide.

Buick owners will obtain the best life and riding comfort from their tires by using the inflation pressures in the column under average load for normal car usage. The full rated load pressures should be used with the car fully loaded for trips greater than 150 miles distance.

VEHICLE CAPACITY RATING AND RECOMMENDED TIRE PRESSURES—SPECIAL, SKYLARK, AND SPORTSWAGON

All models except station wagons and sportswagons, average load, 3 passengers: Tire inflation pressure, front: 24 p.s.i. cold, 30 p.s.i. hot; rear: 24 p.s.i. cold, 30 p.s.i. hot. Full rated load, 6 passengers plus 200-pound trunk load (approximately 1,100 pound load): front; 28 p.s.i. cold, 34 p.s.i. hot; rear, 30 p.s.i. cold, 36 p.s.i. hot.

Station wagons and sportswagons, 2 or 3 seat, average load, 4 passengers: Tire inflation pressure, front: 22 p.s.i. cold, 28 p.s.i. hot; rear, 28 p.s.i. cold, 34 p.s.i. hot. Full rated load, 6 passengers plus 300 pounds on cargo deck or 8 passengers (approximately 1,200-pound load): front, 24 p.s.i. cold, 30 p.s.i. hot; rear, 30 p.s.i. cold, 36 p.s.i. hot.

NOTE:

1. Hot tire pressure includes typical pressures buildup after operating 10 miles or more at 60 to 70 m.p.h.

2. Air conditioned equipped cars—increase front tire pressure 2 p.s.i. above pressures shown (hot and cold).

3. Periodically check tire pressures cold before driving. Tires warm up and pressures increase when driven thus accurate checking is difficult.

Although under some conditions of extreme driving, overinflation may slightly increase tire life, higher inflation pressures under normal load conditions do increase road damage hazards to tires and do decrease car durability with increased road harshness. Under inflation promotes heat and irregular wear. Recommended inflation pressure for the load being carried will give the best car and tire life.

FORD MOTOR CO.,
Dearborn, Mich., June 24, 1965.

HON. GAYLORD NELSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: This is in response to your letter of June 7, 1965, in which you have asked for our comments concerning automobile tire standards and for answers to certain specific questions.

Your first question relates to policy, and I would like to acknowledge that Ford Motor Co. is responsible for selecting the proper basic or standard tire size used on vehicles we produce. Standard equipment tires selected for a vehicle are adequate at the maximum rated capacity of the vehicle as shown in the owner's manual and in instructional material provided dealers for their use in discussions with customers.

Special duty tires are made available as options to provide better wear characteristics on vehicles operated continuously at high speeds with heavy loads. It is the user's privilege to determine if he needs the special duty tires based on his intended use of the vehicle.

With respect to the remainder of your questions, which require a more technical documentation, I have taken the liberty of providing answers prepared by our engineering people in the attached addendum.

I would like to add that we at Ford Motor Co. believe that our full support of recognized technical bodies concerned with the subject of tire safety standards is indicative of our willingness to work with these groups in setting appropriate standards. You are familiar, I believe, with our support of the programs developed by the Society of Automotive Engineers and the Vehicle Equipment Safety Commission.

We appreciate the opportunity you have given us to clarify the situation with respect to original equipment tires used on Ford Motor Co. automobiles, and trust that the attached material will satisfactorily answer your queries.

Sincerely,

ARJAY MILLER.

ADDENDUM TO ARJAY MILLER LETTER ANSWERING QUESTIONS 2, 3 AND 4

Question No. 2

Ford Motor Co. passenger cars are equipped with tires that will safely carry the maximum rated loads as indicated in the respective owner manuals. This includes all-day travel at turnpike speed conditions of 60 to 70 miles per hour.

For example, a 1965 Ford six-passenger sedan has a maximum load rating of 1,100 pounds. This means that the standard equipment tires in this unit—when inflated at specified levels of 30 pounds per square inch (p.s.i.) front and 32 p.s.i. rear—have capacity to carry six passengers (and 200 pounds luggage, or any combination of passenger weight and luggage totaling 1,100 pounds) in all-day travel at turnpike speeds. For moderate loads and normal operation, however, the recommended inflation pressures are 24 p.s.i. front and 24 p.s.i. rear.

Ford Motor Co. engineers use the Tire and Rim Association's Yearbook as a source of tire and rim size data and as a guide for tentative selections of original-equipment tires. The yearbook load-inflation tables never have indicated maximum capacities, and they are incomplete for four-ply rated tires since load capacities are not shown for inflation pressures above 24 p.s.i. Also, load values shown for 20 to 24 p.s.i. inflation pressures are not maximum loads for those pressures.

The following explanations are provided to resolve the current misunderstandings relative to the T. & R.A. yearbooks and to indicate tests we use to assure the adequacy of standard tires ultimately selected for our vehicles.

Surveys for several years have indicated that predominate travel is with three-passenger occupancy or less, regardless of trip length. One such survey was the Bureau of Public Roads Vehicle Use Study.

Tires are tailored to provide the best overall performance (wear, ride, traction) at the load representing majority usage—three passengers or less—when inflated to 20 to 24 p.s.i. pressure, but there is no compromise in safety since additional load capacity is built into tires and is achieved by inflating to pressures above 24 p.s.i.

It has been customary, therefore, to make tire size selections on the basis of three-passenger-load at 20 to 24 p.s.i. pressure and maximum rated capacity at higher inflation pressures. The final proof of the adequacy of a tire, of course, has always been obtained from results of our proving ground tests. To qualify for final selection a tire must demonstrate blowout resistance capability throughout its useful tread life.

Tire development tests are conducted by Ford Motor Co. prior to testing for durability and include steering control, skid resistance, high speed cornering, bead strength, unseating resistance and air retention, and tire uniformity characteristics.

Proving ground testing of our 1965 models amounted to 17 million miles (68 million tire miles) of operation in which conditions are several times more severe than customer operation with respect to the combination of stress, temperature, and speed. Durability testing consists of repetitive cycles on a special 39-mile circuit. Each 39-mile cycle includes 5 miles of operation at 90 m.p.h., and 34 miles of travel over rough roads and gravel at lower speeds. Other elements of the test procedure on this 39-mile course include frequent severe stops and heavy accelerations and hard cornering maneuvers.

In addition to our own tests, our quality control procedures require tire supplier firms to certify that their tires regularly pass tests designated in our engineering specifications which include 90 m.p.h. operation for 100 miles at ambient temperatures of 80° F. to 90° F., high-speed maneuvering and passing to assure steering control and severe handling tests to assure air retention capability and directional traction on both dry and wet pavement.

Question No. 3

The situation with respect to Ford Motor Co. station wagons equipped with 4-ply rated tires is similar to that described in the first paragraph of the answer to No. 2, in that these vehicles are equipped with tires that will safely carry the maximum rated loads as indicated in the owner manuals, including all-day travel at turnpike speeds.

In the case of the 1965 Ford station wagon, however, the maximum load rating of 1,300 pounds is 200 pounds greater than that for the sedan. Standard equipment tires on the station wagon, when inflated at the specified levels of 28 p.s.i. front and 36 p.s.i. rear, have the capacity to carry 6 passengers and 400 pounds of luggage or 8 passengers and 100 pounds of luggage—or any combinations of these passenger-luggage weights totaling 1,300 pounds—in all-day travel at turnpike speeds. For moderate loads and normal operation, however, the recommended inflation pressures are 22 p.s.i. front and 30 p.s.i. rear.

In the absence of more detailed information in connection with the Goodyear Tire & Rubber Co.'s communications with a customer complaining of tire trouble, we believe the following comments will clarify the subject of tire ply ratings and tests relating to station wagon requirements.

The long history of 4-ply being synonymous with standard tires led to the present nomenclature wherein tires of 2-ply construction with the strength of former 4-ply tires are designated 2-ply with 4-ply ratings. Each ply of our 2-ply tires is double the strength of a single ply in former 4-ply tires by virtue of improved carcass construction, including larger and stronger cords and other refinements.

Our four-ply rated tires with two actual plies are superior in several important respects to the four-ply tires they replaced. Chief among the better qualities are improved ride and a greater high-speed durability. In operation, less internal heat is generated because there are fewer plies and consequently a reduced number of shear planes between plies. The tires run cooler and thereby provide the high-speed durability improvement.

In a similar manner, eight-ply ratings have been applied to tires which have four actual plies that are equivalent in strength to eight individual plies of former construction. Nomenclature for the current four-ply rated and eight-ply rated tires is comparable only when both are identified on the same basis, i.e., either by actual plies or by ply ratings. The latter is preferable since it is consistent with historical usage.

As part of the answer to question 2 we described development and durability tests used to qualify tires on our vehicles.

We make available optional eight-ply rated tires which have better wear characteristics on vehicles operated continuously at maximum rated loads and high speeds, such as a salesman driving on long trips with heavy loads of samples and literature. Information relative to this and similar usage is provided in the owner's manuals supplied with our vehicles and recreation brochures readily available at dealerships, copies of which are attached.

Question No. 4

Original equipment tires installed on Ford Motor Co. passenger cars are labeled both according to size and ply rating. The car owner who replaces his worn tires with similar tires manufactured by any of the five suppliers of our original equipment tires can be assured of making an intelligent selection.

Our direct concern for tire labeling, of course, is confined to original equipment tires since we do not market replacement tires. In deference to the question posed, however, we offer the suggestion that the Vehicle Equipment Safety Commission's Regulation V–1, which would require tires of aftermarket manufacturers to pass certain safety tests to be eligible for sale to the public, be adopted by all States. A "VESC V–1" label, indicating such approval, would assure the buyer a safe tire.

Tire characteristics other than safety, such as tire wear (tread life), frequently are determined by price. The primary factor in this discussion, we believe, is safety. The combination of labels including size, ply rating and the V–1 safety approval certainly would be an important guide to the car owner who purchases replacement tires.

AMERICAN MOTORS CORP.,
Detroit, June 23, 1965.

HON. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: As a motor vehicle manufacturer, we fully recognize the part that tires play in assuring the customer of safe and satisfactory performance of his automobile.

Our engineering staff is charged with the responsibility of specifying the tires used as original equipment on our products. Such specifications are the result of exhaustive test programs by our engineering staff, together with such tests as they may require from our tire suppliers.

I attach hereto a copy of a report from our vice president of engineering, covering the questions referred to in your letter of June 7, 1965.

Should you desire further information we will be most pleased to cooperate to the fullest extent possible.

Sincerely,

ROY ABERNETHY.

AMERICAN MOTORS CORP.,
June 22, 1965.

ENGINEERING SUMMARY OF ORIGINAL EQUIPMENT TIRE SELECTION FOR AMERICAN MOTORS CARS

Re Original equipment tires.
To: Mr. R. ABERNETHY.
From: R. H. Isbrandt.
Subject: Senator GAYLORD NELSON's letter of June 7, 1965.

This memorandum will serve to cover the questions and answers referred to in the subject letter.

1. Question. Who is responsible for selecting the proper tire on a new automobile?

Answer. American Motors engineers are responsible for specifying the tires to be used on our products. The selection is based on joint engineering development between the tire manufacturers' engineers and our own engineering staff. The engineering background of our company, as well as the tire company, is utilized in determining the final specifications. After the selection is made, the tire manufacturer is required to submit representative production samples which are subjected to our complete evaluation tests, and for final approval.

In agreeing to supply our tires, the tire manufacturer accepts the responsibility for the performance, service, and warranty of his tires to the vehicle owner.

2. Question. Do you in fact equip any of your 5- or 6-passenger cars with tires designed to be safe for three passengers without luggage?

If so, are these tires safe and adequate to carry a load of five or six passengers and luggage across country in all-day travel at speeds of 60 to 70 miles per hour?

What tests do you use in deciding what tire should be placed on original equipment?

Answer. American Motors original equipment tires are safe and will give satisfactory service within the life of the tread when operated within the full-load conditions as specified in the Rambler owners manual. Depending on the model, full load is listed as 5 to 8 passengers plus luggage. Owner service is expected to include cross-country use, such as vacation trips. These instructions specify that under heavy load conditions and when sustained high speed driving is anticipated that the inflation pressures should be increased as indicated in the following excerpt from our 1965 Rambler owners manual:

"TIRE PRESSURE

"The recommended tire inflation pressures are listed as follows:

Recommended tire inflation pressures

[Normal inflation]

Pounds (p.s.i.), cold, before running (do not reduce tire pressure if tires are warm)	Average-owner service up to 5 passengers		Full-load service	
	Front	Rear	Front	Rear
All Classic 6 models except station wagons	24	24	26	30
All Classic V–8 models except station wagons	24	24	26	26
All Classic 6 2-seat station wagons	24	26	24	30
All Classic 6 3-seat station wagons and all Classic V–8 station wagons	24	24	26	30

"The front tire loads increase only slightly with passenger and cargo loading; therefore, the above is recommended for best steering characteristics.

"Maximum car loading and tire selection

"The original equipment 4-ply rated 2-ply tires are designed and thoroughly tested to meet all normal requirements of your vehicle and are adequate for occasional full-load service with the inflation pressures recommended above.

"Oversize optional tires are capable of greater load capacity. Their use is applicable to all models, particularly station wagons. These tires are recommended for continued full-load service.

"Full-load service of the car is (each passenger is considered 150 pounds):

"All models except station wagons and convertibles: 3 passengers front seat, 3 passengers rear seat, 200 pounds luggage, 1,100 pounds.

"Convertibles: 3 passengers front seat, 2 passengers rear seat, 300 pounds luggage, 1,050 pounds.

"Classic 6, 2-seat station wagons; 3 passengers front seat, 3 passengers rear seat, 300 pounds of luggage, 1,200 pounds.

"Classic 6, 3-seat station wagons; 3 passengers front seat, 3 passengers second seat, 2 passengers third seat, 100 pounds luggage, 1,300 pounds.

"Classic V-8, 2- and 3-seat station wagons: 3 passengers front seat, 3 passengers second seat, 400 pounds luggage or 2 passengers in third seat, and 100 pounds luggage, 1,300 pounds.

"Note.—Station wagon roof rack luggage should be limited to 150 pounds, evenly distributed, included in above capacity. When towing trailers, the allowable passenger and cargo load must be reduced by an amount equivalent to the trailer tongue load.

"For cars driven at sustained rates of high speed or on trips where above-average speeds or loads are maintained, tire pressures may be increased up to 30 pounds (cold before running.) The higher pressure will increase stability with some sacrifice of riding quality. The higher pressure will also improve fuel economy under all driving conditions, and is also recommended when hauling heavy loads. Continued use of higher pressures at light loads will adversely affect tread wear and ride.

"Check tires often for visible underinflation and for signs of uneven wear, which may indicate need for front-end alinement.

"In accordance with the diagram, rotating tires every 4,000 to 8,000 miles (normally) is recommended to assure longer overall tire life by equalizing wear.

"If no spare tire is used, move right to left front and follow balance of diagram." (Not printed in the Record.)

"Lifeguard safety tires

"This special tire is standard equipment in sets of four tires on three-seat station wagons, optional on other models in sets of four or five tires. The single air valve automatically fills both the outer and inner air chambers at the same time. The inner chamber automatically receives a higher pressure of 40 pounds per square inch as the outer chamber is normally filled to 24 pounds per square inch.

"Each tire has a built-in spare tire. The outer tire is of premium-quality construction. The inner tire, which acts as a safety air chamber, has a honecomb-patterned tread, plus a tube chamber. In the event of outer tire injury, causing pressure loss in the outer air chamber, the inner tire carries the load. In such event, the unique "safety signal," a built-in flat spot on the thread of the inner tire, will produce a thump or vibration warning the driver that repair service is required and to proceed at speeds under 40 miles per hour."

In reply to the second part of the question, we road test our tires under loaded conditions to ascertain satisfactory tread wear and tire fatigue life. Further tire fatigue tests are conducted in connection with our normal vehicle tests over all types of roads, and include our tortuous proving ground cobblestone surfaces. Tires are also tested for high-speed performance, on test tracks at speeds substantially beyond legal speed limits in this country. These tests subject the tires to abusive treatment far in excess of that which may be encountered in general field operation. Additional tire tests are conducted to determine the satisfactory tire qualities with respect to: Handling (traction and cornering), steering response, stability, ride quality, noise characteristics.

In addition, our tire supplier companies also run laboratory and vehicular tests, and furnish us with these results to further substantiate our ultimate conclusions.

3. Question. How do you explain this discrepancy (regarding statement that some compact station wagons should be equipped with 8-ply instead of 2-ply tires), and what steps are taken by you to notify motorists that they may require much stronger tires than those you supply with new cars?

Answer. In answer to this question, we want to repeat a portion of the information supplied in our owners manual which is quoted as follows:

"MAXIMUM CAR LOADING AND TIRE SELECTION

"The original equipment 4-ply rated 2-ply tires are designed and thoroughly tested to meet all normal requirements of your vehicle and are adequate for occasional full-load service with the inflation pressures recommended above.

"Oversize optional tires are capable of greater load capacity. Their use is applicable to all models, particularly station wagons. These tires are recommended for continued full-load service."

It should be pointed out that the purpose of offering optional oversize tires is not to increase the safety of the tire, but to assure the vehicle owner of increased tread life to cope with more severe operating conditions.

Question. What is your comment on the Goodyear tire recommendation to use an 8-ply tire? Is a 2-ply rated tire adequate equipment on your large station wagons when fully loaded and used for cross-country travel?

Answer. First, we believe there is a misunderstanding in this part of your question, in that you stated a 2-ply rated, rather than a 4-ply rated 2-ply tire.

Our 4-ply rated 2-ply tires are adequate for cross-country travel and high-speed travel, being within occasional full-load service usage, when inflated in accordance with recommendations outlined in the owners manual. Our Rambler owners manual also recommends the use of optional oversize tires for improved tread wear, where unusually heavy loads or continued high-speed operation is anticipated.

Original equipment tires used on American Motors cars will perform satisfactorily at highway speeds under full-load conditions for the full life of the tread. However, tread life will, of course, be reduced proportionate to the degree of such operation. It is our opinion that the oversize tires provide more overall benefits than the use of 8-ply rated tires.

4. Question. Do you feel that the present labels on automobile tires are adequate to enable a motorist to make an intelligent selection based on his anticipated needs?

Answer. Original equipment tires used on American Motors cars have the manufacturer's name, the tire size, the ply rating, and the tire designation molded on the side of the tire. With regard to our current suppliers, Goodyear's designation is "Power Cushion" and Goodrich's is "Silvertown." We recognize that in the aftermarket the motorist has available numerous brand names, as well as various tire designations, and we would believe it desirable to have such aftermarket tires designed as "original equipment quality."

The above identifications, we believe, adequately identify the quality level of our original equipment tires.

R. H. Isbrandt.

Letter Sent by Senator Nelson on July 12 to the Presidents of Ford, General Motors, Chrysler, and American Motors

Dear Sirs: On June 7, 1965, I wrote to the four major American automobile manufacturers asking a series of questions on automobile tire safety. All of the manufacturers have answered the questions in that letter, and I have forwarded their replies to the Senate Commerce Committee which is considering my bill (S. 1643) to set up a national system of tire grading and labeling. I thank you for the courtesy and promptness of your reply.

At this time I would like to ask further questions growing out of this earlier exchange of correspondence.

As I stated in my earlier letter, expert testimony before the Federal Trade Commission and the Senate Commerce Committee has indicated that many new-car tires are seriously overloaded when the vehicles are filled to their designed capacity with passengers and luggage.

I think you will agree that your replies to my questions about this testimony have fully confirmed it. The automobile manufacturers concede that most new cars have tires which will not safely carry the full load of the car unless the tires are specially inflated. I think this is a shocking situation.

For example, American Motors, in reply to my June 10 letter, stated that: "Original equipment 4-ply rated 2-ply tires * * * are adequate for occasional full-load service with the inflation pressures recommended above."

This statement concedes that the vehicle as delivered is not adequate for full-load service unless the motorist takes special precaution to inflate his tires to high pressure. Secondly, it indicates that even after taking those precautions the tires are not adequate for more than occasional full-load service.

General Motors stated that its cars could safely carry a full load provided tire inflation was increased from 24 to 30 pounds. Ford stated that its 6-passenger sedan could carry a full load of six passengers and 200 pounds of luggage provided the tires were specially inflated from 24 to 32 pounds, and that a Ford station wagon could carry eight passengers and 100 pounds of luggage if the rear tires were inflated to 36 pounds. Chrysler did not answer in such detail, merely stating that tires were adequate to carry loads "provided they are properly maintained." However, I assume that the same requirement as to overinflation exists with Chrysler cars because they appear to use similar tires and to have similar weights when compared with their competitors.

I think it is both unrealistic and dangerous to expect the average American motorists to calculate the weight of their cars and passengers and their accessories to within 100 pounds, and then inflate and deflate their tires to handle such loads.

Furthermore, a Tire & Rim Association official tells me that the overinflation of tires carries serious risks and that tire pressures as high as some which you recommend—in order to carry a perfectly typical load—create the danger of blowouts.

Your own safety research shows that the tires on many of your cars cannot safely carry the people and the luggage for which the cars are designed without special inflation precautions. Why not correct this situation by supplying the next larger size of tire?

I think it would be much more satisfactory if the manufacturers corrected this situation. However, if it is not corrected, I think legislation is necessary and inevitable.

From my reading of the manuals and other literature which you and the other automakers have supplied me as a result of my June 7 letter, it would appear that you are already prepared to supply fully adequate tires at prices ranging from $15 to $22 extra per car. This would be a very modest increase in the automobile price and would greatly increase highway safety for all.

In my letter of June 7, I asked whether the present labels on tires were adequate in order to enable motorists to make an intelligent selection. All of the automobile makers replied by stating that the tires supplied with their cars were adequately marked with the size and ply rating.

However, it was not indicated that the important matter of ply or ply rating is, in most cases, carried on the inner sidewall of the tire where it is invisible to an automobile customer—where he could not see it, in fact, without crawling under the car or removing the wheel.

Would you please advise me whether the placement of the ply rating on the inside of the tire was done at the request of the auto manufacturers or on the initative of the tire manufacturers.

If the ply rating label is of any significance at all, it is difficult to understand why it should be placed in a position on the tire so as to be invisible to the customer. The natural assumption arises that it was so placed to conceal this important fact.

I thank you again for the information which you have provided.

Sincerely yours,

GAYLORD NELSON,
U.S. Senator.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed without amendment the bill (S. 571) for the relief of Denise Hojebane Barrood.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 559) to regulate the labeling of cigarettes, and for other purposes.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RIVERS of South Carolina, Mr. PHILBIN, Mr. HÉBERT, Mr. PRICE, Mr. FISHER, Mr. BATES, Mr. ARENDS, Mr. O'KONSKI, and Mr. BRAY were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 5401) to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. FRIEDEL, Mr. JARMAN, Mr. PICKLE, Mr. SPRINGER, Mr. DEVINE, and Mr. CUNNINGHAM were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 89. An act to authorize establishment of the Delaware Valley National Recreation Area, and for other purposes;

H.R. 242. An act to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes;

H.R. 727. An act to provide for the administration of the Coast Guard Band;

H.R. 1044. An act to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands;

H.R. 2035. An act to provide for cost-of-living adjustments in star route contract prices;

H.R. 3320. An act to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes;

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes; and

H.R. 7595. An act to amend title 10, United States Code, to authorize transportation at Government expense for dependents accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H.R. 89. An act to authorize establishment of the Delaware Valley National Recreation Area, and for other purposes;

H.R. 3320. An act to authorize the establishment of the Hubbell Trading Post National Historical Site, in the State of Arizona, and for other purposes; and

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 242. An act to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; and

H.R. 2035. An act to provide for cost-of-living adjustments in star route contract prices; to the Committee on Post Office and Civil Service.

H.R. 727. An act to provide for the administration of the Coast Guard Band; to the Committee on Commerce.

H.R. 1044. An act to authorize the Secretary of the Navy to convey to the city of Norfolk, State of Virginia, certain lands in the city of Norfolk, State of Virginia, in exchange for certain other lands; and

H.R. 7595. An act to amend title 10, United States Code, to authorize transportation at Government expense for dependents accompanying members of the uniformed services at their posts of duty outside the United States, who require medical care not locally available; to the Committee on Armed Services.

ADDITIONAL REPORT OF A COMMITTEE

The following additional report of a committee was submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk (Rept. No. 433).

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—AMENDMENT

AMENDMENT NO. 349

Mr. MILLER (for himself and Mr. MORSE) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development and to extend and amend laws relating to housing, urban renewal, and community facilities, which was ordered to lie on the table and to be printed.

AMENDMENTS NOS. 350 AND 351

Mr. MILLER submitted two amendments, intended to be proposed by him, to House bill 7984, supra, which were ordered to lie on the table and to be printed.

ADJOURNMENT

Mr. CASE. Mr. President, if there is no further business to come before the Senate, I move, pursuant to the order previously entered, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 3 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, July 14, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 13 (legislative day of July 12), 1965:

CALIFORNIA DEBRIS COMMISSION

Brig. Gen. Ellis E. Wilhoyt, Jr., Corps of Engineers, to be a member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

EXTENSIONS OF REMARKS

Port Washington People Put Their Stamp of Approval on Enlarged Post Office

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 1965

Mr. WOLFF. Mr. Speaker, back in the early days of our country, a barn raising was the signal for what neighbors there were, to pitch in, and create a building which would, in the long run, benefit the whole community. Rarely is such spirit shown in the modern world.

A sterling example of the fact that this spirit has survived is to be found in the cooperative efforts of the free enterprise system and the local and Federal Government in the opening of the new addition to the Port Washington, N.Y., Post Office. Here was a perfect example of how these three diverse elements can be brought together successfully and creatively, to achieve a result thousands of municipalities would have envied.

The Chamber of Commerce of Port Washington pitched in with a fervor and dedication reminiscent of old. The dedication of the post office enlargement was a product of the efforts of men of the caliber of Charles Shapiro, chairman of the planning committee; H. Clinton Hegeman, president of the Port Washington Chamber of Commerce; and myriads of other devoted and public-spirited citizens.

Even the inclement weather that threatened to mar the festivities could not dampen the spirits of these men nor their memorable program. Many came nonetheless—all knew it was worth it when they left.

Postmaster Walter Cuminskey and his staff also played an important role in planning the event. They will inherit the building—the symbol of the expansion and importance of Port Washington. Theirs is a trust which they have already proven they richly deserve.

Results of Fourth District Poll

EXTENSION OF REMARKS

OF

HON. BERT BANDSTRA

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 1965

Mr. BANDSTRA. Mr. Speaker, about 2 months ago I mailed out questionnaires to my constituents in the Fourth Congressional District of Iowa, asking their views on some of the legislation pending before the Congress.

More than 10,000 questionnaires were returned, a large response for a survey of this type. Reading the replies took a good deal of time, but I feel it was time well spent.

To insure complete accuracy, I had the returned questionnaires tabulated at my own expense by an electronic computer. The tabulation is now finished, and today I would like to call the results to the attention of my fellow Members in the House of Representatives.

In addition, I plan to reprint this tabulation and distribute copies to those who received the original questionnaire.

The questions in any survey of this kind must necessarily be brief, despite the many complex features of the legislation, and I am sure many people found it difficult to supply a simple "yes" or "no" reply.

In fact, a large number of people commented that, while they were inclined to favor or oppose a certain piece of legislation and marked their questionnaire accordingly, the final decision would have to be mine.

As many of these people pointed out, a close study of all the available information is needed before voting on the complex legislation that comes before the Congress.

I will continue to make a careful study of legislation in the future, taking into account its effect both on the Fourth District and on the Nation as a whole.

The tabulation of the questionnaire survey follows:

Question	Percent		
	Yes	No	Undecided
1. Do you favor a bill I have introduced to prohibit all Federal employees from hiring their relatives?	87.9	8.8	3.3
2. Do you favor legislation for medical care for persons 65 or older, financed mainly through a separate trust fund in the social security system by means of increased social security taxes?	33.5	59.7	6.8
3. Do you favor legislation providing a cost-of-living increase in social security benefits?	69.2	24.8	6.0
4. Do you favor repeal of sec. 14(b) of the Taft-Hartley Act, which permits States to enact laws prohibiting employers and employees to contract for a "union" or "agency" shop?	25.5	55.1	19.4
5. Do you favor the administration's bill for Federal aid to elementary and secondary schools, which puts emphasis on assistance to areas with large numbers of pupils from low-income families?	63.2	28.2	8.6
6. Do you favor legislation to expand aid to colleges and universities, including a $15 million program to finance student loans?	53.0	37.9	9.1
7. Do you favor establishment of a National Arts Foundation and a National Humanities Foundation, to be financed by Federal funds?	12.0	73.4	14.6
8. Do you favor additional legislation to insure that all Americans, in all parts of the country, are not denied the right to vote?	81.5	12.2	6.3
9. Do you favor a constitutional amendment I have introduced to abolish the electoral college in the presidential election process?	79.1	10.2	10.7
10. Do you favor legislation to gradually abolish the "national origin" immigration quota system, which favors admission of persons from northern European countries?	39.2	41.9	18.9
11. Do you favor a constitutional amendment providing that "factors other than population" could be taken into account in apportioning a State legislature?	64.0	23.5	12.5
12. Do you favor legislation that would continue America's foreign aid program?	43.6	44.9	11.5
13. If so, would you favor distributing the aid in the form of loans rather than grants?	60.2	9.0	30.8
14. Do you favor legislation that would repeal or reduce excise taxes on such items as—			
(a) Telephone service?	72.1	18.9	9.0
(b) Furs?	15.6	62.2	22.2
(c) Cosmetics?	32.5	48.1	19.4
(d) Fountain pens?	45.7	34.1	20.2
(e) Trailer hitches?	41.2	35.7	23.1
15. Do you favor legislation that would continue the voluntary feed grains program?	54.2	25.9	19.9
16. Do you favor legislation to keep the area redevelopment program in operation?	48.1	27.5	24.4
17. Do you favor legislation to renew and expand the Federal housing program?	43.0	40.6	16.4
18. Do you favor legislation to step up the "war on poverty" in both urban and rural areas?	51.5	37.7	10.8

Lobbying Rules Need Tightening

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 1965

Mr. BENNETT. Mr. Speaker, the Senate Rules Committee has released their report on the Robert G. Baker hearings. I have studied this report and I am now convinced that my bill, H.R. 9626, would be a major step toward eliminating the abuses uncovered by the Senate committee.

My bill would amend sections 305 and 310 of the Federal Regulation of Lobbying Act by turning over administration of that act to the Comptroller General of the United States. At present, all lobbyists are required to file their reports with the Clerk of the House of Representatives and the Secretary of the Senate. But there is a noticeable lack of any law to make an agency or official responsible for the administration or enforcement of the act. I feel that the Comptroller General is the proper authority in that he is not only an arm of Congress itself, but he has an investigative staff at his disposal. Thus the Comptroller General is admirably equipped to determine whether lobbyists' reports are accurate or not and whether the statute's terms are being complied with fully.

H.R. 9626 would authorize the Comptroller General to study and review the reports and then to determine whether they meet the standards of the act. Among the other powers provided for in the bill is the provision that the Comptroller General can ascertain whether all lobbyists have registered in compliance with the law. I think that the Senate report makes it abundantly clear that not all lobbyists have done so. When violations are discovered, the Comptroller General would report them to the appropriate law enforcement agencies of the Government.

The Comptroller General would also be directed to make studies of the lobbying problem and transmit his recommendations to Congress if the recommendations would further the objectives of my bill. The bill would require further that the Comptroller General send to Congress a copy of each lobbyist's report where it would be on public record for 2 years.

Mr. Speaker, there can be no doubt that the Senate committee has laid bare unethical practices by lobbyists to the public's critical eye. Such practices by lobbyists must be stopped if Congress is to deserve public confidence.

Fulbright-Hays Latin American Program

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 1965

Mr. VANIK. Mr. Speaker, it is my pleasure to bring to the attention of this body an educational and cultural exchange program in the Department of State which was initiated with Latin America 25 years ago, in which university students and faculty conduct exchanges with other American Republics.

This program was established under the Convention for the Promotion of Inter-American Cultural Relations, signed in Buenos Aires in 1936. It is the Fulbright Act of 1946 and the Smith-Mundt Act of 1948. The Congress initiated similar exchange activities on a worldwide basis. This program was later broadened in scope through subsequent congressional legislation and is now carried out under the authority of the Fulbright-Hays Act of 1961 through the esteemed Senator J. WILLIAM FULBRIGHT, of Arkansas, and my esteemed colleague from Ohio, Congressman WAYNE HAYS.

The general goal of this program is to assist in the development of friendly, sympathetic relations between our country and our sister nations in the Americas. As an academic activity, this program engenders understanding through communication on the highest levels. In 1964, under the Latin American program, a total of 3,179 persons received grants, 2,732 were grants to Latin Americans to visit the United States and 447 were for U.S. grantees to travel in Latin America.

I am proud to announce that Mr. Thomas Skola, of Parma, Ohio, whose family resides at 6018 Charles Avenue, is a recipient of a grant, through the Fulbright-Hays Act, to study in Santiago, Chile, at the University of Chile.

Thomas is a recent graduate of the University of Rochester where he was senior class president and captain of the University of Rochester wrestling team. His major during his college career was political science where he participated in the honors program.

Thomas graduated from John Adams High School, located in the 21st District of Ohio, which I am proud to serve. He was equally active during his high school career.

During his high school and college careers, Tom was actively interested in Latin American affairs and became fluent in Spanish, which will now be put to good use.

During the 10-day orientation period in Washington, D.C., in which Thomas and his colleagues participated, the State Department and Government officials provided briefings, lectures, and discussions on various facets of Latin America and Chile affairs, which would be useful during his 1-year stay.

From our discussion, it is my understanding that as a student in Chile, Thomas will receive $170 a month which will be paid in counterpart funds. He will also receive a set amount each year to provide for his books at the University of Chile.

I am proud to note that Thomas is 1 of only 150 persons in the United States to participate in this Latin American student exchange program. I am confident that after having met several of the Fulbright-Hays recipients, like Tom Skola of my district, who are to study in Latin America, that our country will be well represented during their period of study at the various universities currently involved in this program.

I wish to extend my congratulations to Thomas' family who must be very proud of their son's academic endeavors.

Communication of Secretary of Agriculture Freeman with Mr. George S. Moore, President, First National City Bank of New York

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 1965

Mr. CALLAN. Mr. Speaker, I would like to call the attention of the Members of the House to a letter which Secretary of Agriculture Freeman wrote to Mr. George S. Moore, president, First National City Bank of New York. This letter points out clearly that the proposed wheat program is in harmony with the goals of the Great Society. Farmers will receive seven-tenths of one cent more for wheat on a loaf of bread. This will be his first raise in 18 years. The Secretary's letter follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, July 9, 1965.

MR. GEORGE S. MOORE,
President, First National City Bank,
New York, N.Y.

DEAR MR. MOORE: Your July newsletter, which you devoted primarily to an attack on the Great Society farm program, has confused consumers, farmers, economists, and the public alike, each for different reasons.

The consumer, viewing your alarm in predicting as much as a 2-cent increase in the price of bread if the Great Society wheat certificate proposal is enacted, is struck by your sudden great sympathy for him. What has brought about this new overwhelming concern for the consumer? The price of bread in the past 18 years has increased by two-thirds, climbing 8 cents a loaf, yet you have raised no objection. Eighteen years ago the farmer was getting 2.7 cents for the wheat in a 1-pound loaf of bread, and consumers were paying about 13 cents for the loaf. Today the farmer is getting the same 2.7 cents for the wheat, and consumers are paying 21 cents for that loaf of bread. So long as the farmer got no increase, you apparently felt no concern for the consumer.

The farmer is asking himself why are you trying to block any consideration for his needs. Does it mean that a bread price increase has your approval if the farmer does not get any part of it, but invites your attack if he is helped? He can only hope that not many other big, powerful financial institutions hold such attitudes.

The wheat certificate program means that the farmer would get 3.4 cents rather than only the 2.7 cents or less than he has received over the last 18 years for the wheat in a loaf of bread. The farmer knows this is very little to cover the increased costs he must pay like everyone else, and he believes the consumer will understand his needs.

The farmer is also puzzled by the assertion in your newsletter that the wheat farmer is well to do. A typical wheat farm in Kansas, for example, which depends on wheat for the primary source of income, provides the farm family a modest income at best.

Last year under the wheat certificate program enacted in 1964, a typical wheat farm netted about $4,200. If there had been no certificate program, the farm family would have netted less than $2,000. This farmer has an investment of at least $80,000. We estimate that the proposed program would increase the net return to about $4,800 a year—perhaps about as much as you pay a typist.

Would your bank, for example, be willing to loan a farmer the credit he needs to carry out his farming operation if you knew his net return would be less than $2,000? I doubt if it would, yet you seem to want to put the farmer in the position of reducing both his profits and his chances to obtain the credit he needs.

Your newsletter certainly must puzzle the agricultural economist just as it amuses the consumer and frightens the farmer. You ought to make it clear when you are "playing politics," and when you are making a serious economic analysis. Your July letter is sheer economic nonsense. You made the same alarmist predictions a year ago when the current certificate plan was enacted, and a year's experience has disproved every one of them.

In the first full year of operation with the wheat certificate program, bread prices have remained virtually the same as before the certificate program went into effect. In addition, profits earned by wheat users have increased, the cost of operating the program was $300 million less than in the previous fiscal year, and farmers earned $450 million more than would otherwise have been possible. The program also means that wheat will move at competitive market prices domestically and in world trade—a procedure you have long advocated but now totally ignore.

Finally, your assertion that the agricultural programs are inconsistent with the other Great Society programs of this administration, particularly the excise tax reduction and the poverty program, is a clever play on words, but it doesn't stand up under more than a passing glance. In the first place, there is no bread tax. Instead, the farmer will receive seven-tenths of a cent more for the wheat in a loaf of bread—his first raise in 18 years.

Instead of hindering the poverty program, as you claim, the new wheat program will make more funds available for Great Society programs like the food stamp plan which improves the diet of low-income families by boosting their food budget a third on the average.

I read your letter carefully and profit from it. Won't you please return to serious, carefully thoughtout articles and get out of "farm politics." Both the bank and the Nation will be better off.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

Results After 14 Months

EXTENSION OF REMARKS
OF

HON. ALBERT H. QUIE

OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 13, 1965

Mr. QUIE. Mr. Speaker, 14 months ago—on May 15, 1964—while I was its chairman, the House Republican task force on NATO unity wrote to President Johnson and asked to meet with the President at his convenience to discuss the possibility of a blue ribbon commission which we urged to study the causes of disarray within the North Atlantic Treaty Organization and to work for strengthening of NATO, politically and economically, as well as militarily. Although the President did not meet with the task force, I believe that the sentiment of the task force was expressed in the final paragraph of the letter, which said:

> Our committee consists entirely of Republicans, but we view this as a responsibility and opportunity which calls for full bipartisanship. We therefore offer our fullest cooperation and would like to meet with you at your convenience.

Mr. Speaker, the House Republican task force on NATO unity, under the able leadership of its new chairman, the gentleman from Illinois [Mr. FINDLEY] has continued to work toward two objectives during the 14 months that have passed since we sent the letter to the President.

First, the task force has sought information that might be useful in healing the disarray within NATO. For instance, a most significant contribution was made only a few weeks ago when a task force delegation under leadership of the chairman visited France and learned at firsthand some of the views of the French toward the alliance, as well as some of the strengths and weaknesses of the organization itself.

Second, the task force has continued to seek bipartisanship in approaching the problems of strengthening the Atlantic Alliance, for it recognizes that the strength and cohesiveness of the Atlantic Community is a matter of statesmanship vital to the future of the world.

Thus, you may imagine the pleasure of the task force over an action taken yesterday in the other body by the distinguished Senator from Idaho [Mr. CHURCH] and five of his colleagues. These six Senators introduced a resolution calling for a "Special Governmental Commission" to study the disarray in NATO and to work toward strengthening of the alliance.

Mr. Speaker, the Special Governmental Commission suggested in the Senate resolution is identical to the blue ribbon commission suggested on May 16, 1964, by the House Republican task force on NATO unity.

The six Senators who introduced the Senate resolution represent both the Republican and Democratic Parties, since three are Democrats and three are Republicans, lending bipartisan support to the resolution.

Mr. Speaker, the goals, method, and bipartisanship of the resolution introduced yesterday in the other body are so identical to the proposal made by the House Republican task force on NATO unity 14 months ago, that I am introducing an identical resolution today in the House. It is my hope that it will receive the same bipartisan support that was accorded it in the Senate.

Correction of NATO disarray and its broad-based strengthening along political, economic, and military lines is vital to the future of the world. It is becoming increasingly vital, while the time for action grows short. As Senator CHURCH said in the other body yesterday:

> Today, those who make our foreign policy are confronted with challenge and hostility on many fronts. Our increasing military involvement in Vietnam poses problems for our policy in Asia. Revolution in the Caribbean and the consequent intervention of U.S. troops, has complicated U.S. foreign policy in Latin America. Much of Africa is in a state of flux, including the volatile Congo. Ferment unsettles the Middle East.
>
> In the midst of this turbulence, like a solid rock against a seething sea, stands a concert of genuinely free countries, whose stability is certain. I am speaking, of course, about the nations of the North Atlantic.
>
> The formation of the alliance between the United States and the countries of Western Europe is the great success story in American foreign relations since the Second World War.

Mr. Speaker, as Senator CHURCH goes on to point out, we have been sidetracked in recent years from the job of developing the Atlantic Alliance, which has stood "like a solid rock against a seething sea" of world disorder. As the task force has often pointed out, the United States has frequently embarked on a unilateral course, without consultation with our allies. While we have expressed interest in the military strength of NATO, we have done nothing to develop the economic and political cohesiveness of the Atlantic Alliance. Yet, there are fundamental economic and political problems which, unless resolved, have tended and will increasingly tend to weaken the military aspects of the alliance.

This weakening must be avoided and the alliance must be strengthened if it is to continue to stand as a bastion against Communist subversion, propaganda and military aggression.

Amid increasing signs of disarray, time is running out. The current NATO Charter expires in 1969. France complains that she has not been given an adequate voice in the affairs of NATO. The United States continues on a frequently unilateral course. The European Common Market, a child of the NATO establishment, has encountered difficulties. Yet little has been done to implement the provision of title II of the NATO Charter, which calls for the political and economic development of the alliance.

It is not difficult to conceive that many of the problems faced within the alliance could be solved by a top-level special governmental commission dedicated to the task. That is why its establishment is important and why I call today for bipartisan support of the resolution which would help implement its establishment.

For the Members of the House to support this resolution is simply to fulfill the pledges of the 1964 national platforms of the respective parties.

The 1964 Republican Convention adopted a plank which says:

> It is a keystone of Republican foreign policy to revitalize the alliance.
>
> To hasten its restoration, Republican leadership will move immediately to establish an international commission, comprised of individuals of high competence in NATO affairs, whether in or out of Government, to explore and recommend effective new ways to strengthen alliance participation and fulfillment.

Mr. Speaker, the 1964 Democratic platform reads:

> We believe in increased partnership with our friends and associates in the community which spans the North Atlantic. In every possible way we will work to strengthen our ties and increase our cooperation, building always more firmly on the sure foundation of the NATO treaty.

Mr. Speaker, I urge the full support of the House for the following resolution:

> Whereas freedom, enduring peace with justice, and enhanced prosperity require the progressive development of greater unity in the free world; and
>
> Whereas the interests of the United States require the development of greater unity of other free nations with it: Therefore be it
>
> *Resolved,* That it is the sense of the House that the policy of the United States should be to achieve such unity with other nations as will best serve to safeguard the individual freedom and national values of our various peoples, and, at the same time, enable us to deal effectively with those problems with which no nation, today, can deal effectively alone, and that the President be advised of the sense of the House, that this Govern-

ment, by constitutional means, should particularly pursue the following objectives:

1. Development, by exploration and agreement with our allies, of an Atlantic Community adequate to meet the political, military, and economic challenges of this era.

2. Such a community to be composed of nations which share our basic ideals of freedom, democracy, individual liberty, and the rule of law and as are willing to accept the benefits and responsibilities of close political, military, and economic ties.

3. Such a community to be conceived and developed in the interest not only of its own peoples, but of all free peoples and to be open to the admission of others as and when their governments become willing and able to assume the benefits and responsibilities of membership.

To this end it is the sense of the House that the President should promptly seek to establish a Special Government Commission composed, in the first instance, of representatives of NATO nations to study and recommend concrete steps toward the attainment of the foregoing objectives.

One Man, One Vote

EXTENSION OF REMARKS

OF

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 13, 1965

Mr. O'HARA of Michigan. Mr. Speaker, when the distinguished senior Senator from Illinois [Mr. Douglas] speaks, most of us in Congress are accustomed to listening. For when he speaks—or writes—he always has something important to say.

Senator Douglas' article in the July 1965, issue of the UAW Solidarity is no exception. In the article, "The Struggle Is On To Save Your Vote," the Senator argues very persuasively the case for apportioning both houses of State legislatures on the basis of population.

In view of the timeliness and importance of Senator Douglas' article, I believe all Members of Congress ought to have the opportunity to read it. I commend it to the attention of my colleagues and ask unanimous consent that it be printed at this point in the Record.

The article follows:

The Struggle Is on To Save Your Vote

(By Senator Paul H. Douglas, Democrat of Illinois)

The Senate of the United States has just passed the Voting Rights Act to protect each citizen in the exercise of his right to vote.

It is ironic that only a few weeks later the Senate will be asked to pass a resolution proposing an amendment to the Constitution of the United States which would take away each citizen's right to have his vote count equally with that of other citizens.

It is particularly unfortunate that some Members of Congress who have supported the right to vote are sponsors or supporters of the proposed constitutional amendments which would arbitrarily take away the right to a meaningful and equal vote.

Now pending in both the Senate and the House (but with committee and floor action expected to occur first in the Senate) are amendments which, if supported by a two-thirds vote in each House of the Congress and ratified by three-fourths of the States, would permit a State to apportion the representation in one house of its State legislature on "factors other than population"—provided this is somehow submitted to a vote of the people of the State.

These amendments would, and are intended to, repeal the Supreme Court decisions of only a year ago.

In a number of cases, the Court held that the equal protection of the laws guaranteed by the 14th amendment to the Constitution requires the apportionment of both houses of a State legislature substantially on the basis of population. The Court also ruled that no referendum or majority vote of the people of the State can deny to each citizen this basic individual right to have his vote count equally with that of other citizens in electing his State legislature.

In its decision, the Supreme Court was upholding a basic principle of representative democracy which has been a foundation of our Republic from the beginning. Unfortunately, this principle has increasingly been abused in the past 70 years by legislators in nearly every State, with the support of certain interests who benefit by having an unrepresentative or minority-controlled State legislature.

It was the persistent refusal of the State legislatures themselves to reapportion, often in open defiance of their own State constitutions, and the refusal of State courts to enforce their constitutions, that finally caused the Supreme Court to respond to the pleas of citizens who claimed that they were underrepresented and to enforce this basic principle of American government.

Through most of the 19th century, while the United States remained primarily an agricultural and rural country, equality of representation in the State legislatures was observed in most States in both houses of the legislatures.

But in the late 19th century, an ever-larger percentage of the people came to reside in cities. As the population of the Nation shifted to the cities and suburbs, the State legislatures increasingly began to ignore their duty to reapportion because the legislators from the rural and relatively less populated areas did not want to give up their control of the State legislatures.

The result of this by 1960—when nearly 70 percent of the American people were living in cities and their suburbs—was extreme malapportionment of the legislature in nearly every State of the Union.

In Michigan before its recent reapportionment, for example, it took in 1960 only 34,000 persons in the smallest district to elect a representative for the lower house, while it took 135,268 in the largest district.

In other words, one person in the smallest district had four times the representation which was had by one person in the larger district.

And for the Michigan senate, a person in the smallest district had 12.4 times the representation as did the person in the largest district.

In Illinois, a minority of only 29 percent of the people could elect representatives to the State senate having a majority of the votes. This situation was repeated in State after State with as few as 8 or 10 percent of the people electing a majority of the votes in a house of the legislature.

And often a small minority controlled not only one house but both houses.

As a result of the Supreme Court decisions, a number of States have already reapportioned one or both houses of their legislatures. Perhaps as many as 18 States have now reapportioned in a satisfactory manner.

But at the beginning of this year, the figures showed that for the lower houses there were still two States in which less than 20 percent could elect a majority of the chamber and 17 States in which from 20 to 40 percent of the people could elect a majority of the lower house. With respect to the upper houses, there were about 10 States in which less than 20 percent could elect a majority and 13 States in which between 20 and 40 percent could elect a majority.

There probably are still more than 30 upper houses and lower houses in which a majority of the representatives is elected by less than 45 percent of the people.

The proposed constitutional amendments now before Congress have been properly labeled the "rotten borough amendments," because they seek to preserve the representation in the State legislatures of wealth, land, possessions, or other interests besides people, just as did the infamous rotten boroughs of early 19th century England which sent representatives to the Parliament even though they had very few people or no population whatsoever.

These amendments, however, appear deceptively attractive. One of the chief deceptive arguments is that it is proper that "other factors" be represented in just one house of a bicameral (two-house) legislature when the other house represents people. While there are many other dangers in these proposals, I think that the practical effect of what could happen under the amendments is frequently not understood and I want to emphasize what this practical effect would be.

Because legislation and appropriations must be passed on by both houses of a two-house legislature, we must not fail to realize that however well apportioned one house may be, if the second house is not representative of the people, it permits a minority, in effect, to have a veto over the entire State government.

The evidence on this could not be more clear. Last year, August Scholle, president of the Michigan State AFL–CIO, documented this fact before the House Judiciary Committee. He gave many illustrations from the experience of Michigan, prior to its reapportionment, of what happens when a minority of the people not sympathetic to the problems of the cities and suburbs, controls one house. For example:

A bill to provide free polio shots for needy children was blocked by State senators representing 2.8 million people despite the fact that senators representing 3.2 million voted for it.

A bill to provide an unemployment insurance increase of $3 was killed by senators representing only 2.4 million people despite support for the bill by senators representing 3.5 million.

Workmen's compensation amendments were killed by senators for 2.9 million people despite support for them by senators for 3.5 million people.

The addition of several hundred desperately needed mental health beds was blocked by senators for 2.8 million people despite the support for this legislation by senators representing 3.1 million people.

A bill to help small business by letting development credit corporations secure the benefits provided by the Federal Small Business Investment Act was killed by Senators for 2.6 million people despite support for the bill from Senators representing 3.6 million people.

A bill to exempt food and medicine from the 4-percent sales tax in order to help retirees and others with fixed incomes was killed by Senators representing 3.3 million people despite the fact that Senators representing 5 million people voted for it.

In my own State of Illinois, where the malapportioned State senate permits 29 percent of the population to elect a majority of the members of the senate, we have the same problem each session. The Illinois House, which in recent years was more fairly apportioned and for this session is elected at large, passes needed legislation on labor, welfare and city home rule matters, but the malapportioned senate, in effect, vetoes them.

This year, for example, the Illinois Senate is watering down or killing a proposed new revenue article to replace our archaic revenue article adopted in 1870, fair housing practices bills, a minimum wage bill, a gun registration bill, and a bill to give the city of Chicago authority to raise sufficient money to conduct its affairs.

Antilabor legislation, such as the so-called right-to-work laws, or the lack of fair labor legislation, is typical of the States with malapportioned legislatures. Most of the States which have right-to-work laws are among the most badly apportioned in the Nation.

It was interesting to note that when the Indiana Legislature was reapportioned fairly, one of its first accomplishments was the repeal of the right-to-work law. But as long as even one house in the other right-to-work States remains under minority control, it is very unlikely that we could get repeal of the State right-to-work law or obtain other fair labor legislation.

And this leads to another interesting point about the practical effect of the rotten borough amendments now pending in the Congress. Because many of the State legislatures are malapportioned, they are unable to deal with the needs of cities and other modern problems. Consequently, the cities and others are forced to ask the Federal Government to do many things the States can and should do.

Those who truly believe in States rights and a stronger Federal system ought to realize that the State governments will continue to remain weak and be bypassed as long as they are unrepresentative of the people.

Fair apportionment of the State legislatures is the essential requirement of building strong and modern State governments.

As my good friend Pat Greathouse of the UAW recently told the Senate Subcommittee on Constitutional Amendments: "Minority rule of the States is the surest way to atrophy the remnants of strong State government that still remain."

I hope that the people of the United States will come to understand the full meaning of these insidious rotten borough amendments.

I hope they will let their representatives in the State legislatures and in the Congress of the United States know their opposition to any interference in the great opportunity we now have to achieve fair representation in our State legislatures through the orderly carrying out of the Supreme Court's magnificent decision on behalf of the people.

SENATE

WEDNESDAY, JULY 14, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, unfolding events in our times bearing on their swift streams the promise of human attainments and discoveries, if rightly grasped and channeled, will transfigure the future into an Eden of health and plenty for all mankind.

Save us, we pray, from being so blind to the dawning glory which gilds our sky as to be bored by routine, of groping with uncertain steps in a world where fewer and fewer rainbows of hope arch the heavens.

May the crashing to earth of outworn things not hide from our expectant eyes the coming of a new era struggling to birth—a fairer earth bright with brotherhood for whose coming we are now privileged to contribute something of the stuff of good will with which the radiant future must be built.

In the dear Redeemer's name we pray. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 13, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 24. An act to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes;

S. 686. An act for the relief of Pietrina Del Frate; and

S. 1390. An act for the relief of Rocky River Co. and Macy Land Corp.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 627. An act to exempt oceanographic research vessels from the application of certain vessel inspection laws, and for other purposes; and

S. 893. An act to amend the act of June 19, 1935 (49 Stat. 388), as amended, relating to the Tlingit and Haida Indians of Alaska.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 797. An act to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes;

H.R. 1402. An act for the relief of Dr. Jorge Rosendo Barahona;

H.R. 1609. An act for the relief of Mrs. An Fu Wang Lee;

H.R. 1638. An act for the relief of Uichi Kayahara;

H.R. 1820. An act for the relief of Winsome Elaine Gordon;

H.R. 1873. An act for the relief of Elisabeth Werner;

H.R. 1942. An act for the relief of Hilda May Eave;

H.R. 2277. An act for the relief of Louis Stephen Edouard St. Laurent;

H.R. 2551. An act for the relief of Branca da Gloria Franco Freitas;

H.R. 2570. An act for the relief of Mui Kim Chen Liang;

H.R. 2695. An act for the relief of Norman McLeod Riach;

H.R. 2871. An act for the relief of Dorota Zytka;

H.R. 2940. An act for the relief of Sister Myriam (Marta Krzyzowska);

H.R. 3128. An act for the relief of Angelo Iannuzzi;

H.R. 3345. An act for the relief of Mrs. Marie Meneshian;

H.R. 3505. An act for the relief of Beverly Helen (Smith) Bowers;

H.R. 3900. An act for the relief of Jong Wan Lee;

H.R. 4027. An act for the relief of Capt. Ted M. Richardson, U.S. Air Force;

H.R. 4028. An act for the relief of Capt. Richard A. Ingram and Capt. Arthur R. Sprott, Jr., U.S. Air Force;

H.R. 4029. An act for the relief of Lt. Col. John E. McRoberts and T. Sgt. Harold C. Fisher, Jr., U.S. Air Force;

H.R. 5209. An act for the relief of Mrs. Pavica Labetic;

H.R. 5911. An act for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and Capt. Russell K. Hansen, U.S. Air Force;

H.R. 6902. An act for the relief of Mrs. Eurina O. Richards;

H.R. 7137. An act for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force;

H.R. 7138. An act for the relief of Maj. Donald B. Powers, U.S. Air Force;

H.R. 7233. An act for the relief of Col. Frank D. Schwikert, U.S. Air Force;

H.R. 7355. An act for the relief of Lt. Col. Claude E. Tabor, Jr., U.S. Air Force;

H.R. 7435. An act for the relief of Col. Thomas O. Lawton. Jr., U.S. Air Force;

H.R. 7439. An act for the relief of 1st Lt. David A. Staver, U.S. Air Force;

H.R. 7440. An act for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force;

H.R. 7673. An act for the relief of Yeghsa Ketenjian; and

H.R. 9041. An act to restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 559. An act to regulate the labeling of cigarettes, and for other purposes;

S. 571. An act for the relief of Denise Hojebane Barrood;

H.R. 4185. An act to fix the fees payable to the Patent Office, and for other purposes;

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act; and

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 797. An act to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes; and

H.R. 9041. An act to restore to the heirs of the Indian grantor certain tribal land of the Iowa Tribe of Oklahoma; to the Committee on Interior and Insular Affairs.

H.R. 1402. An act for the relief of Dr. Jorge Rosendo Barahona;

H.R. 1609. An act for the relief of Mrs. An Fu Wang Lee;

H.R. 1638. An act for the relief of Uichi Kayahara;

H.R. 1820. An act for the relief of Winsome Elaine Gordon;

H.R. 1873. An act for the relief of Elisabeth Werner;

H.R. 1942. An act for the relief of Hilda May Eave;

H.R. 2277. An act for the relief of Louis Stephen Edouard St. Laurent;

H.R. 2551. An act for the relief of Branca da Gloria Franco Freitas;

H.R. 2570. An act for the relief of Mui Kim Chen Liang;

H.R. 2695. An act for the relief of Norman McLeod Riach;

H.R. 2871. An act for the relief of Dorota Zytka;

H.R. 2940. An act for the relief of Sister Myriam (Marta Krzyzowska);

H.R. 3128. An act for the relief of Angelo Iannuzzi;

H.R. 3345. An act for the relief of Mrs. Marie Meneshian;

H.R. 3505. An act for the relief of Beverly Helen (Smith) Bowers;

H.R. 3900. An act for the relief of Jong Wan Lee;

H.R. 4027. An act for the relief of Capt. Ted M. Richardson, U.S. Air Force;

H.R. 4028. An act for the relief of Capt. Richard A. Ingram and Capt. Arthur R. Sprott, Jr., U.S. Air Force;

H.R. 4029. An act for the relief of Lt. Col. John E. McRoberts and T. Sgt. Harold C. Fisher, Jr., U.S. Air Force;

H.R. 5209. An act for the relief of Mrs. Pavica Labetic;

H.R. 5911. An act for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and Capt. Russell K. Hansen, U.S. Air Force;

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H.R. 7439. An act for the relief of 1st Lt. David A. Staver, U.S. Air Force;

H.R. 7440. An act for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force; and

H.R. 7673. An act for the relief of Yeghsa Ketenjian; to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. SPARKMAN, and by unanimous consent, the Subcommittee on Parks and Recreation of the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Subcommittee on Refugees and Escapees of the Judiciary Committee be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Claude Vernon Spratley, Jr., to be U.S. attorney for the eastern district of Virginia;

Charles L. Goodson, to be U.S. attorney for the northern district of Georgia;

Harold C. Doyle, to be U.S. attorney for the district of South Dakota;

Charles N. Bordwine, to be U.S. marshal for the western district of Virginia;

James H. Dillon, to be U.S. marshal for the eastern district of Wisconsin; and

Adam J. Walsh, to be U.S. marshal for the district of Maine.

By Mr. HRUSKA, from the Committee on the Judiciary:

D. Clive Short, to be U.S. marshal for the district of Nebraska.

By Mr. JAVITS, from the Committee on the Judiciary:

James E. Byrne, Jr., to be U.S. marshal for the northern district of New York.

By Mr. FONG, from the Committee on the Judiciary:

Herman T. F. Lum, to be U.S. attorney for the district of Hawaii.

By Mr. HART, from the Committee on the Judiciary:

Floyd Stevens, to be U.S. marshal for the western district of Michigan.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Harry C. George, to be U.S. marshal for the eastern district of Illinois.

By Mr. ERVIN, from the Committee on the Judiciary:

Hugh Salter, to be U.S. marshal for the eastern district of North Carolina.

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Verne B. Lewis, to be deputy representative of the United States to the International Atomic Energy Agency.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

U.S. TARIFF COMMISSION

The Chief Clerk read the nomination of Joseph E. Talbot, of Connecticut, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1971.

Mr. DODD. Mr. President, I am greatly pleased that the President has recommended, and the Senate will shortly approve, Joseph E. Talbot for his third term as a member of the Tariff Commission.

Joseph Talbot, who was born in Connecticut and still has close ties with the State, was first appointed to the Tariff Commission on April 15, 1953.

He has made a distinguished record during his 12 years of service, and I am confident he will continue to do a fine job in his new 6-year term.

Joseph Talbot is a good friend and an outstanding public servant.

I congratulate him on his reappointment and wish him well.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

AMENDMENTS TO REQUEST FOR APPROPRIATIONS, FISCAL YEAR 1966, DEPARTMENT OF ARMY, CORPS OF ENGINEERS, CIVIL (S. DOC. NO. 41)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting amendments to the request for appropriations for the fiscal year 1966 in the amount of $5 million for the Department of the Army, Corps of Engineers, Civil, which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COOPER:

S. 2284. A bill for the relief of Masako Ammons; to the Committee on the Judiciary.

By Mr. MILLER:

S. 2285. A bill for the relief of Charles M. Dannenbrink; to the Committee on the Judiciary.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965—AMENDMENTS

AMENDMENT NO. 352

Mr. SCOTT submitted an amendment, intended to be proposed by him to the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 354

Mr. KUCHEL (for himself, Mr. JAVITS, and Mr. MONDALE), submitted amendments, intended to be proposed by them, jointly, to Senate bill 2213, supra, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILL

Mr. COOPER. Mr. President, I introduced Senate bill 2158 to provide life insurance to members of the armed services serving in combat zones, which is a bill similar to one passed during the Korean war. A number of Senators have joined me in cosponsoring that measure. In addition to those listed on the bill, I ask unanimous consent that the names of the Senator from Illinois [Mr. DOUGLAS] and the Senator from New Jersey [Mr. CASE] be added at the next printing of the bill as cosponsors of the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF PUBLIC HEARING ON DESIGN PROTECTION

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled a public hearing on S. 1237, a bill to encourage the creation of original ornamental designs of useful articles. The hearing will be held on Wednesday, July 28, commencing at 10 a.m. in room 3302, New Senate Office Building.

Anyone who wishes to testify or file a statement for the record should communicate immediately with the office of the subcommittee, room 349–A, Senate Office Building, Washington, D.C., telephone 225–2268.

The subcommittee consists of the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], and myself.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Leonard H. Marks, of the District of Columbia, to be Director of the U.S. Information Agency.

In accordance with the committee rule, this nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. McNAMARA:

Address entitled "Epirus: A People and a Cause," delivered by Representative LUCIEN N. NEDZI at the National Pan Epirotic Banquet in Detroit, Mich., on July 2, 1965.

By Mr. ROBERTSON:

Address delivered by Hon. Henry H. Fowler, Secretary of the Treasury, before the Virginia State Bar Association on July 10, 1965, on the subject of international financial problems.

EXTENSION OF WAR RISK INSURANCE PROVISIONS FOR 5 YEARS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 407, H.R. 4526.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 4526) to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance for an additional 5 years, ending September 7, 1970.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. COOPER. Mr. President, has the bill been cleared with the minority?

Mr. MANSFIELD. It has been cleared with both sides.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 422), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill is to extend for 5 years the existing authority of the Secretary of Commerce to provide war risk insurance for merchant vessels, cargo, and crew.

LEGISLATIVE BACKGROUND

War risk insurance was authorized to be written by the U.S. Government during World War I and World War II. The present authority to write war risk insurance is under title XII of the Merchant Marine Act, 1936, which was added in 1950. The initial authority was extended in 1960 for an additional 5 years to expire on September 7, 1965. H.R. 4526 would extend the authority for an additional 5 years to September 7, 1970.

The bill passed the House of Representatives on May 17. Hearings were held by the Senate Subcommittee on Merchant Marine and Fisheries on May 25, with the Department of Commerce and other departments and agencies concerned supporting the bill. No opposition to the legislation was expressed.

GENERAL DISCUSSION

Conventional commercial insurance on merchant vessels, cargoes, and crews is subject to automatic termination clauses effective upon the outbreak of war. During the time of hostilities, private merchant ships may be needed to transport cargo, both defense and commercial, to any port in the world. The nature of such operation of ocean vessels exposes the ships to risks of war far beyond those of capital equipment of American industries located within the defense perimeter of the United States. The need for the legislation arises out of a recognition that only the Government is in a position to initiate such insurance coverage and has an interest in assuring that the United States possesses a strong and active merchant marine during any time of emergency.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

FEDERAL PROJECTS APPROVED BY THE COMMITTEE ON PUBLIC WORKS

Mr. McNAMARA. Mr. President, the Senate Committee on Public Works met in executive session Monday last and considered a number of building prospectuses submitted to it by the executive branch, under the Public Buildings Act of 1959.

Further, the committee in the same executive session considered a number of work plans for watershed projects transmitted by the Bureau of the Budget pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended.

I ask unanimous consent that the list of projects approved by the committee be printed at this point in the RECORD. The first list comprises 16 new buildings approved by the committee, 4 modifications, alterations and repairs to existing buildings, and 2 proposed lease projects. The second list is of the watershed projects.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

Construction of new buildings

	Estimated cost
California, Van Nuys:	
Post office building	$4,559,000
Federal office building (revised)	4,696,000
Connecticut, New Haven, post office, courthouse, and Federal office building	7,540,000
Delaware, Dover, Federal office building	1,215,000
Louisiana, Houma, post office and Federal office building	1,186,000
Michigan, Saginaw, Federal office building	2,206,000
Nebraska, Lincoln:	
Post office building	3,694,000
Courthouse, Federal office building, and parking facility	14,890,000
New York, New York, court of appeals and Federal office building	37,910,000
Ohio, Akron:	
Post office building	6,495,000
Courthouse and Federal office building	5,086,000

Construction of new buildings—Continued

	Estimated cost
Ohio, Dayton:	
Post office building	$5,974,000
Courthouse and Federal office building	4,738,000
Puerto Rico, San Juan:	
Courthouse and Federal office building (revised)	12,445,000
Warehouse and MVF	963,000
Virginia, Quantico, FBI Academy	15,664,000
Total (16 projects)	129,261,000

Repair and improvement program

Ohio, Cincinnati, post office annex	$1,900,000
Oklahoma, Oklahoma City, post office and courthouse (old)	871,000
Washington, Seattle, Federal office building	540,000
Washington, D.C., executive office building	21,000,000
Total (4 projects)	24,311,000

Leased facilities

	Annual rent estimated cost
New York, N.Y., Bureau of Customs office building	$3,149,600
Missouri, Columbia, office building	83,107
Total (2 projects)	3,232,707

Watershed projects

Arkansas, Cooper Creek	$1,274,008
Georgia and Alabama, Lower Little Tallapoosa River	3,725,322
Maine, limestone stream	791,349
Mississippi, Long Creek	1,181,041
Mississippi and Tennessee, Tuscumbia River	4,710,602
Missouri, Grindstone-Lost-Muddy Creek	2,744,306
North Carolina and Virginia, Stewarts Creek-Lovills Creek	1,519,200
Oklahoma, Uncle John Creek	1,822,313
Oklahoma, Upper Elk Creek	3,386,105
Tennessee, Wilson Spring Creek	733,523
Texas, Attoyac Bayou	4,142,822
Texas, Castleman Creek	816,148
Texas, Donahoe Creek	1,362,609
Utah, Ferron	3,892,100
Total (14 projects)	32,101,448

MUSICAL PROGRAM BY NOBLES OF THE MYSTIC SHRINE AND U.S. MARINE BAND ON CAPITOL PLAZA

Mr. MILLER. Mr. President, last week it was my pleasure to have a visit from Barney Collins, the distinguished incoming Imperial Potentate of the Ancient Order of the Nobles of the Mystic Shrine. Mr. Collins was accompanied by Richard E. Garrison, Thomas Howarth, and Everett P. Miller, all members of the local Almas Temple Chanters. The group was at the time making final arrangements for an event which I wish to call to the attention of my colleagues.

Beginning at 7:45 tonight this city is going to be treated to an outstanding musical program which Members of Congress will want to attend if at all possible. The U.S. Marine Corps Band, under the direction of Lt. Col. Albert F. Schoepper, will open the program in front of the Capitol steps with its regular Wednesday night concert. It is always thrilling to attend a presentation of the Marine Band—the President's own. Some of the country's finest musicians make up the band. Lieutenant Colonel Schoepper, who studied at the Eastman School of Music and was a pupil of the late Andre Pulah, was frequently a featured soloist on network radio programs when he served as a violinist and saxophonist. He became leader in 1955 and during the decade his musicians have appeared throughout the Nation, as well as at White House and State Department functions.

Among the nationally known members of the Marine Band is Bill Jones, the vocalist and concert moderator. Mr. Jones has a degree in music from Stetson University in DeLand, Fla., and his credits include the Theater Guild, German State Opera, "The Voice of Firestone," "The Telephone Hour," and "Shower of Stars.

Yes, Mr. President, Capitol Hill music lovers are most fortunate in being able to hear the Marine Band each week during the summer months. Tonight there is yet an added attraction.

Immediately after the conclusion of the Marine Band concert, the Shrine Chanters will present a 45-minute program on the steps on the House side of the Capitol. Five hundred voices, from chanter groups in temples throughout North America, will perform under the direction of Noble Walter Reitz, director of Ismalia Chanters, Buffalo, N.Y.

It will be a big night on Capitol Plaza, and Senators will want to be there with their families. I remind Senators that the Marine Band concert is scheduled for 7:45 and will be followed immediately by the Shrine Chanters program.

MEDFORD, OREG., MAIL TRIBUNE ENDORSES COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, one of the most fervent supporters of a cold war GI bill in the Senate was the late Senator Richard Neuberger. His strong advocacy and admirable persuasion did much to further the cause of the cold war veterans, and their advancement suffered a loss with his death.

His identification with this cause still survives today, as is evidenced in a recent editorial in favor of the cold war GI bill which appeared in the Medford, Oreg., Mail Tribune of June 16, 1965. I ask unanimous consent that this tribute to the late Senator Richard Neuberger, and supporting editorial for the cold war GI bill, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COLD WAR GI BILL

The late Senator Richard Neuberger was a patient and ardent advocate of a measure which would have extended benefits similar to those under the World War II GI bill to veterans of peacetime service in the Armed Forces.

He was not successful in obtaining enactment, but the idea has never been completely abandoned. It has been revived in the present Congress, and its proponents are more hopeful than ever before that it may pass.

The current bill, known as the cold war GI bill, is sponsored by Senator RALPH W. YARBOROUGH, Democrat, of Texas. It would not provide as wide a range of benefits as the GI bill, but it would extend certain educational, loan, and other privileges.

The bill should be enacted, partly as a simple act of justice to help veterans readjust to civilian life, and partly as a measure which would raise educational standards, benefit the economy, and increase the national income. It would be an investment of the best kind.

There are two versions of the bill. One would restrict the benefits to those who have served in a combat area—Vietnam, the Dominican Republic, and so on; the broader version would include all.

We favor the latter version, for it is not up to any individual serviceman to pick where he is going to serve; all are potential combat troops when they enter service; and a company clerk in Texas has just as hazardous a job as some noncombat troops in overseas stations.

The economic argument is equally persuasive. It has been shown that, among World War II veterans, those who took advantage of the GI bill to further their educations earned far more money than they could have otherwise, and thus paid more in income taxes. Some statisticians claim that the increased tax payments amounted to more than it cost the Government to finance the GI bill in the first place.

The bill would cover the period from January 31, 1955 (when the Korean GI bill expired), to July 1, 1967 (when the present draft law expires).

As a matter of equity and justice, and also as a matter of enlightened national self-interest, the bill should be passed.

JENO PAULUCCI, RECIPIENT OF HORATIO ALGER AWARD

Mr. MONDALE. Mr. President, in the 10th edition of a most significant volume entitled "Opportunity Still Knocks," published by the Horatio Alger Awards Committee of the American Schools and College Association, Inc., appropriate and long overdue honor was bestowed upon a great Minnesotian, Mr. Jeno Paulucci, of Duluth.

Jeno, as he is known to his friends, is a recipient of the 1965 annual Horatio Alger Award. The citation which went with this award tells the story of how he began working in 1925 at the age of 7, the son of poor Italian immigrant parents, and today is chairman of the board of Chun King Corp. It is the story of a brilliant, driving, warm human being who now is regarded as one of the ablest and most effective corporate leaders in the country.

What the citation does not disclose, however, is another aspect of Jeno Paulucci's many-faceted personality which I think is as impressive as his accomplishments in the business world. I refer to the fact that he has remembered the people and the area from which he came and has been a passionate and tireless leader for economic development and diversificaton through the years and today is one of the main forces for economic growth in northeastern Minnesota.

It is proper that Jeno Paulucci be commended for his fantastic rise in the business community, but the citizens of Minnesota and, in particular, his friends of northeastern Minnesota will be forever grateful for his civic leadership.

Mr. President, I ask unanimous consent that the citation of Mr. Jeno Paulucci by the Horatio Alger Awards Committee be printed in the RECORD.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

JENO F. PAULUCCI

Jeno F. Paulucci, president and chairman of the board of the Chun King Corp., began working in 1925 at age seven by picking coal along the railroad tracks near the iron mines in Hibbing, Minn. During the depression, this son of Italian immigrants unloaded coal cars for 50 cents an hour, worked as a handy man in a local market, hawked vegetables from street corners, and helped operate a family grocery store in neighboring Aurora. Forced to abandon his prelaw studies at Hibbing Junior College after a year-and-a-half. Mr. Paulucci became a wholesale food salesman in the depressed Iron Range area of northern Minnesota. In 1946, months before his 29th birthday, he borrowed $2,500 and began raising beansprouts in a rented quonset hut in Grand Rapids. During the 18 years that followed, his keen marketing imagination, limitless energy, and passionate belief in the power of free enterprise converted that simple beansprout-raising venture into the food-growing, packaging and marketing complex that makes Chun King the Nation's largest producer of canned and frozen American-Oriental foods. Today, in addition to Chun King, Mr. Paulucci owns the Chun King Corp. of Canada, Ltd.; Northland Foods, Inc., and Etor Realty Corp., in Duluth.

LEASE GUARANTEES FOR SMALL BUSINESSMEN

Mr. MONDALE. Mr. President, I am pleased to note that both the Senate and House omnibus housing bills contain a provision that would guarantee the leases of small businesses displaced by urban renewal projects. It is with further pleasure that I point out that since 1959, Vice President HUBERT H. HUMPHREY had been in the forefront as a Senator in advocating lease guarantees for disadvantaged small businesses unable to obtain leases due to harsh credit requirements.

In 1959, Senator HUMPHREY's Subcommittee on Retailing, Distribution, and Fair Trade Practices commenced hearings on "Alleged Discriminatory Practices Against Small Business Concerns in Suburban Shopping Centers." These hearings explored the increasing practice of excluding or severely limiting the entrance of small businesses into newly developed shopping centers.

Senator HUMPHREY learned that, for greater protection on their leases, the insurance companies and corporations financing these widely developing shopping centers required that between 70 and 85 percent of the rental space go to those businesses with a net worth of at least $1 million. Senator HUMPHREY's subcommittee learned that the problem was not just restricted to new shopping centers. During the December 1961 hearings, Senator HUMPHREY stated:

> We have discovered that the same problems exist for smaller retailers in obtaining leases on prime locations in downtown business districts and for all independent businesses desiring major remodeling of existing leased facilities.

Senator HUMPHREY further stated that "many shopping center developers have told us they would actually prefer, themselves, to grant leases to successful merchandisers in their own community, rather than to the national operators," but that the developers do not have a free choice to do so due to the stringent credit requirements imposed by the lending institutions.

In January of 1960, Senator HUMPHREY submitted his subcommittee's report to the whole Select Committee on Small Business under its very able chairman, Senator SPARKMAN. This report urged further exploration by the subcommittee of the problems first touched upon in the April hearings. The report recommended that the subcommittee conduct an intensive review to determine the feasibility of expanding the authority of the Small Business Administration so that it might insure lease bonds written by private surety companies. This approach and others were considered. Indeed, the subcommittee, in its first recommendation, urged continued work toward a solution by the private business interests involved. But, as Senator SPARKMAN stated in the May 1962 "Report on Small Business Lease Guarantees":

> It rather rapidly became apparent that private surety companies felt themselves unable to increase the length and number of lease bonds they were issuing.

The lease guarantee provisions for small business replaced by urban renewal projects, contained in both the Senate and House omnibus housing bills, is an important step toward solving the problems that Senator HUMPHREY first raised. To this end, I congratulate the Vice President and all the Congressmen who have explored and supported legislation to benefit small businesses that have faced curtailment of development, expansion and relocation due to the stringent and much too confining requirements of lending institutions. It is important for the welfare and freedom of the United States that independent business be preserved. Without small, independent business, concentration will become the rule and competition the exception.

HAGUE PROTOCOL TO THE WARSAW CONVENTION

Mr. ERVIN. Mr. President, the proposed Hague Protocol to the Warsaw Convention ought to be rejected by the U.S. Senate because it confers upon commercial airlines special exemptions from liability, both legal and financial in nature, which are enjoyed by no other commercial enterprise. Moreover, the United States should withdraw from the Warsaw Convention for like reasons. There is no justification whatsoever for denying to American travelers who are injured by the negligence of commercial airlines just recompense for their injuries or granting to commercial airlines special immunity and limitations from liabilities for negligence not enjoyed by any other commercial enterprise.

The reasons why the Senate should reject the Hague Protocol to the Warsaw Convention and why the United States should withdraw from the Warsaw Convention are well stated in a letter which Mr. J. W. Clontz, an attorney in High Point, N.C., wrote to me on June 17, 1965, and an editorial which appeared in the New York Times on June 16, 1965. I ask unanimous consent that a copy of such letter and a copy of such editorial be printed at this point in the body of the RECORD as a part of my remarks.

There being no objection the letter and editorial were ordered to be printed in the RECORD, as follows:

HIGH POINT, N.C.,
June 17, 1965.

Hon. SAM J. ERVIN, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: I received your letter dated June 11, 1965, concerning the Hague Protocol and Warsaw Convention. To be sure, the provisions of the Warsaw Convention may be an improvement in some ways, but it still, in my opinion, is not the complete answer. First, as to compulsory insurance, my information is that this is very doubtful of passage. Therefore, it would be better to defer action on the Hague Protocol until this were acted upon. Even the airlines oppose this compulsory insurance. The plan would provide a fixed sum of $50,000 for the death of anyone over 12 years old, or for serious personal injuries which would be paid automatically; and consequently this would overcompensate some parties and seriously underpay most others or their estate. For instance, if a family of four were to die consisting of mother, father, and two children over 12 this would result in insurance benefits of $200,000 to the next of kin, even though this next of kin be a nondependent, distant cousin. On the other hand, a young executive in the prime of life, earning $25,000 to $50,000 a year, leaving a widow and two children would obtain the totally inadequate sum of $50,000 in insurance for his family. This would invite more Federal control over insurance which insurance companies oppose and which I oppose personally, since I think the Federal Government is controlling enough of our everyday life and our business life. For these reasons, I have been told that the compulsory insurance will not pass and the Hague Protocol should, therefore, be rejected or deferred.

The main point in withdrawing from the Warsaw Convention and refusing ratification of the Hague Protocol is that the main purpose of the original Warsaw Convention has been served, and the need no longer exists. The idea in its infancy was to protect the young airlines, a large recovery against them being sufficient to wipe them out in their early days of business. This situation no longer exists for the reason that in 1964 Pan American had a net profit of $37 million and carried 5,325,000 revenue passengers over 9,026,600 revenue passenger miles. The number of revenue passengers carried by this one airline in 1964 is more than 100 times the total number of passengers carried by air in the United States in 1928. Trans World Airlines had a net profit of $36,989,000 as another example. Under present-day business conditions, no lawsuits due to culpable or common negligence which I have in mind, could possibly wipe out or even cripple any airline in existence that I know of. The main question seems to me to be, shall we allow each plaintiff the right to recover in tort for the damages he has sustained, or shall we jump this bulwark of our system of jurisprudence to arbitrarily limit recovery and hedge in the plaintiff with other artificial rules?

The limitations under the Warsaw setup is $8,300 and the Hague limitation is $16,600; but there should not be any limitation whatsoever in this day and time. Another aspect of the Hague Protocol is the insistence of the principle of "willful misconduct" which states in effect that to recover in any event in excess of the limitation, one must show willful misconduct which as you very well know, being a former judge, is practically impossible. It also removes the liability of the agents and employees of the defendant airlines, which help exists, even under the Warsaw Convention. Furthermore, the Hague Protocol removes the mandatory responsibility of the airlines to print on their tickets the fact that liability limitation does exist when it does. The new situation would be that the tickets would say that liability may exist. In this connection, you will find that quite often the limitation exists even for passengers in the United States, but later is to be continued into a foreign country, which brings about the strange situation of their fellow passengers in case of accident having no limitations for their liability claims, but the ones who are going yet further into foreign countries being limited by the Warsaw Convention. This inequity is completely indefensible.

The point about the Hague Protocol giving a presumption of negligence has no bearing with our present theory of res ipsa loquitur. For these and other reasons, that I have given before, it seems to me that the best course is to completely abandon the Warsaw Convention and reject the Hague Protocol. Let the airlines, which are literally booming, face actions for culpable or common negligence and ordinary negligence like any other tort feasors do in our present-day business life. They should be in no way worse off than anyone else, but certainly should not be in any better position, legally speaking, than anyone else; and certainly the plaintiffs who have suffered injuries at their hands because of their negligent action should not be barred from recovery since we afford this protection to no other organizations in America that I know of.

Furthermore, in closing, let me say that I have been informed again that over 50 percent of the air travel in the world today is by Americans and surely our principles of jurisprudence should apply. In closing, it might not be amiss to quote from the New York Times which states as follows:

"Those favoring renunciation feel that a limitation on damage claims is not 'the kind of internationalism that is calculated to capture the imagination or the spirit of people overseas.' They feel renunciation would help this country's propaganda position.

"We agree that renunciation probably would find more favor than censure among foreign populations. The risk of some damage to intergovernmental relations is more than outweighed, we believe, by the need to protect the individual's right to reasonable damages."

I hope that this letter will benefit your thinking somewhat, and that you will agree with me.

With best wishes, I remain,

Sincerely,

J. W. Clontz.

[From the New York Times, June 16, 1965]

Protection in the Air

Passengers on international airline flights involved in an accident have since 1934 been covered by the Warsaw Convention, which provides a unified liability code and uniform documentation on tickets and cargo for international air carriers. Under its antiquated provisions liability for loss of life or injury is limited to only $8,300, except where willful misconduct is proved. Recognizing that this amount is wholly inadequate, the signatories have proposed an amendment, called the Hague Protocol, to double airline liability to $16,600—which still would be wholly inadequate.

But the State Department is pressing for approval of the Hague Protocol along with a plan for compulsory accident insurance that would furnish passengers on American airliners up to $50,000 in case of injury or death. Leonard C. Meeker, the State Department's legal adviser, warned the Senate Committee on Foreign Relations that if it rejects the Hague Protocol "we would have to give serious consideration to denunciation of the Warsaw Convention," and if the compulsory insurance scheme is not approved "we would then also have to consider whether to withdraw from the Warsaw Convention."

Even with the insurance benefit added to the Hague Protocol's proposed ceiling, airline passengers will be shortchanged. Personal injury insurance in the United States provides compensation proportionate to the injury sustained, so that the family of an executive who dies in the prime of life usually gets more than the survivors of a retired person. But the administration's scheme would substitute a fixed amount, which is contrary to American principle and unfair in practice, and would not guarantee protection to Americans traveling on foreign airliners. Moreover, the Hague Protocol introduces language so rigid that it would become vastly more difficult for passengers—or their estates—to recover damages beyond the $16,600 limit.

The glaring shortcomings in the Hague Protocol and in the insurance plan to strengthen it argue for their rejection even if it means the end of the Warsaw Convention. The treaty had justification in the early days of air transport, when airlines could have been put out of business by sizable damage suits. It is unjustified now that airlines are financially sound and furnish uniform documentation in normal course; yet the administration is seeking to reaffirm allegiance to its outdated and miserly provisions for passenger protection.

WALL STREET AND MAIN STREET AGREE ON LIBERALIZING STOCK MARKET MARGIN REQUIREMENTS

Mr. HARTKE. Mr. President, for the past 2 months, the New York Stock Exchange has been demonstrating to the world its uncertainty about the future of our present, unprecedented economic expansion. At the heart of this uncertainty has been a lack of confidence in the American Government's determination to keep that expansion rolling. Until the New York stock market is convinced that our Government will defend our prosperity as vigorously as it has defended our dollar, there is little likelihood indeed that values on the stock market will rise to reflect the great and growing economic strength of this Nation. When the New York stock market refuses to give a clear vote of confidence to the American economy and to American economic policy, it is difficult to expect the rest of the world to believe in the strength of that economy and the determination of that policy.

For the last 3 weeks, therefore, I have been urging the Federal Reserve to liberalize stock market margin requirements to facilitate the purchase of securities on credit. At this time, such a move would not encourage an outbreak of speculation, for the speculators have been burned. At this time, such a move would underscore our Government's commitment to sound and stable expansion on the part of both the national economy and the New York stock market.

Two days ago, I received the welcome support of Mr. Keith Funston, president of the New York Stock Exchange. Mr. Funston wrote me:

> Since November 1963, the Federal Reserve Board has required 70 percent initial margins, and the ensuing 19 months have witnessed a marked decline in margin debt and activity. * * * Therefore, we have felt for some time that a 50-percent initial margin requirement would be a more reasonable level.

Mr. President, I come from a small city on the banks of the Ohio River. Evansville, Ind., is a long way from New York, N.Y. It has been my experience that opinion on Main Street in Evansville is very rarely in agreement with opinion on Wall Street in New York. But it has also been my experience that when Main Street and Wall Street get together on a question of national interest and national policy, action is taken. Main Street and Wall Street now agree that the Federal Reserve Board should move with all speed to liberalize stock market margin requirements.

I ask unanimous consent that Mr. Funston's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

New York Stock Exchange,
New York, N.Y., July 9, 1965.

The Honorable Vance Hartke,
The U.S. Senate,
Washington, D.C.

Dear Senator Hartke: I was interested to read in the Congressional Record of June 25, 1965, your suggestions concerning reserves and margin requirements for purchasing securities. Let me point out, by the way, that reserve requirements have no direct connection with the stock market. These requirements are imposed by the Federal Reserve on its member banks.

As to margin requirements, however, we do appreciate your interest, because margin transactions are an important source of the liquidity essential to our market. While the exchange sets maintenance margin requirements, the initial margin requirement—which governs how much cash a customer must put up to buy stock—is under the direct control of the Federal Reserve Board.

Since November 1963, the Board has required 70-percent initial margins, and the ensuing 19 months have witnessed a marked decline in margin debt and activity. In addition, the great bulk of margin customers are currently very well margined. Therefore, we have felt for some time that a 50-percent initial margin requirement would be a more reasonable level.

We would certainly hope that, in the near future, the Federal Reserve Board would give serious consideration to your suggestion that this requirement be lowered.

Sincerely yours,

G. Keith Funston.

THE MAINTENANCE OF THE U.S. MERCHANT MARINE

Mr. BREWSTER. Mr. President, some of our leading maritime labor and management officials have demanded the resignation of Mr. Nicholas Johnson, the Maritime Administrator.

These demands have been made on the basis of press reports of statements which Mr. Johnson is said to have made in San Francisco earlier this month.

Mr. Johnson is alleged to have stated that that this country no longer needs to maintain a merchant marine, and that foreign ships are perfectly capable of handling our trade.

I think it is only fair to point out that Mr. Johnson claims that his remarks were taken out of context, and that the inferences drawn by certain reporters were not at all correct.

I have read the San Francisco newspaper article from which this controversy has arisen. I have also examined Mr. Johnson's clarifying statement the following day. He cited the strategic and commercial advantages of a strong U.S. fleet, and said:

> I think there are many good purposes in having an American merchant marine.

It seems to me that this controversy may be based on a misinterpretation of the remarks of the Maritime Administrator.

While I do not believe that Mr. Johnson is opposed to the continued maintenance of a strong U.S. merchant marine, I am concerned with his failure to commit himself to the policies necessary to insure such strength.

He has hinted that construction of ships in foreign shipyards would be desirable; that an end to certain construction and operating subsidies may be contemplated; that the cargo preference policy might be altered; and that this country could rely more upon foreign shippers than in the past.

Mr. President, my sentiments on this matter are well known. I have consistently supported the maintenance of a strong American merchant marine, manned by American seamen, operating under the American flag, and constructed in American shipyards.

The necessity, from a national security point of view, of maintaining a sufficient United States shipping and shipbuilding capacity is obvious. Mr. Johnson admits this necessity.

Work done in shipyards and aboard ships is also of great significance to the economy of this country. The guarantee that American ships will always be available to transport our goods is likewise important. These benefits will continue only if we have a vigorous and positive maritime policy on the part of the Federal Government.

I believe that Mr. Johnson should pursue such policies. In no case should any policy change be effected until the Commerce Department task force on merchant marine policy has made its recommendations.

Attempts to divert American shipping and shipbuilding to foreign carriers and foreign yards, which would tend to weaken the American maritime industry, will meet with firm opposition from me and from many other Senators and Congressmen who are concerned with this vital issue.

Mr. President, the maritime editor, Mrs. Helen Delich Bentley, reported in this morning's Baltimore Sun that 54 more ships were immediately needed to carry supplies to South Vietnam. Twenty-six of these ships are to be taken out of the reserve fleets of the Maritime Administration.

Clearly this action demonstrates the need for a modern merchant marine fleet in time of national crisis. I ask unanimous consent that Mrs. Bentley's article be included at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SHIPS NEEDED FOR VIETNAM—FIFTY-FOUR MORE SUPPLY VESSELS NECESSARY, OWNERS TOLD

(By Helen Delich Bentley)

WASHINGTON, July 13.—American shipowners today were notified that 54 more merchant ships were needed immediately to transport supplies to Vietnam.

Of the total, 28 are to come from private industry and the rest are to be taken out of the reserve fleets of the Maritime Administration.

Most of the 28 are expected to come from the 107 freighters and passenger liners now strikebound by 3 seamen's unions.

The first group of 14 are to be on berth between July 21 and August 2 to load backed-up military cargo in the ports of Baltimore, Norfolk, Mobile, New Orleans, Tacoma, Beaumont, and Savannah.

The second group of 14 are to be on berth in the same ports between July 30 and August 27.

The reserve fleet ships are to go on berth as soon as they can be activated and manned.

Eleven of the reserve ships are to be broken out on the west coast with two of them today assigned to the American President Lines and one to the American Mail Lines. The other eight are to be assigned later this week.

All ships coming out of the reserve fleets will be operated under general agency agreements with private shipowners for the Military Sea Transportation Service.

NOTICE GIVEN

Notice of the need for the ships was given to the presidents and board chairmen of the Nation's leading subsidized steamship companies today by Nicholas Johnson, Maritime Administrator, for the Department of Defense.

The 28 vessels coming from private industry are to be the most modern freighters in the American merchant marine. Many of them are the only automated ships in the American-flag fleet.

All of the east and gulf coast subsidized companies, except the American Export Isbrandtsen Lines, have been strikebound since June 15, which means that most of their vessels are immobilized.

SOME HAVE CARGO ABOARD

A number are laden with commercial cargo that has been there since before the strike began.

This freight will have to be discharged by longshoremen before the freighters can pick up the military vehicles and equipment that have been backed up at the various Army terminals along the east and gulf coasts.

Jesse M. Calhoon, president of the National Marine Engineers Beneficial Association (AFL-CIO), tonight said that any of the strikebound ships needed for the big push to Vietnam will be cleared immediately by his union, and crews will be placed aboard.

The Government has been concerned about the attitude of NMEBA, the first union to call a strike against the subsidized vessels, because it has been reluctant to clear an American-flag freighter reportedly loaded with military freight.

The other two striking unions, the International Organization of Masters, Mates, and Pilots and the American Radio Association, have followed the long-standing policy of maritime labor of clearing any American-flag ships listed with military cargo.

Prior to tonight, Calhoon had adopted the stand that a ship with 9,000 tons of commercial cargo and 100 tons or less of military cargo was not an essential ship for this country's defense because the 100 tons or less could be moved on other vessels.

As of last Friday, the Military Sea Transportation Service, which routes oceanborne cargo for the Department of Defense, reported that it had chartered six foreign-flag freighters since the strike began to handle military cargo because suitable American-flag ships were not available.

AMOUNTS VARY

The amounts ranged from 5 measurement tons abroad the British-flag *Saxonia*, bound for Europe last Wednesday, to 8,850 tons aboard the British registered *Lord Byron* on July 6 for southeast Asia and the Far East. A Dutch vessel picked up 339 tons for Europe and a British ship 558 tons for Europe.

As of last Thursday, the MSTS reported that 58,000 measurement tons of military cargo were unbooked for worldwide destinations. A considerable portion of this cargo is normal military cargo, however, and "it is conceivable that it would have been at the ports at this time irrespective of international developments."

Since then the MSTS has adopted a "no comment" policy on the question of military cargo moving on foreign-flag vessels for security reasons.

Foreign-flag ships are used from time to time under normal circumstances by MSTS to move military cargo, although this fact is not given much public notice.

Manning the strikebound ships will not be too much of a problem, Calhoon said, but finding additional engineers for vessels taken from the reserve fleet may be a serious problem because of the general shortage of licensed engineers.

Four tankers cleared to sail Friday night when the M.M. & P. settled with the tanker service committee did not get away until this morning because engineers were not available.

Over the past 2 or 3 years, a number of American freighters have been delayed in sailing a day or more because of an inadequate number of engineers. A $300 monthly pension after 20 years of service accelerated retirements and helped further deplete an already depleted manpower source.

All of the freighters in the reserve fleets are of World War II vintage. The bulk are the slow Liberty types, but there are some C-2's and Victories.

THE WATER PROBLEM

Mr. ANDERSON. Mr. President, many persons have the notion that water shortage is an affliction of the semiarid Southwest. Indeed, a number of river basins in the Southwest face a possible crisis in water supplies. But, the problem of water quantity and water quality affects the entire Nation. No region is immune. An excellent summary of this situation was published in last Sunday's Star. The writer, Orr Kelly, has performed an important service in acquainting his readers with the severity of the water problem. His article, among other things, mentions the role of the Senate Select Committee on Water Resources which reported in January 1961, on the Nation's water problems and made recommendation to cope with them. Many of those recommendations have been translated into law, including the water resources research program which is now underway. S. 21, the conference report of which is before the Senate today, would create the planning structure to cope with basinwide problems.

The article also refers to the fine work being done by the Office of Saline Water and the promise that that office's activities will be even more productive in the years ahead. I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Sunday Star, July 11, 1965]

Special Report—A Nation Can Dry Up

(By Orr Kelly)

Death came slowly to Johnsonville. The city just seemed to wither away, like an old, old man.

Some said it just dried up.

Although no one could say exactly when Johnsonville began to die, some said the city was never the same again after the big flood. It took only a few days for the water to drain away and soon the streets were clean again. But the farmers complained that the rocks and debris had ruined their rich river valley lands and they stopped spending so much on Main Street.

For years the city had grown upriver, to the north. Land was cheap downriver because the waste from the mill made the river stink. But upriver the water was clean and pure and the fishing was good. A pipe carried the river water to the city's homes and everyone said Johnsonville had the world's best-tasting water.

But as the population in the cities upriver began to grow, the river turned dark green, then a dim gray and finally a dirty brown. The city passed a bond issue for a new water plant, but taxes went up, and no one ever bragged about Johnsonville's water again. Some years the river was so low you couldn't water your lawn or wash your car and the city took on a brown, dingy look.

Slowly, the life drained out of Johnsonville. Teachers' salaries dropped, and there wasn't enough money to replace the old schools. The bright young kids went to college—and didn't come back.

All over the Nation, in hundreds of Johnsonvilles, the scene was the same. A dry wind blew dust down dingy main streets; the rivers, thick with pollution, rolled uncontrolled to the sea.

And this, said the historians, was once a great Nation.

Four-and-a-half years ago, four Senators warned of what might happen to the United States if it failed to solve its water problems. They warned that the kind of blight suffered by the fictional city of Johnsonville could become a devastating reality.

"Today," they said, "the United States is shockingly in arrears in water resource management. We face a water crisis that threatens to limit economic growth, undermine living standards, endanger health, and jeopardize national security. We live on the edge of water bankruptcy.

"The free water frontier is past. Additional water can no longer be taken heedlessly or effortlessly. The United States is squeezed between the pincers of inadequate water development and rapidly increasing water requirements, while pollution makes more and more of our available water unfit for human or industrial uses."

Since those words were written by Senators Philip A. Hart, Democrat, of Michigan; Gale W. McGee, Democrat, of Wyoming; Frank E. Moss, Democrat, of Utah, and the late Clair Engle, Democrat, of California, the country has slipped perceptibly closer to the edge of the precipice. Some, looking at the mounting evidence, would say the country has already toppled over the edge into water bankruptcy.

In the Everglades National Park, alligators are being wrestled from their muddy swamps so they won't die from lack of water.

In the Delaware River, desperate measures are beieng taken to keep salt water from reaching one of the two main water supply intake pipes for the city of Philadelphia.

New York and New Jersey already have strict regulations on the use of water, but reservoirs in both States will go dry before the end of the year.

While the East suffered in the worst drought in 200 years, devastating floods did a quarter of a million dollars' worth of damage in Colorado and Kansas. Last winter, whole towns were swept away when California's Eel River went wild.

The water level in the Great Lakes is at its lowest point in history, many port facilities are useless and shipping is endangered. Lake Erie has been almost literally polluted to death and a scientific and engineering miracle will be required to bring it back to life.

One section of the country—southern California—has used up all of its water resources and is importing water from hundreds of miles away. By 1980, four more major sections of the country will have used up their water resources—and their growth will come to a stop if they can't find more somewhere.

The Potomac River, sole source of water for 1.1 million people in the Washington area, is lower at this time of year than at any time on record and a critical water shortage could develop later in the year.

Water is the most abundant substance on the face of the earth, and yet men, cities, even nations, can die for lack of it. It is a simple combination of two atoms of hydrogen and one of oxygen, but men know painfully little about how it acts and how to control and conserve it. Men drink it, bathe in it, cool with it, use it in their industries, sail their ships and barges on it, fear it, fight over it—and pollute it.

When there is too little water—or too much—everyone talks about it. But is anybody doing anything about it?

"We have done too little, moved too slowly," said McGee when he was asked to assess the progress made since the report of the Senate Select Committee on Water Resources in 1961.

"We have frittered away precious years—years in which urgently needed reservoirs * * * could have been built. We have stepped up our water development programs and controls over pollution of water resources in recent years. But we have only scratched the surface.

"Certainly, the New Yorker who must ask for a glass of water in a restaurant before it can be given to him is becoming aware of the problem. In the West, where once we had to worry about water for cattle, we are having to worry more today about water for people. We do have a crisis."

THE SEARCH FOR KNOWLEDGE

Water, like football, sex, and war, is a subject on which almost everyone is an expert. Like the housewife who wrote to the Office of Saline Water to tell them she had noticed that the water that condensed on the lid of a pan while she was cooking vegetables was not salty. Why not use her discovery to solve the Nation's water problems, she asked.

Steadily increasing amounts of money are being put into research by the Government—$65 million in 1964, $75 million in 1965, $102 million in the new fiscal year. But this is still only two-tenths of 1 percent of the Nation's investment of more than $40 billion in its water resources. Many private companies spend vastly higher percentages of their investment for research.

One of the most hopeful developments in the water research field—and one of the major recommendations of the select committee—is the Interior Department's new Office of Water Resources Research, which is just getting underway.

In a program modeled on the highly successful agricultural experiment stations, the Federal Government will work with the States to set up water research departments in universities in all 50 States and Puerto Rico. While new knowledge about water is the major goal of the centers, they also are expected to add significantly to the Nation's grossly inadequate pool of scientific manpower in the water resources field.

"This is just a beginning," said Dr. Roland Renne, director of the new agency. "We can't expect impressive results right away, but you can't overestimate the importance of this program over the next few decades."

Scientists all over the country already are sending in suggestions for research projects, and a few show promise of making significant scientific contributions.

Joe R. Eagleman, an assistant professor of meteorology at the University of Kansas, for example, thinks he has found a way to check the amount of moisture in the soil at various depths by measuring the radio waves from commercial broadcasting stations. If his method works, it could give the farmer a quick, easy way to tell how much more water he had to add by irrigation.

THE QUEST FOR CLEAN WATER

When the Department of Health, Education, and Welfare's water pollution control agency asked people, in a series of TV spot announcements, to write to "Clean Water, Washington, D.C.," 25,000 letters flooded in. Some people were so concerned about the problem they sent in dead fish and other unpleasant examples of the effects of pollution.

When the Office of Water Resources Research asked for research suggestions, every proposal from scientists in Ohio had to do with a single problem: pollution of streams by acids draining from abandoned mines.

Except for the two extremes of flood and drought, no problem concerned with water is more apparent than pollution. A filthy stream is an offense to sight and smell. A lake unfit for swimming, water skiing, or fishing is a dead loss.

By the time the Delaware River reaches Philadelphia, it has been estimated, its waters already have been used six times. The river, one critic said, is almost literally a part of the human alimentary canal.

Testifying before the Delaware River Basin Commission last week, Samuel S. Baxter, chief engineer for the Philadelphia Water Department, told how much water the city needed from the river and then added proudly: "We put back in what we take out."

Recently, the skipper of a freighter unloaded a cargo at Cleveland and then started back down the Cuyahoga River. But without his load, the ship was riding too high in the water to go under a bridge across the river. It was suggested that he fill his tanks with river water so he could get under the bridge. He took one look at the dirty river—and ordered his crew to saw off the top of the mast.

Despite a sewage treatment plant that is highly efficient by present standards, the District of Columbia pours a steady stream of pollution into the Potomac River estuary. If methods of treatment are not drastically improved by the year 2000, when the area's population is expected to reach 5 million, the city will foul the river with the equivalent of the untreated sewage of a city of 250,000 persons.

But pollution is not always visible. So many industries in the Youngstown, Ohio, area use the Mahoning River for cooling that its summertime temperature has been measured at 105 degrees—too hot for most fish and virtually worthless for industry.

As population grows, and as the use of water grows even more rapidly, it is becoming increasingly apparent that the avaliable water must be used over and over again before it reaches the sea or is lost by evaporation. And although there still are technical—and financial—problems to be solved, it is now apparent that good water can be produced from raw sewage.

At Santee, in an arid area south of Los Angeles, people swim in water from a series of small lakes whose only source is the city's sewage treatment plant.

A new sewage treatment plant at Lake Tahoe in California produces water of drinking quality. But instead of being fed into the municipal water supply, it will be piped over the hill to help irrigate the farms in the area surrounding Reno.

To the scientists of the Public Health Service, water is no longer something to be taken free and pure from a sparkling stream or a crystal lake. Instead, it is a product to be manufactured, using some pretty unpleasant substances as the raw material.

If this manufacturing process is not completed in the sewage treatment plants of the cities upstream, it has to be finished in the water treatment plants of the downstream cities. A major—though still inadequate—effort is being made to improve sewage treatment facilities so more of the job will be done upstream.

But, it has been suggested, the only way to really force a city to make the ultimate improvements in its treatment facilities is to require it to put its sewage outflow line above its water intake pipe.

FRESH WATER FROM THE SEA

Ever since the first thirsty man stood on the edge of the sea and thought of all that water with not a drop to drink, the mind of man has been fascinated by the possibilities for extracting fresh water from the sea.

That dream is about to come true.

Before this decade is over, a large experimental plant should be operating in southern California, producing 50 million gallons a day. The cost will be high, but it will be competitive with the price Los Angeles will have to pay in the near future to import water for its expanding population.

With the strong backing of Presidents John F. Kennedy and Lyndon B. Johnson, the work of the 12-year-old Office of Saline Water has been vastly expanded in recent years. This year, it will spend $22.5 million for research, development, and plant construction.

"The program is designed to advance the technology of water desalting so that within the next decade this developing technique will be a significant factor in meeting municipal and industrial requirements for high-quality water on a local and regional basis, both in the United States and abroad," Secretary of the Interior Stewart L. Udall and Atomic Energy Commission Chairman Glenn Seaborg said in a report to the President.

Desalting plants could become an important source of supplementary water for major coastal cities. In the current drought, New York could take water from the ocean and Philadelphia wouldn't have to worry about the salt coming up the Delaware River if they each had desalting plants.

"Eventually, every major water utility may incorporate a desalting unit in its treatment plant," Frank C. De Luzio, director of OSW, recently told a Senate committee.

For years, desalting probably will remain only a supplement to some other system of water supply in most places because of cost. But in some areas, even the costly processes now available are worthwhile.

In Coalinga, Calif., most homes still have three water faucets. One is marked "hot," another "cold" and the third, "good." Until the city built a water desalting plant to treat the water it takes from the alkaline hills of the west side of California's San Joaquin Valley, the "good" water was trucked in at a cost of $7.50 a thousand gallons.

Although the problems of Coalinga and Buckeye, Ariz., which also built a desalting plant recently, may be extreme, they are not unusual. Of the 19,740 water supply systems in the United States, 1,009 have brackish water—with more salt than the Public Health Service considers permissible in drinking water. Of these, 30 provide water with 3 to 10 times more salt than the permissible level.

Hundreds of these communities might have good water for the first time if the price of desalting can be reduced to a reasonable level.

But Di Luzio also hopes that the techniques being worked out in OSW research may help improve sewage treatment and even provide a way to remove acid mine drainage from streams.

BIG DAMS AND LITTLE ONES

The two big boys in the big dam business are the Army's Corps of Engineers and the Interior Department's Bureau of Reclamation—but the biggest by far is the corps.

The corps budget this year is about $1.3 billion—somewhat more than the entire Interior budget. Of this, it will spend about $940 million in its civil works program for a vast variety of projects designed to control the Nation's water resources. It is now working to bring oceangoing ships to Tulsa, Okla. and to the foot of the Rockies at Lewiston, Idaho, and is, not surprisingly, the world's largest single user of concrete.

While the corps can go anywhere in the country that Congress sends it, the Bureau of Reclamation, which was formed in 1902 to "make the deserts bloom," is limited to the Western States on the Pacific side of the 100th meridian.

While its budget is small ($146.8 million this year) compared to that of the corps, the bureau has built some of the world's most spectacular and famous dams, including Hoover and Grand Coulee.

The two agencies, once rather notorious rivals, got together just after World War II to develop the Missouri River Basin project and they now find themselves frequently linked together as the "bad guys" when conservationists try to protect scenic dam sites from the dam builders.

At the other extreme from the big dam builders is the Agriculture Department's Soil Conservation Service, which has helped farmers create 1,354,000 small ponds in the last 30 years and will spend more than $98 million this year for small watershed development projects.

In addition, States and private industries have their own plans for dams and water development. California recently voted a $1.1 billion bond issue to continue with its huge California water plan, designed to carry water nearly a thousand miles from the surplus areas of the north to the arid lands of the south.

THE WILD BLUE YONDER

If the dam building plans of the corps, the bureau, the States and the power companies sometimes seem overly ambitious, they all sink into insignificance beside the North American Water and Power Alliance (NAWAPA) proposed by the Ralph M. Parsons Co., one of the country's major engineering and construction firms.

At a cost of $100 billion—far more than the cost of putting a man on the moon—the company proposes that water now going to waste in Alaska and northern Canada be diverted south to provide water for seven provinces of Canada, 33 States in the United States and the three northern states of Mexico.

The series of reservoirs, lakes, canals and waterways would solve the problem of the dropping water level in the Great Lakes, provide a $25 billion payroll, develop up to 150 million kilowatts of electricity, make it possible to sail across the continent—and pay for itself in 50 years, according to the company proposal.

The plan captured the imagination of Senator Moss, who saw what the added water would do for his State of Utah and he held hearings on the proposal last fall. But in a Senate speech on July 1, he complained:

"There is no agency in the Federal Government that has the authority or the means to evaluate this proposal in terms of the interest of the United States. All that we have been able to do so far is to assemble from various sources information on their water resources plans and programs and present them in a Senate committee print."

To solve this bureaucratic problem, he suggested turning the Interior Department into a department of natural resources in which all the Nation's efforts toward a solution of its water problems would be grouped under one assistant secretary for water resources.

But, as one hydrologist noted, if you start putting everything related to water in one place, soon you've got not only water but trees, people, livestock, soil, ships, weather, and the White House fountains in one agency.

When the Interior Department was asked how much it spends on water problems, it took a week to get the answer.

Altogether, the Government will spend about $2.2 billion this year—nearly half a billion dollars less than the Senate select committee recommended on a very conservative basis should be spent each year before 1980.

But Federal spending on water problems may rise sharply in the next few years, with increases for grants for pollution control expected to go up in 1967 and with expected passage in the near future of the Water Resources Planning Act, which provides for orderly development of the Nation's river basins.

And as more people become aware of the country's water problems, there is certain to be increasing pressure on Congress for further action. As Di Luzio told a Senate committee recently:

"It is not always practical to attempt to assign a reasonable market value to water. One thing is absolutely clear—there is no water as expensive as no water."

THE CRIME MENACE—RESOLUTION

Mr. McCLELLAN. Mr. President, on June 24, 1965, I proposed certain legislation to deal with the crime menace in this country. During the course of my statement at that time I tried to point out that conditions existing now require action by the Congress and I suggested the enactment of these bills as a beginning.

No one is better informed on conditions in the field of law enforcement than the law enforcement officers themselves.

The National Sheriffs' Association at their 25th annual conference held June 28–30, 1965, at Atlantic City, N.J., adopted a resolution dealing with this subject. In the resolution they were kind enough to speak some words of commendation for me and voiced strong support for the legislation I proposed. I am pleased to have this support from such a well qualified source, representing as it does, every section of the country, and I ask unanimous consent that the text of this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF COMMENDATION TO U.S. SENATOR JOHN L. MCCLELLAN, ARKANSAS

Whereas, U.S. Senator JOHN L. MCCLELLAN, of Arkansas, has of late date led a strong and vigorous campaign against the rapidly increasing crime atmosphere which seems to be covering our Nation from coast to coast without rhyme or reason; and

Whereas through the introduction of numerous bills Senator MCCLELLAN is presently making a strong effort toward curing the legal ills in the following fields: Mafia membership (S. 2187); intimidation of witnesses (S. 2188); legalize official wiretapping (S. 2189); immunity of witness (S. 2190); civil narcotics treatment (S. 2191); and

Whereas it behooves each and every sheriff of the United States to give careful attention to and study of the various bills referred to herein and to seek the support of their respective Congressmen wherein such bills meet with their approval: Now, therefore, be it

Resolved, That the National Sheriffs' Association hereby commends U.S. Senator JOHN L. MCCLELLAN for his deep interest in law enforcement and the keen vision and insight he has shown by recognizing these serious problems and for having the courage and ability to take constructive legislative action in the proper direction.

Adopted this 30th Day of June, 1965, in convention assembled, Shelburne Hotel, Atlantic City, N.J.

WILLIAM M. LENNOX,
Chairman.
ROBERT S. MOORE,
KIRBY A. MASON,
ALWYN J. CRONVICH,
JOSEPH HOLLAND.

THE WATER PROBLEM

Mr. MCGEE. Mr. President, 4½ years ago the Select Committee on Water Resources issued its report and some members, myself included, also issued a supplemental report in which we declared that the United States was living on the edge of water bankruptcy. At that time, Mr. President, a drought was just beginning which has left the populous northeast region of our Nation vitally aware of the need for stepped-up planning and development of water resources. In fact, I believe we could say that today the entire country is aware of the real crisis which exists in this important field of endeavor. And, indeed, we have taken real steps toward better use of our water resources. But we have not done half enough.

These points, Mr. President, have been brought home by a special report, "A Nation Can Dry Up," written by Staff Writer Orr Kelly in the Washington Star and printed in the Sunday Star for July 11. I ask unanimous consent that this illuminating report be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, of July 11, 1965]

SPECIAL REPORT—A NATION CAN DRY UP

(By Orr Kelly)

Death came slowly to Johnsonville. The city just seemed to wither away, like an old, old man.

Some said it just dried up.

Although no one could say exactly when Johnsonville began to die, some said the city was never the same again after the big flood. It took only a few days for the water to drain away and soon the streets were clean again. But the farmers complained that the rocks and debris had ruined their rich river valley lands and they stopped spending so much on Main Street.

For years, the city had grown upriver, to the north. Land was cheap downriver because the waste from the mill made the river stink. But upriver the water was clean and pure and the fishing was good. A pipe carried the river water to the city's homes and everyone said Johnsonville had the world's best-tasting water.

But as the population in the cities upriver began to grow, the river turned dark green, then a dim gray and finally a dirty brown. The city passed a bond issue for a new water plant, but taxes went up, and no one ever bragged about Johnsonville's water again. Some years the river was so low you couldn't water your lawn or wash your car and the city took on a brown, dingy look.

Slowly, the life drained out of Johnsonville. Teachers' salaries dropped, and there wasn't enough money to replace the old schools. The bright young kids went to college—and didn't come back.

All over the Nation, in hundreds of Johnsonvilles, the scene was the same. A dry wind blew dust down dingy main streets; the rivers, thick with pollution, rolled uncontrolled to the sea.

And this, said the historians, was once a great Nation.

Four and a half years ago, four Senators warned of what might happen to the United States if it failed to solve its water problems. They warned that the kind of blight suffered by the fictional city of Johnsonville could become a devastating reality.

"Today," they said, "the United States is shockingly in arrears in water resource management. We face a water crisis that threatens to limit economic growth, undermine living standards, endanger health, and jeopardize national security. We live on the edge of water bankruptcy. * * *

"The free water frontier is past. Additional water can no longer be taken heedlessly or effortlessly. The United States is squeezed between the pincers of inadequate water development and rapidly increasing water requirements, while pollution makes more and more of our available water unfit for human or industrial uses."

Since those words were written by Senators PHILIP A. HART, Democrat of Michigan; GALE W. MCGEE, Democrat of Wyoming; FRANK E. MOSS, Democrat of Utah, and the late Clair Engle, Democrat of California, the country has slipped perceptibly closer to the edge of the precipice. Some, looking at the mounting evidence, would say the country has already toppled over the edge into water bankruptcy.

In the Everglades National Park, alligators are being wrestled from their muddy swamps so they won't die from lack of water.

In the Delaware River, desperate measures are being taken to keep salt water from reaching one of the two main water supply intake pipes for the city of Philadelphia.

New York and New Jersey already have strict regulations on the use of water, but reservoirs in both States will go dry before the end of the year.

While the East suffered in the worst drought in 200 years, devastating floods did a quarter of a million dollars' worth of damage in Colorado and Kansas. Last winter, whole towns were swept away when California's Eel River went wild.

The water level in the Great Lakes is at its lowest point in history, many port facilities are useless and shipping is endangered. Lake Erie has been almost literally polluted to death and a scientific and engineering miracle will be required to bring it back to life.

One section of the country—southern California—has used up all of its water resources and is importing water from hundreds of miles away. By 1980, four more major sections of the country will have used up their water resources—and their growth will come to a stop if they can't find more somewhere.

The Potomac River, sole source of water for 1.1 million people in the Washington area, is lower at this time of the year than at any time on record and a critical water shortage could develop later in the year.

Water is the most abundant substance on the face of the earth, and yet men, cities, even nations, can die for lack of it. It is a simple combination of two atoms of hydrogen and one of oxygen, but men know painfully little about how it acts and how to control and conserve it. Men drink it, bathe in it, cool with it, use it in their industries, sail their ships and barges on it, fear it, fight over it—and pollute it.

When there is too little water—or too much—everyone talks about it. But is anybody doing anything about it?

"We have done too little, moved too slowly," said MCGEE when he was asked to assess the progress made since the report of the Senate Select Committee on Water Resources in 1961.

"We have frittered away precious years—years in which urgently needed reservoirs * * * could have been built. We have stepped up our water development programs and controls over pollution of water resources in recent years. But we have only scratched the surface.

"Certainly, the New Yorker who must ask for a glass of water in a restaurant before it can be given to him is becoming aware of the problem. In the West, where once we had to worry about water for cattle, we are having to worry more today about water for people. We do have a crisis."

THE SEARCH FOR KNOWLEDGE

Water, like football, sex and war, is a subject on which almost everyone is an expert. Like the housewife who wrote to the Office of Saline Water to tell them she had noticed that the water that condensed on the lid of a pan while she was cooking vegetables was not salty. Why not use her discovery to solve the Nation's water problems, she asked.

Steadily increasing amounts of money are being put into research by the Government—$65 million in 1964, $75 million in 1965, $102 million in the new fiscal year. But this is still only two-tenths of 1 percent of the Nation's investment of more than $40 billion in its water resources. Many private companies spend vastly higher percentages of their investment for research.

One of the most hopeful developments in the water research field—and one of the major recommendations of the Select Committee—is the Interior Department's new Office of Water Resources Research, which is just getting underway.

In a program modeled on the highly successful agricultural experiment stations, the Federal Government will work with the States to set up water research departments in universities in all 50 States and Puerto Rico. While new knowledge about water is the major goal of the centers, they also are expected to add significantly to the Nation's grossly inadequate pool of scientific manpower in the water resources field.

"This is just a beginning," said Dr. Roland Renne, director of the new agency. "We can't expect impressive results right away, but you can't overestimate the importance of this program over the next few decades."

Scientists all over the country already are sending in suggestions for research projects, and a few show promise of making significant scientific contributions.

Joe R. Eagleman, an assistant professor of meteorology at the University of Kansas, for example, thinks he has found a way to check the amount of moisture in the soil at various depths by measuring the radio waves from commercial broadcasting stations. If his method works, it could give the farmer a quick, easy way to tell how much more water he had to add by irrigation.

THE QUEST FOR CLEAN WATER

When the Department of Health, Education and Welfare's water pollution control agency asked people, in a series of TV spot announcements, to write to "Clean Water, Washington, D.C.," 25,000 letters flooded in. Some people were so concerned about the problem they sent in dead fish and other unpleasant examples of the effects of pollution.

When the Office of Water Resources Research asked for research suggestions, every proposal from scientists in Ohio had to do with a single problem: pollution of streams by acids draining from abandoned mines.

Except for the two extremes of flood and drought, no problem concerned with water is more apparent than pollution. A filthy stream is an offense to sight and smell. A lake unfit for swimming, water skiing, or fishing is a dead loss.

By the time the Delaware River reaches Philadelphia, it has been estimated, its waters already have been used six times. The river, one critic said, is almost literally a part of the human alimentary canal.

Testifying before the Delaware River Basin Commission last week, Samuel S. Baxter, chief engineer for the Philadelphia Water Department, told how much water the city needed from the river and then added, proudly: "We put back in what we take out."

Recently, the skipper of a freighter unloaded a cargo at Cleveland and then started back down the Cuyahoga River. But without his load, the ship was riding too high in the water to go under a bridge across the river. It was suggested that he fill his tanks with river water so he could get under the bridge. He took one look at the dirty river—and ordered his crew to saw off the top of the mast.

Despite a sewage treatment plant that is highly efficient by present standards, the District of Columbia pours a steady stream of pollution into the Potomac River estuary. If methods of treatment are not drastically improved by the year 2000, when the area's population is expected to reach 5 million, the city will foul the river with the equivalent of the untreated sewage of a city of 250,000 persons.

But pollution is not always visible. So many industries in the Youngstown (Ohio) area use the Mahoning River for cooling that its summertime temperature has been measured at 105 degrees—too hot for most fish and virtually worthless for industry.

As population grows, and as the use of water grows even more rapidly, it is becoming increasingly apparent that the available water must be used over and over again before it reaches the sea or is lost by evaporation. And although there still are technical—and financial—problems to be solved, it is now apparent that good water can be produced from raw sewage.

At Santee, in an arid area south of Los Angeles, people swim in water from a series of small lakes whose only source is the city's sewage treatment plant.

A new sewage treatment plant at Lake Tahoe in California produces water of drinking quality. But instead of being fed into the municipal water supply, it will be piped over the hill to help irrigate the farms in the area surrounding Reno.

To the scientists of the Public Health Service, water is no longer something to be taken free and pure from a sparkling stream or a crystal lake. Instead, it is a product to be manufactured, using some pretty unpleasant substances as the raw material.

If this manufacturing process is not completed in the sewage treatment plants of the cities upstream, it has to be finished in the water treatment plants of the downstream cities. A major—though still inadequate—effort is being made to improve sewage treatment facilities so more of the job will be done upstream.

But, it has been suggested, the only way to really force a city to make the ultimate improvements in its treatment facilities is to require it to put its sewage outflow line above its water intake pipe.

FRESH WATER FROM THE SEA

Ever since the first thirsty man stood at the edge of the sea and thought of all that water with not a drop to drink, the mind of man has been fascinated by the possibilities for extracting fresh water from the sea.

That dream is about to come true.

Before this decade is over, a large experimental plant should be operating in southern California, producing 50 million gallons a day. The cost will be high, but it will be competitive with the price Los Angeles will have to pay in the near future to import water for its expanding population.

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And as more people become aware of the country's water problems, there is certain to be increasing pressure on Congress for further action. As Di Luzio told a Senate committee recently:

"It is not always practical to attempt to assign a reasonable market value to water. One thing is absolutely clear—there is no water as expensive as no water."

Mr. MANSFIELD. Mr. President, is there any further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2213), to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

The Senate resumed the consideration of the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BASS in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I ask unanimous consent that staff members of the Committee on Banking and Currency, both majority and minority, may be granted the privilege of the floor during the consideration of the housing bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I ask unanimous consent that the distinguished Senator from Ohio [Mr. YOUNG] may, out of order, be permitted to speak for 4 minutes.

The PRESIDING OFFICER. Without objection, the Senator from Ohio is recognized for 4 minutes.

THEY DOWNGRADE OHIO STATE UNIVERSITY

Mr. YOUNG of Ohio. Mr. President, on July 8, the board of trustees of the Ohio State University voted to retain the infamous gag rule which has been in existence in that institution since 1951. The vote of the board of trustees was 5 to 3 in favor of retention of the gag rule. I commend the three members of the board of trustees who voted in the minority—Stanley C. Allyn, of Dayton; Jacob E. Davis, of Cincinnati; and Alan B. Loop, of Toledo—for their courageous stand in favor of academic freedom and freedom of speech. It is unfortunate that the majority on the board is still composed of those rightwing, archconservatives, who seem to yearn for the William McKinley era.

During the last few years, this speakers' ban rule has come under increased condemnation by students and faculty alike. As a result many outstanding professors and instructors in all fields of learning have left Ohio State University to teach at other colleges and universities where this policy does not exist. Likewise many fine students who might otherwise have attended Ohio State University have elected to enroll in one of the many other excellent State universities in Ohio. The prestige of Ohio State University and the morale of its faculty and student body are at an alltime low. Outstanding educators who might otherwise join the faculty of Ohio State University have made their decisions to go elsewhere.

It is unfortunate that Ohio State University, potentially one of the great centers of learning in our Nation and in the world, is at the mercy of a small group of anti-intellectual reactionaries who are fearful of the liberties guaranteed all Americans in the first amendment to our constitution guaranteeing freedom of speech. Ohio State University is one of the very few universities in America still employing a speakers' ban rule. Even in the 1950's only eight universities instituted this undemocratic procedure.

I, along with other Ohioans, am proud of the fine colleges and universities in my State. Few States in the Union can match them in quantity and quality. We are proud of our graduates who have distinguished themselves in every field of endeavor in every part of the world. This has been true of Ohio State University, and we would like it to continue to be true. However, this cannot be the case if the board of trustees continues its detrimental, ultra-conservative policy. In fact, if the trustees persist in their stand, they risk the loss of the university of its formal accreditation.

Speaking for the majority on the board of trustees, former U.S. Senator John W. Bricker defended their action by saying:

> Communists, Nazis, and Fascists and members of other subversive organizations and their supporters have no right to speak at a tax-supported State university for they are not free men and hence, are incapable of the objectivity which must attach itself to all speakers at a State university.

Mr. President, evidently former Senator Bricker would have us emulate the tactics used by Communists, Nazis, and Fascists who seek to crush by force those who disagree with their ideologies. All of us remember the book burnings of the Nazi era. The whole world knows that there is not a university, a college, or a school in the Communist bloc that permits freedom of expression or permits ideas to be expounded that differ from the official party line.

In any form of government, except in dictatorships of the extreme left and Fascist dictatorships, freedom of speech should be taken for granted. People should be free to criticize, to challenge, to expose. There is an implied sense of weakness, and implied lack of confidence and evidence of fear, when citizens' minds are stifled. Fear of speaking our minds can do much more to harm our Nation than Communists or Fascists could ever hope to do. Communist and Fascists ideologies cannot stamp out our faith in human dignity, but fear can.

It may be dangerous to permit certain opinions to be expressed. It is more dangerous to suppress the expression of such opinions. To attempt to prevent an explosion in a boiler by sitting on the safety valve is obviously foolish.

Ideas cannot be exterminated with clubs; clubs only scatter them. Combat wrong opinions with right opinions; combat fallacies with facts.

I have confidence that our young people today have enough faith in our form of government and in our American way of life to reject any foreign ideologies, whether they be communism, fascism, or whatever. In attempting to withhold from them the right to hear the viewpoints of others, we do our young people a disservice. Surely, each generation should be entitled to know what it is we are struggling to preserve and what it is that threatens democracy in our time.

Evidently, a majority of the board of trustees of Ohio State University prefer to use the methods of those against whom we are struggling in this grim period of international anarchy. They will fail just as the Communists and Fascists will fail. The gag rule is powerless to keep from the Ohio State campus any ideas personally repugnant to five members of its board of trustees. Its only effect will be to further damage the university, lower its standing and prestige in the academic world, and embarrass citizens of Ohio.

Mr. President, three great Ohio newspapers have carried excellent editorials condemning the action of the board of trustees of Ohio State University. The Plain Dealer of Cleveland on July 9 and July 11, published two editorials, one entitled, "A Black Day at OSU," the other "A Way Out on OSU Gag Rule." The Cleveland Press of July 7 and July 9, published editorials entitled "OSU Should Drop Gag Rule" and "Little Men on Campus." An exceptionally fine editorial entitled, "An Answer—And Some Questions," appeared in the Toledo Blade on July 11. I commend these to Senators and ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Cleveland (Ohio) Plain Dealer, July 9, 1965]

A BLACK DAY AT OSU

In voting to retain their infamous gag rule, the majority of the board of trustees of Ohio State University has flouted public opinion, defied the faculty and the students, and ignored the university's president.

The five members who voted to keep the 15-year-old rule can be held responsible for the continuation of the poor name OSU has in the academic community of the Nation.

They can also be held responsible for the expected resignations of a number of respected faculty members who threatened to quit if the rule went unchanged.

And any student demonstrations protesting the decision can be charged also to the bullheaded backwardness of the five who disregarded the recommendations of the professional educators they hired.

President Novice G. Fawcett, following the recommendations of a faculty committee, urged the trustees to eliminate his power to veto speakers he felt were subversive.

Since 1951 an OSU president has been empowered to bar from the campus any guest speaker he judged to be subversive, allied to subversive purposes or whose views he felt to be just not in the best interests of the school. In the 1950's Ohio State was one of only eight universities in America using a gag rule.

Fawcett wisely advised the trustees that "so long as Federal and State governments permit people who are classed as subversives * * * to move about this country freely, it seems to me that we set ourselves up as being over and above the law when we restrict * * * the liberty of these persons."

In a disjointed piece of logic, former U.S. Senator John W. Bricker charged that changing the gag rule would somehow be a repudiation of U.S. policy in Vietnam, Cuba, and other Communist areas. What does the Senator think this Nation is fighting for if not freedom—including freedom of speech?

According to Fawcett, 75 percent of the students favored changing the rule. But the five trustees who voted against the change apparently believe most of Ohio State's students are not capable of making responsible judgments. And apparently these five trustees feel the faculty judgment is also wrong.

One of the five, Carlton S. Dargusch of Columbus, is a disbarred attorney presently appealing his disbarment. His participation in the proceedings at all was in questionable taste, considering his circumstances.

The others who unfortunately voted with Bricker and Dargusch were John G. Ketterer of Canton, Mervin B. France of Cleveland, and Frederick E. Jones of Columbus.

The Plain Dealer would like to say a word of praise for the three trustees who voted to change the rule. They were Stanley C. Allyn of Dayton, Jacob E. Davis of Cincinnati, and Board Chairman Alan B. Loop of Toledo.

[From the Cleveland (Ohio) Plain Dealer, July 11, 1965]

A WAY OUT ON OSU GAG RULE

Ohio State University and the State universities of North Carolina are in similar disgraceful situations over gag rules on campus speakers.

But North Carolina may find its way out before OSU.

There, Gov. Dan Moore has appointed a nine-member commission to study possible repeal or amendment of the State law on the subject.

At Ohio State the rule against speakers held to be subversive is a product of the board of trustees. There is no such ban at other State universities in Ohio.

Ohio State trustees should reconsider their decision or seek new guidance by appointing an objective advisory commission on the subject. This may be too much to ask of a board that already had flouted advice of the university's president, faculty and student body.

If the trustees persist in their stand, they risk the loss to the university of its formal accreditation. Accreditation results from an evaluation of scholastic standards, administration and general climate of the school. It is granted by supervisory boards representing major colleges and universities; thus accreditation, or lack of it, is a judgment by the school's peers. Faculty, graduate students and undergraduate students, who wish to apply their academic credits elsewhere, shy away from a nonaccredited school. The Southern Association of Schools and Colleges already has warned that North Carolina may lose its valued status.

OSU's gag rule is powerless to keep from the campus any ideas the trustees might not like personally. Its only power is in discouraging potential teachers and students.

[From the Cleveland (Ohio) Press, July 7, 1965]

OSU SHOULD DROP GAG RULE

Tomorrow the trustees of Ohio State University will meet to decide whether to eliminate the so-called gag rule. This is the regulation that authorizes the president of the university to review campus invitations to guest speakers.

The trustees can do themselves, the university and the cause of democracy a great service by dropping this troublemaking rule. It is foolish to think that alien ideas can be kept from students by banning a speaker who President Novice Fawcett thinks is dangerous.

The rule was imposed during the height of the McCarthy era 14 years ago when many Americans who should have known better knuckled under to demagogs who were always seeing red.

Aside from the basic fact that the gag rule is against the letter and spirit of the U.S. Constitution, the trustees will save themselves heaps of aggravation by dumping it and depriving restless students of a prime reason for demonstrating.

A modified guest speakers' regulation is before the trustees. This would continue faculty consultation, but instead of a presidential veto, the university would maintain the right to ask that another point of view be represented along with the invited speaker.

This seems a sensible policy for an institution that is in business to teach students to think for themselves.

[From the Cleveland (Ohio) Press, July 9, 1965]

LITTLE MEN ON CAMPUS

The decision by Ohio State University's board of trustees to maintain the gag rule—the regulation authorizing the president of the university to prohibit campus invitations to guest speakers—is a disappointment and a disservice to the citizens of Ohio.

Furthermore, it is an insult to President Novice Fawcett, faculty and students. Most of these had asked that the rule be modified. An acceptable alternative—offered by the faculty—was suggsted: Instead of a presidential veto the university would maintain the right to ask that another point of view be represented along with the invited speaker.

The 5-to-3 vote maintains a situation that hampers academic freedom, flouts the U.S. Constitution's Bill of Rights and makes OSU look ridiculous in the academic community.

Former U.S. Senator John Bricker's "political pamphlet" explained his vote: In a nation vigorously opposed to communism to the point of sending men and arms to quash it, a tax-supported university should not entertain on its campus speakers advocating the very government ideologies we are warring against.

Bricker obviously does not comprehend the basic purpose of education which is to open the eyes and minds of American youth to the world in which it lives. Closing the campus door also helps close the eyes and the mind.

Perhaps there will be a more enlightened approach when James Shocknessy joins the trustees' panel.

The trustees' decision is not the close of the subject. Last spring the Free Speech Front formed at the university said it would bring banned speakers on campus whether or not the rule was changed. Trustees can expect new—and wholly unnecessary—trouble from campus dissidents now.

[From the Toledo (Ohio) Blade, July 11, 1965]

AN ANSWER

The public humiliation inflicted upon the president of Ohio State University, his staff, and his faculty by the board of trustees' refusal to revise its infamous speaker rule must be unparalleled in the history of trustee-administration relations.

It would have been less insulting to the educators if the board had parted company with them completely by firing them wholesale instead of intolerantly repudiating their responsible efforts to change the rule that has so long blotted Ohio State's academic honor.

It was in response to the trustees' own request last April that the faculty advisory council devoted months to hearing and studying the views of teachers, students, and alumni on the controversial issue. The council did its work, President Fawcett told the trustees, "with the objectivity, the honesty, and the creativity that mark the true scholar."

It was in respect for the university's well-being and the trustees' governing regulations that the administration so skillfully handled last spring's outburst of protest by students and faculty against both the speaker rule and the trustees' bullheaded insistence that consideration of a change be delayed until this month. As befits an intellectual community the demonstrations were permitted to give voice to all the pent-up complaints but never got so unruly as to require either arrests by civil authorities or expulsions by school authorities.

Finally, it was with eloquence that President Fawcett put on the record at last Thursday's meeting—the date set by the trustees themselves—his personal recommendation that they adopt the new rule drafted by the faculty advisory council and strongly supported by the faculty council and his own president's cabinet.

In his statement, Dr. Fawcett gave the trustees all the intelligent reasons they could possibly want for making the change.

"Ohio State sets itself over and above the law when, under its present speaker rule, it restricts more severely than State and Federal Governments or other great institutions the liberty of persons as free as anyone else to travel, speak, broadcast, and write.

"The present rule merely plays into the hands of those it seeks to bar by giving them the publicity they seek and the chance to disrupt the normal educational activities of the university. Other campuses with rules like the proposed one have no such troubles.

"The faculty, students, and staff of Ohio State are no less responsible, no less mature, no less competent to meet the challenge of controversial ideas in an academic setting than are those of other large universities which have liberal speaker rules—or none at all."

Yet to these intelligent arguments for change the board of trustees replied with an incredibly stupid "No." The five in the majority marked themselves by their closed minds. The three in the minority characterized themselves by their closed mouths.

Thus humiliated—thus led by the trustees into the trap of hope only to be crushed by arrogant benightment—the administration and faculty of Ohio State must wonder why they should any longer bear the academic and public brunt of the board's unyielding numbskullery. Why, with earnest effort on behalf of intelligent enlightenment so offensively frustrated, should the administration and faculty continue to seek to reason with demonstrators, to quiet intellectual rebellion, to explain absurdity to fellow educators elsewhere?

The board has ruled reason out, invited rebellion, made explanation impossible. Let the board, then, answer for its witlessness.

Every Ohio citizen should demand answers from every trustee.

AND SOME QUESTIONS

Among the answers Ohioans should demand is why four Ohio State University trustees bleated sheeplike assent when John W. Bricker thundered, "I will not change * * *"—as sure a sign of unenlightenment as can be had.

Another is why the three trustees who favored the new rule sat with sealed lips while this white-maned warhorse of reaction trampled it with irrelevant inanities, such as that only "objective" speakers should be allowed to address campus audiences.

Still another is why even the chairman of the board, Alan B. Loop, of Toledo, offered no leadership in rebuttal—but ventured the opinion later that the rule change would have been in the university's best interest. Occupying the presiding chair, could he not at least have given the obvious response to Mr. Bricker's statement that "either I am right about this—or our Nation is wrong"?

All those questions, of course, skip over the more fundamental one, which should be directed to Governor Rhodes: Why, when an able man had been nominated to replace Mr. Bricker on the board, did the Governor take the trouble to restore to a new full term this defeated Senator who has done more than any other single person to blemish Ohio State's intellectual reputation?

Finally, and pertinent to the immediate future, is this question for Dr. Fawcett: Since the present speaker rule leaves it to the university president to define what a subversive is, why does President Fawcett not reward Mr. Bricker for subverting the cause of quality education at Ohio State by barring him from the campus?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TOWER. Mr. President, I ask unanimous consent that the senior Senator from New York be allowed to continue, out of order, for 5 minutes.

The PRESIDING OFFICER. The senior Senator from New York is recognized for 5 minutes.

PROPOSAL FOR NEW YORK CITY SEA WATER CONVERSION PROJECT

Mr. JAVITS. Mr. President, the 4-year-old drought in the Northeast, which has caused critical water shortages in many of our largest cities and devastated farms in at least parts of 13 States, should have at least one good effect. It should convince us once and for all that the lack of adequate water resources—and the ever-present danger of drought—is not a sectional problem confined to the western half of this Nation, but a national problem requiring national solutions.

Last weekend, I urged the President to appoint an emergency task force composed of the Secretaries of Interior and Agriculture, the Commanding General of the Army Corps of Engineers, the Chief of the Weather Bureau, and the Director of the National Science Foundation to marshal the resources of the many present Federal water programs in helping to minimize the effects of the drought in the Northeast.

Such a task force would concentrate on short-range, emergency solutions including: the effective regional enforcement of conservation of all fresh water supplies; exploration of possible methods of transporting water within the Northeast region; a crash survey by the Corps of Engineers of all potential fresh water sources; and the expansion of existing disaster loan and grazing relief programs of the Departments of Interior and Agriculture.

But even while this emergency activity is being carried on, government at all levels in the Northeast should be exploring, as never before, the possibilities of new approaches to maintain an adequate water supply for the future when increased population will cause a demand for water so great as to create a new kind of perennial emergency—"manmade drought."

Planning along these lines should have started years ago, but I have been informed by the Office of Saline Water of the Interior Department, for example, that the city of New York has never formally requested a conference with that Office on the possibility of converting sea water for human consumption in the New York area.

A feasibility study recently prepared for the Los Angeles Metropolitan Water District, however, indicated that an atom-powered desalination and electric generating plant can produce 150 million gallons of fresh water a day at a cost of between 22 and 30 cents for each 1,000 gallons. This alone could supply the needs of a city of 750,000 people at a cost which is drastically cheaper than the lowest previous cost for making sea water potable—about $1 per 1,000 gallons in a pilot plant near San Diego. By contrast, New York water now costs between 10 and 15 cents per 1,000 gallons—when there is enough water to supply the needs of the population.

The type of plant that is envisioned in the Los Angeles report would use the same distillation method as has been used in pilot plants that have been in operation for some time.

What has made this project so feasible—what has enabled the engineers to estimate a cost of converting sea water to fresh so reasonably near to present costs—is the use of atomic energy, the size of the operation, and the fact that electricity would be produced as a byproduct and sold at a competitive price. In fact, three large electric utility companies in the Los Angeles area have reportedly already indicated a desire to participate in this project.

What then could be envisioned for the large cities of the Northeast, with their apparently insatiable need for electrical power as well as water. Mr. Frank DiLuzio, Director of the Office of Saline Water, has told my staff that in his opinion large metropolitan areas of the Northeast would be "natural locations" for huge salt water conversion plants, perhaps many times larger than the proposed Los Angeles plant.

For this reason, I am urging the responsible officials of the city of New York and its surrounding suburbs to ask the Office of Saline Water and the Atomic Energy Commission to undertake a feasibility study for the construction of the largest salt water conversion plant practical within the limits of current technology. Such a study should have been made long ago, but now, in view of the disclosures made in the Los Angeles survey, it is critically necessary as part of any search for long-range solutions to New York area's water problems.

I realize that not even under the greatly expanded desalination program requested by President Johnson does the Office of Saline Water have adequate funds for such a study. The Los Angeles study cost about $490,000. But once such a request by New York City were made, I would introduce a bill providing the money for such a survey, which could be the first step in curbing the crippling water shortages in the New York area for many years to come.

Obviously salt water conversion plants—even huge ones—will not be able to supply the total needs of our large metropolitan areas for many years, but they could provide a vital margin of safety against drought. For years, desalination will most likely remain only a supplement to other means of water supply because of its costs. But as Mr. DiLuzio was quoted as saying in an article in last Sunday's Washington Star:

> It is not always practical to assign a reasonable market value to water. One thing is absolutely clear—there is no water as expensive as no water.

The State of New York, through its Department of Atomic Energy and Development has been aware of what sea water conversion could mean in the future. The State legislature has appropriated funds and plans are underway to construct a pilot water conversion plant on Long Island. What I have said today should in no way interfere with the State's commendable initiative. The survey I suggest would lead to a much larger project tied directly into the New York City water system.

If the drought now ravaging the Northeast has the result of winning additional congressional and popular support for a full-scale national attack on the lack of adequate water resources, it will have served a great purpose. If it serves to break old habits of thinking of water as purely a sectional problem—especially a Southwest and Mountain States problem—it may save us from greater crises in the future.

For example, the Interior Department's Bureau of Reclamation is prohibited by law from constructing dams and water systems in any but the 17 Western States, Hawaii, and Alaska. We are now being shown that there may be a need for this Bureau's expertise in all parts of the country.

In the last several weeks, I have given my support to the approach to the water resources problem from a national level, as well as advocating emergency measures for the Northeast. One such proposal is to establish a National Water Commission, such as the one proposed in May by the Bureau of the Budget. A commission such as this could bring together the resources and programs of the many Federal agencies, and could suggest legislation to supplement the many laws now on the books to provide a feasible, well-rounded program for the long-range development of our water resources wherever they are found, for the benefit of our people, wherever they may be.

Mr. President, I have just been advised that President Johnson today has ordered a study to determine how the Federal Government can help the Middle Atlantic and New England region to solve its water problem. I believe that is very admirable on the part of the President. He has asked the Secretary of the Interior, as Chairman of the Special Federal Resources Council, to convene that group for the purpose of making a study.

I hope that the Council will think well of the task force idea that I suggested to the President last weekend, so that all the many programs of the Federal Government could be marshaled to minimize the effects of the drought. I also hope, my home community will explore the possibility of securing aid for the desalination process, and its byproduct—the production of electrical power.

Mr. President, I ask unanimous consent to place in the Record an article on the national water problem which appeared in last Sunday's Washington Star.

I appreciate the indulgence of the Senator from Texas in yielding to me.

There being no objection, the article was ordered to be printed in the Record, as follows:

Special Report: A Nation Can Dry Up

(By Orr Kelly)

Death came slowly to Johnsonville. The city just seemed to wither away, like an old, old man.

Some said it just dried up.

Although no one could say exactly when Johnsonville began to die, some said the city was never the same again after the big flood. It took only a few days for the water to drain away and soon the streets were clean again. But the farmers complained that the rocks and debris had ruined their rich river valley lands and they stopped spending so much on Main Street.

For years, the city had grown upriver, to the north. Land was cheap down-river because the waste from the mill made the river stink. But up-river the water was clean and pure and the fishing was good. A pipe carried the river water to the city's homes and everyone said Johnsonville had the world's best-tasting water.

But as the population in the cities upriver began to grow, the river turned dark green, then a dim gray and finally a dirty brown. The city passed a bond issue for a new water plant, but taxes went up, and no one ever bragged about Johnsonville's water again. Some years the river was so low you couldn't water your lawn or wash your car and the city took on a brown, dingy look.

Slowly, the life drained out of Johnsonville. Teachers' salaries dropped, and there wasn't enough money to replace the old schools. The bright young kids went to college—and didn't come back.

All over the Nation, in hundreds of Johnsonvilles, the scene was the same. A dry wind blew dust down dingy main streets; the rivers, thick with pollution, rolled uncontrolled to the sea.

And this, said the historians, was once a great nation.

Four-and-a-half years ago, four Senators warned of what might happen to the United States if it failed to solve its water problems. They warned that the kind of blight suffered by the fictional city of Johnsonville could become a devastating reality!

"Today," they said, "the United States is shockingly in arrears in water resource management. We face a water crisis that threatens to limit economic growth, undermine living standards, endanger health, and jeopardize national security. We live on the edge of water bankruptcy. * * *

"The free water frontier is past. Additional water can no longer be taken heedlessly or effortlessly. The United States is squeezed between the pincers of inadequate water development and rapidly increasing water requirements, while pollution makes more and more of our available water unfit for human or industrial uses."

Since those words were written by Senators Philip A. Hart, Democrat, of Michigan; Gale W. McGee, Democrat, of Wyoming; Frank E. Moss, Democrat, of Utah, and the late Clair Engle, Democrat, of California, the country has slipped perceptibly closer to the edge of the precipice. Some, looking at the mounting evidence, would say the country has already toppled over the edge into water bankruptcy.

In the Everglades National Park, alligators are being wrestled from their muddy swamps so they won't die from lack of water.

In the Delaware River, desperate measures are being taken to keep salt water from reaching one of the two main water supply intake pipes for the city of Philadelphia.

New York and New Jersey already have strict regulations on the use of water, but reservoirs in both States will go dry before the end of the year.

While the East suffered in the worst drought in 200 years, devastating floods did a quarter-of-a-million dollars' worth of damage in Colorado and Kansas. Last winter, whole towns were swept away when California's Eel River went wild.

The water level in the Great Lakes is at its lowest point in history, many port facilities are useless and shipping is endangered. Lake Erie has been almost literally polluted to death and a scientific and engineering miracle will be required to bring it back to life.

One section of the country—southern California—has used up all of its water resources and is importing water from hundreds of miles away. By 1980, four more major sections of the country will have used up their water resources—and their growth will come to a stop if they can't find more somewhere.

The Potomac River, sole source of water for 1.1 million people in the Washington area, is lower at this time of year than at any time on record and a critical water shortage could develop later in the year.

Water is the most abundant substance on the face of the earth, and yet men, cities, even nations, can die for lack of it. It is a simple combination of two atoms of hydrogen and one of oxygen, but men know painfully little about how it acts and how to control and conserve it. Men drink it, bathe in it, cool with it, use it in their industries, sail their ships and barges on it, fear it, fight over it—and pollute it.

When there is too little water—or too much—everyone talks about it. But is anybody doing anything about it?

"We have done too little, moved too slowly," said McGee when he was asked to assess the progress made since the report of the Senate Select Committee on Water Resources in 1961.

"We have frittered away precious years—years in which urgently needed reservoirs could have been built. We have stepped up our water development programs and controls over pollution of water resources in recent years. But we have only scratched the surface.

"Certainly, the New Yorker who must ask for a glass of water in a restaurant before it can be given to him is becoming aware of the problem. In the West, where once we had to worry about water for cattle, we are having to worry more today about water for people. We do have a crisis."

THE SEARCH FOR KNOWLEDGE

Water, like football, sex, and war, is a subject on which almost everyone is an expert. Like the housewife who wrote to the Office of Saline Water to tell them she had noticed that the water that condensed on the lid of a pan while she was cooking vegetables was not salty. Why not use her discovery to solve the Nation's water problems, she asked.

Steadily increasing amounts of money are being put into research by the Government—$65 million in 1964, $75 million in 1965, $102 million in the new fiscal year. But this is still only two-tenths of 1 percent of the Nation's investment of more than $40 billion in its water resources. Many private companies spend vastly higher percentages of their investment for research.

One of the most hopeful developments in the water research field—and one of the major recommendations of the Select Committee—is the Interior Department's new Office of Water Resources Research, which is just getting underway.

In a program modeled on the highly successful agricultural experiment stations, the Federal Government will work with the States and set up water research departments in universities in all 50 States and Puerto Rico. While new knowledge about water is the major goal of the centers, they also are expected to add significantly to the Nation's grossly inadequate pool of scientific manpower in the water resources field.

"This is just a beginning," said Dr. Roland Renne, director of the new agency. "We can't expect impressive results right away, but you can't overestimate the importance of this program over the next few decades."

Scientists all over the country already are sending in suggestions for research projects, and a few show promise of making significant scientific contributions.

Joe R. Eagleman, an assistant professor of meteorology at the University of Kansas, for example, thinks he has found a way to check the amount of moisture in the soil at various depths by measuring the radio waves from commercial broadcasting stations. If his method works, it could give the farmer a quick, easy way to tell how much more water he had to add by irrigation.

THE QUEST FOR CLEAN WATER

When the Department of Health, Education, and Welfare's water pollution control agency asked people, in a series of TV spot announcements, to write to "Clean Water, Washington, D.C.," 25,000 letters flooded in. Some people were so concerned about the problem they sent in dead fish and other unpleasant examples of the effects of pollution.

When the Office of Water Resources Research asked for research suggestions, every proposal from scientists in Ohio had to do with a single problem: pollution of streams by acids draining from abandoned mines.

Except for the two extremes of flood and drought, no problem concerned with water is more apparent than pollution. A filthy stream is an offense to sight and smell. A lake unfit for swimming, water skiing, or fishing is a dead loss.

By the time the Delaware River reaches Philadelphia, it has been estimated, its waters already have been used six times. The river, one critic said, is almost literally a part of the human alimentary canal.

Testifying before the Delaware River Basin Commission last week, Samuel S. Baxter, chief engineer for the Philadelphia Water Department, told how much water the city needed from the river and then added, proudly: "We put back in what we take out."

Recently, the skipper of a freighter unloaded a cargo at Cleveland and then started back down the Cuyahoga River. But without his load, the ship was riding too high in the water to go under a bridge across the river. It was suggested that he fill his tanks with river water so he could get under the bridge. He took one look at the dirty river—and ordered his crew to saw off the top of the mast.

Despite a sewage treatment plant that is highly efficient by present standards, the District of Columbia pours a steady stream of pollution into the Potomac River estuary. If methods of treatment are not drastically improved by the year 2000, when the area's population is expected to reach 5 million, the city will foul the river with the equivalent of the untreated sewage of a city of 250,000 persons.

But pollution is not always visible. So many industries in the Youngstown (Ohio) area use the Mahoning River for cooling that its summertime temperature has been measured at 105 degrees—too hot for most fish and virtually worthless for industry.

As population grows, and as the use of water grows even more rapidly, it is becoming increasingly apparent that the available water must be used over and over again before it reaches the sea or is lost by evaporation. And although there still are technical—and financial—problems to be solved, it is now apparent that good water can be produced from raw sewage.

At Santee, in an arid area south of Los Angeles, people swim in water from a series of small lakes whose only source is the city's sewage treatment plant.

A new sewage treatment plant at Lake Tahoe, in California, produces water of drinking quality. But instead of being fed into the municipal water supply, it will be piped over the hill to help irrigate the farms in the area surrounding Reno.

To the scientists of the Public Health Service, water is no longer something to be taken free and pure from a sparkling stream or a crystal lake. Instead, it is a product to be manufactured, using some pretty unpleasant substances as the raw material.

If this manufacturing process is not completed in the sewage treatment plants of the cities upstream, it has to be finished in the water treatment plants of the downstream cities. A major—though still inadequate—effort is being made to improve sewage treatment facilities so more of the job will be done upstream.

But, it has been suggested, the only way to really force a city to make the ultimate improvements in its treatment facilities is to require it to put its sewage outflow line above its water intake pipe.

FRESH WATER FROM THE SEA

Ever since the first thirsty man stood on the edge of the sea and thought of all that water with not a drop to drink, the mind of man has been fascinated by the possibilities for extracting fresh water from the sea.

That dream is about to come true.

Before this decade is over, a large experimental plant should be operating in southern California, producing 50 million gallons a day. The cost will be high, but it will be competitive with the price Los Angeles will have to pay in the near future to import water for its expanding population.

With the strong backing of Presidents John F. Kennedy and Lyndon B. Johnson, the work of the 12-year-old Office of Saline Water has been vastly expanded in recent years. This year, it will spend $22.5 million for research, development, and plant construction.

"The program is designed to advance the technology of water desalting so that within the next decade this developing technique will be a significant factor in meeting municipal and industrial requirements for high-quality water on a local and regional basis, both in the United States and abroad," Secretary of the Interior Stewart L. Udall and Atomic Energy Commission Chairman Glenn Seaborg said in a report to the President.

Desalting plants could become an important source of supplementary water for major coastal cities. In the current drought, New York could take water from the ocean and Philadelphia wouldn't have to worry about the salt coming up the Delaware River if they each had desalting plants.

"Eventually, every major water utility may incorporate a desalting unit in its treatment plant," Frank C. DiLuzio, Director of OSW, recently told a Senate committee.

For years, desalting probably will remain only a supplement to some other system of water supplying most places because of cost. But in some areas, even the costly processes now available are worth while.

In Coalinga, Calif., most homes still have three water faucets. One is marked "hot," another "cold," and the third, "good." Until the city built a water desalting plant to treat the water it takes from the alkaline hills of the west side of California's San Joaquin Valley, the "good" water was trucked in at a cost of $7.50 a thousand gallons.

Although the problems of Coalinga and Buckeye, Ariz., which also built a desalting plant recently, may be extreme, they are not unusual. Of the 19,740 water supply systems in the United States, 1,009 have brackish water—with more salt than the Public Health Service considers permissible in drinking water. Of these, 30 provide water with 3 to 10 times more salt than the permissible level.

Hundreds of these communities might have good water for the first time if the price of desalting can be reduced to a reasonable level.

But DiLuzio also hopes that the techniques being worked out in OSW research may help improve sewage treatment and even provide a way to remove acid mine drainage from streams.

BIG DAMS AND LITTLE ONES

The two big boys in the big dam business are the Army's Corps of Engineers and the Interior Department's Bureau of Reclamation—but the biggest by far is the corps.

The corps budget this year is about $1.3 billion—somewhat more than the entire Interior budget. Of this, it will spend about $940 million in its civil works program for a vast variety of projects designed to control the Nation's water resources. It is now working to bring oceangoing ships to Tulsa, Okla. and to the foot of the Rockies at Lewiston, Idaho, and is, not surprisingly, the world's largest single user of concrete.

While the corps can go anywhere in the country that Congress sends it, the Bureau of Reclamation, which was formed in 1902 to "make the deserts bloom," is limited to the Western States, on the Pacific side of the 100th meridian.

While its budget is small ($146.8 million this year) compared to that of the corps, the Bureau has built some of the world's most spectacular and famous dams, including Hoover and Grand Coulee.

The two agencies, once rather notorious rivals, got together just after World War II to develop the Missouri River Basin project and they now find themselves frequently linked together as the "bad guys" when conservationists try to protect scenic dam sites from the dam builders.

At the other extreme from the big dam builders is the Agriculture Department's Soil Conservation Service, which has helped farmers create 1,354,000 small ponds in the last 30 years and will spend more than $98 million this year for small watershed development projects.

In addition, States and private industries have their own plans for dams and water development. California recently voted a $1.1 billion bond issue to continue with its huge California water plan, designed to carry water nearly a thousand miles from the surplus areas of the north to the arid lands of the south.

THE WILD BLUE YONDER

If the dam building plans of the corps, the Bureau, the States, and the power companies sometimes seem overly ambitious, they all sink into insignificance beside the North American Water and Power Alliance (NAWAPA) proposed by the Ralph M. Parsons Co., one of the country's major engineering and construction firms.

At a cost of $100 billion—far more than the cost of putting a man on the moon—the company proposes that water now going to waste in Alaska and northern Canada be diverted south to provide water for 7 Provinces of Canada, 33 States in the United States and the 3 northern States of Mexico.

The series of reservoirs, lakes, canals and waterways would solve the problem of the dropping water level in the Great Lakes, provide a $25 billion payroll, develop up to 150 million kilowatts of electricity, make it possible to sail across the continent—and pay for itself in 50 years, according to the company proposal.

The plan captured the imagination of Senator Moss, who saw what the added water would do for his State of Utah and he held hearings on the proposal last fall. But in a Senate speech on July 1, he complained:

"There is not an agency in the Federal Government that has the authority or the means to evaluate this proposal in terms of the interest of the United States. All that we have been able to do so far is to assemble from various sources information on their water resources plans and programs and present them in a Senate committee print."

To solve this bureaucratic problem, he suggested turning the Interior Department into a department of natural resources in which all the Nation's efforts toward a solution of its water problems would be grouped under one assistant secretary for water resources.

But, as one hydrologist noted, if you start putting everything related to water in one place, soon you've got not only water but trees, people, livestock, soil, ships, weather and the White House fountains in one agency.

When the Interior Department was asked how much it spends on water problems, it took a week to get the answer.

Altogether, the Government will spend about $2.2 billion this year—nearly half a billion dollars less than the Senate Select Committee recommended on a very conservative basis should be spent each year before 1980.

But Federal spending on water problems may rise sharply in the next few years, with increases for grants for pollution control expected to go up in 1967 and with expected passage in the near future of the Water Resources Planning Act, which provides for orderly development of the Nation's river basins.

And as more people become aware of the country's water problems, there is certain to be increasing pressure on Congress for further action. As DiLuzio told a Senate committee recently:

"It is not always practical to attempt to assign a reasonable market value to water. One thing is absolutely clear—there is no water as expensive as no water."

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. SPARKMAN. Mr. President, before we begin debate on the pending housing bill, S. 2213, I should first like to express my appreciation to members of the Housing Subcommittee and the full Committee of the Banking and Currency Committee for their cooperation and their patience and diligence in considering the many complex matters brought before us in writing this bill and getting it reported to the Senate. Commendation should also go to the staff for its contribution in analyzing and preparing the material for committee consideration.

The bill before us today is a comprehensive bill involving, in one way or another, all of the important programs of housing and urban development in which our Government is involved. It is a 4-year bill carrying all of the programs to October 1, 1969. It carries with it a heavy commitment by the Federal Government to help provide decent housing for needy American families and to help the cities of our Nation provide a better living environment for their citizens.

I am satisfied that the bill before us is the best bill that we could expect to get out of the committee. As usual, of course, all members did not agree on all of its provisions and I personally have some reservations about some of the items.

The Housing Subcommittee started work on housing legislation back in March, holding 10 days of hearings on 16 bills pending at that time. Subsequent to the hearings, the Housing Subcommittee met in executive session on six different occasions at the conclusion of which recommendations were made to the full committee. The full committee met for 3 days in late June and reported S. 2213 on June 28 for consideration of the Senate.

The PRESIDING OFFICER. The Senator will suspend.

The Chair asks for order in the Chamber; and he is going to have it or the Senate is not going to do business.

The Senator from Alabama.

Mr. SPARKMAN. Mr. President, in general, the bill can be divided into three categories. First, those provisions that would establish new programs; second, those provisions that would continue existing programs either by extending dates, or by authorizing additional funds; and, third, those provisions that would amend and perfect existing programs.

The committee bill is a broad and complex one and is, in general, in keeping with the administration's proposals submitted to the Congress by the President in early March.

Briefly, S. 2213 contains new programs which would establish a new rent supplement program to assist in housing low-income families. Homeowners in urban renewal areas would be assisted through rehabilitation grants. The FHA would be authorized to institute a new insurance program for land development. Grants would be authorized to help finance water and sewer systems; also to finance neighborhood facilities for recreational and community service purposes. Relief would be provided for distressed mortgagors affected by the closing of military bases, and a new mortgage insurance program would be authorized for rural housing.

These are the outstanding new programs, but the bill contains many provisions which the committee believes will give the President the tools he needs

I have a brief statement on the principal provisions of the bill, and I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

July 14, 1965.

Summary of Principal Provisions of 1965 Housing Legislation (S. 2213) as Reported to the Senate

I. NEW PROGRAMS

1. Rent supplements (sec. 101):

(a) To nonprofit, cooperative, or limited dividend sponsors of moderate cost housing financed at market interest rates.

(b) For low-income families (eligible for public housing) who are elderly, handicapped, displaced, victims of natural disaster or living in substandard housing.

(c) For an amount by which market rent exceeds 25 percent of tenant's income.

(d) Up to a limit, as authorized by appropriation acts, of $50 million a year prior to July 1, 1966, which amount would be increased by $50 million on July 1 of 1966, 1967, and 1968.

(e) To sponsors of housing for the elderly (secs. 202 and 231) and below market 221 (d)(3) housing on an experimental basis up to 10 percent of appropriated funds.

2. Rehabilitation grants up to $1,500 for low-income families in urban renewal areas (sec. 103).

3. Relief to distressed mortgagors affected by closing of Federal bases (sec. 107, 108).

4. FHA mortgage insurance for land development (sec. 201).

5. Grants for water and sewer facilities at 50 percent of cost—4-year authority, $700 million (sec. 602).

6. Grants for neighborhood facilities at 66⅔ percent of cost—4-year authority, $200 million (sec. 603).

7. Grants to pay interest charges for advance acquisition of public works sites—4-year authority, $100 million (sec. 604).

II. EXTENSION OF EXISTING PROGRAMS

Extend programs with 4-year authority as follows:

1. All FHA programs (sec. 202).
2. Urban renewal—$2.9 billion (sec. 302).
3. Urban planning grants (sec. 701)—$125 million (sec. 1001).
4. Open space grants—$235 million (sec. 804).
5. Public housing—60,000 units a year (sec. 403).
6. College housing—$955 million (sec. 501).
7. Housing for elderly—$150 million (sec. 1004).
8. Public works planning (sec. 702)—$50 million (sec. 1003).
9. Federal-State training—$20 million (sec. 1002).
10. FNMA—$1.625 billion (sec. 701).
11. Low-income housing demonstration program—$5 million (sec. 1005).
12. Low-rent housing for domestic farm labor—$40 million (sec. 905).

III. AMENDMENTS TO EXISTING LAW (SELECTED PROVISIONS)

1. Federal Housing Administration:

(a) Require FHA to establish procedures and approve technically suitable materials (sec. 211).

(b) Require community water and sewer facilities where feasible as prerequisite to FHA and VA assistance (sec. 212).

(c) Liberalize the terms for title I home improvement loans and require lenders to assume dealer responsibility (sec. 213).

2. Urban renewal:

(a) Increase nonresidential exception to 40 percent of new funds (in lieu of CBD provision) (sec. 303).

(b) Authorize direct grants to cities for two-thirds of cost for demolition of unsafe structures and local code enforcement (sec. 305).

(c) Clarify 1954 Housing Act to authorize nonresidential urban renewal in the District of Columbia (sec. 307).

3. Low-rent housing:

(a) Authorize greater use of existing housing for low-rent public housing (sec. 402).

(b) Authorize sale of public housing to tenants (sec. 407).

4. FNMA: (a) extend FNMA's authority to sell participations and to act as servicing agent for all Government-held residential mortgages (sec. 702).

5. Open space land and urban beautification: (a) Extend grant authority to acquire developed land and finance cost of beautification of parks and recreation areas, title VIII.

(b) Increase grant to 50 percent of cost, title VIII.

6. Repeal provision in Mass Transit Act which prohibits use of foreign-made manufactured articles (sec. 1010).

7. Institute new mortgage insurance program for rural housing by Department of Agriculture, title IX.

8. Institute new lease-guarantee program by SBA for small businesses displaced by urban renewal (sec. 1008).

9. Authorize FSLIC to require savings and loan associations to deposit up to 1 percent of savings as necessary for liquidity purposes (sec. 1013).

10. Lower maximum interest rate to 3 percent for housing for elderly (sec. 202), and housing for moderate-income families (sec. 221(d)(3), secs. 102, 105).

11. Authorize public facility loans for nonprofit groups serving small communities or rural areas (sec. 1007).

Mr. SPARKMAN. Mr. President, it is obvious from this summary that S. 2213 is indeed a comprehensive and involved bill, and it would take too much time of the Senate to explain every phase of it. However, there are several important features which I believe need clarification.

RENT SUPPLEMENTS

First I should like to say something about rent supplements.

This provision represents the most far-reaching effort yet conceived to help private enterprise provide decent housing for low-income families.

The genesis of this legislation goes back to 1949 when, in the Housing Act of that year, a National Housing Policy was established which reads in part:

> The general welfare and security of the Nation and the health and living standards of its people require * * * the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family.

Since 1949, a number of important steps have been taken to reach this goal. Each step has a made a significant contribution, but, despite all, here in 1965—16 years later—we still have large numbers of American families living in slums and blight and under deplorable living conditions.

According to the latest census, 8½ million U.S. families live in substandard housing and, in some cities, as high as 30 percent live in slums and blighted neighborhoods. In rural areas, the Census Bureau reported that 3 million families live in deteriorating houses and another 1 million live in dilapidated houses.

In our great Nation, considering all of its resources of materials, manpower, and ingenuity, there is no excuse for these conditions.

The bill before us contains the tools which the committee believes will enable us to solve these housing problems.

Our existing programs, particularly the FHA and VA, have done a remarkable job in helping to provide homeownership and decent rental housing for the great majority of American families of middle and upper-middle income. In fact, 62 percent of our families are homeowners largely due to these programs.

The public housing program, established 28 years ago, has done a reasonably good job in taking care of the low-income families, but it is not geared to do the whole job, and it has been obvious for some time that new programs would need to be developed to supplement the public housing program.

In 1961, the Congress approved a new FHA program for moderate-income families under section 221 of the National Housing Act. Many of us had high hopes that, by building enough moderate cost housing for middle-income families, existing lower cost housing would be released for the low-income families, thus solving both the middle-income and the low-income housing problems. As time went on and we could see that construction and land costs on the section 221(d)(3) programs were such as to limit the results to a much smaller income class, it was obvious that further action needed to be taken.

The rent supplement program was conceived to fill this need. As I said before, its purpose is to utilize all of the resources of private enterprise, in partnership with the Federal Government, to construct housing at prices that low-income families can afford. This would be accomplished through Federal payments made directly to nonprofit or limited dividend corporations or cooperatives on behalf of low-income tenants.

Rent supplement payments are not new. Such a plan has been advocated for years by certain industry groups. In fact, as early as 1936, witnesses appeared before the Congress advocating rent certificate payments as a substitute for public housing. The rent certificate plan was proposed on and off all through the years up to 1949, and lengthy debate took place on this in 1946 and 1949 on the floor of the Senate.

I have had a memorandum prepared for me on the history of rent certificates, and, without objection, I should like to place it in the RECORD at this point in my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

SUMMARY OF LEGISLATIVE HISTORY OF CONGRESSIONAL CONSIDERATION OF RENT CERTIFICATE PLANS

Over the period 1936 to 1949 a number of witnesses appeared before various congressional committees advocating a plan of rent certificates as a substitute for public housing for low-income families.

During the hearings preceding enactment of the U.S. Housing Act of 1937, the U.S. Building & Loan League advocated the use of rent relief and differential renting in connection with local administration of relief and public housing programs. The league's plan would have authorized annual contributions to be utilized at the discretion of public housing authorities to provide differential rents or rebates based on the needs and ability of tenant families to pay. Such rent relief would have been administered by the local public housing authorities in collaboration with Federal, State, and local relief authorities in areas where an approved program for safe and sanitary housing for the underprivileged had been established.

The Building & Loan League proposal was apparently based on a similar general plan put forth by the U.S. Chamber of Commerce Special Committee on Housing. The special committee's report suggested that "direct assistance to the family's rent" was the most effective method the Government could use to find adequate shelter for families of the lowest income groups, and that such assistance should be provided like other forms of relief for such families by local relief agencies. In testifying on behalf of this proposal, the chairman of the chamber's special committee disagreed with the assumption that "the lowest income groups can be housed only in new housing." He stated that there was no essential relationship between slum clearance and the building of Government-subsidized new dwellings for the lowest-income groups and that such groups should instead move into acceptable, second-hand housing vacated by middle-income groups.

These proposals were rejected by the Senate Committee on Education and Labor in 1937. The report of the Senate committee stated:

"The committee is convinced that in dealing with the housing of families of low income, systematic low-rent housing should be substituted for relief. This procedure will be cheaper for the Government, more beneficial to business, and infinitely more desirable to those of our citizens who are now living in slums and blighted areas, both in urban and rural parts of the country."

Similar rent certificate proposals were made in 1943 by the National Association of Real Estate Boards and in 1944 by the Producers' Council. The NAREB proposal was presented in general terms and was substantially identical to the earlier proposals of the Building & Loan League and the chamber of commerce; that is, public assistance was to be given directly to families unable to pay economic rents; such assistance to be administered through local welfare boards in the form of rent certificates adjusted to the needs and requirements of the family.

The Producer's Council presented the first detailed rent certificate program:

1. A local housing board in each community would undertake to find suitable rental accommodations for particular relief families selected by the local government's welfare agency.

2. Such families would be selected from among the neediest in the community by individual case studies made by welfare workers.

3. Selection of properties for such families would be accomplished by inviting private owners to submit properties for approval.

4. Local housing boards would determine, for each family, the amount of rent required to house the family properly and would offer approved units of proper size and character to the family.

5. The amount of the subsidy would consist of the difference between the rent paid to landlord and the amount toward rent paid by the family. (Families whose incomes rise, after admission as tenants, to an amount which is 3½ times the rent of the quarters they occupy would be required to pay the entire rent and would thereafter not receive any assistance.)

6. Actual payment of rents would be in one of two ways, either by furnishing the money directly to the family or by having the housing board collect the family's share and pay the full rent to the landlord.

The Producer's Council plan was strongly objected to by representatives of social welfare agencies and housing groups during the hearings before the Taft Subcommittee on Housing and Urban Redevelopment in 1945. The objections of these organizations may be summarized as follows:

1. A large number of individuals would be added to the rolls of relief agencies, each bearing the stigma of the "relief client."

2. Local administration of rent certificate plans would be costly and complicated and would require greatly increased appropriations for additional staff and facilities.

3. The rent certificate plan would be more costly to taxpayers than the existing public housing programs.

4. A necessary new supply of housing would not be provided.

5. Substandard housing would not be eliminated.

The Taft subcommittee rejected the plan in its final report, stating its reasons as follows:

"It has been argued before the subcommittee that such families should be assisted by rent certificates just as grocery stamps have been furnished to needy families. The number of families entitled to rent certificates upon any such basis would be infinitely larger than those requiring other relief. It is not at all certain that such a plan would bring about improvement in the bad housing accommodations that now exist. In fact, the scheme might work to maintain the profitability of slum areas and, consequently, to retard their elimination. It would certainly require a detailed regulation of private rental quarters both as to condition and rent.

"While rejecting the proposal of rent relief as a solution for the housing difficulties of all low-income families, the subcommittee recognizes that rent relief will, to some extent, have to be given to families in special conditions of poverty or sickness that cannot even pay the rents for public housing."

The plan was discussed again in 1946 and 1949 on the floor of the Senate in the debates leading up to the enactment of the Housing Act of 1949. No arguments were advanced in favor of the plan on the floor. Senator ELLENDER opposed it because it would "most likely prove more expensive to the taxpayer" and because "wherever some such method has been tried in the past it has tended to result not in the subsidization of existing decent housing but in the actual subsidization of slum dwellings." Senator Taft opposed it because "The issuance of rent certificates would not insure the building of new houses or getting rid of slums * * * [It] simply would enable the landlords to obtain more money, and no one would build any new houses or any new rental housing in the hope that when built, there would be a sufficient number of people with rent certificates to rent it. So it seems to us that the rent certificate plan would not in any way accomplish the purpose. Furthermore it would be more expensive. It would cover more people but it would be more expensive because everyone whose income was less than a certain amount would be entitled to an equal division of the rent certificate."

Mr. SPARKMAN. Mr. President, the rent supplement proposal was intensively discussed at the public hearings and at executive session of both the Housing Subcommittee and the full committee.

The committee amended the original language in several important respects, and I believe that the provision as reported is as good as we can expect to get in carrying out the intent of the committee that this program be utilized for low-income, ill-housed families, and elderly people.

It contains the following principal features:

HOUSING OWNER

Sponsors of projects would be private nonprofit or limited dividend organizations or cooperatives. Church groups sponsoring housing for the elderly will probably be the most common type of sponsor.

QUALIFIED TENANT FOR RENT SUPPLEMENTS

Payments would be limited to—

First. Elderly persons, handicapped persons, displaced persons, persons occupying substandard housing, or victims of a natural disaster.

Second. Those whose gross incomes are below the public housing admission ceiling as determined by Federal law.

Both of the above requirements must be met. There was some disagreement on the precise income level for eligibility. This was largely resolved by an amendment introduced by the Senator from Maine [Mr. MUSKIE] to limit eligibility to the same group eligible for public housing under the Federal law. To clarify this, I have a full explanation of the procedure for establishing income limits under the bill, and I ask unanimous consent that this explanation be placed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

INCOME LIMITS UNDER RENT SUPPLEMENT PROGRAM (S. 2213)

S. 2213 contains the Muskie amendment which makes clear that the rent supplement program would cover the same income group identified in the public housing law.

The only families eligible for rent supplement payments will be those who meet both of these requirements:

(1) Have incomes below the maximum amount which can be established for occupancy in public housing under the Federal public housing law, the U.S. Housing Act of 1937, and

(2) Are elderly, handicapped, displaced from their homes by governmental action, living in slums, or victims of natural disasters which have destroyed or damaged their homes.

DETERMINING THE STATUTORY MAXIMUM

As in the public housing program, the statutory maximum income a family may have and still receive a rent supplement will be determined in each area as follows:

(1) A market analysis will be conducted to determine the rentals at which there are available a substantial supply of private decent, safe, and sanitary housing consisting of 1-bedroom, 2-bedroom, 3-bedroom, and 4-bedroom units for families of low income.

(2) The statutory maximum income limit will be established, for the corresponding sized unit in the rent supplement program, at five times the rental determined by such market analysis (that is, a 20-percent rent-to-income ratio). However, in the case of housing other than for the elderly, handicapped, or displaced, the limit will be reduced by 20 percent to conform to the public housing law requirement that there be a "20 percent gap" between upper rental limits in public housing for such persons and the lowest rentals in private housing.

For example, assume the market analysis for the area shows that $80 per month is the lowest rental at which a substantial supply of private decent, safe, and sanitary 2-bedroom units is available in an area. The statutory maximum annual income limit for a family of the size that requires a 2-bedroom unit will be $4,800 (5 times $80 times 12 months) in the case of a unit for the elderly, handicapped, or displaced.

However, in the case of such a unit for an eligible tenant other than a tenant who is elderly, handicapped, or displaced, the statutory annual income limit for the tenant will be $3,840 ($4,800 minus 20 percent).

The statutory maximum income ceilings on a general city-by-city basis cannot be stated until a market analysis is done in each of the cities.

ADMINISTRATIVE LIMITATIONS WITHIN STATUTORY MAXIMUM

Consistent with its understanding of congressional intent, the housing agency, in administering the rent supplement program, would impose administrative limitations upon the amount of income (within the statutory maximum) a family may have and still be eligible for a rent supplement.

Attached is a table setting out maximum income limits that would be imposed administratively in a sampling of 26 cities on the basis of preliminary estimates of rentals required to obtain private decent, safe, and sanitary housing units in these cities.

Preliminary estimates of income limits for families of different sizes under proposed rent supplement program in 26 cities

Cities	2 persons (1 bedroom)	3 or 4 persons (2 bedrooms)	5 or 6 persons (3 bedrooms)	7 or 8 persons (4 bedrooms)
Atlanta, Ga	$3,100	$3,800	$4,900	$5,500
Bangor, Maine	3,400	4,300	4,800	5,700
Batavia, N.Y	3,400	4,100	4,800	6,000
Boston, Mass	4,400	4,800	5,300	6,000
Bridgeport, Conn	4,100	4,600	4,800	5,300
Chicago, Ill	4,300	5,000	5,800	6,500
Columbia, S.C	3,400	3,700	4,600	5,000
Columbus, Ohio	3,700	3,900	4,500	4,900
Fresno, Calif	3,900	4,400	5,100	6,100
Huntington, W. Va	3,200	3,700	4,200	4,700
Jefferson City, Mo	3,600	4,100	4,600	5,500
Kansas City, Mo	3,600	4,100	4,800	5,500
Louisville, Ky	3,700	4,300	5,600	6,200
Milwaukee, Wis	3,600	4,100	4,600	6,000
Mobile, Ala	3,900	4,000	4,600	5,100
Newark, N.J	4,600	5,000	5,500	6,000
Providence, R.I	3,200	3,700	4,300	4,800
Paterson, N.J	4,300	4,800	5,300	5,800
Pittsburgh, Pa	4,200	4,600	5,000	5,600
Port Arthur, Tex	2,400	3,700	4,300	5,800
San Antonio, Tex	3,300	3,700	4,400	4,800
St. Louis, Mo	4,000	4,500	5,500	6,300
Terre Haute, Ind	3,600	3,900	4,300	4,900
Toledo, Ohio	4,000	4,500	5,500	6,000
Waco, Tex	3,400	3,700	4,600	5,800
Utica, N.Y	2,900	3,700	4,500	5,300

Public housing income limits for admission for families of different sizes in 24 cities[1]

Cities	2 persons (1 bedroom)	4 persons (2 bedrooms)	6 persons (3 bedrooms)	8 persons (4 bedrooms)
Atlanta, Ga	$3,000	$3,200	$3,500	$3,500
Boston, Mass	3,600	3,800	4,100	4,400
Bridgeport, Conn	4,500	4,900	5,400	5,800
Chicago, Ill	4,200	4,600	5,000	5,200
Columbia, S.C	3,200	3,400	3,600	3,600
Columbus, Ohio	3,700	4,400	5,000	5,400
Fresno, Calif	3,000	3,400	4,000	4,000
Huntington, W. Va	2,700	2,900	3,200	3,200
Jefferson City, Mo	3,200	4,000	4,300	4,500
Kansas City, Mo	3,000	3,600	4,100	4,100
Louisville, Ky	2,950	3,800	4,100	4,300
Milwaukee, Wis	3,500	3,800	4,200	4,200
Mobile, Ala	3,400	3,600	3,900	3,900
Newark, N.J	4,200	4,560	4,920	5,280
Providence, R.I	3,800	4,200	4,600	4,800
Paterson, N.J	3,700	3,900	4,200	4,400
Pittsburgh, Pa	4,000	4,400	4,600	4,800
Port Arthur, Tex	2,500	3,000	3,300	3,300
San Antonio, Tex	2,900	3,100	3,400	3,400
St. Louis, Mo	3,700	4,400	4,900	4,900
Terre Haute, Ind	3,800	4,400	4,800	5,100
Toledo, Ohio	4,000	4,400	4,800	5,400
Utica, N.Y	4,000	4,400	4,800	5,000
Waco, Tex	2,800	3,000	3,500	3,500

[1] Income limits established by local housing authorities are stated in terms of total family income less deductions and exemptions permitted by the local housing authorities. These deductions and exemptions from total family income vary from locality to locality. They include such items as payroll deductions for social security, unusual medical expenses, expenses of a serviceman living away from home, etc. They also include such exemptions as a flat $100 per minor or dependent adult, some income exemptions for certain family members (in some cases, all income of secondary wage earners is excluded) and VA service-connected disability and death benefits.

Mr. SPARKMAN. Mr. President, attached to this statement is a table on preliminary estimates of income limits for families of different sizes under the proposed rent supplement program in 26 cities. These have been prepared by the Administrator of the Housing and Home Finance Agency based on information now available to him for these cities.

AMOUNT OF RENT PAYMENT

The amount of the rent supplement payment that could be paid on behalf of any family would not exceed the difference between the full rent for the dwelling unit it would occupy and 25 percent of the tenant's income, as determined by the Administrator pursuant to procedures and regulations established by him.

At present, under the public housing program, local housing authorities are permitted, and do, exempt certain income of minors and secondary wage earners, in computing the total family income upon which the rent charged is based. Similarly, in the rent supplement program, it is expected that the Administrator will establish procedures and regulations spelling out certain exemptions from gross family income for the purposes of determining the rent a family will pay. It is obvious that it is far more difficult for a man, wife, and three children to allocate 25 percent of gross family income for rent than it is, for example, for an elderly couple. It may, therefore, be desirable to establish exemptions from gross income for larger families, and the bill provides sufficient authority for the Administrator to do so.

Such exemptions, if any, would apply only to the requirement in the law that the tenant pay 25 percent of income. It is understood no such exemptions would be recognized in regard to family income for eligibility of a family for rent supplement payments.

COST OF DWELLING UNITS

The rent supplement program authorized by the bill would be limited to certain housing, low in cost and of modest design, constructed to standards prescribed by the Federal Housing Administration for families of moderate income.

AMENDMENT NO. 340

Mrs. NEUBERGER. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I am glad to yield to the Senator from Oregon.

Mrs. NEUBERGER. I call up my amendment No. 340 and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mrs. NEUBERGER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment (No. 340) offered by Mrs. NEUBERGER is as follows:

S. 2213

REFINANCING OF HOUSING FOR ELDERLY PROJECTS

SEC. 214. Section 231(c)(7) of the National Housing Act is amended by striking out "with 50 per centum" and inserting in lieu thereof "or involves the refinancing of a mortgage covering an existing property or project in which it has been determined by the Commissioner that such refinancing is necessary or desirable in order to avoid hardship for elderly or handicapped persons or families who are tenants or prospective tenants of such project: *Provided*, That, in either case, such property or project shall contain 50 per centum."

Mrs. NEUBERGER. Before I comment on my brief amendment, I should like to take this opportunity to pay tribute to the Senator from Alabama on whose committee I serve and whom I think of as "Mr. Housing." Since I have been a member of the committee, I find that I am in sympathy with his approach and his generous attitude on providing the public housing which is so sorely needed in this country.

The Senator from Alabama knows the subject of housing legislation forward and backward. It was always a pleasure to work with him on preparation of the bill.

I come somewhat as a supplicant with my amendment because of an unusual hardship case in the State of Oregon regarding a retirement home.

Let me make it clear to the Senate that this home is not poorly financed or ill-conceived but is very well planned. A group of elderly citizens who tried, on their own, to provide for their retirement years, have constructed approximately 400 units into which most of these elderly citizens have invested their life savings. It was planned on the basis that they would be exempt from certain real estate taxes, as is true in many of the States with retirement homes.

Suddenly, their well laid plans "gang aft a-gley."

The best relief I can find for these senior citizens is to ask the Senator from Alabama to accept the amendment that was introduced in the House, and accepted there, which would be a genuine relief program in providing that these persons would receive FHA financing to save their investment in the retirement home.

Mr. President, the amendment would authorize FHA insurance for refinancing existing housing for the elderly where it is determined by the Commissioner that such refinancing is necessary or desirable to avoid hardship for elderly or handicapped persons.

Briefly, the circumstances which occasioned the need for this amendment involve the Rouge Valley Manor, a retirement home in Medford, Oreg., with just under 400 units. At the time of construction, this nonprofit corporation, and others in Oregon, justifiably assumed that they would be exempt from real property taxes under Oregon law as are similar projects in many other States. Their financing was, therefore, planned accordingly. A subsequent Oregon Supreme Court decision disabused them of this assumption and held that they would have to pay real property taxes. They are now faced with a back tax liability of just under $500,000 in addition to payment of a short-term loan and mortgage and are facing a tax foreclosure proceeding in August.

While this amendment would not add any new units, it would provide the tool which would prevent the loss of almost 400 units already in existence. With long-term financing and the renegotiation of care contracts and loans from residents, it appears that all of their obligations can be met. An FHA guarantee is available for new construction and for refinancing housing for the elderly where the initial financing was through FHA. It seems incongruous not to make the FHA guarantee available to prevent the loss of housing where the project is otherwise sound and the loan has a reasonable chance of repayment simply because the institution was originally funded privately. This amendment closes this gap and I urge its adoption.

I could not serve that especial situation here, and I wish that the Senator could see fit to accept the amendment to ease a situation which I did not know about while the committee was considering the bill.

Mr. SPARKMAN. First, let me express my appreciation to the very able Senator from Oregon, who is a valuable member of our Banking and Currency Committee, for the remarks which she has just made. Frankly, I must say that the proposal comes to me completely cold.

Mrs. NEUBERGER. Yes; I know that.

Mr. SPARKMAN. I wish to be helpful, and I know that the Senator from Oregon believes me. I am sure that the committee also wishes to be helpful. However, I am so completely unfamiliar with the facts relative to the case that I wonder whether the Senator would not be willing to have it taken to conference—it is already in the House bill—and rely upon my promise to be as sympathetic in conference as the facts will allow me to be, and let us keep it at the stage where at least we can do some further work on it if that should be necessary.

The Senator realizes that if we accept the amendment, then our hands would be tied and it would not go to conference. I should like to take it to conference, because then we can get at the facts and study them, and perhaps receive more information from the Senator from Oregon and work it out with the House conferees.

I am sure that the Senator from Texas [Mr. TOWER] would agree with me that we would be sympathetic to the amendment. I am sure that the Senator from Texas knows more about it than I do.

Mr. TOWER. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. TOWER. Let me say that I associate myself with the position of the Senator from Alabama on this matter, and would like to supplement his pledge with mine that I would be very much inclined to be sympathetic, too, in conference and, therefore, would subscribe to the position of the Senator from Alabama.

Mrs. NEUBERGER. I appreciate those remarks. I know how sympathetic the two Senators would be.

Let me reiterate that adoption of the amendment would not be bailing out anyone. It is just an unfortunate situation which has suddenly arisen. This retirement home is not poorly financed or ill-conceived. It was really getting caught in a bind with the State of Oregon concerning the financing plan. I am sure that my colleague, Mr. MORSE, would agree with me on that.

Mr. MORSE. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. MORSE. Let me say to the Senator from Alabama that I completely associate myself with the position taken by my colleague [Mrs. NEUBERGER]. This is an equitable and a fair amendment. We are not asking for any special consideration. We are simply asking the committee to do equity based on the facts which my colleague has presented.

The Senator from Alabama expresses his sympathetic interest, which is very much appreciated. I hope that in conference, if we can supply any additional information in support of the amendment, the Senator will feel free to call upon us.

Mr. SPARKMAN. I certainly shall do that. If the Senator from Oregon [Mrs. NEUBERGER] would withhold her amendment for the time being, it will be taken to conference and will give us the opportunity to take a good look at it.

Mrs. NEUBERGER. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. SPARKMAN. Mr. President, under existing law, ceilings on the mortgage amount under section 221(d)(3) housing vary from $8,000 per unit without a bedroom to $17,000 per unit with three or more bedrooms. Elevator apartment units may have higher ceilings up to $20,000 for a three-bedroom unit. On top of this, dollar ceilings may be increased by 45 percent in high cost areas. It is possible therefore to have a $29,000 maximum in some high cost areas.

However, rent supplement payment will be made only with respect to housing constructed in accordance with the standards that have been met for the existing section 221(d)(3) below-market interest rate, moderate-income housing program. Under that program, the FHA cannot insure a mortgage if the rentals required to amortize the mortgage are greater than the rent that can be paid by a family whose income is less than the median income in the community. Mortgage limits for each community are restricted to the amount required to build in that community a garden-type project of modest standards that such a family can afford to rent. Elevator-type projects are permitted only if they can be built within the cost limitations prescribed for garden-type projects.

In the 4 years that the section 221 (d)(3) below-market interest rate program has been in operation, the average amount of a mortgage per unit under the program has been approximately $12,500. If the rent supplement program had been in operation during this 4-year period, the average amount of a mortgage per unit under the program would have been about the same.

SUBSIDY UNDER RENT SUPPLEMENT COMPARED WITH PUBLIC HOUSING

The amount of the rent supplement payment that may be made on behalf of a particular family will never be greater than the amount of the subsidy that would be paid for that same family in a newly built public housing unit of comparable size. As to average costs, it is estimated that the average subsidy cost under rent supplements would run about $40 a month per unit—the level of the subsidy for public housing units currently being built runs about $58 a month per unit.

There are several reasons for the lower subsidy cost in the rent supplement program. Land and construction costs in the rent supplement program would be less than in the public housing program. There will be available to sponsors of rent supplement projects a much wider range of selections of sites, including suburban and outlying land, and generally no clearance would be involved. In addition, certain special construction requirements that add to the cost of public housing would not apply to housing constructed under the rent supplement program.

Under the rent supplement program, the occupant would be required to pay 25 percent of his income for rent compared to the general 20-percent requirement under the public housing program.

These factors alone—lower land and construction costs and greater payments by occupants—will offset the advantages of low-interest rate loans through tax exemptions in the public housing program. In addition, of course, the tax exemption accorded income on bonds issued in the public housing program involves a very substantial loss of revenue to the Treasury and this represents a cost that must be borne by other tax sources. It is estimated that the tax exemption of the income on public housing bonds now costs the Treasury $48 million a year in revenues.

Finally, the local property tax exemption accorded public housing represents a very substantial local contribution and is also a part of the economic cost of public housing.

LEASE WITH OPTION TO PURCHASE

The lease-with-option-to-purchase part of the rent supplement program will make it possible for families, who have the potential to raise their incomes to the point where they can carry a modest home without subsidy, to rent the home at a price they can afford with their present incomes and exercise their option to purchase the home when they can afford, without assistance, to carry it.

OPERATION OF LEASE-WITH-OPTION-TO-PURCHASE PROGRAM

Under the lease-with-option-to-purchase part of the rent supplement program, an eligible family would rent a detached, semidetached, or row house in a project of such homes, and rent supplements would be paid in the same manner as for rent supplement units in other projects. When the income of the family had increased sufficiently so that it could afford to pay the full rent, the rent supplements would be terminated and the family would purchase the unit it occupied with the aid of an FHA-insured section 221 home mortgage.

It is estimated that perhaps 20 percent of the units receiving rent supplements would be the lease-with-option-to-purchase type.

NO WINDFALL TO LEASE-WITH-OPTION PURCHASER OR OWNER OF PROJECT

Neither the tenant under a lease-with-option-to-purchase arrangement, nor the project owner, will receive a windfall when the tenant exercises his option and purchases the unit with respect to which rent supplement payments have been made.

The Housing Agency contract with the owner-sponsor will require that the option to purchase give the tenant the right to buy at the FHA-appraised value of the unit at the time he exercises his option. If the FHA-appraised value and the sales price are greater than the outstanding balance in the original 221(d)(3) market-rate mortgage with respect to that unit, the amount by which the sales price exceeds the outstanding balance will be returned to the Federal Government.

In the usual case, the house will have depreciated in value approximately to the same extent that the original mortgage has been amortized and there would be no sales proceeds in excess of the outstanding mortgage balance.

In no event, would it be feasible to sell a unit for less than the outstanding mortgage balance since the sponsor would not be able to repay the debt secured by the unit if the sales price did not equal at least the outstanding balance.

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES—CONFERENCE REPORT

Mr. ANDERSON. Madam President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER** (Mrs. NEUBERGER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 13, 1965, pp. 16550–16553, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Madam President, today the President of the United States issued a statement pointing out that the water resources of this country need to be mobilized, both in the East and in the West, and stating further that the Water Resources Council, of which Secretary of the Interior Stewart L. Udall is Chairman, will be convened immediately, together with the officials of Federal agencies concerned with water resources "to assess what further actions might be taken to assist the States in meeting the problems now confronting the New England and Middle Atlantic region."

The bill has been before Congress for more than 4 years. The Senate passed it at one time, but the House did not act on it. Now the House has acted on it. There was a difference between the Senate and the House which related to compacts between various groups. That problem has been solved.

I should like to have the attention of the Senator from California and the Senator from Arizona, because they are both interested in this type of legislation. We hope to have it passed in short order.

Mr. TOWER. Madam President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Madam President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. ANDERSON. Madam President, the conference report provides for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

The conferees met and discussed the subject fully. The conference report is signed by all conferees on both sides of the aisle. I hope it may be adopted promptly. I understand that some Senators desire to ask questions. I hope they may be dealt with promptly.

Mr. KUCHEL. Madam President, the purpose of S. 21, to provide for the development of the Nation's natural resources, in the text now before us in the conference report, is of course an admirable and laudable one.

I believe it is fair to say that it is designed to encourage the prudent and reasonable development of the Nation's water and related land resources through comprehensive and coordinated planning in which the governments of our several States would participate.

I ask Senators to listen carefully to my remarks because I want some confirmation of my understanding of the intent of the bill.

The bill is designed to create certain entities and then provide jurisdiction for those entities by which the water resources of each river basin in America, composed in the main of more than one State, would be suitably cataloged under the provisions of the bill.

I invite attention to section 3 of the bill, as it appears in the conference report. I ask unanimous consent that the entire text of section 3 be printed at this point in the RECORD.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

EFFECT OF EXISTING LAWS

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this Act, nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico;

(d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

Mr. KUCHEL. Madam President, I refer to section 3, which reads in part:

> Nothing in this act shall be construed (d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

I assume the legislative intent to be that the bill, as it is now before the Senate, would restrict the jurisdiction of study by commissions to be set up in any river basin in the country, to the needs of that particular river basin.

My able friend the Senator from New Mexico indicates his agreement by nodding his head.

Mr. ANDERSON. Yes. I inform the distinguished Senator from California that is the purpose.

Mr. KUCHEL. Madam President, I refer to the CONGRESSIONAL RECORD of yesterday, in which the distinguished chairman of the Committee on Interior and Insular Affairs of the House of Representatives, in discussing the conference report, said, at page 16554 of the CONGRESSIONAL RECORD:

> The provision adopted by the conference committee prohibiting any entity established by this legislation from studying the transfer of waters between areas under the jurisdiction of more than one river basin commission or a similar planning entity has caused considerable comment. I want to make it clear that this simply means that the authority for such studies is beyond the scope of this legislation. There is no intention to indicate such studies are not needed or to prejudge the merits of any proposal to study the transfer of waters between major river basins. It simply means that the authority for such studies must be based upon other than this legislation or must be obtained by additional authorization by the Congress.

That reflects my understanding of the intention of the legislation.

I ask the able and distinguished Senator from New Mexico if that is correct.

Mr. ANDERSON. That is my understanding.

I invite the attention of the able Senator from California to the language in the House report which states:

> No river basin commission established under this act will have authority to study the importation of water into the area over which it has jurisdiction from any other basin.

Madam President, I ask unanimous consent that a portion of page 12 of the report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> INTERBASIN TRANSFERS OF WATER
>
> The conference committee adopted language in the form of an additional disclaimer in section 3 which relates to studies of the transfer of waters between areas that are under the jurisdiction of more than one river basin commission or similar planning entity. The language states that nothing in the act shall be construed—
>
> "(d) As authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission."
>
> This language is intended to make it clear that the authority which is given to the Water Resources Council and to the river basin commissions established under S. 21 does not include authority to study and report upon the transfer of waters between basins or areas that are appropriate for planning on a comprehensive basis. In other words, no river basin commission established under this act will have authority to study the importation of water into the area over which it has jurisdiction from any other basin or related group of river basins under the jurisdiction of another river basin commission or entity performing the planning function of a river basin commission. Neither could a river basin commission study the exportation of water from the basin or area under its jurisdiction.
>
> Likewise, the authority given the Council under this act does not include authority to study the transfer of waters between basins or areas covered by river basin commissions or similar planning entities.

Mr. KUCHEL. Madam President, I believe that is important because apparently all Members of Congress understand that the President himself has recommended that Congress give consideration to the water needs of the entire Nation through a suitable study, something of which I most sincerely and enthusiastically approve.

I look upon the people of the United States as one society in which some are blessed and others are not, in various categories of natural resources, including water. However, I am free to concede that that problem is not involved in this legislation, which restricts the entities created in its provisions to a certain kind of study, a study of each basin by those who are most interested in it, those who live there, with the cooperation of the Government of the United States.

The provisions of the bill will operate only on that which is created by its terms. Therefore, we should wait, as men of good will trying to organize and achieve a solution to the problems, by which solution all sections of the country may be benefited after a suitable study by a commission under the chairmanship, in this body, of my able friend the Senator from Washington [Mr. JACKSON].

Mr. JACKSON. Madam President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. JACKSON. Madam President, I believe that Senators, in examining the conference report, must keep in mind that this is a river basin planning proposal.

What we did in connection with the meeting of the conferees was to make clear that there would not be any misunderstanding of this point. It was limited to river basin studies on the basis of Federal, State, and local cooperation.

This is a new legal vehicle, created for the purpose of permitting Federal, State, and local entities to have an opportunity to work and plan together within each river basin.

This language was put in to make sure that the purpose would be confined exactly to what the original sponsors of the bill had said it would be.

I should say to my able and distinguished friend the Senator from California that I am deeply concerned about water problems all over the country.

The able Senator from New Mexico very properly referred to the announcement from the Associated Press tape which stated the President has asked the Water Resources Council to look into the acute situation that exists in the Delaware River Basin, affecting particularly the States of New Jersey and New York, in which water rationing is in effect for human consumption.

Madam President, at this time I ask unanimous consent to have printed at this point in the RECORD the item from the ticker tape to which the Senator from New Mexico referred.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

> WASHINGTON.—President Johnson asked administration agencies today for a report within a week on how resources of the Federal Government can be mobilized to help cope with the serious water shortage in the East.
>
> The report will come from a water resources council of which Secretary of the Interior Stewart L. Udall is chairman. The President asked Udall to convene the council immediately, together with officials of Federal agencies concerned with water resources, "to assess what further actions might be taken to assist the States in meeting the problems now confronting the New England and Middle Atlantic region."
>
> The council, Johnson said in a statement, will obtain the views of the Deleware River Basin Commission. This is involved because New York draws water from the Delaware Basin and the river is so low now that salt water from lower reaches of the river is threatening the Philadelphia water supply.
>
> The President announced his action after a conference with Buford Ellington of the Office of Emergency Planning.

Mr. JACKSON. Mr. President, I say to my able and distinguished friend from California that we, as members of the committee, feel that we have a national responsibility. We want to look at the water problems throughout the country and see to it, within the jurisdiction of our committee, that we discharge our responsibilities. I assure the Senator that we are trying to do this.

As the Senator knows, because he has worked very closely with the Senator from New Mexico on the water desalination program, the State of California and other States of the southwest, including Arizona, New Mexico, and Nevada, face very real problems in this area.

We are attempting to study vigorously and fairly every possible means of expediting the water desalination program. It offers great promise, as the Senator knows, for obtaining not only water, but electric power. I believe the Bechtel report, sponsored jointly by the Metropolitan Water District, Department of Interior, and AEC, which was given considerable publicity recently, indicates that we shall be able to get the cost of water through that process down to as little as 21.4 cents per thousand gallons. This is one approach we have pushed vigorously in the committee.

I know of the Senator's deep concern and I appreciate, as do all the members of the committee, his desire for a continuous effort to try to find a solution that will be fair and equitable to all the States.

Mr. KUCHEL. I could not ask for any more freely stated or more constructive statement than the Senator has given, because the problem of water is a national problem.

What some of us, including the Senator from New Mexico, the Senator from Washington, and other Senators, undertook several years ago, pioneering in the legislative field for the development of potable water taken from the seas and from brackish water was a great piece of legislation. I was associated with that effort. I continue to put myself in that position.

My reason for rising on this occasion is to make it abundantly clear that such recommendations as the President has made to meet the national water needs would not be interfered with by the proposed legislation.

Mr. FANNIN. Madam President, since the State I represent is vitally concerned with the water problem also, and I am vitally concerned with what has been said in the past few days regarding the drought areas and the necessity for better water distribution in the various States that need it, I would like to pose some questions to the Senator from New Mexico.

The Secretary of the Interior has under study what is known as the North American water and power alliance and the Pacific Southwest water plan. Does the Senator feel that this bill interferes with those programs?

Mr. ANDERSON. I do not.

Mr. FANNIN. Does the Senator think this legislation will be helpful in these programs?

Mr. ANDERSON. I think whatever information we can get will help make possible the development of additional plans at the proper time.

Mr. FANNIN. Then the Senator is not concerned that this bill will impede the studies now in progress and contemplated.

Mr. ANDERSON. No, indeed; not at all; because this act could well be, in the final analysis of help to every area that is short of water in the country.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JACKSON. Madam President, I move to reconsider the vote by which the conference report was agreed to.

Mr. ANDERSON. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXPANSION OF SALINE WATER CONVERSION PROGRAM

Mr. ANDERSON. Madam President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to S. 24.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 24) to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes, which was, to strike out all after the enacting clause and insert:

> That in order to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, the Act of July 3, 1952 (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), is hereby further amended as follows:
>
> (1) In section 2(b) add the words ", module, component," after the word "laboratory".
>
> (2) In section 8 substitute the figure "$85,000,000" for the figure "$75,000,000".

Mr. ANDERSON. Madam President, I move that the Senate disagree to the amendment of the House and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Jackson, Mr. Anderson, Mr. Bible, Mr. Kuchel, and Mr. Allott conferees on the part of the Senate.

DEATH OF HON. ADLAI E. STEVENSON

Mr. DOUGLAS. Madam President, the ticker tape has just conveyed the sad news of the sudden death of Hon. Adlai Stevenson. This is a great loss to the world and the Nation, as well as to our own State of Illinois.

Governor Stevenson was the Governor of the State of Illinois for 4 years, and made a distinguished record as chief executive.

He was twice the Democratic candidate for the presidency of the United States, and although he was unsuccessful in each instance, he raised the whole level of political discussion in this Nation and afforded an example to all politicians of the way in which a candidate should make an honorable campaign for high office.

In 1961, Adlai Stevenson was appointed as our official representative in the United Nations, and for more than 4 years he represented the United States in that body.

In that capacity he always defended the legitimate interests of the United States. At the same time he sought for world peace and won the respect and affection of the people of the world.

His death is a great loss to all of us. It is a personal loss to me because when he ran for Governor I ran for the U.S. Senate, and we have always been political associates and personal friends.

We shall miss Governor Stevenson very much, but we are grateful for the example which he set, and the Nation is richer in both a spiritual and intellectual sense because of the fact that he lived.

Mr. JAVITS. Madam President, will the Senator from Illinois yield?

The PRESIDING OFFICER. Will the Senator from Illinois yield to the Senator from New York?

Mr. DOUGLAS. I yield.

Mr. JAVITS. I yield to the Senator from Colorado, who was a colleague of Governor Stevenson.

The PRESIDING OFFICER. The Senator from Colorado, is recognized.

Mr. ALLOTT. Madam President, I appreciate the distinguished Senator from New York yielding.

I wish to add a word to what the distinguished Senator from Illinois has said about the unfortunate death of Adlai Stevenson.

It is not an unusual thing that many of the political philosophies which he embraced and those which I embrace are pretty far apart, at opposite ends of the poles.

Nevertheless as a delegate to the United Nations in 1962, at the 17th General Assembly, appointed by President Kennedy, I had an opportunity to see the Ambassador in his work and in action. That period was during the Cuban crisis, in which times were extremely difficult.

In tribute to Adlai Stevenson, I have always regarded him since that time as a personal friend. He recognized the political ideological differences which separated us, and yet, in any conference of the American delegation, he always gave a full opportunity for me to express my views, and those views were not simply expressed and discarded. They were given full consideration along with the views of everyone else.

I feel that no matter how any one may have differed from him politically, he was a man who served his country well, and served his country to the maximum of his ability.

He was a brilliant man.

I feel a deep sense of loss in the tragic news that we have just received.

Mr. JAVITS. Madam President, I join my colleagues in this tribute to Adlai Stevenson. I am deeply shocked and grieved by his sudden passing. I knew him well. For many years he lived in New York City. I visited his home, and he visited ours. I often had contacts with him in connection with his work as U.S. Representative to the United Nations.

In a moment like this, everything is laid aside except the knowledge that his was one of the most eloquent voices that freedom has ever known in all mankind's history.

As the distinguished senior Senator from Colorado [Mr. Allott] has said, not only was Adlai Stevenson a brilliant man; his brilliance found a remarkably gracious, memorable, and even unique expression, not only in the United States, but throughout the world.

Perhaps the greatest tribute we can pay to so distinguished an American, who literally laid down his life for the cause of our country's advancement and for freedom in the world—because he really did nothing else but work in the last 10 years and, I know, for years before that, when I did not know him so well—is to say that he was in every sense of the word the representative of the United States at the United Nations, that great world hope for peace and rule by law instead of rule by force.

Every American can be proud that Adlai Stevenson epitomized in his person and in his advocacy what every American would expect of the voice of the United States in the United Nations in its expressiveness, in its idealism, in its practical content, and in the great influence which he had upon his colleagues and upon the representatives of other nations by the sheer force of his character, intellect, integrity, and ideas.

No American, regardless of party, need stint in any way in praise and tribute to Adlai Stevenson.

Mr. AIKEN. Madam President, I can add little to what has already been said concerning the untimely death of Adlai Stevenson. It has been my privilege to work with him for several years. He worked conscientiously and well. He was respected by the people of all countries, whether they agreed with his positions or not. It is most unfortunate that at a time like this, when he is perhaps needed more than ever, he should be called away.

Mr. KUCHEL. Madam President, the news is stunning, and the great and grievous loss to our country and to the cause of freedom is most profound and overwhelming.

The late Adlai Stevenson was superbly gifted for leadership in Government. Dedicated to the public service, he studied very long and very hard to find, as he saw the light, what best served the people. He demonstrated in his lifetime an elegant and telling facility of expression, at once eloquent and persuasive. Surely, as the voice of the people of the United States in the United Nations, the town meeting of the world, he gave vigor and stature to the positions of our Government, on all those varied and complex questions which concern the very future of the world. He stood up, stern and unyielding, to the merciless outpourings of Communist propaganda. I knew the late Adlai Stevenson solely by reputation, until during the administration of the late President Kennedy when I was appointed as a minority member of the delegation headed by the present Chief Executive, the then Vice President, and by the late Ambassador Stevenson together with Henry Labouisse, of the State Department, to pay the official respects of this country at the final state funeral ceremonies in Sweden for the late Dag Hammarskjold. In the few days all of us were together, I found Adlai Stevenson to be a most friendly and considerate man, unassuming and generous.

I recall, when Sir Winston Churchill died, how profoundly moving was the memorial address made by the late Ambassador Stevenson in the Episcopal Cathedral, in this city, on the life and labors of that great Englishman.

A voice is stilled, a void is created as a great American suddenly leaves our midst.

The loss of this man is more than a loss to the American people; it is a loss to free peoples everywhere.

Mr. MILLER. Madam President, the United States has lost a distinguished and dedicated public servant. He has left his mark on the history of our country as well as on the history of the United Nations. He was brilliant and eloquent. I know of no public servant who was more articulate than he.

Like many other public servants, he received his share of blame as well as praise. But those who would cast a stone in his direction would be well advised to remember that as the Ambassador to the United Nations, he was the personal representative of the United States, carrying out the instructions he received from the White House, with some of which, I feel certain, he did not always agree.

Adlai Stevenson died in the line of duty as a faithful public servant. I believe he will serve as an inspiration to many others who are doing their best for the country today. He will be missed.

Mr. COOPER. Madam President, like millions of our countrymen, I am saddened by the news of the death of Adlai Stevenson.

For nearly 5 years he served as a representative of this country at the United Nations during a most difficult time.

He represented faithfully the best interests of this country. And because of his own strong convictions and idealism, he communicated to other countries and to their peoples our desire for the establishment of a world system of law and for steady steps toward peace. He gave our country and its people a grace of speech and spirit which will be remembered.

His death is a loss to our country and to the people of the world.

Mr. KENNEDY of Massachusetts. Madam President, one of the remarkable things about Adlai Stevenson was the way in which a whole new generation of Americans was drawn to take an interest in public affairs when he came on the scene. They were led by him, taught by him, and inspired by him in the difficult years of the 1950's.

I remember election night of 1956, when he had lost badly, he said, "I say goodby, with a full heart and fond hope that we shall meet once again in the liberals' everlasting battle against poverty, misery, ignorance, and war." We met him many times as he filled the most sensitive of positions. His wisdom, his humor, his humane spirit were an inspiration to President Kennedy and to all who were in government. He had a greater impact on the people of the world than any American except our Presidents.

If we are a more civilized nation, able now to stand up and speak out our opinions; if we are more committed now to human rights, individual dignity, it is because Adlai Stevenson was there, in the early days, to plant the flag and sound the call.

Madam President, I ask unanimous consent that there be printed at this point in the RECORD the nominating speech for Adlai E. Stevenson made by the Honorable John F. Kennedy, to the 1956 Democratic Convention.

There being no objection, the nominating speech was ordered to be printed in the RECORD, as follows:

NOMINATION FOR THE PRESIDENCY OF THE HONORABLE ADLAI E. STEVENSON, FORMER GOVERNOR OF ILLINOIS, BY THE HONORABLE JOHN F. KENNEDY, U.S. SENATOR FROM MASSACHUSETTS

Hon. JOHN F. KENNEDY. Mr. Chairman, President Truman, majority leader and favorite son of Massachusetts, Congressman JOHN W. MCCORMACK, fellow Democrats, and fellow delegates:

We have come here today not merely to nominate a Democratic candidate, but to nominate a President of the United States. [Applause.]

Sometimes in the heat of a political convention, we forget the grave responsibilities which we, as delegates, possess. For we here today are selecting a man who must be something more than a good candidate, something more than a good speaker, more than a good politican, good liberal, or a good conservative. We are selecting the head of the most powerful Nation on earth, the man who literally will hold in his hands the power of survival or destruction, of freedom or slavery, of success or failure for us all.

We are selecting here today the man who, for the next 4 years, will be guiding, for good or evil, for better or worse, the destinies of our Nation, and, to a large extent, the destiny of the free world. I ask you, therefore, to think beyond the balloting of tonight and tomorrow to think beyond even the election in November, and to think instead of those 4 years that lie ahead and of the crises that will come with them.

Of overwhelming importance are the ever-mounting threats of our survival that confront us abroad, threats that require a prompt return to firm, decisive leadership. Each Republican year of indecision and hesitation has brought new Communist advances—in Indochina, in the Middle East, in North Africa, in all the tense and troubled areas of the world.

The grand alliance of the West—that chain for freedom forged by Truman and Marshall and the rest—is cracking, its unity deteriorating, its strength dissipating.

We are hesitant on Suez, silent on colonialism, uncertain on disarmament, and contradictory on the other major issues of the day.

And, I regret to say, that once we are able to cut through the slogans and the press releases and the vague reassurances, we realize to our shock and dismay that the next 4 years of this hydrogen age represent the most dangerous and the most difficult period in the history of our Nation.

In such a period, one man, and one man only, can bear the full and final burden of responsibility and leadership—not his Cabinet, not his assistants, not his Vice President—but only the President of the United States, himself.

It is for these reasons that I ask this convention in its deliberations on the Presidency to consider those 4 troubled years that lie ahead abroad, and the necessity of selecting a President with the courage and the vigor and the vision equal to the task.

Consider, too, the 4 years that face us as a Nation at home. For here, too, the absence of new ideas, the lack of new leadership, the failure to keep pace with new developments, have all contributed to the growth of gigantic economic and social problems—problems that can perhaps be postponed or explained away or ignored now—but problems that during the next 4 years will burst forth with continuing velocity.

The problem of the Nation's distressed farmers, the problem of our declining small business—the problem of our maldistribution of economic gains—the problem of our hopelessly inadequate schools—and the problem of our Nation's health—and many more face us.

Conferences are held, to be sure—commissions are convened—but no new steps are taken, and no bold programs are effected.

These are problems that cry out for solution—they cry out for leadership—they cry out for a man equal to the times. And the Democratic Party can say to the Nation today, "We have such a man."

We can offer to the Nation today a man uniquely qualified by inheritance, by training, and by conviction, to lead us out of this crisis of complacency, and into a new era of life and fulfillment. During the past 4 years, his wise and perceptive analyses of the world crises have pierced through the vacillations and the contradictions of official Washington to give understanding and hope to people at home and abroad.

And his eloquent, courageous, and experienced outlook on our problems here at home has stood in shining contrast to the collection of broken promises, neglected problems, and dangerous blunders that pave the road from Gettysburg to the White House.

Of course, in a democracy, it is not enough to have the right man—for first he must be elected, he must show the Nation that he is the right man, he must be a winner. And I say we have a winner—in the man who became Governor of this State in 1948 with the largest majority in the history of Illinois—in the man who in 1956 has shown in primary after primary that he, and only he, is the top votegetter in the Democratic Party today.

Let us be frank about the campaign that lies ahead. Our party will be up against two of the toughest, most skillful campaigners in its history—one who takes the high road, and one who takes the low. [Applause.]

If we are to overcome that combination in November, this convention must nominate the candidate who can best carry our case to the American people—the one who is by all odds and by all counts our most eloquent, our most forceful, our most appealing figure.

These are, as I have said, critical times—times that demand the best we have—times that demand the best America has. We have, therefore, an obligation to pick the man best qualified, not only to lead our party but to lead our country. The Nation is entitled to expect that of us. For what we do here today affects more than a nomination, more than an election—it affects the life and the way of life of all our fellow Americans.

The time is ripe. The hour has struck. The man is here; and he is ready. Let the word go forth that we have fulfilled our responsibility to the Nation.

Ladies and gentlemen of the convention, it is now my privilege to present to this convention, as a candidate for President of the United States, the name of the man uniquely qualified—by virtue of his compassion, his conscience, and his courage— to follow in the great traditions of Jefferson, Jackson, Wilson, Roosevelt, and the man from Independence.

Fellow delegates, I give you the man from Libertyville—the next Democratic nominee and the next President of the United States, Adlai E. Stevenson. [Prolonged applause and demonstration.]

Mr. SPARKMAN. Madam President, I have been saddened, along with a host of people throughout the country and throughout the world, by the news of the death of a great man, one who has rendered for the United States and for the world outstanding services. I refer to Adlai Stevenson.

I had known Governor Stevenson, as he was so often called, throughout many years. It may be known that I had a close association with him 13 years ago, when I had the pleasure of working with him in a great political campaign. I came to know and admire the man greatly. I thought it was a very fine thing that happened when President Kennedy appointed him and obtained his consent to serve as our permanent representative in the United Nations. He took over a job that was almost impossible to fill. He took it over at a time when the world was in turmoil. Trouble was deep and real.

Of course, he would have been the last one to say he had solved those problems. They are not solved. But at least the equilibrium of the world has been maintained to a great extent, and a great part of that fact is due to the very fine leadership Adlai Stevenson exercised as our representative in the United Nations.

Adlai Stevenson was a great man. He led an outstandingly useful life, and this country will long be indebted to him for the great service he has rendered.

Mr. PASTORE. Madam President, all mankind suffers a distinct loss in the untimely death of Adlai Stevenson.

Beyond question he was the most eminent public figure accredited to the United Nations by this or any other government. He was present at the birth of this world forum and he has been America's confident and courageous voice at its critical hours.

Diplomatically diligent and personally delightful, his wisdom and his wit, his gifts of speech and friendship place him among the immortals of American history.

Adlai Stevenson has lived and labored an entire generation in dedicated public service. He moved through history as Assistant Secretary in the Departments of Agriculture, Navy, and State—advanced to Delegate to the United Nations in its formative years—and moved again to his first elective office as Governor of the State of Illinois.

He was a novice winning an unexpected victory—and a landslide victory at that—and vaulting him into unsolicited selection of his party for the Presidency.

Adlai Stevenson made language come alive in presidential campaigns intended to awaken America to its duty and its destiny.

Ever since man acquired speech to distinguish him as a person, God seems at critical times to have provided gifted mortals who give new beauties, rhythm and power to the spoken word. They have power to bring out of their hiding in human hearts all the hates and fears, the moral doubts and hidden hopes that cower deep in human souls.

Some orators have the power to lift the ugly into the sunlight of commonsense and transform them in common service for our common happiness.

Adlai Stevenson was such an orator—statesman—philosopher. He instilled confidence in hearts at home and abroad in these times when equality and opportunity are the burning desires of humankind. His was the role of reasoned rights—a role that has illumined all his public service and private thoughts.

He was a source of strength to the bewildered "man in the streets." He was a bulwark of balance and a tower of strength in our highest executive councils at the most crucial hours of decision in our national existence.

Adlai Stevenson had a modesty of manner that matched the majesty of his mind. It was a privilege to call him friend. It was an honor to be called "friend" by him in turn.

Ambassador Stevenson—he bore the title proudly and well. He could have borne any title in the power of our people to bestow.

Mr. MORSE. Madam President, I wish to make a brief statement with respect to the shocking news of the death of Adlai Stevenson. The political idealism of Adlai Stevenson will tower high as an imperishable monument of public service throughout the generation of American history to come. We have suffered the sad loss of a great leader. So far as the senior Senator from Oregon is concerned, it is the loss of an irreplaceable friend.

Mr. SYMINGTON. Madam President, I would express my very deep sorrow at the death of one of the greatest Americans of our time, Adlai Stevenson. No man represented more than he the hopes and aspirations of all people of the free world. His loss can only be a deep blow to all those who have been pursuing the cause of peace. To his fine boys my wife and I offer deepest sympathy. They have lost their father, we have lost a friend, and the American people have lost a noble and unselfish public servant.

Mr. PROXMIRE. Madam President, history must record that twice Adlai Stevenson lost the Presidency, both times by big margins. But how proud Americans can be of those campaigns. He appealed to the very best in Americans—the willingness to reach out beyond self and even beyond country for a freer, more peaceful world. No man more brilliantly brightened compassionate understanding with charm and wit than Adlai Stevenson. His eloquence and humor will live as long as the Nation.

Mr. McINTYRE. Madam President, I wish to join in the words of my colleagues on both sides of the aisle in tribute to a man whose life was a definition of the term "greatness."

Adlai E. Stevenson will live in all history as one whose triumphs were triumphs of humanity, whose ideas knew only the boundaries of thought. As a leader of his State, party, and Nation, he led the hopes of the entire world. His wit and his eloquence gave apt expression to our highest aspirations.

Madam President, Ambassador Stevenson lived through the first phase of the establishment of the United Nations as an instrument of world peace. His unique contribution to this cause laid the foundation upon which we shall continue to build.

Mr. SALTONSTALL. Madam President, Ambassador Stevenson's sudden death is a great shock. He made an excellent Ambassador for our country in the United Nations. He was a man liked and respected by all for his friendly manner, gifts of oratory, and words of wisdom. I always liked him and shall miss him. I know I join with many others when I say that our country has lost any able and conscientious public servant.

Mr. KENNEDY of New York. Madam President, the man who set out to "talk sense to the American people" would not want us to mark his passing with the exaggerated praise that is so often the lot of public men. But the contributions of Adlai Stevenson to the United States and to the world can scarcely be exaggerated.

Most of his adult life was spent in the service of Government; all of it was spent in the service of the public. In his early service at the Department of State, he played a major role in the creation of the United Nations and a new world community after the Second World War. As Governor of Illinois, he gave to his State the finest administration in its history. But his greatest service, I believe, was that he rendered in the last 4½ years of his life as the Ambassador of the United States to the United Nations.

As much as any other single man, Adlai Stevenson helped to make the United Nations a reality. Since its establishment he had been one of its most eloquent and intelligent champions. He became our Ambassador there in a time of difficulty and danger for the United States—a time which required strong action, yet required also that our actions not be misunderstood by either friend or foe. As the attention of the world focused on the United Nations—during the Berlin crisis of 1961, the Cuban missile crisis of 1962, and in the efforts of all men of good will to bring a just and stable order into the affairs of the world—Adlai Stevenson spoke for the United States. His voice was eloquent, strong, and reasoned.

Adlai Stevenson could speak so well for his country because he himself was so widely respected throughout the world; people thought better of the United States because he was its Ambassador. People all over the world knew that he undertood them, without condescension; that he respected them, and was respected in turn; and that he would work with them toward a solution of the awesome problems of our times.

Adlai Stevenson was not elected as President of the United States. But in his campaigns for that office, he made a deep and lasting contribution to the level of American politics and the quality of American life. In a time of abundance and self-concern, he called the people of America to political action to fulfill their promise. And they responded. Millions of people, especially young people, and tens of thousands of Government servants, are involved in the political life of their community and their country because Adlai Stevenson called them there. President Kennedy leaned heavily on him for guidance, judgment, and performance. But he also relied heavily on many other men who were first brought to public service by Adlai Stevenson—men such as Newton Minow, William Blair, and George Ball.

Humble in the face of his responsibilities, gentle in his manner, he was at the same time tenacious and devoted in the performance of his duty. The United States, and all the world, can ill afford his loss at this new time of danger; and it is symbolic of the man that he fell in the performance of his duty, in his capacity as spokesman for America's responsibility in the world.

Of him we can say best what his incomparable pen said of another: he would rather light a candle than curse the darkness, and the world is the poorer for his passing.

Mr. YARBOROUGH. Madam President, the voice of conscience is gone. The most eloquent tongue in American public life is stilled forever.

The banner of the valiant warrior of statecraft on both domestic fronts and in international forums, is furled.

It was on Friday, July 15, 1960, almost 5 years ago to the day that a man experienced in the successes and defeats of public life rose and said:

> I have come to say goodby—but not farewell.

And so it is on this sad day that the world says goodbye to one of the most admired, devoted, and foremost leaders of our times, Adlai E. Stevenson, U.S. Ambassador to the United Nations.

But we do not say "farewell" to this giant among statesmen, for Adlai Stevenson's magnanimous life has left deep imprints on our democracy, on the progress of freedom in the world, and on our vision of humanity. His writings and his recorded speeches will be read and listened to for generations. He spoke for the future as well as for the present.

One great principle which Adlai Stevenson seemed to instill in everyone—for his contributions to life were felt far beyond those immediately next to him—was that of hope. And combined with that hope was a sense of faith that this was a world that was destined to rise above the problems of partisan differences.

Our sadness at his death is tempered with the contemplation of the enrichment which he gave to the world—such a great loss to mankind can only be reconciled when we see the inspiration which we have gained from his life. Intellect, integrity and the eloquence to reflect them were his hallmarks.

Time has stilled the voice of Adlai Stevenson, but the world will continue to hear the echo of his contribution to our human struggles. Next to Dag Hammarskjold he will be missed more in the United Nations than any other man. And America will miss him most of all peoples.

Mr. PELL. Madam President, both as an American and as an individual, I grieve the death of Governor Stevenson. A man lives in history by virtue of the strength, vitality, and wit of his ideas, and Adlai Stevenson will live long.

The great loss to the United States of this remarkable person is no less a loss to the world, because of his perpetual fight for the cause of peace on this troubled globe.

Mr. BIBLE. Madam President, not only our Nation but the world has lost a valuable friend. For Adlai Stevenson was an inspired and tireless champion of peace and freedom. Few men have been held in such high regard in so many lands.

The United States feels the loss most keenly, however. Seldom has anyone of his generation secured the widespread friendship and respect that Adlai Stevenson enjoyed among his countrymen.

As a State Governor, as a political leader, as our Ambassador to the United Nations—and as a man—he performed dedicated service to his country and tc mankind. I count it as a rare honor to have enjoyed a close personal friendship with him.

News of his death, I know, is met with international grief.

Mr. LONG of Missouri. Madam President, the people of the world are grieving today because of the death of a man they knew as a champion of peace, Adlai E. Stevenson of Illinois, this Nation's representative at the United Nations.

Ambassador Stevenson gave this war-smogged world a sparkling, clear breath of fresh air during his years of service to the cause of peace.

While others were content to curse the darkness, he lighted the candle of peace by serving as a principal architect of the United Nations.

He worked and died, to keep that candle aglow while whirlwinds of hate, national ambition and ignorance whipped around the world.

The world is poorer today because he has left us.

But it is infinitely richer because he was here.

Mr. McGOVERN. Madam President, the untimely death of Adlai Stevenson has stilled one of the most articulate voices for peace in our national history. It was Adlai Stevenson who said that peace is "the most important unfinished task of our generation." He lived and acted in that conviction.

A chief architect of the United Nations, he became our first Ambassador to that international house of peace. The first major political figure to propose a ban on the testing of nuclear weapons in the atmosphere, he lived to see that proposal ratified by the nations of the world.

He was endowed with a sparkling sense of humor, a profound mind and a sensitive spirit. His death has diminished us all. But his life remains as an inspiration to Americans and to men of good will everywhere who seek the pathways of peace.

Madam President, if I may add a personal note, Adlai Stevenson inspired me in my early public career as did no other man. The high tone which he gave to American politics in his two magnificent presidential campaigns, gave me a new sense of public duty and respect for our political process. I shall always be in his debt for insights which he generously shared with all of us that helped us see more clearly our human condition and the nature of the contemporary world. He was both a teacher and a prophet for my generation. He has earned our lasting respect and the blessing of providence as the man who "talked sense" to the American people.

Mr. McNAMARA. Madam President, the untimely death of Gov. Adlai Stevenson is a great loss to the cause of freedom throughout the world.

He served his country in many ways throughout a long and distinguished career of public service. It is characteristic of him, I think, that he was on a mission of peace when he was fatally stricken. No man was more keenly aware of the desperate need for peace in the atomic age—and no man—certainly—has worked harder to avoid the dreadful alternative to peace.

Adlai Stevenson was a warm, kindly and humane man, who "talked sense to the American people" in the presidential campaigns of 1952 and 1956 in an eloquent and articulate manner that will long be remembered.

It was my privilege in 1954, to be the beneficiary of his support in my first campaign for the U.S. Senate. I campaigned with and for him again in 1956.

It has been said here earlier today that one of his unique contributions to American life was the fact that through his participation he increased the dignity and raised the moral level of politics in this country. With this view, I fully subscribe.

History, I am confident, will treat Adlai Stevenson well. We are aware now of the magnitude of his contributions to his country and the world. But from the perspective of time, they will assume even greater dimensions.

Mr. McGEE. Madam President, I share with my colleagues in the Senate, my countrymen, and the world the sense of deep shock and loss at the untimely passing of Adlai Stevenson.

Longfellow noted that "Great men stand like solitary towers in the city of God." And so stood Adlai Stevenson. I hesitate to enumerate the many qualities that endeared him to so many Americans and made him so effective in advancing the cause of our Nation, the cause of freedom, and the hopes of mankind in the knowledge that his greatness cannot be adequately captured in these moments when we seek to assuage our souls in remembrance.

Adlai Stevenson was a man of strong beliefs. He believed in America; he believed in the democratic process; he believed in the brotherhood of man and in the destiny of freedom. At a time when mediocrity was a national goal he spoke—as only he could—for the pursuit of excellence. At a time when it was thought expedient to ignore the attacks of evil and shortsighted men upon our national heritage and personal freedoms, he stood up to be counted for fairplay, for due process of law, for the American way.

Although he was twice passed by in his quest for greater service to this Nation, his talents, experience, and reputation have since served us well in the United Nations. There he again demonstrated that he was a powerful advocate, strong in the defense of his Nation, and astute in his relationships with the representatives of our friends and our adversaries who make up that Organization. Few there were who did not highly respect him there and by so doing respect the intent and the ideals of the Nation he represented.

It would not be difficult and would perhaps ease a burdened spirit to continue on at length, dwelling on the many achievements and personal qualities of Adlai Stevenson. I shall not do so. I shall simply join a nation in mourning the passing of a great man and a great American.

Mr. MONDALE. Madam President, Adlai Stevenson's death is a tragic loss not only for our party and our Nation, but for all the world. His restless concern for human betterment and his tireless work as Ambassador to the United Nations made him one of the world's most eloquent advocates of peace. He refused to let us forget the underprivileged and downtrodden both at home and abroad. He represented the finest and most noble qualities a public servant can aspire to. He was our conscience and it can truly be said of him: "His cause was mankind."

Mr. MONRONEY. Madam President, America has lost one of its greatest citizens.

The death of Adlai Stevenson takes out of the public service of the United States and the world one of our most able public servants. He was dedicated to the cause of peace and a better way of life for all mankind.

Millions of people around the world took heart in the struggle for improvement in the living conditions because of this articulate, able, and crusading leader. He was sincere, determined, courageous and unselfish. His long public service spans the World War II period and the entire postwar period.

He was not only wise in his pronouncements, but he could communicate his ideals in speeches that commanded the respect of all who could hear him through every medium of communications.

During these times of tensions, fears, and uncertainties, the calm, strong voice of Adlai Stevenson will be sorely missed.

Mr. CANNON. Madam President, the free world has lost one of its greatest and most eloquent spokesmen and defenders.

Adlai Stevenson represented more than the highest elected official of his State, the nominee of his party for the presidency, and Ambassador to the United Nations.

He represented the cause of truth and freedom which he tirelessly pursued.

He was described once as a "lingering presence." I know that his presence—in the pursuit of those ideals for which he consistently worked—will be with us always.

The cause of freedom, moderation, and reason has lost one of its most articulate and vigorous champions and we will sorely miss him.

Mr. TYDINGS. Madam President, at noon today, the United States and, indeed, the entire world witnessed the passing of a great statesman, a distinguished public servant, a brilliant author, and a most cherished citizen—Adlai Ewing Stevenson.

Ambassador Stevenson's record as a diplomat and public servant is surpassed by none. He served as an assistant to the Secretary of the Navy and received the Distinguished Service Award in 1945. From 1943 to 1949, Mr. Stevenson represented his country as Chief of the Economic Mission to Italy, as Assistant to the Secretary of State, as Adviser to the United States Delegation to the Conference on International Organization, and as U.S. Delegate to the General Assembly of the United Nations. As Chief Executive of the State of Illinois from 1949 to 1953, Governor Stevenson proved himself an outstandingly competent public official.

Serving as U.S. Ambassador to the United Nations from 1960 to the very moment of his death, Mr. Stevenson labored arduously to further the cause of world peace and international law. Throughout his lifetime, he eloquently communicated this country's concern for the freedom, integrity, and welfare of all humankind.

Like all great men, Adlai Stevenson wished to arouse the American people to the issues that faced them. And between the lines of his lucid prose.

His deep personal concern for the welfare of this troubled planet abundantly shone through.

Adlai Stevenson was a humble man, a mild man—but a man passionately aware of the awesome responsibility which lay on his shoulders. His warmth, his sensitivity, and his profound personal regard for the integrity of each human being touched the hearts of both the statesman and the man who reached through the crowd to shake his hand.

The love that we have felt for this man and the sorrow we feel upon his passing are paralleled only by the love he had for all the people of the earth. The world mourns the tragic loss of this humanitarian, whose personal and public life was dedicated to the elimination of human suffering and the progress of world order.

Mr. INOUYE. Madam President, today, our Nation and the world lost one of the most eloquent spokesmen for decency, justice, and equality.

Today, our Nation and the world are bereft of him who was more concerned with convictions and principles than the expedient and the profitable.

Today, our Nation and the world mourn the passing of a figure who exemplified the ancient Greeks' dedication to not merely serving the public but, more importantly, protecting its interest.

We are all infinitely poorer, infinitely deprived from this day forward. But the life that he led and the example that he set will forever remain with us all and enrich our future. The conscience of his liberalism will serve liberal and conservative alike in the continuing dialog among people of all races and all nations to seek a common ground of understanding for the myriad problems confronting us all. The honest reasonableness of his beliefs will always guide men of reason everywhere in their attempts to honestly seek adjustment of differences in order to live the peaceful life.

In this sense, we are all infinitely richer, infinitely blessed from this day forward.

Adlai Stevenson's record of devotion to furthering the welfare and benefit of all started in his native State of Illinois, developed during his tenure as Ambassador to the United Nations, and fully matured in his role as the chief articulator of the hopes and aspirations of freedom-loving people everywhere. The concern for humanity which marked this man from Illinois throughout his life was never more manifest, and seldom more effectively pursued, than during the time he worked in the cause for universal peace within the halls of the United Nations. Humanity will surely now forever be concerned with the objectives he so long sought.

Indeed, his untimely passing in London will remain symbolic of this unceasing quest for peace. He died in the frontlines of the crusade which he so valiantly led all his life.

We will certainly be fortunate if we were to find another Adlai Stevenson in our lifetime.

Mr. FULBRIGHT. Madam President, the death of Ambassador Stevenson is a tragic loss for America and for the United Nations as well as for his family, and, for myself personally. Ambassador Stevenson was one of the inspiring figures of midcentury America and, indeed, of the contemporary world scene. His passing will be keenly felt in America and among all the peoples of the world whose hopes for a better life he did so much to inspire.

Adlai Stevenson was an energetic reformist Governor of Illinois. As candidate for President of the Democratic Party in 1952 and 1956, he elevated American politics to a new level of dignity and intelligence and wisdom and wit. From 1961 until the present, he brought these same qualities to his duties as representative of the United States in the United Nations, to the lasting benefit of both.

I wish to express my sympathy to the family of Adlai Stevenson. Their loss is deep and personal and it is shared by all of us. The world has lost an inspired statesman; America has lost a wise and gracious leader; I, myself, have lost a valued personal friend.

Mr. HARTKE. Madam President, not only the United States but the entire world is saddened by the unexpected death of Ambassador Adlai Stevenson.

The respect in which he has been universally held is not confined to the United States and its closest friends of the Western World. It extends as well to the Soviet Union and those other nations with which he has had cause to differ in the United Nations as our representative. The world, and the cause of peace through the cooperative efforts of the United Nations, is the poorer for his passing.

I need not expatiate on his career as Governor, as candidate for the Presidency of the United States, as a brilliant diplomat at the seat of world confrontation across the negotiating tables and within the halls of the United Nations. Rather, I wish to suggest that as we contemplate his career of great service there, we should begin immediately to make the most strenuous effort, as a fitting memorial to him, to reorganize the United Nations into a still more effective instrument of international amity and peace. Some of the recurring problems which we need to face realistically there, and to which the great intellect, skill, and urbanity of Adlai Stevenson would have surely been directed in the times ahead, are those of the veto, the position of Red China outside the organization, the financing of peacekeeping operations, and a wide gamut of other internal problems to which attention is due.

Adlai Stevenson was a friend to me, as he was to many others. Out of my deepest regard for him, I was moved to address a letter to the Nobel Peace Prize Committee last August 26 in which I nominated Adlai Stevenson for that great international honor. I believe he deserved it, and it was my intention to submit his nomination again this year, a fact of which I informed him after the Committee made another selection late last year.

One of the bases on which I believe Adlai Stevenson deserved such international recognition, but one which has too often been lost sight of, was his proposal nearly 10 years ago, in 1956, of a nuclear test ban treaty as a national policy. Then, few embraced the idea; now, its acceptance as a great contribution to the world's stability is universal. Here was not only a statesman, but a prophet ahead of his time, who suffered the fate so common to prophets, that others in taking up his vision of the future forgot the source from whence it came.

In my letter to the Nobel Committee I spoke of the great contributions of Adlai Stevenson to the cause of world peace, and a part of my words I quote now as my eulogy to a great American:

> To this task (in the United Nations) he has brought the utmost patience, a profound intelligence, the wisdom of humane consideration of all viewpoints, and a deep dedication to the cause of peace in the framework of freedom.

We shall miss Adlai Stevenson, but we shall never forget him.

Mr. McCARTHY. Madam President, by the death of Adlai Stevenson, I lost a great personal friend but more significantly we, that is all of the peoples of the world, have lost the purest politician of our times.

His approach to politics was marked by three principal characteristics:

First, a decent respect to the opinions of mankind in world affairs.

Second, a willingness to accept the judgment of the majority and popular will in domestic politics, as manifest in party conventions or in general elections.

And third, by unselfish surrender of his own personal reputation and image for the good of the common effort if, in his judgment, that surrender would advance the cause of justice and order and civility.

Adlai Stevenson did not grow in honor and in reputation from the organizations which he served, but rather they grew by virtue of his service.

He demonstrated early in his career and throughout his public life the highest degree of political humility in his indifference to what historians and biographers might say about him.

He was not ahead of his times or outside of his times, as some of his critics said, but he was a true contemporary, passing judgment on his own day, expressing that judgment in words proving his deep concern for the integrity of the language, and finally committing himself to the consequences of his judgment.

He was a "truly perfect, gentle knight," as Chaucer has said, "who from the moment when he first began his ride about the world loved chivalry, truth, honor, freedom, and courtesy."

Mr. DODD. Madam President, I join the countless millions in this country and around the world who mourn the death of Adlai Stevenson.

I mourn his loss as a great patriot and public servant, as one of the few men of our time who could truly be regarded as a citizen of the world, and as a dear personal friend.

Adlai Stevenson was a man of impeccable integrity and luminous intellect, a man with a warm heart for all humanity.

No more eloquent or respected spokesman ever represented the United States at the United Nations.

We have all been diminished by his loss.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. SPARKMAN. Madam President, I shall conclude the presentation of the bill with a very brief statement.

I have spent considerable time on probably the most outstanding new part of the bill; namely, the rent supplement program.

The bill is made up largely of three parts. The first part deals with new programs, the second part with extensions of existing programs, and the third with amendments to various programs which are made necessary after experience of dealing with existing law.

Madam President, it has been 16 years since Congress passed the Housing Act of 1949. These have been a number of great housing acts since then, but I believe that the Housing Act of 1949 is the basic housing act.

I am pleased to take note of the fact that one of the authors of the bill is with us in the Chamber today. Of course, I refer to the distinguished Senator from Louisiana [Mr. ELLENDER].

At various times, the Housing Act of 1949 was known as the Wagner-Ellender-Taft bill, when the Democrats were in control. It was known as the Taft-Ellender-Wagner bill when the Republicans were in control. The Senator from Louisiana facetiously told me today that he was always in the middle. However, he was one of the mainsprings in the production of that bill. We had a hard time having it enacted into law. There were new programs that many were reluctant to accept, but they were finally accepted. We have improved on these programs from year to year. None of them is perfect, of course, but we have tried to improve them as we forged ahead.

Today, I believe we have a fine overall housing bill with which to carry out the mandate of the housing policy laid down in the Housing Act of 1949.

Madam President, there have been some 20 million housing units built in this country in the last 20 years. The country has changed from a large percentage of tenants to homeowners, mainly due to the incentives and the impulses given by the Housing Act of 1949.

The second part of the bill represents a continuation of existing programs. We have set the date in the bill for all the programs to expire on October 1, 1969. It is a 4-year bill. It is a big bill because it is of 4 years duration. One of the things that we sometimes overlook, in trying to measure how big a bill really is, is the fact that one particular program may involve a great expenditure and another may involve none at all.

Urban renewal, for instance, will cost $2.9 billion in 4 years in the pending bill. Yet we are continuing this program at the rate it has operated upon for the last several years. FHA, on the other hand, which has more than 20 different programs of its own, costs the country nothing.

FHA and the Federal National Mortgage Association combined make money. They make enough money to carry the housing programs generally. And all of this grows out of what has been developed over the years in housing legislation.

Today we are trying to improve on the existing programs, we are extending them to bring in innovations to improve them and further perfect them.

The rent supplement program for instance, is an innovation, but it is also an effort to improve and possibly to replace the old public housing program.

Madam President, I continue now, with my prepared remarks.

AUTHORIZATION

Under the bill, Federal rent supplement payments could not exceed $50 million prior to July 1, 1966, $100 million prior to July 1, 1967, $150 million prior to July 1, 1968, and $200 million annually thereafter. The aggregate amount of the contracts could not exceed amounts approved in appropriation acts nor the above amounts.

EXPERIMENTAL PROGRAM

As an experiment, 10 percent of the total funds approved in appropriation acts may be used to determine the market and the effectiveness of rent supplements with respect to housing for the elderly under section 202 and section 231 housing and under section 221(d)(3) below market housing.

I have given a great deal of time in explaining the rent supplement program because of the wide interest in it and the necessity for a full explanation of its terms.

However, the bill before us has many other outstanding features. I should like to explain the more important ones.

FOUR-YEAR AUTHORIZATION RELATIVE TO EXISTING PROGRAMS

First of all, I should restate what I said earlier—this is a 4-year bill and carries authorization for 4 years for urban renewal, urban planning assistance, open-space grants, public housing, college housing, housing for the elderly, public works planning, Federal-State training programs, FNMA, low-income housing demonstration program, and low-rent housing for domestic farm labor.

If the bill did nothing more than extend these very worthwhile programs we could truthfully say this is indeed a great bill.

Now I should like to discuss briefly a few of the more important new programs authorized by the bill.

LAND DEVELOPMENT

One new program would authorize FHA to insure mortgage loans used to acquire and develop large subdivisions held for residential housing purposes. The new title would provide FHA mortgage insurance of private loans to private subdivision developers who may or may not themselves be homebuilders.

This will encourage the provision of a large supply of properly planned and improved residential building sites. It is expected that the mortgage insurance device, which has proven so helpful in providing a stimulus to the construction of good homes, will prove equally helpful in providing a stimulus to the production of good building sites in good neighborhoods.

The availability of FHA credit assistance during the land development stage will enable private developers to provide a more steady supply of improved building sites in an orderly and more economical manner. It should also open up cheaper suburban land for planned economic and marketable development and help to combat the rapid rise of prices for homebuilding sites.

RELIEF TO DISTRESSED MORTGAGORS AFFECTED BY THE CLOSING OF FEDERAL BASES

Sections 107 and 108 of the bill would help provide relief to families caught in the economic chaos resulting from the closing of military bases or Federal installations.

Section 107 would authorize the FHA and VA to grant a 1-year moratorium on principal and interest payments where the mortgagor is unemployed because of the closing of a Federal installation.

Section 108 would authorize the Secretary of Defense to acquire homes near a military base where the owner's unemployment at the base is terminated by its closing. The purchase price would be established at fair value at the time the announcement was made about the base closing.

GRANTS FOR WATER AND SEWER FACILITIES

Section 602 of the bill would authorize the Housing and Home Finance Administrator to make grants to local public bodies and agencies to finance 50 percent of the cost of projects for basic public water and sewer facilities.

Authority for appropriations for a total of $700 million for 4 years would be granted.

The most pressing problem facing many American communities is the provision of adequate water and sewer facilities. This has been testified to repeatedly in hearings held by the committee in recent years. The committee found that local governments have not been able to keep pace with the rising need of adequate water and sewer facilities. It is deemed essential, therefore, that local governments be provided with Federal assistance to carry out this very necessary activity.

GRANTS FOR NEIGHBORHOOD FACILITIES

Section 603 of the bill would authorize the Administrator to make grants to local public bodies and agencies to finance specific projects for neighborhood facilities, including neighborhood or community centers, youth centers, health stations, and other public buildings to provide health or recreational or similar social services. The grants generally would be limited to 66⅔ percent of the cost in the case of a project located in an area designated as a redevelopment area under section 5 of the Area Redevelopment Act.

The bill would authorize appropriations of not to exceed $50 million a year for 4 years.

GRANTS FOR ADVANCE ACQUISITION OF LAND

Section 604 of the bill would authorize the Housing Administrator to make grants to State and local public bodies and agencies to assist in financing the acquisition of sites planned to be utilized in connection with the future construction of public works or facilities. The grant could not exceed the aggregate amount of reasonable interest charges on a loan or other financial obligation incurred to finance the acquisition of such land for a period not exceeding the lesser of, first, 5 years from the date the loan is made, or second, the period between the date the loan is made and the date on which construction of the public work or facility is begun.

Grants totaling $100 million for 4 years would be authorized to pay interest charges for advance acquisition of public works sites.

FEDERAL HOUSING ADMINISTRATION AMENDMENTS

A number of amendments were made to the National Housing Act to improve and perfect existing programs to make them more effective in carrying out the national housing policy. I should like to mention several of the provisions about which there has been some misunderstanding.

APPROVAL OF TECHNICALLY SUITABLE MATERIALS

Section 211 of the bill would include a provision that the Federal Housing Commissioner shall adopt a uniform procedure for the acceptance of materials and products to be used in housing approved for loans it insures. Under this procedure any material or product which is technically suitable for the use proposed shall be accepted.

The committee's purpose in including this provision was to make certain that no materials or products which are technically suitable will be barred from use in FHA-financed housing. The committee believed that present practice often resulted in discrimination against many newly developed products which are either equally as suitable or more suitable than presently accepted materials. This practice has frustrated improvements in materials and the development of new ideas and has thus held back the technological advances in homebuilding which have been so outstanding in other industries.

By requiring the Commissioner to adopt a uniform procedure for the acceptance of materials, the committee hoped to eliminate many of these restrictions.

WATER AND SEWER FACILITIES WHERE FEASIBLE AS PREREQUISITE TO FHA AND VA ASSISTANCE

Section 212 of the bill would prohibit FHA and VA from financing new home construction if the housing is not served by a public or adequate community water and sewerage system unless, first, the property is served by a system approved by the FHA or VA under the new mortgage insurance program for land development authorized by the bill, or, second, the property is situated in an area certified by appropriate local officials to be an area where the establishment of public or adequate community water and sewerage systems is not economically feasible.

The committee believed this requirement would help prevent water pollution and other health hazards resulting from housing being built without adequate community water and sewerage services. The provision is sufficiently broad, however, to permit the assistance of housing without these services where it is not possible for them to be provided as part of a community system at this time. Existing law provides Federal assistance to the provision of these facilities, and the bill enlarges and supplements these aids.

PROPERTY IMPROVEMENT PROGRAM UNDER TITLE I

Section 213 of the bill increases the limit on the amount of an FHA title I property improvement loan from $3,500 to $5,000 and permits the term of a loan to be up to 7 years, rather than the present maximum maturity of 5 years.

In recognition of some of the questionable experiences presently connected with the FHA title I property improvement program, the committee has included a provision which subjects a lender purchasing a property improvement loan from a dealer or home improvement contractor to the same defenses against payment which might be asserted against the dealer or contractor. Presently, the lender may take the loan instrument as a holder in due course.

The amendment is intended to encourage title I lenders to be more diligent in checking the dealers or contractors from whom they purchase title I loans. Under the present law, a lender can require a homeowner to pay the loan even though it may develop that the dealer or contractor did not perform their contract with the homeowner. The committee believed that the lenders should not rely upon this remedy and should instead be sure that the dealers or contractors are reliable and will perform their responsibilities.

URBAN RENEWAL

In addition to authorizing additional contract authority of $2.9 billion for 4 years, the bill adds one significant provision about which there has been considerable discussion. This is the increase in the nonresidential exception from 30 percent of funds to 40 percent of the new capital grant authority.

Because a tight limitation on projects being undertaken under the nonresidential exception would have a tendency to distort local urban renewal efforts, the committee believed it desirable to liberalize the present limitation and to depend more on other control factors to obtain the proper mix of residential and nonresidential redevelopment within each local community.

The committee agreed, therefore, to increase the present limitation from 30 percent of aggregate grants not yet contracted for as of the acts of the 1959 Housing Act to 40 percent of the new funds authorized by the 1965 legislation. This will make available nearly $1.2 billion of the new funds for this purpose.

LOW-RENT PUBLIC HOUSING—NEW CONTRACT AUTHORITY

The committee bill extends the public housing program by adding contract authority adequate to finance about 60,000 units a year for 4 years.

The committee was impressed by the backlog of 50,000 units at the present time and the need for continuing the program at least until such time as the new rent supplement program proved itself as an effective substitute for this program.

GREATER USE OF EXISTING HOUSING

The new annual contributions formula provided in section 402 of the bill would permit local housing authorities to make greater use of the housing supply through the purchase, purchase and rehabilitation, or lease of units which are available on the local market and suitable for low-rent housing purposes. A principal use of this formula would be in the acquisition or leasing of existing structures, with or without rehabilitation, for use over whatever period may be appropriate considering the condition and nature of the property and any other relevant circumstances. Under this new authorization, the PHA would be able to finance acquisition or leasing for any term of units in individual houses or in multifamily structures; it could finance joint private-public owned or leased units; and it could subsidize units financed through other means such as FHA-insured, conventional, or State or municipal financing. The flexibility provided by this formula is intended to assist efforts of the type already undertaken by the PHA to encourage voluntary association between public and private organizations to provide housing for low- and middle-income families in joint ventures.

Use of existing housing will constitute a valuable supplement—but nevertheless, merely a supplement—to new construction. Existing housing can be effectively used for low-income families only where a combination of certain conditions exist. There must, first, be a supply of vacant housing on the local market, and that housing must freely be made available, since eminent domain will, of course, not be used under the new program. Moreover, the vacant housing, especially that owned by the FHA and VA, could meet the needs of the low-income families. Its cost, design, and physical condition must be appropriate, and its use should be consistent with the community plans and urban renewal programs and in accord with the wishes of the local governing body.

The committee made it clear that a public housing program is a local option and this bill does not remove any of the autonomy found in existing law which is left to local governing bodies in public housing undertakings.

REALLOCATION OF UNITS

The authorization proposed in section 404 would permit the PHA to transfer units from localities which have failed, for a period of 5 years, to place them under construction, to other localities where the units are needed and could be utilized without delay by the local housing authorities, without regard to the statutory limit on funds for any one State. This authorization would be subject to any annual contributions contractual obligations in effect on the date of enactment of the Housing and Urban Development Act of 1965, but would not grant any additional rights to local housing authorities, so that the PHA could reallocate units which have been placed under contract before the enactment date by terminating the contract, even though the local housing authority might object and the PHA might have to absorb the loss of any loan advances.

COLLEGE HOUSING

In addition to new authority for Federal college housing loans amounting to $955 million, the only amendment to this program clarified the language of "educational institution" to make new colleges eligible under the program.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

In addition to new authority for FNMA to purchase mortgages under its special assistance function of $1.625 million, the bill also gives FNMA authority to purchase any residential mortgage loan from other Government agencies.

The modifications of FNMA's authority to purchase mortgages under section 306(e) would permit steps to centralize the Government's ownership, management—servicing—and sale of mortgages to the extent determined desirable from time to time. The committee believed that efficiency and economy would generally be promoted to the extent the FNMA facilities are taken advantage of. Both FNMA and the selling agency would be expected to exercise discretion as to whether there should be any purchase-sale transaction and, if so, discretion would be exercised as to all related factors, including the pricing of the mortgages.

OPEN SPACE LAND AND URBAN BEAUTIFICATION

This title would continue the open space land program authorized by title VII of the Housing Act of 1961 in an expanded and more liberal form to provide aid for built-up areas as well as the suburbs and to encourage communities to increase their expenditures for park improvement and other urban beautification activities that will make towns and cities more attractive and better places in which to live.

In order to assist State and local agencies to realize the full potential of the land acquired with assistance under the open space land program, the bill contains a provision permitting 50-percent grants for the development of such land for open space uses. Open space uses are defined as any use of open space land for park and recreational purposes, conservation of land and other natural resources, or historic or scenic purposes. Grants could be made for developing land acquired under both the present program and the new program, described above, of assistance in acquiring developed land in built-up areas.

RURAL HOUSING

Title IX of the bill would extend the existing rural housing program and institute a new insurance program for farm and rural nonfarm families.

The hearings clearly demonstrated the need for greatly expanding the rural housing program. Almost half of the substandard housing of this Nation is in rural areas although only 30 percent of our population lives there.

A widespread housing credit gap continues to exist in rural areas despite the efforts of the Federal Housing Administration to reach farther and more effectively into rural areas with its existing insured loan programs.

The new rural housing insured loan program of the Farmers Home Administration authorized by title IX will increase the opportunities available to those rural families who cannot qualify for housing loans from other sources.

Under this new program, loans up to $300 million a year could be insured for families of low and moderate income levels who would pay interest at a rate not exceeding 5 percent per annum. Additional loans could be insured for families with incomes above the moderate level. These families would pay rates on their loans comparable to the rates paid on insured Federal Housing Administration loans. The new authority will serve to reduce in some degree the inequality between urgan and rural families in the field of housing without increasing the strain on the Federal budget.

Madam President, I ask unanimous consent to have printed in the RECORD a section-by-section analysis of the bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION SUMMARY

Section 1: Provides that the bill shall be cited as the "Housing and Urban Development Act of 1965."

TITLE I—SPECIAL PROVISIONS FOR DISADVANTAGED PERSONS

Financial assistance to enable certain private housing to be available for lower income families who are elderly, handicapped, displaced, victims of a natural disaster, or occupants of substandard housing

Section 101: Authorizes the Housing and Home Finance Administrator to make rent supplement payments to help make housing available to individuals and families who are elderly, handicapped, displaced, victims of a natural disaster, or occupants of substandard housing and who have incomes that do not exceed the maximum amount that can be established for occupancy in public housing under the Federal public housing law.

The annual rent supplement payment for any dwelling unit cannot exceed the amount by which the fair market rental for the unit exceeds one-fourth of the tenant's income.

The housing owner can be a private nonprofit or limited dividend corporation or organization, or a cooperative housing corporation who is a mortgagor of housing financed with market interest rate mortgages under the FHA section 221(d)(3) mortgage insurance program. Annual rent supplements can be paid over periods of up to 40 years.

The aggregate amount of the payments that can be contracted for is limited to amounts prescribed in annual appropriation acts but could not exceed $50 million a year prior to July 1, 1966. The $50 million limit is increased by $50 million a year on July 1 in each of the years 1966, 1967, and 1968.

An experimental program of rent supplements is permitted for housing financed with below market interest rates. This includes the FHA section 221(d)(3) below market housing, and housing for the elderly financed under the direct loan program. Another provision of the bill reduces the interest rate to 3 percent on the housing for the elderly loans and the (d)(3) below market mortgages. The experimental program will also be available for FHA section 231 mortgage insurance housing if the mortgage is endorsed for insurance after the date of enactment of the bill.

Under the experimental program not more than 20 percent of the dwelling units in the project can be eligible for rent supplements. Also, not more than 10 percent of the amounts approved in annual appropriation acts for rent supplement payments can be utilized for rent supplements in the below market projects.

The Administrator will provide for certification to the housing owners of eligibility of the tenants. The incomes of the occupants (except the elderly tenants) will be reexamined at least every 2 years.

Tenants may receive rent supplements where they occupy units under leases with an option to purchase their dwelling unit.

The workable program for community improvement requirement for FHA section 221 (d)(3) mortgage insurance does not apply in the case of housing to be used under the rent supplement program unless the program was already required and in effect in the community.

On or before January 1, 1968, the Administrator is required to submit a report to the Congress on the rent supplement program, together with his recommendations with respect to the program.

Extension of FHA section 221 programs; modification of interest rate

Section 102(a): Amends section 221(b) of the National Housing Act to continue for 4 years (from September 30, 1965, to October 1, 1969) the authority of FHA to insure mortgages under its section 221 programs of housing for lower income families. This includes extension of the (d)(3) below market rental housing and the (d)(2) low downpayment sales housing programs.

Subsection (b) amends section 221(d)(5) of the act to place an interest rate ceiling of 3 percent (or the rate derived under the existing formula, if lower) on mortgages which may be insured by FHA under the section 221(d)(3) below market interest rate program. (The rate is now 3⅞ percent and is expected to rise to 4 percent or higher on June 30, 1965.)

Rehabilitation grants to homeowners in urban renewal areas

Section 103: Adds a new section 115 to the Housing Act of 1949 to authorize the limited use of urban renewal capital grant funds for rehabilitation grants to certain homeowners in urban renewal areas whose income does not exceed $3,000 a year. Such grants may be in an amount up to the lesser of $1,500 or the cost of the repairs. If the income exceeds $3,000 a year, grant cannot exceed that portion of cost of repairs which can be paid for with a loan which could be amortized, along with the borrower's other monthly housing expense, with 25 percent of his monthly income.

Existing contracts for Federal assistance to urban renewal can be amended to provide for these rehabilitation grants.

Parity of treatment for the handicapped and elderly in public housing

Section 104: Amends section 2(2) of the U.S. Housing Act of 1937 to establish parity of treatment between the handicapped and elderly in low-rent public housing. It increases by $1,000 ($500 in the case of Alaska) the maximum room cost limits applicable to public housing designed specifically for the handicapped; authorizes a special contribution of up to $120 per unit per year to dwelling units occupied by the handicapped; and exempts the handicapped from the requirement that there be a 20-percent gap btween the upper rental limits for admission to a proposed low-rent housing project and the lowest rents at which private enterprise is providing a substantial supply of standard housing.

Modification of interest rate on loans to provide housing for elderly or handicapped

Section 105: Amends section 202(a)(3) of the Housing Act of 1959 to fix the ceiling on interest rates of loans made under the elderly and handicapped direct loan program at a maximum of 3 percent. (By cross-reference in existing law, also fixes 3 percent maximum on rural elderly housing direct loan program; sec. 515, Housing Act of 1949.)

Relocation payments under the Urban Mass Transportation Act of 1964

Section 106: Amends section 7(b) of the Mass Transportation Act of 1964 to make the payments to individuals, families, business concerns, and nonprofit organizations displayed by federally aided urban mass transportation projects after March 4, 1965, the same as those provided under the urban renewal and low-rent public housing programs.

Mortgage relief for homeowners who are unemployed as the result of the closing of a Federal installation

Section 107: Authorizes FHA and VA to pay for not more than 1 year the principal and interest payments on FHA or VA mortgages where the mortgagors are unemployed as a result of the closing of a Federal installation and such action is the only means whereby a foreclosure can be avoided. The mortgagor must be the occupant of the housing, and he must agree to reimburse the FHA or VA for the payments made by them.

Acquisition of certain properties situated at or near military bases which have been ordered to be closed

Section 108: Authorizes the Secretary of Defense to acquire one- or two-family dwellings situated at or near a military base or installation which is closed or partially closed after November 1, 1964, if he determines that there is no present market for the sale of the property upon reasonable terms and conditions and that the owner's employment at the base or installation is terminated by its closing.

The purchase price shall be equal to the average price at which similar properties in the locality were sold prior to announcement of the closing of the base or installation.

The properties acquired shall be transferred to the Federal Housing Commissioner for disposal. Any net receipts remaining after disposal shall be covered into the U.S. Treasury as miscellaneous receipts.

Appropriations are authorized to carry out the provisions of this section and any sums appropriated shall remain available until expended.

TITLE II—FHA INSURANCE OPERATIONS

Land development

Section 201(a): Adds to the National Housing Act a new title X to authorize a new program of FHA mortgage insurance for land improvement and site development for subdivisions.

FHA would be authorized to insure mortgages to finance the acquisition of land and the installation of improvements such as water and sewer lines, streets, curbs, sidewalks, and storm drainage facilities.

Commissioner would be directed to adopt appropriate requirements to encourage the maintenance of a diversified local homebuilding industry, broad participation by builders, and a proper balance of housing for low- and moderate-income families.

The maximum mortgage for a single land insurance undertaking could not exceed $10 million. The mortgage maximum would be limited to 50 percent of the Commissioner's estimate of the value of the land before development plus 90 percent of his estimate of the cost of such development, subject to an overall ceiling of 75 percent of the value upon completion.

The maximum maturity of the mortgage would be limited to 7 years, or such longer maturity as the Commissioner deems reasonable in the case of a privately owned system for water or sewerage. The Commissioner is authorized to prescribe maximum interest rates and the premium charges.

To be eligible, the mortgage would have to represent a good mortgage insurance risk in the Commissioner's estimation, and the development would have to be consistent with sound land use patterns and consistent with comprehensive planning being carried on for the area in which the land is situated. It would also have to be served by such shopping, school, recreational, transportation, and other facilities as the Commissioner deems adequate or necessary.

Cost certification would be required to assure that the amount of the mortgage loan outstanding at reasonable intervals during construction does not exceed the maximum loan ratios described above.

No mortgage could be insured under the new program after October 1, 1969, except pursuant to a commitment to insure issued before that date.

(b) Amends various provisions of existing law to make land development mortgages insured under the new title X eligible for FNMA's regular secondary market program and for investments by national banks and Federal savings and loan associations.

Extension of insurance authorizations

Section 202: Amends sections 2(a), 217, 809(f) and 810(k) of the National Housing Act to continue for 4 years (until October 1, 1969) FHA's authority to insure property improvement loans under the title I program and to insure housing loans and mortgages under all of its programs except the section 221 program which is continued by section 102 of the bill.

Downpayment requirement in case of low-income housing demonstration homes

Section 203: Amends section 203(b)(9) of the National Housing Act to permit the downpayment on the purchase of a home financed with a mortgage insured by FHA under the regular section 203(b) home mortgage insurance program to be made by someone other than the mortgagor in the case of a home being purchased under the low-income housing demonstration program assisted pursuant to section 207 of the Housing Act of 1961.

Multifamily mortgage limits for four or more bedroom units

Section 204: Amends sections 207, 213, 220, 221, 231, and 234 of the National Housing Act to increase the dollar limitation on the amount of an insurable mortgage in the case of dwelling units having four or more bedrooms. The amount of the increase would range from $2,250 to $2,500 per family unit. No change would be made in the existing limits for dwelling units having less than four bedrooms.

Rehabilitation in urban renewal areas

Section 205: Amends section 220 of the National Housing Act (FHA's urban renewal housing program) to increase the maximum amount of an insurable mortgage in a case where the mortgagor is not the occupant of the property but intends to hold it for rental purposes from 85 percent of the amount which an owner-occupant could receive to 93 percent of such amount. The existing 85-percent limit would continue to apply where the nonoccupant mortgagor intends to hold the property for sale rather than rental. Where refinancing is involved, existing indebtedness for improvement of the property could be included in the computation of the mortgage amount whether or not the indebtedness is secured by a mortgage against the property.

Nondwelling facilities for urban renewal housing

Section 206: Amends section 220 of the National Housing Act (FHA's urban renewal housing program) to permit more nondwelling facilities to be included in a rental housing project financed with a mortgage insured under the section 220 program.

Under the amendment the project could include such nondwelling facilities as the Commissioner deems desirable and consistent with the urban renewal plan. However, the project must be predominantly residential and the Commissioner must find that any nondwelling facility included in the project is essential to the economic feasibility of the project, and that its financing will not result in a disadvantage to other business enterprises in the vicinity of the project.

Larger insured mortgages for servicemen

Section 207: Amends section 222 of the National Housing Act (the FHA mortgage insurance program for servicemen) to increase from $20,000 to $30,000 the maximum amount of a mortgage which can be insured by FHA under that program.

The downpayment required would be 5 percent of the first $20,000 of the appraised value of the property (or the amount required under the regular sec. 203(b) home mortgage program, whichever is lesser), and 15 percent of the value in excess of $20,000.

Refinancing of insured mortgages

Section 208: Amends section 223 of the National Housing Act to give FHA the authority to insure mortgages executed for the purpose of refinancing existing mortgages insured under any of FHA's programs. This authority is now available only for mortgages insured under sections 220, 221, 903, 908, and (in certain cases) 608.

Consolidation of FHA insurance funds

Section 209: Adds a new section 519 to title V of the National Housing Act to provide for the consolidation into a single general insurance fund of all of FHA's existing insurance funds except the mutual mortgage insurance fund, which would continue without change in its present coverage of section 203 mortgages (although sec. 203(k) home improvement loans would be transferred to the new fund).

Optional cash payment of insurance benefits

Section 210: Adds a new section 520 to title V of the National Housing Act to authorize the FHA Commissioner in his discretion to pay either in cash or in debentures any insurance claim filed by a mortgagee under any of FHA's programs after the enactment of the bill. (Under existing law payment must be in debentures, except in the case of mortgages insured under secs. 220, 221, and 233 after the enactment of the 1961 Housing Act and loans insured under sec. 203(k) after the enactment of the 1964 act.)

Any such cash payment would be in an amount equivalent to the face amount of the debentures which would otherwise be issued plus the interest such debentures would have earned.

Approval of technically suitable materials

Section 211: Adds a new section 521 to title V of the National Housing Act to require the FHA Commissioner to adopt a uniform procedure for the acceptance of materials and products to be used in housing approved for mortgages or loans insured by the FHA. Under the procedure any material or product which is technically suitable for the use proposed shall be accepted.

Water and sewer facilities in connection with certain federally assisted housing

Section 212(a): Adds a new section 522 to the National Housing Act to prohibit the insurance of any mortgage which covers new construction (except pursuant to a commitment to insure made prior to the date of enactment of the bill) if the housing is not served by a public or adequate community water and sewerage system unless (1) the property is served by a system approved by the Federal Housing Commissioner under the new mortgage insurance program for land development authorized by the bill, or (2) the property is situated in an area certified by appropriate local officials to be an area where the establishment of public or adequate community water and sewerage systems are not economically feasible.

(b) Adds similar provisions to title 38 of the United States Code to be applicable to housing loans under the veterans' housing program administered by the Veterans' Administration.

Property improvement program under title I

Section 213(a): Amends section 2(b) of the National Housing Act to increase the limit on the amount of a property improvement loan that can be insured by the FHA under its title I property improvement program from $3,500 to $5,000, and to permit the loans to have a maturity of up to 7 years rather than the present 5 years.

(b) Subjects a lender purchasing FHA title I property improvement loans from a dealer or contractor to the same defenses against payment which might be asserted against the dealer or contractor. Presently, the lender may take as a holder in due course.

TITLE III—URBAN RENEWAL

General neighborhood renewal plans

Section 301: Amends section 102(d) of the Housing Act of 1949 to permit a general neighborhood renewal plan to cover adjoining areas having specially related problems as well as the urban renewal area itself, thereby eliminating the present requirement that the whole area covered by a general neighborhood renewal plan be an urban renewal area, and authorizes such a plan even though the area involved includes subareas which are not themselves so blighted or deteriorated as to require urban renewal treatment.

Increase in authorization for capital grants

Section 302: Amends section 103(b) of the Housing Act of 1949 to increase the urban capital grant authorization by $2.9 billion in the following manner: $675 million on enactment, by $725 million on July 1, 1966, and by $750 million on July 1 in each of the years 1967 and 1968.

The Housing Administrator is also directed to undertake a study of the existing urban renewal program with a view to making recommendations for strengthening the program, or for establishing a new or alternative program.

Increase in nonresidential exception

Section 303: Amends section 110(c) of the Housing Act of 1949 to increase the limit on nonresidential capital grant authority by permitting, after the date of enactment of the bill, up to 40 percent of the amount of grants authorized by the bill to be available for projects in areas which are predominantly nonresidential both before and after renewal. Under present law 30 percent of the aggregate amount of grants authorized after the Housing Act of 1959 can be used for nonresidential projects.

Relocation payments

Section 304: Amends section 114(b)(2) of the Housing Act of 1949 to increase the relocation adjustment payment for small businesses displaced by urban renewal or public housing activities from $1,500 to $2,500.

Demolition of unsafe structures and code enforcement

Section 305(a): Adds a new section 116 to the Housing Act of 1949 to authorize the Housing Administrator to make grants to cities, other municipalities, and counties to assist in financing the cost of demolishing structures which have been determined to be structurally unsound or unfit for human habitation. The amount of the grant cannot exceed two-thirds of the cost of the demolition.

The section also adds a new section 117 to the Housing Act of 1949 to authorize the Housing Administrator to make grants to cities, other municipalities, and counties to assist them in carrying out programs of concentrated code enforcement in deteriorating areas in which the code enforcement, together with public improvements to be provided by the locality, may be expected to arrest the decline of the area. The grants cannot exceed two-thirds (or three-fourths in the case of a city or county having a population of 50,000 or less) of the cost of carrying out a code enforcement program over and above its normal code enforcement program.

(b) Amends section 110(c) of such act to remove existing provisions relating to code enforcement which are inconsistent with the provisions of the bill.

(c) and (d) Amends section 220 of the National Housing Act to make FHA-insured housing mortgages and home improvement loans insured under that section available for the code enforcement areas assisted under the bill.

(e) Amends section 312(a) of the Housing Act of 1964 to permit the low-interest rate rehabilitation loans authorized by that section to be made for property located in the code enforcement areas assisted under this section of the bill.

Eligibility of certain local grants-in-aid

Section 306: Makes certain local expenditures available as local grants-in-aid to urban renewal in the cities of Jasper, Ala., Joliet, Ill., Johnson City, Tenn., New Brunswick, N.J., and St. Louis, Mo.

Amendment of section 316 of the Housing Act of 1954

Section 307: Amends section 316 of the Housing Act of 1954 to clarify the authority of the Redevelopment Land Agency of the District of Columbia to undertake urban renewal projects in nonresidential areas.

Rehabilitation loans

Section 308(a): Amends section 312 of the Housing Act of 1964 to provide that a rehabilitation loan can be made under that section if the Housing Administrator finds that the applicant is unable to secure the necessary funds from other sources upon comparable terms rather than reasonable terms as now provided.

(b) Amends section 312 of the 1964 act to make it clear that moneys in the revolving fund for the rehabilitation loan program can be used for the necessary expenses of servicing the loans.

TITLE IV—LOW-RENT PUBLIC HOUSING

Acceptance of local certification of equivalent elimination

Section 401: Amends section 10(a) of the U.S. Housing Act of 1937 to permit acceptance of certifications by local governing bodies that they have complied with the equivalent slum housing elimination requirements of that act.

Greater use of existing housing

Section 402: Amends section 10(c) of the U.S. Housing Act of 1937 by perfecting the annual contributions formula to permit local housing authorities to make greater use of the existing housing supply through the purchase, purchase and rehabilitation, or lease of units which are available on the local market and suitable for low-rent housing purposes.

Increase in authorization for annual contributions

Section 403: Amends section 10(e) of the U.S. Housing Act of 1937 to increase by $47 million immediately, and by an additional $47 million in each of the years 1966 through 1968, the existing limit on the aggregate amount of contracts for annual contributions which may be entered into by PHA under the low-rent housing program. This increase would provide an estimated 60,000 additional units of low-rent housing annually over the 4-year period, to be available both for conventional low-rent housing projects and for the new approaches to low-rent housing contained in the bill.

Reallocation of units

Section 404: Amends section 10(e) of the U.S. Housing Act of 1937 to provide that, subject to any contractual obligation outstanding on the date of enactment of the bill, any low-rent public housing units not under construction within 5 years from the date they were reserved to a public housing agency may be reallocated and placed under contract for annual contributions in any State without limitation as to the aggregate amount of units which may be placed under contract in any one State.

Sale of federally owned projects to private purchasers

Section 405: Amends section 12(c) of the U.S. Housing Act of 1937 to permit sale of a federally owned public housing project to a nonprofit organization for continued use as low-rent housing.

Increase in per room limitations

Section 406: Amends section 15 of the U.S. Housing Act of 1937 to increase the limitations per room on the cost of construction and equipment of low-rent public housing from $2,000 to $2,400 for regular units and from $3,000 to $3,500 in the case of Alaska or housing designed specifically for the elderly. The per room limit in the case of housing for the elderly in Alaska is also increased from $3,500 to $4,000.

Purchase of units by tenants

Section 407: Amends section 15 of the U.S. Housing Act of 1937 to permit any member of a tenant family in a low-rent public housing project to purchase a dwelling unit which is detached, semidetached, or a row house for his occupancy or occupancy by a member or members of his family.

TITLE V—COLLEGE HOUSING

Increase in authorization for college housing loans

Section 501: Amends section 401(d) of the Housing Act of 1950 to increase the college housing loan authorization by $110 million upon the enactment of the bill, with further increases of $285 million on July 1 in each of the years 1966 and 1967, and $275 million on July 1, 1968. This section would also increase on July 1 in each of the years 1965 through 1968 (1) by $30 million the ceiling on loans for other educational facilities (such as dining halls, health facilities, and student unions), and (2) by $15 million the ceiling on loans to hospitals for nurses and intern housing.

Participation by new colleges

Section 502: Amends section 404 of the Housing Act of 1950 to make it clear that a college housing loan can be made to a new educational institution if such institution provide satisfactory assurance to the Housing Administrator that it will offer a baccalaureate degree within a reasonable time after completion of the facilities for which the loan is requested.

TITLE VI—GRANTS FOR BASIC PUBLIC WORKS, NEIGHBORHOOD FACILITIES, AND THE ADVANCE ACQUISITION OF LAND

Purpose

Section 601: States that the purpose of title VI is to assist and encourage the communities of the Nation (1) to construct adequate basic water and sewer facilities needed to promote their efficient and orderly growth and development; (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services; and (3) to acquire, in a planned and orderly fashion, land to be utilized in connection with the future construction of public works and facilities.

Grants for basic water and sewer facilities

Section 602: Authorizes the Housing Administrator to make grants (up to 50 percent of the development cost) to local public bodies and agencies to finance basic public water facilities (including works for the storage, treatment, purification, and distribution of water), and basic public sewer facilities (other than "treatment works" as defined in the Federal Water Pollution Control Act). No grant can be made for any sewer facilities unless the Secretary of Health, Education, and Welfare certifies to the Administrator that any waste material carried by the facilities will be adequately treated before it is discharged into any public waterway.

In the case of a community having a population of less than 10,000 which is in dire need of such facilities because of special prescribed circumstances, the Housing Administrator may increase the amount of a grant for a basic public sewer facility to not more than 90 percent of the development cost of the facility.

Grants for neighborhood facilities

Section 603: Authorizes the Housing Administrator to make grants of up to two-thirds of the development cost of the project (except grant could be 75 percent of development cost in case of a project located in a redevelopment area under sec. 5 of the Area Redevelopment Act) to local public bodies and agencies (or through them to private nonprofit organizations) to finance specific projects for neighborhood facilities, including neighborhood of community centers, youth centers, health stations, and other public buildings to provide health or recreational or similar social services.

Advance acquisition of land

Section 604: Authorizes the Housing Administrator to make grants to local public bodies and agencies to assist in financing the acquisition of land to be utilized in connection with the future construction of public works or facilities.

The Administrator may require an applicant for a grant to agree to repay the grant if (1) the land is not utilized within 5 years after the grant agreement is entered into for construction of the public work or facility for which the land was acquired, or (2) the land is diverted to other uses.

General provisions

Section 605: Confers upon the Administrator the usual functions, powers, and duties, and authorizes him to make advance or progress payments on account of any grant made under this title of the bill.

Definitions

Section 606: Defines the terms used in the title.

Labor standards

Section 607: Makes applicable to construction work financed with assistance under sections 602 and 603 the prevailing wage requirements of the Davis-Bacon Act (and the usual time and a half overtime provisions), along with the authority generally available to the Secretary of Labor with respect to the enforcement of the requirements.

Appropriations

Section 608(a): Authorizes appropriations for grants for basic public water and sewer facilities not to exceed $100 million for the fiscal year commencing July 1, 1965, and $200 million for each fiscal year commencing after June 30, 1966, and ending prior to July 1, 1969.

(b) Authorizes appropriations for each fiscal year commencing after June 30, 1965, and ending prior to July 1, 1969, not to exceed $50 million for grants for neighborhood facilities, and not to exceed $25 million for grants for advance acquisition of land. This section also provides that any amounts appropriated shall remain available until expended, and that any amounts authorized for any fiscal year under the section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1969.

TITLE VII—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Increase in special assistance authority

Section 701(a): Amends section 305(c) of the National Housing Act to increase by $1,625 million the amount of special assistance that the President of the United States can authorize the Federal National Mortgage Association to provide for housing and urban development.

(b) Amends section 305(f) of the National Housing Act to increase the President's special assistance authority further by transferring the special assistance authority remaining from a special authorization in that section for FHA title VIII housing for the military, AEC, and NASA, except $58,750,000 which is required to be reserved for section 809 mortgages.

Purchase of mortgages held by Federal instrumentalities

Section 702: Amends section 302 of the National Housing Act to authorize FNMA to purchase, service, or sell mortgages covering residential property offered to it by other Federal agencies, and other obligations offered to it by the Housing and Home Finance Agency or by any of that Agency's constituent agencies or units. FNMA is also authorized in its fiduciary capacity to deal in obligations of the Housing Agency which are not first mortgages.

Purchase of below-market interest rate mortgages covering properties located in urban renewal areas

Section 703: Amends section 302(b) of the National Housing Act to except FHA section 221(d)(3) below-market interest rate mortgages financing housing in urban renewal areas from the $17,500 per dwelling unit limit imposed by section 302(b) of the National Housing Act on the amount of a mortgage that can be purchased by FNMA under its special assistance operations.

TITLE VIII—OPEN SPACE LAND AND URBAN BEAUTIFICATION AND IMPROVEMENT

Change in name of program, findings and purpose

Section 801: Amends title VII of the Housing Act of 1961 to make changes in the name of the existing open space land program so that it will include a reference to "urban beautification and improvement." It also expands the existing statement of congressional findings and purpose.

Development grants for open space uses

Section 802 (a) and (b): Amends section 702 of the Housing Act of 1961 to permit grants under that section to be used to assist in the development, for open space uses, of land acquired under title VII.

(c) Adds provisions to section 706 of the Housing Act of 1961 which define the term "open space uses" to mean any use of open space land for (a) park and recreational purposes, (b) conservation of land and other natural resources, or (c) historic or scenic purposes.

Increased grant level for preservation and development of open space land

Section 803: Amends section 702(a) of the Housing Act of 1961 to permit grants for the acquisition of land and its development for open space uses to be up to 50 percent of the total cost of the acquisition and development. Under existing law, the grant limit is 20 percent, except that grants may be made for up to 30 percent where the applicant exercises open space responsibility for all or a substantial part of the urban area.

Contract authorization

Section 804: Amends section 702(b) of the Housing Act of 1961 to increase the limit on grants that can be made for open space land and urban beautification and improvement (as authorized by subsequent sections) from $75 to $310 million. Grants for the provision of open space land in built-up urban areas would be limited to $64 million, and grants for urban beautification and improvement would be limited to $36 million.

Open space planning and program requirements

Section 805: Amends section 703(a) of the Housing Act of 1961 to require a finding by the Housing Administrator that each grant for the acquisition and development of open space land is needed for carrying out a unified or officially coordinated program, meeting criteria established by the Housing Administrator, for the provision and development of open space land as part of the comprehensively planned development of the urban area. Under existing law the Administrator must find that (1) the proposed use of the land for open space is important to the execution of a comprehensive plan for the urban area, and (2) a program of comprehensive planning is being actively carried on for the urban area.

Grants for provision of open-space land in built-up urban areas and for urban beautification and improvement

Section 806: Adds new sections 705 and 706 to the Housing Act of 1961. The new section 705 authorizes grants to States and local public bodies to assist in financing the acquisition of developed land in built-up portions of urban areas to be cleared and used as permanent open-space land. The grants cannot exceed 50 percent of the cost of acquiring the interests in the land and of necessary demolition and removal of improvements, and can be made only where the local governing body determines that adequate open-space land cannot effectively be provided through the use of existing undeveloped or predominantly undeveloped land.

(b) Authorizes financial assistance extended under title VII of the Housing Act of 1961 (all open-space land and urban beautification and improvement assistance) to include grants for relocation payments like those provided under the urban renewal program. They will be available to those displaced after March 4, 1965.

The new section 706 authorizes grants to States and local public bodies to assist in carrying out local programs for the greater use and enjoyment of open-space and other public land in urban areas, including beautification of the land and its improvement for open-space uses. The local programs must be important to the comprehensively planned development of the locality.

Grants shall not exceed 50 percent of the amount by which the cost of the activities carried on by an applicant during a year under an approved program exceeds its usual expenditures for comparable activities. However, the Housing Administrator may use up to $5 million for grants covering two-thirds of the cost of activities that have special value in developing and demonstrating new and improved methods and materials for use in carrying out urban beautification and improvement.

Use of funds for studies and publication

Section 807: Amends section 702 of the Housing Act of 1961 to authorize the Housing Administrator to use not more than $50,000 of the title VII grant funds to undertake studies of open-space land and urban beautification and improvement problems and activities and to publish information relating thereto.

Conforming amendments

Section 808: Makes technical amendments in title VII of the Housing Act of 1961 to conform to the new provisions added to that title by this title of the bill.

TITLE IX—RURAL HOUSING

Loans for previously occupied buildings and minimum site acquisition

Section 901: This section amends section 501 of the Housing Act of 1949 to authorize the Secretary of Agriculture to make loans to farmers and rural residents for the purchase of previously occupied dwellings and related facilities and farm service buildings and for minimum adequate building sites.

Interest rate on direct rural housing loans

Section 902: This section amends section 502(a) of the Housing Act of 1949 to increase to 5 percent the maximum interest rate on direct loans under section 502, except for loans to elderly persons in accordance with section 501(a)(3) and loans in accordance with sections 503 and 504, which would remain at 4 percent. It would also authorize the Secretary to charge fees on all title V loans.

Insured rural housing loans

Section 903: Subsection (a) of this section adds to title V of the Housing Act of 1949 two new sections (517 and 518).

The new section 517 would authorize the Secretary of Agriculture to insure loans, and make loans to be sold insured, in accordance with section 502; except that such loans to persons of low or moderate income would bear interest not above 5 percent and be limited to adequate housing modest in size, design, and cost and to an aggregate of $300 million per year, and such loans to other persons would be made at rates and charges comparable to those in effect under FHA's section 203 program. To assure the marketability of these loans to private investors within the interest ceiling set by this section, it is further provided that the Secretary may enter into repurchase agreements with investors.

The new section 517 would also establish a new rural housing insurance fund to finance insured section 502 loans and to be utilized by the Secretary for various specified purposes. The new fund would be used in lieu of the agricultural credit insurance fund for section 514 domestic farm labor housing and section 515(b) elderly rental housing loans. Loans made out of the fund and held unsold could not exceed $100 million at any one time. The Secretary would be authorized to borrow from the Treasury to meet loan insurance obligations and to make other authorized expenditures from the fund.

The new section 518 would establish a rural housing direct loan account, and would transfer to such account all rural housing direct loans made under sections 502, 503, 504, and 515(a) of the 1949 act, all collections therefrom, and any funds available from appropriations or Treasury borrowings for such loans. Amounts transferred to the account and such further amounts as may be appropriated would be available for making loans under the above sections and for making repayments to the Treasury.

Subsection (b) of section 903 of the bill amends section 511 of the Housing Act of 1949 to extend for 4 years (to October 1, 1969) the unused balance (approximately $101 million) of the existing borrowing authority under section 511, and to remove the existing special reservation of $50 million exclusively for loans to elderly persons in accordance with section 501(a)(3).

Purchase of rural housing loans by the Federal National Mortgage Association

Section 904: This section amends title III of the National Housing Act to authorize FNMA to purchase loans insured under the new provisions of title V of the Housing Act of 1949 in its secondary market operations.

Extension of rural housing authorizations

Section 905: This section amends title V of the Housing Act of 1949 to extend for 4 years (to October 1, 1969) the authority of the Secretary of Agriculture to make section 503 loan contribution commitments, the authority for appropriations to finance assistance under sections 504(a), 504(b), 506, and 516, and the authority of the Secretary to make section 515(b) rental housing loans for elderly persons. It would also increase from $10 to $50 million the total amount of appropriations authorized for section 516 assistance to provide low-rent housing for domestic farm labor, and would extend the construction standards and technical services provisions of section 506(a) to operations under the new provisions added to title V by the bill.

Sums excess to the needs of the rural housing insurance for the rural housing direct loan account

Section 906: This section adds to title V of the Housing Act of 1949 a new section 519, directing the Secretary of Agriculture to pay into miscellaneous receipts of the Treasury any surpluses from the new rural housing insurance fund or the new rural housing direct loan account.

TITLE X—MISCELLANEOUS

Urban planning grants

Section 1001(a): Amends section 701(b) of the Housing Act of 1954 to increase the limit on appropriations for urban planning grants from $105 to $230 million.

(b) Amends section 701(b) of the Housing Act of 1954 to permit up to 5 percent of funds appropriated for urban planning grants to be used for studies, research, and demonstration projects for the development and improvement of techniques and methods for comprehensive planning and for the advancement of the purposes of the urban planning grant program.

(c) Amends section 701 of the Housing Act of 1954 to authorize the Housing Administrator to make two-thirds grants to organizations composed of elected officials who represent political jurisdictions within a metropolitan area to assist them to undertake studies, collect data, develop regional plans and programs, and engage in other activities desirable for the solution of the metropolitan or regional problems.

Authorization for Federal-State training programs

Section 1002(a): Amends section 802(d) of the Housing Act of 1964 to increase the limit on appropriations for grants to assist Federal-State training programs from $10 to $30 million.

(b) Amends section 803 of the Housing Act of 1964 to provide that the limit per State on grants for Federal-State training programs shall be not more than 10 percent of the total amount appropriated for that purpose rather than 10 percent of the amount authorized to be appropriated as now provided.

Authorization for public works planning advances

Section 1003: Amends section 702(e) of the Housing Act of 1954 to increase the limit on appropriations for public works planning advances from $20 million to $70 million.

Authorization for housing for the elderly or handicapped

Section 1004: Amends section 202(a)(4) of the Housing Act of 1959 to increase the limit on appropriations for loans for housing for the elderly or handicapped from $350 million to $500 million.

Authorization for low-income housing demonstration programs

Section 1005: Amends section 207 of the Housing Act of 1961 to increase the authorization for grants for low-income housing demonstrations from $10 million to $15 million.

Advisory committees—Technical provision

Section 1006: Deletes an obsolete provision from section 601 of the Housing Act of 1949 relating to advisory committees.

Public facility loans

Section 1007(a): Adds a provision to section 202(c) of the Housing Amendments of 1955 to authorize the Housing Administrator to make public facility loans to a private nonprofit corporation for the construction of works for the storage, treatment, purification, or distribution of water, or the construction of sewage, sewage treatment, and sewer facilities, if the works or facilities are needed to serve a smaller municipality or rural area, and there is no existing public body able to construct and operate the works or facilities.

(b) Amends section 202(c) of the amendments to make a technical change made necessary by amendments of the Area Redevelopment Act.

(c) Amends section 203(c) of the amendments to permit a public facility loan to be made to a community without regard to its population if a research or development installation of the National Aeronautics and Space Administration is located in or near the community.

Lease guarantees for certain small business concerns

Section 1008: Adds a new title IV to the Small Business Investment Act of 1958 to authorize the Small Business Administration to guarantee payment of rentals under leases of commercial and industrial property entered into by small business concerns that are (1) eligible for loans under section 7(b)(3) of the Small Business Act or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964.

The guarantee powers shall be exercised to the greatest extent practicable in cooperation with qualified surety or other companies on a participation basis.

A uniform annual fee shall be payable for the Administration's share of any guarantee. The fee shall not exceed 2½ percent per annum of the minimum annual guaranteed rental payable under the guaranteed lease. Fees may also be charged for the processing of applications for guarantees.

A revolving fund is established for carrying out the guarantee program. Initial capital of $5 million for the fund is transferred from the fund established under section 4(c) of the Small Business Act. All receipts from the guarantee program shall be deposited in the fund. The initial capital shall be returned to its source in such amounts and at such times as the Small Business Administrator determines to be appropriate.

FHA conforming amendments

Section 1009: Makes conforming amendments in the National Housing Act made necessary by provisions in the bill which consolidate FHA insurance funds into the general insurance fund.

Repeal of special provision in Urban Mass Transportation Act

Section 1010: Repeals section 9(c) of the Urban Mass Transportation Act of 1964 which requires that contractors, in providing facilities or equipment which have received loan or grant assistance under the act, "shall use only such manufactured articles as have been manufactured in the United States."

Redevelopment areas—technical provision

Section 1011: Amends sections 103 of the Housing Act of 1949 and 701 of the Housing Act of 1954 to add references to acts supplementary to the Area Redevelopment Act.

Federal Reserve Act

Section 1012: Amends section 24 of the Federal Reserve Act to permit national banks to (1) purchase participations in loans secured by real estate and (2) make loans for the construction of industrial or commercial buildings to have maturities up to 30 months (now 18 months).

Savings and loan associations

Section 1013(a): Amends section 5(c) of the Home Owners Loan Act of 1933 to authorize Federal savings and loan associations to make loans outside of their 20-percent limitation secured by college dormitories or fraternity or sorority houses, or housing for staffs of colleges or hospitals.

(b) Amends section 404 of the National Housing Act to require an association to make deposits in FSLIC up to 1 percent of the association's savings as required by call of the Federal Home Loan Bank Board.

Mr. ELLENDER. Madam President, will the Senator from Alabama yield?

Mr. SPARKMAN. I am glad to yield to the Senator from Louisiana.

Mr. ELLENDER. I am proud of the fact that I assisted in the enactment of the Housing Act of 1949. It required considerable work at that time to have it enacted into law. The hearings held and the time consumed in order to enact the bill covered a period of approximately 7 to 8 years. We were fortunate in being able to obtain the assistance of the late Senator Taft during the 80th Congress.

Madam President, I should now like to ask a few questions of the Senator from Alabama. I should like to differentiate as best I can between the Housing Act of 1949 with respect to public housing and the innovation contained in the housing bill. As I understand, the Federal Government would put up by way of subsidy $50 million a year over a period of 4 years——

Mr. SPARKMAN. Not to exceed $50 million a year.

Mr. ELLENDER. Yes; that would mean that at the end of 4 years the appropriations—if all the money were used—$200 million would be spent for that purpose.

Mr. SPARKMAN. The Senator is correct.

Mr. ELLENDER. Under the Housing Act of 1949, the Government subsidized certain construction.

Mr. SPARKMAN. The Government underwrote the bonds.

Mr. ELLENDER. Yes; by agreeing to pay 3½ percent, I believe.

Mr. SPARKMAN. The rate varied depending on the market for public housing bonds.

Mr. ELLENDER. Not to exceed 3½ percent. As I remember, it fluctuated between one-half to as much as 3 percent over the years. Under the act, the Authority was supposed to provide rentals to families wherein they paid 20 percent of their income. As I understand, in this case, with the innovation, 25 percent of a family's income will be required.

Mr. SPARKMAN. The Senator is correct.

Mr. ELLENDER. To what extent, if any, is money provided for the actual construction of these dwellings? As I understand, the bill does not envision that anyone with homes to rent would come into the picture. The homes or facilities would have to be constructed from here on out; is that not correct?

Mr. SPARKMAN. The Senator is correct.

Mr. ELLENDER. To what extent would the Government assist, if at all, in financing new constructions by cooperatives or nonprofit organizations?

Mr. SPARKMAN. The proposed rent supplement program would be on an FHA mortgage insurance basis. The Government would not put up any money.

Mr. ELLENDER. There would be an assurance that a subsidy would be paid on behalf of low-income families. The subsidy would be the difference between 25 percent of the income of the applicant and the reasonable economic rent. Is that correct?

Mr. SPARKMAN. The Senator is correct.

Mr. ELLENDER. If the family income were $3,000 a year, 25 percent of that would be used as rent. Is that correct?

Mr. SPARKMAN. The Senator is correct.

Mr. ELLENDER. Do I understand that the HHFA would give a guarantee to the builder to pay the difference between the one-fourth of the income of the family and the economic rent, by way of a subsidy?

Mr. SPARKMAN. The Senator knows, of course that under this bill the project would be approved (and incured) by FHA. The sponsor would have to be a nonprofit organization, a limited dividend corporation, or a cooperative. The sponsor would make application to FHA and state that it desired to build the housing for certain groups.

Mr. ELLENDER. For low-income people?

Mr. SPARKMAN. Yes. There are really two conditions for eligibility. One condition is that the tenant must be elderly, disabled, or handicapped, or displaced by urban renewal; the second condition is that only persons of low income eligible for public housing would be eligible for rent supplements.

We make it possible—this may sound a little strange, but it is true—for the proposed program to go below public housing income levels. As you know, there are actually people whose income are not low enough to justify their getting into public housing.

That may sound peculiar, but it is true. The provision of this bill can go below public housing income levels. Of course the project must be a multifamily project. Let us say a nonprofit corporation is sponsoring a 100-unit project. He promises FHA—and this becomes a part of the agreement—that 50 of the units, or half of them, will be made available for low-income people. FHA works out the plan with the sponsor. They work up an agreement. Of course, as with any FHA agreement, the agency must go through costs very carefully and they must determine what the economic rent would be.

After the building is constructed, the sponsor can fill half his units with people that can afford to pay economic rents, and the Government will help the other 50 percent with their rent.

Mr. ELLENDER. It is not intended that HHFA or FHA shall put up any money for the construction of these projects. FHA will only insure mortgage loans to those who sponsor such projects. Funds for construction would come from private enterprise sources.

Mr. SPARKMAN. The FHA does not put up loans. They insure loans. Private concerns put up the money. It is an insurance program.

Mr. ELLENDER. I wonder if the Senator could place in the RECORD at this point the rules and regulations with respect to low-rent housing. It may be that it will take a little time to obtain the information. What are the conditions under which a low-income family may obtain assistance through public housing in New Orleans, Boston, or New York, for example, or in 10 or 15 typical cities?

Mr. SPARKMAN. Is the Senator referring to income levels?

Mr. ELLENDER. Yes.

Mr. SPARKMAN. I included that information as a part of my introductory remarks.

Mr. ELLENDER. I am sorry I was not present to hear it.

Mr. SPARKMAN. I did not read it. I had it printed in the RECORD. The information covers 26 cities.

Mr. ELLENDER. Throughout the country?

Mr. SPARKMAN. Yes. If you will read my explanation of the comparison in cost to the Federal Government between public housing and rent supplements you will see that it is extremely unlikely, in fact I believe almost impossible for the rent subsidy paid by the Government to exceed what the Government would pay as a subsidy for public housing of comparable units built at the same time.

Mr. ELLENDER. Is all of this incorporated in the measure that we are now considering?

Mr. SPARKMAN. I have explained how the new program would operate.

Mr. ELLENDER. It is in the bill, is it?

Mr. SPARKMAN. I believe we have laid it out very clearly. We do not spell some of these things in the bill, as the Senator knows. However, the way the bill is drawn and the way it is tied in with existing laws and regulations, what I have said is true.

Mr. ELLENDER. Is it the Senator's considered judgment that under this system, which is an innovation in public housing, in the long run it will be less costly to the Government than at the present time?

Mr. SPARKMAN. That is my belief. Furthermore, it is a private enterprise undertaking. I am not sure whether the Senator from Louisiana is familiar with the experimental program that we authorized the HHFA to make under the 1961 act. We set aside a certain amount of money for that.

Mr. ELLENDER. I recall it, but I do not know what the results were.

Mr. SPARKMAN. The results of one such experiment are set out in the transcript of the hearings. The Senator may wish to refer to those exhibits. He will find them in the hearings on page 127. I am sure he will find this part of the hearings very interesting. It has been a very interesting experiment. We are continuing that experiment by this bill. I believe the Senator from Texas offered the amendment in committee to continue the experimentation.

Mr. TOWER. Yes.

Mr. SPARKMAN. The amendment was adopted by the committee, and it is contained in the bill.

Mr. ELLENDER. I hope the new plan will be an improvement over what we sought to do in 1949.

Mr. SPARKMAN. I do, too. I say that with full understanding and appreciation of the excellent work that has been done under the 1949 program.

Mr. ELLENDER. What is intended in the future, so far as the present Public Housing Act is concerned?

Mr. SPARKMAN. We shall carry on the public housing program.

Mr. ELLENDER. How much is being provided?

Mr. SPARKMAN. Thirty-five thousand units are to be built.

Mr. ELLENDER. Is that over a 4-year period?

Mr. SPARKMAN. No; each year. Also, we authorize the renting of 15,000 units and the acquiring of another 10,000 units. There has been a great deal of complaint about slum clearance and urban renewal programs clearing out housing that could be used.

Furthermore, some military installations may be closed, and several hundred units may be unoccupied at or near those installations. They have to be taken over by FHA or by VA. In the proposed act we authorize these buildings to be made available for public housing projects.

The program must be worked out by the locality. The city could apply to the Public Housing Authority to enter into annual contribution contracts on certain housing projects which are owned by the FHA or VA.

Mr. ELLENDER. That would be done in the same manner as is done with public housing?

Mr. SPARKMAN. That is right.

Mr. ELLENDER. I wonder if the Senator has available for the RECORD the annual amount now being spent by the Government on public housing, and the number of units. I am quite anxious to see if better housing can be provided for under the rent supplement plan than the present program and at less cost.

Mr. SPARKMAN. That information is contained in the hearings. We can find it and incorporate it in the RECORD. As I recall, under the Senator's 1949 bill, an amount program—$336 million, I believe—was authorized to support a low-rent housing program. In 1961, we authorized the remaining units that could be supported by that amount. I suppose that the entire amount authorized in 1949 is under contract by now.

Mr. ELLENDER. It might be interesting if the Senator from Alabama would have the staff work up a table to indicate the number of units in the 26 cities which the Senator has mentioned. That table might include the number of units and the cost to the Government. We might then try to find out what a similar number of units throughout the country, under the rent supplement plan would cost, so that we might compare that cost with the cost to the Government. I make that suggestion because I believe that the question will become the issue, since under the Public Housing Act there is a requirement of 20 percent of income, and the bill provides 25 percent. I believe it might be well to put such a table into the RECORD.

Mr. SPARKMAN. I believe the Senator from Louisiana is correct. In my statement I brought out some figures that showed the estimates. Those figures can only be estimates. We shall have to wait until the figures are in before we have the accurate result. In the estimate presented in my statement I brought out the fact that, while the figures vary from one area to another all over the United States, the average subsidy per unit in the United States is $58 a month. That is public housing under the existing program. Under the rent supplement, it would be $40.

Mr. ELLENDER. That is in line with the question I previously asked. I believe it would be helpful if we could obtain that information from the 26 cities.

Mr. SPARKMAN. I believe what is already in the record relative to these cities should satisfy the Senator's request. I thank the Senator very much for his clarifying questions.

Madam President, I yield the floor.

Mr. TOWER. Madam President——

Mr. SPARKMAN. Madam President, before the Senator from Texas speaks, may I reclaim the floor?

Mr. TOWER. I yield to my distinguished friend.

Mr. SPARKMAN. In my opening statement I paid my compliment to the subcommittee, the committee as a whole, and the staff. Before the distinguished Senator from Texas speaks, I wish to take advantage of the opportunity to pay my special compliments and commendations to him. He is the ranking minority member on the Housing Subcommittee.

In past years I have often stated on the floor of the Senate what a pleasure it was to work with the Senator's predecessor, Senator Capehart. I am glad to give testimony now to the same effect with reference to the distinguished Senator from Texas. It has been a delight to work with him. He has been most cooperative and helpful in bringing the bill to the floor of the Senate.

Mr. TOWER. I thank my friend the Senator from Alabama for his very kind and generous remarks.

I should like to remark that I, in turn, am deeply grateful to the chairman of the subcommittee for his spirit of fair-mindedness, his willingness to listen to any approach to the housing problem, and his willingness to try to resolve differences in a fair and equitable way.

The chairman has done an excellent piece of work in synthesizing the various ideas that were brought into the Housing Subcommittee on this highly complicated and significant piece of proposed legislation.

It has been a great pleasure for me to work with the Senator, and I have learned a great deal in the process.

Mr. President, I voted to report the housing bill from the full committee. I was the only one of the Republican members of the committee to vote to report the bill.

At the time I stated that although there were things in the bill that I was satisfied with and that I felt were very constructive, there were also portions of the bill with which I could not agree. I noted that I would reserve my judgment on the bill until such time as action was completed on it on the floor of the Senate and it was brought to a vote.

Although there are some constructive provisions in the bill, particularly those relative to doing a little bit of self-examination of the whole housing program and those providing reports. For example, those provisions providing a moratorium on payments under FHA or VA mortgages for distressed homeowners as a result of business closings, and other constructive provisions are also good. I feel that the rent supplement provision of the bill is a vast, complicated, and radically new program, and that it should be conducted perhaps on a less grand scale than we propose to do in this bill, where we make it an $8 billion program.

We have no knowledge or experience in this field except for some experimentation under existing programs. This is a matter with which we should have some experience before we enact such a sweeping and comprehensive program.

I disagree with the concept of the rent subsidy. I wonder where it will lead us.

I wonder if this is not the beginning of subsidies for clothing, groceries, and ultimately, perhaps, for a guaranteed annual income for every citizen of this country, whether he chooses to work or not.

Perhaps this program will destroy the incentive of many individuals to try to improve their housing conditions on their own by their own efforts, by improving their own ability to earn income. I wonder if it will not discourage home ownership. The program is rather loosely drawn and is vulnerable to all kinds of abuse.

I intend later to offer an amendment which would take this program out of the bill.

I ask unanimous consent to have printed, as a part of my remarks, the minority views printed in the committee report as well as the individual views of the Senator from South Carolina [Mr. THURMOND] and myself.

There being no objection, the reviews were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS OF MR. BENNETT, MR. TOWER, MR. THURMOND, AND MR. HICKENLOOPER

BILLIONS IN NEW SPENDING OBLIGATIONS

New and enlarged urban programs bulging with money and power, designed to step up the pace of creeping federalism, are wrapped in the omnibus package approved by this committee as the Housing and Urban Development Act of 1965.

They are—

An $8 billion, 40-year contract to experiment with rent-supplementals as a new approach to housing low-income families.

Seven hundred million dollars in 4 years to pay half the cost of extending and enlarging water and sewer facilities to meet the anticipated growth of urban communities to be determined by the crystal ball of the HHFA Administrator.

Fifty million dollars a year to develop neighborhood social and recreational facilities to take care of the population growth anticipated by the HHFA Administrator.

Twenty-five million dollars a year to pay the financing costs of the acquisition of land for public works needs anticipated by the HHFA Administrator to meet the expected growth of the community. The location of the land must also coincide with the Administrator's guess as to which direction the community will expand.

These are additions to existing federally controlled urban assistance programs which are constantly being continued and expanded to the point where any local participation in funds or direction is only token in importance.

ADDITIONAL FUNDS FOR EXISTING PROGRAMS

Some of the existing and expanded programs are—

Two billion and nine hundred million dollars more in 4-year authority for urban renewal capital grants; $125 million more in 4-year authority for urban renewal planning grants; a greater share of urban renewal funds permitted for rebuilding the core of cities and less for homes; agreement to talk soon about a complete revision of the concept of "urban renewal" to involve only the desire of cities to rebuild with no other "qualifications" necessary to obtain Federal funds.

An increase of $225 million in 4-year, 50-percent grant contract authority to broaden the open-space program in urban areas to include beautification, purchase of land, demolition of buildings, and the relocation of people; a $50 million increase for 4 years of grants to urban areas for public works planning, and the authority to pay two-thirds of the cost of removing unsafe and unsightly buildings in any part of an urban community under certain conditions.

In every instance of Federal financial participation in urban activities, the HHFA Administrator calls the signals and determines the conditions which must be met before the Federal funds are made available, thus usurping the previously inherent right, duty, and responsibility of the locally elected officials.

RENT SUPPLEMENT AND PUBLIC HOUSING

The new form of the rent supplement program as reported by this committee establishes two systems by which homes are to be provided for low-income groups. Rent supplement is expected to provide 500,000 units. At the same time the bill calls for 240,000 additional units to be used in the public housing program. All families which qualify as low-income families will be eligible for either of the programs.

Under the plan for rent supplements, the housing units may be scattered throughout the community, and it is possible that the rental market in some communities might provide better housing for those under the rent supplement program than under the other low-income housing programs.

Of the 240,000 public housing units requested, 140,000 will be of the conventional type which will be subject to site selection by authorities in the community. There are another 170,000 units of this type still in the so-called pipeline awaiting some action at the local level.

ASK MORE PUBLIC HOUSING UNITS

The remaining 100,000 units in the bill are to be divided between the purchasing and leasing of existing homes; 15,000 per year for 4 years in the first category and 10,000 per year in the latter. These units will not be subject to site selection at the local level and therefore will be scattered helter-skelter through the community.

In view of the administration's expression that it has wanted for some time to devise a low-income housing program which would

free it from the charge that it has been creating public housing ghettos, the question arises as to how selection of families will be made for the ghetto type low-income housing as opposed to the scattered-type, low-income housing. Who will get the rent supplements and who will not? If there is a difference in the standard of housing available under each of these programs, who will get the highest standard?

It seems that such a radical change from the historic public housing approach to the problem of low-income housing needs should move more slowly and be more carefully tested than is possible under this bill which would begin immediately to set up contract obligations that could total $8 billion over 40 years.

It is our hope that if the Senate approves the rent-supplement system as a substitute for public housing safeguards will be written into the act whereby new 40-year contracting can be halted at any time in the next 4 years in the event there are indications that the program will not produce the intended results.

RENT SUPPLEMENT DESTROYS INCENTIVE

We opposed the original administration rent supplement plan for several reasons, one of which was the very fact it did not offer assistance where we felt assistance is most needed—the lower income groups. The administration sought to pay rent supplements for families above the "public housing" level whose annual incomes, by formula, could be in the neighborhood of $10,000.

We also opposed the administration proposal because it would place under Federal obligation and control families whose income levels should inspire incentive rather than Government assistance. It would have created an income class, part of which would have been assisted by the Federal Government in its living standards, and part of which would have made sacrifices and used incentive to improve its living standards.

Even the administration sponsors of the rent supplement idea question its potential although they ask for $8 billion to try it. HHFA Administrator Robert C. Weaver, in his testimony before the committee, used the phrase: "If this program works * * *."

In answering questions raised by Senator WALLACE F. BENNETT concerning the form of contracts to be signed with landlords Dr. Weaver admitted the contracts must enable the sponsors of the buildings to meet their mortgage obligations over a period of 40 years.

Dr. Weaver said the assurance of sufficient tenants for that length of time would be ascertained by surveys.

SURVEY REPORTS QUESTIONABLE

It seems questionable that in the period of 4 years of contract making provided in this bill a survey could be made that would determine the exact number of eligible families needed 40 years hence to fill the available units under contract.

Dr. Weaver also explained that from 20 to 30 percent of the sponsored units in each project would be placed under rent supplement contracts. The remaining 70 to 80 percent of the units would be nonsupplemented with tenants paying full economic rent. We question whether these projects can succeed with 70 to 80 percent occupancy. Therefore, the entire project is dependent on Federal subsidy for its success.

It is also conceivable that assignment of more eligible tenants to one project than to another in the same areas could hasten failure of the less favored one.

It is quite obvious to us that no matter what income class is to be the beneficiary, such a program is not desirable, is not in keeping with American tradition of inspiring incentive in peoples of all classes, and sets up a villein tenure for those eligible for such bondage.

URBAN RENEWAL

In 1954 the Congress adopted the program name of "urban renewal" to replace that of "slum clearance" and thereby forecast the total rebuilding of the Nation's so-called central cities with Federal funds.

The 1965 housing legislation has added a completely new theory, which holds that the Federal Government should assist in paying for increased city services, such as street maintenance, fire and police protection, etc.

An amendment was offered whereby the Federal Government might recapture some of the Federal urban renewal funds from city tax increments that will undoubtedly soar as a result of urban renewal property improvement. In objecting to this amendment, Housing and Home Finance Agency officials listed a number of reasons, among them: "First localities are faced with an immense and increasing demand for services. This demand is straining their financial resources—resources largely tied to property taxes."

ORDER STUDY OF TAX PROFITS

However, sufficient interest was expressed by the committee in this plan that it ordered a thorough study be made toward creating a practicable means for recovery of Federal funds from city tax profits on urban renewal projects.

The great tax benefits to the cities are largely due to the removal of low-tax buildings by means of an urban renewal project that provides high-tax evaluation buildings as replacement. It is understandable that high-value central city property cannot be used for housing the families who previously lived there.

We find that each housing bill takes the urban renewal program further away from a means of more housing for low-income groups and more toward the new luxurious central city. The original Urban Renewal Act restricted nondwelling funds to 10 percent of the total. By now, as provided in this bill, the restricted nondwelling funds percentage has risen to 40 percent. Actually, an attempt was made to waive all restrictions, and, while this effort was rejected, it did result in a committee recommendation that a study be made of the feasibility of rewriting the formula in a manner directing more urban renewal funds for use in rebuilding the central cities without regard to additional dwellings.

NEED TO BE CLOSE TO WORK

It is our opinion that the growth of low-income population within cities should be high in any reconsideration of Federal assistance priorities. The trend to open spaces and beautification, both of which are given new and extended priorities in this housing bill, may be worthy projects if considered alone, but we believe that the need for close-in dwellings for the lower income classes should be kept in mind because many of those families must rely on employment in the core of the cities.

If the land is made too valuable for low-income housing because of urban renewal, as seems to be the case in many cities, then perhaps a portion of the increased local tax benefits might be used by the cities to assist in the transportation costs of the low-income workers between homes on less valuable land and sources of downtown employment, which might be some distance away.

In its consideration of the 1964 housing bill and again this year, the committee has been urged to increase the room-ceiling costs for the building of low-rent housing in the larger cities because of higher land values and higher building costs. At the present time, through statutory authority and administrative interpretation the top limit on per room costs is $2,750 and the ceiling on unit construction, including land and other preparations, is $20,000.

Several of the larger cities are using these top building allowance figures and still find it difficult to provide the dwelling units because of the constant rise in land values and building costs. Further increases in the allowance would force the cost levels for low-income tenants in the large cities up to levels only those with normal medium incomes can pay.

PROGRAM TO HELP BACKFIRES

It is at this point a paradox sets in. Urban renewal has been removing undesirable slums and blighted areas from cities while at the same time making the land too valuable for use by the persons who previously had homes or businesses in the renewed areas—and economical only for commercial or industrial uses—or for high-rent apartments. Those who were to have been helped have been forced out.

Congress now is being asked to realize that the central cities can no longer house the poor or the little businesses, and city authorities want to be divorced from the concept of slum clearance as a basis of eligibility for Federal funds.

Next year perhaps we will be asked to approve programs for the development of special suburbs for those formerly living in the central cities and forced out of them by urban renewal.

GRANTS FOR THE FUTURE

The HHFA Administrator will obviously have to resort to his crystal ball to properly administer three grant programs which are new this year to the national housing program. He must determine, for benefit of proper administration, the future growth of communities; the direction of that growth, and the proper location within the communities of neighborhood facilities sufficient to provide for the population growth.

Notwithstanding historical experiences of boom-busts, the most recent occurring in Federal Government installations and procurement areas, the HHFA Administrator is authorized under section 602 of the bill to grant 50 percent of the cost of improving and enlarging basic water and sewer facilities in those communities where he foresees a "significant population growth." He would have $400 million to give away for this purpose during the next 4 years.

Grants are also available in the bill to assist communities to acquire land in advance for future use for public works. The grants would cover the financing charges for the land.

MUST PREDICT GROWTH DIRECTION

In this instance, the Administrator would approve the site selection for the anticipated public works, which would necessitate a prediction as to the direction of the future growth of the community. Private land developers would certainly profit by the Commissioner's decision as to which way the community should grow. For this program the Commissioner will have $700 million to give away in 4 years.

The signers of this report were able to gain approval for an amendment which would make it necessary for the community to renew its application for Federal assistance if the land has not been used for the intended purpose within 5 years.

The third new grant program for communities would authorize the Administrator to give away $200 million in 4 years to provide the cities with neighborhood facilities including community centers, youth centers, health stations, and other social services. Operations costs would be met with local funds, but the Administrator would control the use of the facilities for 20 years.

MAKE ELDERLY CENTERS ELIGIBLE

Signers of this report supported a provision in the report on the bill recommending that local official bodies make centers for elderly eligible for Federal assistance.

We feel these three grant programs further exemplify the tendency of the Federal Government to take over the responsibilities of the cities. It is our opinion that the governing forces in the larger cities are welcoming the Federal control programs as a means of escaping the responsibility of assessing their citizens the taxes necessary to meet the costs of increased services.

OVERLAPPING AUTHORITY

The ever-growing tentacles of Federal authority seem to have become entangled now that the Farmers Home Administration and the Federal Housing Administration are both concerned with insuring rural home mortgages.

We feel that no deserving applicant for Federal home mortgage assistance has been neglected through the crossing paths of the two FHA's, but we believe a more clearly cut line of jurisdiction between the two would be helpful.

At present the Farmers Home Administration, by statute, reaches into rural areas, defined as open country, and small towns up to 2,500 population. At the same time, the Federal Housing Administration has authority to reach any prospective borrower. Commissioner Philip N. Brownstein says the following of the Federal Housing Administration's authority: "It is our continuing responsibility to make FHA-insured mortgage financing available to all eligible borrowers wherever they may reside. * * * FHA has the programs and the procedures to serve all areas."

RESPONSIBILITY NEEDS TO BE DEFINED

We recommend that during the period covered by this bill some effort be made by agency officials and staff members of the Senate Subcommittee on Housing to draft language which will more clearly define the areas of responsibility for the two agencies.

We are pleased to note that the Federal Housing Administration this year urged its approved mortgagees to become more active in the mortgage needs in smaller towns. However, this newly inspired interest in the smaller towns may further the need for a clear definition of authority between the two FHA's.

There appears to be another area of possible overlapping of Federal assistance in the housing bill now before the Senate. There is a provision to grant $700 million over 4 years toward the payment of 50 percent of the cost of improving, extending, and enlarging basic sewer and water systems.

In the recently approved Public Works and Economic Development Act of 1965 funds are made available for the same purpose. While the Public Works Act is assumed to be directed toward industrial development, the Committee on Public Works said in its report: "For example, if a community has an inadequate sewage treatment plant it can hardly hope to induce industrial development which would further overload its disposal plant, thus creating a health and welfare problem."

REPORT INDICATES POSSIBLE DUPLICATION

The report further sets out that "water and sewage facilities related to residential development" would be eligible for grants and loan under the bill.

Such an intent expressed in the report would indicate the public works assistance could be obtained without the requirement of urgent or existent industrial need. In that case funds would be available from two sources, the public works bill and the housing bill, with grants of 50 percent of cost in each case, plus a low-interest loan possibility under the public works bill.

The administration requested in the housing bill that $100 million per year for 4 years to be authorized for this program, and we believe the $700 million total for 4 years now in the housing bill should be reduced to the original request for $400 million with $100 million authorized for each year.

SUBSIDIZED INTEREST RATES

We bring to the attention of the Senate a growing tendency to incorporate fixed subsidized interest rates in direct loan programs in the Housing Act, which have been operating without fault or complaint for years with interest rates that are tied to the actual cost of money to the U.S. Treasury.

Two programs in this bill will begin operating on fixed subsidized rates if the bill is enacted into law. They are: Elderly housing under the section 202 program and section 221(d)(3) low-rent housing.

We believe that all direct loan programs should carry interest rates of not less than the interest rates on Treasury bonds of comparable maturity.

Our thinking on this subject coincides with the Administration's reasoning in objecting to subsidized interest rates in this bill. Secretary of the Treasury Henry H. Fowler, in a letter to Senator BENNETT on May 18, said:

"I am concerned over the implication of those provisions that a flat 3-percent rate should be established on loans under these programs (college housing, elderly housing, and moderate income rental housing). Past experience suggests that rigid rates of this kind for Federal credit programs have perverse and unintended budgetary, program, and economic effects."

We feel it is morally as well as fiscally wrong to loan to selected elements of the population the taxpayers' money at less interest than the Treasury must pay to replace those funds.

WALLACE F. BENNETT.
JOHN G. TOWER.
STROM THURMOND.
BOURKE B. HICKENLOOPER.

INDIVIDUAL VIEWS OF SENATOR JOHN G. TOWER

INTRODUCTION

In addition to my individual views given here, I have joined in presentation of minorit views, since I share in general a number of grave reservations therein expressed.

MERITORIOUS PROVISIONS IN BILL

I voted to report the housing bill out of committee, primarily because of its continuance of several meritorious programs, as for example, the Federal Housing Administration, the Federal National Mortgage Association, housing for the elderly and handicapped, college housing, the low-income housing demonstration program, and the rural housing program.

Also, I voted to report the bill since I wish to accord the Senate the full opportunity to give its consideration to this Nation's housing programs.

IMPROVEMENTS IN MAJOR PROGRAMS

In addition to the meritorious provisions above referred to, bill improvements, though now somewhat tenuous in nature, show promise of marked, advantageous effect on the urban renewal and public housing programs.

URBAN RENEWAL

I am most pleased the minority, with majority support, succeeded in securing the inclusion into the bill, language requiring the HHFA Administrator to make a thorough study of the overall urban renewal program and to report its findings within 2 years.

Urban renewal has been only partially successful in alleviating the problems it was supposed to solve. In some cases, problems have been created instead, as for example, the displacement of low-income families and individuals without adequate provision for housing them elsewhere. The so-called bulldozer approach, whereby comparatively new, structurally sound buildings have been demolished under the guise of slum clearance, has been costly and wasteful.

The HHFA has recently reported an improvement in housing project displacees. Perhaps with the reasonable rehabilitation grants to homeowners in urban renewal areas provided for under this bill, hopefully we will see the beginning of more responsibility in renewal construction.

RECAPTURE OF URBAN RENEWAL GRANTS

Bipartisan, favorable committee interest was expressed in my amendment to require the repayment of urban grants, out of additional tax revenues generated by renewal projects.

Increased tax benefits now inure to the cities, largely through the replacement of low-tax valuation buildings with those of much higher tax valuation. Based on recent figures, on some 403 projects in which renewal development had begun or was completed, there was a 427-percent increase in assessed valuation, from $575 million to $3.031 billion.

Recognizing the weighty constitutional and legal problems raised by my proposal, I withdrew it, upon assurances that a study would be recommended in the majority report toward legislative feasibility of Federal urban grant recapture.

It would be best, I believe, that such study be conducted by the Bureau of the Budget, the General Accounting Office, the Housing and Home Finance Agency, and the committee.

Nonresidential restriction

I am opposed to the increase in the bill of the nonresidential restriction, from 30 to 40 percent. The urban renewal program was initiated primarily, and it should remain so, as a slum clearance program to more adequately house low-income groups, and not as a means to provide a luxurious central city business community.

RENT SUPPLEMENT

As inconceivable as it may seem, the rent supplement program originally offered by the Administration was totally void of assistance provisions to those of the public housing level.

This original proposal provided for the Federal expenditure of rent supplement payments said to average about $50, and up to $75 per month, for families of moderate income means, such means generally being between $4,800 and $8,000 (but possibly up to $10,000) per year.

Census figures of 1960 show there were some 19 million families with incomes of $4,000 to $8,000, and of this number, only 8.4 percent lived in substandard housing. In contrast, of the 12 million nonfarm families earning incomes of less than $4,000, 23.8 percent of those owning their homes lived in substandard housing, while one-third of those renting occupied substandard dwelling units. And the original rent supplement program totally ignored any low-income need.

I am, of course, most pleased that the committee flatly refused to accept the administration's moderate-income supplement concept, and instead directed the program to the use of those most in need of it, particularly since the rejection of my earlier suggestion that broad-based demonstration projects be initiated, in lieu of the proposed massive, virtually unlimited administration approach.

However, regardless of the redirection of the rent supplement program, I remain opposed to it.

This country, through its vast store of free enterprise and individual initiative, has produced for our citizenry the finest housing of any country in the world.

I fear such a rent supplement program will be construed as hope to millions now adequately housed that they too are entitled to have a portion of their rent paid by the taxpayer.

But most of all, I fear a stifling of the incentive for homeownership, a trend toward giving to renters the status of Government wards. This is a departure indeed from the American way.

PUBLIC HOUSING

The present public housing program, I believe, tends to destroy the desire or interest of thousands of families to participate in the great American privilege of homeownership.

I am hopeful my proposal, now incorporated into the bill, to allow a public housing tenant to purchase his individual unit by counting monthly rentals over a 3-year period as a downpayment, will be a welcome and practical inducement to affected public housing occupants to buy a home.

RELIEF FOR HOMEOWNERS AFFECTED BY CLOSING OF FEDERAL INSTALLATIONS

The committee, in recognizing the hardship caused to some homeowners by Federal base closings, wisely provided for the following:

1. A moratorium on payments under FHA and VA mortgages for distressed homeowners who are unemployed as a result of such base closing.

2. Authorization by the Secretary of Defense to acquire title to homes near closed military bases at a price equal to value of property at time of announcement of base closing.

These provisions, I believe, will be of much assistance to the applicable distressed homeowner, in that he will be spared loss of home or severe financial loss.

NEW PROGRAM STATUS

I am desirous of the Housing and Home Finance Agency initiating periodic reporting measures, which would result in more comprehensive information concerning Agency operations, being furnished the committee.

I am particularly interested in scrutinizing most carefully various new programs provided for in the bill: land development; grants for basic water and sewer facilities; grants for neighborhood facilities; advance acquisition of land.

Each of these programs, as additions to existing federally controlled urban assistance programs, must be administered sparingly and judiciously, lest they deter private initiative and local participation in solving problems primarily of local concern.

JOHN S. TOWER.

INDIVIDUAL VIEWS OF SENATOR STROM THURMOND

In addition to the objections to this bill contained in the minority views which I signed, I have serious reservations concerning one section which was not contained in the administration bill as introduced, but was added in the Housing Subcommittee. This is section 211 of the bill which adds a new section, section 521, to title V of the National Housing Act. This section would require the Administrator of the Housing and Home Finance Agency to adopt a uniform procedure for the acceptance of materials and products which are found to be technically suitable for the use proposed in structures approved for mortgages and loans under the Housing Act.

I share the concern that has been expressed by members of the committee concerning the seeming reluctance of the FHA, and certain commodity standards groups, to approve new materials which are the result of technological advances in the industry. This is a matter which deserves a searching study by the appropriate congressional committees to assure that new materials can be taken advantage of to reduce the costs of housing to the American public where these materials are as good as, or better than, those presently in use.

Nevertheless, I am disturbed about the words "technically suitable," because the fear has been expressed to me that this amendment could open the door to the FHA accepting substandard items that might be classified as "technically suitable." It is not clear in the wording of the amendment who is to determine if any material is "technically suitable," but it seems apparent that the Administrator of the HHFA would be required to make an independent judgment as to each and every product concerned. This would place an onerous burden upon the Administrator, one that he is not capable of adequately performing at the present time. The cost to the HHFA of testing the materials could greatly increase the administrative expenses of the Agency.

Mr. TOWER. I shall not labor further the bill in its entirety. I shall address myself to various sections of it as amendments are offered, and I shall discuss them in greater detail at that time, not wishing to detain the Senate.

I believe the Senator from Wisconsin has an amendment that he wishes to offer. I am prepared to yield the floor if he is prepared to offer his amendment.

VISIT TO THE SENATE BY HON. DOMINIC MINTOFF, A MEMBER OF THE ASSEMBLY OF MALTA

Mr. McGOVERN. Mr. President, the Senate has as its guest this afternoon a former Prime Minister of Malta who is at present a member of the Assembly of Malta. He is Mr. Dominic Mintoff, the leader of the opposition party.

Mr. Mintoff is an Oxford graduate, a Rhodes scholar, and a practicing architect. He is married to a British girl and is the father of two children. I am happy to present this distinguished legislator to the Senate. [Applause, Senators rising.]

The PRESIDING OFFICER (Mr. MONDALE in the chair). The Chair takes pleasure in welcoming our distinguished guest and hopes that his visit will be enjoyable.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had insisted upon its amendments to the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CELLER, Mr. RODINO, Mr. ROGERS of Colorado, Mr. DONOHUE, Mr. MCCULLOCH, and Mr. CRAMER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 1362. An act for the relief of Mrs. Chu Chai-ho Hay;

H.R. 5830. An act for the relief of CPO James J. Griffin, U.S. Navy;

H.R. 6719. An act for the relief of Mrs. Kazuyo Watanabe Ridgely;

H.R. 7436. An act for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force;

H.R. 8484. An act to amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the Armed Forces on a change of permanent station; and

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H.R. 1362. An act for the relief of Mrs. Chu Chai-ho Hay;

H.R. 5830. An act for the relief of CPO James J. Griffin, U.S. Navy;

H.R. 6719. An act for the relief of Mrs. Kazuyo Watanabe Ridgely;

H.R. 7436. An act for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force;

H.R. 8484. An act to amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the Armed Forces on a change of permanent station; to the Committee on Armed Services; and

H.J. Res. 504. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

AMENDMENT NO. 302

Mr. PROXMIRE. Mr. President, I call up my amendment No. 302. I ask unanimous consent that the reading of the amendment be dispensed with but that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 12, line 21, before the period insert the following: ", or families whose present or former dwellings are situated in areas determined by the Small Business Administration, subsequent to April 1, 1965, to have been affected by a natural disaster, and which have been extensively damaged or destroyed as the result of such disaster"

Mr. PROXMIRE. Mr. President, this amendment would place disaster victims in the same category as other displaced families as far as eligibility for public housing is concerned and would thus permit more of these disaster victims to qualify for the rent supplement program authorized by S. 2213.

The U.S. Housing Act of 1937 requires that those eligible for public housing must have an income which is at least 20-percent less than the income required to obtain private housing which is decent, safe, and sanitary.

This so-called income gap—that is, the difference between the income of those who are eligible for public housing because their income is 20-percent below the standard and the income of those who can qualify for standard housing because their housing is adequate—does not apply to displaced families, however, because of the emergency nature of their needs. My amendment would simply include, within the definition of displaced families, those whose dwellings have been extensively damaged or destroyed as a result of a natural disaster.

As a consequence, victims of a natural disaster would be eligible for public housing despite the fact that their income falls within the 20-percent income gap area. These families would also become eligible for rent supplement payments, since S. 2213 provides that those who are eligible for public housing could be eligible for rent supplements.

Mr. President, there is every reason in the world why these families should be classed as displaced families.

First. They have lost their homes through no fault of their own.

Second. They simply do not have enough income to purchase or rent available decent, safe, and sanitary private housing in their area.

Third. The number of disaster families falling within the income gap area and needing public housing or rent supplement payments would be so small as to have a minimal impact on the funds available for the public housing and rent supplement programs. This is not to say that the families who qualify under the new definition were not desperately in need of Federal help. But these families will be few and, consequently, the cost will be minimal.

I hope that the Senate will accept this modest amendment which has such potential significance for disaster victims.

The distinguished junior Senator from Minnesota [Mr. MONDALE], who is now presiding over the Senate, well knows that his State, the States of Wisconsin, and Iowa, and many other midwestern States suffered serious disasters from floods this year.

The amendment is calculated to assist people in this category so that they can qualify for rent supplements.

Originally, the Subcommittee on Housing accepted the amendment, but because of a technical development resulting from a subsequent amendment, my amendment was inadvertently eliminated. So it is necessary to have the Senate reconsider this amendment, because technically it is not in the bill at present.

I ask the distinguished Senator from Alabama [Mr. SPARKMAN], the chairman of the Subcommittee on Housing, if he is favorable to accepting the amendment.

Mr. SPARKMAN. As I recall—and I should like to have this verified by the Senator from Wisconsin and the Senator from Texas—that the intent of this amendment had been agreed to by the subcommittee.

Mr. TOWER. That is my recollection. As a matter of fact, I asked myself why the Senator from Wisconsin was offering the amendment. I thought it had already been included in the bill and was surprised to discover that it was not. It was my recollection that it had been in the bill earlier.

Mr. SPARKMAN. I believe that it was the intent of the subcommittee to include this in the bill.

Mr. TOWER. Yes.

Mr. PROXMIRE. I spoke with the Senator from Maine [Mr. MUSKIE] about it, and he was unhappy that his amendment had inadvertently eliminated this amendment.

Mr. SPARKMAN. So far as I am concerned, I will accept the amendment.

Mr. PROXMIRE. I thank the distinguished Senator from Alabama.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

AMENDMENT NO. 334

Mr. TOWER. Mr. President, I call up my amendment No. 334 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated

The legislative clerk read as follows:

On page 31, line 7, strike out the quotation marks.

On page 31, between lines 7 and 8, insert a new section as follows:

"REPORT

"SEC. 1013. On or before January 1, 1968, the Administrator shall submit to the Congress a full report of operations under this title, together with his recommendations with respect thereto."

Mr. TOWER. Mr. President, the provision in the bill to which this amendment is directed, provides for FHA mortgage insurance for private loans to private subdivision developers, up to $10 million.

The committee wisely deleted the administration's request for some $500 million for new towns. In the committee report, the HHFA is advised that it does not wish the land development section in the bill to be used for land development which would be used to create new independent towns.

However, this is a new program, and I believe its operation should be carefully scrutinized by the committee and the Congress.

I therefore offer this amendment to require the HHFA to advise Congress of the land development program, and its subsequent operations.

The amendment provides a requirement for a report to Congress.

Mr. SPARKMAN. Mr. President, speaking for myself, this is a reasonable amendment for a requirement that ought to be carried out. I am glad to accept the amendment.

Mr. TOWER. I thank the Senator from Alabama.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. ALLOTT. Mr. President, I offer the amendment which I send to the desk. I ask unanimous consent that the reading be dispensed with, but that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 54, after line 9, insert the following:

"(f) Notwithstanding the extent to which the cultural and convention center proposed to be built adjacent to Urban Renewal Project Colorado R–15 (Skyline) in Denver, Colorado, may benefit areas other than the urban renewal area, expenses incurred by the city of Denver in constructing such center shall, to the extent otherwise eligible, be counted as a grant-in-aid toward such project.

"(g) Notwithstanding the extent to which the cultural and convention center proposed to be built within Urban Renewal Project R–8 in Norfolk, Virginia, may benefit other areas other than the urban renewal area, expenses incurred by the city of Norfolk in constructing such center shall, to the extent otherwise eligible, be counted as a grant-in-aid toward such project."

Mr. ALLOTT. Mr. President, the portion of this amendment which relates to Denver, Colo., was included in the House bill. It would permit the cost of public facilities, notwithstanding the extent to which they serve an area other than the urban renewal area mentioned in the amendment, to be counted as a local contribution toward the cost of the urban renewal project. This need was reflected in Colorado and some other States which suffered the disastrous consequences of recent floods.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement on the subject. The proposal is supported by the mayor of Denver, the Denver City Council, the Downtown Denver Improvement Association, and many prominent citizens of Denver.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF AMENDMENT TO MAKE COST OF CULTURAL CENTER IN DENVER, COLO., ELIGIBLE AS LOCAL CONTRIBUTION TO URBAN RENEWAL PROJECT

Section 110(d) of the Housing Act of 1949 permits the cost of public facilities, to the extent they serve an urban renewal area, to be counted as a local contribution toward the cost of the urban renewal project.

Excluded from eligibility, however, are facilities which, although they may be located adjacent to or within the urban renewal area, are of such a nature that they serve and benefit the whole community. An example of such a facility is the cultural and convention center proposed to be erected adjacent to the Denver, Colo., skyline urban renewal project. This center will be the focal point of the skyline project which is the city's major effort to revitalize its downtown area.

However, the recent disastrous floods in the city which caused serious damage to bridges, streets, and other public facilities within the city have put a severe financial strain on the city's resources, jeopardizing the skyline project itself unless financial relief can be provided. It is absolutely necessary for the city to repair the damage caused by the floods, and available local resources for urban renewal must for some time be largely devoted to that purpose. It is also true that the continued viability of the city depends upon the successful redevelopment of its downtown area as evidenced by the proposed skyline project.

Therefore, it is proposed through this amendment to permit the city to obtain urban renewal credit for the funds it expends on the cultural and convention center. This will enable the city to proceed simultaneously with the reconstruction necessitated by the floods and with the redevelopment of its downtown area, to which the skyline project is crucially important.

Mr. DOMINICK. Mr. President, I add my voice in support of the amendment. Denver was hit sharply by recent floods and has thus incurred heavy expenses.

The principal purpose of the amendment is to assist those who have suffered from the disaster to finance their own share of the cost of urban renewal projects which may later be voted.

Mr. ALLOTT. I hope the distinguished Senator from Alabama, the manager of the bill, will accept the amendment and be willing to take it to conference.

Mr. SPARKMAN. Mr. President, I had not been informed of the substance of the amendment before it was taken up on the floor of the Senate. I have had a discussion with the distinguished Senators from Colorado concerning it. Do I correctly understand that it was incorporated in the bill in the House?

Mr. ALLOTT. Yes; it was incorporated in the bill in the House, and testimony was offered in the House on behalf of the amendment.

Mr. SPARKMAN. Have there been any negotiations with the Housing and Home Finance Agency regarding it?

Mr. ALLOTT. There has been considerable discussion between the city council and the mayor of Denver and various citizens there. It is my understanding from them that this has been approved.

Mr. SPARKMAN. Mr. President, would this remedy apply only to the city of Denver?

Mr. ALLOTT. To the city of Denver and to the city of Norfolk, Va.

Mr. SPARKMAN. The portion dealing with the city of Norfolk is not contained in the House bill.

Mr. ALLOTT. The Senator is correct. However, the amendment deals with a similar situation.

Mr. SPARKMAN. The Senator speaks from knowledge with reference to Denver to the effect that the Agency has approved the proposal.

Mr. ALLOTT. The Senator is correct. The distinguished junior Senator from Virginia has explained his position to me. I do not have firsthand knowledge of that situation. However, the two situations are similar.

Mr. DOUGLAS. Mr. President, may I ask the Senators on the other side of the aisle if they will speak a little louder so that all Senators can hear what is going on. It is very difficult to follow the debate when the questions are addressed in a whisper.

Mr. SPARKMAN. I do not believe that the Senator from Illinois refers to my questions.

Mr. DOUGLAS. No. I refer to the questions from the other side of the aisle. It is difficult to understand the precise question. I wonder if Senators would be willing to raise their voices.

Mr. ALLOTT. I certainly shall. It is the first time that anyone has accused me of speaking in a low key. I may be at my ebb of physical endurance today.

Mr. DOUGLAS. Mr. President, I merely wanted to know what the issue was.

Mr. ALLOTT. There are two parts to the amendment. One relates to Denver and the other to Norfolk, Va. The Denver portion is contained in the House bill. The Norfolk portion is not contained in the House bill.

Mr. DOUGLAS. Is the Senator from Colorado defending both Norfolk and Denver?

Mr. ALLOTT. No. I offered the proposals together. They both deal with the same situation. I do not believe that I could possibly hope to represent the State of Virginia with the same skill and ability that the two distinguished Senators from Virginia do.

Mr. SPARKMAN. Mr. President, I have no objection to the amendment. I understand that it is in keeping with the program of the Housing and Home Finance Agency and has been approved.

Mr. DOUGLAS. Mr. President, I would be tempted to repeat the query which Henry Wadsworth Longfellow wrote concerning what Priscilla is reputed to have said to John Alden when he proposed marriage on behalf of Miles Standish. Priscilla is reputed to have said, "Why don't you speak for yourself, John?"

Mr. ALLOTT. The Senator is correct. The distinguished junior Senator from Virginia was on the floor a while ago and was called to another meeting. He asked me if I would present the matter.

I am speaking for Willis, not John, if the Senator understands.

Mr. DOUGLAS. Why do you not speak for yourself, Gordon?

Mr. SPARKMAN. Mr. President, let me say to the distinguished Senator from Illinois that the chairman of the committee spoke to me before he left the floor. He and the Senator from Colorado had parallel projects.

The PRESIDING OFFICER (Mr. Mondale in the chair). The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. ALLOTT. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMINICK. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMINICK. Mr. President, I ask unanimous consent that two telegrams which I have received, one from the Downtown Denver Improvement Association, by Perry G. Anderson, and the other from Thomas B. Knowles may be printed at this point in the Record.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

Denver, Colo.,
July 3, 1965.

Senator Peter H. Dominick,
Senate Office Building,
Washington, D.C.:

We believe Denver will benefit greatly from cost of new convention center being treated as noncash grant-in-aid as proposed in House omnibus bill recently passed by House. Can assure you this is of broad community interest here. Will you support?

Thomas B. Knowles.

Denver, Colo.,
July 2, 1965.

Senator Peter H. Dominick,
Senate Office Building,
Washington, D.C.:

The area this association serves will benefit greatly at this time of need if the cost of the Denver Convention Center can be considered as a noncash grant-in-aid in connection with the Skyline urban renewal project. The House-approved omnibus housing bill makes such provision. May we count on your assistance to secure Senate approval of this amendment?

Downtown Denver Improvement
Association,
By Perry G. Anderson.

AMENDMENT NO. 316

Mr. TOWER. Mr. President, I call up my amendment No. 316 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 70, between lines 13 and 14, insert a new section as follows:

REPORTS

Sec. 609. On or before January 1, 1968, the Administrator shall submit to the Congress a full report of operations under this title, together with his recommendations with respect thereto.

Mr. TOWER. Mr. President, my amendment would require the Housing and Home Finance Agency Administrator to submit to the Congress a full report of the operations of the following new programs under title VI of the bill:

Grants for basic water and sewer facilities.

Grants for neighborhood facilities.

Advance acquisition of land.

The first new program here referred to authorizes the expenditure of $700 million in grants to public bodies for the construction of water and sewer facilities. The bulk of the grants would be for up to 50 percent of the cost of the project, but in some cases the grant may be for 90 percent of the cost of the project.

The second program authorizes $200 million in funds for the construction of community centers, youth centers, or projects otherwise in accordance with a program of health, recreational, social, or similar community service.

Federal grants would be two-thirds of the cost except in areas designated under the Area Redevelopment Act, the grants would be three-fourths of the cost of the project.

The third new grant program authorizes $100 million for the acquisition of sites for future public works. The amount of the grant would be determined by the aggregate amount of reasonable interest charges on a loan financing the acquisition of the land for the lesser of—

First, a period of 5 years from the date of the loan; and

Second, the time elapsing between the date of the loan and the date construction of the facilities begins.

Mr. President, as I have noted in my individual views on this bill, each of these programs are additions to existing federally controlled urban assistance programs, which must be judiciously administered.

These programs involve problems of primarily local concern. Being so, by far the best place to solve such problems is at the local level.

My reservation regarding Federal assistance in each of these areas is that private initiative and local participation will be materially deterred. However, I am not offering amendments to delete these programs from the bill. I am merely desirous of the Congress being furnished comprehensive information regarding their operation.

Mr. President, I therefore offer my amendment, which is similar to the one which I offered a few moments ago, which was agreed to. The amendment would require the Administrator to submit a report on new programs to Congress at a specified date or by a specified date.

It is my understanding that the distinguished Senator from Alabama is prepared to accept this amendment.

Mr. SPARKMAN. Mr. President, for my part I am willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. TOWER].

The amendment was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, on behalf of myself and of my distinguished colleague, the senior Senator from Rhode Island [Mr. PASTORE], I offer two amendments to S. 2213, the proposed Housing and Urban Development Act of 1965. These two amendments are identical to two provisions in the bill as passed by the House on June 30, 1965.

The first amendment, proposed section 1014, would remove an inequity resulting from an apparent oversight in the Public Works Acceleration Act of 1962—APW. Included therein was a provision that planning advances for public works projects made under authority of section 702 of the Housing Act of 1954 need not be repaid to the HHFA if such projects receive grants under the APW. Two earlier acts had also provided for planning advances for public works projects, but the APW made no provision for forgiving such advances, on the assumption that planning under the earlier programs had lapsed. As it now turns out there are still a few projects, including one in Woonsocket, R.I., planned under one of the earlier acts and built under APW grants. This amendment would extend the forgiveness provisions to planning advances made under the two earlier acts, thus correcting an inequitable situation and establishing a consistent policy.

I call up my first amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Rhode Island for himself and his colleague from Rhode Island will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 113, after line 4, to insert a new section as follows:

REPAYMENT OF CERTAIN PLANNING GRANTS

SEC. 1014. Notwithstanding any other provision of law, no advance made under section 501 of Public Law 458, Seventy-eighth Congress; Public Law 352, Eighty-first Congress; or section 702, Housing Act of 1954, Public Law 560, Eighty-third Congress, for the planning of any public works project shall be required to be repaid if construction of such project has been heretofore or is hereafter initiated as a result of a grant-in-aid made from an allocation made by the President under the public works acceleration Act.

Mr. DOUGLAS. Mr. President, I have consulted with the manager of the bill, the distinguished Senator from Alabama [Mr. SPARKMAN]. We shall be very happy to accept the amendment, which provision, as I understand, has already been passed by the House.

Mr. PELL. I thank the Senator very much.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

Mr. PELL. Mr. President, I send to the desk the second amendment, and ask unanimous consent that it not be read in full.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. PELL is as follows:

On page 55, between lines 5 and 6, insert a new section as follows:

"ELIGIBILITY OF COMMUNITIES IN DEPRESSED AREAS FOR URBAN RENEWAL ASSISTANCE

"SEC. 309. (a) Subparagraph (B) of section 103(a)(2) of the Housing Act of 1949 is amended to read as follows:

"'(B) three-fourths of the aggregate net project costs of any such projects which are located in (i) a municipality having a population of 50,000 or less according to the most recent decennial census, or (ii) a municipality situated in a labor market area which, at the time the contract or contracts involved are entered into or at such earlier time as the Administrator may specify in order to avoid hardship, is designated as a redevelopment area under the second sentence of section 5(a) of the Area Redevelopment Act or any other legislation enacted after the date of the enactment of the Housing and Urban Development Act of 1965 containing standards for designation as a redevelopment area generally comparable to those set forth in the second sentence of section 5(a) of the Area Redevelopment Act, and'.

"(b) The amendment made by subsection (a) shall apply only with respect to urban renewal projects placed under contract for capital grant on or after the date of the enactment of this Act; except that such amendment shall apply with respect to all urban renewal projects in the city of Providence, Rhode Island, placed under contract for capital grant during the period Providence was designated as a redevelopment area under section 5(a) of the Area Redevelopment Act (or at such earlier time as the Administrator may specify in order to avoid hardship) and not completed prior to the date of the enactment of this Act."

On page 109, strike out lines 20 through 23.

On page 109, line 24, strike out "(b) Section" and insert in lieu thereof "SEC. 1011. Section".

Mr. PELL. Mr. President, this amendment, proposed section 309, would remove the arbitrary 150,000 population ceiling on grants to certain urban renewal projects. Existing law provides for capital grants of three-fourths of a project's cost to depressed areas of less than 150,000 population, while larger areas receive two-thirds grants. This amendment, which is in great part prospective, is merely a logical extension of the existing law—if a higher grant ratio is justified for smaller depressed areas, there is no reason to exclude larger areas.

The retroactive element of the amendment applies only to Providence, R.I., as it is an area of greater than 150,000 population which continued its classification until just last month as a redevelopment area under the Public Works and Economic Development Act of 1965, which replaces the Area Redevelopment Act expiring August 31, 1965. Applying the higher grant ratio retrospectively to Providence renders consistent the judgment that all municipalities in qualified labor market areas should receive three-fourths grants instead of two-thirds grants.

In conclusion, this amendment is identical to the one passed in the House.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. PELL. I yield.

Mr. DOUGLAS. Am I to understand that local contributions will be reduced from one-third to one-quarter in large municipalities in so-called depressed areas where the index of unemployment is more than the national level?

Mr. PELL. This amendment would reduce local contribution from one-third to one-quarter in municipalities over 150,000 if they are in so-called depressed areas.

Mr. PASTORE. Mr. President, I am happy to be a cosponsor of this amendment. It remedies an inequity for which I find no logic. The provision under existing law is that when a municipality has a population less than 150,000 and it is a depressed area, the contribution shall be one-quarter rather than one-third.

The existing law in effect provides that where more people are depressed, they should get less. We are endeavoring to relieve those larger depressed areas by providing that the contributions by those areas shall be one-quarter rather than one-third. We are saying that where there are more depressed people, the need is greater, which is logical. The amendment goes along with the House action which removed the 150,000-population limitation.

Mr. DOUGLAS. As I understand the amendment, the provisions which now apply to municipalities with less than 150,000 people, which are so-called depressed areas, shall apply in this instance to larger communities, such as Providence, R.I.

Mr. PASTORE. One hundred and fifty thousand is the category that Providence falls in. The provisions which now apply to municipalities with less than 150,000 people which are so-called depressed areas shall apply retrospectively to the city of Providence and to urban renewal projects which were placed under contract for capital grant during the period that Providence was designated a depressed area.

Mr. DOUGLAS. Mr. President, we will accept the amendment.

Mr. PASTORE. I thank the Senator for his action in the interest of equity and justice.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

Mr. PELL. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. TOWER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 351

Mr. MILLER. Mr. President, I call up my amendment No. 351.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 6, line 16, to insert the following after the period:

> For the purposes of this Act "income" shall mean economic income, and shall include the adjusted gross income for Federal income tax purposes plus the amount of capital gain, interest, gifts, inheritances, annuities, or other retirement payments or portions thereof not included in adjusted gross income.

Mr. MILLER. Mr. President, if I could have the attention of the acting manager of the bill, the distinguished Senator from Illinois [Mr. DOUGLAS], I should like to point out that the purpose of the amendment is to prevent possible abuses under this act relating to the income provisions of someone who proceeds to take advantage of the provisions of the act.

I am quite sure that the intention is that the economic income of the individual or family concerned to be taken into account is not merely the technical concept of taxable income; this amendment is designed to make clear that economic income is intended.

For example, I believe that there would be no intention on the part of the Senators in charge of the bill, or the committee, or other Senators, that someone whose taxable income might be a relatively small amount, but who had a large amount of capital gains, which is not recognized for income tax purposes, could qualify under the act. Similarly, with respect to someone who had invested all of his resources in tax exempt securities, as many persons frequently do today, this proposal would frustrate the purpose of the act by enabling those to take advantage of it who do not need to take advantage of it and whose economic status is far superior to that which we are trying to cover by the bill.

I would appreciate it if the Senator from Illinois would as least take my amendment to conference, because I believe it is designed to implement the intentions of those who have worked on the proposed legislation.

Mr. DOUGLAS. I am afraid that in practice the amendment would seriously cripple the administration of the rent supplement provisions of the bill. It would impose restrictions on those who receive rent supplements which are not now imposed on public housing. At present, the Public Housing Administration and the administrators of various local bodies which administer public housing have administrative regulations which define income, which is probably much more liberal than the definition in the pending amendment. This amendment would seriously tie the hands of the bodies administering the law, and in many cases would be restrictive.

In connection with old-age security we permit the recipients to have some outside income, and a certain degree of flexibility is permitted. The medicare bill and the new social security bill which we passed the other day contain a provision permitting those on old-age assistance to earn a certain amount of money outside the former old-age assistance granted.

As I see it, these sums would have to be reported. All gifts received by a family during the course of a year would also have to be reported so that, in practice, this would require a large amount of reporting. I do not believe that it is the intention to do this, but it could result in a series of hindrances being placed on the administration of such a provision which would be extremely adverse to its application. Therefore, I hope that the amendment will be defeated.

Let me say to my good friend the Senator from Iowa that if he will look at the report, on page 7, there is this which I think meets some of his concern:

> Along with a statement of income, an applicant would also be required to present a statement of his assets. Despite the fact that an applicant's income might technically qualify him for a rent supplement, he would nonetheless be ineligible if his assets exceeded established limits.

We ought to provide some flexibility on an administrative basis with a periodic review, rather than to lay down irrevocable provisions in the basic law.

Mr. MILLER. I am not sure that the Senator from Illinois properly or accurately defines my amendment. It has nothing to do with a periodic review by the Administrator of the income status of an individual. This would continue to take place, as the bill provides. All my amendment would do would be to provide guidelines for determining what is income. I believe it would be most unfortunate if the Senator's position on my amendment should go off on something that is not in it and is not intended to be in it. All I seek to do is to make clear what we mean by income.

As I understand, in Chicago, Ill., there has been a preliminary estimate made that two persons with a one-bedroom home who had up to $4,300 in income would be eligible for a rent supplement. Suppose a married couple had only $3,500 in income for tax purposes, but had $50,000 in capital gains. Would the Senator think they should qualify for the rent supplements? I do not believe so.

Mr. DOUGLAS. Did the Senator from Iowa suggest that an applicant for public housing might have $50,000 in capital gains and still be eligible for public housing?

Mr. MILLER. No; I have not said anything of the sort, except by way of illustration. I am only trying to make clear what the amendment would prevent happening.

Mr. DOUGLAS. No one receiving $50,000 in capital gains would be eligible either for public housing or for a rent supplement. What the Senator from Iowa is doing is just blowing up another "bogeyman" in an effort to discredit the bill.

Mr. MILLER. I am not trying to stifle the bill by throwing up any shibboleths. We are not necessarily talking about those who have $50,000 in capital gains before they could get into public housing. I am talking about the situation either before they would get in, or during the interim 2 years, after which time, I understand, there would be a periodic review by the Administrator of the income situation of such persons. The capital gains might occur after they became eligible for housing. That is another thought. Suppose that such a person had only $3,500 in taxable income for Federal purposes, but had another $1,000 in interest income from municipal bonds. Would the Senator think that he should be eligible for rent supplements? In my judgment, he would be put in the $4,500 economic income bracket. I do not believe the Senator intends that. I hope he does not. My amendment merely makes clear that that would not happen.

Mr. DOUGLAS. The Federal Housing Administration, public housing, and Housing and Home Finance Agency prepared the table which I placed in the RECORD yesterday, on page 16652 of the RECORD, entitled "Preliminary Estimates of Income Limits for Families of Different Sizes Under Proposed Rent Supplement Program in 26 Cities."

The estimates of maximum incomes are already quite low. I believe that the amendment of the Senator from Iowa is a nit-picking amendment. In any effort to arrive at a precise definition of income, there should be some flexibility in the program. If the Senator does not believe that the officials are carrying out their functions properly, we must try to oust them.

Mr. BENNETT. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. One further comment, then I shall be happy to yield to the Senator from Utah.

I am sorry that the Senator from Illinois will not, or refuses to meet the——

Mr. DOUGLAS. Mr. President, may I ask who has the floor?

The PRESIDING OFFICER. The Senator from Iowa [Mr. MILLER].

Mr. DOUGLAS. When did that happen?

The PRESIDING OFFICER. Just now.

Mr. MILLER. The Senator from Illinois is attempting to cast a few names at my amendment, such as "nit-picking," but I assure the Senator that I am interested only in the merits of the amendment, and nothing else. I believe that the taxpayers should be interested in its merits, and not whether someone considers it under the nice little name of "nit-picking." I do not believe that it is nit-picking if someone in public housing seeks a rent supplement from the taxpayers of the country and has an outside income which is not taxable for Federal income tax purposes, which puts him in an economic status far superior to those who are not thought generally to be covered by the bill.

Mr. DOUGLAS. Let me say that I do not expect any——

Mr. MILLER. I am not through yet.

Mr. DOUGLAS. Oh, I see.

Mr. MILLER. That is why I said that for purposes of the act, income should mean economic income. If we are not interested in handling this problem on an economic income basis, I believe that the general public will be very suspicious and probably very indignant over the proposed legislation.

Mr. DOUGLAS. Mr. President, am I privileged to reply to the Senator?

Mr. MILLER. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. The Senator uses some indefinite language when he says "economic income." That is susceptible to many differing definitions. I do not expect that many persons who receive large depletion allowances on oil will be in public housing, or in subsidized housing. It is possible that they might have economic income, but I do not believe that this presents a practical case or a practical objection.

The Senator from Iowa can think of every fantastic possibility imaginable, but he does not get at the realities of the case.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. DOUGLAS. In some mysterious fashion the Senator from Idaho has now obtained the floor and is explaining the bill. I do not know quite how or when that happened. I hope at some time or other to obtain the floor.

Mr. BENNETT. Mr. President, did not the Senator from Iowa obtain the floor when he offered his amendment and proceed to discuss it?

The PRESIDING OFFICER. The Senator from Iowa has the floor.

Mr. BENNETT. Is the Senator from Iowa permitted to yield to me?

The PRESIDING OFFICER. For a question.

Mr. BENNETT. Has the Senator from Iowa seen the statement issued by the Housing and Home Finance Administration entitled "Estimate of Income Limits for Families of Different Sizes Under Proposed Rent Supplement Program in 26 Cities," to which schedule of preliminary estimates the Senator from Illinois referred?

Mr. MILLER. The Senator from Iowa has seen it. The Senator from Illinois invited the attention of the Senate to his statement at page 16652 of yesterday's RECORD, which sets forth a table entitled "Preliminary Estimates of Income Limits for Families of Different Sizes Under Proposed Rent Supplement Program in 26 Cities."

Is that the table to which the Senator refers?

Mr. BENNETT. This table is contained in a 4-page memorandum which came to the members of the committee from the agency. On page 2 of the memorandum are these words. I invite the attention of both the Senator from Iowa and the Senator from Illinois to this statement of the Administrator:

> In administering the rent supplement program, the Housing Agency will count all income of an individual or family from every source, whether taxable or not, as against the income ceiling administratively established for the area.

It is the intention of the Administrator to do what I believe the Senator seeks to do, namely, to count all income from every source in making the determination of the eligibility of the person applying for this relief.

Mr. MILLER. Will the Senator from Utah tell us whether or not the Administrator intends by that language to take into account gifts and inheritances?

Mr. BENNETT. The Senator from Utah is not the administrator, but the Senator from Utah wonders whether a gift is income.

Mr. MILLER. I believe it is well established in income tax law that a gift is not income. That is why it seems to me it ought to be spelled out in the act. What we are interested in is economic income. In my amendment I seek to include adjusted gross income plus the amount of a capital gain, interest, gifts, inheritances, annuities, or other payments or portions thereof not included in the adjusted gross income. In that way we would have all of it taken into account, without any question about it.

Mr. BENNETT. The Senator from Utah could not agree to that, particularly with respect to gifts. If children of an elderly couple wished to give their parents a hundred dollars, it could move them out of the rent supplement area.

Much as I do not like the rent supplement program, and shall vote against it, the inclusion of gifts in determining the amount of income for purpose of qualifying for any program is a little too irregular.

Mr. MILLER. I am a little surprised by the statement of my friend from Utah. Let us go a little further. Would the Senator feel the same way if the gift amounted to $2,500, instead of $100?

Mr. BENNETT. A gift, under the income tax conception, is not income. I do not believe this criterion should be used by the agency in determining a person's eligibility.

Mr. MILLER. I recognize that a gift is not income for Federal income tax purposes. I suggest to him that if the children of one of the rental supplement recipients see fit to give their parents $2,500 or $5,000 or $50,000 as a gift, it ought to be taken into account in evaluating the economic income status of a person who, at the taxpayer's expense, is receiving a subsidy.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. TOWER. I assume that the term "gift" means only a money gift, and not gifts of goods or something else.

Mr. MILLER. I do not intend to limit the amendment in that way. What difference does it make whether a gift is in the form of a check or cash or automobile or Government bonds, or something else that can be readily reduced to cash? It would be too easy to dodge the intent of the amendment if we were to so limit the concept of a gift.

Mr. TOWER. In view of the objection raised by the Senator from Utah, would the Senator be prepared to modify his amendment to strike the inclusion, in a gift, of a capital gain, interest, annuity, and other retirement payment?

Mr. MILLER. The difficulty with striking gifts is that if we are to strike gifts, we should strike inheritances.

I wonder if the Senator from Utah would comment on this point. I understand, because of what he said about gifts, that he would have the same reaction about including inheritances. An old friend or a relative might pass on and leave inheritance to a recipient in the amount of $50,000 or $10,000. Do I correctly understand that the Senator would include that sum in the same situation?

Mr. BENNETT. The Senator from Utah feels that an inheritance is an increase in capital, and is not to be considered as income. We are talking about the concept of recurring income.

I feel that the statement of the Administrator of the intent to include all income of an individual or family in making his determination should be enough for us. A man could not even give his parents a Christmas present, because this might carry them over. It would be unnecessary to total up all the little gifts at Christmas and birthdays, and in that way we would be getting down to a very fine point, where it would be impossible to administer the law.

Mr. MILLER. I recognize the importance of having a law that can be efficiently administered. I am not seeking to list every kind of income. The Housing Administrator would have some discretion. My amendment provides that for the purposes of this act income shall mean economic income and shall include—and then I have listed the items that it shall specifically include and that shall be taken into account. If the Administrator wishes to include something else, that is up to him. I believe we could expect the Administrator not to be interested in small Christmas or birthday items, to which the Senator has alluded. I believe we must leave it to the Administrator to exercise some reasonable discretion. My amendment is designed to spell out specifically that we do not want people to receive rent supplements at taxpayers expense except on the basis of their economic income status, and to include in that income status some items that are not included under income tax law, to give certain people an economic status beyond that necessary to qualify for a rental subsidy.

Mr. President, it seems to me that the concept of income is not being uniformly administered by the administrator.

I have in my hand two tables, one relating to Chicago, Ill., and the other relating to New York City, setting forth the exemptions and the deductions that are recognized by the administrators in those regions in determining eligibility for housing.

The deductions that are allowable in Chicago are greater than those allowed in New York.

I notice that there are some deductions which would not be allowable for Federal income tax purposes, but which would be allowable by the Administrator in Chicago, at least.

I ask unanimous consent that the two tables to which I have referred be printed in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Locality	Exemptions and deductions[1]	Unit or family size	Net income after exemptions for admission
	EXEMPTIONS		
Chicago, Ill. (April 24, 1963).[2]	Principal income recipient:		
	Minor—up to $600 of income.	1 person	$3,000
	Head or spouse—none.	2 (elderly)	3,600
	Not a principal income recipient:	2 (nonelderly)	4,200
	Adult—head or spouse—up to $600 of income.	3	4,400
	Other adult—up to $600 of income or $100 whichever is greater.	4	4,600
		5	4,800
		6	5,000
		7 or more	5,200
	DEDUCTIONS		
	Social security taxes.		
	Union dues and assessments.		
	Compulsory contributions as a condition of employment.		
	Retirement contributions (varies by industry and establishment).		
	Variable stated allowance for uniforms, special clothing, equipment and tools required for job.		
	Excess transportation.		
	Maintenance of automobile if required for employment (up to 50 percent of total maintenance).		
	Child care (up to $15 per week).		
	Care of incapacitated person in home (up to $15 per week).		
	Housekeeper if needed to permit employment of sole wage earner.		
	Support of dependents.		
	Room and board (up to $20 per week) of head of family away from home.		
	Predictable medical expenses (in excess of 3 percent of total income).		
	EXEMPTIONS		
New York, N.Y. (Dec. 1, 1964).[2]		2½ rooms (0 bedroom)	3,888
	Service-connected death and disability.	3½ rooms (1 bedroom)	5,256
		4½ rooms (2 bedrooms)	5,760
	$100 for each minor member of the family without income.	5½ rooms (3 bedrooms)	6,408
		6½ rooms (4 bedrooms)	7,896
	Up to $800 of a secondary earner income with a maximum of $2,400.		
	DEDUCTIONS		
	Social security taxes.		
	Union dues.		
	Employees involuntary contribution to a retirement or group insurance fund where contribution is a condition of employment.		
	Specified allowances for the cost of uniforms or special work clothing.		
	Allowances for extraordinary daily travel expenses.		
	Specified allowances for costs when working out of town.		
	Cost of care of children when required to permit a family member to be gainfully employed.		

[1] Exemptions include service-connected VA benefits.

[2] Date of approval of income limits.

Mr. MILLER. Mr. President, as they know, I have a great amount of respect for the Senator from Illinois and the Senator from Utah.

I regret that the Senator from Utah cannot agree to take into account gifts and inheritances in determining the economic income of a person for this purpose; and I regret that my friend from Illinois prefers to leave that question to the Administrator to determine rather than to have the Congress spell out the guidelines for the Administrator to develop. But I believe it is a fair amendment, and I hope it will be supported.

Mr. DOUGLAS. Mr. President, I have listened with much interest to the differences of opinion on the other side of the aisle as to what items should be included under the term "economic income." I have reached the conclusion that if those two able and distinguished Senators, both of them, I believe, opponents of the measure, cannot reach agreement on what the income is, we should not attempt to do so this afternoon.

I agree with the basic purpose of the amendment of the Senator from Iowa, but I believe it would be much better to leave the decision to the Administrator and his staff, particularly when the opponents of the measure cannot really agree upon what the definition of income should be, whether gifts and many other items should be included, whether the earnings of young persons should be included, and whether the earnings of those receiving old age assistance should be included. There is a whole series of items to be considered.

I believe that the administrative standards laid down by the Housing and Home Finance Agency for public housing are quite clear. We can be certain that equally clear standards would be laid down for a rent supplement program. So I ask that the amendment be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was rejected.

Mr. HARRIS. Mr. President, I have two amendments to the bill which I believe will correct inadvertent inequities growing out of two situations in my home State and will be good public law in similar situations throughout the country.

I send the first amendment to the desk. I ask unanimous consent that the reading of the amendment be waived but that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 55 after line 5, insert the following new section:

"MODIFICATION OF WORKABLE PROGRAM REQUIREMENT AS APPLIED TO INDIANS

"SEC. 309. Section 101(c) of the Housing Act of 1949 is amended by adding the following sentence at the end thereof: 'Notwithstanding any other provision of law, in the case of a contract with an Indian tribe, band, or nation (or a public housing or other public agency for such tribe, band, or nation established under State or tribal law), the workable program and minimum standards housing code, referred to in the preceding sentence, may be presented to the Administrator by such tribe, band, or nation, and it shall be subject to the requirements of law with respect to such program and code only to the extent that such tribe, band, or nation has the legal jurisdiction and power to carry out such requirements.'"

Mr. HARRIS. Mr. President, on behalf of myself and my senior colleague from Oklahoma [Mr. MONRONEY], I am proposing an amendment to section 101(c) of the Housing and Urban Development Act of 1965 (S. 2213), which, if adopted, will permit the Administrator of Housing to exempt Indian housing authorities in the State of Oklahoma from the execution of a workable program for community improvement in areas in which they undertake projects. Let me stress that I am in complete sympathy with the emphasis by the Housing and Home Finance Agency and the administration generally on the importance of planning and the desirability of developing workable programs. This requirement is a valuable safeguard to all concerned with housing development and is a stimulus for communities to undertake planning which will in the end be of the most benefit to the communities themselves.

However, a special circumstance affecting the Indian people of Oklahoma makes this strict requirement both inappropriate and unwise. Unlike other States having a large Indian population, there are no reservations as such in the State of Oklahoma. This means that the duly constituted tribal governing body, usually a tribal business committee, has absolutely no legal jurisdiction over a given territory. The committee functions mainly to administer the financial affairs of the tribe or tribes it represents. While these committees can and do develop housing authorities for the benefit of Indian people who belong to their tribes, they do not have the authority to enforce building codes, zoning regulations, or any of the other factors that go into a workable plan. Add to this the fact that the vast majority of the Oklahoma Indians do not live in communities, but live on small plots of land in rural areas. The chances, therefore, are remote that workable plans will be created to include these individual rural tracts. The effect of this could be a failure on the part of the Indian housing authorities in Oklahoma to qualify for assistance under the Housing and Urban Development Act of 1965.

Therefore, the purpose of this act will best be accomplished and the emphasis on the importance of a workable plan will in no way be diminished by the inclusion of this amendment providing latitude to the Administrator in dealing with Oklahoma Indian housing authorities.

In general, the amendment would not bind Indian tribes to have workable programs except as they might have jurisdiction of enforceability.

I hope the amendment will be acceptable to the Senator from Illinois, because I have no desire to do any damage to the bill which he has handled so well.

Mr. DOUGLAS. Mr. President, we have studied the amendment. I see nothing wrong in it. I am glad to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. HARRIS. Mr. President, I send to the desk my second amendment. I ask unanimous consent that the reading of the amendment be waived, but that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 61, strike out lines 10 through 17, and insert in lieu thereof the following:

"PARTICIPATION BY NEW COLLEGES AND CERTAIN PUBLIC VOCATIONAL AND TECHNICAL INSTITUTIONS

"Sec. 502. Clause (1) of section 404(b) of the Housing Act of 1950 is amended to read as follows: '(1) (A) any educational institution which offers, or provides satisfactory assurance to the Administrator that it will offer within a reasonable time after completion of a facility for which assistance is requested under this title, at least a 2-year program acceptable for full credit toward a baccalaureate degree (including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual), or (B) any public educational institution which (i) is administered by a college or university which is accredited by a nationally recognized accrediting agency or association, (ii) offers technical or vocational instruction, and (iii) provides residential facilities for some or all of the students receiving such instruction'."

Mr. HARRIS. Mr. President, this is an amendment to section 502 of the Housing and Urban Development Act of 1965 (S. 2213). It would expand the section authorizing Federal loans for housing construction by colleges and universities to include also certain types of residential vocational schools.

Although in general vocational schools are located in large urban communities and do not provide residential accommodations for students, there is increasing interest in the concept of residential and campus living for such institutions. The vocational education act has recognized the need for these schools and has made provision for several pilot residential institutions to be located throughout the Nation. It seems inappropriate, therefore, in the Housing Act to exclude them from the advantages offered other residential schools.

In order that this extension be limited to the kinds of vocational schools we are concerned with, this amendment provides that they must be publicly supported, administered by a college or university which is fully accredited, that they be vocational in nature and that they offer residential facilities for some or all of the students.

An institution of this type, Oklahoma State Tech, has been operating at Okmulgee, Okla. for 16 highly successful years. This school is affiliated with the Oklahoma State University at Stillwater and offers a highly competent curriculum of instruction ranging from basic technician skills through highly complicated electronics. In order to help the adult who may not have a high school diploma and in order to maintain its strict vocational character, Oklahoma State Tech has not developed degree work. Therefore, without this amendment, this school and others like it would be treated by this bill in a discriminatory fashion. For this reason I propose this amendment.

Mr. DOUGLAS. Mr. President, may I ask the Senator from Oklahoma how many schools or colleges would come under this general provision?

Mr. HARRIS. I do not know what the number would be. There is only one school of this type in Oklahoma. I am confident that there would be very few others in the country. However, the situation exists in Oklahoma, and others may exist elsewhere in the future. The Vocational Education Act authorizes five pilot residential vocational schools throughout the country. We are hopeful that during this session Congress will appropriate funds to enable at least three of them to get underway.

More and more, I think we shall find that in addition to day schools in urban areas, we shall be interested also in vocational schools, where programs are conducted on a campus to the same degree as they are conducted by degree-granting colleges, and where housing will be needed.

Such a situation exists in Oklahoma in an institution having a history of 16 highly successful years. I see no reason why it should continue to have the housing problems it has had during the last 16 years, when its parent institution, Oklahoma State University, which administers the institution, is able to build residential housing under the financing we are talking about, while the institution is not able to get that type of financing.

My amendment would correct a real inequity in the law. I see no danger in the extension of this concept.

Mr. DOUGLAS. If my memory serves me correctly, I believe there is at least one other such institution, and it is located in Michigan. It was formerly known as Ferris Institute and is now a part of the Michigan system of higher education. Other institutions may crop up from time to time.

So far as I am concerned, I do not remember that this proposal was presented before the committee. I do not believe that any representation was made before the committee on this subject. No evidence has been taken on it.

Would the Senator from Oklahoma be willing to lay the amendment aside for a time, so that I may consult with the manager of the bill [Mr. Sparkman] and other members of the committee, and thus be able to give a more mature judgment? If I were to act at the moment, I should have to oppose the amendment. I should like to have a chance to consult with other members of the committee.

Mr. HARRIS. I thank the distinguished Senator from Illinois for his characteristic generosity and kindness.

Mr. President, I ask unanimous consent that the amendment be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 54, between lines 9 and 10, insert a new subsection as follows:

(f) Expenses incurred in the construction of the Glenn Duncan Elementary School and the Fred W. Traner Junior High School in Reno, Nevada, shall not be deemed to be ineligible as a local grant-in-aid in connection with the Northeast Urban Renewal Project (Nevada R–2) because of any change in the urban renewal plan for such project which is determined by the Housing and Home Finance Administrator to have resulted from the proposed location of a federally aided highway within or adjacent to the urban renewal area in which such project was undertaken. For the purpose of computing the portion of the cost of such schools which may be allowed as a local grant-in-aid, the degree of benefit of the schools to such urban renewal area shall be based on the latest estimate of benefit submitted by the local public agency and accepted by the Administrator prior to such change in the urban renewal plan.

Mr. BIBLE. Mr. President, my amendment which will correct an injustice imposed at no fault of the Urban Renewal Agency, City of Reno, on that agency.

The amendment will add a new subsection between lines 9 and 10 on page 54 of the bill, S. 2213. The amendment will not affect language in the present bill but will correct an inequity. It will not take an appropriation but will permit the Housing and Home Finance Agency to work with the Urban Renewal Agency, City of Reno, in an attempt to secure a more equitable plan, known as the northeast urban renewal project R–2, Urban Renewal Agency, City of Reno.

The Urban Renewal Agency, City of Reno, secured approval of its urban renewal plan and entered into a cooperation agreement on July 10, 1961.

In this agreement, the Federal Government would have granted school credits in the amount of $669,550 as a result of construction of two schools, one elementary, and one junior high school.

Although the original plan had been approved by the Federal Government; namely, the Housing and Home Finance Agency, and purchase of property and work was moving forward by the local urban renewal agency in an orderly fashion, on March 22, 1963, the Federal Government, through another agency, the Bureau of Public Roads, caused the rerouting of a freeway on Interstate 80 through the Urban Renewal Agency, City of Reno, planned renewal area.

The Bureau of Public Roads had previously approved a routing of the freeway, which did not affect the urban renewal area and following a hearing and investigation of the route, changed the entire routing of the freeway which resulted in cutting the urban renewal area in half and thus causing the Urban Renewal Agency of the City of Reno to change its entire plan.

This caused a serious problem in that the school credits were no longer available and it was necessary for the city of Reno to assume additional costs which, I am advised, are in fact, far in excess of costs borne by similar plans throughout the Nation.

Instead of the city receiving credits in the amount of $669,550 it is now compelled to advance $423,027 in cash and in addition, it must contribute $215,344 in noncash grants-in-aid for streets, curbs, and sidewalks, which in effect is cash expenditures chargeable to the city of Reno.

Due to the change in the freeway at the cause of another arm of the Federal Government, the Housing and Home Finance Agency could not accept the original plan of the urban renewal agency, although it had previously done so.

The Urban Renewal Agency of Reno had to eliminate areas which had previously been planned for residential purposes as the Federal Housing Administration could not approve these areas located in the proximity of the freeway and were in fact not desirable for residential purposes.

The original urban renewal plan had a gross cost of $3,044,504 with a net project cost of $1,195,144 after allowances had been made for resale of purchased property.

Now the city of Reno must contribute more than 50 percent of this cost although normal urban renewal plans call for the Federal Government to contribute at least two-thirds of the cost. This has worked a financial hardship on the city and has delayed the progress of a much needed urban renewal area.

I am advised there is precedent for the amendment which is being offered. A similar problem involving noncash grants-in-aid credits for school construction arose in Roanoke, Va., and was solved by enactment of section 312, title III, of Public Law 87-70 on June 30, 1961, the Housing Act of 1961.

I am hopeful that this body will approve the amendment and permit the Housing and Home Finance Agency to negotiate with the Urban Renewal Agency of the City of Reno to correct this inequity.

City authorities, my colleague and I are perfectly willing to stand upon any agreement which can be worked out between the Federal Government and local agency. It is recognized the Congress must give authority to the Housing and Home Finance Agency to correct this inequity and this is the purpose of the amendment.

The amendment has been discussed with the Senator from Alabama [Mr. SPARKMAN]. I am sure that the staff people are completely familiar with the amendment. I hope that the Senator from Illinois will be able to accept the amendment.

I yield to my junior colleague, the Senator from Nevada [Mr. CANNON].

Mr. CANNON. Mr. President, I thank my colleague for yielding. As my distinguished colleague so clearly and eloquently stated, we are dealing here with a matter of equity.

The Urban Renewal Agency, city of Reno, secured more than 4 years ago approval of its urban renewal plan and entered into cooperation agreement with the Housing and Home Finance Agency.

The agreement called for the city of Reno Urban Renewal Agency to be granted noncash school credits totaling $669,550 based on construction of the Fred W. Traner Junior High School and the Glenn Duncan Elementary School.

After securing approval of its original plan, the Reno Urban Renewal Agency was moving ahead on its project when—through the action of a second Federal agency, the Bureau of Public Roads—a freeway of Interstate 80 was rerouted through the city's renewal area. This action took place in March 1963, nearly 2 years after the city obtained from the HHFA approval of its plan.

It must be emphasized, Mr. President, that the rerouting of the freeway through the urban renewal area was not in any way the fault of the Reno Urban Renewal Agency.

The disruption was caused by an agency of the Federal Government rerouting a freeway.

The result of the rerouting was that the city of Reno lost its schools' credits—upon which it had based a great deal of planning—and was required by the HHFA to contribute $423,027 in cash, in addition to $215,344 noncash contributions in the form of streets, curbs, sidewalks, and related facilities.

The cash requirement of $423,027, in addition to the noncash contribution of $215,344, totals more than $638,000, as my colleague pointed out a moment ago.

This figure is well over 50 percent of the net project cost of $1,195,144, even though almost every urban renewal plan calls for a two-thirds contribution by the Federal Government.

The financial requirements imposed on the Reno Urban Renewal Agency have resulted in a tremendous financial hardship to the city and have caused serious delays in a vital urban renewal project in Reno.

Fortunately, there is precedent for correcting this inequity. It already has been outlined by my colleague.

I am happy to join my colleague in asking that we take the action needed to correct this longstanding inequity and permit the HHFA to negotiate this matter with the city of Reno.

This amendment is necessary to correct the most unfortunate inequity which has been outlined and which was not in any way the fault of the Reno Urban Renewal Agency. It extends to HHFA the authority to correct a serious problem, and I join my colleague in urging its acceptance.

Mr. DOUGLAS. Mr. President, the two Senators from Nevada have held out the very enticing promise that this amendment would entail no appropriation or expenditure.

Mr. BIBLE. Mr. President, if they were to enter into an agreement, it certainly might involve the expenditure of Federal funds. I do not want to mislead the Senator from Illinois in this respect. However, this amendment would involve no appropriation insofar as the bill before us is concerned.

It would simply authorize the HHFA to enter into negotiations and attempt to settle the problem with the city of Reno and its urban renewal agency.

Mr. DOUGLAS. Mr. President, I should be very glad to take the amendment to conference in a resolute fashion.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senators from Nevada.

The amendment was agreed to.

Mr. KENNEDY of New York. Mr. President, I send an amendment to the desk and ask that the reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 73, lines 1 and 2, strike out "and covering property located in an urban renewal area".

Mr. KENNEDY of New York. Mr. President, the proposed amendment would exempt below-market interest rate FHA section 221(d)(3) mortgages covering low- or moderate-rental housing from the statutory $17,500 per dwelling unit limitation on the amount of a mortgage that can be purchased by FNMA under its special assistance functions.

Under the provisions of S. 2213 as reported, only section 221(d)(3) below-market mortgages covering properties located in urban renewal areas would be exempted from the limitation.

In high-cost areas (both inside and outside urban renewal areas) it is impossible to construct housing within a mortgage amount of $17,500 per dwelling unit. Higher amounts are permitted in these areas under the FHA ceilings on mortgage amounts, but no corresponding increase is permitted for mortgages purchased under FNMA special assistance. This necessary assistance is therefore not available for FHA mortgages which have dollar amounts required by costs in these areas.

The amendment would make the exemption for FNMA special assistance purposes available to housing with larger mortgage amounts even though the housing is not located in an urban renewal area. The mortgages would remain subject to FHA mortgage amount ceilings.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from New York.

Mr. **DOUGLAS**. Mr. President, I ask the Senator from New York if this is consistent with the policy that we have adopted earlier in the year of raising the insured maximum for four bedroom housing units above the $17,500?

Mr. **KENNEDY** of New York. It is.

Mr. **DOUGLAS**. I believe that statement is correct. May I ask if this is included in the House bill?

Mr. **KENNEDY** of New York. I am not certain whether it is included in the House bill. We have gone over it with the committee staff.

Mr. **DOUGLAS**. I am informed that it is included in the House bill. I see no objection to placing it in the Senate bill.

Mr. **KENNEDY** of New York. I thank the Senator.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. **KENNEDY** of New York. Mr. President, I send an amendment to the desk and ask that the reading of the amendment be dispensed with but that the amendment be printed in the Record.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The amendment, ordered to be printed in the Record, is as follows:

On page 72, line 23, insert "(1)" after "inserting".

On page 73, line 2, strike out "area," and insert the following: " 'area,', and (2) inserting the following after the first sentence: 'Notwithstanding the provisions of clause (3) in the foregoing sentence, the Association may purchase a mortgage with an original principal obligation that exceeds $17,500 if the mortgage (1) is a below-market interest rate mortgage insured under section 221(d)(3), and (2) covers property which has the benefit of local tax abatement in an amount determined by the Federal Housing Commissioner to be sufficient to make possible rentals not in excess of those that would be approved by the Commissioner if the mortgage amount did not exceed $17,500, and if local tax abatement were not provided.' "

Mr. **KENNEDY** of New York. Mr. President, the proposed amendment would make a technical change in the law to give proper recognition to tax abatement in establishing the ceiling for certain FHA mortgages purchased by FNMA under its special assistance functions.

The amendment would except below-market interest rate FHA section 221(d)(3) mortgages covering low- or moderate-income housing which has the benefit of local tax abatement from the statutory $17,500 per dwelling unit limitation on the amount of a mortgage that can be purchased by FNMA under its special assistance functions. The tax abatement would have to be in an amount sufficient to enable the rentals to be set at approximately the same amounts they would be if no tax abatement existed and the mortgage amount did not exceed $17,500 per dwelling unit.

In high cost areas it is impossible to construct rental housing within a mortgage amount of $17,500 per dwelling unit. This limit is imposed by existing law for the purpose of keeping the cost of housing down so that the rentals will be within the reach of low- and moderate-income families. Where tax abatement is provided, this purpose is accomplished even though the construction costs require a higher mortgage amount.

Higher ceilings are already permitted under the FHA statute, and the mortgages would remain subject to those ceilings.

Mr. **DOUGLAS**. Mr. President, the amendment has just been presented. We have not had a chance to study it. The amendment is perfectly satisfactory. However, I should hesitate to give blanket approval at this time.

I suggest that the Senator from New York withdraw his amendment. We can have a later investigation of the matter and the amendment can be offered at a later date.

Mr. **KENNEDY** of New York. That is agreeable. Mr. President, I withdraw the amendment.

The amendment was withdrawn.

Mr. **KENNEDY** of New York. Mr. President, I send an amendment to the desk and ask that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The amendment, ordered to be printed in the Record, is as follows:

On page 39, after line 11, insert a new section 207 as follows and renumber the following sections and cross-references in title II accordingly.

"LARGER HOME IMPROVEMENT LOANS IN HIGH COST AREAS

"Sec. 207. (a) Section 220(h)(2)(i) of the National Housing Act is amended by inserting before the semicolon at the end thereof ': *Provided*, That the Commissioner may, by regulation, increase such amount by not to exceed 45 percentum in any geographical area where he finds that cost levels so require'.

"(b) Section 220(h)(11) of such Act is amended by inserting before the period at the end thereof 'or such additional amount as the Commissioner has by regulation prescribed in any geographical area where he finds cost levels so require pursuant to the authority vested in him by the proviso in subsection (2)(i) of this section'."

Mr. **KENNEDY** of New York. Mr. President, my amendment would authorize the Federal Housing Commissioner to increase the maximum amount of a home improvement loan which he may insure—now $10,000—by up to 45 percent in high-cost areas. The amendment would permit the Commissioner to increase the maximum amount of a home improvement loan made in an urban renewal area under section 220(h) of the National Housing Act, or outside of an urban renewal area under section 302(k) of the National Housing Act. In addition it would permit the maximum amount of rehabilitation loans made under the provisions of section 312 of the Housing Act of 1964—now $10,000—to be increased by 45 percent in high-cost areas.

Mr. **DOUGLAS**. Mr. President, I am disposed to accept this amendment, for this reason: It is very inflexible to impose one maximum limit for the country as a whole when there are certain areas where modernization, construction, and repair costs are very much above those of the Nation as an average. I think there must be some flexibility to take into account local conditions. Therefore, I am glad to accept the amendment of the Senator from New York.

Mr. **KENNEDY** of New York. I thank the Senator.

The **PRESIDING OFFICER**. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. **KENNEDY** of New York. Mr. President, finally I have an amendment which I send to the desk and ask to have read.

The **PRESIDING OFFICER**. The amendment offered by the Senator from New York will be stated.

Mr. **KENNEDY** of New York. I ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The amendment offered by Mr. Kennedy is as follows:

On page 49, line 2, insert "(a)" after "Sec. 304.", and on page 49, after line 4, add to section 304, two new subsections "(b)" and "(c)" as follows:

"(b) Section 110(e) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

"Gross project cost may include the cost of payments made, pursuant to State or local law, to individuals and families displaced from an urban renewal area and relocated in decent, safe, and sanitary housing, if such payments are required by State or local law to be paid in every program of the State or locality, as the case may be, which results in the displacement of individuals and families.

"(c) Section 15(8) of the United States Housing Act of 1937 is amended by inserting immediately after the end thereof, the following: 'A "relocation payment" as used in this paragraph may include, in addition to the payments described above, the cost of payments made, pursuant to State or local law, to individuals and families displaced from a low-rent housing project site as a result of the acquisition of real property by a public housing agency and relocated in decent, safe, and sanitary housing, if such payments are required by State or local law to be paid in every program of the State or locality, as the case may be, which results in the displacement of individuals and families.' "

Mr. **KENNEDY** of New York. Mr. President, this amendment deals with the gross project cost, and provides as follows:

(b) Section 110(e) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

"Gross project cost may include the cost of payments made, pursuant to State or local law, to individuals and families displaced from an urban renewal area and relocated in decent, safe, and sanitary housing, if such payments are required by State or local law to be paid in every program of the State or locality, as the case may be, which results in the displacement of individuals and families.

"(c) Section 15(8) of the United States Housing Act of 1937 is amended by inserting immediately after the end thereof, the following: 'A "relocation payment" as used in this paragraph may include, in addition to the payments described above, the cost of payments made, pursuant to State or local law, to individuals and families displaced from a low-rent housing project site as a result of the acquisition of real property by a public housing agency and relocated in decent, safe, and sanitary housing, if such payments are required by State or local law to be paid in every program of the State or locality, as the case may be, which results in the displacement of individuals and families.' "

In other words, if an individual is dislocated because of public housing or urban renewal, and it is required by a State or local community that a certain amount of money be paid for the removal of that family or individual—if that is required by State or local law—it should be included in the Federal project cost.

Mr. DOUGLAS. Does this mean that payments made for displacement or relocation by localities would be included as a part of the local contribution of one-third?

Mr. KENNEDY of New York. That is correct in part.

Mr. DOUGLAS. It would be counted as a part of the contribution by the locality?

Mr. KENNEDY of New York. That is correct; one-third would be contributed by the locality and two-thirds contributed by the Federal Government. It would be part of the project cost.

Mr. DOUGLAS. So the municipality or State would not have to pay the entire two-thirds, but the Federal Government would meet two-thirds of it?

Mr. KENNEDY of New York. That is correct.

Mr. DOUGLAS. The Federal Government would meet not only its own relocation costs, but two-thirds of the State or local community's cost?

Mr. KENNEDY of New York. Yes.

Mr. DOUGLAS. Has the Senator an estimate as to how much this would cost?

Mr. KENNEDY of New York. The estimate is $1,800,000.

Mr. DOUGLAS. While I feel very benevolent, this amendment involves a large sum, and I do not want to commit the managers of the bill to accepting an amendment involving an expenditure of $1,800,000. This would probably be an annual commitment for Congress.

Mr. KENNEDY of New York. I am told this is the procedure that has been followed up to the present time. The language of the legislation as it now appears is such that the housing authorities do not feel they can continue it without the authority of Congress.

Mr. DOUGLAS. It is disconcerting to have amendments proposed without prior consideration by the committee. I wonder if the Senator would not postpone offering it for a day, in order to ascertain whether it is in consonance with the general program.

Mr. KENNEDY of New York. I am glad to do that. May I say, so that Senators will understand, that the amendment was discussed with the Senator from Alabama [Mr. Sparkman]—only today, admittedly. The Senator from Alabama thought it was satisfactory. He thought it could be accepted. I talked with the staff, who suggested that it be brought up. I brought it up on the basis of the assumption that it was acceptable and satisfactory, but I admit I did not have an opportunity to talk with the Senator from Illinois about it.

Mr. DOUGLAS. I am sure what the Senator has said is correct and that the Senator from Alabama would undoubtedly accept it. I wish he were present.

Mr. SPARKMAN. Mr. President, I may say to the Senator from Illinois that I have been present for some time. I have been greatly enjoying his handling of the bill.

Mr. President, I have discussed this amendment with the Senator from New York. It seems to be pretty much in keeping with our program. It is a matter of tying it properly to the credits to be applied. The provision is not in the House bill. My thought was, and I so stated to the Senator from New York, that I would be willing to take the amendment to conference, and between now and then obtain such additional information as we can about the amendment. I advised him that it seems to be in compliance with the policy under which we have been trying adequately to help the people who are displaced by these programs. I am willing to accept the amendment.

Mr. KENNEDY of New York. I appreciate my colloquy with the Senator from Alabama and with the Senator from Illinois, and I am grateful to the Senator from Alabama for accepting the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

Mr. ELLENDER. Mr. President, I wish to ask a question of the Senator from New York. Will this expenditure be an annual charge?

Mr. KENNEDY of New York. Where there are any movements in public housing and urban renewal, these payments would be made. I am informed that this has been the practice since 1960.

Mr. ELLENDER. Would it mean that a dislocated family could be moved from one city to another, if it so desired, and that the gross project cost would include that?

Mr. KENNEDY of New York. No. It is not a question of Federal officials making that decision. It has to be in accord with procedures followed in the State and local communities. There would be no regulations or rules or laws that could be applied only to Federal programs; but they would have to be in effect in local communities, applying to their local programs. If there is a payment made where there is a movement under local law, this kind of payment would be made under Federal programs.

Mr. ELLENDER. In other words, it is to comply with local law.

Mr. KENNEDY of New York. That is correct. It would not create a special situation related only to the Federal Government.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. KUCHEL obtained the floor.

Mr. KUCHEL. I ask unanimous consent that I may yield to the Senator from Iowa, without losing my right to the floor, to offer an amendment which is not controversial.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The legislative clerk read as follows:

On page 6, after line 5, add a new subsection (5) as follows:

"(5) No payments under this section may be made with respect to any property for which the costs of operation (including wages and salaries) are determined by the Administrator to be greater than similar costs of operation of similar housing in the community where the property is situated."

Mr. MILLER. Mr. President, I have discussed the amendment with the distinguished Senator from Illinois, who was acting manager of the bill, a few moments ago. He agrees that this is a helpful amendment. It is designed to provide for uniformity in the operation of housing such as is covered by the bill, in line with what the costs are in local communities. It is particularly designed to avoid the abuse where nonprofit corporations might come under the act and then abuse the act by paying excessive wages and salaries.

I hope that the Senator from Alabama, who is now the Senator in charge of the bill, will accept the amendment.

Mr. SPARKMAN. Mr. President, the amendment seems to me to promise a good job and, for my part, I am willing to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I have a series of amendments of varying controversy, and I send the first one to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. On page 61, between lines 17 and 18, insert a new section as follows:

TECHNICAL AMENDMENT

Sec. 503. The second paragraph of section 404(b) of the Housing Act of 1950 is amended by inserting after "would provide housing," the following: "or to a student housing cooperative corporation described in clause (5) of this subsection,".

Mr. KUCHEL. Mr. President, I believe that I can truthfully say that the amendment is technical in nature. My recollection is that the Senate took action along similar lines a year ago. This would make the law covering loans to student cooperatives conform with congressional intent when the law was amended a year ago.

Last year, the amendment apparently contained a technical flaw to prevent groups such as the University Student Cooperative Association on the Berkeley campus of the University of California from qualifying for a nonguaranteed loan.

The amendment has been drafted by the HHFA, and is in correct form technically. I believe that the able Senator from Alabama will find no objection to the amendment.

Mr. SPARKMAN. Mr. President, I believe I am correct in saying that last year a similar amendment was offered, and we accepted it. It makes up for a technical defect in existing law, and I have no objection to it.

The PRESIDING OFFICER. The question is on agreeing to amendment of the Senator from California.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I now send to the desk another in my series of amendments and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. KUCHEL is as follows:

On page 90, between lines 19 and 20, insert a new section as follows:

"DEFINITION OF RURAL AREA

"SEC. 907. Title V of the Housing Act of 1949 is amended by adding at the end thereof (after the section added by section 906 of this Act) a new section as follows:

"'DEFINITION OF RURAL AREA

"'SEC. 520. As used in this title, the terms 'rural' and 'rural area' mean any area, open country, place, town, village, or city having a population of 5,500 inhabitants or less that is not part of or associated with an urban area.'"

Mr. KUCHEL. Mr. President, the amendment would provide that the figure of 5,500 population would be used by the Farmers Home Administration in defining a rural conglomeration. Presently, the Farmers Home Administration uses the census tract figure of 2,500 to define a rural area. If the 5,500 figure could be applied, additional rural families would be made eligible for Farmers Home Administration loans under existing law. At present loans are made at 4 percent for 33 years.

One of the strongest points in favor of the amendment is that it would allow for the expansion of the "self-help" housing program, wherein rural people can contribute time and talent to the building of their own homes.

Let us say, for example, that a group of 6 families in an area which would be in the neighborhood of 5,000 people should make an application for a self-help project. FHA grants a loan, if no other financing is available, of a size which will finance the materials and the work that cannot be done by the applicants. Subcontractors and supervisors would be hired when necessary. Payments for materials and services would be made out of funds to be provided by FHA.

A somewhat similar provision was accepted in the House of Representatives. If I may use my own State as an example, there are some farm areas in California which are inhabited by American migratory laborers. This would be an incentive for them to become permanent residents of my State and would supply a labor force which is sometimes tragically deficient. I believe it would be in the public interest.

Mr. SPARKMAN. Mr. President, I wish very much that the Senator from California would not press this amendment. It is in the housing bill, and it will be in conference.

Up until a few years ago, in programs relating to farm housing and rural housing for veterans, or any kind of housing which was rural by name, really meant rural and on the farm.

Finally, 3 years ago, I believe, we amended the act to accept the definition by the Census Bureau of 2,500 and less as being rural.

Even that definition has given us trouble, because there are many small towns of 2,500 population with sewers, water systems, sidewalks, and so forth. The same conditions prevail there as in cities and towns where the FHA makes regular loans. Farm housing and rural housing programs have been set up primarily to take care of those areas which could not qualify under the usual and regular FHA terms.

This figure represents a further expansion—is it 5,500 or 7,500?

Mr. KUCHEL. It is 5,500.

Mr. SPARKMAN. In other words, we are going from 2,500 to 5,500.

There are many towns of 5,000 population and less which have no claim on the special benefits provided under these programs for rural areas.

I say to the Senator from California that this point will come up in conference, and we can study it between now and then and get more information. I did not know the amendment was to be offered here or in committee. We have not had an opportunity to study it. It will be in conference, and if he would be willing to let it rest at that, I assure the Senator that I will give most careful and sympathetic consideration to handling it in a way which will be proper.

The Senator from California may not be aware of this, but at present there is trouble among mortgage finance companies and various lending agencies in connection with our regular FHA program and other programs which go into the 2,500 population size towns, because, it is said, the Government is competing unfairly. In some areas, there is some basis, for that claim. Think how much more trouble there will be if we increase the population limitation to the 5,500 figure proposed in the amendment. It may very well be that we can draft some other descriptive language which will expand to take the areas where they are really needed.

Mr. KUCHEL. Inasmuch as the Senator from Alabama assures me that he will look into the problem sympathetically, and that it will be considered in conference, and inasmuch as I am sure the Senator finds the problem with respect to migratory agricultural labor to be a most important one, I withdraw my amendment and send another amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be withdrawn.

The next amendment of the Senator from California will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. KUCHEL is as follows:

On page 55, between lines 5 and 6, insert a new section as follows:

"REDEVELOPMENT OF AREAS CONTAINING TEMPORARY WAR HOUSING PROJECTS

"SEC. 309. Notwithstanding any other provision of law, loan and grant assistance under title I of the Housing Act of 1949 for the renewal of any blighted, deteriorated, or deteriorating area of a locality which consists primarily of temporary war housing projects constructed under an Act entitled 'An Act to expedite the provision of housing in connection with national defense, and for other purposes', approved October 14, 1940, as amended (the so-called Lanham Act), may be extended in the same manner and to the same extent as in the case of any other urban renewal area, if—

"(1) such locality has at no time since the acquisition of such housing from the United States received from it any net income, substantially all income therefrom having been utilized for the maintenance and operation of such housing for the benefit of persons of low or moderate incomes;

"(2) there are included in such area at least 1200 dwelling units of such housing at the time an urban renewal plan for such area is submitted; and

"(3) the urban renewal plan for such area provides for a predominance (exclusive of public facilities and open spaces) of housing for persons of low or moderate incomes."

Mr. KUCHEL. Mr. President, in this situation, I speak for the city of San Francisco. The pending amendment would make it possible for the city of San Francisco to qualify for grants-in-aid under the urban renewal program for renewal of Hunters Point wartime housing project.

Any of my colleagues in the Senate who know San Francisco, know Hunters Point. The wartime housing facilities located there are a blight. They are no good. They are dangerous. By law they will have to come down in 3 more years. The HHFA has ruled that San Francisco may not participate in the grants-in-aid program since the law prohibits any city or other body from receiving grants, if it has previously received Government assistance. San Francisco has received "aid," according to the FHA, under the terms of the purchase agreement under which the city acquired property under the Lanham Act.

The Lanham Act made it possible for San Francisco to purchase the Hunters

Point project for the original land acquisition cost to the Government. The difference between the actual worth of the project at the time San Francisco acquired Hunters Point and the price paid by the Government is being treated by HHFA as a grant.

According to the San Francisco Redevelopment Agency, Hunters Point, by any standard, is a slum and should be redeveloped. This is what San Francisco wants to do. If it cannot participate in the grant-in-aid program, the land will have to be sold at its market value, which, of course, will mean that the housing built on it will have to be of a type and price not economically available to the people who now occupy Hunters Point. Adjoining it is a military installation, the San Francisco Naval Shipyard.

I ask my able friend from Alabama to accept the amendment and take it to conference, with the hope that a great American city, in its desire to improve itself and to improve the habitation of the people who live there and work there may not be penalized because it purchased the real property under the Lanham Act, and thus subjected itself to an interpretation that at that time it received a benefit.

I sincerely urge my friend from Alabama to accept the amendment.

Mr. SPARKMAN. Mr. President, has the stand of the housing agency been ascertained?

Mr. KUCHEL. I am informed that the head of that agency has no objection. A member of my staff has so informed me.

Mr. SPARKMAN. Do I correctly understand that this amendment is not included in the House bill?

Mr. KUCHEL. It is not included in the House bill. The Senator is correct. A Member of Congress from the San Francisco district endeavored to have it included in the bill.

Mr. SPARKMAN. I do not address myself to this particular point, or merely in connection with this amendment, but I have been rather amazed by the rather large number of amendments dealing with local problems that are being presented. They are problems that we have not had an opportunity to study. There are similar projects in every housing bill that comes up, but usually they are presented to us in the course of committee consideration, and we have an opportunity to examine witnesses and find out exactly what the attitude of the agency is and what the facts are.

I hope Senators realize the burden placed on me, on the subcommittee, and on the committee as a whole in trying to weigh all these individual projects in the balance and to say, "I accept," or "I agree."

I do not mind when a project is called up which sounds reasonable; and I concede that there is some logic in what the Senator from California has said, but there are complications in it too. It is an unusual problem. Here the housing was given, and now the time comes for the housing to be torn down at the expense of the city, and there is a problem as to whether credit will be allowed in connection with the urban renewal program.

Mr. KUCHEL. The Senator is correct.

Mr. SPARKMAN. It can be seen that there are complications in it which we cannot weigh and consider properly and fairly, with the project being brought up for the first time.

I am perfectly willing to take the amendment to conference, as I have other amendments. However, I wish it understood that we shall have an opportunity to consider the amendment and to obtain all the facts and to consider the whole situation so that we shall know how to conduct ourselves in conference.

Mr. KUCHEL. I thank my able friend.

Mr. SPARKMAN. I should like very much to have an expression from the able Senator from Texas.

Mr. TOWER. Mr. President, I hope the distinguished Senator from Alabama will accept the amendment of the Senator from California. We have dealt with some other special problems today in connection with the bill. I believe we should be consistent and deal with this as well.

Mr. SPARKMAN. Yes. I said I was willing to accept it. I wanted to make my statement to show how difficult it is to consider individual problems that never have been called to our attention. I want it understood that in taking the amendment to conference, we shall have time to check into it, as we normally would do in committee. On that basis I am willing to accept it.

Mr. KUCHEL. I am most grateful to the Senator from Texas for his comment; and thank my friend from Alabama. I recognize that the conference will have before it a number of critical questions which will need all the assistance by way of information that the Senator will be able to obtain. I am grateful that the Senator has seen fit to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. Kuchel].

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I send another amendment to the desk. I ask unanimous consent that it be not stated.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the Record.

The amendment is as follows:

On page 10, between lines 7 and 8, insert the following:

"(c) The third sentence of section 212(a) of such Act is amended by striking out 'described in subsection (d)(3)' and all that follows and inserting in lieu thereof 'described in subsection (d)(3) or (d)(4).'"

On page 32, between lines 6 and 7, insert the following:

"(4) Section 212(a) of the National Housing Act is amended by inserting at the end thereof the following new sentence: 'The provisions of this section shall also apply to insurance under title X with respect to laborers and mechanics employed in land development financed with the proceeds of any mortgage insured under that title.'"

On page 76, line 1, strike out "707 and 708" and insert "708 and 709".

On page 78, between lines 8 and 9, insert the following:

"LABOR STANDARDS

"Sec. 807. Title VII of the Housing Act of 1961 is further amended by inserting after section 706 (as added by section 806 of this Act) the following new section:

"'LABOR STANDARDS

"'Sec. 707. (a) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of grants under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Administrator shall not approve any such grant without first obtaining adequate assurance that these labor standards will be maintained upon the construction work.

"'(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).'"

On page 78, line 10, strike out "807" and "707" and insert in lieu thereof "808" and "702", respectively.

On page 78, line 17, strike out "808" and insert in lieu thereof "809".

Mr. KUCHEL. Mr. President, in a word, the Senate by adopting the amendment I have sent to the desk, would provide that the prevailing wage statutes, the so-called Davis-Bacon Act, would apply to the various titles and sections of the housing bill now pending before us. This would echo the action taken in the housing bill which passed the House of Representatives, and thus would remove any doubt of the application of the Davis-Bacon provisions to whether legislation comes from the conference committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McINTYRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I have an amendment at the desk which refers to that part of the bill dealing with Michigan City.

The PRESIDING OFFICER. The Chair wishes to inform the Senator from Indiana that amendments are pending.

Mr. HARTKE. Mr. President, may I inquire what amendments are pending?

The PRESIDING OFFICER. The amendment of the Senator from California.

Mr. HARTKE. Mr. President, I should like to direct a question to the Senator from California. Does the Senator intend to proceed with his amendment now?

Mr. President, I ask unanimous consent that the pending amendment be laid aside temporarily.

The PRESIDING OFFICER. Is there objection to temporarily laying aside the amendment of the Senator from California?

Mr. TOWER. Mr. President, reserving the right to object, we should have an expression from the Senator from California.

Mr. KUCHEL. Mr. President, my amendment is pending. I do not believe that consideration of the amendment will take too long.

Mr. HARTKE. I am not objecting to that. I only wished to move ahead.

The PRESIDING OFFICER. Is there objection?

Mr. HARTKE. Mr. President, I withdraw my unanimous-consent request.

The PRESIDING OFFICER. The request of the Senator from Indiana is withdrawn.

Mr. SPARKMAN. Mr. President, we then revert to the amendments offered by the Senator from California.

The PRESIDING OFFICER. The Senator is correct.

Mr. SPARKMAN. Mr. President, most of the content of the amendment offered by the Senator from California is not subject to serious objection, but there is one provision while I think is objectionable, and should be modified. If it were modified, I would have no objection to taking the amendment to conference.

Year after year, as different programs are put into effect, the question of the application of the Davis-Bacon Act arises. Practically without exception—I believe without exception—we have applied the Davis-Bacon Act to all projects except what we called single-dwelling projects; and I do not believe we ought to upset that policy.

We have built houses under that act. There has been ample protection of the projects that really counted—the big projects—and I do not believe we should upset a policy that has worked so well.

I should like to suggest the language which I understand the Senator from Utah proposes. If the Senator from California would accept that modification, I would have no objection to going along with the proposed amendment.

Mr. KUCHEL. Mr. President, I regret I cannot change the amendment.

I am one of those in this body who believe the theory of prevailing wages is a sound one and ought to be applied across the board where the financial assistance or the credit of the United States is involved.

If one of my colleagues wishes to offer an amendment to the amendment, let us dispose of it; but I regret to say that I cannot voluntarily change the amendment now pending.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my able friend the Senator from New York.

Mr. JAVITS. I appreciate the Senator's allowing me to join in sponsoring his amendment with him. Having served on the committee and having had the honor of serving under the chairmanship of the Senator from Alabama, who is one of the greatest friends that housing in this country has ever had——

Mr. KUCHEL. Indeed he is.

Mr. JAVITS. I am very cognizant of what the Senator from Alabama has referred to in respect to single family houses, whatever happens on the pending amendments. We have had a constant feeling on the part of the trade unions, especially the building trade unions, that we have cut around the one-family field precisely because it is the greatest field today for nonunion builders. Hence it is time for us to come to grips with the problem. These things go on and on. I appreciate very deeply the sentiment of the Senator from Alabama. Ultimately we must face the problem. Perhaps this is as good a time as any to face it. It is so much easier and much more engaging and agreeable to have these proposals accepted. But I feel that the Senator from California has had the view—and I share in it—that we have skirted this issue for some time, and I believe that the time has come when we should face it.

Mr. KUCHEL. I thank my able friend.

Mr. BENNETT. Mr. President, my good friend the Senator from California has indicated that he would invite a colleague to offer an amendment to his amendment. Therefore, I accept his invitation, and move that following the language in the first paragraph of his amendment, which ends with the word "described" in subsection (d)(3) or (d)(4), the following words be added, "which covers property on which is located a dwelling or dwellings designed principally for residential use for 12 or more families."

The PRESIDING OFFICER. The amendment to the amendment of the Senator from California will be stated.

The Legislative Clerk. Before the period, at the end of paragraph (c), it is proposed to insert the following language: "which covers property on which is located a dwelling or dwellings designed principally for residential use for 12 or more families."

Mr. BENNETT. I think the issue is clear. It has been discussed. I do not feel the necessity of continuing the discussion. If the Senator from California is agreeable, I am willing to ask for the yeas and nays on the amendment.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I wish to make a few observations on the bill and to express my appreciation to the committee for the acceptance of a number of amendments which I proposed to the committee. I wish to express my appreciation especially to the Senator from Texas [Mr. Tower], now the ranking member of the Subcommittee on Housing, who gave my amendments the greatest personal attention and went to considerable personal pains to see to it that they receive the consideration of the committee. I also express appreciation to the distinguished Senator from Alabama [Mr. Sparkman], chairman of the Subcommittee on Housing, and the Senator from Illinois [Mr. Douglas], who have always been most sympathetic to any proposals I have made.

First, the committee adopted an amendment to increase the cost limitations for the construction of rooms in low-rent public housing from $2,000 to $2,400 for regular units and from $3,000 to $3,500 in the case of units constructed for the elderly in Alaska. The increases are based on the higher costs of construction today. Such increases in the statutory limitation on construction costs for rooms in low-rent housing are vitally important to improve the living conditions of the larger number of lower income citizens who utilize this important program.

In my second amendment, the committee authorized the existing 15-percent limitation for public housing funds for any one State to be implemented in conjunction with the right of the Administrator of the HHFA to reallocate units of public housing not placed under construction within 5 years from the date reserved without regard to that limitation.

In States such as New York, the statutory limit on funds may be reached even though there is urgent need for more low-rent housing, and the local authorities could proceed without delay in providing such additional low-rent housing because of this amendment. For several years, many of us have endeavored to insure that States which have the heaviest need for low-income housing shall not be burdened with the same inflexibility as States not having such heavy, pressing needs.

The committee has dealt with the injustices of the 15-percent limitation in an excellent manner. This action will enhance benefits for those who urgently need public housing in large cities, such as those in my own State of New York.

Third, the committee has adopted an amendment which I proposed to increase the amount of relocation adjustment payments authorized to be made to any small business concern displaced by urban renewal from the present $1,500 to $2,500. In the Housing Act of 1964, Congress provided for $1,500 payments to displaced businesses when earnings were under $10,000 a year. Since that time the problem has had considerable study.

Incidentally, the Senator from Alabama [Mr. Sparkman] has led in that study, in fairness to families and small business, and the study has shown the difficulty which small business faced with the inadequacy of relocation payments. I now feel that the committee has made a real contribution on that score, and I am hopeful also that the Senate Committee on Government Operations, which is conducting hearings in an effort to establish uniform policy for relocation adjustments, will provide additional means for aiding those displaced by Federal programs.

The Select Subcommittee on Real Property Acquisition of the House Public Works Committee, in a report completed in December of last year, provided new evidence on the insufficiency of certain relocation payments. The study emphasizes the difficulties which small businesses incur in relocating without the loss of established patronage. The variety of costs incurred in establishing a business apart from moving expenses and those required to develop new patronage are not, in many cases, properly provided for. Displacements are particularly difficult for the elderly and nonwhite displaced. The inadequacy of relocation payment and the absence of advice and counseling also contribute to the high rate of business discontinuance which in many communities ranges between 25 and 40 percent.

I also commend the committee for bringing the focus of the rent supplement program upon lower income families having the greatest need for such housing assistance. The program as it was originally proposed by the administration was intended to aid middle-income housing with those having incomes of between $4,000 and $6,000. The committee has seen fit to establish an experimental program with respect to housing built by private nonprofit or limited dividend corporations or by cooperatives and financed with section 221(d)(3) below market interest rate mortgages, as well as programs under housing for the elderly. Under the committee bill, only 10 percent of the amounts appropriated for the purpose of making rent supplement payments could be used for this experimental program and rent supplement payments could not be made with respect to more than 20 percent of the dwelling units.

I believe that we should give very careful consideration to helping our middle-income housing programs and should give serious attention to the results of this experimental program. The action by the committee in placing an interest rate ceiling of 3 percent on mortgages which may be insured by FHA under the section 221(d)(3) below market interest rate program will do much to reduce the costs of middle-income housing and may provide a stimulus to the program which has not existed, in a meaningful way in areas of the Northeast such as New York.

However, I urge the Administrator of HHFA to continue to review ways of improving the existing middle-income housing program. I have this year introduced legislation to establish a program to set up Federal guarantees for tax-free housing bonds issued by local housing authorities for sale on the public market, and allow these authorities to use the revenue to make low-cost, long-term mortgage loans available to nonprofit, or limited-profit corporations for construction of moderate-income housing projects and housing for the elderly.

Mortgage loans would be authorized in an amount up to 90 percent of the development cost of a project with 50-year maturities and at interest rates not in excess of 5 percent. Dividends of the eligible borrowers would be limited to 6 percent and all rents and carrying charges would be subject to the approval of the lcoal housing agency.

Such a program would follow the successful pattern of the New York State Mitchell Lama program established in 1956 and the pioneering program of the New York State Housing Finance Agency which has sold $429,239,000 in long-term obligations in the open market to permit financing of privately owned housing at rentals low enough to make modern housing available to a vast segment of the population that previously could not afford new housing. Some 130 projects consisting of over 58,000 units have been initiated under this program. I believe that based upon the precedent of New York State's efforts in financing private moderate-income housing that the private enterprise system can and should be stimulated to fill the urgent needs of moderate-income housing to a far greater extent than has been the case up to now. There is strong precedent for such an emphasis on the role of private enterprise throughout existing housing legislation, particularly the congressional declaration of national housing policy in the Housing Act of 1949 which states:

> The policy to be followed in attaining the national housing objective established shall be: (1) private enterprise shall be encouraged to serve as large a part of the total need as it can; (2) governmental assistance shall be utilized where feasible to enable private enterprise to serve more of the total need; (3) appropriate local public bodies shall be encouraged and assisted to undertake positive programs of encouraging and assisting the development of well-planned, integrated residential neighborhoods, the development and redevelopment of communities, and the production, at lower costs, of housing of sound standards of design, construction, livability, and size for adequate family life.

LOW-INCOME HOUSING

The need for greatly increased efforts to assist lower income families to obtain decent housing is also of utmost priority. In 1964, one-fifth of the population—36 million persons—were living in housing that is either dilapidated, deteriorating, or lacking basic plumbing facilities. New York City alone has in excess of 250,000 units of substandard housing. Moreover, 75 percent of families living in the worst housing in the Nation have annual incomes under $4,000 and 50 percent incomes under $2,000 a year. The impoverished housing conditions in which low-income families are incarcerated for their lives without hope of change must be remedied. The goal of 810,000 low-cost housing units set by the Congress in the Housing Act of 1949 for construction in a 6-year period remains approximately 25,000 units short 16 years later. Additional and stepped up low-cost housing construction is essential. S. 2213, the administration's housing bill, would continue the low-rent housing program for 4 years, increasing for each year the authority for annual contributions by $47 million. The additional authority would provide, over the next 4 years, for, first, 35,000 new units per year, second, 25,000 units for acquisition and leasing of privately owned housing. I agree with Administrator Weaver's testimony before the Housing Subcommittee that the "proposed authorization is modest when set against the total current needs." Under an authorization of 60,000 new units, New York, a State in which 18 million people reside, would only receive 9,000 units. This allocation is below the State's present needs and below national needs. Nationally, there are some 500,000 families on the admission list for public housing. Substantially increased construction of units is necessary to more nearly fit the needs of this Nation.

There are a number of other very important sections in the housing bill. Section 602 of the bill would authorize Federal grants to local public bodies and agencies to finance 50 percent of the cost of projects for basic public water and sewer facilities. These water facilities would include facilities to store, supply, and distribute potable water for domestic, commercial, and industrial use. In view of the critical drought in the Northeast area, this matching-grant program is vital and should be implemented promptly. I hope that the program will be particularly directed to helping areas of special need which have been beset with drought conditions.

The Senate bill provides special assistance to communities having a population of 10,000 or less by increasing the amount of a grant for water facilities up to 90 percent of the development cost. This provision would be of great assistance to the smaller communities, and I hope will be retained in conference.

Section 107 of the bill provides important mortgage relief for homeowners who are unemployed as the result of the closing of a Federal installation. Many of the servicemen and civilian employees of Federal installations which have been ordered shut have purchased homes with FHA and VA mortgages. Where installations are closed, there homeowners may lose all or a substantial portion of their equities in their homes. Section 107 provides a helpful moratorium on payments, on principle, and if necessary, interest on FHA insured and VA guaranteed mortgages.

Additional help has been provided for those affected by base closings in section 108 of S. 2213 which would authorize the Secretary of Defense to acquire one- or two-family housing situated at or near a military installation which the Department of Defense subsequent to November 1, 1964, ordered to be closed.

I am also heartened by the increase in authorization for housing for the elderly by $150 million from $350 to $500 million and by the increase in authorization for college housing loans. These programs have been vital ones and deserve accelerated efforts.

Title VIII of the Senate bill provides essential help for urban areas as well as suburbs to increase their expenditures for park improvement and other beautification activities. The expanded grant program would strengthen the ability of State and local agencies to acquire urban land which has a value for park, recreation, conservation, scenic, or historic purposes.

Mr. KUCHEL. Mr. President, I shall detain the Senate for only a moment. Ever since the late Robert Bacon and the late Jim Davis, two members of my party, wrote the prevailing wage statutes into the laws of the land, the intent by which Congress has operated in the field of construction or in aid of construction has been that where the Federal Government has an interest in construction, the wages prevailing in the area where the construction is located shall be paid.

The law today provides that one shall comply with the prevailing wages if he is building a dwelling having more than 12 family units. If only 12 units are built, he is exempt. He can tell the people in his area that he will not pay the wages which prevail there. He can import labor from some other part of the country and pay lower wages.

I object to that practice and hope, therefore, that the amendment of the distinguished Senator from Utah [Mr. Bennett] will be rejected.

Mr. BENNETT. Mr. President, I did not expect to carry on the discussion, but I shall not take long. I remind Senators that the FHA program now covers somewhere between 35 and 40 percent of the total residential construction. If this amendment is attached to the bill, the volume will go much below that, because it will be possible to obtain conventional financing without obligating oneself to the prevailing rate.

I come from a State that has many poor rural communities. I have a memory that I should like to share with the Senate. A community in my State undertook to build a hospital and applied for Hill-Burton funds. When it applied for Hill-Burton funds, it found that it would be required to pay the prevailing wage rate in Salt Lake City, an urban area with a complex typical urban wage scale. They refused the Hill-Burton funds and built that hospital with their own labor, in their own town, at a scale that was satisfactory to the people who worked on the hospital, for less money than they would have been required to expend if they had used Hill-Burton funds.

The United States does not have a homogeneous pattern. If we were to incorporate the Kuchel amendment in the bill and require the payment of prevailing rates for the construction of homes under the program, we would be starting a process which would reduce the use of FHA guarantees to zero.

I hope that the Senate will realize that and will vote for my amendment which would, in effect, confine the use of the Davis-Bacon rate to multifamily apartment type buildings, rather than to impose them on the small dwelling that is being built by a man for his own use.

I have nothing further to say. I suggest that the Senate proceed to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah [Mr. Bennett] to the amendment offered by the Senator from California [Mr. Kuchel].

Mr. KUCHEL. Mr. President, the prevailing wage statutes, as the amendment I have offered. would require the payment of wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended.

That, in my mind, is sound public policy. Therefore, I believe that the amendment of the Senator from Utah should be rejected.

Mr. BENNETT. Mr. President, under the Davis-Bacon law, the Administrator determines the prevailing wage. When we go into a rural community in which there is no pattern of wage scales for the community crafts, they must go to the large communities in which the wage pattern has already been determined.

I hope that the Senate will agree to my amendment.

Mr. SPARKMAN. Mr. President, we have never applied the Davis-Bacon Act to single family units. This proposal would not follow the usual FHA pattern.

The amendment would apply to low income people, under section 221(d)(3) and (4).

It would go to those who would get the construction at the current prevailing rate; and others would get the housing at below market interest rate.

We have applied the Davis-Bacon Act to every housing program with the exception of the single-family unit. We know that the inevitable result is to increase the cost of housing. We would be increasing the cost of housing that we have tried to get at a low level so that people with a lower income could occupy the housing.

It seems to me that this would be a case of cutting off our nose to spite our face.

I do not believe that we ought to change our policy with reference to these two particular programs. The housing would be built for low income families.

Mr. McNAMARA. Mr. President, I associate myself with the remarks of the distinguished Senator from California [Mr. Kuchel]. The argument is made that the Secretary of Labor would go outside the community in order to establish criteria that would result in a different way than in the area involved.

I do not believe that the history of the Davis-Bacon Act would bear that statement out. I believe that the Secretary of Labor must take into account the areas in which labor is available for the type of work that is to be done in a particular community.

In establishing wages, he must consider the availability of people. That might take him outside the community. That would not mean that he would entirely overlook the wage conditions in the area in which the construction takes place.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment offered by the Senator from California.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from Washington [Mr. Magnuson], the Senator from New Mexico [Mr. Montoya], the Senator from Maine [Mr. Muskie], and the Senator from Virginia [Mr. Robertson] are absent on official business.

I further announce that the Senator from Tennessee [Mr. Bass], the Senator from Virginia [Mr. Byrd], and the Senator from Utah [Mr. Moss] are necessarily absent.

I further announce that, if present and voting, the Senator from Washington [Mr. Magnuson], and the Senator from New Mexico [Mr. Montoya] would each vote "nay."

On this vote, the Senator from Alaska [Mr. Gruening] is paired with the Senator from Virginia [Mr. Robertson]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Virginia would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Pearson] is absent on official business.

The Senator from Iowa [Mr. Miller] and the Senator from Vermont [Mr. Prouty] are necessarily absent.

If present and voting, the Senator from Iowa [Mr. Miller] and the Senator from Kansas [Mr. Pearson] would vote "yea."

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished senior Senator from Virginia [Mr. Byrd]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withdraw my vote.

The result was announced—yeas 35, nays 51, as follows:

[No. 183 Leg.]

YEAS—35

Allott
Bennett
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
McClellan
Morton
Mundt
Russell, S.C.
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—51

Aiken
Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Dodd
Douglas
Harris
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morse
Murphy
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell, Ga.
Saltonstall
Scott
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—14

Bass
Byrd, Va.
Church
Gruening
Hayden
Magnuson
Mansfield
Miller
Montoya
Moss
Muskie
Pearson
Prouty
Robertson

So Mr. Bennett's amendment to Mr. Kuchel's amendment was rejected.

Mr. KUCHEL. Mr. President, I move that the vote by which the amendment to the Kuchel amendment was rejected be reconsidered.

Mr. JAVITS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I ask for the yeas and nays on the pending amendment.

The years and nays were ordered.

Mr. GORE obtained the floor.

Mr. GORE. Mr. President, I ask unanimous consent that the amendment be stated. I am unable to obtain a copy of it.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 10, between lines 7 and 8, insert the following:

(c) The third sentence of section 212(a) of such Act is amended by striking out "described in subsection (d)(3)" and all that follows and inserting in lieu thereof "described in subsection (d)(3) or (d)(4)."

On page 32, between lines 6 and 7, insert the following:

(4) Section 212(a) of the National Housing Act is amended by inserting at the end thereof the following new sentence: "The provisions of this section shall also apply to insurance under title X with respect to laborers and mechanics employed in land development financed with the proceeds of any mortgage insured under that title."

On page 76, line 1, strike out "707 and 708" and insert "708 and 709".

On page 78, between lines 8 and 9, insert the following:

LABOR STANDARDS

SEC. 807. Title VII of the Housing Act of 1961 is further amended by inserting after section 706 (as added by section 806 of this Act) the following new section:

"LABOR STANDARDS

"SEC. 707. (a) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of grants under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Administrator shall not approve any such grant without first obtaining adequate assurance that these labor standards will be maintained upon the construction work.

"(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c)."

On page 78, line 10, strike out "807" and "707" and insert in lieu thereof "808" and "708", respectively.

On page 78, line 17, strike out "808" and insert in lieu thereof "809".

Mr. GORE. Mr. President——

Mr. HOLLAND. Mr. President, may I address an inquiry——

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. GORE. Mr. President, I cannot be sure of the portent of the pending amendment. I am not sure that anyone else can, either, from listening to the reading of the amendment. The remarks of the Senator from California have not entirely clarified its full portent, so far as I am concerned.

If the amendment has the effect of applying the Davis-Bacon Act to all residential contracts insured under FHA, we are about to strike a blow, and perhaps in many cases a fatal blow, at FHA insured mortgages on individual homes.

I have always been charmed by the statement, "A man's home is his castle." It seems to me that if one is in a fortunate situation in which he can employ his neighbors or relatives, perhaps on a gratuity basis, or has a friend who is a contractor, however small, there should be a way he can build a home as a result of his own initiative and obtain FHA insurance on the mortgage, without having the Davis-Bacon Act apply under any and all circumstances to every tiny, rural community throughout America.

Mr. President, I doubt whether the Senator from California intends the result I foresee, because I understood him to state that this was not his intent. But, if I heard correctly, from listening to the reading of the amendment, it specifically provides for the application of the prevailing wage as determined by the Secretary of Labor under the Davis-Bacon Act. There is no definite way of obtaining the prevailing wage in a small town. The prevailing wage is not and never has been the wage which prevails in a small town, such as a county seat. It is determined on an area basis. For the most part, it is determined by prevailing wages in a large metropolitan area.

Therefore, Mr. President, if the pending amendment should be really applied, I believe that it would defeat the purpose which we have long had in mind; namely, that of assisting a young couple to build a home in which to rear their children. Adoption of the pending amendment would make it more difficult. The pending amendment would make it more costly. Indeed, the pending amendment would make FHA unworkable in some small towns and communities.

America is increasingly becoming an urbanized society, but there are still millions of citizens who desire to build homes in small communities. The pending amendment might put a stop to that development.

I should like to see consideration of an amendment of such far-reaching effect as the pending one carried over until tomorrow, until at least we can read it, and understand what it would accomplish.

Mr. KUCHEL. Mr. President——

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. HOLLAND. Would the distinguished Senator yield to me for a question?

Mr. KUCHEL. Let me make a few comments to the Senator from Tennessee, and then I shall be happy to yield to the Senator from Florida.

I am a little surprised by the comments of my friend from Tennessee.

What Congress did years ago in enacting the original Davis-Bacon law was to provide that when any Federal construction takes place in a locality, the prevailing wage in that area shall be used. This law was designed not to increase labor costs but rather to prevent the exploitation of local workers and local contractors by cheap labor being imported from other areas. From the coverage of post office construction, over the years the provisions of Davis-Bacon have been expanded to additional Federal construction such as the Interstate Highway System.

If my able friend believes that I did not want the amendment to apply to one-family dwellings, he was incorrect in assuming that that was my position.

We have had in the law for a long time a provision applying the exception of the 12-unit construction or less. The other day, the House of Representatives adopted the amendment. It is a good amendment. It is in the public interest.

I do not care whether a person lives in a big city or in a small town, I do not want to see local workers and local contractors exploited. All the amendment would do would be to provide that if a person goes to the Federal Government for assistance in obtaining credit, he shall pay the prevailing wage in the town where the home is to be constructed; not in another State, but in that area.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KUCHEL. I do not believe that anyone needs to apologize for defending that kind of principle. I defend it. I believe the Senate will defend it.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my able friend.

Mr. GORE. I know the Senator has had experience with the application of the prevailing wage under the Davis-Bacon Act, as other Senators have had also. That scale is not determined on the basis which the Senator has described. If I read correctly the amendment, the Secretary would determine the prevailing wage in accordance with the Davis-Bacon Act. Is that correct?

Mr. KUCHEL. Yes.

Mr. GORE. That does not mean that a young married couple living in Carthage, Tenn., who wished to build a home can get FHA insurance of their mortgage by paying the prevailing wage in Carthage, Tenn. It does not work that way at all.

Mr. KUCHEL. If my friend will let me interrupt him at this point, it is perfectly true that administratively the Department of Labor makes a determination as to what area shall include the town of Carthage.

Mr. GORE. Carthage is a town of 3,000, and Nashville is a city of 300,000. The prevailing wage rates are determined on an area basis, and therefore the prevailing rate in a small rural community has very little effect upon the final determination.

Mr. KUCHEL. I do not agree with the Senator's statement. Unless the Senator can tell me that the largest city in his State sets the pattern, I am not willing to accept the Senator's statement.

Mr. GORE. We went into this matter rather carefully in connection with the Highway Act in 1956 and 1958. It was my amendment that applied the Davis-Bacon wage standard to the Interstate Highway System. We did not apply it, and declined to apply it, to the farm-to-market roads, I believe we acted wisely. I should like to go along with the Senator from California in applying it to the larger and multifamily units, but I implore him to give some second thought before we rush to require every man and his wife, in whatever conceivable circumstances, to have the Davis-Bacon Act wage standard apply before they can obtain insurance for their mortgage in building a home. I believe that is going too far.

Mr. LAUSCHE. Mr. President, I believe that the amendment offered by the Senator from California is ill-advised. In my State there is a law providing that the prevailing wage rate shall be paid on public construction. The prevailing wage rate is interpreted to be the rate agreed upon between labor unions and individuals engaged in the construction industry. It further provides that if there is a collective bargaining agreement in the particular area where the construction is to be done, the collective bargaining agreement of the county nearest to it shall apply.

Several years ago we had a situation in which the city of Sydney wished to build a school. It voted a bond issue adequate to cover the estimate of the cost. In estimating the cost they used the prevailing wage rate in Sydney. The labor unions contended that there was no collective bargaining agreement in Sydney, and that therefore the Dayton collective bargaining agreement should apply.

That meant that the bond issue approved was not adequate to finance the cost of construction. We solved that problem for that one instance, but whether it has been solved permanently, I cannot say.

I should like to invite the attention of my colleagues in the Senate to the fact that we are arguing about making it possible for every family in the United States to own a home. We are now proposing to provide a rent subsidy, because the cost of rental quarters is beyond what the people are able to pay.

We are doing that in one breath, and by this amendment we contemplate placing at a still greater disadvantage the family that wishes to buy a home, the family that wishes to rent quarters. I cannot see the logic of it.

Moreover, it is argued that inasmuch as the Federal Government guarantees the payment of the indebtedness, it has an interest, and warrants its controlling what wages shall be paid on the construction. In answer to that argument, I wish to suggest respectfully that when I buy a guarantee from the Federal Government, I pay a premium for it. We deal at arms length. The Federal Government gives me the guarantee, and I pay for it.

Under those circumstances, what right has the Federal Government to say how I shall spend the money which I borrowed and what wages I must pay? I cannot see the logic of that argument. If we wish to help a family that is seeking rental quarters, or if we wish to help a family that desires to buy a home, we should not pump up the price of homes and rental quarters through action taken by the Federal Government.

Approximately 2 years ago I pointed out on the floor of the Senate that in California, the wage of electricians was $7.70 an hour. In some States, they are asking for a 30-hour week. How will the ordinary worker be able to buy a home or rent quarters under those conditions? The proposal is not sound, it is not moral, and it ought to be defeated.

Mr. FONG. Mr. President, I believe that the amendment would do a great disservice to the small home buyer. FHA financing is usually obtained for homes costing approximately $20,000 to $25,000. As I understand, FHA financing goes only to the buyer; it does not benefit the contractor. When a contractor finishes a home, he advertises it for sale. A buyer comes on the market and says, "I want to buy this home." Then the buyer has to deal with FHA before he can get that type of insurance. The FHA insured home program redounds to the benefit of the buyer and not the contractor.

Mr. President, I have voted for the extension of the Davis-Bacon Act in relation to the construction of highways. We are now considering a situation which is entirely dissimilar to the program of building highways. After all, in the case of highways, the Government is the purchaser. The Government is the agency. The Government pays for it. We can set the prevailing wage as the standard.

But we are now talking about an individual who is a homeowner. He wishes to buy a home, and, if we allow the amendment to be adopted, he will be required to pay a higher price.

If the amendment is agreed to merely because the Federal Government is insuring FHA-financed homes, we might as well tell every individual who borrows money through conventional financing, such as banks and savings and loan associations, whose deposits the Federal Government insures up to $10,000, that, because the financing is coming from institutions whose deposits are being insured by the Federal Deposit Insurance Corporation, he must pay wages which are comparable to those required by the Davis-Bacon Act.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FONG. I yield.

Mr. LAUSCHE. The situation which has been described by the Senator from Hawaii will come about eventually. It will be said that since contractors are borrowing from a bank whose deposits are insured by the Federal Deposit Insurance Corporation, they are being aided by the Government, and therefore they will have to pay the wage schedule prescribed by the Davis-Bacon Act.

Mr. FONG. I thank the distinguished Senator from Ohio. If we adopt the amendment, I believe that we shall come to that point. When we come to that point, we shall go a little further. Every time the Government has anything to do with an activity, we shall say that, since certain regulations have been established relating to the price, the Government can set the price of the activity or article. We will then have regimented prices all over America.

Mr. GORE. Mr. President, I am advised by the committee staff that the amendment does not mean what I understand the senior Senator from California to state that it means. I have read it; other Senators have read it. It is a long, 2-page, technical amendment. I would like to understand what it means before I vote on it, because it is important. Therefore I move that further consideration of the amendment be postponed until tomorrow.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Tennessee.

Mr. CASE. Mr. President, is such a motion debatable?

The **PRESIDING OFFICER.** The motion is debatable.

Mr. CASE. I do not wish to presume to interfere between the Senator from California and the Senator from Tennessee on the question of postponement. Therefore, I shall not direct my discussion to that point.

Even if the most liberal interpretation of the amendment of the Senator from California be the correct one, and the amendment would apply not only to every building, whether it be a one-family house or a multiple-family dwelling, but also anything else the financing of which is guaranteed by FHA, and even if the areawide basis is the correct one, as far as the prevailing wage question is concerned, it seems to me most desirable that the amendment be adopted. I think it is as simple as that. Shall we have the credit of the Federal Government used to help drive down wages? That is the question. Or will we have a national policy which is appropriate to establish when we render national financial assistance, even for a single-dwelling homeowner, that can be carried into effect by establishing the prevailing wage rates?

We have done that all along on public construction. We have done it on private construction, for commercial ventures, and that sort of thing. I see no reason why a person building a 1-family dwelling should be treated differently from a person building a 10-family house, a 20-family dwelling, or a 100-family dwelling. If the person constructing such a building desires the assistance of the Federal Government, he should be able to get it only on the condition that he not violate a national wage policy. If that is not a national wage policy which was established, I may say with some pride, under Republican auspices many years ago, and supported by both parties alike over the years, and expanded in its coverage—although not expanded as quickly as I would like to have seen it expanded—then I am mistaken.

When the question comes to a vote—and I do not argue as to whether action should be had today or another day—I hope that the amendment will be carried overwhelmingly.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE. I am glad to yield to the Senator from Tennessee.

Mr. GORE. Can the Senator tell us whether the amendment would apply only to multiple units or would it apply to the individual home to be covered by an FHA-insured home mortgage?

Mr. CASE. As I said at the outset of my remarks, and I repeat, I am not attempting to interpret the scope of the amendment, because I believe even if it should apply, it should apply only to one-family houses.

Mr. GORE. Does not the Senator believe that we should understand the scope of the amendment before we vote on it?

Mr. CASE. I am not attempting to say that we should not understand the scope of it. All I am saying is that whatever its scope, whether the amendment applies only to multiple-family houses or whether it applies to single-family houses as well, the Davis-Bacon Act principle should be applicable.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. CASE. I yield.

Mr. GORE. I would be prepared to support the application of Davis-Bacon as a standard for commercial enterprises and high-rise apartments, but I am not prepared to have it apply to every individual homeowner application in the United States, and I would like to know definitely the scope of the amendment.

I wish the senior Senator from California would ask unanimous consent that action on his amendment be postponed until tomorrow.

Mr. KUCHEL. Will the Senator yield?

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

Mr. KUCHEL. I am sorry.

Mr. CASE. The Senator from New Jersey does not wish to define the amendment, because he is for it, whether it applies across the board or to one-family housing.

I do not wish to interfere with the two Senators on the question as to whether the issue should be decided today or tomorrow, but when it is acted upon, I want every Senator to know that I shall support it on the broadest possible basis.

I yield the floor.

Mr. HOLLAND. Mr. President, I strongly support the Senator's motion for postponement until such time as we can have the amendment printed and available, and Senators have made a study of it.

I consulted with counsel for the committee and the chairman of the subcommittee, and no one I have been able to find is completely clear on what it means.

Apparently it applies to different parts of the Federal Housing Act which are not included in the bill before us today, and someone must have available the whole Federal Housing Act to find out what it affected.

The question is not what one Senator might think about the merits of the proposal and whether he agrees with it. The question is what the amendment means; and I do not believe that can be determined without examining the amendment.

Mr. GORE. Rather than vote this afternoon before Senators can examine it.

Mr. HOLLAND. That is the way I feel. I believe the Senator made an extremely wise proposal, because I think the amendment would apply to different parts of the law and we ought to know what it means before we vote on it. That seems to me to be commonsense, because this amendment was not available to any of us until it was offered on the floor.

Being as complex as it is, and changing the law in many different parts, as it does, I think we are entitled to know what it means.

Mr. AIKEN. Mr. President, I should like to say to the Senator from New Jersey that I can see quite a difference between a 1-family house and a 10-family house. A 1-family house is used as a home; a 10-family house usually represents an investment.

If the amendment offered by the Senator from Utah had applied to not more than two families, I would have voted for it; however, I could not see my way clear to vote for an exemption of 12 units or more.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. BENNETT. In my State, many so-called duplex houses are built. The owner or builder lives in one half of the house and gets a little money out of the other half to pay his costs. I would dislike to have the number reduced to two, because that would result in taking money from a man.

Mr. AIKEN. I might go as high as four units.

Cases have arisen in which the Davis-Bacon Act has been applied to construction in my own State. Last year, as I recall, there were three cases, one applying to a hospital, one applying to utility line construction, and I cannot remember what the other one was. However, they were instances in which very high wage rates were imposed at the insistence of unions located in higher wage areas. I believe their purpose was to discourage construction in the low-wage areas and to have it concentrated in their own districts. However, when that situation was called to the attention of the Department of Labor, it was corrected, and the prevailing wage of the community was applied. There was considerable inconvenience and some delay in having the situation straightened out.

The result of the Davis-Bacon Act, as I have observed it, has been to equalize more nearly wages in the various areas. That has not been too satisfactory to contractors in what used to be the old low-wage areas, but on the whole, the economic condition of the area has been improved. Certainly it has been satisfactory to those who receive the wages.

I expect to vote for the amendment of the Senator from California [Mr. KUCHEL]. On the other hand, there are two sides to the question. In my mind, it is a question of degree. Under the circumstances, I shall vote for the amendment as is and shall probably have more trouble with some of the unions from the high-wage areas trying to impose their rates on districts where wages are traditionally somewhat lower. I do not know what will happen.

Mr. BENNETT. If the FHA had a monopoly on the insurance of mortgages or on the furnishing of mortgage money or of making mortgage money available, that would be one thing. Then everyone would be required to pay the same wage rates. However, in my opinion, this proposal would drive the man who wanted to build his own home away from the FHA to where he could obtain conventional mortgage money, for which he might be willing to pay 1 or 2 percent in order to save the difference in the cost of building the home at the rates in his own community.

We have now reached a point where the FHA is guaranteeing less than one-third of the single-family construction. The last figure, which was for February, was about 15 percent. So we shall leave ourselves with a program that nobody will use because of the burden that this law would put on them.

In some communities the FHA is doing little business now because the local banks are not interested in taking mortgages at the interest rates which they are permitted to charge. The banks are able to get much more for their resources by lending the money elsewhere. I could name communities in Vermont in which the bankers have not been openhanded, but two or three in the State are doing quite well.

This proposal would add another burden, which I think would reduce the use of FHA for financing single-family units.

Mr. AIKEN. There are communities where that would not be fair.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may temporarily withdraw my amendment, but protect my right to offer it again tomorrow, perhaps under a time-limitation agreement, or otherwise. The amendment was adopted by the House of Representatives. I shall be prepared to discuss it tomorrow. Merely to accommodate not only the able Senator from Tennessee [Mr. GORE] but other Senators, as well, I renew my request that I be permitted to withdraw the amendment and to reoffer it tomorrow.

Mr. GORE. Mr. President, reserving the right to object, I ask unanimous consent to withdraw my motion.

The PRESIDING OFFICER. Without objection, the request is granted.

Mrs. NEUBERGER. Mr. President, in the committee during the consideration of the House bill, which is the pending bill, I vigorously supported the insertion of section 211, which I felt was important in order to simplify the procedures for the acceptability of new material or products for use in FHA-financed housing.

However, I am somewhat alarmed since I have read the committee report. It seems to go beyond what I thought the amendment contained, particularly as it concerns lumber standards. I am concerned about the vague language in the report which would require the FHA Commissioner "to accept the findings of various recognized technical experts and private and governmental testing laboratories in making his determination" for approval of new materials or products.

This definitely would affect recent efforts of the American Lumber Standards

Committee which has the responsibility and obligation to define standards for dimension lumber.

I outline my feelings on the report in a letter to the chairman of the subcommittee [Mr. SPARKMAN].

I ask unanimous consent that my letter to the Senator from Alabama under date of July 13, 1965, may be printed at this point in the RECORD in explanation of my position.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
July 13, 1965.

Hon. JOHN SPARKMAN,
Chairman, Housing Subcommittee, Banking and Currency Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Insertion of section 211 in S. 2213, the Housing and Urban Development Act of 1965, was based on the need for simplification of procedures for acceptability of new materials and products for use in FHA-financed housing. I have grave fears, however, that the language in the bill and report may negate results of a nationwide plebiscite on softwood lumber standards, and efforts of the newly constituted National Lumber Standards Committee to prevent chaos in the forest products industry.

You will recall that a year ago a new proposed standard for dimension lumber was submitted to a referendum of approximately 40,000 producers and users in various categories. This referendum showed a disinclination to adopt the new sizes. As a result, the Secretary of Commerce enlarged and reconstituted the American Lumber Standards Committee to seek a solution in the public interest and acceptable to the industry in general. This group met just last week to work on this matter.

I am concerned about the vague language in the report which would require the FHA Commissioner "to accept the findings of various recognized technical experts and private and governmental testing laboratories in making his determination" for approval of new materials or products. The Secretary of Commerce has delegated to the American Lumber Standards Committee the responsibility and obligation to define these standards for dimension lumber. Patently, the language in the report on section 211 would make virtually meaningless the decisions of the Committee since the Commissioner, under Section 211, would make his determination on the basis of "the findings of various recognized technical experts," which may or may not include the Lumber Standards Committee.

In my opinion, the legislative history on S. 2213 should make quite clear that the FHA Commissioner's authority for acceptance of materials does not extend to softwood dimension lumber.

With best wishes, I am
Sincerely yours,
MAURINE B. NEUBERGER.

Mr. MORSE. Mr. President, will my colleague yield?

Mrs. NEUBERGER. I yield to my colleague, the senior Senator from Oregon.

Mr. MORSE. Mr. President, if I may have the attention of the chairman for a moment, I rise to join my colleague in the concern she expressed in regard to lumber standards.

She is a member of the committee. As I have told her, I will follow her leadership in the matter. However, we are of one mind as to the importance of the matter being clarified.

If I may have the attention of the chairman of the subcommittee, I believe that my colleague, the junior Senator from Oregon, has presented a very important point which has been called to our attention by representatives of the lumbermen's organizations in the State of Oregon. In that connection, I wish to bring to the attention of my colleagues a telegram dated June 29, addressed to me by Mr. Ted Hallock, executive vice president of the Western Lumber Marketing Association of Portland, Oregon.

The text of Mr. Hallock's telegram is as follows:

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.

We are informed that the omnibus housing bill will be reported out of the Senate Banking and Currency Committee on Tuesday, June 29, to the full Senate and that the Senate version contains an amendment which, if adopted, could completely undermine and negate the work of the American Lumber Standards Committee in trying to research what if any changes should be made in standard lumber size. Title V, section 521 contains this sentence: "Under such procedures, any material or product which is technically suitable for the use proposed shall be accepted."

This means, as we interpret it, that the Federal Housing Administration Commissioner, if convinced by even one major manufacturer that 1½-inch lumber was technically suitable, is directed to accept that size, and in so doing is in effect further directed to make that size uniform.

Already there has been pressure on the FHA to accept inch and a half substandard lumber regardless of the ALS conclusions. Congressman ROOSEVELT can confirm this.

The ALS subcommittee and full committee are meeting in Chicago July 7 and 9 to entertain further proposals. Additionally, various lumber trade associations are going to band together to finance privately a Stanford Research Institute study of the economic impact of any size change. Yet, there is another impetuous attempt to stampede the lumber industry into a size change without adequate study and with no regard for impact in the marketplace.

We hope that you will question Senator SPARKMAN on the floor in a colloquy to establish the seriousness of our allegations that an industry committee is being deliberately circumvented by the major operators who have sought inch and a half on their own terms for so long.

I say to the chairman of the subcommittee that that subcommittee and the full committee gave thorough consideration to the arguments for and against inclusion of the language of section 211 of the bill now under consideration.

I would appreciate it very much if the Senator from Alabama would give me the benefit of his comments concerning the protest registered by Mr. Hallock. However, before he replies to my request for comments, I want to say in all fairness, for the Senator's information, that I should point out that others in the State of Oregon have expressed views that are exactly opposite to those outlined by Mr. Hallock. For example, I am in receipt of a wire dated June 29, from Mr. Al Disdero, president of Al Disdero Lumber Co., of Oregon, in which it is stated:

> We of this company urgently request your support of section 211 of the Housing Act of 1965, S. 1354.

I assume that Mr. Disdero actually has reference to section 211 of S. 2213. I have received a number of telegrams comparable to those addressed to me by Mr. Disdero. I shall not include those in the RECORD, but I should mention to the chairman that they are of the same tenor as those supplied by Mr. Disdero.

However, I also should make very clear to the chairman of the subcommittee that there is a great deal of concern expressed by a good many lumbermen in my State that this section of the bill, and particularly the language carried into the committee report, may have the effect of laying a foundation for the undermining of the work of the American Lumber Standards Subcommittee and that this may be nothing but a concealed attempt to authorize the FHA to exercise a very arbitrary discretion in accepting lumber if some manufacturer satisfies them it would be acceptable when in fact it would be substandard and would undermine the movement to try to reach some standard policy with regard to lumber standards.

I would appreciate it if the Senator from Alabama would comment for the RECORD on this matter.

Mr. SPARKMAN. Mr. President, let me say, very briefly, and then I will ask the Senator from Utah to comment on this matter, that I am somewhat puzzled by the attitudes taken by some of our lumber people. By the way, the letter from the Senator from Oregon [Mrs. NEUBERGER] was received today. I have only had time to read it; but less than a year ago the very lumber people who were objecting to the inclusion of this provision in the bill were asking us to get FHA to meet the requests; and even as early as a few months ago there were requests from many lumber interests for this kind of legislation.

There has been a change, apparently, in sentiment on the part of some people that came faster than I could change. So I am puzzled by requests coming to us, since they are contrary to requests made in the very recent past.

I shall not comment further, but ask the Senator from Utah [Mr. BENNETT], who has given a great deal of thought and study to this subject, to comment.

Mr. BENNETT. Mr. President, if the Senator from Oregon will permit, I was the author of the amendment. I was not thinking entirely of the lumber industry. The Senator from Utah has been aware that for some years we have been appropriating funds for experimental work on building materials, and FHA was clinging to its old standard pattern of approved materials, and the new materials that were being developed could not be used because they were not on the list.

So the purpose of the amendment is to put pressure on FHA to work on the problem of developing new materials and adding them, as fast as they can be proved to be suitable, to their approved list.

I do not have the complete text of the telegram that the Senator has read, but I have some excerpts from it.

Mr. MORSE. Let me see if I can furnish it to the Senator. Someone has taken it from my desk, but I will get it for the Senator.

Mr. BENNETT. I think this is a correct excerpt:

> That Federal Housing Administration's Commission, if convinced by even one major manufacturer that 1½-inch lumber was "technically suitable" is directed to accept that size, and by so doing is in effect further directed to make that size uniform.

The first half of that statement is correct; namely, that if it found it was technically suitable, it is directed to permit its use. But the second half is completely incorrect. It is not the purpose of FHA to require complete uniformity, and to tell all lumbermen, "We will use this and nothing else." If the amendment were adopted, it would permit the use of larger size lumber in markets where it is available so long as it has the proper strength. I am thinking of my own State, which has much green lumber. Or, if it were determined that lumber of a slightly smaller size would be usable in construction of residences, the FHA could permit the contractor to make his choice as between the two types of lumber.

It was not the purpose of the committee under this amendment to say to the FHA, "We ask you to step in and settle the dispute going in the lumber industry and plump for one side or the other."

We are only saying that if both will work under certain circumstances, let the contractor make the choice, and approve both types.

The telegram continued:

> There is another impetuous attempt to stampede the lumber industry into a size change without adequate study.

It is not any such thing. It is only an attempt to make available alternate sizes if the FHA decides that, under certain circumstances, they are suitable. The legislation is not intended to have any effect on the ultimate decision of the industry or to stampede it into any point of view.

I am trying to find the reference to the study to be made. Apparently that is not in the telegram.

Let me read from the telegram:

> Additionally, various lumber trade associations are going to band together to finance privately a Stanford Research Institute study of the economic impact of any size change—

This is where it comes in—

> yet there is another impetuous attempt to stampede the lumber industry into a size change without adequate study and with no regard for impact in the marketplace.

That is the statement in the telegram.

Battelle Memorial Institute, a reliable private research and testing institution, has already made a complete study for the National Bureau of Standards of the U.S. Department of Commerce on the economic impact that can be expected to follow the adoption of "A proposed revision of simplified practice recommendation 16–53 American lumber standards for softwood lumber."

This report was furnished to the Department of Commerce a year ago.

Incidentally, the Battelle study indicated that a change in the standards would not disrupt the industry. The U.S. Forest Products Laboratory, the Government's own wood-testing agency, told the FHA, in a letter dated December 1962, that the new standards for dry lumber would equal or slightly exceed in strength and stiffness the presently accepted dressed green sizes.

It seems to me the people in Oregon have misunderstood the purpose of the amendment. They have assumed it would do things none of us in the committee intended it should do.

All we were trying to do was to open up choices. We are not trying to set up a rigid set of rules which would outlaw materials that are now being used and require the FHA to use materials which they do not now use.

Mr. MORSE. I thank the Senator from Utah for helping me to make the legislative record on this matter. I ask him, for purposes of information, whether there is any basis for any feeling that the result of the amendment would be to weaken or scuttle the program, so-called, of the American Lumber Standards Advisory Committee which, it is my understanding, functions under the Department of Commerce and supposedly has, under its terms of reference, the responsibility of making a study of the matter of lumber standards, on which I am certainly not a competent witness at this time. But is there any reason for feeling that the amendment we would place in the bill would in effect negate or put out of effective operation American Lumber Standards?

Mr. BENNETT. There is no thought that it would do that. If the amendment were still in the bill, it might hasten the day when the problem would be resolved by American Lumber Standards. In no sense were we trying to say to them, "Drop your study and forget it. We have already decided it for you."

The amendment is not limited to lumber, because it covers all types of construction material. In the course of the hearings before the committee, these industries indicated that they were being deprived of the opportunity to present new products. The concrete industry, the paint and varnish industry, the plastics industry, the plywood industry, the insulation industry, the Carpenters and Joiners Union, all came in asking that the amendment be included.

The steel industry also came in to assert that they had new products which they would like to have considered for use beyond the present accepted list. The committee adopted the amendment 11 to 2.

With these explanations, I hope that I have been able to put the fears of my friends from Oregon at rest.

Mr. MORSE. It is not a question of setting anyone's fears at rest. It is a question of carrying out our responsibility in making the legislative record, bearing upon the fears of our constituents.

Mr. BENNETT. I hope that once this record is made, their fears, also, will be set at rest.

Mr. MORSE. I have tried to give both sides of the question. I pointed out that Oregon has some lumbermen who share the views, apparently, of the Senator from Utah. I put one of their telegrams in the RECORD and made note of the fact that there are others who hold that point of view. I believe that we have heard—and I believe my colleague [Mrs. NEUBERGER] will agree with me—from customers and dealers and lumbermen who developed these fears to which the Senator has referred.

In some of their communications the lumbermen have stated—I do not know what the facts are—but they have stated that behind the scenes a battle is going on between two great lumbermen's associations, of which I know not.

That is not going to concern me. The only thing which will concern me is whether we have adopted an amendment which will result in giving an unfair preference to one group, in this instance, the suppliers of lumber, over another group.

Mr. BENNETT. So far as I am concerned, I hope the amendment will be adopted which will give both groups access to the FHA market.

Mrs. NEUBERGER. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I am glad to yield to the Senator from Oregon.

Mrs. NEUBERGER. I very much appreciate the help of our fellow member of the committee. I was one of those who supported the amendment, as I stated before, and took the line in the report which said that the present practice often resulted in discrimination against some newly developed product.

Then up rose our old conflict between the lumber groups, and after much effort to establish some standards in the lumber business, we feared that perhaps it would upset the harmony. We in Oregon are in a great lumber-producing State. The FHA program is of great benefit to our State because of the use of lumber. I feel as my colleague [Mr. MORSE] has said—and he has received a very good explanation from the Senator from Utah—that the legislative history will be here for us to refer to.

I thank the Senator from Utah.

Mr. BENNETT. I thank my friends from Oregon.

Mr. TOWER, Mr. THURMOND, and Mr. AIKEN addressed the chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. THURMOND. Mr. President, will the Senator yield to me for a few seconds to discuss the same subject?

Mr. AIKEN. I intend to take only 2 or 3 minutes.

Mr. THURMOND. Mr. President——

Mr. AIKEN. I have only a couple of minutes, but I am glad to yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I have received considerable correspondence from some of the lumbermen in my

State who oppose the amendment which was inserted by the committee proposing to add a new section 521 to the National Housing Act—as have the two Senators from Oregon.

There is concern on the part of some of the lumbermen in the South, as I am sure there must be on the part of some of those in the West, on this particular subject.

Beginning on page 102 of the Banking and Currency Committee report, I have set out my individual views on this proposal, and incorporated therein is a letter from Robert C. Weaver, the Administrator of HHFA. Mr. Weaver very strongly opposes the incorporation of this new section 521 for the reasons set out in his letter.

I do not know whether the Senator from Oregon has had occasion to read that letter.

Mr. MORSE. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I yield.

Mr. MORSE. I had intended, but I overlooked it, to place in the RECORD the views of the Senator from South Carolina following my remarks.

Mr. President, I ask unanimous consent to have printed in the RECORD the material on pages 102, 103, and 104 of the report.

There being no objection, the individual views ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR STROM THURMOND

In addition to the objections to this bill contained in the minority views which I signed, I have serious reservations concerning one section which was not contained in the administration bill as introduced, but was added in the Housing Subcommittee. This is section 211 of the bill which adds a new section, section 521, to title V of the National Housing Act. This section would require the Administrator of the Housing and Home Finance Agency to adopt a uniform procedure for the acceptance of materials and products which are found to be technically suitable for the use proposed in structures approved for mortgages and loans under the Housing Act.

I share the concern that has been expressed by members of the committee concerning the seeming reluctance of the FHA, and certain commodity standards groups, to approve new materials which are the result of technological advances in the industry. This is a matter which deserves a searching study by the appropriate congressional committees to assure that new materials can be taken advantage of to reduce the costs of housing to the American public where these materials are as good as, or better than, those presently in use.

Nevertheless, I am disturbed about the words "technically suitable," because the fear has been expressed to me that this amendment could open the door to the FHA accepting substandard items that might be classified as "technically suitable." It is not clear in the wording of the amendment who is to determine if any material is "technically suitable," but it seems apparent that the Administrator of the HHFA would be required to make an independent judgment as to each and every product concerned. This would place an onerous burden upon the Administrator, one that he is not capable of adequately performing at the present time. The cost to the HHFA of testing the materials could greatly increase the administrative expenses of the Agency.

These objections have been well expressed by the Administrator of the HHFA in his letter addressed to the chairman of the subcommittee, as follows:

JUNE 21, 1965.

Hon. JOHN SPARKMAN,
Chairman, Subcommittee on Housing.

DEAR MR. CHAIRMAN: This letter concerns the proposal to insert in the Housing and Urban Development Act of 1965 the following provision:

"SEC. 521. The Commissioner shall adopt a uniform procedure for the acceptance of materials and products to be used in structures approved for mortgages or loans insured under this act. Under such procedure any material or product which is technically suitable for the use proposed shall be accepted."

The HHFA would not favor such legislation because it is neither necessary nor desirable. Now, and since the beginning of FHA, an effective "procedure for the acceptance of materials and products" has been in use. Minimum property standards have been established for different types of structures built under varying programs as a means of encouraging improvement in housing standards and conditions and as a guide for judging the soundness for insurance of a mortgage transaction. These standards are derived or paterned after, wherever suitable, industry promulgated standards which have been nationally recognized by architects, engineers, builders, or other interested groups.

The proposal would require the enlarging of present FHA procedure to a point which could duplicate or interfere with the aims and the work of the Office of Commodity Standards of the Department of Commerce and the work of industrywide trade groups. The Office of Commodity Standards, through industry conferences, assists industries in the voluntary adopting of standards. The objective of the industries is the elimination of avoidable waste through voluntary adherence to standards of practice for sizes, dimensions, varieties, or other characteristics of specific products. If the FHA were to accept any "technically suitable" product, it would lead to acceptance of a far wider and confusing variety of product characteristics and sizes. This could nullify the efforts of the industry groups and the Department of Commerce to eliminate waste through standardization with eventual extra cost to be paid for by consumers.

The FHA establishes minimum property standards as a guide to mortgage insurance risk. The exercise of the usual administrative judgment function would be removed from the FHA if the provision were interpreted as giving a legally enforcible right to a proponent of a "technically suitable" product to demand its acceptance. Formalized adversary hearings would be required to determine whether a product is "technically suitable" if the FHA administratively decided not to list it as meeting minimum standards. The ultimate test of whether a product is "technically suitable" would be dependent upon a decision by the courts.

Under present procedures, the FHA adopts a minimum standard and decides only whether a material or product meets that standard. The mandatory acceptance of a "technically suitable" product might be misleading in that it would suggest endorsement of a product by the FHA, whereas, the use of a similar product would be more desirable when all factors are considered.

A requirement that FHA accept any product which is "technically suitable" could work to the detriment of nationally recognized industry standards. For example, there is a nationally recognized standard of sizes and grades for softwood framing lumber used in housing. These various sizes and grades are used by the FHA as references in describing minimum acceptable grades and sizes for particular uses. If FHA accepted all of the infinite variations in size and grade which might be proposed as "technically suitable," it would render the present industry standards meaningless. Each variant would have to be considered separately. Competition between manufacturers could lead to a proliferation of sizes and company standards with little or no control over the quality of the product other than that provided by the producer. Any trend away from standardization of sizes would lead to extra costs in architectural design.

Where industry groups have established grade marking or other labeling devices the FHA is able to determine readily whether particular products meet its minimum standards. Inspections by FHA on a construction site are greatly simplified. Without grade marking or labeling adhering to present industry standards FHA inspection procedures would necessarily become more complicated and burdensome to the homebuilder. Building materials without generally accepted industry labels or grade markings would have to be examined closely on the job site to determine whether these materials meet FHA's minimum property standards.

Adopting this amendment would increase demands upon the FHA to accept materials produced here and abroad without benefit of established standards of sizes and quality. If samples of such products meet a test of "technically suitable," the FHA would then have to rely on its own continuous close inspections, rather than voluntary policing within an industry, to protect the home buyers' interest. The benefits of standardization and resultant cost savings would be lost. Homeowners are benefited much more by standardization than they would be by this amendment.

I am told that the purpose of this amendment is to require the FHA to make its own decisions with respect to the acceptability of a material or product. This it does now. But, if it could not rely on the work of other agencies and organizations it could result in the FHA being required to establish elaborate research facilities. This duplication of effort would add to FHA's administrative costs. The amendment could produce an unnecessary expense for the Federal Government and add to the costs borne by the home buyer.

In my opinion, adoption of the amendment could seriously impede efforts to house low- and moderate-income families and jeopardize the success of FHA programs in a most drastic way. I am opposed to this amendment and urge that your committee recommend against its adoption.

Sincerely yours,

ROBERT C. WEAVER,
Administrator.

It is my belief that the committee should conduct full and open hearings on this proposal before including it in any bill. Until such hearings are held, I cannot support this provision.

STROM THURMOND.

Mr. THURMOND. I thank the Senator from Oregon. As I understand the able Senator from Utah feels that this new section would not jeopardize any particular segment of the lumber industry, that the existing standards would be upheld, and there would be no prejudice toward any particular section of the country on any particular type of lumber.

Mr. BENNETT. So far as I can see, there need be no problems, because we have made it possible for the various

kinds to be used, under the circumstances, where they are suitable for the purposes for which they are being used. The FHA standards were established many years ago. They have not been updated. Many new products have been developed since that time. I believe that we should try to open the door so that they can be used. For instance, I am in the paint business. The FHA has rejected paints because the films produced were one millimeter thinner than their standards. Actually, the new paint films are thinner but they are probably more durable.

Mr. THURMOND. Mr. President, I hold in my hand a letter addressed to me from Mr. Oswald Lightsey, a prominent lumberman of the firm of Lightsey Bros. in Miley, S.C., an excerpt from which reads as follows:

> We are very much disturbed about the words "technically suitable" because we are afraid this amendment would force the FHA to accept substandard items that might be classified as technically suitable. The FHA has insisted, although they have been under enormous pressure to accept nonstandard size lumber, on all items of framing lumber conforming to American lumber standard sizes.
>
> This appeared, apparently, as an innocent amendment without advance notice of the proposal, but we are afraid that it might be a "back door" approach to building pressure for accepting substandard items which might defraud the consuming public who has long relied on FHA standards for its protection. We believe that consistent application of FHA standards to all areas and species is important and would be preserved by continuing recognition of American lumber standard sizes.

Mr. BENNETT. It still leaves the FHA in a position to accept or reject a particular product. The FHA will decide whether a product is substandard. A product can be different without being inferior. There is nothing in the provision that requires the Administrator to accept a product which he considers to be substandard. He will determine the standard. The only thing the provision will do is to make sure that after the minimum performance standard has been set up any product that meets or exceeds that standard will not be discriminated against. I am sure my friend the Senator from South Carolina feels the same way, that they should all have access to the market place if they meet the standards that are set up.

Mr. THURMOND. I have the highest admiration for the Senator from Utah. He is one of the ablest and one of the finest men in the Senate. I know that he has only the best intentions in advocating this provision. However, this is a matter of great importance and it is apparent from the discussion that there is a difference of opinion concerning it. It is my belief that full and open hearing should have been held on the proposal before including it in the bill. For that reason I cannot support this proposal until a hearing on it has been held.

Mr. AIKEN. Mr. President, I should like to ask the Senator from Alabama two or three questions for the purpose of making clear the intent of title 6 of the bill. I note that title VI of the housing bill provides grants for community water systems. Is this provision limited to urban areas only?

Mr. SPARKMAN. Not entirely. Title VI would be administered by the Housing and Home Finance Agency and would more or less give priority to urban areas but it could also be used in small communities that can economically afford to supply 50 percent matching funds with which to construct water or sewer systems.

Mr. AIKEN. I note that the full title of the proposed legislation is the Housing and Urban Development Act of 1965 and I assumed that the legislation was intended to serve nonfarm areas only.

Mr. SPARKMAN. Not entirely. The bill does contain a title that deals with housing in rural areas. However, I thought your inquiry was directed to the provision for community water system grants.

Mr. AIKEN. My concern was with the water system title. I am anxious to establish for the record the fact that legislation I have introduced with some 92 cosponsors S. 1766 in no way duplicates the provision in the housing bill. S. 1766 would provide grants for water systems in rural areas through the existing facilities of the Farmers Home Administration.

Mr. SPARKMAN. Yes, I am aware of that and recognize that the rural housing program has been handled very well by the Farmers Home Administration. I feel that that agency can do an excellent job in providing aids for water systems or similar developments in rural areas. As the Senator knows, I am a cosponsor of his bill.

Mr. AIKEN. The Farmers Home Administration has some 1,600 offices serving rural areas throughout the country. I believe the Housing and Home Finance Agency does not have that type of field service.

Mr. SPARKMAN. That is correct. The HHFA cannot supply the same type of field service in rural areas as can the Department of Agriculture and certainly we would not want any duplication of field offices to be set up.

Mr. AIKEN. What the Senator is saying is that S. 2213 is not intended to conflict with S. 1766, both of which are supported by the Senator from Alabama, but that there might be an occasional borderline case to which the provisions of each bill might apply. Is that correct?

Mr. SPARKMAN. The Senator is correct.

Mr. AIKEN. I am happy to hear that no duplication is intended. The Farmers Home Administration has an excellent program going in the development of rural water systems. In fact they have developed more than 800 rural water systems in the past 4 years at a total cost of $110 million and have established their expertise in this field. But an estimated 30,000 rural areas are still without modern adequate and sanitary water systems. At the present time the Farmers Home Administration assistance is limited to loans. Rural areas need grants in many instances to develop the required facilities, just as certain urban areas do. The grant provision for rural areas is contained in S. 1766. Hearings have been completed on this legislation and we look forward to seeing it on the floor of the Senate in the near future. It will be a proper companion piece of title VI of the Housing Act.

Mr. HARTKE. Mr. President, I send an amendment to the desk and ask that it be not read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

S. 2213

On page 54, between lines 9 and 10, insert the following:

"(f) Notwithstanding the provisions of section 112(a) of the Housing Act of 1949, expenditures in the amount of $600,000 made by the Memorial Hospital of Michigan City Foundation, Incorporated, for the purchase of certain land and buildings on or about July 24, 1963, from Doctors Hospital Realty Corporation shall, if otherwise eligible, be counted as local grants-in-aid to the community center numbered 1 urban renewal project (Indiana R-46) in Michigan City, Indiana, in accordance with the remaining provisions of title I of that Act."

Mr. HARTKE. The amendment is a modification of a House bill numbered H.R. 8300, introduced by Congressman JOHN BRADEMAS on May 19. There was some effort to have the matter considered in the House committee and in the Senate committee, but I believe it is fair to say that two things mitigated against a thorough consideration. One was the pressure of need to consider major portions of the bill rather than what might be called by contrast minor amendments. The other was the lack of a full and adequate presentation of the matter before the committee.

But I bring this amendment to the floor because, for Michigan City, it is not in any sense a minor amendment. It is one which makes a vital difference in the prospects for hospital service in one of the neediest areas of the State of Indiana. I believe that if the Senate will listen carefully to the explanation I shall make, on the basis of an understanding not available to the committee, Members will vote approval for the amendment.

This amendment, briefly, provides for an additional paragraph to be added to section 306, "Eligibility of Certain Local Grants-in-Aid." Presently this section contains paragraphs dealing with specific areas, allowing for exceptional treatment of particular projects. This amendment would add one more to the five listed there, allowing for a credit of $600,000 as a noncash grant-in-aid for expenditures made by the Memorial Hospital of Michigan City Foundation, a nonprofit corporation, for the purchase of certain land and buildings more than 2 years ago, and before the urban renewal application, from a private organization.

At the beginning of 1963 the hospital in question was owned by Doctors Hospital Realty Corp. In other words, it was a private hospital. It was rundown, it needed improvement which the private group could not make, and yet it was highly necessary for the good of the community that it should be continued and enlarged. Consequently, the nonprofit organization was formed and purchased it for a price of $1,125,484. The purchase price included some accounts receivable, some removable equipment, and certain items which might be questionable as to allowability toward a noncash grant-in-aid.

In order for the community to achieve expansion of its new community-service facility, when the city a few months later made its urban renewal application, it included in the project area a block adjoining the hospital, specifically in order that the expansion might be carried out and that the noncash grant-in-aid expected could assist. Since that time, the hospital expansion has been planned and approved for Hill-Burton funds. Its priority on the Hill-Burton list is the second highest in the State of Indiana, exceeded only by that of La Porte, in the same county. The need for hospital expansion is tremendous in this area, as this would indicate. There is presently planned a new building which will cost $1,500,000. The community has rallied in a most remarkable way to a fundraising drive just completed and described in a letter addressed to Congressman BRADEMAS under date of July 8 by the fund drive chairman, Philip A. Sprague. As an indication of the unprecedented community support, which without the passage of this amendment will require the raising of an additional $600,000 in cash should this noncash grant-in-aid fail, I wish to quote excerpts from this letter. Mr. Sprague says:

> As chairman of Hospitals United Fulfillment Fund, Inc.—better known in our city as HUFF—I should like to (1) testify as to the demonstrated willingness of Michigan City's corporations and citizens to support financially the capital needs of our two not-for-profit hospitals (St. Anthony's and Memorial) and (2) tell you of our vital interest in seeing that the relationship between Memorial Hospital and our local urban renewal program is defined and resolved in order that Memorial can proceed with its expansion.

Mr. Sprague goes on to speak of the way in which the entire community has involved itself in the drive, with nearly half of the sum contributed by corporations, personal gifts of $115,000, gifts by employees of $166,000, and the total reaching $1,312,598 at the time of the letter only a week ago today. I quote further:

> Some of us feel that the success of HUFF is the most exciting development in our city's postwar history. In this effort literally hundreds of individuals from every segment of the community have discarded the tiresome traditions of prejudice and bigotry and united to achieve what anyone in or out of the city thought impossible a year ago—specifically the raising of $1,312,598 to date. Nothing in Michigan City's fundraising history even approximates the type of giving listed here.

Such a community effort, Mr. President, I submit is most remarkable in a city whose 1960 population was less than 37,000. If the city now should have to raise more than a half-million dollars in addition—and they would have to do so by a special bond issue—because of lack of approval of the noncash grant-in-aid which this amendment would give, the great need for improved hospital service in the area may be hampered in its fulfillment.

The letter from Mr. Sprague continues:

> And we're not through yet; in the next few months we know that the total (of funds raised) will exceed $1,400,000 and we are already making plans to raise an additional $100,000 in 1966. In short, Michigan City isn't asking for a free ride from anyone—our citizens have never refused to support with their time and treasure any legitimate program which would improve our city.

Mr. President, I pause to note the need for the urban renewal project which this noncash grant-in-aid would assist. The blight in the north end of the city must be cured if this area is to achieve its very real potential. This is along the gateway to the Dunes National Lakeshore which we hope to see become at last a reality in this Congress. It is in the area of industrial expansion which the Burns Ditch project will hasten, an expansion already surging forward. But without the urban renewal project, the downtown area of Michigan City may be to a large extent doomed. The threat to the downtown area is evident in the recent announcement of the plans for a shopping center away from the blight which is expected to draw away some 60 stores, including that of Sears, Roebuck.

In the effort to rejuvenate the urban renewal area, the city has established a new police facility within the bounds of the project, for which it is receiving noncash grant-in-aid credit. The total project involves some $5 million. Mr. Sprague's letter makes clear in this final portion how imperative it is that this amendment should be passed:

> However, I can think of nothing that could retard Michigan City's growth and, more important, the city's newly discovered sense of unity and adventure, than the failure of Memorial Hospital to expand due, in turn, to inability to solve our urban renewal problems. I need not remind you * * * what a perishable commodity civic esprit is—and I would hate to see us lose the positive momentum we have achieved because we could not solve the complicated, yet resolvable problems in the renewal area.
>
> We need the support and understanding of our Federal Government—but we stand ready to tackle aggressively our local responsibilities. Let's agree on our separate roles in this endeavor and get on with the job.

That, Mr. President, is the conclusion of Mr. Sprague's letter to Congressman BRADEMAS, and that is a reflection of the new attitude in a community whose civic pride has been stimulated by the urban renewal project in a manner it has never experienced before.

I have said that the purchase price of the private hospital in 1963 to the new nonprofit corporation was $1,125,484, and that "not more than" this amount is specified in the Brademas bill. The counsel for the local urban renewal project is convinced that the full amount should be a legitimate figure which is fully justifiable. But I have talked with local authorities and with Congressman BRADEMAS, and I have secured their consent, in order that the Senate may see this amendment in the most favorable light, to reduce that figure by half. My amendment does not ask for $1,125,000 but for only $600,000 to be counted as noncash grant-in-aid because of the Memorial Hospital project. This is in my estimation a legitimate and fully justified request. The nonprofit foundation has a long-term mortgage to pay off; its purchase of the private hospital took place before the urban renewal application was made. The request is based on expenditures by the nonprofit hospital for the acquisition of land, buildings, and structures to be redeveloped or rehabilitated, land which is adjacent to the property now in use and within the urban renewal project. Full documentation has been submitted to the Urban Renewal Administration outlining in detail that the rehabilitation being undertaken in the structures located on the land being claimed for section 112 credit includes the correction of serious deficiencies in a deteriorated or deteriorating structure, as required by the Urban Renewal Manual. This involves physical alterations and improvements which fall within the prescribed categories.

After this substantiation was furnished to the Urban Renewal Administration, a request was received in March of this year for a resolution of nondiscrimination assurance by the hospital as a donor of noncash local grant-in-aid. This was furnished on March 15 when the resolution was adopted by the hospital's board of trustees.

The Urban Renewal Administration has now approved the application for loan and grant, subject to a revised financial plan which would require the local public agency and the city to provide in cash the amount of the section 112 credits which it has disallowed. The Redevelopment Commission of the City of Michigan City has made this statement concerning the situation:

> The local public agency and the city feel strongly that they have met all of the requirements set forth by Congress in connection with the section 112 credits and that the expansion of a nonprofit hospital which would materially be aided by the execution of the urban renewal program is in compliance with the intent of Congress in enacting section 112. Failure of the Congress to clarify this matter in connection with the community center project No. 1 will clearly jeopardize the successful carrying forward of the urban renewal project as well as the Hill-Burton grant—

Which is in the neighborhood of $500,000—

> to Memorial Hospital to enable their orderly expansion, and, in fact, clearly thwart the intent of Congress in enacting section 112.

Mr. President, it is my understanding that the only way in which this can be done under present circumstances is by congressional action.

It is my understanding that the manager of the bill, the Senator from Alabama, has indicated that there is no objection to the amendment and that he is willing to take it to conference, to have it considered there.

Mr. SPARKMAN. I am not sure that I can say there is no objection to the amendment, but I am willing to take the amendment to conference. This amendment, in different form, was referred to our committee and discussed.

The committee declined to accept it. The Senator since that time has modified the amendment.

Mr. HARTKE. Yes. It is a modified version, and it should also be noted that additional facts and materials have come to light which were not available at that time.

Mr. SPARKMAN. I have not had an opportunity to study the new situation. I am willing to take the amendment to conference, to study it between now and the time of the conference.

The PRESIDING OFFICER (Mr. McGovern in the chair). The question is on agreeing to the amendment offered by the Senator from Indiana.

The amendment was agreed to.

Mr. CLARK. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania will be stated.

The Legislative Clerk. On page 55, after line 5, it is proposed to add a new section 309 as follows:

LOCAL GRANT-IN-AID CREDIT FOR CERTAIN COAL ROYALTIES

SEC. 309. (a) Section 110(d) of the Housing Act of 1949 is amended by adding at the end thereof the following new paragraph:

"Where a project in any municipality includes an area affected by an underground mine fire or by a coal mine subsidence and where it is necessary in such project to remove any underlying coal deposits in order to stabilize the soil or to control the underground mine fire, then any royalties received by the project from the removal and sale of such coal deposits shall be credited to the project as a local grant-in-aid made by such municipality."

(b) Any contract under title I of the Housing Act of 1949 executed prior to the date of the enactment of this Act shall, at the request of the municipality involved, be amended to reflect the amendment made by subsection (a).

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

Mr. CLARK. Mr. President, the amendment which I have offered appears in the House bill, having been proposed by Representative McDade of the Scranton area in Pennsylvania.

I have cleared the amendment with the acting minority leader and with my colleague [Mr. Scott] of Pennsylvania. I have also discussed the amendment with the Senator in charge of the bill, the Senator from Alabama [Mr. Sparkman]. I hope he will be willing to agree to it.

The purpose of the amendment is to make it possible for the city of Carbondale, Pa., which is located on top of a coal region where the coal is on fire and has been on fire for a great many years, to utilize the royalties which come from the coal which is being removed from under the city in order to help put out the fire, and for the purpose of enabling the city to make the local contribution under the urban renewal project.

I very much hope that my friend the Senator from Alabama will be prepared to accept the amendment.

Mr. SPARKMAN. Mr. President, earlier in the day I discussed the amendment with the Senator from Pennsylvania. The case which is presented is unusual, but, as best I can understand, it ought to be entitled to the protection or the coverage of the act.

For my part, I am willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was agreed to.

Mr. CLARK. Mr. President, I thank my friend from Alabama and my friend the Senator from Texas [Mr. Tower] very much for their courtesy in this regard.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I have met with a number of Senators on both sides of the aisle who have a great interest in the pending proposed legislation and in the procedures of the Senate. I am about to propound a unanimous-consent request.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate recesses tonight, that it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban developments, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on the Tower amendment No. 319, which will be the pending business when the Senate recesses tonight, there be a time limitation of 4 hours, 2 hours to be under the control of the distinguished Senator from Texas [Mr. Tower], the author of the amendment, and 2 hours to be under the control of the distinguished Senator from Alabama [Mr. Sparkman], the Senator in charge of the bill; that on the two amendments to be offered by the distinguished Senator from New York [Mr. Javits], there be 2 hours, the time to be equally divided between the Senator from New York and the Senator in charge of the bill, the Senator from Alabama [Mr. Sparkman], and that on all other amendments there be a time limitation of 1 hour, the time to be equally divided between the Senator in charge of the bill and the author of the amendment, and that on the bill itself there be a total of 6 hours.

The PRESIDING OFFICER. Can the Senator from Montana identify the amendments of the Senator from New York?

Mr. MANSFIELD. I cannot. I understand he has only the two printed amendments.

The PRESIDING OFFICER. At what time does the Senator wish the agreement to become effective?

Mr. MANSFIELD. At the conclusion of the prayer tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, July 15, 1965, after the prayer, during the further consideration of the bill (S. 2213), to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities, debate on any amendment (except an amendment by the Senator from Texas [Mr. Tower], number 319, which shall be debated not to exceed 4 hours and, two amendments by the Senator from New York [Mr. Javits] numbers 347 and 348, which shall be debated not to exceed 2 hours each), motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the Senator from Alabama [Mr. Sparkman]: *Provided*, That in the event Mr. Sparkman is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the Senator from Alabama [Mr. Sparkman] and the Senator from Texas [Mr. Tower]: *Provided*, That the said Senators, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, because of a previous commitment made—and this will be the only exception that I know of—I ask unanimous consent that the Committee on Agriculture and Forestry be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. The Subcommittee on Education is meeting tomorrow morning. It is quite important that the subcommittee should continue to mark up the education bill.

Mr. McNAMARA. Mr. President, I believe that meeting has been canceled.

Mr. CLARK. It was my understanding, having talked with the Senator from Oregon a short time ago, that he was planning to have a meeting. I hope that we might continue to meet.

Mr. TOWER. Mr. President, reserving the right to object, I should like to check with the minority leader.

Mr. MANSFIELD. We shall attend to that request tomorrow.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. SPARKMAN. Mr. President, on behalf of the distinguished Senators from Arkansas [Mr. McCLELLAN and Mr. FULBRIGHT], I offer an amendment which I send to the desk and ask to have stated. I might point out that they had intended to offer the amendment themselves, but were prevented from doing so by reason of a commitment that they had.

The PRESIDING OFFICER. The amendment of the Senators from Arkansas [Mr. McCLELLAN and Mr. FULBRIGHT] will be stated.

The LEGISLATIVE CLERK. On page 54, after line 9, it is proposed to add to section 307 a new subsection "(f)" as follows:

> (f) The provisions of section 113(c) of the Housing Act of 1949 shall be applicable to the Hobo Jungle Urban Renewal Project in Texarkana, Arkansas (Arkansas R–3–).

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senators from Arkansas.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. TOWER. I should like to add my support for the amendment, and I should like to note that the Hobo Jungle is located on the Arkansas side of Texarkana and not on the Texas side.

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by the Senator from Arkansas [Mr. FULBRIGHT], including two letters.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR J. W. FULBRIGHT, JULY 14, 1965

My amendment was prepared and forwarded to me by the Urban Renewal Administration and is designed to resolve a legal technicality which is delaying an urban renewal project in Texarkana, Ark. The problem arises because of imperfections in legislation intended to permit joint action by the Urban Renewal Administration and the Area Redevelopment Administration.

The Hobo Jungle urban renewal project in Texarkana has been planned for industrial redevelopment. In March of this year the Commissioner of the Urban Renewal Administration requested the Area Redevelopment Administration to include the Hobo Jungle project within the Miller County, Ark., redevelopment area in order that certain provisions of existing law would apply to the project. This action was taken by the ARA in April. I ask unanimous consent that correspondence between the Commissioner and the Administrator be inserted at this point in my remarks.

It was thought that this administrative action would solve the problem. It now develops, however, that a technical amendment is needed to enable the land use contemplated by the redevelopment plan. Without this amendment it would be necessary for the Area Redevelopment Administration to designate the entire municipality of Texarkana, and such action is not desirable.

The responsible agency has requested the amendment, and I have been assured that there is nothing controversial in the amendment.

HOUSING AND HOME
FINANCE AGENCY,
URBAN RENEWAL ADMINISTRATION,
Washington, D.C.

Hon. WILLIAM L. BATT, Jr.,
Administrator, Area Redevelopment Administration, Department of Commerce, Washington, D.C.

DEAR MR. BATT: This is to request your favorable action on a slight amendment to the delineation of the Bowie County, Tex., redevelopment area in order to include all of the Hobo Jungle urban renewal project area of Texarkana, Ark., in the newly designated redevelopment area. Presently, 85 percent of the urban renewal project area is located within the boundaries of the Bowie County, Tex., and part of Miller County, Ark., redevelopment area. The proposed action would incorporate into the newly designated redevelopment area an additional strip of land one-half block wide and four blocks long.

The suggested action is extremely important. Without such action, the urban renewal project area cannot be certified by you under section 113 of the Housing Act of 1949, as amended, which would permit the sales of this industrial urban renewal project land to the city for its subsequent redevelopment for industrial purposes.

We believe the requested action is in the public interest as continued Federal costs are accumulating to the project area as a result of the LPA's inability to effectuate a sale to the city of Texarkana, Ark. From our viewpoint, the suggested action of enlarging the redevelopment area for this purpose is de minimis. I believe your staff has been supplied with all essential information necessary to make a decision in this matter. If I can be of further assistance to you in reaching a decision, I am, of course, available.

Sincerely yours,
WILLIAM L. SLAYTON,
Urban Renewal Commissioner.

Copies to Hon. J. W. FULBRIGHT.

U.S. DEPARTMENT OF COMMERCE,
AREA REDEVELOPMENT ADMINISTRATION,
Washington, D.C.

Hon. J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FULBRIGHT: We wish to advise you that the proposed extension of the Bowie County, Tex., redevelopment area to include a three-block area in Miller County, Ark., has been considered and approved.

The redevelopment area now includes all of the Hobo Jungle urban renewal project area of Texarkana, Tex., as we understand it.

Sincerely,
W. L. BATT, Jr.,
Administrator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senators from Arkansas [Mr. McCLELLAN and Mr. FULBRIGHT].

The amendment was agreed to.

AMENDMENT NO. 324

Mr. TOWER. Mr. President, I call up my amendment No. 324. I ask unanimous consent that the reading of the amendment be waived and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

> On page 56, line 8, after "403." insert "(a)".
>
> On page 56, between lines 14 and 15, insert a new subsection as follows:
>
> "(b) The Housing and Home Finance Administrator shall undertake a study of the existing low-rent public housing program with a view to making recommendations for strengthening such program, or for establishing a new or alternative program to assist the States and their localities in providing housing for low-income families. Such study shall give special consideration to ways in which the resources of private enterprise may be utilized more effectively in meeting the needs for housing of such families. Findings and recommendations resulting from such study shall be reported to the President for submission to the Congress not later than two years after the appropriation of funds for such study. Such sums as may be necessary to carry out the provisions of this subsection are hereby authorized to be appropriated."

Mr. TOWER. Mr. President, the housing bill now being considered calls for authorizations covering 140,000 additional public housing units and for the purchase or lease of 100,000 existing units for use as low-rent housing.

We have seen in the past a continuing appeal from the Housing and Home Finance Agency for increased authorization for public housing units. It is most ironic that agency figures show that in light of the 15 months for which Congress last authorized 37,500 additional units, only 18,000 new public housing starts have been reported. As a matter of fact, the total number of units for which authorization is requested in this bill, 240,000, is not too far under half of all public housing units in operation throughout the country, 581,000.

The Agency advised the committee that 170,000 units are in the so-called pipeline, and many have been there for years with little or no activity at the local level toward activating the units committed under original application. Testimony showed that a so-called stepped-up program of purging the pipeline of units saw the release of only 6,000 in the last 2 years.

The committee wisely recommended that construction be started within 5 years of the original commitment or the units removed from the pipeline. It may well be that this 5-year limitation will result in the availability of unused commitments; however, I feel that a detailed study of the public housing program by the Housing and Home Finance Agency, similar to that provided for in the bill for the urban renewal program, would be a wise undertaking.

I understand that the distinguished Senator from Alabama is prepared to accept the amendment.

Mr. SPARKMAN. Mr. President, the Senator's understanding is correct. I am willing to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I call up my amendment which is at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 32, line 1, after "loans," insert "(1)".

On page 32, line 4, after "insurance," insert "or (2) guaranteed by the President under section 224 of the Foreign Assistance Act of 1961, as amended: *Provided*, That no single institution may invest more than 1 percent of its assets in loans guaranteed under the Act."

Mr. SMATHERS. Mr. President, the only purpose of the amendment is to permit Federal savings and loan associations subject to rules and regulations promulgated by the Federal Home Loan Bank Board to make housing loans guaranteed under section 224 of the Foreign Assistance Act of 1961, as amended.

Under existing law, national and State banks, as well as other financial institutions can participate under this provision of the Foreign Assistance Act. It is only fair that we should also permit participation by Federal savings and loan associations in this program. It is in keeping with various proposals that I and others have advocated here in the past to assist in developing FHA-type housing in Latin America.

As Senators know, the overall authority of the Agency for International Development to guarantee loans under section 224 is limited to $350 million.

At present, approximately $250 million of this total has been committed or is being contracted for.

This means that only approximately $100 million is available for the coming year to be used to guarantee loans by all corporations or individuals. Therefore, only a portion of it could be used to guarantee loans made by savings and loan associations, but it would permit such associations to participate in the same manner as other financial institutions.

I believe this is a desirable amendment. I have discussed it with the distinguished Senator from Alabama. He himself has offered amendments of this type in the past. It is my understanding that he is willing to accept the amendment and take it to conference.

Mr. SPARKMAN. Mr. President, the Senator is correct. This is in line with legislation that both the Senator from Florida and I have sponsored in the past and have been working on for several years.

Mr. SMATHERS. I thank the Senator from Alabama.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida.

The amendment was agreed to.

Mr. TOWER. Mr. President, I thank the Senator from Florida for submitting the amendment. It is a highly constructive and worthwhile addition to the bill. I offer my support of it.

Mr. TYDINGS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 48, after line 23, insert the following:

"ELIGIBILITY OF CERTAIN EXPENSES TO PROJECTS FINANCED ON THREE-FOURTHS GRANT BASIS

"SEC. 304. (a) Clause (1) of the third sentence of section 110(e) of the Housing Act of 1949 is amended by: (1) inserting 'staff services in connection with programs of code enforcement and voluntary rehabilitation and repair (including community organization),' after 'disposition of land,'; and (2) inserting '(5),' after '(4),'.

"(b) Section 110(e) of such Act is amended by striking the comma and all that follows within the parentheses in the fourth sentence thereof.

"(c) Any contract for a capital grant under title I of the Housing Act of 1949, executed prior to the effective date of this Act, may be amended to incorporate the provisions of subsections (a) and (b) as to costs incurred after the effective date of this Act."

Mr. TYDINGS. Mr. President, this amendment is sponsored by my distinguished colleague from Maryland [Mr. Brewster] and me. It is of limited applicability. Its purpose is to modernize the grant formula in the urban renewal program to take account of new developments in the field of urban renewal.

The urban renewal law provides alternate financing formulas. A city may elect to receive two-thirds of the total cost of urban renewal projects including indirect and overhead expenses, or it may elect to receive three-fourths of the direct project expenses, excluding planning, salary, administrative relocation, and other overhead expense.

This alternate formula produces roughly equivalent results with respect to the original type of urban renewal project in which sites are acquired, cleared, and redeveloped. It does not, however, produce equivalent results when applied to the newer type of renewal program that involves rehabilitation of existing neighborhoods.

Rehabilitation requires far lower expenditures of funds for direct project costs, such as land acquisition and demolition, and a far higher percentage of salary and overhead expense.

The city of Baltimore is one of the few cities in the country which has elected to proceed under the three-fourths financing formula. It is also one of the few large cities which has undertaken an extensive rehabilitation program. These factors have combined to put the city of Baltimore at a disadvantage with respect to urban renewal financing.

The purpose of this amendment is to permit cities which elect the three-fourth grant formula and which engage in rehabilitation projects to include in their reimbursable expenses staff services of housing renewal estimators, renewal investment advisers, code enforcement staff, and community organization advisers. These project costs in a rehabilitation project which are every bit as "directly related" to the cost of the project as land acquisition is in a typical renewal project. The amendment would not change the basic concept that survey and planning, legal, administrative and overhead, and relocation and site management expenses are not eligible for reimbursement under the alternate financing formula.

The amendment would also put cities which elect the alternative financing formula on a parity with cities which operate on a two-thirds grant formula with respect to credit for lost taxes during a period of renewal.

The language of this amendment has been reviewed and approved by the Housing and Home Finance Agency.

I ask unanimous consent to include in the Record a letter which I received from the Honorable Theodore Roosevelt McKeldin, mayor of the city of Baltimore, calling my attention to the need for this amendment.

There being no objection, the letter was order to be printed in the Record, as follows:

City of Baltimore,
July 6, 1965.

Hon. Joseph Tydings,
Senate Office Building,
Washington, D.C.

Dear Senator Tydings: Enclosed are three proposed amendments to title I of the Housing Act of 1949, as amended, through 1964. It is our hope that you will sponsor legislation to enact these amendments into law.

These amendments, if adopted, will assure equitable treatment for Baltimore's urban renewal program under Federal laws and regulations, and will bring Federal financial assistance for Baltimore, and a few other cities, into line with that received by most other cities.

Section 103(a)(2) and section 110(e) of the Housing Act of 1949, as amended, provides for an alternate financing formula for urban renewal projects which may be elected for use by cities with the approval of the Urban Renewal Commissioner. Briefly, under the regular financing formula, a city receives Federal reimbursement for two-thirds of all costs related to the project, including any indirect and overhead expenses. Under the alternate financing formula, planning, salary, administrative, relocation, and other costs are not eligible for reimbursement, and the city receives reimbursement for three-fourths of the remaining project expenses (which are primarily land acquisition, demolition, and project improvements). The alternate three-fourths financing formula eliminates Federal review and control over staffing, salary rates, contracts, and other administrative matters, thus resulting in substantial savings in time in carrying out a project. Bookkeeping is simplified, and there are fewer audit problems.

This alternate financing formula was developed before the present emphasis on rehabilitation projects. In the total clearance projects that were more common at that time, 75 percent of the reduced project cost approximately equaled two-thirds of the more inclusive project cost. On this basis, Baltimore elected to use the alternate financing formula, and feels that it was a wise decision insofar as clearance projects are concerned.

However, in recent years Baltimore has been carrying out more and more rehabilitation projects where land acquisition is minimal. Taking the place of land acquisition as the primary expenses are the direct staff costs of rehabilitation. These fall primarily into the following categories:

1. Housing renewal estimators who advise property owners concerning rehabilitation requirements and attempt to assist them in getting the job done well and economically.

2. Renewal investment advisers who advise property owners concerning rehabilitation financing and assist them in obtaining it.

3. Code enforcement staff which enforces the codes and ordinances of the city as well as the requirements of the urban renewal plan.

4. Community organization advisers who work in a neighborhood and attempt to develop a feeling of neighborhood spirit and pride which will be conducive to rehabilitation.

These expenses in a rehabilitation project are as important as acquisition costs in a clearance project because these are the expenses which must be met to accomplish rehabilitation and thus make acquisition and clearance unnecessary. These expenses can be quite heavy: in 1965, Baltimore budgeted $405,380 for these purposes. However, none of these costs are eligible for Federal reimbursement under the alternate financing formula now used by Baltimore. On the other hand, if we were to let the property deteriorate, the cost of its clearance would be eligible.

We believe that the above categories of expenses should be eligible under the three-fourths capital grant formula, and our amendments are intended to accomplish this. It is not our purpose to change the basic concept that survey and planning, legal, administrative and overhead, and relocation and site management expenses are not eligible for reimbursement under the alternate financing formula.

Our second amendment has to do with inclusion in project cost of credit for the taxes lost in clearance projects or portions of projects from the time of acquisition of property until it is sold as cleared land. Such loss is eligible as a local cash grant-in-aid under the regular financing formula, but not under the alternative formula used by Baltimore.

As you know, Baltimore, like other cities, is heavily dependent on real estate taxes. Any loss in assessable basis hurts, even though it is temporary. We are working to shorten the time period between acquisition and resale, and thereby reduce the tax loss, but we cannot entirely eliminate it. Because of the importance of real estate taxes as a revenue source to the city, credit for the amount of the temporary loss of such taxes in carrying out renewal projects will be of substantial benefit to Baltimore.

I hope that it will be possible for you to sponsor these changes to the Housing Act, which will be most beneficial to Baltimore's renewal program. If you would like any further information, we stand ready to provide it for you.

Sincerely,

THEODORE ROOSEVELT MCKELDIN,
Mayor.

CITY OF BALTIMORE PROPOSED AMENDMENTS TO THE HOUSING ACT OF 1949, AS AMENDED THROUGH 1964

ELIGIBILITY OF EXPENSES TO ACCOMPLISH REHABILITATION

1. (a) Section 110(e) of Housing Act of 1949 is amended by inserting in clause (1) of the third sentence immediately after "disposition of land," the following, "staff services to property owners in connection with programs of voluntary rehabilitation and repair (including community organization staff services), staff services required by programs of code enforcement,".

(b) Clause (1) in the third sentence of section 110 (e) of such act is amended by inserting immediately after "(4)," the following: "(5),".

REIMBURSEMENT FOR REAL ESTATE TAX LOSS

Section 110(e) of the Housing Act of 1949 is amended by striking out in the fourth sentence "other than" and inserting in lieu thereof "including."

Mr. TYDINGS. Mr. President, the problem is that when we have a rehabilitation project, as opposed to a clearance project, the sum spent by the individual counselors and men in trying to build up the neighborhood is analogous to the direct land acquisition cost in a clearance-type program.

The city of Baltimore has moved into the rehabilitation area, which is a fine area into which more cities will hopefully move. However, under the old three-quarter formula, they do not receive the reimbursement for the services of the counselors which they would have received in a downtown clearance project.

I have discussed the matter with the distinguished chairman of the subcommittee, the Senator from Alabama. I understand that he is willing to accept the amendment.

Mr. SPARKMAN. Mr. President, I have discussed this amendment with the distinguished Senator from Maryland. We are perfectly willing to take the amendment to conference.

Mr. TYDINGS. I thank the Senator very much.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

The amendment was agreed to.

Mr. KENNEDY of Massachusetts. Mr. President, I call up my amendment and ask unanimous consent that the reading of the amendment may be dispensed with, but that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment ordered to be printed in the RECORD is as follows:

On page 55, line 5, insert the following: A new section 309 to read as follows:

"PRESERVATION OF HISTORIC STRUCTURES

"SEC. 309. (a) Section 110(c) of the Housing Act of 1949 is amended by—

"(1) striking the word 'and' at the end of numbered paragraph (7);

"(2) striking the period at the end of numbered paragraph (8) and inserting in lieu thereof '; and';

"(3) inserting a new numbered paragraph (9) to read as follows:

" '(9) relocating within the project area a structure which the local public agency determines to be of historic value and which will be disposed of to a public body or a private nonprofit organization which will renovate and maintain such structure for historic purposes.'; and

"(4) striking 'paragraphs (7) and (8)' in the third sentence and inserting in lieu thereof 'paragraphs (7), (8), and (9)'.

"(b) Section 110(e) of such Act is amended by striking 'and (8)' in clause (1) and inserting in lieu thereof '(8), and (9).'"

Mr. KENNEDY of Massachusetts. Mr. President, this is an amendment to title III of the 1965 Housing and Urban Development Act. It simply provides for financial assistance, on the basis of an urban renewal project formula, to assure the preservation of a historical structure through relocation within the project area.

I offer this amendment because of my concern that in our desire to beautify and modernize our cities, we may be failing to retain certain structures which originally formed the historic base of the area or established sound architectural trends. I do not think the preservation of such structures is important simply for preservation's sake, but is important for the educational value of these buildings and their potential in maintaining a continuity in the community's traditions and character.

This amendment would permit a local public agency undertaking an urban renewal program to use Federal Urban Renewal project funds to relocate a major building of historical significance, and to prepare the site and foundation to receive the structure.

To be eligible for such assistance the structure in question must be certified as having genuine historical significance. This would be accomplished by the Commissioner's reliance upon the accreditation procedures of the National Trust for Historic Preservation, the Historical American Building Survey of the Department of the Interior, or the many fine State historical commissions. The building would have to meet the professional tests of these organizations, before the Commissioner would be able to approve relocation.

Finally, once the building has been moved from a demolition area, it would be conveyed to a public body or nonprofit corporation that had agreed to undertake the actual restoration and subsequent maintenance of the structure.

The question of historical preservation within urban renewal areas is not limited to any one area of the country. The problem of preservation generally exists in all portions of the Nation. Projects involving historical preservations within urban renewal areas can be found in Portsmouth, N.H.; Mobile, Ala.; Bethlehem, Pa.; New Haven, Conn.; Little Rock, Ark.; and San Francisco, Calif., to mention but a few examples.

In fact, Mr. President, more than 100 of the nearly 800 localities participating in the urban renewal program are attempting to preserve historic buildings as part of their urban renewal activities. In more than half of these cases the building in question can be incorporated into the renewal project on its present site. Where relocation is needed, however, we anticipate the average cost to be approximately $10,000. So we are considering an important matter which over the near future would amount to only about $500,000.

The urban renewal program already provides means to acquire structures for resale to persons or groups interested in historic preservation and many projects can provide sites on which historic structures may be relocated. A major problem, however, has been that few organizations or groups interested in historic preservation have sufficient funds to pay for the cost of relocating such structures, which are often in delicate condition, to the new sites so that these structures can be retained for a useful purpose and preserved to commemorate historic events or significant periods in American architecture. Thus, while the urban renewal project may provide an appropriate setting for the preservation of the old historic building, the cost of moving such buildings to new sites is usually prohibitive with the result that the buildings must be demolished in order to achieve the objectives of the project.

At the present time, there is no authority under the existing urban renewal statute to use Federal funds in whole or in part to actually restore historical structures. My amendment would make no change in the existing laws in this respect. Such work must be undertaken through some State, or local public agency, or through some private group. The amendment I propose would relieve such agencies or groups of the often large costs of moving historic buildings and permit them to concentrate their limited funds on the actual task of restoration and preservation.

I believe my amendment, therefore, will provide the catalyst needed whereby non-Federal moneys can and will be provided and utilized for what many consider to be a very worthwhile purpose. Otherwise, once one of these historical structures is demolished we have lost for all time its beauty, historical significance, or benefits to the overall context of the community.

I would certainly assume that this authority provided for in my amendment would be used prudently by the Urban Renewal Administration, but it would be available in those instances where funds from other quarters are simply not available.

Mr. TOWER. Mr. President, I commend the distinguished Senator from Massachusetts for offering this amendment. I have always been interested in the preservation of historic buildings. I think it is a shame for us to stand by and watch landmarks of culture being bulldozed down and lost to generations yet unborn.

We have some rather horrible examples of architecture in some of the old buildings. They were constructed in a dynamic age, an age in which people had imagination. I hope that we can preserve them for future generations to see.

In our efforts to modernize a building, we very often fail to take into consideration that we are destroying the landmarks of history.

I think the amendment is very worthwhile. I would like to join with the distinguished Senator from Massachusetts in urging the chairman of the subcommittee to accept the amendment.

Mr. KENNEDY of Massachusetts. Mr. President, I appreciate the comments of the Senator from Texas very much. I would like to note that in a report from the National Trust for Historic Preservation it was stated that more than 10,000 structures have been recorded in the Historic American Buildings Survey since the program began 10 years ago. It was estimated in 1963 that 40 to 45 percent of these structures had already been demolished by various programs and private action.

I ask unanimous consent to have printed at this point in the RECORD a sample listing of some historic structures demolished in urban renewal programs.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

California:

Sacramento, post office, Seventh and K, built in 1892. Will A. Ferret, architect, Richardsonian. Destroyed in 1964.

San Jose, Benjamin and Martha Morse House, 1767 Franklin Street, Victorian mansion built in 1870. Destroyed in 1963.

Illinois: Chicago, O'Leary House, site of start of 1871 fire, townhouse built in 1880 to replace O'Leary cottage which survived the fire. Destroyed in 1953.

Missouri: St. Louis, Mill Creek Valley, Daniel Garrison residence, 3415 Cook Avenue, 110 years old; Delaney House, built in 1845; Sherrick House, 2618 South Seventh, built in 1850; St. Malachy's House, 105 years old. Destroyed in 1961.

New Jersey: Newark, 80 square blocks containing many fine examples of 18th century Newark architecture. Destroyed in 1961.

Pennsylvania:

Philadelphia, Society Hill, approximately 100 houses destroyed, including entire 400 block of Addison Street, six 150-year-old townhouses certified by historical commission, part of Dolly Madison house at 429 Spruce Street and 200-year-old kitchen wing of Samuel Neave House on Second Street. All destroyed in 1961–62.

Pittsburgh, Diamond Market House, constructed in 1914. Destroyed in 1961.

We have the assurance of Mr. Slayton, Commissioner of the Urban Renewal Administration, who has had an opportunity to review this matter, that he would look favorably on the amendment. I am hopeful that the Senator from Alabama will accept the amendment.

Mr. SPARKMAN. Mr. President, there is much merit in the proposal. As I have explained to the Senator from Massachusetts, I have not had an opportunity to study the amendment as much as I should like to.

I told the Senator that I would be willing to take the amendment to conference. I hope that in the meantime all of us will get as much information as we can on the matter.

Mr. KENNEDY of Massachusetts. Mr. President, I appreciate the response of the Senator from Alabama. That would be certainly acceptable to me. I regret that we did not have an opportunity to bring this matter before his committee, which is always the most appropriate way to legislate.

I appreciate the continuing interest and study of the Senator, and his assurance that he will take this amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, I send to the desk an amendment on behalf of the Senator from Texas and myself and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 46, between lines 6 and 7, insert the following:

"(c) The first sentence of section 8 of the Federal Credit Union Act is amended by inserting after 'except that' the following: '(1) any such loan with respect to which insurance is granted under section 2 of the National Housing Act may have a maturity not in excess of the maximum allowed by the Federal Housing Commissioner pursuant to subsection (b)(2) of such section, and (2)'."

Mr. SPARKMAN. Mr. President, the amendment is essentially a technical amendment. When we set up the home improvement program, we permitted commercial banks and savings and loans associations and credit unions to help finance the projects.

This year, we propose to make some changes in that program. We have included the banks and the savings and loan associations, but due to an oversight, we failed to include the credit unions. This amendment would include the credit unions.

Mr. TOWER. Mr. President, I am happy to associate myself with the amendment of the Senator from Alabama in an effort to rectify this situation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama.

The amendment was agreed to.

Mr. RANDOLPH. Mr. President, I speak in support of the pending measure, the Housing and Urban Development Act of 1965. This legislation would authorize several major advances in housing and in improving the urban environment of America. It is a complex bill, and I shall not duplicate or expand on the very capable exposition presented by the distinguished manager of the bill [Mr. SPARKMAN].

I address my remarks only to section 211 of the bill, a provision written in committee with bipartisan support. This section would require the Federal Housing Commissioner to formulate and adopt a uniform procedure for the determination of technical suitability and subsequent acceptance of materials and products to be used in houses which are financed by FHA-insured loans.

In view of the importance of the FHA in the private homebuilding industry, this provision is necessary. It will help remove one of the major obstacles blocking the application of new technology and new product developments in this industry. The resistance of some elements of the housing industry to the application of new methods and new products has brought it into conflict with the technological advances which characterize most of the American industrial scene. As a result, the time lag between laboratory and pilot plant developments of new products and their acceptance in the housing industry has cost the American home buyer a high premium.

Though this provision has drawn wide support from most of the building materials industries, it would seem likely that some producers and manufacturers of building supplies now accepted by the FHA oppose this section as a threat to their position. Consequently it is not surprising that the argument is advanced that this will impose new cost burdens on presently accepted suppliers. This is, of course, the pattern in any free market situation in which producers must meet the competition of technological advances.

I speak also on this subject—and quite candidly—from a regional point of view. I have a particular interest because the State of West Virginia is in the great Appalachian region which embraces over a hundred million acres, of which approximately 60 percent is in commercial hardwood forests.

A significant aspect of the recently enacted Appalachian regional development program is concerned with increasing the productivity of Appalachian forestland and finding new markets for our timber products. I cite one example of product development which might be affected favorably by the pending provision. Information comes to me that some highly promising development work has been done on laminated 1- by 1-inch hardwood studs which have the strength and stress capacity of much larger dimensioned softwood lumber. Section 211, Mr. President, will encourage such efforts to expand our share of the homebuilding materials markets, and I believe this provision in S. 2213 is most necessary.

Mr. MONDALE. Mr. President this week the Senate will add one more major achievement to its record by passing S. 2213, the Housing and Urban Development Act of 1965.

I am a strong supporter of this bill, and I will be proud to vote for its passage. It is a major landmark in America's continuing progress toward the goal of a decent home for every American. I have been honored to sit on the committee which considered this legislation, and to take part in its deliberations.

To list all that this bill will do would take far longer than I intend to speak this afternoon. Its most publicized feature is the rent supplement program, a bold new experiment in providing new housing for poor families. Critics have charged that this would permit persons of relatively high income to live in plush apartments at Government expense. But the bill before the Senate would provide rent supplements only to individuals and families in the low-income group which are eligible for public housing.

In addition, these rent supplements would be restricted to persons who are: First, elderly; second, handicapped; third, occupants of substandard housing; fourth, displaced by public action; or fifth, displaced by natural disasters such as floods and tornadoes. And those who benefit from this program will occupy low-cost rental housing constructed under strict cost limitations imposed by the Federal Housing Administration.

This program can open up a new way of supplying adequate housing for those in need, and I believe it should be given a fair chance to prove itself.

We need more low-income housing, especially because local public housing authorities have been unable to build the number of units called for in previous legislation. They have met the opposition of obstructionists who have fought against the selection of sites for construction of needed public housing in communities throughout the country. And now we find that many of these same people are opposing rent supplements. I say that we need rent supplements, that we need new public housing, in order to help poor families find decent places to live.

Another vital feature of this bill is much less well-known. This is a new insured loan program for rural housing to be administered by the Farmers Home Administration. This will enable thousands of rural families to borrow money on reasonable terms for the construction, repair, or rehabilitation of their homes. Up to $300 million in loans could be insured under this program every year. This can go a long way in improving the housing situation in our rural areas.

This bill also authorizes expansion of our urban renewal program, a larger and more flexible public housing program, new grants to communities for construction of water and sewer facilities and neighborhood centers, a new FHA insurance program for land development, increased loans for college housing, extension of all major Government housing programs, and many other provisions to aid our urban and rural communities.

I have been particularly interested in what this bill does for our elderly citizens. Last week the Senate provided them with greater security against the costs of illness; this week it will help the aged to spend the last years of their lives in decent homes.

And their need is great. Despite the considerable efforts of existing programs, our senior citizens remain one of our most ill-housed groups. Of those over 65 who rent houses or apartments, no less than 40 percent live in substandard units. And this is despite the fact that three-fourths of the aged in the poorest group—those with incomes below $2,000—spend more than one-third of their incomes for rent.

One of our best programs for serving the needs of these people has been direct, low-interest loans for housing for the elderly or handicapped inaugurated in the Housing Act of 1959.

Under this section 202 program, our churches, consumer cooperatives, labor unions, and other nonprofit organizations can build and maintain rental apartments specifically designed to meet the needs of lower income elderly persons. Economically they have been a complete success—not a single project in the United States has suffered financial failure. And the committee has expressed its confidence in this program by amending the bill to increase its authorization.

Direct loans for senior citizen housing have been an economic success. But more than this, I believe that they can be a major human success. When a church builds housing for the elderly, it does not stop with putting up a building—it is dedicated to making it possible for those who live there to live full and rewarding lives. This continuing concern is to me the most impressive and satisfying thing about this program.

I was pleased, Mr. President, that the Senate Banking and Currency Committee accepted my proposal to include housing for the elderly in a limited, experimental rent supplement program. Rents in this housing have always been moderate, but now we will be able to serve senior citizens from the poorest group, for whom even these rents are too high.

I am also gratified that the committee voted to reduce the interest rate on this program to 3 percent. This should lower rents on new projects by an average of $10 a month.

I am confident that the Senate will soon express its overwhelming approval of this program, and of the many other fine programs in this bill, by voting to enact the Housing and Urban Development Act of 1965.

AMENDMENT NO. 319

Mr. TOWER. Mr. President, I call up my amendment No. 319.

The PRESIDING OFFICER. The amendments offered by the Senator from Texas [Mr. TOWER] will be stated.

The legislative clerk read the amendment, as follows:

> On page 2, beginning with line 3, strike out all through line 19 on page 9.
>
> Renumber succeeding sections in title I and cross-references thereto accordingly.

Mr. TOWER. Mr. President, I ask unanimous consent, pursuant to the previous agreement, that this amendment be made the pending business when the Senate convenes tomorrow.

The PRESIDING OFFICER. It is the pending business.

DUKE POWER PROJECT, SOUTH CAROLINA

Mr. THURMOND. Mr. President, on June 30 and again on July 7 I presented to the Senate various editorials, articles, resolutions, and other materials showing the sharp and overwhelming public reaction to a recent action by Interior Secretary Stewart Udall. South Carolinians are very disturbed—and rightfully so—over Mr. Udall's attempt to block Duke Power Co. from constructing a proposed $700 million power generating complex on the Keowee and Toxaway Rivers in Pickens and Oconee Counties in South Carolina. There is no competing Federal power project proposed for this site. This power complex is proposed for an area designated by the Johnson administration as being poverty stricken and in need of development impetus under private investment and the administration's Appalachia regional development program.

This action by Mr. Udall in intervening before the Federal Power Commission represents bureaucratic arrogance at its worse and constitutes a typical Socialist grab for economic and political power.

Mr. President, I now present the third installment of printed reaction. These are group reactions and do not represent all the individual letters I have received. I invite particular attention to an article published in the Greenville News of July 9. This article, written by Mr. Lee Bandy, reports that the Army Corps of Engineers has filed with the Federal

Power Commission a favorable report on the Duke project.

These materials are as follows: The Greenville News article of July 9 entitled "Report of Army Engineers Favorable to Duke Project"; an editorial by Radio Station WDIX entitled "Stranglehold on Private Enterprise" and dated July 8; an editorial from the Greenville News entitled "Monopoly, Not 'Competition' "; an editorial from the Lynchburg, Va., News as reprinted in the Greenville News of July 10 and entitled "Socialists Strike Again"; a column from the Columbia Record of July 7 entitled "Federal Power versus Electric Power"; an editorial from the Ridge Citizen of Johnston, S.C., entitled "Empire Building" and dated July 8; an article from the Greenville Piedmont entitled "Duke Chief Pleased With Dam Report" and dated July 9; two editorials from the Spartanburg Herald entitled "Udall, the Determiner of South Carolina Competition?" dated July 7 and "Vehement Agreement Aroused by Udall" dated July 12; an editorial from the Greenville Piedmont entitled "Udall Compounds Folly in Duke Power Project" and dated July 7; a column by James J. Kilpatrick entitled "Secretary Udall Engaged in Brazen Grab for Socialized Power in Blocking Duke" and printed in the State of July 11 and the Greenville News of July 12; an editorial by station WBT entitled "Public Power Priority" and dated July 9; a resolution by the Greater Columbia Chamber of Commerce dated July 8; an editorial from the State entitled "Smash the Opposition" and dated July 13; and an editorial from the Gastonia Gazette of July 8 entitled "Mr. Udall's 'Beliefs'."

I ask unanimous consent, Mr. President, that these materials be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. McGovern in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. In closing, Mr. President, I wish to make the point that I have not received one communication nor have I seen a single editorial or resolution supporting Mr. Udall's stand.

EXHIBIT 1

[From the Greenville (S.C.) News, July 9, 1965]

REPORT OF ARMY ENGINEERS FAVORABLE TO DUKE PROJECT—NO OBJECTION GIVEN AS LONG AS CERTAIN CONDITIONS ARE MET

(By Lee Bandy)

Washington.—The Army Engineers have filed a favorable report in connection with Duke Power Co. plans to build a $700 million hydroelectric project in the Keowee-Toxaway River basin.

They have no objection to the project as long as certain conditions are met in the construction.

The terms are spelled out in a letter to the Federal Power Commission from Col. Crawford Young, Corps of Engineers, assistant director of civil works for Atlantic divisions.

Any FPC license, he said, should insure that construction and operation of the project will not impair downstream engineer programs authorized for flood control, navigation, hydroelectric power, water supply and recreation.

Consequently, Young suggested the Duke and corps projects be "hydraulically coordinated in the interest of achieving maximum public benefits."

The Army official said that from a navigation standpoint Duke structure plans are satisfactory.

He recommended that during flood periods Duke be required to release appropriate amounts of water to prevent unnecessary overflows downstream.

"We want the same type of flow which would have occurred in the absence of the Duke project," Young added.

He also suggested that during the reservoir filling period—which sometimes takes up to 5 years—the private firm allow for some flow so downstream projects can continue to function normally.

Should that be impossible, Young recommended that Duke be required to give Clark Hill and Hartwell Dams power they couldn't get for lack of flow during the filling period.

Once the reservoir is full, he asserted, Duke and the engineers should agree upon a plan "which would assure the capability of the corps downstream projects to meet power generating requirements."

The colonel said the agreement should include a provision which would make available to engineers information on Duke's current and proposed water releases, pool elevation, and other operating conditions.

This is necessary, Young explained, for forecasting flow downstream from Duke's project.

Earlier this year, the U.S. Public Health Service filed a favorable report on the Duke project, saying the effects on water supply and pollution "are not expected to be significant."

It noted the area involved is undeveloped, "and it appears it will continue that way."

Interior Secretary Steward Udall, however, is violently opposed to the project. He claims it's not needed and that Duke can purchase power from Trotters Shoals—a Federal project not yet authorized.

The Secretary's position has prompted South Carolinians to call the Cabinet official everything from a "Socialist" to a "political blunderbuss."

The fight is expected to continue for some time.

[Editorial of the Orangeburg (S.C.), Radio Station, WDIX]

STRANGLEHOLD ON PRIVATE ENTERPRISE

For 2 years, those of us who like to watch the trains go by, have noticed the "Big John" grain cars moving feed into the Southeast for Southern cattle and hog feeders. Each "Big John" means a minimum of a hundred-thousand pounds of feed grain moving to Southeastern farmers at a 60 percent savings in freight costs. A 60 percent savings in transportation of feed grains is profit. It's the difference between making money and going broke to a lot of people. The Southern Railway fought the Interstate Commerce Commission for 2 years to be permitted to lower the freight rates made possible by "Big John." After another 2 years' operation, Southern is reporting on the effect of the "Big John" savings to the grain user. Here is the score. In the Southeastern States in the past 2 years 23 new feed mills have been built and 41 existing feed mills have been expanded. In these 2 years 35 new cattle feed lots have been opened and 17 existing cattle feed lots have been expanded, 16 new hog feed lots have been built and 3 existing hog feed lots have been expanded. In these Southeastern States and in these 2 years 2 new packing houses have been built and 11 existing packing houses have been expanded. Thus, savings through lower freight rates on grain from the Midwest to the Southeast have brought a healthy and vigorous market expansion for southern livestock farmers, feeders, processors, and new jobs for people all along this line of expansion. The ICC delayed this expansion for 2 years by prohibiting the freight rate reduction.

In Appalachia the Duke Power Co. offers to invest $700 millions in electric power production that would bring expansion of job opportunities to a tristate area. The facility is planned as the Keowee-Toxaway plant in Pickens and Oconee counties in S.C. And, who objects? The U.S. Government in the person of Secretary of the Interior Stewart L. Udall. Secretary Udall says that Duke could buy its power from the proposed Government powerplant at Trotters Shoals and from other places. Secretary of the Interior Mr. Udall's proposal comes with poor grace. A Federal power group 2 years ago stopped Duke from building a plant at Trotters Shoals. What Duke proposes would cost the people nothing. What the Department of the Interior proposes would cost the people the price of the Federal powerplant and millions in tax dollars. And, the point is this. A Federal agency delayed the Southern Railways use of "Big John" grain cars 2 years by forbidding Southern to lower the freight rate. A Federal agency stops private owner development to build its own public power empire. Only the voter can trim the Federal Government's stranglehold on private enterprise.

[From the Greenville (S.C.) News, July 7, 1965]

MONOPOLY, NOT COMPETITION

It took some digging, and wading through a few vague and evasive answers, but Editor James J. Kilpatrick of the Richmond News Leader, Sunday night got from Secretary Udall the real reason why the Department of the Interior is trying to block the Duke Power Co's Keowee-Toxaway project in Pickens and Oconee Counties.

Mr. Udall, on "Meet the Press," referred to the importance of providing "competition" for the private power companies by building federally operated hydroelectric dams with taxpayers' money. But to do this to the exclusion of private power development is not competition.

It is a far cry from the Federal "yardstick" the late Franklin D. Roosevelt talked about in justification of Federal power development and the creation of the electric cooperatives with Federal grants, low interest loans and federally subsidized power.

Since there are more Federal projects than privately owned generating facilities along the Savannah and its tributaries, Mr. Udall is not promoting competition.

He is aiming at a Federal power monopoly. There it is, plain and simple. That can be the only end result of the policies the Federal agencies are following.

We can only hope that Mr. Udall is speaking for his Department only and that he is not reflecting the policies of the Johnson administration as a whole.

In view of what he said Sunday, and his refusal to comment earlier despite numerous efforts of newsmen to reach him, Secretary Udall is not likely to agree to rescind or to soft-pedal his petition of intervention before the Federal Power Commission.

As brought out by the questions of Mr. Kilpatrick, who had all the facts before him, Mr. Udall has no case against the Duke project, except the purpose of nationalizing or socializing the power industry.

He kept referring to the proposed Federal project at Trotters Shoals, which is far from being ready for a start, even if Congress were to authorize it.

He appeared to feel that this, with the other Federal projects on the Savannah, would meet all needs. He confused the whole issue with the proposed Duke steamplant at Middleton Shoals, a project which has been approved by all agencies and awaits only congressional authorization.

The Keowee-Toxaway project is not on any interstate rivers, another point on which

Udall seemed confused, and requires only FPC approval. Furthermore, this development is projected to meet needs which will come with development after the Savannah River plant is delivering capacity.

Udall questioned both Duke's figures and its need for the power. That is utterly absurd, for companies like Duke don't gamble with their stockholders' cash and credit. They calculate the risks carefully and spend conservatively.

Finally, Udall errs foolishly when he says the Federal projects can meet the power needs of the present and the future. The proposed Middleton Shoals plant would deliver more firm power than all of the existing Federal projects combined—unless the Federal Government takes the private companies over and builds steamplants.

So, the issue is clearly and fairly drawn. As we have stated from the beginning, it is a question of Federal ownership and socialism at the taxpayers' expense against private enterprise and investor ownership with millions of tax dollars for government at all levels.

It is a question of industrial development by private enterprise against a Federal monopoly which stifles industrial development.

The huge Federal projects at Hartwell and Clark Hill have brought no industry to South Carolina, but the threat of another Federal dam at Trotters Shoals has kept industries from coming to that part of the State.

[From the Greenville (S.C.) News, Greenville, July 10, 1965]

THE SOCIALISTS STRIKE AGAIN

(From the Lynchburg (Va.) News)

The Johnson administration showed its socialistic hand again last week when Secretary of the Interior Stewart Udall asked the Federal Power Commission to deny the Duke Power Co. permission to build a $700 million, privately financed electric power complex in South Carolina.

Udall's reason: he said he intends to ask the Congress to build a Federal power project (which will cost millions of tax dollars) to serve the same area. Duke, he said, would not need its own plant then; it could buy the electric power it needs from the Federal plant.

This would give the Government control over Duke's future, for the private company would be dependent upon the Government for its electric power, subject to what the bureaucrats permitted it to do.

The taxpayers of South Carolina and the entire Nation have everything to gain from the private Duke project, and everything to lose from the Federal socialistic project.

The Duke plant, built with private funds, would cost the taxpayers nothing. In addition, it would pay an estimated $20 million a year in State and local taxes and an estimated $24 million a year in Federal taxes.

The socialistic plant, would pay no taxes at all. In addition to costing the taxpayers hundreds of millions of dollars to build, it would cost millions of tax dollars a year to operate.

The FPC determines who gets a license on the basis of what it views as being the best interests of the area involved. In making its decisions, the Commission must abide by the Federal Flood Control Act of 1944, which authorized the construction of public works on rivers and harbors in the Nation for flood control and other purposes.

The act established comprehensive plans for the development of several river basins, including the Savannah River Basin where Duke wants to build its new plant.

Udall, in his petition to the FPC to deny Duke a license, claimed that the Duke project was not as well adapted to the comprehensive plan as his Federal socialistic plan.

Even if he fails in his efforts to kill the Duke project, Udall will have accomplished something. His intervention means that lengthy hearings will have to be held, and these will delay the issuance of any license.

And, if Duke is denied its license, it undoubtedly will appeal to the courts, which means further delays. So, by merely filing his intervention with the FPC, Udall has succeeded in blocking Duke's plans for many months, perhaps for years.

The area which the Duke project would serve has been designated by the Johnson administration as one of the "depressed" areas of Appalachia, which is desperately in need of economic help.

The Congress recently authorized $1 billion to aid the Appalachia region. Some of this $1 billion will be spent in the South Carolina region where Duke wants to build its plant.

Duke's plans would spur industrial development in that section. It would pay some $20 million in State and local taxes, which would relieve the strain on South Carolina taxpayers.

And the economy of the area will be deprived of the shot in the arm provided by the $700 million Duke plans to spend for materials, equipment, and labor to build its plant. Desperately needed jobs which would be provided by the Duke plant, will not be available for years, if ever.

If there is ever any excuse for the Federal Government, or any other level of government, to invade any field of private enterprise, it is only when private enterprise cannot do the job and meet the needs of the people. Even then, the Federal Government should first seek to help private enterprise instead of entering the field itself.

In this case, Duke not only has the resources to do the job, but plans to meet present needs and future requirements as well.

The real issue at stake is Federal socialism versus private enterprise. The Johnson administration is seeking to prevent a private business firm from expanding and serving the people and adding to the tax revenues of the country.

It doesn't make sense; socialism never does.

[From the Columbia (S.C.) Record, July 7, 1965]

ON THE RECORD: FEDERAL POWER VERSUS ELECTRIC POWER

(By John A. Montgomery)

To justify his opposition to the Duke Power Co.'s Keowee-Toxaway project in the northwest corner of South Carolina, Secretary of the Interior Stewart L. Udall said he believed the Federal Government should give competition to private utility companies. He favors a Federal dam at Trotters Shoals that would prevent Duke from going ahead with its proposed Savannah River Valley development.

Congressman WILLIAM JENNINGS BRYAN DORN, of Greenwood, whose district will be most affected, joined the unanimous official voice of South Carolina in opposing Udall's plan. Udall's official opposition to Keowee-Toxaway, he said, acknowledges that a Federal dam at Trotters Shoals is not needed for electric power; it is a design to control the water and power resources of the Savannah Valley.

"If the Secretary can control power and water on the seventh largest river system in the United States, then he will control industry and the people. This is a stark, open bid for national socialism," DORN declared.

Trotters Shoals was rejected by Federal authorities in 1944. It was resurrected only after Duke announced plans to build the world's largest steam plant at Middleton Shoals in Anderson County.

TO HARASS DUKE

"It was designed to harass Duke," DORN said, "and force Duke into a shotgun wedding with Trotters Shoals. Thus united, the Department of the Interior could step in, regulate and harass Duke, take over our resources and subvert our people. Trotters Shoals would not only be the means for Federal control of our areas, but would flood forever 14 of the best remaining industrial sites in the United States."

He pointed out that one of Duke's proposed projects would generate 25 times more power than Trotters Shoals. Furthermore, the Keowee-Toxaway project would pay $24 million into the Federal Treasury annually, and $20 million a year in taxes to State and local governments. It would develop new industries, new jobs and new opportunities.

Trotters Shoals, on the other hand, would take 23,000 acres out of taxation and would be a tax consumer instead of a tax producer.

Duke Power Co. would spend $700 million to develop a tip of Appalachia, which is nearly as much as the billion dollars the Federal Government will spend to bring jobs and opportunity to the entire Appalachia region from Alabama to New England.

Anderson County, where Duke's Middleton Shoals project is proposed, as well as Pickens and Oconee Counties in South Carolina and Transylvania County in North Carolina, where Duke's Keowee-Toxaway project will be located, has been designated for Federal assistance under the Appalachia Act.

Congressman DORN is echoed by a large official chorus when he declares:

BUREAUCRACY

"Trotters Shoals is now unmasked and revealed as a means to subject our people and our industry to the direct control of a Federal empire-building bureaucracy. I am opposed to Trotters Shoals and I will continue to oppose Trotters Shoals because it cannot be justified. I will support Duke's plan for Keowee-Toxaway and Middleton Shoals."

Whatever happens in the upper corner of South Carolina is of importance not only to the immediate area, but to all the State. Whatever is done for the good of one part of the State is good for the entire Commonwealth, and is important to every individual in it.

[From the Johnston (S.C.) Ridge Citizen, July 8, 1965]

EMPIRE BUILDING

It is well known that the prime objective of the Federal Bureaucracy is empire building, and this fact is nowhere more flagrantly obvious than in Secretary of the Interior Stewart L. Udall's opposition to the proposed plan of Duke Power Co. to build a $700 million plant at Middleton Shoals on the Savannah River in Anderson County. This Duke Power Co. plant, known as the Keeowee-Toxaway project, would pay something like $24 million into the Federal Treasury annually, and about $20 million into the South Carolina treasury annually.

The Keeowee-Toxaway project of Duke Power Co. has the solid backing of the entire South Carolina delegation in Congress, including both Senators. It has the backing of the Governor of South Carolina. The people of the area, according to all reports, favor the Duke project. In fact, about the only opposition we can find comes from Secretary Udall and one or two REA co-ops.

Even in this day of galloping centralization of power in Washington, proponents of Government intervention, control, and regulation give at least lipservice to the thesis that such Government intervention, control, and regulation is necessary because private enterprise or State responsibility has failed to do what some bureaucrat thinks is necessary in that particular field. But in this instance Secretary Udall's empire-building proclivities are laid bare and nakedly exposed. Here is an instance in which private enterprise anxious to do a job in which the

State's congressional delegation, Governor and other State officials favor letting private enterprise function, and only the Secretary of the Interior raises a powerful voice in opposition.

There is no justification that we can see for Secretary Udall's opposition. Nowhere does he justify the loss of $24 million in taxes to the Federal Government nor the loss of $20 million in taxes to the State of South Carolina. He wants only to build a dam at Trotters Shoals a little lower down the Savannah River, and force Duke Power Co. to buy current from this federally owned plant. Nowhere is there an indication that private enterprise has failed. Nowhere is there an indication that State and local governments have failed meeting their responsibilities. But there is obviously and flagrantly a desire on the part of Secretary Udall to build his bureaucratic empire at the expense of the well-being of the people of this section of South Carolina.

[From the Greenville (S.C.) Piedmont, July 9, 1965]

Duke Chief Pleased With Dam Report

Charlotte.—A favorable reaction to the Army's Corps of Engineers report on the proposed $700 million Duke Power Co. hydroelectric complex in the Keowee-Toxaway River Basin in northwestern South Carolina was given here today by Duke president W. B. McGuire.

Mr. McGuire noted the favorable report, filed May 4 with the Federal Power Commission which is considering Duke's application for a license to construct the major project, in no way opposes development of the basin.

Asked today to comment on the Army Engineers' report, Mr. McGuire today told the Piedmont: "We, of course, were pleased to note that the Army Engineers did not oppose development of this stretch of the Savannah River Basin by an investor-owned company. The Army Engineers suggested certain coordination between Duke's Keowee-Toxaway project and the Corps of Engineers' Hartwell and Clark Hill projects downstream on the Savannah.

"We do not anticipate any difficulties in reaching agreement with the Corps of Engineers on the coordination of the projects.

"Since receipt of the Army Engineers' comments on our project, we have been advised by an independent engineering firm that our project will confer over $900,000 per year in annual headwater benefits to the Army Engineers' Hartwell and Clark Hill projects. Under the present law relating to headwater benefits, the Federal projects will receive these (headwater) benefits free of charge."

All the Army requested in its report to the FPC is that the Keowee-Toxaway project be so operated as to keep a constant flow of water from the rivers into the basin.

Col. Crawford Young, Assistant Director of Civil Works for the corps' Atlantic Division, said the FPC should require Duke to guarantee that construction and operation of the project would not adversely affect the corps' program for flood control, navigation, hydroelectric power, water supply, and recreation.

Interior Secretary Stewart Udall is the major opponent of the Duke project, which would be built in Pickens and Oconee Counties. Udall said Duke should get the power it wants from a proposed Federal dam at Trotters Shoals on the Savannah River.

[From the Spartanburg (S.C.) Herald, July 7, 1965]

Udall the Determiner of South Carolina Competition?

So Stewart Udall considers himself the determiner of "competition" in South Carolina.

The man has an unspeakable arrogance.

He also has either a fundamental ignorance of, or a cynical disregard for, the principles of free economy.

Since he is Secretary of the Interior, one must assume the latter, for no ignorant man would hold such a high position in a Government pledged to perpetuate the economic system.

Udall, you remember, has filed an objection to Duke Power Co. plans for a $700 million electric-power complex in northwest South Carolina.

His petition makes two basic points: (1) He wants the Federal Government, through his Department, to have exclusive development rights in the Savannah River Basin; and (2) Duke doesn't need to worry about electricity, because the Government will have plenty to sell the company when the the Trotters Shoals dam is completed.

Udall completely ignores the economic facts:

Trotters Shoals will cost the taxpayers at least $90 million.

Duke's complex would pay into the U.S. Treasury $24 million a year; to the State $14 million; and to Pickens and Oconee Counties $6 million. (There would be no revenue from a Government-owned facility.)

Udall expanded on his reasons for opposing the private venture on a TV panel Sunday. It took some incisive questioning, but the Secretary allowed: "* * * Really what is needed in this region of the country—the same thing we have in other parts of the United States—is a little competition between public power. This is what is really needed."

He did not use any comparative rates between Duke and federally-produced electricity to prove his contention. The fact is that such a comparison would have refuted him.

Even if there were a disparity favoring public power, this would not be the crux of the question.

The Government's role in river-basin development, as cited in the Secretary's petition, is the Flood Control Act of 1944. Electric power is a side product and not a primary objective, as Udall himself testified a year ago.

There is no justification for a Flood Control dam at Trotters Shoals. Udall is corrupting the purpose of the law.

His department has no place whatever in determining the competitive forces for South Carolina's economy. It's not his business—nor is it his business to insist that Duke Power Co. be forced to use federalized electricity instead of investing its own money to produce the power it needs for its customers.

Insofar as public-private power competition is concerned, this State and every State are amply protected without the need of Udall's help.

South Carolina has its own Public Service Commission which has the direct responsibility of supervising and regulating rates. The PSC has done a much more competent job than we have reason to expect from Federal bureaucracy.

[From the Spartanburg (S.C.) Herald, July 12, 1965]

Vehement Agreement Aroused by Udall

Interior Secretary Stewart Udall has aroused a hornet's nest of protest over his opposition to a mammoth Duke Power complex in upper South Carolina.

Rarely are political and civic leaders so vehemently and totally in agreement.

The very arrogance of Udall's position—he states openly that the Government can produce the electricity Duke needs—may well climax a long, frustrating battle over Federal plans for a dam on the Savannah River.

This is the controversial Trotters Shoals. Duke's Keowee complex and Trotters Shoals are not related, except for Udall's position that the Keowee project might affect Federal development of the Savannah River Valley and his view that Duke would be a customer for Trotters Shoals power.

For years, the preponderance of South Carolina leadership has fought against the Federal dam. The argument is convincing that it would obstruct healthy industrial development.

However, the voices from here are pretty much lost in the wilderness of Washington. Especially since the Georgia delegation has been generally in favor of the Federal plans.

The blessing of Udall's blatant intervention is that it is attracting attention to the South Carolina case against Trotters Shoals. Meanwhile, the Georgia group is not nearly as strong in its support as it once was.

Perhaps it is too much to hope, but there is the possibility that the present outcry will marshal a decisive force for free enterprise.

Another complaint about Udall may help to solidify this force in Southern States, at least.

Under his auspices, a film has been produced to persuade Americans that their own land is the best to see. The movie is called "Photoscenic America." It is being shown five times a day in Washington.

Southerners are appalled when they view it.

There are scenes of Niagara Falls, Death Valley, New York, Boston, Washington, Philadelphia, Disneyland and just about everywhere.

But none whatever of the historic Southland. Not even of Mount Vernon, or Monticello, or Robert E. Lee's Arlington, or of Charleston or New Orleans.

The South comes no closer to being mentioned than Miami Beach and San Antonio.

A Udall aid says there was no intent to slight the South. He explained that the film had to be shortened and "it just happened" that the South wound up on the cutting-room floor.

Yeah, it just happened.

[From the Greenville (S.C.) Piedmont, July 7, 1965]

Udall Compounds Folly in Duke Power Project

That Stewart L. Udall is capable of committing studipities does not exactly come under the heading of stop-the-press news. The bootless intervention of the Interior Secretary in the Fouke fur case amply demonstrates his occasional addiction to idiocy. In that instance, Udall arbitrarily awarded a fur contract held by the Fouke Fur Co., for two generations to a hastily organized firm in a movement to punish Fouke for moving from St. Louis to Greenville. The contract was canceled swiftly when the General Accounting Office acidly brought to light the appalling fact that the firm was not in existence when it was given the contract.

To commit a stupidity is one thing. To attempt to justify it compounds the folly.

Mr. Udall has compounded another folly, this one his attempt to prevent the Duke Power Co. from building a $700 million power generating facility in Pickens and Oconee Counties. He wants the Government to develop a project at Trotters Shoals on the Savannah River instead.

His naked desire for more Government power (as opposed to the interest of private enterprise) was cynically disclosed on a television program last Sunday. One questioner pointed out that the Duke facility would return $42 million annually in taxes and that it had the support of every public official concerned in South Carolina. Udall was then asked, "How can you justify a course of action that would deny the affected people and localities these benefits?"

Udall's answer: "Well, I would say this, because I have met with both groups recently. There are rural electric co-ops and municipalities that own their own power systems that believe that the Federal project will confer benefits on them that will be just as great and really what is needed in this region of the country—the same thing we have in other parts of the United States—is a little competition between public power and private power. That is what is really needed."

What Udall's answer means is that he believes it is better to spend public tax money in huge amounts to develop a power facility that would be tax-exempt than for Duke to spend its own money on a plan that would year after year relieve the tax burden of local, State, and Federal Governments. The obvious economic fallacy of that position needs no comment. What should be of concern to everyone is the Government climate in Washington that permits the emergence into prominence, influence, and power of a man with Udall's socialistic philosophy.

[From the Greenville (S.C.) News, July 12, 1965]

Secretary Udall Engaged In Brazen Grab For Socialized Power In Blocking Duke

(By James J. Kilpatrick)

One of the troubles in writing about certain events in Pickens and Oconee Counties of South Carolina is that no one, really, gives a particular hoorah about what goes on in Pickens and Oconee Counties of South Carolina, the 86,000 residents of course excepted. But the biggest fight since Hell's Canyon over "public power" and "private power" is about to be waged in Pickens and Oconee, and if Stewart Udall gets away with this one, he will get away with murder.

The country ought to be aware of what is going on down there. Questions of major public policy are involved, and all of us are involved in them.

Duke makes move—The story goes back to January 4, when the Duke Power Co. filed an application with the Federal Power Commission to get started on a vast new steam and hydro power complex known as the Keowee-Toxaway project. Ultimately the project would produce an investment of $700 million in private capital.

The first phase, covered in this license application, proposes an investment of $85 million for dams on the Keowee and Little Rivers with an initial hydro capacity of 750,000 kilowatts of power. These units would become operable in 1971.

This is only the beginning of what the company's studies propose. Other dams would be built and other lakes created. Additional stream generating units would provide 7 million kilowatts more. All of this construction work would take place on a hundred thousand acres of land already owned by Duke Power Co. The investment would have great meaning in the Appalachian area.

In time, an estimated $18 million in State and local taxes, and $24 million in Federal taxes, would be generated by the investment. The reservoirs would serve not only for power supply but also for water supply, recreation, and flood control. And not a nickel in Federal tax funds would be required.

Udall intervenes—Now comes Mr. Udall, as Secretary of the Interior, with a brusque and presumptuous petition for intervention, filed on June 21, nearly 3 full months after the deadline. His object is to block the Duke Power Co.'s plans completely, and compel the company to rely instead upon power from a Federal dam proposed for construction at Trotters Shoals on the Savannah River many miles away.

"Applicant has no need for the hydropower that would be produced by the project in 1971," says Mr. Udall. "Applicant's asserted needs can be met from Trotters Shoals. Subsequently, power may be made available to applicant from the four Chattooga River plants.

"Applicant has no need for the hydropower from a plant located on the Keowee Reservoir about 1972 or later. Applicant's asserted need for steampower * * * will be satisfied by Congress permission to build a 2-million-kilowatt steamplant below Hartwell concomitant with the Trotters Shoals authorization."

Forget about the local placenames. What we have here is an arrogant assumption by Secretary Udall that he knows more about a power company's needs than the company itself knows. He would block $700 million in private investment in order to compel the company to rely upon a Federal power facility instead. The Trotters Shoals Dam would require $78 million in public funds, and would take 23,000 acres off the local tax rolls; and it should be added that Trotters Shoals has nothing whatsoever to do with flood control or navigation. It is a 95-percent pure power project.

DUKE'S REPUTATION

Now if the Duke Power Co. had a poor reputation in its service area—if it charged exorbitant rates, if it underestimated power requirements, if it had poor public relations with the communities it serves, or if further Federal dams really were required for flood control—Secretary Udall might make a plausible case for intervention in this FPC proceeding. None of these factors is present.

Duke is among the most respected power companies in the Nation; its rates are low, its public relations excellent. The Keowee-Toxaway project has been endorsed by the Governor, the general assembly, the town and county councils, and a host of local organizations. Both of South Carolina's Senators, Republican THURMOND and Democrat RUSSELL, support the company and oppose the Secretary.

Mr. Udall is here engaged in a brazen grab for power—for socialized power, in the unadorned word—and the effort needs to be exposed. The Keowee River may be remote from most Americans who believe in the enterprise system, but John Donne's famous warning can be paraphrased: Ask not for whom the Keowee flows; it flows for thee.

[WBT-WBTV editorial, July 9, 1965]

Public Power Priority

The Federal foot in the door is getting bigger these days. Secretary of the Interior Udall has asked the FPC to refuse permission to Duke Power Co. to undertake its Keowee-Toxaway project, and has given some very strange reasons.

Up to now, people who favor public power development have justified their position by quoting Abraham Lincoln to the effect that the Government should do for the people only what they cannot do for themselves. In other words, the Government should own and operate the means of production only if private enterprise does not have the resources to do it.

Well, the people can very obviously produce electric power for themselves. They have been doing it ever since electricity became a necessity of modern life. And certainly Duke Power Co. has the resources to build and operate the plants in question.

But Secretary Udall gives as a reason his decision that the power to be generated by the proposed plants will not be needed. Now, it is not the function of Government to decide whether there is going to be a market for a commodity under a system of free enterprise. And we suspect that Duke Power Co. is interested enough in making a profit so that they have had a good many experts analyzing whether there will be a market for their power before they lay out millions in construction.

We have little confidence in the judgment of Government power people. There were power shortages in TVA, Bonneville, and Grand Coulee at a time when every power company in the country was meeting its own demands for electricity. They have overcome this bad judgment with further outlays of tax millions now.

The real hooker is that Mr. Udall says that the Government is going to be building in such a big way that power can come from public plants instead of private ones. This is a shift of emphasis that would have Abraham Lincoln retracting his statement.

If Government power is to be chosen in competition with private power, and in preference to it, then we might ask how soon the United States will be manufacturing motor cars, sanforized shirts, and aspirin tablets—and telling private companies there is no longer a market for their own products.

The Piedmont Carolinas are among the fastest growing industrial areas in the country. The three power companies in this area have shown excellent foresight in estimating needs and having the power ready when the demand developed.

We are not the lawyers for these companies. We have complained about bills or service on occasion as much as anyone. But we are disturbed by this reversal of policy in Government which strikes us as being a long step toward giving priority to Government ownership of the means of production—which, by the way, was Karl Marx's definition of socialism.

Invitation to respond has been sent to Secretary of the Interior Udall.

GREATER COLUMBIA
CHAMBER OF COMMERCE,
Columbia, S.C., July 8, 1965.

Memo to persons interested in the Trotters Shoals-Keowee-Toxaway dispute.

From William A. Dallis, chairman, Congressional Action Committee.

Because of the extreme seriousness of the Trotters Shoals proposal and the recent intervention on the part of the Secretary of the Interior, we wish to reaffirm a stand taken by the Greater Columbia Chamber of Commerce 2 years ago.

At that time, we supported the plan of Duke Power Co. to establish a power-generating complex in upper South Carolina. It was and is our belief that where private enterprise is capable of, and willing to perform such services, the Federal Government should not intervene. The proposal of the Federal Government to fill this need is a prime example of the usurpation of the responsibilities that are properly those of private industry.

Secretary Udall's statements concerning this situation are unprecedented and unwarranted. We are firmly in support of Duke Power Co. in their struggle against this highly unnecessary Federal competition.

This threat to the American economic system must be overcome.

[From the Columbia (S.C.) State, July 13, 1965]

Smash the Opposition

Had Secretary of the Interior Udall pitched his support of public power development in South Carolina on grounds other than establishing "competition" with private utilities he may have fared somewhat better.

With some of the Secretary's advocacy of the nurturing of the natural beauty of the United States there can be agreement. With some of his ideas on conservation, South Carolinians have no basic quarrel.

But the basis he has given for opposing the Duke Power Co.'s proposed Keowee-Toxaway project for Oconee and Pickens Counties is arrogantly radical. It shows just how far to the left this highly-placed official can go, and how far away he can get from the ideals of natural beauty and desirable conservation.

The competition which Mr. Udall describes as needed is not the virtuous and healthy competing among privately operated American enterprises; it is the quite un-American pitting of free, private enterprise against the operations of the Federal Government in the same field.

It was when Mr. Udall was asked how he could justify opposing the constructive, job-giving, taxpaying projects of Duke in South Carolina that he said we could "stand a little competition" in our State.

One wonders how this strikes President Johnson and his courting of friends from the business community. Surely the President must be puzzled by his Interior Secretary's position. Mr. Johnson has sought peace with business even if he has shown no disposition to diminish many Federal activities.

There are men in South Carolina who would have Federal or public power prevail over that produced and distributed by the privately owned utilities. They are men who would agree with Secretary Udall, but in so doing they find themselves in the same untenable corner where the Secretary has placed himself. It is the corner which would deny sections of this State the great benefits of the Duke projects on the Savannah and in the Keowee-Toxaway area.

The opposition, wherever it be, to a further development of the economy of South Carolina through the investment of private funds is flagrantly mistaken and unfortunate.

Mr. Udall's superiors, being the President and the Congress, are summoned to weigh this situation, smash the bureaucratic opposition and turn on the green light for Duke.

[From the Gastonia Gazette, July 8, 1965]

MR. UDALL'S "BELIEFS"

It is quite apparent that Interior Secretary Stewart Udall plans to stick by his original announcement to fight Duke Power's proposed $700 million project in northwestern South Carolina and southwestern North Carolina.

He came through loud and clear on the TV panel show "Meet the Press" Sunday. That is, he was "loud and clear" on TV; but his argument was as loud and clear as a wad of mud.

Somebody posed this question:

"In its petition to the FPC, the Duke Power Co. said that its project there would generate $18 million annually in State and local taxes and $24 million annually in Federal taxes. How can you justify a course of action that would deny the affected people and localities these benefits?

And his answer:

"Well, I would say this, because I have met with both recently. There are rural electric co-ops and municipalities that own their own power systems that believe that the Federal project will confer benefits on them that will be just as great and really what is needed in this region of the country—the same thing we have in other parts of the United States—is a little competition between public power and private power. This is really needed."

Really?

It is, possibly, if you're the Interior Secretary talking, and you want to see your domain grow and you don't give a hoot about the private enterprise tax dollars that will roll into the State and Federal treasuries as a consequence of private capital doing the building.

Now, Mr. Udall says he "believes" that the Federal project would confer benefits.

Duke power has set its plans down in black and white. It has stated what it will spend, and it has stated what will be the tax "take" on State and national levels.

Duke has taken the scientific approach; Udall has come forth with some suppositions.

If he has anything to offer, let him show it. Otherwise, he should keep his "beliefs" to himself until somebody calls for them.

HELP AND HOPE

Mr. HARTKE. Mr. President, today marks the beginning of the House-Senate conferees consideration of one of the most significant pieces of legislation that has ever come before Congress. I am, of course, referring to the social security bill, H.R. 6675, which contains medical care provisions for the aged, and numerous social security benefits. Among the many features of the bill, I am deeply grateful to the Washington Post for editorially recognizing the importance of two measures which I introduced. Thus, I think it is appropriate to direct the conferees' attention to these two editorials which appeared in the Post on June 29 and July 11.

The first one deals with the Hartke amendment for an increase in earnings a retired person may receive without losing any of his social security benefits. Under present law one may earn only $1,200 without surrendering benefits. As the Post so aptly pointed out:

> Due to these limitations, the benefits paid under the social security program are reduced, but the glaring defects of this "economy" outshadow by far any savings in out-of-pocket costs. By penalizing those who wish to work, the economy is deprived of the services of experienced and talented workers, many of whom encounter frustrations in imposed idleness. And in practice the law discriminates against those who spent their lives in low-income occupations.

The editorial on July 11 made reference to the Hartke amendment to provide for prolonged or even terminal illnesses. This significantly improves the House version, and I heartily concur with the Post that it is "immensely desirable" to have this remain in the final version of the medicare bill. How could we more effectively obey, as the editorial says, "the most ancient of commandments in the Judeo-Christian tradition: Honor thy father and thy mother" than by assuring that the "ills of old age" will be completely taken care of. "It is essentially an acknowledgment of the deference due to senior citizens and of the dignity that ought to surround those who have earned retirement."

I ask unanimous consent that the two editorials to which I refer may appear in the CONGRESSIONAL RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 11, 1965]

HELP AND HOPE

It seems no extravagance, to characterize the Senate's passage of the medicare bill on Friday as an act of obedience to that most ancient of commandments in the Judeo-Christian tradition: Honor thy father and thy mother. For the medicare measure represents an effort through social legislation to quiet the anxieties and ease the ills of old age. It is essentially an acknowledgement of the deference due to senior citizens and of the dignity that ought to surround those who have earned retirement.

It is interesting that the Senate passed the bill overwhelmingly, 68 to 21. Two decades have passed since the provision of health care for the elderly was first proposed. In all that time, the American Medical Association has not relaxed an iota in the ferocity of its opposition to the idea; it has not even diminished the senselessness of its repetitious assertion that the measure amounts to socialized medicine. But the general public, and most physicians as well, one surmises, has left the AMA to its mumblings. There can hardly be the slightest doubt that the Senate action was as overwhelmingly supported throughout the country as within that deliberative assembly itself.

The Senate version of medicare is a good deal more liberal than the House version—and wisely so in almost every respect, we think. The most important of the differences lies in the Senate effort to provide for catastrophic—this is to say, prolonged and perhaps terminal—illness in old age. Medicare as passed by the House would assure a maximum of 60 days of hospitalization for any single period of illness, with the patient paying the first $40 of the cost; the Senate version would allow unlimited hospitalization with the patient paying, in addition to the initial $40, a contribution of $10 for each day over the 60-day limit he spent in a hospital. This is costly but it is immensely desirable, and we hope the House will accede to the Senate view.

Medicare must now go to conference. Since the two bills are identical in aim and differ only in detail and in expense, the conference committee should be able to achieve agreement without too much difficulty. Perhaps, indeed, the House and the Senate can achieve final action and send the measure to the White House before the end of this month—in time to enable the Treasury to send social security benefit increases to some 20 million beneficiaries. We congratulate Congress on a most significant step toward the goal of a Great Society. As the Secretary of Health, Education, and Welfare observed, medicare means "new help and new hope for millions."

[From the Washington (D.C.) Post, June 29, 1965]

RIGHTING A WRONG

The Senate Finance Committee has moved to right a grievous wrong that the social security system inflicts upon retired persons. Under the present law a retired person may earn $1,200 a year without surrendering any of his social security benefits. But on earnings between $1,200 and $1,700, he must surrender $1 in benefits for every $2 earned, and for earnings in excess of $1,700, benefits are reduced on a dollar-for-dollar basis.

Due to these limitations, the benefits paid under the social security program are reduced, but the glaring defects of this "economy" outshadow by far any savings in out-of-pocket costs. By penalizing those who wish to work, the economy is deprived of the services of experienced and talented workers, many of whom encounter frustrations in imposed idleness. And in practice the law discriminates against those who spent their lives in low-income occupations. A retired manager can arrange with his company to work for a number of days during a single quarter of a year without exceeding the earnings limitation. But a retired blue-collar worker in a lower income bracket is likely to run afoul of the earnings limitation.

The Senate Finance Committee proposes to raise the exemption to $1,800 and apply the $1-for-$2 penalty on earnings between $1,800 and $3,000. This reform will cost the social security system about $700 million in additional benefits, but it will pay the country a much larger dividend by releasing many retired workers from the indignity of enforced idleness.

PREVENTING PHENYLKETONURIA

Mr. HARTKE. Mr. President, I recently visited the Muscatatuck State Hospital in Indiana, an institution for the mentally retarded. Accompanying me on the visit was my eldest son Jan, a student at Brown University. In the course of our visit, one of the things which impressed Jan was the realization that the largest single cause of the condition which has resulted in institutionalization there is the disease of phenylketonuria, or PKN as it is known in medical shorthand.

There has been discussions of this disease in the Senate recently, centering about the urine test which can discover routinely, for a small cost, the existence of PKN in the newborn infant. Some hospitals are now administering this test regularly, but there are still many thousands of newborn babies who are not so tested even though we have the skill and the means at low cost to do so.

Jan subsequently set down his thoughts on this problem, in a statement which, as a plea to expand the program for testing and preventing PKN, might well be profitably heeded by medical authorities everywhere who may have it in their power to spread the process of testing to a universal standard everywhere.

Mr. President, I ask unanimous consent that this statement on phenylketonuria may be made a part of the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Among the mentally ill there is a sizable number who could have been, with the knowledge now available, working contributors and healthy members of our society. This group, who could now be spared the diseased life, suffer from phenylketonuria, an inborn disease which can be diagnosed by a urine sample. If detected soon after birth, a balanced diet packed with the proper nutrients can restore good, sound health to the person by school age; but if the disease is allowed to go unchecked, as is still in most places invariably the case, the impairment to mental development is permanent and irreparable.

At Muscatatuck State Hospital in Indiana, a hospital designed to care for the various types of mental retardation, the supervisor reports that the largest single group of patients owe their sad condition to phenylketonuria. Exemplifying the situation across the Nation, the administrators admit they are besieged with letters imploring them to take in children who are afflicted with mental disorders. Sadly and unfortunately, the vast majority are arbitrarily refused simply because space will not permit an increase in inmates. Consequently, those who ought to be committed are left lying in the often unsturdy arms of relatives or friends. This not only strains and burdens others, but also deprives the mentally ill person of an environment which he very likely would find more pleasant.

So in the interest of the patient and for the relief of those who must otherwise care for the patient, it would be advantageous in the future to clear the phenylketonuria patients from the institution by utilizing preventive measures early in life that would eradicate the disease before it mushrooms into a real problem.

The cost for feeding, housing, treating, and caring for the phenylketonuria patient must also be considered, particularly when one remembers that the institutionalization is not for a short, temporary time, but for life. The most conservative estimate to maintain one patient for 1 day runs well over $5, making it foolish and wasteful to pay for patients who could be easily and inexpensively cured before school age.

Paramount to all other factors, however, stands the humanitarianism of this society and its belief that every person would have the opportunity to develop his potentialities to the fullest. To ignore future phenylketonuria patients as an insignificant minority or to forgo patients as an insignificant minority or to forgo the urine test because it involves a few hours, is to desert the babe, waste the adult, and scoff at the goodness and idealism of America.

STRIKE IN PRIVATE SHIPYARDS SHOWS IMPORTANCE OF NAVAL SHIPYARDS

Mr. McINTYRE. Mr. President, I would like to bring to the attention of the Senate, something which may have escaped the notice of most Senators. The Electric Boat Co. of Groton, Conn., and most of the commercial shipyards on the west coast from San Francisco north to Seattle have been on strike since July 1.

In these private yards are a number of ships on which construction and repair work has been halted, including work on nuclear submarines, ammunition ships and cargo ships which are needed to support our Armed Forces in South Vietnam and elsewhere in the world. Because of the strike, a hospital ship was moved to San Francisco Bay Naval Shipyard from a private yard to avoid delay. Despite the critical situation in our world, despite the need and the consequences of delay, the shipyard managements and workers have not been able to get together to resume production. Every day that goes by before settlement is reached and construction is begun again can cause extra days of delay.

Mr. President, I would like to make it clear that I am not criticizing either the shipyard workers or managements. I am not judging the merits of either side in this strike. However, I would like to point out that construction and overhaul work in naval shipyards has not been stopped, and that the workers and management of these naval shipyards are working very hard to meet the needs of the fleet.

Mr. President, there are many times in the history of a nation, when the public interest requires shipyards which will be responsive to that interest, regardless of personal or organizational convenience or advantage. By their very nature, the private yards with built-in differences between management and labor and with an absolute need for making a profit cannot be depended on to be responsive to this need. Each has legitimate interests which must be respected. Only in the face of clear national emergency can each be asked to put the public interest ahead of his own interests.

On the other hand, the naval shipyards are a team operation, brought together for no other reason than to serve the public interest. Each member of the team understands that he is there to support the fleet. Personal considerations, though important, are secondary. The naval shipyards serve the fleet first. No national emergency is needed to make them rise above their internal conflicts. No national emergency is needed to make them take work which will not result in a profit. I point out these things, Mr. President, not because they are unknown, but because they seem to be forgotten or ignored in such times as these.

I submit Mr. President, that it is not good judgment to close down the only kind of shipyard on which the Department of Defense can depend in any eventuality, when the only language that seems to be understood in our world today is military and naval preparedness.

Mr. President, in recent remarks before the House Armed Services Committee, Representative J. Oliva Huot pointed out some of the fallacies in the decision of the Department of Defense to close the Portsmouth Naval Shipyard.

I ask unanimous consent that his statement, including a statement from the president of the Metal Trades Union, be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McINTYRE. Mr. President, I also ask unanimous consent to have printed in the Record at the conclusion of my remarks an excellent article which appeared in the Portsmouth Herald of June 12, 1965, which details the excellent progress made by the Portsmouth Naval Shipyard in cutting costs and improving quality since Capt. William C. Hushing has taken command. Under his leadership, the productive ratio has increased and overhead expenses have been reduced.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. McINTYRE. Mr. President, under the leadership of men such as Captain Hushing and with the help of the skilled and dedicated shipyard workers of the Portsmouth Naval Shipyard, we are going to make the yard so effective and so efficient that the Navy will not be able to afford to close down the yard as it has planned.

Mr. President, I received a letter recently from Mr. James F. Goodrich, president of the Bath Iron Works Corp., of Bath, Maine, expressing his concern about the Department of Defense proposal to build U.S. Navy noncombatant ships in Great Britain.

He points up the impact this kind of thinking has on private industry in this country, in particular the impact on the shipbuilding industry. I ask that the letter be printed in the Record following my remarks.

There being no objection, the letter was ordered to be printed in the Record.

(See exhibit 3.)

Mr. McINTYRE. Mr. President, in a related matter, recently I and other Members of the Congress received copies of a speech by Mr. Edwin M. Hood, president of the Shipbuilders Council of America, called "U.S. Private Shipyards—A Vital National Asset," given at Fort Schuyler, N.Y., on March 13, 1965. This speech has been reprinted in the Congressional Record, and while it is primarily directed at policies of the Maritime Administration, and especially at the suggestion that U.S. merchant ship construction be placed in overseas shipyards, one portion of the speech includes an unwarranted attack on the naval shipyards of this country.

Mr. President, there is nothing new in the attack, and an excellent article written by Comdr. J. J. Meyer, Jr., which appeared in the U.S. Naval Institute proceedings of November 1964, is just as timely today as when it was written. As Commander Meyer points out, the private shipyards are in serious economic trouble and claim that a larger share of the work now done in Navy shipyards would cure their ills. However, the real problem lies in the sickness of the shipping and shipbuilding industry. The U.S. share of the world's total merchant tonnage has fallen to less than 9 percent, and we build less than 5 percent of the world's ships. To assume that this sickness will be cured by putting more Navy work into the private shipyards is simply not true.

I ask unanimous consent that the article be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD (see exhibit 4).

EXHIBIT 1

Mr. HUOT. I appreciate very much coming here this morning to present my remarks. According to the schedule, I was scheduled for 2:50, which made me the last speaker, and I wouldn't want anybody to think because I was the last speaker I was going to be the anchor man to review all of the cases for the Navy yards. It was my seniority that placed me in that position, and not my ability to be able to present the case for all the other members.

Without repeating what has already been expressed so eloquently by previous speakers, I would like to stress a few points on behalf of the retention of the Portsmouth Naval Shipyard.

The history and effectiveness of the Portsmouth yard are well known to submarine sailors. A Portsmouth-built ship has been and still is distinguished among submariners for its reliability.

Last November, the Shipyards Policy Board, in its recommendations to the Secretary of Defense, cited the need for three shipyards on each coast capable of overhauling nuclear submarines.

Portsmouth is one of only three public yards on the east coast now capable of overhauling this type of vessel. The Board remarked that with the eventual phaseout of Portsmouth, new facilities could be constructed 400 miles south of the New Hampshire port. I am sure the Board realizes the complexities involved in establishing new facilities and especially in the recruitment of personnel experienced enough to handle this complicated and delicate job.

I would like to ask, is it realistic to estimate that it would cost the Government only $1.2 to $3.2 million to equip an installation which never has handled nuclear submarine overhaul assignments? And, again, what about the extremely skilled labor needed to complete the work? If this is a realistic estimate, is it realistic to estimate that it would cost the Government about $2 to $7 million to move equipment and inventories from Portsmouth and establish the necessary capabilities in another yard? I believe, Mr. Chairman, that these figures are very low, and after such a phaseout and reestablishment is completed, the figures would be far beyond the estimates of the Shipyards Policy Board.

The three general reasons given for the phaseout of the Portsmouth yard are (1) high cost, (2) narrow specialization, and (3) that it does not meet a future requirement for new construction.

Statistically, according to the Policy Board, Portsmouth-built submarines are more expensive than those constructed at private concerns. However, some hidden factors enter into these cost figures. A new submarine built at Portsmouth is constructed for high quality and effectiveness. It is necessary at times to "stop the work" to institute new designs and better materials in place of old, which of course add to the cost. The motive at private yards is profit. A submarine must be built exactly in a specified time period at a specified price. If a private shipbuilding industry does not meet these requirements, it cannot survive. The profit motive is the driving force to private yards, possibly even to the extent of placing national defense in a secondary position.

During the past 6 months, the productive ratio at Portsmouth has increased from 62.4 percent to 64.6 percent, while experiencing a reduction in force by about 600 workers. With less overhead and an increase in productivity while still maintaining high effectiveness, the yard is on the upswing regarding the reduction of expenses. In only 6 months the productive ratio has increased by 2.2 percent. I have every reason to believe this ratio will continue to rise—eventually making Portsmouth a reasonable or low-cost yard, while again still maintaining high quality.

Our assigned goal was $5 million in fiscal year 1965, and we have accomplished this in two quarters.

With the repeal of the 65–35 provision for conversion, alteration, and repair from the military procurement authorization, the skills and capabilities of Portsmouth are needed even more now than before. The Secretary of the Navy has indicated that conversion, alteration, repair, and general overhaul of nuclear submarines accomplished at naval shipyards constitutes a substantial savings to the Government.

Under normal peacetime use, I believe it is accurate to estimate, and I am sure the Navy Department will agree, that a nuclear submarine should undergo a general overhaul 4 or 5 years from its launching date.

Approximately 60 nuclear Polaris and attack type submarines have been constructed, or are now in the construction stage, which will require overhaul beginning in 1968 and extending through 1975. Future construction of new submarines in subsequent years will add to this number requiring nuclear overhaul. The capabilities and facilities at the Portsmouth Naval Shipyard are needed now and will be needed even more in the years to come.

The second determination of the Shipyards Policy Board in their recommendation to phase out Portsmouth was that Portsmouth is narrowly or overspecialized. We who represent the yard will not refute this charge, but welcome it with an answer that specialization is the key to effectiveness.

Mr. Chairman, we live in an era of specialization. And Portsmouth is specialized—specialized in the construction, conversion, alteration, and repair of nuclear submarines. To literally kill this capability and skill would be an injustice to the defense posture of our country.

Whether Portsmouth meets a future requirement for new construction or not, I think the committee will agree with me that only the future status of the world can determine. The world is now torn with strife and the necessity of full capacity shipbuilding and repair may be a fact next month, next year, or 5 years from now. But we must remain ready with all the skills and capabilities presently at our command.

The present administration at the Portsmouth Naval Shipyard has accomplished a great deal since 6 months ago when they arrived. Overhead has decreased and productivity has risen. My faith in the present commander of the yard and the complete confidence naval officials in Washington have placed in the new commander encourages me that Portsmouth will soon become again a reasonable or low-cost yard while still retaining its effectiveness.

But a decision has been made to phase out completely our New Hampshire installation over a period of 10 years.

A short while ago we were assured that the Portsmouth yard will have a full workload for the next 3 and possibly 4 years. Although this will not consist of new construction—repair, alteration, and conversion will keep Portsmouth going at a fast pace. We will see after this time period Portsmouth's full capabilities at work and we will see the reasons for the phaseout eliminated.

In conclusion, I would like to point out one more aspect of Portsmouth's capability. To project our thoughts to the future, Mr. Chairman, I would like to mention the literally unexplored field of oceanography and its relation to our national defense.

The Department of the Navy is now working diligently in this field for research and antisubmarine warfare. President Johnson stated in a letter to the Honorable Speaker of the House recently: "We are looking forward to a period where our investment in ocean research may bear fruit in terms of * * * strengthening our national defense."

The natural location of Portsmouth, its defense-minded population and its experience in the construction of submersibles could be a major contribution to the success of the United States in the study and accomplishments in the field of oceanography.

The statement I have made today, Mr. Chairman, has been general in nature, but logical in purpose. This very important committee before which I and other interested Congressmen and Senators have testified, has the experience and dedication to realize the needs for the present and the future.

I would like to assert my firm belief which has been substantiated on a number of occasions by the illustrious and most distinguished chairman of the House Armed Services Committee, that this committee has jurisdiction over the common defense generally and, particularly, the size and composition of all naval shipyards.

I wish to thank you, Mr. Chairman, and the members of this committee for giving those who preceded me and myself the opportunity to present our arguments in testifying for a just cause.

Mr. Chairman, with your permission, I would like to include a statement from the president of the Metal Trades Union from my district.

(The document is as follows:)

"PORTSMOUTH METAL TRADES COUNCIL, AFFILIATED WITH AFL–CIO,

"Portsmouth, N.H.

"To Whom It May Concern:

"We would like to discuss for a moment some points mentioned in the summary of the report of the policy committee. In the order in which they occur, on page 6a it states that another shipyard 'could readily acquire a submarine nuclear capability with additional minor facilities and development of personnel skills.' This is false. No shipyard can readily acquire nuclear submarine capabilities. It takes years of training and familiarization to acquire an efficient, effective, and able nuclear capability. No other shipyard, private or public, has the quality of skills Portsmouth has.

"The most important necessities (in our opinion, and because the nuclear powerplant has been married to the missile) left out of the other considerations on page 6a is a combined capability in the nuclear and missile skills. Because the missile submarine is this country's foremost defense, it seems only reasonable to have facilities with complete capabilities in both the nuclear and missile fields.

"On page 10, Portsmouth is included in all three of the possible combinations for closure on the east coast. The only apparent reason for this is that our drydock capacity is less than other shipyards. We cannot see where any other factors or combinations of factors were considered.

"On page 11, it indicates an average annual saving of $15 million per shipyard closing. We do not believe the following ramifications were fully and accurately considered: Cost of resulting retirement, cost of resulting "save pay," cost of moving facilities, cost of training to establish special skills and capabilities in other yards, cost of transferring employees and families, cost of resulting unemployment, and the overwhelming actual cost of administering the closure.

"On page 12, the price differential of 16.2 percent in favor of private yards relates only to new construction. Public yards accomplish repair, overhaul, and conversion at a substantial saving over private yards. Because of the tremendous decline in new construction, it would seem more sensible and realistic to use the repair, overhaul, and conversion field as a basic economic consideration, rather than the new construction field.

"On page 13, first paragraph, it states 'without risk' under either peacetime or mobilization, any one of the four non-hard-core east coast shipyards can be closed." It states ONE shipyard?

"On page 14, paragraph e, one of the most important items left out is our experimental and development capabilities. Most of the major changes in the areas of submarine hulls, main propulsion, and control systems have been conceived, developed, and designed at Portsmouth.

"On the same page in paragraph f, Portsmouth is called an antiquated yard. A shipyard functions with people; the minds and capabilities of the people at Portsmouth are anything but antiquated. In support of this, Portsmouth has conceived and developed more new and better work procedures, processes, and methods than any other shipyard.

"Someone should get professional medical assistance. To be specific, the person or persons who indicate that the narrow specialization of Portsmouth is a handicap or a strike against us. Parallels: The medical profession has made more advancement, more major breakthroughs in the past decade than for the previous century; yet at the same time it has become extremely specialized. Portsmouth has contributed more to the development and advancement of the submarine than any other shipyard; yet the fact that we are specialized is used against us.

"In summary, let us state this as a fact: If our shipyard is closed, personnel scattered, and capabilities lost, the submarine superiority this country has at this time will be of short duration.

"Our sincere appreciation for having taken the time to read this.

"Very respectfully,

"MERLE J. O'DONAL,

"President."

EXHIBIT 2

[From the Portsmouth (N.H.) Herald, June 12, 1965]

LOCAL SHIPYARD MAKING GREAT ECONOMIC GAINS—COSTS SLASHED BY $3.5 MILLION

(By Jack Barker)

In less than 1 year, Portsmouth Naval Shipyard has taken on a new lease on life and is beginning to pay its own way among Government-owned shipyards.

This dramatic new era at the shipyard has come about through a systematic reduction in costs that has reached almost spectacular proportions.

"I consider it my job to make this shipyard as effective and efficient as possible," said shipyard commander Capt. William C. Hushing—and the commander seems to be doing just that.

Through an intensive effort since the day he arrived, Captain Hushing has established 15- to 20-percent savings in shipyard costs.

Total overhead reduction now amounts to $3 to $5 million annually despite a recent pay raise for classified and blue-collar workers and recent material shortages which forced the shipyard to send some of its workers on furlough, forced leave or temporary assignment to other shipyards.

"Today," said Captain Hushing, "There is as much work as there are people on the rolls."

And that work seems to be going along much more smoothly and efficiently than it ever has before.

Here are some of the dramatic examples which Captain Hushing uses to illustrate the success of the cost reduction drive:

The shipyard's productive ratio was the lowest of any navy yard for a number of years. "Productive ratio," which compares the number of employees engaged in "productive" work with the total number of employees, is not always an accurate barometer of costs in a facility which performs high quality work. But it does, according to Captain Hushing, indicate an area which can be improved.

In September, the shipyard's productive ratio was 62.4 percent. In April, that ratio had increased to 64.6 percent.

"The shipyard is no longer at the bottom," said Captain Hushing. 'We were just below the middle of the list in May—a great deal better than we were in September."

In September, shipyard overhead expense was $2,153,000. In April, that figure had decreased to $1,992,000 despite the salary increases for shipyard employees.

"That was quite a substantial reduction," said the commander.

"In overhead rate, we were not the worst shipyard but we were in the lower three or four. And, of course, a quality yard will always have a higher rate—we're in the extreme upper end of the quality scale.

"But this indicated area of improvement and so we've been able to reduce the overhead rate of our mechanics."

In September, that rate was $3.17 for 745,000 work hours. In April the rate had dropped to $3.08 for only 712,000 hours.

"So we've been able to drop the hours by 5 percent and lower the rate by 4 percent—a gain of almost 10 percent," said Captain Hushing.

"If we had had the same wage rates in April as we did in September, the rate would have dropped to $2.93."

Captain Hushing said a 5 percent savings in overhead and operating costs can mean the difference between a successful business and a failing business.

With savings of more than 5 percent, said Captain Hushing, the shipyard has gone beyond that 5 percent criteria for success or failure.

Captain Hushing and his staff have been able to bring about these dramatic savings through a variety of programs.

Buildings no longer needed have been closed to save on heat, light and overhead. Paperwork has been reduced and unneeded equipment has been disposed of.

Hushing said his management improvement program has been a particularly successful method for reducing costs and increasing productivity.

"In order to operate effectively," said Captain Hushing, "management has to be close together."

Hushing said top officials at the shipyard were often scattered in wide areas of the yard, making it necessary for conferences in order to get top management together to make decisions.

Hushing has been undertaking a program of bringing these men together in one central location.

"We moved the planning and production officers and their staffs together in one place," said Hushing. "We reduced the need for six people by doing this, resulting in savings of more than $60,000 per year."

Hushing said the centralization of top management has brought about a much more effective operation.

Employment levels at the shipyard barring any unforeseen changes in Pentagon plans, should remain fairly steady for at least 4 years.

There's plenty of work and plenty of prospects for more work in the near future.

"In fact," said Captain Hushing, "we're going to be hiring more people very soon. Right now, I've got 200 jobs going begging."

The work Captain Hushing wants is overhaul and repair of submarines.

"It's a lot better for us," he said.

According to the commander, private companies can deliver new submarines at a much more competitive price.

"But we can compete in overhaul."

Overhaul work, delivered at a competitive price with private shipyards, obviously makes the shipyard look better.

New construction may appear to make the shipyard a "booming operation" but overhaul work provides a more steady employment level and keeps the men busy.

A shipyard of Portsmouth's size, which can only handle a limited amount of new construction, would bring about a heavy fluctuation in employment levels.

As far as oceanography goes, Captain Hushing would rather not see the shipyard get involved in it at the present time.

"What a community is interested in," said Captain Hushing, "is the supply of dollars which the shipyard provides.

"The employees we call our 'think' people—who provide what we call 'softwear'—do not supply the number of dollars that our 'hardware' people do.

"In this oceanography program, there's a lot of think and a lot of talk but very little construction."

Captain Hushing said the shipyard will take on construction work—but not at the present time.

He said there is a total budget of approximately $135 million geared for oceanography in fiscal 1966 but only $13.4 million is planned for actual construction.

Out of that $13 million, most will go for surface vessels.

"We are now helping the program in design and consultation" said Hushing, "and we're doing some work in titanium, fiberglass research, and pressure problems.

"But, frankly, we've got all we can do right now."

Hushing said he has received no information which would indicate a Pentagon "change of heart" about phasing out Portsmouth Naval Shipyard by 1974.

As far as he knows, the November 19, 1964, announcement by Defense Secretary Robert S. McNamara is still in effect.

If Captain Hushing and the rest of the shipyard workers were convinced this decision will remain in effect, the easiest attitude on the part of all concerned would be to let the yard quietly slip away.

Why bother with cost reduction programs if it will do no good?

Captain Hushing refuses to take this easy approach.

"I believe," he said, "that the U.S. citizen must have the most return for his tax dollar.

"I couldn't be a part of any other attitude."

Exhibit 3

Bath Iron Works Corp.,
Bath, Maine, June 30, 1965.

Hon. Thomas J. McIntyre,
Senate Office Building,
Washington, D.C.

Dear Senator McIntyre: It has come to our attention that the Department of Defense, Office of International Security Affairs, has originated a preposterous proposal to consider building U.S. Navy noncombatant ships in Great Britain. In making the statement, the DOD is reported to have claimed that better ships could be constructed in British shipyards.

To this, the management, employees, and stockholders of the Bath Iron Works Corp., as well as the local, State and New England community, must take strong exception. We have recently announced that this company intends to actively bid on noncombatant ship types, both military and commercial, in an attempt to maintain a reasonable workload and provide full employment at the Bath facility. In fact, we are making studies and plans which, it is hoped, will result in growth and probable expansion of our capabilities in this important New England enterprise.

In order to accommodate larger cargo ships of the types which will satisfy the Navy's fleet requirements, we are considering expanding and lengthening certain of our shipways. Because of the kind of thinking which is apparently coming out of the Department of Defense by this latest announcement, you may be sure that we will be most hesitant in committing time and funds to update our shipbuilding facilities in the face of this latest development.

We are part of an industry which has been faced with many difficult problems in recent years. The Bath Iron Works Corp. has, and will continue, to meet the competition and produce the highest quality ships available to our forces afloat, provided our Government gives us a reasonable opportunity to participate in the programs that rightfully belong to us.

I have been recently elected to the presidency of this fine company and have undertaken my assignment with considerable optimism. The potential of this organization supported by loyal, highly skilled people, coupled with an understanding community, has given me strong reasons for such feelings. However, it becomes somewhat difficult to maintain a reasonable degree of morale among our employees, as well as our stockholders, when stories such as this one are published in newspapers throughout the country and come to the attention of our people.

It is hoped that you will exercise a strong and vigorous protest at the White House and in the Congress from your good offices toward discouraging this destructive idea to the shipbuilding industry in our country. If it is carried out it will have a most detrimental effect on the hopes of this company toward expanding and improving the shipbuilding facility in Bath. If there is anything that I can do to assist you in providing information and facts regarding the adverse reactions which would result from building traditional naval vessels in foreign countries, I would be most pleased to be of assistance to you.

Enclosed you will find copies of newspaper articles which have appeared in other parts of the country with regard to this serious problem.

I would welcome the opportunity to discuss this matter with you in the event I could be of assistance in providing you with additional information which might be helpful to you in a fuller understanding of the potential disastrous effect this would have on American shipbuilding and its possible direct effect on the Bath Iron Works Corp.

Sincerely,

James F. Goodrich,
President.

Exhibit 4

Our Nation's Shipyards

(By Comdr. J. J. Meyer, Jr., U.S. Navy)

Less than 2 years ago, Edwin M. Hood, president of the Shipbuilders Council of America, said:

"I refer to the stifling competition the private shipyard industry has, day in and day out, year in and year out, from the 11 naval shipyards and one naval ship repair facility.

"By owning and operating these shipyards which duplicate all that the commercial yards can do, the Federal Government is, in fact, slowly suffocating the private shipyard industry of the United States. No other major industry in this great Nation is plagued by such insidious destruction under Government auspices."

The Navy stands accused of attempting to eliminate the Nation's private shipyard industry. Variations of these charges against the naval shipyard complex appear in speeches, in the press, and in congressional reports.

The movement by private shipyard interests to reduce the number of naval shipyards has been underway for quite some time, but, in recent years, this drive has gathered a great deal of momentum.

It is difficult to say how much influence this campaign had on the closing of the Naval Ship Repair Facility in San Diego, Calif. Perhaps none. But there is no question that the campaign is largely responsible for the congressional action which requires the Navy to spend in private shipyards at least 35 percent of the funds made available for ship repair, alterations, and conversions.

The supporters of the private shipyards have been encouraged by recent published statements concerning a naval shipyard study with implications that some yards would be closed or curtailed.

On the surface, the controversy generated by the private shipyards is an old issue—free enterprise versus Government "big business." Basically, the private shipyards, in addition to building the Navy's ships, want a much greater share of the Navy repair, alteration, and conversion dollar. Implicit in this aim is their feeling that most of the naval shipyards should either be closed or turned over to private industry.

Branded as "high cost" and "tax free," the naval shipyards are pictured as a Government institution operated to compete with, and flourish at the expense of, the "low cost," "taxpaying" private yards. Accused of driving the private shipyards out of business, the Navy is charged with the simultaneous destruction of the mobilization potential of such yards.

Most of the private shipyards are in serious economic trouble; of that there is little doubt. To imply that the Navy is responsible for this condition, or to charge that the Navy is crushing them with unfair competition is wrong. Actually, the controversy can be viewed as an attempt by each party to achieve an ideal.

In the case of the private shipyards, the ideal is that of a free economy based on private enterprise. It is fundamental that private industry should be given every opportunity to provide the goods and services the Nation needs, but regulated to prevent unfair competition or monopoly. The Government should not compete with private enterprise, nor should it undertake any private enterprise type of business except when the task is beyond the capabilities of the private sector.

The foundation of the private shipyard's case against the Navy is that through the free enterprise system the Nation will be able to achieve greater economic effectiveness and a better defense capability at lower cost. In short, by eliminating what they consider the unfair competition represented by the naval shipyards, more work will be placed with the private yards, thus improving our economic system and strengthening the responsiveness of the fleet.

In the case of the Navy, the ideal centers on the principle of military responsiveness. Fundamental to the Navy's justification for a strong inhouse shipyard capability is the military requirement that logistic support must be responsive to the operating forces. Fleet operations, fleet maintenance, and fleet base support are basic to naval strength. In this regard, the Navy, since 1801, has viewed its shipyards as an integral part of our Nation's naval strength afloat.

By statute, the Navy is responsible for the construction, armament, equipment, and deployment of ships of war. The Navy relies upon the naval shipyards for a large portion of the logistic support to fulfill this statutory responsibility.

The combat effectiveness of a military organization is directly related to the responsiveness and quality of its logistics support. The logistics base must be tailored to the war readiness needs of the operating forces in time of peace and still be capable of rapid expansion in case of war.

This is a valid objective and as such it does not stand in opposition to the objectives of free enterprise. Indeed, it is an unrelated concept with different terms of reference.

In 1947, the report of the President's Advisory Committee on the Merchant Marine stated: "The size and general soundness of the shipping and shipbuilding industries are dependent inevitably upon one another. Neither can maintain itself in a healthy condition if the other is lacking."

This is a fundamental point, and neither the shipping nor the shipbuilding industry in this country is healthy. In fact, these two mutually dependent industries are sick, and have been for a hundred years. The United States, a maritime nation, has not been a maritime power since 1860.

During the period when other nations were shifting to steel and steam, no serious attempt was made in this country to meet the challenge. The reasons were several, but the result was singular. By 1870, except for certain trade routes, American flag sailing ships were swept from the seas. Unlike Great Britain, this country was, and is, content to allow other nations to carry its commerce. Except for the artificial impetus of war, the maritime industries of the United States have been unable to meet foreign competition.

After 1880, technological developments made the large passenger liner and the heavy, high-speed combatant ship possible. These developments coincided with the rise of power politics in the United States and popular support for a strong, modern Navy.

Fortunately, it was decided to build the new steel Navy at home. This fact, coupled with a policy to build warships in private yards during peacetime, had a highly beneficial effect on the private shipbuilding industry. With the Navy as its major customer, the industry was assured of a steady flow of business without fear of foreign competition. This in turn gave them the incentive and by 1888 American builders were constructing the latest and largest warships of the time. This effort continued through and beyond the Spanish-American War.

Modern warship construction in the private yards got the industry moving, but it fostered a growing dependence on the Government. Along the seaboard, naval business was the only business that kept the industry alive. The large naval building program did not enable American industry to compete in merchant ship construction. Only on the Great Lakes, where foreign competition was absent, did the industry develop with vigor.

World War I brought American merchant ship construction to life. Output increased greatly but, except for naval construction, the effort was largely an achievement in organization. Characterized by a sustained high level of production, with shop work kept to a minimum, ship construction was an assembly effort which did not lend itself to flexibility. The fabricating yard produced the tonnage by taking components from other industries and erecting them into ships at an unheard of rate of speed.

The tremendous building program during the war did not improve the competitive position of American builders. The fabricating yards did not have the technical organization or the equipment to produce the specialized peacetime ships cheaply; these came from Europe.

The expansion of shipbuilding during World War II exceeded that of World War I. The pattern was much the same, however, with the establishment of numerous yards designed for mass production and the expansion of existing private yards and navy yards for custom work on large combatants. By 1943, this industry was consuming 20 percent of the Nation's steel output. Employment in the private yards jumped from about 70,000 in 1939 to over 1.4 million in 1944. By the end of the war, the United States owned 60 percent of the world's total merchant tonnage, and American flag-shipping carried about 65 percent of our foreign trade. Except for slight upturns during the Korean war and the Suez crisis, the postwar period has followed the historical pattern.

Our share of the world's total merchant tonnage has fallen to less than 9 percent. Our foreign trade has nearly tripled; yet we build less than 5 percent of the world's ships, and the amount carried in U.S.-flag shipping hovers at and below 10 percent. Average employment in the private yards is in the neighborhood of 120,000.

The U.S. maritime industry is in a state of health reminiscent of the period prior to, and between, the two Great Wars. Unable to compete in the past, the industry is not competitive today. In addition to foreign competition, the maritime industries have domestic competition in the form of trucks, railroads, and pipelines which have sharply reduced the size of the coastal fleet.

In terms of our national security, the Nation has had to pay a handsome price for its maritime weakness. We may have to do so again. During the Spanish American War, we were forced to buy 137,000 tons of shipping from foreign owners. In 1908, the Great White Fleet had to rely on a fleet of foreign tenders for services. In 1914, as Europe went to war, this Nation, as today, was caught depending on foreign ships to carry 90 percent of its foreign trade. American goods meant for export piled up on the docks, and many factories, depending on imports, were forced to close.

The weakness of our maritime posture at the beginning of World War II modified the whole strategy of the war and caused us to fight a longer and more expensive conflict. The lack of ships and shipyards seriously modified the war production program by claiming a large part of the labor and materials available for production.

Government assistance to our maritime industries has not been absent, nor is such assistance uncommon. Every leading maritime nation, with the possible exception of Norway, lends assistance to its maritime industries to a greater or lesser extent than does our own Federal Government.

The Cargo Preference Act requires a certain percentage of all Government-sponsored shipments to be carried in U.S. bottoms. The Act of 1817 and the Jones Act of 1920 prohibit foreign-built ships from engaging in U.S. domestic and coastal trade. With congressional sanction, this wall was breeched in 1963 when a Japanese freighter carried lumber from the west coast to Puerto Rico.

The basic subsidy program under which the Nation is operating is the Merchant Marine Act of 1936. This act provides for a direct method of payment to both builder and operator for the purpose of bringing American prices down to world market levels. It is designed primarily to help assure an adequate domestic shipping and shipbuilding capacity for national defense.

In theory, Government assistance should develop a strong merchant marine and a strong supporting industrial base. The facts are that it has not.

One of the biggest problems can be found in the shipbuilding industry itself, an industry beset with uncertainty, with wild fluctuations or swings, due to a lack of steady volume. It is an industry in trouble with downward trends in new orders, output, employment and repair work. Meanwhile, construction levels abroad remained at a reasonably high level.

With few exceptions, U.S. shipyards are outdated when compared with those in foreign countries. Productivity in the best European and Japanese shipyards is significantly higher than in the United States.

Funds devoted to research, development, and modernization of the maritime industry in this country have been minor. Obsolescent yards are causing low profits and vice versa. Archaic attitudes, group apathy, and conservative thinking have discouraged cost reduction efforts and encouraged reliance on Government subsidies.

It is true that we have the highest wage rates in the world, but our productivity in comparison with foreign yards is among the lowest. Management is either too complacent or too timid. Labor has been too apprehensive and belligerent. The problems involving labor, in fact, are of such great magnitude that perhaps only Congress can solve them.

Wage rates in Japan and Europe are rising faster than in the United States, but productivity abroad is keeping better pace with these increases. This is reflected by the fact that subsidy rates in this country have risen from approximately 45 percent of the construction cost in 1957 to the present range of 53 to 55 percent today. Further, the differential percentage has inched up to 60 percent for the reconstruction of passenger ships. In truth, shipbuilding costs in the United States are increasing at a faster rate than foreign costs.

Ours is a nation with 21 major shipyards. There are more than 20 others capable of building large ships. It should be clear that the 17 or 18 merchant ships built under the Maritime Administration each year are woefully insufficient to sustain the industry. A progressive, prosperous shipbuilding and repair industry can exist only when there is a progressive, prosperous merchant marine.

The entire maritime industry has been reduced to its present unsound and unhealthy condition for a variety of interrelated reasons ranging from poor management to unsound labor practices to improper legislation. But at the root of the entire problem is the fact that this industry and its supporters in Government have not convinced the American people or the Congress of the importance of maritime prosperity to our security or to our economic strength. In the international numbers game we have become a 1st-rate nation in international trade, but a 10th-rate shipbuilder with a 5th-rate merchant marine.

The commercial shipyards in this country are an industry of high costs, low productivity, low profits, declining output, and declining employment supporting a deteriorating merchant fleet while foreign nations carry our trade.

Private enterprise has made America great, but as a type of private enterprise, our commercial shipyards have been notably unsuccessful and have depended almost exclusively on Government funds for sustenance. Even during the high wartime production years, it was the Government that bought the ships produced, and it was the heavy investment of Government money that made shipyard expansion possible.

National security is the responsibility of the Federal Government. If private industry, in its regular operations, can for economic reasons furnish what is needed—then the Government should not try to do so. It has been demonstrated time and again that commercial shipyards, which are subject to the law of supply and demand, cannot furnish what is needed for their own survival, let alone furnish the minimum needs of the Nation for national security.

Indeed, this fact was so clear to the Shipbuilders Council of America in 1947, that it considered an employment level of 35,000 to 40,000 sufficient to preserve an essential level of knowledge and skills in the private yards, provided the workload remained at a fairly constant level. In order to achieve this goal, this organization further proposed the integration of merchant and naval construction and Government allocation of work to selected shipyards on a time sequence that would promote a balance among the yards.

One of the more popular arguments made by the private builders is that, during World War II, the Navy operated 11 shipyards to support 10,000 ships, and that these same 11 shipyards are now used to support a fleet of only 860 ships. Meanwhile, more than 20 private yards have been forced out of business. Moreover, employment in the private yards has contracted to less than 10 percent of the wartime level, whereas naval shipyard employment has not.

Actually, the Navy operated about 200 building and repair activities in support of its World War II fleet, not including advance bases and mobile repair forces afloat. In addition, at its peak, the wartime strength of the fleet was about 6,000 ships of all types—not 10,000. The hard core of the combatant fleet at the time consisted of 1,171 warships.

The point is that the 11 naval shipyards, in addition to special manufacturing and some construction, existed primarily to serve this hard core of warships, not the nearly 4,000 amphibious ships, auxiliaries, patrol craft, and mine craft.

Today the hard core of the combatant fleet consists of nearly 400 warships—about one-third the wartime strength—and naval shipyard employment at about 85,000 is about one-quarter of the wartime maximum of 330,000.

In addition, during the war most of the firstline ships were new and, as a consequence, did not require major overhauls until after the war. Thus, battle damage, urgent alterations, interim dockings, and essential voyage repairs were the problems faced by the naval shipyards at the time.

Today, the problem is not only the continuous maintenance of a large fleet in a battle-ready condition, three-quarters of which is rapidly approaching overage, but also the maintenance of ships far more complex than anything that existed during the war.

The basic point raised by the private yards is unsound. If it were sound, then one could argue that since the Navy operated 9 shipyards and 148 combatant ships in 1932, today over 20 naval shipyards should be in operation.

It is true that private shipyards have been forced to close. Even so, there are still more private yards in business today capable of building large ships and hiring nearly twice as many people, as there were in 1939, when the number of U.S.-flag ships in our foreign and coastal trade exceeded today's number.

In 1939, the naval shipyards employed 46,000. The total today is less than twice that number, but the size of the fleet has nearly tripled.

It is true that naval shipyard employment has not constricted to the same degree as private yard employment since the war. As previously indicated, the 330,000 peak employment in the naval shipyards during the war was not representative of the total naval building and repair effort. Thus, a statistical comparison of this sort in support of an argument for greater naval yard contraction is meaningless.

The private shipyards argue that greater use of private yards for repair work today would not detract from the effectiveness of the fleet. To substantiate this claim and the claim that the "private shipyard industry is a far more important mobilization base than the naval shipyard complex," President Hood points to the tremendous World War II construction record of the private yards, and offers the following comparison:

"Between the years 1942 and 1946 our private yards completed 4,915 large merchant ships. These totaled 36,960,000 gross tons. In addition * * * our private yards also delivered 1,177 large naval vessels * * * of 3,544,929 tons. The Government-owned and Government-operated naval shipyard output during this period, by the way, was only 319 ships of 900,000 displacement tons."

This argument is not only unsound, but it uses the wartime production effort of the private yards to discredit the naval shipyards. It should be emphasized that the functions of the private and naval shipyards during the war were decidedly different.

During the urgency of war, the primary role of the private yards was production of standard design merchant and amphibious ships and craft, at any cost, to compensate for losses and to meet greatly expanded requirements. The mass employment of people to accomplish this task under those circumstances, including the construction record of fighting ships, cannot be equated with the private shipyard's case for more naval repair work today.

In fact, of the 1.4 million private shipyard employees, only 146,000 were engaged in repair of all kinds at the peak of wartime employment. The Navy yards had nearly this many engaged in repair work in the west coast yards alone. This underscores the point that it was the intention to throw the bulk of new construction, including naval construction, on the private yards, and that their repair function was minimal.

During the war, the primary role of the private shipyard was the mass production of shipping and the primary role of the Navy yard was the repair of combatant ships; a condition that does not lend itself to a statistical comparison.

The Navy yard had three basic functions during the war; repair of combatant ships; some new construction; and the manufacture of equipment and special products. The concept was to leave the naval shipyards free to handle battle damage and do repair work. Pearl Harbor and the west coast yards were engaged almost exclusively in emergency and major fleet repairs and performed very little construction. The effort of the east coast yards, except for Portsmouth, N.H., was fragmented. For example, the effort at the Norfolk Naval Shipyard was split: 51 percent repairs, 32 percent new construction, and 17 percent manufacturing.

The point is that both civilian and military yards played vital wartime roles, but the wartime role of the private shipyards does not justify the role they wish to play today.

To begin with, it is not possible to compare new construction work with repair, overhaul, and conversion work. These latter functions are far more difficult and require a highly skilled and versatile labor force. Relatively speaking, new construction is a repetitive process to a large degree. Overhaul and conversion work is seldom if ever repetitive. Even among ships of the same class receiving identical alterations, the work requirements will vary, sometimes to a remarkable extent.

In the repair of naval ships, flexibility becomes extremely important. In addition to the unexpected ship needing urgent repairs, the relative priority among ships may suddenly shift. World tensions may accelerate the demand for speed of completion. In short, the overhaul and repair complex must be responsive to a larger variety of demands than must the building yard.

It is this need for responsiveness that is of nagging concern to the Navy. If 35 percent or more of the Navy's alteration, conversion, and repair effort is to be accomplished in private yards, then some of the ships from the hard core of the fleet will have to rely on private yards—yards not responsive to command and not really geared to do the job. Consequently the effectiveness of fleet support and thus of the fleet itself will be downgraded.

To determine the relative importance of the naval and private shipyard as a mobilization base is like trying to determine the relative importance of the heart and brain. Survival is not possible unless both are present. The same is true of the private and naval shipyards—both are vital to our mobilization base. Therefore, it boils down to what is expected of each under mobilization conditions, and what type of war we are talking about.

Under mobilization conditions, the private yards, as in the past, will be called on primarily for new ship construction and a portion of the repair and conversion of auxiliary-type ships. The naval shipyards will be expected to accomplish the major portion of combatant ship overhauls, conversion, and battle damage repair.

It is for these reasons that, in addition to less cost, the major portion of Navy new construction is assigned to private yards. It is essential that the private yards retain the skills necessary to do the job that they are not only best suited to do, but the job that they will be called upon to do—the building of ships. The repair role of private industry was minor in World War II; it is not expected to be much different in future conflicts.

On the other hand, the naval shipyards are receiving the type of work they are best suited to do and will be needed to do in time of war—maintenance of the fleet.

This raises the second important point—precisely what kind of war are we discussing?

In general nuclear war, the mobilization plans may never be implemented. We may have to fight with only the ships at sea at the time of first attack. This is one reason why the continuous material readiness of the fleet is so essential, and why the fleet must rest upon a logistics base that is an integral part of, and responsive to, fleet requirements.

The second possibility, and the more likely, is that in this era of political and social change we shall continue to see peripheral wars, local wars—wars with limited objectives as well as just plain revolution and strife. This has been the pattern since World War II, and if the general nuclear war deterrent prevails, then this is the pattern we shall continue to see in the future. Thus, the need for a modern, highly responsive, combat-ready naval fleet is more necessary than ever before.

Under either condition, then, naval shipyards are more necessary than ever before to meet the requirements of the fleet. The job they are doing today, as an integral part of the fleet's logistics base, cannot be done by the private yards without nationalizing the industry.

The private shipyards make the point that based on unbiased cost studies by two reputable accounting firms, it has been proven that costs in a naval shipyard are anywhere from 8 to 32 percent higher than in private shipyards. The supporters of the private shipyards erroneously imply that these percentages are applicable to all shipyard work including the repair and overhaul of warships.

The first study to be produced was undertaken by the accounting firm of Ernst & Ernst. A representative of this firm stated to a congressional committee that they were unable to break out the cost that could be identified as new construction versus repair, alteration, and conversion. Yet, President Hood of the Shipbuilders Council interpreted the report as follows:

"Experts, on the basis of exhaustive investigations, agree the private yards can build, repair, alter, and convert ships at a cost of 20 to 28 percent below the cost of having work done in * * * naval shipyards."

The second, and by far the more thorough and comprehensive study of the two, was performed by Arthur Andersen & Co.

In the construction of submarines and guided missile frigates the Andersen report shows that the cost to the Government is 15 to 20 percent less in private yards. Further, in a comparison between one private shipyard and one naval shipyard in the construction of attack aircraft carriers, the private shipbuilder did the job at 31 percent less cost to the Government.

Certain valid statistical adjustments tend to reduce this differential, but the fact is that on a straight dollar-for-dollar basis, the naval shipyard is not usually competitive with private yards in new construction of naval ships. This point has never been contested by the Navy. Indeed, it is one of the main reasons that over 80 percent of the Navy's ships are built in private yards.

Nevertheless, there is an overwhelming tendency among the private yards to use these statistics to support a contention that private industry can do the job of the Navy yard not only cheaper but better. Neither the Ernst & Ernst report nor the Andersen report supports this view.

For example, on conversions, the Andersen report states that, "Since the percentage differentials are small and the adjustments required to establish comparability were both large and unusual, we can reach no conclusion with respect to the relative costs of these conversions."

On ship repairs, the Andersen report found "* * * that it was not possible to establish reasonably comparable work performed on specific ships for either a total ship overhaul or specific work items."

On a group of underwater hull items, limited to minecraft, auxiliaries, and amphibious ships, it was concluded that the cost to Government is 10 percent less in the private yards. The type of work and the types of ships used to determine this differential destroy its validity as a yardstick when compared with the more intricate and difficult task of repairing warships.

On ship alterations, the Andersen report states that, "Based on comparisons * * * it appears that there were no significant differences between naval and private shipyards."

Thus, the private yards have no factual basis on which to support a claim that they can more cheaply and more effectively respond to all fleet requirements. Indeed, there is strong evidence to support the view that they cannot.

The same Andersen report indicates that ships repaired in naval shipyards are completed more quickly and stay at sea longer than those overhauled in private yards.

In this connection, an examination of the principal causes of delay in the delivery of new construction ships underscores why it is not wise to rely on private yards for effective fleet support. For example, strikes, inability to hire critical trades, low productivity, fire control and electronics difficulties, and inexperience were the main causes of delays in private yards. On the other hand, delays in naval shipyards were characterized by late equipment arrivals, manpower diversions, and correction of private yard deficiencies.

It is also a fact that every ship built by a private yard must, at a later date, receive most of the changes and alterations which are normally incorporated into the construction of those same type ships built in Navy yards. Ships have been, and are being, delivered to the fleet in which hundreds of these changes and alterations are not performed because of the impact that contract renegotiation complexities have on extending completion dates.

To return to this very elusive business of cost, the Andersen report concluded that there were "two principal factors contributing to higher overhaul costs in naval shipyards * * * indirect salaries and wages * * * and fringe benefits." Naval shipyards "have more personnel per nonsupervisory hourly worker in production shops" and "appreciably higher fringe benefits costs" than do private yards. The fringe benefit costs represent the most significant factor in the higher overhaul rates at the naval yards. This includes payments for time not worked—annual vacations, holidays, sick time—and other fringe benefits. There was no marked difference in direct labor rates between private and naval shipyards.

Even so, the fringe benefit advantages enjoyed by the Navy's industrial employee over his counterpart in a private shipyard may, perhaps, offer a clue to some of the labor problems that seem to afflict many of the private shipyards. Fringe benefits comparable to those received by Government employees are not uncommon in other private industries. It is not impossible, but it is certainly unlikely that Navy yard industrial workers have taken the lead in establishing fringe benefit scales anywhere. This leads to the more likely possibility that the fringe benefits of private shipyard workers is something less than those in other industries.

The great disparity in injury and disability rates between private and naval shipyards lends credence to the view that the labor situation in many private yards is probably less than the accepted standard. Disability cost figures per productive hour are 10 times higher in private shipyards than in naval shipyards, and the frequency rates of lost time due to injuries in private shipyards have been 7 to 10 times greater than in naval shipyards.

The Navy's insistence on the use of safety devices and safe practices, at no cost to the employee, is nevertheless part of the cost of operating a naval shipyard. Moreover, it is believed that these costs exceed the higher disability rates paid by the private yards. The foregoing fringe and disability factors go a long way toward explaining why a closed naval shipyard involves more than the transfer of a lunch box to a private yard.

Another reason for higher costs in naval shipyards is the situation among the private yards themselves. With the decline of commercial work, the private yards instead of competing for profits are competing to stay open. As a result, they are bidding at prices which are near and below cost.

For example, the Andersen report found that losses were incurred on 5 of the 14 new construction ships studied. On a sample of 78 ships, not new construction, the private yards earned only one-half of 1 percent profit on the original contract.

This raises the question of what can happen to a ship in repair once it has become the captive of the low bidder—when the unknown factors of a repair contract become known. In the 78 ships previously mentioned, the private yards made a 20.5 percent profit on the changes.

Shipbuilding and repair prices in the private sector are influenced largely by the market price rather than by true cost. The Navy knows from experience that when private yards are well filled with commercial work, the more difficult construction and repair of warships becomes less attractive. The best private yards show their dissent by bidding high, forcing the work into less efficient and less capable private yards. The private yards can and do refuse work; something a Navy yard does not do. The Navy yard, in maintaining a high ratio of first class mechanics to helpers, by introducing stability in the work force, and by investing heavily in training and yard facilities for current and future needs, keeps itself ready to meet not only today's assignment, but tomorrow's as well, including emergency expansion. The private yards are very flexible in their employment practices, hiring men when needed and letting them go as the work tapers off. Where the private yard can discontinue functions and facilities that do not contribute to profit, the naval shipyard dares not.

At best, capacity is an elusive quality in industry. It can be measured in a variety of ways and expressed in a variety of terms. The charge is made that the private yards are operating at less than 50 percent capacity while the naval shipyards are operating at 90 percent of their capacity. Actually, the 90 percent figure for naval shipyards is from the Naval Industrial Fund report, which used average man-hours worked at the height of the Korean war as representing 100 percent capacity. For example, in 1961, based on single-shift capacity, the overall average utilization of naval shipyards was 74 percent. If 1952 average employment figures are used as a basis, it will be found that, in 1963, Navy yards were operating at 66 percent of capacity whereas private yards were operating at 77 percent. This is an oversimplification using straight arithmetic, but at least the basis for both figures is identical.

The competitive bid does not lend itself to warship repair work. Aside from that fact, the material and personnel support now available in the naval shipyard and the ability to integrate yard schedules with fleet operations would be destroyed by the bid concept. Ships, after an extended tour at sea, instead of being overhauled in a yard located in or near their home port, could be sent anywhere in the country, depending upon which firm made the successful bid.

In naval shipyards, ship's force personnel, in addition to their regular shipboard duties, overhaul and repair a wide variety of equipment. As a consequence, personnel of a ship in overhaul spend more time per week in the industrialized atmosphere of the shipyard than do regular yard employees. This not only extends the depth of the overhaul, but the experience gained raises the level of a crew's technical competence. Application of this competence at sea is a bonus beyond price. Ship's force work in a private shipyard is often resisted and restricted by union-management work rules. Thus, overhauls in private yards will not only produce a gap in this type of experience, but will reduce the informal and formal training opportunities now available to ship's personnel by the Navy yard itself and by the adjacent naval base.

Finally, destruction of the Navy's home yard/home port concept by the competitive bid process, and the absence of adequate personnel support in private yards, would seriously impair morale. Men who do not reenlist and young officers who resign take with them all the skills, training, education, and experience they have gained. This is not economical either.

Since private yards do not provide the living facilities now available in naval shipyards, they are prone to dismiss these advantages as transparencies and as timeworn, self-serving arguments.

"Government must do only those things which private enterprise cannot do." In fact, this is the point of it all—private enterprise cannot do the job—it cannot provide the total support necessary for the maintenance of a strong fleet. There would be no rationale for a naval shipyard anywhere at any time if it did nothing more than make repairs to ships. What the Navy buys for its combatant ships in a naval shipyard cannot be bought in a private yard simply because it is not available.

The naval shipyards, responsive to naval command, exist to serve the fleet. Private yards, responsive to profit, and hampered by the ever-present possibility of strikes and jurisdictional disputes, and the lack of facilities, experience, and capability, are not and cannot be made to be responsive to the demanding needs of the fleet.

The fleet must never be placed in a position where it cannot "wag the shipyard tail."

If a private shipyard is not capable of a specific job or is unable to accommodate to fleet schedules, the consequences would be the prolongation of overhauls and repairs. The fleet would have units tied up in shipyards, where they were of no operational value. Other units would be required to delay overdue repairs and overhauls for lack of replacements. In fact, the Navy would need more ships to do the same job at sea if the private yards were to receive a greater portion of the Navy's repair, conversion, and alteration dollar.

It is true that the Navy yards duplicate all that the private yards can do. But it is also true that with the Navy yard system, the Navy can do more—and the "more" is what cannot be done in the private yards.

It is undoubtedly true that there are variations in the efficiency of naval shipyards and it is also true that the Navy has shipyard capacity in excess of current needs. But is the "excess" not really "reserve" capacity? Should these yards be closed for the purpose of keeping private yards in business?

The Navy does not have an obligation to the private shipbuilding industry per se. It does, however, have a responsibility to the

Nation for the maintenance of a strong, efficient, combat-ready fleet supported by a responsive logistics base.

The ability to contribute to the maintenance of an efficient combat-ready fleet is the final measure of the effectiveness of logistics support. This should be the first consideration in awarding repair, alteration, and conversion work to private yards.

The Navy is also obligated to the nation to insure insofar as possible that the private shipbuilding industry retains its skills to meet the demands the Navy will place upon it in the event of a national emergency. In light of the industry's depressed condition, this means placing a good percentage of the Navy's new construction in private yards. The placement of as much ship repair work as possible in private yards without causing a hardship on fleet personnel or adversely affecting fleet readiness should also be given continuous consideration. But the Navy should be freed of legal restrictions which would prevent it from exercising workload ratio judgments between private and naval shipyards.

The Navy is carrying out its major obligation to the private yards—allowing them to maintain that expansible nucleus to build the more difficult fighting ships the country must have in an emergency.

For the private shipyards to charge that the existence of the naval shipyards is the main reason for their underemployed commercial capacity and to accuse the Navy of being directly responsible for their economic condition is to ignore the fact that the private yards are suffering from a decline in commercial work.

There is not enough construction, naval or merchant, in this country to use fully the capacity available. This is a national problem. The private yards have lost the prime requisite for health—a constant volume of work from a strong U.S. merchant marine. Low-cost foreign competition has deprived the private yards of the merchant shipwork needed to support the industry. A strong merchant marine is essential to a strong shipbuilding and repair industry and, under the circumstances, instead of suffocating the industry, it should be recognized that the Government is the only force keeping it alive.

The Federal Government has a responsibility to assist efficient private yards commensurate with the readiness needs of the naval and maritime fleets, not because the private yards have a right to continue in business, but because of the special qualities they offer the Nation, and because economic forces alone will not sustain the industry. Both the private and naval shipyards are essential adjuncts to our national strength.

The interdependence of maritime operation, shipbuilding, and repair is a demonstrated fact. It is this structure that has become weak, and it will not be strengthened by weakening the Navy's logistics base. Closing all the naval shipyards would not cure the ills of the private shipyards. But it would surely cripple the fleet.

The real reason behind the controversy is that the Nation's maritime strength is in a state of steady decline. Until this strength is revived, the present dilemma of the private yards will continue.

The shipbuilding industry is not suffering from a lack of naval work. When spokesmen for the private shipyards imply that the Navy is responsible for their misery, or charge that the Navy is ignoring the essentiality of the private yards to national security, they are not being reasonable. President Hood said as much when he made this statement:

"The controversy that has arisen over the ratio of naval work that is performed in naval and private shipyards would not have occurred if this country's seapower was being maintained at the level that our stature and position in world affairs dictates it should be."

America has been indifferent to its stake in the sea. It is this indifference that must be overcome.

To create controversy and to voice dissent are healthy for the Nation. A wide-open airing of views is necessary. Such a discussion should stick to logic based on well-defined facts, however. What is vitally needed is an honest study of the causes and a concentrated effort to work out a practical solution. We must face the problem squarely, and soon; for not only will the shipyard industry continue to decline, but also the strength of U.S. seapower and the Nation itself will suffer.

NARCOTICS LEGISLATION—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the general assembly at the closing session of the Fourth General Assembly of the Unitarian Universalist Association, held at the Statler Hotel in Boston, on Friday, May 28, 1965.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution Adopted by the General Assembly at the Closing Session of the Fourth General Assembly of the Unitarian Universalist Association, Held at the Statler Hilton Hotel, Boston, Mass., on Friday, May 28, 1965

NARCOTICS LEGISLATION

Whereas Federal, State, and city narcotic laws declare the habitual use of narcotics to be a crime, while narcotics addiction is considered by the medical profession to be an illness and by many psychiatrists and social scientists to be a personality disorder rooted in psycho-social factors; and

Whereas narcotics addicts are forced by such laws to the illegal procurement of narcotics at exorbitant prices to ease their suffering, which leads to crime to make such procurement possible, and encourages and supports the illegal traffic in narcotics; and

Whereas the flourishing illegal traffic in narcotics depends on, and actively works to develop, new addicts to maintain and expand its market: Be it therefore

Resolved, That the Unitarian Universalist Association urge changes in existing narcotics laws in order to provide for—

1. The establishment of intake-referral centers to which all addicts apprehended by law enforcement agencies would be taken in order that they be placed in rehabilitation centers.

2. A choice between imprisonment or a rehabilitation center for the addicted "pusher," the "pusher" to be on probation if he chooses rehabilitation.

3. A severe sentence to imprisonment for nonaddict "pushers" and accomplices; be it further

Resolved, That the association be directed and its members urged to take action to support this resolution whenever possible and that there be further study by the association on this subject.

Adopted by a greater than two-thirds majority vote.

ECONOMIC OPPORTUNITY

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record at this point a resolution adopted by the general assembly at the closing session of the Fourth General Assembly of the Unitarian Universalist Association held in Boston on Friday, May 28, 1965.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution Adopted by the General Assembly at the Closing Session of the Fourth General Assembly of the Unitarian Universalist Association, Held at the Statler Hilton Hotel, Boston, Mass., on Friday, May 28, 1965

ECONOMIC OPPORTUNITY

Whereas the 88th Congress of the United States enacted the Economic Opportunity Act of 1964 in an effort to combat poverty: Be it therefore

Resolved, That the Unitarian Universalist Association support adequate appropriations in the Congress and vigor in the activities of the administration to implement the act; and be it further

Resolved, That constituent churches and fellowships be urged to participate in every appropriate way in the initiation, development and implementation of economic activity programs to alleviate and prevent poverty in their communities; and be it further

Resolved, That the Unitarian Universalist Association urge the Director of the economic opportunity program to enforce vigorously the act's provisions that the poor must have adequate and substantial representation on both the governing body and the policy advisory board of all community programs.

Adopted by a greater than two-thirds majority vote.

ADLAI E. STEVENSON

Mr. MANSFIELD. Mr. President, before the Senate recesses, I would like to say a few words about a departed friend. It will be hard, even in a nation of this size, to fill the gap left by the death of Adlai E. Stevenson. Few men possessed the eloquence and perception, the wisdom and wit which characterized him. Few men possessed greater dedication to democracy. Few men have served their Nation with more dedication, more loyalty, and more forthright honesty than did Adlai Stevenson. Twice Democratic presidential candidate, adviser to three Presidents, Governor of the State of Illinois, Ambassador to the United Nations and one of the founders of the U.N., Adlai Stevenson gave of himself in full measure, inspiring those around him by his words and his deeds. But his presence will be missed most strongly in the corridors of the United Nations, for there Ambassador Stevenson was not only chief spokesman for his country, but extraordinary and widely respected advocate and architect of mutual respect and understanding and peace. Adlai Stevenson is dead, but we will not forget him. He will be long remembered as a fine American and an outstanding statesman.

ADDITIONAL BILL INTRODUCED

Mr. TYDINGS, by unanimous consent, introduced a bill (S. 2286) to exempt from taxation certain property of the Washington Gallery of Modern Art, which was read twice by its title, and referred to the Committee on the District of Columbia.

RECESS TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 31 minutes p.m.), under the previous order, the Senate recessed until tomorrow, Thursday, July 15, 1965, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate July 14, 1965:

U.S. INFORMATION AGENCY

Leonard H. Marks, of the District of Columbia, to be Director of the U.S. Information Agency, vice Carl T. Rowan, resigned.

BUREAU OF THE CENSUS

A. Ross Eckler, of New York, to be Director of the Census.

NATIONAL LABOR RELATIONS BOARD

Frank W. McCulloch, of Illinois, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1970. (Reappointment.)

THE JUDICIARY

Theodore Tannenwald, Jr., of New York, to be a judge of the Tax Court of the United States for the term of 12 years from June 2, 1962, vice Clarence V. Opper.

Thurgood Marshall, of New York, to be Solicitor General of the United States, vice Archibald Cox.

William R. Collinson, of Missouri, to be U.S. district judge for the eastern and western districts of Missouri, vice Richard M. Duncan, retired.

Elmo B. Hunter, of Missouri, to be U.S. district judge for the western district of Missouri, vice Floyd R. Gibson, elevated.

U.S. TARIFF COMMISSION

Mrs. Penelope Hartland Thunberg, of Maryland, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1970, vice Walter R. Schreiber, term expired.

CONFIRMATION

Executive nomination confirmed by the Senate, July 14, 1965:

U.S. TARIFF COMMISSION

Joseph E. Talbot, of Connecticut, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1971.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 14, 1965

The House met at 12 o'clock noon.

The Reverend Roland L. Walker, D.D., pastor, First Methodist Church, Thomaston, Ga., offered the following prayer:

Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in His law doth he meditate day and night.

Now let us pray.

Almighty God, our eternal Father who dost govern the world in righteousness, we pause just now to invocate Thy blessing upon us this day. We acknowledge that Thou alone givest wisdom and understanding so we pray that Thou wilt inspire the minds of these to whom Thou hast committed the responsibility of government and leadership in the nations of the world. We ask that as these legislate for us that they may be of one mind to establish justice and promote the welfare of all people. Give to each Member of Congress right understanding, pure purposes, and sound speech. Enable them to rise above all self-seeking and party zeal to the nobler concerns of public good.

Cleanse us, we pray Thee, from evil, subdue that which is harmful, and give to us the leadership of Thy Holy Spirit that we may do Thy will on earth as it is in heaven, through Him who wilt come to be our judge, Thy Son, our Saviour, Jesus Christ. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5041. An act to provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7997. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. ELLENDER, Mr. RUSSELL of Georgia, Mr. HOLLAND, Mr. MONRONEY, Mr. ANDERSON, Mr. ALLOTT, Mr. YOUNG of North Dakota, and Mr. SALTONSTALL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8370. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HOLLAND, Mr. RUSSELL of Georgia, Mr. HAYDEN, Mr. ELLENDER, Mr. YOUNG of North Dakota, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6453) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes."

TO ENFORCE THE 15TH AMENDMENT TO THE CONSTITUTION

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none and appoints the following conferees: Messrs. CELLER, RODINO, ROGERS of Colorado, DONOHUE, MCCULLOCH, and CRAMER.

THE LATE HONORABLE CLEVELAND M. BAILEY

Mr. SLACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SLACK. Mr. Speaker, it is with deep regret that I announce to the membership the passing of a most distinguished former colleague, the Honorable Cleveland M. Bailey, who served for 16 years as a Member of the House of Representatives and during the latter half of that service was dean of the West Virginia delegation.

As a ranking member of the Education and Labor Committee and chairman of the Subcommittee on Education he won national renown for his work in advancing the standards of education in this country and the fruits of his work will be reflected in a better prepared citizenry for many years to come.

I extend to his wife and family my condolences in their bereavement.

Mr. O'HARA of Illinois. Mr. Speaker, among my dearest friends in the Congresses of which I have been a Member was Cleve Bailey. Few persons, if any, have served in this body with greater industry and ability. Certainly none has served with greater dedication. I had the sense that the world was crumbling under me when I heard that he was gone. There was something so vibrant about Cleve Bailey, something so defying of time and of adversities, that I had never associated the thought of death with him. I think it can be said in all truth that Cleve Bailey was among that small select group that so loved the House and found here such an influence in advancing causes close to their heart that they never aspired to membership in the other body, even though the senatorial toga were within reach if desired. West Virginia has lost one of her greatest sons. Grief is heavy among men and women who toil because never had labor a stronger champion in the Congress. Our Republic is the richer because of his contribution in a long and honorable roll of the years.

Mr. KEE. Mr. Speaker, it is with a heavy heart and a feeling of a deep personal loss that I have learned this morning of the death of a valued friend, former Congressman Cleveland M. Bailey, of West Virginia.

Upon the death of my father in 1951, Congressman Bailey became the dean of the West Virginia delegation in the U.S. House of Representatives.

During his years of dedicated public service, Congressman Bailey was a most outstanding public servant in the true sense of the word.

I remember on so many occasions in talking to him on matters directly benefiting our home State of West Virginia—his first words would be "What can I do to help?"

Congressman Bailey followed through on every commitment he ever made and I do know that his previous labors on behalf of Federal aid for public schools have contributed to a substantial degree to this beneficial legislation which is now the law of the land.

Mr. Bailey lived a full and complete life, and I take this opportunity to extend my deepest sympathy to his widow and children.

Mr. McCORMACK. Mr. Speaker, it is my sad mission of the moment to call to the attention of the House the demise of a former Member, and my great and good friend, the Honorable Cleveland M. Bailey, for many years a Representative from the West Virginia Third District.

Cleveland Bailey was a man of great heart and charming disposition. He was also a man of many talents, high intellectual attainments, and strong conscience. He was a man who was incapable of standing aside, unconcerned, when his fellowman was suffering and in need of assistance. He was also a man of considerable insight, who could instantly perceive the answer to certain problems that were great enough to baffle the majority of his colleagues.

Indeed, the world will not soon be blessed with another as beneficial to the purposes of life as our friend, the late Cleveland Bailey.

Born on a farm in the State of West Virginia, Cleveland Bailey acquired in youth the many virtues to be derived from the tough, invigorating work required of farm life. He also acquired the moral fiber of the hard-working average American, sometimes pressed by circumstances, but never doubtful of the outcome. His optimistic outlook remained with Cleveland Bailey throughout his lifetime, rendering him a man of spirit as well as wisdom and ability.

In choosing an occupation, Cleveland Bailey originally turned to the education field, in which he served as a high school principal and district supervisor, before entering the world of politics, as city councilman. Gifted in a literary way, he was persuaded for a time to turn his back on politics in favor of newspaper work, and for 11 years he served as the Associated Press editor for his hometown of Clarksburg, W. Va., before running successfully for the office of State auditor, in the depression year of 1933.

Success seemed to mark the career of Cleveland Bailey at every turn, and he was retained in the auditor's office for 8 years before becoming State budget director, in 1941. When his party presented him with a congressional nomination, in 1944, in the midst of World War II, Cleveland Bailey accepted, made the canvass, and won by a decisive majority.

In Congress, he served on the Committee on Education and Labor, in which body he was an outstanding member, from first to last. He was one of the first Members of the House to push Federal education legislation of the kind we need so badly if we are to keep this country No. 1 on the ladder of international importance.

In Congress he also found for increased minimum wage law, medicare, the Youth Conservation Corps, greater aid to the elderly and many other liberal, farsighted measures.

Primarily, however, he was the foremost congressional proponent of Federal aid to American schools, and as such shall go down in history as a crusader of the first magnitude.

We shall miss him. Cleveland M. Bailey was a man of many talents, with a rare gift for leading in the fight for needed reform, without fear of the consequences.

I, personally, am proud, indeed, to have had him for a friend.

Mr. ALBERT. Mr. Speaker, the great State of West Virginia is poorer for having lost one of its most loyal citizens and devoted servants, my late colleague and former Member of the House, Cleveland Bailey. Mr. Bailey represented West Virginia's Third District for 16 years, which was a short span of time indeed in which to have carved out so eminent a reputation. The Nation itself is poorer for having lost this great advocate and sponsor of some of the most important laws ever placed on our statute books.

Mr. Bailey won his honorary title of "Mr. Education" by his constancy in support of education programs for the benefit of this country. He was coauthor of the historic National Defense Education Act of 1958, which was a major milestone in American education in this century. He was in large part responsible for the enactment of many other national programs, such as library services to rural people, Federal aid to impacted areas, and Federal support of general-level university extension courses.

He played the field in working for humanitarian legislation. Humanitarianism was in fact the most shining characteristic of his public service. He worked for the expansion of educational opportunities, the extension of social security coverage, increases in the minimum wage, for better housing, for area redevelopment, for a food stamp program, for the improved safety of the coal miners of his own district whose welfare was always dear to his heart. His dedication to his job and his people filled his life. The warp and woof of his days is interwoven in the great programs which have enriched the lives of millions of Americans.

His works are known to many men—his personality and character to a relative few of them. The House has lost an admired and respected former colleague; we have also lost a man who was a warm and loyal friend to many of us, a man we loved not only for his great heart and mind but for the smaller, endearing traits we had come to know through long years of close association in this body.

I extend to his widow, his children, and all his loved ones my profound sympathy.

Mr. BENNETT. Mr. Speaker, when our former colleague, Cleve Bailey, left this earthly life, he left behind him a great, a lasting, and a living memorial to himself in the splendid legislation he authored and helped to enact in the field of education. It was my good fortune to be closely associated with him in 1949 and subsequent years in working for and enacting legislation in this field and I can sincerely say that in these years I know of no one who made a greater contribution in this field than he did. Mostly I remember him as a friend, a warmhearted, outgoing man, clever and shrewd in his battle for right causes, but never unfair to anyone.

Mr. HECHLER. A gruff but firm voice over the telephone said:

> I'll pick you up at New Jersey and C Streets at 7 in the morning.

Right on the dot, Cleve Bailey was there. We set out together on the long drive to Atlantic City, to attend the Democratic National Convention, where we were both serving as delegates last summer.

It was a fascinating experience to drive along and listen to this great veteran of the West Virginia political wars reminisce. He was justly proud of the fact that the voters of the State had cast 102,407 votes for him in the race for 15 delegate-at-large seats at the national convention. It was the first statewide race which Congressman Bailey had ever made, even though he had served in State appointive offices as assistant State auditor and State budget director during World War II. The total which he amassed in the national convention race was second only to the incomparable Senator JENNINGS RANDOLPH and, along with RANDOLPH, Congressman Bailey was the only candidate to top 100,000 votes.

BORN IN ST. MARYS, W. VA.

> You know, I had my 78th birthday on July 15—just a little over a month ago—

He said, puffing that inevitable cigar as we drove along the Maryland countryside.

> Yes, sir, I was born in 1886, when West Virginia was only 23 years old. And I was born in your district too—on a farm near St. Marys. I've got lots of relatives back

> there in the hills, and I'll go back up there and campaign for you.

I reminded Congressman Bailey that we had had a rip-roaring political meeting along the railroad tracks which run through St. Marys in 1962, when he had torn into the Republicans for their "shortsightedness and obstructionism." He chuckled:

> Some of those folks up there still remember me from the days I went to St. Marys High School.

How did you happen to get on the Education and Labor Committee?—I asked him. He took out his cigar deliberately, pushed it out in the ash tray, and slowed down a little:

> When I got out of Geneva College, I went to work for a steel company up in Pittsburgh, and then I began to teach school around the first war. I was a high school principal and district superintendent of schools up around Clarksburg, you know what I mean?

Anybody around Cleve Bailey for very long realizes that when he used that phrase "you know what I mean?" it was a signal for a new cigar. Sure enough, he lit up again. After a few puffs, he was back to politics again:

> So I decided to run for the city council in Clarksburg, and was on there for 2 years, from about 1921 to 1923. Then I got mixed up in newspaper work and was on the Clarksburg Exponent for about 10 years. But I wanted to be on Education and Labor, and they put me there on account of my school experience.

REPRESENTATIVE JOHN F. KENNEDY, DEMOCRAT, OF MASSACHUSETTS

Suddenly, Cleve looked over to my side of the car with one of those sidelong glances which made his riders wonder if he was also looking at the road ahead:

> Let me tell you something. I remember the first day that young Jack Kennedy showed up on our Education Committee, and I took him by the hand and helped show him the ropes.

He talked with relish about the days when Kennedy was in the House of Representatives, and their service together:

> You remember that fist fight I had with ADAM CLAYTON POWELL? I told 'em all afterward I had given ADAM a white eye—

He chuckled again—

> But he wanted to put a rider against segregation on the school bill, and I told him that would lick the bill so the southerners couldn't afford to support it. He came around later and opposed such an amendment when it came up again.

He said crisply:

> Well, I'll tell you one thing: nobody ever told Bailey what to say on the floor of the House or told him how to vote. That's a great feeling. They worked on me hard on reciprocal trade, all the way up to the President, but they can't shake this buzzard.

The proud chin jutted out.

MINIMUM WAGE

We drove through some lush countryside, and a few small towns. Suddenly, he shifted the subject:

> You know, I'm really proud of what the minimum wage has done for all these people. Look around you here. I'll bet there's not one of these people you see in this town that isn't thankful for the minimum wage laws. And to think the way those special privilege boys fought me, and still fight. We were paying a minimum of 40 cents an hour in 1949. I was elected to the House in 1944, then went down in the 1946 Republican landslide, but when I came back in the Truman election of 1948, we started working on raising the minimum wage to 75 cents an hour.

Some hours later we began to hit the outskirts of Atlantic City. We passed through one section where scores of children were out on a playground:

> But most of all, serving in the House and on the Education and Labor Committee was working for them—

He said, pointing with his cigar—

> impacted area programs, and the national defense education act—all these things came before my committee. We almost got a secondary and elementary school bill in 1960 if Judge SMITH hadn't stepped in. But we're going to get it yet—

He said. We did.

> I won't be around many more years—

Cleve said, as we drove toward our destination—

> but I've seen a lot happen. It's great to be part of some of it, you know what I mean?

I had not noticed that the cigar was out, but he had a new one lit.

The old fire finally went out yesterday for Cleveland Monroe Bailey, 2 days before his 79th birthday. But the young people who go to school and college, the workers who get a decent living wage, the families benefiting from the antipoverty program—Congressman Bailey fought for years for the Youth Conservation Corps, a revival of the old CCC camps—and countless others in West Virginia and throughout the Nation will continue to benefit from his good works.

I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks reflecting the life and contributions of the late Honorable Cleveland M. Bailey.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. PERKINS. Mr. Speaker, the passing of Cleveland Monroe Bailey, while a personal loss to myself and his many friends with whom he served so many years in this body, is a greater loss to the State of West Virginia and our Nation.

It was my privilege to enter Congress at the same time Cleve, as he was known to his friends, returned from a 2-year vacation and we were assigned to work together on the Education and Labor Committee. His dedicated efforts to improve our educational system did more to establish a program of Federal aid to education than those of any other individual. The work he did was an inspiration to the entire House membership and, in particular, to myself and the members of his committee. I am comforted by the fact that he lived to see most of the major programs for which he worked so long and so hard become a part of the law of our land. His efforts and accomplishments along this line will remain as a monument to his memory.

His family and his friends have a right to be proud of this record. Our future citizens and the country will reap the rewards of his work and this record will not be complete for years to come.

His adult life was devoted to the service of his country—first as an educator, followed by more than 40 years as a local, State and Federal official. The greatest and almost only reward for these long years of public service is his record of accomplishments.

Mr. ROONEY of New York. Mr. Speaker, I was deeply saddened when I learned of the passing of my friend and former colleague, the Honorable Cleveland M. Bailey, of West Virginia.

For 16 years, Cleve Bailey served his constituents, his State, and his country, with honor and distinction, and was dean of the West Virginia congressional delegation during the latter part of his service. He was second ranking Democrat on the House Education and Labor Committee and was a leader in efforts to legislate Federal aid to education.

My friendship with Cleve began when he first came to Congress in 1945. I learned to know him as a man of integrity with a genuine desire to be of help in every way possible; a man who had a sincere interest in his fellow man and who performed his duties, as a Member of the House of Representatives, with a steadfast devotion.

I extend to Mrs. Bailey, his two sons and daughter an expression of my sincere sympathy in their loss and bereavement.

INCREASE IN PAY OF MEMBERS OF THE ARMED SERVICES

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 470, Rept. No. 612), which was referred to the House Calendar and ordered to be printed:

H. RES. 470

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9075) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INCREASES IN CIVIL SERVICE RETIREMENT ANNUITIES

Mr. YOUNG, from the Committee on Rules, reported the following privileged resolution (H. Res. 471, Rept. No. 613), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8469) to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendments recommended by the Committee on Post Office and Civil Service now printed in the bill. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SUBCOMMITTEE NO. 1 OF THE COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that Subcommittee No. 1 of the Committee on the Judiciary have permission to sit during general debate for the rest of the week.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HALL. Mr. Speaker, reserving the right to object, may I inquire of the distinguished chairman of the committee which subcommittee that is?

Mr. CELLER. That is the committee considering the immigration bill.

Mr. HALL. Mr. Speaker, I am constrained to object.

The SPEAKER. Objection is heard.

BIRTHDAY OF THE HONORABLE CLARENCE J. BROWN AND THE HONORABLE GERALD R. FORD

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, I am pleased to see in the House this morning my good friend CLARENCE J. BROWN, that able Representative from the seventh Congressional District of Ohio, who has done so much for the people of his State and his Nation.

Mr. Speaker, I have a particular fondness for CLARENCE BROWN. When I first ran for Congress in a special election, CLARENCE J. BROWN was the only nonresident of my district who came to say a word for me. All Members of the House know how persuasive the gentleman from Ohio [Mr. BROWN] is in the House of Representatives. He was even more persuasive in my campaign. I owe him much.

Mr. Speaker, as a very young man, CLARENCE J. BROWN became secretary of state. The secretary of state was and is the chief election officer of the State of Ohio. Before CLARENCE was elected secretary of state, Ohio's elections were not always honestly conducted. Courageous young man that he was, he was reponsible for Ohio's remarkably effective "honest election laws" and we have had few, if any, corrupt elections in all the long time since his election reforms.

Our present secretary of state, Ted Brown, has carried on in the same able courageous way in enforcing the election laws that CLARENCE BROWN in large part dictated when he was the chief election officer of the State of Ohio.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield

Mr. McCULLOCH. Yes, I am glad to yield to our distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I would like to second the words of the gentleman from Ohio [Mr. McCULLOCH] and to congratulate the gentleman from Ohio [Mr. BROWN] on his birthday and wish him well in the months and years ahead. His constructive contributions are well known. We all hope he will be with us many, many more sessions and I am certain he will be.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me before he yields the floor?

Mr. McCULLOCH. Yes, I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I am very happy to join in this expression of birthday greetings to a man who is a tower of strength in this House and in this country.

Mr. Speaker, we missed the gentleman from Ohio while he was absent for a few days on account of his illness. We were very happy last week to see him back in the Chamber. He is a great legislator, one of the tallest of them all.

We wish him many happy returns of the day. We all hope sincerely that, for years and years to come, we may have his companionship in the House and that our beloved country may profit in the continuance of his noble public service among us.

Mr. McCULLOCH. Mr. Speaker, I neglected to say in my desire to factually praise my colleague that this is his birthday.

You know, Mr. Speaker, in old Cathay thousands of years ago when an ordinary citizen had a birthday he was congratulated and he was wished a thousand more. When the greatest of that ancient civilization had a birthday the wish was always for a life of 10 times a thousand years. That is my wish to CLARENCE today.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I would like to join my colleague from Ohio in wishing many happy returns to our distinguished colleague on the other side of the aisle, the gentleman from Ohio [Mr. BROWN] and to say that among his other sterling attributes is that he is a man of his word and that his word is as good as his bond.

Mr. Speaker, if I may have the indulgence of the House for a few seconds, I would like to tell of something that happened in my first term here. A Member of the House made a speech for which he should have been reprimanded, and in that speech used language that was offensive to the rules of the House of Representatives. Another Member rose to reprimand him, and did. When the RECORD came out the next day, instead of mentioning the man who made the speech, all the way through my name was mentioned.

I was going to take the floor on a question of personal privilege, but the gentleman from Ohio [Mr. BROWN] wishing to defend one of his people, and the Speaker of the House, Mr. Rayburn, persuaded me not to. I said "This will be used against me in the next campaign." They said "No, we will have the Member apologize." But I said that the apology would be in today's RECORD, and what he said was in yesterday's RECORD, and they will never get together.

The gentleman from Ohio [Mr. BROWN] said "If they use that against you, call me."

I was a prophet. It was used against me. I called the gentleman from Ohio [Mr. BROWN], and he issued a telegram saying I had nothing to do with it. The newspapers in my district carried the headline: "Republican National Committeeman Defends HAYS."

I won by 1,200 votes, and I give the credit to the gentleman from Ohio [Mr. BROWN] who did what he said he would do.

The funniest part of that story is that the gentleman who made the remarks was the gentleman from Buffalo by the name of Mr. Tauriello. The gentleman who reprimanded him and got my name confused was a Member from Vermont. When he was asked how he happened to get the name of HAYS instead of Tauriello, he said "They sent the remarks to my office for correction, and who knows how to spell 'Tauriello'?"

Mr. McCULLOCH. Mr. Speaker, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, it is a great pleasure to be on the floor here today with the dean of the Ohio Republican delegation, CLARENCE BROWN. He has not learned yet that the further along you get the younger you grow. He has been here a wee bit longer than I, though not much. He makes much of this fact.

Mr. Speaker, we Ohioans on this side of the aisle have the greatest affection for Mr. BROWN. When I first came to the delegation, there was a quiet caucus and they agreed that I was to be the secretary. I soon found out this was a means to keep me from talking. I assure you I kept very still. The first time I wanted to say something was good enough to remove me as secretary and I talked to my heart's content.

We do indeed wish you 10,000 years of happiness. Before I sit down I feel I must congratulate the FORD family also this morning, for this is our distinguished colleague, the gentleman from Michigan, the minority leader GERALD FORD's birthday. He is a young one who will have many years yet before he catches up to CLARENCE and me. We wish both a lot of joy and a great deal of constructive living.

To you, CLARENCE, my grateful thanks for the much you have done for me since I have had the privilege of serving in this body and my affectionate greetings on your birthday.

Mr. McCULLOCH. Mr. Speaker, I too join in the happy birthday greetings extended to my good and great friend, GERALD FORD, the minority leader.

Mr. ALBERT. Mr. Speaker, will the gentleman yield again?

Mr. McCULLOCH. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I had intended myself to take the flood to wish my beloved friend and colleague, our able and distinguished minority leader, a happy birthday, and to wish him many happy returns of the day. I am delighted to associate myself with the gentlewoman from Ohio in extending congratulations to this great American.

Mr. MINSHALL. Mr. Speaker, today marks the birthday anniversaries of two great Americans, both longtime Members of the House and both leaders in the Republican Party. I wish to extend greetings to our distinguished minority leader, GERALD FORD, and our equally distinguished and beloved dean of the Ohio delegation, CLARENCE BROWN.

I was amused when someone pointed out the "Today's Horoscope" to me in this afternoon's Washington Daily News. It advises those readers born on July 14 that they are "natural competitors."

My knowledge of astrology is limited to the impact it currently is having on the NASA budget, but the stargazers are right in this case. Both the gentleman from Michigan and the gentleman from Ohio enjoy continued success at the polls in their respective districts, proof that they are successful competitors in the political arena. Congressman BROWN first came to Congress in 1939, Congressman FORD in 1949, giving them a combined total of service of 43 years in the House.

It has been my pleasure over the last 7 years to work closely on the Appropriations Committee with JERRY FORD. I am indebted to him many times over for his friendship and guidance as the ranking minority member of that committee. He is doing an outstanding job of leadership during these lean times for Republicans.

CLARENCE BROWN claims a special place in the hearts of all of us. He is a great and wonderful man. When I first came to Congress some 11 years ago he gave me much sound advice and counsel. It has stood me in good stead all these years.

We Ohio Republicans meet weekly for lunch and discuss matters coming up before the House. There is a great deal of jest and jocularity at these meetings and much kidding. CLARENCE is always there, with his good dry wit as necessary as the salt on the table.

CLARENCE is a tower of strength on the Rules Committee, a man of wisdom and integrity and one of Ohio's most loved sons.

I wish both of my good friends the happiest of birthdays and many more to be observed in this Chamber.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman.

Mr. CEDERBERG. I want to join my colleagues from Ohio in wishing a happy birthday to the gentleman from Ohio [Mr. BROWN] and also to our colleague, the gentleman from Michigan [Mr. FORD]. I was talking to "JERRY" about his birthday and he said, "You know 'EL,' on this birthday, my first since I have been appointed to my new duty to serve as minority leader, it seems like 2 years have passed instead of 1 year since I had my last birthday." I am sure that is true as the position of minority leader is very demanding. I wish him many more happy and prosperous years.

Mr. McCULLOCH. Mr. Speaker, we are willing to accept "JERRY" FORD as a citizen of Ohio. It is too bad we did not have him when we were losing all those football games to Michigan.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, I join my colleagues in wishing my good friend from Ohio, CLARENCE BROWN, a very happy birthday. He has been my friend since I have been privileged to serve in the Congress, and I thought that he had quit having birthdays. As long as he is going to continue to have them I hope he will celebrate just as many of them as he wishes right here in the House of Representatives.

Let me also add birthday greetings and good wishes to our minority leader, GERALD FORD.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman.

Mr. FLOOD. I cannot think of anyone, Mr. Speaker, who would have the right to flow on like Tennyson's brook more than my distinguished friend who has just yielded to me.

Of course, I want to add my words of praise and compliment to our rotund and gracious friend.

Even though I was not a newspaperman myself, I always refer to him as "BROWNIE." That startles him a little bit but we have been at it for 100 years and I think he has managed to live that down.

So far as "JERRY" FORD is concerned, I was here when somebody said, "What is good for General Motors is good for the country." Well, there was some doubt about that at the time, but I do believe that what is good for "JERRY" FORD is good for our country and what is good for the country is good for "JERRY" FORD.

I had the honor and privilege of serving with him on the Armed Services Appropriations Committee for the Department of Defense for many, many years. I said during the debate on that bill this year that we missed him—and I mean we miss him. He was the strong right arm not only of his great party but of the country. I extend to him and his very lovely lady the best compliments of the season and I hope he goes on and keeps on leading the minority ad multos annos—for many years.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman.

Mr. LAIRD. Mr. Speaker, I would like to join my colleagues in paying our respects on the birthday of our two leaders, "JERRY" FORD of Michigan, our minority leader, and to the leader of the Rules Committee, the gentleman from Ohio, CLARENCE BROWN. We are proud of these two leaders on this side of the aisle and I think it is fine that we can celebrate their birthdays together with them. I served with "JERRY" and sat next to him on the Defense Department Appropriations Committee for some 13 years. He has taken on this new responsibility on our side of the aisle this year and has given us great leadership on the minority side. We may be outnumbered but at least we are being heard from under his fine and capable leadership.

Mr. Speaker, we all wish him a very happy birthday.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman.

Mr. O'HARA of Illinois. Mr. Speaker, the good Lord has been good to me today. I just arrived in the Chamber and heard that this was the birthday of CLARENCE BROWN. If I had been a minute later, I would not have known it and would not have had this opportunity to pay tribute to the man who is responsible for my career—well, at least in part.

I came to this Chamber at the tender age of 67 and all the world ahead of me. I wanted to map for myself a pugilistic career and CLARENCE BROWN took me under his wing. CLARENCE BROWN became my manager. No one in all the history of fisticuffs did a greater job. He arranged the battle of the century between his charges, "KID" O'HARA, and "Kid" Crawford, better known as the Saginaw Hurricane, for the world's congressional championship. And under his skilled management the whole thing came off, with terrific publicity and without the pulling on of a glove or the exchange of a blow.

Under the management of CLARENCE BROWN and the fight being conducted on the same terms as the historic Crawford-O'Hara battle of the century I am sure I still can bring back to the Congress the world's championship. This would result from the skill of the manager and not of the fighter.

Seriously, I wish to pay the tribute of a loving heart to CLARENCE BROWN, one of the finest gentlemen I have ever known. I might add that CLARENCE BROWN was probably the youngest Lieutenant Governor in the history of our country as well as one of the alltime greats. CLARENCE was only 25 years old when he was Lieutenant Governor of the great State of Ohio.

I am happy that "JERRY" FORD had the good judgment to select as his birthday the birthday of CLARENCE BROWN. I think that "JERRY" is "tops." He had the good fortune, when a lad of four or five, to select as his adopted State my own native State, Michigan. "JERRY," everybody in Michigan—your adopted State and my native State—is proud of you.

Mr. BETTS. Mr. Speaker, in my opinion CLARENCE BROWN ranks as one of the great Members of this House of all time. He has dedicated his life and given his talents to his State and his country. As a member of the Ohio delegation, I am privileged to serve under his leadership and proud to have him as a friend. I congratulate him on the occasion of his birthday and wish him health and happiness for many years to come.

I also congratulate our colleague and minority leader, "JERRY" FORD, on his birthday. I hold him in high esteem as a leader, a public servant, and an honorable gentleman. I sincerely believe that the future holds many great opportunities of public service for him and I extend to him my best wishes on this occasion.

Mr. AYRES. Mr. Speaker, there are very few occasions on which we feel free to express our feelings of affection and respect. Therefore I welcome the birthday of our minority leader, GERALD FORD, for it gives me the opportunity of conveying my feeling of fellowship with him. Those of us who have worked with GERALD FORD throughout the years, have long since recognized his great legislative ability. With this talent and his dedication toward good government, one can readily see why he is nationally recognized as one of our most respected national leaders.

We have another reason for expressing our gratitude to our minority leader. He brought to Washington, one of the most gracious and charming ladies that our Capital has ever been, his enchanting wife, Betty.

All Republican Members remember with great delight—the Democratic Members with dismay—the time that JERRY FORD hit an inside the park home run during our annual congressional baseball game.

He has also made many a "base cleaning" hit for our side on the floor of this Congress. JERRY FORD always touches all of the bases in every game that he plays.

Also, Mr. Speaker, for years, it has been my great pleasure to attend the birthday party of one of our most distinguished colleagues, CLARENCE BROWN.

CLARENCE BROWN started his political career. In Ohio, first as Lieutenant Governor and then as secretary of state. His record was so outstanding in both of those positions that the name Brown became a symbol of good government in Ohio. Both our present Lieutenant Governor and secretary of state are named Brown.

Our beloved CLARENCE has now established the surname "Brown" on a national level as well.

I am particularly indebted to Congressman BROWN, the dean of our Ohio delegation. When I first came to the House of Representatives, 15 years ago, he was kind enough to assist and advise me on my legislative duties. I knew, at that time, that he was an adviser of our late great Senator, Robert A. Taft, and therefore felt myself fortunate to be able to avail myself of his legislative advice.

Today CLARENCE BROWN is still an astute and able leader—one whose integrity has never been challenged.

Ohio has presented the Nation with a long list of great presidents and other outstanding leaders in governmental affairs. CLARENCE BROWN ranks high on this list.

Mr. HARSHA. Mr. Speaker, it is a pleasure to join with my colleagues in congratulating our minority leader, the Honorable GERALD R. FORD, on the occasion of his birthday.

It is an honor to serve with him, and enjoy an association that I can only hope will continue for many years to come. And may those years be filled with great good health, and happiness on the many birthdays I hope he enjoys.

Mr. Speaker, I also wish to join my colleagues in honoring on this, his birthday, our colleague, the Honorable CLARENCE J. BROWN, whose association with me in matters affecting our State of Ohio, as well as our country, have afforded an enriching experience in my life. His great contribution to his State and country are well known, but he has been a real leader and valuable mentor to those of us who recently joined this body, and his guidance has been generously given.

He is a hard working and extremely valuable Member of Congress and it is an honor to know him and to work with him. In extending to him my warm greetings on his birthday, I add the hope that he will grace the House with his presence for many more years.

Mr. MORSE. Mr. Speaker, I am happy to join with my colleagues on both sides of the aisle in wishing happy returns of the day to the distinguished minority leader, Mr. FORD, and to the distinguished ranking minority member on the Rules Committee.

These two gentlemen serve our party ably and they have the affection and respect of us all. Happy birthday to you both.

Mr. MARTIN of Nebraska. Mr. Speaker, on the occasion of the 39th birthday of our good friend and colleague, CLARENCE J. BROWN, of Ohio, it seems only fitting to take a few minutes to pay tribute to him and to his long and faithful service to his country.

The renown and fame of CLARENCE BROWN spread to my home State of Nebraska many years ago. As a young man in that State, I often heard of his valuable contributions through public service and of his outstanding accomplishments.

In January of 1961, when I was privileged to become a Member of this great body, I became personally acquainted with this humble, but great, man. As a first termer I found him always most considerate and kind, and willing when asked to give of his wise counsel and advice. I am sure that this has been the experience of countless other Members who have served throughout the years with CLARENCE.

His love and devotion to the House of Representatives is only exceeded by his love for his country and his concern for its welfare.

Crawford H. Greenewalt said best what applies to my good friend and colleague on the Rules Committee, CLARENCE J. BROWN:

> Some men are uncommon to an extraordinary degree, others to lesser. And perhaps most uncommon of all is the common man whose achievements are exalted beyond the expectations of his circumstances.
>
> The story of America is the story of common men who whatever their motives, whatever their goals, were inspired to uncommon levels of accomplishment.

Mr. ANDERSON of Illinois. Mr. Speaker, I am pleased to join with my colleague, the gentleman from Ohio [Mr. MCCULLOCH] and other Members of the House in extending birthday greetings and felicitations to our beloved colleague, the gentleman from Ohio [Mr. BROWN].

We are particularly pleased that he is back with us on the floor of this House where he has labored so faithfully for more than a quarter of a century. He has been a friend and a wise counsellor. Particularly since July of last year when I became a member of the House Rules Committee of which he is ranking member. I have been aware of the heavy responsibilities that he has carried. The wisdom and tact and deep comprehension of national problems which he has so consistently displayed have made him one of the most valuable Members of this body.

We earnestly hope and pray that he may continue among us in health and strength for many, many birthdays to come.

Mr. MOSHER. Mr. Speaker, I wish you and many other Members of this body could visit the chamber of the Ohio Senate in Columbus.

There, on the walls of the Ohio Senate chamber, you would see portraits of all the former Lieutenant Governors of our State. As you know, the Lieutenant Governor in Ohio is president of the senate and presides over that body, so the senate honors all its presiding officers by displaying their portraits.

I suggest that you examine those portraits, of many distinguished men, you will note that the most handsome of all is the portrait of an exceptionally young and obviously alert, vigorous, able man—and it will seem to you that there is a face we all know.

That feeling of familiarity will be borne out, Mr. Speaker, if you will note the identification on that attractive, handsome portrait, for it is the portrait of our distinguished colleague whom we honor today, CLARENCE J. BROWN, of Ohio's Seventh District.

That portrait reveals CLARENCE BROWN at the time he served as the youngest man ever to be Ohio's Lieutenant Governor. He was just 23 years of age at the time of his election to that high post. And, incidentally, he was the only Republican elected on the State ticket that year.

I suggest that all the qualities so evident in that portrait of Ohio's youngest Lieutenant Governor, we see here today in person in our beloved colleague, who today celebrates his 70th birthday.

Was he handsome as a youth, Mr. Speaker? Today he still is one of our most impressive appearing Members.

Mature by experience, mellowed by the years, he is still a public servant of extraordinary ability, conscientious devotion, stubborn courage, certainly one of the very few most knowledgeable and effective members of the U.S. House of Representatives.

When that portrait which hangs in the Ohio Senate was painted, CLARENCE BROWN had ahead of him a great and distinguished career in public life. Today, on his 70th birthday, we all have confidence that he still has ahead of him many great and distinguished years as a public servant.

As one of the more recently arrived members of the Ohio delegation, I want to express my personal gratitude for his generous advice, and friendship, and leadership—for the very privilege of serving with him in this body.

Mr. Speaker, I also join in expressing congratulations and best wishes to the distinguished gentleman from Michigan [Mr. FORD], our vigorous and effective minority leader.

It is truly a rare occasion when we can honor simultaneously the birthdays of two such favorite people, as CLARENCE BROWN and JERRY FORD.

GENERAL LEAVE

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD at this point on this subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SUBCOMMITTEE ON COMMUNICATIONS AND POWER, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 186]

Bonner
Bow
Craley
Curtin
Diggs
Downing
Duncan, Oreg.
Edmondson
Edwards, Calif.
Evans, Colo.
Friedel
Harvey, Ind.
Hébert
Holland
Ichord
Jarman
Jones, Ala.
Keogh
Lindsay
Mailliard
Mathias
Mize
Morse
Morton
Nedzi
Pool
Powell
Steed
Teague, Tex.
Toll

The SPEAKER. On this rollcall 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE LATE HONORABLE ADLAI E. STEVENSON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I have been advised by the Office of the Secretary of State that a great American, Adlai Stevenson, has just passed away in the city of London while he was, as usual, working for the cause of peace.

Mr. Speaker, I do not know the details of this matter. I understand Ambassador Stevenson suffered a heart attack on a London street shortly after having conferred with Prime Minister Harold Wilson.

This dreadful news is without doubt of stunning proportions for peace-loving people throughout the world. Without disparagement to any person in any country, Adlai Stevenson's two distinguished campaigns for the Presidency, his commanding performance as our Ambassador to the United Nations, and his good works and efforts and writings through many years had made of him the very embodiment of the man of state and of peace.

His contributions as Ambassador to the United Nations Organization are among the most important in the long history of the pursuit of world brotherhood and peace.

Mr. Speaker, our grief runneth over.

SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY, COMMITTEE ON THE JUDICIARY

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Immigration and Nationality of the Committee on the Judiciary be permitted to sit in executive session this afternoon while we are in general debate.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. HALL. Mr. Speaker, reserving the right to object, I certainly do not wish to be an obstructionist, I will say to the Members and to the gentleman from Ohio, whom I hold in high esteem, but we are rapidly approaching the conclusion of the debate on something which, along with the removal of the gold cover, the demonetization of silver certificates, the repeatedly elevated "legal" U.S. debt ceilings, and some other subjects we are going to discuss here, is most important to all of us, and the Nation. Therefore, although I appreciate committee and witness commitments I fail to understand absence from the floor of the House during these vital discussions.

However, the gentleman from Ohio has approached me in the interim since I objected to this subcommittee's sitting while we are having this vital debate this afternoon. I will say that under the extenuating circumstances and the agreement that he has made, I am now constrained not to object.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

COINAGE ACT OF 1965

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 8926) to provide for the coinage of the United States.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8926, with Mr. KARSTEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Texas [Mr. PATMAN] had 1 hour and 3 minutes remaining; the gentleman from New Jersey [Mr. WIDNALL] had 1 hour and 9 minutes remaining.

The Chair recognizes the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, for over 173 years we have maintained a sound system of silver coinage—this is something few other nations throughout the world can claim.

Under this bill, we propose to stop minting silver coins. Why? Well, we are told we are running out of silver and that is the reason for this proposal.

It was not long ago that this House was called upon to pass legislation to save us from the serious consequences of losing our gold. Unfortunately, our gold supply has fallen and tumbled from $24.6 billion in 1949 to a bare $14 billion today. I want to point out to the Members of this House that this is the lowest and most discouraging level in the last 25 years.

In spite of all the statistics that emanate from the Treasury Department showing improvement in our balance of payments, anyone who reads the financial pages of the morning papers will be able to tell you that every few weeks some foreign country is taking $50 to $100 million of our dwindling gold.

This is sad and disturbing news. I want to be candid with you, Mr. Chairman. I am not happy about it; neither do I like what is happening to our silver stocks. They are also slipping rapidly, having reached a record low, just like gold.

I am beginning to think that this administration does not know what is going on, and if it does know what is happening, it certainly has not been able to do very much about it.

First we lose our gold, then we lose our silver. The next thing we lose will probably be Uncle Sam's pants.

Unfortunately, it seems that we start locking up the barn door only after the cow has gotten out.

While gold and silver are drained from our vaults, the Treasury Department takes year upon year to "study" the problem; then, when it is almost too late, some half-baked proposal is rushed headlong through our committee and right on the floor of this House for consideration.

It is very difficult to comprehend how the Treasury Department could fiddle around, studying the silver and coinage problem for more than 2 years, doing nothing concrete during that time—and then expect the Banking and Currency Committee, of which I am a member, with only 6 hours of hearings, to deal with the problem on which Treasury experts had spent 2 years.

Now, let us make no mistake about it. Stripping our coinage of intrinsic value in my opinion is a very serious step. It may have now become necessary, but it should not be done as quickly and carelessly as is proposed in this bill. To me, U.S. silver coins have always had a special meaning. Drop them and you can hear a clear, happy ring in comparison to the flat, dull sound of foreign base metal coins.

I realize full well that we have a serious, disturbing silver shortage to reckon with. Unfortunately, we have helped to create this problem and perpetuate it by allowing silver stocks to sink so low without affirmative and positive action such as blocking—I repeat that, such as blocking—silver exports and initiating temporary use of fractional paper currency.

The silver shortage justifies action, but not ill-considered action with a potential for lasting damage.

Now, under this bill, we provide for the establishment of a Joint Commission on Coinage. I think that we should await an intense, exhaustive, and thorough investigation by this Joint Commission before we take the silver out of our coins permanently.

In order that we may conserve our silver supply in the meantime, I urge the use of temporary fractional paper currency. At least until the Joint Commission has made its report to the Congress.

We can be sure of one thing. No one will hoard this paper.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. FINO. We will not be minting coins that will only be gobbled up by the speculators. We will not be recklessly and hastily switching to a debased currency which has no intrinsic value.

Certainly, paper currency with no intrinsic value is as good as metal with purely minimal intrinsic value.

Temporary use of paper scrip until we have had a chance to go into this problem more thoroughly and more completely will have two effects:

First. It will guard our silver stocks.

Second. It will maintain and continue the soundness of our silver currency.

I suggested this idea last December and on January 20, I introduced H.R. 3294. This bill provides that paper scrip be printed in denominations of 25 and 50 cents during the present chronic coin shortage and only for the purpose of relieving that shortage.

This bill would only represent a stopgap measure—a breather, if you will, so that we can in the meantime reappraise and reevaluate our coin shortage problem in this country.

Mrs. SULLIVAN. Mr. Chairman, I yield 15 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. BATTIN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and one Members are present, a quorum.

Mr. WHITE of Idaho. Mr. Chairman, I wish to thank my colleague from Montana, knowing his interest in the subject. I had hoped as many Members as possible would be present to listen to my remarks. It is a little bit disconcerting to have 435 Members, a hundred of whom are here, then soon we will have less than that amount.

Mr. Chairman, nearly all Members know my long interest in the bill now under consideration. I have spoken on the floor of the House many times in the past 2½ years about the need for a change in our coinage. Naturally my original studies of coinage and the silver situation stemmed in part from the fact a great deal of the precious metal is a byproduct of mining in my district. But, as many Members know, the first introduction to a matter of great legislative importance does not necessarily guide their final conclusion. This has been my experience with the coinage legislation. After the studies I have conducted in past years, my objective has been to secure acceptable coinage for the United States, not to provide a consumer for a product of my district.

I have had a long interest in coinage, and since being in the Congress in coinage legislation. I think a brief review of what has happened to silver and silver coinage over the last few years might be of interest to the Members.

In 1934 the Silver Purchase Act was enacted to buy newly mined silver. This continued until approximately 1959. Then the demands on the metal indicated that that price was low, and it found itself rising, soon reaching the 91.5-cent-per-ounce price.

After President Kennedy took office it was brought to his attention by the Treasury Department, and he stopped the sale of free silver. Stopping the sale of free silver allowed the silver then to increase in price until it reached the monetary price of $1.2929 per fine troy ounce, as it is today.

This created only one problem. The value of the silver in the silver dollar was equal to its face value. If it had been allowed to increase above this price, silver dollars would have been melted down, because it would have been economically feasible so to do. This did happen to an extent. We did not melt down the silver dollar, but the silver dollars were soon exhausted from the Treasury Department stock until today we have only about $3 million in silver dollars. So on the numismatic basis the Secretary of the Treasury has exercised his discretion because they would be sold at a price higher than the face value, or would lower the price of those held by collectors. It should dilute the price of coins of that particular date and mint mark.

The next level is $1.38 which is the value of silver in subsidiary coin. In other words, if you melt down 2 halves, 4 quarters, or 10 dimes, the amount you would have would be valued at $1.38½ per fine troy ounce.

This is really the basic problem that we face here today. If we allow the ordinary laws of supply and demand to function, the price of silver would go not only above the price of silver in the dollar but above the price of silver in the subsidiary coins. If this happens, I am sure the same thing would happen that happened with the nickel coins minted during World War II when we had 7 cents worth of silver in those coins, the silver was refined from them. This is still in process in the United States.

The other part of the problem is the supposed silver shortage. I think that that probably is the most oversold thing that we have been told about—a silver shortage. We are told that we are in dire straits and that the stocks of silver would be depleted in 2 or 3 years and that we do not have enough silver for coinage and that we are going to have a completely debased coinage.

I would like to bring to the attention of the Members of the House that, first of all, we have 980 million ounces of silver in the vaults at West Point—almost 1 billion ounces. We have in our existing coinage 1,400 million ounces to 1,500 million ounces of silver.

Now some people say this silver is just going to disappear. I do not think it is going to go up in smoke. That 1,400 million ounces of silver in our coinage and 1 billion ounces in our silver in the vaults at West Point may in the short term disappear, but it will still be here and it will still be in the United States, if we do not export it, which we have done to a certain degree.

I would like to bring to the attention of the House something on page 246 of the hearings of the Committee on Banking and Currency, Coinage Act of 1965, table 2–A. Table 2–A is a projected behavior of Treasury silver stock through calendar year 1972 where coinage of 0.400 fine, 40 percent fineness, begins on January 1, 1966; 0.900-fine coinage is partially recovered and the market price of silver is held at $1.29-plus during the 4-year transition period.

The point I wish to make referring to these figures, which are figures from the U.S. Treasury Department, is that my calculations indicate it is possible we can continue a 40-percent silver coinage not only for the half dollar but for the dime and quarter as well.

These figures show that in 1972 after converting to a 400 fine coin, there will be 262.3 million ounces of silver left in the vaults of the U.S. Treasury. I might add to my colleagues, that this includes 45 million silver dollars that were authorized—the use of that silver for that purpose is included in this table and also included in this table is the 300 million ounces of silver that supposedly would be withdrawn from circulation by coins being hoarded—not recovered—are the words used here. But this includes that 300 million ounces on the demand side. It does not include any scrap return. It does not include any return from the photographic industry. At the present time the photographic industry is using 43 million ounces of silver a year and only 5 million ounces of silver is reclaimed therefrom.

I might say to my colleagues, the Federal Government is one of the worst offenders in not reclaiming their photographic silver. At Cape Kennedy where an unlimited amount of film and photographic paper is used no attempt is made to reclaim the silver. This was brought to my attention by one of the reclaiming processors who said that they would like to sell reclaiming equipment to the Federal Government, and they have only been able to interest a very few people in it.

I believe it will be possible, judging from testimony taken before the Committee on Interior and Insular Affairs, to include 25 million ounces of additional silver, which could be reclaimed from the photographic process—hypo solutions, discarded negatives, discarded X-ray films, and other discarded papers that contain silver. Added altogether, the amount of silver we might expect to remain in the U.S. Treasury vaults in the year 1976 would be in excess of 800 million ounces, not the 262 million ounces indicated in table 2–A.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I am glad to yield to the gentleman from Wisconsin.

Mr. REUSS. I should like to compliment the gentleman from Idaho on his usual very scholarly presentation of the case for silver.

I would ask the gentleman, in connection with the chart on page 246 illustrating the Treasury study and indicating that there might be some silver left by 1972 in the event we go to a 40-percent silver subsidiary coinage, whether he has taken into account the very serious reservation made by the Treasury, when it said:

> Certainly, no very large margin of safety would exist, particularly since the steady decline in Treasury silver quite possibly would give rise to the need for even larger sales to the market than are allowed for in column (5) of table 2–A.

That seems to say that the possibility we might not run out of silver until 1972 is an optimistic view and that we could be in trouble much sooner, does it not?

Mr. WHITE of Idaho. First I will say to the gentleman from Wisconsin, who is eminently qualified to speak on this subject, I believe some controls are necessary as to the use of monetary silver removed from the West Point vault. I believe there should be some controls as to end use certificates, export control, and melting down. I believe the end use certificate would be the most important.

I will say to my colleagues who are interested, as consumers of silver, that this silver should be made available as they need it from the stockpile, but we should not be pouring it into the hands of hoarders or permitting it to be used for speculation, for collateral, for export, or for uses other than bona fide uses.

I say to my colleague from Wisconsin that we are going to have a withdrawal of this silver from these stocks whether we go to cupronickel or whether we go to a silver coin.

I have suggested the possibility of a 400 fine silver coin. If the gentleman will look at the coins on the desk at the present time, he will find the 400 fine silver coin is almost indistinguishable from the present 900 fine coin. However, the cupronickel coin is readily distinguishable.

I believe this would add to the prestige not only of that coin, but also it would keep existing coins in circulation side by side, as officials of the Treasury said before the committee.

The question I asked of Mr. Wallace was:

> Is not the entire program that is advanced by the Treasury Department predicated on the proposition that the two coins will circulate side by side.

Secretary Wallace and Secretary Fowler, both said:

> Yes; it is.

I do not believe that the two coins will circulate side by side.

I then asked Mr. Wallace:

> Do you think they will circulate side by side?

As I recall, Mr. Wallace said he was sure that they would, but he could not offer reasons why they would.

I believe the situation is as presently indicated in my area of the West. I called, as recently as yesterday, to the Spokane area, to the Lewiston area, and to the Boise area. I have been informed that the half dollars already are disappearing from circulation in anticipation of the cupronickel coin being substituted for the present 900 fine silver coins.

The same thing is happening with respect to quarters.

I am told that we have vaults of U.S. coins in storage not only in the United States but also outside the United States. I was told by a Member of this body that when he was in Nassau recently he was in a room as big as my office which was filled with U.S. coinage, being used for collateral for loans, being speculated on.

That is why I sent the letter to Members. I believe we could help ease the situation by not allowing the use of subsidiary coinage or dollars for collateral. We should keep those coins in circulation in the United States.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I am glad to yield to the gentleman from Massachusetts.

Mr. CONTE. I also wish to congratulate my friend for a fine presentation. He and I have had many colloquies before the House on this subject.

I wonder whether the gentleman would care to comment on whether he feels we should have a free market on silver rather than to have the price of silver pegged by the Treasury Department?

Mr. WHITE of Idaho. I would say to the gentleman that if we could circumvent the coinage situation and allow silver to assume its rightful place in the marketplace, I would be in favor of a free market in silver, but I believe, I would say to the gentleman, in anticipation of his next remark, that we should have for the integrity and the intrinsic value and prestige of the United States, as almost every country in the world besides the United States has at the present time, some silver in our coinage. I hate to think of 900-fine coins going down the drain.

Mr. CONTE. If the gentleman will yield further, I can agree with the first part of his statement. We should have a free market in silver. But as long as you have some silver in your coins, then the U.S. Treasury will be pegging the price of silver. That is why we should take all of the silver out of all the coins.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

Mrs. SULLIVAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. WHITE of Idaho. I will say to the gentleman that this is an erroneous thought which is used by some people in the silver-using area that if we have a monetary value of $1.10 or $1.29 or $1.38, that this pegs the world price. All I can say is from the history of the last 173 years the monetary value has been above the world price and it has not caused the price of silver to go up. There has been a condition existing where we had silver at 45 cents and 71 cents and 91½ cents and there was an increase in the period from 91 cents to $1.29. It is an erroneous argument to say that the monetary value controls the world price of silver.

Mr. CONTE. The gentleman will agree that the price has never gone over $1.29 an ounce.

Mr. WHITE of Idaho. It has reached that twice before in our history.

Mr. CONTE. Which keeps the price of silver and the value of the coin, the silver dollar, about equal; that is, at about $1. But as long as you keep silver in the coins, you will keep the U.S. Treasury in the silver business. If you want to help your silver miners, the way to do it is to take the silver out of the coins and have a free market in silver.

Mr. WHITE of Idaho. I think the people of the United States deserve a better deal than that at the hands of the Congress, which have the reponsibility of maintaining the integrity of our coinage and its intrinsic value.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman.

Mr. CURTIS. That is just what I was going to suggest for both the silver users representing Mr. CONTE and the silver producers. The way to have it work is to keep the integrity of the full faith and credit of the United States in the dollar. That is the issue, which I will talk about a little later, but this is the solution.

Mr. WHITE of Idaho. We talked here about gold being needed behind our currency as recently as the time of the gold cover debate we had on the floor, I had just asked Mr. William McC. Martin when he appeared before our committee, "Do you feel we need gold behind the Federal Reserve notes?" Mr. Martin said yes. The President of the United States, Lyndon Baines Johnson, in his message to the Congress on the gold cover, said that we should retain the 25-percent backing behind our Federal Reserve notes.

The point I want to make is some people say you can always convert this fictitious hamburger coin into a dollar bill. I will say that at the present time I can take a dollar bill and convert it into 900 fine coinage, which lends a lot of integrity to that money, a lot more than the other way around, where I can take fiat money and trade it for fiat money. That is what we will have if you take all the silver out of our coinage.

Mr. CONTE. Mr. Chairman, will the gentleman yield further?

Mr. WHITE of Idaho. Yes. I will yield to the gentleman.

Mr. CONTE. I want to say that I appreciate the gentleman from Idaho yielding to me in this debate. I hope when I have the time on the floor of the House that I can reciprocate. I cannot understand the logic of the argument, because if you study the history of silver in relationship to our coinage, it is not so. Also, in regard to what the gentleman from Missouri said, back in 1932 and 1933 there was 9 cents worth of silver in the 25-cent coin. At that time we had a sound dollar and the 25-cent coin would buy 25 cents worth of goods. Today you have 23 cents worth of silver in the 25-cent piece, and it will not buy 25 cents worth of goods.

Mr. WHITE of Idaho. Under our present market conditions we are still able to use it to purchase items at a price of 25 cents.

Mr. CONTE. I do not think intrinsic value has anything to do with it, but the important thing is what the 25-cent piece or the 50-cent piece will buy.

Mr. WHITE of Idaho. It is a logical argument, I will say to the gentleman, but I also say that traveling back and forth across the United States and talking to people in all walks of life, cab drivers and bank presidents, I found they do not want silver removed from our coins.

This touches every man on the street. I would say to the gentleman from Massachusetts that I think there is an unfair advantage being taken by the silver users when they are asking to continue to buy the silver at $1.29. I do not see why they should be subsidized in the purchase of the silver. They should get their silver at a fair price, and perhaps they should be the beneficiary during the transition period, but to put the entire stock of silver on the block, the entire stock that we have in the United States, almost 3 billion ounces, and make it available to the users of silver, I do not think is fair. And I can see the advantage of a coin with silver in it, because to me that is more important than a set of hollow ware or flat ware.

Mr. CONTE. Mr. Chairman, let me say in answer to the gentleman from Idaho and the gentleman from Missouri [Mr. CURTIS] that I am not interested in the silver users or the silver producers. I am interested in the American public, the housewife, the fellow who works in the shop, and so forth. I have the national interest in view on this issue. We have gone into this matter in the Committee on Appropriations for years and years.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CONTE. Mr. Chairman, will the gentleman yield further?

Mr. WHITE of Idaho. I yield.

Mr. CONTE. There is a tremendous shortage of coins in the United States today. We are minting about 9 billion coins, about double the number of coins that we minted last year. Our reserve of silver has been depleted in 1 year from 1,700 million ounces to about 900 million ounces, and if we keep going at the rate of speed at which we are going now we will not have any silver to put in our coins.

Mr. WHITE of Idaho. Mr. Chairman, I agree with the gentleman, but I would like also to suggest that in 1955 we used 8 million ounces for coins, but this year, we may use over 290 million ounces for coinage.

Mr. CONTE. It is 203 million ounces.

Mr. WHITE of Idaho. This, to me, does not indicate the need of the economy of the country. This is because of the high silver content of coinage so that the speculators and others are holding those coins with the idea that they may obtain some financial gain therefrom. This does not represent the need for coinage of the United States. This represents the need of the speculator. That is why, if we reduce the silver content, then there is not the chance for the speculators to get a coin of excessive instrinsic value.

Mr. CONTE. The gentleman is giving me the best argument for taking all the silver out of the coins.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman.

Mr. WIDNALL. In the gentleman's remarks, he said that he had traveled all over the country and had talked with cabdrivers and others who were crying out against the change in the currency, that they were very much disturbed about it. I think it is interesting to hear the gentleman's comments because, up to this time, I have not heard from one single soul in my own district or any other place who was crying out against this change in the coinage or who was alarmed about it. They seem to have great confidence in what the Government is about to do.

Mr. WHITE of Idaho. I think if the gentleman would take a poll and ask a few of these people, he will find the majority are against it. I think the editorial comment, not only in the West, but in the southeast and eastern part of the United States indicates an interest in keeping silver in our coins.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield.

Mr. ST GERMAIN. I wonder if the gentleman would care to comment on this. This has reference to the increased use of silver coins and the use of silver for coinage throughout the country. Has he taken into consideration that one of the factors that is responsible and will continue to be responsible for this is our increase in population, our increase in gross national product, and our increase in business?

Mr. WHITE of Idaho. I have already indicated in the remarks that I have made today that I do take that into consideration. But it is not in the ratio of 8 million to 290 million in the short space of 10 years. In other words, that is not the normal increase of the economy nor the normal increase in the gross national product, nor the normal increase of population.

Mr. ST GERMAIN. Does the gentleman anticipate a decrease in the need for silver coins?

Mr. WHITE of Idaho. I do not, but I anticipate a normal increase. I do not anticipate the increase that we are experiencing today. That is because we have not faced up to a realistic monetary value for silver. We have been working under a set of artificial conditions. If we had faced up to the realistic situation 2 years ago, we would not be in the situation that we are in today.

Mr. Chairman, I have with me a graph showing the decline of the silver denarius in the Roman Empire from A.D. 1 to A.D. 300 and then the decline in the English silver penny from 1200 to 1800. And, then, is portrayed what we have been able to do in the United States until this day in the United States. I do not say that the debasement of the coinage is necessarily the cause of the fall of a government. But I do say that it involves the integrity of that government, it involves or reflects upon the economic stability of that government, and I would suggest to the members of the Committee that they take a look at this graph and see what has happened to these previous governments that have debased their coinage.

Mr. Chairman, I would like to say one other thing here. I dislike talking about subterfuge, but I receive each day the daily Treasury balance sheet. It includes the stocks of silver and money outstanding. The balance sheet of the United States contains this information and I have watched the trend of silver stocks. That information is put on this sheet every day. This sheet represents the most recent one I have, July 7. It takes about a week to get it to me. This balance has been steadily declining since I first came to the Congress when it was 1.7 billion ounces of silver at that time.

Mr. Chairman, as recently as 2 or 3 weeks ago, when the Senate had before it this legislation, this balance had declined to 1 billion ounces. After the

Senate vote thereon, the balance went down to 980 million ounces.

However, Mr. Chairman, it looks to me to be a little strange to see it stop and not move for 2½ weeks during this debate.

Mr. WIDNALL. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, whether we like it or not, we must embark today upon a new policy for the making of U.S. coins.

Silver has become so precious and vital to American industry, Mr. Chairman, that we can no longer waste any of it in dimes, quarters, and half dollars—our medium of exchange.

Enormous quantities of this precious metal are now used in our photographic industry, and more recently in modern electronics. It is used in great quantities for sterling silver and silverplate flatware and hollowware, and for jewelry of all types. Many of these products have been made for generations in my district.

Silver is the lifeblood of these industries. These companies are responsible for hundreds of thousands of jobs, and they are producing more employment all the time, as the American people are able to buy more and more of these beautiful and artistic and useful products of our industries.

Mr. Chairman, your committee has heard all the evidence on this important and critical subject and has given the issue exhaustive study. It has come to the obvious and needed conclusion that we cannot afford to use any more silver in our coins. It is too desperately needed for many other good purposes.

There is a great temptation to moan and groan over this decision. There is a great temptation to put it off, or to water it down, by allowing just a little more silver in our coins for just a little bit longer. There is some temptation to make political capital out of the fact that the present administration has had to face up to this unpleasant decision.

But moaning and groaning will not solve the problem—and neither will political oratory. There is not enough silver for all of our necessary purposes. We cannot afford to use it any longer in our coins. The facts are as simple as that.

I urge your members, Mr. Chairman, to support the fine work of your committee, and to vote for the pending committee bill.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MCCLORY].

Mr. McCLORY. Mr. Chairman, I want to convey some impressions I have received as a member of the Legal and Monetary Affairs Subcommittee of the House Government Operations Committee which conducted investigations last year and again this year into the subject of the coin shortage. I cannot help but feel that the subcommittee under the chairmanship of the gentleman from Florida [Mr. FASCELL] contributed substantially to the measures which were taken by the Treasury Department to alleviate a most serious crisis with regard to the shortage of coins in this country.

I noted in the consideration of the subject of coinage by the Committee on Banking and Currency that there is some reference to the subject of additional minting facilities. In our hearings a great deal of the testimony emanated from the Middle West. It appeared that the coin shortage was most acute in the great metropolitan area of Chicago, and in the Middle West.

There is a dire need for additional coins and new facilities for minting coins. This need is greatest in that area. I observe in the report that there is some reference to a revitalization of the Assay Office in San Francisco. However, I would suggest that whatever steps are taken with regard to new and additional minting facilities, we should give consideration to the area where the coins are needed. A new and additional mint is needed. It is needed in the Middle West, and it is my hope that the committee and the House would recognize this need.

Another point I would like to bring out is this: There is today not only the subject of coin collecting and of hoarding. There is the subject of wholesale purchase of coins and the melting down of coins for profit. I note that the committee report recommends and the bill provides only standby authority in the Treasury Department on this subject. I think that Congress should take action and the Congress should take immediate action in this bill today. I intend to offer an amendment to make it an offense to melt down coins for the purpose of securing the metal therefrom, or exporting them, or any action in that direction. These coins are for the trade of the Nation. They are not for the purpose of benefiting the users of metal in the coins, speculators in raw metal, or any other such persons or concerns.

I have in my hand here an advertisement from the Coin World Magazine, or newspaper, in which a smelting and refining company offers to buy wartime nickels at a premium of 20 percent. Note that these coins are not being purchased by collectors or numismatists. They are being purchased for the sole and only purpose of melting down the coins in order to secure the metal from the coins.

It is my belief that the price of silver in coins will go to a point where it will be profitable to melt down coins on a wholesale basis. With regard to dimes, quarters and half dollars, we certainly should take steps here and now to forbid that kind of action. It has been suggested that if we take this step it may encourage people to hoard, and it will be difficult to enforce.

We are considering a new law and there is no reason why we in the Congress should not make the law. We are the lawmaking body and we should not delegate authority to the Treasury Department to decide whether or not they want this to be the law.

This is the problem now and we should take action on it now. Certainly, the individual in his home is not going to melt down coins over the stove or anything like that. If coins are melted down it will be done by smelters and refiners. We have the responsibility and we are capable of action to prevent this sort of destruction of our coins. Our action on such an amendment can be highly beneficial, especially on the retail trade.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I am opposed to this bill—not in opposition to the fine reasoning that has been advanced to us by the House Members on the Committee on Banking and Currency as far as the need for doing something in this area. But rather on the point that when you are dealing with a prodigal son who continues to spend beyond his means, you forgive when there is repentance. There has been no repentance on the part of the administration on the subject of deficit financing and this is the basic cause of the trouble. People say to me—Well if this were voted down, what do you recommend instead? Let me remind everyone what the British Labor Government did early this year when it was faced with the devaluation of the pound and the serious situation that the British nation was in. They presented a revised budget to the Parliament. This is exactly what I would say the House should do in this instance—in effect, vote this down and say to President Johnson, bring in a revised budget that demonstrates that there is repentance and that there is an understanding at long last of what the penalties are of continued deficit financing. Then we can move forward. But this could be done at any stage on any particular symptom which we are experiencing of the disease that I am referring to. It could be done here. It could have been done on the debt ceiling. It could be done on many pieces of legislation all of which are the result of the failure of the administration to observe the importance of a balanced budget over a business cycle. We cannot continue to spend more money than we are taking in over a period of time without creating these kinds of problems. So what we have before us is a symptom and I happen to feel the committee has given good advice to us as to how to treat this particular symptom. So my argument is directed in the area of how we get at the disease—and yes—I will be for treating these symptoms too if I had some understanding that we were going to deal with the causes of the disease. We can correct the symptoms today and tomorrow there will be other deleterious symptoms to correct so long as we do not cure the disease.

I have before me the CONGRESSIONAL RECORD, volume 109, part 5, page 6165, when the repeal of the Silver Act was before us. Among other things I said there:

> Mr. Speaker, one other matter is this: I asked the Secretary of the Treasury, "Is this the first step that is being taken toward devaluing the dollar, because there are some reputable people close to the administration who recommend devaluing the dollar."

And they are still there by the way.

And the Secretary of the Treasury said:

> No; that was not the contemplation.

I said:

> Well, let me turn the question around, then. If you were going to devalue the dollar would you not have to repeal the Silver Act in this fashion?"

His answer was, "Yes."

Let me say in continuing to devalue the dollar we get into arguments about bimetallism but we do not need to get into them. Whether we have bimetallism or only gold behind the dollar the fact remains in order to further devalue the dollar, of course, we have to take the silver or any intrinsic value out of the coins. So let us start talking about the causes.

I said also:

> Mr. Speaker, my concluding observations are these: I have been putting these materials in the RECORD over the past few months. This administration is pursuing a course of cashing in capital assets and converting them to general revenue.

And, indeed, the RECORD shows this; and they have continued this course. Indeed some of the administration spokesmen brag about deficit financing and proclaim it to be the new economics.

Incidentally, the administration sold a billion dollars worth of silver bullion since April 1963. That was part of the assets we had. We had $2 billion in silver bullion at the time I was making those remarks, and now we have only $1 billion.

> But, gentlemen, if we pursue this course of cashing in the capital assets of the United States, we are simply deferring the day when we are going to have to face up to these matters. When that day comes the consequences are going to be that much worse.

I have jotted a few things down to demonstrate some further symptoms, for those who wish to know, for those who keep saying, what is the matter with deficit financing?

There was the repeal of the gold reserve, in the Federal Reserve System, as well as the coin bill we have before us.

There was the interest equalization tax, which was supposed to be temporary. This is the first time in the history of the United States that we have imposed restrictions on international capital flow. This clearly is a symptom of the devaluation of the dollar.

There are the Roosa Bonds—selling our Government bonds not repayable in U.S. dollars but repayable in the currencies of the countries which will buy these Roosa Bonds. This is a devaluation of our currency.

There is the sale of military equipment abroad, and asking West Germany and the other countries to prepay for this equipment and prepay their debts. I refer to the prepayment of war debts. We talk about not being able to get back the World War I debt of France, but let me say that there has been a prepayment of obligations of many countries, of war debts including France. All of this is cashing in capital assets to make the present picture not look fully as bad as it is.

There is the rigid application of the "buy America" clause which this administration is following today.

There is a cost of about $100 million in military procurement because we have cut down on offshore procurement abroad.

These are only symptoms of this disease. If anyone cares to look, to see, there they are and many more.

The time has almost come when I do not have to make any more speeches on this subject. In the ensuing months we are going to see increasing symptoms. This coin situation is only one symptom. It will soon be clear to all of us that we are going to have to face up to the problem. The Johnson administration is going to have to face up to it and to submit a budget which is in balance.

I direct attention to the fundamental proposition that no government, no person, no business can continue to spend more than it takes in over any length of time.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I thank the gentleman for yielding. The gentleman certainly is an authority on the monetary situation. I should like to propound to him a couple of questions.

I was wondering what would happen if silver were to be placed on the free market?

Mr. CURTIS. I do not believe we could do that now. As I say, the Committee on Banking and Currency has given some good advice on how to correct the damages created here in our coinage system. I will say that the reason we have reached this point is that the other goods and services have been going up as the dollar has decreased in purchasing power, while we have pegged the price of silver as a commodity. Had we released the silver earlier and allowed it to seek market levels we would have seen increased production and so forth.

As I say, we cannot do it immediately, but certainly a movement toward marketplace value for silver would be very beneficial.

Mr. DON H. CLAUSEN. Is this not, in effect, going to create a trend toward more hoarding of these coins?

Mr. CURTIS. Yes.

Again I go back to a previous statement. I believe the treatment of the symptom recommended by the Banking and Currency Committee is sound. What I am saying is that we still are not curing the disease. Whether we stop the administration at this symptom or at the next symptom is the question involved. Those who believe this in the Congress—and there are those who do not agree—must insist that the administration stop, and come in, as the British Labor Government did, with a revised, austere budget which recognizes the fiscal facts of life.

I hope Members will believe me when I say that this is for the benefit of and the welfare of our Nation.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. ST GERMAIN. Mr. Chairman and Members of the Committee, I think we are all aware of the fact now, those who have been present on the floor for the past 2 days, of the purport of this legislation, which is, as reported from our committee, to remove all silver from the 50-cent piece, the quarter, and the dime. There has been some misunderstanding about the position played by these coins in our monetary system. I am sure that at the conclusion of this debate this misunderstanding will no doubt continue.

These coins all represent fractions of our dollar. They are worth their face value in the marketplace as a medium of exchange. Intrinsic value is not necessary nor is it desirable.

There are those who have tried to turn this coinage problem into a sectional battle between two groups—the eastern users and the western producers. Nothing could be more tragic than to view the present situation in this light. There is not enough silver now, nor will there be in the future, to permit the use of this metal in our coinage system.

In 1965 the estimated free world production is only 225 million ounces, whereas industrial uses will require 300 million ounces. This is a 25-percent deficit between supply and demand. Obviously there will be no silver available in the market for coinage. We are using our present Treasury stocks for coinage. When these stocks are exhausted we will be in serious trouble if we are dependent on silver for any coin.

While we have 1 billion ounces in the Treasury stocks, we may use as much as 500 million ounces during the period we are building up inventories of new coins made without silver. The Office of Emergency Planning has set up an arrangement with the Treasury for holding aside 165 million ounces for a critical national need. In order to keep the market price from rising above $1.29 an ounce, which would jeopardize our outstanding coins, we must redeem silver certificates on demand. This amount required in 1964 was 141 million ounces and no one can predict how much it will be in the next year or two during which we must stabilize the market price. Thus the billion ounces will not last long.

Beyond the protection of our coinage system, the Government has a clear obligation to redeem silver certificates. This obligation must be fulfilled as long as silver certificates are presented for redemption. This is the only source of supply to make up the present market deficit. Every ounce of this silver that goes into the needless minting of coins is at the expense of industrial uses where there is no substitute for most uses of silver.

In other words, whereas we can use the cupronikel substitute containing copper and nickel, in our coins, we cannot use a substitute metal in photography, we cannot use a substitute metal in our electronics systems, and we cannot use a substitute metal to fill the teeth of our people who have cavities.

It is a foregone conclusion that silver will have to be taken out of all of our subsidiary coins eventually. This is in the national interest. It is not a sectional battle, but is one that affects everyone, whether he lives in the North, East, South, or West. To portray it as a sectional battle is to camouflage the real issue, which is to insure an adequate coinage system with sufficient coins circulating as a medium of exchange.

The essential provisions contained in H.R. 8926 as reported out of committee are as follows:

The silver dollar which is the keystone of our monetary system remains unchanged, as do the nickels and pennies. Secretary Fowler stated before the House Banking and Currency Committee:

> The silver dollar will remain as an authorized coin of the United States, at 90 percent fineness. This is the central element in our program for holding the price of silver to its present level for the protection of our existing subsidiary silver coins.

The administration recommended a 50-cent piece which had an overall silver content of 40 percent, reduced from 90 percent. Our committee adopted an amendment to eliminate silver from the half dollars. Thus the 50-, 25-, 10-cent pieces are to be composed of an alloy known as cupronickel, which is 25 percent nickel and 75 percent copper and is to be clad on a core of pure copper.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield at that point?

Mr. ST GERMAIN. Certainly I yield.

Mr. WHITE of Idaho. I want to ask the gentleman if he feels it is proper for us to export to France 14 million ounces of silver to be used in the new 10-franc and 5-franc pieces in order to lend dignity to the French coinage system while we take all of the silver out of all the coins we have in the United States.

Mr. ST GERMAIN. I think that the gentleman was on the floor yesterday when that question was asked by the gentleman from Iowa, I believe, of the chairman of the committee. He knows that the answer was that it is not that we desire to export this silver, nor that it is proper, but that when the silver certificates are presented, we must honor them and sell the silver as an export to France. As to lending prestige to the French coins, I might interject at this point that not every nation, but four or five nations are using silver in their coinage, in one coin at least, for this prestige factor. We keep the silver dollar for prestige, for instance.

Mr. WHITE of Idaho. The gentleman is aware that our silver dollar is not in circulation.

Mr. ST GERMAIN. We are going to suspend it for 5 years and then put it back in again.

Mr. WHITE of Idaho. But it is not in circulation at the present time; is it?

Mr. ST GERMAIN. As far as France is concerned, I think the gentleman is aware of the fact that although this silver has been exported to France for use in the 5- and 10-franc pieces they are not in general circulation. In fact, as I understand, the French Government actually encourages the hoarding of these coins in France.

Mr. WHITE of Idaho. I was in these countries and I saw some of these coins. I am not referring now to the new French franc, but the Swiss franc and the Italian lire were in circulation. And my understanding today is that they are still in circulation.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman.

Mr. WIDNALL. I should like to make this statement for the RECORD at this point.

Increase in speculative holdings and inventory accumulations have been a major factor in the decrease of Treasury held silver stocks. Handy and Harman place the 1964 figure at an estimated 70 million ounces. In this connection it is interesting to observe that in 1964 we exported 48 million ounces of silver to the United Kingdom. Average exports of silver from the United States to the United Kingdom for the 4 years 1960 to 1963 inclusive had only amounted to 5.4 million ounces. In other words, our 1964 silver exports to the United Kingdom were nine times the normal trade pattern. There was no price differential to account for the vastly expanded shipments as the London price held steady at our $1.29 domestic price plus about 1½ cents an ounce for shipping charges. The only logical conclusion is that about 42.5 million ounces of those exports to the United Kingdom reflected speculative demand. It was speculation against devaluation of the British pound sterling and it was also speculation against devaluation of the dollar as otherwise British pounds would simply have been sold for U.S. dollars. That was a disservice to both the United Kingdom and the United States. Our Treasury should have been on the alert that something unusual was going on when redemption of silver certificates jumped from 5.1 million ounces of silver equivalent in August 1964 to 21.4 million ounces in September and 44.1 million ounces in October 1964. Existing authority of the Export Control Act should have been invoked to shut off that excessive, undesirable, and unnecessary drain on our silver stocks. Such export control authority should be invoked now to prevent recurrence of any such action. The objective of such control should be to allow our normal silver import and export pattern to continue but prohibit excessive silver exports for unjustified speculative purposes.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield.

Mr. WHITE of Idaho. The only thing I would like to suggest to the gentleman with reference to this silver we are exporting is that normally, up until 1964, we were an importer of silver. But now the silver exported is coming out of the Treasury stocks.

Mr. ST GERMAIN. The gentleman is correct in his comment. But I would say that we are exporting as well as importing.

Mr. WHITE of Idaho. But in net balance, the figure given by the gentleman from New Jersey, the ranking minority member of the committee, indicates something over 42½ million ounces.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I yield to the Chairman.

Mr. PATMAN. The exports for 1964 exceed the imports for the first time in 5 years, according to the table.

Mr. ST GERMAIN. I thank the Chairman.

Mr. Chairman, I should now like to quote from an editorial in the New York Times dated June 4, 1965 entitled "A Consensus Coinage":

> The most sensible solution would have been to cut all ties with silver. As Mr. Johnson himself put it, "Today's coinage must be primarily utilitarian." Yet, political expediency led him to preserve the link with silver in the dollar and half dollar. What is more, he recommends that the Treasury be given the authority to buy silver at $1.25 an ounce, thus providing insurance to silver producers if the price drops.

Now, Mr. Chairman, parenthetically I would like to insert at this point the fact that I was here yesterday when one of the gentlemen from the mining area stated that they were not at all interested in this particular floor.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. WIDNALL. Mr. Chairman, I yield 3 additional minutes to the gentleman from Rhode Island.

Mr. ST GERMAIN. The editorial states further:

> These measures are obviously intended to placate the representatives of silver-producing States, who count on the Nation's sentimental attachment to silver to help boost its prices. This decision to continue using some silver in the coinage will not only keep prices high; it also will encourage hoarding and speculation. The likelihood is that new composite Kennedy half dollars will never be generally circulated; like the silver Kennedy half dollar, it will be snapped up and disappear as soon as it is minted. Putting a floor under silver prices will merely encourage speculation and make goods using silver more costly for consumers.

So, Mr. Chairman, we say let us deal with the problem entirely. Let us not restrict ourselves to quarters and to the dimes. Let us also include the half dollars.

Mr. Chairman, in answer to some of the previous comment made on the floor to the effect that people will be very upset when they hear we are taking silver out of coins, I would like to quote from a young lady whom I find has a tremendous circulation throughout the country. In fact, her series appears in 334 newspapers throughout the United States, Miss Sylvia Porter.

Mr. Chairman, there are a few items that she has in the series that appeared back in March—and this is dated March 24, 1965.

The question was asked:

> Will the new coins be "worthless"?
>
> Answer. They'll be worth precisely as much as silver coins are worth in terms of goods and services they buy in the marketplace. They will buy precisely as much as today's coins do. They will work in every coin machine in the Nation just as existing coins work. Obviously, the new cupronickel coins will not have the "intrinsic" value which

> silver coins have. But just as obviously, it's not silver that most of us want in return for money. It's food, housing, clothing, cars, etc.
>
> Question. Will other nations respect our new silverless coins?
>
> Answer. There may be some raised eyebrows abroad when we make the move away from our traditional coins. But few nations today use any silver in their own coins and those which do are under the same pressure we are to use their short silver supplies for essential industrial purposes.

That is what I pointed out earlier.

Mr. Chairman, resuming the quotation from Miss Porter:

> Question. Will the break from silver mean "debased" money?
>
> Answer. The key fact is that long ago we cut the tie between currency and precious metal. The silver and gold in our country's monetary reserves represent only an infinitesimal fraction of our paper currency in circulation.

Mr. Chairman, as stated by a former Secretary of Commerce:

> "Intrinsic" value means nothing unless it can be realized. If the holder of a coin cannot obtain the silver, its value is meaningless.
>
> Question. Without silver, what will back our coins?
>
> Answer. The same power, ability, capacity, and faith which back all our money—both paper and coins.

The CHAIRMAN. The time of the gentleman from Rhode Island has again expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ST GERMAIN. Continuing the quotation from Miss Porter:

> This is the ability of the United States as a nation, and thus as individual U.S. citizens, to produce, to earn, to trade, to grow. This is the faith we have in our power, ability, and capacity.
>
> Fundamentally, the worth of your paper currency and metal coins will be determined by the amounts of goods and services your money can buy for you. Against this yardstick, a vault of silver bars behind the paper or a pinch of silver in the coin just aren't comparable.

Mr. Chairman, as I stated earlier this is a series of articles that appeared in 334 newspapers throughout the country. This lady, to the best of my knowledge, is very widely read and to date I doubt that any of us have experienced a flood of mail complaining or expressing fear about the removal of silver from our coins.

It has been made clear to our people, as it was when we removed the silver certificates a few years ago. What they are interested in is what will these coins buy, not whether they contain silver or not.

Mr. HALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-four Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 187]

Bonner
Bow
Brown, Calif.
Conyers
Corman
Craley
Curtin
Downing
Edmondson
Edwards, Calif.
Friedel
Hanna
Harvey, Ind.
Hébert
Holland
Jarman
Jones, Ala.
Keogh
Lindsay
Mailliard
Mathias
Morse
Morton
O'Hara, Mich.
Pool
Powell
Smith, Calif.
Steed
Teague, Tex.
Toll

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. Boggs) having assumed the chair, Mr. Karsten, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8926, and finding itself without a quorum, he had directed the roll to be called, when 403 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. Bates] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BATES. Mr. Chairman, I rise to support H.R. 8926 as reported from the Committee on Banking and Currency. I have been familiar with the problems associated with the shortage of silver for a long time, because of my association with the Towle Manufacturing Co. of Newburyport, Mass., who are world famous silversmiths. The shortage of available silver throughout the world has had an adverse effect upon the economic development of this company, which is located in a community which has been classified as an area of persistent and substantial unemployment. The silverware industries as well as the photography industries are entirely dependent upon the availability of silver and their access to it. With the present shortage of silver, production and sales in the silver industry are lower and further expansion is virtually impossible. There is little indication that the gap between silver supply and demand can be narrowed except through the passage of this bill. The 15-million-ounce usage of silver in the new half dollar proposed by the Treasury Department would allow the U.S. silverware industry to exist for approximately 1 year. The outlook for the industry can be favorable only if silver continues to be available at the current price of $1.29 per ounce, which has been the monetary value of silver since 1792. According to the Secretary of the Treasury, silver freely available at $1.29 per ounce would achieve a smooth transition to the new coinage under the proposed legislation as well as avoid the creation of incentives to melt or export our present coinage. The silver industry alone adds $20 million to the gross national product and employs 30,000 people. The proposed legislation would be of great material benefit to these industries and most certainly to the Nation's general economy.

Under H.R. 8926, 15 million ounces of silver for every 100 million produced would be saved. This is silver which otherwise would be put to nonproductive use. The result would be a simplification of production as well as a savings to the Government of about $18 million for every 100 million coins. This is a problem which eventually must be faced squarely. It serves no purpose to temporize with the problem. This bill would eliminate the necessity of changing the half dollar again when the silver stocks are exhausted. Clearly, this bill is in the public interest and should be enacted.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Chairman, I rise in support of the pending legislation, without amendment.

Mr. Chairman, we now meet to attempt to solve the problems of the subsidiary coin shortages which have long plagued the country. We do so in the face of such a rapidly shrinking silver supply, that the President has had to ask Congress to change the metallic content of our dimes, quarters, and halves.

The coin shortage is not new, nor is the silver problem of recent inception. As has been pointed out in reports which have resulted from efforts of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, the country has not had an adequate supply of dimes, quarters, and halves for almost 5 years. It has also gone through periods of extreme scarcity of nickels, and even pennies, but the penny shortage is completely over, and the nickel shortage has also been mastered.

The shortage of subsidiary coins, that is dimes, quarters, and halves, as accentuated by the diminished silver stocks, has not been solved. And it is only in the past several weeks that the Treasury has asked the Congress to deal with the problem, and under almost crisis conditions.

We are now told that the Treasury has only about a 2 or 3 year's supply of silver, at our present rate of coinage. Just several months ago, in February of this year, the Treasury told the Legal and Monetary Affairs Subcommittee, of which I am chairman, that its supply of silver would last from 3 to 4 years at the present rate of coin production. What a strange contrast that is from just 1 year ago, when a Treasury witness testified before our subcommittee that the Treasury then had about a 7 or 8 years' supply of silver; and less than a year before that, in April 1963, the then Secretary of the Treasury told the Senate Banking and Currency Committee that if silver backing was removed from outstanding dollar silver certificates, as then proposed, the Treasury would have sufficient silver to meet coinage needs for from 10 to 20 years. Obviously, as we indicated in part 2 of our report on the coin shortage, these earlier Treasury forecasts of how long its silver supply would last were invalid and undependable.

One thing should have been clear. The silver supply was not keeping pace with silver uses. In such circumstances, sound judgment would demand that the supply be conserved to the fullest extent possible. But what happened?

We all too vividly recall the pictures and stories in all news media early last year involving silver dollars. Ten years ago the Treasury had more than 275 million silver dollars. It now has about 3 million. In March of last year there was a run on the Treasury in Washington for silver dollars. Buyers were permitted as many as 50,000 silver dollars a day, the equivalent of one-half ton, or 50 bags of 60 pounds each. By the 25th of March the Treasury had to put an embargo on any further silver dollars.

The fact that the Treasury finally stopped exchanging silver dollars illustrates clearly that it had adequate power to control the release of silver dollars in the public interest. It did not exercise that control until the Treasury had practically run out of silver dollars.

There may be a few silver dollars in circulation in the West, and I have heard that some are used in the lawful slot machines in southern Maryland. Except for such rare uses, all of us know that there are no silver dollars in circulation.

Since June 4, 1963, U.S. silver certificates have been exchangeable for Treasury silver. Large quantities of silver have been withdrawn from the Treasury's silver stock, but there is no way of determining from Treasury's records what the purposes of those withdrawals were. Obviously, large quantities were withdrawn for industrial uses. However, the Treasury's records do not show how much was withdrawn for that purpose, nor how much was withdrawn for stockpiling, hoarding, speculation, export, or whatever purpose.

Part 2 of the subcommittee report pointed to the possibilities of significant hoarding and speculation in Treasury silver. It also pointed to the fact that silver exports have increased sharply, part of it for speculative purposes. We warned in our report that:

> Treasury's attitude that redemptions must go forward, unchecked, seems unrealistic. To permit the huge drain on the supply to continue without even attempting to moderate it to essential purposes, or at least to learn the destinations and ultimate uses of withdrawn silver seems well-nigh ludicrous. The obligation to redeem silver certificates surely carries with it the powers and authority which are reasonably necessary and proper to safeguard the Nation against running out of a unique, essential, and barely replaceable metal. Had Treasury any doubts in that regard, it could have sought clarification of its powers by the Attorney General, or asked the Congress to specificaly empower it to protect the silver supply pending the Treasury silver study.

Which brings us down to our present position. The Treasury's failure, or refusal, to attempt to preserve its stock of silver had contributed, in large part, to the predicament to which we have been brought. We find ourselves short of enough silver to continue making silver coins. So, what must we do? What can we do? There is only one answer, and that is that we must authorize coins of some substitute metallic content, and we must do it quickly. The people and the businesses of the United States must be assured of adequate supplies of coins at all times to meet all their needs. H.R. 8926 proposes to do that, and I, therefore, support the bill.

I shall vote for the bill even though I do so with some serious reservations. For one, I dislike having been put into the position where I have to vote to do away with silver coins. The United States has had silver in its coinage since 1792, and there is strong sentimental attachment against the removal of silver from coins. On the other hand there is just no other way out. The public interest demands that the silver needs of national defense and of industry must be satisfied. Since we cannot meet such uses and still supply the country's needs for coins, silver must be withdrawn from coinage. And that means from all U.S. coins. To try to retain some silver in the half dollar, or in any other coin would merely be temporizing, in view of our short supplies of silver.

If we must make the break from silver, let us be realistic and do it now. It is bad enough to have to take such action. I would hate to face having to do it piecemeal.

The administration recommended changing the present 90 percent silver half to a clad 40 percent silver coin. The Senate agreed, defeating the Pastore amendment to substitute a cupronickel—same as for dimes and quarters—clad on a sectional.

House Banking Committee amended the administration bill by taking silver out of the half. The Treasury position is it wants silver out of the dime and quarter for sure, but believes it should retain 40 percent in the half to have a "prestige" coin that will look and sound like the historic half, and that it can do so in only 15 million ounces a year—100 million halves.

That position is specious. In the first place, in the face of short supply, it would use up almost one-half of each year's domestic production—36 million ounces—to produce 100,000 halves a year. Also, many more than 100,000 will have to be produced in advance of putting such coin in circulation—may use as much as 50 million ounces for that purpose.

It will take about 250 million ounces to finish off production of present 90 percent silver coins, and redemptions of silver certificates are taking about 10 million ounces per month.

Thus, the 18-month silver picture looks like this:

[Million ounces]

Present supply	983
Domestic production	54
Subtotal	1,037
Less:	
Estimated production of 40 percent halves	50
Completion of present coinage	250
Redemption of silver certificates	180
Subtotal	—480
Total	557
Less: Stockpile needs, estimated	165
Balance	392

Thereafter the anticipated yearly demands would be 15 million ounces for half coinage, plus 120 million for silver certificate redemption, plus defense needs, against about 36 million ounces U.S. production, or an annual shortfall of about 100 million ounces. Conceivably the entire Treasury supply could be gone after 5 years.

Domestic production apparently cannot be greatly increased at present prices, and we have been exporting much more silver than we import. We might get to the point of calling in our silver coins, presently estimated to contain more than 2 billion ounces.

Because the silver shortage genuinely exists, I recommend you be for the elimination of all silver.

As chairman of a Government operations subcommittee, concerned with the efficiency and economy of operations of the Treasury Department I had some questions about how the Treasury's recommended substitute coins were selected, and whether those which were ultimately recommended could be produced quickly and at low cost. For instance, the Treasury's report to the Congress relates that consideration was given to substituting various types of metals and alloys for silver content.

I trust that the metals which are proposed for new subsidiary coins will not themselves be in short supply. I notice a comment in Business Week magazine for June 19, 1965, which states that the copper supply pinch is expected to intensify. On the other hand, I take assurances from the testimony of the Secretary of the Treasury before the House Banking and Currency Committee to the effect that those who have studied the problem see the supplies of copper and nickel as reliable bases for coinage for the long-term future.

The Treasury report does not contain any complete analyses of manufacturing costs, nor does it detail the problems, if any, which may be involved in producing clad coins. It is obvious that the seigniorage which will result from the use of copper and nickel in coins will be much greater than that which results from the use of silver. However, whether the use of some other metals, or combination of metals, or other manufacturing processes, might have resulted in greater economy is not evident from the Treasury report.

We do, of course, have the assurance that Secretary Fowler gave to the House Banking and Currency Committee, that the clad coins which were recommended could be made without undue difficulty, and at moderate costs.

The bill permits the Secretary to prohibit, curtail or regulate the exportation, melting or treating of any coin in order to protect the coinage, and carries serious penalties for knowing violations. I trust that the Treasury will keep keen watch on any actions which would deplete our coin supply through the export or melting down of coins.

Had we not experienced the Treasury's reluctance to guard our silver stocks against large exportations and hoardings, we might feel somewhat better assured that it really intends to take the steps which may prove necessary to protect the coinage against such assaults.

I have one further thought on the bill. In the interests of assuring mass quantities of coins and protecting them against hoarders, the bill retains the 1964 date on all coins of 90 percent silver content, and deletes mint marks. However, this plays hob with the legitimate coin collectors who number in the millions. These collectors are not hoarders or speculators. They pursue their historic, educational, and interesting hobby, and withdraw but relatively small numbers of coins from circulation. Their needs and their knowledge should be made available to the Government in any considerations involving coinage. I, therefore, strongly recommend to the President that one of the public members which the bill authorizes the President to appoint to the Joint Commission on Coinage should be a numismatist.

We should now move with speed. The Treasury too long delayed its report to the Congress on the silver situation. Every day that passes means that the Treasury's silver stock is being further depleted by the manufacture of existing 90 percent silver coins, and impedes the mint's planning for future production.

We should pass H.R. 8926 in the interest of assuring the people of the United States that their coinage needs will be met.

Mr. PATMAN. Mr. Chairman, I yield 8 minutes to the gentleman from Nevada [Mr. Baring].

Mr. BARING. Mr. Chairman, I am very bitterly opposed to this legislation. It is bad legislation and should be defeated. It should have been defeated in the other body.

Mr. Chairman, I have heard very fine testimony here, yesterday from the gentleman from Colorado [Mr. Aspinall], the gentleman from Arizona [Mr. Rhodes], the gentleman from Montana [Mr. Battin], the gentleman from Missouri [Mr. Curtis], and the gentleman from Idaho [Mr. White], who gave us a very fine display of facts and figures which I do not think this House should overlook.

Mr. Chairman, we learned that our silver has been exported to England, and it has been exported to France in order to strengthen their moneys. At the same time we are debasing our money, by exporting this silver to them, and by taking the silver out of our coinage.

We also learned that our Treasury is supplying silver to the fabricators with which to make silver knives, forks, and plates.

Well, Mr. Chairman, I would rather eat with chopsticks than take the silver out of our coinage.

Mr. Chairman, it was brought out in yesterday's colloquy when my good friend, the gentleman from Wisconsin, stated that this action would help the taxpayers, and the money saved from the action of this Committee could be put on the national debt and would also help us in our balance-of-payments problem.

Mr. Chairman, if anything would help the taxpayer it would be to get rid of the foreign aid giveaway program. We spend $6 or $7 billion a year on that. It hurts our balance of payments. This is the root of all evil. It really hurts our balance of payments, and I refer again to the giveaway program, not such a little item as keeping dignity in our coins. I believe if the public were given a chance to vote on the foreign aid program they would defeat it overwhelmingly. Then that money could be put on the national debt and save our gold supply from the balance of payments. Then the taxpayer would be helped. But we must keep intrinsic value in our coins, and thus save confidence.

Mr. Chairman, I ask the Members of this body to pause and seriously reflect upon the measure now before us. Because of the unseemly haste that this legislation was rushed through the committee and rushed to the floor for action, one might think it was a bill of minor consequence, and I am sure that because of this headlong rush, some Members may have said, "Let us get this bill out of the way and get on to more important legislation."

But I say to you that the measure now before us is one of the most important but dangerous pieces of legislation to come before this Congress or any Congress in the history of our Republic. It is easy to say we do not need silver in our coins. It is easy to say that these base metal coins will buy as much in goods and services as the old ones. It is easy to say that they will circulate side by side with our present silver coins. It is easy to say all these things, but just saying them does not make them true.

The Second Congress of the United States in 1792 established U.S. subsidiary coinage of 90 percent silver. This coinage has remained unchanged to this day. Since the earliest days of our Republic, silver coins have been an integral part of the American system. Americans throughout this land look upon these silver coins with confidence and pride. To callously remove silver from our coins is an affront to the American people if such action is not necessary.

Let us examine this problem and see if such debasement is really necessary. First, let us look at the half dollar. The legislation recommended by the Treasury and passed overwhelmingly by the Senate would retain 40 percent silver content in our new half dollars. Those who would deprive the American public of coins of intrinsic value for their own selfish purposes have maintained that there simply is not enough silver to permit the retention of silver in the half. Let me refer to a statement by the Treasury Department itself contained in its staff study. The Treasury has estimated an annual production of this new coin of 100 million pieces, and let me quote:

> The production of 100 million 50-cent pieces from the 400 fineness silver alloy would use only some 15 million ounces of silver, about 5 percent of the current rate. This amount would clearly fall within permissible limits of silver usage. The retention of one or two silver coins is common practice internationally. Some examples are Japan, France, Italy, the Federal Republic of Germany, the Netherlands, Belgium and Greece.

Those who would remove all our silver from coins have suggested that the new silver half dollar would not circulate and would go into hoarding as have many of the present Kennedy halves. Let me quote to you a statement made before the Senate Banking Committee by the distinguished Director of the Mint, Miss Eva Adams:

> Previously the highest number of 50-cent pieces we ever made prior to the Kennedy half was in 1963 when we made 89 million, and that was sufficient. In 1962 we made 45 million, and that was sufficient. It dropped down to 28 million before that.
>
> So, undoubtedly, the great demand for the half dollar was the sentimental feeling which went with it. And we have good reason to believe that now is taken care of and that this half, which will look so much like the other half, will be so that no one will want a new one.
>
> I might add that if this is made of the silver clad as the President has recommended you won't be able to tell the old and the new apart. If you make it of the cupronickel clad it will be a new type of Kennedy coin and probably will disappear more rapidly.

Mr. Chairman, even a casual study of this silver supply-demand situation makes it abundantly clear that the Treasury has ample silver stocks to mint the new half dollar indefinitely.

The Treasury has recommended this; the President has recommended this; the Senate has overwhelmingly supported this. I therefore urge my colleagues to defeat the committee amendment so that our Nation may continue to have a coin of dignity in which it can take continuing pride.

Mr. Chairman, as you are well aware, the new dime and quarter, as recommended by the Treasury, would be a sandwich coin consisting of two outside layers of cupronickel, which is an alloy of 25 percent nickel and 75 percent copper clad or bonded to an interior layer of pure copper.

I can fully understand why the U.S. Treasury has been unwilling to provide samples of these coins, although it seems unreasonable that the Treasury would ask Members of Congress to authorize such coinage without even permitting the Members of Congress to hold and feel an object which will make such a revolutionary change in the pattern of American life.

But I can understand their hesitancy. Although I have not been able to see the coin myself, I am told by those who have that it is a disgrace. Not only is the surface of this coin dull and lusterless but the edge exposes a reddish ring, which is the copper core material. I do not intend to discuss the historical and psychological application of Gresham's law which, simply stated, says that bad money drives out good. I will only ask my colleagues this question: What will the average citizen do when he pulls from his pocket one of our present silver quarters and one of these new hamburger quarters? I will tell you what he will do. He will spend the new and hoard the old, and the result will be when this action is multiplied a millionfold that our present silver coins will disappear from the marketplace; and the United States, as a result of the removal of silver from these coins, will experience the greatest coin shortage in the history of our Nation.

That is why, Mr. Chairman, I urge the adoption of an amendment to provide the Treasury with standby authority to mint new dimes and quarters with 40-percent silver content, the same alloy and the same process which will be utilized in the new half-dollars. Such coins will be indistinguishable from the present coins. They will have intrinsic value, and they will circulate side by side with our present silver coinage. The Treasury will have the authority to quickly mint these coins to forestall a major coin shortage which will certainly occur as a result of the circulating of base metal dimes and quarters.

Of course, the question is, Do we have enough silver to use in dimes and quarters? The answer to that question is "Yes." On page 70 of the "Treasury Staff Study of Silver and Coinage," there is a table projecting the behavior of Treasury silver stock through calendar year 1972 if 400 fineness silver is used in all subsidiary coinage.

This table indicates that by 1972 the Treasury silver stock will be 262.3 million troy ounces, but this table fails to take into consideration two important factors. In estimating the deficit in silver supplies, the Treasury study compares the total demand for silver, both industrial and coinage, with new mine production. It does not take into account silver recovered from scrap or from the demonetization of foreign coins. It therefore ignores some 25 million ounces of silver a year that has historically been part of the silver supply. The Treasury also ignores the projected increase of new free world silver production that by 1968 will bring 38 million additional ounces of silver a year to the marketplace. The Treasury estimates, and I think correctly, that by keeping silver in all the coins they will be able to recover the outstanding coins and obtain 1 billion ounces of silver from this source. Some of this recovered silver will be used to replace the present 90-percent silver coins with 40-percent silver coins. It is absurd to suggest, as the Treasury does, that it will be necessary to replace coins not recovered.

Taking these factors into account, the Treasury silver stock as of 1972 instead of being 262 million ounces will actually be in the neighborhood of 800 million ounces.

The Constitution of the United States gives to the Congress and not the Treasury Department the power "to coin money and regulate the value thereof." It is therefore our responsibility to safeguard our Nation's coinage system by assuring that silver will continue to be used in our coins. Only by retaining confidence in our money can we prevent the disaster of a national coin shortage.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I rise to express my opposition to the present language contained in the legislation which we have before us today, H.R. 8926, the Coinage Act of 1965.

Admittedly the Nation is having serious problems in the production of our silver, but this approach to the problem is like an ostrich sticking his head in the sand to avoid his enemies.

We have failed miserably to get to the seat of the matter.

We should instead make every effort to recover all of the silver possible, through increased production of our mines and through recovery of old silver from industry and jewelry. Estimates received by the Committee on Interior and Insular Affairs indicate that if you reflect what already is being done along these lines the situation is not nearly as dismal as that pointed by tables presented in connection with the legislation we have before us today.

To get down to specifics, however, I would like to comment on three proposed amendments.

First, that recommended by the committee which would remove silver from the Nation's half dollars. This goes much further than even the recommendations of the Department of the Treasury. President Johnson, in his special message to the Congress on the silver situation, called for continuation of the 40 percent silver content in our half dollars. This would be the last surviving silver coin, according to the recommendation, since the silver dollars are no longer being minted.

If we eliminated silver from our half dollars, as the committee would have us do, we will no longer have in this Nation any silver coins. They will disappear from the scene. Those in circulation will quickly fade away as collectors and hoarders get their hands on them. In place of this we would have what my good friend and colleague from the mining State of Idaho [Mr. WHITE] refers to as the "hamburger coin."

Let us defeat, first of all, the proposed amendment to strip from our half dollars the silver content completely. The Treasury Department has estimated that to include 40 percent silver content would amount to only 5 percent of our silver consumption and this factor can readily be provided, according to the Treasury Department experts.

Second, let us now turn to the question of quarters and dimes. The Treasury Department has proposed and the committee has concurred that these silver coins be minted in the future from a combination of copper and nickel, mostly copper.

At hearings held by the Committee on Interior and Insular Affairs, officials of the Treasury Department testified that there is plenty of silver to mint coins with 40 percent silver content for the foreseeable future. A careful review of the Treasury staff study presented just a short time ago reveals this fact also.

In addition to this fact that silver is available to maintain at least 40 percent silver content in our quarters and dimes, let us ponder for a minute as to what would happen if all silver is removed from these coins.

It would be a hoarder's field day. We have been hearing of coin shortages in recent years because of the massive increase of coin-operated vending machines. If all the silver coins were taken out of circulation, as I am confident would happen, the Treasury could not mint coins fast enough to catch up with the demand. We would have a coin shortage of monumental proportions, and there would be nothing that the Treasury could do about it until new congressional authority was enacted.

Let us then take a reasonable approach to the solution.

This is the approach in the amendment offered by the gentleman from Idaho [Mr. WHITE]. Let us provide the Secretary of the Treasury discretionary power to mint quarters and dimes which contain up to 40 percent silver. A coin so minted cannot be distinguished from the present coins.

As our colleague [Mr. WHITE] points out, there is no other feasible method of preventing a chaotic coin shortage.

Finally, Mr. Chairman, I would support the amendment of my good friend, the gentleman from Montana [Mr. OLSEN] to prohibit the use of coin as collateral security for loans.

This is the final piece of a package which will prevent hoarding of silver coins. Failure to enact such a prohibition will be a major legislation encouragement to hoarders.

Mr. Chairman, it saddens me to see the silver in our coins reduced. The solution to the silver problem is not in wiping out our silver coin but in taking progressive steps to stimulate the production and recovery of silver.

However, should the House of Representatives on this day determine that at least 40 percent of the content of our half dollar coins be silver, I would go along with the legislation. May I therefore urge my colleagues to turn back the committee's proposal to wipe from circulation U.S. silver coins and to provide that quarters and dimes may, in the discretion of the Secretary of the Treasury, contain up to 40 percent silver.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN of Montana. Mr. Chairman, I do not wish to speak as a representative of any bloc in this issue. I would like to offer a few comments in as unpartisan a way as possible before I propose the issues as they concern my State of Montana.

Clearly, the primary dividing point between the supporters of the committee bill and those who would make changes in the bill is the question of the future productivity of the silver mining industry. Silver users and those wanting to free the maximum amount of silver correctly point to the very slow increase of silver production over the last 15 years despite increases in silver price from 91 cents to $1.29 and also to the fact that 90 percent of the silver produced comes as a subsidiary process from other metals, so an increase in price would not effectively increase the production.

Silver producers claim that the cost of production has risen such that the increase in price that has occurred is not nearly sufficient to induce an expansion in output. Producers claim that sufficient supplies of the ore can be mined to make the supply meet the demand.

Since it is impossible to demonstrate to the satisfaction of all the Members of the House whether the supply of silver can be or cannot be largely increased, it seems to me that we should decide the issue on the effects of the two alternative policies.

Assuming that silver cannot be produced in increasing quantities, I would like to suggest that the only intelligent and farsighted policy would be to eliminate every unnecessary use of this metal—no silver for nonstrategic industries, no silver for coins, no silver for the arts.

The immediate stockpiling of silver in vast quantities must begin to hedge against the day when demand will vastly increase over supply. A vast program of federally financed research and development to aid silver-using industries accelerate their programs for finding substitutes and even more important, to aid defense industries in the development of alternative metals or of rocket fuels and batteries that do not need silver for their operation.

This is a drastic remedy—yet it seems the only workable remedy if we accept the proposition that the production of silver cannot be increased. Of course, we could go on using more and more silver in our industries—defense and otherwise—without any program to increase domestic production. This would force us to import huge quantities of this material. Our balance of payments could hardly stand such a severe setback.

Yet if we accept the more probable thesis that the production of silver has increased slowly and will continue to increase—if only slowly—then we would be farsighted by realizing that there is no immediate danger of a long-run silver shortage. The increase is now slow because with the present market price it is economically impossible for the silver producers to develop new processes for refining ores with low silver content, to pay the wages of miners—which have increased 50 percent over the past 15 years—to induce prospectors to search out new silver areas, and to put to use the new techniques developed by the U.S. Geological Survey for silver exploration.

The silver shortage is short run, however, and can be cured. If we accept this alternative, we can then leave silver in our coins with no qualms of conscience. We can prevent the worsening of this short-run problem by doing what we can to stop hoarding—the withdrawal of large quantities of our coinage from circulation—and we can continue with the programs which the distinguished chairman of the Interior and Insular Affairs Committee drew out in the testimony before his committee recently on the very issue of silver shortage.

The Interior and Insular Affairs Committee heard a great deal of testimony which the chairman called to the attention of the House yesterday to the effect that the United States can and will increase its production of silver in the future. We would be wise to work on this hypothesis.

Under leave previously granted I include in the RECORD two tables that present Congressman ASPINALL's analysis of the situation indicating the projected behavior of Treasury silver stocks through calendar year 1972 based on 400 fineness silver, first, in all subsidiary coinage and, second, in the 50-cent piece alone. I support this analysis, which follows:

TABLE I.—*Projected behavior of Treasury silver stocks through calendar year 1972 based on 400 fineness (40 percent) silver in all subsidiary coinage (10-, 25-, and 50-cent pieces)*

[In millions of fine troy ounces]

Calendar years	Potential amounts of silver used in coinage				Potential amounts of silver used in redeeming silver certificates or in making outright sales to the market [3]	Treasury recoveries of 900 fineness coinage [1]	Treasury stock at end of period
	Mint projection of ordinary requirements [1]	Increments required to replace Treasury recoveries of 900 fineness coinage [1]	Increments required to replace portion of coinage not recovered [2]	Total coinage required			
1964	−208.1			−208.1	−150.0		1,200.0
1695	−290.9			−290.9	−40.0		869.1
1966	−102.5	−177.8		−280.3	−50.0	+400.0	938.8
1967	−52.8	−133.3		−186.1	−50.0	+300.0	1,002.7
1968	−52.0	−88.9		−140.9	−12.0	+200.0	1,049.8
1969	−53.9	−44.4		−98.3	−12.0	+100.0	1,039.5
1970	−55.9			−55.9	−12.0		971.6
1971	−58.1			−58.1	−12.0		901.5
1972	−60.4			−60.4	−12.0		829.1
Less set-aside for stockpile							−165.0
Net balance, 1972							664.1

[1] Quantities are those used by Treasury (table 2A, staff study).

[2] Treasury assumed need in years 1966, 1967, 1968, and 1969 to replace coinage not recovered. However, there appears to be no reason to do so if all the new coins have silver content and can therefore circulate side by side with the old.

[3] It is anticipated that redemption of silver certificates and sales—legal or illegal—of Treasury silver will decline below Treasury estimates, which were based on (1) low appraisal of supply available through normal channels and (2) continuation of an open Treasury door to make silver available to all comers.

TABLE II.—*Projected behavior of Treasury silver stocks through calendar year 1972 based on 400 fineness (40 percent) silver in half dollar alone*

[In millions of fine troy ounces]

Calendar years	Potential amounts of silver used in coinage				Potential amounts of silver used in redeeming silver certificates or in making outright sales to the market [3]	Treasury recoveries of 900 fineness coinage	Treasury stock at end of period
	Mint projection of ordinary requirements [1]	Increments required to replace Treasury recoveries of 900 fineness coinage [1]	Increments required to replace portion of coinage not recovered [2]	Total coinage required			
1964	−208.1			−208.1	−150.1		1,200.0
1965	−209.9			−290.9	−40.0		869.1
1966	−15.0			−15.0	−50.0	+400.0	1,204.1
1967	−15.0			−15.0	−50.0	+300.0	1,439.1
1968	−15.0			−15.0	−12.0	+200.0	1,612.1
1969	−15.0			−15.0	−12.0	+100.0	1,685.0
1970	−15.0			−15.0	−12.0		1,658.0
1971	−15.0			−15.0	−12.0		1,631.0
1972	−15.0			−15.0	−12.0		1,604.0
Less set aside for stockpile							165.0
Net balance, 1972							1,439.0

[1] 1964 and 1965 figures are same as used in Treasury staff study tabulation relative to 40 percent silver in all subsidiary coinage; however, the staff study does say (see p. 74) that a reasonable rate of production of 40 percent silver content 50-cent pieces would be 100,000,000 per annum, requiring 15,000,000 ounces of silver annually.

[2] Neither of these possible uses of silver is deemed probable under these conditions.

[3] See footnote 3 of table I above.

For these reasons I support amendments to keep silver in our coinage, and to prevent hoarding by making it illegal to use coins of the United States as backing for loans.

Mr. BROCK. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. CONTE].

Mr. HANSEN of Idaho. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I will be glad to yield to my good friend from Idaho.

Mr. HANSEN of Idaho. Mr. Chairman, this great country has traveled the road of sound money policies since the days of Alexander Hamilton. We have combined this with unbounded spirit and initiative to create the greatest productive society, the highest standard of living, and the greatest military power in the history of man on this earth.

From humble beginnings we have pulled ourselves up by the bootstraps in the face of great odds. We have set a pace in the world that, to some extent, has boomeranged because it has required that we reach back more and more frequently to pick up our neighbors and help keep them fed, stable, and free in the face of a reactionary Communist conspiracy that would use every frustration and every condition of unrest to lead the politically immature and emerging nations—as children were led by the pied piper—into slavery, oblivion, and God only knows what.

In traveling this high road we have found conditions so good that we have neglected to use good judgment. All at once we were awakened with a start—headed for the barrow pit at breakneck speed. Do we panic and yank the wheel? No. Such precipitous action would most likely cause us to spin out—and even roll over. Now is the time for keeping our head and easing back gently and safely.

In our efforts to help the nations of the world, we have overspent—rolling up huge deficit after deficit until we have incurred massive debt and ever-spiralling inflation. Our gold reserves have dwindled to a dangerous low; we have discontinued silver certificates in our currency, and now this abhorent move to completely remove silver from future coinage.

Yes, our financial vehicle is out of control, and this one-step removal of silver from our coinage is the "snapback" that will place us in dire jeopardy of fiscal chaos and possible eventual bankruptcy.

The proposal to reduce, rather than absolutely eliminate silver from our coinage is the gentle touch on the wheel that could get us back on the road with the least possible damage.

It is important to note that the significant coinage of most major nations contains no less than 50 percent silver.

It should also be pointed out that the Treasury Department has shown inconsistency in recent years as to their estimates of the silver supply and their attitude toward silver content in coins. With this in mind there can be little doubt that we are not sure where we are going or what we are doing. It appears we are being conned in this issue by the fly-by-night salesmen of "The Great Society" who want us to buy now and pay later. The sad part is that we will very likely do just that—pay later. And there is a great possibility that we will, eventually, find that the price was too high.

There is little point in arguing whether there is a grand conspiracy against us because our dilemma could not be worse if there were.

It is time we looked to our own national best interests, for we are no good to ourselves or our neighbors or the cause of freedom as a financially incompetent easy prey for the greedy and the enemy.

The answer is not to be found in slingshot action of extreme reaction—from full silver involvement to no silver content in one fell swoop.

If the production of silver is slow and the supply short and the silver content of our coinage too high—is not the obvious answer to cut down, rather than cut out?

Some argue against the validity of Gresham's law which says bad coinage will drive good coinage out of circulation, but they tempt the odds with the complete one-time devaluation of silver content in coinage they are advocating. To remove all silver from further coinage will drive silver coins from circulation faster than new coins can be minted and a most serious shortage will occur.

Some of this could be prevented by proposed legislation preventing coins from being used as collateral for loans—and other similar measures. There is no better answer than reduction—not removal of silver content in coinage, perhaps backed by proposed legislation such as that which would restrict excess exportation of silver.

Our financial sovereignty is at stake. We must act carefully, and with good sense.

I thank the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman and members of the Committee of the Whole House, before I get on my prepared text, last night, after sitting here and listening to this interesting debate I went back to my office and read a little bit about Gresham's law, which was bandied about here at great length. This is the so-called theory that bad money drives out good money. I read Frank Salter's book, who is a fellow and lecturer at Cambridge University in England. He states in his book in regard to Sir Thomas Gresham's law:

> Gresham's law does not assert that in the whole world the worse drives out the better. On the contrary, it is just because men naturally desire the better that when in one country good and bad coins jostle about indiscriminately, the good coins migrate to lands where they or, rather, the metal in them, will be valued at their proper worth.

In a further quote from the book:

> The principle only holds good for an individual country and one where there are alternative ways of using the better coins. Only for the sake of argument, accepting that we will have a bad coin and a good coin, there will be no alternative use for the good coins as long as the price of silver is stable and the coins will not have a metal content value in excess of their face value.

The book went on to say that Sir Thomas Gresham was a shrewd merchant and amassed a great fortune because the Crown would undertake his losses.

There is some evidence that he falsified his accounts to the English Government so that he obtained over $50,000 more from the government than they actually owed him in 1562.

There is also evidence—and I call this most interesting—that he did not carry out the instructions of his mother-in-law's will, so that he profited more than he should have from her estate.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. REUSS. Mr. Chairman, I think the gentleman from Massachusetts is doing a useful service in debunking the author of Gresham's law. From the debate that we have had in the last day or two, I would have thought that we were going to add to the plaques up here on the wall, the plaques of Moses, Hammurabi, Solon, and other great lawgivers, a plaque honoring Sir Thomas Gresham and Gresham's law. I am glad that Sir Thomas is being reduced to his proper proportions.

Is it not also a fact that Sir Thomas was a prominent promoter of the Royal Exchange, the stock exchange in London; and that it was later discovered that he owned much of the land on which the stock exchange was built, and which he sold to the other promoters of the exchange?

Mr. CONTE. Yes; he made a handsome profit on it and came into disrepute with his fellow colleagues in the business world as a result.

Mr. REUSS. I thank the gentleman for performing this service of reducing Sir Thomas to his proper place in economic history.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. HOSMER. With reference to the gentleman's exchange with the gentleman from Wisconsin [Mr. REUSS] does the fact that Sir Thomas Gresham was something of a devious character mean that bad money no longer drives good money out of circulation?

Mr. CONTE. No, it does not; but that was not his theory.

Mr. Chairman, sandwiched in as it is between the voting rights bill and the bill to expand the war on poverty, the Coinage Act would well become the stepchild of this Congress, overlooked and underestimated. But, I would say to every one of my colleagues, that the national interest of this country is as bound up in the steps that we take here today as it has been or will be with any measure to come before this Congress.

We are here today to establish a new coinage system for this country. I have urged the Congress to take this action and have waited for this day for many of the years I have been privileged to serve in this body. My activities as a member of the Treasury-Post Office Appropriations Subcommittee have brought me face to face with the complicated problems confronting the Bureau of the Mint and the circulation of our coins. Working with the able administrators of the Treasury Department, I have wrestled and worried with the severe shortage of coins—a problem that has grown in intensity over the years despite all our efforts to remedy it.

It is evident that all of the measures we have authorized to date have served, not to bring the supply of coins into line with the demand for them, but only to seriously deplete the stock of silver held by the Treasury to meet its legal responsibilities, and to feed the private coffers of the hoarders speculating in the silver market. We have arrived at the day where our mints are working three shifts, 24 hours a day, 7 days a week to turn out more than 9 billion coins a year.

We have reached the day where the silver used in our subsidiary coins, alone, each year exceeds the total free world production of that precious metal.

It is, then, equally as evident that we have reached the day when we must free our coins from their dependence upon silver for their production and for their very existence as a circulating medium of exchange.

As one and one make two, so silver in a coin makes a source of silver to be held for the value of that metal alone. Such is not the purpose of our coins and today is the day for all of us to go on record affirming that fact.

On April 5 of this year, on March 24 of last year, and again and again, I have stood before you in the well of this great Chamber and called for a system of subsidiary coins that contained no silver. H.R. 8926 answers that call and I urge each of you to join with me to insure that that answer is not compromised to the detriment of the national interest which it will serve.

I heartily commend the able chairman and members of the Banking and Currency Committee. They have worked diligently, with the competence and expertise we have all come to expect of them to bring this bill before us. The results of their efforts are exemplified in a bill that is comprehensive and farsighted.

The new system of coins—the cupronickel clad copper dimes, quarters, and half dollars—that will be minted under the provisions of H.R. 8926 will free the future production of silver for the industrial uses of that metal, many of which are vital to the national security, and the arts uses of silver, for which there is no substitute. These uses of silver exceed new production of that metal every year. In the United States last year, industrial and arts uses of silver accounted for the consumption of 127 million ounces of silver, as compared with a total domestic production of 36 million ounces. There was a free world deficit of 70 million ounces of silver, exclusive of all the silver used in the coins of this and all other free world countries. These uses of silver provide employment for more than 200,000 men and women in this country and contribute almost $3 billion to our gross national product.

TABLE 1.—*Estimated free world silver consumption and production, 1949–64*

[In millions of fine troy ounces]

	Industry and the arts (1)	United States	Coinage demand, foreign (2)	Total	Total consumption (3)	New production (4)	Indicated deficit (−) (5)	Deficit excluding all coinage demand (−) (6)
1949–53 average	153.1	36.5	48.2	84.7	237.8	173.9	−63.9	20.8
1953–57 average	190.1	37.5	36.0	73.5	263.6	191.0	−72.6	.9
1958	190.5	38.2	41.3	79.5	270.0	205.8	−64.2	15.3
1959	212.9	41.4	45.0	86.4	299.3	188.4	−110.9	−24.5
1960	224.6	46.0	57.9	103.9	328.5	206.9	−121.6	−17.7
1961	239.5	55.9	81.2	137.1	376.6	203.0	−173.6	−36.5
1962	247.8	77.4	50.2	127.6	375.4	206.9	−168.5	−40.9
1963	252.2	111.5	55.5	167.0	419.2	213.8	−205.4	−38.4
1964	285.9	203.0	61.5	264.5	550.4	215.5	−334.9	−70.4

Source: Columns (1) and (2) are from Handy and Harman, Annual Reviews. Column (4) is derived from the world totals published in the Annual Reports of the Director of the Mint and compiled by the Bureau of Mines. Production for the following countries has been subtracted from the world totals: Czechoslovakia, East Germany, Hungary, Rumania, Poland, U.S.S.R., China, and North Korea. The world production estimate for 1963 is from the Bureau of Mines, Mineral Industrial Surveys, Aug. 21, 1964; and that for 1964 is from Handy and Harman, Annual Review, 1964, adjusted on the basis of the 1958–63 relationship between the Handy and Harman and Bureau of Mines estimates.

TABLE 3.—*U.S. silver consumption and sources of supply, 1949–64*

[In millions of fine troy ounces]

	Average, 1949–52	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964
Industrial consumption	99.9	106.0	86.0	101.4	100.0	95.4	85.5	101.0	102.0	105.5	110.4	110.0	123.0
New production	39.2	37.7	35.6	36.5	38.7	38.7	36.8	23.0	36.8	34.9	36.3	35.0	36.0
Difference	60.7	68.3	50.4	64.9	61.3	56.7	48.7	78.0	65.2	70.6	74.1	75.0	87.0
Add U.S. coinage	35.0	42.8	53.2	8.2	31.4	52.0	38.2	41.4	46.0	55.9	77.4	111.5	203.0
Equals indicated deficit	95.7	111.1	103.6	73.1	92.7	108.7	86.9	119.4	111.2	126.5	151.5	186.5	290.0
Accounted for by—													
Net commercial imports	−95.4	−92.9	−88.1	−56.5	−68.5	−50.1	−71.2	−55.3	−29.5	−9.1	−63.3	−30.2	+45.0
Lend-lease returns (−)				−23.2	−88.8	−89.8	−103.4	−45.0	−15.7	−10.4	−8.3		
Change in Treasury stocks	−3.0	−14.9	9.2	−4.8	+51.1	+33.6	+91.9	−46.3	−67.7	−129.5	−94.4	−184.0	−366.3
Total accounted for	−98.4	−107.8	−78.9	−84.5	−106.2	−106.3	−82.7	−146.6	−112.9	−149.0	−166.0	−212.5	−321.3
Discrepancy ((−) values imply net additions to domestic inventory)	−2.7	+3.3	+24.7	−11.4	−13.5	+2.4	+4.2	−27.2	−1.7	−22.5	−14.5	−27.7	−31.3

Source: Consumption coinage and production data from annual reports of the Director of the Mint, except for 1964 when consumption and production are from Handy and Harman's "Annual Review." Preliminary estimates suggest that U.S. mine production of silver in 1964 was about 37,000,000 ounces. Net commercial imports from Handy and Harman, "Annual Reviews" and "Minerals Yearbooks." Lend-lease returns from annual reports of the Director of the Mint. Change in Treasury silver stocks from Treasury daily statements.

TABLE 4.—*Estimated U.S. silver consumption by field of use or end product, 1959–64*

[In millions of fine troy ounces]

Field of use or end product	1959	1960	1961	1962	1963	1964
Batteries	3.5	3.5	5.0	6.0	6.2	9.0
Brazing alloys and solders	10.5	10.5	11.0	13.0	13.0	15.8
Dental and medical	4.8	4.8	4.9	5.0	5.1	5.2
Electrical contacts and other electrical uses Electronic components	20.5	19.5	24.0	25.0	26.0	30.3
Mirrors	3.0	3.0	3.1	3.1	3.1	3.1
Missiles				1.0	.2	1.0
Photographic film, plates, and sensitized paper	30.8	31.7	32.3	33.3	33.3	40.3
Silverware and jewelry	28.0	29.0	25.0	22.0	22.0	22.5
Miscellaneous			.2	2.0	1.1	
Net industrial use	101.0	102.0	105.5	110.4	110.0	127.1

Source: U.S. Department of Commerce estimates published in the CONGRESSIONAL RECORD, Apr. 23, 1965, p. 8353.

The new system of coins will utilize the remaining stock of silver held by the Treasury to meet the national needs that are essential for the transition to the new coins from the old. These needs are the legal requirement that Treasury stands ready to redeem the outstanding silver certificates with silver bullion and the transitional minting of our present silver-containing coins until the new coins are available in sufficient quantities to fulfill all of the coin needs. It will provide for a transition that will see no disruption of our commercial transactions or private gains for the silver speculators, who would deny the national interest for personal profit.

TABLE 5.—*Analysis of changes in U.S. Treasury silver stocks since 1958*

[In millions of fine troy ounces]

	Silver used in coinage	Bullion exchanged for silver certificates	Old silver dollars paid out	Other [1] causes of change	Total change in silver stocks	Silver stock at end of period [2]	Memorandum: Bullion equivalent of silver certificates [3] at end of period		
							In circulation	Held by Federal Reserve banks and agents	Total
1958	−38.2	------	−12.7	+142.8	+91.9	2,105.2	1,683.5	188.3	1,871.8
1959	−41.4	------	−15.7	+10.8	−46.2	2,059.9	1,651.1	209.3	1,860.4
1960	−46.0	------	−16.2	−5.5	−67.7	1,992.2	1,632.0	215.9	1,847.9
1961	−55.9	------	−23.8	−49.8	−129.5	1,862.7	1,616.3	191.2	1,807.5
1962	−77.4	------	−27.4	+10.4	−94.4	1,768.3	1,536.0	177.5	1,713.5
1963	−111.5	−19.0	−51.5	−2.0	−184.0	1,584.3	1,440.4	105.4	1,545.8
1964—January	−9.8	−3.5	−1.0	+3.1	−11.2	1,573.1	1,331.8	192.4	1,524.2
February	−11.3	−2.2	−2.3	+1.2	−14.6	1,558.5	1,317.4	175.0	1,492.4
March	−15.3	−3.9	−16.5	+1.9	−33.8	1,524.7	1,326.4	153.1	1,479.5
April	−16.4	−8.0	------	−.8	−25.2	1,499.5	1,314.1	112.5	1,426.6
May	−16.2	−3.4	------	+1.4	−18.2	1,481.3	1,317.6	100.2	1,417.8
June	−11.5	−8.2	------	−11.8	−31.5	1,449.8	1,321.1	80.3	1,401.4
July	−11.4	−3.4	------	+3.0	−11.8	1,438.0	1,271.4	92.7	1,364.1
August	−18.9	−5.1	------	+.1	−23.9	1,414.1	1,245.3	100.0	1,345.3
September	−20.3	−21.4	------	+3.7	−38.0	1,376.1	1,205.4	96.4	1,301.8
October	−22.3	−44.1	------	−2.5	−68.9	1,307.2	1,117.5	88.3	1,205.8
November	−23.7	−20.5	------	−1.9	−46.1	1,261.1	1,049.6	66.5	1,116.1
December	−26.0	−17.6	------	+.5	−43.1	1,218.0	952.3	82.1	1,034.4
1964	−203.0	−141.4	−19.8	−2.1	−366.3	1,218.0	952.3	82.1	1,034.4
1965—January	−26.1	−11.2	------	+.2	−37.1	1,180.9	866.6	103.3	909.8
February	−22.5	−8.7	------	+2.6	−28.6	1,152.3	817.0	88.7	905.7
March	−25.3	−7.3	------	−3.0	−35.6	1,116.7	763.9	68.5	832.4
April	−27.3	−12.4	------	−.4	−40.1	1,076.6	------	------	------

[1] Includes purchases, lend-lease returns, net sales and transfers to Government agencies, sales to industry during 1959–61, variation in the amount of subsidiary coin and bullion held in the Treasurer's general account, and a residual discrepancy arising from the fact that coinage and bullion exchanges are shown here on a mint accounting basis while the total change in silver stocks is shown on the more widely available daily statement basis.

[2] As shown in the daily statement. The total includes approximately 64,800,000 ounces held by certain agencies of the Federal Government.

[3] Issued after June 30, 1929.

Source: Treasury daily statements, circulation statements, and unpublished material.

And, this new system of coins will once again give us dimes, quarters, and half dollars, designed specifically to fulfill their primary function—that of utilitarian instruments of commerce as a medium of exchange for the buying and selling of goods and services.

What will we not have with the system of coins proposed in H.R. 8926 that we would have with a system of coins retaining silver in the half dollar?

We will not have the continued use of silver in any of our subsidiary coins. This will mean that Treasury will not be forced to reenter the silver market as a buyer in a matter of years, when its silver stock is exhausted, to buy silver for the minting of coins. It means that, at that time, the free world deficit of silver will not be further increased by whatever the number of millions of ounces required for the minting of the half dollar.

We will not have the Treasury Department and the Federal Government remaining in the silver market indefinitely to maintain some sort of silver price control for the protection of newly minted, silver-containing half dollars.

We will not be spending more than $18 million annualy merely for the cost of metal that would go into the silver half dollar over and above the cost of the cupronickel half dollar.

We will not have to include the amount of silver that would be consumed in the minting of a new silver-containing 50-cent piece in the estimate of transitional silver demands.

We will not have to defer the minting of new half dollars until the end of next year as proposed by the administration for the silver half dollar.

We will not defer a part of the decison, which it is our responsibility to make here today for another day, or pass the buck—or a single coin—to the proposed Joint Commission on the Coinage.

We will not be minting a unique coin—a coin tagged with the inept label of a prestige coin.

We will not be parties to the ill-advised proposition that the prestige of the United States can be equated to the pinch of silver in a single coin.

My greatest fear today is that our purpose of establishing a new system of coinage for all of the people of this country might be jeopardized by provincial arguments. Perhaps some of the remarks I have made for this bill seem to be more in favor of the silver users than the silver producers. Coming before you as I do, a New Englander and a Bay Stater, you may dismiss my remarks as parochial. But, I am also a member of the committee of this body that has worked long and hard with the coinage problems. I have not let special interests guide my support of this bill and I am sure that the Banking and Currency Committee has not done so in drafting this fine piece of legislation. I believe, Mr. Chairman, that there is not one silver producer or silver user who would say, "let the national interest be and look out for me."

I cannot emphasize strongly enough that this is a bill directed to the national interest. It is not a regional bill. It is not a bill to subsidize or protect the silver users or producers. What is done here today must be done in the interest of the coin producers—the Treasury Department—and the coin users—the housewife at the neighborhood laundromat, the local merchant making change for his customers, and the child buying his lunch at the school cafeteria.

When all the special interests are put aside, I do not believe that there can be any doubt that H.R. 8926 offers the very best answer to a very difficult situation.

It may be unfortunate that the Government is in any way involved in the silver market. But, it is absolutely essential that it remain involved at this crossroads for our coinage system. With silver retained in a single coin in a new system of coins, the Government's involvement would be as permanent as that new system of coins. With the new coinage system of H.R. 8926, it will be essential only for as long as it takes to accomplish the transition from the old coinage system to the new.

What is this transition period? In the words of Secretary Fowler, it is:

> The period of time it takes to produce and distribute and to have an adequate supply of the new coins in use, so that trade and commerce that is related to and dependent upon coinage is not subjected to the threat of any shortage.

Again quoting Secretary Fowler:

> The best way to achieve a smooth transition to the new coinage is to make silver freely available at the $1.29 price that will avoid the creating of incentives to melt or export our present coinage.

We must not forget that we are not merely replacing the system of coins that we have today with new coins of a different metal content. We will be continuing to mint the present silver-content coins until we can build up an adequate production of the cupronickel clad copper coins that they can be placed in circulation and meet the demand for coins as a medium of exchange. The new coins will move through the channels of commerce side by side with the silver containing coins.

We cannot expect, nor should it be necessary for it to be the case, that the new coins will be immediately available, once they are put into circulation, to fulfill all of the coin demands of this country. The present silver coins must continue to circulate with the new coins, one supplementing the other, each coin equal in value and purchasing power with its counterpart until the transition to the new coins has been fully implemented.

This dual circulation is essential during the transition period to preclude an acute coin shortage and the snarling of millions of transactions daily calling for the exchange of coins. To insure this procedure, the silver-content coins must be protected from acquiring a value for their metal content that exceeds their face value. That can only be accomplished if the price of silver is stabilized and the Treasury can back up that price by the redemption of silver certificates with silver bullion, as it is required by the law to do. So long as this is done, we will be able to continue circulating the silver coins. But, once the stock of Treasury silver can be challenged as insufficient to meet its outstanding liabilities, the rush will be on, the price of silver will spiral up and up, and our silver coins will be lost forever as a medium of exchange.

The President in his message to Congress on the new coinage system, emphasized this national interest in the new coinage system and the transition period which must precede the conversion to the new system. The President said in that message:

> It is necessary for the U.S. Government to have large stocks of silver in addition to the quantity neded for coinage. We need these stocks because our silver coins in circulation must be protected from hoarding or destruction.
>
> Prompt action on a new coinage will help us protect the silver coinage by freeing our silver reserves for redemption of silver certificates. Thus, we can assure that no incentive will be created for hoarding our present coins in anticipation of a higher price for their silver content.

The Banking and Currency Committee, after a careful review of the facts and figures which characterize the demands that are being made and will be made on the Treasury's silver supply, has decided to make this protection the maximum possible. They have added to the protective silver supply that quantity of silver that would have been consumed in the proposed 50-cent piece of reduced silver content and, at the same time, assured that there will be a half dollar minted to complete the subsidiary coinage system. I say this is an absolutely vital addition.

I urge that this action by the committee, calling for the new half dollar to be minted of cupro-nickel clad on a copper core as in the dimes and quarters, be given the support of this body. The margin of protection, over and above that originally requested, receives the support of the excellent Treasury staff study of silver and coinage.

The study indicates that the holding of the market price of silver is "absolutely essential" to protect the existing coinage. The study further says that the existing silver supply held by the Treasury is likely to be no more than adequate for the shortrun stabilization of world silver prices essential to the interests of this country in making the transition to a new coinage system.

There are more than 12 billion subsidiary coins in circulation today and in this new fiscal year the Treasury plans to call for the minting of more than 1.5 billion more of the silver subsidiary coins. These coins will be placed in circulation while sufficient quantities of the new coins are built up for their circulation. That will give us more than 14 billion .900 fine silver content coins in circulation.

We will not be safely through the transition period until there is an equivalent number of new coins in circulation that the coin demands of the country can be met with the new coins. How long will that take? The Treasury staff study has estimated about 3 years for the transition period. In the message to Congress on the new coinage proposals, the President indicated that the Treasury planned to mint 3.5 billion of the new coins during the first year after they became the order of the land and another 7 billion the second year.

Then, at the end of 2 years there will be 10.5 billion new coins in circulation, still some 3.5 billion coins short of the circulating silver coins—which even today are not in sufficient supply to meet the demands made for them. The transition to the new coins would not then be complete at the end of 2 years.

The silver stock held by the Treasury, as the key to the smooth transition to the new system of coins, is presently somewhat less than 1 billion ounces. Allowing 165 million ounces for the requested stockpile—to be used at discretion of the Secretary of the Treasury—there would be approximately 835 million ounces of silver available for coinage and certificate redemption in the transition. The production of silver coins that will be continued into this fiscal year, based on production estimates by Treasury officials, will consume about 252 million ounces of silver. During 1964, redemption of silver certificates took 141 million ounces of silver out of the Treasury stock. On the basis of the 1964 figure for redemption, the estimated balance of silver at the end of fiscal year 1966 will be just over 400 million ounces, a reduction of the silver stocks, during the first year of what must be 2- to 3-year transition period, to more than 55 percent.

Hopefully, there can be a cutback in the minting of the old coins as the transition period progresses. The redemption demands are a very indefinite element. But, I do not believe that anyone will argue with the fact that every ounce of our present silver stock can easily be accounted for without the added transitional liability of a single ounce used in minting one of the coins of the new coinage system.

While we are not running the mint as a profitmaking activity for the Federal Government, I do not think that we can overlook operation expenses. I, for one, bearing the responsibility of scrutinizing the proposed yearly budgets for the Treasury Department's operations would be remiss to overlook an $18 million item. That is the amount that will be saved, again and again, by putting the new half dollar on an equal basis with the new dimes and quarters in its metal content.

Savings in seigniorage of cupronickel half dollars over silver clad half dollars

Cost of metal in $1,000 face value of silver clad half dollars	$432.37
Cost of metal in $1,000 face value of cupronickel clad half dollars	58.61
Difference	373.76

100,000,000 half dollars=$50,000,000 face value.

$50,000,00 face value at a savings of $373.76 per $1,000 face value=a savings of $18,688,000.

Source: Hearings before the Committee on Banking and Currency, House of Representatives, 89th Cong., 1st sess., p. 61, Coinage Act of 1965, June 4–8, 1965.

H.R. 8926 calls for all three of the subsidiary coins to be minted of the same metal content—a copper core clad with cupronickel. By removing the 40 percent silver originally proposed for retention in the half dollar, we have not only assured a maximum availability of silver for the transition period, but have reduced production costs for that single coin to the extent that for every 100 million half dollars minted—the projected yearly production—a savings of $18,688,000 will be realized. It would be a great day for the Nation's pocketbook if every agency downtown could take a giant step forward in terms of improving their responsiveness to the needs of all of the people and save the taxpayers money in doing so.

I implore each of you to remember what our purpose is today. Our action must be taken with national interest foremost in our minds. We all strive to ably and effectively represent our home districts and States, but we do not turn our backs on the Nation in doing so.

Today we must provide for a coinage system that will meet the demands that today's commercial society will make upon it.

In the folklore of western Massachusetts, it is said, on a clear day from any peak in the Berkshires you can see forever. I sincerely hope that we can all stand on the floor of this Chamber today and see further than the boundaries of our home districts and States.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I would be glad to yield to the gentleman from New York.

Mr. ROBISON. Mr. Chairman, I have asked the gentleman from Massachusetts to yield so that I may commend him for the statement he is making and for the contribution which he has made to this debate.

Mr. Chairman, I happen to serve on the Subcommittee of the Treasury and Post Office of the Committee on Appropriations with the gentleman from Massachusetts. I know of the position of leadership which he has taken on this particular problem and am aware of the fact that at least 3 years ago he began urging the Kennedy administration and, more recently, has urged the Johnson administration to face up to the issues involved here and to propose legislation such as this to Congress.

Mr. Chairman, I also wish to associate myself with the remarks of the gentleman from Massachusetts.

Mr. Chairman, I am not happy with the situation we face, today. I do not like to see the United States painted into a corner from which the only escape seems to be one more move in the direction of currency—or coinage—neither backed by anything of intrinsic value or possessing any intrinsic value in and of itself.

I think a great many questions could be asked—and some have been asked, here, both yesterday and today—as to how our country got into this situation; of why the planners downtown have been so derelict in their work on planning this small but vastly important aspect of their intended "Great Society," which to my mind implies a society that is based upon a strong economic and monetary system, that this proposal has to be presented to us in a crisis atmosphere.

For there can be little, if any, question over the fact that we do now face a silver crisis of considerable proportions, the storm clouds of which have been clearly visible on the horizon for the past several years. Perhaps this unhappy fact is, also, just one more dramatic piece of evidence establishing how far the Congress, itself, has slipped and been lulled into playing a subsidiary role to that of the executive branch of our Government, from which all initiative, all decisions and all legislative proposals seemingly now must flow.

In any event, so we come to "sandwich" coins, which the President solemnly assures us "will have no effect on their purchasing power—for—the new ones will be exchanged at full face value for the paper currency of the United States."

To which I suppose we might respond, "hurrah"—except for the fact that the purchasing power of that famous paper currency has, itself, been steadily eroded by that selfsame Government in its pursuit of inflationary policies for the better part, now, of the last 30 years.

For me, Mr. Chairman, as we now move closer to true fiat money, there may be some silver linings in our situation, but it is hard to find them.

Nevertheless, under the circumstances we face at this moment, what alternative is there for the Congress—or for the people—except to accept the inevitable? What alternative is there, really, beyond acceptance of the provisions of H.R. 8926, the so-called Coinage Act of 1965, as now before us?

The backing and filling of the present Administration on this issue has been far from reassuring. I have some grave reservations about whether or not certain of the provisions in the pending bill are wise and workable, but I am grateful to the committee for having had the commonsense to eliminate from the President's proposal—as originally made to us—his suggestion to maintain 40 percent silver in the half dollar.

I hope this committee decision is upheld, for if there is a silver shortage—and there undoubtedly is; if there is a problem with potential hoarding of certain coins—and there undoubtedly is—then any attempt to make this a consensus bill by creating a questionable "prestige" coin, which we surely cannot now afford, is the height of inconsistency.

If we are going to have to cut our coinage tie with silver, it might just as well be done as quckly and as painlessly as possible, to free such silver stocks as the Treasury still holds to the essential task of meeting the demands of silver-certificate redemptions, and to carry us through the difficult transitional period from the old system of coinage to the new.

At the same time, as we must do, we would be placing the growing and essential industrial demands for silver and the actual production of silver closer to balance. Since World War II, and particularly since 1958—as the committee report notes—there has been a steadily widening gap between free world silver consumption and production, with production remaining rather static, while consumption of silver for such commercial applications as photographic film, tableware, jewelry, surgical and dental equipment, storage batteries and space hardware—as well as a whole variety of uses in the electronics industry—has more than doubled.

Neither the Kennedy administration nor the present Johnson administration has made any proposals to help meet this growing shortage in any positive manner—in fact, the present administration has added to the problem by taking silver out of our Treasury to send to England to bolster the pound sterling, an act which may or may not have been wise in view of our own serious monetary troubles.

So, clearly now, and like it or not, some sort of action such as is contemplated by H.R. 8926 has to be taken, as we face up to the fact that our Treasury stocks of silver have been reduced from nearly 2 billion ounces at the beginning of 1963, to slightly over 1 billion ounces at present and, at the current rate of demand, will be completely exhausted by 1967.

The price at which the Treasury, by law, redeems silver certificates is $1.293. This is over 40 percent more than silver sold for in 1961. Without Treasury stocks that price would skyrocket until, in a short time, the lack of available silver at any price would cause a serious curtailment in the manufacture of those products using this metal.

One of the most important of those products is photographic film—for the manufacture of which there is no satisfactory alternate or substitute for silver, and I understand that no technological changes to nonsilver systems can now be forseen. The needs of this vital industry—as well as of the other industrial users of silver—must be met, and I know of no other way in which they can be than through the adoption of the provisions of H.R. 8926 as drafted by the committee.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. I would like to say that I agree with the gentleman 100 percent. I do not know of anyone on the floor of the House who knows more about this problem than does the gentleman from Massachusetts, who has worked long and hard for it. He always speaks in the national interest.

I have one question to ask: What is wrong with eliminating the half dollars?

Mr. CONTE. That is possible.

Mr. FOGARTY. Only minting dimes and quarters.

Mr. CONTE. That is a very good suggestion. It would save a great deal of money, it would save a great deal of our silver, but I doubt very much that we could get it through the Congress, although it makes a lot of sense.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Iowa.

Mr. GROSS. Why not go back to wampum?

Mr. CONTE. Is the gentleman advocating that?

Mr. GROSS. No. But if the currency is to be debased, maybe we had better go back to Indian days and use wampum.

Mr. CONTE. I am wondering if the gentleman is advocating this.

Mr. GROSS. I am asking the gentleman a question.

Mr. CONTE. I answered the gentleman's question. I think we can get by in commercial transactions without the half dollar, and still save a lot of money.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. COHELAN. May I take this opportunity to associate myself with the remarks of the gentleman and to congratulate him on his fine statement. It has been my privilege these past months to serve with the distinguished Member from Massachusetts on the Subcommittee of Appropriations on the Treasury, and I can say to my colleagues in the House, there is no more knowledgeable person in the House on this subject than the gentleman now in the well. I, myself, was surprised to learn some of the facts in respect to the current coinage problems of our country through my service on the Treasury Subcommittee. I support the bill and again commend the gentleman for his fine statement.

Mr. CONTE. I thank the gentleman very much. I certainly appreciate the gentleman's assistance in the committee on this very vexing problem.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. GIAIMO. Mr. Chairman, I should like to associate myself with the gentleman's remarks. I have worked with the gentleman for several years on this problem and I know he is an expert in this problem, dealing with silver, both from the standpoint of the producer and from the standpoint of the user.

Mr. Chairman, I rise in support of this legislation.

Mr. CONTE. I thank the gentleman from Connecticut for his kind remarks.

Mr. PATMAN. Mr. Chairman, following the next speaker, we will ask the Clerk to read.

Mr. Chairman, I now yield to the gentleman from Iowa [Mr. Hansen] 5 minutes.

Mr. HANSEN of Iowa. Mr. Chairman, I would be remiss if I did not recognize the compliment and the privilege that the gentleman from Texas has accorded me, the honorable Wright Patman, chairman of our committee, when he has accorded me the privilege of sharing his time and particularly the most important portion of his time.

Mr. Chairman, as a member of the Committee on Banking and Currency which conducted extensive hearings on the coinage bill now before us, I intend to support H.R. 8926 as amended by the committee and reported to the House, including the provision which would eliminate silver from the half dollar as well as from the dime and quarter.

In my opinion, this amendment, and others made by the committee to the administration bill, will improve the legislation. We have not, in any respect whatsoever, diminished the effectiveness of the proposals made by the President in his message on coinage on June 3; instead, we have shaped the legislation into a more effective vehicle for protecting our silver supplies and preventing the diversion of existing coins into hiding and hoarding for their silver content.

The serious, or even casual hobbyist who collects coins for their numismatic interest and for personal enjoyment will not be any the less interested in the hobby as a result of the passage of H.R. 8926. We have done nothing to interfere with legitimate collecting. On the other hand, we have tried to demonstrate the foolishness of accumulating vast stocks of common, ordinary, run-of-the-mint coins for speculative investment, since the legislation makes it clear that the price of silver will be held as long as necessary at or below its present level of $1.29 per fine troy ounce—the monetary value of silver.

We have reached the reluctant conclusion that silver is too scarce and too important for our industrial requirements and the protection of existing coinage to be used with such continued extravagance in the minting of coins which can just as readily be made of other metals. The questions which had to be faced and resolved were: What other material or materials would best suit today's requirements for coinage, including compatibility in vending machines; and, in addition, what steps should be taken to assure a smooth transition from silver to a substitute form of coinage?

We are not afraid that the public will refuse to accept the new coins of cupronickel and copper. The full faith and credit and integrity of the United States will be behind the new coins, just as they were also fully behind the silver coins during the many years when silver was worth far less as a metal than in the form of U.S. coins. It has only been in the last few years that a silver dollar, for instance, has—as in Hamilton's day—been worth a full dollar in terms of silver content alone; the present subsidiary coins—dimes, quarters, and half dollars—are still not worth their face value of $1.38 per ounce as silver. During the years when silver brought only 50 cents an ounce, or 40 cents, or, in the depression days, less than 30 cents an ounce, in contrast to its monetary value of $1.29, coins made of silver alloy were just as acceptable as they are today. So I do not give any credence to the claim that we must mint coins of high intrinsic value in order to make them acceptable to our citizens or to be free from the temptation for the potential counterfeiter.

We must be sure, however, that the illogical reactions of some people to a sharp change in our coinage and that a potentially temporary procedure does not set off a wave of speculative hoarding of the silver coins for their silver content or their ultimate rarity. It is for this reason that I strongly support the committee amendment to eliminate silver in half dollars, rather than to start minting them of 40 percent silver.

During the debate on that amendment, I will develop my views on this point in greater detail. In the meantime in closing, I want to say that we have, in the finest traditions of the committee system, reviewed the administration bill carefully, and strengthened it materially in reporting the legislation to the House. I hope it will be passed as reported.

Mr. CLEVELAND. Mr. Chairman, I am going to vote for H.R. 8926, which would eliminate silver from all American coinage except the silver dollar, to alleviate the critical shortage of this precious metal. In addition, silver dollars, which are not being minted now, could not be minted for at least 5 years, under this legislation.

I am pleased to note that this bill, unlike some of the proposals made when this issue first came before us, does not require private coin collections to be turned into the Government and does not provide for the calling in of any silver coins. This is a wise decision, in my opinion.

The silver situation is urgent and while it may be argued whether the present legislation is the best way to meet it, it appears to be a sound compromise. No one likes the idea of a base metal coinage without intrinsic value—without even a ring or a jingle—but there are wider considerations. Existing silver supplies held by the U.S. Government are down to little more than 1 billion ounces. Our current consumption of silver for coins, however, is using this up at the rate of 300 million ounces a year, so we could keep this up for only 3 years more at best. In addition, the Treasury is an important supplier of silver to industry. Industrial demand for silver has grown tremendously in recent years, adding to the drain on the Treasury's supply.

Unless we take steps to provide a continuing supply of silver, large segments of industry and the thousands of jobs which they provide, will be in grave jeopardy. Industries affected include the photographic, silverware, jewelry, medical supply, and electronics industries, among others. Silver is essential to the national defense and space programs.

Under these circumstances, we have little choice, in my opinion, except to approve this legislation forthwith. At the same time, however, I urge both the administration and the apropriate committees of Congress to undertake studies of how best to stabilize the supply and demand of silver for the future. This would include means for increasing production and a review of silver price controls. It seems to me in the national interest to have at least some silver in our coins if this is possible and we should make every effort to determine if this can be done.

Mr. RANDALL. Mr. Chairman, most Members recognize the necessity for some sort of legislation to help solve the problem before us today. But the action is not as drastic as H.R. 8926 proposes. A good surgeon does not amputate an arm because there happens to be something wrong with a person's little finger.

It may be true there is a shortage of silver in our country today. I am not a practicing economist or an authority on silver. Whether the shortage is due to an insufficient profit to the miner of silver or whether it is because we are exporting too much silver, I cannot concur with those who would have us believe that coinage is the least essential of all our uses of silver, and for that reason silver is too valuable to be wasted on coins. How can anyone say that it is a waste of silver to see, feel, and have confidence in a coin that has some body to it, as distinguished from the coins we see of a foreign country that are light in weight and dull looking. The point I am trying to emphasize is that we must retain some silver or as much silver as possible in as many of our coins as possible. This is my basic premise. From here on in, it is simply a matter of the available amounts of silver, based upon reliable statistics.

Some would say that we must retain silver in coins as a matter of sentiment or custom. There is another reason and it could be called national pride. To put it differently, it could be called the prestige that coins with some silver enjoy. Silver has been in the money of mankind for more than 2,500 years. Certainly a problem exists, but the way to solve the problem is to reduce the silver in our coin and keep the silver in our United States instead of exporting it.

For my part, I am willing to rely upon the assurances of the distinguished chairman of the Committee on Interior and Insular Affairs, when he reported on the floor of the House during the debate that it was his conclusion we do have ample silver to provide the minting of 10-cent, 25-cent, and 50-cent coins of 40-percent silver which would be known as 400 fineness. Then at the end of 1972, which is the year the Treasury has chosen as the year of particular significance, to continue on a stable basis for the long range. The gentleman pointed out that by 1972, silver producers would have reacted to increase the supply of silver because it takes approximately 4 years to bring into production silver property.

When in the Committee of the Whole, I supported the amendment offered by the gentlewoman from Missouri [Mrs. Sullivan], to restore 40-percent silver to our half-dollars. I was hopeful subsequent amendments would be adopted providing for similar restoration to our quarters and dimes. We did not go far enough.

Let me make it plain I do not advocate the retention of silver in our subsidiary coins on behalf of any special interest group. There are no silver mines in Missouri or any silver miners. It is true that the late Richard Parks Bland, known as "Silver Dick" Bland was a Member of Congress from Missouri and lived in Lebanon, Mo., and practiced law at Rolla, Mo. But we are not today concerned with the continuance of that old and out-dated fight between the producers of silver and the consumers of silver. My view is not a parochial view. I recognize this is not a silver bill.

On the other hand, I believe that our great Nation wants and deserves a coinage of intrinsic value. Silver coins are a part of our American heritage. We may have to reduce the silver content in our coins, but we should not totally abandon the use of silver in favor of some worthless sandwich coin or clad coin of some material that has been called cupronickel.

Other nations have gone through some rather drastic experiences because they followed the course of elimination of metals with intrinsic value from their coinage. There is a lesson to be learned from the experience of France, Italy, Austria, and Western Germany. Each removed silver from their coins, but later resumed the minting of silver coins, by restoring silver to their coinage system. Surely there must have been a reason. In my opinion, the reason is these Governments did not take long to recognize that coinage which has intrinsic value creates confidence from the public.

I can support a bill which retains as much as 40 percent silver in our subsidiary coins because such coins will be virtually indistinguishable from our present coins and will circulate side by side with the old. We have sufficient silver to mint dimes and quarters with a 40-percent silver content and the bill should be passed containing such provision.

The chairman of the Banking and Currency Committee, the gentleman from Texas [Mr. Patman] observed in opposing an amendment which would dispense with our half-dollars, that the removal of all silver content from our coins would be psychologically shocking. We should reply to the gentleman from Texas—Why is it necessary to take any step that is so psychologically shocking? In opposing an amendment which proposed currency with fractional dollar denomination, the chairman said it would be a nuisance and should be called trading stamp money. He should have joined in the same fear against the proposal for sandwich or clad coins which because of the element of psychology will result in so great a resistance to change by the people of the United States that there will be the likelihood of hoarding of all old silver coins, no matter how many safeguards may be provided by the Treasury. If we remove all the silver content from our new coins, we may have to adopt special legislation against the hoarding of present silver coins as they grow scarcer.

I am convinced the silver shortage has been overemphasized. We do have enough silver for our dimes, quarters, and half dollars to maintain the prestige of these coins and also to avoid the hoarding problem. To cut the content by more than one-half or from 90 to 40 percent is a radical step. But, let us keep at least some silver in our coins. I am sure many Members join in this position. They want to be able to go back to tell their constituents of their efforts to keep metal in their coins that was worth something. To state it differently, they want to be able to report back home they worked to keep coinage in the pockets of their people that had enough intrinsic value to generate confidence and pride from our people.

We should reduce the silver content only to the extent necessary to give a period of grace for the revaluation of the problem. It is possible there may be a technological breakthrough in mining methods. Another alternative would be to retain a high silver content in one silver coin and a lower silver content in our other coins. Such a grace period would give us time to find out how the other nations, after abandoning coins with content of precious metal have been able to return to money with intrinsic value. Confidence of the public in our monetary system must be based upon more than a few words of reassurance from the Congress. Our Nation's monetary system is dependent upon public confidence.

Mr. PATTEN. Mr. Chairman, during discussion of the coinage bill, we have heard much talk centering on the fact that this is merely a localized problem—that the West is the only area concerned with the mining of silver. Nothing could be further from the truth.

Any employee of the Raritan Copper Works or American Smelting & Refining in Perth Amboy, N.J., knows the strategic importance of this industry to the central Jersey area. Besides this, there is also a pressing national need to conserve the silver supply—for these reasons, enactment of this legislation is absolutely necessary.

Silver is not always mined as other metals; it is mostly produced as a byproduct of other ores. This silver is too valuable to use in coinage. According to Mr. Walter McBride, general manager of the Raritan Copper Works, 6,747,000 ounces of silver were refined there in 1963 from copper slimes. In fact, the output of refinement of silver in America now stands at over 36 million ounces a year.

Although it was difficult for some to reconcile not having gold in the midthirties, it will be similarly necessary to do without silver in coins. We cannot peril our Nation's economy and take the chance of running out of silver in the next half dozen years by keeping our coins on the silver standard.

I am also happy to see the creation of a national Joint Committee on Coinage under another title of this bill. This will be one of the surest means of insuring a safe and sound currency system for future years.

Passage of this legislation is imperative.

Mr. MONAGAN. Mr. Chairman, I want to state my support of H.R. 8926.

There is, indeed, general approval of this legislation and the differences really concern method and degree only.

The essential fact that confronts us today is the phenomenal rise in the demand for silver in the light of the available supply. An example of an industry which relies upon an adequate supply of this metal is the silver industry located in Meriden and Wallingford, Conn., in my district. These makers of silver flatware, tableware and other comparable products have found themselves in serious straits between the rising demand for their products and the increasing tightness of the metal supply. Inability to obtain metal could affect employment and economic activity. This industrial demand has been due not only to the increased purchasing power of the population, but it has arisen from the spread of silver use and the development of new industries and techniques which require this precious metal.

This has raised the question whether the present system of the United States for minting coins with an intrinsic value comparable to their face value is necessary or whether some alternative is acceptable which would release the silver presently used by the Government for nongovernmental purposes.

This problem has concerned the Treasury and the Congress for a long time. Instances of this concern can be found in the hearings of the Appropriations Committee and the Committee on Banking and Currency and in the hearings of a subcommittee of the House Committee on Government Operations which was headed by the gentleman from Florida [Mr. FASCELL].

The answer of the Committee on Banking and Currency has been to recommend the virtual termination of the present system of coining silver. For the silver coins would be substituted a new type of sandwich coins made of a baser metal and fashioned in such a way that would be accepted by vending machines and other similar mechanical devices.

This is a logical and reasonable solution of our problem. The vast majority of countries in the world today produce coins which are not related to the actual value of the piece itself, but derive their value from the credit of the Government which issues them. In this respect, they are similar to paper money which constitutes a promise to pay rather than embodying any value itself.

I support the solution recommended by the committee in this bill. I believe that we are meeting a modern problem with modern means and that there will be no damaging effects on the commerce or credit of the United States. I will vote for this bill and I hope that it will pass.

Mr. LONG of Maryland. Mr. Chairman, the Coinage Act of 1965 proposes that the U.S. subsidiary coins, presently made with a 90-percent silver compound be changed to consist chiefly of a cupronickel composite.

This change in the composition of our subsidiary coinage has been made necessary by recent increases in the use of silver for industry and defense purposes; a concurrently increasing need for subsidiary coins in the American economy; and the failure of silver production on the world market to keep pace with these increasing needs. In the last 6 years world silver consumption has more than doubled, while production has increased less than 15 percent.

The effect on the U.S. Treasury, as the market price of silver began to equal the monetary price of $1.29 a troy ounce, has been to make the Treasury a supplier of residual silver from its stockpiles to industry. The latest Treasury statement shows that the Treasury's silver stockpile is down under 1 billion ounces.

Those opposed to this bill state that we should maintain a coinage that has intrinsic value. This point of view is simplistic. Money is whatever commodity is acceptable in performing certain basic functions, including serving as a medium of exchange and providing a useful means for calculating values. At times in the history of the world silver and gold have been employed as this commodity because they are scarce, durable, and portable.

A history of money in the United States shows that silver, although it has an intrinsic value, has a highly fluctuating value in market terms. When Alexander Hamilton established our monetary system on a bimetallic basis, he put the ratio of silver to gold at 15 to 1. In a short while it was edging toward 16 to 1. In the pre-Civil War period the market value of silver was such that Congress, in 1853, set the silver content of our lesser silver coins at 7 percent below the fine grain content of the silver dollar. This prevented the subsidiary coins from disappearing. In 1879, the price pendulum swung abruptly in the other direction with the price of silver falling when its ratio to gold suddenly changed, over a 5-year period, from 16 to 1 to 19 to 1. From that time forward, until within the last 4 years, we have been subsidizing the western silver producers either by setting by statute the amount of silver dollars to be minted or by standing ready to purchase silver from the mines at $1.29 a troy ounce. During this latter phase, the intrinsic value of silver in the coins has varied from 9 cents in the half dollar in 1933 to its present point where market pressures are pushing it close to the Treasury price. If the market price goes beyond the Treasury price, silver coins will disappear from sight.

We cannot permit the scarcity of precious metals in relation to the monetary and industrial uses to exercise a tyranny over the money supply. The dual demand for precious metal means that it will increase enormously in value with a consequent reduction in the general price level. We are compelled to find a low-priced commodity to use as money or suffer the economy to grind to a halt.

The bill now before us, H.R. 8926, would provide us with a durable subsidiary coinage that will be legal tender, can be used in vending machines, will constitute an adequate coinage, and at the same time stem the drain on the Treasury's silver stocks. The American producers are protected by the fact that the Treasury will hold the market price of silver at its present level of $1.29 plus per fine troy ounce, with a minimum guaranteed purchase price of $1.25 per ounce on all domestically mined silver. The silver dollar will remain our standard coin at 90-percent silver, but none will be minted for at least 5 years.

I am happy to support passage of this bill.

Mr. ROYBAL. Mr. Chairman, I rise to urge the passage of H.R. 8926, the Coinage Act of 1965.

As you know, President Johnson has strongly recommended prompt congressional action on this legislation to prevent a crisis in our silver supply. In his message of June 3, 1965, he stated categorically that "Silver is becoming too scarce for continued large-scale use in coins."

I agree with the President that the worldwide shortage of silver, together with rapidly increasing consumption of that metal for defense, industrial, and coinage purposes, have created an emergency situation which necessitates the first important change in the Nation's coinage since 1792—a substantial reduction in the silver content of the denominations of U.S. coins—dimes, quarters, and 50-cent pieces—now using silver as a major alloy ingredient.

Since 1958 alone, world demand for silver has more than doubled, while production has increased less than 15 percent. As a result, Treasury Department authorities predict at the present rate of silver consumption in the United States, chiefly for coinage, this Nation will run out of silver within 2 or 3 years.

However, Mr. Speaker, I also believe it is important to our national prestige and to continued world confidence in the essential soundness of our currency system to retain a certain basic minimum silver content in all our major coins.

For this reason, I voted to support the amendment just offered to provide that quarters and dimes retain a silver content of 40 percent, thus maintaining the principle of a coinage system with actual intrinsic value.

Although I regret that this amendment failed to secure a majority vote of the Members, I nevertheless, feel the urgency of the legislation requires that we now join in support of the President in his effort to adapt our Nation's coinage to meet the needs and demands of modern conditions.

Under the bill as it now stands, the silver content of half dollars will be reduced from 90 to 40 percent, and silver will be eliminated entirely from dimes and quarters.

This drastically reduced use of silver in our coinage will, according to expert testimony before the Committee on

Banking and Currency, offer a permanent solution to our silver crisis, and provide the basis for carrying out the President's recommendation to change our coinage system "to meet new and growing needs."

The new dimes and quarters will have solid copper cores, with "sandwich" covers of cupronickel. So these smaller coins will have the same kind of face material as the present 5-cent piece, with the copper core visible as a reddish line on their rims. The new half dollar, containing 40 percent silver, would look about the same.

All the new coins would be similar in design to the present coins of the same denominations. They will be legal tender for all debts, public and private. The Secretary of the Treasury has assured us he is confident they will meet the test of public acceptability as a medium of exchange, that they can be efficiently and rapidly manufactured by the mints from available materials—in fact, the Bureau of the Mint plans to turn out 3.5 billion coins in the first year, and double this production in the year thereafter—and that their size, weight, and electrical properties make them fully compatible with silver coins and able to work in all existing vending machines and other coin-operated devices.

Another commendable feature of this bill is its authorization for the San Francisco Assay Office, which was deactivated as a mint in 1955 after more than 100 years of continuous operation at a time when coin demand was only a fraction of present needs, to continue its gold and silver refining operation and also to reactivate its coin-production facilities until such time as the Secretary determines that the mints of the United States are adequate to produce ample supplies of coins.

I am particularly pleased, Mr. Speaker, that the President has now proposed reactivating the historic century-old San Francisco Mint to help ease the transition to the new coinage system, and as a significant step toward alleviating the increasingly critical coin shortage that has been plaguing businessmen and individuals across the country.

With all other U.S. mints presently working on a full-time 24-hour-a-day, 7-day-a-week basis, reopening the additional San Francisco minting facility will be a big help during the transition period, and will be the quickest, cheapest, and most efficient way of expanding the inadequate supply of small change now in circulation.

I have a rather personal interest in the President's plan to reactivate coin production at San Francisco, because it follows my nearly identical proposal of a year ago, made in an effort to again provide a west coast mint to supplement those now located at Philadelphia and Denver.

We in Los Angeles, as well as citizens throughout the State of California, have a vital stake in this matter. As residents of the Nation's fastest growing metropolitan area, and what is now the largest State in the Union, we have already felt the adverse effects of the current acute shortage of coins.

In fact, the situation has become so serious that many local Los Angeles retailers and merchants are reporting considerable difficulty in keeping an adequate supply of change on hand to operate their businesses properly and provide the kind of service their customers have a right to expect.

If the Treasury Department's Bureau of the Mint now moves on a crash-program basis, and fully utilizes the minting capacity of the San Francisco facility, we should be able to make a successful transition to the new coinage system, and at the same time, be assured of the pennies, nickels, dimes, quarters, and half dollars so essential to the smooth functioning of our booming commercial economy.

In conclusion, Mr. Speaker, let me again urge the Members of the House to join in support of the President by voting for the passage of H.R. 8926, the Coinage Act of 1965.

Mr. WIDNALL. Mr. Chairman, I have no further requests for time.

Mr. PATMAN. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Coinage Act of 1965".

TITLE I—AUTHORIZATION OF ADDITIONAL COINAGE

SEC. 101. (a) The Secretary may coin and issue pursuant to this section half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet the needs of the public. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

(1) The half dollar shall have—

(A) a diameter of 1.205 inches;

(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

(C) a core of an alloy of silver and copper such that the whole coin weighs 11.5 grams and contains 4.6 grams of silver and 6.9 grams of copper.

(2) The quarter dollar shall have—

(A) a diameter of 0.955 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 5.67 grams.

(3) The dime shall have—

(A) a diameter of 0.705 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 2.268 grams.

(b) Nothing in this Act shall prohibit the continued minting of half dollars, quarter dollars, and dimes of standard coin silver as authorized by law at the time of enactment of this Act.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 2 (sec. 101(a)(1)), strike lines 5 through 9, inclusive, and insert:

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 11.34 grams."

Mr. REUSS. Mr. Chairman, I rise in support of the first committee amendment.

Mr. Chairman, this committee amendment, which was adopted, I believe, by the decisive vote of 18 to 10 in the committee, has been much discussed. All that it does is to treat the new 50-cent piece in exactly the same manner as the new dime and quarter, by removing the silver from them and making them the clad coin that the Treasury has recommended.

There are three reasons why I believe this amendment should be adopted.

In the first place, by removing the silver from the new 50-cent pieces instead of keeping 40-percent silver or some other percentage of silver in it, we are going to save for the taxpayers over the next 18 years close to $1 billion which would otherwise be paid in subsidies to the silver mining companies and their stockholders. This is the result of simple arithmetic. There is $280 million to be saved alone in the replacement of the existing 1½ billion silver half dollars, and every year our savings, assuming that the rate of production of 50-cent pieces was what it was last year, will be on the order of $38 million. So the savings to the taxpayers are of a very substantial billion-dollar nature.

Quite apart from this saving to the taxpayers, the Treasury of the United States will need every ounce of silver it can keep in order to permit orderly transition to the new composite currency. If you put 40-percent silver into the new 50-cent piece, it is going to take 30 million ounces a year just to produce 50-cent pieces at the rate we are currently producing them. This 30 million ounces almost equals the entire domestic production of silver for last year. This would mean that we would be squandering our entire domestic silver production at a time when it is very necessary that the Treasury have sufficient leeway in order to protect the existing old silver coinage during the transitional period.

The third reason why it is a good amendment and I hope it will be adopted has to do with our balance of payments. If we squander silver by inserting it into our new 50-cent piece, then we are going to have to buy it abroad or we are going to be able to sell less abroad. In either case, hundreds of millions of dollars will be added on to our balance-of-payments deficits, to the great international damage of the United States in the years to come.

So, from the standpoint of logic, from the standpoint of giving a break to the taxpayers for a change to the tune of about $1 billion, from the standpoint of permitting the Treasury to make an orderly transition to the new currency, and from the standpoint of our balance of payments, I urge that the committee amendment be adopted.

Mrs. SULLIVAN. Mr. Chairman, I rise in opposition to the committee amendment. As the chairman of the Subcommittee of Banking and Currency which has jurisdiction over the mint, I have been closely identified with the problems involved in this legislation during the 2 years in which the Treasury has been studying various alternatives to the continued high use of silver in coins. As I said earlier, in general debate on the bill, I support H.R. 8926 in nearly all of its provisions, but I do not support this Committee amendment to take all silver out of the half dollar. Instead, I support the administration position in behalf of a half dollar of 40 percent silver content.

Unlike those who believe we must keep silver in all of the subsidiary coins—dimes and quarters, as well as half dollars—I am convinced it cannot be done. Not only can we no longer continue turning out such coins of 90 percent silver content, we clearly cannot afford the drain on our silver supplies of any appreciable amount of silver in dimes or quarters. We don't have the silver to do it, and we cannot mine it or buy it, in order to accomplish such an objective, for dimes and quarters are produced in prodigious volume. But we can—and quite easily—use some silver in the half dollar without endangering our supply of silver for other requirements. The half-dollar, normally, is not minted in great quantities; furthermore, its production can always be limited, if necessary, because there is nothing for which a half dollar is needed that two quarters can't do just as well, and we will soon have huge quantities of quarters available in the new coinage.

Therefore, if the committee amendment on the half dollar is rejected, as I hope it will be, we can go to a half dollar of 40-percent silver content, in place of the present 90-percent silver half dollar, and the two coins will look so much alike that the date alone will tell most people which is which. We will, then, be retaining our link with one of our oldest traditions as a Nation, and yet we would still be using only about 5 percent as much silver in coinage a year as we are using now. With nearly a billion troy ounces of silver still on hand in the Treasury, we can afford that kind of silver drain—for 15 million ounces a year would be no drain at all compared to the 300 million ounces we currently use in coinage.

It is not sentiment or tradition alone which leads me to oppose the decision of the 18 members of the committee who voted for this amendment in committee. Obviously we could, if necessary, get along without silver in half dollars; we do not need it for "prestige" or any such thing. Our coins would have prestige enough for most of us regardless of what metals were used, as long as they were legal tender and had behind them the full faith of this great country.

But I think a majority of the committee made a mistake on this amendment. For it disregards the main ingredients of successful legislation in a democracy—fairness and compromise. The big users of silver, who fear eventual price increases in the metal because of its short supply, scored a tremendous victory when the administration decided to eliminate silver from dimes and quarters. That action will make available to industry about 285 million ounces of silver annually which would otherwise go into coinage. That amount is the equivalent of 7 or 8 years of domestic production of silver at current output; it is far more than the entire free world produces. It is more than twice domestic industrial demand. So the silver users scored a great victory. They should feel very well treated.

But it seems to me they are now somewhat greedy in seeking that last pound of flesh so to speak—those 15 million ounces annually the administration had earmarked for half dollars. After all, we are going to continue to protect the industrial users of silver on the price—we are not going to let it go above $1.29 an ounce for some years to come, if at all. But how long we hold the price at that level, it seems to me, will depend to a large extent upon whether the Government continues to have any direct and essential interest in holding the price of silver. Of course, if we were to stop using any silver in coins—end this use entirely—it would seem to me that there would be very little basis on which the price ceiling could be maintained, once existing silver coins were replaced by new coins. So the proponents of this amendment should certainly keep that consideration in mind. In the long run, the silver users would be far better off, I would imagine, by making sure the Treasury continues to have some legitimate reason to be concerned over market prices of silver.

This controversy should not be made into a sectional battle between the Far West and New England—between silver producer and silver user. As a midwesterner, I want only to see the public interest made uppermost, and to see as much fairness as possible to both sides of this controversy.

Therefore, while I stand behind the administration on the small amount of silver it wants to use in the half dollar, I oppose any attempt by the partisans of the silver producing industry to require that we keep silver also in the dimes and quarters.

As recommended by the White House, this legislation was called consensus coinage—a good designation. There was something in it for every affected group. The other body has already passed such a bill. This committee amendment would weight the legislation heavily against the silver producing industry by taking away entirely a major market it has served for 173 years. Looking at the political realities, I don't think that grabbing the last ounce, so to speak, is good policy, and I feel it would reap only bitterness where we could otherwise look for cooperation.

Two long years of study, and the American doctrine of fairplay and give-and-take went into the administration's coinage proposals. With all due respect to my 18 colleagues on the 33-member committee who voted for this amendment in committee, I say, and feel, that we should insist upon playing fair with both competing sides, and continue the tradition of silver coinage at the modest level proposed by President Johnson in his message of June 3. Mr. Chairman, this committee amendment should be rejected in line with the President's position.

Mr. ASPINALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the pending amendment.

The hearings before our committee demonstrated conclusively that we will have available ample supplies of silver in the years immediately ahead to permit us to retain 40 percent silver content in our dimes, quarters, and half dollars.

While the Treasury staff study of silver and coinage and the Secretary of the Treasury have assumed increases in free world silver production by approximately 20 percent, they have done so solely on the basis of new production from conventional sources. Data that we received indicates first, new production will increase at a higher rate than estimated by the Treasury; second, the rate of salvage will increase; and, third, new sources of silver will be found if the incentive to mine it is there, as indicated in an article appearing in the June 1965 issue of the Mining Congress Journal titled "Black Calcite: A Source of Silver?" which I include at this point in the RECORD under permission previously granted:

BLACK CALCITE: A SOURCE OF SILVER?

(By D. F. Hewett and Arthur Radtke, U.S. Geological Survey, and Charles Taylor, Stanford University)

The association of silver with manganese minerals in many mining districts in the West is well known. For example, in such districts as Tonopah, Austin, and Comstock in Nevada, such silver minerals as argentite and the complex sulfides commonly called ruby silver are closely associated with the manganese minerals rhodochrosite, rhodonite, and alabandite. In Arizona this association occurs in the Tombstone district; in New Mexico in the Mogollon district; in Utah, in the Horn Silver mine in the San Francisco district; in Colorado in several districts in the San Juan Mountains, including Telluride, Ouray, Silverton, and Lake City, Creede in Mineral County, and Bonanza in Saguache County; in Montana, the Butte district.

In another group of mining districts, however, large quantities of silver have been produced from deposits in which the carbonate, silicate, and sulfide of manganese are rare or absent but manganiferous iron carbonate (siderite) is the common gangue mineral and the silver is intimately associated iwth the sulfides of lead, copper, and zinc. The great productive Coeur d'Alene district and the Wood River region of Idaho, Leadville and Aspen, Colo., and Pioche, Nev., belong to this group.

In numerous districts in the West, however, large quantities of silver have been produced in the form of the silver chloride, cerargyrite, from near the surface, but the precise source of much of the silver has never been determined. The White Pine district (Hamilton) in eastern Nevada, which yielded 25 million ounces of silver between 1870 and 1892, is one of these; others are the Lake Valley district, Sierra County, N. Mex., and the Silver Cliff district, Custer County, Colo. In these and other smaller districts, the silver was closely associated with manganese oxide minerals and it was with difficulty that the metal was recovered from these ores.

Recently, in a program of study of the deposits of manganese minerals in the West, it was noted that black calcite was very widespread and in some districts abundant. In laboratory studies, it was determined that the color of the black calcite (or aragonite) is due to a few percent of dispersed grains of a manganese oxide; the calcium carbonate in which these grains were embedded is almost free of manganese. By dissolving the calcium carbonate in several common acids, hydrochloric, nitric, and acetic, the content of manganese oxides in seven samples from districts in Utah, Nevada, Arizona, and New Mexico was determined to be chiefly between 2 and 10 percent but as much as 35 percent. By spectrographic analysis of the black residues it was found that all contained measurable amounts of silver, but in one sample of black calcite from Hamilton, Nev., the content was about 5 percent or about 1,500 ounces per ton; in another sample from the Fisk mine, Ophir district, Utah, the content was 0.7 percent, or about 200 ounces per ton.

Following this analytical work, the specimen from Hamilton, Nev., was examined in polished section at a magnification of 200 to 400 diameters. After photomicrographs were made, the material was analyzed by means of the electron microprobe and it was determined that the black calcite contains a crystalline silver manganate. Silver content of the material will range from 20 to 25 percent; the remainder is manganese oxide.

In the light of the work that has been done in the laboratory of the geological survey at Menlo Park, Calif., it is now clear that much of the cerargyrite recovered from the White Pine district, Nevada, originally was deposited as a manganate of silver contained in black calcite. This black calcite is widespread in the district and it formed from solutions rising from great depths, and not from weathering processes near the surface as has been generally assumed until recently.

Interestingly enough, old time miners in the White Pine district, while not aware of the silver in the black calcite, were aware of it value as a guide to ore. Hague described the district in the U.S. Geological Exploration of the 40th parallel, in 1870, and he stated that "the black calcite occurs in many of the mines, and is regarded by the miners as a good indication of ore."

Laboratory work necessary to identify the new silver manganate mineral has not been completed but enough is now known about the mineral and its associations to indicate that districts in the West which contain considerable black calcite should be carefully examined and the silver content and extent of the black calcite determined. Knowledge of the silver content and extent of the bodies of black calcite is already sufficient to indicate that they are capable of yielding commercial ores.

In terms of the thermal zones in the crust, the one that contains most of the important silver districts in North America is known as the epithermal zone, in which the minerals were deposited within 5,000 feet of the surface then existing. To the underlying mesothermal zone, we assign the silver-bearing lead, zinc, and copper minerals in which the characteristic gangue mineral is manganiferous siderite.

The present shortage of silver has brought on the search for new silver districts and for new ore bodies in old districts. In this search special attention should be given to ore bodies of the epithermal zone, and, in the light of recent work, to those districts which contain abundant black calcite.

On the other side of the question, the Secretary of the Treasury took the position that consumption would increase by at least 20 percent despite the fact that we know that our exports in 1964 were in large part caused by the desire to bolster the pound sterling and partially by speculation. Of course we have also had speculation here in the United States.

A stable silver policy and adherence to the law prohibiting the sale of silver by the Treasury unless the market price exceeds its monetary value will cause substantial reduction in these large factors in 1964 consumption.

In addition we were informed that the largest silver user, the photographic industry, is bending every effort to find substitutes. And we were also told that an increase in the price of silver will result in substitutes in several use areas.

The conclusion is clear: a stable policy with increased production will permit us to meet the needs for 40 percent silver content in the subsidiary coinage of the United States. On this basis I computed the estimates that I presented to the House yesterday that appear at pages 16559 and 16560 of the CONGRESSIONAL RECORD and I concluded that by the end of 1972, even with an honest set-aside for stockpile purposes of 165 million ounces of silver, there will remain in the Treasury 664 million ounces of silver although we place 40 percent silver in all our coins. If we have 40 percent silver in the half dollar alone there would be more than twice as much silver left in the Treasury at the end of 1972.

This can be used to take care not only of the needs of the silver users, but it can be used in order to keep an honest coinage in our American economy.

Mr. HOSMER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I do not come from a silver-user area, or a silver-producing area. I just look at this 40-percent silver 50-cent piece and wonder what it will get me, or any other American citizen, with this half the amount of silver in it, and of some kind of a sandwich construction.

I do not think it is a matter of adjusting fairness and equity between the silver producers and silver users. It is a matter of figuring out what we are going to do about the American people's money here. It was indicated if you go to this 40-percent silver and the Treasury mints these 40-percent 50-cent pieces, it is going to cost a billion dollars over a period of 18 years.

What Secretary of the Treasury in his right mind, and what President in his right mind, is going to let that kind of drain occur in his budget? Many of you here have had $2 million items, even $200,000 items, stricken out of your appropriation by the Bureau of the Budget.

They are simply not going to mint these 50-cent pieces if you vote to keep 40-percent silver in. What you are doing is voting to take the 50-cent piece away from the American citizen. They will not be minted. The current ones will disappear. Even if you do mint new ones, it will be in small quantities, and the coins will get in the hands of the collectors and there will not be any 50-cent pieces around for business purposes unless you go whole hog and take the silver out of them entirely.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. May I call the gentleman's attention to the Treasury report which says this about 50-cent pieces:

> It must be stressed that the uncertainties of the future silver situation preclude any definite commitment as to the amounts of 50-cent pieces that would be produced.

Mr. HOSMER. The Secretary of the Treasury came up here and he was asked how many dimes he is going to mint, how many quarters he is going to mint, and he told you, but he did not tell you how many 40-percent 50-cent pieces he is going to mint, because he is not going to mint any in quantity at all.

I could just as well use two quarters for a 50-cent piece, but some people like 50-cent pieces. I do not think the House should take any action today that is going to deny what millions of Americans want in their pockets to spend, a 50-cent piece.

Mr. WHITE of Idaho. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, at the time the amendment was adopted in the committee, I spoke against the amendment and 10 majority Members on the committee voted against it. The only votes against it in committee were from the Democratic side. I think that is indicative of what this amendment does. This amendment is not supported by the administration. The administration asks for a 40-percent silver content in the 50-cent piece. I would say to my colleagues here, I believe the inclusion of 40-percent silver in the 50-cent coin would help stabilize the entire coinage system which we are going to adopt here today. Whether we will go as far as the dime and the quarter, I think the fact that if we will keep some silver in one of the coins will give stability to the remaining coins.

I would like to quote here from the President's message on coinage. The President's message said this:

> The new half dollar was designed with the strong desire in the minds of many Americans to retain some silver in our everyday coinage.

I believe the President of the United States has correctly stated the desires of the American people and I think for that purpose, if for no other purpose, we should enact legislation accordingly.

I would like also to say that before our committee, Assistant Secretary Wallace appeared. He spoke with respect to "grandfather hoarding." He said:

> The third type of hoarding is called grandfather hoarding whereby an uncle, father, grandfather, or relative might say, "Son, we are not going to have any more silver coins so I wanted to save one for you.
>
> The fact that we can continue to have some silver in our coinage, we believe, will lessen that kind of hoarding.

I think the other points have been well made by the previous speaker. I think the gentlewoman from Missouri [Mrs. SULLIVAN] has made a very real contribution here and I want to associate myself with her remarks.

Mr. ULLMAN. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman.

Mr. ULLMAN. I commend the gentleman and have asked him to yield in order to clarify the situation: If we want to support the President and the recommendations of the Secretary of the Treasury, we will vote against this pending amendment; is that correct?

Mr. WHITE of Idaho. That is absolutely correct. To support the administration and to support the testimony given in committee by the Secretary of the Treasury, we will vote against the committee amendment.

Mr. CABELL. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman.

Mr. CABELL. Mr. Chairman and Members of the Committee, may I say first I was one of those who voted for the committee amendment in committee. But since listening to the very fine presentation of the gentlewoman from Missouri and the gentleman from Idaho, I associate myself with their position and hope the committee amendment will not be passed.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I would like to understand the gentleman from Idaho. The gentleman from Idaho is now supporting the legislation. He supports the administration and the Secretary of the Treasury and, but for this particular committee amendment, he supports the legislation reported by the committee.

Mr. WHITE of Idaho. I have given no indication to the gentleman from Rhode Island whether I support the legislation or not, but I am saying I am supporting the position of the gentlewoman from Missouri and that is all I have said.

Mr. ST GERMAIN. You mentioned the Secretary also.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KING of Utah. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman from Utah.

Mr. KING of Utah. Mr. Chairman, I rise to associate myself with the remarks of the distinguished gentleman and to compliment him for the work he has done.

I express my opposition to the committee amendment, which would eliminate all silver from our subsidiary coins. One of the previous speakers referred disparagingly to prestige coins and argued that the sooner we disassociated ourselves from silver, as a base for our system of coinage, the better off we would be. The clear implication of this statement was that those who sustain prestige coins are enemies to monetary progress.

With this statement I totally disagree. If supporting prestige money, in this day of debased currency, plummeting coinage values, and dwindling confidence in monetary systems, designates me an opponent of monetary progress, then I am glad to plead guilty.

The glory of our American commercial heritage has been, in part, the result of our insistence upon a hard currency. Silver coins have become so traditional, not only in the development of the West, but of the entire Nation, that to destroy them now would, in my opinion, seriously shake the basic confidence which not only this Nation, but the entire world, has had in our subsidiary coinage system.

The gentlemen opposing this point of view have suggested again and again that the advocates of "hard" currency were in some way beholden to the silver interests, and that our advocacy of this point of view was highly political in its overtones. I must protest, Mr. Chairman, and strenuously repudiate this unwarranted insinuation. Is it political to want to preserve the stability and the value of our coins, not to mention their beauty, their dignity, and their traditional appearance?

It has been suggested that there is not enough domestic silver available to meet th coinage demands, based upon a 40-percent silver content in our 50-cent pieces. The evidence adduced at the hearings of the Mines and Mining Subcommittee of the Committee on Interior and Insular Affairs, of which I am a member, indicated to the contrary. Admittedly, it takes from 2 to 5 years to develop a new silver mine. Admittedly, adequate production will lag for another 2 or 3 years. But the testimony presented to us clearly indicated that if we pursued an aggressive course of silver production, attacking the problem simultaneously on all fronts, we would have an ample supply to meet all of our coinage needs, if they were based upon a 40-percent silver content.

I appeal to the Members of this distinguished body to retain this 40-percent silver content, as provided for in the committee bill, and to reject the committee amendment.

Mr. DORN. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Idaho. I yield to the gentleman from South Carolina.

Mr. DORN. I too want to compliment the distinguished and able gentleman from Idaho, and say I will support his amendment, and commend him for the great fight he has made for sound money.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, if the House is going to debase the currency of this country here today, why not do a real good job of it? I suspect that if this committee bill is adopted there may well be a bill next year to provide for wooden coins. And perhaps the following year there will be a bill to use wampum. So why not do a good job here today and provide in this bill that the 50-cent piece, the 25-cent piece and the dimes be made out of plain, ordinary washers, the kind that go with nuts and bolts? Look—in each of these washers there is a hole right in the center. They can be put on a string for greater utility. Let us use some good, plain old fashioned cheap washers and stamp the value on them and perhaps, "In God We Trust." Your wife could use them—you know, to hang on her ears as ornaments, and you could put them on a string and carry them around your neck, thus saving the wear and tear on your suit pockets.

The taxpayers could be saved a lot of money by using washers, for they would represent the same value, according to the gentleman from Texas, who insists that we need not worry about coins with intrinsic value.

Now, with respect to a half dollar I found in my tool box last night this little handy-dandy piece of cheap metal. A beautiful half dollar could be made out of that. It, too, has a hole in the center.

It would be a utility item as well as a coin. If, for instance you did not happen to have a spoon and wanted to feed yourself or a youngster some ice cream, you would have this concave handy-dandy half dollar to use as a scoop or dip.

If you went fishing you could use it to scale fish. You could make a little plug to put in the hole and use it to dip up soup, or feed the baby pablum. There are a hundred uses to which you could put this funny-money half dollar before you spent it.

If we are going to debase the currency let us get busy and debase it. Then the industrial users will have all the silver to play with.

We could go ahead then and further increase silver exports to foreign countries. The foreigners want all our silver and they want all our gold. Apparently they are going to get both while the integrity of the American dollar goes down the drain.

Yes, the Great Society has apparently decreed that precious metals have no place in our coins so I suggest that you do a real good job of debauching our currency by adopting just plain old fashioned washers of appropriate sizes as the medium of exchange.

Mr. ADAMS. Mr. Chairman, I rise in opposition to the amendment.

Basically, I come from a silver-user district, in that my district is heavily involved in electronics and that type of operation.

There is one thing which bothers me about the committee amendment—and I also will support going to a 40-percent coin—and that is this: We are talking about removing silver as an intrinsic value in our money and producing more silver; yet the present bill would inhibit the production of silver, compared to what a 40-percent bill would allow, for at least the next 5 years, and would continue to tie our coin system to silver through Treasury operations.

I say that on the basis that on page 3 of the committee report it is indicated that for 5 years there will be continued production, if necessary, of 900 fine silver dollars, of course, pegging the price of silver at $1.29.

It is also provided, in part 4 on page 3, that the Treasury will move in and out of the market to protect the coinage at a monetary value, which would be $1.29. This means that the Treasury would move in and out of the market during the next 5 years to maintain the $1.29 top price to protect the circulating 90-percent coins.

The amount of silver which will be produced in a free market will be directly proportional to whatever price is paid, because the marginal mines will move in or out of production as the price increases.

So we have in this situation not a removing of silver as an intrinsic part of the monetary system but instead a hinging of silver to the monetary system, which will be in effect for a 5-year period. We should move to a 40-percent coin and start removing 90-percent coins which will remove silver backing and yet free enough silver for our present purposes.

If we go to the 40-percent coin—and I say this having had some experience with counterfeiting—we will have less trouble with counterfeiting.

We have given a good explanation to a number of people in this debate how they could counterfeit these new coins and make it work in vending machines and resemble the new coins. The first reason that we have not had this in the past is that you can get a ring from silver. Silver will ring. People know whether they have good coins or not.

A second item is that the coins have had enough intrinsic value, along with the ring, that people cannot cheaply obtain the materials to easily produce them.

The present coin can be produced by using a clay mold and simply stamping it into the clay mold. It can be produced cheaply and actually can be an exact facsimile in terms of the price of the goods involved in it.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Massachusetts.

Mr. CONTE. Has the gentleman seen the new clad coin?

Mr. ADAMS. I have. In fact, I have rung them on the table. If the gentleman will look at a 40-percent coin, he will find he cannot tell the difference.

Mr. CONTE. I should like to inform the gentleman that I believe there are only two companies in the United States which have the formula needed to be able to clad the coin. I cannot see how an individual could counterfeit these coins. They would be much more difficult to counterfeit than the coins we have at the present time.

Mr. ADAMS. Actually the coins can be counterfeited simply by using a copper base, which is stamped in clay, and pouring over it a mercury compound. It will pass two or three times which is all he wants.

Mr. CONTE. If you would do that, though, and counterfeit a 25-cent piece, you are likely to do a dollar's worth of work in order to produce a 25-cent piece.

Mr. ADAMS. I have seen them do it with 25-cent pieces and 50-cent pieces in lead, but it has never been worthwhile because you could not pass it once. You would not get it through a coin machine, and you could not get somebody to take it because it would not ring.

Mr. MOORHEAD. I wonder if the gentleman read the Treasury staff report which analyzes the question of counterfeiting which appears on page 233 of the hearings. The following appears there:

Mr. ADAMS. I have read it.

Mr. MOORHEAD.—

> The reddened edge of these coins and the difficult production process for the clad material from which they are made should insure against counterfeiting on any substantial scale. Vending machines set for silver coins will accept these clad coins and in time, the sensitivity of the rejectors could even be narrowed slightly from their present settings if desired.

Mr. ADAMS. I would point out to the gentleman, copper, if used as the base, which it will be under the instructions as given to everybody, will give a red edge with a coating on the side. So will mercury or any other metal. I want to point out two other things.

One, in the transitional period we are talking about under the facts the committee gave us, our coins in the present fashion are doomed, anyway, because there will be a profit from melting them down if we do not put the protection of the Treasury behind it on the $1.29.

The second point is this coin is significantly different from the coin we have been using in the past. I do not understand why it is that we are not willing to take it in two bites. First try it at 40 percent and then watch the transitional period. Then, if we have to go to cupronickel, which we may have to do at some time in the future, we will then have had an opportunity in between to keep our present coinage in circulation with the 40-percent coins. If our present coinage does not continue in circulation under the present proposal as the committee makes it, we will not have a sufficient number of coins during the transitional period.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the gentleman from Rhode Island [Mr. St Germain] be allowed to close.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. Conte].

Mr. CONTE. Mr. Chairman and Members of the House, I strongly recommend and support the committee amendment. I think it would be a tragedy here today if we did not do this. The gentlewoman from Missouri gave the best argument as to why it should be supported. She argued there was a tremendous shortage of silver and therefore we had to take the silver out of the 10- and 25-cent pieces. Then she made a complete turn around of the wheel and said we should have an intrinsic coin and retain 40-percent silver in that 50-cent piece.

Mr. Chairman, the gentleman from Idaho [Mr. White] who argued that this is the administration amendment and therefore it should be supported by the Democrats made one of the narrowest arguments I have ever heard in politics. He did not go one step further to say that he is opposed to the whole bill, which the administration favors very strongly. He stopped there on the cliff's edge. I have not seen the administration knocking down any doors or doing any armtwisting in order to retain the 40 percent of silver in the half dollar. Let us face the issue. The only reason a 40-percent silver content in the half dollar was requested by the administration in its legislative recommendations was, not because of intrinsic value, but for political reasons to get the bill through. There is no rhyme or reason why we should retain silver in the half dollar. It will take 15 million ounces of silver according to the administration. If we mint—and I know something about this—if we mint the same amount of half dollars that we minted last year, it will take 30 million ounces of silver. And how many ounces of silver are produced in the United States in 1 year? Thirty-six million ounces. How many ounces come out of the silver mines that they are trying to defend here today? About 10 million ounces of silver. The rest of it comes as a byproduct of copper, lead, or zinc.

So let us not kid ourselves. We cannot produce more than 36 million ounces of silver within the foreseeable near future.

Let us see what 15 million ounces of silver will do, taking the administration figure. The proposed 15 million ounces of annual usage for new half dollars would keep the photographic industry in this country operating for approximately 6 months. This industry contributes over $2.5 billion annually to the gross national product. The photographic industry, according to the figures that I have, employs 65,000 people in its manufacturing establishments, and 20,000 people in photographic finishing laboratories. There are more than 410,000 people whose jobs are directly related to the photographic industry. These are the professional photographers, the producers and distributors of motion pictures, and the retailers of photographic products.

Those 15 million ounces of silver would keep the silverware industry of the United States in operation for a year. This industry contributes more than $200 million to the gross national product of this country annually and employs 30,000 people. And this industry's use of silver is controlled to the extent that there is a legal requirement that sterling silverware be 925/100 pure silver.

I believe it can be said, Mr. Chairman, that these two industries, the contributions that these industries make to the national economy, and the employment of these men and women are entirely dependent upon access to silver. And, in today's silver market, the competition of the Federal Government for silver to be used in coins threatens to drain away the very life's blood of these industries—to serve no better purpose than to answer the plaintive and outmoded cries of a very few in this country for the retention of a bit of silver in our coins. It may have been good enough for 173 years, but we just cannot say that is for the good of this country today.

Mr. Chairman, I say once again, I give my wholehearted support to the amendment of the committee and recommend it to my colleagues.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. CONTE], has expired.

The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, with reference to H.R. 8926, I should like to make some effort to restore the silver and coinage situations to their proper perspective.

The silver producing interests and the press, at least to some extent, have made efforts to portray the silver situation and the coinage situation as a battle between industrial users and the producers. This is not the case. While it is true that if the silver using industries do not have access to Treasury stocks there will be a 25-percent deficit in supplies required by these industries, this is not the reason for taking silver out of coins. The reason for the elimination of silver in dimes, quarters and half dollars lies in the fact that there is not enough silver to do otherwise.

In the month of May 29.8 million ounces of silver were used in U.S. coinage. This is at the unbelievable rate of 358 million ounces annually. Free world production last year was 215 million ounces and this year the highest estimate is in the neighborhood of 225 million ounces. Thus if all the silver produced in the world were to be used in U.S. coinage, it would only meet two-thirds of our requirements.

Free world industrial requirements this year are estimated at 300 million ounces. Free world new production will supply only three-fourths of these requirements. In other words there is not enough silver being produced to supply either our coinage requirement or free world industrial requirements. The Treasury has enough silver on hand to supply its own requirements at the present rate for about 2 years. This is an impossible situation from a coinage point of view. Consequently there is no alternative other than to change to some other material. I reiterate—it is not just the fact that industrial users need Treasury silver that requires the elimination of silver in coinage; it is the fact that there is not and will not be enough silver for coinage that dictates the change.

It has been advocated, principally by the producers of silver, that the silver content of subsidiary coins be reduced rather than eliminated. I invite your attention to a very interesting and illuminating document entitled "Treasury Staff Study of Silver in Coinage," dated 1965, which accompanied the President's statement to Congress and which has been made available to Congress and the public.

In this study the question of reducing the silver content in coins rather than elimination of the silver content is thoroughly discussed. It is stated that the general conclusion must be unmistakable. The transition to silver coinage of reduced content would be an extremely risky undertaking, and Treasury silver stocks would probably be depleted within a relatively short period of time. The Treasury would be back in the market for silver before the transition was even completed and would be buying silver to meet its coinage requirements, rather than selling to protect the existing coinage. It was further emphasized that the use of any silver whatsoever in the 10- and 25-cent pieces, which are crucial to the needs of commerce, is ruled out.

With reference to the question of the retention of a 40-percent silver content in the 50-cent piece as proposed by the administration, the study stressed the fact that the uncertainties of the future silver situation preclude any definite commitment as to amounts of 50-cent pieces to be produced. The study also stated that the feasibility of retaining a 400 fineness silver half dollar should be examined exhaustively by the Treasury before making their legislative recommendations. It was pointed out that it was only intended to raise the possibility of keeping a silver 50-cent piece, not to provide the full justification that such a course of action would be required.

The House Banking and Currency Committee very properly eliminated silver in the 50-cent piece and provided that this coin be made of cupro-nickel clad on copper, as is provided for the 25- and 10-cent pieces. The only reasons advanced for the retention of silver in the 50-cent piece is the extension of a continuous tradition of circulating silver coinage. Other reasons were prestige and the fact that people like silver in coins. It has been pointed out that the retention of one or two silver coins is common practice internationally. This is rather stretching the point. Great Britain has eliminated the use of silver in all coins. France mints two silver coins which the French have specifically stated are for the purpose of preventing inflation. These coins are minted with the hope that people will take them out of circulation. Both coins have a paper equivalent. The list of other countries and the reasons for the retention of silver in one or more coins is not impressive.

The Treasury study very properly stated that of course sentiment and tradition must not be allowed to obstruct the transition to a secure coinage system, adequate to the needs of the present.

I urgently hope that the House will see fit to support the action of its Banking and Currency Committee in eliminating silver from the 50-cent piece. The Treasury staff study is compelling in its reasoning for this action. Although attempting to hold out some hope that there will be sufficient silver for a 40-percent silver content 50-cent piece, it is abundantly clear that this is not their true thinking.

I cannot stress too strongly that the repeated conclusion reached in this study is that the use of any silver whatsoever in the 10- and 25-cent pieces is ruled out.

The vital question involved is whether or not we will have an adequate coinage system or whether we will endanger it by requiring silver in coins. The real reasons behind efforts to retain silver is to raise the price and keep the Government in the market. This adversely affects, not only the silver users, but also the public. Government purchase of silver in the market where there is a 75-million-ounce shortage would be disastrous to the many users of silver and their employees in my State and all over the country.

H.R. 8926 as amended and reported out of the Committee is a good bill. I urge that the House support the Banking and Currency Committee and pass this bill as amended.

Mr. Chairman, if I had my way, I would eliminate the minting of half dollars. Every word I have heard spoken for 2 hours on yesterday and 2 hours today on both sides of this subject leads me to believe that we could strike out the minting of half dollars and save the taxpayers of this country a tremendous amount of money. We would take the half dollars out of the hands of the scalpers and the speculators and the few machines that use them in one or two States. I think that would be a good thing to do. However, I do not think the House is in a mood to do it.

I am going to support the committee amendment. I think the committee amendment is a good amendment. For the last 10 or 15 years, I thought we were trying to lower prices, to keep prices at a level and, if possible, lower them, to help the consumers and to get the Federal Government out of business. I have been hearing that argument on both sides of the aisle for 15 or 20 years. But if we do not approve the committee amendment, if we vote against the committee amendment, it means that we are voting to raise the price of silver throughout the country. This will be a blow to the consumers in every State of our country. It means that we will be voting to keep the Government in the market, to keep them in the business. It means that we are advocating that the Government continue to stockpile and stockpile and stockpile, which has cost the taxpayers of this country billions of dollars over the past 15 or 20 years.

Mr. Chairman, I support the committee amendment because I know that this amendment will help to keep down prices and help to get the Government out of business.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, in the Treasury staff report, at page 250 of the hearings of our committee, in the discussion on the 50-cent piece the following appears:

> Of course sentiment and tradition must not be allowed to obstruct the transition to a secure coinage system, adequate to the needs of the present.

Mr. Chairman, I submit that Members of Congress are elected as practical men, to find practical solutions to practical problems facing this Nation. Sentiment should not lead us to waste $1 billion over an 18-year period as the gentleman from Wisconsin pointed out we would be doing. The practical problem facing this Nation is a silver shortage. The sentimental and traditional thought is that the silver mining industry is a sick industry that must be supported by silver purchase acts. This is no longer the case.

As a matter of fact, as soon as we can get silver out of the coinage system we will then be able to take away the ceiling which is required on silver prices to protect our coinage, silver can then find its true price in the marketplace, which I submit, will inspire expanded mining of silver.

Mr. Chairman, we are faced with a practical problem. What we need is a coinage system that will be accepted at the newsstands for the purchase of a magazine, that will be accepted in the vending machines for a candy bar.

Mr. Chairman, I submit to the members of the committee that a newsboy will take two nickels without any silver in them just as quickly as he will take one dime that has silver in it, and that a vending machine will accept two nickels just the same as it will accept one dime.

Mr. Chairman, I believe the time has come to face up to the practical solution of a secure coinage system so that your Committee on Banking and Currency will not have to be coming back to you year after year to ask you to bring about changes in the system.

Mr. Chairman, let us make the change now and make a change which will be permanent.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. ASHLEY] for 3 minutes.

Mr. ASHLEY. Mr. Chairman, I rise in support of the committee amendment with some reluctance because I understand the situation of my friends from the West who are by tradition and history closely, intimately, and personally associated with this problem.

But, Mr. Chairman, I believe we must face the fact that while we do enjoy and have enjoyed a tradition of silver coins, this simply is not possible in the months and the years ahead.

Mr. Chairman, it is not possible because of an admittedly steadily worsening supply of silver in this country.

I would like to point out, Mr. Chairman, in the brief minutes I have, that the deficit between production and consumption of silver has become critical in the postwar years. From 1949 to 1953 the average deficit was 64 million ounces. From 1953 to 1957 this deficit jumped to 73 million ounces. From 1957 to 1961 it went to 114 million ounces. Between 1961 and 1964 it went to 335 million ounces. This was the gross deficit in 1964.

Mr. Chairman, if we had had no silver in our coins at all in 1964, there still would have been a deficit of 132 million ounces. This is how serious the problem is.

Now, Mr. Chairman, how can we meet the problem? By increasing production? There has not been any testimony to this effect. As a matter of fact the representatives of the Treasury Department in their testimony said that by no stretch of the imagination was there any possibility that increased production could begin to help to meet the problem.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield to me?

Mr. ASHLEY. I yield to my friend from Colorado.

Mr. ASPINALL. Did the gentleman read the statement that I made yesterday and placed in the CONGRESSIONAL RECORD?

Mr. ASHLEY. Well, let me read to the gentleman this statement by Mr. Fowler:

> There is no dependable or for that matter likely prospect in the opinion of experts, both inside and outside the Treasury, of new economically workable sources of silver that would appreciably narrow the gap between silver supply and demand. In fact, optimistic projections envision an increase of no more than 20 percent over the next 4 years.

Mr. ASPINALL. May I say to the gentleman that he should go to the silver producers for some information.

Mr. ASHLEY. Their record of production speaks for itself. They simply have not found the means of increasing production even during a prolonged period of shortage when a strong demand and ready market have assured consumption of all they could produce.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. HANSEN].

Mr. HANSEN of Iowa. Mr. Chairman, I support the committee amendment and ask that it be approved.

Elimination of silver from half dollars will save 15 million additional troy ounces of silver a year. This is not an insignificant amount. As a matter of fact, it represents the entire annual usage of silver for brazing alloys and solder—the fourth largest industrial use of silver in this country. It is half as much as we use for electrical contacts and other electrical uses including electronic components. It is 5 times as much silver as we use each year in mirrors, and 15 times as much as goes into missiles. As a further illustration of the importance of saving 15 million additional ounces of silver a year, as this amendment will do, is the fact that it represents three times as much silver as we use each year in medicine and dentistry.

So it is, I repeat, not an inconsequential quantity.

Considering the fact that we will be saving about 285 million ounces of silver at the current rate of production of coins, by eliminating silver from dimes and quarters, one might ask why the saving of an additional 15 million ounces is so important. Why not, one might ask, give the Secretary of the Treasury the so-called "prestige" coin he has asked for, by permitting a modest amount of silver to go into half dollars?

My answer, and one, I believe, which strongly influenced other members of the Committee on Banking and Currency in voting to drop silver entirely from coinage, is that we are dealing with a rather unpredictable phenomenon known as the coin collector. Coin collectors are fine, upstanding American citizens—certainly the ones I know are—who enjoy acquiring coins for their beauty of design and appearance, and for their historic value. Primarily, this is a hobby, not a business, for millions of Americans of all ages. However, it would be a somewhat idealistic exaggeration if one were to say that the average coin collector does not have some of the same human failings of the rest of us in wanting to make a dollar in a painless fashion by betting on a sure thing. The coin collectors have learned, to their keen delight and continuing encouragement, that proof sets bought a few years ago—when the rest of the public was not aware even of their existence—now bring glamorous prices in the coin market. The percentage of profit on invested capital is fabulous—incredible. A set which cost $2.40 a few years ago may today be worth 10 or more times, perhaps 100 times, the original investment. Some collectors year after year regularly bought their full entitlement of 100 sets, and some bought the full 100 sets in the names of everyone in their families. So profits were extraordinary. And coin collectors have therefore come to regard the U.S. mint as their personal mint. New coins bought up in volume, have frequently increased very substantially in value.

So we are dealing with a very alert group of investors, who find their hobby has, in many instances, been most fruitful. I do not blame them for this; I applaud their acumen. But we must now be prepared to deal with the problems the coin collectors present to us as we change the basic metal of our coins and go into new coins with sharply reduced intrinsic value.

If we have a half dollar of even 40 percent silver content, compared to dimes and quarters of zero silver content, the collectors will continue to acquire as many of those half dollars as they can. First of all, the Treasury is announcing for all of them to know that only 100 million of them are to be produced annually. That is less than 37 percent of the production so far of Kennedy half dollars—nearly all of which have disappeared. The new half dollars will also bear President Kennedy's likeness. If made of 40 percent silver, they would so closely resemble the present half dollars that few could tell the difference, other than by the date. I foresee great competition for such coins, and thus their disappearance.

If it is true that we need a half dollar coin for commercial purposes, and for the 5,000 dry-cleaning machines, the half-million jukeboxes, the 190,000 wall type coin changers and the 5,000 merchandise vending machines which are equipped to receive half dollars, then I say we should have a half dollar coin which will be used and spent, not one which will be saved and hoarded. We can make unlimited quantities of the silverless half dollar with no difficulty whatsoever. Even more serious is what will happen to existing coins if the propensity for collecting and saving silver coins is further stimulated by continuing to mint silver half dollars. I think our whole coinage supply would be in danger. Only as I told the Secretary of the Treasury, I do not want to look back in my later days and have on my conscience the feeling that I was party to an arrangement whereby a group of smart speculators made a fistful of money unduly on silver as a result of our actions on this legislation.

I feel we should replace the silver coins as rapidly as possible, with the new coins—silverless coins. To that end I feel we should not dawdle and dabble at this with an interim half dollar of fairly high silver content. Let us stop using silver now—as soon as possible—and end the diversion of the coin of the realm into the private hoards of heads-I-win, tails-I-win bettors on sure things. Regardless of the silver content, or lack of it, the new coins will buy their full share of merchandise and services in the marketplace. If anyone fears that a silverless half dollar will buy less than a half dollar of 40 percent silver, then obviously he has lost faith and confidence in the stability and integrity of the United States.

Mr. Chairman, approval of this amendment, we will eliminate silver from all coins; and we can expedite the wide distribution of all of the new coins of common metallic content; we can make the acquisition of large private hoards of new coins uneconomic and self-defeating, and we can surely protect the integrity of existing coinage. I urge its approval.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. St Germain].

Mr. ST GERMAIN. Mr. Chairman, in listening to those speakers who have preceded me who spoke against the amendment, I heard but one of these speakers state unequivocally that she would support the bill as originally introduced by the administration. The other speakers are not really interested in 40 percent in the half dollar, but in 40 percent in all coins. I predict very confidently they will be against the legislation that is now before us.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I just have 2 minutes. I would like to yield, but I only have 2 minutes.

Mr. ASPINALL. I am supporting the legislation.

Mr. ST GERMAIN. I thank the gentleman for that information.

When the gentlewoman from Missouri was speaking she said certainly we should concede a little to the producers. Under ordinary circumstances I would say yes, we definitely should. It is a two-way street, politics is a two-way street, and we like to compromise. But as was stated yesterday by one of the speakers, let us look at the record of silver.

From 1933 to 1963 the Treasury was forced by law to acquire 3 billion ounces of silver in an effort to raise the market price. In 1947 domestic production amounted to approximately 35 million ounces. Fifteen years later in 1961, despite Treasury buying prices ranging as high as 31 cents per ounce above the market price, domestic production was still 35 million ounces, with an average annual production of 36 million ounces during this period. In 1964, despite a 42-percent increase in the market price since 1961, production is still at the 36 million ounce level.

The testimony before the Committee on Banking and Currency brought out very clearly that we cannot look forward to any increased production and keep 40 percent in the half dollar, or in the other two coins. There will not be any increased production. If they have not increased it in 32 years how are they going to do it now?

Mr. Chairman, I think the Committee on Banking and Currency has looked at this matter and considered it in a realistic manner. If we were to produce the number of half dollars that we produced last year, we would use 30 million ounces of silver, leaving but 6 million ounces for all industrial use.

I urge rejection of the amendment.

I do hope the Committee in its wisdom will support the amendment adopted by the full Committee on Banking and Currency.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and on a division (demanded by Mrs. Sullivan) there were—ayes 48, noes 94.

Mr. CONTE. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Members in favor of taking this vote by tellers will rise and remain standing until counted. [After counting.] Thirteen Members have risen, not a sufficient number.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, strike out lines 3 through 6 and insert:

(b) Half dollars, quarter dollars, and dimes may be minted from 900 fine coin silver only until such date as the Secretary of the Treasury determines that adequate supplies of the coins authorized by this Act are available, and in no event later than 5 years after the date of enactment of this Act."

Mr. PATMAN. Mr. Chairman, before the vote is taken on this amendment, may I ask the gentleman from New Jersey [Mr. Widnall] if we can agree on voting on the next amendment and considering both amendments at this time. The gentleman from New Jersey [Mr. Widnall] is the author of both amendments.

Mr. WIDNALL. Mr. Chairman, I would object to that. I think they should be voted on separately.

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALL. Mr. Chairman, are the two amendments being considered en bloc?

The CHAIRMAN. No. Objection was made to that and only one amendment is being considered at this time.

The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 13, insert:

"(c) No standard silver dollars may be minted during the five-year period which begins on the date of enactment of this Act."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. FOGARTY

Mr. FOGARTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Fogarty: On page 3, line 7, strike out the comma after "(b) Half dollars" and insert in lieu thereof "may not be minted after the enactment of this Act and".

Mr. FOGARTY. Mr. Chairman, I offer this amendment today. If we really wish to save some money and to do a job and consider both sides of the problem, we will not manufacture or mint any half dollars in the future. I do not know what is wrong with that. The quarters and dimes are sufficient.

If you want to save some money now, this is a good opportunity. You can do so by voting for this amendment.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

This amendment would set a bad precedent. We considered the amendment in the committee, and we believe it goes too far.

Psychologically, the step we are taking is a big step as it is. This proposal is too radical. Why should we take the additional step which would be even more shocking psychologically? I ask Members whether they do not believe we should try what we have suggested? That is what the committee decided.

We thoroughly discussed this problem. We are acquainted with the problem, we believe, and we hope the House will vote with the committee and reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island [Mr. Fogarty].

The amendment was rejected.

AMENDMENT OFFERED BY MR. HOSMER

Mr. HOSMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Hosmer: On page 3, following line 15, add a new subsection (d) to section 101 as follows:

"(d) Whenever, in the judgment of the Secretary of the Treasury, the supply of coins in circulation is, or is about to become, inadequate for the public convenience, he is authorized to cause to be printed and issued in quantities reasonably necessary to serve the public convenience paper fractional currency in addition to and in the denominations of the coins specified in subsection (a) of this section. Prior to the issuance of said paper fractional currency, the Secretary of the Treasury shall acquire and/or set aside sufficient silver, copper, and nickel to mint coins of the numbers and denominations of the said paper fractional currency to be issued, and shall retain same in reserve as metal or coin pending redemption of said paper fractional currency. The paper fractional currency so issued shall bear the date of the month of its issue and, on and after a date specified by the Secretary of the Treasury, not to exceed the beginning of the twelfth month following date of issue, shall be redeemed by the Secretary of the Treasury on demand with coin of the same face value. The paper fractional currency issued pursuant to this Act shall be legal tender for all debts, public and private, public charges, taxes, duties and dues, and shall be subject to the laws pertaining to designs and inscriptions on currency of the United States."

Mr. HOSMER. Mr. Chairman, all the amendment would do is to permit the Secretary of the Treasury, if we ran into a coin shortage, as has been predicted by a number of speakers during this debate, to issue fractional paper currency during the period of shortage so that the housewife could go down to the store and make change when she buys groceries and so that every other American would not be utterly inconvenienced by an inability to make change.

This would be discretionary with the Secretary of the Treasury. He would only issue such paper fractional currency when he found it was necessary for the public convenience to have it in circulation. He would be required to redeem it within a year after its issue.

If the Secretary never exercised the power to issue this fractional paper currency, so much the better. However, if unfortunately—and I believe that misfortune will occur—we do run into a tremendous coin shortage, there would be a way to handle it without totally inconveniencing the American people.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I am delighted to yield to the gentleman from Maryland.

Mr. LONG of Maryland. Making allowance for the fact that the paper fractional currency will wear out and will have to be reprinted, can the gentleman tell us how this compares in cost, over a year, with the cost of coins?

Mr. CONTE. I figure that the seigniorage on the coins is about 95 percent, and it costs some more to mint them, so the seigniorage on the paper currency ought to be about 99 percent. But it will all even out, because the Secretary will have to issue coins for the paper later. The interim paper currency will merely be a cost of providing the American people with something with which they can make change.

I think it is an obligation of ours to provide for this contingency and then go home and pray it does not occur.

Mr. LONG of Maryland. I do not think I understood the gentleman's answer, if he does not mind yielding further.

Mr. HOSMER. I yield to the gentleman.

Mr. LONG of Maryland. Would it cost an appreciable sum more to do this as an administrative cost?

Mr. HOSMER. No. It would cost no more than it would to print and account for any other paper money, perhaps a little bit less.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. GROSS. This fractional printed currency—could it be called "shin plasters"?

Mr. HOSMER. That is what it was called during the Civil War when it was used. It was not very popular then, but at least it permitted people to do their business and buy their groceries.

I hope that the gentlemen will support the amendment.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the committee considered this proposal. For the last 100 years the Government has not issued any fractional paper currencies of any kind. It was considered a nuisance then. Today the cost of replacing dollar bills is quite heavy. The cost of replacing $5 bills is not so expensive or $10 bills or $50 bills or $100 bills. However, the lower you go down in value the higher is the cost. Even the bookkeeping costs would be tremendous and the handling costs would be enormous. The nuisance would be terribly hindersome. I do not believe the people want to go to the trouble of handling what would be tantamount to trading stamps. That is the idea proposed here.

"Shinplasters," I think, was the name the gentleman from Iowa mentioned awhile ago. They were referred to 100 years ago as "shinplasters." Why should we try to get other forms of money? We do not need it. We have always used coins for a dollar or below that value for 100 years. We decided it was the best form, so that we do not have the nuisance which arises when we deal with little 5-, 10-, and 25-cent pieces in fractional currencies. We have coins to do that job. Certainly you could not use fractional currencies in a slot machine. You could not put a raw oyster in a slot machine nor fractional currency in a slot machine. So it would be going against all that we have been trying to protect in this legislation.

There are billions of dollars worth of vending machines in this country—billions of dollars worth. They are entitled to some consideration, too. They are entitled to some consideration when we are changing our coinage. Our committee very carefully guarded against any destruction or possible destruction of this great vending-machine industry which has billions of dollars of value.

You cannot use fractional currencies in vending machines.

So I suggest this amendment should be voted down and we should support the committee, both Republicans and Democrats, who considered it. I do not think it had a single vote for it—fractional currencies. It was denounced by everyone as impracticable and as not being needed.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from California.

Mr. HOSMER. I think the gentleman did not hear the reading of the amendment, because this does not provide for the willy-nilly issuance of fractional currencies but for the issuance of it by the Secretary of the Treasury if he finds that there is not enough coinage in circulation for the needs of the people.

Mr. PATMAN. I yielded to you, and I know what it does.

Mr. HOSMER. And in that case only. If he had listened to my amendment, he would not have argued with me.

Mr. PATMAN. We have all kinds of associations in this country. There would be an association created immediately, if there already is not one, to try to pressure the Secretary of the Treasury to issue this fractional currency.

Mr. Chairman, this amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOSMER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. BATTIN

Mr. BATTIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BATTIN: On page 2, strike out line 16 and all that follows down through line 2 on page 3 and insert:

"(2) The quarter dollar shall have—

"(A) a diameter of 0.955 inch;

"(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 5.75 grams and contains 2.3 grams of silver and 3.45 grams of copper.

"(3) The dime shall have—

"(A) a diameter of 0.705 inch;

"(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 2.3 grams and contains 0.92 gram of silver and 1.38 grams of copper."

Mr. BATTIN. Mr. Chairman, my amendment would give the authority for the minting of dimes and quarters containing 40 percent silver and thereby retain some of the prestige these coins have enjoyed and would, I believe, help prevent the disappearance of the silver dimes and quarters now in circulation.

Monday, I inserted in the RECORD a series of articles by Mr. Carl W. Ritter, the San Diego Union's financial editor. I hope my distinguished colleagues have had the opportunity to read Mr. Ritter's analysis of this ill-advised move to remove silver from our coins, to further debase our currency. He called it a step down Ersatz Avenue and added that "one is forced to wonder anew where this road really leads."

I would like to review Mr. Ritter's study and his conclusions as compared with the recommendations of the Secretary of the Treasury.

The fanfare attending President Johnson's pronouncement to the effect that making American money "funny" will be good for the Nation had for some of us simple souls a tinny sound.

Tinny—appropriately enough.

It failed somehow to release any great swelling of pride and satisfaction. Rather, there persisted a nagging suspicion that this country was about to sacrifice more of its honor to political homage.

It is now possible that after more than 2,500 years in which silver coinage has served mankind, it could close out its career in coinage. The world's commercial and industrial demands are great and some say silver is scarce.

The introduction of a new coinage system suggests all sorts of economic and psychological nuances.

The United States has had relatively minor coinage system changes since the original Republic Coinage Act of 1792. The present silver coinage system has been operating since 1873.

Alexander Hamilton, Secretary of the Treasury in the late 1700's, managed to get Congress to adopt a bimetal standard, both gold and silver, although there was pressure for a single gold standard.

Hamilton wanted silver in the U.S. coinage picture because of wide circulation of Spanish coins in this country and the great public confidence in them.

The resulting monetary law established U.S. subsidiary coinage of 90 percent silver.

History records that during Andrew Jackson's administration, when a financial crisis arose, banks and commercial establishments flooded the country with paper small change far exceeding the amount of hard money in circulation. The paper became scornfully known as Jackson tokens and shinplasters.

The people then insisted on intrinsic worth and got it.

Now a critical new era in coinage begins to unfold.

Unless history reverses itself, the people will not accept the forthcoming reassurances from administration sources that the new coins will represent good money, with purchasing power unaltered.

The coin shortage could develop into a frightful thing. Business is likely to suffer severely. So could the consumer. But the greatest danger of all seems to rest in experiences of the past which show that whenever currency with intrinsic value disappeared completely from a national monetary system, the individual nation sooner or later found its currency losing substantially all value.

In the Grecian city-states of long ago, this was the case. It also was true during the 1940's when Italy, Germany, and Japan fell victim.

Only the British among free world nations today offer coins without intrinsic worth, and everyone is well acquainted with that country's monetary problems. The dangerous area Britain has entered and the United States seems bound to penetrate shortly is illuminated in the following comment by Simon D. Straus, a precious-metals authority:

> Confidence is a strange and delicate animal. It is not created by telling people they must be confident. It can disappear overnight.
>
> Confidence is something that represents the trust and faith of a country's entire population—not just a few experts in monetary theory.
>
> Great empires have fallen when public confidence has been withdrawn; small nations have triumphed over great odds when public confidence in their leaders has been established.

France, starting with the late 1950's, has been going the hard-money route under President Charles de Gaulle. Instead of continuing to damn the general for preferring our gold and silver instead of our dollars, perhaps we should look into French history. France had abandoned intrinsic value coinage shortly before World War II.

Why did she revert to silver coins if silver does not actually serve to maintain confidence in a nation's currency?

Although the Treasury has expressed alarm over the present abnormally high rate of silver used in coins and industrial silver users have advocated elimination of all silver from coins, other authorities such as Simon D. Straus do not consider the present rate of some 300 million ounces this year as normal. The average rate for the 12-year period preceding 1963 was 50 million ounces. Mr. Straus, in an address before the New York Society of Security Analysts in March of this year, said that giving weight to the country's growth in population and economic activity, a coinage rate of 100 million ounces annually would appear a generous estimate of normal mint requirements for coins of the present silver composition. If the silver content is reduced to 40 percent, then the normal annual requirement would obviously be reduced proportionately.

Several factors coincided to inflate the 1964 demand for silver coins. One was the disappearance of millions of Kennedy half dollars as collectors' items. Another was the widely advertised shortage causing widespread withholding of coins and the third was probably some hoarding of coins in speculation of a future rise in the price of silver.

The Treasury now has in stock about one billion ounces of silver and coins now in circulation represent another 1.9 billion ounces of which about two-thirds would normally be recovered.

Additionally, new techniques of discovery are just beginning to be utilized. Airborne electromagnetic detection methods have been strikingly effective and the same day the House committee eliminated silver in all coins, the Bureau of Mines announced new methods of exploration and recovery for increasing the domestic silver supply.

Mr. Robert M. Hardy, Jr., chairman of the Silver Committee of the American Mining Congress, in his testimony before the Committee on Banking and Currency pointed to these newer techniques of exploration which are just beginning to be utilized and in particular to the big Canadian discovery of Texas Gulf Sulphur made by these methods.

I have here in my hand a page from the Mining Congress Journal carrying an article on the possibility of recovering silver from black calcite which is found in abundance in many Western States. A silver content of 5 percent or 1,500 ounces per ton has been found in Nevada deposits.

In summation, Mr. Hardy said there is silver to be had, enough to satisfy the needs of coinage and for industry. However, it must be wrested from the earth by toil and effort and will not spring forth readily in answer to a cry of panic.

On the other hand, that cry of panic will not stop it from coming forth in answer to a need.

So let us not panic by eliminating all silver from our dimes and quarters but follow a reasonable course that is entirely possible and feasible by retaining at least 40 percent silver and some semblance of prestige in our dimes and quarters.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Ohio.

Mr. ASHLEY. Where is the silver supposed to come from for this?

As I pointed out in my remarks a few moments ago, in 1964 there was a deficit of 132 million ounces of silver.

Mr. BATTIN. I would say to the gentleman from Ohio that my time is about up——

Mr. ASHLEY. Where is it supposed to come from?

Mr. BATTIN. The day your committee—the very day your committee—voted to take silver out of all the coins, the Bureau of Mines, another agency of the Government, announced that they were using an electromagnetic process in discovering silver. It is a difficult task, but you have got to work in order to get it out of the ground. You cannot panic someone into the situation of saying, "We have got to get it out of our coinage system."

As a matter of fact, Mr. Chairman, I have an article right here on how black calcite represents a source of silver, they can recover 5 percent silver which amounts to about 1,500 ounces per ton. It is just a question of digging it out.

Mr. ASHLEY. If the gentleman will yield further, it has not been produced to date.

Mr. BATTIN. No.

Mr. ASHLEY. This deficit has not been met by production.

Mr. BATTIN. No; I would say to the gentleman that it has not. However, if the Treasury Department through the years faced up to the situation we would not be here today.

Mrs. SULLIVAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I oppose this amendment. It is an Alice-in-Wonderland amendment. It is wishful thinking, put into legislative language. We just do not have the silver we would need for coinage under this amendment.

I believe the silver producers must receive some consideration in this legislation. That is why I took the floor of the House to urge the retention of some silver in the half dollar. That is why I support the provision in the bill of a price support level of $1.25 per ounce for all domestically mined silver.

Mr. Chairman, it is customary to ridicule the silver bloc—so-called—for its history of forcing the Treasury to buy silver at inflated prices over the past 85 years or so; but, as it appears now, it was a good thing that we did accumulate that silver foisted on us during those years, for it is the Treasury stocks of silver which have been, and will be, instrumental in assuring the continued supplies of silver for the photographic industry, the jewelry industry, the missile industry, and many others dependent upon this unique metal.

Mr. Chairman, let us pay our respects to the silver producers and thank them for past favors, and treat them fairly now—but not engage in the fantasy that we have enough silver, or can get it, to keep silver in all three coins.

SILVER NOT AVAILABLE AT DOUBLE OR TRIPLE PRESENT PRICE

Mr. Chairman, the Secretary of the Treasury told us frankly that it cannot be done, and the Bureau of Mines, on which the silver-producing interests seem to be depending so heavily for statistical ammunition in this battle, has also told us, in clear and unmistakable terms, that silver production cannot be sharply increased in the immediate future, even at a price two or three times the present price.

Mr. Chairman, I congratulate the fight the gentlemen from the silver producing areas are making on behalf of the districts they represent but unfortunately, on this issue the facts are not on their side. If this amendment were to prevail, the basic concept of this bill would be changed. We would not be solving our problem on silver supply—but merely prolonging the agony of the inevitable later decision to do what we now must proceed to do, painful as it may be to those who believe coinage and silver are absolutely synonymous terms.

Mr. Chairman, the committee overwhelmingly rejected this amendment when it was before us, and I ask that the Committee of the Whole House on the State of the Union defeat it also.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. WHITE of Idaho. Mr. Chairman, I object.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The chair recognizes the gentleman from Idaho [Mr. WHITE].

(By unanimous consent, Mr. ULLMAN and Mr. OLSEN of Montana yielded the time allotted them to Mr. WHITE of Idaho.)

Mr. WHITE of Idaho. Mr. Chairman, I appreciate very much the remarks of the chairman of the Consumer Affairs Subcommittee of the Committee on Banking and Currency, that we have to recognize the problems of the West, and the silver-producing areas, and that we have been accorded our bit, now we should face up to the real problem of coinage.

I agree with her completely. But if the Members of the Committee will note the previous remarks made by me and by the distinguished chairman of the Committee on Interior and Insular Affairs, and using the figures of the Treasury's own report, a very conservative analysis shows with 40-percent coinage there would be 262 million ounces of silver retained in the stocks of the Treasury after the conversion to a 40-percent coin. Then, assuming they neglected to include the reclaiming of silver from photography, which also includes the 45 million silver dollars that were to be minted which were not minted, and also neglected the return of coins, plus domestic production, plus production that will be imported into the United States, we will come up with almost 800 million ounces of silver after the conversion to a 40-percent coin, which is provided by the amendment offered by the gentleman from Montana.

I think the figures speak for themselves. This silver shortage has been oversold by the Treasury Department; it has been oversold by users. I believe we have a sufficient coinage of silver—I can prove it—to mint 40-percent silver coins.

I think the Members of this Committee should look carefully at this and consider and analyze the figures carefully, then come up with a decision to go ahead and maintain a silver dime and a silver quarter and a silver half dollar. They would be indistinguishable from the present coins, and could be the prestige coins of the United States, that can be circulated side by side with the coins of other countries, and not create hoarding. It will do all the things we are trying to do here today, and I ask the Committee to support the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I well understand the seriousness of the silver supply situation. I well understand the need for some kind of action in the very near future to meet the apparent world shortage of silver which is aggravated by silver's use in the coinage of this and other nations of the world.

But I must say, in all frankness, that we are acting with inordinate haste on a measure of such grave import as the one now before us. We are acting precipitously, and I believe carelessly, upon the first real basic change in our coinage since the Metal Act of 1792.

This bill calls for violently drastic action. It would remove silver from our coinage and replace it entirely with base metals for the first time in our history. This bill, almost literally, adopts wooden nickel coinage, where our coins, for the first time, will have little or no value in themselves, and proposes to circulate such coins alongside present coins worth considerably more in intrinsic value. It is a dangerous experiment in human psychology which ought not to be undertaken without deep and concentrated study and without serious national debate.

Consider the speed with which this fundamental change in one of the fundamental aspects of our economic system is being made:

We received the Presidential message on June 3. There was only 1 day of hearings in the Senate. There were only 16 witnesses and all but 1 of them spoke either as a representative of silver producer or users. There were only 3 days of hearings in the House and only 8 witnesses who appeared. Only two of these witnesses—the Secretary of Treasury and one professor—could be classed as disinterested. Legislation was reported in both the House and Senate a week after the message. Two weeks later, the Senate passed the bill and this House is now about to take almost the final step, only a little over 5 weeks after the President's message.

Mr. Chairman, we will live to regret this speed. We will regret, I believe, that this measure—with its wide-ranging impact—did not receive the kind of thorough legislative study and lengthy consideration it so badly needed.

I am deeply concerned, Mr. Chairman. I am concerned, I wish to make clear, not with the effect of this bill upon silver producers or silver users, important as that might be; I am concerned with its effect upon our monetary system and the part that system plays in a dynamic economy. If we guess wrong here today—and I use the word "guess" advisedly because I am afraid that it is what we are doing—we can cripple the economy. I am fearful, for example, of what might happen if the adoption of wooden nickel coinage drives out of circulation the existing silver coinage before an adequate supply of the new coins are available for use. I am fearful that, in attempting to ease the silver shortage, we may be increasing the demand for it while doing nothing to increase the supply.

The best part of this bill, Mr. Chairman, it seems to me, is the title establishing a Joint Commission on the Coinage. In my view, we would be wise to strike all else from the bill, create the Commission and empower it to conduct a really thorough study of this entire situation, calling in the Nation's outstanding monetary experts and students, and requiring it to report its findings and recommendations at the start of the second session of this Congress.

Without more expert study and guidance on this matter, Mr. Chairman, we are acting in the dark on a matter of vital importance to every American. We should never put ourselves in that position. I will oppose this bill in the hope that its defeat will lead to a serious study of the grave matter before us.

The CHAIRMAN. The chair recognizes the gentleman from Washington [Mr. FOLEY].

Mr. FOLEY. Mr. Chairman, some of the Members who have spoken in this debate, for whom I have the greatest admiration, have attempted to give the impression that opposition to this bill comes only from the silver-producing districts of the United States.

If that were true, it would indeed be a sad commentary on the judgment of the House of Representatives. What we consider today is a bill which basically changes the coinage system of the United States that has existed for 172 years of our history. What this amendment proposes is radical enough. It proposes to cut more than half the silver content of the subsidiary coinage. If the members of the Committee adopt the pending amendment, we will be changing the character of our coinage by reducing by more than half the silver content of our coinage. Is that not a radical enough step and a strong enough step to take at this time? I plead with the Committee not to rush into a complete and total debasement of the coinage from which we may not be able to retreat.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. MIZE].

Mr. MIZE. Mr. Chairman, I cannot help but to make the following remarks in view of the fact that I am changing my position on this vital matter. I voted, as a member of the Banking and Currency Committee, to accept the original bill as amended. I now see the mistake I made. On page 112 of the hearings an administration witness, Dr. Weldon Welfling, said:

> In today's world it is more true than ever that silver is too valuable in other uses to be wasted in coins.

Do all the Members of the Committee realize that up to 25 percent of the industrial use of silver is consumed by the tableware industry?

If we face such a silver shortage I would think we could temporarily suspend the manufacture of silverware, silver compote dishes, silver coffee and tea sets, and silver jewelry for that matter, and give the committee to be set up under this bill—to further study the entire matter and make recommendations. Changing our coinage system deserves a more thorough analysis and study. I am sure one can eat peas from a stainless steel knife as well as a sterling silver knife—if he knew it would contribute to the integrity of our coinage system.

Mr. CAHILL. Mr. Chairman, I ask unanimous consent that the time allotted to me be granted to the gentleman from Massachusetts [Mr. CONTE].

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. BATES. Mr. Chairman, I want to congratulate the gentleman from Massachusetts [Mr. CONTE] for the views he has expressed and the fight he had made not only in the interest of the silversmiths and those in the photography and electronic industries, as well as other businesses in this country, but for the work he has done in attempting to solve the shortage problem in respect to our currency.

This amendment should be soundly defeated.

Mr. CONTE. Mr. Chairman, I rise in opposition to this amendment which would retain silver, in a reduced content, in the dimes, quarters, and half dollars. How many times will it have to be said before we will all understand just what our purpose is here today? We are not here to get a half a loaf for the silver users and a half a loaf for the silver producers, though there may be some feeling in the high circles downtown that such a compromise would give us a workable coinage system, perhaps for the time being. We are here to make a change in a coinage system that has served this country for 173 years and is now in serious trouble. I do not want to be a part of a fruitless effort that will find us back here in a few months or a year to try again.

We do not have a single ounce of silver that can be thrown away in the minting of a single coin. We must face up to harsh reality and sever the umbilical contact between our coins and silver. We do not have enough silver in the free world to continue its use in our coins. It is as simple as that. And we will not have it tomorrow, next month or next year. It has to be in the ground to be found and it would take a mighty successful treasure hunt to come up with the 91 million ounces that would spell the difference between the life and death of our domestic silver using industries, which was the deficit between domestic production and domestic use in 1964. Free world silver production has risen only moderately since 1958. In that same period, world consumption of silver has just about doubled. As a result, the sizable annual deficits of 65 to 70 million ounces had tripled to a massive 205 million ounces by 1963. With the removal of the U.S. Mint as a silver consumer, we will still have an annual silver deficit in the free world of 70 million ounces—certainly an enviable seller's market.

There is no question as between the use of silver by the Government and private manufacturers. Silver in our coins serves only the perpetuation of a tradition—a tradition that has become a luxury which this country can no longer afford. Silver for manufacturers is used in dentistry, medicine, missile construction, batteries for defense vehicles, electronics, silverware, and jewelry. It accounts for the employment of more than 200,000 men and women in this country and contributes approximately $3 billion to our gross national product.

We do have a minimal amount of silver to insure a smooth transition from our present system of coins to the new system. If we are unsuccessful in this transition effort, there will be two primary consequences. We will have a coin-using public that will have no faith in either the old or the new coins and we will be incapable of allowing for another transition. The quickest way to undermine our transition efforts is to tie up the key to that transition—the less than 1 billion ounces of silver held by Treasury. And, there could be no more effective tie-up than to have to allow for silver consumption in even one of the new coins.

I fail to understand or appreciate the position of my colleagues who are espousing this amendment. One minute they would contend that we must get the Government out of the silver business, remove all silver price controls, and let supply and demand set the price for silver. The next minute I hear that we must keep this a Nation of silver coins, a Nation where the Federal Government would, then, of necessity have to be a party in the silver market and have some control over the price of silver simply to protect the new silver coins for as long as such a system of coins would be continued. There is one thing that I can understand. That is a system of coins that will answer the needs of today's society. Coins that would be passed from hand to hand and pocket to pocket as a medium of exchange. Coins that would not be greedily hoarded and drooled over by silver speculators—the parasites who feed off the silver market. Such coins must contain no silver.

We are not minting coins to perpetuate a tradition, to have a symbol for the country that we praise as the leader of the free world, or to provide a buyer for an already oversold silver market.

The Treasury Department, the Bureau of the Mint, the administration, the Banking and Currency Committees of both Houses and the coinage experts of this country have all agreed that we cannot retain silver—in any amount—in all of our subsidiary coins. I, for one, refuse to follow blindly these parochial arguments like a lemming to the sea. They never return to shore nor will we ever be able to return to this Chamber with the means available to us to make a smooth transition to a system of coins that will answer the demands that are being made and will be made upon that system. Our distinguished predecessors acted in 1792 with a vision that gave us a system that was viable until today. Can we not see beyond our noses and hope for such success?

Mr. Chairman, if we pass this bill I predict as I am standing here now that in 2 years you will have no silver for the photographic industry or for the needs in dentistry, electronics, silverware, jewelry and for many other industrial purposes.

We have done a dastardly thing here today by retaining 40 percent silver in the half dollar. I just hope the Treasury has the intelligence not to mint the 40 percent silver half dollars because if they do, you can imagine what is going to happen. Everybody and his brother is going to go for those half dollars. They will totally exhaust our silver stock and cause a coin shortage the like of which you have never seen.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, the adoption of this amendment would be a catastrophe. Certainly it would be a catastrophe for the taxpayer. By the vote on the 50-cent piece, which I regard as unfortunate, a few minutes ago, we subsidize and sweeten the silver mining companies to the tune of several hundreds of millions of dollars.

If this amendment is passed, we will subsidize them at the taxpayers' expense, to the tune of $1 billion in less than 4 years.

Over and beyond that, we will produce chaotic conditions in our coinage.

The Secretary at the Treasury at page 41 of the hearings said:

> Careful Treasury staff studies, confirmed by independent studies, make it clear that Treasury silver stocks will not be adequate to keep silver in more than one of our coins. And that is the 50-cent piece.

If we adopt this amendment, we are going to ruin the coinage of this country. I think the responsible course to take is to vote this amendment down by an overwhelming vote.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, the Treasury Department made a very careful study of this proposal in a 90-page report and before any Member votes for this amendment, they should consider, and consider carefully, the conclusions reached in this study.

These conclusions were as follows:

1. The general conclusion must be unmistakable that transition to silver coinage of a reduced content would be an extremely risky undertaking and Treasury silver stocks would probably be depleted within a reasonably short period of time.

2. The risks would have to be judged intolerably great unless there were clear evidence at the time a decision were reached that the coin shortage had ended and subsidiary silver coinage was temporarily redundant.

The footnote for this says:

This is clearly not the case at the present time.

The amendment should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. ST GERMAIN. Mr. Chairman and members of the Committee, it has been stated that the 40 percent silver content in the dimes and quarters would be in the interest of our country at this time, however we are dealing with a shortage of silver. We have been using silver coins 90 percent fine. This has required 300 million ounces per year.

Though the figures are not exact, if we consider 40 percent fineness compared to 300 million ounces, this would result in a requirement of 128 million ounces per year. We are producing 36 million ounces of silver per year in the United States.

Again, over a period of 32 or 33 years, production has gone from 35 million to 36 million ounces per year. True, it is contended that there is a new method for finding silver, through black calcite mining. However, we know not when and if our silver production will in fact be increased. We simply do not have the silver.

Mr. Chairman, I urge the Committee to reject the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, this amendment was offered in the committee. The gentleman from Idaho, who knows as much or more about silver than any other member of the committee, did his best to get the committee to see his viewpoint and to agree with him that the amendment should be adopted. The members of the committee have great respect for the gentleman from Idaho [Mr. WHITE], and we gave careful consideration to every argument he made in behalf of the amendment.

The committee, after giving consideration to the amendment and giving consideration to its effect on the bill—which would be wiping out any gain—voted overwhelmingly against the amendment. So the committee did consider it. The hearings disclose that consideration was given to it.

I believe if the Members of the House will read the committee hearings they will discover that the amendment certainly should be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. BATTIN].

The question was taken; and on a division (demanded by Mr. BATTIN) there were—ayes 92, noes 106.

Mr. BATTIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PATMAN and Mr. BATTIN.

The Committee again divided and the tellers reported that there were—ayes 122, noes 112.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. HOSMER

Mr. HOSMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOSMER: At page 3, following line 15, add a new section 102 and renumber the following sections, as appropriate, to read as follows:

"SEC. 102. Whenever in the judgment of the Secretary of the Treasury such action is necessary to protect the coinage of the United States and to assure an adequate supply of coins in circulation for the convenience of the public, he is authorized to substitute another metal for not to exceed ten one-hundredths part by weight of the metals specified in Section 101(a) for the composition of coins. For the substitution purposes of this section, the Secretary of the Treasury shall select a compound or a metal of an isotopic content to be specified by him. He shall select not more than one compound or metal for this purpose. The Secretary of the Treasury is authorized and directed to establish from time to time a price per fine troy ounce for such substitute which will equate the intrinsic value of the amount of such substitute in each respective denomination of coins minted pursuant to the provisions of this Act to the then current market value as metal of the amount of silver in coins of corresponding denomination minted under the authority of the law existing immediately prior to the passage of this Act. The Secretary of the Treasury is authorized and directed to purchase quantities of such substitute tendered to a United States mint or assay office at the price from time to time so specified and in amounts he determines necessary for the purposes of this section."

Mr. HOSMER (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. What this amendment does is to give the Secretary of the Treasury, if he feels it is necessary in order to protect the coinage of the United States and to assure an adequate supply of coins for the public convenience, to take 10 percent by weight of the metal, whatever metal we end up with putting in these coins, out and substitute something else selected by him, either a compound or a metal of specific isotopic content. The purpose of this is to give him a chance, if he finds anything rare someday that he can put into these coins, to put it into them and give the coins some intrinsic value. He would put a monetary value on the substitute substance making it equivalent to current silver prices. Everybody has been screaming about the absence of intrinsic value in these coins. This is an opportunity, if we can find something that is rare enough and suitable for the job, to put it in there and thereby give the new coinage that kind of value.

I suppose in the mood that the House is in now, this is not going to get anywhere, but I want to be able to go back and tell my constituents that I tried to do something here in Washington so that they would have coins that were worth something in their pockets instead of coins that were worth less than 5 percent of the value stamped on them.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment. This would, in effect, leave our coinage up to the Secretary of the Treasury. We believe under the Constitution that it is the duty of Congress to pass on matters of this kind. Therefore, I believe the amendment should be defeated since it takes away the power from Congress and puts it in one man, the Secretary of the Treasury.

I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOSMER].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 102. All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations), regardless of when coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues.

SEC. 103. (a) In order to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of the coins authorized by section 101 of this Act, the Secretary may enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest.

(b) During such period as he may deem necessary, but in no event later than five years after the date of enactment of this Act, the Secretary may exercise the authority conferred by subsection (a) of this section without regard to any other provisions of law governing procurement or public contracts.

SEC. 104. The Secretary shall purchase at a price of $1.25 per fine troy ounce any silver mined after the date of enactment of this Act from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined.

SEC. 105. (a) Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

(b) Whoever knowingly violates any order, rule, regulation, or license issued pursuant to subsection (a) of this section shall be fined not more than $10,000, or imprisoned not more than five years, or both.

SEC. 106. (a) There shall be forfeited to the United States any coins exported, melted, or treated in violation of any order, rule, regulation, or license issued under section 105(a), and any metal resulting from such melting or treating.

(b) The powers of the Secretary and his delegates, and the judicial and other remedies available to the United States, for the enforcement of forfeitures of property subject to forfeiture pursuant to subsection (a) of this section shall be the same as those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954 for the enforcement of forfeitures of property subject to forfeiture under any provision of such Code.

SEC. 109. The Secretary may issue such rules and regulations as he may deem necessary to carry out the provisions of this Act.

SEC. 110. For the purposes of this title—

(1) The term '"Secretary" means the Secretary of the Treasury.

(2) The term "clad coin" means a coin composed of three layers of metal, the two outer layers being of identical composition and metallurgically bonded to an inner layer.

(3) The term "cladding" means the outer layers of a clad coin.

(4) The term "core" means the inner layer of a clad coin.

(5) A specification given otherwise than as a limit shall be maintained within such reasonable manufacturing tolerances as the Secretary may specify.

(6) Specifications given for an alloy are by weight.

TITLE II—AMENDMENTS TO EXISTING LAW

SEC. 201. The first sentence of section 3558 of the Revised Statutes (31 U.S.C. 283) is amended to read: "The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins."

SEC. 202. Section 4 of the Act of August 20, 1963, (Public Law 88–102; 31 U.S.C. 294) is amended by changing "$30,000,000" to read "$45,000,000".

SEC. 203. (a) Section 3 of the Act of December 18, 1942, (56 Stat. 1065; 31 U.S.C. 317c) is amended by striking "minor" each place it appears.

(b) Section 9 of the Act of March 14, 1900, (31 Stat. 48; 31 U.S.C. 320) is repealed.

SEC. 204. (a) Section 3517 of the Revised Statutes (31 U.S.C. 324) is amended to read:

"SEC. 3517. Upon one side of all coins of the United States there shall be an impression emblematic of liberty, with an inscription of the word 'Liberty', and upon the reverse side shall be the figure or representation of an eagle, with the inscriptions 'United States of America' and 'E Pluribus Unum' and a designation of the value of the coin; but on the dime, 5-, and 1-cent piece the figure of the eagle shall be omitted. The motto 'In God we trust' shall be inscribed on all coins. Coins shall be inscribed with the year of the coinage or issuance unless the Secretary of the Treasury, in order to prevent or alleviate a shortage of coins of any denomination, directs that coins of that denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination."

(b) The Act of September 3, 1964, (Public Law 88–580; 31 U.S.C. 324 note) is repealed.

SEC. 205. The first sentence of section 3526 of the Revised Statutes (31 U.S.C. 335) is amended to read: "In order to procure bullion for coinage or to carry out the purposes of section 104 of the Coinage Act of 1965, the Secretary of the Treasury may purchase silver bullion with the bullion fund."

SEC. 206. (a) Section 3528 of the Revised Statutes (31 U.S.C. 340) is amended to read:

"SEC. 3528. The Secretary of the Treasury may use the coinage metal fund for the purchase of metal for coinage. The gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals shall be credited to the coinage profit fund. The coinage profit fund shall be charged with the wastage incurred in such coinage, with the cost of distributing such coins, and with such sums as shall from time to time be transferred therefrom to the general fund of the Treasury."

(b) The effect of the amendment made by subsection (a) of this section shall be to redesignate the minor coinage profit fund established under section 3528 of the Revised Statutes as the coinage metal fund, and not to authorize the creation of a new fund.

SEC. 207. The second sentence of section 3542 of the Revised Statutes (31 U.S.C. 355) is amended by changing ", in the case of the superintendent of melting and refining department, one-thousandth of the whole amount of gold, and one and one-half thousandths of the while amount of silver delivered to him since the last annual settlement, and in the case of the superintendent of coining department, one-thousandth of the whole amount of silver, and one-half thousandth of the whole amount of gold that has been delivered to him by the superintendent" to read "such limitations as the Secretary shall establish".

SEC. 208. Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed.

SEC. 209. The second sentence of section 2 of the Act of June 4, 1963, (Public Law 88–36; 31 U.S.C. 405a–1) is amended to read: "The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less that the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates."

SEC. 210. The last sentence of section 43(b)(1) of the Act of May 12, 1933, (Public Law 10, 73d Congress; 31 U.S.C. 462) is repealed.

SEC. 211. (a) Section 485 of title 18 of the United States Code is amended to read:

"§ 485. COINS OR BARS

"Whoever falsely makes, forges, or counterfeits any coin or bar in resemblance or similitude of any coin of a denomination higher than 5 cents or any gold or silver bar coined or stamped at any mint or assay office of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States or in actual use and circulation as money within the United States; or

"Whoever passes, utters, publishes, sells, possesses, or brings into the United States any false, forged, or counterfeit coin or bar, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person, or attempts the commission of any offense described in this paragraph—

"Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both."

(b) The table of sections at the beginning of chapter 25 of such title is amended by striking

"485. Gold or silver coins or bars."

and inserting

"485. Coins or bars."

TITLE III—JOINT COMMISSION ON THE COINAGE

SEC. 301. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee; the chairman and ranking minority member of the House Banking and Currency Committee; one Member of the House of Representatives to be appointed by the Speaker; one Member of the Senate to be appointed by the President of the Senate; and four public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

SEC. 302. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

SEC. 303. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

SEC. 304. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

Mr. PATMAN (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 6, line 21 (sec. 204(a)), strike "Coins" and insert: "Any coins minted after the enactment of the Coinage Act of 1965 from 900 fine coin silver shall be inscribed with the year 1964. All other coins".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, line 2 (sec. 204(a)), insert immediately before the period: ", except that coins produced under authority of sections 101(a)(1), 101(a)(2), and 101(a)(3) of the Coinage Act of 1965 shall not be dated earlier than 1965".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 7, line 2 (sec. 204(a)), insert after the period and before the quotation marks: "No mint mark may be inscribed on any coins during the 5-year period beginning on the date of enactment of the Coinage Act of

1965, except that coins struck at the Denver mint as authorized by law prior to such date may continue to be inscribed with that mint mark.".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 8, line 1 (sec. 206(b)), strike "profit" and insert "metal".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 8 (sec. 301), immediately before the semicolon insert: ", and two Members of the Senate, not members of such Committee, to be appointed by the President of the Senate".

AMENDMENT OFFERED BY MR. HARVEY OF MICHIGAN

Mr. HARVEY of Michigan. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. HARVEY of Michigan to the committee amendment: On page 11, line 9, strike out "two" and insert "four".

Mr. PATMAN. Mr. Chairman, if I understand the situation correctly, the amendment which has been offered by the gentleman from Michigan [Mr. HARVEY] will embrace no more than that section?

Mr. HARVEY of Michigan. That is correct.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the amendments be considered together since they relate to the same matter, as an amendment to the committee amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 10, line 10 (sec. 301), immediately before the semicolon insert ", and two Members of the House of Representatives, not members of such Committee, to be appointed by the Speaker".

AMENDMENT OFFERED BY MR. HARVEY OF MICHIGAN

Mr. HARVEY of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARVEY of Michigan to the committee amendment: On page 11, line 12, strike out "two" and insert "four".

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to the gentleman from Texas.

Mr. PATMAN. This increases it from four to eight?

Mr. HARVEY of Michigan. Yes. That is not the committee amendment.

Mr. PATMAN. We are willing to accept them all together.

Mr. HARVEY of Michigan. Mr. Chairman, I want to explain these three amendments which are being considered en bloc. This Joint Commission on Coinage, which is created by this bill and which we discussed in the commitee, is going to be one of the most important committees in the years ahead as far as our coinage is concerned. This is evident by the people who have been designated to serve. We have not only the Secretary of the Treasury and the Secretary of Commerce, but we have the Director of the Bureau of the Budget, we have the Director of the Mint, and in addition to that the chairman and ranking members of the Committees on Banking and Currency of both the House and Senate.

What these amendments would do is recognize the need for four more members, in other words, increasing it from two to four in the House, and from two to four in the Senate, and increasing the number of Presidential appointees from four to eight. The ratio is maintained, but it recognizes what we have seen in the last few days, a tremendous interest in this problem of coinage among the Members of Congress and the need among Members of Congress for representation on this Commission from all of the groups.

I am happy to hear the gentleman from Texas, the chairman of our committee, say he will agree to the amendments.

The committee amendment as amended was agreed to.

AMENDMENT OFFERED BY MR. HARVEY OF MICHIGAN

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from Michigan [Mr. HARVEY].

The Clerk read as follows:

Amendment offered by Mr. HARVEY of Michigan: Page 11, line 17, strike out "four" and insert "eight".

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 10, (section 301) beginning at line 10, strike "—one Member of the House of Representatives to be appointed by the Speaker; one Member of the Senate to be appointed by the President of the Senate."

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. OLSEN OF MONTANA

Mr. OLSEN of Montana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLSEN of Montana: On page 10, add the following at the end of the page:

"SEC. 212. (a) Chapter 17 of title 18 of the United States Code is amended by adding at the end:

" '§ 337. Coins as security for loans

" 'Whoever lends or borrows money or credit upon the security of such coins of the United States as the Secretary of the Treasury may from time to time designate by proclamation published in the Federal Register, during any period designated in such a proclamation shall be fined not more than $10,000 or imprisoned not more than 1 year, or both.'

"(b) The table of sections at the beginning of such chapter is amended by adding at the end:

" '337. Coins as security for loans.'

"(c) The amendments made by this section shall apply only with respect to loans made, renewed, or increased on or after the 31st day after the date of enactment of this Act."

Mr. OLSEN of Montana. Mr. Chairman, I have offered an amendment to the Coinage Act of 1965 making it illegal to lend or borrow money or credit upon the security of any coins of the United States.

This amendment is presented in full seriousness based upon the findings of Members of the other Chamber of this Congress that much of the shortage of coin is artificial. I do not deny that there is a shortage in the short-run supply of silver. I believe that this shortage can be eliminated if adequate inducement is offered to silver producers—but that is another question. However, the shortage is greater than it would have been by some unmeasurable large amount due to factors not related to the market supply and demand for silver.

Hoarding is an ugly word—and with good reason. It must be distinguished from legitimate coin collecting—hoarding implies the gathering of large quantities of an item in the hopes of an unearned windfall profit. When hoarding occurs in connection with a country's currency, it is disruptive of commerce and more than adequate reason for preventive legislation.

During the last 3 years, the shortage of coins has caused unnecessary difficulties in business throughout the land. This shortage exists to such an extent that firms have prospered by garnering large quantities of coins and selling them at a profit by advertising openly in coin magazines. If the supply of subsidiary coin were adequate in this country, the demand for coin could be filled by banks, and there would be no profit in such trafficking except by legitimate suppliers for coin collectors.

Hoarding in large quantities is expensive to the hoarder since he cannot use the money he has set aside unless he is able to turn these coins in to a bank and receive a loan. If a hoarder can get a loan, he will "have his money and spend it too." The Committee Report No. 509, which accompanies this bill, rightly states that hoarding is difficult to control. This report suggests that by the continued pegging of the price of silver, which will be necessary until the new coins are in circulation, hoarding will be discouraged. I suggest that with my amendment making it illegal for hoarders to have their money and spend it too, it will be an effective check on hoarding. But, if hoarders can keep large amounts of coins out of circulation with no cost to themselves, it will wreak chaos on the transition period and large-scale hoarding will run rampant.

I must emphasize that this amendment is in no way directed against legitimate collectors of coins. It does not establish any Treasury list of rare coins, it does not try to draw any artificial line between hoarders and legitimate collectors, it does not attempt to regulate the legitimate coin collector or dealer.

I read the following article from the Wall Street Journal:

BANK HAS LENT SPECULATORS $1.1 MILLION ON THEIR COINS

LOS ANGELES.—Bank of Los Angeles, which has more than 8 percent of its loan portfolio secured by 34 tons of silver coins, says its willing to make more loans to coin collectors. Since December 1963 the 2-year-old bank has lent over $1.1 million to coin speculators who secure 100 percent of the debt by depositing bags of uncirculated silver dollars in the bank's vaults. The bank charges about 7 percent interest rate annually on these loans, plus service charges of $1 a bag a month and a $1.50 each way for carting the bags into and out of the vaults.

An officer said he doesn't know of any other banks locally making loans on silver dollars.

The bank has "plenty of opportunity to loan on other coins on the same basis, but we've stayed away from it because we don't have room in the vault for a million dollars worth of dimes and quarters and because we would be aggravating the coin shortage," an officer said. Almost all of the 1,130,000 cartwheels currently on deposit are Morgan dollars, dating back to the late 1800's, that were purchased recently from U.S. mints by speculators who expect their value to rise.

The Comptroller of the Currency has issued an order to national banks not to accept coins as backing for loans. However, this order does not extend to all banks in the United States. One example is that of the 2-year-old California State Bank which has accepted several million dollars of silver dollars as backing for huge loans and expresses its intention to continue this policy.

Each Member received a letter signed by 37 Members of the House urging support of this as well as two other amendments to the coinage bill as presented to us by the committee. I believe that the number of supporters who would have signed this letter would have been much greater had this bill not been rushed through Congress and such short time expired between the President's message, the hearings, and the debate on the floor of the House.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from Texas.

Mr. PATMAN. The gentleman, I believe, conferred with us about this amendment. As a standby we would not oppose it, although we are not in favor of it. He has made it a standby, so we will not oppose it in the interest of time. We have no objection to it being adopted.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. OLSEN of Montana. I yield to the gentleman from New Jersey.

Mr. CAHILL. I may say to the chairman I am deeply concerned about this amendment. As I understand the gentleman's amendment, this would make it a crime for any banking institution in the United States to accept coins as collateral for a loan; is that right?

Mr. OLSEN of Montana. Coins designated by the Secretary of the Treasury. For instance, he could designate all coins that have been minted after the year 1910. That would not be a prohibition against the coin collector, it would be only against the hoarder.

Mr. CAHILL. That is precisely what concerns me. Does the gentleman in the well recognize the abuse that has been going on with coins in this country in connection with coin speculators working in cooperation with the banks?

Mr. OLSEN of Montana. I would like you to expand on your idea and to explain how.

Mr. CAHILL. Let me just say to the gentleman, it is common knowledge that coin speculators have been going to the banks and have been borrowing in the first instance as much money as they can on their own credit, let us say $50,000. Then they take that $50,000 and go out in the market and buy $50,000 worth of coins. They bring that $50,000 worth of coins and deposit with the bank as collateral security for another loan of $50,000. They keep on doing this. They take the money they are getting from the bank on the credit of the coins they are depositing and which the bank may not use but must maintain as collateral security, and buy $50,000 more of coins. This has been pursued to the point where they may have upwards of $1 million in these individual accounts in the vaults of some of the banks in this country. They themselves are thereby creating a shortage of coins. When the shortage is created, then they make deals with other banks and other organizations that need these coins and they sell them at a profit.

Now I say to the gentleman, in my judgment at least this is one of the real sources of our problem. This is one reason why we have a coin shortage in the United States. Because we have manipulators who are using the credit of the banking institutions to get additional funds to go out and capture and command the market on coins. They thereby create the shortage and when the shortage is created, they take advantage of it by selling the coins at a profit.

I would say to the gentleman, I think your amendment would be much more effective if you made it a crime for the banks to do this rather than to make it a standby provision, as the chairman indicates you have, and permit the Secretary of the Treasury to designate the coins. Because I would hope the purpose of the gentleman's amendment is to eliminate the abuses.

Mr. OLSEN of Montana. It is precisely that—to eliminate the abuses. But if we make it just a straight-out crime as I had it in my bill, why then a man who was a legitimate coin collector and let us say he had a penny that was worth many thousands of dollars, that man would not be able to borrow on that penny and he would be injured even though he is not a hoarder but is a legitimate coin collector. The way it is written now, for the Secretary of the Treasury to name the coins that cannot be used as security for a loan, why then the legitimate coin collector will not be injured.

Mr. CAHILL. If the gentleman will yield for one additional brief question. But it is the gentleman's intention by this amendment to place on the Secretary of the Treasury the responsibility to make that proclamation if, in effect, these abuses are cropping up throughout the country.

Mr. OLSEN of Montana. It certainly is. I might say that he would just be following the precedent that has already been set by the Comptroller of the Currency who has ordered all federally chartered banks to grant no loans on coins as security.

Mr. CAHILL. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. OLSEN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 5, immediately after line 13, insert the following:

"SEC. 107. (a) There is hereby established in the Treasury a trust fund to be known as the Seigniorage Trust Fund.

"(b) The net seigniorage on all coins minted under authority of this Act shall be paid into the Seigniorage Trust Fund, and shall be invested in marketable obligations of the United States.

"(c) As promptly as practicable after the close of each fiscal year in which budgetary receipts have equaled or exceeded budgetary expenditures, the Seigniorage Trust Fund shall be used to reduce the national debt by cancelling the marketable obligations acquired by such Fund prior to the close of such year."

(By unanimous consent, Mr. BROCK was allowed to proceed for an additional 5 minutes.)

Mr. BROCK. Mr. Chairman and ladies and gentleman, we have had a long day. I should like to get this over with as quickly as anybody else.

I heard a comment this morning from somebody out in the hall which interested me. He said, "the day will come when all the nations will return to silver coins."

I believe it is time that you and I quit kidding ourselves about silver in our coins and about this phrase "intrinsic value." The day this Nation or any other nation returns to a coinage system fully based on intrinsic value will be the day when the people of that country rise up and demand that their public servants act as responsibly as the ordinary housewife, when she has to meet her budget every week of every month of every year. I hope it will happen some time, but I do not expect it in the immediate future. I would say, in all candor, when it happens I will consider the millenium to have arrived economically in the United States.

The thrust of my amendment is to hasten that day.

Mr. Chairman, the amendment I have offered would create a seigniorage trust fund in the Department of the Treasury. If adopted, my amendment would authorize that all net seigniorage profits accruing to the Treasury as a result of eliminating silver from our coinage be placed in a seigniorage trust fund.

Please note, Mr. Chairman, I have used the term "net seigniorage" instead of simply "seigniorage" in my amendment because it is not intended to interfere with the traditional financing of certain mint expenses out of gross seigniorage. Under the proposed language, after the close of each fiscal year in which we achieve a balanced budget, the seigniorage trust fund shall be used to reduce the national debt by canceling the marketable obligations acquired by such fund prior to the close of such year.

First of all, maybe it would be useful to define what I mean by seigniorage, because this is a term that is seldom used. According to Webster's New World Dictionary, seigniorage is something claimed or taken by a sovereign or other superior as his just right or due. In the case of coinage, it is the difference between the face value and the intrinsic value of the coinage. In other words, the difference between the cost of producing a coin and its stated value as legal tender. I am sure many of us remember how history records that reigning monarchs used to line their coffers by shaving or chipping away at the edges of coins, on the basis that such profits resulting therefrom were their just due from subjects.

It would be perfectly proper to call this amendment the "truth in coinage" amendment. It is my firm belief that any profits accruing to the Treasury from the proposed change in coinage belongs to the people of the United States. To treat it otherwise would be the same as imposing a silent and invisible tax to be used at a later date at the Federal Government's discretion.

Those of us who support this bill before us can shout until we are blue in the face that the proposed new coins will carry the same face value as does the existing coinage—that they will purchase the same amount of goods. Nevertheless, the fact remains that we are asking our citizens to exchange their present coins, with intrinsic value, for new coins largely without intrinsic value. Yet we have no choice but to reduce or eliminate silver from our coins—we are rapidly depleting all stocks of this metal and action cannot be deferred long. Thus the key to the success of the bill before us relies entirely upon complete and total public acceptance of the new coinage. Without that, we risk a severe coin shortage during the next 2 years when the new coins are to be produced and placed into circulation. Unless we have complete public confidence in the fact that nothing is being pulled behind their backs, the existing coins will quickly disappear, before the new coins have a chance to be minted and placed in circulation. If every man, woman and child placed in a bureau drawer or a piggy bank just 30 silver coins as keepsakes or as insurance against a coin shortage, 6 billion coins would be drained from our economy—nearly half of all the existing silver coins presently in circulation. And, if you think the Treasury is not concerned over the possibility of what they call "family hoarding" during the transitional period, just read the excellent Treasury staff study contained in the hearings on this bill. I can assure you that they are very concerned, and a hint as to their concern is revealed by the fact that Treasury Secretary Fowler testified that in the next 2 years alone, they intend to mint more than 10 billion of the new coins, or practically the same amount as the entire total of coins presently in circulation. Such a vast acceleration in minting suggests the possibility—that it is anticipated that practically all of the existing coins could be withdrawn from circulation within the next 2 years. Obviously, if such were to occur at a more rapid rate, we could be in for some serious difficulty.

Public acceptance and public confidence in the new coinage is essential to a smooth transition. Because confidence and acceptance are nebulous and sensitive commodities—especially when applied to money—we must insure against anything that would arouse public suspicion.

If any single item could arouse public suspicion over this bill it is the matter of seigniorage profits to the Treasury.

Mr. Chairman, let us get down to the amounts involved in my "truth in coinage" amendment, for I can assure you these facts were not revealed during the hearings either here in the House or in the Senate. Before I go through a condensed step by step analysis, let me give you the total involved. The total seigniorage profit accruing to the Treasury during the next 25 years would be at least $10 billion.

I repeat, the total amount of profit resulting from this bill would exceed $10 billion. With interest, it could exceed $15 billion. During the next 3 years alone, the total profit to the Treasury resulting from this bill would be around $2.3 billion.

Mr. Chairman, if we think we can hide this fact from the public, we are just kidding ourselves. The best way to treat it is to do so honestly and above board, in full view of the public. If we place these billions in a trust fund with a specific use in mind, all distrust and suspicion will quickly disappear. These totals are not revealed in the hearings, but with simple computation they can be easily derived.

On page 18 of the hearings, Secretary Fowler said:

> We can step up production enough to replace completely, in less than 3 years, the entire body of existing coinage while at the same time keeping up with the normal growth of coin demand.

On page 19, Secretary Fowler said:

> In the first year after enactment, we expect to make at least 3¼ billion of the new subsidiary coins—a billion and a half more than we will make of the silver coins in fiscal 1965. This is more than double the production in fiscal 1964 and four or five times what we would consider as a normal year's production of silver coins. In the second year after enactment we would expect to make well over 7 billion of the new coins, doubling production again.

On page 31 of the hearings, at the request of the gentleman from California [Mr. Hanna], the Treasury submitted a table showing the seigniorage profit on the new coins, based on fiscal 1965 production rates. This came to $313.4 million. But, as we have just seen, the Treasury does not anticipate production rate at the 1965 level, but rather at a rate exceeding that by 1½ billion pieces—and double that again the following year. At these accelerated rates during the next 3 years alone, the seigniorage profit would amount to 2.75 billion. Assuming a 25-year life to the new coins, this entire amount of new coinage would have to be replaced within 25 years, therefore doubling the first 3 year's seigniorage, or a total of 5.5 billion.

On top of that, the 5.5 billion total does not reflect any increase in total subsidiary coinage over the next 25 years. With only a 4-percent per year increase in GNP and population, total coinage in circulation would at least double in amount, giving us a total seigniorage profit to the Treasury of 11 billion. If placed in a trust fund over a period of time, interest on this amount could boost the total trust fund to at least $15 billion.

Gentleman, this bill before us today, with passage of my "truth in coinage" amendment coin serve as a tremendous incentive to any future administration to balance the budget and retire part of the national debt. Moreover, by retiring part of the national debt in this manner, there would be created absolutely no fiscal drag on our economy, since it would be largely an internal, paper transaction.

Mr. Chairman, this amendment merely insures the American people that we are not in any way pulling the wool over their eyes in changing the coinage. It would be clear to all that any profits accruing to the Federal Government would be clearly identified as such, and used for a worthy purpose.

Mr. Chairman, I ask for the adoption of my "truth in coinage" amendment.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I rise in support of the Brock, "truth in coinage" amendment.

I hope this will have wide support, for I recall that several of our colleagues from both sides of the aisle have pointed to the seigniorage profit with a view toward applying it to our national debt. I was pleased to note that the gentleman from Wisconsin [Mr. Reuss] made such a suggestion during yesterday's debate—and I compliment him for doing so.

Moreover, the possibility of achieving a balanced budget—thereby bringing the force of this amendment into being—is no longer a remote possibility. To this administration's credit, with the help of this Congress, there are recurring reports that a balanced budget might be within sight within a few years. Think of the incentive adoption of this amendment would provide. If you will, this amendment would provide a multibillion-dollar pot of gold at the end of the rainbow. Perhaps "gold" is the wrong word in context with our present discussions.

Far more important, however, is the fact that this amendment gives the public a fair shake, an honest count, and a true balance sheet of the profits that would derive to the Treasury resulting from the new coinage.

Lest you shrug it off, and say to yourselves, "Well, let us not bother. Let us just let it go to the Treasury," I would like to remind you that the profits derived from the devaluation of the dollar and increase in the price of gold in the thirties landed up in the World Bank and the International Monetary Fund, and not in the hands of the taxpayer.

If we follow a similar course this time, these billions will probably go toward funding the proposed Asian Development Bank or some other international lending institution operated by the Treasury Department.

The "truth in coinage" amendment protects the taxpayer against any such eventuality. It serves notice that these billions in Treasury profits will be used to the taxpayer's benefit—to reduce his tax burden in carrying the load of an ever-increasing national debt.

More important, it will be clear evidence to the entire country that we are not playing a shell game with the profits derived from a change in coinage. With that assurance, the people will have confidence that what we are doing is to their best interests, and truly a product of a severe shortage in world silver supplies.

Mr. Chairman, I urge adoption of the "truth in coinage" amendment.

Mr. HANNA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I should like to be candid enough at the outset to state that as a Democrat I am as sensitive about the public debt situation as a Representative of Congress and as a member of the Democratic Party, as the gentlemen of the Republican persuasion were during the Eisenhower administration when they had the responsibility for such debt. I certainly would join in any efforts to reduce that debt that were consistent with the best interests of the American people at this time and with the problems that we now face.

This amendment was not submitted in committee. It has not been considered by the committee. As I am sure you could tell as you listened to the amendment, it involves a very serious and a very difficult subject matter to understand. It is asking us to go into a very involved paper arrangement by which we buy bonds under one circumstance, keep them in the Treasury, revolve them under other circumstances, without any indication of the relationship of that particular operation to the demands of the American people and the demands of our Government and its economy.

I suggest to you that this is the exact situation. If under the present law the expenses of the mint are less than the seigniorage which is realized out of the minting of the coins, the money that is in excess, if there be any, would go directly to the Treasury and in those years in which there was no more expense in the Government than there was income, this would go to reduce the debt of the United States in the normal course of events.

It surprises me that the gentleman suggests that the Treasury Department could embark upon brand new and unknown projects to spend this money when it is my understanding that, according to the Constitution, such new programs would have to be initiated and authorized by the Congress. I am sure that the watchful eye of this body would not miss any such strange transactions.

It is my belief that there has been a very wild expansion as to what the expectations are of the seigniorage. If we look at the committee report and the exchanges between the gentleman from New Jersey [Mr. WIDNALL] and Mr. Fowler, when the report was made that the seigniorage would be somewhere in the neighborhood of $300 million, I asked Mr. Fowler directly this question:

Does this represent the net gain?

And he said:

No, it does not. It merely means the seigniorage which results from the buying of the metals that go into the coins and the cost to the Treasury for those metals as compared to the amount on the face of the coins.

It does not involve the cost of running the mint or the amortization of the investment in the mint or the payroll supported by the mint.

Mr. Chairman, the seigniorage is going to be at a much less figure than the $300 million figure, because all of these things have to come out before you get the net.

Mr. Chairman, I suggest if this kind of scheme or any other such involved scheme is going to be passed by this Congress, for goodness sakes, gentlemen, let us go into it in the Committee on Banking and Currency, give it the required period of time for a study of all the ramifications of any such scheme. It is the way you have been doing business in this House of Representatives for lo these many years and I would suspect you would want that kind of an approach to such an involved subject matter to again be followed before you passed upon it on the floor of this House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. BROCK].

The question was taken; and on a division (demanded by Mr. BROCK) there were—ayes 74, noes 129.

So the amendment was rejected.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all time expire on the amendments at, say, 6 o'clock.

The CHAIRMAN. On the bill and amendments thereto?

Mr. PATMAN. On the bill and amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, reserving the right to object, how many more amendments are pending at the desk?

Mr. PATMAN. I do not know.

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Chairman, how many amendments are pending at the Clerk's desk?

The CHAIRMAN. As far as the Chair is aware there are only two.

Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. M'CLORY

Mr. McCLORY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCLORY of Illinois: On page 4, line 20, strike out the words "melting, or treating" and add the following after line 25 on page 4:

"SEC. 105. (a) Whoever willfully melts any coin of the United States containing silver, or extracts silver by any means or process from any such coin, shall be fined not less than $50 and not more than $5,000.

"(b) Whoever willfully melts any coin of the United States containing silver, or extracts silver by any means or process from any such coin, shall be liable to the United States for a civil penalty in the amount of three times the fair market value of the silver contained in such coin".

Mr. McCLORY. Mr. Chairman, all this amendment does is to make it an offense to melt down coins for the purpose of extracting silver. The report of the committee suggests that perhaps this authority is not needed. Nevertheless the bill grants what is called standby authority to the Treasury Department to decide whether or not it wants to make this an offense.

We are the lawmaking body, and we should decide whether or not it is an offense to melt down coins for their silver content. The suggestion that this should be only standby authority is made on the ground that there is no immediate danger.

I hold in my hand a copy of Coin World, a coin dealers' newspaper, which shows that a smelting and refining company is buying up wartime nickels by the bag in order to melt them down to get the silver out of them. Our coins are not minted for the purpose of enabling someone to extract the silver and to use the silver for some other purpose. The purpose of our coinage is for trade, for the use of business. Since we mint the coins for that purpose, we should see that they are used for that purpose.

All my amendment does is to declare that this is the law and that this is the action of the Congress. We need this now because an offense is being committed now. We should not do this by delegating authority to someone in the executive branch of our Government.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from New York.

Mr. GOODELL. I agree with what the gentleman has said. I think the gentleman has pointed up one of the things that is wrong with this legislation. We should not delegate this authority to the U.S. Treasury. It is incumbent upon us to see to it that the proper regulations are put in this law so that the transition period will not be chaotic and confusing. The law as presently written makes it inevitable that we will have a period of transition and a chaotic condition.

Mr. McCLORY. I thank the gentleman.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Secretary of the Treasury testified at length on this issue. He considers controls of this nature counterproductive. He said excess indication of a worry about scarcity could tend to create the scarcity we want to avoid and prevent. In other words, the very fact that you impose mandatory controls of this nature, out of fear of what might happen in the future, often scares the people to the extent there will then be a real need for something being done in that direction. It might appear to many people that the situation is so critical that this will tend to encourage the hoarding of coins, accomplishing just the opposite of what we want to do. It is the position of the Secretary of the Treasury, and of the administration in power, and of the Democratic membership, here, and I am sure, of most of the Republicans, that they want just as few controls in this country as possible.

The only time you can enforce controls successfully is in wartime. That is the only time you can enforce controls in this country. We should not impose controls when absolutely unnecessary—when not needed. This amendment would serve a far different purpose from the one intended—not the purpose we want to serve.

I ask that this amendment be defeated. Under the bill as reported, the Secretary has plenty of power, if the need should arise, to impose controls of this nature, there are standby powers in the bill. If there should be a need for those powers they can and will be imposed; the controls will be exercised, and go into effect. But since they are not now needed, and according to the Secretary may never be needed, why impose these controls on a mandatory basis, as this amendment proposes?

The amendment would be self-defeating. As Secretary Fowler said, it would be counter-productive to impose mandatory controls when absolutely unnecessary, and when they serve no purpose.

Mr. McCLORY. Does the gentleman feel it is all right for smelters to melt down the coins and take out the silver?

Mr. PATMAN. It is all right for the Secretary of the Treasury to impose these controls if he feels he should and must do so, on the basis of actual developments or needs, but let us not, by the votes of the Members of Congress, compel him to exercise a power that he believes he needs only on a standby basis at most, and which he feels he probably would never have to use at all. We should leave it up to the Secretary of the Treasury, as the bill provides.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. McClory].

The question was taken; and on a division (demanded by Mr. McClory) there were—ayes 60, noes 123.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. Hays].

Mr. HAYS. Mr. Chairman, I heard it said that the only people who voted for the Battin amendment are those who were protecting their silver producers. I voted for that amendment. If there has been an ounce of silver produced in my district, it is the best kept secret of the century.

I voted for that amendment because I want to retain the confidence of the people of this country in their currency. I can recall a few years ago when you could go to France and you could get a pocket full of aluminum francs which were worth 100 to the dollar. General de Gaulle issued a decree that henceforth they would be worth five to the dollar and he coined them out of silver, 90 percent silver, which he got from this country. Today the French franc is one of the hardest currencies in the world and the French franc is five to the dollar.

I was at the Council of Europe not very long ago in May and I had a De Gaullist deputy tell me the reason they were demanding their payments in gold was that everybody knew when America wanted more money, she started the printing presses going. I pointed out to him that this was not true and there had never been a time in the history of America when you had to get a wheelbarrow full of dollars to buy a loaf of bread. I do not want to see that time come and that is why I voted for the Battin amendment—not to protect any silver mines in my district—because there are not any silver mines in my district.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Reinecke].

AMENDMENT OFFERED BY MR. REINECKE

Mr. REINECKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Reinecke: Page 5, immediately after line 13, insert the following new section:

"Sec. 107. During each of the first five fiscal years ending after the date of enactment of this Act, aggregate exports of silver from the United States shall be limited to an amount not exceeding the aggregate imports of silver during such year, as estimated by the Secretary of Commerce excepting only such silver as may be required to redeem silver certificates. The policies set forth in section 2 of the Export Control Act of 1949 shall be deemed to include the limitation of exports of silver in accordance with this section."

Mr. PATMAN. Mr. Chairman, I make a point of order against the amendment. The amendment is not germane to this bill. It attempts to amend the Export Control Act, section 2, which is enforced by the Secretary of Commerce, and not connected with the Department of the Treasury. Therefore, I make a point of order against the amendment.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. REINECKE. Yes, Mr. Chairman.

Mr. Chairman, it is pretty obvious that the reason we are discussing this legislation today is the extreme shortage of silver in the U.S. Treasury and any continued abuse or misuse of that silver will have an adverse effect on our coinage situation.

I feel this amendment is very much in order particularly in view of the fact that silver certificates must be redeemed out of the U.S. Treasury.

The CHAIRMAN (Mr. Karsten). The Chair is ready to rule.

The Chair has had an opportunity to examine the amendment and the bill. The Chair would call attention to the fact that the bill provides for the coinage of the United States and the amendment relates to exports, which is a foreign matter to the subject matter of the bill.

The Chair holds that the subject is not germane.

Mr. REINECKE. Mr. Chairman, while I recognize and accept the ruling of the Chair with respect to the germaneness of my amendment, I would like to point out that certainly silver coinage is dependent upon the availability of silver; that the redemption of silver certificates is dependent upon the availability of silver, and third, that this amendment in no way suggests to amend the Export Control Act.

It is obvious that we are meeting on this piece of legislation today because of the problem of a lessening availability of silver, and therefore I feel that in addition to reducing the silver content in coinage, we should attempt to reduce the unnecessary depletion of our stocks of silver due to exporting more silver than we import.

Traditionally, since World War II, this country has been a net importer of silver, but as of 1964 the tables were reversed and for the first time we exported 57 million ounces more than we imported. This represents a substantial loss and would easily accommodate the silver requirements for the 50-cent pieces which were the subject of such debate today.

One reason for the excessive exports in 1964 was our Treasury Department's apparent desire to help Mr. de Gaulle of France strike two new French coins with high silver content. Moreover, we were called upon to assist Great Britain in backing up her pound sterling. Mr. de Gaulle has not indicated that he is going to cease his production of new silver coins nor has the pound sterling improved its position very much in the last 6 or 8 months. I see no reason to think that we will not experience the same condition in 1965, and this year it may cost the Treasury as much as 100 million ounces. To ignore this possibility is an irresponsible position, Mr. Chairman, and while my amendment cannot be included in this legislation for parliamentary reasons today, I will seek to draft a new piece of legislation to see to it that the United States remains a net importer of silver rather than to continue to allow unnecessary losses by leaving the back door to the Treasury open.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. KARSTEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8926) to provide for the coinage of the United States, pursuant to House Resolution 435, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. PATMAN. Mr. Speaker, I demand a separate vote on the so-called Battin amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment on page 2: Strike out line 16 and all that follows down through line 2 on page 3 and insert:

"(2) The quarter dollar shall have—

"(A) a diameter of 0.955 inch;

"(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 5.75 grams and contains 2.3 grams of silver and 3.45 grams of copper.

"(3) The dime shall have—

"(A) a diameter of 0.705 inch;

"(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 2.3 grams and contains 0.92 grams of silver and 1.38 grams of copper."

The SPEAKER. The question is on the amendment.

Mr. PATMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 187, nays 218, not voting 29, as follows:

[Roll No. 188]

YEAS—187

Abbitt
Abernethy
Adair
Adams
Addabbo
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baldwin
Baring
Battin
Belcher
Bennett
Berry
Betts
Blatnik
Bray
Broomfield
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Callan
Callaway
Carter
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Cramer
Cunningham
Curtis
Dague
Davis, Wis.
de la Garza
Delaney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Dulski
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Evans, Colo.
Everett
Fino
Fisher
Flynt
Foley
Fountain
Fulton, Pa.
Greigg
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hansen, Idaho
Hansen, Wash.
Harsha
Hawkins
Hays
Herlong
Hicks
Hull
Hutchinson
Ichord
Jennings
Johnson, Calif.
Johnson, Pa.
Jonas
Karth
King, Utah
Kunkel
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
McCulloch
McEwen
McMillan
McVicker
MacGregor
Marsh
Martin, Ala.
Martin, Nebr.
Matthews
May
Meeds
Michel
Mink
Minshall
Mize
Moore
Morris
Morrison
Natcher
Nelsen
O'Konski
Olsen, Mont.
O'Neal, Ga.
Pelly
Pickle
Poff
Quie
Randall
Redlin
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Rivers, S.C.
Roberts
Rogers, Colo.
Rogers, Tex.
Roncalio
Roudebush
Roybal
Satterfield
Saylor
Scott
Secrest
Selden
Senner
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Va.
Springer
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Utt
Waggonner
Walker, Miss.
Walker, N. Mex.
Watkins
Watson
Watts
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wolff
Wright
Wyatt
Wydler
Younger

NAYS—218

Albert
Anderson, Tenn.
Annunzio
Ashley
Bandstra
Barrett
Bates
Beckworth
Bell
Bingham
Boggs
Boland
Bolling
Brademas
Brock
Brooks
Brown, Calif.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Cameron
Carey
Celler
Clark
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Cooley
Corbett
Culver
Daddario
Daniels
Davis, Ga.
Dawson
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dwyer
Dyal
Ellsworth
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Flood
Fogarty
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Goodell
Grabowski
Gray
Green, Oreg.
Green, Pa.
Grider
Griffiths
Halpern
Hanley
Hanna
Hansen, Iowa
Hardy
Harris
Harvey, Mich.
Hathaway
Hechler
Helstoski
Henderson
Hollifield
Horton
Hosmer
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Joelson
Johnson, Okla.
Jones, Mo.
Karsten
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Krebs
Landrum
Long, Md.
Love
McCarthy
McClory
McDade
McDowell
McFall
McGrath
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Martin, Mass.
Mathias
Matsunaga
Miller
Mills
Minish
Moeller
Monagan
Moorhead
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olson Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quillen
Race
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Rumsfeld
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Shipley
Sickles
Sikes
Smith, Iowa
Smith, N.Y.
Stafford
Stalbaum
Stanton
Stephens
Stratton
Sullivan
Sweeney
Tenzer
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tupper
Tuten
Van Deerlin
Vanik
Vigorito
Vivian
Widnall
Wilson, Charles H.
Yates
Young
Zablocki

NOT VOTING—29

Bolton
Bonner
Bow
Corman
Craley
Curtin
Downing
Duncan, Oreg.
Edmondson
Edwards, Calif.
Evins, Tenn.
Friedel
Harvey, Ind.
Hébert
Holland
Jones, Ala.
Keogh
Lindsay
Mailliard
Morse
Morton
Multer
Pool
Staggers
Steed
Thomas
Toll
Weltner

So the amendment was rejected.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Lindsay.
Mr. Hébert with Mr. Curtin.
Mr. Craley with Mr. Morton.
Mr. Toll with Mr. Morse.
Mr. Weltner with Mr. Bow.
Mr. Duncan of Oregon with Mr. Mailliard.
Mr. Edwards of California with Mrs. Bolton.
Mr. Evins of Tennessee with Mr. Harvey of Indiana.
Mr. Friedel with Mr. Pool.
Mr. Multer with Mr. Edmondson.
Mr. Jones of Alabama with Mr. Staggers.
Mr. Steed with Mr. Thomas.
Mr. Holland with Mr. Bonner.
Mr. Downing with Mr. Corman.

Mr. BYRNE of Pennsylvania changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. DEL CLAWSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DEL CLAWSON. I am, in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DEL CLAWSON moves to recommit the bill H.R. 8926 to the Committee on Banking and Currency with instructions to report the same back to the House forthwith with an amendment as follows: On page 2, strike out line 16 and all that follows down through line 2 on page 3, and insert in lieu thereof the following:

"(2) The quarter dollar shall have—

"(A) a diameter of 0.955 inch, and

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel, with a core of copper such that the weight of the whole coin is 5.67 grams, or

"(C) in the discretion of the Secretary, a cladding of an alloy of 800 parts of silver and 200 parts of copper, with a core of an alloy of silver and copper such that the whole coin weighs 5.75 grams and contains 2.3 grams of silver and 3.45 grams of copper.

"(3) The dime shall have—

"(A) a diameter of 0.705 inch, and

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel, with a core of copper such that the weight of the whole coin is 2.268 grams, or

"(C) in the discretion of the Secretary, a cladding of an alloy of 800 parts of silver and 200 parts of copper with a core of an alloy of silver and copper such that the whole coin weighs 2.3 grams and contains 0.92 grams of silver and 1.38 grams of copper."

Page 5, immediately after line 13, insert the following:

"SEC. 107.(a) There is hereby established in the Treasury a trust fund to be known as the Seigniorage Trust Fund.

"(b) The net seigniorage on all coins minted under authority of this Act shall be paid into the Seigniorage Trust Fund, and shall be invested in marketable obligations of the United States.

"(c) As promptly as practicable after the close of each fiscal year in which budgetary receipts have equalled or exceeded budgetary expenditures, the Seigniorage Trust Fund shall be used to reduce the national debt by cancelling the marketable obligations acquired by such Fund prior to the close of such year."

Mr. GERALD R. FORD (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the motion to recommit be dispensed with and that it be printed in the RECORD.

Mr. SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. PATMAN. Mr. Speaker, reserving the right to object, I should like to know what the proposed amendment would do?

Mr. GERALD R. FORD. I say to the gentleman from Texas, the chairman of the Committee on Banking and Currency, as I understand the motion to recommit it would place a discretionary clause on the 40-percent silver coinage, with the Secretary of the Treasury having the discretionary authority; and, in addition thereto, would add the so-called Brock amendment, which is the "truth in coinage" amendment.

Mr. PATMAN. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. DEL CLAWSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 255, nays 151, not voting 27, as follows:

[Roll No. 189]

YEAS—255

Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Ashmore
Aspinall
Ayres
Bandstra
Barrett
Bates
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brock
Brooks
Brown, Calif.
Broyhill, Va.
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Celler
Clark
Cleveland
Clevenger
Cohelan
Conable
Conte
Conyers
Cooley
Corbett
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Dyal
Edmondson
Ellsworth
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Flood
Fogarty
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Greigg
Griffiths
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hardy
Harris
Harvey, Mich.
Hathaway
Hawkins
Hechler
Helstoski
Henderson
Herlong
Holifield
Horton
Hosmer
Howard
Hungate
Huot
Irwin
Jacobs
Jarman
Jennings
Joelson
Johnson, Okla.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Krebs
Landrum
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Mackay
Mackie
Madden
Mahon
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Miller
Minish
Mink
Moeller
Monagan
Moorhead
Morgan
Morris
Morrison
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Powell
Price
Pucinski
Purcell
Quillen
Race
Redlin
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schisler
Schmidhauser
Schneebeli
Schweiker
Shipley
Sickles
Sikes
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Stalbaum
Stephens
Stratton
Sullivan
Sweeney
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Thompson, Tex.
Todd
Trimble
Tupper
Tuten
Van Deerlin
Vanik
Vigorito
Vivian
Walker, N. Mex.
Watts
Widnall
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—151

Abbitt
Abernethy
Adair
Adams
Anderson, Ill.
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Arends
Ashbrook
Baldwin
Baring
Battin
Belcher
Berry
Betts
Bray
Broomfield
Brown, Ohio
Broyhill, N.C.
Buchanan
Burton, Utah
Byrnes, Wis.
Callaway
Carter
Cederberg
Chamberlain
Chelf
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Cramer
Cunningham
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan, Tenn.
Edwards, Ala.
Erlenborn
Fino
Fisher
Flynt
Foley
Fountain
Fulton, Pa.
Goodell
Griffin
Gross
Grover
Gubser
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hansen, Idaho
Hansen, Wash.
Harsha
Hays
Hicks
Hull
Hutchinson
Ichord
Johnson, Calif.
Johnson, Pa.
Jonas
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McEwen
McMillan
MacGregor
Marsh
Martin, Ala.
May
Meeds
Michel
Mills
Minshall
Mize
Moore
Natcher
Nelsen
O'Konski
Olsen, Mont.
O'Neal, Ga.
Pelly
Poff
Quie
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rivers, S.C.
Rogers, Fla.
Rogers, Tex.
Roncalio
Roudebush
Rumsfeld
Satterfield
Saylor
Scott
Secrest
Selden
Senner
Shriver
Sisk
Skubitz
Smith, Calif.
Smith, Va.
Springer
Stanton
Stubblefield
Talcott
Teague, Calif.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Whalley
White, Idaho
White, Tex.
Whitener
Whitten
Williams
Wilson, Bob
Wyatt
Wydler
Younger

NOT VOTING—27

Bolton
Bonner
Bow
Corman
Craley
Curtin
Downing
Duncan, Oreg.
Edwards, Calif.
Friedel
Grider
Harvey, Ind.
Hébert
Holland
Jones, Ala.
Keogh
Lindsay
Mailliard
Morse
Morton
Multer
Pool
Staggers
Steed
Thomas
Toll
Weltner

So the bill was passed.

The Clerk announced the following pairs:

Mr. Keogh with Mr. Lindsay.
Mr. Weltner with Mr. Harvey of Indiana.
Mr. Hébert with Mr. Bow.
Mr. Craley with Mr. Morse.
Mr. Duncan of Oregon with Mr. Morton.
Mr. Edwards of California with Mr. Curtin.
Mr. Friedel with Mrs. Bolton.
Mr. Multer with Mr. Mailliard.
Mr. Pool with Mr. Toll.
Mr. Thomas with Mr. Holland.
Mr. Staggers with Mr. Bonner.
Mr. Jones of Alabama with Mr. Corman.
Mr. Downing with Mr. Steed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Clerk may have permission to correct section numbers and cross references.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2080) to provide for the coinage of the United States, strike out all after the enacting clause and insert in lieu thereof the provisions of H.R. 8926, to provide for the coinage of the United States, as passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2080

An act to provide for the coinage of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Coinage Act of 1965".

TITLE I—AUTHORIZATION OF ADDITIONAL COINAGE

SEC. 101. (a) The Secretary may coin and issue pursuant to this section half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet the needs of the public. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

(1) The half dollar shall have—

(A) a diameter of 1.205 inches;

(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

(C) a core of an alloy of silver and copper such that the whole coin weighs 11.5 grams and contains 4.6 grams of silver and 6.9 grams of copper.

(2) The quarter dollar shall have—

(A) a diameter of 0.955 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 5.67 grams.

(3) The dime shall have—

(A) a diameter of 0.705 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 percentum nickel; and

(C) a core of copper such that the weight of the whole coin is 2.268 grams.

(b) Nothing in this Act shall prohibit the continued minting of half dollars, quarter dollars, and dimes of standard coin silver as authorized by law at the time of enactment of this Act.

Sec. 102. All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations), regardless of when coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues.

Sec. 103. (a) In order to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of the coins authorized by section 101 of this Act, the Secretary may enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest.

(b) During such period as he may deem necessary, but in no event later than five years after the date of enactment of this Act, the Secretary may exercise the authority conferred by subsection (a) of this section without regard to any other provisions of law governing procurement or public contracts.

Sec. 104. During the five-year period commencing on the date of enactment of this Act, the Secretary shall purchase at a price of $1.25 per fine troy ounce any silver mined after such date of enactment from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined.

Sec. 105. (a) Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

(b) Whoever knowingly violates any order, rule, regulation, or license issued pursuant to subsection (a) of this section shall be fined not more than $10,000 or imprisoned not more than one year, or both.

Sec. 106. (a) There shall be forfeited to the United States any coins exported, melted, or treated in violation of any order, rule, regulation, or license issued under section 105(a), and any metal resulting from such melting or treating.

(b) The powers of the Secretary and his delegates, and the judicial and other remedies available to the United States, for the enforcement of forfeitures of property subject to forfeiture pursuant to subsection (a) of this section shall be the same as those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954 for the enforcement of forfeitures of property subject to forfeiture under any provision of such Code.

Sec. 107. The Secretary may issue such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Sec. 108. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "clad coin" means a coin composed of three layers of metal, the two outer layers being of identical composition and metallurgically bonded to an inner layer.

(3) The term "cladding" means the outer layers of a clad coin.

(4) The term "core" means the inner layer of a clad coin.

(5) A specification given otherwise than as a limit shall be maintained within such reasonable manufacturing tolerances as the Secretary may specify.

(6) Specifications given for an alloy are by weight.

TITLE II—AMENDMENTS TO EXISTING LAW

Sec. 202. The first sentence of section 3558 of the Revised Statutes (31 U.S.C. 283) is amended to read: "The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins."

Sec. 202. Section 4 of the Act of August 20, 1963 (Public Law 88–102; 31 U.S.C. 294), is amended by changing "$30,000,000" to read "$45,000,000".

Sec. 203. (a) Section 3 of the Act of December 18, 1942 (56 Stat. 1065; 31 U.S.C. 317c), is amended by striking "minor" each place it appears.

(b) Section 9 of the Act of March 14, 1900 (31 Stat. 48; 31 U.S.C. 320), is repealed.

Sec. 204. (a) Section 3517 of the Revised Statutes (31 U.S.C. 324) is amended to read:

"Sec. 3517. Upon one side of all coins of the United States there shall be an impression emblematic of liberty, with an inscription of the word 'Liberty', and upon the reverse side shall be the figure or representation of an eagle, with the inscriptions 'United States of America' and 'E Pluribus Unum' and a designation of the value of the coin; but on the dime, 5-, and 1-cent piece, the figure of the eagle shall be omitted. The motto 'In God we trust' shall be inscribed on all coins. Coins shall be inscribed with the year of the coinage or issuance unless the Secretary of the Treasury, in order to prevent or alleviate a shortage of coins of any denomination, directs that coins of that denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination."

(b) The Act of September 3, 1964 (Public Law 88–580; 31 U.S.C. 324 note), is repealed.

Sec. 205. The first sentence of section 3526 of the Revised Statutes (31 U.S.C. 335) is amended to read: "In order to procure bullion for coinage or to carry out the purposes of section 104 of the Coinage Act of 1965, the Secretary of the Treasury may purchase silver bullion with the bullion fund."

Sec. 206. (a) Section 3528 of the Revised Statutes (31 U.S.C. 340) is amended to read:

"Sec. 3528. The Secretary of the Treasury may use the coinage metal fund for the purchase of metal for coinage. The gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals shall be credited to the coinage profit fund. The coinage profit fund shall be charged with the wastage incurred in such coinage, with the cost of distributing such coins, and with such sums as shall from time to time be transferred therefrom to the general fund of the Treasury."

(b) The effect of the amendment made by subsection (a) of this section shall be to redesignate the minor coinage metal fund established under section 3528 of the Revised Statutes as the coinage metal fund, and not to authorize the creation of a new fund.

Sec. 207. The second sentence of section 3542 of the Revised Statutes (31 U.S.C. 355) is amended by changing ", in the case of the superintendent of melting and refining department, one-thousandth of the whole amount of gold, and one and one-half thousandth of the whole amount of silver delivered to him since the last annual settlement, and in the case of the superintendent of coinage department, one-thousandth of the whole amount of silver, and one-half thousandth of the whole amount of gold that has been delivered to him by the superintendent" to read "such limitations as the Secretary shall establish".

Sec. 208. Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed.

Sec. 209. The second sentence of section 2 of the Act of June 4, 1963 (Public Law 88–36; 31 U.S.C. 405a–1), is amended to read: "The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates."

Sec. 210. The last sentence of sections 43(b)(1) of the Act of May 12, 1933 (Public Law 10, 73d Congress; 31 U.S.C. 462), is repealed.

Sec. 211. (a) Section 485 of title 18 of the United States Code is amended to read:

"§ 485. Coins or bars

"Whoever falsely makes, forges, or counterfeits any coin or bar in resemblance or similitude of any coin of a denomination higher than 5 cents or any gold or silver bar coined or stamped at any mint or assay office of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States or in actual use and circulation as money within the United States; or

"Whoever passes, utters, publishes, sells, possesses, or brings into the United States any false, forged, or counterfeit coin or bar, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person, or attempts the commission of any offense described in this paragraph—

"Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both."

(b) The table of sections at the beginning of chapter 25 of such title is amended by striking

"485. Gold or silver coins or bars."

and inserting

"485. Coins or bars."

TITLE III—JOINT COMMISSION ON THE COINAGE

Sec. 301. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee; the chairman and ranking minority member of the House Banking and Currency Committee; one Member of the House of Representatives to be appointed by the Speaker; one Member of the Senate to be appointed by the President of the Senate; and four public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

Sec. 302. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

Sec. 303. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

Sec. 304. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

Passed the Senate June 24, 1965.

Attest:

Secretary.

The SPEAKER. The Clerk will report the amendment.

The Clerk. The amendment offered by Mr. Patman is to strike out all after the enacting clause of S. 2080 and insert the following:

That this Act may be cited as the "Coinage Act of 1965".

Title I—Authorization of Additional Coinage

Sec. 101. (a) The Secretary may coin and issue pursuant to this section half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet the needs of the public. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

(1) The half dollar shall have—

(A) a diameter of 1.205 inches;

(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

(C) a core of an alloy of silver and copper such that the whole coin weighs 11.5 grams and contains 4.6 grams of silver and 6.9 grams of copper.

(2) The quarter dollar shall have—

(A) a diameter of 0.955 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 5.67 grams.

(3) The dime shall have—

(A) a diameter of 0.705 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 2.268 grams.

(b) Half dollars, quarter dollars, and dimes may be minted from 900-fine coin silver only until such date as the Secretary of the Treasury determines that adequate supplies of the coins authorized by this Act are available, and in no event later than five years after the date of enactment of this Act.

(c) No standard silver dollars may be minted during the five-year period which begins on the date of enactment of this Act.

Sec. 102. All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations), regardless of when coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues.

Sec. 103. (a) In order to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of the coins authorized by section 101 of this Act, the Secretary may enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest.

(b) During such period as he may deem necessary, but in no event later than five years after the date of enactment of this Act, the Secretary may exercise the authority conferred by subsection (a) of this section without regard to any other provisions of law governing procurement or public contracts.

Sec. 104. The Secretary shall purchase at a price of $1.25 per fine troy ounce any silver mined after the date of enactment of this Act from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined.

Sec. 105. (a) Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

(b) Whoever knowingly violates any order, rule, regulation, or license issued pursuant to subsection (a) of this section shall be fined not more than $10,000, or imprisoned not more than five years, or both.

Sec. 106. (a) There shall be forfeited to the United States any coins exported, melted, or treated in violation of any order, rule, regulation, or license issued under section 105(a), and any metal resulting from such melting or treating.

(b) The powers of the Secretary and his delegates, and the judicial and other remedies available to the United States, for the enforcement of forfeitures of property subject to forfeiture pursuant to subsection (a) of this section shall be the same as those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954 for the enforcement of forfeitures of property subject to forfeiture under any provision of such Code.

Sec. 107. The Secretary may issue such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Sec. 108. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "clad coin" means a coin composed of three layers of metal, the two outer layers being of identical composition and metallurgically bonded to an inner layer.

(3) The term "cladding" means the outer layers of a clad coin.

(4) The term "core" means the inner layer of a clad coin.

(5) A specification given otherwise than as a limit shall be maintained within such reasonable manufacturing tolerances as the Secretary may specify.

(6) Specifications given for an alloy are by weight.

Title II—Amendments to Existing Law

Sec. 201. The first sentence of section 3558 of the Revised Statutes (31 U.S.C. 283) is amended to read: "The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins."

Sec. 202. Section 4 of the Act of August 20, 1963, (Public Law 88–102; 31 U.S.C. 294) is amended by changing "$30,000,000" to read "$45,000,000".

Sec. 203. (a) Section 3 of the Act of December 18, 1942, (56 Stat. 1065; 31 U.S.C. 317c) is amended by striking "minor" each place it appears.

(b) Section 9 of the Act of March 14, 1900, (31 Stat 48; 31 U.S.C. 320) is repealed.

Sec. 204. (a) Section 3517 of the Revised Statutes (31 U.S.C. 324) is amended to read:

"Sec. 3517. Upon one side of all coins of the United States there shall be an impression emblematic of liberty, with an inscription of the word 'Liberty', and upon the reverse side shall be the figure or representation of an eagle, with the inscriptions 'United States of America' and 'E Pluribus Unum' and a designation of the value of the coin; but on the dime, 5-, and 1-cent piece, the figure of the eagle shall be omitted. The motto 'In God we trust' shall be inscribed on all coins. Any coins minted after the enactment of the Coinage Act of 1965 from 900 fine coin silver shall be inscribed with the year 1964. All other coins shall be inscribed with the year of the coinage or issuance unless the Secretary of the Treasury, in order to prevent or alleviate a shortage of coins of any denomination, directs that coins of that denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination, except that coins produced under authority of sections 101(a), 101(a)(2), and 101(a)(3) of the Coinage Act of 1965 shall not be dated earlier than 1965. No mint mark may be inscribed on any coins during the 5-year period beginning on the date of enactment of the Coinage Act of 1965, except that coins struck at the Denver mint as authorized by law prior to such date may continue to be inscribed with that mint mark."

(b) The Act of September 3, 1964 (Public Law 88–580; 41 U.S.C. 324 note), is repealed.

Sec. 205. The first sentence of section 3526 of the Revised Statutes (31 U.S.C. 335) is amended to read: "In order to procure bullion for coinage or to carry out the purposes of section 104 of the Coinage Act of 1965, the Secretary of the Treasury may purchase silver bullion with the bullion fund."

Sec. 206. (a) Section 3528 of the Revised Statutes (31 U.S.C. 340) is amended to read:

"Sec. 3528. The Secretary of the Treasury may use the coinage metal fund for the purchase of metal for coinage. The gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals shall be credited to the coinage profit fund. The coinage profit fund shall be charged with the wastage incurred in such coinage, with the cost of distributing such coins, and with such sums as shall from time to time be transferred therefrom to the general fund of the Treasury."

(b) The effect of the amendment made by subsection (a) of this section shall be to redesignate the minor coinage metal fund established under section 3528 of the Revised Statutes as the coinage metal fund, and not to authorize the creation of a new fund.

Sec. 207. The second sentence of section 3542 of the Revised Statutes (31 U.S.C. 355) is amended by changing ", in the case of the superintendent of melting and refining department, one-thousandth of the whole amount of gold, and one and one-half thousandths of the whole amount of silver delivered to him since the last annual settlement, and in the case of the superintendent of coining department, one-thousandth of the whole amount of silver, and one-half thousandth of the whole amount of gold that has been delivered to him by the superintendent" to read "such limitations as the Secretary shall establish."

Sec. 208. Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed.

SEC. 209. The second sentence of section 2 of the Act of June 4, 1963, (Public Law 88-36; 31 U.S.C. 405a-1) is amended to read: "The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates."

SEC. 210. The last sentence of section 43 (b) (1) of the Act of May 12, 1933, (Public Law 10, 73d Congress; 31 U.S.C. 462) is repealed.

SEC. 211. (a) Section 485 of title 18 of the United States Code is amended to read:

"§ 485. COINS OR BARS

"Whoever falsely makes, forges, or counterfeits any coin or bar in resemblance or similitude of any coin of a denomination higher than 5 cents or any gold or silver bar coined or stamped at any mint or assay office of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States or in actual use and circulation as money within the United States; or

"Whoever passes, utters, publishes, sells, possesses, or brings into the United States any false, forged, or counterfeit coin or bar, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person, or attempts the commission of any offense described in this paragraph—

"Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both."

(b) The table of sections at the beginning of chapter 25 of such title is amended by striking

"485. Gold or silver coins or bars."

and inserting

"485. Coins or bars."

SEC. 212. (a) Chapter 17 of title 18 of the United States Code is amended by adding at the end:

"337. Coins as security for loans

"Whoever lends or borrows money or credit upon the security of such coins of the United States as the Secretary of the Treasury may from time to time designate by proclamation published in the Federal Register, during any period designated in such a proclamation, shall be fined not more than $10,000 or imprisoned not more than 1 year, or both."

(b) The table of sections at the beginning of such chapter is amended by adding at the end:

"337. Coins as security for loans."

(c) The amendments made by this section shall apply only with respect to loans made, renewed, or increased on or after the 31st day after the date of enactment of this Act.

TITLE III—JOINT COMMISSION ON THE COINAGE

SEC. 301. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee, and four Members of the Senate, not members of such committee, to be appointed by the President of the Senate; the chairman and ranking minority member of the House Banking and Currency Committee, and four Members of the House of Representatives, not members of such committee, to be appointed by the Speaker; and eight public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

SEC. 302. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

SEC. 303. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

SEC. 304. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8926) was laid on the table.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the House insist upon its amendment and request a conference thereon with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Mr. PATMAN, Mr. MULTER, Mr. BARRETT, Mrs. SULLIVAN, Mr. ASHLEY, Mr. REUSS, Mr. WIDNALL, Mr. FINO, and Mrs. DWYER.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and to include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CHANGE OF LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time to inquire of the distinguished majority leader whether there is any change in the program for the remainder of the week?

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield to me?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, the only change in the program is that the Economic Opportunity Act, heretofore programed for this week, will be put over until next week. We will proceed with the remainder of the program, which is the District of Columbia rapid transit bill.

Mr. GERALD R. FORD. Is it anticipated that we will finish the District of Columbia transit bill tomorrow?

Mr. ALBERT. It is hoped that we will. So far as I know, we will.

Mr. GERALD R. FORD. If so, the House will go over?

Mr. ALBERT. That would complete the business, except for some unanimous consent matter or a conference report that might come in, in which case we would ask to go over.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. Would it be possible to meet at 11 o'clock tomorrow? I believe we can dispose of the District of Columbia Transit bill in 3 or 4 hours. I ask the question because of the unexpected change in the program.

Mr. ALBERT. Mr. Speaker, if the gentleman from Michigan will yield further, the only change in the program is the dropping of a bill. We had intended all along to get to this bill by tomorrow, but more time has been consumed on conference reports and on the bill just passed than we had anticipated.

I have been advised that committee meetings are scheduled, to hear witnesses who have come from out of town. Not having been able to clear with all involved, and also not having been able to clear with the majority Members, I would ask the indulgence of the gentleman as to meeting at 12 o'clock tomorrow.

APPOINTMENT OF ADDITIONAL CONFEREE

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the Speaker be permitted to appoint one additional conferee to those appointed yesterday on H.R. 8439.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none and appoints the gentleman from Virginia [Mr. HARDY].

The Clerk will notify the Senate.

APPOINTMENT OF NEW USIA DIRECTOR

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, this morning's Washington Post, our favorite and friendly newspaper, contained an article entitled "New USIA Director Old Friend of Johnson," by Frank C. Porter, Washington Post staff writer. Now, Mr. Porter falsely wrote:

> The decision was partly linked with USIA budgetary troubles on Capitol Hill. Before the choice was made, the administration reportedly sought the advice of Representative John J. Rooney, Democrat, of New York, whose House Appropriations Subcommittee regularly whittles USIA money requests. Rooney is said to have indicated we would like "a man I can trust."

Mr. Speaker, this is a damnable lie. I never said such a thing. And as far as I am concerned, I would trust Mr. Carl Rowan with my life. I found him to be a fine gentleman all the time he has been the head of this Agency. I have had more respect for Carl Rowan as Administrator of the USIA than I ever had for his many predecessors over all the years.

TO AMEND THE PEACE CORPS ACT

Mr. PEPPER, from the Committee on Rules, reported the following privileged resolution (H. Res. 473, Rept. No. 619), which was referred to the House Calendar and ordered to be printed:

H. Res. 473

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9026) to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

TO AMEND ATOMIC ENERGY ACT OF 1954

Mr. PEPPER, on behalf of Mr. Sisk, from the Committee on Rules, reported the following privileged resolution (H. Res. 474, Rept. No. 620), which was referred to the House Calendar and ordered to be printed:

H. Res. 474

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8856) to amend section 271 of the Atomic Energy Act of 1954, as amended. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE LATE HONORABLE ADLAI STEVENSON

Mr. YATES. Mr. Speaker, I ask unanimous consent, with the consent of those who have been previously granted a special order, to address the House for 30 minutes today relative to the death of Ambassador Adlai Stevenson.

The SPEAKER. The gentleman from Illinois [Mr. Yates] asks unanimous consent that he may address the House for 30 minutes as the first special order, with the consent of other Members who have obtained special orders, in relation to the death of Ambassador Adlai Stevenson.

Is there objection to the request of the gentleman from Illinois?

Mr. CAHILL. Mr. Speaker, I regret I must object.

Mr. Speaker, I regretted very sincerely what I considered to be a requirement to interpose an objection to the request of the gentleman from Illinois. I only did it because there were a great number of people from my district who were here in anticipation of the special order I had requested some time ago and because a great many of the Members had evidenced a keen interest in the subject matter. However, I fully recognize the great importance of and the great contribution that our late and respected and beloved Ambassador to the United Nations has made to this country. In deference to that and out of respect for his memory, I would ask that I be permitted to relinquish the time heretofore asked and that my special order go over to a later date and that I be permitted to yield the 1 hour I have in a special order to the gentleman from Illinois [Mr. Yates] and all those who would like to pay tribute to the memory of the late Adlai Stevenson.

Mr. YATES. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HIGHER EDUCATION ACT

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on the Higher Education Act, H.R. 9567.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

DRUG ADDICTION A SICKNESS, NOT A CRIME

Mr. DELANEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DELANEY. Mr. Speaker, after many years of hesitation, this country is finally beginning to move toward the realization that drug addiction is a sickness and not a crime.

The speech by President Johnson on crime last March has become a catalyst through which State and local governments have reexamined their programs and initiated new ones.

For example, a bipartisan group of New York political leaders has called for medical rather than a punitive approach to drug addiction problems. In New Jersey a new program of rehabilitation for drug addiction has just started with the first two volunteer patients being received by the New Jersey Neuropsychiatric Institute for treatment.

I believe in trying to medically help the addicts and not just putting them behind bars and forgetting them. The Hartford Courant wrote so wisely:

> Doubtless there are many who believe that the only thing to do with drug addicts is to throw them into prison. But anyone who surveys the current scene, and the widespread addiction in New York, Chicago, and other urban areas, must admit that current policies have not succeeded. Much of the crime in larger cities is a direct outgrowth of drug addiction. Solve that problem, even partially, and you will simultaneously be reducing the general incidence of crime.

At this time I include the entire Hartford Courant editorial of June 20, 1965, in the Record:

A New National Policy on Drug Addiction

> The growing dissatisfaction with our national approach to the narcotics problem has resulted in several recent suggestions for change. A bipartisan group of New York political leaders has called for a medical rather than a punitive approach. And now the administration has unveiled its own program of major change, which would be a shift away from harsh punishment to rehabilitation. This is a reversal of policies that have been in effect since 1951. For Congress is now being asked to relax the harsh narcotics penalties, to permit addicts accused of crimes to receive medical treatment instead of imprisonment.
>
> The proposed legislation, first mentioned by President Johnson in a message on crime last March, has three major parts. It would permit addicts facing criminal prosecution to choose civil commitment and treatment rather than trial. It would permit convicted addicts capable of rehabilitation to receive institutional and out-patient treatment, instead of a prison sentence. It would also ease some of the mandatory sentence laws that do not permit parole, and would allow more flexible treatment of youthful offenders.
>
> As another indication of the changing climate, New Jersey has just embarked on its own program of rehabilitation, with the first two volunteer patients being received by the New Jersey Neuropsychiatric Institute for treatment. The 52-bed capacity, it is expected, will be filled within a month. Patients who attempt to leave before treatment is finished will be treated as parole violators.
>
> Doubtless there are many who believe that the only thing to do with drug addicts is to throw them into prison. But anyone who surveys the current scene, and the widespread addiction in New York, Chicago, and other urban areas, must admit that current policies have not succeeded. Much of the crime in larger cities is a direct outgrowth of drug addiction. Solve that problem, even partially, and you will simultaneously be reducing the general incidence of crime.

USDA INSPECTORS, DEPARTMENT OF AGRICULTURE

Mr. CABELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CABELL. Mr. Speaker, all too often an unfair and improper image is presented of one of our Federal Departments—an agency which is certainly the consumer's friend—an agency which protects the health of the American people in many ways. That agency is the Department of Agriculture.

A highly valuable but little publicized service the U.S. Department of Agriculture performs for the American people is that of stopping plant and animal pests at our borders. USDA inspectors prevent an infected or infested plant from entering this country every 16 minutes around the clock. This is a fact that is important to a consumer city such as the city I represent, Dallas, Tex.

Our basic supplies of food and fibers are constantly threatened by foreign plant and animal pests and diseases. Even our lawns, with their flowers and ornamental shrubs, would be subject to attack if USDA inspectors did not minutely examine imports which might carry diseases and pests into the United States.

This protection, provided at our international airports, seaports, and border crossings, has saved consumers and the economy untold millions of dollars. Total cost of this protection is less than 5 cents per person per year.

As the result of this USDA service, our Nation is relatively free from some of the more destructive plant and animal pests that plague our neighbors. For more than 35 years we have been free from outbreaks of hoof-and-mouth disease, a virus that could cripple our animal industry and seriously affect our supplies of meat. Each year thousands of citrus pests from abroad are intercepted at our ports. Agricultural inspectors also find great numbers of foreign plant pests that would attack other crops, shrubs, and trees in fruits and plants carried by travelers, sent in the mail, or carried in ships' stores.

It is impossible to estimate the damage to our food supply that USDA inspection is preventing today when air transport brings to America products from all over the world.

It is certain, though, that the value of our crops, livestock, pasture lands, and forests—now $50 billion annually—would be much less. It is equally certain that the food budget of the American housewife would be much higher and the quality of what she bought would be much lower.

The 24-hour-a-day vigilance of the quarantine service is another instance of the USDA—a real friend of the consumer.

PENNSYLVANIA POWER & LIGHT CO.'S ENLIGHTENED PUBLIC SERVICE POLICIES

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, as the distinguished Members of this House are well aware, the northeastern section of our country is now suffering the effects of a prolonged drought. As a result of this the Delaware River Basin has been hit particularly hard and the many communities along the river and its tributaries are now being forced to drastically curtail their use of water.

Acting in an emergency situation of this kind is not always easy. In past years, if such a problem arose, the smaller communities in the basin would have little protection if their meager water supply had been drawn off by upstream usage for larger concentrations of population.

The Delaware River Basin Commission was established for just such an emergency, however, through the foresight of the States of New York, Pennsylvania, New Jersey, and Delaware and with the blessing of the Congress.

I was impressed with the actions of the commission this month when it called a public hearing on the problem and, on July 7, issued directives involving the city of New York and the release of water from Lake Wallenpaupack in Pennsylvania.

During the public hearing, I think the Pennsylvania Power & Light Co., which owns Lake Wallenpaupack, made a remarkably clear and succinct statement of its position in the present emergency.

By way of background it should be pointed out that Lake Wallenpaupack is, at present, the largest lake within the boundaries of the Commonwealth of Pennsylvania. It is 13 miles long. It has 53 miles of shoreline and it is one of the most popular fishing lakes in Eastern America. It has achieved a rather wide reputation, during its 40 years of existence, as an ideal recreation site and Pennsylvania Power & Light has shown extraordinary consideration in its programs to make the lake available to the public.

When the company was notified of the commission's decision to hold hearings on the drought, it was not content to put on the record a defense of its installations at the lake; they needed none.

The company statement, instead, was a forthright and lucid declaration of willingness to cooperate to the fullest possible extent with the commission and to do everything possible to help alleviate the situation. The statement, to which I would like to call attention today, listed a series of detailed alternatives.

This is not the only example of P.P. & L.'s enlightened public service policies, of course. The company has established an enviable reputation for community service through its aid to educational programs, its financial contributions to industrial development organizations throughout the Commonwealth and through the brilliant leadership of men such as its president, Mr. Jack K. Busby, of Allentown, Pa.

Due to the technical nature of part of the testimony, dealing as it did with the display of charts and other exhibits present in the hearing room, I have asked that these sections be deleted. The extracts of the statement, however, are persuasive evidence of the creative and constructive approach the company has taken to this overall problem. The statement follows:

STATEMENT OF MR. H. J. WEST, MANAGER OF POWER SUPPLY, PENNSYLVANIA POWER & LIGHT CO., ALLENTOWN, PA.

P.P. & L. is aware of the drought situation and the water supply problems that exist in New York and that insufficient flow in the Delaware creates problems downriver. On the assumption that P.P. & L.'s Wallenpaupack hydroelectric project may be called upon, together with other of the basin's water resources, to augment the Delaware's flow, we have prepared evidence which we believe will be useful to the commission. This project is located on the line of Wayne and Pike Counties in the upper Pocono area near Hawley, Pa.

Over the years P.P. & L. has operated this project with two basic objectives in mind. "Power and fun" is a P.P. & L. slogan which succinctly states those objectives. Although power is the primary purpose for the project, P.P. & L. feels it has met its obligations as a good corporate citizen to the public in the field of recreation.

An important recreational complex has grown up in the Wellenpaupack area with the lake as its center. To preserve the lake for recreational purposes it must be maintained at appropriate elevation. Below the lake level of 1,179 feet severe problems arise. P.P. & L. normally operates so that the level does not reach 1,179 feet before Labor Day—thus insuring recreational use for the prime vacation season. The amount of water in the lake and its potential to help the Delaware situation will therefore be related to the impact such use will have upon recreation.

Presently the lake elevation is about 1,184 feet and the amount of water in it is about 41 billion gallons. Not all this water can be discharged. The lake elevation cannot be reduced to less than 1,165 feet without raising a serious hazard to the project facilities. Thus we are talking about 33 billion gallons of potential discharge.

P.P. & L.'s scheduled operations for the year 1965–66 take into account such factors as power needs, recreation and the generally prevailing low water conditions which are expected. The average rate of discharge would be equivalent to 250 cubic feet per second.

Scheduled operation will lower the elevation to the recreation critical 1,179 feet by September 15, 9 days after Labor Day which is the informal end of the recreation season. Thereafter it would reach a low point of 1,173 feet in January 1966 and gradually recover to 1,187 feet by June of 1966. By discharging at an increased rate of 290 cubic feet per second, the lake elevation will be reduced to 1,179 feet on Labor Day—September 6.

Either of these approaches preserves the lake for recreation during the peak season. Either approach will also discharge about 10 billion gallons to the Delaware, and, of course, use up almost one-third of the total potential water discharge.

The effect of discharging the remaining available water at a rate of 500 cubic feet per second following Labor Day will drop the lake to 1,165 feet by November 21, 1965. Thus the remaining 23 billion gallons potential is spread out over the generally critical months of September, October, and November. It will slowly recover from that time to 1,185 feet by June 1966.

The effect of discharge at a rate of 1,000 cubic feet per second following Labor Day is to use up the potential discharge by mid-October. The recovery of the lake starts in late November.

Extremely fast drawdown of the available water on the basis of 1,500 cubic feet per second and 1,775 cubic feet per second, respectively, uses up the potential by the end of September. Again recovery begins in November. The recovery is based upon a repetition of 1964–65 inflow and generation only for emergency situations.

Rates of discharge in excess of 500 cubic feet per second, from July 15, 1965, will have an adverse impact upon recreation. Under the 500 cubic feet per second rate, the critical 1,179 feet level is reached by mid-August and 1,175 feet level by Labor Day and the total water potential is used up by the end of October. A 1,000 cubic feet per second rate hits 1,179 feet at the end of July and just about drains the potential discharge by Labor Day. Rates of 1,500 cubic feet per second and 1,775 cubic feet per second use up the potential water by mid-August. Regardless of the rate, once the lake is drawn down to 1,165 feet, recovery cannot be expected to begin until November. It also means that the lake has no potential for further flow augmentation. In addition, there will not be any substantial recovery until the spring of 1966.

Under normal conditions all water discharged from the lake flows through the power plant and is used to make electricity. Nevertheless, this results in economic loss if not properly scheduled. Wallenpaupack is a peaking station. Its great value lies in the fact that it can quickly supply a demand for electricity at low cost at the times when power is needed most. Power produced at other times, therefore, is of much less value. In addition, if the lake is drawn down to elevation 1,165 and becomes unavailable for power requirements because of the lack of significant inflow, as we are assuming here, P.P. & L. must then replace that power by purchase. Fortunately, P.P. & L. is a member of the Pennsylvania-New Jersey-Maryland interconnection and the replacement of the power presents no supply problem but it does increase expense. The increase in out-of-pocket costs to P.P. & L. for any of the above alternatives as compared to the scheduled operation would be in a range of $50,000 to about $170,000 depending upon the rate of discharge and how long the time of recovery.

An important factor in these costs is the length of time that the lake would be unavailable for power capacity purposes. Thus, the faster the rate of drawndown, the longer the hazard of unavailability. It is estimated that during any period in which the lake is not available for power capacity purposes P.P. & L. must purchase replacement capacity at a cost of approximately $5,500 per week prior to October 1 and $4,500 per week after October 1.

It is assumed that under any drawdown schedule adopted by the commission, P.P. & L. will be permitted to continue to use the lake for such generation purposes as P.P. & L. system conditions may require over and above the commission's drawdown schedule. This will result in little, if any, adverse effect on the low flow augmentation use of the lake. This is so because any such generation would be relatively infrequent and for short periods of time. Furthermore, drawdowns following such generation could be adjusted to take into account the small amount of water that had been released by such generation and the effect on the Delaware would not be noticeable.

It is also assumed that P.P. & L. will be able to regulate discharge from the lake and thus generate power at the most appropriate times. This will minimize power costs and preserve capacity for the periods of peak demand. Flow augmentation will not be adversely affected because the average rate of augmentation would be met in a 24-hour period.

P.P. & L. has been able to operate Wallenpaupack in prior years on the basis of the foregoing and still cooperate in flow augmentation of the Delaware. Beginning in 1961 P.P. & L. has cooperated with the river master to augment the Delaware without adverse impact upon power capability or recreation and without substantial increase in P.P. & L.'s power cost.

The following is information which relates to the effect on recreation if the lake level is reduced below elevation 1,179 before Labor Day.

Lake Wallenpaupack is 13 miles long, 5,700 acres in area and contains approximately 52 miles of shoreline. It is estimated that 15,000 people reside at the lake for the entire summer season. Many others visit the lake for varying periods of time. There are approximately 3,000 cottages, cabins, and commercial buildings in the lake area ranging in value from $5,000 to more than $250,000. In addition to the individual cottages there are 25 inns and motels containing approximately 1,800 rooms. There are about 15 public eating areas and at least 100 organizations such as banks, food stores and gas stations which provide vital services for the tourist. The major portion of their business is done in the summer months.

The four public camp park facilities were used by 17,000 campers during 1964. Many other visitors used the public picnic areas located at these parks. During July and August of 1964 alone 2,800 boats were launched at these camp parks. Another 7,500 boats were launched by 11 commercial marinas during the peak season. Together the parks and marinas enabled over 50,000 people to enjoy boating on the lake during 1964. In addition, a large number of the 3,000 cottage owners maintain and launch boats at their own lake-front facilities.

At many places a 5-foot reduction in lake elevation drops the water line to a point where the shoreline is approximately 20 feet away from where it had been at the 1,185 foot level. Another 5-foot drop in lake level to 1,175 feet can move the water line an additional 35 feet away. Any drop in water level can be magnified in its effect on the water line depending on the slope of the lake bed. A drop from 1,185 feet to 1,180 feet can move the water line 75 feet away. The lake bed is rapidly exposed with additional reductions in the level of the lake and this exposed lake bed is usually mud resulting from the silting that has occurred since the lake was created.

It is obvious that any material reduction of the lake level below 1,179 feet would have a considerable impact on recreation. Because of the exposed mud deposits the bathing beaches would probably become unusable. Boating hazards would be substantially increased due to unmarked obstacles such as tree stumps, rocks, old fences and other obstructions normally safely below the water line.

However, under the drawdown and recovery schedules outlined earlier, the lake should recover and return to normal water levels by next spring and, therefore, any adverse recreation effects will not carry over into the next season. We assume that, even if the drought continues into next year, other methods will have been developed meanwhile to provide the necessary flows in the Delaware River.

I believe this covers all the areas that the commission staff requested us to deal with. If there is any other information we can supply, we will be glad to furnish it.

THE LATE GEORGE McLAIN

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, I learned yesterday, with great shock and regret, of the untimely passing of George McLain, the nationally known social security advocate, and chairman of the California League of Senior Citizens, and president of the National League of Senior Citizens.

George McLain was well known in legislative circles both in Washington and Sacramento. He carried the ball for the senior citizens of our State and Nation on a wide spectrum of issues, including health care for the aged and improved housing for the elderly. He championed the old folk's cause for more than 25 years. There have been times during both my service in the California Legislature and here, in the House of Representatives, when George and I were not in full agreement. This, no doubt, is the case with others. But no one can question that he sincerely, consistently, energetically, and successfully advocated the enactment of many programs to aid older Americans. A native of California, George has said that he decided to champion the welfare of the old folks because of "the heartaches and harassment" which his father was forced to endure as a recipient of the $18 a month dole during the depression.

George McLain most assuredly made his mark in his chosen field, and will be long remembered not only by the more than 250,000 members of the National League of Senior Citizens but by all who are concerned about the problems and needs of our elderly citizens.

To his wife and son I extend my deepest sympathy.

EXTENSIVE OF REMARKS

Mr. Speaker, I am sure many members from the California delegation at least would like to extend their remarks on the life and accomplishments of this gentleman from California, and I ask permission that they may do so.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I was shocked when I learned of the untimely death of George McLain, chairman of the California League of Senior Citizens and president of the National League of Senior Citizens. I held him in high esteem and warm affection. Whenever he visited Washington we always had dinner together, and I shall miss these meetings with one whose abiding interest in the aged and whose driving advocacy of programs for the benefit of our senior citizens were to me an inspiration. As the oldest member of the House of Representatives of the Congress of the United States, I am sure that I speak for the aging and the aged everywhere in our country in saying that in the death of George McLain the senior citizens have suffered a great loss. I extend my sympathy to the wife and son of this good man whose memory ever will be fresh as long as any of the aged he served so ably and with such dedication remain on earth.

Mr. CHARLES H. WILSON. Mr. Speaker, the passing of George McLain, chairman of the California League of Senior Citizens and the National League of Senior Citizens, has robbed California and the country of a courageous leader. In his consistent advocation of health care for the elderly, he proved a dedicated exponent. It is no small tribute to his efforts that medicare is soon to become a reality, and I am glad he lived to see both Houses of Congress take this giant step in the field of social and humanitarian legislation.

George McLain was often a controversial figure and I was not always in agreement with him; yet, it is incontestible that he did a great deal to benefit his people. His close work with the California State Legislature greatly helped the passage of many important pieces of social legislation aiding the blind and the aged to improve their opportunities. Known nationally for these efforts, he worked more than 25 years in this constant cause.

George McLain leaves a legacy of leadership that will be remembered by all who are working to improve the lot of our senior citizens. As a Californian and as an American, he led with distinction and with courage.

Mr. ROOSEVELT. Mr. Speaker, the recent death of George McLain was a great loss for senior citizens all across this country. He devoted his life to their causes. A resourceful man, he mastered the techniques of legislative advocacy, which he practiced in both Sacramento and Washington, D.C., to the immense benefit of all senior citizens. His death was not only a great shock to his many, many friends, but to all those who worked so hard for and with him in his battle for senior citizens, and to all those who benefited from his great work.

ADDRESS BY VICE PRESIDENT HUMPHREY

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an address by Vice President HUMPHREY.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, on Monday of this week I was privileged to hear a great address by our Vice President on the most serious domestic goal of this administration—an end to the cycle of poverty in America. Mr. HUMPHREY spoke before delegates to the National Association of County Officials, meeting in my home community of San Diego, Calif. I can report that this audience—representing all parts of the Nation and many shades of political opinion—interrupted the Vice President with frequent applause. I have obtained a copy of Mr. HUMPHREY's address, and offer it for inclusion in the RECORD:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, COUNTY OFFICIALS, SAN DIEGO, JULY 12, 1965

Today I want to talk to you about the great opportunities, the great challenges, the great potential today for creative local government.

This administration is pledged to the goal of a Great Society. We are moving forward with new, strong programs to make all people and places in this society full and productive partners in the American tomorrow.

We strive for a society of opportunity—where each man has the education, the equal start, the open doorway toward a better life for himself and his children.

Today this administration is launching creative new programs toward that opportunity. And this Congress is writing a historic record of legislation—legislation for health, for housing, for education, for human rights, for jobs, for self-respect.

But the future of our Nation lies not only with the Federal Government and the legislative branch. It lies in our heartland—in individual American communities.

The Great Society will be an America made up of thousands of great communities. It will be an America built where you serve.

It is your communities that will have good schools or bad ones.

It is your communities that will have decent homes or slums.

It is your communities where young men will have jobs this summer or will not.

It is your communities that will have racial harmony or racial antagonism.

It is your counties that will either wage intelligent, coordinated drives on the causes of poverty—or will ignore this social cancer.

My 20 years in political life—from mayor to Vice President—have taught me what I only vaguely understood when I was a political science teacher: that the key to success of great national programs is local implementation and imaginative leadership.

My experience in public life has also taught me that it is political demagoguery to blame your problems on some other level of government. There are too many manufactured antagonisms between the local, State and Federal levels—antagonisms too often manufactured to escape responsibility at home base.

No greater opportunity faces all of us today than the opportunity to strengthen the economic and social structures of our communities, of our Nation.

We are moving ahead in seizing that opportunity. We can be proud of what has been done. But, in the midst of our rich and active society, we must look to missed opportunity.

There is an "other America." There are about 35 million Americans in it. They have been shunted aside or lost in the backwaters. These Americans belong to families earning an average $1,800 a year from all sources. That is $35 a week—to feed that family, to clothe that family, to house that family, to provide education and transportation and health care for that family.

But the poverty of these 35 million Americans is not to be measured in dollar terms alone. It must be measured in hopelessness and helplessness, in resentment and rejection, in despair and distrust, in loss to our Nation of valuable human resources.

No one knows better than you the cost of these lost resources. The costs of welfare are a continuing drain on your counties. The "other Americans" are, to the controller, taxeaters and not taxpayers. What if these people could become productive citizens, could become, for your counties, pluses and not minuses?

There are 15 million children among those 35 million. And there is the basic challenge. Will these 15 million children, and their yet unborn sisters and brothers, become the heads of new poor families 10 or 20 years from now? Will this generation of children get permanently locked into the cycle of poverty? Will they find truth, as others have, in Proverbs: "The rich man's wealth is his strong city. * * * The destruction of the poor is their poverty."

The war on poverty is more than a welfare program. It is not designed to make the conditions of poverty tolerable. We seek to get the poor out of poverty and into the mainstream of American life.

Therefore, we must get to the root causes of poverty. We must understand the economics of poverty, the psychology of poverty, the sociology of poverty. We must understand why and how other groups have escaped from poverty. We must get to the heart of ignorance, slums, poor health, unemployability, discrimination—the links in poverty's vicious cycle.

I have met recently with officials of the poverty program and reviewed with them some impressive plans for research into poverty and evaluation of existing programs. We must be willing to make the necessary investments into what causes and keeps people in poverty.

We make the investment to put a man on the moon. We can also make the investment to help a man stand on his own two feet.

I could take much time now reciting to you the many statistical portraits of poverty which have been drawn. Instead, I want to tell you something about the poverty in America which the war on poverty has already revealed.

We have a domestic Peace Corps as part of this war. It is called VISTA—Volunteers in Service to America. In April of this year, a VISTA volunteer wrote to Washington saying that in the county of eastern Kentucky in which she was working there were four small schools, each with one or two rooms. All four schools, she said, were sharing a single, tattered copy of Mother Goose. Does that sound incredible to you, as it did to me when I first heard about it? Well, it's true.

But something else is true, too. In August of this year, there will be libraries installed in each of 800 schools in the 44 counties of eastern Kentucky. Each library will have at least 300 books.

How is this happening?

It is happening because a group of dedicated and sensitive student volunteers in Appalachian colleges recognized the need, alerted the Federal Government, and agreed to spend thousands of hours sorting and arranging books.

It is happening because the National Parents-Teachers Association developed and sponsored a national drive for 300 carefully selected book titles from all of its chapters across the Nation.

It is happening because union carpenters offered to build shipping crates which converted to book shelves after delivery.

It is happening because the REA Express agreed to reduced, uniform shipping rates from any part of the country.

It is happening because of Office of Economic Opportunity brought the various parties together and made some modest grants to cover some of the costs.

And, of course, it is happening because the American people responded with over a million books.

And so, this fall, thousands of children in eastern Kentucky and in other Appalachian schools will, for the first time, have an opportunity to hold a book, to look at its pictures or read its words—or have a student volunteer read to them.

A book for a poor Kentucky child may not seem important when the parent has been unemployed for years. But that book may well represent the beginning of escape from poverty for that child. It will help the child to read, to learn, to communicate. It will open up new vistas. Above all, it will show that there are people who do care.

For too many children in America—in the Appalachian hollows, in the Harlem slums, in the migrant labor streams, on Indian reservations—poverty has been their inheritance and their prison. From infancy, they are conditioned to believe that there is no hope, no escape. There does not seem to be any sense in preparing for a full role in life. And then they cannot meet opportunities that do develop. And so, in this war against poverty, we lay great stress on our children.

Each child is an adventure into a better life—an opportunity to change the old pattern and make it new.

That is why Project Headstart is so exciting and so promising. It was conceived in the minds of those concerned with children. It is the social and spiritual response of the American people to the task of giving each child an equal chance in life.

In February of this year, the concept of Headstart was developed. A simple concept: Give some special attention to 4- and 5-year-olds entering school for the first time this fall who might have difficulty adjusting.

Plans for 100,000 enrollees were developed. The program has had to be increased to accommodate over half a million children.

And today they are participating in over 13,000 child development centers across the land—in more than 1,500 counties.

But even this magnificent achievement will reach only half the children who need Headstart—because there are approximately 1 million children in poor families who are entering school this fall for the first time.

What will Headstart mean? I will note one small, practical example. The pediatricians tell us that about 75,000 of these half million children will ned glasses. In the normal course of events, perhaps 4,000 or 5,000 would have realized the need or been able to obtain the help. But now, 75,000 children will be given a simple tool which will help them learn and which will help them save their eyes.

And how about the hot meals to be served, and the work with the parents, and the first visits to the zoo, and the first exposure to books and crayons?

Almost 3,000 separate Headstart grants have been requested and granted. The great majority of all counties represented at this meeting have Headstart this summer.

But will Headstart turn out to be a false start?

Above all, Headstart can be the beginning of a full-fledged community action program. You can build on what Headstart has begun this summer.

The leadership, the volunteers, the staff, and the community support mobilized for Headstart must now be mobilized to keep the effort going. For, it will do the Headstart child very little good if he must return to the same housing, to the same unemployed, illiterate parent, to the same neglected school system.

Yes, the war on poverty and its symptoms can be the beginning for an all-out effort to build opportunity in this country.

This process has already started.

It has started in hundreds of communities that have already been funded under the community action program.

It has started in Washington with the launching of important related programs to provide health, education, housing and human equality. Each of these new programs provides each of you with new tools and new resources.

In Washington, we are insisting upon coordination and cooperation among Federal agencies. In your own counties, you can seek the same kind of cooperation.

We cannot afford the luxury of bureaucracy and costly overlapping.

We need the blending, too, of public and private efforts.

Next year, Congress willing, the budget for the Economic Opportunity Act will be doubled. That act is important.

It has already reached millions of Americans.

Let me give you a quick run-down on what has been happening in the short 9 months since Congress provided the funds:

Community action: About 700 separate grants have been made to nearly 750 cities and counties in all 50 States.

Job Corps: Over 300,000 young men and women have already applied. The first 13,000 enrollees are now learning and working in 55 centers across the land. We expect 40,000 by the end of the year.

VISTA: About 1,200 are now on the job or in training. There will be 2,000 by end of the year working in 40 States. Over 20,000 have asked to serve.

Neighborhood Youth Corps: 265,000 youths will be working by the end of the year—but hundreds of thousands more will still be seeking jobs.

College work study: 40,000 students from 750 colleges are working this summer.

Work-experience program: 88,000 unemployed parents are participating in projects in 42 States. But there are hundreds of thousands more who need this help.

Adult basic education: 37,000 persons are receiving literacy training in 45 States.

Aid to migrants: 40 grants to 20 States have been made. But the need is tremendous.

Rural loans: 11,000 loans have been made to rural families and some 50 to rural cooperatives. Much more must and will be done.

Small business loans: More than $1.5 million has been loaned to 150 very small businesses. Small business development centers have been opened in 17 cities.

But the Economic Opportunity Act—important as it is—is only the beginning of which I spoke.

There is no greater task before us. If we really believe in our past—and our future—we can dedicate ourselves to making each man, each woman, each child a full participant in American life. I mean a life not just of prosperity and security—but a life in which self-expression and self-fulfillment are within the reach of all.

I came to Washington 17 years ago as a freshman Senator. During that first year a scene took place in a Senate hearing room that symbolized just what we mean by the Great Society.

A woman from Tennessee, a garment worker, was testifying before seven U.S. Senators on behalf of raising the minimum wage to 75 cents an hour. At one point, this is what she said:

"My youngest girl, she's 9 now, goes straight to the piano when we go to a house where they have one. She does want to play the piano so bad. I've thought that maybe I could save 50 cents or a dollar a week to buy a second-hand piano for her * * * but I have not found a way to do it yet. Maybe I've been foolish to talk to you people about music for one of my children when the main question is getting enough to eat and wear, or blankets for the bed, or a chair to sit on. But down in Tennessee we love music, and factory workers don't live by bread alone any more than anyone else does."

Piano lessons for a little Tennessee girl, a book for an eastern Kentucky child, full, productive lives for our citizens and the places where they live—these, my friends, are what the war on poverty is all about, what the Great Society is all about. That is what we work for.

For the elderly, sick, and disabled—compassion and concern.

For the young—an equal start in life.

For all Americans—the opportunity to lift themselves not only to wealth and productivity, but to a life of satisfaction and fulfillment.

And now, in closing, let me speak frankly for a moment about some of the very concrete problems I know you face in meeting this challenge.

Your needs are increasing. Revenue is hard to find—despite the fact that your income taxes, sales taxes, and property taxes have increased rapidly in the past few years, while Federal taxes have actually gone down. Your major source of revenue—the property tax—has all but reached the saturation point.

It sometimes seems that things are closing in on you.

Let me say this: Contrary to what some people would have you believe, the Federal Government is not bent on stifling local government. I could, in fact, give you a great number of statistics to show that local government has grown more than any level of government in recent years.

The question today is not whether the Federal Government is too big, but how it can best aid growing State and local government.

Our Federal system is not based on hostility and competition, but upon cooperation and common goals. If we have learned nothing else in these past years, it is that we are interdependent in this country. We share our problems. We share our successes.

Good fences do not make good neighbors when those fences are built between the levels of government.

Not long ago you submitted a white paper asking for specific steps of assistance by the Federal Government. I would like to respond to those requests.

First, you asked that there be a point of contact at the White House to act in liaison with you, just as I work in liaison with the Nation's mayors.

As I advised your board of directors and officers in March, it is the President's intention that I work with all local government. So I am your man.

Second, you asked that the Commission on Intergovernmental Relations begin a study into financing the needs of local government.

I favor such a study—it is needed.

Third, you asked that your voices be heard on governmental advisory boards dealing with grant-in-aid programs.

Your voice is heard. I believe that—perhaps in more instances than you realize—you are already being consulted. But I think here, too, you can look for improvement.

I know that you are concerned that you should be heard when programs and policies are formulated which affect your counties.

This is as it should be. For the great national undertakings of today will make themselves felt in every part of this one Nation.

We have the opportunity today, as never before, to move ahead—to create a better America. There is a broad national consensus that we should dedicate ourselves to the work to be done.

Our economy is prosperous and expanding. We look forward to a trillion-dollar economy in 10 years' time.

We have the means, we have the energy, we have the will, we have the leadership to truly achieve a Great Society.

I said earlier that the building of a Great Society will depend on the building of great communities.

And these communities, in turn, must be built by great people—people of tolerance, compassion, and understanding; people of education and good health; people seeking and using opportunity; people of hope and confidence; people who have faith in themselves, their country, and the future.

These are the American people. United we join in the task of fulfilling our dream still unfulfilled.

President Johnson has made his commitment to this task. I join him in that commitment. We ask your help.

OUR SICK DOLLAR

Mr. **PELLY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. **PELLY**. Mr. Speaker, legislative bills dealing with the shortage of silver and the flight of gold from America are symptoms of inherent economic disease and the deterioration of the buying power of the dollar.

According to the Library of Congress, the Bureau of the Budget no longer makes dollar figures available as to the Nation's ever-increasing cost of living but percentagewise, according to the Consumer Price Index the increase from January 1964, shortly after President Johnson took office, until April 1965 was 1½ percent and since then has continued sharply upward.

In reality, of course, this index reflects the drop in the buying power of our dollar—and of the working man's wages.

According to the Associated Press, for example, food prices have jumped 15 percent over last spring.

Another indication is the wholesale price index which after 7 years of stability has been creeping upward since January according to the Department of Labor.

In other words, the silver and gold shortage is really a reflection of the lack of confidence and of the decrease in the buying power of the dollar. The administration's inflationary policies are the matters Congress should be dealing with today.

President Johnson's boast of 50 months of sustained prosperity overlooks what is underlying our economy.

Ask any housewife about the sharp increase in food prices and what has happened to the prices she must pay for potatoes, lettuce, cabbage, tomatoes, meat, and other necessities. The family living bills have gone up more than the benefits of recent tax cuts. People are no better off than they were.

Mr. Speaker, Congress is not dealing with a mere shortage of silver today. Rather, we are faced with a problem that goes much deeper; namely, a sick dollar and lack of fundamental strength of the economy.

THE VOTING RIGHTS BILL

Mr. **MacGREGOR**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. **MacGREGOR**. Mr. Speaker, the running commentary we have had the past few days between the President and the House Republican leadership on the voting rights bill actually boils down to one question: whether the Ford-McCulloch measure offers a more effective and comprehensive solution than the administration's proposal.

On Monday, the minority leader asked the President five specific questions:

First. Why Texas was not covered under his initial voting rights bill and is not effectively covered now?

Second. Why vote frauds and dishonest elections, such as have occurred in Chicago and Texas, were not covered under his proposal?

Third. Why should not the right to vote be protected equally in every State, not just in seven States?

Fourth. Why should any area be exempted after only 50 percent of the Negroes are permitted to vote?

Fifth. Why should challenged votes be counted and if found invalid be used possibly to determine the outcome of an election, including the election of a President?

At his press conference yesterday, the President did not answer these perfectly legitimate questions. Mr. Johnson did admit his voting record in the past contained many errors and that "we could have done much more than we have in this field."

It would have been gracious of the President to acknowledge that after the Ford-McCulloch substitute was voted down, a higher percentage of Republicans suported final passage of the administration bill than did members of Mr. Johnson's own party—82 percent of the Republicans voted "yea" as opposed to 78 percent of the Democrats. Similarly, in the Senate 94 percent of the Republicans and only 73 percent of the Democrats voted for the administration bill. This pattern of superior Republican support was also evident in the passage of the 1957, 1960, and 1964 Civil Rights Acts.

Those of us who advocated the Ford-McCulloch substitute, ask once more that the President reply to the questions asked on Monday by the minority leader. When answers are given, the American people can judge for themselves which approach was better.

VOICE OF EXPERIENCE

Mrs. **BOLTON**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. **BOLTON**. Mr. Speaker, I found this in the newspaper this morning, and I thought all would enjoy it:

VOICE OF EXPERIENCE

"Fortunately, there is no disposition in this country to search for scapegoats to blame for the situation (in Vietnam). Americans are singularly free from the disposition to vent a sanguinary fury on officials who have the misfortune to preside at disagreeable affairs." (The Washington Post, July 10.)

I read that here exists no disposition
To seek for scapegoats for a situation.
Americans, you say, are singularly free
From any wish to vent a sanguinary
Fury on officials who, alas, preside
At disagreeable affairs at ebb of tide.

Reading, as always, at your bidding, I wonder
who the hell you're kidding.

—RENVOI (With salute to Ogden Nash).

Seeking narcotic help in wassail, I caught
the eye of one small fossil,
"Cheer up, sad world," he said, and winked.
"It's kind of fun to be extinct."

—DEAN ACHESON.

VETERANS' ADMINISTRATION HOSPITALS SHOULD BE FOR VETERANS

Mr. **ADAIR**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **ADAIR**. Mr. Speaker, I rise today in support of the recent remarks of my friend and colleague, Congressman ROUDEBUSH. On Monday, he brought to our attention a deplorable situation whereby members of the Job Corps are being treated in our VA hospitals. The situation he described to this House is appalling. We have asked the Veterans' Administration to tell us just how many Job Corps members are in the VA hospitals. They do not know, and state that it will take a week or so to find out. We do know that six Job Corps members are already in the Veterans' Hospital at Indianapolis. This is intolerable. I intend to do all I can to put a stop to it. There is no authority for it in any legislation that I am aware of.

Will we tolerate a situation in which a Job Corps trainee makes more money than an infantryman in Vietnam? Will we tolerate a situation in which one indivial risks his life for his country and the other risks only mild brain strain, and yet the benefits are not even equal? Have we come to the day when it may be more worthwhile to drop out of high school than to serve your country in uniform?

Those of us on the Veterans' Committee of this House spent many weeks holding hearings on the closing of veterans' hospitals and facilities. At that time we tried to find out just what sort of philosophy was being developed by this administration as regards the veteran. We suspected, then but could not prove that the long-range plan of this administration is to merge all the Federal hospital systems. We asked questions of various witnesses from the executive branch to see if mixing of various categories of patients was contemplated. In each case the answer was no. At no time did any witness even so much as whisper that Job Corps trainees were to be given hospitalization in VA hospitals. Typical of our doubts was the statement by Congressman SAYLOR on February 18, 1965. He said to Mr. Phillip S. Hughes, Assistant Director of Legislative Reference of the Bureau of the Budget, the following:

> I am not convinced, Mr. Hughes, that this is not the opening wedge for the merging of all hospitals, and I want to tell you as one member of this committee that I will watch very carefully the actions which you take with regard not only to the veterans' hospitals but other public health facilities and the hospitals that are operated by the Department of Defense for our military personnel.

Mr. Hughes answered:

> We certainly understand that, Congressman, and we welcome your close scrutiny.

Note that Mr. William J. Driver, the VA Administrator, was present at this exchange and said nothing. Our worst fears have been confirmed. The shadowy outlines of a faceless one system Federal hospital system are now becoming apparent. Our veterans will become just one more person waiting in line for admission to a hospital. And this at a time when the newspapers reported a few days ago that one of our veterans discharged from Vietnam was refused admittance for treatment because he was not a veteran in the technical sense of the word. Yet no technicalities stood in the way of admitting Job Corps members.

Yet the Comptroller General of the United States has ruled that it is illegal to admit our merchant seamen in veterans hospitals ahead of our veterans.

I am not interested in how small the waiting list may be at any particular hospital. I am not concerned with how many Job Corps members are in these hospitals. I am concerned that these hospitals were built for our veterans, and money appropriated to maintain and operate them for veterans. They are now being used improperly. Every eligible veteran on every waiting list should be admitted before one nonveteran is even considered for admission to one of these hospitals.

The Members present today might be interested to know that there are approximately 15,000 eligible veterans on the waiting lists for these hospitals. As of June 30, 1966 the Job Corps expects to have 64,000 trainees. Thus, if slightly less than one-fourth of the Job Corps trainees had to be hospitalized, they could displace the entire waiting list of veterans.

Mr. Driver stated in our hearings that the basic policy of the VA was that "Eligible veterans shall be hospitalized in the nearest appropriate hospital from the point at which they apply, subject to the availability of beds."

If this is no longer the policy of the Veterans' Administration, then I believe that the Veterans' Committee of this House, and indeed the House as a whole should be so notified, so we can enact whatever corrective legislation that may be necessary. The rights of our veterans must and will be protected.

U.S. INFORMATION AGENCY

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, no doubt it will come as a great surprise to many of my colleagues to learn that the U.S. Information Agency is out of information—at least, I have found they have no information for Members of Congress.

As page 15517 of the CONGRESSIONAL RECORD of July 1 will indicate, I advised my colleagues that while our Armed Services Subcommittee was recently in Saigon, we were amazed indeed to learn that there was no television communication within that country although considerable study had been given to such proposals.

Because in its final analysis, the war in Vietnam is a struggle for the minds of men, I feel that we should be using every asset that is available to us. For this reason, upon our return I address a letter, on June 30, to the U.S. Information Agency asking for a "comprehensive report, as soon as possible covering the background of the studies, the estimated cost, the arguments both for and against creating television communications, the current status of the situation, and any other data which would be helpful in evaluating the merits of such a program." I would like to include the complete text of my letter in the RECORD at this point:

JUNE 30, 1965.

Hon. CARL T. ROWAN,
Director, U.S. Information Agency,
Washington, D.C.

DEAR MR. ROWAN: I have recently returned to Washington from Vietnam where I have been observing our activities in that country with other members of a Special Subcommittee of the House Armed Services Committee.

During the course of our inquiries, I was most surprised to learn that there were no television communications within South Vietnam and in informal conversations with U.S. officials, it became apparent that it was the subject of considerable debate.

Certainly in a struggle for the minds of men such as in Vietnam, every asset available to us should be utilized. It is my understanding that studies have been made relating to the establishment of such television facilities and I am eager to be apprised of all available information in the matter.

Therefore, I would be most grateful for a comprehensive report, as soon as possible, covering the background of the studies, the estimated cost, the arguments both for and against creating television communications, the current status of the situation, and any other data which would be helpful in evaluating the merits of such a program.

Thanking you for your courtesy, I am
Sincerely yours,
CHARLES E. CHAMBERLAIN.

My purpose in doing this was to obtain all of the information available to present to my colleagues of the House, particularly those having special responsibilities and interests in this area. Late last Friday afternoon, I finally received a reply to my letter, which I also include at this point in the RECORD:

U.S. INFORMATION AGENCY,
Washington, D.C., July 9, 1965.

Hon. CHARLES E. CHAMBERLAIN,
House of Representatives.

DEAR MR. CHAMBERLAIN: Thank you for your letter of June 30 concerning the question of television in South Vietnam. In your conversations with Mrs. Marion Ball, of our Office of General Counsel, you asked that we give you a quick rundown on the current state of this project before receiving a fuller briefing later on from several of our officers who have recently returned from Vietnam.

The possibility of introducing TV in South Vietnam has been under study for a number of years by both American and foreign private firms as well as by the United States and South Vietnamese Governments. Late last year the U.S. mission in Saigon made a definitive appraisal of all the proposals on this subject. As a result of this appraisal, substantial agreement was reached earlier this year within the mission on the desirability of supporting the establishment of television in Vietnam under appropriate conditions. On the basis of this decision preliminary discussions were begun with Vietnamese officials. These discussions have been interrupted several times due to changes in the local government. However, we hope that there will be developed an effective television operation in support of Vietnamese efforts to turn back Communist aggression.

I will be pleased to arrange a more detailed briefing by our officers on this subject at your convenience.

Sincerely,
CARL T. ROWAN,
Director.

On reading Mr. Rowan's letter, you will note that it is not at all responsive to my request. I have again written to him stating that I would like to have the information I initially asked for. I also include this letter for insertion in the RECORD:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 13, 1965.

Hon. CARL T. ROWAN,
Director, U.S. Information Agency,
Washington, D.C.

DEAR MR. ROWAN: Your letter of July 9 regarding the possibility of establishing television facilities in Vietnam has been received but, frankly, I am greatly disappointed that it is not responsive to my request of June 30th for a "comprehensive report, as soon as possible, covering the background of the studies, the estimated cost, the arguments both for and against creating television communications, the current status of the situation, and any other data which would be helpful in evaluating the merits of such a program."

However, I was pleased to learn that "substantial agreement was reached earlier this year within the mission on the desirability of supporting the establishment of television in Vietnam under appropriate conditions." This is encouraging but I certainly want more details immediately as to these conditions along with answers to the original questions which I have raised.

With further reference to your letter, I do appreciate your willingness to send a staff member to my office to discuss the situation at length and I look forward to such a meeting. However, I first want the benefit of studying the information I have requested from your Agency so that further discussions and briefings may be more meaningful. In addition, several of my colleagues are interested in this project and I have asked for a written report in order that I may share with them such information as is available.

I recognize that some of the information may be classified but I feel I have a legitimate interest in the subject matter and assure you that my office is equipped for the proper storage of classified documents and that I will, of course, honor any such classification.

I am awaiting the comprehensive report I have requested and trust that it will be submitted to me without further delay.

Sincerely yours,

CHARLES E. CHAMBERLAIN.

The only significance of Mr. Rowan's letter is that everyone seems to agree that television is a good idea. This is encouraging, but why are they not willing to tell us what they are going to do about it? I say to you, if this concept of television is good, we ought to get on with it. All I'm asking the USIA is to give us the facts.

We in the Congress have every right to be concerned about what is going on in Vietnam. In my judgment we also have a right to ask for information from the U.S. Information Agency. It is unfortunate indeed that we as Members of Congress have to try to "smoke out" the USIA to get an answer to a legitimate request. It is my hope that these remarks today will hasten the response to my inquiry.

TONIGHT AT 7:45

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I should like to call to the attention of all Members of the House the musical program that will take place in front of the Capitol this evening. It was my pleasure to work with representatives of the U.S. Marine Corps Band and the Almas Temple of Washington, D.C., in arranging for this event.

At 7:45 the U.S. Marine Corps Band, under the direction of Lt. Col. Albert Schoepper, will present its regular weekly concert. At its conclusion, more than 500 Shrine Chanters, here for the 91st Imperial Council Session of the Ancient Arabic Order of the Mystic Shrine, will offer a program the likes of which have certainly never been equaled in Washington.

While we all take the opportunity to listen to the Marine Band whenever the occasion presents itself, I am not sure that very many Members of Congress are cognizant of the history of this magnificent musical organization. The new Marine Corps and a Marine Band came into existence on July 11, 1798, through legislation signed by President John Adams. Informal open-air concerts were enacted 2 years later at headquarters of the Marines overlooking the Potomac River. Since the time of President Jefferson the Marine Corps Band has played at every inauguration in Washington, and every President has called upon it to play for functions at the White House.

During the War of 1812, Marine bandsmen not only helped to maintain morale in the Capital with their martial music, but some also fought at the Battle of Bladensburg and others assisted in saving the early records of the corps when the British burned the city.

The most famous of the band's leaders was John Philip Sousa, who directed from 1880 to 1892. The name of Santelmann is also familiar to everyone. William H. Santelmann directed the band from 1898 to 1927, and his son, William F. Santelmann, served as leader from 1940—through World War II and Korea—until 1955. Lieutenant Colonel Schoepper has performed as a Marine Band violin and saxophone soloist, then conductor, since 1934. He has conducted at many White House engagements and has been an exemplary leader in continuing the traditions of musical and military excellence reflected in the Marine Band.

Mr. Speaker, at this point I should like to thank Gen. William M. Greene, Jr., Commandant of the Marine Corps, for his generous cooperation in sharing Capitol Plaza with the Shrine Chanters tonight. Of course, it is no secret that, without the permission of Speaker JOHN W. MCCORMACK, we would be deprived of tonight's spectacular double feature. The Almas Temple Chanters have asked that I thank you for making the House steps available for this concert. I have enjoyed bringing together the Marine Corps Band and the chanters. Many of the chanters have served in the corps and in other of our military forces. For the past several months, in making arrangements necessary for tonight's show of stars, I have worked closely with Lt. Col. Jack D. Spalding, aide to Commandant Greene, and Lieutenant Colonel Schoepper. Our meetings have included Thomas Howarth, Richard E. Garrison, and Everett P. Miller from the Almas Temple in Washington.

The Almas Temple Chanters are but one of the multigroups that will be participating in tonight's program, but I assure you that the Washington area is extremely proud of this exceptionally fine vocal unit. Director Garrison was selected to study at Interlochen 3 successive years, during which time he played in the symphony orchestra and band in addition to his participating in the choral group.

Some of my colleagues will remember that the Almas Temple took part in a mass concert at the Watergate in 1956. Tonight Almas combines with numerous other gifted voices following the Marine Corps concert to bring us what is sure to be an unforgettable performance.

Mr. Speaker, I thank you again for making tonight's presentation possible.

PROBLEMS OF THE SHIPBUILDING INDUSTRY

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, I have asked for this time merely to announced to the Members who are interested in the shipbuilding industry in the United States and the problems that it is experiencing these days that I have asked for a 1-hour special order today to discuss that problem and to suggest what I hope will be some constructive steps in the aid of shipbuilding. I would hope, therefore, that all Members who have any interest in this subject matter would join me in a discussion later on this afternoon.

JUDGE THURGOOD MARSHALL—SOLICITOR GENERAL

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, yesterday President Johnson nominated Judge Thurgood Marshall to replace Archibald Cox as the Solicitor General of the United States.

Judge Marshall's appointment is fully merited. Before being appointed to the U.S. Court of Appeals for the Second Circuit, he served as director general of the Legal Defense and Educational Fund of the National Association for the Advancement of Colored People. Known as a thorough and analytical lawyer, he argued 32 civil rights cases before the Supreme Court and won 29 of them.

President Johnson is to be commended on his choice. It is a symbol of his determination that no office, however high, shall be out of the reach of any of our citizens. No Negro has ever before even served in the Solicitor General's Office, let alone headed it.

The President has truly acted to help insure equal opportunity for all, the very equal opportunity for which Thurgood Marshall has so eloquently fought.

Judge Marshall brings to his new office a wealth of experience as both lawyer and jurist. The Nation is fortunate that he is willing to resign from his life tenure on the bench to undertake the very important task of being the Government's No. 1 advocate. I am proud that Judge Marshall resides in the congressional district which I have the honor to represent, and I take this opportunity to congratulate him and wish him continued success in the days ahead.

THE PRESIDENT ON RIGHTS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include two editorials.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, today's Washington Post editorial, "The President on Rights," states:

> President Johnson's credentials as an advocate of civil rights and as the leader of a nationwide effort to give the Negro his proper place in American life, are not open to just challenge.

I could not agree more. No American, Democrat or Republican, can honestly doubt the President's commitment to the cause of civil rights; and it is for this reason that the recent challenge issued by certain Republicans of this body was dismaying to me, as it must have been to most Americans. Anyone who knows his administration's record, or who heard his impassioned plea for a voting rights bill after the Selma, Ala., incidents, must have rejoiced in President Johnson's honesty, candor, and sincerity when he said at his press conference that he would provide "all the leadership that I can, notwithstanding the fact that someone may point to a mistake or a hundred mistakes that I made in the past."

This attitude is a measure of the greatness of the man and the righteousness of the cause. It is the key to an attitude that we must hope will be accepted and manifested all through the South.

Governor Collins, of Florida, expressed much the same attitude and with similar candor when he was questioned by Senator THURMOND during the Senate hearings on Governor Collins' pending appointment as Director of the Community Relations Service. He acknowledged a change in his own thinking. It is this spirit which we applaud in the President—in Governor Collins—in all men of good heart, in and out of the South, who have come to the realization, sometimes painfully, that the American Negro must, and will, be made a full and equal participant in our political, economic, and social life.

Further proof of President Johnson's determination in the area of civil rights is his nomination of Judge Thurgood Marshall to fill the office of Solicitor General of the United States. This is notable, not only because Judge Marshall is Negro, but because he is a great lawyer and jurist. I pay tribute to the President for this nomination, and to Judge Marshall for his willingness to render such taxing and important service to our country.

Mr. Speaker, I take this opportunity to place in the RECORD the two editorials from today's Washington Post:

THE PRESIDENT ON RIGHTS

> President Johnson's credentials, as an advocate of civil rights and as the leader of a nationwide effort to give the Negro his proper place in American life, are not open to just challenge. It is too bad that they were challenged by the Republicans in the House, but it is a good thing that the challenge brought forth an answer that ought to end any debate over the President's position.
>
> The conviction evident in his press conference remarks standing alone would be persuasive. He stated his present belief with great force and no hearer could doubt his sincerity when he declared that he was "particularly sensitive to the problems of the Negro." He very obviously does believe that the racial problem is "a very acute problem" and no one can longer doubt when he says he wishes "to do my best to solve" it in "the limited time" allowed. There was an admirable and a winning candor in his acknowledgment that in the years past he did not sense the racial problems to the extent that he does today, and in his explanation that he did not have the responsibility for solving it that he has today. There is no reason whatever to doubt the sincerity of his declaration that he is going to try to provide in this field "all of the leadership that I can, notwithstanding the fact that someone may point to a mistake or 100 mistakes that I made in the past."
>
> The press conference statement, moreover, does not stand alone. The President has established his credentials as a great champion in this cause by the legislation he has advocated, by the great exertions he has made to get it enacted, by his disregard of racial considerations in making public appointments on merit, by his embrace of every opportunity to assert the principles of racial equality. His record in this field is better than that of any of his predecessors since Abraham Lincoln, his immediate predecessor not excepted. That such a record should have been made by a statesman who began his career in a Southern State is a great personal tribute to him. It is, besides, evidence of the absence of narrow provincialism in his makeup. It is as well a symptom of the fact that this issue, in the broadest sense, is becoming less and less a sectional issue.
>
> President Johnson, to be sure, is not the only American who has labored to solve this problem in the past few years. That we have moved so far toward its solution is due to the earnest labors and prayerful dedication of thousands of private citizens and public men who have rightly seen discrimination as a burden on the national conscience and a reproach to the national character. Their labor, dedicated as it may have been, would not have made so many gains without the sincere, courageous, and consistent support and leadership of the President. For this he deserves the praise and gratitude of all Americans of all parties.

SOLICITOR GENERAL

> President Johnson has nominated Judge Thurgood Marshall to fill one of the truly great offices of trust in the United States. The Solicitor General speaks of the Federal Government in its role as a pleader before the greatest of American tribunals—where, for all its majesty, it appears as no more than the equal of the humblest of its adversaries. Archibald Cox, whom Judge Marshall will succeed, observed in his letter of resignation to President Johnson that "the office is the finest lawyer's position in the world." No one can doubt the truth of this assertion.
>
> Mr. Cox filled the office with extraordinary devotion, learning, effectiveness, and style. Even in comparison with a succession of most able predecessors, his performance must be rated as genuinely brilliant. His arguments illuminated the law and contributed significantly to the deliberations of the Court. During his 4½ years as Solicitor General, he handled a great variety of issues, including complex civil rights cases; probably, however, his most important achievement was on the reapportionment issue which he argued with exceptional incisiveness and power.
>
> Judge Marshall is hardly a stranger to the Supreme Court. As the chief legal officer for the National Association for the Advancement of Colored People, he appeared before that bench 32 times. In 29 of his arguments, his view prevailed—most dramatically, perhaps, in the momentous school desegregation decision of 1954. He seems magnificently equipped for the responsibilities he is to assume. We think it heartening and peculiarly appropriate that the great office of Solicitor General should be filled by a Negro at this stage in the evolution of America's racial relations.

SALE OF OBSCENE PUBLICATIONS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, not so many years it was customary for male visitors gawking around Times Square in New York City to be accosted by a surreptitious character clandestinely peddling what were known as French post cards—pictures of partially undraped or even entirely nude female bodies. Apparently this ugly business was against the law for purveyors were notoriously cautious to remain out of sight when policemen were in the vicinity.

The iceman goeth and the blacksmith's market has largely disappeared. As those two honorable professions have fallen by the wayside on the road to progress, the slinky salesman on Times Square must surely also have experienced a serious setback in his illicit business, though not because his wares became outmoded. On the contrary, he cannot meet the competition from the corner drugstore or newsstand. For there, displayed prominently to attract the youth as well as the adult, are photos so lewd that he would not have dared to handle even when the police force marched as one down Fifth Avenue on St. Patrick's Day.

St. Patrick, we understand, drove snakes out of Ireland. Perhaps what we need today are a hundred or a thousand or a million St. Patricks to drive out the serpents—the devils that they are—who print and market the lewd and lascivious materials that distort the minds and the morals of the young and the old in the cities and towns across our Nation.

I may be unfair to New York City. If such conditions do not prevail in that great metropolis, then I apologize to my colleagues representing that constituency. If the oldtime publicly despised Times Square sneak is still the only merchant of filth in the environs, I congratulate the city fathers and the city mothers who are responsible for this healthy but entirely rare situation. Rare indeed is any community not plagued with obscene materials available on bookracks and circulated through the U.S. mails.

There is no better example of a city replete with disgustingly vile exhibits of printed pornography than Washington, D.C., into which bus load after bus load of young boys and girls come daily for tours of the Capitol and other historic shrines. Unfortunately, these youngsters are apt to see much more than their parents bargained for. Within half a block of two of the most popular hotels for school tours are hundreds of lewd books and photographs on display for all who enter. Walk down the street another two hundred yards and an equally vulgar exhibition awaits at one of the city's busiest newsstands.

Mr. Speaker, I doubt whether many parents would be willing to make the sacrifices incidental to such trips for their children if they had the slightest notion of the disgusting sights to which these visitors are exposed. Certainly the Nation's Capital should be cleansed of the rot that infests it, if only to serve as a model for communities in your State and mine and in order that we need not be ashamed when foreign visitors come to town.

The Government spends without restraint to beautify our streets and our rivers. Funds are appropriated generously for the preservation and construction of cultural sites. New efforts, though belatedly, are underway to discourage crime in the streets. Yet sources of mental disturbance and perversion are apparently overlooked in the drive toward beautification.

Congress has not been apathetic in this regard. Laws have been enacted to curb traffic in obscene materials, and many of us in the House and Senate have consistently appealed for a more effective approach to the problem. Many of our States have also adopted legislation designed to outlaw offensive writing, photographs, and motion pictures, but Supreme Court decisions have tended to render helpless much of the effort at this level.

Whatever the case, reasonable moral standards cry for definite guidelines toward a start on eliminating the billion-dollar business in pornography.

Perhaps, because the loud minority who scream censorship whenever decent people object has become so influential with our courts in recent years, we will have to resign ourselves entirely to local action without help from courts or police. In some communities it has been necessary to resort to boycott to dissuade merchants from dealing in pornography, and eventually it is possible that alarmed citizens will decide upon the type of picketing made famous by Loretta Young in her excellent motion picture against obscenity several years ago.

What our people need is guidance in this regard, and I am convinced that it is time for a thorough study that can produce real recommendations. I am, therefore, today introducing a bill to create a commission to be known as the Commission on Noxious and Obscene Matters and Materials for the purpose of bringing about a coordinated effort at the various government levels, and by public and private groups, to combat by all constitutional means this pernicious traffic.

The Commission membership will be composed of 15 members, appointed by the President, including representatives of the House and Senate and appropriate executive departments. In addition there will be three clergymen, a prominent librarian, representatives of the publishing, motion picture, and radio and television industries, a chief prosecutor of a city or county government, and a prominent educator.

Mr. Speaker, while I would not presume to include in the official roster a member of the First Family, it is my hope that the Commission will seek to interest in this necessary activity a person who has shown a continuing desire to beautify America and to advance its culture in every way possible. I speak of Mrs. Lyndon B. Johnson, the wife of our President, who I believe could offer the highest incentive in the worthy crusade against one of the most destructive influences in this country today. I trust that she will be willing to lend her name and whatever time she may be able to sacrifice in this phase of the battle to clean up America.

BILL OF RIGHTS FOR COLD-WAR VETERANS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **CLEVELAND.** Mr. Speaker, today I am introducing a bill of rights for cold-war combat veterans, which will extend to fighting men in areas of actual hostilities the same benefits that we bestowed upon veterans of our earlier wars.

As more and more of our fighting men are being called upon to risk their lives in defense of the country and the cause of freedom, I strongly believe that this legislation is needed urgently and I hope this proposal will receive early consideration by the Congress.

In southeast Asia and elsewhere our men are facing death and injury just as their predecessors did in earlier wars. We would be a callous Nation, indeed, if we did not provide as much for our present-day defenders as we did for these who won the victories of the past.

Our fighting men should know that whenever and wherever they are called upon to risk their lives in battle, they enjoy the highest affection, gratitude, and regard of their countrymen. They should know that when they return home and are honorably mustered out of the service, their countrymen will recognize the sacrifices that they have made and will compensate them according to our traditions. And, if they should fall in battle, the Nation should also extend to their widows and children the same care an attention that is now bestowed on the survivors of our earlier veterans.

THE BACK OF FREEMAN'S HAND

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MACGREGOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **MACGREGOR.** Mr. Speaker, it becomes increasingly apparent that the Johnson administration is thinskinned when it comes to criticism and that it cannot tolerate different points of view. We witnessed this last week when the President of the United States criticized House Republicans for offering their affirmative solution to voting rights denials embodied in the Ford-McCulloch substitute. Also last week Agriculture Secretary Orville L. Freeman ridiculed those who oppose his particular solution to farm problems. The Minneapolis Star, in its issue of July 12, 1965, took the Secretary to task editorially as follows:

THE BACK OF FREEMAN'S HAND

Agriculture Secretary Freeman the other day called for urban support for his farm legislation to assure a continued abundance of food for consumers. Said he, "If we do not adequately compensate the farmer for the abundance we enjoy, then we cannot expect our agricultural system to survive."

So far so good. But he followed up with an attack on the Farm Bureau, U.S. Chamber of Commerce, flour millers, and others who have questioned Department proposals to Congress. Freeman critically described them as "bleeding hearts" for the consumer.

These groups are just about as much interested in farm prosperity as is the Secretary. They think the goal can be achieved better through less regulation than Freeman wants. They could point to what is happening in livestock not covered by farm programs. After extremely low prices last year, farmers and ranchers adjusted their operations and now they are doing very well with cattle, hogs, and sheep.

It isn't likely that the Government will get out of agriculture completely. That could be ruinous to many farmers. But surely there is room for argument about the amount of Government involvement in decisionmaking on farms. Any who disagree with the Secretary shouldn't be subject to his ridicule. Indeed, he might learn something if he would listen to other views.

THE LATE HONORABLE ADLAI STEVENSON

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **MATHIAS.** Mr. Speaker, all men of good will mourn the sudden loss of Adlai Stevenson.

His career in the public trust was a model for all men who care about the world in which they live. As an elected servant of the people he loved, he offered reform and order and progress. As the twice-chosen leader of the party he loved, he spoke with eloquence and reason and hope. As the world envoy of the Nation he loved, he counseled optimism and patience and faith.

Ambassador Stevenson's life reached us all. The wealth of his words enriched our land; his passion for peace enriched mankind. May they endure.

REFORMS IN INTERNATIONAL MONETARY SYSTEM

Mr. DON CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the speech made by the Secretary of the Treasury on July 10 was encouraging proof that the United States intends to lead in seeking necessary reforms in the international monetary system.

The following letter has today been sent to Secretary Fowler in support of his address. The 13 Republican Congressmen signing this letter include the House minority leader, the gentleman from Michigan [Mr. FORD] and the gentleman from Kansas, Congressman ELLSWORTH, whose major statement on the international monetary system was cited by Secretary Fowler on June 10:

Hon. HENRY H. FOWLER.
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: We applaud your decision to take the lead in calling for significant reform in the current international monetary system. Your speech of July 10 before the Virginia State Bar Association was a welcome and important initiative toward international cooperation to avoid the threatening world financial crisis.

The President's decision that the United States stands prepared to attend and participate in an international monetary conference is particularly welcome. Your expressed concern that the conference be preceded by careful preparation and international consultation is important. Your suggestion that the work of preparation be undertaken by a preparatory committee is appropriate. Your preference for evolution of the current international financial system is wise.

Finally, we concur fully in your judgment that the first priority of the U.S. Government in its approach to the impending international financial crisis is to bring our own payments into equilibrium and to keep them in equilibrium.

As you know, each of these proposals had been made in a detailed Republican statement by 12 Members of the House of Representatives on June 28. On July 1 the Republican congressional leadership urged U.S. leadership in the convening of an international monetary conference.

In the work of the Advisory Committee on International Monetary Arrangements, in the formation of a preparatory committee, and in selection of the U.S. delegation to an international monetary conference we hope that you will wish to keep in close touch with the Congress. The participation of congressional Representatives in these deliberations will undoubtedly prove helpful in the work itself and in securing whatever subsequently legislative action may be required.

Please be assured of our strong support for continued U.S. leadership in seeking international agreement to avoid an international financial crisis of major proportions.

Sincerely,

GERALD R. FORD, Michigan; ALPHONZO BELL, California; SILVIO O. CONTE, Massachusetts; ROBERT F. ELLSWORTH, Kansas; PETER FRELINGHUYSEN, Jr., New Jersey; FRANK J. HORTON, New York; CHARLES McC. MATHIAS, Jr., Maryland; JOSEPH M. McDADE, Pennsylvania; F. BRADFORD MORSE, Massachusetts; CHARLES A. MOSHER, Ohio; OGDEN R. REID, New York; HOWARD W. ROBISON, New York; ROBERT T. STAFFORD, Vermont.

CONGRESSMAN GEORGE HANSEN OF IDAHO RECEIVES RECOGNITION IN PRESS FOR EFFORTS ON LOWER TETON RECLAMATION PROJECT

Mr. DON CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of Utah. Mr. Speaker, in a recent column by Aden Hyde which appeared in the Eastern Idaho Farmer of Idaho Falls, my good friend and colleague from the Gem State, Congressman GEORGE HANSEN, is cited for his efforts to secure congressional approval for the Lower Teton reclamation project. Passage of this highly important project is of vital concern to residents of Mr. HANSEN's district. As my colleagues may be interested in this article, I am including it in the RECORD for their information:

VIEWS AND NEWS ON SUBJECTS HERE AND THERE

(By Aden Hyde)

The public works appropriation bill sailed through the House of Representatives in Washington Tuesday. It had $1 million as a starter for a Bonneville Power Administration transmission line through southern Idaho but not 1 cent for anything on the Fremont Dam on the Teton River.

The odd part of this is that both House actions could be reversed in the Senate. There's even some hope for a little help for the Fremont Dam project.

It's easy to dispose of the BPA matter. The House appropriation has strings attached: Go right on negotiating for a transmission contract with Idaho and Utah power companies. But it's quite probable that the Senate won't even go that far and that the million-dollar provisional appropriation will be stricken from the public works bill. It just happens that Senator MIKE MANSFIELD, of Montana, a political power of Montana, a political power in Washington, isn't exactly enthusiastic about extending the BPA federally subsidized power octopus throughout the Northwest. He could balk and if he does, that million dollar item will be washed out of the bill.

The Teton Dam appropriation matter is a little more delicate. Water conservation projects should be nonpartisan; they should not even be political. The Fremont Dam got that way by inadvertence. But even that embattled proponent of political reprisal, Congressman MIKE KIRWIN, of Ohio, has mellowed on this one to the point where he concedes that the Fremont Dam, like other water conservation projects, should neither be partisan nor political. And that's progress.

In the Senate, that has always been true. Idaho's two Senators, Democrat FRANK CHURCH and Republican LEN JORDAN, have long since endorsed the Teton project, worked for it. Upon that basis and the hope that this bipartisan support can be extended in the Senate to include a majority of the Members of that body, Congressman GEORGE HANSEN has written a letter to both Senators CHURCH and JORDAN pointing out the possibility of this approach.

We're impressed that Mr. HANSEN's finesse in this matter has possibilities. He was smart enough not to make an issue of it on the floor of the House where nothing could possibly have come from vocal intercession on the floor but more acrimony and delay.

How much progress can be made in that direction is uncertain. But we'd say as of now, that the Fremont Dam project still has a chance to get somewhere at this session of the Congress. In any event, a proper foundation is being prepared to make real progress a year from now. Our judgment is that Mr. HANSEN, displaying evidence of sound political astuteness, is to be commended for his adroit approach to a vexing legislative problem.

FOUR-YEAR FARM BILL HAS $19 BILLION PRICE TAG

Mr. DON CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the 4-year omnibus farm bill approved by the House Agriculture Committee is the most expensive package ever put together in the history of farm legislation—and that is saying something.

Its total cost will exceed $19 billion. The legislation was approved Tuesday and is expected to be reported tomorrow morning.

Judging from past performance, taxpayers will get very little in exchange for the $19 billion. The bill leads nowhere. Under it not one single program is to be phased out during the 4-year period. After the $19 billion is spent, I predict the situation will be as bad as today—and perhaps worse.

The bill does not correct—or even begin to correct—the basic problems of American agriculture. It contains more of the same costly wheel spinning in which the taxpayers have been engaged for the past 4 years.

Here is the 4-year breakdown, based entirely on USDA statistics and estimates:

	Millions
Wheat	$5,880
Feed grains	6,040
Cotton	2,900
Wool	168
Cropland adjustment	5,000
Total	19,988

The wheat item does not include the direct cost to consumers represented by the bread tax. This cost, estimated at

$625 million a year, would add $2.5 billion to the grant total.

Current costs for wheat, feed grains, and cotton were used to project totals. For example, last year's wheat program cost $1.47 billion, and last year's feed grains program cost $1.51 billion. Under Secretary Murphy estimated the cotton program will cost $725 million in the current year. In my opinion, costs for each commodity will probably rise, and this is especially true in cotton. New provisions for overplant, diversion, and Government purchase of allotments will tend to boost costs in cotton.

The wool cost figure is based on the last 5-year average.

The cost of the cropland adjustment feature is difficult to estimate. Using the official cost estimate of $17.60 per acre per year and the 40-million acre goal, the cost could soar to $7 billion for the entire contract period. The $5 billion estimate is on the conservative side.

No calculation was made of the cost of the changes in dairy, peanuts, and tobacco provided in the bill.

Estimates are drawn from the following table, prepared for the Committee on Agriculture by USDA:

CCC cost relationship for specified commodities, 1961–64 crops

Commodity and crop years	Realized loss and CCC costs [1]	Number of allotment farms	Cost per allotment farm	Harvested acres, SRS	Cost per harvested acre	Value of production [2]	Government costs as percent of value of production
1964 crop:	*Millions*			*Thousands*		*Millions*	
Rice	$170.0	14,108	$12,050	1,786	$95	$359.7	47
Wheat	1,470.0	1,730,085	850	49,170	30	2,214.1	66
Feed grains	1,510.0	3,190,653	473	100,161	15	6,740.0	22
Cotton, upland	860.0	605,000	1,421	13,951	62	2,264.8	38
Tobacco	28.0	565,692	49	1,080	26	1,307.4	2
Peanuts	32.0	95,000	337	1,397	23	246.9	13
1963 crop:							
Rice	179.7	14,484	12,407	1,771	101	352.1	51
Wheat	1,835.5	1,721,000	1,066	45,209	41	2,357.8	78
Feed grains	1,395.2	3,199,856	436	107,380	13	6,879.1	20
Cotton, upland	485.1	639,000	759	14,072	34	2,428.3	20
Tobacco	38.8	570,156	68	1,176	33	1,351.8	3
Peanuts	28.3	98,000	289	1,409	20	226.7	12
1962 crop:							
Rice	159.9	14,853	10,766	1,773	90	322.6	48
Wheat	1,832.2	1,772,076	1,034	43,541	42	2,513.2	73
Feed grains	1,149.1	3,258,729	353	103,250	11	6,400.5	18
Cotton, upland	385.8	760,000	508	15,475	25	2,341.4	16
Tobacco	41.0	572,462	72	1,225	33	1,363.8	3
Peanuts	21.2	106,000	200	1,412	15	199.3	11
1961 crop:							
Rice	134.7	15,016	8,970	1,589	85	278.6	48
Wheat	1,568.2	1,651,918	949	51,551	30	2,258.4	69
Feed grains	1,697.5	2,861,000	593	106,346	16	6,206.5	27
Cotton, upland	388.7	800,000	486	15,575	25	2,338.2	17
Tobacco	29.2	573,070	51	1,174	25	1,315.0	2
Peanuts	12.1	114,000	106	1,410	9	190.9	6
1960 crop:							
Rice	157.6	15,394	10,238	1,595	99	248.4	63
Wheat	1,421.9	1,643,237	864	51,896	27	2,365.2	60
Feed grains	955.7	(3)	(3)	127,826	7	5,469.1	17
Cotton, upland	555.6	925,000	601	15,249	36	2,136.4	26
Tobacco	31.6	577,288	55	1,142	28	1,183.8	3
Peanuts	16.7	116,000	144	1,410	12	178.7	9

[1] Fiscal year most closely comparable to crop year listed; e.g., fiscal 1965 costs relate most closely to 1964 crop year. Includes loss on sales, donations, carrying charges, commodity export payments, gross costs of Public Law 480 programs, and other related costs. For wheat also includes IWA, land diversion, and price-support payments; feed grains also include price-support and land-diversion payments; cotton includes equalization payments. Public Law 480 costs do not include (a) dollar proceeds from sales of foreign currencies under title I and (b) dollar repayments under long-term credit and supply contracts (title IV). Interest and administrative costs are excluded (except for IWA).

[2] Includes Government payments where applicable.

[3] No diversion program in effect—no farm bases established.

THE LATE HONORABLE CLEVELAND M. BAILEY

Mr. DON CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Moore] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOORE. Mr. Speaker, I was shocked to learn of the death of our former colleague, Representative Cleveland M. Bailey, of West Virginia. "Cleve," as he was affectionately known by all those who came to know him, had served his State of West Virginia in its budget office and in its office of State auditor for 12 years. In addition to that, he served his Nation as a Member of the U.S. Congress for 16 years. It had seemed to me that we would always have "Cleve" around even though he had lived a full and complete life. He was a fighter for the causes in which he believed.

Commenting on his passing might seem strange to some, for in 1962, Mr. Bailey and I contested for the right to serve the enlarged First Congressional District of West Virginia in the U.S. Congress. Up until that time, a close and sincere relationship had existed, even though we were of opposite political parties. As fate made us political opponents and one of us had to prevail, this in no way diminished our personal friendship.

I extend to his wife and to his children who survive, my deep personal sympathy and, Mr. Speaker, I include in my remarks the announcement in the Washington Post of his passing:

Charleston, W. Va., July 13.—Former Representative Cleveland M. Bailey, a Democrat elected to Congress eight times from the old West Virginia 3d District, died today, 2 days short of his 79th birthday.

He was admitted to a hospital last Thursday for treatment of uremia. His physician said the immediate cause of death was not known and an autopsy would be performed.

The 1962 election sent Mr. Bailey to the political sidelines. Running in a new district as a result of redistricting, Mr. Bailey was defeated by the First District Republican incumbent, Representative Arch A. Moore, Jr.

At the time of his defeat, Mr. Bailey was dean of the West Virginia delegation, chairman of a House Education Subcommittee, and the second ranking Democrat on the House Education and Labor Committee. He was a leader in efforts to legislate Federal aid for public schools.

Mr. Bailey was born on a farm near St. Marys. He was graduated from Geneva College in Beaver Falls, Pa., in 1908.

Mr. Bailey had been a high school principal and a district supervisor of schools. He also was a former newspaperman, having engaged in editorial work on the Clarksburg Exponent.

He was assistant State auditor from 1933 to 1941 and was State budget director when first elected to Congress.

Mr. Bailey was a former member of the Clarksburg City Council and a member of the Elks, Knights of Pythias, Kiwanis, and the Baptist Church.

His wife and three children survive.

THE LATE HONORABLE ADLAI E. STEVENSON

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. Yates] is recognized for 60 minutes.

Mr. YATES. Mr. Speaker, first may I thank the distinguished gentleman from New Jersey [Mr. Cahill], for his courtesy in relinquishing his special order and making his time available to those Members who want to pay tribute to the memory of the late Ambassador Adlai Stevenson.

Mr. Speaker, the majority leader has already announced to the House the sad news of the death of Ambassador Adlai Stevenson. I want in these few moments, for which I have asked, to pay tribute to this great American. Mr. Speaker, there is always a profound sense of loss when one of the Nation's foremost leaders passes away. How much more intense is our feeling of emptiness when death comes as suddenly and as shockingly as it did today to Adlai Stevenson.

The reaction of most Americans, I believe, was expressed by my son who told me of the news when he called me from Chicago and said that he was as shocked as he had been when he received the news of the death of President John F. Kennedy. Such a chasm cannot be filled or assuaged by mere words. The numbness created by the sense of loss will not disappear for a long time.

We in Illinois will feel his passing particularly keenly. Adlai Stevenson loved

Illinois and Illinois loved him. We knew him as one of our great Governors, a leader who gave our State programs of better education, of health, welfare, housing, a police system based on merit—these are only a few of the accomplishments gleaming along the path where Governor Stevenson walked in Springfield. To the people of Illinois he stands as a shining symbol of the best in government.

We remember proudly the words with which he welcomed the delegates to the convention of his party in Chicago when he said in 1952:

> Perhaps you will permit me to remind you that until 4 years ago the people of Illinois had chosen but 3 Democratic Governors in 100 years. One was John Peter Altgeld, the eagle forgotten, an immigrant; one was Edward F. Dunne, whose parents came from Ireland; the last was Henry Horner, who was but one generation removed from Germany. John Peter Altgeld was a Protestant, Governor Dunne was a Catholic, and Henry Horner was a Jew. And that my friends—

Said Governor Stevenson—

> is the American story, written here on the prairies of Illinois in the heartland of the Nation.

Regardless of our political affiliations, we honor the memory of Adlai Stevenson for the inspiring campaigns he conducted as the candidate of his party for the Presidency in 1952 and in 1956. He was a candidate with a conscience.

In a series of remarkable addresses which have become a part of the great political lore of our Nation, he grew in stature and in the esteem and affection of all people. He spoke with delightful humor and talked sense to the American people.

It was Franklin P. Adams who said that the average American is way above the average. Stevenson agreed with him and refused to resort to petty politicking. His was a campaign of dignity and responsibility. His high purpose and matchless devotion to the Democratic ideal was shown by his statement on patriotism in one of his speeches of the first campaign. He asked:

> What do we mean by patriotism in the context of our times?

And then he answered his own question by saying:

> I venture to suggest that what we mean is a sense of national responsibility—to walk with it in serenity and wisdom, with self-respect and with the respect of all mankind; a patriotism which puts country ahead of self, which is not short, frenzied outbursts of emotion but the tranquil and steady dedication of a lifetime.

He was considerate of the feelings of others. When he went home to Libertyville after the 1952 campaign, he received tens of thousands of letters from people expressing their admiration for the campaign he had made. He gave explicit instructions to his staff that each letter was to be answered personally—and they were.

Adlai Stevenson was a mature, warm-hearted philosopher. On my 50th birthday he inscribed one of his books to me:

> To SID YATES on his 50th birthday—and if you want to know what I think about a man at 50, see page 174.

And this is what appeared on page 174:

> What he knows at 50, that he did not know at 20, boils down to something like this: the knowledge he has acquired with age is not the knowledge of formulas or forms of words but of people, places, actions—a knowledge not gained by words but by touch, sight, sound, victories, failures, sleeplessness, devotion, love—the human experiences and emotions of this earth and of one's self and other men; and perhaps, too, a little faith and a little reverence for things you cannot see.

Mr. Speaker, it was a week ago yesterday that the gentleman from Illinois, Congressman ROSTENKOWSKI, and I flew to Washington with Adlai Stevenson. He was stopping at the State Department before he went on to Geneva for a speech before the Economic and Social Council of the United Nations and as I walked on the plane I found him as I remembered him when I left the U.S. mission to the United Nations. There were papers on the seat next to him, his bulging briefcase was filled with documents and books, he was making corrections in the speech that he was to give the next day. He was making corrections in pencil, scratching out a word here and a word there as he made his contribution to the Council.

In January 1963, Adlai Stevenson offered me a post as Ambassador to the United Nations.

> You can do me a great service and our country a great service—

He said—

> if you take this appointment on the Trusteeship Council. We need a man of your experience.

Mr. Speaker, I accepted the appointment and the position and began one of the most memorable experiences of my life. The privilege of working with the Ambassador, of partaking of his warm and gracious personality, his brilliant intellect, his charm and his wit, his high ideals, and his perceptive, analytical mind, were rich rewards for me.

I learned quickly from my activities in the various committees and with the various delegates that Adlai Stevenson was the best representative the United States could possibly have for the very important post in which he served. The delegates who came there had read the writings of our friend. They came with the knowledge that is gained from reading Thomas Jefferson. They had read the writings and the speeches of Abraham Lincoln, and they had read the speeches of Adlai Stevenson. Their great men came to this international forum wanting to meet this man whose words they had read with such approval. Of all the delegates, Stevenson was the one who carried their affection and esteem.

The day President Kennedy was shot, I walked up the hill leading to the great hall of the General Assembly with a representative of one of the newly independent African nations. Across the street the flag atop the U.S. mission was being lowered to half-mast. My friend turned to me with tears in his eyes and said:

> Mr. Ambassador, I feel that my country, too, has lost its President.

Mr. Speaker, I am sure that were I to be walking up that same hill today in the capacity that I then occupied, with a delegate from almost any country belonging to the United Nations, I am sure that he would say to me: "Mr. Ambassador, I feel that we, too, have lost our Representative."

Mr. Speaker, Adlai E. Stevenson strode the world stage as few men ever did in history. When one considers his great deeds and words, one remembers Cyrano de Bergerac in Rostand's great play as he "Trailing white plumes of freedom, garlanded with his good name—no figure of a man, but a soul clothed in shining armor, hung with deeds for decorations, twirling—thus a bristling wit, and swinging at his side, courage, and on the stones of this old town making the sharp truth ring, like golden spurs."

Mr. Speaker, the world tonight knows well its loss and the capitals of all nations tonight are in mourning. America has lost one of its greatest men—Illinois one of its distinguished public servants. My own city of Chicago has lost one of its great citizens. Mayor Richard J. Daley, Governor Stevenson's good friend, and who was his director of revenue in his administration, is now on his way to London to accompany the Governor's body back to this country. I have lost a good and noble friend.

Mr. Speaker, Mrs. Yates joins me in extending heartfelt sympathy to the Governor's family and in sharing their tremendous loss.

GENERAL LEAVE TO EXTEND REMARKS

Mr. YATES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the late Adlai Stevenson.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman.

Mr. McCORMACK. Mr. Speaker, the passing of Adlai Stevenson is a great loss to our country and to the world. His service in the United Nations was not only dedicated but brilliant and constructive and always in the national interest of our country and always in furtherance of peace in the world of the future.

Adlai Stevenson was not only one of the greatest Americans of all time but by reason of his brilliant and constructive contributions, particularly as our Ambassador to the United Nations toward world peace, he will be forever recognized as one of the great figures in world history. His successor will have a most difficult time following in the footsteps of such a great man.

But I know that the brilliant, courageous and dedicated leadership of our late friend, Adlai Stevenson, will always serve as an inspiration to whoever may be his successor and also to future Ambassadors of our country to the United Nations.

There developed between Adlai Stevenson and myself a very close feeling of respect and friendship. In his sudden passing I have lost a very dear and beloved friend.

I extend to his loved ones my deep sympathy in their great loss and sorrow.

Mr. YATES. I thank the distinguished Speaker of the House.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the distinguished gentlewoman from New York.

Mrs. KELLY. Mr. Speaker, I was profoundly distressed to learn of the sudden death of Ambassador Adlai E. Stevenson. This sad news is, indeed, totally unexpected and leaves all of us who have known him and worked with him, with a sense of tragic loss.

He was a man whose limitless compassion for his fellow men found few comparisons in our age. A man of unusual eloquence, he gave voice to the aspirations of all men and devoted his energies and his talents to the cause of peace and freedom. He has served our country with distinction rarely achieved by men in or out of public office.

I have known Ambassador Stevenson for many years, and I had the honor to serve with him on the United States Delegation to the United Nations. His death is a great loss to that organization, to whose present existence and future prospects he gave so freely and abundantly of his energies.

Ambassador Stevenson's sudden death attests once again to the heavy burdens which are borne by responsible public officials. The pressures under which they have to work, the excessive demands placed upon them, bear a heavy toll. God grant us the wisdom to recognize this fact and the courage to do something about it before it is too late to help others.

Mr. Speaker, I want to express my profound sympathy to Ambassador Stevenson's family. The loss over which they grieve is a loss to our entire Nation, and to the world.

Mr. YATES. I thank the gentlewoman from New York.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentlewoman.

Mrs. GREEN of Oregon. Mr. Speaker, as the very distinguished gentleman from Illinois has so eloquently said, one of the most highly esteemed and eloquent international statesmen of our time is dead. The flags will be lowered. The casket will be returned to his native land. We will mourn and hear about his deeds and know that he was America's greatest Ambassador to a troubled world, that he best mirrored the depth of thought and vision of any of us, both at home and across the waters, in Africa and Asia and in Latin America, that his word was good to those with outstretched hands.

He made America honest in his time by forcing us to reconsider our bias and prejudices and misdirected thoughts and policies in a world and country we were not understanding very well and are still at a loss to comprehend.

He called anti-intellectualism an abomination. He saw it abroad and he witnessed it at home and his lesson is still clear.

Because of one man's unequaled ability to combine commonsense with uncommon eloquence, the challenge to every candidate for every office to talk sense to the people became a vivid reality in 1952.

In "Call to Greatness" he wrote that almost daily the darkest forces of unreason, of mob emotion, of the contagion of irrationality are at work. These evils, he wrote, inhibit thought and initiative in government, distort the emphasis in public affairs, breed intolerance and divert our attention from the great issues. He wrote over 10 years ago and he stood as a prophet.

> Unreason and anti-intellectualism abominate thought—

He said—

> Thinking implies disagreement; and disagreement implies nonconformity; and nonconformity implies heresy; and heresy implies disloyalty—so, obviously, thinking must be stopped. But shouting is not a substitute for thinking and reason is not the subversion but the salvation of freedom.

His depth of character was unchallengeable. He scorned the naked power and revered the naked truth. He was constantly original in thought, eloquent in his humanity and had a way of humoring his political opponents into hypertension. Above all, he wore the mantle of wisdom that carried inspiration. This was the burden of greatness that he shouldered in campaigning for the Presidency, when perhaps he alone knew that as far as votes were concerned he had no chance but believing to the end that his ideas would eventually carry the day. Eventually there was an atomic test ban treaty that he had advocated years before it came to pass. Eventually we began to talk about making friends instead of indulging in hating those who might be different.

He was clear on China, the challenge which diplomatically has still not been met. He wrote that unilateralism encourages false hopes at home and neutralism abroad and tends to confirm the Communist charge that our purpose is not disinterested cooperation but self-interested domination.

Do not his words ring true? That is what made Adlai Stevenson a statesman for all time. He saw the threads of history and wove them together into fine cloth while the rest of us struggled to sew on the buttons.

I had the great privilege of knowing Mr. Stevenson as a friend. I was asked to second his nomination for president at the Democratic National Convention in August of 1956:

> Here is the man with the hole in his shoe—but with humanity in his heart, wisdom in his words, greatness in his character.

In a news photograph the other day there was still the hole, the smile, the wisdom, the character, the work for mankind, the kindled hope and the pride of serving America abroad. If only other men of his stature could do as much to help bring us out of the darkness of these years.

The world is less because he is gone and the words he said in eulogy to another great friend of his and of mankind, Mrs. Roosevelt, echo back now through the years:

> We weep for ourselves. We are lonelier: someone has gone from one's life who was like the certainty of refuge; and someone has gone from the world who was like a certainty of honor.

Mr. YATES. I thank the gentlewoman for her very sensitive and moving tribute.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from California.

Mr. ROOSEVELT. Mr. Speaker, the eloquent words which are being spoken at this time, I believe, are the greatest tribute which any man could possibly envision from his fellow men and his fellow women. I believe the spontaneity with which they flow not only is indicative of what is in the hearts of all Americans and indeed of many thousands throughout the world, but also is indicative of the stature of Adlai Stevenson himself.

We have spoken, and others will speak eloquently, of his service—his service to mankind, his service toward peace for the world, his service to his country, his service to his community and to the political life of the Nation. Yet I would say one humble and simple word: Perhaps I could best put it by saying that there occur in the lives of nearly all of us at times what might be called earthquakes.

There usually are such at the loss of a member of our family or some close friend. So it was when we heard the news from London this afternoon. I felt as if an earthquake had shaken every fiber of my body. I know I speak not only for myself but for every member of my family when I acknowledge to all of you the tremendous debt that we, the children of Franklin and Eleanor Roosevelt, owe to Adlai Stevenson.

Many of you will remember the closeness of his friendship, as has already been referred to, with my mother. At the time of her death he was the last person outside of her family that she asked to see. Following her death the members of the family and President Kennedy agreed that he was the one person who should head the memorial commission which was set up to try to carry on the works of her life.

So today I merely would say to all of my friends here and those throughout the world that tonight there are thousands who are weak with emotion, who are deeply stirred because they know that they have lost a great friend and a great man.

Mr. YATES. Mr. Speaker, I thank the gentleman from California [Mr. ROOSEVELT] for his contribution.

I now yield to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, rarely in the course of human events does the world cry at the death of a single man—yet this is happening today, for the third time in that many years.

It is happening again because the man whose passing we mourn in this Chamber was a rare and exceptional man whose breadth and compassion knew no boundaries and touches the hearts of men and women throughout the world.

Ambassador Adlai E. Stevenson was a giant among men—a giant in the sense that his concern for human liberty and for the development of institutions which would allow all men to seek the fulfillment of their individual aspirations in an atmosphere of peace and plenty, transcended national boundaries, the barriers of race and civilization, even the element of time. He searched ceaselessly in the hearts and in the history of man for ways to achieve these goals—to quote him:

> In this, our tempestuous, tormented, talented world of diversity in which all men are brothers and all brothers are somehow, wondrously, different.

And in his inimitable, eloquent way, he gave voice not only to the doubts and fears but also to the experience and the hopes of all humanity, thereby shedding light on the path which we must follow on the way to a better world.

I knew Ambassador Stevenson for many years. Like millions of my countrymen, I supported him and worked for him in two presidential campaigns. More recently, as chairman of the Subcommittee on International Organizations and Movements, I worked with him on problems confronting the United Nations—the organization in which he represented our country with unique distinction and to which he was deeply dedicated.

Ambassador Stevenson believed in man—in his capacity to meet the challenge of our age—and he believed in the United Nations as the precursor of a peaceful world community. In a recent speech in San Francisco, delivered during ceremonies commemorating the 20th anniversary of the United Nations, he summed up his convictions on these issues in the following words:

> For all our desperate dangers—

He said—

> I do not believe, in the words of Winston Churchill, "that God has despaired of His children."
>
> For man in his civil society has learned how to live under the law with the institutions of justice, and with a controlled strength that can protect rich and poor alike. This has been done, I say, within domestic society. And in this century, for the first time in human history, we are attempting similar safeguards, a similar framework of justice, a similar sense of law and impartial protection in the whole wide society of man.
>
> This is the profound, the fundamental, the audacious meaning of the United Nations. It is our shield against international folly in an age of ultimate weapons. Either we shall make it grow and flourish, arbitrator of our disputes, mediator of our conflicts, impartial protector against arbitrary violence, or I do not know what power or institution can enable us to save ourselves.

Mr. Speaker, our hearts are heavy with grief. In the death of Ambassador Stevenson, our Nation has lost a dedicated and an illustrious son. And we have lost a wise and patient counselor.

I wish to join with my colleagues in extending our profound sympathy to the Stevenson family.

Mr. YATES. I thank the gentleman for his contribution. At this time, Mr. Speaker, I yield to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Speaker, the stark hand of tragedy has struck our land again, taking away one of the noblest and most eloquent men of our time, Adlai Stevenson, my friend for more than a quarter of a century. Adlai Stevenson spoke words which moved the hearts and stirred the aspirations of countless millions. The moving beauty of what he said, the lighthearted charm of his wit, will ever be a delightful and tender memory of those who have known our time. By his love of people and his compassion for them in their distress or need, he was a comfort to the troubled of the world. He ever held aloft the light of hope of a still better world, even here, which inspired new courage and faith even to the farthest corners of the earth.

As Ambassador to the United Nations, he immeasurably encouraged and promoted better understanding and closer friendship among the peoples of the world. None loved peace, none sought to secure the blessings of peace for mankind more than he through his brilliant and dedicated service in the United Nations.

Mr. Speaker, the hearts of peace-loving people all over the world weep that Adlai Stevenson is gone, but his country, indeed the world that he made better and brighter will ever cherish his memory and honor his illustrious name.

Mr. YATES. I thank the gentleman for his contribution. At this time I yield to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, the world has lost a great statesman; our country has lost a stalwart and gifted spokesman; and countless men, women, and young people have lost a beloved friend. A shining light in our era has blinked out.

It is far beyond my powers to do justice to Adlai Stevenson in a few words. Only Stevenson himself had the eloquence for such a task, and he never would have applied his talents to pay tribute to himself. Indeed, one of his most endearing qualities was his modesty. Far from stating his own claims to fame, he was constantly belittling himself in a rueful sort of way.

All the world knew of Governor Stevenson's luminous public qualities—his willingness to talk sense to the American people, his capacity to rouse the whole tone of politics in this country, his wit, and his idealism.

But not all the world was so fortunate as to know Adlai Stevenson as a human being. I had the extraordinary privilege of working closely with him for 3 years at the U.S. Mission to the United Nations. He was a superlative boss. He gave to his subordinates the ultimate compliment of total trust.

And during these years, my wife and I, and our children, came to know Adlai Stevenson as an affectionate, interested, and delightful friend. He had an enormous capacity for affection, and his going will leave desperate gaps in the lives of many.

I think it is safe to say that no one will be able fully to take Adlai Stevenson's place at the United Nations. Through his work there, and through his travels, he had made countless friends around the world, not only for himself, but, more importantly, for our country. To much of the world, he symbolized the best of America.

His job as U.S. Representative was not always pleasant or easy for him, indeed it was sometimes painful, but he carried out his responsibilities like a great soldier in the field. Who will ever forget his spirited defense of the cause of peace at the time of the Cuban missile crisis?

In many ways Adlai Stevenson has left the world a better place because of what he did and was. But perhaps his greatest contribution was the faith he gave to countless people, here and abroad, in the validity of the democratic process. During his two campaigns for the Presidency, tens of thousands of people, who had always been despairing or careless of politics before, were galvanized into action. Many of them are still at it today, and will continue to give of their time and energy to make our democracy work better—all because of Adlai Stevenson. I have a hunch that nothing in Stevenson's life work was more satisfying to him than this.

Adlai Stevenson's untiring devotion to the public service was symbolized, as the gentlewoman from Oregon [Mrs. GREEN] has said, by the famous shoe with a hole in it. Just the other day, the camera caught him once again on a public platform with a hole in his shoe. So far as I know, he was still wearing that shoe when he died.

Mr. YATES. I thank the gentleman for his contribution.

Madam Speaker, I now yield to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Madam Speaker, Adlai Stevenson is dead.

It seems so incredible—the death of the man whose life was wit, and dedication, and the infusion of moral conscience in this country and throughout the world.

Somehow he managed to capture in his own person both the idealism and the joy of life in this country. And bringing them together, he elevated our politics as few have in our history.

We shall remember him as our man of peace, charged in duty and in person with speaking our national aspirations for a world without hate and violence. The elegant persistence with which he served this commission made him a man of all peoples, a man of the world.

Yet, at the same time, his eloquence spoke a private message to Americans alone. It told us how great we might be, reminding us of our gifts and resources, and the scope of our designs for justice and equality. The loss of the laughter in his life deepens the tragedy of his death. For his wit told us of our mortality, and in so doing calmed and focused our energies to practical goals, goals which stretched our efforts but always promised them satisfaction.

As his life is so deeply tied to the achievements he helped bring about, Adlai Stevenson will be with us forever. When men speak of the United Nations they will remember his presence and spirit. For as much as any man of his time, Stevenson symbolized the truth which he himself spoke of last month at the 20th anniversary of the United Nations Charter:

> Common enterprise is the pulse of world community, the heartbeat of a working peace.

Mr. YATES. I thank the gentleman.

Madam Speaker, I now yield to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Madam Speaker, the 20th century's most eloquent voice of freedom has been stilled. His was a giant intellect, whose force was felt in all those great causes in which he deeply believed—world peace, human liberty and justice for all peoples, everywhere in the world.

I recall an occasion when I received a phone call from former Secretary of the Air Force Thomas Finletter. He said he wanted to interview me for a job to do research for Adlai Stevenson. In the course of the interview, Secretary Finletter observed:

> If Socrates were alive today, Adlai Stevenson would outmatch him in logic.

I recalled that phrase when that unforgettable scene took place at the United Nations during the Cuban missile crisis in October 1962. Adlai Stevenson's logic was on fire as he demolished the arguments of Russian U.N. Delegate Zorin.

The world will long be inspired by Adlai Stevenson's eloquent voice of democracy which rang out on behalf of world humanity.

Mr. YATES. Mr. Speaker, I yield to the gentleman from New York [Mr. RESNICK].

Mr. RESNICK. Mr. Speaker, the world is well aware of the contributions that Adlai Stevenson made to his home State of Illinois, and to the United States, in serving as Ambassador to the United Nations and the entire world.

I do not believe that the world is as well aware of the tremendous task he undertook in the private sector of our society. No matter how heavy his burdens, while he was serving as Ambassador to the United Nations he undertook the chairmanship of the Eleanor Roosevelt Memorial Foundation, and whenever he was called upon to help this organization, among other organizations, he was there. I recall just one year ago today I was honored by the Eleanor Roosevelt Memorial Foundation on the occasion of my 40th birthday. The speaker was Ambassador Stevenson. This was my touch of greatness with the great.

It was at that dinner that the wit, the brilliance, the gracious manner, everything that is fine and wonderful to humanity, came through. There were 500 people there, and in the 45 minutes the Ambassador spoke to us you could not hear a whisper during that entire time.

The phrase that he coined when he wanted to pay tribute to his old friend, Eleanor Roosevelt, was a phrase that will be remembered for all time. When anybody else said it it just did not have the ring. He said:

> She would rather light a candle than curse the darkness.

I think the same can be said of Ambassador Stevenson. Although he is gone from this earth, his name, his memory, his words, will live forever.

Mr. YATES. Mr. Speaker, I yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, both the United States and the world has suffered a great loss in the death of Adlai Stevenson. I first met Ambassador Stevenson in 1951 at the Governor's office in Springfield, Ill. As so many others have said, I was immediately convinced I had met a very great man.

I am proud to say that I was the State chairman of one of the first draft Stevenson organizations. It was formed in March of 1952.

I had the privilege of visiting him on one occasion at his farm in Libertyville, Ill., and also visited with him many times in his office in Chicago and at campaign gatherings.

Each time that I saw him, I became more convinced that this man was destined to make a great contribution to our time. I believe he was destined to make his great contribution in the field of international relations. Perhaps this is the reason a combination of occurrences placed him in the position of Ambassador to the United Nations. There he was able to use his time more exclusively in this area where he was so talented and his service so badly needed.

Ambassador Stevenson was a rare and exceptional man; his eloquent words and great contribution to the world will be long remembered.

Mr. YATES. Mr. Speaker, I yield to the gentleman from New York [Mr. McCARTHY].

Mr. McCARTHY. Mr. Speaker, I know that many Members here today knew Adlai Stevenson, but I would like to speak very briefly for those who did not know Adlai Stevenson.

My first exposure to him came while I was in the Army during the Korean war. We were in Japan. We heard Adlai Stevenson by shortwave radio. A small group of us serving in the Army were electrified and inspired by this man's eloquence, by his wit. We were astounded that such a man of intellect could enter public life. We had been lamenting on the low state of American politics. I think he became for us a Pied Piper, a magnet, a hero.

When we came home to this country, in the campaign of 1952 we dedicated ourselves to his campaign. He aroused that kind of dedication.

As has been pointed out, many of the people who were first drawn into politics by the example of Adlai Stevenson are still in politics. Many of those who worked hard for me and many other Members who have recently come to this body, were the people who were the great Stevenson volunteers. He was a hero to us and we worshiped him. Arthur Schlesinger, Jr., once said that the justification for hero worship is that it nerves lesser men to realize their own better propensities. I think the example of Adlai Stevenson will be felt for many years because it has nerved lesser men like myself and many others to come here and to strive to realize their own better propensities.

So I am sure Adlai Stevenson will be with us for many years.

While he never achieved the Presidency, he will rank with many other great Americans like Daniel Webster and Henry Clay who did not themselves achieve the Presidency but who are ranked in American history by reason of their accomplishments in many, many ways that far transcended some of those who did achieve the highest office in our land.

So I just want to speak for those who did not know Adlai Stevenson but who were deeply touched and moved and motivated by the example that he set.

Mr. YATES. I thank the gentleman for his very moving tribute.

Mr. HALPERN. Madam Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman.

Mr. HALPERN. Madam Speaker, a great American has passed from the scene today—a man of courage, eloquence, brilliance, and grace. Adlai Stevenson was a tower of strength in the struggle for peace. He lived his life in the highest service of his Nation and mankind. His death is a tragic blow to our country and to free people everywhere.

This Nation will feel a deep loss; and so will the world. Ambassador Stevenson was more than a representative of this Nation at the United Nations; he was the voice of reason and gentleness in an age of chaos and irrationality. More simply, he was a sensitive and honest man who devoted his life to the universal problems and weaknesses of mankind.

Such sensitivity was demonstrated even before his entrance into politics. As a special assistant to Navy Secretary Knox during the Second World War, he was already working to change the Navy tradition of relegating Negro sailors to service as mess boys. As Governor of Illinois, he took care of those necessary, yet less popular tasks that lesser public men tend to avoid. He put teeth into legislation regulating child labor and minimum hours for women and turned a shocking mental health setup into one of the country's best.

For Ambassador Stevenson there were two essential goals of the United Nations: peace and the equality and dignity of the individual human being. In the first he was realistic.

> We all know now—

He said—

> that in the event of another world war it would matter little who was the aggressor and who the defender. Modern civilization cannot be saved—as was Greek civilization at Marathon—by the bravery and skill of its warriors. Modern civilization can now be saved only by the prevention of major war.

In the latter he was the man of faith, an honest believer in mankind. He was the counsel for starving children, drought-stricken farmers, and above all, the politically oppressed.

We must—

He said—

> finish for once and for all with the myth of inequality of races and peoples, with the scandal of discrimination, with the shocking violations of political rights. We must stop preaching hatred, stop bringing up new generations to preserve and carry out the lethal fantasies of the old generation, stop believing that the gun or the bomb can solve anything or that a revolution is any use if it closes doors and limits choices instead of opening both as wide as possible.

Adlai Stevenson believed that "The true leader is not the one who gives orders but who shows the way." In this sense he was a great leader of mankind. A man whose passionate love for his fellow man inspired an undying faith in their future.

For man in his civil society—

He once said—

> has learned how to live under the law with the institutions of justice, and with a controlled strength that can protect rich and poor, weak and strong alike. This has been done, I say, within domestic society. And in this century, for the first time in human history, we are attempting the same safeguards, the same framework of justice, the same sense of law and impartial protection in the whole wide society of man.

Such was the passionate goal for which Adlai Stevenson lived. Let us pause in honor of a great man.

Mr. YATES. I thank the gentleman from New York.

Mr. JACOBS. Madam Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Indiana.

Mr. JACOBS. I thank the gentleman from Illinois for yielding and also for his beautiful words about his dear friend, Governor Stevenson.

Madam Speaker, like the gentleman from New York [Mr. McCarthy] the first time I ever heard the name Adlai Stevenson in my life was on hill in Korea, of words he had spoken and the fact that he was about to become the nominee of my party for President of the United States.

I believe that in a sense Governor Stevenson wrote his own epitaph when he said, of our late and beloved President:

> And so we shall never know how different the world might have been if fate had permitted this blazing talent to linger and labor longer at mankind's unfinished agenda.

But on this day my thoughts turn to another day in Dallas, to another day of violence in Dallas, when Governor Stevenson followed the scriptural injunction, "Render not violence for violence done." A lady in the crowd struck Governor Stevenson and was about to be arrested. Governor Stevenson interceded on her behalf and asked the police not to arrest her. Rather he did what he dedicated his life to—he reasoned with her and asked her what her cause for excitement was.

I believe that Governor Stevenson above all else was a man in the sense Kipling meant when he wrote:

> If you can talk with crowds and keep your virtue or walk with kings, nor lose the common touch.

He was, indeed, a blazing talent. He showed it as never before, perhaps, in the Cuban debate at the United Nations. He showed great strength in the face of an enemy of his country.

But above all I would say this of Governor Stevenson: He was a gentle man.

Mr. YATES. I thank the gentleman for his contribution.

Mr. PUCINSKI. Madam Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Madam Speaker, I should like to thank my colleague from Illinois for taking this time to pay tribute to a great American and a son of the entire world. Certainly, the entire world has lost a beacon with the death of Adlai Stevenson.

Adlai Stevenson was a pillar among men. He was a giant in the forest of ideas—daring, breathtaking ideas which gave living meaning to the nobility of man.

He was a fearless man. Throughout his life Adlai Stevenson refused to compromise on principle.

We in Illinois are that much the richer today, that we had the privilege of having him serve as the Chief Executive of our State for 4 years after the war—4 hectic years when the whole Nation was trying to realine itself after the long war years. Adlai Stevenson brought to Springfield a new dignity and a new solemnity of government.

He made government a living thing. This is, I think, what made him such a great person. But Adlai Stevenson never feared to speak out in the cause of human dignity. He lost two elections because he would not compromise and resort to demogoguery.

We all remember his tremendous courage in 1956 when he called upon the whole world to join in ending nuclear tests. No single issue ever destroyed a man more than that issue did in 1956 when he was accused of being soft and when various other charges were hurled against him. Yet, like a pillar of strength, he stood there and would not yield. He was ahead of his time. Today the very principle that he espoused is the hope of survival for civilization. We have worked out a nuclear test ban.

In everything that Adlai did it seems as though he was always three steps ahead of his time. It was difficult for impatient people to understand the depth of this man's knowledge, feeling, and foresight. The reforms that he instituted in Illinois speak well for local government. The ideas that he gave with eloquence to our own country have been incorporated by succeeding Presidents. We can look upon the history of this country today and see interwoven in the pages of the last 12 years the impact of Adlai Stevenson on our whole social fabric. Even today in this Congress we are debating concepts and ideas laid down by this fearless American. Today they are becoming a reality.

Fate is cruel when it strikes down a man so unexpectedly. It does not give civilization and society a chance to prepare itself nor does it give us a chance to think of a successor. However, as we pay tribute to Adlai Stevenson today I think we can all agree that the President of the United States today is going to be hard pressed to find a successor who can enjoy such complete universal confidence and the trust of every nation in this world.

Adlai Stevenson had that unique capacity for dealing with people, for reasoning with people. He had that unique capacity for bringing the best out of people. There is no question that last year the United Nations went through its worst crisis, and just like the League of Nations it came within a breath of being doomed to destruction, and then the rule of the jungle would come back into international relations. This brave American, unmindful of vilification, of the editorial cartoons and, yes, the editorials themselves which lambasted him from every angle, stood by his firm belief that with all of its weaknesses the United Nations is still man's last frontier of hope for living together as a world.

Who can forget his eloquent presentation of the facts when one of the few times that the Soviet Union had to retreat was when Adlai marshaled all the evidence before the United Nations, laying bare the conspiracy of Cuba? The whole world listened in awe and with respect. With that one simple presentation, with his sincerity and dignity, Adlai Stevenson won for the United States a greater degree of respect than we have ever had.

Then again, with respect to the Dominican Republic, with the eloquence of a master of the English language, Adlai Stevenson marshaled the facts in support of Mr. Johnson's position there.

This man was one of America's greatest assets. His entire life was dedicated to the cause of human dignity in everything he did.

In a way, perhaps, while fate is cruel, it was kind. Adlai Stevenson was a restless individual. His entire life was spent in probing and searching how we can better the lot of mankind. Perhaps in taking him so suddenly, fate was kind because Adlai Stevenson was one who could never spend any time in rest. So perhaps, as today we eulogize this great American, the world, feeling this fantastic pain of a great loss, may be reminded of his majesty in 1956 when he lost the election, when he went before a worldwide audience and said:

> Like the little boy who stubbed his toe, it hurts too much to laugh, and I am too old to cry.

The world today cannot cry. It can only offer a prayer that destiny will give us another Adlai Stevenson.

Mr. MADDEN. Madam Speaker, few generations in American history have produced a statesman of the quality, brilliance, and ability of Adlai Stevenson. The common people of America have lost a true friend and champion in the struggle for human rights. The people of the world will remember him as their constant and able representative in the battle for world peace.

He made a great record as Governor of Illinois and this service attracted the attention of the Nation which brought about his nomination at the 1952 Democration Convention for President of the United States and again in 1956.

His speeches in both campaigns will be recorded in the annals of national politics as the most brilliant and outstanding of any presidential candidate in our history.

His service as Ambassador to the United Nations was invaluable in guiding the United States and other nations on a path that we hope will eventually avoid world wars in the future.

He has been recognized by reason of his diplomacy in the United States as the most outstanding of all world statesmen.

His death is mourned by all people throughout the world.

His status in the world's legislative halls and peace conclaves cannot be replaced.

His memory and international accomplishments will guide nations for generations in future world peace conclaves.

Mr. FARBSTEIN. Madam Speaker, I rise to pay tribute to the memory of Ambassador Adali E. Stevenson, who passed away early this afternoon in London, apparently of a heart attack.

Adlai Stevenson spent most of his adult life in the service of the United States, and the imprint of his fertile imagination and political skill colors much of the American foreign policy of recent years.

Indeed, he died while on a mission for his country. He stopped in London on his way home from representing the United States at a meeting of the United Nations Economic and Social Council in Geneva this week. I understand he was also using the opportunity to discuss the Vietnam situation with U.N. Secretary General U Thant.

We all know, of course, that Adlai Stevenson played a material role in the founding of the United Nations. He was a press officer at the 1945 San Francisco conference, a key participant in the preparatory discussions in London, and finally a member of the delegation in the General Assembly.

Since 1961, when President Kennedy appointed him U.N. Ambassador, Adlai Stevenson has furthered the interests of the United States in that body, and the cause of world peace in general, with high courage and distinction.

Madam Speaker, I remember when during the Cuban missile crisis of 1962, Adlai Stevenson stood up in the Security Council and asked the Soviet delegate whether there were Soviet missiles in Cuba. The Soviet delegate said he would have an answer "in due course." Mr. Stevenson then replied:

> I am prepared to wait for my answer until hell freezes over.

Everyone knew then who had not known before that Adlai Stevenson was a man to be reckoned with.

Adlai Stevenson compiled an enviable record in domestic politics as well. He served from 1948 to 1952 as one of the best Governors the State of Illinois ever had. He won the gubernatorial election by 572,000 votes, the largest plurality in Illinois history. Then he proceeded to raise the school, hospital, and welfare budgets without adding new taxes. He ordered questions relating to race and religion stricken from State employment applications. He created an Illinois Commission on Human Relations.

In 1952, he rallied the Democratic Party behind him as candidate for President of the United States, having been nominated as the result of a large popular groundswell. In 1956, the Democratic Party thought enough of him to again give him the honor of running for the job of Chief Executive. After his defeat he himself made speeches around the country and collected $560,000 to pay off his party's campaign debts.

Though he was of simple origins, growing up in Bloomington, Ill., he attained a first-class education at Choate School, Princeton University, and Harvard and Northwestern University Law Schools, and was considered one of the most educated and intellectually oriented public servants the Nation has ever had. He had what I consider the high honor of being called an "egghead", but he never lost touch with practical problems and hard reality. As a matter of fact, his first Government job was in 1933, as a Special Counsel in the Department of Agriculture, a job in which he spent many weeks traveling around the country talking to farmers about their problems.

After 65 good and useful years, Madam Speaker, Adlai Stevenson has been taken from us. It is a great and tragic loss to the United States, particularly in these days of troubled waters in international affairs. We in this body valued Adlai Stevenson's sage advice and counsel, and we will sorely miss him. I hope the Congress and the country will decide to establish a fitting permanent memorial to commemorate his unselfish and continuing service to the United States of America.

Mr. ROSTENKOWSKI. Madam Speaker, the distinguished and brilliant career of a great man has ended with the passing of the esteemed Adlai E. Stevenson, U.S. Ambassador to the United Nations. It comes as a shock to all of us for he was truly one of our great statesmen who dedicated himself to the cause of world peace. But we in Illinois are more deeply shocked for we have lost a neighbor and friend, one of our outstanding citizens.

The Bible says:

> He that is greatest among you shall be your servant.

This best describes Ambassador Stevenson for his greatness was his service to his community, his State, and his Nation. A service that touched all, for he would never turn his back to the needs of his fellow men. He was a crusader for liberty, a defender of truth, and an advocate of justice.

As a brilliant attorney he had no peer in defending the rights of man, but his profession was just the launching pad for his great claim to fame—his dedication to public office and public service.

His first exposure to serving his country was at age 18 as an apprentice seaman in World War I. Following service he returned to his studies, graduating from Northwestern University Law School in 1926, where he also received his doctorate of law in 1949. He practiced his profession in Chicago until 1933 when he was appointed special counsel to the Agriculture Adjustment Administration in Washington, D.C. This marked the beginning of Government service. After returning to private practice of law in 1934, he again answered the call to serve his country in 1941, when he accepted an appointment as Assistant to the Secretary of Navy, where he served until 1944 at which time he was appointed to the War Department Mission to Europe. His contribution to the international policies of the United States led to his appointment as Chief Delegate to the Preparatory Commission of the United Nations at London in 1945.

He withdrew from Federal service to unselfishly heed the call to his Illinois neighbors to serve as their Governor. His election to this post in 1949 began a stimulated move toward progress in Illinois and it stamped Adlai Stevenson as one of the great Governors of our State. Although I served in the State legislature I was not privileged to serve under his administration but I became fully cognizant of his contributions to State government which till today remain as a milestone to the brilliant leadership of Adlai E. Stevenson. A leadership that was recognized by his many followers for he was twice nominated for the Presidency of the United States.

He will undoubtedly be remembered as one of the articulate speakers of modern times. It was a pleasure to hear him speak for he captivated his many audiences. Although he is now silent his words will never be forgotten for he wrote about the New America, about his views on world peace and progress, and his many outstanding speeches are now part of our literary world. These words will be inspirational to the generations to come and could well be a guide for the future of this Nation.

As in life so it was in his death his service to his country was his primary motive. We have lost our defender of truth in the United Nations. This is indeed a great loss for he held the respect of his world colleagues in this international body for the maintenance of world peace. He will be replaced but he will never be forgotten.

This untimely loss of this great American, Adlai E. Stevenson, is not easy to accept. But in his absence let his memory encourage us to fulfill his "dream of a world in which all states great and small work together for the peaceful flowering of the republic of man."

I was privileged to know him personally and I am saddened at his passing. My heartfelt sympathy goes out to his family in this their hour of grief.

Mr. DAWSON. Madam Speaker, the Nation, the world, and every one of us have today suffered a grievous loss in the death of Adlai E. Stevenson. He was a great public servant and a magnificent human being. He served his State, his country, and the free world with devotion to his fellow human beings and to all humanity, with brilliant perception and understanding, with grace and humor, and with lofty standards of justice.

He was a distinguished Governor of Illinois. Twice he was the Democratic candidate for the highest office of our land. In the halls and councils of the United Nations he represented the United States ably and with great dedication to the best interests of our country and the peace of the world. He gave unstintingly of himself to the best ideals of our national tradition and aspirations. His deep and abiding faith in mankind manifested itself again and again wherever the ugly silhouette of injustice clouded the horizon. I remember how effectively he worked during World War II, as an assistant to the Secretary of the Navy, to eliminate the racial inequalities then pervading our military forces. He continued to work tirelessly for racial justice during his term as Governor of Illinois. I remember, also, how boldly he spoke out for civil rights during the presidential campaigns of 1952 and 1956, even in areas of our country where he was cautioned to "go slow."

It was my great privilege to have Adlai E. Stevenson as a friend. I feel a profound sense of loss in his passing. We treasure the happy memories of personal association and the legacy of the great contributions he made toward a better United States and a freer world. We cannot and will not forget him in our lifetime.

Mr. **SCHISLER.** Madam Speaker, it is, indeed, with a heavy heart that I join with my colleagues in mourning the untimely passing this afternoon of our fellow Illinoisan and Illinois' most distinguished son, the Honorable Adlai E. Stevenson. It is fitting and proper that we should pause, consider, and pay homage to the deeds and the memory of this great American.

Madam Speaker, Adlai E. Stevenson's speeches and writings first sparked my own interest in public service. My initial speech to this great body on February 8 of this year was for the purpose of honoring Adlai E. Stevenson on his 65th birthday. Words cannot properly express at this moment my deep personal feeling and sadness at his passing.

Adlai E. Stevenson was a man among men. He stood tall in the United Nations, with his height measured in dedication, performance, understanding, and wisdom. His was a life of accomplishment, without which our lives would be less meaningful and our history less purposeful.

Mrs. Schisler and I join with the Nation in expressing our grief and sympathy to his beloved family in this hour.

Mr. **BURTON** of California. Madam Speaker, the sudden death of Adlai Stevenson, whom I have personally known and admired for over 15 years, comes as a great shock to the people of our country.

His intelligence and wit illumined not only America, but the entire world as well; for he always sought to talk sense to the American people.

The people of his native State of California, the people of the United States whom he served so ably, and the people of the world, for whose peace and welfare he yearned so deeply, all mourn his loss.

Mr. **ANNUNZIO.** Madam Speaker, America and the world have suffered a tremendous loss today in the death of Adlai E. Stevenson, the distinguished U.S. Representative to the United Nations, and the former Governor of Illinois.

It was my privilege and pleasure to serve in the cabinet of Adlai Stevenson as director of labor for the State of Illinois from 1949 to 1952. I worked shoulder to shoulder with him in the 1948 elections when the people of Illinois elected him to the governorship of our State by the overwhelming majority of over half a million votes.

I had the honor of intimately knowing this great and humble man. He was completely devoted to the cause of the common man and he brought efficiency and integrity to State government. As Governor, he served to raise the standard of Illinois government. He firmly believed that for every dollar spent in State government, the citizen should receive a dollar in value. Adlai Stevenson established the first merit system for the Illinois State police and instituted countless other improvements in State government.

On the national scene, he was the standard bearer of our great Democratic Party in 1952 and 1956. Throughout all of his campaigns for public office, he demonstrated a vigor and a sincerity that represented the interest of the common people all over America and all over the world. Oftentimes, because he showed such keen foresight in national and international affairs, he was referred to as being ahead of the era in which he lived.

In 1960, President Kennedy called upon him to serve America and the peoples of the world as our Ambassador to the United Nations, and he accepted this grave responsibility with his customary courage. In this new role, Ambassador Stevenson supported and fought for his conviction that political freedom is a right and privilege belonging to all peoples of the world. I know, as a champion of the common man, he will be missed by all freedom-loving peoples throughout the world. He will be especially missed by the people of America, whom he served so well, and by those, like myself, who had the privilege of knowing him intimately.

America is a better place today because of Adlai Stevenson—a great patriot, an outstanding statesman, and an author of stature. I hope and pray that the leaders of the world will learn the lessons that he tried to teach us, so that the world can become a better place for all men to live peacefully under God.

Mr. Speaker, the world has lost a man of nobility, and mine is the loss of a beloved friend. My wife and I join the people of the world in expressing our sorrow and our deepest sympathy to his sons and the other members of his family in their bereavement.

Mr. **MURPHY** of Illinois. Madam Speaker, our Nation, the nations of the free world, and the State of Illinois have suffered a very great loss with the death of an outstanding American, Adlai E. Stevenson. Through his experience in public life, his dedication to the needs and the principles of the people of his home State, Illinois, and of the Nation, he dedicated himself for the building of a better world.

Adlai Stevenson was born in California on February 5, 1900. He received an A.B. degree from Princeton University in 1922, J.D. from Northwestern University in 1926, and was admitted to the bar of Illinois the same year.

Mr. Stevenson practiced law in Illinois for many years. During and after World War II, he served his country in many capacities. From 1949 to 1953, he was Governor of Illinois and established an enviable record of good government. His outstanding qualities brought him the Democratic nomination for President of the United States in 1952 and again in 1956. In January 1961, President Kennedy appointed Adlai Stevenson to the post of U.S. Representative in the Security Council of the United Nations, a post he served so well up until his untimely death.

In many ways, this great American was the persuasive voice of sound judgment and good sense that played such an important role in final decisions for the good of our country and the free world. Adlai Stevenson represented the integrity, the wisdom, the understanding of his fellow man that is so indispensable for great statesmen. In hours of great crisis, he was the source of comfort, reassurance, and competency. His one big concern in life was for peace and prosperity of his country. To the people of the free world, he exemplified the principle of how to make democracy work for all the people.

The Nation lost a great statesman but his achievements will live in the memories of the people for many generations to come. As a friend, I will miss Governor Stevenson, as he was referred to by his many friends in Illinois. May the good Lord give him the eternal peace he so justly deserves.

Mr. **LAIRD.** Madam Speaker, those of us who were often critical of Mr. Stevenson's policies now sorrow at his death.

A man of Mr. Stevenson's capabilities did not have to devote so many of his years to public service; he would have been far better off financially had he chosen to channel his seemingly endless abilities in private business. He would perhaps have been far happier had he not suffered the disappointments of public life. But Mr. Stevenson was not that kind of man. He never passed an opportunity to serve his country or his fellow man. Because of the many great qualities of the man, Republicans today sincerely mourn the passing of this distinguished American.

Mr. Stevenson had what we call flair. It is that nearly indefinable quality that most of those in political life reach for, but seldom obtain. Those of us who were often stung by his barbs, never felt the pain quite so badly as we were usually laughing at the comments ourselves.

A man of such distinction, twice honored by the highest prize offered by his party, will be truly missed.

Mr. BOLLING. Madam Speaker, Adlai Stevenson is dead and with my colleagues, my Nation, and my world, I grieve.

In the days of mourning that are now upon us we will be reminded a thousand times of the virtues of Adlai Stevenson who was—by all tests—a man for his time.

About his reluctant shoulders there was twice draped the standard of his party. He bore it with courage and in defeat he salvaged a victory which, without him, might have been longer in coming. He gave to his party and to his country an articulation of ideal and principle as no man had done before him.

At a time in life when most men, having served, feel impelled to claim their days of rest, Adlai Stevenson once again accepted a call from his country.

This man of gentle mien and quiet wit took his place in the councils of the world. There he spoke with a voice all could hear, words all could understand and with determination none could mistake. His eloquent devotion to the proposition that any problem, no matter how complex, could be solved by men of integrity of purpose has made the United Nations a stronger hope for peace than it ever was before.

Upon the death of his cherished friend Eleanor Roosevelt—just a moment ago in time—he said:

> She would rather light a candle than curse the darkness.

I can say no more for Adlai Stevenson.

Mr. GRAY. Madam Speaker, I rise with a heavy heart to join my colleagues from Illinois, the leadership, and other friends in the House to pay tribute and respect to one of the greatest Americans of all time and my dear friend Adlai Stevenson. The news of his untimely death has stunned all of us and we find ourselves unable to believe this has really happened.

I had the pleasure of making the first campaign speech in behalf of Adlai Stevenson when he ran for Governor of Illinois. He kicked off his campaign in Anna, Ill., in my congressional district. State Representative Clyde Choate, of Anna, and I were at the first political meeting in the Governor's campaign and from that day in 1948 our friendship and support for this great man increased. He was a great Governor, a great Ambassador, and an even greater man than any of the titles could confer upon him. We will miss him very much.

Words are inadequate at a time like this, but I am reminded of the words:

> Greater love hath no man than this, than he who is willing to lay down his life for his friends.

Adlai Stevenson was such a man. He truly laid down his life in the service of his country. The United States has lost one of its brightest stars, the world has lost one of the strongest advocates of real peace, and I have lost a great friend. I want to extend my deepest sympathy to his sons and their families in this sad time of bereavement and hope they can take comfort in the fact that this country is a better place because he came our way.

Mr. TENZER. Madam Speaker, I was deeply shocked by the news of the untimely passing of Ambassador Adlai Stevenson. Ambassador Stevenson was a distinguished American who has earned a place in the history of our Nation and in the hearts of all Americans.

The Nation has lost a statesman of great personal courage, dedicated to the ideals of our Founding Fathers, and devoted to the preservation of the security of our Nation.

The United States has lost one of its most respected leaders—the world has lost an articulate spokesman for the betterment of all mankind.

To the members of his family I want to express my profound sympathy on their great loss.

Mr. BANDSTRA. Madam Speaker, I would like to express my deep regret at hearing of the sudden death today of Adlai Stevenson in London.

As U.S. Ambassador to the United Nations, a post he held since 1961, he represented this Nation with eloquence and dedication in that important organization.

Mr. Stevenson was particularly suited for that post, since, in addition to his great diplomatic skill, he helped found the United Nations 20 years ago in San Francisco.

Twice he was the Democratic candidate for President of the United States; and, although he was not successful in either 1952 or 1956, the thoughtfulness and conviction of his campaigns contributed much to the quality of America's political life.

Mr. Stevenson's life was a tribute to the best that is in the American tradition, and his death is a great loss to this Nation and the world.

Mr. BOLAND. Madam Speaker, all America deeply mourns the untimely passing of Ambassador Adlai Stevenson in London today. His loss will be profoundly felt by all freedom-loving peoples of the world.

Only a month ago, Ambassador Stevenson was speaking of the United Nations, not the United Nations today, but its beginning at San Francisco in 1945 when he was a freshman member of the American staff. He said:

> We shared an audacious dream and launched a brave enterprise.

Then he reflected on the years in between, both the triumphs and failures:

> For all these churning, fearful and expectant years, we have been up and we have been down. But up or down, my Government and my people have never lost faith.

Mr. Speaker, Adlai Stevenson was speaking about the United States and the United Nations, but he could have been speaking about himself. His career was a brave enterprise, filled with many great triumphs and perhaps some disappointments. He was a great and successful Democratic Governor of Illinois and twice honored by his Democratic party as its candidate for the presidency.

But up or down, Adlai Stevenson never lost faith in himself, his country or mankind. Just 1 month ago, he said mankind needed time, time without violence, to adjust to a world of change and build a better world society.

> We need—

Governor Stevenson said—

> all of us, a respite from the malignant claims which violence levies upon our energy, our attention and our resources.

Adlai Stevenson no longer has time for his brave enterprise. But let us now take time to pause and reflect upon a great American who gave all of his time, his very life, to the task of building a better society for all Americans—indeed, for all of mankind.

Mr. PRICE. Madam Speaker, not only in this Chamber do men mourn the passing of Adlai E. Stevenson, but wherever freemen walk voices will be raised in tribute to his greatness and his devotion and dedication to the principles of liberty and justice.

A great loss has been suffered by the Nation he served so well in such important capacities and a great loss has been suffered by all free nations whose cause he so eloquently championed in his relentless fight against forces that stirred discord among peoples.

Adlai Stevenson, a grandson of a Vice President of the United States, died in London today as he was actively carrying on his mission to bring better understanding among the nations of the world. As America's chief delegate to the United Nations, a post he held since appointment by the late President John F. Kennedy in January 1961, Ambassador Stevenson has vigorously presented his country's position on the world problems that came before that organization. He participated in the creation of the United Nations in San Francisco, in 1945.

What American could have anything but a feeling of great pride in his forceful representation of our position during the Cuban crisis, our aid to South Vietnam in its resistance to Communist aggression, and in our prompt action to prevent a Communist takeover in Santo Domingo?

Illinois loses one of its most distinguished sons in his passing. In 1949 he began a 4-year term as one of Illinois' finest Governors. In 1952 and 1956 he was the Democratic Party's standard-bearer in the presidential election.

A great statesman, a learned scholar, a renowned member of the bar, Adlai Stevenson was above all a great American.

Mr. GERALD R. FORD. Madam Speaker, all Americans, regardless of party affiliation, will receive with sorrow the news of the death of Adlai Stevenson.

Mr. Stevenson served the Nation with distinction over the course of 25 years. As Governor of Illinois and as a nominee for the Presidency in two elections, he served his party well. In his later years, as Ambassador of the United States to the United Nations, he served the Nation faithfully.

A great American has passed from the scene. I express my personal regret and that of my Republican colleagues in the House of Representatives at the loss which the Nation has suffered.

Mr. O'HARA of Illinois. Madam Speaker, I speak with a sense of deep personal loss.

For 51 of the 65 years of his life, Adlai E. Stevenson was my friend. I first knew him as a high school boy in the home at Springfield, Ill., of his parents. It was a happy family group, brilliant, vibrant, closely bound in affection. Now that family group has been reduced to one, Elizabeth, the sister of Adlai, whose aid and counsel and encouragement and faith Adlai once told me had been precious beyond all appraisement.

As one of the very few survivors of that faraway period, I join my tribute with those who had come to know the charm, the intellect, the leveling sense of humor, the greatness, and the nobility of Adlai E. Stevenson at later stages of his career as Governor, nominee of his party for President of the United States, and Ambassador to the United Nations.

Adlai's father was secretary of state of Illinois in the administration of Governor Edward F. Dunne, in which administration I served as Lieutenant Governor. His grandfather, whom earlier I had met and talked with on rare occasions, was one of the political idols of my youth. Vice President under Grover Cleveland, he was beloved throughout the Nation. He was a man of heart and he possessed the common touch. I think that Adlai inherited much from him, much from his father, and much from his talented and brilliant mother.

After Adlai E. Stevenson, the grandfather, had been Vice President, the Democrats, because of his great popularity, thought that with him as their nominee they could capture the governorship. The year that he ran was the year of my first political attempt—a try for the Democratic congressional nomination. That year there appeared on the Democratic primary ballot the name of Adlai E. Stevenson for governor and the name of BARRATT O'HARA, among others, for Congress.

In 1948, the year of my nomination and election, the name of Adlai E. Stevenson for Governor also was on the Democratic ballot. There had been a lapse of over 40 years and the Adlai E. Stevenson on the 1948 ballot was the grandson of the Adlai E. Stevenson on the Democratic ballot so many years earlier.

Madam Speaker, the world has lost a voice to which it listened. There are few such voices. There have been all too few such voices in all the history of mankind. Adlai E. Stevenson never seriously sought the Presidency. Whatever attractions the office may have had for him were encompassed in its possibilities as a vehicle for the advancement of his dreams of a richer life for everyone and of peace on earth for all. I knew him from boyhood and my judgment of him is that he lived all his life, from boyhood to the end, with and for his ideals. No one can ever adequately evaluate all that he contributed to the world in which we live and to the making of the world of tomorrow.

Mr. BRADEMAS. Madam Speaker, it is with a feeling of profound sadness that I rise today to pay tribute to one of the great citizens of our country—indeed, one of the great figures of the world in our time, Adlai E. Stevenson.

I had the honor to serve on Governor Stevenson's staff for the period of nearly a year, from September 1955 through August of 1956, throughout the campaign which led to his nomination for the Presidency in 1956 in Chicago.

Governor Stevenson could not have been more kind to me during that hectic and exciting year, and though the 1956 election brought defeat for him as well as for me, I have always been proud to have served him and his cause.

If it is true—as I believe it is—that during the last decade more and more young Americans have decided to embark on active careers in politics, I think that one of the principal reasons is the sense of intelligence and high purpose which was brought to public affairs by Adlai Stevenson.

Adlai Stevenson has left his imprint on an entire generation of American political leaders, on, for example, both President John F. Kennedy, who once nominated him for President, and on Vice President HUBERT H. HUMPHREY, who actively supported him for President. It is a tribute to President Johnson that he, too, saw fit to utilize the talents of this extraordinary man by continuing him as chief spokesman for America at the United Nations.

Adlai Stevenson was a Democrat, and proud of his party, but I daresay that no figure touched and influenced his life so deeply or so much characterized his own attitude toward people and politics as a Republican from the same State—Abraham Lincoln.

Like Lincoln, Adlai Stevenson was a man of wit. I remember after the defeat he suffered at the hands of Senator Kefauver in March 1956 in the Minnesota Democratic presidential primary how a newsman asked him:

> Governor, do you think hand-shaking pays off in politics?

And the Governor's reply:

> I do think it tends to establish a sense of identification between the shaker and the shakee.

Like Lincoln, Adlai Stevenson was a man of rare eloquence. In his famous address accepting the presidential nomination in 1952, he said, in the prophetic words that, even after his defeat, we still remember:

> When the tumult and the shouting die, when the bands are gone and the lights are dimmed, there is the stark reality of responsibility in an hour of history haunted with those gaunt, grim specters of strife, dissension, and materialism at home, and ruthless, inscrutable and hostile power abroad.
>
> The ordeal of the 20th century—the bloodiest, most turbulent era of the Christian age—is far from over. Sacrifice, patience, understanding and implacable purpose may be our lot for years to come. Let's face it. Let's talk sense to the American people. Let's tell them the truth * * * that we are now on the eve of great decisions, not easy decisions * * * but a long, patient, costly struggle which alone can assure triumph over the great enemies of man—war, poverty, and tyranny—and the assaults upon human dignity which are the most grievous consequences of each.

Madam Speaker, like the memory of Abraham Lincoln, the memory of Adlai Stevenson will in the years ahead inspire in the people of our own country and in peoples everywhere, both an abiding affection for him as a person and respect for him as an eloquent champion of the democracy and freedom which are the hope of all mankind.

Mr. ZABLOCKI. Madam Speaker, the news of the untimely death of Ambassador Adlai Stevenson was indeed a shock to the people of our Nation and particularly to those who knew and worked with him.

Few Americans during their lifetime received and justly warranted the title of "Statesman" more properly than Adlai Stevenson. With a generosity of humble devotion and effective leadership spanning almost an entire lifetime, he was a statesman of the highest order.

A learned scholar imbued with a deep spiritual sense, he was unsurpassed in his ability to articulate U.S. policies. The precision with which he was so often able to clarify the reasons for United States action in various situations was symbolic of the light and understanding he brought to the world.

As Governor of Illinois and twice his party's candidate for the presidency, Adlai Stevenson was unflinching in his dedication to public service. Culminating that career and reaffirming his place in history was his outstanding work as our Ambassador to the United Nations.

It would be presumptuous to say that his remarkable intelligence and energy as our representative to the United Nations will not be missed. The friends of world peace have lost a leader. At the same time, however, I am sure that Ambassador Stevenson would be the first to contend that the cause of the United Nations' efforts to establish world peace, particularly in southeast Asia, will not be lessened in any way by his death.

In one sense—and a truly real sense—it can be said that a man like Adlai Stevenson may pass on but his ideas shall never be lost to a world dedicated to peace and order. The challenge he has left to us is to build upon and extend with equal devotion and energy and utter competence those foundations which he has laid.

Mr. CLEVELAND. Madam Speaker, the death of Ambassador Adlai Stevenson is a shock. We have lost a public servant of the first magnitude. He died, fittingly enough, in the course of a mission on behalf of his country, which he loved so well and to which he gave so unstintingly.

Twice he carried the standard of the Democratic Party, embodying in his person the hopes of millions of his countrymen. He bore his defeats, both those that came to him within his party and those he sustained as his party's standard-bearer, with fortitude and grace.

Adlai Stevenson was the latest in a line of great Ambassadors to the United Nations, where his resolution and his qualities of expression became major national assets. For his services at the U.N. alone, he has earned the everlasting thanks of America.

As a Republican, of course, I worked to prevent Adlai Stevenson's election as President and rejoiced at the success of these efforts. But, as a Republican, I am glad to salute him as a worthy opponent who was motivated only by the highest ideals of public service. His life, so dedicated, so brilliant, so marked with personal integrity, will be a model for countless young persons seeking careers in public service.

A great American has passed. Mrs. Cleveland and I extend our deepest sympathies and respect to his family.

Mr. OTTINGER. Madam Speaker, few men in any generation earn the esteem and love of their fellow men as did Adlai Ewing Stevenson. In the course of more than 30 years of service to his Nation and to the cause of peace and understanding among men, Ambassador Stevenson carved out a very special place for himself in history and in the hearts of people throughout the world.

In posts of the highest trust and responsibility, he served four Presidents, and his achievements were so many and so great that they defy enumeration.

Amid all the honors that will be paid to Ambassador Stevenson, no greater memorial will be found than in his own words and deeds. His death is a great loss to America and to the emerging world of free nations that he did so much to make possible.

It is fitting that we should turn to his own words to find an epitaph for Ambassador Stevenson, for it is supremely true of him that he "would rather light a candle than curse the darkness." The candles that he lit in patient, tireless work have illuminated dark areas of human understanding and will undoubtedly guide our steps for years to come.

Our greatest memorial will be to continue the work for which Ambassador Stevenson gave his life—the achievement of lasting peace among men of good will.

Mr. GONZALEZ. Madam Speaker, Adlai Stevenson was a wise man in a world which sorely needs wisdom; he was a man of vision in a time when vision alone can save mankind from his own folly; and he was a man of honor in a cynical age.

It will be said of him that he was honored by his country and rewarded with posts of grave responsibility. But I believe that he honored his country by accepting high honor and heavy burdens of responsibility.

No man could say anything that would pay high enough tribute to this man. All I can find in my heart to say is that he was a good and wise man who served his country and world, perhaps better than they served him. I rejoice that he lived, as all men must; and because he lived so well we must mourn him so deeply.

Adlai Stevenson was possessed of certain great powers and these powers made him a statesman. As a statesman he bent his efforts to protecting us from our folly and held high the torch of wisdom and good counsel. To him we must pay honor by saying that he stood for reason in an era that must survive by reason alone.

Surely there have been men of equal or greater powers than those of Ambassador Stevenson. Surely there have been men who held greater power. But surely there never lived another man who used his powers so well as this one.

Because he lived, this country has profited. Because he lived so well, the whole planet and all mankind are better. God rest his soul.

Mr. RYAN. Madam Speaker, at noon today we listened in disbelief when the majority leader announced the death of Adlai Stevenson. The shock which went through this Chamber is being felt around the world. The world has lost a towering statesman who voiced the hopes and aspirations of mankind for peace and justice. In Adlai Stevenson was crystalized the best of civilization.

I shall not at the time attempt to review the brilliant career of Adlai Stevenson—Governor of Illinois, twice the Democratic candidate for President, Ambassador to the United Nations. During times of international crisis and domestic tensions Adlai Stevenson was always a source of inspiration.

Adlai Stevenson brought a new dimension to American politics. His eloquence, his unique sense of humor, and his urbanity will not be forgotten.

I treasured the friendship of Governor Stevenson and shall always value the times I spent with him. I am one of thousands of Americans who were encouraged to participate in politics because of his example. He represented the best in the liberal tradition and his contribution to the development of our free institutions was monumental.

The eloquence of Adlai Stevenson, which stirred the imagination of his fellow Americans through the campaigns of 1952 and 1956, was to elevate the dialog at the United Nations during his invaluable service as our Ambassador.

My mind dwells on the speech that he gave less than 3 weeks ago at the meeting in San Francisco commemorating the 20th anniversary of the United Nations. Mr. Speaker, I suggest that his words rededicate us all to the task of strengthening that organization to which he gave so much. His thoughts reflect that matured blend of faith and realism without which no great experiment can survive:

> It seems so easy then—when all was hope and expectation. I remember my own sense of pride, of history, of exaltation—and a special responsibility that fell upon the host country to that historic conference.
>
> Out of 20 years of humbling experience, we all know that we need the United Nations more today than we needed it 20 years ago—that we shall need it more 20 years from now than we do today—that the United Nations is a simple necessity of our times.
>
> Certainly we have learned the hard way how elusive is peace—how durable is man's destructive drive, how various are the forms of his aggression. Is there no way to quicken the pulsebeat of our common enterprise? Is there no shortcut to a better world society? Is there no way to make time our ally—and use it better to serve us all? Of course there is, for the enemy is not change but violence. To induce needed change without needless murder, what we require above all is a truce to terror. We need a moratorium—a breathing spell free from acts of international violence.
>
> There is not a single dispute in this world—however sharply the issues may be drawn—which would not look different 2 decades from now, after time and change have done their erosive work on the sharpest corners of conflict. If we could somehow bring about a truce to terror we would soon discover that world order will come not through the purity of the human heart nor the courage of the human soul, but it will be wrought from common ventures that are at once possible and imperative.
>
> We believe in the United Nations; we support the United Nations; and we shall work in the future—as we have worked in the past—to add strength and influence and permanence to all that the Organization stands for in this, our tempestuous, tormented, talented world of diversity in which all men are brothers and all brothers are somehow, wondrously different—save in their need for peace. * * *

Madam Speaker, Adlai Stevenson has departed. We shall miss his wisdom and his courage, his unfailing understanding of humanity and his ceaseless quest for peace. In the words of that gallant first lady of the world, Eleanor Roosevelt, who stood at his side so often, he knew that:

> It is today that we must create the world of the future * * * in a very real sense, tomorrow is now.

Mr. CONTE. Mr. Speaker, there is perhaps little that I might say that would evoke any added luster to the memory of the Honorable Adlai Stevenson, whose untimely passing has truly diminished all mankind. There will be eloquent and moving tributes made in virtually every corner of the globe to this great and dedicated man, which fact alone will serve as a living citation to his long and distinguished career.

Mr. Stevenson will stand for all time as the classic statesman whose personal convictions and dedication to the cause of world peace and progress for all mankind transcended party politics and partisan dogma. He has created a new yardstick against which to measure public service. His immense personal dignity, unshaken even by the most shattering of taunts and insults, and his unfailing integrity are a standard to which most of those who follow can only aspire.

Mr. Stevenson's career was a turbulent one, surprisingly so for a man so committed to peace and understanding. He tasted the wine of success and the ashes of defeat. And, although twice rejected for the highest office in the land, he was not permitted to slip into obscurity. His great gifts compelled the world to find a role for him. The role he filled in the last years of his life may well be listed in the annals of history as hardly less significant or important than the Presidency.

As a Republican, I am keenly aware of the impact this man has had upon the politics of his day. None of us in public life could fail to sense the improved image of public service for which Adlai Stevenson has been one of the chief architects. We have all benefited from the high standard and uncompromising principle which were the unmistakable hallmarks of his career.

As one whose district embraces a good many excellent colleges and universities, I am also deeply aware of Mr. Stevenson's impact upon the youth of this Nation. I think all of us on both sides of the political fence might look upon his power in this abstract and elusive sphere with considerable envy.

He matched flawlessly clear vision with willpower and determination. He matched unswerving dedication with matchless eloquence. He was a speaker in the great traditions of Pitt and Clay and Webster. He could make us see his dream as few men have.

We have, of course, lost more than a political leader, an ambassador, a former presidential candidate, and a former Governor of one of our finest States. We have lost a courageous and untiring citizen of the world.

One of Mr. Stevenson's best remembered speeches was his moving and impassioned eulogy to the late Eleanor Roosevelt. In that speech, Mr. Stevenson recalled that "She would rather light a candle than curse the darkness." It seems at this hour that a new darkness has descended upon us. One of our brightest candles has gone out forever.

Mr. McGRATH. Mr. Speaker, the people of the United States and the entire world are grieved and shocked at the sudden passing of a great American, Ambassador Adlai Stevenson. His dedication to the ideal of freedom, his zeal in the pursuit of peace, his deep feeling of the importance of the individual are all qualities rarely found embodied in a single human being.

One measure of his greatness was the respect which he was accorded by his antagonists in the world council he served so faithfully as the U.S. Ambassador. Another is the universal sadness and sense of loss felt around the world today.

Ambasador Stevenson had the facility for cutting into the heart of any matter and the ability to express his ideas in a forceful manner. He will long be remembered as a champion of liberty and peace. The memory of his mission, his loyalty to his country, his unceasing quest for freedom for all, and his humaneness toward all mankind will surely inspire all of us in some measure as we seek the fulfillment of his goals.

Mr. MADDEN. Mr. Speaker, the following editorial by Robert R. Brunn recollects some interesting but forgotten events in the life of the great statesman, Adlai E. Stevenson.

ADLAI E. STEVENSON: ADROIT WARRIOR FOR PEACE

(By Robert R. Brunn)

WASHINGTON.—Adlai E. Stevenson, who passed on in London Wednesday, was an extraordinarily deft and adroit representative of the United States on the global stage at the United Nations.

Free of the anguish of two grueling presidential campaigns in 1952 and again in 1956, Mr. Stevenson settled down to a spirited defense of U.S. foreign policy and action.

No American politician in this century was ever to shape a phrase with more telling intellectual effect. But in facing Dwight D. Eisenhower in two campaigns, he knew deep inside that it probably was a losing battle.

Under President Kennedy he took up the struggle for peace with gusto—and an elegant phrase. He spoke out for international justice and for wisdom in handling the global Communist threat.

At the time of his passing Wednesday in London, he had been talking with British officials about southeast Asia and had seen Foreign Secretary Michael Stewart that morning.

Looking back on his two campaigns Mr. Stevenson once said this:

"There is evidence that those campaigns were worthwhile; that they saw a quickening, an awakening, of political purpose in the minds of many thinking Americans; that they aroused a new or broader sense of personal responsibility in political affairs, a large respect for the political process, a sense of ideals attainable through political activity.

"I like to think they reduced the snobbery about politics; that there is more realization that free society demands the wisest kind of political leadership; that without politics there can be no democratic freedom, not even the freedom to be 'above politics.'

"And I have never felt any sense of defeat for the ideas of talking sense, of tackling the hard issues, of telling the truth, in a political campaign.

"It is extremely important that those who have taken part in this invigoration of the political process take up again now the cudgels they wielded so gloriously before."

President Johnson was visibly moved by the news of Mr. Stevenson's passing as he went through the motions of shaking hands with members of a Japanese trade mission who were his guests.

Senator GEORGE D. AIKEN, Republican, of Vermont, said Mr. Stevenson "did his work conscientiously and he did it well." He added it was unfortunate that "now, perhaps when he is needed more than ever, he has been called away."

In campaigning in the 1960 campaign, Mr. Stevenson indicated his future role in the United Nations. In Madison, Wis., in October he said:

"The one transcendent issue * * * is peace. The farmer wants better prices; but he wants peace more. The housewife wants lower prices, of course; but she wants peace more. The businessman wants stability and the laborer wants security, of course; but they want peace more."

Words such as this were also used at the United Nations and outside of a domestic political context. It was the same—he sought paths toward peace above partisan feelings.

Mr. IRWIN. Mr. Speaker, I join with my colleagues in expressing sorrow at the loss of one of the most admired, devoted, and inspiring leaders of our time, Adlai E. Stevenson. He was America's conscience. He was the articulate spokesman for America's political philosophy. He was a man of humility in the face of his responsibilities. He was a man of eloquence, wit, and charm.

But Adlai Stevenson's special gift to those of us who came to political maturity in the early 1950's was that he made politics an honorable calling. A whole new generation drew inspiration from his spirit and his eloquence as he mirrored the best in American politics.

Though we have lost an outstanding statesman, his words will live as long as the Nation.

Therefore, Mr. Speaker, I would like to call the attention of my colleagues to an appraisal of Mr. Stevenson by James Reston of the New York Times, an appreciation by Theodore H. White written for the New York Herald Tribune, and, finally, Mr. Stevenson's legacy, his own words.

The articles follow:

RIGHT MAN, WRONG TIME—STEVENSON, REJECTED BY THE VOTERS, WAS MAN OF THOUGHT IN AGE OF ACTION

(By James Reston)

MENEMSHA, MASS., July 14.—America celebrates success, but occasionally it pauses to regret the men who didn't quite make it—the also-rans, the good men who arrived near the top at the wrong time, the rejected and the disappointed.

Adlai Ewing Stevenson, of Illinois, was such a man. He was the man of thought in an age of action. He was in tune with the worldwide spirit of the age, but not with the spirit of his own country, and no one knew this better than he.

He was sad at the end, not because he was rejected for the Presidency by his fellow countrymen, but because he felt his ideas were rejected by the leaders of his own party—President Kennedy and President Johnson.

He never expected to be President. I spent 2 hours with him alone at the Roger Smith Hotel in Washington immediately after President Truman called him to the White House at the end of January 1952, and asked him to seek the Democratic Party's presidential nomination, with Mr. Truman's support.

Later he accepted the nomination on the ground that Senator Robert A. Taft, of Ohio, might be nominated by the Republicans, and that Senator Taft was "an isolationist," but that night, he was sure that General Eisenhower and not Senator Taft would be the Republican nominee, and he was sure not only that General Eisenhower would win, but that maybe the General should win.

Was is not time, he asked, for the Republicans to come to power after 20 years of Democratic rule? Was it not true that the absence of power, as well as the exercise of power, tended to corrupt?

Would not General Eisenhower finally lead his party away from its isolationist tradition, and was this not good for the country?

Later he changed, but this objective quality of mind in Mr. Stevenson was precisely why he was so respected by the intellectual and diplomatic communities, and why at the same time he was so unpopular with the most political elements of his own party.

His disappointments came later. He wanted to be Secretary of State more than he expected to be President, but both Mr. Kennedy and Mr. Johnson passed him over for the job, and while they listened politely and often reluctantly to his advice, they did not follow it—or at least, he died believing that they were more interested in power and politics and did not agree with him about Vietnam, or the Dominican Republic, or the importance of the spirit of the United Nations.

TALKED ABOUT RESIGNING

He talked many times about resigning, from the Bay of Pigs to the bombardment of North Vietnam, but at the same time, he loved the stir and prominence of public life, he hated "scenes," and could not quite bring himself to the point of getting out.

Mr. Stevenson was not bitter about not being President or Secretary of State. He was too full of self-doubt and even self-mockery for that. It was not his ambition but his pride that was affronted by what he thought was the rejection of his advice to rely more on U.S. moral than military power.

For example, he wanted President Johnson to reassure the United Nations that the United States wanted to end the legal dispute over financing the United Nations, but the President rejected his advice only a few days ago and exhorted the United Nations merely to follow American policy.

The tragedy of Adlai Stevenson, however, is not that the United States has lost a representative at the United Nations, but that the Western World has lost another of its few eloquent men.

Language is power, and in the last few years the West has lost most of the men who could define its purposes—Churchill and Gaitskell in Britain, Kennedy in the United States, Hammarskjold at the United Nations, Nehru in India, not to mention those spokesmen of the Western literary world, Frost, Faulkner and T. S. Eliot.

Maybe Mr. Stevenson's critics were right—he may have been primarily a writer and a public speaker, rather than a political leader.

(NOTE.—Theodore H. White, the author of this appreciation, has just had published his latest study of presidential politics, "The Making of a President 1964." An astute observer of the national political scene, he won a Pulitzer Prize for his earlier "The Making of a President 1960." He grew to know Mr. Stevenson well from many personal interviews with the U.N. Ambassador.)

(By Theodore H. White)

No man left a larger legacy.

As Governor of Illinois, Adlai Stevenson purged and purified one of the more corrupt State administrations of the Union. As party leader, he called into being new men and new forces from groups and communities previously entirely alien to the governing of the Nation. And suddenly, in death, one recognizes the full dimension of his work at the United Nations, which he dominated more than any other single individual. In a world where new kinds of force, new systems of violence require new patterns in American response, he made it clear that always American power was subordinate to its will to peace, that the talons of the eagle held out to the world the olive branch if it would but accept.

One remembers one's first meeting with Stevenson abroad, in Paris, in 1953, after his defeat—and the quality of the mind as it asked questions about Europe, about Asia. They were entirely different kinds of questions from those of other men; it was as if he were, personally, responsible for America and what might happen to America in years to come and needed to know, for he, personally, must guide American thinking.

One remembers Adlai Stevenson sitting on his lawn in Libertyville, the black-faced sheep grazing nearby, the orange butterflies overhead, entering the campaign of 1956 knowing he would be defeated, yet entering nonetheless because someone must hold his party on course, someone must speak its principles without compromise.

One remembers Adlai Stevenson at the U.N. in the missile crisis—tireless, sleepless, binding shaky allies to our cause, neutralizing the undecided, counseling firmness and peace at once in his visits to Washington.

Yet all of us will remember Stevenson most for something undefinable: the tone he gave the dialog of American politics. He brought to it a quality of ideas, of thinking, of excitement as if, somehow, one could have reasonable discourse with people about the future. Whether gay, or melancholy, he never spoke down to them. A generation of younger Americans, brought up to feel that politics were sordid or dirty or corrupt or boss-manipulated, learned from him that American politics were the mirror of American life, and could be made to reflect the best in that life as well as the worst. From California to New England, in the 8 years of his leadership, his call brought thousands of new men into arenas they had hitherto despised or feared. State houses all across the Union are manned with men, now grown to eminence, who caught their faith from the Halls of Congress which are crowded with lawmakers who entered politics first as fledglings 13 years ago on behalf of Adlai Stevenson. The White House, through two Presidents, has been guided by men who nursed from the spirit and direction he gave his party.

All his life Adlai Stevenson thought that America could be made a better place to live in. And he did his part.

[From the New York Herald Tribune]

THE ELOQUENCE, THE WIT, THE HUMANITY

More than anything else, Adlai Stevenson was a man of words, a highly articulate spokesman for American political philosophy. Here are some of those words:

"I have asked the merciful Father, the Father of us all, to let this cup pass from me. But from such dread responsibility one does not shrink in fear, in self-interest, or in false humility. * * * That my heart has been troubled, that I have not sought this nomination, that I could not seek it in good conscience, that I would not seek it in honest self-appraisal, is not to say that I value it the less. Rather it is that I revere the Office of the Presidency of the United States."—Accepting the presidential nomination of the Democratic Party in 1952.

"They say I am a 'captive' of the city bosses, then of the CIO, and then of the Dixiecrats * * * and then of Wall Street, and then of an organization called ADA. Next week I'll probably read in the papers that I am the captive of a girl named Ada. I have not met her yet. I had no idea I was so popular, and I hope I can bear this multiple courtship and captivity with becoming modesty."—August 14, 1952, Springfield, Ill.

"My opponents say that the threat to our liberty comes from within. I say that the threat comes from without—and I offer the fate of the enslaved peoples of the world as my evidence.

"My opponents say that America cannot afford to be strong. I say that America cannot afford to be weak.

"I promise no easy solutions, no relief from burdens and anxieties, for to do this would be not only dishonest, it would be to attack the foundations of our greatness. I can offer something infinitely better: an opportunity to work and sacrifice that freedom may flourish."—September 27, 1952, Louisville, Ky.

"I say to you that the anatomy of patriotism is complex. But surely intolerance and public irresponsibility cannot be cloaked in the shining armor of rectitude and of righteousness. Nor can the denial of the right to hold ideas that are different—the freedom of man to think as he pleases. To strike freedom of the mind with the fist of patriotism is an old and ugly subtlely."—August 27, 1952, in a speech before the American Legion at Madison Square Garden.

"* * * I yield to no man, if I may borrow that majestic parliamentary phrase, in my belief in the principle of free debate, inside or outside the Halls of Congress. The sound of tireless voices is the price we pay for the right to hear the music of our own opinions. But there is also a moment at which democracy must prove its capacity to act. Every man has a right to be heard; but no man has the right to strangle democracy with a single set of vocal cords."—August 28, 1952, New York City.

"I am convinced that nearly all (newspaper) publishers are doing their honest best, according to all their lights—even if I must confess that sometimes their lights seem to me a little dim."—September 8, 1952, at a luncheon for newspaper editors and publishers in Portland, Oreg.

A proposal to the Republican Party: "If they will stop telling lies about the Democrats, we will stop telling the truth about them."—September 10, 1952, Fresno, Calif.

"I utterly reject the argument that we ought to grant all men their right just because if we do not we shall give Soviet Russia a propaganda weapon. This concept is itself tainted with Communist wiliness. It insultingly implies that were it not for the Communists we would not do what is right. The answer to this argument is that we must do what is right for right's sake alone."—September 21, 1952, Richmond, Va.

"My definition of a free society is a society where it is safe to be unpopular."—October 7, 1952, Detroit.

"We must be on our guard against the danger to our own people, as well as to our friends, of confusing pronouncements with reality and proclamations with policy. For these are the ingredients of extremist opinion. And in these days when moderation and reason are so often equated with appeasement or even disloyalty, we must be careful lest unreason and extremism not only frighten and alienate our friends and fan the flames of neutralism in the world but also mislead the American people."—From the Godkin Lectures delivered at Harvard University in March 1954.

"I have finally figured out what the Republican orators mean by what they call 'moderate progressivism.' All they mean is 'Don't just do something. Stand there.' "—February 25, 1956, Hartford, Conn.

"Do not let us make any mistake about this. The natural government of man is servitude, tyranny. It is only by intense thought, by great effort, by burning idealism, and unlimited sacrifice that freedom has prevailed. And the efforts which were first necessary to create it are fully as necessary to sustain it in our own day."—January 1959, Washington.

"We are trying to construct a civilized world for the genus man * * * This aim may appear one of high generality. But so are such phrases as 'the defense of national interests,' or 'lebensraum,' or 'the white man's burden,' or any of the other catch phrases with which men have gone out with good conscience to plunder and maim their neighbors."—May 12, 1960, speech at the Conference on World Tensions, at the University of Chicago.

Mr. Stevenson's rule for speechwriting:

"If you would make a speech or write one
Or get an artist to indite one,
Think not because 'tis understood
By men of sense, 'Tis therefore good.
Make it so clear and simply planned
No blockhead can misunderstand."
—October 1960.

On the death of Eleanor Roosevelt:

"Yesterday I said I had lost more than a friend; I had lost an inspiration. She would rather light candles than curse the darkness, and her glow had warmed the world."—November 19, 1962, speech to the United Nations General Assembly.

"What is more difficult, to think of an encampment on the moon or of Harlem rebuilt? Both are now within the reach of our resources. Both now depend upon human decision and human will. I pray that the imagination we unlock for defense and arms and outer space may be unlocked as well for grace and beauty in our daily lives. As an economy, we need it. As a society, we shall perish without it."—June 8, 1962, Tufts University, Medford, Mass.

Random examples of the Stevenson wit:

A comment to a friend who had just been appointed to a new post—"Congratulations on your election as president. I know from hearsay how satisfying that can be."

Speaking to a television audience after one of his unsuccessful presidential campaigns—"A funny thing happened to me on the way to the White House * * *"

Discussing President Kennedy's appointments of several men from Mr. Stevenson's law firm in Chicago—"I regret that I have but one law firm to give to my country."

> Arriving late for a speech, Mr. Stevenson explained that he had been held up by a military parade and said: "Military heroes are always getting in my way."
>
> Finally, from Mr. Stevenson's last speech:
>
> "We travel together, passengers on a little spaceship, dependent on its vulnerable reserves of air and soil; all committed for our safety to its security and peace: preserved from annihilation only by the care, the work, and I will say the love we give our fragile craft. We cannot maintain it half fortunate, half miserable, half confident, half despairing, half slave—to the ancient enemies of man—half free in a liberation of resources undreamed of until this day. No craft, no crew can travel safely with such vast contradictions. On their resolution depends the survival of us all."—July 9, 1965, 39th session of the Economic and Social Council in Geneva, Switzerland.

Mr. MEEDS. Mr. Speaker, our beloved countryman, Adlai Stevenson, is gone. Democracy mourns her most forceful advocate. While always lending dignity to America, Ambassador Stevenson symbolized the United Nations, for his aspirations transcended one country and became the hope for all.

Great men endure beyond the caprice of the headlines. Adlai Stevenson belongs to our heritage. We shall always revere his immutable courage, his undeviating quest for enlightenment, and his unshakeable decency.

Mr. HATHAWAY. Mr. Speaker, the tragedy that struck the world community yesterday emphasizes the impact that Adlai Stevenson had on our lives and on our hopes for a permanent peace. The poignant sense of personal and national loss felt by all people resulted not only because he was removed abruptly from us at a time when he was brilliantly carrying out a vital duty, but also because he dignified public service.

Among political leaders he was unique for he was genuinely sensitive to human wants and aware that our great democracy could be perpetrated only if its members elevated the people by their own lives and actions. His eloquence, his intelligence, and his taste made us all proud to be Americans. Long after our personal sadness at his passing subsides, our memory of him, his deeds, and his personal exemplification of what is best in our way of life will remain. It is perhaps best to characterize his contributions to mankind by quoting his eulogy to another great American, Eleanor Roosevelt. Of her, he said:

> She would rather light candles than let the world live in darkness.

Mr. KORNEGAY. Mr. Speaker, today I feel an overwhelming inadequacy. For I feel unable to engender seeming eloquence to speak of the nimble wit and tongue which was stilled yesterday in London.

However, I feel that I must smother my sense of inadequacy and speak in praise of Adlai E. Stevenson. Although he was claimed as the native son of the "Land of Lincoln" and later as a citizen of the world, we in North Carolina had deep affinity for this great spirit for peace who has left us for his own eternal peace. I had the very great honor of knowing him personally and feel a sense of pride in the knowledge that he aided my political career while I as a much younger man became interested in the field of politics. Ambassador Stevenson was a frequent visitor to our State, where his sister lived for many years.

We came to know him and to love him as our own in the Tar Heel State. Later, the free world did the same.

He leaves for all of us a noble example of personal courage and devotion to cause. He did not despair. Let us now not despair and seek for him the goal he sought for us—a lasting world peace.

Mr. CHARLES H. WILSON. Mr. Speaker, I join with all Americans and the world to mourn the loss of a great statesman and humanitarian, Ambassador Adlai E. Stevenson.

Here was a man who stood with his times yet above them, a true Renaissance man whose probing and cultivated mind, breadth of interests, and dedication gave him a lasting place in the hearts of men and in the annals of history.

Here was a man who, in the presidential campaigns of 1952 and 1956, added a new luster to American political life, showing all of us that politics can, indeed, be an art. Adlai Stevenson brought philosophy where there had been prejudice, wisdom where there had been ignorance, perspective where there had been dogmatism, and wit and humor where there had been suspicion. Yet, above all, he gave dignity to the individual, speaking to the common man as if he were the great uncommon. His trust in people was never shattered, and malice was not in his vocabulary.

Here was a man who, as U.S. Ambassador to the United Nations, served his country selflessly. In diplomacy, as in politics, he reflected the character and honesty implied in the word "responsibility." The eloquence of speech suggested by his presidential campaigns reached full flowering in his statesmanship, and the "Stevenson style" which made him nationally famous now gave shape to the hopes of the world.

In his passing we have lost a man who asked no less of himself than he did of his country. What could be a more fitting memorial than that we strive to ask the same of ourselves?

Mr. WHITE of Texas. Mr. Speaker, Adlai Stevenson was a leader of the mind and the spirit. He summoned us to sober reflection and calm judgment. With determination and skill, he searched out the needs of all nations, and at the same time was diligent and forceful in upholding those ideals of our Nation, of which he was an ardent student and champion.

His passing marked the passing of an artisan. In a complex society groping for expression and purpose, Adlai Stevenson stood out above all men of our times as the artist of ideas who could formulate our highest hopes and the understanding of our modern world moving at breathtaking pace.

Of an earlier generation of great leaders, he bridged the transition between the staid comfortable world of the first half of the 20th century, and the atomic age into which we are now emerging. Paradoxically, this articulate man of our times did not achieve even greater prominence, because what he said, in virtual poetry, was perhaps too well said and too many steps advanced beyond his contemporaries. Like some few others of our history who did not achieve the pinnacle of their aspiration, he will be even more read by future generations and even more valued.

Defeat in two presidential campaigns would have consigned a lesser man to history's footnotes. For Adlai Stevenson, it provided the open door to a career of service to all mankind. All of us who try to legislate for a better Nation and a better world, owe a debt of gratitude to this man who raised the standards of liberty and justice to inspire our efforts.

Mr. CALLAN. Mr. Speaker, the people of Illinois, of this Nation, and of the world have lost a friend and compatriot. Of few people can it be said "his cause was mankind," but it can be said of Adlai Stevenson. Men so endowed and so dedicated do not often appear to counsel and guide us and the world can ill afford this loss in this time.

I mourn his death for the world and, most especially, for myself. His unexcelled talents of creativeness and eloquence were standards for which all of us reached and none obtained.

His tasks are now ours and we are less well prepared to face them than before. Our dedication to a world in which all have maximum freedom and minimum restaints must be renewed and our efforts multiplied without him.

Mr. WOLFF. Mr. Speaker, the world learned with shock and sorrow yesterday of the untimely death of Adlai Stevenson. On this sad occasion, I would like to add my voice to those of countless others throughout the world who are mourning the loss of a great statesman who served his country and his fellowmen with matchless distinction.

No man of our generation has been more completely devoted to the ideals of service and quality in public life than was Adlai Stevenson. No man of our generation has so enriched our public discourse. To his campaigns for the highest public office he brought integrity, a deep sense of responsibility, and an uncompromising dedication to excellence. To public duties of high significance he brought dignity, sure judgment and the wisdom of a reflective mind.

He confounded some and captured the admiration and trust of many because he valued virtue above virtuosity, and because his every word and act reflected fully his realization that the power to do great good was also the power to do great harm. His wit and eloquence were not an acquired veneer. They moved men because they reflected the man himself—his deeply held convictions, his humility, his doubts and his insights. He spoke for America in the forums of the world. And because he spoke well, with grace and with simplicity, he gave new force to American ideals.

Adlai Stevenson gave fully of himself to his country. It is a measure of the unique place he occupied in the hearts of his fellow citizens and of the very special contribution he made to our public life that the history of our times will be partly written in his words and that no words are adequate to express the loss we have just suffered.

Mr. GRABOWSKI. Mr. Speaker, a voice is still, a void has been created, and the cause of freedom has suffered a great loss. Adlai Stevenson, one of freedom's most eloquent spokesmen and one of America's greatest men, has left us.

Adlai Stevenson worked hard to keep the candle aglow despite the winds of hate, ignorance, and prejudice that tried to snuff out the flame.

Longfellow said:

> Great men stand like solitary towers in the city of God.

And so stood Adlai Stevenson.

Ambassador Stevenson was one of the most articulate voices for peace and for reason in our turbulent world. His words and his deeds will forever live in the hearts of men who cherish freedom and who seek to better mankind.

The world is poorer today because he has left us. But it is richer because he was here. He gave his time, his energies, and indeed his life in the service of his country. His long public service spans World War II and the entire postwar period.

In his career he represented the finest and most noble qualities to which a public servant can aspire. His calm, clear, and strong voice could be heard above the tensions and fears of the world. He gave much more to America than was returned to him.

As Chaucer said:

> There was a knight,
> A most distinguished man,
> Who from the day on which he first began,
> To ride abroad, had followed chivalry,
> Truth, honor, greatness of heart and courtesy,
> And ever honored for his noble graces.

We shall miss Adlai Stevenson, but we shall never forget him.

Mr. HANSEN of Iowa. Mr. Speaker, in the death of Adlai Stevenson, America has lost one of her greatest statesmen and we have all lost a friend. All of us thrilled to the great literary quality of his speeches and the high tone of the political campaigns he waged.

Ambassador Stevenson represented the interests of the United States in the United Nations with dignity and ability and will be remembered as one of the great voices of the 20th century.

As a voice crying for justice and understanding in the midst of political, social, and economic turmoil, Adlai Stevenson was for our day what Abraham Lincoln was a century ago. The State of Illinois has given her very best to America and the world.

We are all saddened as the shadow of death casts its pall over us and we are aware of the deep void Ambassador Stevenson's passing leaves.

Mr. PATTEN. Mr. Speaker, if there ever was a true Renaissance man of the 20th century, that man was Adlai Stevenson. We are even more stunned by his loss than one would expect because of the enormity of this man's ability and his goodness.

A diplomat, a statesman, a lawyer, a journalist, a political leader, an unabashed and full-fledged intellectual, a man of great warmth and compassion, a man of glittering wit and superb intellect—Adlai Stevenson was, indeed, a man for all seasons. His loss is irreparable and irretrievable.

One of the brightest stars in the entire political world galaxy has been dimmed. Few men of the stature of Stevenson come along in one generation, or, in fact, in a host of generations.

The Ambassador was a man who had unselfishly given more than his measure of service to all the people of the country and of the world. Although the torch of leadership of the American people was denied him, he wore the mantle of world leadership for many years. For a time it appeared as if he alone was carrying the burden of the United Nations on his shoulders.

The intellectual fire and eloquent voice which were extinguished will not easily be relit. There are few Americans of whom we can all be as proud as of Adlai Stevenson. He will be remembered with love, respect, and honor by all.

Mr. POLANCO-ABREU. Mr. Speaker, Puerto Ricans everywhere share with me and my colleagues the dark sorrow of Ambassador Stevenson's death. He was a man of vision and of mission for his country, and he served the task well through many years. Never a robust person, he seemed to drive himself at times close to the limit of endurance. He was selfless, able, persuasive, dedicated, purposeful, and an effective foe of communism. And he was humble. Magnificently gallant in action was Adlai Stevenson; for he was of, by, and for the people, and it was their cause for which he struggled.

We, the free people of the world, have lost a real champion, and we are poorer now.

Mr. DERWINSKI. Mr. Speaker, I join my colleagues in paying tribute to a great American, Adlai Stevenson, as we mourn his passing. Ambassador Stevenson served in a most difficult, challenging assignment for the last 4½ years as the U.S. spokesman at the United Nations. His loss will not only be felt by Americans but his valued counsel and judgment will be missed at the United Nations.

As a representative from Illinois, Mr. Stevenson's home State, I also take note of the years of service he devoted to the citizens of our State. All who knew him, worked with him, or observed his public career recognized him as a man devoted to his philosophy and principles of government, and respected him for his brilliant mind and unusual eloquence.

Ambassador Stevenson was known throughout the world as a major American spokesman and highly respected for his determination, energy, and ability. In his long career he played a major role in many vital developments and leaves a clear imprint on the pages of history.

Mrs. Derwinski and I extend to his family our sincere sympathy on his sudden passing.

Mr. GALLAGHER. Mr. Speaker, we lost a great man whose greatest contributions to America were his ideas and his ideals. He was a man who lived before the times were ready to accept his thinking, and yet a great deal of the forward motion of America, and indeed the world, can rightfully be attributed to him.

In many ways he can be likened to the great Woodrow Wilson. Both men were obsessed with the idea of peace among all nations and both knew and realized the true horror of war. Both labored throughout their lives to bring about a world united in the cause of peace. Wilson failed, but at least he laid the foundations. Stevenson succeeded and helped to create a functioning international organization.

Now it remains for us to carry on in the spirit of Adlai Stevenson. We must strive, as he did, with renewed perseverance toward peace throughout the world.

Adlai Stevenson never became President, but on the great questions of humanity he was always right. I have lost, our Nation has lost, and indeed the entire world has lost a great advocate of world peace and world progress.

Mrs. DWYER. Mr. Speaker, Adlai Stevenson was a fresh, articulate, and attractive force in American politics. His respect for the language and his great facility in its use, his integrity and deep convictions, and his fine intelligence added much to the quality of our country's public life. He had the courage and dedication to overcome political defeat and serve our country and the cause of peace and humanity with great distinction. All Americans will miss him greatly.

Mr. REUSS. Mr. Speaker, the United States and all of mankind have suffered an immeasurable loss in the death of Adlai E. Stevenson.

He was one of the towering figures of our time and in all our history. He devoted his life to public service and died in the midst of his patient, tireless efforts for international peace and justice. He was an excellent administrator, an outstanding Governor of his State, and the paragon of an American Ambassador to the United Nations.

But he was even greater as an inspiration for the American people. By his eloquence, his wit, his brilant analysis, and his idealism he raised the political dialog and enhanced the political process in this country. By his definition of liberalism, he aroused a new generation and brought it into politics and public service.

In a profound sense, Adlai E. Stevenson cannot die. He lives forever as a part of the better America shaped by his life and spirit.

Mr. MINISH. Mr. Speaker, I join with deep sadness in honoring the memory of a truly great man, Adlai Stevenson, whose passing leaves an irreplaceable void in national and international affairs.

Endowed with rare gifts of intellect, eloquence, and personality, Adlai Stevenson dedicated his enormous talents to the service of his country and the world. He believed that peace is "the most important unfinished task of our generation," and he devoted himself unstintingly to achieving a stable world community. His was always the voice of reason and restraint and justice, and the cause of freedom and democracy could have no abler advocate.

Adlai Stevenson's great accomplishments merit for him a high place in history. As we mourn his loss, let us be inspired by the nobility of his life and works, and let us hope that his wise counsel will be heeded by the peoples of the world he served so well.

Mr. HANNA. The voice of Adlai Stevenson has been stilled, and had that voice been music all would have cried, "Play on." The Grim Reaper reached out his inexorable sickle and cut from our ranks this world statesman while he was literally in full stride on the demands of his important office. The end came to our Ambassador to the United Nations in the streets of London. It dramatically and eloquently marked his activity as a representative of our great land in the community of the world.

In my time there have been many voices heard around this troubled world. Some, like the voices of Hitler and Mussolini, rang with hate; bellowed with brutality and sounded with the siren lure of exaggerated nationalistic superiority. Some like the voices of the militarists of Japan glorified war, fed on fear and subdued all discord with power. Others like the voice of Stalin whispered in deceit; roared in violence and were pompous with promise of world domination.

These voices had in common a core devoid of humanism; a theme of hate and fear and a constant companion in suppressive power. The degradation and devastation they ushered into the world in our times lodge in the conscience of mankind. Their legacy is as irresponsive to the blanding and softening effects of time as a rock lying in the belly of man is irresponsive to the digestive juices. Some gratitude can be entertained that death has stilled all these strident, discordant throats also in our time, though lesser luminaries continue their chants. Greater thanksgiving should be raised that there was a balance, as a sanctuary, and as a banner to rally the opposition to these baser calls, the voice of Adlai Stevenson.

Adlai Stevenson, a man who by temperament was constrained to seek the cloak of scholarship, but who by calling and conscience was forced to accept the mantle of statesmanship. Out of the torture that involved adapting the preference for the private and the intimate to the constant exposure of the public and the mass media, there came a distilled, clear and forceful articulation that answered fear with hope; that confounded base emotions with high reason; that contradicted narrow national meanness with broad human aspirations; and that contrasted suppression by power with the power of an open world forum where ideas and ideology competed on merit.

His voice had a solid core of humanism, a theme of patience, understanding, and cooperation and a constant companion in a sparkling wit.

The foes Adlai Stevenson bravely faced were the foes of dignity, of humanity and of free destiny. The adversaries he opposed favored a future completely secure but absolutely subservient. His enemies and ours offered an easy road and a broad gate to a place they marked as heaven. Those who turned from the gate were killed. Adlai Stevenson was the champion of another course. He held for patience, persistence, and a little progress. His goal was a cooperative effort to build one step in a stairway for mankind which, if it did not lead to heaven, at least promised perches on a higher ground.

Oh, the sweet balm and healing grace that such a voice has been in this troubled world. The days ahead will be less bright in hope, less safe in wisdom, and less tolerant in humor because his voice will be no longer heard. His family has lost a noble member; his intimates will miss a treasured friend; his Nation will grieve a devoted and effective leader, and the world will mourn one of the sweetest antidotes to grace our sour times.

Mr. GRABOWSKI. Mr. Speaker, few men in history have been so deeply or sincerely mourned as Adlai Stevenson, our late Ambassador to the United Nations.

Mr. Stevenson was a man of the people, yet at the same time and in the best possible sense he was above the people. His thoughts ran deeper, his conversation was more sparkling, his heart was larger. His breadth of vision, his compassion and his goals encompassed all the world.

One remembrance of this was noted in an editorial appearing on July 15 in the Waterbury, Conn., Republican. With the permission of the House, I would like this editorial to appear in the RECORD at this point:

ADLAI E. STEVENSON

A few months ago at the "Pacem in Terris" convocation which opened at the United Nations, Paul Hoffman introduced Adlai E. Stevenson to the dignitaries and newsmen in the General Assembly chamber.

The introduction was awkward, and as Governor Stevenson (he preferred to be called "Governor") walked to the podium the applause was generous and sustained. But then a curious thing happened. It started first in the press gallery, and then spread throughout the huge hall. Instead of abating the applause grew in intensity, the sophisticated audience realizing that here was Adlai Stevenson, the personification of America's commitment to the United Nations, a grand man of world stature.

Members of the press and some people throughout the hall got to their feet. The applause grew louder. And then the great chamber echoed the standing ovation to Adlai Ewing Stevenson.

And Governor Stevenson, as was his wont, received that uncommon ovation with a happy smile, a few gently self-deprecating witticisms, and then proceeded with a speech marked by eloquence, grace, wisdom, and vision. Listening to Governor Stevenson there in the august chamber of the General Assembly one was reminded of how much he has meant to so many people; his own people, the people throughout the world.

Adlai E. Stevenson represented much that was the best in American public life. The pursuit of excellence was his personal and political philosophy, and there is perhaps no better word than "excellence" to describe that quality he brought to American national life.

Lesser men have been more successful than Adlai E. Stevenson. Lesser men have been more popular. But few men have been more deeply respected and loved by their friends and followers.

As with all great men, one could list the various positions of public and national trust he has held; as with all beloved men one could enumerate all the virtues and talents that endeared him to his fellows; as with only a few great men one could recall all the wonderful little phrases and witty remarks with which he greeted both personal praise and personal defeat.

His major deeds were never done; they were thought. For Adlai E. Stevenson was never leader of all his people, but he was their prophet. And at his best, which was nearly always, he was in the most magnanimous sense a prophet for all the world's peoples.

He was one of those men who had the misfortune to suffer sometimes for being right. He was, his opponents said, a man in error. He was too intellectual, too witty, too visionary, too thoughtful, and sometimes too compassionate in a hard-nerved world. Perhaps he was. But to err in that manner, if error be the judgment, was to be a prophet with honor in a world unready, or unheeding, or untamed.

American values place success first and foremost. And by those values Adlai Stevenson might be seen as a man of less stature than many of his contemporaries. But speak to us of quality, of eloquence, of civilized discourse, deep knowledge, and statesmanship, and where were his peers?

A man of true worth is dead, and his country mourns.

Mr. ADDABBO. Mr. Speaker, it was with shock and sadness that I learned of the death of our Ambassador to the United Nations, Adlai E. Stevenson, truly a great man. Ambassador Stevenson literally died in the service of his Nation and the world. His life was one of service to all. We have lost an articulate, hard-working public servant—one who has fought hard for peace in the world and the brotherhood of man.

Very few men are given the many talents that Adlai Stevenson had, talents he used unselfishly for the good of all. The United States has suffered a great loss as have freedom-loving peoples everywhere. The Ambassador will be sorely missed by a Nation forever grateful that we produced such a man.

Mrs. Addabbo joins me in extending deepest sympathy to the Stevenson family.

Mr. BENNETT. Mr. Speaker, one of America's and of the world's real leaders has been silenced by death, the late Adlai E. Stevenson. Seldom do people rise in the ashes of defeat to even greater leadership as did this man. His passing is indeed a tremendous loss to our country.

My companion in war, Jack Arvey, first introduced me to Mr. Stevenson shortly after World War II, long before any thought of the presidency was in his mind. Through the subsequent two compaigns for the presidency and through his great work at the U.N. I repeatedly noticed in him the qualities of brilliance, humility, and courage which characterized him also in his earlier years. America was fortunate to have had him at the council places of great events. The whole world is bereaved by his passing.

Mr. KLUCZYNSKI. Mr. Speaker, Adlai E. Stevenson, another great son of the great State of Illinois, has passed on.

I met him as he entered the political arena in 1947. We campaigned together, he for the governorship and I for the general assembly. To meet him was to be impressed immediately with the warmth of his personality, the wit and wisdom of a great intellectual.

I knew him as the distinguished Governor of our State. His untiring efforts and indefinable ability to read and understand character caused him to gather around him in public service the finest, ablest and most dedicated servants in the public interest of the State. His cultural approach to the needs of his people enabled him to have the legislative assistance that brought to the State of Illinois one of the finest and most efficient establishments of public welfare ever enjoyed.

I knew him when he took on a national image and an endeavor to seek the highest office within this great land. And we all marveled at his ability to accept the democratic will of the people of this Nation. Nowhere in the world can any man compare with Mr. Stevenson in the manner of accepting circumstances of the moment and in preparing to challenge the future. With undying spirit and deep emotion he accepted the subsequent challenges to achieve that high office and when this was not to be, he gave the utmost of his intellect, wit, wisdom and cultural abilities for the benefit of all mankind.

Although deeply saddened by the sudden death of its great son, Illinois stands ever proud to have given to the Nation and to the world this dedicated public servant whose graceful eloquence, intellectual approach and effective endeavors gave to the troubled world assurance and confidence that men can live together in peace if they are inclined to deliberate rather than wage war.

May God in His heaven hold out His benevolent hand to a great servant of all mankind.

Mr. COHELAN. Mr. Speaker, the news of Adlai Stevenson's death leaves us stunned and saddened.

This great and gentle man did much to enliven and enrich the public discussion of our time. No American politician in this century was ever to shape a phrase with more telling intellectual effect. No man did more to raise the level and improve the quality of our political dialog. As a sane yet eloquent voice in an age of danger and discontent, he will be sorely missed.

I am proud to say that it was my privilege to know the Governor from the days of campaigning together in 1952 and 1956. I vividly recall the off-campus speech which he made at the west gate of the University of California where thousands listened to his exhortations for a society that would deal with the modern world instead of living in a state of national delusion.

I recall him again in Albany, Calif., and the wit and good humor with which he addressed a group of citizens, many of whom were committed to his opponent.

It is significant, I think, to remind ourselves that he spoke on issues which were frequently untried and untested. Yet the genius of the man was that he lived to see many of them accepted and espoused by others.

It was at the United Nations, however, where Ambassador Stevenson made what historians perhaps will consider to be his greatest and most lasting contributions. His dedication to the cause of justice and of peace; his concern for freedom, for human dignity, and for rational discussion in a nuclear age, will live on long past the life-span of any single man. The United Nations itself is a stronger force for the causes he and we hold dear because he served it faithfully and well.

His passing at this time is particularly cruel for seldom has he been needed more in the councils of the nations. But we are fortunate to have had his rare talents at all. Men like him do not cross the public threshold often and we are richer for his presence.

Let us then pay him the tribute he so much deserves. Let us take up the tasks he can no longer continue. Let us make the world a better place for all its citizens and a greater treasure for our children.

Mr. ARENDS. Mr. Speaker, no words of mine are necessary to express the grief so deeply felt throughout the country—indeed, the entire world—with the passing of Adlai E. Stevenson, our brilliant Ambassador to the United Nations. Others more eloquently and more adequately than I could presume to undertake have reviewed in sorrow the many accomplishments of this great man, endowed by his Maker with the finest of minds and stoutest of hearts.

But I do wish to say for myself, and in so doing believe I express the mind and heart of the people of my district, that he was a nobleman for whom we had the greatest admiration and deep affection. A line from Chaucer well describes him: "He was a very perfect, gentle knight."

He has gone home to Bloomington-Normal, Ill., to a peace and quiet he longed for but never had time to enjoy in life. This is in the district I have been privileged to represent for around 30 years. While we did not necessarily agree with the policies advocated by our native son during the course of his political career, we took great pride in the manner and skill of his advocacy.

It was in his most difficult, and, I am sure, ofttimes most frustrating, role as Ambassador to the United Nations that Adlai Stevenson made a contribution beyond measure. It seemed that he was best fitted by intellect and personality for just such an assignment. When God in His wisdom took him from us, Adlai Stevenson became to the free people of the world a fallen warrior in the cause of freedom, justice, and peace.

Mr. Speaker, Ambassador Stevenson will prove to be, as history is written, one of the foremost men of our time. He has made a contribution to our time that will live for all time.

All of us share the loss felt by his family, and to them we extend our deepest sympathy. While he is no longer with us, his words and his deeds will live with us and after us for generations to come.

Mr. EVINS of Tennessee. Mr. Speaker, a great spirit, a great man has passed from among us.

Adlai Stevenson served the Nation in many dimensions—not only as an official but as an intellectual leader who blazed new trails in new concepts and standards of public service.

He was a statesman.

He was the living essence of democracy, philosophically and practically.

He served the Nation.

He served the world.

In respect to the memory of this great statesman and as a matter of broad general interest to my colleagues and all Americans, I ask unanimous consent that my newsletter, Capitol Comments, be reprinted in the Record.

The newsletter follows:

ADLAI STEVENSON: EMBODIMENT OF DEMOCRACY

(By Joe L. Evins, Member of Congress)

The death of Adlai Stevenson—Governor, statesman, presidential candidate, Ambassador—removes from the American scene one of the most talented men of this century. Adlai Stevenson possessed an eloquence that gave this Nation some of its most beautiful literary passages.

But more than that: he was dedicated to the proposition that the basic strength of our democracy comes from the people.

He said:

"Trust the people, trust their good sense, their decency, their fortitude, their faith. Trust them with the facts, trust them with the great decisions.

"And fix, as our guiding star, the passion to create a society where people can fulfill their own best selves."

Adlai Stevenson's candidacy for the Presidency came at a time when history projected a great war hero—a great military general—following the victory in World War II. That time was not feasible.

Who can ever forget the poignant words of Adlai Stevenson after one of his defeats. He said he "felt like a boy who had stubbed his toe—it hurt too bad to laugh and he was too big to cry."

Governor Stevenson's philosophy was in the tradition of some of our greatest Presidents. He had a vision of a new America.

He visualized our country's growth as one of change and progress.

"There is a New America every morning when we wake up. It is upon us whether we will it or not. Though change is inevitable, change for the better is a full-time job," he said.

Franklin D. Roosevelt espoused the New Deal.

Harry S. Truman championed a Fair Deal for all Americans.

John F. Kennedy extolled Americans to cross the New Frontier into an era of excellence and progress.

Today Lyndon B. Johnson is building the foundations for the Great Society where every American will have the opportunity for fulfillment. This Stevenson visualized and predicted.

Following the elections of 1952 and 1956 your Representative had occasion to remind Governor Stevenson that had the Nation gone like the great fourth district in those two elections, he could have been President. He always chuckled, grinned wryly, and was pleased.

While Governor Stevenson did not become President, he became a heroic figure in the United Nations where he fought with all his eloquence and will to curb aggression and to maintain the U.N. as an effective organization for world peace.

He held high the flaming torch of freedom even in dark hours when crisis threatened to erupt into holocaust and when divisions threatened.

"Nor should we despair," he said a month ago.

"The art of open government has grown from its seeds in the tiny city states of Greece to become the political mode of more than half the world.

"So let us dream of a world in which all states, great and small, work together for the peaceful flowering of the republic of man."

He hated hypocrisy in all dimensions of American life—but especially in politics. He urged candidates to talk sense to the American people. He had a keen wit and sharp sense of humor. His words sang with the beauty of perfect expression.

Samples of his wit are preserved in these lines:

A certain candidate for high office, he said, was "a man who thinks everything will be better in the rear future."

He began a speech shortly after his presidential defeat by saying, "A funny thing happened to me on the way to the White House."

"An editor," he said, "is one who separates the wheat from the chaff and prints the chaff."

"An independent," he said, "is a guy who takes politics out of politics."

Adlai Stevenson was a great American.

He was the embodiment of the democratic man. He was a statesman and a worker for peace.

He believed in the brotherhood of men of all nations—and of every nation.

He believed in America and sensed that its true greatness and its true strength lay in the wisdom and dedication of its people.

Mr. O'NEILL of Massachusetts. It is with sadness that the world records the death of one of its most noble statesmen. Adlai Stevenson shared with people everywhere a love of peace. Perhaps this dream—the dream of peace—is a common dream. But Adlai Stevenson was not a common man.

He shouldered responsibility of a weight few men could bear. He did not begrudge the often thankless, the always difficult tasks of a public figure, either as Governor of Illinois, as a candidate for the Presidency, or as Ambassador to the United Nations.

In his years in the United Nations, Adlai Stevenson typified to the rest of the world what is best in the United States. His duties there were often harsh and often arduous, but he performed them with a zeal and dignity which both befitted the man and credited the Nation which he served so selflessly.

Adlai Stevenson is dead and we are the poorer for this loss, but we are prouder for the legacy which he has left to us. He envisioned a world where peace reigned and war was unknown, where law was supreme and violence was a stranger. He was convinced of the greatness of America and of its place as a leader of freemen.

It has been said that Adlai Stevenson was a front runner who always ran second. But he was taller in defeat than the winner. His wisdom and dedication combined with a fund of personal charm endeared him to people of all parties, of all States, of all nations.

The world mourns his death. But we cherish the life he lived.

Mr. RONAN. Mr. Speaker, the death of Adlai E. Stevenson has saddened the whole Nation and freedom-loving people everywhere. We from Illinois are particularly grieved over the loss of one of our State's greatest sons and one of our Nation's finest statesmen.

Adlai Stevenson served his country in many ways and always with ability and distinction. It was my privilege to have served in the Illinois State Legislature when he was Governor and to view from close hand this remarkable man. It was near the end of his term as Governor that he was suddenly thrust into the national spotlight at the 1952 Democratic convention. In a seldom if not rare instance in the annals of national politics, he became the object of a genuine draft and was nominated to be the standard bearer for the Democratic Party in the 1952 election and again in 1956. His double defeat for the Presidency did not dim the luster of his personality, nor was it the twilight of a great career.

Instead, as we all know, he went on to render even greater service to his country as U.S. Ambassador to the United Nations. In this capacity, as a servant of his country, he was struck down while on a mission to London.

Adlai Stevenson was a man of many talents; scholar, writer, diplomat, and above all, statesman. He was a master of the finely honed phrase and his superb wit was always in evidence. There were hints that he would have preferred to have spent his last days in quiet reflection, sharing through his speeches and writings, the vast accumulation of experience and knowledge gained over the years. The call to duty, however, was stronger. And although he sometimes seemed to despair over the hectic and frantic atmosphere of international diplomacy at the United Nations, he never wavered in his determination to make that organization a force for peace in an uneasy world.

To the surprise of some who did not know him well, he excelled as a stanch defender of our Nation and its policies whenever we were under attack or threatened by our adversaries. His was a voice of reason and understanding in an arena that is all too often a sounding board for self-seeking demagogs. He will be missed as only men of his stature are missed.

My heartfelt sympathies go out to his family in this moment of national sorrow.

Mr. ULLMAN. Mr. Speaker, ordinary language seems strangely inadequate in expressing the sorrow of the American people upon the untimely passing of Adlai Stevenson. In the career of this great American every act was characterized by unassuming dignity, yet his own natural eloquence will itself serve as the most lasting tribute to his magnificent work. In his life there was the grace of dignity coupled with rare intellectual insight, but qualities of the academic were blended with a profound, sympathetic understanding of the human condition. His voice, though always restrained and measured, was both prophetic and genuinely realistic; few who heard his articulation of the loftiest national principles will be able to forget. Each coming year will add to the memory and the impact of his words. Among them were these:

> The most important single event in our history is that it is our turn to be freedom's champion, indeed her shield and sanctuary. * * * A consciousness of the limits of our wisdom is our best companion because it is the root of responsibility * * * let us dream of a world in which all states, great and small, work together for the peaceful flowering of the republic of man.

With an unalterable commitment to the furtherance of human integrity, marked by a largeness able to withstand the demands of rigorous introspection, and esteemed for the patient humor and incisive wit and mature wisdom, Adlai Stevenson will long be remembered by all those who cherished his convictions of a world united in peace and harmony.

Mr. HANLEY. Mr. Speaker, it is in the nature of things that from time to time, men of prominence and renown pass from the national and world scene. On such occasions, it is traditional for Members to speak in praise of the accomplishments of the well-known figure and to lament his loss. Too often, in the sadness of the moment, we are given to somewhat overstating the importance and influence the individual had on events and the times in which he lived. However, in a few rare instances, when one of the greatest of men passes from our midst, attempts at exaggerating his importance and influence would be superfluous since a simple recounting of his life and deeds is sufficient to remind us of the loss that is ours because of his death. Such is the case today when we are called upon to observe the passing on Wednesday last of Adlai Stevenson, of Illinois.

When the history of this generation is written, the words and achievements of Adlai Stevenson are destined to be looked upon as the accomplishments of one of the truly great men of our time. Then, when lesser men who have imposed themselves on the center of the world stage have been forgotten, Adlai Stevenson will still be remembered.

Born into a heritage of public service, with a former Vice President of the United States as a grandfather, and a father who served as secretary of the Illinois State Senate, Governor Stevenson continued an admirable family tradition and devoted his life to the service of his State, Nation, and fellow man. His public career spanned more than three decades, beginning with his appointment as Special Counsel to the Agriculture Adjustment Agency in 1933 and continuing until the time of his death on a London sidewalk a few days ago. In each of the positions in which he was called upon to serve, Governor Stevenson did so with the dignity and grace that earned him the respect and admiration of friend and foe alike.

Of all the titles Mr. Stevenson held by virtue of his numerous positions, he was proudest of being called Governor—for, as he said, a Governor is elected by the people. His respect for and faith in the people never faltered and his every action seemed to be done with the understanding that their well-being was the primary objective of a democratic society.

When the people called, Adlai Stevenson answered. His administration of the Illinois statehouse was such an impressive display of leadership and competence that Governor Stevenson achieved national recognition, culminating in his nomination for the Presidency of the United States. Although he received less votes than his opponent each time he ran, his electoral defeats were not necessarily losses.

One of Governor Stevenson's greatest talents was his facility with words. During his two presidential campaigns, he used this talent to raise the dialog of American politics to new heights in the tradition of Lincoln and Wilson, two of his personal heroes. His refusal to "talk down" to the American people caused him to be criticized in many quarters. But his faith in the intelligence and integrity of the American people as well as his own personality made him willing to accept the possibility of losing some votes rather than sacrifice his belief that in a system such as ours, where the people ultimately decide who shall lead, candidates for office should inform as well as cajole the electorate. For Governor Stevenson was a man of the people, although not one of them—no great man ever is. By definition, he stands apart and above the rest.

Although he was not given the opportunity to serve in the highest office in the land, Governor Stevenson continued to exercise a significant influence on the affairs of this Nation. In the years when he was without an official position, Adlai Stevenson spoke out on the great issues facing our country with such eloquence and clarity that his words and ideas were listened to and admired by leaders throughout the world.

When John Fitzgerald Kennedy ascended to the Presidency, Governor Stevenson was again called upon to serve in an official capacity. As Ambassador to the United Nations for the past 4½ years, he served with unexcelled distinction and honor. In most instances, a man is elevated by the institution of which he becomes a part, but in this case, the man brought greater prestige to an already prestigious organization merely by his participation in it.

Throughout his life, Adlai Stevenson championed the cause of peace. It is indeed fitting that he should spend what turned out to be his last year leading his country's delegation in an organization who primary objective is the preservation of peace in the world. America and the world will be forever in his debt for his indefatigable efforts in behalf of such a noble cause.

Over the entrance to the National Cathedral where the Governor's body lay in state while in Washington was the inscription, "The Man of Peace". This seemed most fitting as a description of the character of this truly universal man who now has become part of the history he played so great a role in shaping.

Mr. ROONEY of New York. Mr. Speaker, I was greatly shocked and saddened to learn of the untimely passing of the Honorable Adlai E. Stevenson. He was a great American who wholeheartedly devoted his efforts to promoting worldwide peace and freedom.

In his capacity as U.S. Representative to the United Nations, Adlai Stevenson served with distinction and gave unstintingly of himself in the service to his country. He was indeed a great statesman and a true diplomat, who searched unceasingly for ways and means to make this a better world in which to live. His death is a tragic blow and a great loss to all mankind who strive for eternal peace, and although he is now gone from us his memory will live forever.

I extend to his sons, his sister, and his loved ones my sincere and deepest sympathy in their bereavement.

Mr. ROONEY of Pennsylvania. Mr. Speaker, we are joined today in universal sorrow at the death of one of the free world's greatest citizens.

Adlai Ewing Stevenson was a man of consummate grace and intelligence.

He became a spokesman for the Democratic Party at a time when our party needed an eloquent voice. No man could have given more dutifully of his personal energies.

Somehow those years seem far, far away in our history.

We say them, now, and they almost have the ring of another century. Nineteen hundred and fifty-two was a time of great transition and grave change. Nineteen hundred and fifty-six brought us nearer the threshold of the dream of peace we hold forever as part of our democratic system.

How thankful we should be, now—how grateful we should have been, then—for that single, lonely voice that spoke to us in the midst of our complacency.

He came to the platform in Chicago on July 26, 1952. The harsh lights of the television crews and the exploding flashbulbs did not flatter his receding hairline; they put an added highlight in his eyes; they made him seem a little older, a trifle smaller in stature, a good deal more subject to caricature than he really was.

And then he spoke these words:

> Let's talk sense to the American people. Let's tell them the truth, that there are no gains without pains, that this is the eve of great decisions, not easy decisions, like resistance when you're attacked, but a long, patient, costly struggle which alone can assure triumph over the great enemies of men—war and poverty and tyranny—and the assaults upon human dignity which are the most grievous consequences of each.

Few people in his audience had ever been exposed to an orator like Governor Stevenson. His voice was clipped and measured; it had none of the florid, flowing effusiveness of the old-fashioned political speaker.

It was the voice of a teacher who loved children.

It was the voice of sanity and reason.

It was the voice of rational, intelligent dissent.

The level of American political debate was elevated immeasurably by that one speech. It grew and matured with each new one he gave during the course of that ill-fated campaign.

No man in our modern history presented a more complex and varied personality to his listeners.

He was a man of culture and we should be proud, as a people, that he was, for he brought a new dignity, a new public notice to the intellectual that a climate of fear had stifled and denied him.

The sum of a man's life is counted in many things.

Adlai Stevenson was a great speaker. He was an accomplished writer. He was a genuine and witty commentator on his country, its minor foibles and its occasionally pretentious politicians.

More than everything else, he was a true American patriot.

In New York City in August 1952, he gave this definition of his own ideal kind of patriotism when he said:

> A patriotism that puts country ahead of self; a patriotism which is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime.
>
> When an American says that he loves his country, he means not only that he loves the New England hills, the prairies glistening in the sun, the wide and rising plains, the great mountains, and the sea. He means that he loves an inner air, an inner light in which freedom lives and in which a man can draw the breath of self-respect.

No man since Thomas Jefferson has so clearly enunciated a meaning for personal patriotism.

No man of modern times has more definitively lived up to his own aspirations.

Adlai Stevenson truly lived a life of tranquil and steady dedication to America's cause and America's people.

Many of us drew strength and inspiration from him.

We have a lifetime of memories and a lot more self-respect to show for that.

Mr. RHODES of Pennsylvania. Mr. Speaker, with the death of Adlai Ewing Stevenson, our Nation lost one of the great men of this 20th century. Like the late President Kennedy, Adlai Stevenson was more than a national political figure. He was known and respected throughout the world.

The career of this talented and dedicated public servant carried him from the governorship of Illinois to two unsuccessful bids as a Democratic nominee for President of the United States. It was at the Democratic National Convention in Chicago in 1952 that I first met him. His simple eloquence won him not only this nomination but in years to come many millions of devoted admirers.

His public life was capped by his great career at the United Nations. His dedication to the cause of justice and of peace, his concern for freedom, for human dignity and for a reasonable and rational discussion of the dangers of the nuclear age will live on for generations to come. Today the United Nations is stronger because Ambassador Stevenson served it faithfully and well. In championing high ideals as representative of the United States, he won the respect, admiration and affection of the world Assembly.

Those of us who had the privilege of knowing him were not surprised by his ability to communicate to men of diverse cultures and beliefs. Besides his brilliant mind, he possessed the common characteristic of all truly great men; a compassionate understanding and willingness to help the less fortunate.

It was this trait which endeared him to the world. His belief in democracy can best be expressed with his own words:

> Trust the people. Trust their good sense, their decency, their fortitude, trust them with the facts, trust them with the great decisions.

Under leave to extend my remarks, Mr. Speaker, I include the following editorial from the Pottsville, Pa., Republican:

America's Finest Voice

It must be left to future historians to make a final assessment of the character and accomplishments of Adlai Ewing Stevenson.

He was too complex a man, the times in which he lived and worked are as yet so unsorted out, he fell so suddenly in full career, that we can do little more than mourn the loss of an immensely respected and valued public servant.

What marks Stevenson left on history are still obscure, as was the man himself to many Americans.

He was a politician, and at the same time a contradiction of the popular image of a politician. He was the despair of party bosses, yet won election to the governorship of Illinois in 1948 by the greatest landslide in that State's history.

It was, however, the only election be ever won.

His admirers saw in him the intelligence of Jefferson, the integrity of Lincoln, and the idealism of Woodrow Wilson. To others he was an aloof and disturbingly superior man, imbued with an intellectual humor and seriousness many could not appreciate.

Born only a month after the 20th century began, Stevenson was one of the few men in our history who nearly reached the highest office in the land by not seeking it, at least in the beginning.

That was in 1952, when he was suddenly projected into the national limelight by his unexpected nomination for President by the Democratic Party.

We can only speculate on what turn history would have taken had his opponent been someone other than the enormously popular Dwight Eisenhower.

Only in recent years, since his appointment as Ambassador to the United Nations by President Kennedy, have we come to realize that Adlai Stevenson was far more than the man who was defeated twice for the Presidency.

Only now do we realize how long and how close and how vital was his association with the U.N., which he maintained, through every crisis that assailed it, was "the hope of the world."

He was involved with it from the very start, when in 1945 he was appointed Special Assistant to Secretary of State Stettinius to assist in the planning of the world body. In 1946–47, he served as a delegate to the General Assembly.

It was as Ambassador, however, the post he held from 1961 until his death, that Stevenson's stature as a statesman of the highest rank and his eloquent fitness as spokesman and defender of his country and the free world became impressively evident.

More than an American has passed. A citizen of the world—the world of today and the world we hope to build—is gone.

More than a nation is stunned. A world grieves.

Mr. Speaker, praise and commendation for Adlai Stevenson also came from the Sunbury, Pa., Daily Item in its July 15 issue.

The former U.N. Ambassador was lauded in an excellent editorial, entitled "Thoughts in Passing," which I include with my remarks:

Thoughts in Passing

Adlai E. Stevenson, whose death Wednesday in London shocked admirers over much of the free world, was a public figure for many years whose talents came to be appreciated more with the passing years.

He had been elected Governor of Illinois and was chosen when Harry Truman occupied the White House to represent this Nation in a number of international conferences. This was the beginning of his lengthy period of devoted service to the United States.

He was thrust into national prominence in his two unsuccessful campaigns for the Presidency as the Democratic nominee opposing Dwight D. Eisenhower.

He fulfilled many more missions for his Government before he was made U.S. Ambassador to the United Nations by the late President John F. Kennedy. He was one of the architects that founded the United Nations 20 years ago in San Francisco, and he was firm in his belief that the U.N. could be the greatest body to insure world peace that man has known to date.

He was articulate and self-possessed, and came to symbolize the "egghead" intellectuals who served as consultants to Washington administrations. He was a liberal, and although some of his ideas drew fire from conservative ranks, his sincerity was never doubted.

Mr. Stevenson was at his best in some of the rough and tumble debates in the U.N. with Russian delegates. In leveling accusations against Soviet subterfuge and sham, he pulled no punches. Nor was he at a loss to respond when Russians mouthed ideological prattle from the forum of the U.N. He had enormous energy that carried him to many parts of the world and he was conversant with many of the problems that arose in the United Nations.

The passing of this diplomat is sincerely mourned by men of both political faiths in Washington. They know that he was a patriot, one who was devoted to America's interests.

Mr. Speaker, I also wish to include the tribute to Adlai Stevenson published in the July 23 issue of Life magazine which follows:

America Lost Its Foremost Advocate and Its Most Eloquent Spirit: Stevenson of Illinois

Among the things that gentle Adlai Stevenson hated in this life were injustice, bigotry, cruelty—and cliches. One may search his words in vain for the facile and banal. He would no doubt have been amused to read his own obituaries. One can imagine him wincing, meanwhile ducking his head like a schoolboy uncertain as to his shoeshine and his buttoning, at such triteness as this: Stevenson was from Illinois, heartland of America, and was its stanch and incorruptible Governor; he was a rallying point, a gallant loser, a standard bearer of wit and wisdom in a wintry time. All this, of course, he was.

He had thought, after his campaigns for the Presidency against a war hero, that he was doomed to the obscurity reserved for those who ran against General Grant. He survived to become what President Johnson called America's "foremost advocate and its most eloquent spirit." Somehow in his uncompromising, witty, and human appeal to Americans he touched what Lincoln called "the better angels of our nature." Although he was often accused of Hamlet-like indecision, he revealed as U.N. Ambassador a toughness that stirred his country as he denounced the lies of its enemies. In a time marked by anti-intellectualism, he became—without willing it—the voice of thought and grace in his own Nation and in the world.

Mr. MATHIAS. Mr. Speaker, all men of good will mourned the sudden death of Adlai Stevenson. And all men hope and pray that his ideals, the ideals of peace and enlightened understanding, will endure.

But peace can be achieved only through the cooperative efforts of countless diverse citizens of this world. Through his dedicated service in the United Nations, Ambassador Stevenson greatly encouraged international understanding and cooperation. Thus there is no more appropriate memorial to this great man than the Adlai E. Stevenson Fellowships announced yesterday by President Johnson. These fellowships will bring young people from throughout the world to the United Nations, there to study, learn, and gain an increased understanding of each other and the problems common to all nations of this globe. These fellowships are an investment in the future leaders of the world, and they serve notice to all lands that Ambassador Stevenson's nation intends that his spirit shall endure.

Mr. CORMAN. Mr. Speaker, much has been said in recent days about the life and the works of Adlai E. Stevenson. Those of us who admired and revered him have recalled the qualities of humility, integrity, intelligence, and eloquence which made him one of the most distinguished public servants of our time.

When we think of Stevenson, we think immediately of the nobility of his character. But it was as a politician, when he was meeting his harshest disappointments, that Stevenson showed most clearly the height of his stature.

If there was one sentence that guided Stevenson's political life, it was his simple plea, "Let's talk sense to the American people."

Adlai Stevenson talked sense. He spoke candidly at a time when we sought complacency, offering challenges instead of reassurances and facts instead of platitudes.

When we asked for an easy solution to international problems, Adlai Stevenson said:

> The ordeal of the 20th century is far from over. Sacrifice, patience, understanding, and implacable purpose may be our lot for years to come.

When we demanded a simple formula for prosperity and comfort, Adlai Stevenson told us "that there are no gains without pains, that this is the eve of great decisions, not easy decisions."

Adlai Stevenson talked sense to the people. His words were profound and often difficult to comprehend. Yet he insisted on confronting us with a world that is complex and changing, where the challenges are great, the answers are difficult, and where patience is the indispensable virtue.

Today, we are beginning to follow the course that Adlai Stevenson charted. We are responding, in the words of John F. Kennedy, to "a call to bear the burden of a long twilight struggle." We are coming to realize that the world can no longer be understood in simple, easy terms. And with this realization, we are starting to move toward the path to a better world where Adlai Stevenson sought to lead us.

Adlai Stevenson talked sense to the American people. By doing so, he brought a new measure of awareness and understanding into our political life. We who stand in his shadow can do no higher honor to his memory or to ourselves than to follow his example.

Mr. YATES. Madam Speaker, I thank the gentlemen for their comments.

Madam Speaker, perhaps the greatest force in Adlai Stevenson's life was another great Illinoisan, Abraham Lincoln. Mr. Stevenson was an outstanding Lincoln scholar. I think I would like to close the tributes, the moving and sensitive and perceptive and thoughtful tributes that have been expressed today to the memory of Adlai Stevenson by the phrase that was used when Abraham Lincoln died: "Now he belongs to the ages."

ARE TRADING STAMPS CONTRIBUTING TO THE PRICE RISE OF FOOD?

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. WOLFF], is recognized for 30 minutes.

Mr. WOLFF. Madam Speaker, it is with a heavy heart that I approach this rostrum this evening and join with my colleagues in tribute to Adlai Stevenson. This Nation is richer for Adlai Stevenson, it is poorer for his passing. If I knew Adlai Stevenson he would have said, "carry on."

Madam Speaker, we are Congressmen but we are also consumers. Our wives, and tens of millions of others, go out each day to buy our evening's meal. And the price we pay for that food continues to go up and up. Why? Is it because of trading stamps? To what extent does the ascendancy of trading stamps on the food market contribute to that rise? The question has never been fully answered. In fact, the most recent comprehensive Government agency studies available are 7 years old and stamps have increased to astronomical proportions in that time to where stamps now account for more than $38 billion of related retail sales.

Today trading stamps are everywhere. Some of our wives take them—or maybe our wives do not want them, but they take them, because they realize they are paying for them anyway. Get a couple of blue stamps and you have got to continue to patronize those stores that give blue stamps—get a couple of red ones inadvertently and here we go again.

But all this is nothing new. That has been the modus vivendi of the trading stamp plan ever since it was first developed in 1891. And I do not mean to resurrect a dead horse in bringing it to the attention of this body today. Rather, I do it because trading stamps have so permeated the American scene that we should, we must, better understand their functioning if we are to correctly diagnose and prescribe for our economy.

The average food market operates on a one-half to 2 percent of sales margin for profit—yet trading stamps cost it 2 to 3 percent of sales—that is if the market is lucky and does not have to sponsor double or triple stamp days, other giveaway promotions or wads of free stamps. The trading stamp companies used to claim that stamps were paid for by increased volume. But everybody eats—and though the first store to adopt stamps may have diverted customers away from other stores, now that almost all stores have stamps, who does pay for the stamp program? If we are going to hold down the cost of living, is it not time we found out? An authoritative study on trading stamps once remarked that to assume that anyone, but the consumer, paid for the cost of stamps, just like she pays for everything else associated with a business, was patently ridiculous. Is it not?

Just how much business are the trading stamp companies doing a year? We just do not know. And by not knowing, how can we protect the consumer from any irregularities there might be? After all, one stamp company is already issuing more stamps a year than the U.S. Post Office. Stamps are becoming legal tender, they are already a medium of exchange. Are we not obligated to supervise all such items and their extension? In 1961 about 15 percent of total U.S. retail sales were made by stores offering trading stamps. The figures are even more impressive today. Over 43 percent of all food sold each year goes through stores that use stamps—well over a third of all sales of service stations and 15 percent of all drugstore sales, tie in with stamps.

By their very nature, the operations of some trading stamp plans create certain questions. For instance, if we take the figures given by one source on trading stamp sales for 1964—some $950 million—over $38 billion in retail sales are tied in to trading stamps. Allowing the companies the 95-percent redemption they claim for tax purposes means that almost $1 million in unredeemed stamps is distributed each week—$50 million in sales each week are tied to stamps never to be redeemed. What happens to this money? What are the companies doing with the pool of interest-free tax-free money reserved ad infinitum against stamps that may never be redeemed? What are the redemption rates anyway? Is it true that stamp companies have reserved about one billion tax-free dollars since 1950? Many have questioned the 95-percent figure allowable by the Internal Revenue Service. Does this figure have any basis in reality at all? Stamp companies are more than reticent about releasing their actual figures.

And the questions continue: Are stamps really time purchases? Are they installment buying? It would appear that trading stamp companies have a very low ratio of invested capital to total assets. Thus, they are in the main operating with other people's money just like a savings or commercial bank. Should not they also be regulated in some way as holding a public trust? Is the consumer getting interest for his money? What happens when a stamp company goes out of business—and they have—to these time payments? What right does the stamp company have to change the number of books necessary for an item—a bank cannot change the interest rate in midstream while you are paying back a loan. And are we not already concerned with the great boom in installment buying of which this is a contributing factor?

What about the redemptions themselves? Are the consumers getting items of just value? If there are price rises attendant on the addition of stamp plans, would it be cheaper for a consumer to go out and buy one of these items in a discount store, or a department store? What is the premium market itself doing to the neighborhood hardware store? Stamp companies are already the largest purchasers of appliances. What is this doing to small business throughout the Nation? Is this unfair competition?

And what about the small man? Can he afford a truly competitive stamp plan? Is the stamp industry running the small retailer out of business? Our whole system of fair trade laws was built up to preserve the small business firm—are we allowing circumvention of the law and its intent to void past legislative decisions?

And what about the intangible effects? What about the old specials, the weekend leaders—that benefited both the consumer and the retailer?

The greatest price rises in foods today are in perishable items—fruits, vegetables, and meats. The drought and shortages account for some of these price increases. It is interesting to note in the last Department of Agriculture study—now 8 years old—these same items were indicated as those in which there was the greatest differential between stamp and nonstamp stores—over 6-percent difference in prices to the consumer. What about the gas stations that offer the consumer the choice between a price discount and trading stamps? Are not they admitting a price rise with stamps?

Are stamps a tie-in sale? What about the question of competitive advantage held by stores which are large enough to own their own stamp companies? Are there instances here of exclusive dealings and price discrimination? What about the practice of proximity selling in the gas station field?

I throw out all of these questions, because I just don't know the answers. But we should. We should as legislators; we should as protectors of the small businessman; we should as protectors of the consumer. The questions must be asked and answered. In its own bailiwick, the Federal Trade Commission has in the past conducted investigations and fulfilled its statutory authority in this regard—but the paths along which it may tread are narrow, the trees separating it from the other governmental agencies are thick, and the undergrowth plentiful and entangling. The Justice Department, the Department of Agriculture, the Department of Commerce, the Small Business Administration, and other governmental agencies and representatives have all, at one time or another, entered the picture. But each was interested in only a segment of the problem, each investigation was rather short lived and confined in scope.

I am asking today that each of these agencies of Government begin anew their studies, coordinating them this time perhaps under the aegis of the Special Assistant to the President for Consumer Affairs recently appointed to represent Mrs. Housewife amidst the tangle of Government. But because the machinery of Government is often ponderous and ungainly, in the interim I shall hold an informal factfinding study of my own. Meetings will be held in Washington and New York—companies will be invited to discuss with us their problems and their causes—individuals will be given a chance to air their gripes and present their grievances. You, as Members of Congress, are invited to participate in all phases of these meetings. They will be open and frank.

Some of these questions have been asked before. We never received the full answers. Many of them are new—born of an age when trading stamps have filtered into, and supersaturated, many sectors of the economy.

The American family deserves greater attention to this problem. I ask the Members of this body to find the answers and act accordingly.

Mr. RESNICK. Madam Speaker, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from New York.

Mr. RESNICK. Madam Speaker, I would like to commend the gentleman from New York for bringing this subject up, and I wish to associate myself with his remarks. He did an outstanding job in bringing this to the attention of the Congress and the American people.

Madam Speaker, I share the concern of the gentleman from New York that many of these questions be raised about trading stamps and, for once, be conclusively answered. Studies we do have—and most of them belong to the decade of the fifties—are conflicting; they are the product of either special interest or emotionalism. At this point in our economic development, when we are concerned over the extent of credit buying and rising prices, especially in the food sector, it is important that we know to what extent stamps have contributed to this rise; that we know whether stamps are time purchases, and if so, what happens to the interest charged, or the interest-free capital the stamp company gets. It is important that we learn the workings of a billion-dollar industry. What are the actual redemption rates? What rights does the consumer have if not one of the reputable, but a fly-by-night stamp company goes out of business?

Now we have had extensive experience in our daily lives with stamps—now whole areas of our Nation are blanketed with these little gummed pieces of paper. Can all the stores that carry stamps increase their volume enough to pay for stamps without having to pass this cost on to the consumer? Are the stamp companies exercising enough self-restraint that we could consider them regulating themselves?

What about the complaints of disgruntled merchants—both those who have and who do not have stamps? What about the neighborhood hardware stores? The neighborhood grocery store? What about the owner who is in a constant price squeeze?

In short, I think the gentleman from New York has raised questions which should be answered. We as legislators must ask questions, we must know something about as massive an industry as one that affects $42 billion in retail sales. Let us hope the answers will be forthcoming shortly; we have already waited too long for them.

Mr. McCARTHY. Madam Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MINISH. Madam Speaker, I should like to commend the gentleman from New York for bringing the important question of the relationship between trading stamps and food prices before the House today.

This is a problem of deep concern to me. I feel strongly that consumers should be aware of the facts surrounding these stamp plans that so sharply affect the cost of living. Various studies and investigations have been made by Federal agencies in past years, and I recently requested the Federal Trade Commission and the Department of Agriculture for data on their inquiries.

I have also recommended to the chairman of the Banking and Currency Consumers Affairs Subcommittee, upon which it is my privilege to serve, the advisability of hearings on trading stamp operations. Under our able chairman, the Honorable LEONOR K. SULLIVAN, this subcommittee has been a highly effective champion of consumer rights. It would be most worthwhile to focus full attention upon this problem that so directly affects American families. The National Commission on Food Marketing held a 3-day hearing on the subject in May, and the testimony developed then should provide most valuable information.

I have further been in communication with Mrs. Esther Peterson, the Special Assistant to the President for Consumers Affairs, as to the need for an educational campaign in stamp plan practices. The undeniable appeal of trading stamps cloaks the additional price paid for essential commodities that their usage necessarily entails—money that could well be used for other purposes if the customer had real freedom of choice. In essence, collecting stamps amounts to buying merchandise on a prepayment plan. Indications are that the higher grocery prices required by the food market to cover the stamp premium exceeds the price the consumer would have to pay were he to shop for his gift with cash.

American families spent 18.5 percent of their disposable income on food products in 1964. With more than 43 percent of food purchases going to stores that use stamps, it is important that we determine the relationship between stamp plans and food prices. As our colleague from New York has observed, stamp companies today are making more money on the sale of food than the food merchant himself.

Apart from protecting consumer rights, a major element in the problem is the burden upon small business firms that are compelled to participate for competitive reasons that in the end are damaging to all but the stamp company. Take, for example, gasoline retailers who are the second largest users of stamps, ranking only behind food markets. Originally, a beginning stamp program can be a boon to a gas station owner. The station's volume increases and the cost of the program is more than offset by increased gallonage. Then, the station across the street sees his business going to his stamp-giving competitor. Out of self-defense he, too, initiates a stamp program. Soon a situation is very likely to arise such as we saw on our own Georgia Avenue here in Washington last November. Ten out of thirteen stations in a 26-block stretch on that street were issuing the same trading stamp.

These retailers were obviously paying for something they were not receiving; that is, a competitive advantage. And the consumer—how many stamps wind up crammed into glove compartments? Who can really believe that the consumer will not pay for these stamps eventually through higher prices that could otherwise be reduced?

The Greater Washington Service Station Association recently polled its membership on the question of using stamps as merchandising tools. Seventy-nine percent of those who responded directed that the association not only be opposed to stamps in any and all forms but take positive, aggressive action to eliminate the existing problem. The association has undertaken a campaign to make consumers aware of the fact that a penny per gallon price savings is a far greater value to the customer than trading stamps.

Trading stamp plans constitute a billion dollar a year industry, with hundreds of companies operating programs. A premium of at least 6 percent is earned by these companies as approximately that percentage of stamps is not redeemed. Incidentally, it should be pointed out that the expense of the stamps is borne by the customers who do not use them, as well as by the users, since the higher prices are paid by all. Those who do not save stamps are charged for merchandise they will never care to claim.

It is time that we took a fresh look, in the light of current circumstances, at the operations and methods of trading stamp companies. There is no thought or desire on my part to inhibit legitimate business activities, but I do feel strongly that there is need for a thorough inquiry into stamp practices and their impact upon the consumer and the retailer.

Mr. McCARTHY. Madam Speaker, I ask unanimous consent that the gentleman from New York [Mr. RYAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Madam Speaker, I want to commend my colleague from New York [Mr. WOLFF] for bringing this matter to the attention of the House and for raising a series of important and relevant questions about trading stamps and their economic effect.

Stamps have infiltrated merchandising ranks; the price of food has risen. We should be vitally interested, as the gentleman from New York pointed out just a few minutes ago, in any connection that may exist. This issue must be explored in a dispassionate, comprehensive way.

Consumers are concerned about this problem. Who is paying for trading stamps? Is it not the housewife every time she goes shopping? Whose money is filling up the multimillion-dollar reserves of the companies against stamps that may never be redeemed? Is it ours?

How can we forget studies like the one done by the Agriculture Department in 1957 which showed a 6-percent price differential between stamp and nonstamp stores in the price of fruit and vegetables?

If the price of an evening meal contains part of a new toaster, we should know about it. I want to know about it as a consumer. I want to know about it because the hardware store down the block where I used to buy my toaster is having a hard time. I want to know if the neighborhood grocery store is being squeezed out of the market. I have fought to protect small business.

How many toasters are being bought each year along with our tomatoes and cantaloup and how many of those toasters are really obtained? Are our consumers getting what they paid for?

Mr. Speaker, I urge that the appropriate Federal agencies conduct a full investigation into the various questions which have been raised. Without proper regulation the distribution of trading stamps is subject to many possible abuses. Action is required before it is too late.

LOPSIDED ESCALATION OF THE WAR IN VIETNAM

The SPEAKER pro tempore (Mrs. GREEN of Oregon). Under previous order of the House, the gentleman from California [Mr. GUBSER] is recognized for 20 minutes.

Mr. GUBSER. Madam Speaker, as a member of the Committee on Armed Services of the House of Representatives, it is my obligation to speak out when I believe we are making serious military mistakes.

President Johnson's policy in Vietnam to the present has received my enthusiastic support. I still support the principle that this Nation has a moral obligation to assist the people of South Vietnam to resist the terrorist tactics of the Communist Vietcong. Americans cannot accept the murdering of civilians including women and children, the pillaging, the torturing, and the cruelty which characterizes Vietcong tactics.

In addition to its moral justification, President Johnson's strong military commitment in southeast Asia is correct on legal grounds and is in our national self-interest. The President and Secretary of State have clearly stated our legal right to be there. Furthermore, our homeland, our system, and our freedom are in jeopardy if we do not take a stand against communism in Asia and if we allow free government to disappear.

My concern is not whether we should be committed to defeating communism in Asia, but whether we are presently going about it in the right way. I believe we are now making two serious mistakes.

First, present administration policy is one of lopsided escalation which accepts the liabilities of escalation and claims few of the benefits.

Present administration policy seems to be one of escalating the ground war and curbing other military action which complements the ground effort.

For many weeks it has been well known that ground-to-air missile installations—SAM sites—have been under construction in the vicinity of Hanoi. The press reports at least two of these sites in an operational condition except for the actual installation of the missiles themselves. Not to have destroyed these sites prior to their completion is indefensible and unforgivable. It cannot be written off as a necessary political decision which follows the tired line that such installations are defensive and to destroy them would be provocative. This is the "Yalu River policy" all over again. In Korea political decisions resulted in men sacrificing their lives without a fair chance to defeat an enemy. This is a mistake which should not be repeated.

No knowledgeable sports fan would tolerate a baseball team without an outfield or a one-armed heavyweight boxer. Why then should a military operation be denied the use of every reasonable strategy which could contribute to victory?

Admittedly, political decisions must influence military policy. But how the destruction of missile sites built for the purpose of shooting down our pilots can be any more provocative than the destruction of a military barracks a few miles away completely evades logical explanation.

It is well known that the docks at Haiphong contain tremendous military fuel storage facilities and that material essential to the Communist war effort flows freely to and from those docks. Numerous courses of action are possible, yet I have seen no published report of any strike against this vital military target. Could it be that political considerations prevent us from denying the use of these docks to England, France, Russia, and other countries which deal freely with the Hanoi Communist Government?

To allow such targets to go unharmed on the basis of arbitrary political decisions and to escalate the ground war at the same time is lopsided escalation and military folly. As the French proved conclusively at Dienbienphu, it commits to fighting a type of war we cannot win. Since the French debacle in 1953, the skills of the Vietcong in terrorist and guerrilla warfare have been increased so markedly that we have even less of a chance of winning a ground war than the French had. I must, therefore, join with other critics of the present policy of lopsided escalation.

A second serious mistake of the present administration is the jealous manner in which it guards decisionmaking. From Washington it controls the selection of both large and small targets and also the method to be used in destroying them. The most serious need in Vietnam today is "on-deck" command of the naval forces and on the scene command of ground and air forces.

From conversations with those who have actually seen action in Vietnam, I have learned that targets and the type of armament to be used in their destruction are assigned from Washington on a mission to mission basis. Frequently enlisted men aboard our carriers have changed the type of weapons loaded on an aircraft two or three times to comply with orders from Washington. A repeat strike against a partially damaged target is not permitted except on specific orders from Washington. If bad weather prevents a photo reconnaissance pilot from photographing his objective on one day, he cannot photograph it the next day while en route to another objective.

Certainly there must be decisionmaking and target selection from Washington, but it is apparently being carried on to a ridiculous and absurd extent. An on-deck or on-the-scene commander should be assigned a mission and allowed to complete it with techniques, weaponry, and tactics which his experience dictates are the most feasible. As an experienced military man, he should exercise on-the-spot judgment as to whether bombs, rockets, napalm, or other armament would be most suitable for destroying the assigned target. If a second strike within an hour at the same target is required, he should have the power to order it.

Thanks to Washington decisionmaking by remote control, we are deploying sophisticated equipment against relatively unimportant targets while our aircraft overfly meaningful and strategic military targets. We have risked planes costing millions of dollars to destroy individual trucks and vehicles and we have sent B-52's to raid sectors of jungle. Such deployment is wasteful and about as effective as bombing an insect when a flyswatter would do.

The administration has shown great courage in this difficult situation in southeast Asia. By and large our materiel is excellent and our manpower is well trained. What is needed is a reasonable balance between political and military considerations and more on-the-scene decisionmaking.

THE NAACP IS RIGHTFULLY CONCERNED WITH RELOCATION PROBLEMS OF PEOPLE DISPLACED BY URBAN RENEWAL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. WIDNALL] is recognized for 15 minutes.

Mr. WIDNALL. Madam Speaker, the NAACP is rightfully concerned with relocation problems, since approximately 63 percent of the persons displaced by urban renewal projects are nonwhite. The testimony given to the Senate Subcommittee on Intergovernmental Relations on July 13 by Clarence Mitchell, director of the Washington Bureau of the NAACP, is particularly worth noting in light of the passage of the Housing and Urban Development Act of 1965, H.R. 7984, by the House on June 30, 1965. This act contains a title IV which was adapted by the House Special Housing Subcommittee from the suggestions for full compensation by condemnees offered by the Republican minority members in their own housing legislation, H.R. 6501 and its companion measures.

Mr. Mitchell notes in his testimony on S. 1201 that the provisions of this bill are discretionary rather than mandatory. Mr. Mitchell declares that:

> In each of these vital sections the word "should" appears instead of "shall." We suggest that if should has the same meaning as shall in the statute then the latter word would be better because then there would be no doubt that these safeguards are binding on an administrative official. Anything less than a clear mandatory requirement will undoubtedly open the door for abuse of the rights of those who are being displaced.

The provisions of S. 1201 are based on a report by the Select Subcommittee on Real Property Acquisition. Its provisions for setting fair procedural standards in the housing and urban renewal program were part of the Republican housing bill, H.R. 6501, and were included in the omnibus housing bill, H.R. 7984, passed by the House. The Republicans made the change from "should" to "shall" and from discretionary to mandatory legislation, which Mr. Mitchell has now asked the Senate to provide in all Federal and federally assisted real property acquisition programs.

Mr. Mitchell also touches on the adequacy of relocation procedures and states:

> There is a strong suspicion that a careful analysis of the housing now occupied by displaced persons would show that far too many have moved into areas with greater overcrowding and worse slum conditions than the places that they left.

Mr. Mitchell concludes by stating that even the provisions of S. 1201 and S. 1681 being considered by the Senate Subcommittee on Intergovernmental Relations "will not do the whole job." I have been in full agreement with this analysis of the matter for some time, and I believe my own statement to the Senate Subcommittee on Intergovernmental Relations outlines fully and completely the provisions of the just compensation program for condemnees which I am seeking to establish.

I include as part of my remarks the excellent statement by Clarence Mitchell, as well as my own statement to the Senate Subcommittee on Intergovernmental Relations:

Statement of Clarence Mitchell, Director, Washington Bureau, NAACP, on Federal Relocation Assistance, Before the Senate Subcommittee on Intergovernmental Relations, July 13, 1965

Mr. Chairman and gentlemen of the subcommittee, I am Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People. Today I am present to express support for the purposes of S. 1681, introduced by Senator MUSKIE, and S. 1201, introduced by Senator JOHN SPARKMAN. Approximately 63 percent of the persons displaced by urban renewal projects are nonwhite. It is almost inevitable when an old or dilapidated area of a community is marked for demolition, improvement, or a change of use, one will find that the largest burden of displacement is borne by those least able to move to another locality without serious financial loss and inconvenience.

The intent of the proposed legislation is to give uniformity and also some administrative flexibility in compensating persons, businesses, or farms displaced by Federal and federally assisted programs. The Advisory Commission on Intergovernmental Relations in its January 1965 report makes this statement on page 114:

"The Commission concludes that in the interest of (a) expeditious handling of relocation claims, (b) effective provision of an overall system of relocation assistance, including advice as well as compensation, and (c) the needs of those most urgently requiring relocation help, responsibility for determining relocation payments should be vested in administrative agencies subject to maximums established by statute."

From a practical standpoint, it is imperative that those vested with the administrative discretion be given very little room to act in a way that will put the displaced person at a disadvantage.

For example, section 101(a)(3) of the Sparkman bill states that the offering price to the person whose property is being taken "should (not) be less than the appraised fair value." Section 101(a)(6) states:

"The construction or development of public improvements should be so scheduled that no person lawfully occupying real property will be required to move from a dwelling or to move his business or farm operation without at least 180 days' written notice from the head of the Federal agency concerned, of the date by which such move is required."

In each of these vital sections the word "should" appears instead of "shall." We suggest that if should has the same meaning as shall in the statute then the latter word would be better because then there would be no doubt that these safeguards are binding on an administrative official. Anything less than a clear mandatory requirement will undoubtedly open the door for abuse of the rights of those who are being displaced.

Usually, at the community level the pressures to get the job done may outweigh the human considerations. Unless he is certain that the property owner can get redress under the statute, an official dealing face to face with the owner may give lipservice only to permissive regulations. While it is important to get on with roadbuilding, public improvements, and slum clearance, it is equally important to make certain that overzealous officials do not put material results ahead of the rights of people who must move from their homes, their places of business or their farms.

In closing I would like to call attention to pages 114 and 116 of the Advisory Commission on Intergovernment Relations report.

The important statements are as follows:

"The Commission recommends that the Congress require that State and local governments administering Federal grant-in-aid programs assure the availability of standard housing before proceeding with any property acquisition that displaces people. This requirement should be at least comparable to that in existing Federal urban renewal legislation, assuring that (a) there is a feasible method for temporary relocation of displaced families and individuals, and that (b) there are or are being provided standard housing units at least as great in number as the number of such displaced families and individuals, available to them, within their financial means, reasonably accessible to their places of employment, and in areas that are not generally less desirable in regard to public utilities and public and commercial facilities than the areas from which they are displaced.

"The Commission recommends that the States enact legislation requiring State and local agencies to assure the availability of standard housing before proceeding with any property acquisition that displaces people. This requirement should assure (a) that there is a feasible method for temporary relocation of displaced families and individuals, and (b) that there are or are being provided standard housing units at least as great in number as the number of such displaced families and individuals, available to them, within their financial means, reasonably accessible to their places of employment and in areas that are not generally less desirable in regard to public utilities and public and commercial facilities than the areas from which they are displaced."

Although it is stated by housing officials that the record of finding homes for displaced persons and families is improving, the figures given do not seem to give the complete story. For example, the Commissioner of Urban Renewal in his 1963 report states that about 46 percent of relocated families whose housing conditions were known went into standard private rental housing, 21 percent into standard sales housing, 25 percent into public housing. About 8 percent went into housing which did not meet the requirements of the locally approved relocation plan. One might well ask what is the significance of the words "whose housing conditions were known?" There is a strong suspicion that a careful analysis of the housing now occupied by displaced persons would show that far too many have moved into areas with greater overcrowding and worse slum conditions than the places that they left.

To the extent that the proposed legislation will correct some of the problems experienced by displaced persons under the present system, it will be most welcome. However, it should be remembered that even these proposals will not do the whole job.

Statement of Hon. William B. Widnall of New Jersey Before the Senate Subcommittee on Inter-Governmental Relations, July 13, 1965

I am pleased to appear before your subcommittee on the issue of full and just compensation. In an able speech in the CONGRESSIONAL RECORD of April 1, 1965, Senator EDMUND S. MUSKIE showed how important a matter this is, for he pointed out that Federal and federally assisted programs, particularly housing and urban renewal programs, highway programs, and so on, will annually displace in the next 4 to 8 years 111,000 families and individuals, 18,000 businesses, and 4,000 farm operators.

Senator Muskie's bill, S. 1681, would bring the highway and Federal real property acquisition programs up to the compensation standards prevailing in the urban renewal and housing programs. Senator Sparkman's bill, S. 1201, which is based on the work of the Select Subcommittee on Real Property Acquisition of the House Public Works Committee, would set procedural standards for all Federal and federally assisted property acquisition programs.

As the ranking minority member of the House Special Subcommittee on Housing, I have been concerned for some time over the inadequacy of compensation received by those forced to give up their property as a result of an eminent domain taking. In January of 1964 I introduced a comprehensive housing bill containing a title devoted solely to the problem of compensation for condemnees. Again, on March 18 of this year, I introduced a comprehensive housing bill, H.R. 6501, containing a similar title which had been expanded to include a revised version of the procedural recommendations made by the House Real Property Acquisition Subcommittee staff report. This was in line with the Real Property Acquisition Subcommittee recommendation that the appropriate committee having jurisdiction over a Federal or federally assisted property acquisition program should act within its particular jurisdiction, on the problem.

In arriving at a consensus on what form the suggestions in H.R. 6501 and identical bills introduced by the other Republican members of the House Special Subcommittee on Housing could be included immediately in the Housing and Urban Development Act of 1965, Chairman William A. Barrett, of the Housing Subcommittee, and I consulted with the top officials of the Housing and Home Finance Agency. The result is the new title IV of the Housing and Urban Development Act of 1965, H.R. 7984, which the House has since adopted without controversy—on June 30—as part of the total housing package.

In taking this step we also had in mind the statement, in the Senate report on the Housing Act of 1964, that the Senate Banking and Currency Committee would take the matter of just compensation and property acquisition up this year following the completion of the Real Property Acquisition Subcommittee study.

In view of the solid progress made by the House, first in the study by the Select Subcommittee on Real Property Acquisition, and second, by the House Special Subcommittee on Housing in developing title IV of H.R. 7984, it is the hope of those of us in the House who worked on this problem, that the Housing and Urban Development Act of 1965, when it is signed into law by the President, will contain the just compensation title IV as passed by the House. Nor should it come as any surprise to find the housing and urban renewal laws again setting the pace as far as compensation and property acquisition standards are concerned. These programs involve the displacement of more people, and the failure of more displaced small businesses, than any other federally assisted program.

Title IV of H.R. 7984 covers the full range of Federal programs in the housing and urban renewal fields. It provides the procedural safeguards recommended by the Select Subcommittee on Real Property Acquisition and incorporated in S. 1201, except that these safeguards are made mandatory rather than suggestive procedures before any funds for acquisition are committed by the Federal Government. In addition, the bill contains a requirement I have been suggesting for some time; namely, that the property owner receive 75 percent of the Government-appraised value of his property immediately, rather than being forced to wait for funds should he decide to contest the full award in court. We expect this to cut down heavily on business failures because of lack of capital for relocation, or the heavy borrowing which homeowners now find necessary in order to buy a new home when the award is being contested and funds are held up.

H.R. 7984 also contains an increase in relocation payments for small businesses from $1,500 to $2,500, and the payment of costs for the transfer of real property. In the committee report on H.R. 7984 the administrators of the program are directed to consider insurance and storage fees, and the cost of reinstallation of relocated fixtures as part of the definition of moving costs.

In light of these significant House actions, if the objective of the two bills before your subcommittee, S. 1201 and S. 1681, is to bring the standards of the other Federal and federally assisted programs of property acquisition up to the standards prevailing now in the housing and urban renewal programs, the Senate bills will be incomplete without further amendment. The subcommittee, in effect, will have to run in order to stand still. And I would go further to suggest that even this new effort in the housing and urban renewal field represents only an increase in the minimum equitable treatment that our citizens can rightfully expect from their Government. For example, if moving expenses can be defined to include reinstallation of fixtures, there is no reason why it cannot be defined to include reinstallation of equipment as well. It had been my understanding that this would be included in the House committee report, but a late-hour objection by the HHFA, on totally specious grounds, prevailed. Similarly, the entire arbitrary limitation of $25,000 on business moving expenses, administratively determined, deserves reexamination. This arbitrary figure, in its lack of sufficient reimbursement for some, and its potential for abuse through overreimbursement for others, points up the need to consider a more useful approach for arriving at just compensation awards.

If this subcommittee seeks the opportunity to make a significant breakthrough in this field, rather than continue the more routine approach to the problem, I would suggest that it examine the possibility of substituting a replacement cost concept for the present actual value concept used to determine compensation for property taken. It is the only way I know of to avoid the pitfalls of arbitrary awards and ad hoc solutions and yet still reflect in the award such items as business reopening expenses, loss of rents or profits on a temporary basis, and the increase in price for suitable replacement homes as a result of a decreased supply and an increased demand occasioned by clearance and relocation. By accepting this new concept for Federal and federally assisted acquisition programs, Congress would set a persuasive example for the States to follow, which could then be applied without question to all Federal and federally assisted property acquisition programs.

I would urge the careful consideration by this subcommittee of the replacement cost concept, particularly as contained in my bill, H.R. 6501. In order to take up no further time of the subcommittee, I would simply like to request your permission to include for the record at this point a copy of title IV of H.R. 7984, the Housing and Urban Development Act of 1965 as passed by the House; that section of the House Banking and Currency Committee report dealing with title IV; a copy of that title of my bill, H.R. 6501, dealing with compensation for condemnees; and a section-by-section analysis of my compensation suggestions. None of these items are particularly long, but I do believe that they will be useful to the subcommittee in determining what action to take in this highly important field.

NATIONAL TEACHERS CORPS

Mr. McCARTHY. Madam Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Perkins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PERKINS. Madam Speaker, on Friday, July 2, in his address before the National Education Association in New York, President Johnson announced that he would propose a National Teachers Corps.

In his speech he said, and I quote him:

> I will propose a National Teachers Corps to enlist thousands of dedicated teachers to work alongside of local teachers in city slums and in areas of rural poverty, where they can serve their Nation. They will be young people, preparing for teaching careers. They will be experienced teachers willing to give a year to the places in their country that need them the most.

Today, I am introducing a bill which puts the President's proposals into form and places those proposals before us here in Congress. This proposal is particularly appropriate at this time as the General Subcommittee on Education is conducting hearings on legislation to strengthen the quality of elementary and secondary education by a program of fellowships for teacher graduate study.

The bill I am introducing will enlist thousands of dedicated teachers to serve their country and their fellow citizens; a bill which will offer thousands of young people the opportunity to channel the boundless energies of youth into learning, teaching, and serving; a bill which will make it possible for teachers whose dedication has long been acknowledged as a source of national strength to share their valuable experience and training with those who—although equally dedicated—have not had the opportunity to gain experience and training. Today, I am proposing that we establish a National Teachers Corps which will offer to children in the Nation's schools the same opportunity which we offered to the people around the world when we established the Peace Corps.

When the Peace Corps was established, it was deluged with offers of service from thousands of people who were eager to share experience and training with others. Thousands of people willing to work—not for money—but for mankind. We tapped a reservoir of talent just waiting to be used. This reservoir is still full—full of energy, talent, and willingness to serve.

The National Teachers Corps will further tap the reservoir. It will serve as another means to channel dreams, energy, and talent into reality, work, and purpose.

The dedication in the measure the President called for is no stranger to the American character. It has been demonstrated in peace and war, in youth and age, at home and abroad. It is an element essential to the success of the National Teachers Corps and one about which our minds may be at rest. The American teacher will respond to this challenge with all the strong sense of mission, all the good and purposeful energy, that this exciting opportunity affords. And this opportunity to serve will appeal most to the teachers with the greatest sense of mission—those best suited to the tasks at hand.

The National Teachers Corps would be designed to bring able and spirited teachers to our most disadvantaged rural and urban schools and to attract into the teaching profession highly qualified young Americans like those who have made the Peace Corps such a brilliant success.

The Teachers Corps will recruit experienced teachers who are able—through their experience and training—to work and teach effectively in areas where poverty has placed children at a disadvantage—where poverty has deprived them of the educational opportunities which are available to other children. The Teachers Corps will also recruit talented college graduates—though they are not experienced teachers—who are qualified to serve as teacher-interns among young people—setting an example of what education can do as well as imparting knowledge.

In the proposal I am introducing, all members of the Teachers Corps would join for up to 2 years of service. For the teacher-interns this would be 2 years of service and professional training. Training would be provided by colleges and universities on a contract basis. After 3 months of intensive training at a university, teaching teams, made up of teacher-interns and led by experienced teachers, would work in schools providing the services and skills which are needed at that school.

The interns would continue to receive professional training while teaching through seminars in curriculum, teaching methods, and other teacher training subjects.

The teachers and teacher-interns would be made available to schools in areas with high concentrations of low-income families. Their salaries would be the same as the salaries of other teachers in those schools with similar experience, education, and duties.

The bill I am introducing has guarantees against Federal control of the corpsmen after they are selected by the schools. Local schools will retain complete control of their curriculums and administrations. Teacher corpsmen will be subject to the same regulations which the school places on its regular staff.

I am sure that I need not detail the need for a program to assist schools with high concentrations of low-income families.

Congress has now studied this problem intensely for 2 years. We have already, in this session, passed a major education bill to develop programs for the education of disadvantaged children. We passed the Elementary and Secondary Education Act of 1965 which contains more than a billion dollars for the education of educationally deprived children.

Some of the difficulties of poverty-stricken school districts will be solved as a result of grants available to them under title I of the Elementary and Secondary Education Act. They will be able to expand programs to take in remedial and special teaching. They will be able to upgrade teacher's salaries when necessary to retain and secure qualified personnel in schools serving concentrations of low-income students.

Schools all across the country are now developing programs as a result of this legislation. Most of the programs being developed require the hiring of new personnel—new teachers who are qualified to teach in the programs that are planned.

With the funds these schools are now receiving, they will be in a position to recruit experienced, talented teachers—the teachers which the new programs require—but this takes time—more time than is available. Moreover, they will be recruiting in a field which is already lacking in qualified teachers.

According to the National Education Association the national supply of new teachers fell more than 100,000 teachers short of the 248,000 new teachers needed.

The passage of the Elementary and Secondary Education Act makes this shortage even more acute.

The Office of Education now estimates that the passage of the Elementary and Secondary Education Act has created a demand for almost 30,000 teachers this fall—teachers who are qualified to teach in programs designed to meet the needs of disadvantaged children. Two years from now this demand will be 65,000; 65,000 teachers which must be trained now but are not now in training.

The shortage of qualified teachers is most acute in rural areas of poverty. Children in rural areas, in some ways are even more disadvantaged than those in the slums of the big cities. Rural school districts simply have not had the funds to pay their teachers adequate salaries. Rural children have not had access to the public facilities—such as libraries and museums—which are located in the cities.

I am personally most familiar with the teacher shortage in our rural areas and small communities.

More prosperous areas of the country have been able to attract new higly qualified teachers with the result that communities which have limited resources are losing young teachers and are not attracting new teachers. We have reached the point that we now have to rely on dedication to duty to hold our teachers. We know and appreciate this dedication and service—we also know that dedication is not limited to teachers in our own areas.

There are dedicated teachers and young people in every community in the Nation—who want to serve for the sake of service.

We who have received and appreciated the benefits of dedicated service, would like to offer dedicated individuals across the Nation the opportunity to show their dedication to us in our schools. Teacher corpsmen with experience, talent, training, and duty would be welcomed in these communities throughout America.

VIETNAM REPORT BY SMALLTOWN NEWSPAPER EDITOR

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, Lt. Col. William "Bill" Dyer, U.S. Army Reserve, former editor of the Smithville, Tenn., Review, was invited by the Department of the Army as a rural editor to visit Vietnam and give a firsthand report on the conditions as he saw them in southeast Asia.

Mr. Dyer, a resourceful reporter and an experienced news analyst, recently in an address to the National Editorial Association and Texas Press Association meeting in Dallas, Tex., gave a firsthand report on the situation in southeast Asia. I believe that my colleagues, the press, and others will find his speech in the general interest.

Under unanimous consent, I include this speech in the body of the Record.

The speech follows:

Address Given to the National Editorial Association and Texas Press Association Meeting in Dallas, Tex., June 19, 1965, by Bill Dyer, Former Editor of the Smithville Review, Smithville, Tenn.

Ladies and gentlemen, there was once a time when a reporter returning from the field of battle with bad news was beheaded.

I, therefore, fear the worst from you, for I, too, returning from a 2-week tour of South Vietnam have news that is anything but heartening.

I ask your indulgence, however, and pray that you will forego the beheading until I have finished. At that time you may cut me down at your leisure with your questions.

To be very blunt about it, and I think that is what you want, the war in southeast Asia is not going so good. Actually we hold less ground than we did at this time last year, in spite of the fact that the number of troops we have in Vietnam has spiraled up and up and up.

And before this summer is gone—a summer that will be long and hot in places other than Selma, Ala., and Detroit, Mich.—yes; before the leaves fall from the trees this winter, we will have in excess of 70,000 troops in South Vietnam.

However, I can express the belief of the people to whom I talked—and that runs the gamut from a two-star general of marines to a West Virginia lance corporal—these people say, "We will win this war if the people back home stick by us."

I ask you, ladies and gentlemen of the press, could they ask anything else?

Although a half world removed from continental United States, Vietnam has become a household word in America as world attention focuses on events shaping the destiny of southeast Asia.

In Vietnam a massive effort is being waged to combat Communist insurgents to allow the 14 million people of this young Asian Republic to live in freedom and peace.

The Republic of Vietnam is about the size of the State of Washington. It stretches in a 700-mile arc. For the most part it is 50 to 150 miles wide and lies next to Laos and Cambodia, and borders on the South China Sea. The country has a spine of dense jungle-covered mountains extending from north to south, almost reaching Saigon, its capital. South of the densely populated capital city area, the flat, fertile, canal-laced "rice bowl" or Mekong Delta extends to the Gulf of Thailand.

Because of its strategic coastal location, Vietnam has for centuries been an important factor in southeastern Asian affairs. Today its richness in natural resources, particularly food and rubber, makes South Vietnam a coveted prize by food-short North Vietnam and Communist China.

Rice production in the rich Mekong Delta alone has the yet untapped potential of feeding the combined populations of South and North Vietnam and still having a surplus for export.

The Republic of Vietnam is a vivid manifestation of a nation determined, with assistance from other free world nations, to check the spread of Communist oppression. In addition to United States aid, assistance is being provided by 16 countries including the Republics of Korea and China, the Philippines, New Zealand, Thailand, and Australia. However, it is South Vietnam itself that carries the brunt of the anti-Communist battle with nearly half a million men and women serving in the Armed Forces.

Although the Communist movement in South Vietnam dates from the early 1930's, the present Vietcong (Vietnamese Communists) structure traces from the signing of the Geneva accords in 1954 that presumably ended the Indochina War. As 80,000 Viet Minh (Communist) troops allegedly withdrew to North Vietnam following expulsion of French Forces in Indochina, a cleverly concealed nucleus remained behind to prey on the New Republic of South Vietnam.

From 1954, the Vietcong in South Vietnam concentrated on establishing rural political cadres and on exploitive propaganda.

In 1960, Ho Chi Minh, the Communist leader in Hanoi, realized that political and propaganda actions alone could not subvert the government in Saigon which was already receiving substantial U.S. aid. Plans were made in North Vietnam to include military operations in the Communist formula by infiltrating large numbers of reinforcements to the underground Vietcong Forces in South Vietnam during the rainy season of 1961. Thereafter Vietcong violence broke out almost everywhere, necessitating much greater effort by South Vietnam with increased support from the United States to contain it.

The current struggle in South Vietnam cannot be classified as an internal conflict between dissident guerrillas and a weak government.

The magnitude of the conflict is revealed by the fact that Vietcong main and local force units number more than 30,000 full-time soldiers. Also there are perhaps 80,000 or more irregulars who work as farmers by day and often undertake guerrilla actions by night. These forces are supplied with leaders, technicians, replacements, modern weapons and logistic support from North Vietnam. Their obvious intent is the replacement of the South Vietnamese government by a pawn of the Communist regime in North Vietnam.

The Vietcong, though active throughout most of the countryside, have a few regions in which they are particularly strong. These areas, known as secret bases or war zones, are located in remote difficult terrain and serve as the rear base for Communist activity in South Vietnam. Five of the strongest Vietcong bases are: the U. Minh Forest in the delta; the Plain of Reeds, an inundated area west of Saigon near Cambodia; War Zone C in Tay Ninh Province northwest of Saigon; War Zone D in Phuoc Thanh Province, northeast of Saigon; and the Do Xa area in the mountains far north of Saigon.

The large Vietcong force, supported in varying degrees by perhaps one-quarter of the rural people and established in some areas for more than 20 years, represents a formidable enemy. The military aspects of battle involve separating the VC from their base of popular and logistic support and eliminating the VC themselves as organized military forces responsive to political direction.

The enemy is highly elusive since, except for his secret bases, he has no territory to defend. He operates mostly during hours of darkness; he withdraws and disperses into the countryside when opposed by superior forces; he attacks without warning when the situation is most favorable; and he stands and fights only when he chooses to do so. The Vietcong are known to plan attacks in meticulous detail, often training for and practicing an operation for weeks or even months using sandtable drills and, at times, fullscale mockups of the target.

The battle is further complicated by the difficulty of distinguishing friend from foe since both sides are primarily Vietnamese.

I saw one engagement by troops of the 7th Division (ARVN) in which the soldiers identified themselves by placing large red scarves around their necks.

The Vietcong are able to conceal their weapons and blend easily with the population. As a result, the battlefield has neither front nor rear. This is a war with no conventional battlelines.

Ethnic minorities such as the Chinese, Cambodians, mountain tribesmen and religious sects play important roles in the struggle, thereby emphasizing the political aspects of the counterinsurgency battle.

Activity waxes and wanes as the Vietcong shift areas or emphasis and tactics. Likewise, the government has the ability to concentrate its resources in various regions and on different activities. Recognizing that it is not necessary to kill all the Communists in South Vietnam in order to establish law and order throughout the country, the Government of Vietnam devotes the bulk of its resources in an effort to pacify the rural countryside.

Simply stated, pacification is the sum total of integrated military-economic-political-psychological-sociological efforts to win the support of the people by providing security and meeting their aspirations for social and economic justice.

The present pacification program to restore government control is based upon the oil spot concept of extending control by gradual expansion from a secure to a less secure area in the manner of an oil droplet spreading over a surface. As seen in many pictures from Vietnam, U.S. forces do such things as distribute clothing to children. It is hoped that through friendly gestures the people will learn to feel secure and safe in the hands of the Government.

In order to expand the size of an already secure area or base, the region around it is first cleared by destroying or displacing Vietcong military units and driving the Vietcong political structure out or underground. When the balance in the so-called contested zone has tipped in favor of the Government, securing operations can be started to provide protection for the population, to reinstitute and strengthen the Government structure and to develop a better social and political life in the area.

Once an area is secure and becomes part of the expanded oil spot, pacification activities can reach out to the next area and repeat the process of clearing and securing. Meanwhile efforts continue inside the oil spot to develop the area economically, politically, and socially in order to demonstrate that life under Government auspices is to be preferred.

The most extensive pacification operation began in September 1964 in the area surrounding Saigon. Called Hop Tac, which means cooperation in Vietnamese, the operation involves the integration of military and civilian elements, both Vietnamese and United States.

The project is supported and assisted by the major U.S. agencies in Vietnam with the military assistance command exercising coordination responsibility.

Traditionally, wars are fought because of political differences, and the Republic of Vietnam's battle against Communist-inspired insurgency is no exception. The Communists want to rule the country. Their aggression, founded on political and social grounds, cannot be defeated by military action alone. Economic, political and social measures designed to prove that the Government's programs are superior to Communist promises are equally important. This is what pacification seeks to accomplish. Pitted against the Vietcong are the sizable and capable Armed Forces of the Republic of Vietnam.

Army, Navy, and Air Force units, operating under a single high commander, are daily involved in thousands of separate but related actions ranging in size from a squad ambush to a regimental combat team, supported by air and naval units, in an attack against an enemy reinforced battalion. The capabilities of the individual Vietnamese fighting man are highly regarded by the courage and endurance he constantly displays.

South Vietnam's Army (ARVN) of over 300,000 men consists of 9 divisions and 4 corps. Plans are underway to increase it further. With modern equipment selected for the character of operations it undertakes, the ARVN organization is tailored to the type of terrain and enemy it faces.

In addition to the regular forces, the Nation has paramilitary forces numbering approximately 200,000 divided almost equally between regional and popular forces.

The regional forces, assigned to the provinces, augment the regular forces and are particularly active in pacification. Their availability frees more powerfully equipped army units for operations against major Vietcong units and base areas.

Popular (or people's) forces, who are natives of the area, provide village level protection to the rural population living in hamlets. These forces are not purely defensive since they must carry out, by day and by night, small unit offensive actions to search out Vietcong guerrillas who seek to interrupt pacification by harassing and terrorizing the people.

The scope of the military effort is indicated by the average of about 2,400 monthly incidents of Vietcong attacks, assassinations, terrorism, kidnappings and sabotage. More than 550 South Vietnamese soldiers are killed monthly as a result of insurgent activities, while some 1,800 Communists are killed, captured or defect each month.

Objectives of the U.S. assistance in Vietnam are to assist the South Vietnamese Government to achieve peace and stability. This requires considerable aid and advice in developing a viable economy, instituting a sound system of social and economic justice, building a stable, popular government, and developing armed forces that can provide defense for the country.

Responsibility for achieving these objectives is the U.S. mission to Vietnam, headed by the U.S. Ambassador. Agencies responsive to the Ambassador, which assist in the various aspects of countering the insurgents and building a nation, are the U.S. Embassy, the U.S. Operations Mission (USOM), the U.S. Information Service (USIS) and the Military Assistance Command, Vietnam

(MACV). The Embassy deals with political and social stabilization; USOM is involved with social and economic development; USIS is concerned with information and psychological operations; and MACV is charged with military security matters.

The U.S. Armed Forces through the personnel and equipment of the Military Assistance Command, Vietnam (MACV) are playing a significant role in helping the Republic of Vietnam maintain a free and independent government. With the mission of advising the Republic of Vietnam armed forces, members of MACV continue to perform their vital task with zeal and skill. By performing their jobs persuasively and skillfully, they are progressively working themselves out of jobs. The nature of the assignment requires the presence of advisory personnel only until the battle is won and a fully capable defense force is developed—no longer.

Professionalism is the cornerstone of advisory activities and associations in Vietnam. A highly select body of American service personnel are accomplishing their assistance mission in a thoroughly professional manner, despite the myriad challenges of service in a strange land engaged in a life and death encounter with tyranny.

Since I am on the subject of advisers, there is one group of which I cannot say enough. If it is possible to fall in love with a group of men, without being called an ugly word, I fear I am guilty. For I believe one of the finest aggregates of men I ever knew is in the 5th Special Forces Group in Vietnam. These skilled men are located throughout the republic in isolated locales training and working with the indigenous personnel to establish protective security. Organizing the populace into integrated teams, the Special Forces soldier is proving his mettle.

Ladies and gentlemen of the NEA and TPA, I will be frank to say that I went to Vietnam with a cynic's view. I had mixed emotions, but my concern was for the lives of men being lost in this struggle. I wondered, and maybe some of you have, if the struggle is worth the cost. After all, Vietnam is a small country with a small population, so why spend millions of dollars daily to help save it from communism?

After being there, I feel differently. I feel now that we should save this country at all costs.

As one editorial writer put it, "The question of whether we should be in Vietnam at all has long since become academic. It is like the man who was in jail for something for which he could not be put in jail. He was there. And so are we."

The issue as I see it now is that our mission in Vietnam is to help the Vietnamese people attain peace and stability. The issue at stake is all—and I repeat all—of southeast Asia. And the word I got there to bring back to you is help us in the fight. Support us with everything you have. Be critical if you must, but justly criticize.

America and South Vietnam can win this struggle. It will be long, and it will be hard. But it can be won.

And in the words of another editorialist, "We have finally gone to war in Vietnam. And now we must win."

FEDERAL FUNDS FOR THE HUDSON RIVER EAST BANK SUPERHIGHWAY

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I have today introduced a bill which would direct the Secretary of Commerce not to make Federal aid funds available for the proposed superhighway along the east bank of the Hudson River, which was authorized by the New York State Legislature in its recent session and approved by Governor Rockefeller.

The proposed superhighway would not only threaten the program for preserving the scenic beauty and recreational potential of the Hudson River, but it would also necessarily cut across the community of Riverdale and Van Cortlandt Park in Bronx County.

At the very least no such drastic decision affecting the future of the area should be made without extensive public hearings and consultation with the communities involved. I join with my colleague, the gentleman from New York [Mr. OTTINGER], who has today introduced an identical bill, in expressing the hope that the Subcommittee on Roads of the House Public Works Committee will hold such hearings in the area affected in the near future.

Under leave to revise and extend my remarks, I include herewith an editorial from the Riverdale Press of July 8, 1965, a weekly newspaper which has deservedly won many awards for excellence and for service to the community:

[From the Riverdale (N.Y.) Press, July 8, 1965]

WE OPPOSE THE HUDSON EXPRESSWAY

More than 350 years have passed since Hendrik Hudson anchored the *Half Moon* off Spuyten Duyvil. Many controversies have raged over the Hudson River since then. No year in the past, however, has matched 1965 for the amount of attention given to this majestic waterway. Riverdale is especially concerned, since the Hudson forms our western boundary.

A Riverdalian, George Perkins, was chiefly instrumental in preserving the Palisades along the New Jersey shore for the permanent enjoyment of generations to come. But the Riverdale shoreline has suffered.

In one corner, below Kappock Street, apartments have been crowded together so that narrow streets are all but impassable. What should have been a beautiful residential area has been permitted to become an unplanned, uncomfortable jumble of unprepossessing buildings.

Our park along the river has never been developed. Erosion has taken a heavy toll. What's left has been torn up during the construction of new sewers so that the river edge looks like an Appalachian strip mining operation. We doubt that it will be restored to beauty for years to come.

Riverdale is far from alone in its concern over the future of the Hudson. At Cornwall, conservationists are fighting a vigorous battle against a proposed Con Edison development. They fear its effect both on scenic beauty and the spawning of fish. The current drought has turned the attention of the city toward the possibility of using the Hudson as a source of water supply. And there is increased concern over the preservation of waterfront areas from continued spoilage.

Hearings to be held tomorrow and Saturday at Hawthorne Junior High School, in Yonkers, will discuss the scenic Hudson Riverway bill, cosponsored by Congressman BINGHAM. The measure was introduced to enable the Secretary of the Interior to preserve the river's scenic and recreational values. Uncertain, as yet, are the steps to be taken to extend the Secretary's authority to New York City.

Meanwhile the State legislature has passed, and Governor Rockefeller has signed into law, another bill to establish a Hudson Scenic Expressway along the river bank. This would transform Route 9 into a superhighway, extending from Beacon to New York City.

Of special concern to Riverdale is a proposal to link this highway with the Major Deegan Expressway via an extension at some point in the Bronx. The only possible road of this type would have to cut across Riverdale.

State officials have said they will do everything possible to retain the river's scenic beauty. Information concerning plans for the highway has been limited, but a series of hearings for communities to be affected has been proposed. We hope Riverdale will be considered among those areas entitled to be heard.

The Henry Hudson Parkway now splits Riverdale in half. Access roads to the heavily traveled Major Deegan Expressway now create bottlenecks and add to traffic hazards. We believe another superhighway cutting across Riverdale would cause irreparable damage to the community.

First of all, what's left of Riverdale's waterfront would be lost forever. No matter how hard he tries, the highway commissioner cannot preserve scenic beauty by substituting a ribbon of concrete for a stretch of greenery and woodlands. Secondly, what we least need is the noise, confusion, and air pollution of thousands of cars on a main artery cut through our residential sections.

The new expressway will entail tremendous expense as well as dislocation. An easier solution to the mass transportation problem is so obvious, that we wonder why it has been bypassed. That solution lies in implementing rail commuter service.

The proposed new highway parallels the tracks of the New York Central. Fast, comfortable transportation could be provided for thousands of riders by modernizing the rail system. Legislation enabling such a move has already been passed. Precedents have been established. Other cities have fast, modern commuter service. Why not offer this convenience to Hudson Valley communities?

There is an obvious inconsistency between Federal efforts to preserve scenic and recreational values and the State's plan to build an expressway. We cannot have both. Of the two proposals, we favor the measure introduced in Congress. We see no necessity for an expressway that will mean the permanent destruction of a riverfront that has been despoiled already, almost beyond the hope of preservation and restoration.

A WELCOME TO THE 91ST ANNUAL SHRINERS CONVENTION

Mr. McCARTHY. Mr. Speaker I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOLAND. Mr. Speaker, I would like to take this opportunity to welcome all the many thousands of members of the Ancient Arabic Order of the Nobles of the Mystic Shrine of North America who have arrived this week in our Nation's Capital for their 91st annual convention.

As an organization, the Shriners are an outstanding example of a group dedicated to a living, vital Christianity and to the great democratic ideals which have built and strengthened America. The 838,000 members of this organization are men who believe in the united, humanitarian action of free men in accepting the responsibilities that come with citizenship in the world's greatest democracy. Through their sponsorship of the amazingly successful Shriners' hospitals for crippled children, they are demonstrating the best concepts of community and national service.

Founded in New York in 1872, Shrinedom has spread across our Nation. And as the late Hubert N. Poteat, a Past Imperial Potentate wrote:

> If there is one thing our harassed world needs more than another today, it is brotherly love.

As a group the Shriners are men of reverent mind, merry heart, and a distinct humanitarian vein. Back in 1888, Jacksonville, Fla., was almost laid waste by a tragic epidemic of yellow fever. Five thousand were affected before cold weather could destroy the virus. To their great credit, the members of the Shrine organized themselves into a relief corps and through their donations of personal labor and more than $10,000 initiated the order's first major charity.

In the years that followed, every imperial potentate urged Shriners everywhere to carry on the works of charity, with the results of these pleas culminating in today's multimillion-dollar annual program for the Shriners' hospitals for crippled children.

These hospitals have been the soul of the Shriners. The first cornerstone was laid in 1922 in Shreveport, La. Today this program has expanded to a total of 17. These hospitals are among the Nation's most modern, progressive, and well equipped, and are offering free care and love to thousands of young children who so badly need it. One of these very excellent hospitals is located in my home city of Massachusetts in Springfield. It has been offering hope and health to the children of the area since 1925.

An extremely significant new program has recently been added to the already heavy obligations of the Shriners. Young burn patients, long the most neglected of the pediatric wards, have gained a new friend. The Shriners have now put both feet forward in a mighty attempt to alleviate the crucial problems in this area.

In November of 1963 the first Shriners' Burns Institute was opened in Galveston, Tex. Two others followed in Cincinnati and Boston. These are interim operations being carried out in rented space in already existing hospitals. But in these three locations, two new and modern Shriners' Burns Institutes are now under construction and the third will be by next fall. It is a mighty undertaking in an area of serious need.

The Shriners of America like parades and they like good fun, but they are also seriously in pursuit of a better life for the misfortunate young children of our Nation, children who with help and love can become productive, vital citizens of this Nation.

And the next time those of us who are sports fans enjoy the excitement of the annual Shriners' East-West football game, maybe we should pause a moment and remember that it is more than a football game.

It is a classic of love and sacrifice for a goal that transcends the yards gained, the passes thrown, or the runners stopped. This is a game played that Joe, with two clubfeet, may walk and even run and play like other children. It is played for little Mary, who lies in a plaster cast as the curve is removed from her spine. It is played for Ralph and Ruth, Nancy and Bill, Sue and Dick—white, black, yellow, Protestant, Jew, and Catholic—who lie in the Shriners' hospitals, and for the others who are waiting to reach that mansion of mercy.

We are proud to have the Shriners in Washington.

TAX DEDUCTIONS FOR FUNERAL EXPENSES

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, death to a member of an economically less fortunate family or a family of moderate means strikes a blow that is doubly cruel to that family. The grief from the loss of a loved one is coupled with the financial hardship incurred by the payment of funeral expenses of that loved one. An equitable method exists for the Congress to minimize this terrible financial hardship—an income tax deduction to the members of the decedent's family for the expenses surrounding the funeral of the loved one.

Present law makes a deduction available to wealthier members of our society through the computation of the Federal estate tax which may be due on the estate of the deceased. But this existing deduction is meaningless to people of moderate means. The conscience of the Nation in recent years has been directed toward the hardships of the less-advantaged citizen and it is appropriate at this time to make some reasonable deduction available to this group of Americans.

I am today introducing legislation to make available a modest income tax deduction to those family members who actually pay the funeral expenses of one of their loved ones. The bill would, in the usual case, allow the widow or other family member to deduct a total of up to $500 for funeral expenses paid with respect to the deceased. If family members are entitled to receive lump-sum death payment or a funeral or burial expense allowance—generally $250—under the Social Security Act, veteran's benefit legislation, or other Federal law, the total deduction made available by the bill would be reduced to $250.

In recognition of the fact that several family members may contribute to the payment of the total amount of funeral expenses, the bill provides that the allowable deduction is to be allocated to each contributing individual in proportion to the amount of funeral expenses he paid, reduced by the amount of the lump-sum payment he received.

To avoid misuse of this new deduction, the bill also provides that any amount allowable to a family member as an income tax deduction shall not also be allowable to the decedent's estate in computing its Federal estate tax liability, making only one deduction for the funeral expense allowable. This is consonant with present law.

This income tax deduction while allowable to each American taxpayer, will be most significant to the citizen of modest means who is stricken by the loss of a loved one.

THE "BREAD TAX" ARGUMENT IS FALSE

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PURCELL. Mr. Speaker, last week I called the attention of the House to published reports that the giants of the baking industry have hired a Washington lobbyist to work for the defeat of the Johnson administration's farm bill.

I pointed out to my colleagues of the House that this insidious attack on the farm bill is being carried out under the smokescreen of a "bread tax" propaganda smear.

I want to keep reminding my colleagues of this cunning, deceitful campaign by the big baking companies, and I want to emphasize the fallacy of the fraudulent argument they are putting up.

We heard this same argument last year when the voluntary wheat certificate program was before Congress. It was a false argument then, and it has proven to be false.

Opponents of the program last year made dire predictions that its passage would surely result in higher bread prices to the consumer, but it didn't.

Consumer prices for wheat products have remained stable. Bread prices in the the past 12 months have averaged around 21 cents a loaf or less, virtually unchanged from the period before the certificate program went into effect.

And yet the wheat certificate program has meant about $450 million more in farm income to the wheatgrowers than they would have received without the program. And wheat program costs to the taxpayer were $300 million lower than the year before.

Publicly owned wheat stocks have been reduced by about 150 million bushels below the previous marketing year.

And yet profits to wheat users thus far in 1965, according to recent Standard & Poor's surveys, are higher in nearly every case than for the same period in 1964.

The bakers are a lot better off financially than the farmers who grow the wheat, and they get a lot more than the farmer does for the loaf of bread they sell.

The bakers, however, do not seem to want to give the farmer parity of income with his city brethren. And they do not seem to want to reduce the costs of Government farm programs.

The immediate goals of this administration's farm program now before Congress are these:

First. To raise farm income by $250 million a year.

Second. To reduce farm program costs by $200 million a year.

Third. To cut back Government-held stocks of farm commodities and reduce storage and handling costs.

The extension of the voluntary wheat certificate program in the bill before Congress is a key feature of the legislation.

Yet we hear it attacked and smeared by its opponents as "bread tax" legislation.

Well, now, let us just see how much money the farmer gets for the wheat in a loaf of bread compared to what the bakers and wholesalers and the retailers get.

In the years from 1947 through 1949 when the retail price of bread averaged 12.7 cents, the farmer's share of that loaf of bread was only 2.7 cents for the wheat in that bread.

By February of this year the average retail price of a loaf of bread had risen to just under 21 cents, but the farmer was still getting only 2.7 cents for the wheat in that loaf of bread.

Now, the Secretary of Agriculture has stated repeatedly that the bill now before Congress will provide the wheat farmer an increase of seven-tenths of a cent for the wheat used in a loaf of bread by domestic bakers.

This would be the first time in 15 years that the wheat farmer has had an increase in his share of the returns from a loaf of bread.

And yet the wheat-users are threatening that if the share of the farmer is increased by seven-tenths of a cent, the price of bread will be increased 2 cents a loaf.

Why, Mr. Speaker, would this be so?

Who would be imposing a bread tax on the consumer? It would not be the farmer. It would not be this administration. It would be the bakers and the wholesalers and the retailers.

The farmer today actually receives 15 percent less for the food he produces than he did in 1947–49, while prices paid by consumers for food have risen by 31 percent.

Since 1947–49 the cost of farm-grown food has risen only 14 percent, but the processing and marketing costs have risen 42 percent.

Expenditures per person for food in the United States increased by $105 from 1950 to 1964. But of this $105 a year increase in the cost of food, the farmer got only $1 and the processing and marketing firms got $104.

Mr. Speaker, let us be done with all this nonsense about the administration's wheat program constituting a "bread tax" on the consumer.

We need to enact this program, Mr. Speaker, to raise farm income, to reduce Government costs to the taxpayer, and to cut back surplus grain stocks.

Let us not be fooled by any fraudulent "bread tax" arguments against it.

HEAD START

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAGGONNER. Mr. Speaker an editorial concerning the administration of the Head Start program appeared in the July 5 issue of the Shreveport Journal which deserves the attention of every Member.

It makes a single point and it is one to which I wholly subscribe: That the program has, in the headlong rush to pour out the funds appropriated, granted funds to just about everyone except those who are qualified to administer the program. There are some exceptions, I am sure, but they are few and far between.

I commend this editorial to the attention of the House and congratulate the editor of the Journal for a forthright and clear insight into the mistakes that have been made in this program so far.

Head Start Program Rushed

Operation Head Start officially gets underway this week with projects in some 2,300 communities hastily set up to prepare preschool-age children from culturally deprived homes for entering the first grade next fall. It was conceived as a $17 million program to offer assistance to 100,000 children this summer, but the antipoverty planners became so enthusiastic about it that the program has reached $84 million proportions, extending help to 560,000 children.

Ten Head Start projects have been approved for Caddo and Bossier Parishes. Negro churches, nurseries, day-care centers, and a PTA group are sponsoring these units. Although school boards in some cities are acting as sponsors of projects, the Office of Economic Opportunity does not require units to be under the supervision of school systems.

Since children for whom the program is planned have individual problems which handicap their learning, one would expect the projects to be staffed with teachers who are specialists in the field. But that is not the case. Teachers having had only 1 week of training in kindergarten techniques will be conducting classes. Few experts regard this training as adequate, the Wall Street Journal observes.

In most projects over the country teachers will receive the same rate of pay as regular elementary public school teachers earn. The national average comes to about $3 an hour. However, in New York City, Head Start teachers will be paid from $8 to $9.20 an hour. They refused to work for any less, and Head Start was determined to get going regardless of the cost. When the school nurses discovered how the teachers had succeeded they, in turn, demanded and got $6 an hour. Their regular scale was $2.65. Directors of the New York projects are to be paid $1,000 a month.

During these coming 8 weeks of Head Start about 40,000 teachers will be employed. There will be some 8,000 additional paid workers. The Federal Government bears 90 percent or more of the cost of the program. By far the greater part of the funds will go for salaries.

Certain experts who are in complete sympathy with the aim of Head Start doubt that it can accomplish its objectives if help is not continued after these children are enrolled in public school. Among them is Dr. Martin Deutsch, of New York Medical College. He said, as quoted by the Wall Street Journal: "There is some evidence that children who do get a head start which has no followup momentum will return to their orginial failure levels."

The administration has asked Congress to appropriate $150 million to carry on Head Start after this fall. In justice to the children, their families, and the taxpayers, too, the program should be placed on a firmer educational basis before more funds are lavished on it. Good intentions and plenty of money cannot substitute for adequately trained teachers and competent direction.

CARGO PREFERENCE LAW, MERCHANT MARINE ACT

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, I wish to call to the attention of my fellow Members of the House a statement by Mr. Paul Hall, president of the Seafarers' International Union of North America, which apepared in the July 9, 1965 edition of the "Seafarers' Log." The statement discusses the Cargo Preference Law and the proposed amendment by Congressman Paul G. Rogers of Florida.

International President's Report

(By Paul Hall)

A truly constructive proposal that would require a minimum of 75 percent of U.S. Government-generated cargo be carried on American-flag vessels has been introduced in the House of Representatives by Congressman Paul Rogers, Democrat, of Florida. Representative Rogers' bill is an example of the kind of recommendations that are needed to reverse the dismal decline of the American-flag merchant fleet.

Representative Rogers' proposal is more than just another idea of how to save the U.S. merchant marine from vanishing from the oceans of the world. The significance of the bill lies in the fact that the Nation's present cargo preference statutes are not doing the job for which they were passed. Congressman Rogers is obviously aware of this fact. In introducing his bill he declared, "The present requirement of 50 percent has proved insufficient, if this Nation is to maintain a strong merchant marine."

The SIU has long maintained that the lackadaisical enforcement of the existing cargo preference statutes is a shocking example of bureaucratic negligence, to say nothing of governmental indifference to the plight of the U.S. shipping industry. Our lengthy list of grievances against the Government departments that have ignored the spirit and intent of this legislation tells the sordid story of how ineffectively the present statutes have been administered.

If one were to take a cynical attitude toward the Nation's present cargo preference laws, an argument might be made that Representative Rogers' bill calling for a 75 percent Government cargo requirement is the best way to actually get the presently required 50 percent on American bottoms. However, we can rightfully expect that the statutes will be obeyed.

We in the SIU do not think it is too much to ask that the departments of the Federal Government adhere to the cargo preference statutes duly enacted by the representatives of the people. If these departments continue their practice of ignoring these laws, a law calling for no less than a 100-percent cargo preference requirement would not be worth the paper it was written upon.

Our objections to the present cargo preference setup is twofold in nature. The first objection deals with the all-too-frequent granting of waivers to evade the requirements of the law. Our second point is that even if there were complete compliance with the present 50-percent minimum, our country's merchant marine would still need additional assistance if it is to take its rightful place among the fleets of the world.

Thus, we regard increasing the legal requirement that American bottoms carry 75, instead of the minimum 50 percent, of Government-generated cargoes, as an important step in restoring the Nation's merchant fleet to a healthier state of strength. Certainly, our shipping industry will not find itself taxed beyond its resources in finding the space for the cargoes guaranteed to it by such a law.

The sad truth of the matter is our Nation's merchant marine is carrying well under 10 percent of the country's foreign trade. The rapidly dwindling part played by the U.S. maritime industry in its own country's foreign trade can only spell tragedy for the future place of the American flag on the world's oceans. The flow of Government cargoes which keeps a portion of our fleet alive today obviously cannot be depended upon to do this lifesaving job at the rate at which they are currently available.

As the strength of our merchant fleet continues to ebb away, our Nation is confronted with repeated reports of a strong and steadily growing Russian shipping industry. Representative Rogers recognized this threat when he said, "It is clear the Communists are engaged in an all-out effort to dominate the world's sea lanes by 1970."

In his speech before the House in support of his 75-percent cargo preference bill, Rogers pointed to statistics showing that Russia is building 15 times as many ships as this country. We think facts such as these indicate the damage of the country's national security through governmental lack of concern about our own merchant fleet. Representative Rogers was correct when he said his proposed law would be an important first step in rebuilding the U.S.-flag fleet.

The Florida Congressman also hit the nail on the head when he said passage of his bill would have a substantially beneficial effect on our Nation's dangerous balance-of-payments problem. His statement that the cost of moving foreign aid cargoes on foreign-flag vessels worsens the outflow of U.S. dollars is unfortunately, all to true.

The country is generally aware that our Government program to help the less-fortunate nations of the world with U.S. assistance is one of the chief reasons why we are plagued by balance-of-payment problems. Faced with this problem, we find it hard to understand why the goods which are part of this assistance do not move in U.S.-flag vessels, thus saving a good many valuable dollars. To continue the present practice of ignoring the availability of American shipping to handle these cargoes, only compounds the international deficit in payments faced by the United States. The passage of Representative Rogers bill, increasing the maritime industry's share of Government-generated cargoes, will be a great aid in bolstering the U.S. merchant marine, providing that the Government agencies involved obey the letter of the law.

REALISTIC THINKING ON VIETNAM

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, President Johnson has said repeatedly that this country would not desert South Vietnam in their fight to prevent the Communists from taking control of that country. As a result of this pledge this country should come to grips with the fact that this could be a very long and costly struggle.

Jerry Greene in the New York Daily News wrote:

> President Johnson is geared for a 10-year war in South Vietnam, if that's what it takes to stop the Communist drive southward from Red China.

Americans should also get geared for this long struggle, and be realistic in their thoughts toward the Vietnam conflict.

We all know President Johnson has tried almost every possible way to bring Hanoi to the peace table, but they have refused, thinking that they can win a military victory. This is what we must show them they cannot do, and this is what may take so long.

Mr. Greene's column of July 6, 1965 follows:

CAPITOL STUFF

(By Jerry Greene)

Washington, July 5.—President Johnson is geared for a 10-year war in South Vietnam, if that's what it takes to stop the Communist drive southward from Red China.

A close associate of the President told the News that some White House advisers have become concerned that Johnson's deluge of invitations for peace negotiations may have hurtfully obscured the recognition by most top officials that extended conflict is possible.

Some Presidential consultants are convinced that Johnson has by this time made the U.S. willing, unconditional, position sufficiently clear before the rest of the world, and that prime attention should now be given to laying the facts before the American people.

The willingness to negotiate seemingly flies in the face of official acceptance of the grim prospects. It has brought a troublesome confusion in the minds of the people.

The American spectaculars, like the use of the B-52 bombers this weekend for the second strike against suspected Vietcong positions, and the commitment of paratroops and marines—with more to come—have not been calculated to produce immediate, decisive results.

The war still must be fought by the Vietnamese, most military chiefs believe, with the United States providing such assistance as is required. There is little doubt that the assistance, already of major proportions, will be increased substantially as the months pass.

But this assistance is not and has not been of the crash variety. Rather, it has been the development of long-term planning. The intent is to stave off the expected rainy season attacks of the Vietcong and to apply mounting pressure against the Reds—north and south—without going so far as to bring on wholesale war with Red China or Russia.

L.B.J. HAS WARNED US OVER AND OVER

This is the ticklish key issue, a matter of political decisions that a couple of generals said today the military men are more than willing to leave to the White House.

Johnson and practically all his top officials have broadcast repeated warnings that the Viet war could be long, but such admonitions have received little attention—far less than the noisy blatherings of a minority demanding that we quit.

There was, for example, the appearance of Defense Secretary Robert McNamara before a House Appropriations Defense Subcommittee, when he was asked about negotiations.

"There is very little to negotiate at the present time," McNamara said. "The negotiations were held in 1954 and led to a division of the country. I do not understand what we would negotiate today that would be different from the agreement of 1954."

Gen. H. K. Johnson, the Army Chief of Staff, laid it on the line before the same Congressmen:

"I believe it would take as long as 10 years. I believe that one of the—I would not want to term it a mistake—but one of our errors has been looking forward to success in the course of the next year, or 2 years.

"I think that we have to raise our sights materially, plan for the long term, and if it occurs sooner, fine. That will be just wonderful."

BUT IS PATIENCE AN AMERICAN TRAIT?

Representative George Mahon, Democrat, of Texas, the subcommittee chairman, said, "We Americans are not noted for our patience," and said the patience of the people "is more or less threadbare" regarding Vietnam.

Three years ago, after spending a couple of months in South Vietnam and attempting to digest the conclusions of American advisers there, we wrote that what would be required was "patience—plus lots of sweat, some blood, some tears and a thumping amount of hard cash."

A few months later, Ho Chi Minh, the Red boss of North Vietnam, said in an interview published in an American magazine that the United States did not possess the patience to compete with the Viet Communists, that we would tire of the bloody game in a few years and quit.

It's a cinch that the American public won't develop that essential patience very fast while under the impression that there could be a negotiation, an end to killings, and a peace almost at any moment.

This is why some of Johnson's friends think the time has come to lift the illusion that a fast peace is around the corner, that the President might pull some big stunt and run a dire risk of major war to get the shooting stopped before the 1966 or certainly the 1968 elections.

THE TROOP ESTIMATES VARY WIDELY

Certainly the military men charged with conduct of their part of the war, keeping in mind that the Viet generals must remain in the forefront as leaders in their own country, are proceeding on no crash basis.

How many Americans troops may eventually be required, what kinds of supporting force are unknowns and the situation can change from day to day. Defense Secretary McNamara has announced the troop total is in the process of swelling from 53,000 to 75,000. You can make a couple of phone calls to high officials here and get estimates any size you want, 100,000 to 150,000 to 350,000 and more.

But these changes, the switch in tactics, come as no quickie, shoot-from-the hip decision. The B-52's based at Guam and used as desired over South Vietnam were prepared a year ago.

Now it is expected that the new 1st Cavalry Division (Airmobile) just formed at Fort Benning, Ga., may start moving this month toward South Vietnam—with its 15,787 men supported by 428 helicopters—to give the Communists a taste of something new in warfare. And, of course, to see how it works.

NEW YORK CITY IN CRISIS—PART CXXVIII

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I commend to the attention of our colleagues the following article from the May 19, 1965 edition of the New York Herald Tribune.

The article concerns the proposed police review board and is part of the series on "New York City in Crisis":

NEW YORK CITY IN CRISIS—OPPOSED BY THE PBA—COUNCIL BACKING FOR POLICE REVIEW BOARD

"This report * * * will meet the need for a full and open review of substantive cases of police brutality while at the same time protecting the good reputation of the thousands of men on our police force who serve with dedication and honor." (City council committee's majority report.)

"Nothing could be more detrimental to the police department, the morale of the men or the efficient protection for the people of the city * * * the cops * * * will be the target of every cop-hater in the city * * * A cop would be looking down the throat of a review board." (Police Benevolent Association statement.)

(By James Lynn)

A special city council subcommittee recommended yesterday that the council establish its own version of a civilian review board to look into complaints of police brutality.

The body suggested in the subcommittee's majority report would be a permament committee of the council itself, empowered to review the findings of the police department's own Civilian Complaint Review Board.

As soon as the subcommittee report was out it was condemned by the Patrolmen's Benevolent Association, which opposes external review of police procedures in any form.

"Today it's made up of councilmen," a PBA spokesman said, "and tomorrow who knows? It opens the door to unlimited investigation of the police department by outside people."

PROTEST

There was an even more vivid protest outside city hall, where more than 30 pickets paced yesterday afternoon, carrying signs that read "The Police Are Our Last Defense Against Communism" and "Policemen Protect Us—Please Don't Tie Their Hands."

The pickets were passing out petitions drawn up by Citizens for Law and Order, whose chairman was listed as Thaddeus S. Dabrowski. The petitions said "any attempt, in any manner, to form a civilian review board * * * will only hinder" the police.

On the other hand, Councilman Theodore S. Weiss, a member of the subcommittee, dissented from its report because he didn't think it went far enough. And another subcommittee member, Councilman Richard S. Aldrich, went most of the way with the majority but parted company with it on making the review body an arm of the council.

The chairman of the subcommittee, Brooklyn Democratic Councilman Dominick Corso, said he had no assurances of support for the recommendations from Mayor Wagner or Council Majority Leader David Ross, but the mayor has voiced his approval of the bill's broad outlines.

Besides recommending a council committee to check up on decisions of the police department's civilian complaint review board, the subcommittee report called for some changes in police handling of civilian complaints.

Specifically, it said all complaints should be submitted in writing and acknowledged by a written receipt; attorneys should have the right to cross-examine and transcripts should be taken at preliminary hearings, and both the complainant and the police should have the right to subpena witnesses for hearings before departmental trial.

The recommended permanent council committee on police affairs would be authorized "to review police department administrative findings in respect to allegations of brutality," with complete access to police records, and would make regular spot checks on the handling of complaints by the police.

Mr. Aldrich, a Manhattan member of the council's Republican minority, agreed with the subcommittee majority that civilian review is desirable but argued that Deputy Mayor Edward F. Cavannagh, Jr., is now authorized to provide it and should merely be given by law the power he already holds at the mayor's order.

ALL ASPECTS

In fact, Mr. Aldrich said, the deputy mayor's review power should be widened "to include all aspects of civilian-police relations," not just charges of brutality. A council committee should not be given the job, he added, because most councilmen are part-time public servants.

Perhaps more important Mr. Aldrich said, "Great pressures could be brought to bear on the individual councilman by his constituents and pressure groups from his community." The deputy mayor, he reasoned, would be above "partiality, prejudice, and professional courtesy."

Mr. Weiss' minority report took issue with practically all of the subcommittee majority's recommendations. He filed a bill more than a year ago that would establish a nine-man civilian complaint review board whose members would be appointed by the mayor from the citizenry at large.

Yesterday's subcommittee report recommended that Mr. Weiss' bill be shunted aside. Mr. Weiss retorted that a council committee "would give substance to the arguments of those who fear a politically oriented external board without satisfying those who seek a truly impartial board.

"To be perfectly blunt," the Manhattan reform Democrat believes that the council has not the political independence to discharge this responsibility. And "even if it did, no group of councilmen * * * could long escape the charge, unfounded though it might be, that they were deciding complaints on the basis of political considerations."

NEW YORK CITY IN CRISIS—PART CXXIX

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, the subject of the following article is New York's new police commissioner, and it is part of the series on "New York City in Crisis." The article appeared in the New York Herald Tribune on May 20, 1965, and follows:

NEW POLICE HEAD TOO BUSY EVEN TO ASK WHAT JOB PAYS

(By Maurice C. Carroll)

It was a rare Tuesday for the six Broderick children: Their father came home at noon so he could watch 10-year-old Ellen be confirmed in St. Catherine's Roman Catholic Church.

Usually he didn't get home from the U.S. Attorney's office in Foley Square to the gray stone and stucco house at 215 Highbrook Avenue, Pelham, much before suppertime. But on Tuesday the children got a good chance to visit with him.

It is the kind of opportunity they won't expect much from now on because in mid-evening the telephone rang and, Vincent L. Broderick said yesterday, "it was Mike Murphy. He said he had submitted his resignation as police commissioner and recommended me as his successor."

From that moment until he sat yesterday afternoon in city hall, shoulder to shoulder with what seemed an endless series of television interviewers who repeated, one by one, the same set of questions, Mr. Broderick was so busy he never even got around to finding out how much he was going to be paid in his new job.

He walked out the city hall front door at 2:15 for lunch with Mr. Murphy, former Commissioner Francis Adams and his current boss, U.S. Attorney Robert Morgenthau, and someone asked, "Will your salary be the same $35,000 that Murphy gets?"

The tall, slim Mr. Broderick looked surprised. His right hand strayed to his outthrust chin. "Why, I assume it is," he said slowly. "We never did discuss it." He smiled. "Maybe we should have."

He and his new boss, the mayor, had a brief Gracie Mansion chat before Mr. Broderick headed briefly back to his office, then down to city hall to meet the press.

That telephone call from Mr. Murphy stirred in him, he said, "shock and chagrin. I've known Mike 11 years and I regard him as a great police officer, a great attorney, a great man." After they talked, he called Mr. Adams, under whom he had served when he was deputy police commissioner in charge of legal matters from 1954 to 1956. They chatted briefly. At about 10 p.m. he called Mr. Morgenthau.

At 9:30 a.m. yesterday he was at Gracie Mansion for a meeting with Mr. Murphy, Mr. Wagner and Mr. Adams. He was offered the job. He took it. By mid-morning he was making ready to take over as police commissioner.

The city gains 3 inches of commissioner and loses 25 pounds in the transition from the heavy-set Mr. Murphy to the slender 6-foot-1, 175-pound, graying Mr. Broderick.

It loses several decibels in vocal volume. Mr. Murphy has a big voice. Mr. Broderick's is soft, almost apologetic. But those who know him say the soft tones cloak a firm character. He is, they say, a calm and accomplished administrator.

He was born in New York 45 years ago, son of the late Joseph Broderick, a former Federal Reserve Board governor, and Mary Lyons Broderick. He has two brothers, the Reverend Joseph Broderick, a Dominican priest who teaches law at Catholic University, and Francis, director of the Peace Corps in Ghana.

Educated at All Hallows, Barnard School for Boys, Phillips Andover Academy, Princeton (class of 1941) and Harvard Law (1948), he joined the law firm of Hatch, Root and Barrett, 26 Broadway, after graduation. In college he was editor of the Daily Princetonian, a Quadrangle Club member, and on the swimming, JV soccer and rugby teams. After his term as deputy police commissioner, during which he conducted departmental hearings against policemen accused of misconduct, he served from 1956 to 1961 as general counsel of the National Association of Investment Companies (with service in 1958 and 1959 as special hearings officer for the waterfront commission) and from 1961 until now as chief assistant U.S. attorney for the southern district.

He spent 4 wartime years in the Army Corps of Engineers.

He has, he said, no special hobbies. "I'm a situation golfer. If there's a course there and nobody on it, I might play." Mostly, he said, "I just like to spend time with my children and tossing a ball back and forth."

Mr. Broderick's hazel eyes gaze downward when he answers questions and he folds his slim hands contemplatively. But his words proclaim self-assurance. His new job? "The second toughest job in New York. But I am honored by the confidence the mayor has expressed in me—and I have a certain degree of confidence in myself."

The Broderick children heard schoolyard gossip about their father's new job but it was only as they drifted home in midafternoon that they learned for certain—Kathleen, 14, from Pelham High; Vincent, 12, from junior high; Mary, 11, Ellen, 10, and Joan, 7, from Colonial Public School. Only 2-year-old Justin was home all day with his mother, the former Sally Brine.

Their home is near the city line but Mr. Broderick said they would now probably move closer to the center of things. Where? When? He threw out his hands. "That's one of the things. I just don't know. It's been so sudden."

Mrs. Broderick said she was "delighted" with the appointment even though she knew the job would make many demands on her husband's time. He said, "I'm blessed with a very understanding wife."

Yes, he said supper was usually at 7:30, "although Mr. Morgenthau runs a pretty busy office, too. And I don't always make it now."

When he's commissioner?

"Sally is probably still going to have dinner at 7:30—with the six children."

RABBI BLOOM

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to record here my profound shock and brief at the death of Rabbi Maurice J. Bloom, one of the outstanding moral and spiritual leaders in my district. Rabbi Bloom, leader of the Tremont Temple, lived a life modeled after that which he outlined for his congregation as "the good life." He was truly a living example as well as a spiritual inspiration to his followers. Believing in service to his country as well as to his God, he acted for a period as Jewish chaplain at the U.S. Military Academy at West Point. He also spent many hours in service to the community as part-time chaplain at Kingsbridge Veterans' Hospital, president of the Association of Reform Rabbis of New York City and vicinity, as a member of the executive board of the Synagogue Council of America and as a member of the board of the Central Conference of American Rabbis.

What Rabbi Bloom has left behind him is difficult to document here, for in large part it is in the hearts of his congregation and the people whose lives he touched in an intangible way.

On behalf of my constituents in the 21st Congressional District in New York, I would like to express here publicly our grief at the passing from our midst of this outstanding human being. As a private person, I would like to extend my heartfelt condolences to the rabbi's family and to assure them that we shall never forget this great man's teachings. What he has left behind will never fade away.

THE MEXICAN IMMIGRANT

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I have long believed that the great contributions to the growth and development of the United States made by the Mexican immigrant ought to be formally recognized by the Federal Government, that such recognition should be in concrete form in the nature of a permanent monument, and that the ideal location would be the city of San Antonio, Tex. San Antonio has been a gateway to and from Mexico for centuries. Today it is perhaps the largest bilingual city in the Nation and a confluence of the Anglo and Latin American cultures.

In 1968 San Antonio will celebrate the 250th anniversary of its founding. Also in that year an international exposition, HemisFait 1968, will open in San Antonio. This exposition will be a "Fair of the Americas," emphasizing the contributions that each of the cultures and countries have made to civilization in North and South America. This will be the first fair of its kind in the Western Hemisphere.

On June 21, I made a speech in this House in which I served notice that I would initiate action to call the attention of the Nation to the contributions made by the immigrants from across our southern border. On the same day I introduced the HemisFair bill, H.R. 9247, providing for a planning study to be set up in the Department of Commerce to determine the extent to which the United States shall participate at the exposition. This study, which I hope will be authorized this year, can include an inquiry into a monument dedicated to the Mexican immigrant. Possibly, the U.S. pavilion may be built so that it can serve the dual purpose of the Federal HemisFair exhibit and the immigration monument. If it is determined that additional legislation is needed, I will introduce it.

The full story of the Mexican immigrant has never been told. The total for 145 years of Mexican immigration, from 1820 to 1964, is 1,326,370. This figure does not include the tens of thousands of persons of Mexican birth or ancestry who were living in the southwest territories at the time they were admitted into the Union as States.

Today, the total numbers of persons of Spanish surname in the five Southwest States—Arizona, California, Colorado, New Mexico, and Texas—comprises a significant portion of the population in this area. Of the 29.3 million persons in the five Southwest States, 3.4 million have Spanish surnames, according to the U.S. census of 1960. Of the 9.5 million persons in Texas, 1.4 million are of Mexican ancestry.

Of course, the numbers alone cannot fairly indicate the contributions that these persons have made to the Southwest and to the Nation. I am neither a sociologist, an historian, nor an economist. It would take a team of persons in these and other fields to compile the record of the achievements and of the significance of the Mexican immigrant and his offspring to the American experience. But anyone who has traveled or lived in the great Southwest can grasp some idea of the meaning and the importance of the waves of hardy, industrious immigrants who have come across the Mexican border. Undeniably, our culture and our economy would be immeasurably poorer had this immigration not occurred.

It is time for this Government to recognize what those of us who live in the Southwest have known: that the Mexican immigrant has enriched our heritage and helped build our country. It would be a fine and worthwhile tribute for the U.S. Government to establish a monument to the Mexican immigrant. And it would be fitting and proper for such a monument to be located in San Antonio, Tex.

With unanimous consent, I am inserting into the Record three tables relating to Mexican immigration into the United States. Table 1 shows the Mexican immigration by decades beginning in 1820, and for the years since the last census in 1960. Table 2 shows the populations of persons with Spanish surnames in the five Southwestern States for 1950 and 1960. Table 3 shows the total population for each of the five Southwestern States.

The tables follow:

Mexican immigration by decades

Year:	
1820	1
1821–30	4,817
1831–40	6,599
1841–50	3,271
1851–60	3,078
1861–70	2,191
1871–80	5,162
1881–90	1,913
1891–1900	971
1901–10	49,642
1911–20	219,004
1921–30	459,287
1931–40	22,319
1941–50	60,589
1951–60	299,811
1961	41,476
1962	55,805
1963	55,986
1964	34,448
Total for 145 years of immigration, 1820 to 1964	1,326,370

No record of immigration 1886–93.

Spanish surname population in five Southwestern States

	1950	*1960*
Arizona	128,580	194,356
California	758,400	1,426,538
Colorado	118,715	157,173
New Mexico	248,560	269,122
Texas	1,027,455	1,417,810
Totals	2,281,710	3,464,999

1960 Census population of the five Southwestern States

Arizona	1,302,161
California	15,717,204
Colorado	1,753,947
New Mexico	951,023
Texas	9,579,677
Total population	29,304,012

OUR GOAL: TO PROTECT THE INDEPENDENCE OF SOUTH VIETNAM

The **SPEAKER** pro tempore (Mrs. Green of Oregon). Under previous order of the House, the gentleman from California [Mr. Cohelan] is recognized for 5 minutes.

Mr. **COHELAN**. Mr. Speaker, this last week the distinguished minority leader [Mr. Ford] suggested that the United States should increase its military pressures on North Vietnam by bombing four Russian ground to air missile sites at Hanoi.

The very able majority leader of the Senate [Mr. Mansfield] has responded that this would not be a "war shortener" or an "American casualty reducer." It would to the contrary, he has suggested, be more likely to "raise the level of the conflict another notch, to bring on larger American casualties and a much broader and deeper U.S. involvement in Asia."

Mr. Speaker, I agree and agree strongly with the Senator from Montana. To bring the Soviet Union fully into the Vietnam conflict; to provoke even greater troop commitments from North Vietnam; to encourage a still larger role for Communist China; and to kill thousands of Vietnamese civilians—this should not be our goal in Vietnam. It is a perversion of our right and proper purpose.

Our goal should be to help in every reasonable way we can to protect the independence of South Vietnam from outside aggression and interference. If independence is as precious and as vital as this country has maintained for nearly 200 years, then it should be available to all who are willing to work for it and not just to the few who are capable of defending it.

At the same time, there can be no military solution to this problem. Our arms must be used, as they are needed, to convince Hanoi and Peiping, and Moscow as well, that wars of national liberation based on terror and intimidation and naked force will not succeed.

Our arms should be used to persuade the adversaries of open societies that Saigon cannot be crushed. They should be used to help secure sound negotiations and a just settlement. They should be available as long as necessary, but they should be restricted to this time and to this purpose.

It is perfectly true that the Communists, whether they be in South Vietnam, North Vietnam, or Communist China, have been deaf to every offer of discussion, negotiation and settlement that has been made to date. On at least 14 different recent occasions they have rejected proposals which could bring this matter to the international conference table and to a position where the United Nations might be able to take a more active and helpful role.

But we must not let this solid record of intransigence deter us in our efforts to achieve a peaceful settlement. We must not let continued belligerence provoke us into any unwise action. Rather, we must keep our powder dry and bear in mind at all times our objective.

We must be prepared to persist and persevere. We must continue our willingness to join in the defense of independence where it is threatened and where our help is asked. And we must continue to press our adversaries and pursue every opportunity for negotiations, for a ceasefire and for a settlement that will guarantee the people of South Vietnam freedom to determine their own future without fear or coercion.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Adair (at the request of Mr. Gerald R. Ford), for July 15, 1965, and the balance of the week, on account of official business.

Mr. Aspinall, from 5 o'clock p.m., July 15, for balance of week, on account of official business.

Mr. Duncan of Oregon (at the request of Mr. Karsten), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Sikes, for 30 minutes, on Monday next.

Mr. McCarthy, for 30 minutes, tomorrow.

Mr. Widnall (at the request of Mr. Don H. Clausen), for 15 minutes, today.

Mr. Cohelan (at the request of Mr. McCarthy), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Olsen of Montana (at the request of Mr. McCarthy), for 30 minutes, on July 15 and July 19; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Fino.

Mr. Langen.

Mr. Bennett.

Mr. Aspinall to revise and extend his remarks on H.R. 8926 and include extraneous matter.

Mr. Philbin in two instances and to include extraneous matter.

Mr. Olsen of Montana (at the request of Mr. McCarthy) the remarks he made in the Committee of the Whole today, and to include extraneous matter.

(The following Members (at the request of Mr. Don H. Clausen and to include extraneous matter:)

Mr. Bates.

Mr. Cleveland.

(The following Members (at the request of Mr. McCarthy) and to include extraneous matter:)

Mr. Rogers of Colorado.

Mr. Cohelan.

Mr. Williams.

ENROLLED BILLS SIGNED

Mr. **BURLESON**, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4185. An act to fix the fees payable to the Patent Office, and for other purposes;

H.R. 5041. An act to provide for safety regulations of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes;

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act; and

H.R. 6453. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The **SPEAKER** announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 559. An act to regulate the labeling of cigarettes, and for other purposes;

S. 571. An act for the relief of Denise Hojebane Barrood; and

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

ADJOURNMENT

Mr. McCARTHY. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 22 minutes p.m.) the House adjourned until tomorrow, Thursday, June 15, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1338. A letter from the Secretary of State, transmitting a draft of proposed legislation to complement the Vienna Convention on Diplomatic Relations; to the Committee on Foreign Affairs.

1339. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal and return of the case of Tom Leong Doo, also known as William Doo Tom, A–11662187, previously transmitted on April 1, 1965, involving suspension of deportation, pursuant to section 244(a) (1) of the Immigration and Nationality Act of 1952, as amended by Public Law 87–885; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Resolution 470. Resolution for the consideration of H.R. 9075, a bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services; without amendment (Rept. No. 612). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 471. Resolution for the consideration of H.R. 8469, a bill to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes; without amendment (Rept. No. 613). Referred to the House Calendar.

Mr. KLUCZYNSKI: Committee on Public Works. H.R. 6790. A bill to increase the limitation on emergency relief for the repair or reconstruction of highways under section 125 of title 23, United States Code; with amendment (Rept. No. 614). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 496. A bill to designate lock and dam 3 on the Cape Fear River, N.C., as the William O. Huske lock and dam; without amendment (Rept. No. 615). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H.R. 790. A bill to rename a lock of the cross-Florida barge canal the R. N. Bert Dosh lock; without amendment (Rept. No. 616). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H.R. 7475. A bill to name the authorized lock and dam No. 6 on the Arkansas River in Arkansas and the lake created thereby for David D. Terry; without amendment (Rept. No. 617). Referred to the House Calendar.

Mr. POWELL: Committee on Education and Labor. H.R. 9460. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; without amendment (Rept. No. 618). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. H. Res. 473. Resolution for consideration of H.R. 9026, a bill to amend further the Peace Corps Act (75 Stat. 612), as amended, and for other purposes; without amendment (Rept. No. 619). Referred to the House Calendar.

Mr. SISK: Committee on Rules. H. Res. 474. Resolution for consideration of H.R. 8856, a bill to amend section 271 of the Atomic Energy Act of 1954, as amended; without amendment (Rept. No. 620). Referred to the House Calendar.

Mr. POWELL: Committee on Education and Labor. H.R. 9567. A bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; with amendment (Rept. No. 621). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 9821. A bill to prohibit the Secretary of Commerce from approving plans, specifications, and estimates for a highway along a certain route in the State of New York, and to prohibit any obligation or expenditure of Federal funds in connection therewith; to the Committee on Public Works.

By Mr. BURLESON:

H.R. 9822. A bill to provide for participation of the United States in the HemisFair 1968 Exposition to be held at San Antonio, Tex., in 1968, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DOWDY:

H.R. 9823. A bill to confer additional jurisdiction upon the Superintendent of Insurance for the District of Columbia to regulate domestic stock insurance companies and to exempt such companies from section 12(g) (1) of the Securities Exchange Act of 1934; to the Committee on the District of Columbia.

H.R. 9824. A bill to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended; to the Committee on the District of Columbia.

By Mr. DOWDY (by request):

H.R. 9825. A bill to amend section 10 of chapter V of the Life Insurance Act of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GILLIGAN:

H.R. 9826. A bill to amend the Urban Mass Transportation Act of 1964 to provide for additional technological research; to the Committee on Banking and Currency.

By Mr. HANLEY:

H.R. 9827. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. HANSEN of Iowa:

H.R. 9828. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 9829. A bill to amend the Sherman Antitrust Act (15 U.S.C. 1 et seq.) to provide that exclusive territorial franchises, under limited circumstances, shall not be deemed a restraint of trade or commerce or a monopoly or attempt to monopolize, and for other purposes; to the Committee on the Judiciary.

By Mr. HECHLER:

H.R. 9830. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize reimbursement to a State or political subdivision thereof for sidewalk repair and replacement or to make other arrangements therefor; to the Committee on Government Operations.

By Mr. KREBS:

H.R. 9831. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRIS:

H.R. 9832. A bill authorizing the Secretary of the Interior to establish a memorial museum at Las Vegas, N. Mex., in honor of the Roosevelt Rough Riders; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 9833. A bill to strengthen educational opportunities throughout the Nation by the establishment of a National Teachers Corps; to the Committee on Education and Labor.

By Mr. WALKER of New Mexico:

H.R. 9834. A bill authorizing the Secretary of the Interior to establish a memorial museum at Las Vegas, N. Mex., in honor of the Roosevelt Rough Riders; to the Committee on Interior and Insular Affairs.

By Mr. BROCK:

H.R. 9835. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

By Mr. FLYNT:

H.R. 9836. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

By Mr. LOVE:

H.R. 9837. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.R. 9838. A bill to prohibit the Secretary of Commerce from approving plans, specifications, and estimates for a highway along a certain route in the State of New York, and to prohibit any obligation or expenditure of Federal funds in connection therewith; to the Committee on Public Works.

By Mr. SCHEUER:

H.R. 9839. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. SIKES:

H.R. 9840. A bill to authorize the offering of prayers in schools on military reservations; to the Committee on Armed Services.

H.R. 9841. A bill to provide for the suspension of U.S. foreign aid to any country with respect to which diplomatic relations with the United States have been terminated or suspended; to the Committee on Foreign Affairs.

H.R. 9842. A bill to provide that district courts of the United States shall not have jurisdiction to enjoin or modify the operation of State laws respecting legislative districts where comparable relief is available in State courts, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITE of Texas:

H.R. 9843. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for funeral expenses paid by the spouse or other relative of the decedent; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 9844. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 9845. A bill to provide credit facilities for the use of fishermen's cooperative associations through establishment of a Bank for Fishermen's Cooperative Associations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CLEVELAND:

H.R. 9846. A bill to authorize wartime benefits under certain circumstances for peacetime veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. MOORE:

H.R. 9847. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 9848. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. CHARLES H. WILSON:

H.R. 9849. A bill to authorize the Surgeon General of the Public Health Service to conduct certain investigations and studies relating to health hazards caused by aircraft noise, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FARNSLEY:

H.J. Res. 577. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SIKES:

H.J. Res. 578. Joint resolution proposing an amendment to the Constitution of the United States reserving to each State the exclusive power to apportion membership of its legislature; to the Committee on the Judiciary.

H.J. Res. 579. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. REID of New York:

H. Res. 472. Resolution to strengthen NATO; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONABLE:

H.R. 9850. A bill for the relief of Dr. Daniel S. Daniel; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 9851. A bill for the relief of Aurelio Papa; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 9852. A bill for the relief of Dr. Hi Yun Whang; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 9853. A bill for the relief of Jose Ramon Garcia Munoz; to the Committee on the Judiciary.

By Mr. HENDERSON:

H.R. 9854. A bill for the relief of A. T. Leary; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 9855. A bill for the relief of Noel Compton Bacchus; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 9856. A bill for the relief of Magdolna Szarvas; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 9857. A bill for the relief of Athanasios Sakellaris; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9858. A bill for the relief of Charles W. and Joyce E. Burgan; to the Committee on the Judiciary.

H.R. 9859. A bill for the relief of Meyer Max Ganem; to the Committee on the Judiciary.

H.R. 9860. A bill for the relief of Morike Kourouma; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 9861. A bill for the relief of Yu Tsen Hung; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 9862. A bill for the relief of Robert L. Goddard; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 9863. A bill for the relief of Marika Emiliyu; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

245. Mr. MONAGAN presented a petition of the Connecticut Committee for Baltic Nations' Freedom Rally, held June 20, 1965, at Hartford, Conn., which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Federal Government and Kentucky: Partners in Crime

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House about the unfortunate collusion in ignorance of the Federal Government and the State of Kentucky in making the State a rich grassland for gangland gambling grazing. The continued illegality of gambling in Kentucky merely serves to insure that clandestine gambling will continue to line mob pockets with fat profits, whereas Government-run gambling would put these moneys in public hands for public welfare schemes.

Last year, the parimutuel turnover in Kentucky came to $88 million. Illegal gambling was far more extensive, in the tried and true spirit of mob citadels like Newport and Covington. Testimony before the McClellan committee pegged national off-track betting at $50 billion annually, and other testimony indicated that this figure was only 42 percent of the total illegal gambling figure, which figure would then approximate $120 billion a year. On a population basis, Kentucky would account for $2.04 billion of this. The mob keeps about 10 percent of this as profit, so that the mob is having a royal $200 million feed in the Bluegrass.

The gambling profits are the source of funds for much of Kentucky's many-shaded vice. The illegality of gambling has driven gambling underground and into the service of the crime syndicates. The ignorant partnership of the Federal and State Governments in perpetuating this illegality has turned the sport of kings into the payroll of pimps in Kentucky—as well as the payroll of pushers and the exchequer of extortionists. Kentucky and the Nation need Government-run gambling to take gambling profits out of underworld hands. The way to do this is with State and national lotteries.

Time To Pass Auto Safety Standards Legislation To Save Lives

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. BENNETT. Mr. Speaker, I rise in support of my bill H.R. 9303 to require that all automobiles be equipped with the 17 safety features soon to be included on automobiles purchased by the Federal Government.

Statistics provided by Elmer Paul of the U.S. Public Health Accident Prevention Bureau indicate that perhaps 25,000 lives annually could be saved if all automobiles featured these safety devices.

Beginning today, a Senate committee will hear testimony from the automobile manufacturers on providing certain safety features for automobiles, including improvements in lights, dashboard, steering wheel, and other equipment on motor vehicles.

I would like to commend the General Motors Corp. for its timely pledge to equip its 1966 passenger cars with 6 of the Government Service Agency's 17 listed safety features, which will be required on Government-owned cars. Other automobile manufacturers, most notably American Motors, have also announced their intention to increase the safety equipment on their new automobiles. At the same time, many State legislatures have recently passed laws requiring safer automobiles.

All of these things are positive measures to stop the slaughter on the highways that killed almost 50,000 Americans in 1964. However, much more needs to be done, and that is why the Congress should enact legislation I have introduced in this field, and which I have pushed and supported for the last 10 years.

There is a great deal of overlapping in the setting of standards for safety features between the States, and this should be corrected by Federal legislation. The National Highway Users Conference publishes extensive reports of the equipment requirements established for automobiles by the States. Careful study of these reports yields the inevitable conclusion that these laws conflict and overlap to a great degree. In 1964, for example, 11 States passed laws regulating brakes, 6 States enacted legislation regulating flashing lamps; 5 States passed safe tire laws, and 5 States enacted seat belt requirements. The standards set for these four features were very different.

The reports of the conference also reveal that there is as yet little indication that uniformity will ever characterize State automobile safety laws. And there is no indication that any significant reduction in the appalling fatality rate can ever be achieved if this lack of uniformity prevails. Even the automobile industry appears to prefer a single Federal law to a maze of confusing State laws.

Over the past Fourth of July weekend, 552 persons died within a 78-hour period. That represents 83 more Americans than have died in Vietnam since 1961 and more Americans than have ever died during a comparable period of that weekend.

State efforts to stop this needless slaughter, however commendable, are inadequate. The time has come for Congress to pass a law that will be adequate to save American lives on the highways.

Epirus: A People and a Cause

EXTENSION OF REMARKS

OF

HON. PAT McNAMARA

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Wednesday, July 14, 1965

Mr. McNAMARA. Mr. President, on July 2, 1965, Representative Lucien N. Nedzi, Representative from Michigan's 14th District, delivered a significant address at the National Pan Epirotic banquet held in the Sheraton-Cadillac Hotel, Detroit.

His pertinent remarks on the continuing contributions of Greece to the cultural development of the West deserve a wider audience. Therefore, I ask unanimous consent that the text of his address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Epirus: A People and a Cause

(By Congressman Lucien N. Nedzi)

One of the joys of public office is meeting and getting to know a wide variety of people with all kinds of interests and of all ethnic backgrounds.

I have found in them varying degrees of national pride. But with the Greeks, I have found not only pride of nation, but pride of province, whether one's répos is Sparta, or Arcadia or Epirus. This feeling contributes to a richness of heritage probably unmatched by any other people—you here tonight have the unrivaled heritage of ancient Greece plus the considerable heritage of Epirus itself.

I have also found, with some amazement, what some of my Greek friends call "the Greek underground": not only does every Greek know many other Greeks, but every Epiroti seems to know every other Epiroti, whether they live in the same city or not.

Americans of Epiroti blood have been working for the cause of their brothers for 50 years. I think it is significant that you have made freedom and self-determination the primary concern of your organization. Your leadership has, through the years, assembled a persuasive case in behalf of this cause.

An equal objective of your organization, and one which has met with high success, is to instill in every member an appreciation of American citizenship and loyalty to the United States and its flag.

I might say that the Epirotes I have known need no lessons in patriotism. The fever of patriotism seems to be in your blood, and I think you can give lessons, not receive them.

We may be seeing a renaissance in Greek culture today. I believe that Greece is riding the crest of notable new achievements.

All civilized men and women owe something to ancient Greece, and particularly to the Golden Age of Greece. While Greece has had its subsequent ups as well as downs, it may now be approaching its greatest years since the Golden Age. As you know, there has been a sharp upturn of interest in contemporary Greece. This has been created, in part, by Greece's great lure for tourists, for it is a land which offers antiquity combined with wonderful climate and hospitable people. But it has also been created by the increasing Greek contributions to 20th-century culture.

I think of Mitropoulos and Callas and Hadjidakis in music, Kazan and Cocoyannis, Mercouri and Cassavetes in the theater, Kazantzakis and Seferis in literature, Doxiadis in urban planning. And there are thousands more, not yet as well known, but destined to contribute greatly.

We can expect a further flowering of Greek thought and achievement because Greeks, as a rule, have a high respect for education. Education is being made universal in today's Greece—and this will bear fruit. Moreover, the offsprings of Greek immigrants have reached maturity in the English-speaking nations and they will make their mark in increasing numbers.

I know from my own experience that Greek families will make every sacrifice for the education of their children. The results are everywhere around us—there are thousands of Greek-American lawyers, teachers, engineers, businessmen, and doctors. Moreover, like their parents, they are good family people, revering the family as the foundation of the good life.

In Greece itself, during the term of Prime Minister Karamanlis, political and monetary stability was achieved and much progress made in road construction, rural electrification and tourism. Under the new Prime Minister, Mr. Papandreou, economic growth has continued while a new emphasis has been placed on education. I note that education has now been made free and universal. Inevitably, there are bound to be positive results from this.

Speaking as an amateur, when it comes to Greek affairs, there are some flaws in the picture, to be sure.

The continuing crisis in Cyprus is one. I believe the tide is running in the direction of enosis. Eventually, enosis, with some allowance for minority rights, will come to pass.

Another flaw, it seems to me, is the continued drain of Greek manhood to the labor-short nations of West Germany and Belgium and Australia. They go because there are not enough jobs in Greece. More should have been allowed into the United States.

To be frank, U.S. immigration quotas are very unfair to Greece. Even the new immigration bill, which we expect to pass in this session, and which raises the Greek quota from 308 to 3,500, is only a modest improvement. At any rate, the excessive drain of Greek labor can only be corrected by economic expansion in Greece itself.

A third flaw has been the education field, from which attention was diverted by wars, reconstruction, and other pressing needs. Greece, I am surprised to learn, has only two universities, together with some technical schools. I am therefore pleased to learn that a new university is planned for Patras, where modern methods of teaching can be applied and where Greek men of learning, now scattered all over the faculties of the globe, can return for a year or more of teaching. I hope this expansion will carry to Yannina, in Epirus. While I have never been there, I am told it is a beautiful setting and that it was an ancient seat of learning. Perhaps it will again become a center of intellectual achievement.

The Greek renaissance is carrying to the Detroit area. Our neighbor, the city of Ypsilanti, named after a hero of the Greek revolution of 1821, is planning a Greek theater, where classical plays will be produced. This will be the first theater of this type in America, and I was happy to discuss its plans with its founder, Mrs. Clara Owens, in my Washington office last week.

If there is indeed a Greek renaissance, I expect people of Epiroti blood to play an important part in it, just as they always have.

If Epirus, including northren Epirus, wasn't a land of Greek national sentiment, it would have been swallowed up without a murmur long ago. But the fact is that Epirus—all of Epirus—is Greek.

The Greek character of northern Epirus rests on history, ethnology, and international law. But it rests especially on the determination of its people, which has demonstrated again and again its commitment to freedom.

Northern Epirus is Christian in religion, and clearly Greek in sentiment, culture, language, and aspiration.

In every century, great powers, in the aftermath of war, have carelessly, or mistakenly, or treacherously drawn boundaries which ignored the interests of the people directly involved. Sometimes this leads to more war, as in the case of Korea's 38th parallel, drawn almost as an afterthought by tired leaders distracted by other problems. Almost always, improperly drawn boundaries lead to injustice and suffering. This has happened in northern Epirus.

In 1920, the U.S. Senate passed a resolution saying it was "the sense of the Senate that northern Epirus, the Dodecanese Islands, and the western coast of Asia Minor, where a strong Greek population predominates, should be awarded by the peace conference to Greece." But the peace conference failed to agree.

As you know, it was not until after World War II that the Dodecanese were given to Greece, while the disaster of 1921–22 and the exchange of populations established Turkish preeminence in Asia Minor.

The claim was renewed at the peace conference after World War II but failed due mainly to violent opposition from Soviet Russia.

Because northern Epirus is a small area, of small population, and because a remedy is so terribly difficult under present circumstances, its cause does not press itself on the attention of international public opinion. A further reason is that some people who raise an uproar over injustices committed by colonial but free world powers remain silent when the oppressors are Communist, mainly because democratic nations are more likely to provide relief than are tyrannies.

I would be less than frank if I did not confirm what you already know, that is, that the question of Epirus is not on the agenda of congressional attention. Naturally, the primary concern is about the red hot problems of Vietnam, Red China, and the Dominican Republic. Nevertheless, your efforts and your cause are not without hope.

Situations constantly change and opportunities come and go. What may seem impossible today becomes possible tomorrow.

Captive Nations Week

EXTENSION OF REMARKS

OF

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. CLEVELAND. Mr. Speaker, half the world lies under the heel of Communist imperialism and it is, therefore, no wonder that America is concerned over the plight of the captive nations. These nations, these victims of cruel tyranny over the mind, the spirit and the body, are living symbols of Communist oppression. They are tragic examples of what communism intends for us, who still enjoy the blessings of freedom.

With many other Members of Congress, I have sponsored legislation to create a Special Committee on the Captive Nations in the House of Representatives. Such a committee would recognize formally the commitment of the American people to the liberation of the captive nations; it would provide also a continuing source of information concerning the captive nations, which it would receive from both domestic and foreign sources, and evaluate and disseminate it to the public.

It would provide the American people and the world with a constant picture of what life under communism is really like. I strongly believe that if this committee were in existence today, there would be far less danger that Americans could be misled enough to argue that we should let up in our national commitment against communism.

The one truth we should have learned since the end of World War II is that Communists relax in their overt aggressions only when it suits their basic policy of world conquest. The goal itself never changes.

It is sad to see that in this country there are those who flinch from making the sacrifices which the defense of freedom requires. It is sad to see their blindness to the threat of communism and it is ironic that their criticisms and attacks are possible in an atmosphere of freedom only because others in times past have made the sacrifices necessary to insure freedom. We would not have it any other way, but it is ironic.

Now we come to another anniversary of Captive Nations Week. It is well that we take this time each year to think of those hundreds of millions of fellow humans whose lives are spun out in near or actual slavery; whose spirits are stifled by the all-oppressive rule of Communist states; whose only hope for liberty now lies with those who still live in the light of freedom.

We must not fail them for in so doing, we would fail ourselves. So long as any dictator rules, freedom everywhere is in danger. Let us take this occasion of Captive Nations Week to rededicate ourselves to the cause of liberty and individual freedom for all men.

I particularly want to commend the participants in the captive nations rally in Liberty Park, Manchester, N.H., next Sunday. I hope the enemies of our country are listening to what is said there and at other, similar gatherings across the country. It is these expressions of concern rather than the strange cries from some of the campuses in the land, which speak the true convictions of the vast majority of the American people. Let our enemies take note that we do not accept our God-given liberties lightly and let them understand that we will defend them at any cost, as we always have done. Let them know that we regard their oppressions of once-free peoples with loathing and let them know that this great Republic will never rest until the cause of individual freedom is secured throughout the world.

Private Enterprise Versus ARA

EXTENSION OF REMARKS

OF

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. LANGEN. Mr. Speaker, Minnesota leads the Nation as an example of how private enterprise, when given the proper climate in which to grow, far outdistances the feeble make-work efforts of the Federal Government in creating lasting jobs and bolstering sagging economies. I refer to the tremendous resurgence of the iron ore industry in northeastern Minnesota since the taconite amendment was passed, assuring the industry of fair tax treatment in the State. Since passage of the taconite amendment, private enterprise has moved ahead to invest over $971 million, which represents the largest single private enterprise investment ever made in the history of the United States in a given area.

Although this project is barely underway, the effects have been startling, with some areas reporting a drop in unemployment rates by almost one-half. These are benefits that accrue to all of Minnesota in new jobs, lower unemployment rates, and a healthier economy.

On the other hand, the folly of the Government spending in useless projects has been proven time and time again. Two of the prime examples have directly affected my own Seventh Congressional District.

The ARA has financed a $4 million hardboard plant in Superior, Wis., that this month goes into direct competition with three neighboring plants built by private funds. This action came after a Department of Commerce report stated that existing U.S. facilities were already adequate for hardboard demand. Still this Government agency went ahead and shelled out taxpayers' cash for the unneeded factory.

Then there is the ridiculous expenditure of public funds by ARA to develop the growing of sugarbeets in Maine and New York. These areas were unproven as to suitability and interest. These new plants would be in direct competition with such areas as the Red River Valley of Minnesota and North Dakota, which have been proven to be excellent for sugar production, and which were developed by the hard work and initiative of the local people themselves.

Congress recently gave the generous ARA new life when it extended its expiration date for 60 days. And we all know that a new program is in the making to replace it. Under any name it is the same ARA boondoggle that has not worked in the past and should not be allowed to function in the future. It has done far more harm than good, and at taxpayer expense.

The comparison is perfectly clear. Private enterprise in Minnesota is providing untold benefits to the State compared to the incalculable harm from ARA and other bureaucratic programs. What this Nation needs is a better business climate in which the proven forces of private enterprise can operate, rather than the ineffective and scattered buckshot from Washington that thwarts the efforts of the private sector.

Tribute to the University of California Band

EXTENSION OF REMARKS

OF

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. COHELAN. Mr. Speaker, it was my distinct privilege and pleasure this morning to greet the University of California Band on the steps of the House of Representatives and later to bring them into this Chamber.

I am sure that all who had an opportunity to hear their performance will agree with me that this is one of the finest marching and concert bands in the country. In my estimation they are the very best.

And they are not only fine musicians. They are great representatives of their university and ambassadors of good will wherever they travel.

Mr. Speaker, I believe the RECORD should note the members of this outstanding musical organization who are providing so much pleasure to so many people in the course of their summer tour of the United States. They are:

James Berdahl, director, Berkeley.

Robert Houston, student director, Albany.
Bruce Benzler, cotour director, Fresno.
William Dal Porto, cotour director, Stockton.
Gene Koury, drum major, Oakland.
Lloyd Amborn, choreographer, Oakland.
Douglas Abbott, Bakersfield.
Marco Alpert, Redwood City.
Williard Alloway, Merced.
Arnold Baruch, Oakland.
Jordan Bloom, Sacramento.
Edward Cheever, Sacramento.
Carl Couture, Clarement, N.H.
Jeffrey Custer, Hagerstown, Md.
Michael Dempsey, Mount Prospect, Ill.
Glen Duren, Merced.
Richard Estes, Granada Hills.
Robert Fisher, Lynwood.
Richard George, Berkeley.
Peter Harris, San Francisco.
Harold Heringhi, San Francisco.
Norman Howard, Sacramento.
William Johns, El Cerrito.
Steven Kaminaka, Nipomo.
Douglas Kirby, Sunnyvale.
Douglas Lee, Piedmont.
Don Megill, Alameda.
Carl Morse, Novato.
Glen Petersen, Oakland.
Wes Peterson, Denver, Colo.
Richard Riemke, Rodeo.
John Saunders, Sacramento.
Larry Sera, Berkeley.
Criss Snyder, Paso Robles.
Martin Sobelman, Los Angeles, Roosevelt.
John Upton, Tahoe City.
Daniel Williams, Orinda.
Kenneth Yamada, Santa Clara.
William Anderson, Orinda.
David Anderson, Lafayette.
Fred Bock, Saratoga.
Robert Brand, Lafayette.
Scott Busby, Lancaster.
Steven Clausen, Pleasant Hill.
Ronald Covey, Lakeport.
Bruce Donaldson, Porterville.
Paul Durando, Fresno.
David Evans, Whittier.
Frank Evans, Merced.
Rick Flier, Fresno.
James Fonda, Oakdale.
William Turner, Twin Falls, Idaho.
Dean Hickman, Sacramento.
Rex Hjelm, Canoga Park.
Stanley Inouye, Berkeley.
Kurt Junge, Oakland.
Gil Keith, Redwood.
Cecil Marr, Long Beach.
Archie Meader, Orindo.
Donald Milmore, Kensington.
Michael Murakami, Walnut Grove.
David Parker, Yuba City.
Rich Penner, Thousand Oaks.
David Pippen, Richmond.
David Rosenthal, Stockton.
Peter Rodriguez, Pasadena.
Peter Rubenstein, San Bernardino.
Charles Schauff, Inglewood.
Joseph Braun, Chicago, Ill.
Michael Anzis, Los Angeles.
Philip Bach, Watsonville.
William Chamberlain, North Ridge.
Thomas Edwards, Sunnyvale.
Gerald Eliaser, San Francisco.
William Ellsworth, Berkeley.
Donald Graham, Auburn.
Michael Irving, Los Angeles, Tujunga.
Jay Jacobs, Orinda.
David Johnson, Guadalajara, Mexico.
Steven Karp, Redwood City.
William Klasson, San Jose.
Dennis McCracken, Albany.
Gary Massey, Bakersfield.
Dave Megill, Alameda.
Martin Mulhern, Fresno.
Wayne Peterson, Martinez.
George Reed, Bakersfield.
Daniel Richards, Pleasant Hill.
Michael Ricci, Escalow.
Robert Sachs, Sacramento.
Ryan Sanders, Socal.
Robert Satterford, Fairfax, Va.
Alden Spafford, Stockton.
Bud Spindt, Berkeley.
Steven Whitgob, Oakland.
Joseph Wierzbowski, Sacramento.
Edward Winkler, El Cerrito.
Gene Yunt, Lindsay.

Fifth Anniversary of Christening of SS "Hope"

EXTENSION OF REMARKS

OF

HON. WILLIAM H. BATES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. BATES. Mr. Speaker, this year the hospital ship SS *Hope* celebrates the fifth anniversary of its christening. Since that memorable day in San Francisco on September 22, 1960, the vessel's parent organization, Project HOPE, has grown into the largest and most effective medical-education program of its kind, in the world.

Let me cite briefly, the major accomplishments of this magnificent organization:

In 5 years, the SS *Hope* has traveled to five countries on three continents.

Project HOPE has trained nearly 3,000 doctors and nurses, performed over 6,000 major operations, treated more than 100,000 persons, vaccinated some 1 million children, and distributed a million cartons of nourishing milk.

HOPE has set up such nationwide programs as nutrition-education plan, under which mothers and children are taught proper practices in sanitation, hygiene and dietary habits.

In the meantime, land-based operations have been set up, in the developing nations visited by the ship, to continue the programs initiated by HOPE.

In Jakarta, Indonesia, the first country visited by the vessel, HOPE trained medical personnel who now staff a recently constructed hospital.

In Saigon, South Vietnam, HOPE directs activities in a specially built orthopedic rehabilitation center for children.

In Trujillo, Peru, the project supervises the country's first residency and internship program, at the city's medical school and hospital.

In Cuenca, Ecuador, Project HOPE is upgrading and reorganizing the curriculum at the University of Cuenca School of Medicine and the city's hospital.

Additional shore programs are maintained by HOPE, and another will be established in Africa when the ship leaves Conakry, Guinea. The SS *Hope* sails out of the west African port city on August 14 and returns to the United States at Philadelphia on September 1.

Mr. Speaker, although ceremonies throughout the country will honor Project HOPE in September, I want to take this occasion to congratulate the project.

As an advocate and supporter of Project HOPE since its inception, I have been pleased to watch the good work and compassion of the men and women of HOPE.

I recall the difficult days in 1958 when Dr. William B. Walsh, a specialist in internal medicine from Washington, D.C., struggle for 2 years to launch his dream.

I remember the enthusiastic support from such officials as Vice President HUMPHREY, former President Eisenhower, and our colleague, Congressman ED EDMONDSON.

Then there are the dedicated doctors who volunteer 2 months of their time to serve aboard the ship; the talented nurses who work at minimal salaries for entire, year-long voyages, and the magnificent men and women in white who continue HOPE's legacy on shore after the ship has gone.

Most importantly, the greatest personal satisfaction has been the warm endorsement of HOPE by the American people—by the individuals and organizations who give so generously; by the representatives from business, labor, and all walks of life, who volunteer their services; and by the industries and firms which donate millions of dollars in supplies and equipment each year.

Finally, Mr. Speaker, it has been gratifying to see the overwhelming acceptance of Project HOPE among my colleagues; and it is for your benefit, and for the benefit of the American public, that I have endeavored to inform the country of Project HOPE's achievements as it approaches its fifth birthday.

Thank you, Mr. Speaker.

Small Business Administration

EXTENSION OF REMARKS

OF

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. ROGERS of Colorado. Mr. Speaker, under unanimous consent I insert in the CONGRESSIONAL RECORD my own statement concerning an award given to George E. Saunders, head of the Rocky Mountain area for the Small Business Administration, who received a plaque as "Area Administrator of the Year" from Eugene P. Foley, SBA Administrator. Upon making the award on June 23, 1965, Mr. Foley praised George Saunders for his "initative and ingenuity" in carrying out SBA programs in the Rocky Mountain area which includes Colorado, Montana, Wyoming, Utah, North and South Dakota, Nebraska, and most of Kansas.

Mr. Saunders' early career was in government, having served for 5 years prior to 1940 as Secretary of State in Colorado. In this capacity he was responsible for the State motor vehicle department, the State liquor department, and all incorporations under the State laws. Also, his responsibilities included collection of some $15 billion a year in taxes.

In 1941 he entered the retail furniture business and continued as president of the George E. Saunders Co. until his appointment in 1963 as regional director, Denver, Colo.

Mr. Saunders served in a part-time capacity as chairman of the board of adjustments for the city and county of Denver, Colo. He also served as director of Falcon Life Insurance Co. of Denver and as a director of the North Denver Bank.

In addition, he served in civic and social organizations such as international director of the SERTOMA group, chairman of the State board of welfare and chairman of the board of crippled children committee and many others. Mr. Saunders was appointed area administrator in January of 1965. His business, financial, and administrative experience, together with his wide acquaintance with the business and civic community, equip Mr. Saunders particularly well for the position of area administrator.

Among his first innovations was instituting of interviews with loan applicants where turndowns were probable. This was most useful in developing further information; often favorable enough to grant the loan. It eliminated or nearly reduced the number of appeal cases; it established a more friendly and personal relationship with applicants; and it created a more favorable view of the Small Business Administration.

Mr. Saunders quickly launched an intensive training program, to a great extent planning it himself. He insisted upon the use of teams, of loan servicing and loan processing specialists combined with document examiners to carry on, with an overseer standing by and acting only in an advisory capacity. The program received enthusiastic support on the part of all participants, and it is apparent that considerable savings of time and processing in closing of loans has resulted with the constant speed up and the disbursement of loan proceeds.

Mr. Saunders is known for his special efforts among minority groups. Soon after taking office he launched a program whereby committees were formed of three principal minority groups in the Denver area. Constant contact is held by Mr. Saunders and these groups. They share his respect and he has theirs. Loan applications were previously unheard of by these groups, but they have now begun to filter in. As time goes on and the full development of the plans by this area realized, there is no doubt that this will be a significant contribution in intergroup relations. Mr. Saunders, from the business relations viewpoint, believes in an aggressive program and has used every facility at his command to carry the SBA message to the business community. As a result, his area recently docketed and undocketed the greatest number of loans in its history.

The Enigma of Farm Bills

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. PHILBIN. Mr. Speaker, we are all concerned with efforts to solve the very challenging problems of huge food surpluses and developing some suitable program that will stabilize agricultural products and prices and at the same time serve necessary consumer interests.

Proposals have been made by a prominent farm group, providing for the termination of present programs for wheat and feed grains and substitution in their place of a cropland retirement program which would be initiated beginning with the 1966 crop.

In return for agreeing not to harvest or graze this contracted land, farmers would receive annual rental payments determined by competitive bids. The retirement of whole farms would be encouraged.

These proposals also provide for a price support program beginning in 1966 in which all producers would be eligible for price support loans. Various levels for price support would be established, corn 90 percent of the average price received by farmers during the 3 preceding marketing years, or 50 percent of parity, whichever is higher, and for other feed grains, at a level related to their feeding value as compared with that for corn. Price support for wheat would be the farm price equivalent of the average world market price during the 3 preceding market years, but in no case less than 50 percent of parity. Further, CCC would not be authorized to make sales of wheat or feed grain stocks at less than 125 percent of the loan rate plus carrying charge.

A further analysis of these proposals would seem to indicate that to rely solely upon a long-term land retirement program to achieve and maintain a workable balance between the supply and demand for farm products would have severe adverse repercussions, especially with respect to net farm income.

In the first place, should such a law be enacted and go into effect, harvested grain acreage would expand and production would increase. I believe also that, automatically under ordinary economic law, grain prices would press against the lower support levels and excess grain would be turned over to the Commodity Credit Corporation. It would also be true, I believe, that lower grain prices would require a further drop in the level of supports for the following crop year. Grain selling at lower prices would stimulate and increase the production of livestock products and lower prices for livestock and livestock products would follow. So say the experts.

This would be robbing Peter to pay Paul, so to speak, and it could create a crisis in the livestock industry, and, second, create a crisis in certain industries spread around throughout the country that depend upon the livestock business to purchase their products and maintain the employment rate. This would cause depressed conditions and unemployment in those industries and have a bad effect upon the entire economy.

If there were no limitations on Government funds for cropland retirement, it probably would be possible, after several years, to retire enough acreage to hold production of various crops in line with requirements, and that would seem to be a goal that we have been pursuing for years as we have striven, without much success, and in some cases by making the situation worse, to find an answer to our serious agricultural problems.

Without wheat certificates and with lower grain prices and higher production expenditures, net farm income would be sharply lowered. That would seem to be inevitable under this kind of setup.

Government costs would not be appreciably different from those required under programs such as those in the farm bill now before Congress. Fewer dollars paid to farmers would be about offset by more dollars required to store additional excess stocks of grain, and this, to my mind, is not only an anomaly, but a travesty on economic reason and good sense.

While I am doing everything I possibly can to try to rid the Nation and the Treasury of the very high costs of existing agricultural programs, I would view with concern precipitating depressed conditions in agriculture by adopting further experimental programs until we fully test the existing ones.

Everyone seems to have a plan, as in the past, but I would point out, Mr. Speaker, that none of these plans to date has worked, yet some have worked better than others, and under the circumstances, there is little left for those of us who are interested in industry and also in agriculture to do, than to support those proposals which will stand up best under the careful analysis of experts, and which, on their face, show some definite promise of being able to accomplish all they support.

Very clearly, the situation and present conditions do not readily lend themselves to any immediate panacea, nor is it possible for anyone, unless he be endowed with a crystal ball, to forecast how some of these proposals and programs will work out.

The best we can do is to embrace some program that will reduce the wastage and high cost of current storage commodities, and try not to impair by legislative action the opportunities or prosperity of farming areas and people, who are so important to our country, to our economy, to our prosperity, well-being, and the sound condition of the Nation.

The farm needs industry, and industry needs the farm. And the country needs both to sustain prosperity and the high standards of American life.

These are factors every Member of this body must have in mind. To pierce the enigma of present farm problems requires expert, specialized analysis on the part of policymaking officials and some good commonsense by the Members of this body. I hope we will have both, as well as the resolution to solve these very perplexing problems. But we cannot accept or tolerate solutions which augment huge costs of the farm program, leave many food and feed surpluses substantially untouched and increase the cost of food and feed to the consumer. Such solutions are unsound and must be rejected.

Ross Barnett Reservoir

EXTENSION OF REMARKS

OF

HON. JOHN BELL WILLIAMS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. WILLIAMS. Mr. Speaker, on Sunday, May 30, a most significant event took place near Jackson, Miss. On that date a major water conservation and recreational project was dedicated which will inure immeasurably to the benefit of that area of the country and add to the economic well-being of our section.

Mr. Speaker, perhaps this would not be particularly noteworthy from a national standpoint, except for the fact that this gigantic project was conceived, planned, financed, and constructed by the people of the State of Mississippi, without the contribution of the first penny by the Federal Government.

The Ross Barnett Reservoir, a $25 million undertaking, was dedicated by Hon. JAMES O. EASTLAND, senior U.S. Senator from the State of Mississippi, who delivered a most interesting and informative address. Also participating in the ceremonies was former Gov. Ross R. Barnett, for whom the reservoir was named.

Under leave to extend my remarks in the CONGRESSIONAL RECORD, I include the text of the addresses made by Governor Barnett and Senator EASTLAND:

[From the Jackson (Miss.) Daily News, May 31, 1965]

TEXT OF BARNETT'S RESERVOIR ADDRESS

The text of former Gov. Ross Barnett's speech at Sunday's dedication of the Ross Barnett Reservoir follows:

"The building of this huge reservoir has been a long and rough road—from the initial projection to its final completion. But when we have people with an indomitable spirit of going forward there is nothing ordinarily that can impede their progress. It is an outstanding accomplishment," the former governor said.

"It is an accomplishment that all citizens of the State of Mississippi and particularly those of the five counties and central Mississippi should be indeed proud and forever grateful.

"AN EXAMPLE

"This is a typical example of what local self government and home people can accomplish. The citizens of the five counties and the city of Jackson and the State of Mississippi have supplied every penny of the $25 million that has gone into this project. It is a perfect example of what people can do for themselves before calling on the Federal Government for financial assistance. I am a firm believer in local self-government and home rule.

"Bob Hederman and all the other members of the board have been faithful, courageous, energetic, and have shown to be past masters in handling the financial affairs of this project. I am grateful to Parham Bridges, Gene Thomas, present and past members of the Pearl River Water Supply District; Joe Bullock, director of the A. & I. Board, Fred Bush, and others of the A. & I. Board, including the Mississippi Legislature. I am grateful to the officials of all municipalities, political subdivisions, the five counties together with State officials, including former Gov. Hugh White, former Gov. J. P. Coleman, and Gov. Paul Johnson, all employees and thousands of other good citizens who have labored untiringly and contributed a helping hand.

"UNLIMITED SUPPLY

"This great body of water will be a source of unlimited water not only for Jackson, but for all other areas in the five counties. It will mean much more future agricultural and industrial development. We know from experience that industry follows the water. This reservoir will also mean much to this and future generations for recreational purposes—for boating, fishing, skiing, swimming, and hunting. It will be the sportsman's paradise of the South.

"I am happy and honored to have the opportunity to accept this wonderful reservoir on behalf of the counties of Hinds, Madison, Leake, Scott, and Rankin—and the entire State of Mississippi. I thank God and all who have had a part in this great milestone of progress," Barnett said.

HERE'S TEXT OF ADDRESS BY EASTLAND AT RESERVOIR

The complete text of U.S. Senator JAMES EASTLAND's speech at Sunday's dedication of the Ross Barnett Reservoir follows:

"Mr. Chairman, ladies and gentlemen, this is an auspicious occasion and I am honored that you have invited me to participate.

"The dedication of this reservoir is the fruition of many years of labor in the study and analysis of the water problems of this area. It is affirmative proof of the growing recognition that water is a necessary and valuable resource on which we must build our economy, stabilize our society and meet our growing human needs.

"I commend those who have worked long and diligently in bringing this project to completion. In this magnificient accomplishment you have hewed out many firsts in this Nation.

"This is the first reservoir of its size to be completed and begin operation that does not include Federal funds. Not only did the State of Mississippi, five of its counties and the city of Jackson wholly plan, finance and construct this great installation, but reimbursed the Federal Government for its initial investment in the Natchez Trace Parkway. This reimbursement constitutes a first.

"The full utilization of the million acre feet of water you will manage will be wholly under your direction. You will also maintain this facility in the future and this is a first.

"ALSO A FIRST

"The cooperative financing, operation and planning together with State, county and municipal capabilities to the exclusion of the Federal Government is a first.

"I am extremely happy to be a part of this dedication because I personally recognize the tremendous value of our water resources. During the drought of the early fifties, when water began to be applied extensively in agricultural irrigation, I led the forces in the Senate in extending the provisions of the Water Facilities Act from the 17 reclamation States to the humid areas of the East. In 1950, less than 100,000 acre feet of water were used in Mississippi in agricultural irrigation. By 1955, this use had grown to 390,000 acre feet with the primary source irrigation wells in the Mississippi Delta.

"With the passage of the Water Facilities Act in 1954 by the Congress and the passage of the Water Rights Law in Mississippi in 1956, the use of surface water for irrigation accelerated tremendously. In addition to the thousands of acre feet of ground water used in rice and crop irrigation in the Delta, the Mississippi Board of Water Commissioners informs me that they have granted rights to use over 250,000 acre feet of surface water from streams and lakes. A tremendous amount of this is in the hill sections where topography provides the necessary storage sites and in which ground water costs would be extremely high. The conservation needs inventory on water resources, developed by our agricultural agencies, project a need for 1,750,000 acre feet of water for agricultural irrigation by 1975.

"CITES EXAMPLES

"To give you some idea of how valuable water is to agriculture let me illustrate with some Mississippi firsts. Lamar Ratiff, a 4-H Club boy in northeast Mississippi, using water stored in a farm pond, delivered by gravity to his corn project, holds the world's record of over 300 bushels of corn produced on an acre. His brother, using the same acre and techniques, has consistently produced above 200 bushels, and the highest production in the United States last year was by a Future Farmer in Marshall County who used this same source of irrigation water to produce over 280 bushels of corn.

"The highest income per acre from the production of vegetable crops to my knowledge was produced by Mr. Rutlege down in Copiah County. Using modern methods and applying water from a livestock pond in the adjacent pasture, he sold tomatoes off of his plot at the rate of $14,860 per acre. Water intelligently applied has a tremendous value in our agricultural economy. This installation has a surplus of water above municipal and industrial uses that can be applied to agricultural lands in the Pearl River Valley.

"ACTION ESSENTIAL

"It was essential that you deal with the water problem in this area. The low flow in the Pearl River for 3 days beginning October 11, 1954, was below 50 million gallons per day. The city of Jackson drew out more than one-half of this flow at that time. I am informed that the ground water table in this area, using the average of three observation wells, has declined nearly 20 feet in the last 10 years. This area was consuming water at a rate faster than the ground water recharge and the streamflow could stand at low flows.

"What have you done with this installation? You have made it possible to capture the excess flow of 50 billion gallons a day that flooded the city in 1963 and use it during the flow periods. I am informed that already the pressure of 30 feet of water in the reservoir is causing a rise in the water table in the underground Cockfield formation.

"You have created here an installation that will, wisely operated, increase the low flow of the river and manage a million acre feet of water a year. This is a sufficient quantity at the present rate of consumption to supply this essential resource for jobs, municipal uses, human needs, and recreation for over a million people with some left over for the consumptive uses of agricultural irrigation.

"This same foresight and initiative in putting our resources, both human and natural, to work has spread through our economy. The research information, technical, and financial assistance provided farmers over the last 15 years has enabled Mississippi to move from the lowest per farm income in the Nation to the 12th from the bottom in 1962. In the last 2 years per farm income in Mississippi has moved from $2,485 to over $3,000 per farm indicating continuing progress.

"INDUSTRY EXPANDING

"In the last 10 years industrial employment has nearly doubled and the increase in industrial plant capital has nearly doubled. I am informed that in 1964 industrial income equaled agricultural income. Much credit is due to the leaders in State government. We have improved our legislative climate to encourage the location of industry in the State bringing in outside capital.

"We have more fully utilized the capital within the State in industrial development through installations like the Mississippi and the Coastal Chemical Corps., and many others.

"The Standard Oil Refinery on the coast is a tribute to the aggressiveness of our State in attracting industry that requires a secure water supply. I am informed that two large papermills will be located in the very near future in the northeast and the southern portions of the State to harvest the abundance of growing timber. Both installations will require a substantial amount of water for processing and for waste disposal. Our past accomplishments in attracting industry are outstanding and the future is bright.

"IN OTHER COMMUNITIES

"Other communities in our State are also making progress on the solution of their water problems. Early in 1962, the Congress extended the authority of the Farmers Home Administration to make loans to smaller communities for water supply systems. Since July 1962, 59 Mississippi communities have had their loan applications approved for $6,974,000 to service 4,900 families, and 131 other Mississippi groups have applications pending for $15,500,000. The completion of these facilities will improve the water supply, insure human health and in many instances entice industry for additional employment.

"The progress in agriculture and industry has made a tremendous impact on our economy over the last 20 years. In 1940, the per capita income in Mississippi was only $218. By 1963, per capita income had grown to $1,376, or over 625 percent. This is an accomplishment unequaled by any other State in the Union. From the bottom we are fast fighting our way up the ladder of personal income to levels that will provide all of our people with employment opportunities and a standard of living of which we can be proud, and a tax base broad enough to support needed State services in education, research and administration without undue hardship on our citizens.

"CONGRATULATE LEADERS

"I want to congratulate the leaders in the Governor's office and the members of the legislature over the past 10 years for the tremendous progress that they have made in creating an atmosphere in which our water resources can be developed and managed to accelerate this progress we have enjoyed in recent years. Under the leadership of water officials in State water agencies with the cooperation of Federal agencies, Mississippi has led the Nation in inventorying the natural resources by river basins. The Yazoo River Bluff Hill area study was completed 4 years ago. The Tombigbee River Basin study was completed last year and the Pascagoula, Pearl, Big Black and southwest tributary areas are currently under study with completion scheduled in 1966 and 1967. Upon their completion we will have a fairly comprehensive inventory of the land, water, and mineral resources on which to build our economy. This will comprise over 80 percent of the land area of our State. No other State will have reached 25 percent of its land area by that time.

"OPPORTUNITY OPEN

"The legislature has cooperated with the people in these river basins and permitted them to use the same financing mechanism that you used in constructing this great reservoir. The door of opportunity is open to them with a 2 mills ad valorem refunded to the county and the one-half mill to be levied by the county to provide a capable staff and a competent board to plan and develop their resources, and the economy that those resources will grow and sustain. Let us hope that these local river basin agencies will acquire competent staff, and that a wise legislature will provide authorization and financial need for State agencies to cooperate and assist the local agencies in developing these resources, which are the life blood of heavy industry and agriculture, to their maximum extent.

"You have made a wonderful beginning. This dam and the water behind it is a reality. It is a resource that must be put to work. The extent to which you can utilize it will determine its impact on the future growth of this area."

Help the Baltic States

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 14, 1965

Mr. PHILBIN. Mr. Speaker, on numerous occasions, I have expressed my shock, concern, sympathy, and intention to continue to assist in every way possible the oppressed people of Lithuania, Latvia, and Estonia who are currently suffering under the yoke of Communist tyranny.

These gallant peoples with their appealing, inspiring history and devotion to the principles of freedom have made it clear to the whole world time and time again that they intend to continue their fight, and to die if necessary, for their national independence and freedom.

This Nation maintains diplomatic relations with the governments of Lithuania, Latvia, and Estonia and has consistently refused to recognize their seizure and forced incorporation into the Soviet Union.

A select committee of this House has found that the incorporation of these nations was contrary to established principles of international law. I will go further and state that the oppression that they have suffered since that incorporation is brutal, unspeakable, inhuman, and violative of human rights.

It was contemplated and agreed at international conferences between the Soviet Union and the Allies during World War II that plebiscites would be held to allow subject peoples affected by the executive agreements if they chose to set up their own independent governments under principles of self-determination.

These agreements, like many others, have not been kept by the Soviet Union. To the contrary, they have been grossly violated by imposing upon these helpless peoples dictatorial control of their lives and affairs, and in many cases forcing them into exile and imprisonment in Siberia and other slave labor camps in the Soviet Union.

Obviously, this Government should not and cannot condone this illegal, inhuman conduct, and neither can it continue to ignore the sorrowful plight of these peoples and other similarly afflicted peoples who are being ground down under the heel of Soviet tyranny, denied their basic rights as free men and women, and held captive under dictatorial masters.

I hope that our Government will urge, not only in the United Nations, but on its own account, an end to these conditions, and a fair, honest, opportunity for these peoples to vote upon their status, and determine once and for all whether they propose to remain by force in the Soviet orbit, or whether they want to establish their own free, independent government, a right that was granted to them under international agreements and is one of the sacred rights of man.

I am greatly concerned about the plight of these peoples to whom I have alluded, Mr. Speaker, and I trust that our Government will make it very clear to the Soviet Union, our allies, and to the world, that we stand wholeheartedly, firmly and irrevocably for all those who are being held captive throughout the world by the armed might of the Communist conspiracy and we will do everything in our power to assist them.

Men are born free and none of them must be kept in chains.

RESOLUTION TO HELP THE BALTIC STATES

Whereas the greatness of the United States is in large part attributable to its having been able, through democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of people everywhere; and

Whereas so many countries under colonial domination have been or are being given the opportunity to establish their own independent states, while on the other hand, the Baltic nations having a great historical past and having enjoyed the blessings of freedom for centuries are now subjugated to the most brutal colonial oppression; and

Whereas the Communists regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic process, and in fact took over these countries by force of arms; and

Whereas Lithuanians, Latvians, and Estonians desire, fight, and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the governments of the free Baltic republics of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced incorporation into the Soviet Union; and

Whereas the select committee of the House of Representatives, created by House Resolution 346 of the 83d Congress to investigate the incorporation of the Baltic States into the Soviet Union, found that the incorporation of Lithuania, Latvia, and Estonia, was contrary to established principles of international law: Now, therefore, be it

Resolved by the U.S. Congress, That the Senate and House of Representatives of the United States of America request the President of the United States to bring the Baltic States question before the United Nations and ask the United Nations to request the Soviet Union to do the following:

1. To withdraw all Soviet troops, secret police, agents, colonists, and all controls from Lithuania, Latvia, and Estonia;
2. To return to their homes all Baltic exiles and deportees from Siberia, prisons, and slave-labor camps in the Soviet Union; and be it further

Resolved, That the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish all Russian Communists who are guilty of crimes against the peoples of the Baltic States.

June 28, 1965.

Mr. Leonard Valiukas,
Los Angeles, Calif.

Dear Leonard: I was glad to hear from you.

I may state that I have exerted very extensive efforts in the House and elsewhere in behalf of the liberation of the Baltic States and other states similarly oppressed, over a long period of time.

My thought was, in response to your request, that you should direct this resolution to your own Congressman and that is a procedure required by the traditions and practices of the House of Representatives.

I may state that I am in complete agreement with the objectives of the resolution anyway but I think you should follow the procedures and present this matter through your own Congressman since I have already introduced the resolution.

Warm regards and best wishes.

Sincerely yours,

Philip J. Philbin.

P.S.—I am enclosing some of my recent speeches in these matters.

Americans for Congressional Action To Free the Baltic States,
Los Angeles, June 17, 1965.

The Honorable Philip J. Philbin,
House Office Building,
Washington, D.C.

My Dear Representative: Your letter of June 14, 1965, was received and greatly appreciated. I am sorry to say that your letter does not satisfy us.

For your information, we have a considerable number of members who are from the Third Congressional District, State of Massachusetts. In other words, they are your constituents. We have received a good number of letters from these members (your constituents) who are asking us whether or not you have introduced a resolution concerning the Baltic States. We have been writing to them and telling them that you most likely would do that. From your letter of June 14 it does not seem to us that you are in a mood to do that.

By introducing a resolution you would not lose anything; on the contrary, you would gain a great deal. First, you would further the freedom cause for the Baltic States; secondly, you would make many new friends and supporters among the Baltic Americans in your Congressional District. Again, we ask you kindly to introduce a resolution that we are mailing to you as a House Concurrent Resolution. We hope that you will do it without further delay. Thank you.

With all good wishes and regards,

Sincerely,

Leonard Valiukas,
Chairman, Board of Directors.

June 14, 1965.

Mr. Leonard Valiukas,
Chairman, Board of Directors,
Los Angeles, Calif.

Dear Leonard: I appreciated your letter of some time ago which was lost in my heavy volume of mail and has just come to my attention.

As you know, I have been very active in endeavoring to help your cause ever since I was elected to Congress and propose to continue my efforts.

With reference to the resolution, I think you should refer it to your own Congressman if you have not already done so because it would seem more appropriate that he should introduce it.

Please know I will continue my efforts for the cause of the oppressed Baltic States.

Warm regards and best wishes.

Sincerely yours,

Philip J. Philbin.

Americans for Congressional Action To Free the Baltic States,
Los Angeles, March 12, 1965.

Hon. Philip J. Philbin,
House Office Building,
Washington, D.C.

My Dear Representative: Thanks for your excellent remarks that you made recently in the U.S. Congress in commemorating the Lithuanian independence day.

As you know, the Baltic States have been suffering in the Soviet slavery since June 15, 1940. We, as leaders of the free world, should go ahead and help the people of Lithuania, Latvia, and Estonia to get rid of the Communists yoke there. Unquestionably, we can do that through the United Nations.

I am taking the liberty of enclosing a resolution which I kindly ask you to introduce in the U.S. Congress as a concurrent resolution. The action that our country can take is embodied in this proposed legislation. By introducing this resolution in the U.S. Congress, you would further greatly the freedom cause of Lithuania, Latvia, and Estonia. I hope that you will do it at your earliest convenience.

When this cry for liberty legislation is introduced and ready for distribution, please mail me several copies of it. Please mail me also at least four prints of your picture. I will see to it that this matter gets some first-rate publicity in all major Baltic-American newspapers that are read by many of your constituents. Thank you.

Sincerely,

Leonard Valiukas,
Chairman, Board of Directors.

International Financial Problems

EXTENSION OF REMARKS

OF

HON. A. WILLIS ROBERTSON

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 14, 1965

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the Congressional Record an outstanding address by Hon. Henry H. Fowler, Secretary of the Treasury, before the Virginia State Bar Association at the Homestead, Hot Springs, Va., on July 10, 1965, on the subject of "International Finance."

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by the Honorable Henry H. Fowler, Secretary of the Treasury, Before the Virginia State Bar Association at the Homestead, Hot Springs, Va., Saturday, July 10, 1965

For a Virginian, the honor of sharing in this 75th annual meeting of the association is exceeded only by the pleasure of seeing so many old friends of my native Roanoke and my adopted home of Alexandria.

For an erstwhile lawyer, the privilege of speaking to this distinguished bar, including most notably the 14 life members, is surpassed only by the temerity of choosing international monetary problems as a subject for discussion. But Virginians have always been heavily concerned with and leaders in providing for the United States an appropriate role in international affairs. And Virginians have in this century made notable contributions to and set high standards for the conduct of public financial affairs.

For a Secretary of the Treasury from Virginia, this is a welcome opportunity to pay tribute to two great living Virginians who bear heavy national responsibilities in the fields of finance, taxation, money, credit and banking, holding two of the most important posts in the U.S. Congress in these areas. I refer to Senator Harry Byrd and Senator Willis Robertson, who serve the Commonwealth and the Nation with distinction and dedication as chairmen of the Senate Finance Committee and the Senate Banking and Currency Committee respectively. No other State is represented by two Senators whose influence and prestige exceeds their seniority by so great a margin. As chairmen of the two committees with which the Treasury, acting for the executive branch, has most of its dealings with the Senate, I am indebted to them for their constant courtesy and their impeccable fairness.

They carry on the tradition of an earlier national statesman from Virginia in the field of public finance in this century; namely, Carter Glass. His service, both in the Congress and as Secretary of the Treasury, is particularly remembered throughout the world of financial affairs. He contributed in a major way to the creation and development of the Federal Reserve System which served to correct many of the outstanding defects of the preexisting national financial arrangements which in many ways find their counterpart in the international financial world of today.

It is to these international financial problems that I would direct your attention this evening.

We have all heard or read a great deal in recent months about the problem this Nation faces in its balance of payments and about the need for the nations of the free world to move toward agreement on ways of assuring the financial resources needed to support increasing international trade and development.

Indeed, world financial questions have never occupied a more prominent place in public discussion than they do today. But to most Americans, I suspect, these problems still seem rather remote from their daily lives and labors—rather unrelated, even, to the other national and international events that engage so much of our interest and our concern. Nor is it unnatural that they should pale beside events such as those in Saigon or in Santo Domingo.

But we must never forget that America's ability to succeed in its difficult and demanding role as leader of the free world—that all the political, diplomatic, and military resources at our command—depend upon a strong and stable American economy and a sound dollar.

We must never forget that our lives can be vitally affected, not only by the events in Saigon or Santo Domingo, but by such apparently far removed occurrences as the outflow of American gold and dollars abroad.

For the role of the dollar as the most widely used international currency is part and parcel of America's leading role in the free world—politically, economically, militarily. More than any other single factor, it is the strength and the soundness and the stability of the American dollar that serves as the essential underpinning of the entire free world monetary system through which the interdependent nations of the free world have fashioned their awesome economic accomplishments of the past several decades.

The solution of our balance-of-payments difficulties and the strengthening of the international monetary system are thus far more than merely arid economic exercises. They are crucial matters which must deeply concern—for, in a broad but very real sense, they deeply affect—not just bankers and businessmen and economists, but every American in every walk of life.

What, then, is our balance-of-payments problem? Why is it so important that we solve it?

Since 1949, the United States has had balance of payments deficits every year except for 1957—when our exports soared as a result of the Suez crisis. During that first postwar decade—up until 1958—those deficits were little cause for concern, for they were simply the counterpart of our effort to help rebuild a Europe laid waste by war. Our vast outpouring of dollars was the essential sourcespring for replenishing the reservoir of international reserves and liquidity required by a Western Europe and a Japan whose financial, as well as physical, resources war had drastically depleted.

Under the Marshall plan and other programs, we furnished some $30 billion in grants and loans to help put the economies of Europe back on their feet again. With the recovery of Europe, we turned more and more of our dollars toward aiding the underdeveloped countries of the world. We also sent dollars abroad to support large military forces and furnish military aid essential for the defense of the free world.

These measures were eminently successful. By the mid-fifties the economies of Europe and Japan were strong and growing, controls and restrictions on trade and payments were being progressively dismantled, and in 1958 external convertibility of the leading European currencies was restored.

But this progress was accompanied by other developments that led to U.S. balance-of-payments deficits far larger than Europe required and than we could live with indefinitely. Rising prices in this country had weakened our competitive position at a time when Europe and Japan had once again become a formidable competitive force in world markets. At the same time, the strength of Europe's economic resurgence and its new-won financial stability began to attract growing amounts of American capital abroad.

Thus, beginning in 1958, things changed—and more swiftly perhaps than most people realized. The dollar shortage which Europe had suffered in the early postwar years was fast disappearing.

During the 7 years 1950–57, our deficits averaged only $1.5 billion a year—and at the end of that period our gold stock amounted to about $22 billion, or more than a third larger than the total volume of dollars held by all foreigners.

Yet over the next 3 years—1958–59–60—our balance of payments deficits averaged almost $4 billion a year. Other countries found their dollar holdings growing more rapidly than they wished, and our gold began flowing abroad in much greater volume—roughly $5 billion in 3 years.

That was the situation that confronted us in early 1961, when we launched a strong and sustained effort to move our international payments into balance once more.

Over a period of 4 years—1961–64—we achieved substantial improvements in many separate accounts entering into our balance of payments, including: A $900 million gain in our commercial trade surplus—those not financed by Government—making it a record $3.7 billion in 1964; a $400 million cut in the dollar outflow as a result of foreign aid; a cut of nearly $700 million in net military dollar outlays despite rising costs abroad; and a $1.6 billion rise in our earnings from past private foreign investments.

Simply as a matter of arithmetic, those gains were enough—all else being equal—to have given us virtual balance in our payments last year. But all other things were not equal. Instead of approaching the vanishing point, with the $3.9 billion deficit of 1960 being absorbed by these gains in particular sectors of our payments totalling $3.6 billion, our deficit in 1964 was in fact reduced by a net total of only $800 million to $3.1 billion.

We incurred that deficit—despite 4 years of real and lasting progress—primarily because of a drastic deterioration in the one major area of our balance of payments which our programs had not yet effectively reached in a comprehensive way—the area of private foreign investment outflows.

In 1964, the outflow of private capital abroad reached the $6½ billion mark—more than twice the size of the deficit and up over $2 billion from 1963 and over $2½ billion from 1960. That outflow reflected a variety of causes—including the drive by American business to stake out a claim in the rapidly growing and seemingly highly profitable European markets. But, to a very large degree, the accelerating outflow had its source in the marked disparity that had long existed between European capital markets and our own—a disparity in size and scope and facilities that led borrowers in other countries to tap our market for a large share of their capital requirements. The United States had often enough called attention to this disparity and urged its European friends to expand and improve their markets. But their progress in that endeavor had simply not been large and rapid enough, and we had passed the point where we could sustain the huge drain of capital which that disparity entailed.

We had to act. We had not only to intensify the efforts already underway in other sectors of our balance of payments, but to extend those efforts to include comprehensive curbs upon private capital outflows. It had become abundantly clear that to restore balance to our payments once more we had to attack our deficit on all major fronts simultaneously. President Johnson launched such an attack with his February 10 message to Congress on the balance of payments. The heart of that message was the call to arms of America's businesses and banks—the call to join voluntarily in a national effort to curb the outflow of dollars abroad, while preexisting programs were intensified.

That call has been heard—and heeded. After a bad start in January, our balance of payments improved in February following the President's message and showed a surplus in March, in April, and in May.

Thus we are off to a good beginning, but—let there be no mistake—it is no more than a beginning. Let no one think that a few months of apparent surplus—a surplus purchased only through extraordinary and temporary measures—can suffice.

The likelihood of a surplus in the second quarter of this year does tell us that we are moving in the right direction—that our current measures can turn our deficit into a surplus. But the big job—the job that remains—is for us to demonstrate that we can sustain equilibrium through these measures as well as the longer term measures inaugurated since 1961. We must maintain those extraordinary measures in full force until rising returns from past private investment abroad, our improved climate for domestic employment of capital, enlarged availability of capital in markets abroad and growth in our trade balance—which requires that we maintain our excellent record of price stability—place our accounts securely in equilibrium.

It is imperative not simply to reach balance in our payments for a quarter or two, or even for a year, but to sustain equilibrium over time. The reasons are clear. Our 14 years of deficits have resulted in a large outflow of dollars to the rest of the world. Because there is worldwide confidence in the stability of those dollars and because they are convertible into gold at the fixed price of $35 an ounce, those dollars are widely used to finance international transactions, and other countries hold them alongside gold in their official reserves.

Today, those dollars—some $27 billion—account for a major share of the international liquidity that sustains the growing free world economy. Some $12 billion of those dollars are in official reserves, while the remainder serve to support growing world trade and investment. Thus, it is essential to the viability of the international monetary system as it exists today that the usefulness and value of those dollars remain unquestioned throughout the world. And, whatever changes might be introduced into that system, the dollar will have to continue to carry a heavy burden as a reserve currency.

If we allowed our deficits to continue, or if we lapsed back into prolonged deficit after a brief period of surplus, we would undermine world confidence in the dollar and impair its usefulness as a world reserve and leading currency. Dollars would return to our shores as claims on our gold, thus depleting instead of supplementing world financial resources. To prevent such a contraction in world liquidity and the widening circles of deflation and restriction that would surely follow, we must reach and maintain equilibrium in our payments as a matter of the highest national priority, along with sustaining the economic advance that has marked the last 53 months.

The paradox is, therefore, that the very increase in official foreign dollar holdings that has fueled so much of the growth in world liquidity in the past—and has thus helped support the growth in world trade—can no longer be allowed to continue if current international liquidity is to be protected. Yet without additions to the reserve dollars that our deficits have so long supplied, the world will need a new and assured source of growing liquidity to support increasing world trade and investment.

This, in a nutshell, is what the issue of world monetary reform is all about. It is to assure ample world liquidity for the years ahead that the United States, in cooperation with other leading financial powers, is seeking workable ways of strengthening and improving international financial arrangements.

For several years now the essential laying of the technical groundwork has been underway as the United States has joined with other major countries in comprehensive studies of the international monetary system—its recent evolution, its present effectiveness and its future. An early conclusion was that there are two elements in international liquidity; on the one hand the more conventional reserves of gold and reserve currencies and on the other hand the ready availability of credit facilities for countries in need of temporary assistance.

As long ago as 1961 the 10 major industrial nations, now known as the Group of Ten, negotiated with the International Monetary Fund a so-called general arrangements to borrow whereby the 10 nations agreed to lend to the IMF up to $6 billion should this be necessary "to forestall or cope with an impairment of the international monetary system." That arrangement was activated last December and again this May in order to provide a part of a $2.4 billion drawings from the IMF on the part of the United Kingdom.

On the credit side, also, the members of the International Monetary Fund have now agreed to support a 25-percent general increase in IMF quotas. This 25-percent increase, plus special increases for some 16 countries, will raise total aggregate quotas from $15 billion to around $21 billion. The Congress last month approved a $1,035 million increase in the U.S. quota.

Meanwhile, the Group of Ten and the International Monetary Fund have been continuing their studies of the future course of world liquidity. Deputies of the Group of Ten submitted a comprehensive report on the problems involved last August. In their ministerial statement last August, the Group of Ten stated that while supplies of gold and reserve currencies are fully adequate for the present and are likely to be for the immediate future, the continuing growth of world trade and payments is likely to require larger international liquidity. While they said that this need might be met by an expansion of credit facilities, they added that it may possibly call for some new form of reserve asset.

A study group was set up "to examine various proposals regarding the creation of reserve assets either through the IMF or otherwise." The efforts of that group have culminated in the so-called Ossola report, submitted to the Deputies of the Group of Ten on June 1 of this year, which exhaustively examines, with all their promises and pitfalls, the possible paths to the creation of reserve assets.

Now for the first time in 4 years we are confronted by the happy concurrence of three crucial facts:

1. The U.S. balance of payments is approaching an equilibrium and the executive branch, the Congress, and the private sector, including industry, banking, and labor, have mounted a program that makes unmistakably manifest our determination to keep it that way.

2. Evidence is accumulating of a rising tide of opinion in many knowledgeable and influential quarters in the free world, private and public, that our international monetary arrangements can and should be substantially improved, building on the basis of the International Monetary Fund and the network of more informal international monetary cooperation that has marked recent years.

3. The completion of technical studies necessary to give a thorough understanding of the problem and various alternative approaches to solution on the part of those at the highest levels of government who must ultimately make these decisions.

We have now reached the moment which President Johnson had in mind when in speaking of new international monetary steps he said: "We must press forward with our studies and beyond, to action—evolving arrangements which will continue to meet the needs of a fast growing world economy. Unless we can make timely progress, international monetary difficulties will exercise a stubborn and increasingly frustrating drag on our policies for prosperity and progress at home and throughout the world."

In taking office, I described this as "the major task facing our Treasury and the financial authorities of the rest of the free world in the next few years."

In recent weeks we have moved beyond the plane of hope and technical studies toward the prospect of more conclusive negotiations from which alone solution can emerge. I met last week with the British Chancellor of the Exchequer James Callaghan and we exchanged preliminary and tentative views on the subject of international liquidity.

Next week I hope to have the pleasure of informal discussions with the Japanese Minister of Finance, Takeo Fukuda, in connection with the Joint Cabinet sessions of the United States-Japan Committee on Trade and Economic Affairs.

Both before and after the scheduled meeting of the International Monetary Fund and World Bank in late September, I expect to visit ranking financial officials of other Group of Ten countries, to ascertain firsthand their views on the most practical and promising ways of furthering progress toward improved international monetary arrangements. We must not only be prepared to advance our own proposals, but to carefully consider and fairly weigh the merits of other proposals. As Congressman ROBERT ELLSWORTH, of Kansas, in discussing this subject recently remarked: "We must appreciate that if we wish a strong Europe it must be a Europe strong enough to look upon an American proposal as merely one among many possible solutions—all of which will be reviewed together. If we wish their partnership, we must treat them as partners."

Already your Government is engaged in an intensive internal preparation for these bilateral meetings and multilateral negotiations that should follow. In addition, so that the Government may have the benefit of some of the expertise and experience outside the Government in this highly technical area, President Johnson has accepted my recommendation and announced creation of an Advisory Committee on International Monetary Arrangements which includes as its Chairman the former Secretary of the Treasury, Douglas Dillon, and a distinguished group of experts including Robert Roosa, former Under Secretary of the Treasury for Monetary Affairs; Kermit Gordon, former Director of the Bureau of the Budget; Edward Bernstein, economic consultant specializing in international monetary policy; Andre Meyer, of the investment banking firm of Lazard Freres; David Rockefeller, president of the Chase Manhattan Bank, and Charles Kindleberger, professor of economics at Massachusetts Institute of Technology.

With their help and that of many others who will be consulted including, particularly, many well-informed members of the appropriate committees of Congress, we shall constantly seek a comprehensive U.S. position and negotiating strategy designed to achieve substantial improvement in international monetary arrangements thoroughly compatible with our national interests. In the various proposals which have and will be made we must determine those which will be acceptable to the United States, those which are entirely unacceptable, and those which may well be appropriate for negotiation.

There will be an initial meeting of the Advisory Committee on International Arrangements on July 16. Hearings are planned before the International Finance Subcommittee of the House Banking and Currency Committee under the chairmanship of Congressman HENRY REUSS, of Wisconsin, to obtain various private and organizational points of view. These hearings and the reports of the committee will be of great value, together with those of the Joint Economic Committee of Congress and the International Finance Subcommittee of the Senate Banking and Currency Committee under the chairmanship of Senator EDMUND MUSKIE, of Maine.

I am privileged to tell you this evening that the President has authorized me to announce that the United States now stands prepared to attend and participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements. Needless to say, if such a conference is to lead to a fruitful and creative resolution of some of the free world's monetary problems, it must be preceded by careful preparation and international consultation.

To meet and not succeed would be worse than not meeting at all. Before any conference takes place, there should be a reasonable certainty of measurable progress through prior agreement on basic points.

Our suggestion is that the work of preparation be undertaken by a preparatory committee which could be given its terms of reference at the time of the annual meeting of the International Monetary Fund this September.

The United States is not wedded to this procedure nor to any rigid timetable. I shall exchange views with my colleagues in Europe and elsewhere, as well as with the senior officials of the International Monetary Fund, on how best to proceed. The point I wish to emphasize here is that the United States is determined to move ahead—carefully, deliberately—but without delay. Not to act when the time is ripe can be as unwise as to act too soon or too hastily.

We are, therefore, moving ahead—and we are making progress. But we mut be aware that the issues involved are complex, and they raise basic questions of national interest. It is not, therefore, easy to arrive at the degree of international consensus we must have for any workable reform of the international monetary system. We can expect no overnight solution—but only patient exploration of the alternatives with our trading partners in a spirit of mutual cooperation. This is the course we are now pursuing.

As we move ahead, we will do well to remember that the existing international financial system has successfully financed an unparalleled expansion in world trade and payments. We have also done much in recent years to strengthen that system. The need now is not to start all over again, to move in a completely new direction. Rather, we must move once more to strengthen and improve the existing arrangements.

And while we proceed solidly and surely toward international agreement on the problems of world liquidity, we in this country must keep ever before us the present and pressing need to protect the existing international payments system by maintaining a strong, sound, and stable dollar. First things must come first. We are bringing our own payments into equilibrium and we must keep them in equilibrium. By resolutely shouldering that responsibility we will preserve the foundation upon which must rest all efforts to assure free world growth in the years ahead—the monetary system that has served the free world so well in the past.

SENATE

THURSDAY, JULY 15, 1965

(*Legislative day of Wednesday, July 14, 1965*)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, whom we seek in vain without, unless we first find Thee within, in the midst of a world which so largely lieth in the darkness of disruption and despair, may the hush of Thy presence fall upon our souls as we hallow Thy name.

For an honored interpreter of the American dream, who in the United Nations has ably and in felicitous words defended the precious things which, as freemen, we hold nearest our hearts, we are grateful this sad day—as the flags from sea to sea flutter at halfmast—for the life and work of Thy servant, and the Nation's, Adlai Stevenson, as we bow with a poignant sense of loss at his sudden passing from our side and sight.

In such perilous and decisive times, in the burdened hearts of all who serve in public office may there be a sense of awe so solemnly expressed by the statesman who but yesterday, 3,000 miles from home, finished his course, as long ago he declared that the potentialities of good and evil in those chosen to exercise the stewardship of the Republic's life are enough to smother exultation and convert vanity to prayer.

In this Chamber of governance may the grave questions faced here smother exultation and convert vanity to prayer.

We ask it in the spirit of the Master of all good workmen. Amen.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The **PRESIDENT** pro tempore. Under the unanimous-consent agreement, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

The **PRESIDENT** pro tempore. The question is on agreeing to the amendment (No. 319) of the Senator from Texas [Mr. TOWER].

ORDER OF BUSINESS

Mr. **MANSFIELD**. Mr. President, I yield myself 2 minutes under the amendment.

The **PRESIDENT** pro tempore. The Senator from Montana is recognized for 2 minutes.

THE JOURNAL

On request by Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, July 14, 1965, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 2080) to provide for the coinage of the United States, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill and asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. MULTER, Mr. BARRETT, Mrs. SULLIVAN, Mr. ASHLEY, Mr. REUSS, Mr. WIDNALL, Mr. FINO, and Mrs. DWYER were appointed managers on the part of the House at the conference.

The message notified the Senate that Mr. HARDY, of Virginia, had been appointed a manager on the part of the House at the conference of the two Houses on the bill (H.R. 8439) to authorize certain construction at military installations, and for other purposes.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2678. An act for the relief of Joo Yul Kim;

H.R. 2691. An act for the relief of Irene N. Halkias; and

H.R. 7438. An act for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970;

H.R. 5041. An act to provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes; and

H.R. 6453. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 2678. An act for the relief of Joo Yul Kim;

H.R. 2691. An act for the relief of Irene N. Halkias; and

H.R. 7438. An act for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force.

PRESIDENTIAL MEMORIAL CERTIFICATE PROGRAM

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 416, H.R. 225.

The **PRESIDENT** pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 225) to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program.

The **PRESIDENT** pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 431), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

Since 1962 the Veterans' Administration, at the request of the President, has been furnishing the next of kin of deceased veterans a memorial certificate expressing the appreciation of a grateful Nation for the devoted service to the country in the armed services. Many letters of approval of, and appreciation for, this program have been received at the White House.

The General Accounting Office, in 1964, questioned the authority of the Veterans' Administration to provide this sort of service. Although money was made available to continue the program, this legislation was introduced to overcome any doubt as to the authority for the action which has been taking place. The bill would provide express statutory authority for the Veterans' Administration to mail to the next of kin a memorial certificate signed by the President, expressing appreciation for the service of the deceased in the armed services.

The Veterans' Administration estimates that the maximum cost in any one year would not exceed $35,000.

The **PRESIDENT** pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

AMENDMENT OF CHAPTER I, TITLE 38, UNITED STATES CODE

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 417, H.R. 5242.

The **PRESIDENT** pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5242) to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph.

The **PRESIDENT** pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 432), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SUMMARY OF PROPOSED LEGISLATION

This bill, H.R. 5242, would amend section 5(10) of the Interstate Commerce Act so as to make gross operating revenues, instead of the number of vehicles owned or operated, the basis for determining whether proposed unification or acquisition of control is exempt from the provisions of section 5.

NEED FOR LEGISLATION

The unification of small trucking companies is exempted by paragraph (10) of section 5 from the formalized hearing procedures under section 5, and subjected instead to the simpler procedures of section 212(b) of the Interstate Commerce Act. The purpose of the legislation is to provide a more reliable criterion for determining whether the trucking operations seeking to merge come within the exemption of section 5(10).

The present test is whether or not the aggregate number of vehicles owned, leased, controlled, or operated by the combined trucking companies, for purposes of transportation subject to part II of the act, exceed 20. The Commission has advised the committee that in applying this test, numerous questions have arisen as to whether certain vehicles should or should not be included. Under the proposed legislation, the test would be changed to whether or not the gross operating revenues of the combined trucking companies exceed $300,000. The Commission indicated that the proposed $300,000 restriction of the exemption corresponds roughly to the present scope of the 20-vehicle limit, and would be a simpler and more definite test to apply.

Hearings on this measure were conducted by the Surface Transportation Subcommittee starting on May 10, 1965. The Interstate Commerce Commission and the Department of Commerce testified in favor of the measure. The measure was also supported by the American Trucking Associations. No one appeared in opposition to the proposed legislation.

The **PRESIDENT** pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. **DIRKSEN**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TEMPORARY EXTENSION OF SUSPENSION OF DUTIES ON CERTAIN CLASSIFICATIONS OF YARN OF SILK

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to proceed to the consideration of Calendar No. 418, H.R. 5768.

The **PRESIDENT** pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 5768) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk.

The **PRESIDENT** pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment on page 1, after line 9, to insert:

Sec. 2. (a) Subpart E of part 1 of schedule 3 of title I of the Tariff Act of 1930 (Tariff Schedules of the United States, 28 F.R., part II, Aug. 17, 1963; 19 U.S.C. 1202) is amended by inserting after item 310.60 the following new item:

"	310.70	Yarns of continuous man-made fibers having special characteristics of bulk or elasticity imparted to the yarns or the fibers by heating, twisting and untwisting, crimping, curling or other processing.	25¢ per lb.+ 30% ad val.	45¢ per lb.+ 65% ad val.	"

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the ninetieth day after the date of the enactment of this Act. For purposes of the Trade Expansion Act of 1962, the rate of duty in rate column numbered 1 of title I of the Tariff Act of 1930 provided by such amendment shall be treated as the rate of duty existing on July 1, 1962.

The amendment was agreed to.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report—No. 433—explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 5768 as passed by the House is to continue for 3 years, until the close of November 7, 1968, the existing suspension of duties on certain classifications of spun silk yarn. The Committee on Finance approves of this continued temporary suspension of duty.

COMMITTEE AMENDMENT

The committee amendment creates a specific tariff category for certain textured yarn composed of continuous manmade fibers and provides a rate of duty for this product of 25 cents per pound plus 30 percent ad valorem.

GENERAL EXPLANATION OF HOUSE BILL

Public Law 86–235, approved September 8, 1959, suspended for 3 years (until the close of November 7, 1962) the import duties imposed under paragraph 1202 of the old tariff schedules of the Tariff Act of 1930 on spun silk or schappe silk yarn (not dyed or colored, singles of more than 58,800 yards per pound, or plied of more than 29,400 yards per pound). The period of suspension was continued for an additional 3 years by Public Law 87–602, approved August 24, 1962. The committee bill, like the House bill, would continue the suspension of these duties (now provided for in items 905.30 and 905.31 of the new tariff schedules) for an additional 3 year period, until the close of November 7, 1968.

Spun silk yarns are of two principal types: Standard spun silk (schappe) yarn and silk-noil (bourrette) yarn. Standard or schappe spun silk yarns for general textile use are manufactured from long parallelized silk fiber stock recovered from waste cocoons and silk filature waste and are used for making sewing thread, decorative stripings for fine worsteds, lacing cord for cartridge bags and, in combination with other fibers, certain types of necktie fabrics, shirtings, dress and suiting fabrics, upholstery and drapery materials.

The silk-noil type of yarn is made from shorter length, and hence cheaper, silk fiber stock than schappe and must be spun on wool-spinning machinery. The material used consists of silk noils discarded as byproducts in preparing silk waste for spinning in standard spun silk yarns. Such yarns have few civilian uses except in mixture fabrics containing other fibers. Their chief use is in the weaving of silk cartridge cloth for powder bags for large caliber ordnance.

The suspension of duty was made in order to enable domestic producers of fine-yarn fabrics to import fine silk yarns free of duty so as to make it more economical for them to produce fine-yarn fabrics in competition with imported similar fabrics. The committee is advised that the same reasons which justified the original suspension of the duty justify the continuation of the suspension. Imports under the suspension of duty amounted to approximately $855,400 in value for the last 2 months of 1959, $2,074,800 in 1960, $743,100 in 1961, $1,017,900 in 1962, $2,575,700 in 1963, and $636,700 in 1964.

No objection has been received by the committee to the continued suspension of duty on this silk yarn.

The **PRESIDENT** pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes."

Mr. **DIRKSEN**. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. **MANSFIELD**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The **PRESIDENT** pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The **PRESIDENT** pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

John W. Black, of Washington, to be the Director of the U.S. Travel Service; and

James V. Day, of Maine, and John Harllee, of the District of Columbia, to be Federal Maritime Commissioners.

By Mr. SCOTT, from the Committee on Commerce:

David R. Baldwin, of Pennsylvania, to be an Assistant Secretary of Commerce.

By Mrs. SMITH, from the Committee on Armed Services:

Robert N. Anthony, of Massachusetts, to be an Assistant Secretary of Defense.

By Mr. JACKSON, from the Committee on Armed Services:

Alain C. Enthoven, of Virginia, to be an Assistant Secretary of Defense.

By Mr. YOUNG of Ohio, from the Committee on Armed Services:

Comdr. Walter M. Schirra, U.S. Navy, for permanent appointment to the grade of captain in the Navy; and

Lt. Comdr. John W. Young, U.S. Navy, for permanent appointment to the grade of commander in the Navy.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. CANNON. Mr. President, from the Committee on Armed Services I report favorably the nominations of five general officers in the Army, one flag officer in the Navy, and six general officers of the Marine Corps Reserve. I ask that these nominations be placed on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations ordered to be placed on the Executive Calendar are as follows:

Robert B. Bell, Marine Corps Reserve, for temporary appointment to the grade of major general;

Charles T. Hagan, Jr., Marine Corps Reserve, for temporary appointment to the grade of brigadier general;

George E. Tomlinson, and John L. Winston, Marine Corps Reserve, for permanent appointment to the grade of major general;

Charles F. Duchein, and Sidney S. McMath, Marine Corps Reserve, for permanent appointment to the grade of brigadier general;

Maj. Gen. John Arnold Heintges, Army of the United States (brigadier general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general;

Rear Adm. Robert Goldthwaite, U.S. Navy, when retired, for appointment to the grade of vice admiral; and

Brig. Gen. George Baird Bennett, and sundry other Army National Guard of the United States officers, for appointment as Reserve commissioned officers of the Army.

Mr. CANNON. Mr. President, in addition, I report favorably the nominations of 556 officers of the Air Force for promotion to the grade of colonel and 796 officers of the Air Force for promotion to the grade of first lieutenant. Since these names have already appeared in the CONGRESSIONAL RECORD, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Emmert M. Aagaard, and sundry other officers, for promotion in the Regular Air Force.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The Chief Clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

INTERNATIONAL ATOMIC ENERGY AGENCY

The Chief Clerk read the nomination of Verne B. Lewis, of Maryland, to be the deputy representative of the United States of America to the International Atomic Energy Agency.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The PRESIDENT pro tempore announced that on yesterday, July 14, 1965, the Vice President had signed the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 559. An act to regulate the labeling of cigarettes, and for other purposes;

S. 571. An act for the relief of Denise Hojebane Barood;

S. 956. An act to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68);

S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956 to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act;

S. 1462. An act to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian funds;

S. 2154. An act to amend the act establishing the U.S.-Puerto Rico Commission on the Status of Puerto Rico;

H.R. 2. An act to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes;

H.R. 4185. An act to fix the fees payable to the Patent Office, and for other purposes;

H.R. 5246. An act to amend section 20a and 214 of the Interstate Commerce Act;

H.R. 9497. An act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966; and

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

WISCONSIN WINS 1ST PLACE IN RATIFYING 25TH AMENDMENT

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Wisconsin.

The PRESIDENT pro tempore. The Senator from Wisconsin is recognized for 5 minutes.

Mr. PROXMIRE. I thank the Senator from Montana.

Mr. President, with the progressive spirit that is typical of the Badger State, Wisconsin, on Tuesday became the 1st State in the Nation to ratify the 25th constitutional amendment on presidential succession.

The Wisconsin State Senate, under the able direction of Lt. Gov. Patrick J. Lucey, approved the necessary resolution at 11:12 a.m., central daylight savings time. The Wisconsin Assembly had approved the amendment last week.

This swift action by Wisconsin's two legislative bodies beat down a spirited challenge by Nebraska's unicameral Legislature by a full 7 minutes, challenging the old adage that a one-house legislature is more efficient than the bicameral system.

Wisconsin's "first" was duly recorded in the body of a story in yesterday's Washington Post. I regret to say, however, that a misguided and overzealous burst of Nebraskan chauvinism on the part of a headline writer failed to give full credit to Wisconsin's rightful claim to the title. The Post story was captioned "Nebraska, Wisconsin Are 1st To Ratify 25th Amendment," consider that order and the lead paragraph of the story said that "Nebraska and Wisconsin finished in a virtual deadheat," with Nebraska leading off.

Happily, the full truth of the matter was disclosed further down in the story, which stated, in part:

> In Lincoln, Nebr., Lt. Gov. Philip Sorensen signed the ratification resolution at 10:19

a.m., c.s.t., in an effort to put his State on record as the first supporting the amendment. But the Wisconsin Senate approved the amendment 9 minutes earlier and by Wisconsin law the signature of the Governor is not necessary.

I would like to point out to that Washington Post headline writer that in a horse race the garland of roses goes to the horse which crosses the finish line first, whether it be by a nose or nine lengths. Tuesday, the National League beat the American League by 1 run in the all-star game. No one claimed that the 6-to-5 victory was a virtual tie.

How often have football games been won by a single point after touchdown? That single point—that slight edge of victory—is as good as 40 points.

A few years ago a certain Texas Senator who has since gone on to greater glory won election to this body by 81 votes out of over a million cast.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. TOWER. Eighty-seven votes.

Mr. PROXMIRE. I accept the correction. That less than one one-hundredth of 1 percent margin of victory for newly elected Senator Lyndon Johnson turned out to be as significant for American history as the one-fifth of 1 percent eyelash victory of the Kennedy-Johnson ticket 12 years later. It is winning that counts. Johnson won. He did not tie. Kennedy won. He did not tie. And Wisconsin won. We did not tie.

So without taking anything away from the great State of Nebraska, I respectfully submit that the headline should have read: "Wisconsin 1st, Nebraska 2d To Ratify 25th Amendment."

I ask unanimous consent that the article to which I referred be printed at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, July 14, 1965]

Around the Nation: Nebraska, Wisconsin Are First To Ratify 25th Amendment

Lincoln.—Nebraska and Wisconsin finished in a virtual dead heat yesterday as they became the first two States to ratify the proposed 25th constitutional amendment on Presidential succession.

In Lincoln, Nebr., Lt. Gov. Philip Sorensen signed the ratification resolution at 10:19 a.m. in an effort to put his State on record as the first supporting the amendment. But the Wisconsin Senate approved the amendment 9 minutes earlier and by Wisconsin law the signature of the Governor is not necessary. Wisconsin's lower house approved the amendment last week.

To become effective, the amendment must be ratified by three-fourths of the States. It specifies procedures for coping with Presidential disability and provides that the President can nominate a Vice President if that office is vacant as it was after the assassination of President Kennedy. The nomination would require congressional approval.

SWIDLER SHOULD RECONSIDER AND CONTINUE AS FPC CHAIRMAN

Mr. PROXMIRE. Mr. President, of the most dedicated public servants this country has had the good fortune to have is Joseph C. Swidler as Chairman of the Federal Power Commission. He is a man who has vigorously sought to guard the public interests, especially those of the American consumer, for almost 30 years. In the thirties, he served as Assistant Solicitor for the Department of Interior before beginning work on the TVA project which was then under the direction of David E. Lilienthal. Since that time he has served in various capacities with the Federal Government, and in the last few years has been the driving force behind the Federal Power Commission. Mr. President, I speak of the record of Joseph C. Swidler as Chairman of the FPC.

Perhaps the most telling comment about his work in building up the FPC into the effective regulatory agency which it is today is an article which appeared in the Oil & Gas Journal on July 5, of this year.

I ask unanimous consent to have the article printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Bartlett in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, speaking of Mr. Swidler, the writer of the article, who incidentally represents that very interests which Mr. Swidler sought to regulate and whose ill will Mr. Swidler has more than once aroused, wrote:

> He has left his indelible stamp on the natural gas and power industries through 4 years of effective pursuit of a policy of strict and extensive regulation. He has made his mark as a top administrator. He made the procedural machinery hum.

Then, speaking of Mr. Swidler's efforts to close a few gaps in the Commission's authority, the writer of the editorial said:

> He has eliminated one gap after another which he felt impeded effective protection of consumers.

But it would be a great underestimation of his achievements to speak only of his success in bringing about administrative reform in an agency whose reputation during the fifties certainly left something to be desired. It is also important to emphasize his success in regulating the natural gas industry. For there, he has not only been able to greatly increase the annual amount of refunds, and to reduce the prices of natural gas throughout the country by a net annual amount of $125 million, but he has also been instrumental in bringing the services of that industry to people heretofore unable to avail themselves of this product.

With regard to the regulation of the electric power industry, he has done a remarkable job. In the last 3 years he has been able to increase the annual amount of reduction in wholesale prices from $127,100 in fiscal year 1962 to $7,454,000 in the first 8½ months of fiscal 1965. At the same time he has reduced the amount of increases allowed by about 60 percent. This indeed is a distinguished record just by itself. But I would also like to emphasize at this point that his work on the Commission has not only been in the interest of the consumer, but also in the interest of the hundreds of small companies who would not be able to survive were it not for the regulatory actions of the FPC. There are approximately 3,600 electric power systems in this country today but the 100 largest systems account for about 89 percent of total generation. With such vast companies in the industry, it is absolutely vital to have Federal regulation if the small systems and the millions of consumers they serve are to receive their fair share of the benefits which the emerging power pools make available.

Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of my remarks an article entitled "Administration Opposition Voiced to Curb on FPC Role," written by Laurence Stern, and published in the Washington Post of July 15, 1965.

There being no objection, the article was ordered to be printed in the Record.

(See exhibit 2.)

Mr. PROXMIRE. Mr. President, in this article Mr. Stern discussed the legislation which has been introduced into the House by Mr. Rogers and Mr. Pickle and which aims to curb the policing powers of the FPC to such an extent that it would seriously weaken the capacity of the Commission to effectively discharge Federal regulatory responsibilities. As it is possible that the Senate may also consider this problem, I earnestly commend the above article to the attention of the Senators.

Mr. Swidler's term as Chairman of the FPC has recently expired and Mr. Swidler has expressed a desire to return to private life. However, in light of the excellent service that he has rendered in this capacity, I strongly urge Mr. Swidler to reconsider his decision and to consider accepting another term in the best interest both of the Commission and of the public. There may be other good men available but where can we find one with Swidler's combination of competence, integrity, and experience and so fully cognizant of the public interest. This is as powerful and vital a job as there is in the Nation's economy.

Mr. President, I ask unanimous consent to have printed following my remarks several other articles and editorials on this subject.

There being no objection, the articles and editorial were ordered to be printed in the Record.

(See exhibit 3.)

Exhibit 1

[From the Oil & Gas Journal, July 5, 1965]

FPC's Swidler: Exits After Permian Case

(Note.—In next few weeks, at the conclusion of the Permian area-rate decision, FPC Chairman Joseph G. Swidler will leave his office and a stormy term behind.)

Joseph C. Swidler, the controversial Federal Power Commission Chairman who made major extensions of authority over the gas industry, will be leaving in a matter of weeks.

His term expired on June 22, but he will remain on the job to complete several items of unfinished business. The most important on the agenda is the first producer area-rate decision. It will fix wellhead prices in the Permian basin of west Texas and New Mexico and help set the pattern for all 23 pricing areas in the Nation.

Swidler had been reported on the way out, but it was expected that he would stay at least until the Permian decision was hammered out. This will be his most important legacy.

President Johnson has not yet disclosed who will succeed Swidler, the former Tennessee Valley Authority official who tightened regulation of producers and pipelines after his appointment by John F. Kennedy. The President is reported to be looking for a chairman whose policies won't be too different but who won't make so many enemies in carrying them out.

DECISION APPARENTLY FINAL

The White House announcement of Swidler's impending departure was not an ironclad statement of resignation.

But the circumstances indicated that barring a drastic change in the situation, the decision was irrevocable.

The FPC Chairman has written a letter expressing his wish to end his service, it is understood. The President has thanked him for his contributions and asked that he stay on to finish the Permian and a few other important cases.

"He (Swidler) indicated some time ago his desire to leave (after June 22), George Reedy, Presidential press secretary, said at a White House briefing late June 24, "and the President has asked him to say on for a while until some of the matters that he is working on can be disposed of."

To some the statement seemed an open invitation to a draft to keep the Chairman. He has strong support from consuming interests for his ardent advocacy of the consumer stake in low gas prices.

But when asked directly whether he could be persuaded to change his mind, Swidler told the Journal, "It was a serious statement (his letter to the President) and I meant it."

Apparently both the President and Swidler were looking for an opportunity to clarify his status, once it had been decided, to avoid mounting political pressure for and against his reappointment.

The information was given not in a formal release, but in answer to a question which had been planted before the press briefing.

The announcement served to avoid a repetition of the backstage maneuvering during 9 months in which Charles R. Ross served without reappointment. Johnson finally ended the suspense last March, but not before Ross had been out and then in again, according to insiders.

The President explained he had decided that the liberal Vermont Republican could be an impartial judge, not a narrow consumer advocate as critics had labeled Ross.

SWIDLER IMPACT

The outgoing Chairman has left his indelible stamp on the natural gas and power industries through 4 years of effective pursuit of a policy of strict and extensive regulation.

He has made his mark as a top administrator. He made the procedural machinery hum. Partly because of practices instituted by his predecessor, Republican Jerome Kuykendall, but mainly from his own policies, pipeline rate and certificate, and producer certificate backlogs were cleaned up.

Swidler took over the new Kennedy commission as an open partisan for the consumer cause. In his first report to Congress, he said, "we have attempted to identify the gaps in our authority which handicap us in doing our work."

Since then he has eliminated one gap after another which he felt impeded effective protection of consumers. It was his view that the FPC was all that stood between helpless public and greedy producers who would otherwise try to outdo one another in jacking up prices.

His influence perhaps reached its zenith in his third year, the fiscal period ending June 30, 1964. A brief summary of that year's events points up how profoundly he has shaped and reshaped the industry, many times reversing previous Commissions:

Intrastate (or other nonjurisdictional) sales of gas, when commingled with the stream of an interstate pipeline, were held to be subject to FPC control.

Natural-gas lease sales to interstate pipelines were held to be sales of gas in interstate commerce, and so under FPC, contrary to previous rulings.

A pipeline producer was held to be entitled only to a utility rate of return on gas production, not to the return allowed independent producers.

Tax savings from use of liberalized depreciation must be flowed through to consumers by reducing rates, FPC held, also contrary to earlier policy.

Further reductions were ordered in certain guideline-ceiling prices from original levels established after area-rate regulation was started by the previous Commission.

Earnings of nine pipelines were held to be excessive, and rate reductions were ordered, with earnings reviews to continue on all pipelines.

A marginal pipeline project was approved, conditioned to place all risk of uneconomical operation with the company.

Thus, Swidler has changed the industry for a long time to come. He has done so by sharply reducing pipeline and producer rates, gaining credit for substantial refunds to consumers; by resourceful use of existing powers; by asserting new areas of jurisdiction with eventual support of the Supreme Court; by more vigorous use of FPC rulemaking power; and by elevating the status of the consumer-minded staff.

SWIDLER CONTROVERSIES

Swidler's style made him plenty of enemies on Capitol Hill, where he had little more luck than his predecessors in winning passage of legislative proposals.

Producers came nearest to dramatizing their grievances by crying out against the notorious 9-pound questionnaire Swidler sent to producers. It became a symbol of burdensome, unnecessary regulation.

But producers don't command many votes in Congress. In the end Swidler's most serious political error was in offending the potent electric cooperative interests while widening control over the electric industry.

This, more than any other single thing, assured the FPC Chairman's departure, according to Washington observers.

EXHIBIT 2

[From the Washington (D.C.) Post, July 15, 1965]

ADMINISTRATION OPPOSITION VOICED TO CURB ON FPC ROLE

(By Laurence Stern)

The Johnson administration announced its opposition yesterday to renewed efforts in Congress aimed at curtailing Federal regulation of wholesale power rates.

Although not made public, the new statement of the administration's views was contained in a Budget Bureau letter to the House Commerce Subcommittee on Communications and Power, which opened hearings yesterday on the controversial power issue.

The Budget Bureau letter said that two House bills to curb the FPC's policing powers would "seriously weaken the capacity of the Commission to effectively discharge Federal regulatory responsibilities." In addition the Bureau asserted that the legislation would discourage regional power pooling and deprive small distributors of access to the Commission.

BLOW TO INDUSTRY

It was a serious blow to hopes by the private power industry of reviving the legislation that Federal Power Commission Chairman Joseph C. Swidler charged yesterday would "mean the collapse of effective regulation of the electrical power industry."

A companion effort in the Senate suffered a severe setback last month when the Senate Commerce Committee rejected it by a closed-session vote of 9 to 8. They may, however, be efforts to revive the issue on the Senate floor—especially if the legislation picks up some momentum in the House.

At issue are two bills, sponsored by Representatives PAUL G. ROGERS, Democrat of Florida, and J. J. JAKE PICKLE, Democrat of Texas. Their general effect would be to exempt utilities operating wholly within a State from Federal supervision and wholesale rate regulation.

HIT BY SWIDLER

Swidler, the chief witness at yesterday's session, said the measures would "destroy the rate regulatory powers of the Federal Power Act and leave only a shell."

The private power companies, which have a big financial stake in the outcome, argue that the Commission's efforts to regulate wholesale power transactions inside State lines is, as one company spokesman put it, a "power grab." Some major utilities, such as Florida Power and Light, would be exempted from the Commission's general regulatory authority—such as scrutiny of accounts, or security issues or merger actions.

Three congressional sponsors of the measure, ROGERS as well as Senators SPESSARD HOLLAND and GEORGE A. SMATHERS, are Florida Democrats. Florida Power and Light has been in the forefront of the utilities pushing for the measure.

ROGERS engaged in a spirited exchange yesterday with Swidler on the legislation. He pointed out that State regulatory commissions have rate reductions of $254.9 million since 1962 as compared with reductions of $6.8 million achieved by the Federal Power Commission.

"I don't read about those savings," complained ROGERS. "All we read about are the savings of the great Federal Power Commission." ROGERS insisted that the State agencies should have authority to regulate intrastate wholesale rates.

The FPC Chairman, whose term has expired and is expected to leave the job soon, said that the FPC has only begun within the past few years to regulate wholesale rates and that the savings would soon be more impressive. "There was a time," he said, "when the Commission was a shell."

EXHIBIT 3

[From the Washington (D.C.) Post, April 18, 1965]

CONSUMER AND INDUSTRY FORCES SEEK FPC SEAT

(By Laurence Stern)

Consumer and industry forces have already begun to jockey behind the scenes over an impending Federal Power Commission vacancy of utmost political sensitivity to the Johnson administration.

The muffled skirmishing centers on the FPC seat now held by Chairman Joseph C. Swidler, whose term expires on June 22.

Public power groups, trade unions, and consumer organizations want President Johnson to reappoint Swidler, a strong regulator who has stirred the agency out of its passive regulatory philosophy of the 1950's. These policies, at the same time, have made Swidler unpopular with influential segments of the gas and private power industries.

Both sides have already communicated their views on the Swidler appointment to the White House. Both sides have been discreet, mindful that President Johnson does not like to be pressured on delicate personnel matters.

The decision on Swidler's replacement or reappointment is certain to affect the long-term course of gas and power industry regulation in the Great Society.

Last month the President maintained the existing balance of power on the Commission in filling two appointments. He reappointed Vermont Republican, Charles R. Ross, widely regarded as a consumer oriented regulator, and picked railroad attorney Carl E. Bagge, also a Republican, as a new member pleasing to industry.

This preserved the 3 to 2 Commission lineup in favor of consumers that prevailed on most major issues of gas or utility regulation.

Mr. Johnson could reverse or maintain this alinement, depending on how he deals with the expiring term of Swidler.

The New York Daily News reported yesterday that one candidate under consideration by the White House is Columbia University Law Professor William Kenneth Jones.

Although Jones declined to comment on the story, it was learned that the White House sounded him out late last year on a possible appointment to the Power Commission. Jones is a former law clerk to Supreme Court Associate Justice Tom C. Clark, a close personal friend of the President.

At Columbia, Jones teaches a course in regulated industries. He is a political independent whose leanings on regulation issues could not be immediately determined.

Meanwhile, the FPC has been nearing its most important rate decision in years, on the price of gas in the principal producing region of the Permian Basin in Texas and New Mexico. The ruling will ultimately affect the gas bills paid by 36 million natural gas consumers in the United States.

The Commission hopes to reach a decision by mid-May—well before Swidler's term expires. One of the chief witnesses opposing an FPC examiner's recommendation in the Permian case at public hearing in February was Texas Gov. John Connally, a political protege of Mr. Johnson.

One factor which may weigh against Swidler's reappointment, it is felt by those who are following the pending appointment closely, is the Chairman's outspoken stand for consumer interests. The President told a gathering of new appointees in Texas last February that he wanted "judges" rather than "advocates" in regulatory positions.

Both Congress and the Supreme Court have affirmed as a principal responsibility of the Power Commission the protection of consumers.

[From the Washington (D.C.) Daily News, April 27, 1965]

A POWERFUL HEADACHE FOR LYNDON: GAS MEN DON'T WANT SWIDLER

(By Milton Britten)

President Johnson soon will irritate some powerful old friends or some powerful new ones.

His old friends are gas and oil industry people whose interests he fought for as a Senator from Texas. They want him to replace Federal Power Commission Chairman Joseph C. Swidler, a strong, consumer-oriented regulator whose term expires June 22, with someone more acceptable to them. They have called Mr. Swidler an "empire builder."

The President's newer friends are labor, public power, and consumer groups who backed him in the presidential elections. They want Mr. Swidler either reappointed or someone of like mind named. They note that since Mr. Swidler was appointed by President Kennedy in 1961, the FPC has ordered gas producers and pipeline companies to refund more than $650 million and wholesale electric producers to make rate cuts of more than $10 million.

DELICATE

The bipartisan, five-man Commission has been operating on a delicate 3-to-2 balance which the President did not disturb when he named two Republicans to the regulatory agency last month. He reappointed Charles R. Ross, of Vermont, who with Mr. Swidler and David S. Black make up the consumer-oriented majority. He also appointed Carl C. Bagge, of Illinois, a railroad attorney acceptable to the industry, to succeed the late Harold C. Woodward. Lawrence J. O'Connor, a former oil industry executive, is the fifth Commissioner.

Mr. Swidler will not discuss his reappointment or confirm or deny reports he has advised the White House he does not seek it. He does not, however, talk like a man who would refuse reappointment. In an interview, the former Tennessee Valley Authority counsel said of his reputation as a "consumer" man:

"I don't assume with any knee-jerk reaction that the consumer is always right. I want to hear both sides. In any dispute, some decisions go one way, some another. I must assume, however, that the FPC was originally set up to protect consumer interests.

"I've tried to look for things that would help the industry to grow and flourish. The Commission has tried to be constructive. I think the industry just doesn't like close regulation. That's human nature."

Under Mr. Swidler, the FPC has done some things that have merited industry praise—streamlined and shortened filing procedures; reduced rate-case backlogs; conducted a national power survey in cooperation with both private and public power officials to plan for coordinated growth of the industry and anticipate national power needs by 1980. (The survey forecast possible annual consumer savings of some $11 billion by that date.)

DUSTED OFF

The FPC also, however, dusted off a section of the law that had been only casually enforced for 30 years and began in earnest to regulate interstate wholesalers of electric power. Even some public power men are angry about this because the FPC would regulate not only big private companies but big REA co-ops that generate and transmit electricity across State lines.

Mr. Swidler has fought pending industry-backed bills to take this authority away from the FPC, arguing that it is "vital" to "small (distribution) systems and the millions of consumers they serve." It would, he says, throw out 35 FPC cases involving rates to some 600 power distributors involving annual wholesale power bills of more than $100 million.

The Commission also has vigorously pursued a program of implementing a 1954 Supreme Court finding that effective regulation of natural gas prices must extend to the producers as well as the distributor if the consumer is to be protected.

Various congressional efforts have been made to overturn the court's findings by legislation, which Mr. Johnson supported when he was in the Senate. The FPC itself during the Eisenhower years supported such efforts, none successful.

Now the FPC in May or June, is to rule on the first major case, resulting from the court finding which proposes to set a ceiling on the rates of some 400 gas producers in the Permian Basin of Texas and New Mexico.

[From the Washington (D.C.) Post, June 25, 1965]

FOR A STRONG FPC

With the expiration of the term of its distinguished Chairman, Joseph C. Swidler, the future of the Federal Power Commission is in doubt. It can move forward, regulating the utilities in the manner intended by Congress, or slip back into a slough of mediocrity and dissension. President Johnson's decision will determine its course.

Both the Commission and the public interest would be best served if Mr. Swidler could be persuaded to serve another term. He commands respect in the warring camps of public and private power proponents, and it is significant that his reappointment has been urged by a leading journal of the gas industry.

Reports have it that Mr. Swidler is determined to return to private life. But other men with similar inclinations have yielded to persuasion, and we hope that President Johnson will spare no effort in attempting to change Mr. Swidler's mind. Should he fail, a careful search should be made for another first-rate man to head the FPC.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. TOWER. Mr. President, the amendment I now offer would simply delete from the bill the provision for rent supplements.

My fears and reservations regarding this proposal are many, but most of all, of course, I fear a stifling of the incentive for homeownership, a continuing unrelenting trend toward giving to renters the status of Government wards.

I note that some have referred to the rent supplement proposal as an anti-homeownership program. To provide for supplements may indeed have an adverse effect upon those many families presently purchasing, or planning to purchase, their own homes without the benefit of Federal subsidization.

Further, not only do I fear that this rent supplement proposal would kill incentive for homeownership, I also fear that the proposal may well serve as a powerful incentive for a family to discontinue its homeownership and become a renter with Federal subsidy.

Truly one of the great developments in this country of the last 25 years has been the tremendous increase in homeownership. The dream of homeownership has without doubt motivated millions of Americans to purchase and pay for homes of their own, and we are now to say to those who have been diligent and conscientious in purchasing their own home that they are to pay a share of an $8 billion subsidization program.

Actually, what we have is a system whereby the rent dollar of the beneficiary is worth substantially more than the rent dollar of the unassisted taxpayer.

Mr. President, I have supported, in general, our public housing program, though I feel it is in need of much improvement. I have had incorporated into the housing bill, a proposal whereby certain public housing tenants who so desire may contract for the accumulation of their rent over a 3-year period to count as downpayment on their unit thus allowing them to become homeowners.

It is this general type of approach which I favor following in assisting those needy who do not now have adequate housing.

Rent subsidies are to be financed by the ambitious and the industrious.

The program may well be interpreted by some as false hope that they too—that is, those presently living in adequate shelter, are entitled to have a portion of their rent paid by the American taxpayer.

I urge the deletion of this rent supplement proposal from the bill. I hope that a majority of the Senate will understand and appreciate some of the reservations that the Senator from Utah [Mr. BENNETT] and I, and many other Senators, have on this subject.

I dislike to use the term "socialism," because it has become an emotionally charged word. It has become a word that is used irresponsibly by some persons who are perhaps somewhat extreme in their thinking. Nevertheless, the program does smack of socialism. It would virtually open a Pandora's box of probabilities for the future. Ultimately, there might be a program of subsidizing payments for groceries or subsidizing payments for clothing. Indeed, food is more necessary to the sustenance of human life than is housing. So it seems logical that the subsidizing of food and clothing might be the next step.

Mr. BENNETT. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield to the Senator from Utah.

Mr. BENNETT. Payments for groceries are already being subsidized under the food stamp plan.

Mr. TOWER. Yes; payments for groceries are being subsidized under the food stamp plan. I am thinking in terms of a direct cash subsidy on the monthly grocery bill of persons having a certain income. The Government would make up the difference. This would go beyond the food stamp plan. I am aware of that.

From the subsidizing of, say, grocery and clothing purchases, the next step might be a guaranteed annual income. To me, that would seem to be the next logical step. A guaranteed annual income would be provided, regardless of whether a person worked or did not work. Someone has suggested, and seriously, that everybody should be given a $3,600 guaranteed annual income, regardless of whether he works or not.

If that day should come to pass, then I predict the decline of the United States as a great world power.

The subsidizing of rent creates a precedent that will lead to the opening of a Pandora's box of possibilities. We should know that this provision is vulnerable to vast abuse. I hope during the course of the debate to set forth some of what we may call loopholes in this provision. The views of the minority members of the Committee on Banking and Currency of the House of Representatives sum up the argument very well:

> The administration's rent supplement proposal is foreign to American concepts.
>
> The proposal kills the incentive of the American family to improve its living accommodations by its own efforts.
>
> It kills the incentive for homeownership; it makes renters wards of the Government.
>
> It is a system of economic integration of housing through Government subsidy.
>
> It is the way of the socialistic state.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. TOWER. I yield as much time to the Senator from Utah as he desires.

Mr. BENNETT. I support the amendment to delete the rent supplement section from the bill. The rent supplement program as proposed in the original administration bill would provide rent assistance for individuals with an income of as high as $9,000 to $10,000 all over the United States.

Even this supplement, even the language in the committee bill, which was greatly changed from the original proposed language, could, in New York City, supply rent supplements for people whose incomes are above $10,000 a year.

It is a credit to both the House and Senate committees that the planned administration proposal was roundly defeated and some amendments were made. However, I am sorry that the committee did not eliminate the entire rent subsidy concept. Rather than resist the rent subsidy idea, as it became obvious would be the case if the administration proposal were left in, the committee settled for a compromise which could easily be expanded, once the concept became a part of our housing legislation, to take in many more people than would now be the case.

This measure came very close to defeat, as evidenced from the House vote of 202 to 208 on the recommittal motion which was intended to delete the section from the bill.

As the Senator from Texas has pointed out, this program would have the effect of diminishing or destroying the incentive for homeownership or responsible budgeting. A family with an income of $200 a month, or a family with an income of $50 a month, could demand the same kind of living accommodations under this program as could a family with an income of $300 a month.

The incentive to increase one's income in order to improve one's living accommodations would be taken away under the program. The incentive then would be for a person to place himself in a position to qualify for subsidies.

The program would be discriminatory against those who sacrifice to provide decent housing for themselves. I do not believe that there are many people in the country who would deny assistance to a family whose income is insufficient to provide standard housing. All of us deplore the conditions in which some individuals live. However, the underlying fallacy in the rent subsidy program, as in most Federal handout programs, is that those who expend the greatest effort are penalized, and those who expend the least effort are assisted.

A family which now occupies standard housing at some sacrifice, and with an expenditure of more than 25 percent of their income for rent, would not be entitled to assistance, while a family with an equal amount of income which has decided to spend its resources in some other manner would be allowed to take advantage of the program.

Any program which utilizes tax money should not encourage its recipients to do less for themselves than if the money were not available. All assistance should be based on a measure of individual effort.

The rent subsidy program has been sold on the basis that it would make it possible for private enterprise to supply the needs of those in the low-income brackets.

This is a strange twist of the definition of private enterprise. Those who would be eligible to operate structures qualified to receive rent subsidy tenants must operate nonprofit corporations, cooperative, or limited dividend corporations.

Private enterprise is not built on the basis that it will not receive profits, but rather on the prospect of profitability.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. BENNETT. I yield.

Mr. TOWER. Is any provision contained in the bill which might be construed as a limitation on salaries that might be paid officers or managerial personnel in nonprofit corporations?

Mr. BENNETT. No. There is only a limit on the theoretical, organizational pattern on the basis of which the corporation would be set up. Once it had qualified as a nonprofit corporation, it could then absorb any potential profits by paying them out as salary or other benefits to employees or officers of the organization.

Mr. TOWER. Mr. President, is there any proscription on the character of such nonprofit organizations? What kind of organization, for example, would qualify, or does it seem to be pretty much an open end proposition to the extent that any kind of nonprofit organization, either recently formed or not so recently formed, could qualify?

Mr. BENNETT. That would be up to the Administrator. However, I assume that the Administrator can be very liberal in his definition.

As the Senator from Texas knows, we have seen lately the development of a pattern which could continue in the rent subsidy housing projects. It is a pattern under which a sponsor qualifies as a nonprofit corporation. He then makes a contract with a contractor to build a house. There are no profit limitations on the contractor. The contractor may be related to the sponsor, as we have found to be true in many cases. Therefore, the profits can be provided by the contractor while the theoretical nonprofit corporation which would receive the project after it had been erected, would provide the facade behind which the profits were made.

Mr. TOWER. Indeed, it has already happened in existing programs.

Mr. BENNETT. The Senator is correct. There are many cases.

It is also disturbing to me that the local governing body or housing authority is not able to make any decision with respect to the selection of the sites for such buildings, or the eligibility of tenants, or, in fact, it is not able to make any decisions regarding the construction and authorization of buildings under the program.

This means that the Federal Government, the Administrator of the Federal Housing Administration, would be the sole authority. This differs greatly from the situation that now exists under the public housing program. A public housing program cannot be authorized or operated until after local authorities have been set up. The local authorities have a great deal to say concerning the basis on which people become eligible to live in public housing. This obviously would create an interesting situation.

The Administrator has furnished us some estimates as to possible income limits. The city of Atlanta, Ga., heads two lists, both of which have already been printed in the RECORD.

Under the public housing program, persons whose incomes are over $3,500 a year would not be eligible for public housing occupancy. The local authorities have determined that figure. In arriving at it, they have stated that certain items of income would not be considered in computing the $3,500. This is a local decision.

The Administrator estimates that, under this program, individuals with incomes up to $5,500 would be eligible for the program. The decision is his entirely, and the local people will have nothing to say about it. In fact, they would have nothing to do with the authorization or operation of the program. It is entirely a Federal program. To me, this is a significant breakthrough in our housing pattern. It would be the first time that no local individual or authority would have any opportunity to pass judgment on the program.

Mr. TOWER. That would mean that the Federal Government could go over the heads of the State and local government and directly to the private corporation, or, rather, to the nonprofit corporation.

Mr. BENNETT. The Senator is correct.

Mr. TOWER. They could be ignored without any recognition of what local policy may be on such matters or without any real concern for any zoning practices, whether they be formalized in the form of an ordinance or not. Is that a correct statement?

Mr. BENNETT. I am not sure that the Federal Government can authorize the construction of such projects in defiance of local building codes or local building and zoning ordinances.

Mr. TOWER. Aside from formalized ordinances or practices, very often cities have a zoning policy which is not formalized under law, which could be breached under a situation like this.

Mr. BENNETT. That is correct. The Federal Government will have sole control over the program. It will not consult with any local authority under any type of harmony.

We are told that this is an experimental program, and indeed it is. Nobody knows the problems that may be encountered or what flaws may make it unworkable. Yet in this bill we provide authorization for the Housing Administration to enter into 40-year contracts with approved housing unit owners to pay them rent subsidies for specified tenants in the amount of $50 million the first year, $100 million the second year, $150 million the third year, and $200 million the next year. These contracts will be spread over a period of 40 years and will represent an obligation of the Federal Government of $8 billion. This is a pretty expensive experimental program.

There are all kinds of questions which can be raised about this program for which there are no definite answers. For example, the Federal Government is foreclosing in various parts of the country on large apartment houses that have been built under other FHA programs. It is my opinion that the Federal Government can take one of the foreclosed properties, transfer it to a nonprofit corporation, and use it in this program immediately, without having to construct any new properties under the program. I do not believe there is a requirement that the buildings be constructed for this program, but it could be given the appearance of a nonprofit corporation.

Another question is raised. Suppose a contract is made with a nonprofit corporation, and the contract requires that 30 percent of the apartments in the building be reserved for subsidized tenants. Suppose the nonprofit corporation is unable to rent the remaining 70 percent at rents higher than rents being paid by the subsidized tenants. As I read the bill, it would be possible for the Administrator to change his contract so that in the end he could have that building entirely full of subsidized tenants. This is one of the unknowns.

It seems to me that if a nonprofit corporation that has signed a contract under this program finds it cannot carry out its obligation and repay its loan, rather than foreclose, the Government might encourage it to get some subsidized tenants. So, in effect, the program could develop into a guaranteed income to the sponsoring organization, because the Government is always in a position to make more units available to subsidized tenants and in a position to go out and find tenants and encourage them to move into the apartments, because it does not need to worry about whether or not the tenant can pay the rent. All it has to ascertain is that 25 percent of his current income is less than the level of rent which the Administrator has specified.

There are all kinds of problems involved in this program. I would have preferred an amendment which would have made this an experimental program, limited to a small number of units in various parts of the country.

If the Senator from Texas intends to offer such an amendment, in the event the pending amendment fails, I certainly will support it.

Mr. TOWER. Mr. President, one thing I may point out is that we are establishing an $8 billion program that will cover a period of 40 years. We are really saddling ourselves with a gigantic program, when we have had no experimentation, no pilot project. We are firing in the dark. We do not know how the program will go. We are saddling ourselves with a big commitment. We are actually guaranteeing full occupancy to the sponsors of these housing projects for 40 years.

Underwriters in FHA insuring offices will not make commitments for any more units than can be sustained in the market over the specified period of time. This is the policy. I hope it will be the policy to be followed by the administration. But we have no guidelines or projections as to what may be needed or may not be needed 40 years from now, or even 10 years from now.

Some of us feel that this is an attempt to achieve economic integration by use of Federal dollars and programs. The money is not ostensibly for that purpose, but in effect it would accomplish that purpose. I am not talking about breaking up ghettos and ethnic blocs in various cities. They should be broken up. I do not believe there should be slums inhabited by one ethnic group.

But this is an effort to achieve in effect economic integration. This has nothing to do with race, but involves taking people in various income levels and attempting to mix them in one neighborhood under the auspices of Federal programs. That to me is undemocratic and unacceptable.

This has been called the federalization of "residential patterns." That is a very good description. We are making use of a program for the purpose of bringing together families that make $8,000 a year, families that make $15,000 a year, and so forth. In other words, we are trying to range over the socioeconomic spectrum and bring them into one economic pattern. I do not believe people are going to take to it too well, regardless of what particular scale a particular family may be in. I do not believe it is the function of the Federal Government to force an economic pattern through a subsidy rent program and the use of Federal dollars and Federal programs.

Mr. SPARKMAN. Mr. President, I yield myself such time as I may need. There are a few statements I made in my general statement yesterday in regard to rent supplements. In discussing the bill, I discussed rent supplements and had an exchange with the Senator from Louisiana [Mr. ELLENDER].

I wish to mention a few of the things which have been brought up in the discussion today by the two able Senators who have participated. First, I wish to mention the point the Senator from Texas brought up a moment ago, with reference to need. It is true that the pending bill provides for a 40-year undertaking. But, so does public housing; so does FHA section 213, cooperative housing and FHA section 220; and so do many of the other FHA programs, just as is proposed here. The Senator from Texas supports public housing, and said so a few moments ago. He does not particularly like it. I have said many critical things about the present public housing program. One thing we are trying to do is to develop an FHA program which it is hoped may be able to replace public housing.

Mr. BENNETT. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I am glad to yield.

Mr. BENNETT. Under the bill, would it be possible for a family to move out of a public housing unit into a rent subsidized unit?

Mr. SPARKMAN. I cannot tell the Senator that. I suppose that would be governed by the authority handling the program.

Mr. TOWER. That would be at the discretion of the Administrator; is that not correct?

Mr. SPARKMAN. I do not know. I cannot answer that question. There is nothing in the law that ties down a family to a public housing unit once it is in there. There is also nothing in the law to prevent a person who comes within the definition of the act from moving into one of these projects. In other words, whoever moves in must be a qualified tenant. There is a difference which I believe we should keep in mind between this system and the present public housing system. Under the public housing system, a person is required to contribute only 20 percent of his income. I believe it was on the motion of the Senator from Utah that it was raised to 25 percent of the rent supplement, so that the tenant in the program pays more than the tenant in the public housing program.

Mr. BENNETT. On the other hand, under the program, might not the tenant get a more desirable accommodation and worth much more?

Mr. SPARKMAN. I seriously doubt whether that could be reasonably expected, because this is supposed to be economy-built housing. I do not presume that the accommodations would be better than in public housing. I do not know this, but I would guess that probably the best accommodations to be obtained would be in the first public housing units, because they were built at a much cheaper rate than any housing can be built for at the present time. I believe that they would be better off.

However, I started to talk about the need over a 40-year period, or whatever it may be. Of course, we cannot predict the need, but in all the programs which we have provided in housing, there has been a time limitation. Most of them run up to 40 years. I believe that on some, there may be a limit of as much as 50 years. I am told by my staff that that would be for college housing, even though I dare say we could assume that there is some speculation as to what the need would be. But I believe that everyone of us has the assumption that the need will continue to be great.

Mr. TOWER. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I yield.

Mr. TOWER. Is it not true that the $8 billion to be spent over a period of 40 years would be contracted for within the next 4 years?

Mr. SPARKMAN. That is true, but that is the same kind of arrangement as exists in public housing. When the Public Housing Act was first enacted in 1949, it was provided that a sufficient number of units could be contracted for, not to exceed $336 million a year. That was the public housing program as originally prepared. We have just reached that authorization.

Mr. TOWER. Is that the reason why there are 170,000 units in the pipeline now?

Mr. SPARKMAN. Some of those units may be in there because of being tied up in the finalizing of that $336 million. The Senator from Texas knows that I agree with him, and with the Senator from Utah, because we all participated in questioning the housing officials when they came before our committee about the great pipeline, whatever we may wish to call it. The Senator also knows that we have put into the report the request that the administration supply us with full information and try to get the pipeline behind us.

Mr. DOUGLAS. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. Is it not true that the inflated figure of the ultimate cost of $8 billion over a 40-year period is based on the assumption that there will be no increase in incomes of those in the rent supplement program? But, as the incomes rise, the amount of the rent supplement diminishes; that is, for each rise of $10 in income, there would be a decrease of $2.50 in the rent supplement. We know that over a period of time there is an increase, roughly, of 2 to 3 percent in real income each year, so that there is a built-in margin of reduction in payments which our friends across the aisle do not take into consideration at all; is that not true?

Mr. SPARKMAN. That is true——

Mr. BENNETT. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. The request was made of our staff committee in the committee session that it be directed to obtain information as best it could as to what the agency estimates of the cost would be. We have received a letter in reply to that request, and the agency estimates that the total cost over a 40-year period will be $5.8 billion. They say there is even a possibility of a decrease in that amount, to account for those units which will be built under section 221(d)(3) of the program below market interest rates.

Mr. BENNETT. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I yield.

Mr. BENNETT. The point has been made that it is expected that incomes will rise and, therefore, it is assumed that eventually nearly everyone in the housing units will get out from under the subsidy.

Mr. DOUGLAS. Would that not be a fine thing?

Mr. BENNETT. But, as soon as they would get out from under the subsidy, they would release their apartment, which would then be rented to someone else, because the contract will require the 30 percent—if that is the correct figure—and the apartment will be leased to subsidized persons. Therefore, it would go out of the top and come in from the bottom.

Mr. DOUGLAS. Only if we have millions of people, 40 years from now, who still live in poverty. If the Senator from Utah would only join us, we could diminish that number now.

Mr. SPARKMAN. Let me add that, of course, many assumptions must be made.

Mr. BENNETT. The Senator is correct.

Mr. SPARKMAN. The Senator from Utah is making an assumption. We could just as easily——

Mr. BENNETT. The Senator from Illinois is also making an assumption. I am suggesting that there is another assumption which counterbalances his.

Mr. SPARKMAN. We can easily assume that after the incomes rise, the tenants could purchase their units, as they are given the right to do. They are given the right to do this under the program. Under the amendment offered by the Senator from Texas [Mr. TOWER], they would also be given the right to purchase their units in public housing for the first time.

Mr. BENNETT. I suggest that there is another assumption, that the Administrator has the right to set the level under which subsidies will be paid. We have already seen that he expects to set that level higher than what the public housing level will be. Can we not assume that as incomes rise, the Administrator will raise the level below which subsidies can be paid. That is just as logical an assumption as the assumption that people will work themselves out of the top.

Mr. SPARKMAN. May I ask the Senator from Utah where he gets the assumption that the Administrator will set the price higher than for public housing?

Mr. BENNETT. I get it from the statement supplied to the committee, by the Administrator, the tables for which were put in the RECORD by the Senator from Illinois. I have already quoted one figure for Atlanta, Ga., for four-bedroom housing under this program. The Administrator makes it clear that until he has made a survey these figures are not firm figures. He estimates a figure of $5,500 income for Atlanta, Ga., for four bedrooms. Under public housing the figure is $3,500.

Mr. DOUGLAS. Those are the figures for Atlanta?

Mr. BENNETT. For public housing the figure is $3,500, and the other is $5,500.

Mr. DOUGLAS. Did the Atlanta authorities fix that figure?

Mr. BENNETT. Yes. I am making the point that we start with a higher set of assumptions than is true for public housing.

Mr. SPARKMAN. In my discussion yesterday I gave the figures that were supplied by the housing agency. As in the case of public housing the figure varies from one area of the country to another.

Mr. BENNETT. Yes.

Mr. SPARKMAN. It is estimated that the overall national average for rent supplement payments is $40 a month per unit, whereas the level of subsidy for public housing units runs to about $58 per month. The overall figure is lower than the public housing figure.

Mr. BENNETT. The answer may be that most public housing units are built in large cities, where the rates are high and where salaries are high. It is estimated that these subsidy units will be built across the country, where the average would be lower.

Mr. SPARKMAN. I have no way of knowing that.

Mr. BENNETT. Neither have I.

Mr. SPARKMAN. On the question of classes, they are about the same as for public housing today. It is true that there will be low-income people in these units. That is one of the primary purposes for which this housing will be built. Certain classes are eligible for this type of housing. First of all there would be the elderly; second, the physically handicapped; third, those who are displaced by reason of governmental action, such as urban renewal, building of highways, parks, and undertakings of that kind. In addition the families must be of low income. I remind the Senator from Utah that again it was a part of his amendment—I believe it was his proposal in the subcommittee which was endorsed unanimously—that sought to remove the lower floor.

Mr. BENNETT. I believe that amendment was offered by the Senator from Illinois on the day when the Senator from Utah was not present.

Mr. SPARKMAN. I remember that the Senator from Utah offered his 25 percent amendment. It was discussed then, and it was agreed that there would be no floor, and that higher participation by the tenant would be required.

The Senator will recall that the big complaint about this program had been that it did not go down low enough; in other words, I am referring to the income level in its original form.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. TOWER. I believe that the amendment by the Senator from Maine [Mr. MUSKIE] was the amendment that made this a low income program.

Mr. SPARKMAN. Yes; by taking it away from the lower middle income, we cut off the lower middle income and require it to be in the lower level.

I am talking about the income "floor." In public housing, rather strange to say, there are people who get incomes that are so low that they are not allowed in public housing. The Senator may recall our discussion in the subcommittee. It was felt that it was not right to build low income housing and then say people had such low income that they were not eligible for it. We use about the same classes.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MUSKIE. I should like to have that point clarified for my benefit. As the Senator knows, I was not a crusader for rent supplements. It was only when the committee agreed to reduce it to its present dimensions that it made sense to me—and good sense, I believe—and I supported it.

As I understand, the group eligible for rent supplement payments under the Senate bill as it is now written, is a narrower group than the group that is eligible for public housing.

I notice on page 4 of the bill the list of those who are eligible for rent supplements, to which the Senator has referred. They are those who are displaced by governmental action; the elderly; the physically handicapped; those occupying substandard housing; and those who come under the Proxmire amendment because their dwelling had been affected by natural disaster. Those are the five groups. Those eligible for public housing are those who fall under the income ceilings, whether they are members of any of these five groups. Is that correct?

Mr. SPARKMAN. Yes; except that both conditions must exist.

Mr. MUSKIE. Under the rent supplement provision.

Mr. SPARKMAN. Yes.

Mr. MUSKIE. But only one for public housing.

Mr. SPARKMAN. Yes. It is no broader in this program than in public housing; as the Senator points out, it is narrower.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. I believe this matter can be cleared up because of the preliminary estimates of income limits for families of different sizes which the Administrator said he would follow. The table to which I am referring is printed at page 16652 of the RECORD of Tuesday. If we look at the column showing 3 or 4 persons, we see the limit that he has fixed, and we can compare it with the rates under public housing. I will give this table to the Senator from Utah, so that he may check the figures. In Atlanta, Ga., for example, for continued occupancy the income limit for public housing is $4,000. Under the rent supplement program it is proposed to be only $3,800. In Boston, Mass., the continued occupancy figure under public housing is $5,225; the rent supplement program calls for a $4,800 ceiling. In Bridgeport, Conn., for continued occupancy it is $6,125, whereas for rent supplements it is $4,600. In Columbia, S.C., the continued occupancy calls for $4,250; the rent supplement calls for $3,700. It will be noted that I did not include my city of Chicago. For continued occupancy in public housing, $5,750; for rent supplements, $5,000. Jefferson City, Mo.: Continued occupancy $5,000; rent supplement $4,100. That is true of almost the entire list. The Senator from Maine is completely correct. The income limits under the rent supplement program generally are much more restrictive than under public housing. I will take these figures to the Senator from Utah, so that he may check them.

Mr. BENNETT. I did not have a record of the limits on continued occupancy. I was supplied the limits for admission. Both of these are limits for admission. We do not have the limits for continued occupancy.

Mr. DOUGLAS. Under continued occupancy in rent supplement units as the income rises, the subsidy goes down. So it is very different from public housing.

Mr. BENNETT. The Senate moved over from a 3- to 4-bedroom limit to a 3- to 4-person limit. Let us consider Atlanta, Ga. The Senator does not have those figures. The figure I was quoting was for four bedrooms for seven to eight persons.

Mr. DOUGLAS. What I am trying to say is that at almost every point we find the income limit for the subsidized rent supplement program lower than the continued occupancy figures under public housing.

Mr. BENNETT. The Senator from Utah would like to have a schedule which is comparable at every point, because the table I hold refers to one class only, and this schedule refers to four classes.

Mr. DOUGLAS. There are proportionate additions.

Mr. BENNETT. If the Senator could have printed in the RECORD a list of continued occupancy limits in relation to the other classes for which we have in the RECORD preliminary estimates, I think it would be helpful.

Mr. DOUGLAS. We shall do so. I ask unanimous consent to insert in the RECORD the table on public housing and rent supplement income ceilings.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public housing maximum income limits for 4-person families as of July 1, 1965, for selected localities [1]

Locality	Admission		Continued occupancy	Rent supplement ceilings, 4-person families
	Regular	Displaced		
Atlanta, Ga	$3,200	[2] $4,000	$4,000	$3,800
Boston, Mass	3,800	4,750	5,225	4,800
Bridgeport, Conn	4,900	5,880	6,125	4,600
Chicago, Ill	4,600	5,200	5,750	5,000
Columbia, S. C	3,400	[3] 3,400	4,250	3,700
Columbus, Ohio	4,400	[3] 4,400	5,300	3,900
Fresno, Calif	3,400	3,800	4,250	4,400
Huntington, W. Va	2,900	[3] 2,900	3,625	3,700
Jefferson City, Mo	4,000	4,400	5,000	4,100
Kansas City, Mo	3,600	3,900	4,500	4,100
Louisville, Ky	3,800	4,750	4,750	4,300
Milwaukee, Wis	3,800	4,200	4,700	4,100
Newark, N.J	4,560	4,980	5,700	5,000
Providence, R.I	4,200	5,040	5,350	3,700
Paterson, N.J	3,900	4,800	4,875	4,800
Pittsburgh, Pa	4,450	5,400	5,400	4,600
Port Arthur, Tex	3,000	[3] 3,000	3,750	3,700
San Antonio, Tex	3,100	3,750	3,750	3,700
St. Louis, Mo	4,400	4,900	5,300	4,500
Terre Haute, Ind	4,400	[3] 4,400	5,500	3,900
Toledo, Ohio	4,400	[3] 4,400	5,500	4,500
Waco, Tex	3,000	3,400	3,750	3,700
Utica, N.Y	4,400	5,200	5,400	3,700

[1] Public housing income limits are stated in terms of total family income less deductions and exemptions permitted by the local housing authorities. They include such items as payroll deductions for social security, unusual medical expenses, expenses of a serviceman living away from home, etc. They may also include exemptions such as $100 per minor or dependent adult, some income exemptions for certain family members (in some cases, all income), and VA service-connected disability and death benefits.

Finally, the actual income limits for admission should not be confused with legally possible income limits which can, in the case of the elderly, go all the way up to private unsubsidized rents and which can, in the case of the nonelderly and nondisplaced, go much higher than actual in many areas because they are so far below the 20-percent gap requirement.

[2] Approved but not utilized.

[3] No displaced limit approved. Regular limits apply to displaced families.

Mr. BENNETT. I thank the Senator.

Mr. DOUGLAS. In general, there is about a 25-percent increase in the income ceiling for continued occupancy over the admission rates for public housing.

Mr. SPARKMAN. Mr. President, I believe the Senator from Illinois already has placed that information in the Record.

Mr. DOUGLAS. I believe I put it in for four-person families. I withdraw that statement. I did not submit the figures for continued occupancy for the Record, but in general it can be said that the rate for continued occupancy is 25 percent above the admission figure. Families are permitted to increase their income by about 25 percent before they are evicted from public housing.

Mr. SPARKMAN. It seems to me that the simple answer is the item which I stated a little while ago to the effect that the estimate of the cost—and that is one of the big items with which we are concerned—will be an average of $40 a unit for the rent supplement program as against $58 per unit the country over for future public housing.

Mr. MUSKIE. Mr. President, will the Senator yield at that point?

Mr. SPARKMAN. I yield.

Mr. MUSKIE. I have been getting educated on the question of cost because of my real concern with the new program. But, as I understand, in addition to the $58 monthly per unit cost of public housing, to get the full cost we ought to have the cost represented by tax exemptions from Federal taxes and tax exemptions from local taxes. I understand that those two figures add up to another $17 per month, making the total cost of public housing something like $75 a month.

Those are the figures given to me by the agency. I believe that they are reasonable and ought to be taken into account.

There is another question. I should like to confirm what I have been told.

Mr. SPARKMAN. First, when the Senator refers to the $17 additional, he is referring to the fact that public housing is tax free in two respects—income taxes on the bonds and real estate taxes on the property.

Mr. MUSKIE. Yes, public housing is exempt from Federal income taxes.

Mr. SPARKMAN. Yes.

Mr. MUSKIE. I understand that that is the cost that is contributed at $7 per month per unit. The projects are also exempt from local taxation, and I understand that represents a figure equivalent to $10 a month per unit, resulting in $17 a month per unit for tax exemption, which represents the public cost. That would not be a public cost in rent supplemental housing, because that would be privately owned and subject to local taxation.

Mr. SPARKMAN. The Senator is correct. I am glad the Senator brought out that point. I brought that out in my statement yesterday. The figure I have is that $48 million of taxes would be lost to the Federal Government. I believe that it is highly important for us to remember a fact about the program which we are proposing today. As I said yesterday, it is nothing new. In 1947, or 1946—in the early days of debate on the Taft-Ellender-Wagner bill—the real estate boards recommended a program almost the same as the one now proposed. Time after time since then they have recommended a similar program, which they describe as a rent certificate program. The only difference would be the manner in which payment would be made.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. SPARKMAN. Let me continue with this point if I may. This program has been recommended through the years by private enterprise as a substitute for public housing. Furthermore, these projects would be built by private enterprise under FHA supervision and under the FHA insurance plan—not Government loans, not Government money—but money loaned by private enterprise to private enterprisers and insured by the FHA. The buildings would be owned by private enterprise; taxes would be paid to the Federal Government on the income that is derived from the program. Taxes would be paid to the local governments, and the project would be operated as private enterprise.

I should like to go one step further. The organizations that have recommended the program are remarkable. As I have said, through the years the real estate boards have recommended a program similar to the one proposed. They do not recommend the present program. They still stick to their rent certificate plan. This year they proposed another program which would have lowered the interest rate on these loans, even to zero percent, subsidizing it in that way. I submit that every one of us would prefer the kind of program which operates as provided under the bill rather than one which would be subsidized by lowering the interest charge to zero. The American Bankers Association did not come out and say that they particularly supported the program, but they said they preferred it over the plan of reducing interest rates as we do in one of the programs that we have already, or even as we do in a program such as the section 221(d)(3) below-market rate program, because there is a low interest rate there.

Some builders' organization endorsed it. As I have said, the American Bankers Association had many kind words to say about it and expressed preference for it over a change in the interest rate. The National Housing Conference approved it. The General Improvement Contractors approved it. The National Council Agency, the AFL-CIO, the American Institute of Planners, the National Conference of Catholic Charities, the National Association of Mutual Savings Banks, the American Association of Homes for the Aging, the U.S. Cooperative League, the National Association of Settlements and Neighborhood Centers, the National Farmers Union, the National League of Municipalities, and the U.S. Conference of Mayors approved the plan. I have read a short list of the organizations throughout this country that are supporting the program.

Mr. DOUGLAS. Mr. President, I ask the Senator from Alabama if the National Association of Homebuilders has become a socialist organization?

Mr. SPARKMAN. No. I believe that the National Association of Homebuilders is one of the strongest of our private enterprises.

Mr. DOUGLAS. How about the American Bankers Association?

Mr. SPARKMAN. Of course not. Over the past several years the American Bankers Association has been quite active, helpful, and strong in advocacy of good private enterprise housing programs.

Mr. DOUGLAS. The American Institute of Planners?

Mr. SPARKMAN. No; certainly they are not.

Mr. DOUGLAS. Or the National Conference of Catholic Charities?

Mr. SPARKMAN. No, nor the Conference of Mayors, the League of Municipalities, or any of the others.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. SPARKMAN. I yield.

Mr. PROXMIRE. The Senator is making a very important argument, because those who are opposed to rent supplemental subsidies have said that they are socialistic and have implied that they are not supported by solid American institutions.

I invite the Senator's attention to two statements in the hearings. I noticed that when the mutual savings banks supported rent supplements, they did so for a very interesting reason. I call the Senator's attention to page 584 of the hearings reporting the testimony of the mutual savings banks, and I read one paragraph:

> We recognize the importance of providing standard housing for such persons, particularly since this group will doubtless be enlarged by increasing code enforcement in urban areas. And we endorse the principle of providing a direct rent subsidy, since this will permit financing by private capital with market interest rate mortgages, insured under section 221(d)(3), rather than with public funds under submarket interest rate loans. Indeed, we welcome the prospect set forth in the President's recent "Message on the Cities" that, with a successful rent subsidy program, "it should be possible to phase out most of our existing programs of low-interest loans."

I invite the attention of the Senator from Texas to a statement made by the American Bankers Association, which as the Senator from Illinois has mentioned, is anything but a socialistic organization. I ask the Senator's indulgence while I read their interesting statement, which appears on page 373 of the hearings:

> Section 101 conforms with our statement of principles. We prefer the rent supplementation approach which is based upon marketable interest rates over the subsidized interest rate approach of 222(d)(3) under which loans are originated at below market interest rates.
>
> Since the real criteria for need is the ability of people to obtain minimum decent housing at rentals which are consistent with their level of income, the rent supplementation should become available to people who are eligible under section 101 but who cannot obtain decent housing at rentals not exceeding 25 percent of their gross income.

I recognize that we have before us both 221(d)(3) and rent supplement. What is important is that this conservative organization came out foursquare on the side of the rent supplement principle, its purpose and effect, which is to make people more self-reliant and to get them gradually but eventually out from under the subsidized program.

Mr. SPARKMAN. I appreciate the comments of the Senator from Wisconsin. He has read from the statements of two of the approving organizations, the first being the National Association of Mutual Savings Banks; the second being the American Bankers Association.

I will modify a statement I made a while ago. I said that the American Bankers Association did not positively approve the program. It did. I recall now that it approved that very part of the bill. It started with the statement that section 101 conformed with their statement of principles. In other words, the representatives of the American Bankers Association and the National Association of Mutual Savings Banks submitted resolutions that apparently had been passed in their association meetings. In everything they approved, they began with the statement that "It conforms with our statement of principles." If they disapproved it, they said it did not conform with their statements of principles, or something to that effect.

As the Senator from Wisconsin has said, two of the most conservative, strong, and good private enterprise systems of our country advocate the rent supplement program.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. TOWER. We conservatives would never concede that we have a monopoly on truth. We are capable of being wrong on occasion. The most conservative organization can be led down the garden path from time to time.

However, the statements read by the Senator from Wisconsin were not in support of this measure, but of the President's bill. This measure is not the President's bill; this is a bill that was modified by the amendment of the Senator from Maine [Mr. MUSKIE].

Mr. PROXMIRE. Yes, indeed.

Mr. TOWER. There was no testimony on that.

Mr. PROXMIRE. The language was modified by the distinguished Senator from Maine and by me. My modification increased the level of income which tenants would have to pay in rent before receiving rent supplement to 25 percent. The Senator from Maine provided that the total incomes of recipients must be so low that they qualified for public housing. He took a more conservative approach than the administration. I am sure these great organizations would be more enthusiastically in favor of this proposal than the administration's.

Mr. TOWER. They were testifying with respect to the other program.

Mr. PROXMIRE. They were.

Mr. DOUGLAS. Does the Senator from Texas mean to say that the American Bankers Association would favor a subsidy for well-to-do families and oppose a subsidy for poor families? I cannot believe that.

Mr. SPARKMAN. I have enjoyed the discussion, but I realize that time is passing.

I believe it would be well to establish the fact that this proposal is supported by some of the greatest private enterprise groups and organizations in the country. I do not believe that the Senator from Texas, even though he thinks they might sometimes be led down the primrose path, would ever suggest that the American Bankers Association of the National Association of Mutual Savings Banks is a socialist organization or that it would support what it believed to be socialist legislation.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MUSKIE. I suspect, having been rather conservative on this issue myself, that one of the reasons why those organizations support the program, perhaps support it even more enthusiastically in its present form, is that they understand that the Government is already committed to the principle of rent subsidy, because the public housing program is a rent subsidy program.

Mr. SPARKMAN. Yes.

Mr. MUSKIE. They understand that. So the question is which form to use. Shall we use the form that uses public money or use the form that uses private money? These organizations like the rent supplement program because it is a form of rent subsidy which uses private enterprise and private money to do the same job.

Mr. SPARKMAN. Yes. In that connection, public housing as we have had it in the past and as we now have it is not considered socialistic. Bob Taft, who originated the program, did not consider it to be socialistic.

I wish to say for the benefit of the Senator from Texas [Mr. TOWER], who supports public housing—he said so a few minutes ago—that public housing as we have it certainly smacks more of socialism than does the program we are proposing today under private enterprise, a program which the Senator from Texas says he opposes. I doubt whether, deep in his heart, he opposes it as strongly as he indicated. But I wanted to draw that distinction. I join with Bob Taft in the belief that public housing is not socialistic; but it does enjoy a Federal subsidy.

Mr. DOUGLAS. Is it not true that public housing is publicly financed?

Mr. SPARKMAN. Yes.

Mr. DOUGLAS The supplementary rent program will be privately financed.

Mr. SPARKMAN. Yes.

Mr. DOUGLAS. Is it not true that the direction of public housing is by a public body, whereas the rent supplement program will be managed by a private body?

Mr. SPARKMAN. I wish to correct one statement that might be misunderstood. Rent supplements of money that is paid are paid by the Government.

Mr. DOUGLAS. To the manager of the building?

Mr. SPARKMAN. For management, ownership, payment of income taxes to the Federal Government, payment of taxes to the State, county, or city government; and payments to school districts are provided for in this program, as against none in the public housing program, which the Senator from Texas supports.

Mr. DOUGLAS. In reality, the Senator from Texas is expressing a preference for a much more socialistic program than the rent supplement program, and a much more costly program.

Mr. SPARKMAN. The Government participates much more in the public housing program and at much greater expense to the taxpayers.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. SPARKMAN. The Senator from Texas has asked me to yield to him.

Mr. BENNETT. Will the Senator from Texas allow me to make one comment?

Mr. TOWER. I yield.

Mr. BENNETT. Nonprofit corporations pay no Federal income taxes.

Mr. SPARKMAN. I thought of that; yes.

Mr. BENNETT. Nonprofit corporations pay no Federal income taxes.

Mr. SPARKMAN. Because they have no profits. But limited dividend organizations do. So do cooperatives on undistributed portions.

Mr. BENNETT. Yes, theoretically.

Mr. SPARKMAN. I accept the correction by the Senator from Utah.

Mr. TOWER. It seems that I am being made a big liberal today.

Mr. SPARKMAN. And by conservatives.

Mr. TOWER. After the stirring remarks by the distinguished Senator from Illinois [Mr. DOUGLAS], I may get the endorsement of the trade unions in my State for reelection. That is entirely unlikely.

I believe that we must remember that a great deal of testimony and comments which have been read were addressed to the bill prior to the modifications of the Muskie amendment. No hearings have been held since the adoption of the Muskie amendment.

A very interesting item appeared in a newsletter published by Representative PAUL A. FINO, of New York, who can hardly claim to be very conservative. He states, as reported by the Pittsburgh Post-Gazette, that Mr. Weaver went on to say that under the proposed program, only those with hearts of gold and heads of lead would construct a rent housing program unit for lower-income families.

Mr. DOUGLAS. Mr. President, I believe that was an unfortunate expression on the part of Dr. Weaver, or one of his speechwriters. I believe that on reconsideration he would modify that statement.

I should say that those who oppose the rent subsidy program have hearts of lead. I do not believe that they have heads of gold, either.

Mr. SPARKMAN. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Alabama has 69 minutes remaining to his side. There are 92 minutes remaining on the other side.

Mr. SPARKMAN. I do not wish to prolong this debate. I yield to the Senator from Utah.

Mr. BENNETT. Mr. President, the Senator from Utah was about to rise to a point of personal privilege. It is against the rules of the Senate to make derogatory statements on the floor about other

Senators. To describe the Senator from Texas and myself as having hearts of lead and heads of gold, I believe, would come within the rule.

Mr. DOUGLAS. I did not say the Senators had heads of gold.

Mr. BENNETT. I shall not press the matter further. However, I point out that this is skirting pretty close to a violation.

Mr. SPARKMAN. Mr. President, I do not care to prolong the discussion much more.

I believe that the people of the country will be concerned as to the cost of the program. We must remember that we are trying to find some measure to take the place of the public housing program, as we have known it through the years. I believe that the best way to arrive at the cost of the program is by a comparison with the existing public housing program.

Yesterday I included in my presentation a statement from the Housing Agency that gave some comparison of the cost. I have a very brief summary of it here.

Mr. President, I ask unanimous consent to have printed at this point in the Record a statement on the subsidy involved under the rent supplement program compared to public housing.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Subsidy Involved Under Rent Supplement Program Compared to Public Housing

The amount of the rent supplement payment that may be made on behalf of a particular family will never be greater than the amount of the subsidy that would be paid for that same family in a public housing unit. As to average costs, it is estimated that the average subsidy cost under rent supplements would run about $40 a month per unit—the level of the subsidy for public housing units currently being built runs about $58 a month per unit.

There are several reasons for the lower subsidy cost in the rent supplement program. Land and construction costs in the rent supplement program would be less than in the public housing program. There will be available to sponsors of rent supplement projects a much wider range of selections of sites, including suburban and outlying land, and generally no clearance would be involved. In addition, certain special construction requirements that add to the cost of public housing would not apply to housing constructed under the rent supplement program.

Under the rent supplement program, the occupant would be required to pay 25 percent of his income for rent compared to the general 20 percent requirement under the public housing program.

These factors alone—lower land and construction costs and greater payments by occupants—will offset the advantages of low-interest rate loans through tax exemptions in the public housing program. In addition, of course, the tax exemption accorded income on bonds issued in the public housing program involves a very substantial loss of revenue to the Treasury and this represents a cost that must be borne by other tax sources. It is estimated that the tax exemption of the income on public housing bonds now costs the Treasury $48 million a year in revenues.

Finally, the local property tax exemption accorded public housing represents a very substantial local contribution and is also a part of the economic cost of public housing.

Mr. SPARKMAN. Mr. President, with reference to the statement that the Senator from Texas made to the effect that bankers from the mutual savings banks did not testify with relation to the bill after the Muskie amendment had been agreed to, I believe that their testimony would be much more favorable since we have agreed to the Muskie amendment. The Muskie amendment removed the requirement for rent supplements for higher income living.

I believe that requirement would have been subject to strong opposition. I did not like it myself. I fully believe that those banking associations would have been much more favorably impressed with the bill with that item removed.

There are two principal things for us to remember in supporting this measure in contrast to the present public housing program. First, the new program would be a private enterprise program built under the proved insurance program of the Federal Housing Administration, built by private enterprise, owned by private enterprise. Private enterprise pays taxes, as do individuals.

I cite those reasons as opposed to public housing which would cost more, which would be built under a governmental financial support program. I do not mean insurance, but I do mean that that program would be carried on under the written faith and credit of the U.S. Government, which is behind the bonds issued by the city public housing authorities throughout the country.

Rent subsidies would be paid by the Federal Government. At the same time, according to the statement that I have just submitted for the record, there is an estimated loss of $48 million income to the United States each year resulting from the nontax payment status of the public housing program.

Mr. President, another contrast is the cost. I believe that is all important. The Senator from Ohio [Mr. Lausche] is interested in the average per-unit cost for public housing in the United States today. That figure is $58 a month for new housing constructed at the present time. The average cost per unit of these houses built now would be $40 a month. It would involve $18 a month less in subsidy. In addition, those people would pay taxes, as proposed in the bill. Under the public housing program, no taxes are paid. The buildings would be owned and operated by private enterprise. Public housing is a governmental operation.

I believe that those are the principal things to remember in considering the bill.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. MUSKIE. Mr. President, I believe that it might be of interest for Senators to know what motivation was behind my amendment.

I was prepared to oppose the supplement. Then I directed my attention to the supplement proposal with a view to determine to my satisfaction whether any part of the proposal was meritorious.

I recall the hearing which we held in 1959 when President Eisenhower vetoed the housing bill. It will be recalled that the first witness was a recorded speech by the late Senator Taft. In that recorded speech, Senator Taft described to a housing body the difficulty that he had had in supporting public housing, and that when he did so, he did it only because no one had offered a constructive alternative. He stated that although he supported it because he felt there was a very great need for it, he intended to continue to search for an alternative.

Mr. SPARKMAN. And we have done that throughout the years.

Mr. MUSKIE. We have done that ever since.

That was my first year in the Senate. It was my first year on the Committee on Banking and Currency. It was the first housing bill in which I participated. I was so impressed by it that it has lurked in my mind ever since. I have, as have others, been looking for ways with which to deal with the problem in a more effective and more economical way.

It seemed to me that the rent subsidy program, if tailored to the public housing program, would be a sensible and reasonable supplemental program by which to deal with the problem.

Mr. SPARKMAN. The Senator has correctly stated the situation.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. LAUSCHE. Has the Senator discussed what the income qualification will be?

Mr. SPARKMAN. Yes. It has been placed in the Record. I believe I can show the Senator the figures, which he can read privately. It varies from section to section, but it follows rather closely what is provided under public housing. I believe a reading of that will show that it generally is close to what is provided under public housing.

Mr. President, may I ask how much time I have left?

The PRESIDING OFFICER. There are 59 minutes remaining under the control of the Senator from Alabama.

Mr. SPARKMAN. I yield to the Senator from Texas [Mr. Tower].

Mr. TOWER. Mr. President, I yield myself such time as may be necessary.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. TOWER. Let me point out that the proposed subsidy goes, not to the renter, but to the landlord. Although private enterprise may be involved in the construction, this is not in reality the sort of thing taken on by an entrepreneur. It is the kind of thing taken on by a nonprofit corporation established for the purpose, or to be established for the purpose of wanting to get in on this program.

One of the possible abuses is that we may have new sponsors getting into the act and putting their heads together with contractors and deciding that it would be a good idea to use the subsidy to make profits.

Let me further note that, although a family may have a considerable amount of subsidized rent under this program, as I understand, according to the ruling of the Internal Revenue Service, this is nontaxable income. It should be considered as income, because it is. If one person is paying $62.50 rent a month and the Government is paying the other

$37.50, he is receiving $37.50 monthly in income. The person who makes sufficient income so that he pays the $100 a month is paying a tax on that income. This is an inequity in the program.

I do not believe we should try to imply that the late and great Bob Taft would have favored this as an alternative to the existing housing program. The Senator from Alabama has said that the idea of a rent supplement has been around for years—since 1936, he said. I am sure that Bob Taft, with his interest in public housing, was aware that this alternative had been considered, but he never advocated it. He would have gasped at sight of this program. He understood rent subsidy, and felt that it should not be a part of public housing. I hope this amendment will be approved.

I yield 2 minutes to the Senator from Nebraska [Mr. Curtis].

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 2 minutes.

Mr. CURTIS. Mr. President, I thank the Senator from Texas.

I am opposed to the Great Society's program of rent subsidies. I shall support the motion to strike out the rent subsidies provision of the pending housing bill.

There are many reasons why this should be done. I hope that a majority of the Senators will take a similar view. Rent subsidies should be defeated because: First, it is a new program of spending that will be most difficult to ever stop; second, it will make more of our citizens dependent upon the Government; third, it will delay the day when the Federal budget can be balanced; fourth, it is an unnecessary subsidy program promoted in Washington in a grasp for more power and control over our economy and over the lives of individuals; and, fifth, it will discourage home ownership.

I yield back my time.

Mr. MAGNUSON. Mr. President, will the Senator yield me time on the bill?

Mr. DOUGLAS. I yield time on the bill.

Mr. MAGNUSON. In the bill is section 211, which provides for approval of technically suitable materials and adds a new section which, under the procedure, provides that any material or product which is technically suitable shall be accepted.

Naturally, all the people in my State of Washington, as well as in Oregon, who are in the lumber industry are interested in the interpretation of this section. I understand that yesterday the two distinguished Senators from Oregon [Mrs. Neuberger and Mr. Morse] queried the distinguished Senator from Alabama [Mr. Sparkman] on the interpretation of this section. It is of great concern to all of us who come from lumber-producing States, which includes my own State of Washington.

I associate myself with the remarks of the Senator from Alabama in the interpretation of this provision. It will go a long way toward making uniform materials and products to be used in structures under FHA.

Responsible builders are for this provision. For example, if a green piece of lumber were used in a house, after a period of time it would spring and the house would be adversely affected.

I rose to associate myself with the recommendation of the committee and the remarks of the Senators from Oregon on section 211. I hope the section will remain in the bill.

Mr. DOUGLAS. I thank the Senator.

Mr. THURMOND and Mr. CLARK rose.

Mr. DOUGLAS. I yield time on the bill to the Senator from Pennsylvania [Mr. Clark].

Mr. CLARK. Mr. President, I ask if the Senator would be willing to yield 20 minutes to me on the bill to make a speech. The Senator from South Carolina also has a matter to present.

Mr. TOWER. Mr. President, the Senator from South Carolina has been trying to obtain the floor for some time. I would like to yield him 15 minutes.

Mr. CLARK. If the Senator from South Carolina wishes to proceed at this time, very well. How long will he take?

Mr. THURMOND. I have been waiting for a long time to be recognized.

Mr. CLARK. Very well.

Mr. TOWER. I yield 15 minutes to the Senator from South Carolina [Mr. Thurmond].

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 15 minutes.

Mr. THURMOND. Mr. President, I rise in support of the amendment offered by the distinguished Senator from Texas [Mr. Tower]. First, I should like to offer my congratulations to the Senator from Texas for the excellent work he has done in connection with the pending bill. As the ranking minority member on the Housing Subcommittee, the Senator from Texas has labored hard and long to correct the numerous inequities in this measure, and all the people in the country have benefited from his efforts.

The rent subsidy scheme contained in the pending bill authorizes contract authority up to $50 million for fiscal year 1966, up to $100 million for fiscal year 1967, up to $150 million for fiscal year 1968, and $200 million for fiscal year 1969. Over the 40-year life of the contracts involved, this provision calls for a total outlay of the astronomical figure of $8 billion. The plan is to pay that portion of a family's rent which exceeds 25 percent of its income.

The Senate Banking and Currency Committee has changed the plan somewhat from that which was originally visualized in the administration request. The original request was designed to subsidize the rent of families in the income range above that required for eligibility for public housing and yet too low to obtain standard housing. The income range would have been largely left to administrative determination and in some cases it could have gone as high as $9,000 or $10,000 per year. The committee bill limits eligibility for the rent subsidy program to those families which qualify as low-income families for the purpose of public housing. This is an improvement, but there are many other defects left.

Mr. President, I submit that there is absolutely no justification for going into a program of this magnitude which has so little chance of succeeding. The rent subsidy program is no more than a duplicate of the public housing program now on the books and even with the committee amendment the cost involved has not been reduced.

The families for whom the rent subsidy would be paid would live in either a cooperative, private, nonprofit, or limited dividend project, which itself would be financed under section 221(d)(3) of the Federal Housing Act. The housing units involved would be new or rehabilitated projects. They differ substantially from the ordinary public housing project in that they would not be localized in a particular area. They would be scattered throughout the community or city. In addition, it is anticipated that a portion of the residents of each individual unit will be full-paying occupants, not receiving any rent subsidy from the Government.

The owners of the project, called sponsors, will have a difficult time finding a sufficient number of full-paying tenants to assure the economic stability of the unit. If Congress approves this proposal, it is almost certain that the entire unit will eventually have to be filled by families receiving rent subsidies. This will seriously jeopardize the Government's investment.

It is obvious that many individuals who are normally supporters of housing projects have some very serious reservations about this proposal. The other body adopted an amendment to the housing bill on the floor of the House of Representatives limiting it to low-income families, the same as has been done by the Senate Banking and Currency Committee.

The New York Times published a very interesting article written by Tom Wicker, entitled "Washington: Johnson's Housing Victory," which discussed the battle over the housing bill in the other body. I ask unanimous consent to have this article printed in the Record at the conclusion of my remarks. Also, Mr. President, I ask unanimous consent to have a copy of my newsletter dated June 23, 1965, entitled "Stranger in the House" printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Harris in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, in my judgment, it would be the height of folly for Congress to authorize an $8 billion program of rent subsidies which is so likely to fail. Once this is started, there will be no backing away from it, for years to come. Any contract entered into will have to be honored over its entire lifetime, and all of the contracts will be long term. Most of them will be for 40 years.

I urge the Senate to adopt the amendment offered by the distinguished Senator from Texas [Mr. Tower] and delete the rent subsidy provisions from the pending bill.

Exhibit 1

Washington: Johnson's Housing Victory

(By Tom Wicker)

Washington, July 1.—Congress is approaching the 4th of July in the usual midsummer mood and that spells trouble for any President. In the case of President Johnson, it spells a good deal less trouble than it has for others and there now is an undercurrent of confidence at the White House that there will be no major setbacks at this session.

RUMBLINGS OF REVOLT

So many things happened that smacked ominously of revolt. The Senate sought openly to remove one of Sargent Shriver's two hats and almost refused to suspend the law to permit Mr. Johnson to name a retired general as Administrator of the Federal Aviation Administration. Representative Mendel Rivers, South Carolina's reply to Secretary McNamara, got his back up on military pay and military base closings. The veterans' lobby and some outraged Members of Congress forced the President to compromise on closing outmoded veterans' hospitals. Mr. Johnson was forced to veto a minor flood-control bill as a gesture against what he considered congressional incursions on Executive territory.

Some other things might have happened, but didn't. There could have been full-scale Senate debate on Vietnam and the Dominican Republic, or a major setback in either crisis, unsettling the President's grip on his Democratic majorities. The old religious and racial prejudices might have deadlocked the House on the aid to education bill. And the Republicans, finding their first really open target, might have shot down the controversial housing rental subsidy that squeaked through the House yesterday.

CRUCIAL BATTLE

That well may have been the crucial battle of 1965—and it was viewed with so much concern in the White House that Mr. Johnson himself got on the phone to an estimated 30 Members of Congress yesterday. It was his most determined personal effort of the year.

There were three reasons. The rental subsidy was one of the most important, though least publicized items, in the President's entire program. It was one of the most difficult to pass. And it came to the floor of Congress at a time when a major setback might have sharply interrupted Mr. Johnson's legislative momentum.

The subsidy was particularly important to the White House because it was the one genuinely new idea in the entire legislative program and the first major development in years in the housing field.

It was also viewed as the least expensive way, in terms of the Federal budget, to lift low-income families into adequate housing. But it was difficult to get through the House because conservatives in both parties can be mobilized most easily against what appears to be a straight Federal "dole," because even the public housing lobby saw the plan as an invasion of its interests, and—most importantly—because it was a new idea, not long debated, long advocated, or well understood in the press or in Congress.

Moreover, there was a troublesome racial aspect. The rental subsidy should work to break down the "ghetto idea." Thus, lower income, all-white neighborhoods, from which Negroes have been excluded because of their economic inability, now may be opened to them through Federal rental subsidy.

Mr. Johnson compromised on details of the plan, but he could not afford a defeat—any more than Representative John Lindsay, the Republican-Liberal candidate for mayor of New York, could afford to vote against a program with such an impact on urban areas. Not only was it a major White House legislative goal—victory on such a controversial issue, coming at this stage of the session—but also was a tactical necessity.

Coming up soon, after all, will be the controversial repeal of section 14(b) of the Taft-Hartley Act; an immigration bill eliminating national origins restrictions; the always difficult farm bill; a doubled authorization for a poverty program riven with political and administrative disputes; and a proposal for regional centers to treat heart, cancer, and stroke that will be far more open to charges of "socialized medicine" than was the medicare bill.

THE DOG DAYS

Members of Congress already have accomplished a great deal this year, enough for most sessions to quit on. Washington is getting hot and muggy, and somewhere the fish are biting and hometown fences await mending. Controversial issues are more unwelcome in the dog days than in the brave early weeks of a session. Mr. Johnson burned up the phone yesterday not just to save a major item of his program but to keep necessary pressure on Congress for the hard work ahead.

Stranger in the House

(By Hon. Strom Thurmond, U.S. Senator from South Carolina)

Should the administration's housing proposals be approved by the Congress, the specter of big government's authority will be haunting far more American homes in the years to come. The bill would expand all the old housing programs, good and bad, and authorize most of the schemes which the Congress has rejected in past sessions.

The polyglot nature of the housing bill would take a book-length dissertation to describe, but it can be illustrated by examination of a few of the programs.

The public housing program, begun more than a quarter-century ago, has resulted in 581,000 public housing units now in operation across the country. Disillusionment with this program at the local level is illustrated by the fact that 170,000 units are tied up in the "pipeline." The commitment by the National Government has been made, but local authorities have not started these projects. Despite the overwhelming evidence that public housing is no longer attractive at local levels, it is proposed that 140,000 additional units be authorized over the next 4 years.

In addition to the old public housing program, an approach often rejected by Congress is intertwined. On top of the authorization for an annual average of 35,000 newly constructed units, the bill would authorize purchase of an average of 15,000 units annually of existing housing and the leasing of 10,000 units of existing housing. This would permit the "scatteration" of public housing throughout existing and new residential areas in addition to the familiar institutional-type projects. This would give the green light to "integration by scatteration," a scheme I twice successfully stopped in the Senate before Lyndon Johnson went all the way with Martin Luther King. The total of the units authorized for the next 4 years would, therefore, be 240,000 units of public housing, almost half the number put in operation over the last quarter-century.

Grafted atop the public housing program would be a "new" program of "rent subsidies." This is designed to promote more "integration by scatteration" than any feature of the bill. Subsidized rental units could be built in individual or multiple units without any location veto by local governments. As proposed, the "rent subsidy" would be available to the elderly, handicapped, and displaced who occupy substandard housing. It would also be available to those whose incomes are below the amount required to obtain standard housing. The Government would pay that part of the family's rent which exceeds 25 percent of the family's income. The person for whom the rent subsidy is paid would live in cooperative, private nonprofit, and limited-dividend projects.

Apparently, this program is designed to benefit the 8 percent of families with incomes between $4,000 and $8,000 who live in "substandard" housing. It is evidently of no concern that this might be considered unfair to the 92 percent of families in this income bracket and the 72 percent of the families in $4,000-and-less income bracket who, according to the last census, manage to secure their own "standard" housing without Federal help.

The cost of such a "rent subsidy" program over the next 40 years would be $8 billion.

The rent subsidy program may be too much for even this submissive Congress to swallow whole. The Senate Banking Committee voted to "limit" the rent subsidy program to those who are eligible for public housing. This, of course, makes it duplicate the public housing program, with little assurance that, in the final analysis, it would lower the ultimate costs.

The housing bill would authorize 3 new grant programs. The Administrator of the Housing and Home Finance Agency would have $400 million to give for financing 50 percent of the cost of water and sewage facilities in areas where he foresees "significant population growth." He would also have $100 million to give for financing the purchase by communities of land for future sites for public works. To make these grants, the Administrator would have to predict the direction of the future growth of the community. The Administrator would also have $200 million to provide "neighborhood facilities."

These examples demonstrate the only consistency in the bill, which is the purpose of the Government to take over the responsibilities of local governments and the individuals in the field of housing.

With borrowed money, the National Government would like to buy a place of authority in more and more American homes. Once in, the "stranger in the house," or neighborhood, will be there forever.

Sincerely,

Strom Thurmond.

Mr. TOWER. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I ask unanimous consent that the distinguished Senator from Virginia may be permitted to speak out of order and that the time be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

COINAGE OF THE UNITED STATES

Mr. ROBERTSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on the bill, S. 2080, to provide for the coinage of the United States, with the amendment of the House thereto.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2080) to provide for the coinage of the United States, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Coinage Act of 1965".

TITLE I—AUTHORIZATION OF ADDITIONAL COINAGE

Sec. 101. (a) The Secretary may coin and issue pursuant to this section half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet the needs of the public. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

(1) The half dollar shall have—

(A) a diameter of 1.205 inches;

(B) a cladding of an alloy of 800 parts of silver and 200 parts of copper; and

(C) a core of an alloy of silver and copper such that the whole coin weighs 11.5 grams and contains 4.6 grams of silver and 6.9 grams of copper.

(2) The quarter dollar shall have—

(A) a diameter of 0.955 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 5.67 grams.

(3) The dime shall have—

(A) a diameter of 0.705 inch;

(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

(C) a core of copper such that the weight of the whole coin is 2.268 grams.

(b) Half dollars, quarter dollars, and dimes may be minted from 900 fine coin silver only until such date as the Secretary of the Treasury determines that adequate supplies of the coins authorized by this Act are available, and in no event later than 5 years after the date of enactment of this Act.

(c) No standard silver dollars may be minted during the 5-year period which begins on the date of enactment of this Act.

Sec. 102. All coins and currencies of the United States (including Federal Reserve notes and circulating notes of Federal Reserve banks and national banking associations), regardless of when coined or issued, shall be legal tender for all debts, public and private, public charges, taxes, duties, and dues.

Sec. 103. (a) In order to acquire equipment, manufacturing facilities, patents, patent rights, technical knowledge and assistance, metallic strip, and other materials necessary to produce rapidly an adequate supply of the coins authorized by section 101 of this Act, the Secretary may enter into contracts upon such terms and conditions as he may deem appropriate and in the public interest.

(b) During such period as he may deem necessary, but in no event later than five years after the date of enactment of this Act, the Secretary may exercise the authority conferred by subsection (a) of this section without regard to any other provisions of law governing procurement or public contracts.

Sec. 104. The Secretary shall purchase at a price of $1.25 per fine troy ounce any silver mined after the date of enactment of this Act from natural deposits in the United States or any place subject to the jurisdiction thereof and tendered to a United States mint or assay office within one year after the month in which the ore from which it is derived was mined.

Sec. 105. (a) Whenever in the judgment of the Secretary such action is necessary to protect the coinage of the United States, he is authorized under such rules and regulations as he may prescribe to prohibit, curtail, or regulate the exportation, melting, or treating of any coin of the United States.

(b) Whoever knowingly violates any order, rule, regulation, or license issued pursuant to subsection (a) of this section shall be fined not more than $10,000, or imprisoned not more than five years, or both.

Sec. 106. (a) There shall be forfeited to the United States any coins exported, melted, or treated in violation of any order, rule, regulation, or license issued under section 105 (a), and any metal resulting from such melting or treating.

(b) The powers of the Secretary and his delegates, and the judicial and other remedies available to the United States, for the enforcement of forfeitures of property subject to forfeiture pursuant to subsection (a) of this section shall be the same as those provided in part II of subchapter C of chapter 75 of the Internal Revenue Code of 1954 for the enforcement of forfeitures of property subject to forfeiture under any provision of such Code.

Sec. 107. The Secretary may issue such rules and regulations as he may deem necessary to carry out the provisions of this Act.

Sec. 108. For the purposes of this title—

(1) The term "Secretary" means the Secretary of the Treasury.

(2) The term "clad coin" means a coin composed of three layers of metal, the two outer layers being of identical composition and metallurgically bonded to an inner layer.

(3) The term "cladding" means the outer layers of a clad coin.

(4) The term "core" means the inner layer of a clad coin.

(5) A specification given otherwise than as a limit shall be maintained within such reasonable manufacturing tolerances as the Secretary may specify.

(6) Specifications given for an alloy are by weight.

TITLE II—AMENDMENTS TO EXISTING LAW

Sec. 201. The first sentence of section 3558 of the Revised Statutes (31 U.S.C. 283) is amended to read: "The business of the United States assay office in San Francisco shall be in all respects similar to that of the assay office of New York except that until the Secretary of the Treasury determines that the mints of the United States are adequate for the production of ample supplies of coins, its facilities may be used for the production of coins."

Sec. 202. Section 4 of the Act of August 20, 1963 (Public Law 88–102; 31 U.S.C. 294), is amended by changing "$30,000,000" to read "$45,000,000".

Sec. 203. (a) Section 3 of the Act of December 18, 1942 (56 Stat. 1065; 31 U.S.C. 317c), is amended by striking "minor" each place it appears.

(b) Section 9 of the Act of March 14, 1900, (31 Stat. 48; 31 U.S.C. 320), is repealed.

Sec. 204. (a) Section 3517 of the Revised States (31 U.S.C. 324) is amended to read:

"Sec. 3517. Upon one side of all coins of the United States there shall be an impression emblematic of liberty, with an inscription of the word 'Liberty', and upon the reverse side shall be the figure or representation of an eagle, with the inscriptions 'United States of America' and 'E Pluribus Unum' and a designation of the value of the coin; but on the dime, 5-, and 1-cent piece, the figure of the eagle shall be omitted. The motto 'In God we trust' shall be inscribed on all coins. Any coins minted after the enactment of the Coinage Act of 1965 from 900 fine coin silver shall be inscribed with the year 1964. All other coins shall be inscribed wtih the year of the coinage or issuance unless the Secretary of the Treasury, in order to prevent or alleviate a shortage of coins of any denomination, directs that coins of that denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination, except that coins produced under authority of sections 101(a)(1), 101(a)(2), and 101(a)(3) of the Coinage Act of 1965 shall not be dated earlier than 1965. No mint mark may be inscribed on any coins during the 5-year period beginning on the date of enactment of the Coinage Act of 1965, except that coins struck at the Denver mint as authorized by law prior to such date may continue to be inscribed with that mint mark."

(b) The Act of September 3, 1964 (Public Law 88–580; 31 U.S.C. 324 note), is repealed.

Sec. 205. The first sentence of section 3526 of the Revised Statutes (31 U.S.C. 335) is amended to read. "In order to procure bullion for coinage or to carry out the purposes of section 104 of the Coinage Act of 1965, the Secretary of the Treasury may purchase silver bullion with the bullion fund."

Sec. 206. (a) Section 3528 of the Revised Statutes (31 U.S.C. 340) is amended to read:

"Sec. 3528. The Secretary of the Treasury may use the coinage metal fund for the purchase of metal for coinage. The gain arising from the coinage of metals purchased out of such fund into coin of a nominal value exceeding the cost of such metals shall be credited to the coinage profit fund. The coinage profit fund shall be charged with the wastage incurred in such coinage, with the cost of distributing such coins, and with such sums as shall from time to time be transferred therefrom to the general fund of the Treasury."

(b) The effect of the amendment made by subsection (a) of this section shall be to redesignate the minor coinage metal fund established under section 3528 of the Revised Statutes as the coinage metal fund, and not to authorize the creation of a new fund.

Sec. 207. The second sentence of section 3542 of the Revised Statutes (31 U.S.C. 355) is amended by changing ", in the case of the superintendent of melting and refining department, one-thousandth of the whole amount of gold, and one and one-half thousandths of the whole amount of silver delivered to him since the last annual settlement, and in the case of the superintendent of coining department, one-thousandth of the whole amount of silver, and one-half thousandth of the whole amount of gold that has been delivered to him by the superintendent" to read "such limitations as the Secretary shall establish".

Sec. 208. Section 3550 of the Revised Statutes (31 U.S.C. 366) is repealed.

Sec. 209. The second sentence of section 2 of the Act of June 4, 1963 (Public Law 88–36; 31 U.S.C. 405a–1), is amended to read: "The Secretary of the Treasury is authorized to use for coinage, or to sell on such terms and conditions as he may deem appropriate, at a price not less than the monetary value of $1.292929292 per fine troy ounce, any silver of the United States in excess of that required to be held as reserves against outstanding silver certificates."

Sec. 210. The last sentence of section 43(b)(1) of the Act of May 12, 1933 (Public Law 10, 73d Congress; 31 U.S.C. 462), is repealed.

Sec. 211. (a) Section 485 of title 18 of the United States Code is amended to read:

"§ 485. Coins or bars

"Whoever falsely makes, forges, or counterfeits any coin or bar in resemblance or similitude of any coin of a denomination higher than 5 cents or any gold or silver bar coined or stamped at any mint or assay office of the United States, or in resemblance or similitude of any foreign gold or silver coin current in the United States or in actual use and circulation as money within the United States; or

"Whoever passes, utters, publishes, sells, possesses, or brings into the United States any false, forged, or counterfeit coin or bar, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any person, or attempts the commission of any offense described in this paragraph—

"Shall be fined not more than $5,000 or imprisoned not more than fifteen years, or both."

(b) The table of sections at the beginning of chapter 25 of such title is amended by striking

"485. Gold or silver coins or bars."

and inserting

"485. Coins or bars."

SEC. 212. (a) Chapter 17 of title 18 of the United States Code is amended by adding at the end:

"§ 337. Coins as security for loans

"Whoever lends or borrows money or credit upon the security of such coins of the United States as the Secretary of the Treasury may from time to time designate by proclamation published in the Federal Register, during any period designated in such a proclamation, shall be fined not more than $10,000 or imprisoned not more than 1 year, or both."

(b) The table of sections at the beginning of such chapter is amended by adding at the end:

"337. Coins as security for loans."

(c) The amendments made by this section shall apply only with respect to loans made, renewed, or increased on or after the 31st day after the date of enactment of this Act.

TITLE III—JOINT COMMISSION ON THE COINAGE

SEC. 301. The President is hereby authorized to establish a Joint Commission on the Coinage to be composed of the Secretary of the Treasury as Chairman; the Secretary of Commerce; the Director of the Bureau of the Budget; the Director of the Mint; the chairman and ranking minority member of the Senate Banking and Currency Committee, and four Members of the Senate, not members of such committee, to be appointed by the President of the Senate; the chairman and ranking minority member of the House Banking and Currency Committee, and four Members of the House of Representatives, not members of such committee, to be appointed by the Speaker; and eight public members to be appointed by the President, none of whom shall be associated or identified with or representative of any industry, group, business, or association directly interested as such in the composition, characteristics, or production of the coinage of the United States.

SEC. 302. No public official or Member of Congress serving as a member of the Joint Commission shall continue to serve as such after he has ceased to hold the office by virtue of which he became a member of the Joint Commission. Any vacancy on the Joint Commission shall be filled by the choosing of a successor member in the same manner as his predecessor.

SEC. 303. The Joint Commission shall study the progress made in the implementation of the coinage program established by this Act, and shall review from time to time such matters as the needs of the economy for coins, the standards for the coinage, technological developments in metallurgy and coin-selector devices, the availability of various metals, renewed minting of the silver dollar, the time when and circumstances under which the United States should cease to maintain the price of silver, and other considerations relevant to the maintenance of an adequate and stable coinage system. It shall, from time to time, give its advice and recommendations with respect to these matters to the President, the Secretary of the Treasury, and the Congress.

SEC. 304. There are authorized to be appropriated to remain available until expended, such amounts as may be necessary to carry out the purposes of this title.

Mr. ROBERTSON. Mr. President, I move that the Senate concur in the amendment of the House.

Mr. President, the House amendment to the Senate bill retains the major features of the administration and Senate bills.

The 50-cent piece would be made of a clad silver and copper coin containing overall 40 percent silver. The dime and the quarter would be made of cupronickel clad on copper. The laws relating to the size, weight and silver content of the silver dollar would remain unchanged.

The House has made a number of relatively minor amendments to the Senate bill. I believe the Senate can accept these amendments, and I have received a letter from the Secretary of the Treasury advising that the House bill is acceptable to the Department, which reads, as follows:

WASHINGTON, D.C.,
July 15, 1965.

Hon. A. WILLIS ROBERTSON,
Chairman, Banking and Currency Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is to advise you that the Treasury Department has reviewed the provisions of the bill S. 2080, "to provide for the coinage of the United States" as amended and enacted by the House of Representatives on Wednesday, July 14, 1965. The bill as so amended and enacted is acceptable to the Department.

Sincerely yours,

HENRY H. FOWLER,
Secretary of the Treasury.

The House bill would provide that no standard silver dollars may be minted during the 5-year period after enactment of the bill. The Senate bill contains no such provision, but it was our understanding that the Treasury did not plan to make any more standard silver dollars for several years, possibly for as long as 5 years.

Section 104 of the bill directs the Treasury to buy newly mined domestic silver at $1.25 an ounce. The Senate placed a 5-year time limit on this support price for newly mined domestic silver. This time limit was not included in the administration bill, and it is not included in the House bill. Under the House bill, if the support price should prove to be no longer needed, the Joint Commission on the Coinage can be expected to recommend its repeal.

Both bills authorize the Secretary of the Treasury to issue regulations concerning the exporting or melting of coins. Fines and jail sentences would be provided for violations of these regulations. The administration bill proposed jail sentences up to 5 years. The Senate reduced this to 1 year. The House bill goes back to the administration version and provides 5-year jail sentences.

Section 204(a) of the bill relates to the inscriptions on coins. The administration bill, adopted by the Senate, would have required coins to be inscribed with the year of the coinage or issuance unless the Secretary of the Treasury, because of a shortage, should direct that coins of any denomination continue to be inscribed with the last preceding year inscribed on coins of that denomination. Under the House bill, which is acceptable to the Treasury, all coins minted after the enactment of the bill from the old 900 fine coin silver must be inscribed with the year 1964. In other words, all the coins made with the present silver content must continue to be inscribed with the year 1964. The new clad coins cannot be dated earlier than 1965.

The House bill also prohibits mint marks for 5 years after the enactment of the bill, except that the Denver Mint may continue to use its mint mark on coins it is making at the time the bill becomes law.

Section 212 of the House bill contains standby authority to prohibit the use of coins as collateral for loans. It would be a crime, punishable by fine or imprisonment for not more than 1 year, to lend or borrow money on the security of such coins of the United States as the Secretary of the Treasury might designate from time to time by publication in the Federal Register. This provision would apply only as to loans made, renewed, or increased on or after the 31st day after the enactment of the bill.

Section 301 of the bill authorized the creation of a Joint Commission on the Coinage. The Senate bill called for a Commission consisting of 4 Government officials, 4 members of the public appointed by the President, 3 Congressmen, and 3 Senators, or 14 in all. The House bill would establish a Commission consisting of 4 Government officials, 8 public members appointed by the President, 6 Congressmen, and 6 Senators, or a total of 24.

While I think in some respects the Senate bill is better than the House bill, I think the advantages of prompt and definitive action on this major bill far outweigh any slight improvements which we might or might not be able to effect in conference. The Treasury must get started on making the new coins at the earliest possible moment. It cannot do so until this bill becomes law.

In my judgment we should, therefore, accept the House amendments now and send the bill direct to the President today.

Mr. MAGNUSON. Mr. President, the Senator from Virginia knows my interest in this subject as well as that of many other Senators. What did the conference finally agree to with respect to the half dollar?

Mr. ROBERTSON. It provided for 40 percent silver.

Mr. MAGNUSON. Forty percent?

Mr. ROBERTSON. Yes. It eliminated the 5-year limitation on the $1.25 support price for silver and left the provision as the administration proposed it, running for an indefinite period.

Mr. MAGNUSON. That is the so-called floor.

Mr. ROBERTSON. Yes.

Mr. MAGNUSON. The $1.25 price.

Mr. ROBERTSON. Yes.

Mr. MAGNUSON. That will make the silver price a little more acceptable. I believe that was a wise move. What about the quarters and dimes?

Mr. ROBERTSON. That is the same as the Senate bill. All the silver goes out of the quarters and dimes.

Mr. MAGNUSON. The Commission is retained?

Mr. PASTORE. We think the proposed Joint Commission on the coinage has been enlarged too much. Instead of three members from the House and three members from the Senate, the provision is now for the naming of six members from each House. Instead of four public members appointed by the President, it would have eight. Perhaps they will do a good job. We think it is too big. However, that question is not worth going to conference over.

Mr. MAGNUSON. I understand that the silver dollar, that poor thing which we are not making any more, remains the same. It remains a silver dollar. In other words, the Treasury can, if it is in the best interest of the country, still coin a silver dollar. Is that correct?

Mr. ROBERTSON. I am sorry to say that that is not the case. The House said that silver dollars could not be made for 5 years. I cannot visualize that within 5 years the price of silver will permit the minting of silver dollars anyway, because the silver in them will be worth more than the dollars will be worth as dollars. If we wish to do so, we can; but I do not believe we will.

Mr. MAGNUSON. As it stands now, within the next 5 years we would not coin any more silver dollars. Is that correct?

Mr. ROBERTSON. Yes; that is the way it stands now.

Mr. MAGNUSON. As a practical matter, as well as a legal matter. However, after 5 years, if it were in the best interest of the coinage and the silver supply were available, and if everyone thought it were the wise thing to do, the silver dollar could be minted. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. MAGNUSON. Although we have suspended the integrity of our coinage in relation to silver for 5 years, we have also said that we shall leave a little bit of integrity so that the American public can take a look at a coin and know that it is part silver. It has integrity and dignity so far as the coin is concerned. We have kept a little in the half dollar.

Mr. ROBERTSON. I do not say there is no integrity in the quarter and dime. I do say that we keep some silver in the half dollar.

Mr. MAGNUSON. There is integrity as long as one can buy something with it, but the coinage——

Mr. ROBERTSON. It retains a little prestige, perhaps.

Mr. MAGNUSON. Yes. We retained 75 percent of our prestige.

Mr. ROBERTSON. And the silver half dollar would not have the sandwich appearance.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I believe I should also mention that the House provided that the Treasury Department, if it saw fit, could prohibit the use of coins as security for loans if they were being hoarded. This resembles one of the proposals of the Senator from Nevada [Mr. BIBLE]. However, the House provision is not mandatory, and unless the Secretary of the Treasury issued a proclamation, no penalties would be incurred.

Mr. MAGNUSON. If a person started to hoard coins and went to the bank and borrowed money on the coins, the Treasury could issue a regulation against it.

Mr. ROBERTSON. If someone thought that it would pay to melt down the silver in the half dollars, he could buy up all the coins he wanted and borrow money to pay for them, using the coins as security. This provision would make it possible for the Treasury to stop this.

Mr. MAGNUSON. Why was the House so insistent on suspending the authority to mint a silver dollar for 5 years?

Mr. ROBERTSON. There was a difference of opinion, as there was in the Senate, and the Representatives from the silver producing States won a temporary victory there for silver in all the coins. When they went down to the gate, they lost by a small majority, and they dropped back to the Senate bill. Then there was the view that perhaps we would become enthusiastic about a future supply of silver and start to mint silver dollars again. There is no present intention to do so, but it was thought that it would be best to tie it down. We can repeal that provision at any time, of course.

Mr. MAGNUSON. I am sure the Senator will look with sympathy, if it were in the Nation's interest, within 5 years, to coin some silver dollars.

Mr. ROBERTSON. I cannot lift the veil to the future.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. MURPHY. This was my question: Will it be mandatory that we not mint silver dollars for a period of 5 years?

Mr. ROBERTSON. That is correct.

Mr. MURPHY. My understanding is that the entire reasoning behind the measure is that there is a shortage of silver; that the commercial and monetary use of silver amounts to much more than the supply. Possibly the supply might change. It has been reported that there is a great deal of silver in the free market. Once it is found the price of silver is to be stabilized, a billion ounces might be made available.

Would it be possible for the bill to make action discretionary, so as to make it possible, within 5 years, if they wanted to continue minting, they could do so?

Mr. ROBERTSON. No. We thought it would be wise to await the decision of the proposed joint commission on the coinage on the permanent policy. We had a working agreement that they would not mint any more silver dollars.

Unfortunately, from my standpoint—I did not think it is necessary, and it is a matter of detail—the House said not for 5 years shall we do it, but in the meantime we might find new sources of silver. We use more in each year than the world production of silver, and we would fix it so that our friends in New England, the silversmiths, would not have any. The photographers might be limited, and even the military, that would have priority, might not get it.

My friend the Senator from Rhode Island [Mr. PASTORE] is concerned about the moving picture industry. They were getting a great deal of silver out there.

Mr. MURPHY. They use a great deal. They take silver worth $50,000 a year out of the bottom of tanks.

Mr. ROBERTSON. I do not think that will cause the Senator any trouble. One Congress cannot bind another.

Mr. MURPHY. If there is a new supply it is possible for the Congress to go back and have another look at it.

Mr. ROBERTSON. Absolutely. In any event I want to go along with the recommendations of this commission, to see if we can find out how we can take care of the moving pictures, photographers, the silversmiths, and everybody else.

Mr. MAGNUSON. Including the producers.

Mr. MURPHY. I am concerned about the miners, too.

Mr. MAGNUSON. Miners and producers.

Mr. ROBERTSON. They are all paying taxes on whatever they earn out of producing silver.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. PASTORE. I want to compliment the distinguished Senator from Virginia together with the members of his committee for accepting the House amendments.

It was known in the beginning that no one on either side would be fully and completely satisfied.

Mr. ROBERTSON. That is correct.

Mr. PASTORE. Somehow we had to approach a middle-of-the-road conciliation and understanding in order to be fair and to do justice. I think the bill, under all the circumstances, does do justice.

It does not satisfy, I repeat, everyone concerned, but I think it is in the public interest and we ought to try it out as it is.

Mr. ROBERTSON. I thank the Senators. I am happy we do not have to wait a number of days during which people would not know what the coins are going to be.

We can settle the question right now. No one is fully pleased, but the compromise is fair. Next year we can take another look at it and in any event, we are creating a special Joint Commission to review the coinage program and make recommendations to us.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. ROBERTSON. Before yielding to the Senator from Utah, I want to say that I am sure that we could not have had such a successful handling of the bill on the floor of the Senate but for the warm support of the Senator from Utah, who put the national welfare perhaps a little above what seemed on the surface to be the interest of his own silver producers. The Senator went along with me in support of the administration bill. I thought that was very fine of him, and I appreciated his fine support.

I yield to the Senator from Utah.

Mr. **BENNETT.** Mr. President, I should like to express my appreciation for those comments. Again I say that I shall go along with my chairman in accepting the House language.

There are some differences between our bill and the House bill. The chairman has discussed them. I do not believe that any of them are so important as to justify further delay in the passage of the proposed legislation. I am pleased that the House saw fit to agree with our bill in retaining silver in the half dollar instead of going along with the House Banking Committee which recommended no silver in any of our subsidiary coins. Because any delay in action on this measure which is so vital to our Nation's coinage system can only complicate the problem, I believe we should accept the House language.

During the last few minutes a comment was made in the discussion to which I should like to direct the attention of the Senator from California. He has said to me privately a number of times and on the floor of the Senate that he believes that as many as a billion ounces of silver could come into the market if the price were stabilized. The present price of $1.29 an ounce has existed since September 1963. The price is stabilized. It has been stabilized for nearly 2 years. Under the bill it will remain at the present level for from 2 to 3 years until the coinage transition is completed. If there is as much as a billion ounces of silver in hoarding apparently the $1.29 price will not bring it out.

Mr. **MURPHY.** Mr. President, will the Senator yield?

Mr. **ROBERTSON.** I yield.

Mr. **MURPHY.** My point was that if there is a billion ounces in the free market, obviously it is being held in the hope that there will be a price increase. If it is established that the price will remain where it is, it may be that some speculators who are holding silver will release the silver and thereby make it possible for us to get the use of it, and they may go on in their speculations into some other field.

Mr. **BENNETT.** I would agree that there are some holdings of silver for speculation. I think there is no question about that. If passage of the bill will bring some of that silver out, I shall be very happy, because it will help the silver processors, who need silver for film, silverware, electronic devices and other uses.

Passage of the bill will not hurt the western silver producers.

When they assess the situation, they will realize that the proposal is not an elimination of the prospect of a substantial rise in the price of silver, but rather lays the groundwork which is necessary before the present ceiling can be removed and the price can rise.

Mr. **ROBERTSON.** I should like to comment on that suggestion. I believe that all the silver producers should write to the distinguished Senator from Utah and say, "We are grateful that you succeeded in keeping some silver in our currency, in the 50-cent piece." The House Committee on Banking and Currency voted to take all silver out of the subsidiary coins. But thanks to the very fine effort made in our committee by the Senator from Utah [Mr. BENNETT], our committee voted that we should keep silver in the 50-cent piece, and therefore those producers should write to the Senator from Utah a letter thanking him for that.

Mr. **BENNETT.** I received some letters of that kind and I received some letters telling me that I am a traitor and that I have destroyed the silver mining industry of my State.

Mr. **SALTONSTALL.** Mr. President, will the Senator yield?

Mr. **ROBERTSON.** I yield.

Mr. **SALTONSTALL.** From the point of view of the silver users, I hope that the Senator's statement is a correct one, and an increase in the price of silver will be postponed for many years.

Mr. **BENNETT.** I do not know how long it will be before the price rises. A price increase will be postponed at least until the time when the new coinage system is in operation.

All of the discussion reminds me of a story which I have always enjoyed. In Salt Lake City we have a daily newspaper, the Deseret News, owned by the L.D.S. or Mormon Church. We once had in the Senate a Republican, the Honorable Reed Smoot, and a Democrat, the Honorable William H. King. When each of these men came home, they went to the head of the church to complain about the editorials that were being printed in the church newspaper. The Democrat did not like some; the Republican did not like some. The president of the church said:

> I know I have the right editor on the newspaper. He is plowing a line between the two.

In the silver bill we have tried to draw a line as fairly as we could between the processors and the producers, neither of whose desires could be completely satisfied under the present circumstances.

I am very happy to join my chairman in recommending to the Senate that it accept the recommendation of the Treasury, approve the language of the House bill, and eliminate the need for a conference. Let us get on with the task of developing our new coinage system toward the day when the price of silver may be free to seek its own market level.

Mr. **MAGNUSON.** Mr. President, will the Senator yield?

Mr. **ROBERTSON.** I yield.

Mr. **MAGNUSON.** I join with the Senator from Virginia in suggesting that the Senator from Utah takes a very judicial view of the whole question. Although there may be some disagreement on the question as to whether we would not have had a bill if it had not been for the Senator, we are taking a look at it, and I hope that the measure will turn out in the way the Senator has suggested.

I shall not come back and say I told you so. I shall keep quiet. But starting today, when the bill is enacted, there will be a hoarding of quarters and dimes.

Mr. **BENNETT.** Only time will tell. In my opinion, the situation would be the same anyway, because people would begin to realize that the Treasury's stock of silver was running out. If there is any hoarding, it will follow the same pattern that would have existed otherwise.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Virginia that the Senate concur in the amendment of the House.

The motion was agreed to.

Mr. **MUSKIE.** Mr. President, I move to reconsider the vote.

Mr. **BENNETT.** I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. **MAGNUSON.** Mr. President, let the RECORD show that I voted "No."

The **PRESIDING OFFICER** (Mr. HARRIS in the chair). The RECORD will so indicate.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. **BENNETT.** Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call be charged equally to both sides.

The **PRESIDING OFFICER.** Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **BENNETT.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **MUSKIE.** Mr. President, I yield myself as much time as I may need to engage in a colloquy with the Senator from Alaska.

Mr. **BARTLETT.** Mr. President, earlier in the day, it was stated that families having incomes of more than $10,000 a year would be eligible for rent supplements, as proposed in the bill. Can the Senator from Maine inform me as to that?

Mr. **MUSKIE.** That figure is not based upon the experience under the public housing program, to my knowledge. If I am in error, I feel certain that I shall be corrected.

Mr. **BARTLETT.** Perhaps it was the Senator from Utah who made the statement.

Mr. **BENNETT.** It is my understanding that in New York City the public housing limit is above $10,000.

Mr. **BARTLETT.** I ask the Senator from Utah if it would be correct to say that this situation already exists and that rent supplements would not alter it.

Mr. BENNETT. Under the bill, the limits for rent supplements for incomes under which persons can qualify for such supplements are exactly the same as the official limits for public housing. As to public housing, local authorities have the right to set limits below the top; and in the case of rent supplements, the Administrator, I suppose, would have the right to set rates below that figure. But under the bill, the rates for the two systems would be the same. The limits on the rates of the two would be the same.

Mr. BARTLETT. Then, this would be no new venture, no great new experiment seeking to reach a level not called for under the public housing law?

Mr. MUSKIE. The Senator is correct. Income ceilings vary from community to community, depending wholly upon the amount of private housing that is available in the private market.

Mr. BARTLETT. Surveys are to be made by the Housing and Home Finance Agency.

Mr. MUSKIE. Yes. In setting income ceilings, surveys are to be made of the availability of substantial housing, housing which is decent, safe, and sanitary. When the low limits are ascertained by such surveys, they will form the basis for the income ceilings which will then be fixed.

With the exception of special groups, which I shall identify in a moment, the ceilings will be set at a point 20 percent below the lowest figure at which rental is available in the private housing market for the family involved.

Mr. BARTLETT. Why is that proposed to be done?

Mr. MUSKIE. The 20-percent gap, so called, which now obtains in public housing is established to insure that there will be no competition between public housing and private housing in the private market. The 20-percent gap represents a leaning over backward to avoid competition with private housing. There have been exceptions to the 20-percent gap for the elderly, the physically handicapped, and the victims of disaster. Other than that, the 20-percent gap applies.

So really, when we are talking about income levels, we are talking about income levels which are lower than they ought to be to take care of groups who cannot find decent, safe, sanitary housing in the private market. This is true with respect to public housing under the present law and the rent proposal in the bill.

Mr. BARTLETT. We ought not to judge this program entirely or perhaps not too importantly upon the basis of income, but upon the basis of the situation the Senator has described.

Mr. MUSKIE. The income ceilings are important. It was for that reason that I offered in committee the amendment that is now a part of the bill. It limits the program to those who are eligible for public housing. But on the question of rent subsidy, as I said earlier this morning, public housing is a rent subsidy. The bill relates to private housing which is decent, safe, and sanitary for persons in the groups I have described who cannot obtain housing in the private market which meets the best standards, and this will be done in the form of a subsidy. So when we are tempted to raise the question of subsidy, we ought to understand that the debate concerns the forms of subsidy that ought to be used and the forms that will be most effective and most economical.

Mr. BARTLETT. Is public housing now available for all those who desire it and presumably would be entitled to it?

Mr. MUSKIE. Mr. President, unfortunately, public housing has not met the problem. For example, on page 7 of the committee report there is a table which identifies the number of people in various cities who live in substandard housing now.

In spite of the fact that public housing has been available since 1937, for example, in Chicago, there are 51,780 families with incomes of less than $2,000 a year.

Mr. BARTLETT. Families or individuals?

Mr. MUSKIE. Families. There are 51,780 families in Chicago with incomes of less than $2,000 a year who live in substandard housing in that city.

Mr. BARTLETT. I should think that they would be living in substandard housing with that kind of income.

Mr. MUSKIE. Those people cannot purchase on the present market housing that is decent and sanitary.

In Chicago, there are 17,942 families with incomes of between $3,000 and $4,000 who live in substandard housing. There are 19,174 families in Chicago with incomes of between $2,000 and $3,000 a year who live in substandard housing, despite the fact that there are 28,371 public housing units in the city of Chicago today.

Public housing, although it has solved the problem for 28,000 families in the city of Chicago, it has left unsolved the problem for 88,000 other families.

The existence of this need drove the late Senator Taft to support public housing against his will. It was not because he thought it was a perfect answer. It was because he saw that there was a problem that needed to be met, and that public housing was the most immediate and feasible answer available.

The rent subsidy program contained in the pending measure would be another answer. It would certainly be one of smaller magnitude in terms of cost to deal with the same problem than public housing.

In New York, there are 156,250 families with incomes of less than $4,000 who live in substandard housing today. That is in spite of the fact that New York has not only a Federal program, but a State program of Federal housing. Therefore, the need still exists.

Mr. BARTLETT. Mr. President, is it the feeling of the downtown experts in housing, in the Housing and Home Finance Agency, that public housing, together with the proposal which is now made, would take care of the situation, or substantially so?

Mr. MUSKIE. I do not believe that anyone has any assurance that the problem be solved by public housing, or by public housing plus the rent subsidy. However, the officials downtown believe that rent subsidies can help and are worth trying.

Mr. BARTLETT. Mr. President, I believe that the Senator stated that people who are victims of a natural disaster would be eligible for the program. Would that be because of the amendment offered by the Senator from Wisconsin?

Mr. MUSKIE. Yes. The Senator from Wisconsin [Mr. PROXMIRE] offered an amendment to make eligible those who meet the income requirement in the bill and who have been victims of natural disaster.

I should think that would be to the interest of the Senators from Alaska and Senators from Midwestern States, since such States have suffered disasters.

Mr. BARTLETT. It would be highly desirable. I commend the Senator from Wisconsin for offering the amendment. This would apply not only to people from the Midwestern States, but also to almost every other section of the country. Many parts of the Nation have been hit in the past 2 or 3 years by natural disasters such as earthquakes, tornadoes, floods, and other sorts of disasters. I believe that those victims should be included.

Mr. MUSKIE. Mr. President, I believe that it should be clearly understood that the rent subsidy program is directed not only to people in the low-income group, but also to special groups of people. Not all people who qualify under the public housing income ceiling would be eligible under the rent supplement program.

The following special groups would qualify for this assistance. They must be members of one of five special groups, each of whom, for one reason or another, is unable to provide decent housing for himself and his family out of his income. There would be those who, by governmental action, are forced out of their existing housing and who fall under the income ceiling. There would be the elderly who are unable to provide decent housing. I have statistics to show that many of this group live in substandard housing. They are unable to buy decent housing out of their resources. There would be the physically handicapped, those who occupy slums, and disaster victims.

These are the very special groups whose private resources are inadequate and would benefit from the rent subsidy program. I repeat that even those would be restricted by the income ceiling.

Mr. BARTLETT. I was rather astonished to hear that the program would cost $8 billion over a 40-year period, although in the debate this morning, I believe that the Housing and Home Finance Administration suggested a figure of $5.8 billion. It would seem a rather large sum, indeed.

Mr. MUSKIE. On a figure of that kind, for example, if we project the current national gross product and view it as the accumulated national gross product at the current level over a 40-year period, it would be $28,000 billion. That is an interesting figure. However, what relevancy would it have in the year 1965 in dealing with the current problem?

Mr. BARTLETT. I believe that is an important point. The $8 billion for a 40-year period, if $8 billion should be the correct figure, would mean $200 million a year. Certainly that would not be beyond the capacity of the people to take care of a special group in such circumstances.

I heard the figure of $8 billion mentioned. It occurred to me that a young couple might start married life and be required to pay $150 a month for groceries. I do not know the exact figure, it might be more than that. However, instead of relating it in that way, if someone were to tell them that over a 40-year period they would have paid a grocery bill of $72,000, they would be inclined to give up. The problem cannot be approached in that way. We cannot relate it to what we pay out month after month and year after year.

Mr. MUSKIE. If you were to go outside and ask a taxi driver how much it would cost to retain his services for a year, you would not retain those services. However, if you were to hire that cab driver to go downtown for 60 cents, or for the prevailing rate for taxicabs, you could afford it. However, you could not afford it for a year.

Mr. BARTLETT. Precisely. I believe that point is important.

I thank the Senator from Maine for educating me on this subject. I badly needed the education.

Mr. MUSKIE. Mr. President, I have listened to the debate, which I think has been conducted in a very restrained way. Not once this morning have I heard the opponents of the measure argue that the housing needs of the people who would be covered by the rent subsidy program are not the responsibility of the Government. I have not heard that argued once as a reason for opposing rent subsidy.

So far as I know, many of those who oppose rent subsidies support public housing because they recognize that this is a need that tugs at the conscience of the Nation. They recognize that this is a need which must be met and cannot be ignored. Whatever answer we use to deal with the problem will be costly.

For example, the 40-year figure for the equivalent of our public housing would range from $15 to $20 billion, as compared with the figures that have been used to make a 40-year comparison on rent subsidies.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. BENNETT. Mr. President, this bill would provide an additional $7.5 billion for additional public housing for 40 years.

Mr. MUSKIE. I understand. I assume that program may be subject to some debate. However, we are not now talking about what a total answer ought to be, but whether this answer is as good an answer, a better answer, or a worse answer than public housing to the problem of the needs of the people.

I believe that this measure is worth testing. The Senator from Utah does not believe that it is worth testing.

I believe that the action we ought to use, if any, to deal with the problems of disadvantaged groups is not merely public housing. I believe that we ought to try something new, especially something that would undertake to utilize and monopolize the resources of the private sector of the economy to deal with the problem.

Mr. BENNETT. The Senator from Utah believes that the project is worth testing. However, the Senator from Utah believes that we are trying to start in on a full scale rather than on a pilot scale.

Mr. MUSKIE. Mr. President, do I understand that the Senator supports the amendment of the Senator from Texas?

Mr. BENNETT. The Senator from Utah will support the pending amendment of the Senator from Texas.

Mr. MUSKIE. That would undertake to wipe out the program completely.

Mr. BENNETT. If that amendment is rejected, another amendment will probably be offered to set up the program on an experimental basis.

Mr. MUSKIE. The Senator from Utah clearly prefers to eliminate the program rather than to reduce the program.

Mr. BENNETT. I would prefer to reduce it. However, I am not at the present time in control of the manner in which the amendments will be offered.

Mr. MUSKIE. It would be possible to offer an amendment to reduce the program rather than to eliminate it. I invite the Senator from Utah to follow that course of action.

Mr. BARTLETT. Let me ask one further question. If this program turns out to be such that admittedly it is a dismal failure, or that it does not work at all, or that it is not working well enough to warrant continuing it, surely Congress would not continue to spend the $8 billion provided in the program because in 1965 it had decided to do so?

Mr. MUSKIE. The Senator is correct. I believe the figure of $8 billion, irrelevant as that is, is also inaccurate, for reasons which have been pointed out. In the first place, it is based on the assumption that every contract will be a 40-year contract. The agency does not think it will. It does not have any idea as to what the proportion will be, but it knows that many contracts will be for 20 years rather than for 40 years.

Mr. PROXMIRE. Mr. President, if the Senator will yield on the point raised by the Senator from Alaska, the Senator from Alaska and I are members of the Appropriations Committee, and if it turns out that this program is not working properly, the Appropriations Committee as well as the Banking and Currency Committee will have jurisdiction. The Appropriations Committee will have an opportunity to look at it and review it, and the Senator from Alaska as a member of the committee will have a ringside seat at that review.

Mr. BARTLETT. The Senator is correct. We know, as members of the Appropriations Committee, that that committee looks at all these items with care.

Mr. MUSKIE. The Senator from Wisconsin and I are also members of the Banking and Currency Committee, and we know that the committee looks at these programs very closely. We do not give any blank checks for as long as 2 years, even though authorizations cover longer periods. We always retain control and are free to act or control such programs as experience dictates.

Mr. BARTLETT. The Senator is correct when he states that the figure of $8 billion should not be used. Since they will not all be 40-year contracts, perhaps the figure may be closer to $5 billion.

Also, perhaps we should emphasize what was said earlier by the Senator from Illinois [Mr. DOUGLAS], that we hope and believe the economy of the country will improve year by year and that there are many people who require help now who will not require it later.

Mr. MUSKIE. That is one of the advantages of the rent supplement program, because it requires that these contracts must be renegotiated on a periodic basis to take into account income standards which affect those who are benefiting from such subsidy program. As the income goes up, the subsidy comes down. If income rises to the point where a subsidy is no longer justified, those people can continue to reside in the buildings. This is a desirable feature.

Mr. BARTLETT. A person could stay in that residence for 40 years, or as long as he wanted to.

Mr. MUSKIE. Yes. One of the alleged abuses is that when people in public housing no longer come under the income ceiling, certain undesirable results take place, and there are people who should not be in there who continue to stay there, wholly because they have become established there as residents. To remain there would be in violation of the law. Even though their circumstances have improved, they still find it difficult to find rental in the public market, and they would prefer to linger on there.

Under this program the right of the tenant to remain is established, because it is private housing. In other words, the tenants will include some who receive supplement rents and others who do not.

Mr. BARTLETT. I thank the Senator.

Mr. BENNETT. Will the Senator yield on my time, before the Senator from Alaska departs? The reason for the 40-year contract, or 20-years, or whatever the length of the mortgage is, is that the organization which constructs the building must have assurance of what it is going to get and it must contract that a certain percentage of its apartments will be filled with rent supplement tenants. It must contract to rent a certain percentage of the apartments to people who are going to receive rent supplements. The Government has to be prepared to supply both the type of tenants and the money required; otherwise the man who accepts the responsibility and executes the mortgage will not have any assurance of mortgage repayment.

I am reading from a letter written by Milton P. Semer, for Robert C. Weaver, Administrator:

> It will be necessary to have such 40-year contracts to lend assurance of that mortgage repayment capability and because the approval of projects containing units under such rent supplement contracts will be contingent upon serving an unmet need among low and moderate income persons and families.

This obligation, once it is accepted by the sponsoring organization, includes an obligation of the United States to continue to provide rent supplement tenants for whatever percentage of the units of the apartment are reserved for rent subsidized tenants.

Mr. BARTLETT. I am no expert in this field, but let us assume that one of these units was built in a fairly small community, and only one, because there was no need for any more, and the 40-year contract was entered into, but at the end of 10 years there was no one in that community who any longer needed the supplement program. Would it be possible, under the bill we are now considering, for the owner of that unit to rent the entire structure to renters who would not be aided by the Government?

Mr. BENNETT. It would be possible, but, at the same time, the owner is under an obligation to maintain a certain percentage of his apartments to serve such people as long as any such people existed.

Mr. BARTLETT. Yes, but not when there are no such people left to occupy it. Is that correct?

Mr. BENNETT. I believe that follows logically. When there is no demand for a service, the service ends, of course.

Mr. BARTLETT. And the organization that has put up the building actually will not care, under the bill, whether there are rent supplements, so long as his building is occupied?

Mr. BENNETT. Does the Senator know of any apartment where there is 100-percent occupancy?

Mr. BARTLETT. No; but I know of some where it is pretty close to it.

Mr. BENNETT. In my own State of Utah there have been so many apartments built in Salt Lake City, for example, under the liberal terms that have been available, that some of the newer apartments are in serious trouble.

This is one of the great unknowns of the situation. If the man about whom we are talking has a vacancy in the apartment, he has a right to go to the Government and say, "I have contracted to reserve a part of my apartment for rent supplement tenants. I need some. I have vacancies because you are responsible for it. I have reserved a certain percentage of my apartment units for such people."

Mr. MUSKIE. There is nothing in the bill that assures a project owner that all units will be occupied.

The $8 billion figure is based on three assumptions that are erroneous:

First, all contracts will be for 40 years. I agree that whatever terms are made will have to be honored, but we are assured by the agency that the contracts will range from 20 to 40 years.

The second assumption which is erroneous is that all these units will be filled for 40 years. The Senator from Utah himself has admitted that will not be so, because there are vacancies.

The third basis of the erroneous assumption is that all tenants will be occupying the percentage set aside from them for all 40 years. That also has been found to be erroneous.

These three basic assumptions which underlie the $8 billion figure are erroneous.

However, let us take a look at the relevancy of the $8 billion figure.

I obtained the following figures for my own use:

The Nation's 40-year bill for tobacco and tobacco products will be $292 billion.

The Nation's 40-year bill for cosmetics and hair care will be $125 billion.

The Nation's 40-year bill for alcoholic beverages will be $250 billion.

The Nation's 40-year bill for automobiles will be $2,228 billion.

The Nation's 40-year bill for clothing will be $1,665 billion.

If that $8 billion figure has any relevancy, let us compare it with these figures I have just cited. Let us also take the 40-year gross national product of $30,000 billion and compare it with the $8 billion figure.

What we are talking about is our ability from year to year to deal with pressing national problems.

I repeat, not once have I heard an opponent of the bill argue that the needs of the elderly, the displaced, and the handicapped are not a Government responsibility.

If, then, that responsibility is conceded, what we are concerned with is the means for dealing with it. The only means we have at present is through public housing. Over a 40-year period, it will cost $19 billion. I will accept even the $8 billion figure as a basis for comparison with that one. Therefore, if we accept the responsibility and recognize the need, let us get to the heart of the issue.

Is it not reasonable to try rent supplements as another way—and perhaps a more economical and effective way—to deal with the problems of exactly the same people who are dealt with in public housing?

Mr. DOUGLAS. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. The Senator from Maine has made an excellent statement about the 40-year cost of many items in the social and national budget.

I should like to speak about the $80 billion subsidy over 40 years we now give to homeowners, which I believe our friends on the other side of the aisle do not wish to remove.

THE $80 BILLION HIDDEN HOUSING SUBSIDY

Mr. President, the opponents of the rent supplement program cry that any subsidy will corrupt the poor—that it will destroy their incentive and sap their moral fiber. This tender solicitude for the welfare of the poor is indeed touching. In fact, such concern has long been part of our history.

The moral fiber of the poor has long been protected by self-appointed guardians who profess to see an ominous danger in any major piece of legislation which might somehow benefit the poor. But these warnings sound a little hollow; especially when they are made from the comforts of an FHA insured and tax subsidized home.

Let us examine these tax subsidies for middle class homeowners.

It is conservatively estimated that American homeowners pay approximately $10 billion a year in interest on their home mortgages. This only includes interest payments on 1 to 4 family nonfarm dwellings. If farm homes were added in the figure would be larger. It does not cover interest payments on apartment buildings which are normally rented to occupants.

As we all know, the interest and the taxes on most home mortgages can be deducted from current income and therefore are not taxable income and diminishes the amount of taxes which will be paid by the rate of tax on the $10 billion deductible.

Assuming an average tax bracket of 20 percent, this means that homeowners can deduct $2 billion a year in interest payments from their income tax. In other words, the Federal Government is indirectly subsidizing middle-class homeowners to the tune of $2 billion a year. Moreover, since the opponents of rent supplements seem to prefer a statement of cost computed over 40 years, let me oblige them with a simple computation. Two billion dollars per year times 40 years equals $80 billion. Think of it—$80 billion for the well-to-do middle class. Not $80 million, but $80 billion.

Compare this gigantic subsidy for relatively prosperous homeowners with the modest amount of subsidies proposed for impoverished slum dwellers. The $80-billion hidden housing subsidy for the middle-income families and the rich is 10 times the maximum cost of the rent supplement program and 20 times its probable cost. Let me also point out that this comparison does not take into account the other tax benefits accorded homeowners, such as the ability to deduct local property taxes from Federal income tax payments. The $80 billion estimate also does not project any increase in the number of middle-class homeowners or the probable increase in the value of their property. Thus, if anything, the estimate of an $80 billion hidden housing subsidy for the middle class is conservative. It could be much higher.

Let me emphasize that I have nothing against homeowners. I am one myself. I am delighted that the Federal Government has helped millions of Americans to own their own homes.

All I am suggesting is that some Federal benefits also be extended to the poor. Tax subsidies for homeowners are of no benefit to the poor who are forced to rent a slum apartment in or near the core of the city.

Why is the cry of socialism or regimentation always raised whenever we propose to extend middle class benefits to low-income groups? Can it be that the rich cannot bear to see the poor given an equal opportunity? Can it be that only the middle class have moral fibers sufficiently strong to avoid being corrupted by subsidies? Can it be that only the rich know how to avoid regimentation? Like matches for children, are subsidies too dangerous for the poor? Are we saying $80 billion for the rich but not 1 cent for the poor?

Why is it that when we tax the poor to pay the rich it is called by some free enterprise, but when we propose to tax the rich to help provide for the poor it is called by some socialism? Perhaps these terms are merely self-serving pronouncements intended to justify our existing policies. As the Russians seem to say at every International Conference, "What is mine is mine; what is yours is negotiable."

But we are deciding much more than who gets what subsidy. We are not attempting to re-slice a static economic pie. We are talking about the future of America. We are talking about providing every family in America with a decent home, so that it can go on to make its full contribution to American life. The poor have a contribution to make as well as the rich. The requirements of our modern and complex society are such that we can no longer afford to maintain a permanent generation of ill-housed, ill-educated, and undermotivated slum dwellers. In fact, so long as we are comparing subsidies, the poor are a much better investment than the rich. In economic language, the marginal returns are greater.

One thousand dollars made available to the poor will be of more benefit than $1,000 made available to the well to do.

For every poor family we assist to a better way of life, we are creating a productive, taxpaying individual who will more than return the original investment.

Accordingly, Mr. President, I believe that the Government must extend a helping hand to every American—rich and poor alike—to attain a decent, living environment. If we can afford $80 billion over a 40-year period to invest in homes for the well to do, surely we can afford to invest $4 to $8 billion over a 40-year period for the poor.

Mr. PROXMIRE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield.

Mr. PROXMIRE. Along the lines of the remarks just made by the Senator from Illinois, the point concerning productive investment, is it not true that a rent supplement of $50 million a year, aggregating $200 million for a period of 4 years, would result in a remarkable stimulus to the economy, because the amount of construction would not be a matter of a few hundred million dollars, but would be a matter literally of billions of dollars? Is it not also true that in terms of a stimulus to the economy, the particular investment of rent supplements would probably also be more stimulating than almost anything the Government can do?

I ask the Senator from Illinois that question as a past president of the American Economic Association and as the vice chairman—soon to be the chairman, next session—of the Congressional Joint Economic Committee.

Mr. DOUGLAS. Yes. The Senator from Wisconsin is entirely correct. Under section 221(D)(3) of the bill, this will be in a sense an ingredient. The average cost per family housing unit is $12,500. This would amount to a total construction cost of $6 billion to $8 billion spread over 4 years, and will be a very fine stimulus. However, I do not believe we should make our case exclusively or even primarily on this basis, because this tends to regard the poor and the children only as people to be taken care of because they will stimulate industry.

I prefer also to think of this program as an investment in human life. It is the best investment we can make. The Senator is correct.

Mr. PROXMIRE. I agree with the Senator's statement wholeheartedly. However, at the same time, if we consider the cost of $10,000 for each job, the $6.25 billion construction will result in possibly as many as 625,000 jobs. In view of the fact that several million people are still out of work, we have the serious and nagging problem of unemployment. Would not this particular program provide a most welcome and desirable improvement?

Mr. DOUGLAS. The Senator is absolutely correct. If there is an excess of savings over the amount now invested, and an accumulation of idle funds in savings institutions, which for one reason or another is not flowing out into actual investments, this program offers an opportunity to tap the idle funds.

Mr. PROXMIRE. For every dollar invested in the program, with the $200 million resulting in $6.25 billion construction, there would be a multiplier factor of twenty-five fold, which is a most remarkable multiplier.

Mr. DOUGLAS. Of course there is the modification that the $200 million represents the annual charge. The $6.25 billion will be the initial cost. It is not certain that the $6.25 billion will be self-perpetuating.

Mr. PROXMIRE. A family which has $75 or $80 now available for the payment of rent each month, without using an excessive proportion of their income, would, with rent supplements, be in a position to pay $100 a month in rent; and the little marginal addition would enable them to live in a home which otherwise would not be constructed. In this way a relatively modest investment by the Federal Government can result in great impetus for the construction industry.

Mr. DOUGLAS. The Senator has made a very subtle and profound point when he points out that a slight addition to income produces a great difference in the quality of housing.

This is precisely what we are trying to effect. The Senator has put his finger on one of the vital economic facts which are often neglected.

When we were dealing with school lunches—and this is an ironic observation—we never could get the school lunch program through with the argument that it was good for hungry and starving children. However, when we made the point that this would furnish a program for milk and butter from cows, bread from wheatfields, and meat from hogs and cattle, Congress and the country were in favor of it. This in a sense gave moral justification for taking care of hungry children. I believe this argument may convince some doubting Thomases, who may be impervious to the idea of decent housing, because it will be a fine thing for the building industry and the contractors. It will be a fine thing for them and for investors, but it will also be a fine thing for 500,000 American families who are now living in squalor, and who will have a chance to live a decent life.

Mr. TOWER. Mr. President, I yield time to the Senator from Utah.

Mr. BENNETT. Mr. President, I have thoroughly enjoyed the peroration of my friend from Illinois about the $80 billion subsidy. What he did not tell us is that the interest costs of individuals who invest in rental housing are also deductible from their income tax base. In general, these individuals have higher incomes and with our progressive income tax structure are in higher brackets. This means that the interest costs reduce the tax payments by a greater amount per dollar of interest than for those purchasing homes.

The lowering of taxes lowers the rent that must be charged tenants in order to make a profit. Rental tenants thus actually gain an equal or greater benefit from the tax deductibility used as the basis of the $2 billion figure fabricated by the Senator from Illinois.

The $2 billion a year figure or blown-up figure of $80 billion in 40 years that the Senator from Illinois claims is a subsidy to home buyers is merely a phantom figure that fades into nothing when brought into the light.

Mr. President, I believe the Senate should understand this and not act on the basis of incorrect subsidy claims.

If the Senator were to propose to the Committee on Finance that no one who occupies a home or has residential property for rent may deduct interest costs in computing his income tax, we would still be on the same basis.

This discussion is particularly interesting also because the conditions under which the rent subsidy program will operate are those of being essentially income tax free.

Mr. MUSKIE. Mr. President, I yield myself 5 minutes.

Earlier I made the point that we ought not to forget that we are dealing, in public housing and in the rent supplement program, with exactly the same problem and exactly the same people, with one exception; namely, that the group we are dealing with in the rent supplement program is a smaller group than the group we are dealing with in the public housing program.

It would be helpful and useful to identify the nature of these groups and to tell something of their problems, so that they will not be overlooked as we become involved in rhetoric in this debate. What we are dealing with is a very difficult and human problem, to which the great Senator Taft was able to find no other answer but a public housing program, which he accepted reluctantly, but which he ardently supported because it was, not the perfect answer, but the best answer for a problem which in his judgment the Nation could use. That is the same group we are talking about. Who are they? They are the elderly.

There are 2.8 million householders, living in deficient housing, in which the head is 65 years of age or older.

This is housing that is not safe, decent, and sanitary. Of these, 81 percent have incomes of less than $3,000 a year.

There are 2 million families in which persons 65 years of age and older have to live with younger relatives, imposing a burden on them—which I am sure they willingly accept—because of low income or poor health.

In addition, there are 6½ million elderly householders living in housing that is considered standard but is unsuitable because it is too large, too difficult to manage, or unsafe. Of these, 54 percent have incomes of less than $3,000 a year.

Of the approximately 70,000 families displaced from their homes each year by some kind of public action, Federal, State, or local, it is estimated that more than 20 percent are elderly. This is one of the groups which prompted Senator Taft, reluctantly, and at the same time willingly, to support public housing, because he was moved by the human needs. This is one of the groups that we who sponsor the rent supplement program in its present form in the bill, have included.

There is a second group with which we are involved—displaced families. Between 70,000 and 80,000 families are displaced each year by some type of public action—highway construction, urban renewal, public buildings, and so on.

Through December 31, 1964, the total displacements resulting from urban renewal action were 185,000 families. Of those, approximately 80 percent, or roughly 150,000, came from substandard housing.

Put in another way, 80 percent of those who have been displaced from their housing deserve a general public interest, whether it is the result of highway construction, schools, or any other purpose; 80 percent of them are people who are least able to bear the burden of dislocation. Most of those who do not come from substandard housing come from units which, while not substandard, are overcrowded, or located in severely blighted neighborhoods. Among families displaced by urban renewal alone, 40 percent had incomes of less than $3,000.

That is another group whose problems troubled Senator Taft. That is another group whose problems trouble those of us who support the rent supplement program in the form in which it is found in the present bill.

Then there are the handicapped. There are about 4.8 million people with disabling handicaps. That includes those suffering from some degree of paralysis, loss of limbs, the blind, and others severely afflicted. There is a heavy concentration of disabled persons among the low-income groups. Roughly two-thirds of the disabled had incomes of less than $4,000 a year.

An additional percentage, not immediately ascertainable, would fall within the income group that would be served by the rent supplement program, which would undertake to provide housing to meet the needs of those people. And it should be noted that handicap and poverty frequently go hand in hand.

For example, more than half of the disabled are 65 years of age or older, and of those older disabled persons, 72 percent have incomes of less than $4,000 a year. Those are the groups whose problems, since 1937, have been an accepted responsibility of government, at least in part. Those are the groups whose problems tugged at the conscience and the heart of Senator Taft, so that he was able to support a program of whose merits he was not entirely convinced, because it was designed to deal with the problems of these people.

These are the people whose problems tug at the hearts and consciences of those who are willing to try another route, one which conceivably might prove successful, without some of the difficulties which we have experienced in the public housing program. A program of rent supplements would bring into the handling of the problems of those people the resources of the private sector of our economy, including the ideas, the imagination, the stimulus, the efforts, and the hands and hearts of many people working outside of governmental circles. They would apply themselves to the problems of certain groups which have been an accepted responsibility recognized in the laws of our country since 1937.

In terms of those who are interested not only in humanitarian considerations, but considerations of dollars and cents: there, too, the program of rent supplements should have an appeal, because we are dealing with a program which, by the worst estimates thus far advanced by the opposition, would be still cheaper and more economical than the alternative of public housing. The figures that have been given to me by the Agency are as follows:

The per unit cost per month of rent supplements would be $40;

The per unit cost per month of public housing is $58 in direct subsidy;

The per unit cost in terms of tax advantages, legal, and Federal, of public housing are $17 a month, making a total of $75 a month, which public housing is now costing the public sector to supply.

The difference is $35 a month by those figures. Projected over the 40-year period, which seems to be so popular with the opposition to the program, we are talking about a 40-year figure, representing the cost of public housing, which approaches $15 to $20 billion, compared with the $8 billion figure used by the opposition and the $5.8 billion figure which the agency assures us is a more realistic evaluation of the 40-year cost, irrelevant as that figure might be, of the program of rent supplements.

Mr. President, I come to the position that I am occupying at the present moment not as a supporter of the President's supplement program as originally advanced. I opposed it at that time. If it were before us now, I would oppose it now. If it were before us in the form which it took after the first amendment in the committee was added, which included both low- and middle-income groups, I would be opposed to that now, because it would bring into the program groups which I do not believe the Nation is prepared to put on the public rolls of assistance in that way.

But in its present form, as an alternative to public housing, for exactly the same people whose problems have been troubling us since 1937, I say it is time for us to come forward with another answer which brings into the fray the private sector of our economy, which promises to be effective, which may very well be more economical, and which may indeed be more humanitarian.

For those reasons I support the present plan as it exists in the bill. It makes sense. I believe it is conservative. I believe it is sound. It is humanitarian. It is controllable and, by all reasonable standards and experiment, worth keeping.

Mr. TOWER. Mr. President——

The PRESIDING OFFICER. How much times does the Senator from Texas yield to himself?

Mr. TOWER. As much time as I may require.

I believe the key word is "experiment." This is indeed an experiment. That is why I wish the administration and the committee could have curbed their enthusiasm for the program until we had an opportunity to see how it might conceivably work, and not initiate a program of such proportions.

Regardless, the threat still exists to the furtherance of home ownership. I should like to read a section from the minority views of the House committee:

Threat to Homeownership

To own one's own home, no matter how modest, is the goal of the typical American family. The rent supplement kills the incentive of a family to achieve that goal. Under FHA underwriting standards a family with $3,000-a-year income can afford to purchase a home costing 2½ times that amount or a $7,500 home. The housing cost of such a home would approximate $60 a month. But as noted in the illustration above, the $3,000-a-year family by paying $62.50 a month as rent could live in a partially federally subsidized $100-a-month rental unit. The cost of such a dwelling unit would approximate $12,500. Or, as above noted, that same family could also live in a $200-a-month rental unit and pay only $62.50 of its income a month as rent with the balance of

$137.50 paid by the Government under the rent supplement formula. The cost of the $200-a-month rental unit would approximate $25,000. Why would a family strive to own a $7,500 home when for approximately the same monthly outlay for housing it could rent a $12,500 or $25,000 cost dwelling unit? Not alone would the rent supplement proposal kill incentive for homeownership, it also would be a powerful incentive for a family to discontinue homeownership and become a renter on the Federal dole. That runs counter to the American way of life.

That runs counter to the American way of life. It is not the same as public housing. We are talking about a supplement for a living cost, a direct subsidy, one that is in addition to family income, one which I understand, according to the Internal Revenue Service, is not taxable. I believe it would destroy incentive. Why should a man earn sufficient money to pay $100 a month rent for his family when a tax will be levied on that $100? Why should he not be content to stay in an income group in which he would receive a $37.50 a month rent subsidy on which he would not have to pay taxes?

It has been said over and over again by those connected with the administration that many welfare programs are stifling the initiative of the people. I suggest that this program is designed to do precisely that.

There is another aspect. Many persons, it is reasoned, feel a little stigmatized if they have to live in a public housing project. So it is proposed to remove the stigma by giving them a rent subsidy so that they can go elsewhere to live.

One of the professed purposes of the measure is to achieve some sort of economic integration of the various socioeconomic groups in the country. I am not talking about race; race has nothing to do with it. I am talking about the socioeconomic scale. The idea is to try to create neighborhoods and communities in which families having low incomes, middle incomes, and high incomes will all live together. Federal dollars and Federal programs would be used to implement this idea. There would be no State or local control. According to the bill, there would be no need to consult with local authorities. There would be no need for the Administrator to pay any attention to local policy. He would go directly into a community, deal with a nonprofit sponsor, establish units, make contracts for the construction of units, and then guarantee full occupancy for 40 years. If anyone thinks that that is not a radically new program, he had better look at it again. It would cost us much more than merely the money involved. It would intrude the Federal Government too much into the affairs of men. It would cost us primarily in terms of incentive.

I have never seen a program better calculated to be destructive of incentive than this program. I fervently hope that the Senate will see its way clear to delete this program from the bill.

There are existing programs which, however defective they may be, or how much they may need improvement, have provided us with experience. There has been no experience with a program such as is proposed. There is no program in existence that is so vulnerable to abuse as the proposed program would be.

I believe the rent supplement program will be a harbinger of direct subsidization of the grocer in the form of a payment of a percentage of a family's grocery bill. It may be a direct subsidization of the clothing store, so as to pay a portion of the family's clothing bill. Ultimately, it will have progressed to a guaranteed annual income. There are those today who seriously advocate a guaranteed annual income. I believe that this is the beginning of such a program.

The program contains inherent dangers that have not been thought of yet. Originally, some of the proponents of the measure apparently decided that most of the lower-income persons in this country have been reduced almost to the status of absolute dependency on the Federal Government and, therefore, complete subordination to it. Now it is proposed to move into the middle class, to see if they cannot be reduced to the status of absolute dependency on Uncle Sam.

The bill started as a rent subsidy for moderate-income or middle-income families. In the wisdom of Senator from Maine [Mr. MUSKIE], that was changed in committee so as to revert to low-income families. It is bad enough there. It will have the effect of stifling incentive. My stars, if we ever stifle the incentive of what might be called the middle-income group in this country, we shall be in a bad situation.

I appreciate the constructive contribution the Senator from Maine has made; but even with that constructive contribution, I still believe the program is unwise and unsound. It is one with which we have had no experience, one as to which we can only guess what the results will be. I am afraid that they will not be to our liking; that we shall have committed ourselves irrevocably over the next 4 years to a contract for 40 years for a program that is, at best, educated guesswork.

Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I yield 1 minute to the Senator from Ohio.

STRENGTHENING AND IMPROVEMENT OF NATIONAL TRANSPORTATION SYSTEM

Mr. LAUSCHE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives relative to House bill 5401.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 5401) to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LAUSCHE. I move that the Senate insist upon its amendment and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. LAUSCHE, Mr. BARTLETT, Mr. MCGEE, Mr. COTTON, Mr. MORTON, and Mr. PEARSON conferees on the part of the Senate.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. INOUYE. Mr. President, will the Senator yield me 5 minutes?

Mr. MUSKIE. Mr. President, I yield 5 minutes to the Senator from Hawaii.

Mr. INOUYE. Mr. President, the House version of S. 2213, H.R. 7984, specifically provides that Federal savings and loan associations are permitted to make loans on leasehold interest in real estate if the term of the lease is renewable for or runs 10 years beyond the term of the loan.

I introduced a bill, S. 114, on January 6 of this year, very similar to the objective of this specific section in H.R. 7984, but with language stipulating 5 years instead of 10.

Mr. President, as Senators may know, this matter is part of section 541.9 of the rules and regulations for Federal savings and loans associations and related definition of the various types of lending authorized in section 5(c) of the Home Owners' Loan Act of 1933.

The basic question is whether or not the Federal Home Loan Bank Board should be authorized to reduce the remaining life of the lease to less than 15 years beyond the maturity of the debt—as stipulated in the 1933 act.

It was due to my belief that mortgage loans should be permitted on leaseholds which expire less than 15 years beyond the maturity of the debt that I originally introduced in S. 114. This would facilitate sales of mortgages secured by leaseholds to Federal associations under the participation loan program.

Incidentally, the applicable Hawaii statute in section 180-54, Revised Laws of Hawaii, authorizes State savings and loan associations to make mortgage loans "provided the unexpired term of the lease at the time the loan is made thereon is at least 2 years beyond the maturity date of the loan."

Mr. President, I am not presently concerned as to the relative merits and demerits of lease land as against fee simple land for residential mortgage loans. The truth of the matter is that long-term leasehold provisions for residential purposes are a practical fact in my State. The existing 15-year provision, therefore, is a great disadvantage to potential homeowners on leasehold lots in Hawaii. The situation is certainly a unique one and can probably be matched to a degree only by the State of Maryland.

For practical purposes, however, I believe that the reduced 10-year proviso pertains more directly to Hawaii. Since 1948, the Federal savings and loans associations there have been making loans on real estate secured by leasehold interest. The term of the loans run just a few years short of the term of the lease. As I have previously indicated, State chartered savings and loan associations, operating under State law, make loans secured by a leasehold interest as long as the lease runs 2 years beyond the term of the loan.

Practically speaking, the House proviso would permit Federal savings and loan associations to make loans on these leasehold interests provided that the term of the lease runs 10 years beyond the term of the loan. Incidentally, this would be similar to existing regulations on bank loans in this area.

Again, practically speaking, the House proviso of 10 years, which is 5 more years than I personally would prefer, would partially correct the present imbalanced competition between Federal savings and loan associations and State chartered associations in the area specifically, and only, of loans on real estate secured by leasehold interest.

The State chartered associations would also benefit by being able to generate additional needed mortgage funds through the sale of participation interests in leasehold loans to mainland Federal associations.

The effect, in short, should be a salutary one to all savings and loan associations dealing with leasehold mortgages. The 10-year proviso is at least a major step in the direction of recognizing leasehold residential real estate as a practical fact of life in Hawaii.

Mr. President, I had originally intended to introduce an amendment to S. 2213 along the lines of my bill, S. 114. However, in view of the House language on this point and after talking with the manager of S. 2213, I would like simply to go on record as requesting serious consideration be given to accepting the House language on this matter in conference.

Mr. MUSKIE. Let me say to the Senator from Hawaii that this is a problem that has troubled the committee. It has come to us in one or two different forms. I assure the Senator that we shall be happy to take it to conference and discuss it with the House managers of the bill.

Mr. INOUYE. I thank my distinguished friend for that assurance.

Mr. MUSKIE. Mr. President, I yield myself such time as I may need for a short colloquy with the Senator from Alabama [Mr. SPARKMAN].

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). The Senator from Maine has 10 minutes remaining.

Mr. MUSKIE. I yield myself 2 minutes.

Under the mortgage insurance for land development program, contained in section 201 of the bill, there is a requirement that the developed land be served by "public systems for water and sewerage." A question has arisen as to what constitutes a "public system" under the bill. In the State of Maine, for example, we have public water utilities, regulated by the Maine Public Utilities Commission. Some of these utilities are publicly owned. Some are investor owned. All are considered "public." It is the Senator's understanding that "public systems for water and sewerage," as contained in proposed "section 1005" under section 201(a) of the bill, means a water or sewer system, whether publicly or investor owned, which serves the general public in a specified area and is owned and operated under the authority of and regulation by an appropriate State public utility regulatory body?

Mr. SPARKMAN. Yes.

Mr. MUSKIE. I have one further question. Referring to the same section of the bill, the Commissioner is authorized to "approve an adequate privately or cooperatively owned—water or sewer—system which will be regulated in a manner acceptable to him." It is my understanding that this authority could be exercised where service by a public system is not feasible. The bill states that public systems must be "consistent with other existing or prospective systems within the area." Although the bill is not specific on this point, is it the Senator's understanding that the same condition applies to a "privately or cooperatively owned system"?

Mr. SPARKMAN. The answer again is in the affirmative.

Mr. MUSKIE. I thank the Senator very much for clarifying this point.

The PRESIDING OFFICER. Who yields time?

Mr. TOWER. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be charged to neither side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Maine is recognized for 4 minutes.

Mr. LAUSCHE. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to direct two questions to the Senator from Maine for purposes of acquiring information concerning the rent subsidy bill. The Senator from Alabama handed me a statement showing a sampling of the incomes which could qualify for a rent subsidy in 26 cities.

My first question is: Do I correctly understand that this sampling was made for the purpose of indicating what will happen if the rent subsidy bill is passed?

Mr. MUSKIE. Yes, the study shows the groups and indicates the incomes of typical groups in typical cities eligible for public housing, who, of course, would also be eligible under the pending bill.

Mr. LAUSCHE. The tabulation shows that in the 26 cities a $4,800 income is the low amount which would qualify an individual for a subsidy, and $6,500 is the high amount, in Chicago.

Mr. MUSKIE. The $6,500 ceiling in Chicago applies to housing for seven or eight persons in four-bedroom housing.

Mr. LAUSCHE. That means that under certain conditions the amounts which I have described would qualify those families for subsidies?

Mr. MUSKIE. Yes. For one bedroom housing in Chicago, the ceiling is $4,300, in the same table.

Mr. LAUSCHE. That would mean that in Chicago a family which needs one-bedroom housing, if it had an income of $4,300, would still qualify for the subsidy?

Mr. MUSKIE. If the family were also a member of one of the five groups who are eligible under the bill.

Mr. LAUSCHE. Can the Senator tell me what amount of income in New York City under maximum conditions would qualify? The Senator from Utah [Mr. BENNETT] has stated that $10,100 income would qualify a person for a rent subsidy.

Mr. MUSKIE. The New York experience is not reflected in this table. I believe it would be germane to point out how the income levels are established. They are not established as a result of anyone's arbitrary judgment as to what income level should qualify. Rather, a survey was made of the housing market to determine what rent level—not income level—in private housing is available which is decent, safe, and sanitary, for the families who would be involved. Then, once the rent level was established, it would be reduced by 20 percent—that is, if it were $100, it would be $80—and the $80 figure multiplied by the factor of 4 would determine the income level. So the income levels will vary from city to city. Presumably, New York might be higher than any other community.

Mr. LAUSCHE. My inquiry was as to the maximum amount in New York City which under maximum conditions would qualify for a subsidy. It has been stated that it is $10,100. Can the Senator answer that question?

Mr. MUSKIE. I do not have that figure.

Mr. LAUSCHE. Can the Senator from Alabama [Mr. SPARKMAN] answer it?

Mr. SPARKMAN. If the Senator from Maine will yield, I am sorry, but I do not have that figure. I do have a figure which I believe is much more relevant. Let us remember that the purpose of the program is to supplant and replace future public housing. The average amount of the rental subsidy on public housing built today is $58 a unit. The average unit on the subsidy of the rent supplement plan is estimated to be $40 a unit. In addition——

The **PRESIDING OFFICER.** The time of the Senator from Maine has expired.

Mr. **MUSKIE.** Mr. President, I yield myself 1 additional minute.

The **PRESIDING OFFICER.** The Senator from Maine is recognized for 1 additional minute.

Mr. **SPARKMAN.** Public housing pays no taxes. It is estimated that the cost to the Federal Government would be $4,800 a year. I have placed all that information in the RECORD.

Mr. **LAUSCHE.** The Senator from Utah has stated that his calculations show that in New York City a family placed in the position of maximum strength can get the maximum subsidy which would qualify the family, if the income was $10,100. Do I understand that correctly?

Mr. **BENNETT.** I stated that the figure I received indicated that it is possible in New York to go above $10,000. That is the ceiling. If we had an income of $10,000 and the ceiling were $10,100, we would have a $100 potential rent subsidy.

The **PRESIDING OFFICER** The time of the Senator from Maine has expired.

Mr. **DIRKSEN.** Who has time to yield to me?

Mr. **TOWER.** Mr. President——

Mr. **LAUSCHE.** Mr. President, will the Senator from Texas yield me 1 minute in order to complete my statement?

Mr. **TOWER.** Mr. President, I yield such time as the Senator from Ohio may require.

The **PRESIDING OFFICER.** The Senator from Ohio may proceed.

Mr. **LAUSCHE.** Mr. President, I will not vote for the establishment of this program in our Federal system because, in my judgment, it would be the beginning of a program which, although in its infancy today, will grow and grow and grow without limit in the future.

This is a dangerous, new program into which we are entering. Many difficulties lie ahead. I am not willing to take the position that the income levels which have been mentioned are so low that persons with those incomes should be entitled to a rent subsidy.

I thank the Senator from Maine and the Senator from Texas for yielding to me.

Mr. **MUSKIE.** Mr. President, I yield myself 2 minutes on the bill.

The **PRESIDING OFFICER.** The Senator from Maine is recognized for 2 minutes.

Mr. **MUSKIE.** Mr. President, I am not going to attempt a recapitulation in a few minutes of all the colloquy that has occurred in the course of the day, nor on the point which the Senator from Ohio has raised. We are discussing the very same groups—no larger groups—of disabled, elderly, handicapped, displaced-by-Government-action persons that the Government has accepted as a responsibility, under the same criteria of eligibility, since 1937.

Therefore, we are not talking about whether those groups should not be subsidized. They are being subsidized at the present time, under the same income criteria as would be in effect under the rent supplement program. The groups eligible for rent supplements will be smaller than the groups eligible for public housing. The income ceilings are as relevant to the current public housing program as they are to this program.

We are discussing another way of dealing with exactly the same problem we have been dealing with since 1937, concerning exactly the same people that we have been dealing with since 1937.

But, I am for this method, because it is the cheaper way to do it. It may be a more effective way to do it. It is worth the experiment. The former colleague of the Senator from Ohio [Mr. LAUSCHE], Senator Taft, became an ardent supporter of public housing. Why? Not because he thought it was a perfect program, but because the public housing program was designed to meet the problems of people whose needs tugged at his heart and his conscience so that he could not ignore them. He therefore supported public housing as a means of dealing with the situation.

I am not happy with public housing. I am sure that the Senator is not happy with public housing. However, there is another way to deal with problems of exactly the same people because, in my judgment, it is cheaper, it may be more effective, and it is worth trying.

Mr. **LAUSCHE.** Mr. President, will the Senator from Texas yield me 3 or 4 minutes?

Mr. **TOWER.** I yield 4 minutes to the Senator from Ohio.

Mr. **LAUSCHE.** The Senator from Maine has made a seemingly effective argument. He contends that the program of granting direct subsidies is identically the same program that thus far has been in existence.

Mr. **MUSKIE.** If it were identical I would not be in favor of it.

Mr. **LAUSCHE.** The Senator from Maine has been talking for 2 hours. I hope he will let me speak for a few minutes.

Mr. **MUSKIE.** The Senator from Ohio may have as much time as he wishes.

Mr. **LAUSCHE.** I yield not at all to the Senator from Maine in his desire to be charitable and helpful to those who are in need. This proposal goes far beyond it. We are about to enter into a program which, the Senator says today, provides that if a person earns $4,800 he is entitled to a subsidy.

I say to the Senator from Maine that by 1968, the next presidential election will take place, he will be raising that amount. That is what will happen. Every 2 years, when we have a congressional election, he will be lifting up the amount. That will be done as a demagogic appeal to the many people whom he will not wish to leave out, and who will not want to be denied something. If the money were available, I would say all right. How is the differentiation made? Why is $4,800 the sacrosanct amount? Why is $10,000 the sacrosanct amount in New York?

Mr. **MUSKIE.** Mr. President——

Mr. **LAUSCHE.** Mr. President, I do not yield now. How will he answer those who will say——

Mr. **MUSKIE.** I shall be glad to answer.

Mr. **LAUSCHE.** How will he answer those who will say, "Why should I be barred?" He will not be able to do it.

Mr. **MUSKIE.** I shall be glad to answer the Senator's question.

Mr. **LAUSCHE.** The Senator may answer it on his own time.

Mr. **MUSKIE.** I can answer it now on my own time.

Mr. **LAUSCHE.** The Senator will have time to answer. He has been speaking for 2 hours.

Mr. **MUSKIE.** I have not been speaking for 2 hours. I would be happy to answer the Senator's question on my own time. I would like to do that now, so that my answer will relate to his question.

Mr. **LAUSCHE.** I am quite sure that the Senator will need 2 hours to explain it and to sustain his point.

Mr. **MUSKIE.** I am willing to take that long if it is necessary to do so.

Mr. **LAUSCHE.** I have asked for only a few minutes to speak. I admire the Senator from Maine for his desire to be helpful. However, I believe in a measure that must apply realistic fiscal programs to our country's policies.

Every day I hear the argument on the floor of the Senate, "Those who are not willing to continue spending more than they take in have callous souls. We who believe in deficit operations are persons who are gifted with a charitable and merciful attitude toward the people." That is the argument that is being made.

In conclusion, we shall be doing what the man did who killed the goose that had laid the golden egg. We have all read the Greek fable about the man who had a goose that laid a golden egg each day. He was not content with taking that golden egg. He decided he would kill the goose so that he would get all the golden eggs at one time. He killed the goose, and got nothing.

If we continue with our program, we shall achieve the same end.

Mr. **MUSKIE.** Mr. President, I yield myself 2 minutes. I invite the Senator from Ohio to join me in the save-the-goose drive. We have heard from the opposition that the 4-year cost of the program would be $8 billion. HHFA, on the basis of an analysis, which I think is accurate, reduced that figure to $5.8 billion. If a 40-year cost has any relevancy, the cost of an equivalent number of units of public housing over a 40-year period would run from $15 to $18 billion. I believe the Senator from Ohio will recognize, even better than I, that that is more money than $8 billion.

Therefore I invite the Senator to join me in the save-the-goose drive.

So far as I am concerned, I was opposed to the President's original rent supplement program. If it were here in that form today, I would vote against it.

I was opposed to the first modification in committee, which included the low-income group and the low-middle-income group. If that program were before us today, I would vote against it.

I concede that the Senator from Ohio has a great heart. One reason why I am in favor of it in its present form, is that it is a cheaper way of dealing with the problems of exactly the same people—exactly, I say—as we are dealing with in public housing, and have been since 1937.

Mr. TOWER. Mr. President, I yield myself 2 minutes.

The Senator from Maine said that our figure is somewhat high when we say $8 billion. He says that HHFA has a more realistic figure, which he states is accurate, in the amount of $5.8 billion.

I point out that the HHFA has gone up $1.1 billion since its representatives testified. When they testified, they said it would be only $4.7 billion.

To use a word that we hear very often these days, I believe this shows the pattern of escalation. I can see only escalation and an unsound, unwise, and unproved program.

The burden of proof or justification rests on the shoulders of those who advocate it. I believe this is a program which is doomed to stifle incentive and retard the desire of people to improve their lot and improve their housing and their standard of living. It will retard homeownership. It will have an altogether deleterious effect.

I point out what was said about this bill. Since so many organizations have been quoted as being in favor of it, let us repair to the statement of Mr. Ira S. Robbins, president of the National Association of Housing & Redevelopment Officials, an organization which has more compassion and does more for the elderly and the underprivileged than probably any other group. This is what he said:

> The bill proposes two complex new programs—rent supplements, and "new towns" (sometimes the HHFA Administrator likes to call these "new communities")—that both were formulated without long, thoughtful probing and give-and-take debate with local public officials, who have a day-to-day exposure to the problems toward which the programs are directed.
>
> The rent supplement plan, on which we will make extensive comments, is advanced as "the most crucial new instrument in our effort to improve the American city." Yet this plan, which at least is administratively cumbersome and socially indefensible, came to the Congress without any review of testing by representatives of the various local operating agencies that should administer the program.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. I yield myself 2 additional minutes.

This is the statement made by an official of the National Association of Housing & Redevelopment Officials.

The witness, I understand, was called as a friendly witness. I presume there was no little chagrin in the hearts of those who favor the program when they heard this testimony. This is what people who are closest to the problem think about it. This testimony should be given great credit.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. MUSKIE. I should like to ask the Senator a question.

It seems to me that the HHFA estimate in testimony before the committee was based on something other than the present program, which includes low-income groups and greatly enlarges the number of people eligible. That estimate was directed at the earlier program.

Mr. TOWER. The Senator from Maine [Mr. MUSKIE], with his amendment, made the cost another $1.1 billion.

Mr. MUSKIE. Obviously, more people would be taken in, for the reasons I have indicated. I shall not suggest to the Senator that we have fewer people, because we are bringing in poorer people rather than the higher income people. There are more of them.

Mr. TOWER. I understand.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield 2 minutes to the Senator from Illinois on the bill.

Mr. DOUGLAS. The Senator from Texas has brought into the debate the name of Mr. Ira Robbins, who has had an honorable career in public housing in New York. The public housing officials, though excellent citizens, have mesmerized themselves into believing that only public housing will solve the slum problem. Unfortunately, the fact remains that, excellent as that program is, it has not done so. A half million people are on the waiting list for public housing. Last year 21 out of 25 large cities did not initiate a single unit. Although 35,000 units had been authorized each year, not more than 24,000 have been built in recent years. The program is moving more and more into smaller cities and for the elderly, disregarding the slums of the larger communities, and yet the public housing authorities cling to the idea that they have a vested interest in the whole problem of poverty and will not permit another approach to be made to housing the poor. We are not opposing public housing; we are proposing to increase it. But we say that there should be another method as well, and we say to the public housing people, "Do not believe that you have a vested interest in misery."

Mr. TOWER. Mr. President, as the saying goes, "You all called them. We did not." The Senator is trying to discredit his own witness. What I have stated is what he said about the program.

Mr. SPARKMAN. Mr. President, will the Senator yield to me for a question?

Mr. TOWER. I yield.

Mr. SPARKMAN. Only for a brief statement. I wish to correct the impression that might be left. I am appearing as amicus curiae, a friend of the court. As chairman of the subcommittee, I supervise the calling of witnesses. We do not call friendly or unfriendly witnesses. We always insert in the CONGRESSIONAL RECORD notices of our hearings. We send notices to organizations. We invite all interested organizations, groups, and persons who wish to appear before the committee to let us know, and we put them on the schedule. That is exactly what was done with every single one of the organizations listed. We had no idea as to how their representatives might testify.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. TOWER. I yield 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. I should like to ask a question or two.

If I remember correctly, under the 1949 program we supposedly committed ourselves to the building of 810,000 public housing units. That was 16 years ago. In that period of time, instead of building 810,000 units, we built only 400,000. Is that correct?

Mr. SPARKMAN. I shall check that figure.

Mr. DIRKSEN. The Senator ought to be able to tell me now.

Mr. SPARKMAN. I believe the total is about 600,000. But stating such figures is not quite so simple. As the Senator knows, following the end of World War II, many defense projects were transferred over to cities and converted into public housing. So the program does not all come under the program to which the Senator refers.

Mr. DIRKSEN. I thought I had received correct figures. That would mean that in 16 years we have reached half the goal that was set in 1949. As I said, in 1946, there were commitments for 500,000 supplemental units, I suppose; and if we got only half of the 800,000 in 16 years, how would we get 500,000 in 4 years?

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SPARKMAN. The Senator starts with a premise——

Mr. DIRKSEN. I did not start with anything.

Mr. SPARKMAN. Yes; I believe the Senator did when he said that we established a program which anticipated 810,000 units. It is true, I believe, that Senator Taft, in his estimates of costs as they prevailed at that time, stated that 810,000 units would be constructed. But he arrived at that figure on the following basis, and this is the way the Public Housing Act was set up: The Government obligated itself to a certain amount in support of the bond issues of various municipalities throughout the country. Over 40 years a total of those projects was set at $336 million. As costs went up, it meant that the number of units to be built under that kind of obligation would go down. That is the reason why I say that we probably proceed on the cost premise that if we take the 810,000 units as the tiedown point, actually it is $336 million. In that case, the proposal in the bill as it came from the committee was $200 million for the program. As I understand, the Senator from Maine [Mr. MUSKIE] proposes to offer an amendment to bring that figure in line with the House figure.

Mr. **DIRKSEN**. So costs increase.

Mr. **SPARKMAN**. They do.

Mr. **DIRKSEN**. Now we have a 40-year program. Has the Senator any reason to believe that costs will not go up like that over a 40-year period?

Mr. **SPARKMAN**. They may, but they are anchored.

Mr. **DIRKSEN**. "May?" They cannot help but increase.

Mr. **SPARKMAN**. They are anchored by the number of millions of dollars that may be assigned to do the job.

Mr. **DIRKSEN**. Mr. President, one of the most interesting things that a great Senator named Reed Smoot from Utah said to me one day was:

> Young man, the course of the budget and expenditures is always up.

One of the most interesting statistical graphs that the Senator can ever look at is one which starts with 1789 and shows where we are in 1965. This is a 40-year program.

I have another question. Is it true that we had to increase subsidies on public housing twice?

Mr. **SPARKMAN**. Again we make a false conclusion by not keeping anchored to the original authorization, which has stood throughout the years. This is a $336 million involvement, to supplement rents. Somehow the term "rent supplement" seems to have become a bad name.

Mr. **DIRKSEN**. Let us call it a subsidy.

Mr. **SPARKMAN**. Very well, a subsidy. Using the term in the same way, it is proposed to subsidize rents not to exceed 3½ percent of the investment that an individual city has in a project. So the amount of the subsidy paid would always be limited by that 3½-percent figure. That has never been increased.

Mr. **ROBERTSON**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. I yield.

Mr. **ROBERTSON**. I find it difficult to understand the reference to $336 million. We are at the moment committed to over $12 billion in public housing. Once we go 1 year into the new program, we shall be in it for the next 39 years. That is the point. When I heard the figure a few years ago, $9 billion was already committed then.

Mr. **DIRKSEN**. Over a period of years $9 billion will not even touch the program in my book.

I should like to ask another question. What is a limited dividend corporation?

Mr. **SPARKMAN**. I am not personally familiar with them. Frankly, I do not know whether they exist in my State or not. They did not when I was practicing law. But, as I understand, a limited dividend corporation is a corporation that is organized in which the amount of earnings is limited to 6 percent. So far as the housing program is concerned, 6 percent profit is the limit.

Mr. **DIRKSEN**. Is there anything in the bill that would fix a limit to the salaries of the officers and the directors of a limited dividend corporation? If there is, I have not found it. My concept of a limited dividend corporation is one that could pay up to 6 percent.

Mr. **SPARKMAN**. Mr. President, will the Senator yield?

Mr. **DIRKSEN**. I yield.

Mr. **SPARKMAN**. It might be that we could enlist the services of the Senator from New York [Mr. JAVITS], because there are limited dividend corporations in New York.

Mr. **DIRKSEN**. He knows. It is 6 percent.

Mr. **SPARKMAN**. I am not certain as to what the general law might be on the question of the salaries of officers. There is no provision in the bill which would limit salaries. But I invite the Senator's attention to the fact that yesterday the Senate accepted an amendment of the Senator from Iowa [Mr. MILLER] that in the setup of charges, costs, and so forth, overhead could not exceed that of a normal housing corporation.

Mr. **DIRKSEN**. But what about direct subsidies?

Mr. **SPARKMAN**. They would be a part of the costs.

Mr. **DIRKSEN**. All I have to say is that this looks like a pretty lush business. It will be like the poverty program. Consider the astronomical salaries that are being paid to administer it. Six percent is not high today when building and loan institutions are paying 4 or 4¼ percent and banks are paying 4 or perhaps 4¼ percent. But here it is 6 percent. Let me get my hand on the wheel of one of these contracts and make myself $100,000 a year. I cannot think of anything fancier. Limited dividend corporations sprout like mad.

The Senator has not answered my question. Perhaps he has, so now I have another question.

Suppose there is a community in which there are vacancies, but someone wants to get in under the program. What would happen? Would the vacancies be ignored?

Mr. **MUSKIE**. Is the Senator asking with respect to housing under the rent supplement program?

Mr. **DIRKSEN**. Yes; or housing which is proposed to be built. Suppose a man puts up a string of houses and is looking for tenants. Suppose some "eager beaver" in town says, "Let's not bother with them. Let's get on the gravy train. Let's get into supplemental housing." The people who will be displaced or who live in slums or industrial areas will be invaded next, and they will go.

But suppose there is a man who has his own hard dough invested in buildings, buildings that are not substandard, either. What is proposed to be done? Let them stand there and bereave the owner of any tenants he might get?

Mr. **MUSKIE**. But if I understand the Senator's point correctly, he is asking about people who are eligible under the criteria of the bill, which are the same criteria as for public housing. The Senator is asking whether if someone wants to do something about it he can do it. Of course he can.

If the Senator is asking me whether the practice would be abused by someone who has vacant housing on his hands and is trying to get revenue, and sees this program as a convenient way to get rich—if the Senator is postulating the possibility of such abuse, I say that whether that would happen would depend on the integrity and judgment of the people who administer the program.

The Senator is, of course, free to postulate that; and I can see the possibility. All people are not angels; there is venality; and abuses can creep into a housing program unless people of integrity and honesty administer it. If the Senator's question is intended to get me to concede that there could be abuse, his point is made.

Mr. **DIRKSEN**. I would not have my beloved brother from the State of Maine concede anything. I am searching for information, because we have some public housing setups back home, and I have been through them. I once wrote a little booklet for Lewis Strauss, when he was Housing Administrator. The title was, "How To Live in a House." It was never published. It gave me some concern as I went through those properties. After a little while, they were reduced to slums. That is why I approach this program with a baleful eye.

Mr. **MUSKIE**. The State of Maine does not have much public housing, as the Senator from Illinois knows, so I do not know about those conditions as well as he undoubtedly does. This is one of the reasons why some of us who find ourselves on the Committee on Banking and Currency, charged with some responsibility for the legislation, have been studying the problem since the days of the late Senator Taft, seeking to deal with some of the difficulties. We do not say that we believe that the programs will work perfectly and will insure 100 percent beneficial results. Obviously, it will not.

I opposed the bill in its original form and in its first modified form. I find myself supporting it here principally as an alternative to public housing, with all the difficulties that public housing has encountered in its years of experience.

Although we all entertain reservations about new programs, I should like the Senator from Illinois to realize that, on balance, weighing the pros and cons, this is a reasonable approach.

Mr. **DIRKSEN**. I merely say to my good friend from Maine that this is like getting married.

Mr. **MUSKIE**. I had a few reservations about that, too.

Mr. **DIRKSEN**. Forty years. I am getting close to it. This program will extend beyond the year 2000. Yet it is proposed to commit the Government that far and hope to get out with the amount of money that is put in. I think it will have to be multiplied by 3 before we are through.

Mr. **MUSKIE**. Mr. President, will the Senator yield on that point?

Mr. DIRKSEN. I yield.

Mr. MUSKIE. As the Senator from Virginia has said, when we took the first step in public housing, we were committed to a number of years.

Mr. DIRKSEN. Surely.

Mr. MUSKIE. If we take the first step in rent supplements, we shall be committed to a number of years. So the programs are alike. If this is a shortcoming, the programs are alike in that respect. I would agree that because we are being committed, we should take an extra good look at it.

Mr. DIRKSEN. But this is a different dish, because the man who builds the house, who is the landlord, will get the money. The tenant will not get the money.

Mr. MUSKIE. He will get the service.

Mr. DIRKSEN. Twenty-five percent of his monthly paycheck is the base for the rent.

Mr. MUSKIE. The tenant will not own the house in either instance. He will get a rental.

Mr. DIRKSEN. I know. That is another thing. The title will be somewhere in orbit with Gemini 2.

Mr. MUSKIE. Perhaps it will be in orbit in Illinois, but in Maine it will be nailed down.

Mr. DIRKSEN. That I shall have to see.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SPARKMAN. The Senator from Illinois has been quite familiar with the operations of the Federal Housing Administration.

Mr. DIRKSEN. I was a member of the Committee on Banking and Currency when that bill was written.

Mr. SPARKMAN. That is correct. The Senator has been familiar with its operation over the years. I believe he will agree with me that the FHA has done an excellent job as a whole.

I invite attention, first of all, to the fact that this is not a program under which a person could build, go out into the free market, and say, "Come in, tenants; I will get you in and reap a harvest for you." This program will be authorized and supervised by the Federal Housing Administration.

Perhaps the Senator has not read the Miller amendment, which was agreed to yesterday. I should like to read it; it is brief.

Mr. DIRKSEN. That will not be necessary.

Mr. SPARKMAN. It is only 5 or 6 lines long. It reads:

> No payments under this section may be made with respect to any property for which the costs of operation (including wages and salaries) are determined by the Administrator to be greater than similar costs of operation of similar housing in the community where the property is situated.

The Senator from Iowa offered that amendment, and we promptly accepted it.

Mr. DIRKSEN. Yes; and it is as wide as a 40-acre field.

Mr. SPARKMAN. It is so far as the discretion of the Administrator is concerned; but I think we can rely on the FHA doing a good job. The FHA has done a good job through the years. I think it will continue to do a good job.

So far as competition with existing buildings is concerned—the Senator mentioned that—remember that if there is anybody in this country who is concerned about free bidding and free competition, it is the people who build homes.

If the Senator will read the testimony of the National Association of Home Builders, which appears in the hearings, he will see how strongly they endorse the program. They are confident that the FHA will not approve a project that will draw a pall of gloom, despair, and disaster over housing that already exists in a community.

Mr. DIRKSEN. Mr. President, I have one further question. I foresee that among those who qualify for this assistance, there may be those who would be displaced by governmental action. That would be when the Federal bulldozer would come into play.

Mr. SPARKMAN. Mr. President, does the Senator mean for the purpose of building highways, public buildings, or some other public purpose?

Mr. DIRKSEN. I mean for whatever displacement is occasioned by governmental action.

Mr. SPARKMAN. I understand.

Mr. DIRKSEN. Here is an opportunity for a family to get a house with a conventional mortgage on it. Perhaps the mother in the family would say, "We have been displaced by governmental action."

Mr. SPARKMAN. The Senator from Illinois ought to read further. That is only one condition. There is another very important condition.

Mr. DIRKSEN. I know.

Mr. SPARKMAN. It would not take effect at just any time.

Mr. DOMINICK. Mr. President, may we have order in the Chamber? I am interested in what is going on, if no one else is.

The PRESIDING OFFICER. There will be order in the Chamber.

Mr. DIRKSEN. The family about which I spoke would discuss the subject around the family table. The father would say, "I have a chance to get a little family place with a conventional mortgage." The lady would say, "Don't be in a hurry. I see a chance to receive a big chunk of rent supplement from that great big Treasury in Washington, D.C." That family could qualify under the criteria established by the pending bill.

Would this provision be somewhat of a restraint on people going ahead in the field of home ownership? I am talking like a building and loan man. I could say "building and loan" before I could say "jackrabbit." I have been brought up that way. I have lived in a community in which people continue to build and own their homes. I do not want to see that feature discouraged at all.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SPARKMAN. Mr. President, I am pleased to remind the Senator from Illinois that the building and loan interests strongly endorse this legislation.

Mr. DIRKSEN. That may be. Does the Senator mean that they all do?

Mr. SPARKMAN. The leagues which represent them.

Mr. DIRKSEN. Mr. President, I formerly belonged to a savings and loan association. Later I resigned. I was on the board of directors of the third largest savings and loan association in the United States. I have not heard a word from them as to their intention to support such a proposal.

Mr. SPARKMAN. The Senator knows that there are two associations.

Mr. DIRKSEN. There is the Federal League.

Mr. SPARKMAN. There is the U.S. Savings League.

Mr. DIRKSEN. I know.

Mr. SPARKMAN. There is also the National Savings League. Both organizations appeared, and their testimony is contained in the transcript of the hearings.

Mr. DIRKSEN. Those leagues do not deal particularly with rental property. They deal in, and their primary function is, home ownership.

Mr. SPARKMAN. They are interested in the other field also.

Mr. DIRKSEN. This proposal would not deal with home ownership at all. In 40 years, the cost of this proposal would be away up there with Gemini.

Mr. SPARKMAN. They would have the privilege of buying a home if their income were to increase.

Mr. DIRKSEN. After a long time. However, they would not have to sell it to them. With 6 percent interest, a good salary for the company board of directors, and the necessary cost and expenses, this would be a good dish. This would be a pretty lush business.

Mr. President, I say to my friend, the Senator from Maine that, dearly as I love him, I am not going to vote for this kind of thing. I am going to support the amendment of the Senator from Texas to strike this provision from the bill.

Mr. MUSKIE. Mr. President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mr. MUSKIE. Mr. President, I was never in any doubt from the beginning of the questions of the Senator as to what his position on this portion of the bill would be. However, the Senator began to ask a question which he did not finish. That question related to eligibility for this program.

I repeat what I have said several times this afternoon. The eligibility is exactly the same as it would be in the case of the public housing program as a first condition. However, that would be followed by five other conditions which would affect the number who would be eligible.

The first group would be those displaced by governmental action. Those displaced by governmental action are now covered by the public housing program. The second group would be the elderly. The elderly are now covered by the public housing program.

The third group would be the physically handicapped. They are now covered by the public housing program. The next group would be those occupying substandard housing. They are now covered by the public housing program. Those groups have been our concern since 1937. They were our concern when the public housing program was established.

This amendment is offered as a reasonable alternative to public housing for exactly the same people. To those groups we have added those hit by disaster. I said earlier that I had reservations about the President's original proposal, and until it reached its present form, I would not have supported it. I support it in its present form.

The Senator from Alabama has indicated that I plan to offer an amendment later to reduce the total amount that would be available. I do intend to offer such an amendment to bring the authorization in the Senate bill in line with the bill approved by the House last week. I intend to offer an amendment which would reduce the contract authorization from $200 million to $150 million.

The principal point that I emphasize is that the group who are covered by the public housing program is exactly the same group.

Mr. DOUGLAS. Mr. President, I wonder if the Senator from Maine would state more explicitly what his intended amendment would do, provided the Senate first votes down the amendment of the Senator from Texas.

Mr. MUSKIE. The present authorization for rent supplement contracts is $50 million a year for 4 years. The amendment I intend to offer would change that provision so as to reduce the authorization by $50 million, from $200 to $150 million for the 4-year period.

That would be the aggregate amount of the subsidy payments that could be contracted for, if the appropriations equaled the authorizations. The specific new contract authorizations under my amendment would be $30 million prior to June 30, 1966; $35 million on July 1, 1966; $40 million on July 1, 1967; and $45 million on July 1, 1968. The net effect would be to reduce the total contract authorization from $200 to $150 million.

Mr. DOUGLAS. The purpose of that provision would be to reduce the total number of authorized units from 500,000 apartments to 375,000.

Mr. MUSKIE. The Senator is correct.

Mr. DOUGLAS. First, we would have to defeat the amendment offered by the Senator from Texas, which would cut it out completely. Is that correct?

Mr. MUSKIE. The Senator is correct.

Mr. TOWER. First we would have to defeat the Tower liberation amendment.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. ROBERTSON. Mr. President, before the Senator yields back his time, will he yield for a question?

Mr. TOWER. I yield.

Mr. ROBERTSON. A staff member has just informed me that in this bill, if we add the authorization for rent subsidy and public housing, we would have an authorization of $15 billion over a period of years. Is that correct?

Mr. TOWER. That figure might be a little low.

Mr. MUSKIE. Mr. President, I yield five minutes to the Senator from Connecticut.

Mr. DODD. Mr. President, the legislative achievements of this session of Congress have led some to describe the Senate and our colleagues in the House in rather generous terms.

The landmark legislation of this and the last session do indeed justify some pride of accomplishment on the part of all Americans.

But these legislative achievements, designed to meet the problems of conservation, education, civil rights, health, proverty, and a whole bundle of other national problems, are significant not so much because they have been passed, but rather because they have been passed at last.

For the problems of poverty predate the Republic.

The denial of equal civil rights for all citizens has afflicted us for a century.

The crisis of educational deficiency has existed for decades.

The destruction of our national beauty has been accelerating for many years.

All these problems have long been critical. They are not new.

What is new is effective congressional action to answer these crises which eat at the hope and heart of our civilization.

This Congress should not be called the "Civil Rights Congress" or the "Education Congress" or any of the other names with which it has been flattered.

We have only recognized and done our duty to provide the loom upon which the threads of American greatness may be spun into the fabric of a rejuvenated and improved American life.

If this Congress must be named, let it be known as the "Congress of Conscience," provided that we meet the urgent problems in American life which we have yet to take up.

The crisis of the American cities is one of those urgent problems we have yet to answer.

Ever since the first family units combined into communities, the quality of the community has influenced the quality of family life and the character of every member in the community. Nothing on earth since those first days has changed that fact.

Yet today, when crime and unemployment rates rise, when critics decry the meaninglessness of much of modern living, and when more and more of us are increasingly concerned with a lowering of ethical and cultural standards, urban decay remains the greatest unanswered domestic problem in America today.

The cities in which we live and raise our children are declining relentlessly into the decay of slums and the streams of concrete strips running endlessly on toward new suburbs into which we flee to postpone our slide.

Meanwhile, in the central parts of our cities, slumlife grows darker, choking the downtown heart which once invigorated urban living. There the hope of people flickers dimmer with each passing year of inaction.

We have had Federal programs for the cities.

We have built public housing. We have cleared some slums. And, recently, we have encouraged construction of decent private housing for people of low income.

But these programs have not even begun to meet the crisis of the cities.

Tentacles of the decay and desolation of urban blight squirm outward every year between the highways we build to escape them. The murky grip of blight closes its grasp on the central city.

The American dream is a nightmare for the child whose home is two rooms with bare bulbs, leaking plumbing, rats in the bedclothes, and numberless brothers and sisters.

The Horatio Alger story is a sneering joke for a youth who spends his formative years in filthy squalor many of us choose to pretend does not exist.

The vision of a better life is as faint for the prisoner of the slum as is our realization of his desperation.

Our answers to these problems of the cities have been ineffective and stingy.

Our attempts to provide decent housing for the families of very low wage earners have been shortsighted.

The number of units built has been too small. After nearly 20 years of Federal housing programs, almost 8 million American families still live in substandard housing.

Moreover, the Federal public housing program penalizes ambition and initiative.

The law limits public housing to those who make 20 percent less than a family needs to rent decent housing in the same community.

Yet the law also expels from public housing anyone who makes more than a subsistence income.

Faced with the prospect of losing their public housing if they improve their living standard, yet knowing they will be unable to afford decent living elsewhere, many of the occupants of public housing sacrifice their chances for self and family improvement in order to be able to have a decent roof over their heads.

This vicious circle of despair inherent in the Federal public housing program illustrates how far we have failed in our obligation to meet the urban crisis.

We have been trying to answer 20th century problems with an 18th century poorhouse philosophy.

The Housing and Urban Development Act of 1965, now pending before the Senate, contains what may eventually be an answer to this pressing problem of providing decent housing for the economically disadvantaged.

The bill provides limited funds which can be paid to certain families to allow them to afford decent private housing.

These families will not be forced to wear the poorhouse badge of public housing.

They and their children will not be forced to live in a ghetto with the most poverty stricken in the city.

They will be able to earn as much as their talents permit them to earn, without losing their homes. And as their earnings increase, their Federal rent supplement will decrease.

This program provides no giveaways.

The rent supplement plan will apply only to the most needy.

The only families eligible for assistance under this bill will be the elderly, the handicapped, those displaced by renewal projects or natural disaster, and those living in slums.

And to be eligible, even these most disadvantaged people in our society must have incomes so low that they are eligible for public housing.

In the areas of highest living cost in the country, that means an income of less than $6,500 to support a family of eight persons. In some cases it means an income as low as $4,800 to support a family of eight.

And no one will be eligible for assistance who does not presently live in substandard housing.

So only the most disadvantaged and most poor living in the worst housing in the Nation will be eligible for any assistance.

No one is going to profiteer in this program.

The rent supplement program provides only the difference between the rent for decent housing and 25 percent of the eligible tenant's income. If the eligible tenant has an income of $4,800 a year, and decent housing costs $1,500 a year, the program will pay only $300 a year—the difference between 25 percent of the tenant's income and the cost of decent housing.

As the tenant's income increases, the supplement decreases.

And to make sure the supplement is actually used for rent, it will be paid directly to the landlord.

But no landlords will get rich on this program.

The only housing for which rent supplements can be paid will be private housing built by nonprofit or cooperative enterprises or by corporations allowed to pay only limited dividends.

This program encourages new construction by private enterprise.

It will avoid creating new patches of public housing in our cities.

It will help get the Government out of the housing business.

In the light of the facts, I am surprised at the opposition of this prudent proposal has met from some quarters. Perhaps that opposition arises from the name "rent subsidies" which some have given the program.

The program should be called the private enterprise housing program or the antipublic housing program, because it encourages new construction of low-cost housing by private enterprise to provide decent, low-cost housing for the prisoners of despair who are locked in the slums of America.

The one valid criticism of the program which can be made is that it is not nearly big enough.

Despite all the housing acts of the last 2 decades, more than 8 million Americans still live in substandard housing.

More than 500,000 families are now on the waiting lists for the 600,000 public housing units built in the last 30 years.

And we are building new public housing at a rate of only 30,000 units a year.

The cost of the program proposed in this bill is $50 million for each of the next 4 years.

This investment will enable private enterprise to construct and finance, over the next 4 years, 500,000 decent housing units suited to the needs of low-income families.

That will be a remarkable and important achievement.

But we know that at this hour there are more than 2 million lower income elderly and handicapped families alone who cannot afford decent homes, and 6 million other families in substandard housing.

So even this step forward is too short. But we must take this step.

In passing this Housing and Urban Development Act of 1965, Congress will act to meet a crucial part of its responsibilities toward one of the most urgent problems our Nation faces—how to preserve and enrich our way of life as our rapidly aging communities burst at their seams with population.

Mr. TOWER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. MUSKIE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Texas. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the negative). Mr. President, on this vote I have a pair with the distinguished senior Senator from Virginia [Mr. BYRD]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withdraw my vote.

Mr. SPARKMAN (after having voted in the negative). Mr. President, on this vote I have a live pair with the distinguished Senator from Arkansas [Mr. MCCLELLAN]. If he were present and voting, he would vote "yea." If I were free to vote, I would vote "nay." Therefore I withdraw my vote.

Mr. TALMADGE (after having voted in the affirmative). Mr. President, on this vote I have a pair with the distinguished Senator from Florida [Mr. SMATHERS]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

Mr. LONG of Lousiana. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota, [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from New Mexico [Mr. MONTOYA] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. MONTOYA] would vote "nay."

On this vote, the Senator from Minnesota [Mr. MCCARTHY] is paired with the Senator from Kansas [Mr. PEARSON].

If present and voting, the Senator from Minnesota would vote "nay" and the Senator from Kansas would vote "yea."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Idaho [Mr. JORDAN].

If present and voting, the Senator from Alaska would vote "nay" and the Senator from Idaho would vote "yea."

On this vote, the Senator from Idaho [Mr. CHURCH] is paired with the Senator from Vermont [Mr. PROUTY].

If present and voting, the Senator from Idaho would vote "nay" and the Senator from Vermont would vote "yea."

Mr. KUCHEL. I announce that the Senator from Idaho [Mr. JORDAN] and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The Senator from Kansas [Mr. PEARSON] is absent on official business.

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from Alaska [Mr. GRUENING].

If present and voting, the Senator from Idaho would vote "yea" and the Senator from Alaska would vote "nay."

On this vote, the Senator from Kansas [Mr. PEARSON] is paired with the Senator from Minnesota [Mr. MCCARTHY]

If present and voting, the Senator from Kansas would vote "yea" and the Senator from Minnesota would vote "nay."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Idaho [Mr. CHURCH].

If present and voting, the Senator from Vermont would vote "yea" and the Senator from Idaho would vote "nay."

The result was announced—yeas 40, nays 47, as follows:

[No. 184 Leg.]

YEAS—40

Allott
Anderson
Bennett
Bible
Boggs
Byrd, W. Va.
Cannon
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Kuchel
Lausche
Miller
Morton
Mundt
Murphy
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Stennis
Symington
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—47

Aiken
Bartlett
Bass
Bayh
Brewster
Burdick
Case
Clark
Dodd
Douglas
Ellender
Fulbright
Harris
Hart
Hartke
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—13

Byrd, Va.
Church
Gruening
Jordan, Idaho
Mansfield
McCarthy

McClellan
Montoya
Pearson
Prouty
Smathers
Sparkman
Talmadge

So Mr. TOWER's amendment (No. 319) was rejected.

Mr. MUSKIE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. DOUGLAS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Alaska on the bill.

Mr. BARTLETT. Mr. President, the Senate now has the opportunity to enact a significant housing bill, a measure which extends and expands our present programs of housing and urban renewal and establishes several promising new programs as well. The Housing and Urban Development Act of 1965 includes programs of proven worth and deals with problems which demand attention. The bill passed the House on June 30, and I urge early Senate approval.

The primary national development which makes necessary this comprehensive housing program is the phenomenal growth of our Nation's urban centers. Charles Abrams, world housing authority and author of "Man's Struggle for Shelter in an Urbanizing World," has estimated that during the next 40 years the population growth experienced in the world's cities alone will be double the population growth the entire world has experienced in the last 6,000 years. Housing needs in our Nation's cities and suburbs promise to increase sharply during the next few years as young adults born during the "baby boom" of the late forties marry and begin their families. As I said last September in commenting on the Housing Act of 1964:

> It is folly to suppose that anything less than a massive effort will alleviate the housing difficulties these figures portend. Housing programs are integral to any national assault on poverty. They are essential to orderly urban development. They are absolutely necessary if population growth and urban expansion, promising as they are for a richer and more diversified society, are not at the same time to result in a deprived and miserable existence for millions.

We in Alaska have been later than the rest of the country to experience both the problems and the promises of urban growth. This has not meant, however, that we have not experienced acute housing needs. Our small and remote native villages have long suffered from inadequate shelter and from the lack of even the most basic sanitary facilities. It has been estimated that only 13.1 percent of rural Alaska natives live in structurally sound houses, with plumbing. Among Alaska natives, infant deaths account for 33 percent of all mortalities, as compared to 6 percent for the rest of the Nation. The tubercular and gastroenteric deaths rates among natives are six times what they are in the rest of the country.

Many of these problems are, of course, in large part attributable to the gross inadequacies of housing and public facilities in our native villages. And the problem is one which the entire range of Federal housing programs has failed to meet. The small populations of these native centers, the extremely low income of these families, and the extraordinarily high costs of construction and maintenance usually make existing Federal programs inapplicable or only partially applicable to our native villages. But the need for adequate shelter, for protection from cold and from disease, remains acute. Therefore, I have introduced and will continue to work for the enactment of S. 1915, a bill which would establish a housing program especially geared to the needs of these remote native villages. I have been very much gratified by the interest in this legislation displayed by the chairman and members of the Housing Subcommittee.

While Alaska's native housing problems have remained serious and in the large part unique, Mr. President, our cities and towns have more and more experienced rapid growth and housing and development needs similar to those of the other States. The population of Anchorage tripled between the censuses of 1950 and 1960 and is expected to double again by 1970. Fairbanks' population doubled between 1950 and 1960 and similar growth is projected for the current decade. This means, of course, that Alaska has increasingly experienced the problems and needs which have called forth the present variety of Federal housing programs. Consequently, these programs have found an increasing applicability and usefulness in the State. The following figures demonstrate that fact, showing what has been done in Alaska under each program to date:

COMMUNITY FACILITIES ADMINISTRATION AS OF DECEMBER 31, 1964

Public facility loans: $26,516,000 of which $25 million is for earthquake relief. In addition to earthquake area, localities of Palmer, Sitka, Dillingham, and Seward.

CFA's share of accelerated public works program: $4,440,484 in grants and $190,000 in loans.

Planning advances: $1,611,137 in planning advances for 58 projects.

College housing loans: Five loans to Alaska Methodist University and the University of Alaska for $9,423,000.

PUBLIC HOUSING ADMINISTRATION AS OF JUNE 30, 1965

Ten low-rent projects in Anchorage, Fairbanks, Juneau, Ketchikan, Metlakatla Reservation, Petersburg, and Sitka, involving 591 units and total development costs of $12.6 million.

Also, 6 program reservations, totaling 97 units in Cordova, Ketchikan, Seldovia, Seward, Valdez, and Wrangell.

FEDERAL NATIONAL MORTGAGE ASSOCIATION AS OF MAY 31, 1965

Secondary market operations: 53 mortgages purchased totaling $1,293,000.

Special assistance functions: 2,597 mortgages totaling $60,162,000.

FEDERAL HOUSING ADMINISTRATION AS OF DECEMBER 31, 1964

Insured home mortgages: 7,590, totaling $152,790,300.

Multifamily mortgages: 36 projects with 3,973 units, totaling $48,093,300.

Title I home improvement loans: 5,438 loans totaling $7,821,000.

URBAN RENEWAL ADMINISTRATION AS OF JUNE 30, 1965

Title I urban renewal projects: 16 projects in: Anchorage, 5; Kodiak, Seldovia, Seward, Valdez, 2; Cordova, Fairbanks, 2; Juneau, Petersburg, and Sitka. Grant reservations, $37,040,677.

Urban planning grants: 19 grants, totaling $462,118 for Anchorage, Anchorage Borough, Bristol Bay Borough, Cordova, Douglas, Fairbanks, Gateway Borough, Haines, Juneau, Juneau Borough, Kenai, Ketchikan, Kodiak, Palmer, Petersburg, Port Chilkoot, Seward, Sitka, Sitka Borough, and Skagway.

FARMERS HOME ADMINISTRATION AS OF JUNE 11, 1965

Rural housing program: 241 loans totaling $3,197,580.

VETERANS' ADMINISTRATION AS OF MAY 31, 1965

Insured home loans: 290 loans totaling $2,610,000.

Direct home and farm loans: 965 loans totaling $9,650,000.

Alaska has indeed benefited from Federal housing and urban renewal programs. They have insured approximately 80 percent of the loans to individual homebuilders and developers of multiunit projects. They have stimulated local and institutional activity through loans and matching grants for college facilities, urban renewal, low-income and rural housing, community facilities and public works projects, and planning assistance. They were important to our earthquake recovery efforts. And they promise to be even more important as our State increasingly is touched by national trends of population growth and urban expansion.

The Housing and Urban Development Act of 1965, Mr. President, not only continues and expands these vital programs; it makes some promising new beginnings.

It authorizes grants to low-income homeowners in urban renewal areas for the financing of repairs necessary to bring their homes up to the standards prescribed for the area. This would make possible rehabilitation of certain neighborhoods without uprooting those living there or tearing down rundown houses that might be salvaged.

Second, the bill would provide for a moratorium on payments on FHA-insured and VA-guaranteed mortgages when the owner-occupant mortgager is unemployed because of the closing of a Federal installation. It would authorize the Defense Department to purchase homes situated near a closing military base, thus giving relief to those who have been employed at the installation and have no market for their homes.

A third major provision of the bill would encourage land development by establishing a program of FHA mortgage insurance for private subdivision developers whether or not they themselves are homebuilders. As stated in the Banking and Currency Committee's report on the bill:

> It is expected that the mortgage insurance device, which has proven so helpful in providing a stimulus to the construction of good

homes, will prove equally helpful in providing a stimulus to the production of good building sites in good neighborhoods.

The Housing and Urban Development Act of 1965, in the fourth place, contains several provisions designed to aid communities in the construction of public facilities. It would supplement the assistance which has been available to Alaska communities under Area Redevelopment, the Economic Opportunity Act, Accelerated Public Works, and the programs of the Community Facilities Administration. It would provide for 50 percent matching grants to local public bodies and agencies for the construction of basic water and sewer facilities. In extreme hardship cases, where a community has less than 10,000 population and a high unemployment rate, the Federal share would be raised to 90 percent.

A further provision would authorize Federal grants to help finance neighborhood facilities projects providing health, recreational, and other community services. In a designated redevelopment area, which includes most of Alaska, the Federal share of these projects could be as high as 75 percent.

The bill also provides for an expansion of the present open-space program. Grants of up to 50 percent would be made available to communities, not only to acquire land for public use, but also to develop it as a park or recreational area, as part of a conservation effort, or for historic or scenic purposes. Special provision is made for acquiring and clearing land in built-up urban areas for open-space use.

A sixth section of the bill would revise and expand the present home-loan program of the Farmers Home Administration. The increasing demand for improved rural housing has proven the inadequacy of our existing programs. In spite of the fact that the Farmers Home Administration has, in the last few years, greatly increased its activity in Alaska, as well as the other States, the growing need for better rural homes is not being met. The bill would make available long-term, low-interest loans to low- and moderate-income rural families through an expanded loan insurance program similar to that now serving urban homeowners through the Federal Housing Administration.

In addition, the Housing Act would institute a program of lease guarantees for small businessmen. Small concerns which have been displaced by federally assisted construction projects or which are eligible for assistance under title IV of the Economic Opportunity Act would be eligible for Federal guarantees of their rental costs. This provision follows recommendations made at various times by the Senate Select Committee on Small Business, of which I am a member.

A final provision authorizes the payment of "rent supplements" to persons living in moderately priced, FHA-insured units whose income qualifies them for public housing and who have been subject to natural disaster or other particular hardships. Payments would be made to the owner of the nonprofit unit and would make up the difference between the rental cost and one-fourth of the renting family's income.

I have given only a brief review, Mr. President, of what the Federal housing program has meant to Alaska and of the most promising sections of the new bill. The measure is one which deals imaginatively with problems of urban growth and provides for advance planning on the part of communities soon to experience such growth. And it provides needed assistance as well to small towns and rural families. Our Nation's housing and community development program must, generally speaking, proceed on two fronts. We must remedy the blighted and deprived conditions that remain in our cities and countryside alike. And we must provide now that such conditions shall not multiply, but shall be replaced by housing and community facilities adequate for an expanding and progressing populace. In Alaska we must meet the needs of rural areas which have been too long overlooked; we must also enable our cities to plan and build for the years ahead. I regard the Housing and Urban Development Act of 1965 as a major step in the right direction.

Mr. TOWER and Mr. HARRIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. HARRIS. Mr. President, I call up my amendment which was submitted yesterday and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. HARRIS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment offered by Mr. HARRIS is as follows:

On page 61, strike out lines 10 through 17, and insert in lieu thereof the following:

"PARTICIPATION BY NEW COLLEGES AND CERTAIN PUBLIC VOCATIONAL AND TECHNICAL INSTITUTIONS

"SEC. 502. Clause (1) of section 404(b) of the Housing Act of 1950 is amended to read as follows: '(1) (A) any educational institution which offers, or provides satisfactory assurance to the Administrator that it will offer within a reasonable time after completion of a facility for which assistance is requested under this title, at least a two-year program acceptable for full credit toward a baccalaureate degree (including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual), or ((B) any public educational institution which (i) is administered by a college or university which is accredited by a nationally recognized accrediting agency or association, (ii) offers technical or vocational instruction, and (iii) provides residential facilities for some or all of the students receiving such instruction,'.)"

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order. The galleries will be in order.

Mr. SPARKMAN. Mr. President——

The PRESIDING OFFICER. The Senate will please be in order.

Mr. HARRIS. Mr. President——

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Oklahoma has the floor. The Chair has requested that the Senator suspend until order is maintained in the Chamber. The Senator from Oklahoma may proceed.

Mr. HARRIS. Mr. President, I refer Senators to page 16759 of yesterday's CONGRESSIONAL RECORD for an explanation of the amendment which was laid down yesterday and then temporarily laid aside.

Mr. President, the Office of Education informs us that the amendment would apply to not more than six such schools in the country now in existence. It would extend the present provisions of the Housing Act for colleges to schools which met four criteria, namely:

First, that they are publicly supported.

Second, that they are administered by a fully accredited degree-granting 4-year college or university.

Third, that they be vocational educational schools.

Fourth, that they provide residential facilities for some or all of their students.

Mr. President, I certainly hope that my amendment can be accepted by the Senator in charge of the bill.

Mr. SPARKMAN. Mr. President, the amendment was discussed yesterday and was laid aside until we could obtain some more information which we desired. We now have that information. The agency says that there is no objection to it. Therefore, for my part, I am willing to accept the amendment.

Mr. HARRIS. Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

Mr. TOWER. Mr. President, I have no objection to the pending amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. HARRIS. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. SPARKMAN. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 320

Mr. TOWER. Mr. President, I call up my amendment No. 320 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 19, strike out "$50,000,000" and insert in lieu thereof "$10,000,000".

On page 2, lines 20 and 21, strike out "$50,000,000" and insert in lieu thereof "$10,000,000".

Mr. TOWER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, will the Senator from Texas yield?

Mr. TOWER. Mr. President, I yield 2 minutes to the Senator from Washington.

The **PRESIDING OFFICER.** The Senator from Washington is recognized for 2 minutes.

Mr. MAGNUSON. Mr. President——

The **PRESIDING OFFICER.** The Senate will please be in order.

Mr. TOWER. Mr. President, before the Senator from Washington proceeds, let me say for the benefit of all Senators that I do not intend to take much time on the pending amendment and, depending upon how much time the distinguished Senator from Alabama wishes to take, my guess would be that the larger proportion of the time would be yielded back and we should be able to vote on the amendment very shortly.

THE STRUGGLE BETWEEN THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION AND THE AMATEUR ATHLETIC UNION

Mr. MAGNUSON. Mr. President, this is a matter of some urgency; otherwise, I would not interrupt the debate on the housing bill. The Commerce Committee met this morning and discussed the subject at some length, and came to a decision on it.

Amateur athletics in our Nation suffers from a longstanding and harmful struggle. The struggle is between the National Collegiate Athletic Association and the Amateur Athletic Union. The athletes, educators, and sports lovers of our land are the victims of that struggle here at home, while this shameful squabble threatens to cripple our athletic teams abroad.

The dispute between the NCAA and the AAU centers upon track and field competition and came to a boiling point in San Diego in June. There the AAU sponsored a meet at which athletes were chosen to compete for the U.S. team which will face the Russians at Kiev. The NCAA banned college students from NCAA schools from competing. Several courageous students, among them Gerry Lindgren from Washington State University, defied that ban to try for a spot on the U.S. team. These same students now face the possible loss of their athletic scholarships because they sought to represent our Nation. Though Gerry's fate is still undecided, we must ask ourselves why this 18-year-old boy has become a pawn and innocent victim in this dispute.

But that is not all, an ominous specter looms over the 1968 Olympics. The U.S. track and field contingent faces a crippling blow if the feud continues. In 1928 the NCAA boycotted the Olympic games. We cannot permit them to repeat that tragic boycott.

People throughout the land are worried about the tragic consequences of this unfortunate controversy. On the 30th of June I expressed my concern in remarks before this distinguished body and was joined by several other Senators, including my colleague [Mr. JACKSON], who has long taken a deep interest in what he considers a useless controversy. He also called the attention of the American people to this matter in a strong statement at that time.

We spoke for the athletes and sports lovers of this country who must remain silent. The Seattle Times recognized that fact in an editorial on July 2:

> We are certain the Senators' views represent those of the vast majority of American sports fans. Those fans don't care whether the NCAA or the AAU can assert precedence over the other. They don't want athletes like Lindgren penalized because of the stubbornness of certain badge wearers and paper shufflers.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. TOWER. I yield 2 additional minutes to the Senator from Washington.

Mr. MAGNUSON. Mr. President, this dispute has continued long enough. It is now the duty of the Senate to speak out for those who have no voice.

Therefore, I am pleased to announce that I will convene the Commerce Committee in special session to investigate every aspect of the NCAA-AAU controversy. We will call the representatives of all athletic organizations concerned in this dispute and seek their testimony in public hearings. We will call on those educators whose schools have been subjected to outside pressures as a result of this dispute. We will call on the athletes themselves. We will work until we get to the heart of this matter and we will take whatever action is necessary to prevent a strangling of athletic freedom in our Nation.

It is the young people of the country that I speak for today. Some of the college athletes involved in this dispute face the loss of their athletic scholarships and with it their college education. These young men and women must not be made to choose between an education and representing our country. The cost is too great to them, and to our country.

The Congress has worked to protect the freedom of every American to do many things necessary to the dignity of man. We must make certain that the freedom of every amateur athlete to compete for his nation is protected as well. If one student like Gerry Lindgren is denied his athletic scholarship, then we have betrayed our sacred trust. Our committee will not rest until athletic freedom is guaranteed to the young people of our land.

Mr. ALLOTT. Mr. President, I compliment the distinguished Senator from Washington for the work he has done. I hope his committee will pursue the subject vigorously. This situation is a disgrace to the United States. It is a purely childish feud which has existed and which has deprived our young men of the opportunity of participating across the board in athletic meets.

Mr. TOWER. Mr. President, I ask unanimous consent that the Senator from Washington may yield to the Senator from Maryland and to the Senator from New York and perhaps to other Senators, without the time being charged to either side on the pending amendment or bill.

The **PRESIDING OFFICER** (Mr. HART in the chair). Without objection, it is so ordered.

Mr. BREWSTER. First, I congratulate the chairman of the Committee on Commerce in bringing this matter to the attention of the committee, the Senate, and the country.

It has seemed to me for some time that it is more than regrettable that some of our best competitors cannot represent the United States in international competition. This was recently demonstrated at the San Diego meet, in connection with the conflict between the AAU and the NCAA.

As I see it, this dispute is entirely unnecessary and childish. I wish it were not necessary for the Government or the Committee on Commerce of the Senate to become involved in the dispute. However, inasmuch as the reputation of the United States around the world in international sports competition is at stake, it is entirely appropriate for us to look into the subject.

I should also like to say that I speak for the Presiding Officer, the junior Senator from Michigan [Mr. HART], who for a long time has shown a great interest in this area. Just before he took over the duty of presiding over the Senate, he asked me if I would also express his great interest in this subject matter. It seems to me that it would be very useful to bring in the officials of the AAU and the NCAA and ask them what their position is. I have written both of them and asked them for their position. To date, I have not had an answer to my letters.

After focusing the attention of the Congress and of the Nation on their position, we may be able to bring about a resolution of their differences without legislation. But on this point I stand firm, that no amateur athlete should be penalized because he wishes to represent his country or compete in any meet at any place, at any time, because the university he attends or the association to which he belongs happens to be in a childish dispute with some other group.

I congratulate the Senator from Washington [Mr. MAGNUSON]. He is doing a great job. I am proud to associate myself with him in this situation.

Mr. MAGNUSON. I thank the Senator.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MURPHY. Mr. President, I should like to join the Senator from Washington and the Senator from Maryland. My background and interest in this subject extends back to the very first international representation of the United States in an athletic event. That was in 1900, in Paris, when my father took a group of American athletes over there. They went on their own. They were not Government sponsored. In 1904, in St. Louis. Again in 1908, in London, he was the coach of the first American team. He had the great privilege of taking the grandfather of the Senator from New York along with him as his friend and companion; again in 1912, when he was appointed the coach of the American team, and in 1906 in the Olympic Games.

I can remember arguments such as this, which worked to the detriment of athletes who wanted to perform and to represent their country and schools and colleges. From time to time selfish individuals would get on committees, and they would lose sight of the fact that the main purpose of this undertaking is the benefit derived from the athletic activity.

I concur completely in what the chairman has said. I hope that as this matter progresses, if I can be of any help, I shall be glad to assist the chairman. I have voluminous records. I am quite vigorous in my arguments at times. I can think of nothing that is more important to the attention of the committee than this subject. I associate myself with what the chairman has said.

Mr. KENNEDY of New York. Mr. President, I should like to commend the Senator from Washington for initiating this investigation and study, and also the members of the Commerce Committee. It is of great importance.

Over the past 4 years, I have had a good deal to do with both associations, the NCAA and the AAU.

I believe that if it had not been for the intervention of President Kennedy and then General MacArthur, our representation in the last Olympic Games would not have been of the caliber it was. It would have been far different. Many of our young athletes would have been penalized and not permitted to participate because they were members of one organization rather than of another organization.

Who determines it? The group that determines it are the paid officials, who have some authority and a vested interest in one organization or another. It has prevented young men and women from participation as athletes in behalf of the United States or in behalf of their university or college. What difference does it make? It does not make any difference to anyone in the Senate; it makes no difference to those in the galleries; it make no difference to the people of the United States.

We desire to have the best possible team represent our country.

In fairness to the athlete himself, why should not the athlete who is the best athlete in his field not represent the United States, while someone else who is not quite as good, but who happens to belong to an organization which has the upper hand at a particular time, is permitted to participate in a meet, say, in the Soviet Union, France, England, or the Olympics?

Mr. President, it is completely unfair. The reason we have the existing situation is the result of complete selfishness on the part of the heads of both organizations, the AAU and the NCAA. There has been bad faith on the part of the high officials of both of those organizations over the past 4 years. The heads of both of those organizations could reach an agreement and an understanding.

I commend the Senator from Washington for his effort. I also commend to him the man who succeeded General MacArthur in working on the question. I talked with the Senator personally about Mr. James Gavin, our Ambassador to France, who has attempted to bring some order out of chaos, and who has many good ideas on the question.

I also hope that during the course of the investigation the committee will investigate whether either of these organizations is performing the functions that should be performed, and whether the young athletes in the United States are really being encouraged to the extent that they might be.

What about the young athlete who starts out well in high school and who does not have the financial means to go to college? Is he being encouraged? Is there any possibility for him to continue later in athletics and athletic events? We need some kind of organization, private or in some way associated with the Government—perhaps the committee could go into that subject—to insure that those who are interested in athletics, those who have some ability, are encouraged as they come along through elementary school and high school to continue their participation, wherever possible, even if they have not attended a university, and to represent the United States in meets around the world or within our own country.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield to my colleague.

Mr. TYDINGS. Mr. President, I would like to associate myself with the remarks of the distinguished senior Senator from Maryland [Mr. BREWSTER], and the Senator from New York [Mr. KENNEDY], and to commend the chairman of the Senate Commerce Committee, the distinguished Senator from Washington, for his courage and initiative in presenting this matter.

I feel, and I believe the people of the State of Maryland also feel, that when the NCAA and the AAU get into jurisdictional disputes over which group shall control which track meet, these organizations have acted with almost total disregard for the interest of both our young athletes and the country.

It is outrageous for a young athlete to be deprived of the opportunity to compete and represent his country, because of petty bickering disputes between athletic organizations. It is high time for the leadership of the NCAA and the AAU to realize they are not beyond the realm of criticism.

I hope the distinguished chairman of this committee from the State of Washington realizes that there are a great many people interested in competitive athletics and in the physical and sports ability of these young people, who are behind us 100 percent. I hope he will pursue this matter with all possible vigor.

When the next Olympics comes around, the people of Maryland do not want another example of bickering and disregard for the athletes by a few entrenched bureaucrats at the head of these organizations.

I hope the situation will have a complete public hearing, and I commend the distinguished Senator from Washington for his leadership in this matter.

Mr. MAGNUSON. I thank the Senator. The case that has come out of Washington State University is only one example and, as the senior Senator from Maryland [Mr. BREWSTER] said the other day, it might be swept under the rug. But what we have seen will continue. I see no hope for the development of amateur athletes to represent the United States in future competition unless those athletes can be sure that they will not innocently, through no fault of their own, get in the middle between two organizations that have their feet in concrete about something.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield to the Senator from Texas.

Mr. TOWER. It might be appropriate at this time to note that the distinguished Senator from Colorado [Mr. ALLOTT], who has spoken in support of the proposal of the Senator from Washington, was the junior and senior national AAU 400-meter hurdle champion in 1929. He was on the All-American track team in 1929, and I understand that at that time he broke an existing world record.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. LAUSCHE. I have always known that the Senator from Colorado was a great runner.

Mr. BREWSTER. Mr. President, in conclusion, it seems to me that the entire country agrees that the athletes who represent the United States overseas should be the very best that we can produce.

To date the expenses of American athletes in international competitions have been financed by private contributions. They have not been subsidized by the U.S. Government. Although teams from many countries around the world are official government teams, our own, to date, have not been. But it is shameful—it is disgraceful—that the two leading amateur athletic organizations are competing with each other to such an extent that we penalize those unfortunate athletes who are caught in the middle of the dispute, and we do not present our best competitors to the world.

So I congratulate the chairman of the Committee on Commerce for bringing the question to the attention of the country. I have every hope that the committee hearings will assist in the resolution of this dispute.

I yield the floor.

Mr. ALLOTT. Mr. President, I thank my distinguished friend from Texas for his kind remarks. I do not know what kind of proposed legislation the Commerce Committee can bring out. But there is more to it than merely competing successfully against the Russians. The real issue is whether we shall permit our young men and women to compete under conditions which provide them with the maximum of competition and which permits them to develop themselves to their maximum. Every young man and woman has that right. As long as the NCAA and AAU are involved in this senseless quarrel, those athletes will be deprived of a part of that competition. I know that if the Congress brings its force and pressure behind those groups, we can somehow solve the problem. I congratulate the distinguished Senator from Washington, who is chairman of the Committee on Commerce.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. TOWER. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Texas yield to himself?

Mr. TOWER. I yield myself 3 minutes.

The rent supplement program provided for in the bill in effect calls for an authorization of $8 billion. That would be for the next 40 years.

To clarify it, the authorization would be for $50 million for the first year, $100 million for the second year, $150 million for the third year, and $200 million for the fourth year.

This is too great an expenditure for a program with as many difficulties as are readily apparent in this one. I believe that such a radical departure from our public housing approach should be undertaken in a more cautious manner.

Administrative difficulties will be voluminous. What we are doing here is increasing in a virtually unlimited manner the complexity of our already complex housing statutes.

The effect of my amendment would limit the total authorization to $100 million. In effect, what I am proposing is merely to continue the program, but not in such magnitude. I do not purpose changing the program at all. For all practical purposes, it would be a demonstration program. We can then take a look at it and see how it is working and later appropriate much larger sums if we feel that the program is worthwhile.

As I said earlier, we do not know what the results of the program will be. We do not know whether it will destroy the incentive to own homes or destroy the incentive of an individual to improve his own economic condition and, in that manner, improve his housing condition. There are too many unanswered questions.

We have noted, too, that the program as now drawn is vulnerable to abuse. That has been admitted by the managers of the bill. I am not proposing that we throw out the program; I merely propose to make it a smaller program, a demonstration program, to the extent that we may take a look at it and see how it is working, before we plunge into a costly program extending over 40 years.

Mr. MUSKIE. Mr. President, I object to the amendment and urge that it not be supported. Whichever version of the program becomes law as a result of the action of Congress would be fixed into the program for 4 years. So the character of it would be fixed into the program for 4 years.

The Senator from Texas has identified his amendment as reducing the program to, and correctly, a demonstration program. The problems of the group we are dealing with in the bill are such that something more than a demonstration program is needed. A program is needed that will effectively meet the needs of the people. That action should not be postponed for 4 years.

Under the program provided in the bill, ample opportunity would be provided for the legislative committees of both Houses to supervise and observe the progress of the program. In addition, the Appropriations Committees of both Houses will have an opportunity to control the levels of appropriations which will implement the program. It seems to me that this will afford ample control while, at the same time, affording an opportunity to deal effectively with the problem, if experience justifies that kind of activity.

I concede that any new program is an experiment in the sense that it is untried as an operational program. So in that sense the rent supplement program has been referred to as an experimental program. But that is not to suggest that much thought, study, and consideration have not been given to it. To the extent that it is possible to judge the prospects of this kind of program for success, that kind of consideration has been given. Now we are ready to launch it. As we launch it, the amounts proposed in the committee bill are not excessive in terms of the program. We are dealing with a group of people consisting of 500,000 who are already on the waiting list and unnumbered other hundreds of thousands whose problem is not being dealt with to the extent of placing them on the list.

It is a big problem. It has commanded the attention of the Nation for a long time. To convert this program, which I think has real prospects for success, into a mere demonstration program for 4 years would not be a wise step to take.

Mr. President, I yield 3 minutes to the distinguished Senator from Pennsylvania.

Mr. CLARK. Mr. President, I strongly oppose the pending amendment. In my judgment, the $50 million authorization contained in the bill is wholly inadequate. If I had my way, we would have authorized a minimum of $200 million for the first year. Measured against our needs, on the one hand, and our potential, on the other, the bill does not provide enough money to do the job. If this most important new program, in which I have great faith, is to be cut down to 20 percent of the amount now in the bill, we shall find that it will be, as the Senator from Maine has so well said, a mere demonstration program.

In my judgment, the cities of the Commonwealth of Pennsylvania, which I represent, in part, could, within the 4-year period, use the entire amount of the present authorization. We could use a great deal more of the $50 million in the first year than the 12½ percent to which we would normally be confined because of the wise rule that no individual State should be permitted to take more than that percentage of the amount of money provided for Federal housing.

When one thinks of the teeming cities all over the country, north, south, east, and west, full of old and needy people—yes, and I shall use the term "poverty-stricken people"—who do not presently have over their heads a roof that will not leak and a floor that will not fall under their feet, and who do not have plumbing of the most rudimentary nature, and when one remembers that 9 million Americans are now living in unsafe, insanitary housing, one can begin to appreciate in some measure the great need for this new program.

Public housing has been a great disappointment to me since I became mayor of Philadelphia in 1952. Philadelphia has perhaps as much public housing per capita as any other city in the country. Yet the lists of requests for admission to public housing projects grows and grows by the years. The sites available to build new projects become more and more expensive and less and less available.

I am strongly of the view that this new and imaginative approach to taking care of the housing needs of our low-income citizens should be approved and expanded rather than to go out by what may be the back door.

Both Houses of Congress have now approved a rent supplement program, to be sure, by quite close votes. But I would hope that having approved such a program, we would not now indirectly destroy a major part of its utility by cutting the amount of money authorized from $50 to $10 million, in effect cutting the heart out of it. I hope the amendment will be rejected.

Mr. TOWER. Mr. President, I emphasize that if the program proves itself, Congress can next year or the year after raise the amount of money that is provided in the program. But if we commit ourselves now to $50 million, and that $50 million is let out in contracts, we cannot cut the amount once it has been obligated. The point is that we should allow the program to prove itself first. If it proves itself to be effective in the first few months, next year Congress can raise the amount to $100 million or to any other amount it wishes. But once we have committed $50 million, it will be committed, and we cannot reduce the amount, whether the program proves itself or not.

On that basis, I believe that very serious consideration should be given to my amendment.

I am prepared to yield back the remainder of my time.

Mr. MUSKIE. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Maine is recognized for 2 minutes.

Mr. MUSKIE. Mr. President, as I indicated in debate prior to the last vote, I have an amendment to propose which would, if agreed to, reduce the cost of the program on a 4-year period from $200 million to $150 million in new contract authorizations.

The Parliamentarian tells me that I cannot offer my amendment as a substitute to the pending amendment. Therefore, I will call it up immediately after the vote on the pending amendment. In order to give Senators an opportunity to vote on my amendment at the proper time, when Senators are ready to yield time—I have no desire to limit debate—I shall move to table the amendment of the Senator from Texas.

Mr. TOWER. Mr. President, I first suggest the absence of a quorum so that enough Senators may be present to order a yea and nay vote.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. MUSKIE. Mr. President, I do not intend to move to table. There will be a straight rollcall vote on the Tower amendment. With that understanding, I yield back the remainder of my time.

Mr. JAVITS. Mr. President, will the Senator yield me 1 minute on the bill?

Mr. TOWER. Mr. President, I yield 1 minute on the bill to the senior Senator from New York.

Mr. JAVITS. Mr. President, I have not spoken in detail on the rent subsidy proposal.

That issue has now been basically decided, and I say to the Senate that I believe I know of this situation from a social point of view. I believe I can say to the Senate that socially it is a wise move. One of the real problems that we have had is that we have cased people up, from a social tension point of view, in barracklike housing structures in which they feel that they are shut off from the rest of the world. They feel that they do not necessarily belong to the rest of the world because they are part of the large segment of substandard housing. Such amount of substandard housing is reflected by the fact that in 1950 New York City had approximately 367,000 units of substandard housing. Today it has a good deal less, but much more remains to be done.

I believe that the rent supplement experiment—and I say this with the greatest respect for those who oppose the bill—may very well prove to be a very desirable social effort in the big cities in which we have had a tremendous buildup of tensions, including racial tensions resulting from inadequate housing. I believe that has been somewhat attributable to the fact that we have segregated people in enormous housing structures and immunized them from a broad community responsibility. New York has a vital need of new housing units and improved housing.

Also of importance, is the legislative oversight which we should give to the program to insure that it is administered constructively and well no matter what amount of funds we finally agree on.

Mr. MUSKIE. Mr. President, I yield myself 30 seconds to make a statement for the benefit of Senators who have just entered the Chamber.

The PRESIDING OFFICER. The Senator from Maine is recognized for 30 seconds.

Mr. MUSKIE. Mr. President, the Tower amendment would not afford us an opportunity to get started. The amendment is identified by the Senator from Texas himself as a demonstration grant amendment.

I shall offer another amendment which would reduce the authorization contained in the bill by $50 million.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Texas. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). On this vote, I have a live pair with the distinguished Senator from New Mexico [Mr. ANDERSON]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from New Mexico [Mr. MONTOYA] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

On this vote, the Senator from Minnesota [Mr. MCCARTHY] is paired with the Senator from Arkansas [Mr. MCCLELLAN].

If present and voting, the Senator from Minnesota would vote "nay" and the Senator from Arkansas would vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Alaska [Mr. GRUENING].

If present and voting, the Senator from Virginia would vote "yea" and the Senator from Alaska would vote "nay."

Mr. KUCHEL. I announce that the Senator from Idaho [Mr. JORDAN] and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The Senator from Kansas [Mr. PEARSON] is absent on official business.

If present and voting, the Senator from Idaho [Mr. JORDAN] and the Senator from Kansas [Mr. PEARSON] would each vote "yea."

The result was announced—yeas 38, nays 49, as follows:

[No. 185 Leg.]

YEAS—38

Allott
Bennett
Bible
Boggs
Byrd, W. Va.
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Gore
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Kuchel
Lausche
Miller
Morton
Mundt
Murphy
Robertson
Russell, Ga.
Russell, S.C.
Saltonstall
Scott
Simpson
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—49

Aiken
Bartlett
Bass
Bayh
Brewster
Burdick
Cannon
Case
Clark
Douglas
Ellender
Fulbright
Harris
Hart
Hartke
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Smith
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—13

Anderson
Byrd, Va.
Carlson
Church
Dodd
Gruening
Jordan, Idaho
McCarthy
McClellan
Montoya
Pearson
Prouty
Smathers

So Mr. TOWER's amendment was rejected.

Mr. MUSKIE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. DOUGLAS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, if we may have order in the Chamber, I should like to ask the majority leader concerning the schedule for the remainder of the day and also for tomorrow.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, I wish to state that there is a possibility—how good remains to be seen—that the pending bill may be finished this evening at a reasonable hour.

At the conclusion of the consideration of the pending bill it is the intention of the leadership to bring up Calendar No. 258, S. 9, a bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period. Then Calendar No. 368, S. 1118, the District of Columbia home rule bill.

Following that, Calendar No. 406, S. 949, a bill to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise.

Mr. DIRKSEN. Then, other than the pending bill, the Senator from Montana would not expect to run beyond that?

Mr. MANSFIELD. No.

Mr. DIRKSEN. I thank the Senator very much.

HOUSING AND URBAN DEVELOPMENT ACT OF 1965

The Senate resumed the consideration of the bill (S. 2213) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, urban mass transportation, and community facilities.

Mr. TOWER. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. TOWER. Mr. President, I suggest to Senators that I believe we can dispose of the bill tonight. The remaining amendments could probably be disposed of by a voice vote, with the exception of the amendment of the Senator from Maine. Therefore, if Senators will not take up time with unrelated matters, I believe that we can press the pending bill to a conclusion this evening.

Mr. MUSKIE. Mr. President, I believe that we can come to a yea-and-nay vote on my amendment in the next 2 or 3 minutes, if Senators will stay in the Chamber.

Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). The amendment will be stated for the information of the Senate.

The legislative clerk proceeded to state the amendment.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. Muskie is as follows:

On page 2, lines 16 through 22, strike the last sentence of Sec. 101. (a), and insert in lieu thereof the following:

"The aggregate amount of the contracts to make such payments shall not exceed amounts approved in appropriation Acts and shall not exceed $30,000,000 per annum prior to July 1, 1966, which maximum dollar amount shall be increased by $35,000,000 on July 1, 1966, by $40,000,000 on July 1, 1967, and by $45,000,000 on July 1, 1968."

Mr. MUSKIE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MUSKIE. Mr. President, let me say to the Senate that this is the amendment I promised to bring up in the course of debate on the first Tower amendment. What the amendment does would be to reduce the total amount of contract authorizations for the rent supplement program by $50 million.

Mr. ELLENDER. Is that over a period of 4 years?

Mr. MUSKIE. Yes, over a period of 4 years.

Mr. JORDAN of North Carolina. What would that make it per year?

Mr. MUSKIE. Over a 4-year period for $200 million, this amendment would reduce it to $150 million or $50 million a year, but it is scaled for $35 million up.

Mr. TOWER. I join the Senator from Maine in supporting his amendment. This would enable me to be on the winning side at least once today.

Mr. MUSKIE. I would be happy to accept the Senator's support.

Mr. President, I yield back the remainder of my time.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back. The question is on agreeing to the amendment of the Senator from Maine.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). Mr. President, on this vote I have a pair with the Senator from New Mexico [Mr. Anderson]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Alaska [Mr. Gruening], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from New Mexico [Mr. Montoya], and the Senator from Virginia [Mr. Robertson], are absent on official business.

I also announce that the Senator from Virginia [Mr. Byrd], the Senator from Georgia [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Idaho [Mr. Church], the Senator from Alaska [Mr. Gruening], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from New Mexico [Mr. Montoya], the Senator from Virginia [Mr. Robertson], the Senator from Georgia [Mr. Russell], and the Senator from Florida [Mr. Smathers], would each vote "yea."

On this vote, the Senator from Virginia [Mr. Byrd] is paired with the Senator from Connecticut [Mr. Dodd]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Connecticut would vote "nay."

Mr. KUCHEL. I announce that the Senator from Idaho [Mr. Jordan] and the Senator from Vermont [Mr. Prouty] are necessarily absent.

The Senator from Kansas [Mr. Pearson] is absent on official business.

If present and voting, the Senator from Idaho [Mr. Jordan] and the Senator from Kansas [Mr. Pearson] would each vote "yea."

The result was announced—yeas 79, nays 6, as follows:

[No. 186 Leg.]

YEAS—79

Aiken
Allott
Bartlett
Bass
Bayh
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Harris
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Mondale
Monroney
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Neuberger
Pell
Proxmire
Randolph
Russell, S.C.
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—6

Clark
Hart
Kennedy, N.Y.
Morse
Pastore
Ribicoff

NOT VOTING—15

Anderson
Byrd, Va.
Carlson
Church
Dodd
Gruening
Jordan, Idaho
McCarthy
McClellan
Montoya
Pearson
Prouty
Robertson
Russell, Ga.
Smathers

So Mr. Muskie's amendment was agreed to.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MUSKIE. Mr. President, I move to table that motion.

The motion to lay on the table was agreed to.

Mr. TYDINGS. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 49, line 2, insert "(a)" after "Sec. 304.", and on page 49, after line 4, add a new subsection "(b)" to section 304, as follows:

(b) Section 114(b) of the Housing Act of 1949 is amended by adding at the end thereof an additional new paragraph as follows:

"In lieu of the payments authorized by the first sentence of this subsection (b), and a local public agency may pay to the owner of a displaced private business concern which cannot be relocated without a substantial loss of its existing patronage an amount equal to three times the average annual net earnings of such business over the three-year period prior to its displacement if the owner is fifty years of age or over and was a tenant of the property from which such business was displaced, and the average annual net earnings of the business in the three years preceding its displacement was less than $10,000 per year."

Mr. TYDINGS. Mr. President, I yield myself 5 minutes.

Progress has its price. The price of progress in urban renewal is often to destroy the livelihood and earning capacity of the small, neighborhood storekeeper.

In Baltimore, for example, I know of a corner candy store owner who lived and worked in the same location for 40 years. His store was a focus of neighborhood activity. People came to buy their newspapers, to catch up on local neighborhood events, and to purchase last minute groceries on Sundays or late evenings. For 40 years, he was part and parcel of the community. While I was a student at the University of Maryland Law School, I lived in that neighborhood and many times found myself in that candy store.

Several years passed and then the city of Baltimore decided to renew this area, and the candy store was included in the urban renewal demolition project. The candy store and all of its customers were told they had to move.

The owner of the building, from whom this man had rented for 40 years, received payment for his building. But the man who rented and lived in the area, received no payment at all. His store was gone, his clientele was gone, his goodwill was lost. He was left adrift in the world, at age 65, with no place to live, no source of income, and only token relocation assistance.

This was an extreme hardship. To be sure, some hardships are inevitable if we are to redevelop our slum neighborhoods. Some inconvenience cannot be avoided if we are to renew our decaying cities. I do not think we should allow these considerations to block progress. I support urban renewal for our cities.

But I firmly believe that we owe a moral obligation to the families and small businesses that have to be relocated to minimize the burdens and to make them as whole as possible.

The present law provides relocation payments for families and reimbursement of moving expenses for businesses. I am pleased that the pending bill will increase the relocation payment from $1,500 to $2,500, and that the Committee report strongly urges the Urban Renewal Administration to remove the $25,000 ceiling on reimbursement of business moving expenses. These are both useful improvements in the administration of our relocation programs.

However, all existing and proposed relocation programs fail to meet the needs of those businesses which, for all practical purposes, cannot be relocated. Take the candy store owner to whom I referred earlier. What can he do at age 65 with a $2,500 relocation payment and a few hundred dollars moving expense? Where can he go and set up a neighborhood candy store? Where can he become an integral part of a community?

Let us be honest. In the case of our candy store owner, urban renewal did not result in his relocation. It put him out of business. It cut off his source of income as effectively as if his business had been condemned.

I think we should provide for such cases in our urban renewal program. The amendment which I have introduced is limited in scope. It would provide the owners of small neighborhood businesses with a lump-sum cash payment, in lieu of relocation and moving expenses, which would be equal to the average annual earnings of that business for the past 3 years. If, for example, the candy store operator to which I have referred had an average annual income of $5,000, he would be entitled, under my amendment, to receive a lump-sum payment of $15,000. This would be in lieu of his $2,500 relocation payment and moving expenses.

This amendment is also limited in its applicability. In order to qualify for the foregoing payment, an owner located in an urban renewal project would have to meet the following four tests:

First. He would have to be 50 years of age or older.

Second. He would have had to be a tenant and not an owner of the property in which his business was located.

Third. His average annual net earnings for the preceding 3 years would have had to be less than $10,000 per year, and——

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **TYDINGS**. Mr. President, I yield myself 4 additional minutes.

Fourth. His business would have to be of such character that it could not be located without "a substantial loss of its existing patronage."

In essence, this amendment would apply only to the small, "Mom and Pop" neighborhood store in which the owners were over 50 years of age, earned less than $10,000, and rented their place of business.

I think the lump-sum payment which I have suggested is modest in amount and wholly consistent with our moral obligations to alleviate the hardships imposed by urban renewal progress.

The cost of this amendment would be low. The Urban Renewal Administration advises me that approximately 6,000 business establishments are relocated every year as a result of our urban renewal programs. Approximately 30 percent of these establishments go out of business. These are, for the most part, the small marginal business and neighborhood stores. We are thus dealing with a group of not more than 1,800 businesses, and a large number of these people will not meet the requirements of my amendment.

An educated estimate by a high official of the Urban Renewal Administration is that not more than 1,000 businesses per year would qualify under this amendment. If we assume the average annual earnings of these 1,000 businesses to be $7,000 per year—a relatively high figure considering the $10,000 ceiling in my amendment—we would be paying an average of $21,000 to each of these 1,000 businesses estimated or a total of $21 million. I think this is a small sum, in relation to our total urban renewal program. The present bill increases the capital grants for urban renewal by $2.9 billion.

The distinguished Senator from Maine [Mr. MUSKIE] is holding hearings on the subject of revision of relocation payments applicable to all Federal programs which require families or businesses to move. I ask the distinguished Senator from Maine whether his committee will act on the problem which has been referred to in my amendment. I invite any additional remarks that he might like to make on the subject. For that purpose I yield to him as much time as he may require.

Mr. **MUSKIE**. I thank the Senator from Maryland.

First, the select House subcommittee has recently completed and made available to the Congress what I consider to be an outstanding study of the problem which troubles so many people who have seen dislocation hardships resulting from government acquisition of land, whether it be local, State, or Federal government, and for whatever program.

The compensation is inadequate. My own view is that, subject to such safeguards as are necessary to avoid abuses, we ought to make people whole, to whatever degree it is necessary to make them whole, when we force them to move for reasons other than their voluntary wishes.

Pursuant to the select subcommittee's study, the distinguished Senator from Alabama [Mr. SPARKMAN] introduced this year Senate bill 1201, which would undertake to reform our policy with respect to relocation payments, and also with respect to our land acquisition policies and practices. It is a monumental work, deserving very careful attention. I myself introduced Senate bill 1681, which has to do only with dislocation payments. We have been holding hearings on both bills during the last 2 weeks. The possibility that we can get legislation on the relocation aspect of the problem, which is the one which the Senator is interested in, looks very good for this year, depending upon what happens at this session of the Congress and how far we are able to work out the case in the proposed legislation.

It is most appropriate that the Senator should bring up the point now. The present colloquy will be of great value and utility to the Subcommittee on Intergovernmental Relations, as it controls proposed legislation as to which we have had hearings.

Mr. **TYDINGS**. I do not wish to burden the housing bill with additional amendments. With the assurances of the distinguished Senator from Maine that the problem will be taken up in the appropriate subcommittee, and that action will, if possible, be taken this year, and with his cognizance of the extreme importance of this problem to the small shopkeeper in the community, I withdraw my amendment.

The **PRESIDING OFFICER**. The Senator has the right to withdraw his amendment. If all time is yielded back, the amendment is withdrawn.

Mr. **SPARKMAN**. Mr. President, I yield back the remainder of my time.

Mr. **TYDINGS**. Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER**. The amendment is withdrawn.

Mr. **MORTON**. Mr. President, will the Senator yield?

Mr. **SPARKMAN.** I yield to the Senator from Kentucky.

Mr. **MORTON.** I was interested in following the discussion of the Senator from Maryland and the Senator from Maine. It seems to me that we were told that the bill would relieve certain hardships on our cities. Now we have to consider an amendment to relieve hardships that would be brought about by the passage of the bill. All I ask is, How many hardships can we endure?

Mr. **SPARKMAN.** I should like to say a word with respect to the question propounded by the Senator from Kentucky, since I was the author of the first bill proposing some kind of treatment of this matter.

The Senator speaks of hardships. The purpose of my bill, as originally introduced, was to have a study made of the various systems of land acquisition throughout the country and to attempt to bring about some uniformity. The Defense Department will have one system; the Interior Department will have another; the TVA has one; and urban renewal has another. The highway departments and agencies that condemn land for airports have a system. All agencies have different systems.

The purpose of my original bill was to provide for a study. After the study was made, and the report was made, the purpose of my bill was to bring uniformity—not necessarily to relieve any one particular hardship, but at least to bring about some degree of uniformity.

Mr. **MORTON.** I have no quarrel with the objective of the Senator or what the Senator is trying to do.

I was pointing out the fact that we pass a measure to relieve a hardship, whatever it is, and then, we must pass additional bills and amendments to relieve the hardship thus created.

Mr. **SPARKMAN.** I would presume the Senator from Kentucky would consider uniformity good.

Mr. **MORTON.** I certainly do.

Mr. **SPARKMAN.** With reference to the amendment offered by the Senator from Pennsylvania, I have discussed the question with him and also in a limited way with the Senator from Texas.

AMENDMENT NO. 352

Mr. **SCOTT.** Mr. President, I call up my amendment No. 352 and ask that it be stated.

The **PRESIDING OFFICER.** The amendment of the Senator from Pennsylvania will be stated.

The legislative clerk proceeded to read the amendment.

Mr. **SCOTT.** Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendment offered by Mr. SCOTT is as follows:

(f) Notwithstanding the date of commencement of construction of the Pulaski, Showalter, and Smedley Junior High Schools, and the William Penn and Stetser Elementary Schools in Chester, Pennsylvania, local expenditures made in connection with such schools shall, to the extent otherwise eligible, be counted as local grants-in-aid for federally assisted urban renewal projects in Chester that will be served by such schools.

Mr. **SCOTT.** Mr. President, the amendment would provide certain needed assistance to the city of Chester, Pa., by providing that certain expenditures made by the city in its various schools and school districts be accredited and counted as local grants-in-aid for federally assisted urban renewal projects in Chester.

I ask unanimous consent that a letter to me from the Chester Redevelopment Authority and another letter from the mayor of Chester be printed at this point in my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CHESTER REDEVELOPMENT AUTHORITY,
Chester, Pa., July 14, 1965.

Attention Mr. Richard W. Murphy.

Re proposed amendment to Housing Act of 1965, Senate bill 2213.

Hon. HUGH SCOTT,
U.S. Senate, 260 Old Senate Office Building, Washington, D.C.

DEAR SENATOR SCOTT: This is in reference to Mayor Gorbey's letter of July 7, 1965, requesting that you use the good graces of your office to introduce an amendment to the proposed housing bill (2213) now before the Senate that is of much import to the city of Chester.

As explained in the mayor's letter, the city of Chester is faced with an extremely high number of substandard dwelling units, an almost impossible unemployment situation, and a very low annual budget that merely allows the city to operate on a status quo basis. Mayor Gorbey and city council have determined that a dynamic all-encompassing urban renewal program is the only solution and the approach to solving our many problems. Through urban renewal, we can remove all of the slum and blighting conditions and replace them with an inventory of good housing, several hundred acres to allow for expansion of existing industry, and provide sites for new industry, a dynamic downtown that is inviting and exciting, which also will provide many jobs for unskilled and semiskilled people in the Chester area, etc.

Chester is today faced with many competing demands for funds. Faced with these demands, it is almost impossible for the city to undertake an expansive urban renewal program that will solve many of its problems. The only solution is to parlay expenditures made by other public entities, much the same as other cities are doing, both small and large, all over the country. For instance, New Haven, Conn., faced many of our same problems in that they had to try to rid the city of its slum and substandard housing, while at the same time undertaking an expansive school construction program. By coordinating urban renewal and school construction, New Haven is demolishing 15 old schools, constructing 14 new schools, and the expenditures for the school construction will meet the cost of urban renewal projects undertaken concurrently with and revolving around the school construction program.

The school board in Chester expended approximately $10 million in recent years constructing school facilities. If such school construction program had been coordinated with urban renewal undertakings, the school credits resulting from such school construction would have met a substantial portion, of the city of Chester's share of a large-scale urban renewal program. The problem lies in the fact that all of this money, except for $371,000, will be lost because the city of Chester was not aware, through ignorance, that such financial credits were possible.

The city spent $50,000 of its own money to plan one project, the Smedley urban renewal project, which allowed the city the opportunity to save a portion of the potential noncash credit. The Smedley Junior High School, which is located in the Smedley urban renewal area, was renovated starting on July 15, 1962. The city of Chester had only until July 15, 1965, in which to save a portion of the $2,100,000 expended on this school. As you know, the Smedley project was approved and the city did save $371,000 of this $2,100,000.

What Mayor Gorbey and city council are requesting in the proposed amendment which is set forth in Mayor Gorbey's letter of July 7, 1965, is a waiver of the 3-year statutory limit so that the city can claim an additional portion or portions of the $1,800,000 that is now lost on the Smedley Junior High School, as well as noncash credits that could arise from expenditures that were made in connection with the Pulaski, Showalter, and Smedley Junior High Schools, and the William Penn and Stetser Elementary Schools. While none of these other schools are within the boundaries of projects for which applications for survey and planning funds have already been submitted to the Urban Renewal Administration, or within proposed projects for which applications will be made in the immediate future, children residing in these potential urban renewal project areas will nevertheless attend these new school facilities. As such, the schools will qualify as supporting facilities, and a substantial portion of the money expended for these schools could qualify as noncash credits to meet the local share of presently proposed urban renewal projects. As you know, the criteria for eligibility does not require that a school facility be located within the renewal project; rather, the credit is based on the total number of children from a redevelopment area going to the school divided by the total capacity of the school.

It is not possible to estimate a specific time period, and thus there is no specific time period set forth in the proposed amendment. With the tremendous amount of importance given to the relocation aspects of an urban renewal project, the city will have to undertake several projects concurrently, depending on the amount of relocation resources that are available, and then move into other urban renewal projects as quickly as possible. The city would receive credit immediately from the Smedley Junior High School and the Stetser Elementary School in connection with the Smedley urban renewal project. The city would also receive a portion of credit for moneys expended for Showalter Junior High School in connection with a project entitled "North-Central Urban Renewal Project," a 170-acre clearance and conservation project for which the Redevelopment Authority requested survey and planning money approximately 8 months ago. As of the moment, the city would find it extremely difficult to undertake any further urban renewal projects in which to meet the locality's share. However, if credit could be forthcoming from the William Penn Elementary School and the Pulaski, Showalter, and Smedley Junior High Schools, there are potentially six or seven other areas in the city of Chester on which the city could proceed on urban renewal projects because there would be noncash credits to help the city meet its financial obligation to the Urban Renewal Administration.

I apologize for being somewhat general in this letter, but it is very difficult to be more specific. In noting other amendments, I do find that the amendments were very general and Mayor Gorbey, city council, and I hope that it is also possible for our amendment to follow closely the language that is suggested by Mayor Gorbey in his letter of July

7. This language is almost identical to that found in the Housing Acts of 1961 and 1964. For instance, following is an amendment to the Housing Act of 1964:

"TITLE X, SECTION 1008

"Eligibility of certain local grants-in-aid

"(a) Notwithstanding the date of commencement of construction of the Fox Point hurricane dam in Providence, Rhode Island, local expenditures made in connection with such dam shall, to the extent otherwise eligible, be counted as a local grant-in-aid to the railroad relocation urban renewal project (Rhode Island R–8) in accordance with the provisions of title I of the Housing Act of 1949.

"(b) Notwithstanding the provisions of section 112(b) of the Housing Act of 1949, expenditures made by the Methodist Hospital of Central Illinois, and Saint Francis Hospital, Peoria, Illinois, for the purchase of two parcels of land on or about June 25 and July 28, 1956, for a price of not more than $82,980, shall if otherwise eligible be counted as local grants-in-aid to the Peoria 'Medical Center' urban renewal project (Illinois R–61) in accordance with the remaining provisions of title I of that Act."

It will be noted that our proposed amendment follows very closely the language as that set forth in section 1008 of the 1964 bill. There is no termination date, and likewise there is no dollar amount set forth in the amendment itself. We would hope that our suggested amendment could therefore follow closely the language as set forth in Mayor Gorbey's letter.

If there is any other specific information that you desire, we will be more than happy to try to obtain such data. I very much appreciate the interest which you have given to this matter and I assure you that the citizens of Chester will join with Mayor Gorbey and the city council in expressing their thanks if it is possible to have this amendment incorporated into the final bill.

Respectfully,

JOHN J. FITZGERALD,
Director of Redevelopment.

CITY OF CHESTER, PA.,
July 7, 1965.

Re proposed amendment to housing legislation, 1965, Senate bill 2213.

Hon. HUGH SCOTT,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR SCOTT: The city of Chester has been in a depression period for almost 15 years. The city, with an oversupply of slum blighted housing, the exodus of several large industries, an unemployment rate of approximately 10–11 percent, a socioeconomic problem arising from the fact that 52 percent of the people in the city over 25 years of age have less than an eighth-grade education, etc., can look only to urban renewal for salvation.

The city of Chester is a poor town, as can readily be seen from the above statistics. As such, the city faces a financial burden in trying to meet its local share of renewal projects. We have recently found out that the city, if it had been knowledgeable in the past, could have utilized moneys expended by our school board for the construction of new schools as a credit toward our local contribution. The problem arises in that these moneys have been expended beyond the 3-year period set forth in the law.

In reviewing the various housing acts, especially the housing bills of 1961 and 1964, I note that waivers were granted for items in various cities so as to allow certain expenditures to be eligible in order to finance the project, even though the expenditures had been made prior to the 3-year limitation. If Chester is ever going to pull out of its present depression period, it must take full advantage of the urban renewal program passed by Congress and must depend for its ultimate success on receiving credit for funds expended by our school board. Accordingly, we would like to request that the following amendment be proposed at such time as the full Senate considers Senate bill 2213:

"PROPOSED AMENDMENT TO SENATE BILL 2213

"Eligibility of certain local grants-in-aid

"Notwithstanding the date of commencement of construction of the Pulaski, Showalter, and Smedley Junior High Schools, and the William Penn and Stetser Elementary Schools in Chester, Pa., local expenditures made in connection with such schools shall, to the extent otherwise eligible, be counted as local grants-in-aids for urban renewal projects that will be served by such schools."

It is my understanding that the housing bill has not yet been scheduled but that it might come before the Senate late next week or the following week. We therefore respectfully request that you present an amendment to Senate bill 2213 that would achieve the results set forth above, which in turn would allow Chester to embark on an ambitious urban renewal undertaking.

Very truly yours,

JAMES H. GORBEY,
Mayor.

Mr. SPARKMAN. Mr. President, I have told the Senator from Pennsylvania that I frankly doubted that his proposal would come under the coverage of the general law. It may be that some of it would. I have told him that since it is not in the House bill and therefore would be in conference, I would be perfectly willing to take the amendment to conference, and in the meantime I shall study it.

Mr. President, I do not direct what I am about to say to the Senator from Pennsylvania. I said something about it yesterday. More amendments relating to individual cases have been offered to the bill, and which were never brought to the attention of the committee, than have ever been previously offered.

Had they been presented as amendments to the bill in the committee, or as separate bills introduced so they would have been before us, we would have had ample time to check into them and find out what the facts were. We had several measures. The bill contains 4 or 5 of those that were introduced and came before the committee and could be considered.

I implore that hereafter action be started well ahead of time while the hearings are in progress so that we may have an opportunity to explore all the measures submitted to us.

I do not direct this statement to the distinguished Senator from Pennsylvania, but point out a general situation.

I am perfectly willing to take the amendment to conference under those conditions.

Mr. SCOTT. I was not furnished this information in time to make it available to the distinguished Senator from Alabama. I call attention of the Senator from Alabama and the Senator from Maine to the correspondence which I have asked to have printed in the RECORD. That cites two or more similar instances in which the officials of Chester, Pa., are certain that similar matters have been taken care of in the past.

Mr. SPARKMAN. I believe the Senator is correct. I believe the Senator will find that it is only a question of time.

Mr. MORTON. I hope that the Senator will give it his most earnest consideration.

The PRESIDING OFFICER. Is all time yielded back?

Mr. SCOTT. Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was agreed to.

Mr. HARTKE. Mr. President, I offer the amendment which I send to the desk. I ask unanimous consent that the reading of the amendment be waived but that it be printed in the RECORD.

THE PRESIDING OFFICER (Mr. RUSSELL of South Carolina in the chair). Without objection, it is so ordered.

The amendment is as follows:

On page 52, between lines 16 and 17, insert a new section as follows:

"LIMITATION ON NONCASH GRANT-IN-AID CREDIT ALLOWED FOR PUBLICLY OWNED PARKING FACILITIES

"SEC. 306. The parenthetical phrase in clause (3) of the first sentence of section 110(d) of the Housing Act of 1949 is amended by striking out 'and' and inserting in lieu thereof a comma, and by inserting at the end thereof (within the parenthesis) the following: ', and publicly owned parking facilities which do not provide free parking'."

Renumber succeeding sections in title III accordingly.

Mr. HARTKE. Mr. President, this amendment is very nearly the same as section 310 of the House bill as passed, H.R. 7984. The Comptroller General suggested the policy which is embodied in this amendment in the 1962 Report of the General Accounting Office, and the change was supported by Housing Administrator Weaver in a letter from which I shall quote, a letter addressed to Representative Rains during the 88th Congress. Mr. Weaver's letter concluded with a statement that the Bureau of the Budget had advised that it had no objection.

The GAO report had this to say:

> In connection with certain slum clearance and urban renewal projects, URA has tentatively allowed noncash grant-in-aid credits amount to $9.3 million for certain land and construction costs applicable to six publicly owned parking facilities. The cities where the facilities are located plan to recover, out of revenues derived from the operations, the entire cost of the parking facilities. The effect of allowing these noncash grants-in-aid will be that the cities will be reimbursed in amounts in excess of the actual costs of the facilities. The entire costs, totaling about $12 million will be recovered through user charges and, in addition, about $6 million will be contributed by the Federal Government as a result of the grants-in-aid being included in the project.

It is quite possible that other projects are similarly affected besides those noted by the GAO in 1962. The further notation made then suggested that Congress "may wish to consider enacting legislation which would amend the Housing Act of 1949, to exclude from noncash grants-in-aid all publicly owned facilities to the extent that the capital costs of such facilities are contemplated to be recovered out of revenues from their operations."

The House bill, in its section 310, provided for the exclusion of "publicly owned parking facilities to the extent that the cost thereof is anticipated to be recovered from revenues."

This conforms with the suggestions made by Mr. Weaver.

The amendment I offer has similar wording, but is somewhat more restrictive in that it would allow only facilities which would be furnished to the public by the municipality for parking on a free basis. The wording is: "publicly owned parking facilities which do not provide free parking."

Federal capital grants which are in effect made available under the noncash provisions are intended to be provided for facilities which support urban renewal projects, such as provision for schools, streets, sewer and water lines, and similar facilities which do not generally, and are not intended to, produce revenue but to serve the public in the area. But parking facilities of the kind to which the GAO report refers are frequently revenue producing and, in the words of the letter from Mr. Weaver to which I referred:

> They provide a service which is often similar to that provided by private enterprise.

Mr. Weaver's letter continues:

> We believe that these problems would be met by the enactment of * * * legislation which would reduce the noncash credit allowable with respect to publicly-owned parking facilities by that portion of their total cost which is anticipated to be recovered from revenues. Thus, * * * appropriate allowance of noncash grant-in-aid credit would continue to be authorized where a municipality desires to provide parking facilities free.

Mr. President, I believe, that it is hardly justifiable for the Urban Renewal Administration to allow in lieu of cash a property which becomes revenue-producing for the municipality while other categories such as schools, hospitals, sewers, and so on, do not. The net effect is a straight giveaway to those cities which set up parking-for-pay facilities. I certainly have no objection to free parking facilities, and I believe they may well be a great boon to the urban renewal project of which they are a part.

I hope the amendment will be adopted.

Mr. SPARKMAN. Mr. President, I wish very much that the Senator from Indiana would not insist upon his amendment. Section 310 was not written into the bill in committee; it is in the House bill. The effect of it not being written into the Senate bill will subject the whole matter to conference.

What is sought to be done by section 310 of the House bill is to amend section 110(d) of the Housing Act of 1949 to provide that publicly owned parking facilities provided by a locality in connection with the redevelopment of an urban renewal area can be counted as local grants-in-aid under the urban renewal program only to the extent that the cost of such facilities is not anticipated to be recovered out of the revenues therefrom.

Mr. HARTKE. Mr. President, will the Senator from Alabama yield for a question?

Mr. SPARKMAN. I yield.

Mr. HARTKE. Is it not true that there would be a windfall for the local community if the House provision were not in the Senate version? I know it is in the House bill.

Mr. SPARKMAN. I do not necessarily agree.

Mr. HARTKE. I am 100 percent for the urban renewal program, but I think it should be conducted on the basis that we have faith in the community. That is what the House bill does. It maintains the two-thirds/one-third ratio. But when that is eliminated from the Senate bill, as I understand has been done, and as I read it, unless I misunderstand it—and I would be willing to be corrected if I am wrong—the truth is that under existing law it would permit the local municipal government to collect revenue over and above that which is allowed in the first place.

Mr. SPARKMAN. As I have said, we can care for this in conference.

Mr. HARTKE. Because it is omitted from the Senate bill.

Mr. SPARKMAN. Yes. Section 310 of the House bill provides that publicly owned parking facilities provided by a locality in connection with the redevelopment of an urban renewal area can be counted as local grants-in-aid under the urban renewal program only to the extent that the cost of such facilities is not anticipated to be recovered out of the revenues therefrom.

Mr. HARTKE. I agree with that.

Mr. SPARKMAN. We are dealing with an exemption.

The House language provides that revenues that are collected shall be deducted from what otherwise would be a credit to the Federal Government. In other words, the amount of such revenues represents that much saving for the Federal Government. The House bill would prohibit the grant-in-aid credit for such facilities. The Senate did not include that provision.

What the Senator from Indiana is seeking to do is to write language into the Senate bill to conform to the language in the House bill.

Mr. HARTKE. The Senator is correct.

Mr. SPARKMAN. I am speaking against that provision at the present moment. It would be in conference between the two Houses. What we seek to do in the Senate is to retain existing law which gives credit to the city for expenditures made by the city for parking facilities.

Mr. HARTKE. Mr. President, as I understood my friend the Senator from Alabama, when he was first discussing this matter, he said that he did not want to permit any greater amount to be recovered than the amount actually expended on the facility.

That is what section 310 of the House bill would do. So far as I am concerned, I would be perfectly willing to accept the House language or any language which would accomplish that purpose. However, I believe that it would be wrong for us to accept an amendment which the House has agreed to, which Mr. Weaver of the HHFA has recommended, and which the General Accounting Office has suggested, and delete anything therefrom.

Mr. SPARKMAN. Mr. President, I would have no objection to what the Senator from Indiana is aiming at—putting them in the business of operating a parking lot. However, the language of the Senator would forbid them from using any free space.

Suppose that the parking lot were available or could provide space for parking, for public facilities, or for public buildings adjacent to it. In my hometown of Huntsville, Ala., a new city hall has just been built, a new police department, a new library, and public buildings. There is an area immediately across the street that probably will not be included in the redevelopment for perhaps 3 or 4 or 5 years.

It is proposed there to utilize that space as a parking lot for the use of those who work or who have business places nearby. It is not intended to be used for commercial purposes at all. It is not intended to complete with commercial property. It could very well be developed, had it not been intended for other development. It could be developed as parking spaces for each individual building, except that the land is not laid out in precisely that way.

Mr. HARTKE. Mr. President, I would have no objection to that. The point that I make is that under the Senate bill, as now written, there would be a windfall to certain cities over and beyond what was intended by the General Accounting Office recommendation, by Mr. Weaver's recommendation, and by the language of the House bill.

If the Senator would limit the amount, as provided by the language in the House bill, to publicly owned parking facilities to the extent that the cost thereof is anticipated to be recovered from revenues, I would have no objection. I do not care what language is used. However, I do not feel that we should tamper with the basic two-thirds to one-third ratio. That is, in effect, what the Senate provision would do.

Mr. SPARKMAN. Mr. President, I do not see how the Senator can argue that the Senate bill would do that when the Senate bill is silent. The Senate bill contains the existing law.

Mr. HARTKE. The Senator is correct.

Mr. SPARKMAN. Our idea is that we would meet in conference with the House and attempt to agree upon a plan that would be acceptable. It might very well be that the proposal of the Senator would be that plan. However, I would not like to be placed in a straitjacket when we go to conference.

Mr. HARTKE. Mr. President, let me read the words from the Comptroller General in the General Accounting Office report of 1962, which deals with the policy of noncash grants-in-aid, and public parking facilities. The language reads:

> In connection with certain slum clearance and urban renewal projects, URA has tentatively allowed noncash grant-in-aid credits amounting to $9.3 million for certain land

and construction costs applicable to six publicly owned parking facilities. The cities, where the facilities are located plan to recover, out of revenues derived from the operations, the entire cost of the parking facilities. The effect of allowing these noncash grants-in-aid will be that the cities will be reimbursed in amounts in excess of the actual costs of the facilities. The entire costs, totaling about $12 million will be recovered through user charges and, in addition, about $6 million will be contributed by the Federal Government as a result of the grants-in-aid being included in the project.

Then the General Accounting Office suggests to Congress:

> It may wish to consider enacting legislation which would amend the Housing Act of 1949, to exclude from noncash grants-in-aid all publicly owned facilities to the extent that the capital costs of such facilities are contemplated to be recovered out of revenue from their operations.

The House took the recommendation of the General Accounting Office which, to me, makes good sense. That would mean that we would not have a windfall. I can see no good reason for the provision being omitted from the bill.

Mr. SPARKMAN. All that I ask is that we be allowed to go to a free conference with the language in the House bill being the proposal that the Senator from Indiana makes. However, do not tie our hands.

If the Senator will withdraw his amendment, I assure him that we shall give the fullest cooperation. However, if the Senator has the provision placed in the Senate bill, we shall be virtually hand tied.

I beg the Senator to let us go to conference with his words ringing in our ears.

Mr. HARTKE. Mr. President, I should like to accede to the request of the Senator from Alabama. However, in good conscience, after offering the amendment which has been recommended as good accounting procedure, I do not see how I could do so.

I should like to have a vote on the amendment.

I yield back the remainder of my time.

Mr. SPARKMAN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Indiana.

The amendment was rejected.

Mr. KUCHEL. Mr. President, after the rather lengthy discussion on yesterday, concerning the amendment I then offered, I have studied the matter further. The views which I then communicated are applicable to the amendment I shall soon offer.

I understand that the able Senator from Alabama will accept my amendment. I have spoken to several interested colleagues on both sides of the aisle—the Senator from Utah [Mr. Bennett], the Senator from Tennessee [Mr. Gore], and the Senator from Michigan [Mr. McNamara], and others.

Having said that, Mr. President, I send to the desk amendments, offered by myself and the senior Senator from New York [Mr. Javits], and the junior Senator from Minnesota [Mr. Mondale]. I ask unanimous consent that the reading of them be waived, and that they be printed in the Record, and then I shall specifically, in plain English, indicate what the amendments are designed to do.

The PRESIDING OFFICER. Without objection, the reading is waived, and the amendments will be printed in the Record.

Mr. Kuchel's amendments, offered for himself and other Senators, are as follows:

> On page 10, between lines 7 and 8, insert the following:
>
> "(c) The third sentence of section 212(a) of such Act (relating to the applicability of the Davis-Bacon Act) is amended to read as follows: 'The provisions of this section shall apply to the insurance under section 221 of any mortgage described in subsection (d)(3) or (d)(4).' "
>
> On page 32, between lines 6 and 7, insert the following:
>
> "(4) Section 212(a) of the National Housing Act is amended by inserting at the end thereof the following new sentence: 'The provisions of this section shall also apply to insurance under title X with respect to laborers and mechanics employed in land development financed with the proceeds of any mortgage insured under that title.' "
>
> On page 76, line 1, strike out "707 and 708" and insert "708 and 709".
>
> On page 78, between lines 8 and 9, insert the following:
>
> "LABOR STANDARDS
>
> "Sec. 807. Title VII of the Housing Act of 1961 is further amended by inserting after section 706 (as added by section 806 of this Act) the following new section:
>
> " 'LABOR STANDARDS
>
> " 'Sec. 707. (a) The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of grants under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Administrator shall not approve any such grant without first obtaining adequate assurance that these labor standards will be maintained upon the construction work.
>
> " '(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).' "
>
> On page 78, line 10, strike out "807" and "707" and insert in lieu thereof "808" and "708", respectively.
>
> On page 78, line 17, strike out "808" and insert in lieu thereof "809".

Mr. KUCHEL. Mr. President, my amendments seek three objectives.

I first seek to amend section 212 of the Housing Act. That section presently restricts the application of Davis-Bacon standards to cooperative housing corporations and limited dividend corporations or other entity, which are mortgagors under section 221(d)(3) of the National Housing Act. I would extend Davis-Bacon to private nonprofit corporations or other entity and public bodies which are mortgagors. To effect this limited wider scope of prevailing wage standards, I amend subsection (d)(3) and (d)(4) of section 221.

The housing law presently exempts family units of 12 or less from Davis-Bacon coverage under sections 220 and 233. My amendment does not affect these sections at all. Section 220, for the information of the Senate, covers rehabilitation and neighborhood conservation housing, generally known as urban renewal. Section 233 deals with experimental housing. I repeat that the 12-unit rule, now the law, applying to both these sections specifically, remains untouched.

My other two amendments do not relate to housing.

My second amendment is offered to title 10, the land development program, under which mortgage insurance will be made available to a land developer. I would apply, by this second amendment, the prevailing wage procedure of the Davis-Bacon Act to this title.

My third amendment is to title 7, land beautification. I would apply the provisions of the Davis-Bacon Act to this program.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. JAVITS. Will the Senator permit me to join my name to the amendment?

Mr. KUCHEL. I am glad to observe that I have placed on the amendment the names of the distinguished senior Senator from New York [Mr. Javits] and the distinguished junior Senator from Minnesota [Mr. Mondale].

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. BENNETT. Yesterday I offered an amendment to the Senator's amendment. I offered my amendment because I misunderstood the purpose of the Senator's amendment. I have the impression that he himself misunderstood it yesterday.

Mr. KUCHEL. There certainly was some confusion on this matter yesterday.

Mr. BENNETT. With the very clear explanation which we have had today, I believe I am safe in saying that the objective I sought yesterday is in fact carried out by this amendment, which was to make sure the Davis-Bacon standards were not implied to single-family units.

Mr. SPARKMAN. As the Senator from California has stated, he has discussed the amendment with me. In fact, between him and his staff and our Housing Subcommittee staff, the language was worked out. I believe the Senator from California has given us a very clear statement. We are willing to accept the amendment. I am willing to yield back the time.

Mr. GORE. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. GORE. I invite the attention of Senators to the degree to which this body operates by consent. When there was general misunderstanding and widespread misunderstanding about the purport and intent and scope of the amendment and controversy arose, I did not wish to see any young American with a wife and children denied the benefit of FHA to build a home and rear his family by reason of an amendment hastily adopted by the Senate. When objections and questions were raised and when a request was made that a consideration of the amendment be postponed, the distinguished able Senator from California himself rose and asked consent to defer action on his amendment until today. Comity prevailed, except perhaps I was a little abrasive in my remarks. If so, I apologize to my dear and trusted friend from California.

I wish he would add my name as a cosponsor of his amendment.

Mr. KUCHEL. First let me say that one of the pleasures I have in the Senate is my friendship with the fine gentleman and my able colleague from Tennessee. No apology is necessary. I express my gratitude for his courtesy.

Mr. President, I ask unanimous consent that the names of the distinguished senior Senator from Tennessee [Mr. GORE] and the distinguished senior Senator from West Virginia [Mr. RANDOLPH] be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, in view of the graciousness between the Senator from Tennessee and the Senator from California, so that the trinity may be completed, I ask that my name be added as a cosponsor.

Mr. TOWER. Put my name on it, too.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the names of the Senator from Rhode Island and the Senator from Texas be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORTON. Mr. President——

Mr. KUCHEL. And the name of the Senator from Kentucky.

Mr. MORTON. No; I am not trying to get into the family. I wish to ask a question.

Does the amendment go beyond the building trades? I am thinking of a quasi-governmental body such as the TVA. Would it have to apply the Davis-Bacon law in buying coal?

Mr. KUCHEL. No.

Mr. MORTON. This has nothing to do with TVA?

Mr. KUCHEL. That is correct.

Mr. President, I yield back all my time on the amendment.

Mr. SPARKMAN. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from California.

The amendments were agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO 322

Mr. TOWER. Mr. President, I call up my amendment No. 322, and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas will be stated.

The legislative clerk read the amendment, as follows:

On page 9, strike out lines 16 through 19 and insert in lieu thereof the following:

"(k) The Administrator shall submit to the Congress annual reports of operations under this section, together with his recommendations with respect thereto. Such reports shall be submitted on or before January 1 of each year."

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. TOWER. I yield myself 30 seconds.

The purpose of this amendment is to require the Administrator of the HHFA to furnish the Congress with a report on the status of the rent supplement program at the end of each year. The report should not be limited to statistical information, but should delve into administrative problems, both experienced and anticipated successes and failures, including an evaluation of the attitude of the sponsors of projects participating in the rent supplement program.

Voluminous testimony was heard by the Housing Subcommittee on this vast undertaking. A considerable amount of it was negative, but the most impressive part of all was that some of the most ardent supporters of the program were uninhibited in their skepticism toward the administration launching such a monumental program in which absolutely no experience has been had. A most articulate and knowledgeable person in the field of housing and housing management, Ira S. Robbins, president of the National Association of Housing & Redevelopment Officials, told the subcommittee:

> The rent supplement plan is advanced as the "most crucial instrument in our effort to improve the American city," yet this plan, which at least is administratively cumbersome and socially indefensible, came to the Congress without any review of testing by the various local operating agencies that should administer the program.

The adoption of my amendment will at least put the Congress in an advised and enlightened position to better protect the taxpayers against an unleashed spending program such as this one.

Mr. President, I have spoken in little detail considering the magnitude and unwieldiness of the rent supplement program as we are considering it here today. I had hoped that the subcommittee could have had extensive hearings on the subject and then recommended the enactment of a cautiously laid out program on an experimental basis which could be expanded judiciously as experience showed us the way.

Mr. President, I yield back my time.

Mr. SPARKMAN. Mr. President, I am glad to accept the amendment. I yield back my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Texas [Mr. TOWER].

The amendment was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MUSKIE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 338

Mr. TOWER. Mr. President, I call up my amendment No. 338.

The PRESIDING OFFICER. The amendment offered by the Senator from Texas will be stated.

The legislative clerk proceeded to read the amendment.

Mr. TOWER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. TOWER (No. 338) is as follows:

On page 46, between lines 6 and 7, insert a new section as follows:

"FHA MORTGAGE FINANCING FOR VETERANS

"SEC. 214. (a) Section 203(b)(2) of the National Housing Act is amended—

"(1) by striking out 'and not to exceed' and inserting in lieu thereof 'and (except as provided in the last sentence of this paragraph) not to exceed'; and

"(2) by adding at the end thereof the following new sentence: 'If the mortgagor is a veteran (as defined in section 101(2) of title 38, United States Code) who has not received any direct, guaranteed, or insured loan under laws administered by the Veterans' Administration for the purchase, construction, or repair of a dwelling (including a farm dwelling) which was to be owned and occupied by him as his home, and the mortgage to be insured under this section covers property upon which there is located a dwelling designed principally for a one-family residence, the principal obligation may be in an amount equal to the sum of (i) 100 per centum of $20,000 of the appraised value of the property as of the date the mortgage is accepted for insurance, and (ii) 85 per centum of such value in excess of $20,000.'

"(b) Section 203(b)(9) of such Act is amended by inserting after 'on account of the property' the following: '(except in a case to which the last sentence of paragraph (2) applies)'."

Mr. TOWER. Mr. President, I ask that the names of the Senator from New York [Mr. JAVITS] and the Senator from Illinois [Mr. DIRKSEN] may be added to the amendment as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, the purpose of the amendment is to establish a new mortgage insurance program for veterans under the Federal Housing Administration.

With the inclusion of this amendment in the bill, the FHA would insure 100 percent of the first $20,000 value of a home mortgage, and 85 percent of any additional value to the present FHA maximum of $30,000. In effect, this would mean a veteran would be able to have a no-downpayment insured mortgage for the first $20,000 and would have to have only a 5-percent downpayment for a $30,000 home. The standard FHA interest rate, which is the same rate under the VA programs, plus an additional one-half of 1 percent to cover insurance costs, would be charged.

Those covered by the amendment are veterans having had active military service, who have been discharged or released from service under conditions other than dishonorable. The amendment would not apply to veterans who have received any direct, guaranteed, or insured loan under any Veterans' Administration program for the purchase, construction, or repair of his residential property. Those veterans not using up their eligibility under the Veterans' Administration loan program would be eligible for the FHA program.

In the past 20 years, almost 6½ million veterans of World War II and the Korean war have availed themselves of the loan guarantee program administered by the Veterans' Administration. Some $60.2 billion in mortgage loans has been guaranteed, with only 2.5 percent of the loans resulting in default.

The veterans home program has been a good one, for not only our veterans, but for our homebuilding industry and entire economy as well.

Some 12¾ million veterans remain eligible for the VA program, but their eligibility under the law is phasing out. Present law provides for a 10-year eligibility from the date of discharge plus 1 year of eligibility for each 3 months of active duty. For World War II veterans, eligibility expiration began July 5, 1962, for Korean war veterans, eligibility expiration began January 31, 1965. Thus the phasing-out process has begun, and will be completed for World War II veterans in July of 1967, and in case of Korean veterans on January 31, 1975.

The new program I offer here will cover both those who have never been eligible for VA benefits as well as those who have not yet used their eligibility.

The economic aspect is important, too. Certainly, many servicemen now being discharged cannot afford present downpayments, yet these servicemen represent a tremendous potential for the homebuilding market, a vital segment of our national economy.

Under the amendment I offer, some 21 million veterans would be eligible for mortgage insurance. If 35 percent of these veterans use the new program, which is the percentage of eligibles using the VA program, then we could expect approximately 6½ million new housing starts.

Mr. DOUGLAS. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield.

Mr. DOUGLAS. May I inquire of the Senator whether his amendment provides for any downpayment by veterans?

Mr. TOWER. No.

Mr. DOUGLAS. No downpayments.

Mr. TOWER. No downpayments up to $20,000.

Mr. DOUGLAS. Are veterans who were not in combat eligible as well as veterans who were in combat?

Mr. TOWER. Yes, provided they were war veterans.

Mr. DOUGLAS. How long a period of time do the veterans have to serve before they would be eligible? One day? Ten days? Thirty days? Sixty days? Ninety days?

Mr. TOWER. The same regulations as apply to the Veterans' Administration.

Mr. DOUGLAS. What are they?

Mr. TOWER. I will provide the Senator with that information.

Mr. DOUGLAS. I was told it is 90 days.

Mr. TOWER. I believe that 90 days is correct.

Mr. DOUGLAS. Are veterans of World War I eligible?

Mr. TOWER. Veterans of World War I would be eligible.

Mr. DOUGLAS. Veterans of the Spanish-American War?

Mr. TOWER. Spanish-American War. If veterans wish to go out and build a home, they would be eligible.

Mr. DOUGLAS. Veterans of the Indian Wars?

Mr. TOWER. Veterans of the Indian Wars, if any survive. Also the Civil War, if any are left.

Mr. DOUGLAS. For several years the Republicans have charged that FHA insurance reserves were being jeopardized because, under the liberalized terms permitted on FHA mortgages, unsound loans were being made to veterans and others, that the downpayments were too low, and the maturities were too long. Now we find them preparing an amendment which would radically liberalize the terms on FHA mortgages for all veterans.

Is this a vote-catching amendment, or is it an honest, bona fide amendment intended to help deserving veterans?

It looks to me as though it is a flycatcher.

Mr. BENNETT. Mr. President, let me ask the Senator from Alabama a question. Is not this amendment in the House bill?

Mr. SPARKMAN. Yes, it is in the House bill. One thing that concerns me about the Senator's amendment is the fact that he is offering the identical language in the House bill and there would be no room to work things out if we go to conference. It seems to me the amendment should have more work done on it.

Mr. TOWER. I would be glad to consider any modification the Senator might wish to make.

Mr. DOUGLAS. Let us kill the whole amendment and then work on it in conference.

Mr. SPARKMAN. Of course, that would be very good. If the amendment were withdrawn, the issue then would be wide open and we could write in anything we wished. I did draft an amendment to the Senator's amendment, but I did it purely to give us maneuvering room at the conference table.

Mr. TOWER. As I remember, the Senator from Alabama has proposed that $15,000 rather than $20,000 would be the base amount.

Mr. SPARKMAN. Yes; the Senator is correct.

Mr. TOWER. And 90 percent of value in excess of $15,000—as between $15,000 and $20,000, and so forth. That sounds reasonable to me and I am prepared to accept that modification.

Mr. SPARKMAN. There is one other modification——

Mr. TOWER. This would apply to veterans after September 16, 1940, which would render veterans of World War I, the Spanish-American War, the Indian Wars, and the Civil War ineligible.

Mr. SPARKMAN. I must confess that this is unusual, because I am a World War I veteran and I would be cutting myself out by suggesting this.

Mr. TOWER. I wish the Senator had not said that, because I am a World War II veteran and I am including myself in.

Mr. SPARKMAN. But I am denouncing self-interest by cutting myself out.

Mr. DOUGLAS. Let me say that I believe we have much more room for flexibility and maneuvering if we rejected the amendment outright. The Senator from Ohio just told me that he thought my use of the term "kill" a moment ago was a bit too severe. I should say let us "reject" the amendment.

Mr. LAUSCHE. I said that to the Senator from Illinois because it does not harmonize with his gentility and general character.

Mr. DOUGLAS. May I ask that the former word "kill" be eliminated and that the term "reject" may be included. The Senator from Alabama is a conciliator par excellence, and I do not wish to interfere with his tactics. Therefore, I shall accept the amendment.

However, I do wish to say that this illustrates a very bad political tendency. It is a position which the Democratic Party at times has been guilty of being in, when President Eisenhower was at the White House; namely, loading down a bill with all kinds of exemptions and special privilege and then denouncing the bill because of its contents which the minority insisted on putting in.

Therefore, I shall yield and not object to the amended provision.

Mr. TOWER. Let me say to the Senator from Illinois that all we are doing here is following a policy followed by the Veterans' Administration. The program was inaugurated after World War II, under a Democratic administration. I certainly wish to give credit where credit is due.

Mr. DOUGLAS. There should be a way for veterans to get established and move into homes. Most of the veterans have now had 20 years in which to get assimilated into civilian life. This is not so true of Korean war veterans but, on the whole, peacetime military service has not been onerous.

I am going to vote for the bill sponsored by the Senator from Texas [Mr. YARBOROUGH] on education, but it disturbs me to see this practice of loading down a bill with all kinds of extra expenses and then using those very items which have been incorporated in the bill as reasons why the bill should be voted against. This practice should stop, whether from our side of the aisle or from the other side of the aisle.

Mr. TOWER. Mr. President, I should like to modify my amendment to conform it to the suggestions made by the Senator from Alabama.

The **PRESIDING OFFICER.** The Senator modifies his amendment accordingly.

Mr. TOWER. Mr. President, my amendment as modified, is now pending. I am ready to yield back the remainder of my time.

Mr. SPARKMAN. I wish to say a word about keeping the amendment in, to answer what the Senator from Illinois has said. In the form in which I suggested it be modified there is ample maneuvering room for conference. It would require that there be something done on the veterans matter. I do not believe that is bad. For several years there has been some agitation toward combining the veterans housing programs into FHA housing program. Three years ago we passed the phasing out plan for veterans housing programs. Since that time our boys have gone to Vietnam and the Dominican Republic and to other places. After all, the Korean war provision does not phase out completely until 1975. This amendment makes it possible for veterans to use FHA, which I believe will be a good thing.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. TOWER. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. It has been argued that the authorization for 240,000 public housing units covering a period of 4 years, at 60,000 each year, and the authorization for the subsidizing of rents, would destroy the incentive of individuals in our country to own their own homes. How does the Senator from Texas reconcile his proposal for a subsidy for the veterans—and I am a veteran—with that argument?

Mr. TOWER. Mr. President, this is not a subsidy.

Mr. LAUSCHE. I understand it is a guarantee.

Mr. TOWER. It is a guarantee. The VA experience is that only 2.5 percent are in default. This is counter to the rent supplement, which in my opinion destroys the incentive to home ownership. This is an incentive to home ownership.

Mr. LAUSCHE. Why should a veteran with a modest income wish to avail himself of what the Senator from Texas proposes, when he could go into a public housing unit or get subsidized rent?

Mr. TOWER. Well, I think it is the desire to own one's own home.

Mr. LAUSCHE. I concur in what the Senator says. I shall not prolong the debate.

Mr. DOUGLAS. Mr. President, I shall vote for this compromise, but before I do I wish to be assured by the Senator from Texas, who is so zealous to maintain the integrity of the FHA insurance reserves, whether he thinks the amendment will jeopardize the FHA insurance reserve.

Mr. TOWER. I do not think it will.

Mr. DOUGLAS. I shall vote for the amendment, but I do not want to hear the Senator take the stump during the next year and contend that the reserve of the FHA is in jeopardy. Under those conditions I shall not object to the amendment, and shall vote for it.

Mr. SPARKMAN. I yield back the remainder of my time.

Mr. TOWER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired.

The question is on agreeing to the amendment, as modified, offered by the Senator from Texas.

The amendment, as modified, was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I send to the desk an amendment and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. On page 45, beginning with line 10, strike out all through line 6 on page 46.

Mr. SPARKMAN. Mr. President, the Senator from Illinois earlier referred to me as a conciliator. This is a conciliation amendment. There were two provisions in the bill that were in some controversy. The Senator from Texas was prepared to strike one. The Senator from Illinois was prepared to strike the other. The two Senators have agreed that I offer an amendment to strike both.

Mr. TOWER. Mr. President, I am perfectly amenable to this procedure, provided that my distinguished friend from Illinois is in favor of it also.

Mr. DOUGLAS. Yes, it is agreeable to me.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. SPARKMAN].

The amendment was agreed to.

Mr. JAVITS. I call up my amendment No. 347. I offer it in behalf of myself and my colleague from New York [Mr. KENNEDY], the Senator from Illinois [Mr. DOUGLAS], the Senator from Pennsylvania [Mr. CLARK], and the Senator from New Jersey [Mr. CASE].

The **PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. On page 54, line 24, after "by" insert the following: "striking out '$50,000,000' and inserting in lieu thereof '$100,000,000 for each fiscal year', and by".

On page 55, between lines 5 and 6, insert the following:

> (c) Section 312 of such Act is further amended by adding at the end thereof the following new subsection:
>
> "(h) No loan shall be made under the authority of this section after October 1, 1969, except pursuant to a contract, commitment, or other obligation entered into pursuant to this section before that date."

Mr. JAVITS. Mr. President, I yield myself 3 minutes to explain the amendment. Section 308 of the bill provides low interest rate—3 percent—rehabilitation loans that can be made for the improvement of properties in an urban renewal area.

In order to have the rehabilitation loan program do its share, the authorization for that purpose was established in the 1964 Housing Act at $50 million. All of the funds have now been appropriated. It is included into the Independent Office Appropriation in both the House and in the Senate following appropriation of loan funds in the second supplemental appropriation act of fiscal year 1965. The House report referred to the program as a useful, and important one which was supported by considerable testimony in the record of hearings.

The House left this program without a ceiling. It took off the $50 million ceiling. However, the House, in its report, said that the proper amount to be filled in here was at least $100 million per year.

As we in the Senate always like to have things go out with a firm ceiling, I believe this is the proper way in which to do it. At the same time the increased limit gives some feeling of definiteness and assurance to the many thousands who are involved in this particular program, and responds to the type of strong testimony which substantiated the program, not only before the Banking and Currency Committees, but also before the Appropriations Committee.

I have taken this amendment up with the majority and minority. I understand that by way of fixing a ceiling before the matter leaves the Senate this is the desirable thing to do. The program of rehabilitation loans in support of local rehabilitation efforts in urban renewal areas, sponsored in the House by Congressman WIDNALL, deserves strong backing.

Mr. SPARKMAN. Mr. President, the Senator from New York has explained the amendment. I am willing to take it to conference.

I yield back the remainder of my time.

Mr. JAVITS. I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from New York [Mr. JAVITS].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOUGLAS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I also call up my amendment No. 348.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 22, between lines 4 and 5, insert a new section as follows:

STUDY CONCERNING RELIEF OF HOMEOWNERS IN PROXIMITY TO AIRPORTS

Sec. 109. The Housing and Home Finance Administrator shall undertake a study to determine feasible methods of reducing the economic loss and hardship suffered by homeowners as the result of the depreciation in the value of their properties and possible methods of abating noise from aircraft in such housing following the construction of airports in the vicinity of their homes. Findings and recommendations resulting from such study shall be reported to the President for transmission to the Congress at the earliest practicable date, but in no event later than one year after the date of enactment of this Act.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. The purpose of the amendment is to focus much needed attention on the plight of the homeowner near airports where the homeowner finds his property reduced in value by virtue of aircraft noises. The amendment also directs a study at one and the same time of what might be done in the housing construction field to see if such aircraft noises could be reduced.

The reason that I have been moved to suggest my approach—which, as I emphasize, involves a study, the report on which shall be rendered as soon as practicable but in no event later than 1 year—is that there is a very grave problem here. In my particular part of the country there are a number of airports surrounding New York, and undoubtedly there will be more—and other Senators will have the same problem in their areas we found in our research that in England it was finally decided, after considerable inquiry, that a great deal could be done to abate aircraft noises by the method of home construction. A report prepared for the Parliament by a committee on the problem of noise proposed a grant program to help people seriously disturbed near airports to improve dwellings.

There seems to be no reason why there should be a damaging depreciation of home values because the homes are located near airports. Based upon that precedent, instead of trying a specific detailed program—because I felt we should proceed to get the Administrator of HHFA to dig into the problem and to bring back some word as to what might be done, and then we can decide whether we want to do it or not. The House report urges a study of the question of depreciation of homes near airports and urges that it be the subject of subcommittee hearings.

Mr. SPARKMAN. Mr. President, the Senator from New York has been in discussions with me on this subject. We have told him that we would be willing to take the amendment to conference. There is no such provision in the House bill. The amendment would give us an opportunity to explore the situation.

I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I wish to express my appreciation to the Senators in charge of the bill, who have no doctrinaire views on amendments because they necessarily come from Senators who at the moment are not members of the committee. They are most wise and fair in their judgment as to how they handle these questions. I thank the Senators.

Mr. MUSKIE. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Maine will be stated.

The Legislative Clerk. On page 46, between lines 6 and 7, it is proposed to insert the following:

MORTGAGE LIMITS FOR HOMES UNDER SECTION 203(b)

Sec. 214. Clause (iii) of section 203(b)(2) of the National Housing Act is amended by striking out "75 per centum" and inserting in lieu thereof "85 per centum".

Mr. MUSKIE. Mr. President, I have discussed the amendment with the distinguished Senator from Alabama. The amendment would cover a problem in relation to the FHA program that is not covered in either the House bill or the Senate bill as they now stand. The purpose of the amendment is to take the problem to conference.

The sole effect of the proposed amendment is to increase slightly the ratio of mortgage to value on homes valued between $20,000 and $30,000—which latter figure remains as the maximum permissible value of a home eligible for an insured mortgage. Thereby, of course, the downpayment required on such homes is correspondingly reduced.

When the mortgage ratio schedule now in effect was enacted, a $15,000 to $20,000 home was considered as typically available for so-called moderate-income families and ratios were so devised to favor that bracket, with homes in excess of that valuation requiring substantially higher downpayments.

Since then, increased costs—particularly land costs and higher street and land development requirements—and the public demand for larger and better equipped homes have now moved the typical modest home bracket in many areas from $15,000 to $20,000 to $20,000 to $30,000.

Downpayments now required by the act for the latter bracket in some cases are no less than—and frequently are the same or more than—available in practice on an uninsured loan. For example, federally chartered savings and loan associations—without benefit of insurance on the loan on FHA inspections—may lend 90 percent on the first $25,000 of value and 80 percent on the excess up to $30,000.

The amendment would make the downpayment on an FHA-insured loan on a home valued at $20,000 to $30,000 more suitable to the realities of today's new home market, and more nearly in conformity with the practice on uninsured loans.

I should like to ask the Senator from Alabama for his comment.

Mr. SPARKMAN. Mr. President, I have considered the subject. I believe the Senator has correctly stated it. A hardship would be placed on the purchasers of homes in that price bracket. There are areas in the country where it is difficult to buy a home at a lower price than an amount between $20,000 and $30,000, or even between $15,000 and $30,000. The amount of the downpayment is quite steep. The amendment would give some relief—not a great deal—I believe about $500. So far as I am concerned, I am willing to accept the amendment.

Mr. MUSKIE. I have discussed the amendment with the Senator from Texas. I understand that he is agreeable to the amendment.

Mr. TOWER. I am agreeable.

Mr. MUSKIE. Mr. President, I yield back the remainder of my time.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Maine.

The amendment was agreed to.

Mr. CLARK. Mr. President, I ask the Senator in charge of the bill to yield me 20 minutes.

Mr. SPARKMAN. I yield 20 minutes to the Senator from Pennsylvania on the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 20 minutes.

Mr. CLARK. If I might have the attention of the Senator from Alabama, I should like to ask a couple of questions in connection with the bill.

I wonder if the Senator does not agree with me that one of the best ways to attack both the employment and the environmental aspects of poverty is through a self-help program. In other words, does not the Senator agree that we could make substantial progress in terms of both employment and the war against poverty if we could encourage, through the housing program, the rehabilitation of dwellings by self-help?

Mr. SPARKMAN. The Senator is correct. This may not be completely analogous, but the Senator will remember that at the time we were in a recession—in the 1957–58 period. I introduced a bill entitled the Emergency Housing Act of 1958 which made $1 billion available to the Federal National Mortgage Association with which to purchase a certain class of mortgages with low downpayments. It provided nearly a hundred thousand homes.

Mr. CLARK. I believe the Senator will recall that I was a cosponsor of that bill.

Mr. SPARKMAN. The Senator from Pennsylvania was a cosponsor. He remembers quite well that under that legislation some 100,000 homes were built. That program was undertaken to relieve unemployment.

I have always believed that the Emergency Housing Act of 1958 was probably the greatest single factor in the recovery from that recession.

I believe that it is analogous because there is nothing that provides jobs better than the construction and rehabilitation of homes.

Mr. CLARK. I agree with the Senator. I am wondering whether, seriously, we should not encourage, over the long run, legislation in the housing field which would encourage the rehabilitation of existing housing, which inevitably provides instruction in basic skills associated with renovation without displacing employed labor.

Mr. SPARKMAN. I believe the Senator is correct. It would be good for us to encourage self-help and the rehabilitation of homes.

Mr. CLARK. The program would involve teaching skills to those out of work and living in substandard housing at the same time they rehabilitate their own house. That is of particular interest to me as chairman of the Subcommittee on Employment and Manpower.

I would therefore suggest, if the Senator concurs, that we should encourage the HHFA to integrate this housing program, particularly this community action program, to the maximum possible extent with the efforts of the Office of Economic Opportunity, which is waging the war on poverty, and which is headed by Mr. Shriver. Would not the Senator agree that that would be a wise administrative action to take?

Mr. SPARKMAN. I have not given thought to it, but my offhand opinion would be that it would be a very good move.

Mr. CLARK. I point out that such a program initiated voluntarily as long ago as 1952 by the Society of Friends was quite successful, it seemed to me. I hope that the Senator will agree that the proposed method of combating both urban decay and unemployment might well be fostered and encouraged by the Johnson administration.

Mr. SPARKMAN. I think it would be a good program.

Mr. CLARK. I presume the Senator shares my satisfaction with the increased emphasis on the rehabilitation of older houses, reflected in the bill. As President Johnson has pointed out, "it is often possible to improve, rebuild, and rehabilitate existing homes with less cost and less human dislocation" than is entailed in new construction.

Does not the Senator from Alabama agree that the supplemental rent program should be used to encourage nonprofit and limited-profit organizations to rehabilitate older housing for low-income tenants, instead of necessarily building new housing all the time?

Mr. SPARKMAN. This could be looked into. There are complications. I am sure the Senator from Pennsylvania would agree with me that there are some things that would need to be worked out in that kind of program, but I think they could be worked out.

Mr. CLARK. I thank the Senator from Alabama for his helpful intervention.

Mr. President, I ask unanimous consent that I may yield, without losing my right to the floor, to the Senator from Iowa [Mr. Miller] and the Senator from Oregon [Mr. Morse], to permit them to offer an amendment.

Mr. MORSE. Mr. President, I merely happen to be a cosponsor of the amendment. It is the Miller amendment. I do not know whether the Senator from Iowa is ready to present it yet or not.

Mr. SPARKMAN. The amendment has now become lost. I shall find it quickly, though.

Mr. CLARK. Mr. President, a parliamentary inquiry. I am perfectly willing to wait until after the third reading of the bill to make the speech I have been trying to make all day.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. MORSE. The proceedings have been moving so fast that I have not been able to keep up with the latest move. The Senator from Iowa [Mr. Miller] offered and I cosponsored an amendment to the last housing bill that was before the Senate. The last I knew was that the Senator from Iowa was working with members of the staff of the Senator from Alabama to see if a modification of the amendment might be acceptable. Has that modification been agreed to? If so, I shall be willing to place my statement in the record, and perhaps the Senator from Iowa would be willing to place his statement in the record, too.

Mr. CLARK. Mr. President, would the Senator from Alabama suggest that I continue with my speech, or is he about ready to make a decision?

Mr. SPARKMAN. I believe the Senator from Iowa is ready to proceed.

Mr. CLARK. Mr. President, without losing my right to the floor, I yield to the Senator from Iowa.

AMENDMENT NO. 349

Mr. MILLER. Mr. President, for myself and on behalf of the Senator from Oregon [Mr. Morse], I call up amendment No. 349, as modified. I ask unanimous consent that the amendment, as modified, not be read but that it be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 55, after line 5, insert the following new subsection:

"Sec. 309. (a) Section 110(c) of the Housing Act of 1949 is amended by striking out the third sentence and inserting in lieu thereof the following: 'For the purposes of this title, the term "project" shall not include (except as provided in paragraph (7) above) (A) the construction or improvement of any building, or (B) the acquisition, disposition, or demolition of any building other than a substandard building. The term "redevelopment" and derivations thereof shall mean development as well as redevelopment.'

"(b) Section 110 of such Act is further amended by adding at the end thereof a new subsection as follows:

"'(1) "Substandard building" means any building other than a building (1) which can be economically improved or modified to meet requirements reasonably established by the local public agency for integration into an urban renewal plan, and (2) whose owner or lessee agrees within thirty days from date notice is received from the agency, and presents satisfactory evidence that he is willing and able, to make such improvements or modifications within a reasonable time limit set by the local public agency.'"

Mr. MILLER. Mr. President, the amendment would merely amend the definition of the term "project" contained in the Housing Act of 1949 to preclude Federal assistance for the acquisition, disposition, or demolition of any building other than a "substandard building." The amendment defines "substandard building" as any building other than a building, first, which can be economically improved or modified to meet requirements reasonably established by the local public agency for integration into an urban renewal plan, and second, whose owner or lessee promptly agrees, and presents satisfactory evidence that he is able, to make such improvements or modifications within a reasonable time limit set by the local public agency.

Since we are dealing with legislation concerning urban renewal, we are affecting the homes and places of business of a great many people. Therefore, it is our belief that some practical guideline should be specified in the law for appropriate administrative officials to follow.

The Housing and Home Finance Agency has provided in its regulations—chapter 1, Selection and Treatment of Project Areas—some guidelines for clearance and redevelopment as follows:

> The necessity for clearance of a project area, or of any part thereof, must be satisfactorily demonstrated in all cases. If conditions warranting clearance do not exist, the appropriate treatment will be conservation and rehabilitation which may include spot clearance.
>
> The local public agency must also (1) show that the extent of clearance proposed is warranted, and (2) fully justify the acquisition of individual parcels of basically sound property which involves high-acquisition costs and might not be incompatible with land use proposals. Every possibility must be explored to develop an urban renewal plan which permits a maximum number of sound structures to remain in the area.
>
> HHFA will not concur in the acquisition for demolition of property that is:
>
> 1. Of such quality and potential use that its retention is compatible with the achievement of the urban renewal plan objectives for the project area.
> 2. Capable of being improved and successfully integrated into the project.

Unfortunately, however, these regulations have not always been complied with. The most notorious example of the failure to follow these regulations is pointed out in the report of the General Accounting Office on the Urban Renewal Administration's approval of funds for the Erieview urban renewal project in Cleveland. The GAO stated that many buildings were torn down that need not have been demolished. It found that only 24 buildings in the area were substandard in contrast to the 84 substandard buildings cited in the Urban Renewal Agency's approval of funds.

Another example can be found right here in the Nation's Capital. Subcommittee No. 4 of the House Committee on the District of Columbia, under the chairmanship of Representative DOWDY, spent a great deal of time conducting hearings on the matter of urban renewal in the District of Columbia area. The results of the investigation of the Columbia Plaza project in the District raise serious questions about the grant of discretion which Congress has made to nonelected administrative officials and about the direction which future urban renewal should take. It is my understanding that the House District Committee's hearings are being printed now and will be available in the very near future.

In the meantime, I would invite attention to the rather shocking statistics set forth in a summary of the findings by Representative DOWDY appearing on pages 25234–25237 of the CONGRESSIONAL RECORD, volume 109, part 19.

In its report on the Erieview project—on page 35—the GAO made the following recommendations for the Administrator, HHFA, and the Commissioner, URA:

> 1. Revise the criteria governing the eligibility of areas for large-scale demolition to more clearly define the condition "substandard requiring clearance" and to relate this condition solely to the structural condition of the specific buildings being considered.
>
> 2. Clarify the criteria for Federal participation in proposed large-scale demolition projects to provide that, if an area does not have a significant number of structurally substandard buildings, expenditure of Federal funds shall be limited to other feasible but less costly forms of urban renewal (e.g., rehabilitation and spot clearance).
>
> 3. Obtain more effective administration, at all levels, of URA's established policy that the Government will not share in the cost of acquiring and demolishing properties which can be improved and successfully integrated into a project.
>
> 4. Require thorough examination by qualified HHFA personnel of the condition of structures in proposed project areas before such areas are approved for large-scale demolition.
>
> 5. Review the proposed demolition of buildings in project I—Erieview—with the view toward retaining those buildings that can be successfully integrated into the project.

Commissioner William L. Slayton of the URA commented on the GAO report on the Cleveland Erieview project in a letter to the chairman of this subcommittee as follows:

> Neat rules based on the structural condition of buildings or on the number of structurally substandard buildings in an area have an appeal in an engineering or accounting sense. I believe, however, that they would be self-defeating through vitiating the flexibility needed for a positive approach to urban renewal. They would work to prohibit clearance which may be required to achieve the objectives of a sound urban renewal plan. They also could make it extremely difficult for a local public agency to prepare and carry out an urban renewal plan that meets the objectives of the Federal statute as I understand them.

Our amendment would carry out the GAO recommendations. It would not vitiate the flexibility needed for a positive approach to urban renewal unless the redevelopment plans are designed to destroy property rights on a whimsical basis. It would not hamper those seeking to develop our urban areas who really wish to give recognition to the policy that buildings which can be integrated into a plan should be preserved, even though they may require some modifications. If modifications can be made economically to those buildings to meet reasonable requirements, and if the owners are ready, able, and willing to do so within a reasonable period of time, we believe it would be contrary to good policy for the Government to acquire such buildings for demolition.

From the statement in his housing message of January 27, 1964, that "Rehabilitation and preservation of existing housing wherever possible is a key element in the urban renewal process today," it appears that President Johnson agrees.

I want to emphasize the almost absolute power which the legislative branch has in this area.

In 1954, the Supreme Court rendered a decision in the case of *Berman* v. *Parker*, 348 U.S. 26, approving the public taking of property which was not substandard or slum property because it happened to be in an area covered by a redevelopment plan; moreover, the fact that the public taking was followed by sale for private use in conformity to the plan was held to not disqualify it under the "public use" requirement of the Constitution. The Court declared:

> Subject to specific constitutional limitations, when the legislature has spoken, the public interest has been declared in terms well-nigh conclusive. In such cases the legislature, not the judiciary, is the main guardian of the public needs to be served by social legislation, whether it be Congress legislating concerning the District of Columbia or the States legislating concerning local affairs. This principle admits of no exception merely because the power of eminent domain is involved. The role of the judiciary in determining whether that power is being exercised for a public purpose is an extremely narrow one.

Aside from the constitutional requirements of due process and just compensation, then, the legislature holds in its hands absolute power over urban renewal.

It seems to me that property owners are entitled to the protection which would be provided by the guidelines we propose in our amendment. If Congress were to enact this legislation, an aggrieved property owner who did not think his property should be condemned for an urban renewal project could go into court. In the condemnation proceeding, the local public agency would have to show that the building to be acquired and demolished was "substandard." In that connection the agency must prove that the building could not be economically improved or modified to meet the requirements, which it had reasonably established, for integration into the plan; or, if the building could be economically modified, the Agency would have to show that the owner refused to do so.

This is not a very large burden of proof to put on an administrator who wishes to be fair. In our zeal for improvements for the public good we should never forget that government exists primarily for the individual, and individual rights should be protected.

In conclusion, Mr. President, I would like to point out that I am not questioning the dedication of our administrative officials engaged in urban renewal. We all know, however, that to err is human. One reason we serve in Congress is to enact laws so that there will not be as many errors as there might otherwise be. That is why we have tried to devise an amendment to prevent a repetition in other parts of the country of poor administrative judgment as evidenced by the allotting of funds for the Erieview project in Cleveland and the Columbia Plaza project in the District.

Mr. MORSE. Mr. President, many aspects of urban renewal have not been resolved, despite the rising need for the upgrading of much of our metropolitan areas.

One of the difficulties many of us have in supporting, not the theory but some of the practice of, urban renewal has been the frequency with which private property is taken for an urban renewal project even though the property may not itself be substandard, or when an owner is willing to upgrade his property to the required level.

We know that urban renewal hinges in large part upon the use of eminent domain to take over large tracts of land. But very often the public authority is exercised to take property from one private owner and turn it over to another private owner—a developer—who has a redevelopment plan that has been adopted by the city for its own.

This principle becomes downright painful when the original property owner holds well maintained property, or when he is ready to remodel or improve his property to bring it up to the required level.

The amendment we are offering would permit such an owner to retain his property under those conditions, and when it fits into the renewal plan. I think that is a very reasonable standard.

It is reasonable not only from the standpoint of equity, but from the standpoint of the criticism that is growing about urban renewal, which is that it too often razes a monotony of substandard buildings, only to erect a monotony of new buildings.

There is not a single redevelopment area I know anything about that does not contain many buildings that would lend variety both of appearance and function to a redeveloped community if they could be preserved. Some of the provisions in this bill seek to place greater emphasis than previously upon rehabilitation as an alternative to complete razing and reconstruction. It does this by raising the rehabilitation grants to low-income homeowners in urban renewal areas.

We should accompany that provision with an assurance that if the property is well maintained, or is to be rehabilitated, and if function is within the terms of the renewal plan, the property may remain in the hands of its owner without being automatically condemned and leveled.

Mr. MILLER. Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, there is no similar provision in the House bill. The modification, I think, could be lived with. It is agreeable to me to take the amendment to conference. It has to do with buildings within urban renewal areas that may be repaired.

The PRESIDING OFFICER. Does the Senator from Alabama yield back the remainder of his time?

Mr. SPARKMAN. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Iowa [Mr. MILLER].

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

The Chair recognizes the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I ask unanimous consent that there may be the third reading of the bill without losing my right to the floor.

Mr. TOWER. Mr. President, reserving the right to object, will the Senator from Pennsylvania please withhold his request for the third reading of the bill? The Senator from Delaware [Mr. WILLIAMS] wishes to propose an amendment. If the Senator from Pennsylvania will proceed with the delivery of his remarks, the Senator from Delaware will offer his amendment afterward.

Mr. CLARK. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has about 5 minutes remaining.

Mr. CLARK. Mr. President, I ask the manager of the bill to yield me 10 minutes more, so that I may have 15 minutes altogether.

Mr. SPARKMAN. Mr. President, I yield to the Senator from Pennsylvania time on the bill sufficient to provide him with 15 minutes.

Mr. CLARK. I thank the Senator from Alabama.

On April 9, 1965, a group of nine Senators—including Mr. BAYH, Mr. HART, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. MCNAMARA, Mr. MORSE, Mr. PELL, Mr. TYDINGS, and myself—submitted a joint statement before the Housing Subcommittee of the Senate Banking and Currency Committee, entitled "A Decent Home for Every American."

It was our purpose in that statement, first, to express our support for S. 1354, the administration's Housing and Urban Development Act, and second, to commend to the subcommittee bolder program expansions and innovations which, in our judgment, are absolutely necessary if the goal of "a decent home for every American" is to be realized.

We pointed out the enormity of the task—in providing decent, safe, and sanitary shelter for the quarter of this Nation which today lives in substandard housing; in transforming our cities from gray wastelands of danger and decay into places of beauty and delight; in curbing the unrestrained sprawl of suburbia across the last remaining islands of countryside near our great cities; in meeting the special needs of the old, the infirm, and those displaced by demolition and shifts in Federal spending. And we provided the subcommittee with a list of specific recommendations which, in our judgment, were better adapted to provide solutions to these problems than the proposals contained in the bill as introduced.

It is gratifying to note that a good many of these suggestions have been incorporated in the bill by the committee. Among the most significant are these:

First. The income limits for families qualified to receive the proposed rent supplements have been lowered in order to help those who need it the most—those with incomes low enough to qualify for public housing.

Second. Two new sections have been added to provide badly needed assistance to distressed homeowners who become unemployed as the result of the closing of a Federal installation. Under one provision, a homeowner who lost his job because of a Federal base closing could invoke a moratorium on his FHA or VA mortgage. The other new section would provide relief in a situation where, as a result of a base closing, a homeowner is unable to find a buyer willing to pay a fair price for his house. It would authorize the Secretary of Defense to buy the house at a price determined by consulting the market prior to the time the Department of Defense announced its intention to close the base.

Mr. President, I am happy to say that this provision will bring much relief to the Olmstead Air Force Base, at Harrisburg, Pa. This base has been closed by the Air Force, throwing out of work thousands of persons who own their own homes. They have had no possibility to sell them at anything like the prices which they paid for them.

These two provisions can be of great help in cushioning families against the financial shock of a base closing. It may be that many of the families who have been hard hit by the Federal phase-out at Olmstead Air Force Base, in my own State, will be able to ease their financial difficulties by making use of these new provisions.

Local housing authorities which have failed to build the housing units for which they have reserved Federal funds would now be given only 5 years to place them under construction. If they do not meet the deadline, the units would be reallocated to communities that would build them.

The maximum income limit for families entitled to homeowner rehabilitation grants would be raised from $2,000 to a more realistic $3,000. Although this is still about $1,000 below where the limit should be, it is a substantial step in the right direction. Similarly, the maximum grant has been raised from $1,000 to $1,500—not enough, but still a meaningful improvement on the bill as introduced.

Open-space grants would be increased from 30 to 50 percent of the total cost of acquisition. The committee report points out that this was done to achieve comparability with the land and water conservation fund, which likewise offers 50-percent grants. But comparability will not be enough so long as the Bureau of the Budget continues to adhere to an erroneous interpretation of the Land and Water Conservation Fund Act, as a result of which the use of the fund is denied for any conservation area half or more of which is within a metropolitan area. As one who supported that bill because it seemed the best vehicle for preserving open areas in close proximity to population centers, I urge the Bureau of the Budget to abandon this interpretation, which completely frustrates the intent of the Congress. The whole purpose of both the fund and the open space program in this bill is to provide green space where the people are, and it is absolutely erroneous to split them up and regard the open space program as an urban program, and the conservation fund as a primarily rural program.

Mr. President, I have discussed this with the able junior Senator from Washington [Mr. JACKSON]. He tells me that he agrees with my view. We hope to make as much of an effort to persuade the Bureau of the Budget to reverse its erroneous interpretation of the Land Conservation Act as is possible.

While there is much in the bill, as reported by the committee, which is laudable, in particular its emphasis upon low cost but safe and sanitary housing for those who have least to spend, there is much more that could and should have been done.

First. Measured against our needs on the one hand, and our potential on the other, this bill does not have enough money in it to do the job. With unemployment still in the area of 5 percent, and our actual GNP still from $25 to $35 billion short of its potential in terms of matching idle hands with idle machinery, a frugality which condemns millions to housing which is not decent, safe, and sanitary is neither wise nor humane. We can well afford a larger program.

Significantly it is the great cities, and particularly those areas which surround the downtown core, which have suffered most. To the older residential areas have come the waves of migrants—underskilled and in flight from economic failure, less able in many ways to cope with the complexities of urban living and the new demands of the job market than the immigrants from overseas who preceded them. Simultaneously the Federal Government has been subsidizing the flight to the suburbs of the middle class: through the operation of the FHA and VA programs, and through the vast Federal highway program which has made feasible the use of suburban land for home and factory sites. It is largely true that the wealth produced in the cities has been drained out by the Federal income tax and redistributed first to agriculture, second to suburbia, and third—the leavings—to the cities. And all this has gone on while the tax base of the cities has been eroding, and the cost of municipal services has been climbing.

Paradoxically, although the present bill acknowledges this by expanding the responsibilities of the Federal Government in the field of housing and urban development, it fails to expand the authorization of funds necessary to carry out these responsibilities. For example, instead of a capital grant authorization for urban renewal of $2.9 billion for 4 years, at least $1 billion per year should be authorized. The need is there. The money could be wisely spent.

Second. Although the new towns concept was brought forth stillborn this year, I am confident that it, or something very like it, will have to be adopted before too long. Unless it is, a substantial proportion of our population will shortly be clustered in one vast "slurb" stretching from Boston to Washington and beyond. Similar "slurbs" will exist in every other large metropolitan area. I cannot imagine that we will wait for the last patch of woods to fall to the subdividers before we act—but there are fewer and fewer patches of woods with every day that passes—and as the new beltways spread out in concentric circles, there will be fewer still.

It must be stressed that the new town, if it is to succeed, must be more than a middle class ghetto. It is not enough merely to change the physical features of the suburbs by replacing acres of tiny lots with clustered row houses and high rise apartments. My guess is that the ennui of suburbia which one hears so much about is more a function of the lack of variety in the community than the physical landscape.

It is essential that the new towns not be homogeneous, not only because our democratic traditions require it, but because variety and vitality go hand in hand. Adequate shelter must be available at all levels—even for those who will require rent supplements—so that all segments of American society can participate in and contribute to the life of the new communities.

Third. A great deal more must be done to expand the capabilities of local public housing authorities to supply adequate low-cost housing for the poor. The provisions in the committee bill which provide for modest increases in per room cost limitations are good, but go only part of the way. The nub of the problem will continue to be the cost of land acquisition. One approach, suggested in the joint statement, but unfortunately rejected by the committee, is the elimination of the artificial distinction between clearing a site for public housing and clearing a site for urban renewal. This could be done by providing for the clearance of public housing sites the same write down which is available for urban renewal.

Undoubtedly the flexibility of local housing authorities will be greatly enhanced by the new provision which would permit them to make greater use of existing housing through the purchase, rehabilitation, and lease of existing housing units. But would it not have made equally good sense to make available to local housing authorities direct low-interest rehabilitation loans under section 312 of the 1964 Housing Act, and permit them to take advantage of the FHA's 221(d)(3) below market insurance program? Similarly, local authorities should have been given a clear mandate to acquire an appropriate participating share in a variety of housing projects, as long as the cost does not exceed the established limits. An authority should be able to share in the development of a 221(d)(3) project, or buy participating shares in a cooperative, or enter into advance lease agreements with a builder for rental units in a projected building or development.

This is not iconoclasm; it is commonsense. Artificial compartmentalization of programs and jealous jurisdictional disputes cannot be permitted to bar us from our goal—the provision of decent shelter for every American.

Fourth. It is appropriate that a major emphasis in the bill should be on the rehabilitation of older housing.

I have had a discussion earlier today concerning this matter with the distinguished Senator in charge of the bill, the Senator from Alabama [Mr. SPARKMAN], and he agrees with me.

Most of the more than 9 million homes in this country which are run down or deteriorating are in cities. Our characteristic response has been heavy-handed; rather than seek to preserve our urban heritage we have opted for the bulldozer. In doing so we have haphazardly erased, along with the eyesores, much of the history, charm, and vitality which provides the delight in urban living. As President Johnson pointed out in his message on the cities:

> We have concentrated almost all our past effort on building new units, when it is often possible to improve, rebuild, and rehabilitate existing homes with less cost and less human dislocation.

Progress in this new direction will be aided by the upward revisions in the program of rehabilitation grants to low-income homeowners in urban renewal areas, and the FHA's section 220 mortgage insurance program as it applies to rental housing in urban renewal areas. But the need remains for a massive expansion of the section 312 program adopted last year for direct 3-percent loans for rehabilitation of existing housing and business properties in urban renewal areas. That program was initially provided with a revolving fund of $50 million—a sum which can be considered no more than a token amount in view of the need. If we intend to make a serious effort to curb the growth of slums, and reinvigorate the decaying gray areas which surround the heart of nearly all our cities, at least $150 million will have to be authorized for this loan program.

In addition it should be made clear that rehabilitation and rent supplements are not alternatives, but rather that they are to go hand in hand. The rent subsidy program should be used to encourage nonprofit and limited-profit organizations to rehabilitate older housing for low-income tenants.

Fifth. Although urban planning grants under section 701 of the Housing Act of 1964 are available to State and metropolitan planning agencies, and in some cases to cities, they are not presently available to local public housing authorities. In the interest of facilitating local communitywide planning for low-income housing, housing authorities should be added to those entitled to receive grants under this program.

Although I shall give my strong support to this housing and urban development bill, I do so with a full awareness that it is a blend of ambitious programs and missed opportunities, beneficial innovations and parsimonious authorizations. What we have omitted to do this year, we shall have to do next year, or the year after. Meanwhile millions of Americans will be condemned to continue to live in ramshackle homes where the roof leaks and the plumbing does not work. We are the richest Nation in the history of mankind. When we fail to provide a decent home for every American, it is not because we cannot, but because we would not.

But I believe that the people of this country will not let us fail because they know that we are all involved and that the poison which breeds in slums spreads to sicken the whole society. As President Johnson has said:

> The modern city can be the most ruthless enemy of the good life, or it can be its servant. The choice is up to this generation of Americans.

If our cities are to continue in their historic role as communities for the enrichment of the life of man, there is only one choice we can make, and we must not delay much longer in making it.

It is plain, however, that we will be able to do so only after we have unshackled ourselves from the unreal and outmoded economic concepts which purport to measure the responsibility of a government in terms of its ability to keep the Federal budget small, and in balance. We must come to understand that the only government which is truly responsible is one which has the courage to keep the Federal budget large enough to provide the essential services to all of its citizens—including decent housing, education to the maximum of the capabilities of each child, and preservation of our precious natural heritage—and large enough as well to provide the economic stimulus needed to bring about full employment.

Given the spectacular rate of expansion of our economy, the day when a $100 billion budget could meet these needs has long since passed. To cling to an artificial limit of $100 billion in the face of the continuing growth of the overall economy is, in fact, to move backwards. I hope that the President and his advisers will come to see and acknowledge this in the months ahead while they are engaged in preparing the budget for next year.

There is much to be done if the Great Society to which we all aspire is to become a reality. But I believe that that vision is not a chimera—that it lies, in fact, practically within our grasp. If, however, we are truly to abolish poverty and enrich the lives of all Americans, as I believe we can, we must show the courage to discard those long held and deeply cherished economic fictions which stand in our way. We must be prepared, and I hope that before very long we shall be prepared, to say "Good riddance" to the myths of yesterday, and "Welcome" to the future.

Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I send my amendment to the desk, and ask the clerk to state it.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 46, after line 6, to insert a new section as follows:

STUDY OF CERTAIN FHA INSURANCE PROGRAMS

SEC. 214. The Federal Housing Commissioner shall undertake a study of existing programs for the insurance of mortgages secured by multifamily housing projects with a view to making recommendations for strengthening such programs and reducing losses thereunder. Findings and recommendations resulting from such study shall be reported to the Congress not later than January 1, 1966.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 10 minutes.

In recent weeks my attention has been called to the alarming rate at which multifamily projects have been going into bankruptcy, particularly in the Florida and Texas areas.

Upon analysis, I have been much concerned to find that in many instances there has not been a careful evaluation as to the original cost of the land and the actual cost of construction, and relating that cost to the mortgage. Some of the mortgages on these projects have been overinsured by virtue of having the actual cost of the land, and the actual cost of construction, inflated for the purpose of obtaining a larger mortgage guarantee from the Government. In some instances, excessive profits have been made by construction firms owned by those borrowing the money and then building projects, with large salaries making up a part of the cost. Some of these projects were not economically feasible and never should have been approved.

Many of these projects have gone bankrupt without any payments having been made either on the principal or interest.

Concern should be given to the manner in which contractors are borrowing money for multifamily projects, setting up separate corporate entities for each project whereby, if one goes bankrupt, the Government is left holding the bag, but if another project makes a profit, that corporate entity keeps it. The profits on one project cannot be attached to offset the losses on another. The borrower should be required to put his own guarantee on that mortgage and pledge all of his assets toward its repayment.

My amendment directs the Commissioner to report to Congress as to the number of foreclosures being made, so we may make further examination of the law to see if it needs amendment.

At the same time I strongly recommend that the Committee on Banking and Currency reexamine the financing arrangements being made on these multifamily projects. The alarming rate of foreclosures with no payments having been made—the numerous instances of windfall profits by irresponsible operators—should be adequate warning to the Congress.

I understand the manager of the bill is willing to accept the amendment.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. TOWER. I commend the Senator for offering the amendment. It is a constructive and worthwhile one. I add my urging to the distinguished chairman of the subcommittee to accept the amendment.

Mr. SPARKMAN. Mr. President, I am willing to accept the amendment. It fits in very well with provisions we have in the bill already.

Furthermore, I should like to say that the subcommittee carries on a study all the time. We have had various constituent agencies of FHHA make reports. In the bill we provide for specific studies. The amendment is a good one. I am willing to accept it.

Mr. WILLIAMS of Delaware. I am glad to know that the committee is studying this situation. I know that the General Accounting Office has been much concerned with the same problem and they, too, may have a report later. This amendment would put extra emphasis on the importance of this study and also put a time limit for making the report to the Congress. Later I expect to have some more examples of bankrupt projects which were too heavily mortgaged and which should have been recognized as economically unsound in the first place. I yield back my time.

Mr. SPARKMAN. I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment.

The amendment of Mr. WILLIAMS of Delaware was agreed to.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I yield 2 minutes on the bill to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland may proceed for 2 minutes.

Mr. TYDINGS. Mr. President, yesterday, the distinguished senior Senator from California [Mr. KUCHEL], spoke most eloquently about the necessity of expanding the program of the Farmers Home Administration. There are numerous families in small communities of a rural character with populations of more than 2,500 who should be able to avail themselves of Farmers Home Administration loans so that they may be able to afford decent housing.

At the present time, the Farmers Home Administration uses the census figure of 2,500 to define a rural area. The amendment offered by the Senator from California [Mr. KUCHEL] would have defined a rural area as one with a population of 5,500 or less, and which is not part of or associated with an urban area.

The Senator from California withdrew his amendment when the distinguished Senator from Alabama [Mr. SPARKMAN] gave assurances that the housing problems of the residents of small rural communities would be sympathetically considered in conference, so that language might be drafted to expand the rural housing programs to the areas of existing need.

Mr. President, I wish to associate myself with the remarks of the Senator from California concerning the need for providing housing assistance to the small rural communities. I wish, in addition, to commend the Senator from Alabama for his assurances that he will seek to draft language to deal with this problem in a fair and equitable manner.

I am particularly concerned that the very worthwhile program of housing loans to rural families be provided with the necessary flexibility to aid as many of our rural families as possible to acquire adequate housing. The present population limitation of 2,500 effectively prevents the accomplishment of this goal, in some instances.

Mr. President, I ask unanimous consent to insert at the end of my remarks an article from the Baltimore Sun about an excellent rural housing program near Chestertown on the Eastern Shore of Maryland. This program was ineligible for the Farmers Home Administration's rural housing loan program because according to the 1960 census report, Chestertown had a population of 3,602.

Under a more realistic definition of a rural community, the residents of the Chestertown area, and the residents of many similar rural communities throughout our country, will be better able to make the American promise of decent, stable housing for every deserving family a living reality.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MARYLAND WOMAN GIVES LAND TO KENT COUNTY NEGROES

(By Douglas D. Connah, Jr.)

CHESTERTOWN, MD.—November 14.—A wealthy woman is giving Kent County Negroes land to build houses on.

A foundation set up by Mrs. Louisa d'A. Carpenter, of Wilmington, Del., has bought 50 acres of rolling farmland near here to give away in half-acre lots.

Richard Carvell, Mrs. Carpenter's Chestertown lawyer, is guiding the low-cost housing experiment as director of the Springfield Foundation, Inc., which was started, he said, "primarily to improve the living conditions of the Negroes here, who needed it, God knows."

SPURRED BY UNREST

Mrs. Carpenter and Mr. Carvell had thought about the plan for several years, and outbreaks of racial trouble on the Eastern Shore in 1963 helped them decide to go ahead.

Their idea is to make decent homes available at the lowest possible cost, to help people leave the slums.

The families who move into the new neighborhood, called Washington Park, will pay from $7,7000 to $8,825 for new three- and four-bedroom shingle houses, the foundation will pay for everything else the property involves.

SEVENTY-THREE LOTS

Seventy-three lots each at least 20,000 square feet, have been laid out, and about 4 acres have been reserved for a park.

Contracts have been signed for 22 houses. Two are completed, four are under construction, and people will probably be moving in by Christmas.

A committee of three Negroes and three whites screens applicants. The qualities it looks for, Mr. Carvell said, are good moral character, a good credit reputation and enough earning power to handle a 20-year mortgage.

The project has had its share of headaches. The main problem has been, and still is, finding low-interest financing.

"Well, naturally these people had not been able to accumulate any money," Mr. Carvell said, "and therefore we knew it was very important that we obtain as low a price as possible.

"I thought we'd have no trouble getting 4 or 4½ percent money through the Federal Government."

Mr. Carvell had heard about all kinds of Government programs to help the poor, but now he speaks with wry disenchantment when he talks about Federal aid. When he went to Washington for help, he said, he couldn't find it.

The Farmers Home Administration, which lends money directly, turned him down. The development would be a satellite of Chestertown, it said, and would not qualify as a rural area.

RATES TOO HIGH

The Federal Housing Administration, which insures mortgages, was sympathetic, he said, but the interest rates were too high.

Mr. Carvell even called the White House. "They thought it was a wonderful idea," he said. "We couldn't get the money."

Meanwhile, local Negroes, who had been told of the project during the Cambridge racial crisis, were beginning to get restless. They suspected that the plan had been merely a dodge to keep them quiet until the racial unrest died down and that the houses were unlikely ever to materalize.

Mrs. Carpenter then agreed to allow the foundation to pay part of the mortgage interest on the first 22 houses, so work could begin. Three local banks agreed to take the mortgages at 6 percent.

PAYING 2 PERCENT

The foundation is paying 2 percent, and the buyers 4, but this arrangement won't be available for later houses, Mr. Carvell said. The foundation already pays for the land, the streets, the waterlines, the septic tanks, and other incidental costs.

Mr. Carvell has not given up on the Federal Government yet, and he also plans to get in touch with the Ford and Rockefeller Foundations.

The buyer's monthly mortgage payment ranges from $47.50 for a three-bedroom house to $55.16 for four bedrooms, plus about $13 a month for taxes, insurance, and water.

When a home buyer is given his land, he must sign a contract with the builder, E. S. Adkins & Co. This protects the foundation's interest.

RESTRICTIONS CITED

For 20 years there will be restrictions: the homeowner cannot lease, sell, or add to the property without the foundation's consent, or use it for a business. The foundation has also appointed a supervisory committee of residents, to make sure the property is kept up.

"You cannot conceive, frankly, of the detail work that was involved," Mr. Carvell said, "but despite all the disappointments, it has been more than worth it because of the response of the people who are going to move out there."

Mrs. Carpenter, a sister of Robert Carpenter, owner of the Philadelphia Phillies, owns a farm in Kent County and over the years has contributed to several other local projects.

There are three basic designs—a three-bedroom and a four-bedroom one-story house, and a three-bedroom house with unfinished space upstairs for another bedroom and a bath.

Living-dining rooms range from 13½ by 17½ feet to 12 by 22½ feet, and most bedrooms range from about 9½ by 12½ feet to about 12 by 13 feet. Gas stoves and refrigerators come with the houses.

Mr. SPARKMAN. Mr. President, I yield 2 minutes on the bill to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2 minutes.

Mr. YARBOROUGH. Mr. President, I congratulate the committee on the fine bill which it has reported out to the Senate. I am particularly pleased with the sections of the bill which make special provision for our elderly. As the report to the bill states;

> One of the most urgent needs in the field of housing is the provision of suitable accommodations for our elderly citizens. This older age group is growing more rapidly than the population as a whole and, generally speaking, its incomes are substantially lower.

In recognition of this ever-growing problem the committee has put in the bill two sections which will go a long way to insuring that every one of our senior citizens can live out his life in the comfort of his own home surrounded by his friends and family.

Section 101 of the bill provides for rent supplements to our senior citizens with low incomes. This provision is particularly important to those older Americans living in our great urban areas where it is impossible for persons of modest means to own their own housing.

For those older citizens who are seeking to buy their own housing under the direct loan program for housing the elderly, section 202 of the Housing Act of 1959, section 105 of the bill sets the interest rate at 3 percent. Under the present program this rate has already climbed from 3¾ to 4 percent on June 30 of this year. The lowering of the interest rate to 3 percent will be very helpful to those of our older citizens seeking to pay off these loans out of small, fixed incomes. The committee has also had the foresight to enlarge the authorization for the direct loan program from $350 to $500 million. This will mean that an increasing number of our elderly citizens can complete their lives in the safety and comfort of their own homes.

I again congratulate the committee on reporting out this excellent bill and urge that the Senate give it overwhelming approval so that every deserving American may have the chance to live in a decent home at a decent cost.

Mr. SPARKMAN. Mr. President, I yield 5 minutes on the bill to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 minutes.

Mr. TYDINGS. Mr. President, I rise to congratulate the distinguished Senator from Alabama [Mr. SPARKMAN] and his able subcommittee for the bill which they have brought before us.

This bill is a good bill. It strengthens and expands existing programs. It is also a progressive bill. It offers a number of important innovations. I am particularly pleased that the committee has provided for rent supplements, mortgage insurance for land development, and grants for neighborhood community centers.

For the cities, the committee has provided an increase of $2.9 billion, over 4 years, in capital grants to public bodies for urban renewal and resulting relocation. The bill also offers the inhabitants of these cities new assistance in the form of $50 million worth of rent supplements over each of the next 4 years. This aid should allow private builders to construct 500,000 units of standard housing for low-income families. The bill also provides for 60,000 more units of public housing to be built over each of the next 4 years.

For homeowners and renters everywhere, but especially in the suburbs, all FHA insurance programs have been extended for another 4 years. In addition, another $1.625 million has been authorized for purchase of mortgages by the Federal National Mortgage Association.

For the rural areas, $300 million has been authorized for making or insuring housing loans for low- and moderate-income families.

Finally, the bill extends and expands programs of urban and regional planning, for open-space conservation, the development of urban parks, and for advance public works planning.

Because of these and numerous other worthwhile provisions, this bill is an excellent continuation of our 31-year-old national housing program.

Nonetheless, I am concerned about the enormity of our future housing needs. Population estimates show that by the year 2000 we will be a nation of 340 million people. This means that in the next 35 years we will need to provide housing for an additional 145 million Americans.

The manner in which these additional people are housed, schooled, and employed will do much to shape the face of our Nation. As land becomes increasingly scarce, it is apparent that imaginative and coordinated planning innovations will be necessary if we are to have attractive, well-planned communities.

Undoubtedly the growth of the next three decades will be too great to be entirely absorbed by our central cities. They are already crowded. While urban renewal can be expected to improve living conditions and help beautify our cities, it cannot be expected to provide for significantly increased population density. As the National Housing Conference has indicated, most of our growth will occur in what is "presently undeveloped land or farmland in or near metropolitan areas."

Absent new directions in Federal housing programs, much of this new land development will, I fear, follow the all too prevalent pattern of unplanned urban sprawl.

The social, economic, and esthetic costs of this form of development have proved exorbitant. What it too often produces are homogeneous residential areas in which all families are of the same income level, the same religion, and the same social stratum. The community is thus denied the vitality that comes with the interaction of individuals of different social and economic outlooks.

The National Association of Housing and Redevelopment Officials has stressed that—

> Richness of experience in neighborhood life is enhanced by a mixture of family types and incomes. * * * Complete segregation by income class—whether it be in a high income suburb or a welfare poorhouse—can be sterile living for its inhabitants.

Another social cost of creeping subdivisionism is the lack of open spaces sufficient to satisfy the recreational needs of the community. The inadequacy of facilities for baseball, swimming, camping, golf, boating, tennis, and other sports is painfully apparent in too many of our suburbs.

The economic costs of a sprawl pattern of development is equally enormous. Among those cited by HHFA Administrator Robert Weaver are the higher costs for sewer and water facilities built on a small scale without areawide planning. Equally important are the tremendous costs of extended trunklines for sewer and water which the wasteful use of land requires.

It is the traffic problem, however, that best dramatizes the economic costs of urban sprawl. Whereas a regional development plan would provide for a mass transit system built to meet residential and business needs, development by sprawl usually results in inadequate highways and in population patterns that make mass transit unworkable. The consequence is a coast-to-coast traffic jam costing this Nation an estimated $6 to $8 billion a year in lost time and wages, higher accident rates, and extra vehicle wear and tear, and all in addition to personal exasperation and frayed nerves.

Finally, sprawl has serious esthetic consequences. It indiscriminately tears up the American countryside to crisscross it with the asphalt and concrete of our superhighways; it digs up fertile soil and replaces it with uneconomic pipelines to serve a poorly placed community; it places row upon row of blocklike houses in grid patterns which do not conform with the topography of the land. And whatever countryside it does not mutilate or cover it blocks from view with the billboard jungle that surrounds the highways.

Uncoordinated land use and lack of diversity are the natural consequences of the piecemeal development that has been encouraged, in part, by Federal housing programs. Rather than working within the framework of an overall scheme, too many independent developers are able to receive governmental assistance to purchase and develop their tracts without adequately considering the needs of the larger community.

It is long past time in my judgment to gear the program of Federal assistance to the needs of the future. Rather than stimulating sprawl, we must develop methods for encouraging the rational use of undeveloped land. One of the most promising techniques is offered by the concept of the "new town." This concept of planned new towns is not a new one to this country. It has existed since the depression, in the form of Government-built greenbelt towns; it exists in the town of Park Forest, a planned, relatively self-contained community built near Chicago soon after the war. New town developments in England, Sweden, and Canada have existed for some years. But the galloping growth of our metropolitan areas in the forties and fifties largely ignored the planned, economical, yet richly diversified use of land envisioned in the new town in favor of the shortsighted, wasteful, but easy-to-execute suburban sprawl.

Recently, concerned observers of our growing population and diminishing land supply have attempted to revive the new town idea. I am delighted by the advances made by private developers in this field, including three of the pioneer developments which are being planned now in nearby Reston, Va.; Columbia and Gaithersburg, Md. But the increasing needs of our population for housing are staggering, and the need for new, well-planned communities with adequate open spaces, schools, transit, and community amenities, cannot be met by a few exceedingly well-financed, large developers.

I was thus pleased that the President recommended legislation to provide Federal assistance for the development of new towns. This legislation will enable a great many more developers who lack enormous financial resources to participate in the development of large, well-planned communities. It will also enable State and local planning agencies to establish priorities and potential locations for substantial new communities secure in the belief that there will be a significant number of potential developers, and that their plans will not be at the mercy of only one or two financial giants. Moreover, the bill's requirement that these developments include "a proper balance of housing for families of moderate or low income" goes a long way toward offering our disadvantaged minority groups a viable alternative to life in the crowded cities.

The stimulus of such new town development is contained in title II of the administration bill. As proposed, the bill would have provided substantial FHA mortgage insurance to assist in financing the cost of land development for residential and related purposes and it would have authorized the Housing and Home Finance Administrator to make loans to State land development agencies to finance the acquisition of land to be used for the development of well-planned residential communities.

The bill as reported is largely patterned on the President's proposal. Certain changes have, however, been made. First, the provisions for HHFA loans to State land development agencies has been deleted; second, mortgage obligations for a single land development that can be insured under the bill can at no time exceed $10 million, rather than the $25 million ceiling set by the administration bill; third, mortgages, except for those relating to privately owned sewer and water systems, may not exceed 7 years; and fourth, the provision extending FNMA special assistance to permit the purchase of new town mortgages has been deleted.

While some of these changes limit the scope and flexibility of the President's proposal, they do not seriously detract from the basic concept of providing Federal assistance for large-scale land development.

What disappoints me, however, is that the committee report envisions only a limited role for this innovation. Although, on its face, the bill seems to permit mortgage insurance to be used to encourage land development on any scale, page 17 of the committee report specifically states that the mortgage insurance provisions are not to be used for "land development which would, in fact, create independent new towns."

I trust this does not mean that the bill should not be used to assist large, well-planned communities with an independent economic base, adequate open spaces, recreation facilities, schools, churches, and communities amenities.

I do not, of course, expect the Administrator to violate the committee's clear admonition not to use this title to "create independent new towns." But there is no clear point at which a neighborhood is of such magnitude as to be a subdivision and there is likewise no obvious distinction in size between a subdivision and an independent new town. These verbalizations are merely attempts to segmentize the continuum running from the small subdivisions to the new town.

Thus, I urge that the mortgage insurance provisions be construed to cover the large, well-planned community or subdivision, for it is this type of development, with its own sources of employment, schools and transit system, that must be encouraged if we are to change the waste of urban sprawl into the savings of resources and beauty inherent in a carefully planned community.

I am fully aware that this broader application of the mortgage insurance provisions was opposed at the hearings by representatives of the mayors and of the homebuilders. I believe that their opposition is ill advised. The mayors argued that conditions in our cities should be improved before Federal assistance is given to the development of new land. This argument fails to come to grips with the size and immediacy of the population increase. Urban renewal and new land development are not alternatives; rather they are complementary programs designed to meet the awesome task of housing 145 million more people in the next 35 years.

The builders expressed fear that large-scale developments would squeeze out the small builder. What will actually happen, it seems to me, is that the mortgage builder provisions will increase the number of building sites while provisions of section 1004 will assure that a fair proportion of these sites are made available to small builders. The question is not whether small builders will participate in the housing explosion, but whether they will help to build more sprawl or planned communities. The residents of the new communities will reap the numerous benefits cited by the Maryland National Capital Park and Planning Commission.

They include efficient land use, orderly conversion of undeveloped land to urban use, protection and development of natural resources, preservation of large open spaces, expanded opportunities for outdoor recreation, efficient arrangement of public utilities and services, effective transportation systems, variety of living environments and imaginative design.

The realization of these benefits is something that cannot be postponed. Each year vast areas fall prey to urban sprawl. In his speech on March 2, President Johnson pointed out that "Last year alone 1 million acres were urbanized." If we begin to act now we can register enormous savings in both money and hardship by seeing that development is coordinated. But if we wait until much of our undeveloped land has been overrun by sprawl we will, nonetheless, find it necessary to carry out what will then be redevelopment plans. It seems clear to me that when the job is done for the first time, it should be done right.

Mr. SPARKMAN. Mr. President, I yield 3 minutes on the bill to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 3 minutes.

Mr. FANNIN. Mr. President, this bill is another example of omnibus legislation which apparently has been designed to please a variety of interests instead of accomplishing a specific objective.

Everyone will agree that adequate housing at a reasonable cost is a desirable goal, and in fact we have come closer to achieving this objective for all of our citizens than any other nation in the world.

I would also agree that adequate housing—at rentals they can afford to pay—is not now available to a small minority of the population in some areas of the country.

However, I am not persuaded that this particular bill will solve that problem.

The minority report on S. 2213 ably pointed out the bill's defects and weaknesses, especially those provisions relating to the novel rent subsidy program and below-market-rate financing of housing construction.

We are told that the subsidy would be limited to those families with incomes that would qualify them for public housing under existing regulations. But the truth is that under this bill, the Housing Administrator would have the administrative authority to define income and set up eligibility procedures.

Another weakness of this bill is the fact that no effective ceiling is established on the amount of rent supplement which the Government could pay for any one unit under the plan. Again, this is left to the discretion of the Administrator.

I share the concern of those who are alarmed at vesting this kind of broad authority in what would be virtually a Federal housing czar.

As for the financing provisions, I cannot accept the economic judgment of those who want to finance construction at rates below what it will cost the Federal Treasury to borrow the money. Nor do I think it is wise for the Congress to commit the Government to a program of guaranteeing rental payments to mortgagors for 40 years.

If a need can be factually demonstrated for additional public housing units, that is one thing. Personally, I am not convinced.

But I do not understand how you can justify saying on the one hand that public housing has not done the job, and then turn around and authorize more public housing units in a package that is supposedly designed to assist private enterprise.

It has been pointed out without contradiction that, under certain conditions regarding income definition, a family in New York with an income in excess of $11,000 a year could be eligible for the rental subsidy program. To me, this is certainly not helping the low-income families to obtain improved housing.

Finally, Mr. President, I am genuinely concerned that one effect of this legislation will be to discourage individual home ownership throughout the country.

It is certainly not my intention to disparage anyone who by choice or necessity rents instead of owns. At the same time, all of us recognize that homeownership by an increasing number of our citizens is one of the distinguishing characteristics of our way of life.

This growing proportion of homeowners in our population contributes much stability to our society, and there is abundant evidence to indicate a definite relationship between homeownership and a high degree of good citizenship and participation in community affairs.

Any legislation in the housing field should aim at encouraging more Americans to acquire and maintain their own homes. But there are elements in this bill that will tend to destroy the incentive to purchase and keep up a home.

Just this afternoon, I was informed by Mr. George E. Leonard, chairman of the board of the First Federal Savings & Loan Association in Phoenix, Ariz., that the foreclosure rate on individual homes in my State has reached an alarming stage. In the Phoenix area alone, I am informed that more than 5,000 units are either foreclosed or in the process of being foreclosed.

The FHA report for June 30 listed 1,879 defaults pending, 706 foreclosures completed but not yet transferred, and 1,161 properties on hand. Add to this from the Veterans' Administration the following—815 defaults pending, 439 liquidations pending and about 300 properties on hand—and the total exceeds 5,000 units. Further, it has been reported to me that comparable situations exist in other parts of the country as well.

Consider the effect of the rent subsidy program on those families with limited income who are struggling to keep their homes and continue building their equity in them.

This bill tells them, in effect, not to worry with it all. It says to these hard-working people, go ahead and abandon the home and let the Government pay your rent.

Mr. SPARKMAN. Mr. President, I yield 5 minutes on the bill to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 5 minutes.

Mr. McINTYRE. Mr. President, I support the Housing and Urban Development Act of 1965, because I believe that it offers a mixture of ingredients for private initiative to utilize in meeting today's housing needs. We have listened to a great deal of discussion in the Housing Subcommittee and here on the Senate floor attesting to the broad scope of the unfulfilled needs for decent, safe, and sanitary housing—the grim reality that in 1965 we still have over 8 million homes which are dilapidated or deteriorated and more than 4 million homes which have neither running water nor plumbing. In my State of New Hampshire the percentage of housing units deteriorating or dilapidated runs as high as 29 percent in Grafton County with some towns having as much as 73 percent of their housing units in this category. Far too many people are living in unsafe and inadequate shelter without hot water, toilet, and bath facilities.

What alternative is available to these ill housed? Where can they turn if forced to leave? In this instance demand far exceeds supply—there simply is not enough adequate housing available for poorly housed low-income Americans today.

This housing shortage has recently come to the forefront right here in the District of Columbia, and I ask unanimous consent to have printed in the RECORD at this point two articles which appeared in the Washington Post pointing out the urgency of the situation.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

CITY'S HOUSING SHORTAGE THE TARGET, FRUSTRATION THE THEME AT DISCUSSION

(By George Lardner, Jr.)

Frustration was the theme.

The city's shortage of low-cost housing was the target. The audience sounded aroused.

But the members of more than 25 housing organizations, civil rights groups, and public agencies who gathered to try to "do something" about the housing crisis seemed to realize they were punching futilely at the same old paper bag—full of exorbitant rents, dilapidated homes, slumlords, and the bureaucratic delays facing almost any attempt at improvement.

"We seem to be moving backward," said Stephen Pollak, president-elect of the

Washington Planning and Housing Association which called the meeting.

"A tent on the Mall would be an enormous improvement for more people than I care to think of," said Harris Weinstein, the Association's Housing Committee chairman.

The D.C. Coalition of Conscience has been trying to put up a tent for a family of 13—with two working mothers—who were evicted last month, but can't find new quarters. The emergency housing program the city loudly promised in May for predicaments like this may take another 3 months to get started, according to city officials who are not accustomed to rushing.

Forty-five real estate agents and nine public and private agencies had been called, said Coalition Cochairman Walter E. Fauntroy, but none could come up with a single unit that the family could afford.

The tent, of course, is a gimmick—but an appropriate one. As Mr. Fauntroy said, "We have to create pressure to effect the cures."

One WPHA worker who helps families in the Cardozo area told of an eight-room house worth $17,600 that produces gross rentals of $600 a month for its owner.

The worker, Tom Firor, also told of another landlord who "for the 40th time in the last 6 months has evicted or threatened to evict families because they called the city's Housing Division" to get needed repairs ordered.

Another WPHA worker, Belvie Rooks, broke into tears when she described how her organization had to pay $300 a month in back rent to "one of the worst slumlords in the city" to save a mother of seven from eviction from a house with broken-down plumbing and inadequate heating. The family, Miss Rooks said, had been living there for 3 years when the old owner died. Suddenly, she said, the rent went up from $50 a month with utilities to $100 a month—without utilities.

The audience had plenty of suggestions—ranging from rent controls, to tougher enforcement of the housing code to easing the housing code's restrictions against overcrowding.

Mr. Fauntroy suggested that citizens' organizations start scouring the suburbs for sites—a suggestion that should be well worth pursuing under the administration's rent subsidy program before Congress. He proposed that "we move into the surrounding area and, if necessary, purchase land to relieve the (city's housing) need."

But no one followed through with the thought. Despite the suggestions, the meeting reflected, primarily, a feeling of exasperation at all the years gone by without any substantial progress.

"What we called victories really just switched people around the slums," said Lillian Secundy of the Washington Urban League.

The WPHA had drafted a statement calling for more low-income housing in the city and action on several long-stalled projects, but the audience didn't bother to endorse it.

"Pious paragraphs," said one speaker. "Too wishy-washy," said another.

Pollak agreed, but added: "I'm wondering what we can do." He suggested development of a "plan of action" backed by a federation of all interested organizations. But no one could do anything right away. They've got their boards of directors to check with.

Everyone, it seems, is saddled with his own bureaucracy—which brings us back to the District Building.

District Commissioner Walter N. Tobriner has suggested "an emergency in low-cost housing" might be declared—so the Commissioners could temporarily lift relatively minor housing code requirements in rundown neighborhoods.

The suggestion was sincerely made, but it hardly seems an adequate response to an emergency. If it had any noticeable effect, it would probably benefit the landlords more than the tenants, and promote slums rather than decent housing.

If the Commissioners can agree there's an "emergency"—and there is—perhaps they might try promoting some one- or two-block urban renewal projects—for public housing. It might not work, but it seems worth the attempt. It'll take a while to get to the suburbs.

[From the Washington (D.C.) Post, July 25, 1965]

Housing Waiting List Keeps Lengthening

(By George Lardner Jr.)

His T-shirt sagging, a tired traveler shuffled up the steps of an antique red building on New York Avenue NW.

He got there just in time to catch Walter E. Washington, executive director of the National Capital Housing Authority, in the hallway.

"I walked all the way from Baltimore," the man announced solemnly. "But," he said lowering his voice, "I don't want a handout; I want a job."

"You ought to have something to eat after a long walk like that," Washington said, handing him some change and sending him upstairs to the personnel office.

"We get them all," Washington said philosophically.

Most callers don't have quite so broad a notion of public housing. The families who often fill Housing Authority's first-floor hallway are usually looking for just one thing: a decent place to live.

It was possible to help the guy from Baltimore. But all Walter Washington can do for the families who need housing is put them on his waiting list; it's more than 5,400 families long.

In fact, Washington has had his waiting list so long that one might think it's full of phantom families. The turnover in public housing is rapid enough to make room in as little as 90 days for families displaced by urban renewal, highways and other city programs.

On the surface, then, it might seem that the Housing Authority's waiting list is just a fictional gimmick maintained to promote new housing projects.

But all that's fictional about the list is that it shows only a fraction of the need for decent housing at prices low income families can afford to pay.

"Anyone who wants a piece of this housing market," Washington says, "can be our guest."

The Housing Authority can find one- or two-bedroom units within 3 to 6 months for families facing displacement by Government action, said NCHA Economist Charles Park.

But "85 percent of the displaced families on our list need three or more bedrooms," said NCHA Deputy Director Edward Aronov.

The priority they get for public housing means a wait of 6 months to a year for three bedrooms and up to 3 or 4 years for larger units, said Park.

Meanwhile the Housing Authority has to keep playing musical chairs with the families they now have. As they grow, they need larger quarters. And they get priority, too.

The families without priority, those simply living in slum dwellings without the money to get out, have to wait—and wait—and wait. Of the 5,444 families on the waiting list last month, 5,093 had no priority.

Slightly more than 60 percent of the Housing Authority's units have only one or two bedrooms. But 66 percent of the applicants need more space than that.

Yet, Park said, the turnover in the NCHA's 754 four-bedroom units, for example, is so slow that it would take 8½ years just to take care of the last displaced family and the last Housing Authority tenant waiting for one now.

As a result, families either sit and wait or get knocked off the eligibility lists. Those who don't check with the Housing Authority every 6 months are dropped automatically.

If the lists prove anything, they show that public housing projects in land-shy Washington can never do the job alone.

"There's a crying need expressed in these applications," Washington said, nodding at solid rows of filing cabinets.

One opened at random produced a file on a Mrs. "Smith" dating back to 1954 when she, her husband and two children faced displacement by urban renewal in the Southwest.

The family got public housing in 1956, the same year Mrs. "Smith's" husband went to jail, but moved out of NCHA quarters in 1963, owing $60 in rent which she later paid. Mrs. "Smith" has eight children now, has moved four times within the past 2 years and has been evicted twice through enforcement of the Housing Code. She has "priority" of a sort, but she's been waiting for public housing for more than a year.

When will she get it?

Washington shook his head. "She'll probably be taken in when we open up a new project," he said. "Maybe late summer."

And maybe not.

Mr. McINTYRE. Mr. President, housing represents far more than shelter—it is a part of the fabric of neighborhood life and the entire social milieu. But above all, housing is a basic necessity of life.

We must invest our resources in meeting this challenge if we are to attain the goals clearly set forth in the Housing Act of 1949—a decent home and suitable living environment for every American family.

One cannot talk about this year's housing bill without mentioning the new rent supplement program.

This bold new feature which the President has called "the most crucial new instrument in our effort to improve the American city" has not met with an immediate overly enthusiastic response here in the Congress. I have expressed some concern over the manner in which this attempts to provide the necessary stimulus but it seems to me that the major advantage this approach offers is that it enlists the energy and imagination of private enterprise in the battle to provide decent housing for the low income. The FHA-insured housing units will be owned by private nonprofit, limited dividend or cooperative groups, constructed by private builders, financed by private lenders, and managed by private landlords.

Moreover, eligibility is limited to the elderly, handicapped, those forced to move because of governmental action or natural disaster, and those living in substandard or slum housing who meet the income requirements for public housing. These are the people who have no place to go—housing is just not available for them at rents which they can afford.

The benefits which this program can bring to this segment of our society merit thoughtful attention. For example, consider the more than 3 million veterans 65 and over who after serving their Nation seek the security and dignity that a lifetime of service deserves. Should we deny encouragement to veterans organizations, church groups, and other civic-minded bodies to unleash their resources in providing safe and suitable housing?

I should hope, rather, that every assistance would be offered to channel their efforts into realization of such worthwhile goals, consistent with the traditions of our American way of life.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the letter which I received from the Administrator of the Housing and Home Finance Agency pointing out the advantages which this program will offer to our elderly and handicapped veterans of low income.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSING AND HOME
FINANCE AGENCY,
Washington, D.C., April 12, 1965.

Hon. TOM MCINTYRE,
U.S. Senate Washington, D.C.

DEAR SENATOR MCINTYRE: Thank you very much for your letter of April 8 in which you call to my attention the potential use of the rent supplementation program in providing housing for aged and handicapped veterans. I appreciate very much receiving the benefit of your studies in this area and wish to confirm your conclusions. Elderly and handicapped veterans of low and moderate income will be eligible for such rent supplementation under the proposed legislation and will therefore have the opportunity to secure housing suitable to their age and physical needs at rentals which they can afford.

As you emphasized, there are 3 million veterans 65 years of age and over at the present time. According to 1960 census data more than one-third of all families headed by a veteran 65 or over were in the lower- income group for which rent supplement is designed.

A number of veterans organizations are considering the sponsorship of housing specially designed for older or handicapped veterans and will find this new program particularly helpful. As you have indicated so well, the veterans who have contributed so much to the defense and growth of our Nation deserve a dignified place to live within their means in their retirement years.

We appreciate immensely your taking this leadership in the field of housing for aged and handicapped veterans. Through this proposal for rent supplementation which the President has described as our "most crucial new instrument" we can assist you in this very important effort.

Sincerely yours,
ROBERT C. WEAVER,
Administrator.

Mr. McINTYRE. Mr. President, while the rent supplement feature of this bill has attracted the glare of the spotlight, we must not overlook the importance of other parts of this far-reaching program directed at alleviating the host of problems related to man's quest for a suitable living environment. For small communities confronted with financing construction of vitally needed public facilities as well as larger cities overwhelmed with fighting blight and decay, this proposal offers a mixture of ingredients designed to serve their needs.

Since World War II we have witnessed a tremendous population explosion in our cities that today finds 7 out of 10 Americans concentrated in urban areas. Megalopolis—the extended eastern seaboard metropolis spanning from southern New Hampshire to northern Virginia—contains 21 percent of our population in 1.8 percent of its area.

Many steps have been taken to cope with this phenomenon and this bill before us now provides additional tools for assisting in the development and redevelopment of communities throughout the Nation.

Mr. President, I should like to point out a few of the provisions in S. 2213 which I feel are of particular significance to the State of New Hampshire.

First. Continuance of FHA: probably the best known of our Federal housing programs is FHA, the self-supporting mortgage loan insurance program. By extending FHA for another 4 years, the Congress recognizes the important role which this program plays in bringing homeownership within the reach of many who could not otherwise afford it. As of the first of the year, the New Hampshire FHA office had in force mortgage insurance totaling $72 million covering 1,146 multifamily units and 7,200 homes.

Second. Extension of public housing programs for the elderly: In New Hampshire we have seen several achievements under low-rent public housing for the elderly. There are about 1,000 units of specially designed housing for our senior citizens in the low-rent pipeline in New Hampshire, representing a Federal investment of about $14 million. My own hometown of Laconia is presently in the process of developing plans for the construction of 80 units of low-income housing for the elderly, designed to provide a physical and social environment that will extend the time span during which our senior citizens can live independently in comfort and safety and with sustained interest in life.

Third. Increased authorization for urban renewal: Eight of our New Hampshire cities have active urban renewal programs of one form or another. There are 16 projects in planning or underway—one of which is being financed entirely without Federal aid. Furthermore, we have one of the most exciting and unique urban renewal projects in the country—the Strawbery Banke colonial restoration project in Portsmouth. This superb effort to recreate a typical 18th-century community represents an investment of millions of dollars and the time and tireless energies of hundreds of local residents. We have seen how the Federal Government can provide the initial tools and machinery for transforming a blighted decaying area into a beautiful historic restoration.

Fourth. Special assistance to homeowners affected by closure of Federal installations: The two new provisions in this bill—one to delay payments under FHA and VA mortgages for unemployed mortgagors and the other to authorize the Secretary of Defense to buy houses in a depressed market—will be welcome relief for homeowners in areas such as the seacoast region of New Hampshire which are threatened by curtailment of military activities.

Mr. President, another feature which I am pleased to see incorporated in this bill is section 307 which will allow the District of Columbia to use urban renewal powers in nonresidential areas in the same manner as other U.S. cities do.

Some of you may recall that an amendment designed to accomplish this same purpose was added last year in the Senate Banking and Currency Committee to S. 3049 but, unfortunately, the amendment was dropped in conference. This year the administration's proposal included the District.

Although the provision is not in the House-passed bill, I would strongly urge that the Senate version prevail in conference so that the District of Columbia urban renewal program will be able to obtain those powers which every other major city in the United States now shares and to make available to small business the benefits of this program which are presently denied under the laws of the District of Columbia.

Mr. President, many hours have been spent preparing this bill which is now before us. I intend to support S. 2213 for I believe that it is an improved bill, reflecting the tireless and diligent efforts of the distinguished chairman of the Senate Housing Subcommittee, the Senator from Alabama, Senator SPARKMAN.

As a new member of the Housing Subcommittee, I am particularly grateful for the tutelage which I have received during consideration of this complex and technical legislation from both the chairman, Senator SPARKMAN, and the very able ranking member of the subcommittee, the senior Senator from Illinois, Senator DOUGLAS.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to be read a third time.

The bill (S. 2213) was read the third time.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 7984, a companion House bill to S. 2213.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7984) to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, and to extend and amend laws relating to housing, urban renewal, and community facilities.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. SPARKMAN. Mr. President, I now move that all after the enacting clause be stricken and that the text of S. 2213, as amended, be substituted therefor.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

Mr. **SPARKMAN**. Mr. President, I ask for the third reading of the bill.

The **PRESIDING OFFICER**. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 7984) was read the third time.

Mr. **TOWER**. Mr. President, I must vote against S. 2213 because of its provision for Federal rent subsidies.

I wish to point out, however, my support for several sections of the bill.

I need not detail but briefly the merits of the Federal Housing Administration and what it has done for the homeowner, the homebuilding industry, and our economy. There can be no question about the advisability of extending the insurance authority of the Federal Housing Administration. Its value and service to a great segment of the homeowning and homebuying public is proven by the fact that the FHA, since 1934, has insured loans totaling well over $96 billion. Equally impressive is the fact that the agency has amassed over $1 billion in insurance reserves and they continue to grow. The addition by my amendment of the new program for veterans, whereby some 21 million will become eligible for guaranteed mortgages, represents a measure which I feel will be of much assistance to our deserving veterans.

Equally important is the continuance of the Federal National Mortgage Association. I shall not take the time to recount the thoroughly businesslike way in which FNMA has conducted its three major functions; secondary market operations, special assistance, and management and liquidating functions.

The population rise among our senior and handicapped citizens leaves no question about the serious need for housing programs designed to accommodate their sector. Testimony before the subcommittee demonstrated beyond doubt both the need and the workability of such programs.

I foresee major improvements to the urban renewal and public housing programs.

The fact that HHFA is to make a thorough study of urban renewal and public housing programs and will report its findings within 2 years will result, I believe, in program improvement. I hope we can see an end to the displacement of lower income individuals and families from urban renewal areas without adequate provision for housing them elsewhere. I am hopeful we can see an end to the wasteful bulldozer approach whereby relatively new, sound structures have been destroyed in the name of urban renewal improvements. I am, of course, hopeful that my proposal to require the repayment of urban renewal grants will alternately result in urban renewal paying at least a portion of its own way.

The public housing study called for in the bill will result, I believe, in purging from the so-called pipeline many units now authorized. I would think, also, that the long waiting list of eligibles could be substantially reduced.

It has long been a contention that public housing does not meet the need which it was designed to meet, thus the necessity for further examination of this program with an eye to improving and rendering it more efficient. As long as the Congress continues to authorize contract authority for the public housing agency, every measure should be taken to streamline the program. As the chairman of the subcommittee has noted, we have been quite impressed with the low-income housing demonstration program. I have strongly supported the demonstration program as a possible method for improving what has long been a most controversial program. I am hopeful my proposal, now incorporated into the bill, to allow a public housing tenant to purchase his individual unit by counting monthly rentals over a 3-year period as a downpayment, will be a welcome and practical inducement to affected public housing occupants to buy a home.

I endorse the rural housing section of the bill. Certainly one of the most impressive facts brought out during the hearings was that almost half of the substandard housing in this Nation lies in rural areas, but only about 30 percent of the population resides there. It is not speculation that there is a great need for rural housing credit sources. The Farmers Home Administration currently has a backlog of 15,000 applications and the situation has been comparable for years. Furthermore, the Farmers Home Administration shows an excellent repayment record. No other title of this bill is needed more nor will any other provision serve a more worthy cause.

The bill wisely provides for making new colleges eligible for college housing loans. We are all aware of the increasing pressure for facilities to provide higher learning. This provision is to remove a paradox whereby new colleges were prevented, by administrative determination, from securing the type of loan they needed to become functional. To date, over 2,390 loans for a total of approximately $2.6 billion have been approved and the agency has experienced not a single default on payment of principal or interest.

Concerning the new programs of land development, grants for basic water and sewer facilities, grants for neighborhood facilities, and advance acquisition of land, I believe the reports from the agency required by the inclusion of several of my amendments will result in more judicious administration of these programs.

My support of a number of provisions in this housing bill, however, does not lessen my opposition to what is considered to be the most important provision in the bill; that is, to the concept of rent supplements. I am fearful, as I have noted, of a stifling of the incentive for homeownership, fearful of a trend toward giving to renters the status of Government wards. I believe there is little doubt that the rent supplement program will have an adverse effect upon those families now purchasing, or planning to purchase their own homes without Federal subsidization.

I am hopeful, at least, that with the inclusion of my amendment requiring annual reports from the agency on the operations of the rent supplement program, the Congress may be able to guard against its more adverse effects.

Mr. President, I wish to again commend the chairman of our subcommittee for his superb handling of this measure. I know that certain provisions of the bill are not of his making, and certainly not to his liking. The responsibility is his, however, and he has met it effectively and judiciously. I wish to thank our distinguished chairman in particular for his consideration of, and in a number of cases his assistance with, ideas and proposals from this side of the aisle.

The **PRESIDING OFFICER**. Do Senators yield back their time?

Mr. **LAUSCHE**. Mr. President, I shall vote against the bill——

The **PRESIDING OFFICER**. Who yields time?

Mr. **TOWER**. Mr. President, I yield 3 minutes to the Senator from Ohio.

Mr. **LAUSCHE**. Mr. President, I will vote against the measure because I do not believe it is in the interest of the people of our country, nor consistent with the general principles and structure of our Government. I come from a neighborhood in Cleveland occupied by humble people, with modest homes, but possessed of great pride in the maintenance and keeping up of those homes. The domiciles in which they live are not equipped with modern installations, but as one moves through the neighborhood he sees houses painted in white, bordered by green, small lawns, with hardly a patch that is not covered with grass. One sees little plots with trees in them. One sees hedges. Those people are proud of their homes.

I am convinced that, under the language of the bill, those people will be found living in quarters that do not measure up to what we say they ought to be living in. I visualize my community in Cleveland becoming decimated, and those people moving into public housing or places providing subsidized rents.

The inducement to own a home would be destroyed by this program.

It is believed by the sponsors of the bill that great good has been done. We can have a strong and solid America only by having many individuals own their own homes. I can say that with a deep feeling of sensitivity, because my greatest pride as a boy was to know that my mother and father bought a home of their own, and I vibrated and thrilled with the knowledge that we lived in our own home.

By this bill we are saying to the people such as I have described, "Give up your quarters. Move into property owned by the U.S. Government, and into property for which the U.S. Government will subsidize the payment of your rent."

Instead of having a sanctuary and a stake where the family, the mother, father, and children can live as one unit——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. May I have 3 more minutes?

Mr. TOWER. I yield 3 additional minutes to the Senator from Ohio.

Mr. LAUSCHE. They will abandon that sanctuary and move into a communized facility.

I know that Senators want to vote at this time, but I also know that I want to tell the people of Ohio why I cannot support this measure.

Great boasts are made that the bill has made some advances but has not gone far enough. How far are we going? The prediction has already been made that next year we must go further than we have this year. The speech made a moment ago foretells what will happen next year and 2 years from now, and corroborates the declarations made by Senators on the floor of the Senate that this will be only the beginning, that we shall be continuing the program of 60,000 public dwelling units a year for the next 4 years. We will be putting $150 million, as I understand it, into rent subsidies. There is something conflicting about that.

The argument was made about 4 hours ago that the new program would save money and the old program of public housing would waste money—240,000 units at $12,000 a unit are provided for in the bill. Money will be borrowed by selling bonds to be paid in 40 years. The interest which will accumulate during 40 years of payments will be in excess of the original cost of construction.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Will the Senator from Alabama yield me 3 more minutes?

Mr. SPARKMAN. Mr. President, I yield 3 additional minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 additional minutes.

Mr. LAUSCHE. I hope that the proponents of this program are right, but I would be delinquent in my duty if I did not point out to them that I believe they are thoroughly wrong.

I believe that we are now at the threshold of a program which will create a monster so great that the economic ambitions of the American people will be destroyed, because they will feel that inasmuch as the Government will provide their rent for them, they are not bound to do anything about it. In the end, it will not be helpful to the maintenance of our system of government.

Mr. President, I yield the floor.

Mr. TOWER. Mr. President, I yield 2 minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 2 minutes.

Mr. THURMOND. Mr. President, the Housing and Urban Development Act of 1965 is literally bursting at the seams with power and money, and is designed to put the National Government in a place of authority over the housing needs of the public, more than ever before. It is impossible to place an exact price tag on the bill, but a good guess would place the figure at around the $20 billion mark.

By far the largest and most expensive provision of the bill is the rent subsidy provision, which I have already discussed. This section alone authorizes the expenditure of up to $6 billion over the next 40 or so years.

Other expensive provisions of the bill are: $700 million, over 4 years, to pay half the cost of extending and enlarging water and sewer facilities to meet the anticipated growth of urban communities to be determined in the sole discretion of the HHFA Administrator; $50 million a year to develop neighborhood social and recreational facilities to take care of the population growth of communities as anticipated by the HHFA Administrator; $25 million a year to pay the financing costs for the acquisition of land for future public works needs of urban communities as anticipated by the HHFA Administrator. The location of the land will be determined by the "guess" of the Administrator as to which direction the community will expand.

These programs are in addition to the existing Federal programs now on the books, all of which are being expanded or extended by the pending bill. No distinction is made between the good and the bad existing programs. They are all being carried on, and most of them are being amended to the point that any local participation, in either funds or control, is only token in importance.

The public housing program, which is extended and expanded in the bill, was begun more than a quarter century ago. It has resulted in 581,000 public housing units now in operation across the country. The disillusionment with this program at the local level, however, is so intense that 170,000 units are tied up in the pipeline; that is, they have been authorized but not constructed. Of the 240,000 public housing units authorized by this bill, 140,000 will be of the conventional type and will be subject to site selection by local authorities in the communities. In other words, this bill would add 140,000 units of conventional public housing to the 170,000 already authorized, but which nobody wants.

The remaining 100,000 units of public housing in the bill are to be divided between the purchasing and leasing of existing homes. Units of this type are not subject to site selection by local authorities and may, therefore, be scattered helter-skelter throughout the community. In my opinion, local officials should have the authority and responsibility for approving or rejecting any proposed public housing unit or project in their community. This authority is lacking in this provision of the bill.

The urban renewal program is significantly expanded under the terms of the bill. When Congress originally adopted the urban renewal program in 1954, the original intent was to provide Federal funds primarily for the purpose of rebuilding dilapidated areas of cities, with the emphasis upon dwellings. The 1965 Housing Act contains a completely new theory. First, the emphasis is shifted from providing homes to reconstructing business areas. The trend in this direction over the past few years has resulted in many people being evicted from their homes and left with no places to live when their homes are replaced by a newly constructed office building or other type business establishment. This trend will increase under the pending bill. Second, urban areas could be provided financial assistance by the Federal Government to defray the costs of increased city services, such as street maintenance, and fire and police protection. These are strictly local functions, and there is no authority in the Constitution for the Federal Government to subsidize such activities, just as there was no constitutional authority for the National Government to enter the general field of housing in the first instance.

The bill authorizes $2,900 million more in the next 4 years for urban renewal capital grants and $125 million more over the next 4 years for urban renewal planning grants.

In addition to the urban renewal funds, the bill contains an increase of $225 million over the next 4 years in 50-percent grant contract authority to broaden the open-space program in urban areas. This is to include beautification, purchase of land, demolition of unsafe and unsightly buildings, and the relocation of people who are left without a place to live. An ever-expanding program of this type places increasing authority in the hands of the Federal bureaucrats to handle the affairs of local communities. The result will be that local officials will be looking more and more to the Federal Government to solve their problems for them, and local initiative and responsibility will decrease in direct proportion to the Federal involvement.

The bill would authorize three new grant programs, all of which require the Administrator of the Housing and Home Finance Agency to make omniscient judgments of the future. These three programs call for $400 million, over the next 4 years, to finance 50 percent of the cost of water and sewage facilities; $700 million, over the next 4 years, to finance the purchase by communities of land for sites for future public works; $200 million, over the next 4 years, to provide cities with neighborhood facilities, which would include community centers, youth centers, health stations, and other social services. In all of these programs, the Administrator of HHFA will have to predict, with a reasonable amount of certainty, the future growth of communities, including both the direction and the amount of the growth. Grants for the future such as these are necessarily speculative in nature and open the door to windfall profits for those individuals who are able to forecast the Administrator's decisions.

It is my firm belief that money loaned by the Federal Government should bear an interest rate at least equivalent to that which the Federal Government must pay to obtain the money which it reloans. This should be flexible and tied to the actual cost of money to the U.S. Treasury at any given time. And yet, in this bill, two existing programs would be changed so as to carry a set interest rate which is below that paid by the Federal Government at the present time. A flat 3 percent interest rate is written into the elderly housing program authorized by section 202 of the Federal Housing Act and the section 221 (d)(3) low rent housing program. These are subsidized interest rates; and if they are authorized, as is proposed in the pending bill, pressures will be brought to incorporate the subsidized interest rates into other existing loan programs.

One other section of the bill about which I have serious reservations is section 221, which proposes to add a new section to title V of the National Housing Act. I discussed this in my additional individual views contained in the committee report, and on the floor of the Senate earlier in the debate. In short, this section would require the Administrator of the HHFA to adopt a uniform procedure for the acceptance of materials and products which are found to be technically suitable for the use proposed in structures approved for mortgages and loans under the Housing Act.

I share the concern that has been expressed concerning the seeming reluctance of the FHA, and certain commodity standards groups, to approve new materials which are the result of technological advances in the industry. This is a matter which deserves a searching study by the appropriate congressional committees to assure that new materials can be taken advantage of to reduce the costs of housing to the American public where these materials are as good as, or better than, those presently in use.

Nevertheless, I am disturbed about the words "technically suitable," because the fear has been expressed to me that this amendment could open the door to the FHA accepting substandard items that might be classified as "technically suitable." It is not clear, in the wording of the amendment, who is to determine if any material is "technically suitable," but it is apparent that the Administrator of the HHFA would be required to make an independent judgment as to each and every product concerned. This would place an onerous burden upon the Administrator, one that he is not capable of adequately performing at the present time. The cost to the HHFA of testing the materials could greatly increase the administrative expenses of the Agency.

It is my belief, as I have previously stated, that the committee should conduct full and open hearings on this proposal, before including it in any bill. Until such hearings are held, I cannot support this provision.

Mr. President, this bill will result in further centralization of power and authority in the National Government over the general field of housing. By enacting this measure, we are approaching closer and closer to the socialization of housing, over which the Government has no constitutional authority. I cannot support such a bill and I intend to vote against it.

Mr. TOWER. Mr. President, I yield 1 minute to the Senator from New Hampshire [Mr. COTTON].

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 1 minute.

Mr. COTTON. Mr. President, I am growing very tired of salve, veneer, and deceit.

I do not mind politics, if politics are played aboveboard and in a decent and gentlemanly way. However, on this very day, the 15th of July 1965, as the Senate comes to vote on the pending bill which will provide one of the greatest political weapons in the history of American politics, I have just had revealed to me one instance of dirty, contemptible, petty, back-door politics coming straight from the office of Dr. Weaver and this Housing Agency.

Of all the departments of Government, this is the department which I believe furnishes the most proof.

I, of course, shall vote against the bill. I shall have something more to say about this episode later, when I am not delaying the Senate.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time, and ask for the yea-and-nay vote.

The PRESIDING OFFICER. All time has been yielded back. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Alaska would vote "yea."

On this vote, the Senator from Minnesota [Mr. MCCARTHY] is paired with the Senator from Arkansas [Mr. MCCLELLAN]. If present and voting, the Senator from Minnesota would vote "yea" and the Senator from Arkansas would vote "nay."

On this vote, the Senator from New Mexico [Mr. MONTOYA] is paired with the Senator from Massachusetts [Mr. SALTONSTALL]. If present and voting, the Senator from New Mexico would vote "yea" and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from Florida [Mr. SMATHERS] is paired with the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from Florida would vote "yea" and the Senator from North Dakota would vote "nay."

Mr. KUCHEL. I announce that the Senator from Idaho [Mr. JORDAN], the Senator from Vermont [Mr. PROUTY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from Kansas [Mr. PEARSON] and the Senator from New Jersey [Mr. CASE] are absent on official business.

On this vote, the Senator from New Jersey [Mr. CASE] is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from New Jersey would vote "yea" and the Senator from Idaho would vote "nay."

On this vote, the Senator from Kansas [Mr. PEARSON] is paired with the Senator from Vermont [Mr. PROUTY]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Vermont would vote "nay."

On this vote, the Senator from Massachusetts [Mr. SALTONSTALL] is paired with the Senator from New Mexico [Mr. MONTOYA]. If present and voting, the Senator from Massachusetts would vote "nay" and the Senator from New Mexico would vote "yea."

On this vote, the Senator from North Dakota [Mr. YOUNG] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from North Dakota would vote "nay" and the Senator from Florida would vote "yea."

The result was announced—yeas 54, nays 30, as follows:

[No. 187 Leg.]

YEAS—54

Aiken
Allott
Anderson
Bartlett
Bass
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Clark
Douglas
Ellender
Fulbright
Gore
Harris
Hart
Hartke
Hayden
Inouye
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McGee
McGovern
McIntyre
McNamara
Metcalf
Mondale
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Smith
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough

NAYS—30

Bennett
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ervin
Fannin
Fong
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Lausche
Miller
Morton
Mundt
Murphy
Robertson
Russell, S.C.
Russell, Ga.

Simpson
Stennis
Talmadge
Thurmond
Tower
Williams, Del.

NOT VOTING—16

Byrd, Va.
Cannon
Case
Church
Dodd
Gruening
Jordan, Idaho
McCarthy
McClellan
Montoya
Pearson
Prouty
Saltonstall
Smathers
Young, N. Dak.
Young, Ohio

So the bill (H.R. 7984) was passed.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MUSKIE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that in the engrossment of the amendment of the Senate to the bill (H.R. 7984) the Secretary of the Senate be authorized to make all necessary technical and clerical changes and corrections, including corrections in section, subsection, and so forth, designations, and cross references thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 366, S. 2213, be indefinitely postponed. I understand that in so doing, the bill will be removed from the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDATION OF SENATORS

Mr. MANSFIELD. Mr. President, I want to take a moment of the Senate's time to commend the Senator from Alabama [Mr. SPARKMAN] for his excellent leadership in managing this very complicated but much-needed legislation. His long experience in this field as Chairman of the Subcommittee on Housing gives him an expertise in this area respected by all Members. His willing manner to study alternative proposals not contained in the bill and appreciate their merit and agree with those that do not interfere with the general thrust of the bill reflects not only the best tradition of the Senate but also his personal skill as a floor manager.

Similar commendation must be given to the junior Senator from Maine [Mr. MUSKIE] for his able and articulate assistance; as well as to the senior Senator from Illinois [Mr. DOUGLAS] for the benefit of his many years of experience in this field.

In like manner I want to commend the junior Senator from Texas [Mr. TOWER], for his cooperation and assistance in expediting this measure. He and the senior Senator from Utah [Mr. BENNETT] in presenting their opposition to certain aspects of this bill were always constructive and as is their usual manner most articulate.

Of course there are many others who have participated in this debate whose names I have not mentioned but all of whom as well as the Senate as a whole deserve so much credit for the expeditious manner in which this bill has been passed. I must, however, pay particular tribute to the Senator from Virginia [Mr. ROBERTSON] chairman of the Banking and Currency Committee, who although opposed to many aspects of this bill, permitted it to be handled expeditiously in committee and on the floor.

The conduct of the Senate as a whole on this measure renews my optimism that with a continuing effort similar to these past 2 days, we will be able to finish our business by Labor Day.

Mr. DIRKSEN. Mr. President, the distinguished Senator from Texas [Mr. TOWER] was recognized by his committee colleagues as the Senator in charge of the bill for the minority. I have seen no greater expression of fidelity to duty than was displayed by him. He has been on the floor every minute while the bill was under consideration. He has taken account of every moment. I salute him for the great job that he did.

READJUSTMENT ASSISTANCE TO VETERANS WHO SERVE IN THE ARMED FORCES DURING THE INDUCTION PERIOD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 258, S. 9.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment, on page 6 after line 6, to strike out:

§ 1911. Duration of veterans' education or training

And, in lieu thereof, to insert:

§ 1910. Entitlement to education or training generally

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Cold War Veterans' Readjustment Assistance Act".

SEC. 2. (a) Title 38 of the United States Code is amended by adding after chapter 39 the following new chapter:

"CHAPTER 40—EDUCATION OF VETERANS WHO SERVE BETWEEN JANUARY 31, 1955, AND JULY 1, 1967

"Subchapter I—Definitions

"SEC.
"1908. Definitions.

"Subchapter II—Eligibility

"1910. Entitlement to education or training generally.
"1911. Duration of veterans' education or training.
"1912. Commencement; time limitations.
"1913. Expiration of all education and training.

"Subchapter III—Enrollment

"1920. Selection of program.
"1921. Applications; approval.
"1922. Change of program.
"1923. Disapproval of enrollment in certain courses.
"1924. Discontinuance for unsatisfactory progress.
"1925. Period of operation for approval.
"1926. Institutions listed by Attorney General.

"Subchapter IV—Payments to veterans

"1931. Education and training allowance.
"1932. Computation of education and training allowances.
"1933. Measurement of courses.
"1934. Overcharges by educational institutions.

"Subchapter V—State approving agencies

"1941. Designation.
"1942. Approval of courses.
"1943. Cooperation.
"1944. Use of Office of Education and other Federal agencies.
"1945. Reimbursement of expenses.

"Subchapter VI—Approval of courses of education and training

"1951. Apprentice or other training on the job.
"1952. Institutional on-farm training.
"1953. Approval of accredited courses.
"1954. Approval of nonaccredited courses.
"1955. Notice of approval of courses.
"1956. Disapproval of courses and discontinuance of allowances.

"Subchapter VII—Miscellaneous provisions

"SEC.
"1961. Authority and duties of Administrator.
"1962. Educational and vocational counseling.
"1963. Control by agencies of United States.
"1964. Conflicting interests.
"1965. Reports by institutions.
"1966. Overpayments to veterans.
"1967. Examination of records.
"1968. False or misleading statements.
"1969. Information furnished by Federal Trade Commission.
"1970. Effective date and retroactive allowances.

"Subchapter I—Definitions

"§ 1908. Definitions

"(a) For the purpose of this chapter—

"(1) The term 'eligible veteran' means any veteran who is not on active duty and who—

"(A) served on active duty at any time between January 31, 1955, and July 1, 1967;

"(B) was discharged or released therefrom under conditions other than dishonorable; and

"(C) served on active duty for a period of more than one hundred and eighty days (exclusive of any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians, or as cadet or midshipman at one of the service academies), or was discharged or released from a period of active duty, any part of which occurred between January 31, 1955, and July 1, 1967, for an actual service-connected disability.

"(2) The term 'program of education or training' means any single unit course or subject, any curriculum, or any combination of unit courses or subjects, which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

"(3) The term 'course' means an organized unit of subject matter in which instruction is offered within a given period of time or which covers a specific amount of related subject matter for which credit toward graduation or certification is usually given.

"(4) The term 'dependent' means—

"(A) a child of an eligible veteran;

"(B) a parent of an eligible veteran, if the parent is in fact dependent upon the veteran; and

"(C) the wife of an eligible veteran, or, in the case of an eligible veteran who is a woman, her husband if he is in fact dependent upon her.

"(5) The term 'educational institution' means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers college, college, normal school, professional school, university, scientific or technical institution, or other institution furnishing education for adults.

"(6) The term 'training establishment' means any business or other establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprentice committee, or the Bureau of Apprenticeship established in accordance with chapter 4C of title 29, or any agency of the Federal Government authorized to supervise such training.

"(7) The term 'State' includes the Canal Zone.

"(8) The term 'Commissioner' means the United States Commissioner of Education.

"(b) Benefits shall not be afforded under this chapter to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or of the Regular or Reserve Corps of the Public Health Service.

"(c) The Congress of the United States hereby declares that the veterans' education and training program created by this chapter is for the purpose of providing vocational readjustment and restoring lost educational opportunities to those service men and women whose educational or vocational ambitions have been interrupted or impeded by reason of active duty between January 31, 1955, and July 1, 1967, and for the purpose of aiding such persons in attaining the educational and training status which they might normally have aspired to and obtained had they not served their country.

"Subchapter II—Eligibility

"§ 1910. Entitlement to education or training generally

"Each eligible veteran shall, subject to the provisions of this chapter, be entitled to the education or training provided under this chapter.

"§ 1911. Duration of veteran's education or training

"(a) Each eligible veteran shall be entitled to education or training under this chapter for a period equal to one and a half times the duration of his service on active duty between January 31, 1955, and July 1, 1967, and, with respect to an eligible veteran on active duty on June 30, 1967, service on active duty after such date until his first discharge or release from such active duty after such date (or to the equivalent thereof in part-time training), except that—

"(1) in computing the duration of such service, there shall be excluded a period equal to any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians or served as a cadet or midshipman at one of the service academies;

"(2) the period of education or training to which an eligible veteran shall be entitled under this chapter shall not, except as provided in subsection (b), exceed thirty-six months reduced by a period equivalent to any period of educational assistance afforded him under chapters 33 and 35 of this title; and

"(3) the period of education or training to which an eligible veteran shall be entitled under this chapter together with vocational rehabilitation training received under chapter 31 of this title, and education or training received under part VIII of Veterans Regulation Numbered 1(a), and section 12(a) of the Act enacting this title shall not, except as provided in subsection (b), exceed thirty-six months in the aggregate.

"(b) Whenever the period of entitlement to education or training under this chapter of an eligible veteran who is enrolled in an educational institution regularly operated on the quarter or semester system ends during a quarter or semester and after a major part of such semester or quarter has expired, such period shall be extended to the termination of such unexpired quarter or semester. In all other courses offered by educational institutions, whenever the period of eligibility ends after a major portion of the course is completed such period may be extended to the end of the course or for nine weeks, whichever is the lesser period.

"(c) In the case of any eligible veteran who is pursuing any program of education or training exclusively by correspondence, one-fourth of the elapsed time in following such program of education or training shall be charged against the veteran's period of entitlement.

"§ 1912. Commencement; time limitations

"(a) No eligible veteran shall be entitled to initiate a program of education or training under this chapter after three years after his discharge or release from active duty or after three years after the date of enactment of this chapter, whichever is later. Notwithstanding the preceding sentence, any otherwise eligible veteran whom the Administrator determines to have been prevented from initiating a program of education or training under this chapter within the period prescribed by the preceding sentence because he had not met the nature of discharge requirements of section 1908(a)(1)(B) of this title before a change, correction, or modification of a discharge or dismissal made pursuant to section 1553 of title 10, the correction of the military records of the proper service department under section 1552 of title 10, or other corrective action by competent authority, shall be permitted to initiate a program of education or training under this chapter within three years after the date of his discharge or dismissal was so changed, corrected, or modified, or within three years after the date of enactment of this chapter, whichever is later.

"(b) The program of education and training of an eligible veteran under this chapter shall, on and after the delimiting date for the veteran to initiate his program, be pursued continuously until completion, except that an eligible veteran may suspend the pursuit of his program for periods of not more than twelve consecutive months, and may suspend the pursuit of such program for longer periods if the Administrator finds that the suspension for each such period was due to conditions beyond the control of the eligible veteran.

"(c) For the purposes of computing the three-year period under this section and the eight-year period under section 1913, the date of an eligible veteran's discharge or release shall be the date of his discharge or release from his last period of active duty which began before July 1, 1967, but no period of active duty performed after July 1, 1967, shall be included in computing such periods unless it follows a break in active duty status of more than ninety days.

"§ 1913. Expiration of all education and training

"No education or training shall be afforded an eligible veteran under this chapter beyond eight years after his discharge or release from active duty or eight years after the enactment of this chapter, whichever is later, except that any veteran who is eligible to initiate a program of education or training by reason of the second sentence of section 1912(a) of this title shall be permitted to pursue, subject to the other provisions of this chapter, such program for a period of not more than five years after the date of initiation thereof; but in no event shall education or training be afforded under this chapter after June 30, 1977, unless the veteran's date for initiating his program occurs after June 30, 1972.

"Subchapter III—Enrollment

"§ 1920. Selection of program

"Subject to the provisions of this chapter, each eligible veteran may select a program of education or training to assist him in attaining an educational, professional, or vocational objective at any educational institution or training establishment selected by him, whether or not located in the State in which he resides, which will accept and retain him as a student or trainee in any field or branch of knowledge which such institution or establishment finds him qualified to undertake or pursue. Notwithstanding the foregoing provisions of this section, an eligible veteran may not pursue a program of education or training at an educational institution or training establishment which is not located in a State, unless such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the enrollment under this chapter of any veteran in a foreign educational institution if he finds that such enrollment is not for the best interest of the veteran or the Government.

"§ 1921. Applications; approval

"Any eligible veteran who desires to initiate a program of education or training under this chapter shall submit an application to the Administrator which shall be in such form, and contain such information, as the Administrator shall prescribe. The Administrator shall approve such application unless he finds that such veteran is not eligible for or entitled to the education or training applied for or that his program of education or training fails to meet any of the requirements of this chapter, or that the eligible veteran is already qualified, by reason of previous education and training, for the educational, professional, or vocational objective for which the courses of the program of education or training are offered. The Administrator shall notify the eligible veteran of the approval or disapproval of his application.

"§ 1922. Change of program

"(a) Subject to the provisions of section 1921 of this title, each eligible veteran (except an eligible veteran whose program has been interrupted or discontinued due to his own misconduct, his own neglect, or his own lack of application) may, at any time before the end of the period during which he is entitled to initiate a program of education or training under this chapter, make not more than one change of program of education or training.

"(b) Each eligible veteran, who has not made a change of program of education or training before the expiration of the period during which he is entitled to initiate a program of education or training under this chapter, may make not more than one change of program of education or training with the approval of the Administrator. The Administrator shall approve such a change if he finds that—

"(1) the eligible veteran is not making satisfactory progress in his present program and that the failure is not due to his own misconduct, his own neglect, or his own lack of application, and if the program to which the eligible veteran desires to change is more in keeping with his aptitude or previous education and training; or

"(2) the program to which the eligible veteran desires to change, while not a part of the program currently pursued by him, is a normal progression from such program.

"(c) As used in this section the term 'change of program of education or training' shall not be deemed to include a change from the pursuit of one program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second.

"§ 1923. Disapproval of enrollment in certain courses

"(a) The Administrator shall not approve the enrollment of an eligible veteran in any bartending course, dancing course, or personality development course.

"(b) The Administrator shall not approve the enrollment of an eligible veteran—

"(1) in any photography course or entertainment course; or

"(2) in any music course—instrumental or vocal—public speaking course, or course in sports or athletics such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, bowling, sports officiating, or other sport or athletic courses, except courses of applied music, physical education, or public speaking which are offered by institutions of higher learning for credit as an integral part of a program leading to an educational objective; or

"(3) in any other type of course which the Administrator finds to be avocational or recreational in character;

unless the eligible veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

"(c) The Administrator shall not approve the enrollment of any eligible veteran, not already enrolled, in any nonaccredited course below the college level offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 per centum of the students enrolled in the course are having all or any part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this chapter, chapter 31 of this title, or section 12(a) of the Act enacting this title.

"§ 1924. Discontinuance for unsatisfactory progress

"The Administrator shall discontinue the education and training allowance of an eligible veteran if, at any time, he finds that, according to the regularly prescribed standards and practices of the educational institution or training establishment, the conduct or progress of such veteran is unsatisfactory.

"§ 1925. Period of operation for approval

"(a) The Administrator shall not approve the enrollment of an eligible veteran in any course offered by an educational institution when such course has been in operation for less than two years.

"(b) Subsection (a) shall not apply to—

"(1) any course to be pursued in a public or other tax-supported educational institution;

"(2) any course which is offered by an educational institution which has been in operation for more than two years, if such course is similar in character to the instruction previously given by such institution;

"(3) any course which has been offered by an institution for a period of more than two years, notwithstanding the institution has moved to another location within the same general locality; or

"(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree.

"§ 1926. Institutions listed by Attorney General

"The Administrator shall not approve the enrollment of, or payment of an education and training allowance to, any eligible veteran in any course in an educational institution or training establishment while it is listed by the Attorney General under section 3 of part III of Executive Order 9835, as amended.

"Subchapter IV—Payments to veterans

"§ 1931. Education and training allowance

"(a) The Administrator shall pay to each eligible veteran who is pursuing a program of education or training under this chapter, and who applies therefor, an education and training allowance to meet in part the expenses of his subsistence, tuition, fees, supplies, books, and equipment.

"(b) The education and training allowance for an eligible veteran shall be paid, as provided in section 1932 of this title, only for the period of the veterans' enrollment as approved by the Administrator, but no allowance shall be paid—

"(1) to any veteran enrolled in an institutional course which leads to a standard college degree or a course of institutional on-farm training for any period when the veteran is not pursuing his course in accordance with the regularly established policies and regulations of the institution and the requirements of this chapter;

"(2) to any veteran enrolled in an institutional course which does not lead to a standard college degree or in a course of apprentice or other training on the job for any day of absence in excess of thirty days in a twelve-month period, not counting as absences weekends or legal holidays established by Federal or State law during which the institution or establishment is not regularly in session or operation; or

"(3) to any veteran pursuing his program of education exclusively by correspondence for any period during which no lessons were serviced by the institution.

"(c) No education and training allowance shall be paid to an eligible veteran for any period until the Administrator shall have received—

"(1) from the eligible veteran (A) in the case of an eligible veteran enrolled in an institutional course which leads to a standard college degree or a course of institutional on-farm training, a certification that he was actually enrolled in and pursuing the course as approved by the Administrator, or (B) in the case of an eligible veteran enrolled in an institutional course which does not lead to a standard college degree or a course of apprentice or other training on the job, a certification as to actual attendance during such period, or (C) in the case of an eligble veteran enrolled in a program of education or training by correspondence, a certification as to the number of lessons actually completed by the veteran and serviced by the institution; and

"(2) from the educational institution or training establishment, a certification, or an endorsement on the veteran's certificate, that such veteran was enrolled in and pursuing a course of education or training during such period, and, in the case of an institution furnishing education or training to a veteran exclusively by correspondence, a certification or an endorsement on the veteran's certificate, as to the number of lessons completed by the veterans and serviced by the institution.

Education and training allowances shall, insofar as practicable, be paid within twenty days after receipt by the Administrator of the certifications required by this subsection.

"§ 1932. Computation of education and training allowances

"(a) The education and training allowance of an eligible veteran who is pursuing a program of education or training in an educational institution and is not entitled to receive an education and training allowance under subsection (b), (c), (d), (e), or (f) shall be computed as follows:

"(1) If such program is pursued on a full-time basis, such allowance shall be computed at the rate of $110 per month, if the veteran has no dependent, or at the rate of $135 per month, if he has one dependent, or at the rate of $160 per month, if he has more than one dependent.

"(2) If such program is pursued on a three-quarters time basis, such allowance shall be computed at the rate of $80 per month, if the veteran has no dependent, or at the rate of $100 per month, if he has one dependent, or at the rate of $120 per month, if he has more than one dependent.

"(3) If such program is pursued on a half-time basis, such allowance shall be computed at the rate of $50 per month, if the veteran has no dependent, or at the rate of $60 per month, if he has one dependent, or at the rate of $80 per month, if he has more than one dependent.

"(b) The education and training allowance of an eligible veteran who is pursuing a full-time program of education and training which consists of institutional courses and on-the-job training, with the on-the-job training portion of the program being strictly supplemental to the institutional portion, shall be completed at the rate of (1) $90 per month, if he has no dependent, or (2) $110 per month, if he has one dependent, or (3) $130 per month, if he has more than one dependent.

"(c) The education and training allowance of an eligible veteran pursuing apprentice or other training on the job shall be computed at the rate of (1) $70 per month, if he has no dependent, or (2) $85 per month, if he has one dependent, or (3) $105 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of each four-month period as his program progresses by an amount which bears the same ratio to the basic education and training allowance as four months bears to the total duration of his apprentice or other training on the job; but in no case shall the Administrator pay an education and training allowance under this subsection in an amount which, when added to the compensation to be paid to the veteran, in accordance with his approved training program, for productive labor performed as a part of his course, would exceed the rate of $310 per month. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of months of such training a multiple of four.

"(d) The education and training allowance of an eligible veteran pursuing institutional on-farm training shall be computed at the rate of (1) $95 per month, if he has no dependent, or (2) $110 per month, if he has one dependent, or (3) $130 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of the third, and each subsequent four-month period as his program progresses by an amount which bears the same ratio to $65 per month, if the veteran has no dependent, or $80 per month, if he has one dependent, or $100 per month, if he has more than one dependent, as four months bears to the total duration of such veterans' institutional on-farm training reduced by eight months. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of such months of such training a multiple of four.

"(e) The education and training allowance of an eligible veteran pursuing a program of education or training exclusively by correspondence shall be computed on the basis of the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran and serviced by the institution, as certified by the institution.

"(f) The education and training allowance of an eligible veteran who is pursuing a program of education or training under this chapter in an educational institution on a less than half-time basis shall be computed at the rate of (1) the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, or (2) $110 per month for a full-time course, whichever is the lesser.

"(g) Each eligible veteran who is pursuing an approved course of flight training shall be paid an education and training allowance to be computed at the rate of 75 per centum of the established charge which similarly circumstanced nonveterans enrolled in the same flight course are required to pay for tuition for the course. If such veteran's program of education or training consists exclusively of flight training, he shall not be paid an education and training allowance under one of the preceding subsections of this section; if his program of education or training consists of flight training and other education or training, the allowance payable under this subsection shall be in addition to any education and training allowance payable to him under one of the preceding subsections of this section for education or training other than flight training. Such allowance shall be paid monthly upon receipt of certification from the eligible veteran and the institution as to the actual flight training received by the veteran. In each such case the eligible veteran's period of entitlement shall be charged (in addition to any charge made against his entitlement by reason of education or training other than flight training) with one day of each $1.25 which is paid to the veteran as an education and training allowance for such course.

"(h) No eligible veteran shall be paid an education and training allowance under this chapter for any period during which (1) he is enrolled in and pursuing a course of education or training paid for by the United States under any provision of law other than this chapter, where the payment of such allowance would constitute a duplication of benefits paid to the veteran from the Federal Treasury, or (2) he is pursuing a course of apprentice or other training on the job, a course of institutional on-farm training, or a course of education and training described in subsection (b) on a less than full-time basis.

"§ 1933. Measurement of courses

"(a) For the purposes of this chapter (1) an institutional trade or technical course offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of thirty hours per week of attendance is required with not more than two and one-half hours of rest periods per week allowed, (2) an institutional course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of instruction is required, and (3) an institutional undergraduate course offered by a college or university on a quarter or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of fourteen semester hours or its equivalent is required.

"(b) The Administrator shall define full-time training in the case of all types of courses of education or training other than institutional on-farm training and the types of courses referred to in subsection (a); except that, the Administrator shall not define full-time apprentice training for a particular establishment other than that established as the standard workweek through bona fide collective bargaining between employers and employees.

"§ 1934. Overcharges by educational institutions

"The Administrator may, if he finds that an institution has charged or received from any eligible veteran any amount in excess of the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, disapprove such educational institution for the enrollment of any veteran not already enrolled therein, except that, in the case of a tax-supported public educational institution which does not have established charges for tuition and fees which it requires nonveteran residents to pay, such institution may charge and receive from each eligible veteran who is a resident an amount equal to the estimated cost of teaching personnel and supplies for instruction attributable to such veteran, but in no event to exceed the rate of $10 per month for a full-time course. Any educational institution or training establishment disapproved under this section shall also be disapproved for the enrollment of any veteran not already enrolled therein under chapter 31, or for the enrollment of any eligible person not already enrolled therein under chapter 35.

"Subchapter V—State approving agencies

"§ 1941. Designation

"(a) Unless otherwise established by the law of the State concerned, the chief executive of each State is requested to create or designate a State department or agency as the 'State approving agency' for his State for the purposes of this chapter.

"(b)(1) If any State fails or declines to create or designate a State approving agency, the provisions of this chapter which refer to the State approving agency shall, with respect to such State, be deemed to refer to the Administrator.

"(2) In the case of courses subject to approval by the Administrator under section 1942 of this title, the provisions of this chapter which refer to a State approving agency shall be deemed to refer to the Administrator.

"§ 1942. Approval of courses

"(a) An eligible veteran shall receive the benefits of this chapter while enrolled in a course of education or training offered by an educational institution or training establishment only if such course is approved by the State approving agency for the State where such educational institution or training establishment is situated or by the Administrator. Approval of courses by State approving agencies shall be in accordance with the provisions of this chapter and such other regulations and policies as the State approving agency may adopt. Each State approving agency shall furnish the Administrator with a current list of educational institutions and training establishments, specifying courses which it has approved, and, in addition to such list, it shall furnish such other information to the Administrator as it and the Administrator may determine to be necessary to carry out the purposes of this chapter. Each State approving agency shall notify the Administrator of the disapproval of any course previously approved and shall set forth the reasons for such disapproval.

"(b) The Administrator shall be responsible for the approval of courses of education or training offered by any agency of the Federal Government authorized under other laws to supervise such education or training. The Administrator may approve any course in any other educational institution or training establishment in accordance with the provisions of this chapter.

"(c) Any course offered by an educational institution or training establishment shall be considered approved for the purposes of this chapter if it is in an approved status for education or training under chapter 33 of this title, and has not been disapproved under the provisions of this chapter.

"§ 1943. Cooperation

"(a) The Administrator and each State approving agency shall take cognizance of the fact that definite duties, functions, and responsibilities are conferred upon the Administrator and each State approving agency under the veterans' educational programs. To assure that such programs are effectively and efficiently administered, the cooperation of the Administrator and the State approving agencies is essential. It is necessary to establish an exchange of information pertaining to activities of educational institutions and training establishments, and particular attention should be given to the enforcement of approval standards, enforcement of wage and income limitations, enforcement of enrollment restrictions, and fraudulent and other criminal activities on the part of persons connected with educational institutions and training establishments in which veterans are enrolled under this chapter.

"(b) The Administrator will furnish the State approving agencies with copies of such Veterans' Administration informational material as may aid them in carrying out this chapter.

"§ 1944. Use of Office of Education and other Federal agencies

"(a) In carrying out his functions under this chapter, the Administrator may utilize the facilities and services of any other Federal department or agency. The Administrator shall utilize the services of the Office of Education in developing cooperative agreements between the Administrator and State and local agencies relating to the approval of courses of education or training as provided for in section 1945 of this title, in reviewing the plan of operations of State approving agencies under such agreements, and in rendering technical assistance to such State and local agencies in developing and improving policies, standards, and legislation in connection with their duties under this chapter.

"(b) Any such utilization shall be pursuant to proper agreement with the Federal department or agency concerned; and payment to cover the cost thereof shall (except in the case of the Office of Education) be made either in advance or by way of reimbursement, as may be provided in such agreement. Funds necessary to enable the Office of Education to carry out its functions under this chapter are authorized to be appropriated directly to such Office.

"§ 1945. Reimbursement of expenses

"The Administrator is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies in (1) rendering necessary services in ascertaining the qualifications of educational institutions and training establishments for furnishing courses of education or training to eligible veterans under this chapter, and in the supervision of such educational institutions and training establishments, and (2) furnishing, at the request of the Administrator, any other services in connection with this chapter. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of this chapter.

"Subchapter VI—Approval of courses of education and training

"§ 1951. Apprentice or other training on the job

"(a) Apprentice or other training on the job shall consist of courses offered by training establishments whenever such courses of training are furnished in accordance with the provisions of this section. Any training establishment desiring to furnish a course of apprentice or other training on the job shall submit to the appropriate State approving agency a written application setting forth the course of training for each job for which an eligible veteran is to be trained. The written application covering the course of training shall include the following:

"(1) Title and description of the specific job objective for which the eligible veteran is to be trained;

"(2) The length of the training period;

"(3) A schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

"(4) The wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;

"(5) The entrance wage or salary paid by the establishment to employees already trained in the kind of work for which the veteran is to be trained; and

"(6) The number of hours of supplemental related instruction required.

"(b) The appropriate State approving agency may approve a course of apprentice or other training on the job specified in an application submitted by a training establishment in accordance with subsection (a) if such training establishment is found upon investigation to have met the following criteria:

"(1) The training content of the course is adequate to qualify the eligible veteran for appointment to the job for which he is to be trained.

"(2) There is reasonable certainty that the job for which the eligible veteran is to be trained will be available to him at the end of the training period.

"(3) The job is one in which progression and appointment to the next higher classification are based upon skills learned through organized training on the job and not on such factors as length of service and normal turnover.

"(4) The wages to be paid the eligible veteran for each successive period of training are not less than those customarily paid in the training establishment and in the community to a learner in the same job who is not a veteran.

"(5) The job customarily requires a period of training of not less than three months and not more than two years of full-time training, except that this provision shall not apply to apprentice training.

"(6) The length of the training period is no longer than that customarily requested by the training establishment and other training establishments in the community to provide an eligible veteran with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the eligible veteran will need to learn in order to become competent on the job for which he is being trained.

"(7) Provision is made for related instruction for the individual eligible veteran who may need it.

"(8) There is in the training establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

"(9) Adequate records are kept to show the progress made by each eligible veteran toward his job objective.

"(10) Appropriate credit is given the eligible veteran for previous training and job experience, whether in the military service or elsewhere, his beginning wage adjusted to the level to which such credit advances him, and his training period shortened accordingly, and provision is made for certification by the training establishment that such credit has been granted and the beginning wage adjusted accordingly. No course of training will be considered bona fide if given to an eligible veteran who is already qualified by training and experience for the job objective.

"(11) A signed copy of the training agreements for each eligible veteran, including the training program and wage scale as approved by the State approving agency, is provided to the veteran and to the Administrator and the State approving agency by the employer.

"(12) Upon completion of the course of training furnished by the training establishment the eligible veteran is given a certificate by the employer indicating the length and type of training provided and that the eligible veteran has completed the course of training on the job satisfactorily.

"(13) That the course meets such other criteria as may be established by the State approving agency.

"§ 1952. Institutional on-farm training

"(a) An eligible veteran shall be entitled to the benefits of this chapter while enrolled in a course of full-time institutional on-farm training which has been approved by the appropriate State approving agency in accordance with the provisions of this section.

"(b) The State approving agency may approve a course of institutional on-farm training when it satisfies the following requirements:

"(1) The course combines organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment.

"(2) The eligible veteran will perform a part of such course on a farm or other agricultural establishment under his control.

"(3) The course is developed with due consideration to the size and character of the farm or other agricultural establishment on which the eligible veteran will receive his supervised work experience and to the need of such eligible veterans, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farming management, and the keeping of farm and home accounts.

"(4) The eligible veteran will receive not less than one hundred hours of individual instruction per year, not less than fifty hours of which shall be on such farm or other agricultural establishment (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

"(5) The eligible veteran will be assured of control of such farm or other agricultural establishment (whether by ownership, lease, management, agreement, or other tenure arrangement) until the completion of his course.

"(6) Such farm or other agricultural establishment shall be of a size and character which (A) will, together with the group-instruction part of the course, occupy the full time of the eligible veteran, (B) will permit instruction in all aspects of the management of the farm or other agricultural establishment of the type for which the eligible veteran is being trained, and will provide the eligible veteran an opportunity to apply to the operation of his farm or other agricultural establishment the major portion of the farm practices taught in the group-instruction part of the course, and (C) will assure him a satisfactory income for a reasonable living under normal conditions at least by the end of his course.

"(7) Provision shall be made for certification by the institution and the veteran that the training offered does not repeat or duplicate training previously received by the veteran.

"(8) The institutional on-farm training meets such other fair and reasonable standards as may be established by the State approving agency.

"§ 1953. Approval of accredited courses

"(a) A State approving agency may approve the courses offered by an educational institution when—

"(1) such courses have been accredited and approved by a nationally recognized accrediting agency or association;

"(2) credit for such course is approved by the State department of education for credit toward a high school diploma;

"(3) such courses are conducted under sections 11–28 of title 20; or

"(4) such courses are accepted by the State department of education for credit for a teacher's certificate or a teacher's degree.

For the purposes of this chapter the Commissioner shall publish a list of nationally recognized accrediting agencies and associations which he determines to be a reliable authority as to the quality of training offered by an educational institution and the State approving agencies may, upon concurrence, utilize the accreditation of such accrediting associations or agencies for approval of the courses specifically accredited and approved by such accrediting association or agency. In making application for approval, the institution shall transmit to the State approving agency copies of its catalog or bulletin.

"(b) As a condition to approval under this section, the State approving agency must find that adequate records are kept by the educational institution to show the progress of each eligible veteran. The State approving agency must also find that the educational institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

"§ 1954. Approval of nonaccredited courses

"(a) No course of education or training (other than a course of institutional on-farm training) which has not been approved by a State approving agency pursuant to section 1953 of this title, which is offered by a public or private, profit or nonprofit, educational institution shall be approved for the purposes of this chapter unless the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.

"(b) Such application shall be accompanied by not less than two copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner or official and includes the following:

"(1) Identifying data, such as volume number and date of publication;

"(2) Names of the institution and its governing body, officials, and faculty;

"(3) A calendar of the institution showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;

"(4) Institution policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

"(5) Institution policy and regulations relative to leave, absences, class cuts, makeup work, tardiness and interruptions for unsatisfactory attendance;

"(6) Institution policy and regulations relative to standards of progress required of the student by the institution (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student);

"(7) Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;

"(8) Detailed schedules of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

"(9) Policy and regulations of the institution relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;

"(10) A description of the available space, facilities, and equipment;

"(11) A course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

"(12) Policy and regulations of the institution relative to granting credit for previous educational training.

"(c) The appropriate State approving agency may approve the application of such institution when the institution and its non-accredited courses are found upon investigation to have met the following criteria:

"(1) The courses, curriculum, and instruction are consistent with quality, content, and length with similar courses in public schools and other private schools in the State, with recognized accepted standards.

"(2) There is in the institution adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.

"(3) Educational and experience qualifications of directors, administrators, and instructors are adequate.

"(4) The institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

"(5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absence, grading policy, and rules of operation and conduct will be furnished the veteran upon enrollment.

"(6) Upon completion of training, the veteran is given a certificate by the institution indicating the approved course and indicating that training was satisfactorily completed.

"(7) Adaquate records as prescribed by the State approving agency are kept to show attendance and progress, or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.

"(8) The institution complies with all local, city, county, municipal, State, and Federal regulations, such as fire codes, building and sanitation codes. The State approving agency may require such evidence of compliance as is deemed necessary.

"(9) The institution is financially sound and capable of fulfilling its commitments for training.

"(10) The institution does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation. The institution shall not be deemed to have met this requirement until the State approving agency (A) has ascertained from the Federal Trade Commission whether the Commission has issued an order to the institution to cease and desist from any act or practice, and (B) has, if such an order has been issued, given due weight to that fact.

"(11) The institution does not exceed its enrollment limitations as established by the State approving agency.

"(12) The institution's administrators, directors, owners, and instructors are of good reputation and character.

"(13) The institution has and maintains a policy for the refund of the unused portion of tuition, fees, and other charges in the event the veteran fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion and such policy must provide that the amount charged to the veteran for tuition, fees, and other charges for a portion of the course shall not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the complete portion of the course bears to its total length.

"(14) Such additional criteria as may be deemed necessary by the State approving agency.

"§ 1955. Notice of approval of courses

"The State approving agency, upon determining that an educational institution has complied with all the requirements of this chapter, will issue a letter to such institution setting forth the courses which have been approved for the purposes of this chapter, and will furnish an official copy of such letter and any subsequent amendments to the Administrator. The letter of approval shall be accompanied by a copy of the catalog or bulletin of the institution, as approved by the State approving agency, and shall contain the following information:

"(1) date of letter and effective date of approval of courses;

"(2) proper address and name of each educational institution or training establishment;

"(3) authority for approval and conditions of approval, referring specifically to the approved catalog or bulletin published by the educational institution;

"(4) name of each course approved;

"(5) where applicable, enrollment limitations such as maximum numbers authorized and student-teacher ratio;

"(6) signature of responsible official of State approving agency; and

"(7) such other fair and reasonable provisions as are considered necessary by the appropriate State approving agency.

"§ 1956. Disapproval of courses and discontinuance of allowances

"(a) Any course approved for the purposes of this chapter which fails to meet any of the requirements of this chapter shall be immediately disapproved by the appropriate State approving agency. An educational institution or training establishment which has its courses disapproved by a State approving agency will be notified of such disapproval by a certified or registered letter of notification and a return receipt secured.

"(b) The Administrator may discontinue the education and training allowance of any eligible veteran if he finds that the course of education or training in which such veteran is enrolled fails to meet any of the requirements of this chapter or if he finds that the educational institution or training establishment offering such course has violated any provisions of this chapter or fails to meet any of its requirements.

"(c) Each State approving agency shall notify the Administrator of each course which it has disapproved under this section.

"Subchapter VII—Miscellaneous provisions

"§ 1961. Authority and duties of Administrator

"Payments under this chapter shall be subject to audit and review by the General Accounting Office as provided by the Budget and Accounting Act of 1921 and the Budget and Accounting Procedures Act of 1950.

"§ 1962. Educational and vocational counseling

"The Administrator may arrange for educational and vocational counseling to persons eligible for education and training under this chapter. At such intervals as he deems necessary, he shall make available information respecting the need for general education and for trained personnel in the various crafts, trades, and professions. Facilities of other Federal agencies collecting such information shall be utilized to the extent he deems practicable.

"§ 1963. Control by agencies of United States

"No department, agency, or officer of the United States, in carrying out this chapter, shall exercise any supervision or control, whatsoever, over any State approving agency, State educational agency, or State apprenticeship agency, or any educational institution or training establishment. Nothing in this section shall be deemed to prevent any department, agency, or officer of the United States from exercising any supervision or control which such department, agency, or officer is authorized by law to exercise over any Federal educational institution or training establishment, or to prevent the furnishing of education or training under this chapter in any institution or establishment over which supervision or control is exercised by such other department, agency, or officer under authority of existing provisions of law.

"§ 1964. Conflicting interests

"(a) Every officer or employee of the Veterans' Administration, or of the Office of Education, who has, while such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any educational institution operated for profit in which an eligible veteran was pursing a course of education or training under this chapter shall be immediately dismissed from his office or employment.

"(b) If the Administrator finds that any person who is an officer or employee of a State approving agency has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, an educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this chapter, he shall discontinue making payments under section 1945 of this title to such State approving agency unless such agency shall, without delay, take such steps as may be necessary to terminate the employment of such person and such payments shall not be resumed while such person is an officer or employee of the State approving agency, or State department of veterans affairs or State department of education.

"(c) A State approving agency shall not approve any course offered by an educational institution operated for profit and, if any such course has been approved, shall disapprove each such course, if it finds that any officer or employee of the Veterans' Administration, the Office of Education, or the State approving agency owns an interest in, or receives any wages, salary, dividends, profits, gratuities, or services from, such institution.

"(d) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the case of any officer or employee of the Veterans' Administration, of the Office of Education, or of a State approving agency, if he finds that no detriment will result to the United States or to eligible veterans by reason of such interest or connection of such officer or employee.

"§ 1965. Reports by institutions

"(a) Educational institutions and training establishments shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education or training of each eligible veteran enrolled therein under this chapter.

"(b) The Administrator shall pay to each educational institution which is required to submit reports and certifications to the Administrator under this chapter, an allowance at the rate of $1 per month for each eligible veteran enrolled in and attending such institution under the provisions of this chapter to assist the educational institution in defraying the expense of preparing and submitting such reports and certifications. Such allowances shall be paid in such manner and at such times as may be prescribed by the Administrator, except that if any institution fails to submit reports or certifications to the Administrator as required by this chapter, no allowance shall be paid to such institution for the month or months during which such reports or certifications were not submitted as required by the Administrator.

"§ 1966. Overpayments to veterans

"Whenever the Administrator finds that an overpayment has been made to a veteran as the result of (1) the willful or negligent failure of the educational institution or training establishment to report, as required by this chapter and applicable regulations, to the Veterans' Administration excessive absences from a course, or discontinuance or interruption of a course by the veteran or (2) false certification by the educational institution or training establishment, the amount of such overpayment shall constitute a liability of such institution or establishment, and may be recovered in the same manner as any other debt due the United States. Any amount so collected shall be reimbursed if the overpayment is recovered from the veteran. This section shall not preclude the imposition of any civil or criminal liability under this or any other law.

"§ 1967. Examination of records

"The records and accounts of educational institutions and training establishments pertaining to eligible veterans who received education or training under this chapter shall be available for examination by duly authorized representatives of the Government.

"§ 1968. False or misleading statements

"In each case where the Administrator finds that an educational institution or training establishment has willfully submitted a false or misleading claim, or where a veteran, with the complicity of an educational institution or training establishment, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and where deemed advisable to the Attorney General of the United States for appropriate action.

"§ 1969. Information furnished by Federal Trade Commission

"The Federal Trade Commission shall keep all State approving agencies advised of any information coming to its attention which would be of assistance to such agencies in carrying out their duties under this chapter.

"§ 1970. Effective date and retroactive allowances

"The provisions of this chapter shall take effect as of September 1, 1965. In the event this chapter is enacted subsequent to such date, the Administrator shall prescribe regulations for making retroactive payments of education and training allowances, upon application therefor, to eligible veterans for education or training pursued by them on or after September 1, 1965, and prior to the date of the enactment of this chapter."

(b) The table of contents at the beginning of such title is amended by inserting immediately after

"39. Automobiles for Disabled Veterans........................ 1901"

the following:

"40. Education of Veterans Who Serve Between January 31, 1955, and July 1, 1967.................. 1908".

(c) The table of chapters at the beginning of part III of such title is amended by inserting immediately after

"39. Automobiles for Disabled Veterans........................ 1901"

the following:

"40. Education of Veterans Who Serve Between January 31, 1955, and July 1, 1967.................. 1908".

(d) Such title is further amended—

(1) by inserting in section 102(a)(2) immediately after "chapter 33" the following: "or 40", and by striking out "chapters 19 and 33" in section 102(b), and inserting in lieu thereof "chapters 19, 33, and 40";

(2) by striking out in section 111(a) "33 or 35", and inserting in lieu thereof the following: "33, 35, or 40";

(3) by inserting in section 211(a) after "1761," the following: "1961,";

(4) by striking out in section 1662(b) "chapters 31 and 35" and inserting in lieu thereof the following: "chapters 31, 35, and 40";

(5) by striking out in section 1711(b) "chapter 31 or 33", and inserting in lieu thereof the following: "chapter 31, 33, or 40";

(6) by striking out in section 1734(a) "chapter 31 or 33" and inserting in lieu thereof the following: "chapter 31, 33, or 40";

(7) by striking out in section 3013 "and 35" and inserting in lieu thereof the following: "35, and 40";

(8) by inserting after "chapter 35" in section 1611(a)(2) the following: "or education or training under chapter 40"; and

(9) by inserting in section 1634 immediately before the comma following "therein" the following: "under this chapter or chapter 40".

SEC. 3. (a) Chapter 37 of title 38 of the United States Code is amended by inserting immediately after section 1817 the following new section:

"§ 1818. Veterans who serve between January 31, 1955, and July 1, 1967

"(a) Each veteran who served on active duty at any time between January 31, 1955, and July 1, 1967, shall be eligible for the benefits of this chapter (except sections 1813 and 1815, and business loans under section 1814, of this title), subject to the provisions of this section, if his total service was for a period of more than one hundred and eighty days, or if he was discharged or released from a period of active duty, any part of which occurred between January 31, 1955, and July 1, 1967, for a service-connected disability.

"(b) No veteran shall be eligible for benefits under this section so long as he is eligible under this chapter for any unused benefits derived from service during World War II or the Korean conflict. Any veteran who is eligible for benefits under this section and who has obtained benefits under this chapter by reason of service during World War II or the Korean conflict shall have his benefits under this section reduced by the amount of any benefits previously obtained under this chapter. Benefits shall not be afforded under this section to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or the Regular or Reserve Corps of the Public Health Service.

"(c) Loans may be guaranteed under this section if made before July 1, 1977. If a loan report or application for loan guaranty is received by the Administrator before July 1, 1977, the loan may be guaranteed after such date. Direct loans authorized by this section shall not be made after June 30, 1977, except pursuant to commitments issued by the Administrator on or before that date.

"(b) A fee shall be collected from each veteran obtaining a loan guaranteed or made under this section, and no loan shall be guaranteed or made under this section until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no event exceed one-half of 1 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran and paid from the proceeds thereof. The Administrator shall deposit all fees collected hereunder in the revolving fund established under the provisions of section 1824 of this title."

(b) The table of sections at the beginning of chapter 37 of such title is amended by inserting immediately below

"1817. Release from liability under guaranty."

the following:

"1818. Veterans who serve between January 31, 1955, and July 1, 1967."

(c) Section 1822(a) of such title is amended by striking out "or 1813", and inserting in lieu thereof "1813, or 1818".

ORDER OF BUSINESS—FUNERAL SERVICES

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. YARBOROUGH. The distinguished Senator from Montana has asked to have laid before the Senate, Senate bill 9. Am I correct in my understanding that tomorrow debate will not begin on the bill until after the funeral for the late Ambassador Adlai Stevenson and the return of Senators to the Senate Chamber?

Mr. MANSFIELD. Yes. Since the Senator from Texas has raised the question, I should like to say that Senators who wish to go to the cathedral memorial services will find that cars will be waiting at the foot of the capitol steps at 10 o'clock a.m. tomorrow. Those who expect to attend the services are expected to be in their pews by 10:45. The memorial services will start at 11 a.m. The Senator from Texas and all other Senators will be fully protected in that no action will be taken on the bill which will be detrimental in any way.

Mr. YARBOROUGH. I thank the Senator.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 2984) to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Harris, Mr. O'Brien, Mr. Rogers of Florida, Mr. Satterfield, Mr. Mackay, Mr. Gilligan, Mr. Springer, Mr. Nelsen, and Mr. Carter were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 2985) to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Harris, Mr. O'Brien, Mr. Rogers of Florida, Mr. Satterfield, Mr. Mackay, Mr. Gilligan, Mr. Springer, Mr. Nelson, and Mr. Carter were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of water resources and river basin commissions and by providing financial assistance to the States in order to increase the participation in such planning.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports on Overobligations of Appropriations

A letter from the Secretary of Defense, reporting, pursuant to law, on the overobligations of certain appropriations within that Department (with accompanying papers); to the Committee on Appropriations.

Diplomatic Relations Act of 1965

A letter from the Secretary of State, transmitting a draft of proposed legislation to complement the Vienna Convention on Diplomatic Relations (with accompanying papers); to the Committee on Foreign Relations.

Suspension of Deportation of Aliens—Withdrawal of Name

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Tom Leong Doo, also known as William Doo Tom, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on April 1, 1965 (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

The petition of Miss Syl Rebecca Berger, of Brooklyn, N.Y., praying for the enactment of legislation to provide $5 billion for an outer space program; to the Committee on Appropriations.

A resolution adopted by the Tully Subordinate Grange No. 617, of Tully, N.Y., relating to the functions of the executive, legislative, and judicial branches of the Government; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 135. A bill for the relief of Elizabeth Kam Oi Hu (Rept. No. 434);

S. 136. A bill for the relief of Angel Lagmay (Rept. No. 435);

S. 137. A bill for the relief of Rosauro L. Lindogan (Rept. No. 436);

S. 612. A bill for the relief of Kevin Dillon Schofield (Rept. No. 437);

S. 870. A bill for the relief of Kaloyan D. Kaloyanoff (Rept. No. 438);

H.R. 1314. An act for the relief of Foster Masahiko Gushard (Rept. No. 439);

H.R. 1322. An act for the relief of Mrs. Ana Cristina Rainforth (Rept. No. 440);

H.R. 1487. An act for the relief of Maj. Kenneth F. Coykendall, U.S. Army (Rept. No. 441);

H.R. 1853. An act for the relief of Giuseppe Delina (Rept. No. 442);

H.R. 1889. An act for the relief of Albert Marks (Rept. No. 443);

H.R. 3625. An act for the relief of Alfred Estrada (Rept. No. 444); and

S. Res. 120. Resolution to provide additional funds for the Committee on the Judiciary; referred to the Committee on Rules and Administration.

By Mr. BAYH, from the Committee on the Judiciary, without amendment:

H.R. 1217. An act for the relief of Capt. Paul W. Oberdorfer (Rept. No. 452);

H.R. 1374. An act for the relief of CWO Elden R. Comer (Rept. No. 453); and

H.R. 2881. An act for the relief of George A. Grabert (Rept. No. 454).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

S. 711. A bill for the relief of Mrs. Hertha L. Wohllmuth (Rept. No. 457).

By Mr. KENNEDY of Massachusetts, from the Committee on the Judiciary, without amendment:

S. 850. A bill for the relief of Samuel L. McCoy (Rept. No. 456).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 102. A bill to provide an additional place for holding court in the district of North Dakota (Rept. No. 455).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 66. Joint resolution to provide for the designation of the period from August 31 through September 6 in 1965, as "National American Legion Baseball Week" (Rept. No. 451).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 76. A bill for the relief of Anna Maria Heiland (Rept. No. 445);

S. 375. A bill for the relief of Pedro Antonio Julio Sanchez (Rept. No. 446);

S. 872. A bill for the relief of Vasil Laci (Rept. No. 447);

S. 879. A bill for the relief of Kim Sa Suk. (Rept. No. 448); and

S. 1198. A bill for the relief of Mrs. Harley Brewer (Rept. No. 449).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1119. A bill for the relief of Julio Dumas and his wife, Josephine Dumas (Rept. No. 450).

By Mr. BAYH, from the Committee on Public Works with amendments:

S. 1861. A bill to provide additional assistance for areas suffering a major disaster (Rept. No. 459).

By Mr. INOUYE, from the Committee on Armed Services, without amendment:

H.R. 8484. An act to amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the Armed Forces on a change of permanent station (Rept. No. 460).

REPORT ENTITLED "CONSTITUTIONAL AMENDMENTS"—REPORT OF A COMMITTEE (S. REPT. NO. 458)

Mr. BAYH. Mr. President, from the Committee on the Judiciary, pursuant to Senate Resolution 264, 88th Congress, I submit an annual report entitled "Constitutional Amendments," and ask that it be printed.

The PRESIDING OFFICER (Mr. Bass in the chair). The report will be received and printed, as requested by the Senator from Indiana.

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported the following original resolution (S. Res. 130); which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Labor and Public Welfare is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress, $15,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BOGGS (for himself, Mr. Williams of Delaware, Mr. Brewster, and Mr. Tydings):

S. 2287. A bill to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. Byrd of West Virginia):

S. 2288. A bill to permit the vessel *Little Nancy* to be documented for use in the profits, gratuities, or services from, such institution.

"(d) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the case of any officer or employee of the Veterans' Administration, of the Office of Education, or of a State approving agency, if he finds that no detriment will result to the United States or to eligible veterans by reason of such interest or connection of such officer or employee.

"§ 1965. Reports by institutions

"(a) Educational institutions and training establishments shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education or training of each eligible veteran enrolled therein under this chapter.

"(b) The Administrator shall pay to each educational institution which is required to submit reports and certifications to the Administrator under this chapter, an allowance at the rate of $1 per month for each eligible veteran enrolled in and attending such institution under the provisions of this chapter to assist the educational institution in defraying the expense of preparing and submitting such reports and certifications. Such allowances shall be paid in such manner and at such times as may be prescribed by the Administrator, except that if any institution fails to submit reports or certifications to the Administrator as required by this chapter, no allowance shall be paid to such institution for the month or months during which such reports or certifications were not submitted as required by the Administrator.

"§ 1966. Overpayments to veterans

"Whenever the Administrator finds that an overpayment has been made to a veteran as the result of (1) the willful or negligent failure of the educational institution or training establishment to report, as required by this chapter and applicable regulations, to the Veterans' Administration excessive absences from a course, or discontinuance or interruption of a course by the veteran or (2) false certification by the educational institution or training establishment, the amount of such overpayment shall constitute a liability of such institution or establishment, and may be recovered in the same manner as any other debt due the United States. Any amount so collected shall be reimbursed if the overpayment is recovered from the veteran. This section shall not preclude the imposition of any civil or criminal liability under this or any other law.

"§ 1967. Examination of records

"The records and accounts of educational institutions and training establishments pertaining to eligible veterans who received education or training under this chapter shall be available for examination by duly authorized representatives of the Government.

"§ 1968. False or misleading statements

"In each case where the Administrator finds that an educational institution or training establishment has willfully submitted a false or misleading claim, or where a veteran, with the complicity of an educational institution or training establishment, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and where deemed advisable to the Attorney General of the United States for appropriate action.

"§ 1969. Information furnished by Federal Trade Commission

"The Federal Trade Commission shall keep all State approving agencies advised of any information coming to its attention which would be of assistance to such agencies in carrying out their duties under this chapter.

"§ 1970. Effective date and retroactive allowances

"The provisions of this chapter shall take effect as of September 1, 1965. In the event this chapter is enacted subsequent to such date, the Administrator shall prescribe regulations for making retroactive payments of education and training allowances, upon application therefor, to eligible veterans for education or training pursued by them on or after September 1, 1965, and prior to the date of the enactment of this chapter."

(b) The table of contents at the beginning of such title is amended by inserting immediately after

"39. Automobiles for Disabled Veterans ------------------------ 1901"

the following:

"40. Education of Veterans Who Serve Between January 31, 1955, and July 1, 1967 ------------------ 1908".

(c) The table of chapters at the beginning of part III of such title is amended by inserting immediately after

"39. Automobiles for Disabled Veterans ------------------------ 1901"

the following:

"40. Education of Veterans Who Serve Between January 31, 1955, and July 1, 1967 ------------------ 1908".

(d) Such title is further amended—

(1) by inserting in section 102(a)(2) immediately after "chapter 33" the following: "or 40", and by striking out "chapters 19 and 33" in section 102(b), and inserting in lieu thereof "chapters 19, 33, and 40";

(2) by striking out in section 111(a) "33 or 35", and inserting in lieu thereof the following: "33, 35, or 40";

(3) by inserting in section 211(a) after "1761," the following: "1961,";

(4) by striking out in section 1662(b) "chapters 31 and 35" and inserting in lieu thereof the following: "chapters 31, 35, and 40";

(5) by striking out in section 1711(b) "chapter 31 or 33", and inserting in lieu thereof the following: "chapter 31, 33, or 40";

(6) by striking out in section 1734(a) "chapter 31 or 33" and inserting in lieu thereof the following: "chapter 31, 33, or 40";

(7) by striking out in section 3013 "and 35" and inserting in lieu thereof the following: "35, and 40";

(8) by inserting after "chapter 35" in section 1611(a)(2) the following: "or education or training under chapter 40"; and

(9) by inserting in section 1634 immediately before the comma following "therein" the following: "under this chapter or chapter 40".

SEC. 3. (a) Chapter 37 of title 38 of the United States Code is amended by inserting immediately after section 1817 the following new section:

"§ 1818. Veterans who serve between January 31, 1955, and July 1, 1967

"(a) Each veteran who served on active duty at any time between January 31, 1955, and July 1, 1967, shall be eligible for the benefits of this chapter (except sections 1813 and 1815, and business loans under section 1814, of this title), subject to the provisions of this section, if his total service was for a period of more than one hundred and eighty days, or if he was discharged or released from a period of active duty, any part of which occurred between January 31, 1955, and July 1, 1967, for a service-connected disability.

"(b) No veteran shall be eligible for benefits under this section so long as he is eligible under this chapter for any unused benefits derived from service during World War II or the Korean conflict. Any veteran who is eligible for benefits under this section and who has obtained benefits under this chapter by reason of service during World War II or the Korean conflict shall have his benefits under this section reduced by the amount of any benefits previously obtained under this chapter. Benefits shall not be afforded under this section to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or the Regular or Reserve Corps of the Public Health Service.

"(c) Loans may be guaranteed under this section if made before July 1, 1977. If a loan report or application for loan guaranty is received by the Administrator before July 1, 1977, the loan may be guaranteed after such date. Direct loans authorized by this section shall not be made after June 30, 1977, except pursuant to commitments issued by the Administrator on or before that date.

"(b) A fee shall be collected from each veteran obtaining a loan guaranteed or made under this section, and no loan shall be guaranteed or made under this section until the fee payable with respect to such loan has been collected and remitted to the Administrator. The amount of the fee shall be established from time to time by the Administrator, but shall in no event exceed one-half of 1 per centum of the total loan amount. The amount of the fee may be included in the loan to the veteran and paid from the proceeds thereof. The Administrator shall deposit all fees collected hereunder in the revolving fund established under the provisions of section 1824 of this title."

(b) The table of sections at the beginning of chapter 37 of such title is amended by inserting immediately below

"1817. Release from liability under guaranty."

the following:

"1818. Veterans who serve between January 31, 1955, and July 1, 1967."

(c) Section 1822(a) of such title is amended by striking out "or 1813", and inserting in lieu thereof "1813, or 1818".

ORDER OF BUSINESS—FUNERAL SERVICES

Mr. **YARBOROUGH**. Mr. President, will the Senator yield for a question?

Mr. **MANSFIELD**. I yield.

Mr. **YARBOROUGH**. The distinguished Senator from Montana has asked to have laid before the Senate, Senate bill 9. Am I correct in my understanding that tomorrow debate will not begin on the bill until after the funeral for the late Ambassador Adlai Stevenson and the return of Senators to the Senate Chamber?

Mr. **MANSFIELD**. Yes. Since the Senator from Texas has raised the question, I should like to say that Senators who wish to go to the cathedral memorial services will find that cars will be waiting at the foot of the capitol steps at 10 o'clock a.m. tomorrow. Those who expect to attend the services are expected to be in their pews by 10:45. The memorial services will start at 11 a.m. The Senator from Texas and all other Senators will be fully protected in that no action will be taken on the bill which will be detrimental in any way.

Mr. **YARBOROUGH**. I thank the Senator.

ORDER FOR ADJOURNMENT

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in adjournment until 12 o'clock noon tomorrow.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 2984) to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Harris, Mr. O'Brien, Mr. Rogers of Florida, Mr. Satterfield, Mr. Mackay, Mr. Gilligan, Mr. Springer, Mr. Nelsen, and Mr. Carter were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 2985) to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Harris, Mr. O'Brien, Mr. Rogers of Florida, Mr. Satterfield, Mr. Mackay, Mr. Gilligan, Mr. Springer, Mr. Nelson, and Mr. Carter were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of water resources and river basin commissions and by providing financial assistance to the States in order to increase the participation in such planning.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Reports on Overobligations of Appropriations

A letter from the Secretary of Defense, reporting, pursuant to law, on the overobligations of certain appropriations within that Department (with accompanying papers); to the Committee on Appropriations.

Diplomatic Relations Act of 1965

A letter from the Secretary of State, transmitting a draft of proposed legislation to complement the Vienna Convention on Diplomatic Relations (with accompanying papers); to the Committee on Foreign Relations.

Suspension of Deportation of Aliens—Withdrawal of Name

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Tom Leong Doo, also known as William Doo Tom, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on April 1, 1965 (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

The petition of Miss Syl Rebecca Berger, of Brooklyn, N.Y., praying for the enactment of legislation to provide $5 billion for an outer space program; to the Committee on Appropriations.

A resolution adopted by the Tully Subordinate Grange No. 617, of Tully, N.Y., relating to the functions of the executive, legislative, and judicial branches of the Government; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 135. A bill for the relief of Elizabeth Kam Oi Hu (Rept. No. 434);

S. 136. A bill for the relief of Angel Lagmay (Rept. No. 435);

S. 137. A bill for the relief of Rosauro L. Lindogan (Rept. No. 436);

S. 612. A bill for the relief of Kevin Dillon Schofield (Rept. No. 437);

S. 870. A bill for the relief of Kaloyan D. Kaloyanoff (Rept. No. 438);

H.R. 1314. An act for the relief of Foster Masahiko Gushard (Rept. No. 439);

H.R. 1322. An act for the relief of Mrs. Ana Cristina Rainforth (Rept. No. 440);

H.R. 1487. An act for the relief of Maj. Kenneth F. Coykendall, U.S. Army (Rept. No. 441);

H.R. 1853. An act for the relief of Giuseppe Delina (Rept. No. 442);

H.R. 1889. An act for the relief of Albert Marks (Rept. No. 443);

H.R. 3625. An act for the relief of Alfred Estrada (Rept. No. 444); and

S. Res. 120. Resolution to provide additional funds for the Committee on the Judiciary; referred to the Committee on Rules and Administration.

By Mr. BAYH, from the Committee on the Judiciary, without amendment:

H.R. 1217. An act for the relief of Capt. Paul W. Oberdorfer (Rept. No. 452);

H.R. 1374. An act for the relief of CWO Elden R. Comer (Rept. No. 453); and

H.R. 2881. An act for the relief of George A. Grabert (Rept. No. 454).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

S. 711. A bill for the relief of Mrs. Hertha L. Wohlmuth (Rept. No. 457).

By Mr. KENNEDY of Massachusetts, from the Committee on the Judiciary, without amendment:

S. 850. A bill for the relief of Samuel L. McCoy (Rept. No. 456).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 102. A bill to provide an additional place for holding court in the district of North Dakota (Rept. No. 455).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S.J. Res. 66. Joint resolution to provide for the designation of the period from August 31 through September 6 in 1965, as "National American Legion Baseball Week" (Rept. No. 451).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 76. A bill for the relief of Anna Maria Helland (Rept. No. 445);

S. 375. A bill for the relief of Pedro Antonio Julio Sanchez (Rept. No. 446);

S. 872. A bill for the relief of Vasil Laci (Rept. No. 447);

S. 879. A bill for the relief of Kim Sa Suk. (Rept. No. 448); and

S. 1198. A bill for the relief of Mrs. Harley Brewer (Rept. No. 449).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1119. A bill for the relief of Julio Dumas and his wife, Josephine Dumas (Rept. No. 450).

By Mr. BAYH, from the Committee on Public Works with amendments:

S. 1861. A bill to provide additional assistance for areas suffering a major disaster (Rept. No. 459).

By Mr. INOUYE, from the Committee on Armed Services, without amendment:

H.R. 8484. An act to amend section 2634 of title 10, United States Code, relating to the transportation of privately owned motor vehicles of members of the Armed Forces on a change of permanent station (Rept. No. 460).

REPORT ENTITLED "CONSTITUTIONAL AMENDMENTS"—REPORT OF A COMMITTEE (S. REPT. NO. 458)

Mr. BAYH. Mr. President, from the Committee on the Judiciary, pursuant to Senate Resolution 264, 88th Congress, I submit an annual report entitled "Constitutional Amendments," and ask that it be printed.

The PRESIDING OFFICER (Mr. Bass in the chair). The report will be received and printed, as requested by the Senator from Indiana.

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported the following original resolution (S. Res. 130); which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Labor and Public Welfare is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-ninth Congress, $15,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BOGGS (for himself, Mr. Williams of Delaware, Mr. Brewster, and Mr. Tydings):

S. 2287. A bill to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself and Mr. Byrd of West Virginia):

S. 2288. A bill to permit the vessel *Little Nancy* to be documented for use in the coastwise trade; to the Committee on Commerce.

By Mr. HICKENLOOPER:

S. 2289. A bill to amend the Tariff Schedules of the United States to provide for the free importation of tire treads of vulcanized rubber; to the Committee on Finance.

By Mr. RUSSELL of Georgia:

S. 2290. A bill to authorize the loan of naval vessels to friendly foreign countries; to the Committee on Armed Services.

By Mr. HART:

S. 2291. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Charles Bernstein, of Washington, D.C.; to the Committee on the Judiciary.

S. 2292. A bill to amend the Hours of Service Act in order to require certain minimum off duty periods; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HART when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation for a period to "see the United States," and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. MAGNUSON when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 130) providing additional funds for the Committee on Labor and Public Welfare; which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. HILL, which appears under the heading "Reports of Committees.")

NEED FOR DELMARVA PENINSULA HYDROLOGIC STUDY

Mr. BOGGS. Mr. President, for myself, and Senators WILLIAMS of Delaware, BREWSTER, and TYDINGS, I introduce, for appropriate reference, a bill to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula.

The aim of this study would be to determine the availability of fresh water supplies needed to meet the anticipated future water requirements of the Delmarva Peninsula area. The survey would be under the direction of the Secretary of the Interior, who would cooperate with State and local agencies in making use of any information and data they have available.

It is obvious from recent events along the east coast that the availability of fresh water is going to be a problem we will be dealing with for many years to come. Our population increases but our supply of water does not. The pinch can reasonably be expected to get tighter. Only by having accurate knowledge of what the water situation is can we best provide for the future.

The steps necessary to assure a fresh water supply for some areas of the Delmarva Peninsula may be long and costly ones. Already there is a trend toward lower water tables. This tristate peninsula area is bound to grow in population and business activity and the supply of fresh water will play a vital part in this growth.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2287) to authorize a 5-year hydrologic study and investigation of the Delmarva Peninsula, introduced by Mr. BOGGS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to make, through the Geological Survey, a comprehensive study and investigation of the water resources of the Delmarva Peninsula with a view to determining the availability of fresh water supplies needed to meet the anticipated future water requirements of the Delmarva Peninsula area, and with a view to determining the most effective means of protecting and developing fresh water sources so as to insure, insofar as practicable, the availability of adequate water supplies in the future. In carrying out such study and investigation with respect to the Delmarva Peninsula, the Secretary shall—

(1) appraise the water use, requirements, and trends, and determine the availability of water in the streams and underground sources for the entire peninsula;

(2) determine the depths, thicknesses, and permeabilities, the perennial yield, and the recharge characteristics of major aquifers, and the quality characteristics to be expected from each such major aquifer;

(3) determine with respect to ground water resources the continuity and extent of important water bearing formations;

(4) determine the yield from stream systems under natural flow conditions and under varying degree of storage and the amounts and quality of waters available from such systems during drought, flood, and intermediate conditions;

(5) determine whether sea water has moved inland into heavily pumped coastal aquifers;

(6) consider the most effective means of developing and managing water supplies giving special consideration to conditions which may invite the invasion of sea water into fresh water supplies;

(7) compile and make available to appropriate State and local officials information and recommendations for long range planning, development, and management of water supplies;

(8) cooperate with State and local agencies for the purpose of using any information and data available to carry out the purposes of this study; and

(9) consider such other matters as the Secretary may deem appropriate to the study and investigation herein authorized.

SEC. 2. During the course of the study and investigation authorized by this Act, the Secretary may submit to the President for transmission to the Congress such interim reports as the Secretary may consider admissible. The Secretary shall submit a final report to the President for transmission to the Congress not more than six years after the date of enactment of this Act.

SEC. 3. The Secretary is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purpose of this Act, and each department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics, to the Secretary upon his or his designee's request.

SEC. 4. There is hereby authorized to be appropriated the sum of $500,000 to carry out the provisions of this Act.

AMENDMENT OF HOURS OF SERVICE ACT OF 1907

Mr. HART. Mr. President, I send to the desk a bill to amend the Hours of Service Act of 1907 to require a period of at least 8 consecutive hours off duty in any 24-hour period for railroad employees.

The Hours of Service Act applies to common carriers by railroad and employees engaged in, or connected with, the movement of trains in interstate or foreign commerce. The purpose of the law is to promote the safety of employees and travelers on railroads by limiting the hours of service of operating employees.

The law, as it now stands, restricts on-duty periods to 16 hours, either consecutively or in the aggregate, in any 24-hour period, but makes no provision for a reasonable minimum off-duty period.

In theory a railroad carrier could work crew members for 2 hours, release them for 2 hours, and repeat the process ad infinitum, without violating the act.

The only manner in which an employee may be entitled to 8 consecutive hours off duty is by being on duty for 16 hours in the aggregate in a 24-hour period. If he is on duty 16 hours consecutively, the law affords him 10 hours off duty.

The more usual occurrence under the present law involves employees who work for periods of from 3 to 8 hours, and are then released for a few hours before resuming another similar work period. This results in being on duty, practically speaking, around the clock without the benefit of a reasonable off-duty period. It is clear that such practices do not promote the safety of employees and travelers on our railroads.

My bill, as I have stated, would require an off-duty period of at least 8 consecutive hours in any 24-hour period.

I believe this is a needed revision in the law to correct the excesses which have developed in its administration and make it more accurately reflect the intent of Congress when the law was enacted.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2292) to amend the Hours of Service Act in order to require certain minimum off-duty periods, introduced by Mr. Hart, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXTENDING THE "SEE THE U.S.A." PROGRAM

Mr. MAGNUSON. Mr. President, I was somewhat startled to find that in this seventh decade of the 20th century, 52 percent of the American people have never taken a trip more than 200 miles from their home; 80 percent of us have never traveled by air; and 60 percent have not spent a single night in a hotel or a motel.

It is not so surprising, but it is equally disturbing, that many veteran American travelers know the continent of Europe better than their own; that many have crossed oceans but have never ventured into another State. I still have eastern friends who firmly believe that Chicago is the western terminus of civilization, or that Portland and Seattle are adjoining cities in the State of Washington—or Oregon.

Last year, Representative Ullman, my good friend and House colleague from Oregon, a State whose natural beauties may be second only to its neighbor's to the north—Washington, not Canada—introduced a resolution invoking the President to proclaim 1964 and 1965 as a time "to see the United States." More tangibly, the Ullman resolution also authorized the President to designate a national chairman to coordinate the "See the United States" drive. Since May of this year, Mr. Bob Short has been serving with great spirit and distinction as the national chairman and, in that capacity, is coordinating the efforts of every segment of the travel industry, including among others, the automobile manufacturers, petroleum companies, tire manufacturers, hotel and motel owners, rent-a-car agencies, transportation companies, travel attractions, food packagers—all who share in the economic benefits generated by travel.

President Johnson has designated the Vice President to direct a special Cabinet task force to coordinate governmental travel stimulation programs with those of the Short committee. The record numbers of Americans seeing the country for the first time this summer bear witness to the vigor of their efforts.

So that the "See the United States" program will not lapse or lose momentum, I am today introducing a joint resolution authorizng its extension through 1966. I am pleased to announce that Representative Ullman, the author of the orignal resolution, is today introducing a companion resolution in the House.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 98) authorizing and requesting the President to extend through 1966 his proclamation for a period to "See the United States," and for other purposes, introduced by Mr. Magnuson, was received, read twice by its title, and referred to the Committee on the Judiciary.

REPORT ON THE PROBLEM OF AIR POLLUTION CAUSED BY MOTOR VEHICLES (S. DOC. NO. 42)

Mr. McNAMARA. Mr. President, I present a letter from the Secretary of Health, Education, and Welfare, transmitting a report on the problem of air pollution caused by motor vehicles and measures taken toward its alleviation, dated July 3, 1965—together with an accompanying report—in compliance with Public Law 88-206, the Clean Air Act.

I ask unanimous consent that the report be printed as a Senate document. The Chairman of the Rules Committee has been advised of this request.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELF-GOVERNMENT FOR THE DISTRICT OF COLUMBIA—AMENDMENTS

AMENDMENT NO. 355

Mr. DOMINICK submitted amendments, intended to be proposed by him, to the bill (S. 1118) to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 357

Mr. DOMINICK also submitted amendments, intended to be proposed by him, to Senate bill 1118, supra, which were ordered to lie on the table and to be printed.

COLD WAR VETERANS' READJUSTMENT ASSISTANCE ACT—AMENDMENTS

AMENDMENT NO. 356

Mr. COOPER submitted amendments, intended to be proposed by him, to the bill (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing, the name of the senior Senator from Massachusetts [Mr. Saltonstall] be added as a cosponsor of the bill (S. 2218) to establish a contiguous fishery zone beyond the territorial sea of the United States, which I have introduced.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I ask unanimous consent that the name of the junior Senator from South Dakota [Mr. McGovern] be added as a cosponsor of S. 1066, to give educational and health institutions the same opportunity to acquire material declared surplus in our stockpiles that they have to acquire other material found surplus to the needs of our Federal Government.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I ask unanimous consent to add the names of the senior Senator from Alaska [Mr. Bartlett], the junior Senator from Alaska [Mr. Gruening], the senior Senator from Idaho [Mr. Church], the junior Senator from North Dakota [Mr. Burdick], the junior Senator from Hawaii [Mr. Inouye], the junior Senator from South Dakota [Mr. McGovern], and the junior Senator from Delaware [Mr. Boggs] as additional cosponsors of S. 2278, an amendment of Public Law 874, 81st Congress, to provide a $75,000 minimum payment for certain State administrative expenses.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at the next printing of my bill S. 2200, allowing the restoration of vitamins A and D to nonfat milk, that the names of Senators Brewster, Bartlett, Douglas, and Hartke be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at the next printing of S. 2231, the National Highway Traffic Safety Act of 1965, the names of the Senator from Maryland [Mr. Tydings], the Senator from Alaska [Mr. Bartlett], the Senator from Missouri [Mr. Long], and the Senator from Minnesota [Mr. Mondale] be added to the list of cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF RESCHEDULING OF HEARINGS

Mr. RIBICOFF. Mr. President, due to the tragic death of Ambassador Stevenson, I wish to announce that the hearing before the Subcommittee on Executive Reorganization of the Committee on Government Operations, on the subject of the "Federal Role in Traffic Safety," originally scheduled for Friday, July 16, has been canceled and will be held instead on Tuesday, July 20 at 10 a.m. in room 1318 New Senate Office Building. The witness will be Mr. Arjay Miller, president of Ford Motor Co.

Because of this change, the hearing on Reorganization Plan No. 3 of 1965, originally scheduled for July 20, will be held instead on July 21 in room 1318 New Senate Office Building, at 10 a.m.

NOTICE OF HEARING ON NOMINATION OF OLIVER GASCH TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, July 22, 1965, at 10:30 a.m., in room 2300, New Senate Office Building, on the following nomination:

Oliver Gasch, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Edward A. Tamm, elevated.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from North Carolina [Mr. Ervin], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 15, 1965, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 559. An act to regulate the labeling of cigarettes, and for other purposes;

S. 571. An act for the relief of Denise Hojebane Barrood;

S. 956. An act to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws", to extend construction authority for facilities at Guam and the Virgin Islands of the United States (76 Stat. 87; 19 U.S.C. 68);

S. 998. An act to amend section 4 of the Fish and Wildlife Act of 1956, to authorize the Secretary of the Interior to make loans for the financing and refinancing of new and used fishing vessels, and to extend the term during which the Secretary can make fisheries loans under the act;

S. 1462. An act to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian funds;

S. 2154. An act to amend the act establishing the United States Puerto Rico Commission on the status of Puerto Rico; and

S.J. Res. 71. Joint resolution to amend the joint resolution of January 28, 1948, providing for membership and participation by the United States in the South Pacific Commission.

DEATH OF THE HONORABLE ADLAI E. STEVENSON

Mr. TOWER. Mr. President, I yield myself as much time as is necessary.

I am saddened about the tragic passing of our great citizen Adlai Stevenson. It was not my privilege to know him well. I rarely agreed with him politically yet I had immense respect and regard for this man..

It was my privilege to live in Great Britain in 1952, during the presidential election of that year, and I was strongly impressed with the way he caught the imagination of the British people and the British press. He was a man who put a good face on America, because he commanded respect with his forceful eloquence and keen intellect. He was a man who, I think, elevated the influence of the United States and of other peoples throughout the world by virtue of his character, his ability, and his statesmanlike approach to the problems that affect us all.

We shall sorely miss this man, his keen mind, his vision, his eloquence, and his dedication to his country.

Mr. BURDICK. Mr. President, Adlai Stevenson is dead. America has lost a diplomat and intellectual leader the world will not soon forget. He was a man of spiritual compassion, dedicated to the great principles of the democratic form of government.

His dialog with the American people was always on the highest level. His freshness, his wit, and his brilliance challenge all of us to think, to study, and to improve. His contributions to our history will be remembered by generations to come.

I am certain this great leader will be eulogized in a thousand newspapers across this land today. This morning's Washington Post contains but one of these tributes. It is masterfully written and it catches the essential character of Adlai Stevenson.

Mr. President, I ask unanimous consent that the eulogy be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Adlai Stevenson

He was a man without malice in an age in which public enterprise and international affairs were largely disfigured by malice. He was a man of great warmth of spirit and largeness of heart in an era marked by cold calculation and selfishness. He was a man of humor and wit in an interval of national life during which such talents in public men inspired suspicion. He was a man of humility in a season when those with more occasion to have it possessed none of it. He was a man whose utterance, like Jefferson's, was always felicitous and graceful and often beautifully eloquent. He was a man given to introspection and soul searching in an interval of history preempted by men of action.

For these qualities he was idolized by millions of Americans, respected by more, and looked upon abroad as an embodiment of the best democratic impulses and values of American life. His death in London yesterday must have had an impact upon most citizens as great as that ordinarily arising from the loss of a head of state. Upon many it inflicted a sense of deprivation like that felt at the loss of a close friend or a member of the family circle.

In his long and controversial public life he was the object of many reproaches but few dared to say, and none could say with justice, that he was not a good man in the sense that he was forever governed in his words and in his acts by the wish to further the good of his country, the well-being of his countrymen, the fair name of his Nation at home and abroad. It is doubtful if there is any man in our history of whom it could be as safely asserted that he never permitted private interest to conflict with what he understood as the public good. And this, when spoken of him, is higher praise than it would be of other men, for he had no capacity for that subtle self-deceit that permits men to identify their own and the public weal.

On this occasion many will regret that he did not achieve the high office which twice he sought. It is easy to imagine small changes in circumstance that would have made him President. But the regret must be tempered. No one knew better than he the anguish of power—and he would have suffered in it, not rejoiced in it. When he addressed the American Society of Newspaper Editors in 1960 he described the search for truth as a "principle" of our national life. He said: "In this striving, it is a matter of experience that some strains are almost too great for human fortitude—and of these strains, none is more testing than that of prolonged and unquestioned power." Probably few candidates for our highest office have had the same awareness of this aspect of the ordeal of public office.

On that occasion he spoke on the role of the opposition in American public life and rightly and wisely declared: "The possibility of alternating the Government, which only the acceptance of opposition secures, is essential to the health of both, to those who govern and to those who would. If succession to power is the consequence of successful criticism, this fact, in itself, should sober the critics, keep their attacks within the limits of the practicable, weight them with the sense of coming responsibiltiy, weaken the pull of the lunatic fringe." That is the kind of opposition leader that he always was.

His public life was capped by his great career at the United Nations. He must have found this an anguishing public service for a man of his sentisive nature, his preference for restrained utterance, his passionate faith in his own country, and his contempt for extravagant demogoguery. But he suffered its adversity patiently and without complaint or protest, serving to the end at the task to which he was summoned, however distasteful it was to him.

He was often asked, as men so gifted often are, to speak in praise of others—his colleagues, his President, his friends, his rivals. His gift of eloquent speech was not withheld, but he must have wished in his own wry way, that he could have struck a better bargain and have heard more words in praise of himself. So it is that now there is none to speak of him as eloquently as he would have spoken of others. In this, as in every aspect of his life, he gave more than he received.

Mr. LONG of Louisiana. Mr. President, I should like to add my voice to the voices of many millions of people around the world who heard yesterday about the sudden death of Adlai Stevenson on the streets of London. Although I have long appreciated the fine and dedicated service in the public interest that this great man has given to his country for many years, my personal respect and admiration were greatly deepened during the past year.

I was privileged to be named last year to serve on the U.S. Delegation to the United Nations. It was a personal experience of real value to come to know how our viewpoints are presented and how our interests are maintained by our representatives to this organization.

It was clear to me that the large and complex staff which we have there were inspired in their daily tasks by the leadership which they received from Ambassador Stevenson. He was tireless and meticulous in his handling of all important aspects of our interests as they came to his attention. He was generous in his praise and unstinting in his support of his subordinates. The representatives of other nations, whether large or small, looked upon him with both respect and affection. They trusted him when he rose to speak before the Assembly or in the Security Council; and they trusted him and confided in him when he talked with them in private.

Adlai Stevenson was a man of great sympathy and deep feeling for his fellow man. He was a sensitive man who yearned for the better things of this earth and for a better future for all mankind. He has earned the best that the limitless future of immortality can bestow. I am certain that the Almighty Being who pays attention to the fate of each one of us will not be stinting in his rewards to this truly magnificent servant of His. We here have lost a great American, and the peoples of the world have lost a great and generous friend.

It is too early for the President to face the hard task of selecting someone to name as his successor at New York; it is impossible to think that anyone can take his place and fulfill the role he has played there for more than 4 years.

Mr. FULBRIGHT. Mr. President, I have read many eulogies in the past 2 days on the death of Adlai Stevenson, but I think one of the most poignant I have read was written by Jimmy Breslin and appeared in the New York Herald Tribune on Thursday, July 15.

I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN AFRICAN EULOGY

(By Jimmy Breslin)

When he came to work in the morning, Chief S. O. Adebo, a Nigerian tribal leader, would sit barefooted at his desk in the British offices in Lagos and he would read in the London papers of the speeches of Adlai E. Stevenson, who was running for the Presidency of the United States. It was the first time Adebo had heard of Stevenson, and he liked the speeches. All through the American political campaigns of 1952 and 1956, Chief Adebo looked through the newspapers for speeches by Stevenson. Here is, Adebo told the Nigerians working with him in the British offices, a man who understands.

The British left and Nigeria became a nation in 1960 and then Adebo was sent to be the Ambassador to the United Nations. On the plane to New York, he kept talking about meeting Adlai Stevenson. When he did, he shook hands with a short, balding man with a midsection which pressed against the middle button of a dark blue suit. And the short man spoke in a rich voice and when he spoke of Adebo, this African who wore robes and was not used to wearing shoes, the famous man said, "My distinguished colleague from Nigeria."

It seems like only a little thing, the way Stevenson spoke to him. But it was very important to Adebo. He was being treated as an equal, a colleague, by the representative from the United States. The Africans in the United Nations always were ruffled by the way some of the ambassadors from the larger nations talked to them. Henry Cabot Lodge, of the United States, for example, would call them, "the young ambassadors" or "the ambassadors from younger countries" and they despised it. With Stevenson, it was different. The Africans grabbed at his words and his style, and yesterday Chief Adebo sat in his robes in the Nigerian Mission office on Third Avenue and somebody came in and told him that Adali Stevenson was dead. Adebo looked at the papers on the desk in front of him. He pushed them off his desk and onto the floor.

"Stevenson," Adebo was saying later in the afternoon, "I grew to love him. I was the chairman of a group of 21 representatives which was dealing with financial problems of this organization and on a number of occasions I had meetings with him. Now each time, even though I would call and suggest that I come to his office to discuss with him, he would say no. He would insist upon coming to my office. He would come to me. The representative from the United States would not have it that somebody would have to come to him.

"I think you will find that he was not as popular in his own country as he was in Africa," Adebo said. "You see, with a man of great substance he is always not so popular with his relatives as he is admired by his friends. To us, it was very unfortunate that he competed for the Presidency at a time in which he could not win. But it is only natural. Those who can protect themselves out of their national shells must fail to get acclaim at home.

"You know, African countries do not, ah, always agree with your Government and your spokesmen. But we admired him so much as a man. He gave. But it was the way in which he gave. So charmingly. Oh, I saw him in San Francisco. I just cannot believe that I will not see that man anymore."

A bare ebony arm came out of thin, flowing yellow and pink robes. It waved in the air. Then the hand slapped down on the desk. "Oh, what is the use of talking about it, it is one of those that happens and it happened and it is done." Adebo picked up a couple of sheets of paper and ripped them up and threw them into the wastebasket and a hand waved the visitor away.

"Yes, yes, goodby," this black African in robes was saying and his gray-tinged head was down and he was upset because this short, bald, white man from America, who had understood him, was dead.

The people from small places in the United Nations all were like this yesterday. In America, we rejected Adlai Stevenson twice, by more than 6 million votes in 1952 and more than 9 million in 1956. He was popular with one part of the country, Stevensonian Democrats they were called, but overall he was not the immense hero we make of so many politicians. But at the United Nations yesterday, Mr. Achkar Marof, a black man in a business suit who comes from Guinea, was in a hall talking excitedly.

"There must be a special meeting called of the United Nations," he was saying. "There must be a special meeting to pay tribute to this great man who was our friend."

Mr. RANDOLPH. Mr. President, it was my privilege as a citizen of West Virginia and the United States of America, to cast my ballots in 1952 and 1956 for Adlai Stevenson for President of our Republic. I was also given the opportunity of campaigning with Governor Stevenson in the State of Michigan, when he sought to become the occupant of the White House.

Adlai Stevenson was both debonair and determined; he was a delightful conversationalist and his speeches very often had a crusading quality. There was a blythe spirit to his life; there was also at times a brooding in this man of moods. America and the world were his habitat yet he sometimes seemed very close to the soil of his homeland in Illinois.

A truly great personality in our era has gone from the earth he trod with such dignity and purpose. He was an ambassador dedicated to the pursuit of peace. Adlai Stevenson, even with a hole in the sole of his shoe, was a heroic figure.

Mary McGrory, talented staff writer for the Washington Star, has captured the courage and compassion of Adlai Stevenson. I ask unanimous consent that her article of July 15, 1965, "The Gentle Knight," be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GENTLE KNIGHT: HIS POLICIES HAD GENTILITY

(By Mary McGrory)

Adlai Stevenson was a gentleman from Illinois who entered politics late in life, suffered two crushing national defeats and retired gracefully from the scene. He was an incomparable orator, and, as a candidate, so diffident, so civil and so mannerly, so insistent on his own values that he might go down as a noble footnote in the history of his time.

But he was more than that. Despite the brevity of that career, it was crucial. He left his mark on American politics. His two successors used the bold ideas he had given them. They put to work the superior breed of men he had attracted to public service.

And all over America, in every political subdivision, there are men and women who lick stamps and ring doorbells and attend grubby meetings because 13 years ago the sound of Stevenson's voice, enunciating precisely a high-minded, high-hearted vision of public life, galvanized them permanently.

There has not been in memory a politician like him. He was unique because he insisted on the ultimate luxury most politicians immediately forego—that of being completely himself in public.

Stevenson was a contradictory man: troubled yet merry; committed yet detached; idealistic yet rueful. He had a puritan sense of duty without a puritan self-righteousness and a reformer's zeal without the reformer's scourge.

His campaigns were the despair of the professionals and the delight of his followers. No candidate before nomination protested more articulately his own inadequacies. And no candidate spoke with more felicity and fire and wit.

Who would have thought the gently nurtured aristocrat would tread so heavily on the toes of the pressure groups—the American Legion, the labor movement, the Old South.

While his soldier-citizen rival held out the promise of painless peace, Stevenson campaigned on the premise that life is hard and the world in ferment.

The speeches of the 1952 campaign did not win the White House for Stevenson. But they did win him a place in literature.

He paid a high price. When he might have been glad handing, he was reworking his phrases. No audience was too small to merit his best.

The memory of him on the platform is of a middle-aged man with a hole in his shoe, up to the moment of introduction frowningly busy with pencil on the script of the address. The English language had no more valiant or perfectionist friend. Stevenson retained to the end his belief in the power of words.

Political power eluded him, at least on the national scene. As Governor of Illinois, he seemed to understand all about it. But he had been brought up in a rigid creed of gentility, and he never could command the fighting excesses which the politician must use. In 1956, when the late Senator Estes Kefauver challenged him for the nomination and defeated him in the Minnesota primary, Stevenson went on the warpath in California, but for him it was a joyless and unpalatable enterprise.

In 1960, he was of two minds. While he characteristically deprecated his own chances, he knew the unalterable loyalty of his partisans. And despite his public manifestations to the contrary, Stevenson always knew his own worth. He would not give his followers the word.

The high point of the Los Angeles convention was the nominating speech of Senator Eugene McCarthy of Minnesota, who, for Stevenson, reached the oratorical heights of the master.

"Do not," he cried, "reject this man who has made us all proud to be called Democrats," and the galleries went mad. "Do not leave this prophet without honor in his own party."

Stevenson, deprived of the great prize a third time, hoped that John F. Kennedy would make him Secretary of State. But Kennedy wanted to be his own Secretary of State and wanted no Cabinet officer with so fierce a personal following. Instead, he asked Stevenson to be Ambassador to the United Nations.

Stevenson had no enthusiasm for the job, but impelled both by the desire to serve and the reluctance to leave public life, which both repelled and attracted him, accepted.

It was a thankless chore, and Stevenson seemed always on the point of giving it up. He used to tell his friends he could not go on—and did. He would say the problems were impossible—and he coped with them.

He was sustained by the near reverence tendered him by the representatives of other countries who found in him a symbol of his own country's honor and integrity and good will.

His hold on the imagination of many Americans never weakened. At the 20th anniversary celebration of the United Nations in San Francisco, there were some who came, not to see President Johnson but to see Adlai Stevenson, who was to them, as Senator McCarthy said, quoting Chaucer, "a very perfect gentle knight."

Mr. RANDOLPH. Mr. President, it is true as Miss McGrory wrote that "when he might have been glad-handing, he was reworking his phrases." I know this to be true. Often on the plane when staff members and politicos pressed in on him—he held them off as he strived for excellence in expression. Adlai Stevenson spoke more than words, as beautiful and moving as they were; he uttered sentences of superb English structure but within the lines I felt the stirring challenge of a cavalier figure who fought for freedom—a keeper of the faith.

COMMUNISM IN CIVIL RIGHTS MOVEMENTS

Mr. THURMOND. Mr. President, the growing connection between the so-called civil rights groups and the pacifist, peace-at-any-price groups in this country is indeed passing strange. Many of the same people and beatniks demonstrating in Selma on so-called civil rights have also been demonstrating at the White House against the President's efforts to resist Communist aggressive designs in southeast Asia and the Caribbean.

There is now increasing evidence of Communist infiltration of and influence in these civil rights groups and their demonstrations.

Recently, I placed in the Congressional Record evidence supporting Mayor Richard Daley's charge of Communist involvement in the Chicago antischool demonstrations. Questions have been raised repeatedly about Dr. Martin Luther King's associations and affiliations with Communist or Communist-front members and groups. A special legislative investigation by the State of Alabama has recently concluded that Dr. Martin Luther King, Jr., is "actively engaged in promoting the Communist line" and that the Congress of Racial Equality and the Student Nonviolent Coordinating Committee are "Communist inspired" and badly infiltrated.

Mr. President, I present for inclusion in the Record an article published in the New York Times showing how Dr. King and others in the civil rights groups are indeed peddling the Communist line in America. The article is entitled "Peace and Civil Rights: Movements Viewed as Growing Closer; Dr. King Urges End of War in Vietnam" and is dated July 5, 1965. I am not surprised at Dr. King's stand because it fits his pattern of conforming to the Communist line.

I also present excerpts from a recent radio interview featuring John Lewis, national chairman of the Student Nonviolent Coordinating Committee, which even the liberal columnists Evans and Novak claim to be riddled with Communists. The broadcast was released on July 4 by Radio Press International. Listen to the responses of Lewis to questions on the screening of Communists by his organization:

Mr. van der Linden. If you found a person in your movement who admitted having been a Communist either now or in the past, would you exclude him from your organization?

Mr. Lewis. Well see, in the first place, it would be hard for me as an individual, as an American citizen, to determine what a Communist is.

Mr. van der Linden. Suppose he said, yes, I used to be one but I'm in favor of your program and I want to help you in your campaign. Would you welcome his support?

Mr. Lewis. I think any person who believes contrary to the basic democratic process, who believes they are contrary to the program of SNCC can work within the framework. We do not make any type of security check on people. If people are committed to working for what we call interracial democracy, the open society, we accept them. In the second place, I want to believe that some ideas must also be caught up in the means, and the Student Nonviolent Coordinating Committee also, the whole civil rights movement we believe you cannot separate ends and means.

Mr. van der Linden. By that you mean that if it is a worthy end you wouldn't mind what means were used to reach it? Is that the idea?

Mr. Lewis. No, I'm not saying that. If we are striving for the beloved community and can redeem society, a community of good will, then the means and methods must be one of redemptive method.

Mr. van der Linden. Nonviolent.

Mr. Lewis. Right.

Mr. van der Linden. So a person could have that kind of a past record, but if he said "I now believe in your techniques," why then he could probably be of some help to you.

Mr. Lewis. Well, I think there is always the possibility for people to grow and change. I have faith in, so much faith, in human nature that people can reach up and change and grow and develop as they get involved in struggles and movements.

Is it any wonder, Mr. President, that this group is so infiltrated by the Communists and their associates?

How much longer, Mr. President, are the American people going to have to wait to get all the facts on communism in the civil rights and pacifist groups which are making a shambles of law and order, undermining our efforts to resist Communist aggression, sowing seeds of division, and giving support to virtually every item of strategy now being pursued by the Communist Party, U.S.A.?

In closing my brief remarks today, I invite the attention of Senators to the testimony presented by FBI Director J. Edgar Hoover before the House Appropriations Committee on March 4, 1965. There are some very pertinent comments by Mr. Hoover which I ask unanimous consent to have printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. THURMOND. Mr. President, I also ask unanimous consent to have printed in the Record at the conclusion of my remarks a portion of the recently released report by the Alabama Legislative Commission To Preserve the Peace.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. THURMOND. Mr. President, I wish to emphasize that I am not charging that those mentioned by me in these remarks are actually Communists. I do say, however, that some of these so-called civil rights groups and their leaders are giving assistance to the Communist cause by their actions and that they have been influenced, infiltrated, and exploited by the Communists.

Exhibit 1

[From the New York Times, July 5, 1965]

Peace and Civil Rights—Movements Viewed as Growing Closer; Dr. King Urges End of War in Vietnam

(By John Herbers)

Washington, July 4.—The Negro revolution, which has been concerned primarily with attacking racial discrimination, is showing signs as well of becoming a vehicle for opposition to the U.S. military posture abroad. Although there has traditionally been a close relationship between the civil rights and peace movements, most Negro leaders have avoided issues of foreign policy for tactical reasons.

Chief among these leaders has been the Rev. Dr. Martin Luther King Jr., president of the Southern Christian Leadership Conference. Last week Dr. King told an audience of Negro leaders in Petersburg, Va., that the time had come for the civil rights movement to become involved with the problem of war.

THE LONG NIGHT

"It is worthless," he said, "to talk about integrating if there is no world to integrate in." He went on:

"I certainly am as concerned about seeing the defeat of communism as anyone else, but we won't defeat communism by guns or bombs or gases. We will do it by making democracy work.

"The war in Vietnam must be stopped. There must be a negotiated settlement even with the Vietcong. The long night of war must be stopped."

To those accustomed to hearing Dr. King speak, the words had a strange sound. Suddenly the imagery of "the long night," which Dr. King has used to describe the plight of the American Negro, had been shifted to southeast Asia.

After the speech, Dr. King said in response to questions that the directors of his Atlanta-based organization had discussed the possibility of holding "peace rallies just like we have freedom rallies." He said they might be similar to the campus teach-ins held by critics of American policy in Vietnam.

WILKINS VOICES DOUBT

Some other Negro leaders, however, have reservations about civil rights organizations taking any position on foreign policy. Roy Wilkins, the executive director of the National Association for the Advancement of Colored People, said today, "We have enough Vietnams in Alabama."

Mr. Wilkins was interviewed on the CBS radio and television program "Face the Nation." He said:

"When you mix the question of Vietnam into the questions of Mississippi and Alabama and vote and all the things that the American Negroes want in this country, you sort of confuse the issue."

After the program Mr. Wilkins said:

"The American Negro can be of greater aid to foreign policy and other problems as he grows stronger in this country. His first thought ought to be to strengthen his position as an American. If he's a third-rate citizen his opinions on South Africa or Vietnam will have no effect."

THE NEW DIRECTION

While the major civil rights organizations have refrained from becoming formally committed to the peace movement, their leaders' increased participation in it is seen as opening up the possibility of a new force against American military involvement abroad.

The decision to broaden the Negro protest is part of the new direction the civil rights movement has taken now that most legal barriers to equality have been removed. The trend is to put less emphasis on direct action against racial discrimination and more on politically activating the poor and underprivileged.

A few days ago the Fellowship of Reconciliation, a peace group based in New York, held a conference on the campus of Georgetown University here, to explore the possibility of a merger between the peace and civil rights movements.

FARMER'S VIEW

One of the speakers was James Farmer, national director of the Congress of Racial Equality. A woman in the audience who had spent many hours picketing the White House said:

"As if the Pentagon was not enough, I understand a new Defense Building is to be constructed in Washington. Now here is an opportunity for the peace and civil rights movements to get together in protest."

Mr. Farmer said that he would approve of such action "on an ad hoc basis," but that he did not believe there should be any formal merger of the two movements.

"CORE should not be a peace movement," he said. "It would divert too much of our energies. Yet on specific issues the two should be coordinated. As an individual I object to our Vietnam policies. As individuals we should and would be involved in both."

CHANGE IN PURPOSE DENIED

Mr. Farmer said most Negro leaders believed that much of the military budget should be diverted to domestic projects such as the eradication of poverty and slums.

The Reverend Andrew Young, one of Dr. King's chief assistants, said in a telephone interview that the Southern Christian Leadership Conference "is not about to switch purposes."

Many supporters of civil rights also support the Johnson administration's foreign policy, Mr. Young noted.

He added, however, that most Negro leaders particularly those who have adopted nonviolence as "a way of life," had an affinity for the peace movement.

Negroes, he said, have the feeling that much of American foreign policy is based on a prejudice against dark-skinned people.

"One day during the Dominican crisis," Mr. Young said, "we were looking at television and my young son asked me, 'Daddy, why are the marines shooting at the colored people?' "

"After all," Mr. Young said, "the purpose of our voting rights is specifically to get rid of people like RUSSELL."

He referred to Senator Senator RICHARD B. RUSSELL, Democrat of Georgia, who has opposed civil rights legislation. As chairman of the Senate Armed Services Committee, Senator RUSSELL has followed a hard line on foreign policy.

A WIDE SPECTRUM

In both the civil rights and peace movements, there has been a proliferation of organizations representing a wide spectrum of opinion. Peace groups range from those opposing any military action or use of force to those seeking gradual disarmament.

Some of the civil rights organizations have pacifist roots. CORE was an outgrowth of the Fellowship of Reconciliation. Dr. King and others adopted the nonviolent tactics of Gandhi. Many pacifist leaders have been active in civil rights, and vice versa.

In 1963 the Committee for Nonviolent Action, a pacifist group based in Connecticut, staged a peace march from Quebec to Havana. The marchers were a mixture of pacifists and civil rights workers who had served time in southern jails as a result of their protests against segregation.

Last April, 15,000 students picketed the White House demanding an end to the fighting in Vietnam. The Student Nonviolent Coordinating Committee, a civil rights organization based in Atlanta, was one of the sponsors of the protest.

At the conference sponsored here by the Fellowship of Reconciliation, Norman Thomas, the former Socialist candidate for President, was asked about the possibility of forming a political party through a coalition of civil rights and peace groups.

"It would be very difficult," he said. "They can get together to dissent but when it comes to practical politics, that does not work. I remember people [in the civil rights movement] used to tell us, 'We can't take a chance on being a Socialist as well as a Negro—one is enough.' "

(Excerpts from testimony by Hon. J. Edgar Hoover before House Committee on Appropriations, March 4, 1965.)

FOREIGN ALLEGIANCE

We must never lose sight of the fact that the optimistic Communist Party in the United States is an organization which is under the firm control and guidance of the Soviet Union. It owes allegiance only to the Soviet Union and has served directly and willingly as an adjunct to Soviet policy. This is the only conclusion possible from any objective review of the history of the Communist Party, U.S.A.

In the Communist Party, U.S.A., the Soviet possess the unique advantage of commanding their own forces behind the lines of the declared enemy and of having the enemy accord such forces the status of legal participants in the quest for political power—even though many of the activities of the Communist Party, U.S.A. are essentially treasonable. To put it bluntly, the Communist Party, U.S.A., looks upon our Government as its enemy which it seeks to overthrow—by forceful means, if necessary.

The Communist Party in this country in 1964 greatly stepped up its programs designed to increase its membership through the recruitment of youth; to place party leaders on college campuses; to increase the dissemination of its propaganda; and to create the false impression that it is a legitimate political party by announcing its intention to enter candidates in State and local elections.

All of these activities are carefully designed to inculcate as a part of the normal environment a high regard for the Soviet society and contempt and hatred for the democratic principles of our own social and political organization.

At a meeting in February 1965, of leading party functionaries, Party Leader Gus Hall stated that the Communist Party, U.S.A., is feared more than any other group because of its strategy and tactics. He remarked that the main tactical emphasis until November 3, 1964, was the defeat of the ultraright; however, the party has now shifted its emphasis to exerting mass pressure to change the course of the Johnson administration.

A party functionary spoke glowingly of the possibilities of doubling party membership in the California area next year, especially in the youth field. He said that the People's World, west coast Communist newspaper, has increased its circulation by at least a thousand new youthful subscribers.

MORE OPEN PARTY ACTIVITY

In the belief that the "climate" in the United States is changing rapidly in its favor, the Communist Party, U.S.A., is beginning to open the veil of secrecy that has surrounded it since June 1961, when the U.S. Supreme Court upheld the order of the Subversive Activities Control Board that the party must register under the provisions of the Internal Security Act of 1950.

Among other things, the party's national committee met in July 1964, for the first time since 1961. Also, a new party program is currently in preparation and party leader Gus Hall has indicated that a national convention of the party will be held in December 1965.

EMPHASIS ON RECRUITMENT OF YOUTH

"Give me a child for 8 years and it will a Bolshevist forever." These words are attributed to the prophet of world communism, Nikolai Lenin, in a speech made in 1923. Now as a voice from the grave, the Communist Party, U.S.A., a dedicated group of latter-day disciples of Lenin, acts with a determined program to recruit youth into the Communist conspiracy. Regarding our youth as a formless but pliable mass which can be shaped or molded, the Communist Party, U.S.A., has made clear its purpose and interests. The language jargon utilized is directed toward a single aim—the inculcation in young minds of a perverted theological faith in the ideals and objectives of a Communist society.

The Communist Party, U.S.A., plans to launch a recruiting drive to last from April 1, 1965, through July 1965. Emphasis will be directed toward the recruitment of Negro youth.

The party also plans to hold a training school for youth in New York City in the summer of 1965 to give intensive Marxist-Leninist orientation to at least one youth from each party district. Some of these youths will then be sent to other areas to train additional youths. In addition, certain Communist Party, U.S.A. youths will be asked to go to the South during the summer of 1965 to work with civil rights organizations.

FORMATION OF NEW YOUTH ORGANIZATION

Ever since the demise in 1957 of the Labor Youth League, the former youth organization dominated and controlled by the Communist Party, U.S.A., the establishment of another nationwide youth organization has been a goal of the party. A positive step was taken in this direction in late 1963 when Gus Hall ordered the formation of a Marxist-oriented youth organization to attract non-Communists as the first step toward their eventual recruitment into the party. The founding convention of this new youth organization was held June 19–21, 1964, in San Francisco, Calif. The name selected for the new organization was the W. E. B. DuBois Clubs of America, in honor of the late Dr. William E. B. DuBois, a prominent crusader for civil rights who, at the age of 93, joined the Communist Party, U.S.A.

In memorializing the late Dr. DuBois, the new organization apparently hopes to win recognition and support from both domestic and international civil rights proponents, African nationalists, and more particularly the Negro youth of the United States. Following the trend of recent years of playing down the Communist label, the new Marxist youth organization is designed to attract youth interested in peace, disarmament, civil rights, and the like.

COMMUNIST INFLUENCE IN RACIAL MATTERS

The ever-increasing evidences of racial unrest in the country during the past year have witnessed a parallel in the increased emphasis being placed by the Communist Party, U.S.A. on the Negro question and the racial movement generally. There are clear-cut evidences that the party has not only been "talking," but also has been directing and urging the increased participation by its adherents in the racial movement. As in any similar party effort at infiltration, where there is participation there is influence in varying degrees.

These party efforts, though embellished with high-sounding expressions by party leaders, claiming a sincere interest in the Negro and his problems, are, in reality, just another of the great deceptions practiced by the party through the years. Theirs is only a single aim; namely, the gaining of Communist objectives looking toward the ultimate goal of the spread of communism throughout the United States. The racial unrest, then, offers the party a ready-made springboard from which it is able to project its strategy and tactics.

The past year found the party devoting maximum attention to its efforts to influence civil rights developments. Always alert to exploit discontent and promote disorder, the party continued to regard the civil rights issue as one facet of the class struggle within the capitalist system. With this Marxist-Leninist analysis as a guide, the party has as an objective the use of the civil rights issue to create a Negro-labor coalition which it would dominate to advance the cause of communism in the United States. As in the words of the party's general secretary, Gus Hall, "Jim Crow can be dealt with only by dealing with capitalism."

The party's involvement in the racial situation is intended to also serve in the all-important task of recruitment. In early June 1964, the party's national headquarters proposed that headquarters be opened in major cities for the purpose of holding forums. The objective, as explained by a party functionary, is to organize special study groups to teach "socialism" and thus make it possible for the party to recruit members from among civil rights fighters.

MEMBERSHIP

Leaders of the Communist Party, U.S.A., continue to publicly place the party membership in this country at 10,000, as, for example, in May 1964, when Albert Lima, leader of the party's northern California district, used this figure when speaking before an audience of approximately 3,000 at the College of San Mateo, San Mateo, Calif.

There are, of course, thousands of other individuals who are not actual members but stand ready to aid the hard-core membership. Party leader Gus Hall himself, at a press conference on October 26, 1964, placed the membership at approximately 10,000 with 90,000 close sympathizers. The latter group, according to Hall, comes under the Communist Party influence and is growing to the party's satisfaction.

Encouraged by recent court decisions which the party considers major victories in its efforts to nullify the Internal Security Act of 1950, and convinced that a large segment of the population is ready to accept some form of socialism as a cure for domestic problems, such as civil rights and poverty, the party has streamlined its structure in preparation for operating more openly. Through its stepped-up programs, the party, of course, hopes that numerous Americans will become lulled by the mass of high-sounding Communist propaganda and eventually lose perspective of the issues involved and gravitate to the party.

Demonstrations at the University of California were initiated October 1, 1964, by a small group of students who formed an organization called the Free Speech Movement (FSM) which demanded the right to engage in political activities on campus in local, State, and National elections in violation of university regulations.

Individuals with subversive backgrounds who participated in the demonstrations included 5 faculty members and 38 individuals who were students or connected with the University of California in some capacity.

This is another example of a demonstration which, while not Communist originated or controlled, has been exploited by a few Communists for their own end. In this instance, a few hundred students contain within their ranks a handful of Communists that mislead, confuse, and bewilder a great many students to their own detriment.

Communist Party leaders feel that based on what happened on the campus of the University of California at Berkeley, they can exploit similar student demonstrations to their own benefit in the future.

Exhibit 2

SNCC

The Alabama Legislative Commission to Preserve the Peace, on the basis of evidence hereinafter set out, respectfully makes the following findings to the legislature and to the executive department of the State of Alabama.

1. The Student Non-Violent Coordinating Committee, commonly known as SNCC, is extensively Communist dominated, and its leadership substantially follows the Communist Party line. This commission finds that SNCC is an agent for the Communist conspiracy and measures up to every definition of a Communist Party front.

The evidence upon which this finding is based is hereinafter set out in part and these findings are further supported by documents and evidence in the files of this commission.

(a) John Lewis, 26, Negro of Troy, Ala., is the titular head of SNCC. He has on many occasions made public statements calculated to overthrow, undermine, or subvert the government of the State of Alabama and of the Government of the United States.

(b) In 1963, Lewis participated as one of the leaders of the march on Washington. The speech he had prepared for that occasion was of such violent and revolutionary nature that other leaders of the march prevailed upon him to use more temperate tone.

Lewis is known to associate with many identified Communists, including Carl Braden, Anne Braden, Dr. James A. Dombrowski, and others. His organization has used the services of Carl and Anne Braden as publicity agents, and SNCC has received direct financial grants from the Southern Conference Education Fund, for which the three above identified Communists work.

The SCEF was identified by the U.S. Senate Internal Securities Subcommittee as the successor to the identified Communist Party front apparatus, the Southern Conference for Human Welfare. This is proven in letters and documents seized from SCEF headquarters in New Orleans and reproduced by the Louisiana Committee on Un-American Activities.

(c) We have evidence that SNCC is closely alined with Students for a Democratic Society (SDS), an admitted Marxist oriented student group. SNCC and SDS are found to be closely alined and subsidized by the League for Industrial Democracy (LID), a radical Socialist group headed by Michael Harrington and financially supported by the millionaire financier of Communist causes, Corliss Lamont. We have evidence that LID occupies joint offices with SDS, 156 Fifth Avenue, New York City, and also with SNCC, at the same address.

The SNCC buttons and a special button "I support MFDP" (Mississippi Freedom Democratic Party) were ordered and delivered from the Olympic Button and Emblem Co., New York, N.Y., and the bill for these was paid for by LID.

The MFDP, which is thus tied to SNCC—and is indeed an alterego of SNCC—is the group that has challenged the seating of some Mississippi Congressmen, and is supporting this challenge with the use of several identified Communist attorneys, as well as attorneys who are members of National Lawyer Guild, a cited Communist front, and Americans for Democratic Action, a far-left, Socialist-oriented group.

SNCC is also being supported, both financially and verbally, by Emergency Civil Liberties Committee, a cited Communist-front organization, headquartered at 421 Seventh Avenue, New York City. The ELCP publishes a magazine called Rights which is currently urging its readers to contribute to SNCC in order that the cost of publicity for MFDP can be defrayed. Corliss Lamont is also chairman of ECLC and is its financial "angel."

Others joining in urging support of SNCC and its offspring MFDP include Progressive Labor Movement (PLM) a wing of the Communist Party oriented toward Red China and Cuba; Congress for Racial Equality (CORE), identified in Senate committee reports as "working for a Soviet America"; Congress of Federated Organizations (COFO) predominately under management of SNCC and CORE; and the National Association for the Advancement of Colored People (NAACP) whose board of directors features a record number of Communist front citations.

We have found conclusive evidence that SNCC is operating as the action arm in civil rights matters for the militant Communist group, Progressive Labor Movement (PLM), and has ties with other violent groups, including, Young Socialist Alliance, SDS, Militant Labor Forum, W. E. B. DuBois Clubs (identified Communist clubs on college campuses), CORE, UHURU (a violent pro-Communist group in Harlem), RAM, another violence-advocating, Communist-oriented civil rights group, and the Free Speech Movement. The latter is the Berkeley, Calif., group which nearly ripped the University of California apart over their insistence on the right to use obscene four-letter words.

(d) Last year John Lewis, head of SNCC, traveled extensively in Africa and was honored by Communist leaders in several countries. He espoused the line "One Man, One Vote" and "Freedom Now," both phrases first introduced into Africa by Chinese Communists seeking to overthrow colonial rule.

(e) SNCC is currently preparing to send 500 delegates to a national youth festival in Algiers, July 28–August 7, 1965.

(f) James Foreman, executive secretary and "strongman" of SNCC has been prominent in the leadership of many demonstrations in Alabama, including the Selma-to-Montgomery march. He is a vicious revolutionary with a violent hatred for all whites. This feeling he makes known freely when talking with Negro groups, including our own agents.

Foreman and Lewis have both been described by many national publications as being "activists, revolutionaries and dangerously far left."

(g) John Lewis was quoted by a national magazine in May 1965, as admitting that "there may be some Communists in SNCC, but they are not dictating policy."

(h) James Garrett, west coast leader of SNCC, was quoted in the same national publication as saying some west coast Communists went to Mississippi in 1964 and to Selma, Ala., in 1965, to work with SNCC.

(i) There is mounting evidence that SNCC seeks to promote violence in order to spotlight civil rights campaigns and to bring Federal intervention to abridge and to abolish sovereignty. John Lewis stated in California, during the early part of the demonstrations in Selma, that it was the intent of SNCC to create a situation in Alabama that would require the Federal Government to stage a takeover.

(j) Commission investigators have talked to paid workers with SNCC and drawn admissions that a revolution is the aim of SNCC, working in conjunction with its two companion groups, MFDP and COFO.

We also have been told by paid SNCC performers that SNCC wanted violence—preferably to get some of its demonstrators killed in Alabama.

All this is in line and keeping with published plans of the Communist Party, U.S.A., and its program of using civil rights as a springboard to achieve a Soviet America. SNCC is following the Chinese Communist line in its support of a pullout of American forces from Vietnam.

This commission has much additional evidence, which cannot be stated here, that SNCC is engaging in serious law violations on an interstate basis.

On the basis of this cumulative evidence, the Student Non-Violent Coordinating Committee is found by this Commission to constitute one of the most serious attempts by the Communist in America, with support of Red China, Cuba, and Communist nations in Africa, to effect a violent overthrow of existing governments, State and Federal, in the United States.

CORE

Some of CORE's activities have already been outlined in the documentation of SNCC. This group, while never having received a listing by the Justice Department as a Communist front, has, nevertheless, received considerable documentation by the Senate subcommittee referred to earlier.

CORE has stated, through its spokesmen, that the group does not attempt to screen out Communists and this is evident by the large number of identified Communist agents working under CORE banners.

CORE was the principal supporter of SNCC and its Mississippi affiliates in trying to unseat the Mississippi congressional delegation.

CORE and SNCC jointly control COFO which lost the support of the NAACP and SCLC because of its extreme pro-Red operation that proved too much embarrassment even for these two proleft agitation groups.

CORE, according to mounting evidence, is moving even more into active Communist identification. The dozen top leaders of CORE, including the director, James Farmer, and its field secretary, James Peck, have impressive pro-Communist records.

It is, therefore, the finding and conclusion of this commission that Congress for Racial Equality be cited as an important arm of the pro-Communist conspiracy and a dedicated agent working toward the sovietizing of America.

SCLC

The Southern Christian Leadership Conference (SCLC) is the principal vehicle from which Dr. Martin Luther King, Jr., operates. King has been previously documented by this commission and part of this is elsewhere in this report.

Our evidence, as pointed out, shows that King is, and has been for 10 years, closely advised by Communists if not actually controlled by them. This evidence is further supported by some 60 pro-Communist citations King has amassed since 1955—a near record-breaking performance by this false prophet of the far-left.

SCLC has received help and support from—and given support to—the identified Communist front, Southern Conference Education Fund.

On April 21, 1965, at 8:30 p.m. King addressed a meeting of the Association of the Bar of New York City, at 42 West 44th Street. The meeting was by invitation only, and apparently the contents of King's speech was not fully reported in the press. Several identified Communists were in attendance, including Bayard Rustin and Levi Lee Laub, chief lieutenant of the Progressive Labor Movement, and one of the leaders in violating the State Department's ban against travel to Cuba.

King, in that speech, stated that Communists were "patriots who believe in the responsible doctrine of the redistribution of wealth."

It is the finding of this commission that the Southern Christian Leadership Conference is, and has been, actively engaged in promoting the Communist line; that it is, and has been, substantially under control of Communists, and that it callously operates under the front of a Christian organization while actively working toward the overthrow of existing governments.

SCLC's nonviolent doctrine is a farce, since this group's activities have resulted in more violence than any other single organization in the Nation. The sham of this nonviolent facade is further shown by King, himself, when he outlined, in the Saturday Review, how his tactics work:

1. Nonviolent demonstrations go into the streets to exercise their constitutional rights.
2. Racists resist by unleashing violence against them.
3. Americans of conscience, in the name of decency, demand Federal intervention and legislation.
4. Administration, under mass pressure, initiates measures of immediate intervention and immediate legislation.

MARTIN LUTHER KING, JR.

Martin Luther King, Jr., is most probably not a member of the Communist Party, U.S.A., nor of any identified Communist splinter party. But the 10-year history of his rise to prominence through advocating social revolution is part and parcel of the Communist operation in America during that same period. During that time he has amassed an amazing number of Communist fronts as well as a larger list of groups which follow the Communist line even though they have not been officially declared a part of the Communist solar system of fronts.

During the same period, however, he has been closely, even intimately, associated with persons who have been officially labeled under oath before Congressional Committees as Communists. This list includes:

Bayard Rustin, King's executive Secretary for 3 years and still an intimate adviser. Rustin has served as an observer at the 1957 Communist Party Convention in New York, and has admitted he was an organizing member of the Young Communist League in New York for 11 years.

Hunter Pitts O'Dell, alias Jack O'Dell, was hired by King as executive director of his Southern Christian Leadership Conference, in charge of the SCLC activities in Georgia, Alabama, Mississippi, and Louisiana. At the time O'Dell was hired by King he was a publicly identified member of the Communist Party. He was so identified in testimony before the U.S. Senate Subcommittee on Internal Security on April 12, 1954, at which time O'Dell repeatedly invoked the fifth amendment.

After O'Dell had worked for King approximately a year, a newspaper, the St. Louis Globe-Democrat, revealed his employment by King. King was then contacted by the Associated Press and said he had fired O'Dell. A year later it was again revealed by the Associated Press that O'Dell was in fact still working for King in his New York office.

This deliberate falsehood on King's part was in keeping with J. Edgar Hoover's statement a few months ago that King was a "notorious liar."

F. L. Shuttlesworth, an ex-convict, has long served as King's right-hand man in the Birmingham and Selma demonstrations and is still active.

Shuttlesworth doubles as president of an officially identified organization, the Southern Conference Education Fund.

The SCEF is the successor to the old and notorious Southern Conference for Human Welfare which changed its name after it was officially identified by ex-Communist Paul Couch before the Senate subcommittee as "a transmission belt for the Communist Party."

Other members of the SCEF include James A. Dombrowski, Carl Braden, Anne Braden and William Howard Melish, Frank Wilkerson, all officially identified under oath as Communist Party members, and Benjamin Smith, who registered with the U.S. Government as an agent for Castro.

Dian Bevel, wife of James Bevel, one of King's top aids, is also a member of the SCEF Board, as is John M. Coe, Lawyers Guild attorney of Pensacola, Fla., and the late Aubrey Williams of Montgomery, Ala., who was publicly accused of being a Communist Party member but denied under oath that he was.

Williams long headed the extremely pro-Communist front, Committee to Abolish the House Un-American Activities Committee.

King is a signer of the petition to abolish the House Committee on Un-American Activities, and his name appears along with a large group of known Communists and veteran Communist fronters.

Karl Prussian, former Communist Party member and secret FBI informant in the party, made an affidavit in 1963 that King was set forth at Communist Party meetings as an individual the Communists should rally around in the Communist struggle on many racial issues.

Prussian also swore that King has either been a member of or wittingly accepted support from over 60 Communist fronts, individuals and/or organizations which give aid to and espouse the Communist cause.

J. Edgar Hoover said in his report to Congress last year that many of the persons in clerical garb who took part in the march on Washington were identified by the FBI as Communist Party members.

Hoover also reported that the Reds are working hard, and with some success, to infiltrate and take over the Negro protest movement.

The Communists confirm this in a letter from James E. Jackson and Louis Weinstock in June 1963.

It was further documented by the late Communist leader, Elizabeth Gurley Flynn, that Communists are playing a big part in the Negro protest movement.

The Worker, official organ of the Communist Party, has featured King more than three dozen times within the past 3 years. The Communists have nothing but the highest praise for Dr. King and the movement he heads.

Along with the troubled outlook, there appears to be some factors favorable to a lessening of the pressures. The brightest hope seems to come from a growing awareness in other parts of the Nation that most civil rights groups have gone too far and pushed too hard. This awareness is reflected in the rising tide of criticism of the movement by some national magazines, some usually liberal syndicated columnists and even an occasional voiced criticism from the major television networks.

The national business community and even most national trade unions showed impatience with King's attempted boycott of Alabama. It was supported only by a few small groups outside the Communist Party press organs, and by the International Longshoremen's Union, headed by Harry Bridges, an identified Communist Party member.

King lost face both in the lack of support his proposal received and in the Communist identity of the support which he did receive. These excesses by King and other irresponsible and revolutionary civil rights leaders, is helping to initiate and push what appears to be a groundswell of more conservative opinion. All these factors may be counted on the credit side of the ledger.

We would be less than honest to close this report on a note of high optimism. We have a long and hard fight before us as a State and as a stable society. We think the evidence points to increasing problems on the racial front for the next several months, especially since so much group pressure is being applied to the matter by forces of the militant group.

The commission feels that with the background of achievement and experience of the past 20 months its work will prove even more effective for the citizens of Alabama who oppose those forces of the far left which are threatening the very foundations of constitutional government, individual rights and economic freedom.

REAPPORTIONMENT OF STATE LEGISLATURES

Mr. DIRKSEN. Mr. President, on January 6, I introduced, for appropriate reference, a proposed article of amendment to the Constitution. It was numbered Senate Joint Resolution 2 and provides that the people of a State could apportion one house of a bicameral legislature or apportion a unicameral legislature upon the basis of factors other than population.

The resolution was referred to the Committee on the Judiciary and then to the Subcommittee on Constitutional Amendments. The subcommittee began hearings on March 3 and they were concluded on May 21. The subcommittee heard testimony from 74 distinguished witnesses; it received statements and supplementary material from an additional 120 individuals and associations. The subcommittee after extensive hearings and study reported the Senate Joint Resolution 2, with amendments, to the full committee. The committee met and discussed the resolution on July 15 and will meet again to consider it on July 21.

As a result of the hearings and the discussions in committee, I have modified my original amendment somewhat and on July 7, I submitted the revised language to each member of the Committee on the Judiciary.

This modified language sets forth such fundamental principles as:

First. Government derives from the consent of the governed. Stated simply, let the people decide.

Second. The preservation of the historic Federal pattern of two-house representation where the voters of a State so decide.

Third. An opportunity for voters to consider alternative plans for State representation under constitutionally authorized procedure.

Fourth. An opportunity for judicial review.

Fifth. A mandatory voter review of apportionment after every Federal census.

Sixth. Deliberate avoidance of all language which might detract from or impair the force and effect of any existing constitutional provision or law dealing with guarantees of equal rights of all citizens in a State regardless of race, color, or creed.

The modified language is as follows:

ARTICLE —

SECTION 1. The people of a State may apportion one house of a bicameral legislature using population, geography, or political subdivisions as factors, giving each factor such weight as they deem appropriate, or giving similar weight to the same factors in apportioning a unicameral legislature, if, in either case, such plan of apportionment has been submitted to a vote of the people in accordance with law and with the provisions of this Constitution and has been approved by a majority of those voting on that issue. When the first plan of apportionment is submitted to a vote of the people under this section there shall also be submitted, at the same election, an alternative plan of apportionment based upon substantial equality of population.

SEC. 2. Any plan of apportionment which has been approved under this article shall be resubmitted to a vote of the people, or, another plan may be submitted under the provisions of section 1, at the November general election held two years following each year in which there is commenced any enumeration provided for in section 2 of article I, and upon approval by a majority of those voting thereon, such plan of apportionment shall continue in effect until changed in accordance with law and with the provisions of this Constitution.

THE ENACTMENT INTO LAW OF THE DRUG ABUSE CONTROL AMENDMENTS OF 1965

Mr. DODD. Mr. President, it is gratifying for me to comment on the signing into law earlier today by President Johnson of the Drug Abuse Control Amendments of 1965.

I know that the many other people who have participated in developing and drafting this legislation also share the feeling of accomplishment and the sense of satisfaction that come after bringing to completion a long and often a difficult job.

I want to take this opportunity to commend the President for his far-sighted leadership in controlling the grave social problems facing this Nation, which is exemplified by his strong support for this legislation.

And I know that this is just one indication of the President's determination to eliminate the conditions of lawlessness, irresponsibility, and disorder that have confronted our land with a deplorably high rate of crime and juvenile delinquency.

There are other people who deserve commendation also, for the invaluable work they did to help get this measure through Congress this year:

Congressman OREN HARRIS, who made the control of drug abuses his first order of business in 1965 and steered through the House H.R. 2, in a form very similar to the one signed by the President today.

Senator LISTER HILL, who both last year and this year gave prompt and favorable consideration to this legislation when it was before his Committee on Labor and Public Welfare.

Senator RALPH YARBOROUGH, whose Subcommittee on Health held the initial hearings on my bill to control drug abuse last year and greatly facilitated Senate passage of H.R. 2 last month.

And of course great credit is due to HEW Secretary Anthony Celebrezze, Under Secretary Wilbur Cohen, and their staff for their dedicated efforts over the years to bring some sanity into this problem area.

The excessive abuse of dangerous drugs is a comparatively new problem on the American scene, but it is estimated that it has already affected over 100,000 of our people.

The abuse of the amphetamine and barbiturate drugs has spread like wildfire in less than a decade and in many respects it has outdistanced the older problem of narcotics addiction, which has been with us for more than a century.

It is estimated that there are close to 10 billion of these pills produced in the United States every year and fully half of them are diverted into unauthorized channels.

Contrary to our experience with heroin and the other narcotics, which usually reduce the addict to a vegetable-like state of nonactivity, the dangerous drugs, used in various combinations tend to induce a hostile state of mind. And they have figured prominently in some of the most violent crimes on record.

For this and many other reasons and primarily because these drugs have their main impact on the youth of our land, the law signed by the President today is a timely and vital measure for the preservation of the health and welfare of the people of our Nation.

I expect the total impact of the law to above all reduce the harmful abuse of these drugs by our young people and to enable law enforcement officials to control the presently widespread illegal traffic in these products.

The Senate Juvenile Delinquency Subcommittee has proposed this law since 1961. We have held numerous hearings and listened to scores of witnesses present their testimony in this field.

I feel that this law is one of the most important pieces of legislation with which I have been associated during my service in the Senate and I hope that, in addition to reducing the evils inherent in drug abuse itself, this measure will also have a beneficial effect on the larger problem of juvenile delinquency.

COLORADO HAS IT

Mr. ALLOTT. Mr. President, in the June–July 1965 issue of the Plainsman magazine, there appeared an article entitled "You Name It and Colorado Has It."

Considerable space in this article is devoted to the spectacularly successful Martin Titan missile which is manufactured in Colorado near the capital city of Denver, but the article also calls attention to the fact that the Martin Co. is only one segment of a highly-exciting new frontier of business and economy.

I applaud the effort by the Plainsman to call attention to the very significant development of a scientific business community in and around Denver, Boulder, Golden, Fort Collins and Colorado Springs, where are located some of the outstanding educational institutions in the country. In Denver is the rapidly growing University of Denver. In Boulder is, of course, our great University of Colorado. In Golden, the Colorado School of Mines, in Colorado Springs, Colorado College, and, in Fort Collins is the great land-grant college of Colorado, Colorado State University.

Each of these, plus such installations as the National Bureau of Standards, the National Center for Atmospheric Research, the Joint Institute of Laboratory Astrophysics and others have been of great influence in attracting many firms engaged in scientific manufacture and research to our Colorado area. Presently Colorado ranks 12th in the Nation in prime Federal research and development contracts—$222 million in 1964—ahead of such heavily populated States as Illinois, Ohio, Minnesota, and Indiana.

I ask unanimous consent that the entire article from the Plainsman be printed in the RECORD following my remarks and I commend those people in my State who have done so much to bring such outstanding economic and scientific growth to an area unsurpassed in its appeal as a place to live by reason of natural beauty and healthful environment.

There being no objection, the article is as follows:

IN AEROSPACE, RESEARCH AND DEVELOPMENT: YOU NAME IT AND COLORADO HAS IT

DENVER, COLO.—Gus Grissom was the man of the hour.

Three weeks before he had captained the latest space venture of the United States—a three-orbital mission—and now he had flown into Gunnison, Colo., for 10 days of skiing and relaxation at his chalet at Crested Butte.

"I have something for you," Major Grissom told Gov. John A. Love, who headed the official welcoming delegation. The astronaut handed over two autographed models of the Titan II missile, one of the family of Titan workhorses that have packed America's space capsules "through the eye of the needle" and into outer space.

HOME

It was like a homecoming for the Titans, for they are a product of the Martin Co.'s 6,100-employee Denver Division and one of Colorado's most spectacular and, if you'll pardon the pun, far-reaching exports.

Recently tested were the five 250-ton engines which will power the Titan III–C and which are tailored to the upcoming multimanned flights. Lashed nose down to a giant testing pad, the 75-foot-long and 10-foot-diameter engines only hinted at the power that will give them a combined 2 million pounds of lift-off thrust. Air-lifted from Denver's Lowry Air Force Base to Cape Kennedy, the Titan III–C had to be dismantled into three pieces to fit into the largest air transports the Air Force could find.

But while a screaming-whistling rocket seems to typify the space age, it is only one segment of an exciting new frontier.

One Colorado firm that got into the space race almost by accident is the Ball Bros. Research Corp. of Boulder. It now employs a total of 430, with most of this personnel professionally or scientifically oriented. The firm occupies a new plant in Boulder's industrial park.

Seeking fields for diversification, the Ball Bros. Co. of Muncie, Ind.—best known for the manufacture of fruit jars—acquired a small truck-scale firm located in Boulder. This happened in 1957.

Finding highly trained scientists readily available in the Denver area, and sensing faster gains in space travel than in highway travel, the course of the firm was elevated somewhat.

OSO

Working with the National Aeronautics and Space Administration, Ball scientists developed the famed orbiting solar observatory (OSO) which transmits data to various ground stations as it orbits the earth every 95 minutes.

The Ball record of achievement admittedly is pretty good. A 1962 shot, which was designed to last for 6 months, managed to last a year and a half. The most recent shot, on February 3, 1965, looks like another home run.

A related project, being developed in cooperation with Dr. Wolf Vishniac of the University of Rochester, is an instrument to detect microorganisms on Mars. Tagged a "Wolf-Trap," this Boulder-produced instrument perhaps may answer questions regarding "life" in outer space.

Then there's Dr. William Rense who works literally with his head in the clouds. His office is under the eaves high in the University of Colorado physics building, though a $900,000 laboratory is under construction nearby. Dr. Rense is director of the Laboratory for Atmospheric and Space Physics, a branch of the CU physics department but supported by NASA.

Dr. Rense and his staff design and make instruments that are carried aloft by rockets to measure and observe phenomena in the upper atmosphere, at altitudes above 50 miles. The job of developing optical instruments—telescopes, spectographs and directional instruments—obviously does have its problems.

WASTED?

Months and years of labor may become useless with a small malfunctioning high in the atmosphere. Last February a directional device failed to operate and the whole project was wasted, Dr. Rense said candidly.

Work currently is in progress on instruments proposed for launching from Cape Kennedy sometime in 1966.

"It is quite a procedure, going down to Cape Kennedy and having your instruments put through a series of rigid tests before the launch is made." Dr. Rense smiled. "And then, if something goes wrong, it's back to the old drawing board."

"STRIP CITY"

The traditional gap between pure and applied science is almost nonexistent in this day of drawing board and launching pad proximity. Scientists may wear a construction worker's helmet, and the construction worker may have a slide rule sticking from the pocket of his jeans.

Hence, an entirely new vein of economic growth has opened up for Colorado's "Strip City," meaning Denver, Boulder, and Colorado Springs. A new industry has replaced the gold and silver rush and is competing strongly with cattle and the cowboy for the State's romantic image.

OLD RESEARCH AND DEVELOPMENT

Scientific research and development is the new product, or research and development in this business of Ph. D.'s and Bev.'s (billion electron volts) and a dozen other bits of alphabet soup—such as NBS, NCAR, JILA, HAO, LASP, BRIC, DRI, and many more.

Colorado—and specifically the Denver-Boulder area—finds itself the most rapidly growing research and development area in the United States.

It ranks 12th in the Nation in prime Federal research and development contracts, amounting to $222 million in 1964. Only the Internal Revenue Service knows how much more it has in private contracts.

This $222-million Federal prime contract figure puts Colorado ahead of such States as Illinois ($191 million), Ohio ($186 million), Minnesota ($69 million), and Indiana ($50 million).

It also leads such neighboring States as Utah ($120 million), Kansas ($20 million), Oklahoma ($13 million), Nebraska ($4 million), and Wyoming ($2 million).

(Our source: Government and Science, No. 4, "Geographic Distribution of Federal Research and Development Funds," Committee on Science and Astronautics, U.S. House of Representatives, Oct. 23, 1964.)

OPTIMISM

While such giants as the National Bureau of Standards (NBS) and the National Center for Atmospheric Research (NCAR) already pour more than $13 million in annual salaries into Boulder alone (population 43,000), the scientific snowball is just beginning to roll, officials believe. Certain facts offer a fair basis for optimism in this area:

International Business Machines has announced plans for two plants between Boulder and Longmont. One will be a $10 million computer plant that will employ 1,000 workers; the other will be a research facility (1 of 27 IBM research centers), also expected to provide employment for approximately 1,000 specialists.

In the same area there are plans for an industrial campus which will bring in about a dozen research and development scientific firms.

Ground has been broken for a $2-million Joint Institute for Laboratory Astrophysics (JILA) on the Colorado University campus, a joint venture of CU and the National Bureau of Standards.

There is hope for a $250-million atomic accelerator—with an annual operating budget of $64 million—to be located in the area. Three States appear to be in serious contention for what would be the largest "atom smasher" in the world. It would be in the 200–300 B.e.v. range, 4 times larger than 1 under construction in Russia and almost 10 times larger than 1 now in operation at Brookhaven, Long Island.

A site selection committee is scheduled to tour prospective locations this summer and make its recommendations to the Atomic Energy Commission. The AEC is expected to announce the site in January 1966. Other States said to be under serious consideration are California and Illinois.

MAGNET

It is no secret that industry attracts industry and scholars attract scholars. Colorado has both and, in many cases, both actually under the same roof.

Industrial research and development in such highly scientific fields as electronics and astrophysics needs highly trained engineers and physicists, not to mention research specialists in many related fields. Colorado itself trains many of these.

Others are readily attracted from other parts of the country by such chamber of commerce lures as a colorful description of a trout stream, a ski slope or the "air-conditioned sunshine," * * * things which draw a considerable number of tourists each year at vacation time.

The academic community, on the other hand, needs industry. Costs of research are great. An individual firm, or a cooperative industry effort, often results in funds to support a field of academic research.

And last, but certainly not least, the Federal Government recognizes the necessity and opportunity to further this quest for knowledge. Finding this concentration of private and academic scientific activity, the Government helps by making possible facilities neither industry nor institutions could afford by themselves.

The AEC, for example, financed the $2-million cyclotron that is housed and operated by the University of Colorado. And while there are seven computers now in the Colorado Springs-Denver-Boulder (three in Boulder alone) "Strip City," there was a time when the University of Colorado and NCAR shared one small unit.

WEATHER

The computer, a scientific marvel in itself, has contributed much to science in the past decade. And nowhere is its potential greater than in the field of weather study and forecasting.

Dr. Walter Orr Roberts, director of the National Center for Atmospheric Research, said that after years of only talking about the weather, within 5 more years man may be able to do something about it.

Dr. Roberts separates the great possibilities in weather forecasting into three categories:

1. Fundamental research in forecasting rainfall, wind and temperature trends from 3 days up to 3 years.

2. Fundamental research in the underlying physics, on a limited regional scale, as it applies to weather modification. "You can only make it rain if the conditions are right," Dr. Roberts said.

3. Fundamental research to evaluate the prospect of weather modification on a continental scale. Or, how to change the weather artificially all over the Nation.

Securing data is the key to all NCAR work, and Dr. Roberts has some spectacular plans in this direction.

Atmospheric data sent back from a global network of 5,000 to 10,000 balloons could be fed into a computer representing a specific storm region or general conditions around the world. From this vast net of information, the computer could project weather movements at the push of a button.

In this direction, an $8-million computer, one of the six largest in the world, will be added to NCAR when it moves into a new 190,000-square-foot building this fall.

NOT RUSTIC

NCAR has come a long way from its rustic High Altitude Observatory at Climax, Colo., in the early 1920's. Viewing the future, Dr. Roberts sees a staff in 1970 of nearly 600, with 90 of these at the Ph. D. level.

As an indication of the magnetism radiated by the entire Colorado scientific core, more than 35 small firms, ranging in size from 2 to 25 employees, dot the area and aim directly at serving aerospace and astrophysics projects.

At least 10 of these firms employ more than 30 persons. Second to Martin is the Dow Chemical Co.'s Rocky Flats division which is under contract to the AEC and which has more than 3,000 on an annual payroll of $6,700,000.

Other names are just as familiar: Sundstrand, Honeywell, Stanley Aviation, Hewlett-Packard, and many more.

Looming large in Colorado's immediate future is a proposed $45-million nuclear electrical powerplant. To be built under the Atomic Energy Commission's advanced converter program, the unit would be owned and operated by the Colorado Public Service Co.

The proposed plant would be the second one in the world to produce electricity by splitting the atom and using the energy released to produce steam for propelling generators. Production capacity is projected at 330,000 kilowatts. Completion of the project is scheduled for 1971.

COSMIC RAYS

Also in the mill is a $16-million, ultra-high-energy cosmic ray laboratory to be constructed atop Mount Evans, west of Denver. A project of the Midwestern Universities Research Association, which includes most of the Big Ten and Big Eight schools, the facility would engage in high-altitude biological and meteorological experimentation and would, of course, pursue its primary function, that of studying high-energy particles originating from space.

BASTILLE DAY

Mr. PELL. Mr. President, yesterday was Bastille Day, a day of national celebration in France, and a day of triumph for the entire free world. For on this day in 1789 a symbol of tyranny fell.

It was 13 years after the signing of our American Declaration of Independence that the principles of freedom stated therein found expression in spontaneous eruption. These were the principles of freedom which all men desire, and which those French peasants claimed in righteousness on the day when a band of them gathered around the bastille—a prison which had come to stand for generations of Bourbon oppression. But 176 years ago that symbol yielded to the very people who so long had feared its walls and trembled at its name; the people who overcame that prison's guards and began a complete revision in the French Government structure. As one symbol of horror lost its power, another replaced it, Madam Guillotine. Then, later, there was ushered in a new age combining idealism and rationalism.

The triumph for France was also a triumph for Western civilization. But bastilles still remain even today. They sit in sinister domination behind the Iron Curtain and Bamboo Curtain over which the winds of liberty seldom pass. Until each bastille around the world crumbles, universal liberty is only a dream of the future. And until that time in the future, Bastille Day reminds us of the terror which often precedes liberty, and how the French experienced and surmounted that terror.

CAPTIVE NATIONS

Mr. KUCHEL. Mr. President, it is a tragic commentary of our time that the 20th anniversary of the allied victory over Nazi Germany marks as well the 20th year of Communist domination of the captive nations of Eastern Europe. Indeed, before the ink was dry on the new United Nations Charter—firmly advocating "respect for equal rights and self-determination of peoples"—Soviet tyranny had begun to cast its shadow over a prostrate Europe.

A great deal has happened in the last 20 years. Once stemmed, the flood of communism in Europe has become a stagnant pool, a colonial empire slowly eroding at its very ideological foundations. Twenty years of Communist suppression have succeeded only in strengthing the demand for independence among proud and courageous peoples. Today, one Eastern European nation after another is loosening its ties with the Soviet Union as its Communist masters are forced to accede to their citizens' demands for more freedom and independence.

The Communist failure in Europe is a conspicuous example of the weakness of communism, both politically and economically, when it is forced to compete with democratic nations. The failure of Communist economic systems to compete successfully with the free nations of Western Europe is now well known; its failure to gain the political loyalty of its captive peoples was apparent from the very start.

But if the Communist tide is beginning to recede in Eastern Europe, it menaces the independent nations of Asia, Africa, and Latin America. Here tyranny hides behind the masks of agrarian reform, and even democracy. It thrives on the frustrations and despair of desperate peoples only to cast them into the greater misery of Communist despotism. The United States must stand by these and all freemen to assist them in stemming the spread of the Communist brand of colonialism.

Today it is appropriate that we pause to pay our respects to those who have continued to rise above their fates and face the scourge of communism with hope and determination, a determination among captive but courageous men that has already lasted for 20 years under the worst possible conditions.

THE POTOMAC RIVER PLAN

Mr. TYDINGS. Mr. President, my distinguished colleague, the senior Senator from Maryland, is doing an excellent job of helping the State and Federal Governments to work together to carry out the President's proposal for the Potomac River. I am delighted to work together with Senator BREWSTER is this endeavor.

We see eye to eye on the fundamental elements of a Potomac River plan: No high dam at Seneca, preservation of the Chesapeake & Ohio Canal, the development of the river's full recreation potential and effective pollution abatement and control.

I was pleased that Senator BREWSTER's efforts to effect Federal cooperation toward those goals was recently noted by the Washington Post. I ask unanimous consent to have printed in the RECORD an editorial dated July 7, 1965.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INSTEAD OF A DAM

The high dam at Seneca, unbuilt and unlamented, is proving a curiously powerful force for State cooperation in developing the Potomac. The high dam is a specter that haunts all the meetings on the river's future, the example of the price of inattention and inactivity. Opposition to the dam unites rural conservatives and suburban liberals, the small towns upstream and the big city downstream. Having agreed that the Seneca dam solves nothing, they are now working, in a sense, under the shadow of the dam, to find a better alternative.

When Governor Tawes took a boatload of Federal, State, and District officials on a tour of the estuary, olive brown with silt and bright green with algae, he found unbroken support for the concept of a Federal-State compact. The beginning of a Potomac compact is already taking shape in the close cooperation between the planning group put together by the four Governors of the Potomac Basin States, at the initiative of Senator BREWSTER and Governor Tawes, and the Federal planning committee set up by the Secretary of the Interior at President Johnson's request.

Merely to sign a compact does not, unfortunately, end all disputes over water. As the current shortage in the Delaware River suggests, water politics and water law are going to get only more complicated. But the purpose of the compact is to provide a rational and systematic way to meet the issues that are clearly arising. The Federal Government alone cannot successfully develop the river basins of the continent; they are too varied, and the contending interests are too many, to be administered from Washington. Maryland is demonstrating, on the Potomac, political leadership toward a firm and productive partnership with the Federal Government in exploiting the full resources of a great river.

THE ALL-HAWAII COMPANY IN THE ARMY

Mr. INOUYE. Mr. President, in each of the last 10 years, an all-Hawaii company has been formed in the U.S. Army and sent to Fort Ord, Calif., for basic training.

In the finest tradition of Hawaii, these companies have made an excellent record for themselves in the Army. The current Army Information Digest tells the story of the 10th company formed on Independence Day in 1964.

Mr. President, I respectfully ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALL-HAWAII COMPANY CREATES A TRADITION—TEN IN A ROW

By Sp4 Kenneth C. Holl

When the State of Hawaii joined the rest of the Nation in celebrating Independence Day in 1964, a stirring part of that commemoration was the public administering of the oath of enlistment in the U.S. Army to 301 of the State's finest young men.

From all the islands comprising the 50th State, they gathered in front of Iolani Palace in downtown Honolulu. After taking the oath, they watched as Governor John A. Burns presented the Hawaii State flag to one of their members, and heard Maj. Gen. Carl Darnell, Jr., commanding general, U.S. Army, Hawaii, tell them of their new responsibilities.

The young men were members of the All-Hawaii Company, 10th in a line of similar units who for the past 10 years have carried out a tradition that began in 1942 when a group of Hawaiian men of oriental descent formed the 100th Battalion that saw meritorious service in Africa, Italy and France during World War II.

As did its nine predecessors, the unit was scheduled to take its basic training at Fort Ord, Calif. Nearly all were right out of high school and were interested in technical training. Most asked for enrollment in particular Army schools and after taking the Army qualifying battery were declared eligible for schools of their choice. All together, more than 400 men were on five islands in the Hawaiian chain had been interviewed, tested and screened before the 301 were finally sworn in on Independence Day.

Their first taste of military life was processing at the Schofield Barracks personnel center. On 11 July they sailed on the U.S.S. *Breckenridge* for 8 weeks of basic training at Fort Ord, Calif.

In training, men of the 10th All-Hawaii Company qualified 100 percent on the marksmanship course—38 of them as expert riflemen. On the rugged physical fitness course, the company scored an average of 401 out of 500 possible points. Eight weeks later, 283 completed the course. All in all, the men proved to themselves, their company commander, and to their nine predecessor companies that they were worthy of carrying the standard of the All-Hawaii Company through training at Fort Ord.

UNITED NATIONS BIRTHDAY

Mr. DIRKSEN. Mr. President, there appeared in the New York Herald Tribune on June 25 a very pointed and effective editorial under the caption "The U.N.'s Birthday." I believe it merits a place in the CONGRESSIONAL RECORD where it will have wider currency and I ask consent that it be made a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE U.N.'S BIRTHDAY

Though delegates may wear a brave face and President Johnson may make a ringing speech at its San Francisco birthplace, this is not a happy birthday for the United Nations. The organization may congratulate itself on having reached the age of 20, but it is beginning to wonder whether it can look forward to many—or any—more anniversaries.

The U.N., at the San Francisco festivities, will actually be sitting in a wheelchair. It is still paralyzed by the continuing deadlock over the Soviet (and French) refusal to pay peacekeeping assessments. And none of the celebrants can say whether the General Assembly will be able to meet this fall; or whether, if it does meet, it will be less impotent than it was last year.

The U.N. became weaker as it grew older, but its weakness cannot be attributed to age. It may have grown too fast—from 51 members at inception to 114 today. But that is not the cause of the ailment, either. The defect is to be found not in the number of newcomers, but in the way they have used—or failed to use—the powers they acquired by virtue of their large numbers.

The U.N., from the very start, was handicapped by the veto granted to the five permanent members of the Security Council and repeatedly exercised by the Soviet Union to obstruct action not to its liking. It was able to escape the paralyzing effect of the Soviet veto only by organizing a powerful majority in the General Assembly under the leadership of the United States. It is that majority, with the General Assembly powers to counteract the paralyzing powers of the Security Council, which the Asian-African bloc has now destroyed.

Various reasons are given to explain the bloc's action. Its members are badly divided; they can be united on nationalist (often anti-American) grounds which sometimes obscure their own interests; they are easily intimidated by the bullying tactics of the Soviet Union; they want to play off the United States, Russia, and Red China against each other, and therefore choose not to take a strong stand against any of them, especially the Communist countries.

Whatever the reasons, it is evident that the U.N. is slipping back into the quagmire of deadlock which marred its earlier history. This unpleasant reality simply reflects the reality of the present-day composition of the United Nations.

There is, of course, still the great value of the General Assembly as a forum for airing international differences. And there is still the hope—a very tired hope—that the Soviet Union, threatened by an aggressive Red China, may yet find it advisable to withhold its veto and join the United States in promoting peace—or at least limiting conflict—through the United Nations. But on its 20th birthday, the U.N. is far, increasingly far, from the hopes of its founders.

"JIM CROW" JUSTICE

Mr. KUCHEL. Mr. President, Jack Nelson, a staff writer for the Los Angeles Times, recently completed a series of five excellent articles on the problems some fellow Americans face in securing equal justice under law in some parts of our land. He notes the conscious exclusion of Negroes from State and even Federal juries in many areas of the South. In the last year when the Senate has passed the Civil Rights Act of 1964 and the Voting Rights Act of 1965, it might be well for all of us to review this series at the local, State, and National levels in the West, East, and North, as well as in the South and in the administration, in the Judiciary, and in the Congress and ask ourselves this question: Have we by inaction prevented fellow Americans from securing equal justice under law and thus denied to them the opportunities we have merely because our skin is of a different color?

Mr. President, I ask consent that five articles from the Los Angeles Times of June 13, 14, 15, 16, and 17, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, June 13, 1965]

JIM CROW JUSTICE: LAST STRONGHOLD OF SEGREGATION

(By Jack Nelson)

(NOTE.—The origin of the term "Jim Crow" as applied to segregation practices is lost in obscurity, according to C. Vann Woodward, a leading historian of the South. In "The Strange Career of Jim Crow," Woodward noted that Thomas D. Rice wrote a song and dance called "Jim Crow" in 1832, and the term had become an adjective by 1838. Writers later applied the term to newly enacted segregation laws and ever since it has been used to identify such statutes and practices.)

ATLANTA.—For 5 days now a dozen Negroes had come to the Madison County Courthouse in Danielsville, Ga. (population 360). They climbed an outside stairway to the courtroom, stooped to avoid a low ceiling and stepped into a darkened balcony to watch the murder trial of two members of the Ku Klux Klan.

Below them the Negroes could see the defendants, Joseph Sims and Cecil Myers, smiling and waving at fellow klansmen in the crowded, all-white room.

Outside, darkness began to fall and the Negroes showed signs of apprehension. Once in a while white faces turned upward to peer at the balcony. The black faces, leaning over the rail, withdrew quickly.

ALL-WHITE JURY

It was September 4, 1964. The trial for the murder of Lemuel A. Penn, a Washington, D.C., public school official, was about to go to an all-white jury.

The State had built a case that the defendants, as part of a conspiracy to intimidate and kill Negroes, had ambushed Penn on the night of July 11, as he drove through northeast Georgia en route to Washington after reserve officers' training at Fort Benning, Ga.

In less than 2 hours the defense had presented its evidence. Sims and Myers spent less than 30 seconds each making unsworn statements (allowed under Georgia law) denying the murder.

CONVICTION UNLIKELY

Regardless of the evidence, nobody—least of all the Negroes in the balcony—thought seriously that white men could be convicted of murdering a Negro in Madison County—not even if the victim happened to be a distinguished educator, a decorated combat veteran of World War II, a lieutenant colonel in the Army Reserve, and just passing through.

In an hour-long racist argument a defense attorney five times emphasized the Anglo-Saxon blood of the jurors and shouted that FBI agents, on orders of President Johnson to "bring us white meat," had "infiltrated" Madison County.

The prosecutor had argued for a verdict "that will not be the ridicule of this country."

NEGROES SLIP AWAY

When the case went to the jury fewer than 12 Negroes remained in the balcony. In groups of two and three they began to slip down the stairway.

When the jury returned and acquitted the two white men, the courtroom was packed—but the balcony was empty. This was no time for a Negro to be in the courthouse—not even in the Jim Crow balcony.

What happened in the Madison County courthouse 9 months ago is not unusual—or extreme. The fact is that in Madison County and in many other southern counties there is no time for a Negro to be at the courthouse except as a defendant, witness—or taxpayer.

EXCLUDED FROM JURIES

Both by conscious efforts of segregationist officials and by the use of systems hatched in a Jim Crow society, Negroes are excluded from juries in many areas of the South—even from some Federal juries.

Although court decisions and laws have assured Negroes equal seating on buses and even in privately owned restaurants, they still must sit in segregated sections in many county courtrooms in the South.

A survey in Alabama, for example, indicated that almost 90 percent of the State's judges enforced segregation in their courtrooms.

The processes of justice, so often perverted to protect the southern way of life remain the South's last stronghold of segregation and discrimination by government.

UNITED STATES DOES LITTLE

The Federal Government has done little to lift this yoke from the Negro's neck.

Congress has paid the problem scant attention. The Justice Department has been heavily involved with other civil rights problems. The Federal judiciary has some housecleaning of its own to do.

Criminal and civil remedies on the lawbooks have not been used.

The Justice Department has intervened in individual cases but has never studied the problem in detail and neither has Congress. For that matter, civil rights organizations have done little beyond appealing injustices in individual cases.

The U.S. Civil Rights Commission has developed more information about Jim Crow justice—and documented more cases of its injustices than any other agency. But the Commission's pleas for Congress and the Justice Department to take steps to change this system have gone largely unanswered.

As a result, a double standard of justice exists—one for whites and one for Negroes.

The frustrations of the system are reflected in the growth of the Deacons, a secret order of armed Negroes, and in the rising militancy of the Student Nonviolent Coordinating Committee (Snick) and the Congress of Racial Equality (CORE).

NEEDS URGENT

The need for reform is urgent, for without an impartial system of justice, the Negro's right to protest discrimination and his right to enjoy his newly won freedoms are hampered severely.

Awareness of the need is growing even in the South. Here, some political leaders, uncomfortable over the spotlight that Ku Klux Klan killings have put on the system of justice, acknowledge that the time for reform is at hand.

An appellate court judge in a Southern State, appalled by the system's injuries, said in an interview:

"I'm surprised the Negroes have not done more in this field. Lunch counter sit-ins may be important, but what's more important than justice?

"MATTER OF FREEDOM"

"This is a matter of freedom or imprisonment and life or death."

The judge asked not to be identified or even have his State identified.

"It would be political suicide if I openly spoke that way," he said.

In 1963, Charles Morgan, Jr., a white attorney representing Boaz Sanders, a Negro accused of murdering a white man in Birmingham, filed a motion to quash the indictment.

COMPLETE SEGREGATION

Morgan's motion carried Sanders from arrest by white officers and transportation in a segregated paddy wagon, driven by a white man, to a segregated jail staffed solely by whites, to a courthouse of all-white officials and all-white jurors where Negro spectators are segregated.

The motion noted that if sentenced to prison Sanders would be segregated with other Negroes in an institution staffed entirely by whites.

"If he receives the death penalty," the motion continued, "he will then be given a last meal by his white guards, visited by a white chaplain, shaved by a white barber, and taken by white guards to a yellow electric chair in Kilby Prison, the chair being the only facility in Alabama justice which is and has always been desegregated.

"A button or switch will be pressed or pulled by a white man, before white witnesses, and the condemned will die. Being in indigent circumstances, he will thereafter be buried in a potter's grave in a racially segregated cemetery, provided by the State of Alabama."

Conditions have changed but little in Alabama since the State's advisory committee to the U.S. Civil Rights Commission reported in 1961 "frequent and flagrant miscarriages of justice and maladministration of the courts in the State."

At the same time the Mississippi Advisory Committee reported receiving "many and at times unbelievable reports of atrocities and brutalities perpetrated by elected and appointed public officials in the capacity of law enforcement officers and under color of law."

ISSUES RAISED

The U.S. Civil Rights Commission has said that segregation of Negroes in justice facilities, such as police stations, courthouses and prisons—as well as exclusion of Negroes from service as police officers, prosecutors, judges and jurors—raises "equal protection" issues.

The commission reported that 87 percent of county jail facilities and 93 percent of State penal institutions in Southern and border States were segregated.

The survey showed 63 percent of the courthouses had segregated restrooms and 17 percent had segregated courtrooms.

In some areas of the South the system is so loaded against the Negro that his only choice may be to throw himself on the mercy of the courts.

A parole official for a Southern State says: "Ignorant Negroes often waive their rights to a grand jury hearing, plead guilty to an accusation drawn by a county prosecutor, and hope for the best.

"This doesn't necessarily mean the Negro is guilty. It might mean he prefers to seek leniency instead of fighting the charge in a white man's court."

A Negro who understands his rights and insists on a grand jury indictment before trial may be dissuaded from this course in some rural counties by a prosecutor's emphasis on the fact that he would have to remain in jail several months awaiting the next session of the grand jury.

"RAILROADING" NOTED

That innocent Negroes sometimes are "railroaded" to prisons and convict work camps is a fact obvious to anyone who has studied "Jim Crow" justice or even compared a cross-section of cases involving Negro defendants with a cross-section of similar cases involving white defendants.

Negroes frequently are convicted of manslaughter—and sometimes murder—for traffic accidents fatal to white persons. Reverse the races and there are no charges, much less trials and convictions.

The fact is that despite no reference to race in State murder laws, a white man just isn't convicted of murder, no matter how heinous the crime, when the victim is a Negro.

On the other hand, when both victim and offender are Negroes, the outcome depends not so much on the evidence as on other considerations: Was the victim a "good" Negro who gave nobody any trouble while the offender was not well liked by whites?

In that case the punishment could be severe. Especially if the victim worked for one of the community's leading white citizens.

Or was the victim a "no-count" Negro and the offender well liked by the white community? In that case it obviously was justifiable homicide.

Charles Morgan, Jr., the attorney who represented Boaz Sanders and who now is southern director for the American Civil Liberties Union, says:

"The best defense in a southern court when you have a Negro client charged with murdering another Negro is to bring in the client's white employer and have him testify 'he's a good nigger, honest and does his job.' "

Morgan, who represented many Negroes while practicing law in Birmingham, said:

"There are certain crimes involving Negroes that white juries just won't punish. Sometimes arrests are not even made.

"In practice there is no such thing as raping a Negro in some communities; it simply is not recognized as a crime. In many cases of murder and assault, the jury decides it's 'just another nigger stabbing.' "

As the South's most impregnable bastions of official segregation, courthouses and law-enforcement agencies are deeply rooted in the region's attachment to racial values and its tendency to justify injustices in the name of those values.

W. J. Cash, in his classic study, "Mind of the South," wrote of injustices to southern whites in Reconstruction era courts:

"For 10 years the courts of the South were in such hands that no loyal white man could hope to find justice in them as against any Negro or white creature of Yankee policy; for 20 years and longer they continued, in many courts, to be in such hands that such justice was at least doubtful."

As southern whites gradually regained control of the courts, the Negro became almost open game. For, from being places where no loyal white man could find justice, they turned, now, and naturally into being places where no black man would find it.

Cash wrote that because of Reconstruction and the economic purposes of the South, southern courts had become and largely remain to this day places in which the Negro could count on little consideration * * *.

Some changes have taken place since Cash's book was published a quarter of a century ago. Negroes serve on juries in some places, especially in urban areas. A few Negroes serve as law enforcement officers, although in some places they lack authority to arrest whites.

The changes are relatively minor, however. Jim Crow still clings to the courthouse as to no other area of government.

[From the Los Angeles Times, June 14, 1965]

JIM CROW JUSTICE: COURTS CALLOUS, OFFICIAL ASSERTS

(By Jack Nelson)

ATLANTA.—You might say it was a case of conscience.

In a State capitol building in the South, a State official and a reporter were pouring over records of criminal cases. They had waited until it was dark outside because the official had wanted it that way.

"When it comes to the Negro, the callousness of some courts is unbelievable," he had said. "Certainly I'll help you all I can, I can show you plenty of cases. But come at night."

Politically he could not afford to be identified with an attempt to pinpoint the evils of Jim Crow justice which pervades southern courthouses, enforcing segregation with a cruel double standard of crime and punishment.

But he wanted to help because the injustices of the system sickened him.

DON'T IDENTIFY STATE

"Don't even identify the State," the official said as he handed the reporter a stack of records. "It's immaterial anyway. The same things happen in other States."

The records covered more than 50 percent of the cases either from the standpoint of trial and sentencing or parole action.

A teenage Negro boy, who had never been in trouble, was hunting when a gang of white boys on a drinking binge happened by and decided to "devil" him. One of them grabbed his gun and it accidentally fired, killing the son of a leading citizen.

An all-white jury convicted the Negro of murder and sentenced him to life imprisonment.

"If the boy had been white," a witness said, "he never would have been tried."

An elderly white woman, jaywalking despite being warned repeatedly by police, was killed when she walked into the side of a car driven by a Negro. No case was made immediately, but several days later, after pressure by the woman's relatives, the Negro was charged with manslaughter.

Rather than face an all-white jury, the defendant pleaded guilty and received a 5-year sentence. A local police official called it a "raw deal" and said the woman's death was "strictly accidental," but the Negro went to prison.

ATTACKED IN OWN YARD

The State official declared that because Negroes fear the courts, even when innocent, they often gamble with a guilty plea in hopes the white judge will show more mercy than a white jury. This is a long shot at best.

In one case, a Negro pleaded guilty to charges involving two minor burglaries and received two 15-year sentences to run concurrently. Leaving the courtroom the defendant muttered that the judge "really stuck it to me."

The judge overheard the remark and ordered the sentences to run consecutively—doubling the prison time to 30 years.

A young Negro man who had not been in trouble previously was standing in his yard when his white employer came with a gun and started pistol whipping him because of an alleged debt. For slashing his assailant to death with a knife, the Negro got 20 years for manslaughter.

A white neighbor, who witnessed the incident, said he was "not a nigger lover," but the Negro was railroaded.

"If it had been two white men," he said, "nobody would have pulled time." The witness said the victim "had a habit of pulling his gun" and threatening Negroes who worked for him.

The State official, handling the reported records of cases in which Negroes had drawn prison terms in connection with white traffic fatalities, declared:

"You get a Negro drinking and driving and there's a white fatality, he's in real trouble—murder or manslaughter. If it's a white driver, nothing's done in most cases. It's sort of like the electric chair, an honor reserved for a favored few—Negroes and maybe poor whites."

HARSH PUNISHMENT

A white man does not have to die for a Negro to be prosecuted for a major crime as a result of an auto accident. In one case where a white man suffered a broken leg in a two-car collision, an elderly Negro was sentenced to 8 years for assault with intent to murder.

Negro teenagers often suffer harsh punishment for first offenses.

One youth without an arrest record had left his State looking for a job. Hungry and penniless, he broke into a small grocery and was eating Vienna sausage from a can when local police collared him. He got 5 years for burglary.

Another teenager with no previous record was sentenced to 7 years for stealing 14 tires. Another got 7 years for a $10 check forgery, and another 10 years for forging checks totaling $39.

A Negro youth, whose family had worked for his white employer for more than 40 years, began taking chewing gum, candy, and ice cream from the white man's grocery. He received a 6-year sentence for burglary because the court thought he was "getting out of hand."

SMALL SAMPLE

Eying the stack of records and declaring they comprised a "small sample" of the injustices he has seen, the State official delared:

"Certainly a man should not be sentenced just to satiate some prejudice in the courtroom or the community. But that's what often happens. Something must be done to guard the rights of people unable to take care of themselves."

More than half of the cases shown the reporter involved defendants who were tried or pleaded guilty—without benefit of counsel—on accusations drawn by prosecutors.

"The most glaring abuses are in that area," the official said.

None of the cases in any way concerned civil right demonstrations.

But, reports by the U.S. Civil Rights Commission document hundreds of instances in which Negroes in desegregation cases and Negroes and whites in civil rights demonstrations have been treated unjustly by courts and law enforcement officers in the South.

Daniel H. Pollitt, professor of law at the University of North Carolina, has pointed out that even attorneys seeking to defend civil rights workers often run into trouble in Jim Crow courtrooms. Writing in the December 1964, North Carolina Law Review, Pollitt declared:

"The small band of southern attorneys who undertake 'racial' litigation often find the common courtesies of the bench and bar denied them."

Of the arrest of Clyde Kennard, the first Negro applicant to all-white Mississippi Southern University, Pollitt wrote:

"He was convicted of stealing five sacks of chickenfeed on the basis of rather tenuous evidence. His lawyer was charged with contempt of court for explaining to the press that the sentence of 7 years labor was a 'mockery of justice.' "

Warren Fortson, a young white attorney in Americus, Ga., recently charged that officials used morals charges against two teenagers, the daughter and son of two prominent Negro families, to prevent them from taking part in civil rights demonstrations.

"We have made great progress in desegregation and race relations," Fortson said. "But the courthouse crowd has done everything they could to harass. The oppression of the courts and law enforcement are Negroes' major grievances now."

Sometimes just the suspicion that a person is on a civil rights mission is enough to provoke violence.

Two white Presbyterian ministers from Tennessee, the Reverend Geddes Orman and the Reverend Alexander Stuart, were beaten severely last year in Wilcox County (Camden), Ala., by a white man armed with a shotgun.

The ministers were checking on four Presbyterian schools for Negroes in the county, but were mistaken for civil rights workers. They recognized their assailant, but an all-white jury failed to indict. Wilcox County is 80 percent Negro.

In Selma recently, a Negro minister, the Reverend James Bevel, a member of Dr. Martin Luther King's staff, was arrested on a charge of contempt of court for disobeying a judge's order to sit in the Jim Crow section of the courtroom.

State-compelled courtroom segregation, as well as exclusion of Negroes from juries, has been declared a violation of the "equal protection" provisions of the 14th amendment.

Discrimination in jury selection also is prohibited by Federal statute, but the law has not been enforced.

[From the Los Angeles Times, June 15, 1965]

JIM CROW JUSTICE: NEGROES IGNORED ON JURY RIGHTS

(By Jack Nelson)

ATLANTA.—Although the systematic exclusion of Negroes from juries in many southern communities is common knowledge, the Department of Justice has yet to prosecute in this century any official under an 1875 Federal law prohibiting such discrimination.

On at least three occasions since 1950, the Justice Department, embarrassed at not learning of specific cases until they reached the Supreme Court, called on the U.S. attorneys to report such matters to the Department.

Despite the Department's appeals and its suggestions that a Federal law was being violated, when the last appeal was made in 1956 the Department still had not received any reports from the U.S. attorneys.

A Justice Department source told the Los Angeles Times he does not know whether any such reports ever have been received, despite additional Supreme Court decisions reversing convictions of Negroes because of jury discrimination.

LEGAL PROVISIONS

The Federal law provides:

"No citizen possessing all other qualifications * * * prescribed by law shall be disqualified for service as grand or petit jurors in any court of the United States, or of any State on account of race, color, or previous condition of servitude."

It states further that "whoever, being an officer or other person charged with any duty in the selection or summoning of jurors, excludes or fails to summon any citizens for such cause, shall be fined not more than $5,000."

Several reasons are given for failure to enforce the law:

Lack of specific complaints from Negroes that they have been excluded, difficulty in proving systematic exclusion, and the feeling that Federal juries in the South (not many Negroes serve on Federal juries either) would not convict State jury officials regardless of the evidence.

HIGHER PRIORITY

More recently, concentration of Justice Department personnel on racial violence and other civil rights matters which have had a higher priority has been a factor.

"We could have done more with the law," said Burke Marshall, who served as Assistant Attorney General in charge of civil rights from February 1961 to January 1965.

"We investigated several cases and concluded that Negroes were being excluded. But we never secured indictments and never made a major drive."

Marshall, now IBM general counsel in New York, said, "We might well have been requested by the administration to initiate a drive on jury exclusion, except we had a limited number of lawyers and they were on school desegregation and voting discrimination cases."

BILL SUGGESTED

"The Justice Department has not been reluctant to enforce the statute," Marshall said, but criminal proceedings may not be the most effective means of giving Negroes equal access to the jury box.

Marshall suggested that a bill empowering the Justice Department to initiate civil suits to prevent jury discrimination "might have some effect if the Department had enough manpower for a major drive."

In 1961 the U.S. Civil Rights Commission recommended that Congress consider such a bill.

The 1965 voting rights bill gives the Department that power in voting discrimination cases.

FEDERAL COURT ORDER

A civil law provides that excluded minorities can seek a Federal court order enjoining officials from discrimination under pain of contempt of court. The 1964 Civil Rights Act empowers the Justice Department to join such class action, but does not authorize the Department to originate the suit.

The Civil Rights Commission has declared that "a distinct disadvantage" in the injunctive suits under the present law is that they burden private citizens with the expense of correcting racial discrimination.

The only other civil remedy applies to individual criminal cases and has a rather minor and remote effect upon the overall problem. A Negro may raise the issue before his trial, thus laying the groundwork for an appeal if he is indicted or convicted by an illegally-drawn jury.

Attorneys often are reluctant to even raise the issue before trial. Usually they don't dare challenge the local system or often they are a willing part of it. In some cases, attorneys fail to raise the question for fear it would prejudice the juries against their clients.

That the case-by-case appeals have no overall effect is shown forcefully by the experience in Carroll County, Miss., where Negroes comprise more than half of the population.

In 1959 the murder conviction of Robert Lee Goldsby, a Negro, was reversed on grounds of jury discrimination. Yet the Civil Rights Commission heard testimony only 3 months ago that Negroes still don't serve on juries in Carroll County.

The Justice Department, with guarded optimism that the need for voting investigations will diminish with passage of the voting rights bill of 1965, is considering a major drive on jury discrimination.

NO INDICTMENTS

Some cases already have been investigated in Mississippi, Georgia, Kentucky, Virginia, and Tennessee. But there have been no indictments, and Justice officials decline to discuss the cases.

In addition to possibly invoking the criminal statute for the first time since a Virginia judge was sentenced to prison for a violation in the 1870's, the Department plans to join in civil suits it believes have merit. A drawback, however, is that civil rights organizations have not been filing jury exclusion suits.

Justice also reportedly stands ready to proceed under title III—desegregation of public facilities—of the 1964 Civil Rights Act to prevent segregated practices in courthouses. Again, a written complaint first must be filed, in this case with the Justice Department, before action can be taken.

In 1950, 1953, and 1956 the Justice Department, on the front pages of bulletins sent periodically to U.S. attorneys, urged reporting of all jury exclusion cases for possible enforcement of the criminal statute.

The first notice declared it was "quite clear" that the Federal law applied. The second reported that despite the earlier appeal and "the apparent continuing practice of racial discrimination" no cases had been reported.

The third notice cited the first two, the Department's "embarrassment" of having to first learn of such practices when cases reached the Supreme Court, and added:

"Nevertheless, the Criminal Division has not received a single report or reference concerning a possible violation."

The Civil Rights Commission, acknowledging it might be "very hard to persuade a jury to convict a white official," has suggested that the Justice Department enforce the Federal law—title 18, section 243.

"Presumably the requirements that criminal cases be proved beyond a reasonable doubt would increase the difficulty of establishing jury exclusion," said the Commission.

"On the other hand, this remedy would to some extent relieve private citizens of the time and expense of vindicating their Federal right.

"The resources and experience of the FBI would be particularly valuable in gathering the necessary evidence. Finally, section 243 actions, like injunctive suits, would directly protect the rights of all members of the racial group within the community."

Since the offense is a misdemeanor, the Commission pointed out, prosecution could be brought directly to trial on an information by a U.S. attorney instead of having to proceed through a grand jury.

[From the Los Angeles Times, June 16, 1965]

JIM CROW JUSTICE: U.S. COURTS BARRED TO NEGROES IN THE SOUTH

(By Jack Nelson)

ATLANTA.—A Federal judge in Mississippi has charged that a civil suit accusing his court of systematically excluding Negroes from juries is "unwarranted meddling by outsiders."

Regardless of the merits of the Mississippi case, the fact is that various systems of selecting jurors in Federal courts in the South have largely excluded Negroes.

Jim Crow perches just as surely, although perhaps not as securely, in some of the South's Federal courthouses as in some of its State courthouses.

The exclusion of Negroes from the Federal processes of justice goes beyond juries.

CHARGES VOICED

In a recent report, the Southern Regional Council, a highly respected private agency seeking to foster racial equality, accused Federal courts in the South of discriminating against Negroes and declared:

"A Negro involved in Federal court action in the South could go from the beginning of the case to the end without seeing any black faces unless they are in court audience, or he happens to notice the man sweeping the floor."

The Mississippi suit was filed last January by the American Civil Liberties Union on behalf of six Negroes. They claim that they are qualified for jury service, but have not been selected because of their race.

JUDGE RESPONDS

It is a class action which, if successful, would bar the Federal courts from following a system which largely excludes Negroes from jury service.

U.S. District Judge Harold Cox, against whose court the action was filed, wrote a letter on February 1, 1965, asking his former law partner, Charles Clark, of Jackson, to aid the U.S. attorney in defense of the suit.

What the judge didn't know was that the U.S. attorney may not defend the suit. In Washington, the Justice Department told the district attorney to remain aloof from the action while it weighs the merits of the case.

Judge Cox has riled civil rights leaders with his rulings in segregation cases and has referred to Negroes as "niggers" and "chimpanzees." He reacted heatedly to the ACLU suit.

In his letter to Clark, the judge said that jurors in his court were "a fair cross section of our citizens completely without regard to race."

SEES MEDDLING

Cox called the suit "another piece of unwarranted meddling by outsiders who are apparently ignorant of the facts" and said he does not intend to let "this infamous attack go unanswered * * *."

The judge took the unusual action of asking a private attorney, Clark, to "assist the U.S. attorney in his defense of this suit as a personal favor and courtesy to me." He said he wanted the record "to show my intense interest in the question presented * * *."

The suit asserts that Judge Cox' clerk and the jury commissioner deny Negroes their rights either by excluding them from the list of names drawn and summoned for jury duty or by keeping the list so small that only a token number of Negroes may serve on grand and petit juries.

In the case of petit juries, Negroes can be systematically and uniformly challenged and prevented from serving in the trial of any cases, the suit charged.

Mississippi Negroes "presently are being injured, oppressed, threatened and intimidated" while pursuing their constitutional rights, but are unable to secure protection afforded by the enforcement of Federal criminal statutes because they are excluded from Federal juries, the suit said.

Federal crimes against Negroes go unpunished because white juries will not convict white defendants even though proof of guilt is presented in court, the Negroes asserted.

The suit seeks an injunction against existing jury selection methods, asks dismissal of all present and prospective jurors, and requests the court to enforce a new selection system. The complaint also asked $15,000 in damages for each plaintiff.

CASE TRANSFERRED

Judge Cox assigned the case to Judge Sidney C. Mize, also of the southern district of Mississippi, who died before a hearing could be held. The case has been transferred to Judge Claude J. Clayton, of the northern district of Mississippi.

Filing of the jury suit prompted Warren Olney III, Director of the Administrative Office of the U.S. Courts, to warn all district courts in writing that:

"With the sensitivity about racial discrimination increasing over the years, it was inevitable that the procedures used in the selection of jurors in the United States should come under increasingly close scrutiny."

AVOID TAINT

Regardless of the merit of the suit, Olney continued, it should emphasize to court clerks and jury commissioners the importance of "avoiding every taint of racial discrimination in qualifying and selecting persons for jury service in the U.S. courts * * *."

Clerks and jury commissioners are appointed by Federal judges. All 65 district Federal judges in the 11 States of the old Confederacy are white. So are all 28 district clerks and all 109 jury commissioners.

The Southern Regional Council noted that of 1,124 officials of the Federal courts in the 11 States, less than 25 are Negro and they are lower echelon officials.

Of 196 assistant U.S. attorneys in Southern States, 10 are Negroes and all were hired after Robert F. Kennedy became Attorney General in 1961.

The council declared the courts "seem out of line with fair employment practices of Federal agencies, not to mention the spirit and philosophy of the civil rights statute."

It accused "many" of the courts of having been "highly protective of segregation."

Until passage of the 1957 Civil Rights Act, Federal jury commissionerrs were required to use State jury lists—from which, of course, Negroes already had been largely excluded.

VOTER LISTS USED

However, repeal of the requirement has not kept some courts from continuing to use the lists.

Some commissioners also use State voters registration lists, which in some areas include very few Negroes. For example, the lists have been used in Mississippi where the number of Negro voters is notoriously low.

The "key man system" is used by most Federal jury commissioners.

"Key men" are substantial citizens, almost invariably white, selected by the clerks and commissioners to recommend jurors. They recommend people they know—usually white.

Negroes do serve on Federal juries in the South, of course, but usually in token numbers. The system also tends to exclude whites in low-income and low-education categories.

The Southern Regional Council said the exclusion of low income and hourly income workers from jury service raises questions beyond racial considerations.

JURY OF PEERS?

"One may not only ask if it is possible under present circumstances to get a Federal jury of peers for people who are not white, but also for persons who, regardless of race, are not middle class," the counsel said.

But the Jim Crow element of Federal justice is of more pressing concern.

After its study, the Southern Regional Council declared there is an "urgent" need for reform because "new Federal legislation to protect citizens against the klan and other dispensers of death and ruin will * * * almost certainly increase reliance on the district courts for the protection of individual life and liberty."

[From the Los Angeles Times, June 17, 1965]

JIM CROW JUSTICE: REFORM LONG NEEDED IN U.S. COURT SYSTEM

(By Jack Nelson)

Atlanta.—After an all-white Georgia jury acquitted two Ku Klux Klan members of murdering Lemuel A. Penn last year, a Klan official told a cross-burning rally:

"It just shows that you won't never convict a white man for killing a Negro who is encroaching on the white people of the South."

The truth in the klansman's statement (although Penn was just passing through Georgia en route to Washington, D.C., when he was ambushed) causes Negroes to grin wryly when they hear the frequent argument that they should take their cause out of the streets and into the courts.

Nowhere is the degradation and oppression of the Negro more abject than in some Jim Crow courthouses.

ARRESTS RARE

No matter how brutal the killing, the chance of convicting a segregationist of killing a Negro or a white integrationist is practically nil in many parts of the South.

In many cases there are no arrests. When there have been arrests, acquittals or mistrials have resulted.

Byron de la Beckwith, a Greenville fertilizer salesman, was tried twice for the 1963 ambush slaying of Mississippi NAACP official Medgar Evers. Both all-white juries failed to agree on whether it was Beckwith who shot Evers in the back.

Beckwith remains free.

THREE SLAIN

Three civil rights workers—one Negro and two whites—were tortured and slain in Mississippi last summer. A State grand jury investigated, but failed to indict.

The Justice Department charged a sheriff, a deputy sheriff, and 17 others, including several klansmen, with civil rights violations. A Federal judge threw out the cases on grounds no Federal crime was committed.

The brutal crime remains unpunished.

In the trial last month of Klansman Collie Leroy Wilkins for the ambush slaying of Mrs. Viola Liuzzo, Klan Attorney Matt H. Murphy, Jr., talked to the all-white Lowndes County, Ala., jury as "one white man to another white man."

VICTORY FOR STATE

After a deadlock caused a mistrial, some observers interpreted the 10-to-2 vote for conviction as a moral victory for the State.

But the vote in this nightrider slaying, in which a defenseless woman was stalked for more than 20 miles before being wantonly shot, was not for murder. It was for manslaughter.

In scores of other cases, documented by the Justice Department and the U.S. Civil Rights Commission, anti-Negro, anticivil rights violence in the South has gone unpunished. In many cases, such as the bombing deaths of four Negro children in a Birmingham church in 1963, there have been no arrests.

PROTECTION ASKED

The killings last March of Mrs. Liuzzo and the Reverend James J. Reeb, a Unitarian minister who was clubbed to death in Selma, Ala., prompted a demand for new Federal laws to protect civil rights demonstrators.

Dr. Martin Luther King and other civil rights leaders called for a broad Federal statute protecting persons slain in the pursuit of their constitutional rights.

The Justice Department reportedly has been busy researching the subject, trying to come with a proposal for such a law.

The probability that all-white juries would pass judgment on whether such a law had been violated raises the question of whether any new law would be effective without changes in the systems of selecting Federal juries.

New York Attorney Burke Marshall, who headed the Justice Department's Civil Rights division from 1961 to 1965, says the need for reforming the Federal systems is "very important." But he says the issue is much like reapportionment: "Not very sexy and hard to get people interested."

SELECTION VARIES

A Justice Department survey in 1961 showed that the 92 Federal district courts had "92 different systems of selecting juries," he said.

Most of the courts use the "keyman" system, he said, discriminating not only against Negroes, but against poor whites.

"Sometimes it is against farmers as opposed to city people," he said.

Marshall says Federal judges should not be free to adopt whatever jury selection methods they desire.

After the 1961 survey, a bill backed by the Department was introduced to set up uniform standards in the selection of jurors.

It died for lack of support.

NEEDS KEY PEOPLE

"Key people are important on something like this," Marshall said. "People like Emanuel Celler (the New York Democrat who heads the House Judiciary Committee). People in Brooklyn care about the voting bill, but they don't think much about the courts."

Since it is the Federal courts to whom Negroes must look when they have been denied equal protection in State courts, reform in the Federal judiciary seems long overdue.

Atlanta Attorney Ellis Arnall, who was Governor of Georgia from 1943 to 1946, sees a pressing need for intensive investigation and sweeping reforms of the overall structure of segregated justice.

"The urgency about the need is caused by the Negroes' increasing demands for equality," he said. "White justice takes it out on the Negroes even when they are not part of the civil rights movement because they are categorized as part of it."

"TELLS OF INJUSTICES

"Both as attorney general of Georgia and as a practicing attorney I have seen the widespread injustices of the dual system. Anyone with any intelligence knows the system discriminates against the Negro.

"The white man has tried to keep the Negro down in the ditch. In order to do this he has had to stay down in the ditch with him. The segregated system of justice is a perfect example of this."

Demands for equality in courts will increase in ratio to the number of civil rights demonstrators who run afoul of Jim Crow justice, Arnall said.

"There hasn't been much agitation before," he said, "because the average citizen dodges court like the Devil dodges holy water. Therefore, attacks on the system usually have come only from those already in trouble with the courts."

BALLOT A FACTOR

Equal access to the ballot will tend to chase Jim Crow from some of the courthouses of course, because Negroes will become a factor in electing court officials and sheriffs.

But discrimination in the administration of justice is much more widespread than discriminatory voting practices. Nor is it confined entirely to the South.

Exclusion of the Negro from the ballot box is a serious problem only in Mississippi and parts of Alabama, Georgia, Louisiana, South Carolina, North Carolina, and Virginia.

Exclusion of Negroes from the agencies of justice—from law enforcement to judicial and penal institutions—is widespread throughout the 11 ex-Confederate States.

ACTION RISKY

Direct action against the courts—any courts—is risky business. It entails contempt charges and possible charges of obstruction of justice.

But some civil rights groups have seriously discussed taking the risk to dramatize their plight in the Jim Crow courts. Sit-ins in jury boxes are among the tactics that have been discussed.

How far the courts would tolerate such civil rights protests remain to be seen. But both Federal court judges and some State appellate court judges have only to read their own decisions to see repeated warnings that Jim Crow justice breeds disrespect for the law and corrupts the democratic processes far beyond the courthouses.

QUOTES RULING

Judge Robert H. Hall, of the Georgia Court of Appeals, in a decision last year, quoted a Federal ruling:

"For racial discrimination to result in the exclusion from jury service of otherwise qualified groups not only violates our Constitution and the laws enacted under it, but is at war with our basic concepts of a democratic society and a representative government."

In his decision, granting a new trial to a Negro civil rights demonstrator convicted by an all-white jury, Judge Hall declared:

"The injury is not limited to the defendant—there is injury to the jury system, to the law as an institution, to the community at large, and to the democratic ideal reflected in the processes of our courts."

PROBLEMS OF THE AGED AND AGING

Mr. McNAMARA. Mr. President, the June 1965 issue of IUD Agenda—a monthly magazine published by the Industrial Union Department of the AFL-CIO—is devoted to the theme "Our Older Americans."

It contains several interesting and informative articles on this important subject that I would commend to the attention of the Senate.

Of particular interest is the legislative newsletter section of the magazine which deals with the report made in 1960 by the Senate Subcommittee on Problems of the Aged and Aging, of which I was chairman.

The article points out that 11 of the 13 recommendations we made in that report for meeting the needs of older Americans have been translated into law—in whole or in part—during the past 5 years.

This illustrates, I believe, the increasing concern of the Congress and the President with the problems of the elderly. It is a fine progress report in which we all can take some pride.

The report is also useful in that it further points up the unfinished business that still faces us in this field, such as final action on medicare and social security cash benefits, minimum standards for nursing homes, a strengthened program of housing for the elderly, consumer protection against fraud, and so forth.

Thus, although we can do some pointing with pride, much remains to be done.

Mr. President, I ask unanimous consent to have the legislative newsletter of IUD Agenda, dealing with problems of the elderly printed in the RECORD.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

SENATOR McNAMARA'S REPORT ON AGING SCORES 11 OUT OF 13

Back in 1960 Senator PAT McNAMARA's Subcommittee on Problems of the Aged and Aging issued a report on the needs of the Nation's old people and pensioners that makes rather agreeable reading today. For the surprising thing about it is that 11 of its 13 recommendations have been translated into law in whole or in part, during the past 5 years.

The most important achievement unquestionably is medicare. The imminent enactment of a program of hospital insurance for the elderly under the social security system will bring us to grips at last with what the McNamara report called "the No. 1 problem of America's senior citizens"—how to meet medical costs. But the adoption of some of the other suggestions is hardly less important.

The report's call for an end to employment discrimination based on age has been partially met by the President's Executive order prohibiting such bias on the part of employers fulfilling Federal contracts. Its call for greater use of retired persons in community service activities has been answered to a significant extent by the VISTA and Peace Corps programs and by additional plans for using volunteers over 65.

Its proposals for assuring older persons an adequate income have been met to some degree. It recommended that minimum social-security benefits be increased from $33 to at least $50 a month; they have only been raised to $40. Although Congress has never undertaken the report's proposed study of constant purchasing power bonds designed to help persons on fixed income meet the threat of inflation, the need for such a study has been obviated to a considerable extent by the relative stability of prices since 1960.

To meet the special housing needs of the elderly, the report recommended that 10,000 public units a year be built for older people with low incomes. We now build about 15,000 units. Its suggestion that there be authorization of a direct loan program of $100 million to help private nonprofit groups build housing for the elderly turns out to be too modest. The authorization has been raised to $275 million and congressional committees now recommend further increases. The recommendation that health and social services be extended to the elderly living in housing developments is well on the way to being implemented.

The report proposed the establishment of an office of the aging to represent the elderly and deal with their problems. We have something like that in the "Administration of Aging" that is being established within the Department of Health, Education, and Welfare. This is more than a token agency. It is the instrument for a major program that will channel $7.5 million into States and localities to finance new projects to assist the aging.

So much for the bright side. The darker aspect of the picture is what has not been done and what was not even proposed. The most crucial need is to increase the cash benefits under social security. Twenty-two countries surpass the United States in such payments, leaving us on a par with Panama.

It is little short of scandalous that nothing has been done to implement the report's recommendation that HEW establish minimum national standards for nursing homes when a significant number of them are substandard or firetraps. And though we build more public housing units for the elderly than the report called for, that's still too little. We should be building at least 50,000 to 60,000 units a year, not 15,000.

Then there are the proposals never mentioned in the report. There ought to be greater consumer protection for the aged who are a particularly vulnerable target for sharpers. An expansion of credit unions and cooperatives for older persons would help spread their incomes further. Greater "portability" in pensions, a system that would enable workers to retain an interest in their pension funds when they change jobs or lose them would increase their financial security.

DESIGNATION OF LEONARD H. MARKS AS DIRECTOR OF THE U.S. INFORMATION AGENCY

Mr. HARTKE. Mr. President, this week the President nominated, as Director of the U.S. Information Agency, Leonard H. Marks, whose background and experience I would like to comment upon.

Mr. Marks has demonstrated his abilities from the time that he recived his schooling. He has graduated with highest honors from high school, college, and law school.

He entered the University of Pittsburgh at the age of 15 and, upon his graduation in 1935, he was named to the Hall of Fame of that university. During his undergraduate years he showed an interest in the field of news media, with which he will now be dealing as the USIA Director. He worked on the campus magazine, the yearbook and, as a result of these efforts, was elected to the honorary journalistic fraternity, Sigma Delta Chi. During this period he was handling a radio program, interviewing campus personalities and prominent civic leaders.

At the University of Pittsburgh Law School, which he attended from 1935 to 1938, he distinguished himself by making all A grades throughout his 3 years. He served on the University of Pittsburgh Law Review staff and was elected its business manager. Upon his graduation, he was honored by being invited to join the faculty as a faculty fellow at the age of 22. When this assignment ended, he remained on the faculty as an assistant professor on a part-time basis and practiced law in the city of Pittsburgh.

During the war years, Mr. Marks was employed by the Federal Communications Commission and was elevated to the position of Assistant to the General Counsel. His works during those years will serve him well in his new assignment. Some of you may recall that when the war broke out, U.S. radio stations were broadcasting programs in foreign languages, particularly German and Italian. These programs reached a large audience in the principal cities of the east and west coasts, and many relied upon them as their principal source of information. It was discovered that some of these programs contained subversive propaganda and were being conducted by persons of doubtful allegiance to the United States. For this purpose the Federal Communications Commission established a staff to work with the Office of Censorship, the alien enemy authorities and other governmental agencies interested in the problem. Mr. Marks supervised the investigations of these individuals and of the questionable programs.

At the end of the war, he resigned to return to the practice of law and to specialize in the field of communications. For nearly 20 years he has been a partner in the firm of Cohn & Marks in Washington, D.C., which represents numerous radio, television, newspaper and other media interests. He has had wide experience in the news information areas and has a wide acquaintance throughout the United States among those who work in this field, which is so directly related to the activities of the USIA. Included in the clients of his firm have been State governments, universities and colleges, and others active in news and information activities. As a result of this representation, Mr. Marks has a fine background in the field and comes well equipped to carry out his new responsibilities.

In 1963, as a recognition of his talents in the field of communications, President John F. Kennedy appointed Mr. Marks as one of the original incorporators of the Communications Satellite Corp., and he has served in that capacity up to the present time. Last year I attended the international conference in Geneva, Switzerland, which considered the allocation of frequencies for communications satellites. Mr. Marks represented the Communications Satellite Corp. at that conference and rendered valuable assistance to the chairman of the delegation. I participated in delegation meetings and in the work of the conference and had an opportunity to see firsthand how effectively he functioned.

Mr. Marks is not new to the field of international conferences, and has attended the principal broadcasting conferences scheduled since the end of the war. They are specifically: Mexico City, 1948; Montreal, 1949; Mexico City, 1952; Geneva, 1959 and 1963.

Throughout his career, the new USIA Director has shown a keen interest in education. He not only served on the faculty of the University of Pittsburgh Law School, but taught at the National University Law School in Washington where he developed a course on the law of communications for graduate study. With the advent of television, Mr. Marks saw the possibilities of using this new medium as a teaching tool. He was a pioneer in bringing about the reservation of television channels for educational use and, as counsel for the National Association of Educational Broadcasters, he has been their champion in stimulating the creation of stations throughout the United States and in enabling educational interests to reach large interests of the community with their facilities. Quite recently the island of Samoa established an educational television system in which Mr. Marks assisted. He made the principal address at the dedication ceremonies and pointed out that American Samoa can become a showplace for underdeveloped countries throughout the world which could similarly utilize educational television as a means of reaching the people with vital information to help them improve their standards of living and to pave the way for better understandings.

Last year Mr. Marks expressed his philosophy on the importance of communication in an article which he wrote for the EBU Review. I would like to quote from that article:

> Communication is the lifeline of civilization. Without it, people live in small tribal societies, suspicious of strange and different customs. With improved communication comes better understanding and a removal of the barriers of suspicion and distrust. When we know our neighbors we are more likely to become friends, philosophically and socially, and from this relationship may evolve a world dedicated to the preservation of law in an atmosphere of peace. When that millennium is reached, the tribal boundaries will extend beyond the village and encompass the world.

This philosophy should serve as a touchstone of our information policy throughout the world and gives a good insight into the thinking of the President's choice for this vital position.

I have known Mr. Marks for many years, have worked with him, and have high appreciation for his talents. I would like to commend President Johnson for his nomination and congratulate the country on the appointment.

COTTON LEGISLATION

Mr. BASS. Mr. President, the Agriculture and Forestry Committee recently conducted hearings on pending cotton legislation. There was a general consensus of opinion, not only among the committee members and the administration, but also among the cotton growers, users, exporters, and indeed, every segment of the industry that something must be done to breathe new life into the cotton program. Proposals presented to the committee ranged from a complete withdrawal of the Federal Government from the program to direct payments to the growers and touched all points in between.

After listening to various witnesses paint completely dismal pictures of the plight of the cotton farmers, an editorial in the Memphis Commercial Appeal caught my eye and presented a refreshing change of pace point of view. I am not trying to minimize the problems of the cotton grower, which are very real and quite sizable. The entire Agriculture Committee is working very hard and diligently to find solutions to alleviate these problems. I am hopeful we can produce a bill to accomplish this task. However, I believe the editorial from this great Tennessee newspaper is worthy of note and will provide some information often overlooked. I, therefore, ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POOR COTTON FARMERS?

Ask most people to describe a cotton farmer and you probably would get an answer something like this:

He is a southerner who operates a small farm with rather poor soil. If he owns the farm, he probably is in debt to the merchant or dealer most of the time for his food, seed, and fertilizer. He is a gambler in that he stakes everything each year on a single cash crop and he often goes deeply into debt when cotton prices fall sharply.

This sort of answer would have been quite accurate 30 years ago, the Federal Reserve Bank of Atlanta concedes in its monthly review bulletin. But things have changed since then and the old concept of the "poor farmer" in the Cotton Belt is mostly myth now.

The bank has analyzed some of the census figures of recent years to see just how much in debt the cotton farmers really are these days.

Contrary to the general impression, the bank found, not every cotton farmer is continually burdened with debt. In fact, it found that only about 54 percent of the Nation's 219,000 cotton farmers were indebted when the 1960 census was taken. This means that a lower proportion of cotton farmers was in debt than were grain farmers, livestock farmers or producers of field crops, fruits, or nuts.

Furthermore, their debts were generally smaller. On the average, indebted cotton farmers owed about $7,300, compared with about $10,300 for cash grain farmers and others with seasonal needs.

More cotton farmers in the South were in debt than were cotton farmers in the West—the new cotton country. But the southerners' debts were smaller. When the survey was made, there were 52,000 cotton farmers in the West and 32,000 of them were indebted. Although they accounted for only about one-fourth of the Nation's 119,000 indebted cotton farmers, western operators owed 57 percent of the total farm debt of cotton farmers, while southern growers owed 43 percent.

Moreover, the average debt of the western grower was almost four times larger than the average for a southern grower—about $15,500 compared with about $4,300. Western growers, of course, had larger farms and larger incomes, but the ratio of their debts to their incomes was higher than that in the South.

In addition, many of the southern cotton farmers who were in debt when this survey was made in 1960 were tenant operators, a classification which has shrunk considerably even in the last 5 years.

It is apparent, therefore, that the southern cotton farmer no longer fits the old concept. Improved soil conservation methods, the consolidation of smaller units into larger and more efficient farms which can be operated mechanically, and the introduction of crops such as soybeans to supplement cotton income, all have made the southern cotton farmer a respectable businessman.

This change is one of the reasons why southern metropolitan areas such as Memphis have been showing rapid gains in recent years. These centers serve those farmers and farm prosperity is reflected in the growth and increased business in the cities.

RESOLUTION OF COMMENDATION FOR SENATOR WILLIAMS OF DELAWARE

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have included in the RECORD a resolution of commendation for Senator JOHN J. WILLIAMS of Delaware.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF COMMENDATION OF SENATOR JOHN J. WILLIAMS OF DELAWARE

Whereas Senator JOHN J. WILLIAMS of Delaware, now in his fourth term of service to the people of the United States, exemplifies the highest standards of statesmanship among public officials; and

Whereas he has been termed "the Senate's One-Man FBI" for his vigilant investigations into the Nation's 1951 tax scandals which resulted in 125 convictions for crimes in the Internal Revenue Service; and for his equally vigilant investigations into the Commodity Credit Corporation in which 131 persons were charged with defrauding the Government; and

Whereas his efforts and untiring devotion to the preservation of the highest ethical standards in Government led directly to the uncovering of the Bobby Baker case with its trails of wrong-doing which led to the highest circles; and

Whereas his outstanding contributions to his country have been recognized by the American Political Science Association, which gave him one of its earliest awards for distinguished service in Congress, and by Newsweek's poll of Washington correspondents, which rated him as 1 of the 10 most effective Members of Congress; and

Whereas his efforts to defend ethics and morals in Government have received only calumnies from those who wish to cover up Democratic scandals: Now, therefore, be it

Resolved, That the Republican National Committee expresses its pride in the outstanding record of the Honorable John J. Williams of Delaware; be it further

Resolved, That the Republican Party commends the record and career of Senator Williams to every young American seeking a future in politics as highly worthy of study, and the man himself as being most worthy of emulation.

ADDRESS BY COMMISSIONER KENNETH A. COX AT MEETING OF ALASKA BROADCASTERS ASSOCIATION

Mr. BARTLETT. Mr. President, recently the Alaska radio and television broadcasters organized the Alaska Broadcasters Association and Commissioner Kenneth A. Cox of the Federal Communications Commission was the first speaker at their annual meeting held at Ketchikan, Alaska. Mr. Cox had been special counsel to the Senate Commerce Committee before going to the FCC.

As usual, he did a commendable job in presenting his views to the Alaska broadcasters.

I ask unanimous consent to have his talk printed in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Commissioner Kenneth A. Cox, to the Alaska Broadcasters Association, Ketchikan, Alaska, June 17, 1965

I am delighted to be here. I certainly want to join Vince Wasilewski in welcoming you to the ranks of State broadcasting organizations. I was happy to learn from Al King and Hollis Seavey last fall of their hopes that you would fill out the roster of State associations, and having cut a tape to be mailed up for your organizational meeting, I was pleased when I got word that the project had gone forward successfully.

I was doubly pleased that the notification carried with it an invitation to speak to you—which was later broadened to include a tour of as much of the State as I could find time for. I've visited Anchorage, driven from there to Fairbanks, flown from there to Juneau via Whitehorse, and thence to Ketchikan.

I must say that I am impressed. It may take you some time to become the biggest State association in the country, but certainly no one is going to challenge your claim to representing the biggest State in the Nation—as well as one of the most beautiful and most interesting of them all. I only hope I'll soon have a chance to return and see more of Alaska—and to bring my family with me.

I hope I've learned a bit about the special problems of communications in a State of nearly 600,000 square miles—but with less than 260,000 people, less than the population of Omaha, Nebr. I understand my friend Linc Miller used to like to refer to the "rich Alaska market." It's certainly rich in resources and potential—but I can see that for the present you are faced with difficulties far different from those which sometimes bother broadcasters "outside." You have problems in reaching a widely dispersed audience and of supporting the service you provide, despite that low population density. We drove through Glenallen Monday and listened to KCAM—all 5,000 watts of it—for a "metropolitan market" of 169 people, according to the 1960 census. I hope its overall audience is more—but certainly the station is going to have special problems for some time. I hope I'll learn more about your situation before I leave—and if what I say here indicates that I've overlooked or misunderstood some of the facts, please take me aside and set me straight.

And I hope that you will keep your special problems before the Commission in the future. If we propose rules which don't fit Alaska, or will create unreasonable burdens for you, file comments to let us know about it. You can do this individually, of course, but I think you may find this a good role for your association. And when you have questions, or think an application has gotten lost somewhere, please drop me a note and I'll see what I can find out.

I am privileged to bring you greetings from a friend of yours who already knows your problems—and does a fine job representing your interests in Washington. I had a chance to visit briefly with Bob Bartlett about a week ago and he asked me to say "hello" to all of you at this meeting. As I'm sure you know, he's a very active and effective member of the Senate Commerce Committee, which has direct legislative responsibility for the FCC and the whole field of communications. My first introduction to broadcasting was as special counsel to that committee starting in 1956. I've had the opportunity to work with Senator Bartlett over the years—beginning before he was a Senator and before Alaska was a State—and it has always been a rewarding experience. All of us at the Commission will be happy to continue to work with him—and with your other spokesmen in Congress—to try to discharge our responsibilities with due regard for your situation here in the 49th State.

With your permission I'll forego the address that is indicated in the schedule of events for this meeting. Instead, I'd like simply to run over some of the things we've been doing recently at the Commission—and then answer any questions you may have, if we have time. If not, and you'd like to know more about any of the matters I touch on—or any others—please ask me about them this afternoon or evening.

I think the most important action we've recently taken was that pertaining to community antenna television, in an effort to fit it into its proper place in the TV and radio systems of the future. I emphasize "radio" because I think its relationship to CATV operations is generally overlooked. Certainly CATV systems came into being to provide TV service—but as the technology has developed, it has not only become possible, but rather common, to split the cable into the subscriber's home and also provide him with a number of FM signals in addition to the basic television service he's looking for. I think this factor, plus the possibility that more and more CATV operators may decide to originate some local programing, should be of vital interest to those of you in radio only.

One of the things the Commission is seeking information about is this very question of possible CATV impact on radio.

I'd like to make it clear at the outset that I realize this is one area in which conditions are different here than in the rest of the country. While it is true that no community in the State has full 3-network service, this has not led to the establishment of CATV systems as it has elsewhere. I don't think this means Alaskans wouldn't pay for a substantially wider choice of programing—it simply means that there is not a wide choice of TV signals available for the CATV operator to pick up and deliver to his subscribers.

I also understand that there are two—and perhaps more—cable systems in Alaska which provide a program service of their own origination even though no over-the-air service is available. These are probably unique, but we may well see more of this sort of thing—and it is one area in which the Commission is seeking comments. While I think such a system undoubtedly provides a service which probably could not be made available in any other way, there are certainly problems which will have to be worked out—particularly in the copyright field.

Just what did the Commission do about CATV service on April 23, 1965? Basically, (1) it proposed the same rules for CATV systems which use no microwaves but simply pick their signals up off the air and retransmit them, and instituted an inquiry as to several matters on which it feels it needs additional information; and (2) it adopted rules as to microwaves—whether private or common carrier—used to serve CATV systems.

The matter of microwave rules had been before us for 2 years—during which we had negotiated with NCTA as to possibilities for compromise legislation spelling out our authority as to CATV—and then NAB had negotiated, with their efforts concluding early this year. We therefore proceeded to finalize our proposals, with some changes.

The microwave rules adopted do two things, though each of these has ramifications:

(a) They require a CATV system to carry the signals of local television stations without degradation, and

(b) They prohibit duplication—by other signals brought in and carried on the system—of the programs of the local commercial stations within 15 days before or after local broadcast.

The requirement of carriage is qualified in various ways to take account of the limited channel capacity of many existing CATV systems. The basic concept is that a system should carry every station within whose grade B contour it is situated. However, this may not be possible, so the rules specify a series of priorities. The first obligation is to carry any stations within whose principal city contour it lies—then grade A—then grade B. If it can't carry them all, then it is exempted from carrying a more distant station whose network programing substantially duplicates that of a nearer station carried on the cable—but only if this makes it possible for the system to carry an educational station or an independent commercial station. But if it does not carry a station whose signal can be received in the community, it must provide a switch unless the subscriber indicates, in writing, that he doesn't want one.

The prohibition against duplication is designed to preserve the local station's exclusivity, within its grade B contour, as an outlet for the programs it has obtained the right to exhibit. This protection is limited to the area in which the station is the exclusive broadcast outlet, so doesn't apply where duplicating off-the-air service is available.

In the companion notice of proposed rulemaking and notice of inquiry the majority of the Commission undertakes to apply the same carriage and nonduplication requirements to off-the-air cable systems. This involves, as the first step, the decision that we now have jurisdiction over all CATV operations, without further legislation. We reached this conclusion on the ground that CATV systems are engaged in interstate communication by wire (as defined in section 3(a) of the Communications Act)—and are therefore subject to the provisions of the Communications Act (as provided in section 2(a)). We think this brings sections 1 and 307(b) into play, so that we can act to fit CATV into a nationwide communications system whose facilities are equitably distributed throughout the country—and can certainly try to prevent frustration of the entire regulatory scheme by CATV operators.

We state that we solicit comments on our initial conclusion that we have jurisdiction—and state that we would welcome clarifying legislation if Congress sees fit to act. We make it clear that we do not intend to preempt the whole field, but will leave award of franchises, rates, and similar matters to local governing bodies.

In the notice of inquiry contained in part II of the document, we asked for comments on other matters:

(a) CATV entry into major markets, and the resulting impact on the development of UHF stations there.

(b) The possible need for restricting the distance the signal of a station may be extended by CATV—to prevent undue fragmentation of the audience.

(c) Whether CATV systems should be required to carry nearer stations instead of more distant ones—the so-called "leapfrogging" issues.

(d) Questions as to program origination or alteration by CATV systems—and the possibilities of pay TV developments.

(e) Miscellaneous questions as to filing of information as to CATV ownership, the establishment of technical standards for CATV, cross ownership of CATV and broadcast facilities, and the distribution of aural signals by CATV.

All of this was done by a vote of 4 to 2 with Commissioners Bartley and Loevinger dissenting. They agree we should regulate all CATV operations, but do not think we now have jurisdiction to do so—and in any event, would not provide protection against duplication except on a simultaneous basis. While, as I said, this probably has not yet become serious here, I think it bears significantly on the future of our whole radio-TV system, so I hope you will study the matter and file comments—with particular reference to any special conditions which exist in Alaska.

We have recently taken two other actions which are related to the CATV problem. One was to issue a notice of rulemaking looking toward authorization of high-powered translators on unoccupied TV channels allocated in the rules. These would be licensed to television stations or others with a special interest, and could operate with 100 watts of power. We are hopeful this may be effective in sparsely populated areas to extend service because of the operating economies which such translators will make possible. It may be that those of you in television may want to urge other changes in our rules as to translators, because of your special coverage problems—if so, please let us have your views.

The other item involved a complaint by a CATV operator against Bill Putnam's WRLP in Greenfield, Mass. He contended that the station had made personal attacks on him in violation of the fairness doctrine, and therefore asked that its license be revoked. The Commission agreed that WRLP had fallen far short of complying with the fairness doctrine, but refused to institute revocation proceedings. Instead, we indicated we would require a complete showing, in connection with the station's next renewal, as to its record in handling controversial issues.

While we are on fairness, I should report that we continue to receive a few complaints in this area—and to issue interpretive rulings. As you know, we issued a public notice on applicability of the fairness doctrine last July 6. It can be obtained from the FCC in the form of a handy reprint from the Federal Register. With this and the basic report and order of 1949, I don't think anyone who really wants to be fair will have any trouble. In our most recent action, involving a number of stations in Mississippi, the majority of the Commission granted regular renewals to most of them, after discussing certain aspects of their operations, and granted 1-year renewals to WLBT and WJDX. With respect to the latter stations, we discussed at length certain deficiencies in their operations and laid down four specific areas which would be examined carefully at the end of 1 year. Chairman Henry and I dissented with respect to the 1-year renewals, and I dissented with respect to the regular renewals granted to the other stations.

The Commission has recently taken another action on a major policy question—that of the control of network TV programing. I expect this may not be of quite as great concern here as it is in New York, Hollywood, and Washington, but I think it may have important consequences for our television system and is therefore a matter of concern to all broadcasters and the public.

What we have done is to issue a notice of proposed rulemaking which would:

(a) Eliminate the networks from the domestic syndication of television programs.

(b) Restrict their foreign distribution activities to programs they had produced themselves.

(c) Prohibit them from offering evening television schedules composed of programs (excluding certain news programs) more than 50 percent directly owned by the networks (or, alternatively more than 14 hours per week).

This is an outgrowth of our network program inquiry, which started in 1958 and has already produced the 1960 program policy statement and led to our 4-year long effort to revise our program forms. Our concern arises from the fact that while 30–50 percent of network nighttime schedules in 1958 were independently owned, that figure is now down to less than 7 percent. We regard this as a dangerous concentration of control over final program decisions—and possibly an illegal constriction of the market for programing.

We recognize that our proposals seem drastic to the networks—and perhaps to local licensees and others concerned with the matter. We don't advance them in the hope that they will lead to better programing. All we seek is greater diversity in the sources and the selectors of network programs. This is a country of widely diffused ability and we do not think it either necessary or desirable that the process of program selection and production should be concentrated into so few hands. This is another matter as to which Congress has expressed concern, so there may be hearings on this, along with CATV, fairness, and other questions.

I have noted one rather unusual development. Interested parties usually file their comments with the FCC and leave others to do likewise. In this case, however, the networks have apparently undertaken a drive to influence the comments of advertisers, agencies and program producers—as well as to persuade Congress and the public that our proposals will leave the TV screen black half the time, eliminate all news and public affairs programing, and generally destroy the existing fabric of our TV system. Obviously we have no intention of letting anything like that happen—in the very unlikely event that their dire predictions seemed likely to come true. If you have any views in this area, you may want to get them on record

I mentioned our efforts at revising our program forms. The TV form is more or less in a deep freeze, pending final clearance and adoption of our AM–FM form This was approved by the Commission for submission to the Bureau of the Budget last December. The latter has taken it up with the Industry Committee and has submitted certain comments and suggested changes. We have accepted most of these, but are still discussing a number of others. We should be in a position to adopt the form in the near future, after 4 years of work. I think it will be a better form than present by far. It may contain questions you'd rather have omitted, but if it's any comfort to you, it omits some questions I wanted to see included. It certainly coincides with current radio operations far more than the existing form does.

Another matter causing agitation in certain circles is our interim policy on transfers of VHF television stations in the top 50 markets. We announced last December that if you wanted to buy such a station, and already owned one, then we wanted you to be on notice that your application would be designated for hearing—unless you made a compelling showing that the public interest would be served by the transfer, despite our concern over growing concentration of control of television stations in the major markets.

This has led to anguished cries from our major multiple owners—and to a meeting of a good many of them—in Miami, which I thought was a nice touch. It also led to queries by a number of prominent Senators. We've advised them we are considering a revision in our basic multiple ownership policy, and that when this proposal is issued we'll revise the interim policy accordingly. We recently held a special meeting on this problem and will hope to get a rulemaking notice out soon. I don't imagine it will be a great deal more popular than our interim policy.

A matter of perhaps greater concern to you is our recently adopted rule requiring you to make publicly available at your studio, or some other convenient location, copies of all broadcast applications of which you are required to publish notice (new and major changes, renewals, transfers, extension time to construct, changes in program service, ownership reports—and amendments, related papers, and documents incorporated by reference). Also, requests for political time, etc.—but excluding minor changes, license to cover construction permits, etc.

This is designed as further implementation of the 1960 amendments requiring local publication of notice of filing broadcast applications. If the public is to be given such notice and invited to comment, we think they should have available locally the material which is now available in our public reference room in Washington—or by mail, at 35 cents a page. If there's to be a dialog between the licensee and the public he serves, we think the latter should know what the broadcaster proposes and/or what he'd done in the past.

While I don't expect you to cheer this idea, I think you'll find that some of the fears expressed about it are a bit highblown. We really aren't trying to recruit 200 million Americans as secret agents for the FCC—I don't think we could if we paid them 35 cents per page for reading your files.

One suggestion—if you don't want confidential matter you have filed with the FCC to be made public (e.g. your form 324's) then don't refer to it in a public filing. Our policy has long been that this makes it public.

Another matter of general interest, I suspect, is our inquiry into broadcasters' contracts with news services—their length, the provisions binding a purchaser of the station, and the general effect on competition and the possible development of new sources of news. This proceeding was started because of complaints we received from broadcasters as to alleged abuses. There would seem to be an anomaly, at the very least, in permitting 5-year news contracts when a network affiliation cannot exceed 2 years and a license runs only 3. But rather typically, it seems to me, Broadcasting magazine turns thumbs down. It would apparently rather see broadcasters continue to occupy unequal bargaining position than concede the possibility that the Government might play a role in this area. If you have views on this I hope you have filed them—or may discuss them with your AP representatives tomorrow.

We recently proposed a few changes in our fee schedule. We are suggesting a reduced fee with respect to remote relays, etc., but propose to raise basic broadcast filing fee. This is designed to approach more closely to the costs of processing applications and to redress imbalance between broadcaster and nonbroadcaster interests.

We have finalized our rule as to reduction of duplicated programing on jointly owned AM and FM stations in markets over 100,000—but I don't suppose that concerns you much here. In any event, the effective date of the order has been postponed to October 15.

We continue to work on the presunrise problem. We issued a notice a year ago inviting negotiated settlements between daytimers and regionals—and a number of these have been worked out. I hope we'll get something out in the near future—but I expect you've heard that before and won't hold your breath.

There are a number of other things we've recently been concerned with—or will soon be considering. I'd be glad to answer questions if you have any—(a) clear channels—superpower, (b) commercialism, (c) pay TV—Zenith petition for national authorization, (d) the payola "inquiry," (e) religious programing, (f) inquiry as to broadcast holdings of mutual funds, brokers, and so forth, (g) continuing level of forfeitures—and short-term renewals, largely for technical violations, unauthorized transfers, improper station, id., improper use of ratings, failure to file time brokerage contracts, (h) our new duopoly rules—and anything else that comes to mind.

I'm afraid I've taken too long, but hope there's time left for questions. Thanks again for inviting me to Alaska.

APPOINTMENT TO OCEANOGRAPHIC CHAIR IN HAWAII

Mr. FONG. Mr. President, earlier this year an announcement was made in Honolulu concerning the establishment by the Honolulu Advertiser of a professor's chair in oceanography at the University of Hawaii. I am pleased to note that an outstanding authority in oceanography, Henry M. Stommel, will fill the chair.

Mr. Stommel's appointment to the Capt. James Cook Chair in Oceanography will become effective in August 1966. At present a professor of oceanography at the Massachusetts Institute of Technology and associated with the Woods Hole Oceanographic Institution prior to 1963, Mr. Stommel has specialized in the dynamics of ocean currents, diffusion in the sea, and air-sea interaction.

A Yale University graduate, he is a member of the National Academy of Sciences, the Academy of Arts and Sciences, and Phi Beta Kappa.

In the growing interest in oceanography evident in Hawaii and elsewhere in the United States, Mr. Stommel's appointment marks another step forward in the determination of Hawaii to make a larger contribution to our Nation's stake in the oceanics field. His forthcoming move to Hawaii will hasten and enhance the 50th State's accelerated efforts as an oceanographic center.

I am confident he will add greatly to Hawaii's increasing prominence in the expanding and exciting field of oceanography.

MADISON ON RECORD FOR ONE MAN, ONE VOTE

Mr. PROXMIRE. Mr. President, I have recently received a copy of a resolution passed by the Common Council of the City of Madison, Wis. The Madison council firmly opposes adoption by this Congress of Senate Joint Resolution 2, or any other plan which would do away with the great principle of our American democracy, one man, one vote. The city of Madison specifically supports the principle of equal representation on governmental bodies at all levels of political life—municipal, county, State, and National. The decisions of the Supreme Court of the United States in Reynolds against Simms and in later cases have firmly established one man, one vote as a Federal constitutional principle. The proposal to do away with this principle, in one house of a State legislature at least, is of the gravest import to all our citizens. Mr. President, I ask unanimous consent that the resolution of the Common Council of the City of Madison be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the City of Madison, Wis.

Whereas the U.S. Supreme Court's decision in the case of *Reynolds* v. *Simms,* and subsequent decisions by our courts have firmly established the rule of one man, one vote; and

Whereas Senate Joint Resolution 2 sponsored by Senator Dirksen is pending in the Congress of the United States; and

Whereas the Common Council of the City of Madison has supported consistently the principle of equal representation on governmental bodies at the municipal, county, State, and National levels: Now, therefore, be it, and it hereby is

Resolved, That the Common Council of the City of Madison urges the Congress of the United States to defeat Senate Joint Resolution 2 and any of its substitutes or alternatives; and be it further

Resolved, That the city clerk be and he hereby is directed to forward copies of this resolution to President Lyndon B. Johnson, Vice President Hubert Humphrey, Senators William Proxmire and Gaylord Nelson, and to Representative Robert Kastenmeier.

THE CONTINUING NEED FOR A STRONG AMERICAN MERCHANT MARINE

Mr. MAGNUSON. Mr. President, for some time in the recent past, I have heard numerous critics comment unfavorably on the continuing need for a strong U.S. merchant marine. Some of these statements have even gone to the extreme of suggesting there is virtually no military justification for the Government to continue to support an American-built, American-manned, and American-flag fleet.

An article published in the Baltimore Sun this morning should give these critics real reason to pause. Reporting on a meeting held by the Maritime Administrator with presidents and board chairmen of the Nation's leading berth liner carriers, the article points out vividly that when our military are in need of transport, they turn immediately to the "fourth arm of defense"—the American merchant marine.

Mr. President, I ask unanimous consent that the article may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Ships Needed for Vietnam—54 More Supply Vessels Necessary, Owners Told

(By Helen Delich Bentley)

Washington, July 13.—American shipowners today were notified that 54 more merchant ships were needed immediately to transport supplies to Vietnam.

Of the total, 28 are to come from private industry and the rest are to be taken out of the reserve fleets of the Maritime Administration.

Most of the 28 are expected to come from the 107 freighters and passenger liners now strikebound by three seamen's unions. The first group of 14 are to be "on berth" between July 21 and August 2 to load backed up military cargo in the ports of Baltimore, Norfolk, Mobile, New Orleans, Tacoma, Beaumont, and Savannah.

NOTICE GIVEN

The second group of 14 are to be on berth in the same ports between July 30 and August 27. The reserve fleet ships are to go on berth as soon as they can be activated and manned. Notice of the need for the ships was given to the presidents and board chairmen of the Nation's leading subsidized steamship companies today by Nicholas Johnson, Maritime Administrator, for the Department of Defense.

The 28 vessels coming from private industry are to be the most modern freighters in the American merchant marine. Many of them are the only automated ships in the American-flag fleet.

HOME RULE FOR THE DISTRICT

Mr. ROBERTSON. Mr. President, in some parts of the country it is the custom to let honor students from the high schools go down to city hall once a year and run the local government for a day.

As an exercise in civics they sit in the chairs of the mayor, the chief of police and other officials. They have their pictures taken and pretend they are running things. But they are only play-acting.

I am opposed to home rule for the District of Columbia because any group of elected officials we provide for in this Federal city will be only play-acting. Why do I say this?

Because as long as the Constitution gives Congress exclusive legislative control over the seat of Government these local officials would always have 535 Members of Congress looking over their shoulders—not to mention the President of the United States.

Unless, therefore, we are prepared to amend the Constitution, I regard this or any other home rule bill as a mere gesture that would only create confusion and add to the expense of administering the affairs of the Nation's Capital.

And let me hasten to say that I would be even more strenuously opposed to amending the Constitution because we could not for a moment consider placing the Federal Capital under the absolute control of the 800,000 or more citizens who happen to reside here.

Even the advocates of home rule recognize this fact, because both the original administration bill, and the Senate District Committee's amended version leave untouched the ultimate power of the President and Congress to govern the Capital City.

First, the President could veto any action taken by the elected City Council, and, even if the President had no objections, Congress could nullify any decision of the Council.

It may be argued that the opportunity to elect a Mayor, a City Council, and a Board of Education would at least enable local residents to express their preferences as between the rival programs and objectives of opposing candidates. If this were just another ordinary American city no one could logically oppose self-government for its residents. But Washington is not an ordinary city being developed for the comfort and convenience of those who live here.

It is the Capital City of all Americans, and every municipal improvement proposed for it must be carried out in conformity with an overall grand design for the Capital.

The lamp posts on Constitution or Pennsylvania Avenues must be more ornate than they would be on Main Street in the average city, to harmonize with the marble Government buildings. Here even the architecture of private structures facing the White House, the Capitol, and the Federal Triangle are regulated so that they will not clash with their ornamental surroundings.

The Federal Government is constantly taking more and more property off of the tax rolls to meet its expanding needs for office space.

All of these factors add to the cost of maintaining Washington, and make necessary an annual Federal payment toward the District budget, to make up for the Government's large holdings of tax-exempt property.

This is one of the strongest reasons why we should not wash our hands of the budgetmaking process and turn the task over to a locally elected Mayor and Council, whose members may be actuated more by the promises they made in the last campaign than by the paramount needs of a Federal Capital.

This brings me to the most unwise and questionable provision in the entire bill—the one delegating broad authority to the locally elected officials to fix the amount of the annual Federal payment. I urge my colleagues to take a long and serious look at this provision, and to read the supplemental views filed by one member of the committee, our distinguished colleague from Colorado [Mr. DOMINICK].

This Federal payment provision not only would enable the local officials to compute the real estate and personal property taxes the Federal Government would owe on its holdings—exclusive of parks and shrines—but also the business taxes the District would receive if the Federal Government were a private business with an equivalent number of employees.

Not only does this bill let the city fix the amount of the Federal payment, but it deprives the House and Senate Appropriations Committees of any chance to pass on the fairness of this payment from year to year, as they do now.

The Justice Department advised the District Committee that this is not an unconstitutional delegation of the taxing and appropriating power because it is being done under a formula laid down by Congress.

But the District Committee frankly admits in its report that if the city authorities raise the rate of taxation on privately owned real and personal property, or on business franchises, the Federal payment also would be increased. In the light of this admission, how can the Justice Department say we have not delegated to the City Council the power to tax Federal property?

Senator DOMINICK succeeded in taking some of the danger out of this provision by an amendment that gives a Federal official—the Administrator of the General Services Administration—an opportunity to pass on the reasonableness of the assessment placed on Federal property. But I agree with Senator DOMINICK that the plan is still fraught with pitfalls, because assessments always involve a substantial personal judgment.

The Justice Department justifies this plan on the ground that Congress has already adopted similar formulas for the TVA and for areas affected by the atomic energy program.

But, even if the constitutionality of this action is conceded, I appeal to members of the Appropriations Committee to ask themselves where this whittling away of their control over Federal expenditures will stop.

All of us have in our States Federal property which reduces the tax rolls of some communities, and if we delegate taxing power over Federal holdings in Washington to a city council, how can we deny similar authority to every State in the Union?

But, regardless of whether the Federal payment is fixed by local officials or by Congress, I hope Washington residents will consider what may happen to their local tax burden if Democratic and Republican candidates begin outdoing each other in campaign promise to spend more money for this or that purpose.

For more than 90 years the District budget has had to undergo the scrutiny of the House and Senate Appropriations Committees. The Congress has not always required the Federal Government to pay a fair share of the cost of developing the Nation's Capital, but at least it has made local officials and citizens justify the need for the projects they requested. I hope the Washingtonians who are clamoring for home rule will stop and consider how much it may cost them in taxes to have a city council preparing the annual budget, free from the restraint of congressional review.

It is estimated that the formula in this bill would increase the Federal payment from the $43 million figure in the District appropriation bill for the current year to $57 million. The District Committee predicts that within 4 years it would go up to more than $71 million. This is tempting bait.

But this bill could be amended by any future Congress, and I predict that if home rule becomes a reality and congressional committees no longer handle the details of the budget, it would not be long until a majority in Congress decided that the District could get along without a large Federal payment.

Home rule is not a new issue in Washington. Some of the Founding Fathers, including James Madison, assumed that the residents at the seat of Government would have self-government, and for more than 70 years, commencing in 1802, Congress granted them varying degrees of home rule.

But the history of that early era supports the contention I am now making, that dividing control between locally elected officials and Congress is not the way to maintain or develop a Capital City which belongs to all of the people.

Between 1802 and 1878 Congress was constantly changing the form of local self-government, and finally ended it entirely. The sponsors of this bill apparently expect Congress to continue to legislate for the District, because they have included provision for the election of a nonvoting District Delegate to the House of Representatives. Why have such a Delegate if Congress is really going to allow a locally elected Council to rule?

The first home rule law of 1802 provided for a locally elected Council, with a Mayor appointed by the President.

Ten years later the power to name the Mayor was taken from the President and given to a board of aldermen and the Council.

After another period of 8 years Congress, in 1820, went all the way and authorized the people to elect the Mayor as well as the board of aldermen and Council. This arrangement continued for 50 years. But before restoring home rule we should refresh our memories on some of the events of that period.

Consider, for example, how the development of the Capital City would be affected during any period in which Congress was controlled by one party, and the local government by another. This occurred in 1840, when the Whigs elected a Mayor while Congress was controlled by the Democrats. It led to an era of discord which endangered the city charter.

In the States it is not unusual for one or more major cities to be carried regularly by one political party while the opposition is in power at the State Capitol. But State legislatures do not exercise the same veto power over city governments that Congress would continue to have over the actions of a town council in Washington.

Also, in the 1840's, the people on the Virginia side of the Potomac became disenchanted with the way the National Capital was being developed. In 1846 they appealed to Congress to return their land to Virginia, and their petition was granted, subject to a referendum. The referendum carried and in September of 1846 Virginia took back her part of what was to have been the 10-mile-square Capital City. As a result, the District of Columbia covers only about 68 square miles instead of 100.

History shows that the District was beset by racial problems, as well as financial difficulties, in the years immediately following the War Between the States, and in the early 1870's Congress abolished home rule and set up the commission form of government which has continued to this day.

In January of 1867 the Republicans in Congress put through a law, over the veto of President Andrew Johnson, giving suffrage to residents of the District without regard to race or color.

For the ensuing 3 or 4 years racial problems competed with financial difficulties for attention in the local elections. The recent hearings by the Senate District Committee on this bill indicate that racial problems are still a factor in the consideration of home rule.

Although the race question is seldom discussed openly in connection with home rule, Commissioner Walter N. Tobriner, a supporter of home rule, told the District Committee it is a factor with some people. Senator ROBERT F. KENNEDY of New York, had asked the Commissioner what is the basis for the opposition to home rule.

The Commissioner listed as the first opposition argument a feeling by some that this is a Federal city and that the national interest would not be adequately protected under home rule. Then the Commissioner added:

> I would have to say in all candor, Senator KENNEDY, that another often unexpressed opposition to home rule in the District of Columbia is the feeling among some people that it might result in the domination of the city government by Negroes.
>
> I don't share that fear—

The Commissioner continued—

> I don't consider it a fear. I feel that the essence of democratic government is that the majority should prevail. All of our citizens here, who would be entitled to vote, are American citizens. I feel that they are entitled to vote irrespective of the result of the election.

Senator KENNEDY added his own belief that if this is one of the bases of the opposition, it would be better to bring it out into the open.

When the issue first arose in local elections nearly a century ago there were about 30,000 Negroes in Washington. In 1960 the Census Bureau reported there were 411,737, or about 53 percent of a total population of 763,356.

I am not basing my opposition to home rule primarily on the probability that the Negroes, who constitute a majority of the population, would control any local government we might establish.

I base my opposition to home rule chiefly on the ground that, as long as Washington is the Nation's Capital it will continue to be governed by Congress—as it should be—and if this bill passes the people who disagree with the actions of the elected Council will continue to bring their problems to Congress, as they do today.

Throughout the Senate hearings witnesses and committee members, time and again, emphasized that the House and Senate could overturn any action of the Mayor or City Council. There might be some minor matters, like the naming of a street or the drafting of a new traffic regulation, that would go through the Council without producing any follow-up legislation here on Capitol Hill.

No one put it more effectively than Commissioner Tobriner, when he told the committee:

> Congress has the ultimate and final jurisdiction to review, to revise, to revoke, to amend any act of the local legislature.

Later on the Commissioner added:

> If Congress desires to be interested in the length of leashes for dogs, there is nothing in this act that would prevent it from passing an act respecting that particular area.

The trivial subjects that this Council might act on without anyone appealing to Congress are handled now by the appointed Commissioners—and at less cost than this charter will entail.

I also note from the hearings that the Washington Board of Trade, the most representative organization opposing home rule, emphasized that its position is not based on racial considerations.

> We opposed similar home rule proposals a half century ago, when the nonwhite population of the District was just over 25 percent—

The trade board told the committee—

> We feel that we would continue to support such a policy even if the nonwhite population were a much lower percentage. This statement is made here in view of the frequent practice by some ardent home rule supporters of maligning the board of trade and disparaging its judgment in this matter for being racially motivated.

The board of trade pointed out that it worked to obtain for Washingtonians the right to vote in presidential elections, and that for nearly half a century it has advocated national representation for the District in Congress, where the laws which govern the city are made.

Washingtonians already have the vote in presidential elections. Why put the city to the trouble and expense of electing a Mayor and a 19-member Council, along with a Board of Education, whose members would have no more real power than the three Commissioners and the appointed school board now have whenever their decisions fail to please a majority in Congress?

In the city's first presidential election in 1964 it went overwhelmingly Democratic. The Johnson-Humphrey ticket carried 85.5 percent of the vote.

In the light of these returns Republicans had little to look forward to from a home rule bill. But the Senate District Committee decided to sweeten the bill up a little for the Republicans by guaranteeing some minority representation on the Council.

The original administration bill provided for 14 Council members elected from wards. The committee enlarged the Council to 19, with the additional 5 to be elected at large. The bill stipulates that not more than three of the at-large members can be from the same political party.

The three candidates of each party receiving the highest number of votes in the primary would go on the ballot, and each voter on election day would vote for one Council nominee in his or her ward and for 5 of the 6 or more at-large nominees. There could be more than 6 running at large because provision is made for independents to get on the ballot. An independent may get on the ballot as a candidate for Councilman from a ward by obtaining 100 signatures within that ward. An independent could run for Councilman-at-large by obtaining 500 signatures from the city as a whole.

The Senate committee's plan is similar to one adopted in Philadelphia in 1951. New York City also has a comparatively new charter under which the council consists of one member from a district and two at large from each borough.

While the Senate committee changes may carry some appeal for local Republican leaders, I do not believe they can count on more than the minimum of two seats on the 19-member Council if this bill passes. And, of course, there would always be the possibility that the two minority places at large could be won by independents.

The committee added another amendment under which this new charter would not take effect unless approved by a majority of Washingtonians in a referendum.

I have no particular objection to this amendment, but it does not lessen in any way my opposition to the bill, which is based on a conviction that Congress should not, and will not, relinquish the ultimate power given to it by the Constitution to govern this Federal City.

While the Democrats won a lopsided victory in the District in 1964, the statistics for the city's first presidential election do not indicate any overwhelming interest in voting here.

The figures show that only 37 percent of the population of voting age went to the polls here in 1964, despite the fact that the District had no literacy test, and that the registration requirements were as simple as they possibly could have been.

The low percentage of votes cast probably means that thousands of Washington residents still regard themselves as citizens of the States from which they came, and many of them still vote back home by absentee ballot, as they have done for years.

To sum up, Mr. President, I do not believe home rule is feasible or desirable as long as the Constitution remains unchanged, and a comparison of the growth and progress this city has enjoyed during the more than 90 years since home rule was withdrawn supports my position.

VETERANS' UNEMPLOYMENT IS CAUSE FOR ALARM

Mr. YARBOROUGH. Mr. President, the soaring rate of unemployment among the young veterans of cold war military service is indicative of the desperate need of these individuals for further training in intellectual and technical skills. The opportunity for providing this needed educational advancement for this dedicated and able group of American citizens lies in enactment of the cold war GI education bill (S. 9) during this session of the Congress.

Mr. President, I ask unanimous consent that this letter of July 13, 1965, from Mr. Wayne E. Garrett, director, Kansas Veterans' Commission, Topeka, Kans., be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Kansas Veterans' Commission,
Topeka, Kans., July 13, 1965.

Senator Ralph W. Yarborough,
Chairman, Subcommittee on Veterans' Affairs, Senate Office Building, Washington, D.C.

Dear Senator Yarborough: I have read with a great deal of care the hearings before your subcommittee on Senate bill 9, a bill to provide readjustment assistance to veterans who served in the Armed Forces during the induction period. These hearings are most complete and I can add very little to the information assembled by your committee.

I have been attempting to come up with some specific statistics on the number of unemployed young people who have been discharged from the draft in the State of Kansas. Unfortunately, there are no reliable statistics in this field obtainable through the facilities of the Kansas Labor Department.

It is, however, extremely clear from examining work registers within the various employment offices that an extra large portion of the unemployed in Kansas are dischargees from the current military draft law.

During the fiscal year ending June 30, 1965, there were 7,232 Kansas boys discharged from the draft for an average of slightly over 600 per month. These boys are coming out of service and into a very competitive labor market and are having to compete against boys of their own age who have been deferred from the draft because they were financially able to attend college. This puts the high school graduate and the dropout in a position of severe disadvantage for the existing employment opportunities.

As a result of this survey, we feel that a large number of the currently unemployed young men of Kansas are unemployed as a direct result of their military service and their inability to obtain adequate education to allow them to compete on a fair basis with their contemporaries who were not drafted. The present war situation and the probable immediate expansion of the Armed Forces is evident to anyone who reads the daily paper.

Certainly the Congress is morally obligated to provide educational benefits such as outlined in S. 9 to all young men who have served in the Armed Forces since January 31, 1955. I am sure all of the veterans of this period of service as well as their parents and friends are extremely grateful for your long and aggressive campaign to obtain these benefits.

If this office can furnish you any additional information or assistance in your efforts, we would be most happy to do so.

Very truly yours,
Wayne E. Garrett,
Director.

RIGHTS CANNOT BE ABRIDGED

Mr. NELSON. Mr. President, the Milwaukee Sentinel on July 8 carried a thoughtful and persuasive editorial in defense of fair apportionment of State legislatures.

In arguing for apportioning both houses on the basis of population, the editorial cites a key point in saying that malapportionment deprives cities of adequate representation and hobbles States in their struggle to cure the ills of exploding urbanism. This, the newspaper concludes, invites the drift of more and more power, and the direct intervention, of the Federal Government in areas which States should be handling themselves.

In view of the timeliness and importance of this editorial, I feel all Members of the Congress should have an opportunity to read it.

I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Preoccupied with the multiple crises around the world, Americans are paying too little attention to an impending congressional debate on a constitutional proposal which could have far-reaching consequences for our 50 State governments.

The so-called Dirksen amendment would amend the U.S. Constitution to permit one house of each State legislature to be apportioned according to factors other than population.

It would, in effect, overrule the "one man, one vote" doctrine enunciated by the U.S. Supreme Court and thus permit a return, in part, to the malapportionment which has afflicted State legislatures in the past.

The arguments for the proposal are alluring. The amendment would permit the citizens of the State—and not the Supreme Court—to determine for themselves what kind of government they shall have, the proponents claim.

This is true, but only partly so, for under one of the several versions of the Dirksen proposal the apportioning could be done by a malapportioned legislature which is itself dominated by representatives of a minority of the citizens of a State.

The proponents point out, too, that the amendment would require that any reapportionment plan passed by a legislature would have to be ratified by the voters of a State. But the fundamental rights of our citizens cannot, under our form of government, be abridged by a majority of the people any more than they can by a legislative body or an arbitrary Governor. And high among these rights is that every citizen shall be represented in his State legislature equally with every other citizen. Until the recent Court decisions, these rights have been abridged by grossly unrepresentative legislatures which have shortchanged urban residents in favor of citizens living in rural areas.

The Court has ruled that, under our Federal Constitution, this basic right cannot be abridged by a legislature which discriminates against one class of citizens, and has thus directed that both houses of a legislature must conform to the "one man, one vote" doctrine.

Now, supporters of the Dirksen amendment would remove this basic right from the Constitution. It would be a long step backward for State governments everywhere.

Depriving the cities of adequate representation would hobble States as they struggle to cure the ills of exploding urbanism, and thus invite just what the proponents of "State rights" say they fear most—the drift of more and more power, and the direct intervention, of the Leviathan of the Federal Government.

The doctrine of the Court should be supported not out of reverence for the judiciary but because it is just.

Fair representation is not a panacea. But, at least, it opens the road for decent, effective, responsive State government. With equal representation, the voters can have good government if they want it and work at it.

Wisconsin is justly proud of the pioneering role it has played in bringing equality of representation to its State legislature—now one of the Nation's most fairly represented—and, more recently, to its county governments.

It is appropriate that our State's two Senators have stood steadfastly against the proposed return to inequity, while so many others have started to buckle under pressure. Our 10 Representatives, it is hoped, will follow the Senator's example.

REGULATION OF CLINICAL LABORATORIES

Mr. MURPHY. Mr. President, on June 23, Senator Javits and I introduced S. 2184, to require clinical laboratories transacting business in interstate commerce to comply with minimum standards in the performance of laboratory procedures. Since the introduction of this bill, I have been most encouraged by the reaction and support which this bill has received. In view of this great interest, I am hopeful that the distinguished chairman of the Senate Labor and Public Welfare Subcommittee on Health, Senator Hill, will find it possible to schedule hearings on this legislation this session.

As I stated when the legislation was introduced, the honest laboratories in this country have nothing to fear, for S. 2184 is only aimed at the unscrupulous laboratory and will not in any way interfere with the legitimate laboratory.

I wish to make it crystal clear, Mr. President, that there are many laboratories which do receive specimens through the mail and perform tests in a manner which properly enjoys the full confidence of the public. In my own State, the people may be fully assured of the quality of work performed by any California laboratory for all laboratories are subjected to the most rigid requirements. Having pioneered in 1937 the regulations in the clinical laboratory field, the State of California has frequently updated its standards, and today the California laboratories enjoy a reputation that makes them a showplace for the Nation.

Despite the stringent qualifications in my State, citizens of California are not completely protected; for some out-of-State substandard laboratories continue to do business. These substandard out-of-State laboratories will be the ones which will oppose this legislation and are the ones that were exposed by Walter Cronkite in his brilliant television series, entitled, "Mail Order Laboratories." I ask unanimous consent that at this point in my remarks, Mr. President, a letter from Mr. S. Louis Gaines, chairman of the board of Biochemical Procedures, Inc., to Mr. Frank Stanton, president of the Columbia Broadcasting System, be inserted in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BIOCHEMICAL PROCEDURES,
North Hollywood, Calif., June 24, 1965.

Mr. FRANK STANTON,
President, Columbia Broadcasting System, New York, N.Y.

DEAR MR. STANTON: We are in accord with your documentary approach to an exposé of unprofessionally operated "mail order laboratories," aired over television and radio Tuesday and Wednesday, June 22 and 23, and appreciate the factual manner in which they have been portrayed. However, we believe that you must assume a responsibility for clarifying more substantially and positively the differences between the above and the reference laboratory facilities medically operated.

The U.S. mails are used for basic communication between laboratories and for the rapid transfer of medical specimens. Mail services have been, and will continue to be utilized as an essential communication link by Federal, State, local, and privately operated laboratories. In such a context it is important to make any unsophisticated audience aware of the basic differences between a necessary form of communication and the unfortunate connotation now made implicit in the term "mail order laboratories."

Biochemical Procedures is a specialized reference laboratory operating under the stringent public health laws of the State of California, whose standards for laboratory and laboratory personnel licensing are used as a model for other States. This laboratory supports laboratory research and service activities of several medical schools, hundreds of pathologists directly and several thousand pathologists indirectly via their directorship of hospitals supported by our laboratory facilities. As a pathologist directed laboratory, we perform our laboratory services in a professionally responsible manner, following the traditional function of American pathology.

Our letterhead was one of those displayed during your program as representative of California laboratories who refused to perform certain analyses upon specimens sent through the mails because of their instability.

Our letterhead was flashed quickly across the screen, enough to be clearly identifiable, immediately followed by the unprofessional practices being portrayed. We have already been beseiged by phone calls regarding our laboratories. Unfortunately, there now exists a confusion that we were one of the unethical laboratories.

Our reputation, hard won over many years, is now subtly but widely and repetitively linked with a philosophy and practice we deplore. We strongly request your demarcation of those research and testing laboratories, like Biochemical Procedures, Inc., which demonstrably acted in a responsible manner from those whose activities are a symptom of faulty philosophy and practice.

As chairman of the board of Biochemical Procedures, I am certain that you will want to set the record straight in a prompt reply to us.

Sincerely yours,
S. LOUIS GAINES,
Chairman of the Board.

As Mr. Gaines points out, it is important in discussing this problem that we clearly distinguish between the legitimate laboratory which operates with uncompromising accuracy in the finest tradition of American medicine and the illegitimate laboratory. We must not allow the general public to confuse the two.

Many of the outstanding laboratories of the State have communicated with me and have pledged their complete support for this legislation. Indicative of this support is a paragraph from a letter I received from Mr. Gaines. He states:

> Biochemical Procedures, Inc., is ready to serve you in advising and assisting you in any possible way to implement the passage of national legislation raising the standards of clinical laboratories throughout the United States. Our staff of experts is at your disposal at any time, here or in Washington.

Mr. President, when I addressed the Senate on the introduction of S. 2184, I inadvertently failed to include the name of the California Association of Clinical Laboratories. This is regretful for this group made substantial contributions to the formulation and passage of the original California legislation. Their interest and support continued during the further development of the legislation. Their interest and support continue today.

I ask unanimous consent at this point in my remarks that a press release of the California Association of Clinical Laboratories pledging its wholehearted support of S. 2184 be inserted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CALIFORNIA ASSOCIATION
OF CLINICAL LABORATORIES,
Fremont, Calif., June 24, 1965.

The California Association of Clinical Laboratories today pledged its wholehearted support of proposed legislation which would exercise strict control over mail-order laboratories engaged in interstate activities.

The California Association of Clinical Laboratories is the statewide organization of licensed bioanalysts and licensed bioanalyst laboratory directors founded in 1937.

Don Amsbaugh, president of the association, has just issued the following statement:

"California bioanalysts are among the Nation's best qualified and best trained in the highly specialized field of clinical laboratory direction. This is because California has the oldest and strictest laws of the Nation's 10 States which currently have legislation and licensure governing medical laboratories.

"California demands rigid educational and training standards, both for directors of medical laboratories and for the technologists who work under them. These same rigid standards apply also to California laboratories which receive mailed-in specimens. Unfortunately, some mail order and other medical laboratories in States which do not have legislation have been shown to be substandard both in the qualifications of their directors and in their operating practices. It is this type of laboratory which has been the subject of investigations carried out by national news media.

"For the past 6 years the California Association of Clinical Laboratories has been attempting to obtain legislation preventing unlicensed out-of-State laboratories from performing tests on specimens mailed from California and, conversely, preventing the mailing of specimens from California to these unlicensed out-of-State laboratories.

"The California Association of Clinical Laboratories is convinced, therefore, that it is in the best interests of the American public that legislation controlling all medical laboratories be instituted on a nationwide scale."

DEVELOPMENT OF HIGH-SPEED RAIL TRANSPORTATION IN NORTHEASTERN SECTION OF UNITED STATES

Mr. CASE. Mr. President, in today's New York Times appears a letter from our colleague, the junior Senator from Pennsylvania, in regard to rail service in the northeastern United States.

Senator SCOTT emphasizes that improved rail facilities are the most economical answer to the transportation needs of this great section of the United States. I fully support this.

I support, too, his completely sound position that development of high speed—150 miles per hour—passenger service in the Boston-Washington corridor be undertaken forthwith. Like him, I believe that the Federal Government should sponsor research on exotic ground transportation systems. But this should not be done at the expense of improvement in conventional rail transportation which can be undertaken forthwith to meet our immediate needs and those of the next 10 to 15 years. Action as well as research is essential here. We need not, and we must not, sacrifice either of these for the other. We must meet the needs both of the next decade and of the next century.

S. 1588, which is still pending in the Commerce Committee, is designed to provide a measure—I think much too little—of Federal financial assistance toward both our immediate and our long-term objectives. I hope it will be strengthened and enacted into law promptly.

Of course, none of this deals with another enormously important transportation problem; namely, that of mass transit for our urban and suburban areas. Here again the Federal assistance which has thus far been offered falls far short of the need. But that is another story which also involves the slowness of our States to provide the leadership, both individual and collective, which would justify Federal assistance on the scale which the problem requires.

I ask unanimous consent that Senator SCOTT's letter to the Times be printed in full at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

To the EDITOR:

I read with interest your June 30 editorial "The Northeast Rail Corridor."

I share the position of the Regional Plan Association that improved rail facilities are the most economical answer to the added transportation needs of the northeast corridor in the immediate future. In recent testimony before the Senate Commerce Committee on legislation to authorize research of various possible high-speed ground transportation systems for the Boston-Washington corridor, I urged that development of high-speed (150 miles per hour) passenger railroad service in the corridor be undertaken forthwith.

Research on unconventional ground transportation systems should by all means be pursued, but not at the expense of feasible, short-term speed-ups.

I think that a real demand for rapid and modern passenger train service exists, especially between Boston, New York and Washington and major intermediate points, including Philadelphia. Successful operation of high-speed railroads in the northeast corridor would, I feel sure, be extended to other congested intercity corridors such as Philadelphia-Pittsburgh and Pittsburgh-Cleveland, and this advance would be a major step toward the eventual development of more exotic forms of rapid ground transport systems.

HUGH SCOTT,
U.S. Senator from Pennsylvania.
WASHINGTON, *July 7, 1965.*

FBI DIRECTOR SPEAKS TO AMERICA'S YOUTH

Mr. BYRD of West Virginia. Mr. President, I was deeply impressed with the message directed to America's young folk by Director J. Edgar Hoover of the Federal Bureau of Investigation, as published in the July 11, 1965, issue of Parade, Wheeling, W. Va., News-Register.

I, therefore, request unanimous consent to have this article placed in the RECORD, so that Mr. Hoover's remarks may receive greater circulation.

There being no objection, the newspaper article was ordered to be printed in the RECORD as follows:

[From the Wheeling (W. Va.) News-Register, July 11, 1965]

AN IMPORTANT MESSAGE FOR AMERICA'S YOUTH FROM J. EDGAR HOOVER

The bedrock of this Nation's strength is unity. America was built on the faith of men who pledged their lives and ideals in a common cause. This heritage of union has been a constant factor in our national life, passed on from one generation to the next. As the melting pot of the world, the United States grew and prospered because it was able to assimilate many cultures and creeds into that heritage. Distrust and suspicion had no part in this process, yet these divisive forces have been with us continually, seeking to dilute our strength and sap our vigor.

Today the radical elements which operate at the fringes of the political and ideological spectrum are following this pattern. Spewing forth their poison of bigotry, hate and distrust, they are working to turn American against American in order to achieve their own ends. And high on their list of targets are the young people of the Nation.

I believe it is vitally important today for our youth to know these extremists for what they are and to be aware of the threat they pose.

First of all, they are not difficult to identify. They include the counterfeit patriots at the fanatic limits of the far right, such as the Ku Klux Klan, who not only take the law into their own hands on occasion but who would use the Constitution and the laws of the United States to withhold from some the liberty and justice which are guaranteed to all.

Also included are Communists and other agents of foreign ideologies on the extreme left who would destroy this country's democratic institutions and betray our freedom. Beneath the deception of surface appearances, there is much that is similar between the radicals of the two extremes. They both reject the rules of democratic society and both would undermine our traditional processes to further their own interests.

Between the fanatical poles there are, of course, many degrees of belief and expression. It is important, however, to know what is merely rebellious behavior and what is disruptive and dangerous. Orderly protest, such as that which has generally characterized the Civil Rights movement, is far removed from the area of extremism to which I am referring.

The guideposts by which young people may orient themselves in today's world often seem blurred and uncertain. At this stage in the maturing process, the perplexed adolescent becomes aware of pressures from all sides seeking to influence him along certain lines of endeavor. In this maze, the hysterical calls of blind chauvinsim and the siren songs of pseudo-liberalism may appear to offer philosophies of simplicity which are vastly more appealing than the voices of moderation and logic.

THE SIMPLE FANATICS

Simplicity is a part of the stock-in-trade of the fanatical fringe. For them there are no grays in our complex society but only black and white. This commitment to the absolute correctness of their positions and the absolute incorrectness of their opponent's can be dangerous, for it logically leads to a policy of expediency in which the means are justified by the end.

Undoubtedly, virulent extremism of the right or left is attractive to some young people because of the implication of direct action. But the young person who feels himself drawn to the philosophies of either camp should ask himself this question—"In later years, what could be the consequences to me of such an association?"

The answer to this question is to be found many times in the files of the FBI. Time and again, we in the FBI have seen young people leave these groups in disgust, only to find that they are later typed by their former association or that some unfortunate incident connected with their membership, an arrest, for example, continues to embarrass them.

Consider the case of a young technical worker in the Midwest. In the 1950's he was approached to join the Communist Party. An idealist, he was interested in alining himself with a progressive movement to fight social injustice. The Communists exploited this idealism, beguiling him with their two-faced claims that the party offered the only sure way to the solution of the world's ills. He bought this line, joined the party and was also active in a Communist-front group.

PAST HAUNTS HIM

This naive young man quickly learned that he had made a mistake. He could not reconcile his beliefs with the godless conspiracy of the Communists and he broke all ties with them. His brief adventure in the far left was not that easily dismissed, however, for he subsequently encountered considerable adverse reaction from citizens who knew nothing of his circumstances except that he had once been connected with the Communist Party. This unfair but very real situation has since caused him and his family much anxiety and has even been a disruptive factor in his employment.

Of course, the misfortune of this and other youthful victims of its machinations is of no concern to the Communist Party. It is engaged in an intensive campaign to subvert the minds and win the support of American youth and it has no compunction about the harm it causes.

A current major program which the Communist Party is directing against young people is the W. E. B. du Bois Clubs of America. This party-oriented youth organization, founded in June 1964, at a convention in California dominated and controlled by the Communists, has as its basic aim the promotion of Marxism-Leninism. Centered on college campuses, the Dubois Clubs represent a soft-sell approach which the Marxists believe has great promise in reaching American youth.

The party is also trying to contact young people through a massive campus speech program. This is a propaganda campaign concerned with attempting to influence student opinion at American colleges and universities to accept the party as a legitimate organization within our democratic tradition—which it is not.

Zealots of the extreme right are no less eager to win the support of young people than those on the left. Lacking the subtlety of the Communist approach, these radicals have nevertheless enjoyed considerable recent success in their efforts to broaden their influence.

PATRIOTIC DISGUISE

Emotion, not reason, controls the fanatical right and it is on this level that they make their pitch. They may clothe their rantings in patriotic garb, passing themselves off as defenders of the Constitution or protectors of religion. They know such devices have much appeal for impressionable youths.

But look behind this thin disguise and their true character can clearly be seen. Terrorism and violence mark the activities of these groups, and it is a tenet of their cowardly philosophy that they attack only the weak and outnumbered.

The Ku Klux Klan and other racist groups which would trample upon the rights of their fellow men deserve the contempt of every American.

Do not be taken in by their emotional appeals. Instead, take a long, hard look at the terrible acts of violence which have occurred in certain of our Southern States in recent months and know them for what they really are.

There is nothing honorable or patriotic about any organization which condones lawlessness and intimidation. The law is above any individual or group of individuals and we must be constantly on guard against those who would shortcut or use the law to achieve their own ends.

America's young people are its future, the key to continued greatness. The extremists know this, and they also believe that youth is America's Achilles' heel through which they can effectively strike at our unity.

Their campaigns to divide and subvert are in full swing. But this duplicity will surely fail if our young citizens stand up to be counted for the future, if they articulate their pride in our traditions and ideals and shoulder the responsibilities of their heritage.

TRIBUTE TO SENATOR DIRKSEN

Mr. BYRD of West Virginia. Mr. President, I was recently interviewed by reporters with the Washington Star newspaper; and, in the course of their questioning, I was asked about U.S. Senators who had been of particular inspiration to me. Among others, I mentioned the name of Senator EVERETT McKINLEY DIRKSEN, of Illinois, pointing out that he is one of a kind; his oratorical style, his genuine warmth are very appealing.

I was, therefore, pleased to read the article in the Sunday Washington, D.C., Star, on June 27, regarding the distinguished minority leader of the U.S. Senate. I note that the writer concurs with my assessment of Senator DIRKSEN's singularity.

Because I found the article to be both interesting and a fully merited tribute to this great and distinguished Senator, I request unanimous consent to have it placed in the RECORD at this point.

There being no objection, the newspaper article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, June 27, 1965]

THE REMARKABLE INDEPENDENCE OF REPUBLICAN SENATE LEADER

(By Arthur Edson)

In an age when everything is becoming standardized—when office buildings, automobiles and even Senators look alike—EVERETT McKINLEY DIRKSEN remains unique.

With his hair tangled as if he had just stepped from a speeding convertible, with his voice throbbing and sepulchral like a hi-fi set in need of adjustment, with his sentences swooping like bee martins hunting insects, DIRKSEN is the easiest Senator to recognize.

Alas, or perhaps fortunately, he is also the easiest to lampoon.

And because he is, it is all the harder to realize that DIRKSEN may now be the strongest man in the Senate, counted on by Presidents for help when they are in trouble.

PROVOKES MERRIMENT

He has been called the wizard of ooze; the man whose tonsils are marinated in honey, and the oleaginous Senator from Illinois who can hide his simplest thought in a polysyllabic haze.

Laughter, either at or with, can be deadly to a politician.

But DIRKSEN has gone his ostentatious way, manner and mannerisms guaranteed to evoke merriment. In an arena where the stuffed shirt remains a precious garment, DIRKSEN dares to poke fun at himself. No one enjoys his masterful performances more than he does.

Despite these handicaps, strange things are happening. Laudatory adjectives, like statesmanship, have been slipping into prose describing him, and any senatorial ranking puts him at or near the top.

As leader of a small band of Senate Republicans, DIRKSEN may be outnumbered, but rarely outmaneuvered. Haggard, often ailing, but a zestful 69, DIRKSEN nimbly cavorts down both sides of the political street.

RESCUES PRESIDENTS

With nearly every other Republican leader stained by defeat, DIRKSEN stacks up as one of his party's most prominent spokesmen.

And yet, on major issues, when either John F. Kennedy or Lyndon B. Johnson had been cut off at the pass, here comes old Ev, his oratorical guns thundering, to the rescue of a Democratic President.

DIRKSEN has been particularly helpful in international crises. "I shall not let it be manifested to the world," he says, "that I am taking away from the President his responsibility in the conduct of the foreign policy of the country."

And he has plugged for such legislation as the nuclear test ban treaty, bonds for the United Nations and civil rights.

"We must stand up and be counted in our own generation," Dirksen said in arguing for U.N. bonds. "I have a couple of grandchildren in Tennessee. * * * I want to vouchsafe to them as a legacy the last best hope of peace."

SCORNS CRITICS

For those stands DIRKSEN has been applauded, bipartisanly and grandiloquently—by Lyndon Johnson and Dwight Eisenhower, among others.

But behind scenes, many a Republican grumps that DIRKSEN should spend more time denouncing Democrats and less time cozying up to them.

DIRKSEN scorns such critics.

"There are people who don't look down the road far enough," he said in a recent interview. "They forget the last part of the sentence: 'The duty of the opposition is to oppose—if the other party is wrong.' The question is: Is it in the national interest?"

Looking far down the road, DIRKSEN decided a civil rights bill was in the national interest, and much of his time this spring was spent in helping to draft, and to pass, a bill he thought was satisfactory.

THE DIRKSEN STYLE

Senatorial leadership is a delicate art that few have learned. No Senator can be led anywhere unless he wants to.

Many observers class Lyndon Johnson as the most skilled leader in Senate history, but Johnson had a majority, at least in theory, to work on. Dirksen has to extract political honey while outnumbered more than 2 to 1.

How does the DIRKSEN style differ from the Johnsonian?

"Well, he has a slightly imperious quality," DIRKSEN says of his old sparring mate. "With him everything had to be done right now. I think you have to take time with these things. If you try to hurry them in a judgment you won't succeed."

DIRKSEN likes to say that it's better to use an oilcan than a baseball bat. On his desk is a golden oilcan inscribed: "The oilcan is mightier than the sword."

PRAISE FROM JAVITS

The Dirksenian formula, straight from the old oilcan:

"You argue politely, amiably, and with the utmost good nature. It requires a lot of patience. You can't violently disagree, and maybe you won't succeed. Well, the next day is another day, and there's the next day and the next day. You stay at it everlastingly."

It worked on civil rights. Although Democrats will try to make political hay from it, DIRKSEN lined up 30 of the 32 Senate Republicans, causing Senator JAVITS, his Republican colleague from New York, to say admiringly:

"He has performed for my party in the historical tradition of Lincoln."

Seated in his magnificent office in the Capitol, with a chandelier tinkling gently as if that lilting prose were set to music, DIRKSEN likes to marvel how events shape destinies.

Possibly the greatest marvel is that DIRKSEN is in the Senate at all. Born in Pekin, Ill., still his hometown, on January 4, 1896, DIRKSEN seemed bent toward everything but politics: Selling washing machines, dredging, wholesale baking, writing. (He churned out scores of stories, all scorned by publishers.) And, of course acting.

Only his mother's opposition to the theater saved him for the only stage worthy of his talents, the Senate.

DIRKSEN's first goal was the House of Representatives. In 1930, at the old Majestic Opera House in Peoria, he heard other candidates say they were running only because their friends insisted on it.

When his turn came, DIRKSEN acknowledged that he had no hordes of urgers.

"That's me against the field," he said, "and I am going to try and try and try until you send me to Congress."

DIRKSEN was beaten in the primaries, but true to his promise, he was campaigning the next day, and in 1932, the year of the Franklin D. Roosevelt sweep, DIRKSEN bucked the Democratic trend and came to the House.

HAD EYE TROUBLE

But his career was still to have a frightening hiatus.

After 16 years in the House, DIRKSEN had to drop out due to eye trouble so serious that specialists, fearing malignancy, voted 4 to 3 for the removal of one eye.

Miraculously, the eye improved—he now thinks it's his better one—and Republicans were soon camping on his Pekin doorstep urging him to run for the Senate.

He agreed, reluctantly, but after a campaign so vigorous he wore out two and a half cars (he had 30,000 miles on his third one), DIRKSEN achieved a major political upset. He beat Scott Lucas, who, ironically, had been the Democratic leader in the Senate.

On January 3, 1951, the day before his 55th birthday, he arrived in the Senate at last, and even his fiercest critics agree that the two seem designed for each other.

WORKS LONG HOURS

DIRKSEN's present prestige can be explained, in part, simply: The Senate is in transition. The Old Guard has been reduced by age, by illness, by death, by defeat, by promotion (Johnson to the White House, HUBERT H. HUMPHREY to the Vice-Presidency).

Forty-five of its one hundred members have been here less than 7 years, youngsters in a body that reveres seniority, waiting impatiently their chance to run the shop.

For DIRKSEN, these are indeed golden years, with only his health a nagging worry. He has emphysema, a chronic lung ailment that isn't helped by his chronic smoking. He has stomach spasms that have hospitalized him seven times since October. He has had ulcers.

But DIRKSEN still works long hours.

The Senator and his wife live in Virginia, where there's room to grow flowers, to listen to the birds, and with a branch of the Potomac nearby suitable for fishing. "He's a pole and worm man," his administrative assistant, John R. Gomien, says.

Senate and House leaders are supplied with limousines, and each morning DIRKSEN has 45 minutes for uninterrupted work as he is driven in to the Capitol. "It's the most precious moment of the day to me," DIRKSEN says. "No phones ringing."

During this period he may block out a speech, study some bill, or decide where next to ply the oilcan.

TRAVEL UNORTHODOX ROAD

DIRKSEN recently told the Senate:

"My forte in life as a legislator is not what I got enacted but what I kept from getting enacted because I thought it was not in the interest of the people of this Republic."

Whether DIRKSEN's forte will add up to statesmanship, only time, that great leveler of reputations, will tell. But if future history books give DIRKSEN high marks they may also describe the unorthodox road he traveled.

A barrel full of garter snakes, released on a highly polished floor, could not have wriggled in more directions than DIRKSEN.

CHANGED HIS MIND OFTEN

One awed statistician claims that in DIRKSEN's 16 years in the House he changed his mind 62 times on foreign policy, 31 times on military policy, and 70 times on farm programs.

Take foreign aid, which he originally abhorred. By 1955 he was saying:

"I remember the day when I used to attack this program. I did it with a great deal of verve and vigor. I take it back. Publicly and privately, I take it back."

Possibly DIRKSEN's switch on Eisenhower best illustrates his blithe chameleonic spirit.

In 1952, at the Republican National Convention, DIRKSEN wanted Senator Taft, of Ohio, to win the nomination for President. Gov. Thomas E. Dewey, of New York, pulled for Eisenhower.

DIRKSEN worked himself and his listeners into a lather before applying the razor. Looking at Dewey, DIRKSEN cried:

"We followed you before, and you took us down the road to defeat."

Boos. Howls. Pandemonium.

SWUNG TO EISENHOWER

Nothing is unusual in DIRKSEN's later swing to Eisenhower. It happens in every administration. But who except DIRKSEN would become so enraptured with his flipflop? On the seventh anniversary of Ike's inauguration, DIRKSEN purred to the Senate:

"I have often said that, in my judgment, there is a quiet, brooding destiny that looks after the affairs of men and nations. I have puzzled hundreds of times how one could account for the fact that Abraham Lincoln came on the American scene when he did and make his exit when he did, if it were not the unfolding of the divine pattern of history.

"I feel that way, too, Mr. President, about the distinguished occupant of the White House, Dwight D. Eisenhower."

SPEECHES SHINE

But DIRKSEN's trademark is his profligate way with language. And because the Senate is slowly being bleached of its color—no more Alben Barkleys, no more Tom Connallys, no more Huey Longs—DIRKSEN's words shine the more gaudily.

It is as difficult to savor DIRKSEN's style without the pulsating DIRKSEN baritone as it is to feel the surge of a jet airliner by reading a timetable. But let us remember those errant curls, that incredible voice, that mocking air as we try a DIRKSENIAN sampler.

On Senator GEORGE DAVID AIKEN, Republican, of Vermont, who had been nominated for president pro tempore of the Senate, "I am confident that he will be like his namesake, David of old, who reached into the brook of Elah, and there found smooth stones for his slingshot with which to humble Goliath.

"In the same spirit, GEORGE AIKEN will reach into the brook of Elah, wherever it may be in Vermont, and with smooth stones vanquish all the Philistine forces of evil which either threaten or jeopardize this Republic."

RECALLS FIRST VOTE

On his coming to Congress, "The first bill I voted on in 1933 under Franklin Roosevelt was the Economy Act. It was not even in print. We worked from five typewritten copies. The economy was achieved at the expense of the veterans and the Federal employees, and no one else.

"I voted for the rule, to begin with, and then voted against the bill. In a few days my desk was littered with telegrams and letters. It is no easy thing to bear when one's best friend sends a telegram, 'you stinking one termer'.

"I wept when my friend wrote to me about that first vote. I wanted to make public service a career."

On making speeches in the Senate, "I learned long ago that no souls are saved after the first 20 minutes."

However, history may evaluate DIRKSEN, it should point out that if his words tended to be high blown and unusual, his Senate speeches tended to be short, gay, and to the point.

There are worse epitaphs than this: Ev rarely bored his fellow man.

WAR ON DROUGHT

Mr. JAVITS. Mr. President, on June 10, I asked President Johnson to appoint a joint task force composed of the Secretary of the Interior, Secretary of Agriculture, Chief of the Corps of Engineers and the Director of the Weather Bureau to formulate immediate plans to alleviate critical drought conditions throughout the country and particularly the Northeast.

I am most gratified that yesterday the President acted to put machinery into action to solve this most serious problem and has asked a panel headed by the Secretary of the Interior to submit to him within a week a report on how the Federal Government could help alleviate the drought crisis in the New England and Middle Atlantic States. The panel is expected to meet this week.

I hope the panel will explore fully all existing Federal water programs and that it will move promptly in recommending immediate steps for drought relief.

I ask unanimous consent to have printed in the RECORD, an article from today's New York Times on this subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOHNSON ORDERS PANEL TO ASSESS WATER SHORTAGE—CALLS FOR UDALL TO REPORT IN WEEK ON PROBLEM ALONG THE EASTERN SEABOARD

WASHINGTON, July 14.—President Johnson asked today that a report be submitted to him within a week on how the Federal Government could help alleviate the "urgent water problem" in the New England and Middle Atlantic States.

The President instructed Interior Secretary Stewart L. Udall to call the ad hoc Water Resources Council together immediately to study the question.

The Council is made up of Government officials whose departments deal with water problems. An Interior Department spokesman said that Mr. Udall hoped to call a meeting not later than Friday.

Mr. Johnson said that the Council would assess what further actions might be taken to assist the States in meeting the water problems now confronting the two regions.

MAY TRANSPORT WATER

Some of the possibilities expected to be considered by the Council are the use of flood control dams to create reservoirs, civilian use of reservoir systems at abandoned military installations, and transporting water supplies by tank car to emergency areas.

Mr. Johnson met on the water problem with Buford Ellington, head of the Office of Emergency Planning and the President's liaison man with the State Governors.

The White House said that the President had asked Mr. Ellington to move ahead "as rapidly and efficiently as possible" with mobilizing the resources of the Federal Government to help the States involved cope with the water shortage.

ELLINGTON IS COORDINATOR

Mr. Ellington will work with the Water Resources Council and will coordinate Federal and State activities to deal with the situation.

[In New York, water conservation programs for the metropolitan area of 14 million population were stepped up and officials looked for ways to avoid further shortages. P. 59.]

Mr. Johnson said it would require imaginative planning, a willingness to cooperate and some sacrifices if the Nation was to make the best use of its water resources.

"We must move quickly and firmly to preserve what we have and what we receive," he said. "An abundance of water is critical for the present generation of Americans and a vital legacy for the next."

Mr. Johnson said that the Water Resources Council would obtain the views of the Delaware River Basin Commission. A week ago the commission declared the four-State Delaware River Basin area to be in a state of drought emergency. The basin supplies one-third of New York City's water.

The commission is composed of the Governors of New York, New Jersey, Pennsylvania, and Delaware, and Mr. Udall.

Meanwhile, the Senate approved today and sent to the White House legislation providing for a 10-year, $50 million program to develop the Nation's water resources.

The measure, approved by the House yesterday, establishes a Federal Water Resources Council and authorizes $5 million a year for the next 10 years in grants to States to help them develop comprehensive water resources plans. It also authorizes the President to set up river basin commissions to study ways of using water supplies to the best advantage.

SMALL BUSINESS OPPOSES PACKAGING AND LABELING BILL

Mr. HRUSKA. Mr. President, thousands of owners and managers of small business firms, who have had the opportunity to study details of S. 985, the packaging and labeling bill introduced by the Senator from Michigan [Mr. HART], are vigorously opposed to this measure, as is this Senator.

Such opposition is based on many reasons. Among them is the impact on the small businessmen. But this is not the principal objection. The small businessman is especially concerned because of the bad results which will be imposed on the consumer; including substantially higher costs to the housewife for the products involved; the reduction in customer choice of package forms, sizes, and so forth; and most of all, the substituting of Federal agency's judgment for the best and most effective regulation yet devised—namely, the veto or approval of such products by the housewife in her daily purchases. Also because the evils the bill allegedly aims at, are adequately legislated against now.

Recently at hearings on this bill, Mr. Lloyd Skinner, of my home city of Omaha, Nebr., testified. He presented a splendid analysis of this entire subject. He did so not only as an experienced and successful manufacturer of food products, but also as President of the National Small Business Association.

The association, organized in 1937, is the only organization representing small business having a board of trustees selected from its membership and in control of its management and policies. It is the only small business organization represented on important industry and government committees.

For many years, Mr. Lloyd Skinner has been a personal friend of mine. He is President of the Skinner Macaroni Co. of Omaha and typifies the small businessman who contributes so much to civic, State, and National affairs.

For example, he is a director of the Omaha Urban League, a director of the Grocery Manufacturers Association, president of the Nebraska Chapter of the National Arthritis and Rheumatism Foundation, cochairman of the Nebraska chapter of the National Conference of Christians and Jews, director of the Omaha Civic Opera, and Salvation Army. He is also a member of the advisory board of Duchesne College and St. Catherine's Hospital.

Mr. President, I ask unanimous consent that Mr. Skinner's statement to the Senate Commerce Committee in opposition to S. 985 be printed in the CONGRESSIONAL RECORD along with the list of the trustees of the National Small Business Association, who are continuing their fine volunteer work for the benefit of the business community in general, and to the consuming public of the products in which the small business community engages.

There being no objection, the statement and list were ordered to be printed in the RECORD, as follows:

STATEMENT OF LLOYD E. SKINNER ON BEHALF OF NATIONAL SMALL BUSINESS ASSOCIATION BEFORE SENATE COMMITTEE ON COMMERCE HOLDING HEARINGS ON S. 985

Mr. Chairman and gentlemen of the committee, my name is Lloyd E. Skinner. I am president of Skinner Macaroni Co., of Omaha, Nebr., and also past president of the National Macaroni Manufacturers Association. I am appearing here today as president of the National Small Business Association of Washington, D.C.

I testified against this bill during the hearings held in April of 1963, not because I am not in sympathy with the objectives of the bill, but because of the grave doubts about the apparent lack of understanding of the economic considerations involved, as well as the potential impact upon small business and the consumer.

I have closely followed the testimony relating to this legislation. I have carefully studied all of the evidence produced. I have examined the marketing situation with respect to my own industry, and I have not been able to verify the existence of sufficient consumer deception and confusion to justify the legislation under consideration.

I would like to observe also that all through the hearings the general tone surrounding the discussion of this matter appears to cast industry on the one hand and consumers on the other in roles which are basically antagonistic and incompatible. This is certainly not a realistic view, and in fact misrepresents the attitude of the food manufacturer and processor. The truth is that the patronage of consumers is absolutely essential—but this hinges on a number of factors which include price, quality, packaging, class of advertising, class of distribution, manner of display, type of promotion, and general reputation of the product. I wish to point out with great emphasis that these are not independent elements of food marketing—they are interlocking mechanisms of the competitive process, and it is impossible to treat one phase of this chain as though it could be manipulated and recast to fit a theoretical or idealistic notion of merchandising reform.

In addition to these considerations it must be remembered that the paramount consideration of any business enterprise is to stay in business and there are a great many concerns in the food industry with high-quality competitive products which have exacted the same idea. I would venture to assert that at least 95 percent of the huge volume of food items sold in this country today are beyond serious criticism with respect to display of price and weight, and general packaging practice. The competition between these items is so keen that the slightest disruption of the manufacturing and distributing process by regulation or otherwise can cause a chain reaction of serious proportions.

This legislation proposes to transfer from management to Government bureaucracy some of the most critical and costly decisions with which management is faced. There is no room for mistakes or delays in this area. Lack of knowledge of the market, ignorance of cost factors, and unawareness of the competitive pressures can put a company out of business as quickly as anything I know, and yet it is seriously proposed here to give bureaucracy control over these vital decisions. My own company by any standards is a relatively small business, and yet we have over $300,000 invested in packaging machinery. Any deviation from the standards for which this machinery is designed could result in disastrous expense. I was amazed to note that the Secretary of Commerce suggested that it might be desirable to provide some sort of advance clearance of package labeling and design. This is the most impractical idea I have ever heard advanced. Anyone who has ever had any experience with Government knows that this process entails 6 months to a year's delay, to say nothing of the expenditure of many thousands of dollars in trying to convince some official why it is necessary to do things in a particular way—whether it be to meet competition, to satisfy the psychological preferences of the consumers, to reduce manufacturing costs, or the necessity of staying within the performance limits of automated machinery.

I would like to point out with great emphasis that this legislation does not deal with offenses which as a matter of public policy clearly ought to be prohibited by general law. At best we are talking about matters of personal opinion—about what kind of a label can be easily understood by a consumer of the lowest mentality about fair display of relevant factual information. The implication of much of the testimony here is that most consumers are fools, which I assure you is not the case. There is no question but that this legislation would put Federal bureaucracy in complete control of the size, the weight, the pictorial matter, and the copy on every food package.

I wonder if anyone has stopped to think that the idea of seeking Government authority in advance before making a vital business decision is absolutely inconsistent with some of our most fundamental and cherished American traditions. Advance government permission is the Latin system—nothing can be done without a government license. Unless I have been misinformed all these years I have been under the impression that we are dedicated to the proposition that within reasonable limitations the American citizen is free to do as he pleases, and that if he transgresses the law he must be tried and proved guilty of a specific offense. This legislation proposes to deal with merchandising ethics which are matters purely subject to personal opinion. What kind of adjectives will be regarded as likely to mislead? What kind of pictorial matter leads to a false conclusion about the product? What is a proper relation of price to weight? How full is a full pack when you produce a number of food products of different densities and shapes which inevitably will reduce in volume as a consequence of transportation? Furthermore, it certainly cannot be argued that these considerations are of such gravity that public policy demands advance clearance by the Government. Such a contention would be a little short of ridiculous.

I have brought with me a number of packages for the purpose of demonstrating some of the practical problems encountered in food packaging, and to show how we display the weight of the product contained therein. You will note that there is no mistake about the weight of the product placed in these packages. First, it will be noted that the packages have a certain uniformity. This is not at all due to merchandising plans, but to practical necessity. This machinery will adjust the size of packages to a very limited extent, but only within a very narrow range, and we are thus compelled to market the full line of pasta—that is spaghetti, macaroni, etc.—in packages of similar size. In view of the fact that shapes and density vary from product to product, the degree of fill is slightly different in each case, and for this reason we take great pains to display the weight of the contents in figures of unmistakable size. I can assure you that any significant change in package size is almost prohibitive in terms of cost, and changes in package dress represent a major cost item of serious proportions.

A great deal has been said, with dark insinuations, about the motives of manufacturers who vary the weights of the products in food containers. There is no mystery about it, and there is certainly nothing reprehensible in the practice. One only has to read the current financial papers to be aware that the margin of profit has been steadily decreasing, and is continuing to do so notwithstanding the pace of current business activity. The pressure of increasing costs and taxes is ever present in any business, and most particularly in the food industry where the profit margins are extremely narrow.

Let us take the example of this product which I hold in my hand. It is composed of several different types of wheat and it conforms to a quality standard which has always been maintained. What happens when the cost of labor and the cost of wheat force a reconsideration of price structure of this item? It is a paramount necessity to remain competitive. It is also a paramount consideration to maintain the quality, but something has to give one way or the other because we can no longer produce the same quantity of the same quality for the same price. At this point we are forced to consider the elements of psychological pricing. I can assure you there is a vast difference in terms of market acceptability between an item priced at 19 cents and an item priced at 21 cents. The changes made in this area have to be considered very carefully and made only with full knowledge of consumer reaction.

Let us pass on for the moment to the next consideration—can anything be done about the quality of the basic ingredients? If a product has achieved a high-class reputation over a long period of time it might be possible to downgrade the components, and get by for a while, but in the long run any manufacturer knows that this is the beginning of the end. If tampering with quality is out, what else can be done? An increase in price is always bad, so the only practical answer is a weight adjustment, which will do two things. It will take care of the increase in cost, and perhaps as well permit a downward price adjustment which will benefit the competitive situation. So long as the weight is plainly and prominently displayed on the package this adjustment has precisely the same effect as would the increase in price on the original quantity.

With respect to "cents off" promotion, I believe this is a perfectly legitimate merchandising device, and to arbitrarily rule it out as proposed by this legislation would represent an unnecessary loss to consumers, as well as a serious handicap to the manufacturers. There may be a few instances of misuse, but this can certainly be reached under present law.

Mr. Chairman and gentlemen, many distinguished witnesses have fully covered these points, and I do not wish to belabor the issues. But in concluding I wish to emphasize a few undeniable facts which ought to be conclusive. You can review this record from one end to the other and you will find no evidence of any kind which establishes that the subject matter of this legislation is of sufficient gravity or of sufficient volume to justify the exercise of Federal authority, especially in terms of advance clearance. Also it is my informed opinion that this legislation, if passed as proposed, can impose an unnecessary price burden on consumers amounting to between 15 and 20 percent. May I say also that the pressures of present Federal regulation are gradually forcing the production of food into the hands of the giant corporations. The regulatory burden on research and development in terms of endless bureaucratic entanglement and expense is making it more and more prohibitive for the small manufacturer to stay in the food business. His only recourse is to sell out to the large competitor.

I believe I have demonstrated to this committee that I believe in fairness to my customers in terms of quality, price, and packaging. I firmly believe that I must adhere to this policy in order to stay in business. But I also insist that in this close-margin business any extensive meddling with management decisions in this area can very quickly put me out of business. Furthermore, I am convinced that it is impossible to regulate matters of ethics which are purely matters of personal opinion, and I think it is most unwise and impractical to attempt to do so.

I appreciate the opportunity to appear before this committee.

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TRIBUTES TO HERBERT N. BUDLONG, OFFICIAL REPORTER OF DEBATES

Mr. YARBOROUGH. Mr. President, on July 5, 3 days ago, Mr. Herbert N. Budlong retired as one of the Official Reporters of Debates of the U.S. Senate. Mr. Budlong was a native of Washington, D.C. He is now a resident of McLean, Va. He graduated from Central High School here in Washington, in the District of Columbia, and graduated with first honors from the University of Maryland in 1929. He did general court reporting in Washington, D.C., until 1941. At times he was a special assistant to the Attorney General for special grand juries and for special investigations. For a number of years he was a reporter for a number of Senate committees. From February 1941 to July 1965, almost a quarter of a century, he was an Official Reporter of Debates of the U.S. Senate. He retired because of complications from an old back injury.

We know Mr. Budlong as one of the leading reporters of the Senate. He rendered faithful service, lacking only a few months, for 25 years. He was an experienced reporter when he came to the Senate as an official reporter of debates.

As one who has been aided greatly by the able, conscientious, and diligent reporters of the Senate, I wish to pay tribute to him. I wish to express my thanks for his dedicated service. I have been here only 8 years, but I have found that those who serve the Senate, including the Parliamentarians, the clerks, the reporters, and the doorkeepers, are as jealous of the traditions of the Senate as is any Member of the Senate. They add much to it. This body is a better body for the kind of dedicated service we receive from those who serve us.

I served once as a trial judge for 5 years, and in that capacity I appointed court reporters. I learned then that the reporter of court proceedings, or, in this body, an Official Reporter of debates, is a very important personage, and the effectiveness of what is done and what is recorded and the faithfulness and accuracy with which it is done means much to the officials of any deliberative body such as the Senate, which is a body of record.

I wish particularly to thank Mr. Budlong. I have received many courtesies at his hands in the 8 years I have been here.

I wish him happiness in his retirement. Despite his back injury, he sails a boat. He is a sailing enthusiast. He spends a good deal of time on the water. I hope that that activity will assure him years of happiness and better health as a result of being out in the open.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. Herbert Budlong came to my office this afternoon and told me he was leaving the service of the Senate of the United States.

It is my understanding that he has had a career of 30 years. I am not sure of the capacity in which he worked as a reporter in that period of time, but I think I am correct in saying he worked within the structure of our Government in that capacity or similar capacity for 30 years.

He told me his father had also been in the Federal service as a reporter and holding other positions of a similar nature for 30 years.

Mr. Budlong also explained that he had an uncle who had a long tenure of service in the Federal system.

I know of no man who has served the Senate who had a more sensitive spirit and a greater appreciation of what I call the gentleness of his job, with its exacting duties of his job, than did he.

He had a pleasant approach and often he helped me, frankly, in smoothing up, as it were, rough sentences I had spoken off the cuff in this body.

We are better in the Senate of the United States, as the Senator from Texas [Mr. YARBOROUGH] said, because of the diligent and devoted service of such men as Herbert Budlong.

Mr. YARBOROUGH. I thank the distinguished Senator from West Virginia for his contribution to our knowledge of Mr. Budlong's faithful service, and particularly that of the members of his family. He has pointed out his family's traditional service and fine contribution to the effectiveness of our Government.

Mr. ALLOTT. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield to the Senator from Colorado.

Mr. ALLOT. Mr. President, too often persons who have served the Senate well and faithfully leave without receiving the proper recognition that they should.

Over the 11 years I have been in the Senate, I have always been impressed with the seriousness and the stability and the calmness, even under periods of great stress, of Herbert Budlong. During those years we became close friends. If he ever attempted to write a book—and I hope he may—I am sure that those who would be privileged to read it would find that he was a man who did more than merely transcribe words which were spoken on the floor, because as they were spoken they also caused in his mind many keen and astute observations about what goes on in the Senate, what decisions are made, how they are made, and what they mean to this country.

Mr. President, Herbert Budlong served in the Senate for 25 years.

I would be remiss if I did not wish him the continuing friendship of all Senators, particularly my own and that of my wife.

Our best wishes go to Mr. Budlong and his family, that he may enjoy the retirement he so richly deserves.

Mr. DOMINICK. Mr. President, I wish to associate myself with the expressions of sentiment on behalf of Mr. Herbert Budlong just made by my colleague [Mr. ALLOTT].

Unfortunately, I have not had as long a time to serve with him as has the senior Senator from Colorado, but I have never seen anyone more conscientious, more dignified, more careful in his work and with a keener insight into what goes on in the Senate from a technical point of view, than Mr. Budlong.

I wish him the very best of health and happiness in his retirement.

Mr. ALLOTT. I thank my colleague [Mr. DOMINICK] for his remarks.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield to the senior Senator from Oregon.

Mr. MORSE. Mr. President, one of the topics that I intended to cover on my own time later this evening was my paying tribute to the dedicated service for many, many years in the Senate of Mr. Herbert Budlong.

It was this afternoon, in a pleasant visit with him, that I learned for the first time that he was leaving the Senate. I learned that he had retired at the close of business last Monday. He has served as a reporter of debates in the Senate during my entire tenure of 20 years as a Member of the Senate.

As I told him this afternoon, I have appreciated his unfailing courtesy and consideration, plus the help he has rendered to me many times over and above his work on the floor of the Senate as an Official Reporter.

Laughingly, I said to him this afternoon:

> I would not like to have to pay you 5 cents an hour for all the hours of overtime I am responsible for your having worked in the Senate during my many years here; but I have, during all my tenure in the Senate, followed the policy of giving my speeches on nongermane matters, so far as the pending business of the Senate is concerned, following the close of the regular business each day.

Mr. Budlong has had to suffer through those overtime hours as I have made what I have considered to be a necessary record on the topics on which I have spoken during the period of my service in the Senate.

But, Mr. President, my association with Mr. Budlong, has been over and above his official work in the Senate, where on various occasions I have talked to him about the procedure followed by the Official Reporters. I have asked for his advice and have received his advice as to how those of us in the Senate could make the work of the Official Reporters easier by supplying them in advance with necessary copies of our speeches, when we have prepared speeches.

Mr. Budlong has been of great help to me in presenting to the Senate in more acceptable form some of the speeches that I have made to the Senate over the years.

I am sure that he would not be the least bit embarrassed by my saying that he is a dedicated Christian gentleman who lives by the Christian ethic. He holds a position of dedicated service in the Presbyterian Church in McLean, Va. He has demonstrated by example the Christian life.

As I said to him this afternoon, there is no question that he deserves the retirement he is now voluntarily taking.

I would want to comment also upon the example that he sets as a father and as a husband in what I consider to be a model American home. I feel that I am a better person for having known him and for having had the privileges that I have had from time to time to associate with him.

Mrs. Morse shares my high regard for him and his wife and his family. We extend to him our best wishes for many years of happiness in his voluntary retirement from his dedicated service as an Official Reporter of debates in the Senate of the United States.

Mr. YARBOROUGH. Mr. President, I thank the distinguished senior Senator from Oregon for his timely and appropriate remarks and knowledge he has added concerning the fine family life of Herbert Budlong.

No one in this body recognizes more than does the senior Senator from Oregon the necessity and the value of accurate reporting. In his varied experiences as dean of a law school, as head of labor mediation boards, as head of a labor board in time of war, and now his many years as a Member of the Senate, the distinguished Senator from Oregon has had much experience with the making of records and the accurate reporting of proceedings. It is particularly appropriate that this word of commendation and appreciation should be spoken by him.

I am certain that Mr. Budlong and his family will be grateful to the Senator from Oregon for the timeliness of his remarks.

Mr. MORSE. I thank the Senator from Texas.

Mr. President—

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Under the previous order, the Senate stands adjourned until noon tomorrow.

Thereupon (at 7 o'clock and 15 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Friday, July 16, 1965, at 12 o'clock meridian.

INFORMAL PROCEEDINGS

The following informal statement was made by the Senator from Oregon [Mr. MORSE] following the adjournment of the Senate:

Mr. MORSE. Mr. President, Mr. President. I raise the point of order that the Senate does not stand adjourned. I raise the point of order. (Addressing the Senator from West Virginia [Mr. RANDOLPH].) Will you take the chair?

I have an understanding with the majority leader that I am to make a speech on an emergency matter of law enforcement tonight. This conduct on the part of the Senator from Maryland [Mr. BREWSTER] is entirely unjustified.

I ask that the Sergeant at Arms produce the majority leader.

At 7 o'clock and 25 minutes p.m., July 15, 1965, the following additional informal proceedings were had:

Mr. MORSE. May I have an informal session?

If I may have the attention of my colleagues, the senior Senator from Oregon, because of the very unfortunate conduct of the Senator from Maryland [Mr. BREWSTER], will rise to a point of personal privilege tomorrow at 12 o'clock noon for a full discussion of this extraordinary action on the part of the Senator from Maryland. I think all of my colleagues should be here. It is not the senior Senator from Oregon that is involved personally. It is the procedure of the Senate of the United States.

The precedent, if it were allowed to stand without correction, would, of course, destroy the parliamentary rights of every Senator in the Senate in connection with making speeches on the floor of the Senate in accordance with the procedures of the Senate.

The senior Senator from Oregon, as he does so many times, had an understanding with the majority leader that he would make a speech tonight in reply to what he thinks is a very serious situation that has developed in the District of Columbia in connection with a plan of the Deputy Attorney General of the United States and the U.S. attorney to circumvent, by administrative procedure, the application of the Mallory rule in the District of Columbia.

The matter is so serious from the standpoint of law enforcement in the District of Columbia that I thought the record should be made tonight. So I explained the matter to the majority leader and he agreed that I should make my speech.

I am at a complete loss to understand why the Senator from Maryland [Mr. BREWSTER] would interrupt the senior Senator from Oregon and declare the Senate in adjournment, other than on the basis of a matter if pique or simply the lapse of good judgment. But, be that as it may, the senior Senator from Oregon thinks now that the matter goes far beyond the personalities involved.

Mr. LONG of Louisiana. Will the Senator yield?

Mr. MORSE. It comes to a question as to whether we will abide by the procedures of the Senate or whether the procedures of the Senate will apply to 99 Senators, but not to 100.

Mr. LONG of Louisiana. Will the Senator yield?

Mr. MORSE. I am engaged in an informal discussion because I have been advised that the Senate technically has been adjourned by the ruling of the Chair.

May I say that I have just been advised that the Senator from Montana [Mr. MANSFIELD] is on the telephone and wishes to speak to me.

My present inclination, having made the statement that I have made, is that I have finished for tonight and shall let this matter go over until I raise the matter of personal privilege tomorrow at 12 o'clock noon. I shall then discuss the completely inexcusable, improper conduct of the Senator from Maryland [Mr. BREWSTER].

Mr. LONG of Louisiana. May I say to Senator that on one occasion this same thing occurred on the ruling of a Vice President and the Senator from Oregon defended my rights. I think he is right about it.

Mr. MORSE. I do not think there is any question about that. Forgetting about the individuals involved, and thinking about the procedure of the Senate, any time the arbitrary discretion of one Senator presiding over the Senate has the effect of setting aside the rules of the Senate, then the Senate ceases to be a parliamentary body and becomes a vehicle for the capricious conduct of whoever is put in the chair. I shall discuss the matter further tomorrow.

(At 7 o'clock and 29 minutes p.m., the informal session ended.)

NOMINATIONS

Executive nominations received by the Senate July 15 (legislative day of July 14), 1965:

Environmental Science Services Administration

The following-named persons to the positions indicated:

Robert M. White, of Connecticut, to be Administrator, Environmental Science Services Administration. (New position.)

H. Arnold Karo, of Nebraska, to be Deputy Administrator, Environmental Sciences Services Administration, and to have the rank, pay, and allowances of a vice admiral while holding such offices. (New position.)

In the Navy

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Waldemar F. A. Wendt, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

Joseph F. Clare, midshipman (Naval Academy) to be a permanent ensign in the Civil Engineer Corps of the Navy, in lieu of ensign in the line of the Navy, as previously nominated and confirmed subject to the qualifications therefor as provided by law.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Charlie H. Allen
John E. Arbogast
Henry R. Feeser
Michael N. Hayes

Floyd A. Groves (Navy enlisted scientific education program) to be a permanent ensign in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law.

Benjamin E. Thurston (Navy enlisted scientific education program) to be a permanent ensign in the Civil Engineer Corps of the Navy, in lieu of ensign in the line of the Navy, as previously nominated and confirmed, subject to the qualifications therefor as provided by law.

Joseph F. Vargo (Navy enlisted scientific education program) to be a permanent ensign in the Supply Corps of the Navy in lieu of ensign in the line as previously nominated and confirmed, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Stanley L. Bartley
Harry J. Candela
William A. Cook
William R. Crawford
Robert D. Holmstrom
Thomas W. Knipstein
Neil D. Kravetz
Carter W. Mathews
James F. Stager
Richard P. Strader
Robert H. Waldie

The following named (Naval Reserve officers) to be permanent lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Carlton R. Cowen
John E. Matson

Russell L. Skyberg (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Robert C. Cook
William E. Imlach
George F. Niesar
Sanford S. Rothstein
Charles R. Vath

The following-named line officers of the Navy for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade) and in the temporary grade of lieutenant:

James J. Cameron
Paul C. Hazucha
Henry J. Rinnert

In the Marine Corps

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Charles T. Allen, III
Willard C. Britt
John F. Brosnan, Jr.
Carol W. Brown
Henry I. Cates
Ronald J. Coulter
Joseph T. Giacinto, Jr.
William A. Henderson
Stephen M. Ireland
Thomas F. Janidlo
Bertie D. Lynch
Stanley R. Tomlinson, Jr.

The following-named officer of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Thomas S. Hubbell

CONFIRMATIONS

Executive nominations confirmed by the Senate July 15 (legislative day of July 14), 1965:

Department of Justice

Harold C. Doyle, of South Dakota, to be U.S. attorney for the district of South Dakota for the term of 4 years.

Charles L. Goodson, of Georgia, to be U.S. attorney for the northern district of Georgia for the term of 4 years.

Herman T. F. Lum, of Hawaii, to be U.S. attorney for the district of Hawaii for the term of 4 years.

Claude Vernon Spratley, Jr., of Virginia, to be U.S. attorney for the eastern district of Virginia for the term of 4 years.

D. Clive Short, of Nebraska, to be U.S. marshal for the district of Nebraska for the term of 4 years.

James E. Byrne, Jr., of New York, to be U.S. marshal for the northern district of New York for the term of 4 years.

Floyd Stevens, of Michigan, to be U.S. marshal for the western district of Michigan for the term of 4 years.

Harry C. George, of Illinois, to be U.S. marshal for the eastern district of Illinois for the term of 4 years.

James H. Dillon, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin for the term of 4 years.

Adam J. Walsh, of Maine, to be U.S. marshal for the district of Maine for the term of 4 years.

Hugh Salter, of North Carolina, to be U.S. marshal for the eastern district of North Carolina for the term of 4 years.

Charles N. Bordwine, of Virginia, to be U.S. marshal for the western district of Virginia for the term of 4 years.

International Atomic Energy Agency

Verne B. Lewis, of Maryland, to be the deputy representative of the United States of America to the International Atomic Energy Agency.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 15, 1965

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture: Psalm 5: *O Lord, in the morning I will direct my prayer unto Thee and look up.*

God, our Father, we beseech Thee to supply us with those insights and resources with which our faith ought to provide us in these crucial and critical days.

There are many duties and responsibilities that challenge us in these desperate days of world history.

We sometimes wonder whether really our faith makes any difference in our attitudes and behavior, our character, and conduct.

Show us how to live helpfully and hopefully in sustaining our President, our Speaker, and our leaders, and in solving the complex problems which life brings upon us.

May we discharge each day's work faithfully and with wisdom and skill, taking an intelligent interest in world affairs and in being partners with all who are conscientiously performing their tasks.

We thank Thee for Thy servant who now dwells in eternal blessedness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 225. An act to amend chapter 1 of title 38, United States Code, and incorporate therein specific statutory authority for the Presidential memorial certificate program;

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970; and

H.R. 5242. An act to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 24) entitled "An act to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Jackson, Mr. Anderson, Mr. Bible, Mr. Kuchel, and Mr. Allott to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 21) entitled "An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning."

PEOPLE OF THE STATE OF ILLINOIS VERSUS CALVIN BRIM ET AL.

Mr. MURPHY of Illinois. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman will state it.

Mr. MURPHY of Illinois. Mr. Speaker, I have been subpenaed to appear before the Circuit Court of Cook County, Ill., to testify at Chicago, Ill., on the 19th day of July 1965, at 9:30 a.m., in the case of the people of the State of Illinois against Calvin Brim, et al.

Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

I send to the desk the subpena.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

Subpena From the Circuit Court of Cook County, Ill.

(*The People of the State of Illinois* v. *Calvin Brim et al*, No. 65–1216)

The people of the State of Illinois to all peace officers in the State, greeting:

We command that you summon Mr. William Murphy, 6617 South Harvard Street (not at home), to appear to testify before the Honorable Edward E. Plusdrak on July 19, 1965, room 504, circuit court, 26th Street and California Avenue, Chicago, Ill., at 9:30 a.m.

Your failure to appear in response to this subpena will subject you to punishment for contempt of this court.

Witness:

June 28, 1965.

Joseph J. McDonough,
Clerk of Court.

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 475) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas Representative William T. Murphy, a Member of this House, has been served with a subpena to appear as a witness before the Circuit Court of Cook County, Illinois, to testify at Chicago, Illinois, on the nineteenth day of July 1965, in the case of the *People of the State of Illinois* against *Calvin Brim, et al.* (case numbered 65–1216); and

Whereas by the privileges of this House no Member is authorized to appear and testify, but by order of the House: Therefore be it

Resolved, That Representative William T. Murphy is authorized to appear in response to the subpena of the Circuit Court of Cook County, Illinois; and be it further

Resolved, That as a respectful answer to the subpena a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY OF THE COMMITTEE ON THE JUDICIARY

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Immigration and Nationality of the Committee on the Judiciary may be permitted to sit in executive session during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. HALL. Mr. Speaker, I object.

CALL OF THE HOUSE

Mr. ROUDEBUSH. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 190]

Adair
Ashbrook
Ashley
Bonner
Bow
Brock
Brown, Ohio
Chamberlain
Corman
Craley
Dague
Dawson
Diggs
Downing
Duncan, Oreg.
Ford,
William D.
Fraser
Griffin
Halleck
Harvey, Ind.
Hébert
Huot
Keogh
Leggett
Lindsay
McEwen
Mailliard
Mize
Moore
Morgan
Morse
Morton
Poff
Pool
Powell
Roncalio
Saylor
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The SPEAKER. On this rollcall 393 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

REREFERRAL OF H.R. 1296

Mr. EVERETT. Mr. Speaker, on January 4, 1965, H.R. 1296 was referred through error to the Committee on Armed Services. We have cleared this with the chairman of that committee, and as a member of the Committee on Public Works, I ask unanimous consent that this bill be rereferred to the Committee on Public Works.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to rerefer a bill from the Committee on Armed Services to the Committee on Public Works.

Is there objection to the request of the gentleman from Tennessee?

There was no objection.

TO AMEND THE PUBLIC HEALTH SERVICE ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2984) to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none, and appoints the following conferees: Messrs. Harris, O'Brien, Rogers of Florida, Satterfield, Mackay, Gilligan, Springer, Nelsen, and Carter.

TO AUTHORIZE ASSISTANCE IN MEETING THE INITIAL COST OF PROFESSIONAL AND TECHNICAL PERSONNEL FOR COMPREHENSIVE COMMUNITY HEALTH CENTERS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2985) to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers, with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none, and appoints the following conferees: Messrs. Harris, O'Brien, Rogers of Florida, Satterfield, Mackay, Gilligan, Springer, Nelsen, and Carter.

SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Labor of the Committee on Education and Labor be allowed to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL CAPITAL TRANSPORTATION ACT OF 1965

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 434 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4822) to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the Act of July 14, 1960. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the District of Columbia, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 434 provides an open rule with 3 hours of general debate for consideration of H.R. 4822, a bill to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960.

It is considered that the National Capital urgently needs a rail rapid transit system and that it is essential to the health, vitality, and appearance of our Capital City.

In the 88th Congress, legislation authorizing a rapid rail transit system was reported by the District of Columbia Committee and, on direction of the House, the legislation was returned to the committee for further review and consideration. A careful restudy has been made of the needs for such a system and of the provisions of enabling legislation. The need for such a transportation system was determined to be increasingly urgent. The responsibility of the Federal Government and the necessity of its participation in establishing such system are clear.

When the transit program was considered by the House during the last Congress, it was the feeling that specific provisions of the earlier bill—particularly those relating to financing and operation of the system and to the protection of transit labor—required revision. In conformity with the wishes of the House, substantial revisions have been made.

Specifically, the present bill would authorize the National Capital Transportation Agency—hereinafter referred to as the "Agency", or "NCTA"—to design, engineer, construct, equip, and to take such other actions authorized in the bill necessary to provide for the establishment of, a system of rail rapid transit lines and related facilities for the mass transportation of persons within the District of Columbia and between the District and points in Montgomery County, Md., and Arlington County, Va.

The proposed system would be limited largely to the District of Columbia. However, there would be one extension into Arlington County, Va., to serve the heavy Federal employment concentration at the Pentagon, and a short extension in Montgomery County, Md., in order to reach a suitable terminal location. The total system would be 24.9 miles long, with double track throughout, and would include 29 stations. Approximately one-half would be in subway, 7.5 miles would utilize a portion of existing railroad rights-of-way, and the balance would occupy other exclusive rights-of-way.

The estimated capital cost of constructing this system is $431 million, exclusive of interest requirements.

The system would be designed and constructed by private engineering firms under contract with the Federal Government.

The bill requires that the system shall be operated by private transit companies, railroads, or other private parties under contracts with the Agency. The Federal Government would retain control over essential matters such as fares and safety standards but would not be involved in day-to-day transit operations.

The bill accords labor in the National Capital region the same protective provisions given transit workers in other cities under the Urban Mass Transportation Act of 1964. Operating personnel would be employees of the private operator and not Federal employees.

The bill contains provisions preserving the rights of the bus companies presently serving the region. Further, the companies will continue to be regulated by the local transit commission which has a statutory obligation to assure a reasonable rate of return.

Mr. Speaker, I urge the adoption of House Resolution 434.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as stated by the distinguished gentleman from California, House Resolution 434, will provide an open rule with 3 hours of debate for the consideration of H.R. 4822, a bill to authorize a transit development program for the National Capital region.

The distinguished ranking minority member of the Committee on Rules, the gentleman from Ohio [Mr. BROWN], who is my leader, has asked me to bring to the attention of the House the fact that he is opposed to the bill without certain amendments to it. He feels this is not an expense that should be carried by various States and the people of the State of Ohio but should be handled by the area here. With that in mind, I did wish to bring this to the attention of the House at this time.

I know of no objection to the rule and, as stated by the gentleman from California [Mr. SISK], this is a matter that is privileged and could be brought up on any Monday under the rules but for the convenience of the House in order to have ample time to debate it here during a weekday, a rule was requested and granted. As I stated, Mr. Speaker, I know of no objection to the rule itself, and do not have any requests for time.

Mr. SISK. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. WHITENER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4822) to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4822, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. WHITENER] will be recognized for 1½ hours and the gentleman from Minnesota [Mr. NELSEN] will be recognized for 1½ hours.

The Chair recognizes the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman and Members of the Committee, the bill, H.R. 4822, represents a great many months of work on the part of many people, particularly the members of the Committee on the District of Columbia, in the interest of the development of a rapid transit program for the National Capital region.

The bill which we have before us at this time is substantially different from the bill we considered in the 88th Congress. We believe that it meets the principal objections which were expressed in the debate on the previous bill.

I would say, as a member of the Committee on the District of Columbia, that one of the most frustrating things I have experienced as a Member of Congress has been the problem as we legislate for the District in getting District citizens together on propositions which are before the Congress.

In this instance, however, it has been most gratifying to see such a unanimity of opinion on the part of the citizenship of this area. More than 400 official and private organizations filed statements supporting this legislation. As far as I know, only one business organization has raised a discordant note in connection with the legislation, and I am not here to criticize them because they have a right to do so.

As Members of the Congress legislating in the public interest, I believe we must look at the broad picture and the great public need for the facility which this legislation proposes to give to the Capital region.

We have the support of the outstanding business people of this community, of the voluntary and official organizations, and of the individual citizenship of the community. I know we have the support of most Members of Congress who have the difficult task of commuting daily in the traffic situation in the District of Columbia.

I have been somewhat astounded in the course of the consideration of this legislation to see that I have been, by direction and indirection, branded as a party to a socialistic scheme on the one hand and as one who, on the other hand, is an anti-private-enterprise man. I am sure that this must have surprised some of my colleagues, as it has me. I am sure most Members were surprised to see in the paper the other day that along with me in this socialistic and anti-private-enterprise endeavor were such men as the president of the Southern Railway Co., the chairmen of the boards and presidents of the banks in the community, and most of the business organizations. They say with me that this is a good legislative proposal and, in effect, that it will not do violence to our concept of free and private enterprise.

When I talked to some of our colleagues I heard them say, "We are spending too much money here in the District of Columbia." They say that we should not do this, that for some reason it is just wrong to do it.

Now, my friends, only this week we have seen an example of what the District of Columbia means to America. Over this town today there are an estimated 150,000 members of a great organization. They came here not from the National Capital region but from every small community in the Nation and some from foreign countries, to participate in a week of activities.

I know that any of us who walk from here to the Senate Chamber during at about this time of the day each day sees the thousands and millions of people passing through this building each year, and becomes aware of the fact that these are not people from the National Capital region but are people from our own communities in the several States.

We do have a peculiar responsibility here in the District of Columbia. It is easy to say that we are not going to meet our responsibility on the ground that we are doing too much for the District of Columbia. But let us look at the picture as it is. Let us see whether that sort of reasoning is accurate.

You want to vote an economy vote. I want to vote an economy vote. Whether you plan to vote now to build a subway system, I do not believe that any of you think one will not ever be built. If we do not approve this legislation, we merely defer the building of it until a later day. Having done that, all of the predictions we receive from business experts would indicate that in the future the cost of the construction of it will not be any less than it is today but most likely will be higher. Therefore, if we pass up this opportunity, someone in the Congress will at some later date be spending twice as much per mile for this subway system.

There is another feature of the proposal that convinces me that to vote for it is an economy vote and that to vote for it is not putting an undue burden on the backs of the people in your own congressional district but is, instead, relieving the people of a burden now on their backs. Why do I say that? We know that the people of the District of Columbia have to be moved from place to place. They are going to be moved by automobile or they are going to be moved by a rapid transit system, by buses or some other vehicular device. If we do not have a rapid transit system, we are going to have to have a great many more highways and freeways than will be necessary if we have this system.

Let me hasten to say to you I am not opposed to building adequate highways and freeways. Here in the District you have a limited area within which you can build highways and freeways. If we continue to take up more of the limited amount of taxable real estate we have, and if we continue to dislocate thousands of people with every mile of freeway we build, we soon will reach a point at which there is no productive land or opportunity for the people to find places of residence.

Let us see what we do if we must build 3 additional miles of highways or freeways for each mile of subway we are talking about here. The evidence and the undisputed evidence before our committee is that it costs on the average of $21 million per mile for freeway in the District of Columbia. The evidence also shows it costs approximately $21 million per mile to build a mile of rapid transit, including the providing of that track with the rolling stock necessary to operate it. So you come out with the same average cost per mile as between the freeways and the rapid transit system.

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. WHITENER. Mr. Chairman, I yield myself 10 additional minutes.

Now, again I point out I am not antihighway. When you are building your freeway, though, you are taking property off the tax books and dislocating people and are having a constant and recurring expense of maintenance to an extent you do not have with a rapid transit system.

Let us go a little bit further now with it if we are thinking of our taxpayers back home. Every mile of freeway we build under the Interstate System program—and much of it is done here in the District of Columbia—your taxpayer at home is paying 90 percent of the cost of that freeway, whereas under this bill you are only paying out of the General Treasury a little over 25 percent of the cost. So, if you want to use this argument of pouring money from your district into the Nation's Capital, then, if you vote against this proposal, it seems to me that you are voting to put an additional burden on the backs of your people rather than relieving them, as you can do with this bill.

This legislation is well understood, I hope, by all of you. There have been many confusing and many unsupported contentions made and these have come over your desk. Let me briefly say that this bill would provide for the construction of a system primarily within the District of Columbia, as shown on this map. It proposes a total of 24.9 miles of transit system, with double track throughout the system and with 29 stations. Approximately one-half of it, or 13.1 miles would be in subway; 7½ miles would be on an existing railroad right-of-way, and the balance would occupy other exclusive rights-of-way.

It is estimated by engineers, who are the leaders in the field, that the cost of this system would be $431 million. This would involve, under the bill, a Federal contribution of $100 million, a District of Columbia government contribution of $50 million and $281 million to be derived from the sale of revenue bonds. These bonds would be retired by revenues produced by the transit system itself.

You may hear some say that this is not a practical suggestion. I want to be as candid as I may with you and say that I am not an engineer. I have no peculiar technical knowledge that any other Member of Congress does not have, but I am not going to stand here and tell you that men who are leaders in the field, people of unimpeachable reputation in this field, are deliberately misleading the Congress. And so I have to accept the estimates of these outstanding engineers and firms who have been employed to make these studies and these predictions.

This transit system is needed and needed badly today. It will be needed more in the future. If you have looked at the report and have read the statistics that are the projections of the future you will be even more impressed with the future need of this type of system.

Washington today is the fastest growing metropolitan area in the Nation. Today there are more than 2 million people living and working in what we call a National Capital region. By 1980 the population is expected to reach 3½ million, an increase of more than 50 percent and it is further predicted that, by the year 2000, there will be 5 million people in this area.

Mr. JONAS. Mr. Chairman, will my colleague yield to me?

Mr. WHITENER. I yield to the gentleman, briefly.

Mr. JONAS. Mr. Chairman, I want to commend my colleague from North Carolina for his fine statement and for the hard work he has performed in the preparation of this bill. He is making a strong argument in favor of it. I did not vote for the bill that was before the House last year, and, frankly, I have not decided whether to vote for this one. My reservations about it do not go to the question of whether a subway or rapid transit system is needed, or that the population of this metropolitan area is not sufficient to support it. My only reservation is the allocation of cost between the taxpayers of the country and the taxpayers of the District of Columbia.

If my colleague from North Carolina plans to discuss that formula later on, I shall not ask him to do so now. But, for one, I would like to know the basis upon which twice the amount that will be invested initially in this system by the people in the District of Columbia will be charged to the taxpayers of the Nation.

I do not blame the business people, the merchants and the other business people in the District of Columbia, for supporting this bill or for desiring a subway system. I am only concerned with how much of the cost should be borne by the taxpayers who do not reside in the District of Columbia and who will not derive any direct benefit from the system.

Mr. WHITENER. I thank the gentleman for his comments.

I would point out to the gentleman that I am sure he remembers under the previous bill to which he has referred the District Government would have participated in a much less significant way than is true under this bill. At that time we had proposed a $120 million Federal grant and a $21.7 million grant from the District of Columbia.

Now, this formula that we have worked out has been worked out in a very cooperative way. In meetings in North Carolina last fall with representatives of the Bureau of the Budget, who were representing the President, representatives of the National Capital Transportation Agency, and representatives of the government of the District of Columbia, at that meeting and in subsequent discussions, it was resolved to proceed on this basis.

The District government representatives said they thought it was fair to them, the Bureau of the Budget said that they thought it was fair and, so, we came to these figures.

I realize—and I am not being critical of the gentleman from North Carolina [Mr. JONAS] when I say this—that whatever formula we arrive at will not be agreeable to everyone. However, we have done the best we can. We have certainly improved the bill from the gentleman's point of view in that this bill does require a greater local participation than the bill in the last Congress.

Now, Mr. Chairman, let me say to the gentleman, though, and getting back to this other proposition of the participation of the Federal Government, I mentioned earlier that the Interstate Highway System's freeways that we build here require a 90-percent participation of the general Federal Treasury and that the ABC roads require a contribution of 50 percent. So it seems to me that this may be a bargain for the people throughout the country if we are to build roads and freeways in lieu of rapid transit.

Mr. JONAS. Mr. Chairman, will the gentleman yield further?

Mr. WHITENER. Yes, I shall be glad to yield further to the gentleman.

Mr. JONAS. Of course, that situation applies to all States. But we are not building subways in all the other cities in the United States.

Mr. WHITENER. Well, I do not know. Of course, we are not in all cities, but I have here before me an article out of Railway Age of July 5, 1965, which states that the Housing and Home Finance Agency had just made a grant to the city of Cleveland, Ohio, for $6,995,000 and it further states if the comprehensive Cleveland seven-county transportation land-use study is completed within 3 years, the Government will allocate another $2,250,000 for the project.

So it seems to me that the Federal Government is participating, I might say to the gentleman, and we will have to pay for it in these other cities.

Mr. JONAS. I did not intend my question to be critical. I was really seeking light on this subject, and I have an open mind on the subject. I just wanted to know if I could find out the basis on which the formula was agreed to.

With respect to the Cleveland situation, I am quite familiar with that program, financed by the Housing and Home Finance Agency. We do have projects in other cities of the United States. But this is not coming under that authority, and is a separate and outright grant.

I do not know of any precedent for it. There may be some, but I have not heard of any other city in the United States in which the Federal Government is assuming such a heavy portion of the cost, including 100 percent guarantee of the bonds that are to be issued.

Mr. WHITENER. I thank the gentleman.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Ohio.

Mr. FEIGHAN. I want to commend the distinguished gentleman from North Carolina for his very clear, concise, and forceful presentation which reflects the careful study he has given to the problem.

I would like to ask if funds that are proposed to be issued will be guaranteed by the Government?

Mr. WHITENER. Yes, they will; otherwise I think that the interest rate on bonds would be so high as to make it prohibitive.

Mr. KING of Utah. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Utah?

Mr. KING of Utah. There are in the Nation about 8 or 10 metropolitan areas as large as that of the District or larger, some of them substantially larger. The question, of course, comes up immediately: Are we establishing a precedent here to the effect every metropolitan area as large as or larger than the District of Columbia may lay claim to Federal assistance to the tune of $100 million or more?

My question is this: Is this a precedent, or are there distinctions that could be validly drawn between this situation and that in the other metropolitan areas?

Mr. WHITENER. Let me say to the gentleman from Utah that all of us from time to time use certain arguments. I have been on both sides.

In these District of Columbia arguments many of us say at times we should look at the District of Columbia as we do the other cities of the country. Yet when another piece of legislation comes up some of us say this is different; this is the Nation's Capital. It is the Nation's Capital; it is everybody's Capital.

Those of us who believe that recognize that we have a peculiar responsibility. Some of my friends in the House support home rule for the District of Columbia. Some of us do not. I say to those who do not—I have been one of them—that if we who do not believe in home rule continue to deny the basic necessities of this community, we have cut the props out from under our argument that the Congress should legislate exclusively for the District.

I probably should not have made that statement but I say we do have a responsibility.

If we believe that the Congress should continue to govern the District of Columbia, then I say we have an obligation to recognize that, and we must provide the facilities which a united community such as we have in this case could provide for itself if it had local control. Because, as I have said earlier, in all of the hearings we have had, the only opposition to this program was from the president of the D.C. Transit System, Inc. He made a very careful statement saying that he was not opposed to the concept of rapid transit, but he wanted us to do certain things for him if we passed the bill.

Mr. HORTON. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. HORTON. I would like to commend the gentleman as chairman of this subcommittee for the extensive time that has been spent by this subcommittee on this problem. According to my calculations there were something like 21 days of hearings that were held on this and other proposals which started back in 1963.

The House should be reminded that there was a more elaborate plan that was proposed initially and subsequently the so-called bobtailed system which came to us for a vote last year, which had some problems in it, and was turned down by the House at that time.

Subsequent to that, hearings were held again this year on this proposal. I think the membership should know that through the dedication of the chairman of the subcommittee and other members of this subcommittee, who have been very faithful in their attendance, there has been much time spent on studying this problem and trying to give the answers to the Members of the House on this problem.

Mr. Chairman, we have before us today a bill of vital importance, not only to the city of Washington and its suburbs but to all the metropolitan areas of the United States. H.R. 4822 is a proposal which has meaning for our entire Nation.

The Washington metropolitan area is now the fastest growing urban region in the United States. In 1960, its population approximated 2 million. Projecting present growth rates, it is estimated that this figure will reach 3.5 million by 1980, and 5 million by the year 2000. These statistics, standing alone, are staggering, but they reach even greater proportions when one considers the millions of tourists who journey to the Nation's Capital each year.

This tremendous growth has brought with it serious transportation problems. One needs only to observe a single day's rush-hour traffic to be made aware of the immense proportions of the vehicular tieup at those times. We must act now before this situation becomes even more critical.

We Americans rightly take great pride in our National Capital. Majestic buildings, wide thoroughfares, stately parks, and noble monuments and memorials to the great men of American history—all these can become lost in the desecration of the city's core through the flood of automobiles. Do we want to see massive parking garages and lots rivaling our Government buildings? Already one can see the day of chaotic traffic jams which prevent the free flow of workers to their jobs or homes, and which prevent the tourist from enjoying the benefit of visiting the many areas of interest in this city.

I believe we have now a chance to make a firm commitment to the future by the enactment of this bill, the National Capital Transportation Act of 1965.

I want to commend my colleague, Congressman Whitener, for the excellent leadership and foresight he demonstrated during the consideration of this proposal in committee. I was privileged to serve with him in this undertaking and was constantly impressed with his dedication to the betterment and progress of the Nation's Capital.

I believe that this bill squarely meets present and future needs for good urban transit. The bill provides for the construction of a limited rapid rail transit system which will serve the most critical areas of traffic congestion. The system proposed is a basic one, and rightly so, since one does not know the future pattern of regional development.

Highways alone cannot solve this problem. Not only would unlimited road building detract from the esthetic value of this city, but as a practical consideration, it cannot meet the local transportation requirements of Washington. Bus, automobile, and an effective rapid rail system in a coordinated program is the only solution.

With enactment of this legislation, we will significantly help to solve the Capital's growth problems, and also set an example to be followed by other urban centers in the solution of their similar problems.

If we are to keep faith with our responsibility in preserving the dignity of our Nation's Capital and if we are to improve the lives of those who live and work here, we must pass H.R. 4822 now. I therefore urge my colleagues to vote favorably on this legislation.

I would like to ask the chairman [Mr. WHITENER] for a comment with regard to an area which I was very much concerned about. He will recall at the hearings this year when the director of the National Capital Transit System was testifying and in the initial questions that I asked, I was concerned about the problem of crime in the subway, being somewhat familiar with the operation in New York City and the problems they have there with regard to this. I asked some questions about the means that the proposal would provide to protect people using this system. I think it would be appropriate if the gentleman from North Carolina would say a word or two about the provisions of this program to protect the users of this proposed system against crime being committed in the subway system.

Mr. WHITENER. Let me say in reply to the gentleman that I appreciate his remarks. I would not be as attentive to fact as I should be, if I failed to state that the gentleman from New York [Mr. HORTON] has been a very interested and very valuable worker in the rapid transit vineyard as we have dealt with it now in two Congresses. I certainly appreciate what the gentleman has said. I am also appreciative of his interest in the crime situation in the District of Columbia because in that area the gentleman has worked very diligently as have some of the others of us. I interject at this point that if the other body would pass my omnibus crime bill which came out of our subcommittee, I think it would be a noteworthy step in meeting the crime situation.

As I see the situation here, with the type of proposed transit stations, there would be nothing there to encourage criminals. It would be well lighted. The environment would not be conducive to crime.

We do have crime on transportation facilities. I know that the present operator of the bus system in the District of Columbia has been asking the police department to provide a police officer for every bus that he operates at night. Well, of course, if that is necessary on the buses, I would be silly to say that we will not have some crime maybe in the subways. But I think the likelihood of it on the subways is less than it is on the buses.

I think this is not a proper consideration for us as far as law enforcement is concerned because if I build a large apartment building in the District of Columbia, I may increase the potential situs for crime but yet the District government has to furnish police protection. This is a new facility. We furnish police protection for the buses through the general protection that the police department furnishes in the District of Columbia, and we should for the subways.

Mr. GROSS. Mr. Chairman, will the gentleman yield on the subject of crime and associated matters?

Mr. WHITENER. I yield to the gentleman from Iowa.

Mr. GROSS. I was of the opinion, too, that the YMCA would be a well conducted place in Washington, D.C., but the evidence is that in the past strange things have happened there.

I really rose to ask the gentleman—because I live in that section of Virginia—what the Pentagon city situation will be? Who is going to provide the parking lot over there to serve that leg of the subway?

Mr. WHITENER. If the gentleman will look at the report, he will find it is contemplated that at the termini there will be parking facilities. This is part of the estimated cost.

Mr. GROSS. Are the taxpayers of the country going to be saddled with a lot of expense of providing parking lots to serve the subway in Virginia?

Mr. WHITENER. Of course, the gentleman knows that after the $150 million is paid out of the District and Federal Treasuries, the fares paid into the fare boxes will pay the balance. The folks who use the system will be paying for it.

Mr. GROSS. Will they pay for that the way they are paying off the stadium bonds?

Mr. WHITENER. I believe they will do much better than that.

Mr. GROSS. I am glad the gentleman so believes, but I am completely unconvinced that will be the case.

Mr. WHITENER. Mr. Chairman, if I may conclude my remarks, I do so by saying I am most appreciative of the dedicated assistance we have had from the ranking minority Member of the Committee of the District of Columbia [Mr. NELSEN] and the members of our subcommittee, as well as the members of the full committee. They and the Members of the committee on my side have worked with management people, with labor, with representatives of the Government and the White House, down to the National Capital Transportation Agency, and have tried to do a good job. We hope that you will concur with us today and that you will pass the bill without amendments other than committee amendments.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I wish to commend the gentleman for his persuasive and thorough statement in relation to this problem. I know there are few votes in North Carolina, or in Gastonia, when the gentleman champions a cause like this. As has been true in the past, the gentleman rises to the more noble position of doing what should be done for the Nation's Capital. He deserves the plaudits of the Congress and the plaudits of the people who live here, and indeed the plaudits of the people of America.

I share the gentleman's position, when he says that since this is a problem which exists in the Nation's Capital it is the responsibility of all 50 States of the Nation. There is a difference. There is a vast distinction between doing what we are doing here with respect to a transit system in the Nation's Capital and all other transit systems in the 50 States of the Nation.

I congratulate the gentleman and his committee for bringing this bill, a good bill, to the floor today.

Mr. WHITENER. I thank the gentleman very much.

Mr. NELSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, I would like the Members of this body to know that I very strongly oppose H.R. 4822, the bill that would provide a rapid transit system for the National Capital region.

There are many reasons I am opposed to this legislation, and I feel that the bill should not receive favorable consideration by this body.

I think it is fair, too, while we discuss this legislation, to make it perfectly clear that it is the intent that a motion to recommit it to the House District Committee will be made. Further, I intend to support such a recommittal motion.

I am certainly aware of the traffic situation in the District of Columbia. I reside here, and operate a motor vehicle here. With the great growth of Government in recent years, and a resulting influx of new employees, a tremendous burden has been placed on existing streets and thoroughfares.

I do not oppose a system of mass transportation for the District of Columbia, for I feel that it is needed here just as it is needed in many of the major cities of this land.

I am sure all of you have had occasion to drive in large cities in the areas you represent, and have probably noted that traffic congestion is a national—yes, perhaps a worldwide—problem. I do not believe there is a major city in the United States—or the entire world—that has streets adequate to cope with the number of vehicles in use.

My opposition to the legislation that we consider today was made many times both in the subcommittee and full committee. When a vote was taken to bring it to the floor of the House, I opposed such action.

I do not feel that the subway system as now proposed will solve the traffic situation in the District of Columbia, and expert testimony received in committee would bear out this statement. The system provides for 14 subway stops in downtown areas, which are supposed to replace more than 600 present stops made by surface vehicles.

When this same legislation was considered in the last Congress, the House recommitted it to the committee by an overwhelming vote. The Washington Metropolitan Area Transit Commission testified during the preceding Congress in vigorous opposition to this transit plan. The WMATC was created by interstate compact between the States of Virginia and Maryland and the District of Columbia, and its purpose was to regulate and improve transit conditions in the Washington Metropolitan Area. The expert opinion of that agency is contained in the minority viewpoints signed by the gentleman from Wisconsin [Mr. O'KONSKI] and me. They appear on page 65, and I recommend that you read this comment.

Although this bill last year was considered on District Day, during the present Congress a rule was obtained and this large authorization bill is considered here today under a regular business session. Here I want to commend the proponents of this legislation, since this bill is too great in scope to be considered as a routine District matter.

The legislation provides an authorization—or perhaps I should say an obligation on the part of the Federal Government—of $433 million. But I think the record would plainly show that $433 million is just the first request for the construction of this abbreviated version of a mass transit system for the District of Columbia. The Federal Government would immediately be authorized to spend $100 million on this system, plus an advance of $50 million to the District for its share of the total $433 million. The difference between this $150 million and the $433 million would be raised by the sale of bonds guaranteed by the Federal Government.

To make it perfectly clear, if this legislation receives favorable consideration by this body, the Federal Government is underwriting the entire total of $483 million for construction of this system.

There has been much discussion about this figure of $483 million being adequate to provide the cost of the 25-mile subway system. The proponents of this bill quote engineering studies in proof of this estimate of cost. I am not an engineer, but I feel that this figure is woefully short of the true cost of this system. It has been pointed out that the subway between the new Rayburn Building and the Capitol cost $26,000 per foot. Yet the proponents of this bill indicate that a subway can be built for the city of Washington, D.C., at about one-tenth that cost. And we should remember that no right-of-way had to be purchased between the Rayburn Building and the Capitol.

I have no idea what the true cost of this system would be, and I doubt very much if anyone else does.

In the District Committee, we find this great and growing city plagued by many problems. We are told of the need for more roads, which undoubtedly is true—new schools, more teachers, more policemen—and all of these are valid needs. I have dedicated my service on the House District Committee to the betterment of these facilities, and I do feel these needs far outweigh the tremendous contributions required for the subway system.

The other day I picked up a copy of one of the New York newspapers and found they have a total of 800 policemen assigned to the subway system alone.

We have a crime situation here in the District, and I am sure if it follows the usual pattern of other cities the subway system will accentuate this problem.

The cost to the District government for the employment of more policemen to maintain order on a subway system will be staggering, and it has not been taken into consideration by the proponents of this bill.

As I continue with my reasons for opposition, I would like to state that the construction costs and the cost of labor to operate the system are completely out of date. At best, they are at least 3 years old, and the operators of the current surface transportation have received increases in pay over that time. It is my understanding that the average wage increase is about 80 cents an hour over what it was 3 years ago.

The committee spent many hours on this legislation, and I commend those who favor it as well as those who oppose it. However, I think it is fair that this body know that there is not a single subway system in the United States which operates at a profit. Some of these subway systems are located in cities larger than the District of Columbia, and with just as much traffic congestion. It was reported just 2 weeks ago that the New York system showed a record deficit of $62 million, and Mr. Joseph O'Grady, the Transit Authority Chairman, placed the blame—and I quote him—"on a declining trend in rapid transit riding, the continuation of an upward trend on surface riding."

Mr. O'Grady, in making his report, continued by pointing out that operating expenses were $16 million more than was budgeted, that salaries and wages increased $13 million over the past year.

Another point I made several times in committee, as the hearings will show, is that by the very design of this system, it will serve principally suburban residents of the District. Due to the geographical makeup of the District of Columbia, a great deal of the population of suburbia is in the adjoining States of Virginia and Maryland.

The subway system, which will end up being paid for by the Government, will serve District residents, but the greater service will be to those States of Maryland and Virginia, who are not committed to spend even one cent in providing this system. This preponderance of Federal employees pays income tax to these States. They contribute in property tax, vehicle licenses, and other forms of revenue. To favor this bill would, to me, be grossly unfair, since I feel that these States have a responsibility.

Finally, may I say to those of you who believe in the free enterprise system, please do not proceed under the assumption that you are here providing a system of transportation operated by private enterprise. I must repeat, the whole system is to be built, equipped, and financed by the Federal Government. While it is true that the bill provides the system be operated by private enterprise, the company would invest little except its time and technical know-how.

In conclusion, I will say this is not a good bill. I do not think it is ready for consideration by the House. I feel very strongly that it should be recommitted to the committee, and before an integrated system serving two States and the District be approved, certainly the necessary finances should be forthcoming from both Virginia and Maryland to pay their fair share of the cost.

I hope this bill will be recommitted by the same overwhelming majority a similar bill was recommitted in the preceding Congress. Also, that it serve as definite notice to members of the transit agency that this House will not approve a system of this size without current studies and contributions by the adjoining States for its construction and operation. And in the event this bill passes, the Members of this body should be prepared to subsidize this system in large amounts during the period of its operation.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROUDEBUSH] has expired.

Mr. WHITENER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROUDEBUSH. I thank the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, will the gentleman yield to me?

Mr. ROUDEBUSH. I am happy to yield to the gentleman.

Mr. WHITENER. Mr. Chairman, I know of no fairer minded Member of the House than the gentleman from Indiana.

Mr. ROUDEBUSH. I thank the gentleman, and congratulate my chairman on his fairness.

Mr. WHITENER. More dedicated to his work. But I was quite surprised when I got a Thermofax copy of a letter dated July 10, 1965, signed by the gentleman from Indiana which is headed, "What's happening, Baby?" I find a statement on page 2 that the cost of building the 300-foot subway between the Rayburn Building and the Capitol was $7,700,000. And, saying that it cost $26,000 a foot to build the subway between this Capitol and the Rayburn Building and, therefore, it was ridiculous that we could build this Washington subway as cheaply as we contended we could do it.

Mr. Chairman, this question came up in the hearings when a man by the name of O. Roy Chalk made the same statement to the committee several days after it had been made by a Member of Congress.

We brought out in the hearings the fact that according to the Appropriations Committee hearing, the total cost of the project was $7.7 million and that this included $3.7 million for underpinning the House wing of the Capitol. It also included additional amounts for subway cars and elevators as well as escalators within the Capitol and that of the total cost, approximately $2.1 million was attributable to the subway itself, including the terminal under the House wing.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. WHITENER. Mr. Chairman, I yield the gentleman 2 additional minutes.

The CHAIRMAN. The gentleman from Indiana is recognized for 2 additional minutes.

Mr. WHITENER. If the gentleman will yield further, this included the terminal under the House wing and a part of the terminal of the Rayburn Building.

This sum, when divided by the actual project, yields an average per-foot cost not of $26,000 a foot but of approximately $3,500 a foot.

So, that is why I was surprised, knowing how fair-minded my friend from Indiana is, that he would sign a letter which was so out of keeping with what we found upon research to be the facts.

In the letter the gentleman said a 300-foot subway from the Rayburn Building to the Capitol when, in fact it is a 600-foot subway.

Mr. ROUDEBUSH. If the gentleman will allow me to use a little of the time which he has so generously yielded to me—and I thank the gentleman for his expressions on behalf of my fairness—I might point out that the gentleman does not take into consideration the moving of conduit lines, utility installations, and sewers and the gentleman must remember the cost of the elevators as well as the cost of the rolling stock on the subway system. So, you have many, many costs that are very comparable as to the subway between the Capitol and the Rayburn Building, and the bob-tailed system.

Mr. WHITENER. If the gentleman will yield further, the gentleman does not really say he believes it cost $26,000 a foot to get from the Rayburn Building to the Capitol and that the subway is 300 feet long instead of 600 feet long?

Mr. ROUDEBUSH. I have never been through that subway but a few times. I have never ridden in the cars. I still have my office in the Longworth Building. I am not familiar with the Capitol subway nor have I actually measured the thing. I used figures that were given to me by the proper sources of Government.

Mr. WHITENER. When I read this, I thought perhaps I should paraphrase the opening line, and ask the gentleman "What's happening, Baby?"

Mr. ROUDEBUSH. You know, the gentleman last year during the same colloquy remarked that he opposed mass transportation and certainly the gentleman also was recorded that way. The gentleman from Indiana told the gentleman from North Carolina that he was just "agin" it. To that I must retort today, "Sir, you are just 'fer' it."

Mr. WHITENER. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I, too, want to add a word of commendation to that of my many colleagues for the fine work and the devoted attention given to this problem by the distinguished gentleman from North Carolina, the chairman of the subcommittee [Mr. WHITENER], as well as those of our colleagues who worked so hard with the gentleman on the subcommittee and the full committee.

Mr. Chairman, I hope that when it comes time to offer amendments to this bill, pride of authorship will not prevent a proper and full consideration of those amendments and that no one will feel that because the Congress may decide that some of these amendments are good we are finding fault with the devoted work that has been done by the chairman of this committee who has worked so hard on it.

At the same time, Mr. Chairman, I believe all must concede that in a bill of this proportion no one person has all the answers, and if we can come up with some better answers and improve this bill, that is what should be done.

I think at the very outset I must also thank the chairman and the members of the subcommittee for their tolerance of the views of those who oppose the bill or parts of the bill. I want you to know they gave me one full morning to present my views to them. It would take much longer than the time available for the whole debate to reargue those matters, and I hope those who are interested will read my testimony as it appears in the printed record beginning at page 249 of the hearings.

I am very happy that the distinguished chairman of the subcommittee who is handling the bill on the floor has told you this is a national problem. It is not a District of Columbia problem. It is a problem involving the city of Washington, as the Nation's Capital. It is the duty of the entire Nation to do this job if it is to be done.

One of the amendments I will offer I call "Let us face up to it." I ask you, please, to face up to it. It is the only way we can cure this mass transportation problem in the District of Columbia, whether by a subway system or otherwise. The only way it can be done is by the U.S. Government or the Federal Treasury paying the cost of it. It cannot be done otherwise. Let us not camouflage it by saying the District of Columbia will give $50 million of the entire sum toward the cost, because there is no such sum available to the District of Columbia unless it comes out of the U.S. Treasury.

So, let us face up to it. If this is going to be done, let us do it directly with U.S. Treasury money, whether it is $431 million or $483 million, including the interest on the first issue of bonds, or $2 billion. If you decide you want a subway system in the District of Columbia let us decide that the U.S. Treasury is going to pay for it, and provide in this bill how it is going to be done.

The method provided in this bill, in addition to having $50 million contributed by the District of Columbia, which must come out of the U.S. Treasury, and the other $100 million as the initial contribution to come out of the U.S. Treasury, is to float bonds and sell bonds to the public. The bonds should be paid out of the fare box, is what we are told. You are told these bonds will not be salable unless guaranteed by the U.S. Government. To sweeten it they write in a provision that the bonds will be guaranteed both by the District government and the U.S. Government, but again the District government will not be able to meet its commitment unless the U.S. Treasury will feed the money to the District of Columbia. This is doubletalking, double bookkeeping. If it is to be done, do it directly.

I tell you the cheapest way to finance this, if it is going to be financed by borrowing, is let the U.S. Government do the borrowing on bonds that are sold to the public at the lowest possible interest rate you can get on those bonds when you issue them, and let them be paid by the U.S. Treasury. If the U.S. Treasury can recoup any of it out of the fare box, fine, so much the better. I do not think it will be recouped. But instead of doing this double bookkeeping on the sale of bonds at a high interest rate with a guarantee of the U.S. Government, let us sell the U.S. obligations in the first place at the lowest rate possible, and lend the proceeds to the National Capital Transportation Agency that will build and operate this system, and let it agree to repay it as we do with other agencies, plus one-eighth of 1 percent over and above the interest rate the Government pays for that money.

That is the way you face up to it and this is the way you meet the issue, if you are going to be fair with yourself and fair with your constituents and fair with the District of Columbia.

The District of Columbia today cannot meet its budget. It comes in here every year and begs us to make up the deficit. Now let us not kid ourselves that we can avoid a deficit by saying we will meet it later. Let us meet it now if we want the system. Let us make up our mind that we are going to pay for it. And if we must use borrowing, let us do the borrowing in the cheapest way available to the Government and, that is, by a direct Government bond issue to be sold to the public at the lowest rate available and lend that money at one-eighth of 1 percent over that cost to the District of Columbia.

Again I say if we get any of it back, we are so much the better off.

There are several other amendments that will be offered when we will be considering the bill under the 5-minute rule. I would like to tell you very briefly about them.

I resent, with the chairman and very properly resent, those who point a finger at him and say this is a socialistic approach. The committee has written into the report language which would seem to indicate that we want private enterprise to build this subway and to operate it. But I say we must write into the bill the precise language that we do want private enterprise to build this subway system and we do want private enterprise to operate it, and I will offer amendments on that subject when we read the bill for amendment.

There is one other matter that has been completely overlooked and I will offer an amendment on that and I hope it will be accepted by the committee, and that is to provide that anyone, man, woman, or child, business firm or corporation, that is damaged or injured by reason of the building of this subway will have a cause of action and have a right to sue the District of Columbia and be paid for whatever damages they may be able to prove in a court of law as a result of the building of this subway.

There is a provision in this for condemnation but I am not now talking about the condemnation provision. I am talking about the maiming of persons and the death of persons that can be caused and the damage that may be caused to property by reason of and during the course of the building of this subway.

Let me tell you. That can run into millions of dollars in the building of a system the size of this one. I base that statement on the experience we have had in the city of New York where we also have built a rather large subway system.

Mr. VANIK. Mr. Chairman, will the gentleman yield at this point?

Mr. MULTER. I yield to the gentleman.

Mr. VANIK. I would like to ask the gentleman if he can tell me whether it is contemplated that the public will pay for the moving of all of the utility lines involved in connection with the construction of the subway. This also is a very costly and tremendous item. Many of these utility lines and service lines are obsolete and have to be replaced anyway. My question is whether or not this will be done at the public expense or will the moving of such utility lines be a burden upon the utility companies that serve the area?

Mr. MULTER. Let me say first that this is a cost which is estimated as part of a percentage figure set up for contingencies in the cost figures that were submitted. I suggest to you that the cost will run many millions of dollars over and above what is estimated here in the cost figures that were submitted to our committee, with this additional caution—the law is not at all well settled as to whether or not a utility company must move its facilities at its own expense or at Government expense. There are cases holding both ways. Some cases hold that if the facilities are being moved because of private enterprise, then the government that is the cause of such movement of the facilities, must pay for it.

There are other cases that hold if this is being done for a public purpose—and if this is to be a public transportation system then it is a public purpose—then the utility must pay for the cost of moving these facilities.

Mr. VANIK. I would gather then that the cost of moving the public utilities is not a cost contemplated in the bill as submitted by the committee.

Mr. MULTER. A part of that cost has been estimated but as I say it is underestimated. If they follow the rule that we must pay a utility for moving facilities because of this enterprise, I still say the amount of the cost that has been given to us is underestimated by many millions of dollars.

Mr. VANIK. I thank the gentleman.

Mr. MULTER. One last amendment that I will offer will cover the matter of the cost of crime prevention and control in the District of Columbia.

In that connection we were told a little earlier about the police force assigned to the subway system in New York City. I believe the figure used was 800 men. As of March 17, 1965, there were actually 1,119 men assigned to a separate transit police force for the city of New York's subway system, and at that time there was a clamor to increase it by anywhere from 25 to 200 percent. These are in addition to the 27,000 persons on the police force of the city of New York for general police protection.

I will offer an amendment on that score which will provide simply that the cost of providing police protection for this subway system, when built, will be part of the cost of operation of the District of Columbia. In other words, it would not be charged to the cost of operating the subway system. If it is, we can be sure that my prognostication will surely come true, that there will never be a dollar coming out of the fare box over and above the expense of the operation of this system.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Iowa.

Mr. GROSS. Since the taxpayers of the Federal Government—your taxpayers and mine—are going to build this subway, why not put taxpayer supported marines or soldiers aboard to ride "shotgun" on the subway cars?

Mr. MULTER. I believe the gentleman knows the answer to that. This is a Government in which we want a civilian and not a military police force. We want the Armed Forces kept as Armed Forces for the protection and security of the country. We do not want an Armed Forces that may become an arm of a police state. That would be the first step toward a goal which I am sure the gentleman opposes. The civilian police department must be kept separate and apart and distinct from our Armed Forces.

Mr. NELSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, we are about to consider a bill which is supposed to solve the major traffic problems of the District of Columbia, the rail rapid transit for the National Capital region.

Mr. Chairman, I am keenly aware that this metropolitan area does have many serious transportation problems, but I cannot in good conscience concur with the contention that the rapid transit proposed in the present bill is either economically or practically feasible. I am not yet convinced that a traffic concept dating back to the beginning of the century, a plan already outmoded in many of our major cities, can offer a solution to our modern transportation needs unless there are major changes not apparent in the present plans.

I am, also, Mr. Chairman, and most gravely concerned about the financial structure outlined in the bill, and the Federal participation which would establish an entirely new principle of Federal financing for the District of Columbia, on a project the estimates for which I question the accuracy with respect to cost, completion, equipment and operational budget. We should consider this principle very carefully in the light of the history of Federal financing for the District of Columbia and the precedent which this plan would create. And we must also consider that it puts the residents of this area on an entirely different footing from the rest of the country in whose cities subways have been and are being built, and paid for by their own citizens. Nowhere in this bill is there any provision for the local citizens to incur any obligation to pay for their own subway, either for its construction or for its operation.

In this bill there is a direct grant by the Federal Government; there is a loan by the Federal Government to the District of Columbia—to make it appear that the District is contributing to the financing; and then there is an underwriting and guarantee of the remainder of the cost by the Federal Government.

All of this is without any obligation on the part of the District of Columbia to pay 1 cent of additional taxes toward any part of the cost.

Another feature which should concern us, Mr. Chairman, is that the bill does not provide for the operation of the rapid transit sytem by what has been historically known as the free enterprise method. It merely adds an extra charge and the cost for an overseer to run the system provided by the Federal Government. There is no element of risk involved and no investment needed by the operator. In fact, he cannot even set the fares to be charged under this system. This is just another business being operated and owned by the Federal Government in competition with private enterprise.

I would also call your attention, Mr. Chairman, to the fact that if this bill were accepted, we will be requested very shortly to provide funds for the planned expansions into Maryland and Virginia and that we will have this precedent of Federal financing by this subsidizing of the citizens of the District. Now, why should the taxpayers in your district and in my district finance the residents here when in every other community and city the subways have been local projects and the subways and transportation systems have been paid for locally? Why should we add to the tax burden of our own people for a facility that is strictly local to Washington and the surrounding areas?

I want to be fair in this matter, Mr. Chairman. If the Federal Government should contribute to the financing of this city, it should contribute what has been its historic share to the supplementation of the District's budget over the years. That has been in the neighborhood of 12 to 13 percent.

Mr. Chairman, in conclusion, I would like to call this fact to your attention: the cost estimates upon which this legislation is based, in my opinion, are far from realistic. An example is that they do not contain any estimates for the cost of replacing sewer lines, water lines, or existing utility lines. Certainly this is a cost that will have to be met.

I want to call attention to the experience we have had in Washington on Federal construction. Let us take one example—namely, Dulles Airport—which was originally estimated to cost some $14 million, and to date the Federal Government has spent $120 million on this project. Yet not one aircraft hangar has been constructed there.

Look as the District of Columbia Stadium. Bonds were sold in the amount of approximately $20 million. At the time this project was constructed the estimates made—and I assume the people providing the estimates were as reliable then as the people providing these estimates now—the estimates were that the revenues from the District of Columbia Stadium would retire the bonds, but that has been far from the truth. As of now the District Commissioners contribute over $800,000 a year out of their general operating funds to help to pay for and to make up the difference that the stadium fails to bring in through receipts from the turnstiles and other receipts.

Mr. Chairman, there was a little dissertation here about the cost of the subway system from the Rayburn Building to the Capitol. The figure given by our good friend from North Carolina [Mr. WHITENER], I believe, was about $3,500 per foot. This figure, I am sure the gentleman will agree with me, is exclusive of any right-of-way cost. I would like to ask the distinguished chairman of the subcommittee if that is not correct.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I am glad to yield to the gentleman from North Carolina.

Mr. WHITENER. I am delighted that the gentleman again points out the error of the contention that has been made on this subject. According to the report of the hearings by the Legislative Branch Subcommittee of the House Committee on Appropriations, the total cost of the facility was $7.7 million, which included $3.7 million for underpinning the House wing of the Capitol Building.

It included additional amounts for subway cars and elevators and escalator work within the Capitol. Of the total cost, aproximately $2.1 million is attributable to the subway itself, including the terminal under the House wing and part of the terminal in the Rayburn Building. This sum, when divided by the actual project length, yields an average per-foot cost, not of $26,000 per foot, but of approximately $3,500.

Mr. HARSHA. That is exclusive of the right-of-way; is it not? There is no amount for right-of-way figured?

Mr. WHITENER. That is correct. It is contemplated that the cost of the right-of-way in this transit system will be very negligible because a great portion of it would be on existing rights-of-way. The benefits to the property owners will exceed any damage on the greater part of the more expensive area in which the subway will run. Of course, the gentleman knows, under the law of eminent domain, the jury must weigh benefits to the landowner against any damages and sometimes it comes out with more benefits than damages. I would say to the gentleman that I do not believe the president of the Hecht Co., the president of Julius Garfinckel & Co., and all these other great business leaders would want a subway running under their property or in their area if they thought that it was going to do any great damage to them. I do not think the president of the Potomac Electric Power Co. would be signing a letter urging us to vote for it if he thought that there was any problem about his utility lines.

Mr. HARSHA. I do not suppose he thinks there is any problem because he is convinced, as I am, that the Federal Government is going to wind up paying for all of this and they are not going to pay for any of it. I can understand why they would be for it.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. HARSHA] has expired.

Mr. WHITENER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Will the gentleman yield further?

Mr. HARSHA. I yield.

Mr. WHITENER. I do not know whether the gentleman from Ohio supported the national mass transport legislation.

Mr. HARSHA. I did not.

Mr. WHITENER. I did not, either. But I remember when my colleague from North Carolina asked me about the formula, I was unable to put my hand on the information. But if the gentleman will look at page 132 of the committee hearings, he will find that Mr. Staats, the Assistant Director of the Budget, said this about the formula we are using here:

> We are applying the same formula for metropolitan areas in the national legislation that we are proposing here in this legislation; namely, a Federal grant to cover two-thirds of the net project costs that cannot be made up out of the operating revenues of the system. So to that extent, I think we are following the national pattern in this legislation.

I point that out to emphasize, as I should have earlier, had I been able to lay my hands on this information, that the bill we have before us now is not one which gives to the District of Columbia some great bonanza that is not available to other urban centers which are building rapid transit systems under the National Act.

Mr. HARSHA. Surely the gentleman does not argue that this bill does not provide benefits to the District of Columbia that are not provided under the mass transit bill for other cities in the United States?

Mr. WHITENER. I say that the formula we refer to is the Federal contribution as opposed to local contributions and then as compared to the contemplated yield in the fare box. What I was saying is that in these other cities they can get a grant of two-thirds of the initial cost leading up to the point of getting a return from the fare box. And, that there is no difference, really, in substance, in the situation here.

Mr. HARSHA. Under the mass transit bill that was passed by this Congress, or the last Congress, there is not a city in the United States that can get a $150 million contribution.

Mr. WHITENER. If the gentleman will yield further, all I know is that Elmer Staats, an expert on budgetary matters, said this. This is what he said. It is not what I said.

Mr. HARSHA. Well, it is a 3-year program and only $325 million was provided in the bill for the entire Nation. No one city could possibly get $150 million under that legislation so we obviously are giving the District highly preferential treatment.

Mr. NELSEN. Mr. Chairman, I yield 20 minutes to the gentleman from Wisconsin [Mr. O'KONSKI].

Mr. O'KONSKI. Mr. Chairman and Members of the Committee, I find myself somewhat in the position of the Swedish citizen of Swedish descent in northern Wisconsin who when applying for citizenship before the judge, the judge asked him several questions. The first question he asked him was, "Where is Washington?" The Swede answered, "Well, judge, as far as I know, Washington has been dead a long, long time ago." The judge said then, "Well, I mean where is the Capital of the United States?" The Swedish gentleman said, "Well, judge, I do not know. I think that the Congress of the United States has given away all the capital." Then the judge finally says, "Well, will you support the Constitution of the United States?" He said, "Well, sir, I surely would like to but I have got a wife and 12 children of my own to support and I do not think I can do that."

Mr. Chairman, I am somewhat in the same positon. I have a wife and 400,000 constituents to support. That is why I am so vitally and deeply interested in this particular bill.

Now, Mr. Chairman, whether or not the Nation's Capital needs a subway is seriously open to question. Whether or not it will solve the problems that are facing the Nation's Capital is seriously open to question. And, do not make any mistake about it, that is the true story.

Mr. Chairman, the thing about which I am concerned is who is going to pay for this thing. That is the only thing that I am concerned with. Do not be deluded by this thing at all. This is just the beginning, this $483 million that you are asked now to authorize and to later appropriate and to borrow. This is just the first bite and the first lick. It is just a start. That is all there is to it. Anyone who tells you otherwise is telling you a falsehood.

Mr. Chairman, the Washington Star had an editorial supporting it, of course. The Washington Post had an editorial supporting it, of course, "the initial phase of this system should be passed by the Congress at this time." The Washington Post used the words, "the first lick," "the first phase and the first lick."

Mr. Chairman, when you undertake this, you are undertaking something that is eventually going to involve the Federal Government in nothing less than a $3 billion authorization and expenditure by the District of Columbia and the taxpayers of the United States. Anyone who says anything to the contrary is misleading the people of America.

Mr. Chairman, I am not going to give to the members of the Committee my own thoughts on it. I am going to give you the thoughts of experts.

Mr. Chairman, the Congress of the United States, just as we authorized in 1960 this National Capital Transportation Agency, we also authorized the WMATC, the areawide transit regulatory body.

They are more of an authority on this transportation problem than the agency that is supporting this subway program.

What conclusion did the WMATC come to? And every Member of Congress before he reads this bill owes it to himself, to his constituents and to his conscience to read this report and to read this statement. Here is what they say: "Once the downpayment is made the point of no return will have passed and no other result can be reached."

Those are not my words. Those are the words of the WMATC making the statement that this is just a downpayment. Once you get your foot in the door you are at the point of no return. Every Member of this body owes it to his conscience to read this report. These authorities should know what they are talking about.

Let me tell you something else about what a bonanza this is going to be. I got a letter from one of the officials of the Riggs National Bank, loaded with billions, the United States Steel Co., Aluminum Co., Southern Railway. There is enough money involved in those who signed that ad in the Washington Star and in the Washington Post to choke a horse, or to pay for a thousand subways in the Nation's Capital and every city in the United States.

Let me tell you something else. Not one of them, and the way they are loaded with money, would pay a penny for bonds unless guaranteed by the Federal Government. That is the confidence that they have in what they themselves advocate.

You say it is going to pay for itself? The WMATC, a body that we as Members of Congress authorized and gave responsibility to, know what they are talking about. Listen to their conclusions:

> From a patronage standpoint, it would not be used; from an investment point of view, it would be disastrous.

That is what these people who are experts on transportation in our Nation's Capital concluded; namely, on a patronage basis it would not be used, and from a financial standpoint, an investment standpoint, it would be positively disastrous.

Yet we have this proposal before us. This has been sold to Members of Congress on the basis it is going to pay for itself. In the case of the stadium, nobody knew what they were talking about. We were informed it was not going to cost the taxpayers a dime, not one red penny. A few days ago we passed a District of Columbia appropriation bill, and in it we had $861,000 to pay off the deficits that had occurred because of the inability of the District of Columbia to pay on the stadium. There was an excuse for that. Nobody knew what they were talking about, and we took the people at their word. But here you have people who are experts on transportation, the Washington Metropolitan Area Transit Commission, a body organized and created by the Congress of the United States, to discharge and meet that responsibility. They tell you that this bobtail version would not be used, and from the investors' standpoint it would be disastrous. They tell you this is a foot in the door. Once you get it in there you reach a point of no return.

I could go on, if time permitted, and read you other statements that are just as shocking.

Take a look at the picture of the proposed subway station over there. I have seen it. It is a nice, clean place for murder. Take a look at the transportation system over there, as I did.

I had a boy in my office who interviewed 100 people on Capitol Hill in the Rayburn Building.

He showed them the picture of this proposed subway system. After they saw what it was and where it came from and where it led to and how far they would have to walk between points—not a single employee who was interviewed said they would use the subway system to get to the Nation's Capital—not a single one—after they found out what it was.

You have a system of transportation now. It is inadequate—as every city's transportation system is inadequate. You have 640 different stops to which the buses can take you and here these people come along with a dream and they say they are going to accomplish the same thing with approximately 16 kiss-and-tell stations—holes that you crawl into. And I guess an equal number—I guess 18 holes that you crawl out of. The most expert transportation authorities will tell you that if a traveler—if people who travel to work have to walk more than 1,500 feet either to go to a hole and crawl into it or to get to the hole and crawl out of it at the other end, they are not going to use the subway.

Take the people of Virginia who are supposed to be destined to help. In order to use it, they have to get into their car and they have to drive over to Pentagon city. Some of them, when they drive there, will be driving farther than they do when they drive to the Nation's Capital. Actually, they are going to have to drive way over to Pentagon city and go in a hole over there and crawl in the hole, go on the subway under the Potomac and arrive at the Nation's Capital, then crawl out of the hole and then take a taxi or a bus to get to their place of work. Yet, they will actually tell you that these people in the District of Columbia area are that foolish that they are going to do it, and you and I know that they are not going to do it. These people who testified know it and that is why they said that from a patronage standpoint, it would not be used. From an investor's standpoint, it would be disastrous.

There are so many things I would like to tell you. Why should the people of Wisconsin, Minnesota, Illinois, Iowa, and Ohio vote today to put themselves on record as burdening and saddling the people of their States under this present program with the entire cost of the grants and the guarantee of the bonds, which is what this bill calls for—and as the able gentleman from New York told you, this 33⅓ percent that the District said they are going to put up by way of a grant and the 33⅓ percent which is to go to guarantee the bonds—that is all poppycock because the District of Columbia does not have a dime in the Treasury. They are just going to come and ask us for more money and that means that the Federal Government is going to foot the bill entirely. That is the way it is going to be. Now let me give you an illustration. In Wisconsin a family owning a home and a car—a family with two children making $5,000-a-year has a tax burden in Wisconsin of $596. The tax burden for a similar family in the Nation's capital is $283.

In other words, a family with an income of $5,000 in my district, a family of four, owning a home and a car and making $5,000-a-year income are already paying twice as much in taxes as the citizens in the District of Columbia. Yet here they come with a bill and say that my citizens and people who are making $5,000-a-year should pay for a subway for the people in the Nation's Capital. Now how silly can you get?

Let us take a family with an income of $7,500-a-year in Wisconsin. A family of four with a home and car pays $773. That is their tax burden. In the Nation's Capital it is $381 or less than half. Yet they want to saddle the people of Wisconsin with the payment for a subway.

Let us take a family with an income of $10,000. The tax burden in Wisconsin for a family of four, making $10,000 a year, and owning a home, is $1,096, while in the Nation's Capital it is only $531. Yet they want those people to pay for a subway for the folks here.

Let us take a family with an income of $15,000. In Wisconsin the tax burden is $1,866. In the Nation's Capital it is only $835, not even half as much, yet they are saying, "Yes, let us build the people of the District of Columbia a subway and let the taxpayers at home pay for it."

It might be said, "That is Milwaukee." Let us consider some other place. I heard the gentleman from Massachusetts ask a question. Let us consider the situation in Boston.

In Boston, a family of five pays $506, in taxes, compared to $283 for the family in the District of Columbia, at the lower income.

In Boston, Mass., a family with an income of $7,500 pays $618, while the family in the District of Columbia pays only $381.

In Massachusetts, the family with a $10,000 income pays $855, compared to $531 here.

In Massachusetts, the family with the $15,000 income pays $1,310, compared to $835 here.

Let us consider the situation in Chicago. I see my good and handsome friend over there, from the Serena Restaurant.

Mr. KLUCZYNSKI. I thank the gentleman for his kind remarks.

Mr. O'KONSKI. Let us start with a family of four in Chicago. With an income of $5,000, they would pay $476, compared to $283 in the Nation's Capital.

There are some other folks here. I see my good friend the gentleman from Minnesota [Mr. NELSEN]. Let me tell him that the tax burden in the State of Minnesota is equal to that of the State of Wisconsin. It is $1,800 for a family of four, compared to $835 here, for a family with an income of $15,000.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman, since I mentioned his name.

Mr. NELSEN. Would the gentleman explain why the rate of taxes in the District of Columbia is not as high as he thinks they should be. Is it not true that the Congress has control? Only yesterday the committee passed a bill to permit an increase in income taxes and to permit an increase the gasoline tax. The control over the maximum tax level is in our hands. If the tax is too low, we have failed in our responsibility to grant them the needed machinery with which to raise the money the gentleman is talking about.

Mr. O'KONSKI. That is surely correct.

I believe it takes a lot of nerve for the District of Columbia to ask us to support a subway system for the District.

Ladies and gentlemen, let me tell you that the Nation's Capital not only is the Nation's Capital, but also is a taxpayers' paradise. It is a tax dodger's paradise of the world. Let me give some illustrations of what I mean.

The cigarette tax is 2 cents a pack in the District of Columbia. In Maryland, I believe it is 7 cents a pack. No wonder there is such a traffic jam. Everybody from Maryland is coming over to the Nation's Capital to buy cigarettes.

If we want to alleviate the traffic congestion, let us stop making the Nation's Capital a tax dodger's paradise.

The gasoline tax in Maryland is 7 cents a gallon. In Virginia, it is 7 cents a gallon. In the District of Columbia it is 6 cents a gallon. Yes, we would bring it up, but the bill has not yet passed.

Let us consider property taxes. I own a home in Wisconsin, for which the market value is approximately $25,000. That is all I could get for it. My taxes on that home last year were $840. I also own a home five blocks from the Capitol, for which I paid $43,500. My tax bill on that home was $530, a little more than half as much, yet they want me to ask my people to pay for a subway for the folks here.

Let us consider the beer taxes. My goodness, it is only $1 a barrel in the Nation's Capital. It is something like $7 a barrel in Virginia. That is another reason for the traffic jam, with all the folks from Virginia coming over here to buy their beer.

This is a taxpayer's haven. This taxpayer's haven is now asking the taxpayers in our home districts to build them a subway.

I have here a little newsletter which the business people get out, from the board of trade.

They talk about what a great thing they have here in the Nation's Capital—the highest per capita income of any city in the world—the highest per capita income of any city in the world. They have the lowest unemployment rate of any city in the world. Talk about the prosperity in the Nation's Capital and about their ability to afford to pay for a subway. There is your board of trade. In my district, in half of the counties in my district, I have unemployment as high as 18 percent—18 percent. Yet you have a bill here asking the unemployed people in my district to help to build a subway for the Nation's Capital where the income per capita is the highest of any place in the world, and where we have the highest liquor-consuming city in the world with the lowest taxpaying base in the world and the lowest unemployment rate in the world. The nerve of those people coming in here and asking you to saddle your folks back home, to burden your people back home, with this $483 million, which is just the first bite of a transportation system here in the Nation's Capital.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. NELSEN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. Yes. I yield to the gentleman from California.

Mr. SISK. I appreciate the gentleman yielding. Who is to blame for the fact that we have this traffic jam caused by people rushing over here to buy cigarettes and liquor? Whose fault is it that the tax has not been increased?

Mr. O'KONSKI. I think very largely it is the fault—or some of it is—of Congress, but some of it also goes to the door of all these millionaires who signed that ad in the Washington Post and the Washington Star, the president of Riggs Bank and all of those other people. They love this and they say it is wonderful for the city and it brings in big business. They even want the subway to bring in more business so that they can get cheaper beer and cigarettes.

Mr. SISK. The facts are it is so cheap from the standpoint of tax because Congress, all of us, from the 50 States, have not given them permission to increase the tax rate. Is that not true? We have not given them permission to increase the tax on cigarettes. They have asked for it. We have not given them permission to increase their liquor taxes. They have asked for it. You say the District is asking for something, and I question the consistency of the gentleman's argument. I know he is very sincere in his position, and I appreciate that.

Mr. O'KONSKI. I know that. There is not a man in the House that I admire more than the gentleman from California [Mr. SISK], but I will not let him knock out the props of my argument of who is responsible for the condition that exists in the Nation's Capital. This is all immaterial. The fact is that the condition exists. It is here and now and nobody can deny it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. NELSEN. Mr. Chairman, I yield 15 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, I certainly wish that the millenium which has just been described by the gentleman from Wisconsin did exist here in the Nation's Capital. Unfortunately, however, he is indeed mistaken. It does not exist. There are many problems here with which we are confronted and it is the responsibility of the Congress of the United States to assist in and to take the leadership in solving these problems. If there is indeed a tax haven here in the District of Columbia, then, certainly, as pointed out by the gentleman from Minnesota and the gentleman from California, it is the responsibility of the Congress of the United States to do something about eliminating this tax haven.

We are here today attempting to solve a most difficult problem. And the solution is going to be a costly one—you bet it is. It is going to cost at least $431 million—$483 million including interest during the period of construction. And that much expenditure to solve this type of problem in any one city, National Capital or not, is going to be somewhat controversial, and our colleagues are going to be reluctant to consider it favorably. Certainly they are going to be hesitant. So we should discuss this matter thoroughly and in great detail. But the problem is here. We cannot ignore the fact that the problem exists. We cannot stick our heads in the sand and expect it to go away. We have got to make every effort to solve the problem because, as has been stated so many times before today, this is the Nation's Capital, and we have got to face up to it.

There are two simple questions to which I think the answers are obvious. First, what is this problem we are talking about? I think we can agree that there is a problem and what that problem happens to be. We should make that determination so that there can be no question of what we are talking about. We are talking about the moving of people and goods—public transportation. Actually it is one of the greatest problems, not only in this particular area but in every metropolitan area in the country. It is just as great as that of crime, or schools, or welfare. Not that the solution to it is more necessary or more desirable, but it is just as difficult to try to solve because we have got here the problem of boundary lines, we have got here the problem of coordination between various political subdivisions, and the problem of trying to arrive at a solution. We have got the problem of a rapid growth of population. And, as has been said, this is one of the most rapidly growing areas in the country. We have got the problem of the habits of people. People are demanding more luxury, more convenience. We are undergoing a trend of the people getting away from any form of public transportation. That makes for more congestion, more traffic on the streets and highways. That is the problem we are trying to solve here.

The other question is, what is the solution? Well, maybe I am oversimplifying a suggested solution somewhat, but I think it means better transportation, more convenient, more efficient, more comfortable. Now, failure to do that, failure to at least attempt to provide better transportation, is obviously going to result in strangulation, not only of this community, but of every community in the Nation, and certainly in traffic chaos. So, if we agree, and I think most of us do agree as to what is the problem, and if we agree that the solution is somewhere along the line or in the direction of what I have suggested, then what should we do about it? Who is responsible? How do we proceed in trying to arrive at a solution? It does not make any difference what plans or programs we come up with or who makes the suggestion; it must have the approval of the Congress before we can make any move whatsoever, before we can turn over one shovelful of dirt.

This is the Federal city. The Congress has exclusive legislative jurisdiction over this city, whether we like it or not. We are the city council; we are the State legislature. We are the Federal Legislature. So unless we act here now, there is no place else to go to arrive at any solution or to get action on the solution of the traffic and the transportation problem here in our Nation's Capital.

Congress has acknowledged that it has that responsibility. Congress has acknowledged that the problem exists and that something should be done about it. We started as far back as 1954 and authorized the creation of a study commission. In 1955 we appropriated $500,000 to conduct an extensive study and survey of these problems and what possibly could be done about them. We acknowledged that we had a responsibility. We acknowledged that the problem existed. Then later on in 1957 or in 1958 we created a Joint Senate-House Committee to study further metropolitan area problems. again recognizing that the problems existed and that Congress had a responsibility to do something about helping in the solution of these problems.

And then, in 1960 we came forth with legislation creating the National Capital Transportation Agency and directed that Agency to come back with a report as to what actually needed to be done in order to put a transportation system, an improved transportation system, into being here in the Nation's Capital. In fact, it was recommended at that time by the executive branch of the Government, that we give them the authority to go ahead and construct the system at that time. But the joint committee felt that we should have a study and survey made by the Agency and a report back from the Agency first, telling us what such a system would cost. That is a partial summary of what has happened in the past, which brings us up to this point.

Mr. Chairman, we are merely proceeding here now in acting on the recommendations of the Transportation Agency. We are to approve or disapprove the work the Congress has already directed and authorized this Agency to do.

Mr. Chairman, we did have a report in 1962 from this Agency which recommended a system somewhat more extensive than the one we are considering here today, and it is true that the Congress turned down a modified version of that plan. But the Congress turned it down for other reasons, because there was a conflict that had been created between supporters of the highway system and supporters of a mass transit system.

Mr. Chairman, a great deal of argument and confusion was generated as a result of that.

Then, of course, there was the old argument of free enterprise versus public ownership. Then, there was a question about organized labor, whether they were going to be properly protected in the creation of a new transportation system.

As a result thereof, the Agency came forth with a recommendation of an $800 million-plus, rapid rail system which many of us felt was too big and therefore we cut it in half and came here with a piecemeal approach.

Mr. Chairman, in view of all the chaos and confusion which was generated up to that point, the Congress did see fit to turn this proposal down. But it did not ignore the fact that the problem would still continue to exist and that something had to be done about it.

Mr. Chairman, in my opinion these objections that were raised about a year and a half or 2 years ago have now been overcome. We cannot eliminate the cost. It is going to cost money to have any sort of mass transit system or to improve the transportation system in Washington, D.C.

Mr. Chairman, the formula which has now been devised provides for two-thirds Federal participation and one-third local participation. That is the same formula that Congress has established for mass transit systems in other metropolitan areas in the country.

Mr. Chairman, a great deal has been said about the bond issue, the $281 million or $333 million, that the taxpayers of Wisconsin and Iowa and other places are going to have to pay. It would be perfectly all right with me to amend the legislation to provide that the people of the District of Columbia would have to pay the entire cost. If that is the way it should be done, OK. But how can we do it here? We cannot separate the District government from the Federal Government. We control all the finances of the Nation's Capital. They cannot go out and issue revenue bonds on the credit of the District of Columbia, such as your city can do, and such as many other cities in my State can do. So, if we have that type of legislative problem here, such as the city council or the State legislature of another community would act upon, then we have got to have the credit of the Federal Government involved. There is no other way to do it.

Mr. Chairman, I am perfectly willing to entertain any ideas or suggestions for an alternative. But the opponents of this legislation do not come up with a constructive alternative. They merely criticize the proposal; they challenge the data that has been presented to us here.

Mr. Chairman, we authorized this study. We requested this proposal which we are considering here today. It is easy to say that the agency is incompetent and that it does not know what it is doing and that the system will cost many times more than the agency says it is going to cost. But what authentic source do the opponents have to go by to prove that it is going to cost more than the agency's estimate? They have no evidence to justify such a charge.

Mr. Chairman, this agency can make an error, but we have spent thousands of dollars of Federal money authorizing them to make this study, to hear these engineers and to make this report to us.

What we are considering here today is the only alternative that can possibly be considered at this time. The opponents have offered no other constructive way of solving this serious transportation problem that we have here.

There are alternatives. For instance, I suggested the consideration of a monorail. I do not want to press it in the consideration of this bill because it may delay the consideration of this matter. I think a monorail system would be less costly. The agency said monorail is not sufficiently advanced. I think they are wrong. However, it would be a difficult thing to sell to the Nation's Capital.

I think the agency presumed that we were asking for a subway system, and that that would be the accepted type of transportation for many years, as it has proved to be in other sections of the country. We had recommendations from the Fine Arts Commission and other Federal agencies that have something to say about the type of system to be constructed. I think the transportation agency felt that a rapid rail system and subway system was what the Congress really wanted to consider as a solution to this problem. I hope that the monorail system will eventually be used in the expansion of this system throughout the rest of the metropolitan area. This is just the first bite or the first step. We will have to extend the system into the suburbs, and those living in the suburbs are going to participate in the results of such system. They are going to be called upon, they expect, to pay their share of the cost. But we have to take this first step in the Nation's Capital, the central core of this metropolitan area. The Congress has to authorize and approve this first step. If the Congress does not do it, there is no place else to go for a solution. I also repeat, we recognize that the problem does exist, and we have a responsibility to do something about solving it. Now we find out that the problems are a little greater and more costly, but I do not think we should run to cover and renege on this responsibility of the Congress.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from Ohio.

Mr. HARSHA. The gentleman says there is no concrete evidence of increased cost. The gentleman well knows that the figures for the construction and operation of this system are based on estimates 3 years old, and that during this 3-year period there has been a one-third increase in the wages of operators. Certainly that is concrete evidence of increased costs that have not been taken into consideration in these estimates.

Mr. BROYHILL of Virginia. I do not know whether that is correct or not. I know we have had competent engineers engaged to make these surveys. If the gentleman says these factors were not taken into consideration, I cannot admit that is a correct assumption. I know that rash charges have been made that this proposed system would cost $2 or $3 billion, that other projects which the Federal Government has initiated have cost more money; but we are proceeding honestly and sincerely in the belief that what we have here in the way of estimated costs are reliable.

Mr. HARSHA. Is the gentleman aware of the fact that the Rayburn Building and Dulles Airport cost more than the estimated cost originally?

Mr. BROYHILL of Virginia. I am aware of that.

Mr. HARSHA. The gentleman maintains this project will not cost more than the actual cost of other facilities in the District of Columbia?

Mr. BROYHILL of Virginia. I acknowledge that is a possibility, but does that mean that from here on in we should never authorize the construction of another Federal project? I do not think there is anything in that.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from North Carolina.

Mr. WHITENER. With reference to the question which I understand the gentleman from Ohio inquired about, I am advised by the agency that this charge that the operating expenses are understated disregards the fact, which was before the committee, that these operating cost estimates were prepared by Coverdale and Colpitts of New York, a firm of recognized transportation experts. The charge that 3-year-old wage rates were used by the agency is not correct:

> The labor cost estimates are based on May 3, 1964, wage levels, the rates in effect when the estimate was prepared. In addition, these estimates include a 10-percent contingency factor which covers much more than just labor costs. They have been reviewed by a number of experienced rail transit operators. They are sound and conservative. If anything they are overstated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITENER. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. SICKLES].

Mr. SICKLES. Mr. Chairman and ladies and gentlemen of the House, I rise in support of the legislation before us this afternoon. I must say I assume that some of my remarks may be repetitive but I will try to keep from doing that.

I have developed a rather strong personal interest in this subject matter over the years starting as far back as 1955 when I first was placed by the Governor of Maryland on an interstate commission to study the passenger-carrying facilities in the Metropolitan Washington area and became personally involved in the negotiations on the first interstate compact, which has been referred to here today, establishing the Washington Metropolitan Area Transit Commission. I also am currently the Chairman of the Commission which has just concluded negotiations for an interstate compact to provide a compact organization for the ultimate operation of a system which is developed for the area, if this be the will of the Congress as well as of the other jurisdictions involved. It has already been adopted in Maryland. You will recall the 1960 act which set up the National Capital Transportation Agency as the temporary agency which would come up with a plan and come back to the Congress, as they are doing today, provided for the negotiation of the compact.

Mr. BERRY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 191]

Adair
Ashbrook
Bolton
Bonner
Bow
Brown, Ohio
Buchanan
Callaway
Chamberlain
Craley
Dague
Dawson
Downing
Duncan, Oreg.
Fraser
Griffin
Hanna
Harvey, Ind.
Hébert
Holland
Keogh
Lindsay
Mailliard
Mize
Morgan
Morse
Morton
Olson, Minn.
Poff
Pool
Powell
Reinecke
Resnick
Saylor
Smith, N.Y.
Steed
Teague, Tex.
Toll
Young

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 4822, and finding itself without a quorum, he directed the roll to be called when 393 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the quorum call began the gentleman from Maryland had been recognized for 10 minutes and had consumed 2 minutes.

Mr. SICKLES. Mr. Chairman, I have been admonished to be very brief, for many reasons, so I will try to condense my remarks so as to consume just as short a period of time as possible.

The point I want to make is this. I think the impression may have been created that the residents of the District of Columbia are coming sort of hat in hand and perhaps in poor grace in order to end up with a subway system at somebody else's expense. I think that is taking the entire subject matter before us today completely out of context.

In 1960 this Congress passed an act in which was established the NCTA, recognizing the Federal interest in the area, to develop a program which would provide $100 million of Federal moneys and $50 million of District of Columbia funds. It is true that the District of Columbia is going to have to borrow this money, but, as it does with all of its other bonds, it is going to have to pay this money back.

It has also been indicated or perhaps inferred that this entire program is going to cost the Government first $431 million and if we include the interest—

something like $483 million. This ignores the fact that the clear mandate of the 1960 act was that to the extent possible the fares would pay for the operation and construction of this system.

Fortunately, for the calculations today, the riders in metropolitan Washington would pay a rather substantial fare, unlike the city of New York. In the city of New York, which has been used as an example as to why we are going to lose money in respect to these systems, a political judgment has been made. The judgment has been made that the cost of the system and its operation will be underwritten by the city at large and therefore the fare is kept at 15 cents. No such political judgment has been made here or is contemplated. We are going to continue to have a system that should pay for itself out of the fare box.

I might add one thing and that is the question of private enterprise. The problem as I see it is this: In its barest essence we are talking about who is going to buy the rolling stock, whether a Government agency, the one providing for the construction of the system is going to buy the rolling stock or not. That is all we are talking about.

It just seems to me to make sense that the Government agency will be able to buy the rolling stock cheaper than any private operator is going to be able to do. So when you listen to subsequent arguments with respect to public enterprise versus private enterprise—that is all we are talking about—whether an operator is going to be able to buy the equipment itself or whether it is going to be built for the operator and the operator will merely be given a contract to run the system.

Between 1960 and 1980, it has been predicted the population of the Washington metropolitan area will rise from 2 to 3.5 million.

Between 1960 and 1980, it has been estimated that the number of automobiles in the National Capital area will more than double.

That by 1980, it is expected there will be 1 million vehicles operating daily on the streets of the Nation's Capital.

In terms of our transportation problem these are discomforting statistics. Those of us who commute to work at the present time know that the present problem of traffic congestion is onerous. Clearly, if we are going to make any progress in dealing with the traffic problem and the rush-hour wait, decisive action must be taken. Such action is provided for in H.R. 4822, which establishes the downtown component of a regional rapid transit system. A component that will carry 135 million revenue passengers in 1980.

While the legislation before us today does not authorize construction of the regional system that will ultimately be required, it represents an important first step. Although it is calculated to be a system that will be self-supporting after the original capital grants authorized in H.R. 4822, the system must be extended at a later point in time to serve our fast-growing Maryland and Virginia suburbs. To do less would be economic idiocy. Fortunately the downtown system proposed in H.R. 4822 has been developed in such a way that it can be very readily extended into Maryland and Virginia to serve fast-growing areas such as the Greenbelt-College Park area; Belair-Bowie and the Oxon Hill-Marlow Heights area in Prince Georges County.

Since the Federal Government has an important stake in the entire National Capital region, I am confident that future Congresses will cooperate with the local jurisdictions in financing extensions of the system.

A number of studies and reports over the last decade have documented the need for the creation of a regional mass transit system. Highway expansion alone cannot deal with our traffic problem. We must give the individual citizen a choice between highway or bus travel and a rapid rail system that will convey him from his home to where he works or where he shops. H.R. 4822 rests on a very simple and logical premise—Washington desperately needs an interconnecting subway and above-ground rail system to relieve private automobile and private bus lines from a portion of the difficult transportation task they are now forced to bear alone.

Besides being an area resident and a local Congressman, I have a long-standing official interest in a regional mass transit system. At the present time, I am Chairman of the Joint Transportation Commission, which is composed of representatives of the States of Maryland, Virginia, and the District of Columbia. The Commission was originally established in 1954 to study the adequacy of passenger carrier facilities and service in the Washington-metropolitan area.

The Commission through the mechanism of a joint steering committee, participated in the mass transportation survey conducted by the National Capital Planning Commission and the National Capital Regional Planning Council from 1955–59.

The report, resulting from that survey, suggested a three-pronged attack on the transportation problems in the Washington-metropolitan area. It recommended, first, creation of a regional agency to regulate the private transit companies; second, establishment of an interim Federal agency to carry out detailed planning of a mass transit system and begin construction; and, third, negotiation of an interstate compact establishing a regional transit agency to take over the task of constructing and operating the transit system.

In order to carry out step No. 1, the Joint Transportation Commission successfully negotiated the Washington-Metropolitan Area Transit Regulation Compact, which has been enacted by the States of Maryland, Virginia, and by the District of Columbia, and consented to by the Congress in Public Law 86–794. The Washington-Metropolitan Area Transit Commission, created by that compact, has been exercising the regulatory function over private transit companies within the National Capitol region since March 22, 1961.

In order to implement step No. 2, the Joint Transportation Commission cooperated with the Federal Government and the Congress in drawing up the National Capital Transportation Act of 1960. This act, recommended by President Eisenhower, established the National Capital Transportation Agency (NCTA) to perform the interim job of doing the detailed planning for proposed rapid rail system and to begin construction. Legislation proposed by this Agency authorizing construction of a system is now before us. Title III of the National Capital Transportation Act of 1960 gave congressional endorsement to the regional compact proposal by specifically authorizing Maryland, Virginia, and the District of Columbia to negotiate a compact, and by permitting the appointment by the President of a Federal representative to participate in the compact negotiations.

To carry out step No. 3, since early 1962, our Commission has been negotiating an interstate compact creating an agency to eventually provide and administer subway and rail facilities in the Washington metropolitan area. On February 26 of this year, the Commission made public a proposed compact which amends the Washington metropolitan area transit regulation compact creating a regional mass transit agency for the Washington metropolitan area.

The basic reason for a compact goes to the very heart of our political beliefs. Once you establish, as has been clearly established, the need for a mass transit system in the Washington metropolitan area, the question remains as to who will control the system. The cardinal premise of the compact is that the provision of transit services is primarily a function of local government and that in providing these services, local government must be politically responsible and publicly responsive to the local electorate. If a compact agency is not created with control of the transportation function primarily in local hands, the alternative would be a federally controlled agency. This proposal would contain much less protection of local interests.

Regarding this point, I personally was very pleased when President Johnson, in his letter forwarding the proposed NCTA subway construction legislation to Congress, expressed the hope that a "compact organization can be brought into being at an early date." His sentiments were echoed by Mr. Elmer Staats, Deputy Director of the Bureau of the Budget, who in testimony before a subcommittee of the House District Committee, endorsing the NCTA legislation, said he hoped that during the initial construction period "work can continue on a transit compact which both the Congress and the administration believe to be the best organizational solution to the mass transit problems of the region."

It is most encouraging to have this Federal support for the concept of responsible local government.

The compact does not provide a definitive financing plan. It is expected, however, that the compact agency would be given the same degree of financial support by the Federal Government that would be given to an alternative form of organization.

The proposed compact was approved in the 1965 session of the Maryland General Assembly.

The compact will be presented to the Virginia General Assembly at its 1966 session. If Virginia acts favorably on the compact, it will be presented to Congress for the necessary consent legislation in the late spring of 1966.

The compact and NCTA legislation now before us are complementary bills. A joint steering committee was formed last year composed of members of the Joint Transportation Commission and the National Capital Transportation Agency with the primary task of coordinating efforts to bring about creation of an interstate compact agency for administering rapid transit facilities upon passage of legislation by the Congress authorizing such facilities for the Washington metropolitan area. The NCTA bill before Congress reflects many of the suggestions made by the joint Transportation Commission through the mechanism of the joint steering committee to which I have referred. Action by Congress on the NCTA bill permits an early start on construction of the subway system. Prior action by the Maryland General Assembly on House bill 770 has demonstrated that we in Maryland are ready to do our part in establishing an organization to provide for the orderly extension of the downtown system to serve the growing suburban counties of Montgomery and Prince Georges.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Maryland yields back 4 minutes.

Mr. NELSEN. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. Bray].

Mr. BRAY. Mr. Chairman, I rise in opposition to this bill.

My opposition is not to the creation of a rapid transit system for the District of Columbia. If the proponents of this legislation will come up with a proposal which provides for a subway system paid for by the people here who will use it and who will benefit from it, it will not be opposed by me.

I do object to this proposal which calls for the expenditure of hundreds of millions of dollars gleaned from taxpayers all over the country to construct a system for the exclusive benefit of persons in this area.

I would call to your attention that the tax rate paid by the residents of the District of Columbia is about $2.50 per hundred dollars of assessed value. The tax rate in Indiana towns and cities generally ranges from about $6 to $10 per hundred dollars assessed value.

The per capita income in the District of Columbia is about $3,500 per year. In Indiana it is about $2,500 per year.

Consequently, it is difficult for me to see why the people in Indiana should be taxed to help pay for a transit system for the people in the Nation's Capital. On the statistics given above, it would seem that the people in the District are better able to pay for this system than the people of Indiana and many other States. If the system is needed and wanted, then let them find the ways to pay for it among themselves.

Mr. NELSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. Mathias].

Mr. MATHIAS. Mr. Chairman, today I follow our colleague, the Representative-at-Large from Maryland, and our colleague from the 10th District of Virginia, who both have advocated support for this bill and urged that it be approved and passed today.

On occasion the three of us have spoken here on matters which affect the metropolitan area of the Nation's Capital and we have been accused of self-serving declarations. I can understand how that attitude might be held by some, but I should like to lay it on the line here and now as to why this bill should be passed. I am speaking not as one who is promoting a selfish interest in the District area, but as someone who does have some experience and knowledge as to what is at stake here for all the people of the United States.

In the first place, the question has been asked me repeatedly today, "Why should the House approve a local transit bill?" I remind Members that the reason we must deal with it today is that there is no other municipal authority to deal with it. We are sitting in effect, as a city council of the city of Washington this afternoon, and we must deal with municipal transportation because the Constitution of the United States imposes upon the Congress the exclusive legislative authority to deal with the National Capital. As proposed by this bill, the rapid rail transit system is limited to the District of Columbia. I would here quote the present proposal as outlined in the report, including the physical plan and the actual routes:

THE PRESENT PROPOSAL

Some 16 months have passed since the action of the House returning the transit legislation to your committee. During that period, representatives of your committee and the administration have worked closely together to modify the suggestions leading to the recommittal of the earlier bill on December 9, 1963.

The physical plan for the system now proposed is little altered, reflecting the belief of your committee and of the administration in the soundness of the system proposed by your committee in 1963. However, with respect to such matters as financing, labor protective provisions, and operation of the system, the present legislation differs in significant respects from that considered earlier by the House.

PHYSICAL PLAN

The principal differences between the rail rapid transit system authorized by the present bill and that recommended earlier by your committee are as follows:

1. The alinement of the Pentagon route connecting downtown Washington with Rosslyn, the Pentagon, and Pentagon City in Virginia has been changed. Under the previous plan, this route ran beneath the Potomac River a short distance upriver from Arlington Memorial Bridge, and provided two branches on the Virginia side, one upriver to Rosslyn and the other south to the Pentagon and beyond. Under the present plan the river crossing has been moved upstream and Rosslyn, the Pentagon, and Pentagon City would all be served by the single line. This would permit more frequent scheduling of service and better utilization of trains.

2. The previous plan called for a route southeast of the Capitol to Anacostia. The present program would eliminate this route and substitute a line east of the Capitol to Benning Road and Kenilworth Avenue NE. The presently proposed route would serve more of the built-up area of the District than that previously proposed, and would provide services to the District of Columbia Stadium, the District of Columbia Armory, and the District of Columbia General Hospital.

The Benning Road NE. area also provides a more suitable location for train maintenance shops and car storage.

3. The previous proposal called for the establishment of improved commuter railroad service along 15 miles of the Pennsylvania Railroad line to Bowie, Md. The present program eliminates this. Such a line is not essential to a basic District of Columbia system. It is felt that with the establishment of a terminal near Benning Road and Kenilworth Avenue NE., including bus transfer and parking facilities, express bus service via the Kenilworth and Annapolis Expressways will reach more destinations in the same area.

4. The previously proposed Columbia Heights route terminated near 18th Street and Columbia Road NW. In order to serve more of that heavily populated section of the District, the present plan extends that route to the vicinity of Georgia and New Hampshire Avenues NW.

ACTUAL ROUTES

The proposed rail system would actually consist of the following:

1. A downtown subway line between Lafayette Park on the west and Judiciary Square on the east, largely beneath G Street with major stations at 12th and G Streets NW., 8th and G Streets NW., and Judiciary Square. This section would be common to all of the radial routes of the system.

2. A Pentagon route running west from G Street and Lafayette Park in the alinement of H Street NW., then beneath the Potomac River to Rosslyn, Va., and from there south to the Pentagon and to a terminal within or near the so-called Pentagon City development area in Arlington County.

3. A Connecticut Avenue route running northwest from Lafayette Park beneath Connecticut Avenue to a point near Van Ness Street NW.

4. A Columbia Heights route branching from the Connecticut Avenue route at Columbia Road NW., and running to the vicinity of Georgia and New Hampshire Avenues NW.

5. A B. & O. route running east from G Street and Judiciary Square beneath Union Station and on the right-of-way of the Baltimore & Ohio Railroad, to Woodside in Montgomery County, Md.

6. A Benning route running from Judiciary Square to the U.S. Capitol and thence to the District of Columbia Stadium and a terminal and maintenance base in the vicinity of Benning Road and Kenilworth Avenue NE.

The outlying stations would include bus-transfer facilities and parking spaces for approximately 12,000 automobiles.

The system is described in detail in the aforementioned reports of the Agency.

The establishment of the system authorized by the bill would be subject to the provisions of the National Capital Transportation Act of 1960 (40 U.S.C. 651, et seq.) and would be carried out substantially in accordance with the schedules and plans contained in the Agency's aforementioned reports.

Secondly, the Federal Government should be dealing with this problem, and the House should approve this bill, because the Federal Government by its operations here is contributing to the traffic problems of the metropolitan area. We are daily extending the geographical scope of the National Capital area. We are daily expanding the density of population in the area. All of this is directly related to the activities of the Federal Government and properly so.

But when we engage in these activities, when we undertake to enlarge and to expand the National Capital area, we must accept the consequences, and this involves providing adequate transportation. The recognition of the need for growth and the potential for growth was reflected in the testimony of General Duke, the Engineer Commissioner of the District, which I quote:

COMPACT

We anticipate that the District of Columbia will subsequently participate directly in mass transit development by means of an interstate compact between the States of Maryland, Virginia, and the District of Columbia. Such a compact affords the opportunity for the joint preparation of a future financing program to be equitably shared by the signatories. The Joint Transportation Commission negotiating a compact in accordance with the consent of Congress in title III of the National Capital Transportation Act of 1960 has proceeded to the stage of final review with the express objective of ratification by the end of 1966, and I might add at this point, Mr. Chairman, that this Joint Transportation Commission is announcing Friday morning at a press conference the completion of negotiation of this compact with the anticipation that it will be introduced in the Maryland Legislature before next Tuesday.

This whole compact, if these plans materialize, this compact then would take advantage of the establishment of the corresponding organizations in Maryland and Virginia to lay the basic framework for the operation of the rail transit system that we are discussing here today.

It does not specifically address itself to the future financing proposals, because those have not as yet been presented before the Congress, but it sets up the framework which could accept future financing proposals without a basic modification of the compact itself.

Third, I urge upon the Members that this National Capital of ours is going to stagnate and the center city will be strangled if we do not have a rapid rail transit here and have it soon. I call attention to the language of the committee report which describes the urgency of the problem in these terms, which I quote:

URGENCY OF THE PROBLEM

The seriousness of the transportation problem besetting the National Capital region has been long apparent and undisputed. The hearings and reports of the Joint Committee on Washington Metropolitan Problems, the reports and hearings of your committee on the subject, and particularly the exhaustive studies of the 1959 transportation survey and the National Capital Transportation Agency, demonstrate beyond any doubt that the region faces a transportation crisis. The stark realities of the situation are that Washington's streets and highways are burdened with ever-increasing volumes of traffic, creating mounting congestion that has grave consequences for the District and the suburbs alike. Such congestion limits mobility. It detracts from the efficiency of Federal operations in Washington and results in costly losses in time and money in traveling between home and work.

The fact is that Washington is the fastest growing metropolitan area in the Nation. Today there are somewhat more than 2 million people living and working in the region. By 1980 the population is expected to reach 3.5 million, an increase of more than 50 percent, and 5 million people are anticipated by the year 2000. Also, 1 million more automobiles are expected by 1980. The National Capital Transportation Agency and the highway departments of the region foresee a 40-percent increase in the number of person trips to and through Washington's downtown area in the morning peak hour between 1955 and 1980. If all of these movements are made by automobile—as is likely to be the case if there is no improvement in public transportation—the number of cars in the central area will virtually double by 1980. The prospect of such an increase over the present street congestion is appalling.

There is universal agreement that it is impossible to meet the region's growing transportation demands by means of highways alone. Recognizing this, the plans of the highway departments of the region are predicated on the development of an improved system of public mass transportation, one that will be attractive to the public. The departments recognize that the people of the National Capital region must be provided a real choice between using public transportation, or using their private automobiles, for trips between their homes and their places of employment.

Such a choice does not exist today in any meaningful sense. Due to downtown congestion, traffic intersections, and the number of stops that must be made to pick up and discharge passengers, the existing bus service is far slower than the private automobile. As a result, public transportation patronage has shown no meaningful increase in Washington for several years despite a steady growth in the population, and in spite of efforts to make bus service more attractive. Today, approximately 40 percent of morning peak hour trips to downtown Washington are made by public transportation. In contrast, in cities such as New York, Chicago, Philadelphia, and Boston, where there are comprehensive rail rapid transit, commuter railroad, and bus systems, between 70 and 90 percent of peak hour trips are made by public transportation. The conclusion is inescapable that if Washington is to achieve a higher percentage of public transit patronage—as it must do if the traffic pressures on the street and highway system are to be relieved—nothing short of a high-capacity, high-performance, rail rapid transit system operating in subways and on other exclusive rights-of-way can do the job.

Some of the people who have spoken this afternoon, I know, have been concerned about highways, and some have been concerned about bus systems. We all should be concerned about highways and about bus systems. We are going to need more highways and better highways in the National Capital area. I am honest in saying that passing the rapid transit bill is not going to eliminate the need for better highways. By the same token, I believe we will need more and better bus service and wider bus service. Passing this bill is not going to eliminate that need, either.

Considering the growth of the National Capital area, as now projected and as it can be positively predicted, with a growth as large and as rapid as we know it will be, we will need highways and buses and rail transportation. The committee report adequately describes the basic purpose of the bill and it should be quoted here:

PURPOSE OF THE BILL

The purpose of this bill, approved by an 18 to 3 vote of your committee, is to authorize the prosecution of a transit development program for the National Capital region, in furtherance of the objectives of the National Capital Transportation Act of 1960 (Public Law 86-669, 86th Cong., approved July 14, 1960, 74 Stat. 537). It is the considered judgment of the administration and of your committee that the National Capital urgency needs a rail rapid transit system and that it is essential to the health, vitality, and appearance of our Capital City that the Congress now authorize such a system.

In the 88th Congress, legislation authorizing a rapid rail transit system was favorably reported by your committee to the House. On direction of the House, this legislation was returned to your committee for further review and consideration. Thereafter, a careful restudy was made of needs for such a system and of the provisions of enabling legislation. The need for such a transportation system was determined to be increasingly urgent. The responsibility of the Federal Government and the necessity of its participation in establishing such a system are clear. No serious objections of merit were disclosed during the review of the proposed rail rapid transit plan.

The restudy of the proposed plan and the terms of the enabling legislation has produced some changes and improvements. When the transit program was considered by the House during the 88th Congress, it was the feeling of the Members at that time that specific provisions of the earlier bill—particularly those relating to financing and operation of the system and to the protection of transit labor—required revision. In conformity with the wishes of the House, substantial revisions have been made with respect to these and other matters by the administration and by your committee. These are explained in this report.

Specifically, the present bill would authorize the National Capital Transportation Agency (hereinafter the "Agency," or "NCTA") to design, engineer, construct, equip, and to take such other actions authorized in the bill necessary to provide for the establishment of, a system of rail rapid transit lines and related facilities for the mass transportation of persons within the District of Columbia and between the District and points in Montgomery County, Md., and Arlington County, Va.

The rail rapid transit lines and related facilities authorized by the bill are described in reports of the Agency entitled "Rail Rapid Transit for the Nation's Capital, January 1965" (app. A) and "Engineering Plans and Cost Estimates, Engineering Supplement Transit Development Program 1965."

The proposed rapid rail system would be limited largely to the District of Columbia. However, there would be one extension into Arlington County, Va., to serve the heavy Federal employment concentration at the Pentagon, and a short extension into Montgomery County, Md., in order to reach a suitable terminal location. The total system would be 24.9 miles long, with double-track throughout, and would include 29 stations. Approximately one-half (13.1 miles) would be in subway, 7.5 miles would utilize a portion of existing railroad rights-of-way, and the balance would occupy other exclusive rights-of-way.

The estimated capital cost of constructing this system is $431 million, exclusive of interest requirements, and would be financed as follows:

	Million
Federal contribution	$100
District of Columbia contribution	50
Public sale of revenue bonds	281

The system would be designed and constructed by private engineering firms under contract with the Federal Government.

The bill requires that the system shall be operated by private transit companies, railroads, or other private parties under contract with the Agency. The Federal Government would retain control over essential matters such as fares and safety standards but would not be involved in day-to-day transit operations.

The bill accords labor in the National Capital region the same protective provisions given transit workers in other cities under the Urban Mass Transportation Act of 1964. Operating personnel would be employees of the private operator and not Federal employees.

The bill contains provisions preserving the rights of the bus companies presently serving the region. Furthermore, the companies will continue to be regulated by the local transit commission which has a statutory obligation to assure a reasonable rate of return.

We have responsibility here which is not a local responsibility but a national responsibility. It is one we can discharge only by passing this bill this afternoon.

I stand before you not as a Member speaking for the interests of a single district which happens to be adjacent to the Nation's Capital, but as a Member of the House interested in the national interest in the Federal City. I urge Members to support this bill and pass it overwhelmingly this afternoon.

Mr. WHITENER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Chairman, I want to commend my good friend and colleague, the gentleman from North Carolina, BASIL WHITENER, for bringing this bill to the floor today. Mr. WHITENER has worked long and hard, with the members of his committee, to improve public transportation in the Nation's Capital and his bill deserves our support.

We have an excellent transit system in Chicago and the plain fact of the matter is that the city could not survive without it. The same problem exists in Washington and experience tells us there is only one solution—the construction at the earliest possible moment of a rail rapid transit system.

One of the most important things to have happened with respect to this program since we last considered it was the appointment of Mr. Walter J. McCarter as Administrator of the National Capital Transportation Agency. He is recognized as the leader of the rapid transit industry; no one in the field enjoys a better reputation.

Mr. McCarter was general manager of the Chicago Transit Authority for many years and I was privileged to witness firsthand his many achievements in that role.

He was largely responsible for the development of the Congress Street Expressway, the first multilane freeway to coordinate motor and rail traffic.

He modernized the city's bus fleet and its rapid transit system.

His achievements are too long to number.

After retiring as general manager of the Chicago Transit Authority he went to the Virgin Islands for a well-earned rest. But the President then asked him to come to Washington to head this program. He agreed to do so. We have the best man in the business heading this program. He is ready to go to work on the development of a rail system in Washington and has come here at great personal inconvenience because he believes in the program, and wants to see our National Capital have the finest rail rapid transit system in the world. I say let us give him the tools to work with by passing the present bill.

Mr. NELSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, I should like to elaborate on some of the remarks I made earlier during this debate.

Mr. Chairman, I believe the bill we have before us, H.R. 4822, to authorize construction of a rapid transit system in Washington, to be of utmost importance to the future of our National Capital. Indeed, during the 13 years that I have served in the Congress as a member of the District of Columbia Committee I have participated in the preparation and passage of much legislation affecting the National Capital but I can think of no legislation that could approach in importance to the whole region the bill we are considering today.

At the very outset, I want to make it clear that this bill has the support of the majority of the Republican as well as of the Democratic members of our committee. Furthermore, it was the Eisenhower administration that first proposed rapid transit for Washington. There is, in short, no partisan issue here.

Rather, the issue is whether we desire a National Capital in which all Americans can take a growing measure of pride. If so, we must solve the transportation problem that today threatens the vitality and beauty of the city. Our committee has been working on this transportation problem for over a decade and we have concluded that only through construction of a rapid transit system can that solution be found.

H.R. 4822 would authorize such action thereby introducing to the Capital a whole new concept of public transportation service. The new rapid transit system would provide speedy underground service throughout the downtown area and between the downtown area and the suburbs via connection with the services provided by the present bus operators.

With this system in being, public transportation travel time between northern Virginia and the central area of Washington will be reduced by as much as 30 minutes. And a trip from the Capitol to the Mayflower Hotel area will take only 6 minutes compared with the 25 minutes or more it takes to make that trip in the rush hour today.

That we need this dramatic improvement in public transportation seems to me beyond debate. The congestion that brings traffic to a halt in the downtown area every morning and evening, and even in the middle of the day, grows every year. Estimates are that by 1980, unless we have a rapid transit system, surface traffic will grow by 40 percent making today's intolerable situation seem mild by comparison.

The District of Columbia Highway Department, which is doing all in its power to speed construction of the Interstate Highway System, has stated time after time that only if these highway improvements are accompanied by construction of a rapid transit system can we make a dent in congestion. Other North American cities, such as San Francisco, Cleveland, Philadelphia, Montreal, and Toronto, are busily at work constructing new rapid transit systems or extending existing ones. And throughout the Western World, and even in Russia, other countries are building new rapid transit systems for their capital cities or improving existing systems. Such construction is going forward today in Moscow, London, Paris, Rome, and Berlin. I think it is high time that we begin to construct a rapid transit system for our own Capital.

Mr. Chairman, the present bill is the product of literally years of effort. Our committee began the effort 13 years ago by authorizing a transportation study for the region. That study took several years to prepare and resulted in a 1959 recommendation favoring a rail rapid transit system. Along with many of my colleagues, I felt that the plan accompanying the 1959 recommendation was not sufficiently detailed to merit legislation authorizing construction. And so, in 1960 I introduced the bill that established the National Capital Transportation Agency to prepare a detailed plan. The Agency did so during a period of over 2 years, making use of the talents of some of the Nation's leading engineering firms.

Late in 1963 our committee brought to the floor a bill to authorize construction of a smaller version of the system recommended by the Agency, requiring half the investment of the larger system. That bill was returned to the committee by vote of the House.

In the past year and a half every effort has been made to solve the problems that led the House to return the earlier bill to committee. As a consequence, major changes have been made in the present legislation.

First. We have included in the bill provisions affording labor the same protections given labor in the Urban Mass Transportation Act of 1964. While many of us did not favor those provisions, they are now law and it is only fair that we afford transit labor in Washington the same protections enjoyed by transit labor throughout the country.

Second. We have provided that the system shall be operated by private enterprise, not by the Federal Government. This will insure that private initiative plays its role in the picture and will avoid the problem of involving the Federal Government in the day-to-day management of a rapid transit system.

Third. We have thoroughly revised the proposed financing formula so as to reduce sharply the amount of Federal financial participation in the system and to increase local financial participation by a like amount.

In short, our committee has made every effort to bring to the floor a bill that will be satisfactory to the overwhelming majority of the Members.

There are several other facets of the bill that I think deserve special emphasis.

I am absolutely convinced that ample protection has been provided the existing private bus operators. Such protection has been a matter of particular interest to me because the A.B. & W. Bus Co., which provides service between northern Virginia and Washington, has a substantial investment in equipment and property and has been providing exceedingly fine public service for many, many years.

We have included in the bill a provision making it crystal clear that the authority of the Washington Metropolitan Area Transit Commission—which has a statutory obligation to insure an adequate return for the bus companies—is not diminished one iota by the bill. Other provisions of the bill are designed to provide further protection to the companies. Finally, there is no questioning the fact that the success of the rapid transit system is absolutely dependent upon the health of the bus companies which will continue to be a key element in the region's public transportation system.

I also want to emphasize the fact that every effort has been made to place the burden of paying for the system on the riders rather than on the Federal or local governments. In the National Capital Transportation Act we required the National Capital Transportation Agency to devise a system that would place as much burden as possible upon the riders and as little as possible on Government. Naturally, this system will require a substantial element of Federal and local financial support. But the point should be made again and again that more than 70 percent of the cost of this system is going to be paid for by the people of this region who use the system.

In conclusion, I believe construction of this system to be absolutely essential. I think that my colleagues on the District of Columbia Committee who have labored for years with me to produce this bill deserve commendation. And I hope that all of the Members will join with me in supporting this vital legislation.

Mr. NELSEN. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. CRAMER], for the purpose of asking a question.

Mr. CRAMER. Mr. Chairman, if I can have the attention of the gentleman from Illinois [Mr. KLUCZYNSKI], the distinguished gentleman who just addressed the House, who, of course, is the chairman of the Subcommittee on Roads of the Committee on Public Works, on which I have the privilege to sit.

Last session the question was raised when this measure was brought before us as to whether this would slow down or jeopardize the construction of the inner loop freeway. Of course, I am not opposing this legislation, but the record should be clear, and I ask the gentleman, Are you satisfied that this will be the case and that there will be no slowdown or prevention of the construction of the inner loop freeway as a result of the passage of this bill?

Mr. KLUCZYNSKI. Mr. Chairman, I am sure that this rapid transit system and all mass transportation systems will help our road program. They will all grow together the same as the waterways, the railroads, and our road system.

Mr. CRAMER. I wanted to make sure that it is a matter of record, because there is concern about it. The assurances are given that this will not be the effect of this legislation. Will the gentleman agree with me on that?

Mr. KLUCZYNSKI. I do.

Mr. NELSEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the long history of increasing traffic congestion in the Nation's Capital makes it crystal clear that the time has come for us to establish a new and modern system of transportation. That new system must be rail rapid transit.

The idea of a rail rapid transit system for Washington is hardly a brand new one unique to this administration. The idea has now been proposed by three Presidents. It was first proposed by President Eisenhower, then by President Kennedy, and is now a part of the program of the Johnson administration.

The Congress has responded first by authorizing the preparation of a preliminary study in the early 1950's and then in 1960 by establishing the National Capital Transportation Agency to prepare a detailed plan, including preliminary engineering studies, for a rail rapid transit system.

Throughout this period the concept of a rail rapid transit system has had the vigorous support of members of both parties. And your committee reported the present bill by an overwhelming 18-to-3 vote with the majority of the members of both parties supporting the bill.

This is and has been a bipartisan program with but one purpose—to improve the transportation system in our Nation's Capital. We have no choice but to do so for it is clear that traffic congestion is stifling the city and must be cured if we in the Congress are to carry out our responsibility of preserving and enhancing the beauty and dignity of our National Capital.

To me the need for the system is self-evident. The National Capital region is the fastest growing in the United States. It had a population of 2 million in 1960 and it is forecast that by 1980 it will have 3.5 million, a growth of 75 percent. There are 800,000 motor vehicles in the region today and an additional 1 million are expected by 1980. The highway departments, the National Capital Planning Commission and virtually everyone else who has studied the problem has concluded that all of those factors will combine to produce a steady increase in traffic congestion unless a rail system is built and built right away. I for one feel that the time to begin is already overdue.

Of course, arguments have been raised against the bill but none that seem to me meritorious.

Some have expressed concern about the size of the required investment. I have always opposed bills that I thought entailed excessive Federal spending but I see nothing excessive about the Federal spending involved in the present bill.

The Federal Government is being asked to invest only $100 million for a $430 million rapid transit system. The District of Columbia will contribute $50 million and the rest—almost $300 million plus whatever interest has to be paid—will be met by the issuance of revenue bonds to be retired from fares paid by those who use the system and not by the taxpayer.

Thus the financing is patterned on the two-thirds, one-third formula of the Urban Mass Transportation Act of 1964 with the additional requirement that approximately 66 percent of the required investment must come out of the fare box.

Finally, we are requiring that the $150 million of Federal and District of Columbia grants be repaid ultimately. In the committee's report it is stated that:

> It is your committee's intent that following the retirement of the bonds issued to finance the construction of the transit system, provision should be made to repay pro rata these contributions of capital by the Federal and District of Columbia Governments out of the revenues of the system.

Thus, the cost of the system to the Federal Government has been kept as low as is possible and every effort has been made to place the heaviest part of the burden on the riders of the system. Frankly, I do not see how we could ask for more.

It has also been alleged that the estimates of the cost of the system are very much understated. Those who make this allegation cannot point to a single engineering study that conflicts with the study on which the costs estimates we have relied on are based. And there are no such conflicting studies.

Nor can there be any suggestion that the cost estimates were not done by competent professionals or that they are out of line with the experience of other cities.

Outstanding independent engineering consulting firms were employed in the preparation of the estimates. They include De Leuw, Cather & Co., Kaiser Engineers, and Louis T. Klauder & Associates, each of which was chosen for its national reputation and experience in the transit field. In addition, Dame & Moore, an outstanding firm in its field, was employed to conduct extensive soil boring tests in order to determine subsurface conditions in and around the downtown area of Washington.

Furthermore, the evidence submitted during the committee hearings made it clear that the estimates upon which the committee has relied are entirely in accord with the experience of other cities.

In sum, I am satisfied that the estimates were made by people of high professional competence, that they are supported by experience and that we can rely on them.

It has also been charged that the traffic and revenue estimates are overstated. Here again, those making this charge are not able to point to any studies that conflict with those the committee has relied on. These studies too were prepared with the assistance of outstanding firms and accord with experience. And it seems to me that the result is reasonable. For the studies on which the committee has relied assume that even with this new rapid transit system a smaller percentage of people will use rapid transit in Washington than use it today in other cities. That seems to me to be a very conservative prediction; certainly I can see no basis for charging that it is overly optimistic.

Nor am I impressed with the argument that since the New York system does nothing more than meet operating costs and generates no earnings for capital improvements the committee is being too optimistic in believing that the Washington system can generate enough revenues to meet two-thirds of its capital costs.

Let us not forget that New York has a politically established and maintained fare of 15 cents. Experts in this field are all in agreement that if the New York fare were 25 cents all operating costs and the entire $100 million of annual capital charges would be met.

In Washington the present busfare is 25 cents and we have a zone fare system that produces an even higher fare for longer trips. Thus, the average fare paid by bus passengers for trips to and from Washington is at least double the New York fare.

The plain fact of the matter is that the evidence shows that a rapid transit system can meet a substantial portion of its capital requirements if a reasonable fare is charged. Thus, the Chicago Transit Authority charges a 25-cent fare and since 1946 the system has generated sufficient revenues to meet operating expenses plus $200 million of capital requirements. And it is interesting to note that Washington's average fare per mile is even higher than Chicago's.

Finally, the opponents of this bill have made many arguments about free enterprise. I, myself, am a strong advocate of free enterprise but there are certain facts we must recognize. Free enterprise could never have built our roads and streets, our subways, our bridges, or developed our waterways. In all of these things we have needed a combination of Government and private activity.

That combination exists in the present bill. While the system will be owned by the Federal Government, private engineering firms will do most of the engineering design work, private construction firms will do all of the construction work, private enterprise will be responsible for the marketing of almost $300 million of revenue bonds, and private enterprise will operate the system.

We are all aware that much of the talk about private enterprise stems from the District of Columbia Transit System which opposes the present bill. That organization should be the last to make such an argument. It holds a monopoly franchise granted by the Federal Government. It has received substantial subsidies in the form of relief from gasoline and other taxes. It paid $13.5 million for the local bus facilities and an amendment offered to your committee providing for the acquisition of those facilities would have required the Government to pay anywhere from $30 to $60 million for them. And, finally, the committee has included in the present bill amendments designed to protect the company.

The company has benefited richly from Government assistance and will continue to do so. It should be the last to argue against the Government now taking a step that will afford the benefits of rail rapid transit to Washington.

I submit that the arguments against this bill are not well taken. The system is needed. The financing formula is fair and equitable. Every feasible step has been taken to protect private interests.

Furthermore, the program will be placed in the most competent hands. I am encouraged by the recent appointment of Mr. Walter J. McCarter, former general manager of the Chicago Transit Authority, to become the Administrator of the National Capital Transportation Agency. As general manager of CTA Mr. McCarter modernized the Chicago system and in cooperation with highway authorities developed the famous Congress Street expressway, now known as the Eisenhower expressway. This expressway combines rail, bus and private motor vehicle facilities and is truly a model for the Nation. Nine months ago, after 17 years as general manager of the Chicago system, Mr. McCarter retired. However, when the President called on him, Mr. McCarter stated that he was willing to leave retirement recognizing the importance of the present project to his Nation's Capital. I think the most valuable assurance we have that this system will be well built, built economically and will provide the best services, is that a man of Mr. McCarter's stature heads this program.

In conclusion, Mr. Speaker, I feel that the present bill is of utmost importance to our National Capital. That city is an important part of our national image and we cannot afford to have it decay because of traffic congestion. Our job is to build an even greater city befitting the leader of the free world and the present bill must be passed if we are to do so.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman said, I believe, that the fare of the subway system in New York is 15 cents.

Mr. NELSEN. Yes.

Mr. GROSS. That the proposed fare for this District of Columbia subway would be 25 cents?

Mr. NELSEN. Yes.

Mr. GROSS. What would cause the gentleman to believe that people would more readily use this system with a 25-cent fare, as compared with 15 cents in New York? I understand the New York subway is a losing proposition.

Mr. NELSEN. The gentleman is assuming that people in New York would not ride if the fare is higher. I would suggest to the gentleman this is not even an actuarial figure. Twenty-five cents would be a reasonable and fair figure. I do believe that folks would and should pay a 25-cent fare. Politics has always interfered with any increase in the city of New York, and the costs have been taken out of the depreciation of real property instead of out of the fare box.

Mr. GROSS. Why advocate a fare of 25 cents in Washington, D.C., when apparently they cannot go above 15 cents in New York City?

Mr. NELSEN. The present fare in the District is presently 25 cents and we have no reason to assume that they would be unwilling to continue to pay at this level.

Mr. GROSS. The gentleman does not really believe, and I am sure he will not go on record here today staking his reputation on the statement that this system will pay for itself even with a 25-cent fare?

Mr. NELSEN. It can if it is not interfered with by some politicians who will probably be in here asking that the fare be reduced to 15 cents as has been the case in New York.

Mr. GROSS. The gentleman has not answered the question. All the sponsors of this bill paint a rosy picture of how this proposal will pay its way but none will back it up with any real assurance.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman.

Mr. WHITENER. May I say in answer to the questions of the gentlemen from Iowa that those people now using the public transportation facilities in the District of Columbia are paying a minimum fare of 25 cents. This fare proposed for the rapid transit system would be a minimum of 25 cents and going up to 40 cents. As I understand, it would not be out of line with the existing fares that they are paying now.

I think it might be well to point out also that a lot of people who are not using the present public transportation facilities are driving their own cars and paying $1.75 a day to park their cars downtown. So it seems to me reasonable that they would use the rapid transit system.

With reference to the fare box paying out, of course, none of us knows what will actually happen. But we do have the benefit of the experience of the city of Chicago where since 1947 the Chicago Transit Authority has spent more than $200 million, all out of transportation system revenues, for equipment and plant, and they have retired $56 million of revenue bonds. In 1964 the Chicago Transit Authority earned $18,231,717 over and above maintenance and operating expenses, available for debt service and depreciation. So it does not seem unreasonable to predict that this fare box will yield what our experts tell us it will yield.

Mr. DENTON. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman.

Mr. DENTON. I believe the gentleman said it was hoped that the revenues would pay these bonds that the Government is going to issue.

Mr. NELSEN. Yes.

Mr. DENTON. Do you not think there ought to be a survey made to determine how much the income would be and what the expenses would be before the Government is asked to guarantee these obligations?

Mr. NELSEN. There have been many, many surveys made as to the financial structure of this plan. We have had experts, independent agencies, and individuals who have examined the estimates and the costs and have gone into it very carefully. All of these estimates have been prepared and thoroughly reviewed by nationally renowned experts.

Mr. DENTON. On the committee of which I am a member, which is the Appropriations Subcommittee, we had to go into this matter. When the National Capital Transit Commission came before our committee, we brought that question up and so far as I know and so far as I can make out, no survey has been made. They did make a survey when the large system was considered, but when they had the bobtail system, no survey was made. I understand them to say there was no necessity for doing it because the Government was going to sign the bonds and they did not see the necessity for it. It seems to me if the Government is going to sign the bonds, they ought to do just exactly the same as any bonding company would do and we should know what we are doing and not be guessing about it because the Government is going to be in back of these obligations. I am afraid of this thing. If you put this through, you are going to hear about it for a long, long time to come.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman.

Mr. WHITENER. I think if the gentleman from Indiana would look at the hearings at pages 52, 54, 55, 56 and also page 51, you will find that the most reputable engineers in the transit business have made these studies and reports.

Mr. DENTON. Those reports were made on the big system before they had the bobtail system. They told our committee that there were no reports made on the bobtail system but the only reports they had were on the big system.

Mr. WHITENER. Mr. Chairman, will the gentleman yield to me further?

Mr. NELSEN. I yield to the gentleman.

Mr. WHITENER. If the gentleman will look at the hearings, one of the last items we have were letters which we received from DeLeuw, Cather & Co., dated March 24, 1965; and one from Kaiser Engineers of Oakland, Calif., dated March 24, 1965; and one from Louis T. Klauder & Associates, Consulting Engineers, dated March 24, 1965, appearing on pages 299, 301 and 302 of the hearings. You will find that these are outstanding engineering and technical organizations, the most outstanding in the country, and in effect they are saying they are putting their professional reputation on the line and that this is sound and it is feasible.

Mr. NELSEN. I should like to point out that I have talked with these same engineers referred to, personally. I am satisfied that every professional attention which could have been given has been given to this bobtailed system.

Mr. SLACK. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from West Virginia.

Mr. SLACK. I thank the gentleman. In the statement the gentleman referred to the population growth of the District of Columbia. I assume he meant the entire metropolitan area?

Mr. NELSEN. Yes.

Mr. SLACK. With respect to the engineer estimate as to the cost of this system, did the estimate include the cost of the land and the parking aprons for the parking of private automobiles at the exits?

Mr. NELSEN. Everything is included—the rights-of-way and parking facilities intended to be used at the ends of the various routes.

Mr. SLACK. I thank the gentleman.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Minnesota.

Mr. QUIE. I wish to take this opportunity to thank my colleague from Minnesota [Mr. NELSEN] for the work he has done on developing this program. I believe in it. I believe we ought to move ahead with the transit system.

As we look at the two gentlemen who are working for this [Mr. WHITENER and Mr. NELSEN] we realize they are noted for sound and thorough work on legislation. If they say that this is a good idea and a good and sound proposition, I believe that is correct.

In regard to the 25-cent rate, it should be pointed out that one of the reasons why the taxi system had a rough time in the first zone is that Congress always wanted a 50-cent trip downtown. It took a long time to move that up. If we start out with what these gentlemen say is an actuarially sound figure of 25 cents, I believe it will be possible to pay for the transit system.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I commend the gentleman for the remarks he has made.

Mr. Chairman, I rise in support of H.R. 4822, the bill to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960. I was one of the 70 that supported the previous bill on the same subject December 9, 1963.

As the coauthor of the National Mass Transportation Act, I believe there is as much logic in adopting H.R. 4822 as there was in adopting the national act. The reasons for adoption are the same: the health and survival of our cities depend on balanced transportation systems. We need all types of transportation, and I do not believe that the existence of a subway conflicts with surface type transportation systems. Subway systems in cities across the Nation and in other parts of the world coexist with all types of surface transportation for the benefit of those cities and their citizens.

It is said that a subway system will really only benefit those living in outlying areas of the Nation's Capital, and in its suburbs. From the standpoint of the city's residents, particularly those in low- and moderate-income neighborhoods, the subway system could well avoid the continuing proliferation of superhighways and expressways which are cutting up the Nation's Capital into islands. In the name of progress our highways and freeways within urban areas are constantly displacing people who have ever fewer choices of places to live because of income or minority status.

A balanced transportation system within the Nation's Capital can serve as an example to the Nation as a whole. Nor should we forget that much of the highway traffic and parking needs within the District of Columbia are the result of the Nation's Capital being a prime tourist attraction. Only yesterday, the National Park Service announced that beginning next week all parking spaces on the Mall between the Washington Monument and the U.S. Capitol Building would be put on a 2-hour maximum time limit for the benefit of tourists. The hundreds of Federal employees who have been parking there will have to seek new parking spaces or other transportation facilities.

Certainly it is high time we begin to think of the American taxpayer back home as well as of the visitors to the Nation's Capital. The taxpayers back home deserve the best possible service from their Government in Washington, and that can only come from the Federal employee.

More and more the question of transportation to one's place of work is a significant factor in the choice of employment. If we are to continue to attract and keep skilled and dedicated Federal employees we will have to do more than merely raise their pay. Providing a viable subway system will both meet the need of these Federal employees and, in the long run, save money since it will reduce the need for an increased highway program and for extensive and increased parking facilities at the end of the road.

Mr. Chairman, I urge the adoption of this bill.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to my colleague, the gentleman from Wisconsin.

Mr. O'KONSKI. On the matter of the cost estimate, I believe there was some talk about expert testimony. The Congress of the United States has employed an expert, in the nature of the WMATC, an agency organized by the Congress. They say from a patronage standpoint the subway will not be used and from an investment standpoint it will be a disaster. This is an agency of the U.S. Congress which has studied the problem and told us it will not be used.

The gentleman pointed out the loss on streetcar and bus fares. Why does the gentleman not tell the Members of Congress that from 1950 to 1960 the increase in metropolitan and urban centers was the greatest growth in the history. They more than doubled and trebled in population, yet subway transportation has fallen from 17 billion to 9 billion. Why not bring out all the facts?

Mr. NELSEN. I thank the gentleman.

Mr. Chairman, I wish to conclude my remarks by pointing out that we can come up with all kinds of statements. We can jump the total cost from $2 to $3 billion in a week's time, if we wish. We can make statements in a positive manner. We can quote all kinds of erratic facts and figures to confuse the issue. But the point is that the District of Columbia is going to need a transportation system and it is up to the Members of Congress who have held on to the authority to govern the District to do something about it. With that authority goes the responsibility of meeting he needs of the District.

If the language in this bill and the division of costs are not properly drawn, it is up to us to change it. The fact is that this is our Nation's Capital. It needs a transportation system. There is not an ounce of political benefit in it for me or for Mr. WHITENER, but this is our Nation's Capital. I believe we must do something about the system, and I am supporting this legislation. I know politically it may be unwise to do so, but I still believe in a better transportation system for my Capital.

I oppose, shall I say, a national act and I oppose it because I feel that each city has its proper responsibility. However, as to the District of Columbia, we have held onto the responsibility here and insisted on keeping it. Therefore, we should meet the needs of the District of Columbia.

Mr. Chairman, I yield back any time I may have.

Mr. WHITENER. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CLARK].

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Maryland.

Mr. FALLON. Mr. Chairman, I rise today in support of the legislation which is before us. In order that the citizens of the metropolitan area of Washington and, for that matter, the entire Nation, may move rapidly from place to place to conduct business, obtain everyday household needs and even for pleasure, we must have a mass transportation system in the metropolitan areas of our country.

As chairman of the committee of the House concerned with the building of our system of highways throughout the country, I would like to emphasize that I look upon mass transportation as a partner with the highway program in fulfilling the travel needs of our people. Mass transportation will have my support only so long as the chief proponents of this system are willing to acknowledge that this form of transportation will never serve as a substitute for an adequate highway system.

"Partners in Progress for the Transportation Future of Our Country" should be the slogan. My sympathies, if this partnership should break down, will always be with the highway system which, to me, is fundamental and is deserving of our first consideration.

In supporting this legislation today, I also wish to make it abundantly clear that at no time will we tolerate a raid against highway taxes to subsidize a mass transportation system. Just as highways must be self-supporting, so mass transportation must obtain its own method of financing independent of the motoring public. If raids are ever made against highway taxes of this Nation for mass transportation, they will meet with my most vigorous opposition.

Today could be a historic beginning of an enlightened, modern, adequate transportation system for our Nation. If it is, it will always enjoy my enthusiastic support, just as I will support the legislation before us today.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Minnesota.

Mr. MacGREGOR Mr. Chairman, I rise in support of this legislation.

Mr. MACHEN. Mr. Chairman, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Maryland.

Mr. MACHEN. Mr. Chairman, I rise in support of H.R. 4822, a bill to authorize construction of a rapid transit system in the District of Columbia.

As the Congressman whose home is closest to the Capital, I have a deep personal interest in the passage of this legislation. As a member of the house of delegates from Prince Georges County for 10 years, I have been long aware of the necessity for some system of rapid travel that would incorporate the suburban area that I represented.

Whether the rural areas like it or not, the city and its byproducts are creeping up to their back doors. And the suburbanites are returning the compliment by motoring back to town for business, shopping, and recreation.

The cyclical process is wholly dependent on an efficient means of distributing the flow when the initial destination is reached.

I believe we are agreed that our highways have all the traffic they can bear.

For years now we have been funneling commuters down concrete chutes in ever-increasing numbers and turning them loose with nothing more than a hunting license for a parking place.

No one should be expected to put in an efficient 8-hour workday when he is subjected to an hour of irritation on both ends—when he drives to work and when he returns.

Yet, thousands daily face this problem.

H.R. 4822 is only a first step. We realize that it is not complete in itself but considering the problems of previous years concerning the rights of individual property owners, businessmen, and labor, this is a logical and necessary first step. Although it is essential that we have a balanced program of highways and rapid transit, we must have a rail system in the city to build upon. The provisions of this bill are entirely consistent with our desire for maximum utility with maximum esthetic safeguards.

This beautiful city of Washington—the world's greatest monument to city planning—is being overcome by fumes and overrun by vehicles. It is almost if not the fastest growing population center in the United States and that is not counting the tourist travel. Consider those hundreds of thousands of American citizens who come to the seat of their Government every year to see its monuments and watch its officers at work—and spend half of their precious vacation time looking for a place to park.

We have sacrificed homes and the hearts of our cities to the motor vehicle. We must regain our sense of balance and restore the automobile to its proper place—as a convenient, but not exclusive, means of transportation.

This bill has a wide base of support, and as elected officials, we will be held responsible by future generations if we fail to act now. I feel we are at the crossroads and as trustees not only for the District of Columbia, but for all of the people of the 50 States, we need this as part of our transportation system; and in closing I call to your attention some of the committee's conclusions.

(See exhibit 1.)

Exhibit 1

The downtown portions of the rail rapid transit system that would be authorized by H.R. 4822 would make rapid, high-capacity, convenient, and comfortable transit service a reality between the Capitol, Union Station, and the key business and Government employment centers in downtown Washington. The radial lines of the proposed system would substantially improve public transportation service to and from many of the most heavily populated sections of the District, and, in combination with the bus systems, between the densely settled suburban communities of Maryland and Virginia and downtown.

While the lines and stations of the system would be limited principally to the District, the committee is convinced that by incorporating the bus-transfer and parking facilities contemplated by the bill, its effect will be areawide. It is believed that thousands of commuters will avail themselves of the timesavings and convenience that will become available, thus relieving the pressures on the street and highway systems.

The Congress have long recognized that if a modern subway rail rapid transit system is to be developed in the Nation's Capital, it is squarely up to the Federal Government to take the first step. Your committee is satisfied that the Agency's estimates concerning construction costs, traffic, revenues, and operating expenses of the proposed system have been well prepared and are reasonable. The recommended financial plan represents faithful adherence to the policy enunciated by Congress in the 1960 act. It calls upon the users of the facilities to bear by far the major portion of all costs and places the least possible burden on the Federal Government.

H.R. 4822 authorizes $100 million of Federal appropriations and a $50 million appropriation out of the general revenues of the District of Columbia. These funds are needed to launch construction of the proposed facilities. The transit development program does not call for any additional requests for appropriations. The balance of the cost of the system will be financed by the sale of bonds to be repaid out of the revenues of the system.

In the judgment of your committee, the time for action has arrived. There is no questioning the soundness of the investment. The rail rapid transit lines and related facilities are essential for the preservation of the beauty, dignity, and livability of the National Capital, for the welfare of the people of the District of Columbia, and for the orderly future development of the National Capital region.

Mr. CLARK. Mr. Chairman, as a member of the Public Works Committee and the Roads Subcommittee, I have been especially interested in the rapid transit proposals for the Nation's Capital. The program which President Johnson submitted to the Congress this past February is a vast improvement over prior proposals—it is indeed an excellent program in every respect. Our District of Columbia Committee, which has labored for a decade with the staggering transportation problems of the Nation's Capital, has submitted a committee report which is compelling, and a bill the passage of which is imperative.

In my six terms in Congress, I have not seen any piece of legislation for the Nation's Capital which has commanded such widespread and vigorous support. Nor have I known of any legislation which has more richly deserved our overwhelming approval—without delay and without amendment. The problem is clear to all of us who work and live here—traffic congestion is terrible, and daily getting worse, despite the fact that our highways have improved considerably in the past several years. The answer is also clear—a rail rapid transit system is a must for this area to provide the high-speed balance to our existing and projected highway system.

And that is why all three highway departments—the District, Maryland, and Virginia—support H.R. 4822. Their plans for an efficient highway program in this area depend upon the construction of the rapid rail system in H.R. 4822.

I spoke of the overwhelming endorsement of H.R. 4822. Every local government in the area supports H.R. 4822. More than 400 official and other organizations support it. Businessmen, corporations, banks, public utility companies, and associations support H.R. 4822 and have told us so by letter, and even in full-page newspaper ads during the past week. Organized labor here and throughout the country strongly endorses H.R. 4822. And this rapid transit program has never been a partisan issue. President Eisenhower signed the bill creating the National Capital Transportation Agency and directing it to develop a rapid transit program. The late President Kennedy wanted a subway system for Washington and he proposed one in 1963. Republicans and Democrats alike support this bill and have worked long and hard for its passage.

H.R. 4822 will authorize for the Nation's Capital what every other major capital city in the Western World has long had—a subway system. No city needs it more than Washington. And it is up to us to see that the Capital of all our people gets it.

The Federal interest is obvious. The Federal contribution is reasonable and specifically limited—$100 million for a $431 million system. Less than 25 percent of total cost. And the Federal investment is absolutely sound. We could not make a better one for our Capital. We cannot afford not to make it.

The local interest is also clear, and has been expressed by a virtually unanimous community—citizen, worker, and businessman. The local contribution—$50 million—is substantial for a city of 700,000 with limited financial resources.

And—contrary to the incredible, indeed irresponsible, claims of one purely selfish interest—who presumes to speak for private enterprise in full-page newspaper ads, on the back of his buses and elsewhere—a man who has been treated generously by means of subsidy, tax relief, and otherwise by the Congress—H.R. 4822 preserves private enterprise.

The system will be built by private enterprise under contract with the Federal Government.

The system will be operated by private enterprise under contract with the Government.

Two-thirds of the cost of the system will be financed privately by the issuance of revenue bonds, and those bonds will be retired from the revenues paid in by the users of the system.

Finally, all existing rights of all—not just one—of the private bus companies are specifically preserved by H.R. 4822.

And this bill preserves and protects the rights of labor in exactly the same manner as does the Urban Mass Transportation Act of 1964.

In summary, H.R. 4822 authorizes the subway system Washington must have to assure the efficiency of our Government, retain the vitality of its business community, protect the welfare of the people who live here, and preserve the dignity and beauty of our Nation's Capital, which belongs to all our people and therefore is the responsibility of each one of us.

And in doing all of these things, H.R. 4822 makes of no man a victim, and gives to no man a windfall. For just as the subway system will put our vital transportation system in balance, so does H.R. 4822 put in proper balance public responsibility and private opportunity. Public investment is protected by public ownership. Private initiative is preserved by private management operation under contract. The critical transportation problem and our responsibility dictates that we do no less; the solution and our conscience demands that we do no more.

I urge that we pass H.R. 4822 as reported by our District of Columbia Committee.

Mr. WHITENER. Mr. Chairman, I yield such time as he may require to the distinguished chairman of the Committee on the District of Columbia [Mr. McMillan].

Mr. McMILLAN. Mr. Chairman and Members of the House, I wish to use this time for the purpose of thanking the chairman of the subcommittee and the members of his subcommittee for the days, weeks, and months they have spent on this proposed legislation. I realize that there is room for disagreement on both sides of this proposal. I would like to state for a number of years, after we first began considering this proposal in the House District Committee, I had my doubts as to whether we could build a subway system in the District of Columbia. I suggested to the chairman of the subcommittee at that time that he have some of the best engineers in the United States make a careful survey to see if they in any way could come up with information on this subject that was sound, showing that they could build a subway system in the Nation's Capital and give us an estimate that was anywhere near correct what it would cost to build this proposed subway system. They have come up with some estimates now, and I certainly could not swear whether these figures are correct. I do want to thank the members of this committee for the hard work they have done and the long hours they have spent in connection with this proposal. If we are ever going to settle this problem, I presume that today is the best time we will ever have to make a definite and final decision on this proposed legislation.

Mr. ICHORD. Mr. Chairman, will the gentleman yield to me?

Mr. WHITENER. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I am inclined to support this legislation, but I am wondering why the States of Virginia and Maryland are not making a contribution to the construction of the subway. I would like to ask the gentleman from North Carolina whether those States have exhibited any willingness to make any contribution.

Mr. WHITENER. In hearings on the original bill, we had representatives of the official agencies of government in Virginia and in Maryland saying that they were ready to participate. I have in the file here a letter from Governor Tawes of Maryland in which he expresses support of the legislation. I can say to the gentleman that we have nothing other than an indication of willingness to participate if and when it becomes a Maryland-Virginia system. At present it is not serving those areas except incidentally.

Mr. ICHORD. Does the gentleman have any provision in the bill in regard to their participation in the cost in the event it does become a part of the interstate system?

Mr. WHITENER. No, the bill does not. The bill refers to the potential development of an interstate compact and looks forward to the day when that will occur and when that does occur, then this system will go into the interstate system and all will participate.

Mr. ICHORD. I thank the gentleman.

Mr. WHITENER. Mr. Chairman, I yield 1 minute to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I thank the gentleman for yielding.

I am in support of this legislation. I commend the committee for bringing it out. I urge its adoption.

I am taking this time really to advise Members, in response to many inquiries concerning the memorial services for Adlai Stevenson at the Washington Cathedral. A section will be reserved for Members of Congress. Members will only have to identify themselves as they present themselves to attend the services.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield.

Mr. ROOSEVELT. Does the gentleman have information concerning the time?

Mr. ALBERT. My understanding is that we should be present by not later than 10:45. Members will receive telegrams inviting them and furnishing details.

Mr. ROOSEVELT. Will we be permitted to bring our families?

Mr. ALBERT. My understanding is that the congressional section will be reserved for Members of Congress only.

Mr. WHITENER. Mr. Chairman, I should like to say at this point that I urge everyone to support our legislation without amendment other than the committee amendments.

Mr. ROOSEVELT. Mr. Chairman, the transportation jungle is something I am all too familiar with coming from Los Angeles. I know the frustration of men who have been earnestly trying—for decades—to awaken local and State officials to the need for long-term planning and action now. It is for this reason that I rise in support of H.R. 4822 to authorize a transit development program for our Nation's Capital region.

The gentleman from North Carolina [Mr. WHITENER], the author of this bill; the gentleman from South Carolina [Mr. McMILLAN], chairman of our fine District of Columbia Committee, and all the members of that committee are to be congratulated for their work on this bill.

H.R. 4822 comes before the Congress against a background of more than a decade of surveys, studies, and recommendations dealing with the increasingly serious transportation problems of the National Capital region. Of the broad gamut of matters coming before the District Committee, none has occupied more time or received more sustained consideration. And of the many issues considered by that committee over the years, few have been more closely examined than that of the urgent need of our National Capital for a rail rapid transit system.

The National Capital region is now the fastest growing metropolitan area in the United States. In 1960, its population was approximately 2 million. It is expected to reach 3.5 million by 1980 and 5 million by the year 2000. In addition, many millions of our citizens from all the States visit the National Capital each year, and many millions more are expected to do so in the future.

This tremendous growth has brought with it increasingly serious transportation problems. Travel within the region—especially during the rush hours—has become more and more difficult. Due to the slow travel time on public transportation systems, more and more people in the area have resorted to private transportation.

There are now some 800,000 vehicles in the National Capital region. It is estimated that there will be 1 million more by 1980.

Realizing the seriousness of this problem, and understanding that it involves not only the welfare of the citizens of the District of Columbia, but also the efficiency of operation of the National Government to promote the national interest in protecting and enhancing the beauty, dignity, and livability of the National Capital, the committee, and the Congress have searched long and carefully for a solution that will best serve both the local welfare and the national interest.

I particularly note the labor provisions of this bill. Proposed legislation in the 88th Congress did not address itself to this problem. However, Congress has since enacted the Urban Mass Transportation Act of 1964, providing assistance to cities in improving their mass transportation systems and providing protection for transit workers affected by such assistance. Consequently, the administration and the committee have concluded that the same protection should be afforded transit labor in Washington. Hence, in addition to requiring that the local transit facilities be operated only by private transportation companies or other private persons, section 3(b)(3) of H.R. 4822 incorporates by reference the labor protective conditions set forth in the Urban Mass Transportation Act of 1964. It should be noted that under the reported bill, the employees involved in the operation of the new transit system would be the employees of a private employer whose labor relations policies will be subject to the existing labor laws applicable to private employers and to their employees.

Mr. Chairman, the seriousness of the transportation problem besetting the National Capital region has been long apparent and undisputed. The hearings and reports of the Joint Committee on Washington Metropolitan Problems, the reports and hearings of the District Committee on the subject, and particularly the exhaustive studies of the 1959 transportation survey and the National Capital Transportation Agency, demonstrate beyond any doubt that the region faces a transportation crisis. The stark realities of the situation are that Washington's streets and highways are burdened with ever-increasing volumes of traffic, creating mounting congestion that has grave consequences for the District and the suburbs alike. Such congestion limits mobility. It detracts from the efficiency of Federal operations in Washington and results in costly losses in time and money in traveling between home and work.

There is universal agreement that it is impossible to meet the region's growing transportation demands by means of highways alone. Recognizing this, the plans of the highway departments of the region are predicated on the development of an improved system of public mass transportation, one that will be attractive to the public. The departments recognize that the people of the National Capital region must be provided a real choice between using public transportation, or using their private automobiles, for trips between their homes and their places of employment.

It is my hope that the major metropolitan areas which face a similar crisis in the transportation planning and programs will take a cue from this legislation—that cities like my own of Los Angeles will exert anew every effort to meet their own transportation problem, and find the means of breaking the traffic strangulation with which they are now faced.

Mr. ASHLEY. Mr. Chairman, I want to extend my congratulations to the gentleman from North Carolina [Mr. WHITENER] and to the members of his committee responsible for what I believe to be one of the most farsighted pieces of legislation acted upon by this body in recent years.

The problem which the bill before us seeks to meet—the movement of an ever-increasing population in our ever-growing urban centers—calls for imagination, foresight and readiness to act boldly. Let's consider the proportions of the problem as it relates to our Nation's Capital. The population here in 1960 was about 2 million and it is expected to jump to 3½ million by 1980 and to reach 5 million by the year 2000. That is permanent population and does not include visitors. Presently there are some 800,000 vehicles in the Washington area and it is estimated that the number will increase by 1 million—for a total of almost 2 million—by 1980.

These projections make it abundantly clear, Mr. Chairman, that we must turn to new solutions if we are to succeed in moving people and goods with efficiency and speed. It is absolutely fundamental that we realize that the traditional means of surface transportation—essentially by automobile and bus—can only do part of the job and that there is a positive limit on the vehicular traffic that can be handled by streets, throughways and expressways. Today two-thirds of the land area in Los Angeles is devoted to the automobile—to roads and expressways, to filling stations and garages and parking lots. Will the situation there be improved when 75 percent of all land within the city is devoted to vehicular traffic?

Obviously not. And certainly this was a basic consideration when President Johnson called for deferral of proposed automobile freeways through Washington and asked for a restudy of those projects. Commenting on the President's action, the New York Times quite rightly pointed out that "these decisions if carried out by Congress, will preserve the beauty of Washington and enhance its economy. If there is anything the Capital does not need, esthetically speaking, it is a great swath of concrete sweeping across its face and attracting even more automobiles into town."

Much has been said about the $431 million price tag on the rapid transit system proposed in the legislation before us. It seems to me that it is just about time that we recognize that any solution to the staggering transportation problem which confronts us is going to be enormously costly. The question is not whether or not we are going to spend the money because obviously we are going to continue as a nation to move from one place to another. The only question is with respect to alternative means of transportation and how best our dollars can be spent.

It is no more realistic to oppose the bill before us because of its cost than it is to oppose the construction of sewage treatment plants because of their cost. The fact of the matter is that this country is going to spend tens of billions of dollars—not just $431 million—on modern systems of transportation for our growing urban areas from New York to California and from Minnesota to Louisiana. The expenditure is going to be made because we cannot afford not to make it.

Mr. Chairman, H.R. 4822 is a significant piece of legislation. It recognizes incredible changes that are taking place in the country and it provides an imaginative, bold response to the Capital's transportation problems which undoubtedly will serve as a model for other cities in the immediate years ahead. I wholeheartedly urge its adoption.

Mr. REUSS. Mr. Chairman, I rise today in support of H.R. 4822, authorizing a transit development program for the National Capital region. This program, as we all know from personal experience, is badly needed.

Washington is the 10th largest city and the fastest growing metropolitan area in the United States today. There currently are more than 2 million people living and working in the area. By 1980 this figure is expected to rise to 3.5 million, and then to 5 million by the year 2000.

SUBWAY WOULD SUPPLEMENT BUS NETWORK

Yet despite the city's current size and expected growth, it is relying for internal public transportation on a bus system—good as it is—which is less attractive to most commuters or shoppers than their own automobiles. In order to relieve traffic congestion and get people out of their cars, we need a rapid transit subway system to supplement the bus network. H.R. 4822 provides that system.

The proposal under consideration today is a good one. It authorizes the National Capital Transportation Agency to build a rapid rail system nearly 25 miles long with 29 separate stops. The system would serve primarily the central city of Washington, but extend on one terminal route into Maryland in the Silver Springs area and on another into Virginia in the Pentagon area. Approximately half of the system—that serving downtown Washington—would be underground.

The project is estimated to cost $431 million, of which 65 percent would be raised through the sale of bonds to be paid back from revenues. The remaining 35 percent would be shared two-thirds by the Federal Government, and one-third by the District of Columbia government. The complete system would be in service by 1972. It would be operated by private companies under contract with NCTA.

GOOD TRANSPORT: OUR CITIES' NO. 1 PROBLEM

The most serious problem facing our cities today is the problem of providing safe, quick, and economic public transportation for their residents and visitors. Cities have not been equipped with the public transportation facilities they need. Rather, they have, as a rule, struggled along with inadequate systems far too long—and Washington is a prime example. Therefore, I am glad that Congress is about to take action to improve the mass transit facilities for the Capital City.

But what about the future?

We know from experience that we are generally Johnnies-come-lately when coping with the problems of our cities. We never seem to catch up to where we should be, and this is true in all aspects of urban development—renewal, water, and air pollution control, water supply as well as public transport. We should attempt to leap ahead, not simply struggle to catch up.

I have proposed legislation that would enable us to leap ahead in the development of urban transportation systems. H.R. 9200, which I introduced on June 17, would provide a 2-year, $20 million program to achieve a technological breakthrough in the development of new modes of urban transportation.

The Mass Transportation Act of 1964, which my bill would amend and supplement, while good legislation and badly needed, is limited in what it can accomplish. The total cost of equipping our cities with good mass transportation facilities has been put by some as high as $10 billion. The 1964 act provides $375 million over a 3-year period for grants to help cities improve existing, or set up new, bus or subway systems. Obviously, the 1964 act is not going to be able to cope with the problem adequately, particularly since it includes no program for basic research into new mass transit systems.

NEW URBAN TRANSPORT SYSTEMS ARE NEEDED

But it would be futile in any case to try to meet the long-range urban transportation needs of our cities under the terms of the 1964 act. What we are going to need eventually—in fact, what we need now—is a system which first, can take its passengers safely, quickly, and economically to their destination without the bother of transferring; second, is powered by a fuel that does not pollute the air; third, fulfills the apparent need of Americans for individual transport; and fourth, will contribute to good city planning.

The Massachusetts Institute of Technology has developed a drawing board version of a system which meets these criteria. It is called the Commucar. Such a system could be refined and developed under the program I am proposing.

Nine other Members have introduced legislation identical to H.R. 9200; the gentleman from Ohio [Mr. ASHLEY], the gentleman from Texas [Mr. CABELL], the gentleman from New York [Mr. FARBSTEIN], the gentleman from New York [Mr. MULTER], the gentleman from New York [Mr. ROSENTHAL], the gentlewoman from Missouri [Mrs. SULLIVAN], the gentleman from Ohio [Mr. VANIK], the gentleman from Georgia [Mr. WELTNER], and the gentleman from Illinois [Mr. YATES].

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Capital Transportation Act of 1965".

STATEMENT OF FINDINGS AND PURPOSES

SEC. 2. To further the objectives of the Act of July 14, 1960, the Congress hereby finds and declares that—

(a) A coordinated system of rail rapid transit, bus transportation service, and highways is essential in the National Capital region (as defined in sec. 103 of the National Capital Transportation Act of 1960 (74 Stat. 537)) for the satisfactory movement of people and goods, the alleviation of present and future traffic congestion, the economic welfare and vitality of all parts of the region, the effective performance of the functions of the United States Government located within the region, the orderly growth and development of the region, the comfort and convenience of the residents and visitors to the region, and the preservation of the beauty and dignity of the Nation's Capital.

(b) Such a coordinated system should be developed cooperatively by the Federal, State, and local governments of the National Capital region as part of a balanced system of transportation utilizing to their best advantage highways and other transit facilities, and the cost of improved mass transit facilities should be financed, as far as possible, by persons using or benefiting from such facilities and their remaining costs should be shared equitably among the Federal, State, and local governments.

(c) Various steps have already been taken to bring such a system into being, including the preparation by the National Capital Transportation Agency (hereinafter referred to as the "Agency") of a Transit Development Program for the National Capital region, and authorization of the negotiation by the Board of Commissioners of the District of Columbia, the State of Maryland and the Commonwealth of Virginia of an interstate compact to establish a regional transportation organization under the terms of title

III of the National Capital Transportation Act of 1960 (74 Stat. 544), and approval by the Congress of the Washington Metropolitan Area Transit Regulation Compact (74 Stat. 1031) 1031 and 76 Stat. 764). Nothing in this Act shall be construed as altering or amending the Washington Metropolitan Transit Regulation Compact.

(d) While the negotiation of an interstate compact to establish a regional transportation organization has not been completed, and plans for the development of improved mass transit facilities throughout the National Capital region are still being developed, the Agency has prepared a satisfactory transit development program for the establishment, principally within the District of Columbia, of a system of rail rapid transit lines and related facilities which are capable of being extended to serve other parts of the region, and the design and construction of such facilities should now proceed as contemplated by the National Capital Transportation Act of 1960.

(e) In developing such improved transportation facilities, it is necessary that the operation of rail rapid transit and bus services be coordinated, that unnecessary duplicating service be eliminated, and that the creation and operation of public rail rapid transit facilities be accomplished with the least possible adverse effect on the private companies transporting persons in the National Capital region, on their employees, and on persons, families and businesses displaced by the construction of such facilities.

FACILITIES AUTHORIZED

SEC. 3. (a) In accordance with section 204 (c) of the National Capital Transportation Act of 1960 (40 U.S.C. 664(c); 74 Stat. 540), the Agency is hereby authorized, subject to the availability of funds, to design, engineer, construct, equip, and take other action as authorized in this Act necessary to provide for the establishment of the system of rail rapid transit lines and related facilities described in the Agency's report entitled "Rail Rapid Transit for the Nation's Capital, January 1965", transmitted to the Congress by the President on February 10, 1965: *Provided*, That the cost of constructing and equipping such lines and facilities, excluding interest costs, shall not exceed $431,000,000.

(b) The work authorized by this section shall be subject to the provisions of the National Capital Transportation Act of 1960, shall be carried out substantially in accordance with the plans and schedules contained in the aforesaid report, and shall be subject to the following:

(1) No portion of any rail rapid transit line or related facility authorized hereunder shall be constructed within the United States Capitol Grounds except upon approval of the Commission for Extension of the United States Capitol.

(2) All construction work performed in, on, under, or over public space in the District of Columbia under the authority of this Act shall, in the interest of public convenience and safety, be performed in accordance with schedules agreed upon, and set forth in one or more written agreements, between the Agency and the Board of Commissioners of the District of Columbia, to the end that such construction work will be coordinated with other construction work in such public space, and consistent with such agreement or agreements, the said Board of Commissioners shall so exercise its jurisdiction and control over such public space as to facilitate the Agency's use and occupation thereof for the purposes of this Act.

(3) The rail rapid transit lines and related facilities authorized by this Act shall not be operated except under contract by private transit companies, private railroads, or other private persons. Such contracts shall be entered into only after formal advertisement and negotiations with all interested and qualified parties, including private mass transportation companies in the National Capital region, and only if the Secretary of Labor certifies that terms and conditions, as prescribed in section 10(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1609(c); 78 Stat. 302, 307), to protect the interests of employees affected by any such contract for the operation of the facilities authorized by this Act, are specified in such contract.

(4) If the contractor selected to operate the facilities authorized by this Act contracts for the construction, alteration, and/or repair of such facilities, the agency which lets the contract to operate the rail rapid transit lines and related facilities shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have with respect to the labor standards specified herein the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

RELOCATION ASSISTANCE

SEC. 4. The Act of October 6, 1964 (78 Stat. 1004) authorizing the Commissioners of the District of Columbia to provide relocation services to individuals, families, business concerns, and nonprofit organizations which may be or have been displaced from real property by actions of the United States or of the District of Columbia, and all regulations made under the authority of such Act are hereby made applicable to individuals, families, business concerns, and nonprofit organizations displaced from real property by actions of the Agency and the Agency shall pay the District of Columbia Relocation Assistance Office for the cost of such relocations: *Provided*, That in the case of any such displacements from real property located in the State of Maryland or the Commonwealth of Virginia the Agency is authorized to make relocation payments directly to the displaced individual, family, business concern, or nonprofit organization, as the case may be, in accordance with the schedule of payments contained in the said Act of October 6, 1964, and such rules and regulations as may be prescribed by the Administrator. In the event real property is acquired for the Agency by another Federal agency or by any State or local agency or authority, the Agency is authorized to reimburse the acquiring agency for relocation payments made by it, up to the amounts specified in the aforesaid Act of October 6, 1964.

APPROPRIATIONS AUTHORIZED

SEC. 5. (a) The cost of designing, engineering, constructing, and equipping the facilities authorized in section 3 hereof shall be financed in part by the Federal and District of Columbia Governments, as follows:

(1) To finance the United States portion there is hereby authorized to be appropriated to the Agency not to exceed $100,000,000, which shall remain available until expended;

(2) To finance the District of Columbia portion there is hereby authorized to be appropriated to the Agency out of the general fund of the District of Columbia not to exceed $50,000,000, which shall remain available until expended;

(b) Subsection (b) of section 1 of this Act entitled "An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvements programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City", approved June 6, 1958, as amended (72 Stat. 183, 77 Stat. 130), is amended by striking "$175,000,000" and inserting in lieu thereof "$225,000,000"; and by inserting immediately before the period at the end of such subsection the following: ": *And provided further*, That $50,000,000 of the principal amount of loans authorized to be advanced pursuant to this subsection shall be utilized to carry out the purposes of the National Capital Transportation Act of 1965".

ANNUAL REPORT

SEC. 6. The Agency shall submit to the President for transmission to the Congress at the beginning of each regular session of the Congress an annual report of its operations under this title.

ADVISORY BOARD

SEC. 7. Section 202 of the National Capital Transportation Act of 1960, approved July 14, 1960 (74 Stat. 537), is amended by striking "five" from the third line thereof and inserting in lieu thereof "seven"; by striking "three" from the fourth line and inserting in lieu thereof "four"; and by adding at the end of said section the following: *Provided*, That if any member of the Advisory Board shall be an employee of the United States or the District of Columbia he shall serve without additional compensation."

SEPARABILITY

SEC. 8. If any part of this Act is declared unconstitutional the constitutionality of no other part of the Act shall be affected thereby.

Mr. WHITENER (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 3, line 11, strike out "1031)." and insert in lieu thereof the following: "1031 and 76 Stat. 764). Nothing in this Act shall be construed as altering or amending the Washington Metropolitan Area Transit Regulation Compact."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 4, line 5, strike out "that unnecessary duplication service be eliminated,".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 7, line 7, insert (c) as follows:

"(c) Nothing in this Act shall be construed to affect any right to damages which any common carrier engaged in the private transportation of persons in the National Capital region may have by virtue of Public Law 757 of the 84th Congress (70 Stat. 598) or Public Law 669 of the 86th Congress (74 Stat. 537).

"(d) The protection accorded the private bus companies under the provisions of the National Capital Transportation Act of 1960 (74 Stat. 537), and particularly under section 205(a)(2) thereof, shall not be impaired by this Act."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 9, line 6, strike out "this" and substitute in lieu thereof "the."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the last committee amendment.

The Clerk reads as follows:

On page 9, line 13, strike out $225,00,000" and substitute in lieu thereof $225,000,000."

The committee amendment was agreed to.

Mr. WHITENER. Mr. Chairman, I wonder if we could obtain a unanimous-consent agreement to limit debate on all amendments to, say, 20 minutes?

Mr. DOWDY. Does the gentleman mean 20 minutes on each amendment?

Mr. WHITENER. Yes.

Mr. DOWDY. I would be constrained to object, Mr. Chairman.

Mr. WHITENER. Mr. Chairman, I withdraw my request.

The CHAIRMAN. Are there amendments?

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Harsha: On page 2, strike out lines 13 through 22 and insert in lieu thereof the following:

"(b) Such a coordinated system should be developed by the Federal, State, and local governments of the National Capital region as part of a balanced system of transportation utilizing to the best advantage highways and other transit facilities.

"(c) Certain of the costs of such a coordinated system should be shared equitably among the Federal, State, and local governments.

"(d) All costs of such a coordinated system for which appropriations are not directly authorized by section 5 of this Act must be financed by the persons using such facilities."

Reletter paragraphs (c), (d), and (e) as (e), (f), and (g), respectively, including any references thereto.

Mr. HARSHA. Mr. Chairman, this amendment simply proposes to do this: It assures the Congress that those persons using the transportation system will have to pay sufficient fares to retire the bonds and meet the operating expenses.

Mr. Chairman, we have been faced here with debate pointing out the great deficits that existing transit systems are facing, the great falloff in patronage of transportation systems all over the Nation. Yet the proponents of this legislation have assured us that their estimates indicate that there will be sufficient patronage and sufficient receipts from the operation of this facility to meet all operating expenses and retire the bonding provisions—the bonding indebtedness—of this legislation.

Therefore, if we take their figures as being accurate, as they would have us to believe, they surely should not object to the acceptance of the amendment which would only assure that those using this utility and this facility should provide for its operation and the expense incurred in retiring the indebtedness. On the other hand, if their estimates are not accurate then the receipts will not be sufficient to meet the costs and expenses and either the Federal Government will have to be charged and unless a prohibition is written in the law, great pressures will be exerted to subsidize rather than raise fares.

Mr. Chairman, that is all my amendment proposes to do, take the possibility of fluctuating fares out of the hands of politics. It says specifically that the fares must be in a sufficient amount to meet all operating expenses as well as retire the indebtedness. That is all it proposes to do. It assures that the users will pay for the services they receive as do all others in the rest of the Nation.

Mr. Chairman, I hope the committee will adopt the amendment.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the amendment as written leaves a great deal of uncertainty which does not exist in the present language. It will be noted that in subsection (c) of the amendment it is stated that the costs of such coordinated system should be shared reasonably among the local and State governments. I do not know what costs are being referred to here. The language of the bill at present says that the cost of these improved mass transit facilities should be financed as far as possible by persons using or benefiting from such facilities. This language says that all costs which the appropriations do not authorize must be financed by persons using such facilities. I just do not follow the gentleman's purpose in the amendment except the use of the clear language of the existing bill, and for that reason I urge that the amendment be defeated.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Ohio.

Mr. HARSHA. There is no attempt to confuse this issue. The amendment refers to the cost of the Federal contribution or Federal grant of $100 million and the Federal loan for the District of Columbia $50 million, and other costs or expenses involved in the construction and operation of the project are to be met by charging an adequate fare that will meet these expenses. That is all it does. The language that is used in the bill says "as far as possible," which gives the necessary loophole to the Federal Government that retains the fare-making prerogative to yield to the pressure of the local politicians and the local business people to reduce or raise fares.

Mr. WHITENER. The gentleman from Ohio is a very fine member of the subcommittee which considered this bill. He is also a member of the full committee. He assisted in writing in effect the clear language of subsection (b) as it now stands. This amendment was not offered in the full committee or subcommittee. I urge that you vote it down and adhere to the clear language in the present bill.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the gentleman from Missouri [Mr. Ichord], asked this question a moment ago:

Why do not the States of Virginia and Maryland make some binding contribution to this subway system?

The gentleman from North Carolina [Mr. Whitener], gave the answer early in the debate when I asked him "who is going to provide the huge parking lots on the Virginia side of the river?" He said that cost is included in this bill. Of course it is. The States of Virginia and Maryland want a free ride out of this thing, no question about that. We build the bridges across the Potomac River for them, but do not get any free bridges across the Mississippi River into Iowa.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. The fact should be made crystal clear neither Virginia nor Maryland are coming up with a dime for this purpose.

Mr. GROSS. Yes.

Mr. O'KONSKI. They promise something, maybe in the future.

Mr. GROSS. The gentleman is absolutely right.

The issue of property taxes in the District of Columbia came up a while ago. I have been around here for a few years, and I can remember when the distinguished gentleman from Michigan, Mr. Rabout, now deceased, a Democrat, and Chairman of the District of Columbia Appropriations Committee, told this House repeatedly that District property owners were not paying their fair share of taxes. But years have elapsed, and the District Committee has done little to bring the taxes up in the District of Columbia comparable to those that are paid in your districts, whatever your State may be.

The gentleman from Wisconsin [Mr. O'Konski] told you that story a while ago. He gave States and cities and comparisons with levies made in the District. They are getting an easy ride in many respects taxwise in this little world of make-believe. They can pay for some of these things if somebody will make them cough up the revenues that are raised in comparable cities.

I can remember the District of Columbia Stadium. I was in the middle of that fight. I got licked, and I have no doubt that the skids are greased there this afternoon to put this bill through. Yes, I remember the stadium business, and some of the rest of you were here then, and you remember. Someone asserted a little while ago that professional reputations are at stake in this issue. Well, there were professional reputations at stake on the stadium issue and there were also congressional reputations at stake. Go back and read the Record of debate on the District of Columbia Stadium. You will find that Members of Congress came down here in the well of the House, as they are doing today, saying it was not going to cost the taxpayers—your taxpayers and mine—a dime for that white elephant stadium. They also asserted it would cost $6 or $7 million and it wound up costing $20 million. Yet today not one dime has been paid on the principal of those stadium bonds and they are not likely to be paid by the District. One of these fine days the House is going to get the bill for that $20 million stadium. I said at that time that I did not care if a stadium was built at every street intersection in the District of Columbia, and I do not care today if you build a subway system east, west, north, and south in the District of Columbia, but I want the taxpayers of the District of Columbia and not the taxpayers I represent to pay the bill.

If you want this kind of a deal—if you propose to obligate your taxpayers today for nearly a half billion dollars to build a subway in Washington, D.C., that has an ultimate cost of $3 billion—then you explain it to the citizens you represent. I want no part of it.

Neither am I going to wave the flag and say in effect that nothing is too good for the District of Columbia because it is the Nation's Capital, especially when I know that taxpayers in other cities are paying as much as double the property taxes paid in the District.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. HARSHA].

The amendment was rejected.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 6, strike out line 15 and all that follows down through and including line 6 on page 7 and insert in lieu thereof the following:

"(4) The rail rapid transit lines and related facilities authorized by this Act shall not be constructed, altered, or repaired except under contract by private construction corporations, companies, or other private persons. Such contracts shall be entered into only after formal advertisement and negotiation with all interested and qualified parties and shall contain such provisions as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, or repair shall be paid wages at rates not less than those prevailing in similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have with respect to the labor standards specified herein the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 48 U.S.C. 276(c))."

Mr. MULTER. Mr. Chairman, in the report on this bill, we find language on page 2 which provides that it is the intent of the Congress that this bill shall require that the construction of this system and its operation shall be by private enterprise. This amendment makes it crystal clear that that intent is written into the act in so many words. This amendment will provide that the construction, alteration and repair of the system shall be done by private construction corporations, companies, or other private persons making, as I say, crystal clear the intent as expressed in the report. If this is what the committee intends and I do trust that is their intention, then there should be no objection to this language being put in the bill precisely and exactly so that there will be no question that we intend this system to be built by private enterprise.

Mr. Chairman, I yield back the balance of my time.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment which the gentleman has offered would, in my judgment, add a great deal of confusion to the proposal that we now have and it does not seem to accomplish what the gentleman says it will do.

The present language, which would be stricken, is:

If the contractor selected to operate the facilities authorized by this Act contracts for the construction, alteration, and/or repair of such facilities, the agency which lets the contract to operate the rail rapid transit lines and related facilities shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have with respect to the labor standards specified herein the authority and functions set forth in Reorganization Plan Numbered 14 of 1950.

This language has been accepted by the labor organizations. Most Members have had letters from them saying they are satisfied with it. It is satisfactory to the administration of our Government of the United States. It is satisfactory to the District of Columbia. It is satisfactory to the National Capital Transportation Agency.

The amendment was not offered in this form in the committee, even though the gentleman from New York is a member of the committee. I believe we should vote it down, in the interest of preserving plain and clear language.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY of Texas: On page 4, line 20, after the word "facilities", insert: "other than cars, rolling stock and electric, motor and other power vehicles".

On page 4, line 25, after the word "costs", insert: "and excluding the cost of cars, rolling stock and electric, motor and other power vehicles".

On page 6, strike lines 1 through 14 and insert:

"(3) The rail rapid transit lines and related facilities authorized by this Act shall be operated under lease contract entered into by and with a private person, pursuant to a franchise to be granted by Congress. Such lease contract and franchise shall, among other things, require that the holder thereof shall provide the cars, rolling stock and electric, motor and other power vehicles required for the operation of the rail rapid transit lines and related facilities authorized by this Act, and include the provisions in Section 10(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1609(c); 78 Stat. 302, 307) to protect the interests of employees affected by any such franchise for the operation of the facilities authorized by this Act.

"The word 'person' as used in this subsection shall include individuals, firms, partnerships, associations and corporations".

On page 6, strike all of lines 15 through 24, and to the period in line 25 and insert;

"(4) If the lease contract or franchise to operate the rail rapid transit lines and related facilities authorized by this Act granted in accordance with subsection (b) (3) of section 3 of this Act shall entitle the holder thereof to contract for the construction, alteration and/or repair of such facilities, such franchise shall include such provisions as may be appropriate and necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration and/or repair for which such holder contracts shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended."

Mr. DOWDY. Mr. Chairman, there has been a lot of talk and worry about whether the fare box will pay out the cost for construction and operation of this proposed rapid rail transit system. My amendment, if adopted, will remove all that worry from the bill. When the lease contracts are made with the person who will operate this system, in establishing the lease price, consideration will be given, or at least should be given, to the cost of construction, and how much such price should be recovered from the lessor, and it can be determined then how much subsidy is desired to be given to operate this rapid transit system here in the District of Columbia.

The effect of the amendment that I have offered will be that the District of Columbia or this commission can go ahead and condemn the land and obtain the right-of-way and build the tracks, the stations, and so forth, and then lease the tracks to some person, which would include a corporation or a firm, and let the lessor provide the rolling stock. The lease price for the roadbed can be used to pay off the bonds, if it is then determined that it is desirable that the income from the lease should be sufficient to pay the principal and interest on such bonds. My amendment further provides that Congress would retain control of the lease contract because of the requirement of congressional grant of a franchise.

Now, this is not a unique method of providing for transportation. Many of the railroads in this country are still running on leased tracks. That is all this would amount to. One railroad company would build tracks and lease them to another, which would be the operating railroad.

If we are going to return to this 19th century concept for the transportation of people, this would be the way to do it. Adopt this amendment, and all the argument about whether the fare boxes will pay the cost becomes moot. Under the bill as proposed here, as I understand it, the National Capital Transportation Agency will be operating this and will hire a manager to operate the transit system for them. So the Government will be paying the manager, and the Government will have to take out of the till of the District of Columbia the money to pay the operating expenses and the Federal Treasury would pay the bonds for construction. If it is leased to an operator, as my amendment proposes, we will not have to worry about any of that. This Washington Metropolitan Area Transit Commission will set the fares for the private operator. I think this is the proper way to handle this proposal. This will guarantee that it will be done by someone who is interested in making it pay and making it a successful operation rather than a bureaucratic operation. Substantially that is the difference between the bill if my amendment is adopted and the bill as presented here.

I will also say this: In connection with the amount of money authorized here, the language of the bill is that the cost of constructing and equipping the line shall not exceed $431 million. I did not decrease that figure. This $431 million supposedly includes the cost of the rolling stock. I believe it will take every bit of that $431 million and more, too, just to build the roadbed, the rails, and the stations, so I did not attempt to reduce that.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. Yes. I yield to the gentleman.

Mr. HARSHA. In effect what you are offering here is a free enterprise amendment. There is certainly more free enterprise in the proposal that you endeavor to have the committee adopt than there is in the existing language of the law, because under the existing language of the law nothing is done by anybody who is going to operate this so-called transit system. Everything is provided for him. He has no investment to make, he has no fears because he has no risks involved. In fact, he has no control over the fares, because the Federal Government retains the right to control the fares under the existing legislation. Is that correct?

Mr. DOWDY. That is true. Under my amendment, fares would still be, as in any transportation system, regulated by the Government. However, it would be a private enterprise operation rather than a bureaucratic operation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HARSHA. If the gentleman will yield further, under your approach the operator would have to make certain investments and provide the rolling stock at least in this operation, would he not?

Mr. DOWDY. He would certainly have an investment and want to protect it and to have a profitable operation that would be satisfactory to the public and therefore would pay off. Under the committee bill there is no incentive at all to provide a first-class, desirable, profitable operation.

Mr. HARSHA. And much of the chance or speculation that exists in the estimates of how many people will patronize this operation will have to be assumed by the operator then instead of by the Federal Government and the taxpayers all over the United States.

Mr. DOWDY. That is true. That is the statement I made, that we would not have to be worried about how many passengers there will be and what the fare will be. My amendment would pass those problems to the lessor and franchised holder.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. O'KONSKI. In essence, in plain language, what the gentleman is saying is this: that under the bill as now written, if it is passed, a man who does not even own a shirt or a pair of pants might be able to get the management contract; is that correct?

Mr. DOWDY. That is the way I understand it.

Mr. WHITENER. Mr. Chairman, I have no desire to delay the proceedings but I rise in opposition to this amendment. It was offered in the committee and was rejected. It would change the whole concept of this legislation, which concept is consistent with the operating pattern in the Miami, Dade County, Fla., system; in Philadelphia and in Memphis, Tenn. There is nothing novel about the approach we have here. There is nothing inconsistent with the free enterprise concept any more than is the amendment offered by the gentleman from Texas. So we ask that the amendment be voted down.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. NELSEN. Under the proposed amendment, if I understand it correctly, the control of the fare box would be completely in the hands of the lessee. The total cost of construction would be our responsibility and there would be no revenue bond provision and the possibility of recovery would be completely gone; is not that true?

Mr. WHITENER. That is my understanding.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. DOWDY. Mr. Chairman, I do not want my amendment misrepresented. The Washington Metropolitan Area Commission would set the fare. That should not be misrepresented to the House.

Mr. NELSEN. I was just asking the question; I am not disputing the gentleman.

Mr. DOWDY. The question was not answered correctly. The Government is going to build the tracks and lease the system. The Government will recover the money on the consideration for the lease. Then you know how much it would be instead of guessing, such as is being done here.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. ROOSEVELT

Mr. ROOSEVELT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROOSEVELT: On page 8, after line 17, insert the following:
>
> "SEC. 4. (a) In the event a coordinated program should require unification of rail rapid transit with private bus transit operators then an election should be made promptly to such effect and not later than June 30, 1967. Following such election if the same involves acquisition of the various transit systems in Maryland, Virginia and the District then plans should be effectuated and consummated within one year thereafter. In that event in determining the value of any transit system, if such system is actually engaged as a going profitable business at the time, its values should be based upon 'going concern' valuation at that time."

Mr. ROOSEVELT. Mr. Chairman, I offer this amendment primarily to try to see if we cannot, through a discussion with the committee, get some specifics which are not now written into the bill.

Mr. Chairman, it seems to me that in all fairness we recognize here that we are going to do something to going businesses. Now, when going businesses are placed in jeopardy, certainly they have a right to know at what point they are going to have to face whatever the damage is by which they are going to be affected, and I specifically ask that that would be provided.

Secondly, if the members of the Committee will look at the bill, on page 7, sections 3 and 4 (c) and (d) they will find that there are provisions whereby under certain actions, as the law now is, there may be actions taken for compensation, but having read those sections rather carefully, I cannot see that there is in those actions at any place a definite basis upon which the compensation can be claimed.

Mr. Chairman, it seems very unfair to me to take a position which was not known at the time the franchise let us say was granted to an operator and then have him go through let us say improvement of service, and then make other capital investments and then not allow him to be considered at this time because we have changed the rules of the game. I am going to vote for the bill but, nevertheless, it seems to me we should have very solid specifics upon what kind of basis this action should be based. I therefore spell out that it should be based on the basis of a going concern.

Mr. Chairman, if this is not correct I am sure that the distinguished gentleman from North Carolina who is the author of the bill will explain it so that it can be clear and so we could all understand that there is proper and fair protection. I do not want any more than that, but if proper and fair protection is not provided, then it seems to me that this amendment is a reasonable thing to ask.

Mr. Chairman, I will yield the balance of my time to my good friend, the gentleman from North Carolina [Mr. WHITENER], in order that he may discuss it a little more with me or I would rather yield to the gentleman for the purpose of his response and for the purpose of further interrogating him.

Mr. WHITENER. Mr. Chairman, if the gentleman will yield, I would say to the gentleman that this amendment is one that some of us have come to know as one of the "Chalk" amendments. It has been offered in three different forms at one point or another since we started the consideration of this bill.

It would—at least the last one that we saw, and I am not sure the gentleman's amendment would do that—but the net effect of it would be to put into the pocket of the owner of the D.C. Transit Co. a minimum annual payment of approximately $700,000 and in 1980 it would amount to $900,000, according to information that we have.

Mr. ROOSEVELT. If the gentleman will yield further, let me interrogate him as to this: How could he possibly be using specific figures when no figures of any kind or no approximation of any kind has yet been made? How does the gentleman know that?

Mr. WHITENER. Under the gentleman's amendment, if we bought him out immediately—that was the evidence if you follow the theory of Mr. Chalk.

Mr. ROOSEVELT. I am not talking about Mr. Chalk. Let us talk about me.

Mr. WHITENER. Mr. Chalk first proposed this in the committee.

Mr. ROOSEVELT. If Mr. Chalk has a fair deal, I am not against it just because Mr. Chalk is for it.

I want specific information.

Mr. WHITENER. The cost was estimated to be as high as $63 million immediately to the D.C. Transit Co.

Now there is nothing in the record, except the statements of Mr. Chalk, to indicate that these local carriers will in the long run be injured.

Mr. ROOSEVELT. That is right. All my amendment seeks to do is to give him his day in court so he can either prove that or have it disproved.

Mr. WHITENER. I will say to the gentleman from California that at the suggestion of the White House we put into this legislation language which would in effect protect any right to damages which any local carrier may have under existing law.

Mr. ROOSEVELT. Where is that language?

Mr. WHITENER. Under the existing Federal law it is right on the face of the bill.

Mr. ROOSEVELT. It is on what? It is on the face of the bill?

Mr. WHITENER. If the gentleman will look at the committee report, on the very first page, one of the amendments adopted, amendment No. 3 and amendments 3(c) and 3(d) were previously agreed to.

Mr. ROOSEVELT. Those are the ones to which I have referred previously.

Mr. WHITENER. Let us get around to what this proposition will do. The whole purpose of it is to undertake to sell out to the Government, as I notice the gentleman uses the language "a going concern."

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ROOSEVELT. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WHITENER. Mr. Chairman, if the gentleman will yield further, this first came about in our hearings when Mr. Chalk suggested that he would like for the Government to buy him out if we are going to go into the subway system.

Of course, Mr. Chalk did not offer to buy any bus companies out when he went into the airplane business. I could not quite follow him here. The record shows that in many of these communities the most costly runs are those in the areas such as this subway will serve. It is felt with judicious operation of the transit system which is now in existence, that the income of the existing system might augment rather than depress. There is some basis for that, because if the gentleman will look at the record——

Mr. ROOSEVELT. He would not have any damages, then.

Mr. WHITENER. He will find that the riders on the buses are decreasing each year, whereas wherever you have a rapid transit system they are increasing. If you undertake to buy him out he wants you to project for a period of 60 years what he would be expected to earn, and to be paid on that basis; notwithstanding the fact that under the franchise statute which he operates under the Congress reserves the right to revoke or cancel his franchise after 7 years for any reason without paying any damages at all.

So this whole proposition—I am not saying the gentleman from California—but the originator of this amendment, is to try to sell out a franchise which we have every right under existing law to declare at an end.

Secondly, if he cannot do that, to get us to extend his present franchise for 20 years. We do not buy that. I do not think we ought to buy this amendment because I do not believe it is consistent with the interests of the public.

Mr. ROOSEVELT. What the gentleman says is because we have the right to do an act where we do not give any compensation, we ought to exercise that right. I very earnestly feel we should not exercise our right in that way. We should be fair to Mr. Chalk, or anybody else involved, if they can prove a specific loss as a going concern, and having done something for improved transportation in the District of Columbia, we are at least going to be fair with him and give him his day in court. It seems the gentleman feels that we should not give him his day in court, and I have to disagree with that opinion.

Mr. SISK. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I have great respect for my good friend from California [Mr. ROOSEVELT] but this section was gone over very carefully. It was argued pro and con in the subcommittee, it was again gone over time after time in the full committee. The issue is at stake here. The language in the present bill was very carefully drawn to protect the interests of anyone who would be damaged.

Mr. Chairman, I hope that the Committee will follow the advice of the members of the District of Columbia Committee, and turn down this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ROOSEVELT].

The amendment was rejected.

Mr. JONES of Missouri. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to ask the chairman of the committee handling this bill a question, the gentleman from North Carolina:

On page 3, line 14, it states:

> While the negotiation of an interstate compact to establish a regional transportation organization has not been completed—

When do you contemplate you are going to complete and have in effect an interstate compact?

Mr. WHITENER. I might say to the gentleman, of course, that would require a bit of prevision, which I do not have because I cannot predict what the State legislatures of those two States will do. I understand that the Maryland Legislature may have already acted.

Mr. SICKLES. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman.

Mr. SICKLES. In January in the early session of this year of the Maryland General Assembly, the interstate compact was adopted. The Virginia General Assembly will not meet until early next year and it is contemplated that it will be introduced and the hope is that it will be passed. It will be in the Congress according to the best timetable by early or late spring of next year. Then, of course, it would be the decision of both branches of the Congress as to what to do about that.

Mr. JONES of Missouri. Let me ask the gentleman from North Carolina, the chairman of the committee, is it not usual for the compacts to be completed before you proceed with your plans? In other words before we attempt to build a bridge across the river connecting two States, we have to have the compact first.

Mr. WHITENER. No, I do not think so.

Mr. JONES of Missouri. The reason I say that is I know the time we were proposing to build a bridge across the Mississippi River from Missouri to Tennessee, we came to the Congress and we first had to have the compact between the two States before we could get approval to do it. It seems to me that this is on a par with that.

Mr. WHITENER. If the gentleman will permit me to answer, I happen to be a member of the Committee on the Judiciary that handles these compact bills. I believe the gentleman's State was in an organization that my State is in, the Southern Atomic Energy Compact Group, and other States are in it, and these folks had already gotten off the ground before they came here and agreed on the compact. I see no problem about this because we may have had that trouble if we had some kind of engineering plan, to extend into Virginia and Maryland.

Mr. JONES of Missouri. It would seem to me that you would have a better chance of getting a compact that would be favorable to this proposition here if you had it before you go into the expenditure of money.

On page 2, line 13, it says:

> Such a coordinated system should be developed cooperatively by the Federal, State, and local governments—

Then down lower it says:

> and their remaining costs should be shared equitably among the Federal, State, and local governments.

It would seem to me on the basis of the language here on line 13 that such a coordinated system should be developed and financed cooperatively. I note that there has been some talk here today about the fact that when we get ready to extend this over into Maryland and Virginia that then that is the time to talk about it. If I understand this plat or picture that is on display here, we are getting pretty far out in Maryland and over in Virginia with this thing now. So far I have not heard anyone say that either one of those States are going to pay a dime. I want to know if that is correct? I will yield to either one of you gentlemen to tell me how much money Maryland is going to pay.

Mr. MATHIAS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman.

Mr. MATHIAS. It is perfectly clear that we are planning for this rapid rail system to be on a community sharing basis. As the program gets beyond the District line and into Maryland, there will be participation by the State of Maryland, as the citizens of Maryland are served by the system.

Mr. JONES of Missouri. Oh, they are going to pay for riding the subway—that is a great contribution.

Mr. MATHIAS. No, sir—no, sir. The gentleman knows that is not my meaning. My meaning is perfectly clear. I said the local communities will participate in the construction of this system as it progresses out into the Maryland countryside.

Mr. JONES of Missouri. And you included that in the compact that you passed in the State of Maryland?

Mr. SICKLES. The compact would provide financing through a jurisdiction that would set up a special suburban-rural transportation agency so that they can funnel the funds through the two counties involved in the compact agency.

As to the State of Virginia, perhaps my colleague might like to speak further on that. But there is a complication because they have so many small jurisdictions.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. MULTER: On page 7, after line 16, insert the following:
>
> "(e) Each contract for the operation of the rail rapid transit lines and related facilities authorized by this Act shall be submitted to Congress and no such contract shall take effect until approved by Congress."

Mr. MULTER. Mr. Chairman, I am sure that somebody will label this as the Chalk amendment. I assure this Committee it is not a Chalk amendment. I do not believe he has ever seen it. What this does is to provide that any contract for the operation of this system shall be submitted to the Congress for its approval before it becomes effective.

This will reach into the future. This system probably will take from 4 to 7 years to complete, for the initial phase of the system. It is $431 million worth on the initial phase of the system. There will be no operation until that time.

We should not try to determine now what should go into a contract.

Again I call attention to the fact that the report says this system should be operated by private enterprise. We will take that language at face value, even though I believe we could be more explicit in the language of the bill to make certain that what is said in the report is the purpose and the intent of the bill. But we will take the language at face value. The report says that the bill intends to call for private operation of this system.

Whatever that may be—whether a private operator will operate by supplying rolling stock, or someone who makes a management contract, or someone who makes a lease contract, or if there is an out-and-out contract to operate the system—the amendment merely provides that before such a contract becomes effective it will be submitted to the Congress, and in the light of existing facts Congress will approve or disapprove it.

I urge adoption of the amendment.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Texas.

Mr. DOWDY. My amendment incorporated that particular idea, by requiring Congress to grant a franchise to the person to operate it. I will support the amendment.

Mr. MULTER. I thank the gentleman.

Mr. HARSHA. Mr. Chairman, I move to strike the last word.

I should like to direct my attention to the gentleman from Missouri [Mr. JONES], who spoke previously as to whether there would be any participation by the States of Virginia and Maryland.

If the gentleman will look at the plaque at the front of the Chamber, he will see that the system envisioned by this legislation today provides already for two stops in Maryland and for two stops in Virginia, one at Rosslyn and one at the Pentagon. It provides for a subway underneath the Potomac River into Virginia, yet Virginia is not putting one dime into paying for the legislation.

Mr. JONES of Missouri. That is what I pointed out. I observed that it went into Maryland and Virginia.

Mr. HARSHA. There is not one dime to be paid by the residents of Virginia or of Maryland as to the construction of this particular phase of the program.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentlemen from Virginia.

Mr. BROYHILL of Virginia. The gentleman will recall that the original recommendation made by the National Capital Transportation Agency provided for one system costing in the neighborhood of $800 million. That would have extended the rail system out into the suburbs of Maryland and Virginia, and the financial formula provided for participation on the part of the people of Virginia and Maryland. They immediately agreed to provide their recommended share of the cost.

However, the committee, in considering the proposal, felt it was too far reaching to receive the approval of the Congress at the time, so they cut it in half. They cut it down to only the portion which would serve the Nation's Capital, and by so doing they could not cut the line at the edge of the District of Columbia, which is the high water mark of the Potomac. They had to provide a terminal point, where people could get on it.

Mr. HARSHA. In other words, we are to provide service for the citizens of the State of Virginia, and they are not to contribute one penny?

Mr. BROYHILL of Virginia. The service will be available for all the citizens of the United States. There had to be a terminal point at the edge of the District of Columbia. It is a bobtailed system. When it is extended further out into the suburbs, the suburban communities recognize they will have to put up their pro rata share of the cost of the system.

Mr. HARSHA. But there is nothing in this legislation which says they should contribute their proportionate share of the cost of building a subway under the Potomac River.

Mr. BROYHILL of Virginia. This is the District of Columbia portion of the overall program. It is one step.

Mr. HARSHA. Nobody in the District of Columbia lives on the other side of the subway. That will benefit the people of the State of Virginia.

Mr. BROYHILL of Virginia. I do not believe there is a single piece of legislation ever enacted by the Congress from which some people do not benefit and for which some people do not have to pay. This is the Nation's Capital. We cannot possibly construct any system without some people in the suburbs receiving some benefit from it.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

The amendment was not presented to the committee. This would accomplish nothing other than to create confusion. If we are to require every agency of Government to bring every contract they enter into to the Congress to be approved before the contract becomes effective, we will have utter chaos in trying to run a Government.

I do not think we should accept this amendment, and I urge its defeat.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The question was taken; and on a division (demanded by Mr. MULTER) there were—ayes 11, noes 93.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 7, after line 16, insert the following:

"(e) The government of the District of Columbia shall satisfy any judgment for damages resulting from any cause of action arising out of the construction, operation, maintenance, alteration, or repair, of the system of rail rapid transit lines and related facilities authorized by this Act if the person or entity against whom such judgment is entered does not satisfy such judgment within 30 days after it becomes final. If the government of the District of Columbia satisfies any judgment under this subsection it shall be subrogated to the rights of the person in whose favor such judgment was entered."

Mr. MULTER. Mr. Chairman, this amendment would fix the responsibility for any damages that may be caused by the building of this system, either personal injury, death, or damage to property, Provided always, of course, that there is a cause of action and that it is sustained and is proved in a court of law. The District of Columbia will have to respond to damages regardless of whether or not the contractor or the insurance company are still solvent at the time that the judgment was entered or becomes final. This will make sure that anybody who is injured and suffers damage in the District of Columbia by reason of this construction will at least be compensated if they get a final judgment.

Mr. Chairman, I urge the adoption of the amendment.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment. I urge the defeat of the amendment because it would place the responsibility on the government of the District of Columbia when the National Capital Transportation Agency is the governmental agency involved and not the District of Columbia government. Therefore I urge the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. O'KONSKI

Mr. O'KONSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'KONSKI: On page 9, line 1, strike out "$100,000,000" and insert "$50,000,000".

On page 9, line 5, strike out "$50,000,000" and insert "$100,000,000".

On page 9, line 14, strike out "$225,000,000" and insert "$275,000,000".

On page 9, line 16, strike out "$50,000,000" and insert "$100,000,000".

Mr. O'KONSKI. Mr. Chairman, I want to apologize for imposing on your time. I know you are impatient and want to get away and I sympathize with you. So, again, I apologize for imposing on you. I very seldom take the floor of the House. This is the first time this year that I have taken time on any bill. And before I close, so that I will not forget—I probably will not take the floor again—I want to wish you all a Merry Christmas and a Happy New Year.

I think it is time that we come to the point where we ought to clarify what this bill does, because I am afraid that the Members of Congress do not understand what this is all about. I would like the distinguished chairman, the gentleman from North Carolina, to answer whether or not I am correct in this statement. This bill does not provide for the entire $432 or $433 million; is that correct, Mr. Chairman?

Mr. WHITENER. The bill provides only for the Federal——

Mr. O'KONSKI. I will make the statement and I will ask the gentleman to answer whether it is correct or not. What this bill calls for so far is an appropriation of $100 million by the Congress of the United States for the Federal share; and it calls also for borrowing authority to be increased for the District of Columbia by $50 million, so that the District of Columbia can pay $50 million as their part of the grant; is that correct, Mr. Chairman?

Mr. WHITENER. Yes.

Mr. O'KONSKI. That is all this bill is about. It establishes a formula and what it really means is this. This bill sets the pattern. In other words, the borrowing authority is not yet here. That will come later. But the borrowing authority will be on the same basis; namely, 66⅔ percent guaranteed by the Federal Government and 33⅓ percent guaranteed by the District of Columbia. What it comes down to is this, that in this bill we are setting the pattern of local and Federal participation. The pattern is 66⅔ percent Federal Government, which will be followed later by 66⅔ percent of the guarantee on the bonds, and borrowing authority for the District of Columbia for $50 million, for their 33⅓ percent, to be followed later by their guarantee of 33⅓ percent of the bonds. So the pattern is 2 to 1.

This amendment will test whether or not the people of the District of Columbia and those who champion the cause of the subway will be fair, whether they actually believe what the bill says; namely, that the cost should be equitably shared among the Federal, State, and local governments. I certainly do not think that 66⅔ percent of the share to be borne by the Federal Government, and only 33⅓ percent to be borne by the District of Columbia is fair. That is a ratio of 2 to 1.

I do believe that the Congress of the United States does have a responsibility for the welfare of the Nation's Capital. But nobody in his right mind has ever come up with a proposal that the Federal Government's responsibility exceeds 33⅓ percent. Presently the Congress of the United States is appropriating about 12 percent of the District expenses. That is the Federal share—12 percent. I am one of those who believe that that is not enough. President Kennedy and President Johnson have sent up proposals which are now being considered by the Committee on the District of Columbia to increase that.

In other words, if we were to pay taxes on all the Federal buildings that we have, on all the Federal property that we have in the District of Columbia, the proposition is that the Federal Government's responsibility ought to be raised to 20 percent. Nobody in his right mind has ever proposed that the Federal Government ought to bear more than 20 percent of the expenses and the financial responsibilities of the District of Columbia.

I go them one better than that. Under this proposition I am offering that the Federal Government underwrite 33⅓ percent of the cost of the subway and underwrite later 33⅓ percent of the bonds.

That is a far greater amount of Federal responsibility than anyone in Government has proposed. The highest proposition that has ever been proposed is 20 percent Federal participation as being fair and equitable. That is the highest participation that has ever been imagined to be proposed.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. O'KONSKI. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'KONSKI. In other words, Mr. Chairman, this proposition will set the Federal pattern. I am concerned about it because no one has disputed these two points.

Mr. Chairman, we have two agencies here put up by the Federal Government. That shows how bureaucracy unwinds itself. We have what we call the National Capital Transport Agency and, therefore, the subway proposed by Congress and paid for by Congress and whatnot. We have the Metropolitan Transport Association Agency which was set up by us, and they differ. One is for the subway and the other is against the subway.

Mr. Chairman, I want to repeat why I am so concerned about this. They point out in no uncertain terms, and no one has denied this, "Once the down payment is made"—and get this; these are not my words, these are the words of the agency set up by the Congress of the United States—"Once this down payment is made you reach the point of no return."

Mr. Chairman, the $3 billion figure that I gave was not my figure. That is the figure which this Metropolitan Transport Agency, acting on the part of the Federal Government, says it is going to come to, $3 billion eventually.

Mr. Chairman, no one here, no proponent of the bill over here in all of the 3 hours that we have been discussing this legislation has denied the fact that this is just the first step, the first bite. Because it is going to reach those proportions, I want to be sure that the Federal Government's responsibility is nailed down to 33⅓ percent.

The other thing about which I am concerned is this: This same Government agency which is an instrument of you people here and myself who set this agency up, also stated that from a patronage standpoint the subway will not be used and from an investment standpoint it will be a disaster.

Mr. Chairman, those of us who have studied this proposition know that that is true. I want the responsibility of the Federal Government tacked down to 33⅓ percent.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment.

I hope the gentleman from Wisconsin will listen when I say that I am astounded at the continual reference that the gentleman makes to the WMATC, the Washington Metropolitan Area Transit Commission. The gentleman continues to say that they oppose this bill.

If the gentleman will look at page 104 of the hearings, he will find that the representative of that organization testified as follows:

> The Washington Metropolitan Area Transit Commission is charged with the responsibility of regulating and improving transit and the alleviation of traffic congestion in the Washington metropolitan area. In order to accomplish these objectives, the Commission favors a balanced transportation system including the completion of the planning of the planned highway network for the region, improved bus service and the development of a rapid rail system.

Mr. Chairman, they go on and quote from a statement issued on January 26, as follows:

> This Commission today endorsed the rapid transit proposal of the NCTA as being in the long-range public interest of the Washington metropolitan area.

Mr. Chairman, the gentleman from Wisconsin has persistently said that the National Capital Transportation Agency was at odds with the WMATC. There could be no clearer endorsement of the NCTA program than the record which I hold in my hand.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. The gentleman knows that that is pure double talk, the gentleman knows that the WMATC has not stricken or disputed or retracted one word of this testimony which is quoted in the minority report.

Mr. WHITENER. I refuse to yield further.

Mr. O'KONSKI. Let us get the truth.

Mr. WHITENER. I am sure we will get the truth if we look at the printed record. This is a fact as it appears in the Record.

The amendment simply reverses the financial participation of the Federal and local government. I think that would be disastrous to the bill.

Mr. Chairman, I urge that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. O'Konski].

The question was taken; and on a division demanded by Mr. O'Konski, there were—ayes 31, noes 92.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Multer: On page 8, strike out line 18 and all that follows down through and including line 19, on page 9, and insert in lieu thereof the following:
>
> "FINANCING
>
> "Sec. 5. (a) To finance the cost of designing, engineering, constructing, and equipping the facilities authorized by this Act the Agency is hereby authorized to accept loans from the United States Treasury and the Secretary of the Treasury is hereby authorized to lend to the Agency such sums as may be appropriated after the date of enactment of this Act under authority of this section. Any loan for use in any fiscal year must first be specifically requested of Congress in connection with the annual budget submitted for the District of Columbia with a full statement of the work contemplated to be done and the amount of such loan must be approved by Congress.
>
> "(b) Loans authorized by this section shall be advanced to the Agency on its requisition therefor, shall be available to it for carrying out this Act, and shall be available until expended.
>
> "(c) Loans made under this section shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest oneeight of 1 per centum, plus one-eighth of 1 per centum per annum.
>
> "(d) Any loan advanced under this section shall be repaid to the Secretary of the Treasury in substantially equal payments including principal and interest within a period of 30 years beginning on July 1 of the fiscal year which begins after the date on which operating revenues are received by the Agency."

Mr. MULTER. Mr. Chairman, it is perfectly obvious by the temper of this Committee that it wants this bill and wants a subway system in the District of Columbia.

We go now to the precise issue, who shall pay for it? During general debate I pointed out that the District of Columbia has no money of its own that can be used for this purpose. Under the bill as presented some $50 million District of Columbia contribution is to be made to the building of the system. It will never be paid unless it is paid out of the U.S. Treasury. That will be matched by $100 million to come directly from the U.S. Treasury.

This amendment calls for the financing of this system by the U.S. Treasury making available to the agency whatever money it may need, within the amount authorized, to wit, $431 million, by loans from the Treasury to the agency upon requisition with this further provision, that each year the agency must come back before the Congress and indicate how much money it needs that year, and get an authorization or an appropriation for as much money as it may need. It then borrows that money from the Treasury at a cost to the Treasury plus one-eighth of 1 percent.

This system will have to be paid for by the U.S. Treasury, you cannot get away from that, whether by guaranteed bonds as now appears in the bill under which the U.S. Treasury shall have to pay every dollar of interest or principle, or directly as called for by my amendment.

In other words, instead of selling guaranteed bonds at high interest rates which will then be defaulted and paid for out of the U.S. Treasury, let us face up to the issue. Let us call on the U.S. Treasury to borrow whatever money is needed at the low interest rates that it can obtain from time to time and then lend this money to the agency at one-eighth of 1 percent more than the cost of the borrowing.

Mr. Chairman, I urge the adoption of the amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to speak out of the regular order.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Chairman and Members of the Committee, I appreciate this courtesy.

The United Press International ticker this afternoon reports that a Congressman from Louisiana [Mr. Waggonner] today questioned the integrity and patriotism of Judge Thurgood Marshall.

Among other things there is reference to previous associations of Judge Marshall. There is also a rather flat statement of accusation, going to the integrity not only of the individual involved but the integrity of this institution and indeed the integrity of the judicial system of the United States.

It says, among other things:

"It is probable that a search of the files of the FBI, the Attorney General's office, the Senate Internal Security Subcommittee, and an exhaustive search of our own Committee on Un-American Activities would reveal more facts of the same nature.

"Such a search should be undertaken and the results made known to the people before this nomination is voted upon in the Senate," Waggonner said.

The Congressman then quoted Johnson's description of Marshall as a lawyer and judge of very high ability, a patriot of deep convictions, and a gentleman of undisputed integrity.

"With his Communist-front associations of the past, here only partially revealed, it seems to me that both his integrity and patriotism are open to serious question, a question that must be answered and his Communist-front activity explained, if it can be explained, before he is installed in this high post of responsibility."

Mr. BOLLING. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. BOLLING. It seems to me this is particularly interesting, because of the fact the gentleman in question although a nominee for the position of Solicitor General now serves as a circuit court of appeals judge. He was nominated by the late President Kennedy and confirmed by the U.S. Senate and now he has been nominated for this new position by President Johnson. It seems to me these facts very adequately answer the charge.

Mr. THOMPSON of New Jersey. I thank the gentleman from Missouri. Obviously, my reference to the integrity of the other body stems from the fact of Judge Marshall's confirmation in that body. It seems to me this is an absolutely reprehensible and classic example of bad taste.

It seems to me, also, that it is an indictment not only of the President of the United States and his predecessor, but the other body, indeed, and the man himself are seriously questioned.

I do not know whether this is a matter of the Record or not. It will be interesting tomorrow to see whether this colloquy—this 5 minutes—precedes the statement which is already in the hands of the press. It will be very interesting to see whether there is any alteration in that statement or whether in fact it does appear. But I can say simply this. It is not the responsibility of anyone here to question, especially in the sanctity of this body, the patriotism and integrity of such a high judicial officer and of such a nominee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. GROSS. Was the gentleman from Louisiana notified this statement was to be made?

Mr. THOMPSON of New Jersey. No. Nor was the accused. Nor were the Members of this body. Only the press was notified. I will be delighted, however, if the gentleman from Louisiana [Mr. Waggonner] wants to engage in a further colloquy following this at any time.

Mr. Chairman, I yield back the balance of my time.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment.

I shall not take a great deal of time. This amendment would change the entire concept of financing which the bill embraces. It would, it seems to me, take away some of the emphasis we would like to have upon the fare box paying off the cost of the system. If we can maintain our proposal of financing the bonds from transit revenues, there will be more pressure on the operators to try to make the system pay its own way than under this proposal.

I urge the defeat of the amendment.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from New York.

Mr. MULTER. I should like to call the gentleman's attention to the fact that the amendment also provides if there be any revenue from the fare box applicable to the payment of interest or principal, it shall be applied to the payment of this debt.

Mr. WHITENER. I say to the gentleman, had this amendment been offered in the subcommittee we might have considered it.

Mr. MULTER. If the gentleman will yield further, I spent at least half of my time—if not half, a good part of the time—before the subcommittee expounding on this very proposal.

Mr. WHITENER. I thank the gentleman for his comments.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I thank the gentleman from North Carolina for his courtesy, and I apologize for having interrupted the course of the consideration of the bill.

I meant to say, before I yielded back my time, I believe the gentleman from North Carolina has done a splendid job on this legislation, and I support it strongly. I believe it is very badly needed. I and many others are grateful to him.

Mr. WHITENER. I thank the gentleman.

Mr. Chairman, I urge that the amendment be defeated.

Mr. O'KONSKI. Mr. Chairman, I move to strike the necessary number of words.

I shall use only a minute to follow up what the chairman of the committee said, because it might give the appearance that I was giving false information.

This is the statement he failed to read, probably because he did not go far enough:

The Commission must acknowledge that it has serious reservations as to the overall financial conclusions reached in this plan but it feels that public need will be served by the construction of the system—

And I ask Members to listen to this—

even if more governmental subsidy may eventually be required than is presently contemplated.

They have not refuted one single word. They have not retracted one single word with respect to the unsoundness of this proposal or the impracticality of this proposal. But their arms were twisted, and they have said, "We have a chance to get the taxpayers of America to give us something, if you will come along with us." And they have said, "All right. We will approve it, unsound as it is."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Multer].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Holifield, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4822) to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960, pursuant to House Resolution 434, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT

Mr. O'KONSKI. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. O'KONSKI. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. O'Konski moves to recommit the bill H.R. 4822 to the Committee on the District of Columbia with instructions to report the same back to the House forthwith with the following amendment:

On page 9, line 1, strike out "$100,000,000" and insert "$50,000,000".

On page 9, line 5, strike out "$50,000,000" and insert "$100,000,000".

On page 9, line 14, strike out "$225,000,000" and insert "$275,000,000".

On page 9, line 16, strike out "$50,000,000" and insert "$100,000,000".

Mr. WHITENER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. O'KONSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. O'KONSKI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nineteen Members are present, a quorum.

Mr. O'KONSKI. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the House has just passed H.R. 4822, the rail rapid transit bill for the National Capital region. The minimum sum of money involved was $431 million.

Mr. Speaker, I support this legislation and wish to express my concern that this measure, as so many other important measures, was approved by a voice vote rather than a record vote.

I believe that the public's business should be conducted in public and am hopeful that the Joint Committee on the Organization of Congress, before which I testified on this subject, will make recommendations to facilitate achieving record votes on important matters.

GENERAL LEAVE TO EXTEND

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2080. An act to provide for the coinage of the United States.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 5401) entitled "An act to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Magnuson, Mr. Lausche, Mr. Bartlett, Mr. McGee, Mr. Cotton, Mr. Morton, and Mr. Pearson to be the conferees on the part of the Senate.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE WEEK AND FOR NEXT WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader the program for the remainder of the week and the schedule for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield?

Mr. GERALD R. FORD. I do.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the minority leader, we have completed the legislative program for this week and will ask to go over until Monday, subsequent to the announcement of the program for next week, which is as follows:

Monday is Consent Calendar day.

There are two suspensions:

H.R. 8989, Federal Metal and Nonmetallic Mine Safety Act.

H.R. 6790, emergency highway relief.

Also on Monday, H.R. 9075, Uniformed Services Pay Act of 1965, under an open rule with 3 hours of general debate.

Also on Monday there will be eulogies for our late friend and colleague T. Ashton Thompson following the legislative program.

Tuesday and the balance of the week:

Tuesday will be the call of the Private Calendar.

H.R. 8283, Economic Opportunity Amendments of 1965, under an open rule with 5 hours of general debate.

H.R. 8856, amendment to section 271 of the Atomic Energy Act of 1954, which will be considered under an open rule with 2 hours of debate.

Mr. Speaker, I make the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished majority leader inform me if H.R. 8856, the amendment to section 271 of the Atomic Energy Act of 1954, is the legislation which was on the Suspension Calendar this week and was not approved?

Mr. ALBERT. If the gentleman will yield further, the gentleman is correct. It received less than a two-thirds vote.

Mr. GERALD R. FORD. I thank the gentleman.

ADJOURNMENT TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE LATE GEORGE McCLAIN

GENERAL LEAVE TO EXTEND

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks concerning the late George McClain.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SEE THE UNITED STATES

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I have today introduced a joint resolution to authorize and request the President to extend through 1966 his proclamation of a period to "See the United States." President Johnson signed the initial proclamation on August 11, 1964, pursuant to House Joint Resolution 658, and has demonstrated a great personal interest in this program and its potential beneficial effects.

As the sponsor of House Joint Resolution 658, I am exceedingly pleased at the response to this appeal for Americans to visit and learn about the beauty and the history of our Nation. I want to express my particular satisfaction with the President's action in appointing Vice President Humphrey to head up a "Travel Task Force" to implement the purpose of the resolution, and with the appointment of Mr. Robert Short as national chairman to coordinate the efforts of private industry in this major effort. The eloquence of the Vice President in promoting the "See the U.S.A." program and the dedication and vigor that Bob Short has imparted have convinced me that this program will grow into an outstanding success, and should be continued for at least another year.

Mr. Speaker, a companion resolution is being introduced today in the Senate by the distinguished senior Senator from Washington. Senator MAGNUSON has been a stanch supporter of the program.

In addition to its value in promoting a better understanding among citizens of the United States of the great scenic, cultural, and historical heritage of their country, this program is of great importance to our long-range balance of payments. The late President Kennedy, in a message to Congress on July 18, 1963, brought forcefully to the attention of the American people the problem of our declining balance of payments in international exchange. There was some talk at that time of imposing very stringent measures to reinforce the strength of the dollar—measures that I felt would be damaging to our traditional concepts.

One of the areas of chronic deficit was in the exchange of tourist dollars. In fact, one-half of the total dollar loss in the previous year was in the tourist deficit. It was suggested that a tax be levied on overseas air fares and that currency controls be instituted. At that time, I stated that such solutions were not consistent with the principles of freedom of movement that we have always guaranteed to our citizens.

I felt that a voluntary approach to the problems was more appropriate, and I introduced the joint resolution to authorize the President to issue a proclamation designating the years 1964 and 1965 as a period to see the United States and its territories. This resolution called for the cooperation of private industry and interested private organizations to institute a nationwide effort to encourage Americans to exlore and enjoy the scenic, historical, and recreational areas of the United States, and for appointment of a national chairman to coordinate this effort.

The response of the major portion of the travel industry has been most encouraging, the cooperation of the various State travel bureaus and agencies has given an additional spark to this national effort, and the consistent encouragement by the President and Vice President, members of the Cabinet, and other high officials of the administration has made this program a most important one.

I hope that the Congress will take early action on the joint resolutions that are being introduced today in the House and Senate to assure the continuation of this program.

REPORT OF THE PILOT CLUB OF GRENADA, MISS.

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a report.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, traffic deaths in our country were more than 47,000 in 1963, and more than 48,000 in 1964. Injured in 1963 were more than 1,500,000 and in 1964, more than 2 million—with economic loss resulting totaling more than $8 billion.

Recently this situation was brought home to us in the unfortunate traffic death of our friend and colleague, the gentleman from Louisiana, Hon. Ashton Thompson.

Mr. Speaker, with this situation facing us it is fine to take note of the program and safety contest for the promotion of safety of the Allstate Foundation. I am particularly pleased that one of my good friends, Mrs. Rosetta Bloodworth, and the Pilot Club of Grenada, Miss., in my congressional district, were awarded first place honors unanimously.

Judges were: Mrs. Vera Dickey, public relations consultant; Mrs. Lillian Majally, president, Volunteer Management Association; Miss Lucy Baggett, editor, National Business Woman, National Federation of Business & Professional Women's Clubs.

Consultants: Mr. Gordon Sheehe, Michigan State University; Mr. Bruce Madsen, Michigan State University.

The first place award, which includes $250 in cash, and the bronze plaque of honor will be presented at the International Convention, Pilot Club International, Sheraton-Dallas Hotel, Dallas, Tex., Wednesday, July 21.

Under leave to extend my remarks, I include the winning report of the Pilot Club of Grenada, Miss.

REPORT OF PILOT CLUB OF GRENADA, MISS.

The members of the Pilot Club of Grenada, a classified civic and service club for executive and professional business women dedicated to community betterment, set a new task for themselves—making safe driving fashionable among residents of Grenada.

Area safety workshops were planned and it was at the safety workshop, which was sponsored by the Pilot Club of Grenada for all citizens of the community and Pilots from nearby towns, that one of the greatest safety projects of all times for creating an awareness of safety in the community was born—a driver testing lab.

On Sunday afternoon we searched the country looking for something that would fill our needs. If we saw something that we thought might even halfway do, we would find the owner, and more than likely he was taking an afternoon siesta. If he would not sell to us, could he tell us someone else that might have something which we could use.

After about 3 weeks of this calling and looking we began to dig for scrap materials from junkyards. We thought that possibly we might find enough of the right kind of material with which we could build a trailer and body of the lab. We were obsessed with the idea of a driver training lab.

As a last report we knew that the county school bus shop did sell old school buses. They had told us that they were pretty well shot and it would be too expensive to put them in good running shape.

Mr. Cooper, superintendent of education, said that there was one left and we could submit a bid to the county school board and then if they approved it that it would then have to go to the State board in Jackson for their approval.

We didn't have but very little money but we had faith that if we did get the bus that we would work out the details of financing the purchase price and putting the old bus in running shape.

We also found out that these officials on the board do not meet but once a month and no matter how urgent the matter was we would just have to sweat it out. That is just what we had to do.

When we were notified that our bid of $100 had been accepted we went out to gently caress that old bus and make plans for fixing it up. But there right beside our bus was a much younger sister, a 1955 Ford.

We found out that she had been put on the auction block. Could we get it? Yes, it was for sale but you cannot get it for $100 and you will have to wait to get your bid approved just as you did the first one.

Of course, we did not want to wait but the motor was in good shape and even a better chassis. We were so eager to get started and this would mean another delay. Delay seemed better than a great outlay of money for fixing up the first bus.

We were rich in ideas but short on cash but we had talked about a bus for a driver testing lab so much that we were able to garner a lot of support for safety.

Our donations include the $200 for the bus, paint for the outside and inside, lights for the inside, receptacles for equipment, curtains for the windows, which were made by Pilot members, carpet remnants for the floor, the service of a bodyshop for painting the inside.

We have spent $50 for someone to paint the outside and $50 for the signs for the outside.

We do need a generator more than anything else so that we can generate our own electricity for our light and testing equipment and not have to park it some place just because it is convenient to an outlet. We could use an air conditioner for the summer months ahead and a rotary beacon light for the top of the outside of the bus; this will call attention to the bus.

When we read that only 19 percent of our adult drivers of today have had any systematic instruction in driving education, we realize that education is really the key to traffic safety.

Our driver testing lab is certainly one way of pointing up the need for a comprehensive educational program in our community. It is in the field of education of drivers that we can make our greatest gains in accident reduction.

All drivers have personal inabilities that may limit their capacity to drive safely, especially when that person is ignorant of the presence of the personal limitations and fails to correct them. The value of the driver testing lab is that it points out to a driver the means by which he can identify his own personal limitations and to aid him in understanding the need for corrections of the limitations.

There are seven tests that are used—vision, depth perception, visual acuity, night vision, color vision, glare recovery and brake reaction.

The greatest value of these tests are that they can serve as a motivating factor in driver education programs by: (1) pointing out the importance of the driver efficiency and safety, (2) by developing an awareness of physical limitations of drivers which affect driver performance (3) by showing the necessity for and the best means of making corrections for their limitations; (4) by showing there is an interdependence of all drivers for safety, and last by changing the attitude of drivers thinking that the other fellow is always to blame—not me.

Our driver testing lab is by far the best method that we could have found anywhere for reaching the public on a voluntary basis.

The Pilot Club of Grenada left no stone unturned to educate the citizenry to the importance of their responsibility for safer driving.

1. Safety materials were placed in schools. Safety posters were prepared for elementary school children. Safety units at home, at play and at school were completed.

2. Believing that driver education classes should be available for all adults, the club promoted the project through extension courses, and made available safety posters for the classes.

3. To reach every club, whether women's or men's, the club set up a speakers bureau. Members informed on the safety problem were available for all meetings.

4. Safety workshops emphasizing the "Fashion Designers for Safety" program were conducted.

5. Education safety exhibits were prepared and placed at the county fair. The exhibits were awarded the prize-winning ribbon for the most effective in reaching the public.

6. Believing that the solution to the traffic accident problem rests in State leadership for safety, the Pilot Club of Grenada, working through the Mississippi Safety Council and the Allstate Foundation and Insurance Co.'s regional public affairs manager, Mr. Joe Howell, arranged for the first Statewide conference of women leaders to meet in Jackson, Miss., June 16. The meeting, which received the blessing of the Governor, brought together women's support for safety from the entire State of Mississippi.

7. Safety award: To give an incentive to clubs doing outstanding work in the traffic accident prevention program, the Pilot Club of Grenada established the Elizabeth Jones Safety Award.

8. The Pilot Club sponsored a driver self-improvement course designed especially for Pilot International by the Traffic Safety Center, Michigan State University and the Allstate Foundation. The courses consisted of four 2-hour class sessions. The courses were open to every citizen of Grenada.

While it is difficult to estimate the number of lives saved through the Pilot Club of Grenada's efforts, we can assume that the soundness and effectiveness of their work has resulted in the accident rate for the State of Mississippi being reduced this year.

Mrs. Rosetta Bloodworth serves as safety chairman for the Pilot Club of Grenada.

PRESIDENT JOHNSON'S MEMORABLE SPEECH TO 20TH ANNIVERSARY SESSION OF THE U.N.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, on June 27, the St. Louis Post-Dispatch published an incisive and cogent editorial commending President Johnson on his recent address to the United Nations at its 20th anniversary session in San Francisco.

The editorial supports the President's call to bring the Vietnam dispute to the conference table and endorses his offer to support "effective action" of the United Nations in dealing with the Vietnam situation.

I recommend the article to my colleagues and submit it at this point:

SUBMITTED TO THE U.N.

The President's fine speech to the 20th anniversary session of the United Nations was memorable for many things, but most of all for his call upon the members to bring the Vietnam dispute to the conference table.

The United States has not always been anxious for the U.N. to concern itself with southeast Asia. But Mr. Johnson's offer to support "effective action by any agent or agency" of the organization, his unqualified identification of events in Vietnam as the foremost threat to peace now facing the world, may mark a turning point of historic proportions.

There is now, and has been for a long time, every reason why the U.N. should undertake an active role in seeking a peaceful settlement. The dangers of an ever-widening war involving more and more nations are apparent. American military action in Vietnam is based upon the contention that we are defending an independent nation against international aggression. If that is correct, then clearly the U.N. should be involved; and if it is not correct, then the grounds for our unilateral involvement disappear.

President Johnson did not specify whether he is submitting the issue to the Security Council, or to some less formal kind of U.N. mediation. His offer seemed to be unconditional and inclusive. The importance of it is that the United States, after years of "pride and arrogance"—to use a phrase of the President's—now undertakes to submit itself to the judgment of the world community.

It must be expected that many members of the world community will not see the problem as we do. Many will not agree that a simple case of international aggression is involved. Major concessions will be required of us, as of the other side, if a settlement is to be reached. We cannot expect a U.N. tribunal to agree with our own position that the only requirement for peace is a cessation of aggression by the Vietcong and North Vietnam. A ceasefire on both sides, with assurance of a political settlement that will do justice to both sides, is essential.

Had the U.N. been encouraged to act 4 years ago, or even 1 year ago, its chances of bringing about a settlement would have been much better than they are today. Attitudes have hardened, the political complications have multiplied, entrenched positions have become harder to abandon. Yet though its task is infinitely difficult and will no doubt require many months of patient efforts, the U.N. must accept the challenge. If it succeeds, as all must hope it will, the United Nations will face the second 20 years of its life with renewed vigor and refreshed dedication to the principles laid down in San Francisco on June 25, 1945.

INTRODUCTION OF HUDSON RIVER BILL

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, 11 bills, somewhat similar, have been introduced in the House this year for the creation of a Hudson scenic riverway, notably the first one by my distinguished colleague, the gentleman from New York [Mr. Ottinger].

Senators Kennedy and Javits have cosponsored a riverway bill in the other body. The State of New York has created a Hudson River Valley Commission.

The normal prerequisite of a park or scenic project is a study. Therefore, it seems to me that Congress should authorize a study. This would have two objectives—one, to rough out the intended land uses; the other, to recommend the form of administration that would be best for the riverway. I favor a form of Federal-State compact.

Since previously entered legislation is so broad as to dim the prospects of passage at this session, I fear that time is being lost. I am today introducing a short bill that calls for a study which will allow the program to go forward now so we do not lose valuable time.

HON. CLEVELAND M. BAILEY

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I join with so many of my colleagues in expressing sadness at the passing of our dear friend and former colleague, Cleveland M. Bailey.

To those of us who are assigned to the Committee on Education and Labor, "Cleve's" death is more of a personal blow than it might be to other of our colleagues. When you work with a man intimately around a committee table you get to know him very well. To know "Cleve" Bailey well was to love him as a friend, admire him as a tactician, and respect him for his dogged determination to achieve his goals.

Earlier this year we enacted the aid to education bill. It has to be a monument to "Cleve." In 1950 he was the architect of Public Law 874, which was the vehicle to carry the 1965 act. "Cleve" often predicted this would happen.

During the barren years of the fifties, "Cleve" Bailey was constantly keeping the pressure on to enact an aid to education bill. His constant plea to the committee was to "do something for the boys and girls." When all the arguments were made, when an opponent or an adverse witness thought he had "Cleve" backed to the wall, the rugged battler from the hills of West Virginia always put that question. It was always a clincher.

He prepared the ground. He planted the seed. The boys and girls harvested the crop in 1965.

THE GILBERT AMENDMENT

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Speaker, I feel that on Friday at the end of a long day of rollcalls and debate, the House made a serious error in deciding to deny to New York's Puerto Rican population the same voting rights guarantees that it extended to southern Negroes. The so-called Gilbert amendment, exempting native-born American citizens educated in Puerto Rico's Spanish-language schools from literacy tests in English, was defeated by an extremely narrow margin. I was disturbed, Mr. Speaker, by the implication of that vote. It seemed to suggest an insensitivity on the Republican side of the aisle to the voting rights of a politically powerless minority group.

Fortunately, the Senate approved the same amendment to the voting rights bill by a substantial majority. I would like to call upon the House conferees, Mr. Speaker, to take into account the narrowness of the House vote and accept the Senate provision.

SEVERANCE DAMAGES AND DWORSHAK DAM

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, I would like to explain briefly the background for a bill which I am introducing today.

The subject involved is somewhat dramatic, at least to us in the timber States of the Pacific Northwest and the South and Southwest. But its solution is technical. For this reason I desire to start the course of this legislation with a statement or two of why it is needed and what, if adopted by the Congress, this bill would accomplish. In this manner I desire to begin a legislative history for the benefit of this House, the committee to which the bill will be referred, and if some of these controversies ultimately land there, for some assistance to the courts.

Two general circumstances set the stage for the legislation. One is that a great deal of Western and Southern U.S. economies are based on forest products. The other is the fact that we are harnessing our river systems to control our floods and droughts, to water our desert lands, and to provide electricity for our farms and industries.

Both our forest products industry expansion and the control and development of our great river systems are not just good, they are vital, not only to us in the Pacific Northwest, but to the economy of this whole great Nation.

Now, however, a trend is developing which is disquieting indeed to those of us in the Congress who are devoted both to the continued harnessing of our rivers and the continued existence and development of our forest products industry. That is the extension of our dam and reservoir projects into the forest products economy of our region. And if the problem is not already there, it is not far behind in the constituencies represented by my good friends in the timber regions of the South and Southwest. I think these issues reached us in the Pacific Northwest faster, and with greater impact, but I am speaking for my friends from Florida westward to Arizona as well.

Time was, in our Pacific Northwest at least, when these river-control projects were in areas where they hurt almost no one, of which Grand Coulee on the Columbia, in the virtually desert wastes of eastern Washington, is the best example. There have been Bonneville, The Dalles, McNary, and a host of other projects on the Columbia and its major tributaries, all in much the same situation—harming no major economy, benefiting nearly everyone.

But now, however, with the main stem of the Columbia virtually harnessed, we are beginning to control its major tributaries, the Kootenai, the Clearwater, and the Snake, to mention only three. We are, in other words, beginning to control the upstream sources of the great river system of our Northwest. And there we are running into trouble. For inevitably it is in the upstream areas of these river systems where the forests are, and where the forest economy prevails.

Here a conflict has emerged which has to it two vitally important aspects both having to do with access to the timberlands in the drainages inundated by our dam and reservoir projects by which these tributaries, and thus the main stem, are to be controlled. This trend, if not resolved by the Congress, will inevitably precipitate a conflict in Federal policy between four departments of our National Government, two on one side, two on the other.

My colleagues in this body are all aware, I know, that forest lands have little if any value except as they are accessible; this is particularly true in areas where forests are in fairly precipitous drainages.

In the Pacific Northwest, at least, there are few areas where the forest lands involved are not in the intermingled private-and-public-ownership checkerboard pattern so characteristic of our country west of the 98th meridian. Most of the Federal timberlands so intermingled are managed by the Forest Service as National Forest lands, though some are still in the public domain and are managed by the Bureau of Land Management. And the Members of this body know that it is now the policy of the United States in the management of its timberlands, either by the Forest Service or the BLM, to encourage or even compel the private intermingled owners to enter into share-cost agreements with the United States, whereby the logging road systems are shared both as to cost and occupancy. It is obviously uneconomic for two road systems to serve the two ownerships where one would do just as well. Members can find this policy of the Forest Service stated in the Forest Service regulations as revised April 12, 1965, published in the Federal Register April 16, 1965, at pages 5476 and following.

The basic Department of the Interior regulations related to the intermingled O. & C. lands are dated April 7, 1950, though they have been extended and applied to the public domain timberlands having that same intermingled status.

In the Forest Service share-cost-share-use road policies the portion of the road crossing the cooperator's private lands must be conveyed to the United States, though certain reservations in the deed are permissible. Nevertheless, title to the entire road system vests in the United States as a result of these cooperative agreements.

We have, therefore, a basic forest management policy of the United States in areas like ours, in which the title to most arteries of forest access is or will be in the United States as a matter of sound public policy, adopted by both the Departments of Agriculture and Interior.

Now we come to the conflict in Federal policy, which is created by the views the Department of Justice and the Department of the Army take of the existing case law of "severance damages." That is the doctrine of law which involves under the Constitution a taking through the diminished value of that which is left when the part taken—referring to lands, of course—was put to an integrated use with it. The best example which comes to mind is where a strip of land in the middle of a farmer's pasture is acquired through eminent domain or its threat. Once this strip is taken from him and his livestock cannot get from one portion of the needed pasture to another, the two portions into which his land has now been divided are worth far less than they were before the strip was acquired for public purposes. He is therefore entitled, not only to the value of the strip of land he lost, but the lessened value of the two parts which were severed from each other but still remain to him.

The severance damage doctrine is one the courts have developed, not without difficulty but with patience and justice, as a constitutional one of reality. It is also one of complexity, as all of us know.

These observations lead up to the crux of our problem in the West and, as I have said, in the future in the South and Southwest. For we can now put together the parts I have been talking about, into the whole solution my proposed legislation would embrace.

Please bear in mind my earlier remarks concerning the public policy of the United States through its forest land-managing departments, those of Interior and Agriculture, that where one access logging road system to timberlands in a drainage can serve both public and private ownerships in that drainage, it is uneconomic to build two; therefore the intermingled private and public landowners should share in both the cost and use of one road system wherever possible. This is today, as I say, the basic Federal policy with which few, I think, will quarrel. It would take a bold man to say that, as of this year 1965, encouragement should be given to the development of private logging road systems where both publicly and privately owned timber is or can well be served by one logging road or road system.

Now let us look at what is actually going on.

Green Peter Dam and Reservoir project is a North Santiam River control project in western Oregon. Up that river's drainage ran a privately owned logging road serving, in the lower reaches, Weyerhaeuser and Hill timber and which would in the upper reaches also serve Forest Service timber. Ultimately the road would have become, I think, a cost-shared, joint-use road between Hill, Weyerhaeuser, and the Forest Service. But when Green Peter Dam was begun it had not yet become so; it was still a wholly privately owned and controlled logging road system.

So, when the Green Peter Dam and Reservoir project came into being and this privately owned access logging route was taken, along with some of their timberlands in the drainage, the loss in value to the timberlands remaining, because access to them was made more costly, was unhesitatingly paid by the Corps of Engineers.

The second case was the Hill's Creek project, also in western Oregon. There, in contrast to Green Peter and the Hill-Weyerhaeuser situation, a lumber company, Pope & Talbot, had constructed, under a share-cost, share-use agreement with the Forest Service, a logging road up the valley, and had transferred title in the road to the Forest Service.

Again, the project took not only Pope & Talbot's timberlands, but the logging road up the valley as well. But this time the United States refused to pay for the diminished value of the timberlands remaining to the private owner, Pope & Talbot. Why? Because, in contrast to the Green Peter project where the means of access was by privately owned and controlled logging road, this road was technically owned by the United States.

So while, at Green Peter, the Department of Justice and the Corps of Engineers paid the timberland owners their loss in value because of increased cost of access on their private logging road, they refused to do so at Hill's Creek under identical circumstances but for one thing, that is, that technical ownership of the logging road system had passed to the United States under an agreement which antedated, but carried out, the present share-cost, share-use policies of the United States now espoused in Forest Service regulations.

Pope & Talbot contested this view, and a judgment in its favor in the district court was affirmed on appeal, in the Court of Appeals for the Ninth Circuit, 293, Federal Reporter, second series, 833, in 1961.

In my district I have a corporate constituent, Potlatch Forests, Inc., whose operations in the North Fork of the Clearwater River are jeopardized by the Dworshak Dam and Reservoir project, even now in the beginning stages of construction. I will say to this House, and to my people, that I welcome the project though I was not a Member of the Congress which authorized it by Public Law 87-874. I welcome it because it will provide downstream control we now lack, and because it will provide for Idaho more power, and hence industry, than we now have.

From its timberlands in the north fork drainage Potlach brings about one-third of the total annual supply of logs necessary to operate its complex of manufacturing plants at Lewiston, where that company utilizes nearly everything of the tree except the wind in the branches. This company is important to the people of my district, Mr. Speaker; approximately 26 percent of the population of the seven northern Idaho counties depend on Potlach for support, directly or indirectly. Its payroll in my district in 1965 was in excess of $23 million to about 4,000 of our people. We do not view disruption of operations of this importance with any equanimity, as Members can well understand.

Since 1928 that company has decked, or piled, its logs on the banks of the North Fork of the Clearwater to await the spring high water which sweeps them down that river to its junction with the main stem at Ahsahka and then on to Lewiston. This is the famous Potlach log drive which is familiar to many Members of this House.

And once again the normal means of access, up the valley, will be flooded. Where now there is swift-flowing stream, or the valley's floor which would accommodate a logging road, there will be a deep lake 53 miles long. And, as in the case of Hill's Creek or Green Peter, the cost of log removal goes up—substantially.

And again, as in the Pope & Talbot case, the Corps of Engineers and the Department of Justice take the position that the loss in value of the timberlands remaining to Potlach after the project is in operation, substantial though it is, is not compensable because the means by which access to the drainage has been achieved was by a navigable stream which, under the Constitution, the United States has the power to improve for flood control and other constitutional purposes. Despite the Pope & Talbot decision of the Court of Appeals for the Ninth Circuit, the views of the Department of Justice and the Corps of Engineers have not changed. They say that where access to timberlands in a drainage has been had by an instrumentality owned by or subject to Federal control, the diminished value of the timberlands remaining is not compensable though they freely admit, I believe, that the cost of access, and therefore the diminished value of the timber remaining, will be substantial indeed.

I will not take the time of Members of this body to analyze the state of the cases which gives rise to this conflict over the state of the law. There are elaborate briefs on the matter and these, I suppose, will be given to the committee to which my bill is referred at the appropriate time. It is sufficient to say that the state of the case law on this subject is confused in the extreme as to whether the Constitution demands that severance damages be paid in these circumstances.

I would call the House's attention, however, to the fact that this is not a novel situation. The Congress has more than once provided for the authority of the courts to award damages in instances where the Constitution did not necessarily require it. Again I will not take the time of Members to elaborate on this point, but will note that under our reclamation laws, which apply to that portion of our country west of the 98th meridian, compensation has been awarded for damages which the Constitution does not make compensable. This doctrine is well set forth in *U.S.* v. *Gerlach Livestock Co.*, 339 U.S. 725.

I should say the Members who will read the bill I am introducing on this subject will see that it authorizes no giveaway nor does it necessarily afford any relief to my constituent or any other from the Treasury of the United States. Nor—and I believe this important—does it qualify in any manner the constitutional rights of the United States under the navigational servitude doctrine to improve and control the navigable waters. It merely authorizes the court to hear and determine whether or not, all other conditions of severance damages being met, severance damages, or loss in value of remaining properties after condemnation, have been suffered; the only thing it does is eliminate the dispute over the question of the means of access to the lands taken as well as the lands remaining. It will, if enacted, simply clarify an issue which is now thoroughly confused, and will clarify it in line with the policy of the United States with respect to access means in timbered areas. Rarely will there be a case in the coming years in which in the West, where the intermingled Federal-private ownership pattern prevails, will means of access not be federally owned or controlled. We cannot encourage acquiescence in that course on the one hand and penalize it on the other. Unless the Congress acts here, it will be difficult to blame those who resist the commonsense approach of the Forest Service which seeks the cooperation of private timber owners in a cooperative sharing of the cost and use of access roads.

I should say in conclusion, Mr. Speaker, that to my personal knowledge this has been a matter of grave concern to many of us for a considerable period of time. Almost exactly 13 years ago the attention of the Columbia Basin Interagency Committee was called to this very subject by a speaker at their Missoula, Mont., meeting, who entitled his talk "Dam Building in a Forest Economy." As late as February of this year the American Bar Association at its midwinter meeting at New Orleans adopted the following resolution:

> ***Resolved***, that the American Bar Association urges the Congress to enact legislation which would clarify and affirm the right of a condemnee to the diminished value of the remainder of his property or property right,

if otherwise entitled thereto under applicable principles of law, where the taking of the condemnee's property or property right for navigable river control purposes involves also the taking of the most feasible and economical means of access to such remainder by navigable stream or federally owned or controlled access road;

Further resolved, that the officers and council of the section of mineral and natural resources law are directed to urge the enactment of such legislation before the appropriate committees of the Congress of the United States.

The whole doctrine of severance damages is, of course, a court-made one, which was indeed slow in coming. In our country, at least, we cannot await the many years or even decades of catching up with the facts in applying this doctrine. Moreover, I am convinced that this is truly a matter of policy for the decision of the Congress which I know will be soundly geared to the practicalities of development of our river control projects and the simultaneous saving of our forest economy.

THE LIFE AND WORK OF ADLAI STEVENSON

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, death has stilled one of the most dynamic personalities ever to champion the cause of democracy. The untimely passing of Adlai Stevenson, U.S. Ambassador to the United Nations, will leave a great void in the field of American foreign relations. The free world knew, loved, and trusted Adlai Stevenson. We have no one else who can command the prestige with which he was held in international affairs. Preservation of the free world's democratic principles was the hallmark of his creed. And time and again his expert negotiations helped bring order out of chaos in the conduct of world affairs.

I was privileged to know personally and enjoy the friendship of this capable and dedicated American. His life, both public and private, exemplified the principles of a strong and courageous Nation. We can be proud that in our lifetime we have had occasion to know and work with a man such as this. He has a secure niche in the annals of American history.

AN EXAMPLE OF COURAGE

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. YOUNG. Mr. Speaker, from time to time we hear the cries of harbingers of doom and professional crepe hangers who would contend that the youth of America no longer has the stamina, the courage, the patriotism or the determination to defend the interests of this country against its foreign foes.

We all know how untrue this is, Mr. Speaker, but I wish to relate to this body a matter that has come to my attention recently involving a fine young constituent of mine by the name of Capt. Louis Edgar Perry. Captain Perry had a leg blown off in South Vietnam fighting the Vietcong and the Army was on the verge of retiring him for physical disability. Captain Perry's appeal to me was that I use what effort I could to prevail upon the Army to keep him on active duty so that he could return to Vietnam and continue to fight the Communists on his wooden leg.

The Army has agreed to keep Captain Perry on active duty, but so far has not seen fit to return him to Vietnam. Instead Captain Perry is being utilized to great advantage as an instructor at Fort Benning, Ga.

I knew, Mr. Speaker, that this body would be interested to know of the courage, determination and patriotism of this fine young American officer.

I think the House of Representatives and the Nation would, likewise, be interested to know that this courageous young captain is a cousin of the President of the United States.

This incident emphasizes the close relationship that our President has with the South Vietnamese fighting and that the suffering and heartaches of our boys overseas are a personal matter with our President. I know the President is indeed proud of his young cousin, and that this pride extends to every American boy in uniform.

Under unanimous consent, Mr. Speaker, I include herewith at this point in the RECORD an article about Capt. Louis Edgar Perry appearing in the Corpus Christi, Tex., Times:

The article referred to is as follows:

[From the Corpus Christi (Tex.) Times, June 23, 1965]

WINS FIGHT TO STAY IN ARMY: LOCAL MAN NOT ASKING AID FROM HIS COUSIN LYNDON

A Corpus Christi cousin of President Johnson wants to stay in the service and return to combat even though he lost his leg in Vietnam.

The Army will keep Capt. Louis Edgar Perry as a soldier, but it says he cannot return to Vietnam fighting, contending it is against Army policy for an amputee.

Perry is the son of Mrs. Lois Roper Perry, 1338½ Third, the President's second cousin.

The Army wanted to fit Perry with an artificial leg shortly after he stepped on a land mine July 6, 1964, and give him a medical discharge.

The story of Perry's battle to remain in the service and return to combat came to light today. He went through his Congressman, Representative JOHN YOUNG, instead of asking the President for help.

"We just didn't feel like it was right to ask Lyndon," Mrs. Perry said. "I know he would have given it special thought. But it might have been hard on him to make a decision."

"Perry told me," YOUNG reported today, "that he wanted to get a wooden leg and go back to Vietnam and fight those Communists. He asked me to do what I could to get him back to Vietnam. He said they needed men and he was ready to go."

At YOUNG's insistence, the Army did agree to permit Perry to remain in the service, but the top brass refused to let him return to combat.

Mrs. Perry said her family and the Johnsons are close. She said the President spent many summers with her parents, Mr. and Mrs. H. M. Roper, in Robstown years ago. Her father is no longer living but her mother, now 89, resides in Weslaco and is the oldest living graduate of Johnson City High School.

Mrs. Perry's mother is the former Pearl Johnson, who attended school with Rebecca Baines Johnson, the President's mother.

"Our families were always very close," Mrs. Perry said. "My mother was first cousin to Lyndon's daddy."

She said "it made me mad" when her son requested to be sent back to Vietnam.

"I didn't want him to go back with just one leg," she said.

Mrs. Perry is pleased, however, that the Army permitted him to stay in the service because "that's all he knows and loves."

Mrs. Perry, a widow, operated Perry's Flowers here from 1937 to 1951. She is now employed as a clerk for Morgan Engineering Co.

Mrs. Perry said her son found out in February that he could remain in the Army. He was assigned to Fort Benning, Ga., as an instructor.

Perry is now in Walter Reed General Hospital in Washington. He last visited his mother a few weeks ago.

A native of Houston, he was educated at San Marcos Military Academy. He entered the Army in 1956. He is married and the father of three children.

Perry spent 2 years in Vietnam as a member of the special forces. He was decorated with the Purple Heart, Bronze Star, and Army Commendation Medal.

LICENSING DEALERS IN ANIMALS USED FOR RESEARCH

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, I commend, as most of my colleagues do, the Medical Researchers Foundation that has made the world a healthier and a better place to live in. Through their tireless efforts, we daily conquer diseases that were incurable only yesterday. Their accomplishments are a source of inspiration for the sick of the entire world.

However, it seems to me that this research should not be subsidized by the heartaches of the many owners of dogs and cats in our country. It has come to my attention that there exists in this country, the richest in the world, an organized and highly profitable business dealing in dogs and cats, family pets, to be used for this research. These dogs and cats are lured from their homes and from their loved ones, transported and boarded in indescribably filthy and unsanitary conditions and sold at public auction by the pound to dealers who then retail them to medical research facilities.

I have introduced a bill, H.R. 9743, to prevent this cruel business by licensing all dealers in animals to be used for research and all facilities that use them. The penalties for breaking the law would be severe. I feel that I must point out at this time that this measure is in no way an antivivisectionist proposal or a proposal to hamper or limit research. It is simply a much-needed bill to prevent the theft and transportation of our family pets.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, it is an honor to join with a number of our distinguished colleagues in introducing today a new version of the bill to establish a National Foundation on the Arts and Humanities.

This bill is similar to H.R. 6200, which I introduced last March, with a few minor technical changes, as suggested by the Special Subcommittee on Labor. Provisions for grants-in-aid to workshops are added. The Director of the National Gallery of Art and the Chairman of the Commission on Fine Arts are added to the Federal Council on the Arts and Humanities.

Legislation to encourage the arts and humanities is vital in working toward that improved quality of life that is the essence of the Great Society. President Johnson has strongly endorsed this legislation.

We can all remember how dear this subject was to President Kennedy. As a monument to him—and as an expression of this body's concern with the future of our national culture—we should quickly enact this bill into law.

MAN'S DEEPEST PENETRATION OF SPACE

Mr. MILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER. Mr. Speaker, as we meet here today, there is very high excitement across the United States, in California at NASA's Jet Propulsion Laboratory, and, indeed, across the world.

At this very moment, scientists and engineers are clustered about a machine watching the slow but exciting data being printed out from recorders which recorded photographs of man's deepest penetration of space.

While the group at JPL in Pasadena, Calif., has earned the privilege of being on the spot, they are backed up by thousands of men and women in Government, in industry, and on our university campuses.

Since last November, when the National Aeronautics and Space Administration launched the spacecraft called Mariner IV toward the planet Mars, we have been living in a historic era in man's never-ceasing quest for knowledge about himself and the universe he lives in. Now for the first time a manmade object—a 575-pound engineering marvel—has photographed another planet in our solar system while flying by that planet.

Mariner IV, which was launched last November 28, climaxed a 228-day journey at 9:01 p.m., e.d.t., last night by flying within 6,100 miles of Mars.

Mariner is now a small part of our solar system. Its trajectory will carry it on a long sweeping orbit around the Sun similar to the orbit of our own Earth and Mars. Its orbit will take it within 100 million miles of the Sun at closest approach; and it will range as far as 141 million miles from the Sun. Mariner's year will be 569 days long in its perpetual orbit.

For the next few weeks of that orbit Mariner will still be busy reporting information from interplanetary space. We eagerly await, of course, word of Mariner's attempt to take pictures of Mars as it flew by at more than 11,000 miles an hour relative to the planet.

Some 45 minutes before it made its closest approach to Mars, Mariner turned on a small television camera it carried aboard. From all information available to us now from the space flight operations facility at JPL, it appears that the television camera operated as expected.

Project officials at Pasadena report, however, that at the time Mariner was recording the pictures on a tape recording machine, it transmitted some confusing information. It was impossible overnight to unravel the meaning of this report—to determine without doubt whether pictures actually were recorded on the tape.

At about 9 o'clock this morning, however, Mariner was ordered to start slowly radioing the information recorded on the tape back to Earth. I am delighted to report that JPL has informed me that it appears that picture information is recorded on the tape. The first information relayed back to the Earth tracking stations were black lines which was exactly as expected. About 2 hours ago, JPL reported that the data changed to an expected pattern, one which indicated that there were changes in the light intensity information recorded on the tape.

We must be patient for a full report. Mariner is at a tremendous distance from Earth—more than 134 million miles, which is more than twice the distance any spacecraft has ever maintained communications with Earth. Mariner must speak to us very slowly, therefore, radioing only 8⅓ bits of information per second. That means that each picture, which was taken and recorded on the tape in a little more than 40 seconds, will take more than 8 hours to radio back to Earth in digital form or a series of zeroes and ones. Thus, it will not be until 5:30 this evening that playback of one picture is completed. It is then a long, laborious process requiring amazing electronic equipment to translate this digital data into photographs.

I am hopeful that Mariner's radio report will be that all went well and that we have man's first closeup pictures of Mars. This will be a scientific achievement to rank with Galileo's first look at the Moon through his telescope.

We must not overlook the fact that Mariner is providing us with unprecedented scientific information about interplanetary space and about Mars itself. It carried a complex of scientific instruments to measure radiation, energetic particles, magnetic fields, and cosmic dust in space.

The findings of these instruments in interplanetary space already have been reported. Much data was gathered within the vicinity of Mars which, according to preliminary study, changes some of our pre-Mariner notions about our intriguing neighbor planet. Detailed findings, of course, will await long weeks of analysis by the scientists.

While we will have in hand in the weeks and months to come new data about Mars, this accomplishment has an even larger meaning for all of us. It is tangible evidence of man's determination, skill, and desire to seek the unknown and, in our system for doing things, for the benefit of all mankind.

DOG THEFT AND TRANSPORTATION

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, as a dog owner it came as a deep shock to me to learn that stolen household pets were being used for medical research. The very extensive and comprehensive research in all fields of medicine and drug research naturally calls for increasingly large numbers of research animlas. I do not propose to delay or put any strings whatsoever on the researcher, providing he and his facility are using animals legitimately acquired. By introducing a companion bill to H.R. 9743, introduced by my distinguished colleague from New York [Mr. RESNICK], I simply want to add my voice opposing this most cruel form of theft. We have reached a point in our economic development where it should no longer be necessary for hospitals to issue "invitations to steal" by calling for dogs to be supplied by thievery. The passage of this bill will not cause any hardship on the legitimate kennel owner, add any cost to hospital research, and cut the profits of no one except the full time professional dog thieves. It will, however, protect to some extent our pets from the dastardly acts of the flesh peddlers.

FIRST CONGRESS OF MICRONESIA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] and I may extend our remarks in the body of the RECORD and include in each instance a talk by a colleague of ours on the first Congress of Micronesia.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the people of the Trust Territory of the Pacific Islands are, in effect, wards of the United States since we administer the trust territory under agreement with the United Nations. Ours is the fourth flag under which these people of the Marshall, Caroline, and Mariana Islands have lived. The Spaniards, the Germans, and the Japanese were all there before we were.

This week for the first time in the history of these good people a territorywide congress is assembling. I regard this as a significant step—a very significant step—in their political advancement, and I am proud of the role the U.S. Government and the High Commissioner of the Trust Territory have played in bringing it into being. The obstacles are very great, considering the variety of mutually unintelligible languages that are spoken in the islands and considering the varying degrees to which the islanders have adapted themselves to the usages of Western civilization. Nevertheless they are trying, and trying hard.

I regarded the event as so important that I asked two members of our Committee on Interior and Insular Affairs to attend—the Honorable N. Neiman Craley and the Honorable Rogers C. B. Morton. Each is making a statement to the Congress. Congressman Saylor is inserting Congressman Morton's statement in the Record and I am asking that Congressman Craley's go in, too. It is an eloquent and well thought out discourse on our Government's position with regard to the trust territory, and I commend it to all Members of the House for reading and study:

Speech by Congressman N. Neiman Craley Before the First Congress of Micronesia, Saipan, July 1965

As a representative of Congressman Wayne N. Aspinall, chairman of the House Committee on Interior and Insular Affairs, on behalf of the committee and the American Congress, I bring greetings and congratulations to this newly inaugurated legislature. On behalf of my Government I welcome this advance of representative government in the Pacific community. With the meeting of the first Micronesian Congress, the process of self-government comes to another part of the globe.

Over 400 years have passed since Ferdinand Magellan anchored his ships off these islands in his famous voyage around the world. Since that time you have known many governing powers: Spanish, German, Japanese. The pages of American history record battles waged upon these islands in World War II when Saipan and Tinian became crucial engagements for the U.S. Armed Forces. Since the end of that war you have experienced a joint United States-United Nations administration, which we hope and believe has contributed to your own efforts toward political unity and economic progress in this beautiful sea of isles.

Today you begin that experiment in self-government the American colonists introduced to the modern world almost 200 years ago. Senator Gruening has compared this Congress to the atomic bomb tests on Eniwetok and observed that the "new force being unleashed in Micronesia in the form of political self-government will in the long run prove to be even more important and revolutionary." His sentiments express my own, as I stand before your legislature today and witness this significant phase in political advancement toward self-rule.

During the American Revolution in 1776, the ardent Thomas Paine reminded the discouraged American patriots that "Every spot of the Old World is overrun with oppression." Shortly thereafter the great French statesman and philosopher, Turgot wrote from France: "This people is the hope of the human race. It may become the model. It ought to show the world by fact, that men can be free * * *." From the midst of the struggle George Washington declared that liberty and self-government were "finally staked on the experiment entrusted to the hands of the American people." American victory in that revolution made her that hope, that model of freedom for all men. This became the dream, the vision, the mission of America.

When John Adams, the second President of the young Republic, delivered his inaugural address in 1797, the major problem lay in maintaining an effective yet restrained National Government. As President Adams phrased it:

"When it was first perceived * * * that no middle course for America remained, between unlimited submission to a foreign legislature and a total independence of its claims, men of reflection were less apprehensive of danger from the formidable power of fleets and armies * * * than from the contests and dissensions, which would certainly arise, concerning the forms of government to be instituted over the whole and over the parts of this * * * country. Relying, however, on the purity of their intentions, the justice of their cause, and the integrity and intelligence of the people, under an overruling providence, which had so signally protected this country from the first, the representatives of this Nation * * * cut asunder, the ties which had bound them, and launched into an ocean of uncertainty."

The ocean of uncertainty, President Adams mentioned, had to be charted and crossed by a ship of state which was relatively untried. In America not only federal union, but independence and democracy also set sail in a world dominated since the Renaissance by powerful centralized monarchies. Shipwreck seemed inevitable to most. Yet the ideas of government by consent of the governed and of national independence, launched so inauspiciously in 1789 have since shattered empires, dethroned kings, fomented revolutions, inspired republican institutions and democratic governments all over the world.

When the British colonists in America took their bold step to independence, many colonial outposts flourished around the world. The competition for wealth and national power had led England, France, Spain, Portugal, and the Netherlands to empire building in the Americas, India, and the East Indies during the great age of exploration, discovery, and colonization.

Almost a century of relative calm elapsed before a new wave of colonialism occurred in the late 19th century. Belgium, Russia, Italy, Germany, and Japan joined in the scramble for protectorates, railroad or territorial concessions, special privileges, financial interests in Asia, Africa, the islands of the South Pacific. Merchants and missionaries, militarists and adventurers, nationalists and politicians invaded these lands with a variety of motives in the age of imperalism.

Encouraged by colonial rivalries, the great world wars of the 20th century yet stimulated nationalism in the colonial peoples. Within a decade after World War II almost 20 Asian and African countries from Indonesia and Syria to Vietnam and Tunisia had won their freedom. This was just the beginning. Colonies, like ripened fruit, were indeed falling from the mother tree upon reaching maturity.

Self-government became the cry of the emerging nations, a cry the American people cannot, have not, and will not ignore. Born ourselves of an anticolonial revolution, we cherish government of, by, and for the people; we revere and applaud national independence. Our history reveals that these ideals which created our Nation, also determine our relations with those lands living under our flag.

During the confederation period of the American Government a plan was devised for administering land and providing for local representative government in the then Northwest. This Ordinance of 1787 created political order out of the wilderness and established a method for evolutionary government, self-government at that.

First a Governor, secretary, and three judges would be appointed by Congress. When the territory had 5,000 free males of voting age, a territorial legislature could be elected and a nonvoting delegate sent to Congress. A population of 60,000 could then be admitted to the Union "on an equal footing with the original States in all respects whatever," as the ordinance stipulated. The essence of this plan was repeated for all continental and most of the insular possessions of the United States.

The ancient doctrine that all colonies exist for the benefit of the mother or founding country, to be politically subordinate, socially inferior, economically subservient, was hereby discarded and a new colonial policy formulated by a new nation. Based upon the principle of ultimate equality, this policy provided a temporary period of tutelage first. One of the great contributions of American democracy emerged in this conception of the relationship between the initial metropolis and the colony. Such a solution by George III and the Parliament might have forestalled the American Revolution.

The articles of that famous ordinance also encouraged education, prohibited slavery, or involuntary servitude, guaranteed to the inhabitants of the territory civil rights and liberties. The ideals of the Declaration of Independence and the guarantees of the Bill of Rights of the Constitution were thus assured of spread with the frontier.

Due in large part to this enlightened territorial policy, the United States was able to expand from the original 13 Atlantic colonies westward to the Pacific; north to Canada; south to Mexico and the gulf. The "manifest destiny" of the American people was realized by: Purchase, as in the case of the vast Louisiana Territory which in 1803 covered the whole western half of the Mississippi Valley; peaceful treaty, by which we acquired Florida from Spain in 1819 and the Oregon Territory from Great Britain in 1846; by annexation; as in the case of Texas in 1845 which had desired admittance to the Union; once by war, in 1848 when victory in the Mexican War plus $15 million awarded the United States the rest of the Southwest including California.

American possessions overseas portray a slightly different, but similar, story. These lands have been acquired by purchase, peaceful treaty, annexation, or war too—and in that order. The U.S. Government purchased Alaska from Russia in 1867 and the Virgin Islands from Denmark in 1917. The Philippines were bought from Spain as a part of the peace settlement terminating the Spanish-American War in 1898. American Samoa is held by a treaty among the United States, Great Britain, and Germany of 1899, plus voluntary land cessions by certain high chiefs of the islands. A 10-mile strip of land, the Canal Zone, is leased by agreement with Panama for perpetuity. American jurisdiction in the Ryukyus (Okinawa) continues since World War II, for security reasons, by treaty agreement with Japan.

Hawaii was annexed in 1898 after many half-starts and previous requests that it be so. Guam and Puerto Rico were awarded as a result of that same war with Spain.

The Trust Territories of the Pacific, here, are held in trust by an agreement with the Security Council of the United Nations since 1947.

The philosophy of the American Government has been to give a large degree of self-government, autonomy, even independence. Two of these oversea territories have been admitted as equal States; namely, Hawaii and Alaska, in 1959. The Philippines were promised and received complete independence in 1946; Puerto Rico became a Commonwealth in 1952, a self-governing island, yet in matters of defense and foreign relations responsible to the United States. The peoples of Puerto Rico, the Virgin Islands, Guam, and many in the Canal Zone have been made citizens of the United States.

Developing self-government, aiding and encouraging the improvement of living conditions, education, health, the economy, remain the objectives of the American Government in the islands and territories under its administration.

In essence the plan of government outlined in 1787 has been pursued in all of these areas. The kind of government, the idea of stages of government, self-government, gradual representation by the people themselves—these are the principles deriving from the Ordinance of 1787. James Otis' assertion that "taxation without representation is tyranny" has been acknowledged in American administration of these lands.

Observing modern history one must notice two forces that have met and clashed in the decades since World War II. National self-determination and imperialism are incompatible objectives. The far-flung colonial empires have eroded and are fast disappearing. Benjamin Disraeli's plea in the 1870's for an "imperial country" rather than a "comfortable England" would fall today upon deaf ears. Nor would any colonies agree with the Greek Pericles that "to be within the circle of our influence is not dependence but privilege.

American sympathy rests with these emerging nations; our relations with those living under our flag evidences this fact. With Thomas Jefferson we believe that "The God who gave us life, gave us liberty at the same time." We believe, moreover, that this applies to all men.

Acutely aware of a new imperialism, present in today's world, President John F. Kennedy in a July 4 address in 1962 observed that: "If there is a single issue that divides the world today, it is independence * * *." The attitude of the United States toward this denial of freedom must be and is consistent with our affirmation of man's right to freedom almost 200 years ago. As President Kennedy reaffirmed:

"And today this Nation—conceived in revolution, nurtured in liberty, maturing in independence—has no intention of abdicating its leadership in that worldwide movement for independence to any nation or society committed to systematic human oppression."

Just as the success of the American experiment made the United States the hope, the model of the world, so may the success of this government in the new world of the Pacific community in cooperation with my Government, register another victory for government by the people, for the idea of popular government. The people of the United States welcome you to that community of nations which fosters freedom, encourages peace, prosperity, for its people. We ask that you join with us in this continuing endeavor to elevate mankind, to acquire and preserve the heritage of dignity and well-being which is man's to claim and possess in cooperation with one another.

Mr. SAYLOR. Mr. Speaker, two Members of this House are on Saipan this week attending the first meetings of the new Congress of Micronesia. My side of the aisle is represented by the Honorable ROGERS C. B. MORTON, the other side by the Honorable N. NEIMAN CRALEY, Jr. I am proud that our House of Representatives is so well represented at this newest of all the world's parliamentary bodies and I am glad that I, even at this great distance, should have this opportunity to welcome the Micronesian Congress to the ranks of those bodies throughout the world in which the voice of the people is heard.

To these remarks, Mr. Speaker, I want to append the address which the gentleman from Maryland [Mr. MORTON] is giving to the assembled representatives of the Micronesian people. It is full of good sense and sound advice which all of us can take to heart. One paragraph in particular has caught my attention:

> As an elected official of your own particular district, you have the responsibility to represent the interests of friends and neighbors with whom you share a common background and tradition. But you also represent the overriding interests of many individuals whom you have never met, of communities you have never visited, of islands you have never seen. In short you represent the public interest, and your success as a legislator will depend in no small degree on how well you are able to blend the needs of your community with the needs of all Micronesia.

This admonition is one that all of us, whether on Saipan or in Washington or New Delhi or Lima must constantly keep in mind. So are many other points made by Congressman MORTON which I shall not take the time to repeat. Let me merely say that I recommend study of the entire statement to my colleagues:

ADDRESS OF CONGRESSMAN ROGERS C. B. MORTON, REPUBLICAN OF MARYLAND, PREPARED FOR DELIVERY AT THE CONVENING OF THE 1ST SESSION OF THE CONGRESS OF MICRONESIA, AT SAIPAN, UNITED NATIONS TRUST TERRITORY OF THE PACIFIC ISLANDS, JULY 12, 1965

Congressman CRALEY, High Commissioner Goding, Secretary Carver, members of the First Micronesian Congress and distinguished guests, I am deeply honored and proud to have been chosen to speak on this momentous occasion which is such an important milestone in the long and noble history of representative government.

I come bearing the greetings and congratulations of the U.S. House of Representatives, the Speaker of the House, and the minority leader. This legislative body was established under the provisions of our Constitution in 1789.

The development of a legislative system, in which the needs, aspirations and inalienable rights of all people can be served, is an arduous and complicated process even under the best of circumstances. As in building a house, one must carefully select a site, prepare an architectural plan and lay a solid foundation.

When these preliminary steps are overlooked, or, in the eagerness to present an impressive facade, they are carelessly considered, then it is only a matter of time before the structure will fall before the forces of wind and water. So it is with men and the institutions of government they build.

The preparations for representative government and a legislative system for the trust territory have been underway for nearly 20 years. I believe it is fitting, and indeed important, that we take a moment during these early proceedings to examine a few of the preliminary steps in the building of the Congress of Micronesia.

As a result of World War II, my Government assumed the administrative responsibility for an area about as large as the continental United States, an area comprising some 2,100 islands spread across approximately 3 million square miles of ocean. Although the inhabited land mass was considerably less than our smallest State, Rhode Island, more than 2,400 miles and at least nine indigenous languages separated the peoples and communities of the trust territory.

If the site upon which to build a Micronesian house of government offered problems of cohesiveness and communications, then these problems had to be overcome by sound architecural planning and a carefully laid foundation.

Twelve years ago, at a meeting at Truk, island leaders from the Marianas, the Marshalls and the Carolines decided to move slowly and cautiously in establishing a territorial legislature for Micronesia. They were determined to avoid what one observer called elements of disastrous friction which might result from premature actions. A second conference in 1957 led to the setting up of an Inter-District Advisory Council which met for 1 week each year.

By 1959, district congresses were in operation in Ponape, Palau, Truk, and the Marshalls and many of the other islands had established elective municipal councils. In spite of the obstacles of distance and differences, you were showing the United States, and world, that you believe deeply in the principles of responsible self-government and that you would leave no stone unturned to reach this objective.

The Advisory Council of Micronesia, whose members had originally been appointed by the High Commissioner, worked out an elective system based upon local and district legislative organs, and popular elections were provided for by 1962. The next step was careful study to set up a truly legislative system with authentic powers to levy taxes and to participate in the formulation of the budget.

The immediate result of this painstaking labor, and the close cooperation of the U.S. Government and your island leaders is the opening of the first Micronesian Congress which we celebrate today. The long range result will involve no less than the efforts of the past, and no less than the best of each of you assembled here at Saipan are able to give for the future.

For I am convinced that no grand political design, no instant economic windfall—none of these will do as much to chart a course of success and prosperity for Micronesia as will your constant diligence and imagination as elected legislators.

It is in your hands to develop an effective governmental operation to serve the widespread interests of your widespread constituents. It is in your hands to forge a Micronesian identity from among the many diverse peoples who have placed their trust in each of you. It is in your hands if a sprinkling of tiny islands in the world's largest ocean are to be welded into a meaningful unit of order and well-being.

Thus as a member of this historic First Congress, you will be judged not only as legisaltors taking part in the planning and drafting of the rules and regulations that will affect all Micronesians for many years to come; you will be graded also on your ability to cope with everyday problems, as well as your vision of distant goals and aspirations. You will make your mark not just for the appearance of your name on major legislation, but also for your behind-the-scenes efforts in committees where the real fruits of all congresses are planted.

As an elected official of your own particular district, you have the responsibility to represent the interests of friends and neighbors with whom you share a common background and tradition. But you also represent the overriding interests of many individuals whom you have never met, of communities you have never visited, of islands you have never seen. In short you represent the public interest, and your success as a legislator will depend in no small degree on how well you are able to blend the needs of your community with the needs of all Micronesia.

If then, members of this initial Congress are legislators and public servants, then too they must function as educators as well. For the full meaning of representative Government can only be realized when the great majority of citizens come to know and understand the workings of a democratic system.

As this is the first session of the territorial Congress, your work in the educational field is cut out for you. I understand that you have been studying parliamentary procedures and other congressional functions under the able guidance of your legislative counsel, Dr. Robbins.

This is an important beginning if your assembly is to make the most of its short session, and is to undertake the task of preparing a realistic annual legislative program. But just as important will be the steps you initiate to inform your constituents of the programs under consideration and the differing views of your fellow Congressmen on local and territorial issues.

So add to your growing list of responsibilities that of communicator. During those periods when the Congress is in session, and at other times when you gather for committee meetings, make every effort to be in contact with your district by mail and by all available communication facilities. With hundreds of islands separated by thousands of miles of water, the power of a personal letter should not be underestimated.

After a lengthy congressional meeting, sit down with the notes of the day's events, put them in readable and understandable form, and send them off to an island leader in your home district with instructions to give your summary the widest possible dissemination. I think you will find the results worthwhile, not only for your new Congress, but for your personal political careers as well.

Under the terms of the order establishing the First Micronesian Congress, the legislature will be in session for a 1-month period each year. It is likely that your various committees will be meeting at other times, in other places, according to the need for additional legislative preparation.

I cannot stress too strongly that the responsibilities of government will not disappear with the end of your meeting here at Saipan this month, but they will follow each and every member of this assembly as he returns to family, job, and community. The role of legislator, of public servant, of educator, and of communicator, will weigh upon your shoulders as you assume your normal duties at home.

But it is a weight that all freemen must bear, and one that gives the upright in character and proud in spirit a new strength for the problems that lie ahead. The very fact that this is your first congressional session underscores the inevitable struggles and obstacles that must be faced in the future if the concept of self-government is to endure.

In the earliest days of the United States of America, that very name was held up to scorn and ridicule because our Nation's leaders were unable, or unwilling, to submerge their local interests for the common good. There were those who said our young Government would not find its way out of a wilderness of petty strife and costly bickering that had produced bitter division and runaway debt.

It was only through the selfless deliberations and actions of leaders not unlike this group assembled here today that the United States of America was able to pull itself together, bind its wounds and face the future. And for many years, a bleak future it was.

There is a real and deep significance in this first meeting of the Congress of Micronesia. You are telling all who would listen that your people are determined to face the future as free men and women. You are committing your people to a form of government that has offered those who would accept its challenge more of the blessings of liberty than any other system yet devised by the mind of man.

You are charting a course for this island complex that can only lead to individual achievement and community development. In this task, you will have the wholehearted support and admiration of the Congress of the United States. We applaud your action, and await with confidence your accomplishments.

VIETNAM MONEY SUPPORT INADEQUATE

Mr. LIPSCOMB. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, the increasingly heavy defense expenditures in support of the action in Vietnam and our worldwide commitments demand that the President and Congress act immediately to provide adequate funds to carry out U.S. policies successfully.

When the fiscal year 1966 Defense appropriation bill came up in the House of Representatives on June 23, 1965, deep concern was expressed over the fact that there is insufficient funding in the budget to support the escalated action in Vietnam.

Subsequent events have served to underscore the urgency of the situation and the importance of acting now to provide the necessary funding.

Here are some of the major events that have and are happening which largely were not taken into consideration by the Defense Department in the budget request:

Significant increases in manpower are being committed to South Vietnam;

Large increases in equipment and combat consumables are required to support the escalated effort;

An increase in air and surface transportation is required to move both men and material;

Replacement of stocks and equipment to those units from which they have been taken is needed;

Replacement is needed of reserve stocks as rapidly as possible so that we may be prepared for other eventualities;

There is an increase in combat pay which was unprogramed;

An airmobile division is to be created and its anticipated deployment to South Vietnam, all of which was unprogramed.

During the floor debate on June 23, 1965, I stated:

> The fiscal year 1966 budget contains insufficient funding for the Vietnamese effort. The President has made certain policy decisions affecting our position and commitments in Vietnam. This commitment includes the large-scale introductions of American personnel and equipment. The decisions to commit American lives and American prestige must be backed up and supported with the appropriations necessary to carry them out successfully.

This concern, however, related not just to Vietnam but to other areas as well, as I stated:

> It is also of serious concern that equipment and material priorities for Vietnam must not be permitted to so deplete active forces inventory as to impair the readiness of our forces not committed to Vietnam. Our forces no matter where they are located, must be sufficiently equipped to respond to any emergency. Reserve stocks are for the purpose of having available a sufficient inventory to take care of the unknown and unpredictable events that could occur all over the world. The Dominican Republic is a recent example.

It is particularly significant that a review of the House debate on the defense appropriation bill would clearly show that this position was not refuted. To the contrary, it was largely substantiated. The only item which was introduced during the debate in an attempt to answer the charge was a letter written by Secretary of Defense McNamara June 9, 1965. Rather than deny the correctness of the position, however, the letter serves to reinforce it.

I submit, Mr. Speaker, that the escalated activities in Vietnam are in significant amounts and that additional equipment and replacements are required. Secretary McNamara claims that he has sufficient flexibility through such means as emergency funds and transfer authority to cover any immediate needs. Based upon existing procedures the Department of Defense does have the ability to use emergency funds and transfers from other programs, but these procedures are intended to be used for emergency situations which were not known at the time of a budget request, or when Congress is not in session. Certainly the situation in Vietnam and the readiness condition of our other units are sufficiently known so that they can be provided for in the fiscal year 1966 budget, on which final action is still pending in Congress. To use the means indicated by the Secretary of Defense would be a misuse of the authority granted by Congress.

Secretary McNamara has indicated, and properly so, that he has given top priority to the needs of Vietnam. But to accomplish this, equipment and stocks have been taken from other units and evidence is accumulating that such units are falling below their authorized needs. In simple words, we are robbing Peter to pay Paul.

A clear-cut example is a decision which was at the request of the Chief of Staff, USAF, to transfer, since January 1965, 20 RB-57 jet aircraft from 5 Air National Guard units throughout the country and place them in the Active Air Force inventory for Vietnam. This action has resulted in the Air National Guard being under authorized strength for this component. These aircraft must be replaced. The production line for the RB-57 has been closed, and if some other aircraft is substituted, that in turn would probably require replacement.

No provision for this type of action has been specifically included in the budget.

In another instance, the Army had recommended a production rate of the UH-1B & D Iroquois helicopters at 75 a month. Secretary McNamara reduced this request to 60 a month. It has now been reported that the production rate has been raised to 70. Again, these additional costs are not covered in the fiscal year 1966 budget.

For the fiscal year 1965, the Army request for procurement of ammunition was $408 million. In fiscal year 1966, in spite of Vietnam, the request for ammunition was $344.9 million. Even though the fiscal year 1965 budget request for ammunition was made on the basis of real need for both current usage and to provide an adequate level of stocks, during the hearings it was brought out that only $272 million would be spent. This type of action has occurred in previous years. Such large differences between what is requested and what is finally spent raises serious questions as to what our actual stock level is relative to ammunition.

Obviously this is a vital area and the current degree of action in Vietnam clearly dictates a high level of consumption. It has been reported that consumption of ammunition in Vietnam has quadrupled.

A related area is spare parts and maintenance. During the course of the Defense appropriation hearings, the Navy stated that the budget for the replenishment of spare parts is tight primarily due to stricter guidelines which were imposed on them. A principal Navy witness stated:

> We will make every effort to operate with this level, but we are concerned and will have to watch very carefully any effect upon our ability to meet expanded requirements if those should come about as a result of the southeast Asia operations in concern of the very long supply lines in that area.

Certainly the problem of combat pay is particularly important, far beyond the basic fiscal considerations. The Department of Defense issued a directive, No. 1340.6, on June 2, 1965, concerning the eligibility of military personnel to receive special "combat pay" for those subject to hostile fire.

Under the previous special pay policy, about one-fourth of the military personnel serving in South Vietnam have been receiving hostile-fire payments monthly. Under this new modified policy, all U.S. military personnel serving in South Vietnam will be eligible for the special pay, unless certain areas are excepted by the unified commander. This new policy is completely warranted under existing conditions and if anything is overdue. In any event, this directive creates an increase in personnel pay amounting to many millions of dollars, which was unprogramed and therefore not covered in the budget. We have been constantly told this is an extremely tight budget, and in the area of pay there is not the flexibility as in other parts of the budget.

Other items that further illustrate the inadequacy of the fiscal year 1966 budget, as they were either not programed or budgeted at the presently planned level include:

The decision to significantly increase ground troops in South Vietnam.

The Navy, it has been reported, has been spread thin, with the 7th Fleet now employing four and at times five aircraft carriers off Vietnam and adding a new naval patrol command off the South Vietnamese coast.

It has been further reported that surface shipments of material have mounted to 125,000 tons a month, while air shipments have reached a record 35,000 tons a month. Imports of petroleum products have increased to 500,000 barrels a month.

Also reported is the probability that the new 1st Calvary "airmobile" division will go to Vietnam. This is a new concept for which tests had recently been completed. The division will be larger than a normal Army division, having close to 16,000 men and will contain increased air capability particularly helicopters for quick mobility. There were no plans in the fiscal year 1966 budget to create such a division, much less to deploy it into active combat in Vietnam. It has now also been reported that there is a distinct possibility that a second "airmobile" division will be created. This too was unplanned.

It is a fact that we are carrying out added activities and that they must be funded. This should be accomplished in a timely, reasonable manner, completely in keeping with the right of Congress and the public to know how much is being spent, when it is being spent, and for what purpose.

Considering the international situation, we must be in a secure position militarily. This includes having an adequate budget which will provide for the current defense needs and equally important, future emergencies. Adequate money and adequate equipment must be provided for every unit at a proper level according to the table of organization and priority position. We have consistently been told the fiscal year 1966 defense budget is a tight budget. Any budget manipulations to solve the problems mentioned here must therefore have serious effects upon other programs unless additional funds are provided. This must not be allowed to happen. Fortunately we have an opportunity to correct this situation and maintain our high level of strength which now exists. The fiscal year 1966 Defense appropriation bill has not cleared the Congress and therefore the President can revise the defense budget, or submit a supplemental request immediately.

If this is not done, it will not merely be a question of having available adequate funds, but the additional question must then be raised as to what is this administration's approach to military preparedness.

THE TRADITIONAL AMERICAN SPIRIT

Mr. MARTIN of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. **MARTIN** of Alabama. Mr. Speaker, today I received a copy of a letter directed to a Member of the other body. The message it contained is so much needed today and so exemplifies the spirit of the true American character, that I would like to share a part of this letter with you. It was written by Mrs. Eva M. Harmon of Birmingham, Ala., and contains this message of courage and indomitable spirit. I include this excerpt from Mrs. Harmon's letter as a part of these remarks:

> When I read of the rent subsidy proposal, I did not write. I thought no Alabamian, no southerner would support it. But I see by our local papers that you did.
>
> You mention housing for a number of groups. What I want to know is, when is the Federal Government going to quit putting a premium on so-called poverty? How many of our poverty stricken people will want to try to better themselves if the Government will do it for them, with no effort on their part?
>
> You spoke of the handicapped. That is not exactly a foreign word to me. At 10 months of age I had polio which left me handicapped, if you choose to call it that; at least it left me lame.
>
> When I was old enough to leave home and go out on my own, I chose a work that would be a real challenge to me—I wanted to be a linotype operator in a newspaper office. At that time that was a man's job; in the past few years with more modern equipment, more women are employed. When I went to Nashville, Tenn., for training, the instructor tried in every way possible to persuade me to take another course, even holding me up to ridicule before the entire class when I made an error. Finally, at graduation time, he apologized to me before the class.
>
> I say all that to say this: What's wrong with people working and taking care of themselves without the Federal Government stepping in with a handout? There is a principle involved here, and I would like to see us get back to that good old American spirit of independence.
>
> I have always felt that it was my inalienable right to work and take care of myself, and with God's help I have done it. I had to work hard, I had to be better in my job than the men. And now at 64 I think I still am. I have always enjoyed my work, and the fruits of my work. Last December I fulfilled a life-long ambition—I toured the Holy Land, going with a Billy Graham group.
>
> You say you have always voted for the aid programs and always will. Well, I just want to say I feel sorry for the people who will be denied the satisfaction in their lives that I have enjoyed.

Mr. Speaker, for this message from Mrs. Harmon, I say, "God bless her," and I express my deep thanks for giving us a message that should go to the heart of every liberty-loving American.

YOUNG PEOPLE OF THE KEY CLUBS OF THE UNITED STATES AND CANADA

Mr. **DUNCAN** of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNCAN of Tennessee. Mr. Speaker, I would like to give special recognition today to the young people of the Key Clubs of the United States and Canada.

These high school clubs sponsored by Kiwanis International are rendering valuable service to communities throughout our land.

I know that my colleagues would like to join me in welcoming these young people to Washington, and I especially welcome almost 100 Key Club members from Knoxville, Tenn.

BETTS FINDS TAFT GRAVE ALMOST FORGOTTEN

Mr. BETTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, as you know, an Honor Guard is on duty at Arlington Cemetery in part to assist the many visitors who come there. It was disappointing to learn that some of the Honor Guards do not know that President William Howard Taft is buried there nor the general location of his grave.

At several entrances to the cemetery large maps have been erected to guide visitors to particular points of interest. These maps list the Tomb of the Unknown Soldier, the Superintendent's Office, Custis Lee Mansion, and President Kennedy's grave. Certainly the location of the graves of President and Mrs. Taft should be on such maps.

Various trails have been established for visitors to follow in touring the cemetery and there are a number of signs pointing only to the Tomb of the Unknown Soldier and the Kennedy gravesite. To my knowledge, nowhere in the cemetery is there any official recognition of the Taft grave.

If one finds the Taft grave and marker he is immediately struck by the fact that the grounds surrounding it are not well kept, patches of grass are burned and the area needs to be raked and watered. Perhaps a stone walkway up the hill to the grave would be in order and a small sign at the roadway pointing to the grave. This seems to me the minimum attention that could be shown to a former President of the United States. I would hope that such a proposal would be considered by those having responsibility at the cemetery.

THE LATE HONORABLE ADLAI STEVENSON

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I believe that all Americans; indeed people throughout the free world and all Members in this House were deeply saddened at the tragic and sudden death of Adlai Stevenson in London yesterday.

Mr. Speaker, Governor Stevenson died in the service of his country upholding the best interests of the United States and the United Nations; man's best hope for peace.

Mr. Speaker, his warm and enduring concern for the rights of man and for all those who are oppressed wherever they might be, and his eloquent voice on behalf of collective security and peace throughout the world, distinguished the efforts of the United Nations and will endure for many years to come.

Governor Stevenson was a man of principle and of wit, a moving force for social and economic progress in our country, a voice of conscience at home and aboard, and a statesman who will be deeply missed in the councils of the nations of the world.

Mr. Speaker, I join with every Member in this House in extending our deepest sympathy to the members of his family.

We shall not see his like again.

"IT'S WHAT'S HAPPENING, BABY"—DISGRACEFUL AND DISGUSTING

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, over 2 weeks ago the CBS television network presented a 90-minute program entitled "It's What's Happening, Baby." I have received letters, as I am sure many of my colleagues have, protesting against the contents of the program. "Disgraceful" and "disgusting" are two words which are repeated again and again in these letters of protest.

It would appear that no Federal funds in any significant amount were expended on this program. The great part of the program was devoted to what passes for entertainment these days in some quarters.

What concerns me is that the Federal Government apparently believes it must resort to this sort of perverted communications because otherwise it would not be listened to by the Nation's young people.

Mr. Speaker, I refuse to believe that this is the only way to communicate with teenagers, even with dropouts. Certainly, they are capable of understanding something more than the wailings of "The Cannibals," and "The Headhunters," two groups who cavorted about the stage that night.

As I understand it, one purpose of the OEO is to improve, to raise the standards of the young. Well, you do not improve someone by pandering to his base instincts and by using the lowest possible denominator.

Mr. Speaker, the commercials during the program urged the listeners to write to "New Chance, Washington." I suggest that unless the Office of Economic Opportunity and Mr. Shriver and his aids reexamine their basic approach, it may be "Last Chance, Washington," to which the American people will be writing.

We have one last chance, Mr. Speaker, to help these young by appealing to the best in them—not the worst; by inspiring them, not entertaining them; by stretching their minds and spirits, not numbing them. I, for one, refuse to accept the notion that the best way to communicate with young Americans is through African tribal rhythms. It happened once. It should not happen again.

GALLAGHER INTRODUCES LEGISLATION TO VIRTUALLY ABOLISH THE USE OF "LIE DETECTORS" BY FEDERAL AGENCIES

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute with reference to a bill which I have introduced on prohibiting lie detector tests.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I am today introducing legislation which would, in practical effect, prohibit the use of polygraph machines—the so-called lie detector—by all agencies of the Federal Government. The only exception would be in rare cases where there was extraordinary necessity to use such a device in protecting the national interest of the United States. Frankly, I doubt if these cases really exist or ever would exist. But the authority would be available in any event.

It was more than 2 years ago that I requested the distinguished chairman of he House Committee on Government Operations [Mr. DAWSON], the gentleman from Illinois, to look into this practice. He responded immediately and directed the Foreign Operations and Government Information Subcommittee to study this matter. The subcommittee, under the able leadership of the gentleman from California [Mr. MOSS], has done an excellent job and is continuing to do so. In its report issued March 22, 1965, the committee came to this conclusion on its very first page. Allow me to quote it to Members of the House:

> There is no "lie detector," neither machine nor human. People have been deceived by a myth that a metal box in the hands of an investigator can detect truth or falsehood.

Mr. Speaker, the committee found that the Federal Government has fostered this myth by spending millions of dollars on polygraph machines and on salaries for hundreds of Federal investigators to give thousands of polygraph examinations. Yet research completed so far has failed to prove that polygraph interrogation actually detects lies or determines guilt or innocence.

In addition, the committee found that the overwhelming majority of Federal investigators who operate polygraphs have neither the qualifications nor the training for their work. Most Federal agencies had such weak controls over the use of polygraphs that these operators were permitted to give examinations without top-level agency approval.

Individuals under interrogation are persuaded to disclose past indiscretions, and investigators often ignore the so-called voluntary nature of the examination by noting in Government files any refusal to submit to the polygraph test. Compounding the injustice of these practices are the two-way mirrors and hidden microphones in these Federal star chambers.

The committee further found that Federal investigators rely on these examinations for everything from top security matters to minor pilfering cases.

Thus, in the words of the committee's report:

> The polygraph examination has become a crutch in too many cases, replacing proven procedures of criminal investigation and serving as a weak link in our security system.

Testimony before the subcommittee showed that the Federal Bureau of Investigation does not consider the polygraph precise enough for screening its own personnel and job applicants. Yet, other Government agencies and a number of private industries use it for just that purpose.

The committee's main recommendation, in my opinion, was that the Federal Government should prohibit the use of polygraphs in all but the most serious national security and criminal cases. The legislation I am introducing today would make this the law.

I would not tie the hands of those who guard our country's security, but I must say this: I personally believe the use of polygraphs by the Federal Government should be discontinued in all cases immediately until they are proved to be infallible—a day which I doubt will ever come. Even if such scientific proof becomes available, they should never be given on anything but a voluntary basis and even this poses the question of indirect compulsion. In my opinion, lie detector tests constitute an insidious search of the human mind and are a breach of the most fundamental of human rights. They provide a vehicle of excursion into the most private recesses of the human mind. Even if the polygraph testing was trustworthy, there is still no possible justification for such mental wiretapping. I believe the lie detector test under any compulsion is a violation of the fourth amendment to the Constitution. Its use upon Federal employees and job applicants is especially repugnant and should be stopped now—today.

The Washington Post summed up my feelings entirely in an editorial last year:

> The theory on which these lie detectors are used is that they serve to promote security by enabling investigators to probe into the pasts of job applicants. It would be better to use tea leaves or the entrails of sheep. These would not furnish any reliable information either, but at least they would not enable prurient investigators to invade the privacy of ordinary, law-abiding Federal employees.

This great newspaper was shocked and disgusted by my testimony that a 17-year-old girl just out of high school was subjected to humiliating questions about sexual matters when she applied for a job with the National Security Agency as a typist. I regret to say that the thread of outright voyeurism runs throughout too many of the cases that have come to my attention regarding the use of the lie detector.

It is sometimes asked why anyone should object to a lie detector test if he has nothing shameful to conceal. The Washington Post had a good answer to that. It said:

> The logical extension of that question is, Why should not every citizen—no need to limit this pleasure to Government employees—be required to undergo a monthly polygraph examination, more or less in the manner of a chest X-ray, respecting his honesty, morality, and patriotism? In that way, everyone could know everything about everyone. The whole country, not just the Federal Government, could be made intolerable for human beings.

Additionally, if a person is telling the truth but it is incorrectly evaluated, what recourse does he then have? This is a very significant factor when proponents of the lie detector testified that 80 percent of the evaluators are not competent.

My view is that the use of lie detectors by the Federal Government is a blatant invasion of privacy which freemen everywhere should condemn if they want to see liberty continue. It is a degrading device that by its very use is dehumanizing. But even if this compelling factor were not present, to me this investigation has cast sufficient doubt on its reliability to properly classify it with the reading of tea leaves and the entrails of sheep. And accordingly it should be considered as such.

Lie detector tests also may be harming rather than helping our intelligence system—one of the very things they are supposed to protect. Dr. Stefan T. Possony, of the Hoover Institution at Stanford University, believes that the Government is weeding out, by the use of lie detector tests, the very type of people we need in our intelligence setup. Possony contends that the standards by which the Government judges the responses to questions about sexual activity are so Victorian that often the active virile male, who possess the initiative, creativity, and drive needed for intelligence work, is disqualified. In contrast, he said, the undersexed male, the homosexual, and the Communist agent who is instructed in how to beat the machine, are capable of passing the test with flying colors. Possony is an 18-year veteran of U.S. intelligence work and was decorated by the Air Force for having accurately predicted the timing of the first Soviet nuclear bomb. He is also one of the foremost authorities on international communism. I believe his thesis on lie detectors deserves careful study if such tests continue to help select our intelligence agents.

National security and a clearing of the innocent are the two main arguments offered to support the lie detector. This and the melodramatic example of a person breaking down and confessing in the middle of a test, are another boast of the lie detector industry. Is this any different from the old "third degree" manner of questioning?

As to the national security aspect, certainly Dr. Possony disposes properly of this argument. But over and above all this, can one single individual's life and career unjustly wrecked justify its use? We have dozens of complaints where this has happened. The Federal Government has a clear duty to set high standards of justice. A condonation of this device in any manner is an encouragement to its use, not only in police work, but throughout private industry where it is not uncommon to subject employees to regular monthly or bimonthly lie detection tests. It is clear that it is unreliable, and this unreliability overcomes any argument that can be made in its favor.

It is about time that this deception is squarely faced. When the "lie detector" industry proves it is infallible—it proved the opposite at congressional hearings—perhaps then we will all be aware that this is an unreasonable and unlawful search of a person's mind and an attempt to unlawfully seize his thoughts.

But, perhaps to state it in its simplest terms, this is an extremely inaccurate and disorderly way to attempt to arrive at conclusions that affect the life, freedom, or careers of those undergoing a lie detection test. It is time to call a halt on further use of the lie detector.

ADMISSION OF MEMBERS OF THE JOB CORPS TO VETERANS FACILITIES

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I am appalled to learn of the admittance to veterans hospitals of members of the Job Corps. We have 15,000 veterans on waiting lists to get into these hospitals. Every day I receive mail from qualified veterans in dire need of hospitalization who simply cannot get into these facilities.

Yet, these young Job Corps men who, incidentally, receive more pay than some of our GI's, are being admitted to the hospitals. This, I understand, is by a circular directive of the Veterans' Administration. Well, there is no directive that is issued that cannot be rescinded. And that is just what I am insisting on.

I have wired the President and the Veterans' Administrator today calling for the rescinding of this demoralizing and inequitable authorization.

Mr. Speaker, I wish to commend the able and distinguished gentleman from Indiana [Mr. ROUDEBUSH] for bringing this matter to the attention of this House.

IMPROVEMENTS NEEDED IN UNIFORMED SERVICES PAY ACT OF 1965

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the committee-approved military pay bill will come to a vote on Monday. This bill does not correct the most critical injustice existing in the military pay structure—that of the pay of 2-year men.

Although it contains a pay raise for recruits it is only the second raise for them since 1946 and falls far short of bringing their pay into line with the pay of other members of service who have had regular increases during intervening years. It also includes substantial increases for officers—increases in an amount not entirely warranted at this time. I firmly believe pay for officers should mark time until the gross injustice being done our young enlisted men is corrected. Nonetheless, my proposal would provide a moderate increase for most officers.

I intend to offer an amendment on Monday designed to correct this situation. My amendment would substitute the pay table from S. 1095 for officers and warrant officers without the "two or less" pay category and with the "over two" category redesignated as "three or less." For enlisted men my amendment would strike the "two or less" pay category from the pay table contained in the committee bill and would change the category designated as "over two" to read "three or less." In all other respects I support the committee recommendations for enlisted men.

The following table makes a comparison between the existing law, the committee bill, and my amendment:

EXISTING LAW

Section 203(a) of title 37, United States Code:

(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

Commissioned officers

Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
O-10 [1]	$1,302.00	$1,347.90	$1,347.90	$1,347.90	$1,347.90	$1,399.20	$1,399.20
O-9	1,153.80	1,183.80	1,209.60	1,209.60	1,209.60	1,240.20	1,240.20
O-8	1,045.20	1,076.40	1,101.90	1,101.90	1,101.90	1,183.80	1,183.80
O-7	868.20	927.60	927.60	927.60	968.70	968.70	1,025.10
O-6	643.20	707.40	753.30	753.30	753.30	753.30	753.30
O-5	514.50	604.80	645.90	645.90	645.90	645.90	666.30
O-4	434.10	528.00	563.70	563.70	573.90	599.70	640.50
O-3 [2]	353.70	450.90	481.80	533.10	558.60	579.00	609.90
O-2 [2]	281.40	384.30	461.40	476.70	486.90	486.90	486.90
O-1 [2]	241.20	307.50	384.30	384.30	384.30	384.30	384.30

Pay grade	Years of service computed under section 205							
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 [1]	$1,506.90	$1,506.90	$1,614.30	$1,614.30	$1,722.00	$1,722.00	$1,829.70	$1,829.70
O-9	1,291.50	1,291.50	1,399.20	1,399.20	1,506.90	1,506.90	1,614.30	1,614.30
O-8	1,240.20	1,240.20	1,291.50	1,347.90	1,399.20	1,455.60	1,455.60	1,455.60
O-7	1,025.10	1,076.40	1,183.80	1,266.00	1,266.00	1,266.00	1,266.00	1,266.00
O-6	753.30	779.10	902.10	948.00	968.70	1,025.10	1,112.10	1,112.10
O-5	702.00	748.20	804.60	850.80	876.30	907.20	907.20	907.20
O-4	676.50	707.40	738.00	758.40	758.40	758.40	758.40	758.40
O-3 [2]	640.50	656.10	656.10	656.10	656.10	656.10	656.10	656.10
O-2 [2]	486.90	486.90	486.90	486.90	486.90	486.90	486.90	486.90
O-1 [2]	384.30	384.30	384.30	384.30	384.30	384.30	384.30	384.30

[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $2,019.30 regardless of cumulative years of service computed under sec. 205 of this title.

[2] Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

Commissioned officers who have been credited with over 4 years' active service as an enlisted member

Pay grade	Years of service computed under section 205					
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
O-3	$533.10	$558.60	$579.00	$609.90	$640.50	$666.30
O-2	476.70	486.90	502.20	528.00	548.40	563.70
O-1	384.30	410.10	425.40	440.70	456.00	476.70

Pay grade	Years of service computed under section 205					
	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	$666.30	$666.30	$666.30	$666.30	$666.30	$666.30
O-2	563.70	563.70	563.70	563.70	563.70	563.70
O-1	476.70	476.70	476.70	476.70	476.70	476.70

Warrant officers

Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
W-4	$361.20	$440.70	$440.70	$450.90	$471.60	$492.00	$512.40	$548.40
W-3	328.50	405.00	405.00	410.10	415.20	445.80	471.60	486.90
W-2	287.40	353.70	353.70	363.90	384.30	405.00	420.30	435.60
W-1	238.20	312.60	312.60	338.40	353.70	369.00	384.30	399.90

Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$573.90	$594.60	$609.90	$630.30	$651.00	$702.00	$702.00
W-3	502.20	517.50	533.10	553.50	573.90	594.60	594.60
W-2	450.90	466.50	481.80	497.10	517.50	517.50	517.50
W-1	415.20	430.50	445.80	461.40	461.40	461.40	461.40

Enlisted members

Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
E-9							$445.80	$456.00
E-8						$374.10	384.30	394.50
E-7	$206.39	$282.00	$292.20	$302.40	$312.60	322.80	333.00	343.50
E-6	175.81	246.00	256.20	266.40	276.90	287.10	297.30	312.60
E-5	145.24	215.40	225.60	235.80	251.10	261.30	271.50	282.00
E-4	122.30	184.50	194.70	210.00	220.50	220.50	220.50	220.50
E-3	99.37	148.50	159.00	169.20	169.20	169.20	169.20	169.20
E-2	85.80	123.00	123.00	123.00	123.00	123.00	123.00	123.00
E-1	83.20	112.80	112.80	112.80	112.80	112.80	112.80	112.80
E-1 (under 4 months)	78.00							

Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9	$466.50	$476.70	$486.90	$497.10	$522.90	$573.90	$573.90
E-8	405.00	415.20	425.40	435.60	461.40	512.40	512.40
E-7	358.80	369.00	379.20	384.30	410.10	461.40	461.40
E-6	322.80	333.00	338.40	338.40	338.40	338.40	338.40
E-5	287.10	287.10	287.10	287.10	287.10	287.10	287.10
E-4	220.50	220.50	220.50	220.50	220.50	220.50	220.50
E-3	169.20	169.20	169.20	169.20	169.20	169.20	169.20
E-2	123.00	123.00	123.00	123.00	123.00	123.00	123.00
E-1	112.80	112.80	112.80	112.80	112.80	112.80	112.80

THE BILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(a) of title 37, United States Code, is amended to read as follows:

"(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

"*Commissioned officers*

"Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
O-10 [1]	$1,417.80	$1,467.60	$1,467.60	$1,467.60	$1,467.60	$1,523.70	$1,523.70
O-9	1,266.60	1,299.60	1,328.10	1,328.10	1,328.10	1,361.70	1,361.70
O-8	1,168.50	1,203.30	1,231.80	1,231.80	1,231.80	1,323,30	1,323.30
O-7	974.70	1,041.60	1,041.60	1,041.60	1,087.80	1,087.80	1,151.10
O-6	739.50	770.10	820.20	820.20	820.20	820.20	820.20
O-5	591.60	644.70	688.50	688.50	688.50	688.50	710.10
O-4	526.50	562.80	600.90	600.90	611.70	639.00	682.50
O-3 [2]	427.80	473.40	505.80	559.50	586.50	607.80	640.20
O-2 [2]	342.60	403.50	484.20	500.40	511.20	511.20	511.20
O-1 [2]	294.60	330.00	412.50	412.50	412.50	412.50	412.50

"Pay grade	Years of service computed under section 205							
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 [1]	$1,641.00	$1,641.00	$1,757.70	$1,757.70	$1,875.00	$1,875.00	$1,992.30	$1,992.30
O-9	1,417.80	1,417.80	1,536.30	1,536.30	1,654.50	1,654.50	1,772.40	1,772.40
O-8	1,386.30	1,386.30	1,443.90	1,506.90	1,564.20	1,627.20	1,627.20	1,627.20
O-7	1,151.10	1,208.70	1,329.30	1,421.70	1,421.70	1,421.70	1,421.70	1,421.70
O-6	820.20	848.40	982.20	1,032.30	1,054.80	1,116.30	1,210.80	1,210.80
O-5	748.20	797.40	857.70	906.90	933.90	966.90	966.90	966.90
O-4	720.90	753.90	786.60	808.20	808.20	808.20	808.20	808.20
O-3 [2]	672.30	688.80	688.80	688.80	688.80	688.80	688.80	688.80
O-2 [2]	511.20	511.20	511.20	511.20	511.20	511.20	511.20	511.20
O-1 [2]	412.50	412.50	412.50	412.50	412.50	412.50	412.50	412.50

"[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $2,140.20 regardless of cumulative years of service computed under section 205 of this title.

"[2] Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member.

THE BILL

"*Commissioned officers who have been credited with over 4 years' active service as an enlisted member*

"Pay grade	Years of service computed under section 205					
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
O-3	$559.50	$586.50	$607.80	$640.20	$672.30	$699.60
O-2	500.40	511.20	527.10	554.40	575.70	591.60
O-1	412.50	440.40	456.60	473.10	489.60	511.80

"Pay grade	Years of service computed under section 205					
	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	$699.60	$699.60	$699.60	$699.60	$699.60	$699.60
O-2	591.60	591.60	591.60	591.60	591.60	591.60
O-1	511.80	511.80	511.80	511.80	511.80	511.80

"*Warrant officers*

"Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
W-4	$435.60	$507.00	$507.00	$518.70	$542.70	$566.10	$589.50	$631.20
W-3	396.00	468.90	468.90	474.60	480.60	516.00	546.00	563.70
W-2	346.50	388.50	388.50	399.90	422.10	444.90	461.70	478.50
W-1	288.90	347.70	347.70	376.50	393.60	410.40	427.50	444.90

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$660.30	$684.30	$701.70	$725.40	$749.10	$807.90	$807.90
W-3	581.40	599.10	617.10	640.80	664.50	688.50	688.50
W-2	495.30	512.40	529.20	546.30	568.50	568.50	568.50
W-1	462.00	479.10	495.90	513.30	513.30	513.30	513.30

"*Enlisted members*

"Pay grade	Years of service computed under section 205							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
E-9	--------	--------	--------	--------	--------	--------	$492.00	$503.40
E-8	--------	--------	--------	--------	--------	$406.80	417.90	429.00
E-7	$261.00	$324.90	$336.90	$348.60	$360.30	372.00	383.70	396.00
E-6	225.00	276.30	287.70	299.40	311.10	322.50	333.90	351.30
E-5	194.10	242.10	253.50	264.90	282.00	293.70	305.10	316.80
E-4	163.50	200.70	211.80	228.30	239.70	239.70	239.70	239.70
E-3	117.90	160.20	171.60	182.70	182.70	182.70	182.70	182.70
E-2	97.50	132.60	132.60	132.60	132.60	132.60	132.60	132.60
E-1	93.90	121.80	121.80	121.80	121.80	121.80	121.80	121.80
E-1 (under 4 months)	87.90	--------	--------	--------	--------	--------	--------	--------

"Pay grade	Years of service computed under sec. 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9	$514.80	$526.20	$537.30	$548.70	$577.20	$633.30	$633.30
E-8	440.40	451.50	462.60	473.70	501.90	557.40	557.40
E-7	413.40	425.40	437.10	442.80	472.80	531.90	531.90
E-6	362.70	374.10	380.10	380.10	380.10	380.10	380.10
E-5	322.50	322.50	322.50	322.50	322.50	322.50	322.50
E-4	239.70	239.70	239.70	239.70	239.70	239.70	239.70
E-3	182.70	182.70	182.70	182.70	182.70	182.70	182.70
E-2	132.60	132.60	132.60	132.60	132.60	132.60	132.60
E-1	121.80	121.80	121.80	121.80	121.80	121.80	121.80."

KASTENMEIER AMENDMENT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(a) of title 37, United States Code, is amended to read as follows:

"(a) The rates of monthly basic pay for members of the uniformed services within each pay grade are set forth in the following tables:

"*Commissioned officers*

"Pay grade	Years of service computed under section 205						
	3 or less	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
O-10 [1]	$1,500.90	$1,502.10	$1,503.00	$1,503.90	$1,504.80	$1,506.00	$1,506.90
O-9	1,382.10	1,384.20	1,386.30	1,388.40	1,390.80	1,392.90	1,395.00
O-8	1,272.30	1,274.70	1,277.10	1,279.50	1,281.90	1,284.30	1,286.70
O-7	1,162.80	1,165.50	1,167.90	1,170.60	1,173.30	1,176.00	1,178.40
O-6	774.00	774.90	775.50	776.40	777.00	777.60	778.50
O-5	680.40	684.00	687.60	691.20	694.80	698.40	702.00
O-4	583.80	587.70	591.90	595.80	599.70	640.50	676.50
O-3 [2]	473.10	481.80	533.10	558.60	579.00	609.90	640.50
O-2 [2]	424.20	461.40	476.70	486.90	502.20	528.00	548.40
O-1 [2]	366.30	384.30	384.30	410.10	425.40	440.70	456.00

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-10 [1]	$1,506.90	$1,614.30	$1,614.30	$1,722.00	$1,722.00	$1,829.70	$1,829.70
O-9	1,397.10	1,399.20	1,399.20	1,506.90	1,506.90	1,614.30	1,614.30
O-8	1,289.10	1,291.50	1,347.90	1,399.20	1,455.60	1,455.60	1,455.60
O-7	1,181.10	1,183.80	1,266.00	1,266.00	1,266.00	1,266.00	1,266.00
O-6	779.10	902.10	948.00	968.70	1,025.10	1,112.10	1,112.10
O-5	748.20	804.60	850.80	876.30	907.20	907.20	907.20
O-4	707.40	738.00	758.40	758.40	758.40	758.40	758.40
O-3 [2]	666.30	666.30	666.30	666.30	666.30	666.30	666.30
O-2 [2]	563.70	563.70	563.70	563.70	563.70	563.70	563.70
O-1 [2]	476.70	476.70	476.70	476.70	476.70	476.70	476.70

"[1] While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $2,019.30 regardless of cumulative years of service computed under section 205 of this title.

"[2] Does not apply to commissioned officers who have been credited with over 4 years active service as an enlisted member.

"Commissioned officers who have been credited with over 4 years' active service as an enlisted member

"Pay grade	Years of service computed under section 205					
	Over 4	Over 6	Over 8	Over 10	Over 12	Over 15
O-3	$533.10	$588.60	$579.00	$609.90	$640.50	$666.30
O-2	476.70	486.90	502.20	528.00	548.40	563.70
O-1	384.30	410.10	425.40	440.70	456.00	476.70

"Pay grade	Years of service computed under sec. 205					
	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
O-3	$666.30	$666.30	$666.30	$666.30	$666.30	$666.30
O-2	563.70	563.70	563.70	563.70	563.70	563.70
O-1	476.70	476.70	476.70	476.70	476.70	476.70

"Warrant officers

"Pay grade	Years of service computed under section 205						
	3 or less	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
W-4	$581.40	$583.20	$584.70	$586.50	$588.00	$589.80	$591.30
W-3	465.30	466.50	468.00	469.20	470.40	471.60	486.90
W-2	408.30	410.70	413.10	415.50	417.90	420.30	435.60
W-1	349.50	351.00	352.20	353.70	369.00	384.30	399.90

"Warrant officers—Continued

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$593.10	$594.60	$609.90	$630.30	$651.00	$702.00	$702.00
W-3	502.20	517.50	533.10	553.50	573.90	594.60	594.60
W-2	45 .90	466.50	481.80	497.10	517.50	517.50	517.50
W-1	514.20	430.50	445.80	461.40	461.40	461.40	461.40

"Enlisted members

"Pay grade	Years of service computed under section 205						
	3 or less	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
E-9						$492.00	$503.40
E-8					$406.80	417.90	429.00
E-7	$324.90	$336.90	$348.60	$360.30	372.00	383.70	396.00
E-6	276.30	287.70	299.40	311.10	322.50	333.90	351.30
E-5	242.10	253.50	264.90	282.00	293.70	305.10	316.80
E-4	200.70	211.80	228.30	239.70	239.70	239.70	239.70
E-3	160.20	171.60	182.70	182.70	182.70	182.70	182.70
E-2	132.60	132.60	132.60	132.60	132.60	132.60	132.60
E-1	121.80	121.80	121.80	121.80	121.80	121.80	121.80
E-1 (under 4 months)	102.00						

"Pay grade	Years of service computed under section 205						
	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9	$514.80	$526.20	$537.30	$548.70	$577.20	$633.30	$633.30
E-8	440.40	451.50	462.60	473.70	501.90	557.40	557.40
E-7	413.40	425.40	437.10	442.80	472.80	531.90	531.90
E-6	362.70	374.10	380.10	380.10	380.10	380.10	380.10
E-5	322.50	322.50	322.50	322.50	322.50	322.50	322.50
E-4	239.70	239.70	239.70	239.70	239.70	239.70	239.70
E-3	182.70	182.70	182.70	182.70	182.70	182.70	182.70
E-2	132.60	132.60	132.60	132.60	132.60	132.60	132.60
E-1	121.80	121.80	121.80	121.80	121.80	121.80	121.80."

The principal effects of this basic pay reform would be:

First. Officers in their initial years of service would receive a substantial increase in pay even over the committee bill. Some other officers would receive moderate increases.

Second. All men in their first 3 years of service would be paid the same for the grade they hold. The current system of increasing the pay of servicemen after 2 years' services offers little or no reenlistment incentive to the 2-year draftee who has been oppressed by low pay for 2 years or to the bulk of our servicemen who are committed to at least a third year of more. It would conform the military pay table to the preponderance of men entering service for the first time. Defense Department statistics for fiscal 1964 as contained in the following table show that more than two out of every three men entering service for the first time do so for 3 or more years.

Enlistments for 3 or more years compared with inductions for 2 years

Branch of service	Volunteers for 3 or more years	Men inducted for 2 years	Total incoming personnel
Navy	95,040	0	95,040
Marines	39,065	0	39,065
Air Force	94,836	0	94,836
Army	116,202	150,680	266,882
Total	345,143	150,680	495,823

Third. The pay increase would bring the pay of recruits into line with all other members who have had several increases while the pay of the recruit has been increased from $75 to $78 per month since 1946.

Fourth. This would offer increased incentives to young men considering career military service and would increase morale and reenlistment rates of those already in service. A higher retention rate of trained men would offset the overall cost of this amendment by reducing training costs.

Fifth. The cost of the amendment has been estimated by the Defense Department to be $323 million annually. This is directly attributable to the fact that one-third of the members of the armed services are serving in their first 2 years of service. Fairness demands that this subsidy of our defense budget by our young men be ended or drastically reduced.

For a further analysis, please see my statement on this subject which appears in the June 22, 1965, CONGRESSIONAL RECORD at page 14452.

Consideration by Congress of this basic pay reform in our military pay schedules will be appreciated by the younger men in our armed services.

THE LATE HONORABLE ADLAI E. STEVENSON

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CAMERON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. CAMERON. Mr. Speaker, it is with profound grief that the world learned of the death of one of its greatest statesmen, Adlai Stevenson. Words are inadequate to express the loss, the depth of our sorrow, the extent of our respect for this man—his intelligence, honesty, and wit, his immeasurable contribution to his country and to the world.

Time does not permit me to list his accomplishments, the books he has written, the conferences he has led, the battles he has fought in the name of freedom. What we will remember longest about Adlai Stevenson, the source of the originality and greatness in his leadership, was his rare and unconditioned faith in man. He never ceased to ask the best from his fellowman; he never despaired that it would ultimately be forthcoming.

We seldom encountered in politics individuals who so fervently believe in man's perfectability and who existentially validate that belief by calling for all men to act in accordance with their highest capacities and motivations, instead of appealing to their lowest common denominator. There is much disillusionment both with men and nations, with the way they seem determined to act without reason or compassion toward one another. Men will break laws and treaties, they have pride and ambition, they choose themselves before others. In masses, they often tend to give more credence to the rabble-rouser than to the man of reason, and it is sometimes considered more politic to appeal to their self-interest than to their sense of humanity.

But once in a great while there will come among us one who believes that we can trust man to be good and reasonable, that we do not have to appeal to self-interest, that we can ask men to be better than they have ever been before. These rare individuals believe that by asking the best from man, they will receive the best. Adlai Stevenson was such a person. A man of great intellect and extremely broad experience, a man of extended and profound acquaintance with the nature of man, he sustained throughout his life a faith that if he appealed to man's reason and humanity, he would not be disappointed. It is this rare combination of insight, faith and audacity that raises a man to greatness and ennobles those he leads. Adlai Stevenson asked the average American to use reason in political decisions, to sacrifice self-interest to the greater cause of national and world brotherhood, to be unafraid of the intellectual and the academician, to be bravely cosmopolitan and not defensively provincial.

The American people answered his challenge. Certainly, and properly, there was not a mass conversion from a public which on the whole distrusted the "egghead" to one which worshipped the academician. But there was widespread and very genuine appreciation of his excellent oratory and sophisticated sense of humor, his honest intellectual clarification of the problems of state and his compelling desire to have reason rule both men and nations. Men made an effort to answer Stevenson after the fashion in which he spoke to them; they made an effort to display the same high quality of behavior in their lives that he displayed in his. In this effort to reply to the man in kind is evidence that Adlai Stevenson's faith was not misplaced. This is his legacy to us all, a contribution which places him among the great men of all time.

WELCOME, MR. DOW

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I am delighted to welcome my distinguished colleague from New York, Mr. John Dow, to the list of Congressmen and Senators who are calling for Federal action to help develop and protect the Hudson River.

Mr. Dow's bill differs in certain respects from the legislation introduced by myself and by 12 of our distinguished colleagues in the House and the two Senators from New York. But it does call for cooperative action. It does bar the Federal Power Commission from the riverway and it does call for Federal-State planning to achieve maximum public benefit from the resources of the Hudson River.

But what is most important is that now, at last, after 7 months the call for action is unanimous along the lower Hudson.

THE HIGHROAD TO BEAUTY?

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. OTTINGER. Mr. Speaker, yesterday, my distinguished colleague, the gentleman from New York, Jonathan Bingham, and I introduced legislation—H.R. 9838 and H.R. 9821—which would bar the use of Federal funds in connection with a new commercial expressway proposed for the shores of the Hudson River. We have chosen to make a national issue of this threat to the Hudson, because of the great national values that are involved. The future of the Hudson is now, truly, a concern of all Americans.

In the recent protracted controversy over the future of the Hudson River, no single proposal has generated so much furor and such unanimous resistance among the residents of the Hudson Valley as the Governor's proposal for a commercial lower Hudson expressway.

It is difficult to imagine what could have motivated the State administration to suggest this route that parallels the shoreline of our great river. Certainly none of the residents of the Hudson Valley benefit from it. The expressway would permanently bar public access to the Hudson from Ossining to Yonkers. It would knife through beautiful residential areas and virtually destroy a number of historic and lovely small villages and towns along the riverway.

The residents of New York City do not want it. It is highly doubtful whether another north-south expressway is needed to dump traffic into the already clogged arterials of the Bronx.

Mr. Speaker, we in New York State are puzzled. We cannot understand who does benefit, whose interests are served, by this expressway.

The editors of the New York Times have examined this proposal carefully. In the following editorial, which I would like to present to this distinguished body and to the American people, they have summarized the principal objections to the Governor's proposal. In addition, they indicated the very reasons why we hold this to be an issue larger than the State:

Beautifying the Hudson

A 9-mile stretch of the lower Hudson Expressway between the Croton River and Tarrytown in Westchester is to be built along the east shore of the Hudson, on the river side of the New York Central Railroad tracks. The State department of public works promises that it will be fully landscaped, will provide for marina development and improved access to the river, will blend with and improve the landscape and "make an important contribution to efforts to beautify the Hudson River Valley."

But can an expressway, designed to carry trucks and buses with their roaring speed, fumes, and inexorable pressure on the flow of traffic, make a positive contribution to natural beauty? One official who doubts that it can is Secretary of the Interior Stewart L. Udall, who has urged the Secretary of Commerce to block the allocation of Federal highway funds to the expressway on the ground that it would seriously impair the scenic and historic values of the Hudson River corridor.

Although Governor Rockefeller has recommended that the expressway be designed as a scenic parkway—part and parcel of the overall plan for restoration of the Hudson River Valley—he did not propose its inclusion in the scenic road and parkway study now being made by a Federal task force cooperating with State governments.

Furthermore, much local controversy has developed over the route to be taken by the expressway and over the failure of the department of public works to consult officials of the communities directly concerned. Representative Richard L. Ottinger, of Westchester, has suggested that the present Route 9A from Ossining south should be widened and improved, thereby effecting tremendous savings in construction costs and avoiding the necessity for condemning a large number of homes. Certainly there should be more consideration of community wishes than there has been so far.

The prospect of huge trucks and buses roaring along the riverfront for 9 miles is not a good omen for the success of the Hudson River Valley Commission, set up by the legislature last month to plan the protection and rehabilitation of this magnificent natural resource of State and Nation. If it's going to be an expressway for commercial use it would be wiser to locate it inland, not on the riverbank.

DIPLOMAT WITHOUT PORTFOLIO

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I should like to call attention to an article written by one of my constituents, Mr. John G. Gelinas, of Eastchester, N.Y., which appeared in the June 1965 edition of the Public Relations Journal. Mr. Gelinas, a public relations and management consulting executive, served as public relations adviser to Mobil Oil Nigeria in Lagos for 4 years. This outstanding article is based on his many experiences while in Nigeria.

I was particulalry impressed with Mr. Gelinas' keen insight into the role of the unofficial American overseas. He also shows a deep understanding and appreciation for the problems and aspirations of Nigeria and its people.

Although in a much different capacity, Mr. Gelinas portrayed many of the fine characteristics of Peace Corps volunteers during his tour in Africa. Through his daily business contacts he sought to learn and understand and did not seek to impose the American way on his Nigerian colleagues. He did not "ghettoize" himself and his family but rather broadened his social contacts to include all strata of Nigerian society.

His frank approach to overseas American business is quite refreshing. He is not under any delusions. He discusses realistically the changes which must take place if American concerns overseas are to be successful.

I feel that Mr. Gelinas represents the best American business has to offer overseas. His comments are provocative and should be given close and careful consideration by all organizations—public and private—engaged in overseas operations.

Mr. Speaker, I believe there is much to be learned from Mr. Gelinas' article and it is with great pleasure that I present it for publication in the RECORD:

AFRICA: WHERE PUBLIC RELATIONS CAN DO ITS TASK BUT FAIL AT ITS JOB

(By John G. Gelinas)

In the past 4 years, 30 African countries have received complete political and social independence which in turn will lead to economic independence in the years ahead. The 1960's may well be recorded by history as the African decade.

The rapid social and economic development of these countries, that until a few brief years ago was invariably lumped together by the rest of the world and called Dark Africa, suddenly presents a challenge and, at the same time, opportunities for America and other free nations of the Western World. But we must not forget that the resultant international trade brought about by the metamorphosis of these new nations offers the same challenge—and opportunities—to the Soviet bloc.

The opportunities are many. They are great. What must be remembered is that opportunity and responsibility must go hand in hand. They are inseparable in any business relationship. Businesses and, yes, even governments have failed because they would not acknowledge or appreciate this fundamental maxim of human relations. Whether these new underdeveloped nations of Africa grow and approach maturity with Western ideology as their guiding example in the years ahead depends greatly on how closely we keep attuned to this simple fundamental in our dealings with them.

In 1960 Russia sold six Ilyushin–18 transports to Ghana Airways for $1,820,000, payable in 8 years with an interest rate of 2.5 percent. This was a great opportunity, but the Russians apparently did not follow through with the responsibilities that went with the sale. When we landed at Accra Airport, Ghana, on October 10, en route to Lagos International Airport on the second leg of Nigeria Airways inaugural fight between Lagos and New York, on a leased arrangement from Pan American World Airlines, the Il–18's were conspicuous by their absence. I was told in whispers that the Government was not satisfied with the planes and that they were being sent back, since "the Russians hadn't lived up to their responsibility of seeing that the planes were maintained properly and that adequate spare parts were available." At least one of these planes, I was told later, lay crippled in seclusion in a hangar. It is doubtful that the Russians will be selling any more aircraft to Ghana for a long time to come.

Offers of trade to these new countries by the Kremlin are politically inspired. Khrushchev, while still in power, said, "We value trade least for economic reasons and most for political purposes." And Leonid I. Brezhnev and Aleksei N. Kosygin, leaders of the most recent Soviet regime, have as yet given no indication that they feel any differently on the subject.

We know there are no political strings attached to American business abroad. We know that American business competes as strongly against American business as it does against those from other countries. Competition is sine qua non to our way of life. It is one of the foundation stones upon which our entire system of free enterprise has been built. And still, it is strange how unfamiliar our system of government and our business philosophies are to so many peoples abroad.

The American abroad is soon snapped out of his naivete if he goes with the belief that our capitalistic system of free enterprise, as defined by Webster, has the same definition and holds the same meaning and connotation to peoples the world over. Soviet propagandists have had some success—more so in some areas than others—in making the word capitalism synonymous with imperialism. The American system to too many people means great wealth for the privileged few, and exploitation and domination of the poor. and we can be sure there will be tougher competition from our critics in the years ahead. The battle of ideologies in Africa, for example, is just beginning.

Programs dedicated to progress for economically indigent areas of the globe have been an accepted part of our national policy for far more than a decade. These programs should be further encouraged and intensified. But they must be coupled more and more with programs of education directed at mutual understanding, if we are to sell freedom to the rest of the world—and this is the most important sale we have to make.

One gross mistake our State Department has made, and continues to make, I believe, is in insisting that if a developing nation does not almost immediately accept the American brand of democracy that we ourselves enjoy—and which is so right for us—that that country is pink in her leanings and is on the verge of going communistic.

It is my observation that in Africa particularly we tend to measure the political climate in a somewhat extreme fashion—interpreting any slight hesitation over adopting American-style democracy as a definite commitment to the other side. How often we hear the educated, pro-Western African say, "You Americans attempt to push us too much—and too fast—in your enthusiasm for your own system of government. We like your system, but we must feel our way until such a time as we are ready for it. Remember, you've been working at democracy for hundreds of years."

How does this challenge effect the role of the public relations specialist who goes abroad to work in these developing areas? What determines his chance for success? Why does he sometimes fail? What are his responsibilities?

We know that the public relations man at home in his function as disseminator of information reflecting his management's thinking, whether he is working from a Madison Avenue penthouse or from a Main Street walkup, must be a respected envoy of his company's or client's policies. This holds true everywhere. But the public relations specialist abroad, particularly in a lesser-developed society where so many people whom he will meet are going to judge the American way of living and working by the individual's behavior, has the additional responsibilities of getting across his country's ideals.

It is paradoxical that while our products are readily accepted the world over, our American ideals are not.

Kwame Nkrumah, Ghana's self-professed Socialist Marxist dictator, has not accepted the American dream as the course for his nation to follow, but yet American brand name goods, when available, hold priority on virtually every Ghanaian's shopping list. I am told that Nkrumah's Flagstaff House placed a special order for an RCA television set, when a dozen different brands from half a dozen different countries were available in the shops of Accra. Why? Because U.S. products generally enjoy the reputation of worldwide superiority. Nkrumah wanted the best.

Yet I strongly believe that the time has come when it is necessary that we reexamine our methods of selling the American way, if we are to continue in our success in selling our products. And this is particularly true in some of the youthful noncommitted areas.

It is the international corporate public relations man's duty as expert communicator for American business overseas, to assist in this reexamination with the realization that he has a responsibility above the immediate needs of his own company. It is necessary that he work in democratic ideologies, principles, and philosophies that are at the grassroots of modern American business thinking. He must concentrate more energy and efforts on selling his Nation's ideals, if he is to prevail in gaining acceptance for the ideas of American business generally, and his own company specifically.

But before he can hope to achieve these ends, he must first earn personal acceptance and respect. This is particularly true in the underdeveloped countries of the world, where the personal element in doing business is more greatly emphasized than in more advanced business societies. Here, the public relations specialist, in his role as management's voice, finds himself always subject to relentless scrutiny by all segments of the community. His every day is lived in a goldfish bowl.

Therefore, he must be resolute in carrying himself above reproach. And to be effective further in the task before him, he must be constantly alert in representing the true image of our society, which unfortunately is at times blurred or distorted by the bad impression given by a few "ugly Americans." One American in particular comes to mind. He would register surprise to know that anyone would place him in this category. He was an employee relations consultant with a small American company and worked diligently at his job in the relations area, during his short stay in Nigeria. He was respected by those who worked with him as knowing his job. In theory he did. His work was employee relations; his major task, Nigerianization. Yet it was said that he never had a Nigerian in his home. His work ended when he left his office at the close of the business day. He did not really relate to the Nigerian employees. He accomplished his task, but failed at his job.

The public relations man must gear himself to try to offset this kind of adverse impression which can reflect unfavorably on the entire company. And, furthermore, if he radiates and demonstrates a continuous personal respect for human dignity, he will be in a position to convince—even the skeptics—that Communist dogmas are the antithesis to all that freedom-loving people everywhere cherish. If he comes as a truly dedicated ambassador of good will for both his company and his country, he cannot help but be well received.

But, at the same time, he cannot hope to win full confidence and lasting acceptance by those whose beliefs may be different from his own, or as yet uncrystallized, if he flaunts his opinions rather than exemplifying them. Learning is a slow process at best. He must learn to discuss and instruct; not argue his points. In fact, too much manifestation of one's ideas can have an adverse effect and appear, if over done, like so much lipservice, rather than sincerely held beliefs.

NEW YORK VISIT

During my recent visit to Nigeria, I was discussing with a group of Nigerian Union of Journalists friends (and a few new acquaintances) the previous week's visit to New York and Washington by a delegation headed by the Nigerian Federal Minister of Aviation, the Honorable K. O. Mbadiwe. I was pleased by the account of the trip given by Smart O. Ebbe, editor in chief of the Lagos Daily Telegraph, in that morning's newspaper. In it, Mr. Ebbe, who had traveled with the delegation had said, "New York, in my view is the answer capitalism offers to communism. It is my view that private enterprise is more efficient, yields much more, and is better managed than a nationalized economy. A nationalized economy, in a sense belongs to all and is therefore nobody's business. Its yield is poor and its management irresponsible. If you say that capitalism is bad you are saying that personal initiative is wrong. I do not believe in state ownership of those industries which could better be managed by private business. New York City bears witness to my belief. The wealth of America is the result of the efforts of the people." I asked if they had read Smart Ebbe's account of his first trip to New York City (of course everyone had). I made no pretence at hiding my pleasure, and probably appeared a bit pompous. I added that Smart and other members of the delegation had also visited the Empire State Building, the highest in the world. And the World's Fair, the greatest exhibition ever conceived by man. And the biggest—but at this point someone broke in and said, very sarcastically, "Everything in America is the biggest and the best, isn't it?" My only answer was, "If my knowledge of geography serves me correctly, the Niger River is bigger than our Mississippi. Wait until your Kainji Dam is completed. [The Kainji Dam, at an initial cost of $201,600,000, for the first stage of the scheme is scheduled for completion in late 1968. It will be capable of generating 960,000 kilowatts equivalent to 1,290,000 horsepower.] And furthermore, Nigeria only received independence in 1960. That means you're only 4 years old—give yourselves time." Everyone laughed and we went on to talk about other things. But the point is that I would have been further ahead had I allowed Smart's article to speak for itself.

The astute practitioner is soon reminded that in order to have others show real regard for us, we must first show a sincere interest in them. It is this simple axiom upon which any friendly relationship is built. Inabilities in this direction, or a common lack of consideration for this dictum, is the main reason otherwise competent public relations administrators overseas fail in their task. In black Africa particularly, sensitivities run high. These sensitivities are understood and respected by the knowledgeable practitioner. He knows he must be prepared to give a little here and take a little there. Yet he must never appear weak. At the same time he always conducts himself as one who appreciates the hospitality of his host, remembering that he is a guest in another's country. He makes personal contacts whenever, and wherever, he can. He believes this the most important single factor in conducting a successful program abroad. If he does not already have the talent to make everyone feel at ease, he must develop it. He must earn the reputation of being informal and hospitable.

In striving for a mutuality of interests, he immerses himself in the economic and social community. Our home in Africa was always an "open house"—open to free discussion—and everyone came to know this. One evening we were giving a party for a group of our friends. Before the first guests arrived, the telephone rang. It was our Cameroonian friend, Paul Engo, who at the time was a lawyer in the Department of Justice in Lagos. (Today, Paul is next in line to the Cameroon Republic's Ambassador to London.) The purpose of Paul's call was to ask if he could bring a friend to the party. The friend had insisted that Paul call us so that he could ask us personally if we would mind if he came along. It was John Foncha, then Premier of the Southern Cameroons, and today Vice President of the Cameroon Republic. It was one of the best parties we ever had.

In demonstrating his friendship for the individual, the public relations man abroad identifies himself with his host country's national purpose. But he manages to stay out of local politics, knowing that what is at the top of the tree today may wither and fall like a leaf tomorrow. He also knows that the best caution against betting on the wrong horse is to not bet at all.

He holds a respect for the mores, customs, and preferences of the people, and tries to learn as much as he can about them. He recognizes this as part of his responsibility, if he is to be successful. He must guard against doing or saying anything that could be interpreted as belittlement of their beliefs. I would even go so far as to suggest one take part in their special ceremonies. In doing so you will very likely discover that you would have been invited earlier had they known you were interested.

Saraka, a custom common to many Nigerians native to Western Nigeria, entails the placing of a bowl of fruit or basket of eggs at the intersection where two roads come together. This tradition is performed at certain times during the year. A high-ranking official of a certain West European embassy was reported to have taken pleasure one evening, while coming home from a party, in running over, with his car, as many of these gifts as he could find. For better than a week, he and his compatriots in Lagos were blacklisted by members of the Yoruba community, and to this day, I don't think the embassy staff knows why.

INACCESSIBLE BARRIERS

People everywhere find pride in their traditions and their backgrounds, and the outsider must never show evidence of distaste, regardless of how diametrically opposed they may appear to his own culture. The sooner the American abroad understand this, the sooner he will be able to bypass the otherwise inaccessible barriers that inevitably arise when cultures differ.

It is equally important to show that one's behavior is guided by principle.

A Nigerian for whom I came to hold deep respect during the 3½ years my wife and I lived in Nigeria was Chief Anthony Enahoro. At the time, Tony was Minister of Home and Mid-West Affairs. Today he is a political prisoner, sentenced to 11 years in the federal prison at Lagos.

During my recent visit, I asked a friend who is credited, in some circles, as being one of those members of the opposition responsible for Tony's current problems how Tony is getting along.

FRIEND IS A FRIEND

Before he had a chance to even register surprise that I should ask such a question I reminded him that I preferred no political party above another, neither was I tribal or regional in my preferences, nor did I label my friends as being Christian, Moslem, Animist or Atheist. To me a friend is a friend. I continued by saying, "If the shoe were on the other foot and you were a political prisoner, you certainly know that I would ask about you, don't you?"

He was more than satisfied with my answer and said, "Tony is being well taken care of." He paused, then added, "You know, it would be nice if we could afford to think the way you do."

"Someday, I am sure you will," I answered. "And do you know why? Because you want to."

He smiled.

An American does not have to live abroad to know that nationalism, particularly in these developing countries, is senstive and can at times be unpredictable and even turbulent. Knowing of the constantly changing form of this ism, the sagacious public relations man abroad keeps his ear to the ground, being ever alert and ready to interpret any nuance of public opinion to management. He investigates every possibility to determine if it could have effect on his company. Once he has any indication that there could be some effect, he organizes his thinking to be in a position to capitalize on it—or pacify it.

If he has made genuine efforts to live in and understand the local community, he should in time be in a position to feel the tide of political change before it breaks.

If he succeeds in his assignment, he will find rewards abundant, both for his own company and in terms of the contribution his success will make toward a better understanding of the American way, among those whom as yet have not found the ideal system and are still striving and searching for what will best benefit their new nation.

And if he goes with a mature outlook, is flexible in his thinking and keeps an open mind, he cannot help but meet the challenge.

ADLAI E. STEVENSON: A EULOGY

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Helstoski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, a great and good American has gone to rest, in the person of Adlai E. Stevenson, the U.S. Ambassador to the United Nations, and all America has cause to regret the fact. For here was a man of courage, brilliance, conviction, and astonishing ability, in whose mind the cause of humanity was uppermost at all times.

Seldom in our national history has a political party been gifted with the leadership of so fine a citizen as Adlai E. Stevenson, dedicated—first, last, and always—to the best and noblest sentiments, the highest and bravest principles.

In his many years of public service, as Governor of Illinois, national leader of the Democratic Party, and Ambassador to the United Nations, Adlai Stevenson revealed a constant, unwavering devotion to the Jeffersonian concept of mankind. For in all that he did, he seemed to act in keeping with Jefferson's belief in the perfectability of man. That is, he spurned all political means and measures advanced by those who specialty and stock in trade is practicality alone. As Governor, as a presidential candidate, and as American Ambassador to the United Nations, he stood for truth and directness, going straight to the heart of every matter of consequence. For, as he saw it, the people have a right to the truth; indeed, they cannot hope to create the greatest of all possible world civilizations unless they are first fully cognizant of the actual problems involved.

He therefore sought to serve as a kind of teacher of the general public—and with remarkable effect. In this respect he was reminiscent of Jefferson, who also placed great confidence in the wisdom of the American people.

Although he entered politics unusually late in life, Adlai Stevenson soon developed a following of devoted admirers equal to that of any life-long politician.

As Governor of Illinois, from 1949 to 1953, he established a record of honesty in government and thrift and good sense in government, combined with idealistic purpose. Reforms were numerous, under his administration, but expenses were not exceedingly high.

His creed was clear-cut and of the American mold. As he himself declared:

> I don't like interference with free markets, free men and free enterprise. I like freedom to succeed or fail. But I also know that there can be no real freedom without economic justice, social justice, equality of opportunity, and a fair chance for every individual to make the most of himself.

So spoke Adlai E. Stevenson—and millions of Americans rallied to his cause. As it happened, this great and good man was nominated for President on two occasions when his party—the Democratic Party—was destined to defeat in any event, in consequence of the swing of the political pendulum. In short, 1952 and 1956 were simply not "Democratic years."

But even in defeat the glory and the strength of Adlai E. Stevenson shone through, and his personal popularity was tremendous. So much so, in fact, that he was truly an international figure, beyond question. On this basis he was named American Ambassador to the United Nations, in December 1960—a post he was to hold until the day of his death.

As our Ambassador he continued to stand as the symbol of American integrity, to the everlasting benefit of the American name and reputation.

Here was a man of brillance and ability unsurpassed. Beyond that, however, he had a singular political distinction for which he will be remembered for many years and perhaps many centuries to come. He, as one among many, deemed power inferior to truth.

His death is a great loss to all of us. He will be missed very much, but we should be grateful for the example he set and the Nation is richer in both a spiritual and intellectual sense because of the fact that he lived.

His voice, in and out of the United Nations, was one of the most eloquent that freedom has ever known in the history of mankind. That voice is now stilled forever, but the principles laid down by Adlai E. Stevenson for the liberty of mankind will live forever.

CLEVELAND M. BAILEY—A TALL CEDAR

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I rise in tribute to a loved and valiant comrade of yesteryears, the Honorable Cleveland M. Bailey, former longtime Representative of the Third Congressional District of West Virginia. May the clear voice of classic seers speak for me?

> The righteous shall flourish like the palm tree; he shall grow like a cedar in Lebanon.
> —*The Psalmist.*
>
> As upright as the cedar.
> —*Shakespeare.*
>
> And when he fell in whirlwind, he went down
> As when a lordly cedar, green with boughs,
> Goes down with a great shout upon the hills,
> And leaves a lonesome place against the sky.
> —*Markham.*

The congressional record of Cleve Bailey is written in legislation advancing the humanitarian concept of governmental concern. His people know that he fought for them—and won—and they love and honor him for his courage, his forthrightness, his dedication to the public interest. His integrity stands out like a tall cedar on the mountain crest of his native State. His specific achievements are cataloged in the files of the statute books and in the minds of his friends and associates, and it would be idle repetition to list them here.

To his intimate associates, the life of Cleve Bailey was a constant inspiration. His energy was unbounded, his vision unclouded by guile, his decisions never confused by vacillation. We always knew that Cleve Bailey would never try to occupy both sides of the fence. We shall miss his wise and prudent counsel and his cheerful confrontation of every difficulty.

We can never stay the inexorable advance of time. Man flourishes for a few brief days and makes his mark upon his surroundings and perhaps upon the movement of subsequent history. Then, like the rest of all living creation, he gives up the spirit and returns to the place whence he came. With thankfulness that we were privileged to serve in the company of Cleve Bailey, we bow to the unfailing wisdom of our Creator, and yield his body to the vast reservoir of earth and air and water from which it was fashioned. Nothing remains but to cherish his memory in our hearts, and to tender to his family and intimate friends the poor and feeble consolation of our sincere sympathy.

ADDRESS BY THE HONORABLE ADLAI E. STEVENSON, GENEVA, SWITZERLAND, JULY 9, 1965

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MULTER. Mr. Speaker, a great and good man has left our midst. With the death of Adlai Stevenson the world has lost one of its greatest citizens, for he was, in truth, a man who served as an advocate of all mankind.

At the time of his death Governor Stevenson was returning from the 39th session of the Economic and Social Council of the United Nations, which was held in Geneva. His address before the Council, which follows, was his last contribution to peace.

I commend his remarks to the attention of our colleagues:

Address by the Hon. Adlai E. Stevenson, U.S. Permanent Representative to the United Nations, Before the 39th Session of the Economic and Social Council, Palais des Nations, Geneva, Switzerland, July 9, 1965, 11 A.M.

I

We meet here in Geneva at the midpoint of the Year of International Cooperation and the midpoint of the decade of development. Let us be neither cynical nor despondent about the gap between these brave titles and the fact that at the moment our world community is in fact chiefly notable for minimal cooperation and very lopsided development. Our aspirations are there to spur us on, to incite us to better efforts. They are emphatically not there as a blind or a cover or as rhetoric to suggest that we are really doing very well.

I take as the understood premise of everything I say that as a world community we are not developing as we should and that our record of cooperation is inadequate, to say the least. But I believe, I hope, we can do better and that the nations meeting in 1970 will say: "Ah, yes, 1965 was a kind of turning point. That was the moment at which we began to realize how much better our performance has to be."

How much better can best be registered by a glance at where we are now.

We launched the decade of development because we realized, as a world community, that while our wealth was growing its distribution had become increasingly unbalanced.

I need hardly repeat the figures—the developed market economies and the developed centrally planned economies make up about a quarter of the world's population and account for three quarters of the world's trade, production, and investment.

By the chances of history and geography, these developed nations are largely to be found to the north of the Tropic of Cancer.

Ideology makes no difference here. Soviet Russia belongs by income and growth to the developed north, Ghana to the developing south in our new economic geography.

These facts we knew in 1960. In the last 5 years, the contrasts have grown more vivid. The developed nations with per capita incomes of above $700 a year have grown—the index I use is gross national product per head of population—by not less than 3 percent a year.

Below them a smaller group of nations, which are in the range of $200 to $700 per capita, have grown even more rapidly—by 4 to 8 percent a year.

But at the bottom of the scale at a figure of $200 per head and less, comprising over a hundred nations making up over two-thirds of humanity, the rate of per capita growth has in many instances been less than the average of 2.3 percent of the developing countries as a whole. Population growth has swallowed up their margins and per capita growth hovers around zero.

This is the statistical picture which emerges from the present data about world development. But how bare and uninformative such numbers really are. They tell us nothing about the rates of child mortality—10 times higher among poor than rich. They give us no picture of the homeless migrant living without water or shelter on the fringe of Asian or Latin American cities. We get no feel from them of the dull ache of hunger or the debility that comes from diets without enough protein and vitamins.

These are the hidden miseries about which we talk with our figures of per capita gross national product, our statistical comparisons, our impersonal percentages. We are talking pain and grief and hunger and despair and we are talking about the lot of half the human race.

II

But we are also talking about another phenomenon—the extraordinary increase in resources available to human society taken as a whole. These 3- or 4-percent increases in the national growth of developed societies mean an unparalleled expansion of new resources.

Under steady and responsible economic management, we cannot see, and we certainly do not want, any end to this process of expansion. Out of the research that is connected with weaponry, with space, and with the whole wide range of needs of our civilian economy, we are constantly making new breakthroughs—new methods, new products, new sources of food or energy or medical relief that increase our capacity to reproduce wealth still further. We have harnessed energy to take us into outer space and to convert saline waters into drink for the thirsty. The isotopes which grow from nuclear experiments can revolutionize medical and agricultural research. And we know not what new, still undiscovered sources of abundance lie ahead.

We have to begin to grasp and digest this new, astonishing liberation of our industrial resources, for only after such an understanding can we hope to act on the scale and with the audacity that our profound problems of poverty and hopelessness and obstruction demand. We shall conquer, no doubt, the dark face of the moon. But I would hope we can with equal confidence conquer the dark face of poverty and give men and women new life, new hope, new space on this planet.

III

Let's face it: We are nowhere near conquering world poverty. None of us—neither the weak nor the strong, the poor nor the rich, the new nations nor the old—have yet taken seriously enough the contrast between the abundance of our opportunities and the scarcity of our actions to grasp them. It is good that the rich are getting richer—that is what economic development is for. But it is bad that despite our considerable efforts in the first half of this decade, the poor are still poor—and progressing more slowly than present-day society can tolerate.

What shall we do to improve the trend during the next 5 years? There is something for everybody to do. There are tasks for all of us, and it won't help the poor countries for us to sit around this table blaming the state of the world on each other. There are clear and present tasks for the developing countries in doing what they know is necessary to their own economic growth and social progress. There are tasks, equally clear and equally present, for the industrialized countries. And there are tasks—a growing number of much larger tasks—for U.N. organizations themselves.

I think each of us should come to this table vowing to bring proposals that his nation can—and intends to—do something about. In that spirit I will not rehearse here my views on how the developing nations can better help themselves, but will suggest what the wealthier countries can do to help, and how the U.N. itself can do more about development, and do it better.

IV

Let me suggest first the sense of a convergent strategy for the industrialized nations. Its aim should be to see to it that more of the wealth and purchasing power of our expanding world economy will be used to stimulate economic growth in the developing nations.

We can accomplish this aim only by the coordinate use of a variety of means: by the direct transfer of resources from developed nations to developing nations through effective aid programs; next, by assuring the developing countries greater access to the expanding markets of the world; next by working to reduce fluctuations in the export earnings of the developing countries; next, by working harder, doing more specific research, on what the more developed countries can do to help the less developed create more wealth faster; next, by helping to slow down the vertiginous growth in the numbers of people which the still-fragile developing economies have to support. A steady, overall 4-percent rate of growth in national income is in itself a difficult achievement. Its effects are tragically nullified if the rate of population growth is 3 percent or even more.

These five strands of a convergent strategy contain no mysteries. We have discussed them over and over again. What has been lacking has been an adequate urgency of purpose and decision and a real determination to face the full costs.

There is no doubt that we can afford whatever direct transfer of resources can really be put to effective use. There are so many manmade obstacles in the developing process that there is a kind of natural limit to the transfer of resources from the richer countries to the poorer countries.

In my judgment, we are in no danger at all of harming our own healthy economies by maximizing our efforts to promote international development. Our problem, rather, is to step up the training of people, the surveying of resources, and the investigation of opportunities—in a word, the preinvestment work—which still sets the ceiling on direct investment, public and private, in the economic growth of most developing countries.

With my next point—improved trading opportunities for the developing countries—I come to all the issues at stake in the continuing work of the new U.N. Trade and Development Board and its committees, and of the GATT. These are some of the problems we must face together. Primary prices are unstable and many have tended downward in the last decade. The tariff structures in the industrial countries hit harder at the processed and manufactured goods than at raw materials. Internal taxes discourage the consumption of tropical products. And finally, there is need for greater effort to improve production and efficiency in the export industries of the developing countries.

Many of the developing countries suffer enormous uncertainties and interruptions of trade, with their unstable, fluctuating export earnings. The world has already put into effect some means of providing compensatory finance and balance-of-payments support to help the developing countries deal with such difficulties. Perhaps we will never find an ideal solution, but I think we have by no means reached the end of the road in dealing with these problems. We must continue to do everything practicable to provide to developing countries resources that are effectively related to the fluctuations in their export trade.

When I say we need a concerted attack on these obstacles, I do not mean a great debate in which the attack is concerted against the governments of the wealthier countries. Complaints about other countries' policies have their place in international politics—they seldom change what the other nations actually do, but they help make the complainant a hero to his own countrymen—and that has its place in politics too.

But when it comes to trade between the world's north and the world's south, we need not a general debate about general principles but concrete proposals, direct negotiations, specific nose-to-nose confrontations about particular ways the developing countries can increase their exports, and how the rest of us can really help, commodity by commodity.

V

Another vital contribution the industrialized nations can make to development is to expand their own research into the cause and cures of poverty. Partly this is a matter of putting extra emphasis on those fields of science that are especially relevant to the needs and possibilities of the developing countries. We stand here in the presence of exciting breakthroughs in nutrition, in farming, in water use, in meteorology, in energy. All these are vital and it is particularly gratifying that the United Nations Advisory Group of Scientists have put the development of water resources and the evolution of new high-protein diets at the top of their list of points needing special attack.

Mr. President, while I am on this subject, I should like to say a special word about the work of the Advisory Committee on the Application of Science and Technology to Development. My Government will make known in due course its detailed views with respect to the specific proposals made by this group in the report which is before us. As to the report itself, I would only say at this time that it is clear, precise, and professional—high testimony to the quality of work that can be done in our international community. On behalf of my delegation, I should like to congratulate all members of the Advisory Committee, the many experts of the Specialized Agencies who contributed to it, and the members of the United Nations Secretariat under whose supervision the work went forward.

But I have more in mind than the merits of the recommendations put forward and the quality of the report as a whole. I have in mind the background of this report and the process by which these proposals have taken shape for our consideration.

The background of the report, as we all know, is the Conference on the Application of Science and Technology to Problems of the Developing Areas, held here in Geneva in early 1963. That Conference was criticized by superficial observers. They said that the whole thing was much too big—too many people, too many subjects, too many papers, too much talk to do any good. They said that the whole thing was much too vague—too general, too unfocused, too disparate, and perhaps there was something in some of this criticism.

But it was a start. And the big thing is that we did not let it die. We maintained the momentum generated at the Conference. We went on to the next step. Within a few months after the close of that Conference, this Council recommended the establishment of an expert committee of advisors to carry on—to pick up where the Conference left off—to sort the important from what is merely useful.

I have no doubt, Mr. President, that what followed was a difficult and tedious exercise for the committee of advisers. But they went about it systematically. They consulted and took evidence. They worked steadily and quietly. And out of thousands of things that might be good to do, they have derived a few dozen of things which it is urgent and necessary to do—which, in fact, it would be outrageous not to do. They have resisted dreams of tomorrow's science and thought hard about today's technology. They have refrained from proposing yet another agency and come to grips instead with existing agencies—what more they might do, what we know they can do better, with foreseeable resources.

So what began as a seemingly unmanageable project has been tamed, mastered, and transmitted into a sensible list of specific proposals of priority value and manageable proportion. This is no small accomplishment in so short a time. And we can all take heart from this exercise. It bodes well for the work of the Council, and of the U.N. system at large.

VI

The Advisory Committee focused of course on science and technology—that is what it was asked to do. But we need research and inquiry fully as much in great areas of social confusion and uncertainty.

I must be content with one vital example. All through the developing world we face an increasing crisis of accelerated and uncontrolled urbanization. Men and women and children are streaming into the great cities, generally the capital cities, from the monotony and all too often the misery of rural life, and they are moving, bag and baggage, long before farming can afford to lose their labor or the city is ready to put them to work and accomodate them properly.

This rootless, hopeless, workless urban poverty is the greatest single cause of misery in the world. Can we lessen or redirect this flow? Can we prepare the urban world better to receive it? Or improve the rural world enough to diminish the flood? We don't know, because we have not sought seriously to find out.

We lack adequate policies, because we have so few facts and so few people trained to develop and implement programs. For too long we have proceeded on the false assumption that people would really rather live in villages than anywhere and that it is better for society if they did. The trouble is they don't—even when the village is modernized and sanitized and electrified, people move into larger towns and cities.

Some countries have in fact recognized that the problem is not less urbanization but more urban areas * * * not just one or two in each country. Some are experimenting with regional development programs—and here I mean regions within countries—in an effort to create new urban centers which will not only deflect migration headed for already overcrowded capital cities but will have an impact on the surrounding countryside and improve rural living in a wide area around the new cities. But the process of decentralization is difficult and complex and failures—temporary or permanent—are as common as successes.

This is the background against which we helped launch the unanimous decision of the Social Commission to recommend a research training program in regional development—using as a laboratory the current efforts being made in a variety of different lands, political systems and cultures to deal with the problems of urban in-migration.

With some systematic research perhaps some useable conclusions can be drawn about how best to encourage an appropriate pattern of urban development which will avoid the blight and misery so visible in so many cities throughout the world. This is precisely the kind of research we need if the full weight of modern discovery and modern resources is to be brought to bear on the social as well as the technical problems of the developing world.

VII

In this same context—of science applied to an explosive human and social problem—we have to make a wholly new attack upon what President Johnson has called the multiplying problems of our multiplying peoples. It is perhaps only in the last 5 years that we have come fully to realize on what scale they are proliferating. Since 1960, under United Nations auspices, censuses have been held in scores of countries, in nine of them for the first time. They have all underlined the same fact—that population is increasing more rapidly than had previously been imagined, and that this accelerating growth, in all developing lands, is eating into the pitiful margins needed to give bread and hope to those already born. We have to find the ways of social, moral, and physical control adequate to stem the rising, drowning flood of people. We need more knowledge, we need more cooperative effort. In fact, much that we do elsewhere will be undone unless we can act in this vital field.

Aid, trade, research, population control—in all these fields we can mount a convergent attack upon the great gap between rich and poor. But we must also mount it together. And that brings me to some quite concrete suggestions about international organizations, in the development field—in what direction they should be going, and how fast they should be growing.

VIII

The organizations of the U.N. family perform a rich variety of useful labors. At a moment when one of the central political organs in the U.N. is temporarily hung up on a constitutional hook, it is worth reflecting on the success and growth of the specialized agencies, and of the central funds which provide a growing fraction—more than half in some cases—of the resources they apply to the business of development. These agencies are an illustration—and a good one—of the proposition that international politics is not a game in which an inch gained by one player must mean an inch lost by another.

The reality is that international agreements can be reached—and international organizations can be formed—and international common law can be elaborated—on subjects which draw nations together even as they continue to quarrel about the frontiers and friends and ideological frenzies which keep them apart. So let's look for a moment at the political merits of functional organizations—the kind that work at peace through health, or food, or education, or labor, or communications, or meteorology, or culture, or postal service, or children, or money, or economic growth, or the exploration of outer space—organizations, that is, for the pursuit of some specific and definable task beyond the frontiers of one nation—a task for which the technology is already conceived or conceivable, for which a common interest is mutually recognized, for which institutions can—and therefore must—be designed.

Organizations like these begin by taking the world as it is. No fundamental political reforms are needed; no value systems have to be altered; no ideologies have to be seriously compromised.

These organizations start from where we are, and then take the next step. And that, as the ancient Chinese guessed long ago, is the only way to get from here to there.

These organizations tackle jobs that can be managed through imperfect institutions by fallible men and women. Omniscience is not a prerequisite; the peace of the world does not stand or fall on the success of any one organization; mistakes need not be fatal.

These limited-purpose organizations bypass the obstacle of sovereignty. National independence is not infringed when a nation voluntarily accepts in its own interest the restraints imposed by cooperation with others. Nobody has to play who doesn't want to play, but for those who do play, there are door prizes for all.

All these special characteristics of the functional agencies are important to their survival value and growth potential. The best example is also momentarily the most dramatic. In the midst of the military, political and diplomatic turmoil of southeast Asia, the governments which are working together to promote the regional development of the Lower Mekong Basin have continued to work there in surprising and encouraging harmony.

IX

But a certain shadow hangs over the affairs of the technical agencies—a shadow which threatens to compromise the very virtues we have just been discussing. That shadow is political controversy—and it has no place on the agenda of the technical agencies.

I shall not attempt to draw sharp lines along the sometimes murky borders between the politicoideological and the functional fields—between just what is doctrinal and just what is technical. The important distinctions are clear enough. The difference between appropriate content for the general debate in the General Assembly and appropriate content for debates on international labor or world literacy or world health does not need much elaboration. We can all recognize that the remaining problems of colonialism have practically nothing to do with the problem of adult literacy—and vice versa. We have organizational arrangements for dealing with both. We have times and places set aside—we have agenda prepared and representatives assigned—for dealing in separate and orderly ways with these and other subjects.

Yet we cannot overlook a disturbing tendency to dilute the proceedings of the technical agencies with ideological dispute—and to steal time, energy and resources needed to help the developing countries, and divert it instead to extraneous issues circulated to stir everybody's emotions without raising anybody's per capita income.

This limits the value, inhibits the growth, hurts the prestige, and crimps the resources of the technical agencies. It is a wasteful and moreover a futile exercise. It is only to be hoped that these diversionary tactics will fade from our forums so we may get along more promptly with the practical, useful, technical tasks which lie before us in such profusion.

The great spurt in useful activity by the U.N. specialized and affiliated agencies has come about through the good sense of the members, expressed in a series of actions by the Economic and Social Council and in the General Assembly, and designed to provide new resources to break down the main obstacles to development.

Through the expanded program of technical assistance and the U.N. Special Fund, the members have already provided close to $1 billion to help the developing countries organize the use of knowledge and to get ready to make effective use of large capital investments. Now these two programs, on the recommendation of the Council, are to be merged in the 20th General Assembly to become the U.N. development program.

We are reaching this year, for the first time, the target of $150 million a year for that program. My Government believes that this has been a useful and efficient way to provide technical assistance and preinvestment capital. The target should now be raised. For our part, we would be glad to see the target set substantially higher.

We also think that the use for development of noncommercial exports of food from some of the surplus producing countries, has been promising. At a meeting in Rome last week, we have already indicated that we would be glad to see the world food program continued, with a target for the next 3-year period almost triple that of the 3-year experimental period which is just now coming to an end. We hope that other nations which foresee noncommercial surpluses in their agricultural horoscope will join in expanding the world food program as another way to transfer needed resources for the benefit of the developing countries.

We are also pleased with the progress of industrial development. The establishment of the Center for Industrial Development in the U.N. Secretariat has clearly proved itself a sound and progressive move. We think the time has come to move further along this line, and find much promise in the suggestions made by the distinguished representative of the United Kingdom on this subject. We strongly agree that it will be necessary to secure additional resources for the promotion of industrialization. We believe, however, that rather than to establish yet another special voluntary fund, such resources could best be made available by special arrangements within the framework of the new U.N. development program.

X

Beyond raising the target for the development program and expanding the world food program, and giving a special push to the work of industrialization, I would foresee another kind of development activity to which I believe every government should accord a very high priority indeed. This is the field which might be called truly international development programs.

So far we have needed to define the word "development" to encompass only the elements of an individual country's economic growth and social progress. Some regional projects have gained favor as well, but clearly visible now on the horizon are programs and projects in which the operating agency will not be a national government or a private company or even a small group of governments in a region—but rather one of the U.N.'s own family of worldwide organizations.

The best example—one that is already requiring our attention—is the world weather watch now being planned by the WMO. In the preliminary design work already underway, it is proposed, for example, to—

Probe into atmosphere from satellites in orbit;

Establish ground stations to read-out what the satellites have to say and to process and communicate weather information throughout continental regions;

Establish floating weather stations to give more coverage to vast oceanic areas, particularly in the Southern Hemisphere; and

Possibly even launch balloons from international sites which will travel around the world at a constant level making weather observations as they go.

The major components of the world weather watch must continue to be the national facilities, operated primarily for national purposes, and also contributing to the needs of the world. But we are speaking here of additional facilities, some of which may need to be internationally operated and perhaps internationally owned and which may be very costly even at the start. Money would have to be raised on a voluntary basis and placed in the hands of an international agency—the WMO, perhaps, or some new operating facility.

Here, then, is a new kind of problem for us to think about before it overtakes us. Here is a great big development project, involving activity inherently international which will have to be financed internationally. We would propose that the U.N. development program start experimenting with this kind of development activity, modifying as necessary the rules and procedures that were drafted with national development projects in mind.

Maybe such large projects will have to be financed in some special way. But for a start, we would like to see the new U.N. Development Program, with its rich experience in financing various kinds of development, work on this subject and present to its own Board, and to this Council, an analysis of the problem of meeting the costs global international operations.

XI

If all these suggestions for raising our sights—yes, and our contributions—give the impression that the United States believes in the strengthening of international development institutions, you may be sure that that impression is correct. Most of these institutions need to be strengthened to meet, within their respective areas, the challenge of the requirements and aspirations of the developing countries. Equally, and perhaps even more important, their policies and actions need to be harmonized for there is no room left in this world for narrow parochialism. The various aspects and problems of economic and social development—modernization of agriculture and industrial growth, health and production, education and social welfare, trade and transportation, human rights and individual freedom—have become so closely interrelated as to call for interlocking measures and programs.

These basic conditions in the contemporary world give meaning and urgency to the review and reappraisal of the Economic and Social Council's role and functions which U Thant proposed in this chamber a year ago. The position of my Government is set forth in our our submission to the Secretary General reproduced in document E/4052/Add.2 and needs no further explanation.

But there are just a few points I want to stress:

With the U.N. system as envisaged in and established by the charter, the General Assembly and ECOSOC are the two principal intergovernmental organs with overall responsibilities for U.N. policies and activities in the economic and social field, their orderly development and effective implementation.

Whatever the record of the Council in the past—and we believe that it is a good record—it has become evident that the Council faces ever-increasing difficulties in the discharge of its functions due to the ever-widening scope of the United Nations and the multiplication of machinery.

To make the Council fully representative of the total enlarged membership of the U.N., its size will soon be increased by the necessary ratifications of the charter amendment.

We believe that the role of the Council as a preparatory body for the General Assembly, and acting under its authority, needs to be clarified and strengthened. It should make a significant contribution to the work of the General Assembly by drawing its attention to major issues confronting the world economy; by formulating proposals for relevant action; by providing supporting documentation; and in preparing and reviewing programs with a sense of financial responsibilities. And thus assisting in the preparation of budget estimates by the Secretary General for appropriate action by the committees of the General Assembly.

In stressing the coordination function of ECOSOC every care needs to be taken to encourage rather than to hinder the work of functional and regional economic and social bodies and the activities of the specialized agencies and other related organizations. The role of these functional organizations in achieving coordination within their areas of competence needs to be more fully recognized.

The review and reappraisal proposed by the Secretary General is a difficult task and adequate time must be allowed for it.

Many of the constructive suggestions he made yesterday regarding research, documentation, and sound budgeting are directly related to the work of the Council and deserve most careful thought. It is our hope that the Council at the present session will make the necessary arrangements to facilitate and assure such study in depth and full consideration.

We assume the review will go through several stages, including consideration by both the Council and the General Assembly. The Council will have to undertake thorough preparatory work in order to enable the General Assembly and its Committees II, III, and V to reach informed conclusions and to take the necessary actions.

Last but not least, and this I cannot stress strongly enough, the review will require the closest possible cooperation between all members of the Council representing developed and developing countries. The Council will wither away, whatever conclusions are reached by the review, unless there is a will among all of us to make it succeed. And succeed it must as an indispensable organ of the United Nations for the achievement, beyond anything we have experienced to date, of constructive international cooperation in the economic and social fields and as a powerful aid to the promotion of economic development.

XII

Finally, let me say that the need for joint action in the wide field of development is obvious. Whether we are talking about aid or trade, or research, or urban development, or industrialization—whether we are talking about scientific discovery or about institution building—we hold that there are no monopolies of trained minds and disciplined imaginations in any of our countries.

Joint action is, after all, the final significance of all we do in our international policies today. But we are still held back by our old parochial nationalisms. We are still beset with dark prejudices. We are still divided by angry, conflicting ideologies. Yet all around us our science, our instruments, our technologies, our interests and indeed our deepest aspirations draw us more and more closely into a single neighborhood.

This must be the context of our thinking—the context of human interdependence in the face of the vast new dimensions of our science and our discovery. Just as Europe could never again be the old closed-in community after the voyages of Columbus, we can never again be a squabbling band of nations before the awful majesty of outer space.

We travel together, passengers on a little space ship, dependent on its vulnerable reserves of air and soil; all committed for our safety to its security and peace; preserved from annihilation only by the care, the work, and I will say the love we give our fragile craft. We cannot maintain it half fortunate, half miserable, half confident, half despairing, half slave—to the ancient enemies of man—half free in a liberation of resources undreamed of until this day. No craft, no crew can travel safely with such vast contradictions. On their resolution depends the survival of us all.

NEW YORK CITY IN CRISIS—PART CXXXI

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns efforts to stop crime on New York's subway system.

The article is part of the series on "New York City in Crisis," and appeared in the New York Herald Tribune on May 22, 1965:

NEW YORK CITY IN CRISIS—CALLING THE POLICE ON CITY'S NEW SUBWAY RADIO

(By Bill Whitworth)

As motorman Dominick Murphy pulled his IRT Lexington Avenue train out of the 59th Street station at 12:25 p.m. yesterday, he picked up a new microphone in his cab, held it near his mouth and said there was a disturbance on his train.

This information was relayed by radio to receivers at the Transit Authority's dispatch and police headquarters in Brooklyn. Within seconds, TA Patrolman Anthony Grammatico, who was standing near the Nedick's stand on the Grand Central shuttle ramp, heard a voice in his ear saying: "Ten eighteen on Lexington Avenue train southbound from 59th."

The voice was that of a TA police radioman in Brooklyn. It was coming out of a combination microphone-speaker attached to Patrolman Grammatico's left shoulder.

A good minute before the train arrived at Grand Central the patrolman was already at the south end of the downtown platform ready to deal with the 10–18, or disorderly person, call.

The train rolled up, early clean and red, and empty. The patrolman rushed aboard, as cameras and TV cameras clicked and whirred.

This was the TA's first demonstration of two new radio communications systems that it is about to try out in the subways, on the Lexington Avenue line between Bowling Green and 125th Street.

If the systems seem effective, the TA will expand them, with the hope that they will be valuable in the city's drive on crime in the subways. As part of this drive the city has put policemen on night overtime duty on trains and subway platforms, inducted 500 new TA patrolmen, and planned the closing of 185 subway exits to make the policing of stations easier.

One of the systems consists of walkie-talkies that will be carried by TA cops on platforms and trains. Little 2-pound sets especially designed to operate well underground, will enable TA headquarters to dispatch patrolmen to trouble spots with far greater speed, and will enable the patrolmen to call for help quickly.

Thirty of the sets will be put into operation immediately and 30 more will be bought soon.

The other system consists of 9-pound transmitter-receiver sets that will be installed in the motorman's cab of each of the trains operating along the 8.09 miles of track between Bowling Green and 125th Street.

These sets will put the motormen in touch with TA headquarters for calls requesting police or mechanical help. To make such calls now, the motorman must leave his train and use a platform telephone or one of the emergency telephones on tunnel walls.

This system also can be connected with the public address systems now in the subway cars, making it possible for dispatchers at TA headquarters to speak to passengers and explain delays in service. It will be ready for use some time next month.

About 80,000 feet of antenna has been placed in the Lexington Avenue line tunnel, to relay messages from the patrolmen's and motormen's radios. The line's 350 cars are being fitted out with electronic equipment now, and 500 motormen are receiving instructions in use of the radio.

The cost of the two test systems is $750,000, of which $500,537 is a demonstration grant from the Federal Housing and Home Finance Agency. The balance will be paid by the city.

If the test is successful, the TA hopes to extend both systems throughout the city's subways, at a cost of $7 million.

The East Side test area was chosen because it is one of the busiest sections of the subway system, and because the large amount of steel used in its construction adds to the difficulty of underground radio transmission.

Mayor Wagner had been scheduled to attend yesterday's demonstration, but other business kept him away. Also missing was Transit Authority Member John J. Gilhooley, who is in Milan, Italy, studying that city's closed-circuit television-scanning system for subway platforms. New York plans to test a similar system.

TA officials present included Chairman Joseph E. O'Grady and Daniel T. Scannell.

The radio communications system has been under discussion for some time, and the contract for the first equipment was signed last summer. It has been given more attention since Mayor Wagner opened a drive on subway crime early last month.

NEW YORK CITY IN CRISIS—PART CXXX

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MULTER. Mr. Speaker, the following article concerns urban renewal in New York and is part of the series on "New York City in Crisis." The article appeared in he New York Herald Tribune on May 21, 1965, and follows:

NEW YORK CITY IN CRISIS—COOPER SQUARE DECISION—AFTER 10 YEARS

(By Martin G. Berck)

Almost a decade after it was first studied as an urban renewal site, a Cooper Square tract in Lower Manhattan, along the Bowery, won the board of estimate's approval yesterday for low-cost public housing.

The move, a reversal of an earlier decision by the board, was foreshadowed by a decision last month by Mayor Wagner instructing the city housing authority to submit a plan for low-rent apartments to the board, and blocking a plan for middle-income housing.

At the board's meeting yesterday, a proponent of the middle-income housing plan, Marshall Scolnick, formally withdrew the plan after charging that he had been subjected to political pressures. Mr. Scolnick described himself as the "unpaid agent of the nonprofit community sponsor."

The board also voted yesterday to ask for up to $975,000 in Federal funds for surveying and planning in 1,080 acres of the Annadale-Huguenot section of southern Staten Island. The city wants to look into the possibility of building a model suburban community on the site, which is mostly open land.

The Cooper Square project area is bounded by Chrystie Street, Rivington Street, the Bowery and East Houston Street. The designation for low-income housing was rejected by the board of estimate last November in favor of a middle-income project sought by Assemblyman Louis De Salvio. Then this plan was killed by the mayor last month after what he called a rescrutiny. Residents of the area had been crusading for years for the kind of housing that would keep them from being driven out by a high-priced development.

Mr. Scolnick, an associate of Mr. De Salvio, told the board yesterday he was appearing on his own behalf to denounce the low-cost housing plan as a "giant hoax and fraud," and to withdraw sponsorship of the middle-income plan.

The city has no money to build low-rent housing, said Mr. Scolnick, and it will take 20 years or more for such a project to be completed in Cooper Square. He asserted that his own proposal for middle-income housing "without the city's redtape," could have made apartments available within 2 years.

One reason for his withdrawal, Mr. Scolnick said, was that he had been told by an administrative aid to Housing and Redevelopment Coordinator Milton Mollen "that he would not approve the site for me unless I merged my application with that of a friend of his." Mr. Scolnick did not identify either the aid or the friend, while appearing before the board, nor would he do so afterward.

He also said he was withdrawing the application "because I have been subjected to pressures by some city officials—to trade the building of a Lower Manhattan Broome Street Expressway for the permission to build middle-income rental housing, not for relocation of Broome Street people, but for the people of the immediate area." He also said he was pulling out because of "nitwit" planning by city housing officials.

The low-income housing project, as approved by the board, is designated as the Chrystie Street-East Houston Street area, within the Cooper Square urban renewal area. Mrs. Constance Baker Motley, Manhattan Borough president, reminded the board that the site's current residents must be given preference for the new housing, according to Federal and city law. There are 158 families now on the site.

The board heard 4 opponents and 11 proponents of Annadale-Huguenot urban renewal proposals before deciding to request money for extensive planning of the site. In general terms, the project would involve a major effort to redesign street layouts and sites for parks and other public facilities before private homes are built. The city owns about 70 percent of the tract. About 700 families live on the remaining property.

TESTIMONY OF HON. ABRAHAM J. MULTER ON DISTRICT OF COLUMBIA MOTOR VEHICLE INSURANCE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MULTER. Mr. Speaker, I was privileged to present the following statement in support of my bill, H.R. 634, the proposed Motor Vehicle Financial Security Act of the District of Columbia, to Subcommittee No. 4 of the House District of Columbia Committee, chaired by the distinguished gentleman from Texas [Mr. DOWDY].

Financially irresponsible motorists in Washington are a threat to everyone, including themselves, and I hope that we will enact legislation to remedy this situation during this session.

My statement follows:

STATEMENT OF HON. ABRAHAM J. MULTER BEFORE SUBCOMMITTEE NO. 4 OF THE HOUSE DISTRICT OF COLUMBIA COMMITTEE IN SUPPORT OF H.R. 634 REGARDING MOTOR VEHICLE INSURANCE IN THE DISTRICT OF COLUMBIA, JULY 12, 1965

Mr. Chairman, today, in this great country of ours, the Four Horsemen of the Apocalypse, mankind's deadly fellow travelers, have been eclipsed by the horses of Detroit in their role as the scourges of mankind. The human misery, suffering, and death that has resulted from fire, famine, flood, and plague in this country pales into insignificance when compared to the misery, suffering, and death that has been caused by the automobile. Much is being done and has been done in many fields of endeavor to reduce the automobiles' capacity for wreaking ravoc but much remains to be done. Its deadly capacities were once again exhibited over the recent Fourth of July weekend when a new record was established. Five hundred and eight persons lost their lives on the Nation's highways. This is a tragic record.

Here, in the District of Columbia, the number of traffic fatalities and injuries steadily rises, not to mention the amount of property damage.

In the light of these circumstances financial responsibility must be required of all motorists. There has long been a maxim in Anglo-Saxon jurisprudence that states, "For every wrong there is a remedy."

The present District of Columbia law entitled "The Motor Vehicle Safety Responsibility Act," 40 District of Columbia Code 417-498, does little to insure the maintenance of this legal maxim as a truism. It's the old story of locking the barn door after the horse has been stolen.

The Safety Responsibility Act requires security after an accident and human nature being what it is many motorists in the District of Columbia drive with the attitude that it will always be the other fellow who has the accident. If this attitude were correct and the other fellow was always financially responsible, either by virtue of insurance or liquid assets then all would be well. But all is not well. It is not always the other fellow who runs the red light, or changes lanes suddenly, or who has faulty brakes and even when it is he doesn't always have the resources or insurance to right the wrong that he has committed.

The obvious cure for this glaring defect in the laws of the District of Columbia is to require that every vehicle registered in the District have a financially responsible owner against whom persons who might be injured by the vehicle can have recourse.

Consider, if you will, the day laborer or the white collar worker who has neglected to obtain some form of liability insurance for his automobile and who becomes one of those other fellows who always has the accidents. The negligence on his part may have been slight or gross but the injuries which result from the accident also may range from slight to severe. If the injuries are slight and our other fellow has been prudent and has not succumbed to the easy credit which marks our society, then there is a relatively good chance that he will have the ability to right his wrong as much, at least, as money can right such wrongs. But suppose that the injuries are not slight, but are extensive, as they so often are in these tragic accidents, what then? Suppose a breadwinner is killed, or paralyzed for life, as a result of this other fellow's negligence and a family is left without income and with tremendous hospital and medical bills. What then? Suppose a mother is taken from her family in a brief moment of negligence and a father is left to work and raise this family alone. What then? Money, no matter what sum it may come in, cannot replace these very precious lives that are snuffed out in a careless moment but it can ease the hardship which must inevitably follow when a loved one is taken. It cannot help fill the void that is left in the hearts of those who are left behind but it can help fill the void in the bank account and help bring those stricken by carelessness and negligence closer to the normalcy that they had enjoyed.

It is in our power to insure that the tragedies that will result from future carelessness and negligence in the operation of motor vehicles by District of Columbia registrants will be minimized by requiring that all such registrants show some definite proof of financial responsibility, either in the way of assets or insurance before they are allowed to register their vehicles in the District. This requirement will go far toward alleviating the pain and financial suffering that so often result from traffic accidents involving persons who are living either on a week-to-week or month-to-month basis and are judgment-proof. We have the power and we should exercise it.

My bill, H.R. 634, follows the law of New York State which has worked exceedingly well. I urge its enactment.

Thank you.

ADMIT FREE OF DUTY ONE MULTIGAP MAGNETIC SPECTROGRAPH FOR USE OF YALE UNIVERSITY

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. GIAIMO. Mr. Speaker, I am introducing for appropriate reference, a bill which would authorize and direct the Secretary of the Treasury to admit free of duty one multigap magnetic spectrograph for the use of Yale University.

In this historic age of atomic research, the need for establishment and expansion of nuclear facilities in our Nation's great universities and colleges is unquestionably necessary to effect the further development and knowledge of our men of science.

Yale University, which is located in my district, has not only recognized this need, but has taken affirmative action to meet it. In conjunction with the Atomic Energy Commission, Yale has almost completed construction of a Van de Graaff accelerator facility. This facility will house a multigap magnetic spectrograph, a custom designed apparatus which is generally agreed to be the one which would most utilize the precision characteristics of the accelerator in the study of the structure and behavior of all atomic nuclei.

Its features are such that it will permit Yale's Nuclear Structure Laboratory to involve staff members from other universities and colleges in Connecticut who have already expressed interest in such work of the highest caliber, at the forefront of nuclear structure research.

During the past 2 years this distinguished institution carried out a detailed scientific and engineering design of this instrument, and requested bids for its construction from all possible suppliers in this country and abroad. Unfortunately, it was unsuccessful in obtaining a bid from any American supplier, apparently because these suppliers feel that the required precision of manufacture and assembly exceeds their capabilities and facilities. On the other hand, an excellent bid was received from the Atomic Weapons Research Establishment, of the United Kingdom Atomic Energy Authority.

Yale has decided to purchase the spectrograph from this source at an expected cost, exclusive of shipping, of close to $460,000; however, unless it is possible to obtain waiver of import duties on the instrument, the amount of duty, which would necessarily come from its remaining research funds, would severely limit research activities with the new accelerator during the first year of its operation, when it will be the only one of its type anywhere in the world.

Therefore, in view of the tremendous technological advances which this instrument will produce in studies of nuclear detection, I ask your help in passing this special legislation providing for its free entry. Thank you very much.

THOUGHTS OF SECRETARY OF LABOR W. WILLARD WIRTZ

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HANSEN of Iowa. Mr. Speaker, an editorial recently appeared in the Council Bluffs Nonpareil giving some of the thoughts of Secretary of Labor W. Willard Wirtz at a recent address to the graduating class at the University of Iowa. I feel this editorial is of sufficient interest it should be given a wider audience. The editorial follows:

[From the Council Bluffs Nonpareil, June 21, 1965]

WHAT LABOR SECRETARY WIRTZ TOLD UNIVERSITY OF IOWA GRADUATES

Secretary of Labor W. Willard Wirtz made some very interesting statements in his recent address to this year's graduating class at the University of Iowa.

He told the members of the class that they were entering upon a literally fantastic period in the affairs of mankind, particularly those of this Nation.

It is a time, he said, when science has caught up with the imagination, when the national economic development has become spectacular.

Last year's tax cut, the first instance of deliberately planned public deficit spending in this country, marked the ultimate triumph of the spirit of John Maynard Keynes over the stubborn shade of Adam Smith. As a consequence he declared, we are moving into the 52d month of the longest uninterrupted business expansion over a century, setting new records for growth in the national product, increased profits and earnings and higher employment.

He admitted there are difficulties ahead, hard problems to be solved, uncertainties unresolved.

Perhaps the most significant of these, he said, can be summarized by recognizing that the population of the United States is growing in size at a fantastic rate and running at faster and faster pace. The combination, he conceded, has sent men to early graves, and its effect on a society is not yet entirely clear.

Thirty-five years from now, the Labor Secretary estimated, there will be 330 million people in this country, 140 million more than today.

He then posed the question whether a democracy with 330 million people can survive and prosper. Very little attention is being paid to the human implications of a technological progress so rapid that the only status quo is change, yesterday's luxury is today's necessity, and today's knowledge is tomorrow's ignorance.

Can we seize the opportunities which change holds out to those who believe in the perfectibility of man's purpose? He suggested three keys to drawers which hold other keys.

The first he said, is the realization that liberal education is falling very rapidly behind the pace of technological progress.

There is a strong probability, he said, "that this is the least educated class ever graduated from the University of Iowa—by the measure of available knowledge you have mastered or even been exposed to."

The most serious inadequacy in our society today, he said, may well be the almost complete inattention to continuing adult education.

Secretary Wirtz suggested that every 7 years, college and university graduates return, for a year's sabbatical to bring their education up to date.

His second key was the fuller development of truly free minds. Changing circumstances give new meaning to many words. Too much of the public dialog today becomes a digging of the hard soil of new dilemmas with old, dull tools; in a democracy, adjustment to change, and dominion over it, depend upon a working majority having freed their minds from self-inflicted captivity.

Finally, Secretary Wirtz suggested the imperative need that citizen statesmen no less than scientists set out deliberately to invent the future.

Science has a long headstart, he said, and new ideas, eagerly sought in the laboratory, are suspect in the forum.

The development of the atom bomb, for example, is pushed with all the resources that can be mustered in a world race to control the instruments of death, while the subject of birth control has not even entered the stage of objective discussion. The doctors extend old age with astonishing ingenuity but instead of working out new uses of it, the Nation's social invention is limited to arranging for earlier retirement and devising euphemisms—"senior citizens" and "harvest" years—to dull a needless pain.

In conclusion, Secretary Wirtz told the University of Iowa graduates they would have a better future whether they did anything about it or not. "But," he added, "if you seek something more—a fuller brotherhood, larger satisfactions for whatever is meant by the soul, the improvement of leisure, an older age that is not only secure but meaningful, you will have to invent that future."

He also added that the foremost responsibility of the university and college today is "to redress the present imbalance between scientific and social inventiveness. Here better than in any other place, there can be developed equal enthusiasm, in all areas of human endeavor for new ideas."

In this editorial we have endeavored to summarize some of the things Secretary of Labor Wirtz told the 1965 graduates of the University of Iowa.

Whether or not you agree with the Secretary of Labor, we suggest that you write the University of Iowa for a complete copy of his address.

LET'S LOOK INTO PURE-UNION OIL MERGER

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SWEENEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SWEENEY. Mr. Speaker, on Friday, July 2, 1965, the stockholders of an old Ohio chartered corporation, the Pure Oil Co. of Ohio, voted to merge Pure into the Union Oil Co. of California. Union will be the surviving corporation.

It was extremely interesting to note that the final result was 7,760,692 votes in favor of the merger proposal out of the 10,024,605 shares outstanding eligible to vote. In other words, approximately 25 percent of the Pure Oil Co. shares were not voted in favor of the merger. If these 2,500,000 shares are worth $90 per share as some oil and gas experts claim, then these dissenting shares have a dollar value of $225 million.

The Pure Oil Co. was one of the largest, if not the largest, corporation in the State of Ohio. As the Congressman at large for Ohio, I am concerned because an old line Ohio corporation is now dead.

Thousands of Ohioans are stockholders in this Ohio corporation and many were in the 25-percent category who dissented.

I am greatly concerned because there is a great likelihood that Pure's Ohio headquarters and its 2 large refineries with daily crude capacity of 54,000 barrels will be closed. Hundreds of Ohio working men and women will suffer by such action.

I am greatly concerned because Ohio has lost a billion dollar corporation with revenues in the hundreds of millions of dollars. At a time when Ohio is attempting to attract new industry, we are losing one of the world's largest corporations.

The Wall Street Journal, July 12, 1965, reported that Assistant Attorney General Donald F. Turner, the new antitrust enforcer, is now studying whether to sue to block the merger of Pure and Union which will result in a corporation with assets of some $2 billion. The size of this oil giant is frightening in and of itself. It is even more frightening when one realizes that this giant will lessen competition in the areas of oil production, exploration, pipelines, and refining. A complete and thorough investigation into this merger should be conducted by the Department of Justice and that study should be made public. Every small businessman in America who operates a corner service station will feel the effects of this merger, for good or for ill. Professor Turner's writings long have mirrored a fear of corporate mergers and their resulting oppression of the small businessman and the economic competitive life of America.

An Ohio attorney, Robert H. Mihlbaugh, in questioning the president of the Pure Oil Co. at the special stockholders' meeting on July 2, 1965, drew the admission that large legal fees paid to a director of the Pure Oil Co. had not been reported in prior proxy materials filed with the Securities Exchange Commission. The SEC should conduct a thorough investigation into this matter to ascertain any violations of its rules and regulations.

Fortune magazine has reportedly asserted that key officers of the Pure Oil Co., owning few shares of stock, were able to frustrate the opposition of major holders of the Pure Oil Co. such as W. T. Moran and Maj. J. R. Parten. Moran and Parten were the major stockholders in Woodley Petroleum Corp. which was merged into the Pure Oil Co. in 1960. These men did not buy stock in Pure; they were invited to merge into Pure by the Pure management. They have spent their lifetimes finding oil resources for America and their stock in Pure represents their life savings.

Maj. Jubal Richard Parten, one of the legionnaires of the oil industry, who has organized production, drilling and pipeline companies and served with an assortment of oil-industry organizations, was the first major appointee of the late, great President John F. Kennedy. These men—with their great wealth of knowledge of the oil industry—were never consulted by the management of the Pure Oil Co. during the merger negotiations. It is a sad commentary on American corporate life when men owning 100 or 200 shares of stock can dictate and control a corporation with over 10 million outstanding shares of common stock.

The reports of the Justice Department and the Securities and Exchange Commission should touch on these points also if the confidence of American investors is to be maintained.

I include herewith an article pertinent to my remarks:

[From the Wall Street Journal, July 6, 1965]

Holders Vote Pure Oil, Union Oil Merger, but Antitrust Challenge Is Still Possible

The merger of Pure Oil Co. into Union Oil Co. of California, one of the largest in recent corporate history, easily won approval by stockholders of both companies at special meetings.

Only the possibility of Justice Department objections on antitrust grounds seemed to stand in the way of consummation of the merger, sources said. Earlier, the merger had faced widespread opposition by major Pure Oil shareholders who felt the terms were not attractive. Under the plan, the deadline for consummation of the merger is November 1.

The voting at the Pure Oil meeting, in Columbus, Ohio, was crucial because of plans of some major holders to demand cash instead of the preferred stock Union Oil will exchange for Pure Oil common. Union Oil has reserved the right to abandon the merger if, in its opinion, demands for cash become too burdensome. Union Oil has not indicated how heavy the burden would have to be to kill the transaction; but Robert L. Milligan, president of Pure Oil, said he believed Union Oil would not be discouraged by any demands for cash, judging by the outcome of the voting.

Pure Oil holders cast 7,760,692 shares in favor and 411,610 in opposition. The yeas totaled more than 77 percent of the 10,024,605 shares outstanding eligible to vote. About 200,000 shares represented in person at the meeting were not voted; neither were several other sizable blocks of stock, held by dissatisfied shareowners, it was learned. A majority vote was required for approval.

Union Oil rolled up an 89 percent vote for the merger. The number of dissenting shares was not disclosed. There were 26,483,117 common shares outstanding eligible to vote. The merger plan calls for Union Oil to issue a new cumulative convertible preferred stock in a share-for-share exchange for Pure Oil's common. The preferred, to carry an annual dividend of $2.50 a share, will be convertible into 1.3 shares of Union Oil common and will be called after 5 years at prices ranging from $67 a share in the sixth year to $65 in the eighth year and thereafter.

The Union Oil meeting, in Los Angeles, was routine. Pure Oil's although more subdued than the stormy April 10 annual meeting, produced echoes of the earlier bitterness.

A central point of discussion was the possibility of Justice Department opposition to the merger. To a question, Stuart S. Ball, of Chicago, special counsel, said Pure Oil and Union Oil had been told by the Antitrust Division it was still studying the merger, had no plans for intervening prior to the special meetings and didn't know whether it would oppose the merger in court.

A Pure Oil holder said there have been suggestions that the Justice Department has developed a concept that "bigness is badness" and wanted to know if that could be a factor. Mr. Ball said, "Among certain liberal commentators there has been an emotional attitude about bigness," but he added that he knew of no merger that was ever stopped simply on the basis of size of the companies involved without being coupled with anticompetitive factors. Both Pure Oil and Union Oil believe the merger doesn't violate antitrust laws, largely because their retail-marketing territories don't overlap.

Nearly half of the hour-long meeting was dominated by a series of questions asked of Mr. Milligan by 32-year-old Robert H. Mihlbaugh, a Lima, Ohio, attorney representing W. T. Moran, a Houston oilman whose holdings of about 200,000 shares are the largest of any individual shareowner. Although Mr. Mihlbaugh and Mr. Milligan repeatedly complimented each other's conduct at the meeting, the give and take at times was sharp.

To questions, Mr. Milligan made these replies:

He received no inducements from Union Oil to push Union's offer in favor of other offers.

He questioned whether a recent merger offer from Ashland Oil & Refining Co. would have netted Pure Oil holders $70 a share cash.

He defended Pure Oil's failure prior to this year to disclose the amount of legal fees paid to the Houston law firm of Vinson, Elkins, Weems & Searls, headed by J. A. Elkins, 85, a director of Pure Oil and long a commanding figure in the company. The fees in 1964 totaled $372,982.

At one point, Mr. Milligan backed away a bit. That was when Mr. Mihlbaugh, asked Mr. Milligan to comment on a magazine article's assertion that key officers and directors, owning a small amount of stock, were able to frustrate the opposition of major holders in making the merger with Union Oil. Mr. Milligan asserted that a director must act in the interests of all holders rather than in his own personal interest. "I don't think there is any proof that wealth brings with it intelligence and judgment," he said.

THE CURIOUS PURSUIT OF PURE OIL

(By T. A. Wise)

No auction in history had ever quite matched this one. In the audience, bidding with briskness and determination, were some of the most aggressive and affluent corporations in the United States. On the block was a company whose assets, conservatively estimated, have a value three times as great as those of General Aniline, the biggest piece of property sold in recent years. The size of the offers was in keeping with the prosperity of the times: for Pure Oil Co., the Nation's 15th largest oil company and the 104th ranking company on Fortune's 500 list, bids in various combinations of cash and stock reached as high as $800 million. In keeping with the complexity of the times, however, the auction was not to be decided by money alone: other elements, including the way in which Pure Oil's facilities complemented those of the bidders, the hand of the past still seen in the current attitudes of the company's management, and the attitude of the Department of Justice toward the creation of still another giant oil company, all had their importance in the outcome.

Any catalog of the assets of Pure Oil is in itself impressive. Pure Oil owns 4,459 oil and gas wells in the United States, Canada, Algeria, Italy, and Venezuela. The company has reserves totaling more than 517 million barrels of oil and it has 2.8 trillion cubic feet of proved reserves of natural gas. It has an interest in approximately 23,800,000 acres of land, the biggest piece of it in the Middle East, although chances of finding oil in those fields are dwindling. It owns an interest in 8 pipeline companies that carry crude oil over a 7,000-mile network. Pure operates 25 terminals for finished products, 2 tankers, 2 towboats, and 7 barges. It has 4 refineries with a daily capacity for 195,500 barrels. Its distributing system spans 25 States in the Southeast and Middlewest, and supplies 13,000 retail service stations and 1,085 bulk distributing plants. The whole organization is administered from a huge, Pentagon-like home office at Palatine, 30 miles from Chicago.

These imposing assets would seem to make up a corporate entity that could be run for pleasure and profit—a course of action, one would think, more advantageous both to stockholders and to management than liquidation. This conclusion seems to be reinforced by a look at Pure Oil's report for the first quarter of 1965: In that 3-month period the company reported to its stockholders that its earnings were up 50 percent over the comparable period in 1964—the $8 million in profits making it one of the best quarters in the company's history. Why sell off a company in this lovely state of bloom?

The mystery has no easy solution. In the curious confluence of past history and present circumstance, and deep in the psychology of several aging men, lies some of its explanation, as we shall see. The rest is revealed only after a close examination of the company's record for the past decade. Such an examination brings with it a sense of shock. While comparable oil companies have been improving their earnings records by jumps of 10 percent or more a year since 1954, Pure Oil's profits have been, to use a neutral word, static. Its sales have doubled, but earnings since 1954 have occasionally dipped, occasionally come back to the level of previous years, yet never spurted ahead. They came to $36,600,000 in 1956, and $31,500,000 in 1964.

But even that record, clearly visible to the public gaze, does not accurately reflect just how bad Pure Oil's performance really was. Especially in the last 5 years, Pure Oil's profits have been exaggerated, at least in the view of the average reader of company reports, by procedures of accounting that, while perfectly legal and commonly accepted in the oil industry, tend to obscure certain operating shortcomings and defeats. Those accounting practices are complex; they have certain merits and serve certain legitimate purposes. In this context, however, they are most important for having failed to make plain the fact that Pure Oil has not had a taxable income for the past 4 years. Nor did they elucidate the fact that the company's management has been selling off part of its oil-bearing properties—selling off corners of the farm, as one observer put it, although the metaphor is not exact—each year since 1961. As a result of these practices only the most discerning of stockholders could read the annual reports and hope to gain a true picture of the company's financial strength and weakness. That this is so may be judged from the fact that in 1964 Pure Oil's annual report to stockholders showed a profit of $31 million. Yet the report the company made to the Internal Revenue Service showed losses of $21 million, after allowing $26 million for depletion. Some shadow has even been cast over the bright performance of the first quarter of this year.

Apparently there was some rot behind the imposing facade—at least enough so that Robert Milligan, Pure Oil's chief executive officer, believed that the company in June 1964, was perilously vulnerable to a raid. Evidently, only the sale of Pure Oil to a strong, well-run oil company could snatch financial victory from a series of operational failures—save the stockholders, in other words, from the consequences of about a decade of weak and inept leadership.

THE INVISIBLE BECOMES EVIDENT

What was not apparent to the outside world became manifest, over the years, to expert eyes. When word of Pure Oil's vulnerability spread throughout the business community in 1962, prospective buyers—who were attracted by the opportunity they saw in the situation—began to line up. Offers poured in from a wide assortment of companies, among them Hercules Powder, Kennecott Copper, Champion Papers, and Armour, that saw Pure Oil either as a source of raw material or as a means to large-scale diversification that would not come into conflict with the antitrust laws. Even a Belgian oil company surveyed Pure Oil, especially attracted by its supplies of crude.

After the first flurry of excitement, however, there remained four serious proposals before Pure Oil's board of directors. The most insistent of these came from the Union Oil Co. of California, which offered to Pure Oil securities valued at $625 million, or about $62.50 for each of the 10 million outstanding shares of Pure's common stock (almost twice what the stock sold for some time earlier, before outsiders started bidding for the company). Looking at Pure Oil, Union Oil saw the glitter of opportunity. A west coast company, Union could combine with Pure to extend its marketing facilities across the middle of the continent, and even reach to the Atlantic seaboard in a few areas. Further, Union saw a neat dovetailing of products: On the west coast there is little demand for heavy oil products; Union sells mostly gasoline there. But Pure's markets burn up large amounts of oil fuels, thus offering Union a better balance in marketing and product mix. In all the calls and raises that followed, Union Oil never increased its initial offer very much. Its management remained convinced that it was the only bidding company whose acquisition of Pure would go unchallenged by the Justice Department. In Union's view, no competition would be eliminated by the Pure-Union merger; indeed, competition would be enhanced, since the merged company, using Union's large reserves, could be more aggressive in Pure's markets.

In response, a majority of the directors of Pure Oil quite frankly expressed an early preference for the Union Oil offer above all others. When they were confronted with strong opposition to the Union merger from some of their shareholders, Pure's directors fought with surprising vigor for its acceptance. They made clear they would stand or fall on the outcome of that offer.

Ashland Oil of Kentucky also regarded Pure with an acquisitive eye. Ashland offered some $700 million for Pure's assets, or about $70 per share. Ashland worked out a scheme that proffered to the Pure Oil stockholder a choice between taxable cash and presumably nontaxable securities for his stock. Ashland's willingness to make so resounding a bid for Pure came from the confidence of its management that it knows the true potential of Pure's marketing areas better than anyone else in the business. Ashland has always displayed considerable skill in using the economics of water transportation to bring its products to market, and it saw the chance to apply its canniness profitably to Pure's network. Also, Ashland urgently needs new reserves of crude. Although Ashland's chief marketing area nestles within the region that Pure services, Ashland was the smallest of the companies bidding for Pure, and its management thought that the Justice Department might not be hostile to the merger. And Ashland had a further purpose to serve: It sought to protect its markets from increased competition.

Atlantic Refining's bid for Pure fell in amount somewhere between Union's and Ashland's. Like Union, Atlantic offered to issue convertible preferred stock for the shareholders of Pure, but the stock would pay a higher dividend. This would make the merger tax free. Atlantic's markets overlap in some places with the markets of Pure Oil, raising a serious doubt whether the Justice Department would permit the merger But Atlantic persisted with its bidding nonetheless.

The only offer that held out only cash for the Pure Oil prize came from a syndicate headed by Carl M. Loeb, Rhoades, which, in partnership with Allied Chemical and Consolidation Coal, opened its bidding with an offer of $600 million, or about $60 a share. Later Loeb, Rhoades raised the ante to $625 million. Loeb, Rhoades planned to use borrowed capital for the purchase, which would be repaid from the proceeds of the acquired assets over a maximum of 14 years. This practice of selling oil while it is still in the ground bears considerable resemblance to—though it is technically different from—the methods that Pure's management has followed in recent years to finance operations, but in assessing the Loeb, Rhoades bid they seemed to find it somehow reprehensible.

A recitation of such offers both demonstrates a truth and raises a question. The truth, which may be chipped in stone somewhere, is that value lies in the eye of the beholder. Pure Oil's assets have different values, obviously, when appraised by different buyers. It is possible that everyone who bid for the company made an accurate estimate and an intelligent bid, from his own point of view. In that case, the huge difference of $100 million in the prices that have been proffered may simply reflect the ease, or the difficulty, with which the buyer could put the company's assets to good use. But this suggests another question: Why did the company fail to put its support behind the bid that promised the stockholders the most lucrative deal?

THE PAST IS WITH THEM

The responses of Pure Oil's current management to all offers to purchase the company are inexplicable without some understanding of the company's history. Pure Oil came into existence in 1914 with an unexpected oil strike in Cabin Creek, W. Va. The company was organized by two brothers, Beaman and Henry Dawes, whose conservative leanings in business and politics left a permanent imprint on it. But just as important to Pure Oil's future was the early acquisition it made of the services of a young Houston lawyer, James A. Elkins. Elkins went on to establish a famously successful law firm, to found the First City National Bank of Houston, and to dominate the affairs of Pure Oil for half a century. Even today, at the age of 85, he remains a key, if somewhat shadowy, figure in the important decisions that the company makes—conspicuously including the most important decision of all, when and how to terminate.

In the postwar period a Dawes protégé, Rawleigh Warner, became Pure Oil's chief executive. Warner remains as chairman of the company's executive committee, but his position as chief executive has been taken by Robert Milligan, who started with Pure in 1929 and moved up through the financial side of the business. For 5 years Milligan has been struggling to free the company from the influence of Elkins and Warner. Milligan believes that as a consequence of their influence Pure Oil did not become the modern and efficient corporation that he wanted to create. Notably, Milligan thinks that Pure Oil was pursuing too conservative a policy of exploration for oil. For years there was no carefully planned, long-range program of exploration, a management failure that Milligan worked on but, in the end, was unable to correct.

Milligan was successful, however, in negotiating Pure's merger with Woodley Petroleum in 1960 and with Cascade Petroleum in 1961. The first of those mergers brought into the affairs of Pure Oil, and onto its board of directors, a man who now leads the fight against Milligan. He is Jubal Richard Parten, one of the legionnaires of the oil industry, who has organized production, drilling, and pipeline companies and served with an assortment of oil-industry organizations. Parten and Elkins were at the opposite ends of the Texas political spectrum; and an old associate of Parten's, Marlin Sandlin, had been Elkins' opponent in a few legal fights. Parten was obviously slated to play the role of a vigorous dissenter to the ways of Pure's management—a determination that strengthened when Parten, looking around the Pure Oil directors' table, found the average age of his colleagues to be 70. At that time the executive committee of the company was meeting every 2 months; by contrast, the executive committee of Union Oil meets three times a week.

THE COMING STORM

Gradually, the atmosphere of tension grew. Parten became more outspoken in his criticism of the way the company was being run. Milligan's good intentions were spattered somewhat by disagreements with some of his associates, one of whom fired off a letter of resignation that, among other things, challenged the company's accounting procedures. The refineries of the company were in sore need of modernization. Key markets were located in areas that became the scene of gasoline price wars. Pure's crude reserves were found mostly in States where production was controlled in such a way that the company could not draw upon them to meet its marketing needs. And the company was tapping its reserves very heavily where it could do so: it was drawing down about 25 million barrels annually. In order to keep pace, it ought to have been striking the equivalent of a major field every couple of years or so. But despite heavy expenditures, graphically detailed by a Pure stockholder in the colloquy reported below, Pure's explorations were consistently unable to uncover any such voluminous finds.

Still, everything about the company was by no means bad. For one thing, Pure was successful in its discovery of natural gas. It increased its natural-gas production by 14 percent in 1964, and carried that increase over into 1965. It drilled deep wells and struck geothermal steam in the Imperial Valley of California. It has properties there that may be a valuable source of potash and other chemicals.

Most important among the company's strengths, however, were its marketing facilities. It set up a huge system of truck-stop stations—some 285 of them in all—each of which sold an average of about 100,000 gallons of diesel fuel every month, and some of which had sales ranging as high as 500,000 gallons. In well-chosen locations adjacent to the flow of heavy traffic, Pure combined service stations with franchised motels and restaurants.

AN ANGRY EXCHANGE BETWEEN STOCKHOLDER AND DIRECTOR

(This vigorous and intense dialog took place at Pure Oil's annual meeting this year. The dialog was excerpted from a transcript of the meeting.)

Mr. BIRD. I just want to know the information and the time on which this board proposes to dispose of a billion-dollar company. Mr. Dilley, are you aware that in the last 3 years Pure has spent an estimated 15 million in Alaska, $25 million in Honduras and Spanish Sahara, Bolivia, Paraguay, Guatemala, and Colombia, and another $8 million recently in the Middle East and has found no oil?

Mr. DILLEY. I am familiar with the fact that we have been exploring for oil in these areas. As to the exact amount, I do not know.

Mr. BIRD. Mr. Dilley, are you aware of the fact that from 1960 through 1963 Pure spent $250 million in capital expenditures, expenditures for dry holes, exploratory expense, and things of that kind, and only found 72 million barrels of oil in reserve?

Mr. DILLEY. I believe those figures are correct.

Mr. BIRD. Were you aware of the fact that this means each one of these 72 million barrels of oil cost Pure approximately $3.50 a barrel, or quite substantially more than they could possibly get out of it?

Mr. DILLEY. Yes.

Mr. BIRD. Were you aware in pretax earnings per share, Pure, as compared with 13 comparable companies, was next to last, or roughly so?

Mr. DILLEY. No, I wasn't aware of that.

Mr. BIRD. Were you aware that, in crude production per share for this 10-year period, that Pure was last of these 14 companies? In other words, that under the existing management, Pure found less oil than any of its peers?

Mr. DILLEY. I am not aware of these figures that you are reciting, but I am aware of the unfavorable record.

Mr. BIRD. Now, my final question, sir. Why does a man of your standing desire to continue as a director of a company whose management has produced records such as I have just indicated?

Mr. DILLEY. I have great confidence in this company.

THE FRIENDLY OVERTURE

Those appealing features of the company, combined with the spreading knowledge of its operating and managerial difficulties, made the company both desirable and vulnerable to big-time bidders. First of them was Loeb, Rhoades, which had acquired about 800,000 shares of Pure's common stock at between $30 and $40 a share. Initially, Loeb, Rhoades' overture took a friendly form: Late in 1962, a couple of the firm's partners indicated to Pure's management their interest in improving the company's performance, with an eye to the possibility that Loeb, Rhoades might be represented on the company's board. The response, which came principally from Rawleigh Warner, was cool. Loeb, Rhoades pressed more vigorously. Warner and Milligan finally offered Loeb, Rhoades a single seat on the board; Loeb, Rhoades turned down the offer, insisting on two seats.

During these moves and counters, the performance of Pure continued to decline. Its 1963 earnings, as reported to the shareholders, were disappointing, and the first quarter of 1964 showed the worst results in 20 years. Heavy and fruitless commitments for oil exploration were continually being made. Price wars also were draining off profits.

Just at that moment, Loeb, Rhoades made its effort to acquire Pure's assets. The Wall Street firm stitched together the syndicate that included Allied Chemical Corp. and Consolidation Coal Co., and that made the $600 million offer for Pure's assets. That figures out at $12 to $20 above the range of Pure's common stock per share in the first quarter. The offer was followed within a week by another from Crichton & Co., a Texas oil-engineering firm, allied with some Du Pont family interests, which came to about $65 a share. Other companies and groups rushed to prepare offers of their own.

For Pure's management these sudden moves carried with them a shock of recognition. The men running the company had to face the fact that the curious and complacent years were ended. Their reaction took two forms: Publicly, they defended the company's prospects and potential, but privately they tried to work out a merger of their own choice rather than accept one that might be forced upon them from the outside. The top men—influenced by views of prestige and company dignity that stemmed from the Dawes tradition, carried on by Elkins and Warner—resolved to sell only under what they regarded as the proper conditions: They wanted to pick the buyer, and work out the terms of sale in their own way. Above all, they wanted to fend off what they chose to regard as a raid or takeover of Pure.

Looking at Loeb, Rhoades' offer, Milligan and Warner did not relish the thought that their company might be acquired by a team of smart eastern financiers. So, after a meeting of the board of directors, the board—over the dissent of Parten, the director friendly to Loeb, Rhoades—announced that it could not give a formal response to any bids until a special study of the company's crude reserves was completed. That gave the management a 4-month breather. In that period Milligan gave a masterful performance showing how a determined chief executive, representing a very small fraction of the company's outstanding stock, can frustrate the desires of even the biggest and most sophisticated shareholders.

Some of the bidders withdrew their offers for reasons that were largely based on their own estimates and internal situations, rather than because of the reception that they got from Milligan, Crichton-duPont, for example, drew back, some sources say, because their study of the company demonstrated it to be a viable entity that should be operated instead of merged—a conclusion quite different from the one that Pure's officers had come to. Hercules Powder apparently feared that in any merger the low price-earnings ratio of Pure's common stock (14 to 1) would bring Hercules' stock down from its 22-to-1 level, and it withdrew. Texas oilman John Mecom found, among other things, Pure's accounting practices worrisome, and moved off the scene.

Others, however, were discouraged by Milligan's adamant stand. A favorite device that Milligan used to keep off bidders he thought of as undesirable was his insistence that no offer should hinge on borrowing funds against Pure Oil's assets. Milligan argued that such an arrangement would have meant a yield in cash to Pure's stockholders, and the cash would be immediately taxable; he felt that the shareholders ought to have an alternative besides that kind of settlement. Others point to the fact that Milligan and 104 other members of the Pure management had options on 135,500 shares of Pure stock—options that would have expired in any cash liquidation, but that would be preserved by a stock-swapping merger. Milligan contends that his stand was not influenced by his option holdings, asserting that some potential buyers offered him compensatory benefits in the event of a sale.

In any case, for whatever reasons—and there seems to have been a combination of them—Pure's management rejected the first Loeb, Rhoades bid. And the management clung to that rejection even when Loeb, Rhoades, heading a new syndicate with Lazard Freres and Lehman Bros., raised the offer to $62.50 a share. This group then indicated that it might go even higher if it could examine detailed geologists' reports on Pure holdings, but those reports were never forthcoming. An offer by Atlantic Refining was turned down by Pure's board, according to Milligan, because the convertible preferred stock it offered had too low a conversion rate into common and the $2.95 divided was noncumulative. As another reason, Milligan presented the Pure board with an opinion from Robert Bicks, former head of the Antitrust Division of the Justice Department and now in private practice, that an Atlantic-Pure merger would violate the Sherman and Clayton Acts. Milligan was unconvinced, apparently, by the distinguished legal opinion cited by Atlantic that any antitrust problems created could be solved easily.

THE UNION WITH UNION

Actually, the candidate that suited Milligan best was one of his own choosing. It was at his initiative that Union Oil became interested, and finally made the offer for Pure that met his specifications—both financially and in terms of the promise of a dignified exit that it held out. Union offered a $2.50 convertible cumulative preferred callable in 5 years at $67 a share, or convertible to 1.3 shares of Union common. And Union proffered to Pure's management two seats on the Union board, one of which was to go to Milligan. Pure's board of directors voted 11 to 1 to accept the offer; only Parten, by now a perennial dissenter, and the company's largest single shareholder, objected.

For a while it looked as though Parten's opposition might be successful. Claiming that Union's offer should be raised by at least 10 percent, he threatened a proxy fight at the April 10 annual meeting. But the threat dissipated when Milligan gave a seat on Pure's board to an associate of Parten's. On April 29 a formal contract to recommend the merger to the shareholders of both companies was signed by Union and Pure Oil.

HERE COME THE ACCOUNTANTS

Even so, more complications followed. The Securities and Exchange Commission, noting that there might be a contest for proxies for or against the merger proposal, put a ban on all statements by those advocating or proposing the merger. It also forbade any copies of the transcript of the meeting of Pure shareholders to be sent to other shareholders. This unusual step not only prevented Pure shareholders from enjoying some delightful dialog, but also from gaining an understanding of some of the company's odd accounting moves of the previous years.

Oil-industry accounting, even in the most tranquil circumstances, is difficult to grasp. One of the leading critics of the industry's accounting methods, Leonard Spacek, who ironically is also senior partner of Arthur Anderson & Co., Pure's auditor, says they tend to confuse rather than inform shareholders. (He cites as a glaring example the fact that the major asset of any oil company—its reserve of crude—is not even included in any report.) But so long as the accounting profession and the SEC approve these practices, Spacek defends the right of the oil companies, including Pure, to use them.

Oil companies get special tax advantages from depletion allowances, intangible development costs such as geological surveys, and certain other considerations. Those advantages permit an oil company to run up some sizable profits without having to pay taxes on them. In the case of Pure Oil, however, the company over a period of time had accumulated tax credits—an indication of the fact that, even with its advantageous tax position, the company had operating losses for several years. But those tax credits have a life of only 5 years. The credits have no value unless a company is certain of profits in 1 of 5 succeeding years. Most accountants are unwilling to admit that certainty on the balance sheet.

Like some other oil companies, Pure had to realize a profit in order to make use of its tax credits. To show that profit, the company embarked on a series of complex maneuvers known as "carved-out production payments"—which involve the sale of oil in the ground and usually its later repurchase. The intricacies of this exchange of properties have puzzled many a certified public accountant. Its other effect was to enable the management of Pure to show a new and somewhat peculiar asset on its balance sheet, the asset being the company's Federal income-tax-credit carry-forward. In 1964, Pure entered that asset—it came to $9,800,000—on its balance sheet as an asset just as certain to be realized as an account receivable. That a tax-credit carry-forward should be handled in that way—amounting to a declaration of the company's certainty of future profits—was an unusual accounting step. Knowledgeable people in the field have a hard time recalling any other large public company's handling the item in a similar way. The uncommon nature of the item was not flagged for special attention in the 1964 annual report.

Besides the "carve-out," Pure made other bookkeeping changes. Back in 1961 it switched its policy on exploration costs. Instead of charging off 100 percent of exploratory costs every year, it decided to charge off only 70 percent and capitalize 30 percent, since its rate of successful discoveries ran at about that ratio. The result was a $2,600,000 increase in income, a change that both management and auditors now agree was "material" enough to have warranted an explanatory note. In 1963 the management also wrote off $24 million worth of nonproductive foreign properties. Then it promptly offset these charges by realocating reserves set up for replacement of refineries and other properties. This reassessment also squeezed out an additional $3,600,000 of income.

THE END WITH ASHLAND

Union Oil, even after it understood the intricacies of Pure's accounting, still stood by its offer. At the last moment, almost a month after Pure and Union had signed their contract, Ashland Oil & Refining, allied with the moneyed H. L. Hunt, made public a conditional bid of $70 per share for Pure. This bid, if Pure's debt was assumed by Ashland, put an $800 million tag on Pure's assets. But the present offer seems too late and too complex to upset the Union-Pure arrangement. Like many of the other bids that now belong to history, it is opposed by the members of the board who control Pure's fate.

Really, only two hurdles remain. A decision by a great number of Pure stockholders to insist on their right to cash rather than Union stock in payment for their shares—an eventuality not impossible in view of the current uncertainties in the stock market, but still not probable—could change things. And uncertainty remains about the attitude of the Justice Department toward what would be the largest merger in the history of the U.S. oil industry. Pure and Union have both supplied the Justice Department with a mountain of information on the proposed merger, but have no inkling yet of what the Department's opinion will be.

As it now stands, Union's issue of stock would rank as the largest offering of preferred stock in the history of Wall Street. Some experienced Wall Streeters question how the market for so large an issue would behave. But Union's management, despite some recent and dramatic changes at the top, has succeeded in increasing its profits by an average of 18 percent for each of the past 4 years. It has made important oil and gas discoveries in the Louisiana area, and in Australia. It has made some breakthroughs in refining that added luster to its reputation for research. Viewing the prospect of Union, stretching from coast to coast, after the Pure acquisition, its present president, Fred L. Hartley, thinks he sees plentiful blessings to come. If they do come, they will have had one of the strangest prologs in the history of U.S. business.

PROPOSAL TO REPEAL SECTION 14 (b) OF THE TAFT-HARTLEY ACT

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. MACKAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MACKAY. Mr. Speaker, the proposal to repeal section 14(b) of the Taft-Hartley Act has attracted the interest of many citizens of the Fourth Congressional District of Georgia, and, I am sure, throughout the Nation. I have received many letters from citizens who want to examine the arguments for and against the repeal of this section. Now that the Committee on Education and Labor has made its report setting forth the views of the majority and of the minority, I have requested the Legislative Reference Service of the Library of Congress to digest the committee report.

I include this digest in the body of the CONGRESSIONAL RECORD for the convenience of those who wish to examine arguments on both sides of this controversial question:

DIGEST OF HOUSE REPORT NUMBER 540

MAJORITY REPORT

The Committee on Education and Labor of the United States in House Report No. 540 reports to the House and recommends for passage H.R. 77, 89th Congress, to repeal the provision of the Labor-Management Relations Act of 1947 that permits States to enact "right-to-work" laws which prevail over the National Act. Other technical changes are made to the act to make it conform to the repeal of the pertinent section, section 14(b).

The committee purpose is stated to be "to establish a uniform Federal rule governing union security agreements." Such agreements are arrangements which require that all employees in a bargaining unit represented by a union either belong to that union or contribute financial support as a condition of acquiring or retaining employment. Among such arrangements are the closed shops, under which one must be a member of the union to obtain a job in a unit covered by the agreement, the union shop, under which one need not be a member of the union to obtain a job but must join within a specified time after beginning work, and the agency shop, under which one need not join the union but must pay to the union the equivalent of the initiation fees and dues required of members.

Unions have traditionally sought to strengthen themselves by obtaining the strongest possible union security agreement from employees. The national labor laws have affected this tradition in two principal ways. First, the law provides that the union must represent all the employees in the bargaining unit regardless of the membership or nonmembership of individuals. This has given rise to the "free rider" argument, to the effect that those employees who do not join the union or at least contribute financially to it nonetheless obtain the benefits, in terms of wages, vacations, and the like, that the union gets by bargaining, while these employees contribute nothing in return to the union. This argument now forms the underlying rationale of the arguments in favor of some form of union security arrangement.

Second, the national law has affected the union security tradition by severely limiting the form and effect of the agreements which may be entered into. The closed shop is outlawed. Employers and unions are allowed to negotiate agreements under which "membership" in the union within 30 days of beginning employment or of the date of the agreement, whichever is the later, may be made a condition of employment. The language is drafted in terms of the union shop arrangement and that is what these are normally called.

But the act goes on to place limitations on the arrangement. First, the employer may not discharge an employee for nonmembership in the union unless the union is open to the employee on the same terms and conditions as it is to everyone else. Second, the employer may not discharge an employee for nonmembership in the union if he has been expelled from the union for any reason other than failure or refusal to tender the initiation fees and dues required of everyone uniformly and which the act forbids to be "excessive." In effect, then, the only conditions of "membership" in the union which affect an employee's job status is the condition that he pay the original initiation fee and that he pay his periodic dues. The "union shop" then more closely resembles the "agency shop."

Another limitation is that if 30 percent of the employees in a unit covered by a union security agreement petition the National Labor Relations Board for an election to revoke the agreement, the Board will hold a vote by secret ballot and a majority of the employees can then nullify the agreement.

The Labor-Management Relations Act of 1947, and its union security provisions, cover all industries in interstate commerce. But in section 14(b) of the act, it is provided:

"Nothing in this Act shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law."

The quoted language changes the normal rule that when Congress constitutionally legislates on a subject, the Federal statute is controlling and prevails over any conflicting State law. All other provisions of the Labor-Management Relations Act accord with the usual rule, but section 14(b) says that if a State passes a law prohibiting any form of union security arrangement permitted by the national act, the State law will be applicable. The converse is not true. If a State authorizes a closed shop—as does New York and California—which is prohibited by the national act, the State law is not controlling.

Presently, 19 States have passed laws which prohibit union security agreements between employers and unions and one other State has such a law which applies only to agricultural workers. These laws are called "right-to-work" laws by their proponents, although the term is disputed by their opponents.

The present bill, H.R. 77, would invalidate these laws. As the report says:

"The committee is satisfied that whatever may have been the basis for the exception in the case of union security to the usual rule that Federal law prevails over conflicting State law, there is no longer sufficient reason to justify its continuation."

The majority of the committee couches its rationale for repeal of section 14(b) in terms of the integral role in collective bargaining that considerations of union security plays. Since enactment of the National Labor Relations Act in 1935 and the Labor-Management Relations Act in 1947, more and more subjects have been included in the area of negotiation of labor-management agreements, such as vacations, subcontracting, insurance, profit-sharing, in addition to the traditional subjects of wages, hours and working conditions. In negotiation on all of these subjects, there is considerable give and take as befits the concept of bargaining. In all these negotiations, union security naturally plays a paramount role in the minds of the union negotiators. Where union security agreements are lawful, these thoughts find outlets in bargaining over whether to have such an agreement and, if so, on its terms. Where such agreements are unlawful, these thoughts must play a more tangential role and find expression indirectly upon lawful subjects of bargaining. Thus, opportunities for friction and unrest are either encouraged or allayed by the presence or absence of "right-to-work" laws.

Closely related to these considerations is the range of Federal regulation of the collective bargaining relationship, both in terms of actual statutory provisions and in terms of administrative and judicial interpretation and application of the statutes. Such subjects as organizational and recognitional picketing, union elections, restrictions on union discipline of members, restrictions on internal affairs of unions, and elaboration of mandatory and voluntary subjects of bargaining have come more and more into the purview of the government.

Many if not all of these subjects are related to the union security issue. To elaborate on just one, the matter of the regulation of picketing has been a particularly controversial one when the States with "right-to-work" laws have attempted to regulate or to prohibit picketing which had, or was alleged to have, the object of instituting a union arrangement in an industry. Numerous court decisions testify that here as with other issues, union security cannot be treated as an isolated and separate issue which a State may treat wholly apart from all other matters.

Too, the majority of the committee is concerned about the conflict between States and between sections aroused by attempts to promote "right-to-work" laws on the grounds that the State with such a law will better be able to attract industry from unionized States with promises of weak unions, low wages, low labor costs—in other words, a "favorable business climate." These campaigns have aroused bitterness and controversy.

In addition, within each State in which a law has been enacted or in which a campaign has been conducted, bitterness between citizens has been aroused.

The report says:

"To permit States to compete for industry on the ground that they will keep unions weak and wages low is contrary to the basic principle established in 1789 that this country must constitute an economic whole. To that policy, and the large internal market which depends on it, economists ascribe America's phenomenal economic growth and prosperity."

The committee majority further states that to the extent that section 14(b), and the "right-to-work" laws enacted pursuant to the authority contained in section 14(b), contributes to inferior wages and working conditions in some States, it is quite contrary to the principle of national legislation.

The report concludes with a restatement of the principle that the national law should be supreme, that section 14(b) is the sole exception to this principle in our labor laws, that there is no reason to justify this exception, and that national uniformity should be accomplished by repealing section 14(b).

FIRST MINORITY VIEWS

Four members of the committee submitted a minority report totally and unequivocally opposing the repeal of section 14(b). Their views are couched in terms of compulsory unionism and its detrimental effect. The States should continue to regulate this area because the abuses of compulsory unionism are made known to the individual worker at the local level; therefore, essentially local problems are created which may vary from place to place and State to State, and which should be better met by the individual States. There is nothing that makes the subject a "national problem."

An alternative way of reducing the conflict which the majority is concerned about is to enact a national right-to-work law, rather than to make compulsory unionism a national policy. Other free countries outlaw compulsory unionism, and it is anomalous that the United States does not also, in view of our commitment to freedom.

Compulsory unionism is bad because it interferes with the free choice of workers and forces associations and commitments that the individual may prefer to avoid. It clothes a private association with governmental power to tax and require conformance to privately promulgated rules and regulations.

The argument that "right to work" laws restrict the freedom of contract of employers and unions is true, but irrelevant, since the freedom to contract is restricted by numerous other provisions of Federal labor law, most of them sought and defended by unions and other opponents of "right to work" laws. For instance, Federal law prevents an employer and his employees from contracting that they will not join a union; an employee's right to contract out some of his work and to go out of business is restricted by Federal law and interpretation of Federal law. Federal law restricts and regulates the subjects about which employers and unions are required to negotiate.

It is not these restrictions that proponents of repeal of section 14(b) want to do away with; it is only the restriction on the "freedom" to contract away the liberties of individual employees that they are interested in doing away with.

The majority rule argument is also without merit. In the first place, it disregards the fact that we do not have and never have had untrammeled majority rule in this country; it has always been tempered by considerations of minority right. Individuals have basic rights which the Government may not take away, even though a majority may want to do so. Should the Government clothe a private organization with the power to do so?

The majority rule argument is based on a second faulty conclusion. It is premised on the argument that a majority of the employees in a unit have freely decided to have the union representing the employees negotiate for a union security agreement. The available evidence is that compulsory unionism is seldom instituted this way, that usually the agreement is demanded and obtained by union negotiators without ever consulting the members.

The "free rider" argument assumes that employees do not join unions, because they want to avoid paying dues. The evidence indicates that some employees are forbidden by their religious convictions to join unions, that they object strongly to the fact that the union leadership is spending their dues money for political and social causes to which they object. The obverse of the "free rider" matter is that a coerced union member is a "captive passenger," because he may be having his money spent on causes he totally abhors.

If the union is conducting itself properly and serving its members well and effectively, it need not compel people to join. If it is doing a bad job, the union is not strengthened by such compulsion, but the cause of individual freedom of workers is damaged.

All the available evidence does not substantiate that "right-to-work" laws are "bad" economically for the States that have them; indeed, statistically, these States are faring better than States that do not have them. In any event, the argument of the proponents of repeal is without support.

Some would repeal section 14(b) if protective provisions are written into the act. But these provisions are the wrong approach. Say the dissenters:

"These abuses are made possible by the very existence of compulsory unionism, and they cannot be dealt with by patchwork corrections which leave the source of the problem undisturbed."

The problem is compulsory unionism, and its regulation should remain with the individual States.

SECOND MINORITY REPORT

Four additional members of the committee filed the second report which is for qualified repeal of section 14(b). The members note that it has been national labor policy since enactment of the National Labor Relations Act in 1935 to leave to the States power to prohibit or limit union security arrangements and that 12 States had done so before section 14(b) was inserted in the 1947 act. These members would not now take away the power of the States unless Congress at the same time enacted adequate safeguards for the rights of workers.

The report sees merit in the argument for a uniform national policy permitting a limited form of compulsory unionism. At the same time, it is recognized that union security agreements do place restrictions on individual freedom of choice. Both considerations must be kept in mind.

The Government has rightfully asserted in the last few years the power to legislate in regard to the internal affairs of unions and the relationship of union members to the union. This power becomes even more desirable of assumption and effectuation when the Government legislatively grants unions the power to compel membership and the payment of support money by those who prefer to remain nonmembers. When an employee's job depends upon how the union carries out the power granted to it, Congress must insure against abuse of that power.

Present laws do provide some protection. But they are weak and the administration of them has weakened them still further. Their most important function, therefore, is that "they firmly establish the principle that the Federal Government has a legitimate concern in the proper functioning of labor unions, particularly in their relationships with employees and union members, and an obligation to implement its concern in appropriate legislation."

If the power to compel payment of fees—in effect, the power to tax—and power to regulate behavior granted to unions is analogous to the power of government, as it is in a certain sense, then equally analogous are requirements that protect individuals which are applicable to government. These dissenting members would have such requirements enacted.

The first amendment would make it unlawful for a union with a union security agreement to deny, limit or restrict membership or any right or privilege of membership or participation in any apprenticeship or training program on account of race, color, religion or national origin.

The amendment is needed because present laws, including the Civil Rights Act of 1964, while generally applicable, do not afford the greater protection and higher standards necessary when a union may require membership as a condition of employment.

To repeal section 14(b) without such an amendment would restrict the employment and training opportunities of Negroes and other minority groups.

The second amendment would have made it unlawful for a union with a union security agreement to use, directly or indirectly, any portion of dues, assessments, or other moneys collected from members for political purposes or for any other function not directly related to the function of collective bargaining. The amendment would not prohibit use of such funds for lobbying and related activities to promote or defeat legislation directly relating to collective bargaining purposes and the union could maintain a separate fund for voluntary contributions to use for political purposes.

The amendment is needed because, while it may be true that employees who receive the benefits of a union's collective bargaining should contribute to the union's support, it does not follow that they should be required to contribute to all sorts of extraneous causes in which the union may engage. To require an employee to contribute to such causes at the point of losing his job if he does not would be an abuse of power and a derogation of individual rights.

The decisions of the Supreme Court on this subject, while establishing a principle, which this amendment would effectuate, have not established an effective remedy. The amendment would take care of this.

The third amendment would make it unlawful for a union with a union security agreement to fine, suspend, expel, or otherwise penalize or threaten any member for exercising or threatening to exercise any legal or civil right guaranteed by the U.S. Constitution or Federal law.

If the amendment is not enacted, employees who are forced to join a union or lose their jobs will always be under a threat of some sort of discipline by exercising the right of free speech, of petition, of suit in court, of engaging in political activities contrary to the prevailing orthodoxy in the union, or for any number of other things. In other words, the coerced members will be relegated to second-class citizenship. It is true that an employee so disciplined may not be fired from his job—that eventuality being reserved only for nontender of dues—but he is subject to monetary fine for which the union can sue. He can be expelled from the union and have no say-so on how it is to be run or how his money is to be spent. There are all sorts of penalties short of being fined to which he can be subjected.

In trying to insure that the union will be financially supported, we should not give them such additional power over people.

The fourth amendment would exempt from requirements of union security clauses those people whose bona fide religious principles prevented them from joining unions. These people belong to such groups as the Seventh-day Adventists and the Mennonites. Numbers of them have lost jobs rather than sacrifice religious convictions.

Surely, our recognition of the importance of religion and conscience, which we recognize in our conscientious objector provisions of our draft laws, and other laws, should govern us here.

The fifth amendment would tighten up the present law to assure that any union entering into a union security agreement did clearly represent a genuine majority choice of the employees in a bargaining unit. This would be done by requiring a National Labor Relations Board supervised election on the question.

Since the proponents of repeal argue so much about the principle of majority rule, they should not object to this amendment.

The sixth and last amendment would guard American workers against the possibility that their dues might be used to strengthen Communist dominated organizations. No Federal law presently prevents Communists from dominating unions.

Therefore, the amendment would make as a condition of entering into a union security agreement that the union officers execute an affidavit to the effect that they are not Communists or members of Communist organizations.

The need for the amendment is obvious and it should be adopted.

JOHNNY H. KILLIAN,
Legislative Attorney,
American Law Division.

JULY 15, 1965.

ONE MAN, ONE VOTE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, when both houses of Michigan's State Legislature were reapportioned last year on the basis of the one-man, one-vote principle enunciated by the U.S. Supreme Court, we in Michigan knew we were in for a change. But how much of a change, we were not sure.

Now we are sure. Michigan's reapportioned legislature has completed its first 6 months, and it has compiled quite a record. Whether one agrees with its accomplishments or not, there is rather general agreement that Michigan's "new look" legislature has been one of the most productive in decades.

In the words of the Grand Rapids Press:

> Michigan's first one-man, one-vote legislature carved a big place in State and National history books during its first 6 months.

An article, which appeared in the June 27 issue of the Grand Rapids Press under the headline, "Legislature Is Most Productive in Decades," pointed that the current Michigan Legislature reflects "for the first time the importance and size of the suburbs."

Mr. Speaker, the article from the Grand Rapids Press discussed in some detail the record of the first 6 months under Michigan's one-man, one-vote legislature. Because of the timeliness of this article—appearing at a time when the Congress is again discussing apportionment of State legislatures, I hope all Members will take a few minutes to read it. I believe the article represents a rather convincing argument against tampering with the one-man, one-vote principle in the apportionment of State legislatures.

The article follows:

LEGISLATURE IS MOST PRODUCTIVE IN DECADES—SPENDING RECORDS SET IN BIGGEST SURGE OF LAWMAKING SINCE 1930'S

LANSING.—Michigan's first one-man, one-vote legislature carved a big place in State and National history books during its first 6 months.

It passed more major legislation than any since the 1930's and set new spending records. It broadened and increased State services, protection and benefits for the schoolchild, the worker, the oldster.

It was controlled by Democrats but most votes on major bills were bipartisan, and many measures passed with near unanimous support.

Biggest bipartisan achievement of the session was near unanimous approval of reorganization of the State's 145 sprawling departments, agencies, boards and commissions into 19 principal departments under 12 directors and 7 commissions to be appointed by the Governor. This was the achievement most observers said couldn't be done in this session.

It was the first American legislature fully reapportioned under court orders for districts of population as nearly equal as may be to complete the work of a regular session.

Michigan's 73d Legislature, it reflected for the first time the importance and size of the suburbs; it broke precedent; it literally took over the ground floor of the capitol for its own offices and committee rooms, and sometimes obscured its many solid accomplishments with furious argument or self-serving acts. An example is house passage of the $5,000 legislative pay raise which provoked a storm of criticism and was put in cold storage by the senate.

Biggest fault Republican Governor Romney could find was Democrats were not ready to reform the State tax system (on an income tax cornerstone) and they dipped deeper into the bulging State money surplus than he wished.

Neither Romney nor the Democrats would propose a specific tax revision plan, so the argument ended in a draw. However, Romney got from the legislature most of what he asked and his stature as a presidential possibility was not harmed by the Democrats.

The 110-member house of representatives with 56 rookies was the hotbed of change, the laboratory of social planning, the great debating ground for new ideas such as State approval of birth control.

The senate was the balance wheel with conservative Democrat Garland Lane, of Flint, at the helm of the finance committee. The senate changed the hastily written house bill for senior citizens' tax relilief, and killed the house's plan to change the business activities tax into a profits tax even more burdensome to small business than "BAT."

Here is what the legislature did in the major areas that affect the daily lives of almost 8 million Michigan citizens:

BUDGET—STILL SOARING

State spending of all kinds will be more than $1,700 million or enough to pay off 17 "Big Mac" straits bridges. This includes the so-called "earmarked" funds like highway money, Federal grants in aid, etc., as well as the general fund budget which is the one the Governor and legislators really write.

The general funds budget for the fiscal year starting July 1 is another new record. Governor Romney recommended a $788,500,000 total, the legislature has appropriated $820,600,000 and Controller Glenn S. Allen, Jr., says implied spending in nonbudget bills will raise this to an actual $824,600,000.

Biggest single item is the State school aid guarantee of $456 million, which is $71 million more than last year and $36 million more than Romney asked.

Next biggest item is almost $190 million for higher education including the community colleges. Romney recommended $184,600,000 and legislators tacked on $4,900,000 earmarked for salary increases, $1,200,000 for additional students and $750,000 for a bigger aid formula ($275 per pupil) to the mushrooming community colleges.

Other big items are mental health and public welfare, each more than $100 million for the first time in history. The welfare boost, when unemployment is low and jobs plentiful, drives home the point that the "hard core" of unemployables, the aid to dependent children program and medical aid to the aged are costly and growing in size all the time.

Public safety and defense, including State police, went over $30 million for the first time, and prison and corrections system cost went over $20 million for the first time.

Only cut in the Governor's recommended budget was in capital outlay or State building program. Romney asked $67,300,000 and the legislature trimmed the total to $63,500,000. But $4 million in new building is simply deferred to the next calendar year.

Most of that $4 million will be construction on college campuses which cannot be started until early next year.

Education will get the biggest chunk of the capital outlay appropriation, to start new, or finish old projects.

A total of $31,904,978 is set aside for new projects, of which $3 million will go to the University of Michigan for a dental building, a health-science and medical-science unit.

In addition there is $5,205,593 for remodeling of college and university buildings.

Being made available is $26,200,000 to continue construction of the State capitol area development. It will allow construction of two general office buildings, one four stories high, the other seven; a four-story highway department office building, and a two-level parking structure.

New construction at mental-health facilities will get $6,288,000. The welfare department will receive $2,387,250, the bulk of it ($2 million) to continue construction of the W. J. Maxey Boys' Training School at Whitmore Lake.

The conservation department will get $2,544,000, most of that for land acquisition and development of existing facilities.

EDUCATION—THE BUDGET GIANT

Besides appropriating more than ever for education at all levels, the legislature expanded the system and launched new programs within it.

It authorized a 4-year branch of the University of Michigan at Flint (now 2 years); it authorized new Saginaw Bay State College. It passed a law requiring the State to provide to parochial schools all the auxiliary services now provided to regular school districts. These services include everything from remedial reading instruction to street crossing guards, and initial cost is estimated at $1,500,000 but probably will go much higher. Constitutionality of this has been questioned by some critics.

The $456 million payout to school districts includes about $50 million for the special education programs, and results from a revised school aid formula weighted to aid districts poor in taxable property. All districts that now receive State aid will get at least a 7-percent increase but the poorer districts will get considerably more.

The State budget also includes a separate item of $68 million for the teachers' retirement fund, although this still is not enough to meet the new State constitution's requirement to pay in each year the retirement obligation incurred that year. In a few years this will raise a big budget problem.

The community college formula of $275 per student for an estimated 40,000 students, is up from $236.50. Estimated actual total cost is about $600 a year, with local support and tuition payments making up the difference.

LABOR ALSO HIT A JACKPOT

Labor won major goals, notably through revision of the unemployment benefits system and workmen's compensation for job-connected injury and sickness. Also passed were changes in the Hutchinson and Bonine-Tripp acts that restrict right of public employes to organize and bargain. State AFL-CIO President August Scholle says the acts would be virtually repealed. But public employees still could not strike.

The new jobless pay law will make about 100,000 more workers eligible by including all employers, not just those with 4 or more employees as at present. Weekly benefits while laid off jump from $33 a week to $43 for a single person and from $60 to $72 for workers with five or more dependents.

Cost to employers is estimated at $21 million a year in payroll taxes, if 1964 is used as a gage. If a year of much unemployment like 1958 is used, the cost would be about $80 million.

The new act drops the sudden death provisions labor fought since 1947. At present an employed worker who quits or is forced to quit for cause loses his benefits regardless of credit weeks he has accumulated. The new law says only the first 6 weeks may be canceled and the worker may draw jobless pay after waiting 1 additional week.

The jobless pay trust fund from which unemployed draw their weekly checks is maintained by more than 56,000 Michigan employers who are assessed a percentage of payroll. In 1964 the average was 2.6 percent of payroll up to $3,600 a year and this year the tax has averaged 2.4 percent—or about $86.40 a year per worker.

The new compensation law for workers' injuries and job-connected sickness extends coverage to about 100,000 more persons including farmworkers for the first time.

It increases minimum weekly benefits in three steps between now and 1967 to $64 a week, and maximum benefit to $93 a week. Present minimum is $33 and maximum $57, according to number of dependents.

Single workers would get $58 a week September 1, $61 next year, and $63 in 1967.

The $93 maximum would be highest in the Nation except for Alaska's $100. In Ohio it is $49; New York, $65; Indiana, $42; Wisconsin, $64.

Limit of 500 weeks' benefits is eliminated, and injured workers can choose their own doctor after the first 60 days of disability by filing a petition.

Also new is an escalator clause linking benefits to cost of living increases.

Death as a job result will give benefits to dependents for 500 rather than the present 450 weeks and benefits can be extended until all dependents reach age 21.

Farmers with three or more workers will be covered after May 1 next year; if a farmer employs one or more workers for 5 weeks he will be required to pay medical costs in case of injury.

Present ceiling of $10,500 payments for silicosis or dust disease cases has been removed. But if silicosis costs reach $12,500, all costs beyond that will come out of a special fund to which employers will contribute.

Those who have maids, handymen or butlers will come under the law if the employees work 35 or more hours a week for 13 weeks or more a year.

PUBLIC EMPLOYEES TOO

The 1947 Hutchinson Act, which directed immediate dismissal of public employees who go on strike, was overhauled.

The strike ban remains; but without the mandatory firing provision. The act was expanded to give employees of local governments the right to unionize and bargain with public bodies over wages, hours of employment or other conditions of employment.

The measure directs cities, counties, school districts, and other units to bargain and enter into agreements with employee groups. The Labor Mediation Board will administer elections to determine if public employees want to organize.

Another change reduced the workweek for firemen from 73½ hours to 56, effective July 1, 1967.

Machinery to mediate disputes involving hospital or public utility employees was written into the Labor Mediation Act. A ban on strikes by hospital or utility employees was retained—as was the ban on lockouts by hospitals and utilities. However, a $10,000 a day maximum fine for an illegal strike or lockout was eliminated.

TAXES POSTPONED AGAIN

There was much discussion of tax reform, but no action. The next round in the tax marathon will come when the legislature returns in the fall, as promised, and Governor Romney proposes a specific program, as promised.

But the legislature did pass a property tax relief plan for persons over 65 with incomes less than $5,000 and homes with a State valuation below $10,000. The senior citizen can get up to $125 refund on his homestead taxes by filling out an application next year. The average rebate from the State is expected to be $94, and annual cost is from $13,500,000 to $15,500,000, according to the best guesses.

Tax cuts, such as the proposed reduction in the excise on beer, also failed to pass. The existing patchwork system of State taxes continues to pour money into the treasury in amounts that have been increasing every year for the last 3 years.

CONSERVATION BONANZA

Conservationists call this the most productive session in many a year. The conservation department's budget was raised more than $6 million and is a new high of more than $26 million. It got an extra $600,000 for the operation of more park, picnic, and camp sites, and for the first time was authorized to participate in certain Federal programs which can bring in $3 million a year to the State and local communities for outdoor recreational facilities.

The bounty system on the red fox and bobcats—an annual cost of $175,000 without measurable decline in prevalence of foxes—was eliminated.

Wild turkey on a 400-permit basis, quail for a short season November 5–10, will be added to the special elk permit hunting as the list of things to shoot at grows in Michigan. The deer season opener was changed from November 15 to the third Saturday in November for the benefits of weekend hunters, and will come November 20 this year.

The fishing license for persons over 65 will cost only 50 cents instead of $2, in the spirit of making life less costly for oldsters, effective in 1966.

CLEAR, COOL WATER

A water pollution bill with teeth was passed to ban discharge of materials into lakes or streams that would pollute. This is a major change in present law which makes the State prove actual pollution, meaning the damage is done before the State can act. Another provision of the bill prohibits cities, villages, or townships from dumping raw sewage into State waters. The water resources commission remains the policing agency.

A nine-member air pollution control commission was established by a new law—without many teeth. The commission could operate within the health department and adopt rules for controlling or prohibiting air pollution but not in the case of motor vehicle exhaust fumes—which have been shown to be the cause of much air poisoning in Los Angeles.

JUST A LITTLE BIRTH CONTROL

The State got into the birth control business as official policy with two bills. One allows social workers to discuss family planning with persons receiving welfare aid, and refer them to community services for information. The other directs the State Health Department to set up family-planning clinics.

The first bill merely legalizes what some social workers have been doing anyway, but it's the first time it's spelled out in law. Both bills provoked much debate over fundamental issues of religious and social philosophy.

INSURANCE AGAINST OTHER DRIVER

The legislature passed something new in the home of the mass-production auto—the State fund from which to pay for injury and damages by the uninsured driver.

Starting November 1 all drivers would pay $1 a year into the fund and the uninsured driver $25, with revenues expected to reach $10 million a year. A fund director, appointed by the Secretary of State, would be claims manager, and pay out claims up to $10,000 for personal injuries and death, $5,000 for property damage, and the uninsured driver who was at fault would have to pay the money back into the fund, through installments if necessary. If he did not he would lose his driver's license and auto license. There are an estimated 300,000 to 600,000 uninsured vehicles on the road in Michigan.

ELECTIONS MADE EASIER

The legislature passed several measures modernizing or changing the election code. Among the changes:

A person who moves from one State to another can vote for president (only) by absentee ballot if the move cancels his voter registration.

In emergency such as illness a voter can ask for an absentee ballot, after the deadline for applications.

Registration on Sunday or legal holiday is possible by deputy clerks nominated by political parties.

Uniform petitions for election filing have been prescribed and the notarization requirement deleted, but the circulator must still certify honesty and be liable for fraud.

Schools, police and fire stations can be staffed as voter registration points.

Candidates who pay $100 fee rather than filing petitions must do so 3 days ahead of filing deadline.

"Persons over 70 years of age can vote by absentee ballot, if they choose."

Defeat of a Sunday liquor sale bill affecting only Wayne County overshadowed a number of other liquor bills that were quietly passed.

One measure puts $1.8 million of tax revenue into the pockets of Michigan's 2,200 specially designated distributors (SDD) by changing the discount formula used by the Liquor Control Commission.

Another allows the LCC and local units to approve liquor licenses at publicly operated airports in counties of 100,000 or more. The licenses would be over and above existing license quotas.

A House action allows taverns that have operated for at least 5 years to upgrade their licenses to class C (liquor by the glass).

A SMORGASBORD OF OTHER LEGISLATION

The legislature passed many other laws of importance.

Repeal of the old age "lien law" that allowed the State to collect all medical assistance to the aged and old age payments, from any estate left by the person who received the benefits. It yielded only $500,000 a year and was termed a "final indignity" by Gov. Romney.

A bean commission and promotion statute to advertise and raise quality of a product Michigan sells by the thousands of tons.

A ban on cancellation of auto insurance policies solely because the driver has reached age 65.

A ban on denying employment because of age.

Elimination of a requirement that the homestead of an old age assistance recipient be valued at below $6,000 to qualify for aid.

Place 16-year-old traffic violators under the point system.

Require inspection and licensing of slaughterhouses.

THE LATE HONORABLE ADLAI STEVENSON

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. BOGGS. Mr. Speaker, the passing of Adlai Stevenson leaves an ache in the heart of the world. For people everywhere, particularly for the unfortunate of the earth, he symbolized America as the hope of humanity.

My long, close friendship with him was pure enrichment all the way. Someone once said that greatness in a man requires intelligence, courage, and compassion. With all three of these he was abundantly endowed.

All the honors that other men paid him he counted for little. It was the opportunity to help others that counted most with him.

In an age often criticized for its materialism, its callousness and its spiritual rootlessness, his voice was a trumpet calling us back to our ancient faiths and his example was a beacon to guide the wandering and the disillusioned back to their spiritual roots.

Our friend has left us, yet "to live in hearts we leave behind is not to die at all."

As we bid sad farewell to this noble spirit, I think he might well claim for himself the last testament of Mr. Valiant-for-Truth in "Pilgrim's Progress":

> My sword I give to him that shall succeed me in my pilgrimage, and my courage and skill to him that can get it. My marks and scars I carry with me, to be a witness for me, that I have fought his battles who now will be my rewarder.

ADVENTURES IN INTERNATIONAL FRIENDSHIP AS PART OF THE PEOPLE-TO-PEOPLE PROGRAM

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I am proud to take this opportunity today to share with my colleagues and the readers of the RECORD a report of former Mayor May Ross McDowell, of Johnson City, Tenn., entitled "Adventures in International Friendship," together with attachments.

The report is made to the city commission of Johnson City, Tenn.; the city of Guaranda, Ecuador; Bolivar Province, Ecuador, and others interested in town affiliations. It includes some of the activities of Johnson City and its sister city, Guaranda, Ecuador, as a part of the people-to-people program.

This was a most successful undertaking, and it will long be remembered in the hearts of the citizens of both cities, as well as in the hearts of all those who so generously lent a helping hand.

My sincere congratulations to all for such a wonderful job.

The report reads as follows:

ADVENTURES IN INTERNATIONAL FRIENDSHIP

(Report of May Ross McDowell, official representative, Johnson City, Tenn., to City Commission of Johnson City, Tenn.; city of Guaranda, Ecuador; Bolivar Province, Ecuador; and others interested in town affiliations)

Two Johnson City, Tenn., women have returned from a fabulous 10-day trip to Johnson City's sister city, Guaranda, Ecuador, in South America. The preparations which had been made by the sister city were comparable to a reception which might be planned by a big city such as New York for the return of the astronauts.

The trip to the sister city by the two women from Johnson City followed events which began in 1962. May Ross McDowell, then mayor of Johnson City, Tenn., represented her city in the Inter-American Municipal Congress which met in October 1962 in Punta del Este, Uruguay. The municipal officials were entertained at many points en route to Punta del Este including the city of Quito, Ecuador. There had been much talk by the officials up to that point in regard to town affiliation programs and projects under the people-to-people program and Mayor McDowell became convinced that some activity on the part of her city would do a little toward extension of international friendships and contribute something to international peace.

Upon the recommendation of an Ecuadorian attached to the U.S. Embassy in Quito, it was decided to start negotiations toward the forming of a sister-city relationship with Guaranda, Ecuador, as it had been reported that the mayor of that city was the most progressive mayor of any small city in South America. Then began communications with the American Municipal Association, now the National League of Cities, and the mayor of Guaranda. After exchange of questionnaires by the two cities, town affiliation charters were issued to them by the American Municipal Association.

Mrs. McDowell was voted the official representative of the sister-city affiliation by the board of mayor and commissioners of the city of Johnson City, Tenn., as a beginning of activities on the town affiliation program. The official representative appointed a number of committees called the sister-city committees and sent copies of these to the mayor of Guaranda, Ecuador, who then made appointments in Guaranda of people to serve on similar committees. Then began the communications between the committees in an effort to become better acquainted. The affiliation was completed in the fall of 1963.

In October 1964, the Inter-American Municipal Organization was scheduled to hold its 10th congress in Louisville, Ky. Some months before this time the City Commission of Johnson City as well as the sister-city committees had decided that it would be an ideal time to invite visitors from Latin America and especially officials from the sister city of Guaranda, Ecuador. The city commissioners forwarded an invitation requesting that a visit to Johnson City be included in the postcongress tours. They were delighted that the invitation was accepted by 84 officials including the mayor of Guaranda, Ecuador, to come to Johnson City, Tenn.

Many clubs and hundreds of people became active in the preparation for entertaining the guests and the mayor of Guaranda, Ecuador, was honored especially by being presented with the first flag which Johnson City, Tenn., had adopted as its official flag. In addition scrapbooks had been prepared by classes at the East Tennessee State University and by Mayne Williams Library to send to Guaranda to show the people something of the educational, cultural, and industrial background of Johnson City, Tenn. Also a gavel of historic interest was made up to match the gavel used by the city of Johnson City and was presented to Mayor Coloma, of Guaranda. In return the mayor had brought scrapbooks prepared in Guaranda for Johnson City to inform the citizens of that town.

The mayor's visit was the first time that anyone in either one of the two cities had had any personal contacts and it was a thrilling experience. The citizens of Johnson City, Tenn., had entered into the preparations and in the entertainment of the visitors in such a wholehearted way that the report given of the postconvention tour stated that never had there been such a spontaneous, warm, and heart-moving welcome as that of Johnson City, and that the visit to this small inland town and the program which was carried out by the citizens were positive proof of the importance of personal contacts between the U.S. people and those of foreign countries.

The November 1964 issue of the Tennessee Town & City, official magazine of the Tennessee Municipal League, carried a long article on the visit to Johnson City and closed this article with the statement "It was truly a community effort that had been carried out magnificently. Johnson City really did herself—Tennessee, too—proud."

Mayor Coloma, of Guaranda, informed the citizens of Johnson City that soon after his return to Guaranda they would have overseas telephone service. Up to that time Guaranda had a local telephone system only, as it is an inland town isolated to a great extent by reason of mountainous roads. Then began the plan for the second project of the affiliated cities and a time was set up in December 1964 for the first overseas call to go into Guaranda and this was done with the cooperation of the Inter-Mountain Telephone Co. of Johnson City, Tenn. Assembled at city hall were all of the city officials, students with messages in Spanish, other students with songs to sing in Spanish, and several translators. The call went through as scheduled to the mayor and officials of the city of Guaranda.

The March 1965 visit to Guaranda by May Ross McDowell, the city's official representative, and Miss Ada Strong, teacher of Spanish at the East Tennessee State University of Johnson City, Tenn., was simply fantastic. En route to Ecuador a stop was made in Bogotá, Colombia, where word had been received that the two visitors would be en route to visit the sister city, and they were welcomed with flowers and hearty greetings by officials of the Colombian Municipal Association and also by the mayor of Bogotá. After a short stop in Bogotá, they flew to Quito and there were met by every member of the Council of Guaranda as well as by many officials of Quito. The Council of Guaranda had traveled over winding mountainous roads in a hard 6-hour drive to reach Quito. With the council were many of the wives and friends. After an informal reception, the people of Guaranda returned home and the visitors spent 2 days in Quito.

They were graciously received by the president of the Council of Quito, and a reception was given in their honor to which were invited many of the outstanding people in Quito and representatives from the U.S. Embassy.

Following the 2 days of entertainment in Quito the Tennessee visitors, accompanied by friends who had visited in Johnson City the preceding October, drove to Guaranda.

The party from Quito was met about 3 miles from the town of Guaranda and the entry into the town might best be described as a triumphal entry of some hero or emperor. It was an almost indescribable experience for the two women from the east Tennessee hills. Guaranda, capital of the Province of Bolivar, is a city of approximately 15,000 and the main town in the Province of approximately 135,000. All of the schools of the Province had been closed; the children lined the roads; and there were many stops before reaching Guaranda, where flowers were presented and welcomes in both Spanish and English given by officials and students. The Stars and Stripes and the flag of Ecuador with honor guards and escorts were waiting at the edge of town and then began the walk to the city hall where a solemn session was held with new signing of affiliation agreements painted on parchment with heroes of the United States and of

Ecuador painted thereon. From the first ceremony every minute of 2 days' time from early morning to midnight was packed with receptions, festivals, and activities showing the history, traditions, and dreams of the people.

The visitors participated in laying the cornerstone for a new public health building; in the dedication of a technical high school; reviewed parades in two towns in the Province of Bolivar; spoke on radio and at six high schools in the Province; and were entertained by several organized groups in the town, including the Artisan Society and the Choferes Union.

Guaranda is located on a plateau at 9,000 feet and is overshadowed by the fourth highest mountain in the world, Chimborazo. The main crops are wheat, potatoes, and corn. Agriculture is the main source of income. Transportation facilities are limited to trucks and cars and only good drivers can manipulate the mountain roads. The soil is fertile and the scenery beautiful, being green all down the sides of the hills. The water power would be tremendous if the mountain streams were harnessed.

The noble character of the people has evidently been acquired from living so close to the majestic mountains. Education and progress seem to be the aims of everyone. The experience of meeting such people in the heart of Ecuador was truly a rare one.

After 2 days the party left Guaranda and were driven down the mountain to Guayaquil, Ecuador's seaport town. There they were surprised by a reception of people who had migrated from the Province of Bolivar. They were also received by the president of the Council of Guayaquil and put on the plane for home by these new friends.

In the June 1965 issue of the American City, this national magazine carried another long article on the visit of the Latin American visitors which was referred to as "an intercontinental handshake." This article also referred to the telephone exchange between the sister cities in December 1964 as well as the visit of May Ross McDowell and Ada Strong, teacher of Spanish at East Tennessee State University, to the sister city in March 1965. The article summed up the exchanges in the following manner:

"These events are part of a relationship which is proving that successful city affiliations are not limited to big cities, nor frontier cities, nor ports, nor those with a large foreign element. On the contrary, Johnson City's experience indicates that citizen interest and participation couldn't be better although the city is inland, its population 95 percent native born, its size under 50,000, its everyday interest purely local, and its economy not aimed at overseas markets."

The exchange of visits has awakened the citizens of both communities to development of interest in world affairs. As a next step in inter-American friendship the Johnson City Business & Professional Women's Club extended an invitation to a young lady who teaches English in a high school in Guaranda to visit Johnson City, at the expense of the club, and join a group in a trip to Washington, D.C., to attend the International Federation Congress of Business & Professional Women's Clubs. This young lady was contacted when the two Johnson Citians visited Guaranda, and she has been elected a member of the local club until such time as a club may be organized in Guaranda. A scholarship for a graduate of the high school to the East Tennessee State University at Johnson City, Tenn., is also in the formative stage.

Other civic groups have started planning what they may do to further friendships with people in Guaranda and it seems assured that another group will visit there this year, and enter a sister-city float in the Quater-Centenary Celebration in Quito.

A sister-city display may be seen at city hall of gifts brought from Guaranda, and this tends to extend the interest of the people beyond the bounds of local affairs.

The obstacles which face our National Government in dealing with other countries are not encountered in the exchange between individuals. Friendships are formed, problems are discussed sympathetically, and mutual respect and understanding result. Each day in Johnson City, Tenn., the people-to-people program is becoming more realistic and part of the responsibility of each citizen.

(NOTE.—Attached are following reports on the exchange of visits:

(1. Report of Mr. Mario Bermudez, Deputy Secretary General of the Inter-American Municipal Organization.

(2. The November 1964 issue of Tennessee Town & City, publication of Tennessee Municipal League.

(3. The June 1965 issue of the American City.)

REPORT OF MR. MARIO BERMUDEZ, DEPUTY SECRETARY GENERAL OF THE INTER-AMERICAN MUNICIPAL ORGANIZATION

NEW ORLEANS, LA.,
November 20, 1964.

Report to: Mayor William O. Cowger, Louisville, Ky., president, Inter-American Municipal Organization.

From: Mario Bermúdez, Deputy Secretary General, Inter-American Municipal Organization, Director of International Relations, city of New Orleans.

Subject: 10th Inter-American Municipal Congress; and the postconvention Inter-American Municipal Mission.

It is my pleasure to submit herewith a final, official report on my activities in connection with the 10th Inter-American Municipal Congress, held in Louisville, Ky., from October 4 to 8, and the postconvention tour of the United States, known as the Inter-American Municipal Mission.

Congress in Louisville: this was, undoubtedly, the most successful such meeting, especially when you consider the fact that of the 775 delegates registered, 430 were from the Latin American countries, the largest such number ever attending one of these conferences.

One specific point which meant a great deal to the Latin American delegates was the participation of the community of Louisville, privately and individually. As can be seen from the official program of the conference, many organizations sponsored the various social functions; many people voluntarily worked during the entire meeting as guides, interpreters, general assistants, etc. But the highlight of the social program was the evening in the private homes of citizens of the community.

It was a moving experience to see so many Louisvillians waiting eagerly to the very end the evening on which your very capable hospitality chairman, Mrs. Robert Adelberg, was matching the local host couples with the Latin American delegates, in order to go to dinner together; it was heartwarming to see so many waiting, trying to be matched up with those remaining without a sponsor, so that everyone would have a local host. It was with great satisfaction that at the end I saw that not one of the 430 Latin American delegates was left alone in the lobby of the hotel. It was rather like witnessing a mass marriage of people from the entire American continent, for an evening of friendship, in which common interests and affection brought them together. I am sure that this kind of gathering is the most constructive and effective one of its kind.

Postconvention tour Inter-American Municipal Mission: the following part of this report will describe to you in some detail the programs and results in each city visited, and at the end you will find a complete list of the host organizations and individuals in each city responsible for the program and visit.

Johnson City, Tenn.: In this city, where Commissioner May Ross McDowell, and Mayor Ross Spears produced really fantastic results, undoubtedly for 3 or 4 months beforehand everyone in town must have been trying to learn at least one sentence in Spanish, in order to greet their visitors in their native tongue. Even those people who did not actually participate directly in the program took some part. People on the streets waved at the foreign visitors and either said "Viva América latina," or "Como está usted?" The schoolchildren greeted the group on arrival by singing in Spanish; the local press, radio and television went out of their way to give ample and extensive coverage (even by front paging a Spanish lesson every day); at the luncheons and dinners the city's garden clubs produced historical decorations; the industries and businesses sent samples of their products and merchandise as gifts to the delegates; flower arrangements were in all hotel rooms; the Boy Scouts, with the best will in the world, acted as luggage carriers; the airport reception on arrival was truly moving; representatives of the Tricities were on hand, the members of the receiving line each greeted the foreign guests with a Spanish sentence, the colorfully uniformed band played and, although I have been all over the world and been welcomed by all kinds of people, I have never seen such a spontaneous, warm and heartmoving welcome as that of Johnson City.

During their stay here the mission held a morning-long business session at city hall, toured the facilities and installations of the city garage, garbage transfer station and sanitary fill, park and recreation program, urban renewal projects, industry development, visited Boone Lake, and were addressed by TVA officials on project development, toured local educational facilities (with program demonstration of Spanish classes taught by closed-circuit television) and attended a reception and dinner in their honor.

This entire visit and program were positive proof of the importance of personal contacts between U.S. people and those of the foreign countries. Mrs. McDowell, at that time mayor of the city, visited South America 2 years ago with a group of municipal officials and, after having been received warmly in those countries, wanted to reciprocate in some way, if not equal, the hospitality shown her during her visit there.

New Orleans, La.: Here, where the local program was organized by Mayor Victor H. Schiro and his official city international relations committee, the mission stayed from Saturday evening to Monday afternoon.

A local official host committee was organized, so that the delegates were met at the airport by their local hosts and, after welcoming ceremonies including the police band, the sanitation department jazz band and reception by the mayor and the international relations committee, escorted into town in a motorcade, after which the guests were all taken out for private dinners and entertainment that first evening, many of them being guests in their hosts' homes.

Sunday, October 11, was devoted to sightseeing of the historical buildings of the French Quarter, special mass at St. Louis Cathedral, a garden party-luncheon at the homes of Mayor and Mrs. Schiro and their close neighbors and, in the evening, the official city reception at Gallier Hall.

Monday, October 12, was devoted to a morning business session in the council chamber of city hall, where official recognition was made of the mission's visit on Columbus Day, and all delegates participated in a technical, informative session with various key city department heads and the civic leaders of local organizations. Those participating from the city administration were the heads of the police and fire departments, chief administrative office, department of streets, sanitation, and the sewerage and water board, thus affording the visitors an insight into specific operations and administration. Following this a luncheon was hosted by the board of commissioners of the port of New Orleans and the group left at 5 p.m.

Las Vegas, Nev.: The Inter-American Municipal Mission visited this city from Monday evening, October 12, until Wednesday afternoon, the 14th, the official hosts being Mayor Oran K. Gragson and the city of Las Vegas. The group was met at the airport by Mayor Gragson, Commissioner Harry Levy, and the local official hosts. Prior to being escorted to their hotels in a motorcade, the Las Vegas school district band, attired in beautiful uniforms, made a great impression by meeting the group and escorting them, in parade, through the entire airport terminal, the mission members being applauded on all sides by the public.

Both Mayor Gragson and Commissioner Levy were with the delegates full time during their stay and not enough can be said for these officials' constant interest and attention. Tuesday morning, October 13, the mission members participated in a morning session at the Las Vegas City Hall, where they toured the various departments, asked specific questions of staff members and met in a business session which was also attended and addressed by U.S. Senator HOWARD CANNON and Nevada's Lieutenant Governor Paul Laxalt; Senator CANNON spoke on various aspects of the Alliance for Progress. During their stay the group also toured Boulder Dam, gaining much information on the Federal Government's irrigation and land reclamation projects, the local convention center, and outlying districts. The Las Vegas visit was of further importance to the foreign visitors because many of their own cities are located in desert lands also, as is Las Vegas, and they found many common problems, which they discussed with the mayor and officials, pertaining to aridity, soil, irrigation, and water supply, etc. This was in great contrast to the other, more typical cities visited before and after, as Las Vegas' setup is a distinct approach to the municipal needs and problems.

Local host couples had been named for all delegates and were their hosts both evenings during the stay.

San Diego, Calif.: Arriving here the afternoon of Wednesday, October 14, the Inter-American Municipal Mission remained in San Diego until early Friday morning, the 16th, as guests of Mayor Frank Curran and the city of San Diego.

Frank Curran, already familiar to most of the Latin American mayors as he had been in their countries several times and also had been host to the 8th Inter-American Municipal Congress, took a deep personal interest in the mission's visit and welcomed them on arrival, bid them farewell at their 8 a.m. departure, and accompanied the group to all official functions during their visit.

The evening of their arrival the delegates were guests of honor at a banquet in their honor at the Kona Kai Club, at which Mayor Curran presided and the featured speaker was U.S. Ambassador to Mexico Fulton Freeman, who made this occasion an outstanding one by addressing the visitors in Spanish. During their stay here, the mission members had the opportunity to spend a day visiting city facilities, including the new civic center, and an extensive tour of facilities and installations of the port of San Diego, plus a visit to the Western California University facilities, with special emphasis on the foreign language teaching methods and equipment. The mission members were guests of the San Diego Chamber of Commerce, and the Tourist and Convention Bureau at a banquet during which an unusual film was shown on the city and port, and related activities.

Written information had been prepared beforehand and an entire kit of this and technical administration information on the municipality was placed in each hotel room before arrival; this gave the participants the chance to become familiar with the city administration and make constructive remarks during the business meeting.

Los Angeles, Calif.: The mission traveled by bus from San Diego to Los Angeles, thus enabling the visitors to see some of the California coastline and smaller communities, and arrived in Los Angeles late the morning of Friday, October 16, to remain there until Sunday, October 18.

The first event on the program that day was a visit to the birthplace of the city of Los Angeles, the Olvera Street Center, a vivid monument to the background and historic tradition of this city and proof of the tremendous growth of Los Angeles over the years. In this complex, in addition to the historic adobe houses and public market, is located the newly organized Latin American Trade Center. Here are exhibited items from all of the Latin American countries (and even some from Europe) and this was of great interest to the visiting municipal officials as they could thus see foreign trade in action. Items from Peru, Argentina, Mexico, and most of the other Latin American countries are not only exhibited to the millions of annual visitors, but are also for sale.

Undoubtedly this visit to the Olvera Street center and the trade mart allowed the mayors to observe, firsthand, how handicrafts and artwork not only have a good market in this country but tremendous possibilities which, if encouraged by the foreign countries, could be advantageous from an economic viewpoint and a medium for teaching U.S. citizens history, geography, and customs of the respective nations.

During their stay in Los Angeles the group also had the opportunity to tour Disneyland, which in addition to being a magificent tourist attraction for them, also gave the visitors the chance to observe how, in spite of the tremendous economic and financial growth of this huge metropolis, the city is also interested in an undertaking of this kind, at enormous cost, appealing and inspiring to both children and adults.

The city of Los Angeles was an important stop for these visitors also because of its being unique in its complexity both politically and economically, and for the problems peculiar to this municipality such as traffic, smog, etc.

Many social functions were held in the guests' honor, the highlight being a reception given by Mayor and Mrs. Samuel Yorty in their own home, in addition to a reception and banquet hosted by the city of Los Angeles. While in Los Angeles, the mission members were guests of Mayor Yorty and the city of Los Angeles.

Special note: It should be pointed out that during the group's visit to California quite a few of the delegates took the occasion to visit their sister cities, such as Rialto, San Leandro, Santa Barbara, etc., these municipalities sending for their visitors and organizing their visits and programs.

Kansas City, Mo.: The Inter-American Municipal Mission arrived in this midwestern center the evening of Sunday, October 18, and remained until Tuesday the 20th. The first item on their program that evening was a get-acquainted meeting with the city leaders, headed by Mayor and Mrs. Ilus W. Davis, which gave them a chance to discuss city affairs as well as learn many facts about this section of the United States, with which they had not been at all familiar. Probably one of the most rewarding experiences during this meeting was the fact that the Kansas City hosts had made a point of bringing to the gathering the Latin American students (from various countries) attending local colleges; all wore identification sashes, with their country's name, and this gave the visitors the chance to learn about the educational system in the different schools of the area, from students from their own countries.

Monday, October 19, was turned over to a morning visit to the city hall, an afternoon tour of the Ford motor plant, and at the Schlitz brewery headquarters a business meeting took place during which the heads of various city departments gave an informative briefing to the delegates. During the ensuing luncheon there was a long period for questions by the visitors to the speakers.

A separate program was organized for the ladies, under the sponsorship of Plaza Associates.

Monday evening the mission members were guests at the Business Men's Assurance building. This major insurance company is connected with many other insurance firms doing business in Latin America, and the building itself is an outstanding example of the beautiful, modern architectural progress going on in Kansas City, this being of great interest to the foreign visitors. It was noted that a magnificent art exhibit, and indeed the entire interior decoration of the building, were based on the background of Indian civilization of the area, which also gave the Latin American visitors a chance to observe that business and commerce in the United States are not necessarily conducted, as is generally believed, from large impersonal commercial outlets in New York, Chicago, San Francisco but that great international commerce, of a personal interest, also emanates from such important centers as Kansas City.

Later that same evening, following a dinner hosted by the Commerce Trust Co., the delegates all attended the American Royal Cattle and Livestock Exhibit. Cattle from this region of the United States is well known in Latin America and many cattlemen there purchase their horses and livestock from this area. Some of the Latin American delegates have farms and ranches in their own countries and had here the opportunity to make business contacts that will undoubtedly develop in the future.

Washington, D.C.: On arrival here Tuesday afternoon, October 20 (and remaining here until Thursday the 22d), in the evening a large group of Latin American Ambassadors, State Department officials, Inter-American Development Bank and Pan American Union personnel, as well as the local and international press representatives attended a reception and dinner given by the International Relations Director of the city of New Orleans, so that the members of the mission would have the opportunity to meet their own ambassadors and the people in Washington responsible for the mission's visit and the U.S. programs in Latin America. In this way they were able to make individual contacts and appointments for the following 2 days in accordance with their interests and needs.

Wednesday, October 21, included on the program a morning briefing at the U.S. State Department, which was one of the highlights of the entire tour. Assistant Secretary of State for Latin American Affairs Thomas C. Mann (well known to all those present) addressed the visitors, in Spanish, and answered many of their questions. Messrs. Irving Tragen and Robert Elmore, of the Agency for International Development, further conducted the briefing, which was quite extensive and of great interest and importance to the mayors as much definite, specific information was presented, and many new points of view brought forth during the lengthy discussions. Following this a luncheon was given by the American Municipal Association, and the afternoon was devoted to a visit to the different points of interest in Washington, with special guides assisting the group, who were able to give them information about the city setup and organization. During this visit the mission members laid a wreath at the grave of the late President John F. Kennedy in Arlington Cemetery.

That evening most of the foreign ambassadors held functions in honor of the delegations from their respective countries.

Thursday morning, October 22, the delegates were guests at the Pan American Union for a briefing given by Ambassador José A. Mora, Secretary General of the Organization of American States and several heads of the Organization's departments. They then attended a meeting-briefing at the Inter-American Development Bank, where a film was shown of the technical accomplishments of the bank in the various Latin American countries. This was followed by a question-and-answer period, during a luncheon, during which Dr. Felipe Herrera, President of the Bank (and who had appeared on the Congress program in Louisville) welcomed the visitors. This luncheon was organized at individual tables, at which heads of various bank departments were seated, to facilitate mission participants making contacts and asking specific questions with regard to the plans and purposes of the Bank. This was an outstanding event among many notable ones and of great value to the Latin American municipal officials.

New York, N.Y.: The mission visited here from Thursday afternoon, October 22, through Friday the 23d and made the trip by bus from Washington to New York, as this afforded the visitors an opportunity to learn more about the U.S. highway system.

The evening of their arrival the delegates were guests at a magnificent dinner given by the W. R. Grace Co., on board the *Santa Rosa*. The importance of Grace's accomplishments in Latin American industrial development is well known and consequently the visitors were very familiar with Grace and gratified to meet old acquaintances from the Grace staff, most of them speaking Spanish and having, at some time in their lives, been stationed in the various Latin American countries. On this occasion, as during the Bank luncheon in Washington, the dinner arrangements were on the basis of individual tables, with company officials being hosts at each, thus enabling them to discuss business and industrial affairs with their guests.

Friday, October 23, was the last day of the official tour and a full one. In the morning a briefing was given at the United Nations during which Dr. Tavares da Sa, Dr. Roberto Heurtematte, and Dr. Rolz Bennett participated in advising the Latin American leaders on the United Nations and aspects of the International Monetary Fund. After touring the U.N. facilities the group were then guests of the city of New York for a river tour of port and harbor installations. That evening Mayor Robert F. Wagner very graciously hosted a reception for the group at Gracie Mansion, the city's official residence, which was a fitting climax to the mission's visit to this largest city of the United States.

Special notes: It should be pointed out that in each city the members of the Inter-American Municipal Mission received keys to the city and were made honorary citizens of the municipality, a touch which was very gratifying and pleasing to the visitors.

The U.S. State Department covered the cost of air transportation within the United States and in each city visited the Latin American mayors were guests of the mayor and city.

Comments: It was most gratifying to see that of the 70 participants in the Inter-American Municipal Mission, most of them were not from the large cities of Latin America, nor from the oligarchic, powerful classes, but rather were the very people who believe deeply in the municipality as the base of the country and the principles of democracy. Most of the delegates had never been to the United States before; only a handful of them knew any English, and to have participated in a mission of this type would probably never have been possible under other conditions, nor would they have had the opportunity to be exposed to the individual United States citizens, to visit their homes, to eat their food, to meet their families.

I would say that the same holds true for the North American hosts in the various communities visited, many of whom had the same first opportunity to meet a representative group—a cross section—of people from the Latin American countries.

I am confident that on their return to their own cities, the 70 Latin American municipalists who participated in this tour will have a clearer picture of the U.S. political organizations, economic setup, local organizations, and ways of life.

I also have the impression that they were able to appreciate the fact, so often misunderstood by the majority of people of the Latin American countries, that life in the United States is not all riches, not all good or all bad people, and that the economic security found here is the consequence of a will to work together, to tolerate one's associates, to develop a sense of responsibility, to adjust to a life of daily discipline and economic sacrifice; I believe they were able to better realize that people here live a life of much greater hardship than is known among the people of the other American Republics but that finally, when in old age they have financial security, it has been acquired through these years of a responsible life, and that is the economic foundation of the United States.

[From Tennessee Town & City, November 1964]

HOLA (HELLO), ALCALDES (MAYORS); BIENVENIDOS (WELCOME)

Johnson City rolled out the red carpet October 9–10 to 81 Latin American mayors and city officials.

The group had attended the Inter-American Municipal Congress in Louisville and had commenced a tour that would carry them to six other U.S. cities: New Orleans, Las Vegas, Los Angeles, San Diego, Washington, and New York.

The purpose of the visit, sponsored by the U.S. State Department, was to show local government in action and to strengthen the bonds of friendship and cooperation between the peoples of the Western Hemisphere.

The East Tennessee State University band played and a host of schoolchildren and townsmen waved red, white, and blue signs reading "Bienvenidos, Amigos" (welcome, friends) as the TWA Super Constellation bearing the visitors rolled into Tri-City Airport. Friendly handshakes of welcome were extended from a greeting line of local government officials and business and civic leaders.

MAYOR CALLS OCCASION "OUR FINEST HOUR"

The visitors, representing 18 countries in Central and South America and Spain, were visibly impressed by the rousing reception. They applauded Mayor Ross Spears' welcome to them in their own Spanish language. He told them: "Today must go down in the history of Johnson City and all upper east Tennessee as our finest hour.

"This visit will strength the ties of friendship between the municipal authorities and public officials of the United States and Latin American countries. We can talk over our problems and exchange opinions face to face."

Greetings also were extended by Bristol, Va., Mayor O. T. Powell, Bristol, Tenn., Mayor Stacy Grayson, and Kingsport City Manager Charles Marsh.

BOY SCOUTS AND CIVIC GROUPS HELP

Three buses, each sporting signs reading "Latin American Neighbors Visiting Johnson City," and led by white-gloved policemen on motorcycles, carried the Latins and Johnson Citians to the Holiday Inn. There the Boy Scouts, in crisp uniforms, stood at attention, holding another big sign of welcome. The Scouts carried their baggage and directed them to their rooms.

Local civic groups had placed a bud vase of fresh roses and a big box of chocolate candy in each room. The October 9 Johnson City Press-Chronicle lay in a chair, the headline reading: "Hola, alcaldes; bienvenidos" (Hello, mayors; welcome).

Even the manager of the motel, David Temel, welcomed the delegation in Spanish (he is a native of Bogotá, Colombia) as they gathered for a buffet luncheon.

GARDEN CLUBS ADD SPECIAL TOUCH

The careful attention that Johnson City had given to details was evidenced by the flower arrangements on the luncheon tables (approximately 18 were set up, and at least 1 interpreter was at each). Area garden clubs had provided them, and each was different. All were combinations of fresh flowers, leaves, pumpkins, fruits, flags (Johnson City's new one), crests, and various other symbols. Each depicted a theme or event in east Tennessee history. And, with each arrangement, written in Spanish, was a card explaining its significance.

Vice Mayor Edward Backus explained the 2-day schedule. When he concluded his explanation of the day's activities with "and then you will be brought back to your rooms for the night," a distinctly Spanish voice asked, "Alive?"

As the visitors boarded the bus for the afternoon tour, they were presented navy-blue portfolios imprinted "Compliments of Johnson City, Tenn." Inside was a folder of descriptive brochures, pamphlets, the city's 1961–62 annual report, and mimeographed explanations (in Spanish) of various city programs and projects. Also included was, literally, a "capsule" containing a long list of facts about Johnson City.

ABSENT STUDENTS LEAVE GREETING

The first stop on the afternoon tour was at all-electric Science Hill High School. Officials viewed a colorful lowering of the flag ceremony, complete with bugler and uniformed girl drill teams.

Students, who had already left for the day, thoughtfully had tacked posters written in Spanish along the hallways and on bulletin boards. Even the blackboard in one of the home economics classrooms contained a Spanish greeting. One of the Venezulean delegates wrote an acknowledgement. Typing class bulletin boards displayed poems and songs typed in Spanish.

In the gymnasium the visitors examined the partition which divided it into two separate rooms at the push of a button. The electrical "unstacking" of the bleachers fascinated them. Basketball practice was going on in one end of the gym, and two Latins could not resist taking a couple of shots. They missed.

As the group passed onto the covered walkway leading to the useful arts building, police officers handed them souvenir packets of note cards and envelopes picturing the high school.

PRETTY MUSIC TO THEIR EARS

The highlight of the afternoon came when the officials divided into two groups to observe sixth grade Spanish classes in progress (via closed-circuit television) at Fairmont Elementary School. Latin faces really lit up when the youngsters stood and pledged allegiance to the U.S. flag and sang "America" in Spanish.

Tour Director Mario Bermudez, also director of international affairs for the city of New Orleans, asked the students questions in Spanish, to which they replied in like manner.

Before the class was over, the visitors joined the students in singing "La Cucaracha."

Buses then drove through residential areas. Many residents were flying their flags. Men working on their lawns, housewives hanging out their wash, and children playing on the sidewalks interrupted their activities to wave.

Assistant City Manager Harold Holtz, the official guide for one of the three buses, alerted his passengers that they would pass his house and that his wife and two small sons would be out front to wave to them. This pleased the visitors immensely.

En route back to the motel, the bus passed the juvenile home, the reclaimed sanitary fill land being converted into a park, and a popular park and picnic area. Standing proudly in front of a fire substation on the bus route were all the firemen, smartly dressed in their best uniforms. The big red firetrucks parked in front were shining.

RECEPTION AND BANQUET IN EVENING

Friday evening began with the mayor's reception at the Johnson City Country Club. There each visitor was met by a local couple who served as his host for the rest of the evening.

On the way from the reception to the banquet, which was held on the East Tennessee State University campus, the buses paused long enough for the visitors to catch a glimpse of a high school football game in progress.

Commissioner May Ross McDowell, former Johnson City mayor and the mayor's official representative for the whole occasion, served as toastmistress. (Mrs. McDowell had participated in a similar mission of U.S. mayors to South America 2 years previous. She was instrumental in getting Johnson City on the mission itinerary, and she personally directed local arrangements for the visit.)

Mrs. Burgin Dossett filled in for her husband, president of ETSU, and welcomed the visitors to Tennessee. Dr. Salvador M. Dana Montana of Santa Fe, Argentina, responded.

Following musical entertainment by ETSU students and "Lula Belle and Scotty," Mayor Jose O. Coloma of Guaranda, Ecuador, sister city to Johnson City, delivered (through an interpreter) a stirring address.

MAYORS EXCHANGE GIFTS

He presented Mrs. McDowell and Mrs. Spears, wife of the mayor, scrapbooks of his city. The covers bore likenesses of the Ecuadorian flag and crest. They had been handmade by Mayor Coloma's wife, using sequins, beads, yarns, and ribbons. He presented a gold ring, appropriately inscribed inside, to Mayor Spears.

Mayor Spears presented Mayor Coloma a large gold key to the city. The first Johnson City flag also was given to him. Mrs. McDowell presented him a gavel made from the wood of a famous oak tree, known as Col. Jacob Brown's Treaty Tree, so called because of its significance in the signing of a treaty with the Indians in 1775.

All the visitors were given small gold or silver keys to the city as well as other assorted favors contributed by local merchants.

The presentation the guests appeared to enjoy most, however, was one of hats. Mayor Coloma placed on the heads of Mrs. McDowell and Mayor Spears Ecuadorian straw hats which he said had required 6 months to make.

Mrs. McDowell promptly "crowned" Mayor Coloma and other Latins at the head table with authentic coonskin caps, complete with tails. The American Indians, she said, made them in about 6 hours.

The banquet adjourned with a blending of Spanish and English voices singing "God Bless America."

A REALLY SPECIAL TREAT

Saturday got off to a hospitable start with the serving of breakfast in the guests' rooms. Judging from the expressions of delight voiced when this was announced during the schedule explanation at the Friday luncheon, breakfast in your room is as much of a treat in South America as it is here. Three women's clubs had made the arrangements.

Boy Scouts were again on duty to assist the visitors. Girl Scouts were on the walkways with large silver trays of favors: sewing kits, pencils, matches, perfume samples, cigarettes, and nail files. The Press-Chronicle had placed in plastic bags for safe keeping souvenir copies of the day's paper, which contained more than a dozen pictures taken the day before.

In envelopes which had been delivered by special city messengers to each room were "honorary citizen certificates" and newspaper clippings.

Approximately 1 hour was spent at City Hall, where delegates viewed facilities, slide presentations, and special exhibits. Desk and door signs were printed in Spanish. As the visitors signed the guest register in the newly redecorated Commission Chamber, they were given souvenir fountain pens and miniature Johnson City flags on staffs. Coffee and sweet rolls were served by another local women's club.

EQUIPMENT DEMONSTRATIONS PROVE POPULAR

The next stop on the morning agenda was the city garage. Demonstrations of equipment intrigued both ladies and men: they saw refuse dumped and disposed of in the city's unique collection center; they watched a street liner draw a white line down the parking area; a leaf eater consume a big pile of leaves; a brush chipper make "dust" of limbs and other debris; streets swept, then washed. The big ladder truck swung into action as the guests turned to board the buses for a tour of other city sights.

With guides, assisted by interpreters, to explain the sights outside the windows, the buses drove through the business district, Veterans' Administration Center, ETSU campus, industrial park, municipal golf course, urban renewal area, and new senior citizen housing project. A stop at the Marine Reserve Center completed the tour.

Box lunches were enjoyed at noon at picnic tables overlooking TVA's Boone Dam. The visitors asked dozens of questions and made hasty notes as Walter Arrants, manager of the eastern branch of reservoir properties for TVA, gave an illustrated lecture.

MANY PERSONS HELPED

Before buses were boarded for departure to the airport, City Manager D. A. Burkhalter recognized the many Johnson Citians who had worked to make the visit a pleasant one. He pointed out that—although the visitors probably were not aware of it—the policemen present had not left them since they had arrived. They even had spent the night at the motel. Further, an ambulance equipped for emergencies had been a part of the motorcade at all times.

The high school band was playing when the buses arrived at the airport. Cameras clicked as the Latins hurried to get photographs and movies of the sharply dressed band members and sequin-clad majorettes.

Still there was a note of sadness in voices as "Adios" (goodby) began to fill the air. Several visitors were heard to say (many speaking English for the first time), "I go, but I leave my heart in Johnson City."

As the big plane rolled down the runway, the miniature Johnson City flags waved from every window.

It was truly a community effort that had been carried out magnificently. Johnson City really did herself—Tennessee, too—proud.

[From the American City, June 1965]

The City Tells Its Story: City Reaps At-Home Rewards From an Intercontinental Handshake

(By Pan Dodd Eimon)

TV cameras, the press of two continents, and hundreds of people saw Mayor Ross H. Spears, Johnson City, Tenn., put on a handmade Ecuadorian straw hat and Mayor Jose Coloma, Guaranda, Ecuador, adjust his Tennessee coonskin cap. That was October of last year in the United States.

In December, city officials of Guaranda and those of Johnson City gathered in their respective city halls to exchange long-distance holiday greetings. And this March, half the city of Guaranda turned out to welcome Johnson City's lady commissioner, Mrs. May Ross McDowell as she landed there.

These events are part of a relationship which is proving that successful city affiliations are not limited to big cities, nor frontier cities, nor ports, nor those with a large foreign element. On the contrary, Johnson City's experience indicates that citizen interest and participation couldn't be better although the city is inland, its population 95-percent native born, its size under 50,000, its everyday interests purely local, and its economy not aimed at overseas markets.

The big bonus of the affiliation, reasons City Manager David Burkhalter, "is not just the most obvious one—a more personal sense of international relations." Johnson City is noting "increased interest, concern, understanding" on the part of its citizens in local, municipal goals, "somehow put into focus by Johnson City's new international status."

People who didn't care about our multimillion-dollar downtown renewal study, Burkhalter says, "have gotten very interested after seeing it spotlighted for our Latin American visitors. Parents who have taken Science Hill High School for granted, indicate new concern for it after learning our visitors were amazed that a city the size of this one could afford such an elaborate facility. Johnson citizens for whom the sanitary-landfill-to-park conversion was just a way to get rid of garbage, are beginning to share the enthusiasm of our Latin officials."

One reason for the resounding "at home" results was the fact that last fall's Latin-American festival was not limited to a few official groups and committees. Thousands of Johnson City took part in or were touched by the visit: the man who painted his front porch "because those visitors are coming right by this house," the uniformed Scouts who acted as aids, members of dozens of local women's groups who arranged everything from flowers to meals, local civic and business clubs, Spanish language students who sang with and talked to the visiting officials, band members and the high-stepping majorettes who were favorite subjects for Latin cameramen.

IT BEGAN WITH A LADY

Johnson City commissioner and former mayor, Mrs. McDowell, participated in an official visit of U.S. municipal leaders to South America several years ago. It was she who arranged for Johnson City to be on a postconvention tour for delegates to the Inter-American Municipal Congress in Louisville last October.

The tour, sponsored by the U.S. Department of State, included New Orleans, Las Vegas, Los Angeles, San Diego, Washington. New York, and Johnson City. Among the

80 Latin American city officials was Johnson City's affiliate Mayor Coloma.

The fact that it was Johnson City—the municipality—which was of primary interest to the visitors, provided the city government an opportunity to display its operations and services not only to the visitors but in an exciting way to its own citizens.

An oft overheard remark from local people watching any one of the displays or demonstrations was "Well, I've lived here all my life and I didn't know that about Johnson City."

THE CITY AT WORK

During the 2-day visit, Johnson City showed the Latin Americans its business district, veterans' center, industrial park, municipal golf course, urban-renewal area, senior-citizen housing project, residential areas, and Marine Reserve center.

Extended visits were made to the Science Hill High School, city hall, the sanitary-landfill site, and the city garage. At the garage, an equipment demonstration proved as fascinating for lady guests as it did for the men. Visitors saw refuse disposed of, a street liner paint a white stripe, a leaf eater consume a pile of leaves, a brush chipper at work, a street sweeper and washer operating, and a shining red ladder truck in action.

In addition to these municipal sights, visitors enjoyed a Tennessee-style buffet luncheon, banqueted at Johnson City's East Tennessee State University, toured the Tennessee Valley Authority's Boone Dam, and picnicked as they heard the TVA story.

Throughout the trip, instructions, signs, and data were in Spanish. "Bienvenidos, amigos" (welcome, friends) read the signs waved by citizens and schoolchildren at the airport arrival.

"Hola, alcaldes, bienvenidos" (hello, mayors, welcome) was the headline on the arrival day edition of the Johnson City Press-Chronicle.

Mayor Spears made his welcoming remarks in Spanish.

Throughout the Science Hill schools, students left bulletin and blackboard messages in Spanish. Visitors and students joined in a Spanish song in the closed-circuit TV language class which the mayors observed.

For the luncheon, Johnson City's history in flowers and fruits bore Spanish narrative. At the city hall, desk and door signs were in Spanish and the packet of municipal information which each guest was given bore a Spanish language résumé of city facts and figures.

Johnson City managed some hospitable touches that might well be copied by any city hosting an official group.

Visitors traveled within the city in three buses identified by signs which read, "Latin American Neighbors Visiting Johnson City," and escorted by white-gloved motorcycle policemen. A ranking city official served as host and tour guide aboard each bus. A translator was also on board.

Uniformed Boy Scouts directed visitors to their motel rooms, carried luggage, and performed other aid duties. Girl Scouts passed silver trays of local souvenirs provided by Johnson City businesses.

Guests found roses and a box of chocolates in their rooms on arrival along with the welcome edition of the local newspaper.

The Johnson City Press-Chronicle provided plastic-wrapped editions, containing news photos of the tourists and their activities, ready for packing on the final day.

Special city messengers delivered newspaper clippings and honorary citizen certificates to each Latin visitor. At city hall guests were given city flags and fountain pens as mementos of their visit and each signed the Johnson City official guest book. Gold and silver keys were awarded the visiting mayors at the banquet.

A memorable courtesy for the heavily scheduled guests was Saturday morning breakfast in their rooms, arranged by women's clubs.

Police officers and an ambulance unobtrusively stuck with the visitors everywhere. The Latin Americans were not aware of this until departure.

Finally, in addition to the affiliated mayors' exchange of sombreros, there were other gifts: scrapbooks of Guaranda made by Mrs. Coloma for Mrs. Spears and Commissioner McDowell and a gold ring, appropriately inscribed for Mayor Spears. To Ecuadorian Mayor Coloma, Johnson City presented a large gold key to the city and a gavel made from the Treaty Oak under which early Johnson citizens and Indians signed a pact in 1775.

THE BREAD TAX

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there obejction to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, in the summer of 1964, a wheat processing tax was established whereby the processor would pay $0.75 for each bushel of wheat milled. At that time I commented on the substantive matter involved in my May 1964 newsletter, introduced into the Congressional Record, volume 110, part 10, pages 13761–13762, by my colleague, Mr. Cleveland. My comments on the manner in which this program was handled in this House are contained in this newsletter, and also on pages 6132, 6363, and 6404–6405, volume 110, part 5. Another such proposal is now before Congress, proposing a two-thirds increase in this processing tax established only last year, an increase from $0.75 to $1.25 for each bushel of wheat processed. Since its passage last year was not, in my estimation, accompanied by adequate study and evaluation, I feel that this is the time for a thorough investigation by Congress into the merits and demerits of such a tax. The hearings just concluded by the Committee on Agriculture provides a starting point for such study. I feel that two considerations must be kept in mind. First, the President's farm message last February states:

> Our objective must be for the farmer to get improved income out of the marketplace, with less cost to the Government. We must encourage the private segment of the economy to carry its own inventories, bought from farmers, rather than depending on the Government as a source of supply. We must urge the private sector to perform as many services as possible now performed by Government agencies.

Such admirable objectives, that of returning the agricultural sector of our economy to normal market forces, must serve as the basis for all agriculture legislation. The second consideration is the recent excise tax cut which was recently signed by the President. This action removed a portion of exceptionally regressive and uneconomic taxes which burdened our economy. In light of the President's decision to join the rest of the people of this country in their struggle to end poverty—his war on poverty—this excise tax cut makes sense, the more directed it is to basic necessities. The proposal for an increase in the wheat processing tax, coming from the administration, is entirely inconsistent with both the war on poverty and the recent excise tax cut. Such an increased cost to the processor must ultimately be passed along to the consumer in the form of higher cost of bread. A thorough analysis of this measure was published in the July 1965 issue of the Monthly Economic Letter of the First National City Bank of New York. On July 11 the Secretary of Agriculture charged, in a letter to Mr. George Moore, president of the bank, that this analysis was sheer economic nonsense. I introduce this article, entitled "Poverty and the Farm Program," into the Record so that my colleagues can judge for themselves whether this article is economic nonsense. I do this in order to present what I feel is an analysis based on the inconsistency of this processing tax and the President's farm policy declared earlier this year, the recent excise tax cut, and the President's war on poverty. It is my feeling that the processing tax on wheat be thoroughly examined and openly debated in this House before the matter be called to a vote. I introduce this portion of the dialog for my colleagues' perusal: The First National City Bank article and Secretary Freeman's letter of criticism.

[From the Monthly Economic Letter of the First National City Bank of New York, July, 1965]

Poverty and the Farm Program

Cutting taxes has become popular. Congress took only a month to whoop through legislation sweeping away $4.7 billion of excise taxes. Among those repealed were levies on diamonds, mink coats, pool tables, pinball machines, and admissions to horse races and dog tracks. There were few objections since many of these taxes had been imposed during World War II in order to discourage extravagance and waste of productive resources as well as to raise revenues.

Yet, while these "luxury" taxes are being repealed, the administration is pressing Congress for passage of a new farm bill that would, among other things, impose higher taxes on the processing of wheat and a new tax on rice, thereby boosting the price of bread by 1 to 2 cents a loaf and of rice by 4 to 6 cents a pound. This would result from raising the processing tax on domestic wheat—first imposed in 1964—from 75 cents a bushel to $1.25. A new rice-processing tax would be imposed amounting to about $2.50 per hundredweight.

These actions form a striking contrast. Bread is a daily necessity, particularly among the poor. Taxes on bread and rice are especially regressive because these foods form a much larger portion of the budgets of poor families than of higher income people. The imposition of a heavier "bread tax" is especially incongruous at a time when the administration is trying to step up its war on poverty.

The public has been slow to grasp the full import of the proposed farm bill, but protesting voices are now beginning to be heard. Agricultural programs have become so complicated and divorced from reality that only the affected farm groups can understand them. The new bill would not only add to hardships of poor people but drive the farm economy further out of contact with normal market forces.

CALL FOR A NEW APPROACH

The proposed legislation is all the more disappointing because the President and his top advisers had been stressing the need to restore a free market for commercial agriculture and to adopt a more realistic approach to the problems of rural America. The waste and inconsistencies in existing farm programs were effectively laid bare in a widely applauded Saturday Review article last January by Kermit Gordon, who was then the Budget Director. He called for a reexamination of current policies to "shape them anew in closer correspondence to the facts of today's world."

President Johnson announced a new approach in his farm message last February, in which he specifically recognized that "farmers want freedom to grow and prosper, freedom to operate competitively and profitably in our present economic system." He emphasized the need for change in these words:

"Just as we do in other segments of our economy, we need to separate the social problems of rural America from the economic problems of commercial agriculture. Our objective must be for the farmer to get improved income out of the marketplace, with less cost to the Government.

"To do this, I am asking the Secretary of Agriculture to so utilize the Commodity Credit Corporation as to make the free market system work more effectively for the farmer. We must encourage the private segment of the economy to carry its own inventories, bought from farmers, rather than depending on the Government as a source of supply. We must urge the private sector to perform as many services as possible now performed by Government agencies."

When the detailed program was unveiled on April 5, however, the concrete proposals diverged considerably from the aims set forth earlier. The chief features of the administration's new farm proposals are as follows:

Amend and extend the wheat and feed grain programs now in effect;

Start a new certificate program for rice similar to that for wheat;

Start a program to retire cropland through 5-to-10 year contracts with farm owners;

Permit the selling or leasing of acreage allotments among farmers to encourage retirement of aged farmers and small operators.

Though new cotton legislation is also needed, the administration did not make proposals of its own but is supporting a bill proposed by Representative HAROLD COOLEY, which would lower prices to world market levels and supplement growers' incomes through direct payments.

CONTROVERSY OVER THE "BREAD TAX"

The greatest attention is focused on the programs for the principal grain crops—wheat, rice, and feed grains. The wheat program, in particular, has been in hot water since the 1963 referendum, when growers rejected the Kennedy program of tight controls combined with high price supports. Following this defeat, the administration sponsored temporary legislation for the 1964 and 1965 crops, which requires so-called marketing certificates for wheat. For the 1965 crop, millers and other processors must buy certificates valued at 75 cents a bushel for wheat consumed domestically. Domestic annual consumption of wheat is estimated at about 500 million bushels, thus yielding an estimated take of $375 million, which in turn is paid to wheat growers complying with the program. The 75-cent domestic certificate payment (only 25 cents for export certificates) on top of the $1.25 price support loan provides producers with a total support of $2 per bushel on wheat consumed domestically.

For the 1966 crop, the administration proposes to raise the cost of domestic wheat to $2.50 a bushel by hiking the price of domestic certificates to $1.25 but to discontinue the export certificate. For the same 500 million bushels of wheat made into bread, flour, and other products, consumers would be paying $625 million in processing taxes. Since millers and baking companies already operate on extremely thin margins, there is no question that the cost must ultimately be passed on to consumers in higher prices. This is why opponents of the program have characterized the domestic marketing certificate as a "bread tax."

In fact, the wheat-processing tax is similar to an excise tax. It is interesting to compare what certain excise taxes repealed last month might have yielded in fiscal 1966 compared with an increased wheat tax. The accompanying table shows a list of excises with a total yield roughly equal to the projected 1966 yield of the wheat tax:

Wheat-processing tax versus selected excises now repealed

[Estimated yield [1]]

	Million
Wheat-processing tax	$625
Selected excise taxes	618
Furs	32
Jewelry	215
Toilet preparations	215
Luggage	87
Photographic equipment	38
Coin-operated amusement devices	24
Bowling alleys, pool tables	7

[1] Wheat estimate is for crop year beginning July 1, 1966. Excise estimates are for 1966 fiscal year.

Moreover, while these taxes were typically assessed at rates of 10 to 20 percent, the increased wheat tax would amount to roughly 100 percent of the basic farm price, thus almost doubling the price to the miller. Testifying before the House Agriculture Committee on April 6, Agriculture Secretary Orville Freeman estimated that the new programs for wheat and rice would raise the cost of food "3.6 cents a week or $1.87 a year per capita"—or about one-half of 1 percent for a family of four. He minimized the impact this would have on consumers:

"In the past 4 years, the take-home pay of the average family has sharply increased, we have substantially enlarged the direct food distribution program, we have increased the food purchasing power of families participating in the food stamp program from 25 to 38 percent and we have launched a series of programs designed to help millions escape from poverty. All these developments point to one conclusion: there will be no hardship because of the commodity programs we are proposing today."

These increases are ill-timed from the standpoint of maintaining price stability. In point of fact, rising food prices—mainly meat, fruits and vegetables—have been a prime factor in the upcreep of the consumer price index in recent months. Since food still is a large part of the family budget, increased food prices can trigger higher wage demands and escalator raises in existing union contracts. In any case, the fact that take-home pay has increased hardly justifies price increases in the necessities of life.

No less strange is the notion that consumers should subsidize farmers by paying a 100 percent tax for wheat, while less fortunate consumers are in turn given either commodities or Government food stamps in order to protect them against high food prices. In addition, the administration is now proposing to provide rent subsidies to lower-income families.

Yet, a wheat tax strikes hardest at the poor. Indeed, the lower the family's income, the higher is the consumption of wheat products. The accompanying table, showing figures from the Agricultural Department's survey of household food consumption conducted in 1955, amply confirms this relationship. (A similar survey is being made this year, but results are not yet available.)

Wheat consumption, by family income

Annual income per family	Percent of food budget for wheat products	Home use per person per week
	Percent	*Pounds*
Under $2,000	6.6	3.8
$2,000 to $2,999	5.9	3.2
$3,000 to $3,999	5.8	2.8
$4,000 to $4,999	5.3	2.6
$5,000 to $5,999	5.1	2.6
$6,000 to $7,999	4.8	2.5
$8,000 to $9,999	4.6	2.3
$10,000 and over	3.8	2.2

The incongruity of imposing such a regressive tax at a time when the administration is stressing an antipoverty war needs no emphasis. It also contrasts with the President's promise of additional income tax cuts for "those taxpayers who now live in the shadow of poverty." Even for people above the poverty line, a Government-imposed increase in the price of food is no small matter. State governments that levy general sales taxes typically exempt food expenditures to avoid imposing hardships on people of modest means.

The wheat-processing tax is being increased in the name of providing a better income for farmers. Yet, this approach to improving farmer's income was shown to be wildly misdirected by Kermit Gordon in his Saturday Review article:

"About 80 percent of our assistance goes to the 1 million farmers whose average income exceeds $9,500. The other 20 percent of assistance is spread thinly among the remaining 2,500,000 farmers.

"The farms that produce most of the Nation's food and fiber no longer fall into the lowest one-third of the Nation's income distribution. Most are successful business firms. Their continued success is of course not independent of Government commodity programs, whose elimination would cause a sharp fall in the income of all farmers. But these programs are no longer a means of distributing income to the neediest groups in our population; they are not welfare programs."

Indeed, it seems obvious that the wheat plan is a welfare program in reverse: it primarily improves the welfare of relatively well-to-do farmers while reducing the welfare of lower-income people.

For the administration, however, shifting the wheat subsidy from the taxpayer to the consumer makes it possible to show a reduction in Federal budget outlays for commodity programs, which in recent years have averaged close to $4 billion a year. While Secretary Freeman has said that boosting the wheat tax would raise the price of bread about 1 cent a pound loaf, bakers have put the increase at 2 cents a pound, after allowing for distribution costs and the retailer's markup. Testifying in behalf of the American Bakers Association and the Biscuit and Cracker Manufacturers' Association, Joseph Creed summed up the objections of the industry:

"The plain fact of the matter is that should this high-priced program be enacted, the Congress will be telling the consumer of bread that he is to be saddled with arbitrary price increases to provide a Government-determined level of income for a small group of the citizenry—the wheatgrowers. We believe that if it is to be the declared public policy of Congress that wheat farmers should receive a higher price for each bushel of wheat than the marketplace provides, it would be far more forthright and honest to provide such a return out of the general funds of the Government instead of using the local baker as the tax collector. To tell the consumer that the cost of Government is thereby reduced because the financing of the program is taken from another pocket of the consumer is, in our opinion, a sham."

FEED GRAIN AND OTHER PROGRAMS

The wheat tax is not the only temporary program that threatens to become permanent. The feed grain program, started in 1961 as an emergency measure, is up for a 4-year renewal. While its basic aim has been to divert acreage out of key feed grains, it has proved to be a highly expensive proposition.

The administration has claimed success for the program by pointing out that feed grain stocks have been reduced by some 30 million tons in the past 4 years. Charles B. Shuman, president of the American Farm Bureau Federation, has pointed out, however, that this has been accomplished with the massive expenditure of nearly $3.7 billion, equivalent to about $3.65 for each bushel reduced. He also maintains that feed grain capacity has been actually increased, rather than reduced by the diversion payments. Prices have continued to be supported at levels attractive enough to spur farmers to use more and more fertilizer and other means to boost yields on the remaining acreage.

In both the wheat and feed grain programs, objections have been raised against the power given the Secretary of Agriculture to sell Government surplus stocks at 105 percent of the price-support level, plus carrying charges. Farm groups have charged that this power has been used as a club to force farmers to comply with farm programs by putting a tight lid on market prices. This has also discouraged the private grain trade from carrying its own inventories. While Secretary Freeman has defended the 105 percent rule as necessary for administration of his programs, several farm groups have called for a higher level in order to permit normal price movements and a revitalization of the private grain business.

Among other programs proposed by the administration, the rice certificate plan has met with so much opposition within the trade that its chances of passage are regarded as slim. Extension of the wool program, modified to provide higher subsidies for small producers, has also aroused little enthusiasm.

TIME FOR A CHANGE

The time is ripe for a sweeping change in farm programs. As indicated in the President's farm message last February, the administration itself now recognizes the need to separate the problems of commercial agriculture from the social problems of poor people living in rural areas. This general approach is to be commended. The proposed cropland adjustment program can play a vital role in retiring whole farms out of surplus production, provided that the land is not used for other crops. Efforts toward providing better training for farm people to speed their successful adjustment into industrial or service occupations are in the right direction and need to be expanded.

But somewhere between thinking and acting, the new approach has gone astray. While the President spoke of producing food at "reasonable and stable prices," the proposed program would raise some food prices. Though the President spoke of a more effective "free market" system, farmers would face the same controls and rigged markets as before. And while he spoke of achieving "liberalization" of farm trade in the "Kennedy round" negotiations at Geneva, the proposed legislation would reduce differences between our own policies and the protectionist system of the Common Market that has been so roundly criticized in this country.

Few people believe that producers of price-supported crops, after three decades of Government protection, should suddenly be left to fend for themselves. But any new program should work in the direction of gradually bringing about a shift of resources and an adjustment of farm production to permit the Government to reduce sharply its costly intervention in farm markets. Such an "adaptive" approach was recommended in 1962 by the Committee for Economic Development:

"The adaptive approach seeks to achieve adjustment to economic reality without imposing hardships, by means of programs that promote adjustment but cushion the effects upon people and property. Although the adaptive approach, like the protectionist approach, requires Government action, the objectives of the Government action are entirely different. The adaptive approach calls for action by Government working with the free market, not against it.

"It seeks to achieve the results of the free market more quickly and easily rather than to keep these results from occurring. The adaptive approach works by permitting full production, rather than by limiting production. And, Government adaptive programs applied to particular industries can ordinarily be temporary, whereas protectionist Government actions generate the need for their own indefinite continuance. We believe that if a small fraction of the money, effort, and thought devoted to protecting agriculture in the past decade had been devoted to adapting agriculture, the Nation would be at least in sight of a solution today."

Department of Agriculture,
Office of the Secretary,
Washington, July 9, 1965.

Mr. George S. Moore,
President, First National City Bank,
New York, N.Y.

Dear Mr. Moore: Your July newsletter, which you devoted primarily to an attack on the Great Society farm program, has confused consumers, farmers, economists, and the public alike, each for different reasons.

The consumer, viewing your alarm in predicting as much as a 2-cent increase in the price of bread if the Great Society wheat certificate proposal is enacted, is struck by your sudden great sympathy for him. What has brought about this new overwhelming concern for the consumer? The price of bread in the past 18 years has increased by two-thirds, climbing 8 cents a loaf, yet you have raised no objection. Eighteen years ago the farmer was getting 2.7 cents for the wheat in a 1-pound loaf of bread, and consumers were paying about 13 cents for the loaf. Today the farmer is getting the same 2.7 cents for the wheat, and consumers are paying 21 cents for that loaf of bread. So long as the farmer got no increase, you apparently felt no concern for the consumer.

The farmer is asking himself why are you trying to block any consideration for his needs. Does it mean that a bread price increase has your approval if the farmer does not get any part of it, but invites your attack if he is helped? He can only hope that not many other big, powerful financial institutions hold such attitudes.

The wheat certificate program means that the farmer would get 3.4 cents rather than only the 2.7 cents or less than he has received over the last 18 years for the wheat in a loaf of bread. The farmer knows this is very little to cover the increased costs he must pay like everyone else, and he believes the consumer will understand his needs.

The farmer is also puzzled by the assertion in your newsletter that the wheat farmer is well to do. A typical wheat farm in Kansas, for example, which depends on wheat for the primary source of income, provides the farm family a modest income at best.

Last year under the wheat certificate program enacted in 1964, a typical wheat farm netted about $4,200. If there had been no certificate program, the farm family would have netted less than $2,000. This farmer has an investment of at least $80,000. We estimate that the proposed program would increase the net return to about $4,800 a year—perhaps about as much as you pay a typist.

Would your bank, for example, be willing to loan a farmer the credit he needs to carry out his farming operation if you knew his net return would be less than $2,000? I doubt if it would, yet you seem to want to put the farmer in the position of reducing both his profits and his chances to obtain the credit he needs.

Your newsletter certainly must puzzle the agricultural economist just as it amuses the consumer and frightens the farmer. You ought to make it clear when you are playing politics, and when you are making a serious economic analysis. Your July letter is sheer economic nonsense. You made the same alarmist predictions a year ago when the current certificate plan was enacted, and a year's experience has disproved every one of them.

In the first full year of operation with the wheat certificate program, bread prices have remained virtually the same as before the certificate program went into effect. In addition, profits earned by wheat users have increased, the cost of operating the program was $300 million less than in the previous fiscal year, and farmers earned $450 million more than would otherwise have been possible. The program also means that wheat will move at competitive market prices domestically and in world trade—a procedure you have long advocated but now totally ignore.

Finally, your assertion that the agricultural programs are inconsistent with the other Great Society programs of this administration, particularly the excise tax reduction and the poverty program, is a clever play on words, but it doesn't stand up under more than a passing glance. In the first place, there is no bread tax. Instead, the farmer will receive seven-tenths of a cent more for the wheat in a loaf of bread—his first raise in 18 years.

Instead of hindering the poverty program, as you claim, the new wheat program will make more funds available for Great Society programs like the food stamp plan which improves the diet of low-income families by boosting their food budget a third on the average.

I read your letter carefully and profit from it. Won't you please return to serious, carefully thought out articles and get out of "farm politics"? Both the bank and the Nation will be better off.

Sincerely yours,
Orville L. Freeman,
Secretary.

WATER SHORTAGES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous that the gentleman from California [Mr. Reincke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. REINECKE. Mr. Speaker, every day we read of new problems due to severe water shortages in various parts of our country. What is not generally brought out is the fact that a potentially serious health hazard exists due to water contamination by back siphonage every time there is a water pressure failure.

Each year this Nation spends hundreds of millions of dollars to develop new water supplies, to capture natural streams and rivers, and yet, Mr. Speaker, only a pittance is spent and no organized program exists to properly conserve this water after it is incorporated into our municipal water systems. We must stop this terrible waste.

As a result, and in recognition of a true national need, I am introducing a bill today to establish a National Study Commission on Water Conservation and Utilization. The intent of this Commission is to recommend to the President and the Congress a national plan to recommend means by which water purveyors, acting on their own initiative, can take steps to conserve this valuable natural resource and, further, to make grants and contracts to do the required research on uses of water in industry, agriculture, and domestic applications.

As a means of eliminating unnecessary duplication, the bill stipulates that the Commission review existing data, surveys, and research projects. In this regard, I would like to call to the attention of the Commission the long history of research in the field of domestic water conservation by the American Society of Sanitary Engineering. The work of this group is notable and worthy of serious review.

The final product of this 5-year Commission will be to publish and distribute a comprehensive means for all interested Americans to assist in conserving our most crucial natural resource.

CLEAN ELECTIONS AMENDMENT EXPLAINED

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, because a number of my constituents have inquired about the "clean elections" amendment offered by the gentleman from Florida [Mr. Cramer] and adopted last Friday as part of the voting rights bill, I want to take this opportunity of explaining it. First, I point out that I voted for the amendment, as well as for the voting rights bill. The clean elections amendment fills a gap in the Federal laws governing elections and when it is put into operation will offer substantial protection against fraud at the polls. The majority of the House, in adopting the amendment, recognized clearly that, while the right to vote is vitally important, the right to cast them in honestly conducted elections is just as important. It should be pointed out also that the same provision was approved earlier in the Senate by a unanimous vote.

The amendment is straightforward. It applies to all Federal elections and provides maximum penalties of a $10,000 fine or 5 years' imprisonment or both for anyone who knowingly or willfully gives false information as to his name, address or period of residence in order to be registered, or who conspires with another to register falsely or to vote illegally; or pays or offers to pay or accepts payment either for registration or voting.

This amendment is extremely important. There is no point in registering minorities if we do not take steps to protect their votes. If we permit other persons to come in and register tombstones, to provide false and illegal absentee ballots, to buy and procure votes, to float voters from one district to another, we are not protecting the right to vote and this voting rights bill loses much of its meaning.

Recent elections have produced outrageous evidence of vote-stealing and shenanigans. This is particularly true in machine-run city wards, but not confined to them. The purpose of the clean elections amendment is to serve notice to the Nation and to the world that we mean to have clean elections in this country—not bought votes, not fraudulent elections, but clean elections. I would want every citizen in the country to feel, as he leaves the voting booth, that his ballot has been recorded just as he cast it. This amendment, for the first time at the Federal level, offers such assurance.

I must frankly state, however, that I am sorry the amendment does not go further and cover the problem of counting ballots honestly and the problem of intimidation of voters. Both of these problems were covered in the Ford-McCulloch Republican voting rights bill.

Nevertheless, the Cramer amendment represents a major step forward. It parallels the amendment offered by Senator John Williams of Delaware, and adopted in the Senate, and I was glad to vote for it.

LI'L ABNER CARTOONS TO LURE DROPOUTS INTO JOB CORPS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Minshall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MINSHALL. Mr. Speaker, Mr. Speaker, like millions of Americans I follow the adventures of Al Capp's "Li'l Abner." I have been intrigued lately by the devastating job Mr. Capp has done in his comic strip on the administration's so-called antipoverty program. As Dogpatch fans know, Tiny Yokum's misguided efforts to help his impoverished cousins were the subject of some biting social cartoonery.

I was surprised, therefore, when my good friend, Bob Crater, one of Scripps-Howard's best reporters, uncovered the fact that the same Mr. Capp who attacks the poverty program in his syndicated strip has donated "Li'l Abner's" services to the Office of Economic Opportunity for use in a comic book designed to lure recruits to the Job Corps.

It appears confusion is compounding confusion in the Office of Economic Opportunity and Mr. Capp is contributing his share.

Since the taxpayers are footing the $25,000 printing bill for publishing the Job Corps' comic book, they will be interested in the Crater article from the June 14 edition of the Cleveland Press.

Li'l Abner Cartoons To Lure Dropouts Into Job Corps

(By Robert Crater)

Washington.—Undaunted by explosive reaction to the TV spectacular "It's What's Happening, Baby," Federal antipoverty strategists are readying a new gimmick.

Soon to be released by the Office of Economic Opportunity are 500,000 "Li'l Abner" comic books aimed at enlisting men and women aged 16 to 21 in the Job Corps.

OEO's information chief, Holmes Brown, says the comic books cost $25,000 for printing. He said artist Al Capp donated the drawings, valued by OEO at between $150,000 and $200,000.

"Li'l Abner and the Creatures From Drop-Outer Space" features Abner, Danny Driftwood, and Sloppy-Belle, a buxom redhead in skintight stretch pants.

Together the Dogpatch trio illustrates how Danny Driftwood got nowhere with an attractive secretary named Bouncy-Belle until he joined the Job Corps to better himself.

Cast in the beginning as "a nice but undesirable young man desired by Sloppy-Belle, who is unkempt, unemployed, and undated," Danny winds up in the OEO's opus a well-dressed, employed gentleman who wins the hand of Bouncy-Belle.

And Sloppy-Belle, who has learned her lesson, joins the Job Corps, too.

Like the TV 90-minute spectacular by CBS, the comic book is aimed at the Nation's young poverty group and speaks their language.

A letter by Li'l Abner advises readers that artist Al Capp was a school dropout.

Capp, relates Abner, hung around street corners and stole an automobile when he was 16. Placed on probation, Capp remained "the original joovern-ill de-linkwunt" in Bridgeport, Conn., until he got a job, explains Abner.

"If it warnt fur a accidental lucky brake, Capp mite still be a jooven-ill de-linkwunt, which wood be embarassin at his age.

"An so the trooth is it dident take no talent for Capp to rite no story about no young fink, because thats what he was before he got started," concludes Li'l Abner.

WATER, WATER—

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. McCarthy] is recognized for 30 minutes.

Mr. McCARTHY. Mr. Speaker, the Nation's water problems mount daily. But answers to water management problems do not come overnight. Indeed, it takes years before the results of poor water planning can be corrected. Yet by 1980—just 15 years from now—the United States will need facilities to supply twice the water we use today.

Let us look at some of the water problems we now face:

First. On July 7 a four-State water emergency was declared for the Delaware River Basin. New York City was directed to reduce its consumption of Delaware water by 75 million gallons a day. The cities of Philadelphia, Pa., and Camden, N.J., faced the imminent threat of their water supplies being contaminated by salt. By unanimous vote of representatives of the four States—New York, New Jersey, Pennsylvania, and Delaware—and the U.S. Department of Interior, it was decided that New York for the subsequent 30 days would have to release 200 million gallons of water a day to help provide a river flow at Montague of 1,025 cubic feet a second. Subsequently, New York City announced that it would activate an emergency pumping plant on the Hudson River and begin purifying the terribly polluted Hudson water and channeling it into the New York system.

Second. The U.S. Weather Bureau early this month forecast "no substantial relief" for the 4-year drought that has plagued most of the Northeast. Secretary Udall charged that the water shortage was primarily the result of a lack of foresight in planning for the drought cycle.

Third. Water levels on the Great Lakes are dangerously low, intensifying the acute pollution of the lakes and forcing heavy losses in potential revenues on shippers who cannot load their vessels to capacity. Lake Erie has been described as a "dying" lake.

Fourth. New York, Ohio, Pennsylvania, Michigan, Wisconsin and Minnesota are seeking in the U.S. Supreme Court to reduce diversion of Great Lakes waters at Chicago.

Fifth. The U.S. District Engineer for the Pittsburgh district has recommended construction of a billion-dollar waterway connecting Lake Erie with the Ohio River which would result initially in the diversion from Lake Erie of over a million acre-feet of water. This action by the Corps of Engineers, it is important to note, does not yet have the approval of the International Joint Commission established by the 1909 Boundary Waters Treaty between the United States and Great Britain.

Sixth. Fast-growing southern California faces a heightening water crisis and looks to quenching the thirst of its parched lands with waters brought many hundreds of miles from the water-rich Northwest.

These are but some of the many water problems the United States faces today.

President Johnson is certainly to be praised for asking for a report on how the Federal Government could help alleviate the urgent water problem in the Northeast but I should like to urge that the scope of this activity be considerably broadened.

The immensity of our water management problems points to the need for action. The staggering scope of our future water problems demands that we begin planning now.

There are many agencies and departments of the Federal Government which now have responsibilities in the planning, development, and conservation of water resources—the Atomic Energy Commission, Interior Department, U.S. Army Corps of Engineers, Agriculture Department, Weather Bureau, State Department, National Science Foundation, Department of Health, Education, and Welfare, and the U.S. Coast Guard among them.

But there is need for improved coordination of the water resources activities of these various entities. And hopefully this will be achieved after the President signs S. 21 which provides for a Cabinet-level Water Resources Council. And I do hope that he soon will sign this measure into law. For the Council will bring to one table all of the programs and activities in the field of water resource planning, development, and conservation.

One of the council's early actions, I believe, should be a start on the development of a comprehensive national water policy.

The policy should not only advance solutions to our current water management problems but long-range planning for future water needs as well.

Certainly this policy should call for a step-up in the Federal Government's already impressive progress in perfecting the desalting of sea water.

The Bechtel Corp. recently made an important report to the Interior Department, the Atomic Energy Commission and the Metropolitan Water District of southern California.

It reported that sea water could be transformed into fresh water with atomic power at about one-fifth of current cost.

That would put the cost—a minimum of 22 cents a thousand gallons—close to what southern California expects to be paying for natural fresh water from inland sources within the next few years.

Such a rate would be favorable for other sections of the country where water is scarce.

The Bechtel report indicated that such low-cost desalinization could be accomplished by a $300 million plant situated south of Los Angeles producing electric power as a byproduct.

The plant would produce 150 million gallons of water a day—enough for a city of 750,000 persons.

The power output would be 1,800 megawatts, enough for a city of 2 million—bigger that the Hoover Dam's capacity of 1,300 megawatts.

The council should press forward with federally-financed research into new methods of water purification. The Rand Development Corp. has developed a startling new water purification system that uses coal and which produces electric power as a byproduct.

Other possibilities that should be considered by the council include use of flood control dams to create reservoirs, civilian use of reservoir system at vacant military installations, and transporting water supplies by tank car to emergency areas.

Another priority item on the Interdepartmental Council's agenda should be early discussions with Canada looking toward the development of a North American water policy.

A plan has been conceived by a distinguished Canadian engineer, Thomas W. Kierans, of Sudbury, Ontario, for diverting Hudson Bay-bound rivers into the Great Lakes.

The plan calls for delivering 24,000 cubic feet per second of new water to the Great Lakes and for dependably managing the levels, flows, and quality of the Great Lakes.

If carried out, the plan could assist in the solution of a number of the problems I cited earlier:

The new water would raise the levels of the Great Lakes.

It would flush out pollutants from the lakes.

It would enable Chicago and Ohio to divert the water they require.

The water could be diverted into either the Hudson or Delaware Rivers watersheds to provide for the increased needs of Atlantic seaboard metropolitan areas.

A start has been made in this general direction.

Private engineering firms are studying the plan's economic feasibility. And the International Joint Commission now is studying the twin problems of water quality and quantity in the Great Lakes.

But I regret that the chairmanship of the U.S. section of the International Joint Commission has been vacant for 1 year—since July 1964, when our colleague, the gentleman from Wyoming, left the post to run for the House of Representatives.

We did, however, have an indication of increased attention to relations with our northern neighbor this week when the White House made public a report recommending close, continuous, and candid consultation between the United States and Canada as the cornerstone of improved relations between the two nations.

President Johnson asked the Secretary of State to take the lead for the United States in a prompt review of the report and its recommendations.

I earnestly hope that Mr. Rusk will indeed take the lead and inaugurate conversations with the Canadian Government on the matter of joint planning of a North American water policy which would include jointly undertaking the huge Great Lakes replenishment project advanced by Mr. Kierans.

The Nation's water problems mount. Fifteen years from now we will need facilities to supply twice as much water as we use today.

Clearly, the time has come to act and to plan.

THE DOMINICAN REPUBLIC AND THE ALLIANCE FOR PROGRESS

The SPEAKER pro tempore (Mr. MATSUNAGA). Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 30 minutes.

Mr. PUCINSKI. Mr. Speaker, during the recent tragic events in the Dominican Republic, I am sure a good many Americans acquired the false impression that all of Latin America was up in arms against the United States because of President Johnson's action in sending troops.

There are many reasons why this false impression gained currency. There were, in some Latin American capitals, the usual street demonstrations by the usual small elements. There were the expected outcries from the traditionally anti-American groups. And there were, of course, the usual sensational news reports of student rallies or flag-burnings or overturned cars. Mixed in with these reports were, of course, legitimate protests from responsible elements. I would not suggest that only small bands of vociferous extremists criticized the American action. Indeed, since concern was expressed in many responsible quarters.

But I think it is time to put in perspective the reaction of Latin Americans to the U.S. role in the Dominican crisis.

To begin with, I would like to point out that only two Latin American chiefs of state criticized President Johnson's action. I think we should remember also that in all the voting in the Organization of American States during the crisis the positions taken by the United States were supported on every occasion by two-thirds or more of the member nations. Indeed, in the first crucial test—on the resolution asking the OAS itself to assume the responsibility for restoring order in the Dominican Republic—only five Latin American nations declined to go along.

But perhaps the best measure of Latin American sentiment throughout the crisis is the newspaper editorial reaction throughout the hemisphere.

In the first days of the Dominican crisis, when U.S. troops were landed, there was indeed widespread editorial criticism. Gradually, however, as the picture of utter chaos emerged from the Dominican Republic the editorial tone shifted in many Latin American countries to sympathy, understanding and even support for the decisive action of President Johnson.

Let me give you some examples:

In Rio de Janeiro, the widely read O Jornal declared that:

> The intervention of the American Armed Forces in Santo Domingo * * * was not only urgent but indispensable.

The editorial added that:

> The theoreticians of self-determination and nonintervention protest that the presence of American warships in Santo Domingo constitutes a flagrant violation of U.S. agreements with other hemisphere powers in the treaties of Bogotá and Rio de Janeiro. But it must be admitted that awaiting the formal procedures of those treaties would have sacrificed hundreds, even thousands of innocent persons.

In Colombia, while one liberal newspaper initially called the U.S. action unwarranted intervention, another liberal journal, El Espectador, said President Johnson's reasons for intervening were acceptable in face of the fact that no government existed in the Dominican Republic. In fairness, however, let me add that El Espectador insisted that in form and essence our action was incorrect. But later on, the other leading liberal newspaper, El Tiempo—which at first had condemned our action—declared, and I quote:

> If President Johnson—who is better informed than we are—thinks there is a grave danger of a Castroist invasion of Santo Domingo and that this island could be converted into another Cuba, he was perfectly right in ordering intervention.

In Venezuela, another leading liberal journal, El Mundo of Caracas, decided that:

> The Americans have acted well, with rapidity and foresight. There is no time to lose. Communism acts fast. It is organized and supported. The protest of some Latin American countries against intervention in Santo Domingo should now be choked off.

In Ecuador, the popular newspaperman and poet, Mr. Alejandro Carrion, declared in Guayaquil's El Universo:

> In justice, and without justifying the U.S. action, it must be recognized that the armed intervention came after another armed intervention about which nothing was said, which was not condemned, and which was not interfered with. I refer to the armed intervention of the Communists.

In Mexico, which did not vote with us in the OAS, a leading conservative journal, El Universal, condemned our action in the Dominican Republic. Yet, at the same time, another leading conservative newspaper, Excelsior, found that:

> The possibility that the Dominican Republic can become a second Cuba is something which affects the Dominicans as primary victims, but also all Latin Americans who would feel its weight as a threatening presence and a new center of agitation on a hemispheric scale.

Still another major newspaper in Mexico, the liberal Novedades, declared:

> The landing of U.S. marines is justified by basic humanitarian principles.

This newspaper added that "it cannot be ignored" that "openly Communists armed groups, or persons inspired by such, are trying to establish a regime like Fidel Castro's * * *."

> The Havana regime is intervening in Dominican affairs through [these] armed organizations. The United States cannot permit this without incurring grave danger to hemispheric peace and unity.

I could continue citing favorable editorial reaction in almost every country in the hemisphere. But I think you can see from the examples I have given that the Latin American response to our action was by no means violent or one-sided. At the same time, I would not suggest that there was near-universal support for our action, nor would I intimate that there was little or no criticism. There was, without doubt, a good deal of criticism from nonextremist sources. The tone of that criticism was, however, largely restrained and reasonable. It suggests, in fact, that in Latin America today the specter of American economic imperialism backed up by bayonets has been consigned to its rightful residence—to the dusty pages of old history books. And as Eric Sevareid has pointed out, the new and very real specter in Latin America today is Communist political and paramilitary penetration. There is, I think, a growing realization that the independent American Republics must together take further steps to meet this new danger and this new challenge.

Later this summer, in August in Rio de Janiero, the foreign ministers of the American Republics will meet in formal sessions to decide what measures can and should be taken to meet what the late Adlai Stevenson has aptly described as "camouflaged aggression—subversion so subtle that it can sometimes be exported without a fingerprint."

But there is an additional factor which is relevant here and which, to me, is fundamental in explaining the reactions of Latin America to the Dominican Republic crisis. There is not only an increasing recognition that the American nations must work more closely together to successfully resist this new aggression. There is a recognition of the need to continue the equally vital task of rapidly improving the social and economic circumstances of the American people. This social sensitivity, coinciding with our own, was significantly responsible for the orientation of a series of inter-American declarations of policy reaching their spiritual and operational climax in the Alliance for Progress.

For almost 4 years, under the Alliance, the independent Latin American Republics and the United States have struggled side by side to meet a profound and mounting demand for social justice. There is today in Latin America a new willingness to accept the major responsibility for the success of this democratic, peaceful revolution. There is a growing awareness that long-term economic and social progress requires each nation to reform and modernize many traditional institutions.

Let me cite some instances of such reforms:

All of the 19 Latin American nations have improved their tax administration and 9 have enacted major tax reform programs.

Twelve countries have introduced new land reform programs.

Ten countries have come up with national development plans or sector investment programs. Other country programs are nearing completion.

Education budgets have increased some 13 percent, and 5 million more children are now attending school.

Fifteen countries have established self-help housing programs, and more than 300,000 new dwelling units have been completed or are about to be.

Nine countries have enacted laws fostering the growth of savings and loan associations, and eight countries now have new public or private development banks.

Thus it has become increasingly clear in Latin America that only through self-help can a nation or a people effectively marshal their own resources to meet the challenge of rapid development and to survive and compete in the modern world.

There is also a greater consciousness among the Latin American nations that cooperation with each other—such as we already see in the Central American Common Market and in the Latin American Free Trade Association—makes for the most rapid and solid progress.

The executive direction of the Alliance for Progress today is largely in Latin American hands. Through the Inter-American Committee on the Alliance for Progress, known as CIAP from its initials in Spanish, the Latin Americans themselves keep a vigilant eye on the pace of national development programs and multinational cooperative ventures. CIAP reports that last year Latin America achieved an overall increase of 2½ percent in gross national product. This was the challenging growth target set in mid-1961 when the Alliance was officially launched at Punta del Este, Uruguay. Under CIAP's prodding and intelligent leadership there is a fair chance that this same important goal will be reached again this year.

For its part, the United States continues its vigorous and full support of the Alliance. Early this year President Johnson not only renewed the pledge of the United States to support all the Alliance objectives but also promised increasing participation of the United States in the years ahead. Secretary of State Rusk has suggested that now, in the aftermath of the chaotic and tragic events in the Dominican Republic, all the member nations of the Alliance for Progress face the challenge of building in that battered land the foundations for a modern, democratic life. The Dominican people, he said, "want what the rest of us want for ourselves: representative constitutional government, economic and social progress, hope that their children's lives will be happier and more fruitful than their own."

As for the political content of the Alliance, Secretary Rusk restated the position of the United States simply and clearly:

> The United States welcomes change in Latin America. From its inception, the Alliance for Progress has been the cornerstone of our policy in Latin America. The Alliance objectives—of reform and development in democracy—are our objectives. They are our objectives because we have always believed in them, and because of their attainment in each and every country of Latin America is in our national interest.

THE COMMUNIST ASSOCIATIONS OF THURGOOD MARSHALL

The SPEAKER pro tempore (Mr. Matsunaga). Under previous order of the House, the gentleman from Louisiana [Mr. Waggonner] is recognized for 15 minutes.

Mr. WAGGONNER. Mr. Speaker, inasmuch as the President has nominated Thurgood Marshall to be Solicitor General of the United States and since this nomination does not come before the House for our approval or disapproval, I take this means as the only one available to me to put into the Record for permanent reference, the information available to me of the Communist front associations of this man.

This may not be the entire record and, indeed, it probably is not, but at least it is a beginning.

The information I am about to present comes from the public records, files and publications of the House Committee on Un-American Activities.

This material reveals that Thurgood Marshall was a member of the national committee of the International Juridicial Association. The special Committee on Un-American Activities cited the International Juridicial Association as "a Communist front and an offshoot of the International Labor Defense" in Report No. 1311, dated March 29, 1944. Also, in a report on the National Lawyers Guild, prepared and published September 17, 1950, by the Committee on Un-American Activities, the International Juridicial Association was cited as an organization which "actively defended Communists and consistently followed the Communist Party line."

A list of officers of the National Lawyers Guild, as of December 1949 which is printed in the committee's report on the National Lawyers Guild on page 18, contains the name of Thurgood Marshall, New York City, among the members of the executive board. He was shown to be an associate editor of the Lawyer's Guild Review in the issue of May–June 1948 on page 422.

In the Washington Star, on page A–22 of the February 8, 1948, issue and on page A–82 of the February 12, 1948, issue of that same paper, a story shows that Marshall criticized the loyalty program in a public forum held under the auspices of the National Lawyers Guild here in Washington.

As you know, the National Lawyers Guild was cited by the special Committee on Un-American Activities as a Communist front in Report No. 1311 of March 29, 1944, on page 149. In the committee's report on the organization, released in 1950, the guild was cited as a Communist front which "is the foremost legal bulwark of the Communist Party, its front organizations and controlled unions" and which "since its inception has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents."

The Communist Daily Worker of November 24, 1947, on page 4, reported that Thurgood Marshall was among a group of attorneys who sent a telegram to New York Congressmen asking them to oppose the contempt citations in the case of the so-called Hollywood 10.

As I say, this is at least a portion of the Communist front activity of the man the President has nominated to be Solicitor General of the United States. It is probable that a search of the files of the FBI, the Attorney General's office, the Senate Internal Security Subcommittee and an exhaustive search of the records of our own Committee on Un-American Activities would reveal more facts of this same nature. Such a search should be undertaken and the results made known to the people before this nomination is voted upon in the Senate.

This man is cited by the President as "a lawyer and judge of very high ability, a patriot of deep convictions, and a gentleman of undisputed integrity."

With his Communist front associations of the past, here only partially revealed, it seems to me that both his integrity and patriotism are open to serious question, a question that must be answered and his Communist front activity explained, if it can be explained, before he is installed in this high post of responsibility.

A LIFETIME OF DEDICATED SERVICE—SPEAKER JOHN McCORMACK

The SPEAKER pro tempore (Mr. Matsunaga). Under previous order of the House, the gentleman from Massachusetts [Mr. Conte] is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, one of the great satisfactions I have enjoyed since coming to the Congress has been to serve under the able and distinguished leadership of my colleague from Massachusetts, Speaker John McCormack. Even though we do not share the same party label, I am proud to esteem him both as a friend and a professional colleague. I am proud that we share the common ground of representation in the Congress for the Commonwealth of Massachusetts.

On a number of occasions this year, attention has been called to our Speaker's manifest capabilities and skills, adding just measure to the lengthening account of awards and citations which have been extended to him throughout his long and distinguished career by some of our finest and proudest instituions. His lifetime of dedicated service to this body have earned him the respect and gratitude of all his countrymen, Republicans and Democrats alike.

I claim the privilege now of directing the attention of my colleagues to just a few of the more recent tributes extended to Speaker McCormack.

On March 9, the Veterans of Foreign Wars named Speaker McCormack as man of the year for his outstanding leadership in the House of Representatives. Again in March he was given the distinguished service award of the National Postal Union in Boston.

I am certain that our Speaker must count near the top of any list of his citations, the awarding of the Veritas Medal to him this spring by Providence College in our neighbor State of Rhode Island.

It is always a proud moment for any man to be singled out by an institution of higher education in appreciation of his dedication and devoted service to that institution. Such recognition is doubly gratifying when it is conferred upon one who has not graduated from its campus nor even attended classes there, but who nevertheless believes strongly enough in the educational principles and academic integrity of that school to have earned distinction as one of its most beloved benefactors.

The Veritas Medal is the highest recognition conferred by Providence College upon its graduates. By conferring the medal upon our Speaker, Providence College gives an added distinction to both. The gesture is perhaps matched only by the spiritual and material assistance which our Speaker has conferred upon the college.

The Disabled American Veterans, a fine group of loyal Americans whose tributes may never be taken lightly, has most recently taken special note of our Speaker's outstanding career and of his special interest in veterans affairs by conferring on him the national DAV Award for Distinguished Service. This citation was extended only last Saturday, July 10.

Certainly among the most impressive of the citations this year extended to our Speaker has been in recognition of his sincere concern for, and deep commitment to the welfare of our wartime veterans. The National Association of

State Directors of Veterans Affairs in May selected Speaker McCormack to receive its coveted National Distinguished Service Award. A letter in regard to this selection was sent to Mr. Charles N. Collatos, commissioner of veterans services for the Commonwealth of Massachusetts. The letter was signed by President Lyndon Johnson.

Since the President's sentiments certainly echo my own and, I am sure all of us in this body on both sides of the aisle, I ask unanimous consent to insert the letter at this point in the Record. The letter follows:

The White House,
Washington, May 12, 1965.

Mr. Charles N. Collatos,
Commissioner of Veterans' Services,
The Commonwealth of Massachusetts,
Boston, Mass.

Dear Mr. Collatos: I want to congratulate you and your colleagues in the National Association of State Directors of Veterans' Affairs on your selection of Speaker John McCormack to receive the National Distinguished Service Award.

Over the years of my long and happy association with this outstanding public servant from your State of Massachusetts, I have known John McCormack to be always in the forefront of every effort to strengthen the security of this Nation and to assure protection of the best interests of those men and their families who have borne the burden of America's preparedness.

As this award is presented, please extend to Speaker McCormack, my good wishes and admiration for the honor he so richly deserves.

Sincerely,

Lyndon B. Johnson.

THE FRAUDULENT POSITION OF THE COAL INDUSTRY ON RESIDUAL OIL IMPORTS

The SPEAKER pro tempore (Mr. Matsunaga). Under previous order of the House, the gentleman from Massachusetts [Mr. Conte] is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, in a recent statement to the Office of Emergency Planning regarding the OEP's current investigation of residual fuel oil import controls, Prof. M. A. Adelman, of the Massachusetts Institute of Technology, has laid bare the fraudulent position of the coal industry in its fight to deprive New England and other east coast users of necessary fuel supplies at the most favorable prices. Professor Adelman is associated with the Department of Economics and Social Science at MIT and is a highly regarded expert on petroleum matters. His remarks are certainly worthy of consideration in resolving what is a most critical situation for us in New England.

Professor Adelman has charged the coal industry with systematic price discrimination by offering the most favorable coal prices only to those east coast users who are in a position to threaten the use of competitive energy sources.

Professor Adelman points out that the coal industry's chief Washington spokesman, Mr. Joseph Moody, may have uttered the industry's epitaph during recent testimony before the Joint Committee on Atomic Energy which was considering a decision of the Jersey Central Power & Light Co. to build a nuclear plant.

Mr. Moody confessed in part at that time:

> If we had believed the Jersey Central people we would have given them a price for combined transportation and coal so that they wouldn't build that Oyster Creek plant, but we didn't believe them.

In castigating the coal industry for its discriminatory price practices, which seem to be clearly implied in Mr. Moody's testimony, Professor Adelman states:

> Systematic discrimination is hard to maintain, except where it has the explicit sanction of law, such as the present dollar-plus per ton discrimination against export coal. Otherwise, a wide price spread offers a constant temptation to chisel, and discrimination usually requires overt collusion. The coal trade which is so closed in upon itself and so besest by self-justification, is in danger of drifting into criminal violation of the Sherman Antitrust Act.

Professor Adelman also points out:

> If controls (on residual fuel imports) are maintained, the coal industry will be smaller, and poorer. They will overreach, bluff in vain, and lose one market after another, as they lost the Jersey Central bid.

I agree with Professor Adelman completely. As one of the first in this body to oppose mandatory quota restrictions on imports of residual oil, I have sought over and over again to point out to the coal industry the absurdity of its position on this issue. I am deeply gratified that other voices are now being heard in like appeal. I am certain neither I nor they will give up this fight until these senseless, costly controls are lifted.

This program was ridiculous from the outset. With each passing year since it was first invoked in 1959, it has become even more ridiculous. Every study or investigation has borne this out. Each succeeding study yields only a rehash of facts and conclusions which have been reached over and over again. The current OEP study is just a further needless squandering of taxpayer dollars on a matter that should have been, and could have been, resolved long ago.

I might say that in connection with the current OEP study, on June 30, I told Director Ellington that we expected a prompt decision and he promised to let us know something in 30 days.

There can be only one decision, of course: these controls are needless, and are not good for the Nation or for the protection of any industry. It is time the administration accepted these facts along with everyone else who has, except the spokesmen for the coal industry. It is time the President put an end to a program which not only works to the disadvantage of the American consumer, but puts our foreign relations with at least one South American republic, Venezuela, on very shaky ground.

Many of my associates from oil producing States in this country have told me they are no longer concerned in the least with the source of New England's residual fuel oil. They have joined those who see the only possible truth in this matter and they have abandoned the position of stubborn resistance. They realize there is no threat to their product and that continued opposition to the removal of quota controls can only be to everyone's disadvantage. The coal industry now stands alone in its stubborn, self-serving desire to throttle the economy of the east coast, in spite of the overwhelming evidence that there will be no tangible gain for the coal industry, with or without residual oil controls.

I say its high time we resolved this problem in the only way it can be resolved. I say it is time we quit worrying about trying to resurrect a market for the coal industry that just does not and cannot exist.

Inasmuch as Professor Adelman's remarks to the OEP represent a rational, well-documented analysis of this problem, I would like to direct the attention of my colleagues to them and ask unanimous consent that they appear in full with my remarks in the Record. Professor Adelman's statement follows:

Massachusetts Institute of Techology,
Department of Economics and Social Science
June 28, 1965.

Mr. Buford Ellington,
Director, Executive Office of the President, Office of Emergency Planning, Washington, D.C.

Dear Mr. Ellington: Thank you for your letter of June 18. I am glad to submit for your consideration a brief statement of reasons for my price forecast together with some supporting documentation.

Enclosure (A), 25 copies enclosed, is the talk to the New England Council, predicting an eventual price of not more than $1.50 per barrel of residual fuel oil. Enclosure (B), letter to Mr. Joseph E. Moody makes it clear that this was not a short-term forecast; a decline of only about 20 cents per barrel was to be expected on the morrow of controls being lifted. One might conclude that (1) since the price reduction will be "only" 20 cents per barrel, little is gained by dropping residual controls; or that (2) since the price reduction will be no less than 50 cents, it will hurt the coal industry, etc. But one cannot have it both ways.

The prepared speech, enclosure (A), concentrated on the supply picture of heavy fuel oil. Because of the low cost of production in the Middle East and Venezuela, even with high royalties, it is remunerative to lay down heavy fuel oil at the U.S. East Coast at $1.50 a barrel, given enough time to make the necessary arrangements and provide the facilities. I can only guess how long it would take to get from the short run price of $1.80 to the long run price of $1.50: say not less than 2 years and not more than 5.

But the supply conditions in oil were only one reason for my forecast. The other blade of the scissors is domestic demand, which in turn depends on the prices at which coal will be available to electric utilities at the U.S. east coast. I pointed out that at present it was being sold at approximately 25 cents per million B.t.u.

This statement has been challenged (NCPC Newsletter, Jan. 21, 1965) and by those in the best of all possible positions to know the prices in recent contracts, including fringe benefits and retroactive adjustments. But they are unwilling to make those contracts part of the public record. Quite aside from their interest in having us believe that prices are higher their unsupported statements are not worthy of belief, since they will not bring forth the relevant documents, which they have.

My own belief that coal is now being sold around 25 cents rests altogether on the public record. A year ago, the president of Virginia Electric & Power Co. demanded that the coal to their newly-planned plant, which will begin operating in 1969, be made available at not more than 25 cents per million B.t.u. (Electrical World, June 20, 1964) The freight rate reported in the public press (Electrical World, Nov. 16, 1964) when added to the average minehead price in the area where the coal originates (National Power Survey. vol. II. pp. 351–352), is approximately 26 cents. But part of the package was a reduction in freight rates on deliveries to existing plants, worth around $3 million per year (Saward's Journal, May 22, 1965). When account is taken of this fringe benefit, it is clear that even though the net price of the coal for the new plant cannot be precisely calculated, it is clearly below 25 cents per million B.t.u.

The second fact of public record is that when Jersey Central Power & Light was contemplating a nuclear plant, they received offers of a delivered coal price of 26 cents per million B.t.u.. Moreover:

"If we had believed the Jersey Central people we probably would have given them a price for combined transportation and coal so that they wouldn't build that Oyster Creek plant. But we didn't believe them." (Mr. Joseph E. Moody, president, National Coal Policy Conference, in hearings before the Joint Committee on Atomic Energy: AEC authorizing legislation fiscal year 1965 (1964) p. 673.)

Thus we can take it from Mr. Moody that coal is available in New Jersey at about 25 cents per million, provided there is competition to bring it forth. In large plants, say over 500 megawatts, nuclear power provides that competition. Jersey Central threatened, and was not believed. When Vepco threatened, they were believed. Several others have done the same, most recently Florida Power (see Nucleonics, June 1965, p. 26; New York Times, June 18, 1965, p. 45).

Since coal is now available to electric utilities at around 25 cents per B.t.u. on the U.S. east coast, heavy fuel oil cannot sell to them for any more than the equivalent $1.50 per barrel.

The coal industry (including the coal-carrying railroads) has predicted a price of 23 cents per million B.t.u. by 1970 (fuel oil $1.38). In view of the rapidly advancing technology, they are doubtless correct. The National Power Survey, Advisory Committee Report No. 21, points out that not only is new machinery built to be used in existing mines, but:

"New mines built specifically for the new types of machinery that are being developed * * * will have high rates of productivity, as already has been demonstrated by some of the newer mines that have come into production within the past few years. Also, there is an increasing concentration of production in highly mechanized mines, of which there are relatively few compared to the total number of mines in the country."

For the reason just cited, national averages are plainly misleading or useless. In 1960, the largest 10 percent of the mines produced nearly 80 percent of the output, and averaged nearly half a million tons apiece, 10 times the national average. The 50 largest mines in 1962 produced about 22 percent of the total coal, averaging over 2 million tons each. Half of these mines had been opened since 1950. (Report of the National Fuels and Energy Study Group, 87th Cong., 2d sess., Committee on Interior and Insular Affairs (1962); Bituminous Coal Facts 1964, p. 73; N.C.A., Coal News, Dec. 14, 1962.) The employment figures for these 50 largest mines could easily be furnished by the National Coal Policy Conference, to give us essential facts on productivity which we do not have now.

It is these big new highly productive mines, loading on to unit trains, who are taking over the coal business. The days of "doghole mines" are numbered, now that they have lost the subsidy they had received through carload rates for very unequal transport costs.

In round numbers; new large underground mines of the type being opened for utility business have a productivity per man-day of around 30 tons, strip mines have 40, and auger mines 50. Exact figures could easily be tabulated and published by the Bureau of Mines.

Because the productivity of the new large mines now getting the utility contracts is so much greater than the average, the usual estimates for the number of jobs created by such a contract are ridiculously exaggerated. A million tons a year requires only 150 miners producing 28 tons during 240 working days (a 5-day week, 4 weeks' vacation). Estimates based on 13 tons and 205 days are an abuse of national averages.

The industry's prediction of 23 cents may perhaps have a proviso that fuel oil imports be curtailed or stopped. Lower prices through less competition, would be a miracle which I have never seen and do not expect to see. It is irrelevant in any case. If coal will be sold at 23 to 25 cents, then control or no control residual fuel oil must come down to that price or lose the market. The question is whether this price of 25 cents per million B.t.u., which today holds only under the most favorable competitive circumstances, will be spread to all comparable purchasers or not.

Decontrol of residual fuel oil imports would prevent discrimination in delivered coal prices. The volume of residual imports will not be much affected by decontrol, nor the volume of coal sales. But the prices of coal will be more nearly uniform and the average will be lower. The burden of adjustment will be largely on railroad rate structures, which will be less discriminatory; and on domestic refining of residual fuel, to a minor degree. The effect of control or decontrol on coal mining jobs—which will keep right on declining in any case—will be imperceptible in the statistical record.

If heavy fuel oil imports were decontrolled, then residual oil would be available, after the time lag mentioned earlier, at 25 cents ($1.50 per barrel) or less, and there would be little systematic discrimination on the coast, because any coastal buyers would have access to oil. If residual import controls remain, coal prices will be at or near 25 cents for only those fortunate buyers who can threaten the competition of nuclear power, long range extra-high voltage (EKV) transmission, or slurry pipelines. Those who cannot threaten will be forced to pay higher prices. There is evidence that the coal industry hopes to see higher prices in the near future (Wall Street Journal, July 31, 1963, p. 1)—a belief quite dangerous to them. Systematic discrimination is hard to maintain, except where it has the explicit sanction of law, such as the present dollar-plus per ton discrimination against export coal. Otherwise, a wide price spread offers a constant temptation to chisel, and discrimination usually requires overt collusion. The coal trade, which is so closed in upon itself and so beset by self-justification, is in danger of drifting into criminal violations of the Sherman Antitrust Act.

In the end, if controls are maintained, the coal industry will be smaller and poorer. They will overreach, bluff in vain, and lose one market after another as they lost the Jersey Central bid. Mr. Moody has already written the epitaph: If we had only realized there was competition, but we did not believe it.

Yours sincerely,

M. A. Adelman.

KEEP FLAT GLASS INDUSTRY FROM BECOMING EXTINCT

The SPEAKER pro tempore (Mr. Matsunaga). Under previous order of the House, the gentleman from Pennsylvania [Mr. Dent] is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, I take this time to acquaint the House with the latest developments in the fight to keep the flat glass industry from becoming extinct.

The Tariff Commission after many years of futile protest finally recognized the seriousness of the foreign import impact upon the industry and in the early years of the Kennedy administration some relief was granted in the form of a tariff increase.

Now with the ink hardly dry on the official papers the Tariff Commission by a 3-to-2 vote has recommended that this increase be rescinded.

The logic of the majority members of the Commission defies all human comprehension or understanding.

They admit injury, they admit increased rather than decreased foreign imports in spite of the increased tariff which incidentally can only be called protective by stretching the imagination or putting new construction on the meaning of "protective tariff."

While admitting to the worth and need of international trade we must in good conscious also admit to the idiocy of unprotected trade in items of competitive production between unlike economies.

I will not take the time of the House to lecture on the weakness of our trade policies of the past decade but rather will give the logic of our position in presenting the case for the producers and workers in the glass industry, the stake our Nation is gambling with if we give any consideration to the unsound conclusion reached by the 3-to-2 decision by the Tariff Commission.

I speak at this time specifically for Members of Congress whose districts have within them the manufacture, processing and distribution of this vital domestic product.

I speak for the glassworkers, their families, their communities, and even more so their country.

Members of Congress, to name a few who are vitally interested and share my concern are such stalwart Members of Congress as Representative Edmondson of Oklahoma, Representative Sisk of California, Representative Saylor of Pennsylvania, Representative Slack of West Virginia, Representative Moore of West Virginia, and many, many others, too numerous to list at this point.

This much I do know that if a vote is polled in this House we will have an opportunity to make our position known so that the Tariff Commission will awaken to the changes that have and are taking place in the international competitive world.

I present, Mr. Speaker, for insertion in the Record, the case for the glass industry:

Sheet Glass: Necessity for Maintenance of U.S. Tariff Duties at Present Level

Introduction

The U.S. Tariff Commission instituted an escape-clause investigation on sheet glass on November 17, 1960, under section 7 of the Trade Agreements Extension Act of 1951 as amended. The investigation grew out of evidence gathered by the Commission earlier under section 3(b)(1) to advise the President what rates might be negotiated with other countries in the so-called Dillon round.

Following a hearing held in March 1961, the Commission on May 17, 1961, unanimously reported to the President that in part as a result of the then existing low rates of duty the domestic industry was being injured and recommended increases in the rates of duty. On June 29, 1961, the President asked the Commission to obtain further information for him and this was embodied in a supplemental report to the President on January 10, 1962.

The President, acting on the Commission's recommendation of May 17, 1961, made the increased rates of duty effective at the close of business on June 17, 1962.

Subsequently, the Commission reported on September 27, 1963, the results of its review under section 351(d)(1) of the Trade Expansion Act. This report gave no cause to assume that duties might be reduced.

On March 30, 1964, the President asked the Commission to advise him as to the probable economic effects of a reduction or termination of the increases in the duties on sheet glass.

On the same date the Commission instituted an investigation under section 351 (d)(2) of the Trade Expansion Act to fulfill the report to the President, held a hearing, and on June 11, 1965, made a report to the President on its findings and on its conclusions as to the probable economic effects of the restoration of the concession rates of duty on sheet glass.

The majority (Commissioners Dorfman, Fenn, and Culliton) stated that "restoration of the concession rates of duty would probably have only a slight effect in the present and immediately foreseeable future." However, they noted that among the effects of a duty reduction there would probably be "some increased pressure on older plants and smaller companies, somewhat softer prices, a tendency for imports to increase, some lessening of confidence of the domestic industry, and a tendency, by making competition more severe, to concentrate domestic production in the stronger and more modern establishments." Furthermore, the majority also noted that the task of predicting the probable economic effect of a reduction in duties is complicated by the consideration that the increased duties have only been in effect for a brief period of time (since 1962).

The minority (Commissioners Talbot and Sutton) in their opinion noted that the industry will probably be a static or declining one, that the import share of the market had not been reduced by increased duties and that more than half of the U.S. production comes from Appalachia. They also took emphatic note of the recent price reductions on imported glass and concluded that a reduction of duties would enlarge the importers' share of the market and lead to a decline in employment, profits and the amount of productive capacity operated. In addition, they emphasized the need of the industry to be able in times of strong demand to increase profits and build up reserves necessary to sustain a cyclical industry through periods of low demand.

Although the majority findings would appear to indicate that a reduction in duty would have only a "slight effect in the present and immediately foreseeable future" one could infer from the anticipated symptoms they enumerate that more severe or (for some companies) even disastrous results would eventuate. The minority opinion is relatively unqualified and categorical about the likelihood of severely injurious results.

The purpose of this statement is to emphasize or enlarge upon certain points in the Tariff Commission report of June 1965 and to some degree to supplement the information contained in that report. To these ends we shall discuss the trends in the domestic industry and trade in sheet glass. We shall also discuss the growth of the foreign sheet glass industry and its export trade, its competitive strength vis-a-vis the domestic industry, the compelling factors which have driven it and will continue to drive it toward even greater penetration of the U.S. market, and the startling evidence, in the form of large price cuts, of a current renewal of its drive to expand its share of this market.

Finally, we review briefly the adverse effects of a reduction in duties on sheet glass in relation to the antipoverty program especially in Appalachia, the balance-of-payments problem and the Government's policy of preventing concentration in the flat glass industry.

TRENDS IN U.S. SHEET GLASS INDUSTRY AND TRADE SHOW STRONG NEED FOR CONTINUING PRESENT RATES OF DUTY

The June 1965 Report of the Tariff Commission notes significantly that the trend in sheet glass consumption has been relatively static, that imports have continued to hold their formerly established share of the market since the increase in duties and that a reduction in the duties would probably increase imports of sheet glass. As will be demonstrated later, it appears that imports are going to increase substantially whether the duties are reduced or not.

The following table briefly sums up data appearing in the 1965 Tariff Commission report bearing on trends in the sheet glass industry and trade in the United States:

Trends in the U.S. sheet glass industry and trade, 1955 and 1959–64

	1955	1959	1960	1961	1962	1963	1964
	Million pounds						
Domestic shipments	1,590	1,580	1,266	1,274	1,443	1,556	1,530
Domestic inventories	55	124	145	102	160	132	164
Imports:							
Total	245	507	410	375	471	394	479
MFN	239	491	391	350	435	376	446
Apparent domestic consumption	1,830	2,084	1,672	1,646	1,910	1,946	2,005
	Percent						
Ratio of MFN imports to apparent consumption	13.0	23.6	23.4	21.3	22.8	19.3	22.3
Percent of theoretical capacity operated [1]	72.0	64.0	50.0	46.0	56.0	54.0	56.0
Ratio of net operating profit to sales	23.3	13.4	[2] (1.3)	1.3	2.7	9.5	(3)
Estimated profit ratio after taxes	11.6	6.7	(4)	.7	1.4	4.8	(3)

[1] Derived from 1965 Tariff Commission report, p. 20. Theoretical capacity probably overstates practical capacity by 10 to 15 percent.

[2] From Tariff Commission report of May 1961.

[3] Not available.

[4] Deficit.

Source: Tables 4, 6, and 12 of 1965 Tariff Commission report except as noted.

DOMESTIC SHIPMENTS AND CONSUMPTION ARE STAGNANT

As may be noted from the above data, the domestic industry is presently shipping less sheet glass than it shipped 10 years ago. [Chart 1 not printed in the RECORD.] This is true even though the industry has incurred large additional investment in the increased capacity which it has necessarily created in the course of modernizing its plant. The market for its product has not shown the growth characteristic of most U.S. industry. As noted in the recent Tariff Commission report, "Apparent consumption in 1962–64 was high and it demonstrated an upward movement but, even so, the 1964 figure did not surpass the 1959 peak.

"It is also significant that domestic shipments do not reflect even the gradual increase in consumption.

"The Commission does not foresee large and sustained increases in demand for sheet glass or in domestic shipments."

IMPORTS HAVE REMAINED HIGH AND RETAINED THEIR SHARE OF U.S. MARKET

As the Tariff Commission notes in its recent report, imports "in 1962 and 1964, roughly maintained the share of the market (approximately one-fourth) that they had achieved prior to the increase in duties." Imports from most-favored-nation countries were higher in 1964 than in any other year except 1959 when the effects of a severe strike in the domestic industry caused imports to be extremely heavy. As a result of the heavy increase in most-favored-nation imports in recent years these imports have not only supplied all the increase in demand but they have taken over some of the market formerly supplied by domestic producers.

CAPACITY OPERATED HAS DECLINED AND PROFITS HAVE BEEN LOW

Over the 10-year period, 1955–64, the proportion of capacity operated has dropped and profits on average have been lean since 1959. In 1963 and 1964 the domestic industry made a modest profit as compared with its barely marginal operation in 1961 and 1962, but this increase in profits was not shared by every member of the industry. The primary cause for this improvement in profits was the relatively firm prices for glass plus some increase in volume.

Chart 2 [not printed in the RECORD] shows graphically the impact of imports on profits which have been relatively depressed since 1959 when imports first attained nearly a fourth of the U.S. market, a position which they continued to maintain in 1964.

PRODUCTIVITY HAS BEEN OUTPACED BY WAGE INCREASES

Comparatively, wages have risen faster than the increase in output per man-hour over the 1955–64 period. The following data illustrate this condition:

[1957–59=100]

	Output per man-hour [1]	Hourly wages [2]
1955	103	89
1964	115	115

[1] See p. 32 of Tariff Commission report of June 1965.

[2] Average annual hourly wage rates for the flat glass industry. See "Employment and Earnings," Bureau of Labor Standards, U.S. Department of Labor.

The average annual increase in wages and fringe benefits has been about 3 percent in the 1960's and it is anticipated that this or a greater rate of increase will prevail in 1965 and 1966. In 1966 there will also be added to labor costs the increased taxes for medicare and unemployment compensation and also the added cost of double time instead of time and a half for overtime and, probably, there will be some impact from higher minimum wage provisions. All these factors could add as much as 2 to 2.5 percent to wage costs in 1966 apart from the increases arising from union contracts.

The only offset to such increased labor cost lies in an increase in output per man-hour. Any such increase in production must come primarily from an expansion of output and the prospect for such expansion is extremely dubious.[1]

IMPORTS HAVE SEVERELY REDUCED EMPLOYMENT

The data below show the employment situation in the domestic industry since 1959. The average number of sheet glass employees in 1964 was still 12 percent below the 1959 level notwithstanding the increase in rates of duty in 1962. It will be observed that employment measured in man-hours showed a decline of about the same proportion as that shown by the average number of employees:

	Average number of employees		Man-hours worked	
	Number	Index (1959=100)	1,000 man-hours	Index (1959=100)
1959	8,209	100	16,364	100
1960	6,874	84	13,593	83
1961	6,420	78	12,775	78
1962	7,385	90	14,994	92
1963	7,110	87	14,542	88
1964	7,261	88	14,301	87

Source: Table 9, Tariff Commission Report 158.

The drop in employment can be attributed in part to increasing productivity which was some 8 percent higher in 1964 than in 1959, and in part to declining production which declined some 5 percent in the same period. In 1964, imports, notwithstanding the increased rates of duty and notwithstanding the increased efficiency of the domestic industry, as the Tariff Commission reports, "roughly maintained the percentage of the market that they had achieved prior to the increase in duties." It should be added that labor had hoped for a decline in the market share supplied by imports because it foresaw the necessity of increasing domestic production if the employment levels of 1959 were to be maintained. The result has been a disappointment since production has actually declined and with it employment. Any reduction in duties, we believe, would bring further severe declines in employment in the domestic sheet glass industry.

CURRENT PROSPECTS IN SHEET GLASS INDUSTRY UNPROMISING

The industry entered 1965 with inventories at a new peak and with shipments by the noncaptive producers in the first quarter substantially under those in the first quarter of 1964.[2]

The industry is also finding that the foreign producers are cutting prices to such a degree that domestic producers are being forced to cut prices heavily in an effort to avert a large loss of their market.[3] As a result, the "somewhat softer prices" which the Commission foresaw as a result of reducing present duties are already here with a vengeance. Under such conditions the industry will probably face a much less satisfactory year in 1965 especially in view of the likelihood that there will probably not be any ameliorating increase in consumption.[4]

In view of the less promising prospects in 1965 and later, the domestic producers must depend on the relatively modest profits of the last 2 years to sustain the already large investment they have made to modernize their plants and to provide the wherewithal to continue to improve productivity and to finance research and market development in order to maintain some degree of competitiveness with imports.

As the Tariff Commission observes in its recent report:

"The task of predicting the probable effect of a restoration of the concessions on this industry is complicated by the consideration that the increased duties have been imposed only recently (1962). Furthermore the first full year (1963) was distorted by a number of extraneous factors. This difficulty is meaningful for the managers in the industry just as it is for the Government because they have to make their business decisions in view of the brevity of the period of added protection and the scheduled expiration date (1967) of the duty increases."

Obviously the modest degree of recovery experienced by the industry is not enough to underwrite its future efforts to stay in business and this is especially true of the smaller firms. It is also clear that the time during which the increased duties have been applied is entirely too short to permit any maturing of the domestic industry's development of sufficient strength to hold its own against the very strong competition from imports.

FOREIGN PRODUCERS ARE INCREASING CAPACITY, PRODUCTION, AND EXPORTS

A complete census of the sheet glass capacity, newly operating, or being planned by foreign producers is not readily available, but large new plants or plant additions have recently been brought into production in the Netherlands, Spain, Belgium and West Germany and three new plants are being built or are in production in Italy. Saint Gobain announced in 1964 that it was going to build a new sheet glass plant in Spain and Hsinchu Glass Works is planning a new sheet glass plant in Taiwan to be completed in 1966. Foreign producers, like those in the United States are also modernizing their plants, which in most cases results in increased capacity.[5]

The impressive growth of foreign production and exports is demonstrated by the data shown in the next column which summarizes appendix tables 1 and 2.

The above data indicate not only the magnitudes of the increase in production and total exports but also the tremendous rate at which exports to the United States have expanded compared to the large increase in total exports. As may be noted, Belgium, the world's largest exporter of sheet glass, has increased its exports to the United States at a much greater rate than to other export markets. However, even Belgium's rate of increase in exports to the United States has been greatly exceeded by Japan, France, and the United Kingdom.[6] The data also show the impact of the foreign competition on the U.S. industry which has had a very small growth in production and has been able to achieve no significant increase in exports during the 1954–64 period. The tremendous increase in U.S. imports has not only arrested the growth in domestic production but foreign producers because of their tremendous cost advantage have stopped any expansion of U.S. exports.

Country	Million pounds		Percent of increase
	1954	1964	
Production:			
Belgium	(1)	(1)	(1)
West Germany	531.3	767.2	45
France	177.0	401.2	127
Japan	454.2	909.0	100
United States	1,297.9	1,530.0	18
Exports to all countries:			
Belgium	317.9	642.2	102
West Germany	86.6	178.6	106
France	59.7	135.3	127
Japan	79.6	152.1	91
United Kingdom	81.0	111.1	37
United States	3.4	3.8	12
Imports into United States:			
Belgium	49.8	148.0	197
West Germany	20.9	46.2	121
France	6.5	30.9	376
Japan	3.5	78.4	2,141
United Kingdom	6.4	25.5	299

(1) Not available.

Unfortunately the above data do not disclose another important development regarding the imports of sheet glass into the United States. This is the large increase in the proportion of sheet glass entering at MFN rates which comes from suppliers other than the large European exporters. The rapid growth of Japanese participation in the American market has already been shown but there has also been a considerable increase in the aggregate supplied by smaller countries among which are Taiwan and Korea both in the very low-wage Orient. The data below show the marked increase in relative market share attained by Japan and other MFN countries.

Period	Ratios (percent) to total reduced-duty imports		
	Japan	Other [1]	Japan and other
1954	3.2	20.5	23.7
1959	14.1	11.0	25.1
1963	17.8	22.3	40.1
1964	17.6	26.2	43.8

[1] Except Belgium, France, Italy, West Germany, and United Kingdom.

FOREIGN PRODUCERS ARE COMPELLED TO INCREASE EXPORTS TO THE UNITED STATES

There are a number of factors which are stimulating foreign efforts to increase exports to the United States. First there is, of course, the attractiveness of the largest single market in the world for sheet glass. The bulk of U.S. consumption is in the coastal areas and markets adjacent thereto. Besides this there is a considerable interior market accessible from Great Lake ports.[7]

Another factor which pushes foreign glass exporters toward the American market is the contraction of other export markets because of increasing domestic production in such markets. Thus in the past few years new or additional facilities have been constructed in Austrialia, New Zealand, Brazil, Argentina, Mexico, and several Asiatic countries and this has merely been the continuation of a trend toward self-sufficiency in former export markets which has been going on for at least a decade.[8]

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[1] Appendix chart 1 showing decline in housing starts during 1965 not printed in the RECORD.

[2] Information relative to April and May indicate no improvement in shipments of noncaptive producers over April and May of 1964 and possibly some lag.

[3] See table after heading: "Foreign Producers Are Embarking."

[4] The Department of Commerce reports that in the very important consuming industry, residential building, housing starts have been lower in the first 5 months of 1965 than in the same period of 1964.

[5] The above information has been obtained chiefly from various issues of the Glass Digest and from domestic glass producers.

[6] Average annual U.S. imports from Belgium in 1960–62 were 137,000,000 pounds compared with 148,000,000 in 1964.

[7] It is worth noting that in 1959 imports entering through noncoastal customs districts amounted to 68 million pounds or 13.5 percent of total imports as compared with 71 million pounds or 14.9 percent in 1964.

Russia and satellite countries have been increasing their capacity and have also been competing with the major free world suppliers for export markets. The Japanese were in 1962 attributing their declining exports of sheet glass into Asiatic markets to intense competition from Czechoslovakia, Poland, and the Soviet Union.[9] The effect of increasing self-sufficiency of former export markets plus the growing competition from Iron Curtain sources goes far to explain the extremely rapid growth of sheet glass exports to the United States as compared with the overall growth in sheet glass exports.

A further development which is characteristic of the major sheet glass exporting countries is the slowing down of their home economies.[10] This is taking the bloom off the home markets for sheet glass and with their ever-expanding capacity to produce, the foreign producers are further impelled to look to the United States as an outlet.

FOREIGN PRODUCERS HAVE A LARGE COMPETITIVE MARGIN OVER U.S. PRODUCERS

Labor is the major element in the cost of producing sheet glass in the United States running around 50 percent of the total cost of production. This is understandable because wage rates in the sheet glass industry are as high or higher than those paid in any other manufacturing industry.[11]

Foreign producers are equally as efficient as U.S. producers in the utilization of manpower, and with their much lower wage rates in Europe and extremely low rates in Asia they enjoy a tremendous cost advantage. Claim is often made that in respect to other costs foreigners are at a disadvantage but in reality it appears that collectively other costs also are markedly lower than in the United States. In addition to all this, foreign producers are not subject to the heavy promotional expenses borne by the U.S. producers in building the market and stimulating demand for sheet glass in the U.S. market. Another heavy expense to which the importers are not subject consists in the use of technical staff in cooperation with private, State, and Federal bodies in establishing standards, codes, and particularly, in developing safety standards and products meeting such standards.

The proof of any pudding, of course, lies in the eating and, certainly, as the Tariff Commission notes in its report, the foreign producers have demonstrated their ability to maintain their share in the U.S. market in the face of increased rates of duty. The duties were approximately doubled by the President's proclamation on all categories except heavy sheet over 16⅔ square feet in area; on this they were tripled.[12] This has not deterred the foreign producers, however, and their continuing exploitation of this market proves they have found it profitable in the face of this tripled duty to expand exports rapidly as shown below.

Year	Total MFN imports	MFN imports of sheet over 28 oz. and over 16⅔ sq. ft.	Ratio (percent) sheet over 28 oz. and over 16⅔ sq. ft. to total imports
		Million pounds	
1959	491	61	12.3
1960	391	47	11.9
1961	350	43	12.2
1963	376	85	22.6
1964	444	98	22.1

When the foreign producers expand their market penetration so substantially over a duty in excess of 50 percent in ad valorem terms what must one suppose they can do against duties on other sheet glass classifications which ranged in ad valorem equivalent from 18 to 27 percent in 1964? The very strong implication is that when they find it expedient they can and will appropriate a larger share of the American market to themselves.

With the passage of time the foreign producers have had their product accepted much more readily in the American market than was the case when they first began exporting to the United States on a large scale. Table 11 of the Tariff Commission report shows the downward trend in discounts on imported sheet glass in the 1960's. The margins shown in table 11 are based on published prices and cannot take account of price concessions which are not published. Conceivably the margins might be appreciably greater if such concessions could be reflected. However, it is believed that reflection of such price concessions would not alter the downward trend exhibited in table 11. In the 1950's the discounts under domestic prices were larger than in the 1960's because the foreign producers were busy establishing a broad massive foothold in the American market and they overcame sales resistance with greater price concessions. In the course of time with growing customer acceptance of their product the foreign producers were able to make their sales at smaller price concessions which, of course, is another supplement to their competitive strength in the American market. It appears that only when they want to expand their penetration of the American market will they need to use the price discount aggressively as they presently are doing. Otherwise they could probably look forward to the further erosion of the difference between their price and the price for domestic glass to a point where it was no more than a nominal 2 or 3 percent.

FOREIGN PRODUCERS ARE EMBARKING ON DRIVE TO EXPAND THEIR SHARE OF U.S. MARKET

As may be observed from the data shown below there was a decline in the discounts at which imported glass was sold between November 1960 and May 1963. Thereafter a relatively small increase occurred in the discounts. In May 1964 however, a rather sharp increase occurred in the margins owing to a generous increase of 2 percent in terms-of-payment discounts on imported glass against a 1-percent increase in the discount offered by U.S. producers.

Date	Percent by which European glass was lower in delivered price than the domestic	
	Single strength "B" 19 ounce	Heavy sheet "B" 16⅔ not over 25 square feet
Nov. 1, 1960	7.9	8.9
May 1, 1963	5.4	4.6
Nov. 1, 1963	5.6	4.7
May 1, 1964	5.9	4.7
Nov. 1, 1964	5.9	4.7
May 1, 1965	6.8	5.6

Source: Excerpted from table 11 of the Tariff Commission report.

The above data cannot take account of additional price discounts of 2 percent on imports of 18- and 24-ounce[13] glass which have recently occurred nor can they reflect a quantity discount of 3 percent on shipments of 75,000 pounds or more of one thickness and 4 sizes.[14] This latter discount is addressed primarily to sash door, storm window, and other manufacturing consumers of sheet glass as well as to most jobbers of sheet glass, and all the above-mentioned discounts affect large proportions of the American market.

Some measure of the importance of the discount on imported 18-ounce glass is gained from the fact that total imports of glass weighing from 16 to 18½ ounces in 1964 amounted to 144 million pounds or more than 30 percent of total imports of sheet glass. Most of this volume was 18-ounce glass. Imports of sheet glass weighing from 23 to 28 ounces per square foot in 1964 amounted to 50 million pounds or more than 10 percent of total imports. While the weight range here is less definitive, it is reasonable to assume that most of this double-strength glass probably qualified as 24-ounce glass. In all, it appears that between 30 and 40 percent of imports could be affected by the recent 2-percent increase in the light glass discount.

Apart from indicating the large importance of the discount, the above figures also indicate that the importers' sales of light glass have not been substantially altered by FHA requirements for the use of 19- and 26-ounce glass in construction which it finances.[15]

The discount of 3 percent on shipments of 75,000 pounds or larger described above may well embrace from 60 to 70 percent of the shipments of noncaptive domestic sheet glass producers. The Tariff Commission Report of May 1961 shows that of total domestic shipments and transfers in 1959, 21.4 percent went to sash and door manufacturers, 4.2 percent went to mirror manufacturers, and 41.4 percent went to distributors, jobbers, etc.[16] The latest Tariff Commission report does not contain a similar analysis of shipments but partial data indicate the percentages going to the above manufacturers and distributors have been maintained.

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[8] New producers in what were formerly export markets usually establish themselves behind high tariff barriers and often become exporters themselves as they increase output.

[9] Department of State Airgram A137 Nagoya, Apr. 5, 1963.

[10] E.E.C. Press release IP (65) 10, Jan. 19, 1965, Brussels; E.E.C. Information Memo P-5/65, Jan. 19, 1965, Brussels; International Commerce, January 1965; Journal of Commerce, Apr. 13, 1965; European Community, May 1965, vol. 81.

[11] Gross average hourly earnings which exclude most fringe benefits were $3.44 for the flat glass industry in 1964 and exceeded the level of any other manufacturing industry. (See p. 42 of report to the President on steel prices, April 1965.)

[12] See table 2 of Tariff Commission Publication 158 of June 1965.

[13] Glass in the 18 to 19 ounces per square foot range is generally referred to as single-strength and that in the 24 to 26 ounces per square foot range as double strength.

[14] As many as 12 sizes are sometimes permitted in the assortment according to reliable trade information.

[15] General Services Administration has under consideration a revision of Federal specifications which would increase tolerances for single-strength glass sufficiently to include weights as low as 18 ounces.

[16] This does not take into account temperers and laminators who account for about 6 percent of shipments in 1959.

Thus this discount on the part of the importers involves a large segment of the American sheet glass trade.

The new discounts on 18- and 24-ounce glass have been published by importers for some weeks now. The 3-percent discount on 75,000-pound shipments was common knowledge in the trade prior to publication on June 7, 1965 (see appendix exhibit 1). We are also informed by trade sources we have long regarded as reliable that other discounts and rebates are being increasingly employed to secure more business. All this adds up currently to what appears to be a mounting drive on the part of the foreign producers to increase their presently large share of the American market. As has been previously explained, they have the manufacturing capacity, the urge and the competitive power to do so.

At the hearing before the Tariff Commission in July 1964 the importers were unanimous in their statement that a reduction in sheet glass duties would bring about no (or at least no significant) reduction in their prices. However, the importers' prognostications were rather poor, because in early 1965, the foreigners, in the absence of any reduction in duties, reduced their prices on sheet glass substantially. Some of these decreases were published and others were unpublished. If the foreigners are able to reduce their prices in spite of the existing increased duties, they certainly will be able to reduce their prices to an even greater extent if the escape-clause duties are rescinded. If the domestic producers are forced to reduce their prices in order to meet this foreign competition (and one large domestic manufacturer has already done so),[17] it probably will put the domestic industry right back in the marginal or deficit profit position that it was in prior to the escape-clause action.

REDUCTION OF PRESENT DUTIES COULD ADVERSELY AFFECT THE STRUCTURE OF THE U.S. SHEET GLASS INDUSTRY

In reaching the conclusion that "restoration of the concession rates of duty would probably have only a slight effect on the domestic sheet glass industry in the present and the immediately foreseeable future," the majority statement of the Tariff Commission noted that such restoration would probably result in "some increased pressure on older plants and smaller companies * * * a tendency for imports to increase * * * and a tendency, by making competition more severe, to concentrate domestic production in the stronger and more modern establishments where output per man-hour may be expected to rise."

In short, if their prediction comes about and the older plants and smaller companies are forced out of business, presumably this is an acceptable result under the current tariff policy of this country.

It is submitted that the antitrust policy considerations applicable to the domestic sheet glass industry do not support such a result.

Most of the members of the domestic industry are operating under the terms of a consent judgment entered in a Government antitrust case in 1948. That judgment makes it apparent that economic concentration was a significant factor in the case and the judgment contains a number of provisions designed to deal with that problem. Since the entry of that judgment, the competition in the sheet glass industry has been intense.

The competition provided by the smaller producers is significant and should be encouraged. From a long range point of view, antitrust policy clearly dictates encouraging and strengthening the smaller producers, not their demise. Certainly, with world conditions continuing to be uncertain, the Government should not look solely to foreign producers to provide the continuing spur of competition in this market. Ideally, Government policy should be directed to retaining and even enhancing the competitive strength and position of each domestic producer and at the same time maintaining rates of duty that permit strong competition from abroad. This can best be accomplished, we submit, by maintaining the existing sheet glass rates of duty.

REDUCTION OF DUTIES ON SHEET GLASS WOULD HAVE AN ADVERSE EFFECT ON ANTIPOVERTY AND APPALACHIA PROGRAMS

The Tariff Commission in its report of June 1965 notes that "the six plants in Appalachia employ about half of the total number of workers in the (sheet glass) industry." It further notes that four of the plants in Appalachia and two in Oklahoma "are located in areas of persistent unemployment" and that these six plants also account for about half of the employment in the sheet glass industry. It should be added, of course, that, since the wage rates in the sheet glass industry are the highest of any in manufacturing industry, the sheet glass payroll assumes even greater importance in these unprosperous areas than mere numbers of employees would indicate.

The Federal Government is engaged in a massive program to eliminate poverty and to rebuild the economy of Appalachia and other areas subject to economic stagnation. The program includes construction of highways and other public works, inducements to attract new industrial activity, retraining programs for the unemployed and other measures for rehabilitating and stimulating the economy all of which entail large appropriations on the part of the Federal Government and a large measure of cooperation on the part of the States and communities affected.

Under such circumstances, it is of great importance to retain all viable existing industry in these unfortunate areas. This is particularly true of industries employing skilled labor at high wages. The necessity for maintaining the sheet glass plants involved is obvious and the maintenance of the present rates of duty on sheet glass is well justified by this necessity.

It would be senseless for the Government to pour billions of dollars into Appalachia with one hand, and then ruin, or jeopardize a key Appalachian industry through a tariff reduction with the other hand.

THE LARGE IMPORTS OF SHEET GLASS HAVE AN ADVERSE EFFECT ON OUR BALANCE OF PAYMENTS

Our gold stocks declined from a level of $21.5 billion in 1957 to $19.7 billion in 1958 marking the beginning of a large and continuous drain which in June 1965 had reduced U.S. gold stocks to $14.3 billion. This became a matter of grave concern to the U.S. Government and a number of steps have been taken to stem the outflow of bullion.

The data below take note of the adverse balance in our sheet glass trade with the rest of the world. It may be argued that the adverse trade balance in sheet glass is not great enough to warrant consideration but the Government has taken account of many minor items in its efforts to cut down the gold drain. For example, there is legislation recently enacted to reduce the tourist exemption. It is estimated that the legislation will result in favorable adjustment in our balance of payments of only $40 million per year, whereas the presently existing unfavorable balance of payments in sheet glass amounts to approximately $30 million per year.

In view of the importance so justifiably attached to the gold drain it is submitted that any reduction in duties on sheet glass, when they are so necessary to the welfare of the domestic industry, would seem doubly ill advised in the context of our present international payments situation.

[In millions of dollars]

Year	Sheet glass			Gold stock
	Imports	Exports	Net adverse balance	
1958	19.9	1.0	18.9	21,356
1959	34.4	1.0	33.4	19,705
1960	28.2	1.3	26.9	19,322
1961	27.0	1.0	26.0	17,550
1962	30.5	.9	29.6	16,435
1963	24.5	1.0	23.5	15,733
1964	30.7	1.0	29.7	15,388
1965 (June)				14,292
7-year total	195.2	7.2	189.0	

Source: Official statistics of U.S. Department of Commerce.

REPORT TO THE PRESIDENT ON STEEL PRICES—RELEVANCE TO SHEET GLASS SITUATION

In April 1965 the Council of Economic Advisers issued a report to the President concerning conditions in the steel industry. Coincidentally, the steel report cites a number of comparisons between the steel industry and the flat glass industry. Some of these comparisons may be interesting.

Like steel, sheet glass is a capital intensive industry in which the capital cost of a plant of efficient size is large. Therefore, satisfactory return on investment is conditioned on the ability to operate at high levels. The rate of return on investment in the steel industry, and in the sheet glass industry, is considerably below the average for all manufacturing industry.

Like steel, sheet glass is a high wage industry and, in keeping with the flat glass industry as a whole, probably has the highest wage rate in the American manufacturing industry. The steel report has this to say on this subject (p. 42):

"In 1964, gross average hourly earnings in steel, which exclude most fringe benefits, were $3.36, as reported by the Bureau of Labor Statistics. This exceeded average earnings of manufacturing by 83 cents an hour and of durable goods manufacturing by 65 cents. In only three major high-wage manufacturing industries did employees earn more than in steel, and then only by slight amounts—flat glass (8 cents), tires and tubes (5 cents), and petroleum refining (1 cent)."

The steel report also commented on the unfortunate fact that, "Employment costs comprise about 39 percent of total costs in the steel industry." In view of this statement, it is interesting to note that employment costs comprise about 50 percent of the total costs in the sheet glass industry.

The steel report further notes on page 3 that, "the loss of domestic steel markets to imports has been large and is still continuing in 1965." In this connection, it should be pointed out that steel imports supplied only 7 percent of the U.S. market in 1964, and the President's economic advisers categorized this 7 percent as "large." This categorization is very interesting in view of the fact that foreign sheet glass imports supplied more than 23 percent of the U.S. market in 1965. (This comparison becomes even more amazing when it is realized that the domestic steel industry exported about half as much steel as this country imported in 1964, whereas the sheet glass industry exported an insignificantly small amount of sheet glass.)

CONCLUSION

The Tariff Commission in its conclusions as to the effect of a restoration of the concession rates of duty emphasizes the short time during which the present rates of duty have been operative and the difficulties of predicting the results of a reduction in duties based on such a limited period of application. Although the majority believes the effects of duty reduction would be slight over the immediately foreseeable future, in general, the entire Commission points to probable long-range results that would be injurious to the industry as a whole and disastrous to a substantial part of it.

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[17] See appendix exhibit 2.

The Tariff Commission in its report of June 1965 clearly shows that importers have held their share of the American sheet glass market notwithstanding the increase in rates of duty, and that their response has been to increase their exports sharply in heavy sheet glass of large size where the increased duties were more than double those on other weights and sizes.

Increased duties have permitted the domestic industry to obtain better profit margins because prices, at least until recently, could be kept at a level which yielded modest profits in contrast to the very poor profits of 1960–62. This was probably due in part to the moderating influence of the increased duties on the competitive behavior of the foreign producers.

However, the foreign producers have the capacity, the competitive margin over and above present duties, and compelling reasons for increasing their share of the U.S. market.

Lately they have been demonstrating through their heavy price reductions their determination to enlarge their market share and any reduction in duties would stimulate that effort immeasurably.

The results of present price cuts may well reduce the domestic industry as a whole to its former marginal status. A restoration of concession rates would result in major distress and liquidation of much of the industry and would also bring added unemployment to areas already in the throes of a stagnant economy.

Based on the information in the Tariff Commission report, on factors not covered in the Tariff Commission report, and on developments which have occurred since the issuance of the Tariff Commission report we submit that the present rates of duty on sheet glass should not be reduced.

Statement of James M. Ashley, Vice President, Libbey-Owens-Ford Glass Co., Made June 29, 1965, at Industry Meeting With Secretary of Commerce John T. Connor

I think that copies of the Tariff Commission's report on sheet glass will serve a good reference purpose to guide this discussion. It is not often that a protagonist has so thoroughly documented an official paper to serve as a basis for his presentation—let alone so many arguments in his favor and so few against.

You will note that I have inked in numbers to designate the lines on each page. As I make a point, I'll try to remember to give the reference page and line numbers. And if you have questions about any points I may overlook, please feel free to interrupt at any time.

It seems logical that the President had two things in mind in taking action with respect to sheet glass tariffs in 1962.

First was to arrest the rapidly growing foreign penetration of this market, and to provide domestic industry with a breathing period adequate to regroup its forces. The Escape Clause hearing had established that, due to import pressures, the domestic industry had suffered significant losses in employment and was operating at a net loss.

Second, and again logically, his objective was to grant a measure of relief which would not preclude most-favored-nations' manufacturers from selling in this market.

Escape Clause testimony had established (1) that the machinery which melts and forms sheet glass is the same the world over, (2) that direct labor costs amount to about half the manufacturing cost of sheet glass, and (3) that domestic wages were from three to seven times higher than foreign wage rates, depending on the country compared. In other words, it seemed apparent that selling prices here resulted in a very long profit margin for foreign producers.

Nevertheless, to determine an exact measure of relief which would arrest further loss of market by domestic producers, restore profitable operations and reverse the employment trend—all without imposing a barrier which would act as an embargo—was a delicate balance to strike. Let's see how well these conflicting objectives were served.

On page 28 of the report, the history of prices in the industry establishes some background for the profit and loss performance achieved by the industry subsequent to the Escape Clause action. Beginning on line 4, we see that, in 1960, domestic producers, in order to try to resist import competition at its point of greatest impact, shifted from a freight equalized basis to a delivered price basis. As you see on line 9, this reduced the U.S. producers' realization on sales by about 7 percent. Footnote No. 3, lines 29 and 30, explain why this price move was the most effective that could be undertaken to meet foreign competition.

Step-by-step price increases are likewise detailed on page 28. Those subsequent to the Escape Clause action appear on lines 14, 15, and 19, and on line 2 of page 29. All in all, as appears on page 29, line 5, the prices of sheet glass were 16 percent higher at the end of 1964 than they were in 1959. This price increase was one of the factors which enabled the industry to write its figures in black ink rather than red.

Another important result of the President's action was the slowing down of the rate of increasing foreign market penetration. To be sure, the report tells us on page 6, line 3, that "domestic shipments of sheet glass do not reflect even the gradual increase of total consumption." And, same page, line 25, that even in the case of heavy sheet glass, on which the duty increase was greatest, "imports of such glass increased both absolutely and as a percentage of the market."

But even so, the rate of penetration increase was slowed from its former pace. In the table on page 41, we see that the domestic producers' share of the market had fallen from 86.6 percent in 1955 to 77.2 percent in 1961. A rate of market loss calculated to inspire defeatism in the industry. Since 1962, the domestic share of market has deteriorated more slowly.

The fact is, the President's decision put spurs to this industry. His action was not accepted simply as a stay of execution. Expenditures to improve efficiencies, which in the climate of severe price pressures might have been shelved, were made and are being made. No one underestimated the job of trying to overcome so great a disadvantage in labor costs. The industry felt, in the 5-year period of relief which had been proclaimed, that it had been given a chance to prove whether or not the whole thing was an exercise in futility. If demonstrable progress could be made in that 5-year period, it seemed logical that relief would be extended beyond 1967.

Improvement in efficiency is slow. New methods must be invented, new ideas tested. And always, unions must be persuaded that increased efficiency is in the workers' long-range interest. But the table on page 32 shows that there has been improvement. With 1957–59 as 100, the output per man-hour rose to 111 in 1963 and to 115 in 1964. No one can say where that index will go in 1966 or 1967, any more than a time limit can be set on the germination of a new idea. But on the record, the industry has responded to the impetus the President provided.

Better prices, slower decline in share of market and improved efficiencies have combined to enable the industry to turn net overall loss to net overall profit. On page 34, line 4, we see that there was an aggregate net loss in 1960, and, on line 6, subsequently improved aggregate net profits in 1963. On line 7, we see that the four firms reporting showed further improvement in 1964, even though, as noted on lines 9 through 12, the four reporting firms benefited from the suspended operations of the nonreporting firms.

On page 35, lines 1 through 4, we see that four of the six firms showed losses in 1960, three showed losess in 1961, but that in 1963, following the President's action, all six realized net operating profits.

Further, returning to the table on page 32, we see that with 1957–59 as 100, and despite the improved efficiencies documented under "Output Per Man-Hour," employment, expressed in man-hours worked, remained above 100 since the President's action.

We submit that the measure of relief which was extended accomplished at least some of what was hoped to accomplish for the domestic industry. It has turned a net aggregate loss into a net aggregate profit, and there has been no further erosion in employment. To be sure, the situation is still shaky. The industry is by no means in the healthy situation it was before the foreigners preempted so large a share of this market. But, without question, the helping hand extended by the Government has not proved a futile gesture.

That's one side of the coin. Now how about the effect it has had on the foreigners? On page 25, line 8, we see that the escape action has not had a substantial effect on the share of market supplied by MFN imports. On lines 14 and 15, the report says that the share of apparent consumption of MFN imports in 1964 was 22 percent—about the same as in the 1959–62 period.

When the President proclaimed the increases in duty in 1962, the newspapers were full of publicity releases about their anticipated effect. MFN imports would be excluded. There was special outcry about the duty increase on heavy sheet glass which, in the larger sizes, was subject to 57 percent ad valorem. Notwithstanding this publicity barrage on page 26, lines 6, 7, and 8, we see that imports of thin sheet glass were successively higher in most of the last 10 years and reached a peak of 52 million pounds in 1964. Lines 9 through 12 take note of the relative stability of imports of single and double strength window glass. And lines 13 through 16 show that imports of heavy sheet glass, despite being subjected to the greatest duty increase reached an alltime peak in 1964. Quite obviously, the escape action has not proved to be at prejudice to the share of market MFN glass had captured prior to 1962. Foreign producers have absorbed the duty increase and have maintained price differentials in their favor sufficient to hold this business, indicating that, under existing tariffs, this market remains attractive to them.

Page 31, lines 1 through 12, indicates that the price differential in favor of West European single strength glass since 1962 has generally been between 5 and 7 percent, whereas, during the 2 years prior to 1962 it was almost 8 percent. On heavy sheet, the differential is now between 4 and 6 percent whereas it was about 9 percent.

A gradual diminishing of price differentials is to be expected. In the first phase of exploring a new market, the greatest price advantage is offered. When a product has won acceptance, it is understandable that a lesser differential will hold established business.

The report's statement of price differentials, however, does not set forth the actual differentials which have influenced buying decisions. U.S. Government specifications call for single strength glass to weigh 19 ounces per square foot, and for double strength glass to weigh 26 ounces per square foot. All U.S. producers abide by this specification.

And here is the rub. Until this spring, all foreign producers have offered an extra 3-percent discount from their 19- and 26-ounce lists for glass weighing 18 and 24 ounces per square foot.

True, such glass is thinner than the 19 and 26 ounces specified by this Government. But the difference is very difficult to detect, not only because the thicknesses are almost equal, but because of allowable thickness tolerances. Importers have therefore bought and use 18- and 24-ounce imported glass as single and double strength, taking advantage of the extra 3-percent discount. More than 85 percent of the glass imported in this thickness range has been 18- or 24-ounce glass, on which the extra 3-percent discount applied. In actual practice, therefore, the glass that competes with American-made single and double strength glass has been not 5 to 7 percent cheaper, but 8 to 10 percent cheaper.

I say "has been" because a price move by the foreigners, so recent that it almost escaped mention in the Report, has increased the extra discount on 18- and 24-ounce glass from 3 to 5 percent under their prices for 19- and 26-ounce glass. This is shown on page 10, lines 26, 27, and 28. I remind you that this widens the effective price differential in the range of sheet glass that accounts for more than half of total sheet glass imports.

Those mysterious asterisks following line 28 represent the deletion of still another price move which has not been published but which has been reported throughout the trade. An extra discount of 3 percent will be allowed on any order of 75,000 pounds more involving one thickness and no more than four sizes.

At first thought, this offer might seem to be directed to manufacturers whose size needs are predetermined and comparatively few in number. This offer will certainly be attractive to them. But his offer influences a much broader segment of market even than that.

We have a jobbing customer in the East whose purchases equate to 200 American carloads per year. An American carload in his case, contains 50,000 pounds. If he buys half his glass in Europe—and I am sorry to say he does—he can place 66 different orders for 75,000 pounds. Obviously, the individual orders' limitation on thickness and number of sizes would have no meaning for him.

In fact, any medium-sized jobber of window glass can order his fast movers on this special 75,000 pounds basis and buy his slow-moving sizes from the domestic manufacturers—at a serious prejudice, I might add, to the domestic manufacturers' operations which goes far beyond even the loss of volume. We have suffered before from a plethora of odd-size orders.

Nor does this extra 3 percent for orders of 75,000 pounds apply only to 18- and 24-ounce thicknesses. It does include those thicknesses but applies across the board from thin glass to heavy sheet. Domestic producers' sales to fabricators of automobile glass, tempered glass for doors, and double glass insulating units must now face this suddenly widened differential in price. In a word, our entire market. On the important 18- and 24-ounce thicknesses this extra 3 percent amounts to a differential of 13 to 15 percent.

As I indicated earlier, it is natural to expect price differentials to narrow when a seller has established his target position in a market. Natural, that is, unless the seller determines to gain further penetration. That, to me, is the significance of these current price moves, and bears directly on the question the President asks: "What would be the probable economic effect on the American sheet glass industry of the restoration of the concession rates of duty?"

These recent price reductions, made under present rates of duty, confirm the pressure on foreign manufacturers to expand their sales in this market. Window glass production capacity has greatly expanded throughout the world. Countries which used to import glass are now unable to consume what they produce and have a surplus for export. In 1963–64, the United States imported sheet glass from such unfamiliar sources as Turkey, Israel, Mexico, Korea, Taiwan, Netherlands, Pakistan, Syria, and even Iceland. The established producing countries which formerly supplied the Middle East and South America—Belgium, Japan, West Germany, France, and the United Kingdom, to name a few—are seeking new markets for their own expanded glassmaking capacities. These recent price reductions confirm the pressure they feel.

At last year's Tariff Commission hearing, foreign producers testified that they would not materially reduce sheet glass prices in this market if U.S. rates of duty were lowered. Those statements, in view of across-the-board price reductions made without tariff reductions, hardly ring with sincerity. Nor do the improvements realized by the domestic industry in the brief period since the escape action constitute an adequate defense against the kind of price pressures that will be applied if our Government, by restoring the concession rates of duty, presents our foreign competitors with a wide latitude in which to make further price reductions at no cost to them.

A final word, and I am done. Three Tariff Commissioners found that restoration of the concession rates of duty "would probably have only a slight effect on the domestic industry." Two Commissioners found that the effect would be severe. The statements of the three and the two appear on Pages 8, 9, 10, and 11 of the report. A comparison of these statements provides food for thought.

The statement of the two who share the views of the domestic industry goes into more detail and makes several points not mentioned by the three. On page 9, lines 22 to 28, they say, "The focal point of competition in sheet glass is price, and the termination of the increases in duty would equate to 4 percent to 20 percent of the present duty paid prices of imported glass." On page 9, line 29 and following, they emphasize that imports retained the same share of market as before the escape action. On page 10, line 6, they note that more than half of U.S. sheet glass is made in Appalachia. On page 10, line 11, they note that U.S. producers' inventories were at an alltime high at the close of 1964. And on page 10, line 29, that shipments of U.S. producers in 1963 and 1964 were lower than in any of the years 1955, 1956, and 1959.

Interestingly enough, the three make a point not mentioned by the two. On page 9, line 3, they point out the brevity of the period of added protection, and go on to say that the industry "would probably interpret a decrease now as indicating a less favorable set of conditions thrust upon them earlier than they expected and definitely earlier than they had hoped." To which, amen.

With a number of points specially emphasized by the two, the three agree. On page 10, lines 13 through 28, the two cite details of softening prices. On page 8, line 16, the three "note the recent reductions in the prices of imported sheet glass."

On page 11, line 1, the two would expect a reduction in duty to "lead to an increased share of consumption by imports." On page 8, line 7, the three expect "imports to increase because of additional price advantage."

On page 11, line 3, the two would expect a reduction in duty to contribute to a decline in employment and profits. On page 8, line 11, the three expect "domestic production to be concentrated in stronger establishments."

On page 11, line 5, the two would expect that a reduction in duty would "idle production facilities." On page 8, line 5, the three anticipate "increased pressure on older plants and smaller companies."

Very significantly, the three offer no arguments to offset the bad effects on the domestic industry they say they anticipate except, on page 8, line 3, to categorize those anticipated effects as having "some slight impact." This industry cannot agree that to suffer price decline, loss of share of market, declining employment and profits, and idle production facilities is to suffer "some slight impact."

We submit that this report of the Tariff Commission, in its total content and in the statements of both majority and minority opinion, clearly indicates that the result of restoring the concession rates of duty would be extremely severe, not so say calamitous.

APPENDIX EXHIBIT 1

PACIFIC MANUFACTURERS EXPORT CO.,
Long Beach, Calif., June 7, 1965.

MR. HAROLD WITKIN,
Havlin Witkin Corp.,
Santa Clara, Calif.

DEAR HAROLD: Asahi Glass Co. today announced that they are pleased to offer the following special discounts:

1. For orders of sheet glass totaling 75,000 pounds or more when not in excess of four sizes, 3-percent discount.

2. For window glass, in thicknesses of 18 and/or 24 ounces, a special 2-percent discount.

These special discounts to be effected against all shipments made after June 1, 1965.

We hope that you will be able to take advantage of these special concessions.

Yours very truly,

R. K. ANDRIESSE.

APPENDIX EXHIBIT 2

PITTSBURGH PLATE GLASS CO.,
Pittsburgh, Pa., June 25, 1965.

To the Trade:

Recently we have learned that foreign producers of window glass are offering discounts and other concessions—both published and unpublished—from their current U.S. price schedules. Those competitive offers have had the effect of widening even more severely than before the differentials in price between our product and the products produced abroad. This is a situation that neither we nor our loyal Pennvernon customers can tolerate. Accordingly, to meet existing competitive conditions, we are pleased to supplement our current Pennvernon clear glass quotations as follows:

1. A discount of 2 percent will be accorded on all orders of Pennvernon in single strength and double strength thicknesses.

2. An additional discount of 3 percent will be accorded on all orders consisting of a minimum of 75,000 pounds with a maximum of four sizes (including fractional sizes) in one thickness which are shipped to one destination at one time.

PITTSBURGH PLATE GLASS CO.

APPENDIX TABLE 1.—*Sheet glass—Production and trade of principal producers*

	1954 (million pounds)	Index: 1954=100							
		1954	1955	1959	1960	1961	1962	1963	1964
Total exports to all countries:									
Belgium	317.9	100	127	187	162	165	204	174	202
West Germany	86.6	100	115	163	170	171	221	215	206
France	59.7	100	141	182	141	140	160	176	227
Japan	79.6	100	104	186	194	196	156	173	191
United Kingdom	81.0	100	122	152	141	111	158	134	137
United States	3.4	100	156	94	127	88	103	115	112
Exports to the United States:									
Belgium	49.8	100	185	375	301	217	309	230	297
West Germany	20.9	100	99	238	204	189	235	213	221
France	6.5	100	443	787	530	477	549	486	476
Japan	3.5	100	641	1,982	1,659	1,657	1,697	1,914	2,241
United Kingdom	6.4	100	332	1,040	675	697	805	473	399
Production:									
West Germany	531.3	100	110	126	149	137	149	149	145
France	177.0	100	139	168	187	167	191	200	227
Japan	454.2	100	105	157	177	172	192	185	200
United States	1,297.9	100	122	122	98	98	111	119	118

Source: Appendix table 2.

APPENDIX TABLE 2.—*Sheet glass—Production, total exports of specific countries and U.S. imports therefrom*

[In thousands of dollars]

	1954	1955	1959	1960	1961	1962	1963 (revised)	1964		
								Period	Amount	Annual rate
Belgium: [1]										
Exports	317,943	404,467	595,570	515,206	523,698	648,233	551,840	January-June	321,120	642,240
U.S. imports	49,849	92,060	186,768	150,009	107,846	153,650	114,315	January-December	148,037	148,037
West Germany:										
Production	531,308	582,014	670,198	793,656	729,723	793,656	791,451	January-August	511,467	767,200
Exports	86,550	99,403	141,588	146,781	148,107	191,688	186,006	January-September	133,967	178,618
U.S. imports	20,917	20,608	49,730	42,658	39,599	49,204	44,463	January-December	46,198	46,198
France:										
Production	176,985	245,372	297,885	331,219	295,240	337,833	354,500	January-October	334,184	401,208
Exports	59,698	84,394	108,815	84,143	83,598	95,803	105,263	January-June	67,640	135,280
U.S. imports	6,509	28,792	51,140	34,453	30,993	35,684	31,625	January-December	30,947	30,947
Japan:										
Production	454,168	476,589	712,106	804,269	780,856	872,722	842,663	January-July	530,260	909,000
Exports	79,586	86,672	147,708	154,762	156,306	123,898	138,007	January-October	126,765	152,118
U.S. imports	3,484	22,421	69,375	58,042	58,008	59,357	67,045	January-December	78,416	78,416
United Kingdom: [2]										
Exports	81,018	98,784	123,312	114,576	90,048	127,904	108,304	January-October	92,551	111,061
U.S. imports	6,426	21,274	66,538	43,213	44,636	51,511	30,339	January-December	25,527	25,527
United States:										
Total shipments	1,297,900	1,590,000	1,580,000	1,265,700	1,273,800	1,443,200	1,552,900	do	1,530,000	1,530,000
Exports	3,400	5,300	3,200	4,300	3,000	3,500	3,900	do	3,800	3,800

NOTE.—The annual rate shown for 1964 is, with the exception of the United States, the annual rate based on the fraction of the year for which data are shown. For Japan, export data in 1964 were expressed only in square meters. These were converted to pounds on the basis of the 1962–63 average weight per square meters. Japanese production in 1963 and 1964 was given for all sheet glass processed and ordinary. The ordinary glass was estimated on the basis of the average ratio of ordinary sheet glass to all sheet glass in 1960, 1961, and 1962.

[1] Production statistics for sheet glass not available; indexes of flat glass production show output to have been 229 in 1962 as compared with 100 in 1953. (See Institut National de Statistique, Bulletin de Statistique, March 1964.)

[2] Data on production not available.

Sources:

Belgium: "Bulletin Mensuel du Commerce Exterieur de l'Union Economique Belgo-Luxembourgeoise," Institut National de Statistique, Ministere des Affaires Economiques et de l'Energie.

West Germany: "Statistiches Bundesamt Wiesbaden, Aussenhandel," Reihe 2' Speziahandel Nach Waren und handern und Industrie und Handwerk, Reihe 3 (1962).

France: "Statistiques du Commerce Exterieur de la France," Ministere des Finances et des Affaires Economiques and Groupement Professionel des Industries du Verre, Annuaire de Statistique Industrielle.

Japan: "Annual Return of the Foreign Trade of Japan," the Ministry of Finance, published by Japan Tariff Association; "Japanese Industry," Foreign Capital Research Society; "Japanese Economic Statistics," prepared by the Japanese Ministry of International Trade and Industry.

United Kingdom: "Annual Statement of the Trade of the United Kingdom With Commonwealth Countries and Foreign Countries, 1961 and 1962."

United States: U.S. imports from official statistics of the U.S. Department of Commerce. U.S. total shipments and exports 1954–1962 from table 3 of Tariff Commission Publication 110; 1963, total shipments estimated; 1963 exports from official statistics of the U.S. Department of Commerce.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MAILLIARD (at the request of Mr. SMITH of California), from July 14, 1965, for 1 week, on account of illness.

Mr. SMITH of New York (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. SAYLOR, for Thursday, July 15, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GALLAGHER, for 30 minutes, on July 15.

Mr. DENT, for 30 minutes, on July 15.

Mr. PUCINSKI, for 30 minutes, today.

Mr. WAGGONNER, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CAHILL (at the request of Mr. HUTCHINSON), for 1 hour, on Tuesday, July 20; to revise and extend his remarks and to include extraneous matter.

Mr. CONTE (at the request of Mr. HUTCHINSON), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CONTE (at the request of Mr. HUTCHINSON), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

The following Members (at the request of Mr. UDALL) to revise and extend their remarks and to include extraneous matter:

Mr. GALLAGHER, for 30 minutes, today.

Mr. DENT, for 30 minutes, today.

Mr. O'HARA of Michigan, for 30 minutes, on Monday, July 19.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. GRAY and to include extraneous matter.

(The following Members (at the request of Mr. HUTCHINSON) and to include extraneous matter:)

Mr. GROVER.

Mr. HANSEN of Idaho in two instances.

(The following Members (at the request of Mr. UDALL) and to include extraneous matter:)

Mr. MCGRATH.

Mr. MONAGAN.

Mr. VANIK.

Mr. SICKLES.

Mr. CALLAN.

Mr. HANNA.

Mr. ROONEY of Pennsylvania in two instances.

Mr. PATTEN.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 21. An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase the participation in such planning.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 14, 1965 present to the President, for his approval, bills of the House of the following titles:

H.R. 2. An act to protect the public health and safety by amending the Federal Food, Drug and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes;

H.R. 4185. An act to fix the fees payable to the Patent Office, and for other purposes;

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act; and

H.R. 9497. An act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966.

ADJOURNMENT

Mr. UDALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Monday, July 19, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1340. A letter from the Acting Comptroller General of the United States, transmitting a report of failure to recover needed aircraft parts previously determined to be Government surplus, Department of the Army; to the Committee on Government Operations.

1341. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend section 202(b) of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

1342. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal in accordance with the provisions of the act approved July 7, 1943 (57 Stat. 380), as amended; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 7811. A bill to authorize the sale or loan of naval vessels to friendly Latin American countries, and for other purposes; without amendment (Rept. No. 622). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 7812. A bill to authorize the loan of naval vessels to friendly foreign countries, and for other purposes; without amendment (Rept. No. 623). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOMFIELD:

H.R. 9864. A bill to nullify certain rules of the Federal Communications Commission relating to the citizens radio service; to the Committee on Interstate and Foreign Commerce.

H.R. 9865. A bill to amend title 10 of the United States Code so as to provide free postage for members of the Armed Forces serving in Vietnam and other combat zones designated by the President; to the Committee on Post Office and Civil Service.

By Mr. BURLESON:

H.R. 9866. A bill to authorize the Board of Commissioners of the District of Columbia to request the assignment of U.S. Marines to assist in law enforcement in the District of Columbia; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 9867. A bill to provide penalties for the use of the interstate route marker for commercial purposes; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 9868. A bill to direct the Secretary of the Interior to study the action that should be taken to preserve, develop, and make accessible for public use a portion of the Hudson River and related lands in the States of New Jersey and New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HELSTOSKI:

H.R. 9869. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HERLONG:

H.R. 9870. A bill to provide for judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 9871. A bill to amend the act of May 11, 1954 (ch. 199, sec. 1, 68 Stat. 81; 41 U.S.C. 321), to provide for full adjudication of rights of Government contractors in courts of law; to the Committee on the Judiciary.

By Mr. REDLIN:

H.R. 9872. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 9873. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. WHITE of Idaho:

H.R. 9874. A bill to require the Secretary of the Army to pay certain severance damages relating to Dworshak project, Idaho; to the Committee on Public Works.

By Mr. WOLFF:

H.R. 9875. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 9876. A bill to amend the District of Columbia Teachers' Salary Act of 1955 to provide a new schedule of salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. CELLER:

H.R. 9877. A bill to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 9878. A bill to amend the Administrative Expenses Act of 1946 to prohibit, except in certain instances, the expenditure of any funds by any executive department or agency of the United States for the acquisition or use of a polygraph (lie detector) machine; to the Committee on Government Operations.

By Mr. GILLIGAN:

H.R. 9879. A bill to provide for a National Teacher Corps to attract and train able teachers for the children in the Nation's most deprived urban and rural schools; to the Committee on Education and Labor.

By Mr. MACHEN:

H.R. 9880. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

By Mr. PRICE:

H.R. 9881. A bill to provide for a 3-month extension of certain rights reserved by the former owners of the subsurface estate of certain real property acquired by the United States for the Carlyle Reservoir, Ill.; to the Committee on Public Works.

By Mr. TALCOTT:

H.R. 9882. A bill to provide for reduced postage rates for the air shipment of small parcels to members of the Armed Forces in Vietnam; to the Committee on Post Office and Civil Service.

APPENDIX TABLE 1.—*Sheet glass—Production and trade of principal producers*

	1954 (million pounds)	Index: 1954=100							
		1954	1955	1959	1960	1961	1962	1963	1964
Total exports to all countries:									
Belgium	317.9	100	127	187	102	165	204	174	202
West Germany	86.6	100	115	163	170	171	221	215	206
France	59.7	100	141	182	141	140	160	176	227
Japan	79.6	100	104	186	194	196	156	173	191
United Kingdom	81.0	100	122	152	141	111	158	134	137
United States	3.4	100	156	94	127	88	103	115	112
Exports to the United States:									
Belgium	49.8	100	185	375	301	217	309	230	297
West Germany	20.9	100	99	238	204	180	235	213	221
France	6.5	100	443	787	530	477	549	486	476
Japan	3.5	100	641	1,982	1,659	1,657	1,697	1,914	2,241
United Kingdom	6.4	100	332	1,040	675	697	805	473	399
Production:									
West Germany	531.3	100	110	126	149	137	149	149	145
France	177.0	100	139	168	187	167	191	200	227
Japan	454.2	100	105	157	177	172	192	185	200
United States	1,297.9	100	122	122	98	98	111	119	118

Source: Appendix table 2.

APPENDIX TABLE 2.—*Sheet glass—Production, total exports of specific countries and U.S. imports therefrom*

[In thousands of dollars]

	1954	1955	1959	1960	1961	1962	1963 (revised)	1964		
								Period	Amount	Annual rate
Belgium: [1]										
Exports	317,943	404,467	595,570	515,206	523,698	648,233	551,840	January-June	321,120	642,240
U.S. imports	49,849	92,060	186,768	150,009	107,846	153,650	114,315	January-December	148,037	148,037
West Germany:										
Production	531,308	582,014	670,198	793,656	729,723	793,656	791,451	January-August	511,467	767,200
Exports	86,550	99,403	141,588	146,781	148,107	191,688	186,006	January-September	133,967	178,618
U.S. imports	20,917	20,608	49,730	42,658	39,599	49,204	44,463	January-December	46,198	46,198
France:										
Production	176,985	245,372	297,885	331,219	295,240	337,833	354,500	January-October	334,184	401,208
Exports	59,698	84,394	108,815	84,143	83,598	95,803	105,263	January-June	67,640	135,280
U.S. imports	6,509	28,792	51,140	34,453	30,993	35,684	31,625	January-December	30,947	30,947
Japan:										
Production	454,168	476,589	712,106	804,269	780,856	872,722	842,663	January-July	530,260	909,000
Exports	79,586	86,672	147,708	154,762	156,306	123,898	138,007	January-October	126,765	152,118
U.S. imports	3,484	22,421	69,375	58,042	58,008	59,357	67,045	January-December	78,416	78,416
United Kingdom: [2]										
Exports	81,018	98,784	123,312	114,576	90,048	127,904	108,304	January-October	92,551	111,061
U.S. imports	6,426	21,274	66,538	43,213	44,636	51,511	30,339	January-December	25,527	25,527
United States:										
Total shipments	1,297,900	1,590,000	1,580,000	1,265,700	1,273,800	1,443,200	1,552,900	do	1,530,000	1,530,000
Exports	3,400	5,300	3,200	4,300	3,000	3,500	3,900	do	3,800	3,800

NOTE.—The annual rate shown for 1964 is, with the exception of the United States, the annual rate based on the fraction of the year for which data are shown. For Japan, export data in 1964 were expressed only in square meters. These were converted to pounds on the basis of the 1962–63 average weight per square meters. Japanese production in 1963 and 1964 was given for all sheet glass processed and ordinary. The ordinary glass was estimated on the basis of the average ratio of ordinary sheet glass to all sheet glass in 1960, 1961, and 1962.

[1] Production statistics for sheet glass not available; indexes of flat glass production show output to have been 229 in 1962 as compared with 100 in 1953. (See Institut National de Statistique, Bulletin de Statistique, March 1964.)

[2] Data on production not available.

Sources:

Belgium: "Bulletin Mensuel du Commerce Exterieur de l'Union Economique Belgo-Luxembourgeoise," Institut National de Statistique, Ministere des Affaires Economiques et de l'Energie.

West Germany: "Statistiches Bundesamt Wiesbaden, Aussenhandel," Reihe 2' Speziahandel Nach Waren und handern und Industrie und Handwerk, Reihe 3 (1962).

France: "Statistiques du Commerce Exterieur de la France," Ministere des Finances et des Affaires Economiques and Groupement Professionel des Industries du Verre, Annuaire de Statistique Industrielle.

Japan: "Annual Return of the Foreign Trade of Japan," the Ministry of Finance, published by Japan Tariff Association; "Japanese Industry," Foreign Capital Research Society; "Japanese Economic Statistics," prepared by the Japanese Ministry of International Trade and Industry.

United Kingdom: "Annual Statement of the Trade of the United Kingdom With Commonwealth Countries and Foreign Countries, 1961 and 1962."

United States: U.S. imports from official statistics of the U.S. Department of Commerce. U.S. total shipments and exports 1954–1962 from table 3 of Tariff Commission Publication 110; 1963, total shipments estimated; 1963 exports from official statistics of the U.S. Department of Commerce.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MAILLIARD (at the request of Mr. SMITH of California), from July 14, 1965, for 1 week, on account of illness.

Mr. SMITH of New York (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. SAYLOR, for Thursday, July 15, 1965, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GALLAGHER, for 30 minutes, on July 15.

Mr. DENT, for 30 minutes, on July 15.

Mr. PUCINSKI, for 30 minutes, today.

Mr. WAGGONNER, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CAHILL (at the request of Mr. HUTCHINSON), for 1 hour, on Tuesday, July 20; to revise and extend his remarks and to include extraneous matter.

Mr. CONTE (at the request of Mr. HUTCHINSON), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CONTE (at the request of Mr. HUTCHINSON), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

The following Members (at the request of Mr. UDALL) to revise and extend their remarks and to include extraneous matter:

Mr. GALLAGHER, for 30 minutes, today.

Mr. DENT, for 30 minutes, today.

Mr. O'HARA of Michigan, for 30 minutes, on Monday, July 19.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. GRAY and to include extraneous matter.

(The following Members (at the request of Mr. HUTCHINSON) and to include extraneous matter:)

Mr. GROVER.

Mr. HANSEN of Idaho in two instances.

(The following Members (at the request of Mr. UDALL) and to include extraneous matter:)

Mr. MCGRATH.

Mr. MONAGAN.

Mr. VANIK.

Mr. SICKLES.

Mr. CALLAN.

Mr. HANNA.

Mr. ROONEY of Pennsylvania in two instances.

Mr. PATTEN.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 21. An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase the participation in such planning.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 14, 1965 present to the President, for his approval, bills of the House of the following titles:

H.R. 2. An act to protect the public health and safety by amending the Federal Food, Drug and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes;

H.R. 4185. An act to fix the fees payable to the Patent Office, and for other purposes;

H.R. 5246. An act to amend sections 20a and 214 of the Interstate Commerce Act; and

H.R. 9497. An act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966.

ADJOURNMENT

Mr. UDALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Monday, July 19, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1340. A letter from the Acting Comptroller General of the United States, transmitting a report of failure to recover needed aircraft parts previously determined to be Government surplus, Department of the Army; to the Committee on Government Operations.

1341. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend section 202(b) of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

1342. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal in accordance with the provisions of the act approved July 7, 1943 (57 Stat. 380), as amended; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 7811. A bill to authorize the sale or loan of naval vessels to friendly Latin American countries, and for other purposes; without amendment (Rept. No. 622). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 7812. A bill to authorize the loan of naval vessels to friendly foreign countries, and for other purposes; without amendment (Rept. No. 623). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOMFIELD:

H.R. 9864. A bill to nullify certain rules of the Federal Communications Commission relating to the citizens radio service; to the Committee on Interstate and Foreign Commerce.

H.R. 9865. A bill to amend title 10 of the United States Code so as to provide free postage for members of the Armed Forces serving in Vietnam and other combat zones designated by the President; to the Committee on Post Office and Civil Service.

By Mr. BURLESON:

H.R. 9866. A bill to authorize the Board of Commissioners of the District of Columbia to request the assignment of U.S. Marines to assist in law enforcement in the District of Columbia; to the Committee on Armed Services.

By Mr. CELLER:

H.R. 9867. A bill to provide penalties for the use of the interstate route marker for commercial purposes; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 9868. A bill to direct the Secretary of the Interior to study the action that should be taken to preserve, develop, and make accessible for public use a portion of the Hudson River and related lands in the States of New Jersey and New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HELSTOSKI:

H.R. 9869. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HERLONG:

H.R. 9870. A bill to provide for judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 9871. A bill to amend the act of May 11, 1954 (ch. 199, sec. 1, 68 Stat. 81; 41 U.S.C. 321), to provide for full adjudication of rights of Government contractors in courts of law; to the Committee on the Judiciary.

By Mr. REDLIN:

H.R. 9872. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 9873. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. WHITE of Idaho:

H.R. 9874. A bill to require the Secretary of the Army to pay certain severance damages relating to Dworshak project, Idaho; to the Committee on Public Works.

By Mr. WOLFF:

H.R. 9875. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 9876. A bill to amend the District of Columbia Teachers' Salary Act of 1955 to provide a new schedule of salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. CELLER:

H.R. 9877. A bill to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 9878. A bill to amend the Administrative Expenses Act of 1946 to prohibit, except in certain instances, the expenditure of any funds by any executive department or agency of the United States for the acquisition or use of a polygraph (lie detector) machine; to the Committee on Government Operations.

By Mr. GILLIGAN:

H.R. 9879. A bill to provide for a National Teacher Corps to attract and train able teachers for the children in the Nation's most deprived urban and rural schools; to the Committee on Education and Labor.

By Mr. MACHEN:

H.R. 9880. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

By Mr. PRICE:

H.R. 9881. A bill to provide for a 3-month extension of certain rights reserved by the former owners of the subsurface estate of certain real property acquired by the United States for the Carlyle Reservoir, Ill.; to the Committee on Public Works.

By Mr. TALCOTT:

H.R. 9882. A bill to provide for reduced postage rates for the air shipment of small parcels to members of the Armed Forces in Vietnam; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Texas:

H.R. 9883. A bill to amend section 1373(c) and section 316(b) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. VIVIAN:

H.R. 9884. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. ASPINALL:

H.R. 9885. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 9886. A bill to amend title 18 of the United States Code with respect to criminal procedures and sentencing, and for other purposes; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 9887. A bill to provide fellowships for graduate study leading to a master's degree or doctor's degree for elementary and secondary schoolteachers and those who train, guide, or supervise such teachers; to the Committee on Education and Labor.

By Mr. McVICKER:

H.R. 9888. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. MATSUNAGA:

H.R. 9889. A bill to establish an Academy of Criminal Justice and to provide for the establishment of such other Academies of Criminal Justice as the Congress may hereafter authorize; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 9890. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. ST. ONGE:

H.R. 9891. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

By Mr. BENNETT:

H.R. 9892. A bill to provide for a National Teachers Corps to attract and train able teachers for the children in the Nation's most deprived urban and rural schools and to provide employment opportunities for displaced teachers; to the Committee on Education and Labor.

By Mr. MOELLER:

H.R. 9893. A bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder, and for other purposes; to the Committee on Agriculture.

H.R. 9894. A bill to incorporate Jesus Christ Salvation Revival Center, Inc.; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 9895. A bill to establish a National Study Commission on Water Conservation and Utilization; to the Committee on Interior and Insular Affairs.

By Mr. ROYBAL:

H.R. 9896. A bill to add a new title XI to the National Defense Education Act of 1958; to the Committee on Education and Labor.

By Mr. TUNNEY:

H.R. 9897. A bill to repeal the House Employees Position Classification Act; to the Committee on House Administration.

By Mr. ULLMAN:

H.J. Res. 580. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes; to the Committee on the Judiciary.

By Mr. PHILBIN:

H. Res. 476. Resolution that it is the sense of the House of Representatives that oppression of minorities in Rumania through a systematic plan launched by the Communist regime in control of Rumania be condemned and the President of the United States is requested to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities in the controversial Transylvania region of that country; to the Committee on Foreign Affairs.

By Mr. POWELL:

H. Res. 477. Resolution providing for the consideration of the bill (H.R. 8989) to promote health and safety in metal and nonmetallic mineral industries, and for other purposes; to the Committee on Rules.

H. Res. 478. Resolution providing for the consideration of the bill (H.R. 9460) to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States, and for other purposes; to the Committee on Rules.

H. Res. 479. Resolution providing for the consideration of the bill (H.R. 9567) to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education; to the Committee on Rules.

H. Res. 480. Resolution providing for the consideration of H.R. 9022, to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

340. The SPEAKER presented a memorial of the Legislature of the State of Nebraska, ratifying a proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the power and duties of his office, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule **XXII**, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 9898. A bill for the relief of Arax Hovanesian (Arax Ter Hovanesiantz) and minor sons, Edwin and Alfred Hovanesian; to the Committee on the Judiciary.

H.R. 9899. A bill for the relief of Giovanni Maranzano; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 9900. A bill for the relief of Janina Podgorska; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 9901. A bill to provide for the conveyance of certain public land held under color of title to Mrs. Jessie L. Gaines of Mobile, Ala.; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H.R. 9902. A bill for the relief of Carmelo Ricotta; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 9903. A bill to provide for the free entry of one multigap magnetic spectrograph for the use of Yale University; to the Committee on Ways and Means.

By Mr. GREIGG:

H.R. 9904. A bill for the relief of Mohamed Bousseta; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 9905. A bill for the relief of Panagiotis A. Perlengas; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 9906. A bill to authorize the transportation of passengers by certain foreign vessels between Puerto Rico and Port Everglades, Fla.; to the Committee on Merchant Marine and Fisheries.

By Mr. ROYBAL:

H.R. 9907. A bill for the relief of Chong Chul Choi; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 9908. A bill for the relief of Diana Leung; to the Committee on the Judiciary.

H.R. 9909. A bill for the relief of Han The Tung; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Twentieth Anniversary of the United Nations

EXTENSION OF REMARKS
OF
HON. EDWARD J. PATTEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 15, 1965

Mr. PATTEN. Mr. Speaker, as we commemorate the 20th anniversary of the United Nations we cannot help but look in retrospect at the state of the world 20 years after World War I and 20 years after World War II. It is necessary to compare the war-ravaged, totalitarian-ensconced world of 1939 with the prosperous and flourishing free world of today. In this way the effectiveness of the United Nations as a peacekeeping, world-stabilizing organization will be crystal clear. It is evident that the world is today troubled in southeast Asia and in the Carribean. However, one must look at the world in 1939 to see the marked difference in international affairs since the inception of the world organization.

The powers never really straightened themselves out after Versailles at the conclusion of the war that was fought "to end all wars." A lack of cooperation both at home and abroad doomed the Versailles settlement to failure and American refusal to cooperate transformed a potentially powerful League of Nations into a floundering and ineffectual debating organization, unable to halt the onslaught of the Nazi-Fascist tyranny. Obstinancy and shortsightedness did irreparable damage to worldwide hopes for a peaceful future. The dream of avoiding a second war was smashed on the rocks of party politics and ethnocentric narrowness.

The German march into Poland, the Italian attack on Ethiopia, and the Japanese takeover of Manchuria were marked by a reproving word, but by little action. The impotency of the League unmistakably brought nearer and accelerated the horrors of World War II.

In 1945 the executive, legislative and diplomatic leadership of the country were determined that such a tragedy must be averted in the future. At San Francisco they designed the framework of a united organization which would not crumble helplessly as the League did. A bipartisan coalition insured national support for the international program. Inactivity in the twenties and thirties was supplanted by intervention in the forties and fifties. The United States has not swerved from its position of firm support in the past decades and its desire to continue support is reflected in the resolution which passed the House last Tuesday. When the interim 20 years between foundation and maturity are reexamined, we must marvel at the relative degree of stability which has been achieved in the world through U.N. cooperation.

Its detractors are quick to jump at its weaknesses and to obscure its accomplishments. They ignore totally the humanitarian work done through the various social and economic programs, through UNESCO, through UNICEF, through the Food and Agriculture Organization. Millions of children have received relief fund dollars and diet staples in lands where there are no welfare programs to help those with no means of support. Millions of poverty stricken farmers have received technological help and scientific aid where their own governments either could not or would not institute programs of their own. These accomplishments are real and are being perpetuated every day.

Besides these achievements the United Nations has played the integral role in its 20 years of age as the peacekeeper of the world. U.N. mediation stopped fighting in Palestine in 1948 and in Indonesia in 1949. U.N. military action ended the Korean war in 1953 and a U.N. Emergency Force resolved the Suez crisis in 1956. An observer task force negotiated a peace in Lebanon in 1958. Each of these incidents could easily have been the catalyst for a third war—existence of the U.N., however, averted such difficulty and resulted in a more peaceful world.

There is no question in my mind, Mr. Speaker, that the world has been made safer and better by the existence of the United Nations. Although there is tension and conflict today in the Far East, it would be greatly intensified if there was no peacekeeping organization of all the nations.

The 20 years under the leadership of Trygve Lie, Dag Hammarskjold and U Thant have been a testimonial to world cooperation. Let us hope that the member nations will continue to act in a spirit conducive to permanent peace through reason and justice.

Meeting of International Road Federation

EXTENSION OF REMARKS

OF

HON. KENNETH J. GRAY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. GRAY. Mr. Speaker, as a member of the Committee on Public Works and its Special Subcommittee on the Federal Aid Highway Program, it was my recent privilege to join with other members of the House and Senate in attending the South American regional meeting of the International Road Federation which was held in Lima, Peru, on May 17–22, 1965.

A total of 437 delegates from 27 countries met at this important gathering of the IRF which was called to evaluate methods and techniques through which land communication in the Central and South American region could be improved. Two days of technical sessions were devoted to the latest developments in the fields of highway and traffic engineering. In addition, the conference featured a field trip to the Andes on the Central Highway, an aerial inspection tour of Peruvian highway projects, a day of reports on national road activities throughout the Americas and a roundtable discussion on roads as a source of social and economic development which was chaired by the President of the Republic of Peru.

In addition to these various IRF sessions, the Marginal Jungle Highway Committee of the Pan American Highway Congresses was formally inaugurated and an important meeting of the Darien Subcommittee was convened.

This conference was one of the most successful ever held under the auspices of the International Road Federation and I believe that the participation by Members of the United States Congress was a demonstration to the delegates assembled from all parts of the world of this Government's strong interest in improving highway transportation, not only in the United States, but internationally.

While in Lima I had the opportunity to talk with the highest officials of the Peruvian Government concerning its highway programs. These officials and Peruvian and United States private business representatives as well, were unanimous in expressing their appreciation for the excellent cooperation and assistance that had been received through the Alliance for Progress. Mr. Robert E. Culbertson, U.S. AID mission Director, and Mr. Jack R. Hutchins, division engineer of the U.S. Bureau of Public Roads, were specifically complimented as having contributed significantly to the broad planning and guidance of the economic development programs of Peru and to the highway transportation program in particular.

The work of the U.S. Bureau of Public Roads under the direction of Federal Highway Administrator Rex M. Whitton in helping AID realize the objectives of its highway role in Peru in a sterling example of cooperation between agencies of our Federal Government and between Government and private enterprise. It was fortunate that Mr. Whitton could proceed to Lima to participate in this important meeting. His appearance made a strong impression upon the assembled delegates and further highlighted the U.S. concern for economic and social development in the Latin Americas through assistance in their land communications programs.

I noted with the greatest of interest that the relations of AID and Public Roads officials with Peruvian officials and American and Peruvian consulting engineers and contractors were excellent. There is every indication that all concerned are working harmoniously to carry forward the programs as authorized by this Congress.

Specific Lists of Items Affected by the Excise Tax Reduction

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. VANIK. Mr. Speaker, recently, in response to many requests from people throughout the country, I submitted for the RECORD a general list of those items affected by the recent excise tax reduction.

It appears from the great number of additional requests for more specific information on those items affected by the excise tax reduction that it would be useful for me to submit a list enumerating each of the popular consumer items affected by the excise tax reduction, under the categories which I previously listed in the RECORD.

It is my hope that this list will be of further use to consumers and retailers who have found it exceedingly difficult to determine exactly what items should be subject to the excise tax reductions and, therefore, lower retail prices.

I might note, by way of clarification, that I have listed the categories under two different base price areas from which the excise tax percentage was figured under the old law. The first section includes those items in which the excise tax was based on the retail price; the second section includes those items in which the tax is based on the manufacturers' price.

The list of popular consumer items affected by the excise tax reduction follows.

Retailers' excise taxes

Item	Excise tax	Excise tax remaining after tax cut
A. JEWELRY AND RELATED ITEMS		
Amber	10 percent	None.
Beryl of the following types:		
Aquamarine	do.	Do
Emerald	do.	Do.
Golden beryl	do.	Do.
Heliodor	do.	Do.
Morganite	do.	Do.
Crysoberyl of the following types:		
Alexandrite	do.	Do.
Cat's eye	do.	Do.
Chrysolite	do.	Do.
Corundum of the following types:		
Ruby	do.	Do.
Sapphire	do.	Do.
Diamond	do.	Do.
Feldspar of the following type: Moonstone	do.	Do.
Garnet	do.	Do.
Jadeite (jade)	do.	Do.
Jet	do.	Do.
Lapis lazuli	do.	Do.
Nephrite (jadė)	do.	Do.
Opal	do.	Do.
Pearls (natural and cultured)	do.	Do.
Peridot	do.	Do.
Quartz of the following types:		
Amethyst	do.	Do.
Bloodstone	do.	Do.
Citrine	do.	Do.
Moss agate	do.	Do.
Onyx	do.	Do.
Sardonyx	do.	Do.
Tiger-eye	do.	Do.
Spinel	do.	Do.
Topaz	do.	Do.
Tourmaline	do.	Do.
Turquoise	do.	Do.
Zircon	do.	Do.
Any synthetic stones called by the above names	do.	Do.
Articles made of, or ornamented with precious metals or imitations thereof.	do.	Do.
Watches	do.	Do.
Clocks	do.	Do.
Cases and movements for watches and clocks	do.	Do.
Gold, gold-plated, silver or sterling flatware or hollow-ware and silver-plated hollow ware.	do.	Do.
Opera glasses	do.	Do.
Lorgnettes	do.	Do.
Marine glasses	do.	Do.
Field glasses	do.	Do.
Binoculars	do.	Do.
(NOTE.—The above enumeration was amended in 1958 to impose a tax on pearls, precious and semiprecious stones, and imitations thereof. The above items are not taxable when used on military uniforms, medical equipment, religious articles, etc. Automobile clocks or accessory clocks are not taxable.)		
B. FURS		
Articles made of fur, and articles of which such fur is the component material of chief value (3 times the value of the next most valuable component material).	do.	Do.

Item	Excise tax	Excise tax remaining after tax cut
C. TOILET PREPARATIONS		
Perfume	10 percent	None.
Essences	do.	Do.
Extracts	do.	Do.
Toilet waters	do.	Do.
Cosmetics	do.	Do.
Petroleum jellies	do.	Do.
Hair oils	do.	Do.
Pomades	do.	Do.
Hair dressings	do.	Do.
Hair restoratives	do.	Do.
Hair dyes	do.	Do.
Toilet powders (except for baby oil, powder, and lotion)	do.	Do.
Similar substances	do.	Do.
D. LUGGAGE, HANDBAGS, ETC.		
Bathing suit bags	do.	Do.
Beach bags or kits	do.	Do.
Billfolds	do.	Do.
Briefcases	do.	Do.
Brief bags	do.	Do.
Camping bags	do.	Do.
Card and pass cases	do.	Do.
Collar cases	do.	Do.
Cosmetic bags and kits	do.	Do.
Dressing cases	do.	Do.
Duffelbags	do.	Do.
Furlough bags	do.	Do.
Garment bags designed for use by travelers	do.	Do.
Hat boxes designed for use by travelers	do.	Do.
Haversacks	do.	Do.
Key cases or containers	do.	Do.
Knapsacks	do.	Do.
Knitting or shopping bags (suitable for use as purses or handbags).	do.	Do.
Makeup boxes	do.	Do.
Manicure set cases	do.	Do.
Memorandum pad cases	do.	Do.
Musette bags	do.	Do.
Overnight bags	do.	Do.
Pocketbooks	do.	Do.
Purses and handbags	do.	Do.
Ring binders, capable of closure on all sides	do.	Do.
Salesmen's sample or display cases, bags or trunks	do.	Do.
Satchels	do.	Do.
Shoe and slipper bags	do.	Do.
Suitcases	do.	Do.
Tie cases	do.	Do.
Toilet kits and cases	do.	Do.
Traveling bags	do.	Do.
Trunks	do.	Do.
Vanity bags or cases	do.	Do.
Valises	do.	Do.
Wallets	do.	Do.
Wardrobe cases	do.	Do.

Manufacturers' excise tax

Item	Excise tax	Excise tax remaining after tax cut
MOTOR VEHICLES		
Automobile truck chassis	10 percent	10 percent.
Automobile truck bodies	do.	Do.
Automobile bus chassis	do.	Do.
Automobile bus bodies	do.	Do.
Schoolbuses	do.	None.
Truck and bus trailer and semitrailer chassis and body.	do.	10 percent.
Tractors used with trailers in highway transportation.	do.	Do.
Camper coaches: Bodies for self-propelled mobile homes.	do.	Do.
Feed, seed, and fertilizer equipment	8 to 10 percent	Do.
Small, 3-wheeled trucks	10 percent	None.
Automobiles (chassis and bodies other than those taxable above).	do.	7 percent on June 22, 1965, 6 percent on Jan. 1, 1966, 4 percent on Jan. 1, 1967, 2 percent on Jan. 1, 1968, 1 percent on Jan. 1, 1969.
Chassis and bodies for trailers and semitrailers suitable for use in connection with passenger automobiles (house trailers and tractors are exempted).	do.	Do.

Item	Excise tax	Excise tax remaining after tax cut
MOTOR VEHICLES—Continued		
Automobile parts and accessories (except tires, auto radios, and inner tubes):		
Spark plugs	8 percent	Entirely repealed on Jan. 1, 1966.
Storage batteries	do.	Do.
Leaf springs	do.	Do.
Coils	do.	Do.
Timers	do.	Do.
Tire chains (etc.)	do.	Do.
Truck parts similar to those above	do.	To be repealed in 1972.
APPLIANCES AND LIGHT BULBS		
A. Refrigeration equipment:		
Household-type refrigerators (for single or multiple cabinet installations) having, or being designed for use with an electrical, gas, kerosene, or gasoline unit.	5 percent	None.
Household-type quick freezers designed to run on electricity, gas, kerosene, or gasoline.	do.	Do.
Combination freezers and refrigerators.	do.	Do.
Self-contained air conditioner units	10 percent	Do.

Manufacturers' excise tax—Continued

Item	Excise tax	Excise tax remaining after tax cut
APPLIANCES AND LIGHT BULBS—Con.		
B. Electric, gas, and oil appliances and power lawn equipment:		
Electric, gas, or oil water heaters	5 percent	None.
Electric flatirons	do	Do.
Electric air heaters (not including furnaces).	do	Do.
Electric immersion heaters	do	Do.
Electric blankets, sheets, and spreads.	do	Do.
Electric, gas, or oil appliances of the type used for cooking, warming, or keeping warm food or beverages for consumption on the premises.	do	Do.
Electric mixers, whippers, and juicers	do	Do.
Electric direct-motor and belt-driven fans and air circulators.	do	Do.
Electric exhaust blowers	do	Do.
Electric or gas clothes driers	do	Do.
Electric door chimes	do	Do.
Electric dehumidifiers	do	Do.
Electric dishwashers	do	Do.
Electric food choppers and grinders	do	Do.
Electric hedge trimmers	do	Do.
Electric ice cream freezers	do	Do.
Electric mangles	do	Do.
Electric pants pressers	do	Do.
Electric, gas, or oil incinerator units and garbage disposal units.	do	Do.
Power lawnmowers (up to 21-inch blade).	do	Do.
Direct motor-driven fans and air circulators of the household type.	do	Do.
C. Electric light bulbs: Electric light bulbs and tubes.	10 percent	Repealed on January 1, 1966, except tax on bulbs used in previously taxable items repealed on June 22, 1965.
ENTERTAINMENT EQUIPMENT: RADIO AND TELEVISION SETS, PHONOGRAPHS AND RECORDS, ETC.		
Radio receiving sets (used for entertainment).	do	None.
Automobile radio receiving sets	do	Do.
Television receiving sets (for entertainment).	do	Do.
Automobile television receiving sets	do	Do.
Phonographs	do	Do.
Combinations of any of the foregoing	do	Do.
Radio and television components and accessories (tubes, chassis, etc.).	do	Do.
Phonograph records	do	Do.
ENTERTAINMENT EQUIPMENT: MUSICAL INSTRUMENTS		
Musical instruments (except those used for religious purposes).	do	Do.
RECREATIONAL EQUIPMENT: SPORTING GOODS		
Badminton nets, rackets, and racket frames (over 22 inches in length), racket string, shuttlecocks, and standards.	do	Do.
Billiard and pool tables (over 45 inches in length), and balls and cues.	do	Do.
Bowling balls and pins	do	Do.
Clay pigeons and traps for throwing clay pigeons.	do	Do.
Cricket balls and bats	do	Do.
Croquet balls and mallets	do	Do.
Curling stones	do	Do.
Deck tennis rings, nets, and posts	do	Do.
Fishing rods, creels, reels, and artificial lures, baits, and flies.	do	10 percent.
Golf bags (26 inches or longer), balls, and clubs (30 inches or longer).	do	None.
Lacrosse balls and sticks	do	Do.
Polo balls and mallets	do	Do.
Skis, ski poles, snowshoes, snow toboggans, and sleds (60 inches or longer).	do	Do.
Squash balls, rackets, and racket frames (measuring 23 inches or more), and racket string.	do	Do.
Table tennis tables, balls, nets, and paddles.	do	Do.
Tennis balls, nets, rackets, and racket frames (22 inches or longer) and racket frames.	do	Do.
RECREATIONAL EQUIPMENT—PHOTOGRAPHIC EQUIPMENT		
Cameras (except X-ray cameras and cameras weighing more than 4 pounds exclusive of lens and accessories).	do	Do.
RECREATIONAL EQUIPMENT—PHOTOGRAPHIC EQUIPMENT—Continued		
Camera lenses (except still camera lenses having a focal length of 120 millimeters or more and motion picture camera lenses having a focal length of more than 30 millimeters).	10 percent	None.
Unexposed photographic film (except X-ray, microfilm, or film over 150 feet in length).	do	Do.
Electric motion or still picture projectors of the household type.	5 percent	Do.
BUSINESS MACHINES		
Adding machines	10 percent	Do.
Addressing machines	do	Do.
Autographic registers	do	Do.
Bank proof machines	do	Do.
Billing machines	do	Do.
Bookkeeping machines	do	Do.
Calculating machines	do	Do.
Card punch machines	do	Do.
Cash registers (except the type used in registering over-the-counter retail sales).	do	Do.
Change making machines	do	Do.
Check writing, signing, canceling, perforating, etc., machines.	do	Do.
Computing machines	do	Do.
Coin counters	do	Do.
Dictographs	do	Do.
Dictating machines	do	Do.
Dictating machine record shaving machines.	do	Do.
Duplicating machines	do	Do.
Embossing machines	do	Do.
Envelope opening machines	do	Do.
Erasing machines	do	Do.
Folding machines	do	Do.
Fanfold machines	do	Do.
Fare registers and boxes	do	Do.
Listing machines	do	Do.
Line-a-Time and similar machines	do	Do.
Mailing machines	do	Do.
Multigraph machines, typesetting machines and type-justifying machines.	do	Do.
Numbering machines	do	Do.
Portable paper fastening machines	do	Do.
Payroll machines	do	Do.
Pencil sharpeners	do	Do.
Postal permit mailing machines	do	Do.
Punchcard machines	do	Do.
Sorting machines	do	Do.
Stencil cutting machines (except those used in shipping departments in making cutout stencils for marking freight shipments.	do	Do.
Shorthand writing machines	do	Do.
Sealing machines	do	Do.
Tabulating machines	do	Do.
Ticket-counting machines	do	Do.
Ticket-issuing machines	do	Do.
Typewriters	do	Do.
Transcribing machines	do	Do.
Time-recording devices	do	Do.
Combinations of any of the foregoing	do	Do.
PENS AND MECHANICAL PENCILS AND LIGHTERS		
Mechanical lighters for cigarettes, cigars, and pipes.	10 cents per lighter but not more than 10 percent of selling price.	Do.
Mechanical pencils, fountain pens, and ballpoint pens.	10 percent	Do.
MATCHES		
Plain matches	2 cents per 1,000, but not more than 10 percent of manufacturer's price.	Do.
Fancy matches	5½ cents per 1,000.	Do.
SAFE DEPOSIT BOXES		
Use of safe deposit box or similar receptacle.	10 percent	Do.
PLAYING CARDS		
Playing card packs	13 cents per pack	Do.
TOBACCO		
Tobacco, manufactured (chewing, smoking, snuff.	10 cents per pound.	All repealed January 1, 1966.

Hon. Peter Rodino Cited for Distinguished Public Service in the Field of Government

EXTENSION OF REMARKS

OF

HON. THOMAS C. McGRATH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. McGRATH. Mr. Speaker, I have recently learned that while our esteemed colleague, Congressman Peter Rodino, of New Jersey, was out of the country last year attending a meeting of the NATO Parliamentarians Conference, he was, on December 14, 1964, cited by the American Bill of Rights Day Association for "distinguished public service in the field of government."

Each year the association has honored four persons, representing the Four Freedoms, who have distinguished themselves in the field of arts, sciences, education, and government. I am informed that the most recent recipients of the citations awarded in the field of government were the distinguished senior Senator from Rhode Island, John O. Pastore, and our late Ambassador Adlai Stevenson.

The citation was presented at city hall in New York during the 24th national observance by the association of the signing of our American Bill of Rights. The first Bill of Rights Day was designated nationally by President Roosevelt in 1941. This year's ceremonies, incidentally, marked the 173d anniversary of the ratification of the Bill of Rights as well as the 16th anniversary of the adoption of the Universal Declaration of Human Rights. Mayor Wagner made the presentation during the ceremonies in which Dr. Edward D. Re, Chairman of the Foreign Claims Settlement Commission of the United States, presided.

In view of the prominence which these awards have achieved, I feel Mr. Speaker, that this distinct honor conferred upon Mr. Rodino should not go unrecorded in the proceedings of this body. I take particular pride in the fact that I consider myself one of the many friends, as a colleague, of so distinguished and respected a Member of this House. I congratulate the American Bill of Rights Day Association for its selection of Congressman Rodino as exemplifying the kind of legislator which it is proud to honor.

Under leave to extend my remarks, I insert in the Record the texts of both the citation presented to Congressman Rodino on that occasion, and his remarks of acceptance delivered on his behalf at the ceremonies by Mayor Ralph Conte of Bloomfield, N.J.:

CITATION

For distinguished public service in the field of Government awarded to Hon. Peter W. Rodino, Jr., Member of Congress of the United States;

Whose distinguished career in the U.S. House of Representatives for 15 years has provided an outstanding example of devoted public service and responsibility;

Whose constant espousal and support of humanitarian legislation in revising immigration quotas, promoting civil rights, and aiding the elderly have earned him the admiration and respect of his colleagues, his constituents and his country;

Whose legislative enactments have consistently revealed a profound belief in the rights included within the Bill of Rights and a sincere desire to secure them for all people;

Whose untiring efforts in the Congress of the United States have enriched our land and its people and have substantially furthered the cause of national and international peace.

REMARKS OF MAYOR RALPH CONTE

It is unfortunate that because of an important congressional assignment Congressman Rodino could not be here this afternoon personally to accept this award. I know that he was very happy to be honored by his selection as a recipient and he has asked me to read on his behalf his acceptance message.

REMARKS OF CONGRESSMAN PETER W. RODINO, JR., ON THE OCCASION OF AMERICAN BILL OF RIGHTS DAY OBSERVANCE, CITY HALL, NEW YORK CITY, DECEMBER 14, 1964

It is with a sense of deep humility, born of the significance of this wonderful ceremony, that I accept your award today. In the fast pace of modern living, we often lose sight of the real meaning of America and real meaning of being Americans. Only too often we lose sight of our many blessings and heritage of liberty and freedom.

All of us, therefore, ought to be grateful to the American Bill of Rights Association for reminding us of the rich heritage which we have received from our forefathers, and for reminding us of those inalienable rights which we possess and which we should accord our fellow man.

The rights embodied in our Bill of Rights are the firm bedrock upon which our society is built. They are the source of justice and equality among men. They bring unity and stability to this great land of ours. Yet these principles must receive strength through constant application in our daily lives, for the deterioration of any government begins with the principles on which it was founded.

To protect the freedoms of speech, press, religion, assembly, and petition from encroachment by any individual or group is a legitimate function of Government. But it is not the function or responsibility of Government alone—it should be the concern of each and every one of us. Yet Government officials have a particular affinity to the Bill of Rights because they have sworn to uphold and defend the Constitution of the United States. And this oath is most sacred and most serious.

I have had the opportunity to serve in the Congress of the United States for over 16 years. During this time, I have worked to make Government the servant—not the master—of the people—securing to all people the rights guaranteed them by the Constitution. This work has been a labor of love and to the America that we all love. Yet I realize that true justice and equality in America can result only through the efforts of all Americans. My contributions are but a small part of the vast task required of all men to bring real meaning to the words of the Bill of Rights. I am therefore grateful, yet humbled, for this public recognition of my role in the great work of our society. Thank you.

International Monetary Reform

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. HANNA. Mr. Speaker, last Saturday under a cloudy Virginia sky the Secretary of the Treasury, the Honorable Henry H. Fowler, brought a shaft of sunshine not only to Virginia but to the Nation and the world. Last Saturday, he announced:

> The United States now stands prepared to attend and participate in an international monetary conference that would consider what steps we might jointly take to secure substantial improvements in international monetary arrangements.

As you no doubt know, Mr. Speaker, since 1949 the United States has suffered a balance of payments deficit every year except 1957. This deficit has resulted in a substantial outflow of gold which has drawn heavily on our national reserves. In 1949 our gold reserve stock stood at $24,563 millions while today, a mere 15 years later, our gold reserves stock is down 43 percent of the 1949 total to $14,481 millions of which $9,000 million is a required reserve. This is a significant fact when we stop to think of the even greater pressures put on the U.S. dollar today as a key currency in international economics.

During the early years of our growing international debt up to 1958—the deficit was of little concern because it necessarily resulted from our massive efforts to rebuild Europe. It resulted from massive U.S. aid to these countries under such programs as the Marshall plan established by our revered and esteemed former President, Harry S. Truman. Vast quantities of dollars were sent abroad as liquid reserves to lubricate the wheels of progress and peace in Western Europe and Japan. It goes without saying that the entire world has benefited and is benefiting from the contributions which those countries have been able to make as a result of these programs.

After 1958, however, American overseas investment began increasing in gigantic proportions. Measures were taken at that time to stem the outflow of dollars since what had before been a dollar shortage was rapidly turning into a dollar glut. In other words, other countries found they had more dollars than they wanted and as a result gold began to flow out of the United States at an alarming rate. Regardless of the measures used to arrest capital movement, the outflow of dollars through private investment grew in geometric proportions. In 1964, the outflow of private capital abroad grew to a fantastic $6.5 billion.

As you will remember, President Johnson in the February 10 message to Congress on the balance of payments called on American business to join voluntarily in an effort to curb the outflow of dollars abroad. And I must say, Mr. Speaker, that business deserves praise for its quick response. During the months of March, April, and May our balance of payments improved to the point where we showed a surplus. However, it must be remembered that these measures can only be temporary. Long-range measures must therefore be employed to balance our accounts over the longrun and relieve the present pressure on the U.S. dollar. In the words of Secretary Fowler:

> If we allowed our deficits to continue, or if we lapsed back into prolonged deficit after a brief period of surplus, we would undermine world confidence in the dollar and impair its usefulness as a world reserve and leading currency.

Herein lies the paradoxical problem with which we must deal. Assuming that the United States is able to continue this payments surplus which we all hope it will be able to do, dollars will return to the United States from countries abroad. However, if this surplus continues, world reserves will be reduced, since many countries today hold dollars as a part of their reserve stock. This chart which I would like to insert into the RECORD dramatically points this out:

Gold reserves and dollar holdings, June 1965—Holdings of foreign countries and international organizations

[In millions of dollars]

Area and country	Dec. 31, 1963		Mar. 31, 1964		June 30, 1964		Sept. 30, 1964		Dec. 31, 1964		Mar. 31, 1965 [1]	
	Gold and short-term dollars	U.S. Government bonds and notes	Gold and short-term dollars	U.S. Government bonds and notes	Gold and short-term dollars	U.S. Government bonds and notes	Gold and short-term dollars	U.S. Government bonds and notes	Gold and short-term dollars	U.S. Government bonds and notes	Gold and short-term dollars	U.S. Government bonds and notes
Western Europe:												
Austria	901	3	911	3	902	3	947	3	923	3	872	3
Belgium	1,791	--------	1,782	--------	1,832	--------	1,821	--------	1,887	--------	1,895	--------
Denmark	253	14	259	14	289	14	352	14	428	14	430	14
Finland	160	1	176	1	167	1	174	1	212	1	201	1
France	4,653	6	4,709	7	5,003	7	5,093	7	5,392	7	5,530	7
Germany, Federal Republic of	6,884	1	6,811	1	6,616	1	6,437	1	6,258	1	6,131	1
Greece	265	--------	239	--------	227	--------	225	--------	251	--------	232	--------
Italy	3,146	1	2,927	1	3,039	1	3,225	1	3,729	1	3,539	1
Netherlands	1,961	4	1,898	4	1,824	5	1,964	4	2,055	5	2,036	5
Norway	164	131	135	131	188	131	205	101	214	98	234	68
Portugal	688	--------	[3] 691	--------	[3] 698	--------	[3] 747	--------	780	--------	801	--------
Spain	778	2	807	2	839	2	972	2	1,010	2	983	2
Sweden	591	129	610	130	615	130	733	90	833	40	928	40
Switzerland	3,726	75	3,528	77	3,737	77	3,653	78	4,095	79	3,927	78
Turkey	136	--------	135	--------	129	--------	123	--------	140	--------	142	--------
United Kingdom	3,967	328	4,245	380	4,153	402	4,222	402	4,020	414	4,308	407
Other [2]	369	46	559	49	514	48	[3] 491	49	507	49	387	49
Total	30,433	741	[3] 30,422	800	[3] 30,772	822	[3] 31,384	753	32,734	714	32,576	676
Canada	3,805	687	3,555	686	3,674	686	3,863	695	4,009	690	3,564	735
Latin American Republics:												
Argentina	453	--------	452	--------	424	--------	386	--------	361	--------	371	--------
Brazil	329	--------	329	--------	294	--------	330	--------	349	--------	420	--------
Chile	186	--------	181	--------	227	--------	224	--------	219	--------	206	--------
Colombia	231	1	244	1	238	1	226	1	265	1	223	1
Cuba	12	--------	11	--------	11	--------	10	--------	10	--------	9	--------
Mexico	808	2	837	1	817	1	808	1	903	1	914	1
Panama, Republic of	129	10	91	1	105	--------	89	1	99	1	109	1
Peru	215	--------	230	--------	271	--------	271	--------	272	1	333	1
Uruguay	284	--------	277	--------	276	--------	280	--------	281	--------	294	--------
Venezuela	992	--------	1,017	--------	1,057	--------	1,076	--------	1,130	--------	1,096	--------
Other	424	1	463	2	487	2	465	2	473	2	528	1
Total	4,063	14	4,132	5	4,207	4	4,165	5	4,362	6	4,503	5
Asia:												
India	298	--------	302	--------	311	--------	307	--------	306	--------	342	--------
Indonesia	83	1	81	1	77	1	63	1	73	1	62	1
Japan	2,773	5	2,758	5	2,757	5	2,882	5	3,023	5	3,107	9
Philippines	237	--------	232	--------	230	--------	260	--------	256	--------	278	--------
Thailand	486	--------	513	--------	529	--------	546	--------	562	--------	592	--------
Other	1,687	41	1,893	38	1,944	42	1,995	45	2,059	43	2,223	43
Total	5,564	47	5,779	44	5,848	48	6,053	51	6,279	49	6,604	53
Africa:												
South Africa	671	--------	670	--------	645	--------	635	--------	620	--------	547	--------
United Arab Republic (Egypt)	188	--------	198	--------	196	--------	196	--------	163	--------	163	--------
Other	296	9	293	10	287	10	288	14	284	16	317	16
Total	1,155	9	1,161	10	1,128	10	1,119	14	1,067	16	1,027	16
Other countries:												
Australia	388	--------	373	--------	384	--------	392	--------	402	--------	411	--------
All other	313	26	308	25	350	26	358	28	371	26	415	31
Total	701	26	681	25	734	26	750	28	773	26	826	31
Total foreign countries [4]	45,721	1,524	[3] 45,730	1,570	[3] 46,363	1,596	[3] 47,334	1,546	49,224	1,501	49,100	1,516
International and regional [5]	6,958	1,218	7,067	1,170	7,294	1,068	7,499	923	7,162	904	7,279	798
Grand total [4]	52,679	2,742	[3] 52,797	2,740	[3] 53,657	2,664	[3] 54,833	2,469	56,386	2,405	56,379	2,314

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[1] Preliminary.

[2] Includes, in addition to other Western European countries, unpublished gold reserves of certain Western European countries; gold to be distributed by the Tripartite Commission for the Restitution of Monetary Gold; European Fund; and the Bank for International Settlements (the figures for the gold reserves of the BIS represent the Bank's net gold assets).

[3] Revised.

[4] Excludes gold reserves of the U.S.S.R., other Eastern European countries, and China mainland.

[5] Includes international organizations and Latin American and European regional organizations, except the Bank for International Settlements and European Fund, which are included in "Other Western Europe."

NOTE.—Gold and short-term dollars include reported and estimated official gold reserves, and official and private short-term dollar holdings (principally deposits and U.S. Treasury bills and certificates); excludes nonnegotiable, non-interest-bearing special U.S. notes held by the Inter-American Development Bank and the International Development Association. U.S. Government bonds and notes are official and private holdings of U.S. Government securities with an original maturity of more than 1 year; excludes nonmarketable U.S. Treasury bonds and notes held by official institutions of foreign countries.

With only a cursory glance at this table it becomes obvious that the amount of dollar reserves held abroad will diminish with every attempt to meet our balance-of-payments deficit. As a result, international liquidity will be squeezed to a point of illiquidity. Other countries will be forced to call on the International Monetary Fund for dollars to meet the demand. Although the IMF increased its quota this year by 25 percent thereby increasing its reserves from $15 to $21 billion it will still be unable to meet the needs of growing world trade. It is predicted with some assurance that international trade will grow at a minimum rate of 3 percent per year, which means that in 5 years the IMF will be working at capacity and will have to be further extended. On the other hand, if the surplus in balance of payments does not continue and we return to deficit spending, the dollar glut will continue. Pressure on the dollar and our gold reserve will increase perhaps to a critical point where there would be a run on American gold and the dollar would collapse.

It thus becomes readily apparent that a concentrated effort must be vigorously pursued. Time has long since passed when a casual and speculative effort could have been made, because as I have stated time and again, international monetary reforms must be accomplished soon or such illiquidity and pressure on the pound and the dollar will be more than a mere menace to international finance.

I believe that it was with this in mind, Mr. Speaker, that the Honorable Mr. Fowler recommended to President Johnson the creation of the Advisory Committee on International Monetary Arrangements headed by the distinguished former Secretary of the Treasury, Douglas Dillon. The Committee's first meeting this Friday will come none too soon to cope with this vast world problem. My only hope is that the Committee will use this shaft of light brought forth by the Honorable Mr. Fowler to illumine the complexities of this problem and subsequently put forth a viable solution. We cannot expect a sudden or dramatic clearing of these troubled skies as may come with a new day, nor can we foresee a sudden revolutionary acceptance of such a change, but we can hope for step-by-step changes to remove the pressures presently placed on the dollar and reestablish international liquidity on a stable and continuing basis.

Let us therefore encourage this newly founded Advisory Committee to seek out a tenable and permanent solution as quickly but as cautiously as possible. Let us also be thankful that at long last the administration and the Honorable Secretary of the Treasury realize the severity of the problem which, for quite some time, Members of Congress, including myself, have so diligently striven to delineate.

Captive Nations Week Observance in Lehighton, Pa.

EXTENSION OF REMARKS

OF

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. ROONEY of Pennsylvania. Mr. Speaker, on Sunday, July 18, we begin the annual observance of Captive Nations Week in our country and in my congressional district the members of the Lehigh Valley Branch of the Ukrainian Congress Committee will sponsor a special meeting at the Ukrainian Homestead Summer Camp near Lehighton in Carbon County.

Joining with my many friends from the UCC will be members of the Hungarian, Polish, Slovak, and other ethnic groups from throughout the Lehigh Valley. I know that the Members of the House of Representatives join me in the hope that they will have a prayerful and successful meeting.

Here in America, as we enjoy the day-to-day dignity of a free people in a free society, we should pause to remember those millions of men, women, and children who labor beneath the yoke of tyranny across the world.

We cannot be wholly content, no matter what our own state may be, so long as the face of the world is scarred by the suppression of the human spirit.

The people of the Ukraine, the Slovak, and Polish people, have lost none of their thirst for individual liberties or their pride in their own national heritage.

I urge that we join together, now, in a reaffirmation of America's hope for their peace and freedom.

Voting Rights Act of 1965

EXTENSION OF REMARKS

OF

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. HANSEN of Idaho. Mr. Speaker, under leave for all Members to extend their remarks on the Voting Rights Act of 1965, I wish to commend those who, acting in good faith, were not stampeded into supporting a measure which I consider to contain undesirable, unnecessary, and unconstitutional provisions—and which discriminates not only against certain geographical areas, but even against the Negro who is now subjected to a numbers game based on an arbitrary 50 percent participation figure.

Mr. Speaker, I am not anti-civil-rights, nor am I anti-voting-rights.

On May 17, under previous order of the House, I took the floor to explain my position on the then pending voting rights bill. In order that there may be no doubt as to my position, I repeat that statement at this point in these remarks:

AN ANALYSIS OF THE VOTING RIGHTS CONTROVERSY

(A speech by the Honorable GEORGE V. HANSEN, in the House of Representatives, May 17, 1965)

Mr. HANSEN of Idaho. Mr. Speaker, the honored and respected Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, has recently made some remarks about civil disorders and civil disobedience—and zealots and bigots and racists—that we might well heed as we approach a decision on voting rights legislation.

In the December 1964, FBI law enforcement bulletin, distributed to all law enforcement officials, Mr. Hoover said, in part: "Our society today is in a great state of unrest. Many citizens are confused and troubled. For the first time, some are confronted with issues and decisions relating to the rights and dignity of their fellow countrymen, problems which heretofore they had skirted or ignored.

"We have in our midst hatemongers, bigots, and riotous agitators, many of whom are at opposite poles philosophically but who spew similar doctrines of prejudice and intolerance. They exploit hate and fear for personal gain and self-aggrandizement. They distort facts, spread rumors, and pit one element of our people against another. Theirs is a dogma of intimidation and terror."

In a speech delivered in New York on December 12, 1964, on crime and subversion in the United States—and referring to some of the persons and groups involved—Mr. Hoover said, "And I include the false liberals of the extreme left, such as the Communist Party, as well as the counterfeit patriots at the fanatic limits of the far right, such as the Ku Klux Klan, who not only take the law into their own hands on occasion, but who would use the Constitution and laws of the United States to defeat the very purpose for which they were drafted—liberty and justice for all."

Also—in the words of Mr. Hoover in testimony on January 29, 1964, before a House appropriations subcommittee: "Turning to the subject of Communist interest in Negro activities, the approximate 20 million Negroes in the United States today constitute the largest and most important racial target of the Communist Party, U.S.A. The infiltration, exploitation, and control of the Negro population has long been a party goal and is one of the principal goals today."

After stating that the Communist has no honest desire to better the status or condition of the Negro, Mr. Hoover said, "Communists * * * capitalize on the adverse propaganda effect that reports of discrimination and oppression in the United States can produce in the eyes of the rest of the world, particularly among the African and Asian peoples; that is, the idea that this country is against equal rights for all races."

As to the number of Negroes who have joined the Communist Party, Mr. Hoover had this to say: "The number of Communist Party recruits which may be attracted from the large Negro racial group in this Nation is not the important thing. The old Communist principle still holds: 'Communism must be built with non-Communist hands.'

"We do know that Communist influence does exist in the Negro movement and it is this influence which is vitally important. It can be the means through which large masses are caused to lose perspective on the issues involved and, without realizing it, succumb to the party's propaganda lures."

This, Mr. Speaker, I believe to be a significant part of the current controversy over civil rights and voting rights. Unquestionably, the vast majority of those involved in the disputes are sincere, honest, and dedicated persons. However, on both sides there are those who masquerade behind ill-founded social, moral, political, and religious concern to practice intolerance, provocation, intimidation, and even downright lawlessness which all too often plays into the hands of our international enemies. Racial bigots and human flotsam only serve to detract from legitimate causes and, by their actions, cloud the real issues at stake. And it is the actions of these minorities within the two camps which make a difficult situation almost impossible.

The trouble is compounded by the presence of Communists who, though not necessarily the originators of demonstrations, at times push them to extremes. Dr. James N. M. Nabrit, Jr., president of Howard University, one of our country's leading Negro colleges, has said he has seen known Communists in a student picket line. Of the infiltration of Communists into civil rights groups, Dr. Nabrit said, "They are people who cloak themselves in the mantle of civil righters and plot and plan in secret to disrupt our fight for justice and full citizenship. They must be unmasked for the frauds they are. They must be fought in every arena, and they must not be allowed to prevail."

Some Negro leaders, unlike Dr. Nabrit who clearly recognizes the peril of Communist infiltration of the civil rights movement, have admitted that Communists do exist within the organizations, but say they have no influence. Unfortunately, the tactics and techniques of the Communists are not always apparent to these leaders, thus enabling the Red agents to carry on their nefarious work undetected.

The average person, in attempting to evaluate the racial situation and pinpoint the real problems, is frequently frustrated and puzzled by contradictory contentions and overstatements. It is obvious that critics of civil rights demonstrations are prone to minimize any good elements in the movements, and emphasize only the sordid and ugly. On the other hand supporters tend just as strongly to overlook the undignified and disgraceful actions of some of the civil rights groups and emphasize only the altruistic and philosophic goals they themselves have set.

Those supporting civil rights groups often tend to play to the hilt any acts of violence which occur, while, conversely, such violence has often been played down and even condoned by those opposing these movements and the perpetrators let off with a slap on the wrist by "juries of their peers."

To me, these positions appear to be untenable. It is difficult for me to see the compatibility between civil disobedience—which is advertised as nonviolent, but which is certainly provocative of violence—and the winning of the Nobel Peace Prize. It is equally difficult for me to see the compatibility between pleas for the sovereignty of local government and the unpunished bombing of churches and the midnight rifle shot on a lonely road.

Neither side, Mr. Speaker, is in a position to criticize the other for violations of the law. How can the one criticize the other for terrorist tactics when it, itself, decides which laws are "good" and which are "bad" and then obeys only the "good" laws? And how can the other side criticize this course when some of its members apparently feel that laws against murder are not valid and need not be obeyed when such laws interfere with what they consider to be their "rights?"

Ours is a process of law—of law and order. This process in America has never been both mother and stepchild of hysteria—which too often allows the rabble of contending sides to predominate in killings, intimidations, immoral conduct, and the like.

The Government of the United States, through its many years of growth from a small group of colonies to the greatest nation the world has ever known, has always placed the impartiality of law above the whims of man. That law has always contained processes for meeting and correcting social injustices; including the right of petition, the enactment of legislation, and access to the courts.

Contrary to the belief held by some, the United States is not merely a democracy, it is a constitutional Republic. It is important to note that political philosophers over the centuries have held that a pure democracy is the worst possible form of government, leading to impulsive and precipitous action by a sometimes hysterical majority, or mob, triggered by emotional circumstances.

Our constitutional Republic, with its various checks and balances, provides the processes that help protect us from the worst in ourselves. At times these processes may seem unduly slow and cumbersome—it may even seem that they are roadblocks preventing progress. But it is these roadblocks, lacking in a pure democracy, which give our constitutional Republic its strength and stability and provide for lasting solutions to our problems.

No one can deny, Mr. Speaker, that great strides have been made in the eradication of social injustices in the United States in recent years. Some of the actions which have attempted to give to all our citizens the rights and responsibilities inherent in our Constitution have come voluntarily from the private sector of our social order; some have been accomplished through legislation; some by directives of the executive branch; and some by the various levels of our courts.

We are moving forward, but I believe there is still a long way to go. I also believe that, when we speak of civil rights and the equality of all men, who too often confine our thoughts to the Negro and the problems he faces, and disregard the many injustices heaped upon the American Indian and foreign nationality groups concentrated in the slums and ghettos of our larger cities. These groups, lacking the potent political potential of the Negro, are often left to suffer and shift for themselves.

By the same token, when we refer to voting rights we are prone to think only of practices which deprive a man of his vote. Abhorent as this practice is, equally as abhorent—and almost as prevalent—is the practice of negating a man's vote through fraudulent voting, ballot box stuffing, and other illegal election practices. While untold numbers, particularly in the South, are denied the right to vote, there is also substantial evidence that untold numbers, particularly in large cities, have their votes canceled by fictitious names and tombstones.

Mr. Speaker, it is my firm belief that adequate machinery does now exist under present laws and under the 14th and 15th amendments to the Constitution—if properly implemented by conscientious officials—to correct voting injustices and to attain the goals which some are trying to accomplish through demonstrations involving civil disobedience which, no matter how well intended, subvert the very rule of law itself.

In this connection, I am convinced that any administration, political party, group or individual exploiting civil disobedience for self-aggrandizement is toying with a very explosive and possibly destructive force.

This course of action makes us vulnerable to the designs of the cunning Communist who, by infiltration, deceit, and the perpetration of any crime in the name of Communist triumph, has subjugated more than half the people of the world. The Communists have perfected the technique of "divide and conquer" to a point never envisaged by another recent group who employed this method—the Nazis. Communist imperialistic designs and subversive activities have set Chinese against Chinese, Korean against Korean, Cuban against Cuban, Vietnamese against Vietnamese, and now are attempting to set American against American at every opportunity.

Now—as stated previously, we already have the laws necessary for the eradication of social injustice. Prolonged apathy by various Departments of the Federal Government in seeing that these laws are applied is largely responsible for current controversies and the resultant demand for drastic Federal action—action which I deem to be unnecessary and, in some cases unconstitutional.

As an example—article I, section 2 of the Constitution and the 17th amendment give to the States the right to determine voter qualifications, and the 10th amendment prohibits the Federal Government from doing so. By the same token, the 14th and 15th amendments provide that no discrimination shall occur.

Hence, to me it is basic that the States can legally prescribe any tests or requirements for voting, consistent with the Federal Constitution, which the electorate of that State will approve. Then, and to me this is also basic, it is up to each of us, beginning with the lower subdivisions of Government, to see that these tests are applied without prejudice or discrimination. If violations occur at the local and county levels, then the State should exercise its authority. Only if the State refuses to do this (and obviously there are cases where this is so), should the Federal Government have the right and duty to step in.

Emphatically, I believe that we, as citizens, should do everything legally possible at all levels of Government to overcome existing inequities. Had more concerted action been previously taken, we would not now be undergoing great emotional disturbances such as the current civil rights demonstrations.

Hasty, poorly conceived legislation designed to bridge the gap created by poor enforcement of existing laws, holds out false hope to those concerned. Rather than passing arbitrary legislation and resorting to unconstitutional processes in an attempt to cure the evils which beset us, I believe the more valid answer lies in proper enforcement of existing laws and adequate education.

Under our system, Mr. Speaker, to enjoy full privileges, a person must assume responsibility. And education, which leads to acceptance of the responsibilities of "first class" citizenship and the enjoyment of all of its privileges, has been badly neglected in some areas of our country. This has been true among both Negroes and whites, although the whites, as a race, have generally more clearly recognized the benefits of education and have generally compelled their children to attend school longer than have the Negroes. This, particularly in States where one must pass a literacy test as a prerequisite to voting has led to a disproportionate number of whites being eligible to vote—even without discriminatory tactics.

It is unfortunate that this situation continues to exist. The whites, who should have given guidance and leadership to the Negroes—so that the Negroes, in turn, would be able to give guidance and leadership to others—did not do so. And many Negroes, even when given the opportunity to participate in the responsibilities of citizenship, did not do so. Thus, although the position of the American Negro now is far better than even a decade or two ago, his cause in this country could have been more greatly advanced had it not been for his handicap of past apathy.

I submit, Mr. Speaker, that the solution lies in overcoming our apathy, not in passing additional legislation when we already have laws that would be effective if properly enforced. Success in this would bring increased educational opportunities for all minority groups, and increased acceptance of these opportunities. With increased education among all segment of our population would come increased acceptance of civic responsibilities. With increased acceptance of civic responsibilities would come the elimination of the influence of undesirable elements on our affairs. Only when this flotsam on both sides and those who would use it have lost all opportunity for the exploitation of our people will our Nation again be able to present an untarnished picture to the world of an America where each man can find his place as a person regardless of his race, color, or creed.

Mr. Speaker, I started these remarks by quoting Mr. J. Edgar Hoover. Let me conclude by another quotation from this great man. Again, in the FBI law enforcement bulletin of December 1964, Mr. Hoover said, "As Americans, we have in our grasp the ideals which were but visions to our Founding Fathers—freedom under God with liberty and justice for all. We must not be satisfied merely to have these ideals exist. We must assure that they flourish—generation after generation—so all the world will know that American stands for brotherhood among all men."

That this measure is considered of doubtful constitutionality even by its supporters is attested to by reports that House and Senate conferees are consulting with members of the Attorney General's office to change it—to change it after passage, Mr. Speaker—to try to get it in some sort of form that might pass a court test.

Nothing in the debate on this bill, Mr. Speaker, demonstrated to me that it was any better than it appeared to be from the outset—a measure which, I repeat, contains discriminatory, undesirable, unnecessary, and unconstitutional provisions.

Following passage of the Voting Rights Act of 1965, I issued a press release on it which follows:

VOTING RIGHTS

WASHINGTON, D.C.—Congressman GEORGE HANSEN said today that he is, "Disappointed that after all the lipservice paid to equal voting rights by this administration that it would settle for a discriminatory antidiscrimination bill."

HANSEN said the administration bill was geared to just a few States, and did little or nothing to correct voting inequities outside of the seven target States. "I still believe, HANSEN said, "that sufficient legislation already exists to enforce equal voting rights throughout the Nation if the executive and judicial departments would exercise their responsibilities and not persist in shifting the burden to the Congress to pass new laws which can only be as effective as enforcement makes them.

"I am completely against racial discrimination in any form and in hopes of going that extra step to assure that necessary powers exist within rightful constitutional bounds to provide for equal voting rights. I supported several amendments to correct deficiencies in the administration bill.

"However, nearly every effort to improve the bill was beaten down by administration forces making it necessary for me to vote against final passage.

"To resort to complicated formulas, to measure justice by percentages, and to aim punitive laws at some States, while making no provisions for others, not only violates both the letter and the spirit of the Constitution but buries the real moral question in political sophistry."

The Trumbull Times Wins National Honors

EXTENSION OF REMARKS

OF

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. MONAGAN. Mr. Speaker, I am delighted to report to you and to my colleagues that the Trumbull Times, a weekly newspaper published in one of the fastest growing communities in my district, has been awarded first place for general excellence in the 1965 National Newspaper Contest sponsored by the National Editorial Association.

News of this awards came as no surprise to me, for the Trumbull Times is a model for weekly newspapers and has achieved excellence in clarity of photographs, accuracy and attractiveness of typography, readability of advertising and news content. The paper is also notable for the broad coverage provided in its local news columns, its special articles by syndicated columists and its editorial comment on Trumbull Topics.

I welcome this opportunity to congratulate the Trumbull Times on this achievement. It is not by sheer accident or good fortune that this Connecticut weekly has won national honors. It is an achievement that has come through daily effort and attention to detail on the part of every employee and the direction of a very capable publisher, Mr. Richard M. Diamond, who is fortunate to have assisting him as able lieutenants, Editor Jerome K. Boin, Assistant Editor Sonia Boin, and Mechanical Superintendent Stanley T. Smith. While most of us perhaps have closer affiliation with representatives of the news and advertising departments of our papers, there are others of us who recognize that the general excellence of any newspaper more accurately reflects the operation of the mechanical department. It is, however, the combination of all departmental and individual efforts which produce the final product, and the Trumbull Times is an outstanding product, a model for other newspapers and a credit to the town of Trumbull and the State of Connecticut.

It is gratifying to me to be able to add my compliments to those already received by the Trumbull Times in its noteworthy achievement.

Captive Nations Week

EXTENSION OF REMARKS

OF

HON. CARLTON R. SICKLES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. SICKLES. Mr. Speaker, Captive Nations Week will be celebrated this year July 18–24. Our concern for the plight of these people is dual: we recognize their hopes as nations for freedom from Soviet Russian and Chinese imperiocolonialism, and their desires as individuals to retain their rights to make free choices in political, economic, religious, and cultural spheres. During this week we should affirm our willingness to assist them by peaceful means in their fight to regain individual freedom.

The American tradition recognizes the right of human liberty and free choice. As we reminded ourselves of our heritage and our blessings on the Fourth of July, these nations looked to us for guidance and leadership in their struggle against oppression and tyranny. Captive Nations Week must stand as a testimonial of American determination never to forget the hopes of any people for freedom. By recognizing those who have made the effort to escape from the Iron or Bamboo Curtain, we offer hope to those who are still there. By showing a concern for their conditions of life, we remind them that we care.

Those people living under communism do not enjoy the freedoms that we sometimes take for granted. Churches and church property are confiscated by and for the state. Elections are held with only one governmental ballot.

There are over a billion people in two dozen countries who yearn for freedom. This is a fitting time to honor their desires. It is the month of our independence and the month of the French Declaration of the Rights of Man. It is the 100th anniversary of the end of slavery in the United States.

To paraphrase Lincoln, the world cannot exist half free and half slave. What Woodrow Wilson said of nations is applicable to the individual; he must have the right to self-determination, to create his life as he wishes and to develop his personality as is uniquely his. It is our duty and responsibility now to state in our own words and show in our own deeds that we too are devoted to the concepts of liberty and freedom for the individual and for the Nation.

By celebrating Captive Nations Week in every community, we make a not-so-small contribution to this cause. We must commit ourselves fully to the cause of freedom at home so that we may effectively help those captive peoples who call for aid in their search for freedom

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The Island of Cyprus

EXTENSION OF REMARKS

OF

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. GROVER. Mr. Speaker, because things are moving so very fast in this turbulent world of ours, current events turn into history faster than ever before. In many ways, this is unfortunate, for man's stream of consciousness is directed by nature to the world around him, and he loses a great deal of understanding because each day the world around him is radically different from the day before, or the day after.

World problems, falling into a similar pattern, change so quickly and shift so suddenly that understanding is difficult and mastery virtually impossible for the average citizen. The situation in area X which seemed so important yesterday, involving the freedom of a nation, the tenuous international peace, and/or the principles of democracy are forgotten today. They have been replaced by problems which loom even larger in our fears.

However, we cannot afford to forget or ignore these situations, even if others of equal or greater importance take their place in the headlines. Such a situation is that on the island of Cyprus. A struggle for freedom and the principles of democracy is going on there today, but it is not in the headlines, and therefore not in our thoughts. We have no understanding of it.

Mr. Speaker, the author of the speech which follows has taken the time to obtain this rare understanding. He presents a concise profile of the problem, and what he believes to be an equitable solution. I am in agreement with him on both counts. Representative JOHN W. WYDLER, of New York, delivered the address at a meeting of Theodore Roosevelt Chapter No. 170 of the Order of Ahepa on June 4, 1965, in Hempstead, N.Y. The occasion was the Ahepa Freedom Crusade Week, with chapter president Charles Coffas presiding.

THE ISLAND OF CYPRUS

Nearly 5 years have passed since the storied island of Cyprus was proclaimed an independent state. Although recent developments in other regions of the world have pushed news of Cyprus off the front page of our daily newspapers, we are all only too well aware of the fact that the situation in Cyprus still represents one of the major unresolved disputes in the world today.

To obtain an understanding of the issues involved we are forced, as is so often the case, to take a close look at the past. In fact, the problems associated with Cyprus in the popular mind reach thousands of years into the past and, involving the armies of half a dozen nations, center on the island's strategic location in the eastern Mediterranean. Not surprisingly, those issues which were important centuries ago to different powers remain so for the countries involved in the present dispute. Yet, for the United States, which has become indirectly involved in the dilemma of Cyprus for the first time, the question of which policy to adopt should and ought to be easy.

Unfortunately, the United States did not immediately adopt the only logical moral policy which is in accordance with the best traditions of our country. Instead, negative propaganda and distorted accounts of the situation on that unhappy island have served to engage our country in a policy which runs counter to its most basic precepts and principles. I think that the time has come for the United States to once again declare its adherence to those principles, for if it does not, I fear that our country's great prestige and the moral force which it is able to exert in the cause of peace will be greatly diminished.

From the very founding of the United States, this Nation has been, and was known as, the great defender of the principle of self-determination—that is, the right of all peoples to choose their own destiny, to choose their own form of government, in short, to be the masters of their own fate. We have reiterated our belief in this principle ever since the days of the Declaration of Independence, and defended its application even to our very allies when it affected their former colonies in Africa and Asia. We continue to defend its application to those countries of eastern Europe who have had their form of government and their economic structure imposed by an outside power. Yet, strangely, we have been reluctant and hesitant to support it in the eastern Mediterranean when it affects the island of Cyprus. We do not there assert the principle of self-determination.

I find this a strange and indefensible position to take. It is not difficult to see how it will immensely damage American prestige, on a long-range basis for it makes us appear to be hypocrites; tending to weaken and make meaningless our announced defense of this principle in other areas of the world.

Let us briefly consider the history of Cyprus in order to see how the present situation was brought about. We find that the first references to the island are contained in the writings of the Greeks centuries prior to the Golden Age of Athens. Its name continually crops up even in the legends and tales of the gods; Aphrodite, the goddess of beauty, was said to have been born on Cyprus; the poets of ancient Greece, including the most famous of them all, Homer, sing of the close relations between the Greek and Cyproit kings, for already then there were many Greek colonists on the island. Indeed, their presence made Cyprus an important cultural part of the Hellenic Greek world, if not a political part.

The island's location, not far from the coasts of the Levant, insured that all the great empires and kingdoms of antiquity would covet it for the jewel in their crown. The great Assyrian Empire, the first of the East's great multinational empires, ruled Cyprus. Later, the Egyptians at the height of their ancient glory also took it, only to be replaced by the Persians, who in turn made room for the legions of Imperial Rome. With the decline of Rome in the West, Cyprus became a part of the Eastern Roman Empire. Under the Byzantines it reached new heights in wealth and power, for, after more than a thousand years, this was an empire in which the genius of the Greeks was allowed to come to fruition.

The decline of the Byzantine Empire brought new administrators to the island: the merchant princes of Venice. Drawn to the island by its fame, wealth, and magnificence of its industrial crafts, they governed it for sheer economic gain and gave no thought for the future. Not long thereafter they were ousted by the Ottoman Turks, whose forces seized the island in the 16th century, beginning what was to be over three centuries of maladministration and exploitation.

Ottoman misrule occasioned rebellion in nearly all areas of its farflung empire. In the 1820's, both the Greeks of the mainland, as well as the population of Cyprus itself, revolted. But, although a truncated Greece became independent only a few years later, the Cypriots remained under the hateful rule of the Turks. The desire of this subjugated people for enosis, or union with mainland Greece, had its birth during this time. Their yearning for this goal was not to be stilled by the actions of an unfeeling and arbitrary tyranny.

In the latter part of the 19th century, the strategic interests of Great Britain dictated that she obtain a lease of Cyprus from the Ottoman Sultan. This the empire was willing to do, for it faced a threat against its Asiatic portions from Russia, and badly needed the support which the British were willing to offer in exchange for Cyprus. The Cypriots enthusiastically hailed their new governors for they recalled the support of Great Britain for Greek independence years before, as well as Queen Victoria's gift of the Ionian Islands to Greece. They naturally expected a similar development with respect to Cyprus, and when their expectations were not fulfilled, they were bitterly angry and disappointed.

The Cypriots saw their last chance for a free choice disappear when the British annexed Cyprus during World War I, and later made it a crown colony. Their discontent began to assume serious proportions, and they clamored ever more insistently for their freedom. The British Government replied by abolishing the legislative council, assuming all legislative powers, and ordering ever more stringent measures for consolidating its position on the island.

Despairing of ever being permitted to decide their future by themselves, the Greek Cypriots decided that the British would have to be forced to make concessions. As has so often been the case in the past, including our own, it was this determination to obtain a redress of grievances as well as the inalienable rights due all peoples everywhere that finally convinced Great Britain that she must offer an acceptable program for the future, and loosen her grip on the island.

The agreements which were negotiated at Zurich and London in 1959, granting independence to Cyprus, appeared to offer the possibility of some improvement. It was soon clear, however, that the provisions of these agreements and the Cypriot constitution which resulted were self-defeating. The most important failure was that the important democratic principle of majority rule was completely abandoned; as a result, a small minority was able to thwart the majority, government was paralyzed, and an untenable situation was created. It has become abundantly evident that the solution offered by the 1959 agreements was supremely artificial, and some new method to bring peace and orderly development to the island would have to be tried.

Developments in recent weeks and months have amply demonstrated the complete unwillingness of the Turkish Government to bring about a just solution. Because they have not been able to have their way in Cyprus, they have vented their spleen on the helpless Greeks still resident in Turkey today. Their shops and businesses have been expropriated, looted, or burned in government-sponsored riots. Greeks whose families have lived in Turkey for centuries have been forcibly ejected without their possessions, their savings, or their self-esteem.

And, in a final burst of irrationality, the Turkish Government has threatened to similarly eject the patriarch of the Greek Orthodox Church from Constantinople, the historical seat of the church for more than a millenium.

The important issue which this island has created for us is not, as many would have it, its strategic value to our ally Great Britain, nor is it how the United States may best remain friends with all parties concerned, of even an unthinking commitment to a policy which was formulated in the past, probably in good faith. The time has come to reevaluate our position with respect to Cyprus. Our traditional support and commitment to the principle of self-determination for all peoples, everywhere, should not, and indeed cannot be sacrificed for some slight short-term gain, whatever that may be in this instance. If we are not to lose our self-respect and our reputation as a convinced and convincing supporter of the right of all peoples to decide their own future, we must now openly reaffirm our commitment to the application of these principles to the people of Cyprus.

We should, and we must, support self-determination for Cyprus before the confused situation which has been the result of past errors leads to a war of major proportions. Only if the population of this unfortunate island is allowed to determine its course by itself can we possibly hope to see a just and lasting solution. I think our own historical experience, and our abiding commitment to freedom for all peoples requires that we support the Cypriots in their demand for this right.

Knowing what we must do, the question remains of how to bring about an effective program. My proposal would be to take the following steps:

1. Allow formation of a true government on the island of Cyprus, according to the principle of majority rule.

2. Allow union with Greece, if the people of Cyprus so vote.

3. Establish a NATO base on Cyprus to protect it from Communist influences and takeover.

4. Protect Turkish minority rights in Cyprus.

5. Similarly protect the Greek minority in Constantinople (Istanbul).

6. Protect the ecumenical patriarchate in Constantinople as a symbol of religious freedom on which all other freedoms depend.

These steps can be effected by using any number of devices. First, we as a nation, should appeal to the Department of State to use our national influence and foreign aid as a means of achieving the above steps. We should also make an announcement that we will protect the island of Cyprus from any outside aggression. We could also utilize a United Nation's Mission and the United Nations Genocide Convention to see that the authorities in Cyprus and in Constantinople fully protect the rights of the minorities. You, as citizens, could sign petitions calling for such action by our Government, and the United Nations and asking that the innocent victims be fully protected. Finally, as a Congressman, I can and will offer a resolution calling for a solution to the Cyprus problem along the lines I have outlined above. I most earnestly believe that we must act now. Although I am not of Greek descent, on this issue involving the freedom of Cyprus and the union of Cyprus and Greece, in my heart I am a Cypriot, I am a Greek.

Slovak Catholic Sokol and Its Biennial Physical Fitness Exhibition Scheduled for Bethlehem, Pa.

EXTENSION OF REMARKS

OF

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. ROONEY of Pennsylvania. Mr. Speaker, this coming Saturday it will be my great honor and privilege to serve as the main speaker for the biennial National Slet of the Slovak Catholic Sokols from across this great Nation of ours.

This year, I am proud to report, the physical fitness exhibition is to be held in my native city, Bethlehem, Pa., in the Lehigh University fieldhouse.

The Sokol has been for many years a remarkable part of our community life in Bethlehem, just as it has in hundreds of other American communities.

The word "sokol" means falcon in the Slovak language and, like the magnificent gaming bird from which it takes its name, the Slovak Catholic Sokol is famed throughout our country and the free world for the alertness of mind and the quickness of body it instills in its members.

The founders of the Sokol organization were two great scholars of physical fitness, Tyrs and Fugner. The first unit was established in Prague, the capital of Czechoslovakia.

From its earliest days, the leaders of the Sokol organization have been convinced that only the physically and mentally fit could survive the despotic rule of their oppressors. To attain a level of physical, mental, and moral superiority, they worked out rules for all those who chose to seek and sustain membership.

Here in our own country, where we have, at long last, begun to place physical fitness in its proper perspective and make it one of the goals of the Great Society, the Sokol organizations have grown from a membership of only 67 when the first was founded more than a century ago to a present total of more than half a million.

Our late beloved President Kennedy believed firmly in the need for increased fitness programs for the youth of our Nation. That belief has been carefully nurtured and encouraged by President Johnson.

On the eve of Captive Nations Week, which begins on Sunday, July 18, we would do well to remember that it was the membership of the Sokol organizations who were driven underground first by dictators such as Adolph Hitler and Josef Stalin. And we should think, with pride, of the continuing struggle these organizations are making abroad against the totalitarianism of the Communists.

In my early lifetime I learned to know the Sokols and the Slovak people well. My parents lived, before I was born, in Old Forge, Pa., near Wilkes-Barre, that great Pennsylvania city which has been represented so long and so brilliantly by my revered and distinguished colleague, Congressman DANIEL FLOOD. It was in that city, incidentally, where the first National Slovak Catholic Sokol Slet was held in 1912.

I know that Congressman FLOOD and that great American spokesman from our sister State, Ohio, Congressman MICHAEL KIRWAN, would join me in praise of the membership of Sokol and its goals.

Bread Tax and Price Wars

EXTENSION OF REMARKS

OF

HON. CLAIR CALLAN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. CALLAN. Mr. Speaker, I rise to add my voice to the growing body of sentiment in this House which is becoming increasingly disgusted and insulted by the felicitous propaganda being circulated to defeat the farm bill.

As my distinguished colleague from Texas reminded this body last week, this bread tax argument or propaganda is totally false and cunning, a deceitful and deliberate campaign by the big baking companies and their well-paid professional lobbyists.

I have in my hand at this moment the best red, white, and blue, 100-percent American evidence to rebut the gloom and doom philosophy and propaganda sought to be spread by these disbelievers in our great free enterprise system.

There is currently ensuing in my district—and I submit it could be contagious and occur in anyone's district—a bread price war.

Last week the Beatrice, Nebr., Daily Sun, a leading newspaper in my home county, carried the following advertisements:

> Bread, IGA short loaf, 16 ounces, 10 cents.
>
> Ovenjoy bread, white, loaf, 10 cents.
>
> Butter and Egg bread, save 8 cents, 16-ounce loaf, 19 cents.

I am sure that the good people in my district who buy and consume bread, as everyone does, are most pleased at the enlightened marketing practices and stimulated free market competition that has brought this situation about in Nebraska. It is ironic that such a situation should occur at the same time when highly paid professional lobbyists here in Washington are busily engaged in attempting to scare this body away from constructive farm legislation, on the spurious grounds that the price of bread to the consumer must go up.

This situation in my State points out dramatically the true facts that give the lie to the fiction that the price of bread must go up to the consumer if the wheat farmer's share of the price of a loaf of bread is increased by seven-tenths of 1 red cent—I repeat, "seventh-tenths of 1 red cent." Opponents of the farm bill's wheat provisions have in the past made predictions that the price of bread would rise to the consumer—in that the farmers were not given consideration—but it did not.

Bread prices in the last year have averaged around 21 cents a loaf, or less. This is virtually unchanged from the period before the certificate program went into effect. This program has meant the addition of approximately $450 million in farm income to wheatgrowers all over this land and at the same time has resulted in lowering, by $300 million, the cost to the taxpayer. Wheat stocks have been reduced by about 150 million bushels below the previous marketing year and thus additional savings have resulted to all taxpaying American citizens.

Now, what about those who claim to be hurt by such constructive farm programs? Profits to wheat users rose in 1965. According to reliable sources, they are higher in nearly every case than for the same period in 1964. I am sure that no one opposed to the wheat provisions in the wheat bill would have the temerity to suggest that the bakers and other wheat users are not better off financially than the farmers who grow the wheat or deny that they get a greater share of the consumer's cost than the farmer, from every loaf of bread they sell and yet these folks just do not seem to want to give the farmer parity of income even if it only costs seven-tenths of 1 red cent.

The goals of the farm bill are simple. First, to raise farm income by $250 million a year; second, to reduce farm program costs $200 million a year; and third, to cut back Government-held stocks of farm commodities and reduce Government storage and handling costs.

They are not, as we have been propagandized, designed to put bakers and wheat users out of business or to raise the price of bread to the American consuming public. Let us remember, gentlemen, that the farm and rural American families are themselves one of the most important consumer units in the country.

In 1949, the retail price of bread averaged something like 13 cents a loaf. At that time, the wheat farmers' share of that 13 cents was two and a fraction cents. In 1965, the average retail price of a loaf of bread has risen to 21 cents a loaf. The farmers' share remains the same two and a fraction cents a loaf.

The new bill would not solve all the marketing inequities, but it would provide the wheat farmer with his first increase in his share of the returns from a loaf of bread in 15 years.

I submit that any of my colleagues who may represent districts with an industrial complex, it would be hard put to deny their constituents one fractional wage increase in 15 years.

And, yet, you and I must be subject to this continued false and fraudulent argument that if the share of the farmer is increased by seven-tenths of a cent, the price of bread to the consumer will be increased two cents. I say, woe, to those who use this type of scare tactics.

Let us, gentlemen, be done with these prophets of inflation who use paid hirelings to confuse the issue. The good people of Nebraska by their actions this week in my district have shown again the fallacy of the premise—"That you can fool some of the people some the time."

Remarks by Hon. Horace R. Kornegay at Prayer Breakfast

EXTENSION OF REMARKS

OF

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 1965

Mr. HANSEN of Idaho. Mr. Speaker, I am sure that all Members of this body are familiar with the prayer breakfast group which meets every Thursday morning in the family dining room on the Senate side of the Capitol, and which is open to all Members of the House of Representatives.

Unfortunately, however, all Members of this body were not present this morning to hear an inspirational talk by our colleague, the gentleman from North Carolina [Mr. KORNEGAY].

In order that his discernment and wisdom in a matter concerning the moral posture of this country might be shared by all, in and out of the Congress, I herewith include his remarks:

REMARKS BY HONORABLE HORACE R. KORNEGAY AT HOUSE PRAYER BREAKFAST, JULY 15, 1965

"We are losing the war in Vietnam."

We hear this plaint daily, almost constantly, from many sources. Learned Members of both Houses of the Congress debate the efficacy and effectiveness of our policies in southeast Asia in floor speeches. Self-styled political and military experts in our colleges and universities conduct "teach-ins" on the campus and write often silly "open" letters to the editors on the subject. Bearded young pseudointellectuals parade around in dirty white sneakers with placards calling for us to get out of South Vietnam.

Radio and television commentators and news analysts probe into the subject and ask penetrating questions about it.

Everywhere we go today, we keep hearing that "we are losing in Vietnam." There is widespread concern.

There is, of course, reason for deep concern as the Vietnam situation concerns many of the best minds of this Nation—from the President on down.

I, too, am concerned.

I am equally concerned, however, that we might be losing a war closer at home—one that could be even more devastating and disastrous than one that is being fought in the jungles of southeast Asia.

I am afraid that we are in serious danger of losing the battle being fought for the mind, the spirit, and the soul of America. Round about us today, as we meet together to pay tribute to our God, we can see evidence of moral decay which is weakening the fiber and fabric of a great Nation—founded in a concept of religious faith. This Nation was established by persons who came across the seas bringing a book, a Bible, under their arms.

Now, the book under the arm of the American is "Lady Chatterly's Lover" or "The Tropic of Cancer." The filthier the book, the greater the sale.

Our Founding Fathers sought to establish a Nation directly upon the Bible and therefore upon belief in a personal God. In those early days their concept of this Nation was a theocracy in which the rule of God prevailed in the affairs of man. Upon this sure foundation was developed a mighty and potent people.

Dr. Norman Vincent Peale has widely commented: "We got this Nation out of the pages of the Bible. And unless we maintain the Bible as the anchor of our liberty, this great country which Abraham Lincoln called 'the last best hope on earth' may be taken from us."

Some of the seeds of destruction have already been sown and bear promise of fruition. For, a Maryland atheist who says "my child shall not pray" has brought about a Supreme Court decision that your child and mine shall not pray in school either.

A Pennsylvanian who opposes Bible-reading in classrooms has been able to have this Bible exercise eliminated from every classroom in the country. In Sacramento County, Calif., it was ruled unconstitutional for schoolchildren to say with their milk and cookies this simple grace: "God is great, God is good. Let us thank Him for our food."

This week we have heard much discussion about removal of silver from our coinage. This is an important area of discussion, but not nearly so important to me as some of the proposals to remove from our coinage the motto "In God We Trust."

Others complain about the use of chaplains in the armed services and prayers before Government and public gatherings. There is a great movement underway to make America a godless nation and I am disturbed to think that we have lost the early battles in this war here at home.

In 6,000 years of recorded history, the American Constitution is the only document of government to be based on the law of God as defined in natural law, the decalog and devine revelation. Its authors were believers; their faith is evident in the guarantees for individual freedom which they wrote into the Constitution. Furthermore, by their checks and balances on the three branches, they assured that no branch should overpower the others and that, while protecting the rights of minorities, government should remain in the hands of the majority of the people. This is the freedom of religion which the framers of the Constitution had in mind.

Yet, today as we meet here in the capital of the free world, we are greatly troubled. No intelligent man could fail to be, for throughout the world and even here in America all that is needed to create a riot are a few roughly painted signs and a loudmouthed leader. The mob spirit is everywhere.

Earlier this month, on the day set aside to commemorate American independence, young Americans went on rampage in demonstration against established authority. They flouted the rights and property of others. They engaged in wild mayhem.

Mob thinking is not only rampant, but popular today. Streets once used for travel are now filled with bodies of people. Sit-ins and lying-downs are new but now-familiar phrases. Hate is becoming widespread and churches are being bombed and torn asunder. A Gallup poll has revealed the startling finding that only one-third of the people believe that the church has any appreciable influence in American life. In the year 1900, 35 percent of the world's population were Christians and if the present rate continue, the year 2000 will find it reduced to 20 percent—a loss of 15 percent in 100 years. A century of progress, indeed.

And, as I look upon our country I see much that disturbs me.

There is evidence at every hand that many of our traditional American values are deteriorating, particularly among the young—who, unfortunately, have an innate tendency to emulate their elders.

We have watched juvenile delinquency climb steadily. We have seen a growing tendency to tolerate all kinds of abuses, crimes, and lawlessness without intervention or protest. We have seen the reluctance of witnesses to testify for fear of retaliation, recrimination, or merely out of fear of becoming involved. We have seen parental reluctance to place restrictions on teenage children or to report teenage behavior.

We speak of underprivilege. Yet the young men who swagger up and down the streets, boldly flaunting their gang symbols on their black jackets, are far more blessed in creature comforts, opportunities for advancement, and freedom from drudgery than 90 percent of the children of the world.

We speak of educational advantages. Yet all of us know of instances of mass sex orgies that have taken place on or near some of our greatest institutions of higher learning, attendant with dope and habit-forming drugs now becoming more popular than ever with our young people. All of us, too, know of the growing "beatnik bunch," which rebels against any vestige of authority or tradition or convention.

That is the status of our advanced culture—our entertainment and our literature.

All of you, I am sure, are aware of the flood of offensive material now prevalent in books, magazines, movies, radio, television, and the stage. It's everywhere, and in abundance. We are preoccupied, it seems, with the glamorization of sordid themes—sexual perversion, prostitution, dope addiction, etc. Can anyone deny that movies are dirtier than ever? Only nowadays, they don't call it dirt. They call it "realism." Filth today is a "daring art form", licentiousness is really social comment. Not too long ago, the screen industry solemnly announced that from now on perversion and homosexuality would no longer be barred from the screen—provided the subjects were handled with "delicacy and taste." Heavens help us, when we have reached this advanced state of culture.

There has been a tremendous rise in the "anything goes" philosophy in which no limits are permitted on what may be printed or exhibited, nor any restrictions placed on its distribution to individuals of any age. We have reached the pinnacle in absurdity when college students cry for their "freedom of speech" when they were not permitted to paint four-letter obscene words on a college campus.

We have watched the rise of crime and lawlessness and the deterioration of many of our cities to a point where some areas are unsafe at night and some are even unsafe in daylight. There is, as you know, just that situation existing here in the "home of freedom."

Gentlemen, unless some meaningful steps are taken to prevent further deterioration of our standards, the American environment will grow progressively worse until it becomes so intolerable that only radical solutions will accomplish any results. But, we are a great people. We have noble traditions.

We have much to teach to the rest of the world—and to ourselves again. But, one thing is certain. We do not have centuries for a leisurely reawakening—for we have a dedicated enemy in communism that has the capacity and the willingness to seize upon our own moral decay and speed our moral decline.

A democracy depends on individual responsibility in order to function. Therefore, the level of individual moral and ethical standards, to a great degree, governs the health of the Nation and the continuing viability of its institutions.

We need and must have a reexamination of the historical, religious, and philosophical heritage from which American values have developed. We need to redevelop the theme that the traditional standards of personal, business, and political conduct are a distillation of men's wisdom over the ages. They are worth preserving because they:

Permit maximum freedoms for individuals to live their lives so long as they do not impinge on the rights of others.

Establish and foster civilized relations between human beings who must, of necessity, cooperate in order to live.

Are not only right in the moral and religious sense but worthwhile in the practical sense, and necessary for the longrun preservation of the American way of life.

This cannot be accomplished by our ministers, priests, and rabbis alone. It is up to all of us to help fight this battle. Those of us in the public eye can help, in our lives and in our preachments. The tremendous power existent in the mass media of radio, television, and the press could exert its great influence to great advantage. The entrepreneurs and promoters of our entertainment world could pitch in, as could those responsible for the literature we read.

There is a war going on here today—for the eye, the ear, the mind, and spirit of America. We may be losing at the moment, but I believe in the indominatable will of the American people. We can win.

I am a Methodist, if you will permit the personal reference, and proud of my denomination—as I know each of you are yours. I point this out at this time to say that the founder of our denomination, John Wesley, had the perfect battle plan drawn for the war we are fighting on the morals front today when many years ago he defined a Methodist. He said:

"A Methodist is one who has the love of God shed abroad in his heart by the Holy Ghost given unto him. One who loves the Lord his God with all his heart and soul and mind and strength. He rejoices evermore, prays without ceasing, and in everything gives thanks. His heart is full of love to all mankind and is purified from envy, wrath, malace, and every unkind affection. His one desire and the one design of his life is not to do his own but the will of Him who sent him. He keeps all God's commandments from the least to the greatest.

"He follows not the customs of the world, for vice does not lose its nature through becoming fashionable. He fares not sumptuously ever day. He cannot lay up treasures upon earth, nor can he adorn himself with gold and costly apparel. He cannot join in any diversion that has the least tendency to evil. He can no more speak evil of his neighbors than he can lie. He cannot utter unkind or evil words. He does good unto all men, unto neighbors, strangers, friends, and enemies.

"These are the principles and practices of our sect. These are the marks of a true Methodist. By these alone do Methodists desire to be distinguished from all other men."

I would point out that not all of us who proclaim fidelity to Methodism are able to fully measure up to the Wesley definition and certainly your speaker this morning would not claim these many virtues which Wesley insisted we develop.

I can profess that if each of us made a definite, sincere attempt to mirror this definition—regardless of our profession of faith—that we can and will win this insidious war against further moral decay in our land and in our world.

Thank you.

SENATE

FRIDAY, JULY 16, 1965

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou whose approval we seek above all the hollow applause or blame of men, we pause in the midst of thronging duties and confusing issues that Thou might lift upon us the light of Thy countenance.

Inspire and guide with the spirit of understanding these, Thy servants, the few among the many, in a crucial day lifted by their fellows to high pedestals of power and influence. May their words and counsels, so laden with possibilities to affect this stricken generation, add to the world's store of good will and be for the healing of the nations.

May the lure of expediency never bend our conscience to low aims which betray high principles. Hear Thou our prayer as out of the depths we cry, bowing at the world's great altar stairs which slope through darkness up to Thee.

We ask it in the dear Redeemer's name. Amen.

RECESS OUT OF RESPECT TO THE MEMORY OF ADLAI E. STEVENSON

Mr. LONG of Louisiana. Mr. President, out of respect to the memory of a great American, I move that the Senate stand in recess subject to the call of the Chair, when Senators attending the funeral of Adlai Stevenson return.

(At 12 o'clock and 2 minutes p.m., the Senate took a recess, subject to the call of the Chair.)

At 12:56 p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. INOUYE in the chair).

ORDER OF BUSINESS—THE JOURNAL

Mr. MANSFIELD. Mr. President, I take the occasion at this time to yield to the distinguished senior Senator from Oregon, who I believe has a few remarks to make and a few questions to ask but, before I yield, I ask unanimous consent that the requirement for the reading of the Journal be temporarily waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 4822) to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 4822) to authorize the prosecution of a transit development program for the National Capital region, and to further the objectives of the act of July 14, 1960, was read twice by its title and referred to the Committee on the District of Columbia.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, as I said last night, at the beginning of the session today I would rise to a point of personal privilege to discuss certain procedural problems which developed at the time of the extraordinary adjournment of the Senate last night.

Mr. BREWSTER. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the senior Senator from Maryland.

Mr. BREWSTER. Mr. President, as I was the Presiding Officer last night at 7:15, I know precisely what transpired. I believe it may serve a useful purpose if I were to review, in a friendly and calm way, exactly what happened.

I had agreed to preside over the Senate. I had an engagement later, and it would have been most embarrassing to me if I had had to break it. I therefore told the staff at the desk that they could not count upon me after 7 o'clock. I made it very clear to the desk officers, and repeated it, that they could not count on me after 7 o'clock.

Seven o'clock came. Seven fifteen o'clock came. I was informed that it would be impossible to relieve me.

Therefore I adjourned the Senate.

I wish to make it abundantly clear, and very frankly, that I had no idea what subject the Senator from Oregon would discuss. I have the greatest respect for him as a brilliant Senator and an able advocate of his State. The last thing in the world that I would ever do would be in any way to say anything or do anything that would be in the slightest way disrespectful to him.

I recognize his right to have the floor.

Because of a breakdown in communications, there developed a situation in which I was supposed to be relieved, and I was not.

I extend to the senior Senator from Oregon my highest regards, and again tell him that the last thing in the world that I would ever do would be in any way to try to cut off his right to speak, or to prevent his saying what he wanted to say in the Senate.

His counsel and wisdom have been warmly regarded by all of us for many, many years.

I believe that probably enough has been said on this subject. It is not an important issue. Speaking for myself, I would prefer to let the matter drop now.

Mr. MORSE. Mr. President, I appreciate the comments of the Senator from Maryland concerning his personal view in regard to this matter. This is not a matter of personalities between the Senator from Maryland and the Senator from Oregon. It is a question of procedure and precedent, and I should like to discuss it briefly from a procedural standpoint.

First, Senators have no substantive rights in the Senate except with respect to our procedural rights. It is for each one of us to determine how we can best carry out our duties as Senators. As the present majority leader, and I am sure past majority leaders also, will testify, for the past 12 years I have endeavored to arrive at an understanding with the majority leader when I had so-called nongermane subjects to discuss, to reserve those speeches until the business of the day had been completed.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I wish to state that what the Senator from Oregon has just said is true. Yesterday afternoon, at about 4 o'clock, if my memory serves me correctly, the Senator from Oregon came to me and mentioned the fact that he had a very important speech that he would like to make, and he asked when would be the best time to make it.

I suggested to him if he could wait until the pending business was disposed of it would be appreciated. He said that was fine with him, just so he got the floor yesterday and was able to make that speech.

The Senator from Oregon kept his word. I assure him that what he said just now is true.

Mr. MORSE. Mr. President, that is the policy I have followed for 12 years. There have been a few occasions on which, because of timing, it has been necessary for me to make some nongermane speech earlier in the day, and I have worked that out with the majority leader.

The facts of this case show that the Senator from Maryland [Mr. BREWSTER] made very clear to the staff that he was not going to be able to preside beyond 7 o'clock. The senior Senator from Oregon had no knowledge of that.

The controversy between the Senator from Maryland and the staff does not involve in any way the Senator from Oregon, and, of course, it should not be allowed to jeopardize the parliamentary rights of Senators nor of the Senate as a whole.

Had I had knowledge of their problem, I would have been glad to discuss it with the Senator from Maryland [Mr. BREWSTER] and I would myself have volunteered to call a quorum at 7 o'clock. During that quorum call period, there is no question that we could have supplied a necessary Presiding Officer to accommodate the Senator from Maryland. I had no opportunity to do that, because the Senate was adjourned while I was addressing the Chair, and asking for recognition.

As I addressed the Chair, the Senator from Maryland adjourned the Senate.

I make clear to the Senator from Maryland [Mr. BREWSTER] and the entire Senate that the senior Senator from Oregon is not engaging in any personal difference with the Senator from Maryland [Mr. BREWSTER].

As one who has been here for 20 years, I intend to see to it that the parliamentary rights of each Member of this body are protected.

The Senator from Louisiana [Mr. LONG] has pointed out that some years ago he was in a somewhat similar situation and the senior Senator from Oregon came to his defense.

I want to say that the Senator from Maryland was entitled to have some relief and arrangements should have been made for him to get relief.

Mr. MANSFIELD. Will the senior Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Montana.

Mr. MANSFIELD. On the question of protecting the parliamentary rights of any Senator, the joint leadership is entirely in accord with the views expressed by the senior Senator from Oregon.

The parliamentary rights of every Senator will be protected at all times, and insofar as the statement made by the distinguished Senator on yesterday evening was concerned, I wish to state those facts were recorded accurately. His rights were not protected. As far as the reasons for those rights not being protected were concerned, I would say in all honesty that some portion of the blame ought to be attached to the majority leader who had not made the necessary arrangements to take care of the situation which had developed because of the Senator from Maryland [Mr. BREWSTER] occupying the chair.

In fact, the Senator from Maryland [Mr. BREWSTER] occupied the chair as a special favor because we could not get anyone else, and I believe he had been in the chair for about 3 hours.

Assignments for such periods is a very bad practice, and if the Senator from Oregon would agree with me, I think something ought to be done about having more of our senior Members take over the chair because it is not a chore; it is an honor, and it is a privilege. It is a distinction to preside over this body. I would like to anticipate then when older Members are called upon to take the chair, they will do so without too much grumbling and with appreciation of the honor which such service entails.

Mr. MORSE. The majority leader commented on a point I was about to make. Before I proceed to support what he has said, I wish to disclaim the point made by the Senator from Montana that he in any way is responsible for what happened last night. We all know the dedication of the majority leader to the work of the Senate. We know the long hours that he spends here. In fact, I have come to the Senate many mornings at 7:30 a.m. and I have found that the majority leader has already preceded me. I believe that on a majority of the mornings each week the majority leader and the Senator from Vermont [Mr. AIKEN] have breakfast together by 8 o'clock, and very often before 8 o'clock. The Senator from Montana was in no way responsible for what happened last night. A series of misunderstandings and errors developed. It is unfortunate that a quorum was not called so that the Senator from Maryland could have left and we could have provided another Presiding Officer.

I only wish to say, for the purpose of the RECORD, that the practice of entering, by unanimous consent, previous orders that upon the conclusion of the day's business the Senate shall stand adjourned until a given hour the next day, does impose an obligation upon the Presiding Officer to determine whether there is further business.

Last night no such determination was made, and as the RECORD shows, a Senator was addressing the Chair seeking recognition. Under those circumstances, the Presiding Officer has no right to adjourn the Senate.

Before he left last night, the Senator from Montana came to my desk and said, "Will you make your speech and then, after you finish your speech, move to adjourn until tomorrow, at 12 o'clock?"

I said, "I shall do that."

The Senator from Montana has given me similar instruction many, many times. He has said, "When you get to that point, you may inquire as to whether or not there is any further business, and if there is no further business, then you move to adjourn."

What I have said is no personal criticism of the Senator from Maryland. I am merely saying that what happened could have been avoided if a quorum call had been held. I am disappointed that it was not suggested that a quorum should be called so that the Senator could leave, and then we could have worked out an arrangement.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HOLLAND. Is it not a fact, although not frequently practiced, that the Presiding Officer of the Senate, in the event of an emergency or for any reason satisfactory to himself, can suggest the absence of a quorum?

Mr. MORSE. Yes; that is another procedure that may be followed. I am not critical because it was not followed. I am only pointing out, for precedential reference, that either procedure would have prevented the situation that developed.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. MORSE. I yield to the Senator from Florida.

Mr. HOLLAND. I am not making my comments in criticism of anyone. I was in the Senate a long time before I knew that a Senator when acting as the Presiding Officer of the Senate could suggest the absence of a quorum. I wanted to bring that point into the debate so that it will be clearly apparent for all Senators who have the onerous duty of presiding at embarrassing times to themselves. That is a well settled rule, as I understand, and if the Presiding Officer and the Senator from Oregon will yield, I should like to address a parliamentary inquiry to have that point incorporated in the RECORD.

The PRESIDING OFFICER (Mr. INOUYE in the chair). The Senator from Florida is correct.

Mr. HOLLAND. Will the Chair restate that ruling?

The PRESIDING OFFICER. The Presiding Officer, as a Member of the Senate, may suggest the absence of a quorum at an appropriate time.

Mr. HOLLAND. I thank the Chair.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I should like to say for the RECORD what I know to be true. The event that occurred last night was the fault of more than one Senator, in some respects.

In some respects, the junior Senator from Louisiana feels that he had some responsibility with respect to what happened, because he investigated after it had happened and learned that what the Senator from Maryland [Mr. BREWSTER] said was correct. The Senator from Maryland had repeatedly told the staff assistants that they were not keeping their word to him; that they should have done what they promised. They said they were trying to keep their word, but that Senators were reluctant to take the chair, for fear that if they took it no other Senator would be available to relieve them. While I knew nothing about it, I feel that I should have made it my business to know and to have made myself available if needed.

The Senator from Oregon is one of the great Members of this body. He is a courageous man. He has always defended the parliamentary rights of every Member of the Senate without fear or favor.

Some years ago a similar event happened to this Senator. The Senator from Oregon was on the floor and sought to protect my rights. The then Vice President, who was presiding, adjourned the Senate when I was demanding a quorum call. The Senator from Oregon championed my right to make my speech on the following day. He was trying to protect the rights of another Senator in a completely parallel situation. On the following day the Senator from Oregon made a speech, which took a great deal of courage, in which he read the rule book to the then Vice President in strong terms that could not be misunderstood.

I have tried to find the speech, but apparently someone thought it better that it not appear in the permanent RECORD perhaps as a courtesy to the Vice President. But the Senator from Oregon chastised the Vice President severely for the adjournment of the Senate while the Senator from Louisiana was trying to make his speech.

Mr. MORSE. As I recall, I was a Republican then.

Mr. LONG of Louisiana. When the Senator from Maryland told certain assistants that if they did not have him relieved from presiding so that he could keep his commitment, he would simply have to leave, the reaction of one or two members of the staff was, "That is what they always say. They say it, but they do not do it."

I have also detected that the Senator from Oregon is not always quick to excuse an unkept commitment. He is a difficult man to deal with if someone has told him that something would be done and then lets him down.

This event highlights the problem. I should have known about it; I had not been informed about it. But now that I know about it, as assistant to the majority leader I shall cooperate and help the majority leader, because Senators should not be imposed upon more than is reasonable. Senators keep their word, and we should see to it that what we ask of them is not unfair.

Most of us recall situations that make us sympathize. I was once presiding over the Senate and was in great physical pain. [Laughter.] Perhaps it would appear better in the RECORD if I explained what the pain actually was. [Laughter.]

On that occasion, I was rushing to attend a yea-and-nay vote. I slipped on my way down the marble stairs about where the picture of the Battle of Lake Erie is. I tumbled down the steps and landed near the feet of the statue of Benjamin Franklin. My arm was sprung. It did not hurt so much until I found myself sitting in the chair of the Presiding Officer.

The Senator who was speaking—not the Senator from Oregon, but the former Senator from Minnesota, Mr. HUMPHREY—continued to talk while my pain became greater and greater. If I do say so, I believe I turned the air blue when I finally had the chance to explain that I thought I had been imposed upon. I explained to the then Senator from Minnesota how resentful I felt. I had sent a message to him, pleading that he get his speech over with so that I could go to see a doctor.

Many Senators understand the problem. Now that we have had an explanation of the matter and it has been highlighted, as the Senator from Oregon has suggested, we should consider, when the Democratic conference meets on Monday—and I hope that the Republican Senators will do likewise—taking measures to see to it that we increase the amount of presiding that senior Senators do, because a great burden has been imposed on the junior Members. It has been something of an undue burden. I hope we shall be able to see to it that this type of activity is not complained of in the future. In some respect, I feel that we bear some responsibility in this matter. Since the occurrence of last night, some of the senior Senators, whom I thought we would not be able to persuade to preside again, have offered to preside.

Mr. MORSE. Mr. President, I completely agree with the suggestion of the Senator from Montana [Mr. MANSFIELD] and the Senator from Louisiana [Mr. LONG] that no Senator should be placed in the position in which the Senator from Maryland [Mr. BREWSTER] was placed last night, when he had an arrangement with the staff to relieve him from presiding, but other Senators did not appear to take over.

The point I wish to make is that no Senator's procedural right should suffer. The Senate rules should suffer this summary violation for such reasons. Had a quorum call been had last night, a Presiding Officer could have been produced and would have been produced.

The Senate will find itself in a bad position procedurally if some such arrangement as the majority leader and the majority whip have just suggested is not made. The practice is, toward the end of an afternoon—and I have heard it happen many times—that the minority leader will ask the majority leader for advice, so that he can advise Senators on the minority side of the aisle what the plans are for the rest of the day. The majority leader responds, and very often the majority leader will then say, "Mr. President, I ask unanimous consent that when the Senate finishes its business for the day, it stand in adjournment or take a recess until 12 o'clock noon, or some other hour, tomorrow." That request invariably is agreed to.

Certainly we do not want to be placed in such a position when a Senator who intends to speak later will have to object. That does not create a cooperative relationship in the Senate.

Neither should a Senator be placed in a position after he has entered into an arrangement with the majority leader that he will speak later in order to accommodate the Senate during the afternoon, of having to object to unanimous-consent agreements to limit time. If he cannot rely on an arrangement whereby he can finish his speech after the germane business of the day has been transacted, he will have to object to unanimous-consent agreements to limit time, because he must protect his right to speak in the middle of the day. I do not want to be placed in that position. I want to continue to make available to every Senator the right to continue the practice that some of us follow of speaking at the end of the day.

Perhaps as a result of this incident a great improvement will be made in the procedure of the Senate. That will be all to the good.

I believe every one of the so-called senior Members of the Senate has the same responsibility of going to the desk and presiding for his fair share of the time as has any so-called younger Member of the Senate, in terms of tenure. The senior Senator from Oregon will always perform his pro rata share of what the Senator from Montana rightly says is a privilege. I like to think of presiding over the Senate as a great honor and distinction, not as a chore. I believe we have been unintentionally downgrading the chair of the Presiding Officer of the Senate by parceling out the assignment as a sort of duty for younger Members of the Senate.

I close by saying to the senior Senator from Maryland that I appreciate his attitude in this matter. It is not a matter of personalities. It is a matter of the senior Senator from Oregon doing what he can to protect procedural rights in the Senate. Instances such as this have their political repercussions; but the Senator from Maryland in his statement this afternoon to those who read has given the answer to what I understand are the headlines in Oregon today that the senior Senator from Oregon was disciplined on the floor of the Senate last night, when I was merely the victim of circumstances over which I had no control or knowledge whatsoever.

Mr. LONG of Louisiana. Mr. President, I say to the senior Senator from Oregon, as one Member of the Senate, that I very much appreciate the fact that the Senator has made some very fine and eloquent speeches at times when other Senators wanted to be home with their families and with various people with whom they had dinner commitments, so that the Senate could proceed with its business.

The speeches of the senior Senator from Oregon have been informative and very helpful to me. I recall that when the Senator from Oregon was the sole representative of the Independent Party in the U.S. Senate—when he was not representing the Republican Party or the Democratic Party—he would make a once-a-week report for the Independent Party of the United States. The leadership frequently had some difficulty in persuading a Senator to remain on Friday afternoon to hear the Senator make his report, which usually required 3 to 3½ hours. Most Senators wanted to rush away and be out of the city on Friday afternoons. They were concerned with the traffic rush.

As the Senator recalls, the junior Senator from Louisiana was not drafted for the job, but volunteered to be Presiding Officer at sessions when the Senator made his report to the Senate concerning the Independent Party.

The speeches were among some of the most enlightening and learned speeches to which I have ever listened. I still go back to those speeches to get some information in the field of resource development which the Senator developed in a very fine fashion, along with some other items which he reported on in his reports for the Independent Party.

I hope that by now the Democrats have taken some of the plans which the Senator recommended at that time, before he decided to join forces with us on this side of the aisle. The Senator had some magnificent ideas.

As the Senator perhaps noticed, the junior Senator from Louisiana had been voting against the high dam at Hell's Canyon. However, after sitting in the chair and hearing the reports of the Independent Party for about 3 months, the junior Senator from Louisiana changed his vote and voted with the Senator from Oregon on the high dam at Hell's Canyon. That shows that the words were not all wasted. Results were achieved by them. I am sure that a great deal more results were achieved because others read the Record and had an opportunity to know of the information which was made available in the Congressional Record.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. Mr. President, I express to the senior Senator from Oregon my deep personal appreciation for the dignity and courtesy and manner in which he has approached a most difficult and delicate problem.

I express my personal respect and thanks to the distinguished Senator from Maryland for the statement which he has made. I believe that the remarks made by the two distinguished Senators this afternoon show that they both have the confidence of their colleagues. It shows that they are both big men, and I mean "big" with a capital "B."

I am delighted and appreciative that both Senators have done what they have just done.

Mr. MORSE. Mr. President, I thank the Senator.

Mr. DIRKSEN. Mr. President, I add only that I am delighted with the felicitous and understanding way in which the difficulty provoked by last night's incident has been handled. The situation has been handled in the finest tradition of the Senate.

The distinguished Senator from Oregon has displayed a rare patience and tolerance—and particularly so in the conference this morning.

I say for the distinguished Senator from Maryland that he has done precisely the same thing.

That is exactly what the Senate and the country expect of the Senate. The Senate has risen to the occasion.

Mr. MORSE. Mr. President, I very much appreciate the comments of the distinguished Senator from Illinois.

Mr. MANSFIELD. Mr. President, I believe that the senior Senator from Oregon should have the privilege, if he so desires, of making the speech now that he intended to make last night.

Mr. MORSE. Mr. President, I shall follow the wishes of my majority leader.

I have the speech to make some time today. I sent to the Press Gallery yesterday a foreign policy speech that could be delivered today, too. It will not make any difference to me when I deliver them. They will both be delivered some time before the Senate adjourns today.

Mr. MANSFIELD. Mr. President, would the Senator be agreeable to a brief morning hour before proceeding with the GI bill?

Mr. MORSE. By all means.

Mr. MORSE subsequently said: Mr. President, I wish to make clear, as a parliamentary matter, that the Senator from Oregon serves notice that he wants no changes at all made in the permanent record of the Congressional Record of the Senate with respect to the record made last night and today. I shall object to any deletion of anything from the Record. Since the discussion earlier, which involved an incident with reference to the majority whip which did not appear in the Record, I want to say that this is going to appear in the Record to avoid a similar incident in the future.

THE JOURNAL

On request by Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 15, 1965, was dispensed with.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE BUSINESS

On request by Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

ENROLLED BILLS SIGNED

The **PRESIDING OFFICER** announced that on today, July 16, 1965, the Vice President had signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 21. An act to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State particiaption in such planning;

H.R. 4526. An act to extend the provisions of title XII of the Merchant Marine Act, 1936, relating to war risk insurance, for an additional 5 years, ending September 7, 1970;

H.R. 5041. An act to provide for safety regulation of common carriers by pipeline under the jurisdiction of the Interstate Commerce Commission, and for other purposes; and

H.R. 6453. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1966, and for other purposes.

PRINTING OF HOUSING AND URBAN DEVELOPMENT ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that H.R. 7984, the Housing and Urban Development Act of 1965, be printed in the form in which it passed the Senate yesterday.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LAUSCHE, from the Committee on Commerce, with amendments:

S. 1148. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency (Rept. No. 461).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 2293. A bill for the relief of Margaret Szobotka; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 2294. A bill to amend section 2 of the International Wheat Agreement Act of 1949; to the Committee on Agriculture and Forestry.

By Mr. KENNEDY of Massachusetts:

S. 2295. A bill for the relief of Guiseppe Rubino; and

S. 2296. A bill for the relief of Dr. Stanley L. Javett; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the senior Senator from Wyoming [Mr. MCGEE] be added to the list of cosponsors of the bill (S. 2067) to amend chapter 35, relating to war orphans' educational assistance, of title 38, United States Code, so as to increase the educational assistance allowances paid under such chapter, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the junior Senator from Maryland [Mr. TYDINGS], I ask unanimous consent that his name be added as a cosponsor of the bill (S. 2228) to correct inequities with respect to the basic compensation of teachers and teaching positions under the Defense Department Overseas Teachers Pay and Personnel Practices Act, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 16, 1965, he presented to the President of the United States the enrolled bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

SUBCOMMITTEE MEETING DURING SESSION OF THE SENATE TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Immigration of the Judiciary Committee be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTES TO ADLAI STEVENSON

Mr. YARBOROUGH. Mr. President, while paying tribute to the late Adlai Stevenson, the Washington Post observed in an editorial yesterday that there is no one to eulogize and praise him as eloquently as he praised others. Surely the most eloquent voice in American politics is stilled. One of the finest minds and spirits of our times has left us—leaving a void no one can fill. Our Nation—the whole world—is the poorer for his passing.

Today, Mr. President, I ask unanimous consent that some of these tributes, specifically yesterday's July 15 editorials in the New York Times, the Washington Post, and the Washington Star, along with our President's own eulogy and with the selected statements of world leaders recorded in the New York Times of July 15, be printed at this point in the RECORD.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Evening Star, July 15, 1965]

ADLAI STEVENSON

The Nation and the world are poorer today for having lost Adlai Stevenson. He was one of the finer minds and spirits of our time. He had wit. He had grace. He had eloquence. And he had intellectual depth of a kind that makes some men, a relative few, seem to tower over their fellows.

These gifts were well used by Mr. Stevenson. He drew upon them to support the important role he played in the founding of the United Nations. Later they served him in his spectacularly successful campaign for the governorship of Illinois. And in 1952 and 1956, though he was decisively defeated by General Eisenhower, they made him stand out as one of the most striking, most likable, most literate presidential candidates in American history. Finally, they won him the respect, even the affection, of most of his colleagues in the U.N., from both sides of the Iron Curtain. All the members, or nearly all, genuinely mourn his passing. As our chief delegate there, he was invariably courteous and friendly, though a hard-boiled defender of our country against Communist attack.

What is primarily interesting to Americans, however, is not Mr. Stevenson's role in the U.N., but the story of his bid for the Presidency of the United States. He received the Democratic nomination in 1952 and 1956, and even in 1960 his never-say-die supporters tried their poor best to have him nominated. It is doubtful that any politician in our history has had a more devoted or more emotional following, large remnants of which still regret his failure to attain the Presidency. But there is ground for the thought that he himself dreaded the idea of the White House. There is ground, too, with all respect to him, for the feeling that it is probably just as well that he never got there.

It has become a sort of cliche, of course, to equate Mr. Stevenson with Hamlet, Shakespeare's tragically indecisive prince. Still, the cliche has substance in it. One can recall, for example, Mr. Stevenson's oddly negative acceptance speech at the 1952 Democratic Convention. "I accept your nomination," he said. "I should have preferred to hear those words uttered by a stronger, wiser, better man than myself. I would not seek your nomination for the Presidency because the burdens of that office stagger the imagination. I have asked the merciful Father of us all to let this cup pass from me."

He was a gentle, an affable, a kind, and sensitive man; in no sense could he be called tough. Perhaps he felt in his heart what the American voters seemed to feel—that in a time of crisis the President needs other qualities than those that so endeared Stevenson to us all.

Still, today, one can hardly fail to reflect that Adlai Stevenson's sort of world would be a far better place than the one we know.

[From the Washington (D.C.) Post, July 15, 1965]

ADLAI STEVENSON

He was a man without malice in an age in which public enterprise and international affairs were largely disfigured by malice. He was a man of great warmth of spirit and largeness of heart in an era marked by cold calculation and selfishness. He was a man of humor and wit in an interval of national life during which such talents in public men inspired suspicion. He was a man of humility in a season when those with more occasion to have it possessed none of it. He was a man whose utterance, like Jefferson's, was always felicitous and graceful and often beautifully eloquent. He was a man given to introspection and soul searching in an interval of history preempted by men of action.

For these qualities he was idolized by millions of Americans, respected by more and looked upon abroad as an embodiment of the best democratic impulses and values of American life. His death in London yesterday must have had an impact upon most citizens as great as that ordinarily arising from the loss of a head of state. Upon many it inflicted a sense of deprivation like that felt at the loss of a close friend or a member of the family circle.

In his long and controversial public life he was the object of many reproaches but few dared to say, and none could say with justice, that he was not a good man in the sense that he was forever governed in his words and in his acts by the wish to further the good of his country, the well-being of his countrymen, the fair name of his Nation at home and abroad. It is doubtful if there is any man in our history of whom it could be as safely asserted that he never permitted private interest to conflict with what he understood as the public good. And this, when spoken of him, is higher praise than it would be of other men, for he had no capacity for that subtle self-deceit that permits men to identify their own and the public weal.

On this occasion many will regret that he did not achieve the high office which twice he sought. It is easy to imagine small changes in circumstance that would have made him President. But the regret must be tempered. No one knew better than he the anguish of power—and he would have suffered in it, not rejoiced in it. When he addressed the American Society of Newspaper Editors in 1960 he described the search for truth as a principle of our national life. He said: "In this striving, it is a matter of experience that some strains are almost too great for human fortitude—and of these strains, none is more testing than that of prolonged and unquestioned power." Probably few candidates for our highest office have had the same awareness of this aspect of the ordeal of public office.

On that occasion he spoke on the role of the opposition in American public life and rightly and wisely declared: "The possibility of alternating the government, which only the acceptance of opposition secures, is essential to the health of both, to those who govern and to those who would. If succession to power is the consequence of successful criticism, this fact, in itself, should sober the critics, keep their attacks within the limits of the practicable, weight them with the sense of coming responsibility, weaken the pull of the lunatic fringe." That is the kind of opposition leader that he always was.

His public life was capped by his great career at the United Nations. He must have found this an anguishing public service for a man of his sensitive nature, his preference for restrained utterance, his passionate faith in his own country and his contempt for extravagant demogoguery. But he suffered its adversity patiently and without complaint or protest serving to the end at the task to which he was summoned, however distasteful it was to him.

He was often asked, as men so gifted often are, to speak in praise of others—his colleagues, his President, his friends, his rivals. His gift of eloquent speech was not withheld, but he must have wished in his own wry way, that he could have struck a better bargain and have heard more words in praise of himself. So it is that now there is none to speak of him as eloquently as he would have spoken of others. In this, as in every aspect of his life, he gave more than he received.

[From the New York Times, July 15, 1965]

Adlai E. Stevenson

Adlai Stevenson belonged to a distinguished line in American history—Clay, Calhoun, Daniel Webster, come quickly to mind—who were great figures without ever reaching the summit of office and power. In Stevenson's case, it was, paradoxically, the splendid quality of the man that blocked his way.

American politics attracts greatness, as our history amply proves; but it is a harsh master, requiring a certain toughness, an iron strain, a driving ambition, a sometimes devious flexibility and, as much as anything, a common touch. This would not be a description of Adlai Stevenson.

The qualities that come to mind make up one of the most delightful and intelligent men of our time: perceptive and urbane; thoughtful and articulate; courageous and sensitive; humble and sophisticated. In the best connotation of an old-fashioned phrase, he was a man of the world, often even more honored and appreciated abroad than he was at home. There was no one like him in the United States and yet he was as truly a product of American civilization as anyone in public life today.

He touched the height of his career in the presidential contest of 1952, surely one of the greatest electoral campaigns of any candidate in American history. Who that heard it could ever forget his acceptance speech that unbelievable night in Chicago? Some say he lost because he was too much the egghead, and because his irresponsible and wonderful sense of humor ran away with him a bit too often. But he inspired millions and brought a new sense of dedication and purpose to the American political scene.

Because of his deep interest in and understanding of international affairs, it was natural that he should become the chief U.S. representative at the United Nations. He had played a role at its inception in San Francisco and London; he believed in it, and no one worked with greater distinction than he to keep it going and to raise the level of its debates.

It is a sad note that his life should have ended with the United Nations in trouble, the United States edging into war and himself seemingly unhappy in his own role. One had the impression in recent months that Adlai Stevenson was serving more out of patriotism than conviction. He acted like a man whose great days were behind him, almost as if he were out of tune with today.

The impression may well have been false, but he often in his career seemed to lack confidence in himself. There was never any need to do so. Whatever he did, he did well. He will be honored most of all because he was the best kind of intellectual and liberal in an era when these qualities were sorely needed in the United States.

Adlai Stevenson had made a place for himself—and now the place is empty, and the whole of the free world, not only his own country, is the poorer for his going.

[From the New York Times, July 15, 1965]

Text of Johnson Tributes

(NOTE.—Following are the texts of statements today on the death of Adlai E. Stevenson by President Johnson, made at a White House luncheon honoring Japanese Cabinet members and in a later television appearance.)

STATEMENT AT LUNCHEON

We are deeply grateful for the time that the ministers of the Cabinet of Japan have given to this visit to our country. We have found our discussions to be both pleasant and productive.

It seems that it is very difficult to avoid some tragedy in meetings of this kind because I remember almost 20 months ago when members of the American Cabinet were en route to Tokyo for discussions that we first learned of the death of our beloved President, John Fitzgerald Kennedy.

A few moments before this luncheon began today I received word that the great and good man, Adlai Stevenson, had died in London.

Of course, my immediate reaction was to cancel this luncheon meeting. But after talking to some of the members of my own Cabinet and some of his friends they all realized that Adlai Stevenson would not have had us do any such thing. He would want us to continue because he was first, and he was foremost, concerned that the works of peace and the works of progress and, most important, the works of understanding, which have prevailed and predominated throughout this meeting, must go on.

So this, then, is our legacy from Adlai Stevenson—charge to continue the quest for a decent world, for a better world order, for a life for man that is free of war and destruction and the oppression of his spirit.

So this is our pledge to the memory of this great man who is really, as all of you here know, a true citizen of the world—a pledge to devote our energies and our talents and our resources and our wills to the cause for which he died.

We realize that America lost its foremost advocate and its most eloquent spirit and one of the finest voices for peace in the world. The world of freedom has lost, I think, perhaps its most dedicated champion.

So I would like to ask each of you to stand with me in a moment of silent tribute to this great lover of peace, this great statesman, Adlai E. Stevenson.

STATEMENT ON TV

The flame which illuminated the dreams and expectations of an entire world is now extinguished. Adlai Stevenson, of Illinois, is dead.

I am sending a delegation of distinguished Americans, headed by the Vice President, to London to bring his body back to America on the airplane of the President of the United States.

His great hero, Abraham Lincoln, said at the beginning of his political career that "I have no other ambition so great as that of being truly esteemed of my fellow men, by rendering myself worthy of their esteem."

And although his disappointments were many, in this, like Lincoln, he was vindicated.

Like Lincoln he was rooted in America's heartland, yet his voice reached across every boundary of nation and race and class.

A GREAT EMANCIPATOR

Like Lincoln he was a great emancipator. It was his gift to help emancipate men from narrowness of mind and the shackles which selfishness and ignorance place upon the human adventure.

Like Lincoln he will be remembered more for what he stood for than for the offices he held, more for the ideals he embodied than the position in which he served, for history honors men more for what they were than who they were. And by this standard he holds a permanent place on that tiny roster of those who will be remembered as long as mankind is strong enough to honor greatness.

It seems such a short time ago that out of Illinois came that thoughtful eloquence summoning an entire nation back from its dangerous drift toward contentment and complacency. For an entire generation of Americans he imparted a nobility to public life and a grandeur to American purpose which had already reshaped the life of the Nation and which will endure for many generations.

VISION AND HIGH PURPOSE

One by one he sounded the great themes of our times—peace and justice and the well-being of humanity. And many men will labor for many years toward the vision and high purpose which was the generous outpouring of this man's heart and skills.

He was an American. And he served his country well. But what he saw, and what he spoke, and what he worked for, is the shared desire of humanity. He believed in us, perhaps more than we deserved. And so we came to believe in ourselves, more than we had. And if we persevere, then on the foundation of that faith we can build the wondrous works of peace and of justice among the nations.

He will not see that day. But it will be his day still.

Let us, therefore, adversary and friend alike, pause for a moment and weep for one who was a friend and guide to all mankind.

[From the New York Times, July 15, 1965]

World Leaders Pay Tribute to Stevenson as a Statesman—U.N. Envoy Called "Voice of Reason"—Many Praise His Devotion to Peace and Courage in Cause of Freedom

Statements of sorrow and tribute were made yesterday by leading American and foreign figures after the death of Adlai E. Stevenson. Among them were the following:

U Thant, Secretary General of the United Nations, sent the following message to President Johnson: "I was so shocked and grieved to hear of the sudden and tragic death of Ambassador Stevenson. As the representative of the United States of America he had earned the respect, admiration, and affection of all his colleagues at the United Nations for his extraordinary human qualities. I know that you must feel a sense of personal loss on the death of such a distinguished American who was also a member of your official Cabinet. Your grief is shared by all of us at the United Nations."

Harry S. Truman: "I am shocked and saddened at the untimely passing of Adlai Stevenson. His contribution and services to this Nation and his distinguished record in the field of foreign relations in our quest for peace will be long remembered by a grateful nation and his friends throughout the world."

Gen. Dwight D. Eisenhower: "The announcement that a public servant of Adlai Stevenson's international stature should be suddenly and finally removed from the world strikes a tragic note for all Americans. As the leader of his party in two presidential campaigns and as our spokesman at the United Nations in recent years, he has won an abiding place in his country's history. Mrs. Eisenhower and I join all others who love freedom in mourning his untimely passing."

Chief Justice Earl Warren: "I'm just shocked. It's a tremendous loss. He performed the most difficult tasks in the United Nations any American had to perform."

Richard M. Nixon: "In the graceful eloquence of his public statements, he had no peers. In two gallant campaigns for the Presidency and as our Ambassador to the United Nations, Adlai Stevenson served his party, his country, and the cause of freedom with rare courage, ability, and dignity."

Governor Rockefeller: "The death of Adlai Stevenson is a great shock. His was a life of distinguished public service. Governor of the great State of Illinois, twice a candidate of his party for the Nation's highest office, and American Ambassador to the United Nations, he was an articulate spokesman for the cause of human freedom throughout the world."

Senator Robert F. Kennedy: "The man who set out to 'talk sense to the American people' would not want us to mark his passing with the exaggerated praise that is so often the lot of public men. But the contributions of Adlai Stevenson to the United States and to the world can scarcely be exaggerated. Most of his adult life was spent in the service of government; all of it was spent in the service of the public."

Mayor Wagner: "Adlai Stevenson was a spokesman for humanity. His wisdom, warmth, and courage are a legend that will endure and grow with the years to come. He was one of New York City's beloved sons who, despite the great burden of his office, gave unstintingly of his time to scores of good causes. All of us in New York City join his millions of friends throughout the world in mourning his death."

Michael Stewart, British Foreign Secretary: "In the sudden death in London today of Mr. Adlai Stevenson the world has lost a great statesman. As an outstanding public figure in his own country, as a candidate for the U.S. Presidency and as Governor of Illinois he showed a liberality of mind and lucidity of expression which brought him universal renown."

Cardinal Spellman: "All the world must mourn the loss of a man so dedicated to the cause of peace as Adlai Stevenson. His death comes at a critical time when his remarkable talents and his tireless efforts for the betterment of mankind are sorely needed. I pray that God will reward his selfless service to others and that his soul may find eternal peace."

Sir Alec Douglas-Home, former British Prime Minister: "Adlai Stevenson will be mourned by his many friends and admirers in this country."

Lester B. Pearson, Canadian Prime Minister: "It is hard to exaggerate the importance of Adlai Stevenson to the free world or to his country. I can only express deep grief and deep shock at the news."

Jens Otto Krag, Danish Premier: "It was typical of Mr. Stevenson that he was always ready to listen to what was being said by smaller countries. He was attentive not least to the views of the Nordic countries. The aim of his endeavor was a stable and just peace."

Mrs. Vijaya Lakshmi Pandit, former Indian Ambassador to the United States: "He stood for honor and justice among men and nations and his voice was the voice of reason in the United Nations."

The Reverend Dr. Martin Luther King, Jr.: "Our country should bow in reverence for the passing of a bright star from the horizon of world statesmanship. His leadership was a bright interlude in the troubled history of mankind."

Richard J. Hughes, Governor of New Jersey: "I know that the people of New Jersey share my grief on the loss of this conscientious and distinguished leader whose departure will be mourned by freedom-loving people throughout the world."

George W. Ball, Under Secretary of State: "He was one of my closest friends for 30 years. I am very stunned by this. No one ever had a more generous friend. He was a man of very great qualities."

Arthur J. Levitt, State controller: "The world has lost one of its most effective and eloquent spokesmen for peace and one of its great humanitarians."

Abraham D. Beame, city controller: "He was a man of great personal spirit, a man who contributed tremendously to liberal thinking in 20th century America."

Paul R. Screvane, city council president: "We, our city, our country, the world, have suffered a tremendous loss."

Representative William F. Ryan: "In him was crystallized the best of a civilization."

Representative John V. Lindsay: "Adlai Stevenson's was the eloquent voice of reasoned liberalism and human rights here in America, and indeed, the voice of America's conscience to the entire world."

Robert Moses: "His was the American image we are proud to show as the symbol of democracy."

Dr. Grayson Kirk, president of Columbia University: "His was truly the global point of view, grounded in a profound love of his country and enlightened by compassion for all men."

Bishop Reuben H. Muller, president, National Council of Churches: "As citizens concerned for the promise of man, we mourn the loss of a great champion of man."

Rt. Rev. John E. Hines, presiding bishop of the Episcopal Church: "His image is that of the cultured, educated mind for whom fear held no decisive victory. He remained the kind of a man only the free world could produce."

Bishop Prince A. Taylor, Jr., president of the Council of Bishops of the Methodist Church: "He embodied in his life rare idealism and practical realities as only few men could have ever done."

Archbishop Iakovos, Greek Orthodox primate in the United States: "His passing is an irreparable loss."

Rabbi Maurice N. Eisendrath, president, Union of American Hebrew Congregations: "The world has lost one of its most valuable servants."

A DEFENSE OF THE U.S. SUPREME COURT

Mr. MOSS. Mr. President, in view of the tendency of many in the country to criticize the U.S. Supreme Court for its decisions—mainly, of course, because they do not agree with them—it is refreshing to find in one of our newspapers an eloquent statement defending the Court and pointing out to what extent it has, down through the years, guarded the liberties we all hold dear.

Such a statement appeared in the editorial columns of the Salt Lake Tribune, one of our great newspaper, on July 4 of this year.

I ask unanimous consent that the editorial be printed at this point in the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

These Men Also Defended Our Liberties

On this 189th anniversary of the Declaration of Independence some Americans not hell-bent on the highways may pause to contemplate briefly our glorious heritage of freedom. Too few, however, will give adequate consideration and approbation to the third branch of Government for its part in safeguarding these precious liberties.

Praise for the Supreme Court is not abundant today. Many of the Independence Day orations, as in the past, may be highly critical of the tribunal which usually is most unpopular when it is most active.

"Paradoxically," says Leo Pfeffer, constitutional lawyer, in "This Honorable Court," a newly published book, "the institution least democratic in its structure—consisting of nine men serving for life and responsible to no one—has become the institution most committed to and effective in the promotion and preservation of democracy."

MOVES TO TRIM COURT POWER

Except for 1937, when the Court was under fire for decisions upsetting the New Deal, a record number of measures to restrict the tribunal are now in Congress. Twenty-eight years ago the Justices were damned for obstructing legislative power. Now they are attacked for usurping legislative authority.

Hearings are underway in both Houses of Congress on proposals to protect State legislatures which the Court says are malapportioned. The hearings presage what may be the congressional battle of the century—or an exercise in futility. Ninety resolutions are in the House and five in the Senate which in effect seek to nullify the Supreme Court's "one-man, one-vote" decrees, most of them by constitutional amendment.

Cries of usurpation are not new. It was applied with vehemence on John Marshall, the fourth Chief Justice, and his associates who established once and for all the Court's authority for judicial review.

A REFEREE IS ESSENTIAL

Whatever the validity of original arguments against Marshall's interpretation of the Court's powers—and the painful doubts of thoughtful men today about recent decisions—it must be acknowledged that we must have some kind of referee. Our democracy needs judicial review as much to validate legislation as to invalidate it. Without some national body to determine validation and legitimacy, the Federal and State Governments would clash repeatedly, every department and bureau would encroach on its rivals, and no citizen would know where to look for legally binding rules.

This is judicial supremacy, to some extent, but in a democracy like ours, the people must agree to limit, channel, and discipline their own political behavior if the written Constitution is to indure and law prevent chaos. Judges are likely to err sometimes. They may err grievously. But who can propose a less fallible alternative system?

So-called judicial lawmaking is not new. John Quincy Adams said that Chief Justice Marshall settled more questions of constitutional law than all the Presidents. And De Tocqueville noted in the 1830's that practically every political question in the United States sooner or later becomes a judicial question.

ISSUES THRUST ON COURT

For the Warren court, the Bill of Rights, almost forgotten for a long time, is the heart of the Constitution. In the 1935–36 term, the Supreme Court dealt with civil liberties in only two out of 160 written opinions. In the 1960–61 term, 54 of the 120 written opinions handed down dealt with civil rights.

Failure of the executive and legislative branches to meet their responsibility for basic freedoms contributed to the Supreme Court's emergence as guardian and defender of civil liberties. By indirectly thrusting upon the Court delicate problems more properly their own, the elected branches have forced the judicial branch to take action. Judicial intervention resulted mainly from the necessity of filling a vacuum. Though it may have gone too far in some cases, the Court very likely has saved our Republic.

The Declaration of Independence paved the way for our Nation. The freedoms for which patriots fought and died were embodied in the Constitution which established the government of checks and balances. These checks and balances have been the supreme merit of the American revolution—still going on—and the secret of its success.

WHY WE MUST STAY IN VIETNAM

Mr. MOSS. Mr. President, an argument the other night between a Salt Lake City attorney and his son resulted in one of the best and most factual defenses of the administration's policies in Vietnam I have seen.

It came about this way. The Salt Lake attorney, Sanford M. Stoddard, who is a good friend of mine, favors completely the administration policy in southeast Asia. His son, Ray, who was graduated from Stanford University this June with an A.B. in history, does, too. But, for the sake of an argument, Sanford Stoddard took the position that the United States has no business in Vietnam, and should pull out. Ray presented the case for the Johnson policies. When the argument was completed, Ray felt he had not fully convinced his father, so he put his arguments down on paper. The result was a hard-hitting, factual statement which I commend to my colleagues. I ask unanimous consent that it be printed at this point in the CONGRESSIONAL RECORD, with thanks to the well-informed young man who prepared it.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHY WE MUST STAY IN VIETNAM

(By Ray Stoddard)

The United States is compelled to fight a dirty little war in South Vietnam, not because national interests are directly at stake in the area, but because this country is engaged in a larger conflict—the cold war. Properly, the Vietnamese engagement should be regarded as one battle in the cold war. It cannot be a decisive battle, but it is one which may profoundly affect the outcome of the larger conflict. It may well prove to be a turning point in the struggle for the control of southeast Asia and possibly for the control of all of Asia.

If the Communists should win in South Vietnam, the victory is likely to produce the following results:

1. The Communists will be encouraged to continue their aggressive policies in southeast Asia. They will undoubtedly mount subversive campaigns against Thailand and Malaysia and the Chinese may be encouraged to make some sort of aggressive moves against India, Formosa, or Korea.

2. U.S. allies in the area will become discouraged. If the United States proves unable or unwilling to defend South Vietnam against Communist aggression, Thailand and Malaysia, and perhaps even Japan, will have no reason to believe that the United States will defend them against similar aggression. Thus, our allies in Asia may feel obliged to make their peace with China before it is too late.

3. The Communists will have won an immense psychological victory among both the intellectuals and the masses. Already, communism has a strong appeal for the intellectuals because its successes in China have convinced many of them that it is the only possible solution for the problems of Asia. A Communist victory in South Vietnam will greatly strengthen this belief. The most common motivation for political allegiance in Asia is not the question of who is right, but that of who will win. And if China wins in South Vietnam, a great many Asians will inevitably decide that China will be the winner in Asia. Thus, they will rush to jump on the band wagon.

Therefore, South Vietnam has a symbolic value similar to that of Czechoslovakia in 1937 and Korea in 1950. If Great Britain and France had opposed Hitler in 1937, World War II might have started then. On the other hand, it might have been prevented. Similarly, if the United States opposes China's expansion into southeast Asia, a larger war may break out. On the other hand, the larger war may be prevented.

The example of Korea, it is submitted, tends to support the argument that a strong stand in South Vietnam will discourage future friction between the United States and China. The Korean war was not decisive in terms of land control. Nor did it prove that the United States could defeat the Chinese army. It did demonstrate to China that the United States would oppose any act of open aggression in Asia. In consequence, the Chinese have not attempted any comparable acts of aggression since 1950, those in Tibet and India being relatively insignificant.

Instead, the Chinese have developed the tactic of indirect aggression. In areas like South Vietnam and Laos, Communist supported guerrillas foment unrest, exploit ignorance and poverty, wage war, and, the Communists hope, undermine the governments. In the long run this subversive movement is more dangerous to the United States than the Korea style invasion. It is just as effective and much more difficult to defeat.

Therefore, the United States was bound to attempt to halt this campaign before it became too late. The only question was where. The Eisenhower administration decided against Laos: the situation was too far gone, the Communists had too great a strategic advantage, and the logistical problem of supporting a war in the area was virtually insoluble. The Kennedy administration, however, decided that the Communists could be stopped in South Vietnam. The situation there seemed to be better. The Diem government appeared to be relatively stable and determined to defeat the Communists. Its army seemed to be relatively strong, while the Vietcong seemed to be relatively weak. The strategic situation was certainly much better.

The Diem regime, however, proved to be rotten at the core. Within the first 2 years of the U.S. involvement, that government collapsed and plunged the country into a period of political instability from which it has not yet emerged. Moreover, the Vietcong proved to be much stronger than expected. Once the U.S. efforts became hampered with political problems, the Vietcong launched a larger and more aggressive offensive. At the present time, it is a much more dangerous enemy than it was in 1960. It is better armed, it is operating in larger units, it is bolder and more aggressive, and it is winning greater victories. To make matters worse, the South Vietnamese resistance is in much greater danger of collapse.

The original Kennedy policy proved to be inadequate. President Johnson was forced to either abandon the war or to increase U.S. involvement. The course of abandonment, however, would have involved a serious defeat for U.S. foreign policy. This country had committed itself too deeply to the winning of the war. A retreat would have cost the United States all of southeast Asia. It would have signified that the Vietcong—an army of only about 100,000 men—had beaten the United States. In the eyes of Asians, this country would have been exposed as a paper tiger. The Communists would have no reason to fear its strength, and its allies would have no reason to trust in its aid.

Of course, there is always the question of how much the control of southeast Asia is worth. The answer is that it is worth a great deal. Strategically, the area controls the air and sea routes between the Far East and Europe and the Near East. Moreover, military control of the area endangers Pakistan and India to the west, Australia to the south and the Philippines to the east. And, on the other hand, it secures the southern border of China.

But, more important, Communist control of southeast Asia would psychologically endanger the U.S. position throughout all of Asia. In fact, it would endanger that position throughout the world. To the Asians, China would look like a winner and the United States would look like a loser. No country can afford to build its destiny on the basis of allegiance with a loser. Many countries now friendly to us would at least be forced into the neutralist camp, since China would certainly emerge from a victory in South Vietnam as the only major power in a very great area of the world. In the case of Japan, our strongest friend in the area, it would probably mean a shift of economic and political ties from the direction of the United States to the direction of China.

Of a certainty, a defeat in southeast Asia would put the United States on the defensive. The Chinese would be bound to exploit their victory to the fullest extent. So they would continue to test us. Their hope would be that when the time comes for decisive conflict we will be in a weaker position in southeast Asia and they in a much stronger one.

But where shall the United States stand and fight after southeast Asia is lost? Thailand and Malaysia are two of our closest allies outside of Europe, the Americas, Australia, and New Zealand, the Philippines and Japan. If southeast Asia is lost, the Philippines will not be worth defending, even if the Government will trust us to defend the country.

Thus, if southeast Asia is not worth defending, there is very little left in the world which is both worth defending and defendable. Therefore, a retreat from southeast Asia could easily result in our fighting another war anyway, in an unfavorable setting, after losing control of a very valuable area of land. Or, on the other hand, it might result in confinement of the Western World to their own tiny citadels, surrounded by the hungry, Communist controlled masses of the world. In such a situation, the West might simply be overrun.

Can we win the war if we do continue the fight in Vietnam? The answer is probably no. The Vietcong is too deeply entrenched in the country to be driven out. But failing to win does not mean that we must lose. If we maintain the determination to fight, the Communists cannot drive us out of Vietnam. The Vietcong simply hasn't the strength. In the end a stalemate must result. A stalemate must inevitably be solved at the conference tables.

If the United States can gain a favorable enough settlement in Vietnam, its cost will have been justified. We will not have won this particular battle but we will have prevented the Communists from winning it. Thus, this country will be in a better position to win the war. The Communists can be stopped on the more favorable grounds of Thailand and Malaysia, if we first: (1) Demonstrate to the Communists that we are determined to resist their offensive; (2) demonstrate to our allies that we can be trusted to protect them, even when the going gets rough; (3) demonstrate to both the intellectuals and to the masses that the issue is at least in doubt and that they need not rush to the banner of communism.

COMMENCEMENT ADDRESS AT WHITTIER COLLEGE BY SENATOR SMITH

Mr. MURPHY. Mr. President, the Golden State of California was brightened on June 12 by the presence of the distinguished and gracious lady from Maine, Mrs. MARGARET CHASE SMITH. The occasion was her commencement address to the 62d graduating class of Whittier College in Whittier, Calif. It is important to note that the Senator's commencement address was delivered immediately prior to casting her 2,000th consecutive rollcall vote on June 14.

I had the privilege and honor of being on the Senate floor on that occasion and although I did congratulate her personally, my admiration of this unbelievable accomplishment and my thoughts of the necessary personal sacrifices that permitted the feat prevented me from finding adequate language to join in the deserved floor tributes to her.

Since that time, Senator SMITH's record continues unbroken and she has now cast 2,058 consecutive votes. Although I still am unable to find language to equal this accomplishment, I merely say that the U.S. Senate, the State of Maine, and indeed the entire Nation is extremely proud of the lady from Maine.

Not only will her love for this Chamber, her devotion to her senatorial duties, and her service to her State and Nation set a goal and serve as an inspiration to all who are presently privileged to represent the American people, but also I am certain this record will provide a similar inspiration to all in the future who have the honor of sitting in this great hall of the greatest Nation on the face of the earth.

Since her commencement address deserves the attention of my colleagues, I ask unanimous consent that her remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SENATOR MARGARET CHASE SMITH'S ADDRESS TO THE 62D GRADUATING CLASS OF WHITTIER COLLEGE, WHITTIER, CALIF., DELIVERED JUNE 12, 1965

I have looked forward to coming to Whittier for a long time now—and I would have been here sooner had not official Senate business prevented my doing so. As you may have heard, I'm trying to keep my consecutive rollcall voting record going as long as I can. My present goal is the 2,000 mark, which I hope I will be fortunate enough to reach this month.

I am very proud to be given the cherished honor association with your greatly and widely respected institution—to become an honorary alumna colleague to your most famous graduate and alumnus, Richard Nixon.

Dick and I have much in common as we both served in the House and Senate together—he was Vice President and I was talked of for Vice President when he received the nomination. And, yes, we both ran for President.

Yes—and we both lost even though there was a difference in the character of our presidential defeats. Dick lost by only the barest of margins—in fact, some say he really didn't lose. The margin by which I lost was not quite so narrow. In the final tally I came in second to Barry Goldwater at the national convention last year—after Nelson Rockefeller (Bill Scranton, George Romney—and Harold Stassen had thrown in the towel.

While Dick was counted out in 1960 by several thousand votes out of more than 68 million votes cast, I lost to Barry a year ago next month by only several hundred votes. Isn't it wonderful what you can do with statistics? I think I must be learning well from Defense Secretary McNamara.

If my comparative statistics are a bit faulty and confused, maybe it is because my outlook is influenced by the fact that last year the Democratic majority leader of the Senate announced that I was his choice for the Republican presidential nomination. In fact, he still sticks to this contention having reiterated it in Iowa at a commencement 2 weeks ago graciously saying he hoped the Republicans had learned their lesson in 1964 by failing to follow his advice.

And you have given me something extra today—something I don't often have. You have given me Hope. The last time I had Hope was in November in that State of relatively sparse population, New York at a gold award dinner for humanitarianism.

In fact, I wish California would give Hope to the Republican Party—for we need political miracles—and if there ever was a man who can perform miracles, it is the wondrous Bob Hope. If you have any doubt about his miraculous powers, just recall one of his programs a few years ago when he had Jimmy Stewart and me as copilots of a U-2 plane over Russia. Who else could ever accomplish that—or who would even have the courage to attempt it?

I knew how I could get the nomination and be elected President in 1964. It was simple. All I had to do was to get Bob Hope to be my campaign manager. But I couldn't swing it. He said he preferred the Goldwater-Johnson policy on Vietnam.

I must admit this not only proved his political acumen—it demonstrated his ability to foresee politically into the future that what was bad enough for Barry in 1964 was good enough for Lyndon in 1965.

So Dick, I recommend that you guarantee Hope for 1968 by signing up Bob now either as campaign manager or your running mate as Vice President. But on second thought, I'm not so sure he would find you the right type of running mate. I think he would more prefer someone like Carroll Baker who doesn't do the hundred-yard dash in 9 seconds.

I thank you for indulging me in a few light remarks of attempted humor, which, in the best traditions of Hope, I hope were not offensive to anyone. For I have the greatest respect for the Quaker background of your wonderful college. I am a Methodist but there is no religion that I respect more than that of the Quakers.

I am impressed with the spirit of Whittier College. It is a spirit of friendliness—of religious tolerance—for Whittier welcomes qualified students of all religions while remaining true to the Quaker tradition as a Christian college.

I think most of us think of the word "Christian" in perhaps a wider, even if erroneous, meaning than in its very specific meaning as the doctrine of Jesus Christ. I believe most of us think of the word "Christian" as denoting kindness, as living by the Golden Rule of doing unto others as you would have them do unto you, and as being civilized human beings dedicated to the dignity of man.

To illustrate my point, I relate a true story which may give you a smile—a story that is not offensive to anyone. Once a high ranking member of the U.S. Senate Committee on Foreign Relations was making a fervent speech in the Senate expressing his concern about the feuding, the fighting and the conflict between the Israelis and the Arabs and his great desire that peace between them be restored.

At the climax of his stentorian peroration and with all the dramatic emotion at his command, he boomed out, "I am supremely confident that all differences between the Israelis and Arabs can be eliminated if they will just sit down at the conference table and compromise their differences on a good Christian basis."

On the more serious side on this malapropism, the Senator did convey a very valid and wise observation—a very fundamental truth in the behavior and attitudes of human beings. That fundamental truth is that understanding is even more important than agreement.

It is far more important for you and me to understand each other—than for us to agree with each other. For really we cannot truly agree or disagree unless we accurately understand each other—and unless we know what each believes and feels on a particular matter.

Actually understanding is the ultimate result or achievement of communication. We have our own thoughts. But for our thoughts to have a fuller meaning they must be conveyed to others. They must be communicated to others. They must be understood by others.

The basic means of communication is through the spoken word. Yet, we have many languages in the world—and very, very few of us know more than the one predominant language of our Nation. I think that much of the trouble in our world stems from the fact that so many nations speak so many different languages. The result is that, not knowing the other fellow's language, there is a great barrier of communication and consequently a great barrier of understanding.

It is frequently observed that the West does not understand the East—that the occidentals cannot fathom the oriental minds and the oriental thinking. If this is so, then much of it must be attributed to the language barrier. And the language barrier is not unrelated to the differences in culture and mores of the East and West.

Again to illustrate my point, I relate another story which may make you smile—and on which we Americans can be big enough to laugh at a joke on ourselves. The setting is the United Nations. The occasion is a reception at which cocktails are being served. The characters or participants are an American diplomat and a Japanese diplomat. Their discussion is for a greater need of understanding among the nations of the world if permanent peace is ever to be achieved—a need for greater understanding between the peoples of the various nations in the world.

This is the observation just made by the American diplomat. The Japanese diplomat with a twinkle in his eyes but no smile on his inscrutable face says, "You occidentals of the West complain that you cannot fathom the oriental mind. Did it ever occur to you that you occidentals sometimes puzzle us with your thinking, your words and your customs?"

"No," replies the American, "we are simple, direct and straightforward people. There is nothing complicated about us. We speak our minds and come to the point quickly and directly."

"Then," said the Japanese diplomat, "look at the cocktail you hold in your hand. You put liquor in it to make it warm. But then you put ice in it to make it cold. Then you put lemon in it to make it sour. But then you put sugar in it to make it sweet."

He then paused and said, "And to top it all off, you raise your glass in the air in my direction and say 'Here's to you.' But then you drink it yourself."

It may be trite to say it, but the world needs greater understanding—people need greater understanding between themselves.

It may be trite to say this—but it's an impelling truth that needs to be repeated.

As you go out to win your place under the sun, you will come to have increasing appreciation of this fundamental truth. As you rear a family you will recognize more and more the need for understanding even among the members of your family. You will find it the same in your profession or business.

And a special note to those of you who are premed students. One of the greatest needs of the medical profession today is the development of greater empathy on the part of doctors with their patients. Too many of the last two generations of doctors lack empathy with their patients.

Too many of the doctors fail to show a human warmth for their patients. This condition is symbolized by the oft-repeated observation that today's doctors do not have the kindly, bedside manner of yesterday's doctors—that this is particularly so among the specialists as contrasted to the general practitioners.

This observation of mine about empathy is not original. I first heard it expressed by an eminent doctor last year in a commencement address at a medical college. He urged the young graduating doctors in this age of scientific miracles to resist the tendency of detached attitudes in which patients are regarded more as mere bodies rather than human beings.

He observed that the milk of human kindness could have even greater beneficial therapeutic results than the wonder drugs and the amazing electronic and scientific medical equipment. He summed it up in one word of "empathy." He emphasized that this was not to be confused with "sympathy" for sympathy is a feeling "for," while "empathy" is a feeling with, someone else.

He pointed out that having sympathy and pity for a patient is not nearly as important as sharing a feeling with a patient—of understanding what the patient is going through and of making the patient realize that you have that understanding.

What he observed is equally applicable to all of us in all professions and walks of life. Although the President of the United States is of the opposite political party from mine—and while I am sure that he does not need my help, I try to extend empathy to him. I try to put myself in his place mentally—to see what problems face him—and what I would do if I were in his place as distinguished from what I would do as a Senator of the opposite political party.

That is what I try to do when I judge his policy on such matters as the international crises of Vietnam and the Dominican Republic. I try to realize that it is so much easier for those of us on the outside without the responsibility for making the decisions to indulge in the luxury of criticism.

It was just 15 years ago that I urged that we speak our minds and uphold certain rights—the right to criticize; the right to hold unpopular beliefs; the right to protest; the right of independent thought.

I made the observations in a Senate statement called the Declaration of Conscience.

So that I do not advocate that you not criticize or protest—but rather that you think very carefully before expressing yourself—that you practice empathy before you criticize—that you put yourself in the shoes of the fellow you are criticizing before you articulate your criticism.

Never be mental mutes. But resist the temptation to be irresponsible critics. Never shrink from protesting or criticizing—but be sure that you really know what you are protesting and what you are criticizing.

Courage is not proved by bombastic epithets hurled against law and authority. Courage is often found in the strength to be silent when you are being unjustly criticized.

Leadership is not necessarily proved by carrying placards of protest—or by unruly demonstrations. It is more often proved by orderly, responsible, and dignified expression in which opponents sit and reason with each other instead of indulging in name calling and character assassination.

Independence and constructive nonconformity are not proved by such superficial banalities as beatnik beards, beatnik hairdos, or beatnik attire—nor by carrying obscene word posters in campus riots. More often, independence is proved by self-reliance and refusal to join the beatnik bandwagon. Yes, even by having the courage to be a square rejecting today's emphatic tendency to embrace the extreme pragmatic philosophy that the end justifies the means.

In short—and in conclusion—what I am trying to say to you in my awkward way is—be yourself—yes, first to thyself be true—don't try to be someone else. But in being yourself—in speaking your mind—practice empathy and put yourself in the other fellow's shoes before you form your final judgment and before you do speak your mind.

God bless you—and may God give you the best of life—as you may give others the best of yourself.

THE 20TH ANNIVERSARY OF THE ATOMIC EXPLOSION

Mr. ANDERSON. Mr. President, today marks the 20th anniversary of man's demonstration that the energy of the atom's nucleus can be converted to a violent explosion. The explosive power demonstrated at Alamogordo, N. Mex., on July 16, 1945, completely dwarfed all previous known explosives that man had ever devised.

This explosion, called by the code name "Trinity," produced a detonation having the energy equivalent of 19,000 tons of TNT. Thus this explosive, even including its heavy case, was pound for pound about 4,000 times more violent than the weight of its TNT equivalent, the best known explosive at that time.

No one can feel anything but sorrow at the loss of life resulting from the dropping of nuclear bombs on Japan. But nothing that has been said in the past 20 years can obscure the motivating force for the development and use of the nuclear bomb: the need to stop the Nazi and Japanese militarists. The achievement at Alamogordo did not come early enough to preclude the great losses in lives on the European battlefronts, but it did save thousands of lives, Japanese as well as American, that would have been sacrificed in the prolongation of the war.

Last Sunday, July 11, the Washington Post published an article by Dr. J. Robert Oppenheimer, Director of the Los Alamos Scientific Laboratory in 1945. I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ANDERSON. Mr. President, Dr. Oppenheimer addresses himself in that article to some of the events leading up to the explosion of the first atom bomb and he writes about the regrets that some may have. He notes that 2 years were wasted before serious consideration was given by the United States to making a bomb and concludes.

> I think it a valid ground for regret that those 2 years were lost, 2 years of slaughter, degradation, and despair.

Can anyone doubt that the war in Europe would have ended earlier, and consequently the war in the Pacific as well, if we had demonstrated the bomb, not in 1945, but in 1943?

Dr. Oppenheimer also has an answer to those who believe that the Japanese people were ready to give up in 1945 and there was no need to use the bomb. Even after Hiroshima, he informs us about a Japanese doctor who saw the death and destruction of the atom bomb and was himself injured from that bomb, and yet recorded in his diary his anger on hearing a rumor that the Emperor had requested the Japanese Government to end the war.

Dr. Oppenheimer draws the only possible conclusion:

> It was not only the generals and the kamikaze who were determined to fight to the death.

This may not have been the feeling of all the Japanese at that time, but we cannot doubt, however, that the recognition of this then existing general Japanese attitude had an important impact on the decision to drop the bomb. This important decision was not taken lightly by President Truman and his Secretary of War, Henry L. Stimson. Secretary Stimson gave a great deal of thought to this matter, and later wrote:

> I felt that to extract a genuine surrender from the Emperor and his military advisers, there must be administered a tremendous shock which would carry convincing proof of our power to destroy the Empire. Such an effective shock would save many times the number of lives, both American and Japanese, that it would cost.

The shock that ended the war with Japan was made possible by the work done at Los Alamos Scientific Laboratory under the direction of Dr. Oppenheimer, and by men and women elsewhere in the Manhattan project. I believe that the scientists who developed the atom bomb have a right to feel as Stimson did: that the use of the bomb saved more lives—Japanese and American—than it destroyed.

It is not the bomb, of itself, that causes the unrest in the world today. Indeed, I believe that awareness of the awesome destructive force of nuclear weapons has helped deter large-scale wars. But, fear of nuclear weapons is only a reflection of the world's instability and the source of that unrest lies not only in the existence and spread of such weapons but in the political-ideological differences which separate nations. The problem of control of nuclear weapons concerned political and scientific leaders 20 years ago. Two decades later the problem still confronts us—but more intensely, more urgently in need of solution.

EXHIBIT 1

ALPHA OR OMEGA WAS 20 YEARS AGO—PHYSICIST OPPENHEIMER SEES ATOMIC BOMB AS GREAT TEST OF WHETHER MAN CAN LIVE WITHOUT WAR

(By J. Robert Oppenheimer)

(NOTE.—The distinguished physicist is director of the Institute of Advanced Study at Princeton.)

Near dawn on the morning of July 16, 1945, General Farrell[1] drove back with me from the control bunker to the base camp. We called the place Trinity. On the old maps it has the name Jornada del Muerto. It was then part of the Alamagordo bombing range; now it is part of the larger White Sands missile range.

General Farrell spoke of the times, in the First World War, when, as a young lieutenant, he stood with a foot on the step, waiting to lead his men out of the trench into combat. "That," he said, "was nothing like what we have just been through."

He said that the end of the war was now near; perhaps, he added, the end of all such wars. What we had just been through was the explosion of the first atomic bomb. It had not been a dud.

At the base camp, I worked with General Groves on the technical results of the test for his report to Secretary Stimson in Potsdam; for him, for the President, probably for Churchill, perhaps for some talk with Stalin. Later, Vannevar Bush spoke with me; he knew that we[2] hoped that our Government would take up with the Allied governments the future problems of the bomb, the future hope of collaboration and indeed the use of the bombs in the Pacific war. Bush told me that this had been decided. Nothing much like that was to happen; but neither of us then knew it.

In the morning air, most of us shared, clearly with no grounds for confidence, the two hopes of which General Farrell spoke. For a year, with the imminent defeat of the Axis in Europe and the growing weakness of the Japanese in the Pacific, more and more we had thought of the peril and the hope that our work would bring to human history: the peril of these weapons and their almost inevitable vast increase; and the hope of limiting and avoiding war, and of new patterns and institutions of international cooperation, insight, and understanding.

AN ANGRY JAPANESE

There was no such simple sense 3 weeks later, with the use of the bombs in Japan and the end of the war, marked by this final cruel slaughter. Much has been written on the wisdom of those actions, and on imagined alternatives. I would not add again to this debate, but would make one comment.

In Hiroshima in August 1945, there was a hospital for postal and telegraphic workers. Day by day, Dr. Hachiya, who was in charge of it, kept a diary. He was himself hurt by the explosion, but managed to get back to his hospital. He wrote of the dying who came there, the burned and the mutilated, and of the sickness, not at first clear to him, caused by radiation: often the injured recovered, and others, not seemingly hurt at all, sickened and died.

There is no outrage or anger in these pages. But in one entry Dr. Hachiya is angry: he had heard the rumor of an imperial rescript in which the Emperor asked the Japanese Government to end the war. It was not only the generals and the Kamikaze who were determined to fight to the death.

If we should speak of regret, we should remember that these considerations, looking to the end of the war and toward the future, were not those that led to the initiation of serious work on the bomb. Already in 1939, in this country, Szilard, with help from Wigner and with the support of Einstein, indicated to our Government the possible importance of the uranium project, its possible military use.

In England, Peierls and Frisch, like their American colleagues refugees from tyranny, addressed similar pleas to the Government of the United Kingdom. Peierls' work had a clarity and firmness of program at the time unmatched in this country. He thought that he knew how to make a bomb; he was quite sure that it would work.

It was not until the autumn of 1941 that serious consideration was given here to making a bomb; it was not until then that the British had seen that our help was needed and that they could not go it alone. Then, just before Pearl Harbor, with El Alamein and Stalingrad still a year away and the defeat of the Axis far from assured, we did get to work. I think it a valid ground for regret that those 2 years were lost, 2 years of slaughter, degradation, and despair.

THE MOOD OF HOPE

The last two decades have been shadowed by danger, ever changing, never really receding. Looking to the future, I see again no ground for confidence; but I do see hope.

The mood of hope is not as bright today as 2 years ago. Then, after the crisis in Cuba, President Kennedy spoke at American University and Pope John XXIII wrote his "Pacem in Terris," giving the noblest and most rounded expression of what we vaguely thought 20 years earlier in the desert.

But it is not the mood of hope, but hope itself, that is part of our life, and thus part of our duty. We are engaged in this great enterprise of our time, testing whether men can both preserve and enlarge life, liberty, and the pursuit of happiness, and live without war as the great arbiter of history.

This we knew early in the morning of July 16, 20 years ago.

VIETNAM

Mr. CASE. Mr. President, it is apparent from developments in the past 72 hours that the Congress and the people of the United States will shortly be confronted with new decisions respecting Vietnam.

President Johnson spoke Tuesday of new and serious decisions in the making, and the Secretary of Defense intimated Wednesday that these decisions would be forthcoming upon his return from Saigon next week.

All indications point to requests by the President for additional defense appropriations and—more importantly—specific legislative authority to call up a large number of reservists and to extend the terms of service of members of the Active Forces.

These are grave steps for the country and will affect directly the lives and families of thousands of our citizens.

The stage is thus being set for congressional and public review of the course of the war in Vietnam, the deepening involvement of the United States in that war, and the assumptions upon which the administration is proceeding with respect to our proclaimed goal of a peaceful settlement.

I have taken the position that, so long as our military operations remain compatible with our stated objective of negotiations, there has been no real alternative to our present course—and I have supported that course.

Now that we are to be asked, in all probability, for a fresh mandate, we shall look to the President to give us a full account both of the existing situation in Vietnam and of his administration's aims. We, in the Congress, must and will examine his proposals with the utmost care and deliberation.

BIG BROTHER: SNOOPING BY INTERNAL REVENUE SERVICE

Mr. LONG of Missouri. Mr. President, during the past few days, the Subcommittee on Administrative Practice and Procedure has been holding hearings on snooping techniques of the Internal Revenue Service.

Although I am becoming hardened at the revelations made by Federal officials when put under oath on this subject, even I was appalled at the confirmation of some of the items that our staff had found.

Frankly, when my staff counsel first told me that IRS had permanent bugs and secret cameras planted in its own conference rooms, I was very skeptical.

My skepticism turned out to be misplaced as Mr. Sheldon Cohen, Commissioner of Internal Revenue, admitted under oath to such bugged rooms on IRS premises in such widely scattered places as Baltimore, Kansas City, Alexandria, Va., and New York City.

When I was told that IRS in Pittsburgh used a disguised telephone company truck to look inconspicuous when they went on wiretapping expeditions, I was even more skeptical; after all, IRS had banned all wiretapping for years.

Again, I was wrong, IRS had such a truck and used it for just such illegal purposes.

The revelations went on and on.

Next Monday we will begin 3 days of hearings on the situation in the Boston area.

At this time, Mr. President, I ask unanimous consent to print at this point in the Record several news stories outlining what we found in Pittsburgh.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the St. Louis Post-Dispatch, July 14, 1965]

Witness Says IRS Headquarters Helped in Pittsburgh Wiretap—Washington Sent Equipment, Expert, Senators Are Told

(By James C. Millstone, a Washington correspondent of the Post-Dispatch)

Washington, July 14.—Internal Revenue Service headquarters in Washington sent equipment and an expert technician to install two wiretaps in the Pittsburgh area, congressional investigators were told today.

Cresson O. Davis, Chief of the IRS Intelligence Division in Pittsburgh, gave the testimony at a hearing by the Senate Subcommittee on Administrative Practice and Procedure, headed by Senator Edward V. Long, Democrat, of Missouri. The subcommittee is devoting its attention currently to IRS practices.

Davis said that he had a part in authorizing both wiretaps although he knew such action was against IRS regulations. Both cases, he said, involved investigations of organized crime operations.

He said that he knew of two instances in which Pittsburgh IRS agents used hidden microphones to record conversations with persons not involved in organized crime. Both were efforts to obtain evidence about falsified tax returns, Davis said.

When Long asked whether it was IRS procedure to ignore constitutional rights of citizens, Davis said that the use of microphones "was not invasion of their rights as I understand it." Long said, "That is a debatable question."

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[1] Brig. Gen. Thomas Farrell, deputy to Maj. Gen. Leslie R. Groves, commanding officer of the Manhattan project.

[2] Arthur Compton, Fermi, Lawrence, and Oppenheimer, the scientific panel to the Secretary of War's Interim Committee on Atomic Problems.

* * * * *

Davis said his instructions from IRS Commissioner Sheldon S. Cohen on protecting the names of certain individuals from public exposure prohibited him from answering. He had declined to answer previous questions for the same reason.

Long said Davis' refusal was "blocking our investigation" and questioned whether Cohen "is authorized to do that" through his orders to witnesses. Long recessed the hearing until later in the day and asked that Cohen be recalled for questioning. The IRS Commissioner and Attorney General Nicholas Katzenbach testified yesterday.

TAPPED BOOKIE PHONES

Davis, flanked by two attorneys, said the wiretaps he authorized were set up in 1961 and 1964. The first was at an establishment in Wheeling, W. Va., that he said was "bookkeeping headquarters of a nationwide (gambling) syndicate."

A tap was placed on a bank of 8 to 10 telephones in an effort to determine whether the Mannarino gambling operation in Pittsburgh was laying off bets there, Davis said. Agents listened at a nearby location and recorded conversations from the telephone lines, he said.

After a few days they detected no connection between the Wheeling and Pittsburgh operations and turned over the information to the West Virginia IRS office, he said.

The second tap was placed in the greater Pittsburgh area in an effort to learn of pickup points in the city's number rackets, Davis said. However, he refused to say whose telephone was tapped or where the listening post was, contending that the answers would violate Cohen's instructions.

TECHNICIAN INSTALLED TAP

In both cases, Davis testified, he called the Washington office and requested the wiretap equipment. Both times, a technician took the equipment to Pittsburgh and installed it, he said.

Asked whether he had any hesitancy about calling Washington on the subject, because wiretapping was against IRS regulations, Davis said:

"I knew there were people in the Washington office experienced technically in such matters."

Long expressed astonishment that wiretap equipment would be kept in Washington.

"Well, that's where we got it," Davis replied.

"Was there a general understanding that you could violate wiretap regulations whenever you wanted to?" Long asked.

"No, sir," Davis responded, "only under the most extreme circumstances."

TELLS OF CRIME DRIVE

He described those as cases in the campaign against organized crime in which information could not be obtained in any other way and in which potential witnesses were too terrorized to talk.

Davis disclosed that IRS agents were being trained in use of wiretapping equipment, explaining:

"Training in such matters is a defense against the opposition. The racket element also is engaged in this activity, and they are not bound by these rules.

"I once was told that my phone was tapped. I don't know if it was or not. I had it checked darn quick and it wasn't then."

On the subject of hidden microphones, Davis said that such equipment was carried by Pittsburgh IRS agents when they had information they were to be the victims of a frame attempt by racket or police elements, or when agents could be exposed to danger.

USE IN ORDINARY CASES

Long asked whether a hidden transmitter ever was used to record conversations of "ordinary people," observing that IRS should not "use organized crime as the justification for any surveillance they want to use."

"I know of two instances where we attempted to record conversations with individuals not in the organized crime drive," Davis said. "We felt it was the one means of obtaining evidence about falsified returns."

The testimony foundered when Long asked, "Can you tell us about a tap you ran into your own basement?"

Davis declined to answer, then consulted with his attorneys. He said he never listened to a tap set in his home, but he refused repeated questions by Long as to whether the equipment was established there.

Joseph McCarthy, Davis' private attorney, told Long that the question involved delicate matters and that by answering it and other questions about particular investigations, Davis might jeopardize his own job as well as the reputations of others.

One witness late yesterday told the subcommittee that he learned accidentally that a conference room used by IRS agents in Pittsburgh to interrogate taxpayers was equipped with a hidden two-way mirror.

Robert J. Arnold, a certified public accountant, said he was in the room with a client when someone knocked down a picture of the Statue of Liberty with an American flag superimposed. Behind the picture was a two-way mirror, he said. From the conference room, the device looked like a mirror; from the other side, however, agents were able to observe the room.

Arnold said he had heard there was a microphone concealed in the room but did not see it. Fensterwald interjected that the microphone was concealed in the wall. He said that on occasion IRS used a framed picture of its seal to cover concealed microphones and two-way mirrors.

Commissioner Cohen acknowledged earlier that two-way mirrors and hidden microphones were used in some IRS offices. He said that although present laws permit use of those devices, criticism of such tactics outweighed the benefits to IRS, and he had ordered them abandoned.

[From the Washington (D.C.) Evening Star, July 15, 1965]

Probers Demand Data on Bugging by IRS

(By Philip Shandler)

Internal Revenue Service Commissioner Sheldon S. Cohen today faced a challenge to either let Senate probers see confidential affidavits given him by undercover agents or make a command appearance himself.

The choice was posed yesterday by Senator Edward V. Long, Democrat, of Missouri, as his Judiciary Subcommittee ended the second day of hearings on IRS activities in the Pittsburgh area.

Two special agents and the head of the Intelligence Division in Pittsburgh provided new details of wiretapping and other snooping activities.

But they refused to supply names and places Long considers essential to a thorough investigation. And they raised new questions with testimony indicating that:

The Washington headquarters has been teaching wiretapping and supplying wiretap equipment to its field offices despite a longstanding regulation against wiretapping. Cohen said Tuesday that he had only recently learned of wiretapping by agents in Pittsburgh.

U.S. tax agents in Pennsylvania have ignored laws against wiretapping and breaking and entering in their zeal to obtain information about suspected lawbreakers in the fields of gambling and vice.

Pittsburgh agents have "bugged" rooms that could yield personal information about "ordinary citizens" as well as about possible racketeers.

1961 CASE CITED

The Pittsburgh intelligence chief, Cresson O. Davis, told Long the national office in 1961 sent Special Agent Burke Yung to help install a telephone tap in Wheeling, W. Va., during an investigation of a possible "layoff" operation for gamblers in New Kensington, Pa.

"Why do they have experts in wiretapping if they have a regulation against it?" Long asked.

"I'm not qualified to say," Davis replied.

Yung also brought the equipment used in the tapping of three telephone lines last year, Davis said, when his office was probing reputed attempts to extort money from numbers racketeers.

Davis refused, however, to give Long the name of the person whose lines were tapped.

"Is he a policeman by the name of McDonald?" asked Subcommittee Counsel Bernard Fensterwald, Jr.

David said he could not answer because a directive issued by Cohen on Monday barred testimony that could jeopardize the rights or security of agents or citizens not previously named in proceedings of record.

Long at that point unexpectedly recessed the hearing and summoned Cohen to appear. When the afternoon session opened he announced that an understanding had been reached, and that Davis would testify more fully. But the afternoon testimony moved the Senator to call for elaboration today.

SECRET MICROPHONE

Long wanted to know, for example, why a secret microphone installed in a revenue service office in Pittsburgh in 1961 could not be used to overhear conversations between a taxpayer and his counsel.

"We've never done that," Davis said. "We have never used it for ordinary citizens."

But he acknowledged that the room was used to question ordinary citizens and criminal suspects alike.

Long was even more struck by agents' description of how the law office of the late Vincent Massock, of Washington, Pa., was "bugged." Massock was suspected of having connections with the Cosa Nostra, Davis said.

Special Agent Jack Schwartz testified that he got a passkey from the building superintendent on the pretense of wanting to get into another office which the IRS had rented.

He made a "fast impression" of the key in clay, had a copy made, used it to enter the office at night and—again with the help of agents from Washington—attached a small microphone to a bookcase.

ADMITS VIOLATIONS

Schwartz acknowledged that he had violated both the State law against wiretapping and the breaking-and-entering statutes. But he declared:

"Those of us in the organized crime drive felt proud to be in it. Anything that would have been asked, I would have done it."

Ironically, the bug fell face down and was swamped with noise from Muzak and an air conditioner, Schwartz said. About 2 weeks later, agents again entered the office to remove it, he said.

The two agents' testimony aroused Senator Hugh Scott, Republican, of Pennsylvania, who is a member of the parent Senate Judiciary Committee.

"How do you justify violating the constitutional rights of a person and the attorney-client relationship?" he asked.

Davis replied that any "incidental" information picked up by the microphone would not have been used.

The two agents, as well as Special Agent William D. Marsh and a clerk from the Pittsburgh office, Dante Amobile, described the wiretap use of a truck painted to look like a telephone-repair vehicle.

According to their testimony, a discarded Bell Telephone Co. truck was bought from a used car dealer with $300 supplied by the national office. The 1-ton vehicle was originally obtained for surveillance, but last year was used once in wiretapping.

In that case, a wireless bug was attached to a telephone line leading to an unidentified person's home. The messages overheard were recorded at Davis' home, he said. The bugging was in connection with the investigation of Lawrence Maloney, a Pittsburgh police official recently acquitted of tax evasion, Davis said.

Davis said he "had heard" of two similar trucks being used by the IRS elsewhere.

And he testified that before the truck was used in the Pittsburgh wiretapping it was borrowed by the Philadelphia office for an undisclosed purpose. Long said all this indicated to him that wiretapping has been more prevalent than the top officials have admitted.

Marsh refused to say who gave him the technical information needed to know which lines to tap.

[From the New York Herald Tribune, July 15, 1965]

MAIL COVERS AND WIRETAPS: AN ADMISSION BY TAX CHIEF

(By Dom Bonafede)

WASHINGTON.—The Nation's chief tax collector testified yesterday that the Internal Revenue Service has used mail covers, two-way mirrors, and wiretaps in the course of criminal investigations. Some of the devices are still being employed, he acknowledged.

The official, IRS Commissioner Sheldon S. Cohen, confirmed in an appearance before the Senate Subcommittee on Administrative Practice that agents of the Pittsburgh tax office used a second-hand telephone company truck from which to install phone-bugging devices.

He said the intelligence section of the Pittsburgh office purchased the truck from a used-car dealer for $300. The truck, he said, is still being used by the office, but plans are underway to get rid of it.

A CLASH

In a tense colloquy with Senator EDWARD V. LONG, Democrat, of Missouri, subcommittee chairman, Mr. Cohen refused to reveal who had authorized the purchase and use of the truck or disclose the names of agents who used electronic eavesdropping devices.

"You want me to bring every agent assigned to Pittsburgh since 1961 down here? We are prepared to do it," snapped Senator LONG.

"You know who they are because you called them to testify tomorrow" (Wednesday), the Commissioner replied.

He told the subcommittee that the investigating practices under question were used only in drives against organized crime, and that he had ordered a crackdown against the illegal use of wiretaps.

Mr. Cohen said that the IRS was conducting its own investigation, and that it was against the law to divulge confidential information about suspected taxpayers or revenue agents accused of bribes.

"I am not going to hold any individuals up to public ridicule," he said. He cited four instances in which wiretaps were used by Pittsburgh agents during investigations of bigtime racketeers and gangsters.

The agents, he said, acted overzealously in the pursuit of justice and may have "overstepped prescribed bounds."

Senator LONG questioned whether the Pittsburgh agents used the mock telephone truck on only four occasions in view "of all the trouble" they went through to obtain it and put it in operation.

He observed that even though the snooping techniques were reportedly used against suspected racketeers, their rights were violated, nonetheless.

Mr. Cohen conceded that two-way mirrors had been used by IRS agents in New York's Manhattan and Brooklyn offices, Baltimore, Pittsburgh, Detroit, Montgomery, Ala., Alexandria, Va., and Kansas City.

They were mostly used, he said, to allow witnesses to identify suspected tax violators without being seen.

"They (the offices) were bugged, also?" inquired Senator LONG. Mr. Cohen said he did not know.

Senator LONG then ordered that a yellow boxlike instrument with roll of tape attached be demonstrated. He explained that the device called a Penn Register, is used to record on tape the numbers dialed on nearby telephones.

[From the New York Times, July 15, 1965]

REVENUE SERVICE CONDUCTED SCHOOLS IN WIRETAPPING, AID TELLS SENATE SUBCOMMITTEE

(By Fred P. Graham)

WASHINGTON, July 14.—The Internal Revenue Service taught wiretapping techniques to agents, and supplied experts from Washington to help tap wires, despite service regulations against wiretapping, a revenue intelligence chief testified today.

Cresson O. Davis, head of the Service's intelligence division in Pittsburgh, told a Senate subcommittee there was a widespread word-of-mouth understanding among agents that although wiretaps were illegal and against regulations, national revenue officials approved of their use against racketeers.

"They conducted schools in Washington where our agents were taught to wiretap, to plant microphones, and so forth. It was my understanding that it was the proper practice," Mr. Davis said.

He testified before the Judiciary Subcommittee on Administrative Practice and Procedure, headed by Senator EDWARD V. LONG, Democrat, of Missouri.

PITTSBURGH INCIDENTS

According to Mr. Davis' testimony, high officials in the Revenue Service were knowing participants in at least two illegal wiretaps in the Pittsburgh area.

He recalled telephoning Robert A. Manzi, assistant director of the intelligence division in Washington, and two members of his staff, Steve Balen and Joseph Harmon, when he wished to tap the telephone wires of suspected racketeers in 1961 and 1964.

On both occasions Burke Yung, an electronics specialist in intelligence headquarters in Washington, brought the equipment to Pittsburgh and helped make the tap, Mr. Davis testified.

Mr. Davis said the Washington office also provided funds for the purchase of a wiretap truck that was disguised as a telephone company vehicle.

Revenue agents would disguise themselves as telephone workers and use the truck to tap telephone lines, he said.

One tap ran to the den of his house, where agents recorded telephone conversations on three different lines for about 4 months, he said.

BANNED BY STATE

Pennsylvania law prohibits wiretapping by any law enforcement officers, including Federal agents, but Mr. Davis said he did not know this until recently.

Under Federal law, wiretaps are not considered illegal unless the conversations are disclosed by the agents, but information obtained through the use of wiretaps cannot be admitted as evidence in State or Federal trials.

Mr. Davis said Washington also provided his office with miniature transmitter and recording sets that can be concealed in a briefcase. He said these had been used occasionally to secretly record conversations with taxpayers who were not racketeers.

Mr. Davis also told of a bizarre result in the Federal drive against organized crime in Pittsburgh. He indicated that the Government's activities had helped the national gambling syndicate to take over at the expense of local gamblers.

In 1964, he said, local gamblers complained to him that Pittsburgh policemen were forcing them to pay a percentage of their gross receipts in return for keeping the national syndicate out of the area.

The Revenue Service tapped the telephone of Pittsburgh's police chief, Lawrence Maloney, and later charged him with income tax evasion as leader of the extortion ring, Mr. Davis said.

Mr. Maloney was acquitted of the charges last month but was dismissed by the city as a result of some of the disclosures. Five of the gamblers however, have been convicted of tax violations.

"The police used to control local gambling. They protected the locals and kept the syndicate out," Mr. Davis said. "Now the syndicate is moving in."

A spokesman for the Revenue Service said all tax agents were taught electronic eavesdropping techniques at the Treasury Department's law enforcement school here. This is to allow them to defend against wiretapping, the spokesman said, and is not to be used to invade citizens' privacy.

[From the New York Herald Tribune, July 15, 1965]

PROBE TOLD IRS RUNS WIRETAP SCHOOL

WASHINGTON.—A Senate Judiciary Subcommittee was told yesterday that the Internal Revenue Service operates a school in Washington to teach wiretapping techniques to agents despite a regulation banning use of such methods.

Cresson O. Davis, chief of the intelligence division for IRS in Pittsburgh, said the school is operated only for defense.

"But it could be used for offense," replied Subcommittee Chairman EDWARD V. LONG, Democrat, of Missouri.

"It could," Mr. Davis said.

"It was," Senator LONG replied.

"It was," Mr. Davis added.

The exchange took place after a noon recess in the subcommittee's hearing into the use of wiretapping devices by IRS agents in Pittsburgh, part of an overall probe of Government snooping techniques.

Senator LONG in the morning recalled IRS Commissioner Sheldon Cohen to the stand, but said later a misunderstanding over questions aimed at Mr. Davis had been cleared up in a telephone call to Mr. Cohen. He indicated a second appearance by Mr. Cohen would be unnecessary.

Mr. Cohen's reappearance had been ordered after Mr. Davis declined to pinpoint the locations of wiretaps in the Pittsburgh area or the names of persons whose telephones were tapped.

He said instructions from Mr. Cohen prevented him from doing this.

Mr. Cohen, the first witness at Tuesday's hearing, rejected repeated requests to turn over detailed records of wiretapping, two-way mirrors, and other tactics.

Mr. Davis described only in general terms two wiretap cases in Pittsburgh. He said in both instances he sent to Washington for equipment and wiretap experts.

Under repeated questioning by Senator LONG, who noted an IRS regulation banning wiretapping, Mr. Davis said it is used only in extreme circumstances. The IRS, he added, has men trained in wiretapping.

"And still they had a regulation out not to wiretap," Senator LONG said. "Who were they trying to fool?"

Mr. Davis said training in such matters is necessary because racketeers are using the same devices.

He said Washington headquarters has experts in wiretap placement, but when asked by Senator Long, why this service is available when IRS regulations forbid wiretaps, he replied: "I don't think I can answer that."

[From the Chicago Tribune, July 15, 1965]

Probers Learn Snoopers Are Also Goofers—Bugging Drives Them Bugs Over Taxes

(By William Moore)

Washington, July 14.—Spend the taxpayers' money for an electronics truck to catch them gypping on their income tax and what happens? Some color blind idiot paints it to look as if it belongs to the telephone company and everybody laughs and tells you it is the wrong shade. You have to get it painted all over again.

The taxpayers won every time today in the story told by the Internal Revenue hawkshaws about their snooping with eavesdropping trucks, two-way mirrors, bugs, wiretaps, and electronic devices that can do everything except tell what you are thinking.

DO NOT WANT TO TALK

The snoopers told their story—reluctantly—to the Senate Subcommittee on Administrative Practice and Procedure, headed by Senator Edward V. Long, Democrat, of Missouri, in response to questions by Long and Bernard Fensterwald, subcommittee counsel.

Boss Snooper Cresson O. Davis, Chief of the Revenue Service's Pittsburgh Intelligence Division, balked at answering questions, on instructions, he said, from Revenue Commissioner Sheldon Cohen.

Long recessed the hearing and ordered Cohen to come up to explain. Cohen said he was busy, but instructed Davis to start talking. Davis did, when the hearing was resumed.

Long said he was sorry to put Davis "between the Devil and the deep blue sea." That is where Davis was, because Revenue Service regulations and the law forbid wiretapping and bugging. If he disclosed any Revenue secrets he was in for trouble with his bosses, who could punish him for that or for violating the regulations.

BUG COP'S HOME

And the committee was in no mood to condone the Government spying.

Davis didn't confine his snooping to his office, as he told the story, but had a bug installed in a cop's home so his agents could listen in on the policeman suspected of getting boodle that he did not report.

Nobody thought of running any wires to the bug, because the fellows who installed it were not telephone men, as their uniforms indicated, but revenue agents.

The agents finally made a wireless hookup, listened in and took the cop to court. He was acquitted.

The boys just couldn't do anything right. One of them conned a building manager into lending him a passkey to the office of an attorney. The agent had a duplicate made and sent other agents in to bug the office when the lawyer had gone home.

GET GARBLED REPORT

The lawyer was a thoughtful taxpayer, or a foxy one. He kept the air conditioning and the piped-in music going and all that came out was garbled.

The agent who had the key made went on a vacation without telling his pals where the key was, and they had a terrible time getting the bug out before someone else found it.

Things were always going wrong. The agents were watching a free spender at Las Vegas who was always gambling but never seemed to buy any chips. They never did catch him buying any and drew the conclusion that he owned the casino where he played.

When he got back to Pittsburgh he died before the Government could try to prosecute him. An agent went to the funeral, hoping to pick up some information, but it was a sad occasion and nobody talked about income tax cheating.

GRIM AND HILARIOUS

The agents installed a bug behind the service's official seal in their office in the Pittsburgh Chamber of Commerce building. This was to pick up trial conferences with their lawyers.

Long's committee found out about that. It also learned that a number of the agents had met to discuss the testimony they would give the committee.

The hearing was grim as it was hilarious. Davis conceded that the snooping he described was in violation of the revenue service regulations. He defended the practice, however, on the ground that it was intended to catch underworld tax cheats.

Davis admitted, nevertheless, that the agents could listen in on the private conversations of honest taxpayers, as well as crooks.

He said that altho he has been 5 years in the service in Pennsylvania, he did not know wire tapping is illegal there until 1 month ago.

Davis said all he has to do when he wishes to eavesdrop is telephone Washington for equipment and experts to install it.

[From the New York Times, July 16, 1965]

Johnson Issues Wiretapping Ban—Backs Senate Investigation of the Revenue Service

(By Fred P. Graham)

Washington, July 15.—President Johnson has banned all wiretapping by Federal employees except that related to national security.

Even when the national security is involved any wiretap must be approved by the Attorney General, Presidential Press Secretary Bill D. Moyers said today at a White House briefing.

Mr. Moyers said the President feels the present Senate investigation into charges of electronic eavesdropping by Internal Revenue Service agents "is in the public interest."

The hearings by Senator Edward V. Long, Democrat, of Missouri, have produced evidence that some agents in the Pittsburgh area had used illegal wiretaps in the Government's drive on organized crime.

Senator Long announced today that the focus of the investigation would be shifted to the IRS office in Boston on Monday.

He said offices at Chicago, San Francisco, and Philadelphia would also be investigated.

PRESIDENT'S ORDERS

President Johnson issued strict orders to his Cabinet concerning his antiwiretapping policy shortly after he assumed office, Mr. Moyers said.

Several weeks ago the President made another "vigorous statement" on the subject at a Cabinet meeting, Mr. Moyers said.

SOURCE OF PROBLEM

However, the testimony at today's hearing indicated that the problem had not arisen from a lack of firm policy directives from above, but from racket-busting agents on the firing line who had ignored the many prohibitions against wiretapping that have been issued.

Sheldon S. Cohen, IRS Commissioner, said he had been forced to decentralize his agency's organized crime section activities to prevent unauthorized wiretapping.

Mr. Cohen said his hurried investigation into yesterday's disclosures before the subcommittee had confirmed the fact that H. Alan Long, Director of the Intelligence Division, and his Assistant Director, Robert A. Manzi, had some knowledge of the eavesdropping activities in Pittsburgh.

Mr. Cohen said he had changed IRS procedures to require all antiracketeering agents to report to their district directors, rather than directly to Mr. Long's office in Washington.

This will mean that any district director can be held responsible for wiretapping violations in his area, Mr. Cohen said.

ASSURANCES GIVEN

He assured Senator Long that no conversations between revenue agents and taxpayers would be recorded without their knowledge, except in cases of bribe overtures.

Following the Commissioner's testimony, William O. Marsh, a special revenue agent from Pittsburgh, testified that he had participated in wiretapping and that he "believed that there was implied authority to do this because of the equipment and instructions we had been given."

Special Agent Vernon Carpenter, of Pittsburgh, said he had also been involved in wiretapping and that he had been scheduled at one time to attend a special 3-week school on electronic techniques at IRS headquarters in Washington. For an unexplained reason, he did not attend.

Anthony M. Itony Grosso, a member operator in Pittsburgh, told the subcommittee he had been told by Pittsburgh police that the IRS had tapped his telephone wires.

He has been sentenced to 9 years' imprisonment on a Federal wagering tax violation, which is now on appeal.

ESTABLISHMENT OF ECONOMIC DEVELOPMENT REGIONS AND THE CREATION OF MULTISTATE REGIONAL DEVELOPMENT COMMISSIONS

Mr. HARRIS. Mr. President, as a member of the Senate Public Works Committee, I am a cosponsor and a strong advocate of passage of the Economic Development and Public Works Act of 1965, now pending in the House of Representatives, which authorizes the establishment of economic development regions and the creation of multistate regional development commissions to assist in the accelerated economic growth and development of such regions in America.

Under the report of the Senate Public Works Committee and after consultation with officials of the U.S. Department of Commerce, we feel assured that an Ozarka Regional Development Commission, including parts of Oklahoma, Arkansas, Missouri, and contiguous areas, will be one of those such commissions immediately established upon final passage of the legislation.

Oklahoma has taken a giant step toward the creation of such a commission for our region by the recent passage of enrolled House Joint Resolution 533, authored by State Representatives Mountford, Blankenship, Rucker; Willis, Odom (V. H.), Skeith, Bynum, Witt, Frix, and Sparkman of the house, and State Senators Hamilton, Baldwin, Howard, Gee, Massey, Stipe, Taliaferro, Selman, Luton, Field, Smith, Nichols, Ham, Graves, Miller, Berry, Berrong, Dacus, Holden, Massad, and Payne of the senate.

The joint resolution accepts in advance the invitation of the U.S. Secretary of Commerce for the establishment of an Ozarka Regional Development Commission.

It names the Oklahoma State highway director as Oklahoma's member of the commission.

Mr. President, I ask unanimous consent that a copy of the resolution adopted by the Oklahoma Legislature be inserted in the RECORD at this point in my remarks.

By this action, the Oklahoma Legislature has shown that they and the people of Oklahoma recognize the great importance of this new idea to accelerate our economic growth and development and build the many new private jobs needed in our State.

I also want to praise those citizens of Arkansas, Oklahoma, and Missouri who recently met in Fort Smith, Ark., and perfected organization of the Ozarka Regional Development Association to work as a private auxiliary organization with the Ozarka Commission to be created and especially express my gratitude to Jim Hamilton, Poteau attorney, who was elected president of the new association, for his vital and energetic work on this project.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

HOUSE JOINT RESOLUTION 553

Joint resolution authorizing the State of Oklahoma to cooperate with the Federal Government and other States to establish an economic development region for the purpose of improving highways and other transportation facilities, promoting recreational and industrial opportunities and utilization of water resources and other natural assets

Whereas the Congress of the United States has enacted, or may hereafter enact, laws authorizing the establishment of "economic development regions" of the United States and providing for the creation of multistate regional commissions to study, act upon and make recommendations concerning the common problems and opportunities of such established regions; and

Whereas the Ozarka region of eastern Oklahoma, western Arkansas, southern Missouri, and contiguous areas, is one such underdeveloped region of America, sharing common economic problems and opportunities, warranting the establishment of the same as an "economic development region," including a portion of the State of Oklahoma; and

Whereas that portion of Oklahoma within such Ozarka region to be established is particularly suffering from inadequate roads and highways and other transportation facilities and incomplete utilization of recreational, tourism and industrial opportunities, water resources and other natural assets: Now, therefore, be it

Resolved by the House of Representatives and the Senate of the 30th session of the Oklahoma State Legislature:

SECTION 1. The State of Oklahoma hereby concurs in the inclusion of all or a portion of said State, with portions of other States, as a part of an economic development region, now or hereafter designated by the U.S. Secretary of Commerce, or such other official as may be provided by law, under laws heretofore or hereafter enacted by the Congress of the United States; such concurrence refers particularly to, but is not limited to, the Ozarka region of eastern Oklahoma, western Arkansas, southern Missouri, and contiguous areas.

SEC. 2. The State of Oklahoma hereby accepts the invitation heretofore or hereafter received from the U.S. Secretary of Commerce, or such other official as may be provided by law, to join with the Federal Government and other States for the establishment of the appropriate multistate regional commission or commissions for the economic development region or regions, referred to in section 2 hereof, under laws heretofore or hereafter enacted by the Congress of the United States.

SEC. 3. It is hereby provided by the law of the State of Oklahoma that upon the establishment of such multistate regional commission or commissions, referred to in sections 1 and 2 hereof, the State of Oklahoma member of such commission or commissions shall be the director of the Oklahoma Highway Department and the State of Oklahoma alternate for such commission or commissions shall be the director of the Oklahoma Industrial Development and Park Commission. The participation of said State officials in the activities of said commission or commissions, attendance at meetings thereof and related functions in connection therewith shall be a part of the regular and official duties of said State officials, to be performed without additional salary or compensation to them from the State of Oklahoma, except that travel and related expenses of said State officials in connection with such added duties shall be reimbursed by the State of Oklahoma the same as is now provided by law for reimbursement of such expenses in connection with the official duties of said State offices.

Passed the house of representatives the 14th day of June 1965.

J. D. MCCARTY,
Speaker of the House of Representatives.

Passed the senate the 24th day of June 1965.

CLEM MCSPADDEN,
President Pro Tempore of the Senate.

Office of the Governor.

Received by the Governor this 28th day of June 1965.

MARION L. COX.

Approved by the Governor of the State of Oklahoma the 29th day of June 1965.

HENRY BELLMON,
Governor of the State of Oklahoma.

Office of the secretary of state.

Received by the secretary of state this 29th day of June 1965.

JAMES M. BULLARD.
By A. JONES.

THE ROLE OF THE SUPREME COURT AS THE INTERPRETER OF THE CONSTITUTION

Mr. ERVIN. Mr. President, on April 30, 1965, I had the pleasure and the privilege of making a Law Day address to the School of Law of the University of Alabama at Tuscaloosa. I chose as my subject, "The Role of the Supreme Court as the Interpreter of the Constitution." I ask unanimous consent that a copy of my remarks on that occasion be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE ROLE OF THE SUPREME COURT AS THE INTERPRETER OF THE CONSTITUTION

(Address by U.S. Senator SAM J. ERVIN, JR., Democrat, of North Carolina, before the Law Day banquet of the University of Alabama School of Law at Tuscaloosa, Ala., April 30, 1965)

I am grateful to you for the privilege of being in your great State which is so ably represented in the Senate by my good friends, LISTER HILL and JOHN SPARKMAN.

The constitution of my native State of North Carolina has always contained a warning which all Americans would do well to heed. It is this: "A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty." Let us pause for a few moments, and recur to some fundamental principles.

The men who composed the Constitutional Convention of 1787 were wise men. They had read the history of the long and bitter struggle of man for freedom, and had found this shocking but everlasting truth inscribed upon each page of that history: No man or set of men can be safely trusted with governmental power of an unlimited nature. As a consequence, they were determined, above all things, to establish a government of laws and not of men.

To prevent the exercise of arbitrary power by the Federal Government, they embodied in the Constitution the doctrine of the separation of governmental powers. In so doing, they utilized this doctrine in a twofold way. They delegated to the Federal Government the powers necessary to enable it to discharge its functions as a central government, and they left to each State the power to regulate its own internal affairs. It was this use of the doctrine of the separation of powers which prompted Chief Justice Salmon P. Chase to make this trenchant observation in *Texas* v. *White* (7 Wall. (U.S.) 700): "The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States."

In their other utilization of the doctrine of the separation of governmental powers, the members of the Convention 1787 vested the power to make laws in the Congress, the power to execute laws in the President, and the power to interpret laws in the Supreme Court and such inferior courts as the Congress might establish. Moreover, they declared, in essence, that the legislative, the executive, and the judicial powers of the Federal Government should forever remain separate and distinct from each other.

This brings me to my subject: The role of the Supreme Court as the interpreter of the Constitution.

In discussing this subject, I must tell you the truth about the Supreme Court.

I know it is not popular in some quarters to tell the truth about this tribunal. Admonitions of this character come to us daily from such quarters: when the Supreme Court speaks, its decisions must be accepted as sacrosanct by the bench, the bar, and the people of America, even though they constitute encroachments on the constitutional domain of the President or the Congress, or tend to reduce the States to meaningless zeros on the Nation's map. Indeed, the bench, the bar, and the people must do more than this. They must speak of the Supreme Court at all times with a reverence akin to that which inspired Job to speak thus of Jehovah: "Though He slay me, yet will I trust Him."

To be sure, all Americans should obey the decrees in cases to which they are parties, even though they may honestly and reasonably deem such decrees unwarranted. But it is sheer intellectual rubbish to contend that Americans are required to believe in the infallibility of judges, or to make mental obeisance to judicial aberrations. They have an inalienable right to think and speak their honest thoughts concerning all things under the sun, including the decisions of Supreme Court majorities. It is well this is so because the late Chief Justice Harlan F. Stone spoke an indisputable truth when he said: "Where the courts deal, as ours do, with great public questions, the only protection against unwise decisions, and even judicial usurpation, is careful scrutiny of their action, and fearless comment upon it."

As one whose major efforts have centered in the administration of justice, I have the abiding conviction that "tyranny on the bench is as objectionable as tyranny on the throne" and that my loyalty to constitutional government compels me to oppose it. In entertaining this conviction, I find myself in the company of such great Americans as Thomas Jefferson, Andrew Jackson, and Abraham Lincoln, who refused to accept in abject silence what they conceived to be judicial usurpations.

I do not find it easy to express my disapproval of the action of the Supreme Court. I was taught in my youth to repose an absolute confidence in that tribunal by my father, an active practitioner of law in North Carolina for 65 years, who was accustomed to refer to it with almost reverential awe. He used to say that the Supreme Court would administer justice according to law though the heavens fell.

I regret to say, however, that the course of the Supreme Court in recent years has been such as to cause me to ponder the question whether fidelity to fact ought not to induce its members to remove from the portal of the building which houses it the majestic words, "Equal justice under law," and to substitute for them the superscription, "Not justice under law, but justice according to the personal notions of the temporary occupants of this building."

The truth is that on many occasions during recent years the Supreme Court has usurped and exercised the power of the Congress and the States to amend the Constitution while professing to interpret it.

In so doing, the Supreme Court has encroached upon the constitutional powers of Congress as the Nation's legislative body, and struck down State action and State legislation in areas clearly committed to the States by our system of constitutional government. This action has been accompanied by overruling, repudiating, or ignoring many contrary precedents of earlier years.

A study of the decisions invalidating State action and State legislation compels the conclusion that some Supreme Court Justices now deem themselves to be the final and infallible supervisors of the desirability or wisdom of all State action and all State legislation.

This is tragic, indeed, because there is nothing truer than the belief attributed to the late Justice Louis D. Brandeis by Judge Learned Hand, that "the States are the only breakwater against the ever-pounding surf which threatens to submerge the individual and destroy the only kind of society in which personality can survive."

Time does not permit me to analyze or even enumerate all of the decisions which sustain what I have said. I must content myself with stating in summary form the effect of only a few of them.

Congress was told by the Court in the *Girouard* (328 U.S. 61) and *Yates* (354 U.S. 298) cases that it really did not mean what it said in plain English when it enacted statutes to regulate the naturalization of aliens and to punish criminal conspiracies to overthrow the Government by force. Congress was told by the court in the *Watkins* case (354 U.S. 178) that its committees must conduct their investigations according to rules imposed by the Court which make it virtually certain that no information will ever be obtained from an unwilling witness. Seventeen States and the District of Columbia were told by the Court in the *Brown* (347 U.S. 483) and *Bolling* (347 U.S. 497) cases that the equal protection clause of the 14th amendment and the due process clause of the fifth amendment had lost their original meanings because the state of "psychological knowledge" had changed. California was told by the Court in the *Lambert* case (355 U.S. 225) that it cannot punish its residents for criminal offenses committed within its borders if such residents are ignorant of the statutes creating such criminal offenses. California was told by the Court in the first *Konigsberg* case (353 U.S. 252) that it cannot resort to cross-examination to determine the fitness or qualifications of those who apply to it for licenses to practice law in its courts. New Hampshire and Pennsylvania were told by the Court in the *Sweezey* (354 U.S. 234) and *Nelson* (350 U.S. 497) cases that they cannot investigate or punish seditious teachings or activities within their borders. New York was told by the Court in the *Slochower* case (350 U.S. 551) that it cannot prescribe standards of propriety and fitness for the teachers of its youth. North Carolina was told by the Court in the first *Williams* case (317 U.S. 287) that it cannot determine the marital status of its own citizens within its own borders. Pennsylvania and the trustees of the will of Stephen Girard, who had slumbered "in the tongueless silence of the dreamless dust" for 126 years, were told by the Court in the *Board of Trusts* case (353 U.S. 230) that the 14th amendment empowers the Court to write a post mortem codicil to the will which Stephen Girard made while he walked earth's surface and entertained the belief that disposing of private property by will is a matter for its owner rather than judges.

Twenty-four States were told by the Court in the *Mapp* case (367 U.S. 643) that the fourth amendment had somehow lost its original meaning 170 years after its ratification, and that in consequence they no longer had the power which they possessed in times past to regulate the admissibility in their own courts of evidence obtained by searches and seizures. Virginia was told by the Court in the *Button* case (371 U.S. 415) that the NAACP and its attorneys were immune to prosecution or punishment for violating its laws against barratry, champerty, and maintenance. And in the *Baker* (369 U.S. 186), *Westberry* (376 U.S. 1), *Reynolds* (377 U.S. 533), *WMCA* (377 U.S. 633) *Maryland Committee* (377 U.S. 656), *Davis* (377 U.S. 678), *Roman* (377 U.S. 695), and *Lucas* (377 U.S. 713) cases the Court hurled itself deeply into the political thicket of reapportionment with what has been aptly described as "no express constitutional mandate and scant implicit constitutional authority." ("The George Washington Law Review," vol. 32, No. 5, p. 1123.)

In saying these things, I am not a lone voice crying in a legal wilderness. The concurring opinion of the late Justice Robert H. Jackson in *Brown* v. *Allen*, and the resolution adopted by 36 State chief justices in Pasadena, Calif., disclose that a substantial portion of the judges and lawyers of America believe the Supreme Court is not confining itself to its allotted constitutional sphere.

I quote these words from Justice Jackson's concurring opinion: "Rightly or wrongly, the belief is widely held by the practicing profession that this Court no longer respects impersonal rules of law but is guided in these matters by personal impressions which from time to time may be shared by a majority of the Justices. Whatever has been intended, this Court also has generated an impression in much of the judiciary that regard for precedents and authorities is obsolete, that words no longer mean what they have always meant to the profession, that the law knows no fixed principles." Justice Jackson closed his observations on this score with this sage comment: "I know of no way we can have equal justice under law except we have some law."

Let us consider and weigh the reasoning of those who seek to justify the proposition that it is permissible for the Supreme Court to amend the Constitution under the guise of interpreting it.

They make these assertions: The Constitution must change to meet changing conditions. As its authorized interpreter, the Supreme Court has the rightful power at all times to make the Constitution conform to the views of the majority of its members. Since the doctrine of stare decisis; i.e., the rule that judges stand by and follow the decisions of their own court, might handicap the Supreme Court in making the Constitution conform to the views of a majority of its members on some occasions, the Supreme Court is not bound by its own decisions on constitutional questions.

These arguments rest upon a wholly fallacious premise; namely, that the power to interpret and the power to amend are identical. The distinction between these powers is as wide as the gulf which yawns between Lazarus in Abraham's bosom and Dives in hell. The power to interpret the Constitution is the power to ascertain its meaning, and the power to amend the Constitution is the power to change its meaning.

It seems at first blush that those who advance these arguments overlook the significant fact that article V of the Constitution vests the power to amend the Constitution in the Congress and the States, and not in the Chief Justice and Associate Justices of the Supreme Court. But not so. They simply nullify article V with these neat assertions.

The method of amendment authorized by article V is too cumbersome and slow. Consequently, the Supreme Court must do the amending. The alternative is to let the Constitution freeze in the pattern which one generation gave it.

To a country lawyer, this is merely a "high falutin" way of saying that the oath of a Supreme Court Justice to support the Constitution does not obligate him to pay any attention to article V or any other provision displeasing to him.

When all is said, the thesis that the Supreme Court has the rightful power to amend the Constitution under the guise of interpreting it is repugnant to the end the Founding Fathers had in mind when they gave this country a written Constitution. Indeed, it is incompatible with the primary object of all law.

The Federalist, Judge Thomas M. Cooley's monumental treatise on "Constitutional Limitations," and certain great decisions of the Supreme Court antedating the last quarter of a century, reveal with unmistakable clarity the end the Founding Fathers had in mind in giving our country a written Constitution.

The Founding Fathers "were not mere visionaries toying with speculations or theories, but practical men, dealing with the facts of political life as they understood them." (*South Carolina* v. *United States*, 199 U.S. 437.)

They understood the facts of political life exceedingly well. "The history of the world had taught them that what was done in the past might be attempted in the future." In consequence, they foresaw that the fundamentals of the government they desired to establish and the liberties of the citizen they wished to secure would be put in peril in troublous times by both the government and the people unless they protected such fundamentals of government and such liberties by "irrepealable law" binding equally upon the Government and the governed at all times and under all circumstances. (Ex Parte Milligan, 4 Wall. (U.S.) 2)

The Founding Fathers knew that the surest way to protect the fundamentals of the Government they desired to establish and the liberties of the citizen they wished to secure was to enshrine them in a written constitution, and thus put them beyond the control of impatient public officials, temporary majorities, and the varying moods of public opinion. To this end, they framed and adopted a written constitution, thereby putting into form the Government they were creating and prescribing the powers that government was to take. (*South Carolina* v. *United States;* Thomas M. Cooley's "Constitutional Limitations," pp. 88–89)

The Founding Fathers knew that "useful alterations" of some provisions of the Constitution would "be suggested by experience."

Consequently, they made provision for amendment as set out in article V. James Madison, whom historians rightly call the father of the Constitution, informs us that the Constitutional Convention preferred this mode for amending the Constitution because "it guards equally against that extreme facility, which would render the Constitution too mutable, and that extreme difficulty, which might perpetuate its discovered faults." ("The Federalist," No. 43)

Since the Constitution is a written instrument, its meaning does not alter, unless its wording is changed by amendment in the manner prescribed by article V. "That which it meant when adopted it means now * * * Those things which are within its grants of power, as those grants were understood when made, are still within them, and those things not within them remain still excluded." (*South Carolina* v. *United States*, 199 U.S. 437)

Chief Justice John Marshall declared in his great opinion in *Gibbons* v. *Ogden*, 9 Wheat. (U.S.) 213, that "the enlightened patriots who framed our Constitution and the people who adopted it must be understood * * * to have intended what they said."

This being true, it is as clear as the noonday sun that the role of the Supreme Court as the interpreter of the Constitution is simply to ascertain and give effect to the intent of its framers and the people who adopted it. (*Gibbons* v. *Ogden*, 9 Wheat. (U.S.) 1; *Ogden* v. *Saunders*, 12 Wheat. (U.S.) 213; *Lake County* v. *Rollins*, 130 U.S. 662.) As Justice Miller said in *Ex parte Bain*, 121 U.S. 1: "It is never to be forgotten that in the construction of the language of the Constitution here relied on, as indeed in all other instances where construction becomes necessary, we are to place ourselves as nearly as possible in the condition of the men who framed that instrument." (Dissenting opinion in *Pollock* v. *Farmers' Loan and Trust Co.*, 157 U.S. 651–652.)

Since the meaning of a written constitution is fixed when it is adopted and is not different at any subsequent time when a court has occasion to pass upon it, Judge Cooley was justified in declaring in his "Constitutional Limitations" that "a court * * * which should allow a change in public sentiment to influence it in giving to a written constitution a construction not warranted by the intention of its founders would be justly chargeable with reckless disregard of official oath and public duty."

I know that in recurring to fundamental principles I lay myself open to the charge that I am setting the clock back. As one who believes truth to be eternal, I am not troubled by this charge. Moreover, I have observed that the charge is usually made by those who labor under the delusion that there was little, if any, wisdom on earth before they arrived. It was a wise man and not a wag who suggested that these persons object to setting the clock back because it would require them to adjust their clocks and their minds forward.

Let us reflect at this point on the primary object of all law.

Laws are designed to furnish rules of conduct for government and people. As a consequence, a law is destitute of value unless it has sufficient stability to afford reliable rules to govern the conduct of government and people, and unless it can be found with reasonable certainty in established legal precedents. Justice Louis D. Brandeis had this truth in mind when he said: "It is usually more important that a rule of law be settled, than that it be settled right. Even where the error in declaring the rule is a matter of serious concern, it is ordinarily better to seek correction by legislation."

If the thesis that a majority of the members of the Supreme Court have the rightful power to change the meaning of the Constitution under the guise of interpreting it every time a sitting Justice wavers in mind or a newly appointed Justice ascends the bench should find permanent acceptance, the Constitution would become to all practical intents and purposes an uncertain and unstable document of no beneficial value to the country. Yea, more than this, it would become a constant menace to sound government at all levels, and to the freedom of the millions of Americans who are not at liberty to join Supreme Court Justices in saying that Supreme Court decisions on constitutional questions are not binding on them.

I cannot forbear expressing my opinion that the notion that Supreme Court Justices are not bound by the decisions of the Court on constitutional questions exalts Supreme Court Justices above all other men, and is of the stuff of which judicial oligarchies are made. Be this as it may, what Justice Benjamin N. Cardozo said in "The Nature of the Judicial Process" concerning the contention that the judge is always privileged to substitute his individual sense of justice for rules of law applies with equal force to this notion. "That might result in a benevolent despotism if the judges were benevolent men. It would put an end to the reign of law."

What I have said on this point finds full support in the ringing words of Edward Douglas White, one of the ablest lawyers and wisest judges ever to grace the Supreme Court bench. He said: "In the discharge of its function of interpreting the Constitution, this Court exercises an august power. * * * It seems to me that the accomplishment of its lofty mission can only be secured by the stability of its teachings and the sanctity which surrounds them. * * * The fundamental conception of a judicial body is that of one hedged about by precedents which are binding on the Court without regard to the personality of its members. Break down this belief in judicial continuity, and let it be felt that on great constitutional questions this Court is to depart from the settled conclusions of its predecessors, and to determine them all according to the mere opinion of those who temporarily fill its bench, and our Constitution will, in my judgment, be bereft of value and become a most dangerous instrument to the rights and liberties of the people."

What has been said does not deny to the Supreme Court the power to overrule a prior decision in any instance where proper judicial restraint justifies such action. A sound criterion for determining when proper judicial restraint justifies a judge in overruling a precedent is to be found in the standard which Judge Learned Hand says his friend and colleague, Judge Thomas Swan, set for his own guidance: "He will not overrule a precedent unless he can be satisfied beyond peradventure that it was untenable when made; and not even then, if it has gathered around it the support of a substantial body of decisions based on it." ("The Spirit of Liberty," 212.)

In ending this phase of my remarks, I wish to emphasize that precedents set by the Supreme Court on constitutional questions were tenable when made if they conformed to the intention of those who framed and adopted the constitutional provisions involved, no matter how inconsistent they may be with the views of Justices subsequently ascending the Bench.

This brings me to the argument that Supreme Court Justices must nullify article V and usurp the power to amend the Constitution while pretending to interpret it to keep the Constitution from freezing "in the pattern which one generation gave it."

I assert with all the emphasis at my command that there is really no substantial validity in this argument. I take this position for three reasons:

First. Although the Constitution does not change its meaning in the absence of amendment under article V, the provisions of the Constitution are pliable in the sense that they reach into the future and embrace all new conditions falling within the scope of the powers which they in terms confer. (*Missouri P. R. Co.* v. *United States* (271 U.S. 603); *South Carolina* v. *United States* (199 U.S. 437).) Existing grants of constitutional powers will enable the Federal Government to take action in virtually all new fields in which action on its part will be appropriate.

Second. As the possessor of all the legislative power of the Federal Government, Congress has complete authority at all times to make, amend, or repeal laws relating to all matters committed by the Constitution to the Federal Government.

Third. For these reasons, occasions which really call for amendments to the Constitution are comparatively rare. While it is frequently asserted that the method for amending the Constitution prescribed by article V is too cumbersome and slow for practical purposes, those who make the assertion furnished no satisfactory proof of its truth. To be sure, they cite as evidence the failure of Congress and the States to make constitutional changes they deem desirable. They overlook the fact, however, that the evidence they cite has just as logical a tendency to prove that the wisdom of Congress and the States exceeds theirs. Thomas Riley Marshall said that "it is as easy to amend the Constitution of the United States as it used to be to draw a cork." While this statement is not literally true, it is substantially true in instances where Congress and the States believe a constitutional amendment to be advisable.

In the final analysis, those who contend that Supreme Court Justices are justified in changing the meaning of constitutional provisions while pretending to interpret them confuse right and power.

What Justice Cardozo said of the judge as a legislator in "The Nature of the Judicial Process" is relevant here.

He said: "I think the difficulty has its origin in the failure to distinguish between right and power, between the command embodied in a judgment and the rural principle to which the obedience of the judge is due. Judges have, of course, the power, though not the right, to ignore the mandate of a statute, and render judgment in despite of it. They have the power, though not the right, to travel beyond the walls of the interstices, the bounds set to judicial innovation by precedent and custom. Nonetheless, by that abuse of power, they violate the law." ("The Nature of the Judicial Process," 1921 edition, 129.)

Let me refer in closing to the Father of our Country, who was President of the Convention which wrote our Constitution. As the Encyclopaedia Britannica says, the weight of George Washington's character did more than any other single force to bring the convention to an agreement and to obtain ratification of the Constitution afterward.

If the America which George Washington and the other Founding Fathers created is to endure, Supreme Court Justices as well as Presidents and Congresses must heed what he said in his Farewell Address to the American people. I quote his words:

"It is important likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield."

INTERNAL SUBVERSION BY COMMUNISTS IMPERILS THE UNITED STATES

Mr. MUNDT. Mr. President, the menace of communism at home and abroad continues to imperil the United States and the great constitutional concepts which have built us great and kept us strong. Our country at great sacrifice is resisting Communist imperialism in bloody conflict where it imperils our interests and seeks to destroy our influence overseas.

Unfortunately, far too much complacency is still displayed by our country, its people, and its Government concerning the devious activities of the Communists within our midst who continue through front organizations, direct action, indirect influences, and covert operations to divide us against each other and to break down our will to resist, our general patriotic morale, and our orderly procedures.

A great South Dakota editorial writer, Fred C. Christopherson of the Sioux Falls, S. Dak., Daily Argus-Leader, has recently published an editorial dramatically calling attention to this blind spot in our American policies. It deserves to be read by many and I ask unanimous consent that it be printed in the Record. It carries the challenging title, " 'Anti-McCarthyism' a Boon to Reds in the United States." It relates some well-known unpleasant facts to the problems of our times and it recalls some unhappy history to make the point that eternal vigilance is still the price of liberty.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Sioux Falls Argus-Leader]

"Anti-McCarthyism" a Boon to Reds in the United States

(By Fred C. Christopherson)

Some 15 years or so ago the Washington headlines had much to say about Senator Joe McCarthy of Wisconsin. That was when he was conducting a vigorous campaign to expose communistic infiltration of our Government and the American society in general.

McCarthy was doing something that needed doing. He moved forward with tremendous zeal and vigor and eventually became so engrossed in his effort that he went to unwarranted extremes. Occasionally he made charges without adequate evidence to support them.

The result was a backfire. The reds and pinks in the land quickly utilized his excesses as an argument against probes of the type he was conducting. They shrewdly and artfully exploited their point, pinning the label of "McCarthyism" on all endeavors to ferret out Communists.

The propagandists were so successful that many men in public life became hesitant to take the lead in exposing communism. The consequence was that the pendulum went to an extreme in the opposite direction. Instead of too much effort in revealing hostile influences within the American society, there was too little—much too little.

HOW THEY OPERATE

Now coming to light are many signs that we have been much too complacent—signs indicating that the Communists have been making hay while we have been under the spell of anti-McCarthyism.

One sign, prominently portrayed in an editorial from the San Francisco Examiner reprinted on this page last week, was the part Communists played in the recent student rebellion at the University of California in Berkeley. From J. Edgar Hoover, Director of the FBI, came the revelation that at least 43 persons with Communist backgrounds played active roles in the student outburst.

This is not to say that many students subscribed to the Communist doctrine. Most of those who participated in all probability were naive tools of shrewd leaders. But the incident at Berkeley illustrates how a handful of clever plotters, working subtly in the background, can create a riot, even a panic.

Studying the affair close at hand, the San Francisco newspaper made this observation: "The evidence is clear * * *. The Communists are in our midst. They are active. They are destructive."

ALSO IN CHICAGO

Another incident was that of the civil rights demonstration in Chicago last month. It was an extreme manifestation of disregard for order and constituted police authority.

Masterminding and instituting much of the activity, according to Mayor Daley of Chicago, were many persons known to be Communists. He also said that evidence in his possession revealed that Communist funds were helping finance the demonstrations.

In all probability only a very few of the demonstrators actually were Communists. But, as in the Berkeley case, many of them were unwitting pawns of the Red directors operating in the background.

It was the same story in respect to hostile and indecent eruptions in May when the U.S. House Committee on Un-American Activities held a hearing in Chicago. Another example was that of the scandalous behavior of complainants a few years ago when the same committee met in San Francisco.

DISCORD EXPLOITED

It is high time we toss aside the illogical restraints that have been imposed on the exposure of communism within this country.

We should be fair, to be sure, and we should keep our feet on the ground. But most certainly we should be realistic.

And, in being realistic, we should understand that the Communists are past masters in the art and science of fomenting discord.

They move in quickly and deftly whenever there's an indication of dissension, fanning into full flame whatever grievances may exist.

They thrive on trouble. Even as far back as the thirties, for example, there were active Communists in Sioux Falls working with persons on relief in the cities and with distressed farmers.

WHAT WE MUST DO

What all of this suggests is a new and fresh vigilance to guard against Communist infiltration both within the Government and outside of it.

Let us not forget that at one time the Communists placed a man in the U.S. Department of State as an Under Secretary and another in the U.S. Department of the Treasury in the same role. And many were in lesser posts.

Because of the irrational lapse in our protective attitude, one can only speculate about what ground has been gained in recent years. We are dull witted, indeed, if we assume that our tremendously big Government has been wholly free of Communist penetration.

It is time to go forward, without apology, in a strong movement to protect our home bastions. And we shouldn't be timidly ineffective due to worrying about stepping on a few innocent toes in the process. That is a risk we must assume.

TRUTH IN PACKAGING—ADDRESS BY SENATOR MONDALE

Mr. HART. Mr. President, the distinguished junior Senator from Minnesota [Mr. Mondale] spoke recently before the Pillsbury Co. consumer forum. The able Senator, who already has achieved an enviable reputation in the field of consumer protection, pointedly described the problems faced by the American shopper.

His speech includes a strong endorsement of the truth in packaging bill which I have sponsored, so by proposing that the speech be made a part of the Record I suppose I risk a hint of self-congratulation.

But the Senator from Minnesota is a cosponsor of the bill and one of its most effective champions so his supporting statement will come as no surprise to our colleagues.

The speech does, however, include a note of advice to the food manufacturing industry that is very well put and bears repeating. It is this:

> I would think that the food industry as a whole should participate in formulating and supporting reasonable and practical legislation in this area. As one of the Senate cosponsors of this bill, I want to see you involved—offering constructive suggestions as well as criticism. An attitude of unremitting opposition will neither be in the public interest nor in your own self-enlightened interest.

I would like to endorse that statement. We have always maintained—and I think with some reason—that a sensible set of ground rules in the supermarket would be a significant help to industry as well as the consumer.

And this is the point that the Senator from Minnesota makes so well. I ask unanimous consent that the full speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Walter F. Mondale at the Pillsbury Co. Consumer Forum, June 7, 1965

I am pleased to be asked to speak here today on the topic of consumer protection. I am even more pleased that the Pillsbury Co. has taken leadership in concentrating on this most important field.

The best protection there is for the consumer is found in enlightened vigorous competition by ethical competitors seeking to attract the consumer on the basis of the best service, the best quality, and the best price.

The proper role of Government as it protects the consumer is to encourage such competition. I don't believe Government can provide a substitute for competition, but Government does have an ancient and indispensable responsibility to protect the ethical competitor—and the consumer—from those who would resort to fraud, misrepresentation and deliberately contrived confusion. And Government has a responsibility to protect the ethical competitor and the consumer from those who fail to clearly and responsibly disclose the essential facts necessary for a wise and rational consumer choice.

For Government to serve this essential function without smothering essential and ethical competition requires good faith and open discussion and understanding between industry and Government—precisely what today's conference is designed to do.

We have always known laws and regulations in the area of consumer protection, and will probably have them in the future. Beginning with such early, vital measures as prohibitions against watering down wine, early laws were comparatively simple and uncomplicated. Most buyer-seller transactions were conducted face to face, and the buyer could feel, see, and prod the merchandise. But today, modern technology, modern production and marketing techniques, and the tremendous variety of products and goods have reduced the ability of the buyer to protect himself, in direct proportion to the increasing complexity of commercial practice.

The common law courts have moved steadily away from the philosophy of "Let the buyer beware," and toward an ever stricter doctrine of product liability. Our legislatures have followed the lead of the common law courts, and passed mandatory warranty provisions in the Uniform Sales Act and the Uniform Commercial Code, as well as general consumer fraud laws.

We have all gained from the increased social concern of our lawmakers. On the Federal level, for example, we have laws to inspect meat and poultry against diseases, to test food, drugs, and cosmetics for safety and effectiveness, to prevent the false advertising of food, drugs, medical devices, and cosmetics, to label wool products, fur products, flammable fabrics, and other textile products.

Here in the State of Minnesota we have laws on consumer fraud, on false advertising, on land subdivision registration and disclosure, and on charitable solicitations. As attorney general, I urged adoption of many of these laws and instigated several legal actions and investigations under them.

Much has been accomplished—and with a great deal of good for all of us.

Today other problems are evident. At a time when two-thirds of all purchasing power in our economy is held by individual consumers, buyer restlessness is growing, as evidenced by the number and scope of proposals now before Congress: truth-in-packaging, truth-in-lending, truth-in-securities, pesticides regulation, auto and tire safety, to mention a few.

These bills were not manufactured out of whole cloth, nor created in a vacuum. They reflect compaints Congressmen and agencies of the Government have received from their constitutents. And these complaints have become issues of genuine public concern because they are based on abuses that do exist today.

Since you are especially interested in proposals relating to packaging, perhaps we should recount a few well-known examples.

We all know that the modern commercial merchandising revolution has, to an incredible extent, replaced the salesclerk with the sales package. The "Ma and Pa" grocery store of a few years ago with possibly 700 items and a grocery clerk to help you has, for the most part, been replaced by the modern supermarket with 7,000 or more items from which to choose and few, if any, clerks to help the baffled customer.

On too many packages and bottles, the net weight or net fluid measure is printed in tiny type, on a noncontrasting color, or in an inconspicuous place.

We see, again, too many cases of packaging by odd weights and measures, where the sole purpose as far as the consumer is concerned is merely confusion, and deception about the real value of his purchase. Not too long ago, the small bottles of competing brands of soft drinks contained 6, 6¼, 6½, and 7 ounces.

One brand of laundry detergent labeled "regular size" used to hold 1 pound 3¾ ounces at 32 cents, with a giant size holding 3 pounds 5½ ounces at 77 cents. It takes a mathematician to figure out that the larger size is in fact a better buy—but not by much—the per ounce difference is only two-tenths of a cent.

And the buyer is no longer safe in assuming that the larger size will be cheaper. Another laundry detergent sold a giant size weighing 3 pounds 1¼ ounces, at 77 cents, while the regular size weighing 1 pound, 4 ounces cost only 29 cents. The larger size cost 25 cents per pound, compared with 23.2 cents for the smaller. Imagine the surprise of the rare shopper who takes the time to figure this out with pencil and paper.

This sort of odd weight and measure packaging makes it virtually impossible for the consumer to determine the unit price of competing brands, or of different sizes of the same brand. Some of this may be made necessary by the nature of the product, or its difference in composition from competing brands. But on the whole the confusion in this area leads to mounting pressure on the Congress to step in with standardization and uniform specifications for packaging.

Of what value are labels describing giant quart, king size quart, and full quart? Esther Peterson tells of a certain letter on this subject, where the writer complains of a certain type of oil:

"The smallest brand they sell is large. I still can't remember which is bigger, super, giant, or king. I say a giant is bigger than a king, but my husband uses the theory that a king rules the land and is therefore bigger. The whole thing is stupid."

Another commonly encountered abuse lies in cents-off promotions. We have all seen in stores examples of products that regularly and habitually sell at the same cents-off price, or where packages sell at the same price regardless of the presence of the cents-off label.

I could go on to describe slack fill; exaggerated package sizes and shapes; the use of misleading art work on the package face; concealing the fat or bone waste in meat packages; and printing misleading nutritional information on the package.

I think we can all face the fact that these practices have existed and still exist in the food and packaging industry. Let's be honest and recognize that if your competitors can get away with these deceits, then you are under heavy pressure to engage in similar practices.

As you all know, one of the chief arguments advanced today against the truth-in-packaging legislation has been that the consumer is her own best protector in the marketplace—and that her free choice will drive out of business those who unfairly cut corners and seek to deceive.

This would be true if decisions to buy were always made on the basis of reasoned and intelligent choice. We know, however, that purchases are based on a multitude of factors not necessarily related to the excellence or worth of the product.

Consumers, for example, are led to believe, by commercials and advertising, that certain detergents will make harassed mothers feel like blooming brides—or that certain deodorants will assure successful social relationships—or that certain cigarettes are so closely related to traits of masculinity that their use guarantees in us the same characteristics.

In addition, many fine products, marketed after years of research and testing, and sold at competitive prices, fail unaccountably in the marketplace. As your own analysts tell us, brand names, the name of the product itself, its physical appearance and packaging, and its placement on the shelf, all have great influence on the success or failure of the product.

In fact, I would venture a guess that all of you here would be happier if success or failure depended more on quality and pricing than these other intangible and unpredictable factors.

Truth-in-packaging does not seek to curb these attempts at psychological persuasion—they are considered part of normal commercial puffing. But there are a vast number of examples where consumers have been tricked because of misleading phrasing and containers, inability to choose the best bargain because of deliberately complicated fractional weight disclosure, and other clever techniques and misrepresentations which imply something that simply is not the case.

A consumer cannot make a rational choice if information necessary to such a choice is not conveniently available.

Another argument that we hear in opposition to packaging legislation today is that it would mean an unwarranted intrusion of the Federal Government into the affairs of the marketplace, business, and consumers.

It seems to me that we all must admit the problem and see if we can find a way to solve it without jeopardizing the fairminded and ethical businessman.

The Fair Packaging and Labeling Act—the so-called Hart bill—which is presently before Congress contains provisions that should be acceptable to all. These are the sections relating to prominent disclosure of net content and prohibition of deceptive pictorial representations.

Some of the other sections of the bill admittedly involve problems of greater difficulty such as the discretionary portions of the bill which contain the requirements for standardization of weights and measures.

I would think that the food and packaging industry as a whole should participate in formulating and supporting reasonable and practical legislation in this area. As one of the Senate cosponsors of this bill, I want to see you involved—offering constructive suggestions as well as criticisms. An attitude of unremitting opposition will be neither in the public interest nor in your own enlightened self-interest.

In attempting to deal with the practical difficulties that may arise under the bill, the advice of those with years of experience, knowledge, and research into those problems is essential.

A good packaging bill would help you, as well as the consumer. Ground rules of competition must be maintained which allow the best practices of a free, competitive market to flourish, and which will outlaw shoddy practices which operate to the detriment of all.

The producer and the consumer have a set of mutual interests that can be recognized and implemented. The vast majority of American businessmen know that by building quality into their goods, and distributing them honestly, they can create reputations for themselves which will bring continued demand and success.

It is to the small group who are unscrupulous that we must address ourselves.

Our goal must be to place the consumer in a bargaining position which will give him a fair opportunity to choose to buy in a rational manner. There is room, in our economy, in any free society, for successful capital venture and business profit as well as true value for the consumer's dollar.

While the Government does not exist to protect people against themselves, it will move to protect people from those who compete unfairly. I feel certain that it will not abdicate its responsibility in this area.

But your support and assistance is necessary. Your industry has already done much to regulate itself. But I am sure we would all admit that not all competitors on all occasions are willing to abide by your standards of decency. And when they do not, the good competitor and the consumer are unfairly treated.

Free enterprise is based on the theory that competition serves the public good with the consumer patronizing the competitor who offers the best bargain. But if fraud, misrepresentation, and deliberate confusion are permitted, this function of free enterprise is too often destroyed.

The consumer is cheated—the unethical competitor wins the profits and the ethical competitor is punished for his ethics and encouraged to relax his standards.

Thus our primmary objective is to make the free enterprise system work so that the prize goes to the best competitor, not to the best conniver.

THE DRUG ABUSE CONTROL AMENDMENTS OF 1965

Mr. SCOTT. Mr. President, I believe that every Member of Congress joins me in expressing deep personal satisfaction at the signing of H.R. 2, the Drug Abuse Control Amendments of 1965. The illegal sale and nonmedical use of prescription drugs is a sad and deplorable situation. Such abuses have contributed to highway deaths, juvenile delinquency, broken homes, and violent and bizarre crimes. In my opinion, H.R. 2, by imposing stricter controls on the manufacture of amphetamines, barbiturates and other drugs, and greater criminal penalties on those who illegally traffic in them, will do much to curb this serious danger to the public health.

Drafting this legislation was not a simple matter, as can be seen by the number of congressional committees which held hearings over the years to investigate the drug abuse problem and consider corrective measures. While there was agreement as to the need for stronger Federal controls, it was also recognized that any new controls should not adversely affect the legitimate use of drugs under proper medical supervision. I think that the sponsors of this legislation are to be congratulated for their success in meeting this difficult challenge.

The passage of H.R. 2 is also due, I believe, to its consistent support in both Houses by forward-looking pharmaceutical companies. Too often the only voices heard are those accusing the pharmaceutical industry of ignoring the public welfare. I would like to try to correct that impression, for the history of this legislation shows that such criticisms are unjustified. American drug firms have given H. R. 2 their encouragement and support. They have assisted the congressional committees. And on their own they have actively fought against the illegal drug traffic.

I am proud that in this regard, the Commonwealth of Pennsylvania is represented by a company which has waged a vigorous campaign against the abuse of its products for many years. I refer to the Philadelphia firm of Smith Kline & French Laboratories, one of the largest producers of amphetamine-containing drugs in the United States.

Smith Kline & French maintains an exacting system of safeguards over the manufacture and distribution of its products. It has a nationwide public service program for educating law enforcement agencies on the dangers and signs of drug abuse. And it operates for State and local police a complete scientific laboratory for analyzing and identifying drugs seized as evidence in drug abuse cases. These public services—I might point out—were favorably mentioned in the House committee report accompanying this legislation.

Mr. President, with the passage of this legislation Congress has taken positive action toward eliminating a social problem which has grown to serious dimensions.

WHAT STEPS SHOULD THE UNITED STATES TAKE TOWARD WORLD PEACE—ESSAY CONTEST WINNER

Mr. TYDINGS. Mr. President, the Baltimore Life Insurance Co., under the leadership of its distinguished president, Henry E. Niles, recently sponsored a contest among high school students for the best answer to the question, "What Steps Should the United States Take Toward World Peace?" More than 3,000 entries were received by the company from students living in Maryland, Pennsylvania, Delaware, New Jersey, Ohio, Virginia, West Virginia, and the District of Columbia. The judges were the Honorable Thomas E. Morgan, chairman of the Foreign Affairs Committee of the House of Representatives, Brig. Gen. J. H. Rothschild, USA (retired), and the Honorable James J. Wadsworth, former U.S. Ambassador to the United Nations.

I am proud to say, Mr. President, that the winner of the essay contest was a Marylander. Paul Panitz of Bethesda, Md., has established a remarkable record during his high school years. At Bethesda-Chevy Chase Senior High School he was active in the Student Government Association, served as a reporter on the school newspaper, and was his homeroom representative.

The second-place winner was Clare Esther Duetsch, a graduate of Roanoke Catholic High School in Roanoke, Va. Miss Duetsch, during her high school years, was a member of the National Honor Society, Latin Honor Society and the student council. She also served as treasurer of her class.

The third-place winner, Bonnie Goll, is from Abington, Pa.

Mr. President, I ask unanimous consent to have this intelligent and thought-provoking essay printed in the Record.

There being no objection, the essay was ordered to be printed in the Record, as follows:

The Winning Entry

(By Paul Panitz)

The persistent threat of bloodshed and violence "rings like a firebell in the night." In little more than half a century, the United States has tried almost every possible course of achieving world stability and peace, and all with a minimum of success. From Roosevelt's "big stick," to Wilson's idealism, the isolationism of the 1920's, to the "containment" of the postwar period, American policy has generally been of short-term nature; only Wilson tried to approach world tensions on a long-term basis, but unfortunately, idealism has seldom been acceptable to the politician or the public.

What is needed is a long-term program designed to strike at the root of world strife; namely, a series of measures to lift the underdeveloped nations from the depths of economic stagnation and retardation. It is a safe assumption that viable economies among the have-not countries will be the greatest single deterrent to world strife, for it is logical that wealthy nations are the last to want war; they have the most to lose.

It is an indisputable fact that the gulf between rich and poor nations is widening. Capital naturally seeks the greatest return, thus centering itself in developed countries. New technological advances in agriculture in the wealthy nations reduce the demand for foreign farm products, often the sole export income of capital-starved economies. At other times, products like coffee or rubber are overproduced, glutting the market and driving the prices to perilous lows. In the case of rubber and nitrates, wartime shortages stimulated the development of synthetic substances, further depriving undiversified economies of income. These facets of the present economic situation dramatize the wisdom of the Bible: "For unto everyone that hath shall be given, and he shall have abundance: but from him that hath not shall be taken away even that which he hath."

Further complicating the economic inequities is the frequent nationalization of foreign businesses by the underdeveloped nations. These actions are part of governmental efforts to arouse a nationalistic spirit, a prerequisite to economic progress. Yet such takeovers make a country a poor risk for further development by foreign firms and thus prevent a needed capital flow.

Some of the most aggressive nations, such as Indonesia, Egypt, Red China, and Cuba, have serious economic problems. Ten or fifteen years ago, the same might have been said about the Soviet Union, but the result of greater economic prosperity and a consequential rise of a strong middle class in that country, has brought about a mellowing of Soviet foreign policy.

Modern history reveals that economic inequities within and between nations, aid in the rise of aggressive totalitarian regimes. Mussolini gained power during a period of postwar inflation: Hitler during the depression. When the American market collapsed during the great depression, the Japanese attempted to create a "greater east Asia co-prosperity sphere," a common market in name, but in truth, an empire for the exploitation of raw materials. American-Japanese friction over the militant methods of attaining this sphere was the major reason for the Japanese attacks on Pearl Harbor and southeast Asia.

The main goal, then, of an economic reformation should be the elimination of the growing chasm between rich nations and poor, by reversing the downward spiral of underdeveloped countries. No country is in a better position to lead such a reformation than the United States, with the dollar the most stable world currency and the basis for international transactions. Some of the steps the United States could implement in an effort to raise the economic level of underdeveloped countries and so lessen their aggressive potentials include:

1. Promoting the establishment of international commodity control councils.

One such organization already exists, the International Tin Council, which by regulating the marketing of tin, sustains a relatively high price for the metal. Such items as coffee, sugar, wheat, cotton, and rubber should also have controls, although participation in such programs would have to be voluntary. Commodity control councils would be of invaluable assistance to one-industry countries which find prices dropping because of overproduction. In the meantime, these countries could be trying to diversify their economies.

The United States could take the lead by publicly announcing the desirability of such organizations and even contributing to the administrative and research needs of such agencies.

2. Urging the formation of additional economic communities to aid the freer flow of capital and labor.

Despite Charles de Gaulle, Great Britain will eventually join the European Economic Community. The problem Great Britain faces is how to simultaneously fulfill her economic obligations in the Commonwealth. With a growing Japan paralleling Britain in economic needs, there is no reason why Japan could not assume the position of major trader with India, Australia, and New Zealand. To this base, add Thailand, Burma, and South Vietnam, all capable of producing large agricultural surpluses; add Malaysia, a growing industrial country and economic hub of southeast Asia, and a new common market is born. Greater prosperity would undoubtedly help curb discontent and revolution in this strife-torn and impoverished corner of the world.

Any economic cooperation in Africa faces manifold difficulties. In addition to intense tribal and national rivalries, there are few sound systems of finance, nor has there been much experience in self-government and administration. The African republics will have to proceed at their own, relatively slow pace.

The Latin American republics, with a common background of language and customs, are ideally suited for an effective economic community. With vast untapped mineral deposits in Bolivia, Ecuador, Colombia, and Chile, oil in Venezuela, and agricultural paradises in Argentina, Uruguay, and Brazil, these countries have a great potential for prosperity.

In the meantime, the United States and Canada would continue to seek economic solidarity with the Common Market countries. Hopefully, in the near future, the "outer seven" can be integrated into the EEC. The opening of Soviet satellites to Western investment, and the introduction of more liberal economic policies in the Soviet Union, holds forth the promise of greater economic cooperation in the next decade.

Because of its respected position in economic affairs, the United States could be effective in the formation of these economic communities. Through consultations with individual governments and offers of aid to these organizations during their periods of development, this country could play an integral part in promoting the economic security of almost the entire world.

3. Developing new and cheaper birth control methods.

An industrializing economy invariably must promote health measures to insure the strength of its labor force. Preventive medicine and improved sanitation drastically reduce the mortality rate. Then a time lag occurs, its length dependent upon the rate of rise in the standard of living, before the fertility rate also declines. In the overpopulated countries, especially in Asia and Latin America, a large population increase due to this time lag would be catastrophic, wiping out the real effects of economic progress. Viewed in this perspective, the urgent need for cheap contraceptives is evident. But the United States, with the finances and skill needed to promote a cash program of research, has been held back by church pressure. At present, this country offers birth control aid to countries that request it, but this is not enough. Population is not a transient problem; it is immediate and definitely here to stay. Since present methods of birth control, despite their low costs, are still too expensive for the resources of populous, underdeveloped countries, it is in the best interests of the United States and the rest of the world, that no more time is lost on a church-state battle; the time to start is now. This means increased Government expenditure in research and development, and making new information available to desirous countries.

4. Encouraging the formation of an international agency to insure foreign investments against nationalization and having such investments internationally incorporated.

When foreign investments are nationalized, it is a major deterrent to further investment. Not only does this hurt the individual country, but it prevents the spread of capital necessary to the decentralization of pockets of wealth. One possible incentive for continued investment is an international insurance agency.

All countries subscribing to the program would pay stipends in relation to their ability to pay. This in itself would be a deterrent to nationalization, since the country will have contributed to the insurance fund. The money will be used to reimburse victims of nationalization.

In countries where there are few individuals or corporations capable of establishing large industrial enterprises, outside help is needed. Foreign investment takes much of the burden from the native government. It provides employment in the primary industry and in the vertical industries needed for its support. Employment means buying power, the creation of consumer industries, and increased prosperity, all of which can mean the reversal of the vicious cycle of poverty. This same agency could also have the power of granting charters to corporations engaged in foreign investment. This regulatory hand would be especially useful in preventing such industries as mining, from overexploitation, since the agency would have the mandate to withdraw the charter at any time.

Once again, the United States could take the lead by suggesting the formation of such an agency and being the first to contribute to the fund.

Not all actions that the United States may take toward insuring world peace should be of a long-range or economic nature; it is recklessly idealistic to believe this. A strong international peace organization and an extension of the Peace Corps are definitely of strategic importance in preserving world peace and understanding. Yet unfortunately, it is also unrealistic to believe that during this period of world tension, the United States should begin disarmament.

But as vital as immediate programs are to preserving peace, it is imperative that our country plan more for the future. Woodrow Wilson's thinking was too advanced for his time; today, our policies are only stopgap measures. A combination of the two attitudes would be best, a mixture of idealism and pragmatism.

There undoubtedly will be fervent opposition to some of the proposals contained in this paper. It might be argued that commodity control councils and international incorporation procedures have the discordant ring of Socialist planning. And yet, if such agencies are not organized, and the breach between rich and poor nations widens, the prospects for totalitarian rule will be greater; such systems breed and feed on poverty. A mild step now is definitely better than dealing with frustrations in the future.

Or perhaps it could be stated that economic communities are not possible where traditional enmities exist, as between India and Pakistan or Cambodia and Vietnam. Yet there must be truth in the theory that hatreds vanish with the prosperity of both enemies. In fact, many of these mutual hatreds had their origins in oppressive economic measures taken by one or the other group.

Probably the most controversial of all the proposals is that of birth control. Nevertheless, with all consideration to the views of minority groups, it is necessary that actions be taken which are of strategic import to the general welfare. Minorities must have complete freedom of expression, but the will of the majority must dictate the final judgment.

In Genesis, Cain rhetorically asks, "Am I my brother's keeper?" Should the people of this country adopt Cain's cynical attitude toward their world neighbors? Or should they make an affirmative answer to Cain's question their guiding light? Hopefully, the United States will orient its policy around the belief that all countries are their brothers' keepers; that the destinies of all men are irrevocably intertwined, and that only by working together will all men realize their common aspirations. If men approach their problems with this attitude, they will someday share a bright destiny.

CRIME IN THE CAPITAL

Mr. BYRD of West Virginia. Mr. President, much has been said and written about the growing crime rate in the District of Columbia and the hazards which the Metropolitan Police Department faces in endeavoring to make our city safe. I believe the situation has been excellently stated in a guest editorial published in Roll Call which appeared on July 15. It was written by Representative RICHARD ROUDEBUSH, of Indiana, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

> Crime is rapidly becoming the No. 1 domestic problem in our Nation. It ranks, in my opinion, alongside the internal Communist threat.
>
> As a rural Indiana resident living in a nice farming community near Noblesville, we were not fully aware of the tremendous problems encountered in the larger cities.
>
> One of my myriad duties in Congress is serving on the House Committee for the District of Columbia. As a "city councilman," so to speak, for the Nation's Capital, my eyes have certainly been opened to the problems of our police departments and other law enforcement agencies in controlling crime.
>
> J. Edgar Hoover, Director of the FBI, does not exaggerate when he says that it is unsafe on the streets of Washington and other major American cities after dark.
>
> The Nation's Capital becomes a jungle after sunset, despite heroic efforts of the police department.
>
> Police dogs roam Capitol Hill day and night with their uniformed masters.
>
> Newspapers run front-page articles on how to defend yourself from bodily harm and how to protect your home from robbery.

Bookstands offer specials on books dealing with self-defense.

Three clerks on my staff have been taking judo courses after work for weeks now from a Marine instructor who is training Capitol Hill employees to defend themselves from possible attacks.

The girls are quite serious about the course and are faithful in their attendance. They also carry tear gas guns in their purses, and when leaving the office after dark in the short daylight months, they are accompanied by policemen to their cars.

A written notice on a Supreme Court bulletin board plainly states to women employees, "Do not leave the building after dark unescorted."

Police for weeks have been trying to catch a pair of perverts roaming the three office buildings of the U.S. House of Representatives.

Lawlessness is on the rampage. We read of riots and open anarchy in some cities and on some campuses of institutions of higher learning. The point is rapidly being reached where martial law or military law may be required to halt crime, or we may witness citizens taking the law into their own hands and banding together for mutual protection.

Again, in my opinion, J. Edgar Hoover has put his finger on part of the trouble when he stated recently that some bleeding heart judges and social workers have been worried more about the sensibilities and rights of the criminal than the safety and well-being of law-abiding American citizens.

If the increasing crime rate is to be reversed, we must have strict law enforcement with fair but stern judicial action and no mollycoddling. Otherwise, a national crisis is inevitable.

SOCIAL SECURITY FRAUD DETECTION

Mr. BYRD of West Virginia. Mr. President, I found an article in the June 1965 issue of the Police Chief magazine to be very timely. Liberalization of the Social Security Act, and enactment of legislation to provide hospital care for the aged, will increase greatly the bulk of cases being handled by the Social Security Administration. It is, therefore, reassuring to learn of the effective work being performed in fraud detection in relation to claims.

This article was prepared by Mr. John C. Neely, Chief, Investigations Section, Violations Branch of the Social Security Administration, and I request unanimous consent to place Mr. Neely's remarks on "Investigating Violations of the Social Security Act" in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Investigating Violations of the Social Security Act

(By John C. Neely)

(Note.—John C. Neely is Chief, Investigations Section, Violations Branch, Social Security Administration, in Baltimore, Md. He began his Government service career in 1940 in the Los Angeles office of the Collector of Internal Revenue, transferring in 1945 to Baltimore as a special agent in the Intelligence Division of IRS. In April 1959, he transferred to the Social Security Administration to head the newly formed Violations Branch in the Division of Claims Policy.)

Within the framework of the Social Security Administration, which administers a program of social insurance benefits for persons who are aged, disabled, widowed, and orphaned, investigators in the Violations Branch, Division of Claims Policy, find themselves performing their duties in an area that is distinct from the main thrust of the program.

In meetings with enforcement personnel from other agencies, I am very often asked two questions: "Don't you experience difficulties in getting U.S. attorneys and the courts to take an interest in social security prosecution cases, in view of the fact that many of the beneficiaries are aged; the witnesses who must give testimony are often of advanced aged also and may be suffering from mental deterioration; and the amounts of money involved usually are small? If you get a conviction followed by a relatively substantial sentence, doesn't this do harm to your public image in view of the fact that you are taking such actions within the framework of what is basically a beneficial agency?" The answer to the first question is a conditional "Yes," and to the second, a conditional "No." Before going into detail concerning the approach which has been successfully used by Violations Branch people in dealing with these problems, let us review the growth of the program, the establishment of the Violations Branch in 1959, and the types of violations of the Social Security Act which are punishable as crimes.

High officials involved in fraud detection and deterrent activities in benefit-paying agencies seem to be in substantial agreement that the original interviewer in the local office is the first line of defense against fraudulent claims, since he is in a position to detect fraud at its inception. This role is carried out in the Social Security Administration's fraud prevention program by alert district office personnel. Continuing vigilance is maintained regardless of whether one claim in a hundred, one claim in a thousand, or one claim in a million turns out to be fraudulent since one of our goals is to prevent fraud whenever and wherever it raises its head. Individuals seeking to defraud the Social Security Administration or one of its claimants usually employ approaches and methods that are depressingly familiar to the seasoned interviewer.

Since the beginning of the program, the Social Security Administration has borne these things in mind. While its policies and procedures are geared to the bulk of its 3 million new claims a year and 20 million beneficiaries already in payment status, it has identified and incorporated guidelines that set certain cases apart from the routine and signal the need for more than minimal development and documentation.

Congressional amendments to the Social Security Act over the years brought under its coverage provisions, large additional groups of persons and increased benefit amounts to the point where self-styled accountants and others began looking upon the program as a potential source of substantial illicit revenue. Considerable thought and much ingenuity went into the conjuring of methods whereby improper payments could be syphoned from the social security trust funds.

For example, certain persons who had formerly concentrated on Federal income tax matters and who had engaged in questionable practices in that regard turned their attention to social security claims and coupled the preparation of false tax returns with assistance to claimants in filing for social security benefits based on fictitious earnings. They thereafter collected an unconscionable portion of the first benefit check received by the beneficiary. It is usually surprising to persons unfamiliar with the provisions of the Social Security Act to learn that it is possible for a retroactive benefit check, under certain circumstances, to amount to as much as $5,000 or more. Unscrupulous persons, who persuade a claimant whom they have helped to agree to surrender his first check when it is received, may skillfully avoid any mention of this possibility so that the claimant is under the impression that the first check will be the same amount as his subsequent regular monthly benefit checks. The Violations Branch has been especially interested in making investigations of situations involving this type of activity. Under the Social Security Act, persons can be prosecuted for attempting to perpetrate frauds against the trust funds and also for violating the fee-charging provisions of the act. A nonattorney who charges any fee or any attorney who charges a fee in excess of the amount prescribed by our regulations, without prior authorization, commits a violation punishable under our act regardless of whether fraud is involved.[1]

It was recognized that increasing inducements to commit fraudulent acts (that is, the larger benefit amounts and the special provisions incorporated into the law from time to time which made it possible in some instances to obtain benefits on the basis of short-term earnings) together with normal program growth would result in increasing numbers of fraud situations even if the ratio of fraud to nonfraud cases were to remain roughly the same. In view of this situation, in 1959 the Violations Branch was formed in the Division of Claims Policy, and persons with a law background and/or investigative experience were chosen to comprise a small group, with an investigations section,[2] to make selected investigations throughout the United States, operating from the Central Office in Baltimore, Md. Through the cooperation of Mr. H. Alan Long, Director, Intelligence Division, Internal Revenue Service, the investigators were given intensive training in the U.S. Treasury Law Enforcement Officers' Training School in Washington, D.C. There is considerable parallel in the work of the special agents in Internal Revenue Service and the social security investigators, since false wage and self-employment tax returns are very often involved in cases investigated by both groups.

And now to answer the first question which other enforcement people usually ask concerning possible difficulties encountered in trying to bring social security violators to trial. It is true that one of our problems has been the need to convince some U.S. attorneys, all of whom express a desire to be cooperative but many of whom are understaffed and overworked, that our cases are important enough—even in terms of money—to justify that portion of their time which is required to process and present our cases for indictment and trial. By reference to the abridged life expectancy tables of the United States, and in view of the fact that advanced age need not be a factor in all benefit situations, we have been able to demonstrate to those U.S. attorneys that thousands of dollars could be paid out, even where monthly benefits are not very large, in cases where false claims go undetected and payments continue over a period of many years. Our investigators, working through the Office of the General Counsel, have been very successful in this regard, as has been shown in recent years by the increased percentage of cases sent to the U.S. attorneys which have been accepted for prosecution. We have managed to have our cases reach Federal grand juries or result in the filing of criminal informations in more than 60 percent of those in which prosecution has been recommended by the Violations Branch. Of these, approximately 80 percent have resulted in convictions. There have been very few acquittals and the majority of nonconviction cases have resulted from negative grand jury actions or dismissals by the court for a variety of reasons which could not properly be considered when the decisions to recommend prosecution were made by the Violations Branch.

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[1] Under regulations established by the Secretary of Health, Education, and Welfare, an attorney without prior approval of the Social Security Administration may charge a fee which may be no more than (1) $20 for representation before the Social Security Administration, concluded prior to hearing, (2) $30 for representation before a hearing examiner or the Appeals Council of the Social Security Administration or both, and (3) $50 for representation prior to hearing and also before a hearing examiner and/or the appeals council.

An attorney who wishes to charge a higher fee must secure the approval of the Social Security Administration.

A representative who is not an attorney may not charge or receive any fee for his services in a social security matter without prior approval of the Social Security Administration.

[2] Persons formerly assigned to this section are the only employees within the framework of OASDI (old-age, survivors, and disability insurance program) who are working in the GS–1810 (investigative) job series.

Our investigative staff is small and it is not possible for us to investigate every matter which is referred for investigation. We usually try to participate in on-the-scene investigations of cases involving large-scale claims fixers (persons or firms encouraging others to file false returns and claims and/or encouraging them to file honest claims and thereafter charging unauthorized fees), sensitive situations involving factors which make investigation by local people undesirable, and other cases in which a need to use highly skilled and specially trained investigators is indicated.

Following preparation by the investigator of his factual report covering an investigation, the report, together with all the other evidence in the case, is meticulously reviewed by a law-trained claims policy specialist in the Appraisal Section of the Violations Branch. Based on the report and the exhibits, the criminal violation aspects may be closed. However, if prosecution is deemed appropriate, a statement of facts containing a recommendation for prosecution is prepared for transmittal to the U.S. attorney by the appropriate section in the Office of the General Counsel. Cases developed by field people, as well as cases investigated by our own Violations Branch, are handled in this way. If the U.S. attorney requires additional information or specialized investigation, he may request one of our investigators to go into the judicial district and discuss the case with him and thereafter make additional development and/or appear before the grand jury as a Government witness. The Violations Branch also makes investigations of certain types of cases involving alleged improper conduct on the part of employees of the Social Security Administration as well as of cases involving an employee's alleged participation in a fraudulent claim. At the present time, we are sending out monthly benefit checks to approximately 20 million beneficiaries, amounting to $1.4 billion per month. Thus, it can be seen that constant alertness to any and all indicia of fraud is vital to the integrity of the program, and our goal is to prevent this vast tide of benefit payments from obscuring those fraud situations, however few and however small, by assuring that they will not be buffered up and carried along without detection.

And now to answer the second question which is frequently asked as to whether efforts to deal punitively with known offenders may not do harm to our status as a beneficial agency. The answer to this question is "no." Prosecutions involving individual claimants have, for the most part, been limited to flagrant violations, and the benefit of every doubt is given to suspects in preparing these cases for possible prosecution. Of course, in enforcement activities and the necessary work performed in connection with those activities are not kept in their proper perspective, the excellent public relations which we enjoy could certainly be severely damaged. The trust funds belong to the people and benefit amounts paid out to those properly entitled constitute a right, not a privilege. We would not want the public to get the idea that every person who files a claim for benefits under proper circumstances is going to be challenged in the sense that he may be made to feel that he must overcome a presumption that his claim is not legitimate. On the other hand, we want the bulk of our claimants—the honest ones—to have complete confidence in the integrity of our administration of the social security program.

Clarence Darrow, the famous trial lawyer, came to this conclusion: "A man cannot be classified as honest or dishonest. He goes along with the game of life and can stand a certain amount of pressure for the sake of ideals. But at a given point, he can stand no more."

We strive to identify the man or woman who has reached or passed this point and thereafter deal with him (or her) in a special way, without allowing the discovery of a violation to change the basic approach used in the day-to-day claims-taking process. Occasionally, dealing with offenders in a special way will involve prosecution, conviction, the imposition of fines, and even incarceration in a penal institution. Undoubtedly, the persons who are directly involved in these situations, their friends, and members of their immediate families may, and probably will, be offended by such special treatment and our popularity may very well deteriorate from their personal point of view. By the same token, our honest claimants would be justified in feeling resentment if our failure to take action in such matters should indicate to them that our stewardship of the funds on which so much of their future depends is not of the highest standards.

ATOMIC REACTORS USED IN ELECTRIC UTILITY GENERATING PLANTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD at this point a letter which I have received from Mr. Rolla D. Campbell, Huntington, W. Va., regarding atomic reactors used in electric utility generating plants licensed by the Atomic Energy Commission.

There being no objection, the letter was ordered to be printed as follows:

HUNTINGTON, W. VA.,
July 8, 1965.

HON. ROBERT C. BYRD,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR SENATOR BYRD: How dangerous to the public are atomic reactors used in electric utility generating plants licensed by the Atomic Energy Commission?

The answer to this question should be known by every Member of the Congress.

The startling answer is that they are so dangerous to persons and property outside such plants that, unless all financial risks of damage resulting from a major accident can be transferred to the taxpayers of the United States and to the injured members of the public, with complete exemption from liability for the operators of such plants and for the manufacturers of the equipment used therein, few, if any, such atomic plants will be built.

This answer is a complete contradiction of the statements generally made by representatives of the atomic energy industry that such atomic powerplants are safe and present no undue hazards to persons or property outside of the plants.

This answer is based upon material presented by various witnesses at hearings held by the Joint Committee on Atomic Energy in the Capitol Building, on June 22, 23, and 24, 1965, with reference to two identical bills—S. 2042 and H.R. 8496—which would extend the expiration of the Price-Anderson Act for 10 years after August 1, 1967, when the act is now due to expire.

The Price-Anderson Act (Public Law 85-256; 71 Stat. 576; 42 U.S.C. 2210) passed in 1957, requires each atomic reactor licensed by the Atomic Energy Commission to be covered by the maximum amount of public liability insurance available from private sources, presently $60 million. It also requires the Commission to grant, for a nominal annual fee, indemnity insurance against public liability claims arising from any accident in the amount of $500 million. The insurance and indemnity coverages protect not only the owners and operators of the plants but also manufacturers and suppliers of machinery and equipment therefor and all others who might have any liability for damages arising from a failure, no matter how caused. The indemnity insurance is an obligation of the United States. The total insurance available for each accident is, therefore, $560 million.

But the Price-Anderson Act does not stop there. It also provides that the total of all allowable public liability claims for damages to persons and property from any one accident and the costs of determining claims cannot exceed $560 million. The effect of this limitation is to grant a complete exemption from legal liability to all corporations and individuals building and operating any such plant, or designing, manufacturing or supplying machinery and equipment therefor, who otherwise would be legally liable for damages caused by the failure thereof. Damages and costs up to $560 million would be paid from the private and government insurance funds. All excess damages are thrown upon and must be borne by the injured members of the public who are thus made, without their knowledge or consent, involuntary insurers.

A parade of witnesses from the atomic energy industry, including the Atomic Energy Commission, various electric utility companies, various manufacturers of equipment for atomic powerplants, and various associations interested in promoting the atomic energy industry, stated to the Joint Committee that while they believed atomic powerplants are safe and present no real risk of injuries to the public, yet unless the above protective provisions of the Price-Anderson Act are now extended for the additional 10-year period (that is, continued in effect for 12 years from Aug. 1, 1965) few, if any, such plants will be built.

Some said that extension was necessary to encourage the use of atomic reactors in such plants. But the witnesses appearing on behalf of utility companies and of the manufacturers of machinery and equipment for atomic reactors used in such plants flatly stated that they could not afford to assume any of the financial risks of the public liability claims which might arise from a major or catastrophic accident. In effect, they felt it was entirely proper for the taxpayers of the United States to assume risks which they themselves were not willing to underwrite in the slightest degree by the pledge of their own assets to the payment of claims in excess of the insurance protection they can buy from private insurance companies.

The only conclusion I can draw from what was said at the hearings was that these atomic power plants carry the potential danger of accidents of such catastrophic dimensions that neither private insurance companies, nor the operators of the plants, nor the manufacturers of the machinery and equipment therein, can afford to take the risks thereof.

I am confident that if such plants are safe and present no undue danger to the public, there would be no hesitancy on the part of electrical utility companies to build and operate them and no limitation imposed by private insurance companies on the total amount of insurance they would issue on each plant.

I listened carefully to hear what the Atomic Energy Commission might say about such potential dangers. All it said was, in brief, that the further development of privately owned atomic powerplants required the 10-year extension of the Price-Anderson Act, thereby clearly recognizing the existence of potential dangers of a major catastrophe at each plant.

After inquiry, I learned that the most recent detailed appraisal of the potential dangers of atomic electric generating plants was contained in a study by scientists and engineers of the Atomic Energy Commission, the Brookhaven National Laboratory, the Argonne National Laboratory, and the Oak Ridge National Laboratory, as well as by others. This appraisal is contained in a study entitled "Theoretical Possibilities and Consequences of Major Accidents in Large Nuclear Power Plants." The subtitle was "A Study of Possible Consequences if Certain Assumed Accidents, Theoretically Possible but Highly Improbable, Were To Occur in Large Nuclear Powerplants." This study was dated March 1957 and was transmitted to the Honorable Carl T. Durham, Chairman of the Joint Committee on Atomic Energy, Congress of the United States, by Harold S. Vance, Acting Chairman of the Atomic Energy Commission, on March 22, 1957.

In the introduction to the study this statement appears: "It must be clearly recognized, however, that major releases of fission products from a nuclear power reactor conceivably could occur and that a serious threat to the health and safety of people over large areas could ensue."

In order to make any estimate of potential damages, the study made certain assumptions. The important ones are these: The reactor is located near a large body of water, more likely a river, and about 30 miles from a major city. The plant site has an outside boundary of 2,000 feet radius. The reactor site is in an area of low population density. The nearby city has a population of 1 million people. The density of the population would increase from the reactor toward the city. The population density of the area between the reactor and the city would average 500 people per square mile. The city area has a diameter of about 10 miles. The plant would have a capacity output of 100,000 to 200,000 kilowatts. The accident would occur after 180 days of an operating cycle. Other assumptions are of a technical nature.

Categories of various costs and losses were evaluated by associating them with an average cost per person. The categories chosen and the costs assumed for each were: Range I, evacuation of personnel, immediately, $5,000 per person. Range II, evacuation of personnel, orderly and in reasonable time, $5,000 per person. Range III, restrictions on land and outdoor activity, $750 per person. Range IV, crop and farm restriction, $25,000 per square mile.

In a case where all fission products are contained within the container shell, damages would be relatively small. Injuries are likely for a maximum of 6 persons, and expense without personal injury is likely for a maximum of 15 persons. Evacuation cost would be $335,000 for evacuating 67 people from an area of 1.8 square miles.

In a case involving the discharge to the atmosphere at the time of accident of all volatile fission products, a maximum of 900 people would be killed and 13,000 injured. Property damage would include the evacuation of a maximum of 41,000 persons from an area of 28 square miles at a cost of $205 million. General restrictions would be imposed on a maximum of 235,000 persons in an area of 350 square miles at a maximum cost of $177 million. Agricultural restrictions would be imposed on a maximum of 3,500 square miles at a cost of $90 million.

In the case of a 50-percent release into the atmosphere of all fission products (volatile and nonvolatile), lethal exposure (death) would involve a maximum of 3,400 persons and injuries would be likely to a maximum of 43,000 persons. Property damage would involve the evacuation of a maximum of 460,000 persons from an area of 760 square miles at a total cost of $2,300 million. General restrictions would be imposed on a maximum of 3,800,000 persons in an area of 8,200 square miles at a cost of $2,800 million. Agricultural restrictions would be imposed on a maximum of 150,000 square miles at a cost of $4 billion.

Since 1957, the projected size of such plants has been trebled and quadrupled so that the above potential damages would now have to be multiplied by three or four (or more), as the case may be. It now appears that maximum economies in the production of electric power by atomic plants can be had only from very large sized plants producing 500,000 to 600,000 kilowatts and that all such new plants will be that large or larger.

The last paragraph of this study stated: "Depending upon the weather conditions and temperature of the released fission products for the assumed accident, the property damage could be as low as about one-half million dollars and as high as about $7 billion. For the assumed conditions under which there might be some moderate restrictions on the use of land or crops (range IV), the areas affected could range from about 18 square miles to about 150,000 square miles."

In his letter of transmittal, Mr. Vance, Acting Chairman of the Atomic Energy Commission, said: "Under adverse combinations of the conditions considered, it was estimated that people could be killed at distances up to 15 miles, and injured at distances of about 45 miles. Land contamination could extend for greater distances."

No separate estimate was made of the damages which would ensue from contamination of the river on which the plant is assumed to be located.

It is difficult for me to comprehend how anybody can correctly state that plants possessing such capacity for horrendous damage can be properly described as safe. To me, in the light of the official appraisal by the experts quoted above, such plants are potential death traps and as dangerous as atomic bombs.

Also, in the light of such expert appraisal, the reluctance of utility companies to own and operate such plants, and of manufacturers to design and build them, and of private insurance companies to provide full public liability coverage, is easily understood. The financial hazards are simply too great for them to assume. So, the risks have been thrown by the Price-Anderson Act on the taxpayers of the United States, on the customers served to the extent of cost of private insurance included in the rates charged for electric service, and on persons and property damaged in those cases where the total damages and costs exceed $560 million.

The license which AEC is authorized to grant to the operators and manufacturers of an atomic plant can fairly be characterized as a license to them, for their own financial benefit, to create huge risks to others, involving death, sickness, and property damage, without any liability whatsoever for the harmful consequences, and to throw all such risks (over and above private insurance available) upon the U.S. Treasury and upon the persons suffering death, personal injury, or property damage.

The constitutionality of the no-recourse provisions of the act was questioned at the hearings. Such exemption from liability was said to be a taking by the United States of life and property without reasonable compensation in those cases where the total damages from a major accident exceeded the insurance and indemnity funds available, in violation of the due process clause of the fifth amendment, which, in part, reads: "No person * * * shall be * * * deprived of life, liberty, or property without due process of law nor shall private property be taken for public use without just compensation." Certainly, such exemption is so unconscionable as to shock any fairminded court.

I was amazed to note that very few newspapers mentioned the existence of the above hearings, and not a single one of those which did mention them contained any reference to the inconsistent positions of the sponsoring witnesses, or to the existence of the enormous hazards to the public inherent in atomic powerplants.

I am writing you this letter because I think every Member of Congress should be fully informed of the facts set out herein. I wonder how a Congressman or Senator voting for extension of the Price-Anderson Act could ever enjoy a good night's sleep thereafter because of being plagued by the haunting fear of a catastrophic accident for which innocent people are made to suffer and for which his vote was partly responsible.

I am sorry that I could not have written to you a more pleasant and less troublesome letter concerning atomic powerplants. But I was profoundly shocked by what I learned at the above hearings and I felt it my duty to let you, as my Senator, share this knowledge with me.

With high personal regards and every good wish.

Respectfully yours,

ROLLA D. CAMPBELL.

P.S.—Some additional items of interest developed at the hearings were:

1. No reserve is being accumulated against the potential liability of the United States under the indemnity insurance. All claims against such insurance would be payable from the U.S. Treasury. No appropriations therefor have been made or budgeted. In 1957, Congressman HOLIFIELD questioned, in his separate views on atomic indemnity bills (H.R. 7383 and S. 2051), which became the Price-Anderson Act, whether future Congresses could be bound to appropriate the huge sums required if indemnification became necessary.

2. The Government indemnity is $500 million for each accident and will continue in effect for the life of each plant, estimated at about 30 years. One hundred plants would involve a total potential liability of the Treasury, for only 1 accident at each plant during its life, of $50 billion, and 200 plants would involve similar liability for $100 billion (almost one-third of the current national debt and about the entire tax revenue of the United States for 1 year).

3. New atomic powerplants projected for the next 30 years hence will use up the entire reserve of low-cost uranium in the United States, leaving only reserves costing about 10 times more. One witness expressed the view that existing low-cost uranium reserves should be retained for military uses and for use when fossil fuels become scarce.

4. There is no foreseeable shortage of fossil fuels (oil, gas, coal) at reasonable prices to supply existing and future electric generating plants until all hazards should be eliminated from atomic powerplants.

5. A recent booklet published by AEC in June 1964, entitled "Atomic Power Safety," does not mention the dangers described by the expert scientists and engineers in 1957 and mentioned in detail in the body of this letter.

6. The legality of the "no recourse" provisions might well be referred to the Judiciary Committee of the Senate and House for determination.

7. The two identical bills, S. 2042 and H.R. 8496, provide that as the maximum amount of private insurance available is increased, the Government indemnity will be decreased by the exact amount of the increase. However, the total insurance and indemnity available will continue to be $560 million.

—R. D. G.

CARNEGIE MEDAL AWARD

Mr. THURMOND. Mr. President, in this day when too many people are adopting the idea of not getting involved in other people's problems, it is indeed refreshing to learn that there are still those who are willing to get involved, even to the extent of risking their lives. I call to the attention of my colleagues an Associated Press article from Pittsburgh as printed in the Times and Democrat of Orangeburg, S.C., on July 14, 1965. This article reports that three young men, including a constituent of mine from St. Matthews, S.C., have been appropriately recognized by the Carnegie Hero Fund Commission for their courageous actions in saving the lives of two of their fellow employees in a very perilous rescue mission on March 16, 1964.

I commend these three young men on their heroic actions and the recognition given them by the Carnegie Commission, and I present them as examples to be emulated and publicized in an effort to try to reestablish the old American tradition of concern for one's fellow man. I am proud to point out, Mr. President, that there have been very few incidents that I have ever seen reported about southerners turning their heads when another has been found to be in distress. In fact, I do recall a number of other news reports where southerners, who have not yet become indoctrinated to big city living, have risked their lives as did these three young men in an effort to extend a helping hand to other in distress or danger. I ask unanimous consent, Mr. President, that this article from the Times and Democrat be printed in the Record.

Mr. President, I also call to the attention of my colleagues another article reporting that a young South Carolina lady is being recommended for a Carnegie Hero Fund medal because of her recent actions in saving several lives in a swimming tragedy at Folly Beach, S.C. This article from the News and Courier of July 15, 1965, makes the point that since 1951 quite a few South Carolinians have won such awards for their bravery in dramatic rescues or attempted rescues at South Carolina beaches, rivers, and resort areas. I am very proud of the excellent record of heroism that has been established in South Carolina, and I take pride in presenting a few of these heroic acts to the Senate. I ask unanimous consent, Mr. President, that this article from the News and Courier be likewise printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows.

[From the Times and Democrat, July 14, 1965]

St. Matthews Man Receives Hero's Medal—Three Are Cited for Lifesaving

Pittsburgh.—A bridge construction accident at Columbia, S.C., last year tossed two laborers into the Broad River and their three rescuers were cited Tuesday by the Carnegie Hero Fund Commission for heroic action in saving them from drowning.

Nolten A. Hildebrand, Jr., 31, construction foreman from St. Matthews, S.C.; Jessie Mackey, 36, carpenter from Swanquarter, N.C.; and Noah W. Young, 37, construction superintendent from Apalachee, Ga., each will receive a bronze medal and $500 for his part in the rescue.

(The three men are employees of Wannamaker and Wells, Inc., of Orangeburg, a general contracting firm with operations over the Southeast.)

Their efforts saved the lives of Charles F. Roundtree, Jr., 26, a construction laborer, and Calvin E. Garrett, 26, a crane operator.

The incident occurred March 17, 1964, and what happened reads like a fanciful television or motion picture script.

The Carnegie Commission summary:

The men were engaged in bridge construction when part of the bridge collapsed into the Broad River. Roundtree, who could not swim, fell into 13 feet of water, some 300 feet from the nearest bank.

He surfaced near Garrett, who had leaped from his crane on the bridge when the accident occurred. Garrett grasped a log amid much floating debris which had resulted from heavy rains and was swept downstream, ahead of Roundtree, who floundered and was submerged intermittently.

Hildebrand undressed to his underwear and dived from the bridge into the water, 12 feet below. He swam 250 feet, twice submerging to avoid drifting logs before reaching Roundtree. He took hold of Roundtree and began towing him toward the bank. However, due to the strong current he made little appreciable progress. He and Roundtree grasped a log and clung to it.

Young and Mackey launched a 12-foot rowboat, which was in poor condition. Using boards for frail craft amid the debris, which several times struck the boat, and once tilted it. They continued some 2,200 feet downstream and overtook Hildebrand and Roundtree.

After boosting Roundtree into the boat, Hildebrand swam with effort to the bank, rather than overload the small craft.

Meanwhile, Garrett had been moving slowly toward the bank, still clinging to the log. Fearing that Garrett might be carried over a dam downstream, Young and Mackey maneuvered the boat in an effort to overtake him. Roundtree aided by paddling with his hands. They moved along some 1,500 feet, finally reaching Garrett 150 feet from the bank.

He was aided into the boat, which the men then guided 500 feet diagonally across the current to the bank.

[From the Charleston (S.C.) News and Courier, July 15, 1965]

Jo Jenkins May Join List of Carnegie Medal Owners

(By Martha Carson)

Jo Jenkins will receive a Carnegie Hero Fund medal if the Folly Beach police chief and the resort town's fire chief have their way in the matter.

Charlestonians are not likely soon to forget the 17-year-old's heroism and courage last Friday when she, as a counselor and life guard with the Baptist Youth Camp, saved the lives of at least five of her young charges when a wave swept a large group of children under water at Folly Beach.

Police Chief Julian Bunch and Fire Chief James Yarnell said yesterday they intend to see that the girl gets some sort of official recognition for her outstanding deed.

The Carnegie medal would seem to fill the bill.

Aside from preparing the necessary documentation of the heroic act to accompany their nomination of Miss Jenkins for the coveted medal, the two officials hope to enlist the aid and advice of legislators and other interested citizens in the project.

"I was an eyewitness to the whole thing," Chief Yarnell said. "When you see courage and bravery such as that girl exhibited—with never a thought to her own safety—well, you want to see it rewarded. While there were a lot of people on the scene helping, I think Jo deserves most of the credit."

Chief Bunch agrees and added, "I think the situation last Friday was a great deal different from the average case of someone's getting into trouble in the sea and having persons nearby rush to the rescue. That is an instinctive thing to do.

"But just think of the possibilities in this instance. Without Jo's cool head and clear thinking, the tragedy would have been much worse than it was, I am sure."

Despite Miss Jenkins' efforts and those of others on the scene, 3 of the 32 swimmers in the group perished.

Although they've been witnesses to heroic deeds in the past, neither Chief Bunch nor Chief Yarnell has submitted the name of a person to the Carnegie Hero Fund Commission before.

The commission, established by the late Andrew Carnegie in 1904 annually gives an average of 20 to 25 bronze, silver or gold medals to residents of the United States and Canada in recognition of deeds of valor. Its most recent list, which included the names of two South Carolinians, was announced yesterday.

Since 1951, South Carolina's beaches, rivers, and lake resort areas have been the sites where 10 persons have participated in such dramatic rescues or attempted rescues and have been awarded Carnegie Hero Fund bronze medals.

Two of those honored were women. Another was a 15-year-old girl.

It was on June 12, 1952, that Mrs. Iva Belle Fishburne of Sumter risked her life to save Juanita Neese, who'd fallen from a motorboat on Lake Marion.

The next year, Mrs. Nellie J. Parker, a North Carolinian pulled 15-year-old Jane Ashcroft from the Myrtle Beach surf in a heroic rescue.

That 15-year-old girl is the former Elizabeth Seabrook of Riverland Terrace who, in July 1957, saved her friend, Joyce Riser, from drowning in the Stono River. Now Mrs. Charles Lee Brown, this award-winner has made a career of helping others. She is a public health nurse.

And Folly Beach has had its share of heroes.

It was there in 1950 that two youthful residents, Edward B. Mitchell and Malcolm L. Danner, saved the life of Mary Jane Godfrey and earned for themselves the hero's medal in 1951.

Thomas Fay Jr., a Georgia schoolteacher, wasn't as successful in 1956. While attempting to rescue a child from the surf at Folly Beach, he lost his own life. In addition to the medal, his widow was awarded a monthly pension by the Carnegie Hero Fund Commission.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). Is there further morning business? If not, morning business is closed.

READJUSTMENT ASSISTANCE TO VETERANS WHO SERVE IN THE ARMED FORCES DURING THE INDUCTION PERIOD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

The Senate resumed consideration of the bill (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

Mr. YARBOROUGH. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that necessary personnel from the Senate Veterans Subcommittee and my staff may be permitted to remain on the floor of the Senate during deliberations on the pending bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, the pending bill, S. 9, provides readjustment assistance for cold war veterans. That means persons who perform active duty in the Armed Forces during the "induction period."

The bill defines "induction period" as the period of time extending from the 31st day of January 1955, the termination of the Korean conflict readjustment aid, and ending on the date of termination of the present compulsory draft law. This present compulsory draft law termination date is July 1, 1967.

Applicable throughout the bill is the requirement for discharge under conditions other than dishonorable, which means that a person with a dishonorable discharge would not be eligible for this training assistance.

The readjustment assistance authorized by the cold war bill is similar to that previously offered to veterans of the Korean conflict. Under the pending bill, educational and vocational training assistance is offered. Eligibility is conditioned on more than 180 days active duty or discharge for service-connected disability.

In that respect, the pending bill is not so broad and generous to veterans as was the GI bill of World War II and the Korean conflict GI bill. Under the Korean conflict GI bill, a person had to serve in military service only 90 days in order to be eligible. The pending bill requires more than 180 days. That distinction was made because some veterans organizations felt that the cold war period should be more restrictive.

It is more restrictive. The pending bill is not so broad as the World War II and Korean conflict bills.

Furthermore, there is no bonus in the bill such as there was in the World War II GI bill. This is not a bonus bill. It is not a pension bill. It is a readjustment assistance bill solely, in order to help the veteran of military service readjust to civilian life.

The period of educational training cannot exceed 36 months. That period is the same as the Korean conflict bill. The period is calculated by multiplying one and one-half times each day of active duty. For example, if a veteran was in for 6 months, he can go to school for 9 months. This was the same in the World War II GI bill and the Korean conflict GI bill. A veteran could obtain 1½ days of school for 1 day of active service. Each is conditioned, as this bill is conditioned, on the total time of going to school, not to exceed 36 months.

During this educational period, the veteran would receive a monthly allowance as follows:

For full-time college training, the monthly allowance if he had no dependents, would be $110 a month. One dependent would be $135 a month; more than one dependent would be $160 a month. Although it would be the same number of dollars per month that a veteran had under the Korean conflict GI bill, there would not be as much aid under the pending bill. The table in the record of the hearings shows the economic indexes as to what this money would buy, that $110 today would buy only as much as $72 would buy in 1952. Thus, when we give a veteran an allowance now, to the same degree that a Korean veteran was receiving one in 1952, $72 in purchasing power as compared to $110 today, the bill would not do as much for the cold war veteran in actual purchases.

Furthermore, during the past 10 years, the average tuition rate in a private college, or a privately endowed college in America in that same period has greatly increased. Tuition rates are lower in publicly supported institutions of higher learning, but those tuition rates have also doubled.

After World War II, under the World War II GI bill, the Government paid an allowance to the ex-serviceman and also paid his tuition in college. The Korean conflict GI bill was tightened up, and the veteran had to pay his college tuition out of his monthly allowance.

Due to rapidly rising tuition rates, the veteran of the cold war would have to take his monthly allowance and pay his tuition out of that. This is actually a restrictive and minimal bill.

The veteran must begin his educational training within 3 years after his discharge or enactment of the bill, whichever date is later. He must complete his education within 8 years after discharge from military service, or the enactment of this bill, as the case may be. No allowance would be paid for any period prior to September 1, 1965.

In other words, if a veteran had already obtained an education at his own expense, the pending bill would not be retroactive. That veteran could not be reimbursed for the cost of his education.

The pending bill is prospective only. The veteran would be paid for future educational activities.

Persons enrolled in courses of education on September 1, 1965, would be entitled to an allowance from that date, although they would not receive payment until after the enactment of the pending bill.

All educational and training programs come to an end not more than 10 years after the end of the induction period, except that certain career enlistees have a later termination date determined by the date of their final discharge.

Mr. President, we have heard it said during the years of debate and discussion on this bill that there has never been a cold war GI bill. Some of the opponents of this bill have said that there has never been such a bill for veterans to go to school during what they called peacetime.

No one is calling this period in which we are living peacetime. It has been a cold war period for a decade and a half, but those who wish to kill these veterans' rights say that we are in a peacetime period.

The whole Nation knows that we are in a period of the cold war. We had a GI bill for education during World War II and the Korean GI bill which terminated in October 1953. There was a cold war GI bill in effect from October of 1953 through January 31, 1965.

The GI bill provisions did not end until President Eisenhower issued a proclamation ending the educational benefits on January 31, 1955. A person who entered the military service on January 31, 1955, by enlisting for a 4-year period, when he left the service on January 31, 1959, was eligible for this training.

We actually had a GI bill during that cold war period, after the hot war was over in the Korean conflict.

So for that period of time, up through the 31st of January 1955, we actually did have a cold war GI bill. It was very helpful. Therefore, anyone who served in the Armed Forces and who came out of the service after having entered prior to January 31, 1955, received the benefits of that bill.

But in addition to the educational provisions in the bill, there are certain other provisions also.

There is also guaranty and direct loan assistance. Eligibility for guaranty and direct loans is conditioned upon more than 180 days of active duty. No bonus provision is included, as was the case under the previous GI bills. No business loans are provided under this bill, as there were under the previous GI bills. It contains only home loans and farm loans. It is limited in that respect.

Eligibility for guaranty and direct loan assistance is conditioned upon more than 180 days of active duty, or discharge for service-connected disability. This bill is more restrictive in this respect than the GI bills for World War II or the Korean conflict, because in those acts only 90 days of service were required. Here more than 180 days of active duty are required for guaranty or direct loan assistance.

The widow of a veteran who died of service-connected disability also is eligible. Loans may be had for the purpose of purchasing homes, including farm homes, farm lands, or livestock, to be used by the veteran in farming operations.

Banks or other lenders can make loans with the Government guaranteeing 60 percent, up to $7,500 on residential real estate, and 50 percent, up to $4,000 on nonresidential real estate.

Loans are subject to a guaranty fee not to exceed one-half of 1 percent of the loan amount, to be used to cover losses on loans. This bill is much more restrictive than the GI bills in World War II and the Korean conflict. There was no one-half of 1 percent guaranty under the World War II or Korean conflict GI bills, but the losses under those bills on home loans have been less than one-tenth of 1 percent. Under the pending bill the Government is guaranteeing a fee of one-half of 1 percent. So, if there is any loss, the taxpayers will be protected.

Experience has shown that the losses have been less than one-tenth of 1 percent. This provision will protect the Government on any losses whatever.

Direct loans not exceeding $13,500 may be made to veterans in certain small towns and rural areas when private capital is not available to guarantee loans.

This is a more liberal provision, because following World War II we saw the abandonment of farms and ranches, and the rapid urbanization of the country, which was forced by the Government's policy of guaranteeing loans in cities, but not on farms or ranches or in small towns. This provision makes it possible for a farmer or a rancher or a person living in a small village to obtain a loan, so that he can live in the comforts of his own home in a small town or on a ranch or on a farm.

In addition, it gives the veteran living in a rural area the same rights that are enjoyed by a veteran living in a city. This is sociologically sound. It is unwise to drive people out of rural areas into cities. Fourteen percent of our population still lives in rural areas. It is sociologically unsound for the Government to pursue policies that drive a portion of the remaining 14 percent of the population into the cities.

Interest rates and maturities of loans controlled by laws applicable to World War II and Korean conflict veterans will be applicable now and in the future.

Under Public Law 86–73, the maximum interest rate is 5¼ percent per year. Termination date of the guarantee and direct loan program is 10 years after the end of the induction period, except for loans on which VA commitments have been issued before such date.

Mr. President, we have gone for a long time without giving these veterans the benefit of applicable education and applicable loan provisions. This is a law that pays for itself. Based on data gathered by the Bureau of the Census, the veterans of World War II who were taking educational training are paying back more money in taxes now than they received from the Government, because of their increased earnings, due to the education that they received. Because of that, they are paying back more than the bills cost.

By 1970 both the GI World War II Act and the Korean Conflict Act will have more than paid for themselves.

Last week we passed a medicare bill that will cost $7 billion a year. Yesterday we voted a housing bill that will cost more than $7 billion. The two bills together will cost $14.5 billion. The $7 billion cost is over the life of the housing bill.

People say that the pending bill will cost something. There is no estimate that the cost will be in excess of $500 million a year. This bill has a positive termination date.

When these young people finish their training and start putting money back into the Treasury, the bill will pay for itself. This is not charity, Mr. President; it is an investment.

In several Congresses we have passed multiple bills. We have taken care of almost every kind of person in this country. This bill would cover people who have been disadvantaged by the Government. The Government comes along and pulls out a person from his normal pursuits—nearly 40 percent of our young men—and then when they come back after they have served their country, they are told, "It is too bad, Buddy. You have been defending the liberties of this country. You have been defending the freedoms of everyone. You have lost 2½ years. However, there is no program under which you fall now. You are cast out."

We have been passing billls for people of every kind and trying to do something for those people. We have passed bills to aid people who were disadvantaged by nature, by environment, by heredity, and many other things, but not for people who have been disadvantaged by the Government itself.

These veterans have been disadvantaged by the Government. The Government is doing nothing to help them to readjust on coming back into civilian life, to get educational training, and to keep up with their counterparts, the 60 percent who did not serve.

This assistance is not limited to college education. Many of these young people have never finished high school. It applies also to high school education. They do not get the full college education if they have to go to high school.

It applies also to on-the-job training, and on-the-farm training, and to trade schools, that will help these people catch up on their education, and to catch up on their 2½ years that they have lost in dedicated service to their country. This is a great debt that the Government owes these people.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. JAVITS. Mr. President, the distinguished Senator from Massachusetts [Mr. SALTONSTALL] had expected to submit to the Senate an amendment in the nature of a substitute for S. 9. He is necessarily absent from the Senate today, and for that reason the amendment cannot be printed. He is the principal sponsor of the amendment. He has asked me to ask unanimous consent that the amendment may be printed in the RECORD together with a section-by-section analysis for the information of Senators so that on Monday, when the debate continues on the bill, Senators may have an opportunity to read it. The provisions in the amendment are substantially embodied in S. 520, which proposes to make the Yarborough bill applicable to those who have served in a "zone of hostility," as defined by the amendment, to be declared by the President. Only 90 days military service is necessary as opposed to 180 days in S. 9.

The PRESIDING OFFICER (Mr. BAYH in the chair). Without objection, it is so ordered.

There being no objection, the amendment and analysis were ordered to be printed in the RECORD, as follows:

S. 9

Strike out all after the enacting clause and insert in lieu thereof the following: "That (a) paragraph (11) of section 101 of title 38, United States Code, is amended to read as follows:

"'(11) The term "period of war" means (A) the Spanish-American War, World War I, World War II, the Korean conflict, (B) the period beginning on the date of any future declaration of war by the Congress and ending on a date prescribed by Presidential proclamation or concurrent resolution of the Congress, and (C) any period of hostilities.'

"(b) Section 101 of such title is amended by adding at the end thereof the following new paragraphs:

"'(29) The term "area of hostilities" means any area designated by the President as an area of hostilities pursuant to the authority granted him under section 3111 of this title.

"'(30). The term "period of hostilities" means, with respect to any area of hostilities, the period of time during which such area has been designated an area of hostilities pursuant to section 3111 of this title; but, for the purposes of this title, a veteran shall be considered to have served during a period of hostilities only if such veteran served at some time during such period in an area of hostilities, or if he suffered an injury or contracted a disease in line of duty or aggravated a preexisting injury suffered or disease contracted in line of duty while en route to or return from an area of hostilities.'

"SEC. 2. (a) Section 521(a) of title 38, United States Code, is amended by striking out 'or the Korean conflict,' and inserting in lieu thereof 'the Korean conflict, or a period of hostilities,'.

"(b) Section 521(g) of such title is amended by—

"(1) redesignating clauses (2), (3), and (4) as clauses (3), (4), and (5), respectively, and adding a new clause (2) after clause (1) as follows:

"'(2) for a period of ninety consecutive days or more any part of which was served during a period of hostilities;'; and

"(2) by striking out 'or the Korean conflict,' in clause (3), as redesignated by this subsection, and inserting in lieu thereof 'the Korean conflict, or a period of hostilities,'.

"(c) The catchline of section 521 is amended to read as follows: 'Veterans of World War I, World War II, the Korean conflict, or a period of hostilities'.

"(d) Section 541(a) of such title is amended by striking out 'or the Korean conflict' and inserting in lieu thereof 'the Korean conflict, or a period of hostilities'.

"(e) The catchline of section 541 is amended by adding at the end thereof the following: ', and widows of veterans of a period of hostilities'.

"(f) Section 542(a) of such title is amended by striking out 'or the Korean conflict' and inserting in lieu thereof 'the Korean conflict, or a period of hostilities'.

"(g) The catchline of section 542 is amended by adding at the end thereof the following: ', and children of veterans of a period of hostilities'.

"(h) The heading which precedes section 541 of such title is amended to read as follows:

" 'WORLD WAR I, WORLD WAR II, THE KOREAN CONFLICT, AND ANY PERIOD OF HOSTILITIES'.

"(i) The table of sections at the beginning of chapter 15 of such title is amended by—

"(1) striking out:

" '521. Veterans of World War I, World War II, or the Korean conflict.'

and inserting in lieu thereof the following:

" '521. Veterans of World War I, World War II, the Korean conflict, or a period of hostilities.';

"(2) striking out the heading which reads:

" 'World War I, World War II, and the Korean conflict'

and inserting in lieu thereof:

" 'World War I, World War II, the Korean conflict, and any period of hostilities';

"(3) striking out:

" '541. Widows of World War I, World War II, or Korean conflict veterans.
" '542. Children of World War I. World War II, or Korean conflict veterans.'

and inserting in lieu thereof:

" '541. Widows of World War I, World War II, or Korean conflict veterans, and widows of veterans of a period of hostilities.
" '542. Children of World War I, World War II, or Korean conflict veterans, and children of veterans of a period of hostilities.'

"SEC. 3. Section 602 of title 38, United States Code, is amended by—

"(1) striking out 'World War II or of the Korean conflict' and inserting in lieu thereof 'World War II, the Korean conflict, or a period of hostilities'; and

"(2) inserting immediately before 'shall be deemed' the following: 'or within a period of two years following the last day of his service in an area of hostilities in the case of a veteran of a period of hostilities,'.

"SEC. 4. (a) Section 723(b) of title 38, United States Code, is amended by striking out 'Any' at the beginning of such section and inserting in lieu thereof the following: 'Any veteran of a period of hostilities shall, upon application in writing made within one hundred and twenty days after such veteran's discharge or release from the Armed Forces following his service in an area of hostilities and payment of premium as hereinafter provided, and without medical examination, be issued a policy of permanent plan life insurance or a policy of limited convertible five-year level premium term insurance under this subsection; and any'.

"(b) Section 723(b) of such title is further amended by adding at the end thereof a new sentence as follows: 'Any veteran of a period of hostilities who was discharged or released from the Armed Forces prior to the date of enactment of this sentence shall, upon application made in writing within one hundred and twenty days after the date of enactment of this sentence and payment of premiums, and without medical examination, be issued insurance as provided in this subsection.'

"SEC. 5. Section 1502(a)(1) of title 38, United States Code, is amended by striking out 'World War II or the Korean conflict' and inserting in lieu thereof 'World War II, the Korean conflict, or a period of hostilities'.

"SEC. 6. (a) Title 38 of the United States Code is amended by adding after chapter 39 the following new chapter:

" 'CHAPTER 40—EDUCATION OF VETERANS WHO SERVE BETWEEN JANUARY 31, 1955, AND JULY 1, 1967

" 'Subchapter I—Definitions

" 'Sec.
" '1908. Definitions.

" 'Subchapter II—Eligibility

" '1910. Entitlement to education or training generally.
" '1911. Duration of veteran's education or training.
" '1912. Commencement; time limitations.
" '1913. Expiration of all education and training.

" 'Subchapter III—Enrollment

" '1920. Selection of program.
" '1921. Applications; approval.
" '1922. Change of program.
" '1923. Disapproval of enrollment in certain courses.
" '1924. Discontinuance for unsatisfactory progress.
" '1925. Period of operation for approval.
" '1926. Institutions listed by Attorney General.

" 'Subchapter IV—Payments to veterans

" '1931. Education and training allowance.
" 1932. Computation of education and training allowances.
" '1933. Measurement of courses.
" '1934. Overcharges by educational institutions.

" 'Subchapter V—State approving agencies

" '1941. Designation.
" '1942. Approval of courses.
" '1943. Cooperation.
" '1944. Use of Office of Education and other Federal agencies.
" '1945. Reimbursement of expenses.

" 'Subchapter VI—Approval of courses of education and training

" '1951. Apprentice or other training on the job.
" '1952. Institutional on-farm training.
" '1953. Approval of accredited courses.
" '1954. Approval of nonaccredited courses.
" '1055. Notice of approval of courses.
" '1956. Disaproval of courses and discontinance of allowances.

" 'Subchapter VII—Miscellaneous provisions

" 'Sec.
" '1961. Authority and duties of Administrator.
" '1962. Educational and vocational counseling.
" '1963. Control by agencies of United States.
" '1964. Conflicting interests.
" '1965. Reports by institutions.
" '1966. Overpayments to veterans.
" '1967. Examination of records.
" '1968. False or misleading statements.
" '1969. Information furnished by Federal Trade Commission.
" '1970. Effective date and retroactive allowances.

" 'Subchapter I—Definitions

" '§ 1908. Definitions

" (a) For the purpose of this chapter—

" '(1) The term "basic service period" means the period commencing with the veteran s most recent entry, enlistment, or call to active duty prior to his service in an area of hostilities and ending on the date of his first discharge or release from active duty after his service in such area.

" '(2) The term "eligible veteran" means any veteran who is not on active duty and who—

" '(A) served on active duty at any time during a period of hostilities;

" '(B) was discharged or released therefrom under conditions other than dishonorable; and

" '(C) served on active duty for a period of more than ninety days (exclusive of any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians, or as a cadet or midshipman at one of the service academies), or was discharged or released from a period of active duty, any part of which occurred during a period of hostilities, for an actual service-connected disability.

" '(3) The term "program of education or training" means any single unit course or subject, any curriculum, or any combination of unit courses or subjects, which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

" '(4) The term "course" means an organized unit of subject matter in which instruction is offered within a given period of time or which covers a specific amount of related subject matter for which credit toward graduation or certification is usually given.

" '(5) The term "dependent" means—

" '(A) a child of an eligible veteran;

" '(B) a parent of an eligible veteran, if the parent is in fact dependent upon the veteran; and

" '(C) the wife or an eligible veteran, or, in the case of an eligible veteran who is a woman, her husband if he is in fact dependent upon her.

" '(6) The term "educational institution" means any public or private elementary school, secondary school. vocational school, correspondence school, business school, junior college, teachers college, college, normal school, professional school, university, scientific or technical institution, or other institution furnishing education for adults.

" '(7) The term "training establishment" means any business or other establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprentice committee, or the Bureau of Apprenticeship established in accordance with chapter 4C of title 29, or any agency of the Federal Government authorized to supervise such training.

" '(8) The term "State" includes the Canal Zone.

" '(9) The term "Commissioner" means the United States Commissioner of Education.

" '(b) Benefits shall not be afforded under this chapter to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or of the Regular or Reserve Corps of the Public Health Service.

" '(c) The Congress of the United States hereby declares that the veterans' education and training program created by this chapter is for the purpose of providing vocational readjustment and restoring lost educational opportunities to those service men and women whose educational or vocational ambitions have been interrupted or impeded by reason of active duty during a period of hostilities and for the purpose of aiding such persons in attaining the educational and training status which they might normally have aspired to and obtained had they not served their country.

" 'Subchapter II—eligibility

" '§ 1910. Entitlement to education or training generally

" 'Each eligible veteran shall, subject to the provisions of this chapter, be entitled to the education or training provided under this chapter.

" '§ 1911. Duration of veteran's education or training

" '(a) Each eligible veteran shall be entited to education or training under this chapter for a period equal to one and a half times the duration of his service on active duty during his basic service period (or to the equivalent thereof in part-time training), except that—

" '(1) in computing the duration of such service, there shall be excluded a period equal to any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as estimated courses offered to civilians or served as a cadet or midshipman at one of the service academies;

" '(2) the period of education or training to which an eligible veteran shall be entitled under this chapter shall not, except as provided in subsection (b), exceed thirty-six months reduced by a period equivalent to any period of educational assistance afforded him under chapter 35 of this title; and

" '(3) the period of education or training to which an eligible veteran shall be entitled under this chapter together with vocational rehabilitation training received under chapter 31 of this title, and education or training received by virtue of his service during the orean conflict or under part VIII of Veterans Regulation Numbered 1(a), and section 12(a) of the Act enacting this title shall not, except as provided in subsection (b), exceed thirty-six months in the aggregate.

" '(b) Whenever the period of entitlement to education or training under this chapter of an eligible veteran who is enrolled in an educational institution regularly operated on the quarter or semester system ends during a quarter or semester and after a major part of such semester or quarter has expired, such period shall be extended to the termination of such unexpired quarter or semester. In all other courses offered by educational institutions, whenever the period of eligibility ends after a major portion of the course is completed such period may be extended to the end of the course or for nine weeks, whichever is the lesser period.

" '(c) In the case of any eligible veteran who is pursuing any program of education or training exclusively by correspondence, one-fourth of the elapsed time in following such program of education or training shall be charged against the veteran's period of entitlement.

" '§ 1912. Commencement; time limitations

" '(a) No eligible veteran shall be entitled to initiate a program of education or training under this chapter after three years after his discharge or release from active duty or after three years after the date of enactment of this chapter, whichever is later. Notwithstanding the preceding sentence, any otherwise eligible veteran whom the Administrator determines to have been prevented from initiating a program of education or training under this chapter within the period prescribed by the preceding sentence because he had not met the nature of discharge requirements of section 1908(a)(1)(B) of this title before a change, correction, or modification of a discharge or dismissal made pursuant to section 1553 of title 10, the correction of the military records of the proper service department under section 1552 of title 10, or other corrective action by competent authority, shall be permitted to initiate a program of education or training under this chapter within three years after the date of his discharge or dismissal was so changed, corrected, or modified, or within three years after the date of enactment of this chapter, whichever is later.

" '(b) The program of education and training of an eligible veteran under this chapter shall, on and after the delimiting date for the veteran to initiate his program, be pursued continuously until completion, except that an eligible veteran may suspend the pursuit of his program for periods of not more than twelve consecutive months, and may suspend the pursuit of such program for longer periods if the Administrator finds that the suspension for each such period was due to conditions beyond the control of the eligible veteran.

" '(c) For the purposes of computing the three-year period under this section and the eight-year period under section 1913, the date of an eligible veteran's discharge or release shall be the date of his discharge or release from his last period of active duty which began before his service in an area of hostilities.

" '§ 1913. Expiration of all education and training

" 'No education or training shall be afforded an eligible veteran under this chapter beyond eight years after his discharge or release from active duty or eight years after the enactment of this chapter, whichever is later, except that any veteran who is eligible to initiate a program of education or training by reason of the second sentence of section 1912(a) of this title shall be permitted to pursue, subject to the other provisions of this chapter, such program for a period of not more than five years after the date of initiation thereof; but in no event shall education or training be afforded under this chapter after June 30, 1972.

" 'Subchapter III—Enrollment

" '§ 1920. Selection of program

" 'Subject to the provisions of this chapter, each eligible veteran may select a program of education or training to assist him in attaining an educational, professonal, or vocational objective at any educational institution or training establishment selected by him, whether or not located in the State in which he resides, which will accept and retain him as a student or trainee in any field or branch of knowledge which such institution or establishment finds him qualified to undertake or pursue. Notwithstanding the foregoing provisions of this section, an eligible veteran may not pursue a program of education or training at an educational institution or training establishment which is not located in a State, unless such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the enrollment under this chapter of any veteran in a foreign educational institution if he finds that such enrollment is not for the best interest of the veteran or the Government.

" '§ 1921. Applications; approval

" 'Any eligible veteran who desires to initiate a program of education or training under this chapter shall submit an application to the Administrator which shall be in such form, and contain such information, as the Administrator shall prescribe. The Administrator shall approve such application unless he finds that such veteran is not eligible for or entitled to the education or training applied for or that his program of education or training fails to meet any of the requirements of this chapter, or that the eligible veteran is already qualified, by reason of previous education and training, for the educational, professional, or vocational objective for which the courses of the program of education or training are offered. The Administrator shall notify the eligible veteran of the approval or disapproval of his application.

" '§ 1922. Change of program

" '(a) Subject to the provisions of section 1921 of this title, each eligible veteran (except an eligible veteran whose program has been interrupted or discontinued due to his own misconduct, his own neglect, or his own lack of application) may, at any time before the end of the period during which he is entitled to initiate a program of education or training under this chapter, make not more than one change of program of education or training.

" '(b) Each eligible veteran, who has not made a change of program of education or training before the expiration of the period during which he is entitled to initiate a program of education or training under this chapter, may make not more than one change of program of education or training with the approval of the Administrator. The Administrator shall approve such a change if he finds that—

" '(1) the eligible veteran is not making satisfactory progress in his present program and that the failure is not due to his own misconduct, his own neglect, or his own lack of application, and if the program to which the eligible veteran desires to change is more in keeping with his aptitude or previous education and training; or

" '(2) the program to which the eligible veteran desires to change, while not a part of the program currently pursued by him, is a normal progression from such program.

" '(c) As used in this section the term "change of program of education or training" shall not be deemed to include a change from the pursuit of one program to pursuit of another where the first program is prerequisite to, or generally required for, entrance into pursuit of the second.

" '§ 1923. Disapproval of enrollment in certain courses

" '(a) The Administrator shall not approve the enrollment of an eligible veteran in any bartending course, dancing course, or personality development course.

" '(b) The Administrator shall not approve the enrollment of an eligible veteran—

" '(1) in any photography course or entertainment course; or

" '(2) in any music course—instrumental or vocal—public speaking course, or course in sports or athletics such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, bowling, sports officiating, or other sport or athletic courses, except courses of applied music, physical education, or public speaking which are offered by institutions of higher learning for credit as an integral part of a program leading to an educational objective; or

" '(3) in any other type of course which the Administrator finds to be avocational or recreational in character;

unless the eligible veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

" '(c) The Administrator shall not approve the enrollment of any eligible veteran, not already enrolled, in any nonaccredited course below the college level offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than 85 per centum of the students enrolled in the course are having all or any part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans' Administration under this chapter, chapter 31 of this title, or section 12(a) of the Act enacting this title.

" '§ 1924. Discontinuance for unsatisfactory progress

" 'The Administrator shall discontinue the education and training allowance of an eligible veteran if, at any time, he finds that, according to the regularly prescribed standards and practices of the educational institution or training establishment, the conduct or progress of such veteran is unsatisfactory.

" '§ 1925. Period of operation for approval

" '(a) The Administrator shall not approve the enrollment of an eligible veteran in any course offered by an educational institution when such course has been in operation for less than two years.

" '(b) Subsection (a) shall not apply to—

" '(1) any course to be pursued in a public or other tax-supported educational institution;

" '(2) any course which is offered by an educational institution which has been in operation for more than two years, if such course is similar in character to the instruction previously given by such institution;

" '(3) any course which has been offered by an institution for a period of more than two years, notwithstanding the institution has moved to another location within the same general locality; or

" '(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree.

" '§ 1926. Institutions listed by Attorney General

" "The Administrator shall not approve the enrollment of, or payment of an education and training allowance to, any eligible veteran in any course in an educational institution or training establishment while it is listed by the Attorney General under section 3 of part III of Executive Order 9835, as amended.

" 'Subchapter IV—Payments to Veterans

" '§ 1931. Education and training allowance

" '(a) The Administrator shall pay to each eligible veteran who is pursuing a program of education or training under this chapter, and who applies therefor, an education and training allowance to meet in part the expenses of his subsistence, tuition, fees, supplies, books, and equipment.

" '(b) The education and training allowance for an eligible veteran shall be paid, as provided in section 1932 of this title, only for the period of the veterans' enrollment as approved by the Administrator, but no allowance shall be paid—

" '(1) to any veteran enrolled in an institutional course which leads to a standard college degree or a course of institutional on-farm training for any period, when the veteran is not pursuing his course in accordance with the regularly established policies and regulations of the institution and the requirements of this chapter;

" '(2) to any veteran enrolled in an institutional course which does not lead to a standard college degree or in a course of apprentice or other training on the job for any day of absence in excess of thirty days in a twelve-month period, not counting as absences weekends or legal holidays established by Federal or State law during which the institution or establishment is not regularly in session or operation; or

" '(3) to any veteran pursuing his program of education exclusively by correspondence for any period during which no lessons were serviced by the institution.

" '(c) No education and training allowance shall be paid to an eligible veteran for any period until the Administrator shall have received—

" '(1) from the eligible veteran (A) in the case of an eligible veteran enrolled in an institutional course which leads to a standard college degree or a course of institutional on-farm training, a certification that he was actually enrolled in and pursuing the course as approved by the Administrator, or (B) in the case of an eligible veteran enrolled in an institutional course which does not lead to a standard college degree or a course of apprentice or other training on the job, a certification as to actual attendance during such period, or (C) in the case of an eligible veteran enrolled in a program of education or training by correspondence, a certification as to the number of lessons actually completed by the veteran and serviced by the institution; and

" '(2) from the educational institution or training establishment, a certification, or an endorsement on the veteran's certificate, that such veteran was enrolled in and pursuing a course of education or training during such period, and, in the case of an institution furnishing education or training to a veteran exclusively by correspondence, a certification, or an endorsement on the veteran's certificate, as to the number of lessons completed by the veteran and serviced by the institution. Education and training allowances shall, insofar as practicable, be paid within twenty days after receipt by the Administrator of the certifications required by this subsection.

" '§ 1932. Computation of education and training allowances

" '(a) The education and training allowance of an eligible veteran who is pursuing a program of education or training in an educational institution and is not entitled to receive an education and training allowance under subsection (b), (c), (d), (e), or (f) shall be computed as follows:

" '(1) If such program is pursued on a full-time basis, such allowance shall be computed at the rate of $110 per month, if the veteran has no dependent, or at the rate of $135 per month, if he has one dependent, or at the rate of $160 per month, if he has more than one dependent.

" '(2) If such program is pursued on a three-quarters time basis, such allowance shall be computed at the rate of $80 per month, if the veteran has no dependent, or at the rate of $100 per month, if he has one dependent, or at the rate of $120 per month, if he has more than one dependent.

" '(3) If such program is pursued on a half-time basis, such allowance shall be computed at the rate of $50 per month, if the veteran has no dependent, or at the rate of $60 per month, if he has one dependent, or at the rate of $80 per month, if he has more than one dependent.

" '(b) The education and training allowance of an eligible veteran who is pursuing a full-time program of education and training which consists of institutional courses and on-the-job training, with the on-the-job training portion of the program being strictly supplemental to the institutional portion, shall be computed at the rate of (1) $90 per month, if he has no dependent, or (2) $110 per month, if he has one dependent, or (3) $130 per month, if he has more than one dependent.

" '(c) The education and training allowance of an eligible veteran pursuing apprentice or other training on the job shall be computed at the rate of (1) $70 per month, if he has no dependent, or (2) $85 per month, if he has one dependent, or (3) $105 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of each four-month period as his program progresses by an amount which bears the same ratio to the basic education and training allowance as four months bears to the total duration of his apprentice or other training on the job; but in no case shall the Administrator pay an education and training allowance under this subsection in an amount which, when added to the compensation to be paid to the veteran, in accordance with his approved training program, for productive labor performed as a part of his course, would exceed the rate of $310 per month. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of months of such training a multiple of four.

" '(d) The education and training allowance of an eligible veteran pursuing institutional on-farm training shall be computed at the rate of (1) $95 per month, if he has no dependent, or (2) $110 per month, if he has one dependent, or (3) $130 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of the third, and each subsequent, four-month period as his program progresses by an amount which bears the same ratio to $65 per month, if the veteran has no dependent, or $80 per month, if he has one dependent, or $100 per month, if he has more than one dependent, as four months bears to the total duration of such veterans' institutional on-farm training reduced by eight months. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of such months of such training a multiple of four.

" '(e) The education and training allowance of an eligible veteran pursuing a program of education or training exclusively by correspondence shall be computed on the basis of the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran and serviced by the institution, as certified by the institution.

" '(f) The education and training allowance of an eligible veteran who is pursuing a program of education or training under this chapter in an educational institution on a less than half-time basis shall be computed at the rate of (1) the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, or (2) $110 per month for a full-time course, whichever is the lesser.

" '(g) Each eligible veteran who is pursuing an approved course of flight training shall be paid an education and training allowance to be computed at the rate of 75 per centum of the established charge which similarly circumstanced nonveterans enrolled in the same flight course are required to pay for tuition for the course. If such veteran's program of education or training consists exclusively of flight training, he shall not be paid an education and training allowance under one of the preceding subsections of this section; if his program of education or training consists of flight training and other education or training, the allowance payable under this subsection shall be in addition to any education and training allowance payable to him under one of the preceding subsections of this section for education or training other than flight training. Such allowance shall be paid monthly upon receipt of certification from the eligible veteran and the institution as to the actual flight training received by the veteran. In each such case the eligible veteran's period of entitlement shall be charged (in addition to any charge made against his entitlement by reason of education or training other than flight training) with one day of each $1.25 which is paid to the veteran as an education and training allowance for such course.

" '(h) No eligible veteran shall be paid an education and training allowance under this chapter for any period during which (1) he is enrolled in and pursuing a course of education or training paid for by the United States under any provision of law other than this chapter, where the payment of such allowance would constitute a duplication of benefits paid to the veteran from the Federal Treasury, or (2) he is pursuing a course of apprentice or other training on the job, a course of institutional on-farm training, or a course of education and training described in subsection (b) on a less than full-time basis.

" '§ 1933. Measurement of courses

" '(a) For the purposes of this chapter (1) an institutional trade or technical course offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of thirty hours per week of attendance is required with not more than two and one-half hours of rest periods per week allowed, (2) an institutional course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of instruction is required, and (3) an institutional undergraduate course offered by a college or university on a quarter or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of fourteen semester hours or its equivalent is required.

" '(b) The Administrator shall define full-time training in the case of all types of courses of education or training other than institutional on-farm training and the types of courses referred to in subsection (a); except that, the Administrator shall not define full-time apprentice training for a particular establishment other than that established as the standard workweek through bona fide collective bargaining between employers and employees.

" '§ 1934. Overcharges by educational institutions

" 'The Administrator may, if he finds that an institution has charged or received from any eligible veteran any amount in excess of the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, disapprove such educational institution for the enrollment of any veteran not already enrolled therein, except that, in the case of a tax-supported public educational institution which does not have established charges for tuition and fees which it requires nonveteran residents to pay, such institution may charge and receive from each eligible veteran who is a resident an amount equal to the estimated cost of teaching personnel and supplies for instruction attributable to such veteran, but in no event to exceed the rate of $10 per month for a full-time course. Any educational institution or training establishment disapproved under this section shall also be disapproved for the enrollment of any veteran not already enrolled therein under chapter 31, or for the enrollment of any eligible person not already enrolled therein under chapter 35.

" '*Subchapter V—State Approving Agencies*

" '§ 1941. Designation

" '(a) Unless otherwise established by the law of the State concerned, the chief executive of each State is requested to create or designate a State department or agency as the "State approving agency" for his State for the purposes of this chapter.

" '(b) (1) If any State fails or declines to create or designate a State approving agency, the provisions of this chapter which refer to the State approving agency shall, with respect to such State, be deemed to refer to the Administrator.

" '(2) In the case of courses subject to approval by the Administrator under section 1942 of this title, the provisions of this chapter which refer to a State approving agency shall be deemed to refer to the Administrator.

" '§ 1942. Approval of courses

" '(a) An eligible veteran shall receive the benefits of this chapter while enrolled in a course of education or training offered by an educational institution or training establishment only if such course is approved by the State approving agency for the State where such educational institution or training establishment is situated or by the Administrator. Approval of courses by State approving agencies shall be in accordance with the provisions of this chapter and such other regulations and policies as the State approving agency may adopt. Each State approving agency shall furnish the Administration with a current list of educational institutions and training establishments, specifying courses which it has approved, and, in addition to such list, it shall furnish such other information to the Administrator as it and the Administrator may determine to be necessary to carry out the purposes of this chapter. Each State approving agency shall notify the Administrator of the disapproval of any course previously approved and shall set forth the reasons for such disapproval.

" '(b) The Administrator shall be responsible for the approval of courses of education or training offered by any agency of the Federal Government authorized under other laws to supervise such education or training. The Administrator may approve any course in any other educational institution or training establishment in accordance with the provisions of this chapter.

" '§ 1943. Cooperation

" '(a) The Administrator and each State approving agency shall take cognizance of the fact that definite duties, functions, and responsibilities are conferred upon the Administrator and each State approving agency under the veterans' educational programs. To assure that such programs are effectively and efficiently administered, the cooperation of the Administrator and the State approving agencies is essential. It is necessary to establish an exchange of information pertaining to activities of educational institutions and training establishments, and particular attention should be given to the enforcement of approval standards, enforcement of wage and income limitations, enforcement of enrollment restrictions, and fraudulent and other criminal activities on the part of persons connected with educational institutions and training establishments in which veterans are enrolled under this chapter.

" '(b) The Administrator will furnish the State approving agencies with copies of such Veterans' Administration informational material as may aid them in carrying out this chapter.

" '§ 1944. Use of Office of Education and other Federal agencies.

" '(a) In carrying out his functions under this chapter, the Administrator may utilize the facilities and services of any other Federal department or agency. The Administrator shall utilize the services of the Office of Education in developing cooperative agreements between the Administrator and State and local agencies relating to the approval of courses of education or training as provided for in section 1945 of this title, in reviewing the plan of operations of State approving agencies under such agreements, and in rendering technical assistance to such State and local agencies in developing and improving policies, standards, and legislation in connection with their duties under this chapter.

" '(b) Any such utilization shall be pursuant to proper agreement with the Federal department or agency concerned; and payment to cover the cost thereof shall (except in the case of the Office of Education) be made either in advance or by way of reimbursement, as may be provided in such agreement. Funds necessary to enable the Office of Education to carry out its functions under this chapter are authorized to be appropriated directly to such Office.

" '§ 1945. Reimbursement of expenses

" 'The Administrator is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies in (1) rendering necessary services in ascertaining the qualifications of educational institutions and training establishments for furnishing courses of education or training to eligible veterans under this chapter, and in the supervision of such educational institutions and training establishments, and (2) furnishing, at the request of the Administrator, any other services in connection with this chapter. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of this chapter.

" '*Subchapter VI—Approval of Courses of Education and Training*

" '§ 1951. Apprentice or other training on the job

" '(a) Apprentice or other training on the job shall consist of courses offered by training establishments whenever such courses of training are furnished in accordance with the provisions of this section. Any training establishment desiring to furnish a course of apprentice or other training on the job shall submit to the appropriate State approving agency a written application setting forth the course of training for each job for which an eligible veteran is to be trained. The written application covering the course of training shall include the following:

" '(1) Title and description of the specific job objective for which the eligible veteran is to be trained;

" '(2) The length of the training period;

" '(3) A schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;

" '(4) The wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;

" '(5) The entrance wage or salary paid by the establishment to employees already trained in the kind of work for which the veteran is to be trained; and

" '(6) The number of hours of supplemental related instruction required.

" '(b) The appropriate State approving agency may approve a course of apprentice or other training on the job specified in an application submitted by a training establishment in accordance with subsection (a) if such training establishment is found upon investigation to have met the following criteria:

" '(1) The training content of the course is adequate to qualify the eligible veteran for appointment to the job for which he is to be trained.

" '(2) There is reasonable certainty that the job for which the eligible veteran is to be trained will be available to him at the end of the training period.

" '(3) The job is one in which progression and appointment to the next higher classification are based upon skills learned through organized training on the job and not on such factors as length of service and normal turnover.

" '(4) The wages to be paid the eligible veteran for each successive period of training are not less than those customarily paid in the training establishment and in the community to a learner in the same job who is not a veteran.

" '(5) The job customarily requires a period of training of not less than three months and not more than two years of full-time training, except that this provision shall not apply to apprentice training.

" '(6) The length of the training period is no longer than that customarily requested by the training establishment and other training establishments in the community to provide an eligible veteran with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the eligible veteran will need to learn in order to become competent on the job for which he is being trained.

"'(7) Provision is made for related instruction for the individual eligible veteran who may need it.

"'(8) There is in the training establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

"'(9) Adequate records are kept to show the progress made by each eligible veteran toward his job objective.

"'(10) Appropriate credit is given the eligible veteran for previous training and job experience, whether in the military service or elsewhere, his beginning wage adjusted to the level to which such credit advances him, and his training period shortened, accordingly, and provision is made for certification by the training establishment that such credit has been granted and the beginning wage adjusted accordingly. No course of training will be considered bona fide if given to an eligible veteran who is already qualified by training and experience for the job objective.

"'(11) A signed copy of the training agreement for each eligible veteran, including the training program and wage scale as approved by the State approving agency, is provided to the veteran and to the Administrator and the State approving agency by the employer.

"'(12) Upon completion of the course of training furnished by the training establishment the eligible veteran is given a certificate by the employer indicating the length and type of training provided and that the eligible veteran has completed the course of training on the job satisfactorily.

"'(13) That the course meets such other criteria as may be established by the State approving agency.

"'§ 1952. Institutional on-farm training

"'(a) An eligible veteran shall be entitled to the benefits of this chapter while enrolled in a course of full-time institutional on-farm training which has been approved by the appropriate State approving agency in accordance with the provisions of this section.

"'(b) The State approving agency may approve a course of institutional on-farm training when it satisfies the following requirements:

"'(1) The course combines organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment.

"'(2) The eligible veteran will perform a part of such course on a farm or other agricultural establishment under his control.

"'(3) The course is developed with due consideration to the size and character of the farm or other agricultural establishment on which the eligible veteran will receive his supervised work experience and to the need of such eligible veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farming management, and the keeping of farm and home accounts.

"'(4) The eligible veteran will receive not less than one hundred hours of individual instruction per year, not less than fifty hours of which shall be on such farm or other agricultural establishment (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

"'(5) The eligible veteran will be assured of control of such farm or other agricultural establishment (whether by ownership, lease, management, agreement, or other tenure arrangement) until the completion of his course.

"'(6) Such farm or other agricultural establishment shall be of a size and character which (A) will, together with the group-instruction part of the course, occupy the full time of the eligible veteran, (B) will permit instruction in all aspects of the management of the farm or other agricultural establishment of the type for which the eligible veteran is being trained, and will provide the eligible veteran an opportunity to apply to the operation of his farm or other agricultural establishment the major portion of the farm practices taught in the group-instruction part of the course, and (C) will assure him a satisfactory income for a reasonable living under normal conditions at least by the end of his course.

"'(7) Provision shall be made for certification by the institution and the veteran that the training offered does not repeat or duplicate training previously received by the veteran.

"'(8) The institutional on-farm training meets such other fair and reasonable standards as may be established by the State approving agency.

"'§ 1953. Approval of accredited courses

"'(a) A State approving agency may approve the courses offered by an educational institution when—

"'(1) such courses have been accredited and approved by a nationally recognized accrediting agency or association;

"'(2) credit for such course is approved by the State department of education for credit toward a high school diploma;

"'(3) such courses are conducted under sections 11–28 of title 20; or

"'(4) such courses are accepted by the State department of education for credit for a teacher's certificate or a teacher's degree.

For the purposes of this chapter the Commissioner shall publish a list of nationally recognized accrediting agencies and associations which he determines to be a reliable authority as to the quality of training offered by an educational institution and the State approving agencies may, upon concurrence, utilize the accreditation of such accrediting associations or agencies for approval of the courses specifically accredited and approved by such accrediting association or agency. In making application for approval, the institution shall transmit to the State approving agency copies of its catalog or bulletin.

"'(b) As a condition to approval under this section, the State approving agency must find that adequate records are kept by the educational institution to show the progress of each eligible veteran. The State approving agency must also find that the educational institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

"'§ 1954. Approval of nonaccredited courses

"'(a) No course of education or training (other than a course of institutional on-farm training) which has not been approved by a State approving agency pursuant to section 1953 of this title, which is offered by a public or private, profit or nonprofit, educational institution shall be approved for the purposes of this chapter unless the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this chapter.

"'(b) Such application shall be accompanied by not less than two copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner or official and includes the following:

"'(1) Identifying data, such as volume number and date of publication;

"'(2) Names of the institution and its governing body, officials, and faculty;

"'(3) A calendar of the institution showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;

"'(4) Institution policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

"'(5) Institution policy and regulations relative to leave, absences, class cuts, makeup work, tardiness and interruptions for unsatisfactory attendance;

"'(6) Institution policy and regulations relative to standards of progress required of the student by the institution (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student);

"'(7) Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;

"'(8) Detailed schedules of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

"'(9) Policy and regulations of the institution relative to the refund of the unused portion of tuition fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;

"'(10) A description of the available space, facilities, and equipment;

"'(11) A course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

"'(12) Policy and regulations of the institution relative to granting credit for previous educational training.

"'(c) The appropriate State approving agency may approve the application of such institution when the institution and its nonaccredited courses are found upon investigation to have met the following criteria:

"'(1) The courses, curriculum, and instruction are consistent with quality, content, and length with similar courses in public schools and other private schools in the State, with recognized accepted standards.

"'(2) There is in the institution adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.

"'(3) Educational and experience qualifications of directors, administrators, and instructors are adequate.

"'(4) The institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

"'(5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absence, grading policy, and rules of operation and conduct will be furnished the veteran upon enrollment.

"'(6) Upon completion of training, the veteran is given a certificate by the institution indicating the approved course and indicating that training was satisfactorily completed.

"'(7) Adequate records as prescribed by the State approving agency are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.

"'(8) The institution complies with all local, city, county, municipal, State, and Federal regulations, such as fire codes, building and sanitation codes. The State approving agency may require such evidence of compliance as is deemed necessary.

"'(9) The institution is financially sound and capable of fulfilling its commitments for training.

"'(10) The institution does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation. The institution shall not be deemed to have met this requirement until the State approving agency (A) has acertained from the Federal Trade Commission whether the Commission has issued an order to the institution to cease and desist from any act or practice, and (B) has, if such an order has been issued, given due weight to that fact.

"'(11) The institution does not exceed its enrollment limitations as established by the State approving agency.

"'(12) The institution's administrators, directors, owners, and instructors are of good reputation and character.

"'(13) The institution has and maintains a policy for the refund of the unused portion of tuition, fees, and other charges in the event the veteran fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion and such policy must provide that the amount charged to the veteran for tuition, fees, and other charges for a portion of the course shall not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the complete portion of the course bears to its total length.

"'(14) Such additional criteria as may be deemed necessary by the State approving agency.

"'§ 1955. Notice of approval of courses

"'The State approving agency, upon determining that an educational institution has complied with all the requirements of this chapter, will issue a letter to such institution setting forth the courses which have been approved for the purposes of this chapter, and will furnish an official copy of such letter and any subsequent amendments to the Administrator. The letter of approval shall be accompanied by a copy of the catalog or bulletin of the institution, as approved by the State approving agency, and shall contain the following information:

"'(1) date of letter and effective date of approval of courses;

"'(2) proper address and name of each educational institution or training establishment;

"'(3) authority for approval and conditions of approval, referring specifically to the approved catalog or bulletin published by the educational institution;

"'(4) name of each course approved;

"'(5) where applicable, enrollment limitations such as maximum numbers authorized and student-teacher ratio;

"'(6) signature of responsible official of State approving agency; and

"'(7) such other fair and reasonable provisions as are considered necessary by the appropriate State approving agency.

"'§ 1956. Disapproval of course and discontinuance of allowances

"'(a) Any course approved for the purposes of this chapter which fails to meet any of the requirements of this chapter shall be immediately disapproved by the appropriate State approving agency. An educational institution or training establishment which has its courses disapproved by a State approving agency will be notified of such disapproval by a certified or registered letter of notification and a return receipt secured.

"'(b) The Administrator may discontinue the education and training allowance of any eligible veteran if he finds that the course of education or training in which such veteran is enrolled fails to meet any of the requirements of this chapter or if he finds that the educational institution or training establishment offering such course has violated any provisions of this chapter or fails to meet any of its requirements.

"'(c) Each State approving agency shall notify the Administrator of each course which it has disapproved under this section.

"'Subchapter VII—Miscellaneous Provisions

"'§ 1961. Authority and duties of Administrator

"'Payments under this chapter shall be subject to audit and review by the General Accounting Office as provided by the Budget and Accounting Act of 1921 and the Budget and Accounting Procedures Act of 1950.

"'§ 1962. Educational and vocational counseling

"'The Administrator may arrange for educational and vocational counseling to persons eligible for education and training under this chapter. At such intervals as he deems necessary, he shall make available information respecting the need for general education and for trained personnel in the various crafts, trades, and professions. Facilities of other Federal agencies collecting such information shall be utilized to the extent he deems practicable.

"'§ 1963. Control by agencies of United States

"'No department, agency, or officer of the United States, in carrying out this chapter, shall exercise any supervision or control, whatsoever, over any State approving agency, State educational agency, or State apprenticeship agency, or any educational institution or training establishment. Nothing in this section shall be deemed to prevent any department, agency, or officer of the United States from exercising any supervision or control which such department, agency, or officer is authorized by law to exercise over any Federal educational institution or training establishment, or to prevent the furnishing of education or training under this chapter in any institution or establishment over which supervision or control is exercised by such other department, agency, or officer under authority of existing provisions of law.

"'§ 1964. Conflicting interests

"'(a) Every officer or employee of the Veterans' Administration, or of the Office of Education, who has, while such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this chapter shall be immediately dismissed from his office or employment.

"'(b) If the Administrator finds that any person who is an officer or employee of a State approving agency has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, an educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this chapter, he shall discontinue making payments under section 1945 of this title to such State approving agency unless such agency shall, without delay, take such steps as may be necessary to terminate the employment of such person and such payments shall not be resumed while such person is an officer or employee of the State approving agency, or State department of veterans affairs or State department of education.

"'(c) A State approving agency shall not approve any course offered by an educational institution operated for profit and, if any such course has been approved, shall disapprove each such course, if it finds that any officer or employee of the Veterans' Administration, the Office of Education, or the State approving agency owns an interest in, or receives any wages, salary, dividends, profits, gratuities, or services from, such institution.

"'(d) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the case of any officer or employee of the Veterans' Administration, of the Office of Education, or of a State approving agency, if he finds that no detriment will result to the United States or to eligible veterans by reason of such interest or connection of such officer or employee.

"'§ 1965. Reports by institutions

"'(a) Educational institutions and training establishments shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education or training of each eligible veteran enrolled therein under this chapter.

"'(b) The Administrator shall pay to each educational institution which is required to submit reports and certifications to the Administrator under this chapter, an allowance at the rate of $1 per month for each eligible veteran enrolled in and attending such institution under the provisions of this chapter to assist the educational institution in defraying the expense of preparing and submitting such reports and certifications. Such allowances shall be paid in such manner and at such times as may be prescribed by the Administrator, except that if any institution fails to submit reports or certifications to the Administrator as required by this chapter, no allowance shall be paid to such institution for the month or months during which such reports or certifications were not submitted as required by the Administrator.

"'§ 1966. Overpayments to veterans

"'Whenever the Administrator finds that an overpayment has been made to a veteran as the result of (1) the willful or negligent failure of the educational institution or training establishment to report, as required by this chapter and applicable regulations, to the Veterans' Administration excessive absences from a course, or discontinuance or interruption of a course by the veteran or (2) false certification by the educational institution or training establishment, the amount of such overpayment shall constitute a liability of such institution or establishment, and may be recovered in the same manner as any other debt due the United States. Any amount so collected shall be reimbursed if the overpayment is recovered from the veteran. This section shall not preclude the imposition of any civil or criminal liability under this or any other law.

"'§ 1967. Examination of records

"'The records and accounts of educational institutions and training establishments pertaining to eligible veterans who received education or training under this chapter shall be available for examination by duly authorized representatives of the Government.

"'§ 1968. False or misleading statements

"'In each case where the Administrator finds that an educational institution or training establishment has willfully submitted a false or misleading claim, or where a veteran, with the complicity of an educational institution or training establishment, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and where deemed advisable to the Attorney General of the United States for appropriate action.

" '§ 1969. Information furnished by Federal Trade Commission

" 'The Federal Trade Commission shall keep all State approving agencies advised of any information coming to its attention which would be of assistance to such agencies in carrying out their duties under this chapter.

" '§ 1970. Effective date and retroactive allowances

" 'The provisions of this chapter shall take effect as of September 1, 1965. In the event this chapter is enacted subsequent to such date, the Administrator shall prescribe regulations for making retroactive payments of education and training allowances, upon application therefor, to eligible veterans for education or training pursued by them on or after September 1, 1965, and prior to the date of the enactment of this chapter.'

"(b) The table of contents at the beginning of such title is amended by inserting immediately after

" '39. Automobiles for Disabled Veterans........................ 1901'

the following:

" '40. Education of Veterans Who Serve Between January 31, 1955, and July 1, 1967................. 1908'.

"(c) The table of chapters at the beginning of part III of such title is amended by inserting immediately after

" '39. Automobiles for Disabled Veterans........................ 1901'

the following:

" '40. Education of Veterans Who Served Between January 31, 1955, and July 1, 1967........ 1908'.

"(d) Such title is further amended—

"(1) by inserting in section 102(a)(2) immediately after 'chapter 33' the following: 'or 40', and by striking out 'chapters 19 and 33' in section 102(b), and inserting in lieu thereof 'chapters 19, 33, and 40';

"(2) by striking out in section 111(a) '33 or 35', and inserting in lieu thereof the following: '33, 35, or 40';

"(3) by inserting in section 211 (a) after '1761,' the following: '1961,';

"(4) by striking out in section 1662(b) 'chapters 31 and 35' and inserting in lieu thereof the following: 'chapters 31, 35, and 40';

"(5) by striking out in section 1711(b) 'chapter 31 or 33', and inserting in lieu thereof the following: 'chapter 31, 33, or 40';

"(6) by striking out in section 1734(a) 'chapter 31 or 33' and inserting in lieu thereof the following: 'chapter 31, 33, or 40';

"(7) by striking out in section 3013 'and 35' and inserting in lieu thereof the following: '35, and 40';

"(8) by inserting after 'chapter 35' in section 1611(a)(2) the following: 'or education or training under chapter 40'; and

"(9) by inserting in section 1634 immediately before the comma following 'therein' the following: 'under this chapter or chapter 40'.

"SEC. 7. (a) Chapter 37 of title 38, United States Code, is amended by inserting immediately after section 1817 the following new section:

" '§ 1818. Veterans of a period of hostilities

" '(a) Each veteran who served on active duty during a period of hostilities shall be eligible for the benefits of this chapter, subject to the provisions of this section, if his total service was for a period of ninety days or more, or if he was discharged or released from a period of active duty, any part of which was served during a period of hostilities, for a service-connected disability.

" '(b) No veteran shall be eligible for benefits under this section so long as he is eligible under this chapter for any unused benefits derived from service during World War II or the Korean conflict. Any veteran who is eligible for benefits under this section and who has obtained benefits under this chapter by reason of service during World War II or the Korean conflict shall have his benefits under this section reduced by the amount of any benefits previously obtained under this chapter. Benefits shall not be afforded under this section to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or the Regular or Reserve Corps of the Public Health Service.

" '(c) Loans may be made or guaranteed under this section in the case of any eligible veteran if made not more than ten years from the date of such veteran's discharge or release from his last period of active duty, any part of which occurred during the period of hostilities on which his eligibility is based, plus an additional period equal to one year for each three months of active duty performed by the veteran in such area of hostilities, except that entitlement shall not continue in any case after January 31, 1985, nor shall entitlement expire in any case prior to January 31, 1975.

" '(d) If a loan report or an application for loan guaranty relating to a loan authorized by this section is received by the Administrator before the date of the expiration of the veteran's entitlement, the loan may be guaranteed or insured pursuant to the provisions of this section after such date; and if a commitment for a direct loan is issued by the Administrator on or before the date of expiration of the veteran's entitlement, the loan may be made after such date.'

"(b) The table of sections at the beginning of chapter 37 of such title is amended by inserting below

" '1817. Release from liability under guaranty.'

the following:

" '1818. Veterans of a period of hostilities.'

"SEC. 8. (a) Section 1901(a) of title 38, United States Code, is amended by striking out 'or the Korean conflict' and inserting in lieu thereof ', the Korean conflict, or a period of hostilities.'

"(b) Section 1905 of such title is amended by adding at the end thereof a new sentence as follows: 'In the case of any veteran whose eligibility under this chapter is based upon service performed during a period of hostilities and whose date of discharge or release from active military, naval, or air service preceded the date of enactment of this sentence, the five-year period referred to in the first sentence of this section shall not begin to run until such date of enactment.'

"SEC. 9. (a) Sction 2101(a) of title 38, United States Code, is amended by inserting immediately after 'Korean conflict' the following: 'or a period of hostilities'."

"(b) Section 2101(b)(1) of such title is amended by striking out 'if he is a commissioned officer,' and inserting in lieu thereof 'if he is a commissioned officer whose eligibility under this chapter is based upon service during the Korean conflict,'.

"(c) Section 2102(a) of such title is amended by—

"(1) striking out 'Mustering-out payment for persons eligible under section 2101 of this title shall be in sums as follows:' and inserting in lieu thereof the following: '(1) Mustering-out payment for persons whose eligibility under section 2101 of this title is based on services during the Korean conflict shall be in sums as follows:';

"(2) redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively; and

"(3) adding at the end thereof a new paragraph as follows:

" '(2) Mustering-out payments for persons whose eligibility under section 2101 of this title is based on service during a period of hostilities shall be in the sum of $300.'.

(d) Section 2102(b) of such title is amended by—

"(1) striking out in the first sentence '(a)(1)' and inserting in lieu thereof '(a)(1)(A) or (a)(2)';

"(2) striking out in the second sentence '(a)(2)' and inserting in lieu thereof '(a)(1)(B)'; and

"(3) striking out in the third sentence '(a)(3)' and inserting in lieu thereof '(a)(1)(C)'.

"(e) Section 2104 of such title is amended by—

"(1) striking out in the first sentence 'entitled to mustering-out payment' and inserting in lieu thereof 'entitled to mustering-out payment by virtue of service performed during the Korean conflict and'; and

"(2) inserting after the first sentence a new sentence as follows 'Any member of the Armed Forces entitled to mustering-out payment by virtue of service performed during a period of hostilities and who was discharged or relieved from active duty under honorable conditions prior to the date of enactment of this sentence shall, if application therefor is made within two years after the date of enactment of this sentence, be paid such payment by the Secretary concerned beginning within one month after application has been received and approved.'

"SEC. 10. (a) Chapter 53 of title 38, United States Code, is amended by adding at the end thereof a new section as follows:

" '§ 2111. Authority of President To Designate Areas of Hostilities

" 'In order that certain provisions of this title, applicable only to veterans who perform service during wartime, may be applicable to veterans who have been called upon, during periods when the United States is not engaged in a formally declared war, to serve in areas of the world in which armed conflict or other warlike conditions exist, the President is authorized to designate by Executive order any area of the world outside the United States as an area of hostilities, if he finds (1) that members of the Armed Forces will be called upon to serve in such area, and (2) that while serving in such area members of the Armed Forces are likely to be subjected to armed conflict or similar hazardous, warlike conditions. In designating any area of the world as an area of hostilities the President shall identify such area in geographic terms and shall, for purposes of benefits under this title, specify the date on which such area becomes on area of hostilities, and, at such time as he finds that members of the Armed Forces are no longer serving in such area or that warlike conditions no longer exist in such area, specify the date on which such area ceases to be an area of hostilities. No period prior to February 1, 1955, may be designated, under authority of this section, as a period of hostilities.'

"(b) The table of chapters at the beginning of chapter 53 of such title is amended by adding at the end thereof the following:

" '3111. Authority of President To Designate Areas of Hostilities.'

"Amend the title to read as follows: 'A bill to authorize wartime benefits under certain circumstances for peacetime veterans and their dependents.' "

Section-by-Section Analysis of Saltonstall Substitute for S. 9

Section 1: Subsection (a) amends the definition of the term "period of war" contained in section 101 of title 38, United States Code, so as to include in the meaning of such term any period of hostilities, a term defined by the bill.

Subsection (b) adds two new definitions to section 101 of title 38. One definition defines the term "area of hostilities" and the other defines the term "period of hostilities." It should be noted with respect to the latter definition that whenever the term "period of hostilities" is used throughout the bill, it has application only to veterans who served (1) during a period of hostilities, and (2) in an area of hostilities some time during that period. Thus, even though a veteran may have served within the time limits that an area was designated as an area of hostilities, such veteran would not be affected by the term "period of hostilities" unless he served in an area of hostilities covered by a Presidential designation.

Section 2: Subsection (a) amends section 521(a) of the title so that veterans of a period of hostilities, as well as veterans of World Wars I and II and the Korean conflict, can qualify for non-service-connected disability pensions.

Subsection (b) amends section 521(f) of title 38 for the purpose of prescribing the service requirements that veterans of a period of hostilities must meet in order to be eligible for non-service-connected disability pension. The amendment provides that the veteran (1) must have served for a period of 90 consecutive days or more, any part of which was served during a period of hostilities (as indicated before, service during a period of hostilities carries with it the requirement that the service must have been in an area of hostilities also), or (2) must have served for any period of time during a period of hostilities and been discharged or released from service for a service-connected disability. A veteran of a period of hostilities who does not meet the 90-consecutive-day service requirement would qualify (as other wartime veterans do) if his aggregate service for two or more separate periods of service during more than one period of war equaled 90 days or more.

Subsection (c) is a technical amendment.

Subsection (d) amends section 541(a) of the title, making the widows of veterans of a period of hostilities eligible to receive pensions, if such veterans met the service requirements of section 521 of the title, or if they were receiving payment for service-connected disability.

Subsection (e) is a technical amendment.

Subsection (f) adds the children of veterans of a period of hostilities to those children eligible to receive a pension under section 542(a) of the title.

Subsections (g), (h), and (i) are technical amendments.

Section 3: This section amends section 602 of title 38 in order to give to veterans of a period of hostilities the same presumption with regard to the development of a psychosis as it granted to veterans of World War II and the Korean conflict.

Section 4: Subsection (a) amends section 723(b) of the title to provide that veterans of a period of hostilities will be eligible to take out a permanent plan life insurance policy or a limited convertible 5-lear-level-premium term insurance policy under section 723(b). The veteran must apply for such insurance within 120 days after his discharge or release from the Armed Forces following service in an area of hostilities. The policy will be issued without medical examination.

Subsection (b) adds a sentence at the end of section 723(b); the new sentence states that those veterans of a period of hostilities who will have been discharged before the enactment of this sentence will have 120 days after this sentence is enacted in which to apply for the insurance plans added to section 723(b) of the title by section 4(a) of this bill.

Section 5: Section 5 adds veterans of a period of hostilities who have incurred service-connected disabilities to the list of veterans who may qualify for vocational rehabilitation under section 1502(a)(1) of the title.

Section 6: This section adds a new chapter to title 38 of the United States Code to provide educational benefits for veterans of a period of hostilities. The educational benefits made available under the new chapter 40 would be the same as those made available for veterans of the Korean conflict under chapter 33 of title 38, United States Code.

The veteran's basic service period for purposes of determining the amount of time to which he is entitled to education or training would begin with the veteran's most recent entry, enlistment, or call to active duty prior to his service in an area of hostilities and would end on the date of his first discharge or release from active duty after his service in such area.

Educational benefits would be available to any veteran of a period of hostilities declared by the President to have existed prior to the date of enactment of the bill, but the veteran would not be eligible for any educational and training allowance for any period of education or training completed prior to the date of enactment of the bill.

The final termination date prescribed for education and training under the new chapter 40 is January 31, 1972. Since it is uncertain how long present world conditions will continue, it may become necessary for the Congress to extend the termination date from time to time.

Section 7: This section adds veterans of a period of hostilities to those who may qualify for home, farm, and business loans under chapter 37 of the title and makes a necessary conforming amendment.

Subsection (a) inserts a new section after section 1817 of the title. This new section 1818 is entitled "Veterans of a period of hostilities" and includes the following provisions:

(a) A veteran of a period of hostilities will be eligible for benefits under this chapter (1) if he served 90 days or more on active duty during a period of hostilities or (2) if he was discharged from active duty part of which was served during a period of hostilities, as a result of a service-connected disability.

(b) A veteran will not be eligible for benefits under this section if he is still eligible under this chapter for unused benefits stemming from World War II or Korean conflict service. If a veteran is eligible for benefits under this section and has already derived benefits under this chapter from World War II or Korean conflict service, his benefits under this section will be reduced by the amount of benefits already derived from this chapter. Service as an officer in the Coast and Geodetic Survey or the Public Health Service does not entitle an individual to the benefits of this section.

(c) The period for making or guaranteeing loans under this section is as follows: (1) The 10 years period after the eligible veteran's discharge from his last period of active duty, and part of which was served during a period of hostilities, plus (2) 1 additional year for each 3-month period of active duty in an area of hostilities.

In no case will the entitlement continue after January 31, 1985, and it will in no case expire before January 31, 1975.

(d) If a veteran applies to the Administrator for a loan guarantee before the expiration of his entitlement, the loan may be guaranteed or insured after the date of expiration. If the Administrator issues a commitment for a direct loan before the date of expiration of a veterans' entitlement, he may make the loan after that date.

Subsection (b) inserts "1818. Veterans of a period of hostilities" in the proper position in the table of sections at the beginning of chapter 37 of the title.

Section 8: This section amends chapter 39 of the title (Automobiles for Disabled Veterans).

Subsection (a) adds disabled veterans of a period of hostilities to those veterans under section 1901(a) for whom the administrator will provide or assist in providing an automobile.

Subsection (b) amends section 1905 of the title to state that if a veteran of a period of hostilities who is eligible under this chapter has been discharged before this amendment is enacted, he will have 5 years after the enactment of this amendment in which to make application for benefits under this chapter.

Section 9: This section amends chapter 43 of the title (Mustering-Out Payments).

Subsection (a) adds to section 2101(a) language making veterans of a period of hostilities discharged or released from active duty under honorable conditions eligible to receive mustering-out pay, subject to the provisions of section 2101(b) of the title.

Subsection (b) amends section 2101(b) to provide that no mustering-out payment will be paid to commissioned officers whose eligibility under this chapter is based on Korean conflict service.

Subsection (c) amends section 2102(a), prescribing the amount of mustering-out pay, to limit its application to veterans of the Korean conflict. Section 2102(a) is redesignated as 2102(a)(1), and paragraphs (1), (2), and (3) are redesignated as subparagraphs (A), (B), and (C), respectively.

A new paragraph, (2), is added after the subparagraph redesignated as (c). This new paragraph (2) establishes $300 as the amount of mustering-out payment for eligible veterans of a period of hostilities.

Subsection (d) makes three amendments in section 2102(b) of the title so that the references in that section to section 2102(a) will conform to the new designations of the paragraphs and subparagraphs of section 2102(a) as given in section 9(c) of this bill.

Subsection (e) amends section 2104 of the title by inserting language into the first sentence of that section which causes the time limitation on the payment of mustering-out pay contained in that sentence to apply only to veterans eligible from Korean conflict service.

A new sentence is inserted in section 2104 immediately after the first sentence. This new sentence provides that veterans who would be entitled to mustering-out pay by virtue of service in a period of hostilities, but who have been discharged before the enactment of this amendment, will have a period of 2 years after the enactment of this amendment in which to apply for benefits under this chapter.

Section 10: This section amends chapter 53 of the title ("Special Provisions Relating to Benefits") by adding a new section at the end. The new section is entitled "3111. Authority of President To Designate Areas of Hostilities." It authorizes the President to designate by executive order any area of the world outside the United States as an area of hostilities. This order must be based on findings that (1) members of the Armed Forces will serve in that area and that (2) in so serving, they are likely to be subjected to armed conflict or similar hazardous, warlike conditions. The President must identify such an area in geographic terms. He must also specify the date on which such an area becomes an area of hostilities, and, when the situation warrants it, the date on which such an area ceases to be an area of hostilities. The last sentence of the new section 3111 would prohibit the President from declaring any period prior to February 1, 1955, as a period of hostilities.

Mr. JAVITS. Mr. President, while I am on my feet, I should like to say to the Senator from Texas [Mr. YARBOROUGH] that I am glad that this is a rather quiet day giving the Senator an opportunity to set forth his views at length. Whatever may be my own views on the question—and I have joined in the minority views and have supported the concept of the Saltonstall amendment—I wish to say to the Senator from Texas that, sitting with him in the committee and being, as it were, on the other side of the question, I have rarely seen such dedication to a cause and such indefatigable pursuit of it. I hardly recall a bill which the Committee on Labor and Public Welfare dealt with in which the chairman of the Subcommittee on Veterans Affairs has so greatly succeeded in tying in, at least by way of illustration, what is so very deeply his conviction on this question. As I have said—and perhaps coming even more suitably from me, because I have been somewhat on the other side of the question, and have desired to modify the measure which the Senator from Texas has proposed—nonetheless, I wish to pay tribute to a Senator who has shown such mettle in the pursuit of a cause to which he is obviously very deeply devoted.

Mr. YARBOROUGH. Mr. President, I am very grateful to the senior Senator from the State of New York for his very generous remarks. He himself is a veteran of World War II. He served in the Active Reserves for a considerable period after he returned. He has been decorated for his service. He knows the needs of these young men. I wish to ask him, out of his great knowledge not only of the needs of these men in the great State which he represents, but also of the boys who come out of the service everywhere, if he would not join in sponsorship of the bill and help us to pass it. I know that he is not presently a coauthor of the bill, but some of the coauthors are members of his party. The bill is not a partisan measure. At least it has not been to date. I hope that his party will not make it a partisan bill but will show that they, too, are interested in the proper education of the veterans of this Nation. We invite Senator Javits to join us. We would welcome his voice, for it would be a powerful and effective one. I think of the words of Sir Walter Scott:

> Where, where was Roderick then?
> One blast upon his bugle horn
> Were worth a thousand men!

Nothing would give us greater pleasure than to have the privilege of having the name of the distinguished senior Senator from New York as a cosponsor of the bill.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. JAVITS. I realize that by saying what I did, I had this coming. But I am glad I said it, anyway, because I believe the Senator rates it even though I cannot join him as a cosponsor of the measure.

I thank the Senator for his courtesy.

Mr. YARBOROUGH. I thank the distinguished Senator for his kind remarks.

Mr. President, I ask unanimous consent to have printed at this point in the Record a brief section-by-section analysis of the bill, and a communication from the State Veterans Affairs Board of the State of Mississippi, showing approval of the bill by the Veterans of Foreign Wars of that State, the Disabled American Veterans, and the American Legion. All three veterans organizations in that State unanimously approve the measure.

There being no objection, the analysis and letter were ordered to be printed in the Record, as follows:

Highlights of S. 9: Cold War GI Bill

History: This is a sequel to World War II GI bill (1944), Korean GI bill (1952). Hearings on this or similar bills: 85th, 86th, 87th, 88th, 89th Congress. (S. 1138, 86th, passed Senate 57 to 31.)

Need: GI bill aid is now available only to those with service prior to January 31, 1955. Yet they have been drafted, lives disrupted, in cold war since. Upon discharge, they are handicapped by their years out. This is a bill in equity, to provide equal treatment with previous situations.

National benefits: "The GI bill continues to pay for itself at close to $1 billion a year. The return comes from additional income tax paid by better educated, higher earning GI bill veterans"—VA Administrator John S. Gleason, Jr., summer 1964.

Through November 30, 1957, World War II and Korean veterans had entered training under previous bills to the total number of 1,106,787. (See committee report, p. 4) 51 percent of Korean vets took college training, 36 percent below college level schooling: on-job and on-farm training was 9 percent and 4 percent, half of World War II, only 29 percent of whom took college training. The college choice is expected to be predominant now.

Required for eligibility: Active duty between January 31, 1955, and July 1, 1967. Other than dishonorable discharge. More than 180 days service (or discharge for service-incurred disability). (Earlier GI bills required only 90 days.)

BENEFITS

I. Educational benefits

Full time in college or below: $110 (no dependents) to $160 (two or more dependents) monthly. (Scaled down for three-fourths, one-half, and less than one-half time; report, p. 49).

Also available: Cooperative courses (alternating school and on-the-job training); on-the-job training; institutional on-farm training. All must be full time. Also correspondence courses and flight training.

Duration: Not to exceed 36 months; entitlement is to 1½ days educational benefits for each day of active military service.

Expiration: Must commence training within 3 years of separation (or 3 years of date of passage for those already discharged); must complete within 8 years.

Approval: Same standards as Korean GI program; by State approving agency.

II. Home and farm loan assistance

Source of funds: Banks or other lending institutions.

Purposes: Purchase of (1) homes or (2) land, livestock, machinery, etc. for farming operations.

Government guarantee: Covers 60 percent of loan for residential property; 50 percent of other real estate loans.

Limit: Guarantee limited to $7,500 and $4,000 respectively.

Interest rate: Same as World War II and Korean (presently not over 5¼ percent).

Maturities: Not above 30 years, or 40 years for farm real estate.

Direct loans: No new direct loan funds; but available under present direct loan laws.

Guarantee fee: New provision, not in previous: Not to exceed one-half percent of loan amount goes to reserve fund to cover losses—thus making loan program entirely self-sustaining.

State of Mississippi,
State Veterans Affairs Board,
Jackson, Miss., July 13, 1965.
Hon. Ralph Yarborough,
U.S. Senator, Senate Office Building,
Washington, D.C.

Dear Senator Yarborough: We are enclosing herewith a copy of resolution 12 as passed by the Department of Mississippi, Veterans of Foreign Wars, at their 31st annual convention held in Jackson, Miss., June 25–27, 1965. The Disabled American Veterans passed the same resolution at their annual convention held at Gulfport July 2–4, 1965. The American Legion passed the same resolution at their 47th annual convention held at Biloxi July 9–11, 1965.

Thus, you see that the veterans of Mississippi, speaking through their veterans' organizations, are unanimous in their wholehearted support of Senate bill 9 as reported to the Senate with the approval of the full committee.

We are sending you the approved resolution to let you know that the veterans' organizations in Mississippi are certainly with you in the support of Senate bill 9.

Cordially yours,
Hooker M. Coen,
Commissioner.

Enclosure: Resolution 12.

Resolution 12

Resolution to support cold war GI bill for certain veterans

Whereas, it is evident that members of our Armed Forces are actively participating in armed hostilities throughout the world; and

Whereas many servicemen are serving in areas where hostilities are capable of breaking out at any time; and

Whereas these servicemen are not eligible for many veterans benefits which were made available to wartime veterans; and

Whereas, our Government has recognized that service rendered in some areas is more hazardous than the usual peacetime service; and

Whereas our Government has recognized this extrahazardous service by the issuing of a campaign medal for service in these hostile areas; and

Whereas it has been traditional for the United States to recognize the sacrifices of those of our Armed Forces who have served in time of war; and

Whereas the VFW recognizes that the earning of a campaign medal for military service is comparable to wartime service: Now, therefore, be it

Resolved, by the Department of Mississippi, Veterans of Foreign Wars of the United States, That we support legislation which will elevate to wartime service all benefits, including compensation, pension, education, hospitalization, rehabilitation, loans, and any other veteran benefits to those veterans of the cold war who are recipients of a campaign badge or an expeditionary medal.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the distinguished junior Senator from New York.

Mr. KENNEDY of New York. I join my senior colleague [Mr. Javits] in paying tribute to the Senator from Texas. I agree wholeheartedly with what my colleague said about the Senator from Texas. The effort and dedication that the Senator has displayed in his leadership of the proposed legislation have been an inspiration to all of us who have served with him.

Mr. President, the duties of a democracy are of many kinds. Today we in the Senate have a chance to meet our duty to those who have fulfilled another kind of responsibility—the duty of military service.

The men who would be benefited by this bill are of a very special kind.

They are special, first, because they have served in the Armed Forces for an extended period of time.

The law of the land imposes on all male citizens an obligation to perform military service.

But barely half our young men serve as much as a day; only 40 percent of those now reaching the age of 26 have served for more than 6 months; and, as our younger age groups grow in size, a smaller proportion serve.

Those who do serve are special also because they are more mentally and physically fit, more alert and capable than many of those who do not serve.

The Director of Selective Service stated on February 10, 1965, that under current Armed Forces standards, half of those examined for induction are found not qualified.

So those who do serve in the Armed Forces are in the upper half of the Nation physically and mentally.

But they are special for yet another reason:

They serve because they have less money than others, equally well qualified, who do not serve.

By regulation, simply being in a college or university—for however many years, no matter the quality of the school or the importance of the course of study—guarantees a deferment.

And as we all know, it is far more likely that as between two students of equal merit, the wealthier is far more likely to attend college.

I invite the attention of Senators to page 415 of the hearings on this bill, where are reprinted some findings of Project Talent, a study of the cooperative research program of the U.S. Office of Education.

Taking only those boys in the upper half of the ability group graduating from high school, 37.9 percent of those from families with incomes of under $3,000 did not go on to college—but only 10.5 percent of those with the same ability, but from families with incomes of $12,000 or more, did not go right on to college.

And, of course, it is far more likely that a poor boy will never graduate from high school than a more fortunate one with equivalent ability.

So our draft laws discriminate among our young men on the ground of wealth.

And since most enlistments are undertaken by those who expect to be drafted the net result is that our armed services are disproportionately made up of our less fortunate young men.

The burden of service they bear willingly.

And the record of their service has been brilliant—in Berlin, in Cuba, in Vietnam, everywhere they have been called upon to fight or to wait, to guard freedom's gate around the world.

But the reward for this service has been only further disadvantage.

They have lost 2 years of their lives—time which their more fortunate contemporaries have spent in school or on the job.

The result is that veterans aged 20 to 24 have an unemployment rate of 9 percent, as opposed to only 7.4 percent for nonveterans.

Considering that those who qualify for military service are in the upper half of our young men in mental and physical fitness, it is absurd that their unemployment rate should be higher than the rate for those who are less qualified.

The Veterans' Administration, which is opposed to this bill, admits that the jobs held by employed veterans of the cold war pay less well and are less skilled than the jobs held by employed nonveterans.

I would note also that this is the first group of veterans in 20 years which has done less well in civilian life than their contemporaries who did not serve; the median income of veterans of World War II and Korea is significantly higher than that of nonveterans of equivalent age.

We ask these young men to give up 2 or 3 or 4 years away from their homes and their families—often to serve in ports of danger and hardship—we do so on a discriminatory basis—and then we allow them to suffer greater unemployment, and work at lower-paying jobs, than those who do not serve.

I do not think that this country can so ill-reward those who serve it.

For this intolerable situation, S. 9 is an excellent remedy.

This bill would make available to veterans educational benefits roughly comparable to those we gratefully gave the veterans of World War II and Korea.

Each day of service would entitle them to 1½ days of education or training, for a period of up to 36 months of study.

For each month of full-time study, the veteran would receive $110 if single, $135 with one dependent, $160 with 2 or more; lesser benefits would be provided for part-time study or training.

This program is simple.

It meets the needs of the veterans.

And it is proved by experience.

For the similar GI bills of World War II and Korea were perhaps the most successful legislation ever enacted by this Congress.

Eight million veterans of World War II were trained under the GI bill.

Two million two hundred thousand went to college; 3.5 million went to other schools; 1.4 million underwent on-the-job training; three-quarters of a million were trained on farms.

To quote the Veterans' Administration:

> Today we are a far stronger Nation because of the infusion of skilled and professional manpower gained through the GI bill: 450,000 engineers, 180,000 doctors, dentists, nurses; 360,000 schoolteachers; 150,000 scientists; 107,000 lawyers; 243,000 accountants; 36,000 clergymen of all faiths; 17,000 writers and journalists; 711,000 mechanics; 383,000 contruction workers; 288,000 metalworkers; 138,000 electricians; 83,000 policemen and firemen; 61,000 printers and typesetters; and 700,000 who trained for business and executive careers.

The experience after Korea was still better: 3 million took advantage of the educational benefits, of whom over half attended college.

They too will enrich our national life for decades to come.

The educational components of the first GI bill cost the Nation $14.5 billion.

Today, just 20 years later, the Government has already recouped that investment, and made a profit on it, in the form of increased tax collections—and is gaining nearly a billion dollars more every year.

The gains in gross national product—the whole Nation's gains—have been incalculable.

Expert economists estimate that 80 percent of our vast gains in productivity is the result of technological and scientific progress. The first GI bill produced 450,000 engineers and 150,000 scientists.

The greatest need our country has is education. The first GI bill gave us 360,000 schoolteachers. These and the others who were trained under the GI bill have contributed leadership in their communities, in their States, and in the Nation.

Seven Governors, two Cabinet members, and six U.S. Senators were educated under the provisions of the bill.

It is this spirit, the spirit of educated leadership, which those people gave that is required in the Nation at the present time.

Further, the testimony of every educator who has spoken has been that the veterans, many of whom would never have attended college without the bill, made a great improvement in the quality of the student body of every school they attended.

The benefits still continue: one witness before the committee, the president of a small community college in Iowa, testified that three-quarters of his school's entire present administrative staff went to school under the GI bill.

So clear are the benefits of this bill—to the veteran, to the schools, to the Nation—that it is hard to see how anyone could fail to support it.

But the Veterans' Administration, and the Department of Defense, and the Bureau of the Budget do oppose it.

How can they do so?

Their witnesses came before the Subcommittee on Veterans' Affairs with opinions, not facts; with surmises instead of knowledge; with assertions unsupported by experience or logic.

They asserted that inservice training meets the educational needs of servicemen—and none could say how many get such training, or what kind are offered.

I should like to repeat that. When the witnesses of the Veterans' Administration came before the committee, the major argument they made was that the inservice training met the educational needs of servicemen. When the chairman and other members of the committee asked them how many received such training or what kinds of training were offered, not one member of the rather large group which came to testify before the committee could answer.

Among five representatives of the Veterans' Administration, not one could tell the committee even the age at which young men are being drafted.

I ask the Senator from Texas, chairman of the subcommittee, if that is not correct.

Mr. YARBOROUGH. Mr. President, not only is the Senator's statement correct, but the distinguished Senator from New York, who stated at that time that he was not a cosponsor of the bill, was shocked by the paucity of information supplied by the representatives of the Veterans' Administration, who did not even know at what age young Americans are being drafted. Their case, inadequate to begin with, was made more pitiful by the incisive questions asked by the distinguished Senator from New York, who made a great contribution to education in America in fairness to the GI veterans by his fine work in committee. I hope before Monday that every Senator who can do so will read the hearings and obtain the facts. The Senator from New York did not seek to embarrass the witnesses; he asked them for facts, but they had no facts with which to refute his assertions.

As chairman of the subcommittee, I express my appreciation to the distinguished Senator from New York for what he did to demonstrate the necessity for the bill. His cross-examination of the witnesses from the Veterans' Administration begins at page 240 of the hearings. If Senators will read page 240 and the subsequent pages of the cross-examination of witnesses from the Veterans' Administration, conducted by the distinguished Senator from New York, they will see how necessary this measure is at the present time.

I thank the Senator from New York.

Mr. KENNEDY of New York. Am I not correct in stating that they did not know at what age the young men are called into the Army and how long they are required to serve, and at what age they will be discharged from the Army? Such knowledge is extremely important in determining whether the proposed legislation is necessary. Yet that basic information was evidently unknown to the witnesses from the Veterans' Administration who testified before us.

Mr. YARBOROUGH. The Senator from New York is exactly correct. The Veterans' Administration witnesses attempted to pass upon veterans rights, yet did not know at what age the draft starts today. They produced figures showing rates of unemployment, and they included young men not yet 21 years of age, so youthful in age that they are not subject to the draft or to entering the service.

The distinguished Senator from New York inquired and found that the Veterans' Administration officials did not know at what age the draft began and, therefore, did not know what was necessary for those young people. The entire record they made against the bill was weak. Their case fell apart under the incisive searching for facts in which the Senator from New York engaged. He stated that he was not a cosponsor of the bill because he had not had the time to ascertain the facts. But he said that the case for the bill seemed to be irrefutable. I thank the Senator from New York for what he did because we now have the strongest record for the bill, made so partly by his excellent contribution.

Mr. KENNEDY of New York. I did not cosponsor the bill, because when it was originally introduced I had serious reservations about it, its need, and whether it would really accomplish what its sponsors hoped it would accomplish. It was after attending the hearings, and particularly after hearing the witnesses who were opposed to the bill, that I became convinced that the bill was important. That is why I am speaking in favor of it today. I became convinced, not so much by those who favored the bill, but by those who were opposed to it. If anybody will read the testimony of the representatives of the Veterans' Administration and the Department of Defense in opposition to the bill, he will be as strongly in favor of the passage of the bill as I am.

Mr. YARBOROUGH. I hope every Senator, by the time he votes on Monday, will have read the statement being made now by the Senator from New York. The data he is giving are the facts of American life and are irrefutable. The case for the young men who are serving in the Armed Forces is so overwhelming that there can be no logical objection to the bill after the statement that is being made now by the distinguished Senator from New York.

Mr. KENNEDY of New York. The witnesses made flat errors of important fact—for example, the VA said that present veterans serve for a relatively short time, when in fact the average term of service is now 6 months longer than it was during the Korean conflict.

And they took positions that simply made no sense at all.

Their arguments against the bill can be briefly stated and answered.

They object to its cost; but this bill will pay for itself two or three times over.

The VA also says that service is now more limited and less disruptive than under wartime conditions.

But in fact it is of longer average duration, 28.2 months as against 22.6 months in Korea; the uncertainties of fighting in Vietnam or tension in Berlin or crisis over Cuba are as great as those of previous emergencies; and the veteran of today, with the reserve obligation which often follows active duty, is all too likely to be recalled to service—as many were in 1961.

Next the VA says that "the impact of selective service is minimized by draft procedures which are designed to promote a reasonable integration of schooling or training plans with military service."

This is true only for those who are financially able to attend college, who then often escape the draft entirely.

The VA's most substantial argument is that other Government education programs—National Defense Education Act loans, and the provisions of the higher education bill now before the Labor and Public Welfare Committee—are sufficient to meet the veteran's needs.

First. However, over 35 percent of all veterans have not yet completed high school, and hence are not eligible for this aid.

This was another point which evidently escaped the attention of the representatives of the Veterans' Administration when the testimony was given before our committee. Testimony was unavailable concerning this fact.

Second. The various programs of loans, grants, and work-study proposed in S. 600 do not pretend to meet the full need for assistance to higher education in the United States, and the bill was not drawn with veterans in mind; its funds are not sufficient to encompass veterans.

Moreover, the Veterans' Administration did not realize that S. 600 would not assist any student over the age of 21. Yet, the average age of the veteran leaving service is 22.3 years.

And because the level of student support contemplated by S. 9 is only partial support—$110 a month, about $1,000 for a school year—the higher education bill will be necessary as a supplement to S. 9 in any case.

Third. Veterans who have given to us their time and courage and effort deserve something more than the same assistance available to everyone else.

But the most unbelievable argument advanced against this bill is that of the Department of Defense—which says that to offer this opportunity would discourage reenlistments and encourage men to leave the Armed Forces.

I say again that the Department of Defense is against the bill because it believed it would discourage reenlistment and encourage men to leave the Armed Forces.

In other words, it wants to keep men in service at the cost of their education.

We might well ask the Department what its men are to do, even if they make the Armed Forces a career, when they are discharged after 20 years' service at the age of 40 or 45.

We might ask whether this logic would not lead to making veterans ineligible for National Defense Education Act loans, for example, which also offer them an incentive to leave the service and get an education.

We might also ask—as the committee did ask—whether the prospect of educational assistance might not encourage more voluntary enlistments.

To this question, the Department had no answer.

The Department also claims that servicemen today receive valuable in-service training.

I read from the President's Commission on Veterans' Pensions, headed by the great Gen. Omar Bradley:

> In the Armed Forces as a whole, then, the proportion of specialized training for military-type occupations with no civilian counterpart was 45.8 percent.
>
> The Department of Defense did not compile data on the value of on-duty specialized training in civilian life.
>
> It is clear that much of the training is potentially of value in a variety of civilian occupations.
>
> As in the case of the occupational specialties previously discussed, however, many will be trained in skills for which there is no civilian demand or which they do not wish to pursue in civilian life.

> It also appears that first-term enlistees and inductees are less likely to receive training in skilled and semiskilled occupations which would be immeldiately useful in civilian life.

And as to the value of off-duty education in the Armed Forces, the Commission said:

> It is difficult to evaluate the extent to which off-duty educational programs enable the serviceman to prepare for civilian life if he so chooses.
>
> Presumably, military service, including on-duty training, is essentially a full-time occupation, and even under the best of circumstances only a limited amount of formal education can be completed while in service.
>
> Such conditions of service as lack of adequate library facilities, field exercises and sea duty, overseas duty, barracks living—all may make educational progress difficult.
>
> While the formal educational progress which can be made in these programs should not be discounted, it appears that their chief value, from a readjustment point of view, will be to keep the serviceman who plans to return to civilian life in touch with the educational process.

It has been proposed here that the benefits of this bill be applied only to those serving in areas of hostilities.

I think such a restriction harmful.

First. It might cause designation of such areas at an unpropitious time or place from the standpoint of foreign affairs.

Second. It would add to the vagaries of the draft the further happenstance of military assignment.

Even in World War II, only a minority served in overseas fighting zones—but all who served made sacrifies, and all were eligible for the GI bill.

That should be the case today.

We who stand here now can do so because of the brave men who stand ready, here in this country and all over the world.

They are the sons and brothers and husbands of the taxpayers who will meet the bill.

I think Americans are willing to meet our obligations to our servicemen—are willing to offer them this necessary chance at the education they will need to make decent lives for themselves and their families.

There is a poem on a sentry box at Gibraltar:

God and the soldier all men adore,
In time of trouble and no more,
For when war is over and all things righted,
God is neglected and the old soldier slighted.

I think we can do better than that in this country.

I think we will.

I yield the floor.

Mr. YARBOROUGH. Mr. President, I thank the Senator from New York for one of the most excellent and thorough speeches that I have ever heard delivered on this subject. I have been interested in this subject since I was chosen to serve on the Veterans" Affairs Subcommittee. In 1957 the bill was bottled up in the House Veterans' Affairs Committee for all of that session. This bill has come from the Committee on Labor and Public Welfare in every Congress since that time.

It has come from the Committee on Labor and Public Welfare this time with the largest vote which it has ever received in the Committee on Labor and Public Welfare. The majority is far larger. I believe that was due in part to the growing recognition of the need for the legislation, and in part to the very fine contribution which the distinguished Senator from New York made in the subcommittee hearing. The case which the Senator made in the subcommittee was so overwhelming that, for the first time in the four Congresses in which this bill has been considered, the bill was reported unanimously.

When the fine speech which the Senator from New York has just delivered is read by other Senators, I think it will result in an overwhelming vote on the bill on this coming Monday.

The statement of the Senator demonstrates why the bill should be passed in its present form and not emasculated as it would be by the so-called Saltonstall bill.

We have heard from our colleagues across the aisle that the Saltonstall bill would be offered as a substitute for this GI bill and would be limited to only the veterans who have served in Vietnam.

This so-called hot-spot approach has never been used on any such legislation before in the history of our country for the men who have served in battle throughout the history of our country—in the Revolutionary War, the War of 1812, the Mexican War, down to the present day.

Never has there been a distinction drawn between men who have served in this country and men who have served overseas.

The bill offered by my friends across the aisle would disrupt and change the treatment that has been rendered American veterans throughout our history.

Mr. President, I ask unanimous consent that a brief statement in connection with S. 520 entitled "The Hot-Spot Approach of S. 520 Creates Grave Foreign Policy Problems and Has No Relevance to the Need Which S. 9 Is Designed To Meet," be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE "HOT SPOT" APPROACH OF S. 520 CREATES GRAVE FOREIGN POLICY PROBLEMS AND HAS NO RELEVANCE TO THE NEED WHICH S. 9 IS DESIGNED TO MEET

1. The "hot spot" approach would present grave difficulties as far as our foreign policy is concerned. The Saltonstall bill requires that the President designate "areas of hostility." Thus, at a time when we are trying to reach an accord with the Communist world the President would be required to give emphasis to our conflicts with the Communists by designating certain zones as "areas of hostilities." This could only serve to aggravate our difficulties in international relations, and make the United States appear hostile in the eyes of others.

2. The purpose of S. 9 is to provide readjustment assistance to veterans who are coming back into civilian life. The need for readjustment assistance has no relation to whether a serviceman has been in an area of hostilities. He is just as much in need of readjustment assistance whether he has been in Vietnam or not. It is unclear why a serviceman must be shot at before he is deemed to be in need of readjustment assistance. Why must we say to our servicemen that you must place your body on the firing line before you are deemed worthy of being educated?

The World War II and Korean GI bills were both intended as readjustment assistance. They applied to every person who served, regardless of whether he saw combat or not. For instance, the congressional intent in the Korean GI bill is stated as being for the purpose of "providing vocational readjustment and restoring lost educational opportunities to those service men and women whose educational or vocational ambitions have been interrupted or impeded * * *." The purpose of the cold war GI bill is the same.

Figures provided by the Department of Defense indicate that during World War II (Dec. 7, 1941, to Dec. 31, 1946) or the 8,113,000 male personnel in the U.S. Army, 25 percent never served overseas; of the 4,183,000 personnel who served in the Navy, 13 percent never served overseas; of the 599,693 personnel in the Marine Corps, 29 percent never served overseas. These same figures show that during the period of the Korean conflict (June 25, 1950, to July 27, 1953), of the 2,834,000 personnel in the Army, 34 percent never served overseas; of the 1,177,000 personnel who served in the Navy, 79 percent served elsewhere than in the Far Eastern theater; of the 424,000 personnel who served in the Marine Corps, 61 percent never served overseas; and the 1,284,977 personnel who served in the Air Force, 61 percent never served overseas. These personnel who never saw the glimmer of the far-off shore and never heard the sound of hostile cannons rumbling in the distance, received the needed educational benefits of the GI bill, and rightly so. Their contribution to the culture and economic growth of this Nation has been immeasurable.

The Veterans' Administration estimates that of the 8,700,000 persons who have served in the Armed Forces since January 1955 (the post-Korean period), 42 percent either served overseas for less than 90 days or never served overseas at all. The educational progress and opportunity of this sizable group of persons has been impaired in just as serious and damaging a fashion as if they had served on distant shores. Their educational needs are no less than those of their comrades who serve abroad.

3. Each serviceman is a part of the entire Defense Establishment. Each is necessary to the defense of the free world. One man serves in this country, or in the Middle East—so that another can serve in Vietnam, and so that the majority of us can remain at home and get a lead in life over those who are protecting us.

4. Servicemen stationed in areas of hostility should receive extra benefits, and indeed they do so. They receive extra pay of $50 a month. They pay no income tax. We should be doing still more. Senate bill 2157, which would provide special indemnity insurance to soldiers serving in combat areas, should be enacted immediately. But the way to provide benefits to soldiers serving in combat zones is not to provide benefits only to them which should go to all servicemen currently being discharged.

Mr. YARBOROUGH. Mr. President, S. 520 is an effort to limit the benefits only to veterans of the Vietnamese conflict.

I appeal to Senators to read the statement made by the Senator from New York on this question before voting on this bill on Monday. After reading his statement, I believe they will understand the logic and the reason behind my bill.

I thank the Senator for making a great contribution to this bill.

I feel that, with that kind of contribution, the bill is nearer passage than at any time since the Korean conflict.

Mr. President, I yield the floor.

Mr. BARTLETT. Mr. President, I rise in support of S. 9, the Cold War Readjustment Assistance Act of 1965, better known as the cold war GI bill. It is a measure which I am proud to cosponsor, along with Senator YARBOROUGH, who introduced the bill, and 39 other Senators.

At the outset it should be said that much credit is due the senior Senator from Texas for his untiring support of measures designed to better the lot of the veteran and, more particularly, for his singleminded efforts, over the course of several Congresses, to secure the enactment of a cold war GI bill. He has held firm to his conviction, and it is a conviction which I share, that our 5 million cold war veterans are due sufficient assistance to allow them to make up in some measure for the time and opportunities they lost while in uniform.

The first of the bill's two major sections would make post-Korean war veterans eligible for Veterans' Administration home and farm loan assistance. A program of loan guarantees, supplemented by direct loans where sufficient private capital is not available, would be made available to cold war veterans for the purchase of homes, farms, or farm equipment.

The bill also would assist the veteran in pursuing a program of education or vocational training. Monthly allowances, calculated according to the veteran's length of service, his number of dependents, and whether he is spending full or part time in training, would enable the veteran to continue his education at the point where it was interrupted by military service and at a point appropriate to his needs: College, precollege, correspondence courses, flight training, on-the-job training, or institutional on-farm training.

Alaska veterans have benefited greatly from existing veterans programs. Some 8,000 of our World War II and Korea veterans have received educational assistance under Public Laws 346 and 550. The Veterans' Administration has insured 290 home loans—totaling $2,610,000—and granted 965 direct home and farm loans—totaling $9,650,000—in the State. Such assistance has helped Alaska's 16,000 World War II and Korea veterans make a new start in civilian life; it has substantially raised the educational level and economic well-being of the State.

Our 4,000 post-Korea veterans, and the 4,000 more expected by 1977, would likewise find S. 9 helpful. As Senator YARBOROUGH noted on the Senate floor March 29, the Alaska Department of the American Legion has strongly endorsed this legislation.

I do not justify this bill as a give-away or as a special reward, for it is neither. I justify it rather as a measure which would give a fair deal to those who have served their country well. This bill would serve the same broad objectives as would the housing and education legislation which are now under congressional consideration.

The cold war GI bill recognizes that veterans of our current military involvement are due the same sorts of opportunities as those made available to veterans of our previous armed conflicts. Surely there are few today who would assert that the experiences and services of our Dominican or Vietnam troops are not comparable to those of other troops in earlier conflicts.

The cold war GI bill grants no unwarranted benefits; it merely attempts to equalize the burdens of a draft that often operates inequitably. I am not specifically dissenting from our system of deferments and exemptions. I am merely noting that only 40 percent of our eligible men ever enter active service. These men must bear a disproportionate share of the burdens of citizenship. They are often already lacking in financial resources and educational opportunities before they enter the service. During their period of active duty they fall even further behind their contemporaries. Must we not do something to equalize their opportunities? Must we not do something to assist those whose education has been cut short? Must we not facilitate home and farm purchases on the part of those who have been deprived of normal opportunities to accumulate savings and establish credit and employment records?

The cold war GI bill is consistent with our educational and welfare objectives. It is certainly in the interest of my State to have the 1,000-plus additional college graduates this bill would make possible. It is in the interest of my State to have additional capital freed for home purchases. It is in the interest of us all to facilitate the return of our soldiers to constructive and useful places in our society.

We have demanded of 40 percent of our young men extraordinary sacrifices on behalf of their country, sacrifices comparable to those made in World War II and the Korean war. We owe to them, and to ourselves, a program to equalize their educational and economic opportunity, to enable them to make their own way in a competitive and prospering society.

Mr. President, it is my hope that the Senate will give to S. 9 an overwhelming endorsement.

Mr. INOUYE. Mr. President, I would like to go on record as being in complete support of the measure now pending in the Senate, S. 9, the cold war GI bill. The record will show, Mr. President, that I have consistently advocated this measure and others very much similar to it, ever since I served in the House. It is legislation most deserving of our support and the support of the entire Nation.

Although the Korean hostilities ended for all practical purposes a decade ago, thousands of our youth are still subject to military service under our compulsory draft legislation. Unlike those who served during World War II and the Korean conflict, these thousands are not entitled to any educational or other readjustment benefits which would make their transition to productive civilian life less difficult.

These are individuals who have been called up both as draftees and military reservists during the Berlin crisis, the Cuban crisis, the Vietnam conflict, the Dominican intervention, and all through the tension-filled years from 1955 to 1965 with no foreseeable break in the immediate future.

Although it may be true that there are thousands among the ranks of those who have been called who have not actually seen or experienced the rigors and dangers of war, who have served and are serving without any particular physical risks to themselves in terms of direct combat, this is not to say that very great sacrifices have not been made. Almost all of them have had to lay aside a significant and important period of their personal lives in the service of our country. They could have continued their education or they could have sought to increase their material resources. But the needs and demands of our national security have been such that they have been asked to forego these personal choices.

I think it is appropriate to remind ourselves that when the so-called GI bill of World War II was conceived and approved, Congress very wisely did not choose to differentiate between direct combat and noncombat service functions of those who were its beneficiaries. It was clearly understood and accepted that every man and woman who served in our armed services played a contributive role toward final victory.

Mr. President, I believe that we should view the current measure before us in the same light. The security of our Nation requires the contribution of all, be it in the Pentagon, Danang, the Antarctica, or in camps and bases scattered from California to Okinawa, from South Carolina to Frankfurt.

I have been advised that there are those who would be willing to vote for this measure provided its benefits would be made applicable only to those who serve in the armed services in the crisis currently confronting us in South Vietnam. As much as I can appreciate the circumstances under which those tapped for service in that strife-torn country in southeast Asia live and die, such a narrow restriction does disservice to the concept and tradition recognizing service by all which we so willingly gave during both World War II and the Korean conflict.

The nature of the situation which confronts us all today is such that we can no longer rely on outmoded stereotypes of military service. A police action, a brush war, patrol duty in the Antarctica, garrison duty on Okinawa, or any kind of logistics or advisory support duty anywhere on the face of this earth, can easily and quickly develop into immediate and direct confrontation with the enemy should the latter choose to do so, and he may choose to do so every other week, every other month, or every other year.

Surely the situation in South Vietnam itself should prove my point. Our soldiers there were originally assigned to that country in what amounted primarily to an advisory capacity. However, due to the exigencies of the situation, we soon found that the service required was often a great deal more than first conceived.

American soldiers and marines, Air Force personnel and the Navy, have engaged with, and been engaged by the enemy in overt combat action time and again where heretofore the nature of their mission was to advise, to patrol, and often, simply to be available for whatever necessary duty the situation called for. As a result, there have been at least 503 killed between the period January 1961 and July 1965 in that area. There have been an additional 247 killed as a result of service-related accidents. Nonfatal casualties have amounted to 2,720 for all the combined services. Forty-one have been listed as missing in action. And with 75,000 or more men slated for duty in that country, there is no telling what the ultimate cost might be. My State of Hawaii has lost a number of her sons in battle there, as have other States.

But the essential point is that this situation derived from one which is not uncommon in other parts of the world where American servicemen are now stationed. It could happen anywhere in the world, given the nature of the cold war conflict.

It is for these reasons, Mr. President, that I believe any attempt to limit the coverage of S. 9 to specific combat areas as they exist today is not only inconsistent with our policy in the past, but extremely narrow and shortsighted in its view of both the kind of conflict which we are involved in today, and the kind of service which that conflict may demand at any time, any place, and any garrison where American troops and interests are concerned.

For these reasons Mr. President, I strongly urge that S. 9 be passed as soon as possible and without the restrictions to which I have referred.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of Tom Killefer, of Virginia, to be Executive Director of the Inter-American Development Bank, which was referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

U.S. TRAVEL SERVICE

The legislative clerk read the nomination of John W. Black, of Washington, to be Director of the U.S. Travel Service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of David R. Baldwin, of Pennsylvania, to be an Assistant Secretary of Commerce.

The PRESIDING OFFICER. Without objection the nomination is confirmed.

FEDERAL MARITIME COMMISSION

The legislative clerk read the nomination of James V. Day, of Maine, to be Federal Maritime Commissioner.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John Harllee, of the District of Columbia, to be a Federal Maritime Commissioner.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF DEFENSE

The legislative clerk read the nomination of Alain C. Enthoven, of Virginia, to be an Assistant Secretary of Defense.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert N. Anthony, of Massachusetts, to be an Assistant Secretary of Defense.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the U.S. Army are considered en bloc; and, without objection, they are confirmed.

U.S. NAVY

The legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I made the same request with respect to these nominations.

The PRESIDING OFFICER. Without objection, the nominations in the U.S. Navy are considered en bloc; and, without objection, they are confirmed.

U.S. MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. MANSFIELD. Mr. President, I make the same request.

The PRESIDING OFFICER. Without objection, the nominations in the U.S. Marine Corps will be considered en bloc; and, without objection, they are confirmed.

NATIONAL MEDIATION BOARD

The legislative clerk read the nomination of Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE AIR FORCE AND IN THE DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read routine nominations placed on the Secretary's desk in the Air Force and in the Diplomatic and Foreign Service.

Mr. MANSFIELD. Mr. President, I ask that only the nominations in the Air Force be considered.

The PRESIDING OFFICER. Without objection, the nominations in the Air Force are considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. That concludes the nominations on the Executive Calendar.

I ask that the President be immediately notified of the nominations confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. I thank the distinguished Senator from Oregon for yielding, and make the request that when he completes his speeches today he ask that when the Senate completes its business it adjourn until next Monday at 12 o'clock noon.

HIGHER EDUCATION ACT OF 1965—AMENDMENTS

AMENDMENT NO. 358

During the delivery of Mr. MORSE's speech,

Mr. NELSON. Mr. President, on behalf of myself and the Senator from Massachusetts [Mr. KENNEDY], I send to the desk a revised version of a bill creating the National Teachers Corps. Senator KENNEDY and I have been working on it since last February. I ask that it be referred to the appropriate committee.

The PRESIDING OFFICER. The amendments will be received, printed, and appropriately referred.

The amendments (No. 358) were referred to the Committee on Labor and Public Welfare.

Mr. NELSON. Mr. President, our National Teacher Corps proposal seeks to bring able and spirited teaching aid to the children in our most disadvantaged rural and urban schools, to attract and train for the teaching careers in such schools the kind of able, idealistic, young Americans that made the Peace Corps such a success and to provide a means for able, experienced teachers to serve on this frontier in the war on poverty.

Senator KENNEDY and I introduced separate Teacher Corps proposals last February as amendments to the elementary and secondary education bill. At that time the distinguished Senator from Oregon [Mr. MORSE] asked us not to call up our amendments to the primary and secondary education bill, because he thought it would facilitate the passage of the primary and secondary education bill.

We were happy to defer to the request of the distinguished chairman of the subcommittee, Senator Morse.

Since that time, we have refined and reintroduced our separate proposals as amendments to the higher education bill.

The two proposals were complementary. Over a period of some months now, Senator Kennedy and I have been working with the Office of Education, representatives of the schools and of the teaching profession to fashion a combined proposal.

The combined proposal has for some weeks now existed in the form of a Senate Education Subcommittee print, on which we have had the assistance and help and counsel and guidance of the distinguished chairman of the subcommittee, the Senator from Oregon [Mr. Morse].

We were, of course, pleased when the President in a recent speech to the National Education Association strongly endorsed the National Teacher Corps concept.

The proposal has gained the endorsement of the American Association of Colleges for Teacher Education and of numerous professional educators.

It has also gained the support of a number of Senators and was introduced Wednesday in the other body by Representative Carl Perkins, of Kentucky, chairman of the House General Education Subcommittee.

Because of the continued interest in the Teacher Corps concept, Senator Kennedy and I feel that it is appropriate that our proposal be printed in the Record. Therefore, I ask that the text of the joint amendment be printed in the Record at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of Massachusetts. Mr. President, I wish to echo and underline the sentiments expressed so ably by the Senator from Wisconsin [Mr. Nelson].

On February 11, Senator Nelson and I appeared before the Senate Education Subcommittee which was considering at that time the elementary and secondary education bill.

At a later time we had an opportunity to meet with members of the National Education Association at a luncheon. We submitted the concept of the National Teacher Corps to the National Education Association as requested by their counsel. The association was extremely helpful and responsive in perfecting our position on this matter and, after further perfecting the concept, we testified again on June 11 before the Senate Education Subcommittee. The National Teacher Corps was offered as an amendment to S. 600, the Higher Education Act at that time.

Both Senator Nelson and I are extremely happy to have had the counsel and the leadership of the chairman of the subcommittee, the Senator from Oregon [Mr. Morse]. We are happy that the Senator from Oregon is present on the floor today. He probably knows more about the subject of education, and has more concerned himself with education, than any other Member of the Senate.

It was a great encouragement for Senator Nelson and I to have the cosponsorship, participation, counsel, and guidance of the Senator from Oregon.

I must say that this is something which has been extremely meaningful, as has been his sponsorship and the sponsorship of a number of the other members of the subcommittee.

The Senator from Wisconsin [Mr. Nelson] and I are also greatly encouraged by the fact that the President of the United States made the Teacher Corps the subject of his address to the recent NEA Convention and has given the full weight of his support to the concept by his strong and articulate statement, and through his sensitivity to the whole problem of education of poor children, who are attending poor schools and are in need of special consideration and special teaching.

I am delighted to join the Senator from Wisconsin in this measure for I believe we have a great opportunity to assist many children in need. I believe it makes sense. We realize that many programs which come before Congress are first presented as pilot projects. With the Teacher Corps however we have had a pilot project in Prince Edward County, Va.

I believe that the testimony we have received in the Education Subcommittee has demonstrated the fact that this concept has a history of working well in Prince Edward County, and I commend that testimony to other Members of the Senate for their consideration.

So I am delighted to join the Senator from Wisconsin. I appreciate the fact that the Senator from Oregon, while he was making a speech on a subject of great national urgency and concern was kind enough to yield to us on this subject.

Mr. MORSE. Mr. President, I thank both Senator Nelson and Senator Kennedy of Massachusetts for the kind references they have made to the chairman of the Subcommittee on Education.

There was very little advice that I needed to give the Senators. Their proposal speaks for itself. It is an exceedingly sound proposal. I am delighted to be one of its cosponsors. I shall give it my wholehearted support in committee. As the two Senators know, in committee we really have combined that proposal with the Morse fellowship proposal, because we think the programs should be linked together.

We shall be marking up the bill again next week. We have already been marking it up, and are about one-third of the way through with the markup. We shall get back to the bill again next week. Both Senators, being members of the committee, I am sure will be very much interested in knowing what is being done in the subcommittee markup.

I believe that the teacher corps and the fellowship program, which seeks to provide assistance to teachers in elementary and secondary schools by way of fellowships, to upgrade their own education with graduate degrees, so that they will be better qualified teachers, have a common objective. I will be delighted to support it.

Exhibit 1

On page 71, between lines 19 and 20, insert the following new title:

"TITLE V—NATIONAL TEACHER CORPS

"Statement of purpose and authorization of appropriations

"Sec. 501. (a) The purpose of this title is to strengthen the educational opportunities available to children in areas having concentrations of low-income families and to encourage colleges and universities to broaden their programs of teacher preparation by—

"(1) attracting and training qualified teachers who will be made available to local educational agencies in such areas; and

"(2) attracting and training inexperienced teacher-interns who will be made available for teaching and inservice training to local educational agencies in such areas in teams led by an experienced teacher.

"(b) For the purpose of carrying out this title, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1966, $40,000,000 for the fiscal year ending June 30, 1967, and such sums as may be authorized for each of the four succeeding years.

"Establishment of National Teacher Corps

"Sec. 502. In order to carry out the purposes of this title, there is hereby established in the Office of Education a National Teacher Corps (hereinafter referred to as the 'Teacher Corps'). The Teacher Corps shall be headed by a Director who shall be compensated at the rate prescribed for grade 17 of the General Schedule of the Classification Act of 1949, and a Deputy Director who shall be compensated at the rate prescribed for grade 16 of such General Schedule. The Director and the Deputy Director shall perform such duties as are delegated to them by the Commissioner.

"Teacher Corps program

"Sec. 503. (a) For the purpose of carrying out this title, the Commissioner is authorized to—

"(1) recruit, select, and enroll experienced teachers, and inexperienced teacher-interns who have a bachelor's degree or its equivalent, in the Teacher Corps for periods of up to two years;

"(2) enter into arrangements, through grants or contracts with institutions of higher education or State or local educational agencies to provide members of the Teacher Corps with such training as the Commissioner may deem appropriate to carry out the purposes of this title, including not more than three months of training for members before they undertake their teaching duties under this title;

"(3) enter into arrangements, including the payment of the costs of such arrangements, with local educational agencies and, where appropriate, with State educational agencies, and institutions of higher education, to furnish to local educational agencies, for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, (A) experienced teachers, and (B) teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program developed according to criteria established by the Commissioner and carried out under the guidance of the experienced teacher in cooperation with an institution of higher education;

"(4) pay to local educational agencies the amount of the compensation which such agencies pay to or on behalf of members of the Teacher Corps assigned to them pursuant to arrangements made pursuant to the preceding paragraph; and

"(5) employ experts and consultants or organizations thereof, to assist the Commissioner in carrying out his functions under this title, as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently, while so employed.

"(b) Arrangements with institutions of higher education to provide training for teacher-interns while teaching in schools for local educational agencies under the provisions of this title shall provide, wherever possible, for training leading to a graduate degree.

"(c) A local educational agency may utilize members of the Teacher Corps assigned to it in providing, in the manner described in section 205(a)(2) of Public Law 874, Eighty-first Congress, as amended, educational services in which children enrolled in private elementary and secondary schools can participate.

"Compensation

"SEC. 504. (a) An arrangement made with a local educational agency pursuant to paragraph (3) of section 503(a) shall provide for compensation by such agency of Teacher Corps members during the period of their assignment to it at the following rates:

"(1) an experienced teacher who is not leading a teaching team shall be compensated at a rate which is equal to the rate paid by such agency for a teacher with similar training and experience who has been assigned similar teaching duties;

"(2) an experienced teacher who is leading a teaching team shall be compensated at a rate agreed to by such agency and the Commissioner; and

"(3) a teacher-intern shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the intern is assigned.

"(b) For any period of training under this title the Commissioner shall pay to members of the Teacher Corps such stipends (including allowances for subsistence and other expenses for such members and their dependents) as he may deem appropriate.

"(c) The Commissioner shall pay the necessary travel expenses of members of the Teacher Corps and their dependents and necessary expenses for the transportation of the household goods and personal effects of such members and their dependents.

"(d) The Commissioner is authorized to make such arrangements as may be possible, including the payment of any costs incident thereto, to protect the tenure, retirement rights, participation in a medical insurance program, and such other similar employee benefits as the Commissioner deems appropriate, of a member of the Teacher Corps who participates in any program under this title and who indicates his intention to return to the local educational agency by which he was employed immediately prior to his service under this title.

"Application of provisions of Federal law

"SEC. 505. (a) Except as otherwise specifically provided in this section, a member of the Teacher Corps shall be deemed not to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

"(b)(1) Such members shall, for the purposes of the administration of the Federal Employees' Compensation Act (5 U.S.C. 751 et seq.), be deemed to be civil employees of the United States within the meaning of the term 'employee' as defined in section 40 of such Act (5 U.S.C. 790) and the provisions thereof shall apply except as hereinafter provided.

"(2) For purposes of this subsection:

"(A) the term 'performance of duty' in the Federal Employees' Compensation Act shall not include any act of a member of the Teacher Corps—

"(i) while on authorized leave; or

"(ii) while absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Commissioner; and

"(B) in computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of a member of the Teacher Corps shall be deemed to be his actual pay or that received under the entrance salary for grade 6 of the General Schedule of the Classification Act of 1949, whichever is greater.

"(c) Such members shall be deemed to be employees of the Government for the purposes of the Federal tort claims provisions of title 28, United States Code.

"Local control preserved

"SEC. 506. Members of the Teacher Corps shall be under the direct supervision of the appropriate officials of the local educational agencies to which they are assigned. Except as otherwise provided in paragraph (3) of section 503(a), such agencies shall retain the authority to—

"(1) assign such members within their systems;

"(2) make transfers within their systems;

"(3) determine the subject matter to be taught;

"(4) determine the term and continuance of the assignment of such members within their systems.

"Maintenance of effort

"SEC. 507. No member of the Teacher Corps shall be furnished to any local educational agency under the provisions of this title if such agency will use such members to replace any teacher who is or would otherwise be employed by such agency.

"Advisory Council on the National Teacher Corps

"SEC. 508. (a) The Commissioner may, without regard to the civil service laws, appoint an Advisory Council on the National Teacher Corps to advise and consult on the criteria for the selection of teachers and teacher-interns and on such other matters relating to his functions under this title as he deems appropriate. The Council shall consist of twelve persons chosen from teacher education, urban and rural school administration, universities, and representatives of the general public.

"(b) Members of such Advisory Council who are not regular full-time employees of the United States shall, while attending meetings or conferences of such Council or otherwise engaged on business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(c) The Council may appoint an executive secretary and such other employees as the Council deems necessary to carry out its functions under this title.

"Definition of local educational agency and elementary school

"SEC. 509. As used in this title—

"(a) The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

"(b) The term 'elementary school' means a school which provides elementary education as determined under State law."

On page 71, line 20, strike out "Title V" and insert in lieu thereof "Title VI."

Beginning on page 71, redesignate sections 501 through 504 as sections 601 through 604, respectively.

Mr. MORSE subsequently said: Mr. President, earlier this afternoon, I indicated my support for the amendment to S. 600, the Higher Education Act of 1965, then being offered by Senator NELSON and Senator KENNEDY of Massachusetts to establish a National Teachers Corps.

I have since been in touch with each of the sponsors and we have reached an agreement to add to the language of that amendment a new part B, which incorporates the substance of a bill, S. 287, I had earlier introduced in this session, the so-called fellowship bill which we discussed on the floor of the Senate this afternoon briefly, in the colloquy among the Senators from Wisconsin, Massachusetts, and Oregon.

I therefore ask unanimous consent that my name be added to the Nelson-Kennedy amendment, as modified by the addition of the new material, as a cosponsor, and that the amendment text as modified be printed at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The amendment (No. 358) is as follows:

On page 71, between lines 19 and 20, insert the following new title:

"TITLE V—TEACHER PROGRAMS

"Part A—National Teacher Corps

"Statement of Purpose and Authorization of Appropriations

"SEC. 501. (a) The purpose of this part is to strengthen the educational opportunities available to children in areas having concentrations of low-income families and to encourage colleges and universities to broaden their programs of teacher preparation by—

"(1) attracting and training qualified teachers who will be made available to local educational agencies for teaching in such areas; and

"(2) attracting and training inexperienced teacher-interns who will be made available for teaching and inservice training to local educational agencies in such areas in teams led by an experienced teacher.

"(b) For the purpose of carrying out this part, there are authorized to be appropriated $30,000,000 for the fiscal year ending June 30, 1966, $40,000,000 for the fiscal year ending June 30, 1967, and such sums as may be authorized for each of the four succeeding fiscal years.

"Establishment of National Teacher Corps

"SEC. 502. In order to carry out the purposes of this part, there is hereby established in the Office of Education a National Teacher Corps (hereinafter referred to as the 'Teacher Corps'). The Teacher Corps shall be headed by a Director who shall be compensated at the rate prescribed for grade 17 of the General Schedule of the Classification Act of 1949, and a Deputy Director who shall be compensated at the rate prescribed for grade 16 of such General Schedule. The Director and the Deputy Director shall perform such duties as are delegated to them by the Commissioner.

"Teacher Corps Program

"SEC. 503. (a) For the purpose of carrying out this part, the Commissioner is authorized to—

"(1) recruit, select, and enroll experienced teachers, and inexperienced teacher-interns who have a bachelor's degree or its equivalent, in the Teacher Corps for periods of up to two years;

"(2) enter into arrangements, through grants or contracts, with institutions of higher education or State or local educational agencies to provide members of the Teacher Corps with such training as the Commissioner may deem appropriate to carry out the purposes of this part, including not more than three months of training for members before they undertake their teaching duties under this part;

"(3) enter into arrangements, including the payment of the costs of such arrangements, with local educational agencies and, where appropriate, with State educational agencies, and institutions of higher education, to furnish to local educational agencies, for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, (A) experienced teachers, and (B) teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program developed according to criteria established by the Commissioner and carried out under the guidance of the experienced teacher in cooperation with an institution of higher education;

"(4) pay to local educational agencies the amount of the compensation which such agencies pay to or on behalf of members of the Teacher Corps assigned to them pursuant to arrangements made pursuant to the preceding paragraph; and

"(5) employ experts and consultants or organizations thereof, to assist the Commissioner in carrying out his functions under this part, as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), compensate individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5 U.S.C. 73b-2) for persons in the Government service employed intermittently, while so employed.

"(b) Arrangements with institutions of higher education to provide training for teacher-interns while teaching in schools for local educational agencies under the provisions of this part shall provide, wherever possible, for training leading to a graduate degree.

"(c) A local educational agency may utilize members of the Teacher Corps assigned to it in providing, in the manner described in section 205(a)(2) of Public Law 874, Eighty-first Congress, as amended, educational services in which children enrolled in private elementary and secondary schools can participate.

"Compensation

"SEC. 504. (a) An arrangement made with a local educational agency pursuant to paragraph (3) of section 503(a) shall provide for compensation by such agency of Teacher Corps members during the period of their assignment to it at the following rates:

"(1) an experienced teacher who is not leading a teaching team shall be compensated at a rate which is equal to the rate paid by such agency for a teacher with similar training and experience who has been assigned similar teaching duties;

"(2) an experienced teacher who is leading a teaching team shall be compensated at a rate agreed to by such agency and the Commissioner; and

"(3) a teacher-intern shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the intern is assigned.

"(b) For any period of training under this part the Commissioner shall pay to members of the Teacher Corps such stipends (including allowances for subsistence and other expenses for such members and their dependents) as he may deem appropriate.

"(c) The Commissioner shall pay the necessary travel expenses of members of the Teacher Corps and their dependents and necessary expenses for the transportation of the household goods and personal effects of such members and their dependents.

"(d) The Commissioner is authorized to make such arrangements as may be possible, including the payment of any costs incident thereto, to protect the tenure, retirement rights, participation in a medical insurance program, and such other similar employee benefits as the Commissioner deems appropriate, of a member of the Teacher Corps who participates in any program under this part and who indicates his intention to return to the local educational agency by which he was employed immediately prior to his service under this part.

"Application of Provisions of Federal Law

"SEC. 505. (a) Except as otherwise specifically provided in this section, a member of the Teachers Corps shall be deemed not to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

"(b)(1) Such members shall, for the purposes of the administration of the Federal Employees' Compensation Act (5 U.S.C. 751 et seq.), be deemed to be civil employees of the United States within the meaning of the term 'employee' as defined in section 40 of such Act (5 U.S.C. 790) and the provisions thereof shall apply except as hereinafter provided.

"(2) For purposes of this subsection:

"(A) the term 'performance of duty' in the Federal Employees' Compensation Act shall not include any act of a member of the Teacher Corps—

"(i) while on authorized leave; or

"(ii) while absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Commissioner; and

"(B) in computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of a member of the Teacher Corps shall be deemed to be his actual pay or that received under the entrance salary for grade 6 of the General Schedule of the Classification Act of 1949, whichever is greater.

"(c) Such members shall be deemed to be employees of the Government for the purposes of the Federal tort claims provisions of title 28, United States Code.

"Local Control Preserved

"SEC. 506. Members of the Teacher Corps shall be under the direct supervision of the appropriate officials of the local educational agencies to which they are assigned. Except as otherwise provided in paragraph (3) of section 503(a), such agencies shall retain the authority to—

"(1) assign such members within their systems;

"(2) make transfers within their systems;

"(3) determine the subject matter to be taught;

"(4) determine the term and continuance of the assignment of such members within their systems.

"Maintenance of Effort

"SEC. 507. No member of the Teacher Corps shall be furnished to any local educational agency under the provisions of this part if such agency will use such member to replace any teacher who is or would otherwise be employed by such agency.

"Advisory Council on the National Teacher Corps

"SEC. 508 (a) The Commissioner may, without regard to the civil service laws, appoint an Advisory Council on the National Teacher Corps to advise and consult on the criteria for the selection of teachers and teacher-interns and on such other matters relating to his functions under this part as he deems appropriate. The Council shall consist of twelve persons chosen from teacher education, urban and rural school administration, universities, and representatives of the general public.

"(b) Members of such Advisory Council who are not regular full-time employees of the United States shall, while attending meetings or conferences of such Council or otherwise engaged on business of such Council, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"(c) The Council may appoint an Executive Secretary and such other employees as the Council deems necessary to carry out its functions under this part.

"Part B—Fellowships for teachers

"Fellowships Authorized

"SEC. 521. (a) The Commissioner is authorized to award under the provisions of this part not to exceed twenty-five thousand fellowships for the fiscal year ending June 30, 1966, thirty thousand fellowships for the fiscal year ending June 30, 1967, and thirty-five thousand fellowships for the fiscal year ending June 30, 1968. Fellowships awarded under the provisions of this part shall be for graduate study leading to a masters or equivalent degree in the field of education for the purpose of teaching in elementary, secondary, postsecondary vocational schools or in the subject matter which the person awarded such fellowship is or will be teaching in such schools. Such fellowships may also be awarded in fields ancilliary to elementary and secondary education such as library science, educational media, school social work, guidance and counseling, special education for handicapped children, vocational education and other fields having the purpose of assisting or improving elementary or secondary, or postsecondary vocational education. Such fellowships shall be awarded for such periods as the Commissioner may determine but not to exceed two academic years.

"(b) In addition to the number of fellowships authorized to be awarded by subsection (a) of this section, the Commissioner is authorized to award fellowships equal to the number previously awarded during any fiscal year under this part but vacated prior to the end of the period for which they were awarded; except that each fellowship awarded under this subsection shall be for such period of study, not in excess of the remainder of the period for which the fellowship which it replaces was awarded, as the Commissioner may determine.

"Fellowships for Recent Graduates

"SEC. 522. One-half the number of fellowships under the provisions of this part for any fiscal year shall be awarded by the Commissioner to persons recommended to the Commissioner for such fellowships by institutions of higher education. An institution of higher education may for the purposes of this section recommend any individual who has received a bachelor's degree with high standing from such institution, except that such recommendation shall be made not later than six months after the awarding of such degree.

"Fellowships for Experienced Teachers

"SEC. 523. The remaining half of the number of fellowships awarded under the provisions of this part for any fiscal year shall be awarded by the Commissioner to persons with at least six academic years of experience teaching in an elementary, secondary, or postsecondary vocational school, who are recommended to the Commissioner for such fellowships by local educational agencies. A local educational agency may, for the purposes of this section, recommend any such person who is teaching in such agency's elementary, secondary, or postsecondary vocational schools upon condition that such agency agree to rehire such individual upon his completing the course of study under such fellowship.

"Fellowships in Ancilliary Fields

"SEC. 524. Not less than 20 per centum of the fellowships awarded under sections 522 and 523 shall be awarded to persons for graduate work in fields ancilliary to elementary and secondary education, as defined in section 521.

"Distribution of Fellowships

"SEC. 525. In awarding fellowships under the provisions of this part the Commissioner shall endeavor to provide an equitable distribution of such fellowships throughout the Nation, except that to the extent he deems proper in the national interest, the Commissioner shall give preference in such awards to persons already serving, or who intend to serve, in elementary or secondary schools in low-income rural or metropolitan areas

"Stipends

"SEC. 526. (a) Each person awarded a fellowship under the provisions of section 522 shall receive a stipend of $2,000 for the first academic year of study and $2,200 for the second such year. Each person awarded a fellowship under the provisions of section 523 shall receive a stipend of $4,800 for each academic year of study. In both cases an additional amount of $400 for each such academic year of study shall be paid to each such person on account of each of his dependents.

"(b) In addition to the amount paid to persons pursuant to subsection (a) there shall be paid to the institution of higher education at which each such person is pursuing his course of study, $2,500 per academic year in the case of a person receiving a fellowship pursuant to section 522 and $5,000 per academic year in the case of a person receiving a fellowship pursuant to section 523. Amounts paid pursuant to this subsection shall be less any amount charged any such person for tuition.

"(c) The Commissioner shall reimburse any person awarded a fellowship pursuant to this part for actual and necessary traveling expenses of such person and his dependents from his ordinary place of residence to the institution of higher education where he will pursue his studies under such fellowship, and to return to such residence.

"Limitation

"SEC. 527. No fellowship shall be awarded under this part for study at a school or department of divinity. For the purposes of this section, the term 'school or department of divinity' means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"Fellowship Conditions

"SEC. 528. A person awarded a fellowship under the provisions of this part shall continue to receive the payments provided in section 526(a) only during such periods as the Commissioner finds that he is maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and is not engaging in gainful employment other than part-time employment by such institution in teaching, research, or similar activities, approved by the Commissioner.

"Appropriations

"SEC. 529. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this part."

On page 71, line 20, strike out "TITLE V" and insert in lieu thereof "TITLE VI".

Beginning on page 71, redesignate sections 501 through 504 as sections 601 through 604, respectively.

On page 73, between lines 12 and 13, add the following new subsection:

"(g) The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary, secondary, or postsecondary vocational schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary, secondary, or postsecondary vocational schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary, secondary, or postsecondary vocational school."

U.S. POLICY IN VIETNAM

Mr. MORSE. Mr. President, yesterday I sent to the Press Gallery mimeographed copies of the speech I shall make today. It is an additional speech, added to a long list of speeches I have made in the last 2 years on this floor in opposition to the unjustified slaughtering of American boys in Asia by this administration in an undeclared and unconstitutional and illegal war.

At the very beginning of my speech today, I ask for the attention of the reservationists in the Senate. By the term "reservationists" in the Senate, my colleagues well know I mean those Senators who, not so long ago, when the President asked for $700 million to be used in the war in Vietnam, voted for the measure, although the President made it clear to us on two occasions, once in the East Room in the White House and the second time in the message itself, that he did not need $700 million, because he had plenty of authority to transfer the necessary funds; but that he was using the measure as a vehicle for another vote of confidence for his policy in Asia.

A group of Senators stood here and made speeches which caused me to label them as the speeches of reservationists. They wanted their reservations noted, that they were not giving the President a blank check. They wanted their reservations noted that they wanted to be consulted if the President should send further American troops to southeast Asia; and that they expected to be taken into consultation in connection with a further escalation of the war.

The RECORD will show that the senior Senator from Oregon that afternoon warned them for the last time so far as the power called for by the measure was concerned.

So I again ask the question on the floor of the Senate. I would like to have any Senator tell me whether the President has consulted him about the additional thousands of American boys he has sent into southeast Asia, since the passing of the so-called $700 million measure, who are dying by increasing numbers as this escalated war proceeds.

Of course they have not been consulted. I say to my colleagues in the Senate and to the President of the United States and his Cabinet that the American people, in due course of time, are going to be heard from, expressing their deep resentment in opposition to what I consider to be a failure on the part of this administration to follow the procedures of the Constitution of the United States in regard to making war.

I have been heard to say many times, but I shall continue to be heard to say across the land and to the Senate, that our President has no constitutional authority to send a single American boy to his death in Asia in the absence of a declaration of war. The Congress of the United States does not have a scintilla of constitutional right to seek to delegate to the President of the United States the power to make war in the absence of a declaration of war.

The Constitution is too precious, and I happen to believe that this administration should be stopped by the Congress in conducting an undeclared war. The American Government should face up to the issue as to whether under article I, section 8, of the Constitution, it is ready to declare a war, for only the Congress can declare a war. There is not a single basis for a constitutional interpretation in the lawbooks of America that justify Congress seeking to delegate power to the President to make war in the absence of a declaration of war.

There are those who do not like to hear me say it, but I believe there are probably two main reasons why there has not been a declaration of war.

First, it would then make the war issue squarely an issue before the American people: "Do you want to make war formally and declare it?" Any such recommendation by the President of the United States and any such declaration of war resolution introduced in the Congress would so split this body politic, so far as public opinion is concerned, that the President would take little relief and little comfort from the polls that he so frequently pulls out of his pocket as an indication that the public is behind him in bloodletting.

The public, like the senior Senator from Oregon, likes the President. The public, like the senior Senator from Oregon, would like to support the President on every issue. The senior Senator from Oregon supports him on the overwhelming majority of issues, at least 95 percent of them. But as a friend of the President, I believe I can best show that friendship, when I disagree with the President, to say when I think he is wrong, as he is in connection with his foreign policy in connection with this illegal, unjustifiable war in southeast Asia.

The American people are entitled to have their Congress act in accordance with the Constitution in support or rejection of a declaration of war.

Second, it would be difficult to know against whom to declare war. At the present time, the only country we could possibly present as a basis against which to direct a declaration of war would be North Vietnam. But, as I have stated many times in past months, on the basis of the present facts, if a proposed declaration of war against North Vietnam came before this body, I would vote against such a declaration; in my judgment, we do not have the slightest justification under international law, or in keeping with our signature on existing treaties, or on the basis of the operative facts in Asia, to declare war against any country. On the contrary, on the basis of international law, of treaty obligations, and of the serious threat to the peace of the world which we are helping to create in Asia, we should reverse our course of action and plead with other nations to join us under the procedures of the United Nations to set up a peace conference, with the United States sitting at the head of that peace table in an endeavor to carry out our professed ideal of substituting the rule of law for what has become the American jungle claw for the settlement of the dispute in Asia.

Mr. President, I wish to say that again because I would not wish anyone in the Senate or in the country to think that I, in the slightest degree, have modified my position of some 2 years in opposition to our Government's policies in Asia.

In my judgment, those policies will go down in history to the everlasting discredit of the Johnson administration. If the President does not change those policies, he will leave a blot on what otherwise will be the record of a great President.

With those comments as a preface, I now turn to the manuscript of my speech, setting forth the points I wish to emphasize in addition today.

ESCALATIONS IN VIETNAM TYPIFY ALL WARS

With the statements made Tuesday by President Johnson at his news conference, the United States and the world slid further into the morass of war. It is interesting to note that our new escalation is being justified on the basis of alleged increases in participation in the war by North Vietnam. Yet, the testimony of much of our Government suggests that the infiltration from the north was stepped up in 1964, after the American raids on North Vietnam naval bases, subsequent to the Tonkin Bay incidents.

Let me point out that the administration can never escape its responsibilities for exceeding its rights in connection with the Tonkin Bay incidents. The record is clear, and I have stated it so many times but repeat it today, that the Government knew of the South Vietnam ships that had left the South Vietnam ports to go into Tonkin Bay to attack North Vietnamese islands a few short miles from the coast of North Vietnam.

The record is also clear that American destroyers were in radio communication with Saigon.

The record is further clear that the bombing of the North Vietnamese islands amounted to an attack on North Vietnam, because those islands are a part of the territory of North Vietnam. Our destroyers were standing within a short distance of the area where the bombing was taking place—on the high seas, it is true, and under international law at a place where they had a right to be; nevertheless, they were there, available to give cover, if cover became necessary.

As I said at the time, when I protested the conduct of the United States as a provocateur nation in respect to the attacks on the island of North Vietnam, when it was misrepresented to the American people, as the Pentagon constantly misrepresents to the American people in its propaganda in regard to this war, that the ships were supposed to be 75 miles from the mainland of North Vietnam. Of course it was not true. We finally produced the evidence which showed that the Pentagon propaganda was false. But the record will show that I pointed out at the time: Suppose Castro decided to bomb Key West, Fla., with a Cuban torpedo boat, and a Russian destroyer was 75 miles away, what do we think the United States would do? It would give the torpedo boat one chance to come into port under the escort of the American Navy, or we would sink it. Apparently, the Pentagon believes that these policies should work only one way.

Mr. President, the log of the ship itself showed that it was somewhere around 13 miles from the coast. Under international law we had the right to respond immediately in national self-defense to the attack of those torpedo boats upon our destroyers. We did. The President of the United States was completely within his rights under international law.

It will be remembered that there was a second incident of another attack, and we had a perfect right to respond in self-defense against the attacking vessels; but we had no right under international law to go beyond attacking those vessels and the mainland of North Vietnam. When we did, the United States, under international law, became an aggressor, and has been so branded by many an alleged allied spokesman around the world. We had the right to act in self-defense in response to the torpedo boat attack against our own torpedo boats. Then we had at least an international obligation to lay our charge against North Vietnam before the United Nations immediately for threatening the peace by attacking American boats on the high seas.

The sad and ugly reality is that the United States, too, has been an aggressor from the very beginning in the war in Asia. The sad and ugly reality is that the United States, too, along with the despicable Communists, violated the Geneva accords from the very beginning.

The administration would like to cover up the illegality of its own acts. It published a white paper, but not one word did it tell the American people regarding the violation of international law by the United States. Not one word was in that propaganda sheet, which was aimed at deceiving American public opinion, to indicate that the International Control Commission found not only North Vietnam and the Vietcong in violation of the Geneva accords, but also found the United States and South Vietnam in violation of the Geneva accords time and time again.

I say to the American people again: "You are not being given the facts about American policies and actions in southeast Asia, and you have not been given the facts from the very beginning."

It is about time for us to come within the framework of international law and lay our case involving the threat to the peace of the world in Asia by the Communists before the United Nations for adjudication.

Mr. President, I cannot stress too emphatically my very deep conviction that if the United States continues to send over the thousands and thousands of men that the Secretary of Defense is talking about—if we continue this escalation, we shall find ourselves in a massive war in Asia that will last for years.

Now is the time, before it is too late, to seek to avoid the shocking bloodshed by Americans and Asians that would flow from that war.

We should seek under existing international procedures, an honorable solution of the war because if there is any world left to negotiate, before we are led into a nuclear war, the conflict will finally be settled on about the same terms upon which it would be settled now if the United Nations took jurisdiction.

Are we never going to learn as the result of history? Are we never going to read the sordid details of the results of war?

Mr. President, we are now in an era in which we cannot on any moral grounds justify seeking to win a peace through war.

What is the alibi given by our Government for the accelerated escalation, for every action we have taken?

We say we have taken it for retaliation. But every action the Vietcong and North Vietnamese have taken they have called retaliation.

I do not know why so many are so surprised that after our bombing of

North Vietnam, the North Vietnamese stepped up their military support to the Vietcong. Is it right only if it works one way? Is it justifiable if only the United States escalates, but it is wrong if North Vietnam seeks to help the Vietnamese? At least they are helping their own skin brothers.

Do not forget that not so many years ago there were no North Vietnamese and South Vietnamese. They were all Vietnamese.

And do not forget that the Geneva accords do not provide for two governments in Vietnam. The United States, not the Geneva accords, created two governments in Vietnam.

The Geneva accords did not provide for the setting up of a U.S. puppet government under the shocking dictator we sent over there when he was in exile in Washington, D.C., and New York City. We financed him, militarized him, and put him in power to rule with the police dictatorship over the Vietnamese; and we were surprised that he was not received with open arms.

Thus, we have supported one American police puppet after another in South Vietnam, and our Government has the audacity to talk about being over there to support freedom. There has not been an hour of freedom under American rule in South Vietnam.

Under American rule the United States has supported military tyrannies—police states denying civil liberties. A police state, be it a Communist police state or an American financed military police state, is immoral and unjustifiable.

So North Vietnam and the Vietcong have also retaliated and escalated.

That is all war is, really, to meet an enemy and best him in military combat until he is reduced to peace on the terms of the winner. The point at which a war can be said to be "won" is the point where the side with the preponderant strength is willing to accept terms offered by the weaker side. North Vietnam, too, has its conditions under which it says it will negotiate. Those terms are as unacceptable to us as ours are to the north. So each party in turn raises the level of the war, trying to gain the advantage.

In the way in which we are advancing into the war and the way in which we describe its supposed objectives make it little different from any other war. Both sides, we no less than North Vietnam, are stepping up their military activities in an effort to best the other, and they, no less than we, are quite willing to have the issues settled by negotiation just as soon as the United States is willing to accept the terms of settlement offered by North Vietnam.

That is why the parties litigant, so to speak—the war participants—are not the ones that can lead the world to the conference table. That is why noncombatants, representatives of the United Nations that have exactly the same international law obligations as the United States under that treaty, have the clear duty to call for the conference for which the senior Senator from Oregon has been pleading, and without which, in my judgment, the world is headed for a holocaust.

PRESENT POLICY IN ASIA FORFEITS OUR NATIONAL HONOR

The shameful and sickening manner in which the United States has engaged itself in this war without so much as a glance in the direction of its legal obligations under the United Nations Charter is going to be marked down to the everlasting discredit of the United States. We are doing what we have for years exhorted other nations not to do—settling our international differences by resort to force of arms.

We are doing what we have for years condemned Red China for doing—using force against other countries in disregard of the United Nations Charter. We have called Red China an outlaw nation for her flagrant violations of the U.N. Charter, but her violations differ only in form and not substance from our own.

The President spoke Tuesday of our national honor and our national word. I ask him, What about our word as put down by our signature on the U.N. Charter?

What about our honor as a nation that seeks the moral leadership of the world as the exponent of the rule of law rather than the rule of the claw in world affairs?

It may be enough to appeal to our own people on the basis of a mutual pledge that has not been kept by the other side; namely, South Vietnam. But the rest of the world knows that we are behaving in southeast Asia in exactly the same way we have condemned so many others for behaving. That is why so many of our professed friends and erstwhile allies have left us in the lurch in Vietnam. That is why all the lists of countries helping in South Vietnam lists noncombatant elements numbering in the dozens, and combat soldiers only from the other two white countries in the area—Australia and New Zealand, plus South Korea.

Where are all our treaty partners from SEATO? Where are the Philippines, and Pakistan, and Thailand? More important, where are India and Japan, the two great non-Communist powers of Asia?

Certainly they are not joining us, and there is no reason to think their people are even for us. They are openly critical of the United States.

Earlier I said that if we had a declaration of war, in my judgment we would have a split body politic in the United States over the advisability of such declaration. When I said I thought there were reasons why this administration is so hesitant about formally declaring war, I did not mention another, so I mention it now. If we do declare war against another country, we shall automatically change the legal status of every other country in the world. A nation's relationship with noncombatants becomes entirely different in a myriad of respects under international law when it becomes a belligerent.

That means that the course of action the President may take in connection with escalation may affect the sovereign rights of noncombatants. That is why I have been heard to say on occasion on the floor of the Senate, in regard to Britain, that it may very well be that the Wilson regime will tumble and topple in Great Britain because of United States policies in Vietnam and the failure on the part of the Prime Minister of Great Britain to follow a course of action that will maintain for him a majority of support in Britain.

We hear much talk by Members of the House, telling the American people that North Vietnam ought to be blockaded by the American Navy, supported by American Air Forces. What do they suppose the Union Jack will do? Let those warmongers and warhawks who want to involve the American people in a major war in Asia, shockingly proposing the bombing of Hanoi and the Chinese nuclear bases, tell the American people what assurance they have that the British Jack will ever be lowered to an American blockade. If it is, it will be the first time in the history of the British Empire. Throughout the decades the British Government has made clear to the nations of the world that the British flag will never be lowered to a blockade that the British Government is not willing to accept.

Does anyone believe that the French flag will be lowered to an American blockade in Asia, when De Gaulle is openly in opposition to American policy in Asia? I could continue to cite one problem after another in regard to the international law relations that a declaration of war would create. Because of that, I have formed my suspicions that one of the reasons why the President does not want to make the war in southeast Asia a legal war under the Constitution is that a formal declaration of war would create problems between the United States and our allies, or alleged allies, around the world, that would soon find us with fewer friends than we now have.

The answer is not war. The answer to the threat to the peace in Asia is not the killing of Americans and Vietnamese in increasing numbers. The answer is to substitute the rule of reason for the jungle law of military might. Oh, what a great opportunity our country has to advance the cause of permanent peace by stopping warmaking and calling upon all nations that are willing to help to police a peacekeeping program in southeast Asia to join, under the jurisdiction of the United Nations, to effectuate such a cause.

I say to the President that his policy of further escalating the American war in South Vietnam will result in escalation by the other side. He will be announcing many more escalations if he does not first announce a complete change in policy.

The President's statement on Tuesday is an admission that the United States in no way controls the war. We do not control our participation in it because we do not control the other nations on the other side who have an interest in it. All we are doing is trying to make it too costly for them to continue. But we have given no thought as yet to whether they might have the same policy in mind.

BASIS FOR U.S. ACTIONS HAS BEEN CHANGED SINCE LAST FALL

The President is in the process of making the Vietnam war into an all-American war. This is quite a change in the viewpoint of the President since August 1964, because in August 1964, he said, in Texas:

> I have had advice to load our planes with bombs and to drop them on certain areas that I think would enlarge the war and escalate the war, and result in our committing a good many American boys to fighting a war that I think ought to be fought by the boys of Asia to help protect their own land. And for that reason, I haven't chosen to enlarge the war.

Obviously, the President has changed his mind. But he has not told us why. He has not told us why it is no longer American policy to avoid committing American boys to do the fighting that Asians should be doing for themselves. Is it because they are not sufficiently interested? I am not talking now about South Vietnam only. I am talking about the countries of all of Asia, who appear to be more frightened by what America is doing than by the prospect of what might happen if we ceased our war activity in their part of the world.

In New York, on August 12, 1964, the President said:

> Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys should do. They ask us to take reckless action which might risk the lives of millions and engulf much of Asia and certainly threaten the peace of the entire world. Moreover, such action would offer no solution at all to the real problems of Vietnam.

Oh, Mr. President, on August 12, 1964, you were so right. Such action offers no solution at all to the problems of Vietnam. Yet you are now taking Americans down the road of escalating the war and supplying American boys to do the job that Asian boys should do, if that is what Asians want done.

On September 28, 1964, in Manchester, N.H., the President said:

> So just for a moment I have not thought that we were ready for American boys to do the fighting for Asian boys. What I have been trying to do, with the situation that I found, was to get the boys in Vietnam to do their own fighting with our advice and with our equipment. That is the course we are following. So we are not going north and drop bombs at this stage of the game, and we are not going south and run out and leave it for the Communists to take over. We have lost 190 American lives, and to each one of those 190 families this is a major war. We lost that many in Texas on the Fourth of July in wrecks. But I often wake up in the night and think about how many I could lose if I made a misstep. When we retaliated in the Tonkin Gulf, we dropped bombs on their nests where they had their PT boats housed, and we dropped them within 35 miles of the Chinese border. I don't know what you would think if they started dropping them 35 miles from your border, but I think that that is something you have to take into consideration.
>
> So we are not going north and we are not going south; we are going to continue to try to get them to save their own freedom with their own men, with our leadership and our officer direction, and such equipment as we can furnish them. We think that losing 190 lives in the period that we have been out there is bad, but it is not like 190,000 that we might lose the first month if we escalate that war. So we are trying somehow to evolve a way, as we have in some other places, where the North Vietnamese and the Chinese Communists finally, after getting worn down, conclude that they will leave their neighbors alone, and if they do we will come home tomorrow.

In these speeches, the President repudiated the idea of escalating the war, and of putting American combat troops into Vietnam. Many voters relied on those statements. In that campaign the President took the fight to Goldwater on this very issue. He led the American people to believe that if he were elected President, the policy in Asia would be different from the warmaking policy that Goldwater was recommending. I say, in all respect, that Goldwater could not possibly have moved further and faster than the President has moved in leading us into a war in Asia.

The President has a right to change his mind. However, he has a duty to present to the American people his justification for changing his mind, and sound reasons for changing his mind.

In my judgment the President has miserably failed in justifying his warmaking in Asia. One thing that has changed since last August has been the increasing failure of the Government of South Vietnam to establish itself as a governing institution. So the sound and wise and justified theory that Americans should not fight Asians' war for them has somehow been shoved completely out of the picture.

One does not hear anything from the administration now about the size of the South Vietnamese Military Establishment. I say to the American taxpayers that they have thrown $6.5 billion into the South Vietnamese Military Establishment, counting the billion and a quarter that we poured into the French endeavor when we were trying to keep the French in that war.

On the basis of testimony from those in the Pentagon, it was stated over and over again before the Committee on Foreign Relations, on which I serve, that we are dealing with an equipped South Vietnamese Military Establishment of at least 500,000, nearer 750,000. The Vietcong are poorly equipped in comparison with the South Vietnamese Military Establishment and without any air support at all. There are probably in the neighborhood of 50,000 to 75,000 hard core Vietcong.

There is a South Vietnamese population in the neighborhood of 15 million. The interesting thing is that the Vietcong control about 75 percent of the land area of Vietnam. What the American people are not being told is that they control the local government, they collect the taxes, they appoint the teachers. They are the body politic of about 75 percent of the land area of South Vietnam.

This administration will not give us the facts about what goes on in the Vietcong controlled areas of South Vietnam.

Does anyone mean to tell me that, with a military establishment of some 500,000 up to 750,000 South Vietnamese soldiery, with the best equipment that can be supplied by the U.S. Government, with the air force equipment with which we have supplied them, with the naval power of the U.S. fleet in the waters adjoining that area, and with a population approaching 15 million, we must send thousands and thousands of American boys over there to do the fighting for them?

Mr. President, if the South Vietnamese with the kind of support that they have received from the United States cannot settle this war they ought to be told to proceed to negotiate a settlement of that war at an honorable peace table under the jurisdiction of noncombatants, through the procedures of the United Nations. That is my answer. It will continue to be my answer until a successful rebuttal comes from either the White House or the State Department. As of today, they have been unable to produce any rebuttal under international law that would destroy the logic of my arguments, including the arguments that I have presented in the memorandums requested by the President of the United States for the consideration of both the State Department and our representatives in the United Nations.

The sad fact is that we are derelict in our clear obligations under the United Nations Charter. We are grossly derelict in respect to our moral obligations.

There is no satisfactory explanation forthcoming from this administration. There has been no explanation as to why the old theory was discarded and no explanation of what new theory we may be working on in Asia, if any.

WE NO LONGER FIGHT FOR THE FREEDOM OF SOUTH VIETNAM

In light of the repudiation of our past rationalizations for our activities in Vietnam, we must now assume that only direct American interests are motivating our new war effort. We are running the show. We are running the war. The responsibility and the interests at stake have become ours.

If there were any concern left in official circles for the fate of the people of South Vietnam, who have become mere pawns in this struggle between United States and communism, we never would have permitted a rotted mind like that of General Ky to become associated with and fostered by the American Government.

Who is General Ky? He is the latest corrupt tyrant being supported by the United States in a dictatorial position in South Vietnam. We have had a chain of them, one after another. He is the latest. Let us take a look at him, Mr. President. We would never receive this information from the white paper released by the Pentagon. We would never get this information out of any paper released by this administration. This kind of information we must go abroad to get, for it must be concealed from the American people.

Mr. President, there are still a few people left in this country—I do not know how much longer they will be allowed to speak—who are willing to tell the American people the truth as they find the truth in connection with U.S. outlawry in southeast Asia.

Who is this tyrant whom we are supporting, called General Ky? General Ky has only one hero—Adolf Hitler. So he tells us in the interview published July 6 by the Sunday Mirror of London:

> People ask me who my heroes are. I have only one—Hitler. I admire Hitler because he pulled his country together when it was in a terrible state in the early thirties. But the situation here is so desperate now that one man would not be enough. We need four or five Hitlers in Vietnam.

That ought to be the end of American support for General Ky.

One is tempted to remind General Ky that Franklin Roosevelt also pulled a much bigger country together in the early thirties when it was in a terrible state, but it is obvious that Ky is attracted far more to the attributes of a Hitler than to the attributes of a Franklin Roosevelt.

The hand of violence fits General Ky just as it fits the Communists who always find it easier to shoot, murder, and enslave those who make themselves inconvenient or who do not fit in with the plans of the ruler. Inspiration, statesmanship, leadership of all the people in a common cause—these are attributes that are foreign to Ky just as they were to Hitler.

This tyrant Ky, supported by the U.S. Government, is a remarkable prototype of Hitler, in charge of the police state we help maintain in South Vietnam; and out of the other side of our leadership's mouth they prate about supporting freedom in South Vietnam. They have millions of American people convinced that we are supporting freedom in South Vietnam, when what we are supporting is military tyranny and dictatorship.

Hitler rallied a majority by turning their fears and hatreds upon a minority within their midst, and by so doing he created a record of human bestiality that the world has been trying to forget for 20 years.

Yet that is the kind of leadership that this man is offering to the people of South Vietnam, with American backing, American financing, and with the lifeblood of American soldiers.

What a shame. What a shame, Mr. President.

I ask unanimous consent that the entire text of the interview from the Sunday Mirror be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. I point out also that Ky shares another opinion of Hitler's, and that is that territory lost by treaty can be retaken by force of arms. The story about General Ky points out that he was "widely thought to have been responsible for Khanh's boast that the Vietnamese air force has the capability of dropping bombs on military targets in North Vietnam and South China"—boasts made before the bombing of the north actually began. One can only wonder whether General Ky has plans for China, too, to be carried out with the help of the Americans.

Press stories coming from Saigon today make one even more suspicious as to what this tyrant is up to. He is now saying to the American military over there, and to the American representatives sent over there, including the Secretary of Defense, "America must now fight a war in Vietnam to win"—and he leaves no doubt as to his views and that what is necessary to win is to proceed to take the war to China.

U.S. INTEREST AIMS AT CHINA, NOT VIETNAM

Perhaps this administration can whip up a war hysteria in this country sufficient to get the people in a hysterical state to support our going to war against China by way of our escalating the war into China.

I have said for many months that I am satisfied, as a member of the Foreign Relations Committee of the U.S. Senate, that we have a dangerous, desperate group of men in the Pentagon who want a preventive war against China and who would like to create an opportunity to bomb the Chinese nuclear installations. I consider them the most desperate and dangerous men in all the world. The shocking and despicable Communist leaders of Russia and China have thus far—who knows how much longer?—given evidence that they wish to avoid that massive war.

I cannot understand how anyone could even for a moment believe that if the United States should bomb nuclear installations of Red China, Red Russia could stay out of the war and maintain any position of leadership in the Communist segment of the war.

A week ago yesterday, I went as far as I could under the doctrine of privilege in disclosing the basis for a judgment of mine, which I had reported to the President of the United States and to the Secretary of State, which causes me to believe that if the United States bombs either Hanoi or China, Red Russia will come into the war.

As I said a week ago Thursday, it is my opinion that that war would not be limited to China. I said then, and repeat today, Russia will not let the United States pick the battlefield. She will pick her own battlefield, and I happen to think it will be New York City, Washington, D.C., Detroit, Seattle, San Francisco, and other great population centers of the United States.

However, if she comes into the war, she knows she will have to come into an all-out nuclear war. The ungodly implication is that no one will win, but all will be destroyed. I say to my God on the floor of the Senate this afternoon, How can we justify our warmaking cause of action with all of these dangers pregnant and inherent?

I am at a complete loss to understand it. Those of us who are willing must continue to protest, must continue to plead, must continue to challenge, in the hope that the rays of reason will finally break through the war clouds and the sunshine of a peaceful day will break upon the world.

We know, too, that General Ky has often expressed the view that the war must be carried north on the ground as well as in the air. At least Hitler envisioned regaining his lost territory through the efforts of his own people, and not on the backs of American soldiers.

But General Ky should read history past the thirties. He will find out that after regaining the lost lands and conquering most of Europe, Hitler left Germany only half the country it was before he started. His legacy to his people was the occupation of a huge chunk of German territory by the Communist, and occupation which, after 20 years, shows no signs of being terminated.

Russia is in there as the keeper of the puppet regime of East Germany, just as the United States is the keeper of the puppet regime of South Vietnam.

When we reach the council tables of the world, let me warn the American people that we are not going to be exonerated, we are not going to be found with clean hands, but with hands dripping with blood.

All we can hope and pray for is that our hands will be washed in the solution of a peaceful negotiation which will do honor to all the world, including the combatants in this unholy war.

As stupid as Ky is, the fact remains that he is our man. He is our protege. He flies our planes. He wears our clothes. He spends our money. He is all Government-issue, so far as we are concerned. He is the creature of the 10-year U.S. military aid program in South Vietnam. His only hero, he says, is Adolf Hitler.

Unless we change our policy in Vietnam, we are going to wind up with much the same disaster on our hands in Vietnam that engulfed Germany. Communism has made all its gains out of war. A general war in Asia will extend its dominion even further.

With each step this country has taken alone, unaccompanied, and unilaterally down the road to war, the chances of limiting the war and limiting communism have become dimmer and dimmer.

Perhaps the last chance for peace lies with the nonparties to the war who can yet bring the Vietnam war under the jurisdiction of the United Nations.

Mr. President, I have been pleading with my Government to assume its obligation by taking the issue to the United Nations, calling for an extraordinary session and announcing that we would lay the threat to the peace of the world before the procedures of the United Nations for its jurisdiction and its adjudication, with our pledge of cooperation to implement the decisions reached.

We either believe in a government of law in the settlement of a threat to the peace of the world, or we believe in taking mankind down the road to what I fear will be a great disaster through war.

CONGRESS MUST REMAIN IN SESSION

Most certainly the only possible domestic restraint upon the executive branch—the Congress—must remain in session this fall.

I warn the American people that the drive is going to be on to adjourn Congress. The drive is going to be on to send Congress home. With Congress out of session, it will be easier for the war-makers to proceed with fewer checks being made upon their warmaking.

So far as I am concerned, so long as American boys are dying in southeast Asia, it is my position that Congress should never go out of session, because under the separation of powers doctrine of the Constitution under which we function, Congress owes it to the American people to remain in session and maintain a constant check upon the executive branch of the Government.

There are many reasons why we should remain in session at some length this year, but the compelling and controlling reason is that we cannot justify giving the administration a free hand in conducting the war with Congress in adjournment.

The floor of the House of Representatives and the floor of the Senate must be kept available for whatever public consideration is necessary to maintain a constant and vigilant check upon the administration in connection with the conduct of this war.

It is true that our constitutional function to check the President in his conduct of foreign affairs as well as in domestic affairs has atrophied to the point of disappearing. I have been speaking about this trend toward government by executive supremacy for nigh on 15 out of the 20 years I have served in the Senate. For the past 15 years, I have been trying to warn the American people with specific proof after specific proof of the tendency of Congress to delegate away more and more of its checking responsibilities under the Constitution, leaving the American people with a government by executive supremacy. I have warned many times, and will continue to warn the American people, that they cannot cite a single government in the history of mankind which remained free, while the people were subjected to a government by executive supremacy.

Freedom for the individual is incompatible with government by executive supremacy, which is but a polite word for dictatorship of one degree, form, or another.

Let me say to the voters of this country that they have the responsibility to hold their elected officials to a political accounting. They have the duty of citizen-statesmanship to check up and see to what extent their elected officials are delegating away to the executive branch of the Government the residual controls and checking obligations which the Constitution vests in Congress.

I am talking about the principle of government, which many find to be a dry subject. It is difficult to see the direct application of an abstract principle of government to their precious, concrete freedoms and liberties.

The answer is that there are no freedoms or liberties except in relationship to the abstract principles of government which we call constitutional guarantees.

We have delegated so many congressional powers over war and over the armed services to the President that we are now merely bystanders to the exercise of these legislative powers not only by the President but by the Secretary of Defense.

The result has been the virtual abdication of our checking power. The administration has been quick to take advantage of the situation by keeping away from Congress any real opportunity to decide the use of American military forces in Asia. Any President always prefers to gather to himself as close to an exclusive decisionmaking power as he can manage to gather. Given a Congress anxious to cooperate, and the constitutional framework which was created to prevent a President from plunging the Nation into foreign adventures on his own decision is effectively destroyed.

But so long as Congress sits, we continue to hold the power to assert our duties. So long as we remain in session, the President knows that at least we are able to exercise our constitutional function if we choose to do so.

In his press conference on Wednesday, the Secretary of Defense made it clear that the administration was about to exercise another congressional power that has been delegated to it—that of calling up reservists and national guardsmen. Thus, another escalation of the war effort is about to take place without the slightest reference to Congress. The Members of Congress who insist they have voted for Vietnam resolutions only to endorse past acts and not to give a blank check for future acts are getting their answer now.

As the senior Senator from Oregon warned them, they are getting their answer now. They sought to justify their vote of confidence in the President's policy by saying they were not giving him a blank check. They gave him a blank check, and he is using it.

They have the power to take it away. I say to the American people: "You really have that answer. You made it clear to Members of Congress that you want them to take away the blanket authority, the blank-check authority that they have tried to delegate to the President of the United States. You can deliver that message in a manner that they will understand."

I believe it is the only way that we shall be able to stop this escalation.

I suggest that Congress keep in mind that even as the land forces are increased in Vietnam, the air raids in the north are moving ever closer to China. I doubt there is any coincidence in the two events. When we have landed a sufficient land army in Vietnam and prepared adequate coastal bases to supply it, the air raids will find their way to areas in or around China that will bring China into the war.

Mr. President, it saddens me to say it, but, in carrying out my trust in the Senate, I must warn the American people about what I think the preventive war crowd in the Pentagon has in mind.

We have read in the newspapers during the past 72 hours that the U.S. Air Force has bombed a segment of the China railroad in North Vietnam. The bombing took place only a few miles from the China border. This is an interesting location of this segment of the railroad. The railroad comes out of Red China, crosses the border to North Vietnam, where there is a projection of territory, makes a loop through North Vietnamese territory, and goes back into Red China.

The U.S. Air Force bombed the part of the railroad that is in that North Vietnamese loop. If that is not provocation, Mr. President, I wish someone would define the word for me.

It is the fear of the senior Senator from Oregon that the Pentagon, in its escalating war policies, will continue deliberately, willfully, intentionally, and knowingly to follow a course of action aimed at provoking Red China to commit an overt act.

I am satisfied that if Red China commits an overt act, she will be quickly bombed. That is the risk. That is the great danger that confronts humanity. That is the threat leading to the beginning of a nuclear war.

As I said a few moments ago, a bombing of Hanoi will leave her no choice. It is not possible to bomb Hanoi without killing Russians.

Let the American people understand that Red Russia is now giving military support to North Vietnam to the degree that there are a considerable number of Russians in Hanoi—technicians and military advisers necessary to advise them in the use of the military equipment that Red Russia has sent to them.

Does anyone believe that the United States can bomb Hanoi and start killing Russians, and that the Kremlin will send us a thank you note? They will send us a declaration of war, or they will make war, declaration or not.

Whatever the views of the President in this respect, I am satisfied that the chance to bomb China is the objective of a large body of opinion in the Pentagon and unfortunately the Department of State. One need only review the history of our public pronouncements on the war over the last 3 years to appreciate that we have moved steadily away from justifying our acts as an assistance to South Vietnam, and closer and closer to justifying our acts as the only means of containing China. The ultimate "containment" is the nuclear bombing of China's major industries, including her nuclear installations.

Mr. President, let me repeat for the benefit of the American people: "I tell you that the Pentagon recognizes that it cannot defeat Red China with bombing, nuclear or conventional; and the warhawks in the House, who have been trying to egg the administration onto the bombing of Hanoi and even a bombing of Red China, would have the American people believe that we can win the war with bombings, either nuclear or conventional. It cannot be done, and the military know it and say so—in private.

I know that I am getting pretty close, but I am still within the rules. The American people are entitled to have everything the senior Senator from Oregon can tell them within the rules. I challenge the Pentagon to issue a statement denying what I have just said. I warn them that if they put out a propaganda statement denying it, all the rules of privileges before the Committee on Foreign Relations will be out the window so far as the senior Senator from Oregon is concerned.

I would rather take the discipline of the Senate than deny to the American people what those briefings will show, if the Pentagon denies what the senior Senator from Oregon has said, that they admit they cannot beat Red China with bombing, nuclear or conventional.

They will have to beat her in both the air and on the ground. If they take on Red China on the ground, they will have to send hundreds of thousands of American boys to China, to die in a war which in my judgment cannot be justified on any grounds.

The American people must come to grips with the ugly crisis that faces us. The American people must stop passing the buck to their Government. The American people must recognize the fact that it is their ultimate responsibility to decree what the American foreign policy shall be, and that it is not the responsibility of the President of the United States, for under our constitutional system he is but the administrator of a people's foreign policy.

The American people die. American soldiers die by the thousands and thousands.

I shall at least go to my grave knowing that I tried to warn the American people, before it was too late, of the inevitable consequences of a continuation of the Johnson administration's policy of supporting what started out to be McNamara's war in Asia.

And when we are adequately prepared on the ground, we will be ready to start whatever provocative bombing around her southern borders may be necessary.

The Congress here at home, and the members of the United Nations abroad, apparently are the only agencies left that can alter the course of this war, except my President and yours.

Mr. President, let me put at rest once again the charge or criticism that is made against the senior Senator from Oregon that by taking the position he takes in opposition to his Government's war in Asia, he is aiding and abetting communism.

I yield to no one in this country in my hatred of everything that the ideology of communism stands for, but I am satisfied that those who are escalating the war in Asia are the greatest allies the Communists have in the world.

American foreign policy in Asia is misunderstood by the hundreds of thousands in the underdeveloped areas of the world.

Those are the areas in which we ought to win the fight for men's minds over to the cause of freedom, but we can never win them by making war.

Also, do not forget, Mr. President, that we are white men, by and large. Americans are looked upon in Asia as white men, and Asians are determined to see to it that Asia is not dominated by any white nation, in whole or in part.

That is why what we are buying for ourselves is a war that will return to us many military victories.

As I have heard leading advisers in the Pentagon say: "We can kill them by the millions with our bombing; we can destroy their cities; we can knock out their nuclear bases: But to beat them we have to meet them on the ground."

We can do all that, Mr. President, but we will leave the United States bogged down in Asia for 25 to 50 years.

We have neither the manpower nor the economic power ultimately to win that war in the sense that people mean it when they talk about victory.

So, Mr. President, as the last point of my speech—and I shall be very brief on it, I say to my friend from West Virginia, I set forth the conclusion I have reached most reluctantly.

I have come to the conclusion that now is the time for the United States to go on to an economic war basis.

I wish to say to my administration: "If you are going to win the war in Asia, you cannot justify a single dollar profit for a single American businessman in this whole country."

If we are going to fight this war, let us do what we can to see to it that there is spread across this Republic an equality of sacrifice, to the extent there can be such equality—and, of course, the word defines itself when we speak about equality in terms of supreme sacrifice, and equality in support of making profits out of blood.

If we are going to fight this war, now is the time to go on a war footing. Now is the time to bring into existence price and wage stabilization procedures and bodies. Now is the time to take the profit out of war.

The other day a representative of a great union sat in my office protesting my position on the war in Vietnam. I listened patiently, very much interested in a point of view that is held by too many labor leaders in the United States today.

During the conversation, he mentioned the great interest his union had in the helicopters, airplanes, munitions, and war materiel in Vietnam that was being manufactured by their labor. Senators know that I would be aghast. I was shocked to think that even the thought should go through his mind that any change in my position should be dictated by the alleged benefits to the economy of the United States by fighting a war in South Vietnam.

But, as politely as I could, I made it very clear to that labor leader that the senior Senator from Oregon was not going to vote to pay for jobs for American workmen in war plants with the blood of American boys in Vietnam.

Mr. President, we shall continue to escalate this war.

If the McNamara program is for calling up the Reserves, if the McNamara program is for calling up the National Guard, if the McNamara program is for increasing the manpower—the present figure is 170,000—let me say to the American people: Get ready. One hundred seventy thousand will be the minimum. We shall go far beyond that figure; and if China comes in, we shall have them over by the hundreds of thousands.

Now is the time to put the economy of this country on a war basis.

If we get into a full-scale war, the constant emergency changes that will be required to prosecute it will be so sweeping and drastic for the duration of that total war that we will not know this Government. Now is the time, in the interests of preserving this system of government, to go on a war footing economically. This is no time for the American people to be making money out of blood. On the contrary, if the policy is to be a war policy, let us make it a war policy for everyone, not only for the boys who do the fighting and dying.

Oh, I can read the editorials now. I can read the criticisms now of the position that the Senator from Oregon is taking. But I stand on it. When we start talking about having 170,000 boys in South Vietnam, when we start talking about the expenditure of funds the administration is talking about for Vietnam, we have a duty to make every citizen—I do not care what his economic status is—enlist in the ranks for the war effort.

The senior Senator from Oregon will contine to insist, in speech after speech, as the administration continues to escalate the war, that checks be placed on all segments of the American economy, not only business, but labor, as well, to require them to make their sacrifices for the prosecution of that war. I do not ever want to hear mentioned to me again that this war is good for the economy of the country. I am not interested in blood money.

I shall yield in a moment to the Senator from West Virginia, prior to beginning the second speech I shall make today, a speech I was prevented from making last night because of the parliamentary situation.

I am saddened that I feel it necessary to make this speech. It is not an easy speech to make. It does not make one happy to disagree with the President of the United States, for whom he has affection. I have done so and shall continue to do so because I believe the best service I can render my President is to disagree with him when I believe he is wrong. I believe that my President has been ill advised, and I shall continue to pray that in some way, somehow, an understanding may come to permeate this administration, that will cause our policymakers to turn back out of the jungle, go back to the fork in the road, and march again to the goal of peace that really will blaze in the sunlight, if only we will take the right road.

EXHIBIT 1

[From the New York Mirror, July 4, 1965]

OUR ALLY: A PREMIER WHOSE HERO IS HITLER

(By Brian Moynahan)

"I admire Hitler because he pulled his country together," says South Vietnam's latest leader.

"People ask me who my heroes are. I have only one—Hitler." These are the words of Air Vice Marshal Nguyen Cao Ky, latest Prime Minister of South Vietnam, whose remote, unstable country has the whole world holding its breath. The comment of this flamboyant little dictator, who grasped office by a military coup while 70,000 American soldiers strove to keep the Communists at bay, highlights the whole tragedy of the thankless Vietnam war. Ky outlined his philosophy on Adolf Hitler in this remarkable interview sometime before the takeover.

Ky said: "I admire Hitler because he pulled his country together when it was in a terrible state in the early thirties.

"But the situation here is so desperate now that one man would not be enough. We need four or five Hitlers in Vietnam."

We met in his huge office at Tan Son Nhut air base on the outskirts of Saigon, when Ky commanded the Vietnamese air force.

Now, as the country's 10th Premier in 20 months, he and his fragile government face a situation more desperate than ever.

Outspoken and colorful, Ky looks every inch a pilot. He is small and lightly built. He wears an impressive mustache—surprisingly thick for an oriental.

COLOR

On flying missions, he sports twin, pearl-handled revolvers and purple chokers.

Even his private plane—a twin-engined Aero Commander, which he pilots on tours of the countryside—is purple. "It's my favorite color, because it is my girl friend's favorite color," he explained.

His girl friend, a slender and beautiful half-Chinese Vietnamese, who was an Air Vietnam hostess, is now his wife.

The big office reflected his character. It was splashed with bright blue flags and curtains. Orange and silver flying helmets hung from the walls.

Beatles' music—"Yes. I like them," he said with a smile—poured from a hi-fi set in the corner.

The man the Western nations now find themselves supporting in the name of freedom had a loaded .45 revolver as a paperweight on his desk.

The desk was stacked with thrillers and French paperbacks.

An automatic rifle, with the catch at "fire," was handy on the wall * * * "just in case the Vietcong try to catch me here instead of in the air."

The Vietcong have, indeed, had plenty of chances. Before he became Premier last month, Ky flew his American Skyraider fighter-bomber on at least one mission a week. His plane was hit several times and he was nicked by fragments when leading a recent raid on North Vietnam. But he is a superb pilot, trained in France, Algeria and America.

"One of the best," an American told me, "very brave, but not death-or-glory reckless."

On off-duty weekends, Ky would go up to Dalat, a mist-shrouded officers' retreat in the mountains northeast of Saigon, where the luxurious villas change with every political shift in the capital. He likes to hunt from the backs of elephants.

The tough political line he is taking now—he has clamped a curfew on Saigon's wild nightlife, publicly executed a terrorist and threatened the same punishment to profiteers—is not surprising.

TOUGH

When another terrorist was executed in Saigon last October, Ky told me: "I want an air force firing squad to do it and I want to be the officer in charge.

"We have to be tough. As tough as the Vietcong.

"We are losing the countryside because the government here is weak and not trusted. The towns are getting rotten and corrupt.

"We must have, soon, a strong leader whom the people out in the villages can admire and trust and who can control the towns."

He was then leader of the officers who saved General Khanh's government from an attempted coup last September—and who exacted growing concessions and influence in return.

PURGE

Ky was widely thought to have been responsible for Khanh's boast that the Vietnamese air force had "the capability of dropping bombs on military targets in North Vietnam and South China"—a move that could have escalated the war disastrously for the rest of the world.

His policy then was to "put all the country's effort into the war by purging the Army of incompetent officers, stopping wild rumors and defeatism and taking a firm hand with demonstrations."

Next, he would start to win the country back from the guerrillas, village by village.

Whether Ky can live up to his hopes and prove strong and mature enough for his crushing responsibilities remains to be seen.

South Vietnam's "strong man" premiers—Diem, Big Minh, Khanh—have come and gone in quickening succession.

Even Ky himself smiled when I asked him if he was interested in the Premiership: "Here, that can only be a short-term ambition."

EXHIBIT 2

[From the Wall Street Journal, July 15, 1965]

GLOOM IN VIETNAM: DOUBTS RISE THAT THE UNITED STATES CAN MOVE FAST ENOUGH TO BLUNT REDS' DRIVE—AMERICAN STRENGTH INCREASES, BUT COMMUNISTS CONTINUE TO GOBBLE UP TERRITORY—A HOLLOW VICTORY AT DAC TO

(By Philip Geyelin)

TAN CANH, SOUTH VIETNAM.—Are we too late in South Vietnam?

That thought haunts more than one American war planner here, even as fresh forces pile onto coastal beachheads and the military pressure grows for a much more active, aggressive, and greatly expanded U.S. combat role. As U.S. troop strength heads rapidly toward 75,000, even an ultimate figure of 100,000 is now considered too conservative; totals in the several-hundred-thousand range are quite casually kicked around.

As the number of troops expands, so will their mission. "We are on the verge of a whole new phase as far as American involvement is concerned," predicts one U.S. strategist. Deliberate Communist assaults on U.S. installations last February, he recalls, jolted the Johnson administration into bombing North Vietnam and landing the first U.S. combat troops for "combat support" duties well beyond the earlier advisory role. Until now, however, this has amounted largely to defensive action, with only occasional emergency assignments to relieve the pressure when regular South Vietnamese Army units felt an urgent need for help.

COMBAT ALLY

Now the idea is for U.S. forces to play the role increasingly of what one top officer calls "combat ally." Precisely how this will work is almost certainly to be the major subject for deliberations between local American and South Vietnamese authorities and the team of top policymakers due in from Washington Friday, including Secretary of Defense McNamara and Henry Cabot Lodge, scheduled to begin his second tour as Ambassador to Saigon shortly.

(In Washington yesterday, Defense Secretary McNamara told a press conference that his on-the-spot survey of Vietnam war needs might bring consideration of calling up military reserves, extending tours of duty, and increasing draft calls. A congressional delegation that saw him yesterday came away with the impression that the administration might ask Congress for a big new appropriation to finance Vietnam operations, even before the current session ends.)

Even before the high-level talks begin in South Vietnam, however, the broad outlines of the new U.S. role are almost certainly firmly fixed. In effect, the combat ally concept would turn U.S. troops into a force available much more routinely than now for duty in joint missions with South Vietnamese units or on special spoiling assignments aimed at breaking up suspected concentrations of Vietcong before they can get themselves set for major offensives of their own.

Awed by the prospect of so much power to be brought to bear, one ranking U.S. officer exclaims: "I just don't see how we can really lose, when you look at the stuff we are bringing in here."

Most authorities would agree up to a point; no force the Communists could conceivably assemble seems likely to push U.S. coastal strongholds into the South China Sea.

But the question of whether American power can act fast enough remains the key to U.S. fortunes in Vietnam. The reason is all too evident in what you encounter in a 1,000-mile inspection of this confused and complicated battlefront: The hard fact is that while the United States is building up strength, the Vietcong are rapidly gobbling up huge chunks of South Vietnam.

VIETCONG GAINS

In short, they're winning the war. Hamlets and villages by the score are being overrun; strategic distict towns are beginning to topple; the pressure is mounting on key provincial capitals, especially here in the soggy, desolate—but militarily critical—central highlands. Driving hundreds of refugees before them, the Reds are clogging coastal areas with displaced villagers, adding to already serious economic strains; Government figures at last count list over 500,000 fugitives. While U.S. bombers chop up communications in North Vietnam, Vietcong demolition teams are blasting bridges in the south; a simpler Red technique, the digging of deep trenches in key roads after nightfall, is also effective in shutting off transport of food and other necessities.

Result: With war weariness a common complaint, Saigon's will to resist is in constant danger of buckling under the military, economic, and political strain. Such a collapse could flow from a variety of causes—a stunning military reverse; a switch to the other side by a disheartened, or perhaps opportunistic, major South Vietnamese army unit; runaway inflation or an acute food shortage; a political coup predicated on peace at almost any price. Some knowledgeable U.S. experts don't even exclude the possibility of serious Communist penetration of the upper reaches of the Saigon Government, with all that could mean in the way of subtle sabotage of the war effort.

U.S. diplomats and soldiers both insist the outlook will brighten once the monsoon season ends and the United States-South Vietnamese "dry season" counterattack can be launched. But the trouble is that the rains will last for another 2 months at least, and the Vietcong offensive, by most reckoning, has yet to reach full ferocity.

AVERTING CALAMITY

Meantime, it's conceded that the U.S. military might, so heavily dependent on air-strike support and air transport, will be partially paralyzed. "We aren't even thinking in terms of reversing the trend right now," says one high-level American. "We would settle in the next few months for simply holding the line and averting calamity."

Even holding the line, however, is no easy task. To see why, you have only to head by helicopter up the chain of isolated outposts from the provincial capitals of Pleiku and Kontum here on the Vietnam high plateau and drop in at this tiny hamlet of Tan Canh, command post for the 42d Regiment of the South Vietnamese Army. Government forces at Tan Canh recently made a desperate effort to stem the Vietcong tide.

Circling down for a landing in the bright sunshine, you can visualize quite clearly the seesaw struggle that raged a few days earlier for the district town of Dac To, a mile or two down the road. On the face of it, it seems reasonable to score the fight as a Government success.

The battle began with the familiar night assault by the Vietcong pouring out of the encircling jungle to overrun Dac To. When a relief column from regimental headquarters pushed out down the road, it bumped into the also familiar Vietcong ambush, carefully prepared behind a shoulder of land; the battalion-sized Government force was routed, the regimental commander killed.

Dac To's fall, however, would have made it four district towns in a row that have fallen to the Communists in recent weeks in the military region under the command of the South Vietnamese 2d Corps, and so it was decided the psychological impact might well be more than the area could bear. With only five battalions in reserve, corps commanders boldly yanked two of them out of the provincial capital of Kontum, airlifted them here to Tan Canh through a convenient break in the rain clouds, and launched a skillful thrust to retake Dac To.

A HOLLOW VICTORY

Confronted with overwhelming force, the Vietcong clashed briefly, with only two casualties, and melted back into the jungle. Since most of Dac To's citizens had scattered earlier, some of them to join the refugee stream to the bigger, better-protected towns, Dac To was largely deserted and its recapture a somewhat hollow victory. And as a visitor to Tan Canh watches a drenching downpour that blots out even the nearest hilltop and grounds his helicopter, it becomes all too apparent that even the limited victory achieved by the Government in the battle of Dac To was solely due to the fortuitous break in the weather. Much of the time at this period of the year rain would prevent the flying in of reinforcements, and Tan Canh and Dac To would be cut off from outside help. All road access has long since been cut by the Vietcong.

Food stocks at Tan Canh consist almost wholly of rice and salt and have dwindled to not much more than 10 days' supply. More critical is a shortage of gasoline, vitally needed for generators to keep radio communication open, and a skimpy reserve of helicopter fuel.

Encamped nearby in the thick, all-concealing jungle are a sizable Vietcong force and, by some intelligence estimates, as much as a regiment of the 325th Division of the People's Army of North Vietnam (PAVN), which the United States is sure was infiltrated into South Vietnam as an intact fighting unit earlier this year.

VIETCONG STRENGTH GROWS

The problem here, in short, is a microcosm of the problem everywhere in South Vietnam. According to tentative estimates by United States and South Vietnamese authorities, another PAVN division, the 304th, may also be either all the way into South Vietnam or at least en route along Laotian infiltration trails. Meantime, Vietcong strength is said by top U.S. officials to be roughly double that of only 4 or 5 months ago, a buildup roughly matching that of the United States.

The Vietcong, to be sure, have their problems, too. Their casualties are getting higher; in a typical week, they may well be double those of government forces. Recruitment in the countryside is growing more difficult; combat units report finding a far greater number of teenagers among Vietcong casualties and prisoners. In the Vietcong's haste to make the most of the monsoons, their tactics have also become tougher, most observers agree. Efforts to ingratiate have given way to rough stuff—terrorism, assassinations and pillage—in order to collar recruits and gather supplies from the local populace.

As a result, some authorities argue the insurrection might lose its steam if its big bid for victory falls short this year. "They can't keep up this pace for many more months," says one expert. "And these things are always hard to keep going once you have to crank them down."

The Saigon information ministry is already cooking up a special appeal designed to win over demoralized Vietcong after the monsoons. But the problem, of course, is to keep the war effort rolling and the Vietcong contained until then.

THE REFUGEE PROBLEM

The refugee influx, while not of crisis proportions now, could quickly become so. There are currently few signs of extreme hardship among the refugees. Under a government relief program, they actually receive almost twice as much in relief payments as the average Vietnamese earns, plus cash grants to resettle or simply spend as they see fit.

Food shortages and soaring prices could make the refugees' plight serious, however. Railroad lines as well as roads have been cut, and ships alone can't carry enough rice to refugees in the northern and central areas from the southern delta rice bowl. The United States has pitched in with an emergency call for extra cargo planes, but in some spots, such as Pleiku, the price of rice has doubled, eggs cost three times more than normal and kerosene is often unavailable for cooking.

If this trend continues, says veteran U.S. refugee expert Richard Evans, who is with the American aid mission in South Vietnam, "everybody becomes a refugee." And in that case the real calamity to fear—and the real payoff for the Vietcong's economic disruption campaign—would be a mass trek to the national capital for help. "You could have 5 or 10 million marching to Saigon," Mr. Evans warns.

Illegal monetary dealings as well as scarcity are fueling inflation, according to officials at the economic ministry. The heavy stream of U.S. dollars from free-spending American troops, the officials explain, is creating a market for greenbacks, thus bringing into the monetary supply funds which speculators previously have been sitting on because of the war's uncertainties.

HOARDING RICE

Rice merchants in Saigon and elsewhere are compounding the inflationary strain by hoarding in order to push prices up. The upshot is that the United States has been forced to rush 50,000 tons of rice to this traditionally rice-exporting nation. Because exports aren't earning as much as usual, the United States is also being asked for a boost in economic aid; Saigon's hard currency reserves, now down to $100 million, are roughly half of normal.

Added to this economic stress is the usual quota of chronic political instability. It is a bit early to expect a move against the new government of Prime Minister Ky, but the Buddhists have scant enthusiasm for the war effort, and from their political citadel in the northern town of Hue they are already sniping at the Ky government, though their target for now is Catholic Chief of State Ngyuyen Van Thieu.

Buddhist leaders insist they are fervently anti-Communist and wholeheartedly against the Vietcong. But talks with them make it clear that their professed admiration for the U.S. buildup is based on the condition that it produce a quick and relatively easy victory.

Other question marks are the army's morale and manpower. "The thing to really watch for is if a whole battalion lays down its arms," says one high-ranking American.

Short of such a psychological blow, the South Vietnamese Army's dangerously thin reserves may lead to trouble. Those two battalions at Dac To, for example, are urgently needed for spot-relief chores elsewhere. "It's a gamble every time you shift them about," says one American adviser who sees an urgent need for U.S. forces to take over more of the reserve role. Hailing the apparent trend in just that direction, he claims that only the ability to mass overwhelming force quickly against Vietcong concentrations can insure against the sort of military setback that might shatter popular and government morale.

Mr. MORSE. Mr. President, I yield to the Senator from West Virginia.

COLD WAR VETERANS' READJUSTMENT ASSISTANCE ACT

The Senate resumed the consideration of the bill (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

Mr. RANDOLPH. Mr. President, I am grateful that the senior Senator from Oregon has given me the privilege to speak in the Senate at this time between the first address and the second address which he is to deliver this afternoon.

I speak again in support of the cold war Veterans' Readjustment Assistance Act. We know it as the cold war GI bill. My commendation is given to the distinguished Senator from Texas [Mr. YARBOROUGH], because he has persevered, has been most conscientious, and has manifested real leadership in advancing this vital measure in the Senate.

As we well know, the young men and women who have served in the Armed Forces since January 31, 1955, are not afforded the readjustment benefits which we as a grateful people in the United States provided for the veterans of World War II and the Korean war or conflict. However it may be designated, it was a battle in which Americans lost their lives. This discrimination cannot be justified on the basis of equality of service or on the importance of their endeavors to the national security of the United States.

On February 8, 1965, it was my responsibility to appear as a witness before the Subcommittee on Veterans Affairs of the Committee on Labor and Public Welfare to speak in favor of the pending bill, S. 9. It is interesting to note that less than 2 days before those hearings began, the United States intensified its efforts in Vietnam in retaliation for Vietcong assaults on two military componds north of Saigon. Seven American lives were lost in that attack by the Communist forces. I wish to quote what I said during my appearance before the subcommittee in February:

> We recall the events of the past few days to gain an understanding of their personal sacrifices. Seven American lives were lost in the Vietcong assault on two military compounds north of Saigon; and our young men, piloting 49 aircraft, were dispatched to retaliate and demonstrate that we intend to stand firm in the defense of the free world. One did not return. Our forces are presently at defense readiness condition there, which requires stricter security measures, additional manning requirements, and more individual units on alert in order to effect immediate response to any enlargement of the enemy activity.

What I said then, I would say today with this addition. It is my belief that we make a mistake when we seem to gloss over the seriousness—yes, even the tragedy—of the conflict in which we are now engaged in Vietnam.

It is wrong for us to think in terms of the Vietnam conflict as a police action, one in which the United States is associated in counseling or advising. It is realistic that the people of the United States understand that American boys are losing their lives in the jungles of Vietnam. It is important that the people of the Nation understand this.

Eloquent testimony on this fact is found in a New York Journal-American article entitled, "A Gift for the Baby—Marine's Last Letter." This news story contains a letter from an 18-year-old marine to his expectant mother.

Mr. President, I ask unanimous consent that the article be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection it is so ordered.

A GIFT FOR THE BABY—MARINE'S LAST LETTER

(By James Connolly)

This is a story that tells itself. It's almost all here, in a letter received June 19 by Mrs. Gregory Risoldi of Claudia Street, Iselin, N.J., from her 18-year-old son, U.S. Marine Vincent Risoldi:

"Dear Mom: I guess you've had your baby already. Is it a boy or girl? I wonder if I'll ever know. But I've scraped together $20, and here it is. Buy my little brother or sister something for me.

"I don't make too much money with this job I have now, and $20 is all I can spare.

"You know, Mom, we were talking about me coming home for Christmas? Well, I want to tell you a little secret. I'm in Vietnam and I'm wondering if I'll ever get home. I really don't think so.

"It's hot here, very hot, day and night. You've got to look over your shoulder every time you talk to a friend. You've got to always be on the alert.

"These Vietcong, they pop up everywhere, take a few shots and run. But I'm here to help wipe out communism.

"By the way, if you see any of my friends down at the ice cream parlor or the drugstore, tell them I'm in Vietnam, and to get off their backsides and join the Marines.

"It is scary at night when you wait for them to come, but once the fight starts the only thing you think about is killing them before they kill you.

"Say hello to * * * everybody. Vinnie."

Mrs. Risoldi, who may have given birth to her sixth child by the time this story is being read, received a postscript—a telegram at 1:45 a.m. Tuesday.

Vincent has been killed in Vietnam.

Mr. RANDOLPH. Mr. President, I hope there will be no effort by anyone within the Government, at any level, in any agency, or in any position, to have the American people believe that we are engaged in other than actual fighting in Vietnam.

Mr. President, since those hearings in February our efforts, manpower, and weapons have been continually increasing in Vietnam. Ironically, as we begin this floor debate today, there are indications and talk that another intensified buildup is imminent. The President recently stated that "new and serious decisions will be necessary in the near future."

The Senator from Oregon has very cogently, and I think correctly, called to the attention of the Senate this afternoon the importance of these decisions which are being made.

The President has recently said:

> Any substantial increase in the present level of our efforts to turn back the aggressors in South Vietnam will require steps to insure that reserves of men and equipment of the United States remain entirely adequate for any and all emergencies.

News reports inform us that the Vietnam Government has asked Secretary McNamara and Ambassador Lodge for a larger force. Reliable sources indicate that the Joint Chiefs of Staff have recommended the total of U.S. troops in Vietnam be increased from the scheduled 75,000 to 179,000. I say to the Members of the Senate this is a serious crisis—and we are looking to the American man-at-arms for his services. He has not forsaken the people of the United States in the past. As long as we are engaged in a struggle in Vietnam, he, of course, will not forsake the American people now. It is a question, sometimes, of whether we forsake the veteran.

Indeed, we owe a debt to the men who are risking their lives in the jungles of Vietnam, or on airborne alert in the Strategic Air Command, or maintaining the combat readiness of our ICBM and Nike missile sites, or patrolling the high seas to protect the world from Communist aggression. We do an injustice in calling them peacetime veterans. That is a misnomer, Mr. President. They are, in all good conscience and hard fact, entitled to comparable adjustment benefits accorded their predecessors.

I cannot use language too strong to point this out. I am certain that in the Senate we can bring this measure to an affirmative vote.

In terms of a pragmatic justification of the bill under discussion, we have available the fruits derived from the World War II and Korean GI bills. As the Senator from Texas [Mr. YARBOROUGH] cogently pointed out on many occasions almost 11 million veterans have advanced their educational and vocational qualifications under the prior adjustment assistance acts. We discussed this topic in the Subcommittee on Education of the Committee on Labor and Public Welfare. At this point I express not only my appreciation but also that of all Senators and the American people for the leadership which has been given to the cause of education, in this, and in prior Congresses, by the Senator from Oregon [Mr. MORSE], the chairman of the Subcommittee on Education.

Though the benefits of such education and the resultant increase in human skills cannot be measured with mathematical precision, we know that the additional earning power achieved by veterans from these programs returns more than a billion dollars a year in taxes to the Federal Treasury, an annual return which has insured full payment of the initial investment. A cold war GI bill aimed at developing the talents of the post Korean veterans who will number over 5 million by 1970, would realize similar, if not greater, profits than those which have accrued to the veterans and to our entire economy under previous veterans' legislation.

In our State of West Virginia over 220,000 veterans have availed themselves of the opportunities of previous legislation and of these some 22,000 are engaged in the fields of medicine, teaching, engineering, and science. Certainly the beneficial effects of past legislation to which I have called attention demonstrate that American life has been improved by the programs which have been enacted.

In the interest of equity for the individuals affected and in furthering the economic and social well-being of this Nation as a whole, I earnestly support the pending proposal. It is my sincere hope that the Senate will act favorably on S. 9, so that it will become law in this session of the Congress. Let us not be guilty of those lines inscribed on an ancient sentry box in Gibraltar:

God and the soldier—all men adore
In time of trouble and no more:
For when war is over, and all things righted,
God is negelected—the old soldier slighted.

U.S. POLICY IN VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at the conclusion of my speech on foreign policy, an article published in this morning's Wall Street Journal dealing with the war in Vietnam, entitled "Gloom in Vietnam: Doubts Rise That United States Can Move Fast Enough To Blunt Reds' Drive—American Strength Increases, but Communists Continue To Gobble Up Territory—A Hollow Victory at Dac To."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 2.)

Mr. MORSE. Mr. President, this is a story which bears out the view that was received from so many intelligence forces to the effect that we are engaging ourselves in a long-bogged-down endeavor in Asia that will be terrifically costly in blood and money.

Mr. President, I ask unanimous consent that I may yield to the Senator from Hawaii for an insertion in the RECORD without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii is recognized.

LEONARD MARKS TO BE NAMED DIRECTOR OF THE U.S. INFORMATION AGENCY

Mr. INOUYE. Mr. President, on Tuesday President Johnson announced he intended to nominate Leonard Marks, of Washington, D.C., to be Director of the U.S. Information Agency, succeeding the Honorable Carl Rowan.

Mr. Marks is an attorney with a long interest in international communications, and is well known to me and to many other Members of the Senate. His qualifications for this position are outstanding, and the President is to be congratulated for nominating him.

The world stands today on the threshold of a communications revolution. And it is essential that the U.S. Information Agency have at its head a man competent to guide it carefully and wisely through that revolution.

Leonard Marks is such a man.

The Early Bird satellite, and the other communications satellites which soon will be aloft in our heavens, have opened up communications from this country to the most remote corners of the earth. Voices, pictures—now even color pictures—can be transmitted in moments across oceans and continents. Americans are closer to the rest of the world than ever before—and the rest of the world is closer to America.

President Kennedy chose Leonard Marks in 1962 as one of the original incorporators of the Communications Satellite Corp., which mobilized the public and private resources to make the Early Bird satellite possible. Last year he was elected to the board of directors of that corporation.

It is a natural and sensible transition for Leonard Marks, after playing such an outstanding role in the development of new communications resources for our country, to move now to a position where he can pioneer in the application of those resources to our national needs.

In one way or another Leonard Marks has been active in various aspects of communications nearly all his life. One news story, following the President's announcement, quoted him as saying: "Since the age of 16 I've done nothing else but work in communications."

At college, at the University of Pittsburgh, he won many honors—among them election to the honorary journalistic fraternity, Sigma Delta Chi. Today he serves as a director of the Sigma Delta Chi Foundation in Washington.

Instead of making journalism his career, however, Leonard Marks chose to enter law.

After graduating from college—when he was only 19 years old, incidentally—he went on to the University of Pittsburgh Law School. After finishing law school he taught law at the university for 4 years. And then, in 1942, he came to Washington to work as an attorney—first in the Office of Price Administration, and then in the Federal Communications Commission.

In 1946 he and Marcus Cohn, who had been general counsel at the FCC, began a law firm that is today the largest in Washington specializing in communications law.

Even though he has been engaged in private law practice, however, Leonard Marks has never really been away from public service.

Repeatedly, under Republican as well as Democratic administrations, he was named as a member or adviser of various U.S. delegations to international broadcasting conferences—to Mexico City in 1948 and 1952; to Montreal in 1949; to Geneva in 1959 and 1963.

In addition he was named by the Department of State to lecture on constitutional law in India in 1958, and in Pakistan, Iran, Afghanistan, and Turkey in 1961.

Repeatedly his colleagues in the law have recognized Leonard Marks' interest—and qualifications—in international communications.

In 1959–60 he was president of the Federal Communications Bar Association. Prior to that he was vice president, and for several years he was a member of the association's executive committee.

Since 1963 he has been chairman of the International Communications Committee of the American Bar Association.

And earlier this year he served as chairman of the International Communications Committee of the World Peace Through Law Conference.

Fully important as his background in international communications, however, is the deep interest Leonard Marks has taken in the content of communications.

In this country he has played a leading role in the development of educational radio and television.

Since 1946—the same year he went into private law practice—he has been counsel to the National Association of Educational Broadcasters. Today he is also a member of that association's board of directors.

He is a trustee of the Greater Washington Educational Television Association.

And at various times he has served as special counsel for educational radio and television matters for the New York State department of education, the State of Iowa, State of Ohio, State of Washington, State of South Dakota, States of Hawaii and Oklahoma television authorities.

As Director of the U.S. Information Agency, Leonard Marks will be able to apply all that this country has learned in the development of its educational radio and television resources to assist similar development in the emerging nations of the world.

Sometimes, it is hard for us in this country to conceive the enormous educational impact radio and television have had—and are yet to have—on other parts of the world. We forget that before radio and television, the lack of schools, and resulting illiteracy, held most of the peoples of the world in ignorance, isolation, and bondage.

Today, in an incredibly few years, radio and television have enabled people whose lives had been unchanged for centuries to find access to the accumulated knowledge of the world around them, and to begin to play a role in international affairs. And this has been barely the beginning of changes vaster than most of us can grasp.

I think it is essential that our country have as head of the U.S. Information Agency a man with an appreciation and understanding of what those changes can mean—and how best to guide the policies of our Nation in the midst of them.

Leonard Marks is such a man.

Leonard Marks understands the techniques of communications, without being a technician.

Leonard Marks understands the business of communications, yet is not a seeker of gain.

Leonard Marks understands the social implications and responsibilities of communications, yet is no idle theorist.

I believe he is eminently qualified to guide the Agency which is our Nation's chief means of communicating with the world. And I hope my colleagues in the Senate will act promptly to confirm his nomination when it is submitted by the President.

COLD WAR VETERANS' READJUSTMENT ASSISTANCE ACT

The Senate resumed the consideration of the bill (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

Mr. MORSE. Mr. President, if I may have the attention of the Senator from West Virginia [Mr. RANDOLPH], as chairman of the Senate Subcommittee on Education, I would like to associate myself with every word that the Senator from West Virginia said in support of the GI cold war bill. I also wish to associate myself with every word presented in the argument earlier this afternoon by the author of the bill, the Senator from Texas [Mr. YARBOROUGH].

The Senator from West Virginia and I happen to be privileged to be among the cosponsors of the bill, but what the Senator from West Virginia said this afternoon in regard to the need for the bill must be reiterated again and again in the debate that will take place prior to the vote on Monday. I am delighted to join him again, as I have so many times in the committee hearings and here in the Senate, in support of the bill.

Mr. President, I do not know what I would do on the Subcommittee on Education if I did not have the never-failing support of the Senator from West Virginia.

I have said before, and repeat now, that I do not believe there is a Member of Congress as well informed on educational problems of the small colleges of America, both public and private, as is the Senator from West Virginia. He has saved us many times from making what would have been a mistake, in that, without our knowledge, the course of action we were pursuing would have been unfair to the small colleges had it not been for the Senator from West Virginia bringing his great knowledge of small college problems to bear upon the deliberations in the subcommittee.

EDUCATIONAL BENEFITS FOR COLD WAR VETERANS

Mr. President, I support S. 9, the GI cold war bill. Before commenting on this urgently needed legislation, however, I would like to repeat my commendation of the senior Senator from Texas for his leadership in connection with this bill. For the past 5 years, as chairman of the full Education Subcommittee, I have watched the Senator carry on the battle for this legislation. The persistence, vigor, and ability with which he has done so have been exemplary. The people of Texas can take pride in the fact that they have such an effective spokesman, not only for the interests of their State but for the interests of all the United States, especially the veterans who would benefit under the provisions of this bill.

The senior Senator from Oregon is also a longtime supporter of the cold war GI bill. Since the education and training benefits of the GI bill were terminated by Presidential proclamation in 1955, I have testified several times before committees and on the floor of the Senate in support of legislation to renew the program. I have been a cosponsor of the GI cold war bills as far back as the 84th Congress, and in each subsequent Congress. It is my privilege again to be among the 41 cosponsors of S. 9, the GI cold war bill of the 89th Congress.

Mr. President, the key provisions of this bill would provide readjustment assistance for our cold war veterans in the form of education and training benefits, as well as home and farm loan benefits. These veterans presently number 3 million men and by 1973 will number 5 million, none of whom are now covered by the education and loan benefits afforded by the World War II and Korean war GI bills.

The Bureau of the Budget, the Veterans' Administration, and the Department of Defense have over and over again voiced the same objections to these bills. I would like to remind the Members of the Senate, however, that the positions of the members of the executive branch do not affect the obligation of the Senate to make an independent determination of the merits of this legislation in the national interest.

COST OF S. 9 WOULD BE REPAID WITH INTEREST

The Veterans' Administration in its report on S. 9 states that the estimated cost of the education provisions of the GI cold war bill would be slightly less than $2 million for the first 5 years. The report does not assert that this is an objectionable cost, but since an inference to this effect might arise, it would be prudent to make crystal clear that this bill would not be a drain on the U.S. Treasury. Exactly the opposite would be true. Any money that will be expended on this program, and the estimates of expenditures range from $200-000 to $300,000 per year, would not only come back to the Treasury, but would be more than repaid by taxation of the increased earning power which these veterans would attain.

As proof of this, I would like to read into the RECORD two short paragraphs of a statement issued by the Veterans' Administration. On June 22, 1954, the 10th anniversary of the passage of the World War II GI bill, the VA wrote as follows:

> Through the GI bill the World War II veterans have become the best educated group of people in the history of the United States. Because of their training, they have raised their income level to the point where they are now paying an extra $1 billion a year in income taxes to Uncle Sam.
>
> At this rate, the GI bill for veterans alone will pay off the entire $15 billion cost to the GI educational training program for the next 15 years.

On the basis of the Veterans' Administration's own figures, the veterans who were educated under the program will have fully repaid the cost of the bill through additional taxes by 1970. Thereafter, the World War II GI bill can be regarded as a profitmaking venture for the U.S. Government.

Mr. President, these considerations should convince the last doubting Thomas in the Senate that S. 9 is a sound economic measure. As its predecessors have done, this legislation will return very substantial dividends to the U.S. Treasury, and any view of the bill which counts its cost without looking ahead to its returns can pretend to neither good accounting nor good statesmanship.

BILL WOULD REDUCE UNEMPLOYMENT PAYMENTS

An additional dollar-and-cents benefit of S. 9 is that it would cut down our heavy expenditures for unemployment. The Senator from Texas stated in a recent article:

> In 1963 alone, more than 210,000 veterans received unemployment compensation in excess of $96 million—that is, $2 million over the figure for 1962. We can expect to reverse the trend only by investing in their education.

The Senator is 100 percent correct. Experience indicates that 50 to 55 percent of the cold war veterans would take advantage of an educational and training program. It is apparent that the number of unemployed cold war veterans would be drastically reduced by increasing their educational level, and that there would be a corresponding decrease of Federal unemployment compensation for this group of Americans.

COLD WAR VERSUS HOT WAR

This brings us to the next objection to S. 9, which has been raised again this year in the Veterans' Administration report; namely, that it is now peacetime and that men serving in the Armed Forces during this period should not be granted rights and benefits originating in legislation associated with wartime.

I think it is apparent to this sophisticated body that the old semantic dichotomy used in this connection is as obsolete as the cavalry horse. I need not labor the point, Mr. President. The military budget for the current fiscal year is once again over $50 billion. The nature of our involvement in Vietnam, not to mention the Dominican Republic, makes a mockery of the phrase "cold war." But whether hot or cold, the "war" we are in, and have been in since the end of the Korean war, has required universal military service pursuant to which 45 percent of our young men have, since 1955, served for varying periods in the Armed Forces of their country.

BILL IS FOR PURPOSE OF ASSISTING READJUSTMENT

This brings us to the heart of the matter, the rationale of the GI bill, which is to help the serviceman to readjust to civilian society. Those who are required to serve in the Armed Forces face not only danger and discomfort but in about 50 percent of the cases, disqualification from later civil employment. In 1955, the Commission on Veteran Pensions, headed by Gen. Omar N. Bradley, made a study resulting in a final report to the President on April 23, 1956. On page 277 of this report, the Commission concluded as follows:

> About half of the enlisted men in 1954 were in occupations closely comparable to civilian jobs where there was a moderate to high civilian labor demand. The other half were in occupational specialties with no civilian counterpart or where there was no significant labor demand.

This handicap applies to the man who has been drafted for 6 months, and the man who has been drafted for 2 years. It applies with equal force to the individual who volunteers for extended active duty of 3 or 4 years in order to choose or avoid a particular kind of duty.

It is no answer to say that the introduction of flexibility as to the types of programs available, and their timing in relation to an individual's education, makes the military obligation any less of a sacrifice.

The fact of the matter is that 45 percent of our youth has been taken away from their civilian pursuits, their professions, their contacts, and the sources of the experience that will benefit them in later life. In many cases their tours of duty have been involuntarily extended for periods up to 12 months. This has further disrupted their careers. While they have been serving their country, and in some cases patrolling the perimeters of freedom, their contemporaries have remained behind and have forged ahead in their chosen fields.

The Senator from Texas has repeatedly pointed out that the readjustment of returning servicemen is no bed of roses. The figures show that 80 percent of those who go to college under the GI bill work at the same time—or else their wives work—or they borrow funds that the colleges make available. Many of these GI's have family obligations. Only 20 percent of the GI's who went to college under these programs subsisted on their GI payments alone.

EDUCATION SHOULD NOT BE GEARED TO MILITARY NEEDS

Probably the main objection to this bill by the Department of Defense is contained in the letter of the General Counsel of the Defense Department to the chairman of the Committee on Labor and Public Welfare of February 26, 1965:

> The Department of Defense recognizes that S. 9 involves a question of broad national policy beyond the scope of the Department. However, it must be pointed out that proposals of this nature have a very definite effect on the ability of the Armed Forces to retain qualified personnel. Programs of education and vocational assistance encourage personnel to leave military service immediately after accruing the maximum benefits which can be gained. This results in a serious handicap to the Armed Forces in their efforts to attract and retain qualified personnel on a career basis. The Department of Defense has emphasized before that the maintenance of a force in being of sufficient strength to assure the peace and security of the Nation without unreasonable expenditures of funds, requires that a large percentage of personnel who volunteer for services in the Armed Forces remain there on a long-term basis.

The General Counsel's report does credit to the Department of Defense in setting forth its point of view, not only persuasively but with admirable balance. Undoubtedly, if many first-term airmen choose to leave the service to pursue courses of formal education, that represents a negative value for the Department of Defense. If so, it is up to the Department to propose and the Congress to adopt incentives for career service that will maintain a high rate of reenlistment. Denial of GI bill provisions to those who do choose to leave the service, especially draftees who never planned a military career, should not be one of the incentives used.

Under our system of government, it is the Congress that determines the level of incentives and the quality of military career compensation. Since 1947, under extraordinarily able leadership in both Houses, the Congress has done very well in this area. It can continue to do well and can do better in the future.

It is the Congress which must decide the balance of national interests, when such decisions are involved in the legislative responsibilities assigned to the Congress by the Constitution. It is the Congress which must decide between the interests of the Military Establishment and the interests of the civil body politic. The Congress should not hesitate to make such decisions, lest it lose the power to make them by the forfeiture of its constitutional rights and responsibilities to the executive bureaucracies.

In this case the Congress should unhesitatingly adopt S. 9. If this bill should have adverse personnel consequences for the Department of Defense—a claim, by the way, which has never been factually substantiated by the Department—then Congress should redress the balance in other areas so that our national security will not be impaired.

But the price of this balance must not be paid by sacrificing the education of our cold war veterans. The long-range benefits which accrue to the Nation as the result of these educational opportunities are as profound as they are indisputable. The facts cannot be denied. For, Mr. President, of the 7,800,000 World War II veterans and the 2,334,000 that took advantage of the Korean GI bill, the Veterans' Administration has tabulated that 441,214 have studied engineering; 156,425 entered the field of physics, chemistry, or other natural sciences; 334,534 are engaged in teaching, and 174,614 are in medical work and related jobs.

Therefore, we do not have to speculate that passage of S. 9 will strengthen the educational resources of this country. We have proof of that fact; we have the tangible results of the two GI bills which were predecessors to S. 9. To ignore these facts, to waste the human resources that would be developed as a result of such a bill, to ignore the potential strength that such a program will give to our country at a time of need would not be a positive act of responsibility.

I wish to make perfectly clear, Mr. President, that I am not minimizing the importance of the National Defense Education Act nor of the scholarship loan provisions of the Higher Education Act. I wish to emphasize that S. 9 is not a substitute for our education legislation. S. 9 reaches a different segment of the population. It is the most democratic of any such legislation. It is complementary to this other legislation and adds to the total national effort in education which our Nation so vitally requires at this time.

Mr. President, this bill has 41 cosponsors. In the 86th Congress a similar bill was approved by the Senate by a vote of 57 to 31. The cold war GI bills of the 87th and 88th Congresses were reported from committee only to die on the Senate Calendar. The arguments in favor of this legislation are stronger this year than they have been since the end of the Korean war. I urge my colleagues in the Senate to exercise their responsibility on behalf of the millions of cold war veterans of this Nation, and to approve this highly commendable bill.

Mr. President, let me stress this point above everything else: The justification for this needed legislation is that it will not cost the American taxpayers 1 cent, if we consider what will accrue to the American taxpayers by way of the economic benefits which will flow from enactment of the bill.

What the bill will really accomplish is what the other GI bill did. It asks the American taxpayers to invest in the productive power of the Republic by giving to the young men and women of America the opportunity to obtain a college education which they otherwise would not be able to obtain.

No one has been able to rebut it, because we cannot change the fact that 2 plus 2 equals 4. I care not how hard we may attempt to rebut it, but we cannot rebut the fact that the GI bill of World War II—and I was proud to be one of the supporters of that bill—has already repaid its cost into the Treasury of the United States, and will continue to repay it over and over again.

What is the evidence to prove it?

The evidence is to be found in the increased lifetime earnings of the college graduate, so far as the average lifetime earnings of a college graduate are concerned compared with the lifetime earnings on the average of the high school graduate, the lifetime earnings of the high school dropout, the lifetime earnings of the grade school graduate, and the average lifetime earnings of the grade school dropout.

I will not place the statistics in the RECORD at this point, but will merely state the conclusion that the statistics show that the average lifetime earnings of the college graduate are approximately double those of the high school graduate, somewhere in the neighborhood, as I recall, of $490,000, compared with the lifetime earnings of the high school graduate of approximately $270,000, compared with the lifetime earnings of the high school dropout of approximately $120,000, compared with the average lifetime earnings of the grade school graduate of some $90,000, and of the grade school dropout, if he has any earnings at all, or if we do not support him in prison or in a mental hospital or on general relief, of somewhat less than $90,000.

That is the answer. Do not talk to me about the problem except with a lead pencil. The lead pencil will rebut the opponents of the bill because the earnings which the bill will make possible for the recipients to earn throughout their lives will enable them to pay taxes into the Treasury of the United States so far above the amount of taxes they would otherwise pay, that there will be no question that this is a wise investment of the taxpayers' money, and will contribute to the economic strength of this country.

For this and the many other reasons which I have stated in my prepared remarks, I urge the passage of the Yarborough GI bill next Monday.

MEASURES RELATING TO CRIME AND CRIMINAL PROCEDURES IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I turn to the subject matter which I was seeking to discuss last night, when the Chair adjourned the Senate.

Yesterday, there appeared before the District of Columbia Committee of the Senate the Deputy Attorney General of the United States, Ramsey Clark, and the U.S. Attorney for the District of Columbia, David C. Acheson.

They joined in a statement on the subject of measures relating to crime and criminal procedures in the District of Columbia.

Mr. President, I ask unanimous consent to have the statement, including the Acheson letter which was introduced in the committee, printed in the RECORD.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Is there objection?

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

STATEMENT OF RAMSEY CLARK, DEPUTY ATTORNEY GENERAL, BEFORE THE SENATE COMMITTEE ON THE DISTRICT OF COLUMBIA ON MEASURES RELATING TO CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA, JULY 15, 1965

The Department of Justice has been asked for its recommendation for a legislative resolution of the problems in the investigation of crime which have resulted from certain interpretations of *United States* v. *Mallory,* 354 U.S. 449 (1957).

Before addressing that subject, and without minimizing its importance, it should be noted that there is no single formula that can appreciably lessen the incidence of crime in the District of Columbia and there is no evidence that the Mallory interpretations are a direct causative factor in crime or its increase. At the same time, it is clear that Mallory as applied has impaired effective police investigation.

Mallory addresses itself to police questioning and the admissibility of confessions in trial. Involved is a most delicate balance between the security of society on the one hand and the liberty of the individual on the other. Care and understanding are essential to perfection on this balance.

In other theaters of the war on crime, there is clear and present opportunity for legislation to reduce the incidence of crime and protect the citizen in the streets.

One example would be passage of Senator TYDING's bill, S. 1632, to tighten the law in the District relating to the possession of firearms. Another is approval for additional judges in the court of general sessions for which Senators BIBLE and MORSE have asked. A third is provision of the data processing equipment and the Planning and Development Bureau for which the Police Department seeks. A fourth would be immediate expansion of the Department of Recreation's roving leader program. Others include increases in police manpower, training compensation, and career incentive. More adequate laws dealing with alcoholism, narcotics addiction, and rehabilitation are essential to success.

The approaches afford immediate protection from crime and the opportunity to attack its underlying causes: poverty, ignorance, unequal opportunities, and moral erosion.

As for the problems raised by the Mallory rule in the District, our further study since your hearing of April 27 has led us to a plan which affords an immediate opportunity for a fairer and more effective police investigation and adequate protection of the rights of suspects, while permitting the police to develop facts and avoid a premature test of the constitutionality of proposed procedures. The plan has been implemented by a letter of July 14, 1965, from U.S. Attorney Acheson to Chief Layton. Copies of this letter have been provided the committee.

Under this plan, after an arrest based upon probable cause and prior to the filing of a charge, a suspect may be questioned concerning his knowledge of a crime. As a prerequisite to questioning he must be clearly advised that he need not answer any question, that any statement given may be used against him, that he may consult counsel, a relative, or a friend, and that if he is charged and cannot afford a lawyer the court will appoint one for him. Police officers are instructed to keep records of the time, duration and circumstances of all questioning. Questioning will be sound recorded or otherwise preserved where possible, and steps will be taken to improve technology in this area. Any questioning will be of limited duration and should not exceed three hours in total. It will not, of course, be coercive or oppressive in manner, and will be avoided where it does not advance the investigation of crime.

The arraignment of suspects who are charged after arrest will not be delayed except in unusual circumstances. Committing magistrates have arraigned at 10 a.m. on weekdays in the District for decades. This is typical of most jurisdictions. Any questioning of a suspect will be done, and the decision whether and what to charge will be made, between the time of arrest and the time next available for arraignment except when the time and circumstances make this unfair or inadequate.

In no event will questioning cause an "unreasonable delay" in presentment to a committing magistrate.

While we cannot be certain that statements made in compliance with this procedure will be admitted in evidence by every judge in every case, the courts will be given the opportunity to pass upon statements made under such conditions and may well find that Mallory does not require their exclusion. Careful police implementation and sound prosecutorial discretion will assure the development of a solid basis for legislation.

The plan starts with the proposition that "questioning is often indispensable to crime detection." *Culombe* v. *Connecticut*, 367 U.S. 568, 571 (1960). It simultaneously demands full and effective recognition of the rights of the suspect: to remain silent; to be warned that his statements may be used against him; to consult relative, friend, or lawyer; to be released or charged and arraigned without unreasonable delay.

It seeks to preserve a record of questioning so that it can be determined whether it is free from coercion.

Questioning will be avoided where it does not advance the investigation of crime.

Persons who are charged will be presented to a committing magistrate at the next available session. This is at least as prompt as has ever been the case in our jurisdiction.

Chief Layton and his staff have participated in the formulation of this procedure and fully concur in it. The U.S. attorney believes that it will best serve his needs for the present. It will be improved by detailed police regulations based on experience, and can take into account the work of the American Law Institute and the American Bar Association as it becomes available.

It is more useful at this time than legislation incorporating the same features. It does not run the risk of constitutional invalidation of the standards involved, as would a statute. Most important, while affording the police the opportunity for questioning which we deem essential, it is flexible and permits the development of facts, technology, and comprehensible language to guide police and courts through the complex, varied, and critical processes of criminal investigation in a large city such as Washington.

Accordingly, the Department urges this committee to act upon the specific measures outlined at the beginning of this statement which strike at the occurrence of crime, and to refrain from action in the Mallory area pending a review of experience under the police procedures initiated yesterday.

JULY 14, 1965.

Hon. JOHN B. LAYTON,
Chief of Police,
Metropolitan Police Department,
Municipal Center, Washington, D.C.

DEAR CHIEF LAYTON: This letter is intended to summarize the understandings we reached in our recent discussion and to outline the practices which we believe should be followed in questioning persons arrested on probable cause and brought to a station house. Of course, the starting point is rule 5(a) of the Federal Rules of Criminal Procedure requiring judicial appearance "without unnecessary delay"; the purpose of this letter is to specify practices with respect to questioning pending the time when such appearance takes place.

In our judgment, some station house questioning of such persons is urgently required by the demands of fair and effective law enforcement and is not inconsistent with the present state of the law, provided that the safeguards discussed herein are observed and there is no unnecessary delay in arraignment. Before setting forth the proposed specific guidelines which we recommend to you, it may be worthwhile to refer to developments in recent months which make the formulation of such guidelines at this time particularly appropriate.

First, the Office of Criminal Justice, in collaboration with your Department and my office, has made a careful analysis of police questioning, its purposes, circumstances, limitations and methods. It is clear from this study that some questioning to determine whether to proceed with a criminal charge and precisely what crime to charge is essential to law enforcement and consistent with the legitimate interests of the person under arrest. Concurrently, the American Law Institute and the American Bar Association project on minimum standards for criminal justice have commenced intensive studies of police questioning, its legal framework and relation to a fair administration of the criminal law.

Second, there are several legislative proposals before the Congress at present which are designed to give the police affirmative statutory authority to question persons under arrest. In analyzing these proposals, it has become clear to the Department of Justice that safeguards of the sort proposed in this letter should be part of any procedure, whether or not governed by statute.

Third, recent court decisions in our own circuit and other circuits have further emphasized the division of view among judges as to what time limitations and other circumstances make questioning permissible under the Mallory decision. It is particularly difficult to find any consensus on these matters in a reading of the opinions in the Springgs, Ricks, Perry, Copeland and Alston cases. On the other hand, there appears to be a wider judicial agreement on the necessity of a careful and complete warning of the rights to silence and to counsel before a person under arrest at a station house is questioned. We think, therefore, that questioning procedures may be formulated which make use of judicial guidance where it exists and which leave procedures flexible in the phases where such guidance from the courts or the Congress is not now available.

In short, we think that the public responsibilities of our respective departments require an affirmative formulation of police questioning procedures, and that this may be done consistently with constitutional requirements of voluntariness of statements and notice to arrested persons of their legal rights. These views are not only my own. They are supported by the Department of Justice, which has carefully considered the problem and authorized this letter. Accordingly, we recommend to you the following guidelines:

1. Consistent with what we understand to be your Department's general practice, persons arrested and brought to a station house should there be clearly warned before any questioning that they may remain silent and that they may consult with a lawyer, relative or friend. A recommended form of warning is attached.

2. One under arrest should be permitted to communicate with a lawyer, relative or friend and such persons should be given access to him. Such communication or access should not, however, be allowed where there is reason to believe it is sought for the purpose of concealing or destroying evidence or otherwise defeating the ends of justice.

3. Police officers should regularly keep records relating to frequency and duration of questioning. These records would not only be helpful as evidence of disputed facts in a criminal case, but should be of great help as a factual experience background for legislation. In addition, I understand that you will explore the possibilities of making sound recordings of questioning, and that these possibilities will be pursued with persistence and every effort made to devise a practical method to preserve questioning.

4. Questioning should be of limited duration and should, of course, be reasonable and unoppressive in manner. While it is impossible in the present state of the case law in the District of Columbia to ascertain a specific permissible time limit for questioning, I believe it would be advisable to avoid having the aggregate period of questioning, exclusive of interruptions, exceed 3 hours. Interruptions will inevitably occur, for the purpose of verifying facts stated by the arrested person, questioning the complainant or other witnesses, checking out evidence and records which may indicate the truth or falsity of statements, and confronting persons making statements with inconsistent facts. And in the case where a suspect requests a polygraph examination it may occasionally be impracticable to operate within the suggested limitation on questioning time. The time taken for the whole investigation should, of course, not be such as to conflict with the requirement of rule 5(a) calling for appearance before a magistrate without unnecessary delay. The shorter it is, the better. Questioning should be avoided where it is without investigative purpose or is likely to weaken a case by exposing it to legal challenges.

It is difficult at best to devise a procedure which will insure the admissibility at trial of every incriminating statement made by persons under arrest. But, pending legislative or judicial clarification of the governing law, I believe that our public responsibilities will best be served if the course outlined herein is followed. As we have discussed, representatives of my office and your

Department will continue to work closely together to insure fair implementation of these guidelines, and, hopefully, as we see how these procedures work in practice, to develop more detailed operating provisions for the guidance of your personnel.

Sincerely,

DAVID C. ACHESON,
U.S. Attorney.

PROPOSED WARNING

1. You have been placed under arrest. You are not required to say anything to us at any time or to answer any questions. Anything you say may be used as evidence in court.

2. You have a right to call a lawyer, relative, or friend. He may be present here and you have a right to talk to him.

3. If you cannot afford a lawyer, one may be appointed for you when you first go to court.

Mr. MORSE. Mr. President, I shall comment on certain sections of the statement shortly, but I ask unanimous consent to have printed in the RECORD an article published in last evening's Washington Star entitled "D.C. Police Get New Guide on Interrogations—Acheson Eases Virtual Block To Quiz Suspects," written by a very able writer, Miss Grace Bassett. I also ask unanimous consent to have printed in the RECORD an article written by an equally able correspondent, Elsie Carper, published in this mornings's Washington Post, entitled "Police May Question Suspect for 3 Hours Under New Rules."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, July 15, 1965]

D.C. POLICE GET NEW GUIDE ON INTERROGATIONS—ACHESON EASES VIRTUAL BLOCK TO QUIZ OF SUSPECTS

(By Grace Bassett)

Police today were given broad new powers to question persons suspected of crime in Washington.

Orders to officers on the beat will be issued within a week, U.S. Attorney David C. Acheson and Police Chief John Layton told the Senate District Committee at hearings this morning.

Questioning will be limited to a total of 3 hours. And police can break this 3 hours into intervals between the time of arrest and arraignment.

PROCEDURE OUTLINED

The new guidelines will advise police they may take a suspect to a precinct house for questioning immediately after arresting him on probable cause. Probable cause means a reasonable man could believe that a suspect has committed, is committing, or is about to commit a crime, according to court rulings.

At the precinct house, the suspect will be told he need say nothing, that anything he said might be used against him in court, that he had a right to talk to a lawyer, relative, or friend and that if he cannot afford a lawyer one would be appointed for him when he first went to court.

Police then can interrogate the suspect, recording the proceedings.

ARRAIGNMENT TIME SPECIFIED

Arraignment, or a confrontation of the suspect with charges before a magistrate, must be held at the first regular sitting of magistrates here after an arrest under the new guidelines.

The new practices were negotiated by Acheson and Layton in conjunction with a 6-month Justice Department study of what police may and may not do to investigate crimes. They replace an earlier order of Acheson's last October that suspects may not be questioned before their arraignment and appointment or retention of counsel.

Deputy Attorney General Ramsey Clark testified this morning that the practices would build a sound basis for future legislation. Justice has been pressed by the District Committee to recommend legislative language defining the rights of both police and suspects at the time of criminal investigations and arrests.

BILL PENDING

Pending before Committee Chairman ALAN BIBLE, Democrat, of Nevada, is a House-passed bill providing that delay between arrest and arraignment shall not, by itself, bar a confession obtained by police during that period. The Senate committee last year, on the recommendation of Justice, cleared a similar bill with added safeguards for suspects against self incrimination.

BIBLE commended Justice today for "going this far in trying to make the streets of Washington safe."

Whether his committee will go further by writing practices into legislation will be decided at an executive session next week, BIBLE said. He stressed at hearings the similarity between the bill cleared by the committee last year and the practices advocated for police by Clark, Acheson, and Layton.

FLEXIBILITY GUARDED

Senator PETER DOMINICK, Republican, of Colorado, demanded to know why Justice last year favored a law and this year favors administrative remedies.

Clark said the new questioning procedures would allow police to build up a case-by-case, investigation-by-investigation record of questioning judged, case-by-case, in court. The House-passed bill might be declared unconstitutional, Clark said, and if upheld by the court still would rob police of flexibility.

CLARK noted that a suspect had a right to a lawyer in the precinct house. But appointment of counsel will be promised to a suspect under the new procedures in court. If a suspect in the precinct house did not ask for a lawyer, police would be under no obligation to furnish him one.

CRIME RISE NOTED

If the suspect said he wanted a lawyer but could not afford one, Clark said, questioning might stop, it might continue despite the silence of the suspect or it might be delayed until a lawyer could be furnished.

Members of the Senate District Committee put into the record reports that serious crimes in Washington had increased for 37 consecutive months over the same month the year before.

In a letter from Acheson to Layton summarizing their understanding, the city's chief prosecutor said Justice studies made it clear that some questioning is needed in investigating crimes.

"It also is clear to the Department of Justice that safeguards (for the suspect) should be part of any procedure, whether or not governed by statute," Acheson wrote.

SPLIT RULINGS CITED

"Third, recent court decisions emphasized the division of view among judges as to what time limitations and other circumstances make questioning permissible.

"On the other hand, there appears wider judicial agreement on the necessity of a careful and complete warning of the rights to silence and to counsel before a person under arrest at a station house is questioned," Acheson added.

"We think, therefore, that questioning procedures may be formulated which make use of judicial guidance where it exists and which leave procedures flexible in the phases where such guidance from the courts or the Congress is not now available."

THREE-HOUR LIMIT SUGGESTED

He concluded that public responsibilities of prosecutors and police require "an affirmative formulation of police questioning."

On the question of a time limit for interrogation, Acheson said it is impossible, under current case law in the District, to specify a precise time.

"I believe it would be advisable to avoid having the aggregate period of questioning, exclusive of interruptions, exceed 3 hours," he said. "Interruptions will inevitably occur."

Police will have to have time to check alibis, to question witnesses, to put suspects' statements to scientific tests and to confront persons making statements with inconsistencies.

"And in the case where a suspect requests a lie detector test, it may be impracticable to operate within the suggested limitations on questioning time," Acheson said.

He emphasized that the time taken for the whole investigation never should conflict with the Federal procedural rule calling for appearance of a suspect before a magistrate without unnecessary delay.

"The shorter the questioning is, the better," Acheson added. "Questioning should be avoided where it is without investigative purpose or is likely to weaken a case by exposing it to legal challenges."

[From the Washington (D.C.) Post, July 16, 1965]

POLICE MAY QUESTION SUSPECT FOR 3 HOURS UNDER NEW RULES

(By Elsie Carper)

The Justice Department set new guidelines yesterday for Washington's Police Department to use in questioning persons arrested for probable cause.

The procedures will be put into effect as soon as orders can be issued to police officers, Police Chief John Layton said.

At the same time, the Justice Department asked Congress to hold off on legislation that would modify the Supreme Court's Mallory rule and other court decisions on the admissibility of confessions at a trial.

Instead, Justice asked Congress to enact a package of bills to reduce "the incidence of crime and protect the citizens in the streets."

GUN BILLS INCLUDED

Included in the request were bills tightening restrictions on guns, providing additional judges for the Court of General Sessions, giving police new crime detection tools, adding to the Recreation Department's roving leaders bureau and new laws to deal with alcoholism and narcotics addiction.

Under the new procedures, police will be able to question 3 hours but with stringent limitations. The suspect must be advised that he need not answer any question, that any statement given may be used against him, that he may consult an attorney, a relative or a friend and that if he is charged and cannot afford a lawyer the court will appoint one for him.

Police officers are to keep records on the time and circumstances of the questioning and, where possible, record the proceedings.

The 3 hours need not be consecutive but may be broken into intervals. Arraignment is not to be delayed. The suspect is to be taken before a magistrate and formally charged at the first available time.

The views of the Justice Department were outlined by Deputy Attorney General Ramsey Clark and U.S. Attorney David C. Acheson at hearings yesterday before the Senate District Committee, which has under consideration several legislative proposals modifying the Mallory rule.

Under the Mallory rule, a confession may not be used as evidence in court if it was obtained by police during an unreasonable delay between arrest and arraignment.

Commenting on the Mallory rule, Clark said there is no evidence that court interpretations "are a direct causative factor in crime or its increase," but, he said, "It is clear that Mallory as applied has impaired effective police investigation."

Layton said the new procedures relieve the situation under which police have been working since last October. At that time, Acheson advised police officers that persons under arrest should not be questioned at a police station until after arraignment.

HAVE WORKING ROOM

The chief said police will now have "some working room." As a result, he expects police will be able to recover more stolen property, clear up multiple offenses and be more specific on what charge should be placed against a suspect.

The new procedures were based on a study by the Justice Department in conjunction with the Police Department and conducted over the past 6 months.

Clark said they will afford "an immediate opportunity for a fair and more effective police investigation and adequate protection of the right of suspects." This view later was contested by Senator WAYNE MORSE, Democrat, of Oregon, a former law school dean.

If Clark and Acheson were students in his constitutional law class and had submitted such a paper, "they would have flunked the course," MORSE commented.

MORSE said Clark and Acheson are "afraid of legislation because they are afraid of what the Supreme Court will do to them. We are dealing with an effort to evade the constitutional aspects of the Mallory rule."

He said he will do whatever is necessary to have the new procedures rescinded.

The National Capital Area Civil Liberties Union also raised objections. Chairman Monroe H. Freedman said the procedures reinstitute "the offensive practice of investigative arrests."

Clark testified that experience under the new procedures would build "a solid basis" for future legislation in the field.

"While we cannot be certain that statements made in compliance with this procedure will be admitted in evidence by every judge in every case, the courts will be given an opportunity to pass upon statements made under such conditions and may well find that Mallory does not require their exclusion," Clark said.

He also pointed out that administrative procedures can be more flexible and would avoid the broad constitutional test that a statute would entail.

Recommended procedures are similar to those recommended by the Justice Department last year for incorporation in a bill later cleared by the Senate District Committee but not considered by the Senate. That bill allowed 6 hours for questioning between arrest and arraignment.

Senate District Committee Chairman ALAN BIBLE, Democrat, of Nevada, said further hearings will be held next week to take testimony from Chief Layton and Board of Commissioners President Walter N. Tobriner. The committee will then be in executive session to decide what to do.

BIBLE has been anxious to have legislation enacted this year and indicated he may want to see the recommended procedures written into law.

Mr. MORSE. Mr. President, these two spokesmen for the U.S. Department of Justice in their testimony yesterday stated:

> The Department of Justice has been asked for its recommendation for a legislative resolution of the problems in the investigation of crime which have resulted from certain interpretations of *United States* v. *Mallory*, 354 U.S. 449 (1957).
>
> Before addressing that subject, and without minimizing its importance, it should be noted that there is no single formula that can appreciably lessen the incidence of crime in the District of Columbia and there is no evidence that the Mallory interpretations are a direct causative factor in crime or its increase. At the same time, it is clear that Mallory as applied has impaired effective police investigation.

That is a very interesting observation. We lawyers know the importance of definitions. When the Deputy Attorney General of the United States, Ramsey Clark, says that "At the same time it is clear that Mallory, as applied, has impaired effective police investigation," I get interested in the evidence which I am sure will follow. There is none, from the beginning to the end of his testimony, not a scintilla of evidence, that supports that conclusion, with respect to a scuttling of the Mallory rule; and that is all that Acheson and Clark have proposed before the Senate District of Columbia Committee, a scuttling of the Mallory rule.

They have produced no evidence that their scuttling recommendations would improve effective police investigation. If the Mallory rule has impaired effective police investigation in the District of Columbia, let them come forward with some evidence.

Mr. President, that word "effective" is a catchy word, is it not? Do they think that if we had more effective police investigation in the District of Columbia, if we adopted their scheme for circumventing the Mallory rule, that that would make it possible for the police department to get by by way of subterfuge in arrests for investigation?

I say most respectfully, but very unmistakably, so far as my meaning is concerned, that in my judgment, if we follow the recommendations of the Deputy Attorney General of the United States and the U.S. attorney in the District of Columbia, we will jeopardize one civil liberty after another of the free people living in the District of Columbia. That would be the result of the proposal of the Deputy U.S. Attorney General and the U.S. attorney in the District of Columbia.

So I say to them: "Gentlemen, do not give me your semantics. Give me some evidence showing that the Mallory rule has interfered with effective police investigation."

It has interfered with the kind of police investigation in the District of Columbia that any police department should never be allowed to engage in.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BASS in the chair). Does the Senator from Oregon yield to the Senator from Maryland?

Mr. MORSE. I yield.

Mr. TYDINGS. Mr. President, I made it a point to be present at the hearing of the District of Columbia Committee yesterday, and I am sorry that the distinguished Senator from Oregon was not present.

Mr. MORSE. I should like to say why I was not present. I am chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations, which is conducting an investigation into American foreign policy in the Dominican Republic. I had the choice of whether I should carry out my duties with the Foreign Relations Committee or rely upon my reading ability so far as the record that was made in the District of Columbia Committee was concerned. Being able to read, I decided that I had better listen to the witnesses in the subcommittee, and make my judgment on the testimony after I looked at the hearing record made in the District of Columbia Committee.

Mr. TYDINGS. I am sorry that the distinguished Senator from Oregon was not present at the District of Columbia Committee's hearing, because had he been there and had he been able to take part in the interrogation and in the discussion and had he heard the complete dialog between both the Deputy Attorney General and the U.S. attorney, he would have noted that far from attempting to scuttle the Mallory rule, the Deputy Attorney General and the U.S. attorney were taking a very clear and sensible position.

The Deputy Attorney General and the U.S. attorney were resisting the enactment of precipitate legislation which would immediately affect the Mallory decision. The Deputy Attorney General and the U.S. attorney cautioned members of the committee that at present there are being conducted a number of investigations, studies, and surveys in depth, in an attempt to determine what effect, if any, the strict observance of the Mallory rule and the Escobedo case and other cases will have and are having on the administration of justice.

The Deputy Attorney General and the U.S. attorney encouraged the committee not to enact participate legislation. Instead, they prepared an administrative directive to the Chief of Police of Washington, establishing guidelines which in their judgment and in the judgment of the Senator from Maryland fall clearly within the outlines of the Mallory case, the directive to the Police Chief is designed to protect the rights of individuals, while at the same time giving the Police Department sufficient latitude to question suspects effectively.

The dialog in the committee, shows why the Deputy Attorney General and the U.S. attorney were not willing to go further, and why they did not want legislation to be enacted. Their position was that they wanted to study the situation further, in order to facilitate the fight against crime while at the same time accomplishing the ends that the Senator from Oregon seeks to accomplish.

I am sure that the Senator from Oregon agrees that before any legislation is enacted which would change the rules of criminal procedure, all the necessary facts which would tend to support such a change must be compiled. I am sure the Senator from Oregon agrees that actual facts and statistics in this area have not been compiled.

Whenever we discuss the merits or demerits of the Mallory rule emotions are raised, and people on both sides of the issue often make statements unsupported by factual data. We do not at present have the facts that would be necessary to support a change in the Federal Rules of Criminal Procedure.

Therefore I believe that had the Senator from Oregon been at the hearing, and could he have heard and seen the complete proceedings of the committee including the dialog back and forth, and not merely read the statements and the letter, he would have realized that he and the Deputy Attorney General and the U.S. attorney are not as far apart as he might think.

Mr. MORSE. I have seen it.

Mr. TYDINGS. Has the Senator read the testimony?

Mr. MORSE. I have read the transcript of the testimony.

Mr. TYDINGS. Has the Senator read the entire transcript?

Mr. MORSE. Yes. I do not believe that the dialog in any way removes the objections, which I shall state in my speech, to the proposal of the Deputy Attorney General of the United States and the U.S. district attorney. I will run through them and tell the Senator why.

I am sure we all know very clearly what the Mallory rule is all about. However, I ask unanimous consent that there be published at the close of my remarks the U.S. Supreme Court decision in the Mallory case.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. The deputy attorney general and the U.S. attorney say in their prepared statement—and they bore it out in the dialog to which the Senator from Maryland has referred:

> As for the problems raised by the Mallory rule in the District, our further study since your hearing of April 27 has led us to a plan which affords an immediate opportunity for a fairer and more effective police investigation and adequate protection of the rights of suspects, while permitting the police to develop facts and avoid a premature test of the constitutionality of proposed procedures.

Mr. President, I believe that is one of the great weaknesses in the position of the deputy attorney general and U.S. attorney. What they wish to avoid is a constitutional test as far as legislation is concerned. Over a period of time we have taken testimony before the Senate District of Columbia Committee on the Mallory rule. There has been a great deal of public discussion on the Mallory rule. That discussion has reached the point as to what we think ought to be incorporated in any legislation on the Mallory rule. To most of the so-called period of time tests for the application of the so-called guidelines I take great exception. If we do not have enough information now without waiting to get the experience that develops under those guidelines, we shall never be in a position to pass proposed legislation. I believe that we can now come to grips with all the legislative questions that are involved in any modification of the Mallory rule that reasonable men wish to consider, and what this measure seeks to do is to postpone the legislative consideration of it, with the resulting constitutional test on a statute basis.

We can get a constitutional test and we shall get it. We shall get such tests as fast as the guidelines can be taken through the courts. Some of the guidelines I shall mention before I finish my speech, in my judgment, would violate constitutional rights. I believe that the people in the District of Columbia are entitled to have determined on a statute basis the constitutional issues that I propose to raise in my remarks this afternoon on both the transcript of the hearing record and the prepared statement that those two law enforcement officers submitted to the committee.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. TYDINGS. Is the Senator familiar with the intensive effort being made by the American Law Institute to study the question?

Mr. MORSE. Yes.

Mr. TYDINGS. Is the Senator aware of the study being made in the various law enforcement jurisdictions in the United States?

Mr. MORSE. Yes.

Mr. TYDINGS. Does not the Senator feel that it would be helpful for any legislative body that would consider legislation in this area to have the facts which will be produced by the American Law Institute study available before it legislates in that field?

Mr. MORSE. As the Senator knows, a recent conference of the American Law Institute was held on that question. We had hoped that out of that conference would come some recommendations that would be helpful to our committee in connection with our omnibus crime bill.

I could not get to that conference, but as the Senator knows, two staff members of the committee did. They have briefed me on what transpired. Apparently they came away with the impression that the discussion was in such a state that no recommendations were crystallized by the American Law Institute.

In the meantime, we have the responsibility, if they come forward with some recommendations, to carry out our legislative function or to use our best judgment, taking into account all the advice that we can get, including some of the preliminary reports that we have in the form of correspondence, some of which I shall introduce in the hearing record next week.

I have those reports with me, but I am not privileged to introduce them because they want a few more days before the reports are released. I think we have all the material that we need to act upon the proposed legislation. If that proposed legislation needs further modification next year or the year after on the basis of anything that the American Law Institute, the Judicial Conference, or any of our State bar groups can come forward with, I shall be for modifying it. But I do not think we can justify brushing the subject under the rug for another Congress with no legislation one way or the other on it.

Mr. TYDINGS. I am at a loss to follow the logic of the distinguished senior Senator from Oregon. I know he feels as I do that this is an important and vital area in the fields of human rights, and of civil rights, as well as in the field of law enforcement.

I am therefore at a loss to understand the reasoning of the Senator from Oregon, that the District of Columbia Committee should disregard the advice and the caution of the Deputy Attorney General and the U.S. attorney to wait until more facts are available before seeking to enact far-reaching legislation affecting the vital areas of law enforcement and constitutional rights. I am at a loss to follow that logic.

Mr. MORSE. We have enough information to decide for now one way or the other. I do not wish to be drawn into what I believe the committee is being drawn into—the underwriting of guidelines that are set forth in the administrative procedures which are being issued to the Police Department in the District of Columbia. In my opinion the proposal would involve some constitutional infringements.

Mr. TYDINGS. But is not the Senator in effect supporting the position taken by the Deputy Attorney General and the U.S. attorney when they said that they did not think that the committee should be drawn into this area and promulgate legislation on the subject at this time until all the facts are elicited?

Mr. MORSE. It is not the proposed legislation that I am going to support. I propose to support some measure that will prohibit them from putting the guidelines into effect, or most of their guidelines. It is the guidelines that I am objecting to.

I repeat my statement that the Deputy Attorney General and the U.S. attorney, by clear implication, said yesterday that they were not recommending proposed legislation because they are concerned about the constitutional questions.

Then talking about their plan now with no legislation—merely getting out some administrative orders to the police department and telling the police department what they can do after they arrest a person—they say, "Under this plan, after an arrest based upon probable cause, and prior to the filing of a charge, a suspect may be questioned concerning his knowledge of a crime."

Why should he be? That is where I leave them.

If they have probable cause for arresting a suspect, arrest him. But it is not for them to adjudicate the case. If there is probable cause, the suspect ought to be taken without delay to a committing magistrate. That is what the Court said in the Mallory case.

What is wrong with it? Why, if there is probable cause for arresting a person, should there be given to the Police Department the right to take that person and to hold him for a period of time—and I shall say momentarily what period of time they are recommending but any period of time—for questioning? The right of that person affixes immediately after the hand of the law is placed upon his shoulder he is told, "You are under arrest." He should be told what he is under arrest for. He should be taken to a committing magistrate, and he should not be subjected at that point to any questioning by the Police Department.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. TYDINGS. Did not an important area of the administrative guidelines deal with the situation raised by the Escobedo case, the manner in which a person arrested on probable cause should be immediately advised of his right to contact a lawyer?

Mr. MORSE. That is true. That is covered in their so-called guidelines. I shall comment on that step when I get to it.

The point I wish to make now is that I do not want arrested persons classified. That is what happens. We do not get the fellow who is arrested for criminal violation of the antitrust laws. We do not get the business tycoon taken down to the police station and subjected to examination. We do not very often get the smart gangster taken down to the police station. He knows what his rights are. It is the poor, ignorant, illiterate fellow. In the District of Columbia, for the most part, they are Negroes. They are easily frightened; they do not know what their rights are, and are scared enough so they probably cannot understand what the guidelines would supposedly guarantee to them. It is the danger of abuse in practice that the Senator from Oregon always worries about. In my judgment, in effect, without calling it so, that is really the power to take someone in under investigation and see if they cannot find some basis for holding him.

Mr. TYDINGS. I am sympathetic toward the point raised by the Senator from Oregon. I have talked with the chief judge of this circuit of the U.S. court of appeals about it. However, I should like to make one distinction. I cannot agree with the Senator's view in the area of white-collar crimes, particularly fraud and income tax evasion. Defendants, even those who employ the best counsel that money can obtain, do make statements and confessions which often result in their conviction. Those individuals have all the money necessary to acquire the counsel which, unfortunately, until the noted Gideon case the less fortunate members of our society could not afford.

In my experience as U.S. attorney, I found that in income tax and fraud cases the statements given immediately during investigation, or shortly afterward, by persons charged with so-called white collar crimes, inevitably were important items of evidence at the trial and in the accomplishment of justice.

I understand the point the Senator from Oregon is making. It is a good point.

But we should also remember that even in the area of white-collar crimes, even when a defendant has counsel or the money to retain counsel, the statements which the defendant gives are often as important in the accomplishment of justice as the statements that a less fortunate individual, without eminence or prominence, makes. I do not make that statement with respect to racketeers; but with respect to the white-collar type of cases I believe it is true.

Mr. MORSE. My difference with the Senator from Maryland is that it is the dumb individuals, not the smart individuals, who are caught. The smart individual, who employs his attorney promptly, will not make statements that the police will be able to use. It is the dumb one, who does not understand the procedure, who is caught. Although he may be told, "You are entitled to counsel or an attorney," he will usually say "I will waive that right." The first thing he knows, he is badly trapped, is confused, and makes many statements that may be used against him later. That is a situation we ought to avoid. I do not believe that is proper police investigation. It invades the field of the presumption of innocence. The police precinct station should never become, to any degree whatsoever, a courtroom. The right place to take such a person is before a judge, where the police can present their evidence of probable cause, and the judge will commit if he believes there is probable cause. If there is no probable cause, the judge will dismiss the case. By and large, that is the procedure that ought to be followed.

As I proceed with my analysis of the guidelines, I shall point out that that basic protection of presumption of innocence is not maintained in those guidelines.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. TYDINGS. I could not agree more with the Senator from Oregon that a police station is not a courtroom. But I do not believe the Senator would imply that a statement or confession freely given is not highly important in the accomplishment of justice. Such statements, when they are given freely, particularly when they are given by an individual having a wish to unburden his conscience, and particularly in the white-collar type of situation, should not be lightly tossed aside or made unavailable to prosecutors, as we try to obtain justice for all.

Mr. MORSE. The blood chemistry of people varies so much that when we start applying the criterion of "freely given," we are already in the realm of a great doubt as to how much of a statement was freely given: Did someone frighten the accused? Did someone confuse him? Did he try to cover up for someone else?

The distinguished Senator from Maryland, a former prosecutor, knows that the criminal law books are filled with cases in which statements were made by persons who were excited, who wondered whether a relative was involved, and who were willing to take the blame for themselves; and finally discovered that they did not do anything at all. They were merely trying to cover for a relative or someone else who had an intimate relationship with him or her. The result has been that the examination itself did not favor the cause of justice; it really produced injustice.

I would keep to much more of a minimum the questioning by the police than the guidelines recommended by the Deputy Attorney General and the U.S. attorney recommend.

The statement continues:

> As a prerequisite to questioning he must be clearly advised that he need not answer any question, that any statement given may be used against him, that he may consult counsel, a relative, or a friend, and that if he is charged and cannot afford a lawyer the court will appoint one for him. Police officers are instructed to keep records of the time, duration, and circumstances of all questioning. Questioning will be sound recorded or otherwise preserved where possible, and steps will be taken to improve technology in this area. Any questioning will be of limited duration and should not exceed 3 hours in total. It will not, of course, be coercive or oppressive in manner, and will be avoided where it does not advance the investigation of crime.
>
> The arraignment of suspects who are charged after arrest will not be delayed except in unusual circumstances. Committing magistrates have arraigned at 10 a.m. on weekdays in the District for decades. This is typical of most jurisdictions. Any questioning of a suspect will be done, and the decision whether and what to charge will be made, between the time of arrest and the time next available for arraignment except when the time and circumstances make this unfair or inadequate.

Mr. President, in many instances, 3 hours is entirely unreasonable. In many instances, 3 hours would permit all the abuses that the court was condemning in the Mallory case, a case which involved a delay of several hours. We are dealing with a fellow citizen who is brought before a group of policemen. Do not forget that this fellow citizen will not give the appearance of being a member of the clergy. He will be subjected not only to words but to physical attitudes, which we know can often become highly important in the administration of criminal justice.

A delay of 3 hours can lead to police abuses. The guidelines provide that the accused must be told that, in answering questions, any statement that he makes may be used against him; that he may consult counsel, a relative, or a friend; and that if he is charged and cannot afford a lawyer, the court will appoint one for him. Consider the ignorant, illiterate, frightened Negro who is taken into a police station with perhaps one cup too many under his belt.

Does the Senator think we would be protecting a man by saying, "I have said all of those things to him and he did not ask for any of them." It is not realistic in regard to what happens in individual cases.

Mr. BASS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BASS. The Senator from Maryland and the Senator from Tennessee are not merely taking turnabout in the chair to have a colloquy with the Senator from Oregon.

Mr. MORSE. I would be flattered if the Senators did.

Mr. BASS. We are both vitally interested in the subject to which the Senator addresses himself.

Mr. MORSE. I know that the Senators are.

Mr. BASS. Let me preface my statement by saying that I am not legally trained. I am not an attorney.

Mr. MORSE. The Senator would have made a good one.

Mr. BASS. I understand that the Senator from Oregon has produced some fine attorneys.

Mr. MORSE. They produced themselves. I never produced them.

Mr. BASS The Senator helped them to develop their minds.

Mr. MORSE. I gave them an opportunity to study law.

Mr. BASS. The Senator has great experience in this field. One basic thing that disturbs me when we start talking of the Mallory rule and some of the other technicalities involved in the apprehension of a criminal is that we overlook the commission of the crime. This is a most important thing to the person who was the victim of the crime, to the citizen who has been wronged.

It is no solace whatever that, in apprehending the criminal, some technicality was involved which allowed the criminal to go free and not receive punishment for the crime.

I should like to see the great legal minds—the Senator from Oregon being among them—develop some kind of system whereby we could be assured that even if some technical mishap took place along the line in the apprehension of the criminal, the person who committed the crime would have to suffer for the commission of the crime, and not permit this error to allow the criminal to evade punishment for the crime.

Mr. MORSE. In reply, I believe that the best way to protect people who have had crimes committed against them is to insist upon a procedure that does not permit wrongdoers and criminals to escape the administration of the criminal law.

That would be the best way by which to protect the people on the streets of Washington, D.C. I shall make some suggestions before I finish as to how the people would be better protected than they would be by these guidelines. However, that is ancillary to my present point.

Another precious guarantee that all of us must insist be protected is that the burden of establishing guilt rests upon the state.

Mr. BASS. I could not agree with the Senator more.

Mr. MORSE. I know that the Senator would agree with that. However, we are dealing here with a conflict between state and citizen that has existed throughout the common law for centuries. It was one of the great conflicts between our colonists and the British Crown. Their objection was to the star chamber proceedings, the abuse from the police, and the kangaroo court procedures of the British Crown.

We have fought for this guarantee and defended it for a long time. I have become very much worried periodically when there is a tendency to want to give the police departments what I consider to be arbitrary power which the courts would constantly have to guard against. That is what they guarded against in the Mallory case.

In my judgment, Mallory was guilty. There is no question about it. Of course, he happened to be a high-grade moron, of extremely low intelligence. Justice Frankfurter found that he could not possibly have the command of the language that was used in the confession.

The law has said that it is better to have such a guilty person go unpunished than to sacrifice the precious civil liberties that I am talking about this afternoon—the protection of the innocent and the guilty from what I consider to be an abuse of power on the part of the police.

Mr. BASS. Is there not some way by which we could devise a system whereby the guilty could still be punished and not turned loose on society to feel free to commit another crime in the hope that some technicality would release them?

It appears to me as a layman—not as lawyer, but as a layman and as a U.S. Senator interested in attempting to reduce crime, not only in my State of Tennessee, but also in the District of Columbia—in which we have seen an increase in crime for 37 straight months—that there should be some way so that if a jury finds someone guilty and there is no doubt about the guilt of the party in the commission of the crime, the criminal should be punished regardless of the existence of some technical reason involving the method by which he was apprehended.

If this cannot be done, I believe that we are developing a maze of technical decisions over a period of years whereby it becomes easier and easier, decision after decision, commitment after commitment, for the criminal, with the aid of a smart lawyer, to find some way to evade paying his debt to society.

(At this point Mr. LONG of Louisiana assumed the chair.)

Mr. MORSE. Mr. President, I take my friend back into the literature of 150, 200, 250 years ago. The same argument was made. Yet, throughout all that period of time we have said to the police department, and to the prosecutors, "You establish the burden of proof for the state without becoming guilty of coercion, deception, or entrapment."

I mention only a few of the procedural guarantees that we all enjoy.

I remember that here on the floor of the Senate—and I seem to recall that the present presiding officer, the junior Senator from Louisiana, was on the floor that night—without any hearings, the last night of the session, a committee of the Senate brought out a proposed bill that would have had the effect of abolishing the Mallory rule.

I said:

> We will not vote on it tonight. I will enter into an agreement to come back in January and proceed with hearings, bring in the great constitutional lawyers, the crimologists, the law enforcement officers, and have our hearings. We should make a record on the various allegations that are made. However, I am glad to stand on the floor of the Senate within a stone's throw of that great citadel of justice, the Supreme Court, and know that we have a Court that has laid down this rule.

I said:

> Perhaps my colleagues here will understand it better if you will waive your congressional immunity for a moment, walk out on Constitution Avenue, have a policeman put his hand on your shoulder, take you down to the police station, and proceed to cross-examine you—if one wants to call it cross-examination—all night long. You will understand why the Supreme Court said you should have been taken without unnecessary delay to a committing magistrate, and the police should show why they were arresting you.

I do not know what is wrong with that. If the police department is a good one, it will be able to show probable cause and make the case stick.

We have found over the decades that in times of relaxation of these safeguards maladministration and abuses occur. That is why we must have technical safeguards. They compel the police to be efficient and effective.

Mr. BASS. Mr. President, if the Senator will yield further, I want him to understand that I am not recommending that that right of citizens be taken away, and I am not recommending that policemen be allowed to pick up anyone off the street and lock him up for any number of hours or days without benefit of counsel, or anything like that. What I am trying to say is that we must try to find an area in which to solve the problem. I refer particularly to the courts. The problem in the District of Columbia is not in the Police Department. It is in the coddling of known criminals and those apprehended under every type of procedure, when they are not being punished.

I ask the Senator to pay attention to this case. An 11-time loser, one who had been convicted of a felony 11 times, was on parole. He had not served his time. He was on parole and was walking the streets of Washington, D.C., when he committed assault, rape, and murder. These are matters that disturb me. If a technicality allows this sort of man to escape, I think it is wrong. We need some strengthening of the judicial process, particularly in the District of Columbia, when this kind of thing is allowed to happen.

I do not know how many are on parole in the District of Columbia. I do not know how many crimes committed during the 37 months of increased criminal activity in the District have been committed by what I refer to as habitual criminals. A man who has been convicted of a felony as many as 11 times, I say to my distinguished colleague, great Senator, and counselor, is a habitual criminal.

Mr. MORSE. What would the Senator do with him?

Mr. BASS. I would certainly not let him out on parole. I would see to it that he served his time. I would see to it that he was not let out on society until the Government's conviction of him, through a judge, and jury, was carried out.

Not too long ago the Senator may have heard remarks I made on the floor. One of the most heinous crimes that can be committed by an adult was committed. The number of years one lives does not create adulthood or continue a juvenile mind and body, as the Senator and I both know. Some people are mature at 14. Other people are not mature at 50. But here was a man who committed a heinous crime. There was no doubt his guilt. He murdered a woman. He was 6 feet 2½ inches tall and weighed 225 pounds. If there ever was such a thing as a developed body, he certainly had it. The judge sent him to a juvenile home, where he cannot face a judge and jury, where he does not have to pay for his crime. At the end of 4 years he will be turned out again, after he graduates from the greatest school for crime we know.

Mr. MORSE. I say respectfully that what the Senator is talking about is whether or not we should modify the statutes in regard to juvenile delinquency. I believe there is great merit in modifying them, but this question has nothing to do with the procedural method to which the Senator from Oregon is referring.

Mr. BASS. I am sorry. I got off on the wrong track.

Mr. MORSE. I thank him for the thought. There is no need to apologize.

Mr. BASS. But these are some of the matters we must correct.

Mr. MORSE. Let us consider some of the matters concerning parole. We must face up to the question of whether we think the parole system is properly administered and properly financed, whether or not the terms and regulations for relief need to be modified. But certainly, if we mean it when we say the purpose of American criminal law administration is not only punitive but also rehabilitative, we must have a procedure that gives to a carefully selected, conscientious parole board the authority to decide whether it is safe to let X out or whether he should serve another 2 years, for example.

I happen to have had the responsibility of being in charge of a major crime survey study in this country dealing with the subject of parole act provisions, pardon, and prison administration. I say to my friend from Tennessee that if he thinks we are on a complex subject now, he ought to get into the subject of parole. We must have rules and regulations that we hope are designed to protect the public interest, but at the same time will permit the parole board to release a prospective parolee whose case record seems to indicate that it is safe to do so. Otherwise he can be kept for his full term. The records seem to indicate that it is going to result not in his being rehabilitated but in his going, in a short time, for another term in prison.

Mr. BASS. I shall ask the Senator to do me a favor. He occupies a different position from the one I occupy in the Senate. The Senator from Oregon is a member of the District of Columbia Committee. He has a staff to do what I am asking for. I would like, for the period of 1 month, to have a record from the courts in the District of Columbia of felonious cases, to learn who the criminal is, how many crimes have been committed by him, whether or not he is on parole, and the disposition of the crime. I would like to have such a record for 1 month, to be able to study it. I believe the Senator could get that information, as a member of the District of Columbia Committee, because there is so much going on that it is difficult to ascertain the various crimes being committed and the dispositions of them.

Mr. MORSE. My staff could not do it, but we have two wonderful committee staff members, who are sitting at the rear of the Chamber, staff director, Mr. Chet Smith, and legislative counsel for the committee, Mr. Richard Judd. I now notify those gentlemen to take note of the request.

Of course, the statistics are available, but they must be compiled through official sources. There is no reason why that information cannot be obtained. I now assign the staff to see that the information gets to the Senator from Tennessee, and consult with him. I believe we may be able to supplement the Senator's request by giving him some related information that he may want to have.

Mr. BASS. I am vitally interested in the matter. I shall not disturb the Senator again or prevent him from giving his dissertation, but I am delighted to have had this colloquy.

Mr. MORSE. Every suggestion made to me opens up a new flood of ideas.

I want to go back to the language of the Deputy Attorney General.

Continuing to read:

> Under this plan, after an arrest, based upon probable cause—

Who says so?

We have to take this step by step, and the officer has gone over and placed his hand on the shoulder of the individual and says, "You are under arrest."

What are the semantics of the Deputy Attorney General of the United States?

These are guidelines sent down to the Chief of Police of the District of Columbia, which I hope we can have modified drastically in the not too distant future, because I believe them to be a great danger to the civil liberties of free men and women in the District of Columbia.

Repeating:

> After an arrest based upon probable cause—

Who says it is probable cause?

They will say subsequently, "Oh, when we arrested him we thought we had probable cause."

Mr. President, the only person in our system of justice who can determine probable cause is the committing magistrate, not the police, not the prosecutor. The check in our system of government, in order to protect its citizens from police abuse and prosecutor abuse, is the committing magistrate.

This statement glides over that. This is clever language.

Repeating:

> Under this plan, after an arrest based upon probable cause and prior to the filing of a charge—

They do not wish to file a charge yet. If they do file a charge, the Mallory rule moves in at once. They do not wish that. They wish time to take the arrested individual to the police station and, under their language, ask him questions; but under the literature of police abuses, they wish time to browbeat him, or to subject him to a kangaroo court. They do not use rubber hoses in many places any more, although they are still in use in some places.

Under the present kind of examination that can take place under the so-called guidelines, of the ignorant and the illiterate, the half-drunk and the frightened, we are either going to stand for their presumption of innocence or we are not. We cannot begin to draw the lines of classification among arrested persons, because the smart ones will outsmart us and the dumb ones will be abused.

Therefore, assume that they will leave a period of time to them—3 hours maximum, as I shall point out before I am finished—on the question of probable cause. They say that the questioning will not, of course, be coercive or oppressive in manner and will be avoided.

Find me the police officer who will ever admit that his examinations were coercive or oppressive in manner. Yet the literature stacks high with case after case and leaves no room for doubt as to what really happened.

Do not forget that since 1900 we have had one crime investigation after another. We all remember the great Seabury crime investigation, which was probably the bellwether of all investigations. Let me say to the everlasting credit of the judges, law professors, prosecutors, and defense attorneys who participated in those investigations that they helped to stamp out police abuse in many places. But, there is still too much of it left.

Mr. President, I am not going to go along with giving arbitrary discretionary power to the police of the District of Columbia to examine arrested persons on what they believe is probable cause for a period of time not to exceed 3 hours.

In my judgment, it evades the Mallory rule. In my judgment, it will have the effect in case after case of scuttling the Mallory rule.

If Congress wishes to change the procedure, it can do it by legislation, so that we can get the whole package of procedures before the Supreme Court in one law.

We know what the Justice Department is up to, do we not?

What it is up to at present is to get one guideline used in connection with some poor fellow, and his defense attorney will charge that it violates his constitutional rights, and we shall have to take it up on an administrative case to the Supreme Court, and when that case is thrown out they still have more, and it will take years to have the guidelines tested before the Supreme Court of the United States.

If we are going to do it this way, I should like to have it all in one package. Let the Deputy Attorney General and the U.S. District Attorney come in and bring forward their proposals for administrative handling of the problem in a bill.

I will vote against it. I believe such a bill would pass. I have said that for some time. I have pledged to the chairman of my committee that I will do nothing, if they get it up in a reasonable period of time, to prevent voting on an omnibus crime bill. Congress will do whatever it can to decide on some kind of omnibus crime bill and get it before the Supreme Court, but I do not wish to get it on an installment basis.

> The arraignment of suspects who are charged after arrest will not be delayed except in unusual circumstances.

What is an unusual circumstance?

Who is to determine that? The police, not the committing magistrate.

> The committing magistrates start their arraignments at 10 a.m. on weekdays and have been doing that in the District for decades. This is typical of most jurisdictions.

Why?

In many cities, do we have to wait on banking hours, at 10 a.m. in the morning, on the part of the committing magistrate to determine whether a person arrested without cause—and it happens frequently—is to be released?

We had better update ourselves in the District of Columbia.

I introduced a bill last week providing for five new judges. Let me say to my friend the Senator from Tennessee [Mr. BASS] that it would do more to put the guilty in jail than all the guidelines the Deputy Attorney General of the United States and the U.S. District Attorney have in this masterpiece of semantics which they submitted yesterday to the District of Columbia Committee.

My bill calls for two night judges for traffic courts. What is wrong with that?

In a city such as the District of Columbia, must we wait until 10 o'clock in the morning to have a committing magistrate pass on probable cause?

If there is probable cause, under an efficient administration of justice, they should have a committing magistrate available at all times. Most big cities have. Mr. President, we are dealing with civil liberties. We are dealing with the precious rights of free men and women. A court should be available before which persons who have been arrested can be taken. If they have probable cause, let the committing magistrate decide whether the person goes to jail or goes home.

Certain people in this city still have it in the back of their heads that a material witness should be kept in jail overnight. The Presiding Officer and I may be going down a street and observe the commission of a crime. We are not dealing in these cases with Members of Congress, of the board of trade, or the Rotary Club, but are dealing with poor unfortunate fellow citizens. The grandeur of our law, of course, is that they have the same rights as we have, and we must protect them in their rights. They should be brought before a committing magistrate immediately.

Mr. President, it will not increase crime if we follow the type of procedure that I am proposing. We will have a more efficient and more effective administration of criminal justice in the District of Columbia than we have ever had, or that we will have by giving arbitrary and capricious discretion to the Police Department.

The Police Department will determine this judgment question.

They say:

> In no event will questioning cause an "unreasonable delay" in presentment to a committing magistrate.

Who says so, Mr. Deputy Attorney General? Who says so, Mr. U.S. attorney?

The Supreme Court has said that persons arrested must be taken before a committing magistrate without unnecessary delay. The Supreme Court said so unanimously. We can see how they want to get around it. The instructions are:

> In no event will questioning cause an "unreasonable delay" in presentment to a committing magistrate.

Does anyone believe that 3 hours in many instances would not be an unreasonable delay? Has anyone seen the type of examination that can take place in 30 minutes? I am in favor of leaving it to the committing magistrate. He is the safeguard of our liberties. His office has been set up for this purpose in the administration of criminal justice.

Many people do not understand the system of checks and balances. When we give discretion to the police to arrest for probable cause, we give them great power. It is discretion, however, that ought to be checked forthwith, and not allowed to go on unabated for 3 hours.

> While we cannot be certain that statements made in compliance with this procedure will be admitted in evidence by every judge in every case, the courts will be given the opportunity to pass upon statements made under such conditions and may well find that Mallory does not require their exclusion. Careful police implementation and sound prosecutorial discretion will assure the development of a solid basis for legislation.

Who says so?

We get the old story again at this point in the administration of criminal justice that we will make the Police Department the police, prosecutor, and judge, all in one, in respect to these individual rights. It violates the check-and-balance system, in my opinion.

Now for the plan, Mr. President.

> The plan starts with the proposition that "questioning is often indispensable to crime detection" *Culombe* v. *Connecticut,* 367 U.S. 568, 571 (1960). It stimulaneously demands full and effective recognition of the rights of the suspect to remain silent; to be warned that his statements may be used against him; to consult relative, friend, or lawyer; to be released or charged and arraigned without unreasonable delay.

Mr. President, he may be sufficiently polluted with alcohol at this point so that he cannot understand the officer. He might be sufficiently frightened so that he did not hear the warning. He may judge, from side remarks that are made by the police officer who did not handle him too gently in the first place in getting him into the police station or into the police station or into the patrol wagon, that he had better "go along," that he might be better off if he went along. He needs a lawyer, then and there. That check, as a minimum, should be written in. It seeks to preserve a record of questioning so that it can be determined whether it is free from coercion.

If it is possible to record on a tape the intonation, the emphasis, the attitude, in the communication with the individual, that he had better do what he is told to do, I should like to see that record.

We are dealing with psychological problems. We are dealing with great individual differences among people. Mr. President, while this is better than nothing, it is not good enough.

> Questioning will be avoided where it does not advance the investigation of crime.

I should think so.

> Persons who are charged will be presented to a committing magistrate at the next available session. This is at least as prompt as has ever been the case in our jurisdiction.

They should not boast about that. The Deputy Attorney General and the U.S. attorney should have made recommendation that legislation be passed which would change that situation. They should not say "This is the situation, and we will let it continue."

> Chief Layton and his staff have participated in the formulation of this procedure and fully concur in it.

Do we expect the Police Department not to concur in it? Are they trying to move me because the Chief of Police has participated in the formulation of this procedure and fully concurs in it? Of course they approve of it. That does not make it right.

> The U.S. attorney believes that it will best serve his needs for the present.

That is interesting.

As we say in the field of criminal law, we must be on guard against the prosecution complex. We must be on guard against a prosecutor who likes to have his record evaluated on the basis of the number of prosecutions in which he succeeds, when his primary job is to see to it that the presumption of innocence, procedurally, is never in danger.

> It will be improved by detailed police regulations based on experience, and can take into account the work of the American Law Institute and the American Bar Association as it becomes available.

That is the point the Senator from Maryland [Mr. TYDINGS] has made, that we should pass a bill and then we can take into account subsequent findings of the American Law Institute and the American Bar Association. If they come out with findings which would justify changing the statute, we can change the statute.

It is impossible for me to understand how two lawyers should recommend that we not pass legislation that would take this matter to the Supreme Court, because we think that sometime in the future the American Law Institute and the American Bar Association will come out with some recommendations.

> It is more useful at this time than legislation incorporating the same features. It does not run the risk of constitutional invalidation of the standards involved, as would a statute.

So far as the senior Senator from Oregon is concerned, they have put themselves out of court with that statement. They let the cat out of the bag. Why do they not wish to put it in legislative form? Listen to their confession:

> It does not run the risk of constitutional invalidation of the standards involved, as would a statute.

They mean they are afraid that the proposals they are suggesting administratively would not stand the constitutional test. They are right in their fears. In my judgment, they would not stand the constitutional test.

Mr. President, as chairman of the subcommittee of the Committee on the District of Columbia which has jurisdiction over the Police Department, let me say that I do not intend to support a set of guidelines when the Deputy Attorney General of the United States and the district attorney for the District of Columbia give me a statement in which they say, as their excuse for not submitting a bill, that it does not run the risk of constitutional invalidation of the standards involved, as would a statute.

I do not know of anything more precious than protecting the constitutional rights of American people. When a law enforcement officer tells me that he will not advocate a statute that would incorporate the very administative procedures that he is recommending to the District of Columbia Police Department, I do not wish his administrative procedures. I wish a statute, and let the Supreme Court determine whether or not he has proposed guidelines that violate precious constitutional rights.

These two law enforcements said:

> Most important, while affording the police an opportunity for questioning which we deem essential, it is flexible—

I will say it is—

> and permits the development of facts, technology, and comprehensible language to guide police and courts through the complex, varied, and critical processes of criminal investigation in a large city such as Washington.

Mr. President, existing criminal law guarantees do that. The statement continues:

> Accordingly, the Department urges this committee to act upon the specific measures outlined at the beginning of this statement which strike at the occurrence of crime, and to refrain from action in the Mallory area pending a review of experience under the police procedures initiated yesterday.

There has been a great deal of experience for decades in regard to police exercising discretionary power. The burden of proof is to the effect that arbitrary power should not be given if we wish to protect the presumption of innocence.

Mr. President, I have covered most of the points in my discussion of Mr. Clark's memorandum. I have only a couple of comments to make on Mr. Acheson's comments. On page 2 of his letter he says:

> In short, we think that the public responsibilities of our respective departments require an affirmative formulation of police questioning procedures, and that this may be done consistently with constitutional requirements of voluntariness of statements and notice to arrested persons of their legal rights. These views are not only my own. They are supported by the Department of Justice, which has carefully considered the problem and authorized this letter. Accordingly, we recommend to you the following guidelines.

Then there are set forth the guidelines about which I have been speaking. Of course, all he is saying is that the Department of Justice agrees with him that he ought to do it in that way rather than by statute. As I have said, they do not want to do it by statute because they are afraid it would not stand up constitutionally.

There is one very interesting guideline set forth:

> 2. One under arrest should be permitted to communicate with a lawyer, relative or friend and such persons should be given access to him. Such communication or access should not, however, be allowed where there is reason to believe it is sought for the purpose of concealing or destroying evidence or otherwise defeating the ends of justice.

Imagine that. I repeat that statement because of the use of the semantics: "Oh, you think you ought to have a lawyer." I repeat:

> One under arrest should be permitted to communicate with a lawyer—

Loud applause—

> relative or friend and such persons should be given access to him. Such communication or access should not, however, be allowed where there is reason to believe it is sought for the purpose of concealing or destroying evidence or otherwise defeating the ends of justice.

Of course, the first part of their guideline becomes absolutely meaningless. The court says, "Why did you not supply him with a lawyer?"

The **PRESIDING OFFICER.** He might win the lawsuit.

Mr. **MORSE.** Surely, he might win the lawsuit. I am dumbfounded. I cannot believe my eyes. The Deputy Attorney General of the United States and the U.S. attorney for the District of Columbia propose that as a guideline.

Many more provisions are embodied in the letter in relation to keeping a record. But one of the most humorous things is the masterpiece of semantics on page 3, at which point Mr. Acheson says:

> The time taken for the whole investigation should, of course, not be such as to conflict with the requirement of rule 5(a) calling for appearance before a magistrate without unnecessary delay.

Why should not the magistrate be permitted to determine that question, Mr. Acheson? Why should not the courts determine that question?

He says, "The shorter it is, the better."

I can tell the Senate how that can be shortened and made better. Take the suspect to the committing magistrate. That is the shortest route. Mr. U.S. Attorney, that is all that must be done. That makes it better for the preservation of basic civil liberties in the administration of criminal justice.

Continuing to read from the letter:

> Questioning should be avoided where it is without investigative purpose or is likely to weaken a case by exposing it to legal challenges.

If the suspect is a smart one, better lay off. If he is one who knows his rights, better take it easy. If the suspect is a dumb one, an ignorant one, an illiterate one who happens to be a human being, too, then the authorities do not have to have so much concern.

I am sorry it is necessary to take as long as I have taken, but we are dealing with something that is pretty precious. In my judgment, the way to get to the bottom of the crime problem is to see to it that the courts in the District of Columbia are given the judges they need. We ought to start with a minimum of five, and see that one or two judges are provided so far as traffic cases are concerned, and that we also revise the schedule of judicial hearings in the District so that in this so-called modern city we shall have the same modern improvements in law administration that we have in most large cities. We should have a committing magistrate before whom we can take a suspect after the arresting officer is satisfied that he has the right man and that there is probable cause for his arrest.

Mr. President, we should give the Police Department the personnel help that it needs, not only in connection with the enlargement of its force, but also the clerical assistance that it needs, so that policemen who are now tied down in nonpolice functions can be put back into their law-enforcement capacity.

Mr. President, we should give the Commissioners of the District the help they need in order to tackle the causes of juvenile delinquency in the neighborhoods of the District. We should give to the School Board of the District of Columbia the necessary money for a breakfast program for little boys and girls who go to school hungry morning after morning because they never get a breakfast. Then we expect them to be anything but truants of behavior problems. We should carry out the suggestions that have been made in the District of Columbia for economic assistance for the District of Columbia and support the Commissioners of the District of Columbia in carrying out the program that I believe Mr. Tobriner envisions. We must give him help. That is the way we must tackle the crime problem.

I have mentioned only a few of a long list of the items that we have discussed. I shall renew again—and I have support for it in the overwhelming majority of the members of the District of Columbia Committee—the Morse resolution to provide for the appointment of a Congressional Crime Study in the District of Columbia that can work cooperatively with the police, the prosecutor's office, and the courts in the District of Columbia.

Let us not revert to the thinking that the problem of crime control in the District of Columbia will be solved or improved by these guidelines, which would have the effect of circumventing the Mallory rule.

I apologize to the Chair for keeping him here so long. But this is so important to the work of the subcommittee of which I am the chairman that I thought I should go on record in opposition to the recommendation of Mr. Acheson and Mr. Clark.

EXHIBIT 1

SUPREME COURT OF THE UNITED STATES—ANDREW R. MALLORY, PETITIONER, v. UNITED STATES OF AMERICA—NO. 521—OCTOBER TERM, 1956

(On writ of certiorari to the U.S. Court of Appeals for the District of Columbia Circuit, June 24, 1957.)

Mr. Justice Frankfurter delivered the opinion of the Court.

Petitioner was convicted of rape in the U.S. District Court for the District of Columbia, and, as authorized by the District code, the jury imposed a death sentence. The court of appeals affirmed, one judge dissenting (236 F. 2d 701). Since an important question involving the interpretation of the Federal Rules of Criminal Procedure was involved in this capital case, we granted the petition for certiorari (352 U.S. 877).

The rape occurred at 6 p.m. on April 7, 1954, in the basement of the apartment house inhabited by the victim. She had descended to the basement a few minutes previous to wash some laundry. Experiencing some difficulty in detaching a hose in the sink, she sought help from the janitor, who lived in a basement apartment with his wife, two grown sons, a younger son and the petitioner, his 19-year-old half-brother. Petitioner was alone in the apartment at the time. He detached the hose and returned to his quarters. Very shortly thereafter, a masked man, whose general features were identified to resemble those of both petitioner and his two grown nephews, attacked the woman. She had heard no one descend the wooden steps that furnished the only means of entering the basement from above.

Petitioner and one of his grown nephews disappeared from the apartment house shortly after the crime was committed. The former was apprehended the following afternoon between 2 and 2:30 p.m. and was taken, along with his older nephews, also suspects, to police headquarters. At least four officers questioned him there in the presence of other officers for 30 to 45 minutes, beginning the examination by telling him, according to his testimony, that his brother had said that he was the assailant. Petitioner strenuously denied his guilt. He spent the rest of the afternoon at headquarters, in the company of the other two suspects and his brother a good part of the time. About 4 p.m., the three suspects were asked to submit to lie detector tests, and they agreed. The officer in charge of the polygraph machine was not located for almost 2 hours, during which time the suspects received food and drink. The nephews were then examined first. Questioning of petitioner began just after 8 p.m. Only he and the polygraph operator were present in a small room, the door to which was closed.

Following almost an hour and one-half of steady interrogation, he "first stated that he could have done this crime, or that he might have done it. He finally stated that he was responsible. * * *" (Testimony of polygraph operator, R. 70.) Not until 10 p.m., after petitioner had repeated his confession to other officers, did the police attempt to reach a U.S. commissioner for the purpose of arraignment. Failing in this, they obtained petitioner's consent to examination by the deputy coroner, who noted no indicia of physical or psychological coercion. Petitioner was then confronted by the complaining witness and "practically every man in the sex squad," and in response to questioning by three officers, he repeated the confession. Between 11:30 p.m. and 12:30 a.m., he dictated the confession to a typist. The next morning he was brought before a commissioner. At the trial, which was delayed for a year because of doubt about petitioner's capacity to understand the proceedings against him, the signed confession was introduced in evidence.

The case calls for the proper application of rule 5(a) of the Federal Rules of Criminal Procedure, promulgated in 1946, 327 U.S. 821. That rule provides:

"(a) Appearance before the commissioner: An officer making an arrest under a warrant issued upon a complaint or any person making an arrest without a warrant shall take the arrested person without unnecessary delay before the nearest available commissioner or before any other nearby officer empowered to commit persons charged with offenses against the laws of the United States. When a person arrested without a warrant is brought before a commissioner or other officer, a complaint shall be filed forthwith."

This provision has both statutory and judicial antecedents for guidance in applying it. The requirement that arraignment be "without unnecessary delay" is a compendious restatement, without substantive change, of several prior specific Federal statutory provisions (e.g., 20 Stat. 327, 341; 48 Stat. 1008; also 28 Stat. 416). See "Dession, the New Federal Rules of Criminal Procedure I," 55 Yale Law Journal 694, 707. Nearly all the States have similar enactments.

In *McNabb* v. *United States,* 318 U.S. 332, 343–344, we spelled out the important reasons of policy behind this body of legislation:

"The purpose of this impressively pervasive requirement of criminal procedure is plain. * * * The awful instruments of the criminal law cannot be entrusted to a single functionary. The complicated process of criminal justice is therefore divided into different parts, responsibility for which is separately vested in the various participants upon whom the criminal law relies for its vindication. Legislation such as this, requiring that the police must with reasonable promptness show legal cause for detaining arrested persons, constitutes an important safeguard—not only in assuring protection for the innocent but also in securing conviction of the guilty by methods that commend themselves to a progressive and self-confident society. For this procedural requirement checks resort to those reprehensible practices known as the third degree which, though universally rejected as indefensible, still find their way into use. It aims to avoid all the evil implications of secret interrogation of persons accused of crime."

Since such unwarranted detention led to tempting utilization of intensive interrogation, easily gliding into the evils of "the third degree," the Court held that police detention of defendants beyond the time when a committing magistrate was readily accessible constituted "wilful disobedience of law." In order adequately to enforce the congressional requirement of prompt arraignment, it was deemed necessary to render inadmissible incriminating statements elicited from defendants during a period of unlawful detention.

In *Upshaw* v. *United States,* 335 U.S. 410, which came here after the Federal Rules of Criminal Procedure had been in operation, the Court made it clear that rule 5(a)'s standard of "without unnecessary delay" implied no relaxation of the McNabb doctrine.

The requirement of rule 5(a) is part of the procedure devised by Congress for safeguarding individual rights without hampering effective and intelligent law enforcement. Provisions related to rule 5(a) contemplate a procedure that allows arresting officers little more leeway than the interval between arrest and the ordinary administrative steps required to bring a suspect before the nearest available magistrate. Rule 4(a) provides: "If it appears from the complaint that there is probable cause to believe that an offense has been committed and that the defendant has committed it, a warrant for the arrest of the defendant shall issue * * *." Rule 4(b) requires that the warrant "shall command that the defendant be arrested and brought before the nearest available commissioner." And rules 5 (b) and (c) reveal the function of the requirement of prompt arraignment:

"(b) Statement by the Commissioner: The commissioner shall inform the defendant of the complaint against him, of his right to retain counsel and of his right to have a preliminary examination. He shall also inform the defendant that he is not required to make a statement and that any statement made by him may be used against him. The commissioner shall allow the defendant reasonable time and opportunity to consult counsel and shall admit the defendant to bail as provided in these rules.

"(c) Preliminary examination: The defendant shall not be called upon to plead. If the defendant waives preliminary examination, the commissioner shall forthwith hold him to answer in the district court. If the defendant does not waive examination, the commissioner shall hear the evidence within a reasonable time. The defendant may cross-examine witnesses against him and may introduce evidence in his own behalf. If from the evidence it appears to the commissioner that there is probable cause to believe that an offense has been committed and that the defendant has committed it, the commissioner shall forthwith hold him to answer in the district court; otherwise the commissioner shall discharge him. The commissioner shall admit the defendant to bail as provided in these rules."

The scheme for initiating a Federal prosecution is plainly defined. The police may not arrest upon mere suspicion but only on "probable cause." The next step in the proceeding is to arraign the arrested person before a judicial officer as quickly as possible so that he may be advised of his rights and so that the issue of probable cause may be promptly determined. The arrested person may, of course, be "booked" by the police. But he is not to be taken to police headquarters in order to carry out a process of inquiry that lends itself, even if not so designed, to eliciting damaging statements to support the arrest and ultimately his guilt.

The duty enjoined upon arresting officers to arraign without unnecessary delay indicates that the command does not call for mechanical or automatic obedience. Circumstances may justify a brief delay between arrest and arraignment, as for instance, where the story volunteered by the accused is susceptible of quick verification through third parties. But the delay must not be of a nature to give opportunity for the extraction of a confession.

The circumstances of this case preclude a holding that arraignment was without unnecessary delay. Petitioner was arrested in the early afternoon and was detained at headquarters within the vicinity of numerous committing magistrates. Even though the police had ample evidence from other sources than the petitioner for regarding the petitioner as the chief suspect, they first questioned him for approximately a half hour. When this inquiry of a 19-year-old lad of limited intelligence produced no confession, the police asked him to submit to a lie-detector test. He was not told of his rights to counsel or to a preliminary examination before a magistrate, nor was he warned that he might keep silent and that any statement made by him may be used against him. After 4 hours of further detention at headquarters, during which arraignment could easily have been made in the same building in which the police headquarters were housed, petitioner was examined by the lie-detector operator for another hour and a half before his story began to waver. Not until he had confessed, when any judicial caution had lost its purpose, did the police arraign him.

We cannot sanction this extended delay, resulting in confession, without subordinating the general rule of prompt arraignment to the discretion of arresting officers in finding exceptional circumstances for its disregard. In every case where the police resort to interrogation of an arrested person and secure a confession, they may well claim, and quite sincerely, that they were merely trying to check on the information given by him. Against such a claim and the evil potentialities of the practice for which it is urged stands rule 5(a) as a barrier. Nor is there an escape from the constraint laid upon the police by that rule in that two other suspects were involved for the same crime. Presumably, whomever the police arrest they must arrest on probable cause. It is not the function of the police to arrest, as it were, at large and to use an interrogating process at police headquarters in order to determine whom they should charge before a committing magistrate on probable cause.

Reversed and remanded.

REPORT ON IMPACTED AREAS PROGRAM

Mr. MORSE. Mr. President, when S. 3060 became Public Law 88–665, Senators may recall that it contained a provision with respect to the submission of a report upon the operation of Public Laws 815 and 874 by June 30, 1965.

This report has been received. Since it is of general interest to Senators in whose States the programs are now operating, I ask unanimous consent that it be printed together with transmittal letters at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

To: Secretary Celebrezze.
From: Commissioner Keppel.
Subject: Report on Public Laws 815 and 874.

I have the honor to transmit herewith a report on Public Laws 815 and 874, based on a study completed this month by the Stanford Research Institute. This report includes suggested changes in the laws proposed by the independent research group, and my preliminary recommendations on these suggestions.

Attached to this report as an appendix is the two-volume study of Public Laws 815 and 874 by the Stanford Research Institute.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I have the honor to transmit herewith the Commissioner of Education's report on Public Laws 815 and 874, based on a study completed this month by the Stanford Research Institute. This report includes suggested changes in the laws proposed by the independent research group, and preliminary recommendations on these suggestions by the Commissioner.

Attached to the Commissioner's report as an appendix is the two-volume study of Public Laws 815 and 874 by the Stanford Research Institute.

Sincerely yours,

————————,
Secretary.

ASSISTANCE TO FEDERALLY AFFECTED SCHOOL DISTRICTS

In the 1965 budget submitted to Congress, the President recommended that a thorough study be made of the program of Federal assistance to federally impacted areas. Of particular concern to the President was the effect that Federal activities have on the fiscal and economic resources of local communities for the education of their children.

Congress approved this recommendation and included the following in Public Law 88–665, which was signed October 16, 1964:

"The Commissioner of Education shall submit to the Secretary of Health, Education, and Welfare for transmission to the Congress on or before June 30, 1965, a full report of the operation of Public Laws 815 and 874, as extended by this act, and his recommendations as to what amendments to such laws should be made if they are further extended."

Public Law 815 provides grants for school construction and Public Law 874 for school operating expenses in federally impacted areas.

The Commissioner determined that the proposed study should be made by a professional research organization not connected with the administration of the two acts. He requested funds for a study, and Congress appropriated $200,000 for it. On November 23, 1964, a contract for the project was concluded with the Stanford Research Institute. On June 4, 1965, the institute submitted a two-volume report to the Commissioner.

The Stanford study group interpreted the intent of Congress in passing Public Laws 815 and 874 to be (1) that the Federal payments should be confined to compensating local educational agencies for financial burdens imposed on them by the Federal activities enumerated in the acts, and (2) that such Federal payments should not exceed the federally created burdens on the school districts.

Assuming that the burdens arise because of the presence of tax-exempt Federal property and the presence of federally connected children, the study group concerned itself with measuring the difference between local property tax contributions of Federal and non-Federal pupils. No attempt was made by the group to measure the impact on State taxes or local taxes other than property taxes, nor did the group consider that it would be worthwhile, in the light of its analysis of the factors involved, to measure the extent of economic growth accompanying Federal impact. The findings and suggestions based on this framework are set forth in the following pages:

MAJOR FINDINGS

(a) Financial burdens are created for local school districts by Federal activities of the types covered by the two acts.

(b) It is possible to determine each district's financial burden. This makes it possible to determine the extent to which Federal payments compensate, overcompensate, or undercompensate individual school districts.

(c) As defined above, the financial burdens created by the establishment of a Federal project are not restricted to the project's initial impact, but are continuing burdens. It has not been determined how these burdens change over a period of time.

(d) Financial burdens created by Federal activities vary from district to district. They depend on the number of federally connected children, nature and location of Federal installations, socioeconomic characteristics of both federally and nonfederally employed families, and other factors. These burdens can be measured.

(e) Burdens are created by two categories of children: those who live on Federal property with a parent employed on Federal property (category A); and those who either live on or whose parent works on Federal property, but not both (category B). The B category applies whether the parent is employed on Federal property located within the district of residence or outside the district of residence.

(f) On a nationwide basis, the Federal rate of payment for B category children is approximately 50 percent of the rate for A children. But the actual burden created by the B category group may be substantially above or below this 50-percent rate, depending on local circumstances.

(g) Under Public Law 874 for school operating expenses, Federal payments approximately equal the financial burdens in some districts, overcompensate others, and undercompensate still others. Overpayment is far more common than underpayment.

(h) Public Law 815, for school construction, has not met the financial burden created by Federal activities in many impacted districts because eligibility requirements are very stringent. The periods for which increased enrollment may be counted for eligibility are limited. The larger school districts are more likely to be undercompensated in this program.

In general, the study group concluded as follows: The justification for Federal payments is that Federal activities create additional school enrollments which associated Federal properties do not contribute property tax revenue to support these enrollments.

The study group's suggestions for legislative changes are based on its concept of the specific intent of Congress as stated on page 2. The suggestions which follow, regarding determination of rate and payment, include alternatives depending on how precisely it is desired to fit Federal payment to Federal burden.

In submitting this report, it is emphasized that the recommendations in the pages which follow are within the context of Public Law 815 and 874 only, and should be regarded as preliminary. We do not offer them as specific legislative recommendations for enactment by Congress at this time. In preparing the legislative program for the second session of the 89th Congress, we will consider the proposals tentatively recommended below along with other possible approaches for improving the quality of education for the Nation's school children. In this connection, for example, we shall be assessing the relationships between titles I and II of Public Law 874 and possible modifications of the Elementary and Secondary Education Act of 1965.

STUDY GROUP SUGGESTIONS FOR CHANGES IN PUBLIC LAW 874 AND PRELIMINARY RECOMMENDATIONS BY THE COMMISSIONER

1. Eligibility requirements to receive assistance: Except for large cities, a school district is eligible to receive assistance under section 3 if attendance of federally connected children during the year equals 3 percent of total attendance. School districts that just meet the 3-percent requirement get paid for all the federally connected children in their districts, while those that just fail to meet the requirement get no Federal payment.

The Commissioner agrees with the conclusion in the report that this is not justified and that the proportion of the Federal burden to be absorbed without payment should be the same for all school districts. The suggested absorption provision would weigh A and B category children in the proper ratio based on the rate of payment. The absorption factor would be roughly equivalent to the 3 percent set by Congress for eligibility. This would increase slightly the number of eligible school districts, but would reduce substantially the amount of Federal payment to almost every eligible district.

2. Eliminating the higher eligibility requirement for large districts: As originally enacted, Public Law 874 required school districts which had 35,000 or more children in 1939 to have 6 percent federally connected children for eligibility instead of the 3 percent required for other districts. In 1958

this requirement was made to apply to districts having 35,000 or more children in 1957. But districts which had already qualified at the 3-percent rate could still retain eligibility even though the 1957 enrollment was more than 35,000.

The study found that this higher requirement for large districts was not justified in terms of the burden created by Federal activities or the ability of large districts to absorb the burden. The Commissioner supports the suggestion that eligibility requirements be the same for all districts, large and small.

3. Rates of payment: As originally enacted, Public Law 874 provided that the amount of payment per A category child should be determined as follows: The A payment should be equal to the current operating expenses per child met from local revenue sources in the most nearly comparable school districts in the same State. A 1953 amendment offered an alternative method of determining the A rate: one-half of the State average cost per child. In 1958, Congress provided for still another alternative, namely one-half of the national average cost per child. All three of the provisions are still in effect. Under present law, payments for B category children are one-half the A rate.

To determine the local contribution rate, some school districts use comparable districts. Others—usually those with high State costs per pupil—use one-half of the State average cost. Still others—usually where the State per pupil costs are low—use one-half of the national average.

The study found that overpayments most frequently occurred in districts which chose to be paid one-half of the national average. The next group most frequently overpaid were low-cost districts in high-cost States which were paid one-half of the State average cost. The study concluded that neither the payment of one-half the State cost nor the payment of one-half the national average cost was justified and suggested that these alternative minimum rates be eliminated. The Commissioner agrees with this suggestion.

The report presented three alternative ways of determining the amount of the Federal payment.

The first and most precise method would be to determine the amount for both A and B category children on the basis of how much less Federal families contribute to local property taxes than non-Federal families. This method would require a detailed study every few years to determine the assessed value of Federal family residences and the number of children in those families.

While the study group concluded that a detailed study would be the most equitable method of determining the rate, the Commissioner believes that this method is impractical administratively and would be very costly.

The second method—somewhat less precise—would attempt to measure the Federal burden by a formula which would take into consideration assessed values of residential and commercial and industrial property, and the number of A category and B category children in relation to total children.

This is less difficult to implement provided the necessary records are available on assessed value of various types of property for all districts. Many questions regarding availability and interpretation of property records must be answered before this method could be applied, and therefore the Commissioner does not believe that this method should be accepted at this time.

The third method—which the Commissioner supports—would classify all school districts in a State into groups with similar characteristics and similar education requirements. The rate of payment for A category children would be determined by the average local expenditures per child for each group of districts. This method is now permitted in the law, and is used in some 19 States, although the report concludes that better grouping of districts would result in more equitable payments. The report states that the rate of payment for B category children in each group of districts could best be determined by a study of residential and commercial values in each district, but that if a single rate is to be used for B category children, 50 percent of the local contribution rate would be equitable. The Commissioner agrees with this conclusion.

However, as stated above regarding the second method, investigation should be made on the feasibility of applying locally determined ratios of residential and commercial property.

4. Establishing Federal connection: The report suggests that the definition of a federally connected pupil should be changed from "having a parent working on Federal property" to "having a parent who is a primary wage earner working on Federal property." This change could reduce the cost by as much as $2 to $3 million a year. However, the definition of "primary wage earner" is subject to interpretation, and it would be extremely difficult to implement this concept. Accordingly, the Commissioner does not believe that this change should be made.

SUMMARY

These study group suggestions would reduce very substantially the payments now made to nearly all eligible school districts. They would reduce the payment more in the States with low educational costs than in those with high educational costs and would reduce entitlement more for those States with high State aid programs. Nevertheless, if these suggestions were implemented, they would come closest to achieving the objective of making the Federal payment fit the actual financial burdens imposed by Federal activities on local educational agencies.

STUDY GROUP SUGGESTIONS REGARDING PUBLIC LAW 815 AND PRELIMINARY RECOMMENDATIONS BY THE COMMISSIONER

1. Eligibility requirements: Because there were too few grants under other sections of Public Law 815 to justify any conclusive observations, the study was restricted to grants under section 5. These account for 90 percent of all funds granted to school districts each year.

A school district is eligible to receive a grant under section 5 (except under subsection 5(a)(3) of the act), if in any 2-year period it has an increase in federally connected children that equals 5 percent of its membership in the base year, i.e., the year immediately preceding that period. In addition, the district must show an increase of 7 percent in the number of nonfederally connected children before counting any federally connected children for payment.

The study found that there is a strong tendency toward underpayment under this formula. Many districts may have either a slow or an erratic growth in federally connected children which does not fit the growth pattern required for eligibility. Such districts may never be eligible to receive assistance. The study reported that an increase of 5 percent is ultimately just as much of a burden if it occurs during a 3- or 4-year period as if it occurs during a 2-year period. The report suggested the possibility of counting the increase in federally connected children from the beginning of the law to the end of any 2-year increase period to meet the eligibility requirements. The Commissioner believes these conclusions merit serious considerations.

2. Non-Federal growth requirement: In Public Law 246, Congress provided that before an otherwise eligible district could count any federally connected children for purposes of payment, the district must show a 7-percent increase in non-Federal children. This provision was intended to insure that a district did not receive Federal payments unless there was a substantial increase in school membership resulting from in-migration of families connected with a Federal activity. At the time of this amendment, statistics showed that on the average, public school enrollment in the Nation would increase 3.5 percent a year or 7 percent in a 2-year period, and this provision required that each eligible school district should have the national average non-Federal growth before it could count any federally connected children for payment.

Projections of the Office of Education show an estimated average increase of 1.5 percent a year from 1965 to 1970. Accordingly, the Commissioner believes consideration should be given to changing the requirement from the present 7 percent to 3 percent in any 2-year increase period.

3. Determination of entitlement and maximum payment: The current entitlement of any school district is based on the cost per pupil of constructing minimum school facilities in each State in the preceding year. The report points out that since there are differences in costs of constructing elementary, junior, and senior high facilities, and for constructing new buildings and additions, payments to school districts should reflect these differences.

The Commissioner is well aware of these differences in cost but considers it inadvisable to attempt to determine an entitlement based on whether or not the increase is in elementary, junior, or senior high school children, or based on the types of facilities the school district would construct with the Federal funds.

OTHER RECOMMENDED CHANGES

The study pointed out that there are a large number of administrative problems that could not be investigated because of lack of time or staff. The report suggested that many of these warrant consideration and that the Director of School Assistance in Federally Affected Areas be consulted as to possible improvements with special attention to those that can be accomplished without materially affecting the purposes of the laws. Recommendations for administrative changes will be included with any legislative proposals regarding these laws that may be submitted in the future.

SUMMARY OF COSTS

It is estimated that the suggestions regarding Public Law 874 would decrease the program costs by about $125 million a year. Suggestions for amending Public Law 815 are estimated to increase this program's cost by $10 million a year, from an estimated average of $50 to $60 million a year.

Mr. MORSE. Mr. President, the study upon which this report is based has also been received by the Education Subcommittee and is undergoing careful review. I hope that at an early date it may be possible to have this excellent research report available to interested Senators as a committee print.

CHARTER DAY ADDRESS BY DR. C. WARREN HOVLAND AT CONVOCATION AT OREGON STATE UNIVERSITY

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the Record the charter day address entitled "The Many Voices of the University," delivered by Dr. C. Warren Hovland, chairman of philosophy and religion at Oregon State University, at a convocation at Oregon State University on October 29, 1964. It is a most moving and eloquent statement.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE MANY VOICES OF THE UNIVERSITY

(By Dr. C. Warren Hovland)

There are an endless variety of voices coming from the modern university—the faint, echoing voices of the past * * * the harsh, often discordant sounds of the present * * * and the almost silent voices of the future. There are musical voices of Tom, Dick, and Mary, dramatic voices, scientific voices, administrative voices, cheering voices, voices of disapproval, and voices silent on the crucial issues of our time. There are voices of the empiricist and the existentialist; voices of the agriculturalist, the pharmacist, the engineer and the coaches; voices of conformity and voices of dissent; voices of excellence and voices of mediocrity; permissive voices and authoritarian voices. There are the diverse languages of the poet and philosopher, physicist and forester.

While language seems to be the great common denominator of the academic world, even the most superficial acquaintance reveals that there is no one language employed but rather a great diversity of languages—each with its own signs and symbols. This tremendous diversity of sound is confusing and frightening to some, exhilarating to others, a challenge to all who wish to understand the complex structure of the modern university and, indeed, the modern world. Considering this diversity and variety it is no wonder that one college president has described the contemporary university as a series of separate schools and departments held together by a central heating system. While another president characterizes it as a series of faculty entrepreneurs held together by a common grievance over parking.

Charter day should be a time to stop and listen to these voices—voices of the past and present—voices of students, faculty, and administration and of the public they attempt to serve. For a charter helps us define our identity. I use the term by Prof. Erik Erikson, to suggest that the achievement of maturity is only possible when one has mastered certain developmental tasks. The achievement of identity is possible only when we know and accept who we are and decide where we are going. I believe that the university can and must forge its own identity. Just as the great charters of freedom—the Declaration of Independence, the Constitution, and the Bill of Rights—help us, as Americans, discover who we are, the charter of a university helps it chart its own unique course in an environment shaped by these basic documents.

The spirit of our charter is a liberal spirit, providing wide educational opportunities for a much wider segment of the population than had enjoyed this privilege before. Its basic concern was to relate education more intimately to the society at large. But just as our Constitution needs a provision for amendment, so our charter needs to be continually interpreted and reinterpreted. Whatever its formulations may have been in the past, our present situation demands of us more than vocational training, for vocational training alone cannot help a person meet the challenges of an increasingly complex world. The country needs men and women who understand themselves and their society with some vision of their relationship to the rest of the world.

On charter day it is appropriate to look first to the voices of the past. All American universities inherit a great tradition of learning and scholarship and all share some responsibility in preserving and transmitting this tradition. The library—the central and most important single structure on any campus—is the symbol of this function. It is a great temptation for the university (and for the individual), however, to live and glory in the historical and cultural achievements of the past. The word "tradition" becomes a sacred word to some—even if the tradition goes only back to last week's football game.

A glance at the earliest catalogs of Oregon Agricultural College shows us a radically different world. The curriculum of 1890 consisted of 54 courses. The student body, totaling 85, was listed by name. The faculty numbered 11, and the tuition was $5 per term. I quote from the rules governing the social life of students: "Students must be in halls for the night by 7 o'clock Monday through Fridays and by 9 o'clock on Saturday and Sunday except by special permission. Students residing in Corvallis will not be allowed on the streets of the city after 9 p.m. * * * All communication between ladies and gentlemen on the college premises are expressly forbidden (1881)."

Institutions, like persons, have pasts, and what we are today is due, in part, to what we were yesterday. The real question of our identity, therefore, becomes what we will value of the past, and the rate and direction of our growth or change. We know that we cannot live forever in the paradise of the past. Even Adam is reported to have whispered to Eve as they were hurried out of the garden: "Darling, we are living in an age of transition."

As the historian, Carl Becker, suggests: "Every generation will understand the past and anticipate the future in the light of its own restricted experience. It must inevitably play on the dead whatever tricks it finds necessary for its own peace of mind—a necessary effort on the part of society to understand what it is doing in the light of what it has done and what it hopes to do."

What a different world speaks to us in the voices of the present: The 1964–65 catalog lists 10,531 students, 1,574 teaching faculty, 2,936 courses. Instead of the world of the steam engine (proudly announced in the 1899 catalog) it is the world of electron microscopes, computers, and radiation centers—with a center for study in Pavia, Italy, and faculty and research interests in Thailand, South America, and Africa. Our university can be proud of the extension of this concern, not only throughout Oregon but the way it is putting its knowledge at the service of the entire world. I refer to the work being done in water resources, oceanography, food technology, forest research and a host of other projects.

Dr. Clark Kerr, president of the University of California, calls the university of the present a "multiversity" because it tends to represent the pluralistic nature of our society. Most academic institutions today attempt to be responsive to the demands of industry, government, alumni, legislators, and pressure groups (off campus and on). They are often influenced as much by Madison Avenue and public opinion as by professional associations and accrediting agencies. The university is inevitably responsive to grants from governmental agencies such as the National Science Foundation and industry, so that over half of an institution's budget is likely to come from these sources. Like the lady at the cocktail party approaching a wealthy guest, it often asks: "How much did you say your name was?" Under the new Educational Opportunities Act, even more money will be put at the disposal of the universities. Nor is the end in sight. The demographers are predicting that the number of college students will double by 1980 and the problem of predicting and directing the voices of the future is a difficult one.

What will the university of the future be? There are predictions that by the year 2000 there might be a uniworld university with local campuses. The center of the university will not be the library or the research laboratory but a television set operating 24 hours a day. A language selector button will select programs originating in Rome, London, New York, and Tanganyika with world experts lecturing on Shakespeare, the Russian novel, Chinese poetry, and 19th century utopias, on agriculture and forestry. There will be no color bar, no examinations * * * the only cost will be the maintenance of local campuses with discussion sections. Already experimentation is going on * * * there is in operation a university of the seven seas—a university afloat, but hopefully not adrift.

Sometimes a more nightmarish vision disturbs my dream. I see a row of computers in a clean, well lit, but sterile room. Standing in front of them are rows of students. One student calls out to the others, "Hey, I'm programed for physics 201." Another replies, "Oh, I've had that. I'm programed now to lit 307." Then occasionally an odd-looking fellow joins them and says, "Oh me? I guess I'm old fashioned; I'm programed to a thing called b-o-o-k."

The real question now is: Will the university have a voice in its own future? Institutions are shaped either by the best vision of the academic community or, like the sand dunes near Florence, they may be the sum of many accidents, shaped by influences but not by purposes. Some institutions resemble the sprawling, ugly metropolitan centers which are the unintended consequences of millions of fragmented purposes.

But let us return to the present scene and listen to the voices of students, faculty, administrators, and the various "publics" concerned with the life of the university.

The voices of students increasingly reveal the pressures under which they are forced to live. There is the pressure to get into college and the pressure to succeed when they get there. There are pressures to be accepted and pressures to conform. For many there is the pressure to get into graduate school—and, for all, the pressure to be "successful" when they get out. One dean has called the American university a great big pressure cooker. Such pressures have many unfortunate consequences: For one thing, there is an increasing emphasis on specialization * * * for another: the tendency toward conformity and loss of individualism. Where college years were once a period of self-exploration and discovery leading to a sense of identity—there is no time for such luxury now. Early specialization is demanded and this means concentration in one area.

Sometimes, about the junior or senior year, a student may find that he really would like to know something about sociology or physics, or poetry, or take time to read a few of the great books but this would interfere with his "education" and he might not get enough "A's" to get into graduate school. Some students, confronted with the wide range of offerings and the freedom to choose, retreat from choice into the security of one of the many subcultures and find a sort of pseudoidentity as a member of some fraternity, sorority, or interest group. In a large institution there are also more opportunities for anonymity for the talented and the drifters. As the institution grows in size, there is greater depersonalization and less and less attention given to the individual student. One student in a larger university voiced his problem this way: "The only way I can get any attention here is to bend my IBM card."

Pressures of this kind frequently lead to conformity in thought and behavior and a general unwillingness to take responsibility and risk. It is safer to "play it cool"—since someday you may need a letter of recommendation to get into graduate school or need security clearance for a job with a defense contract. Hence question raisers, critics, and disturbers of the intellectual peace are a rarity today. They are a precious rarity, however, for these are the qualities that continue to be needed in a democratic society. We need more men like Socrates, Jesus, Galileo, Martin Luther King, Jeremiah, Voltaire, and Tom Paine if man is ever to grow up.

Two very hopeful signs in the American scene should be mentioned: the enthusiastic response given to the Peace Corps and the number of students who have been involved, at some cost to their own comfort and security, in the civil rights movement. The Student Nonviolent Coordinating Committee has enlisted the support of some of the outstanding student leaders in this generation. Apparently, also, some students at the University of California have recently become concerned in expressing their involvement in political and academic affairs.

Among some students (by contrast) there are the voices of cliches: They have decided to "get with it" and are busy "having a ball"—except when they get "bugged" by their professors, who, after all, are "squares." "Education wise" they do not expect a "breakthrough" but ("let's face it") this is better than doing the "Army bit" or the "mother bit." It now appears some of these will stay with it until they are "senior citizens."

The faculty themselves speak with many voices—representing the different disciplines and the different claims to knowledge. On any faculty there are the empiricists, the rationalists, the expressivists, and the pragmatists. There are transmitters, critics, creators, and doers: all important to the total enterprise. Some delight in the particular, the concrete, the tangible, and visible. Others delight in the general, the abstract, the ideal. There are the natural scientists in their laboratory, with their empirical concerns. There are the logicians and the mathematicians with their rationalistic approach. There are philosophers of science and other philosophers concerned with ethical and esthetic problems. The university should be a community of scholars. If scholars are "men thinking," it is clear that the subject of thought and the modes of thought will be different. As to content, some scholars are more concerned about the world of nature while others are more concerned about the nature of man.

Creative artists, poets, musicians, architects, theoretical physicists, and geologists speak with an infinitive variety of sounds, forms, and symbols. Some of the sounds and symbols are shattering and dissonant * * * some more gently persuasive. But the best of it disturbs us and shakes us out of our comfortable cliche-ridden world. We are driven by it to ask serious questions about the world we live in, the meaning of life, the trend of our society, the value of the goals we pursue. These are the voices of Camus and Sartre, Hemingway and Faulkner, Updike and Malamud. They are the voices of Webern and Stravinsky, of Picasso and Rouault and Pollack, of Corbusier and Saarinen, of Albee, Beckett, Brecht, and Genet. These represent the great prophetic voices of our time—intensely concerned with the fate of modern man. We ignore them at our peril.

We need now to explore questions from new perspective—a cross-cultural, cross-discipline approach—with the help of the behavioral scientist and the "biopoliticians." "Biopolitician" is a new name for those who combine biology and politics in attempts to solve problems of public policy. Hopefully, through such studies we may eventually bridge the present impasse between the two cultures, scientific, and humanistic. Value questions must be raised, not because of the interesting intellectual exercise they may provide, but because the crucial decisions of our age have a moral dimension that cannot be disregarded.

Finally, there exists on all campuses a great many pragmatist thinkers—practical men who are more concerned with techniques than ideas, who in their preoccupation with ways and means (instead of ends) make an important and essential contribution to the total enterprise.

It may surprise some students to know that faculty, too, are under pressure. There is the pressure for recognition by other faculty, by the academic guilds, by the professional societies. Some faculty must publish or perish, and many voices are heard on the faculty—wailing for more time for research, for smaller teaching loads, for better salaries. Yet teaching, I am convinced, is one of the most satisfying, difficult, and rewarding of professions.

I believe that it is essential for a good education that students be exposed to all kinds of voices. Just as a democracy believing in an open society allows each one to speak freely, and depends for its survival on the shared best insights of all, a university has the responsibility to expose students to various kinds of knowledge, various ways of discovering truth, and a great variety of learning experiences. The various voices of the university must be allowed to speak about the various aspects of the universe, about different possibilities of vocation and about different life styles. Hearing these different voices, a student must choose between them, and this choice is essential for the creation of his unique identity.

I am convinced that students can be trusted, ultimately, to discriminate between true and false but only if they have ample opportunities for testing and comparison and (always) the opportunity to make mistakes and learn from them. Only in such an environment of variety and diversity can a student discover himself and other persons—discover his own uniqueness and the uniqueness of others, coming to value other persons as he has come to value himself. Only in this way does a person become free, allowing others the freedom that has brought him his fulfillment and his maximum usefulness to the society he serves.

Increasingly, the voice of the administrator on the campus is that of a moderator trying to reconcile conflicting interests, parceling out areas of responsibility, and seeking to maintain peace in the family. Peace may mean keeping the boat from rocking. Or it may be a creative tension which allows free expression of diversity, self-criticism, and a dynamic interaction which makes for progress. The stronger the faculty, the more likely it is to have a voice in the direction the university takes.

The administrator of the modern university has to be, in the words of President Kerr, "leader, educator, initiator, wielder of power, pump * * *. He is also officeholder, caretaker, inheritor, consensus seeker, persuader, and bottleneck." No wonder he doesn't have much time for sleep. But mostly he is a mediator. As an administrator he must respond to the unofficial public lobbies nagging at the university; the parents, alumni, the business community, the local community, the professional associations, and Government (Federal and State). Parents raise their concerned voices if their children are not admitted; or if they do not do well when they are admitted. They are perennially concerned about the moral and social climate of the university. The voices of alumni demand winning football teams and a return to the good old days. As a couple of returning grads reminisced (in the New Yorker, recently): "It's such a beautiful school * * * too bad nobody can get in any more."

The administrator must look to the alumni for support. If they stop reading and thinking after they leave the university, the university has failed them. If they become legislators or voters who turn down school budgets, defeat bills for advancing higher education and public welfare and fail to support the institutions which nourished them, they have been poorly educated.

In the face of these various demands, the diverse needs of the people whom it serves, the claims and counterclaims of faculty, students, alumni and the public, the problem of the university is, to put it simply: How to be its own man. It cannot be all things to all people. It must choose its own identity and clearly define its own task and direct its own future. This involves selection of emphases and clarification of goals.

Historically, the university has had as its aim; the conservation, the production, and the dissemination of knowledge. The library, the laboratory, and the classroom are the symbols of these activities. Increasingly, the university has also taken on the task of extending the scope of its work through extension programs, adult education, and continuing programs for special interest groups which make the State its campus.

I should now like to characterize a university as a place where the life of the mind is stimulated and encouraged, where learning is promoted, where the tools for inquiry and research are developed, where respect for truth is esteemed and where standards of excellence are established and maintained. It can be a community where a certain quality of relationships are cultivated—marked by breadth and depth, by courtesy, respect and integrity and a concern for the growth and enrichment of all participants. It should be a place where sham, pretense, superficiality, fear and superstition are excluded, where passion for truth is manifest and ignorance liquidated.

To cultivate these qualities requires an environment of freedom, freedom to explore every kind of idea. The university should be a marketplace where all kinds of ideas and values are offered to the student who must ultimately make his own choice between them. It should seek to be a place favorable to the growth of a genuine community of seekers, scholars and students alike, governed by mutual interest, mutual respect and mutual consideration.

If this sounds too idealistic, let me hasten to suggest that the university has some immediate practical problems to solve: to educate men and women to take their roles in a highly complex, technological and scientifically oriented world. A university must also remember that it shapes the identity of a society through the quality of its training and its emphases and through the creativity it fosters in faculty and students alike.

The university can no longer be a tight little island. It must listen to the world's voices. Let me mention a few of the problems which concern our society, and to which educational institutions such as ours must direct their talents and concerns:

THE VOICES CRYING FROM HUNGER

Half of the world goes to bed hungry every night. Research needs to be done in entomology, nutrition, agriculture and health to provide ways and means of meeting these needs. A hungry man, even in America, is more interested in food than ideologies. It is fitting that OSU today honors Prof. Ernest Wiegand as one of the first recipients of its Distinguished Service Award. Dr. Wiegand has done so much to increase man's understanding of ways and means of preserving and utilizing food.

THE VOICES CRYING IN PAIN

Along with the conquest of hunger goes the conquest of disease. Here again the university is a key source of knowledge in biology, bacteriology, chemistry, etc. Research into heart disease, cancer, and other illnesses are part of the challenge confronting the schools today. Three million people still die of tuberculosis every year. It is therefore fitting that we also honor today Lowell Edwards, a man who has skillfully related his technical engineering skill to the creation of an artificial heart. Others have been interested in the relationship of sociology and psychology to disease and much is being done in the area of psychosomatic disorders. Mental illness continues to be one of America's most serious problems and here the resources of psychiatry, sociology, religion, economics all enter the field. The scope of this problem is indicated statistically: 1 out of every 10 Americans will need psychiatric services in his lifetime.

THE CHORUS OF VOICES EMANATING FROM THE NURSERY

When hunger and disease are conquered, we lengthen the life span and must face all the implications of the population explosion. Genetics, the physiology and psychology of reproduction, questions of family life and family planning are all involved in this.

THE VOICES OF HIROSHIMA AND NAGASAKI

But the ultimate solution to the population explosion may still be the atomic explosion, which would solve the problem in an hour or so * * * through a world holocaust. The proper resolution of nuclear power and the peaceful uses of atomic energy are perhaps the most important single issue that our generation has to solve. Here the resources of science, political science, economics, and many other disciplines must be tapped. It is most fitting that one of OSU's most distingiushed alumni, Dr. Linus Pauling, has been a leader, not only in the area of physical chemistry but in his concern with the problems of peace and the resolution of the arms race. He has pointed the way, in his own life, to a bridging of the two cultures, the scientific and the humanistic. It was President Johnson who, at the dedication of the East-West Center, said: "Arms can never make us invulnerable nor our enemies invincible, but the support we give to education can make freedom irresistible."

THE ANGRY VOICES FROM MONTGOMERY, ALA., ST. AUGUSTINE, FLA., AND ROCHESTER, N.Y.

Freedom, however, is still only a partially realized goal in our own society. The civil rights movement in American society is a part of a much larger movement for freedom among the nonwhite population of the world. The universities should be responsive to, and give leadership to, this movement. Students must painfully discover the meaning of freedom in the university community.

THE VOICES OF THE HUMAN SPIRIT

Finally the universities, it seems to me, have a very important role to play in encouraging our total cultural and spiritual development. It should provide creative opportunities for students to express and be concerned with all manifestations of the human spirit in art, music, religion, drama, and literature. The present schedule at the Mitchell Playhouse includes productions of "Hamlet" and "A Man for All Seasons." Both plays deal with basic problems I have been discussing and deserve the wholehearted support of the entire campus community. In addition, such fine programs as the foreign film series, the international print exchange and the liberal arts lectures help significantly to make this a genuine intellectual community.

America is not only a nation of immigrants (as President John Kennedy asserted) but it is a great melting pot of ideas. Our universities reflect the great universities of Europe; the student-centered humanistic tradition of Cambridge and Oxford, the scientific and research-oriented programs of German universities, the free student life of France—as well as our own great experiments with education. But this is a revolutionary era. Never before have men and nations been compelled to learn so much so fast and so well. This is a revolutionary era calling for a new and better life for all men everywhere. But I wonder if it would not be true to say that there has been no comparable revolution, perhaps no revolution at all, in the realm of education?

The world problems are urgent and complex: The achievement of peace while increasing numbers of nations are manufacturing atomic weapons of destruction; the conquest of hunger in parts of the world while an economy of abundance flourishes elsewhere; the resolution of problems of automation, increased leisure, the problems of juvenile delinquency on one hand and our aging populations on the other, the conquest of outer space and the problems of moon travel, the creation and maintenance of an international court of law and a strong United Nations.

The stakes are high in the race with the future. A society which fails to provide the best possible education for its citizens must pay the price of social disintegration and deterioration. A university which fails to find its identity and fails to set its face to the future must face being left behind, rudderless. A faculty which settles for less than excellence must live with mediocrity. A student who fails to make full use of his opportunities and his potential must forfeit part of his humanity.

I have tried to suggest that there are many voices speaking in our universities today, like loudspeakers placed all over the campus (not just at the Memorial Union) and claiming our attention. I believe that this diversity is desirable and the different voices have different functions. Language has many functions: it may transmit information, it may be used to induce moods or manipulate the emotions or the mind, and it may promote action. So the different voices of a university have their different roles. But because there is diversity does not mean we should not seek to understand the differences and, wherever possible, seek common denominators. Scientists and social scientists, biologists and political scientists must be able to sit down together and try to understand one another.

Real communication always involves open and honest expression of one's own conviction and willingness to listen with one's whole being to insights and perceptions of others, as was so beautifully demonstrated in the life of Dag Hammarskjold. As our knowledge of the world expands, we need to develop more adequate concepts of the relationships between man and nature. Specialists may assist in the clarification of knowledge, but integrating and synthesizing insights are needed to explain and interpret this new knowledge. "This mediating role between science, ethics, and public policy may be filled in various ways by people from various backgrounds—from the sciences, from professional education, from philosophy, religion, or public affairs," writes Lynton Caldwell in a recent Yale Review.

Identity involves commitment. We are known by the choices we make, and life is constantly putting situations before us which demand that we identify ourselves. As the Arab proverb puts it, "The dawn does not come twice to awaken a man."

We are the university—its voices include our own. Will they be concerned, involved, reconciling, open, and creative voices? Will they be sensitive and responsible voices—attuned to the great issues of our time? Or will it be said of us, as one character said of another in Bernard Malamud's "The Assistant," "He could, with a little more courage, have been more than he was?"

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORT OF A COMMITTEE

The following additional report of a committee was submitted:

By Mr. HART, from the Committee on the Judiciary, with amendments:

S. 950. A bill to make the antitrust laws and the Federal Trade Commission Act applicable to the organized professional team sports of baseball, football, basketball, and hockey and to limit the applicability of such laws as to exempt certain aspects of the organized professional team sports of baseball, football, basketball, and hockey, and for other purposes (Rept. No. 462).

NOTICE OF HEARING ON NOMINATION OF WILLIAM B. BRYANT, OF THE DISTRICT OF COLUMBIA, TO BE U.S. DISTRICT JUDGE, FOR THE DISTRICT OF COLUMBIA

Mr. HART. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, July 23, 1965, at 9:30 a.m., in room 2300, new Senate Office Building, on the nomination of William B. Bryant, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice David A. Pine, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Michigan [Mr. HART], chairman, the Senator from North Dakota [Mr. BURDICK], the Senator from Indiana [Mr. BAYH], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from New York [Mr. JAVITS].

ADJOURNMENT UNTIL MONDAY

Mr. MORSE. Mr. President, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 12 minutes p.m.) the Senate adjourned until Monday, July 19, 1965, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 16, 1965:

INTER-AMERICAN DEVELOPMENT BANK

Tom Killefer, of Virginia, to be Executive Director of the Inter-American Development Bank for a term of 3 years and until his successor has been appointed. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate July 16, 1965:

U.S. TRAVEL SERVICE

John W. Black, of Washington, to be the Director of the U.S. Travel Service.

DEPARTMENT OF COMMERCE

David R. Baldwin, of Pennsylvania, to be an Assistant Secretary of Commerce.

FEDERAL MARITIME COMMISSION

James V. Day, of Maine, to be Federal Maritime Commissioner for the term expiring June 30, 1969.

John Harllee, of the District of Columbia, to be Federal Maritime Commissioner for the term expiring June 30, 1970.

DEPARTMENT OF DEFENSE

Alain C. Enthoven, of Virginia, to be an Assistant Secretary of Defense.

Robert N. Anthony, of Massachusetts, to be an Assistant Secretary of Defense.

NATIONAL MEDIATION BOARD

Francis A. O'Neill, Jr., of New York, to be a member of the National Mediation Board for the term expiring July 1, 1968.

U.S. ARMY

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. John Arnold Heintges, O20281, Army of the United States (brigadier general, U.S. Army).

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major generals

Brig. Gen. George Baird Bennett, O398135, Adjutant General's Corps.

Brig. Gen. Edward Donald Walsh, O422743, Adjutant General's Corps.

To be brigadier generals

Col. Joe Ahee, O363984, Adjutant General's Corps.

Col. Ross Holland Routh, O287602, Adjutant General's Corps.

U.S. NAVY

The following-named officers for permanent appointment to the grade indicated in the Navy, in accordance with article II, section 2, clause 2, of the Constitution:

To be captain

Comdr. Walter M. Schirra, U.S. Navy.

To be commander

Lt. Comdr. John W. Young, U.S. Navy.

To be vice admiral

Rear Adm. Robert Goldthwaite, U.S. Navy, when retired, for appointment to the grade indicated, pursuant to title 10, United States Code, section 5233.

U.S. MARINE CORPS

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade indicated, subject to qualification therefor as provided by law:

To be major general

Robert B. Bell.

To be brigadier general

Charles T. Hagan, Jr.

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade indicated:

To be major generals

George E. Tomlinson
John L. Winston.

To be brigadier generals

Charles F. Duchein
Sidney S. McMath.

IN THE AIR FORCE

The nominations beginning Emmert M. Aagaard to be colonel, and ending Richard R. Elles to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 1, 1965.